



Item
Meeting..... 2021 October 25

COUNCIL REPORT

TO: CHIEF ADMINISTRATIVE OFFICER 2021 October 20

FROM: DIRECTOR PLANNING AND BUILDING

**SUBJECT: REZONING REFERENCE #19-51
Multiple-Family Infill Development
Montecito Community Plan**

ADDRESS: 1508 Hatton Avenue (see *attached* Sketches #1 and #2)

LEGAL: Lot 2 District Lot 135 Group 1 New Westminster District Plan 23651

FROM: R4 Residential District

TO: CD Comprehensive Development District (based on RM2 Multiple Family Residential District and the amended Montecito Community Plan as guidelines, and in accordance with the development plan entitled "Fourplex 1508 Hatton Avenue, Burnaby, B.C." by KGW Architecture)

APPLICANT: Interworld Properties Inc.
5407 Eglinton Street
Burnaby, BC V5G 2B4
Attn: Luda Artemieva

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2021 November 23.

RECOMMENDATIONS:

1. **THAT** an amendment to the Montecito Community Plan, as described in Section 4.8 of this report, be approved, to take effect upon the granting by Council of Second Reading of the Rezoning Bylaw related to the subject site.
2. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2021 October 25 and to a Public Hearing on 2021 November 23 at 5:00 p.m.
3. **THAT** the following be established as prerequisites to the completion of the rezoning:
 - a) The submission of a suitable plan of development.

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- b) The deposit of sufficient monies including a 4% Engineering Inspection Fee to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
- c) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
- d) The submission of an undertaking to remove all improvements prior to Final Adoption of the Bylaw. If requested, demolition may also be delayed to more closely coincide with approval of building permits.
- e) The granting of any necessary statutory rights-of-way, easements and/or covenants including, but not necessarily limited to, the granting of Section 219 Covenants restricting enclosure of balconies and ensuring any individual secured vehicle parking spaces allocated to a specific residential unit cannot be utilized for any other purpose.
- f) The review of a detailed Sediment Control System by the Director Corporate Services.
- g) The pursuance of Storm Water Management Best Practices in line with established guidelines.
- h) The provision of facilities for cyclists in accordance with Section 6.7 of this report.
- i) The deposit of the applicable Parkland Acquisition Charge.
- j) The deposit of the applicable GVS & DD Sewerage Charge.
- k) The deposit of the applicable School Site Acquisition Charge.
- l) The deposit of the applicable Regional Transportation Development Cost Charge.

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- m) The submission of a written undertaking to distribute area plan notification forms, prepared by the City, with disclosure statements; and, to post area plan notification signs, also prepared by the City, on the development site and in the sales office in prominent and visible locations prior to Third Reading, or at the time marketing for the subject development commences, whichever is first, and remain posted for a period of one year, or until such time that all units are sold, whichever is greater.

REPORT

1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit the construction of a four-unit multi-family residential development.

2.0 POLICY SECTION

The proposed rezoning and Montecito Community Plan amendment aligns with the following City policies: Corporate Strategic Plan (2017), Regional Context Statement (2013), Official Community Plan (1998) and the Mayor’s Task Force on Community Housing Final Report (2019).

3.0 BACKGROUND

- 3.1 On 2019 November 27, Council received the report of the Planning and Building Department concerning the rezoning of the subject site and authorized the Department to work with the applicant in the preparation of a suitable plan of development with the understanding that a further and more detailed report would be submitted at a later date.
- 3.2 The subject property is comprised of one lot located on the east side of Hatton Avenue, south of Kitchener Street (see *attached* Sketch #1). The site is currently improved with a single-family dwelling constructed in 1963. To the west across Hatton Avenue, immediately to the north, and to the east across a lane are single-family dwellings. Immediately to the south is a single-family dwelling, with a multiple-family development beyond.
- 3.3 The property is currently zoned R4 Residential District and is designated within the Council adopted Montecito Community Plan for low density multiple-family residential development, utilizing the RM1 District as a guideline (see Sketch #2 *attached*). The subject site is identified in the Plan as part of a 12-lot assembly with other R4 District properties that are bound by Hatton Avenue, Kitchener Street, and Augusta Avenue (see Sketch #1 *attached*).

3.4 The Montecito Community Plan was originally adopted in 1969 as Apartment Study Area E, and later updated in 1992 as Community Plan Seven. In both plan iterations the subject site was designated for Low Density Apartment Development, utilizing the RM1 Multiple Family Residential District as a guideline. While the RM1 District has been used for surrounding multiple family developments since 1969, no new development under the RM1 District in the Montecito area has been pursued since the mid-1980s. This is in part due to the fact that the RM1 District has a maximum allowable density of 0.45 FAR with surface parking, and 0.6 FAR with underground parking. This is the same density allowance, if not lower (depending on use), than the prevailing R4 District, which makes development of a single family or two family dwelling under the prevailing Zoning District simpler and more cost effective.

In order to encourage suitable development of the subject site, an amendment to the Montecito Plan for the R4 District zoned properties fronting Hatton Avenue, Kitchener Street and Augusta Avenue as shown in Sketch #1 *attached*, representing 12 properties in total, is proposed. The amendment to the designation from the RM1 District to the RM2 District is proposed to allow for infill development with little or no site consolidation, and retention of the existing lanes, to facilitate the development of small scale family-oriented townhouses (e.g. fourplexes). The proposed amendment is in line with the Mayor’s Task Force on Community Housing Quick Start #8, and Recommendation #1 to:

- simplify zoning and other requirements to increase the number of homes in more neighbourhoods; and,
- develop a plan for introducing new housing forms and family oriented housing in a variety of neighbourhoods.

3.5 On 30 August 2021, Council adopted a staff report endorsed by the Planning and Development Committee (PDC) proposing that an early public consultation process be completed to notify surrounding residents and property owners of the proposed Montecito Community Plan amendment. This process was intended to provide an opportunity for residents and property owners to learn more and provide feedback on the proposed amendment in advance of the subject rezoning application being forwarded to a Public Hearing. The public consultation process was completed in September 2021. Further details are provided in Section 5.0 of this report.

3.6 The applicant has submitted a plan of development suitable for presentation at a Public Hearing.

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4.0 GENERAL COMMENTS

- 4.1 The development proposal is for a two-storey plus cellar, infill, multiple-family residential development, with four units. The proposed density of the project is 0.7 FAR, and vehicular access to the site will continue to be from the rear lane. The proposed design includes an accessory detached garage located at the rear of the property which accommodates four parking spaces, and one separate surface visitor parking space.
- 4.2 The Director Engineering will be requested to prepare an estimate for all services necessary to serve this site.
- 4.3 As the proposed rezoning is for a four-unit infill development utilizing the RM2 District as a guideline, inclusionary rental requirements under the Rental Use Zoning Policy would not apply to this rezoning application, though it is strongly encouraged and has not been voluntarily pursued.
- 4.4 Any necessary easements, covenants, and statutory rights-of-way for the site are to be provided, including, but not necessarily limited to, Section 219 Covenants restricting enclosure of balconies and ensuring any individual secured vehicle parking spaces allocated to a specific residential unit cannot be utilized for any other purpose.
- 4.5 The Climate Action and Energy Division will need to review a submission of a detailed plan of an engineered Sediment Control System prior to Final Adoption.
- 4.6 Given the size of the site, storm water best management practices are acceptable in lieu of a formal storm water management plan.
- 4.7 Applicable development cost charges will include:
 - Parkland Acquisition Charge;
 - School Site Acquisition Charge;
 - GVS & DD Sewerage Charge; and,
 - Regional Transportation Development Cost Charge.
- 4.8 As noted above, to accommodate the proposed development, an amendment to the Montecito Community Plan from the RM1 District designation to the RM2 District is proposed for the 12 properties fronting Hatton Avenue, Kitchener Street, and Augusta Avenue as outlined in the *attached* Sketch #1. If supported, the proposed plan amendment would take effect upon the granting by Council of Second Reading of the Rezoning Bylaw related to the subject site.
- 4.9 It is noted that the Montecito Community Plan identifies two other RM1 designated enclaves to the west and northwest of the subject site. The Plan also identifies a portion

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of Augusta Avenue to be closed and consolidated with Greystone Park, which may potentially be impacted if the subject Community Plan amendment is approved, and a rezoning application for one of the properties facing Augusta Avenue is submitted to permit an RM2 development (e.g. a fourplex building). In the future, it is noted that if a rezoning application is received for one of the properties within these areas in the future, that additional amendments to the Plan related to future RM2 designations, or road closure for park purposes, be identified and brought forward for consideration at that time.

5.0 PUBLIC CONSULTATION

5.1 As noted above, staff conducted an early public consultation process to ensure that property owners and residents of the 12 properties subject to the proposed Montecito Plan amendment, as well as those in surrounding properties, were notified and given the opportunity to provide feedback and comments in advance of a Public Hearing for the subject rezoning. This process involved a virtual public open house session, which was hosted by staff on the evening of 2021 September 16, and an invitation to contact staff to ask questions and provide written comments.

The virtual open house session consisted of a presentation by staff, which provided background information and details of the proposed rezoning and amendment, followed by a discussion period in which staff addressed questions and comments from participants. To provide notification of the open house, staff mailed out notification letters to all residents and property owners within 30 metres (98.4 feet) of the block of 12 properties subject to the proposed amendment, with an invitation to register for the open house session and provide written comments. A total of 90 letters were mailed out over two weeks in advance of the open house, which was attended by approximately 10 participants. Following the open house session, staff continued to accept written follow-up comments on the proposed amendment and received a total of two written comments.

5.2 A report of the public consultation process and results is provided in *Appendix 1*. This report summarizes the following key issues raised by the public, followed by responses that address each:

- General concerns about densification in the neighbourhood, and potential impacts on traffic, parking and neighbourhood safety;
- Lack of overall maintenance and upgrading of public infrastructure in the area; and
- Concerns about the extent of public notification for the public consultation process.

5.3 It is noted that if the subject rezoning application is forwarded to a Public Hearing, the subsequent Public Hearing notification would also be mailed to all 12 properties on the subject block, in addition to all properties within a 30-metre radius of this block, exceeding standard Public Hearing mail-out requirements.

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6.0 DEVELOPMENT PROPOSAL

- 6.1 **Site Area** - 708.3 m² (7,624 sq.ft.)
- 6.2 **Site Coverage** - 41.3 %
- 6.3 **Density and Gross Floor Area**
 - Floor Area Ratio - 0.7 FAR
 - Gross Floor Area - 493.8 m² (5,315 sq.ft.)
- 6.4 **Residential Unit Mix**
 - 4 three-bedroom units - 122.9 m² to 123.7 m²
(1,322.4 sq.ft. to 1,331.3 sq.ft.)
- 6.5 **Building Height** - 2 storeys (plus cellar)
- 6.6 **Vehicle Parking**
 - 4 units @ 1 resident space per unit - 4 spaces plus 1 visitor space
- 6.7 **Bicycle Parking** - 8 spaces total

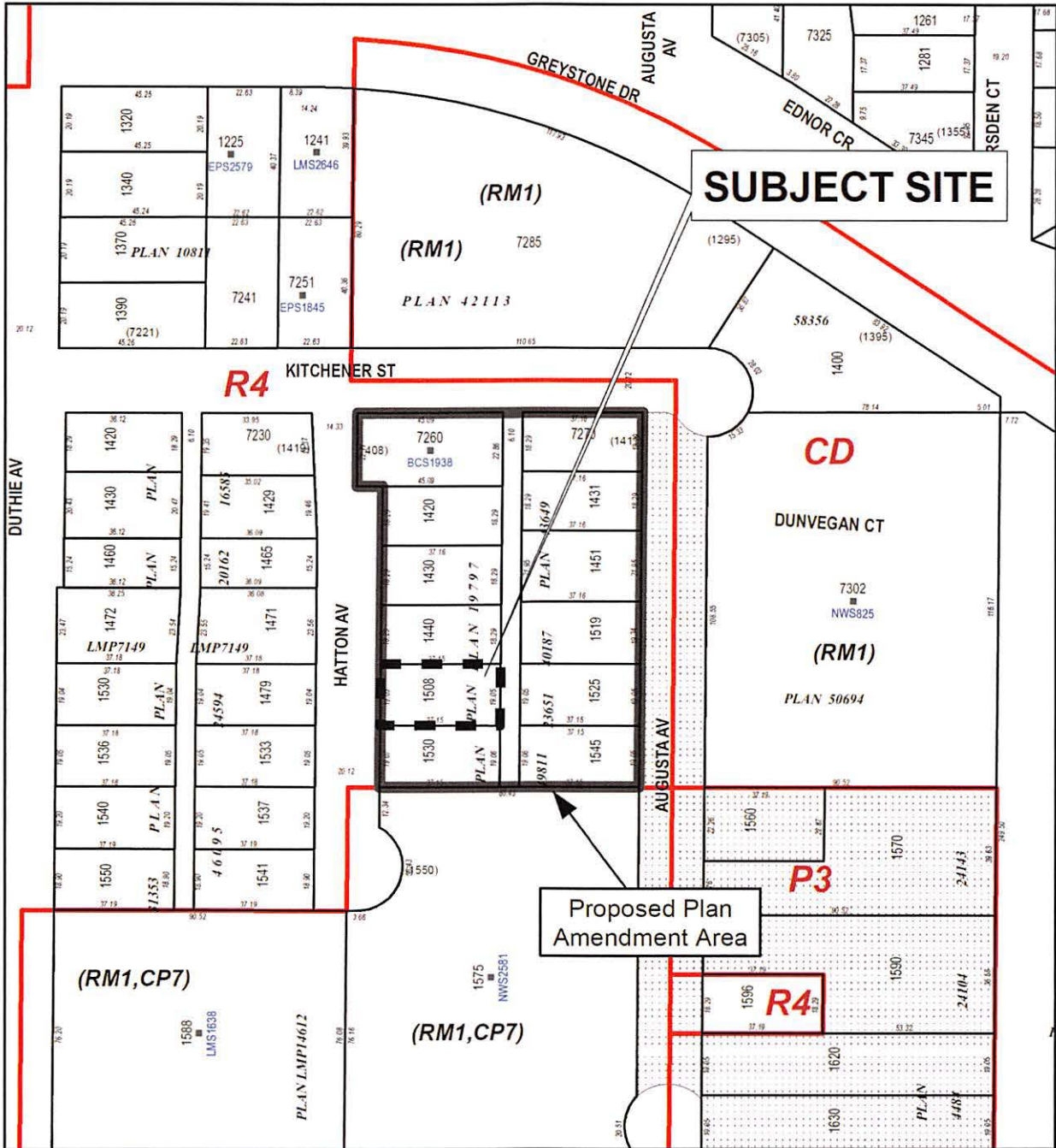



E.W. Kozak Director
PLANNING AND BUILDING

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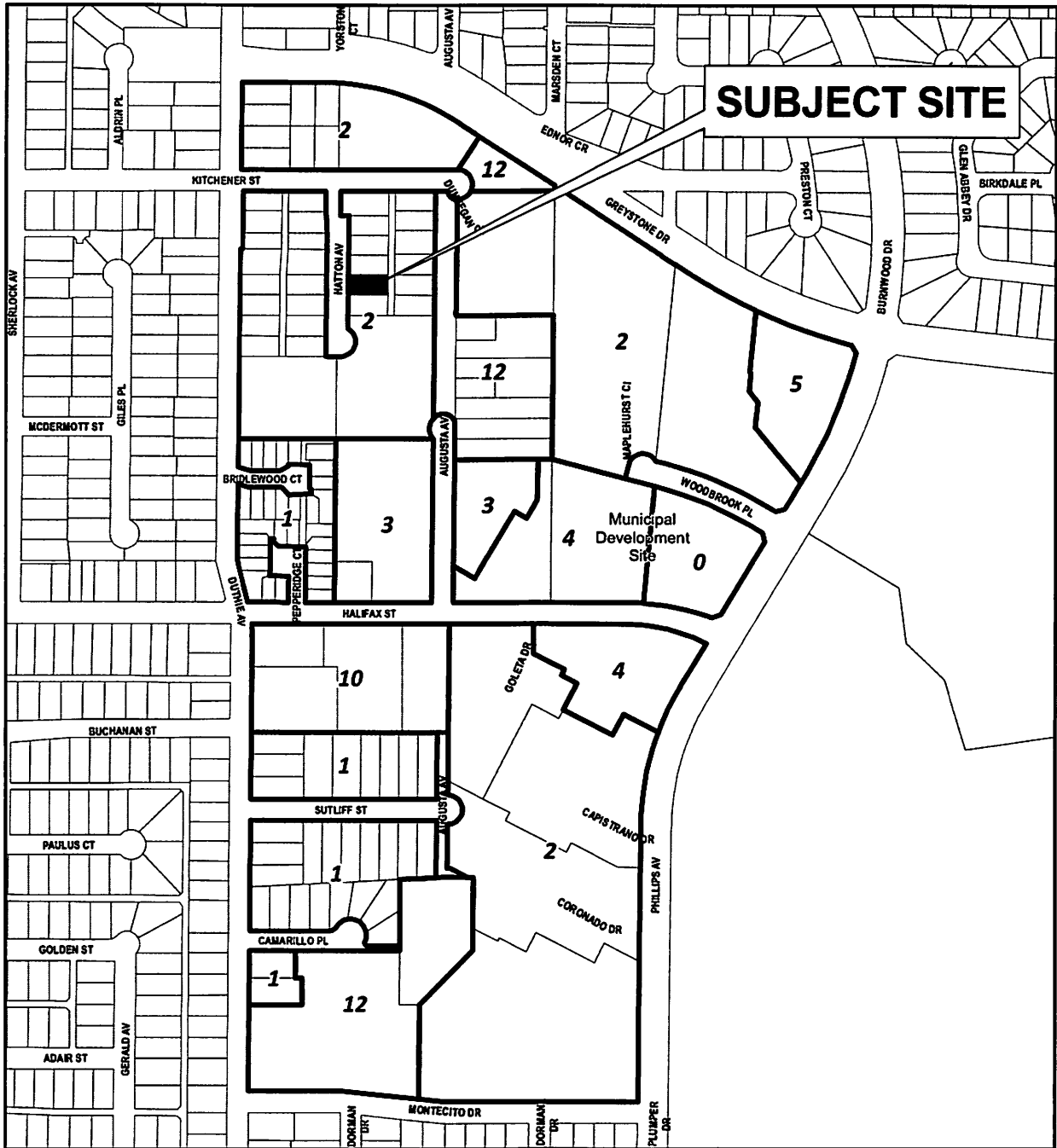
Attachments

cc: City Solicitor
City Clerk



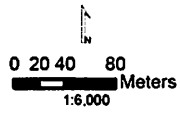
 <p>City of Burnaby</p>	<p>PLANNING & BUILDING DEPARTMENT</p> <p style="text-align: right;">↑ N</p>
<p>Date: MAR 15 2021</p>	<p style="text-align: center;">REZONING REFERENCE #19-51 1508 HATTON AVENUE</p>
<p>scale: 1:2,000</p>	<p>  Subject Site  Proposed Plan Amendment Area </p>
<p>Drawn By: RW</p>	<p>  Park Designation </p>

Sketch #1



- | | |
|---|---|
| 1 Single and Two Family Residential | 5 Commercial |
| 2 Low Density Multiple Family Residential | 10 Institutional |
| 3 Medium Density Multiple Family Residential | 12 Park and Public Use/Public School |
| 4 High Density Multiple Family Residential | |

MONTECITO PLAN



Public Consultation Summary Proposed Montecito Community Plan Amendment

Overview:

Staff conducted an early public consultation process with residents and homeowners in and around the block of 12 properties subject to the Montecito Community Plan amendment that is being proposed in association with the rezoning application for 1508 Hatton Avenue (Rezoning Reference #19-51). The amendment proposes to re-designate the 12 properties fronting Hatton Avenue, Kitchener Street and Augusta Avenue from the RM1 District to the RM2 District, to allow for infill development with little or no site consolidation, and retention of the existing lane, to facilitate the development of small scale family-oriented townhouses (e.g. fourplexes).

The public consultation process involved the following:

1. A total of 90 letters were mailed to residents and property owners within a 30 metre (98.4 feet) radius of the block of 12 properties subject to the proposed amendment, to notify them of the proposed amendment, invite them to register for a virtual public open house on the evening of 16 September 2021, and to contact staff to ask questions and provide written comments. All letters were mailed over two weeks in advance of the open house date.
2. The virtual public open house was hosted by staff between 5:30pm and approximately 6:30pm on the evening of Thursday, 16 September 2021. Approximately 10 individuals attended and remained logged in for the duration of the open house. The session involved a presentation by staff outlining the background, details and implications of the proposed amendment, followed by a question and answer period. Following the session, staff accepted follow-up written comments from the public. Staff received two written comments from the public.

Provided below is a summary of the key topics raised by residents and property owners during the public consultation process:

Issue #1 - General concerns about densification in the neighbourhood, and potential impacts on traffic, parking and neighbourhood safety

Several participants expressed concern about introducing more density to the subject block and the potential impact the proposed amendment would have on increased traffic, parking demand, and traffic safety in the neighbourhood. Pertaining to the proposed rezoning at 1508 Hatton Avenue, some participants felt that four parking spaces (1 per dwelling unit) was insufficient, and expressed concerns about increased traffic if the neighbourhood if the amendment was approved and other properties on the block were rezoned to allow for similar multi-family residential developments.

Response:

- The proposed rezoning at 1508 Hatton Avenue and the proposed Montecito Community Plan amendment are aligned with the Mayor's Task Force on Community Housing, which calls for gentle densification of existing neighbourhoods to introduce new housing forms and family oriented housing in a variety of neighbourhoods.
- Each rezoning application is reviewed by City staff from various Departments. Part of these reviews include an assessment of potential impacts that new proposed land uses would have on existing traffic demand, street networks, servicing infrastructure, and other components of the public realm, and whether off-site servicing and infrastructure upgrades would be necessary.

- The proposed rezoning at 1508 Hatton Avenue is proposing four off-street parking spaces (one per unit), in addition to one visitor parking space, to mitigate the demand for on-street parking. In the future, if the amendment is approved and other rezoning applications are submitted for a similar type of development on the same block, the provision of off-street parking spaces would be assessed separately as part of each rezoning.
- Should the proposed rezoning and amendment be approved by Council, the north-south rear lane on the subject block would remain. All vehicular access would be restricted to the lane. This eliminates the need for driveways on Hatton Avenue, Kitchener Street, or Augusta Avenue, which is advantageous from a traffic and pedestrian safety standpoint.

Issue #2 - Lack of overall maintenance and upgrading of public infrastructure (e.g. sidewalks, street lighting) in the area over the years

Participants noted that compared to other similar residential areas in Burnaby, the Montecito neighbourhood has experienced an overall lack of maintenance and upgrades to public infrastructure such as sidewalks and street lighting over the years. This has led to increased incidences of crime such as vehicle break-ins, and other safety concerns.

Response:

- It is noted that as part of each rezoning application, the proposed development is assessed for necessary servicing and street frontage upgrades along the subject property frontage, which the applicant would be responsible for designing and constructing, or providing a cash contribution for future works.
- Should this rezoning application be granted 2nd Reading, staff can continue to assess potential options to provide sidewalk and street lighting infrastructure upgrades along Hatton Avenue as part of the subject rezoning requirements. This could include exploring options for interim works or a latecomer agreement for the completion of extended sidewalk and street lighting infrastructure works beyond the subject site frontage, which would benefit surrounding properties along Hatton Avenue and the wider neighbourhood. If this is a feasible option, it may involve securing a statutory right-of-way (SRW) agreement or acquisition of a portion of land from the duplex property at 1408 Hatton Avenue / 7260 Kitchener Avenue, which would be negotiated separately with the property owners.

Issue #3 - Concerns about the extent of public notification

Some participants expressed concern about the extent to which the public consultation process and virtual open house was advertised to surrounding residents and property owners.

Response:

- The notification procedure for the public consultation process expanded upon the standard mail-out notification procedure in advance of Public Hearings, in which notices were mailed to all property owners and residents within a 30 metre (98.4 feet) radius of the block subject to the proposed amendment.
- It is noted that should Council advance the rezoning application for 1508 Hatton Avenue to a Public Hearing, a separate round of public notification would occur in advance of the Public Hearing date, including advertisements in the local newspaper, separate mailed notification letters, and the installation of signage at the subject site.