



Item.....
Meeting.....2020 November 23

COUNCIL REPORT

TO: CITY MANAGER 2020 November 18

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #20-14**
Non-Market Rental Housing Development

ADDRESS: 6837, 6857 and 6875 Royal Oak Avenue (Sketch #1 *attached*)

LEGAL: North Half Lot 3, Block 6, District Lot 98, Group 1, NWP 1503; Parcel 1, District Lot 98, Group 1, NWP LMP42986; Parcel 2, District Lot 98, Group 1, NWP LMP43130

FROM: CD Comprehensive Development District (based on C9, C9r Urban Village District, RM3, RM3r Multiple Family Residential District and Royal Oak Community Plan as guidelines and in accordance with the development guidelines prepared by the City)

TO: Amended CD Comprehensive Development District (based on C9, C9r Urban Village District, RM3, RM3r Multiple Family Residential District, and Royal Oak Community Plan as guidelines and in accordance with the development plan entitled "Proposed Mixed-Use Non-Market Housing Development REZ #20-0014" prepared by Integra Architecture Inc.)

APPLICANT: Catalyst Community Developments Society
#90 – 425 Carrall Street
Vancouver, BC V6B 6E3
Attn: Robin Petri

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

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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 dedication of any rights-of-way deemed requisite.
- e. The registration of a Lease Agreement, as outlined in Section 6.2 of this report.
- f. The registration of a Housing Agreement.
- g. The granting of any necessary statutory rights-of-way, easements and/or covenants as detailed in Section 6.3 of this report.
- h. The consolidation of the net project site into one legal parcel.
- i. The undergrounding of existing overhead wiring abutting the site.
- j. The review of a detailed Sediment Control System by the Director Engineering.
- k. The pursuance of Storm Water Management Best Practices in line with established guidelines.
- l. Compliance with the City's Groundwater Management for Multi-Family Development guidelines is required.
- m. The submission of a Site Profile and resolution of any arising requirements.
- n. Compliance with Council-adopted sound criteria.
- o. 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.
- p. 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.
- q. The submission of a detailed comprehensive sign plan.
- r. The provision of facilities for cyclists in accordance with Section 7.6 of the rezoning report.

- s. The deposit of the applicable Parkland Acquisition Charge.

REPORT

1.0 REZONING PURPOSE

The purpose of this rezoning amendment is to permit the redevelopment of the site for a new mixed-use non-market rental development with commercial uses at grade.

2.0 POLICY FRAMEWORK

The *Mayor's Task Force on Community Housing Final Report*, unanimously adopted by Council on 2019 July 29, specifically calls on the City to "pursue partnerships that leverage the contributions of the City, BC Housing, non-profit societies, and private developers to provide more non-market and below-market rental housing." As well, the Report broadly recommends investment in housing partnerships, and increasing the supply of affordable rental housing.

There are several other City policies that support the provision of affordable housing, particularly in partnership with other orders of government:

- Burnaby's *Official Community Plan* (1997);
- The *Burnaby Economic Development Strategy* (2007); and,
- The *Burnaby Social Sustainability Strategy* (2011).

A partnership approach to develop affordable housing in Burnaby is further supported by 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.
- Community involvement - Encourage residents and businesses to give back to and invest in the community.

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A Dynamic Community

- Community development - Manage change by balancing economic development with environmental protection and maintaining a sense of belonging.

3.0 BACKGROUND

- 3.1 On 2019 October 07, Council received a staff report advancing a program to bring forward a number of City-owned sites for the development of non-market housing, in partnership with other orders of government. Amongst the report recommendations were that staff initiate pre-zoning applications for the various City-owned sites, in order to establish development guidelines and ultimately deliver detailed civil designs and estimates. Together with Council's approval in principle to provide a financial contribution from the Community Benefit Bonus Housing Reserve towards capital development costs, the City is poised to be in a stronger position to obtain capital funding from BC Housing under its *Building BC: Community Housing Fund (CHF)* program and CMHC under its *National Housing Co-Investment Fund*. It should be noted that a staff report seeking Council's specific approval to provide a financial contribution from the Community Benefit Bonus Housing Reserve towards capital development costs will be advanced at a future meeting of the Planning and Development Committee, and Council.
- 3.2 The pre-zoning application related to this site, Rezoning Reference #19-54, received Final Adoption on 2020 November 09. Rezoning Reference #19-54 included only the properties at 6857 and 6875 Royal Oak Avenue. However, the Public Hearing report noted the desirability and possibility of including the property to the north at 6837 Royal Oak Avenue in the development assembly. The property at 6837 Royal Oak Avenue has since been secured under City ownership, and therefore is included in this rezoning application to expand the non-market housing development opportunity.
- 3.3 On 2020 July 06, Council approved Catalyst Community Development Society (Catalyst) as the non-profit housing developer and operator for the subject site, subject to securing capital funding and completing a site-specific rezoning application in accordance with the Comprehensive Development guidelines established through the pre-zoning application (Rezoning Reference #19-54). The intent of this site-specific rezoning application is to establish the preliminary architectural and landscape concept for the subject site, which will aid in the application under the BC Housing *Community Housing Fund (CHF)* program. Further detailed architectural and landscape drawings will be established in a subsequent Preliminary Plan Approval application.
- 3.4 On 2020 September 28, 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 NEIGHBOURHOOD CHARACTERISTICS

- 4.1 The subject City-owned site is located in the Royal Oak Community Plan area, on the west side of Royal Oak Avenue, between Imperial Street and Beresford Street, and is currently improved with two warehouse buildings, and a single-family dwelling. The recommended C9, C9r Urban Village District, and RM3, RM3r Multiple Family Residential District zoning for the site is consistent with the site's medium density mixed-use commercial/residential land use designation (see *attached* Sketches #1 and #2).
- 4.2 To the north, across the rear lane, is an automotive repair shop. To the south is a vacant property, with a low-rise commercial building beyond. To the east, across Royal Oak Avenue, is a mixed-use commercial/residential development constructed in 2012 under Rezoning Reference #06-46, and a car wash establishment. To the west, across the lane, is a newer townhouse development constructed in 2014 under Rezoning Reference #11-25.

5.0 REZONING PROPOSAL

- 5.1 The applicant is proposing to rezone the site to the Amended CD Comprehensive Development District, utilizing the C9, C9r Urban Village District, RM3, RM3r Multiple Family Residential District as guidelines, in order to permit the construction of a six-storey, mixed-use commercial/non-market housing development, comprised of 134 non-market rental housing units and six commercial rental units at grade, with at-grade commercial/visitor parking and underground residential parking. The Comprehensive Development guidelines established through the pre-zoning application (Rezoning Reference #19-54) noted an anticipated maximum unit count of 156.
- 5.2 The building is proposed to be constructed, owned and operated on a non-profit basis by Catalyst Community Developments Society (Catalyst). As Catalyst will be applying for BC Housing funding through the *Community Housing Fund (CHF)* program, rental rates of the proposed units would be in accordance with BC Housing's program requirements. This includes:
- 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.

The applicant has advised that the six commercial rental units will be retained and managed by Catalyst, with commercial rental income being used to support the operations of the non-profit development.

- 5.3 Site density has been calculated on an aggregate basis, utilizing portions of the density permitted under the C9 and C9r Urban Village Districts and RM3 and RM3r Multiple Family Residential Districts. The proposed total density for the site is 3.074 FAR for a gross floor area of 9,921.99 m² (106,796 sq. ft.).

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- 5.4 Overall, the rezoning proposal is considered supportable, as it achieves new non-market rental units in close proximity to transit services and will contribute to the availability of affordable housing in the City.

6.0 REZONING REQUIREMENTS

- 6.1 The Director Engineering will be requested to prepare an estimate for all services necessary to serve this site. The servicing requirements will include, but not necessarily be limited to:

- the construction of a 2.7 m separated sidewalk, 1.8 m front boulevard with street trees and street lighting on the west side of Royal Oak Avenue across the frontage;
- the construction of the adjacent east-west lane to its final standard, with new curb, gutter and a new abutting sidewalk across the development frontage; and,
- storm, sanitary sewer and water main upgrades as required.

Necessary road dedications include a 5.19m (17 ft.) dedication along Royal Oak Avenue starting at the northeast corner of the site, tapering to a 1.7m (5.6 ft.) dedication at the southeast corner of the site, a 1.8m (5.9 ft.) dedication from the abutting lane to the north of the development site, and a 3.0m x 3.0m corner truncation at the intersection of the abutting east-west lane and rear north-south lane are required to support the works described above. The total area of dedication is approximately 361 m² (3,886 sq. ft.) (subject to legal survey).

- 6.2 As mentioned above, 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 housing 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 applicant is proposing a 99 year lease term, consistent with BC Housing requirements and recent City practice.
- 6.3 Any necessary easements and covenants and statutory rights-of-way for the site are to be provided, including, but not necessarily limited to:
- a 1.5 m (4.1 ft.) statutory right-of-way on the east-west lane to the north abutting the site for the provision of a pedestrian sidewalk connection;
 - Section 219 Covenant restricting enclosure of balconies;
 - Section 219 Covenant ensuring the provision of a Housing Agreement, as outlined under Section 6.5 of this report; and
 - Section 219 Covenant ensuring compliance with an approved acoustical study.
- 6.4 In accordance with the City's policy for adaptable units, a total of 27 units (20% of the total number of residential units) have been provided meeting adaptable standards. The unit mix for the adaptable units is split between 21 one-bedroom units and six two-bedroom units. For

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adaptable one bedroom units, 1.86 m² (20 sq. ft.) is exempt from FAR and the exemption for two bedroom adaptable units is 2.79 m² (30 sq. ft.). Therefore, the project's adaptable FAR exemption is 55.8 m² (600 sq. ft.). At least nine adaptable parking stalls will be provided in connection with this development within the secured residential parking area, with a finalized number to be determined through Preliminary Plan Approval (PPA) to meet anticipated resident needs.

- 6.5 A Housing Agreement and Section 219 Covenant are required between the applicant (Catalyst) and the City to secure the non-profit nature of the housing project with the provision of 134 non-market rental units.
- 6.6 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.
- 6.7 The developer has committed to demonstrating sustainability through building design, materiality and efficiency (water, energy and waste management) initiatives. The proposed building will meet Step 4 of the BC Energy Step Code.
- 6.8 Given the size of the site, best management practices are acceptable in lieu of a formal storm water management plan.
- 6.9 The submission of a groundwater management study will be required.
- 6.10 The undergrounding of overhead wiring along Royal Oak Avenue abutting the development site is required.
- 6.11 In light of the site's location on Royal Oak Avenue and proximity to the Royal Oak SkyTrain Station, an acoustical report will need to be undertaken to ensure compliance with Council-adopted sound criteria.
- 6.12 The submission of a suitable Solid Waste and Recycling plan to the approval of the Director Engineering.
- 6.13 A Comprehensive Sign Plan is required.
- 6.14 The approval of a detailed commercial loading plan by the Director Engineering is required.
- 6.15 Due to the use of the site for commercial and industrial uses, a Site Profile and the resolution of any arising issues will be required to ensure compliance with Ministry of Environmental Protection and Sustainability requirements.
- 6.16 The following Development Cost Charge applies:
 - Parkland Acquisition Charge

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7.0 DEVELOPMENT PROPOSAL

7.1 Site Area

Gross Site Area: - 3,227.34 m² (34,739 sq.ft.)
 Dedication: - 361 m² (3,886 sq.ft.)
 Net Area: - 2,866.34 m² (30,853 sq.ft.)
 (subject to detailed survey)

7.2 Density: - 3.074 FAR
 9,921.99 m² (106,796 sq. ft.)

Site Coverage: - 87%

7.3 Height: - 6 storeys
 19.8 m (65 ft.)

7.4 Unit Mix:

25 studio units: - 33.34 – 33.75 m² (359 – 363 sq. ft.)
 39 one-bedroom units: - 48.6 – 51.6 m² (522 – 555 sq. ft.)
 21 one-bedroom units (adaptable): - 48.6 – 51.6 m² (522 – 555 sq. ft.)
 23 two-bedroom units: - 67.4 – 77.5 m² (725 – 834 sq. ft.)
 6 two-bedroom units (adaptable): - 67.4 – 77.5 m² (725 – 834 sq. ft.)
20 three-bedroom units: - 83.4 – 93.8 m² (898 – 1,009 sq. ft.)

134 Total Units

7.5 Parking

	<u>Required</u>	<u>Provided</u>
Residential (0.5 spaces / rental housing unit)	67	67
Visitor (0.1 spaces / rental housing unit)	13	14
Commercial (1 space / 495.16 sq. ft.)	20	20
Overall Site Total Parking:	100 spaces	101 spaces

7.6 Bicycle Parking/Facilities Required and Provided

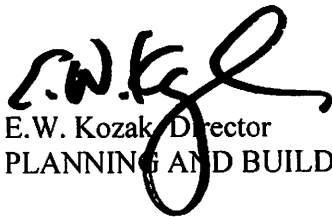
Residential - 134 spaces in secure underground storage
 Visitor - 30 surface bicycle racks
 Commercial - 7 surface bicycle racks

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7.7 Loading - 2 spaces required and provided

7.8 Shared Communal Facilities

The proposed development provides an amenity lounge area on the second floor that totals 66.5 m² (716 sq. ft.) in area. Proposed outdoor amenities include outdoor seating areas and a children's play area on the second floor terrace patio.



E.W. Kozak, Director
PLANNING AND BUILDING

GT:tn

Attachments

cc: City Solicitor
City Clerk

