

ITEM	13
MANAGER'S REPORT NO.	27
COUNCIL MEETING	94/04/25

TO: CITY MANAGER 1994 APRIL 18

FROM: DIRECTOR PLANNING AND BUILDING OUR FILE: RZs.
100/89:24/93:25/93

SUBJECT: AGE RESTRICTIONS FOR HOUSING
WITHIN THE OAKLANDS DEVELOPMENT
OAKALLA DEVELOPMENT PLAN

PURPOSE: To respond to a Council enquiry regarding age restrictions in the Oaklands housing developments.

RECOMMENDATION:

1. THAT this report be received for information purposes.

R E P O R T

An enquiry was raised at the Council meeting of 1994 February 07 regarding information that Polygon Developments' "Seasons by the Lake" project (Rezoning #25/93) was being restricted to "adults only". Council expressed concern regarding such age restrictions with the view that the proposed townhousing at Oakalla should be available to all types of household formations, including families with children. Council requested that staff contact Polygon Developments Ltd. to obtain further information on the status of Polygon's Oakalla sites and the B.C. Buildings Corporation to obtain assurances that future development sites would not be restricted to "adults only".

In response, Polygon Developments Ltd. has provided the attached letter dated 1994 March 08 regarding the status of its various Oaklands projects with respect to any age restrictions. The letter is largely self-explanatory and the projects status are summarized as follows:

- a) **Rezoning #24/93 - Heather Crest**
Site 3 (Lot 4) - 78 townhouses
Under construction
No bylaw restrictions concerning occupancy by age.

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- b) **Rezoning #25/93 - Seasons by the Lake**
Site 9 (Lot 11) - 61 townhouses
Under construction
Strata bylaws restrict occupancy to persons aged 19 years or older unless the strata council approves otherwise. This development is attractive to older individuals and couples, "empty nesters", seeking to move from single-family homes.

- c) **Rezoning #18/94**
Site 4 (Lot 5) - 52 apartment units
Rezoning initiated
It was indicated in the initial rezoning report that this development would be targeted to the senior citizens and retirement market. It was noted that the proposed apartment development was neither ground-oriented nor particularly suitable for families with children.

- d) **Rezoning #19/94**
Site 7 (Lot 9) - 83 townhouses
Rezoning indicated
The developer has indicated that this project is family-oriented and will not have a bylaw restriction pertaining to age.

In addition to the foregoing Oaklands development projects, Polygon Developments further commented on its concurrent rezoning application in the George Derby Lands development as follows:

Rezoning #66/93 - Wildflower
Site D - 71 townhouses
Rezoning nearing completion.
This development will have no age bylaw restrictions.

The B.C. Buildings Corporation has provided the attached letter of explanation dated 1994 April 11 in response to the City's request for assurances that future development sites would not be restricted to "adults only". B.C.B.C. indicates that the Oaklands is developing into a neighbourhood meeting the housing needs of a wide mix of people. Of the well-advanced developments (not including the most recent rezoning applications) encompassing some 277 units, it is noted that 201 units are family-oriented or have no restrictions and 76 units are seniors or adult only.

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Only two market housing sites remain to be released by B.C.B.C., Site 6 (Lot 8) and Site 8 (Lot 10) both townhouse sites, which are suitable for families with children. B.C.B.C. indicates that potential purchasers of these two remaining sites will be advised of Council's concern regarding user restrictions in the proposal call packages for those remaining two sites when they are advertised for sale.

The other remaining sites, Site 1 (Lot 1) and Part of Site 2b, are non-market sites. Both the Housing Committee and Council will be involved in the specific appropriate non-market housing determined for these sites.

This is for the information of Council.



D. G. Stenson
Director
Planning and Building

KI:lf
Attach.

cc: Director Administrative & Community Services
City Clerk
City Solicitor



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1994 March 8

City of Burnaby
4949 Canada Way
Burnaby, B.C.
V5G 1M2

BY HAND

Attention: Mr. Don G. Stenson
Director, Planning and Building

Dear Sirs:

Re: Council Enquiry Regarding Age Restrictions for
Housing Developments, Oakalla Development Plan
X-Reference Rezoning #24/93 and Rezoning #25/93

Thank you for your letter dated February 14, 1994 regarding the matter of age restrictions in our developments at The Oaklands.

People of any age are welcome to purchase at our Seasons by the Lake development (61 townhomes). However, the strata bylaws do restrict occupancy to persons aged 19 years or older unless the strata council approves otherwise. The reason for this bylaw restriction relates to the seniors and retirement market to which Seasons by the Lake has been targeted, with the incorporation of such design features as main floor master bedrooms.

Our Heather Crest development currently under construction (78 townhomes) has no bylaw restrictions concerning occupancy by age. Similarly, our Wildflower development (71 townhomes) on the George Derby lands, currently in the approvals process, has no age bylaw restriction.

Polygon has two more developments in The Oaklands which are now starting through the approvals process. It is our intention that Site 9 (82 townhomes) will not have a bylaw restriction pertaining to age. Site 5 (51 apartments) would again be targeted to the senior citizens and retirement market and, therefore, may have a bylaw restricting occupancy to households with at least one member aged 45 to 55 years or older.

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We understand that the B.C. Buildings Corporation has been approached for assurance that future development sites at The Oaklands not be age restrictive and are currently considering whether or not to prevent age restrictions on the last two sites. Polygon's purchase of ^{Site} Sites 5 and 9 are not subject to this decision, as these sites were tendered in January 1994 and were awarded to the successful bidder on February 2, 1994.

Polygon builds a great deal of housing for young families and single people. In fact, only a minority of our developments have bylaws respecting age restrictions on occupancy; even in these cases we do not refuse to sell to purchasers who appear not to meet the age restrictions. Instead, we require that they simply acknowledge existence of the relevant bylaw in the interim agreement of purchase and sale.

We have, however, found that a significant segment of the condominium market is composed of older individuals and couples seeking to move from single family homes to more convenient and secure accommodation that often has extensive recreational amenities. Joint use of these private recreation areas by both children and mature adults does not seem to have much appeal.

I might point out that by building condominiums that attract "empty nesters" we are actually freeing up a tremendous number of existing single family homes for purchase by younger families. These are often in areas well endowed with schools and parks.

We are confident that when you conduct a thorough analysis of The Oaklands plan you will discover that the subdivision contains a broad range of age groups. I and members of my staff will be pleased to meet with Council to provide additional information and discuss this matter further.

Yours faithfully,

THE POLYGON GROUP OF COMPANIES



Michael J. Audain
Managing Director

MJA/bb

cc: Mr. Neil Griggs, Griggs Project Management Ltd.



John Robinson

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April 11, 1994

City of Burnaby
 Planning and Buildings Department
 4949 Canada Way
 Burnaby, B.C. V5G 1M2

Attention: Mr. Don G. Stenson

Dear Sirs:

Re: Council's Enquiry Regarding Age Restrictions for Housing Developments, Oakalla Development Plan, X-Reference Rezoning #24/93 and Rezoning #25/93

In reference to your letter of February 14, 1994 regarding the above, B. C. Buildings is confident that the Oaklands has been, and will continue to be, developed within the framework of the Oakalla Development Plan (ODP). The ODP sets out a comprehensive development framework for a balanced mix of housing needs. The Oaklands will develop into a neighbourhood that meets the housing needs of a wide mix of people.

While it may not have been the intent of the ODP to supply the mix of uses in such a structured and lot by lot basis, such as Lot 11 having age restriction as part of its strata bylaws, and Lot 4 being developed specifically for family use, the expectations of the site developing to meet the housing needs of a wide mix of people is definitely being met. For example, the current status of the site is 78 family oriented townhouses on Lot 4; 52 apartment units with no user restrictions on Lot 6; 13 townhouses with no user restrictions on Lot 7; 61 townhouses restricted to adult only on Lot 11; and on Lot 3; 73 non-market townhouses, 15 for core needy seniors; 30 for core needy families and, 28 market rental units for families. Therefore, of the 277 units in progress, 201 are family oriented or with no restrictions and 76 are seniors or adult only.

Buildings
 for a Better
 British
 Columbia

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 Facsimile: 461-1111

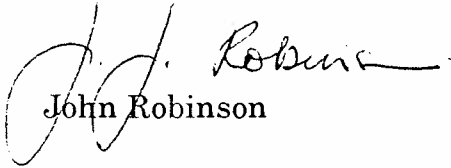
Note: Sketch relationship

- Lot 4 = Site 3 (Rz# 24/93)
- Lot 6 = Site 5a } (Rz# 26/93)
- Lot 7 = Site 5b }
- Lot 11 = Site 9 (Rz# 25/93)
- Lot 3 = Site 2a + part Site 2b (Rz# 28/93)

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Given our confidence that the Oaklands will continue to meet the original intention of supplying a balanced mix of housing needs, we have not addressed this issue in the sales agreements to date, however, future proponents will be advised of Council's concern regarding user restrictions in the proposal call packages for the remaining market lots (Lots 8 and 10), when they are subsequently advertised.

Yours very truly


John Robinson

