



Item
Meeting2017 December 11

COUNCIL REPORT

TO: CITY MANAGER 2017 December 06

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #16-53**
High-Rise Apartment and Commercial Area (Tower 4)
in the Lougheed Town Centre Phase 1 Site
Lougheed Town Centre Plan

ADDRESS: Portion of 9855 Austin Road (see *attached* Sketches #1, #2 and #3)

LEGAL: Portion of Lot 79, DL 4, Group 1, NWD Plan 36145 Except Plans BCP5531 and EPP10716

FROM: CD Comprehensive Development District (based on Lougheed Town Centre Core Area Master Plan and Lougheed Town Centre Plan as guidelines)

TO: Amended CD Comprehensive Development District (based on C3 General Commercial District, RM5s Multiple Family Residential District, Lougheed Core Area Master Plan, and Lougheed Town Centre Plan as guidelines, and in accordance with the development plan entitled "Lougheed Town Centre – Phase 1 Tower 4" prepared by GBL Architects Inc.)

APPLICANT: Shape Properties Corp.
2020 One Bentall Centre
505 Burrard Street, Box 206
Vancouver, BC V7X 1M6
(Attn: Natanya Funk)

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2018 January 30.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be advanced to First Reading on 2017 December 11, and to a Public Hearing on 2018 January 30 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.

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- b) The utilization of an amenity bonus through the provision of a cash in-lieu contribution in accordance with Section 4.5 of this report.
- c) The granting of Section 219 Covenants in accordance with the subject rezoning and Rezoning Reference #15-28:
 - restricting enclosure of balconies;
 - ensuring compliance with the approved acoustical study;
 - restricting subdivision by strata plan unless and until a Section 219 covenant is registered on title to all the Tower 4 strata lots to prohibit the separate sale of the Tower 4 strata lots subject to the satisfaction of the following conditions:
 - a minimum of five years has elapsed since the issuance of occupancy for Tower 4, so as to ensure the tenure of the building remains rental for at least five years;
 - a parking ratio of 1.1 stalls per unit is provided for Tower 4, and/or such other applicable parking requirements under the City's Zoning Bylaw, to the satisfaction of the City;
 - the required parking is provided within a secure parking facility for residential use only and functions as a single integrated site, with easements or other agreements as necessary to secure the use and access of the required parking stalls;
 - received final adoption of a rezoning bylaw to amend the comprehensive development plan for Tower 4 based on the design and parking changes proposed and to review a tenant assistance plan;
 - received all other applicable City permits and approvals required in connection with the satisfaction of these conditions, including any required preliminary plan approval and building permit applications; and,
 - ensuring that the density of development of air space parcels and strata lots complies with the approved CD zoning and density allocation covenant for the site and to ensure that the overall site continues to function as a single, integrated development.
- d) 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.
- e) Compliance with the Council-adopted sound criteria.

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- f) The submission of a suitable district energy pre-feasibility study to the approval of the Director Planning and Building.
- g) The submission of a sustainability report detailing the initiatives for Tower 4 to contribute towards the environmental commitment of LEED ND Gold for the entire Phase 1 Development.
- h) The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering.
- i) The deposit of the applicable Parkland Acquisition Charge.
- j) The deposit of the applicable GVS & DD Sewerage Charge.
- k) The deposit of the applicable School Site Acquisition Charge.
- l) The completion of Rezoning References #15-28 and #15-29.

R E P O R T

1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit the construction of the last of four residential towers on the Lougheed Core Area Phase 1 site, which incorporates a commercial space on the ground-floor (see Sketch #1 *attached*), within the Lougheed Town Centre Core area.

2.0 NEIGHBOURHOOD CHARACTERISTICS

The proposed tower is located within the northeast quadrant of Lougheed Core Area Phase 1 site, above a commercial podium and parking component proposed as part of Rezoning Reference #15-28 (see Sketch #1 *attached*). There are four towers being advanced through separate rezonings atop the commercial podium: Tower 1 (Rezoning Reference #15-29), Tower 2 (Rezoning Reference #16-51), Tower 3 (Rezoning Reference #16-52), and Tower 4 (Rezoning Reference #16-53 – subject rezoning). At present, a portion of the mall building is located within the Phase 1 site. The balance of the mall complex is located west and north of the Phase 1 site. To the east across North Road in the City of Coquitlam are low rise commercial and multiple-family developments that are planned for future higher density mixed-use development. To the south of the subject site across Austin Road are commercial uses, with the Lougheed Town Centre SkyTrain Station and a bus exchange slightly beyond to the southwest, across Gatineau Place (see Sketches #2 and #3 *attached*).

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3.0 BACKGROUND INFORMATION

- 3.1 On 2016 August 29, Council granted Final Adoption to Rezoning Reference #15-23, which established the Lougheed Town Centre Core Area Master Plan. The Master Plan represents a reconceptualization of a 29.1 hectare (72 acre) area, which includes the 14.9 hectare (37 acre) shopping mall – into a vibrant, pedestrian and transit-connected, mixed-use community with diverse housing, employment, service, and recreation opportunities. The Master Plan provides direction related to the general land use, form, massing, subdivision pattern, site servicing, development phasing, and distribution of applicable development densities in the Core Area. Upon Second Reading of the Master Plan rezoning on 2016 March 07, the Lougheed Town Centre Plan was amended to reflect RM5's' and C3 designations as development guidelines for lands within the Core Area south of Cameron Street (excluding land owned by Translink to accommodate transit uses), including the subject site. The intent of the Master Plan and the Lougheed Town Centre Plan amendment is to facilitate the phased development of the Lougheed Core Area into a high-density, mixed-use area with a variety of housing opportunities, a system of shopping streets, more diverse employment and service opportunities, strong pedestrian and transit orientation, and significant amounts of public open space.
- 3.2 On 2016 November 21, Council authorized staff to continue to work with the applicant to facilitate the approval for the fourth and final tower within the Lougheed Phase 1 site (Rezoning Reference #16-53 – subject rezoning), with the understanding that a further and more detailed report would be submitted at a late date. The applicant has now submitted a plan of development for the subject rezoning that is suitable for presentation to a Public Hearing.
- 3.3 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 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 Lougheed, Brentwood, Edmonds and Metrotown 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

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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 neighborhood livability, stability and accessibility; transit access and alternative forms of transportation; as well as green building policies. Finally, the City's Corporate Strategic Plan provides a vision for a world class city committed to creating and sustaining the best quality of life for our citizens; and one which is supported by goals for a safe, connected, inclusive, healthy and dynamic community.

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

3.4 The Lougheed Town Centre Core Area Master Plan includes eight major development phases. Consistent with the Master Plan, the entire Phase 1 development will be comprised of the following:

- a commercial podium that will provide diverse shops, services, and employment opportunities;
- four high rise residential towers, with the subject tower (Tower 4) allowing for rental housing and commercial space on the ground floor;
- extensive landscaping features that will contribute towards environmental sustainability and provide opportunities for community building; and,
- significant public realm components that will help create a strong sense of place, community, and identity, and provide improved connections with the surrounding neighbourhood.

4.0 DEVELOPMENT CONCEPT

4.1 The intent of the subject rezoning bylaw amendment is to permit development of the fourth and final tower in the northeast quadrant of the Phase 1 site, atop a commercial and residential parkade, the rezoning for which is being advanced separately under Rezoning Reference #15-28. The proposed residential building is intended to be a 30 storey apartment building with commercial space on the ground floor. The applicant is proposing that the subject apartment building be initially developed for rental purposes. The applicant is proposing to stratify the building, but intend to rent the units as the common owner. The owner has agreed to a covenant that the building be used for rental purposes for a minimum of five years. This covenant will also require the owner to notify the City prior to the sale of any of the strata units and to meet certain conditions, including the provision of sufficient

parking and the execution of a tenant assistance plan to support any tenants impacted by the strata sales.

Street definition for four precincts identified in the Lougheed Core Area Master Plan is provided by the commercial podium: Austin Road, North Road, Cross Creek, and Grand Promenade. The development is in line with the Council adopted Lougheed Core Area Master Plan and the Lougheed Town Centre Plan. Finally, it is noted that the applicant is proposing that the tenure of the building be rental for a minimum of five years.

- 4.2 The governing allowable height for Tower 4 is between 30 and 45 storeys. The project proposes a height of 30 storeys to accommodate 237 apartment units and 258 m² (2,777 sq. ft.) of ground floor commercial space. The urban form and density of Tower 4 is consistent with the Master Plan density allocation covenant and the approved design guidelines embedded in the Master Plan.

- 4.3 Overall, Tower 4 exemplifies 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. At 30 storeys, Tower 4 is the shortest of the four towers. The floor plates of the subject Tower 4 are arranged in two massing volumes that offer a different height extrusion of one part against the other. The larger of the two parts extends up to 30 storeys while the smaller part sits at 25 storeys. This arrangement provides for a visibly landscaped terrace, exposed terraces and visible landscaping at the top of the building.

There are pedestrian entrances into Tower 4 from North Road and the internally oriented courtyard on the commercial podium. The lobby facing the courtyard is raised slightly above North Road and is on the same level as a commercial space that is oriented towards the pocket park at the northeast corner of the site.

Residential amenity needs for all four towers are met with a two-level 2,050.3 m² (22,069 sq. ft.) residential amenity building integrated into the top level of the commercial podium in the southwest quadrant of the Phase 1 site, which is being advanced separately under Rezoning Reference #15-29 (Tower 1). As such, Final Adoption of the amendment bylaw for Rezoning Reference #15-29 is a requirement of the subject rezoning application. In addition to the shared residential amenities, a 174.8 m² (1,881 sq.ft.) amenity lobby is proposed for Tower 4, which is within the maximum 5% floor area exemption permitted for amenity spaces.

- 4.4 Underground vehicular access to the residential parking is available from Grand Promenade, Austin Road, and Cross Creek. All parking for the entire Phase 1 development, including the residential and commercial components of Tower 4, is

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being advanced separately under Rezoning Reference #15-28. The first three residential towers in Phase 1 are strata developments that meet the required Burnaby Zoning Bylaw parking ratio of 1.1 spaces per residential unit (0.1 of which is for visitor parking). For Tower 4, a parking analysis was incorporated into the Lougheed Town Centre Core Area Transportation Master Plan, as approved through Rezoning Reference #15-23. The analysis determined that the parking demand for residential rental spaces is deemed to be 0.48 stalls per unit, below that of residential strata developments. The applicant is proposing this parking ratio for the Tower 4 rental units. The proposed parking ratio is considered appropriate for the site and has been reviewed by the Planning Department - Transportation Division.

As noted earlier, a covenant is required to ensure that, if in the future the rental component of Tower 4 is sold as strata condominium units, a total of 1.1 parking spaces per unit is required on-site within a secure parking facility for residential use only, to meet the minimum Zoning Bylaw parking requirements. The parking would have to be located proximal to Tower 4 and function as a single integrated development.

The required parking ratio of 0.48 spaces per unit is also commensurate with the proposed transportation alternatives proposed for the site. The following transportation alternatives will be provided:

- provision of a 50% subsidy on two-zone transit passes for all residential units within Tower 4 for 12 months;
- provision of bike wash and bike repair areas in the underground parkade;
- provision of twice the required residential bicycle parking spaces to be provided in secured residential bicycle lockers;
- provision of one electric vehicle and one Level 2 Electric Vehicle (EV) Charging Station for the benefit of Tower 4 residents, with a trust with sufficient funds for the strata corporation to cover the maintenance cost of the vehicle for a ten year period;
- provision of eight parking stalls for public car share on-site and eight Level 2 Electric Vehicle (EV) Charging Stations for the entire Phase 1 development;
- 10% of the required parking stalls to have Level 2 Electric Vehicle (EV) charging stations for the entire Phase 1 development; and,
- delivery of a communication strategy to be used to properly inform potential and new tenants of the various transportation alternatives provided.

- 4.5 Final Adoption of the Lougheed Town Centre Core Area Master Plan rezoning application included the registration of a density allocation covenant specifying the residential densities permitted for each individual development parcel on lands owned

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by the applicant, Shape Properties, including the subject site. Residential density on the subject site, which influences unit count and therefore required parking, has been allocated in accordance with the direction set by the Master Plan rezoning. The covenant clarifies that total residential density for each residential tower is calculated as 68% base density and 32% bonus density. The residential component of Tower 4 proposes a gross floor area of 18,897.04 m² (203,406 sq.ft.), which would amount to a base density of 12,850 m² (138,316.2 sq.ft.) and a bonus density of 6047 m² (65,089.9 sq.ft.).

Under the Priority Amenity Program, the community benefit funds received will be directed into the Lougheed Town Centre Account to be utilized in the future to achieve priority amenities, as established by Council, including a new community centre, library and pool.

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.

- 4.6 Overall, the development proposal embodies the goals and ideals of the Lougheed Town Centre Plan and the Lougheed Town Centre Core Area Master Plan, to strengthen the surrounding community, promote exceptional urban design, encourage sustainable development, establish a transit oriented development and create a diverse and inclusive community. With these goals as a foundation, the realization of this development reinforces Burnaby as a destination for employment, residential livability and continued investment.

5.0 REZONING REQUIREMENTS

- 5.1 All necessary services to serve the subject site will be obtained through the Phase 1 commercial rezoning application (Rezoning Reference #15-28).
- 5.2 All necessary dedications will be obtained through the Phase 1 commercial rezoning application (Rezoning Reference #15-28).
- 5.3 In accordance with the City's policy for adaptable units, 48 units of the total 237 units meet adaptable standards. As permitted under the adopted policy, 1.86 m² (20 sq.ft.) for each adaptable unit is exempt from FAR, resulting in a total adaptable unit FAR exemption of 89.2 m² (960 sq.ft.). A total of nine handicap accessible parking stalls are provided in connection with this development. Accessible parking stalls will be protected by a Section 219 Covenant.
- 5.4 Necessary easements, covenants, and statutory rights-of-way for the overall Phase 1 site will be registered in connection with Rezoning Reference #15-28 (Phase 1

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Commercial). Additional covenants directly related to Tower 4 that are to be provided include, but are not limited to:

- Section 219 Covenant restricting enclosure of balconies;
 - Section 219 Covenant restricting subdivision by strata plan unless and until a Section 219 covenant is registered on title to all the Tower 4 strata lots to prohibit the separate sale of the Tower 4 strata lots subject to the satisfaction of the following conditions:
 - a minimum of five years has elapsed since the issuance of occupancy for Tower 4, so as to ensure the tenure of the building remains rental for at least five years;
 - a parking ratio of 1.1 stalls per unit is provided for Tower 4, and/or such other applicable parking requirements under the City's Zoning Bylaw, to the satisfaction of the City;
 - the required parking is provided within a secure parking facility for residential use only and functions as a single integrated site, with easements or other agreements as necessary to secure the use and access of the required parking stalls;
 - received final adoption of a rezoning bylaw to amend the comprehensive development plan for Tower 4 based on the design and parking changes proposed and to review a tenant assistance plan;
 - received all other applicable City permits and approvals required in connection with the satisfaction of these conditions, including any required preliminary plan approval and building permit applications;
 - Section 219 Covenant ensuring compliance with the approved acoustical study; and,
 - Section 219 Covenant ensuring that the density of development of air space parcels and strata lots comply with the approved CD zoning and density allocation covenant for the site and to ensure that the overall site continues to function as a single integrated development.
- 5.5 An acoustical study is required to ensure compliance with Council-adopted noise criteria.
- 5.6 The submission of a district energy pre-feasibility study to the approval of the Director Planning and Building is required.
- 5.7 The submission of a sustainability report detailing the initiatives for the development to meet its environmental commitments of LEED ND Gold is required.

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5.8 Given the reliance of the proposed residential building on the commercial podium and residential amenity space provided as part of Tower 1, completion of Rezoning References #15-28 and #15-29 is a requirement of adoption of the subject rezoning bylaw.

5.9 The following cost charges are applicable:

- 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; and,
- c) GVS&DD Sewerage Charge of \$1,082.00 per apartment unit.

6.0 DEVELOPMENT PROPOSAL

Phase 1

Site Area	- 18,589 m ² (200,090 sq.ft.)
Total Site Coverage	- 79% (14,771 m ² 158,994 sq.ft.)

Tower 4 - Density and Gross Floor Area

Residential Total	- 18,897.04 m ² (203,406 sq.ft.)
Commercial Total	- 258 m ² (2,777 sq. ft.)
Building Height – Residential (above podium)	- 30 storeys

Residential Unit Mix

23 - Studio	- 37.8 m ² (407 sq. ft)
75 – One Bedroom	- 50.2 m ² (540 sq. ft) to 58.6 m ² (631 sq. ft)
29 - One Bedroom + Den	- 65.5 m ² (705 sq. ft) to 65.5 m ² (706 sq. ft)
81 - Two Bedroom	- 77.7 m ² (836 sq. ft) to 85.0 m ² (915 sq. ft)
29 – Two Bedroom + Den	- 85.3 m ² (918 sq. ft) to 93.1 m ² (1,002 sq. ft)

TOTAL NUMBER OF UNITS: - 237 units (inclusive of 48 adaptable units)

Vehicle Parking

Tower 4 Residential	- 114 spaces required
237 units @ 0.48 spaces per unit	- 114 spaces provided

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Tower 4 Commercial Area - 7 spaces required
258 m² x 2.4 / 100 = 7 - 7 spaces provided

Bicycle Parking

Secure Residential Total - 474 spaces required
237 units @ 2.0 spaces per unit - 474 spaces provided

Residential Visitor Total - 24 racks required
237 units @ 0.1 spaces per unit - 24 racks provided

Communal Facilities

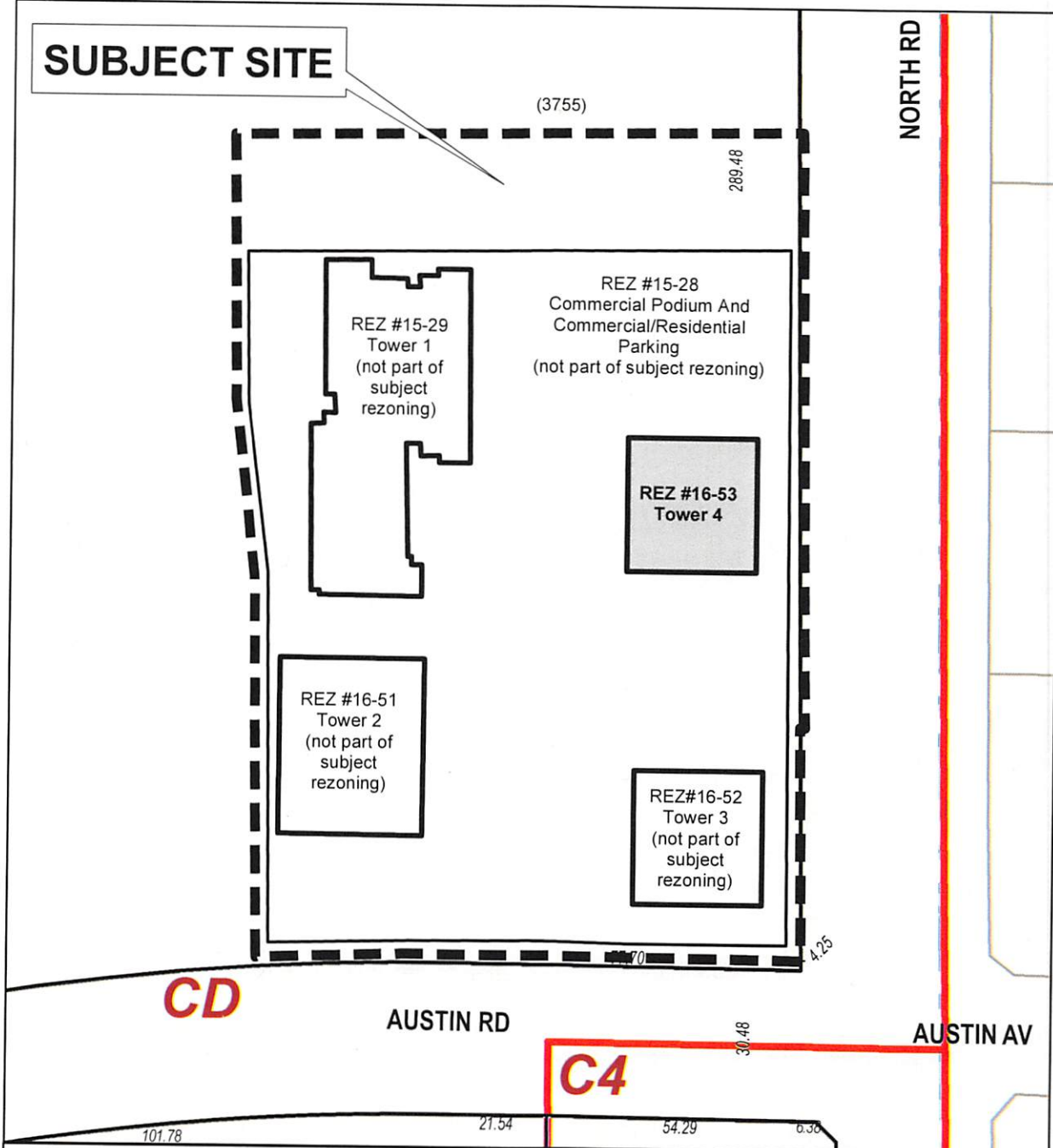
The proposed amenity area amounts to 174.8 m² (1,881 sq. ft.), which is less than the permitted which is less amenity space than the permitted 945.3 m² (10,174.7 sq. ft.) for Tower 4 (i.e. 5% of total Gross Floor Area) under the Zoning Bylaw.


Lou Pelletier, Director
PLANNING AND BUILDING

JD:eb
Attachments

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

SUBJECT SITE



PLANNING & BUILDING DEPARTMENT



DATE:

NOV 14 2016

SCALE:

1:1,300

DRAWN BY:

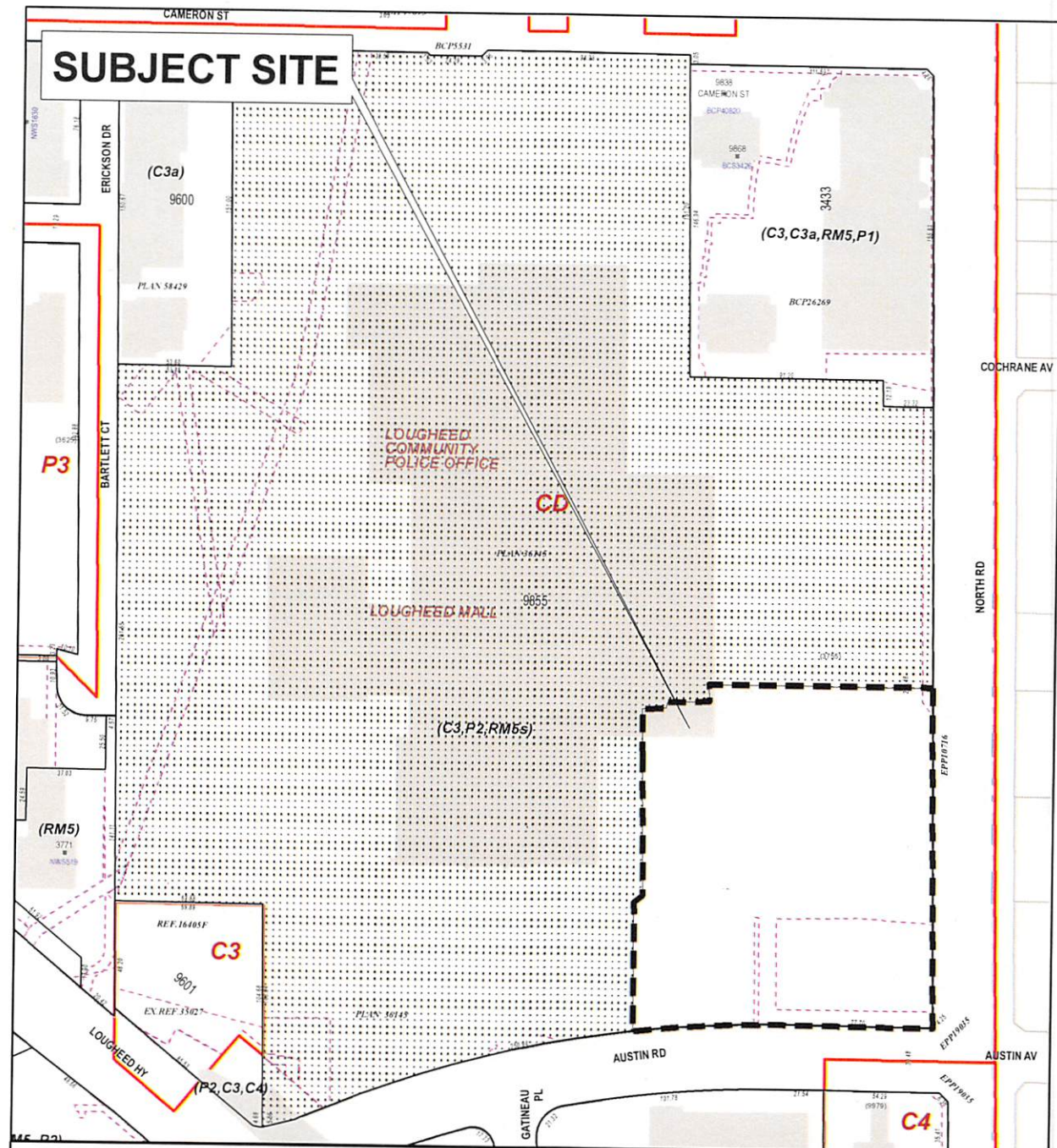
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REZONING REFERENCE #16-53
PORTION OF 9855 AUSTIN ROAD (LOUGHEED MALL)
RESIDENTIAL TOWER 4



Subject Site

Sketch #1



PLANNING & BUILDING DEPARTMENT



DATE:

NOV 14 2017

SCALE:

1:3,000

DRAWN BY:

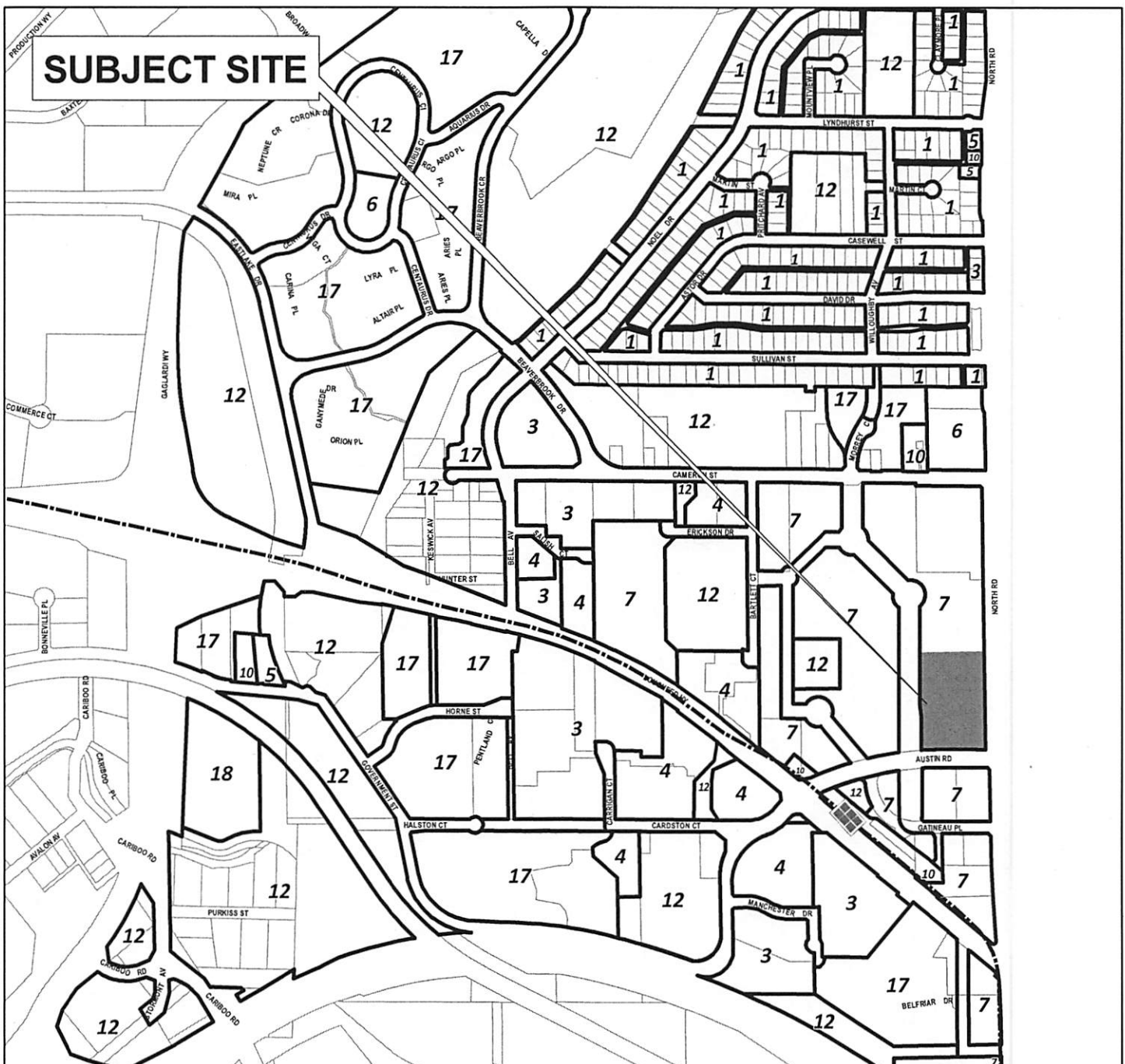
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**REZONING REFERENCE #16-53
PORTION OF 9855 AUSTIN ROAD (LOUGHEED MALL)
PHASE 1, TOWER 4**



Remnant Mall Site

Sketch #2



PLANNING & BUILDING DEPARTMENT

Lougheed Town Centre Plan