

TO: CITY MANAGER

2001 SEPTEMBER 20

FROM: DIRECTOR PLANNING AND BUILDING

**SUBJECT: REZONING REFERENCE #00-21
6879 KINGSWAY
RESPONSE TO PUBLIC HEARING POINTS**

PURPOSE: To respond to the points raised at the Public Hearing for Rezoning Reference #00-21.

RECOMMENDATION:

1. **THAT** this report be received for information purposes.

R E P O R T

1.0 BACKGROUND INFORMATION:

1.1 On 2001 August 28 the Public Hearing was held for the subject rezoning application, which involves a request to rezone 6879 Kingsway to CD Comprehensive Development District (based on C2 Community Commercial District guidelines) in order to permit the retention of a patio roof, a change to the parking arrangement and a 30 seat increase to the pub's capacity. At the Public Hearing, one resident raised a point of concern in a letter dated 2001 August 28. Council members also raised some points of enquiry at the Public Hearing.

On 2001 September 10 Council gave Second Reading to the bylaw amendment and directed staff to respond to the points raised at the Public Hearing. This report is in response to that request.

2.0 GENERAL DISCUSSION:

2.1 The following information is provided in response to the points which were raised at the Public Hearing.

a) *Access and Parking Concerns*

Correspondence was received at the Public Hearing from the owner of the apartment building at 7141 Griffiths Avenue, located across the lane from the subject site, which suggests the new access to the parking lot for the pub from the lane will negatively affect his property.

It is noted that the primary vehicular access to the site remains off Griffiths Avenue. The access from the lane onto the subject site would be restricted to serving only four parking spaces. Physical barriers such as curb stops for adjacent parking spaces would prevent vehicles from entering the main parking area from the lane. For this reason, the lane access to the four parking spaces, while necessary, is considered secondary to the access from Griffiths Avenue.

It is also noted that the loading space for the pub has been moved to the northeast section of the parking lot, and designated for use as such between the hours of 8:00 and 11:00am. Access to the loading space is from Griffiths Avenue, whereas in the past the loading space was accessed from the lane. Finally, a minimum 1.8m high hedge is indicated along the lane property line to help screen the parking lot.

Overall, with respect to traffic, it is considered that substantial efforts have been made to mitigate potential impacts on the residential properties across the lane to the north.

b) *Noise Concerns*

Members of Council raised some concerns over the potential for noise emanating from the patio. The applicant has indicated that no complaints regarding noise from the patio have been received to date. This has been confirmed by the City's Engineering Department, Environmental Services Division.

It is noted that the applicant owns the adjacent building to the west, which has businesses that cease operations by 9:00 p.m. The B.C. Hydro Newell Substation is located directly across Kingsway to the south. To the east across Griffiths Avenue are service commercial-oriented businesses. Thus the buildings most likely to be affected by patio noise are the multiple-family residential buildings to the north (across the lane) even though the subject building is between the patio and the lane. However, in order to allay any noise concerns, the applicant has agreed to remove the current patio speakers.

c) *Signage*

The rezoning to CD (C2) allows the applicant a moderate increase in permitted signage. Under the new zoning, the applicant will be permitted two signs facing each principal street frontage (Griffiths Avenue and Kingsway), and up to a maximum of 30 sq. ft. for a free standing sign. The applicant, in relation to the previous CD (C1) zoning, essentially will be permitted one more sign facing Kingsway, and a modest increase in the size of his existing free standing sign. All signs on the property will be required to comply with Sign Bylaw provisions, and will be clearly indicated on the Comprehensive Development Plans.

3.0 CONCLUSION:

This report responds to the various points raised at the Public Hearing. As noted, the site's primary access for parking and loading is from Griffiths Avenue. There is limited access off the lane to four parking spaces. Noise from the patio is not viewed to be incompatible with surrounding land uses to the east, west and south. However, in order to allay any patio noise concerns relative to the residential buildings to the north, the pub will be required to remove its patio speakers as well as comply with Municipal noise criteria. It was also noted that the applicant will be entitled to moderate increases in permitted signage. The various restrictions outlined in this report will be noted on the Comprehensive Development Plans, PPA drawings and business licence documentation.

This is for the information of Council.



J. S. Belhouse
Director Planning and Building



EK:gk

cc: Director Engineering
City Clerk
Chief Licence Inspector

