

CITY OF BURNABY

PLANNING AND BUILDING REZONING REFERENCE #19-42 2019 OCTOBER 23

ITEM #07

1.0 GENERAL INFORMATION

- 1.1 Applicant:** Bosa Properties Inc.
1100-838 West Hastings St.
Vancouver, BC V6C 0A6
Attn: Philippe Lew
- 1.2 Subject:** Application for the rezoning of:
Parcel "A" (Explanatory Plan 24921) Lots 11 And 12 District Lot
153 Group 1 New Westminster District Plan 1191
Lot 13 District Lot 153 Group 1 New Westminster District Plan 1191
Lot 14 District Lot 153 Group 1 New Westminster District Plan 1191
Lot "B" District Lots 151 And 153 Group 1 New Westminster
District Plan 6950
- From:** R5 Residential District
- To:** CD Comprehensive Development District (based on RM5s and RM5r
Multifamily Residential District)
- 1.3 Address:** 5970, 5986, and 5994 Kathleen Avenue
- 1.4 Location:** The subject site is located on the south east corner of Kathleen Avenue and Kemp Street (Sketch #1 *attached*).
- 1.5 Size:** The site is rectangular in shape with a frontage of 46.95 m (154 ft.) on Kathleen Avenue and an area of approximately 1,418.82 m² (15,272 sq.ft.).
- 1.6 Services:** The Director Engineering will be requested to provide all relevant servicing information.
- 1.7 Rezoning Purpose:** The purpose of the proposed rezoning bylaw amendment is to permit the development of a single high-rise rental residential building with underground parking.

2.0 POLICY CONTEXT

The proposed rezoning application is consistent with the site's land use designation under the Council-adopted Metrotown Downtown Plan. It also aligns with the following goals and sub-goals of the Corporate Strategic Plan:

A Safe Community

- Transportation safety – Make City streets, pathways, trails and sidewalks safer.

A Connected Community

- Social Connection – Enhance social connections throughout Burnaby.
- Partnership - Work collaboratively with businesses, educational institutions, associations, other communities, and governments.

A Dynamic Community

- Community Development – Manage change by balancing economic development with environmental protection and maintaining a sense of belonging.

An Inclusive Community

- Create a sense of community – Provide opportunities that encourage and welcome all community members and create a sense of belonging.

3.0 NEIGHBOURHOOD CHARACTERISTICS

- 3.1 The subject site is comprised of four lots: 5970, 5986 (two legal lots), and 5994 Kathleen Avenue. All are currently zoned R5 Residential District. 5970 and 5994 Kathleen Avenue are currently improved with older single-family dwellings, while 5986 Kathleen Avenue is currently undeveloped. Vehicular access to all the lots is currently available from a rear lane.
- 3.2 Directly to the north of the subject site, across Kemp Street, is a gasoline service station and parking lot, both of which are designated for high-density commercial and multiple-family development. To the east across the lane is an older low-rise apartment complex that is designated for high-density, multiple-family development. To the south and west fronting Kathleen Avenue are 17 R5-zoned lots – some vacant and some improved with older single-family dwellings – that are also designated for high-density, multiple-family development, subject to a suitable site assembly. Six of the lots are owned by the City and eleven owned privately.

4.0 BACKGROUND INFORMATION

The subject development site is within the Central Park East Neighbourhood of the Metrotown Downtown Plan Area (see *attached* Sketch #2). The adopted Plan designates the site for high-density, multiple-family Comprehensive Development, utilizing the RM5s Multiple Family Residential District as guidelines. As well, in accordance with Council-adopted policy regarding rental use zoning, the inclusion of the RM5r Multiple Family Residential District in the proposed Comprehensive Development zoning is required to support the development of secured rental units. High quality architectural and urban design, a park-side character, exceptional public realm improvements, and a sustainable redevelopment approach are to be derived from the project.

5.0 GENERAL INFORMATION

- 5.1 The applicant is requesting rezoning of the subject site to the CD Comprehensive Development District (based on the RM5s Multiple Family Residential District and RM5r Multiple Family Residential District). The preliminary development concept is to develop a single high-rise rental residential building with underground parking accessed from the lane.
- 5.2 In accordance with the CD (RM5s) District, the applicant would achieve a maximum market residential density of 5.0 FAR, inclusive of the available 1.6 FAR amenity density bonus. The Realty and Lands Division of the Public Safety and Community Services Department will be requested to provide a per sq.ft. buildable estimate of value for the bonused density. A further report will be submitted to Council regarding the value of the bonused density.
- 5.3 Outright application of Council's recently adopted Rental Use Zoning Policy and Initial Implementation Framework (Stream 2 – Inclusionary Rental) would require the applicant to provide rental units using the CD (RM5r) District, with the minimum rental unit count to be equal to 20% of the market units achieved under the RM5s District, excluding units achieved using density offset. If all of the rental units required by the rental policy are offered at affordable rates (20% below Canada Mortgage and Housing Corporation [CMHC] average market rates) in order to help meet the City's housing affordability objectives, the applicant would have access to the full density offset available under the RM5s District.
- 5.4 The applicant has requested consideration of an alternative approach to meet the City's rental housing and affordable housing objectives. The applicant has indicated it is also the owner of 5977 Wilson Avenue, which is located in the Central Park North Neighbourhood of the Metrotown Downtown Plan Area, improved with an existing older rental building, and currently subject to Rezoning Reference #17-32. That rezoning initially proposed a 293 unit market residential high rise apartment building and townhouse podium, the amendment bylaw for which received Second Reading on 2017 June 11, and was scheduled to advance to Third Reading in early 2019. However, that application was ultimately referred back to staff for a revised development program – one that is in line with the now adopted Council policy regarding rental use zoning.

The applicant, having comprehensively reviewed the development opportunities on both the Wilson and Kathleen sites, is proposing that the Wilson site remain a market-only site and that the 65 secured rental units now required by Council policy on the Wilson site, plus 1.1 FAR (equal to the density offset that is generated by providing all 65 rental units at affordable rates), be transferred to the Kathleen site. The proposal would result in the following:

- The Wilson site would remain a market-only site with CD (RM5s) zoning and a development density of 5.0 FAR (270,135 sq.ft.). The architectural concept developed to-date would remain largely intact, but with some adjustments to development statistics such as unit count, unit mix, and parking provisions, necessitating a new Public Hearing.
- The Kathleen site would be a rental-only site with CD (RM5s, RM5r) zoning, and it will be required that this site achieve occupancy first, prior to the Wilson site. The 5.0 FAR associated with the CD (RM5s) zoning would be used fully for market rental units. Approximately 1.0 FAR of the 2.2 FAR available under the CD (RM5r) zoning would be used to provide 24 inclusionary rental units, in accordance with Council policy. As these 24 units are proposed to be offered at affordable rates, a further 1.1 FAR density offset is available, which would be used to support additional market rental units on the subject site. Finally, as aforementioned, the Kathleen site would absorb 65 secured rental units and 1.1 FAR transferred from the Wilson site. In total, the Kathleen site would have a development density of 13.94 FAR (212,861 sq.ft.) and a total of approximately 330 rental units, 89 of which would be offered at affordable rates (20% below CMHC average market rates).

A floor area ratio in this range is atypical and is derived from the site's gross lot area of 1,418.82 m² (15,272 sq.ft.). While this lot area falls below the minimum lot area specified in the RM5 District (1,670 m² [17,976 sq.ft.]), it is noted that a variation in minimum lot area is permitted under CD zoning and is considered supportable for several reasons. Most importantly, while efforts can be made to potentially include the adjacent property at 6006 Kathleen Avenue in the development assembly in order to meet outright requirements for minimum lot area, its potential inclusion would generate an additional 50 residential units, and the resultant tower would require an additional elevator. This would compromise the financial viability of the project as a rental-only development, particularly one offering over 25% of units at affordable rates. Furthermore, it is noted that the resultant gross floor area and tower form is comparable to other high rise buildings developed to-date in the Metrotown area, and the site is appropriately designated under the Metrotown Downtown Plan to accommodate the total proposed density. Given these circumstances, and in order to meet City objectives of delivering rental housing, especially those offered at affordable rates, the proposed variation in lot area is considered supportable.

Overall, the proposed development program for both the Wilson and Kathleen sites is considered supportable. A total of 89 affordable rental units would be delivered in accordance with Council policy, early delivery of a 100% rental building on the Kathleen site would be achieved, and the in-stream rezoning application for the Wilson site can remain largely intact. Staff would process the two rezoning applications in parallel, with a coordinated Final Adoption date to ensure concurrent registration of a density allocation covenant on both sites governing the density transfer arrangement described above. Staff

would also establish issuance of the occupancy permit for the rental development at the Kathleen site as a condition of occupancy for the market-only development at the Wilson site. Completion of the subject rezoning application will also be a prerequisite condition of the Wilson Avenue rezoning application (Rezoning Reference #17-32).

- 5.5 The Director Engineering will be requested to provide an estimate for all services necessary to serve this site, including but not necessarily limited to the following:
- construction of Kemp Street to its final Town Centre standard (two-lane collector);
 - construction of Kathleen Avenue to the final Town Centre standard (local standard);
 - provision of a 6.0 m statutory right-of-way along the south property line and construction of a new neighbourhood pedestrian/cycling linkage within it; and,
 - provision of storm, sanitary sewer, and water main upgrades as required.
- 5.6 3.0m x 3.0m corner truncation dedications are required on Kemp Street at Kathleen Avenue, and on Kemp Street at the rear lane.
- 5.7 While the Metrotown Downtown Plan indicates future closure of Kathleen Avenue at this location, retention of the street is needed in the interim for access to existing properties, and possibly also in the long term to preserve consolidation options while giving each parcel legal frontage for subdivision (consolidation) purposes. Notwithstanding, there may be potential to close a portion of the road allowance for consolidation with the subject site to support more efficient parkade design. This will be examined as part of further design development and the achievement of a suitable plan of development. Submission of a survey and road geometric for review and acceptance prior to the project's advancement to a Public Hearing is necessary to confirm any land that may be surplus to the City's needs.
- 5.8 The undergrounding of overhead wiring abutting the site on Kathleen Avenue and the rear lane is required.
- 5.9 Any necessary easements, covenants, and rights-of-way for the site are to be provided, including a Section 219 Covenant governing the density transfer arrangement described in Section 5.4 of this report.
- 5.10 A Housing Agreement and a Housing Covenant are required to regulate affordability measures for the affordable rental component of the development. A Housing Agreement Bylaw will also be required.
- 5.11 Given the extent of excavation anticipated for the subject development, the retention of existing trees onsite is unlikely. The applicant will be required to provide a tree survey to

determine the type and size of trees proposed for removal, and obtain a tree cutting permit for all trees over 20 cm (8 inches) in diameter.

- 5.12 In line with the City's adopted guidelines for adaptable housing, 20% of the apartment units within the proposed development will meet the City's adaptable housing standards.
- 5.13 Approval by the Engineering Environmental Services Division of a detailed plan of an engineered sediment control system will be required.
- 5.14 Approval by the Engineering Environmental Services Division of a suitable solid waste and resource storage facility plan will be required.
- 5.15 The provision of covered car wash stalls will be required. A detailed plan of the subject facility will need to be submitted to the Engineering Environmental Services Division for approval.
- 5.16 Storm water management best practices will be required in conjunction with this rezoning application.
- 5.17 The Parkland Acquisition, School Site Acquisition, GVS & DD Sewerage, and Regional Transportation Cost Charges are applicable to this application.
- 5.18 The proposed prerequisite conditions to the rezoning will be included in a future report.

6.0 RECOMMENDATION:

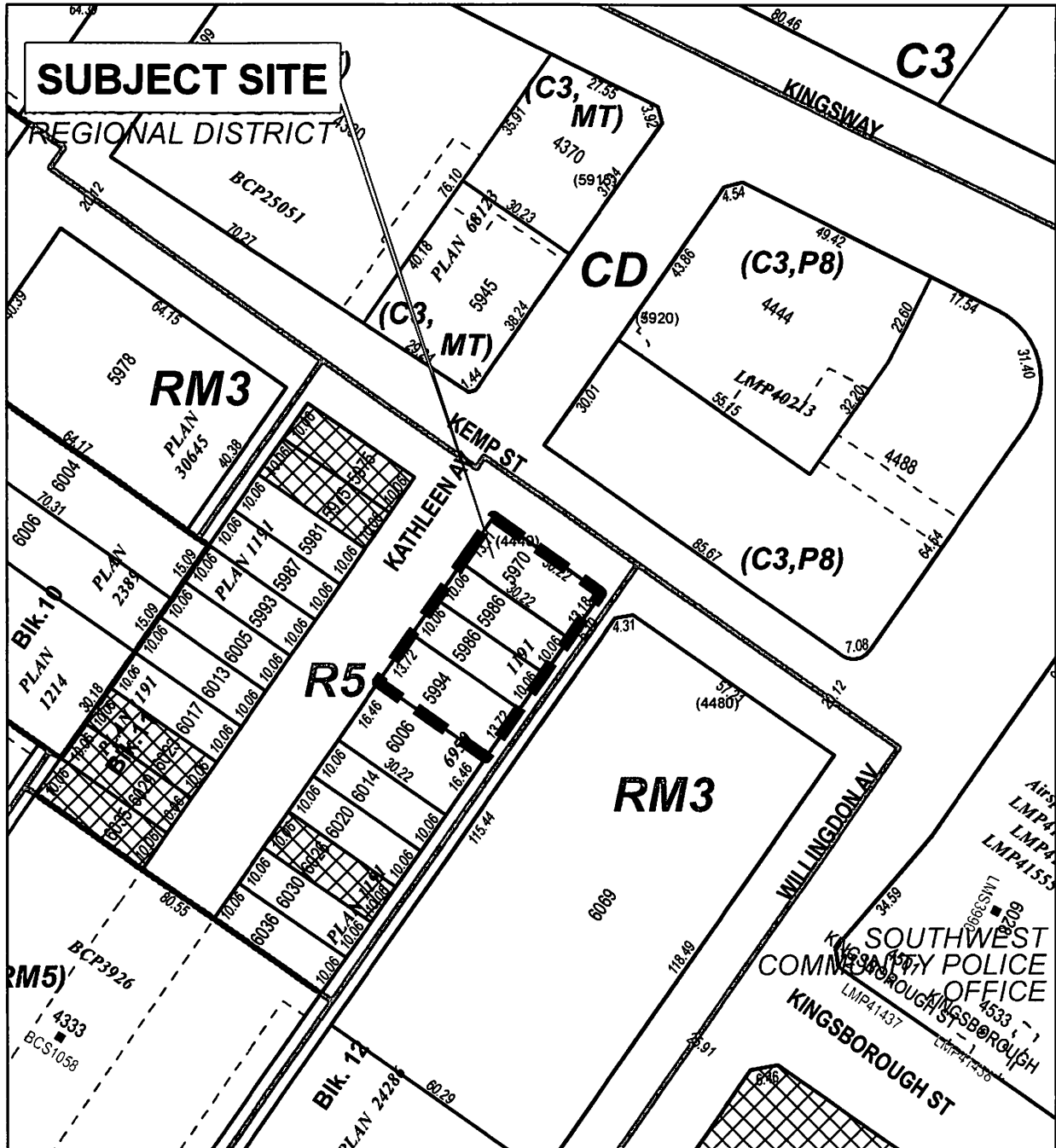
THAT the Planning and Building Department be authorized to continue to work with the applicant towards the preparation of a suitable plan of development for presentation to a Public Hearing on the understanding that a more detailed report will be submitted at a later date.



KH:tn

Attachments

cc: City Solicitor
City Clerk



PLANNING & BUILDING DEPARTMENT



Date:
OCT 16 2019

scale:
1:1,500

Drawn By:
PL

REZONING REFERENCE #19-42
5970, 5986 AND 5994 KATHLEEN AVENUE

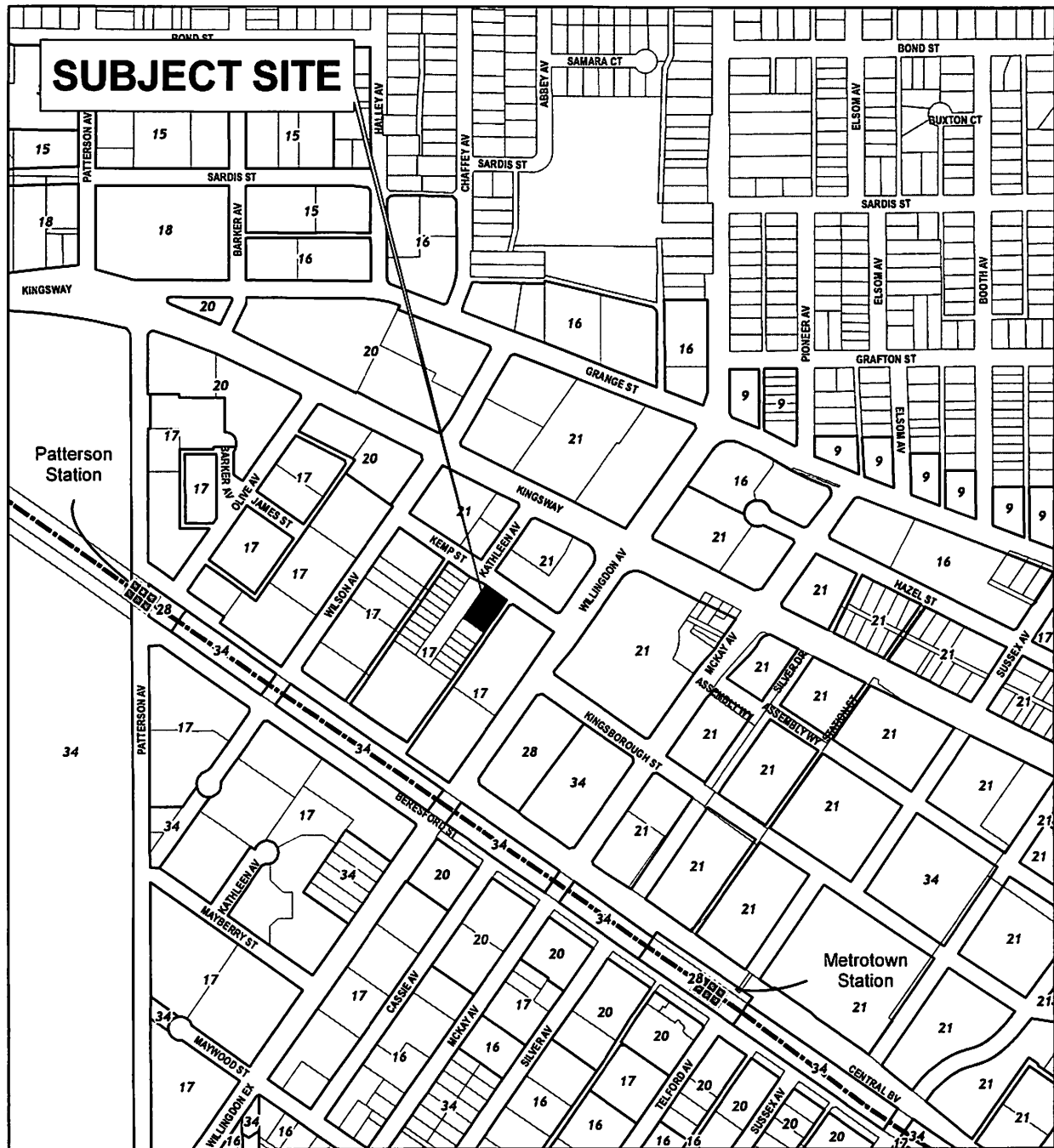


Subject Site



City-Owned Property

Sketch #1



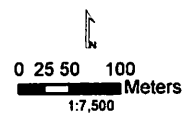
- 9** Medium Density Residential (RM3s)
- 15** High Density Residential (RM5)
- 16** High Density Residential (RM4s)
- 17** High Density Residential (RM5s)
- 18** High Density Mixed Use (RM4s/C2)
- 19** High Density Mixed Use (RM4s/C3)

- 20** High Density Mixed Use (RM5s/C2)
- 21** High Density Mixed Use (RM5s/C3)
- 28** Institutional
- 30** Public School (P3)
- 34** Park and Public Use (P3)



Planning and Building Dept

Metrotown Plan





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August 22, 2019

Ed Kozak, Director Planning and Building
Planning and Building Department
Burnaby City Hall
4949 Canada Way
Burnaby, BC
V5G 1M2

Re: Rezoning Letter of Intent
5970, 5986, and 5994 Kathleen Avenue, Burnaby BC

Dear Mr. Kozak,

Please accept this application on behalf of Bosa Properties to consolidate and rezone our sites at 5970, 5986, and 5994 Kathleen Avenue from the current R5 Residential District to the Multiple Family Residential District RM5s and RM5r. The project is comprised of an assembly of four parcels, bound by Kemp St. to the north, Kathleen Avenue to the west, and a lane to the east. We propose using RM5s Multiple Family Residential District and the Metrotown Downtown Plan as guidelines.

The subject property is located within the Central Park East neighbourhood within the Metrotown Downtown Plan. Two detached single-family dwellings currently exist on the sites and will be demolished subject to rezoning approval. Our intent in our rezoning application is to consolidate the four parcels into one site and develop a high-rise multi-family rental residential building to a height of approximately 32 storeys.

We plan to conform to the Rental Use Zoning Policy through the provision of a 1.0 FAR affordable housing component and through the replacement of the 62 dwelling units lost to the redevelopment at our neighbouring site at 5977 Wilson Avenue. Parking for the project will be located on several levels below-grade and accessed from the rear lane.

Thank you for your consideration of this rezoning request. Please do not hesitate to contact me should you have any questions. We look forward to working with the City towards the approval of this rezoning application.

Sincerely,

A handwritten signature in dark ink, appearing to read "Philippe Lew", written over a light blue horizontal line.

Philippe Lew
Development Manager