



Item .....	
Meeting .....	2017 January 23

## COUNCIL REPORT

**TO:** CITY MANAGER **DATE:** 2017 January 18

**FROM:** DIRECTOR PLANNING AND BUILDING **FILE:** 49500 20  
*Reference: Re:# 15-49*

**SUBJECT:** REZONING REFERENCE #15-49  
 6695 DUNBLANE AVENUE AND 4909, 4929, 4971 IMPERIAL STREET  
 APARTMENT TOWER WITH STREET-ORIENTED TOWNHOUSES  
 AND LIVE-WORK UNITS  
 RESPONSE TO PUBLIC HEARING ISSUES

**PURPOSE:** To respond to issues raised at the Public Hearing for Rezoning Reference #15-49.

**RECOMMENDATION:**

1. **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 #15-49.

**REPORT****1.0 BACKGROUND**

On 2016 November 22, a Public Hearing was held for Rezoning Reference #15-49. The subject rezoning application proposes the construction of a 36-storey apartment building with street-oriented townhouses on Dunblane Avenue and live-work townhouse units on Imperial Street and Nelson Avenue, in accordance with the Council adopted Metrotown Development Plan (see *attached* Sketches #1 and #2).

At the Public Hearing, 73 written and 30 oral submissions were received. Issues raised in the submissions included the redevelopment of older rental units, the displacement of existing residents, the need for non-market affordable housing, interest in a larger consolidation area for the subject site, impacts on parks, traffic and pedestrians.

This report addresses Council's request to provide further information on the issues raised at the Public Hearing for Rezoning Reference #15-49.

**2.0 ISSUES RAISED***Issue #1- Redevelopment of Existing Rental Units*

Concerns were raised regarding the redevelopment of existing rental units on the subject site as part of the proposed redevelopment. Specific requests were made to prevent the demolition of existing rental housing and to institute a policy of replacing rental units in the case of demolition.

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**Response:**

The proposed redevelopment would result in the replacement of 84 market rental apartment units on the subject site with 313 strata titled apartment, townhouse and live-work units, of which approximately 25% (78 units) are generally expected to be made available for market rental purposes.

With respect to a moratorium on the demolition of existing rental housing, it is important to note that the City does not have the legislated authority to withhold a Building Permit for the demolition of existing buildings (or the construction of new buildings) if all aspects of the permit are in conformance with the *Burnaby Building Bylaw, 2004* and the *BC Building Code*. As such, the City does not have the authority to establish a moratorium that would restrict the demolition of rental housing or other types of buildings. Further, introducing moratoriums that would hinder the redevelopment of buildings that are approaching the end of their economic life would raise life-safety concerns, building suitability issues, and challenges to implement adopted plans supporting an increased supply of housing.

Council may approve or deny specific rezoning applications proposing redevelopment. However, municipalities in British Columbia have not been granted the power by the Province under the Local Government Act to establish zoning districts by tenure to define areas for market rental housing or strata-titled condominiums. Therefore, properties with prevailing multiple-family residential zoning rights can continue to redevelop under their prevailing zoning to construct strata-titled residential development. Moreover, a moratorium on rezoning would be contrary to community plans and objectives to accommodate a growing population and the need to increase the supply and diversity of housing.

With respect to the replacement of rental apartments lost through redevelopment, it is noted that the 84 rental apartment units on the subject site are private market rental housing, and as such, do not fall under any senior government program for subsidization or supported replacement as may be associated with non-market or public housing. These senior levels of government include the Federal Government through the Canada Mortgage and Housing Corporation (CMHC) and the Provincial Government through BC Housing, both of which are mandated to manage and assist with housing needs of residents in need of social support.

Notwithstanding, the City is working within its means and mandate to encourage the development of market rental housing in Metrotown and across the City. Council approved the construction of 300 new market rental units within the Brentwood Phase I Redevelopment, and has provided approval in principle for a 21 unit market rental building in Burnaby Heights, and an additional 238 unit market rental building in Metrotown. There are also two active rezoning applications in the Lougheed Town Centre proposing approximately 848 new purpose built rental units. New rental stock is also being made available through the rental of strata units.

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### *Issue #2- Tenant Displacement*

Concerns were raised regarding the displacement of tenants from the existing rental apartments on the subject site as a result of the proposed development, and the challenges that existing tenants face in relocating.

#### *Response:*

As a requirement of all rezoning applications that involve the demolition of pre-existing multiple-family rental apartments, the applicant must prepare a tenant assistance plan to assist existing tenants with relocation needs. The Tenant Assistance Plan submitted by the applicant for the subject site includes, but is not limited to, the following commitments:

- to meet or exceed the requirements of the City's Tenant Assistance Policy;
- advance notice of at least three months before any of the units must be vacated;
- the equivalent of three months' rent as compensation for each tenanted unit for moving expenses and relocation costs;
- a free rent period from the date of notice to vacate to the date the units must be vacated in addition to the compensation noted above;
- updated notices on the status of the rezoning process prior to Public Hearing, Third Reading, and Final Adoption;
- tenants will be offered the right of first refusal, based on their length of tenancy, to purchase a new unit in the development; and,
- provide the services of the building's property management company to use their best efforts to assist tenants in finding rental accommodation in other buildings they manage.

The current tenants have been informed of the applicant's Tenant Assistance Plan and the status of the rezoning application, including a direct notification to all tenants to notify them of the Public Hearing that took place on 2016 November 22.

### *Issue #3- Non-Market Affordable Housing*

There were requests that the development be required to incorporate non-market affordable housing. Concerns were also raised regarding the need for non-market affordable housing in the City generally.

#### *Response:*

Non-market affordable housing is the provision of purpose built (below market) rental housing, the delivery of which is principally the responsibility of senior levels of government (Provincial and Federal). These levels of government have the resources, legislative ability, jurisdiction and constitutional mandate to appropriately respond to the housing needs related to income and social supports. Senior levels of government have the ability and resources to advance initiatives, strategies and programs that can significantly contribute to the provision of non-market rental housing, as well as an ability to influence and/or respond to the external factors that influence the

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supply and demand of housing. It is necessary to continue to advocate for senior governments to meet their respective legislated responsibilities. The City does not have the mandate, ability or sufficient local property tax revenues to provide a suitable and sustainable response to fund non-market housing to meet local, provincial and/or national needs.

Nevertheless, within this context, the City supports and contributes, within its means and abilities, to the provision of non-market housing. A key component of this contribution to non-market housing is provided for by the City's Community Benefit Bonus Policy, from which the City currently allocates 20% of all cash-in-lieu contributions to the City Housing Fund for non-market housing. Housing Funds totalling \$10,295,610 have been provided or committed to non-profit housing projects or societies for the provision of non-market seniors rental and transitional housing. Most recently, the City has committed \$8,500,000 in housing funds to develop 181 units of non-market housing in the Southgate area. The subject development will contribute 20% of its Community Benefit Bonus cash-in-lieu contribution to the City's Housing Fund to be used to support the development of non-market housing.

The City also actively seeks opportunities to advance non-market housing through partnerships with the development industry, senior levels of government, and non-profit housing providers, and through other initiatives such as deferral of City development cost charges and permit fees, City land leases for non-profit housing and cooperative housing providers, and City initiated housing projects. According to the *Burnaby Housing Profile – 2016*, there are 3,408 non-market rental units and 1,900 co-op units in Burnaby that have been facilitated, in part, by the aforementioned City initiatives.

#### *Issue #4- Site Consolidation*

There was a request that the applicant purchase the property at 6676 Nelson Avenue to facilitate a larger site consolidation.

#### *Response:*

The development plan for the subject site proposes a 36-storey apartment tower with street-oriented townhouses on Dunblane Avenue and live-work townhouse units on Imperial Street and Nelson Avenue. As part of each rezoning application, staff review the site area proposed for development in relation to the site area requirements of the Burnaby Zoning Bylaw, area conditions, and the relationship of any specific development to the viability and suitability of planned future development on adjacent sites.

The subject site, as is, provides a suitable site area for development that exceeds bylaw requirements, and protects the development potential of adjacent lands, specifically in reference to the adjacent strata apartment site at 6676 Nelson Avenue. The site area and lot width of 6676 Nelson Avenue is also fully suitable for future development under the adopted community plan and exceeds the bylaw requirements. The property at 6676 Nelson Avenue is therefore not "orphaned" in that it has the potential to be redeveloped with a high-rise apartment tower and street-oriented townhouses fronting Nelson Avenue in line with the adopted Metrotown

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Development Plan. Therefore, further consolidation with adjacent properties is not required for the subject rezoning application.

*Issue #5- Park Space*

There were concerns that additional growth in Metrotown would impact per capita park space in Metrotown.

*Response:*

Burnaby has and continues to benefit from sound planning principles established early on in the City's development. Key to these is the Official Community Plan's designation of four Town Centres (Metrotown, Brentwood, Edmonds, and Lougheed) which continue to accommodate a significant portion of the City's population and job growth, and which provide locations for the provision of parks, open space, and community amenities. Focusing high-densities in the four Town Centres has supported the City in preserving a significant component (25%) of its land base for park and open space, including major parks such as Central Park and Bonsor Park.

Metrotown is currently served by a variety of parks and public spaces intended to meet the City's long term needs for community recreation, protection of environmental attributes, provision of opportunities for social gathering and civic events, and contributions to the beautification of the Town Centre. These existing parks include Central Park, Bonsor Recreation Complex and Bonsor Park, the BC Parkway, Metro Skate Park, the new Beresford Art Walk, as well as four neighbourhood parks which include Kinnee, Lobley, George McLean, and Maywood Park. Complementing these parks are Marlborough Elementary and Maywood Community School sites, as well as Chaffey Burke Elementary School, located just outside the Town Centre boundary. The Civic Square and Bob Prittie Library also provide central gathering spaces for the community.

Future development will also create new opportunities for park and public realm spaces, including neighborhood plazas and squares, parkettes and pocket parks, and a central open space. For example, the draft Metrotown Downtown Plan proposes a significant central open space as part of the future development of the Metropolis at Metrotown mall site. The creation of new and interesting public spaces will help to complement existing parks and serve the growing population in Metrotown.

Lastly, it is worth noting that new developments include on-site amenities and open space that can relieve pressures on parks and civic facilities. For the subject rezoning application amenities include lawn space, a dog play area, a children's play area, urban agriculture plots, a meeting room, and a fitness centre.

*Issue #6- Transportation*

There were concerns about potential conflicts between vehicles and pedestrians, as well as the closure of the east portion of the east/west lane fronting Dunblane.

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**Response:**

The subject site is comprised of four properties at 6695 Dunblane Avenue and 4909, 4929, 4971 Imperial Street, as well as a 36.88 m (121 ft) portion of the east-west lane between 6695 Dunblane Avenue and 4971 Imperial Street. This portion of lane fronting Dunblane Avenue is intended to be closed and consolidated with the development site.

The closure of this portion of lane and the creation of a new laneway is intended to improve the safety of the transportation network. The new lane, protected by statutory right-of-way for public access, fronts Dunblane Avenue at the north end of the development site. Relocating the lane access to the north end of the site provides vehicles with greater distance from the Imperial Street and Dunblane Avenue intersection. Increasing the distance between the site access and the intersection provides more space for vehicle queuing, better sightlines, and less overall potential for conflict. From a pedestrian perspective, re-locating the lane to the north end of the site creates the opportunity to incorporate a corner plaza at the intersection of Imperial Street and Dunblane Avenue, which will include public art and seating for residents and visitors alike.

Further enhancing the environment for vehicles, pedestrians and cyclists are the proposed improvements to the public realm fronting the subject site. Street frontages will be improved with rain water management amenities, cycle paths, wide separated sidewalks, street trees, enhanced boulevards, and street and pedestrian lighting. The development will also contribute funds towards the installation of a future pedestrian signal at Imperial and Marlborough to improve pedestrian safety in the neighbourhood.

All required parking for the development is proposed to be located underground within the subject site. To encourage alternatives to vehicle use and to reduce traffic impacts in the area, the applicant has committed to the following strategies:

- provision of a 50% subsidy on two-zone transit passes for all residential units within the development for 12 months;
- provision of one bike wash / bicycle repair room in the underground parkade including a repair stand, bike pump and washing station;
- provision of ten commuter bicycles to be held as common property for the benefit of residents;
- provision of twice the required residential bicycle parking spaces to be provided in secured residential bicycle lockers;
- provision of twice the required visitor bicycle parking spaces;
- provision of two electric vehicle and two Level 2 Electric Vehicle (EV) Charging Stations to be held as common property for the benefit of the residents, with a trust account containing sufficient funds for the strata corporation to cover the maintenance cost of the vehicles for a ten year period;
- provision of three parking stalls for public car share vehicles on-site;

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- provision of level 2 EV charging stations for 10% of the parking stalls; and,
- delivery of a communication strategy to be used in the marketing of the project and for the initial strata meeting to properly inform potential and new residents of the various traffic demand management benefits provided.

### 3.0 CONCLUSION

The development proposal for the subject rezoning application (Rezoning Reference #15-49) is for the construction of 313 residential units in a 36-storey apartment building, street-oriented townhouses on Dunblane Avenue and live-work townhouse units on Imperial Street and Nelson Avenue. The subject site is within the Council adopted Metrotown Development Plan area. The proposal is considered supportable given its consistency with the adopted Plan, its pursuance of high quality architecture and landscaping treatment, and its adherence to established City policies and programs.

This report presents information in regard to the issues raised at the Public Hearing. 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 #15-49.

Lou Pelletier, Director  
 PLANNING AND BUILDING

JD  
*Attachments*

cc: Director Engineering  
 Chief Building Inspector  
 City Solicitor  
 City Clerk

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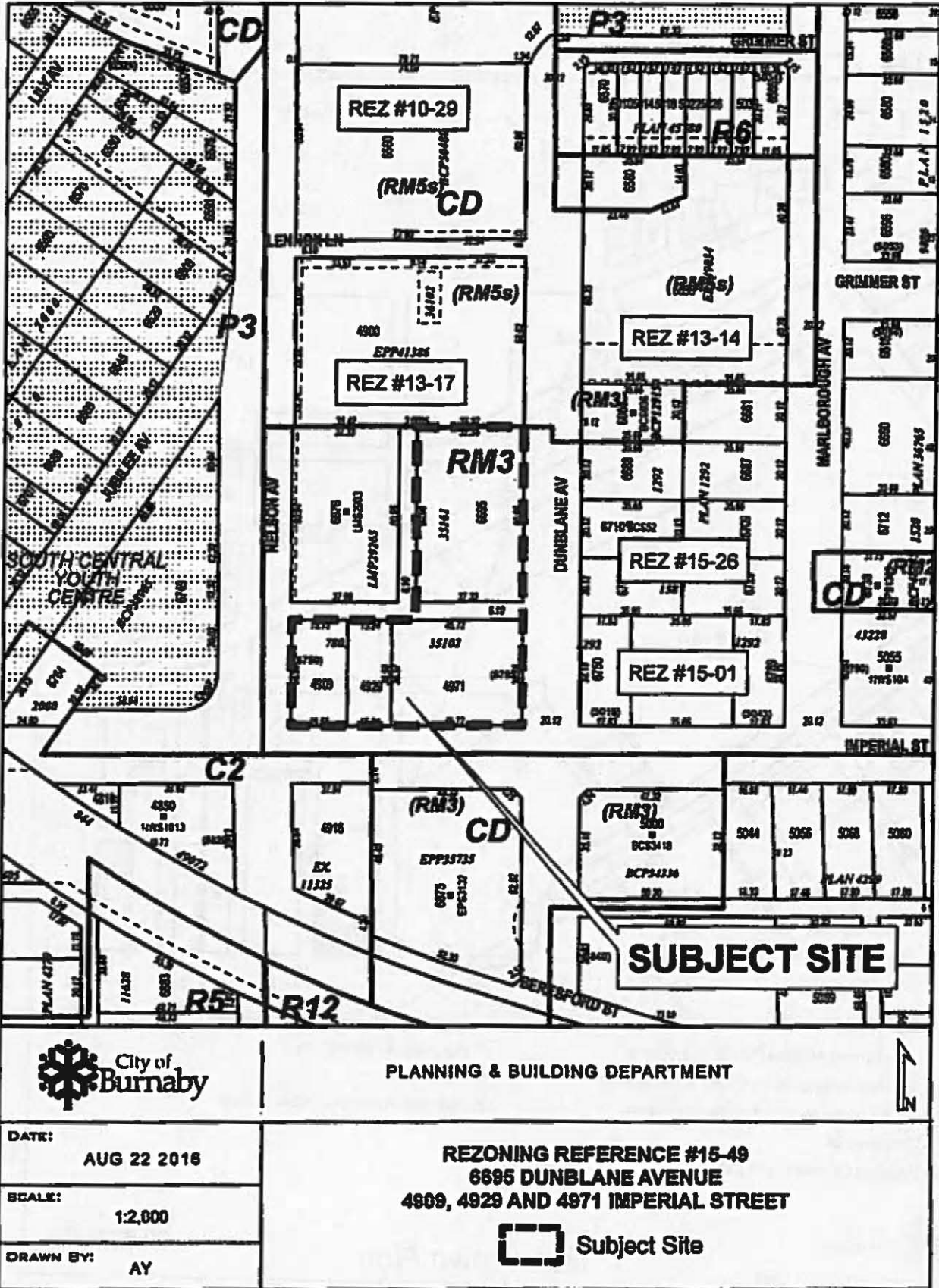
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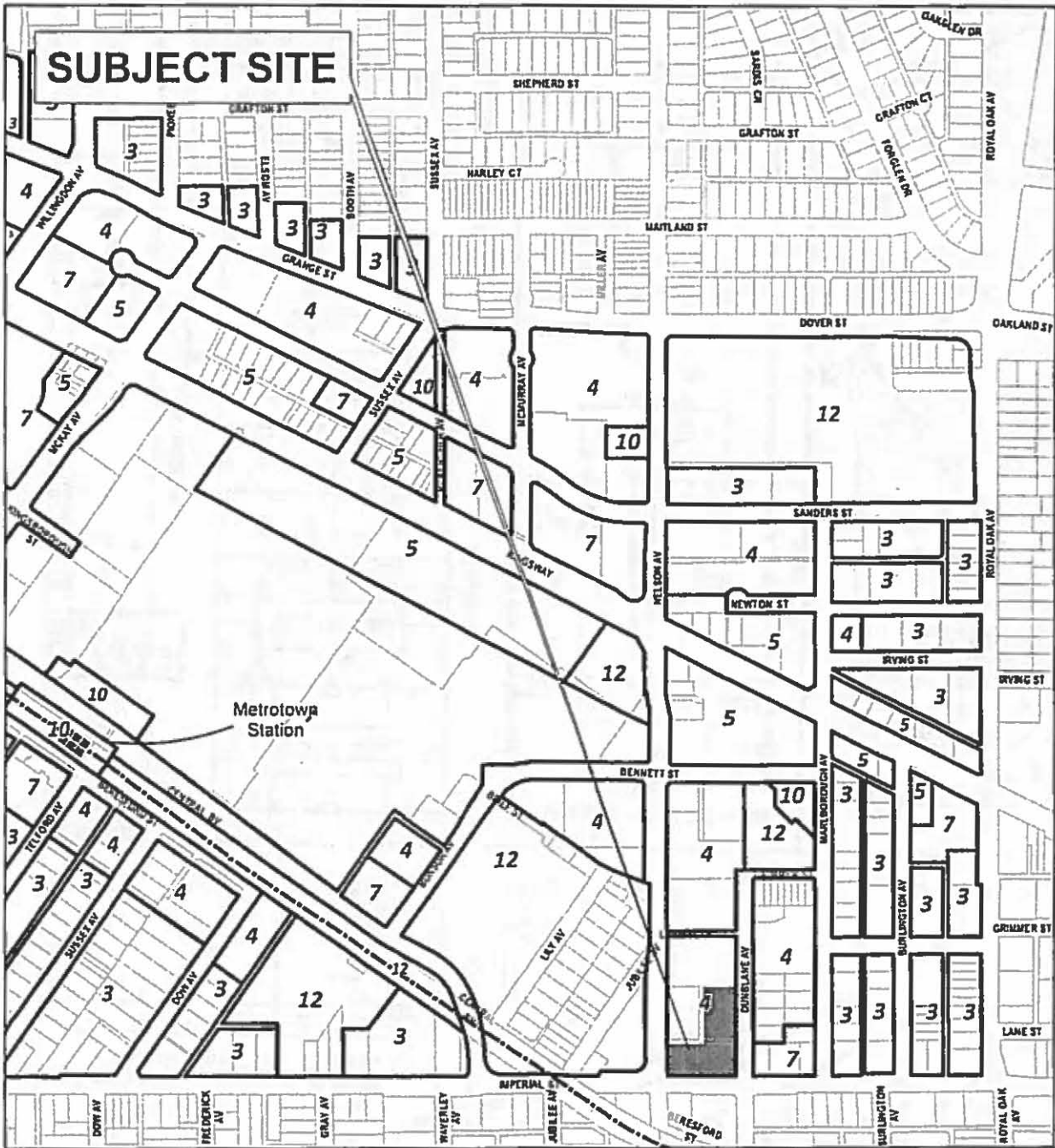
JD  
*Attachments*

cc: Director Engineering  
Chief Building Inspector  
City Solicitor  
City Clerk





Sketch #1

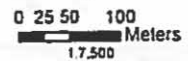


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|--|--------------------------------------|
| 2 Low Density Multiple Family Residential    | 7 High Density Mixed Use             |
| 3 Medium Density Multiple Family Residential | 10 Institutional                     |
| 4 High Density Multiple Family Residential   | 12 Park and Public Use/Public School |
| 5 Commercial                                 |                                      |
| 6 Medium Density Mixed Use                   |                                      |



City of Burnaby  
Planning and Building Dept

### Metrotown Plan



Printed on August 22, 2016

Sketch #2