



Item.....
Meeting..... 2021 February 22

COUNCIL REPORT

TO: CITY MANAGER 2021 February 17

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #19-29**
Four Low to Mid-Rise Residential Buildings with Two Levels of Underground Parking

ADDRESS: 9682 University Crescent

LEGAL: Lot 1 District Lots 147 and 211 Group 1 New Westminster District Plan EPP78960

FROM: CD Comprehensive Development District (based on P11e SFU Neighbourhood District and SFU Community Plan as guidelines)

TO: Amended CD Comprehensive Development District (based on P11e SFU Neighbourhood District and SFU Community Plan as guidelines and in accordance with the development plan entitled “Stony Creek, 9682 University Crescent Burnaby, BC” prepared by Intergulf Development Group)

APPLICANT: Intergulf Development Group
#880 – 700 West Georgia Street
Vancouver, BC V7Y 1B6
(Attn: Richard White)

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2021 March 30.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2021 March 08 and to a Public Hearing on 2021 March 30 at 5:00 pm.
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

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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 granting of any necessary statutory rights-of-way, easements and/or covenants.
- e) The review of a detailed Sediment Control System by the Climate Action and Energy Division.
- f) 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.
- g) 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.
- h) 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.
- i) The review of on-site residential loading facilities by the Director Engineering.
- j) The provision of facilities for cyclists in accordance with this report.
- k) Compliance with the guidelines for underground parking for visitors.
- l) The deposit of the applicable GVS & DD Sewerage Charge.
- m) The deposit of the applicable Regional Transportation Cost Charge.
- n) The submission of a written undertaking to distribute area plan notification forms, prepared by the City, with disclosure statements; and, to post area plan notification signs, also prepared by the City, on the development site and in the sales office in prominent and visible locations prior to Third Reading, or at the time marketing for the subject development commences, whichever is first, and remain posted for a period of one year, or until such time that all units are sold, whichever is greater.

REPORT

1.0 REZONING PURPOSE

The proposed rezoning bylaw amendment is to permit construction of four low to mid-rise residential buildings, and two levels of underground parking.

2.0 POLICY FRAMEWORK

The proposed rezoning application aligns with the following goals and sub-goals of the Corporate Strategic Plan:

- **A Dynamic Community**
 - Community development – Manage change by balancing economic development with environmental protection and maintaining a sense of belonging
- **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 environment – Enhance our environmental health, resilience and sustainability

3.0 BACKGROUND

- 3.1 The subject site is located on the south side of University Crescent, north of Tower Road and University Drive East, and is improved with a surface parking lot and a sedimentation pond (Sketch #1 *attached*). To the north across University Crescent is the site of the proposed slopes neighbourhood park, and the approved “Fraser” development (Rezoning Reference #16-14), which will include a mix of low and mid-rise multiple-family residential dwellings when completed. The sites to the east (Lots 36 and 37) are mostly treed and undeveloped, and are designated for future multiple-family residential development. To the immediate west is the recently approved “Oslo” development (Rezoning Reference #17-16), which will include two mid-rise multiple-family residential buildings when completed. To the south, across Tower Road, is Discovery Park, with Burnaby Mountain Conservation Area beyond.
- 3.2 The subject site is located within a designated residential area of the Simon Fraser University Community Plan (Sketch #2 *attached*), and is referred to as Lot 1 (formerly Lots 34 and 35) within Phase 4 of the UniverCity community, which was created by Rezoning Reference #11-36 and Subdivision Reference #11-47. The site slopes from the northwest down to the southeast. A pedestrian pathway has been designated along the site’s western boundary, which has been protected by a statutory right-of-way under Rezoning Reference #17-16, and will be constructed as part of this development. A riparian area has been established in the southern portion of the site, with an east-west pedestrian pathway that connects Tower Road to the proposed north-south public pathway on the abutting lot to the east. The registration of a

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statutory right-of-way for this east-west pathway will be required in conjunction with this rezoning application in order to allow for public use. The development parameters and statistics established for the site through Rezoning Reference #11-36 permit a maximum development density of 1.01 FAR (providing a maximum gross floor area of 167,341 sq. ft.), up to 167 residential units, and a maximum building height of five storeys.

- 3.3 On 2020 February 10, 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.
- 3.4 The applicant has now submitted a plan of development suitable for presentation to a Public Hearing.

4.0 GENERAL COMMENTS

- 4.1 The applicant is proposing to construct four low to mid-rise residential buildings atop two levels of underground parking. The proposed development includes two six-storey residential buildings on the northern portion of the site fronting University Crescent, and two four-storey buildings behind, with the two distinct masses separated by a landscaped mews running east-west through the centre of the site, connecting to Lot 33 and Tower Road beyond. Vehicular access is provided from University Crescent at the eastern extent of the site.

An amendment rezoning is sought to allow for an alternative approach to the buildings' massing and vehicular access to those established for the subject site under Rezoning Reference #11-36, which specifies a maximum building height of five storeys, and vehicular access from more central locations along University Crescent. The applicant is also proposing an additional 11 dwelling units over and above the 167 dwelling units that were projected for the site under Rezoning Reference #11-36.

The proposed alternate massing and vehicular access is considered supportable given that they help to better articulate the proposed form of development, which responds better to both the site's topography and the massing of adjacent buildings, while also helping to create a consistent ground-oriented residential frontage along University Crescent, with a stronger relationship between the proposed buildings and the pedestrian linkages. The proposed massing is also supportable as it facilitates a landscaped mews and plaza space, while also responding to a request from SFU Community Trust for greater east-west connectivity between the west campus and the residential lots located on the southern slopes. The increased height on the northern portion of the site also helps to minimize shadowing in the proposed pedestrian mews, while maintaining ample sunlight hours on the park site to the north. The modest increase in the unit count to 178 dwelling units is also considered supportable as it provides an opportunity to create a number of smaller units that would be more affordable as a consequence of their size. The additional units are also accommodated within the allotted development density of 1.01 FAR, and the overall planned unit count (3,049 units) for the UniverCity community. It is further noted that all proposed units will comply with the minimum required unit sizes in the P11e District. In order to facilitate the proposed alternate building form, modest

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encroachments into the setbacks established under Rezoning Reference #11-36 are also proposed.

The development will be required to meet UniverCity's building, energy, stormwater, and habitat protection requirements. Overall, the proposal is expected to embody exceptional environmental and socially sustainable design.

- 4.2 In total, 178 dwellings units are proposed, with a unit mix of one, two and three bedrooms. 44 adaptable dwelling units are provided, which exceeds the minimum 20% of single-level units that are required (29 units required) to be adaptable in accordance with Council adopted policy. The unit mix for the adaptable units is split between 36 two bedroom units and 8 three bedroom plus den units. The exemption for two bedroom adaptable units is 2.79 m² (30 sq. ft.), and three bedroom units is 3.71 m² (40 sq.ft.) provided that all additional bedrooms are also adaptable. This results in a total adaptable unit exemption of 65.1 m² (701 sq.ft.).
- 4.3 In accordance with the Zoning Bylaw, 50% of residential visitor parking can be accommodated off-site within 400m of the subject site. As such, 18 residential visitor stalls are provided on the subject site and 18 visitor stalls are provided within 400m in the mixed-use developments on University High Street.
- 4.4 In line with Council's adopted Rental Use Zoning Policy and Initial Implementation Framework, residential development sites at UniverCity are required to provide an inclusionary rental component (Stream 2 – Inclusionary Rental), equivalent to 20% of the total number of market strata units generated from the base P1 le District density. In order to meet the intent of the Rental Use Zoning Policy at UniverCity, it is proposed that the required rental obligation for the subject lot, as well as Lots 24, 36, and 37 be provided on the SFU campus itself, in the form of the future Phase Two SFU campus residences, which is currently under construction. The Phase Two SFU campus residences, approved under Preliminary Plan Approval #19-217, will provide 369 one bed units, which would more than satisfy the housing obligation on the subject site.

It is noted that the P6 Regional Institutional District zoning of the SFU Campus will guarantee the rental tenure of these units and the residence fees of the SFU Procedures for Setting Fees for Residence and Housing is consistent with affordability requirements of the City's Rental Use Zoning Policy. Therefore, a Section 219 Covenant will not be required to be registered on Title for the Phase 2 Student Residence Housing development to secure the tenure an affordability of these units. However, to ensure that the required rental units are delivered in coordination with development occurring on the subject site, it is proposed that a Section 219 Covenant be registered on the subject property, withholding occupancy until such time that a sufficient number of secured rental units have been delivered within the Phase Two SFU campus residences.

The arrangement as outlined above meets the intent of the Rental Use Zoning Policy and is therefore supported by staff.

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

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- standard requirements for water main, sanitary sewers, and storm sewers;
- construction of University Crescent to its final standard along the development frontage, including but not necessarily limited to: new curb and gutter, parking pavers, boulevard trees and grass, street lighting, and separated sidewalk; and,
- construction of the designated pedestrian pathway along the site's western boundary within the registered statutory right-of-way area.

4.6 Any necessary statutory right-of-ways, easements, and covenants are to be provided, including, but not necessarily limited to:

- a statutory right-of-way for existing east-west public pathway on the site within the established riparian area, connecting Tower Road to the proposed north-south public pathway on the abutting lot the east;
- a statutory right-of-way to allow for vehicular access to the existing storm sewer infrastructure located on the subject site;
- a Section 219 Covenant restricting enclosure of balconies;
- a Section 219 Covenant ensuring that all accessible parking space remain as common property to be administered by the Strata Corporation;
- a Section 219 Covenant ensuring compliance with the approved acoustical study;
- a Section 219 Covenant guaranteeing the provision and ongoing maintenance of stormwater management facilities;
- a Section 219 Covenant ensuring that project surface driveway access will not be restricted by gates; and,
- Section 219 Covenant withholding occupancy on Lot 1 until such time that a sufficient number of secured rental units have been delivered at the Phase Two SFU campus residences, in accordance with Section 4.6 of this report

4.7 The required Community Association Covenant, which includes the Community Amenities Agreement, will need to be submitted and reviewed by the City Solicitor.

4.8 As the site is influenced by the operation of the SFU salt shed and vehicular traffic on Tower Road and South Campus Road, an acoustical report will need to be undertaken, and a Section 219 Covenant required to ensure compliance with Council-adopted sound criteria.

4.9 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 residential tower will meet Step 3 of the BC Energy Step Code.

4.10 As the site will be extensively 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.

- 4.11 Climate Action and Energy Division will need to review a submission of a detailed plan of an engineered Sediment Control System prior to Final Adoption.
- 4.12 Provision of an adequately sized and sited garbage handling and recycling material holding space to the approval of the Director Engineering, as well as a separate car wash stall, are required.
- 4.13 A suitable engineered design to the approval of the Director Engineering will be required for the on-site stormwater and groundwater 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.
- 4.14 The submission of a detailed residential loading management plan to the approval of the Director Engineering is required.
- 4.15 Bicycle storage lockers and surface parking racks are to be provided for the residential occupants and visitors of the development.
- 4.16 The Parkland Acquisition Charge and School Site Acquisition Charge do not apply to this rezoning application as park and school sites have been provided in conjunction with the overall subdivision of the neighbourhood. Applicable Development Cost Charges are:
 - a) GVS&DD Sewerage Charge
 - b) Regional Transportation Charge

5.0 DEVELOPMENT PROPOSAL

5.1	<u>Site Area:</u>	-	15,447.6 m ² (166,277 sq. ft.)
5.2	<u>Site Coverage:</u>	-	19.8 %
5.3	<u>Density and Gross Floor Area:</u>	-	1.01 FAR, 15,536.6m ² (167,234 sq. ft.)
5.4	<u>Unit Mix (Buildings A, B, C and D):</u>		
	62 One Bedroom units	-	57.4 m ² (618 sq. ft.) per unit
	20 Two Bedroom units	-	71.7 – 76.7 m ² (772 – 825 sq. ft.)
	36 Two Bedroom Lock-off adaptable units	-	81.0 m ² (872 sq. ft.) per unit
	18 Three Bedroom units	-	83.1 – 85.2 m ² (895 – 918 sq. ft.)
	34 Three Bedroom + den units	-	115.0 – 117.3 m ² (1,237 – 1,262 sq. ft.)
	<u>8 Three Bedroom adaptable units</u>	-	83.1 – 85.2 m ² (895 – 918 sq. ft.)
	178 Total Units		

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- 5.5 **Building Height:** - Buildings A and B: 6 storeys
Buildings C and D: 4 storeys

- 5.6 **Vehicle Parking:**
 - Total Required:** - **237 spaces**
 - Residential: - 201 spaces
 - Visitor @ 0.2 per unit - 36 spaces

 - Total Provided:** - **274 spaces**
 - Residential - 238 spaces
 - Visitor - 36 spaces (18 on-site and 18 off-site)

- 5.7 **Bicycle Parking**
 - Total Required and Provided:** - **214 spaces**
 - Residential @ 1.0 per unit - 178 spaces
 - Visitor @ 0.2 per unit - 36 spaces in racks

- 5.8 **Community Facilities**

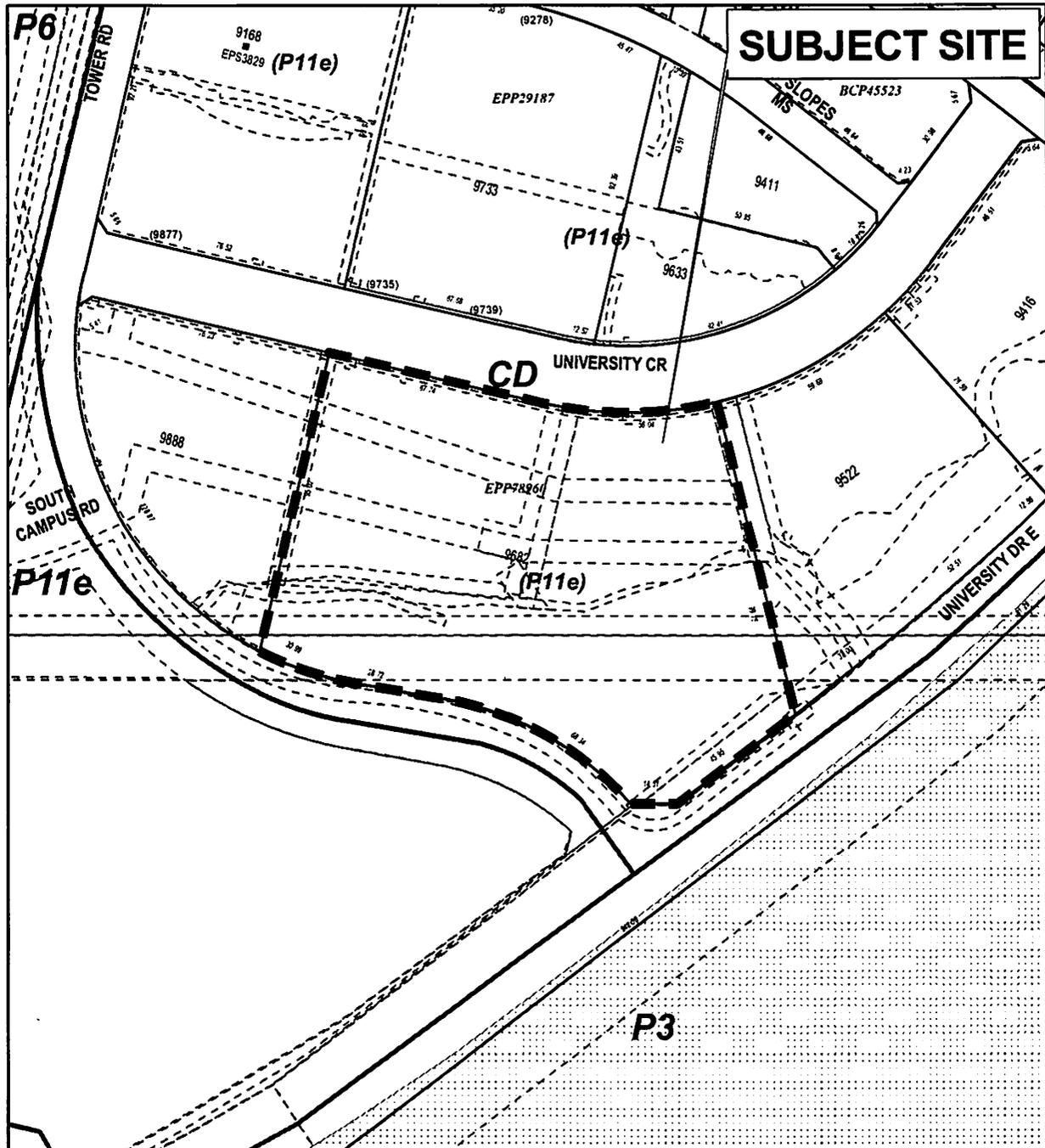
Communal facilities for residents include two communal recreation rooms, which are centrally located in the development in the northwest building. The total amenity area amounts to 162.53 m² (1,749 sq. ft.), which is below the 5% (3,113 sq. ft.) gross floor area exemption permitted in the Zoning Bylaw. The development proposal also includes a children’s play area at the eastern edge of the development, plaza spaces, and a rooftop central amenity area in the northeast building with an accessible washroom facility, garden plots, picnic tables, informal play areas, and numerous seating areas.



E.W. Kozak, Director
PLANNING AND BUILDING

GT:tn
Attachments

cc: City Solicitor
City Clerk



SUBJECT SITE



PLANNING & BUILDING DEPARTMENT



Date: FEB 10 2021

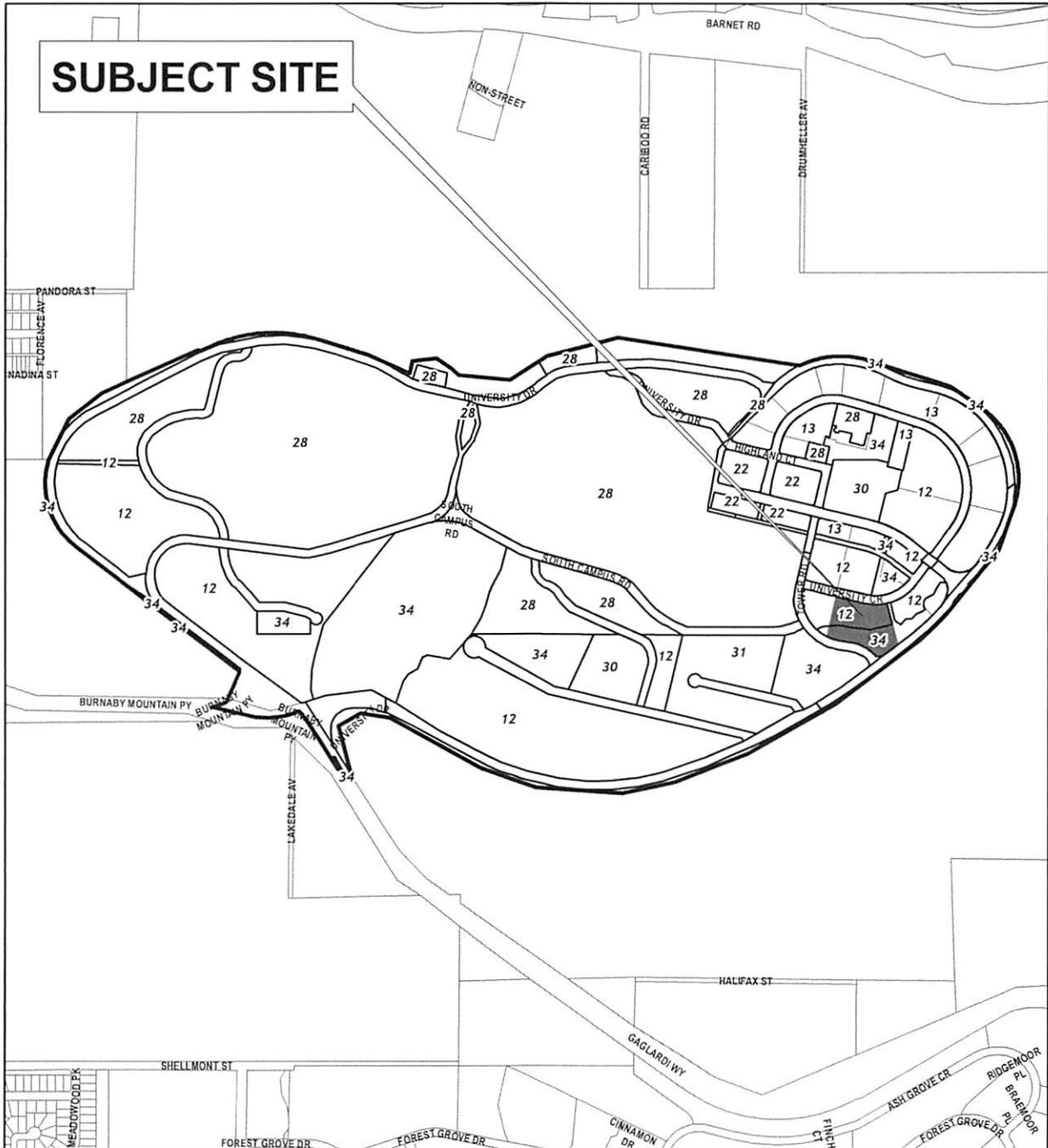
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9682 UNIVERSITY CRESCENT

 Subject Site

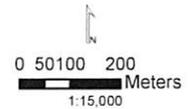
SUBJECT SITE



- | | |
|--|------------------------|
| 12 Medium Density Residential (P11) | 30 Public School (P3) |
| 13 High Density Residential (P11e) | 31 Industrial |
| 22 High Density Mixed Use (RM5/Commercial) | 34 Park and Public Use |
| 28 Institutional | |



Simon Fraser University Community Plan



Planning and Building Dept

Printed on February 10, 2021

Sketch #2