

TO: MAYOR & COUNCIL

FROM: GENERAL MANAGER PLANNING AND DEVELOPMENT

SUBJECT: REZ 20-31 – 7330 6TH STREET – MIXED-USE DEVELOPMENT WITH RENTAL DWELLING UNITS

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

REFERENCES

Address: 7330 6th Street
Legal: Lot 29 District Lot 28 Group 1 New Westminster District Plan 632
Applicant: Andrea Scott, Lovick Scott Architects Ltd.
Current: C4 Service Commercial District
Proposed: CD Comprehensive Development District (based on C9 Urban Village Commercial District and Sixth Street Community Plan as guidelines, and in accordance with the development plan entitled “Six on Sixth” prepared by Lovick Scott Architects Ltd.)

RECOMMENDATIONS

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

THAT the introduction of a Housing Agreement Bylaw be authorized according to the terms outlined in Section 3.4 of this rezoning report by the General Manager Planning and Development, Rezoning Reference # 20-31 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 submission of an undertaking to remove all existing improvements from the site within 12 months of Final Adoption of the rezoning.
- e. The undergrounding of existing overhead wiring abutting the site.
- f. The registration of a Housing Agreement and Housing Covenant.
- 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.
- k. The provision of facilities for cyclists in accordance with this report.
- l. The submission of a suitable Solid Waste and Recycling plan.
- m. The review of on-site residential loading facilities by the General Manager of Engineering.
- n. The provision of car wash stalls and an adequately sized and appropriately located garbage handling and recycling material holding space and a commitment to implement the recycling provisions.
- o. 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 and with allocated disabled parking spaces.

- p. Compliance with Council-adopted sound criteria.
- q. The submission of a Site Disclosure Statement and resolution of any arising requirements.
- r. Compliance with the guidelines for underground parking for residential visitors and commercial patrons.
- s. The submission of a Green Building Plan and Energy Benchmarking.
- t. The submission of a detailed Comprehensive Sign Plan.
- u. The deposit of the applicable Parkland Acquisition Charge.
- v. The deposit of the applicable GVS & DD Sewerage Charge.
- w. The deposit of the applicable School Site Acquisition Charge.
- x. The deposit of the Regional Transportation Development Charge.
- y. The deposit of the applicable Regional Water Cost Charge.
- z. 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.

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 mixed-use multiple-family residential rental development with commercial retail uses at grade, and 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:

- Corporate Strategic Plan (2022),
- Regional Context Statement (2013),
- Official Community Plan (1998),
- Sixth Street Community Plan (2012),
- 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 site is located on the southeast corner of Edmonds Street and 6th Street within the Sixth Street Community Plan area. The site is designated for medium-density mixed-use development under the CD Comprehensive Development District, utilizing the C9 Urban Village Commercial District as a guideline (Sketches #1 and #2 attached). The site currently accommodates a two-storey motel which was constructed in 1989. Vehicular access to the site is currently provided from Edmonds Street and 6th Street.

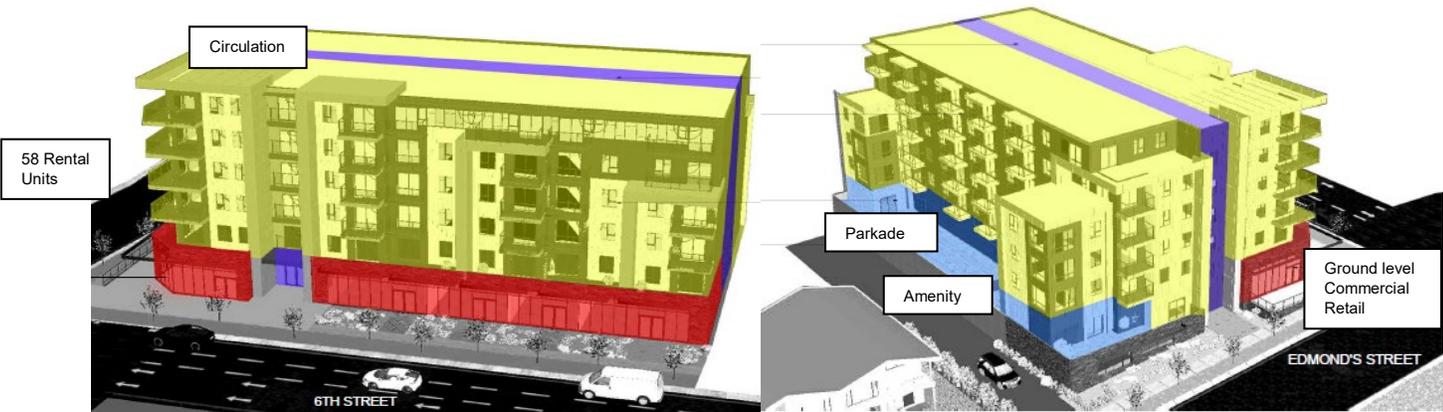
- 2.2 To the immediate south and southwest, across 6th Street, are automotive and marine servicing businesses. To the east are single and two-family dwellings. To the north, across Edmonds Street, is a future mixed-use development which is currently under construction (Rezoning Reference #15-10).

- 2.3 On February 08, 2021, Council received an initial rezoning report which proposed to rezone the subject property to the CD Comprehensive Development District, utilizing the C9 Urban Village Commercial District, and Sixth Street Community Plan as guidelines. Council authorized Staff to work with the applicant towards the preparation of a suitable plan of development with the understanding that a further and more detailed report would be submitted at a future date. 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 mixed-use development with 58 multiple-family residential dwelling units above commercial uses at grade, and underground parking. All 58 of the proposed residential dwelling units are purpose-built rental units. Vehicular access to the site will be from a new rear lane which will be accessible from Edmonds Street and in future 19th Avenue.

Figure #1 – Land Use and Tenure



3.2 The Council-adopted Rental Use Zoning Policy (2020) applies to sites within community plan areas which are undergoing rezoning utilizing the RM3 to RM5 Districts as guidelines. The subject site is designated for development under the C9 Urban Village District as a guideline, to which the Rental Use Zoning Policy does not apply. However, Staff encouraged the inclusion of rental units on the site, and the applicant has proposed to pursue the provision of affordable rental as part of this development in exchange for an increase of 0.825 FAR in the site’s maximum permitted density. This is in line with Section 309.6(3) of the Zoning Bylaw, which identifies the availability of an additional 0.825 FAR where a minimum number of affordable rental units are provided that is equal to 20% of the total number of market rental or market strata dwelling units provided on site using the permitted C9 District floor area ratio. The additional density results in the proposed six-storey building form.

3.3 Factoring in the voluntary provision of affordable rental units, the maximum potential density for this site may be up to 3.025 FAR, comprised of: 2.2 FAR (C9 District) and 0.825 FAR (Density Offset). The proposed total density for the subject site is 2.85 FAR, as outlined in Table 1 below:

Table 1

	Permitted (m²)	Proposed (m²)
C9 Density	2.2	2.2
GFA	4,130.20	4,130.20
Density Offset	0.825	0.65
GFA	1,548.90	1,217.20
Total Density	3.025	2.85
Total Floor Area	5,679.10	5,347.40

- 3.4 A total of 58 residential dwelling units are proposed, comprised of 44 market rental units and 14 Inclusionary Rental units rented at 20% below CMHC market median rates for this neighbourhood. The development includes a diversity of unit types in order to accommodate a range of incomes, age cohorts, and family sizes. The larger two-bedroom and three-bedroom units are sized generously to accommodate larger families. Residents will have access to both indoor and outdoor onsite amenities. In addition to the residential uses on site, the development includes five (5) ground-level commercial retail units totaling 554.50 m² (5969 sq. ft.) of commercial retail space.
- 3.5 The registration of a Section 219 Covenant securing the Housing Agreement Bylaw will be required to protect and regulate affordability measures and tenure of the rental units. Terms of the Housing Agreement are to be established prior to Final Adoption of the Rezoning Bylaw. Council consideration and adoption of a Housing Agreement Bylaw will be required prior to occupancy. A further Section 219 Covenant will be required to ensure that the rental units are not stratified and remain in common ownership.
- 3.6 The development is providing 14 adaptable units within the mixed-use development, which exceeds the 20% minimum (12 units) requirement of the Council-adopted Adaptable Housing Policy. A total of 8 accessible parking stalls will be provided in the underground parking area (six within the residential parking area and two within the visitor’s parking area).
- 3.7 All required parking for the development is proposed to be located underground, with access from the rear lane. 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). The development will also meet the Zoning Bylaw’s commercial retail parking requirements, with a ratio of 1 stall per 46 m² of commercial gross floor area. All residential spaces will be equipped with individually metered energized outlets capable of providing Level 2 or higher charging for an electric vehicle, in accordance with the Burnaby Zoning

Bylaw. In addition, the applicant is voluntarily providing Level 2 electric charging capabilities for 20% of the commercial stalls as well.

3.8 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 construction of separated sidewalks with street trees, boulevard grassing and street lighting across the development frontages on 6th Street and Edmonds Street; and,
- the construction of the rear lane from Edmonds St. to 19th Ave.

3.9 To support the off-site servicing requirements, road dedication of 6.1 m for the rear laneway will be required. In addition, a corner truncation of 3.0 m (10 ft.) by 3.0 m (10 ft.) on Edmonds Street at 6th Street will be required.

3.10 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 restricting enclosure of balconies;
- Section 219 Covenant to ensure a Housing Agreement Bylaw is completed prior to Occupancy Permit being issued and ensure the affordability measures of the rental units;
- Section 219 Covenant to ensure the rental units are not stratified;
- 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 compliance with the Green Building Plan for the site (Step 3 of the BC Energy Step Code) as well as a commitment for the property owner/representative to submit the necessary information to NRCAN;
- Section 219 Covenant ensuring that the handicap accessible parking stalls in the underground residential parking areas be held in common property to be administered by the rental management company; and,
- A tapering statutory right-of-way along the 6th Street frontage (ranging from 0 m to 1 m at the south end of the property) to meet the width required for the 6th Street public realm standard, while also permitting underground parking for the proposed development under the rear boulevard.

- 3.11 As the site is influenced by traffic noise from Edmonds Street, an acoustical report will need to be undertaken, and a Section 219 Covenant required to ensure compliance with Council-adopted sound criteria.
- 3.12 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 existing trees to be removed from the site.
- 3.13 The submission of a groundwater and storm water management plan is required. 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.
- 3.14 The developer is responsible for the undergrounding of the overhead wiring abutting the site.
- 3.15 The provision of one (1) car wash stall is required for the development.
- 3.16 Secured bicycle storage spaces and visitor bicycle racks are to be provided for the residential occupants, commercial employees, and visitors of the development.
- 3.17 The submission of a Comprehensive Sign Plan is required.
- 3.18 The submission of a suitable Solid Waste and Recycling Plan is required.
- 3.19 Due to the industrial and commercial history of the site, a Site Disclosure Statement and resolution of any resultant conditions is required.
- 3.20 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.
- 3.21 Applicable development cost charges will include:
 - Parkland Acquisition Charge;
 - School Site Acquisition Charge;
 - GVS & DD Sewerage Charge;
 - Regional Water Development Charge; and,
 - Regional Transportation Development Charge.

3.22 Development Statistics:

Gross Site Area	-	1,877.38 m ² (20,208 sq. ft.)
Dedications	-	271.74 m ² (2,925 sq. ft.)
Net Site Area	-	1,605.64 m ² (17,283 sq. ft.)
Site Coverage	-	84.2 %
Building Height	-	6 Storeys

Density and Gross Floor Area

Residential Density:

C9 Floor Area Ratio	-	2.55 F.A.R.
Gross Floor Area	-	4,792.96 m ² (51,591 sq. ft.)

Commercial Density:

C9 Floor Area Ratio	-	0.3 F.A.R.
Gross Floor Area	-	554.50 m ² (5,969 sq. ft.)

Total Floor Area Ratio	-	2.85 F.A.R.
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Total Site Proposed Floor Area	-	5,347.46 m ² (57,559 sq. ft.)
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Unit Mix

58 TOTAL UNITS

Market Rental Units:

3 – Studio	-	32.50 – 35.70 m ² (350 - 385 sq. ft.)
14 – 1 Bedroom	-	52.21 – 59.08 m ² (562 - 636 sq. ft.)
6 – 1 Bedroom (Adaptable)	-	52.21 – 59.08 m ² (562 - 636 sq. ft.)
14 – 2 Bedroom	-	69.20 – 96.20 m ² (745 - 1,035 sq. ft.)
1 – 2 Bedroom (Adaptable)	-	69.20 – 96.20 m ² (745 - 1,035 sq. ft.)
3 – 3 Bedroom	-	99.90 – 123.10 m ² (1,075-1,325 sq.ft.)
<u>3 – 3 Bedroom (Adaptable)</u>	-	99.90 – 123.10 m ² (1,075-1,325 sq. ft.)
44 Units		

Inclusionary Rental (20% Below CMHC) Units:

2 – Studio	-	32.50 – 35.70 m ² (350 - 385 sq. ft.)
1 – Studio (Adaptable)	-	32.50 – 35.70 m ² (350 - 385 sq. ft.)
7 – 1 Bedroom	-	52.21 – 59.08 m ² (562 - 636 sq. ft.)
3 - 1 Bedroom (Adaptable)	-	52.21 – 59.08 m ² (562 - 636 sq. ft.)
<u>1 – 2 Bedroom</u>	-	69.20 – 96.20 m ² (745 - 1,035 sq. ft.)
14 Units		

<u>Vehicle Parking</u>		<u>Required and Provided</u>
Residential Rental @ 0.6 / unit	-	37 spaces (incl. 6 visitor spaces)
Commercial @ 1 / 46 m ²	-	13 spaces

<u>Bicycle Parking</u>		<u>Required and Provided</u>
Residential	-	124 spaces
Commercial and Visitor	-	16 spaces

<u>Loading</u>		<u>Required and Provided</u>
	-	1 space

Amenity Facilities:

Indoor and outdoor amenity facilities for the residents of the development are located on Level one. Level one includes a concierge, guest suite, a large party room with kitchen and outdoor patio access, and a generously sized fitness room. Collectively, the indoor amenity areas amount to 250.00 m² (2,691 sq. ft.), which is less than the maximum 267.37 m² (2,878 sq. ft.) or 5% of Gross Floor Area permitted to be exempted as amenity space within the Zoning Bylaw. An outdoor amenity deck on Level one is also available and features a barbecue area, seating, and small children’s play space.

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,

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

ATTACHMENTS

Attachment 1 – Sketch #1

Attachment 2 – Sketch #2

REPORT CONTRIBUTORS

This report was prepared by Michael Phillips, Development Planner, and reviewed by Jesse Dill, Senior Development and Urban Design Planner and Johannes Schumann, Director Development and Urban Design.