



Item
Meeting.....2008 July 21

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2008 July 16
FROM: DIRECTOR PLANNING AND BUILDING **FILE:** 49500 20
Reference: REZ #03-46
SUBJECT: REZONING REFERENCE #03-46
5607, 5625, 5641 & PTN. OF 5587 CHAFFEY AVENUE
METROTOWN DEVELOPMENT PLAN, SUB-AREA 11
RESPONSE TO PUBLIC HEARING ISSUES
PURPOSE: To respond to issues raised at the Public Hearing for Rezoning Reference #03-46.

RECOMMENDATION:

1. **THAT** a copy of this report be sent to the applicant and to area residents who spoke at, or submitted correspondence to the Public Hearing for Rezoning Reference #03-46.

REPORT

1.0 BACKGROUND

On 2008 June 24, a Public Hearing was held for Rezoning Reference #03-46. The subject rezoning application proposes a thirty unit townhouse development accessed off the new Sardis Street connection in accordance with the adopted Metrotown Development Plan, Sub-Area 11 (see *attached* Sketches #1 and #2).

At the Public Hearing, a number of issues were raised by residents of the area adjacent to the subject site in letters, a petition and in person. The main issues raised include: the proposed density, scale and siting of the new project and tree retention; the proposed new Sardis Street connection; crime and pedestrian safety; the proposed sale of the southern 5m of 5587 Chaffey Avenue for inclusion in the development site; and the nature of the City's public notification process for the Public Hearing. As requested by Council at the Public Hearing, this report provides a staff response to the main issues raised, with particular attention to the proposed Sardis Street connection.

2.0 ISSUES RAISED

Issue #1 – Proposed Project Density, Scale, Siting, and Tree Retention

Concerns were raised regarding the density, scale and siting of the proposed new project and tree retention, with residents concerned that the project was too dense, contained too many units and was poorly sited.

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Response:

The subject site entails the consolidation of three lots, 5607, 5625 and 5641 Chaffey Avenue, and the southerly 5m of 5597 Chaffey Avenue. This proposed townhouse development is being pursued in line with the Council-adopted Metrotown Development Plan, Sub-Area 11. This Sub-Area Plan was adopted in 1982, preceded by the overall Metrotown Development Concept Plan adopted by Council in 1978, and designates the subject site for low-rise multiple-family development utilizing the RM3 Multiple Residential Family District as the guideline (see attached Sketches #1 and #2). Two other development sites within this block defined by Chaffey Avenue, Grange Street, Halley Avenue and the proposed Sardis Street connection have been developed using the Comprehensive Development (CD) RM3 District as the guideline. This third and last development in this block is in keeping with the adjoining projects in terms of density and height. While the site coverage of 40.2% is marginally higher than the 36.7% of adjacent apartments, in this case the project design is comprised of ground-oriented and street fronting townhouses providing desirable “eyes-on-the-street” and a village-like definition of individual units.

Concerns were raised over the number of units, thirty, and the impact of this number for parking and the local school, Chaffey-Burke Elementary. It is noted that the distribution of density among units is left up to the developer, provided minimum unit sizes are met, as they are in this case. The developer’s aim is to attract a wide range of buyers by providing smaller, more affordable units. Each unit is required to provide a total of 1.75 parking stalls which is in accordance with the Burnaby Zoning Bylaw. Since half the units are one bedroom units as well as no three bedroom units, they are unlikely to generate as many vehicles or school age children as larger units with more bedrooms. The Burnaby School District is aware of the Council-adopted Metrotown Development Plan, is briefed on housing development trends and is mandated to meet such educational needs. The Associate Superintendent of the Burnaby School Board has advised that at present Chaffey-Burke Elementary has capacity for approximately fifty more students. It should also be noted that the developer will pay the standard per unit School Site Acquisition Charge to assist in the recovery of costs associated with the future acquisition of land for any new required school sites.

In terms of building siting, concerns were raised that trees would be lost on site and that the buildings are situated too far south, impinging on the fire safety and acoustic privacy of the neighbouring apartments at 5695 Chaffey Avenue. As part of the site planning process, the developer submitted a tree survey and an arborist’s report by a certified arborist. These were reviewed by the City’s Landscape Inspector and it was determined that most of the on-site trees were too unhealthy for retention. However, a mature cedar along the west property line, as well as the root zone of a mature Douglas Fir located on the abutting 5656 Halley Avenue were identified for retention. To ensure the continued preservation of these trees, the developer is ensuring the structures are not located within the main tree root zones, which are to be protected by covenant, and is using special construction techniques to minimize root disturbance. Protective fencing and tree bonding is to be provided.

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Regarding the project's interface with the building to the south, it is noted that it is the side yards of both the existing and new buildings that face the common property line with the distance between the two buildings being a minimum 9.1m (30 ft). In the proposed development, only secondary windows face south with also a 8.8m to 10.6m wide central open space courtyard along this frontage. The project architect has made further significant adjustments by eliminating twelve south facing windows. A new hedge and trees along with retention (including repair as required) of an approximately 1.8m high fence will also provide screening along the south property line. The Fire Prevention Office's review of the plans indicates that the project meets fire safety standards with one of the fire accesses being via the lane access.

Issue #2 – Proposed Sardis Street Connection, Pedestrian Safety, and Crime

Concerns were expressed over the proposed Sardis Street connection through the City-owned 5608 Halley Avenue and 5587 Chaffey Avenue - questioning the need for it, the ensuing loss of trees, and the possibility of increased traffic, crime and pedestrian danger.

Response:

As background, the proposed Sardis Street connection was approved in September 1989 when Council amended the 1982 Metrotown Development Plan, Sub-Area 11, to show a through-block roadway connection through 5608 Halley Avenue and 5587 Chaffey Avenue rather than the pedestrian walkway previously indicated. The purpose of the designated roadway connection was threefold: to improve local circulation, to delineate a clear boundary between the multiple-family area to the south and the single and two-family area to the north and to relieve pressure on Grange Street, a high volume secondary arterial serving Metrotown and Burke Street, a local collector primarily oriented to the surrounding single-family area.

In 1989, the City only owned 5587 Chaffey Avenue and not 5608 Chaffey Avenue. Thus, at that time, a rezoning requirement for the redevelopment of 5656 Halley Avenue, abutting the subject site to the west, (Rezoning Reference #51/89), was the provision of a 3m easement for a 1.2m wide concrete public pedestrian walkway along the north property line to assist in achieving, as a minimum, a future pedestrian connection to Chaffey Avenue. Rezoning Reference #51/89 received Final Adoption in May 1990. Subsequently, in September 1990, the City acquired 5608 Halley Avenue for the future Sardis Street connection.

The subject rezoning application, Rezoning Reference #03-46, provided an opportunity to construct this roadway link with cost-sharing by the developer. With the developer contributing to this roadway link, a plan was developed showing underground parking access to the development from this new Sardis Street connection.

The City has undertaken traffic counts on Chaffey Avenue, Halley Avenue and Sardis Street that indicate that traffic is either below or meeting the expected volumes. Furthermore, an increase in congestion in the immediate area is considered unlikely if the Sardis Street connection were

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constructed since the only source of “rat-running” traffic would be from Patterson Avenue to the west, a street not subject to congestion and delays.

With regard to a possible increase in crime with the construction of the Sardis Street connection, the addition of street lights and more “eyes on the street” from passing vehicles and pedestrians as well as from ten new units facing the roadway would be expected to act as a deterrent to crime. The RCMP have also indicated that they are aware of crime issues in this area and are actively working with the community to reduce the crime rate.

In terms of the safety concerns, the intent of the design of the new Sardis Street connection is to improve pedestrian safety by adding stop signs at each end and by adding curb bulges at Sardis Street and Chaffey Avenue that increase pedestrian visibility and reduce crossing distances. Some residents also noted the mature trees on 5608 Halley Avenue and 5587 Chaffey Avenue that would have to be removed for a new roadway. Others questioned whether the land might better be used for a pedestrian and cyclist greenway or be sold for residential purposes.

In order to address these various concerns, staff asked the developer to explore options for reconfiguring the project to respond to these concerns. The architect first examined relocating the driveway access somewhere along the Chaffey Avenue frontage. Although this initially appeared possible, upon closer examination of grades, site dimensions and fire fighting requirements, the developer indicated that such a driveway relocation could not be accommodated without major, detrimental changes to the tree retention measures and the underground parking layout. The option being advanced is to retain the existing driveway access point but with a number of changes that would respond to the concerns raised at the Public Hearing, including:

- a) No road connection between Chaffey Avenue and Halley Avenue, constructed as part of this development.
- b) A 6m wide dead-end asphalt lane constructed abutting the north side of the site with access only to the development (including fire truck access), paid for by the developer, maintained by the new strata of the development and governed by an access agreement with the City reserving the right of the City to replace the lane with a road to provide the Sardis Street connection at some later date if the need for improved neighbourhood vehicular circulation becomes more apparent and necessary.
- c) A private on-site walkway with a rollover curb to access five of the units facing north.
- d) The development of a public buffer/greenway designed and provided by the developer on 5608 Halley Avenue and 5587 Chaffey Avenue retained in City ownership. This buffer / greenway would be similar in character to portions of the Burnaby Mountain greenway in northeast Burnaby. This public greenway proposal will – permit the preservation of healthy existing trees on these properties; separate the proposed multiple-family dwellings from the single and two-family area; provide a lighted 3m wide through-block asphalt trail for pedestrians and cyclists; provide low landscaping and supplemental trees; and provide 1m high fencing between the lane

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- construction and greenway and assure 1.8m high fencing between the greenway and abutting existing R5 dwellings to the north.
- e) The addition of pedestrian lighting and more “eyes-on-the-trail” from passing cyclists and pedestrians as well as from the ten new units facing the greenway to act as a deterrent to crime.
 - f) The release of the 3m easement on the north edge of 5656 Halley Avenue with its narrow concrete sidewalk not fully suitable for both pedestrians and cyclists.

As the developer would not be constructing a full standard road to the north, the costs of the greenway improvements as outlined above are proposed to be met by the developer.

Issue #3 – Proposed Sale of Southern 5m of 5587 Chaffey Avenue

Concerns were also raised regarding the sale of the southern 5m of the City-owned 5587 Chaffey Avenue for inclusion in the development site. It was suggested that a better use for the land would be to provide a wider through-block pedestrian connection or as lots for sale as a single or two-family redevelopment either for affordable housing or for monetary benefit to the City.

Response:

The southern 5m of the 23.53m wide 5587 Chaffey Avenue is considered surplus to the long term protection of a Sardis Street road right-of-way along the north side of the site. It is therefore available for sale and inclusion in the subject site. The remaining 18.53m wide portion of 5587 Chaffey Avenue is also still sufficient to accommodate an ample greenway and pedestrian and cyclist access through an exceptionally long block between Grange Street and Burke Street, to delineate the boundary between the multiple-family area to the south and the single and two-family area to the north and to provide a pleasant greenway buffer with some mature trees. On 2007 January 22, Council approved the sale of the portion of this City-owned land in principle, subject to the applicant pursuing the rezoning proposal to completion, and on 2008 May 26 Council subsequently approved the sale in accordance with the terms of the Public Hearing report. The sale of this City-owned portion is based on a value of \$277,800.

Issue #4 – City’s Public Hearing Notification Process

Concerns were also raised regarding the City’s notification process for the Public Hearing, with the time to prepare a response considered too short and the area for notification letters to be sent to neighbours too small.

Response:

As noted at the Public Hearing, the City followed the requirements of the Local Government Act in the timing and addressing of official notification letters, sent at least ten days before the Public Hearing and to properties within thirty metres of the subject site. Advertisements for the Public Hearing were also placed in local newspapers and on-site notice signs informing of the upcoming

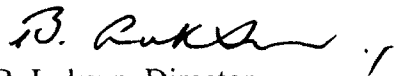
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Public Hearing were placed both on the Chaffey Avenue site and on the Halley Avenue frontage of the proposed Sardis Street right-of-way. In addition, the developer chose to send a letter explaining the project to nearby residents. The overall response rate to these notification measures suggests a wide level of neighbourhood awareness was achieved.

3.0 CONCLUSION

In conclusion, the proposed three-storey thirty unit townhouse development with underground parking conforms in density, scale and siting to the adopted Metrotown Development Plan, Sub-Area 11, designation with the site being rezoned to the CD Comprehensive Development District (utilizing the RM3 Multiple-family District as a guideline). In response to issues raised at the Public Hearing regarding the proposed Sardis Street connection, this report provides clarification of area circulation options, and notes that the project driveway from a new dead-end lane could provide suitable access to the project while still providing a public pedestrian and cyclist through-block connection in the form of a greenway buffer delineating the boundary between multiple-family dwellings to the south and the single and two-family neighbourhood to the north. It is further noted that City retention of 5608 Halley Avenue and the remainder of 5587 Chaffey Avenue as an interim greenway provides maximum future flexibility for the future use of and decisions regarding these properties. It will be the intent of staff to work with the applicant to achieve the proposed modifications to the development plan with the Sardis Street connection not being built as part of this project. It is therefore considered appropriate for this application to proceed to Second Reading of the Bylaw, subject to the modifications outlined in this report.

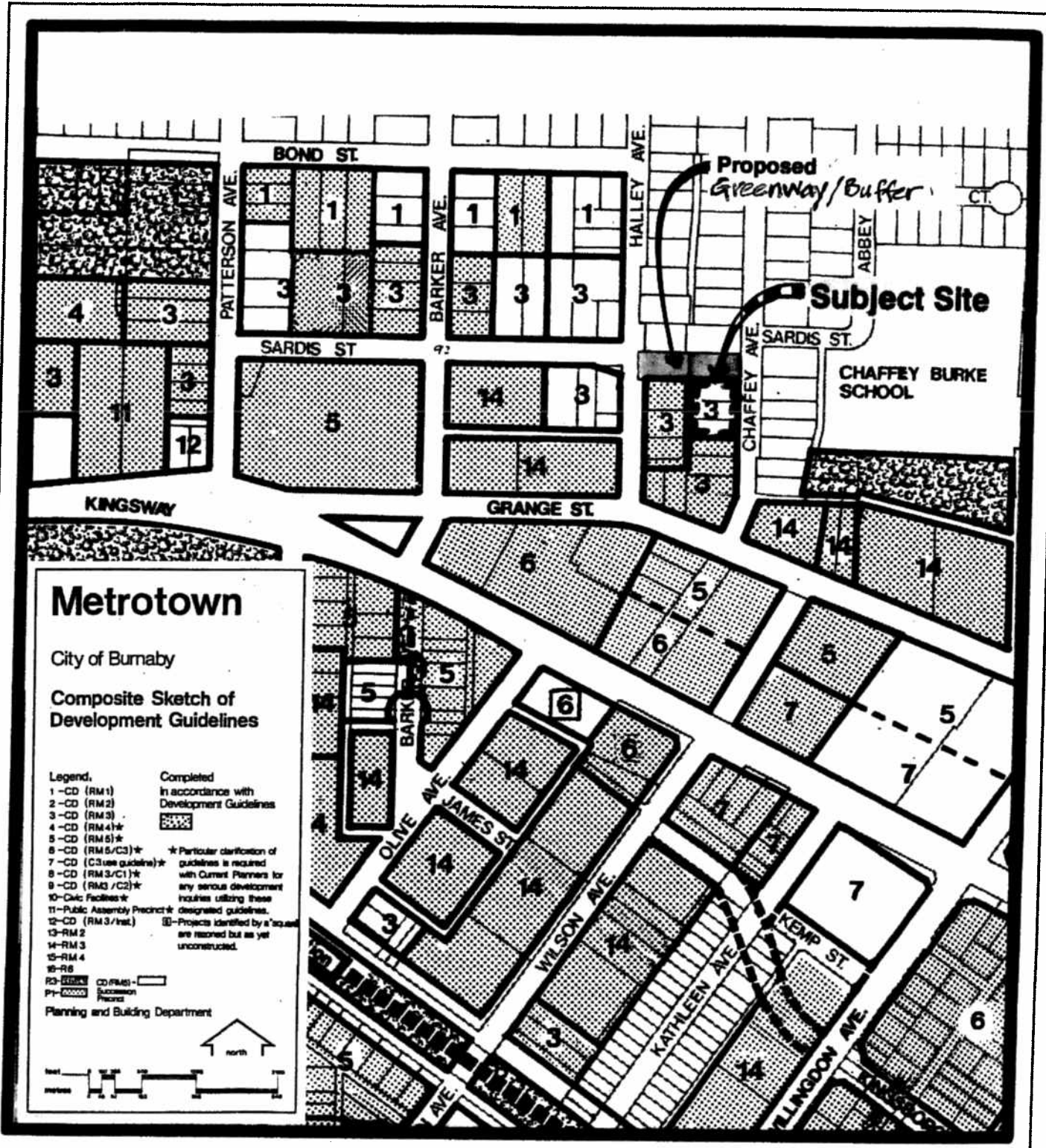
This is for the information of Council.



B. Luksun, Director
PLANNING AND BUILDING

FA/KI:ll/tn
Attachments

cc: City Clerk
City Solicitor
Director Engineering
Director Parks, Recreation & Cultural Services
Chief Licence Inspector
Chief Building Inspector
Burnaby School District 41
OIC- RCMP, District 4 Commander

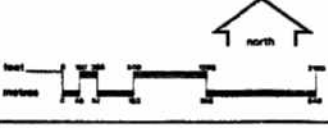


Metrotown

City of Burnaby

Composite Sketch of Development Guidelines

- Legend.**
- 1 - CD (RM1)
 - 2 - CD (RM2)
 - 3 - CD (RM3)
 - 4 - CD (RM4)*
 - 5 - CD (RM5)*
 - 6 - CD (RM5/C3)*
 - 7 - CD (C3 use guideline)*
 - 8 - CD (RM3/C1)*
 - 9 - CD (RM3 /C2)*
 - 10 - Civic Facilities*
 - 11 - Public Assembly Precinct*
 - 12 - CD (RM3/Inst.)
 - 13 - RM 2
 - 14 - RM 3
 - 15 - RM 4
 - 16 - R6
- Completed**
in accordance with
Development Guidelines
- * Particular clarification of
guidelines is required
with Current Planners for
any serious development
inquiries utilizing these
designated guidelines.
- - Projects identified by a square
are rezoned but as yet
unconstructed.
- CD/RM6 - [Symbol]
Succession
Precinct
- Planning and Building Department



Planning And Building Department

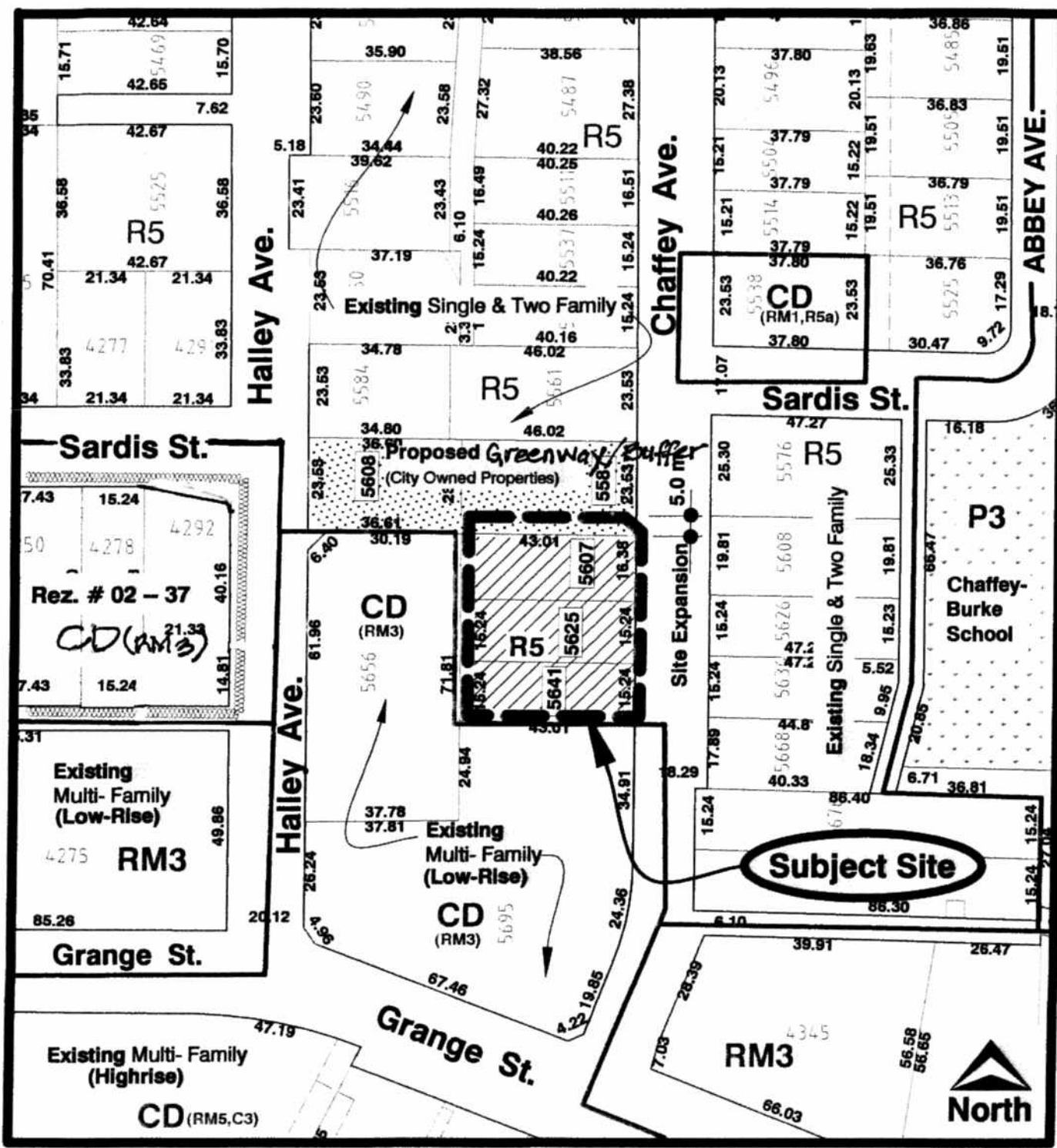
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Drawn By: J.P.C.

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Sketch # 1



Planning and Building Department

Scale: 1 = 1500

Drawn By: J.P.C.

Date: JULY 2008

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5607, 5625, 5641 and Ptn. of 5587 Chaffey Ave.

Sketch # 2