

TO: MAYOR & COUNCIL
FROM: GENERAL MANAGER PLANNING AND DEVELOPMENT
SUBJECT: **REZ #23-06 - BURNABY LAKE VILLAGE CONCEPTUAL MASTER PLAN PHASE 1A - BAINBRIDGE URBAN VILLAGE COMMUNITY PLAN**
PURPOSE: To seek Council authorization to forward REZ #23-06 to a future Public Hearing.

REFERENCES

Address: Portion of 6800 Lougheed Highway
Legal: Lot 1, Except: Firstly; Part in LMP44883, Secondly; Part in Plan BCP314, Thirdly; Part in Plan BCP1828, Fourthly; Part in Plan BCP22451 District Lot 78 Group 1 New Westminster District Plan 74615
Applicant: Sperling Limited Corporation
1701-1166 Alberni Street
Vancouver, BC V6E 3Z3
Attention: Sean Callaghan
Current Zoning: M2 General Industrial District and R2 Residential District
Proposed Zoning: CD Comprehensive Development District (based on RM5uv-a Multiple Family Residential District, RM5r Multiple Family Residential District, C2 Community Commercial District, and the Bainbridge Urban Village Community Plan as guidelines, and in accordance with the development plan entitled "Phase 1 Sperling/Saputo/6800, Buildings G & H" prepared by ARCADIS)

RECOMMENDATIONS

THAT a Rezoning Bylaw for REZ #23-06 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 3.11 of the report titled "REZ #23-06 Burnaby Lake Village Conceptual Master Plan Phase 1A – Bainbridge Urban Village Community Plan" dated October 30, 2023, contingent upon the granting by Council of Second Reading of the Rezoning Bylaw related to the subject site, 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 advancement of the Burnaby Lake Village Conceptual Master Plan (REZ #22-28) to Final Adoption prior to, or concurrent with the subject rezoning application.
- c. 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.
- d. 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.
- e. The undergrounding of overhead wiring abutting the site.
- f. The completion of the subdivision.
- g. The dedication of any rights-of-way deemed requisite.
- h. The granting of any necessary statutory rights-of-way, easements and/or covenants in accordance with Section 3.10 of this report.
- i. The registration of a Housing Covenant and Housing Agreement.
- j. 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.
- k. Compliance with the City's Groundwater Management for Multi-Family Development guidelines.
- l. The submission of a geotechnical and groundwater study.
- m. 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.
- n. The submission of a suitable Solid Waste and Recycling Plan.
- o. The review of on-site loading facilities.

- p. 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.
- 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 sale or lease 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 detailed Comprehensive Sign Plan.
- w. The submission of a Site Disclosure Statement and resolution of any resultant conditions.
- x. The deposit of the applicable Parkland Acquisition Charge.
- y. The deposit of the applicable School Site Acquisition Charge.
- z. The deposit of the applicable GVS & DD Sewerage Charge.
- aa. The deposit of the applicable Regional Water Cost Charge.
- bb. The deposit of the applicable Regional Transportation Development Cost Charge.
- cc. 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 two mid-rise strata apartment buildings atop a commercial podium with underground parking, and a mid-rise market and below-market rental building with underground parking in accordance with Phase 1A of the Burnaby Lake Village Conceptual Master Plan (Rezoning Reference #22-28). 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 Reading and that it 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);
- Bainbridge Urban Village Community Plan (2022);
- 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 June 05, 2023, Council granted Second Reading to REZ #22-28 for the Burnaby Lake Village Conceptual Master Plan, which established a Conceptual Master Plan framework and companion Design Guidelines for the 6800 Lougheed Highway site. The intent of the Master Rezoning is to guide site specific rezoning applications for a multi-phased residential and commercial mixed-use development on the approximately 18.8 acre site. The subject site comprises Phase 1A of the Master Plan, which includes two mid-rise strata apartment buildings atop a commercial podium with underground parking, a mid-rise market and below-market rental building, the eastern portion of the Esplanade (a signature pedestrian boulevard), a portion of the Forest Walk (a regenerated forest corridor with special activity nodes), and two new north-south streets (one south from Lougheed Highway and one north from Winston Street), connected by a new east-west street (Esplanade).

The Phase 1A site is located on the south side of Lougheed Highway between Bainbridge Avenue and Sperling Avenue, within the Council adopted Bainbridge Urban Village Community Plan (see **Attachment 1** – REZ #23-06: Sketch #1 and Sketch #2). The Bainbridge Plan designates the site for high-density mixed-use development, utilizing the RM5uv-a Multiple Family Residential District, RM5r Multiple Family Residential District, and the C2 Community Commercial District as guidelines. The net Phase 1A site is approximately 9,564 m² (102,946 sq. ft.) in size and comprises the northeastern portion of 6800 Lougheed Highway. The subject site is currently improved with an industrial building with surface parking.

2.2 On 2022 October 03, Council received an initial rezoning report, which proposed to rezone the subject development site in line with the Bainbridge Urban Village

Community Plan. 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 for the subject site, as shown in Figure 1 below, is for two mid-rise strata apartment buildings atop a commercial podium with underground parking, and a market and below-market rental building with underground parking. The proposal also includes a childcare facility located on the second level. Access to the development is proposed via a new internal street.

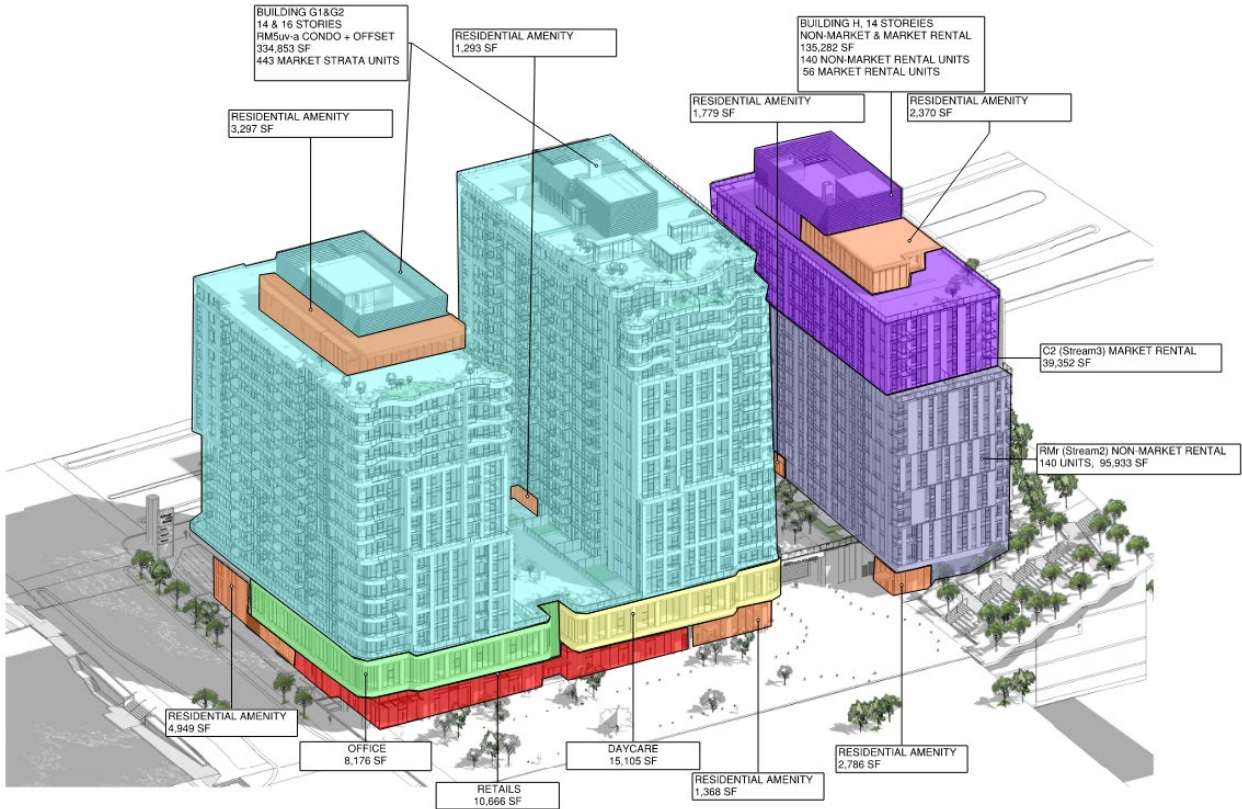


Figure 1 – Land Use and Tenure Diagram

The Phase 1 development concept involves the demolition of the existing industrial building and surface parking, and construction of two mid-rise strata apartment buildings atop a commercial podium (Building G), as well as a mid-rise market / below-market rental building (Building H) at the northeastern edge of the site. Both buildings front onto the Esplanade. A total of 639 residential dwelling units are proposed, comprised of 443 market strata units (326 RM5uv-a + 117 Offset), 140 non-market rental units (20% below CMHC median), and 56 market rental units. Of the 140 non-market rental units, 65 units are provided in line with the 20% inclusionary rental requirement for the Phase 1A site, and an additional 75 non-market rental units are provided on-site to meet the 20% inclusionary rental requirement for the future Phase 1B to the south across the Esplanade.

3.2 Site density is determined based on gross site area. The maximum potential density for the Burnaby Lake Village Master Plan Site may be up to 5.05 FAR based on the proposed RM5uv-a, RM5r, and C2 District zoning, comprised of 2.40 FAR RM5uv-a base, 0.86 FAR RM5uv-a offset, 0.49 FAR RM5r rental density, and 1.30 FAR C2 density. Based on the Master Plan site area of 76,121.96 m² (819,370 sq. ft.), the proposed allocated density for Phase 1 is 0.62 FAR, as outlined in Table 1 below.

Gross Master Plan Site Size: 76,121.96 m²		
	Permitted Master Plan Density (FAR) and GFA (m²)	Proposed Phase 1A Density (FAR) and GFA (m²)
RM5uv-a Base Density	2.40	0.30
GFA (m ²)	182,692.70	22,883.88
RM5uv-a Offset Density	0.86	0.11
GFA (m ²)	65,464.89	8,225.07
RM5r Rental Density	0.49	0.12
GFA (m ²)	37,299.76	8,912.47
C2 Commercial Density	1.30	0.09
Commercial GFA (m ²)	50,468.86	3,153.78
Market Rental GFA (m ²)	48,489.69	3,655.92
Total Density	5.05	0.62
Total GFA (m²)	384,415.90	46,831.12

Table 1 – breakdown of permitted and proposed density for the Master Plan and Phase 1A based on gross site area.

Applied to the proposed Phase 1 net site area of 9,564 m² (102,946 sq. ft.), the proposed allocated density for Phase 1 is 4.90 FAR as outlined in Table 2.

Net Phase 1A Site Size: 9,564 m²		
	Proposed Phase 1 Density (FAR) and GFA (m²)	Proposed Phase 1A Units
RM5uv-a Base Density	2.39	326
GFA (m ²)	22,883.88	
RM5uv-a Offset Density	0.86	117
GFA (m ²)	8,225.07	
RM5r Rental Density	0.93	140
GFA (m ²)	8,912.47	
C2 Commercial Density	0.71	56
Commercial GFA (m ²)	3,153.78	
Market Rental GFA (m ²)	3,655.92	
Total Density	4.90	639
Total GFA (m²)	46,831.12	

Table 2 – breakdown of proposed density for Phase 1 based on Phase 1 net site area.

A Master Density Allocation Covenant will be executed as part of the subject application in order to assign density across all five phases of the master plan and to record the density utilized in Phase 1. The potential density is subject to conditions set out in the Burnaby Zoning Bylaw, Burnaby Rental Use Zoning Policy, and the approval of Council. It is noted that while for this Phase the proposed voluntary rental density within the C2 District exceeds the 49% and 51% ratios respectively permitted under the Rental Use Zoning Policy, the ratio will be achieved across the Master Plan site as regulated by the Master Density Allocation Covenant.

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. The applicant is proposing to utilize 8,912.47 m² (95,933 ft. sq.) of the available RM5r rental density to provide 140 inclusionary non-market rental dwelling units in Phase 1A. Of the total 140 units, 65 units are provided in line with the 20% inclusionary rental requirement for the Phase 1A site, and an additional 75 units non-market rental units are provided on-site for the 20% inclusionary rental requirement for the future Phase 1B to the south across the Esplanade. All required inclusionary units are to be provided at 20% below CMHC median market rates for the North Burnaby rental survey area. In addition, in accordance with the City’s Rental Use Zoning Policy Stream 3 – Voluntary Rental, the applicant is proposing to utilize 3,655.92 m² (39,352 ft. sq.) of the available C2 rental density to provide 56 voluntary market rental units.

3.4 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 639 units, a minimum of 128 adaptable units are required.

3.5 A parking ratio of 1.0 spaces per market strata unit, 0.3 per non-market rental unit, and 0.5 per market rental unit is proposed for the development, as well as 0.05 spaces per unit for visitor parking. To verify the above parking ratios and any necessary operational improvements, a further site-specific transportation assessment will be completed prior to Final Adoption of this rezoning. Further alterations to the underground parking design and the number of proposed car wash, loading, and parking stalls provided may be explored, subject to meeting the minimums rates outlined in Section 3.25, or as required by 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:

- establishing an alternative transportation fund equivalent in value to:

- a 2-zone transit pass for 15% of all market strata residential units for 24 months;
- a 2-zone transit pass for 100% of all non-market rental residential units for 24 months;
- a 2-zone transit pass for 100% of all market rental residential units for 24 months; and,
- car share driving credits of \$120 for each residential unit for 24 months;
- six car share parking spaces for use by a public car share provider;
- two secure bike parking spaces for each residential unit;
- bike wash and repair facilities including a bike stand and tools;
- work lounge amenity; and,
- a communications strategy that provides the owners, tenants and employees of the residential and commercial uses with an understanding of how to best use each of the alternative transportation options.

Prior to Final Reading of this rezoning application, alterations to the above TDM strategy may be made to bring the strategy into conformance with any future policy or bylaw amendments that provide standardized TDM requirements. 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.

- 3.6 An Engineering Master Plan for the Burnaby Lake Village Conceptual Master Plan site outlining the required servicing for each phase of development will be completed as part of the Master Plan rezoning application (REZ #22-28). Servicing will be required, but not limited to:

- the construction of Lougheed Highway across the development frontage to its final arterial standard with separated bicycle and pedestrian facilities, rain gardens, street trees, and street and pedestrian lighting;
- the construction of the new north-south street south from Lougheed Highway to its final custom local standard with separated bicycle and pedestrian facilities, grass and treed boulevards, and street and pedestrian lighting;
- the construction of the new north-south street north from Winston Street to its final custom local standard with separated bicycle and pedestrian facilities, grass and treed boulevards, and street and pedestrian lighting;
- the construction of the new east-west street (Esplanade) to its final custom local standard with separated bicycle and pedestrian facilities, grass and treed boulevards, and street and pedestrian lighting; and,
- the construction of storm, sanitary, water and other City and third-party utility services as necessary.

Notwithstanding, the Engineering Department will assess the need for any further required services for the subject development.

- 3.7 To support the foregoing servicing requirements, a road dedication is required on Lougheed Highway measuring approximately 132 m² (1,420 sq. ft.) in area,

subject to final civil drawings. A road dedication measuring 7,428 m² (79,954 sq. ft.) in area, subject to final civil drawings, is also required for the new internal north-south street and new east-west street connecting Lougheed Highway through to Winston Street.

- 3.8 The submission of road geometrics for Lougheed Highway, and the two new internal north-south street and new east-west street are required.
- 3.9 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 prior to Building Permit issuance;
 - 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 and that the non-market rental units meet and maintain the affordability criteria;
 - 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 to ensure alternative transportation provisions for the development;
 - Section 219 Covenant ensuring that the water table will not be drawn down during and after development;
 - 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;
 - Section 219 Covenant ensuring that the site can be used safely in accordance with the approved geotechnical study;
 - Section 219 Covenant allocating density across the five phases of the Master Plan;
 - 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;

- Statutory right-of-way guaranteeing the provision and ongoing maintenance of pedestrian, cycling and vehicular facilities along for the portion of the two new roads south of Lougheed Highway;
 - Statutory right-of-way guaranteeing the provision of vehicle access, pedestrian and cycling facilities, and ongoing maintenance of along the proposed Esplanade;
 - Statutory right-of-way guaranteeing the provision of access to and ongoing maintenance of the Grand Stairs; and,
 - Statutory right-of-way guaranteeing the provision of access to and ongoing maintenance of the Forest Walk.
- 3.10 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 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 Lougheed Highway and the Millennium SkyTrain Line, the applicant is required to provide an acoustical study showing that the proposed development would meet the Council-adopted noise criteria.
- 3.12 An environmental assessment is required to map terrestrial and forest ecosystems, as well as any watercourses located on 6800 Lougheed Highway.
- 3.13 Given the site's current and past uses, a Site Disclosure Statement and resolution of any resultant conditions is required.
- 3.14 A Comprehensive Sign Plan is required.
- 3.15 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.
- 3.16 As the Phase 1A 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.
- 3.17 The provision of two enhanced car wash stalls is required, complete with warm and cold water supply, car vacuums, bike wash stands, hose and spray nozzle, and splash proof partitions.
- 3.18 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.

- 3.19 The submission of a suitable Solid Waste and Recycling Plan is required.
- 3.20 The submission of a detailed Loading Management Plan is required.
- 3.21 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 with Low Carbon Energy Systems.
- 3.22 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.
- 3.23 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.

3.24 Development Statistics:

Site Area

Master Plan Site Area	76,119 m ² (819,342 sq. ft.)
Road Dedication	12,717 m ² (136,885 sq. ft.)
Net Site Area (Phase 1A)	9,654 m ² (102,946 sq. ft.)

<u>Site Coverage (Phase 1A)</u>	58%
---------------------------------	-----

<u>Building G1 Height</u>	14 storeys
---------------------------	------------

<u>Building G2 Height</u>	16 storeys
---------------------------	------------

<u>Building H Height</u>	14 storeys
--------------------------	------------

<u>Density</u>	4.90 FAR
----------------	----------

RM5uv-a District Base Density	2.39 FAR
RM5uv-a District Offset Density	0.86 FAR
RM5r District Rental Density	0.93 FAR
C2 District Commercial Density	0.38 FAR
C2 District Commercial Rental Density	0.33 FAR

<u>Gross Floor Area</u>	46,831.12 m ² (504,086 sq. ft.)
RM5uv-a District Base Density	22,883.88 m ² (246,320 sq. ft.)
RM5uv-a District Offset Density	8,225.07 m ² (88,534 sq. ft.)
RM5r District Rental Density	8,912.47 m ² (95,933 sq. ft.)
C2 District Commercial Density	3,153.78 m ² (33,947 sq. ft.)
C2 District Commercial Rental Density	3,655.92 m ² (39,352 sq. ft.)

* Subject to minor changes to the resulting Gross Floor Area (GFA) as result of design refinements or detailed surveys, provided the proposed Density (FAR) is not exceeded.

Residential Units* 639 units

Unit Mix - Bedrooms	Market Strata	Non-Market Rental (20% Below CMHC Median)	Market Rental
Studio	77	27	12
One Bedroom	57	40	8
One Bedroom (adapt.)	34	19	8
One Bedroom + Den	80	-	-
One Bedroom + Den (adapt.)	27	-	-
Two Bedroom	58	41	20
Two Bedroom (adapt.)	-	9	4
Two Bedroom + Den	60	-	-
Two Bedroom + Den (adapt.)	36	-	-
Three Bedroom	14	4	4
Total Units	443	140	56

* The unit sizes will meet the 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

Total Required and Provided: 547 spaces (including 33 visitor spaces)

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 – REZ #23-06: Sketch #1 and Sketch #2

REPORT CONTRIBUTORS

This report was prepared by Shawn Natrasony, Development Planner, and reviewed by Jesse Dill, Director Development, and Lee-Ann Garnett, Deputy General Manager Planning and Development