



Item .....
Meeting..... 2021 October 25

COUNCIL REPORT

**TO:** CHIEF ADMINISTRATIVE OFFICER 2021 October 20

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE #17-10001**  
**High-Rise Market Residential Building and**  
**Low Rise Rental Residential Building**  
**Metrotown Downtown Plan**

**ADDRESS:** 5900 Olive Avenue (see *attached* Sketches #1 and #2)

**LEGAL:** Lot "D" (Reference Plan 29509) District Lot 151 Group 1 New Westminster District Plan 2155

**FROM:** RM3 Multiple Family Residential District

**TO:** CD Comprehensive Development District (based on RM5s Multiple Family Residential District, RM5r Multiple Family Residential District and Metrotown Downtown Plan as guidelines and in accordance with the development plan entitled "Polygon Olive Court" prepared by DYS Architecture)

**APPLICANT:** Polygon Development 312 Ltd.  
900 – 1333 West Broadway  
Vancouver, BC V6H 4C2  
Attention: Brian Ellis

**PURPOSE:** To seek Council authorization to forward this application to a Public Hearing on 2021 November 23.

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**RECOMMENDATIONS:**

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2021 October 25 and to a Public Hearing on 2021 November 23 at 5:00 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.

To: Chief Administrative Officer  
From: Director Planning and Building  
Re: REZONING REFERENCE #17-10001  
2021 October 20..... Page 2

- b) The deposit of sufficient monies including a 4% Engineering Administration 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 4.5 of this report.
- e) The granting of any necessary statutory rights-of-way, easements and/or covenants in accordance with Section 4.11 of this report.
- f) The registration of a Housing Covenant and Housing Agreement.
- g) The execution of a Tenant Assistance Plan, to the approval of the Director Planning and Building.
- h) Compliance with the Council-adopted sound criteria.
- i) 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.
- j) Compliance with the City's Groundwater Management for Multi-Family Development guidelines is required.
- k) The submission of a detailed Sediment Control System by the Climate Action and Energy Division.
- l) The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering.
- m) The review of on-site loading facilities by the Director Engineering.

To: Chief Administrative Officer  
From: Director Planning and Building  
Re: REZONING REFERENCE #17-10001  
2021 October 20.....Page 3

- n) 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.
- o) The provision of facilities for cyclists in accordance with this report.
- p) 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.
- q) Compliance with Council-adopted sound criteria.
- r) The undergrounding of existing overhead wiring abutting the site.
- s) Compliance with the guidelines for underground parking for visitors.
- t) The submission of a Public Art Plan.
- u) The submission of a Green Building Strategy.
- v) The deposit of the applicable Parkland Acquisition Charge.
- w) The deposit of the applicable School Site Acquisition Charge.
- x) The deposit of the applicable GVS & DD Sewerage Charge.
- y) The deposit of the applicable Regional Transportation Development Cost Charge.
- z) 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 the construction of a high-rise market residential building and a low-rise non-market rental building.

### 2.0 POLICY FRAMEWORK

The proposed rezoning application is consistent with the following policies and plans adopted by Council: Corporate Strategic Plan (2017), Regional Context Statement (2013), Official Community Plan (1998), Metrotown Downtown Plan (2017), Economic Development Strategy (2007), Social Sustainability Strategy (2011), Environmental Sustainability Strategy (2016), Mayor's Task Force on Community Housing Final Report (2019); Rental Use Zoning Policy (2020); and Density Transfer Policy (2021).

### 3.0 BACKGROUND

- 3.1 The subject site is within the Central Park East neighbourhood of the Metrotown Downtown Plan area and is located at 5900 Olive Avenue (see *attached* Sketches #1 and #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. With respect to building form, such developments are intended for high-rise residential apartment buildings with low-rise apartments, townhouses or row-housing podiums fronting bounding streets.
- 3.2 The subject site is zoned RM3 Multiple Family Residential District and is improved with a 71-unit three-storey residential rental building constructed in 1967. The adopted Plan designates the subject development site for high density multiple-family residential development under the CD Comprehensive Development District, utilizing the RM5s and RM5r Multiple Family Residential Districts as guidelines.
- 3.3 On 2018 April 04, Council received an initial rezoning report for the subject rezoning application (Rezoning Reference #17-10001). The applicant has now submitted a plan of development that incorporates the requirements of the Rental Use Zoning Policy, including the provision of rental units utilizing the RM5r Multiple Family Residential District. The City's Rental Use Zoning Policy Stream 1 – Rental Replacement applies to the subject rezoning application.
- 3.4 The subject application is intended to be developed in concurrently with Rezoning Reference #17-10000 at 5868 Olive Avenue, which appears elsewhere on this agenda, and received Council authorization for staff to work with the applicant on 2018 April 09. The

purpose of the applications being advanced concurrently is to facilitate a density transfer between the two sites.

3.5 The applicant has now submitted a plan of development that is suitable for presentation to a Public Hearing.

**4.0 GENERAL COMMENTS**

4.1 The proposed development is a single market-strata residential tower and a low-rise market and non-market rental building separated by an internal courtyard. The tower sits atop a double height ground floor residential lobby that provides an animated frontage onto Olive Avenue, while the rental building provides a townhouse-like frontage and lobby entrance on James Street. A comprehensive landscape treatment is proposed on-site providing shared outdoor amenity, recreation space and open space to both market and non-market residents. Landscaping is proposed along Olive Avenue and James Street which includes broad separated sidewalks complete with street trees and rain gardens. All parking is provided underground and vehicular access is taken from the rear lane.

4.2 The applicant is proposing to rezone the subject site to the CD Comprehensive Development District (based on the RM5s Multiple Family Residential District, RM5r Multiple Family Residential District, and Metrotown Downtown Plan as guidelines). The CD (RM5s, RM5r) District permits a maximum allowable density of 8.3 FAR, comprised of 2.2 FAR base, 0.4 FAR base bonus, 1.2 FAR supplementary base, 1.2 FAR supplementary bonus, 2.2 FAR RM5r rental density, and 1.1 FAR offset density.

4.3 A proposed transfer of density between the subject site and the site at 5868 Olive Avenue was advanced to the Planning and Development Committee on 2021 May 18. Committee requested staff work with the applicant to provide additional rental units in accordance with the adopted Density Transfer Policy. In response, staff have worked with the applicant to revise the Suitable Plan of Development to fully meet the Rental Use Zoning Policy and Density Transfer policy to provide the rental replacement obligation on each site independently, and to provide an additional 47 market and CMHC Median rate rental units on the subject site. The equivalent of 0.36 FAR offset density, or 1,915.65 m<sup>2</sup> (20,620 sq.ft.), is proposed to be transferred from the subject site to 5868 Olive Avenue.

4.4 Accounting for the above noted density transfer arrangements, the proposed density for the subject site is 7.01 FAR, comprised of: 2.2 FAR base density; 0.4 FAR base bonus; 1.125 FAR supplementary base; 1.125 FAR supplemental bonus; 0.74 FAR offset; and 1.42 FAR RM5r density.

Table 1 below outlines the total potential density vs. the proposed density by use for the subject site:

**5900 OLIVE AVENUE**

**Zoning: CD (RM5s, RM5r)**

**Site Size: 56,835 sq.ft.**

	Permitted	Proposed
RM5s Base Density	2.20	2.20
GFA (sq.ft.)	125,037	125,037
RM5s Bonus Density	0.40	0.40
GFA (sq.ft.)	22,734	22,734
RM5s Suppl. Base Density	1.20	1.125
GFA (sq.ft.)	68,202	63,939
RM5s Suppl. Bonus Density	1.20	1.125
GFA (sq.ft.)	68,202	63,939
RM5r Density	2.20	1.42
GFA (sq.ft.)	125,037	80,495
RM5s Density Offset*	1.10	0.74
GFA (sq.ft.)	62,518	41,887
TOTAL Density	8.30	7.01
TOTAL GFA	471,731	398,136

*\*The remaining permitted 0.36 FAR offset transferred to 5868 Olive Ave*

**Table 1**

4.5 As noted above in Table 1, the applicant is proposing to use the amenity density provisions indicated within the Zoning Bylaw. In so doing, the applicant would achieve an additional 1.53 FAR in amenity density bonus, which translates into 8,052.2 m<sup>2</sup> (86,673 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 initiate discussions 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.

In accordance with Council’s adopted policy, 80% of the cash-in-lieu contributions are applied toward the City-Wide Community Benefit Bonus Reserve and 20% to the Community Benefit Bonus Affordable Housing Reserve.

4.6 The development is proposed to be a single 38 storey high-rise tower with 339 market strata units and a six-storey market and non-market rental residential building with 118 units. With respect to the rental component of the project this application is proposed to be processed in accordance with the City’s Rental Use Zoning Policy, utilizing Stream 1 –

Rental Replacement. The development meets the replacement rental obligation for the subject site by using 0.77 FAR of RM5r density to provide 71 units at below market rates (pre-development rents for returning tenants subject to RTA rental increases during construction, and 20% below CMHC median market rates for new tenants) in order to help meet the City's housing affordability objectives and to access the full 1.1 FAR density offset available under the RM5s District as per the Policy. The provision of 71 rental replacement units meets the requirement to provide 20% of units derived from RM5s density as non-market rental units. The additional 47 rental units will accommodate market and CMHC market median rental units, provided at a one-to-one ratio.

4.7 The development is providing 91 adaptable units with 56 accessible parking stalls which is in line with the 20% minimum requirement of the Council-adopted Adaptable Housing policy.

4.8 A comprehensive Transportation Demand Management strategy will be provided in the rezoning proposal, including:

- a transit pass subsidy of the cost of a monthly two-zone transit pass for 15% of the residential market (strata) unit for 24 months;
- the provision of a fund to support car share, equivalent to one car and space per 100 units, with memberships available to all strata residents. Should a car share program not be available on this site, the value of the vehicles may be utilized toward driving credits for car share, or additional funding for transit pass subsidies for the strata residents.
- two bike parking spaces for each residential (strata and rental) unit, and bicycle repair rooms within each of the residential parking areas; and
- a communications strategy to ensure all building residents and management companies (i.e. strata lot owners, strata corporation, strata management company, tenants, and rental management company) have an understanding of how best to utilize each of the alternative transportation options.

A Section 219 Covenant and sufficient financial securities will be required to guarantee the provision of these measures.

4.9 The Director Engineering will assess the need for any further required services to the site, including, but not necessarily limited to:

- construction of Olive Avenue to Town Centre standard (Local Road) standard, with concrete curb and gutter, separated sidewalks, street trees, enhanced boulevards, and street and pedestrian lighting across the development frontage;
- construction of James Street to Town Centre standard (Local Road) standard, with concrete curb and gutter, separated sidewalks, street trees, enhanced boulevards, and street and pedestrian lighting across the development frontage; and,

- Storm, sanitary sewer and water main upgrades as required.
- 4.10 Road dedication to widen the lane allowance may be required as part of this application.
- 4.11 Any necessary statutory rights-of-way, easements, and covenants 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 ensuring compliance with the approved acoustical study;
  - Section 219 Covenant guaranteeing the provision and ongoing maintenance of stormwater management facilities;
  - Section 219 Covenant ensuring that all accessible parking stalls in the underground residential parking areas supporting the strata portion of the development be held in common property to be administered by the Strata Corporation; and
  - Section 219 Covenant guaranteeing the provision and ongoing maintenance of public art.
- 4.12 The registration of a Housing Covenant and a Housing Agreement will be required to protect and regulate affordability measures and tenure of the affordable rental and the market rental units. Terms of the Housing Agreement are to be established prior to Final Adoption of the Rezoning Bylaw. Council consideration and approval of a Housing Agreement Bylaw will be required prior to occupancy.
- 4.13 The submission of a Tenant Assistance Plan that meets the City's Tenant Assistance Policy.
- 4.14 Due to the proximity of the subject site to the Expo SkyTrain Line the applicant is required to provide an acoustical study showing that the proposed development would meet the Council-adopted noise criteria.
- 4.15 The provision of four separate car wash stalls for the building is required.
- 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 The submission of a detailed plan of an engineered Sediment Control System prior to Final Adoption is required.
- 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 loading management plan to the approval of the Director Engineering is required.
- 4.21 The submission of a Public Art Plan detailing the concept, character, and location of public art on site as well as details of the budget, terms, and the artist selection process is required.
- 4.22 The submission of a Green Building Strategy is required. 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 residential buildings will meet Step 2 of the BC Energy Step Code.
- 4.23 The submission of a Communications Strategy that provides the Owners, Strata and Strata Management Company an understanding of the development is required.
- 4.24 Applicable development cost charges are:
  - Parkland Acquisition Charge;
  - School Site Acquisition Charge;
  - GVS&DD Sewerage Charge; and,
  - Regional Transportation Charge.

**5.0 DEVELOPMENT PROPOSAL**

5.1	<u>Site Area</u> (subject to detailed survey)	5,280.1 m <sup>2</sup> (56,835 sq.ft.)
5.2	<u>Site Coverage</u>	41.4%
5.3	<u>Density</u>	<b>7.1 FAR TOTAL</b>
	RM5s District Base	2.2 FAR

To: Chief Administrative Officer  
 From: Director Planning and Building  
 Re: REZONING REFERENCE #17-10001  
 2021 October 20..... Page 10

Bonus	0.4 FAR
Supplemental base	1.125 FAR
<u>Supplemental bonus</u>	<u>1.125 FAR</u>
Subtotal	4.84 FAR
Density Offset	0.74 FAR *Remaining permitted 0.36 FAR Offset transferred to 5868 Olive Avenue
RM5r District	1.42 FAR
<b>5.4 <u>Gross Floor Area</u></b>	<b>36,988.1 m<sup>2</sup> (398,136 sq.ft.) TOTAL</b>
Market (strata) residential	30,666.6 m <sup>2</sup> (330,093 sq.ft.)
- Amenity space exemption	533.4 m <sup>2</sup> (5,741 sq.ft.)
- Adaptable unit exemption	215.5 m <sup>2</sup> (2,320 sq.ft.)
Market & Non-Market (rental) residential	7,660.1 m <sup>2</sup> (82,453 sq.ft.)
- Amenity space exemption	64.9 m <sup>2</sup> (699 sq.ft.)
- Adaptable unit exemption	44.6 m <sup>2</sup> (480 sq.ft.)
<b>5.5 <u>Residential Unit Mix</u></b>	<b>457 UNITS TOTAL</b>
Market (strata) residential	
54 – P11e One bedroom	51.1 to 52. m <sup>2</sup> (550-560 sq.ft.)
34 – P11e One bedroom adaptable	52.0 m <sup>2</sup> (560 sq.ft.)
1 – One bedroom + den	72.5 m <sup>2</sup> (780 sq.ft.)
138 – Two bedroom	74.3 to 81.8 m <sup>2</sup> (800 to 880 sq.ft.)
34 – Two bedroom adaptable	75.3 to 79.0 m <sup>2</sup> (810 to 850 sq.ft.)
73 – Two bedroom + den	79.9 m <sup>2</sup> (860 sq.ft.)
<u>5 – Three bedroom</u>	121.7 to 138.9 m <sup>2</sup> (1,310 to 1,495 sq.ft.)
339 units	
Market & Non-Market (Rental) residential	
5 – P11e Studio	31.9 to 47.9 m <sup>2</sup> (343 to 515 sq.ft.)
72 – P11e One bedroom	50.2 to 56.7 m <sup>2</sup> (540 to 610 sq.ft.)
12 – P11e One bedroom adaptable	52.0 to 54.8 m <sup>2</sup> (560 to 590 sq.ft.)
18 – P11e Two bedroom	65.3 to 68.3 m <sup>2</sup> (703 to 735 sq.ft.)
<u>12 – P11e Two bedroom adaptable</u>	75.7 to 78.0 m <sup>2</sup> (815 to 840 sq.ft.)
118 units	

5.6 Building Height

- Market (strata) residential 38 storeys, 119.9 m (393 ft.)
- Market & Non-Market (rental) residential 6 storeys, 19.9 m (66 ft)

5.7 Vehicle Parking

- Total Required: 444 spaces**
- Market (strata) residential @ 1.1 per Unit 373 spaces (including 34 visitor spaces)
  - Market & Non-Market (rental) residential @ 0.6 per Unit 71 spaces (including 12 visitor spaces)
- Total Provided: 476 spaces**
- Market (strata) residential 405 spaces (including 34 visitor spaces and 40 accessible spaces)
  - Market & Non-Market (rental) residential 71 spaces (including 12 visitor spaces and 16 accessible spaces)

5.8 Bicycle Parking

- Total Required:**
- Secured residential:  
457 units @ 2.0 spaces per unit 914 spaces
  - Visitor spaces:  
457 units @ 0.2 spaces per unit 92 spaces
- Total Provided:**
- Secured residential: 914 spaces
  - Visitor spaces: 92 spaces

5.9 Loading

- Total Required and Provided
- Market (strata), market & non-market (rental) residential loading 2 spaces

5.10 Communal Facilities (excluded from FAR calculations)

Communal facilities amounting to 598.3 m<sup>2</sup> (6,440 sq.ft.) are provided for the building residents. Market (strata) amenities include a residential lobby, mail room, work space and meeting rooms, a games room, a fitness studio and a pet spa on the main floor. Market and

To: Chief Administrative Officer  
From: Director Planning and Building  
Re: REZONING REFERENCE #17-10001  
2021 October 20..... Page 12

non-market (rental) amenities include a residential lobby, mail and package room and a rental office. The total amenity space for the development is less than the permitted five percent (1,915.3 m<sup>2</sup> (20,615.7 sq.ft.)) exemption from gross floor area permitted within the Zoning Bylaw.

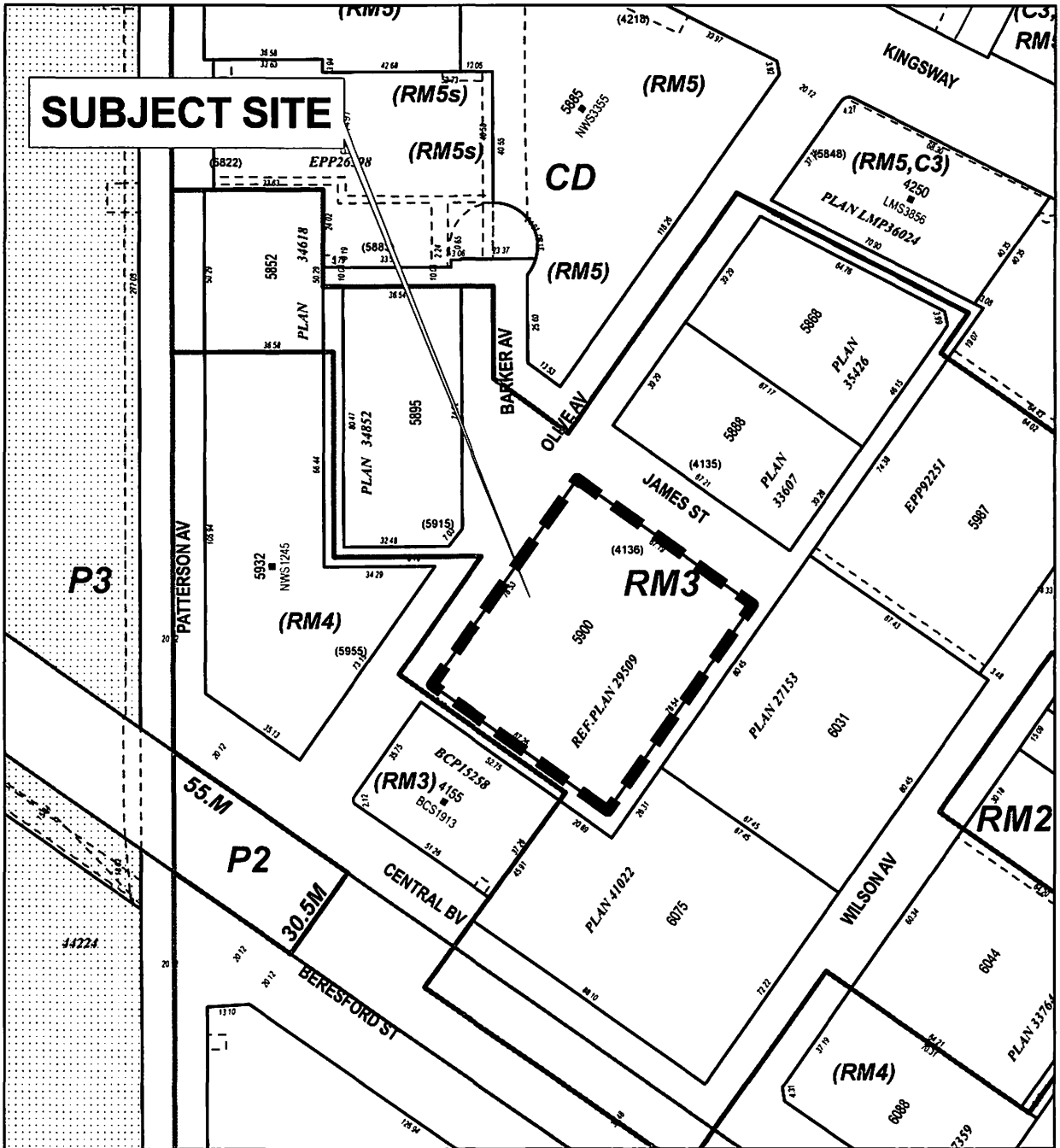
Exterior amenities include a shared courtyard with two shared play space structures, landscaped open space and public art.



  
E.W. Kozak, Director  
PLANNING AND BUILDING

JDC:spf  
*Attachments*

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

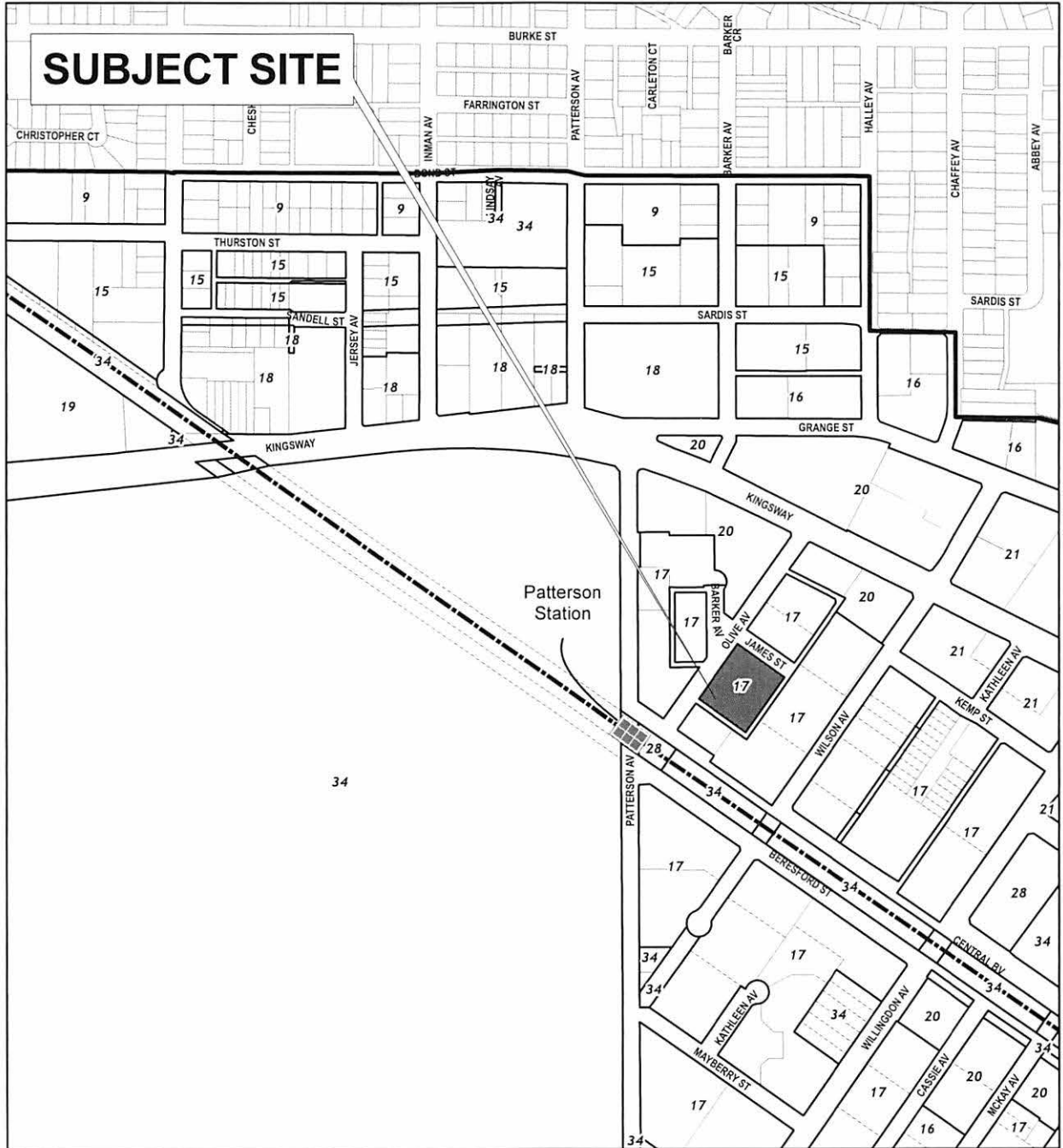
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 <p>City of Burnaby</p>	<p>PLANNING &amp; BUILDING DEPARTMENT</p>
<p>Date: MAY 10 2021</p>	<p>REZONING REFERENCE #17-10001 5900 OLIVE AVENUE</p>
<p>scale: 1:2,000</p>	<p> Subject Site</p>
<p>Drawn By: RW</p>	

Sketch #1

# SUBJECT SITE



- 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

## Metrotown Plan

