

TO: CITY MANAGER 2020 November 18

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #19-32**
Seniors' Supportive Housing

ADDRESS: 3755 McGill Street (see *attached* Sketch #1)

LEGAL: Lot 45, District Lot 186, Group 1, NWD Plan 40140

FROM: CD Comprehensive Development District (based on RM4 Multiple Family Residential District, P5 Community Institutional District, C1 Neighbourhood Commercial District, and R5 Residential District)

TO: Amended CD Comprehensive Development District (based on RM5r Multiple Family Residential District, P5 Community Institutional District, C1 Neighbourhood Commercial District, and R5 Residential District, and in accordance with the development plan entitled "Seton Villa Seniors Supportive Living" prepared by NSDA Architects)

APPLICANT: NSDA Architects
#201 – 134 Abbott Street
Vancouver, BC V6B 2K4
Attn: Larry Adams

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 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, 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 Housing Agreement.
- f) The granting of any necessary statutory rights-of-way, easements and/or covenants, as detailed in Section 4.8 of this report.
- g) The review of a detailed Sediment Control System by the Director Engineering.
- h) 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.
- i) The compliance with the City's Groundwater Management for Multi-Family Development guidelines.
- j) The submission of a Site Profile and resolution of any arising requirements.
- k) Compliance with Council-adopted sound criteria.
- 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 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.
- n) The provision of facilities for cyclists in accordance with Section 5.8 of the rezoning report.
- o) The submission of an exterior lighting plan which meets the standards for seniors' housing complexes, as adopted by Council.
- p) The review of on-site loading facilities by the Director Engineering.
- q) The submission of a Green Building Strategy for the site.

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- r) A detailed plan for adaptive re-use of Overlynn Mansion.
- s) 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 construction of a new seniors' supportive housing building on the site, to the north of the existing Seton Villa tower and to the west of Overlynn Mansion.

2.0 POLICY FRAMEWORK

The proposed development aligns with 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.

A Dynamic Community

- Economic opportunity - Foster an environment that attracts new and supports existing jobs, businesses and industries.

3.0 BACKGROUND

- 3.1 The subject site is owned by the Action Line Housing Society and is located on the eastern portion of the block bounded by McGill Street, Boundary Road North, Trinity Street, and Esmond Avenue North (see *attached* Sketch #1). The site is currently improved with the Seton Villa seniors' residence tower, an accessory gymnasium building, surface parking, and the heritage-designated Overlynn Mansion and garden. Vehicular access to the site is provided from McGill Street, Trinity Street, the east-west lane between them, and Esmond Avenue North.

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- 3.2 To the west, north, and south are single-family dwellings. To the northeast, across Trinity Street and Esmond Avenue North, is an older apartment building zoned RM3 Multiple Family Residential District. To the east, across Esmond Avenue North, is Burnaby Heights Park.
- 3.3 The subject site is located north of the Hastings Street Community Plan (Heights) area, but itself is not located within a Community Plan area. The subject property and properties to the south are designated within Burnaby's Official Community Plan (OCP) as a Single and Two Family urban area, while those north of the lane to the west and to the north across Trinity Street are designated as a Single Family suburban area. The subject property was rezoned in 1970, under Rezoning Reference REZ#36/70, to the CD Comprehensive Development District, using the RM4 Multiple Family Residential District as a guideline, to accommodate a seniors' housing tower and permit the use of the mansion for Seton Villa's staff housing and seniors' activities. In 1992, under REZ#37/92, the P5 Community Institutional District was added to the property's CD District zoning in order to accommodate a youth medical treatment facility within Overlynn Mansion. In 1995, a Heritage Designation Bylaw was approved which provided for the legal protection of the mansion and its garden landscape. Heritage Designation Bylaw 1995 (Bylaw No. 10211) legally protects this heritage building and its site from any alterations that have not been approved by Council. In 1997, under REZ#1/97, the C1 Neighbourhood Commercial and R5 Residential Districts were added to the property's CD District zoning in order to expand the list of permitted uses within Overlynn Mansion to allow for institutional uses, non-profit offices, a small language training school with up to 30 students, and residential uses. In 2006 and 2011, the Action Line Housing Society applied to rezone the property to the amended CD District (based on the RM5, P5, C1, and R5 Districts), in order to construct an addition with supportive housing units. Both of these rezoning applications were eventually abandoned.
- 3.4 On 2019 September 16, 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 GENERAL COMMENTS

- 4.1 The applicant is proposing to rezone the site to the Amended CD Comprehensive Development District (based on the RM5r, P5, C1, and R5 District as guidelines), in order to allow for sufficient density to permit an additional building on the site. The existing under-utilized accessory gymnasium building is proposed to be demolished and some surface parking removed; a new four-storey supportive housing building with 48 self-contained adaptable units and additional ancillary administration and amenity areas over two levels of underground parking is proposed to be constructed in their place, directly north of the existing Seton Villa tower and to the west of Overlynn Mansion.

- 4.2 In accordance with the RM5r District guidelines, the applicant could achieve a maximum density of 2.2 FAR, with 100% underground parking provided. In this case, the applicant is proposing to have approximately 68% of provided parking underground, resulting in a potential maximum density of 2.07 FAR. The total gross floor area of the proposed building is 2,606.21 m² (28,053 sq. ft.) which, when combined with the other buildings on the site, results in a total proposed floor area ratio of 1.87 FAR. Vehicular access to the proposed building will be from Trinity Street, with some loading and solid waste and recycling access from the lane.
- 4.3 Given the overall size of the subject property and setbacks from the adjacent property and Overlynn Mansion, the impacts of the new building are considered relatively minor, with a four-storey form less impactful than a previously proposed five-storey form, while providing the opportunity for additional outdoor open space. A neighbourhood open house, and other neighbour engagement, was initiated by Seton Villa earlier this fall. Staff have received some correspondence expressing concerns about the proposal – including overbuilding of the site, setbacks, shadow impacts, light pollution, parking, loading, garbage and recycling, noise, and heritage retention – which have been largely addressed as discussed below:

Overbuilt site

The proposed overall site coverage is 29%, suggesting the site would not be overbuilt.

Setbacks

The proposed new building is setback approximately 6.32 m (20.7 ft.) from the neighbouring property to the west, in excess of the minimum 4.57 m (15 ft.) required, the main floor is setback 11.79 m (38.7 ft.), the second to fourth floors are setback 12.7 m (41.7 ft.), and the resident lounges on the northwest corners of the second to fourth floors are further setback. The proposed building is setback the minimum 4.57 m (15 ft.) from Trinity Street.

Shadow Impacts

Shadow studies indicate there is minimal new impact to most neighbouring properties.

Light Pollution

With respect to nuisance from increased lighting, the applicant indicates that operable blinds are proposed for all rooms. In addition, occupancy sensors proposed in all common rooms – such as the resident lounges at the northwest corners of the second to fourth storeys of the building – will ensure the lights are off late at night when the room it is not occupied. Blinds will be also closed at night by staff, and the applicant is exploring additional solar shading strategies for the resident lounges with treatments on the window glass. With respect to landscape lighting, this would be located and specified as necessary for safe pedestrian access and site security in a way that minimizes light spillage.

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Parking

One additional parking stall than what is required is proposed. Underground parking is available for staff and residents, and the Traffic Study provided by the applicant indicates that the visitor parking provided at grade is expected to be adequate for the site.

Loading

One additional loading stall is proposed on site, with landscape screening separating the new stall from the property to the west. The additional loading bay will accommodate the slight increase in resident move-in/move-out associated with the new units; there is not expected to be a change in the frequency of deliveries. The Traffic Study provided by the applicant notes that the Operation Manager would schedule loading activity such that loading demand issues do not occur.

Garbage and Recycling

As indicated below, a Solid Waste Management Plan will need to be approved by the Engineering Department; the site's solid waste and organic recycling staging area is proposed to be in a covered location to minimize birds collecting and dropping scraps in neighbouring yards.

Noise

All uses on the site are required to comply with the Burnaby Noise or Sound Abatement Bylaw.

Heritage Retention

With respect to heritage, which is further addressed below, a heritage consultant has been hired to ensure that heritage alterations for the landscape heritage sundial and wall elements are appropriately addressed.

- 4.4 As part of this rezoning, and as per the initial report to Council, a detailed adaptive re-use of Overlynn Mansion is required as part of this rezoning. Furthermore, any alterations to the property that require a Heritage Alteration Permit would need to be approved by Council.

Overall, the rezoning proposal is considered supportable, as it achieves new affordable supportive seniors housing, enhanced outdoor space, and potential improvements for Overlynn Mansion.

- 4.5 The applicant is planning to apply to *BC Housing's Community Housing Fund (CHF)* program for funding of the construction of the proposed units. Accordingly, rental rates of the proposed units would be in accordance with the CHF program requirements. The prescribed rental rates of the proposed units would be as follows:

- 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)

- 4.6 Given the non-market nature of the proposed rental housing, the applicant intends to apply for the Community Benefit Affordable Housing Reserve grant to offset capital costs such as City-related development costs, including Rezoning, Preliminary Plan Approval, and Building Permit fees, City development cost charge, and civil servicing costs. The terms and conditions of the applicant's request for the Community Benefit Affordable Housing Reserve grant would be submitted to the Planning and Development Committee in a future report.
- 4.7 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 Trinity Street to its final standard, including separated sidewalk on the Trinity frontage and curb bulges at the northwest and southwest corner of Trinity Street and Esmond Avenue;
- the construction of a curb bulge on the east side of Esmond Avenue, through the McGill Street intersection, and two curb bulges on the northwest and southwest corners of the intersection;
- the assessment of existing sidewalks on the McGill Street and Esmond Avenue frontages, and replacement with separated sidewalks if necessary; and,
- storm, sanitary sewer, and water main upgrades, as required.

It is noted that 3.0m by 3.0m statutory right-of-way corner truncations at the northeast and southeast corners of the site will be required.

- 4.8 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 ensuring compliance with the approved acoustical study;
 - Section 219 Covenant and bonding to assure the provision and continuing maintenance of stormwater management system;
 - Section 219 Covenant to assure the provision and continuing maintenance of bicycle storage facilities;
 - Section 219 Covenant to ensure the project will not be stratified, is held in common ownership, and is provided specifically for seniors; and,
 - Section 219 Covenant ensuring the provision of a Housing Agreement, as outlined in Section 4.9 of this report.
- 4.9 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.

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- 4.10 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.
- 4.11 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.
- 4.12 The submission of a Green Building Strategy for the site is required.
- 4.13 An acoustical report will need to be undertaken to ensure compliance with Council-adopted sound criteria.
- 4.14 The submission of a suitable Solid Waste and Recycling plan to the approval of the Director Engineering is required.
- 4.15 The approval of a loading plan by the Director Engineering is required.
- 4.16 Submission of an exterior lighting plan which meets the standards for seniors' housing complexes, as adopted by Council, is required.
- 4.17 The following Development Cost Charge applies:
 - Parkland Acquisition Charge

5.0 DEVELOPMENT PROPOSAL

5.1	<u>Gross Lot Area (No Change)</u>	-	7,922.5 m ² (85,277 sq.ft.)
5.2	<u>Gross Floor Area</u>		
	Existing Buildings (No Change)	-	121,928 m ² (131,242 sq. ft.)
	Proposed Building	-	2,606.21 m ² (28,053 sq. ft.)
	Total	-	14,799.01 m² (159,295 sq. ft.)
5.3	<u>Floor Area Ratio (Entire Site)</u>	-	1.87 FAR
5.4	<u>Site Coverage (Entire Site)</u>	-	29%
5.5	<u>Height</u>		
	Existing Tower (No Change)	-	19 storeys
	Overlynn Mansion (No Change)	-	2 storeys
	New Building	-	4 storeys

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5.6 Unit Mix

Existing Tower

Studio Units	-	84
One-bedroom Units	-	133

New Building

Studio Units (Adaptable):	-	45 (37.08 – 43.47 m ² (399 – 468 sq. ft.))
One-bedroom Units (Adaptable):	-	3 (55.16 m ² (593.74 sq. ft.))

265 Total Units (Including 48 New Adaptable Units)

5.7 Parking (Entire Site) - 67 stalls required/ 68 provided

5.8 Bicycle Parking (Required and Provided)

Class A (New Building) underground storage	-	20 spaces in secure
Class B (Entire Site)	-	15 surface bicycle racks

5.9 Loading (Entire Site) - 3 spaces required/ provided

5.10 Car Wash Stall - 1 space required/ provided

5.11 Amenity Areas

The proposed new building provides approximately 458.28 m² (4,933 sq. ft.) of indoor amenity areas including a café, dining area, fitness room, and various lounges. Significant outdoor amenity area are also proposed, including a forecourt area between the new building and Overlynn Mansion, a terrace with planters on the west, and a rooftop patio.


E. W. Kozak, Director
PLANNING AND BUILDING

LS:tn

Attachment

cc: City Solicitor
City Clerk

