



Item
Meeting 2021 November 22

COUNCIL REPORT

TO: CHIEF ADMINISTRATIVE OFFICER 2021 November 17

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #17-39**
Single High-Rise Apartment Building with Street-Fronting Townhouses
Metrotown Downtown Plan

ADDRESS: 6444 Silver Avenue (see *attached* Sketches #1 and #2)

LEGAL: Lot 80 District Lot 153 Group 1 New Westminster District Plan 30367

FROM: RM3 Multiple Family Residential District

TO: CD Comprehensive Development District (based on the RM4s Multiple Family Residential District and Metrotown Downtown Plan as guidelines, and in accordance with the development plan entitled "6444 Silver Avenue, Burnaby, BC" prepared by IBI Group Architects (Canada) Inc. and PWL Partnership Landscape Architects Inc.)

APPLICANT: Belford (Silver 3) Properties Limited Partnership
540 – 1199 West Pender Street
Vancouver, BC V6E 2R1
Attention: Jay Lin

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2021 December 14.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2021 November 22 and to a Public Hearing on 2021 December 14 at 5:00 p.m.
2. **THAT** the following be established as prerequisites to the completion of the rezoning:
 - a) The submission of a suitable plan of development.
 - b) The granting of necessary covenants in accordance with Section 4.13 of this report.
 - c) The completion of a Phased Development Agreement as described in Section 3.3 of this report.

- d) The submission of a suitable Solid Waste and Recycling plan to the approval of the Director Engineering.
- e) The review of on-site residential loading facilities by the Director Engineering.
- f) The design and provision of units adaptable to persons with disabilities, 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.
- g) The provision of three 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.
- h) Compliance with the guidelines for underground parking for visitors.
- i) The submission of a draft Public Art Plan.
- j) The submission of a Tenant Assistance Plan.
- k) 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.

R E P O R T

1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit the future construction of a single high-rise apartment building with townhouses fronting Silver Avenue, in accordance with the terms specified in a proposed Phased Development Agreement (PDA) bylaw.

2.0 POLICY FRAMEWORK

The proposed rezoning application is consistent with the following policies and plans adopted by Council: Corporate Strategic Plan (2017), Regional Context Statement (2013), Official Community Plan (1998), Metrotown Downtown Plan (2017), Economic Development Strategy (2007), Social Sustainability Strategy (2011), Environmental Sustainability Strategy (2016), Mayor's Task Force on Community Housing Final Report (2019); Rental Use Zoning Policy (2020); and Density Transfer Policy (2021).

3.0 BACKGROUND

- 3.1 The subject site is in the Maywood neighbourhood of the Metrotown Downtown Plan (see *attached* Sketches #1 and #2). This neighbourhood is intended to be pedestrian-oriented with neighbourhood linkages and a strong relationship to the Metrotown SkyTrain Station, the BC Parkway, the Metro Downtown neighbourhood to the north, and the single- and two-family neighbourhoods to the south. With respect to building form, such developments are intended for high-rise residential apartment buildings with low-rise apartments, townhousing or row-housing podiums.
- 3.2 The development site is comprised of a single property at 6444 Silver Avenue and is improved with a 45-unit, three-storey low-rise rental apartment building constructed in 1967. The prevailing zoning for the site is RM3 Multiple Family Residential District. The adopted Plan designates the subject development site for high-density multiple-family residential development utilizing the RM4s Multiple Family Residential District as guidelines. Under the 's' zoning category, there is an expectation of significant community benefits, a sustainable redevelopment approach, exceptional public realm improvements, high quality urban design and superior architectural expression to be derived from the project.
- 3.3 On 2020 December 07, Council adopted a report endorsed by the Planning and Development Committee authorizing staff to pursue density transfer and a Phased Development Agreement (PDA) in connection with four rezoning applications in the Maywood neighbourhood: the subject application as well as Rezoning References #17-34, #18-21 and #18-23. As detailed in that report, concurrent advancement of all four rezoning bylaws alongside a PDA Bylaw to Public Hearing and Final Adoption is necessary.
- 3.4 On 2020 December 14, Council authorized staff to continue working with the applicant towards a suitable plan of development for a high-rise market strata residential building on the subject site. The applicant has now submitted a plan of development suitable for presentation to a Public Hearing.
- 3.5 Appearing elsewhere on Council's agenda are separate reports for Rezoning References #17-34, #18-21, and #18-23 seeking advancement of the associated rezoning amendment bylaws to First Reading and Public Hearing, as well as a report seeking advancement of the necessary PDA Bylaw to First Reading and Public Hearing.

4.0 GENERAL COMMENTS

- 4.1 The proposed development plan is for a single, 41-storey apartment building that is oriented towards Silver Avenue, with vehicular access via the rear (eastern) lane situated between Silver Avenue and Telford Avenue. The proposed design also includes four townhouse units that front onto Silver Avenue and flank each side of the apartment building's main entry area along the site frontage. The proposed architectural style focuses on a rectilinear design in which the main

To: Chief Administrative Officer
 From: Director Planning and Building
 Re: REZONING REFERENCE #17-39
 2021 November 17 Page 4

building façade is subtly articulated using various architectural elements like balconies, vertical structural elements and exterior colour variation.

It should be noted that the PDA permits the site to be developed at a later date as part of a future development phase. As such, the suitable plan of development is more conceptual in nature, with architectural and landscape details expected to be articulated in a future Preliminary Plan Approval (PPA) application.

- 4.2 In line with the PDA, the proposed residential use on the site is market strata and the maximum potential and proposed density may be up to 5.97 FAR, as shown in the attached Density Diagram. Table 1 below outlines the total proposed density for the subject site:

Zoning: CD (RM4s)
Site Size: 35,470 sq. ft.

Proposed Density			
	FAR	GFA (sq. ft.)	Units
RM4s Base Density	1.7	60,299	72
RM4s Bonus Density	0.3	10,641	13
RM4s Suppl. Base Density	0.8	28,376	34
RM4s Suppl. Bonus Density	0.8	28,376	34
RM4s Density Offset	0.85	30,150	37
RM4s Suppl. Base Density from REZ #18-21	0.35	12,388	15
RM4s Suppl. Bonus Density from REZ #18-21	0.35	12,388	15
RM4s Suppl. Base Density from REZ #18-23	0.41	14,519	17
RM4s Suppl. Bonus Density from REZ #18-23	0.41	14,519	17
TOTAL	5.97	211,656	254

Table 1

The PDA Bylaw report, which appears elsewhere on this Council agenda, provides further details on the residential density transfer and allocation between the subject site and Rezoning References #17-34, #18-21 and #18-23.

- 4.3 Given the site's Town Centre location, the applicant is proposing to utilize the allowable amenity density provisions indicated within the Zoning Bylaw. In doing so, the applicant would achieve an additional 1.1 FAR in amenity bonus, which translates into 3,625 m² (39,017 sq. ft.) of bonused gross floor area (GFA) included in the development proposal.
- 4.4 The Realty and Lands Division of the Department of Public Safety and Community Services would forward a separate report detailing the value of the density bonus for Council's

To: Chief Administrative Officer
From: Director Planning and Building
Re: REZONING REFERENCE #17-39
2021 November 17..... Page 5

consideration and approval at PPA stage. The report to Council would be prepared once the Realty and Lands Division has concluded negotiations with the applicant.

- 4.5 In accordance with Council's adopted policy, 80% of the cash-in-lieu contributions are applied toward the City-Wide Community Benefit Bonus Reserve and 20% to the Community Benefit Bonus Affordable Housing Reserve.
- 4.6 In accordance with the terms of the PDA, the replacement rental obligation units will be delivered at 6630 Telford Avenue, as detailed in the Public Hearing report for Rezoning Reference #18-23 and the PDA Bylaw report, both of which appear elsewhere on this Council agenda.
- 4.7 A total of 250 apartment units and four townhouse units are proposed, for a total of 254 units. A mix of studio to four-bedroom apartment units are provided, with unit sizes ranging between 403 and 1,916 sq. ft. in area. The townhouse unit sizes range between 1,293 and 1,450 sq. ft. in area.
- 4.8 Fifty-one apartment units (representing 20% of the total dwelling unit count) are adaptable, which meets the Council-adopted Adaptable Housing Policy. A total of 32 accessible parking spaces are provided in the underground parkade (31 spaces for resident use, 1 space for visitor use). The accessible parking stalls will be protected by a Section 219 Covenant as common property to be administered by the Strata Corporation, to be registered prior to issuance of PPA (see Section 4.14).
- 4.9 The applicant will be providing a comprehensive Transportation Demand Management strategy, details of which will be determined prior to issuance of PPA (see Section 4.14).
- 4.10 Provision of three separate car wash stalls is required for the residential development.
- 4.11 As the site will be fully excavated for development, an arborist's report and tree survey will be required prior to Final Adoption 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 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.
- 4.12 As noted above, the PDA permits the subject site to be developed at a future date. As such, certain items are identified as prerequisites to completion of the rezoning, while certain technical designs, plans, bonding and registration of certain legal documents are established as conditions that may be deferred to Preliminary Plan Approval (PPA) or Building Permit issuance stage (rather than as prerequisites to rezoning completion) in order to more closely align with actual construction dates, once known.

4.13 In line with the PDA, the following items are prerequisites to completion of the rezoning:

- Submission of a suitable plan of development, including:
 - a fire truck access plan;
 - design and provision of adaptable units; and
 - a parking plan including the provision of three car wash stalls and required visitor and accessible parking spaces.

As noted above, the suitable plan of development will be more conceptual in nature, with further details to be articulated at PPA stage.

- The granting of the following Section 219 covenants:
 - No Build/No PPA covenant (see Section 4.15);
 - No Occupancy covenant (to ensure that occupancy of the subject site is only permitted concurrent with or following occupancy of 6630 Telford Avenue (Rezoning Reference #18-23));
 - Density Allocation covenant (to stipulate the terms of density transfer and density allocation between the four sites subject to the PDA); and
 - No Separate Sale of Lands and Assignment of Phased Development Agreement covenant (to stipulate the terms of the sale of the property and assignment of the PDA to a subsequent owner(s)).
- Submission of a suitable Solid Waste and Recycling plan and residential loading management plan to the approval of the Director Engineering (with fully detailed technical plans to be provided in a future PPA application);
- Submission of a draft public art plan (with a final plan, artist selection, bonding and covenant to be required as a condition of PPA issuance); and
- Submission of a Tenant Assistance Plan (TAP) in line with Council's adopted policy.

4.14 In line with the PDA, the submission of the following items are deferred and are prerequisites of PPA and Building Permit issuance:

- Detailed civil design, servicing agreement and bonding for requisite off-site works (with requisite works to include, but not necessarily be limited to, the construction of Silver Avenue to Town Centre local road standard; and storm, sanitary sewer and water main upgrades as required);
- Design, bonding and registration of legal agreements for installation of BC Hydro, Telus and other third party utilities as required;
- Detailed storm water and groundwater management plan, and sufficient financial securities and legal agreements to guarantee the provision of these measures;

To: Chief Administrative Officer
 From: Director Planning and Building
 Re: REZONING REFERENCE #17-39
 2021 November 17.....Page 7

- Acoustical study;
 - Sediment control plan;
 - Negotiation and payment of density bonus value;
 - Registration of any necessary easements, covenants and statutory right-of-ways for the site, including, but not necessarily limited to:
 - restricting enclosure of balconies;
 - indicating that project surface driveway access will not be restricted by gates;
 - ensuring compliance with the approved acoustical study;
 - guaranteeing the provision and ongoing maintenance of stormwater management facilities;
 - ensuring that accessible parking stalls are held in common property to be administered by the Strata Corporation; and
 - guaranteeing the provision and ongoing maintenance of public art.
 - Green Building Strategy;
 - Transportation Demand Management (TDM) Strategy, and sufficient financial securities and legal agreements to guarantee the provision of these measures; and
 - Payment of the following standard Development Cost Charges:
 - Parkland Acquisition Charge;
 - School Site Acquisition Charge;
 - GVS&DD Sewerage Charge; and
 - Regional Transportation Charge.
- 4.15 To ensure the completion of the deferred items noted above, the PDA requires that a Section 219 No-Build/No-PPA Covenant be registered as a condition of the rezoning. This covenant would prohibit development on the subject property until all requisite PPA conditions are completed.

5.0 DEVELOPMENT PROPOSAL

5.1 Site Area (subject to detailed survey)

6444 Silver Avenue	3,295 m ² (35,470 sq. ft.)
--------------------	---------------------------------------

5.2 Site Coverage 27%

5.3	<u>Density</u>	5.97 FAR TOTAL
	RM4s District	
	Base	1.7 FAR
	Bonus	0.3 FAR
	Supplemental base	0.8 FAR
	Supplemental bonus	0.8 FAR
	<u>Transferred Density</u>	1.52 FAR
	Subtotal	5.12 FAR
	Density offset	0.85 FAR
5.4	<u>Gross Floor Area</u>	19,663 m² (211,656 sq .ft.)
5.5	<u>Residential Unit Mix</u>	
	<u>Market Strata Apartments</u>	
	17 studio units (adapt.)	48.1 – 48.3 m ² (518 - 520 sq. ft.)
	53 studio units	37.5 – 48.3 m ² (404 - 520 sq. ft.)
	17 one bedroom + den (adapt.)	57.3 – 57.4 m ² (617 - 618 sq. ft.)
	54 one bedroom + den	56.2 - 63.0 m ² (605 - 678 sq. ft.)
	37 two bedroom	70 – 87.8 m ² (754 – 945 sq. ft.)
	17 two bedroom + den (adapt.)	87.1 m ² (938 sq. ft.)
	51 two bedroom + den	77.4 – 96.7 m ² (833 – 1,041 sq. ft.)
	2 three bedroom	104 – 152.2 m ² (1,119 – 1,638 sq. ft.)
	1 three bedroom + den	123.3 m ² (1,327 sq. ft.)
	1 four bedroom	178 m ² (1,916 sq. ft.)
	<u>Market Strata Townhouses</u>	
	4 three bedroom	120.1 m ² – 134.7 m ² (1,293 sq. ft. – 1,450 sq. ft.)
	TOTAL NUMBER OF UNITS:	254 units
5.6	<u>Building Height</u>	41 storeys 125.63 m (412.17 ft.)
5.7	<u>Vehicle Parking</u>	
	Total Required and Provided:	
	250 apartment units @ 1.1 spaces per unit and 4 townhouse units @ 1.75 spaces per unit	282 spaces (including 26 visitors' parking)
	Handicap Accessible Parking Stalls	32 spaces (including 1 visitor space) provided

To: Chief Administrative Officer
From: Director Planning and Building
Re: REZONING REFERENCE #17-39
2021 November 17.....Page 9

EV Charging Station Capability	100% of residential spaces (256 spaces)
Car Wash Stalls	3 spaces

5.8 Bicycle Parking

Total Required and Provided:

254 units @ 2.0 secured resident bicycle locker spaces per unit	508 spaces
254 units @ 0.2 visitors' bicycle parking	51 spaces

5.9 Loading

Total Required and Provided	2 spaces
-----------------------------	----------

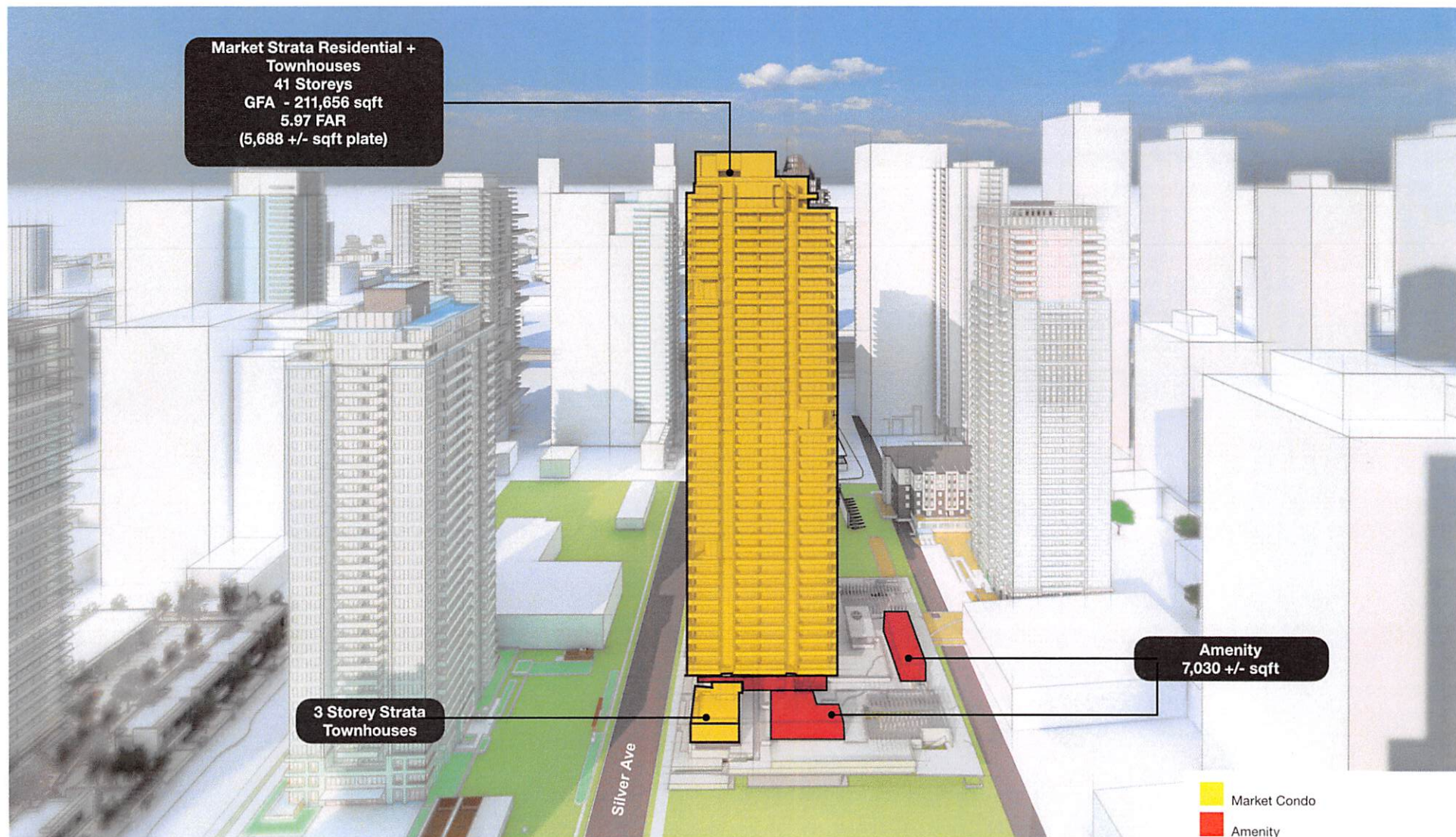
5.10 Communal Facilities
(Excluded from FAR Calculations)

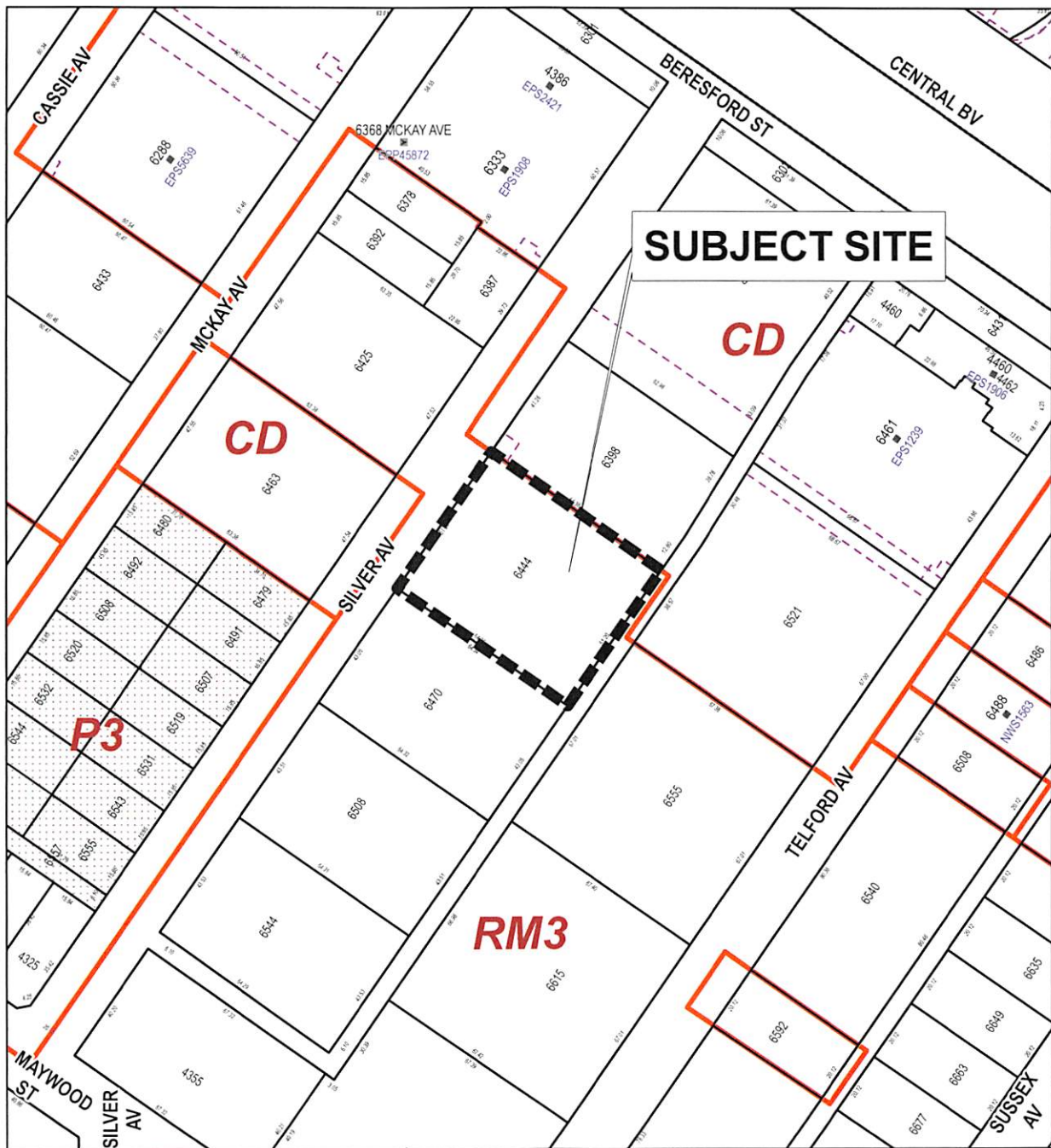
Primary indoor communal facilities for the residential apartment building residents are located on Levels 1 and 2, including a lobby and common area, concierge, office, mail room, parcel room, meeting room, yoga and gym rooms, a spa/massage room, changing rooms and an amenity party room. The amenity area amounts to 653 sq. m. (7,029 sq. ft.), in line with the permitted 5% exemption from Gross Floor Area permitted within the Zoning Bylaw. Outdoor amenities for the development include a patio/gathering area as well as common patios accessible from the gym and yoga rooms. A potential public art location has been identified near the main apartment building entry area along the Silver Avenue frontage.


For: E.W Kozak, Director
PLANNING AND BUILDING

AY:spf
Attachments

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





PLANNING & BUILDING DEPARTMENT




Date:
OCT 21 2021

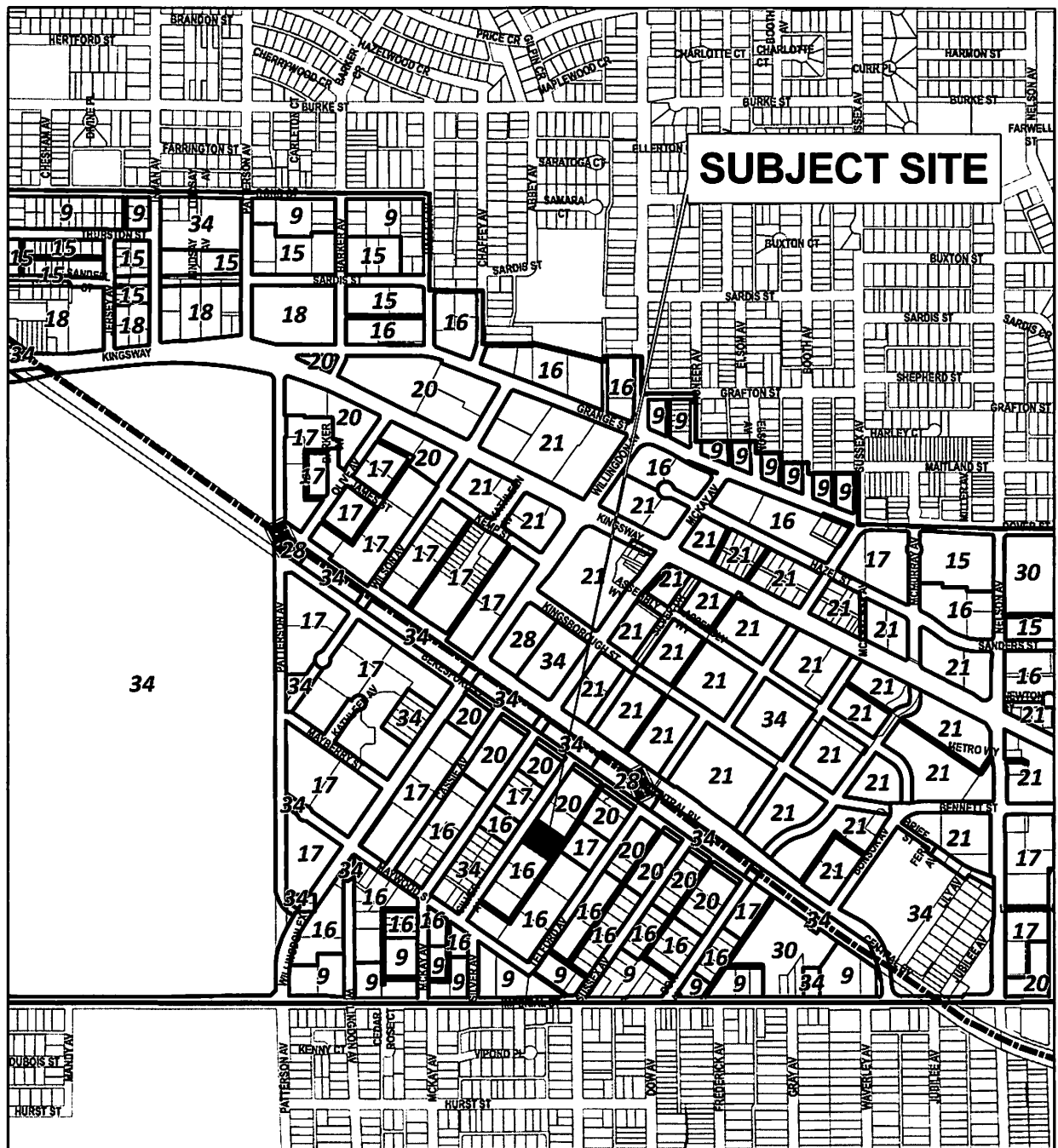
scale:
1:2,000

Drawn By:
RW

REZONING REFERENCE#17-39
6444 SILVER AVENUE

 Subject Site

Sketch #1



- 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)

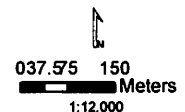
- 20** High Density Mixed Use (RM5s/C2)
- 21** High Density Mixed Use (RM5s/C3)
- 28** Institutional
- 30** Public School (P3)
- 34** Park and Public Use (P3)



City of Burnaby
Planning and Building Dept

Metrotown Plan

Printed on October 21, 2021



Sketch #2