

TO: MAYOR & COUNCILLORS
FROM: GENERAL MANAGER PLANNING AND DEVELOPMENT
SUBJECT: **REZ #24-06 – 4657 KINGSWAY – COMMERCIAL PODIUM REVISIONS**
PURPOSE: To seek Council authorization to forward REZ #24-06 to First and Second Reading at a future Council meeting.

REFERENCES

Address: 4657 Kingsway
Legal: PID: 031-968-724
Lot 1 District Lot 153 Group 1 New Westminster District Plan
EPP118834
Applicant: Anthem Properties Group Ltd.
1100 – 1055 Dunsmuir Street, Vancouver, BC V7X 1K8
Attention: Chris Carter
Current Zoning: CD Comprehensive Development District (based on RM5s/RM5r Multiple Family Residential District, C3 General Commercial District and Metrotown Downtown Plan as guidelines and in accordance with the development plan entitled “Metro King” prepared by Chris Dikeakos Architecture Inc.)
Proposed Zoning: Amended CD Comprehensive Development District (based on RM5s/RM5r Multiple Family Residential District, C3 General Commercial District and Metrotown Downtown Plan as guidelines, and in accordance with the development plan entitled “Commercial Podium Revisions” prepared by Chris Dikeakos Architects Inc.)

RECOMMENDATION

THAT a Rezoning Bylaw for REZ #24-06 be prepared and advanced to First and Second Reading at a future Council meeting;

THAT a Public Hearing not be held for the Rezoning Bylaw for REZ #24-06, as it is consistent with the Burnaby Official Community Plan; and

THAT the items listed in **Attachment 3** – Rezoning Prerequisites to the report titled “REZ #24-06 – 4657 Kingsway – Commercial Podium Revisions” dated June 24, 2024, be established as prerequisites to consideration of Final Adoption of the Rezoning Bylaw for REZ #24-06.

EXECUTIVE SUMMARY

A rezoning application has been received in order to permit the addition of hotel use within the commercial floor area of the development previously approved under REZ #19-64. The proposed change also includes a minor revision to the setbacks of the commercial podium to allow for the addition of windows on the western facade. The purpose of this report is to provide Council with information on the proposal and to recommend that the Rezoning Bylaw be brought forward for First and Second Reading at a future date of Council.

1.0 POLICY SECTION

The proposed rezoning application is consistent with the following policies and plans adopted by Council:

- Corporate Strategic Plan (2022),
- Regional Context Statement (2013),
- Official Community Plan (1998),
- Metrotown Downtown Plan (2017),
- Economic Development Strategy (2007),
- Social Sustainability Strategy (2016),
- Transportation Plan (2021), and
- Rental Use Zoning Policy (2020).

2.0 BACKGROUND

- 2.1 The subject development site is located in the 4600 block of Kingsway and Hazel Street, and is designated for high-density mixed-use development within the Metrotown Downtown Plan, and Town Centre within the Official Community Plan (see **Attachment 1** – REZ #24-06: Sketch #1 and Sketch #2). The subject site is currently vacant.
- 2.2 Approved under Rezoning Reference #19-64, the subject site was rezoned to CD Comprehensive Development District (based on the RM5s and RM5r Multiple Family Residential Districts and C3 General Commercial District as guidelines) to permit the construction of a 66-storey high-rise mixed-use tower comprised of a 7-storey commercial office podium above ground level commercial retail units, and mixed-tenure residential uses above. This rezoning application received Final Adoption from Council on June 5, 2023. Excavation for this approved development is anticipated to begin in Fall of 2024.
- 2.3 On June 10, 2024, Council received an initial report for the subject site, which proposed to amend the Comprehensive Development Plan approved under REZ#19-64 to revise the commercial podium and allow for the inclusion of hotel and all suite hotel uses within the permitted commercial floor area.

2.4 The applicant has now submitted a plan of development suitable for First and Second Reading of the Rezoning Bylaw.

3.0 GENERAL INFORMATION

3.1 The development approved under REZ#19-64 contains a 7-storey commercial office podium above double height ground-oriented retail units fronting Kingsway. Immediately to the east is a 6.1 m laneway which was dedicated to the City as part of the rezoning application for the purpose of creating a north-south mid-block connection. Immediately to the west of the site are a series of commercial properties which are also designated for high-density mixed-use development under the Metrotown Downtown Plan, subject to a suitable assembly. In the original rezoning, the applicant assumed a zero-lot line condition (up to 9-storeys) between the subject development site and a future development assembly to the west.

3.2 To allow for windows to be installed on the west façade of the commercial podium, the proposal is to step back levels 5 to 9 by 1.5 m (5 ft.) from the western property line. A continuous street wall and zero lot line condition will be maintained from the ground level up to level 4. The four storey zero lot line allows for future development to the west to extend a continuous street wall along Kingsway for an inviting pedestrian experience, and the required building separation between these two sites on level 5 and above will establish a visually intriguing built form on the block. These design changes do not limit the potential for surrounding sites to pursue high-density, mixed-use development in line the Metrotown Downtown Plan.

3.3 In addition to the proposed change to the western façade of the commercial podium, the applicant is proposing flexibility within the Comprehensive Development plans to facilitate the potential conversion of the permitted commercial office space (approved under REZ#19-64) to a hotel use (all suite hotel or regular hotel) at a later date. Should Council support this flexibility, alternate floor plans which envision the office component of the development as a future hotel use have been included in the suitable plan of development. Should the applicant choose to follow through with the conversion from office use to hotel use, a Preliminary Plan Approval or Development Permit, and any hotel-related legal agreements, would be required. The proposed hotel use option for the subject site, using the C3 General Commercial District as guidelines, is in line with the Metrotown Downtown Plan.

3.4 The proposed hotel concept would require minor changes to account for hotel operational requirements. For example, in addition to changes at the ground-level for the purposes of creating a hotel lobby and hotel managers office, a back-of-house area would be added to level 3 and a gym and breakfast lounge area would be added for hotel guests on level 4. Commercial employees (including Hotel employees) would continue to have access to end-of-trip facilities and bike storage. As there is no additional floor area being added and no changes to the

residential component of the development are proposed, no further servicing will be required in connection with the subject rezoning application.

- 3.5 As this rezoning application adds a supportive commercial use to a previously approved development that is at an advanced stage of building design, more contemporary city policies and regulations including, but not necessarily limited to district energy, green building, end-of-trip facilities, and non-residential EV requirements will not be a requirement of this rezoning application.
- 3.6 As this proposal would reduce the extent of the zero-lot line condition between the subject site and the future development assembly to the west, between L5 to L9 on the podium, the public art strategy for the subject site will need to be revisited. As part of the original rezoning, a temporary mural was proposed as a piece of public art for the site along the 9-storey zero lot line condition until such time that development to the west completed and covered it up, creating a consistent street wall. As the size and space for such a mural would be reduced significantly under this new proposal, staff will work with the applicant on a revised public art plan which includes a permanent art contribution on site.
- 3.7 No additional development density or changes to the residential component of the development approved under REZ#19-64 are proposed as part of this application. The proposed parking for the commercial and hotel component of the proposal meets current off-street Zoning Bylaw parking requirements. A more detailed summary of the proposed revisions is provided in **Attachment 2 – REZ #24-06: Development Statistics**. The rates and number of vehicle parking and loading spaces may be varied in line with the final arrangement of uses proposed, provided the number of spaces complies with those identified in **Attachment 2 – REZ#24-06** or the Burnaby Zoning Bylaw, as amended from time to time.
- 3.8 The required prerequisites to the adoption of the rezoning are listed in **Attachment 3 – REZ #24-06: Rezoning Prerequisites**.

4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

On December 11, 2023, Council directed staff to include a recommendation to not hold a Public Hearing for rezoning applications that have less than 50% residential uses and that are consistent with the Burnaby Official Community Plan (OCP). This is authorized by section 464(2) of the *Local Government Act*. As this application is consistent with the OCP, it is recommended that a Public Hearing not be held.

Although a Public Hearing is proposed to not be held, public notice of the Rezoning Bylaw for REZ #24-06 will be completed prior to bringing forward the Rezoning Bylaw for First Reading, in accordance with section 467 of the *Local Government Act*, the City’s Public Notice Bylaw and Council policy. City staff will mail a notice to those properties that are within a 30 m radius of the subject site. A public notice will also be published on the City’s website, distributed as part of the City’s online newsletter, and a sign regarding the proposal will be posted on the site.

5.0 FINANCIAL CONSIDERATIONS

There are no financial considerations specifically related to this rezoning proposal.

Respectfully submitted,
E. W. Kozak, General Manager Planning and Development

ATTACHMENTS

- Attachment 1 – REZ #24-06: Sketch #1 and Sketch #2
- Attachment 2 – REZ #24-06: Development Statistics
- Attachment 3 – REZ #24-06: Rezoning Prerequisites

REPORT CONTRIBUTORS

This report was prepared by Michael Phillips, Development Planner, and reviewed by Jesse Dill, Director Development.