



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

COUNCIL REPORT

**TO:** CITY MANAGER 2020 November 18

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE #20-16**  
**Non-Market Rental Housing Development**

**ADDRESS:** 6488 Byrnespark Drive (Sketch #1 *attached*)

**LEGAL:** Lot 7, District Lots 171 and 155a, Group 1, New Westminster District Plan LMP30202

**FROM:** CD Comprehensive Development District (based on RM2, RM2r Multiple Family Residential District and Edmonds Town Centre Plan as guidelines and in accordance with the development guidelines prepared by the City)

**TO:** Amended CD Comprehensive Development District (based on RM2, RM2r Multiple Family Residential District and Edmonds Town Centre Plan as guidelines and in accordance with the development plan entitled "Byrne Park – Site 3 - Building" prepared by IBI Group)

**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.

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**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 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

To: City Manager  
From: Director Planning and Building  
Re: Rezoning Reference #20-16  
2020 November 18.....Page 2

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 registration of a Lease Agreement, as outlined in Section 6.2 of this report.
- f. The registration of a Housing Agreement.
- g. The granting of any necessary statutory rights-of-way, easements and/or covenants, as detailed in Section 6.3 of this report.
- h. The review of a detailed Sediment Control System by the Director Engineering.
- i. Compliance with the City's Groundwater Management for Multi-Family Development guidelines is required.
- j. Compliance with Council-adopted sound criteria.
- k. 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 persons.
- l. 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.
- m. The provision of facilities for cyclists in accordance with Section 7.6 of the rezoning report.
- n. Compliance with the guidelines for underground parking for visitors.
- o. The review of on-site residential loading facilities by the Director Engineering.
- p. The submission of a Green Building Strategy.
- q. A tree survey and arborist report of the site will be required 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.

To: City Manager  
From: Director Planning and Building  
Re: Rezoning Reference #20-16  
2020 November 18.....Page 3

- r. The submission of a geotechnical review regarding the stability of the site to accommodate the proposed development, to the approval of the Chief Building Inspector and granting of a Section 219 Covenant respecting the approved report.
- s. 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.
- t. The deposit of the applicable Parkland Acquisition Charge.
- u. The deposit of the applicable per unit Edmonds Town Centre South Grade-Separated Crossings Charge.

## REPORT

### 1.0 REZONING PURPOSE

The purpose of this rezoning amendment is to permit the development of new non-market rental units.

### 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.

To: City Manager  
From: Director Planning and Building  
Re: Rezoning Reference #20-16  
2020 November 18 .....Page 4

**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 #19-56, received Final Adoption on 2020 November 09.
- 3.3 On 2020 July 06, Council approved the non-profit housing provider for the subject site M'akola Housing Society. 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 pre-zoning (Rezoning Reference #19-56). 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 within Sub-Area 3 of the Edmonds Town Centre Plan area, bounded by Byrnespark Drive to the north and to the west, Byrne Woods Park to the east and a treed and undeveloped property to the south. The subject treed, undeveloped site is designated for “Ground-Oriented Multiple-Family Housing” using the RM2 Multiple Family Residential District as a guideline. The recommended RM2 and RM2r Multiple Family Residential District zoning for the site is consistent with the site’s community plan designation (see *attached* Sketches #1 and #2).

4.2 To the west and north of the site, across Byrnespark Drive, is Byrne Creek Ravine Park. Immediately to the east is Byrne Woods Park. To the south is a site under development that received Final Adoption on 2020 July 27 (Rezoning Reference #18-09) for the construction of a five-storey apartment building with underground parking, townhouses with at grade parking, and an affordable housing component including 20 units at 20% below CMHC market median (or lower) rents.

#### 5.0 REZONING PROPOSAL

5.1 The applicant is proposing to rezone the site to the Amended CD Comprehensive Development District, utilizing the RM2, RM2r Multiple Family Residential District as guidelines, in order to permit the construction of a six-storey non-market rental development, comprised of 129 units for Indigenous and non-Indigenous families and individuals, a variety of indoor and outdoor amenity spaces, and underground visitor/residential parking to be accessed from Byrnespark Drive.

5.2 On 2020 September 30, the City through the Environmental Review Committee (ERC) reviewed the subject proposal with regard to the Streamside Protection and Enhancement Areas (SPEA) Bylaw (Zoning Bylaw Section 6.23) as an ephemeral stream was found onsite. Accordingly, a 15 m (49 ft.) wide SPEA, measured from the top of bank, applies to the unnamed stream. A proposed variance to a 10 m (33 ft.) SPEA measured from top of bank is supported subject to the following:

- provision of a 4.5 m (15 ft.) development setback from the SPEA boundary;
- a tree survey and arborist report submission for tree removal and protection requirements;
- a comprehensive plan for protection and enhancement of the SPEA;
- a plan for five years of monitoring and maintenance to support the enhancement plan;
- installation of permanent fencing and signage along the SPEA boundary; and,
- a registered streamside protection covenant over the SPEA.

5.3 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.

5.4 Site density has been calculated utilizing the density permitted under the RM2 and RM2r Multiple Family Residential Districts. The proposed total density for the site 1.10 FAR for a gross floor area of 9,832.02 m<sup>2</sup> (105,831 sq.ft.).

5.5 Overall, the rezoning proposal is considered supportable, as it achieves new non-market rental 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 #20-15). The proposed project thereby helps to support the City’s actions on Truth and Reconciliation, notably by providing employment opportunities and access to safe, adequate, affordable, and secure housing for Indigenous families and individuals.

## 6.0 REZONING REQUIREMENTS

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

- the construction of a Town Centre two-lane collector standard, with new concrete curb and gutter, rain gardens in curb bulges, boulevard grass, cycle track and sidewalk.

Necessary road dedications include a 2.0 m (6.56 ft.) dedication along Byrnepark Drive to support the works described above. The total area of dedication is approximately 301.20 m<sup>2</sup> (988 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. The applicant is proposing a 99 year lease term in accordance with BC Housing requirements and recent City practices. Detailed terms and conditions of the lease will be provided to Council in a future report.

- 6.3 Any necessary easements and covenants and statutory rights-of-way for the site are to be provided, including, but not necessarily limited to:
- Section 219 Covenant and bonding to assure the provision and continuing maintenance of stormwater management system;
  - Section 219 Covenant for the permanent protection and enhancement of the streamside area (SPEA);
  - Section 219 Covenant to guarantee the provision and continuing operation of methane gas monitoring;
  - Section 219 Covenant restricting enclosure of balconies;
  - Section 219 Covenant ensuring the provision of a Housing Agreement, as outlined under Section 6.5 of this report; and,
  - Section 219 Covenant ensuring compliance with an approved acoustical study.
- 6.4 In accordance with the City’s policy for adaptable units, a total of 26 units (20% of the total number of residential units) have been provided meeting adaptable standards. The unit mix for the adaptable units is split between six studio units, six one-bedroom units, 12 two-bedroom units, and two three-bedroom units. For adaptable studio and one bedroom units, 1.86 m<sup>2</sup> (20 sq. ft.) is exempt from the FAR. An additional 0.93 m<sup>2</sup> (10 sq. ft.) is excluded from the calculation of GFA for every bedroom in excess of the first adaptable bedroom. Therefore, the project’s adaptable FAR exemption is 63.24 m<sup>2</sup> (681 sq. ft.). At least nine adaptable parking stalls will provided in connection with this development within the secured residential parking area, with a finalized number to be determined through Preliminary Plan Approval (PPA) to meet anticipated resident needs.
- 6.5 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.
- 6.6 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.
- 6.7 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.
- 6.8 The developer has committed to demonstrating sustainability through building design, materiality and efficiency (water, energy and waste management) initiatives. The proposed building will meet Step 3 of the BC Energy Step Code.
- 6.9 In light of the site’s proximity to Southridge Drive, an acoustical report will need to be undertaken to ensure compliance with Council-adopted sound criteria.

- 6.10 The submission of a suitable Solid Waste and Recycling plan to the approval of the Director Engineering.
- 6.11 As the portion of the site outside of streamside protection and enhance areas will be mostly excavated for development, an arborist’s report and 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. A detailed landscape and tree planting plan will be provided as part of the suitable plan of development to replace existing trees to be removed from the site.
- 6.12 A geotechnical review of the subject site’s soil stability and registration of a Section 219 Covenant regarding the findings of the approved report will be required.
- 6.13 The development must comply with the *Guidelines for Development on Forested Sites (September 2011)*, including submission of a tree survey and nesting raptor survey.
- 6.14 The following Development Cost Charges apply:
  - Parkland Acquisition Charge;
  - Edmonds Town Centre South Grade - Separated Crossing Cost Charge;

**7.0 DEVELOPMENT PROPOSAL**

7.1	<u>Site Area</u>		
	Gross Site Area:	-	8,490 m <sup>2</sup> (91,386 sq.ft.)
	Dedication:	-	301.2 m <sup>2</sup> (3,242 sq.ft.)
	Net Area:	-	8,188.80 m <sup>2</sup> (88,143 sq.ft.) (subject to detailed survey)
7.2	Density:	-	1.10 FAR 9,832.02 m <sup>2</sup> (105,831 sq.ft.)
	Site Coverage:	-	20%
7.3	<u>Height:</u>	-	6 storeys 18.44 m (60 ft.)
7.4	<u>Unit Mix:</u>		
	18 studio units:	-	30.94 – 33.87 m <sup>2</sup> (333 – 364.56 sq. ft.)
	06 studio units (adaptable):	-	30.94 – 33.87 m <sup>2</sup> (333 – 364.56 sq. ft.)
	24 one-bedroom units:	-	50.26 – 66.70 m <sup>2</sup> (541 – 718 sq. ft.)
	06 one-bedroom units (adaptable):	-	50.26 – 66.70 m <sup>2</sup> (541 – 718 sq. ft.)
	46 two-bedroom units:	-	69.77 – 78.32 m <sup>2</sup> (751 – 843 sq. ft.)
	12 two-bedroom units (adaptable):	-	69.77 – 78.32 m <sup>2</sup> (751 – 843 sq. ft.)



To: City Manager  
 From: Director Planning and Building  
 Re: Rezoning Reference #20-16  
 2020 November 18 .....Page 9

15	three-bedroom units:	-	80.08 – 89.74 m <sup>2</sup> (862 – 966 sq. ft.)
<u>02</u>	<u>three-bedroom units (adaptable):</u>	-	80.08 – 89.74 m <sup>2</sup> (862 – 966 sq. ft.)
<b>129</b>	<b>Total Units</b>		


7.5	<u>Parking</u>	<u>Required</u>	<u>Provided</u>
	Residential (0.5 spaces / rental housing unit)	65	65
	Visitor (0.1 spaces / rental housing unit)	13	13
	<b>Overall Site Total Parking:</b>	<b>78 spaces</b>	<b>78 spaces</b>

7.6	<u>Bicycle Parking/Facilities</u>	<u>Required</u>	<u>Provided</u>
	Residential (129 units @ 2 spaces per unit)	258	258
	Visitor (129 units @ 0.2 spaces per unit)	26	26

7.7	<u>Loading</u>	<u>Required</u>	<u>Provided</u>
	Residential	1	1

7.8 Shared Communal Facilities

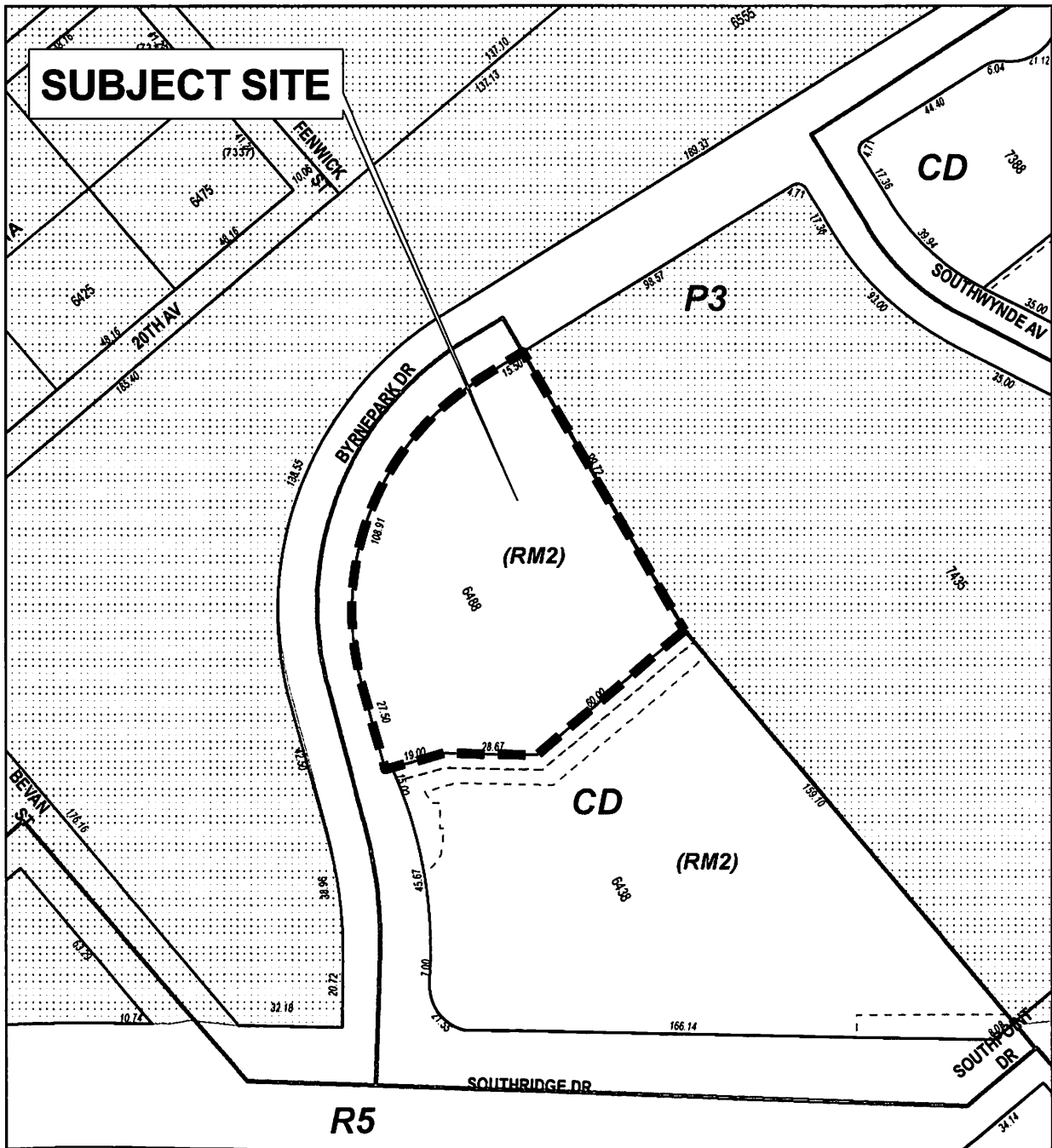
The proposed development provides an amenity lounge area on the main floor that totals 213.68 m<sup>2</sup> (2,300 sq. ft.) in area. Proposed outdoor amenities include a children’s play area, BBQ area and an outdoor lounge area. A maximum of 5% or 491.60 m<sup>2</sup> (5,291.54 sq.ft.) of Gross Floor Area is permitted to be excluded from Floor Area Ratio.

  
 E.W. Kozak, Director  
 PLANNING AND BUILDING

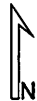
KL:tn  
**Attachments**

cc: City Solicitor  
 City Clerk

**SUBJECT SITE**



PLANNING & BUILDING DEPARTMENT



Date: Nov 13 2020

scale: 1:2,000

Drawn By: RW

REZONING REFERENCE #20-16  
6488 BYRNEPARK DRIVE

 Subject Site

Sketch #1



- |  |  |
|--|--|
| 1 Single and Two Family Residential          | 9 Industrial   |
| 3 Medium Density Multiple Family Residential | 10 Institutional   |
| 4 High Density Multiple Family Residential   | 12 Park and Public Use/Public School                                   |
| 5 Commercial                                 | 17 Low or Medium Density Multiple Family Residential (Ground Oriented) |
| 6 Medium Density Mixed Use                   | 22 Low/Medium Density Mixed Use  |
| 7 High Density Mixed Use                     |  |

## Edmonds Town Centre Plan Development Guidelines



PLANNING & BUILDING DEPARTMENT

Note: Composite Sketch Subject to Change

