



Item
Meeting 2010 June 28

COUNCIL REPORT

TO: CITY MANAGER 2010 JUNE 23

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #09-24
High-Rise Apartment Building with Street-fronting
Townhouses and City Amenity Building
Metrotown

ADDRESS: 4860 Bennett Street and 6535 Nelson Avenue (see **attached** Sketches #1 and #2)

LEGAL: Lots 5 & 6, D.L. 152, Group 1, NWD Plan 80573

FROM: CD Comprehensive Development District (based on RM5 Multiple Family Residential District, C3 General Commercial District and C6a Gasoline Service Station District)

TO: CD Comprehensive Development District (based on RM5 Multiple Family Residential District, P3 Park and Public Use District use and density and the Metrotown Development Guidelines, and in accordance with the development plan entitled "Metrotown Tower – Burnaby, BC" prepared by Buttjes Architecture Inc)

APPLICANT: Polygon Development 226 Ltd.
900 – 1333 West Broadway
Vancouver, BC V6H 4C2
(Attention: M.A. Rose)

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2010 July 27.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2010 July 12 and to a Public Hearing on 2010 July 27 at 7:00 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 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 prior to Final Adoption but not prior to Third Reading of the Bylaw. In the event that existing improvements on the site are vacant and considered to be unsafe, unstable, and a hazard to life, the Fire Prevention Division may recommend immediate demolition of such improvements and removal of the resultant debris prior to Third Reading.
- e) The consolidation of the net project site into one legal parcel.
- f) The granting of any necessary statutory rights-of-way, easements and/or covenants.
- g) The dedication of any rights-of-way deemed requisite.
- h) The undergrounding and relocation of existing BC Hydro switching and transformer kiosks on-site.
- i) The utilization of an amenity density bonus through the provision of a Seniors Centre to be owned by the City and established through the creation of an airspace parcel and protected by a 219 Covenant in accordance with Section 3.3 of this report.
- j) The granting of a Section 219 Covenant for the development and maintenance of a public plaza with Public Art at the corner of the site, with provision of a statutory right-of-way for public access, and deposit of sufficient monies to guarantee completion of works.
- k) The granting of a 219 Covenant restricting enclosure of balconies.

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- l) The provision of covered car wash stalls and an adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement the recycling provisions.
- m) Compliance with the guidelines for surface and underground parking for residential visitors.
- n) The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
- o) The deposit of the applicable Parkland Acquisition Charge.
- p) The deposit of the applicable GVS & DD Sewerage Charge.
- q) The deposit of the applicable School Site Acquisition Charge.
- r) Compliance with the Council-adopted sound criteria.
- s) The design and provision of units adaptable to persons with disabilities (the provision of special hardware and cabinet work being subject to the sale/lease of the unit to a disabled person), and with allocated disabled parking spaces.
- t) The granting of a 219 Covenant to maintain disabled parking spaces as common property.
- u) 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.
- v) The review of a detailed Sediment Control System by the Director Engineering.
- w) The retention of identified existing trees on and adjacent to the site, their protection by registration of a Section 219 Covenant, submission of a written undertaking to ensure that the site area identified for preservation of the existing tree and the park area adjacent to the site are effectively protected by chain link fencing during the whole course of site and construction work, and deposit of sufficient monies to ensure the protection of the identified existing trees and areas, to be refunded a year after release of occupancy permits, upon satisfactory inspection.

- x) The finalization of the design and contract for development of the City amenity building and site.
- y) The submission of a written undertaking to distribute area plan notification forms, prepared by the City, with disclosure statements; and, to post area plan notification signs, also prepared by the City, on the development site and in the sales office in prominent and visible locations prior to Third Reading, or at the time marketing for the subject development commences, whichever is first, and remain posted for a period of one year, or until such time that all units are sold, whichever is greater.

R E P O R T

1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit a residential high-rise tower with street-fronting townhouses and a City amenity building.

2.0 BACKGROUND

The subject site comprises 4860 Bennett Street which is currently occupied by a tire store, and 6535 Nelson Avenue which is vacant. An existing apartment tower is located immediately to the west of the subject site, and Bonsor Park is located immediately to the south. Across Bennett Street to the north is the Metropolis Mall and a three-storey commercial building, while across Nelson Avenue to the east are older low-rise apartment buildings.

The subject site is located in Metrotown, Sub-Area 1, and designated as two sites for high-rise apartment tower development at RM5 density. The existing CD zoning of both sites in conjunction with Rezoning Reference #54-86 also provides for future RM5 density apartment tower development, with the current zoning for 4860 Bennett Street also accommodating the existing tire store as an interim use. As previously reported, the applicant is pursuing the current rezoning application for both properties in order to consolidate them as one site for development of a single apartment tower with street-fronting townhouses.

On 2009 November 23, Council received the report of the Planning and Building Department concerning the rezoning of the subject site, and authorized the Department to

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work with the applicant in the preparation of a suitable plan of development with the understanding that a further and more detailed report would be submitted at a later date.

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

3.0 GENERAL COMMENTS

- 3.1 The proposed consolidation of the two properties into one site for development of a single apartment tower of 37 storeys, with two-storey street-fronting townhouses along Nelson Avenue, is considered compatible with Metrotown development guidelines, and desirable as it reduces view impacts and makes site area available for development of the townhouses as well as a possible on-site public amenity. A plaza with public art is being provided at the important Bennett-Nelson street corner.
- 3.2 Given the site's Town Centre location, the applicant is proposing to utilize the amenity density bonus provisions indicated within the Zoning Bylaw. In so doing, the applicant will achieve an additional 0.40 FAR, which translates into 38,876 sq. ft. of additional residential floor area (subject to survey). The Legal and Lands Department reports the value of the density bonus to be \$70 per sq. ft. of buildable area, for a total value of \$2,721,320.
- 3.3 Arising from discussion of a report from the Community Development Committee to Council on 2010 February 01, it was determined that the amenity density bonus will be utilized to provide a freestanding two-storey building for City use (of 6000 to 8500 sq.ft. of gross floor area and intended to be a Seniors Centre) with a parking lot of at least 17 spaces on the south part of the development site immediately adjacent to the Bonsor Recreation Complex's parking lot. Previous reports mentioned the potential City acquisition of a conventional freehold (rather than airspace) parcel for the amenity (with an underground easement for the development's parkade). Subsequently, however, the developer advised City staff that they only wished to proceed on the basis of providing the City with an airspace parcel. Following further discussion, staff have agreed with the developer that City acquisition of an airspace parcel can be supported, provided that it includes the surface area of the defined site, including the amenity building, parking and landscaping totalling about 1,856.98 m² (19,989 sq.ft.) to a depth of 0.5m (1.6 ft.) below and height of 61m (200 ft.) above. The airspace agreement would also include provisions allowing both the owners of the development and the City to redevelop their parcels in the future.
- 3.4 Parks staff intend to work with a small committee appointed by the Bonsor Seniors Society to determine the programming requirements for the Seniors Centre, and with the applicant's architect to finalize a design for the building. Site planning for the facility will

include a pedestrian pathway between Bonsor Centre and the new Seniors Centre, and integration of the parking for both facilities to achieve an efficient layout, with as many additional spaces as feasible.

It is anticipated that the cost of the new facility may be greater than the density bonus of \$2,721,320 so this project, subject to completion of designs and estimates, may require Council approval for the additional funds that are available from the Metrotown Community Benefit Fund. This fund currently has unallocated assets of \$1.5 million.

- 3.5 Servicing requirements will include, but not necessarily be limited to:
- Storm, sanitary sewer and water main upgrades, and statutory rights-of-way, as required.
 - Construction of a separated Urban Trail abutting the site along Nelson Street, including boulevard grass, street trees, and pedestrian lighting; extension of the Urban Trail south to Imperial Street abutting Bonsor Park will be considered, based on cost-sharing with the City
 - Road widening for bicycle provision and construction of a separated sidewalk with boulevard grass, street trees, and pedestrian lighting along the south side of Bennett Street abutting the site.
- 3.6 Consolidation of the project site into one legal parcel is required.
- 3.7 A 3m (10 ft.) statutory right-of-way along Nelson Street abutting the site is required to accommodate the Urban Trail, and a 3.2m (10.5 ft.) statutory right-of-way along Bennett Street is required for separated sidewalk and bicycle provision.
- 3.8 A tree survey will be required to locate and assess trees on-site, as well as existing street trees along Bennett Street and Nelson Avenue. Any trees and root zones identified for retention on-site are to be protected by Section 219 Covenant and bonding.
- 3.6 A Site Profile must be submitted in accordance with the requirements of the BC Contaminated Sites Regulation. Any arising requirements to be resolved.
- 3.7 The existing building is to be removed from the site prior to finalization of the subdivision and rezoning
- 3.8 Due to traffic on Nelson Avenue and Bennett Street, a noise study is required to ensure compliance with Council-adopted sound criteria.
- 3.9 Parkland Acquisition, School Site Acquisition, and GVS & DD Sewerage Cost Charges are applicable to this application.

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- 3.10 The proposed development includes 12 adaptable units in line with the Council-adopted policy regarding the voluntary provision of units adaptable to the needs of the disabled in our primary town centre areas.
- 3.11 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.
- 3.12 A suitable engineered on-site stormwater management system (with maintenance manual) is required. A 219 Covenant and deposit of funds to guarantee its provision and continued operation will be required.
- 3.13 A development plan for the subject site has been received which is suitable for submission to a Public Hearing.

4.0 DEVELOPMENT PROPOSAL

- 4.1 Site Area:
 - 9,029.0m² (97,191 sq.ft.)
 includes City airspace parcel
 (subject to final survey)
 - Site Coverage: - 17 %
- 4.2 Density:
 (GFA subject to final survey)
 - Base Floor Area Ratio [GFA] - 2.2 [19,863.8 m² (213,819 sq. ft.)]
 - Bonus Floor Area Ratio [GFA] - 0.4 [3,611.6 m² (38,876 sq. ft.)]
 - Total Floor Area Ratio [GFA] Permitted - 2.6 [23,475.4 m² (252,695 sq. ft.)]
- 4.3 Height:
 - Apartment Tower - 37 storeys (114m / 374 ft.)
 - Townhouses - 2 storeys
- 4.4 Unit Mix
 - 226 -2 bedroom apartments - 75.9 - 92.9 m² (818 - 1001 sq. ft.)
 - 13 -2 bedroom & den apartments - 99.3 - 114.5 m² (1069 - 1233 sq.ft.)
 - 1 -3 bedroom apartment - 103.2 m² (1111 sq.ft.)
 - 5 - townhouses - 118.1 - 122.1 m² (1271 – 1314 sq.ft.)
 - 245 units total

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- 4.5 Parking Required: - 393 spaces (including 62 visitor spaces)
based on
- 1.6 spaces / unit for 240 apartment units: - 384 spaces
- 1.75 spaces per unit for 5 townhouse units - 9 spaces

- Total Parking Provided - 396 spaces (including 62 visitor spaces)
plus 3 carwash spaces

Bicycle Parking:

- Secure Residential: - 245 spaces
- Visitors' racks - 49 spaces

- 4.6 Communal Facilities: - Central garden, outdoor amenity area,
internal amenity spaces.

5.0 City Amenity

- 5.1 Site Area: - 9,029.0m² (97,191 sq.ft.)
surface of City airspace parcel
(subject to final survey)

- 5.2 Gross Floor Area: - 789.7 m² (8500 sq. ft.) maximum

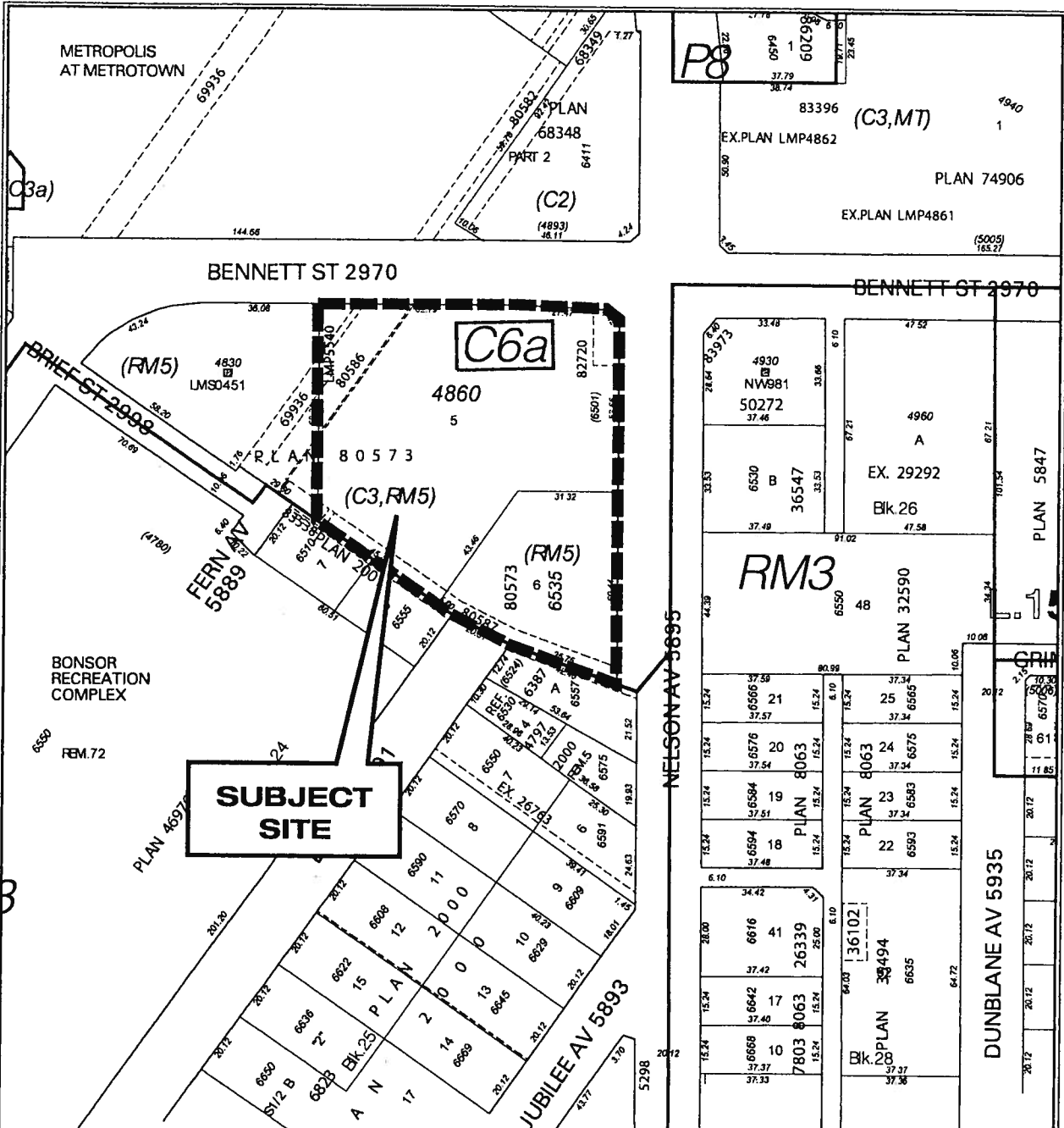
- 5.3 Height: - 2 storeys

- 5.4 Parking Provided: - 17 spaces minimum


B. Luksun, Director
PLANNING AND BUILDING

RR:spf
Attachment

cc: Director Engineering
Director Parks, Recreation and Cultural Services
City Clerk
City Solicitor



PLANNING & BUILDING DEPARTMENT



DATE:
2009 11 03

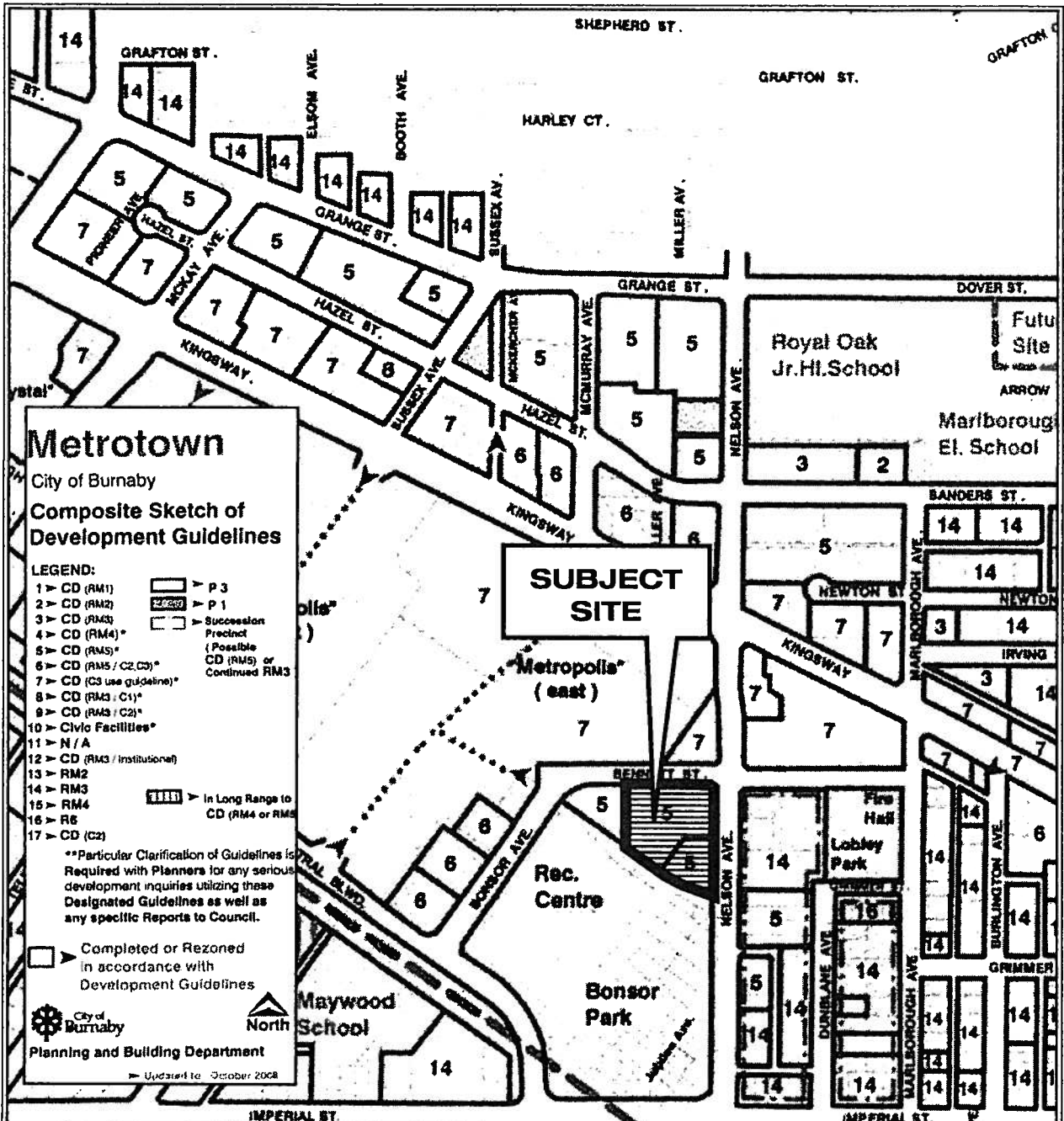
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REZONING REFERENCE #09-24

**4860 Bennett Street,
6535 Nelson Avenue**

Sketch #1



DATE:
2009 11 03

SCALE:
NTS

DRAWN BY:
rcn

REZONING REFERENCE #09-24

4860 Bennett Street,
6535 Nelson Avenue

Sketch #2