

**TO:** MAYOR & COUNCILLORS

**FROM:** ACTING GENERAL MANAGER PLANNING AND DEVELOPMENT

**SUBJECT:** **REZ #23-24 – PORTION OF 3405 WILLINGDON AVENUE – K<sup>w</sup>ASƏN VILLAGE PHASE 2**

**PURPOSE:** To seek Council authorization to forward REZ #23-24 to First and Second Reading at a future Council meeting.

**REFERENCES**

**Address:** Portion of 3405 Willingdon Avenue  
**Legal:** Portion of PID: 018-811-337  
Lot 1 District Lot 71 Group 1 New Westminster District Plan  
LMP12752 Except Plan EPP6303

**Applicant:** ADC Management LP  
Unit 900 - 89 West Georgia Street  
Vancouver, BC V6B 0N8  
Attention: Graeme Clendenan

**Current Zoning:** CD Comprehensive Development District (based on the RM5 and RM5r Multiple Family Residential Districts, C2 Community Commercial District, and B2 Urban Office District as guidelines, and in accordance with the Master Plan entitled "Willingdon Lands Master Plan" prepared by IBI Group)

**Proposed Zoning:** Amended CD Comprehensive Development District (based on the RM5 Multiple Family Residential District, C2 Community Commercial District and the Willingdon Lands Master Plan as guidelines and in accordance with the development plan entitled 'k<sup>w</sup>asən Village Phase 2' prepared by Francl Architecture Inc.)

**RECOMMENDATION**

**THAT** a Rezoning Bylaw for REZ #23-24 be prepared and advanced to First and Second Reading at a future Council meeting;

**THAT** the securing of park and open space requirements through future phases subsequent to the Phase 2 Rezoning Application REZ #23-24 and associated subdivision, in line with the Master Plan rezoning (REZ#24-13), and as outlined in Section 3.5 of the report titled "REZ #23-24 – Portion Of 3405 Willingdon Avenue - k<sup>w</sup>asən Village Phase 2" dated November 18, 2024, be approved; and,

**THAT** the items listed in **Attachment 3** to the report titled “REZ #23-24 – Portion Of 3405 Willingdon Avenue – kʷasən Village Phase 2” dated November 18, 2024 be established as prerequisites to consideration of Final Adoption of the Rezoning Bylaw for REZ #23-24.

**EXECUTIVE SUMMARY**

A rezoning application has been received to allow for a mixed-use development with multiple family residential units situated above ground-level commercial retail uses and underground parking. The proposed development is Phase 2 of the Willingdon Lands Master Plan (REZ #17-03), now known and referred to as ‘kʷasən Village’. 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),
- Economic Development Strategy (2007),
- Social Sustainability Strategy (2011),
- Environmental Sustainability Strategy (2016),
- Transportation Plan (2021),
- HOME: Housing and Homelessness Strategy (2021), and
- Indigenous Relations and Reconciliation Interim Framework (2024).

**2.0 BACKGROUND**

2.1 The subject development site is located along Willingdon Avenue (see **Attachment 1** – REZ #23-24: Sketch #1). The vacant Phase 2 site area is proposed to be subdivided from the parent parcel (3405 Willingdon Avenue) with the intent to create three new lots as part of the Phase 2 development.

2.2 On July 4, 2022, Council adopted Bylaw No. 14451 to amend the Burnaby Official Community Plan to designate the Willingdon Lands site (owned through a partnership between the Musqueam Indian Band, Tsleil-Waututh Nation, and Aquilini Development) as an Urban Village and Business Centre. On October 21, 2024, Council granted Final Adoption to Bylaw No. 14446 (REZ #17-03), which established the conceptual Willingdon Lands Master Plan and supports the future vision of this property as a contemporary Musqueam and Tsleil-Waututh Urban Village consisting of multi-phased residential, commercial, film studio and office development over seven phases of construction. On June 24, 2024, Council granted Third Reading to Bylaw No. 14604 in respect of a portion of the first phase of development (REZ #22-29), which will likely be advanced to Council for Final Adoption in the coming months, prior to Final Adoption of the subject rezoning.

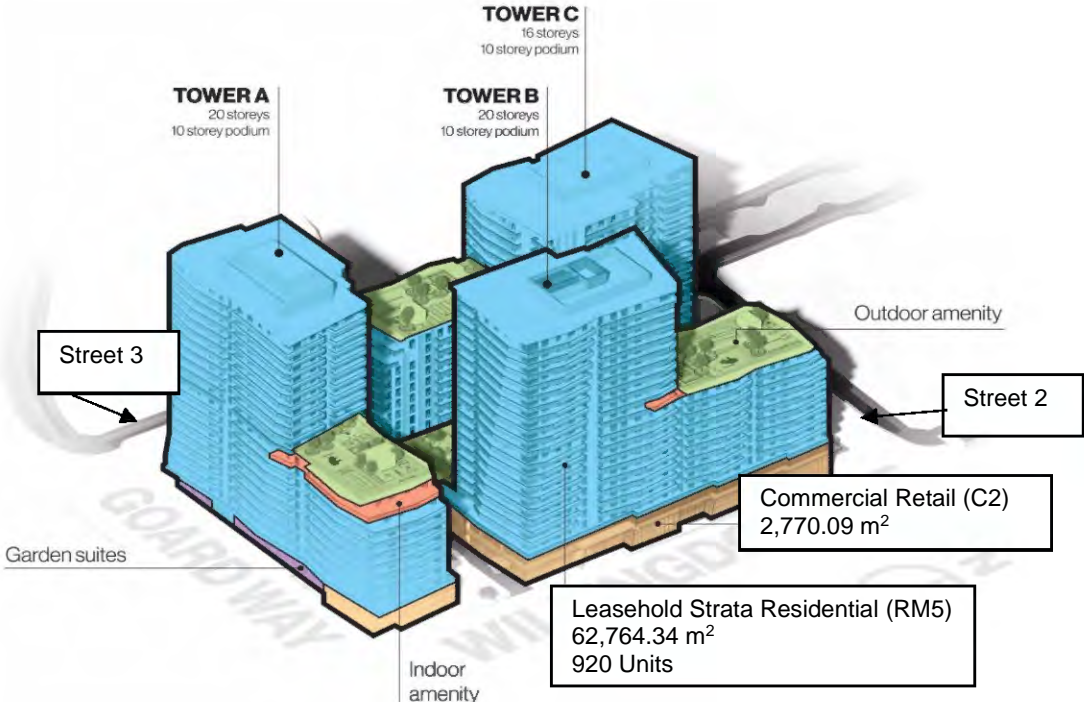
2.3 On April 15, 2024, Council received for information an initial rezoning report which proposed to rezone the subject property to the Amended CD Comprehensive Development District (based on the RM5 Multiple Family Residential District, C2 Community Commercial District, and the Willingdon Lands Master Plan as guidelines). 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 comprised of three market strata leasehold residential buildings above ground-oriented commercial retail units (CRUs) as follows: a 20-storey building (2B) fronting Willingdon Avenue with a future grocery store as the proposed anchor tenant, a 20-storey building (2A) fronting Goard Way with a single CRU and ground-oriented garden suites, and a 16-storey building (2C) fronting a new internal road (Street 3) to be constructed as a requirement of the subject rezoning application.

Vehicular access to two separate underground parking areas is provided via Street 2 (a second internal road to be constructed as a requirement of the subject rezoning application) and Street 3. A publicly accessible east-west promenade bisects the site and provides pedestrian connectivity from Willingdon Avenue to Street 3 and the interior of the village. A more detailed summary of the proposed development, including density, floor area, residential unit mix, amenity space, and parking and loading, is provided in **Attachment 2 – REZ #23-24: Development Statistics**.

**Figure 1: Land Use and Tenure**



- 3.2 An expansive outdoor amenity deck at Level 2 connects Buildings 2B and 2C, and provides cover to the commercial and residential loading area below. In addition, each building contains a mixture of indoor and outdoor amenity spaces including fitness facilities, co-working space, and rooftop terraces with children’s play and outdoor seating areas.
- 3.3 Density is determined based on the gross site area and the permitted Floor Area Ratio (FAR). The maximum permitted and proposed density for the subject site is outlined in **Table 1** and **Table 2**. There may be minor changes to Gross Floor Area (GFA) and proposed unit counts a result of design refinements or detailed surveys, subject to the proposed Density (FAR) on **Table 2** not being exceeded.

**Table 1: Proposed density based on Master Plan site area**

	Permitted GFA (m <sup>2</sup> )	Remaining GFA (m <sup>2</sup> )
RM5	308,270.87	290,708.01
RM5r	56,382.85	34,137.36
C2	13,006.43	13,006.43
B2	41,806.40	41,806.40
Total GFA (m <sup>2</sup> )	419,466.55	379,658.20

Table 1 identifies the remaining density available on site after density allocated to Phase 1 has been accounted for. Applied to the subject site area (Phase 2) of 15,239.33 m<sup>2</sup>, the proposed allocated density for Phase 2 is 4.30 FAR, as outlined in Table 2.

**Table 2: Proposed density based on subject site area (Phase 2)**

Zoning: CD (RM5, C2)		
Phase 2 Site Area (subject to survey): 15,239.33 m <sup>2</sup>		
	Proposed Density (FAR) and GFA (m <sup>2</sup> )	Proposed Units
RM5 Base	4.12	920
GFA (m <sup>2</sup> )	62,764.34	
C2	0.18	-
GFA (m <sup>2</sup> )	2,770.09	
Total Density	4.30	-
Total GFA (m <sup>2</sup> )	65,534.43	

- 3.4 The site specific 4.12 FAR noted on **Table 2** exceeds the maximum permitted RM5 density of 2.2 FAR for the RM5 District, which is permitted by the density allocation covenant registered on title as part of the Willingdon Lands Master Plan (REZ #17-03). The density allocation covenant allows additional density from within the overall Master Plan pool of density to be assigned to Phase 2. Ultimately, the density applied to the subject site will draw down from the maximum overall Master Plan density permitted. While Phase 2 is entirely comprised of market strata leasehold units, Phases 1, 4 and 6 are proposed to contain the required rental units as identified in the Council-adopted Master Plan. The non-market rental units provided as part of Phase 1 will cover rental requirements for both Phase 1 and Phase 2. As such, Phase 1 will be required to receive occupancy prior to Phase 2.
  
- 3.5 Under Section 510 of the *Local Government Act*, where a subdivision results in the creation of three or more additional lots, the City may require the applicant to provide up to a maximum of five per cent of the land being subdivided as dedicated park land or to pay to the City an amount equal to the market value of the land required to be dedicated as park. In line with the adopted Master Plan, the proposal is to not take park dedication or payment of cash in-lieu as part of the Phase 1 and Phase 2 rezonings and subdivisions. The Master Plan’s phasing approach is to secure as part of future phases a series of larger, interconnected publicly accessible urban plazas, programmed park, and natural passive park spaces between the Canada Way and Willingdon Avenue intersection to the east and Sumner Creek to the west. Given this land is part of an indigenous led Master Plan, and in the context of reconciliation, the Phase 3-7 report will outline proposed alternative approaches to secure publicly accessible land for park purposes, such as through Statutory Rights-of-Way or long-term leases or both, as an alternative to the requirement for park dedication (or payment of cash equivalent). The phasing and timing for the provision of these spaces and the legal approach to secure publicly accessible lands for park purposes will be further detailed as part of the future rezoning report for Phases 3-7 of the Willingdon Lands Master Plan (REZ#24-13), which will be subject to Council approval.
  
- 3.6 It is noted that Phase 2 will include private indoor amenities and outdoor space, including a publicly accessible pedestrian path through the site.
  
- 3.7 The applicant is providing 189 adaptable units which meets a minimum of 20% of all single-level residential units as adaptable, in line with the Adaptable Housing policy.
  
- 3.8 Residential parking ratios of 1.0 space per market strata leasehold unit and 0.05 visitor spaces per unit are proposed for the development. A commercial parking ratio of 1.0 space per 55 m<sup>2</sup> of commercial floor area is also proposed, and in line with the requirements of the Burnaby Zoning Bylaw. The vehicle parking rates outlined above may be varied prior to the issuance of a Preliminary Plan Approval in line with the rates set out in this paragraph or the then-current requirements in the Burnaby Zoning Bylaw, subject to any necessary requirements to introduce a transportation demand management (TDM) strategy for the site to be in line with Council adopted guidelines or regulations. As this site is not located within a Transit Oriented

Development Area, and the proposed parking ratios are in accordance with the Burnaby Zoning Bylaw, a TDM strategy is not required.

- 3.9 Bicycle parking provisions and end of trip facilities for non-residential uses are outlined in **Attachment 2**. The project will comply with the Burnaby Zoning Bylaw requirements for residential and non-residential EV charging provisions.
- 3.10 Transportation and servicing improvements include, but are not limited to, construction of Willingdon Avenue to a final six-lane Town Centre standard with separated sidewalks, cycle facilities, street trees, rain gardens, and street and pedestrian lighting. In addition, construction of the internal roads to a local standard that is equal or better to the Town Centre public realm standards, and any required storm, sanitary and water services.
- 3.11 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 Step 2 of the BC Energy Step Code and the Zero Carbon Step Code EL-4.
- 3.12 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 B, connection to the future DE system will be mandatory. A DEU system compatibility review will be conducted prior to building permit issuance.
- 3.13 The required prerequisites to the adoption of the rezoning are listed in **Attachment 3 – REZ #23-24: 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. As such, a Public Hearing is prohibited from being held for this rezoning application.

Public notice of the Rezoning Bylaw for REZ #23-24 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.

Respectfully submitted,

Lee-Ann Garnett, Acting General Manager Planning and Development

**ATTACHMENTS**

- Attachment 1 – REZ #23-24: Sketch #1
- Attachment 2 – REZ #23-24: Development Statistics
- Attachment 3 - REZ #23-24: Rezoning Prerequisites

**REPORT CONTRIBUTORS**

This report was prepared by Michael Phillips, Development Planner, and reviewed by Carl Isaak, Director Neighbourhood Planning and Urban Design, Ellen Ripley, Staff Solicitor, Andre Isakov, Director Parks Recreation and Culture Planning and Jesse Dill, Director Development.