



Item
Meeting 2018 May 28

COUNCIL REPORT

TO: CITY MANAGER 2018 May 23

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #17-40**
High-Rise Apartment Building with Street-Oriented Townhouses
Metrotown Downtown Plan

ADDRESS: 5895 Barker Avenue, Portion of Olive Avenue ROW and Lane ROW
(see *attached* Sketches #1 and #2)

LEGAL: Lot 102, District Lot 151, Group 1, NWD Plan 34852

FROM: RM3 Multiple Family Residential District

TO: CD Comprehensive Development District (based on the RM5s Multiple Family Residential District and Metrotown Downtown Plan as guidelines and in accordance with the development plan entitled "Barker Street Project" prepared by IBI Group)

APPLICANT: Concord Barker Project Limited Partnership
9th Floor – 1095 Pender Street
Vancouver, BC V6E 2M6
Attn: Matthew Meehan

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2018 June 26.

RECOMMENDATIONS:

1. **THAT** the introduction of a Highway Closure Bylaw be authorized according to the terms outlined in Section 3.7 of this report, contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.
2. **THAT** the sale be approved in principle of City-owned lane in accordance with Section 3.7 of this report, and subject to the applicant pursuing the rezoning proposal to completion.

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3. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2018 June 11 and to a Public Hearing on 2018 June 26 at 7:00 p.m.
4. **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 (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 site improvements.
 - e) The utilization of an amenity bonus through the provision of a cash in-lieu contribution in accordance with Section 3.4 of this report.
 - f) The completion of the Highway Closure Bylaw.
 - g) The completion of the sale of City property.
 - h) The granting of any necessary statutory rights-of-way, easements and/or covenants, including but not limited to a statutory right-of-way along the north property, south property line and portion of east property line for vehicular access to adjacent properties.
 - i) The granting of a Section 219 Covenant:
 - restricting enclosure of balconies;
 - indicating that project surface driveway access will not be restricted by gates;
 - ensuring compliance with the approved acoustical study;
 - guaranteeing the provision and ongoing maintenance of stormwater management facilities;
 - ensuring the provision and ongoing maintenance of Electric Vehicle (EV) charging stations as outlined in Section 3.5 of this report;

- ensuring that three handicap accessible parking stalls in the underground residential parking areas be held in common property to be administered by the Strata Corporation; and,
 - guaranteeing the provision and ongoing maintenance of public art.
- 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 three 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) Compliance with the Council-adopted sound criteria.
- q) The undergrounding of existing overhead wiring abutting the site.
- r) Compliance with the guidelines for underground parking for visitors.
- s) The deposit of the applicable Parkland Acquisition Charge.
- t) The deposit of the applicable GVS & DD Sewerage Charge.
- u) The deposit of the applicable School Site Acquisition Charge.
- v) 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

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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 the construction of a single 34-storey, high-rise apartment building with townhouses oriented towards Barker Avenue.

2.0 BACKGROUND

- 2.1 The subject development site is within the Central Park East neighbourhood of the Metrotown Downtown Plan Area (see *attached* Sketch #2). The adopted Plan identifies this neighbourhood as a high density neighbourhood with a garden-like setting that is defined by its relationships to Central Park, Kingsway, the BC Parkway and Patterson SkyTrain Station. Specifically, high density multiple-family residential developments east of Central Park are intended to have a tranquil park-like neighbourhood character, enhanced with publicly accessible parkettes, as well as pedestrian and cycling linkages, which connect to Central Park, Kinnee Park, the BC Parkway and other parks within Metrotown. With respect to building form, such developments are intended for high-rise residential apartment buildings with low-rise apartments, townhousing or row-housing podiums fronting bounding streets.
- 2.2 The adopted Plan designates the subject development site for high density multiple-family residential development under the CD Comprehensive Development District, utilizing the RM5s Multiple Family Residential District as a guideline. Under the 's' zoning category, there is an expectation of significant community benefits, a sustainable redevelopment approach, exceptional public realm improvements, high quality urban design and superior architectural expression to be derived from the project. This site is also considered suitable for the 's' category parking standard of 1.1 spaces per unit given its strategic location near Expo Line SkyTrain stations, as well as the provision of an acceptable Transportation Demand Management (TDM) strategy for the site.
- 2.3 On 2018 January 29, Council received an initial rezoning report for the subject rezoning application (Rezoning Reference #17-40), which proposed to rezone the subject development site from its prevailing RM3 Multiple Family Residential District to the CD Comprehensive Development District, utilizing the RM5s Multiple Family Residential District and Metrotown Downtown Plan as guidelines. Vehicular access to the site would be via a private statutory right-of-way lane on the northern portion of the site.

The development concept is for a single 34-storey apartment building, located in the middle of the site oriented towards Central Park, and townhouse buildings fronting Barker Avenue. Parking is fully provided underground.

- 2.4 Burnaby has and continues to benefit from 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 on 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, Social and Environmental Sustainability Strategies, in addition to the Town Centre Plan, encourage: a varied range of housing options; improved neighbourhood 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.

- 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 34-storey apartment building with street fronting townhouses. All parking is to be provided underground with vehicular access provided via a reciprocal access statutory right-of-way along the north property line that will also serve the adjacent development at 5852 Patterson Avenue (Rezoning Reference #17-35). Access to the site to the south at 5932 Patterson Avenue will also be provided by way of a statutory right-of-way over the subject site.

A total of 220 units are proposed (of which 20% are adaptable). All units meet the minimum unit sizes of the Burnaby Zoning bylaw, with a mix of 1, 2 and 3 bed units.

- 3.2 Overall, the 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 Central Park East Neighbourhood. To complement the built form, a progressive landscape treatment is proposed with the front and side yards, and bounding street, including broad separated sidewalks on Barker Avenue, complete with rain gardens with curb bulges to help soften the urban environment. Substantial on-site landscaping is also proposed within the development.

All required parking for the development is proposed to be located underground, with access taken from the rear lane. A parking standard of 1.17 parking spaces per unit (0.1 of which is for visitor parking) is proposed for the development, which exceeds the minimum standard of 1.1 parking spaces per unit required by the Burnaby Zoning Bylaw. To supplement the proposed parking standard, the developer will be providing a comprehensive Transportation Demand Management Strategy, as well as a communications strategy that provides the Owners, Strata and Strata Management Company an understanding of how best to utilize each of the alternative transportation options.

- 3.3 In accordance with the CD (RM5s) District, and based on the subject site's lot area of 4,306.61 m² (46,356 sq.ft.), the applicant could achieve a maximum residential density of approximately 4.99 FAR (subject to detailed survey), inclusive of the available 1.6 FAR.
- 3.4 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 1.6 FAR in amenity bonus, which translates into 6,890.62 m² (74,170 sq. ft.) of bonused gross floor area (GFA) included in the development proposal. The Realty and Lands Division of the Department of Public Safety and Community Services has initiated discussion with the applicant on the amenity bonus value. 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. 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. 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 Bonus Housing Fund.

- 3.5 The applicant will provide 100% of the resident parking spaces as Level 2 AC (240V) electric vehicle charging stations.

- 3.6 The Director Engineering will assess the need for any further required services to the site, including, but not necessarily limited to:
- construction of Barker Avenue to Town Centre local road standard with separated sidewalks, street trees, rain gardens, and street and pedestrian lighting; and,
 - storm, sanitary sewer and water main upgrades as required.
- 3.7 No dedication is required across the frontages of the subject development site. The closure of redundant portions of the Barker Avenue and the surrounding lanes measuring approximately 1,377.01 m² (14,822 sq. ft.) and consolidation with the development site is proposed. A separate report detailing the value and sale of the surplus road and lane right-of-way area will be forwarded to Council for consideration and approval prior to the subject amendment bylaw receiving Third Reading. Council approval of the value of the surplus right-of-way is a prerequisite condition of the rezoning.
- 3.8 The development is providing 43 adaptable units within the residential apartment building, which exceed the 20% minimum requirements of the Council-adopted Adaptable Housing policy. A total of 3 handicap parking stalls are required, and 7 stalls have been provided in the underground parking area. The handicap parking stalls will be protected by a Section 219 Covenant as common property to be administered by the Strata Corporation.
- 3.9 Any necessary easements and covenants and statutory rights-of-way for the site are to be provided, including, but not necessarily limited to:
- a Section 219 Covenant restricting enclosure of balconies;
 - a Section 219 Covenant indicating that project surface driveway access will not be restricted by gates;
 - a Section 219 Covenant ensuring compliance with the approved acoustical study;
 - a Section 219 Covenant guaranteeing the provision and ongoing maintenance of stormwater management facilities;
 - a Section 219 Covenant ensuring the provision and ongoing maintenance of Electric Vehicle (EV) charging stations as outlined in Section 3.5 of this report;
 - a Section 219 Covenant ensuring that 3 handicap accessible parking stalls in the underground residential parking areas be held in common property to be administered by the Strata Corporation;
 - a Section 219 Covenant guaranteeing the provision and ongoing maintenance of public art;
 - a 6.1m (20 ft.) Statutory Right-of-way and easement is required across the north property line, and a portion of the south property line to provide vehicular access to 5852 and 5932 Patterson Avenue, and,
 - a 3.0m (9.8 ft.) Statutory Right-of-way for sanitary sewer.

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- 3.10 Due to the proximity of the subject site to the Expo SkyTrain Line and Kingsway, the applicant is required to provide an acoustical study showing that the proposed development would meet the Council-adopted noise criteria.
- 3.11 Provision of three separate car wash stalls is required for the residential development.
- 3.12 As the site will be fully excavated for development, a tree survey will be required 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 detailed landscape and tree planting plan has been provided as part of the suitable plan of development to replace existing trees to be removed from the site.
- 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.
- 3.15 The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering is required.
- 3.16 The submission of a detailed residential loading management plan to the approval of the Director Engineering is required.
- 3.17 Bicycle storage lockers and surface parking racks are to be provided for the residential tenants, and visitors of the development.
- 3.18 Tenant Assistance Plan, in line with Council's adopted policy, has been submitted.
- 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 \$1,072.00 per apartment unit, \$1,618.00 per townhouse unit

4.0 DEVELOPMENT PROPOSAL

4.1 Site Area (subject to detailed survey)

5895 Barker Avenue	- 2,929.60 m ² (31,534 sq. ft.)
Road Closure Area	- 1,377.01 m ² (14,822 sq. ft.)
TOTAL	- 4,306.61m² (46,356 sq. ft.)

- 4.2 Site Coverage - 21%
- 4.3 Density and Gross Floor Area
- Gross Site Density - 4.99 FAR
(inclusive of 1.6 FAR amenity bonus)
- Gross Floor Area - 21,489.96 m² (231,316 sq. ft.)
(inclusive of 74,170 sq. ft. in amenity bonus gross floor area)
- Residential Amenity Space - 672.71 m² (7,241 sq. ft.)
(Exempt from FAR calculations)
- Adaptable Unit Exemption - 79.9 m² (860 sq. ft.)
(20 sq. ft. /unit)
- 4.4 Residential Unit Mix
- Apartment Building***
- 31 – One bedroom + den units (adaptable) - 60.8 m² (654 sq. ft.)
- 163 – Two bedroom units - 70.0 – 110.6 m² (753 – 1,190 sq. ft.)
- 12 – Two bedroom units (adaptable) - 70.0 – 110.6 m² (753 – 1,190 sq. ft.)
- 6 – Three bedroom - 139.17 m² (1,498 sq. ft.)
- 2 – Three bedroom + 112.8 m² (1,600 sq. ft.)
- Townhouses***
- 6 – Three bedroom units - 140.8 m² – 146.7 m²
 (1,516 sq. ft. – 1,579 sq. ft.)
- TOTAL NUMBER OF UNITS** - **220 units**
- 4.5 Building Height - 34 storeys
 - 100 m (328 ft.)
- 4.6 Vehicle Parking (Residential)
- Total Required and Provided:**
- 220 units @ 1.17 spaces per unit - 257 spaces *(including 23 visitor spaces)*
- Handicap Accessible Parking Stalls - 7 spaces *(including 1 visitor spaces)*

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Electric Vehicle Charging Stations - 231 stations

Car Wash Stalls - 3 spaces

4.7 Bicycle Parking

Total Required and Provided:

Resident 2.0/unit @ 220 units - 440 spaces (lockers)

Visitor – 0.2/unit @ 220 units - 44 spaces (racks/lockers)

Bike Wash - 2 spaces

4.8 Loading

Total Required and Provided - 2 spaces

4.9 Communal Facilities (Excluded from FAR Calculations)

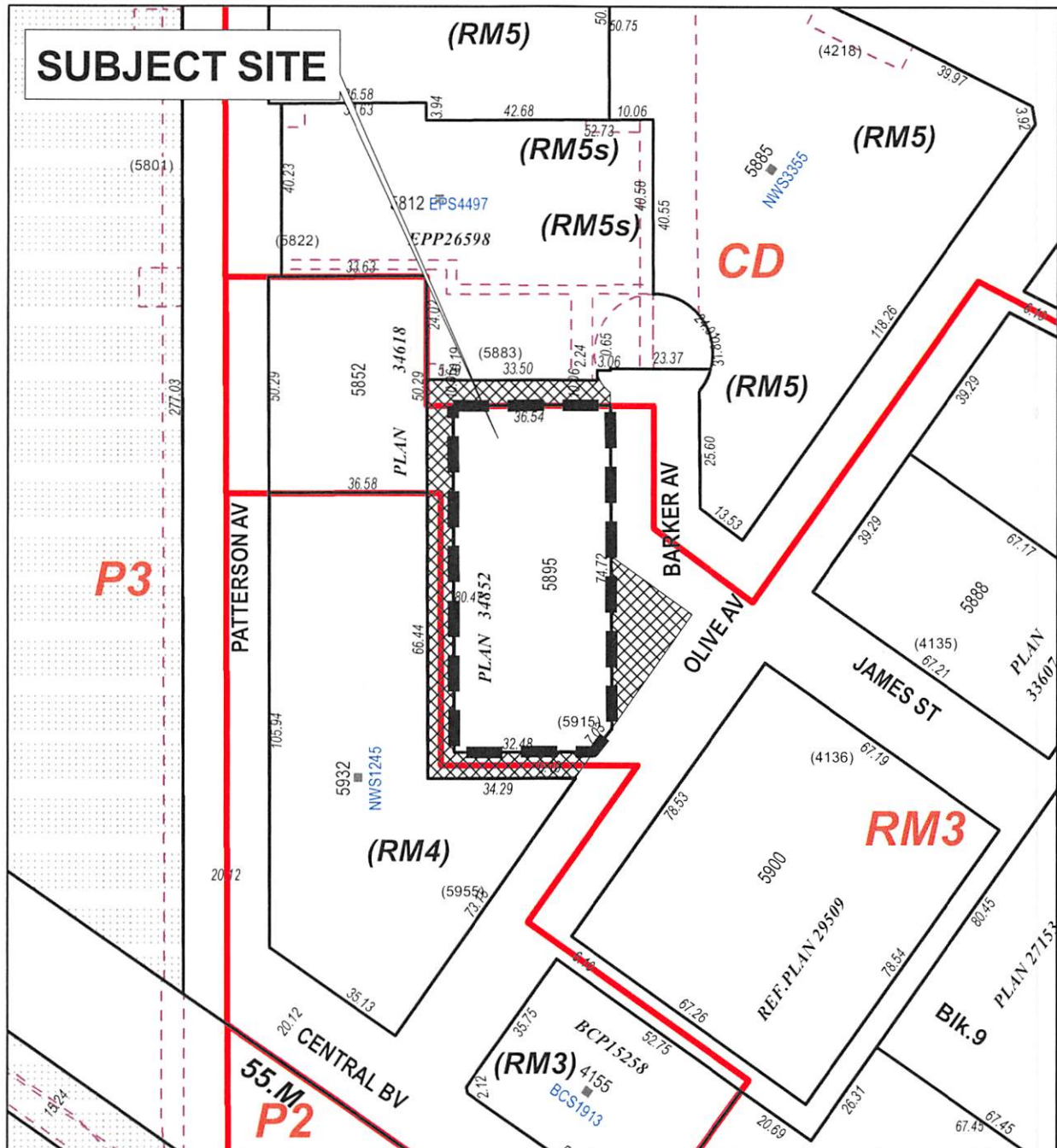
Primary communal facilities for the residential apartment building residents are located on the main floor, including an amenity lobby, mail room, concierge, party room, gym, music room, meeting room, study/business room, games room, virtual golf and guest room. The amenity area amounts to 672.71 m² (7,241 sq. ft.), which is less than the maximum 5%, or 1,074.52 m² (11,565.8 sq. ft.), exemption from Gross Floor Area permitted within the Zoning Bylaw. Outdoor amenities for the development include a bocce court, pet area, public art feature, amenity lawn areas, and amenity dining area and patios with direct access to the indoor amenity space.


Lou Pelletier, Director
PLANNING AND BUILDING

JBS:eb

Attachments

cc: Director Engineering
Director Public Safety and Community Services
City Solicitor
City Clerk



PLANNING & BUILDING DEPARTMENT



DATE:
JAN 22 2018

SCALE:
1:1,500

DRAWN BY:
AY

REZONING REFERENCE #17-40
5895 BARKER AVENUE

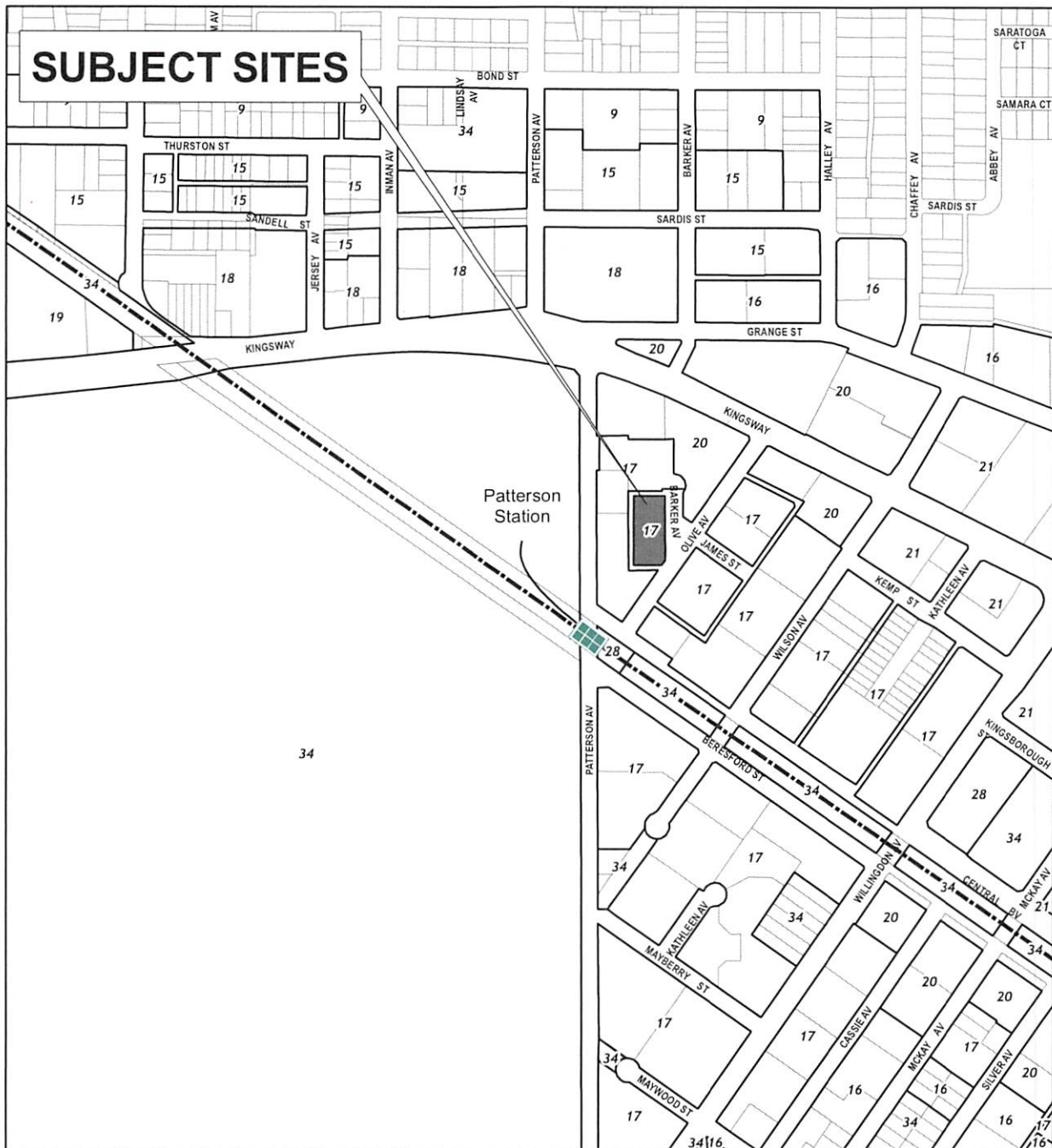


Subject Site



Proposed Road Closure Area

Sketch #1



- 9 Medium Density Residential (RM3s)
- 15 High Density Residential (RM5)
- 16 High Density Residential (RM4s)
- 17 High Density Residential (RM5s)
- 18 High Density Mixed Use (RM4s/C2)
- 19 High Density Mixed Use (RM4s/C3)

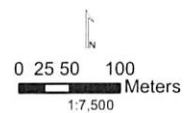
- 20 High Density Mixed Use (RM5s/C2)
- 21 High Density Mixed Use (RM5s/C3)
- 28 Institutional
- 30 Public School (P3)
- 34 Park and Public Use (P3)



Planning and Building Dept

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Metrotown Plan



Sketch #2