

TO: MAYOR & COUNCIL

FROM: GENERAL MANAGER PLANNING AND DEVELOPMENT

SUBJECT: **REZ #22-02 - 7388 SOUTHWYNDE AVENUE - NON-MARKET RENTAL APARTMENT BUILDING WITH CHILDCARE - EDMONDS TOWN CENTRE PLAN**

PURPOSE: To seek Council authorization to forward this application to a future Public Hearing date.

REFERENCES

Address: 7388 Southwynde Avenue
Legal: Lot 3 District Lot 171 Group 1 New Westminster District Plan LMP30202
Applicant: Jotty Gill, Metro Vancouver Housing
Current: CD Comprehensive Development District (based on RM2 Multiple Family Residential District)
Proposed: Amended CD Comprehensive Development District (based on RM2 Multiple Family Residential District, RM2r Multiple Family Residential District, P5 Community Institutional District, and Edmonds Town Centre Plan as guidelines and in accordance with the development plan entitled "Southwynde Rental Apartments" by Integra Architecture Inc.)

RECOMMENDATION

THAT a Rezoning Bylaw be prepared and advanced to First Reading and to a Public Hearing at a future date;

THAT the introduction of a Ground Lease be authorized according to the terms outlined in Section 3.2 and 3.4 of this report by the General Manager Planning and Development, Rezoning Reference #22-02 dated June 5, 2023, contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw; and,

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 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 utilization of an amenity bonus in accordance with this report, Rezoning Reference 22-02 dated June 5, 2023 from the General Manager Planning and Development.
 - e. The registration of a Ground Lease Agreement, or the registration of a no build Section 219 Covenant on the subject site until the Ground Lease Agreement has been registered, as outlined in this report, Rezoning Reference 22-02 dated June 5, 2023 from the General Manager Planning and Development.
 - f. 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.
 - g. The submission of a suitable on-site stormwater management system, the deposit of sufficient monies for its provision, and the granting of a Section 219 Covenant to guarantee its provision and continuing operation.
 - h. Compliance with the City's Groundwater Management for Multiple-Family and Mixed Commercial Development guidelines.
 - i. The dedication of any rights-of-way deemed requisite.
 - j. The granting of any necessary statutory rights-of-way, easements and/or covenants in accordance with Section 3.10 this report.
 - 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 person.
 - l. The provision of a car wash stall and an adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement the recycling provisions.
 - m. The submission of a suitable Solid Waste and Recycling Plan.

- n. The review of on-site residential loading facilities by the General Manager Engineering.
- o. Compliance with the guidelines for underground parking for visitors.
- p. The provision of facilities for cyclists.
- q. The submission of a Green Building Plan and Energy Benchmarking.
- r. 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.
- s. The deposit of the applicable Parkland Acquisition Charge.
- t. The deposit of the applicable GVS & DD Sewerage Charge.
- u. The deposit of the applicable Regional Water Cost Charge.
- v. The deposit of the Regional Transportation Development Charge.
- w. The deposit of the applicable per unit Edmonds Town Centre South Grade-Separated Crossings Charge.
- x. The submission of a written undertaking to distribute area plan notification forms, prepared by the City; and, to post area plan notification signs, also prepared by the City, on the development site and in any rental office in prominent and visible locations prior to Third Reading, and remain posted for a period of one year, or until such time that all units are rented, whichever is greater.

CHIEF ADMINISTRATIVE OFFICER'S COMMENTS

I concur with the recommendation of the General Manager Planning and Development.

EXECUTIVE SUMMARY

A rezoning application has been received in order to permit construction of a residential multiple-family development and childcare facility. The proposal includes a six-storey non-market rental building with a childcare facility for up to 37 children fronting Southwynde Avenue. The purpose of this report is to provide Council with information on the proposal and to recommend that the rezoning application be forwarded to a future Public Hearing.

1.0 POLICY SECTION

The proposed rezoning application is consistent with the following policies and plans adopted by Council:

- Corporate Strategic Plan (2022),
- Official Community Plan (1998),
- Edmonds Town Centre Plan (1994),
- Economic Development Strategy (2007),
- Social Sustainability Strategy (2011),
- Environmental Sustainability Strategy (2016),
- Transportation Plan (2021),
- HOME: Housing and Homelessness Strategy (2021), and
- Rental Use Zoning Policy (2020).

2.0 BACKGROUND

- 2.1 The subject property is located at the northeast corner of Byrnepark Drive and Southwynde Avenue and is currently vacant and treed (see *attached* Sketch #1). To the north, across Byrnepark Drive, is Byrne Creek Ravine Park. To the south and east are low-rise multiple-family residential developments, with Taylor Park elementary beyond. To the west, across Southwynde Avenue, is Byrne Woods Park.
- 2.2 The subject site is located within Sub-Area 3 of the Edmonds Town Centre Plan and is designated for multiple-family residential development under the CD Comprehensive Development District (utilizing the RM2/RM2r Multiple Family Residential District and Edmonds Town Centre Plan as guidelines). In order to accommodate the proposed child care use, the P5 Community Institutional District is proposed to be applied to the site.
- 2.3 In 1996, a number of vacant City properties were consolidated into seven development sites with the intent to offer the development sites for Public Tender over time. In addition, the Byrne Woods Park's site was created. In order to provide development guidelines, Council approved a master rezoning for the sites (Rezoning Reference #96-14), with a designation for Comprehensive Development utilizing the RM2 District and the Edmonds Town Centre Plan as guidelines. Primary servicing for the sites was provided under the City-initiated Subdivision Reference #71-95.
- 2.4 Since Council's granting of Final Adoption of Rezoning Reference #96-14 on October 07, 1996 five of the seven development sites have been tendered, rezoned, and developed. The resultant development sites include:
- 7488 Southwynde Avenue (Rezoning Reference #02-08, constructed in 2003),
 - 7428 Southwynde Avenue (Rezoning Reference #03-64, constructed in 2005),
 - 6438 Byrnepark Drive (Rezoning Reference #18-09, construction to be completed in 2023), and
 - Two development sites were consolidated into 7418 Byrne Park Walk (Rezoning Reference #07-06, construction completed in 2010).

The two remaining development sites, 6488 Byrnespark Drive (Rezoning Reference #20-16), and 7388 Southwynde Avenue (subject application) remain under City ownership. The property located at 6488 Byrnespark Drive is being developed as part of a City initiative to bring forward a number of City-owned sites for the development of non-market housing.

2.5 On 2020 March 23, Council authorized staff to respond to a Metro Vancouver Housing (MVH) Expression of Interest (EOI) seeking lands from member municipalities that could be leased or sold to MVH at a nominal cost to develop new non-market rental housing. On 2020 May 29, MVH selected the subject City-owned site at 7388 Southwynde Avenue for exploration and concept development. The lease of the property is subject to achieving Final Adoption of the subject rezoning.

2.6 On 2022 April 04, Council received an initial rezoning report which proposed to rezone the property to the Amended CD Comprehensive Development District, utilizing the RM2 and RM2r Multiple Family Residential Districts as guidelines. The P5 Community Institutional District has been added to the proposed CD District to accommodate the child care use. The applicant has now submitted a plan of development suitable for presentation at a Public Hearing.

3.0 GENERAL INFORMATION

3.1 The development proposal, as shown in *Figure #1*, is for a six-storey purpose built rental apartment building with a total of 122 rental residential units, a 37-space childcare facility, indoor amenities, outdoor amenities including urban agriculture, bike parking, and underground residential/visitor parking. Vehicular access to the underground parking area will be from Byrnespark Drive.

Figure 1



Axonometry - South

- 3.2 Table 1 shows the proposed Floor Area Ratio (which rounds up to 1.98) which is below the maximum permitted FAR of 2.00. The applicant is seeking funding from provincial and federal government programs, and as such the rents could be at shelter rates, rent-geared-to-income (RGI), low-end-of-market (LEM), rates in line with the Burnaby Rental Use Zoning Policy, or a combination of rent levels, depending on the funding program achieved. At a minimum, the applicant is proposing 51% of units at 20% below CMHC median rental rates and 49% of units at 10% below market rental rates for the 122 unit project. However, it is anticipated based on recent BC Housing funding announcements that affordability achieved on this project will be deepened beyond the minimum and secured through the ground lease.

	Permitted (m²)	Proposed (m²)
RM2 Base Density	0.90	0.90
GFA	4,289.04	4,289.04
RM2 Base Bonus Density	0.10	0.09
GFA	476.56	452.69
RM2r Density	0.90	0.90
GFA	4,289.04	4,289.04
P5 Density	0.10	0.08
GFA	476.56	394.98
TOTAL Density	2.00	1.98
TOTAL GFA	9,531.20	9,425.75

- 3.3 As noted in Table 1, given the site's Town Centre location, the applicant is permitted to use the allowable density bonus provisions as permitted within the Zoning Bylaw. For the subject site, this amounts to up to 0.10 FAR, or approximately 476.56 m² (5,130 sq. ft.) of gross floor area (GFA). The applicant is currently proposing to utilize 452.69 m² (5,130 sq. ft.) of the available bonused GFA in the development proposal for which they may apply to utilize Community Benefit Funds to cover the costs. A separate report detailing the approach to valuing and delivering bonus density for the subject site will be forwarded to Council for consideration and approval prior to the subject amendment bylaw receiving final adoption.
- 3.4 As noted earlier, 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 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 application is proposing a 60 year lease term in accordance with recent city practices. The registration of a Ground Lease Agreement, or the registration of a no build Section 219 Covenant on the

subject site until such time as a Ground Lease has been registered to protect and regulate affordability measures and tenure of the non-market rental units. Specific affordability terms within the Ground Lease Agreement are to meet or exceed the minimum thresholds described in Section 3.2. With the registration of a no build Section 219 Covenant, the Ground Lease Agreement would be finalized prior to Building Permit issuance. Detailed terms and conditions of the lease will be provided to Council in a future report.

- 3.5 The development is providing 93 adaptable units within the apartment building, which exceeds the 20% minimum requirements of the Council-adopted Adaptable Housing Policy. A total of 17 accessible parking stalls will be provided in the underground parking area (16 for the residential portion and 1 for the commercial portion). The remaining units in the development (29) will meet either BC Building Code, BC Housing or CMHC criteria for accessible, adaptable or universal units.
- 3.6 All required parking for the development is proposed to be located underground, with access from Byrnespark Drive. The development will meet the Zoning Bylaw's rental residential parking requirements, with a ratio of 0.6 spaces per unit (inclusive of 0.1 spaces per unit for visitor parking) and the childcare parking requirements (1 per 46 m² of gross floor area). All residential 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.
- 3.7 The General Manager Engineering will be requested to prepare an estimate for all services necessary to serve this site including, but not necessarily limited to, the reconstruction of the existing sidewalk across the development frontage on Byrnespark Drive and Southwynde Avenue following the standard of a 1.8m for the sidewalk, 1.8m for the front boulevard and 0.9m for the rear boulevard.
- 3.8 To support the off-site servicing requirements, a corner truncation of 3.0 m (10 ft.) by 3.0 m (10 ft.) on Byrnespark Drive will be required.
- 3.9 Any necessary easements, covenants, and statutory rights-of-way for the site are to be provided, including, but not limited to:
 - Section 219 Covenant restricting enclosure of balconies;
 - Section 219 Covenant preventing stratification of the rental units and ensuring that they remain under single ownership;
 - Section 219 Covenant to ensure a Ground Lease is completed prior to Occupancy Permit being issued and ensure the affordability measures of the rental units;
 - Section 219 Covenant guaranteeing the provision and ongoing maintenance of stormwater management facilities;
 - Section 219 Covenant to guarantee the provision and continuing operation of methane gas monitoring; and,
 - Section 219 Covenant ensuring compliance with the Green Building Plan for the site as well as a commitment for the property owner/representative to submit the necessary information to NRCAN.

- 3.10 As the site will be fully excavated for development, a tree survey will be required identifying any 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.
- 3.11 The provision of one enhanced car wash stall is required.
- 3.12 The submission of a Groundwater and Storm Water Management Plan is required. An indemnification agreement may be required for groundwater management. As well, a suitable engineered design to the approval of the General Manager 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 will be required.
- 3.13 The submission of a suitable Solid Waste and Recycling Plan is required.
- 3.14 The submission of a detailed Loading Management Plan is required.
- 3.15 Bicycle storage lockers and bicycle racks are to be provided for the residential occupants and visitors of the development.
- 3.16 The submission of a Green Building Plan and energy benchmarking is required. The applicant has indicated that the building will meet Step 3 of the BC Energy Step Code.
- 3.17 The development must comply with the *Guidelines for Development on Forested Sites (September, 2011)*, including submission of a tree survey, nesting raptor survey, and identification of invasive species.
- 3.18 Applicable development cost charges will include:
 - Parkland Acquisition Charge;
 - GVS & DD Sewerage Charge;
 - Regional Transportation Development Charge;
 - Regional Water Cost Charge;
 - The deposit of the applicable per unit Edmonds Town Centre South Grade-Separated Crossings Charge.

3.19 **Development Proposal:**

<u>Gross Site Area</u>	-	4,765.60 m ² (51,296.92 sq. ft.)
<u>Dedications</u>	-	26.20 m ² (282.49 sq. ft.)
<u>Net Site Area</u>	-	4,739.40 m ² (51,014.43 sq. ft.)
<u>Site Coverage</u>	-	37 %
<u>Building Height</u>	-	6 Storeys

Density and Gross Floor Area

RM2 Floor Area Ratio	-	1.0 FAR (inclusive of 0.1 FAR bonus)
RM2r Floor Area Ratio	-	0.9 FAR
P5 Floor Area Ratio	-	0.08 FAR
Gross Floor Area	-	9,425.75 m ² (101,458.20 sq.ft.)

Unit Mix

1 – Studio Adaptable	-	48.35 m ² (520.39 sq.ft.)
29 – 1 Bedroom	-	50.17 – 50.24 m ² (540.00 – 540.81 sq.ft.)
22 – 1 Bedroom Adaptable	-	53.98 – 64.7 m ² (581.06 – 697.38 sq.ft.)
56 – 2 Bedroom Adaptable	-	70.19 – 76.25 m ² (755.45 – 820.76 sq.ft.)
<u>14 – 3 Bedroom Adaptable</u>	-	90.98 – 96.23 m ² (979.31 – 1,035.82 sq.ft.)
122 Units		

Total Rental Unit Count - 122

Vehicle Parking

Required and Provided

Rental Residential (0.6 / unit)	-	74 spaces (including 13 visitor spaces and 16 accessible spaces)
Child Care (1 / 46 m ²)	-	9 spaces (including 1 accessible space)
Car Wash	-	1 stall (enhanced)

Bicycle Parking

Required and Provided

Secured Residential (2 / unit)	-	244 spaces (122 lockers with two bikes per locker)
Secured Commercial (1/20 staff)	-	1 space
Visitor Residential (0.2 / unit)	-	24 bike racks
Visitor Commercial (1/20 students)	-	2 spaces

Loading

Required and Provided

Residential loading	-	1 space
Commercial loading	-	1 space

Amenity Facilities:

Amenity facilities for the apartment building are proposed on the main floor and include a parcel area, lobby, flex space, washroom, and lounge with a full kitchen. Collectively, the indoor amenity areas amount to 107.71 m² (1,159 sq. ft.), which is less than the maximum 5% 476.56 m² (5,129.50 sq. ft.) of Gross Floor Area

permitted to be exempted as amenity space within the Zoning Bylaw. Proposed outdoor amenities include urban agriculture, flex-use lawn space, outdoor seating, as well as an outdoor play and storage area for the child care.

4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

A Public Hearing will be held at a future date. The City will send a notice, at least 10 days in advance of a Public Hearing, to those properties that are within a 30 m (100 ft.) radius of the property. A notice will also be published in two consecutive issues of the local newspaper, and a sign regarding the proposal will be posted on the site.

5.0 FINANCIAL CONSIDERATIONS

There are no financial considerations related to this proposal.

Respectfully submitted,

Lee-Ann Garnett, Deputy General Manager Planning and Development
for E. W. Kozak, General Manager Planning and Development

ATTACHMENTS

Attachment 1 – Sketch #1

REPORT CONTRIBUTORS

This report was prepared by Jasmin Senghera, Planning Analyst and Kyra Lubell, Development Planner, and reviewed by Jesse Dill, Senior Development and Urban Design Planner, Johannes Schumann, Director Development and Urban Design Planner.