

TO: MAYOR & COUNCIL

FROM: GENERAL MANAGER PLANNING AND DEVELOPMENT

**SUBJECT: REZONING REFERENCE #22-36 – COMMERCIAL RENTAL
TOWER VII – BRENTWOOD TOWN CENTRE DEVELOPMENT
PLAN**

PURPOSE: To seek Council authorization to forward REZ #22-36 to a future Public Hearing.

REFERENCES

Address: Portion of 4567 Lougheed Highway
Legal: Portion of Lot 1 District Lots 123 and 124 Group 1 New Westminster District Plan EPP31990 Except Plans EPP40171, EPP59173 and EPP108674
Applicant: Shape Properties Corp.
2020 One Bentall Centre, 505 Burrard Street
Vancouver, BC PO Box 206
Attention: Patrick Hunter
Current Zoning: CD Comprehensive Development District (based on C3, C3a General Commercial District, P2 Administration and Assembly District, RM4s, RM5s Multiple Family Residential District and Brentwood Town Centre Plan as guidelines)
Proposed Zoning: Amended CD Comprehensive Development District (based on C3 General Commercial District and Brentwood Town Centre Plan as guidelines and in accordance with the development plan entitled “The Amazing Brentwood Phase 2C-Tower 7” prepared by Arcadis Architects (Canada) Inc.)

RECOMMENDATIONS

THAT a Rezoning Bylaw for REZ #22-36 be prepared and advanced to First Reading and to a Public Hearing at a future date, and;

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 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 submission of an undertaking to remove all existing improvements from the subject site within one year of Final Adoption.
- e. The dedication of any rights-of-way deemed requisite.
- f. The granting of any necessary statutory rights-of-way, easements and/or covenants in accordance with Section 3.10 of this report.
- g. The submission of a suitable on-site Stormwater Management System, the deposit of sufficient monies for its provision, and the granting of a Section 219 Covenant to guarantee its provision and continuing operation.
- h. Compliance with the City's Groundwater Management for Multi-Family Development guidelines.
- i. The submission of a geotechnical and groundwater study.
- j. The submission of a suitable Solid Waste and Recycling Plan.
- k. The review of on-site loading facilities.
- l. The provision of enhanced car wash stalls and an adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement the recycling provisions.
- m. The provision of facilities for cyclists in accordance with this report.
- n. The design and provision of units accessible to persons with disabilities, including the provision of customized hardware and cabinet work.
- o. The design and provision of units adaptable to persons with disabilities, the provision of customized hardware and cabinet work being subject to the rental of the unit to a disabled person.
- p. Compliance with Council-adopted sound criteria.

- q. Compliance with the guidelines for underground parking for visitors.
- r. The submission of a Green Building Plan and Energy Benchmarking.
- s. The submission of a detailed Comprehensive Sign Plan.
- t. The submission of a Site Disclosure Statement and resolution of any resultant conditions.
- u. The deposit of the applicable Parkland Acquisition Charge.
- v. The deposit of the applicable School Site Acquisition Charge.
- w. The deposit of the applicable GVS & DD Sewerage Charge.
- x. The deposit of the applicable Regional Water Cost 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 rental 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 rented, whichever is greater.

CHIEF ADMINISTRATIVE OFFICER'S COMMENTS

I concur with the recommendation of the General Manager Planning and Development.

EXECUTIVE SUMMARY

A rezoning application has been received in order to permit the construction of a high-rise commercial rental residential apartment building atop a commercial podium and underground parking in accordance with the Brentwood Site Conceptual Master Plan and associated Development Guidelines (REZ #11-22). The purpose of this report is to provide Council with information on the proposal and to recommend that the Rezoning Bylaw be brought forward for First Reading and the rezoning application be forwarded to a future Public Hearing.

1.0 POLICY SECTION

The proposed rezoning application is consistent with the following policies and plans adopted by Council:

- Regional Context Statement (2013);
- Corporate Strategic Plan (2022);
- Official Community Plan (1998);

- Brentwood Town Centre Development Plan (1996);
- Economic Development Strategy (2007);
- Social Sustainability Strategy (2011);
- Environmental Sustainability Strategy (2016);
- Climate Action Framework (2020);
- Transportation Plan (2021);
- Home Strategy (2021); and,
- Rental Use Zoning Policy (2020).

2.0 BACKGROUND

- 2.1 On 2013 September 23, Council granted Final Adoption to REZ #11-22, which established the Brentwood Site Conceptual Master Plan and associated Development Guidelines for phased mixed-use retail, office and multiple family redevelopment of The Amazing Brentwood (TAB) site in line with the adopted Brentwood Town Centre Development Plan. As a result, the site is zoned CD Comprehensive Development District (based on the C3 and C3a General Commercial Districts, P2 Administration and Assembly District, RM4s Multiple Family Residential District and RM5s Multiple Family Residential District as guidelines).
- 2.2 The subject site is located on the southeast corner of Brentwood Boulevard and the future Ridgelawn Drive in the interior of the TAB site, within the Council adopted Brentwood Town Centre Development Plan, and is designated for C3 General Commercial District, and the Brentwood Town Centre Development Plan as guidelines (see **Attachment 1** - REZ #22-36: Sketch #1 and Sketch #2). The site, approximately 5,407 m² (58,200 sq. ft.) in size (subject to legal survey), is comprised of a portion of 4567 Lougheed Highway, the remainder parcel, and is identified in the Brentwood Site Conceptual Master Plan for a commercial tower. This portion of the remainder parcel is currently improved with TAB sales centre, in the former Zellers retail unit.
- 2.3 On 2023 February 06, Council received an initial rezoning report which proposed to rezone the subject development site from its prevailing CD Comprehensive Development District to an amended CD Comprehensive Development District. The proposed rezoning is to CD Comprehensive Development District (based on C3 General Commercial District and Brentwood Town Centre Plan as guidelines). The applicant has now submitted a plan of development suitable for presentation to a Public Hearing.

3.0 GENERAL INFORMATION

3.1 The proposed development plan for the subject site, as shown in **Figure #1** below, is for a single 56 storey high-rise commercial rental residential apartment building with locally scaled commercial retail units fronting Brentwood Boulevard and Ridgelawn Drive over underground parking. The south façade will face a pedestrian connection between Brentwood Boulevard and Ridgelawn Drive when the existing indoor mall is replaced, and the north side of the site will be completed with construction of Ridgelawn Drive - both in subsequent phases of the Master Plan.

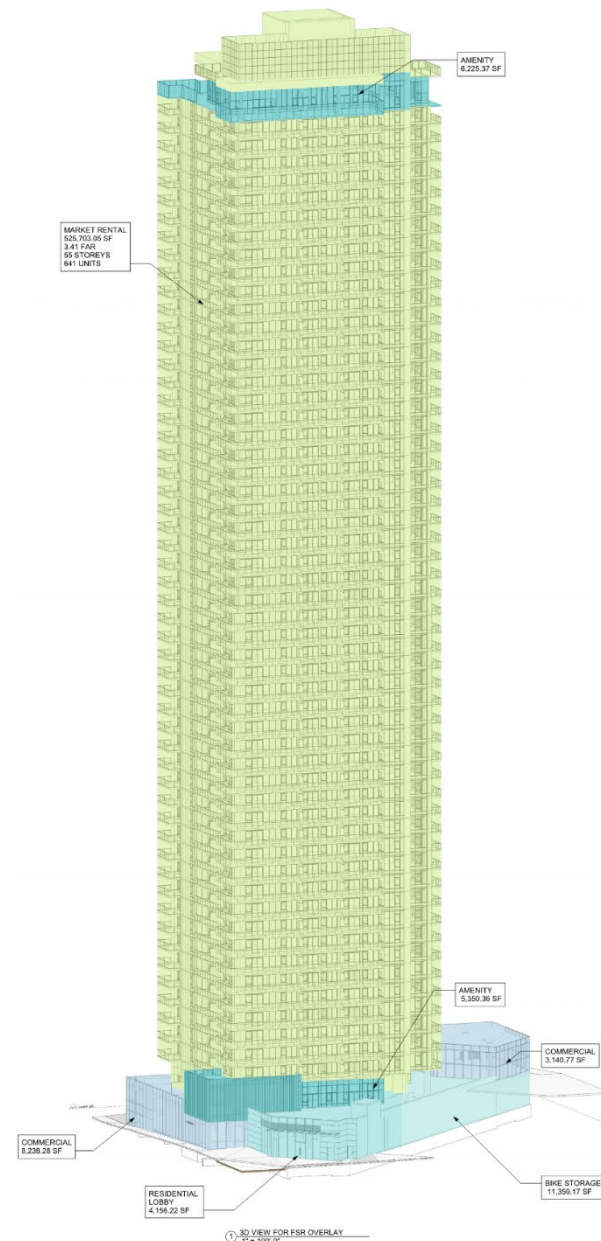


Figure #1 – Land Use and Tenure Diagram

- 3.2 Residential vehicular access to the development is provided via an access ramp off Brentwood Boulevard, and commercial and loading access is provided via the Phase 1 commercial parking area south of Tower VII on P4. Primary residential pedestrian access is provided via Brentwood Boulevard, and secondary access is provided via Ridgelawn Drive. A total of 614 rental residential dwelling units are proposed for the development, utilizing C3 General Commercial District density. The development provides a range of housing sizes and typologies in order to accommodate a variety of incomes, age cohorts, and abilities, as well as a generous amenity package including meeting and recreation rooms, work spaces, a fitness centre, and significant outdoor amenity. The development will share a similar design rationale with the remainder of the Master Plan development; however, it will present a unique identity through form and design. Overall, the subject proposal exemplifies high quality urban design and architectural expression related to the building’s siting, massing, pedestrian orientation and materiality.
- 3.3 Site density is based on gross site area. The maximum potential commercial density for the TAB masterplan site may be up to 6.0 FAR or 351,333.47 m² based on the C3 District zoning, subject to conditions set out in the Burnaby Zoning Bylaw, Burnaby Rental Use Zoning Policy, and the approval of Council. The proposed total density for the subject site based on net site area for Tower VII is 9.24 FAR or 49,896.54 m², as outlined in **Table 1** below.

Site Size: 5,407 m²			
	Permitted Density (FAR) and GFA (m²)	Proposed Density (FAR) and GFA (m²)	Proposed Units
Master Plan Site			
Total C3 GFA	351,333.47	351,333.47	
Total C3 Retail/Office GFA (51%)	179,180.07	179,180.07	
Total Rental GFA (49%)	172,153.40	172,153.40	
Approved C3 Retail/Office			
C3 Retail/Office GFA (51%) Ph 1	-	54,046.53	
C3 Retail/Office GFA (51%) T5	-	3,468.16	
C3 Retail/Office GFA (51%) T6	-	2,984.97	
Proposed Retail/Office/Rental – T7			
C3 Retail/Office GFA (51%) T7	-	1057.15	
C3 Retail/Office FAR (51%) T7	-	0.20	
C3 Rental GFA (49%) T7	-	48,839.39	641
C3 Rental FAR (49%) T7	-	9.04	
Total GFA T7 (Comm & Rental)	-	49,896.54	641
Total FAR T7	-	9.24	

Table 1 – breakdown of permitted and proposed density for subject development proposal.

- 3.4 This application is proposed to be processed in accordance with the City’s Rental Use Zoning Policy, utilizing Stream 3 – Voluntary Rental. The applicant is proposing to utilize 48,893.00 m² (526,279 ft. sq.) of C3 density to provide 641 market rental dwelling units in Tower VII. The proposal is in line with the requirements of the Rental Use Zoning Policy to provide a minimum ratio of 51% commercial use floor area across the Master Plan site, to 49% market rental uses.

- 3.5 The development is providing 2.5% of all residential units as adaptable and 2.5% of all residential units as accessible. This ratio has been proposed based on an analysis of demand for accessible suites in market based rental developments, and in recognition of the additional costs associated with construction of an accessible unit. The variance from the adaptable unit policy is considered supportable as it provides much needed accessible rental units in the community, and it also recognized that adaptable units are often not converted to accessible units in a rental building, due to conversion costs. The applicant has committed to working with local accessibility organizations to ensure the accessible units are rented to those with accessibility needs. Based on a total proposed accessible and adaptable unit count of 32 units, a minimum of 22 accessible stalls are required; 23 accessible stalls have been provided. In addition, 1 commercial accessible parking stall is proposed for the development. The residential accessible parking stalls will be protected by a Section 219 Covenant as common property to be administered by the rental housing operator.

- 3.6 The development is proposing a parking ratio of 0.53 spaces per unit, comprised of 0.5 spaces per unit (326 spaces) and 0.03 visitor spaces per unit (21 spaces). Due to the complimentary nature of the uses within the masterplan area, the development is proposing a shared temporal parking allocation of required visitor and commercial parking. To verify the above parking ratios and any necessary operational improvements, a further site-specific transportation assessment will be completed prior to Final Adoption of this rezoning. Further alterations to the underground parking design and the number of proposed car wash, loading, and parking stalls provided may be explored, subject to meeting the minimums rates outlined in this report, or as required by the Burnaby Zoning Bylaw, as amended from time to time, whichever is less.

- 3.7 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. To support the aforementioned parking ratios, the applicant is required to provide a comprehensive transportation demand management (TDM) strategy. The TDM strategy includes:
 - establishing an alternative transportation fund equivalent in value to:
 - a 2-zone transit pass for 100% of all rental residential units for 36 months; and,
 - a car share monthly membership fund for each residential unit for 20 years (up to \$500 maximum value);

- 7 car share parking spaces for use by a public car share provider (in addition to the replacement of 11 car share spaces required from Phase 2A & 2B of the Master Plan);
- two bike parking spaces (locker) for each residential unit;
- bike wash and repair facilities including a bike stand and tools; and,
- a communications strategy that provides the building owners, tenants and employees of the residential and commercial uses with an understanding of how to best use each of the alternative transportation options.

Prior to Final Reading of this rezoning application, alterations to the above TDM strategy may be made to bring the strategy into conformance with any future policy or bylaw amendments that provide standardized TDM requirements. Any alterations to the TDM strategy would have to be equal to or better than the commitments outlined above. A Section 219 Covenant and sufficient financial securities will be required to guarantee the provision of the TDM Strategy.

- 3.8 An Engineering Master Plan for the Brentwood Site Conceptual Master Plan outlining the required servicing for each phase of development was completed as part of the Master Plan rezoning application (REZ #11-22). Notwithstanding, the Engineering Department will assess the need for any further required services for the subject development.
- 3.9 All necessary dedications have been obtained as part of subject site's master rezoning (REZ #11-22). Under the master rezoning, the site was consolidated into one parcel. A subdivision to create the subject site is required. Prior to occupancy of the subject residential building, an airspace parcel subdivision will be required.
- 3.10 Any necessary easements, covenants and/ or statutory rights-of-way for site are to be provided, including, but not necessarily limited to:
- Section 219 Covenant restricting enclosure of balconies;
 - Section 219 Covenant ensuring removal of all existing improvements from the site within 1 year of Final Adoption of the Rezoning;
 - 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 accessible parking stalls are held in common property to be administered by the building owner;
 - Section 219 Covenant ensuring compliance with the Green Building Plan for the site (minimum of Step 2 of Step Code, Energy System, and Energy/GHG Model) as well as a commitment for the property owner/representative to submit the necessary information to NRCAN's energy benchmarking program;
 - Section 219 Covenant to ensure that no other uses have exclusive claim on the temporally shared visitor parking stalls;

- Section 219 Covenant to ensure alternative transportation provisions for the development;
 - Section 219 Covenant ensuring that the water table will not be drawn down during and after development;
 - Section 219 Covenant ensuring that any building lighting features can be turned on and off by the strata and/or rental or commercial management company, and that architectural lighting will be turned off by the strata and/or rental or commercial management company at the City's request in the event that the lighting results in any adverse neighbourhood and/or environmental impacts;
 - Section 219 Covenant ensuring that the site can be used safely in accordance with the approved geotechnical study;
 - Section 219 Covenant ensuring Level 2 electric vehicle charging load sharing in the Phase 2 Parking Lot between the commercial parking stalls (business hours) and market rental residential (non-business hours);
 - Section 219 Covenant restricting grade level commercial retail uses from having obscured fenestration; and,
 - Statutory right-of-way guaranteeing the provision and maintenance of public access routes throughout the site as generally identified on the CD plans.
- 3.11 Due to the proximity of the subject site to Willingdon Avenue, Lougheed Highway, and the Millennium SkyTrain Line, the applicant is required to provide an acoustical study showing that the proposed development would meet the Council-adopted noise criteria.
- 3.12 Given the site's current and past uses, a Site Disclosure Statement and resolution of any resultant conditions is required.
- 3.13 A Comprehensive Sign Plan for the commercial component of the development, detailing sign numbers, locations, sizes and attachment details is required.
- 3.14 The developer is required to provide a geotechnical and groundwater study to ensure that the site can be used safely in line with its intended uses, and that the site's excavation will not draw down the water table or cause impact to adjacent properties and road rights-of-way.
- 3.15 As the site will be fully excavated for development, a tree survey will be required prior to Final Adoption 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.
- 3.16 The provision of 2 enhanced car wash stalls are required, complete with warm and cold water supply, car vacuums, bike wash stands, hose and spray nozzle, and splash proof partitions.
- 3.17 The submission of a Groundwater and Stormwater Management Plan is required. As well, a suitable engineered design 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.

- 3.18 The submission of a suitable Solid Waste and Recycling Plan is required.
- 3.19 The submission of a detailed Loading Management Plan is required.
- 3.20 The submission of a Green Building Plan and energy benchmarking 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 the development will meet a minimum of Step 2 of the BC Energy Step Code with Low Carbon Energy Systems.
- 3.21 The submission of a Communication Strategy Plan that provides the building owners, tenants and employees with an understanding of how best to utilize the on-site amenities and alternative transportation provisions proposed for the development site is required.
- 3.22 Development Cost Charges applicable to this rezoning include:
 - Parkland Acquisition Charge;
 - GVS&DD Sewerage Charge;
 - School Site Acquisition Charge;
 - Regional Water Cost Charge; and,
 - Regional Transportation Development Cost Charge.

3.23 **Development Statistics:**

<u>Proposed Zoning</u>	CD (C3)
<u>Site Area</u> (subject to detailed survey)	5,407.00 m² (58,200.46 sq. ft.)
<u>Site Coverage</u>	48%
<u>Density (FAR) and Gross Floor Area (GFA)</u>	
<u>Density</u>	9.24 FAR
C3 Commercial	0.20 FAR
<u>C3 Residential</u>	9.04 FAR
Total FAR	9.24 FAR
<u>Gross Floor Area*</u>	49,896.54 m² (537,082 sq. ft.)

Commercial 1,057.15 m² (11,379.07 sq. ft.)
 Rental Apartment 48,839.39 m² (525,703.05 sq. ft.)

* Subject to minor changes to the resulting Gross Floor Area (GFA) as result of design refinements or detailed surveys, provided the proposed Density (FAR) is not exceeded.

Residential Units*

641 Units

Unit Mix – Bedrooms	Market Rental
Studio	52
Studio (adapt.)	53
One Bedroom	253
One Bedroom (adapt.)	6
One Bedroom (accessible)	12
One Bedroom + Den	97
One Bedroom + Den (adapt.)	4
Two Bedroom	153
Two Bedroom (adapt.)	3
Two Bedroom (accessible)	4
Two Bedroom + Den	50
Three Bedroom	4
Total Units	641

*The unit sizes will meet the minimum areas required by the Zoning Bylaw, including any additional area required for adaptable and accessible units, or units with dens.

*Final unit types, unit sizes, and floor plan designs may be further refined, subject to meeting City bylaws and provincial statutes, regulations and codes, as amended from time to time.

Parking and Loading*

Vehicle Parking

Rental residential (0.50 spaces per unit)	326 spaces (including 23 accessible spaces)
Visitor Parking (0.03 spaces per unit)	21 visitor spaces (to be shared by residential and commercial uses)
Commercial Parking (1 per 46 m ² GFA)	21 Spaces

Bicycle Parking

Secured Residential (2 spaces per unit)	1297 spaces
Visitor (0.2 spaces per unit)	129 spaces
Commercial (1 per 500m ² GFA)	3 spaces

Loading

Residential Loading	4 bays
Commercial Loading	3 bays

*The number of vehicle parking and loading spaces set out above may be varied, provided they comply with the Burnaby Zoning Bylaw, as amended from time to time, or the above, whichever is less.

Communal Facilities

Generous communal facilities are proposed for residents of the development. The amenity package for Tower VII includes an amenity lobby, meeting space, a co-working space, and dog wash station on the ground floor. On level two there is a gym, yoga room, and a multipurpose fitness space, as well as a large outdoor amenity space accessible by all residents. An extensive amenity floor is provided on the level 56 which includes a lounge space, entertainment and games rooms, a meeting room, dining space, and an exterior amenity deck with a children’s play space. The development will have landscaping amenity that will align with the Brentwood Conceptual Master Plan. The proposed internal amenity area of the project is up to 1,468.76 m² (15,809.65 sq. ft.), which is less than the permitted 5% or 2,441.97 m² (26,285 sq.ft) to be excluded from Gross Floor Area (GFA) under the Zoning Bylaw.

4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

A Public Hearing will be held at a future date. In advance of that, the City will send a notice, at least 10 days before a Public Hearing, to those properties that are within a 30 m (100 ft.) radius of the property. A notice will also be published on the City’s website, distributed as part of the City’s online newsletter, and a sign regarding the proposal will be posted on the site.

5.0 FINANCIAL CONSIDERATIONS

There are no financial considerations related to this proposal.

Respectfully submitted,

E. W. Kozak, General Manager Planning and Development

ATTACHMENTS

Attachment 1 – REZ #22-36: Sketch #1 and Sketch #2

REPORT CONTRIBUTORS

This report was prepared by Jessica Devlin-Cross, Development Planner, and Ian Wasson, Senior Development Planner, and reviewed by Jesse Dill, Director Development and Lee-Ann Garnett, Deputy General Manager Planning and Development.