

TO: MAYOR & COUNCILLORS
FROM: GENERAL MANAGER PLANNING AND DEVELOPMENT
SUBJECT: **REZ #20-34 – 3873 GODWIN AVENUE AND 5867 SUNSET STREET
NON-MARKET RENTAL DEVELOPMENT**
PURPOSE: To seek Council authorization to forward REZ #20-34 to First and
Second Reading at a future Council meeting.

REFERENCES

Address: 3873 Godwin Avenue and 5867 Sunset Street
Legal: PIDs: 002-747-154 and 002-508-249
Lot 21 District Lot 80 Group 1 New Westminster District Plan 1892;
and Lot 22 District Lot 80 Group 1 New Westminster District Plan
1892
Applicant: Altus Group Ltd.
2500 – 1055 West Georgia Street
Vancouver, BC V6E 3P3
Attention: Heather Globush
Current Zoning: R4 Residential District
Proposed Zoning: CD Comprehensive Development District (based on P5 Community
Institutional District, RM2 and RM2r Multiple Family Residential
Districts as guidelines and in accordance with the development
plan entitled “Affordable Housing Project Burnaby, BC” prepared by
S2 Architecture)

RECOMMENDATION

THAT a Rezoning Bylaw for REZ #20-34 be prepared and advanced to First and
Second Reading at a future Council meeting;

THAT the granting and execution of any necessary Statutory Rights of Way over
the development site for REZ #20-34 be authorized in favour of third-party utility
providers to install any infrastructure required to service the site; and

THAT the items listed in **Attachment 3: Rezoning Prerequisites** to the report
titled “REZ #20-34 – 3873 Godwin Avenue and 5867 Sunset Street – Non-Market
Rental Development” dated April 29, 2024, be established as prerequisites to
consideration of Final Adoption of the Rezoning Bylaw for REZ #20-34.

EXECUTIVE SUMMARY

A rezoning application has been received in order to permit construction of a three-storey non-market rental development. The purpose of this report is to provide Council with information on the proposal and to recommend that the Rezoning Bylaw be brought forward for First and Second Reading at a future date of Council.

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),
- Central Administrative Area Plan (1974),
- Economic Development Strategy (2007),
- Social Sustainability Strategy (2016),
- “HOME: Housing and Homelessness Strategy” (2021), and
- Burnaby’s Housing Needs Report (2021).

2.0 BACKGROUND

- 2.1 The subject development site is located at the northwest corner of Godwin Avenue and Sunset Street and is designated for community institutional uses within the Central Administrative Area Plan (see **Attachment 1** – REZ #20-34: Sketch #1 and Sketch #2). The subject site is comprised of two City-owned lots which are vacant.
- 2.2 The applicant has now submitted a plan of development suitable for First and Second Reading of the Rezoning Bylaw.

3.0 GENERAL INFORMATION

- 3.1 The development proposal is for a three-storey non-market rental development with full underground parking. Vehicular access is proposed via shared access with the adjacent property to the west at 5825 Sunset Avenue. A detailed summary of the proposed development, including density, floor area, residential unit mix, amenity space, and parking, is provided in **Attachment 2** – REZ #20-34: Development Statistics.
- 3.2 Density is determined based on the gross site area and the permitted Floor Area Ratio (FAR). The maximum potential density for the subject site utilizing the RM2 and RM2r Multiple Family Districts is 1.8 FAR. The P5 District is added to the Comprehensive District to allow for additional uses, small offices and multi-purpose room in support of the non-market rental development. A common laundry facility is also proposed on the first floor. The FAR and Gross Floor Area may be subject to minor changes as a result of design refinements or detailed surveys, provided the maximum Density is not exceeded.

Zoning: CD (P5, RM2, RM2r)			
Site Size: 1,291.9 m ²			
	Permitted Density (FAR) and GFA (m²)	Proposed Density (FAR) and GFA (m²)	Proposed Units
RM2 / RM2r / P5 Density*	1.8 FAR	1.2 FAR	18
GFA (m ²)	2,325.4	1,497.3 m ²	

*P5 District added to the CD District to allow for support services to residents.

- 3.3 A Ground Lease Agreement for this City-owned site will be finalized prior to Building Permit issuance. The lease agreement is anticipated to be for a term of 60 years, at a nominal rate. Detailed terms and conditions of the lease including the use, tenure and affordability of the residential units will be provided to Council in a future report. The lessee of the Ground Lease Agreement is anticipated to be the Provincial Rental Housing Corporation, with BC Housing providing capital and operating funding for the project. All units are anticipated to be rented at Rent Gear to Income rates for households with incomes below BC Housing’s Housing Income Limits, except for households eligible for income assistance, in which case, rents will be at the provincial income assistance shelter rate.

- 3.4 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:
 - Construction of Godwin Avenue to its final standard with 11.0 m pavement, 1.8 m front boulevard with street trees, 2.2 m sidewalk and 0.5 m rear boulevard;
 - Curb bulges at the northeast and northwest corners of Godwin Avenue and Sunset Street; and
 - Upgrading sanitary sewer in the rear lane.

- 3.5 The applicant is providing 4 adaptable units which meets the minimum requirement that 20% of all single-level residential units be adaptable, in line with the Adaptable Housing policy.

- 3.6 Access to the underground parkade on the subject site will be provided via the driveway located on the adjacent property to the west at 5825 Sunset Avenue. Access to and use of that driveway will be secured through an easement and Section 219 Covenant registered on title to 5825 Sunset Avenue. A parking ratio of 0.35 vehicle parking spaces per rental unit is proposed for the development. The subject proposal requires 7 vehicle parking spaces, and 16 vehicle parking spaces are proposed.

It is noted that the property to the west at 5825 Sunset Street is also undergoing rezoning (REZ #22-23) by the same non-market rental provider undertaking the subject rezoning, in order to expand its existing non-market rental building. Specifically, that rezoning proposes a third floor addition with six new units, a new rooftop amenity area, and an under-building storage area replacing vehicle parking. A report for that rezoning is on the same agenda for the subject rezoning.

The development proposal under REZ #22-23 requires the provision of 6 vehicle parking spaces and a car wash facility. Due to the proposed under-building storage area, it is proposed that the 6 vehicle parking spaces be provided on the subject site, and that all vehicle parking be shared by the two sites. Access to and use of the shared vehicle parking spaces and car wash facility for the benefit of 5825 Sunset Street is proposed to be secured through an easement and Section 219 Covenant registered on title to the subject site, which will be further detailed as a prerequisite of REZ #22-23 within a future report to Council.

- 3.7 The submission of a Green Building Plan and energy benchmarking is required to demonstrate consistency with the Burnaby Green Building Policy. 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 Energy Step Code Step 3 and Zero Carbon Step Code EL-3.
- 3.8 The required prerequisites to the adoption of the rezoning are listed in **Attachment 3** – REZ #20-34: Rezoning Prerequisites. In part, the prerequisites include the necessary fees, financial securities, professional reports, legal and servicing agreements, easements, covenants, and statutory rights-of-way to facilitate the servicing and development of the proposed site.

4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

As of November 30, 2023 the *Housing Statutes (Residential Development) Amendment Act, 2023* amended Section 464 of the *Local Government Act* to prohibit local governments from holding a Public Hearing for rezoning applications that are all or predominantly (greater than 50%) residential, where the proposed rezoning is consistent with the City’s Official Community Plan. The proposed rezoning is consistent with the Official Community Plan policies on affordable and special needs housing (Goal 4, Section 4.0; Section 4.3; Section 11.4.3) and the location of multiple-family housing forms within various mixed use community plan areas (Regional Context Statement Section 4.1.7(a) (ii)). The Official Community Plan does not provide for institutional designations, instead relying on community plans for those designations. The subject site is designated for neighbourhood/community institutional uses in the Central Administrative Area Plan. As such, a Public Hearing is prohibited from being held for this rezoning application.

As a Public Hearing is not permitted to be held, public notice of the Rezoning Bylaw for REZ #20-34 will be completed prior to bringing forward the Rezoning Bylaw for First Reading, in accordance with section 467 of the *Local Government Act*, the City’s Public

Notice Bylaw and Council policy. City staff will mail a notice to those properties that are within a 30 m radius of the subject site. Public notice will also be published on the City’s website, and in the City’s e-newsletter, and a sign regarding the proposal will be posted on the site.

5.0 FINANCIAL CONSIDERATIONS

City contributions to this project include a nominal lease of land (anticipated 60-years), and possible grants to cover capital costs, subject to Council approval.

Respectfully submitted,

E. W. Kozak, General Manager Planning and Development

ATTACHMENTS

- Attachment 1 – REZ #20-34: Sketch #1 and Sketch #2
- Attachment 2 – REZ #20-34: Development Statistics
- Attachment 3 – REZ #20-34: Rezoning Prerequisites

REPORT CONTRIBUTORS

This report was prepared by Shawn Natrasony, Development Planner, and reviewed by Jennifer Wong, Assistant City Solicitor, and Jesse Dill, Director Development.