

ITEM 3
MANAGER'S REPORT NO. 12
COUNCIL MEETING 85/02/11

RE: QUESTIONS RAISED AT THE 1985 JANUARY 08 PUBLIC HEARING
REGARDING THE OCCUPANCY OF THE POST 83 HIGH-RISE COOPERATIVE BUILDING
4221 MAYBERRY STREET

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Director Planning & Building Inspection be adopted.

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TO: MUNICIPAL MANAGER 1985 JANUARY 29

FROM: DIRECTOR PLANNING &
BUILDING INSPECTION

SUBJECT: QUESTIONS RAISED AT THE 1985 JANUARY 08 PUBLIC HEARING
REGARDING THE OCCUPANCY OF THE POST 83 HIGH-RISE
CO-OPERATIVE BUILDING AT 4221 MAYBERRY STREET

RECOMMENDATION:

1. THAT this report be received for information purposes.

REPORT

1.0 BACKGROUND:

At the Public Hearing on Rezoning Reference #68/84, Council requested that staff prepare a report on the existing tenure and occupancy of the Post 83 Senior Citizens Co-operative twenty-three storey high-rise building at 4221 Mayberry Street.

2.0 EXISTING SITUATION:

This project received final rezoning approval on 1981 November 16. The rezoning for the 23-storey tower was based upon information provided at that time that the project was to be a "senior citizens" development sponsored by Branch 83 of the Canadian Legion and organized as a non-profit co-operative with 181 units.

In terms of the zoning the plans prepared by the architects which form part of the Comprehensive Development plan and the Bylaw for the site are titled "Post 83 Retirement Apartments" for the Post 83 Co-operating Housing Association. This generally reflects the representations made at the time that the project was intended for "senior citizens", although this term was not defined by the developer.

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This project is funded by and has an agreement with CMHC under Section 561 of the National Housing Act, which permits funding for co-operatives. The agreement evidently does not permit co-operatives to discriminate regarding the age of potential members. Officials at CMHC state that each year the projects are audited and it does not appear that there are any conflicts with their agreement in this case.

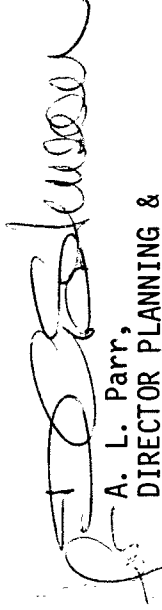
While Burnaby does not licence non-profit housing developments, the Licence Department is satisfied that the building remains registered as a co-operative. Our recent investigation as prompted by Council's request reveals that in fact the occupancy of the building is not limited to senior citizens' housing and, "adults" may apply to become member/occupants of the co-operative. The co-operative estimates that the majority of the residents of the building are 55 years of age or older.

The building meets the standards of rental buildings in terms of unit sizes and provision of on-site parking at the normal parking ratio of 1.5 spaces per unit. Council may recall that the developers did request that the parking ratio be reduced however the standard ratio was provided. The floor space ratio of the project is 2.2 which is the same as other CD/RM5 zoned sites in the area. The unit density is however 124 units/acre and was permitted to be higher than the usual maximum limit of 100 units/acre due to the senior citizen occupancy that was anticipated in light of the rezoning application.

3.0 CONCLUSION:

At the time of rezoning, the applicant through submissions by CMHC and the project architects represented the intended use of the site as "senior citizens' housing". Notwithstanding, the development as approved satisfies the standards of the Zoning Bylaw for conventional apartment use, including satisfying minimum unit sizes, on-site parking provisions, and Floor Area Ratio density. Additionally, the development is being occupied in conformity with the designated land use under the adopted Community Plan for the area (high density multiple family; CD based on RM5).

In the final analysis, although this review has shown that the occupancy is not exclusively seniors as was implied by the representations made at the time of rezoning application, the development does comply with the relevant standards of the Municipality's Bylaws and the land use conforms to the designation of the adopted Plan for the area.



A. L. Parr,
DIRECTOR PLANNING &
BUILDING INSPECTION

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