



Item
Meeting2014 December 08

COUNCIL REPORT

TO: CITY MANAGER 2014 December 03

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #14-42
Change of use to permit business and professional office uses

ADDRESS: 3605 Gilmore Way (see *attached* Sketches #1 and #2)

LEGAL: Lot 2, D.L. 71, Group 1, NWD Plan LMP41517

FROM: CD Comprehensive Development District (based on M8 Advanced Technology District use and density and Discovery Place Community Plan guidelines, and in accordance with the development plan entitled "Discovery Place Multi-Tenant Facility" prepared by Hancock Bruckner Eng + Wright Architects)

TO: Amended CD Comprehensive Development District (based on M8a Advanced Technology District and Discovery Place Community Plan guidelines)

APPLICANT: Brook Pooni Associates
410 – 535 Thurlow Street
Vancouver, BC V6E 3L2
(Attn: Sophie Perndl)

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2015 January 27.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2014 December 08 and to a Public Hearing on 2015 January 27 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 granting of any necessary covenants to amend the uses permitted on the subject property.
 - c. The approval of the Ministry of Transportation for the rezoning application.

REPORT

1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit general business and professional office uses in an existing three storey high technology/office building.

2.0 NEIGHBOURHOOD CHARACTERISTICS

The subject site is located in the Discovery Place Community Plan Area, an approximately 32.3 ha (80 acre) area characterized by low and mid-rise high technology/office development in a park-like setting. The site is located near the Canada Way entrance to Discovery Place, in the northern portion of the plan area. This portion of the plan area contains three properties that are zoned for general business and professional office uses under the M8a District, and three properties, including the subject site and adjacent properties at 3500 and 3575 Gilmore Way, that are zoned for M8 District uses only, which include a range of scientific or technological research related uses as well as accessory office, manufacturing, printing, display, storage, retail sales, and caretaker accommodation uses. An open space area surrounding Sumner Creek is located to the immediate south and to the east of the subject site. A public trail providing access between Gilmore Way and Avondale Street runs along the northern boundary of the property. Vehicular access to the site is from Gilmore Way (see *attached* Sketch #1 and #2).

3.0 BACKGROUND INFORMATION

- 3.1 The Discovery Place Community Plan was adopted in 1980 with the intent of attracting capital intensive high technology research and development firms. In 1996, the plan was revised to clarify the uses, scope, and scale of new development and the Zoning Bylaw was amended to add the M8 and M8a Districts. At the same time, the plan area was rezoned to include the M8 District and, to a more limited extent, the M8a District or the pre-existing M5 District as the basis for the CD zoning of each property.
- 3.2 On 1999 July 26, Council granted Final Adoption to Rezoning Reference #61-97 for the development of a three storey, approximately 4,457.25 m² (47,960.00 ft²) multi-tenant office building for M8 District uses on the subject site. The subject building has since contained a variety of tenants, primarily smaller software and telecommunications oriented businesses. According to Licence Office records, the building currently contains an engineering consulting and research firm, a telecommunications research and development company, three software research and development firms, and an accessory cafe. The building also contains a number of vacant units.
- 3.3 On 2012 March 12, Council enacted a Zoning Bylaw text amendment to clarify the permitted scale, size and nature of accessory business and professional office uses in the M8 District in relation to principal research and development uses. In the associated report to Council, adopted by the Community Development Committee on 2012 January 26, it was advised that specific proposals for general business and professional office uses

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associated with high technology firms be accommodated on a site-by-site basis. The latter recommendation acknowledged that Discovery Place is already anchored by a number of high technology research and development firms (e.g., Electronic Arts, Kodak, Xenon Pharmaceuticals) and that opportunities for high technology research uses exist in other zoning districts. These additional zoning districts include the B1 Suburban Office District and the B2 Urban Office District, which were established in 2000 and permit high technology research uses; and the M1 through M5 Industrial Districts, which permit laboratories and specialized manufacturing uses.

- 3.4 The applicant seeks to expand the range of permitted uses to include general business or professional offices in order to reduce vacancy rates in the subject building. The applicant has submitted a market analysis of vacancy rates in Class A office buildings in the M8 District that indicates that vacancy rates for M8 District properties have increased significantly between 2012 and mid-2014, rising from 7% to just under 35%.

4.0 GENERAL INFORMATION

- 4.1 The applicant proposes to rezone the subject property from CD Comprehensive Development District (based on the M8 Advanced Technology Research District) to Amended CD Comprehensive Development District (based on the M8a Advanced Technology Research District) in order to permit general business and professional office uses in an existing three storey office building. No improvements to the property are proposed.
- 4.2 The M8 District permits a range of scientific or technological research related principle uses as well as accessory office, manufacturing, printing, display, storage, retail sales, and caretaker accommodation uses. The M8a District permits these uses, as well as business or professional offices as a principal permitted use. Otherwise, the permitted uses, conditions of use, and all other Zoning Bylaw provisions are the same as in the M8 District.
- 4.3 The subject property includes a total of 129 off-street parking spaces, which exceeds the number of parking spaces required for business and professional office use of the approximately 4,457.25 m² (47,960.00 ft²) gross floor area of the building.
- 4.4 Servicing requirements would include, but not necessarily be limited to:
- widening of the existing concrete pedestrian pathway to 3 m, subject to tree protection requirements;
 - replacement of the existing stairway at the west end of the pedestrian pathway with an accessible option, such as a switchback or parallel ramp, as feasible;
 - construction of a new 1.5 m wide sidewalk connection from the top of the existing staircase on the east side of the lane, through the public ROW directly south of

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4097 Avondale Street and to the existing sidewalk on the east side of Kalyk Avenue;

- reconstruction of the existing driveway letdown to accommodate the existing urban trail; and,
- replacement of existing bollards on the north and south side of the driveway with new bollards consistent with City standards.

4.5 Given that no additional gross floor area is proposed as part of the subject rezoning application, the GVS&DD Sewerage Charge of \$0.443 per ft² (\$4.77 per m²) is not required in conjunction with this rezoning application.

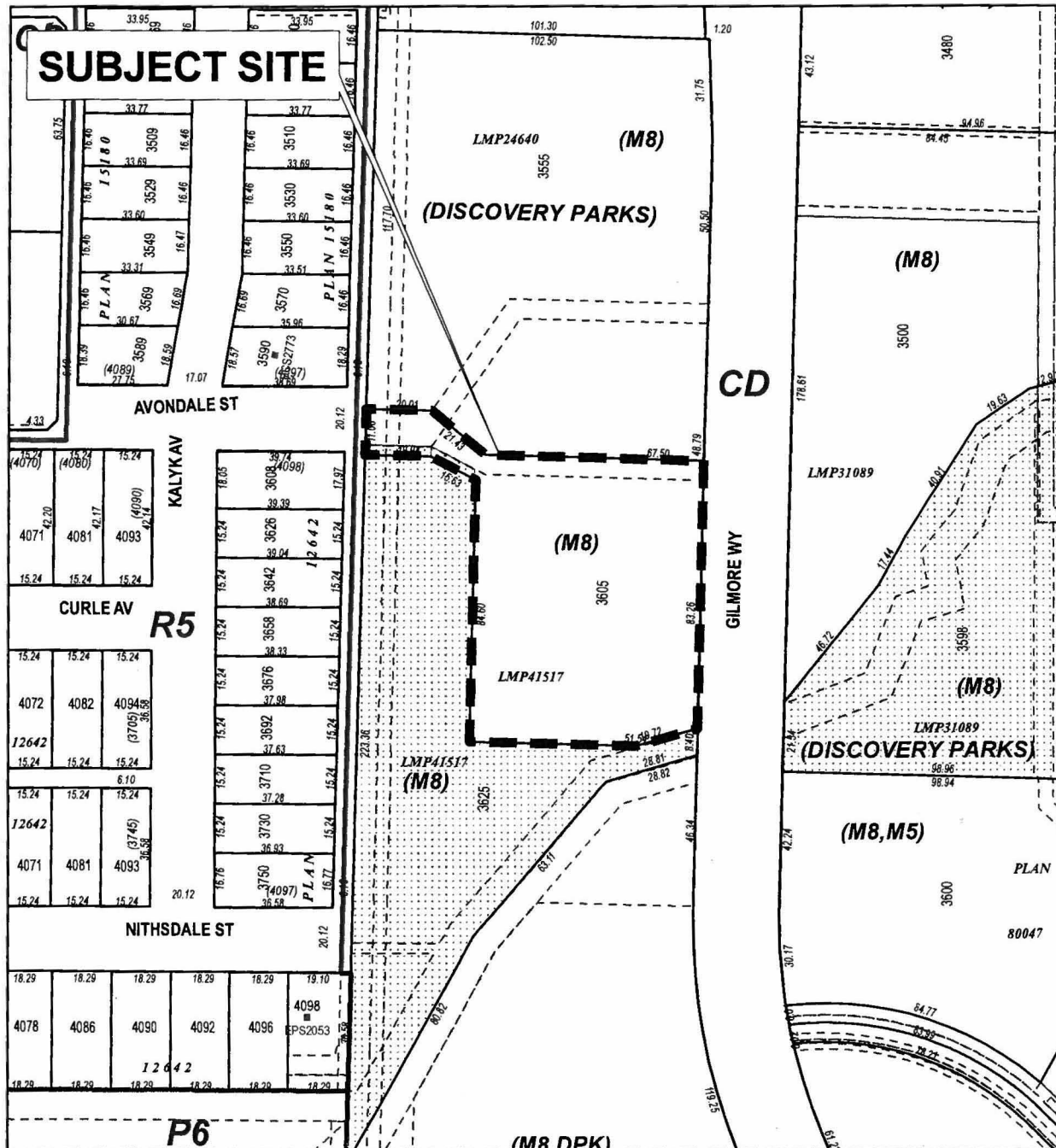
5.0 DEVELOPMENT PROPOSAL

5.1	<u>Site Area:</u>	-	6,570 m ² (70,719 ft ²)	(unchanged)
5.2	<u>Site Coverage:</u>	-	22.57%	(unchanged)
5.3	<u>Floor Area:</u>	-	4,457.25 m ² (47,960.00 ft ²)	(unchanged)
5.4	<u>Height:</u>	-	13.29 m (43.6 ft.)	(unchanged)
5.5	<u>Parking:</u>			(unchanged)
	Required (for office use)	-	110 spaces	(unchanged)
	Provided	-	129 spaces	(unchanged)
5.6	<u>Loading:</u>	-	2 bays required/provided	(unchanged)
5.7	<u>Bicycle Parking:</u>	-	13 spaces required/provided	(unchanged)


Lou Pelletier, Director
PLANNING AND BUILDING

LF:spf
Attachment

cc: Director Engineering
City Solicitor
City Clerk



PLANNING & BUILDING DEPARTMENT

DATE:

NOV 03 2014

SCALE:

1:2,000

DRAWN BY:

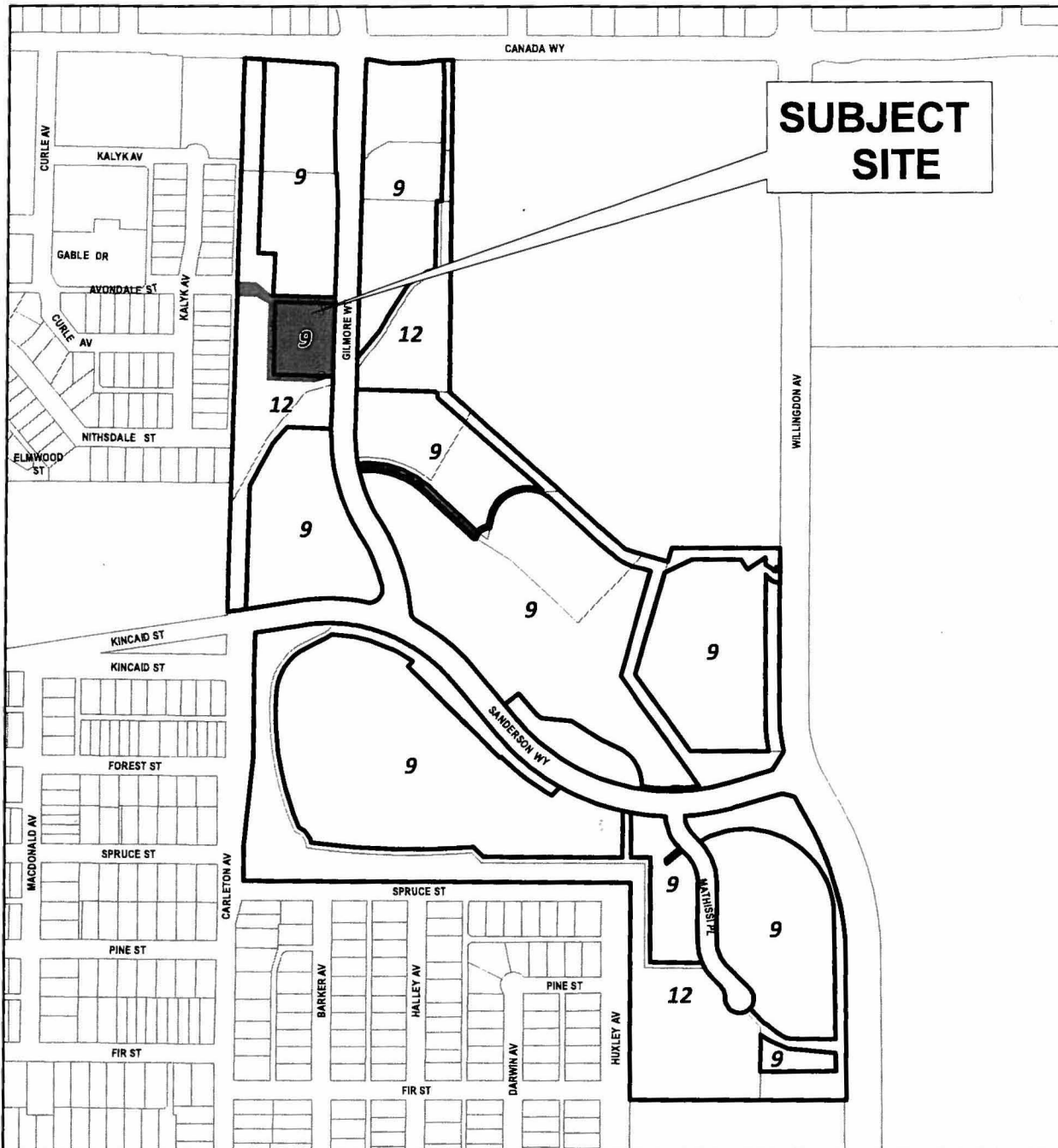
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REZONING REFERENCE #14-42
3605 GILMORE WAY



Subject Site

Sketch #1



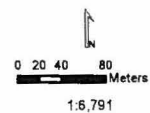
General Land Use Designations

- 9** Industrial
- 12** Park and Public Open Space



Planning and Building Dept

Discovery Place Community Plan





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October 28, 2014

City of Burnaby
Planning and Building Department
4949 Canada Way
Burnaby, BC V5G 1M2

Attention: Lou Pelletier
Director, Planning and Building Department

Re: Rezoning Application at 3605 Gilmore Way, Burnaby

Brook Pooni Associates, on behalf of Sun Life Investment Management, is pleased to submit this letter and rezoning application for 3605 Gilmore Way, Burnaby. **Sun Life is applying to rezone the subject site from CD based on M8 to CD based on M8a to permit more general office uses.**

SUBJECT SITE

The subject site is located at 3605 Gilmore Way, within the Discovery Place Community Plan Area. The 1.62-acre (6,570 square meter) site is improved with a three-storey, 4,014 square meter (43,000 square feet) building built in 2000.

REZONING INTENT

As indicated in the Letter of Inquiry submitted to the City on September 25, 2014, Sun Life has experienced considerable obstacles in finding and retaining tenants for 3605 Gilmore Way who comply with the uses permitted under the current M8 zoning. Market analysis demonstrates that other buildings under the M8 District also experience considerably higher vacancies than Burnaby's Class A commercial space.

As such, Sun Life is submitting a rezoning application for 3605 Gilmore Way to rezone the property from CD based on M8 to CD based on M8a to allow for business and professional office uses within the existing three-storey building. The application is for a change of use only; the existing physical structures on site will not be altered in anyway.

In response to the Letter of Inquiry, the City's letter dated October 20, 2014, notes the following in addition to market analysis:

- The M8a District was included in the Zoning Bylaw to permit offices as a primary use in Discovery Place;
- The subject site is one of the smallest in terms of lot area and gross floor area in Discovery Place – making it difficult to attract larger research and development companies; and
- The surrounding context includes three properties already zoned for M8a District uses.

Staff therefore would support rezoning of the subject site to Amended Comprehensive Development (CD) District (based on M8a District).



To facilitate this Rezoning Application attached please find the documents noted below. We look forward to working with staff on this application.

If you have any questions regarding the proposed rezoning application, please do not hesitate to contact the undersigned.

Sincerely,

Brook Pooni Associates Inc.

Gary Pooni
President
t: 604.731.9053 x108
e: gpooni@brookpooni.com

Sophie Perndl
Associate
t: 604.731.9053 x114
e: sperndl@brookpooni.com

Att: Application for Rezoning
Agent Authorization
Sun Life Identification Letter – signed by Scott Sharples, Senior Director
Title Search and all relevant Covenant and Right of Way documents/plans
Application Fee of \$2,639

Cc: Scott Sharples, Sun Life
Senior Director Real Estate Investments

Lily Ford, City of Burnaby
Zoning Planner