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| Item..... |
| Meeting2012 March 19 |

COUNCIL REPORT

TO: CITY MANAGER 2012 March 14

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #11-32**
Low-rise Apartment Development
Metrotown Development Plan

ADDRESS: 6509 and 6539 McKay Avenue (see attached Sketches #1 and #2)

LEGAL: Lot 1, D.L. 151 & 153, Group 1, NWD Plan BCP40118; Lot "C", D.L. 153, Group 1, NWD Plan 7421

FROM: RM3 Multiple Family Residential District and CD Comprehensive Development District (based on RM3 Residential Multiple Family Residential District)

TO: CD Comprehensive Development District (based on RM3s Multiple Family Residential District and Metrotown Development Plan guidelines, and in accordance with the development plan entitled "36 + 8 Condo Development" prepared by Jordan Kutev Architect)

APPLICANT: Jordan Kutev Architect
200 – 4701 Hastings Street
Burnaby, B.C. V5C 2K8
(Attention: Jordan Kutev)

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2012 April 24.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2012 April 02, and to a Public Hearing on 2012 April 24 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.

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- 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. 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 consolidation of the net site into one legal lot.
- f. The granting of any necessary statutory rights-of-way, easements and/or covenants.
- g. The granting of Section 219 Covenants including:
 - restricting the enclosure of balconies
 - compliance with the approved acoustical study
 - providing that all handicap accessible stalls remain as common property
 - to ensure that the identified rental units not be individually stratified and to remain rental accommodation.
- h. The granting of a statutory right-of-way guaranteeing public access to a pedestrian walkway along the south side of the proposed development.
- i. Compliance with the guidelines for underground parking for visitors.
- j. The provision of a covered car wash stall 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.
- k. The review of a detailed Sediment Control System by the Director Engineering.
- l. The pursuance of Storm Water Management Best Practices in line with established guidelines.
- m. The provision of facilities for cyclists in accordance with Section 4.5 of the rezoning report.
- n. The utilization of an amenity bonus through the deposit of funds equal to the estimated value of the density bonus in accordance with Section 3.2 of this report.
- o. The provision of one electric vehicle and one electric vehicle parking space on the development site for use by the strata owners, and granting of any necessary

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covenants, easements and rights-of-way to provide for the long-term retention and use of the designated space for electric vehicle purposes.

- p. Compliance with the Council-adopted sound criteria.
- q. The deposit of the applicable Parkland Acquisition Charge.
- r. The deposit of the applicable GVS & DD Sewerage Charge.
- s. The deposit of the applicable School Site Acquisition Charge.
- t. 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 the construction of a 44-unit low-rise apartment development with full underground parking.

2.0 BACKGROUND

- 2.1 Council, on 2011 July 25, received the initial report of the Planning and Building Department concerning 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.
- 2.2 The subject site is located within the Council adopted Metrotown Development Plan area. The site fronts McKay Avenue to the east and Cassie Avenue to the west, and is across from Maywood Park (see attached Sketch #1). The subject site includes 6539 McKay Avenue, which is currently vacant, and 6509 McKay Avenue that currently accommodates an older three storey apartment building with eight rental units. To the northeast, northwest and southwest are generally older two and three-storey walk-up apartment buildings developed primarily in the 1950's and 1960's, with a newer strata apartment at 6460 Cassie Avenue constructed in the 1980's.
- 2.3 On 2010 December 13, Council gave Final Adoption to an amendment to the Burnaby Zoning Bylaw, which expanded the established community amenity density bonus provisions 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. Specifically, the policy applies 's' category zoning potential to sites with prevailing RM3, RM4 or RM5 designations located within the City's four Town Centres of Edmonds, Lougheed, Brentwood and Metrotown.

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As noted, the subject site is located within the Council adopted Metrotown Development Plan. In accordance with Council-adopted policy regarding application of 's' category zoning, the subject site, by virtue of its RM3 designation under the current Plan, is eligible for the RM3s category zoning. As such, there is an expectation of significant community benefits, a sustainable redevelopment approach, exceptional public realm improvements, a high quality urban design and superior architectural expression to be derived from the project. This site is also considered suitable for the available "s" category parking standard given its strategic location in relation to the BC Parkway, and the nearby Metrotown SkyTrain Station, as well as the provision of additional bicycle parking, transit passes, electric vehicle charging stations and one electric vehicle for strata use.

In terms of the governing allowable density for the site, the maximum allowable residential floor area ratio would be 1.5 FAR applicable to the net site, which is inclusive of the proposed use of the 0.4 FAR amenity bonus.

- 2.4 6539 McKay Avenue underwent rezoning (Rezoning Reference #07-08), which achieved Final Adoption on 2010 December 13, for a 28 unit low rise-apartment building at 1.25 FAR (inclusive of a 0.15 density bonus). The purpose of the subject rezoning application is to expand the site to include the neighbouring property at 6509 McKay Avenue for the development of a four storey apartment building with street oriented townhousing under the CD Comprehensive Development District (utilizing the RM3s Multiple Family Residential District and Metrotown Development Plan as guidelines) to a maximum density of 1.5 FAR inclusive of a 0.4 FAR Density Bonus.

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

3.0 GENERAL COMMENTS

- 3.1 The development proposal is for a single 4-storey apartment building with attached ground oriented townhouses fronting McKay Avenue. The proposal identifies 44 units, of which 36 are strata units and 8 are market rental units. The maximum base density of the project under the RM3s District is 1.1 FAR with full underground parking. The maximum available amenity density bonus is 0.4 FAR, with a resulting proposed density to a maximum of 1.5 FAR.

The proposed development concept indicates a strong street-oriented relationship on its two major street frontages, as well as a strong contextual relationship to surrounding existing development. A total of 44 units are proposed including 36 strata units and 8 rental replacement units. The mix of units including 1 bedroom + den, 2 bedroom, 2 bedroom + den, and 2 and 3 bedroom townhouses provides a broad range of housing choices. All required parking is proposed to be located underground, with access taken from Cassie Avenue. Overall, the subject proposal embodies enhanced urban design and architectural expression in terms of the building's siting, massing, pedestrian orientation and materiality.

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To complement the built form, a progressive landscape treatment is proposed, which includes enhanced boulevards and separated sidewalks along Cassie Avenue and McKay Avenue, to help soften the urban environment and improve the relationship of the site with Maywood Park. It is also worthy to note the extensive use of permeable pavers and soft landscaping, which contribute to on-site stormwater best management practices. The landscape design also provides for on-site pedestrian lighting and a lit public pedestrian pathway connecting Cassie Avenue to McKay Avenue and Maywood Park.

As noted, all required parking is proposed to be located underground, with access taken from Cassie Avenue. The development proposal meets the required Burnaby Zoning Bylaw parking ratio for 's' category zoning of 1.1 spaces per unit (0.1 of which is for visitor parking). The developer has also pursued a required Transportation Demand Management (TDM) strategy for the site with the following components. First, given the subject site's proximity to both the Metrotown SkyTrain Station and bus loop, the developer is providing 7 (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 5 Electric Vehicle (EV) plug-in stations (10% of required parking) including all necessary wiring, electrical transformer and mechanical ventilation modifications as well as 1 electric (passenger) vehicle with a related charging station to be owned, operated and maintained by the future strata corporation. The provision of an electric vehicle to the strata will reduce the need for individual car ownership, and by providing a significant number of EV plug-in stations it supports individual ownership of electric vehicles as a sustainable transportation choice.

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 The applicant has requested an amenity density bonus of up to 0.4 F.A.R. to provide for a maximum residential density of 1.5 FAR. The requested density bonus would provide an additional 722.14 m² (7,773 sq.ft.) of floor area (subject to confirmation by site survey) with an estimated value provided by the Legal Department of \$971,633 based on \$125.00 per sq.ft. buildable. At its meeting of 2012 March 05, Council adopted a recommendation from the Community Development Committee that the density bonus funds be taken as a cash in-lieu contribution for future use toward a community amenity. Therefore, in line with the established Council policy regarding cash-in-lieu contributions, 20% or \$194,333 will be allocated to the affordable/special needs housing sub-account, leaving a remainder of \$777,330 for the future provision of other community amenities or housing within the Metrotown Town Centre. The subject contribution for the requested amenity density bonus is a prerequisite of this rezoning application.
- 3.3 The Director Engineering will be requested to prepare an estimate for all services necessary to serve this site. The servicing requirements will include, but not necessarily be limited to:

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- The construction of Cassie Avenue and McKay Avenue adjacent the site to its final standard equipped with new separated sidewalks, enhanced boulevards and street lighting.
 - Storm, sanitary sewer and water main upgrades as required.
- 3.4 Any necessary easements, Statutory 219 Covenants and statutory rights-of-way for the site are to be provided, including, but not necessarily limited to:
- Section 219 Covenant restricting the enclosure of balconies
 - Section 219 Covenant requiring all handicap accessible stalls remain as common property
 - Section 219 Covenant to ensure compliance with the approved acoustical study
 - Section 219 Covenant to ensure the identified rental units not be individually stratified and remain as rental accommodation
 - Section 219 Covenant to ensure provision and long term maintenance of 1 electric vehicle and 6 electric vehicle charging stations for use by the strata
 - Statutory Right-of-way for a public pedestrian pathway connecting Cassie Avenue and McKay Avenue
- 3.5 In light of the proximity to the Expo SkyTrain line, a noise study is required to ensure compliance with the Council-adopted sound criteria.
- 3.6 A car wash stall and an appropriately screened garbage handling and recycling holding area will be provided on site.
- 3.7 In regard to a large cedar hedge along the north property line on the adjacent site, the registration of a Section 219 Covenant to protect to root zone of these trees will be required.
- 3.8 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.
- 3.9 Given the size of the site, best management practices are acceptable in lieu of a formal storm water management plan.
- 3.10 Development Cost Charges:
- a) Parkland Acquisition Charge of \$3.84 per sq.ft. of gross floor area
 - b) School Site Acquisition Charge of \$700.00 per unit
 - c) GVS&DD Sewerage Charge of \$590 per apartment unit and \$826 per townhouse unit

4.0 DEVELOPMENT PROPOSAL

| | | | |
|-----|-------------------|---|---|
| 4.1 | <u>Site Area</u> | - | 2,450.30 m ² (26,375 sq.ft.) |
| | 6539 McKay Avenue | - | 1,720.20 m ² (18,516 sq.ft.) |
| | 6509 McKay Avenue | - | 730.10 m ² (7,859 sq.ft.) |

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4.2 Density

| | | | |
|----------------|---------|---|---|
| Allowable Base | 1.1 FAR | - | 2,695.35 m ² (29,013 sq.ft.) |
| Amenity Bonus | 0.4 FAR | - | 980.13 m ² (10,550 sq.ft.) |
| Total | 1.5 FAR | - | 3,675.48 m ² (39,563 sq.ft.) |

Site Coverage - 45%

4.3 Height - 4 storeys

4.4 Unit Mix

Rental Apartment Units

| | | |
|----------------------------|---|----------------------------------|
| 5 studio units: | - | 54.3 m ² (584 sq.ft.) |
| 3 one-bedroom + den units: | - | 57.6 m ² (620 sq.ft.) |

Strata Apartment Units

| | | |
|----------------------------|---|---|
| 7 one-bedroom + den units: | - | 57.6 m ² (620 sq.ft.) |
| 14 two-bedroom units: | - | 70.0– 73.7m ² (755-793 sq.ft.) |
| 8 two-bedroom + den units: | - | 73.7 m ² (793 sq.ft.) |

Strata Townhouse Units

| | | |
|-------------------------|---|---|
| 6 two-bedroom: | - | 96.7 m ² (1,041 sq.ft.) |
| <u>1 three-bedroom:</u> | - | <u>118.9 m² (1,280 sq.ft.)</u> |

Total 44 Units

4.5 Parking:

| Vehicle Parking | | <i>Required</i> | <i>Provided</i> |
|------------------------------------|---|---|-----------------|
| 44 Apartments @ 1.1 spaces/unit | - | 49 | 51 |
| | | (including 5 visitors stalls and 5 EV stalls) | |
| Car Wash Stall | - | 1 | 1 |
| Electric Vehicle (EV) & EV Stall | - | 1 | 1 |
| | | | |
| Bicycle Parking | | <i>Required</i> | <i>Provided</i> |
| Secure Residential @ 2 spaces/unit | - | 88 | 88 |
| Visitors racks @ 0.2 spaces/unit | - | 9 | 9 |

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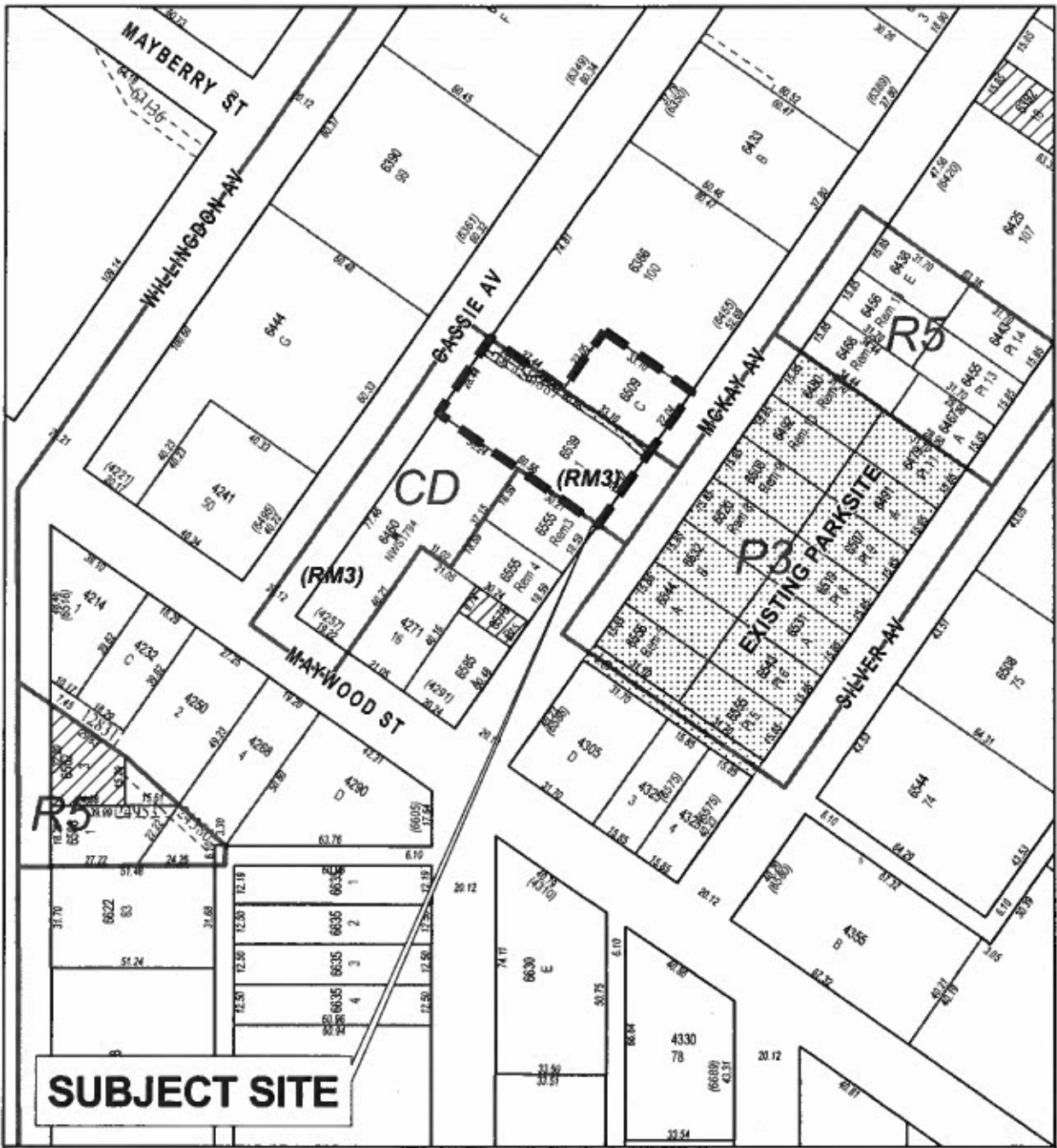
4.6 Communal Facilities:
(Excluded from F.A.R. Calculations)

Communal facilities located in the proposed apartment building include an amenity lobby and multi-purpose meeting room on the ground level, a games/entertainment room on the second level, an exercise/yoga studio on the third level and an art room with skylights on the fourth level exclusively available to residents and their visitors. The total amenity area exempted from density equals 176.52m² (1,900 sq.ft.), which is lower than the permitted exemption of 5% of the total floor area equal to 183.78 m² (1,978 sq.ft.), as specified in the Zoning Bylaw.


B. Luksun, Director
PLANNING AND BUILDING

JBS/spf/tn
Attachments

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



SUBJECT SITE



PLANNING & BUILDING DEPARTMENT



DATE:
FEB 16 2012

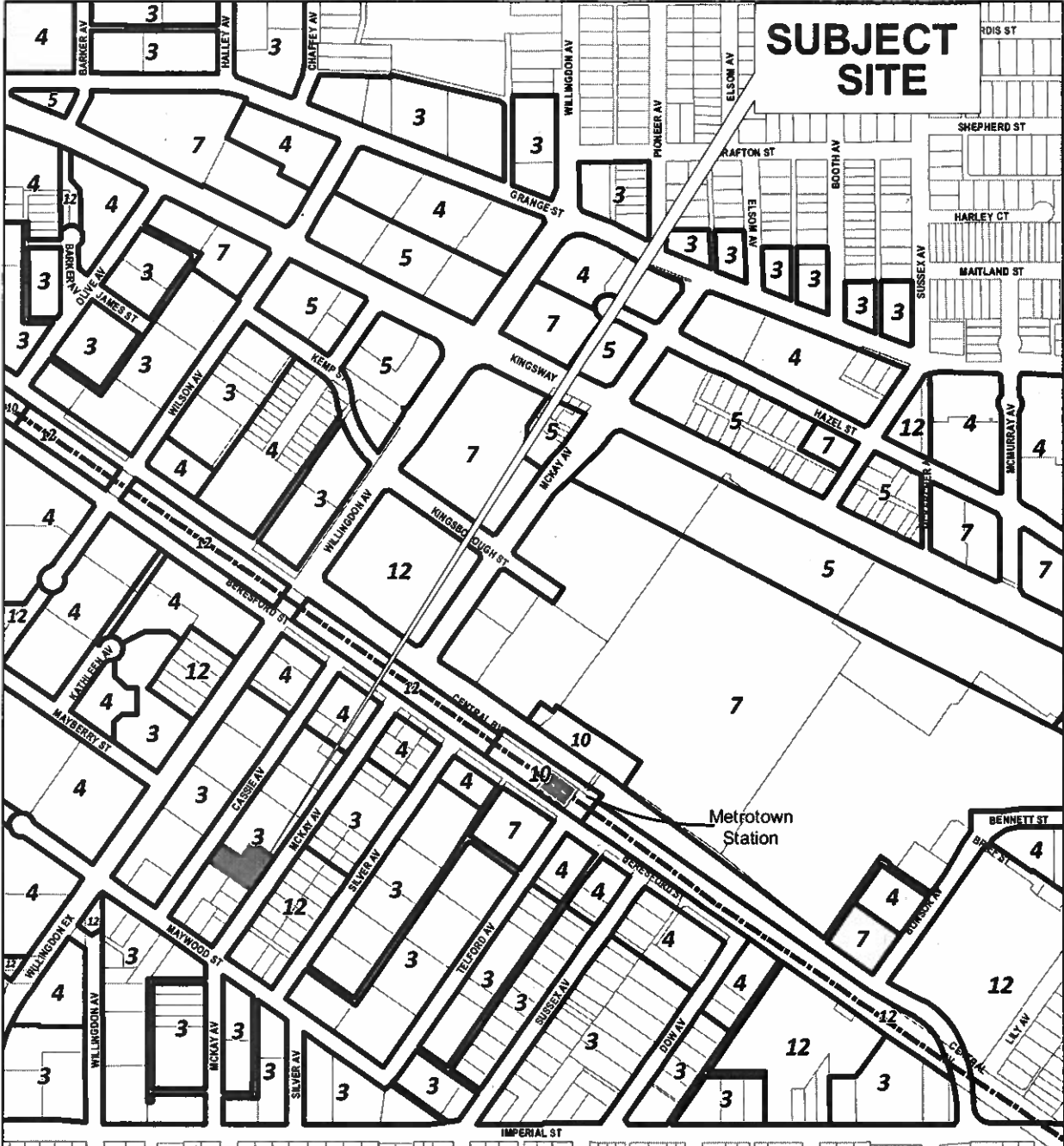
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 Subject Site  City-Owned Property

REZONING REFERENCE # 11 -- 32

6509 and 6539 McKAY AVE.

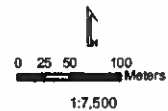


- | | |
|---|---|
| 1 Single and Two Family Residential | 7 High Density Mixed Use |
| 2 Low Density Multiple Family Residential | 10 Institutional |
| 3 Medium Density Multiple Family Residential | 12 Park and Public Use/Public School |
| 4 High Density Multiple Family Residential | |
| 5 Commercial | |
| 6 Medium Density Mixed Use | |



Planning and Building Dept
 Printed on Feb 16 2012

Metrotown Plan



Sketch #2