



Item	
Meeting	2015 March 02

COUNCIL REPORT

TO: CITY MANAGER 2015 February 25

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #12-07**
High Rise Apartment Tower and Ground Oriented Apartments

ADDRESS: 1735, 1763 Douglas Road and 1710 Gilmore Avenue
(see *attached* Sketches #1 and #2)

LEGAL: Parcel "A" (Explanatory Plan 9664), Lots' 2 & 3 , DL 120, Group 1, NWD Plan 3482; Lot 3 Except Part in Parcel "A" (Explanatory Plan 9664), DL 120, Group 1, NWD Plan 3482; Lot "C", DL 120, Group 1, NWD Plan 13545

FROM: MI Manufacturing District

TO: CD Comprehensive Development District (based on the RM5s Multiple Family Residential District and Brentwood Town Centre Development Plan as guidelines, and in accordance with the development plan entitled "Aviara II" prepared by Integra Architecture Inc. and IBI Group Inc.)

APPLICANT: LM Aviara Communities Ltd.
3rd Floor, 1285 West Pender Street
Vancouver, BC V6E 4B1
(*Attention: Jeff Chong*)

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2015 March 31.

RECOMMENDATIONS:

1. **THAT** the predecessor Rezoning Bylaw, Amendment Bylaw No. 29/13, Bylaw #13245, be abandoned 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 2015 March 09, and to a Public Hearing on 2015 March 31 at 7:00 p.m.
3. **THAT** the following be established as prerequisites to the completion of the rezoning:
 - a. The submission of a suitable plan of development.

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- 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. 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 \$11,027,161 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 enclosure of balconies; indicating that project surface driveway access will not be restricted by gates; guaranteeing the provision and maintenance of public art; ensuring that the density of development of air space parcels and strata lots comply with the approved CD zoning for the site and to ensure that the overall site continues to function as a single, integrated development; ensuring the provision and ongoing maintenance of co-op cars; ensuring the provision and on-going maintenance of EV plug-in stations; providing that all disabled parking to remain as common property, restricting the use of guest rooms; and ensuring compliance with the submitted acoustical analysis.
- h. The dedication of any easements or rights-of-way deemed requisite.
- i. The design and provision of units adaptable to persons with disabilities with allocated handicap parking spaces protected by a Section 219 Covenant.
- j. The undergrounding of existing overhead wiring abutting the site.
- k. Compliance with the Council-adopted sound criteria.

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- l. The provision of covered car wash stalls and adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement the recycling provisions.
- m. The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering.
- n. The review of on-site residential loading facilities by the Director Engineering.
- o. The submission of a Site Profile and resolution of any arising requirements.
- p. The provision of facilities for cyclists in accordance with this report.
- q. The review of a detailed Sediment Control System by the Director Engineering.
- r. Compliance with the guidelines for underground parking for visitors.
- s. 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.
- t. The deposit of the applicable Parkland Acquisition Charge.
- u. The deposit of the applicable GVS & DD Sewerage Charge.
- v. The deposit of the applicable School Site Acquisition Charge.
- w. 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 this rezoning is to permit the construction of a 42 storey apartment building and two 4-6 storey low rise apartment buildings.

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2.0 BACKGROUND

- 2.1 On 2012 March 19, 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.
- 2.2 On 2013 October 29, Public Hearing was held for a 52 storey high-rise building and two 4-6 storey low rise apartment buildings with a total density of 5.0 FAR, inclusive of a 1.6 FAR Density Bonus. Second Reading of the rezoning was granted on 2013 November 04.
- 2.3 Subsequent to Second Reading, the applicant initiated the detailed structural design of the building on this site. Through this design work it became apparent to the applicant that the structure required to support the specific building form for the proposed 52 storey building would be inefficient and uneconomical. As a result, the applicant has redesigned the tower and reduced its height to 42 storeys, with a reduced development density. Given the change in form and density of the tower, the rezoning is required to be forwarded to a new Public Hearing.
- 2.4 The site is comprised of three lots including 1735, 1763 Douglas Road and 1710 Gilmore Avenue (see *attached* Sketches #1 and #2), all of which are currently zoned M1 Manufacturing District. The properties at 1735 and 1763 Douglas Road are occupied by two older industrial buildings and 1710 Gilmore Avenue is currently occupied by the Aviara I residential sales centre. The Aviara I development site is located directly to the east at 4153 Halifax Street and is currently under construction. Vehicular access to the subject site is currently taken from Gilmore Avenue, Halifax Street and Douglas Road.
- 2.5 The Brentwood Town Centre Development Plan designates the subject site for high-density multiple-family development (RM5s). In accordance with the Council-adopted policy regarding application of 's' category zoning, the development is 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 Millennium SkyTrain line and the nearby Gilmore SkyTrain station.

In terms of the governing allowable density for the site, the maximum allowable floor area ratio would be 5.0 FAR applicable to the net site; this is inclusive of an available 1.6 FAR amenity bonus.

- 2.6 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 Centres 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.

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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 are helping 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.

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 these regional and municipal plans and policies.

- 2.7 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 42-storey apartment tower (formerly 52-storeys), above ground oriented townhousing at the corner of Halifax Street and Gilmore Avenue, and two 4 to 6 storey low-rise apartment buildings located along the Gilmore Avenue and Douglas Road frontages. The proposed low-rise buildings are unchanged from the previous proposal and range in height from 4-storeys on the upper part of the site to 6-storeys on the lower part of the site. The bottom two levels of the low-rises will be constructed out of concrete with apartment/townhouse units facing the street (with structured parking behind), and 4 levels of wood frame above. The proposed development concept provides a strong street-oriented relationship to its three bounding street frontages, as well as a strong contextual relationship to surrounding, existing and planned development.

A total of 520 apartment units are proposed (formerly 595 units). Unit sizes remain consistent with the previous proposal, with a suitable mix of one, two and three bedroom units, both with and without dens. All required parking is proposed to be located underground or within the structure, with some additional surface convenience stalls provided. Vehicular access is to be taken from Gilmore Avenue and Douglas Road as previously approved. Overall, the subject proposal exemplifies exceptional urban design and architectural expression related to the building's siting, massing, pedestrian orientation and materiality; meeting the standard expected for 's' Category development in the City's Town

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Centre areas. The low-rise buildings engage adjacent streets and public realm through individual unit accesses on the ground level, extensive use of wood detailing, and articulated rooflines, which also adds interest to the streetscape.

The tower form is architecturally integrated with the ground plane, with terraced townhousing and flats relating to the site's proposed low-rise buildings. The tower has been completely redesigned, and although 10 storeys shorter than previously proposed, it is equally expressive in its form. Similar to the previous concept, in contrast to the more rectilinear nature of the existing and proposed buildings surrounding the site, the tower has a unique curvature which gives the impression the building is rotating, with vertical fins on the north and south façades that are tapered in the middle, giving the building a sense of vertical movement.

Below is a brief summary of the previous and current development proposal for the subject site.

	Buildings	Units	Total FAR	Tower	Low-rise
Previous Proposal	3	595	5.0 (1.6 bonus)	52 storeys	4-6
Current Proposal	3	520	4.41 (1.33 bonus)	42 storeys	4-6

As noted, special consideration was given to the siting, scale and orientation of the buildings on-site in order to maximize open space and spatial separation between buildings and to provide improved sightlines through the site. The amended design being more square in nature, improves sightlines from the east, and changes sightlines from the south, as compared to the previous design which was a curved rectangle. The site is large enough to accommodate up to three residential towers of approximately 25 storeys in height. However, the applicant and project consultants were encouraged to accommodate as much density as possible within a low rise form and to pursue only one tower in consideration of sightline objectives for existing developments to the south and east. The tower's proposed placement at the corner of Halifax Street and Gilmore Avenue is maintained as this location remains most suitable, as it is the lowest part of the site, minimizes sightline impacts and reduces shadowing of Willingdon Heights Park and the Masonic Cemetery.

To complement the built form, a progressive landscape treatment is proposed for the bounding streets including separated bicycle and pedestrian facilities on Gilmore Avenue and Douglas Road, and separated sidewalks along Halifax Street, both complete with Rainwater Management Amenities (RMAs) to help soften the urban environment. Substantial on-site landscaping is also proposed including a treed auto court, as well as terraced gardens and water features. A significant public art piece will be provided at the corner of Gilmore Avenue and Halifax Street, acting as a strong visual reference to the proposed development and as a gateway element into the Brentwood Town Centre from the west.

The applicant has submitted a Transportation Study to support the proposed development. The access points noted on Gilmore Avenue and Douglas Road are consistent with the City's objectives for the site. Through the site's servicing, the completion of the First Avenue

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connector will be undertaken, including the provision of left turn lanes and traffic signals to help complete the local road network. With the future advancement of the development to the south across Halifax Street (Rezoning Reference #12-21), a new signalized intersection will be constructed at Halifax Street and Gilmore Avenue, and Halifax Street itself will be improved to its full standard to further accommodate traffic flow within the immediate area.

In line with the previous proposal, a parking ratio of 1.2 spaces per unit (0.1 of which is for visitor parking) is proposed, which exceeds the Burnaby Zoning Bylaw parking ratio of 1.1 spaces per unit (0.1 of which is for visitor parking). The developer has also provided for transportation alternatives. First, given the subject site's proximity to the Gilmore SkyTrain station, 156 (30% of total units provided) transit passes (two zones) will be subsidized (60%) for minimum of two years, to be administered by a financial trust company, 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. The development will provide memberships to all residents in MODO (Car Co-op) and the provision of three car co-op vehicles and associated parking spaces for use by the development. Finally, the development will provide 52 Electric Vehicle (EV) plug-in stations (10% of the residential parking) including all necessary wiring, electrical transformer and mechanical ventilation modifications. This arrangement would provide greater access to alternative transportation for a greater number of residents. 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. A Section 219 Covenant and sufficient financial securities will be required to guarantee the provision and ongoing maintenance of co-op cars and EV Plug-in stations

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 allowable supplemental density provisions indicated within the Zoning Bylaw. In so doing, the applicant would achieve an additional 1.33 FAR in amenity bonus, which translates into 151,057 sq.ft. of bonused gross floor area (GFA) included in the development proposal. The Legal and Lands Department has established the value of the density bonus to be \$73 per sq.ft. buildable for a total value of \$11,027,161 (subject to legal survey). In accordance with Council's adopted Community Benefit Bonus Policy it is recommended that the community benefit funds be received as an undesignated cash contribution-in-lieu for the future provision of a community benefit.

Under the Priority Amenity Program, the community benefit funds received will be directed into the Brentwood Town Centre Account to be utilized in the future to achieve priority amenities, as established by Council, including a new Brentwood Community Centre and a new Linear Public park and walkway along Willingdon Avenue, from Brentwood to Hastings Street.

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In accordance with Council's adopted policy, 80% of the cash-in-lieu contributions are applied toward the appropriate Town Centre Financial Account and 20% to the City-wide Housing Fund. Of the \$11,027,161 associated with the subject amenity bonus, \$8,821,728 (80%) would be allocated to the Brentwood Town Centre Financial Account. The remaining \$2,205,433 (20%) would be directed to the City-wide Housing Fund.

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 Gilmore Avenue to the Town Centre standard with curb and gutter on both sides, left turn lanes at the First Avenue intersection, separated bicycle and pedestrian facilities, street trees, rain gardens, street lighting and pedestrian lighting on the east side across the development frontage;
- construction of First Avenue to the Town Centre standard with curb and gutter on both sides, a separated urban trail along the north side, and separated bicycle and pedestrian facilities, street trees, rain gardens, street lighting and pedestrian lighting on the south side across the development frontage;
- construction of Douglas Road to the Town Centre standard with curb and gutter on both sides, left turn lanes at the First Avenue intersection, separated bicycle and pedestrian facilities, street trees, rain gardens, street lighting and pedestrian lighting across the development frontage;
- construction of Halifax Street to the Town Centre standard with curb and gutter, separated sidewalks, street trees, curb bulges, rain gardens, street lighting and pedestrian lighting across the development frontage;
- undergrounding of overhead lines across the development frontage on Gilmore Avenue and within the closed portion of Douglas Road; and,
- storm, sanitary sewer and water main upgrades as required.

3.4 A tapering dedication of between 6.5m to 9.6m, equalling 1,010.84 m² (10,881 sq.ft.) in area, is required along the Gilmore Avenue frontage to accommodate a new left turn lane at First Avenue and achieve the identified separated urban trail and rainwater management amenity areas. In addition, a further dedication of between 2.2m and 20.0m dedication, equalling 938.75 m² (10,105 sq.ft.) in area, is required along Douglas Road/First Avenue to complete the necessary First Avenue Connector and to achieve the identified separated urban trail and rainwater management amenity areas. Given the considerable dedications required from the site in relation to its net area, consistent with Council approval under Rezoning Reference #07-59 (Aviara I), it is proposed that the development density related to the Douglas Road/First Avenue connector, equal to 938.75 m² (10,105 sq.ft.) be contributed to the net development site. This will be achieved by the transfer of the road dedication to the City at no cost as a fee simple parcel, with dedication of the parcel as road to follow.

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- 3.5 Under the policy in place at the time the rezoning application was received in 2012, the developer has elected to provide a minimum of 26 adaptable units (5% of total number of residential units). A total of 26 handicapped parking stalls have been provided in relation to the residential component of the development. Handicap parking stalls will be protected by a Section 219 Covenant as common property to be administered by the Strata Corporation. Given the previous policy on adaptable units applied to this rezoning, the 20 sq.ft. per adaptable unit currently exempted from FAR does not apply.
- 3.6 Any necessary easements and covenants for the site are to be provided, including, but not necessarily limited to:
- Section 219 Covenant restricting enclosure of balconies;
 - Section 219 Covenant indicating that project surface driveway access will not be restricted by gates;
 - Section 219 Covenant guaranteeing the provision and maintenance of public art;
 - Section 219 Covenant guaranteeing the provision and ongoing maintenance of stormwater management facilities;
 - Section 219 Covenant to ensure that the density of development of air space parcels and strata lots comply with the approved CD zoning for the site and to ensure that the overall site continues to function as a single, integrated development;
 - Section 219 Covenant restricting the use of guest and caretaker suites;
 - Section 219 Covenant ensuring compliance with the approved acoustical study;
 - Section 219 Covenant ensuring the provision and ongoing maintenance of co-op cars;
 - Section 219 Covenant ensuring the provision and ongoing maintenance of EV plug-in stations; and,
 - Section 219 Covenant ensuring the provision of a minimum of 26 handicap accessible parking stalls in the resident parking area for the sole use of the required 26 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.
- 3.7 Due to the proximity of the subject site to Gilmore Avenue and Douglas Road, the applicant is required to provide an acoustical study showing that the proposed development would meet the Council-adopted noise criteria.
- 3.8 A very large portion of the site will be excavated for development. As such, an arbourist's report and tree survey will be required prior to Final Adoption to identify trees to be removed. A detailed landscape and tree planting plan has been provided as part of the suitable plan of development. The applicant will be required to obtain a tree removal permit for all trees over 20 cm (8 inches) in diameter.

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- 3.9 Provision of an adequately sized and sited garbage handling and recycling material holding space, as well, separate car wash stalls are required.
- 3.10 A site profile application is required given the site's current industrial 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.
- 3.13 Bicycle storage space and surface parking racks are to be provided for the residential tenants and visitors of the development.
- 3.14 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

4.0 DEVELOPMENT PROPOSAL

4.1 Site Area

Gross Site Area:	-	11,562.2 m ² (124,458 sq.ft.)
Dedications:	-	1,949.6 m ² (20,986 sq.ft.)
Density Transfer (Future Road/City Lot):	-	938.7 m ² (10,105 sq.ft.)
Net Site:	-	9,612.6 m ² (103,472 sq.ft.)
Net Site for Calculation of Density:	-	10,551.3 m ² (113,577 sq.ft.) (subject to detailed survey)

4.2 Density

FAR Permitted and Provided:	-	4.46 F.A.R (inclusive of 1.33 FAR amenity bonus)
Gross Floor Area Permitted and Provided	-	47,028.49 m ² (506,227 sq.ft.) (inclusive of 151,057 sq.ft. amenity bonus)
Residential Amenity Space	-	(15,990 sq.ft. of residential amenity space exempted from FAR calculations)
Site Coverage:	-	39%

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- 4.3 Height (all above grade) - 2-4 storeys for street-fronting townhouses fronting Halifax Street and internal driveway
- 4-6 storeys for low rise apartments fronting Gilmore Avenue and Douglas Road
- 42 storeys for the high-rise apartments fronting Gilmore Avenue and Halifax Street

4.4 Residential Unit Mix

<u>Unit Type</u>	<u>Unit Size</u>
Halifax Townhouse Units	
4 – Two Bedroom	1,120 – 1,237 sq.ft.
1 – Three Bedroom + Den	1,350 sq.ft.
Low Rise Apartment/Townhouse Units	
2 – One Bedroom	740 – 746 sq.ft.
40 – One Bedroom + Den	650 – 654 sq.ft.
68 – Two Bedroom	793 – 902 sq.ft.
16 – Two Bedroom (Adaptable)	829 – 840 sq.ft.
6 – Two bedroom + Den	917 – 1,291 sq.ft.
9 – Three Bedroom	901 – 953 sq.ft.
10 – Three Bedroom (Adaptable)	902 – 915 sq.ft.
1 – Three Bedroom + Den	1,212 sq.ft.
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TOTAL: 152 Low Rise Units	
High Rise Apartment Units	
117 – 1 Bedroom + Den	660 – 668 sq.ft.
238 – 2 Bedroom	865 – 1,195 sq.ft.
2 – 2 Bedroom + Den	865 – 978 sq.ft.
6 – 3 Bedroom	1,107 – 1,219 sq.ft.
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TOTAL: 363 High Rise Apartment Units	

TOTAL UNITS: 520 UNITS

4.5 Parking

<u>Vehicle Parking</u>	<u>Required</u>	<u>Provided Spaces</u>
520 Units	- 572	624
(Required 1.1 spaces/unit)	(inclusive of 52 visitor spaces and 62	
(Provided 1.2 spaces/unit)	EV plug-in stations)	

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Car Wash Stalls	- 6	6
Co-op Vehicles	- 3	3
Residential Loading	- 3	3
Bicycle Parking	<u>Required and Provided Spaces</u>	
Resident - 2/unit @ 520 units	-	520 in storage lockers
Visitor - 0.2/unit @ 520 units	-	520 in secure bicycle rooms
	-	104 in racks (throughout site)

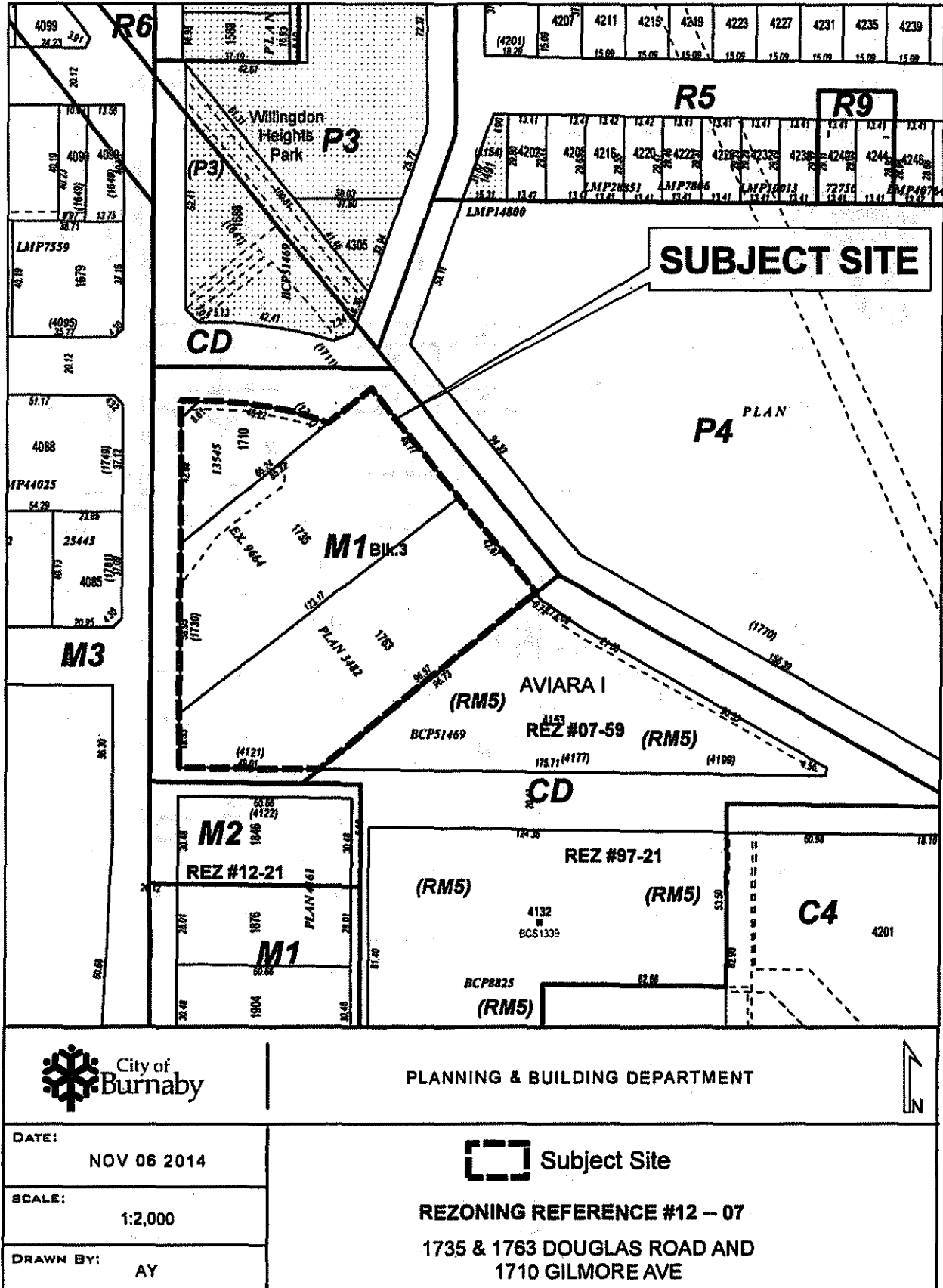
4.6 Communal Facilities
(Excluded from FAR Calculations)

Primary communal facilities for residential tenants are located within the lower levels of the residential tower fronting Gilmore Avenue and Halifax Street, including an amenity lobby and lounge, multi-purpose meeting room, media room, gym, indoor pool, two guest suites and a caretaker suite. The amenity area amounts to 1,485.47 m² (15,990 sq.ft.), which is a permitted exemption from Gross Floor Area. The applicant has also provided a central garden courtyard and terraced fountains located throughout the site, as well as a signature public art installation at the corner of Halifax Street and Gilmore Avenue.


Lou Pelletier, Director
PLANNING AND BUILDING

JBS:tn
Attachments

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



Sketch #1

