

Item	•••••
Meeting	2021 June 28

COUNCIL REPORT

TO:

ACTING CITY MANAGER

2021 June 23

FROM:

DIRECTOR PLANNING AND BUILDING

**SUBJECT:** 

**REZONING REFERENCE #19-64** 

High-Rise Market Strata, Market and Non-Market Rental Residential and

Commercial Mixed Use Building Metrotown Downtown Plan

ADDRESS:

4653, 4669, 4673 Kingsway, 4638, 4646, 4654, 4662, 4670 Hazel Street and portion

of lane right-of-way (see attached Sketches #1 and #2)

**LEGAL:** 

Lot 3 Except Parcel "C" (Explanatory Plan 10925) and Parcel "C" (Explanatory Plan

10925) Plan 5957: Lots 19 and 20 Plan 8362; Lots A and B Plan 21775; Lot 20 Plan 1768; Parcel A Reference Plan 70310: All of District Lot 153 Group 1 NWD 5957

FROM:

C3 General Commercial District and R5 Residential District

TO:

CD Comprehensive Development District (based on RM5s/RM5r Multiple Family Residential District, C3 General Commercial District and Metrotown Downtown Plan as guidelines and in accordance with the development plan entitled "Metro King"

prepared by Chris Dikeakos Architecture Inc.)

**APPLICANT:** 

Anthem Metro King Hazel Holdings Ltd.

#1100 – 1055 Dunsmuir St. Vancouver, BC V7X 1K8 Attn: Melissa Howey

**PURPOSE:** 

To seek Council authorization to forward this application to a Public Hearing on 2021

July 27.

#### **RECOMMENDATIONS:**

- 1. **THAT** the introduction of a Highway Closure Bylaw be authorized according to the terms outlined in Section 4.9 of this report, contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.
- 2. THAT the sale be approved in principle of City-owned lane in accordance with Section 4.9 of this report, and subject to the applicant pursuing the rezoning proposal to completion.
- 3. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2021 July 12 and to a Public Hearing on 2021 July 27 at 5:00 p.m.

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- 4. 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 Administration 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) The utilization of an amenity bonus through the provision of a cash in-lieu contribution in accordance with Section 4.4 of this report.
  - e) The completion of the Highway Closure Bylaw.
  - f) The completion of the sale of City property.
  - g) The consolidation of the net project site into one legal parcel.
  - h) The granting of any necessary statutory rights-of-way, easements and/or covenants in accordance with Section 4.11 of this report.
  - i) The registration of a Housing Covenant and Housing Agreement.
  - i) Compliance with the Council-adopted sound criteria.
  - k) The submission of a suitable on-site 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) Compliance with the City's Groundwater Management for Multi-Family Development guidelines is required.
  - m) The review of a detailed Sediment Control System by the Climate Action and Energy Division.
  - n) The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering.

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- o) The review of on-site loading facilities by the Director Engineering.
- p) 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.
- q) The provision of facilities for cyclists in accordance with this report.
- r) 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.
- s) The undergrounding of existing overhead wiring abutting the site.
- t) Compliance with the guidelines for underground parking for visitors.
- u) The submission of a Public Art Plan.
- v) The submission of a detailed Comprehensive Sign Plan.
- w) The submission of a Green Building Strategy.
- x) The deposit of the applicable Parkland Acquisition Charge.
- y) The deposit of the applicable School Site Acquisition Charge.
- z) The deposit of the applicable GVS & DD Sewerage Charge.
- aa) The deposit of the applicable Regional Transportation Development Cost Charge.
- bb) The deposit of the applicable Metrotown Grade Separated Pedestrian Linkage Charge.
- cc) The deposit of the applicable Metrotown Open Space Charge.
- dd) 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.

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#### REPORT

#### 1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit the construction of a high-rise market and non-market residential building with a commercial podium and a retail street frontage.

#### 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 within the Metro Downtown neighbourhood of the Metrotown Downtown Plan area and is located in the 4600 block of Kingsway and Hazel Street (see attached Sketches #1 and #2). The adopted Plan identifies this neighbourhood as the commercial and mixed use core of Metrotown, with opportunities for people to live, gather, socialize, and celebrate. The Plan designates the subject site for high-density mixed-use development under the CD Comprehensive Development District utilizing the RM5s/RM5r Multiple Family Residential District and C3 General Commercial District as guidelines. The Rental Use Zoning Policy requires the site to provide non-market rental housing utilizing Stream 2 Inclusionary Rental. The applicant is also opting to provide purpose-built rental using Stream 3 of the Rental Use Zoning Policy Voluntary Rental in Commercial Districts under the RM5r and C3 Zoning Districts. In line with the high-density mixed-use designation, there is an expectation of significant community benefits, a sustainable redevelopment approach, exceptional public realm improvements, high quality urban design and superior architectural expression as part of the development proposal.
- 3.2 The prevailing zoning designation on the subject site is C3 Community Commercial District and R5 Residential District. The site is improved with a restaurant and commercial office/retail uses fronting Kingsway, and three single family dwellings and two vacant lots fronting Hazel Street.
- 3.3 On 2020 February 10, Council received an initial rezoning report for the subject site.

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

#### 4.0 GENERAL COMMENTS

4.1 The proposed development is for a single 66 storey high-rise tower providing a total of 645 residential dwelling units. This includes 372 market strata units (339 RM5s + 33 Offset), 200

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market rental units, and 73 non-market rental units. The inclusionary rental obligation for the site exceeds 20% of the market units provided through the RM5s density, excluding the units derived from offset density. The residential tower proposed to be set above a nine storey commercial component, with a seven storey office podium atop a double-height ground floor restaurant and café space. The tower offers a shared commercial and residential (market and non-market) lobby on Kingsway and a residential (market and non-market) lobby accessed from the lane. All parking is provided underground and vehicular access is taken from Hazel Street. All loading and solid waste access is taken from the proposed north-south lane.

- The maximum *potential* density (including the density offset) may be up to 14.3 FAR, comprised of: 2.2 FAR base, 0.4 FAR base bonus, 1.2 FAR supplementary base, 1.2 FAR supplementary bonus RM5s density; 2.2 FAR RM5r rental density; 1.1 FAR offset density; and 6.0 FAR C3 density, as outlined in Table 1 below.
- 4.3 The proposed density for the subject site is 11.64 FAR. The RM5s density is comprised of: 2.2 FAR base density; 0.4 FAR base bonus; 1.2 FAR supplementary base; and 1.2 FAR supplemental bonus. The proposed development will utilize 0.48 FAR offset, of which 0.34 FAR will deliver strata units and 0.14 FAR will provide market rental units. While the applicant is providing the full 20% inclusionary requirement, they are not taking the full offset due to the building's proposed height efficiency that is, taking the full offset would result in a taller building than the site can efficiently accommodate. The site will utilize 1.01 FAR of RM5r density to deliver non-market rental units and 5.14 FAR C3 density which is split into 2.64 FAR commercial use and 2.50 FAR residential rental use.

	RM5s	RM5r	Offset	C3	Total
Potential Density (FAR)	5.0 (incl. 1.6 bonus)	2.2	1.1	6.0	14.3
Proposed Density (FAR)	5.0 (incl. 1.6 bonus)	1.01	0.48	5.14	11.64

Table 1

The applicant is proposing to use the amenity density provisions indicated within the Zoning Bylaw. In so doing, the applicant would achieve an additional 1.6 FAR in amenity density bonus, which translates into 8,372 m<sup>2</sup> (90,115 sq.ft.) of bonused gross floor area (GFA) included in the 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.

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.

4.5 There are a number different unit typologies proposed in both the market and non-market dwelling units. It is noted that the smaller one-bedroom units in the market strata dwelling units

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are 50.1 m<sup>2</sup> (540 sq.ft.) in area, in accordance with the P11e District (SFU). This is balanced with a higher percentage of two bedroom plus den and three-bedroom units proposed within the market strata component of the building. The use of the P11e District for smaller one-bedroom units supports the affordability of units for first time home buyers and those looking to enter the housing market.

- 4.6 The development is providing 130 adaptable units with 88 accessible parking stalls which is in line with the 20% minimum requirement of the Council-adopted Adaptable Housing policy. The accessible parking stalls will be protected by a Section 219 Covenant as common property to be administered by the Strata Corporation and rental housing operator.
- 4.7 Given the site's location near the Metrotown SkyTrain Station (Expo Line SkyTrain), a parking ratio of 1.1 spaces per market strata unit and 0.6 spaces per rental unit is considered appropriate. Of these ratios, 0.1 spaces per unit is for visitor parking. 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.

There is the requirement to provide 876 parking spaces in the building: 509 residential spaces, 66 residential visitor spaces and 301 commercial spaces. The proposed development provides a total of 716 spaces: 509 residential parking spaces, 66 residential visitor spaces, and 141 commercial spaces. The applicant has agreed to a provide payment-in-lieu for the reduction in commercial parking spaces, in accordance with the Burnaby Zoning Bylaw. To supplement the proposed residential parking standard, the applicant will be providing a comprehensive Transportation Demand Management strategy including:

- A transportation subsidy fund of \$600,000 to provide a \$50 monthly subsidy (one per strata and rental household) to be used for either:
  - o a monthly transit pass, or;
  - o driving credits or membership with a recognized car share program that provides service to the Metrotown area (i.e. EVO, Modo).
- two secure bike parking spaces for each residential (strata and rental) unit, and a shared bicycle repair room; and,
- a communications strategy to ensure all building residents and management companies (i.e. strata lot owners, strata corporation, strata management company, tenants, and rental management company) have an understanding of how best to utilize each of the alternative transportation options.

A Section 219 Covenant and sufficient financial securities will be required to guarantee the provision of these measures.

4.8 The Director Engineering will assess the need for any further required services to the site, including, but not necessarily limited to:

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- construction of Kingsway to Town Centre standard (six-lane arterial) standard, with concrete curb and gutter, separated sidewalks, street trees, enhanced boulevards, and street and pedestrian lighting;
- construction of Hazel Street to Town Centre standard (Local Road) standard, with concrete curb and gutter, separated sidewalks, street trees, enhanced boulevards, and street and pedestrian lighting;
- construction of a new lane running north-south between Kingsway and Hazel Street, on the eastern extent of the site; and,
- storm, sanitary sewer and water main upgrades as required.
- 4.9 Road dedication of 7.5 m along the Kingsway frontage and 6.1 m along the site's east property line will be required as part of this application.

The closure of the lane running east-west through the site, measuring approximately 334.8 m<sup>2</sup> (3,604 sq. ft.) (subject to detailed survey), and its' consolidation with the development site is proposed. A Highway Closure Bylaw will be required, contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw. The Realty and Lands Division will determine a recommended purchase price for the City-owned property, which will be submitted to Council for its consideration and approval as part of a future report prior to Third Reading of the rezoning bylaw amendment.

- 4.10 The submission of a Green Building Strategy is required. The developer has committed to demonstrating sustainability through building design, materiality and efficiency (water, energy and waste management) initiatives. The applicant has indicated that both residential buildings will meet Step 2 of the BC Energy Step Code and include a low carbon energy system.
- 4.11 Any necessary statutory rights-of-way, easements, and covenants for the site are to be provided, including, but not necessarily limited to:
  - Section 219 Covenant restricting enclosure of balconies;
  - Section 219 Covenant indicating that project surface driveway access will not be restricted by gates;
  - Section 219 Covenant restricting the use of guest suites (one in the market (strata) residential section of the building);
  - Section 219 Covenant ensuring compliance with the approved acoustical study;
  - Section 219 Covenant guaranteeing the provision and ongoing maintenance of stormwater management facilities;
  - To ensure that the density of development of air space parcels and strata lots comply with the approved CD zoning for the site and to ensure that the overall site continues to function as a single, integrated development;
  - Ensuring the provision of clear fenestration at the ground level;

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 Section 219 Covenant ensuring that all accessible parking stalls in the underground residential parking areas supporting the strata portion of the development be held in common property to be administered by the Strata Corporation; and,

- Section 219 Covenant guaranteeing the provision and ongoing maintenance of public art.
- 4.12 The registration of a Housing Covenant and a Housing Agreement will be required to protect and regulate affordability measures and tenure of the non-market rental and the market rental units. Terms of the Housing Agreement are to be established prior to Final Adoption of the Rezoning Bylaw. Council consideration and approval of a Housing Agreement Bylaw will be required prior to occupancy.
- 4.13 Due to the proximity of the subject site to Kingsway, the applicant is required to provide an acoustical study showing that the proposed development would meet the Council-adopted noise criteria.
- 4.14 The provision of seven separate car wash stalls for the building is required.
- 4.15 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.
- 4.16 The submission of a groundwater and storm water management plan is required. As well, a suitable engineered design to the approval of the Director Engineering will be required for the on-site 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.
- 4.17 The Climate Action and Energy Division will need to review a submission of a detailed plan of an engineered Sediment Control System prior to Final Adoption.
- 4.18 The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering is required.
- 4.19 The submission of a detailed loading management plan to the approval of the Director Engineering is required.
- 4.20 The submission of a Public Art Plan is required.
- 4.21 The submission of a Comprehensive Sign Plan detailing sign numbers, locations sizes and attachment details is required.
- 4.22 The submission of a Communications Strategy that provides the Owners, Strata and Strata Management Company an understanding of the development is required.

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### 4.23 Applicable development cost charges are:

- Parkland Acquisition Charge;
- School Site Acquisition Charge;
- GVS&DD Sewerage Charge;
- Regional Transportation Charge;
- Metrotown Grade Separated Pedestrian Linkage Charge; and,
- Metrotown Public Open Space Charge.

#### 5.0 DEVELOPMENT PROPOSAL

# 5.1 <u>Site Area</u> (subject to detailed survey)

Gross site area	5,232.5 m <sup>2</sup> (56,322 sq.ft.)
Net site area	4,413.1 m <sup>2</sup> (47,502 sq.ft.)

# 5.2 <u>Site Coverage</u> 65%

## 5.3 Density 11.64 FAR TOTAL

**RM5s District** 

Base	2.2 FAR
Bonus	0.4 FAR
Supplemental base	1.2 FAR
Supplemental bonus	<u>1.2 FAR</u>
Subtotal	5.0 FAR

Density Offset 0.48 FAR\*

\*0.344 FAR Strata \*0.14 FAR Market Rental

RM5r District 1.01 FAR

C3 (Commercial) 2.64 C3 (Market Rental) 2.50

# 5.4 Gross Floor Area 60,891.4 m<sup>2</sup> (655,430 sq.ft.) TOTAL

Market strata residential	27,960.5 m <sup>2</sup>	(300,964 sq.ft.)
- Amenity space exemption	1,122.4 m <sup>2</sup>	(12,081 sq.ft.)
- Adaptable unit exemption	$164.4 \text{ m}^2$	
Market rental residential		(148,713 sq.ft.)
- Amenity space exemption	$315.7 \text{ m}^2$	(3,398 sq.ft.)
- Adaptable unit exemption	94.8 m <sup>2</sup>	(1,020 sq.ft.)

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Non-Market rental residential - Amenity space exemption - Adaptable unit exemption	5,278.1 m <sup>2</sup> 315.7 m <sup>2</sup> 31.6 m <sup>2</sup>	(56,812 sq.ft.) (3,398 sq.ft.) (340 sq.ft.)
	2 ( 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	(200 (42 %)

Commercial 26,908.6 m<sup>2</sup> (289,642 sq.ft.)
- Commercial 13,837.4 m<sup>2</sup> (148,945 sq.ft.)
- Residential 13,071.2 m<sup>2</sup> (140,697 sq.ft.)

# 5.5 Residential Unit Mix

## **645 UNITS TOTAL**

## Market strata residential

9 – Studio	37.2 m <sup>2</sup> (400 sq.ft.)
25 – Studio (adaptable)	37.2 m <sup>2</sup> (400 sq.ft.)
102 – P11e One bedroom	50.2 m <sup>2</sup> (540 sq.ft.)
7 – One bedroom	56.2 m <sup>2</sup> (605 sq.ft.)
25 - One bedroom (adaptable)	56.2 m <sup>2</sup> (605 sq.ft.)
64 – One bedroom + den	56.2 m <sup>2</sup> (605 sq.ft.)
32 – Two bedroom	71.5 m <sup>2</sup> (770 sq.ft.)
41 – Two bedroom + den	80.8 m <sup>2</sup> (870 sq.ft.)
25 - Two bedroom + den (adaptable)	80.8 m <sup>2</sup> (870 sq.ft.)
42 – Three bedroom	87.3 to 106.8 m <sup>2</sup> (940 to 1,150 sq.ft.)

372 units (339 RM5s + 33 Offset)

## Market rental residential

arket remai residential	
32 – Studio	$30.2 \text{ m}^2 (325 \text{ sq.ft.})$
60 – One bedroom	50.2 m <sup>2</sup> (540 sq.ft.)
30 – One bedroom (adaptable)	$56.2 \text{ m}^2 (605 \text{ sq.ft.})$
30 – One bedroom + den	56.2 m <sup>2</sup> (605 sq.ft.)
16 – Two bedroom	71.5 m <sup>2</sup> (770 sq.ft.)
7 – Two bedroom + den	80.8 m <sup>2</sup> (870 sq.ft.)
10 - Two bedroom + den (adaptable)	80.8 m <sup>2</sup> (870 sq.ft.)
15 – Three bedroom	80.8 m <sup>2</sup> (870 sq.ft.)

200 units

## Non-Market rental residential

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12 – Studio	30.2 m <sup>2</sup> (325 sq.ft.)
24 – One bedroom	50.2 m <sup>2</sup> (540 sq.ft.)
9 – One bedroom (adaptable)	56.2 m <sup>2</sup> (605 sq.ft.)
11 – One bedroom + den	56.2 m <sup>2</sup> (605 sq.ft.)
4 – Two bedroom	$71.5 \text{ m}^2 (770 \text{ sq.ft.})$
6 - Two bedroom + den (adaptable)	80.8 m <sup>2</sup> (870 sq.ft.)
7 – Three hedroom	$80.8 \text{ m}^2 (870 \text{ sq.ft.})$

73 units

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## 5.6 Building Height

- Mixed-use tower 66 storeys, 210.8 m (691.71 ft.)

### 5.7 Vehicle Parking

Total Required: 876 spaces

- Market strata residential @ 1.1 per 410 spaces (including 38 visitor spaces)

unit

- Market rental residential @ 0.6 per unit 120 spaces (including 20 visitor spaces)

- Non-market rental residential @ 0.6 per

unit
- Commercial @ 1 per 46 m<sup>2</sup> GFA

45 spaces (including 8 visitor spaces)

301 spaces

# Total Provided: 716 spaces, plus cash in lieu for (160) spaces

-Market strata residential 410 spaces (including 38 visitor spaces

and 46 accessible spaces)

-Market rental residential 120 spaces (including 20 visitor spaces and

25 accessible spaces)

-Non-market rental residential 45 spaces (including 8 visitor spaces and 11

accessible spaces)

-Commercial 141 spaces (including 6 accessible spaces)

-Cash in lieu 160 spaces

### 5.8 Bicycle Parking

## **Total Required:**

- Secured residential (rental and strata):

645 units @ 2.0 spaces per unit 1,290 spaces

- Visitor spaces (rental and strata):

645 units @ 0.2 spaces per unit 130 spaces

- Secured commercial @ 1 per 500m<sup>2</sup> 41 spaces

**GFA** 

#### **Total Provided:**

Secured residential: 1,304 spaces
Visitor: 130 spaces
Commercial: 65 spaces

### 5.9 Loading

Total Required and Provided

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- Market strata, market rental and non-

market rental residential loading

Commercial loading 3 spaces

## 5.10 Communal Facilities (excluded from FAR calculations)

Shared residential amenities include a lobby, mail room, dog wash room, and bike repair facilities. The shared rental amenities on level 10 provides residents with a gym, family play room, lounge, co-working space, and media centre. The outdoor rental amenity deck provides a fitness area, BBQ space and fire pits and a children's play area. The amenity offer for strata residents on levels 32 and 33 incorporates an indoor lounge space, fitness area, yoga mezzanine, guest suite, and family room as well as an outdoor terrace that holds a BBQ and dining area, fireplace, bar and lounge and a children's play area. Collectively, the residential amenity areas amount to 1,753.7 m² (18,877 sq.ft.), which is less than the maximum (2,352.7 m² (25,324 sq.ft.) or 5% of Gross Floor Area permitted to be exempted as amenity space within the Zoning Bylaw.

3 spaces

Commercial amenity includes end-of-trip cycling facilities and a large outdoor terrace deck with a fitness area and seating on level four.

er'E.W. Kozak, Director

PLANNING AND BUILDING

of Samuel

JDC:tn
Attachments

cc: Director Public Safety and Community Services

City Solicitor City Clerk

P:\49500 Rezoning\20 Applications\2019\19-64 4638-4670 Hazel St, 4653-4673 Kingsway\Council Reports\Rezoning Reference 19-64 Public Hearing Report 2021.06.28.Docx



