

CITY OF BURNABY

BYLAW NO. 12760

A BYLAW to amend Bylaw No. 4742, being
Burnaby Zoning Bylaw 1965

WHEREAS application for rezoning has been made to the Council;

AND WHEREAS the Council has held a public hearing thereon after duly giving notice of the time and place of such hearing as prescribed by Sections 892 and 893 of the *Local Government Act*, R.S.B.C. 1996;

NOW THEREFORE the Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY ZONING BYLAW 1965, AMENDMENT BYLAW NO. 1, 2010.**
2. The Map (hereinafter called "Map 'A'"), attached to and forming an integral part of Bylaw No. 4742, being "Burnaby Zoning Bylaw 1965", and designated as the Official Zoning Map of the City of Burnaby, is hereby amended according to the Map (hereinafter called "Map 'B'"), marginally numbered R.Z. 3775 annexed to this Bylaw, and in accordance with the explanatory legend, notations, references and boundaries designated, described, delimited and specified in particularity shown upon said Map 'B'; and the various boundaries and districts shown upon said Map 'B' respectively are an amendment of and in substitution for the respective districts, designated and marked on said Map 'A' insofar as the same are changed, modified or varied thereby, and the said Map 'A' shall be deemed to be and is hereby declared to be amended accordingly and the said Map 'B' is hereby declared to be and shall form an integral part of said Map 'A', as if originally incorporated therein and shall be interpreted accordingly.

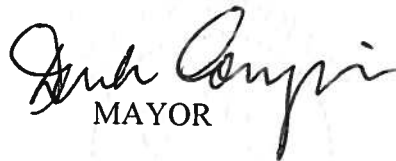
3. The Comprehensive Development Plan entitled "UNIVERCITY PHASE 3 CONCEPTUAL DEVELOPMENT PLAN & DEVELOPMENT STATISTICS" prepared by SFU COMMUNITY TRUST and on file in the office of the Director Planning and Building, is deemed to be attached to and form part of this Bylaw and any development on the lands rezoned by this Bylaw shall be in conformity with the said Comprehensive Development Plan and the Development Parameters attached to this Bylaw as Attachment "A".

Read a first time this 1st day of February 2010

Read a second time this 1st day of March 2010

Read a third time 14th day of June 2010

Reconsidered and adopted this 26th day of July 2010

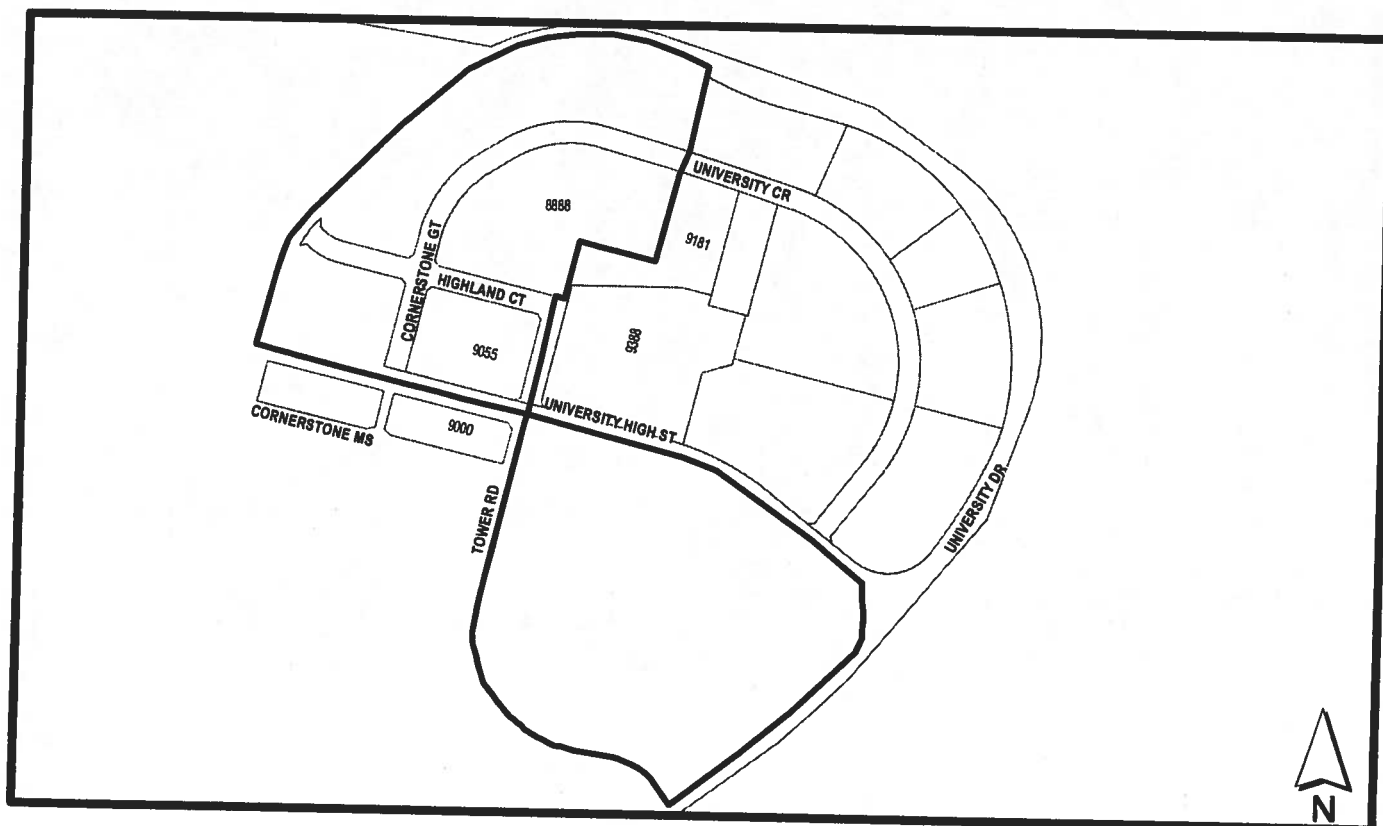

MAYOR


CLERK

BYLAW NUMBER 12760 BEING A BYLAW TO AMEND BYLAW
NUMBER 4742 BEING BURNABY ZONING BYLAW 1965

REZ. 06-65

LEGAL: Ptn. of Lot 1 Except: Part in Plan BCP25760, D.L.'s 31, 101, 102, 141, 144, 147, 209, 210 & 211, Group 1, NWD Plan BCP6258 and Lot 25, D.L. 211, Group 1, NWD Plan BCP31371



THE AREA(S) SHOWN ABOVE OUTINED IN BLACK (——) IS (ARE) REZONED

FROM: P11e SFU Neighbourhood District

TO: CD Comprehensive Development District (based on P11e SFU Neighbourhood District, P8 Parking District, C3 General Industrial District and P1 Neighbourhood Institutional District and in accordance with "Attachment 'A' Development Parameters" prepared by the City of Burnaby and the development plan entitled "UniverCity Phase 3 Conceptual Development Plan & Development Statistics" prepared by SFU Community Trust)

 City of Burnaby	PLANNING & BUILDING DEPARTMENT
DATE: JAN 25 2010	OFFICIAL ZONING MAP Map "B" No. REZ. 3775
SCALE: 1:7,000	
DRAWN BY: DJ	

Attachment 'A'
Development Parameters
Rezoning Reference #06-65
UniverCity - Phase 3

1.0 INTRODUCTION

- 1.1 A subdivision (SUB #07-51; see attached Sketches #3 and 4) is being pursued to create the Phase 3 development sites of the UniverCity residential community at Simon Fraser University. The overall CD Comprehensive Development rezoning accommodates the creation and servicing of these parcels, and establishes development criteria for them. The overall P11e density of 1.70 Floor Area Ratio (based on full underground parking) which applies to Parcels 16, 17, 18, 19, 20, 21, 23, 27, 28, 29 and 43 is allocated to the individual parcels as specified.
- 1.2 Development of Parcels 16, 17, 18, 19, 20, 21, 22, 27, 28, and 29 for residential use shall be in accordance with these Development Parameters including "Table 1 - Development Statistics" and the UniverCity Phase 3 Conceptual Development Plans document for the individual sites. Preliminary Plan Approval is required. An application for Amended CD rezoning can be considered where a developer wishes to pursue a departure from the Conceptual Development Plan for a specific parcel.
- 1.3 Development of Parcel 22 for child care use (based on P1 guidelines) will be in accordance with the development plan in the UniverCity Phase 3 Conceptual Development Plans document.
- 1.4 Development of Parcel 24 will be for commercial (retail/office) use with a transit hub and bus layover component as well as possible residential component (based on C3 and P11e guidelines and the conceptual development plan in the UniverCity Phase 3 Conceptual Development Plans document), and will require a CD amendment rezoning as well as a servicing agreement providing for completion of adjacent roads and the public transit facilities. Floor Area Ratio will be determined at the time of amendment rezoning based on a specific architectural plan.
- 1.5 Interim development of Parcel 25 for temporary sales centres (for developments in UniverCity) and for temporary surface parking (based on C3 and P8 guidelines) will be in accordance with the development plan in the UniverCity Phase 3 Conceptual Development Plans document. Future re-development of Parcel 25 for mixed commercial and residential use (based on C3 and P11e guidelines) will require a CD amendment rezoning (based on C3 and P11e guidelines and the development guidelines in the UniverCity Phase 3 Conceptual Development Plans document). Floor Area Ratio will be determined at the time of amendment rezoning based on a specific architectural plan.
- 1.6 Parcel 26 accommodates existing development, public park (on statutory ROWs for that purpose), and the existing water tower as well as any future new or replacement water

tower that may be required. Office and university use are permitted in the existing development. Any significant change to the existing development or redevelopment (other than a water tower) requires rezoning.

- 1.7 Parcel 42 is being created by SUB #07-51 as the enlarged neighbourhood park parcel replacing existing Parcel 12. It accommodates facilities required for the neighbourhood, including an expansion of Richard Bolton Park, as well as a planned pumphouse and two below-grade water reservoirs for SFU and UniverCity. Part of the Park is also located on Statutory ROWs on adjacent lots. The new portion of Park, which will house the pumphouse and associated park facilities, is included in this rezoning.
- 1.8 Parcel 43 will be the future Phase 4 of UniverCity, for which this rezoning establishes the overall density and concept plan. In the future, a subdivision will be pursued to create and service the Phase 4 development sites, and an overall CD Comprehensive Development rezoning will establish specific development criteria for them.

2.0 SITE INVENTORY AND ENVIRONMENTAL CONSIDERATIONS:

- 2.1 Prior to development planning for each site, the following shall be undertaken:
 - detailed topographic survey, with particular emphasis on accurately determining existing grades at property lines and along covenant area boundaries; these are to be co-ordinated with design grades where applicable along roads, pathways, other Statutory ROWs, etc.
 - detailed survey of significant trees throughout and adjacent to the site; trees within covenant areas have already been identified for retention; other significant trees are to be assessed for retention .
- 2.2 A sediment control system will be required for each development site. Consideration of the location and planning of the sediment control system should commence early in the development planning process.
- 2.3 An on-site stormwater management system meeting the criteria of the registered Section 219 Covenant to the approval of the Director Engineering is required for each development site at time of PPA (or CD rezoning where applicable), as well as deposit of funds to guarantee its provision and continuing operation.
- 2.4 SFU Community Trust has established and will administer Green Building Requirements and incentives for UniverCity. Maximum, as distinct from Base Floor Area Ratios and Gross Floor Areas for development parcels can only be achieved upon certification by the Trust that the applicable criteria have been satisfied.
- 2.5 Site clearing is to conform with Wildlife Act and Migratory Bird Convention Act requirements.

3.0 PRELIMINARY PLAN APPROVAL APPLICATIONS

- 3.1 Consultation with City Planning Department staff shall be initiated when a developer commences planning and design for the development of a site, to ensure that the development proposal will meet the parameters of the CD Comprehensive Development zoning of the site, and the required level of quality. All development proposals must comply with these Development Parameters including "Table 1 - Development Statistics" and the UniverCity Phase 3 Conceptual Development Plans for the individual sites.
- 3.2 SFU Community Trust (SFU CT) has established detailed Design Guidelines, Landscape Guidelines, and Green Building Requirements which apply to the development parcels, and will be responsible for ensuring compliance by all development proposals prior to their submission to the City of Burnaby for Preliminary Plan Approval (PPA). SFU CT will retain a coordinating design architect and landscape architect to assist SFU CT in achieving the goal of a comprehensively planned community designed to a high standard of both architectural and environmental achievement. SFU CT will retain a green building consultant to verify and provide approvals for the green building requirements including certification for achievement of maximum density.
- 3.3 SFU CT approval of the development proposal for each parcel will be made prior to formal submission to the City for PPA, and after SFU CT has held a Public Consultation meeting for the specific development proposal. All applications for PPA will include written certification from SFU CT that the proposed development meets its Design Guidelines, Landscape Guidelines, and Green Building Requirements, as well as SFU CT's summary of public input received. PPA submissions must also comply with the requirements of Section 511.4 of the Zoning Bylaw.
- 3.4 The GVS & DD charge is to be paid at time of PPA (or CD rezoning where applicable).

4.0 FORM OF DEVELOPMENT

4.1 Building Orientation

- Most buildings should generally align with the orthogonal grid of the University campus. The exceptions are the podium levels of those buildings forming the curve of University Crescent. The edge of this curve is to be defined either through curved buildings, or through a finely-stepped plan configuration.
- Building orientation should take into consideration the maximization of views for as many units as possible, as well as for the preservation of longer view corridors across the Slopes Neighbourhood to the south and the east.

4.2 **Grade Relationships and Terraced Buildings**

- Ground floor levels should relate closely to existing grade and adjacent streets and public walkways, and should step up or down with the slope of the land. Generally, finished floor elevations should be at sidewalk grade or up to 0.50 metres higher (possibly lower or higher where larger setbacks are provided to manage grade changes) and should terrace along sloping site frontages to ensure a better grade-oriented relationship of the building to the street, and to avoid high walls in the landscape.
- Terraced buildings are encouraged given the predominance of this form within the campus and the topographic nature of Burnaby Mountain. Terracing will increase the sense of hill-town in the overall development. Building terraces can be either single floor or double floor increments.
- Roofs and terraces in a stepped building should be used where practical, for private and communal outdoor patios, decks, and gardens. Green roofs are encouraged as a means of retaining stormwater from smaller storm events and to add visual interest.
- There are opportunities for residential units to be placed “downslope” of higher building components. These may be either free-standing, or built against parking structures. These units should generally be accessed from the upland street through a residential courtyard. However, there may be the opportunity to address these units from the lower street on certain sites.

4.3 **Street and Pathway Relationship**

- All buildings should relate directly to the streets and public pathways on which they front. Entrances should create identity and a sense of address for buildings, dwelling units and stores. Ground floor dwellings should address the street through the use of front door entrances, gates and entry courtyards. Porches, patios or decks should be designed to establish a semi-private zone in support of a “porch culture” along the street. Windows and balconies at upper floor levels should face outward, adding to a sense of safety and security for the public domain.
- To create an appropriate scale along streets a two- or three-storey building base element is encouraged, unless otherwise specified in Parcel Specific Guidelines. Within this base, two-and three-storey “city-homes” are strongly encouraged with their primary entrance from the street. Floors above this base element should generally be set back a minimum of 2 metres.
- The lower floors will form part of the streetscape, and are important to the public realm and pedestrian character of the street. Devices such as changes in material and

fenestration scale and cornice lines should be used to achieve a comfortable pedestrian scale. Richer materials, more intensive decorative details, and lighting should be used to enhance the “close-up” view for pedestrians.

- Patio fencing or screens along public streets and walkways are limited to 1.0m in height, and should be staggered and set back at least 0.6 metres from property lines, walkways or statutory rights-of-way in order to allow for landscaping, grade changes, and visual interest along public areas.

4.4 **Building Height, Massing, and Articulation**

- Maximum building heights are specified in the conceptual designs for individual parcels. Elevator and mechanical penthouses may extend up to 3.5 metres above the specified height, but are limited to 15 percent of the roof area with at least a 3 metre setback. Parking levels above existing grade will be counted as part of building height.
- Where building heights exceed 6 storeys, that portion above 6 storeys shall be limited to a frontage width of 25 metres. Where a single building is configured as a point block tower, up to 20 storeys in height, the floor plate shall not exceed 570 square meters in area, or as specified in the conceptual designs for individual parcels.
- Articulation of building massing should be provided to add interest to long facades and tall buildings. To reduce the bulk of larger buildings, a “softening” of corners in plan and elevation is encouraged and can be achieved by stepping the upper corners of buildings a minimum of 1.5 metres.

4.5 **Separation Between Buildings**

- Any portion of a building above 6 storeys in height should maintain a separation of 25 metres minimum from any existing, or approved, adjacent structure that is higher than 6 storeys.
- Townhouses and ground oriented units on separate development parcels that have facing front entrances shall have a minimum separation between building faces of 25 metres.

4.6 **Usable Outdoor Space**

- A pattern of courtyards and enclosed spaces is inherent in the organization of the University campus. Residential projects should take advantage of this concept to form

new spaces, particularly in townhouse developments. Courtyard spaces should be usable by building residents as communal outdoor spaces.

- Each dwelling unit should have direct access to a private outdoor space in the form of a balcony, patio or roof deck, generally with a minimum depth of 1.5m and a minimum area of 4 square metres. Adjoining balconies should be separated with a privacy screen. Where outdoor spaces are terraced, screening should be employed to minimize the extent of overlook from one patio to another.

4.7 **Accessibility and Adaptability**

- Access to all residential common spaces and primary external circulation routes shall be designed to be accessible to persons impaired by vision, hearing, or mobility. Street-oriented units elevated above the sidewalk grade may be excepted from this requirement, but shall provide opportunity for adaptability for accessibility requirements to not preclude aging in place for future users of these units.
- Inclusion of units adaptable to the needs of the disabled is encouraged, although it is recognized that the slope of the land and the planned form of housing may pose difficulties.

4.8 **Safety and security**

- CPTED (Crime Prevention through Environmental Design) principles should be incorporated into building and site design. Public and semi-private outdoor spaces should have some degree of overlook from residential units and good visibility from the street.
- Lighting shall be provided for on-site development walkways (as well as for the public walkways on statutory rights-of-way). Landscaping should be illuminated to enhance security.

4.9 **Amenity Spaces**

- Individual projects should include amenity spaces for the residents. These areas should relate to a communal space for outdoor activity or offer an attractive view. Alternatively, amenity spaces could be related to a rooftop terrace. Amenity spaces may be excluded from the floor area calculation for a site in accordance with Zoning Bylaw requirements.

4.10 **Children's Play Areas**

- Children of all ages shall have easy access to appropriately located, designed and landscaped outdoor play areas suited to their developmental and play needs.
- The development on each lot should include a "tot lot" play area. Total outdoor play area shall be a minimum of 130 square metres in size and shall be visually accessible from amenity areas and residential units. Outdoor play areas shall be situated to maximize sunlight access. There should be a minimum of 2 hours of sunlight between the hours of 10:00 a.m. and 5:00 p.m. on December 21st. Adequate artificial lighting shall be provided.

4.11 **Underground Parking**

- Parking is to be provided in accordance with Zoning Bylaw requirements for the P11e District. On-site visitor parking at a ratio of at least 0.1 space per unit is required. SFU CT is making provisions to maintain off-site parkade parking for visitors at a ratio of 0.1 space per unit for Phase 3 and 4 UniverCity development sites.
- All parking is to be provided in fully underground parking areas to maximize the use of site area for landscaping, pedestrian circulation and activity areas. Underground parking is to be located under new buildings, and generally meet side and rear yard setback requirements. In some situations it may be feasible for parking to extend to a side property line, subject to acceptable design coordination with the adjacent property.
- Where underground parkades protrude above grade due to sloping topography, any exposed wall should generally be limited to 0.8 metres in height above grade, appropriately finished, and adjacent grade should be sloped and planted to soften the wall. Exceptions are possible on steeply sloping sites, subject to conformance with the applicable Zoning Bylaw requirements for the P11e Zoning District.
- Ramps to underground parking should be perpendicular to the street that serves them, rather than parallel to the street frontage. Ramps should be concealed to the greatest extent possible within a building or through the use of overhead trellises and landscaping.
- Underground parking areas shall be provided with a high standard of lighting, be painted in a light colour, have good view lines throughout, and use glazing in lobbies, stairwells, and entry-exit doors. All parking dimensions and column locations shall comply with Zoning Bylaw requirements.

- Underground parking vents shall be located and designed not to have any negative impacts on pedestrian areas or building residents, and shall be clearly shown on PPA submissions.
- Visitor parking shall have security gates with intercom and turnarounds meeting Zoning Bylaw requirements, and have convenient pedestrian connections into developments.
- Full cut-off lights shall be used to avoid spill-out of lighting into public spaces and to mitigate concerns for night sky pollution, with a full consideration of CPTED principles.
- Car wash spaces are required in accordance with Zoning Bylaw requirements.

4.12 **Bicycle Parking**

- Secured bicycle parking for residents and visitor racks shall be provided in accordance with Zoning Bylaw requirements for the P11e Zoning District.

4.13 **Recycling and Garbage**

- Provision should be made within individual units, and in the main garbage holding area for each building, for a full recycling program for residential waste. Garbage holding areas should be contained within buildings either at grade or in underground parking areas. In no case should large garbage containers be left exposed to the street. These areas are to be properly ventilated, enclosed behind operable doors, and equipped for full sanitary management. Space in garbage holding areas should provide additional space for future compost collection.

4.14 **Signage**

- Residential identification signage shall be placed close to the ground, in a horizontal format, preferably embedded in a building or landscaping wall, and shall conform to the Sign Bylaw.
- The content of a residential sign shall be limited to one or more of the following elements:
 - project name;
 - project logo;
 - street address number.

4.15 **Landscaping**

- Developments must respect Tree Preservation and Riparian Covenants. A tree survey and assessment should be undertaken for each development site to ascertain the potential for additional tree retention.
- Landscape plans shall include a significant proportion of Native Plant Materials in their design to reflect the indigenous character of the site and to support ecologically responsible development. It is acknowledged that native plants do not fulfill all landscape needs; however, such materials shall be included and used in preference to ornamental species.
- Sustainable landscape design is strongly encouraged. Landscape should be designed for low requirements for watering and energy used for maintenance purposes. Herbicide and pesticide use is not supportable. Integrated Pest Management (IPM) measures should be implemented.

RR:gk
Attach

Table 1
UNIVERSITY PHASE 3 + 4 DEVELOPMENT STATISTICS
REZ #06-65
2010 January 20

Parcel	Lot Area (m2)	Lot Area (sq.ft.)	Max Site Coverage	Base FAR	Max FAR w/ bonus	Base GFA (sq.ft.)	Maximum GFA (sq.ft.) w/bonus	Maximum Unit Count	Maximum Building Height
16	7,212.5	77,635	35%	2.36	2.60	183,219	201,851	183	12 (e) 14 (w)
17	4,002.0	43,077	35%	2.36	2.60	101,662	112,000	102	12
18	6,610.6	71,156	35%	2.27	2.50	161,524	177,890	162	16
19	4,044.5	43,535	35%	1.91	2.10	83,152	91,424	83	12
20	7,559.9	81,374	45%	2.36	2.60	192,043	211,572	192	20 (s); 14 (n/entry plaza)
21	4,000.0	43,056	35%	1.82	2.00	78,362	86,112	78	8
22 (childcare)	2,009.0	21,625						2	
23	2,507.2	26,987	75%	2.36	2.60	63,689	70,166	95	12
27	3,055.1	32,885	65%	2.27	2.50	74,649	82,213	75	8 (Mews); 7 (High St.)
28	3,055.1	32,885	65%	2.27	2.50	74,649	82,213	75	7 (Mews); 6 (High St.)
29	3,341.8	35,971	70%	1.27	1.40	45,683	50,359	46	4 (Mews); 4 (High St.)
28/29 path SROW	390.8	4,207							
New Park Area	1,450.3	15,611							
Phase 3 Subtotal	49,238.8	530,002		2.00	2.20	1,058,632	1,165,800	1091	
<i>Pooled Phase 3 Residential Units (15% of total allowable):</i>									
Phase 3 Total	49,238.8	530,002		2.00	2.20	1,058,632	1,165,800	1255	
43 (Future Phase 4)	53,841.2	579,542		1.13	1.24	654,882	720,425	651	
Phase 3 + 4 Total	103,080.0	1,109,544		1.55	1.70	1,713,514	1,886,225	1906	

NOTES:

- Maximum FAR and GFA are achievable only where SFU CT has certified that the development satisfies the green building bonusing provisions.
- Maximum Unit Count can be increased by up to 15% for a specific parcel (utilizing the 164 pooled units) subject to no increase to the GFA for the site, and to applicable minimum unit sizes.
- Parcels 24 and 25 (which require Amended CD rezoning prior to development and are intended to be mixed-use) may include residential units in addition to the specified East Neighbourhood total; these sites do not form part of the above table because they are not part of the density allocation.