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**TO:** CITY MANAGER 2011 August 24

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE #11-24**  
**High-Rise Apartment Tower with Street Fronting Townhouses**  
**Metrotown Development Plan - Sub-Area 7**

**ADDRESS:** 6634 & 6638 Dow Avenue (see *attached* Sketches #1 & #2)

**LEGAL:** Lot 51, D.L. 153, Group 1, NWD Plan 24982; Lots 4 & 5, D.L. 153, Group 1, NWD Plan 1598

**FROM:** RM3 Multiple Family Residential District

**TO:** CD Comprehensive Development District (based on RM5s Multiple Family Residential District and Metrotown Development Plan guidelines and in accordance with the development plan entitled "Dow Avenue Tower" prepared by IBI/HB Architects)

**APPLICANT:** Arbutus Gardens Holdings 3 Ltd.  
Suite 900 – 1333 West Broadway  
Vancouver, BC V6H 4C2  
(Attention: Rene Rose)

**PURPOSE:** To seek Council authorization to forward this application to a Public Hearing on 2011 September 20.

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**RECOMMENDATIONS:**

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2011 August 29, and to a Public Hearing on 2011 September 20 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 of the Bylaw, but not prior to Third Reading of the Bylaw.

Demolition of any improvements will be permitted after Second Reading of the Rezoning Bylaw has been granted provided that the applicant acknowledges that such permission does not fetter Council's ability to grant or not to grant Third Reading and/or Final Adoption of the Rezoning Bylaw. In addition, the demolition of any improvements will be permitted at any time if they are vacant and considered by staff to be subject to misuse and vandalism.

- e) The utilization of an amenity bonus through the provision of a \$6,049.364 cash in-lieu contribution in accordance with Section 3.2 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, guaranteeing provision and maintenance of public art, and providing that all disabled parking to remain as common property.
- h) The granting of any necessary easements and statutory rights-of-way.
- i) The dedication of any rights-of-way deemed requisite.
- j) 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) with allocated disabled parking spaces protected by a Section 219 Covenant.
- k) 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 and a commitment to implement the recycling provisions.
- l) 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.
- m) The deposit of the applicable GVS & DD Sewerage Charge.

- n) The deposit of the applicable Parkland Acquisition Charge.
- o) The deposit of the applicable School Site Acquisition Charge.
- p) The provision of facilities for cyclists in accordance with this report.
- q) The undergrounding of existing overhead wiring adjacent to the site.
- r) Compliance with the Council-adopted sound criteria.
- s) The review of a detailed Sediment Control System by the Director Engineering.
- t) Compliance with the guidelines for underground parking for visitors.
- u) 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 construction of a high-rise residential tower over a low-rise street-oriented residential podium.

### 2.0 BACKGROUND

2.1 On 2011 May 30, Council received the report of the Planning and Building Department regarding the rezoning of the subject site and authorized the Department to 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.

On 2010 December 13, Council gave Final Adoption to an amendment to the Burnaby Zoning Bylaw which expanded the established density bonus provisions in the Burnaby Zoning Bylaw by adding a new suffix ('s') for the RM3, RM4 and RM5 Districts. On 2011 February 22, Council adopted a policy for applying 's' category zoning. In general, the policy applies 's' category zoning potential to sites with a prevailing RM3, RM4 or RM5 designation within the City's four Town Centres of Edmonds, Lougheed, Brentwood and Metrotown.

Since the adoption by Council of 's' category zoning and the accompanying policy for its application (which makes the subject site eligible for its use), the proponent for the subject rezoning amendment has submitted plans in accordance with the RM5s District.

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- 2.2 The site is comprised of 3 lots (see Sketch #1 attached), all of which are zoned RM3 Multiple Family Residential District. 6634 Dow Avenue is currently occupied by a vacant older two-storey plus penthouse apartment building in very poor condition. The two lots addressed 6638 Dow Avenue are vacant. Access is currently taken from the rear lane.
  
- 2.3 The Metrotown Development Plan designates redevelopment sites fronting Beresford Street, including the subject site, for higher-density (RM5) multiple-family development, as outlined in the Metrotown Development Plan document (June 1977). In accordance with Council-adopted policy regarding application of 's' category zoning, the subject site, by virtue of its RM5 designation under the current Plan, is eligible for the RM5s category zoning, subject to there being significant community benefits, a sustainable redevelopment approach, exceptional public realm improvements, a high quality urban design and superior architectural expression derived from the project. This site is also considered suitable for the proposed development given its strategic location in relation to the BC Parkway, the Expo SkyTrain line, the nearby Metrotown SkyTrain Station, the adjacent Station Square Shopping Centre, and the nearby Metropolis commercial centre and Metrotown core area.

In terms of the governing allowable density for the site, the maximum allowable residential floor area ratio would be 5.0 FAR applicable to the net site, which is inclusive of the proposed use of the 1.6 FAR amenity bonus.

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

**3.0 GENERAL COMMENTS**

- 3.1 The proposed development plan is for a single 33-storey high-rise apartment tower with residential townhouses on Dow Avenue. After additional consideration, it is noted no commercial uses are being proposed for Beresford Street at the ground level. This is so because of the site's relationship to the school, its "orphaned" nature relative to other commercial uses and because there is no extension of Beresford Street beyond Dow Avenue indicated in the Metrotown Development Plan. While the development will provide for an extension of Beresford Street as a statutory right-of-way to achieve a connection to Maywood Community School, it is intended to provide limited circulation and access which primarily benefits the school. As such, commercial uses along this driveway are not considered to be appropriate or viable. However, the development will continue the Beresford Art Walk concept along its frontage given the importance of the connection to the school both in its current situation and when it redevelops sometime in the future. The proposed development concept, therefore indicates a strong street-oriented relationship on its two major public frontages, as well as a strong contextual relationship to the surrounding existing development. A total of 253 units are proposed. All required parking is proposed to be located underground, and access taken from Dow Avenue via a new lane connection along the site's southern property line. Overall, the subject proposal is considered to embody exceptional urban design and architectural expression in terms of the building's siting,

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massing, pedestrian orientation and materiality; thus, meeting the high standard for such development in the City's town centre areas.

To complement the built form, a progressive landscape treatment is proposed which includes boulevards and street trees on Dow Avenue and along the connection to the school, to help soften the urban environment. As noted, a key component of this development is the continuation of the urban design elements for Beresford Street as an art walk and celebratory street for the connection to the school, which were established by Rezoning Reference #08-05. Substantial on-site planting and a water feature are also proposed to further enhance the development. It is also worthy to note the site's overall permeability to stormwater by the extensive use of unit pavers and soft landscaping which contribute to on-site stormwater detention. The landscape design also provides for on-site pedestrian lighting and lit pedestrian/courtyard environments, casual seating opportunities and raised planters that help to define public and private spaces.

All required parking is proposed to be located underground, and access taken from Dow Avenue. The development proposal meets the required Burnaby Zoning Bylaw parking ratio of 1.1 spaces per unit (0.1 of which is for visitor parking). The developer has also provided other transportation alternatives. First, given the subject site's proximity to both the Metrotown SkyTrain Station and bus loop, the developer is providing 38 (15% of total units provided) transit passes (two zones) for two years to be made available to residents seeking an alternative to car use and ownership. Second, the proposed development is providing twice the required secured bicycle parking. Finally, the development will provide 26 Electric Vehicle (EV) plug-in stations (including all necessary wiring, electrical transformer and mechanical ventilation modifications) as well as 3 electric (passenger) vehicles to be owned, operated and maintained by the future strata corporation. This arrangement would provide greater access to alternative transportation for a greater number of residents in that the cars would be for the exclusive use of the development's residents with ownership resting with the strata corporation. Moreover, by providing a significant number of EV plug-ins, electric vehicle ownership in a multi-family context is facilitated, thus further enabling sustainable transportation choices.

The development's proposed parking standard, the provided supportive transportation demand management measures, and the servicing (primarily road improvements) arising from the development are supported by a transportation study submitted by the applicant.

The developer has also agreed to pursue green building practices by committing to achieve a Silver (equivalency) rating under the Leadership in Energy and Environmental Design (LEED) program.

- 3.2 Given the site's Town Centre location, the applicant is proposing to utilize the supplemental amenity density bonus provisions indicated within the Zoning Bylaw. In so doing, the applicant would achieve an additional 1.6 FAR, which translates into 72,864 sq. ft. of additional floor area included in the development proposal. The Legal and Lands Department reports the value of the density bonus to be \$83.00 per sq. ft.

buildable, for a total value of \$6,049.364. At its meeting of 2011 May 31, the Community Development Committee adopted a recommendation that the density bonus funds be taken as a cash in-lieu contribution for future use toward a community amenity.

- 3.3 The City Engineer will assess the need for any further required services to the site, including, but not necessarily limited to:
- construction of the road access to the school to the Beresford Art Walk standard with separated sidewalks with street trees, enhanced boulevards, street lighting and pedestrian lighting;
  - construction of Dow Avenue adjacent the development site to a residential standard (two travel lanes, two parking lanes) with separated sidewalks with street trees, enhanced boulevards, street lighting and pedestrian lighting;
  - construction of the new east-west lane to a special standard including surface treatments demarking pedestrian and vehicular areas, pedestrian lighting and street trees;
  - construction of the rear lane to a special standard including surface treatments demarking pedestrian and vehicular areas, pedestrian lighting and street trees;
  - undergrounding of overhead hydro lines within the rear lane; and,
  - storm, sanitary sewer and water main upgrades as required.
- 3.4 The applicant has elected to provide a minimum of 12 adaptable units and has provided 12 handicap parking stalls within the underground parking structure. Handicapped parking stalls will be protected by a Section 219 Covenant as common property to be administered by the Strata Corporation.
- 3.5 Any necessary easements and covenants for the site are to be provided, including, but not necessarily limited to:
- Statutory rights of way guaranteeing public access to the noted pedestrian areas indicated on the development plans,
  - Covenant restricting enclosure of balconies,
  - Covenant indicating that project surface driveway accesses will not be restricted by gates,
  - Covenant guaranteeing provision and maintenance of public art,
  - Covenant ensuring the provision of a minimum of 12 handicap accessible parking stalls in the resident parking area for the sole use of the required 12 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.
- 3.6 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.

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- 3.7 A very large portion of the site will be excavated for development. As such, the developer will not be required to submit a tree survey. A varied and substantial landscape and tree planting plan has been provided as part of the suitable plan of development.
- 3.8 Provision of an adequately sized and sited garbage and recycling area, as well, separate car wash stalls are required.
- 3.9
  - 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
- 3.10 A site profile application is not required given the site's past residential use.
- 3.11 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.
- 3.12 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	<u>Site Area</u> Net Area for Calculation of Density	-	4,230.7 m <sup>2</sup> (45,540 sq.ft.) (subject to detailed survey)
4.2	<u>Density</u> F.A.R. Permitted & Provided:	-	5.0 F.A.R.(inclusive of 1.6 FAR amenity bonus)
	Gross Floor Area Permitted & Provided:	-	21,153.3 m <sup>2</sup> (227,700 sq.ft.) (inclusive of 75,381 sq. ft. amenity bonus)
	Site Coverage:	-	30%
4.3	<u>Height</u> (all above grade)	-	3 storeys for street-fronting townhouses/apartments fronting Dow Avenue
		-	33 storeys from grade for the high-rise apartment tower fronting Dow Avenue

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4.4 Residential Unit Mix

<u>Unit Type</u>	<u>Unit Size</u>
121 – 1 Bedroom + Den	619 sq.ft.
127 – 2 Bedroom	937 – 1,160 sq.ft.
5 – 2 Bedroom + Den	1,225 sq.ft.
<b>TOTAL: 253 UNITS</b>	

4.5 Parking

<p><b>Vehicle Parking</b>            253 Apartment Units            (1.1 spaces/unit)</p> <p><b>Commercial Loading</b></p> <p><b>Bicycle Parking</b>  <u>Residential</u>            Resident - 2/unit @ 253 units            Visitor - 0.2/unit @ 253 units</p>	<p><u>Required and Provided Spaces</u></p> <p>- 334 (inclusive of 26 visitor spaces – 55 extra spaces shown)</p> <p>- 3</p> <p><u>Required and Provided Spaces</u></p> <p>- 506 in storage lockers            - 12 in racks (throughout site)</p>
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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 lounge, meeting room, and gym exclusively available to the residents. The amenity area amounts to 278.7 m<sup>2</sup> (3,000 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 play area.

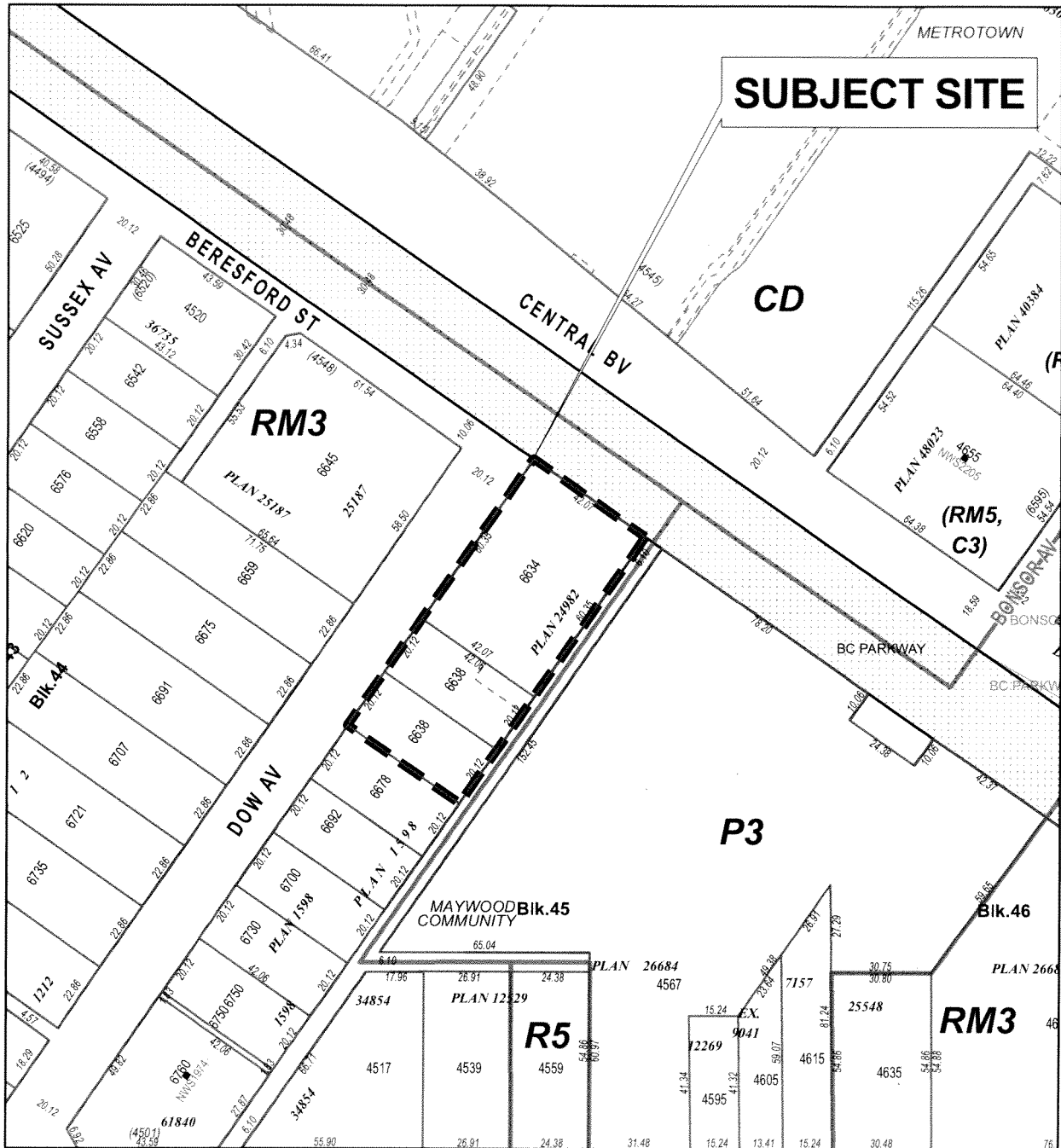


B. Luksun, Director  
 PLANNING AND BUILDING

EK:spf  
 Attachments

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






PLANNING & BUILDING DEPARTMENT



DATE:  
MAY 13 2011

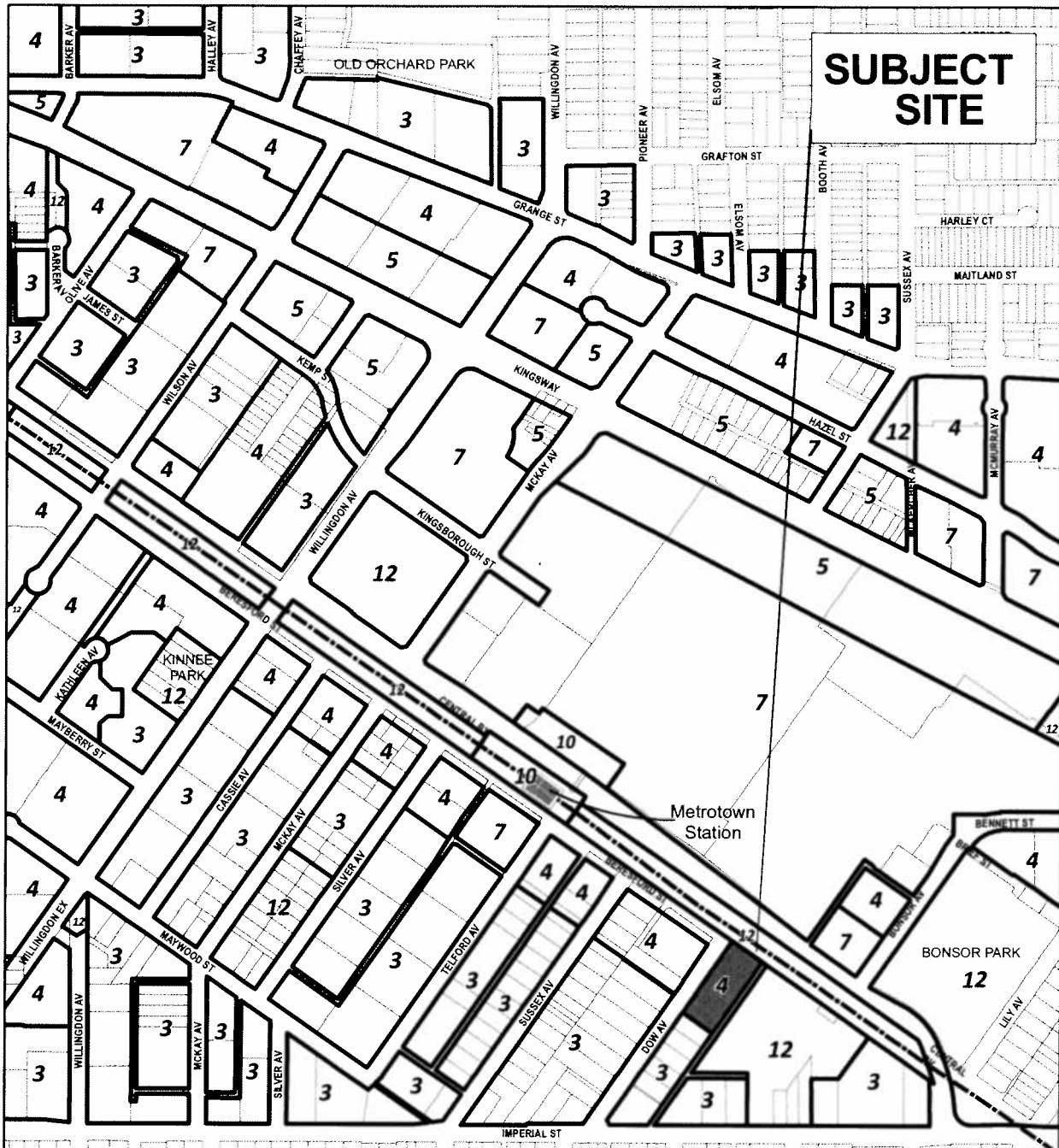
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 Subject Site

**REZONING REFERENCE #11 -- 24**

**6634 AND 6638 DOW AVENUE**

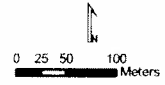


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|--|---|
| 1 Single and Two Family Residential                    | 7 High Density Mixed Use (RM5/C3 or RM5/C2) |
| 2 Low Density Multiple Family Residential (RM1)        | 10 Institutional (P1/P2/P5)                 |
| 3 Medium Density Multiple Family Residential (RM2/RM3) | 12 Park and Public Use/Public School (P3)   |
| 4 High Density Multiple Family Residential (RM4/RM5)   |   |
| 5 Commercial (C2/C3)                                   |   |
| 6 Medium Density Mixed Use (C9 or RM3/C2)              |   |



City of Burnaby  
Planning and Building Dept

## Metrotown Plan



1:7,500  
Updated to Feb 2010