

TO: MAYOR & COUNCILLORS

FROM: GENERAL MANAGER PLANNING AND DEVELOPMENT

SUBJECT: REZ #20-26 – 3460 KALYK AVENUE – PROPOSED ALTERATIONS TO RESIDENTIAL CARE AND SENIORS’ SUPPORTIVE HOUSING FACILITY, WITH ASSOCIATED AMENITIES AND CHILD CARE, FOLLOWING PUBLIC HEARING

PURPOSE: To seek Council approval to amend the suitable plan of development for REZ #20-26 following Public Hearing by rescinding Third Reading of the rezoning bylaw, amending the bylaw, and reintroducing the bylaw for Third Reading.

REFERENCES

Address: 3460 Kalyk Avenue
Legal: PID: 007-258-933
Lot 123 District Lot 68 Group 1 New Westminster District Plan 44159
Applicant: Pacific Place Seniors Living Inc.
1656 West 75th Avenue
Vancouver, BC V6P 6G2
Attention: Angela Wong
Current Zoning: P5 Community Institutional District
Proposed Zoning: Comprehensive Development District (based on P5 Community Institutional District, RM3r Multiple Family Residential District, C1 Neighbourhood Commercial District, and Broadview Community Plan as guidelines, and in accordance with the development plan entitled “Amended Development Plan – Cascade Gardens Seniors Community” prepared by Arcadis)

RECOMMENDATIONS

THAT the rescinding of Third Reading of Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 28, 2022 (Bylaw No. 14473) be brought forward at the August 26, 2024 Open Council meeting;

THAT the alterations to the suitable plan of development for REZ #20-26, as set out in the report titled “REZ #20-26 – 3460 Kalyk Avenue – Proposed Alterations to Residential Care and Seniors’ Supportive Housing Facility, with Associated Amenities and Child Care, Following Public Hearing” dated August 26, 2024, be approved;

THAT the City Solicitor be authorized to bring forward Bylaw No. 14473 with an amended development plan reflecting these alterations for Third Reading; and

THAT a Housing Agreement be authorized according to the terms outlined in Section 3.5 of the report, and the City Solicitor be authorized to bring forward a Housing Agreement Bylaw for Final Adoption concurrently with Final Adoption of the Rezoning Bylaw for REZ #20-26.

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),
- Broadview Community Plan (1982),
- Social Sustainability Strategy (2011),
- “HOME: Housing and Homelessness Strategy” (2021),
- Burnaby Housing Needs Report, and
- Rental Use Zoning Policy.

2.0 BACKGROUND

- 2.1 On June 20, 2022, Council received a report recommending a Public Hearing for the subject rezoning application, which proposes rezoning to the Comprehensive Development District based on the P5 Community Institutional District, RM3r Multiple Family Residential District, and C1 Neighbourhood Commercial District. The proposed development, located at 3460 Kalyk Avenue in the Broadview Community Plan area (see **Attachment 1** - Sketch 1 and Sketch 2) is comprised of 100 units of seniors’ supportive housing, 145 residential care beds (with the care beds to potentially be constructed in two phases), a child care facility with outdoor play area, a hair salon, a medical clinic, and a pharmacy. Forty percent of the supportive housing units (40 units) were proposed to be rented at 20% below the CMHC market median rate.
- 2.2 On July 26, 2022, a Public Hearing was held for Rezoning Reference #20-26 in order to permit the proposed development. On August 29, 2022, Council granted Second Reading of the Rezoning Bylaw, and on September 25, 2023, Council granted Third Reading.

The purpose of this report is to provide Council with information on the proposed changes to the original proposal and to recommend that Third Reading of the Rezoning Bylaw be rescinded so that the Rezoning Bylaw may be brought forward with the amended development plan reflecting these alterations for Third Reading.

3.0 GENERAL INFORMATION

- 3.1 Since Third Reading, the Planning and Development Department has been advised that the Jubilee Multi-Generational Housing Society was unsuccessful in obtaining funding for 40 of the supportive housing units from BC Housing. As a result, in order to maintain the project’s financial viability, the Society has proposed that, rather than provide 40 supportive housing units at 20% below the CMHC market median rate, 20 units would be provided at 20% below the CMHC market median rate, in line with the City’s Rental Use Zoning Policy. The number and type of supportive housing units, the number of residential care beds, and all other elements of the development plan would remain the same as what was presented at Public Hearing.
- 3.2 The proposed changes are reflected in the amended suitable plan of development titled “Amended Development Plan – Cascade Gardens Seniors Community” (See **Attachment 2** – Part 1 of 9 to Part 9 of 9).
- 3.3 Under Section 470(1)(b) of the *Local Government Act*, Council may alter and then adopt a Rezoning Bylaw after a Public Hearing, without further notice or a further Public Hearing, as long as the alterations do not alter the use, increase the density or (without the owner’s consent) decrease the density or alter the residential rental tenure. In this case, as mentioned above, the use of the site for supportive housing units, residential care beds, and associated amenities and child care on the development site will remain the same. The proposed density is unchanged, and the tenure of the supportive housing units will remain rental. The changes proposed will only alter the affordability of 20 supportive housing units. As such, Council has the authority to approve these alterations to the proposed development prior to Final Adoption of the Rezoning Bylaw without a further Public Hearing or public consultation.
- 3.4 As the revised proposal would provide needed seniors housing and residential care beds, with associated uses and child care on the site of an existing seniors’ facility, staff remain supportive of the overall proposal, despite the proposed changes. Should Council support this approach, it is recommended that Council rescind Third Reading of the original Rezoning Bylaw and approve bringing forward a revised Rezoning Bylaw with an amended development plan reflecting the proposed changes, as shown in the “Amended Development Plan – Cascade Gardens Seniors Community” (See **Attachment 2** – Part 1 of 9 to Part 9 of 9).
- 3.5 The 20 supportive housing units would be rented at 20% below CMHC market median rates, in line with the Rental Use Zoning Policy (2020). The registration of a Housing Covenant and a Housing Agreement will be required to protect the tenure of the non-market units and regulate affordability measures to ensure that rents will not exceed 20% below CMHC market median rent rates.

3.6 Subject to Council approval, staff will continue to work with the applicant towards Final Adoption of the Rezoning Bylaw with the amended development plan. The rezoning application would be brought forward for Final Adoption once all prerequisite conditions of the rezoning have been satisfied.

4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

As noted above, further communication and community engagement for the proposed amendments are not required.

5.0 FINANCIAL CONSIDERATIONS

Typically, if a project is subject to the RUZP, the City would consider grant requests only for the portion of the project that exceeds the policy’s minimum inclusionary requirements. As the applicant’s proposed amendments to the development plan will only meet and not exceed the requirement to provide 20% of the proposed units at 20% below CMHC market median rents, staff would not support a request for a Community Benefit Bonus Affordable Housing Reserve grant.

Respectfully submitted,

E. W. Kozak, General Manager Planning and Development

ATTACHMENTS

- Attachment 1 – Sketch 1 and 2
- Attachment 2 – Amended Development Plan - Part 1 of 9
- Attachment 2 – Amended Development Plan - Part 2 of 9
- Attachment 2 – Amended Development Plan - Part 3 of 9
- Attachment 2 – Amended Development Plan - Part 4 of 9
- Attachment 2 – Amended Development Plan - Part 5 of 9
- Attachment 2 – Amended Development Plan - Part 6 of 9
- Attachment 2 – Amended Development Plan - Part 7 of 9
- Attachment 2 – Amended Development Plan - Part 8 of 9
- Attachment 2 – Amended Development Plan - Part 9 of 9

REPORT CONTRIBUTORS

This report was prepared by Lisa Scott, Development Planner, and reviewed by Diana Jerop, Housing Planner, Richard Mester, Manager Business Process and Reporting, Shawn Natrasony, Development Planner, Jennifer Wong, Assistant City Solicitor, and Jesse Dill, Director Development.