

TO: MAYOR & COUNCILLORS

FROM: ACTING GENERAL MANAGER PLANNING AND DEVELOPMENT

SUBJECT: **REZ #24-19 – 7409 HALIFAX STREET – NON-MARKET HOUSING DEVELOPMENT WITH A CHILD CARE FACILITY**

PURPOSE: To seek Council authorization to forward REZ #24-19 to First and Second Reading at a future Council meeting.

REFERENCES

Address: 7409 Halifax Street
Legal: PID: 002-669-501
Lot 435 District Lots 137 and 138 of Group 1 New Westminster District Plan 54890

Applicant: NSDA Architects
201-134 Abbott Street, Vancouver, BC V6B 2K4
Attention: Brian Dust

Current Zoning: A2 Small Holdings District
Proposed Zoning: CD Comprehensive Development District (based on RM4 Multiple Family Residential District, RM4r Multiple Family Residential District, P5 Community Institutional District, and Montecito Land Use Plan as guidelines, and in accordance with the development guidelines provided in Appendix A attached to the Rezoning Bylaw for REZ#24-19)

RECOMMENDATION

THAT a Rezoning Bylaw for REZ #24-19 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 #24-19 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** to the report titled “REZ #24-19 – 7409 Halifax Street – Non-Market Housing Development with a Child Care Facility” dated November 18, 2024, be established as prerequisites to consideration of Final Adoption of the Rezoning Bylaw for REZ #24-19.

EXECUTIVE SUMMARY

This rezoning application is to facilitate the construction of a development with approximately 441 units of non-market housing with a child care facility. 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),
- Social Sustainability Strategy (2016),
- “HOME: Housing and Homelessness Strategy” (2021),
- Montecito Land Use Plan (1992), and
- Burnaby’s Housing Needs Report (2021).

2.0 BACKGROUND

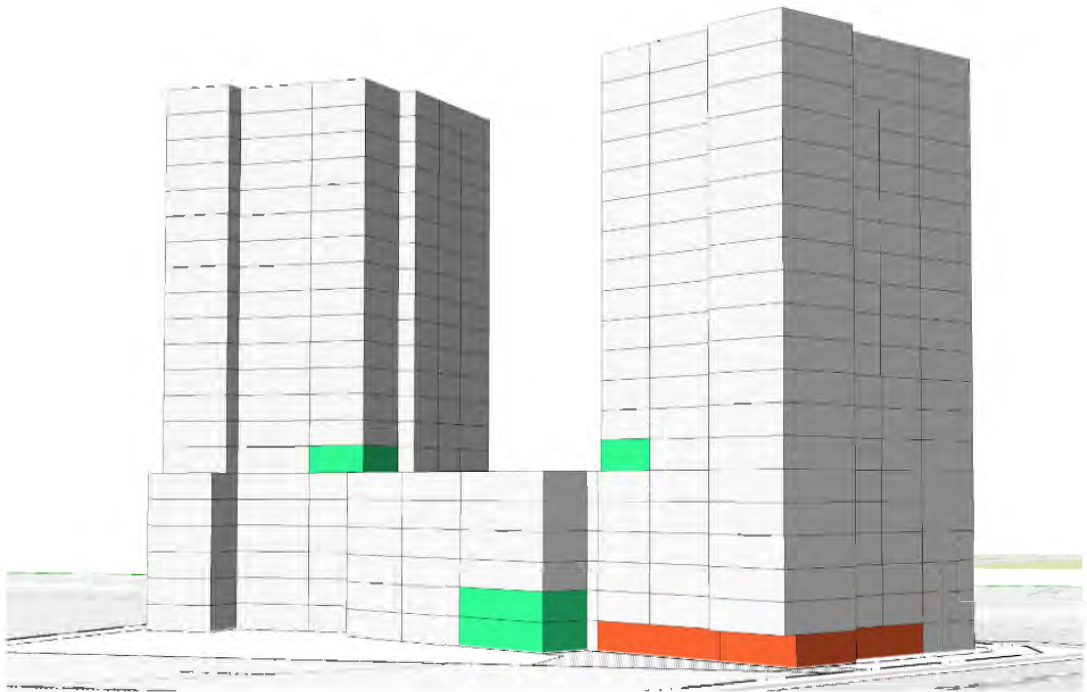
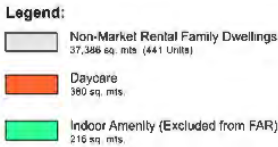
- 2.1 The subject site is located on a corner between Halifax Street, Phillips Avenue and Woodbrook Place. The site is designated a “Municipal Development Site” under the Montecito Land Use Plan, and Urban Village within the Official Community Plan (see **Attachment 1** – REZ #24-19: Sketch #1 and Sketch #2). The subject site is currently vacant and heavily treed.
- 2.2 On March 4, 2020, Council approved this site to be advanced for the consideration of a non-market housing development and a child care facility in coordination with other orders of government. In the 2020 report, approximately 400 units were estimated for the subject site, with an anticipated Floor Area Ratio of 3.4 FAR of residential, and 0.8 FAR for the child care use. Since then, BC Housing has committed funding to provide for additional units, which are further outlined in this report.
- 2.3 The March 4, 2020 report also originally envisioned a minor plan amendment to the Montecito Plan which is deemed to be no longer needed as the site is designated as a Municipal Development Site which is in line with the Comprehensive Development guidelines and proposed uses in this proposal, including non-market housing and childcare.
- 2.4 On April 11, 2024, the City issued a Request for Proposals (RFP) for the selection of a non-profit partner to develop and operate non-market housing on the subject site. On June 10, 2024, Council approved the selection of More Than a Roof Housing Society (“MTAR”) as the operator for the site, subject to further Council review and approval through the rezoning and Preliminary Plan Approval (PPA) processes.
- 2.5 On October 7, 2024, MTAR advanced a rezoning application REZ#24-19 to establish development guidelines for the subject site, and proposed to rezone the subject site to

Comprehensive Development District (based on RM4 Multiple Family Residential District, RM4r Multiple Family Residential District, and P5 Community Institutional District). Council authorized staff to work with the applicant towards the preparation of a suitable plan. 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, as shown in **Figure 1**, is for approximately 441 units to be constructed in two buildings connected by a podium. A 21 storey mid-rise building is proposed on the east side of the site, with a 22 storey mid-rise on the western side. The podium connecting the two buildings is proposed to be 7 storeys. The proposed development would also include a childcare facility, indoor and outdoor amenity spaces, and play areas. Vehicular access would be via Woodbrook Place, with parking to be provided underground. An existing Statutory Right of Way for a gas pipeline in the southern end of the site has influenced the available developable area and the proposed site layout, resulting in taller building forms to accommodate the desired number of units.

Figure 1: Land Use and Tenure



BC Housing has confirmed funding for this project through the Community Housing Fund (CHF) program. The units will be geared towards low and middle-income families, singles, and seniors in Burnaby.

- 3.2 Under the Montecito Land Use Plan, the site is designated as a Municipal Development site, with potential uses kept open to those that benefit the community, such as non-market housing, community services, recreational or institutional use. The proposed development aligns with the intended designation.
- 3.3 The proposed development guidelines (see **Attachment 2** – Appendix A: Development Guidelines – Rezoning Reference #24-19) indicate Comprehensive Development District zoning, utilizing the RM4 and RM4r Multiple Family Residential Districts, and P5 Community Institutional as guidelines, and a maximum height of 22 storeys, for non-market housing and a child care facility. The proposed number of parking spaces will meet the minimum requirements of the Zoning Bylaw, as amended from time to time. The development guidelines outlined in Attachment 2 will be appended to the rezoning bylaw, in lieu of a suitable plan of development. The specific plan of development would be approved through future PPA and Building Permit applications.
- 3.4 Density is determined based on the gross site area and the permitted FAR. The maximum density for the subject site is outlined in **Table 1**. The projected density for the project is 4.10 FAR, comprised of 4.06 FAR for the residential component and 0.04 FAR for the child care facility.

Table 1:

Zoning: CD (RM4, RM4r, P5)	
Overall Site Size: 9,259.9m ² (subject to legal survey)	
	Permitted Density (FAR) and GFA (m²)
P5 Density	0.80 (7,407.92 m ²)
RM4 Base Density	1.70 (15,741.83 m ²)
RM4r Density	1.70 (15,741.83 m ²)
Offset Density	0.85 (7,870.92 m ²)
Total Density	5.05 (46,762.50 m ²)

3.5 Table 1 included the potential for 0.85 FAR density offset that is available for development in line with the Rental Use Zoning Policy (RUZP) requirement for required inclusionary units to be at 20% below CMHC Market Median Rent rates. As the proposed development is providing all units at non-market rates, including 20% of units at deep subsidy rates, this requirement is met. Therefore, the additional offset density is available to be used, if needed.

In accordance with CHF Housing funding requirements, the units would be offered at the CHF affordability levels as follows:

- 20% of units at deep subsidy rates;
- 50% of units at Rent Geared to Income (RGI) rates; and
- 30% of units at Low End of Market (LEM) rates.

The required Ground Lease Agreement would be finalized prior to Final Adoption. Detailed terms and conditions of the lease will be provided to Council in a future report.

3.6 All necessary City service and third party utility design for the site will be provided by the City through its Engineering Department consultant team.

3.7 Fraser Health Authority approves child care facilities through administration of the *Child Care Licensing Regulation* of the *Community Care and Assisted Living Act*. With respect to this proposal, if the applicant is not able to submit a letter from the Fraser Health Authority prior to issuance of PPA indicating that, based on submitted plans, they are able to approve-in-principle the physical space of the facility, a separate PPA for the child care facility will be required once the letter has been provided.

3.8 The required prerequisites to the adoption of the rezoning are listed in **Attachment 3 – REZ #24-19: Rezoning Prerequisites**. In part, the prerequisites include the necessary fees, financial securities, professional reports, legal 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. As such, a Public Hearing is prohibited from being held for this rezoning application.

Public notice of the Rezoning Bylaw for REZ#24-19 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. A public 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. Should the funding for the proposed buildings be successful, the subject sites would be leased at a nominal rate and a lease authorization report will be brought forward at a future Council meeting. Any grant request from MTAR will also be brought forward to a future Council meeting, subject to Council approval.

Respectfully submitted,

Lee-Ann Garnett, Acting General Manager Planning and Development

ATTACHMENTS

- Attachment 1 – REZ #24-19: Sketch #1 and Sketch #2
- Attachment 2 – REZ #24-19: Development Guidelines
- Attachment 3 – REZ #24-19: Rezoning Prerequisites

REPORT CONTRIBUTORS

This report was prepared by Charlene Liew, Senior Planner and reviewed by Carl Isaak, Director Neighbourhood Planning and Urban Design, Jennifer Wong, Assistant City Solicitor, and Jesse Dill, Director Development Planning.