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

**FROM:** DIRECTOR PLANNING AND BUILDING **FILE:** 49500 20  
*Reference:* Rez# 17-30

**SUBJECT:** **REZONING REFERENCE #17-30**  
**HIGH RISE STRATA AND RENTAL DEVELOPMENT**  
**RESPONSE TO PUBLIC HEARING ISSUES**

**PURPOSE:** To respond to issues raised at the Public Hearing for Rezoning Reference #17-30.

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**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 #17-30.

**REPORT**

**1.0 BACKGROUND**

On 2019 November 19, a Public Hearing was held for Rezoning Reference #17-30. The subject rezoning application proposes a high-rise strata apartment building located on the southern portion of the site and a four storey affordable rental building located on the northern portion of the site, both fronting Marlborough Avenue (see *attached* Sketches #1 and #2). The proposed four-storey, 36 unit affordable rental building replaces the existing 36 rental units currently occupying the site.

At the Public Hearing, seven written and six verbal submissions were received in opposition from area residents and community advocates, concerning: the adoption of a new Tenant Assistance Policy prior to advancing development; the unaffordability of rents for displaced tenants; the number and size of replacement units required through redevelopment; area traffic; and, building height as it relates to shadowing/light and views. At the Public Hearing, Council requested that a staff report be submitted to provide further information on the issues raised. The following report addresses Council's request.

**2.0 ISSUES RAISED**

*Issue #1 – Tenant Assistance Policy*

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

*Response:*

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

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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.

***Issue #2 – Unaffordability of rents for displaced tenants***

Concerns have been raised related to the cost of rental units in Metrotown and for tenants displaced as a result of rezoning.

***Response:***

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 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.

***Issue #3 – Replacement units required on the subject site***

Concerns have been raised regarding the number of replacement units proposed in the subject rezoning and the size of the replacement units when compared to the existing units on the site.

***Response:***

The current rental building on the subject site accommodates 36 existing rental units. Under the adopted Rental Use Zoning Policy, the applicant is required to provide the greater of 1:1 replacement of the existing rental units (36), or the equivalent of 20% of the proposed strata units excluding units achieved using density offset (41). In this regard, the applicant is required to provide 41 rental units,

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which is equivalent of 20% of the proposed strata units excluding units achieved using density offset. The applicant has elected to provide additional rental units on site, beyond the 41 units required by the Policy, proposing to develop an additional 47 market rental units utilizing a further 0.99 FAR of the density available under the CD (RM4r) District in order to achieve additional rental units above the policy minimum. These additional units were originally proposed to be vacancy controlled, but given the passage of the Rental Use Zoning Policy, they could also be rent controlled to CMHC market median rents.

The objective of the Stream 1 – Rental Replacement policy is to replace the units lost to redevelopment and secure housing options for tenants that have been affected. The policy requires that the total number of existing units, whether occupied or vacant, be replaced and reflect the same unit mix as those lost to redevelopment. The rental replacement units for the proposed development includes a mix of studio, one-bedroom and two-bedroom units. With regard to unit size, current Zoning Bylaw regulations specify a minimum of 30m<sup>2</sup> (322.93 sq. ft.) for studio rental units, 56m<sup>2</sup> (538.21 sq. ft.) for one-bedroom rental units and, 65m<sup>2</sup> (699.68 sq. ft.) for two-bedroom rental units. In this regard, the proposal complies with the provisions of the Zoning Bylaw.

***Issue #4 – Increase in traffic***

Concerns were raised regarding increased traffic in the neighbourhood as a result of the proposed development.

***Response:***

The applicant is undertaking a Neighbourhood Transportation Study for the Marlborough neighbourhood, south of Kingsway, in the Metrotown Downtown Plan. The Neighbourhood Transportation 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 improvements (ie. traffic signals) that will be required in the neighbourhood. Any arising issues that result from the required study will be identified and resolved prior to Final Adoption.

***Issue #5 – Building height as it relates to shadowing/light and views***

Concerns were raised regarding the proposed height of the building as it relates to shadowing/solar access and views.

***Response:***

The proposed high-rise building is 34 storeys. It is sited 53.3 m (175 ft.) away from the nearest residential tower, which is 37 storeys and situated to the west at 6638 Dunblane Avenue. This well exceeds the minimum 100 ft. face-to-face tower separation that is sought by the urban design guidelines contained in the Metrotown Downtown Plan. It is also noted that the proposed tower floor plate is 625.9 m<sup>2</sup> (6,737 sq. ft.), which is less than the maximum 750 m<sup>2</sup> (8,100 sq. ft.) sought by the design guidelines.

While a tower 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,

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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.

### 3.0 CONCLUSION

The proposal for the subject rezoning application (Rezoning Reference #17-30) is for the development of a high-rise strata apartment building located on the southern portion of the site and a four storey affordable rental building located on the northern portion of the site, both fronting Marlborough Avenue (see *attached* Sketches #1 and #2).

This report provides information responding to questions raised at the Public Hearing, including those related to the adoption of a new Tenant Assistance Policy prior to advancing development; the affordability of rents for displaced tenants; concerns related to the number and size of replacement units required through redevelopment; concerns related to area traffic; and, concerns related to building height as they relate to shadowing/light and views. As a condition of Third Reading and Final Adoption of the rezoning, the applicant will be required to confirm that the application fully conforms to the Council Adopted Tenant Assistance Policy, and Rental Use Zoning Policy. Further, as a condition of Final Adoption, a Housing Agreement and Section 219 Covenant will be executed to secure approved rent levels, and to ensure that the rental component is not stratified. Financial security will be required to ensure that the conditions of the adopted Tenant Assistance Policy and its related relocation assistance for tenants is provided. A Neighbourhood Transportation Study for the area will be undertaken in order to identify any transportation-related improvements that will be required in the neighbourhood. Finally, the proposed plan of development, including building height and massing, has appropriately taken into consideration issues related to shadowing/solar access and views. In view of the above, the proposed multiple family strata and rental development 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 #17-30.

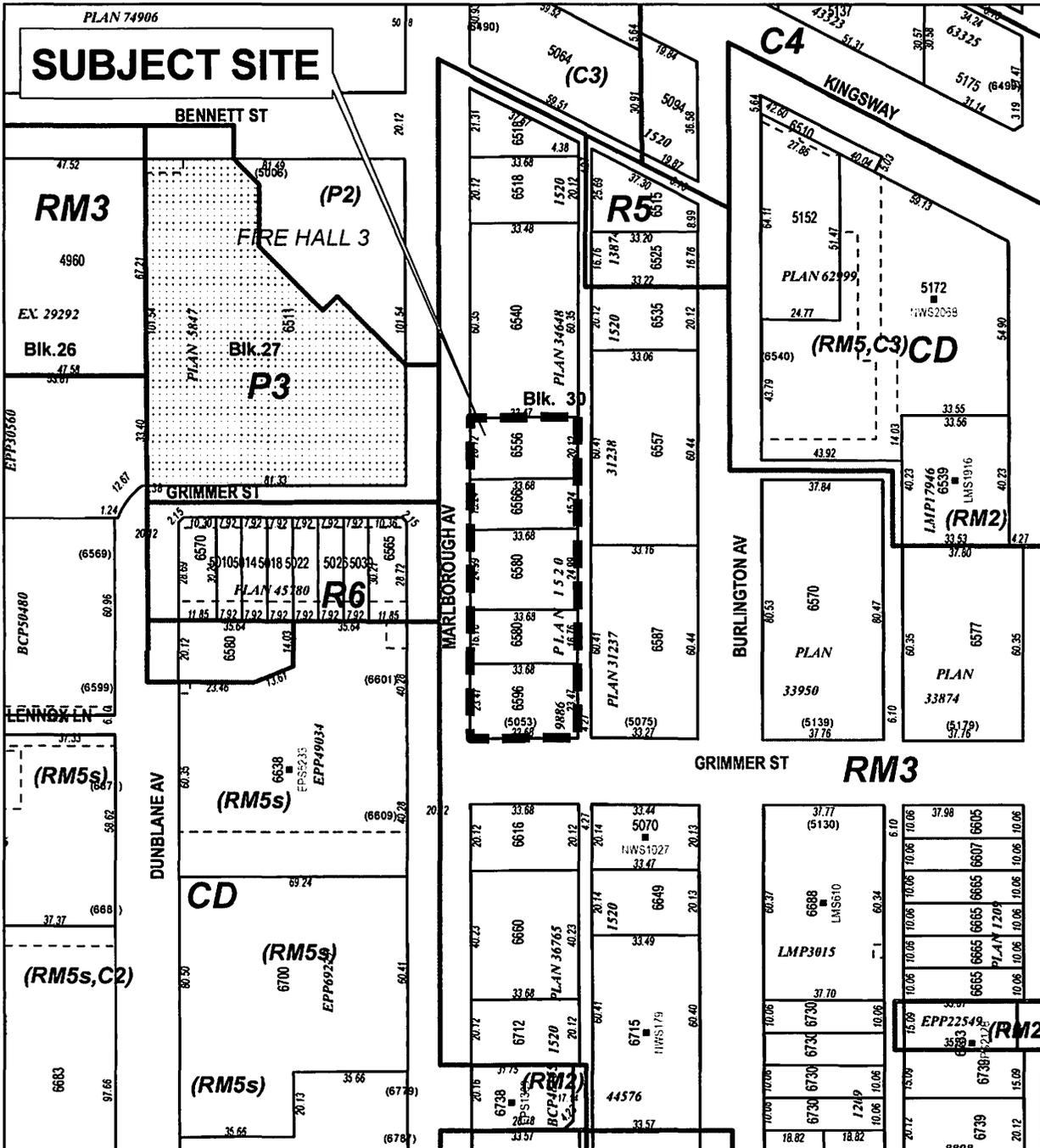


E.W. Kozak, Director  
PLANNING AND BUILDING

GT:tn

#### *Attachments*

cc: Director Corporate Services  
Chief Building Inspector  
City Clerk



PLANNING & BUILDING DEPARTMENT



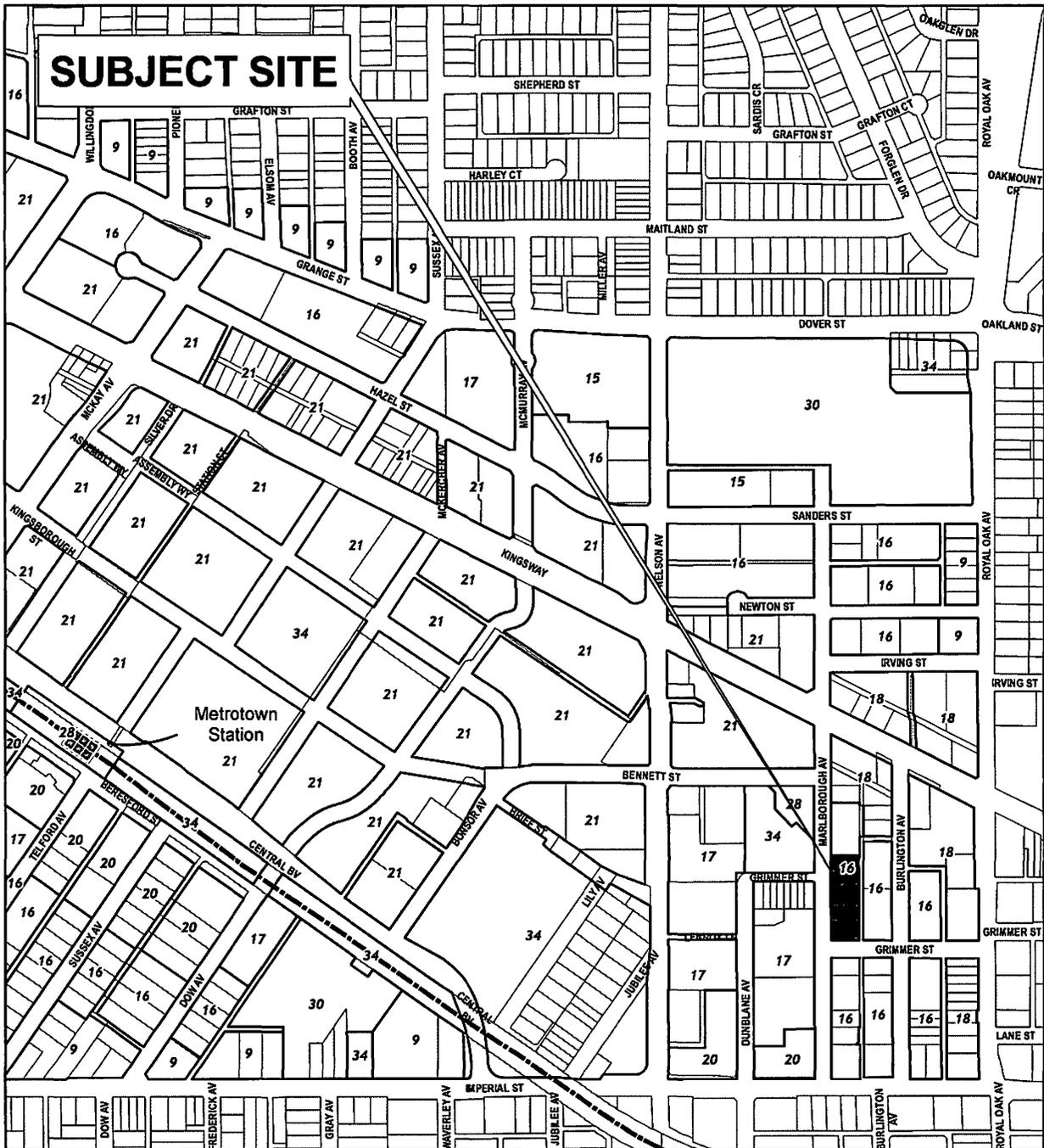
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REZONING REFERENCE #17-30  
6556, 6566, 6580 AND 6596 MARLBOROUGH AVENUE

 Subject Site

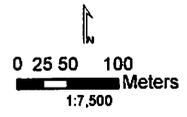


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| <b>9</b> Medium Density Residential (RM3s) | <b>20</b> High Density Mixed Use (RM5s/C2) |
| <b>15</b> High Density Residential (RM5)   | <b>21</b> High Density Mixed Use (RM5s/C3) |
| <b>16</b> High Density Residential (RM4s)  | <b>28</b> Institutional                    |
| <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

## Metrotown Plan



Printed on October 11, 2019

Sketch #2