



Item .....
Meeting ..... 2020 June 22

COUNCIL REPORT

**TO:** CITY MANAGER 2020 June 17

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT: REZONING REFERENCE #17-10004  
High-Rise Mixed-Tenure Apartment Building and Commercial Podium  
Metrotown Downtown Plan**

**ADDRESS:** 4330 Maywood Street  
(see *attached* Sketches #1 and #2)

**LEGAL:** Lot 78, District Lot 153, Group 1, NWD Plan 29417

**FROM:** RM3 Multiple Family Residential District

**TO:** CD Comprehensive Development District (based on the RM4s Multiple Family Residential District, RM4r Multiple Family Residential District, C2 Community Commercial District, Metrotown Downtown Plan as guidelines, and in accordance with the development plan entitled “4330 Maywood Street” prepared by GBL Architects)

**APPLICANT:** Kirpal Properties Ltd.  
6929 Royal Oak Avenue  
Burnaby, BC V5J 4J3  
Attn: Vineet Kirpal

**PURPOSE:** To seek Council authorization to forward this application to a Public Hearing on 2020 July 28.

---

**RECOMMENDATIONS:**

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2020 July 06 and to a Public Hearing on 2020 July 28 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.
  
  - 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 4.10 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 4.11 of this report.
- h) The execution of a Tenant Assistance Plan, in accordance with Council adopted policies.
- i) Compliance with the City's Groundwater Management for Multi-Family Development guidelines is required.
- 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 allocated disabled persons parking spaces.

- 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 review of on-site residential loading facilities by the Director Engineering.
- p) The submission of a Public Art Plan.
- q) Compliance with Council-adopted sound criteria.
- r) The provision of facilities for cyclists in accordance with this report.
- s) The undergrounding of existing overhead wiring abutting the site.
- t) Compliance with the guidelines for underground parking for visitors.
- u) The deposit of the applicable Parkland Acquisition Charge.
- v) The deposit of the applicable GVS & DD Sewerage Charge.
- w) The deposit of the applicable School Site Acquisition Charge.
- x) The deposit of the applicable Regional Transportation Cost Charge.
- y) 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 24-storey, mixed-use and mixed-tenure 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
- 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 Maywood neighbourhood of the Metrotown Downtown Plan area (see *attached* Sketch #2). The adopted Plan identifies the Maywood neighbourhood as the heart of Metrotown, with opportunities for people to live, gather, socialize and celebrate. Specifically, high density multiple-family mixed-use residential developments along Beresford Street are intended to terrace downward toward Imperial Street. The introduction of smaller neighbourhood commercial opportunities, with a focus on Maywood Park, are to be considered within Maywood to create a local serving hub and gathering places for residents and visitors. 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.

3.2 The adopted Plan designates the subject development site for high density multiple-family residential development under the CD Comprehensive Development District, utilizing the RM4s and RM4r Multiple Family Residential Districts as guidelines. The addition of C2 Community Commercial District uses, is considered supportable given the site’s proximity to Maywood Park. 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.

In accordance with Council’s recently adopted Finalized Rental Use Zoning Policy, Stream 1 – Rental Replacement, and Stream 2 – Inclusionary Rental applies to the subject rezoning application. In this regard, the applicant is required to provide the greater of the 1:1 replacement of the existing 27 rental units or the equivalent of 20% of the proposed strata market units, excluding units achieved using density offset of the RM4s District density. To increase affordability, the required rental units are to be offered at pre-development rents (subject to permitted Residential Tenancy Act increases) for returning tenants, and

20% below CMHC median rents for new tenants. To assist with the provision of the non-market housing, a density offset of 0.85 F.A.R. is available.

- 3.3 On 2018 June 11, Council received an initial rezoning report, Rezoning Reference #17-10004. 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 RM4r Multiple Family Residential District, and is suitable for presentation to a Public Hearing.

#### 4.0 GENERAL COMMENTS

- 4.1 The proposed development plan is for a single 24-storey apartment tower with rental and commercial podium fronting Maywood Street. All parking is provided underground with vehicular access provided via the rear lane. A total of a total of 120 residential units are proposed within the development. Vehicular access to the site is to be 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 Maywood neighbourhood. To complement and soften the urban environment, a progressive landscape treatment is proposed which includes boulevards and street trees along Maywood Street and Silver Avenue.
- 4.3 Given the site's Town Centre location, the adopted plan designates a total maximum strata market density (RM4s) of 4.45 F.A.R. inclusive of 1.7 F.A.R. base density, 0.30 F.A.R. base bonus, 0.80 F.A.R. supplemental base and 0.80 supplemental bonus, as well as 0.85 F.A.R. density offset for provision of the required inclusionary rental. The total maximum rental density (RM4r) attributed to the site is 1.7 F.A.R.

The applicant is proposing 91 strata market residential units using a density of 4.45 F.A.R. comprised of 3.6 F.A.R. of the RM4s District and 0.85 F.A.R. of the density offset. With respect to the rental component of the project, in accordance with Council's adopted Rental Use Zoning Policy, Stream 1 – Rental Replacement and Stream 2 – Inclusionary Rental, the applicant is providing 27 replacement rental units plus two inclusionary rental units as part of the development proposal, utilizing 1.15 F.A.R. of the RM4r rental density. The 27 replacement rental units and one of the inclusionary rental units are proposed at below market rates (pre-development rents for returning tenants or 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 0.85 F.A.R. density offset available under the RM4s District. The other inclusionary rental unit is proposed to be rented at market rates.

The applicant is also proposing to develop two levels of commercial uses fronting Maywood Street and Silver Avenue utilizing 0.67 F.A.R. of the C2 District density. As

such, the total proposed density for this development is 6.27 F.A.R., comprised of 4.45 F.A.R. for 91 market units, 1.15 F.A.R. for 29 rental units, and 0.67 F.A.R. for the commercial units, subject to Council approval.

- 4.4 Given the site's Town Centre location, the applicant is proposing to utilize the allowable bonus density provisions (1.1 F.A.R.) indicated within the Zoning Bylaw. In so doing, the applicant is proposing 2,026.4 m<sup>2</sup> (21,812 sq. ft.) of bonused gross floor area 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.

In accordance with Council's adopted policy, 80% of the cash-in-lieu contributions are applied toward the City-Wide Community Benefit Bonus Reserve, to be utilized in the future to achieve priority amenities as established by Council. Twenty percent of the cash-in-lieu contributions will be applied to the Community Benefit Bonus Affordable Housing Reserve.

- 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, which requires a minimum area of 50 m<sup>2</sup> (538 sq.ft.). The smaller one bedroom units 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 three bedroom units is proposed.

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

- construction of Maywood Street to its final Town Centre Two-Lane Collector standard including sidewalk, cycle track, front boulevard, pedestrian lighting, curb bulges, and street trees;
- construction of Silver Avenue to its final Town Centre Local Road standard including sidewalk, front boulevard, pedestrian lighting, curb bulges, and street trees;
- improvements to the rear lane as required; and,
- storm sewer, sanitary sewer and water main upgrades as required.

- 4.7 A dedication of 1.8 m is required along the subject site's Maywood Street frontage.

- 4.8 The registration of a Housing Covenant and a Housing Agreement will be required to protect and regulate rent levels and tenure of the non-market rental units. In terms of

affordability levels, rental rates for returning tenants will be the same or similar to prior rents (subject to RTA rental increases during construction), and for vacant units rental rates would meet the City's requirements of 20% below CMHC market median rates. 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. Council consideration and approval of a Housing Agreement Bylaw will be required as a condition of rezoning Final Adoption.

4.9 Given the site's location near the Metrotown SkyTrain Station, 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 lane.

To supplement the parking standard, the applicant will be providing a comprehensive Transportation Demand Management (TDM) strategy. This includes the provision of:

- a transit pass fund equivalent value to two zone monthly passes for 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.

4.10 The developer has committed to demonstrating sustainability through building design, materiality and efficiency (water, energy and waste management) initiatives. Due to the date of application, 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.

- 4.11 In accordance with the City’s policy for adaptable units, a total of 24 units (20% of the total number of residential units) is required to meet adaptable standards. The applicant has elected to provide 33 adaptable units (28%).The unit mix for the adaptable units is split between 12 one bedroom units and 18 two bedroom units for the market strata units, and 3 two bedroom units in the rental units. For adaptable 1 bedroom units, 20 sq. ft. is exempt from F.A.R. The exemption for two bedroom adaptable units is 30 sq. ft., and three bedroom units is 40 sq.ft. provided that the second bedroom is also adaptable. In total, the F.A.R. exemption is 93 m<sup>2</sup> (1,001 sq. ft.). A total of 24 handicap parking spaces are required, 21 allocated to the strata units and 3 stalls allocated to the rental units. The handicap parking stalls will be protected by a Section 219 Covenant as common property to be administered by the Strata Corporation and rental housing operator.
- 4.12 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 public art;
  - a Section 219 Covenant guaranteeing the provision and ongoing maintenance of stormwater management facilities; and,
  - a Section 219 Covenant ensuring that the handicap accessible parking stalls in the underground residential parking areas be held in common property to be administered by the Strata Corporation.
- 4.13 Due to the proximity of the subject site to Imperial Street, the applicant is required to provide an acoustical study showing that the proposed development would meet the Council-adopted noise criteria.
- 4.14 Provision of two car wash stalls is required for the residential development.
- 4.15 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.
- 4.16 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.

- 4.17 Engineering Environmental Services Division will need to review a submission of a detailed plan of an engineered Sediment Control System prior to Final Adoption.
- 4.18 The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering is required.
- 4.19 The submission of a detailed residential loading management plan to the approval of the Director Engineering is required.
- 4.20 A Tenant Assistance Plan, in line with Council’s adopted policy, has been submitted.
- 4.21 Bicycle storage lockers and surface parking racks are to be provided for the residential occupants and visitors of the development.
- 4.22 The applicable development cost charges include:
  - Parkland Acquisition;
  - School Site Acquisition;
  - GVS & DD Sewerage; and,
  - Regional Transportation Charge.

**5.0 DEVELOPMENT PROPOSAL**

5.1 Site Area (subject to detailed survey)

Gross Site Area	-	1,842.2 m <sup>2</sup> (19,829 sq.ft.)
Road Dedication	-	<u>74.7 m<sup>2</sup> (804 sq.ft.)</u>
Net Site Area	-	1,767.5 m <sup>2</sup> (19,025 sq.ft.)

5.2 Site Coverage - 54 %

5.3 Density and Gross Floor Area

Market Strata Density:

RM4s Floor Area Ratio	-	3.60 F.A.R.
Density Offset Floor Area Ratio	-	<u>0.85 F.A.R.</u>
Total F.A.R.	-	4.45 F.A.R.

RM4s Floor Area - 6,631.8 m<sup>2</sup> (71,384 sq.ft.)

Density Offset Floor Area	-	<u>1,564.2 m<sup>2</sup> (16,837 sq.ft.)</u>
Total Floor Area	-	8,196.0 m <sup>2</sup> (88,221 sq.ft.)

Rental Density:

RM4r Floor Area Ratio	-	1.15 F.A.R.
RM4r Floor Area	-	2,124 m <sup>2</sup> (22,863 sq.ft.)

Commercial Density:

C2 Floor Area Ratio	-	0.67 F.A.R.
C2 Floor Area	-	1,229 m <sup>2</sup> (13,229 sq.ft.)

<u>Total Site Floor Area Ratio:</u>	-	6.27 F.A.R.
-------------------------------------	---	-------------

<u>Total Site Gross Floor Area:</u>	-	11,549 m <sup>2</sup> (124,312 sq. ft.)
-------------------------------------	---	---

5.4 <u>Building Height</u>	-	24 Storeys
----------------------------	---	------------

5.5 Unit Mix

Market Strata Units:

18 – Junior 1 Bedroom	-	50.0 m <sup>2</sup> (538 sq.ft.)
3 – 1 Bedroom	-	56.0 m <sup>2</sup> (603 sq.ft.)
12 – 1 Bedroom (adaptable)	-	56.0 m <sup>2</sup> (603 sq.ft.)
21 – 2 Bedroom	-	70.0 m <sup>2</sup> (753 sq.ft.)
18 – 2 Bedroom (adaptable)	-	80.0 m <sup>2</sup> (861 sq.ft.)
1 – 2 Bedroom + Den	-	70.0 m <sup>2</sup> (753 sq.ft.)
<u>18 – 3 Bedroom</u>	-	84.0 m <sup>2</sup> (904 sq.ft.)

91 Units

Non-Market Rental Units:

2 – Studio	-	37.0 m <sup>2</sup> (403 sq.ft.)
18 – Junior 1 Bedroom	-	50.0 m <sup>2</sup> – 56.0 m <sup>2</sup> (538 – 602 sq.ft.)
5 – 2 Bedroom	-	70.0 m <sup>2</sup> (753 sq.ft.)
<u>3 – 2 Bedroom (adaptable)</u>	-	71.0 m <sup>2</sup> (764 sq.ft.)

28 Units

Market Rental Unit:

1 – 2 Bedroom	-	70.0 m <sup>2</sup> (753 sq.ft.)
---------------	---	----------------------------------

120 Total Strata Market and Rental Units

To: City Manager  
From: Director Planning and Building  
Re: REZONING REFERENCE #17-10004  
2020 June 17 ..... Page 11

5.6 Parking

91 market units at 1.1 spaces / unit required	-	98 spaces
29 rental units at 0.6 spaces / unit required	-	18 spaces
Residential parking provided	-	119 spaces
1,229 m <sup>2</sup> commercial at 1/46 m <sup>2</sup> required	-	27 spaces
Commercial parking provided	-	27 spaces
Bicycle parking required and provided at 2 spaces per unit and 0.2 for visitors	-	273 spaces
Car wash facilities	-	2 spaces

5.7 Commercial and Residential Loading

Commercial	-	2 spaces
Residential	-	1 space

5.8 Communal Facilities (*Excluded from FAR Calculations*)

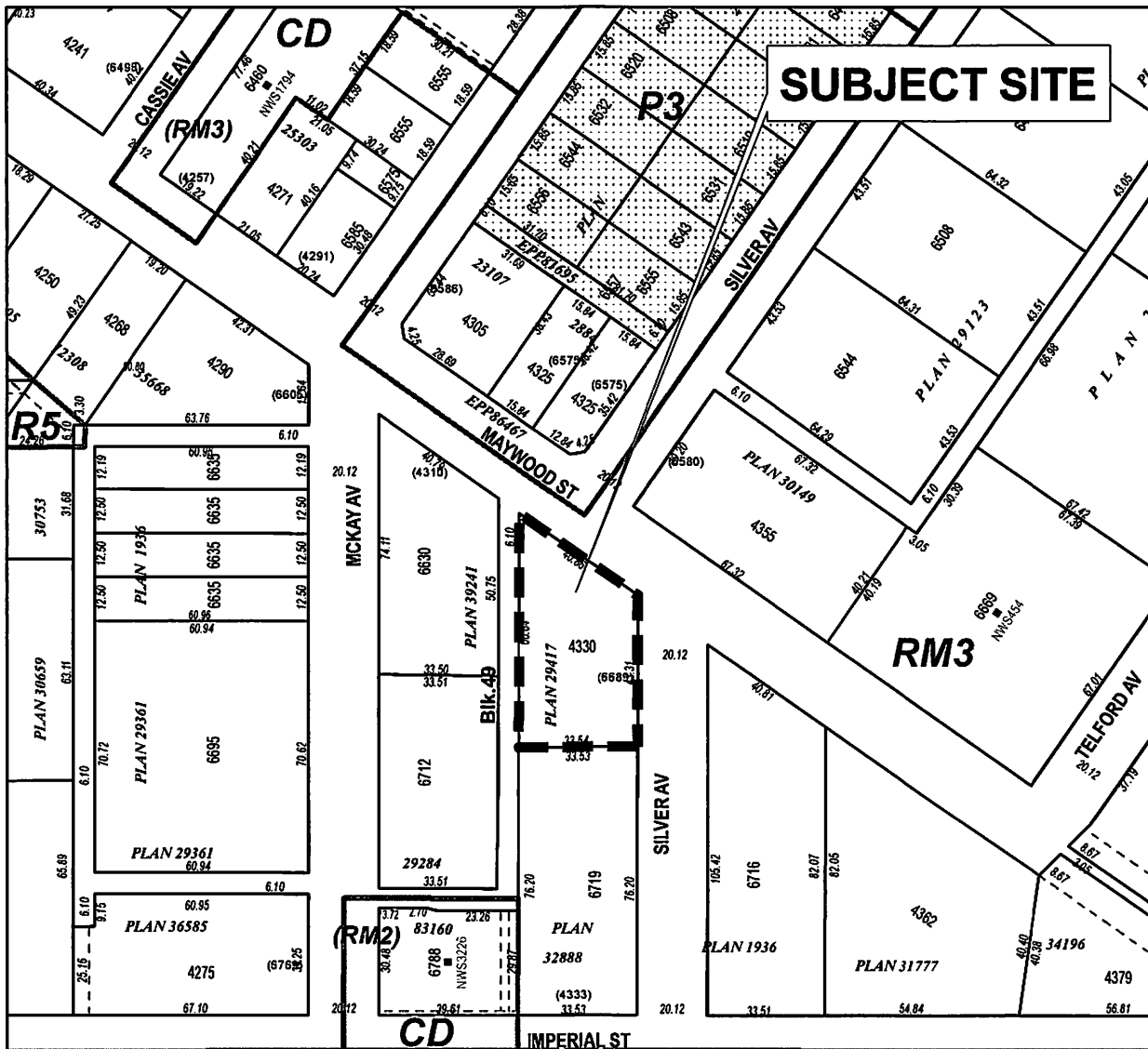
Communal facilities for residential tenants, include a multi-purpose room for the rental tenants located on the 5<sup>th</sup> floor, and a second multi-purpose room for the market tenants located on the 21<sup>st</sup> floor. The total amenity areas amount to 416 m<sup>2</sup> (4,478 sq.ft.) which is less than the 516 m<sup>2</sup> (5,554 sq. ft.), or 5% of Gross Floor Area, that is permitted to be exempted from F.A.R calculations as amenity space under the Zoning Bylaw.

  
E.W. Kozak, Director  
PLANNING AND BUILDING

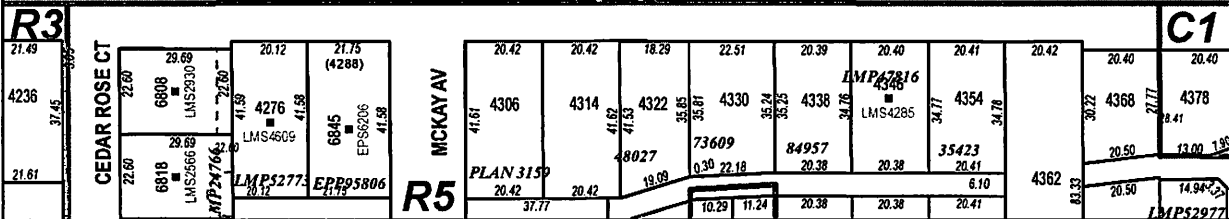
SMN:tn

**Attachments**

cc: City Solicitor City Clerk  
P:\49500 Rezoning\20 Applications\2017\17-10004 4330 Maywood Street\Council Reports\Rezoning Reference 17-10004 PH Report  
2020.06.22.Docx



**SUBJECT SITE**




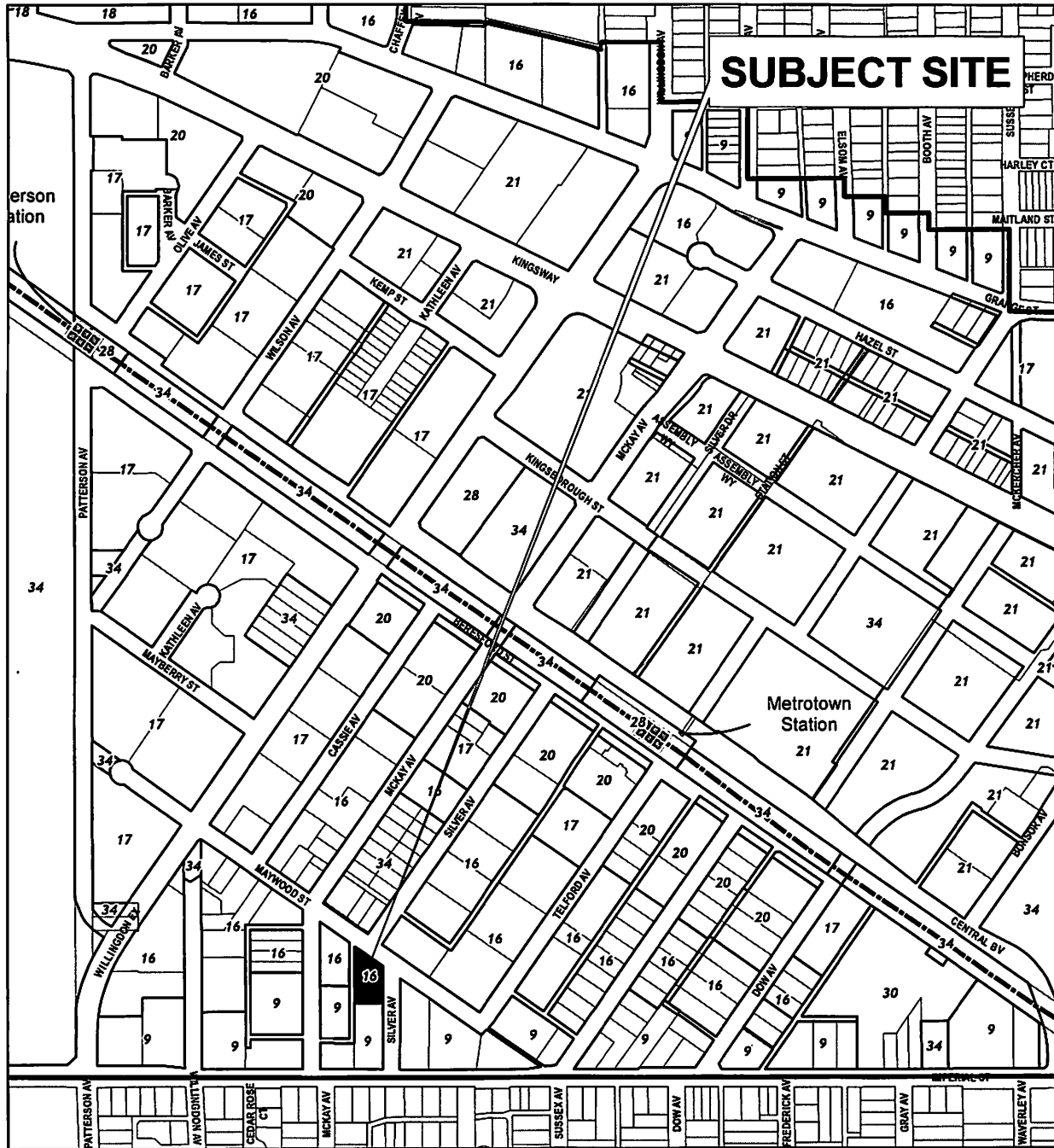
PLANNING & BUILDING DEPARTMENT



Date: MAY 13 2020  
 scale: 1:2,000  
 Drawn By: JS

REZONING REFERENCE #17-10004  
 4330 MAYWOOD STREET

 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

