



Item.....
Meeting..... 2020 November 23

COUNCIL REPORT

TO: CITY MANAGER 2020 November 18

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #20-15**
Non-Market Seniors' Housing Development
Central Administrative Plan Area

ADDRESS: 5912, 5924, 5938, 5946, 5958, 5968, 5978, and 5988 Sunset Street, and 5907, 5919, 5931, 5941, 5951, 5969, 5979, and 5989 Kincaid Street (see *attached* Sketches #1 and #2)

LEGAL: See *attached* Schedule A

FROM: CD Comprehensive Development District (based on P5 Community Institutional District, RM3r Multiple Family Residential District, and Central Administrative Area Plan as guidelines, and in accordance with the development guidelines prepared by the City)

TO: Amended CD Comprehensive Development District (based on P5 Community Institutional District, RM3r Multiple Family Residential District, and Central Administrative Area Plan as guidelines, and in accordance with the development plan entitled "Sunset Kincaid Non-Market Seniors Housing" prepared by M'akola Development Services)

APPLICANT: M'akola Development Services
#107 – 731 Station Avenue
Victoria, BC V9B 5R5
Attn: Julie Edney

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2020 December 15.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2020 November 23 and to a Public Hearing on 2020 December 15 at 5:00 p.m.
2. **THAT** the introduction of a Highway Closure Bylaw be authorized according to the terms outlined in Section 6.3 of this report, contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.
3. **THAT** the following be established as prerequisites to the completion of the rezoning:
 - a) The submission of a suitable plan of development.

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- 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, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
- d) The dedication of any rights-of-way deemed requisite.
- e) The completion of the Highway Closure Bylaw.
- f) The registration of a Lease Agreement, as outlined in Section 6.2 of this report.
- g) The registration of a Housing Agreement.
- h) The granting of any necessary statutory rights-of-way, easements and/or covenants, as detailed in Section 6.4 of this report.
- i) The consolidation of the net project site into one legal parcel.
- 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, and the granting of a Section 219 Covenant and deposit of sufficient monies to guarantee its provision and continuing operation.
- l) Compliance with the City's Groundwater Management for Multi-Family Development guidelines.
- m) Compliance with Council-adopted sound criteria.
- n) The provision of a covered car wash stall 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 design and provision of units adaptable to persons with disabilities, the provision of customized hardware and cabinet work being subject to the lease of the unit to a disabled person.
- p) The provision of facilities for cyclists in accordance with Section 7.6 of the rezoning report.

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- q) The submission of an exterior lighting plan which meets the standards for seniors' housing complexes, as adopted by Council.
- r) The approval of the Ministry of Transportation of the rezoning application.
- s) The review of on-site residential loading facilities by the Director Engineering.
- t) The submission of a Green Building Strategy for the site.
- u) A tree survey of the site to determine whether any existing trees are suitable for retention. If trees measuring 20 cm (8 in.) in diameter are required to be removed due to the site's development, then a tree removal permit will be required.
- v) The deposit of the applicable Parkland Acquisition Charge.

R E P O R T

1.0 REZONING PURPOSE

The purpose of this rezoning bylaw amendment is to permit the use of the site for a non-market seniors' housing development.

2.0 POLICY FRAMEWORK

The *Mayor's Task Force on Community Housing Final Report*, unanimously adopted by Council on 2019 July 29, specifically calls on the City to "pursue partnerships that leverage the contributions of the City, BC Housing, non-profit societies, and private developers to provide more non-market and below-market rental housing." As well, the Report broadly recommends investment in housing partnerships, and increasing the supply of affordable rental housing.

There are several other City policies that support the provision of affordable housing, particularly in partnership with other orders of government:

- *Burnaby's Official Community Plan (1997)*;
- *The Burnaby Economic Development Strategy (2007)*; and,
- *The Burnaby Social Sustainability Strategy (2011)*.

A partnership approach to develop affordable housing in Burnaby is further supported by the following goals and sub-goals of the Corporate Strategic Plan:

A Connected Community.

- Partnership - Work collaboratively with businesses, educational institutions, associations, other communities, and governments.
- Social Connection - Enhance social connections throughout Burnaby.

An Inclusive Community

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

A Healthy Community

- Healthy life - Encourage opportunities for healthy living and well-being.
- Community involvement - Encourage residents and businesses to give back to and invest in the community.

A Dynamic Community

- Community development - Manage change by balancing economic development with environmental protection and maintaining a sense of belonging.

3.0 BACKGROUND

- 3.1 On 2019 October 07, Council received a staff report advancing a program to bring forward a number of City-owned sites for the development of non-market housing, in partnership with other orders of government. Amongst the report recommendations were that staff initiate pre-zoning applications for the various City-owned sites, in order to establish development guidelines and ultimately deliver detailed civil designs and estimates. Together with Council's approval in principle to provide a financial contribution from the Community Benefit Bonus Housing Reserve towards capital development costs, the City is poised to be in a stronger position to obtain capital funding from BC Housing under its *Building BC: Community Housing Fund (CHF)* program and CMHC under its *National Housing Co-Investment Fund*. It should be noted that a staff report seeking Council's specific approval to provide a financial contribution from the Community Benefit Bonus Housing Reserve towards capital development costs will be advanced in December 2020.
- 3.2 The pre-zoning application related to this site, Rezoning Reference #19-55, received Final Adoption on 2020 November 09.
- 3.3 On 2020 July 06, Council approved Vancouver Native Housing Society as the non-profit housing provider for the subject site subject. This approval is subject to the proponent, in partnership with M'akola Development Services, TL Housing Solutions, and IBI Group, securing capital funding and completing a site-specific rezoning application in accordance with the Comprehensive Development guidelines established through the pre-zoning application (Rezoning Reference #19-55). The intent of this site-specific rezoning application is to establish the preliminary architectural and landscape concept for the subject site, which will aid in the group's application for capital funding from BC Housing. Further detailed architectural and landscape drawings will be established in a subsequent Preliminary Plan Approval application.
- 3.4 On 2020 September 28, Council received the report of the Planning and Building Department regarding the rezoning of the subject site, and authorized the Department to continue to work with the applicant in the preparation of a suitable plan of development with the understanding that a further and more detailed report would be submitted at a later date.

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

4.0 NEIGHBOURHOOD CHARACTERISTICS

4.1 The subject City-owned site is located in the Central Administrative Area, bound by Sunset Street to the north, Godwin Avenue to the west, Kincaid Street to the south, and properties to the east, and is currently treed and undeveloped. The recommended P5 Community Institutional District, and RM3r Multiple Family Residential District zoning for the site is consistent with the site's community institutional land use designation, which allows various types of seniors' housing (see *attached* Sketches #1 and #2).

4.2 To the north across Sunset Street are single family dwellings and a place of public worship. To the east is another place of public worship and two City-owned properties (3961 and 3983 Norland Avenue) improved with older single-family homes. To the south across Kincaid Street is a non-market housing development operated by New Chelsea Society, a place of public worship, and several properties that are owned by the Dania Society and developed with seniors' non-market housing and a complex care facility. To the west, across Godwin Avenue, is an older market rental apartment building.

5.0 REZONONG PROPOSAL

5.1 The applicant is proposing to rezone the site to the Amended CD Comprehensive Development District, utilizing the P5 Community Institutional District and RM3r Multiple Family Residential Districts, in order to permit the construction of a six-storey non-market seniors' housing development, comprised of 271 units for Indigenous and non-Indigenous seniors to age in place, with approximately 10% of the units being two-bedroom so that seniors with dependents can be accommodated (the development guidelines for Rezoning Reference #19-55 anticipated 243 units on this site). Significant indoor amenity (including two lounges, a dining area, and a multipurpose room) and a variety of outdoor amenity spaces are also proposed.

5.2 The building is proposed to be constructed and operated on a non-profit basis. As the applicant will be applying for BC Housing funding through the *Community Housing Fund (CHF)* program, rental rates of the proposed units would be in accordance with BC Housing's program requirements. This includes:

- 30% of units at affordable rates (moderate income);
- 50% of units with rents geared to income (housing income limit); and,
- 20% of units at deep subsidy rates (all percentages to be confirmed).

5.3 Site density has been calculated on an aggregate basis, utilizing both the P5 and RM3r Districts. The maximum permitted density is 1.9 FAR. The proposed total density for the site is approximately 1.76 FAR. The final floor area, within the permitted maximum, will be determined as part of the Preliminary Plan Approval Application.

5.4 Overall, the rezoning proposal is considered supportable, as it achieves new non-market seniors' housing and will contribute to the availability of affordable housing in the City. It is also noted that this development is one of the first housing developments in the City to be provided by an Indigenous non-market housing provider (the other such development is appearing elsewhere on this agenda under Rezoning Reference #20-16). The proposed project thereby helps to support the City's actions on Truth and Reconciliation, notably by providing access to safe, adequate, affordable, and secure housing to urban Indigenous seniors, in addition to non-Indigenous seniors.

6.0 REZONING REQUIREMENTS

6.1 The Director Engineering will be requested to provide an estimate for any services necessary to serve this site. The servicing requirements may include, but not necessarily be limited to:

- the construction of Kincaid Street to its final local road standard, with new separated sidewalks, street trees, street lighting and pedestrian lighting across the development's frontage; and, a new pedestrian crossing connecting the site to the walkway on 5895 Kincaid Street, in order to connect to Canada Way bus services;
- the construction of Godwin Avenue to its final local road standard, with new separated sidewalks, street trees, street lighting and pedestrian lighting across the development's frontage;
- the construction of Sunset Street to its final local road standard, including the assessment of existing curb and sidewalk on Sunset Street, and installation of street trees, street lighting and pedestrian lighting across the development's frontage; and construction of the cul-de-sac to its final standard; and,
- storm, sanitary sewer, and water main upgrades, as required.

Necessary road dedications include 6.0m by 6.0m and 3.0m by 3.0m corner truncations at the northwest and southwest corners of the site, respectively, and dedication for the completion of the Sunset Street cul-de-sac, to match the existing radius of other property lines at the cul-de-sac. The total area of dedication is approximately 99.5 m² (1,071 sq. ft.), subject to legal survey.

6.2 As mentioned above, the subject site is part of a broader City initiative to develop non-market housing on various City-owned sites in Burnaby. The City's contribution to the program includes leasing the sites to a non-profit society, non-profit housing co-operative, or to a government housing entity for a term of 60 years or longer at a nominal rate, subject to the selected non-profit or government partner securing capital funding and completing a site-specific rezoning application in accordance with established development guidelines. A 99 year lease term is proposed, consistent with BC Housing requirements and recent City practice.

6.3 The project site includes an unopened lane right-of-way measuring approximately 869.31 m² (9,357 sq.ft.). The completion of a Highway Closure Bylaw is required prior to Final Adoption of the subject rezoning application.

- 6.4 Any necessary easements, covenants and statutory rights-of-way for the site are to be provided, including but not necessarily limited to:
 - Section 219 Covenant restricting enclosure of balconies;
 - Section 219 Covenant ensuring the provision of a Housing Agreement, as outlined in Section 6.6 of this report;
 - Section 219 Covenant and bonding to assure the provision and continuing maintenance of stormwater management system; and,
 - Section 219 Covenant ensuring compliance with the approved acoustical study.
- 6.5 In accordance with the City's policy for adaptable units, a total of 55 units (20% of the total number of residential units) will be required to meet adaptable standards. The unit mix for the adaptable units is split between 50 one-bedroom units and five two-bedroom units. For adaptable one-bedroom units, 1.86 m² (20 sq. ft.) is exempt from FAR and the exemption for two bedroom adaptable units is 2.79 m² (30 sq. ft.). The project's adaptable FAR exemption is 106.95 m² (1,151 sq. ft.). A total of 12 adaptable parking stalls are provided.
- 6.6 A Housing Agreement and Section 219 Covenant are required between the applicant and the City to secure the non-profit nature of the housing project.
- 6.7 The consolidation of the net project site into one legal parcel is required.
- 6.8 The developer is responsible for the installation and ongoing maintenance of stormwater management facilities in accordance with a stormwater management plan to be approved by the Director Engineering. A Section 219 Covenant will be registered on the subject property to ensure the installation and ongoing use and maintenance are in accordance with the accepted stormwater management plan.
- 6.9 The Engineering Environmental Services Division will need to review a submission of a detailed plan of an engineered Sediment Control System prior to Final Adoption.
- 6.10 The submission of a Green Building Strategy for the site is required.
- 6.11 An acoustical report will need to be undertaken to ensure compliance with Council-adopted sound criteria.
- 6.12 The submission of a suitable Solid Waste and Recycling plan to the approval of the Director Engineering is required.
- 6.13 The approval of a residential loading plan by the Director Engineering is required.
- 6.14 The development must comply with the *Guidelines for Development on Forested Sites (September 2011)*, including provision of a tree survey and raptor survey. In addition, an ecological assessment, which complies with the *Ecological Assessment Guidelines for Ecologically Sensitive Sites (March 2017)* is required.

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- 6.15 Submission of an exterior lighting plan which meets the standards for seniors' housing complexes, as adopted by Council, is required.
- 6.16 Ministry of Transportation approval of the rezoning is required.
- 6.17 The following Development Cost Charge applies:
 - Parkland Acquisition Charge

7.0 DEVELOPMENT PROPOSAL

7.1 Site Area

Gross Site Area:	-	10,020 m ² (107,854 sq.ft.)
Dedication:	-	99.5 m ² (1,071 sq.ft.)
Net Area:	-	9,920.5 m ² (106,783 sq.ft.) (subject to detailed survey)

7.2 Density:

-	1.76 FAR proposed
-	17,591.44 m ² (189,353 sq. ft.)
-	1.90 FAR permitted

Site Coverage:

-	41%
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7.3 Height

-	6 storeys
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7.4 Unit Mix

200 one-bedroom units:	-	50.16 – 60.01 m ² (540 – 646 sq. ft.)
50 one-bedroom units (adaptable):	-	minimum 52.02 m ² (560 sq. ft.)
16 two-bedroom units:	-	72.27 – 86.12 m ² (778 – 927 sq. ft.)
<u>5 two-bedroom units (adaptable):</u>	-	minimum 74.14 m ² (798 sq. ft.)

271 Total Units

7.5 Parking

	<u>Required</u>	<u>Provided</u>
Residential (0.25 spaces / unit)	68	69

7.6 Bicycle Parking/Facilities Required and Provided

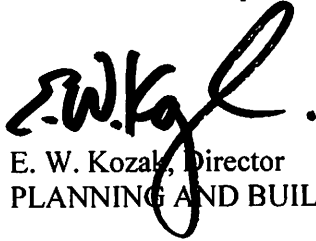
Residential	-	286 spaces in secure storage
	-	16 surface bicycle racks

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7.7 Loading - 1 space required and provided

7.8 Shared Communal Facilities

The proposed development provides approximately 1,442 m² (15,522 sq. ft.) of indoor amenity areas (a portion of which is excluded from the calculation of Floor Area Ratio) which include two lounges, a dining area, and a multipurpose room. A maximum of 5% of Gross Floor Area is permitted to be excluded from Floor Area Ratio. Proposed outdoor amenity areas include two roof top amenity spaces and a tiered terraced outdoor space adjacent Sunset Street.



E. W. Kozak, Director
PLANNING AND BUILDING

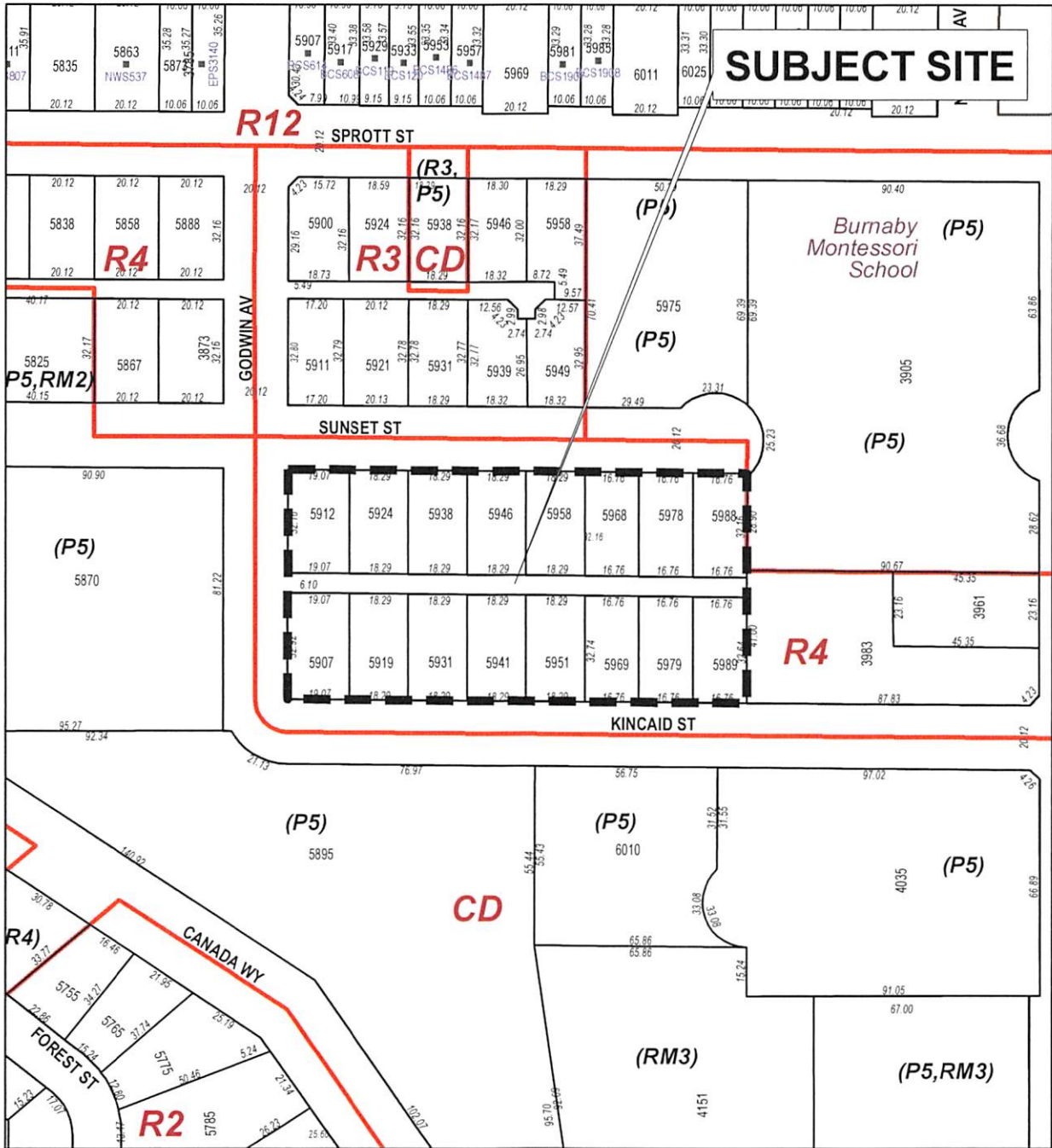
LS:tn



Attachments

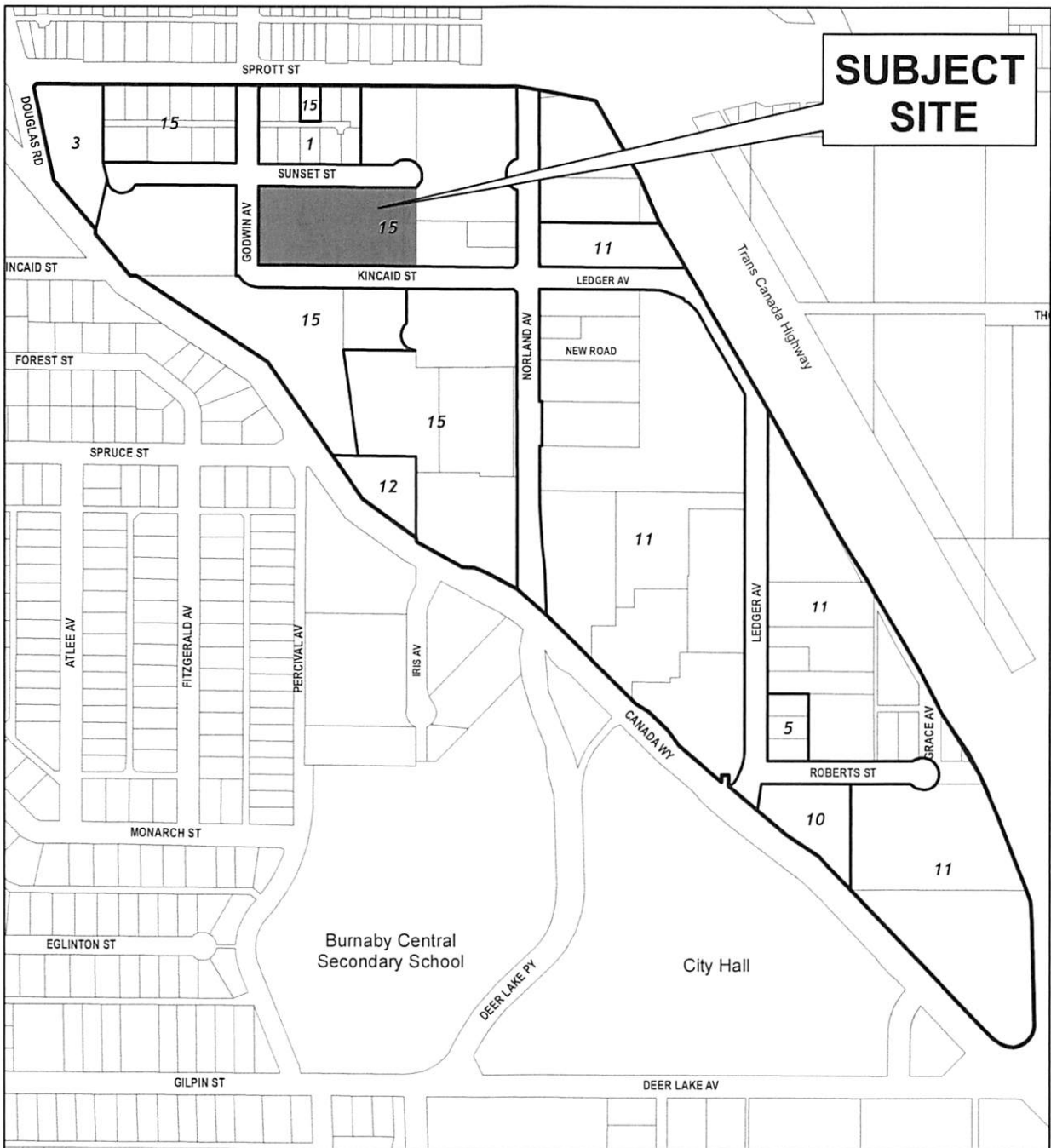
cc: City Solicitor
City Clerk

**REZONING REFERENCE #20-15
SCHEDULE A**

ADDRESS	PID	LEGAL DESCRIPTION
5912 Sunset Street	012-409-511	Lot 28, District Lot 80, Group 1, New Westminster District Plan 1892
5924 Sunset Street	012-409-545	Lot 29, District Lot 80, Group 1, New Westminster District Plan 1892
5938 Sunset Street	012-409-618	Lot 30, District Lot 80, Group 1, New Westminster District Plan 1892
5946 Sunset Street	012-409-669	Lot 31, District Lot 80, Group 1, New Westminster District Plan 1892
5958 Sunset Street	012-409-707	Lot 32, District Lot 80, Group 1, New Westminster District Plan 1892
5968 Sunset Street	012-409-138	Lot 7, District Lot 80, Group 1, New Westminster District Plan 1891
5978 Sunset Street	012-409-146	Lot 8, District Lot 80, Group 1, New Westminster District Plan 1891
5988 Sunset Street	012-409-189	Lot 9, District Lot 8,0 Group 1, New Westminster District Plan 1891
5907 Kincaid Street	002-842-351	Lot 37, District Lot 80, Group 1, New Westminster District Plan 1892
5919 Kincaid Street	002-840-910	Lot 36, District Lot 80, Group 1, New Westminster District Plan 1892
5931 Kincaid Street	001-775-219	Lot 35, District Lot 80, Group 1, New Westminster District Plan 1892
5941 Kincaid Street	001-775-201	Lot 34, District Lot 80, Group 1, New Westminster District Plan 1892
5969 Kincaid Street	012-409-308	Lot 12, District Lot 80, Group 1, New Westminster District Plan 1891
5979 Kincaid Street	012-409-260	Lot 11, District Lot 80, Group 1, New Westminster District Plan 1891
5989 Kincaid Street	012-409-227	Lot 10, District Lot 80, Group 1, New Westminster District Plan 1891



	<p>PLANNING & BUILDING DEPARTMENT</p>
<p>Date: NOV 05 2020</p>	<p>REZONING REFERENCE #20-15 5212, 5924, 5938, 5946, 5958, 5968, 5978 & 5988 SUNSET STREET AND 5907, 5919, 5931, 5941, 5951, 5969, 5979 & 5989 KINCAID STREET</p>
<p>scale: 1:2,000</p>	<p> Subject Site</p>
<p>Drawn By: JS</p>	



*Central Administrative Area
Community Plan*



PLANNING & BUILDING DEPARTMENT

- 1** Single and Two Family Residential
- 3** Medium Density Multiple Family Residential
- 5** Commercial
- 10** Administration and Public Assembly
- 11** Business Centre Districts
- 12** Park and Public Use
- 15** Community Institutional

