

PLANNING AND DEVELOPMENT COMMITTEE

TO: *MAYOR AND COUNCILLORS*

SUBJECT: REZ #22-31B SITE SPECIFIC REZONING APPLICATION FOR A PORTION OF 7201 11TH AVENUE – EDMONDS TOWN CENTRE PLAN AREA

RECOMMENDATION:

THAT the introduction of a Housing Agreement Bylaw be authorized according to the terms outlined in Section 3.17 of the report titled “REZ #22-31B Site Specific Rezoning Application for a Portion of 7201 11th Avenue – Edmonds Town Centre Plan Area” dated December 4, 2023, contingent upon the granting by Council of Second Reading of the Rezoning Bylaw for REZ #22-31B;

THAT a Rezoning Bylaw for REZ #22-31B be prepared and advanced to First Reading and to a potential Public Hearing (if necessary) at a future date; and

THAT the following be established as prerequisites to the completion of the rezoning for the Site Specific Rezoning (REZ #22-31B):

- 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 overhead wiring abutting the site.
- e. The utilization of an amenity bonus through the provision of a cash in-lieu contribution in accordance with Section 3.16 of this report.
- f. The submission of an undertaking to remove all existing improvements from the subject Site Specific rezoning site and within 12 months of the rezoning being effected.

- g. The completion of subdivision.
- h. The dedication of any rights-of-way deemed requisite.
- i. The granting of any necessary statutory rights-of-way, easements and/or covenants in accordance with Section 3.23 of this report.
- j. The registration of a Housing Covenant and Housing Agreement.
- k. 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.
- l. Compliance with the City’s Groundwater Management for Multi-Family Development guidelines.
- m. The submission of a geotechnical and groundwater study.
- n. The execution of an indemnity agreement by the developer saving the City harmless from all liability associated with this development in relation to its geotechnical and hydrological (including any potential contaminated groundwater) impacts to surrounding infrastructure and other nearby development.
- o. The submission of a suitable Solid Waste and Recycling Plan.
- p. The review of on-site loading facilities.
- q. The provision of enhanced 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.
- r. The provision of facilities for cyclists in accordance with this report.
- s. The design and provision of units adaptable to persons with disabilities, the provision of customized hardware and cabinet work being subject to the sale or lease of the unit to a disabled person.
- t. Compliance with Council-adopted sound criteria.
- u. Compliance with the guidelines for underground parking for visitors.
- v. The submission of a detailed Site Specific Rezoning Public Art Plan.
- w. The submission of a Site Specific Green Building Plan and Energy Benchmarking.
- x. The submission of a detailed Site Specific Comprehensive Sign Plan.
- y. The submission of a Site Specific Site Disclosure Statement and resolution of any resultant conditions.
- z. The deposit of the applicable Parkland Acquisition Charge.
- aa. The deposit of the applicable School Site Acquisition Charge.
- bb. The deposit of the applicable GVS & DD Sewerage Charge.
- cc. The deposit of the applicable Regional Water Cost Charge.
- dd. The deposit of the applicable Regional Transportation Development Cost Charge.
- ee. 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.

REPORT

The Planning and Development Committee, at its meeting held on December 4, 2023, received and adopted the attached report seeking authorization to forward this rezoning application to a potential future Public Hearing.

On behalf of the Planning and
Development Committee,

Councillor P. Calendino
Chair

Councillor J. Keithley
Vice Chair

TO: PLANNING AND DEVELOPMENT COMMITTEE (PDC)

FROM: GENERAL MANAGER PLANNING AND DEVELOPMENT

SUBJECT: REZ #22-31B SITE SPECIFIC REZONING APPLICATION FOR A PORTION OF 7201 11TH AVENUE – EDMONDS TOWN CENTRE PLAN AREA

PURPOSE: To seek Committee and Council authorization to forward this rezoning application to a future potential Public Hearing (if necessary).

REFERENCES:**SITE SPECIFIC REZONING (PHASE 1A AND 1B – COURTYARD) (REZ #22-31B)**

Addresses: Portion of 7201 11th Avenue

Legals: Portion of Lot: 2 Block: District Lot: 53 Plan: EPP114963

Applicant: Bob Estey; Southgate City Homes Ltd.
300-1285 West Pender,
Vancouver, BC V6E 4B1

Current Zoning: CD Comprehensive Development District (based on RM5 and RM1 Multiple Family Residential Districts, and C2 Community Commercial District)

Proposed Zoning: Amended CD Comprehensive Development District (based on RM5 and RM5r Multiple Family Residential Districts, C2 Community Commercial District, Southgate Neighbourhood Master Plan and Edmonds Town Centre Plan as guidelines and in accordance with the development plan entitled “C1/C2/C3/C4 Southgate City” prepared by Arcadis Architects (Canada) Inc.)

RECOMMENDATION

THAT the introduction of a Housing Agreement Bylaw be authorized according to the terms outlined in Section 3.17 of the report titled “REZ #22-31B Site Specific Rezoning Application for a Portion of 7201 11th Avenue – Edmonds Town Centre Plan Area” dated December 4, 2023, contingent upon the granting by Council of Second Reading of the Rezoning Bylaw for REZ #22-31B;

THAT aRezoning Bylaw for REZ #22-31B be prepared and advanced to First Reading and to a potential Public Hearing (if necessary) at a future date;

THAT the following be established as prerequisites to the completion of the rezoning for the Site Specific Rezoning (REZ #22-31B):

- 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 overhead wiring abutting the site.
- e. The utilization of an amenity bonus through the provision of a cash in-lieu contribution in accordance with Section 3.16 of this report.
- f. The submission of an undertaking to remove all existing improvements from the subject Site Specific rezoning site and within 12 months of the rezoning being effected.
- g. The completion of subdivision.
- h. The dedication of any rights-of-way deemed requisite.
- i. The granting of any necessary statutory rights-of-way, easements and/or covenants in accordance with Section 3.23 of this report.
- j. The registration of a Housing Covenant and Housing Agreement.
- k. 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.
- l. Compliance with the City's Groundwater Management for Multi-Family Development guidelines.
- m. The submission of a geotechnical and groundwater study.

- n. The execution of an indemnity agreement by the developer saving the City harmless from all liability associated with this development in relation to its geotechnical and hydrological (including any potential contaminated groundwater) impacts to surrounding infrastructure and other nearby development.
- o. The submission of a suitable Solid Waste and Recycling Plan.
- p. The review of on-site loading facilities.
- q. The provision of enhanced 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.
- r. The provision of facilities for cyclists in accordance with this report.
- s. The design and provision of units adaptable to persons with disabilities, the provision of customized hardware and cabinet work being subject to the sale or lease of the unit to a disabled person.
- t. Compliance with Council-adopted sound criteria.
- u. Compliance with the guidelines for underground parking for visitors.
- v. The submission of a detailed Site Specific Rezoning Public Art Plan.
- w. The submission of a Site Specific Green Building Plan and Energy Benchmarking.
- x. The submission of a detailed Site Specific Comprehensive Sign Plan.
- y. The submission of a Site Specific Site Disclosure Statement and resolution of any resultant conditions.
- z. The deposit of the applicable Parkland Acquisition Charge.
- aa. The deposit of the applicable School Site Acquisition Charge.
- bb. The deposit of the applicable GVS & DD Sewerage Charge.
- cc. The deposit of the applicable Regional Water Cost Charge.
- dd. The deposit of the applicable Regional Transportation Development Cost Charge.
- ee. 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 advance a Site Specific rezoning application within the Courtyard Neighbourhood in the Southgate Master Plan area. Appearing earlier on the same Committee agenda, is a proposed Southgate Master Plan amendment (REZ #22-31A), which is required to support the subject Site Specific rezoning application.

The purpose of the Site Specific rezoning application (REZ #21-31B) is to permit the construction of a mixed use development above underground parking within the Courtyard Neighbourhood (Buildings C1 – C4) of the Southgate Master Plan area. The development is comprised of a six storey market strata building, a six storey non-market rental building with a child care facility, and two market strata high-rise buildings with podiums and a small-scale commercial opportunity.

The purpose of this report is to provide PDC with information on the Site Specific rezoning proposal and to recommend to Council that the Rezoning Bylaw be brought forward for First Reading and to a potential Public Hearing at a future date.

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);
- Edmonds Town Centre Plan (1994),
- 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 As a brief overview of the information presented under REZ #22-31A, on July 20, 2015, Council granted Final Adoption to REZ #14-25, which established a Conceptual Master Plan framework, companion Design Guidelines and a density allocation covenant for Southgate. Following the adoption of the Southgate Master Plan, Council adopted the Rental Use Zoning Policy (RUZP) on February 19, 2020, to support the development of rental units in the City. In accordance with the RUZP, a Master Plan rezoning amendment to implement the RUZP for the remaining Southgate Master Plan lands is being pursued in connection with this Site Specific Rezoning (SSR) rezoning application. To assist with the provision of non-market housing in future phases, RM5r rental density up to 2.20 and RM5 density offset up to 1.10 FAR are proposed as additional density to meet the requirements of the RUZP.

2.2 Figures 1 and 2 below identify the neighbourhood areas as well as the proposed area where the RM5r and density offset would be available for remaining phases, referred to as the “Amendment Site Area”.

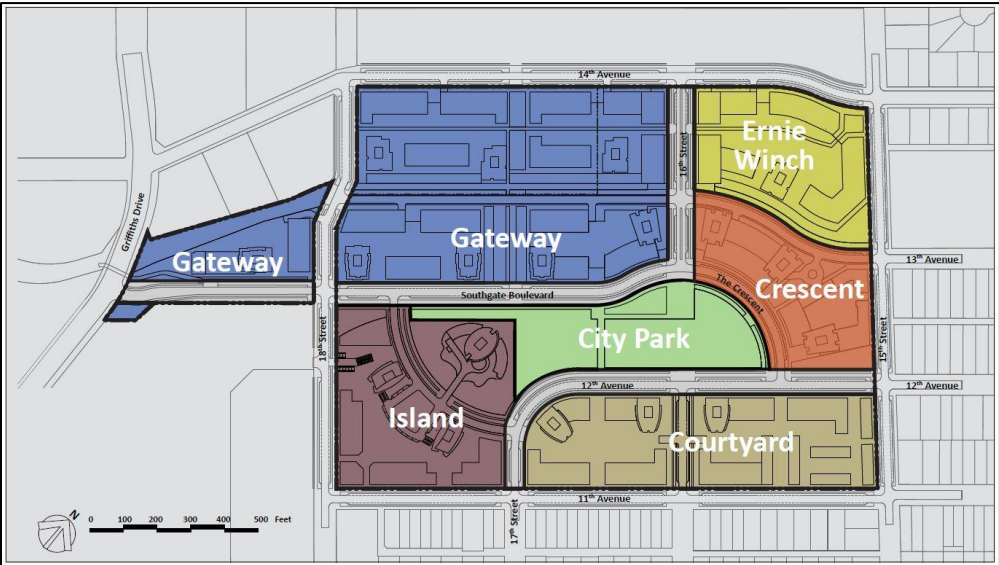


Figure 1 - Map showing Southgate's neighbourhood areas and original site area



Figure 2 – Map showing areas removed from Master Plan Amendment Site Area

- 2.3 The density will be limited to the maximum allowable FAR of 4.86 for the overall Amendment Site Area and guidelines must be met as related to massing, height and other design considerations. As future Site Specific rezoning applications advance, the Density Allocation Covenant will be updated accordingly to reflect remaining density available for the remainder of the Southgate Amendment Site Area.
- 2.4 Each development parcel will be required to meet the RUZP 20% inclusionary non-market rental requirement unless this provision was met through an earlier adopted rezoning application.
- 2.5 The subject Site Specific rezoning (REZ #22-31B), referred to as Phase 1 of the Courtyard neighbourhood within this report, is located within Sub-Area 2 of the Edmonds Town Centre Plan area, and within the Courtyard neighbourhood of the Southgate Master Plan community. The site is comprised of a portion of 7201 11th Avenue (see **Attachment 1** – REZ #22-31B: Sketch #1 and Sketch #2), which is zoned CD Comprehensive Development District (based on RM5, RM1 Multiple Family Residential Districts and C2 Community Commercial District) in accordance with the Southgate Master Plan. Phase 1 will include the subdivision of the subject site into two development parcels (Phase 1A and Phase 1B). Phase 1A comprises a child care facility, a market strata tower and a low-rise building that provides the non-market inclusionary rental units for the entire Phase 1 development. Phase 1B comprises an optional commercial retail unit, a market strata tower and a low-rise market strata building (see Figure 3 in Section 3.1).

- 2.6 The subject site (Phase 1) is currently occupied by an industrial warehouse building and related surface parking and loading facilities. Immediately to the north of the site will be the future city-owned park, to the east will be future Southgate towers in the final development phase, to the south are single and two family homes and to the west is the Island Neighbourhood (REZ #14-28, REZ #16-08, and REZ #16-10), which is currently under construction.
- 2.7 On December 05, 2022, Council received an initial rezoning report which proposed to rezone the Site Specific rezoning to the Amended CD Comprehensive Development District, utilizing the RM5 and RM5r Multiple Family Residential Districts, and C2 Community Commercial District as guidelines. The applicant has now submitted a suitable master plan amendment.

3.0 GENERAL INFORMATION – SITE SPECIFIC REZONING (REZ #22-31B)

- 3.1 The purpose of this Site Specific rezoning (REZ #22-31B) is to facilitate the first phase of development within Southgate's Courtyard neighbourhood. This project, referred to as Phase 1 (Courtyard), includes the subdivision of the site specific subject area into two development parcels. Phase 1A includes Buildings C1 (36 storey market strata tower) and C2 (six-storey non-market rental building that provides the required inclusionary units for the entire Phase 1 development). Phase 1B includes Buildings C3 (44 storey market strata tower) and C4 (six-storey strata building) (see Figure 3). The subject rezoning complies with Stream 2 – Inclusionary Rental and as such the C2 building will be required to be constructed first. Access to C1 and C2 is from 17th Street (public road) and access to C3 and C4 is from 16th Street (private road with public access via a Statutory Right-of-Way).

A total of 934 residential dwelling units are proposed, comprised of 819 market strata units (576 units utilizing RM5 Base and Bonus Density + 243 units utilizing Density Offset) and 115 non-market rental units (20% below CMHC median). Further, the non-market rental building includes a 199.37 m² (2,146 sq.ft.) childcare facility and the C3 Tower includes an optional 137.87 m² (1,484 sq.ft.) commercial retail unit (CRU) at the northeast corner. In the event that the CRU is not pursued, the area would be residential amenity space.



Figure 3: Phase 1A (C1 and C2) and Phase 1B (C3 and C4)

Residential density is determined based on gross site area and inclusive of roads and dedicated parks. The proposed density for the Southgate Master Plan Amendment Site Area is 4.35 FAR, comprised of 2.2 FAR of RM5 base, 0.4 FAR of RM5 bonus, 0.26 FAR of RM1 Alternative Density, 0.39 FAR of RM5r, and 1.1 FAR of RM5 offset based on the amended Master Plan densities. Based on the Master Plan Amendment Site Area of 163,505.36 m² (1,759,957 sq.ft.), the proposed allocated density for REZ #22-31B (Jade) is 0.44 FAR, as outlined in Table 1 below.

REZ #22-31A (Master Plan Amendment) Site Area: 1,759,957 sq. ft.		
Zoning District	Permitted Master Plan Density (FAR) and GFA (sq.ft.)	Proposed REZ #22-31B (Phase 1) Density (FAR) and GFA (sq.ft.)
RM5 Multi-family Base	3,858,430	485,413 (Base + Bonus)* 0.276
FAR	2.2	
RM5 Multi-family Bonus	701,533	
FAR	0.4	
RM1 Alternative	446,623	0
FAR	0.26	0
RM5r Rental	686,077	79,179
FAR	0.39	0.045
RM5 Offset	1,929,215	205,367
FAR	1.1	0.117
Total Residential	7,621,878	769,959
FAR	4.35	0.44

Table 1: Proposed FAR and GFA based on the Amendment Site Area (subject to survey)
 *The amount of bonus density included in Phase 1 will be in line with adopted Density Allocation Covenant and outlined in a future report to Council prior to Final Reading of REZ #22-31B.

Applied to the Site Specific REZ #22-31B (Phase 1) site area of 17,081 m² (183,858 sq. ft.), the proposed allocated density for Phase 1 is 4.19 FAR as outlined in Table 2.

REZ #22-31B (Phase 1) Subject Site Area (sq.ft.): 183,858 sq.ft.		
Zoning District	Proposed REZ #22-31B (Phase 1) Density (FAR) and GFA (sq.ft.)	Proposed Units
RM5 Multi-family Base + Bonus	485,413	576
FAR	2.64	
RM1 Alternative	0	0
FAR	0	
RM5r Rental	79,179	115
FAR	0.43	
RM5 Offset	205,367	243
FAR	1.12	
Total Residential	769,959	934
FAR	4.19	

Table 2: Proposed residential density based on the Phase 1 REZ #22-31B subject site area

It should be noted that although the FAR in Table 2 exceeds maximum permitted RM5 (2.60 FAR permitted and 2.64 FAR proposed) and Density Offset (1.10 FAR permitted and 1.12 FAR proposed) amounts, this is consistent with the density allocation covenant which permits the utilization of additional density from within the Amendment Site Area pool of density. Ultimately, the density applied to the subject application will draw down from the Amendment Site Area density pool. Proportionally, the applicant is proposing to utilize additional density offset to offset the costs of the additional inclusionary units being provided.

As noted in Table 2, the applicant is proposing to use the bonus density provisions as supported by the adopted Master Plan and the Density Allocation Covenant. The calculation of bonus density floor area for the Southgate neighbourhood is outlined in the Density Allocation Covenant that is registered on title for the Master Plan area. The Density Allocation Covenant outlines different ratios of RM5 Base Density to RM5 Bonus Density. Per the Density Allocation Covenant, up to 1,500 approved units across the Master Plan site is allocated based on a percentage of 88.5% Base Density and 11.50% Bonus Density. The density for the portion of Base and Bonus RM5 units that exceed 1,500 units across the Master Plan site is allocated based on a percentage of 84.62% Base Density and 15.38% Bonus Density. Noting that approximately 955 units have already been approved as part of the Island Neighbourhood, a small portion of the 576 Base and Bonus RM5 market strata units proposed as part of the subject rezoning will exceed 1,500 total units for the Master Plan site. It is further noted that future site specific rezoning phases will be allocated a higher percentage of bonus density to ensure that overall the Master Plan is built out to meet the standard percentage of RM5 Base Density (2.2 FAR / 84.62%) and RM5 Bonus Density (0.4 FAR / 15.38%).

The Realty and Lands Division of the Department of Lands and Facilities will initiate discussion with the applicant on the amount of bonus density floor area and the amenity bonus value. Based on the allocation of density outlined above, the approximate residential RM5 Density derived from the allocation of Bonus Density will be 5,280.2 m² (56,836 sq.ft.) for REZ #22-31B. A separate report detailing the amount and value of the density bonus will be forwarded to Council for consideration and approval prior to the subject amendment bylaw receiving Third Reading. Council approval of the density bonus value is a prerequisite condition of the rezoning. In accordance with Council's adopted policy, 80% of the cash-in-lieu contributions are applied toward the City-Wide Community Benefit Bonus Reserve and 20% to the Community Benefit Bonus Affordable Housing Reserve.

As a master planned site, the applicant has two alternative options to the standard amenity bonus negotiation and payment procedure. In Option 1, the applicant may negotiate the density bonus value prior to Final Adoption and defer payment to issuance of Preliminary Plan Approval, with an annual interest of 2% over the posted RBC Prime rate to be remitted quarterly to the City on the unpaid balance of the density bonus amount, beginning at Final Adoption. In Option 2,

the applicant may defer negotiation and payment post Final Adoption to Preliminary Plan Approval, whereby a no-build, no marketing covenant is applied to the site.

A Master Density Allocation Covenant will be executed as part of the subject application in order to record the density utilized in Phase 1. It is noted that the potential density is subject to conditions set out in the Burnaby Zoning Bylaw, Burnaby Rental Use Zoning Policy, and the approval of Council. The Master Plan Amendment Site area and all site areas are subject to legal survey.

- 3.17 With respect to the rental component of the project, this application meets the requirements of the City's current Rental Use Zoning Policy, utilizing Stream 2 – Inclusionary Rental. The applicant is proposing to utilize 7,356 m² (79,179 sq.ft.) of the available RM5r rental density to provide 115 inclusionary non-market rental dwelling units in the subject rezoning application. All required inclusionary units are to be provided at 20% below CMHC median market rates.
- 3.18 The development is providing a minimum of 20% of all single-level residential units as adaptable, in line with the Adaptable Housing policy. Based on a total proposed unit count of 934 units, a minimum of 187 adaptable units are required. Required accessible parking stalls will be protected by a Section 219 Covenant as common property.
- 3.19 A parking ratio of 1.0 resident spaces per market strata unit and up to 0.1 visitor stalls per unit. The ratio of 0.1 may be further reduced to provide the necessary commercial parking for the optional commercial unit and child care facility proposed, without increasing the parking stalls provided in the suitable plan of development. Further alterations to the underground parking design and the number and type of proposed parking stalls provided may be explored, subject to meeting the minimum rates required in this report or in the Burnaby Zoning Bylaw, as amended from time to time, whichever is less. 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 encourage sustainable forms of transportation and minimize the construction of excess carbon intensive infrastructure and excavation, the applicant is required to provide a comprehensive transportation demand management (TDM) strategy. The TDM strategy includes:
- Two free (no cost to user) secure bike parking spaces for each residential unit;
 - Bike wash and repair facilities (free to use) including a bike stand and tools; and
 - A fixed TDM contribution of \$2,200 for all residential units (rental and strata). This money will be used to create an Alternative Transportation fund which allows for the items to be used in accordance with Table 3.

TDM Measure	Money Available	Frequency Available
Car share credits	\$150 per unit. If a unit has more than one driver, the maximum remains at \$150 and is not multiplied by the number of drivers.	Every 6 months
Car share membership	Up to half the cost of a car share membership or a max of \$250 may be reimbursed, whichever is lesser. For example, if a membership is \$600 then the resident would receive \$250 back OR if a membership is \$100 then the resident would receive \$50 back.	Once per tenancy
Transit pass	A 75% reimbursement of transit pass fees per month (two zone, one month compass card) is available. A portion of the transit pass must be paid for by residents to prevent re-selling for cash. Transit pass reimbursements may only be provided after the 15 th day of that month, with a receipt and by showing the actual transit pass in hand.	Monthly
Commuter bike purchase	\$300 or 50% - whichever is lesser. For example, if a bike is \$800 then the resident would receive \$300 back OR if a bike is \$200 then the resident would receive \$100 back.	Once per tenancy

Table 3: Alternative Transportation Funds available for residents

Prior to Final Reading of this rezoning application, alterations to the above TDM strategy may be made to bring the strategy into conformance with Parking and Transportation Demand Management Plan Policy that was adopted by Council on October 11, 2023. Any alterations to the TDM strategy would have to be equal to or better than the commitments outlined above. A Section 219 Covenant and sufficient financial securities will be required to guarantee the provision of the TDM Strategy.

- 3.20 A Transportation Impact Assessment (TIA) for the Jade project is required to be submitted and approved by the General Manager Engineering prior to Final Adoption of the subject rezoning application.
- 3.21 To support the foregoing servicing requirements, road dedications along Park Avenue, 11th Avenue and 17th Street may be required, with exact areas subject to final civil drawings. A public statutory-right-of-way is required on 16th Street to allow for public passage.
- 3.22 The submission of road geometrics for Park Avenue, 11th Avenue, 16th Street and 17th Street are required.
- 3.23 Any necessary easements, covenants and/ or statutory rights-of-way for site are to be provided, including, but not necessarily limited to:

- Section 219 Covenant restricting enclosure of balconies;
- Section 219 Covenant ensuring removal of all existing improvements from the site within 1 year of Final Adoption of the Rezoning;
- Section 219 Covenant restricting use of guest suites;
- Section 219 Covenant and statutory right-of-way guaranteeing the provision and maintenance of, and public access to the public art;
- Section 219 Covenant ensuring compliance with the approved acoustical study;
- Section 219 Covenant to ensure alternative transportation provisions for the development;
- Section 219 Covenant guaranteeing the provision and ongoing maintenance of stormwater management facilities;
- Section 219 Covenant ensuring that the site can be used safely in accordance with the approved geotechnical study;
- The execution of an indemnity agreement by the developer saving the City harmless from all liability associated with this development in relation to its geotechnical and hydrological (including any potential contaminated groundwater) impacts to surrounding infrastructure and other nearby development;
- Section 219 Covenant ensuring that the water table will not be drawn down during and after development;
- Section 219 Covenant to ensure a Housing Agreement is completed prior to occupancy and that the non-market rental units meet and maintain the affordability criteria;
- Section 219 Covenant requiring buildings on the Phase 1A parcel obtain an occupancy permit prior to or concurrent with the buildings on the Phase 1B parcel;
- Section 219 Covenant amending the current density allocation provisions to reflect density transfer and overall Amendment Site Area reductions resulting from this rezoning;
- Section 219 Covenant preventing stratification of rental units;
- Section 219 Covenant ensuring that accessible parking stalls are held in common property to be administered by the Strata Corporation and rental housing operator;
- Section 219 Covenant ensuring compliance with the Green Building Plan for the site (minimum of 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's energy benchmarking program;
- Section 219 Covenant ensuring (1) the heating and hot water system in the development buildings is designed and constructed in accordance with the connection guidelines in the Council-adopted District Energy policy for connection to the City's District Energy Utility system (DEU) if and when the DEU is available for connection, and (2) the owner connects the development buildings to the DEU if and when the DEU is available for connection
- Statutory Right of Way allowing the City or its designates to access the mechanical system and thermal energy system-related infrastructure within the development for the purposes of enabling DEU connection and operation

- Section 219 Covenant ensuring that any building lighting features can be turned on and off by the strata and/or rental management company, and that architectural lighting will be turned off by the strata and/or rental management company at the City's request in the event that the lighting results in any adverse neighbourhood and/or environmental impacts;
 - Statutory right-of-way guaranteeing public access for pedestrian, cycling, and vehicular uses along a portion of 16th Street; and
 - Statutory right-of-way guaranteeing public access for pedestrian uses along the north/south private path in between the two projects.
- 3.24 The registration of a Housing Covenant and a Housing Agreement will be required to protect and regulate affordability measures and tenure of the non-market rental units. Terms of the Housing Agreement and Council approval of a Housing Agreement Bylaw are required prior to occupancy of the proposed development.
- 3.25 Due to the proximity of the subject site to 10th Avenue and nearby industrial uses (the milk plant at the corner of 18th Street and 14th Avenue), the applicant is required to provide an acoustical study showing that the proposed development would meet the Council-adopted noise criteria.
- 3.26 An environmental assessment is required to confirm no invasive plant species are present.
- 3.27 Given the site's current and past uses, a Site Disclosure Statement and resolution of any resultant conditions is required.
- 3.28 In line with the Master Comprehensive Sign Plan, a Comprehensive Sign Plan for the commercial component of the development, detailing sign numbers, locations, sizes and attachment details is required.
- 3.29 The developer is required to provide a geotechnical and groundwater study to ensure that the site can be used safely in line with its intended uses, and that the site's excavation will not draw down the water table or cause impact to adjacent properties and road rights-of-way. If groundwater is determined, a mitigation plan to prohibit any groundwater discharge into the City's storm sewer system will be required.
- 3.30 As the Phase 1 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.
- 3.31 The provision of 10 enhanced car wash stalls are required, complete with warm and cold water supply, car vacuums, bike wash stands, hose and spray nozzle, and splash proof partitions.

- 3.32 The submission of a Groundwater and Stormwater Management Plan is required, 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.
- 3.33 The submission of a suitable Solid Waste and Recycling Plan is required.
- 3.34 The submission of a detailed Loading Management Plan is required.
- 3.35 The submission of a Green Building Plan 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 a minimum of Step 3 of the BC Energy Step Code.
- 3.36 The City is currently developing a district energy utility (DEU) to serve space heating and domestic hot water needs of buildings in south Burnaby. Based on the development's location, proposed Comprehensive Development (CD) District zoning and the total floor area of all buildings on the site (>100,000 sq. ft.), the proposed buildings will be required to meet the Council-adopted District Energy policy. Since the site is within Service Area A, connection to the future DE system is mandatory. A DEU system compatibility review will be conducted prior to building permit issuance.
- 3.37 The submission of a Communication Strategy Plan that provides the owners, tenants and employees with an understanding of how best to utilize the on-site amenities and alternative transportation provisions proposed for the development site is required.
- 3.38 Development Cost Charges applicable to this rezoning include:
- Parkland Acquisition Charge;
 - GVS&DD Sewerage Charge;
 - School Site Acquisition Charge;
 - Regional Water Cost Charge; and,
 - Regional Transportation Development Cost Charge.

3.39 **Development Statistics for C1, C2, C3 and C4:**

Site Area (subject to detailed survey)

C1-C4 Gross Site Area	17,081 m ² (183,858 sq.ft.)
C1, C2	
Gross Site Area	7,601 m ² (81,816 sq.ft.)
Road Dedication	1,992 m ² (21,442 sq.ft.)
Net Site Area	5,609 m ² (60,375 sq.ft.)

C3, C4

Gross Site Area	9,480 m ² (102,042 sq.ft.)
Road Dedication	1,741 m ² (18,740 sq.ft.)
Net Site Area	7,739 m ² (83,302 sq.ft.)

Site Coverage

C1, C2	39.5%
C3, C4	27.0%

Building Heights

C1	36 storeys
C2	6 storeys
C3	44 storeys
C4	6 storeys

Density (FAR) – C1-C4 Gross Site* 4.19 FAR (excluding Commercial)

RM5 Base and Bonus	2.64	FAR
RM5r Rental	0.43	FAR
Density Offset	1.12	FAR
Total	4.19	FAR

C2 Commercial (Childcare and CRU)	0.02	FAR
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*FAR is calculated based on the gross site area for REZ22-31B [(17,081 m² (183,858 sq.ft.)), which includes both development phases.

Gross Floor Area* (GFA) – C1-C4

RM5 Base and Bonus	45,096 m ² (485,413 sq.ft.)
RM5r Rental	7,356 m ² (79,179 sq.ft.)
Density Offset	19,079 m ² (205,367 sq.ft.)
Total	71,531 m ² (769,959 sq.ft.)

C2 Commercial (Child care)	199 m ² (2,147 sq.ft.)
C2 Optional Commercial (CRU)**	138 m ² (1,484 sq.ft.)

* Minor changes to the Gross Floor Area (GFA) may occur as result of design refinements or detailed surveys, provided the proposed Density (FAR) for the entire Phase 1 site is not exceeded.

**If the Optional Commercial CRU is not utilized as commercial floor area, the space may be redesigned as residential amenity space.

Residential Unit Mix* 934 total

Unit Mix - Bedrooms	Market Strata	Non-Market Rental (20% Below CMHC Median)
Studio	81	17
Studio (adapt.)		1
One Bedroom	1	35
One Bedroom (adapt.)	101	11
One Bedroom + Den	172	-
One Bedroom + Den (adapt.)	11	-
Two Bedroom	334	34
Two Bedroom (adapt.)	66	12
Three Bedroom	53	5
Total Units	819	115

* Unit sizes will meet minimum areas required by the Zoning Bylaw, including any additional area required for adaptable units, or units with dens. Final unit types, unit sizes, and floor plan designs may be further refined, subject to meeting City bylaws and provincial statutes, regulations and codes, as amended from time to time.

Parking and Loading*

Vehicle Parking C1-C2

Provided

Residential - Strata
 Min. 1.0 resident stalls per unit
 Up to 0.1 visitor stalls per unit**

371 spaces (including 34 visitor spaces and 39 accessible spaces)

Residential - Rental
 (0.6 spaces per rental unit for residents and visitors)**

65 spaces (including 7 visitor spaces and 16 accessible spaces)

Child Care Facility

5 spaces**

Enhanced Car Wash

5 spaces

Bicycle Parking

Secured Residential
 (2 spaces per unit)

876 spaces (438 double lockers)

Visitor
 (0.2 spaces per unit)

88 spaces (bike racks)

Child Care Facility

2 spaces (bike racks)

Loading

Total Required and Provided	3 loading bays
<u>Vehicle Parking C3-C4</u>	
Residential - Strata Min. 1.0 resident stalls per unit Up to 0.1 visitor stalls per unit**	609 spaces (including 47 visitor spaces and 60 accessible spaces)
Commercial	3 spaces**
Enhanced Car Wash	5 spaces

Bicycle Parking

Secured Residential (2 spaces per unit)	992 spaces (496 double lockers)
Visitor (0.2 spaces per unit)	99 spaces (bike racks)

Loading

Total Required and Provided	3 loading bays
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*The number of vehicle parking and loading spaces set out above may be varied, provided they comply with the Burnaby Zoning Bylaw, as amended from time to time, or the above, whichever is less. All parking stalls proposed will meet the minimum required number of stalls.

**Note that required commercial stalls are permitted to be taken from assigned visitor parking stalls, which will reduce the number of visitor stalls required. In the event that these commercial uses are not delivered, then the required commercial stalls will be provided as visitor parking stalls.

Communal Facilities

There are a number of amenities are proposed for residents of the Phase 1 (Courtyard) Development.*

Building	Amenity Description	Permitted (5% of GFA)	Proposed
C1 Tower	Ground floor includes a large lobby, two study lounges, and a fitness facility and on Levels 4 and 5, there will be a guest suite (two in total)	1,249.75 m ² (13,452 sq.ft.)	649.88 m ² (6,995 sq.ft.)
C2 non-market low-rise	Building includes a lobby, communal laundry and lounge	367.50 m ² (3,956 sq.ft.)	98.83 m ² (1,063 sq.ft.)**
C3 Tower and C4 low-rise	C3 and C4 will share the same strata management and amenities located in the C3 tower. The C3 amenities include a lobby and lounge on the main floor, a fitness facility and a study lounge on level 2 and on Levels 4 and 5 a guest suite (two in total). C4 includes a lobby.	1,958.5 m ² (21,081 sq.ft.)	727.17 m ² (7,827 sq.ft.)

*The location, design and size of amenity spaces may be varied, though the amenity space will always be less than the maximum permitted to be excluded from Gross Floor Area in the Zoning Bylaw.

** Additional amenity space may be added which would increase the proposed amenity space but would not exceed the maximum permitted amenity space.

4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

Notification of a potential future Public Hearing (if necessary) or future Bylaw readings will take place as part of the subject rezoning application (REZ #22-31B). The City will send a notice to those properties that are within a 30 m (100 ft.) radius of the subject sites. A notice will also be published on the City’s website, distributed as part of the City’s online newsletter, 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, Acting General Manager Planning and Development

ATTACHMENT

Attachment 1 – REZ #22-31B: Sketch #1 and Sketch #2

REPORT CONTRIBUTORS

This report was prepared by Kyra Lubell, Development Planner, and reviewed by Jesse Dill, Director Development.