



Item .....
Meeting ..... 2020 May 25

COUNCIL REPORT

**TO:** CITY MANAGER 2020 May 20

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT: REZONING REFERENCE #17-32**  
**High-Rise Apartment Building with Townhouses**  
**Metrotown Downtown Plan**

**ADDRESS:** 5977 Wilson Avenue (see *attached* Sketches #1 and #2)

**LEGAL:** Lot 58, District Lots 151 and 153, Group 1, NWD Plan 25603

**FROM:** RM3 Multiple Family Residential District

**TO:** CD Comprehensive Development District (based on the RM5s Multiple Family Residential District, RM5r Multiple Family Residential District and Metrotown Downtown Plan as guidelines and in accordance with the development plan entitled “5977 Wilson Avenue” prepared by Gensler Architects, CDA Inc., and PSF Studio Landscape Architecture)

**APPLICANT:** Blue Sky Properties Inc.  
Suite 1201 - 838 West Hastings Street  
Vancouver, BC V6C 0A6  
Attention: Mark Kopinya

**PURPOSE:** To seek Council authorization to forward this application to a Public Hearing on 2020 June 23.

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**RECOMMENDATIONS:**

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2020 June 08 and to a Public Hearing on 2020 June 23 at 6:00 p.m.
2. **THAT** the predecessor Rezoning Bylaw Amendment No. 16, 2018, Bylaw 13878, be abandoned contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.
3. **THAT** the following be established as prerequisites to the completion of the rezoning:

- a. The submission of a suitable plan of development.
- b. The deposit of sufficient monies including a 4% Engineering Inspection Fee to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
- c. The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development (as well as underground switching and transformer/service boxes in town centre locations), and to the point of connection to the existing service where sufficient facilities are available to serve the development.
- d. Completion of Rezoning Application #19-42 prior to the subject rezoning application.
- e. The utilization of an amenity bonus through the provision of a cash in-lieu contribution in accordance with Section 4.4 of this report.
- f. The submission of a Tenant Assistance Plan.
- g. The granting of any necessary statutory rights-of-way, easements and/or covenants.
- h. The granting of any necessary Section 219 Covenants in accordance with Section 5.4 of this report.
- i. The submission of an undertaking to remove all improvements prior to Final Adoption of the Bylaw. If requested, demolition may also be delayed to more closely coincide with approval of building permits.
- j. The review of a detailed Sediment Control System by the Director Engineering.
- k. The submission of a suitable on-site ground and stormwater management system to the approval of the Director Engineering, the deposit of sufficient monies for its provision, and the granting of a Section 219 Covenant to guarantee its provision and continuing operation.
- l. The submission of a suitable Solid Waste and Recycling plan to the approval of the Director Engineering.

- m. The design and provision of units adaptable to persons with disabilities, with the provision of customized hardware and cabinet work being subject to the sale/lease of the unit to a disabled person and with allocated disabled parking spaces.
- n. The provision of covered car wash stalls and an adequately sized and appropriately located garbage handling and recycling material holding space to the approval of the Director Engineering and a commitment to implement the recycling provisions.
- o. The review of on-site residential loading facilities by the Director Engineering.
- p. The submission of a Public Art Plan.
- q. Compliance with Council-adopted sound criteria.
- r. The provision of facilities for cyclists in accordance with this report.
- s. The undergrounding of existing overhead wiring abutting the site, as determined by the Director Engineering.
- t. Compliance with the guidelines for underground parking for visitors.
- u. The deposit of the applicable Parkland Acquisition Charge.
- v. The deposit of the applicable GVS & DD Sewerage Charge.
- w. The deposit of the applicable School Site Acquisition Charge.
- x. The deposit of the applicable Regional Transportation Cost Charge.
- y. The submission of a written undertaking to distribute area plan notification forms, prepared by the City, with disclosure statements; and, to post area plan notification signs, also prepared by the City, on the development site and in the sales office in prominent and visible locations prior to Third Reading, or at the time marketing for the subject development commences, whichever is first, and remain posted for a period of one year, or until such time that all units are sold, whichever is greater.

## REPORT

### 1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit the construction of a high-rise apartment building with townhouses oriented towards Wilson Avenue and a proposed public east-west neighbourhood linkage.

### 2.0 POLICY FRAMEWORK

The City's Corporate Strategic Plan provides a vision for a world class city committed to creating and sustaining the best quality of life for our citizens; and one which is supported by goals for a safe, connected, inclusive, healthy and dynamic community. The proposed rezoning application aligns with the following goals and sub-goals of the Corporate Strategic Plan:

- **A Safe Community**
  - Transportation Safety – Make City streets, pathways, trails and sidewalks safer.
- **A Connected Community**
  - Social Connection – Enhance social connections throughout Burnaby
- **A Dynamic Community**
  - Community Development – Manage change by balancing economic development with environmental protection and maintaining a sense of belonging
- **An Inclusive Community**
  - Serve a diverse community – Ensure City services fully meet the needs of our dynamic community
  - Create a sense of community – Provide opportunities that encourage and welcome all community members and create a sense of belonging

The proposed application is also consistent with the site's land use designation under the Council-adopted Metrotown Downtown Plan. Burnaby has and continues to benefit from sound planning principles established early on in the City's development. Key to these is the Official Community Plan's designation of four Town Centre areas within the City which have and are intended to continue to accommodate a significant portion of the City's population and job growth, and which provide locations for the provision of community amenities going forward.

The creation of Town Centres at Metrotown, Brentwood, Edmonds and Lougheed have served the City well in protecting single- and two-family residential neighbourhoods from pressures to accommodate new growth, and have also allowed the City to preserve a significant component of its land base for park and open space. At the same time, they contribute to regional planning objectives, established by Metro Vancouver in the Regional Growth Strategy, that are of benefit both locally and more broadly. Within Burnaby, and other neighbouring cities, Town Centres are

helping to meet regional goals to reduce pressures for development of habitat and agricultural lands, to focus on jobs, people and services in walkable neighbourhoods that are and can be efficiently served by transit, and to reduce overall demands for travel by car with direct benefits to the environment, economy and the quality of life in the Region.

Further, Burnaby's Economic Development, Social and Environmental Sustainability Strategies, in addition to the Town Centre Plan, encourage: a varied range of housing options; improved neighbourhood livability, stability and accessibility; transit access and alternative forms of transportation; as well as green building policies.

The subject rezoning application is consistent with these regional and municipal plans and policies.

### 3.0 BACKGROUND

3.1 The subject development site is located within the Central Park East neighbourhood of the Metrotown Downtown Plan area (see Sketch #2 *attached*). The Council-adopted Plan identifies this neighbourhood as a high-density neighbourhood with a garden-like setting that is defined by its relationships to Central Park, Kingsway, the BC Parkway and Patterson SkyTrain station. Specifically, high-density multiple-family residential developments east of Central Park are intended to have a tranquil park-like neighbourhood character, enhanced with publically accessible pocket parks/open space as well as pedestrian and cycling linkages, which connect to Central Park, Kinnee Park, the BC Parkway and other parks within Metrotown. With respect to building form, such developments are intended for high-rise residential apartment buildings with low-rise apartments, townhousing or row-housing podiums.

The adopted Metrotown Downtown Plan designates the subject development site for high-density, multiple-family Comprehensive Development, utilizing the RM5s Multiple Family Residential District as a guideline. As well, in accordance with Council-adopted policy regarding rental use zoning, the inclusion of the RM5r Multiple Family Residential District in the proposed Comprehensive Development zoning is required to support the development of rental units.

3.2 On 2018 April 23, Council received a Public Hearing report for the subject rezoning, proposing a 293 unit market residential high rise apartment building and townhouse podium utilizing RM5s District zoning. The subject rezoning subsequently progressed to Second Reading on 2018 June 11, and was scheduled to advance to Third Reading in 2019. However, the application was ultimately referred back to Staff for a revised proposal that is in line with the Council-adopted policy regarding rental use zoning.

In accordance with Council's adopted Rental Use Zoning Policy, Stream 1 – Rental Replacement, and Stream 2 – Inclusionary Rental apply to the subject rezoning application. In this regard, the applicant is required to provide the greater of the 1:1

replacement of the existing rental units, or the equivalent of 20% of the proposed market units excluding units achieved using density offset. RM5r density, to a maximum of 2.2 FAR is available to provide the required replacement/inclusionary rental units. To ensure affordability, the required rental units are to be at prevailing rents for returning tenants (subject to permitted Residential Tenancy Act increases), or 20% below Canada Mortgage and Housing Company (CMHC) median market rents for new tenants. To assist with the provision of the affordable housing, a density offset of 1.1 FAR is available to supplement the proposed market units.

Appearing elsewhere on tonight’s agenda is a report recommending advancement to a Public Hearing for Rezoning Reference #19-42, for a proposed high-rise apartment tower in the Central Park East neighbourhood. As detailed in that report, the applicant is requesting consideration of an alternative approach to meet the City’s rental and affordable housing objectives. In summary, the applicant has indicated that they are also the owner of 5970, 5986, and 5994 Kathleen Avenue. The applicant, having comprehensively reviewed the development opportunities on both the Wilson and Kathleen sites, is proposing that the Wilson site remain a market-only site and that the rental units now required by Council policy, be provided on the Kathleen site as part of a full rental project on the site.

- 3.3 The applicant has now submitted a plan of development suitable for presentation to a Public Hearing.

**4.0 GENERAL COMMENTS**

- 4.1 The applicant is proposing rezoning of the subject site to the Comprehensive Development District (based on the RM5s and RM5r Multiple Family Residential Districts and Metrotown Downtown Plan as guidelines). The proposed development is for a 42-storey apartment building and townhouses, with underground parking. A total of 356 apartment units are proposed within the development. Vehicular access is provided via the rear lane.
- 4.2 Overall, the proposal is considered to embody exceptional urban design and architectural expression in terms of the building’s siting, massing, pedestrian orientation and materiality, thus meeting the standards and objectives for such development in the Central Park East Neighbourhood. To complement the built form, a progressive landscape treatment is proposed within the front and side yards, and bounding street, including broad separated sidewalks on Wilson Avenue, complete with rain gardens with curb bulges to help soften the urban environment. Substantial on-site landscaping is also proposed within the development.
- 4.3 The CD (RM5s) District permits a maximum market density of 6.1 FAR (comprised of 3.4 FAR base density, a maximum 1.6 FAR amenity density bonus, and a maximum 1.1

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FAR density offset). The CD (RM5r) District permits a maximum rental density of 2.2 FAR, for a total potential density of 8.3 FAR.

In total, the applicant is proposing 356 units on the subject site, using a market density of 5.39 FAR, comprised of: 4.29 FAR (RM5s) and 1.1 FAR density offset for the provision of affordable housing. With respect to the requirement for affordable rental housing, in accordance with Council's adopted Rental Use Zoning Policy, the applicant is providing a total of 66 affordable rental units (inclusive of 62 replacement units, and 4 inclusionary rental units), which will be provided on the Kathleen site. The applicant is also proposing to transfer 0.87 FAR of RM5r rental density, as well as 0.7 FAR supplementary RM5s District density to the Kathleen site.

It is noted that all previous tenants of the Wilson site, which is currently vacant, have been notified of their right of first refusal of a replacement rental unit. For returning tenants, the affordable rental units are proposed at pre-development rents (adjusted for Residential Tenancy Act increase). For new tenants of the affordable rental units, rates are proposed at 20% below CMHC median market rates, in line with Council's adopted policy. The proposed rental rates help meet the City's housing affordability objectives and allow the applicant to access the full 1.1 FAR density offset available under the RM5s District on each of the respective Kathleen and Wilson sites.

Overall, the proposed development program for the subject site, including the transfer of the rental housing obligation to the Kathleen site, is considered supportable. The proposal would facilitate early delivery of a 100% rental building on the Kathleen site, and the in-stream rezoning application for the subject site can remain largely as originally proposed. Staff would process the two rezoning applications in parallel, with a coordinated Final Adoption date to ensure concurrent registration of a density allocation covenant on both sites governing the density transfer arrangement described above. Completion of Rezoning Reference #19-42 is a prerequisite condition of the subject rezoning application.

- 4.4 As noted, the applicant is proposing to use the amenity density provisions indicated within the Zoning Bylaw. In so doing, the applicant is eligible for an additional 1.6 FAR in amenity bonus, which translates into 8,030.9 m<sup>2</sup> (86,444 sq. ft.) of bonused gross floor area. The applicant is proposing to utilize 6,244.1 m<sup>2</sup> (67,212 sq. ft.) of bonus density within the subject development proposal, and transfer 1,758.3 m<sup>2</sup> (18,926 sq. ft.) of supplementary RM5s District bonus density into the Kathleen site development proposal. The Realty and Lands Division of the Department of Public Safety and Community Services will forward a separate report detailing the value of the density bonus for Council's consideration and approval prior to the subject amendment bylaw receiving Third Reading. The report to Council will be prepared once the Realty and Lands Division has concluded negotiations with the applicant. Council approval of the density bonus value is a prerequisite condition of the rezoning.

Under the Priority Amenity Program, the community benefit funds received will be directed into the Metrotown Town Centre Account to be utilized in the future to achieve priority amenities, as established by Council. In accordance with Council's adopted policy, 80% of the cash-in-lieu contributions are applied toward a Town Centre Financial Account and 20% to the Community Benefit Bonus Housing Fund.

- 4.5 It is intended that the overall project accommodate a broad spectrum of housing needs. To support this, a portion of the one bedroom units are generally based on the Zoning Bylaw minimum unit sizes for such dwellings in the P11e District (SFU), which requires a minimum area of 50m<sup>2</sup> (538.21 sq. ft.). Smaller one bedroom units (561 – 585 sq. ft.) are intended to provide a level of affordability for new home ownership, providing access to the market for first time home buyers.
- 4.6 Given the site's location near the Metrotown and Patterson SkyTrain Stations, a parking ratio of 1.1 spaces per market residential unit is considered appropriate. Of these ratios, 0.1 spaces per unit is for visitor parking. To support the residential parking ratio, the developer has also provided for transportation alternatives, including provision of two secured bicycle parking spaces per unit, and a bicycle repair/maintenance area. All residential spaces will be equipped with an individually metered energized outlet capable of providing a Level 2 or higher charging level for an electric vehicle, in accordance with the Burnaby Zoning Bylaw. All required parking for the development is proposed to be located underground, with access taken from the rear lane.
- 4.7 The developer has committed to demonstrating sustainability through building design, materiality and efficiency (water, energy and waste management) initiatives. The proposed building will meet Step 1 of the BC Energy Step Code.

## **5.0 REZONING REQUIREMENTS**

- 5.1 The Director Engineering will assess the need for any further required services to the site, including, but not necessarily limited to:
- construction of Wilson Avenue to its Town Centre two-lane collector standard;
  - construction of the east-west neighbourhood linkage, connecting Wilson Avenue to James Street and the rear lane, including a 3.0 m saw-cut concrete path, landscaping and lighting;
  - upgrades to the rear lane as required; and,
  - storm, sanitary sewer, and water main upgrades as required.
- 5.2 A 3.48 m dedication along the Wilson Avenue frontage of the site is required.
- 5.3 The development is providing 70 adaptable units within the residential apartment building, which meets the 20% minimum requirements of the Council-adopted Adaptable Housing policy. A total of 11 accessible parking stalls, inclusive of 3 van accessible parking stalls, will be provided in the underground parking area. The accessible parking



stalls will be protected by a Section 219 Covenant as common property to be administered by the Strata Corporation.

- 5.4 Any necessary easements and covenants and statutory rights-of-way for the site are to be provided, including, but not necessarily limited to:
- a Section 219 Covenant restricting enclosure of balconies;
  - a Section 219 Covenant ensuring compliance with the approved acoustical study;
  - a Section 219 Covenant ensuring that accessible parking stalls in the underground residential parking areas be held in common property to be administered by the Strata Corporation;
  - a Section 219 Covenant guaranteeing the provision and ongoing maintenance of public art;
  - a Section 219 Covenant requiring issuance of the occupancy permit for the rental development at the Kathleen site as a condition of occupancy for the market-only development at the Wilson site;
  - A 3.0 m statutory right-of-way across the south-western frontage of the subject site for the east-west neighbourhood linkage; and,
  - a Density Allocation Covenant ensuring that the density of subject development site and the associated development site at 5970, 5986, and 5994 Kathleen Avenue comply with the approved CD Zoning for the respective sites.
- 5.5 A communications strategy that provides all building residents with an understanding of the available building facilities is required.
- 5.6 The submission of a Tenant Assistance Plan, in accordance with adopted Council policy, for tenants affected by redevelopment of the subject development site has been submitted in line with Council's adopted policy.
- 5.7 Due to the proximity of the subject site to the Patterson SkyTrain Station and Kingsway, the applicant is required to provide an acoustical study showing that the proposed development would meet the Council-adopted noise criteria.
- 5.8 Provision of car wash stalls, bike parking and a bike repair station are required for the residential development.
- 5.9 As the site will be fully excavated for development, a tree survey will be required identifying trees to be removed from the site. The applicant will be required to obtain a tree removal permit for all trees over 20 cm (8 inches) in diameter. A detailed landscape and tree planting plan has been provided as part of the suitable plan of development to replace existing trees to be removed from the site.
- 5.10 A suitable engineered design to the approval of the Director Engineering will be required for the on-site ground and stormwater management system, as well as a Section 219 Covenant to guarantee its provision and continuing operation. The deposit of sufficient

monies to guarantee the provision of the stormwater drainage and landscape features will be required.

- 5.11 The Engineering Environmental Services Division will need to review a submission of a detailed plan of an engineered Sediment Control System prior to Final Adoption.
- 5.12 The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering is required.
- 5.13 A site profile application is not required given the sites past residential use.
- 5.14 The submission of a detailed residential loading management plan to the approval of the Director Engineering is required.
- 5.15 Development Cost Charges applicable to this rezoning include:
  - the Parkland Acquisition Charge;
  - the GVS&DD Sewerage Development Charge;
  - the School Site Acquisition Charge; and,
  - the Regional Transportation Development Cost Charge.

**6.0 DEVELOPMENT PROPOSAL**

6.1	<u>Gross Site Area</u>	- 5,019.3 m <sup>2</sup> (54,027 sq. ft.)
	Road Dedication along Wilson Avenue Frontage ( <i>subject to detailed civil design</i> )	- 258.8 m <sup>2</sup> (2,786 sq. ft.)
6.2	<u>Site Coverage</u>	- 24.6%
6.3	<u>Density (FAR and GFA)</u>	
	RM5s FAR	- 4.29 FAR (inclusive of 1.24 FAR amenity bonus)
	Density Offset for Affordable Housing	- 1.1 FAR
	Total FAR	- 5.39 FAR (inclusive of 1.24 FAR amenity bonus)
	RM5s Floor Area	- 21,522.9 m <sup>2</sup> (231,673 sq. ft.)
	Density Offset for Affordable	- 5,521.2 m <sup>2</sup> (59,430 sq. ft.)

**Housing**

Total Floor Area - 27,044.3 m<sup>2</sup> (291,102 sq. ft.)

**Transferred Density to Kathleen Site**

RM5s FAR - 0.7 FAR (inclusive of 0.35 FAR amenity bonus)

RM5r - 0.87 FAR

Total Transferred FAR - 1.57 FAR

RM5s Floor Area - 3,516.6 m<sup>2</sup> (37,852 sq. ft.)

RM5r Floor Area - 4,378.2 m<sup>2</sup> (47,127 sq. ft.)

Total Transferred Area - 7,894.8 m<sup>2</sup> (84,979 sq. ft.)

**6.4 Residential Unit Mix**

43 – Studio units - 39.7 m<sup>2</sup> – 46.7 m<sup>2</sup> (427 sq. ft. – 503 sq. ft.)

30 – Adaptable Studio units - 41.8 m<sup>2</sup> (450 sq. ft.)

106 – One bedroom + den (P11e) units - 52.1 m<sup>2</sup> – 54.4 m<sup>2</sup> (561 sq. ft. – 585 sq. ft.)

2 – One bedroom + den units - 58.1 m<sup>2</sup> – 60.7 m<sup>2</sup> (625 sq. ft. – 653 sq. ft.)

20 – Adaptable One bedroom + den units - 60.3 m<sup>2</sup> (649 sq. ft.)

86 – Two bedroom units - 72 m<sup>2</sup> – 89.9 m<sup>2</sup> (775 sq. ft. – 968 sq. ft.)

20 – Adaptable Two bedroom units - 89.9 m<sup>2</sup> (968 sq. ft.)

40 – Two bedroom + den units - 82.4 m<sup>2</sup> – 94.8 m<sup>2</sup> (887 sq. ft. – 1,020 sq. ft.)

8 – Three bedroom units (inclusive of 6 townhouse units) - 119.4 m<sup>2</sup> – 157.8 m<sup>2</sup> (1,285 sq. ft. – 1,698 sq. ft.)

1 – Three bedroom + den unit - 137 m<sup>2</sup> (1,475 sq. ft.)

356 Total Units

**6.5 Building Height**

- 42 storeys

- 140.8 m (462 ft.)

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6.6 Vehicle Parking (Residential)

Total Required and Provided:

356 units @ 1.1 spaces/unit - 392 spaces (including 11 accessible parking stalls and 36 visitors' parking)  
(inclusive of 0.1 visitor spaces/unit)

6.7 Bicycle Parking

Total Required:

356 units @ 2.2 spaces per units - 790 spaces (including 78 visitors' spaces)  
(inclusive of 0.2 visitor spaces/unit)

Total Provided:

356 units @ 2.22 spaces per units - 797 spaces (including 78 visitors' spaces)  
(inclusive of 0.2 visitor spaces/unit)

6.8 Loading and Car Wash

Residential Loading Provided - 2 spaces

Car Wash Stall Provided - 4 spaces

6.9 Communal Facilities

Primary communal facilities for development are located over levels one, seventeen and eighteen. Level one includes an amenity lobby, seating area, mail room and concierge. Levels seventeen and eighteen include a pool, pool deck, fitness room, lounge area, private dining room and kitchen, entertainment room, and business centre and study rooms. The amenity area amounts to 1,218.7 m<sup>2</sup> (13,118 sq. ft.), which is less than the permitted 5% exemption (1,352.2 m<sup>2</sup> or 14,555 sq. ft.) from Gross Floor Area permitted under the Zoning Bylaw.

E. W. Kozak, Director  
PLANNING AND BUILDING

MN:tn

**Attachments**

cc: Director Public Safety and Community Services

City Solicitor

City Clerk

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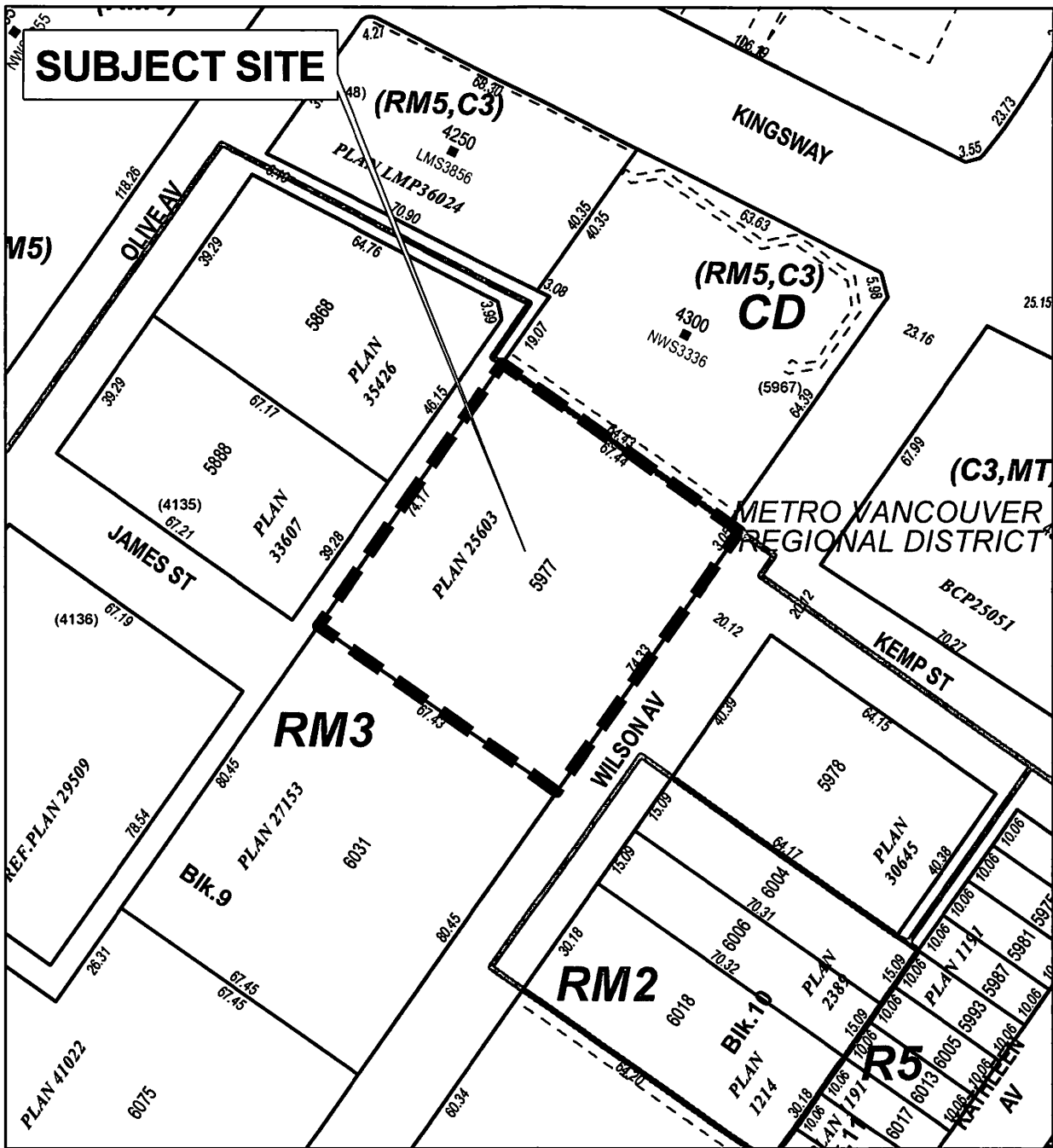


E. W. Kozal, Director  
PLANNING AND BUILDING

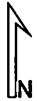
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**Attachments**

cc: Director Public Safety and Community Services                      City Solicitor                      City Clerk



PLANNING & BUILDING DEPARTMENT



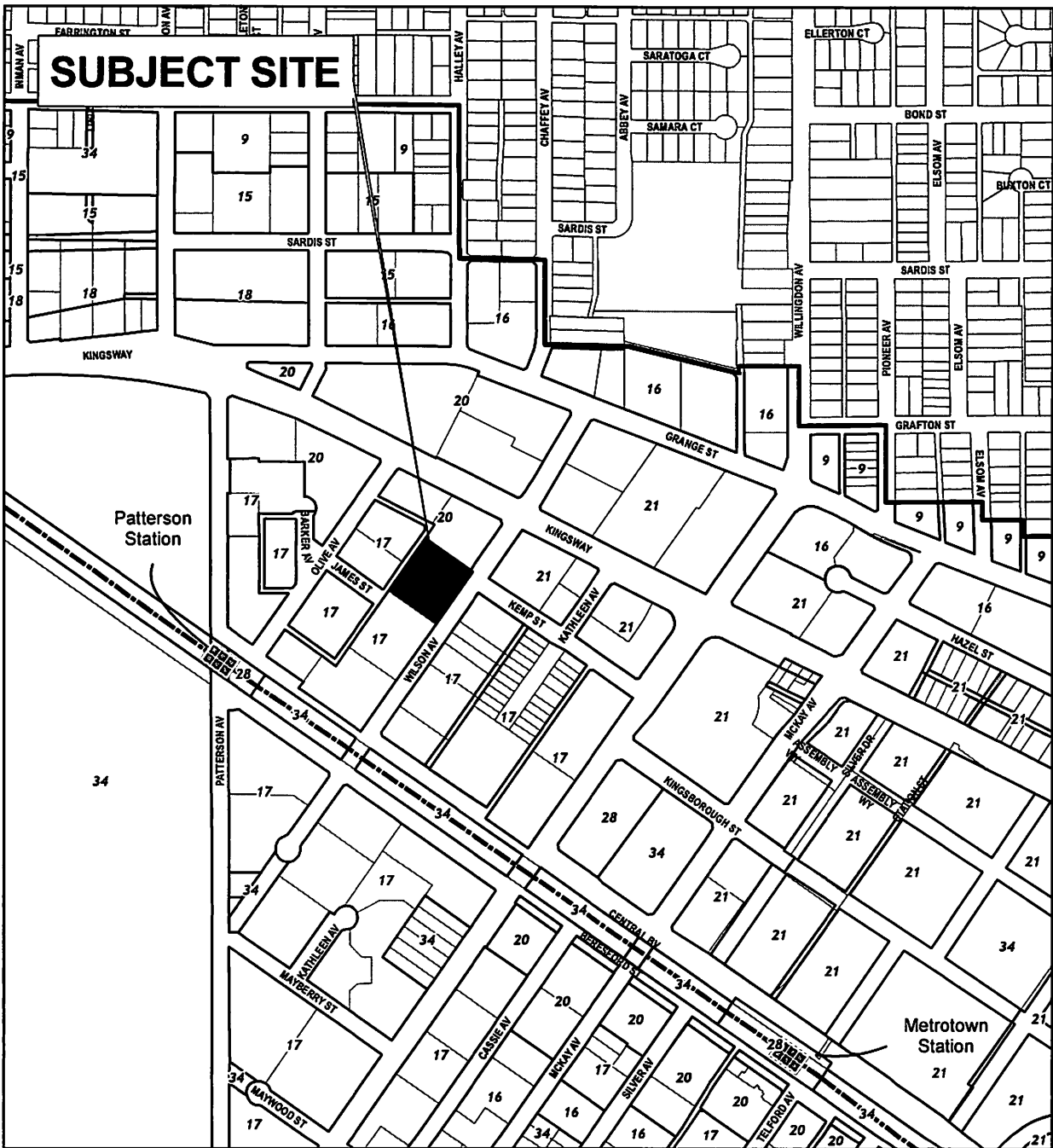
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REZONING REFERENCE #17-32  
5977 WILSON AVENUE

 Subject Site



- 9** Medium Density Residential (RM3s)
- 15** High Density Residential (RM5)
- 16** High Density Residential (RM4s)
- 17** High Density Residential (RM5s)
- 18** High Density Mixed Use (RM4s/C2)
- 19** High Density Mixed Use (RM4s/C3)

- 20** High Density Mixed Use (RM5s/C2)
- 21** High Density Mixed Use (RM5s/C3)
- 28** Institutional
- 30** Public School (P3)
- 34** Park and Public Use (P3)



Planning and Building Dept

## Metrotown Plan

