

**TO:** MAYOR & COUNCIL

**FROM:** GENERAL MANAGER PLANNING AND DEVELOPMENT

**SUBJECT: REZ #21-29 – 5650 BERESFORD STREET – 6 STOREY PURPOSE BUILT RENTAL DEVELOPMENT – ROYAL OAK COMMUNITY PLAN**

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

#### **REFERENCES**

**Address:** 5650 Beresford Street  
**Legal:** Lot “B” District Lot 97 Group 1 New Westminster District Plan 3851  
**Applicant:** Brendan Reeves; Boffo Developments (Beresford) Ltd.  
Unit 200 - 4580 Hastings Street Burnaby, BC V5C 2K4  
**Current Zoning:** M2 General Industrial District  
**Proposed Zoning:** CD Comprehensive Development District (based on RM3 Multiple Family Residential District, RM3r Multiple Family Residential District and the Royal Oak Community Plan as guidelines, and in accordance with the development plan entitled “Proposed Residential Development 5650 Beresford Street” prepared by Chris Dikeakos Architects Inc.)

#### **RECOMMENDATIONS**

**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 Housing Agreement Bylaw be authorized according to the terms outlined in Section 3.3 of the report by the General Manager Planning and Development dated June 19, 2023, contingent upon the granting by Council of Second Reading of the Rezoning Bylaw related to the subject site.

**THAT** the introduction of a Highway Closure Bylaw be authorized according to the terms outlined in Section 3.8 of this report by the General Manager Planning and Development dated June 19, 2023, contingent upon the granting by Council of Second Reading of the subject Rezoning Bylaw.

**THAT** the sale be approved in principle of City-owned property for inclusion within the subject development site in accordance with the terms outlined in Section 3.8 of this report, and subject to the applicant pursuing the rezoning proposal to completion.

**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 Administration 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 (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 undergrounding of existing overhead wiring abutting the site.
- e. The removal of all existing improvements from the subject site prior to Final Adoption of the Bylaw.
- f. Completion of Rezoning Reference #21-30 concurrent with completion of the subject application.
- g. The consolidation of the net project site into one legal parcel.
- h. The completion of the Highway Closure Bylaw and sale of City property as described in Section 3.8 of this report.
- 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 3.9 of this report.
- k. The registration of a Housing Covenant and Housing Agreement.
- l. 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.
- m. Compliance with the City's Groundwater Management for Multi-Family Development guidelines.
- n. The submission of a suitable Solid Waste and Recycling Plan.

- o. The review of on-site loading facilities.
- p. The provision of an enhanced 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.
- q. The provision of facilities for cyclists in accordance with this report.
- r. The design and provision of units adaptable to persons with disabilities, the provision of customized hardware and cabinet work being subject to the renting of the unit to a disabled person.
- s. Compliance with Council-adopted sound criteria.
- t. Compliance with the guidelines for underground parking for visitors.
- u. The submission of a Green Building Plan and Energy Benchmarking.
- v. The submission of a Site Disclosure Statement and resolution of any resultant conditions.
- w. The deposit of the applicable Parkland Acquisition Charge.
- x. The deposit of the applicable School Site Acquisition Charge.
- y. The deposit of the applicable GVS & DD Sewerage Charge.
- z. The deposit of the applicable Regional Water Cost Charge.
- aa. The deposit of the applicable Regional Transportation Development Cost Charge.

## **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 the construction of a six-storey purpose built residential rental building atop underground parking. 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:

- Regional Context Statement (2013);
- Corporate Strategic Plan (2022);
- Official Community Plan (1998);

- Royal Oak Community Plan (1999);
- Economic Development Strategy (2007);
- Social Sustainability Strategy (2011);
- Environmental Sustainability Strategy (2016);
- Climate Action Framework (2020);
- Transportation Plan (2021), Home Strategy (2021); and,
- Rental Use Zoning Policy (2020).

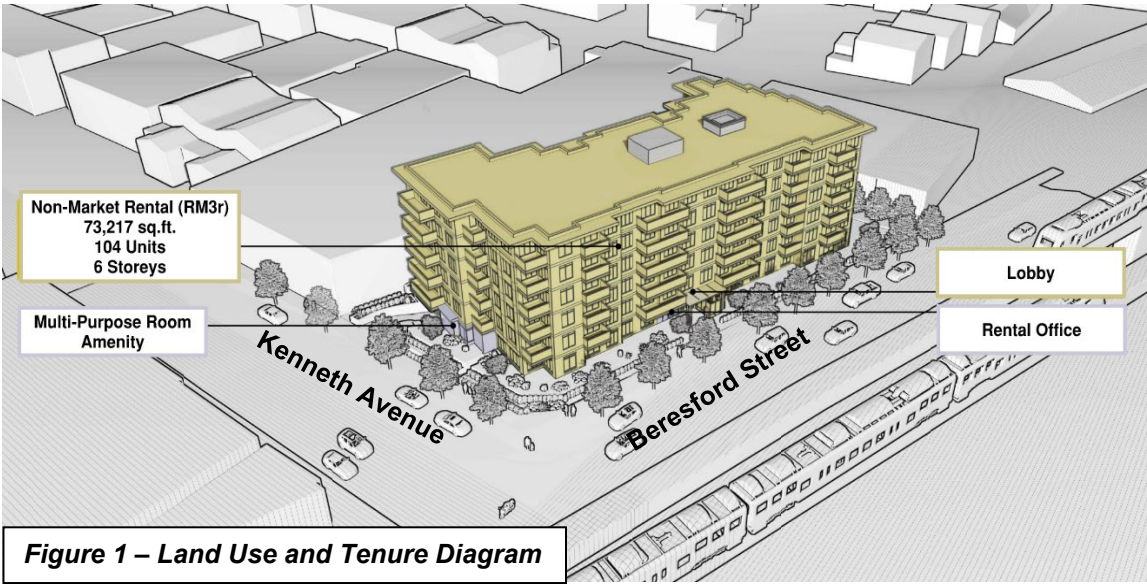
**2.0 BACKGROUND**

2.1 On October 04, 2021 Council approved a report seeking endorsement of a density and rental obligation transfer between the subject site (Beresford Site) and the Bassano Master Plan Site (a three phased residential development located at 2100, 2160, 2210 Springer Avenue and 5334 Lougheed Highway), which is also owned by the applicant, in order to deliver a fully non-market rental project on the subject site. As outlined in that report and the Bassano Master Plan (Rezoning Reference #17-14), the subject site would initially serve as rental housing for displaced tenants from development sites within the Metrotown Downtown Plan Area and beyond, while their replacement rental unit is constructed. The rental units would be delivered prior to, or concurrently with, Phase 1 of the Bassano Site, and it is proposed that these units satisfy the inclusionary rental requirement for Phases 1 and 2 of the Bassano Site, as well as the inclusionary requirement for the subject site. In accordance with the Tenant Assistance Policy, residents displaced from other rental developments could be housed at the subject site for an interim period, until their unit in their new development is ready. Tenants would only be responsible for the portion of the rent amount equivalent to the tenant’s rent at the time of rezoning of their respective site, with the pertinent developer paying any applicable rent top up. At the completion of Phase 3 of the Bassano Site, the subject site’s required rental units would revert to the standard inclusionary rental rates, with rents set at 20% below CMHC median market rates for the Southeast Burnaby rental survey area. It is noted that Phase 3 of the Bassano Site will include a non-market rental podium to ensure that the overall inclusionary rental requirement for both the Bassano and subject site are met. Any additional voluntary rental units provided at the subject site or Bassano Site utilizing RMr density, could be provided as a mix of market and non-market rental units on a 1:1 basis as permitted under the Rental Use Zoning Policy. To facilitate this proposal, a density transfer between the two sites is proposed. Further details on the proposed swing site concept and density transfer are outlined in Sections 3.2 and 3.3 of this report. It is noted that the Phase 1 Bassano Site rezoning report (Rezoning Reference #21-30) also appears on Council’s agenda.

- 2.2 The subject site is comprised of a single parcel at 5650 Beresford Avenue, as well as an abutting City lane, which is identified for closure and consolidation with the subject site. The site is located at the southwest corner of Kenneth Avenue and Beresford Street (see *attached Sketch #1*), and is designated under the Royal Oak Community Plan for medium-density multiple-family residential, utilizing the RM3 and RM3r Districts as guidelines (see *Sketch #2 attached*). The site currently operates as a storage yard with access from Kenneth Avenue. It is noted that the properties located directly to the south and west of the subject site are also the subject of a rezoning application (Rezoning Reference #22-01) appearing on Council’s agenda, for a multiple family development based on the same zoning districts as the subject site.
  
- 2.3 On 2021 December 06, Council received an initial rezoning report which proposed to rezone the subject development site to the CD Comprehensive Development District (based on RM3 Multiple Family Residential District, RM3r Multiple Family Residential District and the Royal Oak Community Plan as guidelines).
  
- 2.4 The applicant has now submitted a plan of development suitable for presentation to a Public Hearing.

**3.0 GENERAL INFORMATION**

3.1 The proposed development plan, as shown in Figure 1, is for a single 6 storey purpose built rental apartment building atop underground parking. Vehicular access to the development is proposed from Kenneth Avenue.



**Figure 1 – Land Use and Tenure Diagram**

A total of 104 rental dwelling units are proposed. The development form provides a strong street-oriented relationship to Beresford Street and Kenneth Avenue, as well as a thoughtful contextual relationship to surrounding, existing and planned development. The development includes a diversity of unit sizes and typologies in order to accommodate a range of incomes, age cohorts, and abilities, as well as indoor and outdoor amenities. Overall, the subject proposal exemplifies high quality urban design and architectural expression related to the building’s siting, massing, pedestrian orientation and materiality.

3.2 The maximum potential density for the subject site may be up to 3.69 FAR based on the proposed RM3, RM3r zoning, comprised of: 1.10 FAR base RM3 density, 0.55 FAR RM3 offset density, and 1.10 FAR RM3r density. The remainder of the 3.69 FAR is comprised of 0.94 FAR RM5r density transferred from the Bassano Site. The proposed total density based on gross site area is 2.04 FAR, as outlined in Table 1 below. Applied to the net development site area of 2,480.70 m<sup>2</sup> (26,702 sq. ft.), the proposed density is 2.74 FAR. The applicant is proposing to transfer 3,674.77 m<sup>2</sup> (39,555 sq. ft.) of RM3 base density and 1,837.39 m<sup>2</sup> (19,778 sq. ft.) of RM3 density offset to the Bassano Site, and 3,127.31 m<sup>2</sup> (33,662 sq. ft.) of RM5r density from the Bassano Site to the subject site. In order to facilitate the density transfer, a Density Allocation Covenant will be executed as part of the subject application. The Phase 1 Bassano Site rezoning (Rezoning Reference #21-30) will also be required to achieve Final Adoption concurrently with the subject rezoning.

**Development Site Zoning: CD (RM3, RM3r)**

**Gross Site Size: 3,340.70 m<sup>2</sup>**

	Permitted ( FAR and m <sup>2</sup> )	Proposed (FAR and m <sup>2</sup> )	Proposed Units
RM3 Base Density	1.10	-	-
GFA	3,674.77	-	-
RM3r Density	1.10	1.10	56
GFA	3,674.77	3,674.77	
RM3 Density Offset	0.55	-	-
GFA	1,837.39	-	
RM5r Density Transferred from Bassano Site	0.94	0.94	48
GFA	3,127.31	3,127.31	
<b>TOTAL Density for Beresford Site</b>	<b>3.69</b>	<b>2.04</b>	<b>104</b>
<b>TOTAL GFA</b>	<b>12,314.24</b>	<b>6,802.08</b>	
RM3 Base Density Transferred to Bassano Site	-	1.10	-
GFA	-	3,674.77	

RM3 Density Offset Transferred to Bassano Site	-	0.55	-
GFA	-	1,837.39	

**Table 1** – breakdown of permitted and proposed density for the Beresford Site based on gross site area.

3.3 With respect to the rental component of the project, this application is proposed to be processed in accordance with the City’s Rental Use Zoning Policy, utilizing Stream 2 – Inclusionary Rental. As noted above, the applicant is proposing 104 rental units on the subject site, utilizing 6,802.08 m<sup>2</sup> (73,217 sq. ft.) of RM3r and RM5r District density. It is proposed that these units satisfy the inclusionary rental requirement for Phase 1 of the Bassano Site, as well as the inclusionary requirement for the subject site and the future Phase 2 of the Bassano Site. The inclusionary rental requirement for Phase 1 of the Bassano Site and the subject site is 50 non-market rental units, resulting in an initial surplus of 54 rental units. Phase 2 of the Bassano Site is anticipated to be of a similar high-density scale to Phase 1. In the intervening period until occupancy of Phase 3 of the Bassano Site, the applicant is proposing to operate the subject site as a swing site for the purposes of temporarily relocating tenants displaced by development within the Metrotown Downtown area and beyond, while their new rental housing is constructed. At the completion of Phase 3 of the Bassano Site, the subject site’s required rental units would revert to the standard inclusionary rental rates, with rents set at 20% below CMHC median market rates for the Southeast Burnaby rental survey area. Any additional voluntary RMr rental units resulting from the full buildout of the subject site and the Bassano Site, could be provided as a mix of market and non-market (at CMHC median market rents) rental units on a 1:1 basis as permitted under the Rental Use Zoning Policy, subject to Council approval. Accordingly, the following general terms are proposed to regulate the operation of the 104 rental units and swing site concept:

- all 104 rental units at the Beresford Site are eligible to be operated as swing units for the period extending from occupancy of the Beresford Site, until occupancy of Phase 3 of the Bassano Site;
- swing units will be made available in the following priority order to eligible tenants: 1) Metrotown residents displaced by redevelopment of their rental building; 2) Burnaby residents from outside of Metrotown displaced by redevelopment of their rental building; 3) all other eligible applicants that meet HILs rates;
- market rents may be charged by the operator for swing units, with applicable rent top ups provided by the pertinent developer in accordance with the Tenant Assistant Policy;
- during the period of time that the subject site is eligible to operate as a swing site, rental rates for tenancies for which rent top ups are not applicable, are to

- be established at 20% below CMHC median market rents for the Southeast Burnaby rental survey area in line with the Rental Use Zoning Policy; and,
- at occupancy of Phase 3 of the Bassano Site, the swing site operation will cease and the rental rates for all required inclusionary rental units at the Beresford Site will convert to 20% below CMHC median market rents in line with the Rental Use Zoning Policy, with a grace period for tenants waiting on their replacement unit. Any additional voluntary rental units provided at the Beresford Site may be rented in accordance with the Rental Zoning Policy, which stipulates a 1:1 ratio of market rental units to non-market rental units at CMHC median market rents for Southeast Burnaby rental survey area.

It is anticipated that Phase 3 of the Bassano Site will be completed within 10 years. However, given the potential for longer development timeframes based on market factors, it is proposed that the option for a sunset clause be included in the Housing Agreement that provides the City with the option, at its sole discretion, to terminate the swing site operation after 10 years following occupancy of the subject site. A Housing Covenant and Housing Agreement is required for the subject site to secure the tenure, affordability, and operation of the rental units. Through the Bassano Site Phase 3 rezoning, revisions to the Housing Agreement will be brought forward for Council’s consideration and approval in order to clarify the final breakdown of required inclusionary and voluntary rental units for the subject site. It is noted that this proposal meets the intent and requirements of the Rental Use Zoning Policy.

3.4 The development is providing 21 adaptable units with 14 accessible parking stalls, which is in line with the 20% minimum requirement of the Council-adopted Adaptable Housing policy. The accessible parking stalls will be protected by a Section 219 Covenant, restricting the stalls from being permanently assigned to a rental unit.

3.5 A parking ratio of 0.55 spaces per rental unit is proposed for the development, inclusive of visitor parking. The applicant has provided a parking supply study to support the proposed parking ratios. 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. To support both alternative modes of transportation to and from the development site, and reductions to private vehicle trips, the applicant will be providing a comprehensive Transportation Demand Management strategy including:

- a transit pass subsidy equivalent to a two-zone pass for 100% of the units for two years;
- two secure bike parking spaces for each residential unit;
- bike repair facilities including a bike stand and tools;



- parcel storage; and,
- a communications strategy that provides the owners, strata, renters, rental management company and strata management company an understanding of how to best use each of the alternative transportation options.

A Section 219 Covenant and sufficient financial securities will be required to guarantee the provision of these measures.

3.6 The Engineering Department will assess the need for any required services to the site, including, but not necessarily limited to:

- construction of Beresford Street to final standard including concrete curb and gutter on both sides of the street, street trees on the north side of the street, and a separated sidewalk, street trees and lighting on the south side of the street;
- construction of Kenneth Avenue to final standard including concrete curb and gutter, street trees, a separated 3 m multi-use path, and lighting;
- construction of a 3 m multi-use path, with curb letdowns, connecting Beresford Street to Shirley Avenue;
- undergrounding of overhead lines across the development frontage; and,
- storm, sanitary sewer and water main upgrades as required.

3.7 To support the foregoing servicing requirements, road dedications on Beresford Street and Kenneth Avenue are required measuring 860.00 m<sup>2</sup> (9,257 sq. ft.) in area, subject to final civil drawings.

3.8 The proposed development site includes the closure of the lane abutting the site measuring approximately 723.70 m<sup>2</sup> (7,790 sq. ft.), which will be achieved through a Highway Closure Bylaw. The area of the road closure is subject to final civil drawings. The Realty and Lands Division will forward a separate report detailing the value of the land sale for Council's consideration and approval prior to the subject amendment bylaw receiving Third Reading. The report will be prepared once the Realty and Lands Division has concluded negotiations with the applicant. Council approval of the land sale is a prerequisite condition of the rezoning.

3.9 Any necessary easements, covenants and/ or statutory rights-of-way for the site are to be provided, including, but not necessarily limited to:

- 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 to ensure a Housing Agreement is completed prior to Occupancy Permit being issued and that the non-market rental units meet and maintain the affordability criteria;
  - Section 219 Covenant ensuring that accessible parking stalls are not permanently assigned to a rental unit, and are made available within 30 days of a request by a resident with a valid accessible parking permit;
  - Section 219 Covenant to permit the proposed density transfer between the Beresford Site and Bassano Site, as outlined in Table 1;
  
  - Section 219 Covenant ensuring compliance with the Green Building Plan for the site (Step 3 of Step Code, Energy System, and Energy/GHG Model) as well as a commitment for the property owner/representative to submit the necessary information to NRCAN; and,
  - Section 219 Covenant to ensure alternative transportation provisions for the development.
- 3.10 The registration of a Housing Covenant and a Housing Agreement will be required to protect and regulate affordability measures, tenure, and operation of the 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.
- 3.11 Due to the proximity of the subject site to the Expo Line SkyTrain guideway, the applicant is required to provide an acoustical study showing that the proposed development would meet the Council-adopted noise criteria.
- 3.12 Given the site's current industrial use, a Site Disclosure Statement and resolution of any resultant conditions is required.
- 3.13 As the site will be fully excavated for development, a 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.
- 3.14 The provision of 1 enhanced car wash stall is required, complete with hot and cold water supply, car vacuums, bike wash stands, hose and spray nozzle, and splash proof partitions.
- 3.15 The submission of a Groundwater and Stormwater Management Plan is required. As well, a suitable engineered design 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.
- 3.16 The submission of a suitable Solid Waste and Recycling Plan is required.

- 3.17 The submission of a detailed Loading Management Plan is required.
- 3.18 The submission of a Green Building Plan including building heating and cooling strategies, and energy benchmarking 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 development will meet Step 3 of the BC Energy Step Code.
- 3.19 The submission of a Communication Strategy Plan that provides the owners, strata, renters, rental management company and strata management company with an understanding and recommendations as to how best utilize the on-site amenities and alternative transportation provisions proposed for the development site is required.
- 3.20 Development Cost Charges applicable to this rezoning include, but are not necessarily limited to:
  - Parkland Acquisition Charge;
  - GVS&DD Sewerage Charge;
  - School Site Acquisition Charge;
  - Regional Water Charge; and,
  - Regional Transportation Development Cost Charge.

3.21 **Development Statistics:**

Site Area (subject to detailed survey)

5650 Beresford Street	2,617.00 m <sup>2</sup> (28,169 sq. ft.)
Road Closure	723.70 m <sup>2</sup> ( 7,790 sq. ft.)
Gross Site Area	3,340.70 m <sup>2</sup> (35,959 sq. ft.)
Road Dedication	860.00 m <sup>2</sup> ( 9,257 sq. ft.)
Net Site Area	2,480.70 m <sup>2</sup> (26,702 sq. ft.)

Site Coverage (Phase 1 Site Area) 40%

Building Height 6 storeys

Density **2.04 FAR** (based on gross site area)

RM3r District	1.10 FAR
RM5r District (Density Transfer from Bassano Site)	0.94 FAR

RM3 District Offset (Density Transfer to Bassano Site)	1.10 FAR
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RM3 District Offset (Density Transfer to Bassano Site)	0.55 FAR
<b><u>Gross Floor Area</u></b>	<b>6,802.08 m<sup>2</sup> (73,217 sq. ft.)</b>
RM3r District	3,674.77 m <sup>2</sup> (39,555 sq. ft.)
RM5r District (Density Transfer from Bassano Site)	3,127.31 m <sup>2</sup> (33,662 sq. ft.)
RM3 District Offset (Density Transfer to Bassano Site)	3,674.77 m <sup>2</sup> (39,555 sq. ft.)
RM3 District Offset (Density Transfer to Bassano Site)	1,837.39 m <sup>2</sup> (19,778 sq. ft.)

**Residential Unit Mix**

*Non-Market Rental (20% Below CMHC Median Market Rates)*

12 – Studio	32.61 – 46.36 m <sup>2</sup> (351– 499 sq. ft.)
37 – One Bedroom	50.00 – 53.40 m <sup>2</sup> (538 – 575 sq. ft.)
11 – One Bedroom (adapt.)	52.30 m <sup>2</sup> (563 sq. ft.)
28 – Two Bedroom	65.00 – 70.79 m <sup>2</sup> (700 – 762 sq. ft.)
10 – Two Bedroom (adapt.)	69.40 – 70.70 m <sup>2</sup> (747 – 761 sq. ft.)
<u>6 – Three Bedroom</u>	83.5 m <sup>2</sup> (899 sq. ft)
104 units	

**Vehicle Parking**

Total Required and Provided:

Rental Residential (0.55 spaces per unit)	59 spaces (including 5 visitor spaces and 14 accessible spaces)
Enhanced Car Wash	1 space

**Bicycle Parking**

Total Required and Provided:

Secured Residential (2 spaces per unit)	215 spaces (double lockers)
Visitor (0.2 spaces per unit)	21 spaces (bike racks)

Loading

Total Required and Provided: 1 loading bay

Communal Facilities

Indoor and outdoor communal amenities are proposed for residents of the development, including a multi-purpose room, a lawn area, garden plots for urban agriculture, and a communal BBQ station with a dining area. The proposed internal amenity area of the project is 56.02 m<sup>2</sup> (603 sq. ft.), which is less than the permitted 5% or 340.10 m<sup>2</sup> (3,661 sq.ft) to be excluded from Gross Floor Area (GFA) under the Zoning Bylaw.

**4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT**

A Public Hearing will be held at a future date. In advance of that, the City will send a notice, at least 10 days before 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,

E. W. Kozak, General Manager Planning and Development

**ATTACHMENTS**

Attachment 1 – Sketch #1

Attachment 2 – Sketch #2

**REPORT CONTRIBUTORS**

This report was prepared by Mark Norton, Senior Development and Urban Design Planner, and reviewed by Ian Wasson, Senior Development and Urban Design Planner, and Johannes Schumann, Director Development and Urban Design and Lee-Ann Garnett, Deputy General Manager Planning and Development.