



Item	
Meeting	2016 January 25

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2016 January 20

FROM: DIRECTOR PLANNING AND BUILDING **FILE:** 49500 20
Reference: Rez# 12-21

**SUBJECT: REZONING REFERENCE #12-21
 HIGH RISE APARTMENT TOWER
 RESPONSE TO PUBLIC HEARING ISSUES**

PURPOSE: To respond to issues raised at the Public Hearing for Rezoning Reference #12-21.

RECOMMENDATION:

1. **THAT** a copy of this report be sent to the applicant and those who spoke at, or submitted correspondence to, the Public Hearing for Rezoning Reference #12-21.

REPORT**1.0 BACKGROUND**

On 2015 November 24, a Public Hearing was held for Rezoning Reference #12-21. The subject rezoning application proposes a 340 unit high-rise apartment building with ground oriented townhousing fronting Halifax Street, within the Council adopted Brentwood Town Centre Development Plan (see *attached* Sketches #1 and #2).

At the Public Hearing, eleven written and nineteen oral submissions were received from area residents, primarily residing within the adjacent Marquis Grande high-rise development at 4132 Halifax Street, concerning: community plan designation and consultation, conformity to the Zoning Bylaw, proposed building siting, crime, traffic, loss of local businesses and jobs, and community amenities. At the Public Hearing, Council requested that a staff report be submitted to provide information on the issues raised. The following report addresses Council's request.

2.0 ISSUES RAISED*Issue #1 – Community Plan Designation and Consultation*

Concerns were raised regarding the community plan's land use designation and public consultation process for the subject site.

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Response:

The subject site is located within the Council adopted Brentwood Town Centre Development Plan (1996), which designates the subject site, the site to the south, and the site to the east at 4132 Halifax Street (Marquis Grande high-rise development), for high density residential uses. The subject site is also designated for Town Centre Development within the Burnaby Official Community Plan (OCP) which provides for high density forms of housing in the City's most urban settings. Finally, under the Metro Vancouver Regional Growth Strategy (RGS), the subject site is located within a designated Municipal Town Centre. Municipal Town Centres under the Regional designation are intended to be the region's primary focal points for concentrated growth and priority locations for employment and services, higher density housing, commercial, cultural, entertainment, institutional and mixed uses.

The Brentwood Town Centre Development Plan involved a broad and robust community consultation process including community mail outs to all property owners and residents within and adjacent the Town Centre boundary, newspaper advertisements, mall displays, and open houses at the Executive Inn and City Hall, to obtain community feedback prior to its adoption by Council. Subsequent to the adoption of the 1996 Brentwood Town Centre Development, two plan amendments were further adopted by Council in 2000 and 2003, for the areas surrounding the Gilmore SkyTrain Station and the Holdom SkyTrain Station, which indicated the proposed high-density land uses for the subject site, each undertaking their own community consultation process.

The subject rezoning, Rezoning Reference #12-21, is in accordance with the adopted Brentwood Town Centre Development Plan. Consistent with the adopted Plan, the rezoning proposes a change in use from the prevailing M1 Manufacturing District and M2 General Industrial District to the CD Comprehensive Development District (utilizing the RM5s District as a guideline) for the development of a high-density, high-rise apartment building.

The Brentwood Town Centre Development Plan is available for review by the public both on the City's website and at the Planning Department. Staff at the Planning Department are available at any time to discuss details of the plan in person, over the phone, via written correspondence or via email, and have done so extensively with residents and property owners in the Brentwood Town Centre prior to, and since, adoption of the Plan. Planning staff also meet with area residents in the community. In this regard, the Senior Current Planner responsible for the Brentwood Town Centre met with the property manager and members of the strata council for 4132 Halifax Street (Marquis Grande) on-site in the summer of 2015 to discuss planned road changes and current land use designations in the surrounding area.

To further inform new and existing residents of area plan land use designations, since 2004, a prerequisite condition of all rezoning applications is for area plan notification signs to be installed on site, within residential sales centres and included within disclosure statements for new residential units. In this regard, area plan notification signs were, and are, installed on many development sites in the community including, but not limited to, Aviara, Brentwood and SOLO. In addition to area plan notification signs, there have been ongoing rezoning applications within

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the Brentwood Town Centre that have been advanced to Public Hearing, including one for Aviara I (Rezoning Reference #07-59) and two for Aviara II (Rezoning Reference #12-07), which have been circulated directly to the residents of 4132 Halifax Street (Marquis Grande), noting the intent of the subject site to be developed for high-rise residential uses. It is also noted that in 2013, the subject rezoning application was advanced to a Public Hearing, with notice being sent to the residents of 4132 Halifax Street (Marquis Grande). However, the application was withdrawn from Public Hearing due to an unforeseen ownership dispute after the notice had been sent. That notice clearly identified the subject site, the rezoning intent from M2 General Industrial District to the RM5s Multiple Family Residential District, and its proposed high-rise development form, which has not changed under the proposal that was advanced to Public Hearing on 2015 November 24.

Since the Brentwood Town Centre Development Plan's original adoption in 1996, there has been clear information and ongoing consultation on its land use designations, including for the subject site. As such, all policies and requirements have been met concerning public consultation and information regarding the subject site's high-density land use designation within the Brentwood Town Centre Development Plan, Burnaby Official Community Plan and Metro Vancouver Regional Growth Strategy.

Issue #2 – Conformity to the Burnaby Zoning Bylaw

Issues were raised regarding the subject rezoning application's conformity with the Burnaby Zoning Bylaw.

Response:

As noted, the subject site is designated in the Council adopted Brentwood Town Centre Development Plan for high-density residential development under the CD Comprehensive Development District (utilizing the RM5s Multiple-Family Residential District and Brentwood Town Centre Development Plan as guidelines).

The CD Comprehensive Development District is utilized for a majority of rezonings within Community Plan areas, including the Brentwood Town Centre, to ensure that a suitable plan of development is prepared prior to advancing a project to Public Hearing, and ultimately to Final Adoption. CD Comprehensive Development zoning permits the City to specify requirements for height, siting, setbacks and other matters which may vary from the underlying guideline zoning districts. This is done in order to achieve a Plan of development that provides better relationships with the surrounding area and between the various parts of the proposed development. However, the CD zoning provision may not change the permitted uses and densities, which must conform to the regulations and intent of the underlying guideline districts. In regard to the subject rezoning application, the proposed multiple family residential use and the density of 5.0 FAR fully conform with the RM5s District.

As noted, under the CD Comprehensive Development District, the City is able to specify the permitted building height, siting and setbacks. As such, the siting of the proposed building and

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its height of 46 storeys are in conformance with the CD provisions of the Burnaby Zoning Bylaw. It is further noted that the development of 4132 Halifax Street (Marquis Grande), under the CD Comprehensive Development District (utilizing the RM5 District and Brentwood Town Centre Development Plan as guidelines), also allowed for specific bylaw provisions for building height, as well as front yard and side yard setbacks, to achieve a suitable plan of development and better a relationship on the Marquis Grande site.

In summary, the subject rezoning application (Rezoning Reference #12-21) conforms with the CD Comprehensive Development District of the Burnaby Zoning Bylaw.

Issue #3 – Proposed Building Siting

Concerns were raised regarding the siting of the proposed high-rise building on the subject site in relation to the adjacent high-rise building at 4132 Halifax Street.

Response:

The proposed apartment tower is identified to be located on the northwest portion of the site at the corner of Gilmore Avenue and Halifax Street. The building is setback from Gilmore Avenue by 4.5m (15 ft.), from Halifax Street by 6.4m (21 ft.), from the east property line by 29.2m (96ft.) and from the south property line by 43.3m (142ft.) (see Sketch #3 attached).

In addition to designating land uses, the 1996 adopted Brentwood Town Centre Development Plan also identified potential building locations, indicating a single residential high-rise tower on the subject site, located toward the south of the assembly fronting Gilmore Avenue, and a single high-rise tower on the adjacent 4132 Halifax Street (Marquis Grande), located to the north of the assembly fronting Halifax Street. The Marquis Grande site was rezoned under Rezoning Reference #21/97 from the M1 Manufacturing District and C4 Service Commercial District to the CD Comprehensive Development District (utilizing the RM5 District and Brentwood Town Centre Development Plan as guidelines). The original proposal for 4132 Halifax Street was for two high rise towers of 16 and 19 storeys with ground oriented townhousing on Halifax Street. The public hearing report for Rezoning Reference #21/97 noted that the concept was amended from a two tower proposal to a single tower proposal, as the two towers would be in conflict with a potential location of a future residential tower on the subject site. The result was a proposal for a single 27 storey building constructed on 4132 Halifax Street with a larger floor plate, which was to be located on the broadest portion of the site along the western property line, setback from Halifax Street. The proposed siting of the tower to the northwest corner of the subject site is in response to the final re-sited Marquis Grande tower resulting in reduced setbacks from Halifax Street and Gilmore Avenue, in order to appropriately offset the new tower from the existing Marquis Grande tower. The proposed building's setback from the east side yard well exceeds required bylaw minimums and the spatial separation between the apartment buildings well exceeds minimum guidelines of 80ft. corner to corner. The distance between the proposed building and the existing Marquis Grande building is approximately 130 ft. corner to corner. Furthermore, given the planned offset of the two towers, there is substantial overlook providing Marquis Grande residents sightlines to the west and north. Therefore the planned location, form

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and massing of the proposed building in relation to the Marquis Grande development at 4132 Halifax Street are considered suitable and in keeping with the objectives of the adopted Brentwood Town Centre Development Plan.

Issue #4 – Traffic

Questions were raised regarding potential traffic generated from the site and its impact on local roads.

Response:

Through the community planning and site specific rezoning processes, all bounding roads are reviewed in regard to necessary vehicular access, pedestrian facilities, cycling facilities, intersection signalization, road widths and potential street parking facilities. As part of this review, detailed transportation geometrics are prepared to establish the design criteria for adjacent roadways to be constructed by the applicant. The established transportation geometrics are consistent with Council's adopted Transportation Plan classifications and Community Plan designations. The following is a brief summary of the road network surrounding the subject site and proposed improvements to be completed through the rezoning process.

Halifax Street

Halifax Street to the north of the subject site is classified in the Burnaby Transportation Plan and Brentwood Town Centre Development Plan as a local road. Local Roads are designed to accommodate traffic volumes in the range of 1,000 to 5,000 vehicles per day. A local road is intended to be constructed with an 11m (36ft.) pavement width and separated sidewalks/cycling facilities on both sides, each within a 4.5m (15ft.) area, resulting in a total right-of-way width of 20.12m (66 ft.). The current right of way width is 10.06m (33 ft.) and accommodates two moving lanes in each direction and no sidewalk facilities. The development will complete this section of road to its final road standard, resulting in a dedication of 10.06m (33ft.) to accommodate separated sidewalks/cycle on Halifax Street across the development site. Separated sidewalks/cycle facilities across the north side of Halifax Street would be provided in conjunction with Rezoning Reference #12-07 (Aviara II). A pedestrian activated signal is also identified at Halifax Street and Gilmore Avenue. In regard to vehicular access to the site, wherever it is possible, access should be taken from the lesser classification of street and setback from an intersection. As such, given that the unopened lane right-of-way to the east of the site is identified to be closed and consolidated with the development site, this was determined to be the appropriate location for the single driveway accessing Halifax Street. Furthermore, the proposed driveway location is adjacent the underground parking driveway for Marquis Grande at 4132 Halifax Street and across from the underground parking driveway for Aviara I at 4153 Halifax, to ensure appropriate sightlines to and from each driveway.

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Gilmore Avenue

Gilmore Avenue to the east of the subject site is classified in the Burnaby Transportation Plan and Brentwood Town Centre Development Plan as a major collector. A major collector is intended to be constructed to a minimum right-of-way width of 23m (75.46 ft.) with a pavement width of 14m (45.93ft.). Gilmore Avenue is also identified as a cycle road within the Brentwood Town Centre Development Plan, whereby a separated bicycle and pedestrian facility is required along the east side. Major Collectors (Primary) are designed to accommodate between 5,000 and 20,000 vehicles per day. The development will complete this section of road to its final road standard, with a dedication of 6.5m (21ft.) to accommodate separated pedestrian and cycling facilities on Gilmore Avenue across the development site. The continuation of this standard and the accommodation of a left turn bay and two through lanes in each direction would be accommodated at Lougheed Highway through a future rezoning and subdivision application of 1934 Gilmore Avenue and 4129 Lougheed Highway.

As noted, the prepared road geometrics are in line with the Council adopted Burnaby Transportation Plan and Lougheed Town Centre Plan, and are appropriate for the proposed high-rise multiple-family development advanced under the subject rezoning application. The developer will be required to construct the noted road infrastructure prior to occupancy of the proposed development. Similar roadworks have been designated and are proceeding with the newer developments to the north of Halifax.

Issue #5 – Crime

Concerns were raised regarding an increase in theft from residents of 4132 Halifax Street (Marquis Grande).

Response:

In discussions with Burnaby RCMP staff, incidents of crime within the Brentwood Town Centre are noted as being no greater than any other multiple-family area in Burnaby. The RCMP report that incidents of theft (Breaking and Entering, and Theft from Vehicles) from 4132 Halifax Street (Marquis Grande) have also declined between 2010 and 2015 with the total reported offences reducing from 12 to 3 in those years. It is noted, that there is no evidence in the City correlating multiple family high rise development and crime rates in the City of Burnaby. The development of new residential multiple-family housing generally increases ambient lighting within an area, and provides more “eyes on the street”, reducing opportunities for criminal activity. Residents of Burnaby may also contact the Burnaby RCMP non-emergency line to enquire about crime prevention programs, such as Block Watch and Crime Free Multi Housing, to help protect against incidents of theft and add positively to safety.

Issue #6 – Loss of Jobs and Local Businesses

Concerns were raised regarding the closure of the International Sausage House at 1846 Gilmore Avenue and the resultant loss of a locally based business.

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Response:

The subject site was formerly occupied by an automotive repair shop, a new car storage lot and a sausage factory and delicatessen. Existing industrial uses located in areas undergoing transition to other planned uses, where appropriate, are able to relocate within Burnaby to one of the designated industrial areas, which are identified for retention under the City's Official Community Plan (OCP) and Metro Vancouver's Regional Growth Strategy. Further, staff are available to work with industrial users and property owners to identify suitable sites within the City to suit the needs of the specific businesses.

Although concerns were raised regarding the closure of the International Sausage House at 1846 Gilmore Avenue, and the loss of this locally serving business, the specific use as a sausage factory or its accessory use as a delicatessen were not entrenched within the zoning or plans for the property. Planning staff, and the developer attempted to work with the applicant to find a suitable alternative location for the sausage factory within the immediate area. Subsequent to the sale of the properties, staff have been informed that the operator has chosen to relocate to Maple Ridge. As the subject site and surrounding sites, are designated for multiple-family residential uses, the retention of industrial based businesses on this site is not considered appropriate or suitable. However, there remains many commercially designated sites throughout the Brentwood Town Centre that are ideal for locally based businesses.

Issue #7 – Area Amenities

Concerns were raised regarding whether the amenities in the area can serve the growing population within the Brentwood Town Centre.

Response:

The subject development is strategically located within the Brentwood Town Centre, which as with all four of Burnaby's Town Centres provides the highest level of services to Burnaby residents. The specific location of the subject site at Halifax Street and Gilmore Avenue, places it within 1,000m (3,280 ft.) of the Town Centre's key amenities. Willingdon Heights Park is located approximately 200m (656 ft.) to the north, Kitchener Elementary School is located 460m (1,500 ft.) to the north, the Gilmore SkyTrain Station is located approximately 250m (820 ft.) to the south, the Brentwood Community Resource Centre is 650m (2,133 ft.) to the southeast, the Madison Childcare Centre is 475m (1,560 ft.) to the east, and Brentwood Mall is located approximately 775m (2,542 ft.) to the east. In addition to current services within the area, a number of new amenities have been identified as priorities for Council to serve the growing population, including a new Community Centre potentially to be developed on the Brentwood Mall Site, a new neighbourhood park on the Woodlands Site east of Beta Avenue and south of Dawson Street, and a potentially new Community Police Office on the SOLO Site and recreational facilities. In this regard, the Brentwood Town Centre is, and will continue to be, well served in regard to amenities.

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3.0 CONCLUSION AND RECOMMENDATION

The development proposal for the subject rezoning application (Rezoning Reference #12-21) is for a 340 unit apartment and townhouse development within the Brentwood Town Centre Development Plan area. The proposal is considered supportable given its consistency with the adopted Plan, in its pursuance of quality architecture and a progressive landscaping treatment and location proximate to area amenities and transit services.

This report provides information responding to questions raised at the Public Hearing, including those related to the site’s community plan designation and consultation, conformity to the Zoning Bylaw, proposed building siting, crime, traffic, loss of jobs and local businesses, and community amenities. As a condition of Final Adoption of the rezoning, the developer will be required to complete the required prerequisites of the subject rezoning application, as well as obtain the necessary City approvals and permits. In view of the above, the development proposal is considered to be supportable.

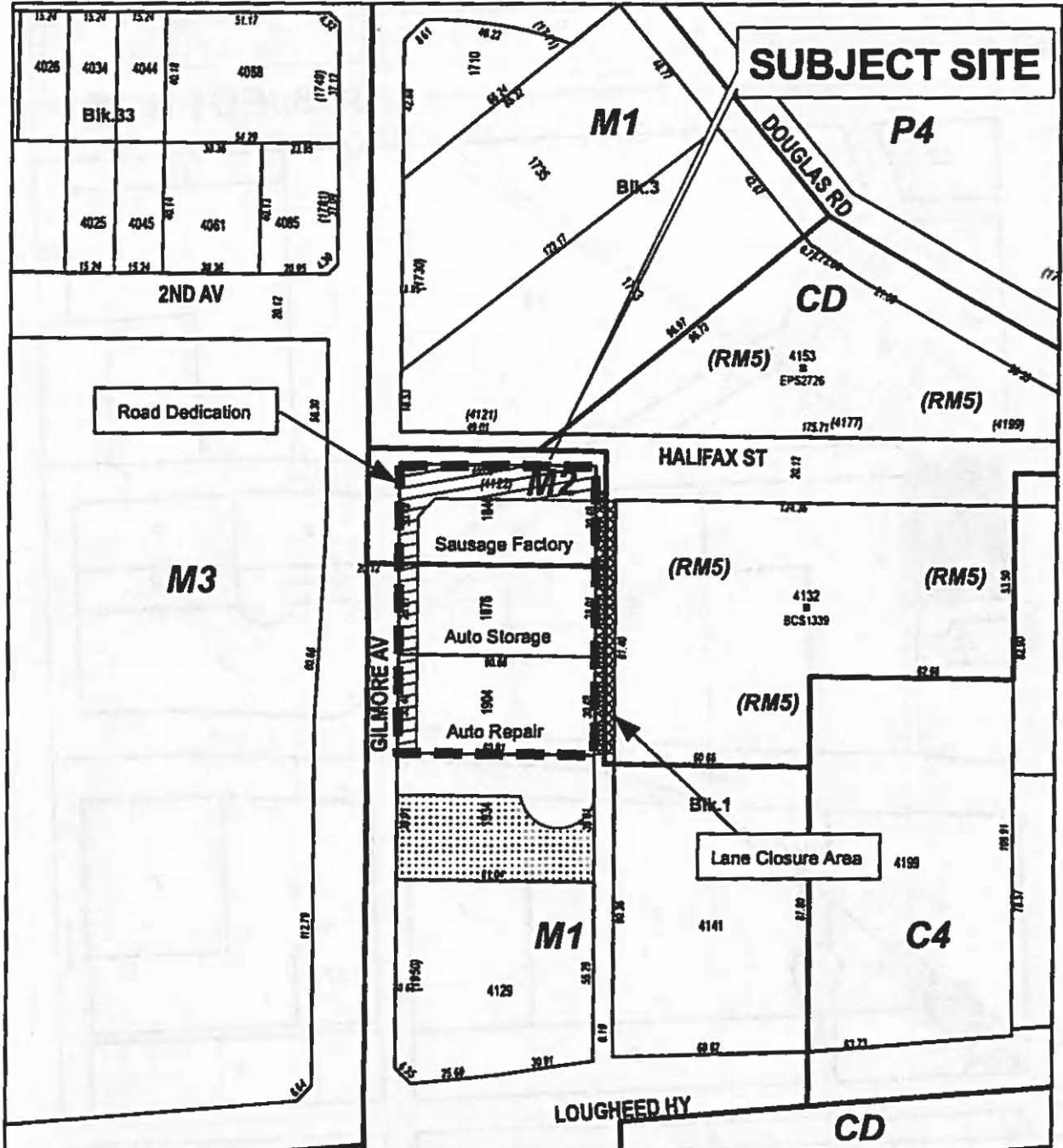
It is recommended that a copy of this report be sent to the applicant and those who spoke at, or submitted correspondence to the Public Hearing for Rezoning Reference #12-21.


Lou Pelletier, Director
PLANNING AND BUILDING

JBS:spf
Attachments

cc: Director Engineering
Chief Building Inspector
City Clerk

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PLANNING & BUILDING DEPARTMENT



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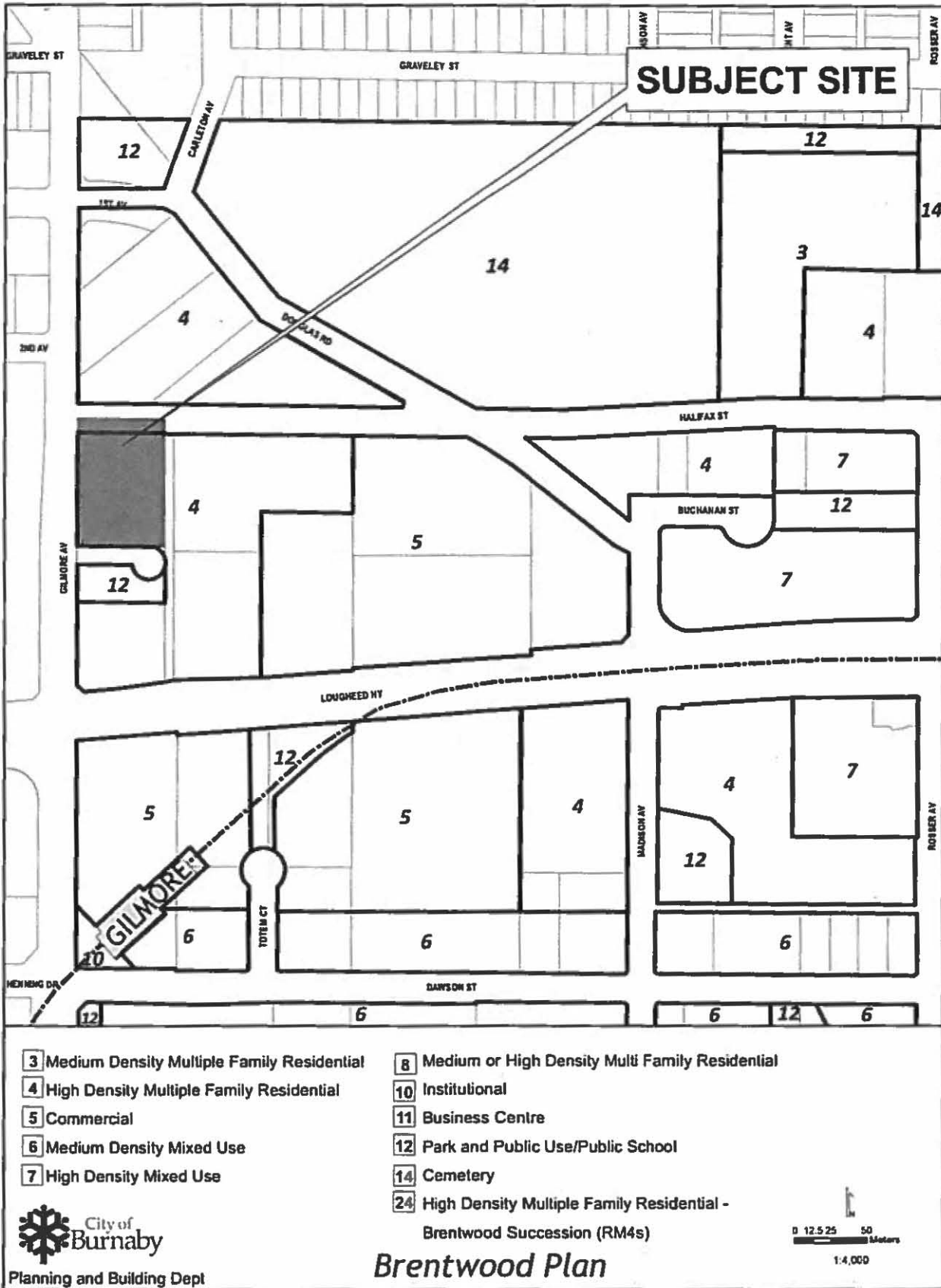
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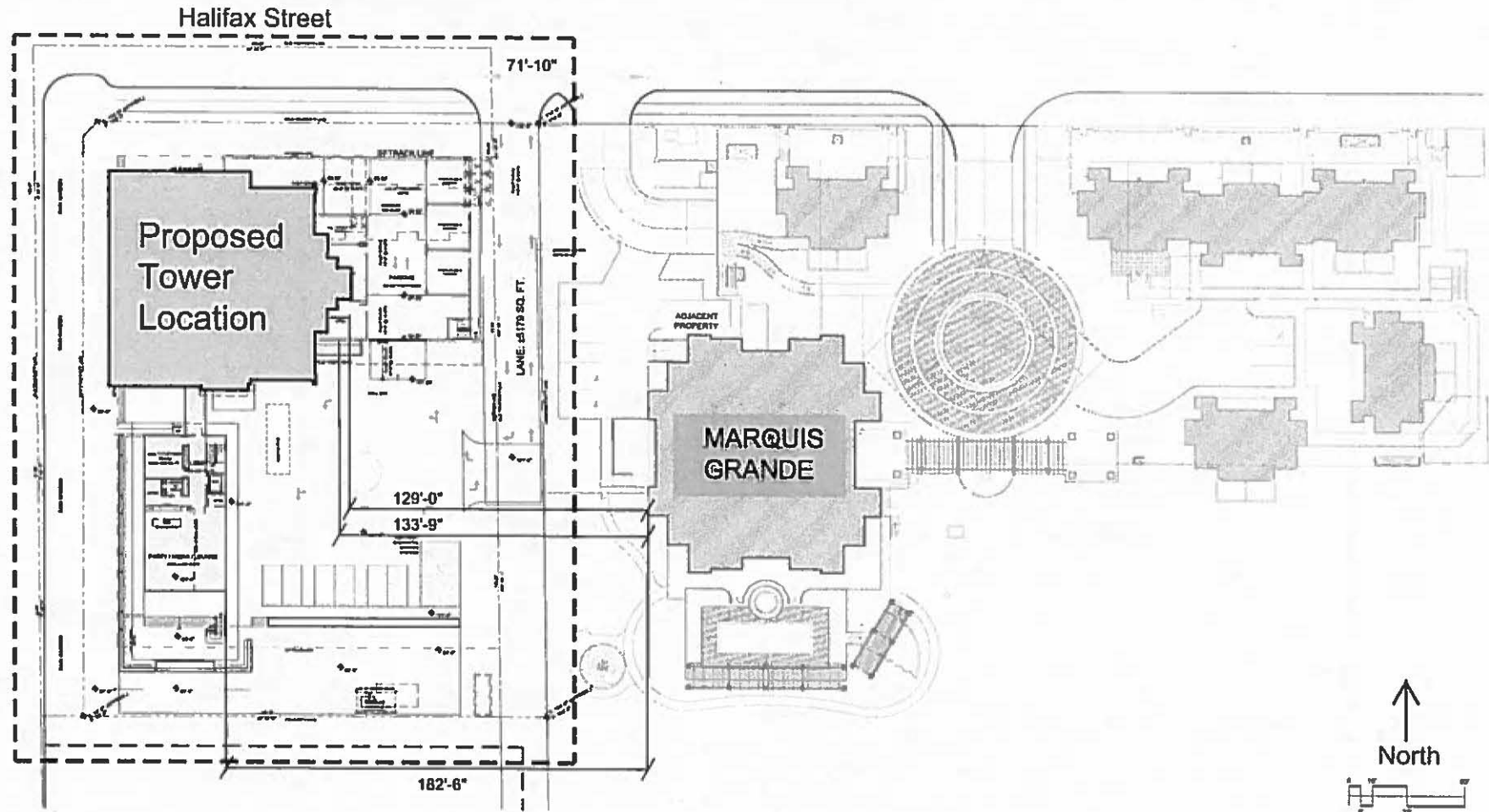
 Subject Site  Proposed Open Space

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

Sketch #1



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Site Context

Sketch #3