City of Burnaby

Item	
Meeting	2015 October 26

COUNCIL REPORT

TO: CITY MANAGER 2015 October 21

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #14-35**
High-Rise Apartment Tower with Street Fronting Townhouses
Brentwood Town Centre Development Plan

ADDRESS: 2338 and 2440 Madison Avenue (Sketches #1 and #2 ***attached***)

LEGAL: Lot 26, D.L. 119, Group 1, NWD Plan 28536; Lot 1, D.L. 119, Group 1, NWD Plan EPP41113

FROM: M2 General Industrial District

TO: CD Comprehensive Development District (based on RM4s Multiple Family Residential District and Brentwood Town Centre Development Plan as guidelines and in accordance with the development plan entitled "Fulton House" prepared by Buttjes Architecture Inc.)

APPLICANT: Polygon Development 267 Ltd.
900 – 1333 West Broadway
Vancouver, BC V6H 4C2
(Attention: Brian Ellis)

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 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. The utilization of an amenity bonus through the provision of a $6,234,480 cash in-lieu contribution in accordance with Section 3.5 of this report.

e. The consolidation of the net project site into one legal parcel.

f. 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, ensuring compliance with the submitted acoustical analysis, ensuring the project will not draw down the water table and to ensure compliance with the Streamside Protection and Enhancement Area Setback of Chub Creek Trib 1.

g. The granting of any necessary easements and statutory rights-of-way.

h. The approval of the Ministry of Transportation to the rezoning application.

i. 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.

j. 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.

k. 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.

l. The submission of a Site Profile and resolution of any arising requirements.

m. The review of a detailed sediment Control System by the Director Engineering.

n. The submission of a suitable Solid Waste and Recycling plan to the approval of the Director Engineering.

o. The review of on-site residential loading facilities by the Director Engineering.

p. The provision of facilities for cyclists in accordance with this report.

q. Compliance with the Council-adopted sound criteria.

r. The review of a detailed Sediment Control System by the Director Engineering.

s. Compliance with the guidelines for underground parking for visitors.

t. The deposit of the applicable GVS & DD Sewerage Charge.

u. The deposit of the applicable Parkland Acquisition 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 bylaw amendment is to permit the construction of a 41 storey high-rise apartment tower with a ground oriented townhouses, underground and structured parking.

2.0 BACKGROUND

2.1 On 2014 September 29, 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 The site is comprised of 2 lots including 2338 and 2440 Madison Avenue (see Sketch #1 ***attached***), which are currently zoned M2 General Industrial District. 2338 Madison Avenue is currently vacant and 2440 Madison Avenue is occupied by a BC Hydro Transmission line.

2.3 The Brentwood Town Centre Development Plan designates the subject site for high-density multiple-family development based on the RM4s Multiple Family Residential District as a guideline. 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 3.6 FAR applicable to the net site; this is inclusive of an available 1.1 FAR amenity bonus.

2.4 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.

2.5 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 41-storey high-rise apartment tower above structured parking with ground oriented townhousing fronting Madison Avenue and amenity uses fronting the south. The development form provides a strong street-oriented relationship to Madison Avenue and the future open space right-of-way to the south, as well as a strong contextual relationship to surrounding, existing and planned development.

3.2 The proposed development is comprised of 300 apartment units (20% of which are adaptable units) and 5 townhouse units fronting Madison Avenue. Parking is proposed to be located partially underground (2 levels) and partially above ground (2 levels). 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 expectation for 's' Category development in the City's Town Centre areas. The low-rise component of the building engages the public realm through individual unit accesses on the ground level fronting Madison Avenue, and extensive use of glass on the amenity area on the ground level fronting the public access right-of-way to the south. The highly articulated tower form, with distinct lighted frames, provides a high level of interest to the south and east, as it will be clearly visible from Metrotown and the Trans-Canada Highway.

To complement the built form, a progressive landscape treatment is proposed for the amenity podium roof deck, front and side yards and bounding streets, including broad separated sidewalks on Madison Avenue complete with Rainwater Management Amenities (RMAs) within curb bulges to help soften the urban environment. Substantial on-site landscaping is also proposed including a treed entry court with water features, an outdoor amenity area for leisure and children's play area. A landscaped crushed granite public access right-of-way is required within the southern portion of the site, providing access to a future cycling and pedestrian overpass across the BNSF Rail line, connecting to the Central Valley Greenway. A significant public art piece will be provided along the Madison Avenue frontage or the public access right-of-way to the south, acting as a strong visual reference to the proposed development.

3.3 It is intended that the overall project would accommodate a broader spectrum of housing needs. To support this, the one bedroom unit sizes are generally based on the Zoning Bylaw minimum unit sizes for such dwellings in the P11e District (SFU), which requires a minimum area of 50 m^2 (538.21 sq.ft.). Smaller one bedroom units are intended to provide a level of affordability for new home ownership. This approach is considered appropriate for this site given its Town Centre location and access to SkyTrain.

3.4 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, funding for 46 (15% of total units provided) transit passes (two zones) will be provided for a minimum of two years, to be administered by the strata, and 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 4 Electric Vehicles (EV) and charging stations for use and administration by the strata corporation. Finally, the development will provide 35 Electric Vehicle (EV) 240V plug-in stations (10% of the residential parking) including all necessary wiring, metering, 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 car share cars and EV plug-in stations.

3.5 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 1.1 FAR in amenity bonus, which translates into 89,064 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 $70 per sq.ft. buildable for a total value of $6,234,480 (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 a cash contribution-in-lieu for the future use 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.

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 $6,234,480 associated with the subject amenity bonus, $4,987,584 (80%) would be allocated to the Brentwood Town Centre Financial Account. The remaining $1,246,896 (20%) would be directed to the City-wide Housing Fund.

3.6 The City Engineer will assess the need for any further required services to the site, including, but not necessarily limited to:

- construction of Madison Avenue frontage to its Town Centre standard (Local Road) with concrete curb and gutter, curb bulges, rain gardens, separated urban trail, street trees, enhanced boulevards, street and pedestrian lighting across the development frontage;
- design and proportional contribution toward a future pedestrian and cycling overpass of the BNSF/CN Rail line;
- construction of a 3.0 m crushed granite public access trail complete with landscaping, public seating and pedestrian lighting within the southern portion of the site; and,
- storm, sanitary sewer and water main upgrades as required.

No dedications are required from the subject site.

3.7 In accordance with the City's policy for adaptable units, a total of 66 units (20% of the total number of residential units) have been provided meeting adaptable standards. As permitted under the adopted policy, 20 sq.ft. for each adaptable unit is exempt from F.A.R., resulting in a total adaptable unit F.A.R. exemption of 1,320 sq.ft. As required by the Burnaby Zoning Bylaw and BC Building Code, 4 accessible parking stalls are to be provided (one handicapped stall per 100 stalls). Accessible 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, 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 portion of the site;
- 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 ensuring compliance with the approved acoustical study;
- Section 219 Covenant ensuring handicap accessible parking, be held in common property to be administered by the Strata Corporation;
- Section 219 Covenant ensuring that the site can be used safely in accordance with the approved geotechnical study; and,
- Section 219 Covenant ensuring that the water table will not be drawn down during and after development.

3.9 Due to the proximity of the subject site to the BNSF Rail line, the applicant is required to provide an acoustical study showing that the proposed development, which is approximately 39.6m (130 ft.) from the rail property, would meet the Council-adopted noise criteria.

3.10 There are currently no trees on site, as such an arborist's report and tree survey are not required in conjunction with this application.

3.11 Provision of four separate car wash stalls is required.

3.12 A site profile application is required given the site's current industrial use.

3.13 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.

3.14 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.

3.15 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.

3.16 The submission of a Solid Waste and Recycling Access Plan to the approval of the Director Engineering

3.17 The submission of a Residential Loading Plan to the approval of the Director Engineering.

3.18 Bicycle storage space and surface parking racks are to be provided for the residential tenants and visitors of the development.

3.19 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**

Site Area	-	7,521.83 m^2 (80,967 sq.ft.) (subject to detailed survey)

4.2 **Density**

F.A.R. Permitted and Provided:	-	3.6 F.A.R. (inclusive of 1.1 FAR amenity bonus)
Gross Floor Area Permitted and Provided:	-	27,078.40 m^2 (291,479 sq.ft.) (inclusive of 89,064 sq.ft. amenity bonus)
Residential Amenity Space:	-	(5,000 sq.ft. of residential amenity space exempted from FAR calculations)
Site Coverage:	-	56%
4.3 **Height** (all above grade)	-	3 storeys for street-fronting townhouses fronting Madison Avenue
	-	2 storeys for residential amenity fronting south
	-	41 storeys from grade for the high-rise apartment tower fronting Madison Avenue

4.4 **Residential Unit Mix**

Unit Type	*Unit Size*
Townhouse Units	
5 – 3 bedroom Townhouse	1,457 – 1,508 sq.ft.
Apartment Units	
48 – 1 Bedroom	546 – 552 sq.ft.
10 – 1 Bedroom + Den	691 sq.ft.
10 – 1 Bedroom + Den (Adaptable)	632 sq.ft.
134 – 2 Bedroom	765 – 1,175 sq.ft.
56 – 2 Bedroom (Adaptable)	880 – 952 sq.ft.
41 – 2 Bedroom + Den	854 – 1,063 sq.ft.
1 – 3 + Bedroom	1,132 sq.ft.

TOTAL: 305 UNITS

4.5 **Parking**

Vehicle Parking		*Required*	*Provided Spaces*
305 Units	(1.1 spaces/unit)	336	349
		(inclusive of 31 visitor spaces and 35 EV plug-in stations)	
Car Wash Stalls		4	4
Electric Vehicles		4	4
Residential Loading		2	2

Bicycle Parking	*Required and Provided Spaces*
Resident - 2/unit @ 305 units	610 in bicycle lockers
Visitor - 0.2/unit @ 305 units	61 in racks (throughout site)

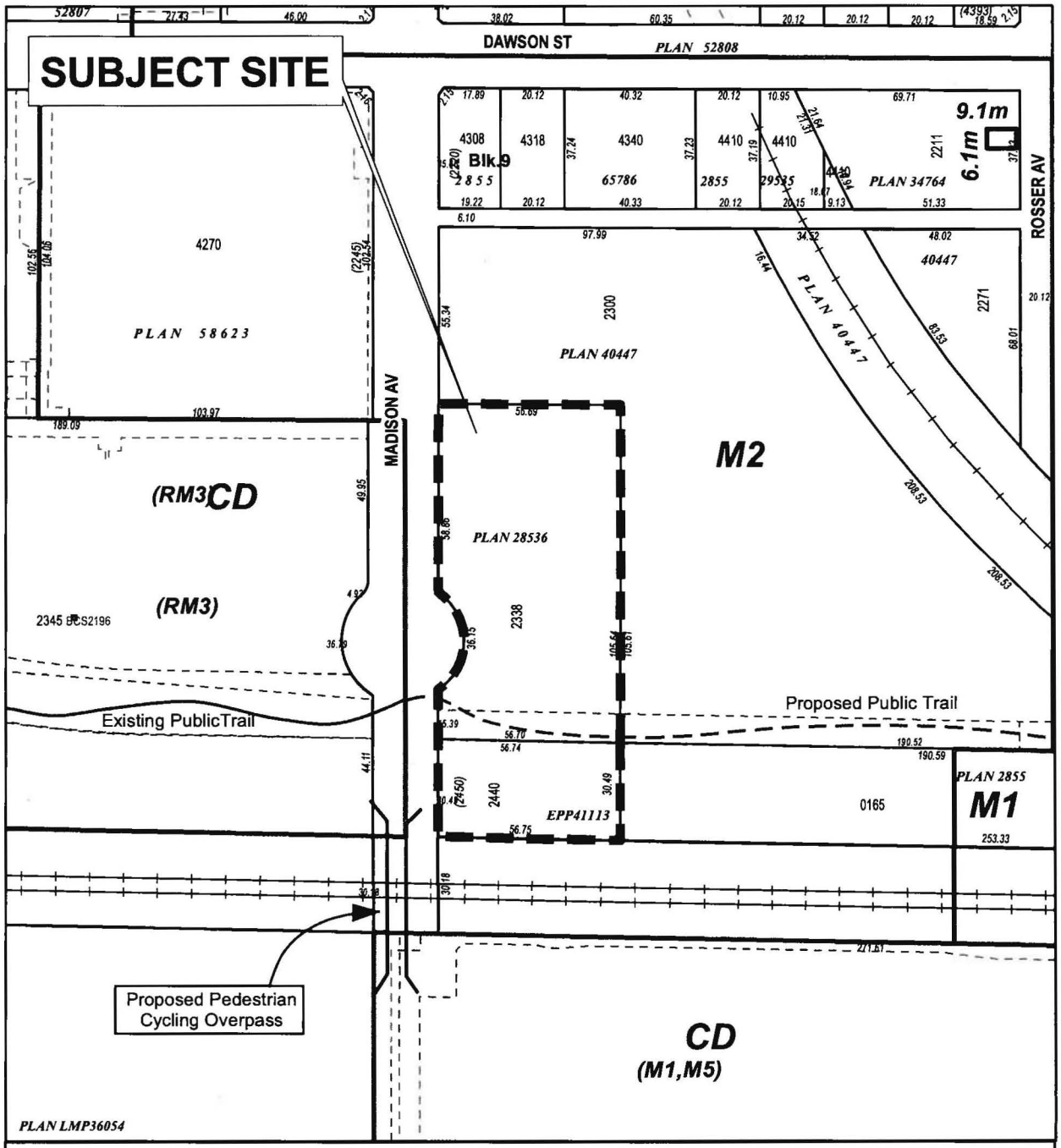
4.6 **Communal Facilities**
(Excluded from F.A.R. Calculations)

Communal facilities for residential tenants are located on the ground level of the podium fronting the public access right-of-way trail to the south and include an amenity lobby and lounge, multi-purpose meeting room, theatre room, library and fitness facility. Podium deck outdoor amenities include a children's play area, contained dog run and great lawn. The internal amenity area amounts to 464.5 m^2 (5,000 sq.ft.), which is a permitted exemption from Gross Floor Area by the Zoning Bylaw. The applicant will also provide a significant public art along the Madison Avenue or southern public access right of way 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



City of Burnaby

PLANNING & BUILDING DEPARTMENT

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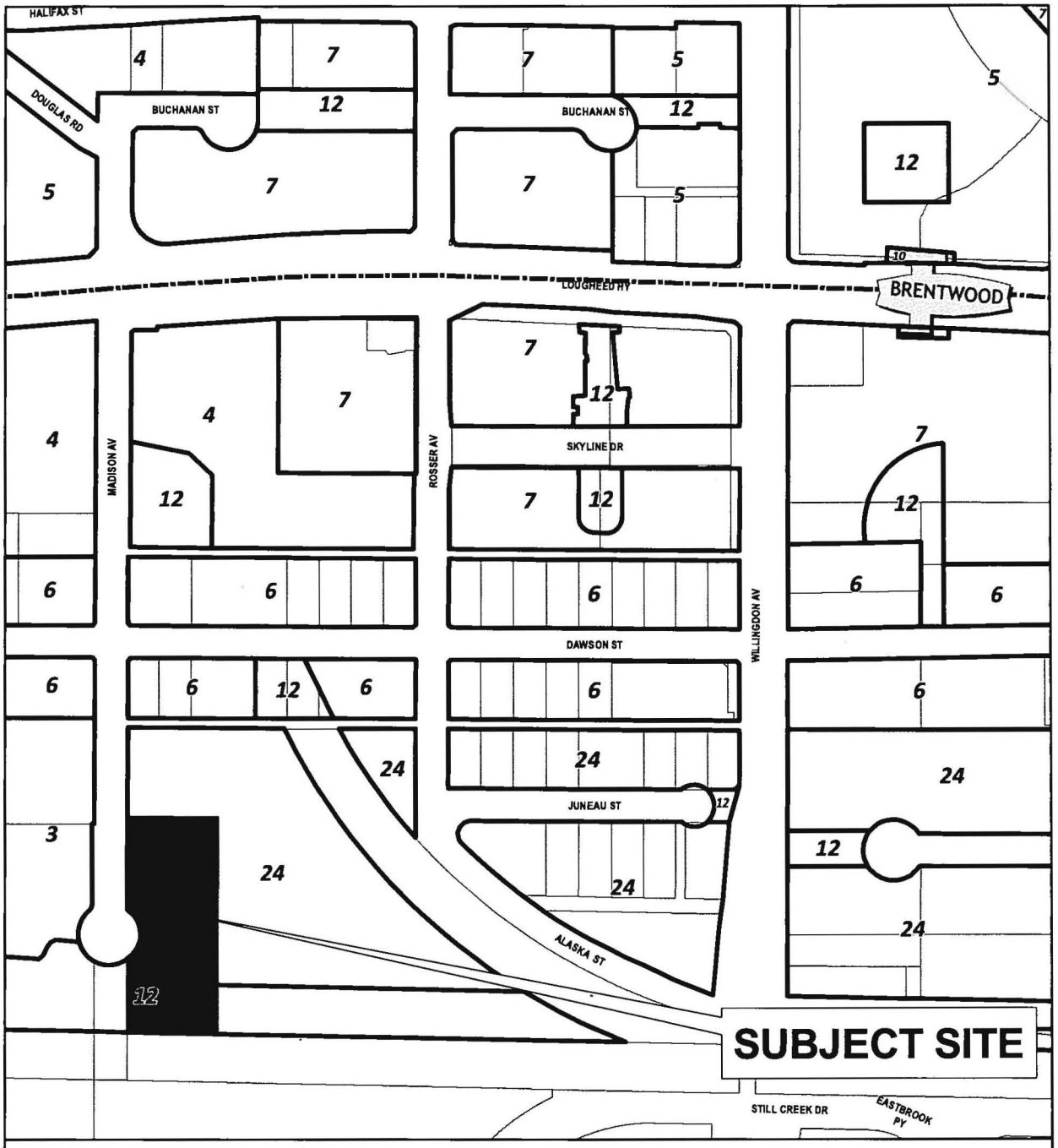
DATE: OCT 06 2015	**REZONING REFERENCE #14-35**
SCALE: 1:2,000	**2338 AND 2440 MADISON AVENUE**
DRAWN BY: AY	Subject Site

Sketch #1



3 Medium Density Multiple Family Residential
4 High Density Multiple Family Residential
5 Commercial
6 Medium Density Mixed Use
7 High Density Mixed Use
8 Medium or High Density Multi Family Residential
10 Institutional
11 Business Centre
12 Park and Public Use/Public School
14 Cemetery
24 High Density Multiple Family Residential - Brentwood Succession (RM4s)

City of Burnaby
Planning and Building Dept

Brentwood Plan

0 12.5 25 50 Meters
1:4,000

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Sketch #2