

TO: CITY MANAGER 2002 May 22

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #01-30, 4238 ALBERT STREET
FURTHER INFORMATION REGARDING ISSUES
RAISED AT THE PUBLIC HEARING**

PURPOSE: To provide clarification to Council regarding an issue raised at the Public Hearing for the subject application.

RECOMMENDATION:

1. **THAT** a copy of this report be sent to Ivan Hnatuik, 4253 Albert Street, Burnaby, B.C., V5C 2E7.

R E P O R T

A report was provided to Council at the 2002 April 8 regular meeting regarding the issues raised at the Public Hearing for the subject rezoning application, which was held on 2002 February 19. At the Public Hearing, a resident living at 4253 Albert Street, across and east of the proposed development, appeared. The resident addressed Council, and submitted a summary in writing, regarding concerns he has about shadows from the proposed development. He stated that as a result of shadows from the proposed development he was concerned about ice, formed during winter nights, on the front sidewalk and front walkway of his property not melting and posing a safety hazard.

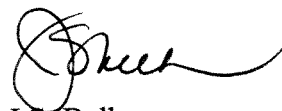
The report submitted and adopted by Council addressed the issue of shadows from the proposed development in relation to the residential property located at 4253 Albert Street. The report did not directly address the issue of ice formed during winter nights potentially not being able to melt due to shadows from the proposed development.

Staff have subsequently been contacted by Mr. Hnatuik, the presenter at the Public Hearing, who expressed a concern that the staff report to Council did not adequately deal with the issue of ice on his sidewalk. This report is being provided to clarify this aspect of the resident's comments and does not constitute new information, but rather clarification related to a previously raised issue.

As outlined in the report, at the winter solstice (December 21 - see *attached* Sketch) the building located at 4253 Albert Street would not be in shadow from the proposed development. It was not clarified in the report that the front half of the front yard of 4253 Albert Street would be in shadow at the winter solstice due to the proposed development. As a result, it is contended that ice formed

on sidewalks and walkways on winter nights could potentially not melt due to the shadow from the proposed development. Shadowing of private walkways and public sidewalks, and the resultant lack of opportunity for ice to melt, can occur in all areas of the City, in a variety of circumstances including single family, high-rise and vegetated areas particularly in the winter period when the sun sets in the late afternoon. This issue is not considered to be of relevance in the approval of development proposals; whereas, the impact of potential shadows from proposed developments and the effect on access to sunlight are, particularly at the spring and fall equinoxes. The winter solstice information is, as was noted, not usually used as a criterion but was provided to indicate the lesser effect of shadows even at that time of year. As outlined in the report, the shadow impact of the proposed development on residential properties across Albert Street is considered to be acceptable.

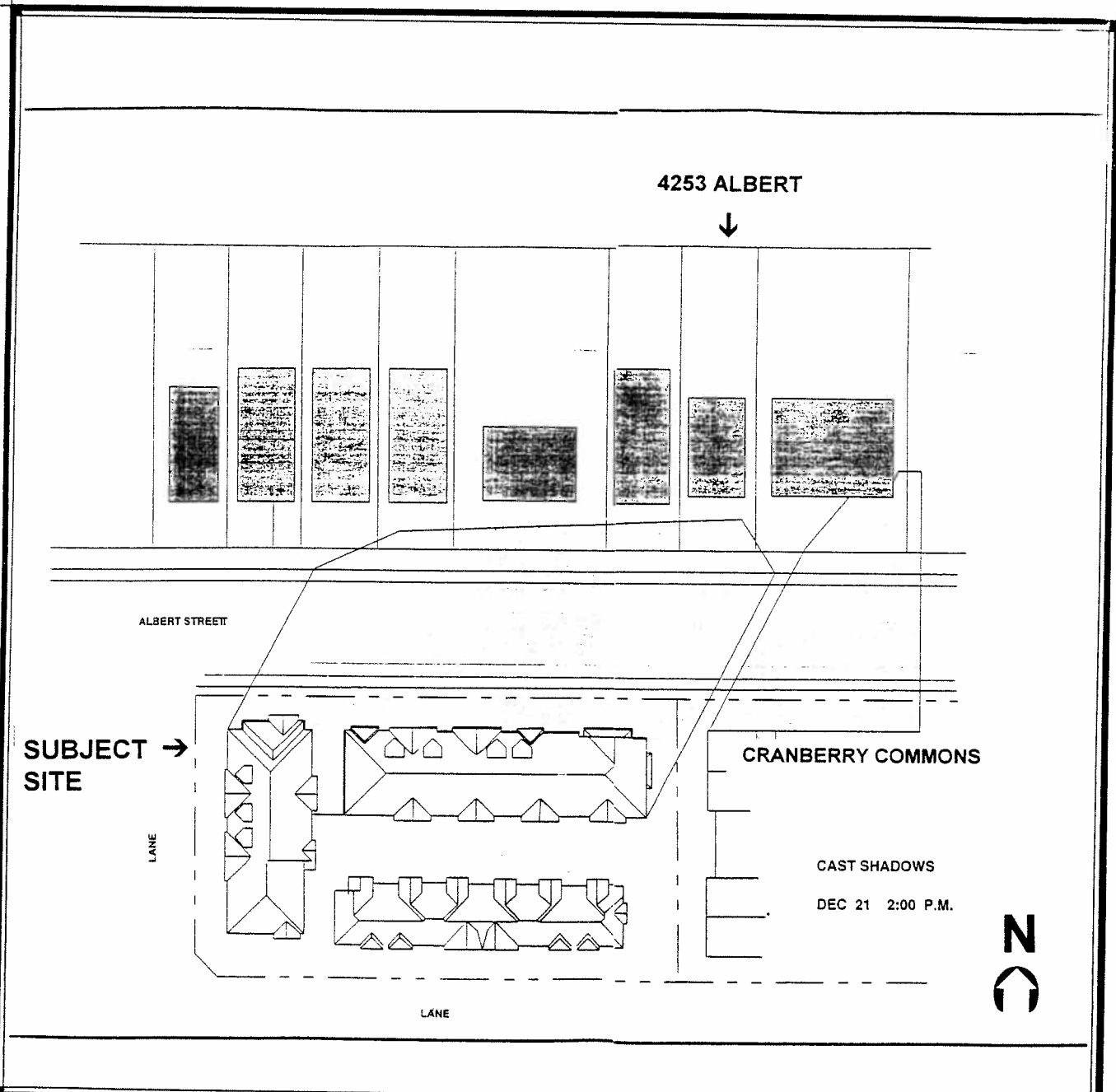
This rezoning is appearing elsewhere on this agenda for Reconsideration and Final Adoption.



J.S. Belhouse
Director Planning and Building

PSF:gk
Att.
cc: City Solicitor
City Clerk

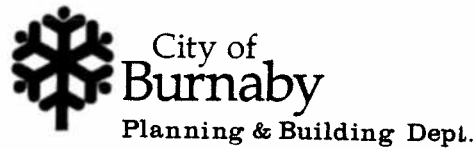
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Date: **MAY 2002**

Scale: **NTS**

Drawn By:



Shadow Study At Winter Solstice
Rezoning Reference #01-30

