

Item	
Meeting2010 April	26

COUNCIL REPORT

TO:

CITY MANAGER

2010 April 20

FROM:

DIRECTOR PLANNING AND BUILDING

SUBJECT:

REZONING REFERENCE #08-05

Mixed-Use Commercial At-Grade and High-Rise Apartment Tower

Metrotown Development Plan - Sub-Area 7

ADDRESS:

6451, 6475 & 6479 Telford Avenue and Ptn. of Lane Allowance (see attached

Sketches #1 & #2).

LEGAL:

Blk 4 Except: Firstly: Part Subdivided by Plan 1925, Secondly: Parcel 'A' (Expl.

Pl. 12599), D.L. 153, Group 1, NWD Plan 783, Lot 25, D.L. 153, Group 1, NWD

Plan 1925 and Lot 24, D.L. 151, Group 1, NWD Plan 1925

FROM:

M4 Special Industrial District and R5 Residential District

TO:

CD Comprehensive Development District (based on RM5 Multiple Family Residential District, C2 Community Commercial District and Metrotown Davidson and in accordance with the development plan.

Development Plan guidelines and in accordance with the development plan entitled "Telford Avenue" prepared by Busby Perkins and Will)

Intracorp Lands Ltd.

900 – 666 Burrard Street Vancouver, B.C. V6C 2X8 (Attention: Maurice Pez)

PURPOSE:

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

2010 May 18.

RECOMMENDATIONS:

APPLICANT:

1. **THAT** the introduction of a Highway Closure Bylaw be authorized according to the terms outlined in Section 3.2 of this report, contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.

2. **THAT** the predecessor Rezoning Bylaw, Amendment Bylaw No. 37/08, Bylaw No. 12484, be abandoned contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.

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- 3. **THAT** the sale be approved in principle of City-owned property at 6475 Telford Avenue for inclusion within the subject development site in accordance with Section 3.3 of this report, and subject to the applicant pursuing the rezoning proposal to completion.
- 4. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2010 May 03, and to a Public Hearing on 2010 May 18 at 7:00 p.m.
- 5. 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, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
 - d) The removal of all existing improvements from the site within 24 months of the rezoning amendment bylaw receiving Final Adoption by Council, in accordance with a Section 219 Covenant, a Licensing Agreement and a Trespass Agreement with the City detailing the arrangement.
 - e) The utilization of an amenity bonus through the provision of a 5,697 sq. ft. non-profit office space owned by the City and established through the creation of an airspace parcel and protected by a 219 Covenant in accordance with Section 3.4 of this report.
 - f) The consolidation of the net project site into one legal parcel.
 - g) The granting of any necessary covenants, including, but not necessarily limited to, Section 219 Covenants restricting the enclosure of balconies, indicating that project surface driveway accesses will not be restricted by gates, allocating development densities on the overall site, guaranteeing provision and maintenance of public art, providing that all disabled parking to remain as common property, and the provision and maintenance of identified public plazas.
 - h) The granting of a Section 219 Covenant for the provision of three surface car coop spaces, with cars and memberships for the residential units to be held as common property in accordance with Section 3.7 of this report.

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- The granting of any necessary easements, including, but not necessarily limited to i) easements guaranteeing public access to proposed plaza, public open space and pedestrian walkway/linkage areas.
- j) The provision and maintenance of the public plaza by the development.
- The provision of statutory rights-of-way and/or easements guaranteeing public k) access to non-profit office parking areas and related pedestrian connections.
- The dedication of any rights-of-way deemed requisite. 1)
- The design and provision of units adaptable to persons with disabilities (the m) provision of special hardware and cabinet work being subject to the sale/lease of the unit to a disabled person) with allocated disabled parking spaces protected by Section 219 Covenant.
- n) The provision of covered car wash stalls and adequately sized and appropriately located garbage handling and recycling material holding space to the approval of the Director Engineering within the residential portions of the development and a commitment to implement the recycling provisions.
- The submission of a suitable on-site stormwater management system to the 0) 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.
- The pursuance of green building practices for the proposed development in p) accordance with Section 3.7 of this report.
- q) The deposit of the applicable GVS & DD Sewerage Charge.
- The deposit of the applicable Parkland Acquisition Charge. r)
- The deposit of the applicable School Site Acquisition Charge. s)
- The deposit of the applicable Metrotown Public Open Space Charge. t)
- Completion of the Highway Closure Bylaw. u)
- The completion of the sale of City property. v)
- The provision of facilities for cyclists in accordance with this report. w)
- The undergrounding of existing overhead wiring adjacent to the site. x)

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- y) Compliance with the Council-adopted sound criteria.
- z) The review of a detailed Sediment Control System by the Director Engineering.
- aa) The submission of a Site Profile and resolution of any arising requirements.
- bb) Compliance with the guidelines for underground parking for visitors.
- 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 a high-rise apartment development with a ground-level, street-fronting commercial component.

2.0 BACKGROUND

- 2.1 The Metrotown Development Plan designates redevelopment sites fronting Beresford Street, including the subject site, for higher-density multiple-family development. The proposed use of the RM5 District is reflective of the Plan's vision for this higher density residential designation to best utilize this site's strategic location in relation to the BC Parkway, the Expo SkyTrain line, the abutting Metrotown SkyTrain Station, and the nearby Metropolis commercial centre and Metrotown commercial core area. In terms of the governing allowable density for the site, the maximum allowable residential floor area ratio would be 2.6 FAR applicable to the net site, which is inclusive of the proposed use of the 0.4 FAR amenity bonus.
- 2.2 The site is comprised of four lots (see Sketch #1 <u>attached</u>), two of which, addressed at 6451 Telford Avenue, are zoned M4 Special Industrial District and occupied by a large storage warehouse. The other two lots are zoned R5 Residential District and occupied by two older single-family dwellings. It is noted that the R5-zoned property at 6475 Telford Avenue is owned by the City and is proposed to be included in the subject consolidated development site. To the north is the Expo SkyTrain Line and Metrotown SkyTrain

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Station, as well as the BC Parkway. Further to the north, beyond Central Boulevard, is the Metropolis Shopping Centre and the two Metrotower office buildings. To the west, east and south are older, generally three-storey, apartment buildings of varying age and condition. It is noted that Beresford Street is interrupted in this area by the existing M4 warehouse building and property comprising the subject development site.

- 2.3 The subject application went to a Public Hearing on 2008 July 22, and was subsequently given Second Reading on 2008 August 25. The development plan presented at Public Hearing had shown the site to be developed with a single 28-storey high-rise apartment tower with single-storey street-fronting commercial uses along Beresford Street. Since that time, the developer has requested some minor revisions to the proposed development plan consisting of:
 - an additional storey to the commercial component fronting Beresford Street with the relocation of the City non-profit office space to the second level;
 - minor architectural changes to the building façade involving a reorientation of the commercial component to allow for better integration with the residential tower and surrounding plaza spaces, as well as minor material and glazing changes to the residential tower;
 - Leadership in Energy and Environmental Design (LEED) standards, rather than Built Green, being used as a measure of building efficiency and green building standards; and,
 - retention of the existing improvements and uses on the subject site to allow for income generation while the applicant works towards meeting presales tests for project financing.
- 2.4 The applicant has now submitted a plan of development suitable for presentation to a Public Hearing.

3.0 GENERAL COMMENTS

3.1 As discussed, the proposed development concept is virtually unchanged, except for the 3,170 sq. ft. commercial-retail floor area expansion involving an additional storey to the previously proposed single-storey commercial building, the architectural changes to the commercial and residential buildings and the retention of the existing warehouse use for up to 24 months post rezoning approval. The proposed development concept continues to be for a single high-rise apartment tower with street-fronting commercial uses along Beresford Street. As noted in the previous Public Hearing report for the subject rezoning bylaw amendment, this commercial component, while not identified in the Plan, is considered minor, desirable and supportable given this site's direct relationship to the Metrotown SkyTrain Station, and the lack of local street-oriented service commercial opportunities in this immediate area. Further, the commercial component provides for further "eyes on the street" at a focal point of high pedestrian activity and public transit use. All required residential parking continues to be located underground, and access

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taken from the abutting rear north-south lane. Required commercial parking is proposed to be at-grade at the rear of the development and also accessed from the abutting lane. A key component of this development is the proposal for a public plaza along Beresford Street to integrate this development with the public realm improvements envisioned by the Metrotown Transit Village Study, and specifically, proposed future improvements to the Metrotown SkyTrain Station, and the BC Parkway including the creation of a civic plaza area and addition of a future transit exchange to the west. A significant public art piece is required on the Telford Avenue frontage at the northern end of the site to add interest and improve the public realm in this location generally, as well as to provide for a strong visual reference for the proposed development.

The applicant is aware that the Maywood area is under a policy and community plan review. Should Council approve any amendments to the development guidelines for the Maywood area prior to initiation of construction for the subject site, the developer has indicated that they will review any adopted changes to determine whether they would seek an amendment rezoning to reflect the new directions.

- The proposed development site includes the closure of the east west lane south of 6479 3.2 Telford Street, which measures approximately 420.74 m² (4,529 sq.ft.) in area. The road closure area would be transferred to the applicant net of any required road dedications. In this instance, as road dedications required as part of the subject application, measuring approximately 707.43 m² (7,615 sq.ft.), exceed the road closure area, the road closure area would be transferred at no cost to the applicant. A Highway Closure Bylaw will be required, contingent upon the granting by Council of Second Reading of the Subject Rezoning Bylaw.
- Development of the subject site includes the City-owned property at 6475 Telford 3.3 Avenue. The City owned property measures approximately 1052.48 m² (11,329 sq. ft.) (subject to detailed survey). The Legal Department has valued this sale of City-owned lot at \$69.00 per sq.ft. buildable. The sale of City property is a prerequisite of the subject rezoning application and the land would be transferred at Final Adoption of the Rezoning Bylaw.
- 3.4 Given the site's Town Centre location, the applicant continues to propose utilizing the amenity density bonus provisions indicated within the Zoning Bylaw. In so doing, the applicant would achieve an additional 0.40 of residential FAR, which translates into 24,470 sq. ft. of additional floor area. The City Solicitor reports the value of the density bonus to be \$69.00 per sq. ft. buildable, for a total value of \$1,688,430. At its meeting of 2008 May 27, Council adopted a recommendation from the Community Development Committee that the density bonus funds be applied to non-profit office space based on a ballpark 4,800 sq.ft. of space on two levels. In the previous proposal, the applicant was providing 4,500 sq. ft. of non-profit office space on the ground floor. Under the current proposal, the applicant has agreed to locate the entire non-profit office space (5,697 sq.ft.) on the second level of the commercial building with a dedicated elevator and staircase access to allow for a stronger commercial presence on Beresford, which is

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intended to lend the development a street orientation at this key location given the relationship to the adjacent Metrotown SkyTrain Station. This will accommodate the provision of 6,170 sq. ft. of commercial retail space on the ground floor. The office space continues to have a presence and access directly from Beresford Street. of the 5,697 sq.ft. is in line with the value of the density bonus deposit. To serve the proposed non-profit office, eleven (11) surface parking spaces are also being provided.

- The City Engineer will assess the need for any further required services to the site, 3.5 including, but not necessarily limited to:
 - Construction of Beresford Street to a two lane standard with separated sidewalks (in their final location), street trees, boulevards, street lighting and pedestrian lighting;
 - Construction of a new curb and separated sidewalk along the west side of Telford Avenue, including street trees, grassed boulevards and street and pedestrian lighting;
 - Construction of Public Plazas within the future City-owned lots along the south side of Beresford Street, on either side of Telford Avenue, to be maintained by the development, as outlined in Section 3.6 of this report;
 - Construction of the north-south lane to its final standard;
 - Undergrounding of overhead hydro lines within the rear lane; and,
 - Storm, sanitary sewer and water main upgrades as required.

Required road dedications are 10.06 m (33 ft.) for road on the Beresford Street frontage, and approximately 15.4 m² (166 ft.) for lane widening from the south west corner of the

3.6 Currently, east-west through traffic on Beresford Street is precluded by the storage warehouse which occupies the M4-zoned portion of the subject site. Development of the subject site would thus allow Beresford Street to be completed with full access to Willingdon Avenue. As such, dedications in the range of 20.12m would be required along the Beresford Street frontage to accommodate the road's ultimate widening to a four lane standard, and to be consistent with the proposed future transit exchange to the west, as indentified in the Metrotown Transit Village Study. construction timing for the future transit exchange and related widening of Beresford Street is uncertain, and in order to phase the total dedications for the site, it is proposed that 10.06m of the 20.12m dedication be transferred to the City as a fee simple lot at no cost to the City. Due to the extent of road dedications required of this site, and in order to preserve its potential for town centre development, it is proposed that the density related to this City lot, of approximately 700.55 m² (7,541 sq.ft.), contribute to the net development site. It is also noted that the final standard for Beresford Street remains a longer-term objective given the need for additional rights-of-way east of Willingdon Avenue.

Finally, it is also proposed that the developer adequately improve the City lot portion, including incorporation of a public plaza and enhanced sidewalk and boulevard elements,

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as well as on-street parking in support of the proposed street fronting commercial uses and that maintenance of this public plaza be a requirement of the development until such time that Beresford Street is widened to its finished standard.

- 3.7 The applicant is proposing the development's active participation and support for carsharing in the neighbourhood. The Co-operative Auto Network (CAN) is a not-for-profit.
- Co-operative incorporated to foster car sharing as an environmentally responsible 3.8 transportation option resulting in fewer cars in the community. The developer has proposed to provide funding for the one time registration/lifetime membership fee with CAN for the 188 residential units, donate 3 cars (including 1 hybrid) to CAN and allocate three surface parking spaces for their dedicated parking. Members pay a small monthly administration fee to cover some of the fixed costs to the car, and when they use a car, they pay low fees for use by the hour or by kilometer. The cars will be located off the rear lane in the surface parking area and available for the all residential owners/tenants. and by all CAN members, thus facilitating sustainable transportation for residents of the surrounding neighbourhood. The parking reductions are also tied to the developer agreeing to pursue green building practices. Previously, the developer had agreed to achieve a "Gold" rating under the Built Green program (administered by the Canadian Home Builders Association). Under the current proposal, the developer has agreed to pursue a Silver rating under the Leadership in Energy and Environmental Design (LEED) program. Staff support the request by the developer as the LEED program provides for an enhanced green building standard, and would mark one of the City's first residential LEED standard buildings.

As reflected in the previous proposal advanced to Public Hearing, given the progressive environmental measures and the location of the development adjacent to Metrotown Station, staff is supportive of a maximum residential parking reduction of 0.1 spaces (from 1.6 spaces/unit to 1.5 spaces/unit) for the development resulting in a reduction of 19 residential tenant spaces. The reduction of parking will be within the residential underground component and will not affect the 0.25 spaces/unit allocated for visitors. The provision and retention of car co-op spaces, memberships and vehicles on the site will be secured in perpetuity by way of 219 Covenant and the deposit of sufficient monies to guarantee their provision. Right-of-way and/or easement agreements which would allow the City to assign the use of the car co-op spaces in whole or in part to an alternate co-op should CAN cease to operate or choose to use fewer than the three spaces for its car co-op program will also be required.

- 3.9 Any necessary easements and covenants for the site are to be provided, including, but not necessarily limited to:
 - Covenant restricting enclosure of balconies,
 - Covenant and statutory right-of-way to guarantee provision of, and public access to, 3 car co-op spaces at grade for the location of car co-op cars only,

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- Covenant indicating that project surface driveway accesses will not be restricted by gates,
- Covenant allocating development densities on the overall site,
- Covenant guaranteeing provision and maintenance of public art,
- Covenant, statutory right-of-way and/or easement detailing the provision of the non-profit office space and access to assigned 11 non-profit office parking spaces and related pedestrian connections,
- Covenant for the provision and maintenance of public plazas on Beresford Street,
- Covenant ensuring the provision of a minimum of 10 handicap accessible parking stalls in the resident parking area for the sole use of the required 10 accessible units, and that these stalls, as well as any other handicap accessible parking provided in the residential component of the underground parking, be held in common property to be administered by the Strata Corporation.
- 3.10 The applicant has elected to provide a minimum of 10 adaptable units (5% of unit total) and has provided 10 handicap parking stalls within the underground parking structure. Handicapped parking stalls will be protected by Section 219 Covenant as common property to be administered by the Strata Corporation.
- 3.11 Due to the proximity of the subject site to the SkyTrain guideway to the north, the applicant is required to provide an acoustical study showing that the proposed development would meet the Council-adopted noise criteria.
- 3.12 Although a few large trees exist, much of the site accommodates poor quality second generation vegetation, and a very large portion of the site will be excavated for development and dedicated for road purposes. As such, the developer will not be required to submit a tree survey, although a substantial landscape plan will be pursued.
- 3.13 The site will need to be consolidated into one legal lot. As previously noted, demolition of existing improvements is typically required prior to subdivision and subsequent rezoning approval. The applicant is seeking a delay to the demolition requirement for up to 24 months after the subject rezoning bylaw amendment is given Final Adoption by Council in order that income may be generated while the applicant attempts to meet presales tests for project financing.

The applicant is seeking a 24 month delay in demolition to allow for income from the existing warehouse building to be derived while they market the project to meet presales targets for bank financing. A Section 219 Covenant which establishes the 24 month sunset clause for demolition will be required, as will a Letter of Credit equal to the value the building's demolition. Delaying demolition beyond Final Adoption of the subject amendment bylaw will result in an encroachment onto City land dedicated by the developer through the related subdivision process. As such, the usual Licensing and Trespass Agreements for such situations will also be required.

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The Legal and Lands Department indicates that a rate of \$0.21 per sq. ft per month plus applicable taxes for the proposed 24 month term is supportable for the area to be secured through dedication. This rate is in line with that of rented vacant yards. As noted, at the end of the occupancy period, the applicant will be required to demolish the warehouse structure and remove all encroachments from City land, whether or not presales targets are achieved, and construct the Beresford frontage to the finished two-lane standard indicated in the Engineer's servicing agreement.

The developer has agreed to the general terms and conditions as outlined above.

- 3.14 Provision of an adequately sized and sited garbage and recycling area, as well, separate car wash stalls are required.
- 3.15 Development Cost Charges:
 - a) Parkland Acquisition Charge of \$3.55 per sq.ft. of residential gross floor area
 - b) School Site Acquisition Charge of \$600.00 per unit
 - c) GVS&DD Sewerage Charge of \$590.00 per apartment unit and \$0.443 per sq.ft. of commercial floor area.
 - d) Metrotown Public Open Space charge of \$0.50 per sq.ft. of commercial floor area.
- 3.16 A site profile application and resolution of any resultant conditions is required.
- 3.17 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.
- 3.18 Engineering Environmental Services Division will need to review a submission of a detailed plan of an engineered Sediment Control System prior to Final Adoption. The proposed Sediment Control system will then be the basis after Final Adoption for the necessary Preliminary Plan Approval and Building Permit.

4.0 DEVELOPMENT PROPOSAL

4.1 Site Area

Gross Site (including closed rights-of-way)

Dedications

Density Transfer (Re: Future Road/City Lot)

Net Site

Net Area for Calculation of Density

Gross Site (including closed rights-of-way)

- 6,390.8 m² (68,790 sq.ft.)

- 707.43 m² (7,615 sq. ft.)

- 700.55 m² (7,541 sq.ft.)

- 4,982.60 m² (53,634 sq.ft.)

- 5,683.16 m² (61,175 sq.ft.)

(subject to detailed survey)

To: City Manager Director Planning and Building From: Rezoning Reference #08-05 Re: 4.2 Density F.A.R. Permitted & Provided: Residential: 2.60 F.A.R.(inclusive of 0.40 FAR amenity bonus) 0.18 FAR Commercial: **COMBINED TOTAL** 2.78 FAR Gross Floor Area Permitted & Provided 14,776.69 m² (159,055 sq.ft.) Residential: (inclusive of 24,470 sq. ft. amenity bonus) 529.27 m^2 (5,697 sq.ft.) Non-Profit Office: 573.21 m² (6,170 sq.ft.) 15,879.17 m² (170,922 sq.ft) Retail: **TOTAL** (excludes 2,998 sq.ft. of residential amenity space) Site Coverage: 22% 4.3 (all above grade) 2 storeys for street-fronting Height retail and non-profit office space fronting Beresford Street 28 storeys from grade for the high-rise apartment tower fronting Telford Avenue 4.4 Residential Unit Mix Unit Type Unit Size 69 - Studio 465 - 559 sq.ft. 116 - 2 Bedroom 788 - 933 sq.ft. 1,479 sq.ft. 2 - 3 Bedroom (Penthouse) **TOTAL: 187 UNITS** 4.5 **Parking**

Vehicle Parking	Required and Provided Spaces
187 Apartment Units	
(1.5 spaces/unit)	- 282 (inclusive of 47 visitor spaces)
5,697 sq. ft. Non-Profit Office	
(1 space/495.16 sq. ft.)	- 11
6,170 sq. ft. Retail	
(1 space/495.16 sq. ft.)	- 12
6,170 sq. ft. Retail	

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Car Wash Stalls

2

Commercial Loading

1

Bicycle Parking

Residential

Resident - 1/unit @ 187 units

Visitor - 0.2/unit @187 units

Required and Provided Spaces

187 in storage lockers

40 in racks (throughout the site)

Commercial

10% of required vehicle parking

2 (combined with visitors racks)

4.6 Communal Facilities

(Excluded from F.A.R. Calculations)

Primary communal facilities for residential tenants are located on the ground floor of the residential tower. Facilities include a games room, meeting room, and gym exclusively available to the residents. The amenity area amounts to 278.5 m² (2,998 sq.ft), which is a permitted exemption from Gross Floor Area. The applicant has also provided a central garden/greenspace equipped with a public art installation and a children's play area. The applicant has also requested to participate in a car co-op program for the development, in that three car co-op spaces and three car co-op cars will be provided at grade for use by the residential tenants of the development and other co-op car users.

B. Luksun, Director

PLANNING AND BUILDING

D. Luks ,

EK:bd

Attachments

cc:

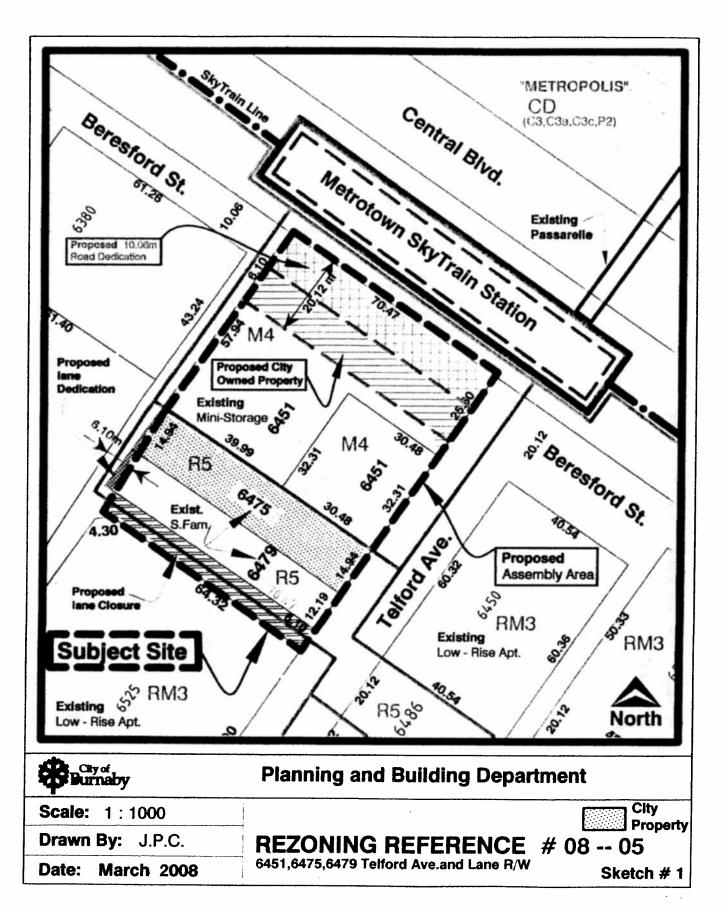
Director Parks, Recreation and Cultural Services

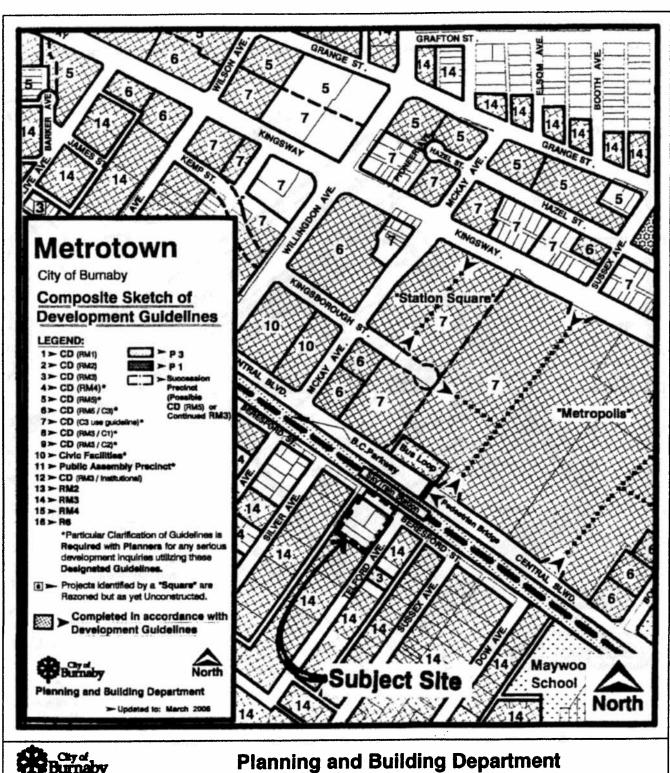
Director Engineering

City Solicitor

City Clerk

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Scale: N.T.S. Drawn By: J.P.C. Date: March 2008 Planning and Building Department REZONING REFERENCE # 08 -- 05 6451,6475,6479 Telford Ave.and Lane R/W Sketch # 2