



Item.....
Meeting 2012 June 18

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2012 June 12

FROM: ACTING DIRECTOR PLANNING AND BUILDING **FILE:** 49500 20
Reference: REZ #11-31

**SUBJECT: REZONING REFERENCE #11-31
5821, 5829, 5845, 5853, 5861 BARKER AVENUE AND
5808, 5826 PATTERSON AVENUE
RESPONSE TO PUBLIC HEARING ISSUES**

PURPOSE: To respond to issues raised at the Public Hearing for Rezoning Reference #11-31.

RECOMMENDATION:

1. **THAT** a copy of this report be sent to the applicant and to individuals who spoke at, or submitted correspondence to the Public Hearing for Rezoning Reference #11-31.

REPORT

1.0 BACKGROUND

On 2012 May 29, a Public Hearing was held for Rezoning Reference #11-31. The subject rezoning application proposes a high-rise apartment tower with street-fronting townhouse development in accordance with the Metrotown Town Centre Development Plan (see *attached* Sketches #1and #2), for properties intended for consolidation located at 5821, 5829, 5845, 5853, 5861 Barker Avenue and 5808, 5826 Patterson Avenue.

At the Public Hearing, residents from the surrounding community, primarily from adjacent and nearby multiple family developments, raised a number of issues. The most common issues raised generally included concerns regarding traffic congestion, building form, privacy, property values, views, consistency with adopted Plans, shadow impacts and pedestrian safety. As requested by Council at the Public Hearing, this report provides a staff response to a summary of the issues raised.

SUMMARY OF ISSUES RAISED

Issue #1 – Consistency with adopted Plans: Concerns were raised with respect to the proposed development’s consistency with the adopted Metrotown Town Centre Development Plan.

Response:

The Council-adopted Metrotown Town Centre Development Plan (1977) designates the subject site for high-density residential development in line with the RM5 Multiple Family Residential District.

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The subject site was zoned to the RM5 District in 1970, in anticipation of its future high-rise apartment development. The proposed use of 's' category zoning for this site is consistent with the Council-adopted policy of applying 's' category zoning to prevailing RM designations in Town Centre areas. As such, the subject rezoning proposal is in accordance with the site's Plan designation, as well as the established Council policy for use of 's' category zoning and the related bonus density provisions of the Burnaby Zoning Bylaw.

Issue #2 – Building form and density: Concerns were raised regarding the proposed building's height and density.

Response:

As noted above, the Council-adopted Metrotown Town Centre Development Plan (1977) designates the subject site for high density development. Also as noted above, the subject site has been zoned to the RM5 District, which has allowed for high-rise apartment development of the site since 1970. Under the Plan, and in line with adopted Council policy for use of 's' category zoning, the site qualifies for use of the RM5s zoning district as a guideline for use and density purposes. The proposed density of development and the resulting number of residential units for this high-rise apartment development is consistent with the RM5s District and bonus density provisions.

In terms of the proposed built form involving a relatively slender 37-storey high-rise apartment building, it is noted that this form was deliberately pursued in the design process with the intent of having the least impact on the neighbouring properties. Based on the permitted development density for the subject site, the use of a lower building would generate a bulkier form due to a larger floor plate, or possibly generate a need for a second tower to achieve the permitted development density for the site. Either of these alternatives would have had greater impacts in terms of views, especially in relation to the properties to the north, south and east. For these reasons, and because the single 37-storey tower remains in character with Town Centre development forms, the subject rezoning proposal continues to be considered supportable.

Issue #3 – Impact on Area Traffic Patterns: Concerns were raised regarding the impact of the development on general traffic patterns in the area. As well, concerns about pedestrian connectivity in the area were noted.

Response:

The applicant was required to submit a traffic impact assessment prior to the application being advanced to a Public Hearing. Staff have reviewed the report and concur with its findings that traffic from the development could be accommodated by the existing street network without the need for further improvements (i.e. more vehicle travel lanes), and that development was well situated to maximize the use of transit, walking and cycle trips, which are further supported by transportation demand management measures being undertaken by the applicant (transit pass program, car co-op program, and twice the required bicycle parking being provided).

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It is also noted that the adopted Metrotown Development Plan, together with its subsequent revisions, has provided for the road, transportation and transit improvements needed to support the eventual maturation of the area as a high-density residential neighbourhood. As development has progressed over the last two decades, appropriate road dedications and related upgrades to the road network have been secured to ensure anticipated road capacities are provided as part of overall development of the area. As such, the current road network, together with future planned improvements, would appropriately accommodate existing and anticipated traffic volumes, including the traffic generated by the subject development.

Mention was made at the Public Hearing regarding the closure of the Barker Avenue cul-de-sac bulb for inclusion in the development site, and the disruption this would bring to local transportation patterns. For clarification, the proposed 'closure' relates only to the legal status of the road right-of-way involving a portion of the existing cul-de-sac bulb. Physical public access to the Barker Avenue cul-de-sac bulb for vehicles and pedestrians will remain, and will be protected by a statutory right-of-way.

It is also worth noting that the pedestrian network will be improved with the development of the subject site. A new east-west public walkway linking Barker Avenue to Patterson Avenue will be constructed and protected by a statutory right-of-way. The southern portion of the north-south pedestrian pathway to Kingsway (from the Barker Avenue cul-de-sac bulb) will be improved with rain gardens and generous landscaping to provide a park-like environment, with the portion north of the subject site to be maintained in its current form. On the Patterson Avenue frontage, the proposed development will also be providing wider sidewalks and large front boulevards with street trees and lighting.

Issue #4 – Increased Crime: A suggestion was made that crime would increase as a result of the proposed development.

Response:

Staff are not aware of evidence that would suggest or support concerns that a new residential development such as that proposed leads to higher crime rates. The Burnaby RCMP have reviewed the development plans from a Crime Prevention Through Environmental Design (CPTED) perspective, and do not have concerns that the proposed development, or others similar to it, would be a catalyst for crime. The design of the proposed development, its site layout and landscaping, have been influenced by CPTED principles. The proposed public and private spaces are adequately delineated; sightlines are well maintained; the site and its immediate environs are well-lit; and most importantly, there are 'eyes on the street' in that the development is related to the street in terms of active ground floor uses in the tower (activity areas and lobby space) and by the provision of ground-oriented townhouses along Patterson Avenue. Given the foregoing, the proposed development is not expected to negatively impact crime in the area.

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Issue #5 – Views, privacy, shadows and land values for neighbouring properties: Concerns that neighbouring properties would lose views and privacy, and that land values would be negatively impacted were noted.

Response:

The proposed staggered siting of the tower in relation to surrounding structures, and the establishment of a minimum setback distance to nearby high rise towers of 100 ft., were pursued to establish an appropriate relationship to existing developments. With respect to views, it is noted that established views in this area are of the North Shore mountains, Central Park and Vancouver to the west and of the Strait of Juan De Fuca, Gulf Islands and Vancouver Island to the south. As such, the proposed apartment tower will generally have a limited impact on these views inasmuch as the proposed building would only occupy a defined and slim portion of the foreground of these broader distant views.

The tower siting, as noted above, was also intended to preserve the solar exposure of the existing apartment towers to the north and east. A shadow analysis provided by the project architect suggests that generally the lower portion of the existing apartment tower to the north would be in shadow cast from the proposed development in the early summer and fall at around noon for about a two hour period. The existing apartment tower to the east would be in shadow cast from the proposed development during the early summer at around 4:00 pm for a period of approximately one to two hours.

In terms of privacy, it is noted that in an urban environment it is not possible to fully restrict overlook of neighbouring properties. The subject development would form a part of an established urban landscape wherein complete privacy of outdoor amenity areas (including patios and balconies) is generally not possible to achieve. At the same time, the landscape plan provides for ground-level screening without compromising integration of the development into the area, and the noted minimum 100 ft. setback and staggered orientation of the tower from other neighbouring high rise developments will provide for spatial separation from these existing buildings which is intended to help mitigate privacy and direct overlook issues.

As regards property values, recent experience in the City's four Town Centres suggests that property values of adjacent sites rise, not fall, with redevelopment. Staff are unaware of evidence that would support a conclusion that, in general, median property values of high-rises are negatively affected by nearby or even adjacent development, while noting that there may be individual variation for specific units.

The foregoing provides staff's consideration of the issues related to views, shadows, privacy, and property values.

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Issue #6 – Safety: A concern was raised about pedestrian and child safety within the north-south walkway and grassed area adjacent the proposed parking ramp which provides access to the development.

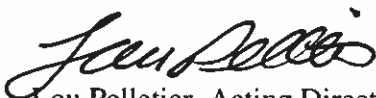
Response:

The proposed development's underground parking is accessed by a ramp that is situated parallel to the north-south walkway, north of the Barker Avenue cul-de-sac bulb. Pedestrian safety was considered in the design of this ramp and its relationship to the noted walkway and adjacent grassed area. It is noted that safety concerns are addressed in the project design with the ramp being separated from the walkway and adjacent green space by a landscaped and treed swale. Moreover, the ramp will be further guarded by fencing and railing to ensure the ramp area is safe and secure.

4.0 CONCLUSION

In conclusion, the proposed high-rise apartment and townhouse development, with full underground parking, is in accordance with the adopted Metrotown Town Centre Development Plan and related transportation plans, and with established Council policy governing the development of the subject site. The transportation assessment revealed that the proposed development can be accommodated by the area's developed road network and nearby transit provisions. From an integration viewpoint, the proposed development's form and density is considered to be compatible with the intent and direction for higher density development within this designated Town Centre area. Staff assessment of measures and impacts related to the proposed development are also provided in relation to concerns raised regarding views, property values, solar exposure, privacy and crime prevention.

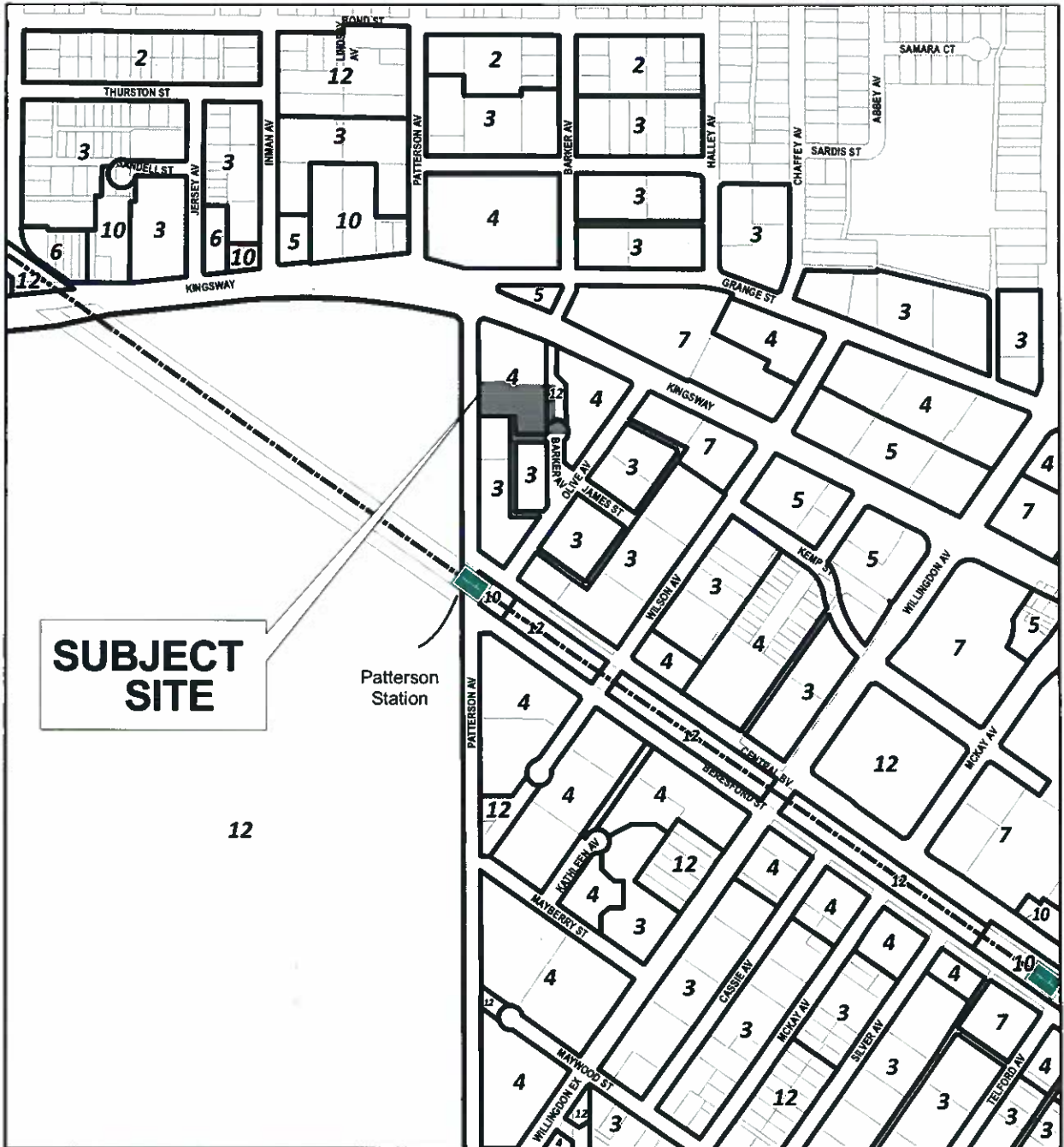
Given the foregoing, staff remain supportive of the subject rezoning application.


Lou Pelletier, Acting Director
PLANNING AND BUILDING

EK:tn

Attachments

cc: Director Engineering
City Clerk



SUBJECT SITE

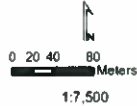
Patterson Station

- | | |
|--|--------------------------------------|
| 1 Single and Two Family Residential | 7 High Density Mixed Use |
| 2 Low Density Multiple Family Residential | 10 Institutional |
| 3 Medium Density Multiple Family Residential | 12 Park and Public Use/Public School |
| 4 High Density Multiple Family Residential | |
| 5 Commercial | |
| 6 Medium Density Mixed Use | |



Planning and Building Dept
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Metrotown Plan



Sketch #2