

PLANNING AND DEVELOPMENT COMMITTEE

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

**SUBJECT: PROPOSED DENSITY AND RENTAL OBLIGATION TRANSFER
AUSTIN-GATINEAU SITE
9850 AUSTIN AVENUE, 9858/98 GATINEAU PLACE
(REZONING REFERENCE #18-00032) ; AND,
CARRIGAN SITE – 3846 CARRIGAN COURT
(REZONING REFERENCE #20-00018)**

RECOMMENDATION:

1. THAT Council endorse the density and rental obligation transfer for the subject sites, as described in Section 3.0 of the report.

REPORT

The Planning and Development Committee, at its meeting held on 2022 April 13, received and adopted the attached report proposing a density transfer between the subject sites to accommodate rental use zoning requirements for both properties.

Respectfully submitted,

Councillor P. Calendino
Chair

Councillor S. Dhaliwal
Vice Chair

Copied to: Chief Administrative Officer Acting CFO GM Corporate Services GM Community Safety GM Planning and Development City Solicitor
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TO: CHAIR AND MEMBERS
PLANNING AND DEVELOPMENT COMMITTEE

DATE: 2022 April 06

FROM: GENERAL MANAGER
PLANNING AND DEVELOPMENT

FILE: 49500 20
Reference: Rez#18-00032

**SUBJECT: PROPOSED DENSITY AND RENTAL OBLIGATION TRANSFER
AUSTIN-GATINEAU SITE
9850 AUSTIN AVENUE, 9858/98 GATINEAU PLACE
(REZONING REFERENCE #18-00032); AND,
CARRIGAN SITE – 3846 CARRIGAN COURT
(REZONING REFERENCE #20-00018)**

PURPOSE: To propose a density transfer between the subject sites to accommodate rental use zoning requirements for both properties.

RECOMMENDATION:

1. **THAT** the Committee recommend Council endorse the density and rental obligation transfer for the subject sites as described in Section 3.0 of this report.

REPORT**1.0 INTRODUCTION**

On 2019 October 28, Council authorized staff to work with Pinnacle International, the applicant for Rezoning Reference #18-32 at 9850 Austin Road and 9858/98 Gatineau Place (Austin-Gatineau Site) in the Lougheed Town Centre area (see *attached* Sketches #1 and #2), to prepare a Suitable Plan of Development for presentation at a future Public Hearing. The site is required to be developed in line with the Rental Use Zoning Policy that was adopted by Council on 2020 March 09.

The Austin-Gatineau site is located within the Core Area Master Plan of the Lougheed Town Centre Plan area. The adopted Master Plan (established under Rezoning Reference #15-23) includes eight major development phases for the lands owned by Shape Properties at the time the Plan was adopted in August 2016. All eight development phases are designated for high-density mixed-use development based on land uses and densities permitted under the RM5s, C3 and P2 Districts. A density allocation covenant is registered on the lands within the eight development phases in order to govern the overall site density, and will be amended as each phase is developed or sold. In February 2018, Shape Properties sold the Austin-Gatineau site to Pinnacle International, assigning a maximum allowable residential density of 176,515.8 m² (1,900,000 sq. ft.) to be developed, excluding the floor area generated by the required rental units and units achieved using density offset through the Rental Use Zoning Policy.

Early in the design stage of the overall site, a number of issues were identified relating to both the ability to accommodate the site's allocated density and density associated with the Rental Use Zoning

Policy within the Plan’s identified three towers, as well as issues relating to the ownership of lands within the Austin-Gatineau Site assembly. First, it was determined that the site could not feasibly accommodate the additional density associated with the site’s inclusionary non-market rental requirement within an appropriate massing and form. Second, the British Columbia Transportation and Finance Authority (BCTFA) informed the applicant and the City that the Province would not permit any encumbrances over adjacent Provincial-owned land, which had a significant impact on the siting of one of the Austin-Gatineau Site’s towers identified in the Master Plan. As a result of the approved density allocation of 1.9 million sq. ft. for the site, the restrictions of permitting private development on Provincial-owned land, and accommodation of the Rental Use Zoning Policy, the applicant is unable to accommodate all of the allocated requirements of density on the Austin-Gatineau Site within the limited site area in a feasible form of development. After careful consideration, the applicant has requested consideration of an innovative approach to meet the City’s rental housing and non-market housing objectives, while properly accommodating the density that is allocated to the Austin-Gatineau Site.

The applicant is also the owner of 3846 Carrigan Court (Carrigan Site), which is also located in the Lougheed Town Centre Plan area (see *attached* Sketches #3 and #4), and is the subject of Rezoning Reference #20-18. The applicant is proposing to leverage both the Austin-Gatineau Site and the Carrigan Site to deliver the required inclusionary requirements of the Austin-Gatineau Site and the rental replacement requirements of the Carrigan Site. To best accommodate the development proposal, the applicant is proposing a density and rental obligation transfer from the Austin-Gatineau Site to the Carrigan Site. The proposed development concept is in alignment with the Lougheed Town Centre Plan, and is compatible with surrounding development. Overall, the proposal is anticipated to deliver a total of 2,828 market strata units and 546 non-market rental units across the two sites.

On 2021 May 31, Council adopted the Density Transfer Policy for sites subject to the Rental Use Zoning Policy, which identified the subject sites as suitable candidates to apply the Policy. This report describes the proposed development concept and the density transfer to accommodate the non-market rental obligation for both sites, as well as provides an analysis of the density transfer against Council-adopted density transfer criteria. Council approval of the proposed density and rental obligation transfer is therefore recommended.

2.0 POLICY CONTEXT

The proposed density and rental obligation transfer for the subject sites align with the following policies and plans adopted by Council: Corporate Strategic Plan (2017), Regional Context Statement (2013), Official Community Plan (1998), 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 AND DENSITY TRANSFER PROPOSAL

3.1 Permitted Density

The Austin-Gatineau Site is approximately 18,064.8 m² (194,448 sq.ft.) in size, subject to legal survey, and is comprised of three properties at 9850 Austin Road, 9858 and 9898 Gatineau Place, as well as one proposed road closure area, which includes a portion of Gatineau Place located within the site. The

site is located at the southeast corner of Lougheed Highway and Austin Road, within the Core Area Master Plan of the Lougheed Town Centre Plan area. The Lougheed Town Centre Plan designates the site for high-density mixed-use commercial/residential rezoning to the CD Comprehensive Development District, utilizing the RM5s and RM5r Multiple Family Residential Districts and C3 Commercial District as guidelines. The Austin-Gatineau Site’s maximum permitted residential density is up to 16.23 FAR (3,154,000 sq. ft. GFA), as outlined in Table 1, subject to conditions set out in the Burnaby Zoning Bylaw, Burnaby Rental Use Zoning Policy, and the approval of Council.

Zoning District	Maximum Potential Residential Density (based on GFA sale in 2018)
RM5s	1,900,000 sq.ft. GFA
RM5r	836,000 sq.ft. GFA
RM5 Density Offset	418,000 sq.ft. GFA
TOTAL	3,154,000 sq.ft. GFA

Table 1 – Austin-Gatineau Site: breakdown of maximum residential density permitted

*GFA determined based on Gross Site Area and site’s density allocation from the Lougheed Core Area in accordance with the Lougheed Core Area Master Plan.

The Carrigan Site is approximately 13,788 m² (148,413 sq. ft.) in size, subject to legal survey, and is comprised of a single parcel at 3846 Carrigan Court and is currently improved with two three-storey apartment buildings with 141 rental units, constructed in 1970. The site is designated for medium-density multiple-family residential rezoning to the CD Comprehensive Development District, utilizing the RM3s and RM3r Districts as guidelines. The Carrigan Site’s maximum permitted residential density is up to 3.15 FAR (467,501 sq. ft. GFA), as outlined in Table 2, subject to conditions set out in the Burnaby Zoning Bylaw, Burnaby Rental Use Zoning Policy, and the approval of Council.

Zoning District	Maximum Potential Residential Density
RM3s	222,620 sq. ft. GFA
RM3r	163,254 sq. ft. GFA
RM3 Density Offset	81,627 sq. ft. GFA
TOTAL	467,501 sq. ft. GFA

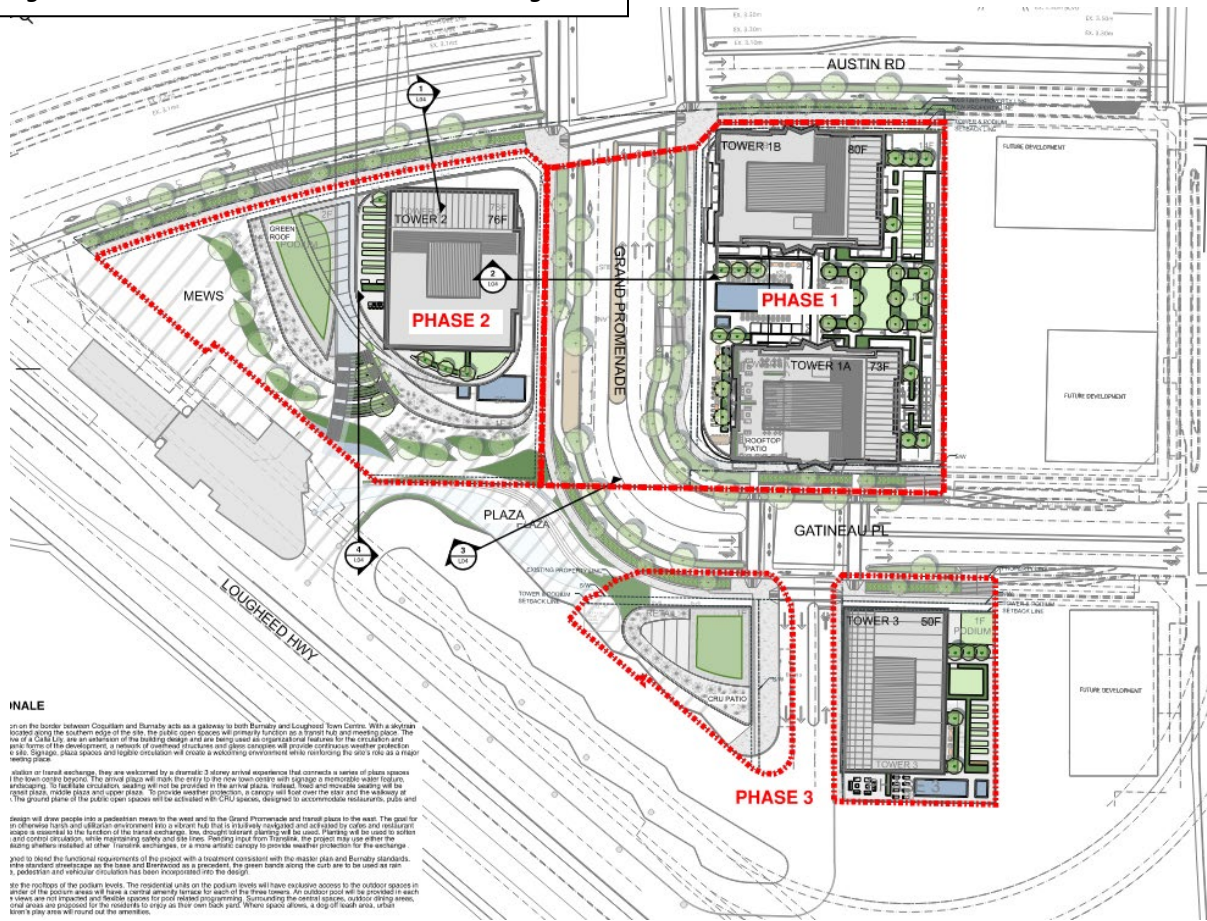
Table 2 – Carrigan Site: breakdown of maximum residential gross floor area permitted

*GFA determined based on Gross Site Area for the Carrigan site only.

3.2 Proposed Development, Density Transfer, and Rental Obligation Transfer

The overall concept for the Austin-Gatineau site is to see its eventual transition from an underutilized parking lot and sales centre property, to a mixed-use commercial retail/office and strata residential development. Upon completion, the site would accommodate four strata residential condominium towers, each atop commercial retail/office podiums. In general terms, the approach is to phase the development of the site into three main phases as shown in Figure #1. It is noted that each phase will be brought forward as individual site-specific rezoning applications.

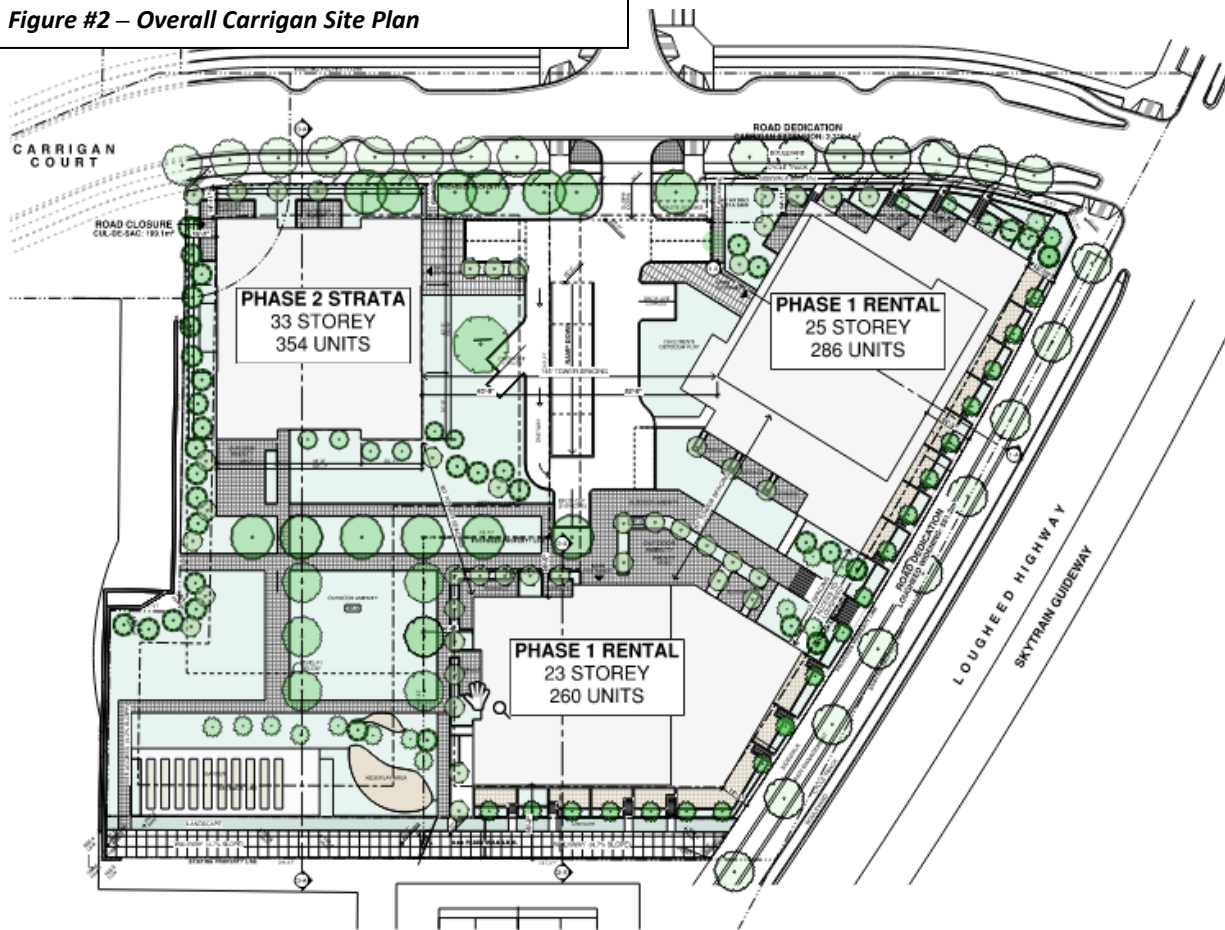
Figure #1 – Overall Austin-Gatineau Site Phasing Plan



The Council-adopted Rental Use Zoning Policy requires the Austin-Gatineau Site satisfy Stream 2 – Inclusionary Rental Requirements. In this regard, the applicant is required to provide the equivalent of 20% of the proposed market units, or 405 units, as non-market rental. After consideration of the site constraints and challenges associated with accommodating the allocated density onto the Austin-Gatineau site, the applicant has requested consideration of the proposed approach, leveraging both the Austin-Gatineau Site and the Carrigan Site to meet the City’s rental housing and non-market housing objectives. It is noted that the Carrigan Site is required to satisfy Stream 1 – Replacement Rental Requirements of the Rental Use Zoning Policy.

Under the proposal, 546 purpose built non-market rental units would be constructed at the Carrigan Site, which would include 141 rental replacement units attributed to the Carrigan Site and 405 inclusionary rental units transferred from the Austin-Gatineau Site. Upon completion, the Carrigan Site would accommodate two rental towers which would accommodate the purpose built non-market rental units and one strata residential condominium tower which would accommodate the Carrigan Site’s RM3s strata density. The overall proposed development of the Carrigan Site is shown in Figure #2.

Figure #2 – Overall Carrigan Site Plan



It is proposed that the 546 non-market rental units satisfy the replacement requirement for the Carrigan Site and the inclusionary rental requirement for all phases of the Austin-Gatineau Site. In accordance with the Tenant Assistance Policy, residents displaced from the existing rental development at the Carrigan Site will be assisted by the applicant and accommodated in alternative rental housing until their unit in the new development is ready. Tenants would only be responsible for the portion of the rent amount equivalent to the tenant’s rent at the time of rezoning of their respective site, with the developer paying any applicable rent top up.

To support this proposal, the applicant is requesting a density transfer between the two sites. The applicant is proposing to transfer a total of 319,226 sq. ft. of RM5r density from the Austin-Gatineau Site to the Carrigan Site. The permitted and proposed densities of the sites are summarized in Tables 3 and 4 below.

Austin-Gatineau Site		
Zoning: CD (RM5s)		
Site Size: 194,447.9 sq.ft.	Permitted*	Proposed*
RM5s Base Density	4.30	4.30
GFA (sq.ft.)	836,000	836,000
RM5s Bonus Density	0.78	0.78
GFA (sq.ft.)	152,000	152,000

RM5s Suppl. Base Density GFA (sq.ft.)	2.35 456,000	2.35 456,000
RM5s Suppl. Bonus Density GFA (sq.ft.)	2.35 456,000	2.35 456,000
RM5s Density Offset GFA (sq.ft.)	2.15 418,000	2.05 398,609
TOTAL Density	11.92	11.82
TOTAL GFA	2,318,000	2,298,609

Table 3 – Austin-Gatineau Site: breakdown of permitted and proposed residential density

Carrigan Site		
Zoning: CD (RM3, RM3r, RM5r)		
Site Size: 148,413 sq.ft.	Permitted*	Proposed*
RM3 Base Density GFA (sq.ft.)	1.10 163,254	1.10 163,254
RM3s Bonus Density GFA (sq.ft.)	0.15 22,262	0.15 22,262
RM3s Suppl. Bonus Density GFA (sq.ft.)	0.25 37,104	0.25 37,104
RM3r Density GFA (sq.ft.)	1.10 163,254	0.75 111,337
RM3 Density Offset GFA (sq.ft.)	0.55 81,627	0.55 81,627
RM5r Density <i>Transferred from Austin-Gatineau Site</i> GFA (sq.ft.) <i>Transferred from Austin-Gatineau Site</i>	2.15 319,226	2.15 319,226
TOTAL Density	5.3	4.95
TOTAL GFA	786,727	734,810

Table 4 – Carrigan Site: breakdown of permitted and proposed residential density

* Note: Each site’s density is based on the Gross Site Area for each site and taking into account the initial density transfer from the Core Area to the Austin-Gatineau site, and may result in a density that exceeds that of the Zoning Bylaw. Actual density transfer is based on GFA and not FAR.

4.0 POLICY GUIDELINES FOR ASSESSING DENSITY TRANSFER

On 2021 April 12, Council adopted a Density Transfer Policy for sites subject to the Rental Use Zoning Policy. The Policy contains five criteria which are described below.

4.1 Eligibility Date

Guideline: A rezoning application proposing transfer of RMr density supporting policy-required non-market rental units to a recipient site, other than a site-specific rezoning (SSR) application implementing an adopted master plan, must have a submission date of no later than 2021 March 09. Where an SSR application implementing an adopted master plan proposes transfer of RMr density

supporting policy-required non-market rental units to a recipient site, the master plan must have a Council approval date of no later than 2021 March 09. There is no submission date requirement for the SSR application itself.

Assessment: The City received a rezoning application for the Austin-Gatineau Site (Rezoning Reference #18-32) in 2019 and advanced an initial report to Council on 2019 October 28. This date precedes the Density Transfer Policy eligibility date of 2021 March 09.

4.2 Ownership

Guideline: The sites involved must be owned and rezoned by the same corporate entity.

Assessment: Both of the subject sites are owned and will be rezoned by Pinnacle International.

4.3 Compatibility

Guideline: The resultant buildings on the sites must be compatible with adjacent development.

Assessment: The proposed development forms on the two subject sites are consistent with the intent of the zoning designations of the Lougheed Town Centre Plan, delivering high-density development in high-rise forms at both the Austin-Gatineau Site and the Carrigan Site.

The Austin-Gatineau Site will consist of four residential high-rise condominium buildings, each atop commercial retail/office podiums. The Austin-Gatineau Site is in conformance with the Lougheed Town Centre Plan's designation of high-density mixed-use development and is located in the Core Area Master Plan, proximate to a number of existing and future high-rise mixed-use developments.

The proposed development at the Carrigan Site will consist of two purpose-built high-rise rental buildings and one market strata high-rise building. The Carrigan Site, while currently designated CD (RM3/RM3r) medium-density multiple-family residential, is adjacent to existing, established high-density high-rise multiple-family developments to the east at 3970 and 3980 Carrigan Street and to the north, across Lougheed Highway, at 9500 Erickson Drive (Lougheed Village). As such, the site is considered appropriate for the proposed resultant high-density high-rise form of development, subject to the approval of a Community Plan amendment by Council, which will be outlined in a future report to Council.

4.4 Proximity

Guideline: The sites involved must be in close proximity, ideally within the same plan area.

Assessment: The two sites are located within the same plan area, and are located approximately 350m from each other, with the Carrigan Site located proximally to the Lougheed SkyTrain Station, with direct connections via Lougheed Highway.

4.5 Additional Rental Units

Guideline: If density transfer results in policy-required rental units being borne on a single site, additional RMr density above the required inclusionary and/or replacement component must be utilized.

Assessment: Based on the density and anticipated development forms, 141 replacement rental units and 405 inclusionary rental units meet the requirements of the Rental Use Zoning Bylaw for both sites. Under this proposal, a total of 546 rental units are planned. While the subject applications meet the required replacement and inclusionary rental obligations of the Council-adopted Rental Use Zoning Policy for both the Austin-Gatineau and Carrigan Sites, they do not propose additional rental units above each sites' obligation. Notwithstanding, the replacement units exceed the number of inclusionary units generated by the Carrigan Site, thus generating more non-market units than would be required on site if developed only with Inclusionary rental housing. The consolidation of replacement and non-market rental units on the Carrigan site, along with market strata units, will create a mixed tenure and mixed-income neighbourhood, with shared access to open space and amenities on site. Furthermore, the consolidation of both sites' rental obligation onto the Carrigan site will result in the rental units being located in closer proximity to various neighbourhood amenities in the Lougheed Town Centre Plan area, including Keswick Park, Bell Park, and Cameron Road Elementary School. The first occupancy on the Carrigan Site would accommodate the rental replacement units, to ensure the minimal amount of displacement for existing tenants.

5.0 SUMMARY AND RECOMMENDATION

The Density Transfer Policy provides five criteria to assess the appropriate transfer of density between sites that have been subject to the Rental Use Zoning Policy. As described in Section 4.0, the subject sites substantially meet the guidelines. The proposal, as generally outlined in this report, complies with the Rental Use Zoning Policy, and delivers additional high quality rental housing for tenants. The proposed development forms and land use for both sites are aligned with the policy directions of the Lougheed Town Centre Community Plan. As such, it is recommended that the Committee recommend Council endorse a density and partial rental obligation transfer for the subject sites as described in this report.

E.W. Kozak, General Manager
PLANNING AND DEVELOPMENT

GT:tn

Attachments

cc: Chief Administrative Officer
Deputy Chief Administrative Officer and CFO
General Manager Community Services
City Solicitor
City Clerk