



Item
Meeting 2016 April 25

COUNCIL REPORT

TO: CITY MANAGER 2016 April 20

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #15-15
Two High Rise Apartment Buildings with Low Rise Commercial Podium

ADDRESS: 2085 and 2088 Skyline Court (see *attached* Sketches #1 and #2)

LEGAL: Lots C and D, Block 6, DL 119, NWD Plan BCP51027

FROM: CD Comprehensive Development District (based on RM5s Multiple Family Residential District and C3 General Commercial District as guidelines)

TO: Amended Comprehensive Development District (based on RM5s Multiple Family Residential District, C3 General Commercial District, and Brentwood Town Centre Development Plan as guidelines, and in accordance with the development plan entitled "SOLO Phase 3 and 4 Amendment" prepared by Chris Dikeakos Architects Inc.)

APPLICANT: Appia Developments (2001) Limited
1200 – 4445 Lougheed Highway
Burnaby, BC V5C 0E4
(*Attention: Jim Bosa*)

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2016 May 31.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2016 May 09, and to a Public Hearing on 2016 May 31 at 7:00 p.m.
2. **THAT** the following be established as prerequisites to the completion of the rezoning:
 - a. Compliance with the prerequisites established under Rezoning Reference #06-47.
 - b. The submission of a suitable plan of development.
 - c. 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

To: City Manager
From: Director Planning and Building
Re: Rezoning Reference #15-15
2016 April 20Page 2

Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.

- d. The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, as well as underground switching and transformer/service boxes, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
- e. 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.
- f. The utilization of an amenity bonus in accordance with Section 3.4 of this report.
- g. The granting of any necessary statutory rights-of-way, easements and/or covenants.
- h. The granting of any necessary Covenants, including but not necessary limited to, Section 219 Covenants:
 - restricting enclosure of balconies;
 - indicating that project surface driveway access will not be restricted by gates;
 - ensuring development densities are appropriately allocated across the development sites;
 - guaranteeing the provision and maintenance of public art;
 - ensuring that handicap accessible parking stalls in the underground residential parking areas be held in common property to be administered by the Strata Corporation;
 - ensuring compliance with the approved acoustic study;
 - ensuring the provision and ongoing maintenance of electric vehicles and EV plug-in stations, and to ensure that they remain common property; and,
 - restricting the use of guest rooms.
- i. The review of a detailed Sediment Control System by the Director Engineering.
- j. The submission of a suitable Solid Waste and Recycling plan to the approval of the Director Engineering.

To: City Manager
From: Director Planning and Building
Re: Rezoning Reference #15-15

2016 April 20Page 3

- k. The design and provision of units adaptable to persons with disabilities, the provision of customized hardware and cabinet work being subject to the sale/lease of the unit to a disabled person.
- l. The provision of covered car wash stalls and an adequately sized and appropriately located garbage handling and recycling material holding space to the approval of the Director Engineering and a commitment to implement the recycling provisions.
- m. Compliance with the guidelines for underground parking for residential visitors and commercial patrons.
- n. The review of on-site residential and commercial loading facilities by the Director Engineering.
- o. The submission of an acoustic study to ensure compliance with the Council-adopted sound criteria.
- p. The deposit of the applicable Parkland Acquisition Charge.
- q. The deposit of the applicable GVS & DD Sewerage Charge.
- r. The deposit of the applicable School Site Acquisition Charge.
- s. 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.
- t. Approval of the Ministry of Transportation to the rezoning application.

REPORT

1.0 REZONING PURPOSE

The purpose of this rezoning amendment is to permit changes to the approved CD Zoning for the final two phases of the SOLO District Development at 2085 and 2088 Skyline Court.

2.0 BACKGROUND

- 2.1 On 2012 July 16, Council granted Final Adoption to Rezoning Reference #06-47 (SOLO District), which permitted the development of a four phase, mixed use development, comprised of four high-rise apartment buildings atop office and retail podiums. The development also included a new publicly accessible roadway (Skyline Drive) on a statutory right-of-way and two new public plazas, one at Lougheed Highway and the second off Skyline Court.
- 2.2 To date, the first phase of development at 2008 Rosser Avenue has been completed and occupied including a single 45 storey apartment building atop a retail podium. The second phase at 4485 Skyline Drive is currently under construction, including a single 49 storey mixed, residential and office tower, atop a retail podium. The retail and parking portions of Phase II are also occupied. The third phase of development at 2085 Skyline Court was identified to include a single 42 storey apartment building atop an office and commercial podium, with the office component (4,570 sq.ft.) to be provided to the City as a component of the amenity bonus provision for the site. The office component has been identified for a potential Community Police Office for the Brentwood Town Centre. The fourth and final phase of development at 2088 Skyline Court was to include a single high-rise apartment building atop a retail podium. With the exception of the mixed office/residential tower at 4485 Skyline Drive (Willingdon Avenue and Lougheed Highway), the three residential apartment buildings were designed to be a trio of towers with similar architectural design elements.
- 2.3 On 2015 May 25, Council received the report of the Planning and Building Department regarding an amendment rezoning of the subject development site, which encompasses 2085 and 2088 Skyline Court, 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.

With the advancement of the first two phases, the applicant has requested the opportunity to revisit the design to make the individual residential towers more unique, but still related to the site overall, reconfigure the units to provide a broader unit mix, and provide a minor increase in the commercial floor area of the final two phases to allow for additional office and fitness facility uses. Given the continued growth of the Brentwood Town Centre and increased variation of building form and use, the proposed amendments are supported and encouraged.

- 2.4 The Brentwood Town Centre Development Plan designates this overall site for high density mixed-use development under the CD Comprehensive Development District, utilizing the RM5s Multiple Family Residential District and C3 Community Commercial District as guidelines. In terms of the governing allowable density for the site, the maximum allowable residential floor area ratio would be 5.0 FAR applicable over all four phases, which is inclusive of the proposed use of the 1.6 FAR amenity bonus, as noted in

Section 3.4 of this report. The site is also permitted a maximum commercial density of 6.0 FAR applicable over all four phases. The residential and commercial densities have been appropriately distributed across the site by way of a Section 219 Covenant (Density Allocation).

- 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 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.

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 two residential apartment buildings with low-rise street-oriented commercial and office components. Phase 3 at 2085 Skyline Court (fronting Rosser Avenue and Skyline Drive) is intended to comprise a 42 storey high rise apartment building, inclusive of a 2 storey retail, office and fitness facility podium. As noted, the commercial office component is to be owned by the City as a separate airspace parcel. Phase 4 at 2088 Skyline Court (fronting Willingdon Avenue and Skyline Drive)

To: City Manager
From: Director Planning and Building
Re: Rezoning Reference #15-15
2016 April 20Page 6

is intended to be comprised of a 48 storey high rise apartment building, inclusive of a 3 storey retail, restaurant and office podium.

As noted, the proposed amendment rezoning is to permit changes to the architectural treatment of the buildings, allow for the reconfiguration of unit types, and allow for additional commercial floor area within Phases 3 and 4 to permit a new fitness facility, larger restaurant and patio space and 1,937.03 m² (20, 850 sq.ft.) of office floor area.

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

	Height	Units	Commercial GFA (sq.ft.)	Residential GFA (sq.ft.)
<i>Previous Proposal Phase 3</i>	<i>39 Storeys</i>	<i>328</i>	<i>18,844</i>	<i>323,152</i>
Current Proposal Phase 3	42 Storeys	280	44,605	317,134
<i>Previous Proposal Phase 4</i>	<i>43 Storeys</i>	<i>365</i>	<i>35,337</i>	<i>354,940</i>
Current Proposal Phase 4	48 Storeys	319	60,080	358,483

3.2 Overall, the subject proposal is considered to embody exceptional urban design and architectural expression in terms of the building's siting, massing, pedestrian orientation and materiality; thus meeting the high standard for such development in the City's town centre areas. The proposed development concept provides a high level of urban design at ground level through engaging street oriented retail and restaurant uses along Skyline Drive, Rosser Avenue and Willingdon Avenue. The architectural amendment to the towers provides uniqueness to each building, while maintaining a unified expression for the site as a whole. The high quality materials utilized in the first two phases is carried through to the final two phases with extensive use of glass, metal panel and architectural concrete, with the towers terminating in rectangular and curvilinear forms respecting the first two towers, with the two towers visible from the west forming one architectural group and the two towers visible from the east forming a second architectural group. 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.

3.3 A total of 599 apartment units are proposed. All required residential and commercial parking is proposed to be located underground. Residential access to Phase 3 is via Skyline Court. Residential Access to Phase 4 is via the rear lane. Commercial access for Phase 3 and 4 is via Rosser Avenue and/or the rear lane.

The development proposal meets the required Burnaby Zoning Bylaw parking ratio of 1.1 spaces per residential unit (0.1 of which is for visitor parking) and 1 space per 46 m² (495.16 sq.ft.) of commercial gross floor area. To support the residential and commercial parking ratio, the developer has also provided for transportation alternatives. First, given

To: City Manager
From: Director Planning and Building
Re: Rezoning Reference #15-15
2016 April 20Page 7

the subject site's proximity to the Metrotown SkyTrain Station, the developer is providing 90 (15% of total residential 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 1,198 (two per unit) secured bicycle parking. Finally, the development will provide 60 Electric Vehicle (EV) plug-in stations (10% of off street residential parking) including all necessary wiring, electrical transformer and mechanical ventilation modifications. The applicant has also entered into a contract with MODO Car Co-op for the provision of 3 vehicles for each phase of development on site (including 1 hybrid). 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.

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

- 3.4 As approved under Rezoning Reference #06-47, the applicant has elected 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 over the entire site. The density bonus value was negotiated at \$75.00 per sq.ft. buildable which resulted in a total value of \$31,683,000 approved by Committee and Council. The contribution of the first phase was obtained upon Final Adoption of Rezoning Reference #06-47 in 2012 July, equalling \$8,802,648, with \$6,802,648 accepted as a cash contribution towards a future amenity, and \$2,000,000 secured as a letter of credit for the construction of a 4,750 sq.ft. amenity for the City in Phase 3. The second phase contribution equalling \$6,697,007 was obtained in 2013 June with the issuance of Preliminary Plan Approval (PPA) #13-108. The remaining outstanding balance of the amenity bonus for Phases 3 and 4 is \$16,697,007. Upon Final Adoption of the subject rezoning application, the amount of \$7,830,896 is required to be deposited for the allocated density bonus for Phase 3. The remaining final payment of \$8,866,111 would be required upon completion of the PPA for Phase 4. In accordance with the approved approach under Rezoning Reference #06-47, all unpaid density bonus balances are subject to an annual interest rate of 2% above RBC Prime rate, which is to be remitted quarterly.

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 \$7,830,896 associated with the Phase 3 amenity bonus,

To: City Manager
From: Director Planning and Building
Re: Rezoning Reference #15-15
2016 April 20Page 8

\$6,264,717 (80%) would be allocated to the Brentwood Town Centre Account. The remaining \$1,566,179 (20%) would be directed to the City-wide Housing Fund.

- 3.5 All required services to serve the site have been obtained through Rezoning Reference #06-47 and Subdivision Reference #08-07. Notwithstanding, the Director Engineering will be requested to assess the need for any further required services to the site.
- 3.6 All required dedications necessary to accommodate the Rosser Avenue, Loughheed Highway and Willingdon Avenue road frontages to Town Centre Standards have been obtained through Rezoning Reference #06-47 and Subdivision Reference #08-07.
- 3.7 The developer is providing 120 adaptable units (20% of total number of single-level residential units), in line with the Council-adopted Adaptable Housing policy. A total of 6 residential handicapped parking stalls are required, and 30 have been provided in relation to the residential components of the development (14 spaces within Phase 3 and 16 spaces within Phase 4). 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.
- 3.8 Any necessary easements and covenants and statutory rights-of-way 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 to ensure development densities are appropriately allocated across the development sites;
 - Section 219 Covenant guaranteeing the provision and maintenance of public art;
 - Section 219 Covenant ensuring that handicap accessible parking stalls in the underground residential parking areas be held in common property to be administered by the Strata Corporation;
 - Section 219 Covenant ensuring compliance with the approved acoustical study;
 - Section 219 Covenant ensuring the provision and ongoing maintenance of electric vehicles and EV plug-in stations, and to ensure that they remain common property; and,
 - Section 219 Covenant restricting the use of guest rooms.
- 3.9 Due to the redesign of the proposed buildings and the site's proximity to Willingdon Avenue and Loughheed Highway, the applicant is required to provide an updated acoustical study showing that the proposed development would meet the Council-adopted noise criteria.

- 3.10 Provision of 8 separate car wash stalls is required.
- 3.11 A detailed stormwater management plan was approved through Rezoning Reference #06-47 and Subdivision Reference #08-07, a Section 219 Covenant to guarantee its provision and continuing operation, and sufficient monies to guarantee the provision of the stormwater drainage and landscape features have been obtained.
- 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. The proposed Sediment Control System will then be the basis, after Final Adoption, for the necessary Preliminary Plan Approval and Building Permit.
- 3.13 Bicycle storage space surface parking racks are to be provided for the residential and commercial tenants and visitors of the development.
- 3.14 The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering is required.
- 3.15 The submission of a detailed residential and commercial loading management plan to the approval of the Director Engineering is required.
- 3.16 A site profile application and resolution of any arising requirements has been completed through Rezoning Reference #06-47 and Subdivision Reference #08-07.
- 3.17 A Comprehensive Sign Plan detailing sign numbers, locations, sizes and attachment details has been approved through Rezoning Reference #06-47 and Subdivision Reference #08-07.
- 3.18 Development Cost Charges, including Parkland Acquisition Charge, School Site Acquisition Charge and GVS&DD Sewerage Charge has been obtained through Rezoning Reference #06-47 and Subdivision Reference #08-07. It is noted, that any adjustments to the unit number and commercial floor area affecting the balance of Development Cost Charges will be addressed through the subject rezoning application.

4.0 DEVELOPMENT PROPOSAL

4.1 Site Area

Overall Site Area:	-	24,528.73 m² (264,025 sq.ft.)
<i>Phase 1 Area: (Not part of this application)</i>	-	<i>8,697.40m² (93,618 sq.ft.)</i>
<i>Phase 2 Area: (Not part of this application)</i>	-	<i>6,537.03m² (70,364 sq.ft.)</i>
Phase 3 Area:	-	4,893.00 m ² (52,668 sq.ft.)
Phase 4 Area:	-	4,401.30 m ² (47,375 sq.ft.)

To: City Manager
 From: Director Planning and Building
 Re: Rezoning Reference #15-15
 2016 April 20Page 10

4.2	<u>Density</u>	<u>Permitted and Provided</u>
	Total Residential Floor Area Ratio (FAR)	- 5.0 FAR.(inclusive of 1.6 FAR amenity bonus)
	<i>Phase 1 Residential FAR</i>	- <i>3.9 FAR</i>
	<i>Phase 2 Residential FAR</i>	- <i>4.0 FAR</i>
	Phase 3 Residential FAR	- 6.0 FAR
	Phase 4 Residential FAR	- 7.6 FAR
	Total Commercial Floor Area Ratio (FAR)	- 1.7 FAR
	<i>Phase 1 Commercial FAR</i>	- <i>0.7 FAR</i>
	<i>Phase 2 Commercial FAR</i>	- <i>4.1 FAR</i>
	Phase 3 Commercial FAR	- 0.8 FAR
	Phase 4 Commercial FAR	- 1.2 FAR
	Total Residential Gross Floor Area (GFA)	- 122,592.62 m² (1,319,576 sq.ft.)
	<i>Phase 1 Residential GFA</i>	- <i>33,796.83 m² (363,786 sq.ft.)</i>
	<i>Phase 2 Residential GFA</i>	- <i>26,028.92 m² (280,173 sq.ft.)</i>
	Phase 3 Residential GFA	- 29,462.71 m ² (317,134 sq.ft.)
	Phase 4 Residential GFA	- 33,304.16 m ² (358,483 sq.ft.)
	Non-Profit Amenity Space (City)	- 441.28 m ² (4,750 sq.ft.)
	Residential Amenity Space	- 1,072.38 m ² (11,543 sq.ft.) (exempted from FAR calculations)
	Adaptable Unit Exemption	- 222.97 m ² (2,400 sq.ft.)
	Total Commercial Gross Floor Area (GFA)	- 42,404.47 m² (456,438 sq.ft.)
	<i>Phase 1 Commercial GFA</i>	- <i>5,677.77 m² (61,115 sq.ft.)</i>
	<i>Phase 2 Commercial GFA</i>	- <i>27,001.15 m² (290,638 sq.ft.)</i>
	Phase 3 Commercial GFA	- 4,143.94 m ² (44,605 sq.ft.)
	Phase 4 Commercial GFA	- 5,181.61 m ² (60,080 sq.ft.)

To: City Manager
 From: Director Planning and Building
 Re: Rezoning Reference #15-15
 2016 April 20Page 11

COMBINED TOTAL SITE GFA - **164,997.10 m² (1,776,014 sq.ft.)**
 (excluding non-profit office space, amenity spaces and adaptable unit area exemptions)

Site Coverage: - 49%

4.3 Height (all above grade)

Phase 3 - 42 storeys, including 2 storey retail, office, and fitness facility institutional and office podium fronting Rosser Avenue and Skyline Drive

Phase 4 - 48 storeys, including 3 storey retail, restaurant and office podium fronting Willingdon Avenue and Skyline Drive

4.4 Phase 3 & 4 Residential Unit Mix

Unit Type

Unit Size

Phase 3 (Rosser Avenue)

1	1 Bedroom	688 sq.ft.
11	1 Bedroom + Den	626 – 645 sq.ft.
56	1 Bedroom + Den (Adaptable)	626 – 642 sq.ft.
166	2 Bedroom	801 – 1,001 sq.ft.
42	3 Bedroom	1,172 – 1,660 sq.ft.
2	3 Bedroom + Den	2,015 sq.ft.
2	4 Bedroom	2,139 sq.ft.

TOTAL: 280 High Rise Apartment Units

Phase 4 (Willingdon Avenue)

1	1 Bedroom	688 sq.ft.
12	1 Bedroom + Den	626 – 645 sq.ft.
64	1 Bedroom + Den (Adaptable)	626 – 642 sq.ft.
190	2 Bedroom	801 – 1,001 sq.ft.
48	3 Bedroom	1,172 – 1,660 sq.ft.
2	3 Bedroom + Den	2,015 sq.ft.
2	4 Bedroom	2,139 sq.ft.

TOTAL: 319 High Rise Apartment Units

TOTAL UNITS: 599 UNITS

To: City Manager
 From: Director Planning and Building
 Re: Rezoning Reference #15-15
 2016 April 20Page 12

4.5 Phase 3 & 4 Parking

Vehicle Parking

Residential Parking

	<u>Required</u>	<u>Provided Spaces</u>
599 Units @ 1.1 spaces/unit	- 658 (inclusive of 60 visitor spaces, 6 handicapped parking stalls and 66 EV plug-in stations)	688
Car Wash Stalls	- 7	8
Co-op Cars	- 6	6
Residential Loading	- 2	2

Commercial Parking

	<u>Required</u>	<u>Provided Spaces</u>
90,196 sq.ft. retail/office @ 1 space / 495.16 sq.ft.	- 183	211
City Amenity Office @1/495.16 sq.ft.	- 10	12
300 seat restaurant @ 1space / 5 seats	- 60	64
Commercial Loading	- 2	2

Bicycle Parking

	<u>Required</u>	<u>Provided Spaces</u>
Resident - 2/unit @ 599 units	- 1,198 lockers	1,228 lockers
Visitor - 0.2/unit @ 479 units	- 119 spaces	143 spaces
Commercial – 10% of required parking	- 25 spaces	88 spaces

To: City Manager
From: Director Planning and Building
Re: Rezoning Reference #15-15
2016 April 20 Page 13

4.6 Communal Facilities
(Excluded from FAR Calculations)

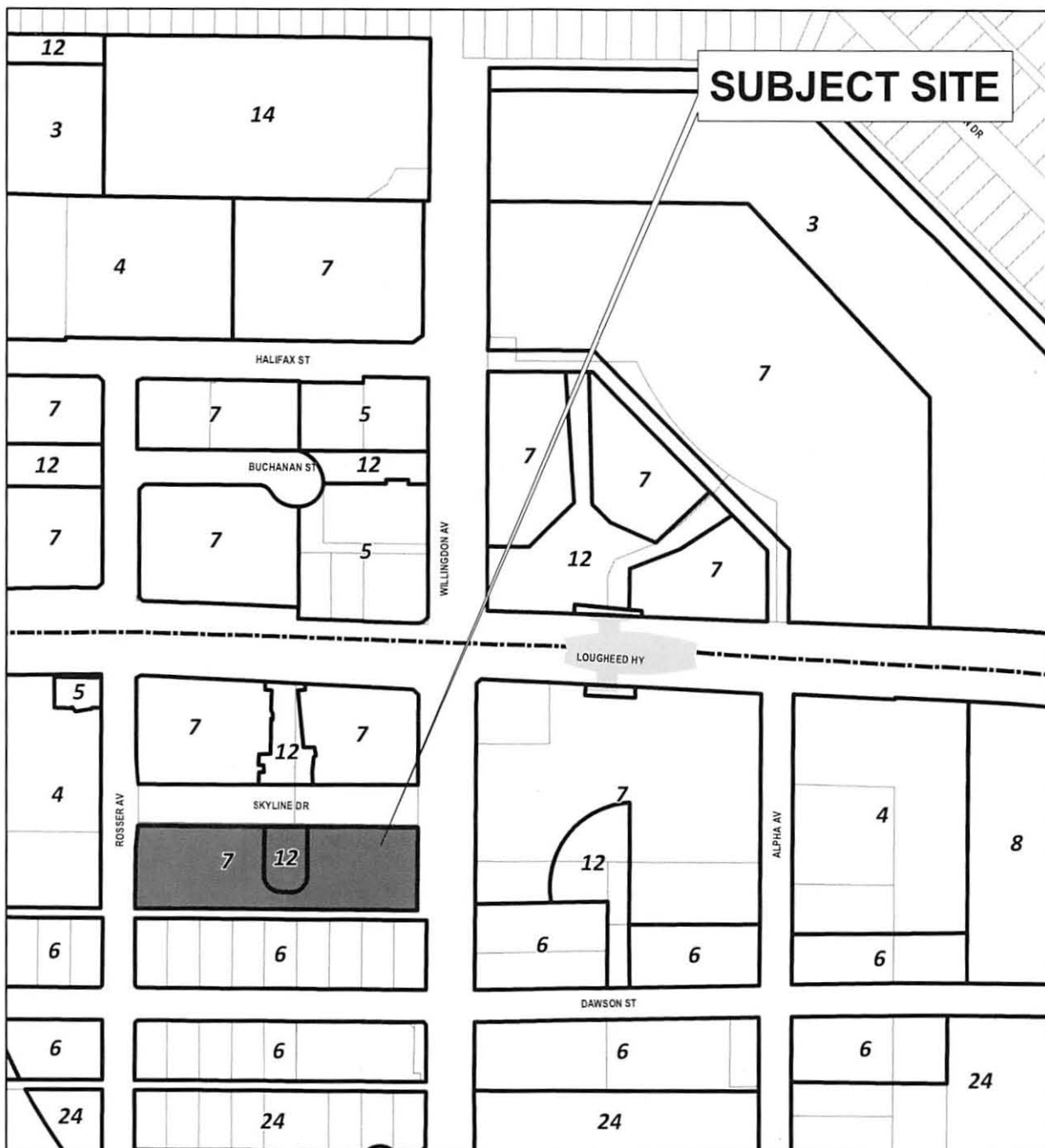
Communal facilities for residential tenants within Phase 3 and 4 are located on the ground floor of both buildings, and between the second and ninth floor with access to the roof deck areas above the commercial/office podiums. Amenities include amenity lobbies with seating area, multi-purpose meeting/media/games rooms, fitness rooms, guest suites and outdoor seating, garden and children's play areas. The total internal amenity area measures 1,072.38 m² (11,543 sq.ft.), which is permitted to be excluded from Gross Floor Area (GFA) by the Zoning Bylaw. The applicant will also commission a substantial public art installation within the courtyard area (Skyline Court) as a requirement of the rezoning application.


Lou Pelletier, Director
PLANNING AND BUILDING

JBS:spf
Attachments

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

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- 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)



Planning and Building Dept

Brentwood Plan

