



Item
Meeting 2014 May 26

COUNCIL REPORT

TO: CITY MANAGER 2014 May 21

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #13-17**
Proposed high-rise residential tower with a townhouse component
Sub Area 6, Metrotown Town Centre

ADDRESS: 6616, 6642 and 6668 Nelson Avenue and 6635 Dunblane Avenue (see *attached* Sketches #1 and #2)

LEGAL: Lot 41, DL 152, Group 1, NWD Plan 26339; Lot 17, DL 152, Group 1, NWD Plan 8063; Lot 10, DL152, Group 1, NWD Plan 7803; Lot 52, DL 152, Group 1, NWD Plan 35494

FROM: RM3 Multiple Family Residential District

TO: CD Comprehensive Development District (based on RM5s Multiple Family Residential District and Metrotown Centre Development Plan as guidelines, and in accordance with the development plan entitled "Proposed Multi-Family Residential Development Burnaby, B.C." prepared by Chris Dikeakos Architects Inc.)

APPLICANT: Intergulf Investment Corporation
PO Box 10087 – Pacific Centre
880 – 700 West Georgia Street,
Vancouver, BC V7Y 1B6
(*Attention: Nicholas Kasidoulis*)

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2014 June 24.

RECOMMENDATIONS:

1. **THAT** the introduction of a Highway Closure Bylaw be authorized according to the terms outlined in Section 3.5 of this report, contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.
2. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2014 June 09 and to a Public Hearing on 2014 June 24 at 7:00 p.m.

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3. **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, as well as underground switching and transformer/service boxes, 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 utilization of an amenity bonus through the provision of a cash in-lieu contribution in accordance with Section 3.3 of this report.
- f) The dedication of any rights-of-way deemed requisite.
- g) The completion of the Highway Closure Bylaw.
- h) The completion of the sale of City property.
- i) The consolidation of the net project site into one legal parcel.
- j) The granting of any necessary statutory rights-of-way, easements and/or covenants, including a 0.9 m statutory right-of-way on Nelson Avenue for sidewalk improvement to the approval of the Director Engineering.
- k) The granting of a Section 219 Covenant:
 - restricting enclosure of balconies;
 - indicating that project surface driveway accesses will not be restricted by gates;

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- guaranteeing the provision and maintenance of public art;
 - ensuring the provision of a minimum of 15 handicap accessible parking stalls in the resident parking area for the sole use of the required 15 accessible units, and that these stalls, as well as any other handicap accessible parking provided (1 handicap accessible parking stall in visitors' parking), be held in common property to be administered by the Strata Corporation;
 - ensuring the provision of 34 Electric Vehicle (EV) plug-in stations (including all necessary wiring, electrical transformer and mechanical ventilation modifications) in the resident parking area; and,
 - two fast charging electric vehicle (EV) plug-in stations in the resident parking area, as well as two electric vehicles (one small and one large passenger vehicles), which are to be held in common property, and operated and maintained by the Strata Corporation.
- l) The review of a detailed Sediment Control System by the Director Engineering.
- m) 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.
- n) The submission of a suitable Solid Waste and Recycling plan to the approval of the Director Engineering.
- o) The design and provision of units adaptable to persons with disabilities, the provision of customized hardware and cabinet work being subject to the sale/lease of the unit to a disabled person and with allocated disabled parking spaces.
- p) The provision of three (3) covered car wash stalls and an 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.
- q) Compliance with the guidelines for underground parking for residential visitors.
- r) The review of on-site residential loading facilities by the Director Engineering.
- s) The provision of facilities for cyclists in accordance with this report.
- t) Compliance with the Council-adopted sound criteria.

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- u) The provision of a public pedestrian walkway statutory right-of-way from Nelson Avenue to Dunblane Avenue and the construction of a concrete walk and lighting to the approval of the Director Engineering.
- v) The deposit of the applicable Parkland Acquisition Charge.
- w) The deposit of the applicable GVS & DD Sewerage Charge.
- x) The deposit of the applicable School Site Acquisition Charge.
- 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.

REPORT

1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to seek an amendment to the suitable plan of development for the subject rezoning application, which was advanced to a Public Hearing on 2014 January 13 and granted Second Reading on 2014 February 03. This amendment would allow for a reduction in the number of units proposed within the 38-storey residential apartment building from 304 to 293 units, as well as an increase in the proposed indoor residential amenity space from 4,355 sq. ft. to 5,531 sq. ft.

2.0 BACKGROUND

- 2.1 On 2013 July 22, Council received the report of the Planning and Building Department regarding the rezoning of the subject development site at 6616, 6642, 6668 Nelson Avenue and 6635 Dunblane Avenue 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 On 2014 January 28, a suitable plan of development was advanced to Public Hearing for the subject rezoning. The plan of development proposed a 304-unit, 38-storey residential tower with street fronting townhouses on Nelson Avenue and Dunblane Avenue, with full underground parking. It is noted that primary communal facilities for residents were located on the ground floor of the tower. Amenity space was also provided at the

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penthouse level (Level 38), which opened to two sizeable outdoor roof terraces. The total area of indoor amenity space was 4,355 sq. ft. The development also provided for special landscaping with a public art feature; central garden/greenspace with formal lawns and child-friendly amenities; BBQ area; fire pit and seating area; community garden space; and, a water feature. Subsequent to the Public Hearing, Council granted Second Reading to the subject rezoning.

- 2.3 The applicant has since submitted a revised plan of development, which reduces the number of units within the residential tower from 304 to 293 units, and in so doing, enhances the unit mix and sizes. The revised plan of development also proposes to increase the indoor residential amenity space from 4,355 sq. ft. to 5,531 sq. ft. Both proposed changes are supported by staff, however, it is noted that these changes require that the amendment bylaw be advanced to a new Public Hearing. The revised plan of development is now suitable for presentation to a Public Hearing.

3.0 GENERAL COMMENTS

- 3.1 The revised development plan is substantially unchanged. It remains a single 38 – storey high-rise apartment tower with street fronting townhouses on Nelson Avenue and Dunblane Avenue. The development form has a strong street orientation on the site’s public frontages, as well as a strong contextual relationship to the surrounding existing high and low-rise apartment developments. A total of 293 units are proposed (down from 304 units originally proposed). All the required parking is proposed to be located underground, and access taken from the proposed through lane.

As noted in the initial plan of development, access to the proposed high-rise apartment tower is oriented towards the lane, which will be opened from Nelson Avenue to Dunblane Avenue. The subject lane also provides access to the adjacent development site to the north, which is currently under construction (Met I at 6560 Nelson Avenue). The subject lane includes a pedestrian walkway to enhance neighbourhood connectivity to Lobley Park, Bonsor Park, Metrotown SkyTrain Station, Metropolis at Metrotown and other civic and commercial amenities within the Town Centre.

The proposed amendments are considered by staff to be an improvement from the initial plan of development. The proposal is still considered to embody exceptional urban design and architectural expression in terms of the building’s siting, massing, pedestrian orientation and materiality; thus, meeting the standards and objectives 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 Nelson Avenue and Dunblane Avenue to help soften the urban environment. Substantial on-site planting are also proposed to further enhance the development, including special landscaping with a public art feature along Nelson Avenue.

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All required parking will continue to be located underground, and access taken from the Nelson Avenue – Dunblane Avenue through lane. 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 and Royal Oak SkyTrain Stations and the abundance of nearby bus service, the developer is providing 45 (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. Thirdly, the development will provide 34 Electric Vehicle (EV) plug-in stations (including all necessary wiring, electrical transformer and mechanical ventilation modifications). 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. Finally, the development will provide two fast charging electric vehicle (EV) plug-in stations (including necessary wiring, electrical transformer and mechanical ventilation modifications), as well as two electric vehicles (one small and one large passenger vehicles) to be owned, operated and maintained by the future strata corporation.

As with the initial plan of development, 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 Burnaby has and continues to benefit from some very sound planning principles established early on in the City’s development. Key to these is the Official Community Plan’s designation of four Town Centre areas within the City which have and are intended to continue to accommodate a significant portion of the City’s population and job growth, and which provide locations for the provision of community amenities going forward.

The creation of Town Centres at Metrotown, Brentwood, Edmonds and Lougheed have served the City well in protecting single and two-family residential neighbourhoods from pressures to accommodate new growth, and have also allowed the City to preserve a significant component of its land base for park and open space. At the same time, they contribute to regional planning objectives, established by Metro Vancouver in the Regional Growth Strategy, that are of benefit both locally and more broadly. Within Burnaby, and other neighbouring cities, Town Centres help to meet regional goals to; reduce pressures for development of habitat and agricultural lands; to focus jobs; people and services in walkable neighbourhoods that are and can be efficiently served by transit; and, to reduce overall demands for travel by car with direct benefits to the environment, economy and the quality of life in the region.

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Further, Burnaby's Economic Development and Social Sustainability Strategies, in addition to the Town Centre Plan, encourage: a varied range of housing options (including ground orientation); improved neighborhood livability, stability and accessibility; transit access and alternative forms of transportation; as well as green building policies. The subject rezoning application is consistent with the aforementioned policy context.

- 3.3 Given the site's Town Centre location, the prevailing Town Centre Development Plan land use designation for the site, and in accordance with the Council-adopted policy for the application of the 's' category zoning, 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 80,618 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 \$114.00 per sq. ft. buildable, for a total value of \$9,190,452.00 (subject to legal survey). It is noted that if Final Adoption of the subject rezoning has not been granted by 2014 November 03, the above noted value of the density bonus will be subject to update, at that time and again every six months thereafter, by the Legal and Lands Department.

At its meeting of 2013 November 04, Council adopted a recommendation of the Community Development Committee that the density bonus funds be taken as a cash in-lieu contribution for future use toward a community amenity. In accordance with Council's adopted policy, 80% of the cash-in-lieu contributions are applied toward a Town Centre Financial Account and 20% to the City-wide affordable or special needs housing fund. Of the \$9,190,452 associated with the subject amenity bonus, \$7.35 million (80%) would be allocated to the Metrotown Town Centre Financial Account. These funds could be applied to a more substantial appropriate off-site amenity, or for a more significant housing component in the future, as determined by Council. This project would also contribute an additional \$1.85 million (20%) to the City-wide affordable or special needs housing account.

- 3.4 The Director Engineering will be requested to provide an estimate for all services necessary to serve this site. The servicing requirements for this development will include, but not necessarily be limited to the following:

- construction of the Nelson Avenue frontage to its final standard with separated sidewalks, street trees, enhanced boulevards, and street and pedestrian lighting;
- construction of the Dunblane Avenue frontage to its final standard with separated sidewalks, street trees, enhanced boulevards, and street and pedestrian lighting;
- construction of the Nelson Avenue - Dunblane Avenue through lane with separated sidewalk, enhanced boulevard and pedestrian lighting on the south side; and,
- storm, sanitary sewer and water main upgrades as required.

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As with the initial plan of development, required road dedication to support the foregoing include a 0.9 m (3.0 ft.) dedication on Nelson Avenue. A 2.1 m (6.9 ft.) statutory right of way is also required to complete the sidewalk.

A 6.1 m (20.0 ft.) dedication from the north property line of the lot at 6635 Dunblane Avenue is required to complete the Nelson Avenue - Dunblane Avenue through lane. A 3.5 m (11.5 ft.) statutory right of way is also required to accommodate the public pedestrian walkway abutting the lane.

- 3.5 As with the initial plan of development, the closure of the interior north-south lane (356.7 m²) and consolidation with the development site is required in conjunction with the subject rezoning application. The land area is intended to be consolidated with the subject development site. The area net of required road dedications from the subject development site will be purchased by the applicant at \$114.00 per sq. ft. buildable as negotiated with the Legal and Lands Department. This value will be held until 2014 November 03, and is subject to renewal every 6 months thereafter.
- 3.6 The completion of a Highway Closure Bylaw for the closure of portions of the rear lane is required.
- 3.7 As with the initial plan of development, the applicant has elected to provide a minimum of 15 adaptable units (5% of unit total) and has provided 16 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.
- 3.8 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 linkages 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 the provision and maintenance of public art;
 - Covenant ensuring the provision of a minimum of 15 handicap accessible parking stalls in the resident parking area for the sole use of the required 15 accessible units, and that these stalls, as well as any other handicap accessible parking provided (1 handicap accessible parking stall in the visitors' parking), be held in common property to be administered by the Strata Corporation;

- Covenant ensuring the provision of 34 Electric Vehicle (EV) plug-in stations (including all necessary wiring, electrical transformer and mechanical ventilation modifications) in the resident parking area; and,
 - Covenant ensuring the provision of two fast charging electric vehicle (EV) plug-in stations in the resident parking area, as well as two electric vehicles (one small and one large passenger vehicles), which are to be held in common property, and operated and maintained by the Strata Corporation.
- 3.9 As with the initial plan of development, provision of an adequately sized and sited garbage and recycling area, as well, separate car wash stalls are required.
- 3.10 Due to the proximity of the subject site to the SkyTrain guideway and Kingsway to the north, the applicant is required to provide an acoustical study showing that the proposed development would meet the Council-adopted noise criteria.
- 3.11 There are no trees suitable for retention on the site. Any trees over 20 cm (8 inches) in diameter will require a tree cutting permit subject to the requirements of the Burnaby Tree Bylaw.
- 3.12 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.
- 3.13 A site profile application is not required given the site’s past residential use.
- 3.14 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.
- 3.15 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 (unchanged)

Gross Site Area:	-	4,692.0 m ² (53,411 sq. ft.)
Nelson Ave. Dedications:	-	53.5 m ² (576 sq. ft.)
East-West Lane Dedication:	-	227.5 m ² (2,449 sq. ft.)

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	Net Site:	-	4,681.0 m² (50,386 sq. ft.)
4.2	<u>Site Coverage</u> (unchanged)	-	28%
4.3	<u>Density</u> (unchanged)		
	FAR Permitted and Provided:	-	5.0 FAR (inclusive of 1.60 FAR amenity bonus)
	Gross Floor Area Permitted & Provided:	-	23,405.0 m ² (251,930 sq. ft.) (inclusive of 80,618 sq. ft. amenity bonus)
4.4	<u>Building Height</u> (unchanged)	-	3 storey street-fronting townhouses on Nelson Avenue
		-	3 storey street-fronting townhouses on Dunblane Avenue
		-	38 storey high-rise tower fronting through lane
4.5	<u>Residential Unit Mix</u>		
	<u>Unit Type</u>		<u>Unit Size</u>
	Apartment:		
	122 – Studios + Den		475 sq. ft. – 574 sq. ft.
	46 – 1 Bedroom + Den		611 sq. ft. – 747 sq. ft.
	99 – 2 Bedrooms		763 sq. ft. – 916 sq. ft.
	15 – 2 Bedrooms + Den		1,080 sq. ft. – 1,686 sq. ft.
	Townhouse:		
	11 – 2 Bedroom + Den Townhouse Units		1,254 sq. ft. – 1,534 sq. ft.
	TOTAL: 293 UNITS		
4.6	<u>Parking</u>		
	Vehicle Parking:		<u>Required and Provided Spaces</u>
	293 Units (1.10 spaces/units)	-	323 spaces (of which 34 spaces have electrical EV plug-in stations)

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Plus two electric vehicle parking stalls for two electric vehicles (strata car-share) - 2 (equipped with fast charging electric EV plug-in stations)

TOTAL RESIDENTIAL: 326

(inclusive of 30 visitor spaces and 16 handicapped spaces)

Residential Loading (unchanged) - 1

Bicycle Parking: Required and Provided Spaces

Resident – 2/unit @ 293 units - 586 residential storage lockers
 Visitor – 0.2/unit @ 293 units - 59 visitors spaces in racks

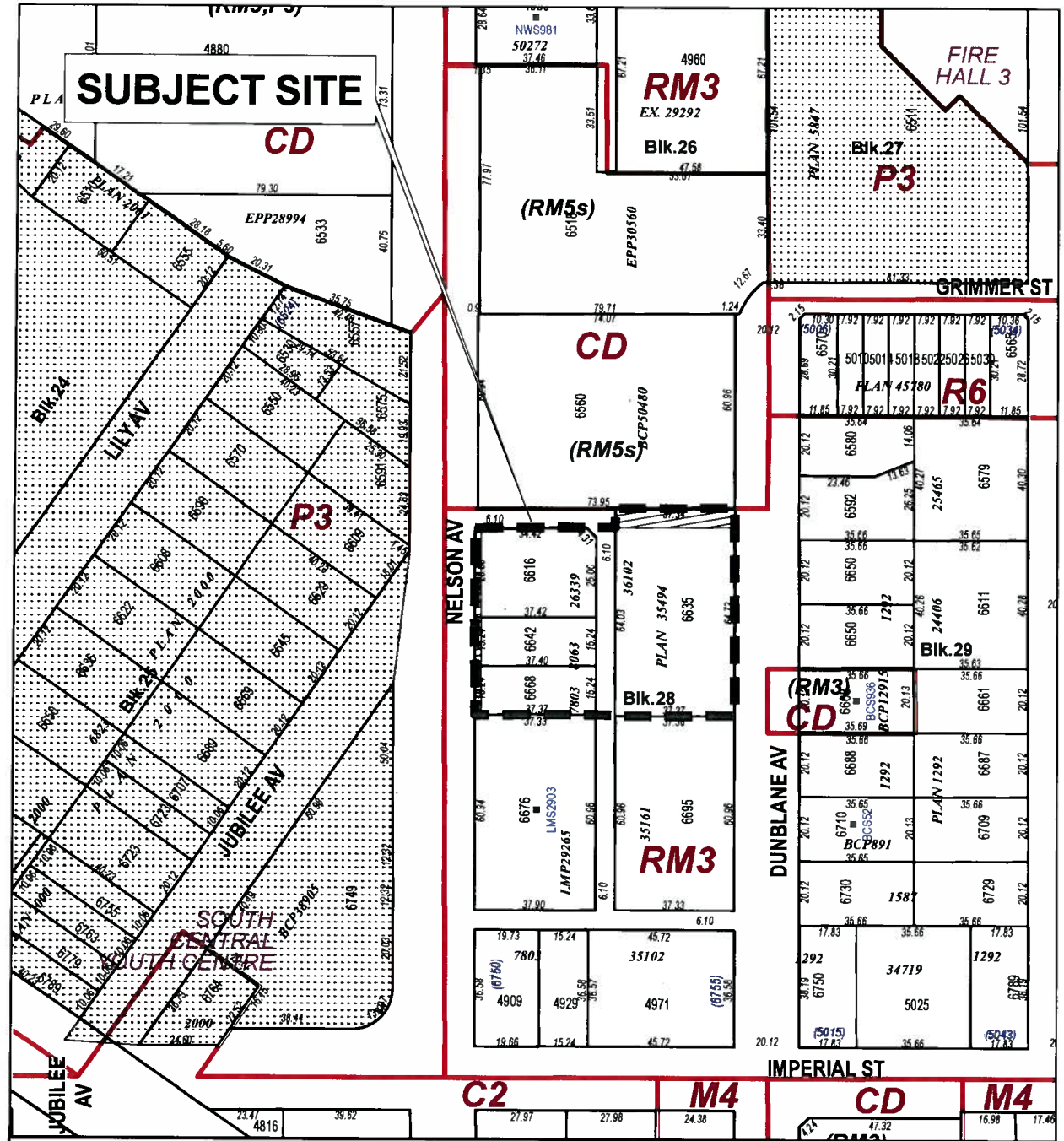
4.7 Communal Facilities
 (Excluded from FAR Calculations)

Primary communal facilities for residents are located on the ground floor of the tower, including amenity lobby, lounge, yoga studio, hot tub/sauna room, and gym. Amenity space is also provided at the penthouse level (Level 38), which opens to two sizeable outdoor roof terraces. The total area of indoor amenity space is 5,531 sq. ft. The development also provides for special landscaping with a public art feature; central garden/greenspace with formal lawns; a BBQ area; and, a water feature.


 Lou Pelletier, Director
 PLANNING AND BUILDING

ZT:spf
Attachments

cc: Director Finance
 Director Engineering
 City Solicitor
 City Clerk



PLANNING & BUILDING DEPARTMENT



DATE: MAY 13 2014

SCALE: 1:2,000

DRAWN BY: AY

REZONING REFERENCE #13 -- 17
 6616, 6642 AND 6668 NELSON AVENUE
 6635 DUNBLANE AVENUE

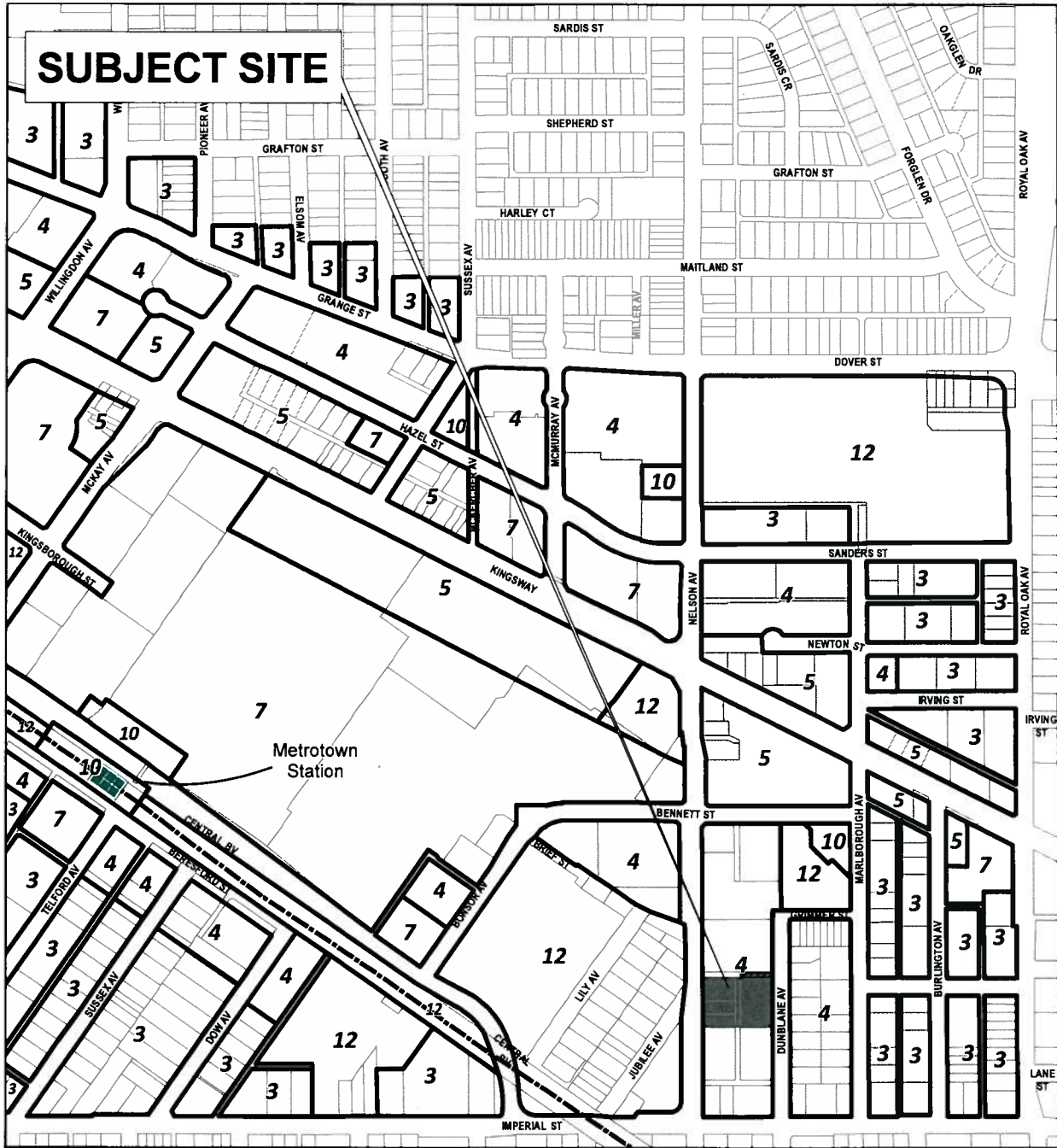


Subject Site



Road Dedication

Sketch #1



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



Planning and Building Dept

Metrotown Plan



Printed on May 13, 2014

Sketch #2