



Item
Meeting..... 2021 October 25

COUNCIL REPORT

TO: Chief Administrative Officer 2021 October 12

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #19-00062
Thirteen 3-4 Storey Stacked Townhouse Buildings, Comprised of Market Strata, and Market and Non-Market Rental Units

ADDRESS: 3550 Wayburne Drive (see *attached* Sketch #1)

LEGAL: Lot 5 District Lot 73 Group 1 New Westminster District Plan 29441

FROM: P2 Administration and Assembly District

TO: CD Comprehensive Development District (based on RM2 and RM2r Multiple Family Residential Districts) and in accordance with the development plan entitled “Wayburne Townhomes” prepared by Integra Architecture Inc.)

APPLICANT: Symphony Group of Companies
PO Box 1236, 234 – 4820 Kingsway
Burnaby, BC V5H 4P1
Attn: Gurdeep Kainth

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2021 November 23.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2021 October 25, and to a Public Hearing on 2021 November 23 at 5:00 p.m.
2. **THAT** the predecessor Rezoning Bylaw, Amendment Bylaw No. 011-2017, Bylaw Number 13730, be abandoned 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.

- b) The Final Adoption of the Official Community Plan (OCP) bylaw amendment to amend the OCP Residential Framework in order to include designated institutional sites for development for affordable housing projects.
- c) 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.
- d) 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 services where sufficient facilities are available to serve the development.
- e) The granting of any necessary statutory rights-of-way, easements and/or covenants in accordance with Section 4.12 of this report.
- f) The retention of identified existing trees (and vegetation) on the site, their protection by registration of a Section 219 Covenant, submission of a written undertaking to ensure that all site areas identified for preservation of existing trees are effectively protected by chain link fencing during the whole course of site and construction work, and deposit of sufficient monies to ensure the protection of identified existing trees, to be refunded a year after release of occupancy permits, upon satisfactory inspection.
- g) Dedication of approximately 0.7 m (2.3 ft.) along Wayburne Drive.
- h) The registration of a Housing Covenant and Housing Agreement.
- i) Compliance with the Council-adopted sound criteria.
- j) The submission of a suitable on-site stormwater management plan 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.
- k) Compliance with the City's Groundwater Management for Multi-Family Development guidelines.
- l) The review of a detailed Sediment Control System by the Climate Action and Energy Division.

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- m) The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering.
- n) The review of on-site loading facilities by the Director Engineering.
- o) 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.
- p) The provision of facilities for cyclists in accordance with Section 5.8 of this report.
- q) 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 with allocated disabled parking spaces.
- r) The undergrounding of existing overhead wiring abutting the site.
- s) Compliance with the guidelines for underground parking for visitors.
- t) The submission of a Public Art Plan.
- u) The submission of a Green Building Strategy.
- v) The deposit of the applicable Parkland Acquisition Charge.
- w) The deposit of the applicable School Site Acquisition Charge.
- x) The deposit of the applicable GVS & DD Sewerage Charge.
- y) The deposit of the applicable Regional Transportation Development Cost Charge.
- z) The submission of a written undertaking to distribute OCP notification forms, prepared by the City, with disclosure statements; and, to post OCP 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 purpose of the proposed rezoning bylaw amendment is to permit the construction of 13 stacked townhouse buildings, comprised of 130 mixed market strata, market rental, and non-market rental townhouse dwellings.

2.0 POLICY FRAMEWORK

The subject rezoning proposal aligns with the following City policies: *Corporate Strategic Plan* (2017), *Regional Context Statement* (2019), *Official Community Plan* (1998), *Economic Development Strategy* (2007), *Social Sustainability Strategy* (2011), *Environmental Sustainability Strategy* (2016), *Mayor's Task Force on Community Housing Final Report* (2019), and *Rental Use Zoning Policy*.

3.0 BACKGROUND

- 3.1 The subject site is located within the Douglas - Gilpin neighbourhood (see *attached Sketch #1*) and is designated Suburban Single Family Residential in the OCP. The property contained a one-storey building occupied by the Gizeh Shriners' lodge, which was demolished in 2019. This vacant property is currently zoned P2 Administration and Assembly District.
- 3.2 To the north and west of the site across Wayburne Drive is the Grandview Industrial Estate, which is zoned M1 Manufacturing District, with the BCIT campus beyond. To the east, across Westminster Avenue is a single family residential neighbourhood zoned R3 Residential District. To the south across Woodsworth Drive are Greentree Village (a comprehensively planned residential development containing townhouses and single family dwellings) and Forest Lawn Cemetery.
- 3.3 On 2019 May 13, Council granted Third Reading to a rezoning amendment bylaw (Rezoning Reference #16-46) to rezone the property to the R3 Residential District, which was intended to facilitate subdivision of the site into 16 single family residential lots in line with the OCP's Single Family Suburban land use designation.
- 3.4 On 2019 December 2, Council received an initial rezoning report for a new rezoning application to permit development of the site for townhouse dwellings. The applicant submitted this application in line with the recommendations of the Mayor's Task Force on Community Housing's final report and emerging related policy directions. The recommendations include the introduction of new housing forms and family-oriented housing in a variety of neighbourhoods, and creation of a program to facilitate redevelopment of under-utilized lands for affordable housing. The applicant has now

submitted a plan of development suitable for presentation to a Public Hearing.

4.0 GENERAL COMMENTS

- 4.1 The site is proposed to be developed with 13, 3-4 storey buildings containing 130 stacked townhouse dwellings, comprised of 84 market strata units and 46 rental units, mix of market and non-market rental. Vehicular access to the site is from Wayburne Drive, with all parking to be provided underground.
- 4.2 The site is currently designated Suburban Single Family Residential in the OCP. Under the OCP Residential Framework, the residential use on the site is restricted to single family dwellings permitted in the R1, R2, R3, R10, and R11 Residential Districts. Development of the site for townhouse dwellings, as a form of ground-oriented multiple family dwellings, is currently not supportable under the current OCP Residential Framework.
- 4.3 On 2020 October 5, Council authorized the preparation of amendment to the OCP Residential Framework to allow the development of multiple family dwellings, including affordable housing, on institutional-zoned properties that are designated for lower density residential uses. This includes the institutional sites with Suburban Single Family or Urban Single and Two Family land use designations.

On 2021 October 4, Council received a report requesting the advancement of the proposed OCP bylaw amendment to the Public Hearing on 2021 October 26. If Council adopts the proposed OCP amendment, the subject site may be developed with townhouse dwellings, including non-market rental units subject to Council approval of this rezoning amendment bylaw. Final Adoption of the proposed OCP amendment is a condition of this Rezoning Application.

- 4.4 On 2020 September 21 to 28 and 2021 March 1 to 12, the applicant voluntarily conducted two public notification processes to engage the residents of the adjacent neighbourhood. During these consultation periods, concerns were raised regarding the compatibility of the proposed development with the surrounding residential areas with regard to density and building coverage, availability of outdoor amenity areas within the development, and increased traffic and parking issues in the area as a result of the proposed development. To address these concerns, the applicant has made the following revisions to the plan of development:

- reduced the proposed number of townhouse dwellings from 208 units to 130 units;
- reduced the proposed building coverage to 39% of the site area;
- relocated the driveway access to underground parking from Woodsworth Street to Wayburne Drive;
- relocated the garbage staging area from Woodsworth Street to Westminster Avenue;

- provided over 4,700 m² (50,590 sq.ft.) of outdoor amenity and open/landscaped areas within the site; and
- provided an additional 94 parking spaces beyond the parking requirements of the Zoning Bylaw, in the proposed underground parking.

4.5 The CD (RM2/ RM2r) District permits a maximum potential residential density of 1.8 FAR as shown in Table 2 below.

	Permitted Density	Proposed Density	Proposed Number of Units
RM2 market strata residential density	0.9 FAR	0.9 FAR	84 units
RM2r rental residential density	0.9 FAR	0.3 FAR	46 units
Total	1.8 FAR	1.2 FAR	130 units

Table 2

4.6 Council's adopted Rental Use Zoning Policy Stream 2 – Inclusionary Rental does not apply to the proposed development given the proposed RM2/RM2r Zoning Districts. However, considering that the proposed OCP amendment is to facilitate the construction of affordable rental housing, the applicant is proposing to provide 18 non-market rental townhouse dwellings, utilizing a portion of RM2r rental density (0.1 FAR). These non-market rental units are proposed at 20% below CMHC market median rent rates. This arrangement would be secured through a Housing Agreement.

The applicant is also proposing an additional 28 rental townhouse dwellings utilizing a portion of the remaining RM2r rental residential density (0.2 FAR). The rental rates in these units will be set at a 1:1 ratio of market and CMHC market median rent rates. This arrangement would be secured through a Housing Agreement.

4.7 In accordance with the Council-adopted Adaptable Housing policy, the proposed development would provide 9 adaptable units (a minimum 20% of the total number of single level residential units). Five accessible parking spaces would be provided for the proposed adaptable units.

4.8 In accordance with the Zoning Bylaw, a parking ratio of 1.75 parking spaces per market strata townhouse dwelling and 0.6 parking spaces per rental townhouse dwelling is required. Of these ratios, 0.25 spaces per unit for market strata units and 0.1 spaces per unit for rental units are for visitors. Considering parking concerns in the adjacent neighbourhood due to the proximity to the BCIT campus, the applicant is proposing a parking ratio of 1.0 parking spaces, inclusive of 0.1 visitor parking, per rental townhouse dwelling containing 2 bedrooms or more. The applicant is also proposing a parking ratio of 2.75 parking spaces, inclusive of 0.25 visitor parking, per market strata townhouse

dwelling. All the provided parking 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.

- 4.9 The applicant will be required to provide one residential loading space to serve all residents (strata and rental units).
- 4.10 The Director Engineering will assess the need for any further required services to the site, including, but not necessarily limited to:
 - construction of sidewalks along Wayburne Drive, Woodsworth Drive and Westminster Avenue to its final standard (1.8 m front boulevard, 1.5 m sidewalk, and 1.2 m rear boulevard)
 - installation of new fire hydrants; and
 - storm, sanitary sewer and water main upgrades, as required.
- 4.11 A dedication of approximately 0.7 m (2.3 ft.) along Wayburne Drive, which amounts to an area of approximately 140 m² (1,510 sq.ft.), is required.
- 4.12 Any necessary statutory rights-of-way, easements, and covenants for the site are to be provided, including, but not necessarily limited to:
 - Section 219 Covenant preventing stratification of the rental units;
 - Section 219 Covenant restricting enclosure of balconies;
 - Section 219 Covenant ensuring compliance with the approved acoustical study;
 - Section 219 Covenant guaranteeing the provision and ongoing maintenance of stormwater management facilities;
 - Section 219 Covenant ensuring that all accessible parking spaces be held in common property to be administered by the Strata Corporation and Rental Operator; and
 - Section 219 Covenant guaranteeing the provision and ongoing maintenance of public art.
- 4.13 The registration of a Housing Covenant and a Housing Agreement will be required to protect and regulate affordability measures and tenure of the market and non-market rental units. Terms of the Housing Agreement are to be established prior to Final Adoption of the Rezoning Bylaw. Council consideration and approval of a Housing Agreement Bylaw will be required prior to occupancy.
- 4.14 Due to the proximity of the subject site to Canada Way and Wayburne Drive, the applicant is required to provide an acoustical study showing that the proposed development would meet the Council-adopted noise criteria.
- 4.15 The provision of one car wash stall is required.

- 4.16 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 the existing trees which will be removed from the site.
- 4.17 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.
- 4.18 The review of a detailed Sediment Control System by the Climate Action and Energy Division.
- 4.19 The submission of a suitable Solid Waste and Recycling Plan to the approval of the Director Engineering is required.
- 4.20 The submission of a detailed loading management plan to the approval of the Director Engineering is required.
- 4.21 The provision of bicycle storage lockers and bicycle racks for the residents and visitors of the building is required.
- 4.22 The submission of a Public Art Plan detailing the concept, character, and location of public art on site as well as details of the budget, terms, and the artist selection process is required.
- 4.23 The submission of a Green Building Strategy is required. 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 proposed residential building will meet Step 3 of the BC Energy Step Code.
- 4.24 Applicable development cost charges are:
 - Parkland Acquisition Charge;
 - School Site Acquisition Charge;
 - GVS&DD Sewerage Charge; and
 - Regional Transportation Charge.

5.0 DEVELOPMENT PROPOSAL

- 5.1 Site Area (subject to detailed survey) 11,630.72 m² (125,193.08 sq.ft.)
- 5.2 Site Coverage 39%

5.3	<u>Density</u>	1.2 FAR TOTAL
	RM2 District	
	Base	0.9 FAR
	RM2r District	
	Inclusionary rental units	0.1 FAR
	<u>Additional market rental units</u>	<u>0.2 FAR</u>
	Subtotal	0.3 FAR
5.4	<u>Gross Floor Area</u>	13,881.1 m² (149,417 sq.ft.) TOTAL
	Market (strata) residential	10,415.37 m ² (112,111 sq.ft.)
	Adaptable unit exemption	13.94 m ² (150 sq. ft.)
	Rental residential	3,465.76 m ² (37,305 sq.ft.)
	Adaptable unit exemption	7.44 m ² (80 sq.ft.)
	Amenity space exemption for market (strata) and rental residential	297.94 m ² (3,207 sq.ft.)
5.5	<u>Residential Unit Mix</u>	130 UNITS TOTAL
	Market (strata) Residential	
	5 – Two bedroom + den adaptable	110.2 to 110.7 m ² (1,186 to 1,192 sq.ft.)
	10 – Three bedroom	110.7 m ² (1,192 sq.ft.)
	60 – Three bedroom + den	122.9 to 134.7 m ² (1,323 to 1,450 sq.ft.)
	<u>9 – Four bedroom</u>	<u>133.8 to 143.9 m² (1,440 to 1,549 sq.ft.)</u>
	84 units	
	Market Rental Residential	
	8 – Studio	38.1 to 38.3 m ² (410 to 412 sq.ft.)
	2 – Studio adaptable	40.7 m ² (438 sq.ft.)
	12 – Two bedroom	95.8 to 101.0 m ² (1,031 to 1,087 sq.ft.)
	<u>6 – Three bedroom + den</u>	<u>124.6 to 125.3 m² (1,341 to 1,349 sq.ft.)</u>
	28 units	
	Non-Market Rental Residential	
	8 – Studio	38.1 to 38.3 m ² (410 to 412 sq.ft.)
	2 – Studio adaptable	40.7 m ² (438 sq.ft.)
	<u>8 – Two bedroom</u>	<u>95.8 to 101.0 m² (1,031 to 1,087 sq.ft.)</u>

18 units

5.6 Building Height 3 to 4 storeys, 9.8 m (32.3 ft.) to 13.23 m (43.4 ft.)

5.7 Vehicle Parking

Total Required: 175 spaces
 - Market (strata) residential @ 1.75 per unit 147 spaces (including 21 visitor spaces)
 - Rental residential @ 0.6 per unit 28 spaces (including 5 visitor spaces)

Total Provided: 269 spaces
 - Market (strata) residential 231 spaces (including 32 visitor spaces and 11 accessible spaces)
 - Rental residential 38 spaces (including 5 visitor spaces and 4 accessible spaces)

5.8 Bicycle Parking

Total Required:
 - Secured residential: 260 spaces
 130 units @ 2.0 spaces per unit
 - Visitor spaces: 26 spaces
 130 units @ 0.2 spaces per unit

Total Provided:
 - Secured residential: 260 spaces
 - Visitor spaces: 26 spaces

5.9 Loading

Total Required and Provided
 - Market strata & market and non-market rental 1 space

5.10 Communal Facilities (excluded from FAR calculations)

Communal facilities amounting to 297.9 m² (3,207 sq.ft.) are provided for market strata and market and non-market rental units, and include a concierge, mail room, meeting room, study room, and a fitness room on the first floor of the amenity building, as well as a party room and games room on the second floor. A total 4,746 m² (51,091 sq.ft.) of outdoor

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amenity areas/open spaces is provided throughout the site. The total 297.9 m² (3,207 sq.ft.) amenity space for the development is less than the permitted five percent (694 m²/7,470 sq.ft.) exemption from gross floor area permitted within the Zoning Bylaw.

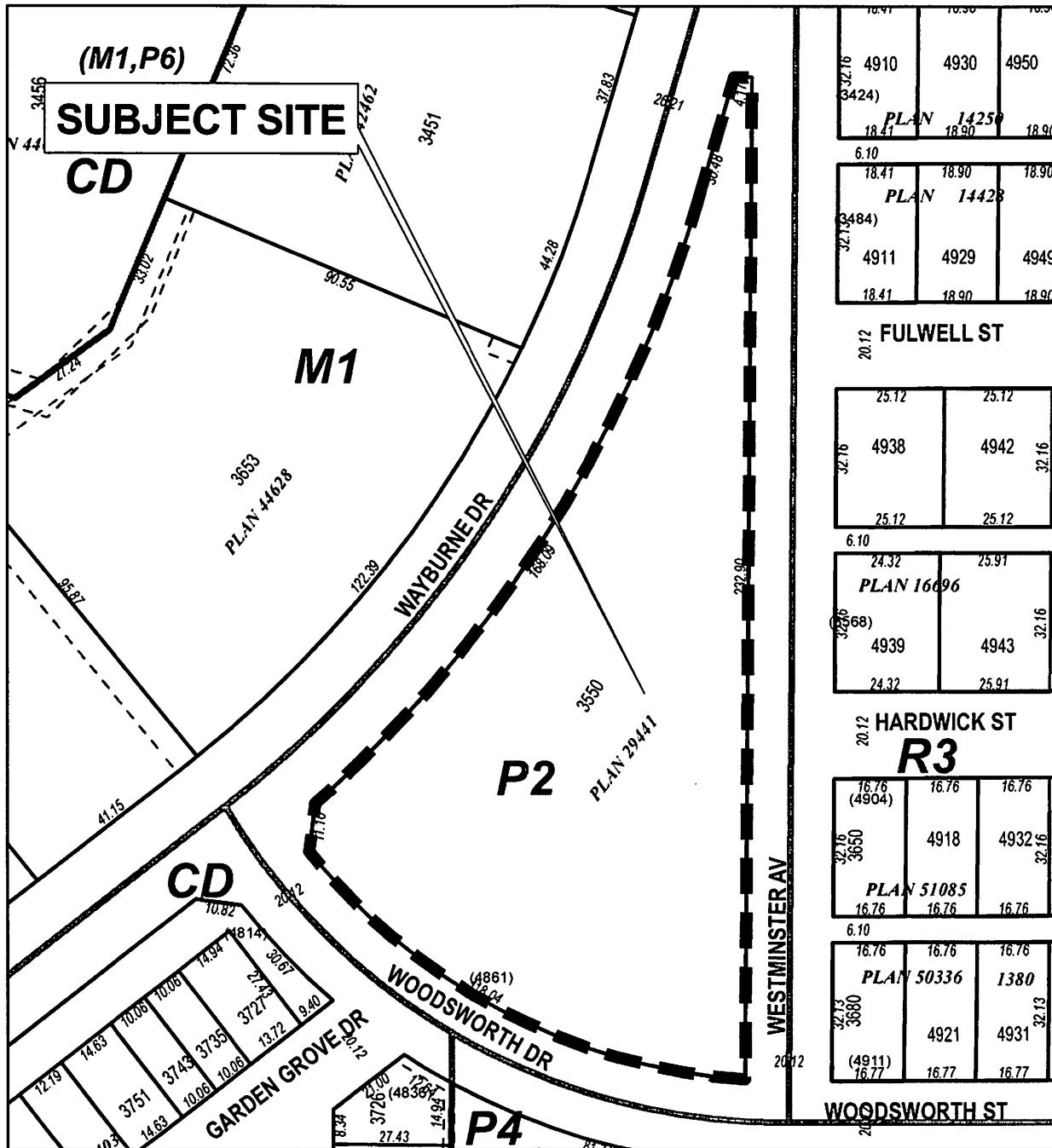


E.W. Kozak, Director
PLANNING AND BUILDING


PS:sa

Attachment

cc: Director Public Safety and Community Services
City Solicitor
City Clerk



3424)	4910	4930	4950
PLAN 14259			
6.10	18.41	18.90	18.90
3484)	4911	4929	4949
PLAN 14428			
6.10	18.41	18.90	18.90
FULWELL ST			
3276	4938	4942	3216
6.10	25.12	25.12	25.12
3266	4939	4943	3216
PLAN 16096			
6.10	24.32	25.91	25.91
HARDWICK ST			
3266	4918	4932	3216
PLAN 51085			
6.10	16.76	16.76	16.76
R3			
3266	4921	4931	3213
PLAN 50336			
6.10	16.76	16.76	16.76
WOODSWORTH ST			
3266	4911	4911	16.77
PLAN 1380			
6.10	16.77	16.77	16.77


City of Burnaby


PLANNING & BUILDING DEPARTMENT

Date: NOV 21 2019

scale: 1:1,500

Drawn By: JS

REZONING REFERENCE #19-62
3550 WAYBURNE DRIVE

 Subject Site

Sketch #1