



Item
Meeting 2019 October 28

COUNCIL REPORT

TO: CITY MANAGER 2019 October 23

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #17-30**
High-Rise Apartment Building with Rental Apartment Podium
Metrotown Downtown Plan

ADDRESS: 6556, 6566, 6580 and 6596 Marlborough Avenue
(see *attached* Sketches #1 and #2)

LEGAL: See *attached* Schedule A

FROM: RM3 Multiple Family Residential District

TO: CD Comprehensive Development District (based on the RM4s Multiple Family Residential District, RM4r Multiple Family Residential District and Metrotown Downtown Plan as guidelines and in accordance with the development plan entitled "Marlborough" prepared by GBL)

APPLICANT: Accorde Properties Corp
2000 - 1066 W Hastings Street
Vancouver, BC V6E 3X2
Attn: Edward Archibald

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2019 November 19.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2019 November 04 and to a Public Hearing on 2019 November 19 at 6:00 p.m.
2. **THAT** the following be established as prerequisites to the completion of the rezoning:
 - a) The submission of a suitable plan of development.
 - b) The deposit of sufficient monies including a 4% Engineering Inspection Fee to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the

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

- c) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development (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 utilization of an amenity bonus through the provision of a cash in-lieu contribution in accordance with Section 4.4 of this report.
- e) The granting of any necessary statutory rights-of-way, easements and/or covenants.
- f) The granting of any necessary Section 219 Covenants in accordance with Section 4.11 of this report.
- g) The registration of a Housing Agreement and Housing Covenant and Council consideration and approval of a Housing Agreement Bylaw as described in Section 4.12 of this report.
- h) The execution of a Tenant Assistance Plan, to the approval of the Director of Planning and Building.
- i) The review of a detailed Sediment Control System by the Director Engineering.
- j) 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.
- k) The submission of a suitable Solid Waste and Recycling plan to the approval of the Director Engineering.
- l) 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.
- m) 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.
- n) The review of on-site residential loading facilities by the Director Engineering.
- o) The submission of a Public Art Plan.
- p) Compliance with Council-adopted sound criteria.

- q) The provision of facilities for cyclists in accordance with this report.
- r) The undergrounding of existing overhead wiring abutting the site.
- s) Compliance with the guidelines for underground parking for visitors.
- 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.
- w) The deposit of the applicable Regional Transportation Cost Charge.
- x) 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.

R E P O R T

1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit the construction of a 34-storey, mixed-tenure apartment building and a four-storey affordable rental apartment building.

2.0 POLICY FRAMEWORK

The proposed rezoning application is consistent with the site's designation in the Metrotown Downtown Plan. It also aligns with the following goals and sub-goals of the Corporate Strategic Plan:

A Connected Community

- Social Connection – Enhance social connections throughout Burnaby

A Dynamic Community

- Economic Opportunity – Foster an environment that attracts new and supports existing jobs, businesses and industries
- Community Development – Manage change by balancing economic development with environmental protection and maintaining a sense of belonging

An Inclusive Community

- Serve a diverse community – Ensure City services fully meet the needs of our dynamic community

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- Create a sense of community – Provide opportunities that encourage and welcome all community members and create a sense of belonging

3.0 BACKGROUND

- 3.1 The subject development site is within the Marlborough neighbourhood of the Metrotown Downtown Plan area (see attached Sketch #2). The properties are occupied by three rental apartment buildings built between 1951 and 1964 with a total of 36 units, and a single family dwelling built in 1937. The adopted Metrotown Downtown Plan designates the subject site for high density multiple-family residential development under the CD Comprehensive Development District, utilizing the RM4s Multiple Family Residential District as a guideline. The adopted Plan identifies this neighbourhood as the eastern gateway into Metrotown. The scale and intensity of development in the Marlborough neighbourhood is intended to be distinctly lower than that of the Metro Downtown neighbourhood. With respect to building form, the subject site is designated for a high-rise residential apartment building with low-rise apartments, townhousing or row-housing podiums fronting Marlborough Avenue.
- 3.2 In accordance with Council's recently adopted Rental Use Zoning Policy and Initial Implementation Framework, Stream 1 – Rental Replacement, and Stream 2 – Inclusionary Rental apply to the subject rezoning application. In this regard, the applicant is required to provide the greater of the 1:1 replacement of the existing rental units (36), or the equivalent of 20% of the proposed strata units excluding units achieved using density offset. To ensure affordability, the required rental units are to be at prevailing rents for returning tenants (subject to permitted Residential Tenancy Act increases), or 20% below Canada Mortgage and Housing (CMHC) average rents for vacated rental units. To assist with the provision of the affordable housing, a density offset of 0.85 FAR is available to supplement the proposed strata units.
- 3.3 On 2018 January 29, Council received an initial rezoning report, Rezoning Reference #17-30, which proposed to rezone the subject development site from its prevailing RM3 Multiple Family Residential District to the CD Comprehensive Development District, utilizing the RM4s Multiple Family Residential District and Metrotown Downtown Plan as guidelines.
- 3.4 The applicant has now submitted a plan of development that incorporates the Rental use Zoning Policy and Initial Implementation Framework requirements and is suitable for presentation to a Public Hearing.

4.0 GENERAL COMMENTS

- 4.1 The applicant is proposing rezoning of the subject site to the CD Comprehensive Development District (based on the RM4s and RM4r Multiple Family Residential Districts and Metrotown Downtown Plan as guidelines). The proposed development plan is for a 34-storey market strata/rental apartment tower located on the southern portion of the site and a four storey affordable rental building located on the northern portion of the site, both fronting Marlborough Avenue. A total of 331 units are proposed within the development. Vehicular access to the site is provided via the rear lane.

4.2 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 Marlborough Neighbourhood. To complement and soften the urban environment, a progressive landscape treatment is proposed which includes boulevards and street trees along Marlborough Avenue and Grimmer Street. On-site planting is integrated with the outdoor amenity spaces, including a sun garden, seating area, and water feature at the south end of the site adjacent to the proposed apartment building.

4.3 The CD (RM4s) District permits a maximum market residential density of 4.45 FAR (comprised of a maximum 2.5 FAR base density, maximum 1.1 FAR amenity density bonus, and maximum 0.85 FAR density offset for the provision of affordable rental housing). The CD (RM4r) District permits a maximum rental residential density of 1.7 FAR. The total potential density for the subject site is therefore 6.15 FAR.

The applicant is proposing 218 market residential units using a market residential density of 4.45 FAR comprised of: 3.6 FAR (RM4s) and 0.85 FAR density offset for the provision of affordable rental housing. With respect to the rental component of the project, in accordance with Council's recently adopted Rental Use Zoning Policy and Initial Implementation Framework (Stream 1 – Rental Replacement and Stream 2 – Inclusionary Rental), the applicant is providing 36 replacement rental units plus 5 additional inclusionary rental units as part of the development proposal, using 0.71 FAR of the RM4r rental density. All of these units are proposed at affordable rates (the lesser of pre-development rents or 20% below Canada Mortgage and Housing Corporation (CMHC) average market rates for returning, and 20% below CMHC average market rates for new tenants) in order to help meet the City's housing affordability objectives and to access the full 0.85 FAR density offset available under the RM4s District. The applicant is also proposing to develop an additional 47 vacancy controlled, market rental units utilizing a further 0.99 FAR of the density available under the CD (RM4r) District in order to achieve additional rental units above the policy minimum. As such, the total residential density for this 306 unit project is 6.14 FAR, comprised of 4.44 FAR for 218 market units and 1.7 FAR for 88 rental units, subject to Council approval.

4.4 As noted, the applicant is proposing to use the amenity density provisions indicated within the Zoning Bylaw. In so doing, the applicant would achieve an additional 1.1 FAR in amenity bonus, which translates into 3,711.4 m² (39,949 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 will forward a separate report detailing the value of the density bonus for Council's consideration and approval prior to the subject amendment bylaw receiving Third Reading. The report to Council will be prepared once the Realty and Lands Division 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. 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.

- 4.5 It is intended that the overall project accommodates a broad spectrum of housing needs. To support this, the one bedroom unit sizes are generally based on the Zoning Bylaw minimum unit sizes for such dwellings in the P11e District (SFU), which requires a minimum area of 50m² (538.21 sq.ft.). Smaller one bedroom units (574 to 584 sq.ft.) are intended to provide a level of affordability for new home ownership, providing access to the market for first time home buyers. To offset the number of smaller one bedroom units, a commensurate number of larger two bedroom and den, and three bedroom units is proposed.
- 4.6 Given the site's location near the Metrotown and Royal Oak SkyTrain Stations (Expo Line SkyTrain), a parking ratio of 1.1 spaces per market residential unit and 0.6 spaces per rental residential unit is considered appropriate. Of these ratios, 0.1 spaces per unit is for visitor parking. All residential spaces will be equipped with an individually metered energized outlet capable of providing a Level 2 or higher charging level for an electric vehicle, in accordance with the Burnaby Zoning Bylaw. All required parking for the development is proposed to be located underground, with access taken from the rear lane.

To support the residential parking ratio, the developer has also provided for transportation alternatives through a comprehensive Transportation Demand Management Strategy. This includes the provision of:

- the equivalent value of two zone transit passes are to be provided to 15% of the strata units and 100% of the rental units for two years to encourage an alternative to car use and ownership;
- twice the required secured bicycle parking, a bicycle repair/maintenance area and bike trailer storage area within the residents' parking area; and,
- the provision of an EV parking space for a future on site car share vehicle, and a vehicle use credit for a car share program for each residential unit. This arrangement would provide greater access to alternative transportation for a greater number of residents.

A communications strategy that provides all building residents and management companies (i.e. strata lot owners, strata corporation, strata management company, tenants, and rental management company) an understanding of how best to utilize each of the alternative transportation options will be provided as part of the overall Transportation Demand Management Strategy. A Section 219 Covenant and sufficient financial securities will be required to guarantee the provision of these measures.

- 4.7 The developer has committed to demonstrating sustainability through building design, materiality and efficiency (water, energy and waste management) initiatives. The applicant has indicated that both buildings will meet Step 1 of the BC Energy Step Code. The applicant will provide an energy model prior to Final Adoption and conduct air tightness testing prior to occupancy in accordance with the approved Step.

- 4.8 The Director Engineering will assess the need for any further required services to the site, including, but not necessarily limited to:
- construction of Marlborough Avenue to its final Town Centre local standard including sidewalk, cycle track, front boulevard, pedestrian lighting, rain water amenities, curb bulges, and street trees;
 - construction of Grimmer Street to its final Town Centre local standard including sidewalk, cycle track, front boulevard, pedestrian lighting, rain water amenities, curb bulges, and street trees;
 - improvements to the rear lane as required; and,
 - storm sewer, sanitary sewer and water main upgrades as required.
- 4.9 There are no required road widening dedications along the subject site's Marlborough Avenue and Grimmer Street frontages. A dedication of 0.9 m is required to widen the rear lane.
- 4.10 In accordance with the City's policy for adaptable units, a total of 68 units (22% of the total number of residential units) have been provided meeting adaptable standards. In total, the FAR exemption is 150.7 m² (1,622 sq. ft.).
- 4.11 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 that two 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; and,
 - a Section 219 Covenant ensuring that the density of development of airspace parcels and strata lots comply with the approved CD Zoning for the site and to ensure that the overall site continues to function as a single, integrated development.
- 4.12 The registration of a Housing Covenant and a Housing Agreement will be required to protect and regulate affordability measures of the affordable rental units. The terms of the Housing Agreement are to be established prior to Third Reading of the Rezoning Bylaw. A separate report detailing the terms of the Housing Agreement will be forwarded to Council for consideration and approval prior to the subject amendment bylaw receiving Third Reading.

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Council consideration and approval of a Housing Agreement Bylaw will be required as a condition of rezoning Final Adoption.

- 4.13 The applicant has been informed that submission of a Tenant Assistance Plan that meets, in principle, the City's forthcoming updated Tenant Assistance Policy will be required.
- 4.14 Due to the proximity of the subject site to Kingsway, the applicant is required to provide an acoustical study showing that the proposed development would meet the Council-adopted noise criteria.
- 4.15 Provision of five car wash stalls, a bike repair station and bike trailer storage room is required for the residential development.
- 4.16 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.
- 4.17 The submission of a groundwater and storm water management plan is required. As well, 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.
- 4.18 Engineering Environmental Services Division will need to review a submission of a detailed plan of an engineered Sediment Control System prior to Final Adoption.
- 4.19 The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering is required.
- 4.20 The submission of a detailed residential loading management plan to the approval of the Director Engineering is required.
- 4.21
 - (a) Parkland Acquisition Charge.
 - (b) School Site Acquisition Charge.
 - (c) GVS&DD Sewerage Charge.
 - (d) Regional Transportation Cost Charge.

5.0 DEVELOPMENT PROPOSAL

5.1	<u>Gross Site Area</u>	-	3,374.0 m ² (36,317.4 sq.ft.)
	Dedications	-	90.6 m ² (975.2 sq.ft.)

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	Net Site Area (subject to detailed survey)	-	3,283.4 m ² (35,342.2 sq.ft.)
5.2	<u>Site Coverage:</u>	-	36.65 %
5.3	<u>Density and Gross Floor Area:</u>	-	6.15 FAR Permitted
	<i>Strata Density</i>		
	RM4s FAR	-	3.60 FAR (inclusive of the 1.1 FAR amenity bonus)
	<u>Affordable Offset Density</u>	-	<u>0.84 FAR</u>
	Strata Total	-	4.44 FAR
	RM4s Floor Area	-	12,146.4 m ² (130,743 sq.ft.)
	<u>Affordability Density Offset Floor Area</u>	-	<u>2,846.6 m² (30,640 sq.ft.)</u>
	Total Strata Floor Area-	-	14,993 m ² (161,383 sq.ft.)
	<i>Rental Density</i>		
	RM4r FAR	-	1.7 FAR
	RM4r Floor Area	-	5,735.8 m ² (61,740 sq.ft.)
	Residential Amenity Space (Exempt from FAR calculation)	-	1,004 m ² (10,807 sq. ft.)
	Adaptable Unit Exemption (Exempt from FAR calculation)	-	150.66 m ² (1,622 sq. ft.)
	TOTAL FAR	-	6.14 FAR
	TOTAL GFA	-	20,728.8 m² (223,122 sq. ft.)
5.4	<u>Building Height:</u>		
	Market/Rental Tower:	-	34 Storeys
	Rental Building:	-	4 Storeys
5.5	<u>Unit Mix:</u>		
	<u>Strata Units</u>		
	49 – Studio Bedroom units	-	37.0 – 37.4 m ² (398 - 403 sq.ft.)
	49 – Junior 1 Bedroom units	-	50.0 – 50.2 m ² (538 - 541 sq.ft.)
	24 – Junior 1 Bedroom units (adaptable)	-	50.0 – 50.2 m ² (538 - 541 sq.ft.)
	24 – 1 Bedroom + Den units	-	56.1 m ² (603 sq.ft.)
	24 – 2 Bedroom + Den units	-	72.8 m ² (783 sq.ft.)
	24 – 2 Bedroom + Den units (adaptable)	-	76.5 m ² (823.73 sq.ft.)

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24 – 3 Bedroom + Den units - 94.8 m² (1,021 sq.ft.)

218 Total Strata Units

Market Rental Units

9 – Studio units - 37.0 – 37.4 m² (398 - 403 sq.ft.)
 9 – 1 Bedroom units - 50.0 – 50.2 m² (538 - 541 sq.ft.)
 5 – 1 Bedroom units (adaptable) - 50.0 – 50.2 m² (538 - 541 sq.ft.)
 6 – 1 Bedroom + Den units - 56.1 m² (603 sq.ft.)
 6 – 2 Bedroom + Den units - 72.8 m² (783 sq.ft.)
 6 – 2 Bedroom + Den units (adaptable) - 76.5 m² (823.73 sq.ft.)
 6 – 3 Bedroom + Den units - 94.8 m² (1,021 sq.ft.)

47 Total Market Rental Units

Non-Market (Affordable) Rental Units

3 – Studio units - 32.4 – 37.4 m² (348 - 403 sq.ft.)
 2 – Studio units (adaptable) - 33.58 – 33.76 m² (361 - 363 sq.ft.)
 29 – 1 Bedroom units - 50.0 – 50.6 m² (538 - 545 sq.ft.)
 1 – 1 Bedroom unit (adaptable) - 50.2 m² (541 sq.ft.)
 6 – 2 Bedroom units (adaptable) - 65.0 m² (700 sq.ft.)

41 Total Non-Market (Affordable) Rental Units

306 TOTAL UNITS

5.6 Residential Parking and Loading

Parking Required: - 293 total spaces

Required 218 strata units @ 1.1 spaces/unit - 240 spaces
 Required 88 rental units @ 0.6 spaces/unit - 53 spaces

Parking Provided: - 294 spaces (including 32 visitor stalls)

Car Wash - 5 spaces

Bicycle Parking Required and Provided
 @ 2 per unit and 0.2 spaces for visitors - 630 spaces (including 62 visitor spaces)

5.7 Residential Loading

Loading Required and Provided - 2 spaces

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5.8 Communal Facilities
(Excluded from FAR Calculations)

Primary communal facilities for residential tenants, including a furnished multi-purpose room with kitchen facilities and a second flexible multi-purpose room, are located within the residential tower at the south end of the site, oriented towards Marlborough Avenue, Grimmer Street and the rear lane. In addition, a small flexible multi-purpose room for residential tenants is located in the affordable rental replacement apartment building at the north end of the site. The total amenity area amounts to 1,004 m² (10,807 sq.ft.) which is less than the 1,037.5 m² (11,168 sq. ft.), or 5% of Gross Floor Area, that is permitted to be exempted as amenity space within the Zoning Bylaw.

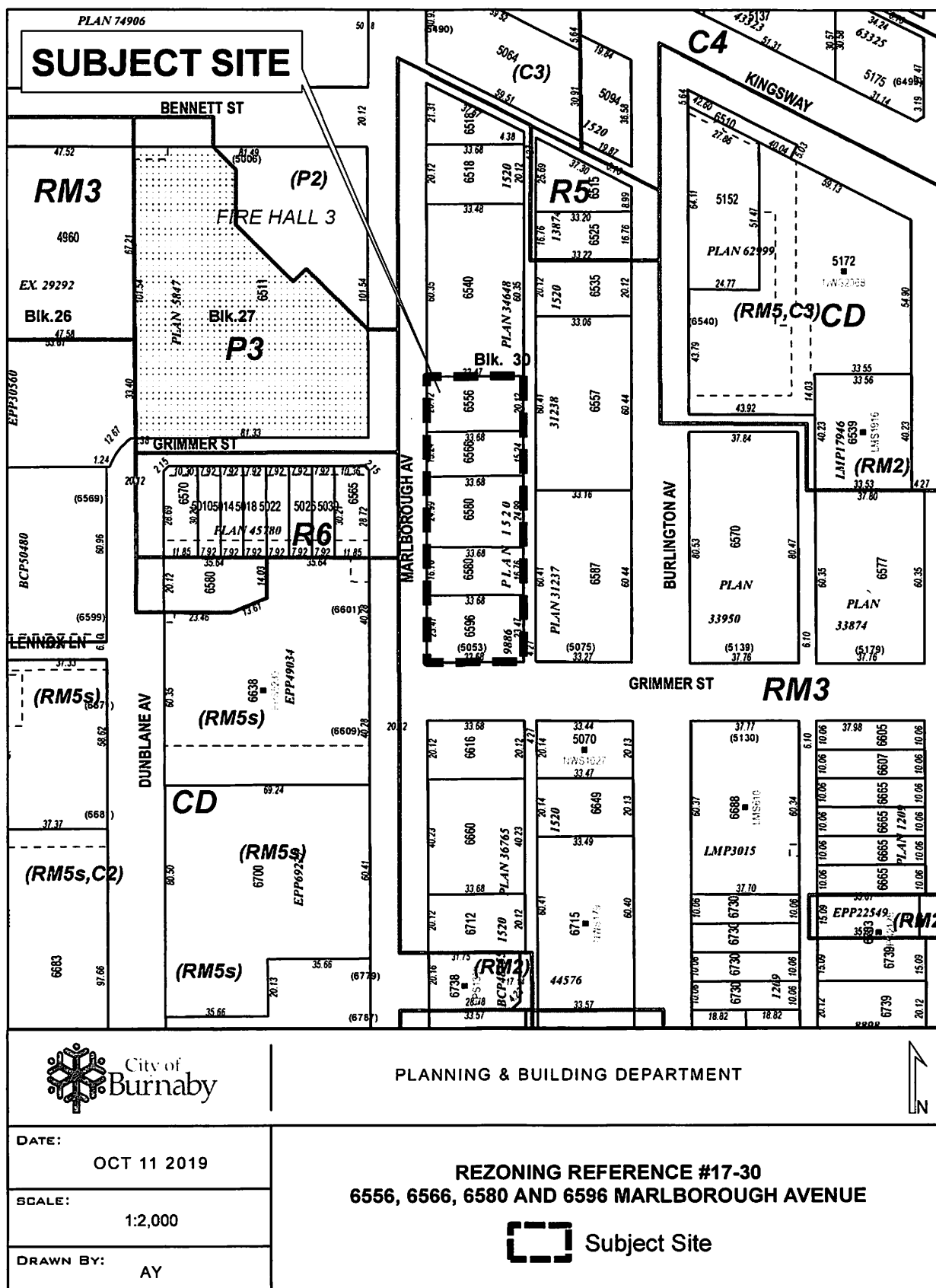


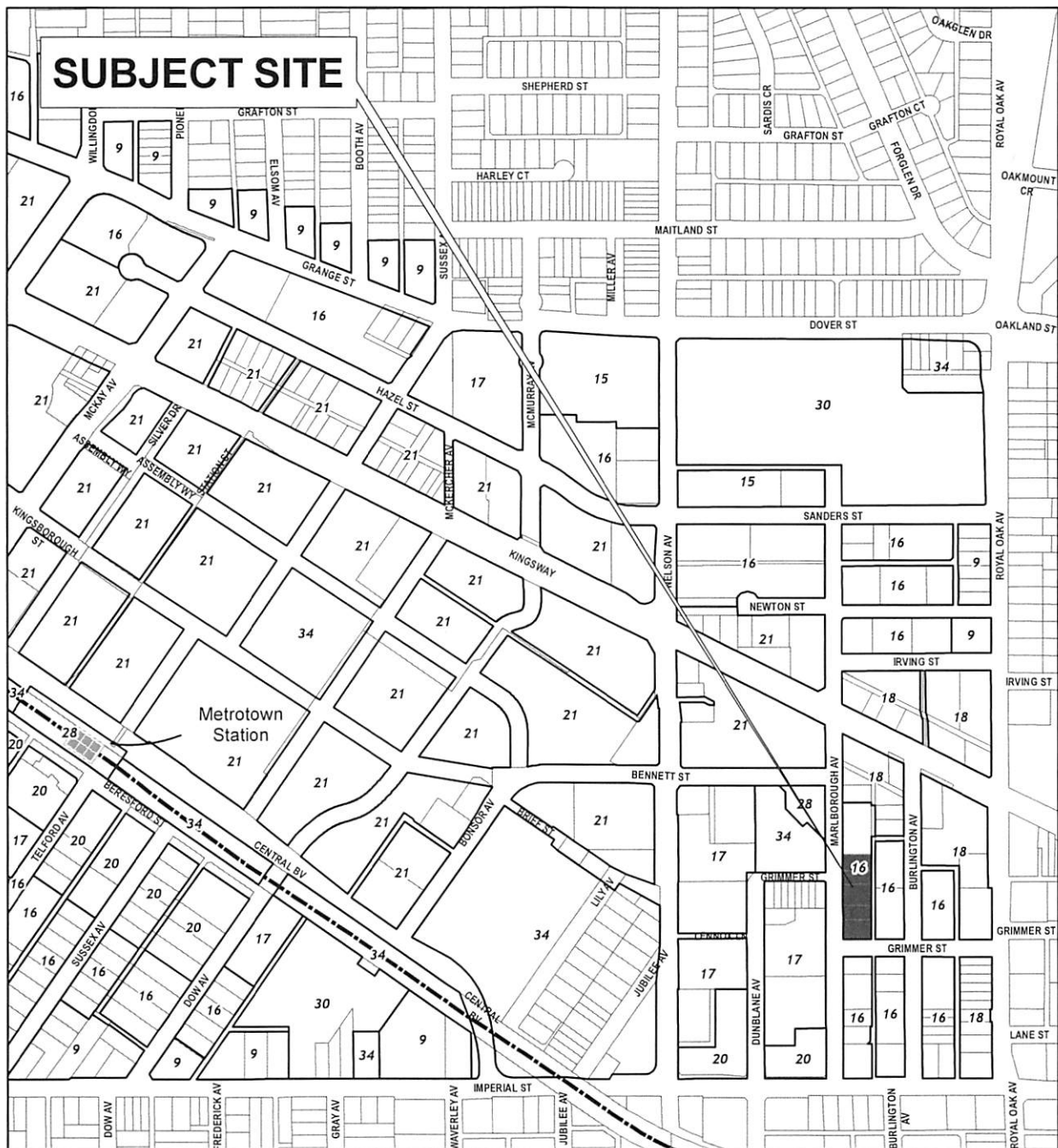
E.W. Kozak, Director
PLANNING AND BUILDING

GT:

Attachments

cc: City Solicitor
City Clerk





- 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)

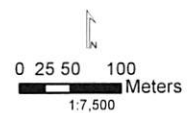
- 20 High Density Mixed Use (RM5s/C2)
- 21 High Density Mixed Use (RM5s/C3)
- 28 Institutional
- 30 Public School (P3)
- 34 Park and Public Use (P3)



Planning and Building Dept

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Metrotown Plan



Sketch #2