



Item .....
Meeting .....2020 April 20

COUNCIL REPORT

**TO:** CITY MANAGER **DATE:** 2020 April 15

**FROM:** DIRECTOR PLANNING AND BUILDING **FILE:** 49500 20  
*Reference:* REZ #17-27

**SUBJECT:** REZONING REFERENCE #17-27  
6444 WILLINGDON AVENUE AND 4241 MAYWOOD STREET  
RESPONSE TO ISSUES RAISED AT PUBLIC HEARING

**PURPOSE:** To provide further information on the issues raised regarding the proposed high-rise apartment building and low-rise rental apartment building at the Public Hearing for Rezoning Reference #17-27.

**RECOMMENDATION:**

1. **THAT** a copy of this report be sent to the applicant and to those who spoke at, or submitted correspondence to, the Public Hearing for Rezoning Reference #17-27.

**REPORT**

**1.0 BACKGROUND**

On 2019 November 19, a Public Hearing was held for Rezoning Reference #17-27. The purpose of the subject rezoning application is to permit the development of a 43-storey apartment building located at the corner of Willingdon Avenue and Maywood Street, townhouses fronting Maywood Street and Cassie Avenue, and a six-storey non-market rental apartment building fronting Willingdon Avenue (see *attached* Sketches #1 and #2). The proposed development replaces 92 existing rental units currently on the site.

At the Public Hearing, 44 written and 18 verbal submissions were received, the majority of which expressed concerns. Concerns expressed related to: the adoption of a new Tenant Assistance Policy prior to advancing development; the affordability of rents for displaced tenants; the number of replacement units required through redevelopment; traffic and pedestrian safety; crime and safety; noise and air pollution; building height; capacity of area amenities and infrastructure; amenity density bonus provisions; on-site parking and car wash facilities; building materials and landscaping; property values; litter and dumping; and seismic safety and fire protection as it relates to high rise development.

At the Public Hearing, Council requested that a staff report be submitted to provide further information on the issues raised. This report responds to Council’s request.

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## 2.0 ISSUES RAISED

### 2.1 Tenant Assistance, Housing Affordability and Replacement Units

#### *Tenant Assistance Policy*

Questions were raised regarding the requirement for an updated Tenant Assistance Policy prior to advancing development.

At the time the subject rezoning application was advanced to Public Hearing, the updated *Tenant Assistance Policy* was in its final review, based on the guidelines established by the Mayor’s Task Force’s Final Report. One of the conditions to the subject rezoning application was the adherence to an updated *Tenant Assistance Policy*, which would be advanced for Council’s consideration at a future date. Notwithstanding, as a result of questions raised at the Public Hearing for the subject rezoning application, and similar rezoning applications that were heard on 2019 November 19, the subject rezoning bylaw amendment was held until the final updated *Tenant Assistance Policy* was adopted by Council.

It is noted that the *Draft Tenant Assistance Policy* was advanced for Council’s consideration on 2019 December 02, and the *Finalized Tenant Assistance Policy* was approved by Council on 2020 March 09. The finalized policy has been **attached** to this report, and will be provided to all those who spoke at or submitted correspondence to the Public Hearing. The *Finalized Tenant Assistance Policy* aims to ensure tenants affected by redevelopment are suitably housed, while replacement units are under construction. To assist tenants in finding interim housing and assist with moving requirements, a tenant assistance coordinator is required to be retained by the applicant. For specific information related to the policy’s applicability and information on required relocation assistance, it is encouraged that affected parties review the policy in detail, and contact the City’s Renters Office if further questions arise.

#### *Housing Affordability for Displaced Tenants*

Concerns were raised regarding the cost of rental units in Metrotown and for tenants displaced as a result of rezoning.

Current rental rates for purpose built rental units are determined by many market factors including, but not limited to, age of construction, building condition, location, supply and demand. Given convenient access to transit and services in Metrotown, housing demand is high, and vacancy rates are quite low, resulting in increasing rents. Arising from such concerns, Council adopted the Rental Use Zoning Policy (**attached**) which requires units lost to redevelopment to be replaced at a 1:1 ratio, and that affected tenants get the right of first refusal to occupy a unit within the replacement building at or near the pre-development rent levels. The Rental Use Zoning Policy also requires that all new rezonings for multiple family developments in community plan areas provide the equivalent of 20% of the proposed market units as non-market rental. Furthermore the policy permits the development of additional voluntary market rental units on multiple-family residential

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and mixed-use sites. The goal of these policy streams is to increase the supply of market and non-market housing to assist with rental housing availability and affordability.

### *Replacement Units Required on the Subject Site*

Concerns were raised regarding the number of replacement units proposed for the subject rezoning.

The current rental buildings on the subject site accommodate a total of 92 rental units. In accordance with the adopted Rental Use Zoning Policy, the applicant will be providing 92 replacement units in the new development.

## **2.2 Area Traffic, Pedestrian Safety and Traffic Impacts During Construction**

Concerns were raised regarding area traffic, pedestrian safety, and traffic impacts during construction.

### *Area Traffic*

A comprehensive review of traffic and transportation related infrastructure required for the proposed development has been undertaken by City staff within the Transportation Planning and Traffic Engineering divisions, and the applicant is undertaking a Neighbourhood Transportation Study for the Maywood neighbourhood. The study will identify feasible and effective street network requirements for the build-out of this neighbourhood. The findings will also be used to identify any further improvements (e.g. lane reconfigurations, new or adjusted traffic signals) that will be required in the neighbourhood. Any arising issues that result from the required study will be identified and addressed prior to Final Adoption.

### *Pedestrian Safety*

To enhance pedestrian safety and to improve the public realm, the applicant is required to provide the Town Centre Standard public realm along all road frontages adjacent the development site. This includes construction of new separated sidewalks, cycle tracks, boulevard landscaping, pedestrian lighting, rain water amenities, curb bulges, and street trees.

### *Traffic Impacts During Construction Activity*

To mitigate potential traffic impacts during construction activities, the applicant will be required to submit a construction access plan to the Engineering Department prior to commencement of construction. The plan would address construction access locations, materials delivery locations and timing, and specific requests for construction related road closures. As an overarching principle, the applicant will be requested to accommodate construction traffic and materials delivery on the development site itself, wherever possible. Furthermore, contractors and trades will be encouraged to use transit to access the site, and applicants will also be required to secure sufficient off-street parking for contractors and trades so that parking on City streets is not necessary.

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### **2.3 Crime and Safety**

Concerns were raised regarding a potential increase in crime as a result of the proposed development.

There is no evidence to suggest that a residential development such as that proposed leads to higher crime rates. The RCMP has not expressed a concern about the proposed development to be a catalyst for crime. The design of the proposed development, its site layout, and landscaping, have been informed by Crime Prevention Through Environmental Design (CPTED) principles. Public and private spaces are adequately delineated, sightlines are well maintained, and the site and its immediate environs are well-lit. Most importantly, there are “eyes on the street”; the development is related to the street in terms of active ground floor uses in the tower (lobby space and lounge areas) and by the provision of ground-oriented townhouses along Maywood Street and Cassie Avenue.

### **2.4 Noise and Air Pollution**

Concerns were raised regarding noise and air pollution generated by construction activities. Concerns were also raised regarding noise from emergency vehicles on Willingdon Avenue.

It is recognized that during the construction phase of any development, there will be some impact to the surrounding area, including noise and dust. To minimize noise impacts to the surrounding neighbourhood, the applicant will be required to ensure that construction and vehicle noise originating from the proposed development site abides by the permitted hours of construction and the Burnaby Noise or Sound Abatement bylaw. The bylaw limits construction activity to the hours of 7:00 am to 8:00 pm Monday to Friday, and 9:00 am to 8:00 pm on Saturdays. The bylaw also limits the level of noise emanating from construction sites to 85 dBAs. With respect to air pollution, the applicant will be required to submit a control plan to the Engineering Department prior to issuance of a Building Permit to ensure that dust, and other sediment control matters are properly managed.

Emergency vehicles travel along Willingdon Avenue, which is designated in the Burnaby Transportation Plan as a secondary arterial road. As a public safety measure, emergency vehicles are required to use sirens as one way of alerting pedestrians, cyclists, and drivers to move out of the way to allow emergency vehicles to manoeuvre faster through traffic when responding to emergency calls. This is no different from any other street within the city.

### **2.5 Proposed Building Height**

Concerns were raised regarding the proposed height of the high-rise building as it relates to shadowing/solar access, views, wind effects at the ground level, and existing low-rise multiple-family development.

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The proposed high-rise building is 43 storeys and positioned at the southwest corner of the subject site. The nearest high-rise building is located to the west across Willingdon Avenue, at 4165 Maywood Street, over 61 m (200 ft.) away. This exceeds the 24 to 30 m (80 to 100 ft.) tower separation that is sought by the urban design guidelines contained in the Metrotown Downtown Plan. It is also noted that the proposed building floor plate is 655 m<sup>2</sup> (7,047 sq.ft.), which is less than the maximum 750 m<sup>2</sup> (8,100 sq.ft.) sought by the design guidelines. While a building with a slightly lower height and a larger floor plate could be considered for the subject site, this would result in a bulkier, more impactful form; there would be less on-site open space, increased shadowing, greater view obstruction, and reduced separation between buildings. Within the Metrotown Downtown context, the proposed building height and massing has appropriately taken into consideration issues of shadowing/solar access and views.

High-rise buildings can generate down drafts to the pedestrian level. Effects of these accelerated winds have been mitigated by adjusting building design and siting (e.g. setbacks at the tower base, using architectural features such as balconies and canopies), identifying optimal locations for building entrances and outdoor amenity areas, and adding features such as walls and landscaping.

With respect to the proposed building height specifically within the context of the Maywood neighbourhood, which currently includes a number of older low-rise multiple-family buildings, it is noted that the Maywood neighbourhood is designated primarily for high-rise development under the Metrotown Downtown Plan. The exception to this form of development are a few sites along the south edge of the neighbourhood, where buildings are intended to be limited to low-rise forms to serve as a transition to the single-family area on the south side of Imperial Street.

Overall, the height and scale of the building is considered appropriate given the reasons noted above. Furthermore, it is noted that the development form is consistent with the site's high-density residential designation within the Metrotown Downtown Plan, the City's Official Community Plan, the Metro Vancouver Regional Growth Strategy, and Burnaby's Rental Use Zoning Policy which support the accommodation of higher densities for both rental and strata tenures within this area given available access to public transit, employment, services, and other community amenities.

## **2.6 Capacity of Area Amenities and Infrastructure**

Concerns were raised regarding whether the capacity of local parks and recreation centres, the hospital, and water service is adequate to support the proposed development.

### *Park Capacity*

The subject site is served by several neighbourhood, district, and major parks, including Maywood Park, Kinnee Park, the BC Parkway, Bonsor Park, the Civic Square adjacent to the Metrotown library, and the 90 hectare (220 acre) Central Park. Furthermore, Burnaby has a Parkland Acquisition Charge that applies to all new residential development throughout the City and is utilized to acquire additional parkland to meet community needs.

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### *Recreation Capacity*

The subject site is located 1.4 km from the Bonsor Recreation Complex, one of the City’s largest and most comprehensive community facilities, encompassing a full sized gymnasium, fitness centre, pool, and many other art and leisure programming spaces. It was originally developed in 1986 and renovated in 2005, with a further enhancement on the second level of the facility in 2014. Adjacent to the Bonsor Complex is the Bonsor Centre for 55+. This facility, which provides recreation services and amenities specifically for local seniors, was constructed in 2013. As Metrotown continues to grow, it is anticipated that the Bonsor Recreation Centre will continue to be improved and enhanced to meet community needs. Furthermore, the subject development site is located 165m (550 ft +/-) from Central Park which has a variety of recreational options including, an outdoor swimming pool, tennis courts, running track, golf, lawn bowling, sports fields, waking paths and cycling trails.

### *Hospital Capacity*

Burnaby is served by Burnaby General Hospital, and in some instances, by Royal Columbian Hospital. Burnaby Hospital is located within 3.6 km driving distance of the subject site. The provincial Ministry of Health, in concert with the Fraser Health Authority, determines the location and staffing of hospital facilities. In September 2019, the provincial government announced a \$1.3 billion upgrade and redevelopment plan for Burnaby Hospital, with work planned to begin in 2021, to meet the growing needs of Burnaby residents.

### *Water Service*

As a requirement of the rezoning and subdivision process, a detailed review of all necessary services, including water service, to serve a site is completed by the Planning and Engineering departments. The applicant is required to hire an approved civil contractor to design and construct all necessary services to serve the site to City standards, with costs borne solely by the applicant.

## **2.7 Amenity Density Bonus Provisions**

A concern was expressed regarding the provision of an amenity density bonus as a cash contribution, rather than as a physical, on-site amenity.

Burnaby’s *Community Benefit Bonus Policy* was first established in 1997 and provides a framework through which developments within Town Centre areas can achieve extra density in return for providing a community benefit. The policy has been revised from time to time to meet evolving community needs, most recently in 2015. The policy is currently administered in three program streams, which include: 1) the Priority Amenity Program, which receives 80% of undesignated cash contributions-in-lieu; 2) the Affordable and/or Special Needs Housing Program, which receives 20% of undesignated cash contributions-in-lieu; and 3) the Site Specific Amenity Program, which considers on-site amenities if a site is specifically well-suited for a desired community benefit. As the subject site was not identified as being well-suited for an on-site amenity, in accordance with Council policy, 80% of community benefit funds received from this

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rezoning will be directed into the Priority Amenity Program, specifically into the Metrotown Town Centre Account, to be utilized in the future to achieve priority amenities, as established by Council. The remaining 20% will be directed to the Community Benefit Housing Fund.

## 2.8 On-Site Parking and Car Washing Facilities

Concern was expressed regarding the proposed number of parking spaces for the development, with one submission citing environmental impacts of too many spaces being provided and another suggesting an insufficient number of spaces. Concern was also expressed regarding the potential impact of proposed car wash stalls on local waterways.

The development proposes a total of 516 residential units and 521 parking spaces, with the number of parking spaces provided in accordance with the ratios specified by the Zoning Bylaw. To encourage and support alternative transportation choices, the developer is providing a comprehensive transportation demand management strategy, which includes: five bicycles, helmets, and bike storage spaces for the shared use and benefit of all residents; two bicycle storage spaces per unit (1,032), and a bicycle repair room; and, a transit pass subsidy program for the market residential building, which is intended to partially offset the cost of transit passes for a temporary period and to positively influence transit usage.

The proposed development also includes five car wash stalls, all of which direct waste water through an interceptor that collects oils and solids, prior to discharge to the building's sanitary sewer system. Waste water is ultimately conveyed to a waste water treatment facility. No wastewater from the car wash facility is directly discharged into a storm drain or local waterway.

## 2.9 Building Materials and Landscaping

A concern was raised regarding the proposed building materials, specifically the impact of the use of concrete on climate change and air quality, and the impact of solar reflections and glare generated by reflective glass. Concern was also expressed about the amount of soft landscaping proposed on site.

Burnaby's *Environmental Sustainability Strategy* and *Community Energy and Emissions Plan* support improving the environmental performance of new buildings, including improving energy efficiency and using low-carbon energy systems. While the structural system of the proposed high-rise building includes reinforced concrete, the developer has committed to demonstrating environmental sustainability through building design, materiality, and efficiency (water, energy and waste management) initiatives. The applicant has indicated that the high-rise building will meet Step 1 of the BC Energy Step Code, while the low-rise building will meet Step 3.

Proposed architectural finishes and materials for the development include spandrel glass, metal panel, cement panel, painted concrete, and clear glass. Reflective glass is not proposed to be used.

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Proposed soft landscaping includes 85 trees and five thousand shrubs, ground covers, vines, perennials, bulbs, grasses, and annuals on-site, as well as 14 street trees, planted boulevards, and raingarden off-site. Soft landscaping provides a natural cooling effect, helps to manage rainwater, and adds a rich, ground-level experience for pedestrians. The planted areas are complemented by hardscape elements such as patio areas and seating,

## 2.10 Property Values

Concern was expressed regarding the potential decrease in property value, due to the loss of views and the addition of rental housing on the subject site.

Property value is primarily influenced by market conditions. Other factors influencing property value include size, age and quality of improvements, services in the area, location, neighbourhood, and views. With respect to views, as noted in section 2.5, the design of the proposed project has sought to minimize view impact on nearby buildings, through consideration of building height, massing, and siting within the Metrotown Downtown context.

The proposed rental building on site includes 92 non-market rental units. Research shows that the presence of non-market rental housing does not impact surrounding residential property values<sup>1</sup>.

## 2.11 Litter and Dumping

Concern was expressed that increased density in the area has resulted in more littering and dumping.

The City has undertaken a number of initiatives and activities to help keep the community clean. This has included increasing the number of City litter crews; purchasing additional street litter receptacles; increasing the City's street sweeping fleet; adopting an automated garbage and yard waste collection system; and strengthening the City's illegal dumping bylaw. The City also supports local clean up events and awareness campaigns and seeks public cooperation and support using public education materials.

## 2.12 Seismic Safety and Fire Protection

Concern was expressed regarding seismic safety and fire protection measures, as they relate to high rise buildings.

The proposed development is required to meet or exceed all requirements of the *BC Building Code*, which establishes various requirements for buildings including life safety, fire protection, structural protection, and seismic provisions.

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<sup>1</sup> BC Housing Research Centre. January 2020. Exploring Impacts of Non-Market Housing on Surrounding Property Values. Retrieved from: <https://www.bchousing.org/research-centre/library/community-acceptance>



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### 3.0 CONCLUSION

The subject rezoning application proposes development of a single 43-storey apartment building located at the corner of Willingdon Avenue and Maywood Street, townhouses fronting Maywood Street and Cassie Avenue, and a six storey non-market rental apartment building fronting Willingdon Avenue.

This report provides information responding to a number of questions and concerns raised at Public Hearing. In order to achieve Final Adoption of the rezoning, the developer will be required to satisfy all prerequisite conditions of the subject rezoning application. This includes: compliance with the Council-adopted *Tenant Assistance Policy* and *Rental Use Zoning Policy*; execution of a Housing Agreement and Section 219 Covenant to secure approved rent levels and to ensure that rental units are not stratified; provision of financial security to ensure that the conditions of the *Tenant Assistance Policy* and its related relocation assistance for tenants are provided; resolution of any matters arising from the Maywood Neighbourhood Transportation Study; construction of the Town Centre Standard along all road frontages; and construction of all necessary engineering services to support the development. Overall, the proposal is consistent with the Metrotown Downtown Plan, is high quality in its architecture and landscape treatment, and is considered beneficial to the community through its provision of rental units and public realm improvements. In view of the above, the proposed rezoning application remains supported by staff.

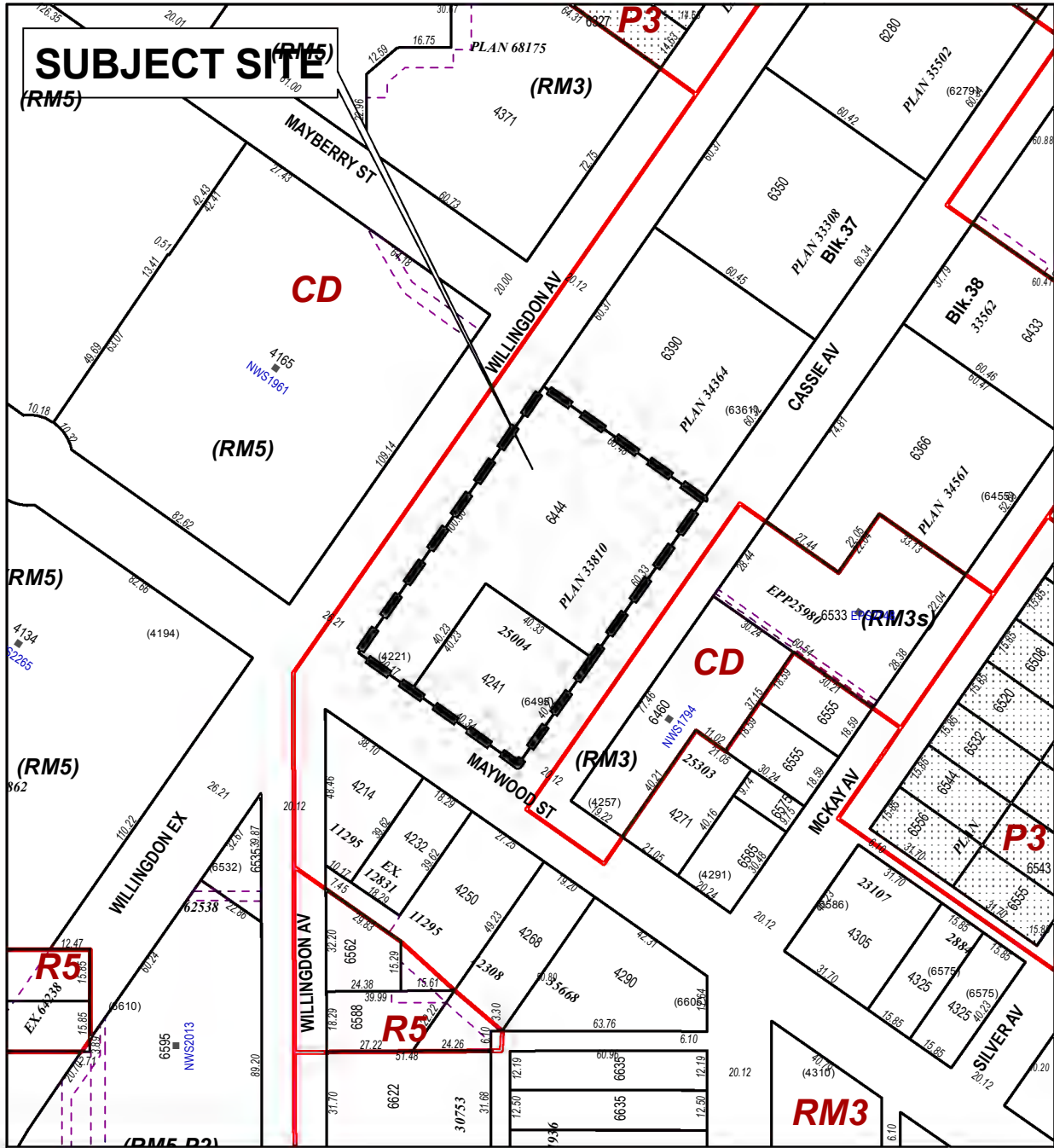
It is recommended that a copy of this report be sent to the applicant and those who spoke at, or submitted correspondence to the Public Hearing for Rezoning Reference #17-27.



E.W. Kozak, Director  
PLANNING AND BUILDING

KH:tn  
*Attachments*

cc: Director Corporate Services  
Director Parks, Recreation and Cultural Services  
Chief Building Inspector  
City Clerk




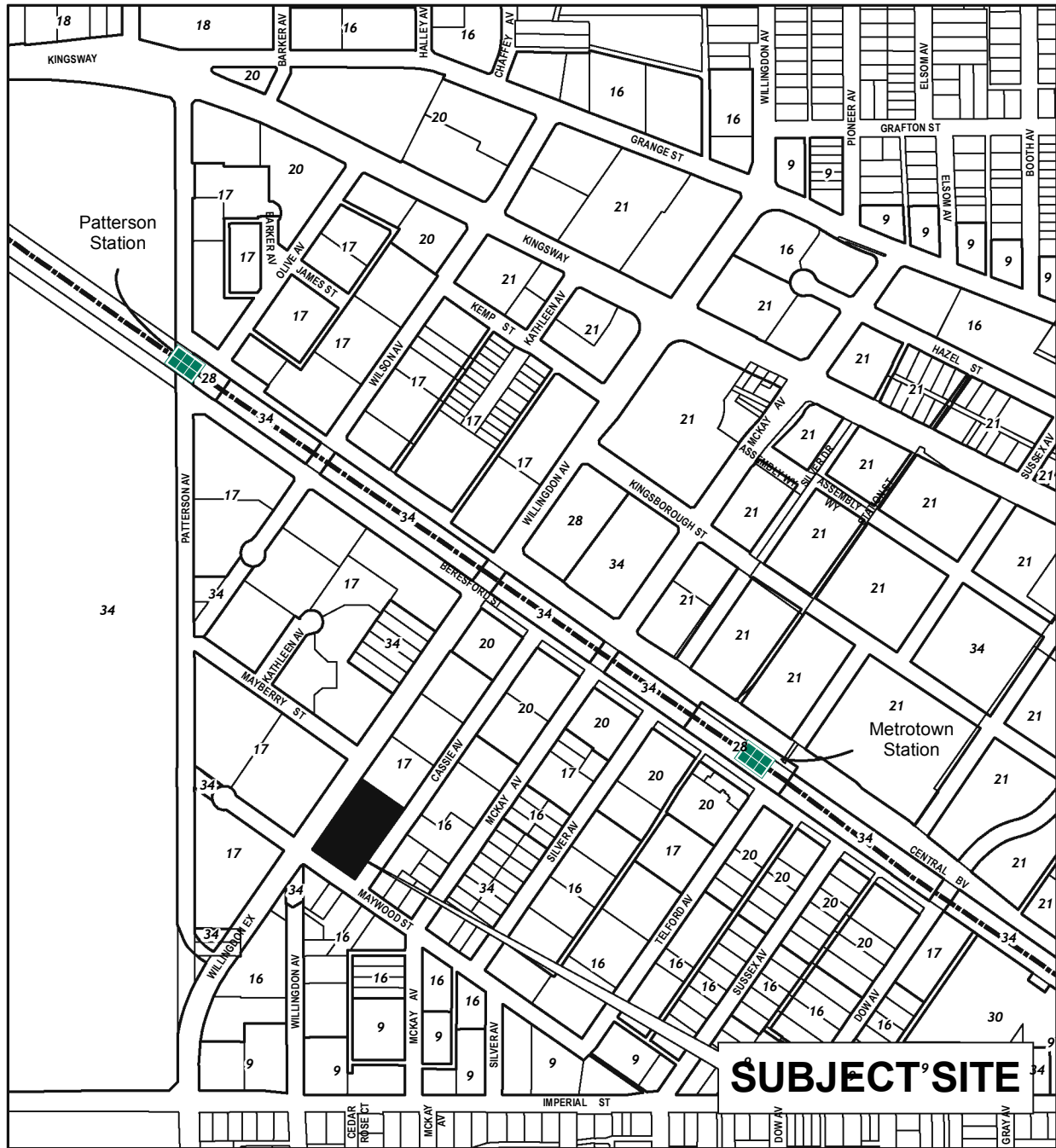
PLANNING & BUILDING DEPARTMENT



DATE:	MAR 06 2018
SCALE:	1:2,000
DRAWN BY:	AY

**REZONING REFERENCE #17-27**  
**4241 MAYWOOD STREET**  
**6444 WILLINGDON AVENUE**

 Subject Site

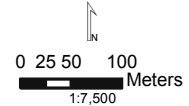


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| <b>9</b> Medium Density Residential (RM3s) | <b>20</b> High Density Mixed Use (RM5s/C2) |
| <b>15</b> High Density Residential (RM5)   | <b>21</b> High Density Mixed Use (RM5s/C3) |
| <b>16</b> High Density Residential (RM4s)  | <b>28</b> Institutional                    |
| <b>17</b> High Density Residential (RM5s)  | <b>30</b> Public School (P3)               |
| <b>18</b> High Density Mixed Use (RM4s/C2) | <b>34</b> Park and Public Use (P3)         |
| <b>19</b> High Density Mixed Use (RM4s/C3) |  |



Planning and Building Dept  
 Printed on March 6, 2018

## Metrotown Plan



Sketch #2