



Item	
Meeting	2015 October 26

COUNCIL REPORT

TO: CITY MANAGER 2015 October 21

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #12-21
**High-Rise Apartment Tower with Street Fronting Townhouses
 Brentwood Town Centre Development Plan**

ADDRESS: 1846, 1876 and 1904 Gilmore Avenue (see *attached* Sketches #1 and #2)

LEGAL: Lot 1 Except: South 91.9 Feet, DL 119, Group 1, NWD Plan 4161; South 91.9 Feet, Lot 1, DL 119, Group 1, NWD Plan 4161; Lot "H" of DL 119, Group 1, NWD Plan 18203

FROM: M1 Manufacturing District and M2 General Industrial District

TO: CD Comprehensive Development District (based on RM5s Multiple Family Residential District and Brentwood Town Centre Development Plan as guidelines and in accordance with the development plan entitled "1846, 1876 & 1904 Gilmore Avenue, Proposed Residential Development Gilmore Avenue, Burnaby, B.C." prepared by Chris Dikeakos Architects Inc.)

APPLICANT: Chris Dikeakos Architects Inc.
 212-3989 Henning Drive
 Burnaby, BC V5C 6N5
 (Attention: Richard Bernstein)

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2015 November 24.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2015 November 09, and to a Public Hearing on 2015 November 24 at 7:00 p.m.
2. **THAT** the introduction of a Highway Closure Bylaw be authorized according to the terms outlined in Section 3.7 of this report, contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.

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- 3. THAT the predecessor Rezoning Bylaw, Amendment Bylaw No. 4/13, Bylaw 13182, be abandoned contingent upon the granting by Council of Second Reading of the Subject Rezoning bylaw.
- 4. 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. 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. If requested, demolition may be delayed to more closely coincide with approval of building permits.
 - e. The utilization of an amenity bonus through the provision of a \$6,987,225 cash in-lieu contribution in accordance with Section 3.4 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, guaranteeing the provision and ongoing maintenance of electric vehicles and EV plug-in stations, providing that all disabled parking to remain as common property, restrictions of use regarding guest rooms and ensuring compliance with the submitted acoustical analysis.

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- 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).
- 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 submission of a Site Profile and resolution of any arising requirements.
- n. The review of a detailed sediment Control System by the Director Engineering.
- o. The submission of a suitable Solid Waste and Recycling plan to the approval of the Director Engineering.
- p. The review of on-site residential loading facilities by the Director Engineering.
- q. The provision of facilities for cyclists in accordance with this report.
- r. The undergrounding of existing overhead wiring adjacent to the site.
- s. Compliance with the Council-adopted sound criteria.
- t. The review of a detailed Sediment Control System by the Director Engineering.
- u. Compliance with the guidelines for underground parking for visitors.
- v. The deposit of the applicable GVS & DD Sewerage Charge.
- w. The deposit of the applicable Parkland Acquisition Charge.
- x. The deposit of the applicable School Site Acquisition Charge.

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- 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 permit the construction of a high-rise apartment tower over a ground oriented townhouse and amenity podium.

2.0 BACKGROUND

- 2.1 On 2012 July 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.
- 2.2 On 2013 February 20, Council received a second report of the Planning and Building Department recommending that the Subject Rezoning Application be advanced to Public Hearing on 2013 March 19. Early in 2013 March, staff received correspondence from an ownership interest of 1846 Gilmore Avenue, stating that the applicant is not authorized to act on his behalf. As a result the subject rezoning application was withdrawn from the Public Hearing. Since that time, the applicant has resolved the ownership interests of 1846 Gilmore Avenue and is authorized to act as agent for the subject rezoning application.
- 2.3 The site is comprised of 3 lots including 1846, 1876 and 1904 Gilmore Avenue (see Sketch #1 *attached*), which are currently zoned M1 Manufacturing District and M2 General Industrial District. 1846 Gilmore Avenue was occupied by a former delicatessen and sausage manufacturer, 1876 Gilmore Avenue is a vacant car lot and 1904 Gilmore Avenue is occupied by an auto body repair shop. The existing structures are in fair condition.
- 2.4 The Brentwood Town Centre Development Plan designates the subject site for high-density multiple-family development, under the CD Comprehensive Development District utilizing the RM5s Multiple-Family Residential District as a guideline. In terms of the governing allowable density for the site, the maximum allowable residential floor

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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.

- 2.5 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 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 neighbourhood 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.

- 2.6 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 46-storey high-rise apartment tower with a 3-storey townhouse podium on Halifax Street and a 2-storey residential amenity podium on Gilmore Avenue, which includes a roof top swimming pool. A total of 340 apartment units are proposed. All required parking is proposed to be located underground (with 8 surface convenience stalls provided). Vehicular access is to be taken from Halifax Street.

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- 3.2 The proposed development is comprised of 337 apartment units (20% of which are adaptable units) and 3 townhouse units fronting Halifax Street. The development concept provides a strong street-oriented relationship to its two bounding street frontages, as well as a strong contextual relationship to surrounding existing and planned development. The building is modernist in its style, reminiscent of Bauhaus architecture, with lighted concrete balcony upstands facing westward, cantilevering over a grand entry lobby sitting atop tapered rectangular columns. The proposed residential amenities include the provision of an amenity lobby and seating area, multi-purpose meeting room, media room, fitness and spa facility, outdoor swimming pool and guest suite. The guest suite will be protected by Section 219 Covenant to ensure that the suite is not stratified and remains as common property, cannot be used for rental tenancy, and must not be occupied by the same user for more than 28 consecutive days. Overall, the subject proposal is considered to exemplify 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 Centre areas.

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 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, parterre ornamental garden, terraced water feature and children's play area. The landscape design also provides for on-site pedestrian lighting and a lit public pedestrian pathway along the south property line to be protected by statutory right-of-way, providing access to Gilmore Avenue for the residents of the Marquis Grand at 4132 Halifax Street.

- 3.3 The development proposal exceeds 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 for transportation alternatives. First, given the subject site's proximity to the Gilmore SkyTrain Station, the developer is providing 51 (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 34 Electric Vehicle (EV) plug-in stations (10% of off street residential parking) including all necessary wiring, electrical transformer and mechanical ventilation modifications, as well as 4 electric 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. A Section 219 Covenant and sufficient security will be required to guarantee the provision and ongoing maintenance of Electric Vehicles and EV Plug-in stations

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The developer has also agreed to pursue green building practices by committing to achieve Leadership in Energy and Environmental Design (LEED) Silver rating or equivalent.

- 3.4 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 93,163 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 \$75.00 per sq.ft. buildable, for a total value of \$6,987,225. 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 Willingdon Parkway.

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 Community Benefit Housing Fund. Of the \$6,987,225 associated with the subject amenity bonus, \$5,589,780 (80%) would be allocated to the Brentwood Town Centre Financial Account. This project would also contribute an additional \$1,397,445 (20%) to the City-wide affordable or special needs housing account.

- 3.5 The City Engineer will assess the need for any further required services to the site, including, but not necessarily limited to:
- provision for construction of Gilmore Avenue to its Town Centre (collector primary) standard with curb and gutter on both sides, and separated bicycle and pedestrian facilities, street trees, rain gardens, street lighting and pedestrian lighting across the development frontage;
 - provision for construction of Halifax Street to its Town Centre (local road) standard with curb and gutter on both sides, and separated sidewalks, street trees, curb bulges, enhanced boulevards, street lighting and pedestrian lighting across the development frontage;
 - provision for undergrounding of overhead lines across the development frontage on Gilmore Avenue and Halifax Street; and,
 - storm, sanitary sewer and water main upgrades as required.

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- 3.6 A 10.06 m (33 ft.) dedication, equalling 633.8m² (6,822 sq.ft.) in area, is required along the Halifax Street frontage to accommodate the road's ultimate widening to 20.12 m (66 ft.). In addition, a further 6.5 m (21.3 ft.) dedication, equalling 481.77 m² (5,186 sq.ft.) in area, is required along Gilmore Avenue for road widening and to achieve the identified separated bicycle, pedestrian and rainwater management amenity areas. Given the considerable dedications required from the site in relation to its net area, it is proposed that the development density related to the required 10.06 m dedication (633.8 m² area) on Halifax Street 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.
- 3.7 The consolidation of the proposed development site includes the closure of an unopened internal north/south lane right-of-way south of Halifax Street, which measures approximately 481.15 m² (5,179 sq.ft.) which will be achieved through a Highway Closure Bylaw (see *attached* Sketch #1). Given the Gilmore Avenue dedications from the site, exceeds the road closure area, the lane will be transferred to the applicant at no cost, with the exception of the necessary Property Transfer Tax requirements. The Highway Closure Bylaw would be advanced through four readings of Council and will be advertised for a period of four weeks in line with Local Government Act requirements.
- 3.8 The developer is providing 69 adaptable units (20% of total number of single-level residential units), in line with the Council-adopted Adaptable Housing policy. A total of 4 handicapped parking stalls are required in relation to the residential components of the development. All of the stalls are located within the underground residential parking areas. Residential handicap parking stalls will be protected by a Section 219 Covenant as common property to be administered by the Strata Corporation.
- 3.9 Any necessary easements, covenants and statutory rights-of-way for the site are to be provided, including, but not necessarily limited to:
- Statutory right-of-way guaranteeing public pedestrian access across the south property line;
 - Section 219 Covenant restricting enclosure of balconies;
 - Section 219 Covenant indicating that project surface driveway accesses will not be restricted by gates;
 - Section 219 Covenant guaranteeing provision and maintenance of public art;
 - Section 219 Covenant guaranteeing the provision and ongoing maintenance of stormwater management facilities;
 - Section 219 Covenant restricting the use of guest rooms;
 - Section 219 Covenant ensuring compliance with the approved acoustical study; and,
 - Section 219 Covenant ensuring handicap accessible parking, be held in common property to be administered by the Strata Corporation.

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- 3.10 Due to the proximity of the subject site to the Lougheed Highway, the applicant is required to provide an acoustical study showing that the proposed development would meet the Council-adopted noise criteria.
- 3.11 As the site will be fully excavated for development an arbourist's report and tree survey will be required prior to Final Adoption identifying trees to be removed from the site. The applicant will be required to obtain a tree removal permit for all trees over 20 cm (8 inches) in diameter. A detailed landscape and tree planting plan has been provided as part of the suitable plan of development to replace existing trees to be removed from the site.
- 3.12 Provision of four separate car wash stalls is required.
- 3.13 A site profile application is required given the site's current industrial 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.
- 3.16 The submission of a Public Art Strategy for the site identifying the location, budget and theme of a significant public art piece to be installed on-site.
- 3.17 The submission of a Solid Waste and Recycling Access Plan to the approval of the Director Engineering
- 3.18 The submission of a Residential Loading Plan to the approval of the Director Engineering.
- 3.19 Bicycle storage space and surface parking racks are to be provided for the residential tenants and visitors of the development.
- 3.20 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

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4.0 DEVELOPMENT PROPOSAL

4.1 Site Area

Gross Site	-	5,410.12 m ² (58,234 sq.ft.)
Density Transfer (from Halifax Street dedication)	-	609.91 m ² (6,565 sq.ft.)
Lane Closure Area	-	481.15 m ² (5,179 sq.ft.)
Dedications (Gilmore Avenue)	-	481.80 m ² (5,186 sq.ft.)
 Net Site	-	 4,799.56 m ² (51,662 sq.ft.)
Net Area for Calculation of Density	-	5,409.47 m ² (58,227 sq.ft.) (subject to detailed survey)

4.2 Density

FAR Permitted and Provided:	-	5.0 FAR(inclusive of 1.6 FAR amenity bonus)
 Gross Floor Area Permitted and Provided	-	 27,042.87 m ² (291,087 sq.ft.) (inclusive of 93,163 sq.ft. amenity bonus)
 Residential Amenity Space	-	 (6,000 sq.ft. of residential amenity space exempted from FAR calculations)
 Site Coverage:	-	 21%

4.3 Height (all above grade)

- 3 storeys for street-fronting townhouses fronting Halifax Street
- 2 storeys for residential amenity building fronting Gilmore Avenue
- 46 storeys from grade for the high-rise apartment tower fronting Gilmore Avenue

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4.4 Residential Unit Mix

<u>Unit Type</u>	<u>Unit Size</u>
Townhouse Units	
3 – 3 bedroom Townhouse	1,349 sq.ft.
Apartment Units	
22 – Studio (Adaptable)	477 – 481 sq.ft.
47 – 1 Bedroom (Adaptable)	602 – 677 sq.ft.
83 – 1 Bedroom + Den	602 – 677 sq.ft.
118 – 2 Bedroom	773 – 1,029 sq.ft.
60 – 2 Bedroom + Den	770 – 979 sq.ft.
7 – 3+ Bedroom	1,161 sq.ft.

TOTAL: 340 UNITS

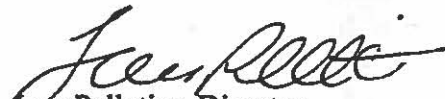
4.5 Parking

Vehicle Parking	<u>Required</u>	<u>Provided Spaces</u>
340 Apartment Units (1.1 spaces/unit)	- 374	408 (inclusive of 34 visitor spaces and 34 EV plug-in stations)
Car Wash Stalls	- 4	4
Electric Vehicles	- 4	4
Residential Loading	- 2	2
Bicycle Parking	<u>Required and Provided Spaces</u>	
Resident - 2/unit @ 340 units	- 340 in storage lockers	
Visitor - 0.2/unit @ 340 units	- 340 in secure bicycle rooms	
	- 68 in racks (throughout site)	

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4.6 Communal Facilities
(Excluded from FAR Calculations)

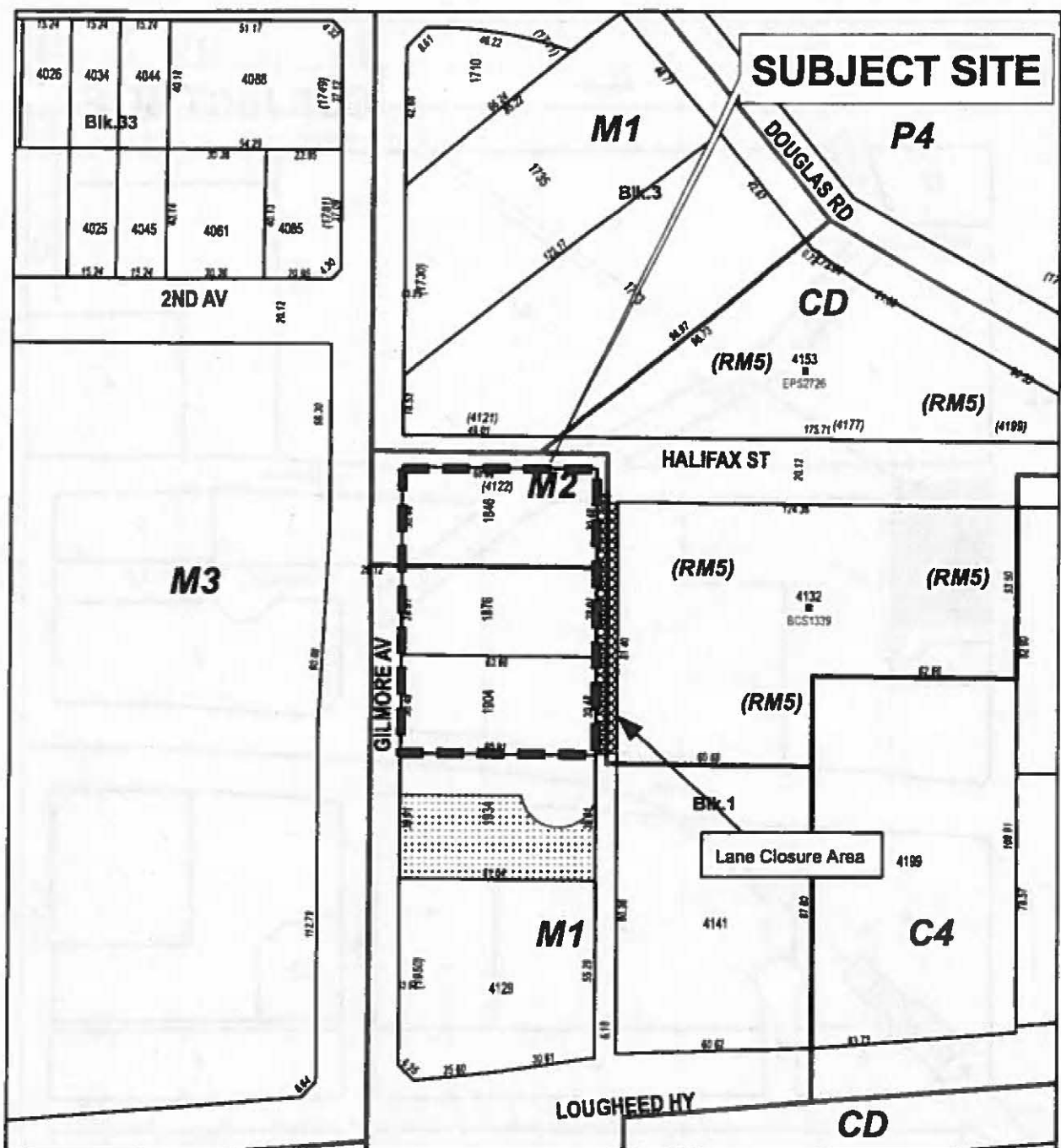
Communal facilities for residential tenants are located primarily within the lower levels of the residential tower and within a two storey podium amenity facility fronting Gilmore Avenue, including an amenity lobby and seating area, multi-purpose meeting room, media room, fitness and spa facility, guest suite, outdoor swimming pool and children’s play area. The amenity area amounts to 557.42 m² (6,000 sq.ft.), which is a permitted exemption from Gross Floor Area by the Zoning Bylaw. The applicant will also provide significant public art along the Gilmore Avenue or Halifax Street frontage as a requirement of the rezoning application.


Lou Pelletier, Director
PLANNING AND BUILDING

JBS:spf
Attachments

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

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PLANNING & BUILDING DEPARTMENT

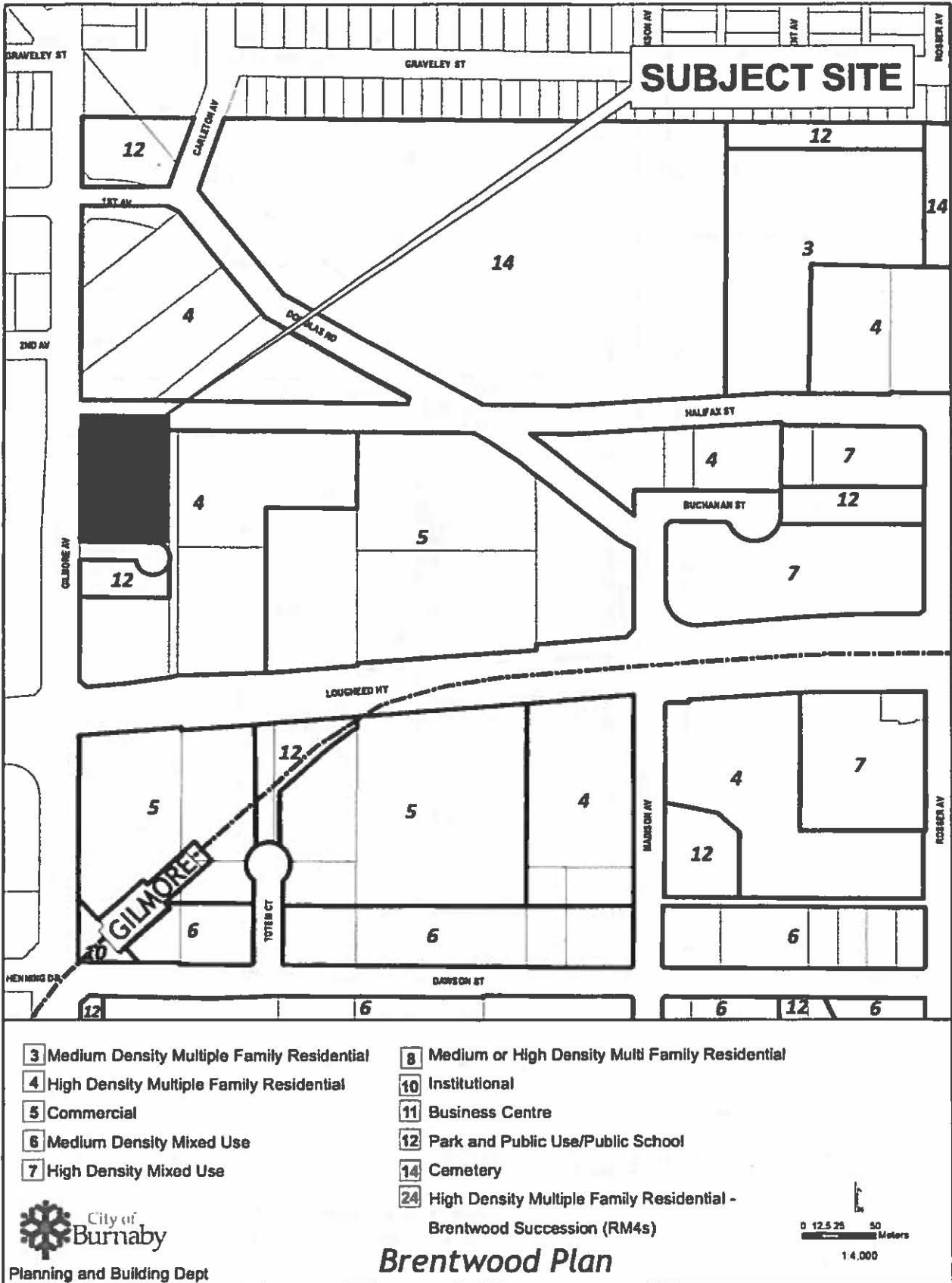


DATE: OCT 06 2015
 SCALE: 1:2,000
 DRAWN BY: AY

Subject Site Proposed Open Space

REZONING REFERENCE #12-21
 1846, 1876 & 1904 GILMORE AVE

Sketch #1



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Sketch #2