



Item
Meeting 2016 August 29

COUNCIL REPORT

TO: CITY MANAGER 2016 August 24

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #15-26**
Apartment tower with street-oriented townhouses
Metrotown Town Centre

ADDRESS: 6668, 6688, 6710/6712, 6730 Dunblane Avenue and 6661, 6687, 6709 Marlborough Avenue (Sketches #1 and #2 *attached*)

LEGAL: Schedule A (*attached*)

FROM: RM3 Multiple Family Residential District and CD Comprehensive Development District (based on RM3 Multiple Family Residential District)

TO: CD Comprehensive Development District (based on RM5s Multiple Family Residential District and Metrotown Town Centre Development Plan as guidelines, and in accordance with the development plan entitled "Vittorio" prepared by Buttjes Architecture Inc. dated 2016 August 07)

APPLICANT: Polygon Development 276 Ltd.
900 -1333 West Broadway
Vancouver, BC V6H 4C2
(Attention: Rene Rose)

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2016 September 20.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be advanced to First Reading on 2016 August 29 and to a Public Hearing on 2016 September 20 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

To: City Manager
From: Director Planning and Building
Re: REZONING REFERENCE #15-26
Apartment tower with street-oriented townhouses
2016 August 24..... Page 2

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 (as well as underground switching and transformer/service boxes in town centre locations), and to the point of connection to the existing service where sufficient facilities are available to serve the development.
- d) The submission of an Undertaking to remove all improvements prior to Final Adoption of the Bylaw, but not prior to Third Reading of the Bylaw. 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 cash in-lieu contribution in accordance with 3.5 of this report.
- f) The dedication of any rights-of-way deemed requisite.
- g) The consolidation of the net project site into one legal parcel.
- h) The granting of any necessary statutory rights-of-way, easements and/or covenants.
- i) The granting of Section 219 Covenants, including, but not limited to:
 - restricting enclosure of balconies;
 - indicating that project surface driveway access will not be restricted by gates;
 - guaranteeing the provision and maintenance of public art;
 - ensuring compliance with the approved acoustical study;
 - guaranteeing the provision and ongoing maintenance of stormwater management facilities;
 - ensuring the provision and ongoing maintenance of the storage/bicycle repair room, and to ensure that it remains common property to be administered by the Strata Corporation;

To: City Manager
From: Director Planning and Building
Re: REZONING REFERENCE #15-26
Apartment tower with street-oriented townhouses
2016 August 24..... Page 3

- ensuring the provision and ongoing maintenance of a minimum of three electric vehicle and three Level 2 Electric Vehicle Charging Stations, and to ensure that they remain as common property to be administered by the Strata Corporation; and,
 - ensuring that handicap accessible parking stalls in the underground parking areas be held in common property to be administered by the Strata Corporation.
- j) The review of a detailed Sediment Control System by the Director Engineering.
- 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 suitable Solid Waste and Recycling Plan to the approval of the Director Engineering.
- m) 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 and with allocated disabled parking spaces.
- n) The provision of 3 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.
- o) The review of on-site residential loading facilities by the Director Engineering.
- p) The submission of a tenant assistance plan.
- q) The provision of facilities for cyclists in accordance with this report.
- r) Compliance with the Council-adopted sound criteria.
- s) The undergrounding of existing overhead wiring abutting the site.
- t) The deposit of the applicable Parkland Acquisition Charge.
- u) The deposit of the applicable GVS & DD Sewerage Charge.
- v) The deposit of the applicable School Site Acquisition Charge.

To: City Manager
From: Director Planning and Building
Re: REZONING REFERENCE #15-26
Apartment tower with street-oriented townhouses
2016 August 24..... Page 4

- 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 the proposed rezoning bylaw amendment is to permit a 38-storey apartment building with street-oriented townhouses fronting Dunblane and Marlborough Avenues.

2.0 BACKGROUND

- 2.1 On 2015 November 23, Council received the report of the Planning and Building Department regarding the rezoning of the subject development 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 subject site is comprised of seven properties at 6668, 6688, 6710/6712, 6730 Dunblane Avenue and 6661, 6687, 6709 Marlborough Avenue. The properties are occupied by seven residential buildings, which are described as follows:
 - 6668 Dunblane Avenue: three-storey fourplex (stratified) constructed in 2004;
 - 6688 Dunblane Avenue: 8 unit, two-storey apartment building constructed in 1962;
 - 6710/6712 Dunblane Avenue: two-storey duplex (stratified) constructed in 2002;
 - 6730 Dunblane Avenue: three-storey, 11-unit apartment building constructed in 1953
 - 6661 Marlborough Avenue: 8-unit, three-storey apartment building constructed in 1959;
 - 6687 Marlborough Avenue: 8-unit, three-storey apartment building constructed in 1959; and,
 - 6709 Marlborough Avenue: single family dwelling constructed in 1939.

All of the subject site's properties are zoned RM3 Multiple Family Residential District, with the exception of the property located at 6668 Dunblane Avenue. This property was rezoned to CD Comprehensive Development District (RM3) to permit the construction of the stratified residential fourplex (Rezoning Reference #02-25).

To: City Manager
From: Director Planning and Building
Re: REZONING REFERENCE #15-26
Apartment tower with street-oriented townhouses
2016 August 24..... Page 5

Directly to the north of the subject site is the "Midori" development - a 37-storey apartment building with ground oriented townhouses along Dunblane and Marlborough Avenues (Rezoning Reference #13-14) - which is currently under construction. The "Midori" development is being advanced by the same applicant as the subject site.

Directly to the south is a rezoning application to develop a 27-storey apartment building with street-oriented townhouses on Marlborough Avenue and a minor live-work component on Imperial Street (Rezoning Reference #15-01) which is currently at Third Reading.

To the west, across Dunblane Avenue are low-rise apartment buildings that are part of a proposed consolidation area and high-rise apartment development (Rezoning Reference #15-49), of which a report requesting public hearing is also on Council's agenda. To the northwest, across Dunblane Avenue, are three high-rise apartment developments with street-fronting townhouses under construction: The "Met 1" (Rezoning Reference #10-29) - occupancy permit stage; "Met 2" (Rezoning Reference #12-15)-under construction; and, "The Park" (Rezoning Reference # 13 -17) - under construction.

- 2.3 The Metrotown 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 area ratio would be 5.0 applicable to the net site, which is inclusive of a 1.6 FAR amenity bonus.
- 2.4 Burnaby has and continues to benefit from some 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 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.

To: City Manager
From: Director Planning and Building
Re: REZONING REFERENCE #15-26
Apartment tower with street-oriented townhouses
2016 August 24..... Page 6

Further, Burnaby's Economic Development and Social Sustainability Strategies, in addition to the Town Centre Plan, encourage: a varied range of housing options (including ground orientation); improved neighborhood livability, stability and accessibility; transit access and alternative forms of transportation; as well as green building policies.

The subject rezoning application is consistent with these regional and municipal plans and policies.

2.5 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 38-storey apartment tower with two to three storey ground oriented townhousing fronting Dunblane and Marlborough Avenues. The development also includes a residential amenity pavilion at the south end of the site, oriented towards Dunblane Avenue that is strongly integrated with the architectural character of the abutting townhouses and apartment tower. The pavilion incorporates a lounge, fitness room, and half-court gym. The overall development form 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 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 standards and objectives for such development in the City's Town Centre areas. The developer has also committed to demonstrating sustainability through building design, materiality and efficiency (water, energy and waste management) initiatives. To complement the built form, a progressive landscape treatment is proposed which includes boulevards and street trees on Dunblane and Marlborough to help soften the urban environment. Substantial on-site planting is also integrated with the outdoor amenities, including lawn space, a dog play area, a children's play area and urban agriculture plots for residents.

A total of 263 units are proposed as part of the suitable plan of development. The units include 255 units located within the high-rise units, three townhouse units oriented towards Dunblane Avenue, and five townhouse units oriented towards Marlborough Avenue. The pedestrian entrance into the lobby is oriented towards Dunblane Avenue at the north end of the site. Through the site's servicing, upgraded pedestrian and on-street parking facilities on Dunblane and Marlborough Avenues will be undertaken, including the provision of sidewalks, street trees and pedestrian lighting.

To: City Manager
From: Director Planning and Building
Re: REZONING REFERENCE #15-26
Apartment tower with street-oriented townhouses
2016 August 24..... Page 7

3.2 Vehicular access and loading areas are accessed from the private lane abutting the north side of the site in the form of a port-cochere. The laneway, protected by Statutory Right-of-Way for public access, connects Dunblane and Marlborough Avenues. Underground parking access and egress from the lane is also provided to the Midori development (Rezoning Reference #13-14) to the north.

3.3 With regard to the residential parking for the development, the required parking ratio is 1.1 spaces per unit (of which 0.1 is for visitor parking), commensurate with the proposed transportation alternatives proposed for the site. The development has provided the following transportation alternatives:

- provision of a 50% subsidy on two-zone transit passes for all residential units within the development for 12 months;
- provision of one bike wash / bicycle repair room in the underground parking levels with a repair stand, bike pump and washing station;
- provision of twice the required long-term residential bicycle parking spaces to be provided in secured residential bicycle lockers;
- provision of twice the required visitor bicycle parking spaces to be provided as bike racks at the front entrance of the development and in the underground parkade;
- provision of three electric vehicles and three Level 2 Electric Vehicle (EV) charging stations to be held as common property, with a cash contribution to the strata corporation to cover the maintenance cost of the vehicles for a ten year period;
- 10% of the parking stalls to have Level 2 electric vehicle charging stations; and,
- delivery of a communication strategy to be used in the marketing of the project and for initial strata meeting to properly inform potential and new residents of the various traffic demand management benefits provided.

3.4 The submission of a Tenant Assistance Plan is required in line with Council's adopted policy. The Tenant Assistance Plan submitted by the applicant includes the following commitments:

- to meet or exceed the requirements of the City's Tenant Assistance Policy;
- advance notice of at least three months before any of the units must be vacated;
- the equivalent of three months' rent as compensation for each tenanted unit to help cover moving expenses and relocation costs;
- tenants who have resided on the subject lands for 3 years or longer will be eligible for additional compensation based on the following formula:
 - \$600 per year for years 3 to 5 of residency within the building.
 - \$800 per year for years 6 to 10 of residency within the building.
 - \$1,000 per year for 11 or more years of residency within the building.

- updated notices on the status of the rezoning process prior to Public Hearing, Third Reading, and Final Adoption;
- a Tenant Liaison Coordinator will be provided to Tenants and will act as the primary point of contact for all Tenant inquiries related to the redevelopment and the eventual move out of the Tenants; and,
- the use of Polygon’s property management company to use their best efforts to assist tenants in finding rental accommodation in other buildings they manage or other rental availabilities.

3.5 Given the site’s Town Centre location, the applicant is proposing to use 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 8039.5 m² (86,536 sq. ft.) of additional gross floor area (GFA) included in the development proposal. The Legal and Lands Department will provide an estimate of value for the residential density of 1.6 FAR amenity density bonus. In accordance with Council’s adopted Community Benefit Bonus Policy, it is recommended that the community benefit funds be received as an undesignated cash in-lieu contribution for the future provision of a community benefit. A separate report detailing the value of the density bonus will be forwarded to Council for consideration and approval prior to the subject amendment bylaw receiving Third Reading. The report to Council will be prepared once the Legal and Lands Department has concluded negotiations with the applicant. Council approval of the density bonus value is a prerequisite condition of the rezoning.

Under the Priority Amenity Program, the community benefit funds received will be directed into the Metrotown Town Centre Account to be utilized in the future to achieve priority amenities, as established by Council, including a new Metrotown Performance / Events Centre. This centre would include facilities for the performing arts and a broad range of community events and occasions.

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.

3.6 The Director Engineering will be required to provide an estimate for all services necessary to serve this site. The servicing requirements for this development will include, but not necessarily be limited to the construction of Dunblane and Marlborough Avenues to their final Town Centre standard (local road) with cycle provisions, separated sidewalks, street trees, enhanced boulevards, and street and pedestrian lighting across the development frontage. Storm, sanitary sewer and water main upgrades are also required, as needed.

To: City Manager
From: Director Planning and Building
Re: REZONING REFERENCE #15-26
Apartment tower with street-oriented townhouses
2016 August 24..... Page 9

- 3.7 In accordance with the City’s policy for adaptable units, a total of 53 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 FAR, resulting in a total adaptable unit FAR exemption of 1,060 sq. ft. A total of 3 handicap accessible parking stalls are provided in connection with this development. 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:
- Section 219 Covenant restricting enclosure of balconies;
 - Section 219 Covenant indicating that project surface driveway access will not be restricted by gates;
 - Section 219 Covenant guaranteeing the provision and maintenance of public art;
 - Section 219 Covenant 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 guaranteeing the provision and ongoing maintenance of stormwater management facilities;
 - Section 219 Covenant ensuring the provision and ongoing maintenance of one storage/bicycle repair room, and to ensure that this room remains common property to be administered by the Strata Corporation;
 - Section 219 Covenant ensuring the provision and ongoing maintenance of three electric vehicle and three fast charging (Level 2) Electric Vehicle Charging Stations, and to ensure that they remain as common property to be administered by the Strata Corporation; and,
 - Statutory right-of-way to ensure that the private lane is abutting the subject site’s northern property line.
- 3.9 Due to the proximity of the subject site to Imperial Street, the applicant is required to provide an acoustical study showing that the proposed development would meet the Council-adopted noise criteria.
- 3.10 Provision of three separate car wash stalls is required.
- 3.11 As the site will be fully excavated for development, an arborist’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 landscaping plan has been provided as part of the suitable plan of development to provide trees on the site.

To: City Manager
 From: Director Planning and Building
 Re: REZONING REFERENCE #15-26
 Apartment tower with street-oriented townhouses
 2016 August 24.....Page 10

- 3.12 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.
- 3.13 The undergrounding of all overhead wiring abutting the subject site is required.
- 3.14 The 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 suitable Solid Waste and Recycling Access Plan to the approval of the Director Engineering is required.
- 3.16 The submission of a suitable on-site residential loading plan to the approval of the Director Engineering is required.
- 3.17 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 (subject to detailed survey)**
 Gross Site Area - 5,024.5 m² (54,085.1 sq.ft.)
- 4.2 **Site Coverage** - 33%
- 4.3 **Density and Gross Floor Area**
 Residential Density - 5.0 FAR
 Residential Gross Floor Area - 25,123.3 m² (270,425.3 sq.ft.)
 (excluding permitted exemptions)
- 4.4 **Residential Unit Mix**
 1 - Studio - 53.7 m² (578.5 sq.ft.)
 215 - Two Bedroom - 70.1 m² (754.8 sq.ft.) – 84.4 m² (908 sq.ft.)
 (inclusive of 53 adaptable units)
 4 - Two Bedroom + Den - 106.8 m² (1,149.4 sq.ft.) – 110.4 m² (1,188.5 sq.ft.)

To: City Manager
 From: Director Planning and Building
 Re: REZONING REFERENCE #15-26
 Apartment tower with street-oriented townhouses
 2016 August 24.....Page 11

- 35 -Three Bedrooms - 101.8 m² (1,096 sq.ft.)
- 1 -Townhouse (Two Bedroom) - 104.1 m² (1,120.3 sq.ft.)
- 7 -Townhouse (Three Bedroom) - 126 m² (1,356.7 sq.ft.) – 131.2 m² (1,412.4 sq.ft.)

TOTAL NUMBER OF UNITS: - 263 units (*inclusive of 53 adaptable units*)

- 4.5 **Building Height**
- two to three storeys for townhouses fronting Dunblane Avenue
 - three storeys for townhouses fronting Marlborough Avenue
 - 38 storeys for apartment tower

- 4.6 **Vehicle Parking**
 263 units @ 1.1 spaces per unit
 Minimum Required - 290 spaces
- Provided - 304 spaces (*including 27 visitor parking space*)

- 4.7 **Bicycle Parking**
 263 units @ 2.2 spaces per unit
 Required – 579 spaces
- Provided - 593 spaces (*including 54 visitor spaces in racks*)

4.8 **Communal Facilities**
(Excluded from FAR Calculations)

Primary communal facilities for residential tenants are located within a residential amenity pavilion at the south end of the site, oriented towards Dunblane Avenue. The pavilion incorporates a lounge, fitness room, and half gym. The total amenity area amounts to 9,736.5 sq. ft., which is less than the permitted 13,521 sq. ft. (5%) of Gross Floor Area permitted within the Zoning Bylaw.

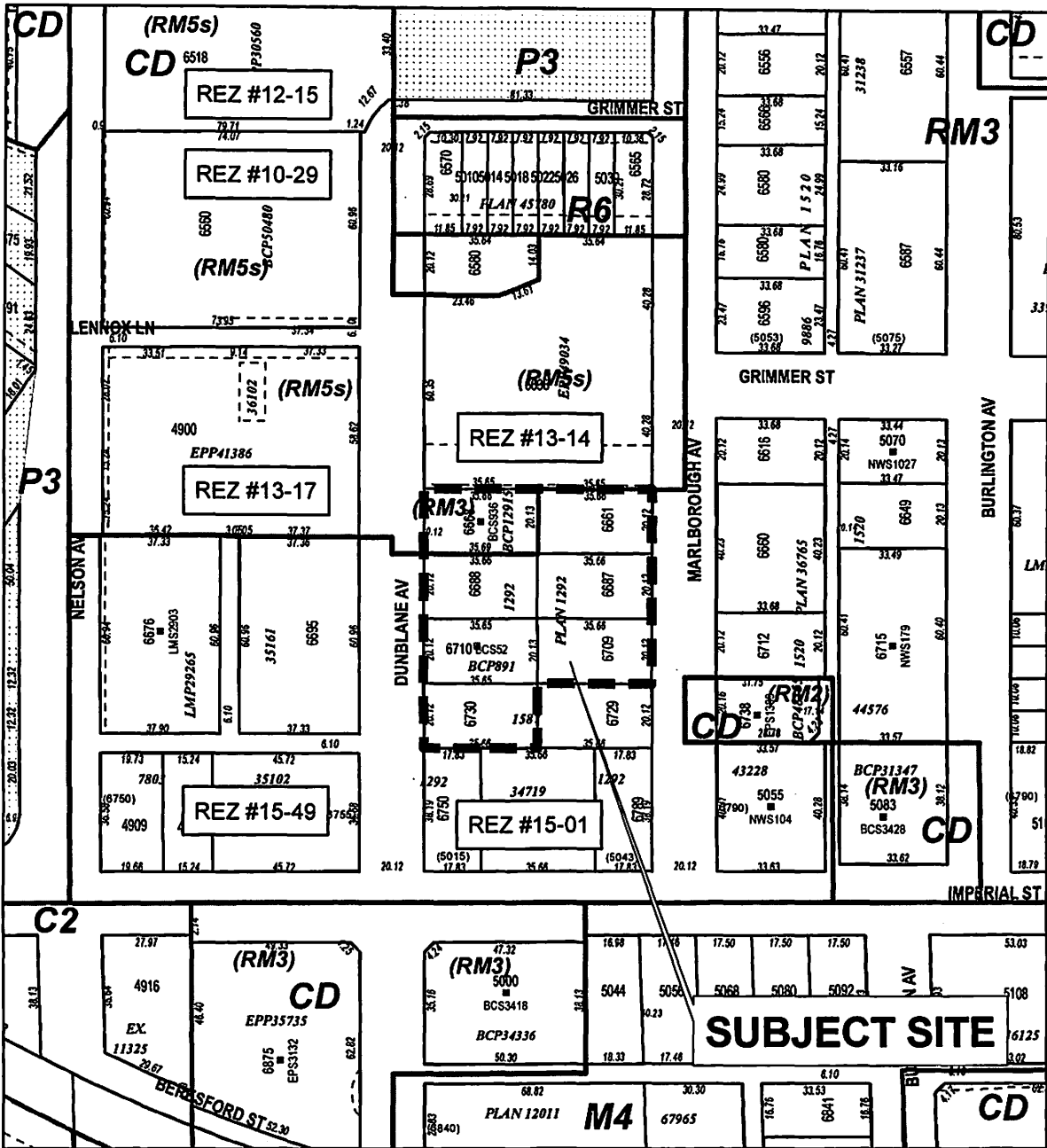

 Lou Pelletier, Director
 PLANNING AND BUILDING

JD:spf
Attachments
 cc: Director Engineering
 City Solicitor
 City Clerk

REZONING REFERENCE #15-00026

SCHEDULE "A"

ADDRESS	LEGAL DESCRIPTION
6668 Dunblane Avenue	Strata Lots' 1, 2, 3 & 4, DL 152, Group 1, NWD Strata Plan BCS936
6688 Dunblane Avenue	Lot 20, DL 152, Group 1, NWD Plan 1292
6710/12 Dunblane Avenue	Strata Lots' 1 & 2, DL 152, Group 1, NWD Strata Plan BCS52
6730 Dunblane Avenue	Lot 22, DL 152, Group 1, NWD Plan 1292
6661 Marlborough Avenue	Lot 8, DL 152, Group 1, NWD Plan 1292
6687 Marlborough Avenue	Lot 7, DL 152, Group 1, NWD Plan 1292
6709 Marlborough Avenue	Lot 6, DL 152, Group 1, NWD Plan 1292



PLANNING & BUILDING DEPARTMENT



DATE:
AUG 22 2016

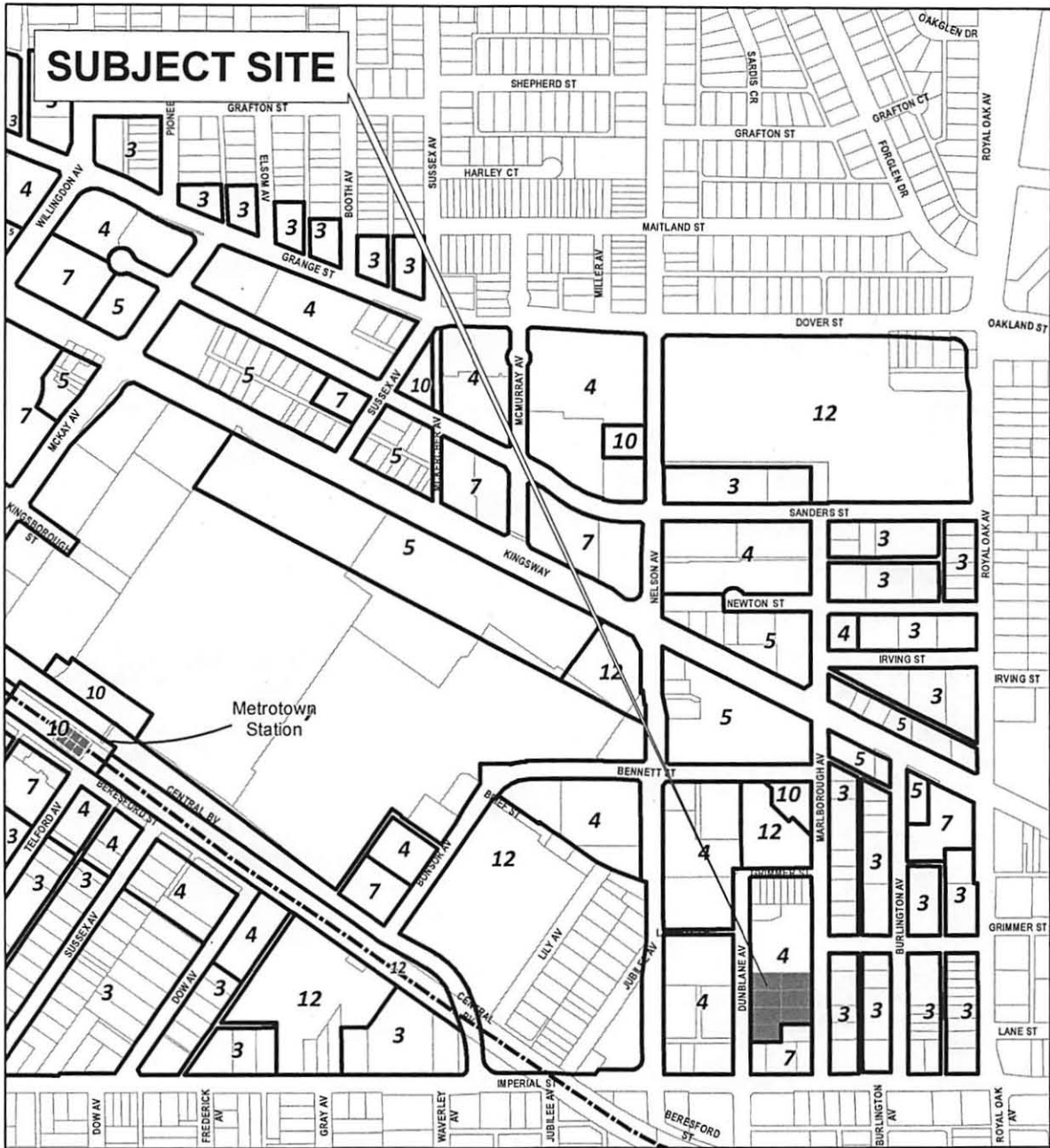
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REZONING REFERENCE #15-26
6668, 6688, 6710, 6712 AND 6730 DUNBLANE AVENUE
6661, 6687 AND 6709 MARLBOROUGH AVENUE

Subject Site

Sketch #1



- | | |
|---|---|
| 2 Low Density Multiple Family Residential | 7 High Density Mixed Use |
| 3 Medium Density Multiple Family Residential | 10 Institutional |
| 4 High Density Multiple Family Residential | 12 Park and Public Use/Public School |
| 5 Commercial | |
| 6 Medium Density Mixed Use | |



Planning and Building Dept

Metrotown Plan

