



Item
Meeting 2014 February 17

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2014 February 12
FROM: DIRECTOR PLANNING AND BUILDING **FILE:** 49500 20
Reference: Re:#07-49
SUBJECT: REZONING REFERENCE #07-49
CANADA WAY – CLAUDE AVENUE
RESPONSE TO PUBLIC HEARING ISSUES
PURPOSE: To respond to issues raised at the Public Hearing for Rezoning Reference #07-49.

RECOMMENDATION:

1. **THAT** a copy of this report be sent to the applicant and those who spoke at, or submitted correspondence to, the Public Hearing for Rezoning Reference #07-49.

REPORT

1.0 BACKGROUND

On 2013 November 26, a Public Hearing was held for Rezoning Reference #07-49. The subject rezoning application proposes a 132 unit townhouse development with under-building and underground parking, within the Council adopted Canada Way and Claude Avenue Area Plan (Rayside) (see *attached* Sketches #1 and #2).

At the Public Hearing, seven written and eight verbal submissions were received from area residents primarily residing along Wilton Avenue and Claude Avenue concerning; density and building form; traffic; parking; emergency vehicle access, potential construction impacts; soil stability; potential environmental impacts; and, available park and school space. At the Public Hearing, Council requested that a staff report be submitted to provide further information on the issues raised. The following report addresses Council's request.

2.0 ISSUES RAISED

Issue #1 –Density, Height and Building Form

Questions were raised regarding the proposed density, building heights and setbacks. Concerns were also raised regarding the proposed form of development and its relationship to the surrounding neighbourhood.

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Response:

The subject site was initially identified for multiple-family development (Group Housing) under the Council adopted Canada Way/Burris Street/Trans-Canada Highway/Sperling-Freeway Interchange Area Plan (1974). This plan provided for both single and two-family development, as well as multiple-family development opportunities. In total there are two main multiple-family development areas and 85 single and two-family lots within the plan area. The first multiple-family development area is located on the eastern edge of the plan, at Burris Street and Mayview Close. Known as One Arbour Lane, this area was developed in line with the adopted plan in the late 1970s and consists of 124 multiple-family residential units. The second multiple-family development area, which includes the subject site, is located at the western edge of the plan, proximal to the Sperling Avenue and Canada Way intersection. This area has remained undeveloped since the plan's adoption. In 2004, Council adopted a report establishing development guidelines for this development area utilizing the RM2 Multiple-Family District as a guideline. In 2007, the subject Comprehensive Development rezoning application was received, and is consistent with the established RM2 District guidelines adopted by Council.

In regard to the density of the subject development, the application proposes 132 (non-stacked) townhouse units, equating to approximately 30 units per acre (u.p.a). This u.p.a. is considered moderate to low for development under the RM2 District as a guideline, which typically provides for average densities greater than 40 units per acre. The architecture of the proposed townhouse development is designed in the west coast contemporary style, with pitched roofs and broad overhangs; lap and board and batten siding; brick chimneys; and wood accents and details. This design style was specifically chosen in order to integrate with the adjacent single-family neighbourhood to the east. In regard to the height of the development, the proposed units are intended to be three levels, with an average height of approximately 9.7m (32ft.) above finished grade, which is below the maximum height permitted by the Zoning Bylaw (12.0m (39.37 ft.)), and is in character with the maximum permitted height of surrounding single-family dwellings at 9.0m (29.5 ft.). Furthermore, the building is terraced to meet existing grades, with buildings fronting Canada Way being developed at a slightly higher elevation, with units to the south and east dropping to meet Claude Avenue elevation.

In regard to setbacks, privacy and shadowing in relation to adjacent single-family dwellings, the proposed setbacks are generally 6.0m (20ft.) from adjacent property lines, with increased setbacks of 20.0 to 30.0m (66 to 98 ft.) adjacent creeks and environmentally sensitive areas. These proposed setbacks are consistent with a majority of similarly scaled multiple-family developments in the city, and exceeds the minimum side yard setback of 4.5m (15ft.) permitted under the RM2 District. A shadow analysis has been undertaken that shows that there is little to no impact to the rear yards of dwellings to the east based on the proposed three storey height of the proposed buildings. Furthermore, it is noted that rear yards to the east of the development site are already shadowed from existing trees which exceed the height of the proposed development. In regard to privacy, the landscape plan proposes a six-foot cedar fence along the eastern property line adjacent the abutting single-family dwellings, as well as a privacy hedge, fence and row of trees to screen ground level patios on-site.

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Issue #2 – Traffic

Questions were raised regarding potential traffic generated from the site and its impact on local roads.

Response:

A comprehensive review of traffic and transportation related infrastructure required for the proposed development has been undertaken by City staff within the Planning Department – Transportation Planning Division and Engineering Department – Traffic Division. In regard to the subject site’s location, the immediately bounding streets include Canada Way and Claude Avenue, with streets proximal to the site including Sperling Avenue, Wilton Avenue, McCarthy Court and Rayside Avenue. Detailed road geometrics have been prepared for streets bounding the development site. In line with the requirements for all multiple-family rezoning applications, the applicant is required to provide all necessary services to serve the site, including road and sidewalk infrastructure. The following is a brief summary of the road network surrounding the subject site and proposed improvements identified through the rezoning process.

Canada Way

Canada Way is designated in the Burnaby Transportation Plan as a secondary arterial, which is intended for, and developed to, a four lane standard with two moving lanes in each direction. On-street parking is prohibited along Canada Way. Higher traffic volumes are anticipated, and are accommodated, on Canada Way. As a requirement of the subject rezoning application, to improve the pedestrian environment, the applicant is to provide separated sidewalks on the north side of Canada Way across the development frontage, complete with 1.8m tree and grass front boulevard, 1.5m concrete sidewalk and 1.2m rear grassed boulevard. Vehicular access to the site from Canada Way is prohibited due to its designation as secondary arterial. Further widening of Canada Way beyond four moving lanes of traffic is not planned, as any widening would primarily serve commuter traffic, further impacting the Burnaby community, and would have limited utility for local circulation. Finally, the advancement of future development in line with the plan to the west, would provide further improvements to Canada Way, including completion of the separated sidewalk to Sperling Avenue, and the construction of a raised median to improve the safety of left turn movements at Sperling Avenue.

Claude/Wilton Avenue

Claude Avenue/Wilton Avenue is designated in the Burnaby Transportation Plan as a local collector, which is intended for a two lane standard, one moving lane in each direction, with additional pavement for on-street parking as necessary. In the city, this road standard is intended to accommodate traffic volumes in the range of 1,000 to 5,000 vehicles per day. Expected traffic counts for Claude and Wilton Avenues are estimated to be below 1,000 vehicles per day. Claude Avenue’s designation and design are consistent with the Community plan’s land use designation for single-family and multiple-family development. Vehicular access to the subject site is proposed via Claude Avenue. As a requirement of the subject rezoning application, the applicant

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is to provide a concrete curb and gutter on both sides of the street, on-street parking provision on the south side of the street, and separated sidewalks on the south side, complete with 1.8m tree and grass front boulevard, 1.5m concrete sidewalk and 1.2m rear grassed boulevard, across the development frontage. Vehicular access to the site is limited to Claude Avenue. With the advancement of future development applications to the east, the Claude Avenue/Wilton Avenue connector will be completed to the above noted local standard. The majority of residents from the proposed multiple-family development are expected to travel westward towards the intersection of Sperling Avenue and Canada Way, as this provides the closest and safest point of access to and from the development.

Sperling Avenue

Sperling Avenue is designated in the Burnaby Transportation Plan as a local collector, which is intended for, and has been developed to, a two lane standard, one moving lane in each direction, with additional pavement for on-street parking as necessary. Similar to Claude Avenue, Sperling Avenue currently accommodates approximately 1,000 vehicle movements per day. Sperling Avenue's designation and design is consistent with the Community plan's land use designation for adjacent multiple-family development, Fire Hall and institutional use. The intersection at Sperling Avenue and Canada Way has been constructed to its final standard with concrete curb and gutter and abutting sidewalks on both sides of the street, left turn bays, one through lane and a dedicated right turn lane for westbound/northbound traffic and emergency vehicles. It is noted that the signal at Sperling and Canada Way is equipped with an advanced signal control for emergency vehicles leaving Fire Hall No. 1.

McCarthy Court

McCarthy Court is designated under the Burnaby Transportation Plan as a local road, which is intended for, and has been developed to, a single lane standard, with additional pavement for on-street parking. In the city, this road standard is intended to accommodate traffic volumes of less than 3,000 vehicles per day. Expected traffic counts for McCarthy Court are estimated to be below 500 vehicle movements per day. McCarthy Court's road designation and design are consistent with the Community plan's land use designation for adjacent single-family development. On-street parking is accommodated on both sides of the street and is available to local residents and visitors. Notwithstanding, Burnaby does not have resident only parking areas or parking permits, therefore on-street parking is available on a first come first serve basis and is not reserved for use by adjacent properties.

Rayside Avenue

Rayside Avenue is designated in the Burnaby Transportation Plan as a local road, which is intended for, a single lane standard, with additional pavement for on-street parking. Rayside Avenue is currently built to an interim standard with a 7.0m pavement and gravel shoulders. At the intersection with Canada Way, Rayside has been widened to 10.0m, with concrete curb and gutter on both sides, and parking restricted within 20.0m of the intersection. In the city, this road standard is intended to accommodate traffic volumes of less than 3,000 vehicles per day. Traffic

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counts for Rayside Avenue are estimated to be below 500 vehicle movements per day. Rayside Avenue's designation and design is consistent with the Community plan's land use designation for adjacent single-family development. Rayside provides secondary access and egress, to and from the neighbourhood to the northwest, with the primary access being via the all movements intersection at Sperling Avenue. Although access to the subject site could be accommodated by way of Rayside Avenue, it would involve a more circuitous route and would likely only be used by a small percentage of residents in place of continuing westbound on Canada Way to the Sperling Avenue intersection.

Questions have been raised as to the safety of the Rayside Avenue and Canada Way intersection, primarily in relation to left turn movements out onto Canada Way. Planning and Engineering staff have undertaken a review of potential options to address safety issues including:

- Restricting movements on Rayside Avenue to right-in and right out
- Installation of a pedestrian activated signal on Canada Way at Rayside Avenue
- Installing a full signal at Rayside Avenue and Canada Way
- Closing Rayside Avenue to vehicle access to and from Canada Way

In reviewing all of these potential options, it has been determined by the Engineering Department - Traffic Division that signalization of Canada Way at Rayside Avenue is not warranted, at this time, given current and projected future pedestrian and traffic volumes on Rayside Avenue. However, signalization may be considered in the future if pedestrian and traffic volumes substantially increase. Closure of Rayside Avenue at Canada Way, similar to other streets intersecting Canada Way (Hazard Street, Nursery Street and Allman Street), is not considered a viable option as this would leave the Sperling Avenue intersection as the only other access and egress point to the neighbourhood. Therefore, it has been concluded that a left turn restriction at Canada Way would be most suitable option to consider. Staff will review this option in greater detail and bring forward further information to the Traffic Safety Committee and Council at a future date regarding potential recommendations.

Issue #3 – Parking

Questions were raised regarding required on-site parking and available on-street parking.

Response:

Questions were raised regarding the sufficiency of required on-site parking and potential loss of off-site street parking as a result of the proposed development. It is noted that the subject application requires the highest standard for multiple-family dwellings in the Burnaby Zoning Bylaw, with the provision of 1.75 spaces per unit, of which 0.25 spaces per unit are allocated for visitors. This results in the required provision of 198 parking spaces, including 33 dedicated visitors' stalls. The applicant has elected to provide an additional four extra resident parking spaces to serve the development. It is also noted that 38 of the provided stalls are tandem stalls, which are calculated at 1.5 spaces per two tandem car stall. Counting each tandem space, there are 221 total parking spaces provided on-site.

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As noted above, the development will be required to provide all services necessary to serve the site, including new concrete curb and gutter and separated sidewalks with street trees, boulevard grassing and street lighting adjacent the development site. These improvements will help to formalize street parking along the south side of Claude Avenue. Although street parking is not reserved for specific residents, as the City does not assign street parking by permit, it is not anticipated that street parking along Wilton Avenue or McCarthy Court will be adversely affected as a result of the proposed development as the walking distance to the individual units from these streets is considerably farther than available on-site parking provisions.

Issue #4 – Emergency Vehicle Access

Questions were raised in regard to adequate emergency vehicle access to the subject site and surrounding neighbourhoods given current road standards.

As noted, Claude Avenue is currently developed to an interim standard with a 6.0m pavement area with gravel shoulders and undefined on-street parking. Improvements to Claude Avenue through the subject application and adjacent future rezoning applications will establish a defined curb edge and on-street parking area, with a 9.0m pavement area exceeding the minimum required 7.0m fire access width. Fire access to the subject site meets all Fire Department – Fire Prevention Division requirements, including the provision of an on-site fire access lane, enunciator panels and siamese hose connections.

In regard to access and egress from Fire Hall No. 1, staff have consulted with the Burnaby Fire Department to review any necessary improvements to serve emergency fire access and response. To date all necessary provisions to serve Fire Hall No. 1 have been made, including the installation of pre-emptive signal activation at Sperling Avenue and Canada Way, and Kensington Avenue and Canada Way, as well as improvement to the Gilpin Avenue fire access lane and its connection to Kensington Avenue. The Fire Chief does not expect or anticipate that any specific concerns will arise for access to and from the Sperling Avenue and Canada Way intersection as a result of the proposed development. However, suggestions were made including painting cross hatch markings within the intersection of Claude Avenue and Sperling Avenue to ensure vehicles do not block the fire truck exit, and installing measures to restrict unintended public access to the fire lane on Gilpin Avenue leading to Kensington Avenue. In this regard, Planning and Engineering staff will work to institute these suggestions, and will continue to liaise with the Fire Department to address any future suggestions on improving access and egress to and from Fire Hall No. 1.

Issue #5 – Construction impacts to the surrounding neighbourhood

Concerns were raised regarding the potential impacts of construction to the surrounding neighbourhood, including traffic, parking, noise and dust.

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Response:

It is recognized that during the construction phase of any development, there will be some impact to the surrounding area, including traffic, noise and dust. To ensure that impacts to the surrounding neighbourhood are as minimal as possible, the developer will be required to meet the following provisions:

- Submit a construction access plan to the Engineering Department prior to commencement of construction. The plan will include an outline on the location of construction access, construction vehicle staging and proposed temporary road closure areas with a view to properly manage potential construction impacts within the surrounding neighbourhood;
- Ensure that contractor vehicle parking be accommodated on-site, off-site within permitted parking lots or within permitted on-street parking areas;
- Submit a sediment control plan to the Engineering Department prior to issuance of a building permit to ensure that dust, and other sediment control matters are properly managed; and,
- Ensure that construction and vehicle noise originating from the proposed development site abide by the permitted hours of construction and the Burnaby Noise Bylaw. The Bylaw limits construction activity to the hours of 7:00 a.m. – 8:00 p.m., Monday to Friday, and 9:00 a.m. - 8:00 p.m. on Saturdays. The Bylaw also limits the level of noise emanating from construction sites to 85 dBAs.

Claude Avenue is intended to remain open during its reconstruction. However, if temporary disruptions to access occur during construction, notice in advance will be posted along the roadway and sent to area residents for information. In addition, flag persons and appropriate signage would be present to assist with any alternate routing.

Issue #6 – Soil Stability and Groundwater

Questions have been raised regarding the suitability of the site for multiple-family development and the potential for groundwater displacement.

The subject site is comprised of a mix of peat and till soils, with the southern portion of the site required to be preloaded or piled to ensure the stability of building foundations. All development on site will meet BC Building Code requirements for multiple-family development. Furthermore, a geotechnical report has been submitted by a certified professional Engineer for approval by the Chief Building Inspector, prior to any preloading and construction. Any fill brought in to the site for preloading and flood proofing will require approval through a soil deposit and removal permit. This permit will be accompanied by a soil deposit and removal plan which would be reviewed by the Planning and Building, and Engineering Departments. To manage sediment during preloading and construction a sediment control plan is required to be submitted by a certified professional engineer, to ensure that sediment from the site does not migrate to adjacent properties, storm sewers and creeks. The applicant is required to demonstrate that they will not affect neighbouring properties by drawing down or displacing groundwater. The key mechanism

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to protect neighbouring properties is the required submission of a comprehensive stormwater management plan prepared by a certified professional engineer, to ensure that all rainwater captured on site is appropriately conveyed to the City's stormwater system. Furthermore, as a requirement of the proposed development, as well as future developments to the northeast, improvement of Deer Lake Brook Tributary #1 is required to be undertaken. This will assist in reducing high water and creek inundation during storm events, protecting both the proposed development and adjacent single-family dwellings.

Issue #7 – Protection of Environmentally Sensitive Area

Concerns were raised regarding the potential environmental impacts due to tree removal, preloading and construction.

Response:

The proposed development is located in proximity to Deer Lake Brook and Deer Lake Brook Tributary #1. Under the City's Streamside Protection and Enhancement Areas policy and Fisheries and Oceans Canada (DFO) regulations, a setback of 30m (98ft.) from the top of bank of Deer Lake Brook, and a setback of 20m (65ft.) from the top of bank of Deer Lake Brook Tributary #1, are required. Within the setback area for Deer Lake Brook Tributary #1, the applicant will be required to construct an off-stream channel to improve fish passage, as well as remove invasive species and revegetate with native species to improve wildlife habitat. The setback areas will be protected by a Section 219 Covenant and will be separated from the development site by a wooden fence. These requirements fully meet Zoning Bylaw standards for development adjacent creeks, as well as Provincial Ministry of Environment and Federal Fisheries and Oceans Canada guidelines.

It is noted, that as a result of the required preload and development program, a substantial component of existing vegetation will need to be removed. Existing vegetation will be retained within the riparian setback areas, with the exception of invasive species or hazard trees. As a requirement of the rezoning application, a tree survey and arbourist's report have been prepared, as well as an assessment by the City's Landscape Technician. It was determined that the site is primarily comprised of succession species, including alder and birch, with many growing in poorly draining soils resulting in trees that are structurally unsound. Through the proposed development, the site will be re-landscaped with a mixture of native and ornamental species, including the planting of 329 new trees and over 8,000 new shrubs throughout the site. As a naturally vegetated site, it is a requirement of the subject rezoning application to submit a nesting raptors survey to ensure the development's compliance with the Wildlife Act. No nesting raptors are currently present, however, ongoing monitoring will be conducted prior to, and during tree removal.

Issue #8 –Parks and School Facilities

Concerns were raised regarding the capacity of parks and schools facilities within the area.

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Response:

The subject development is strategically located near some of the city's most significant open space, park and cultural facilities, with access to over 575 hectares (1,400 acres) of park and recreation area within a one kilometer walking distance. Directly to the east and northeast of the site is the Deer Lake Brook conservation area, of which the development will be contributing an additional 186.73 m² (2,010 sq.ft.), to the total planned park and open space area of 1.8 hectares (4.45 acres). This public open space provides trail connections east to Robert Burnaby Park, and west to the new Kensington Avenue overpass, providing urban trail access to Burnaby Lake Park and Burnaby Lake Sports Complex. To the east is a planned 1.2 hectare (3.0 acre) neighbourhood park set within the single-family area bound by McCarthy Court, Claude Avenue, Rayside Street and Canada Way. The development of the proposed park would be advanced in-line with approved capital budget priorities. Consistent with standard procedure, a future public consultation process would be undertaken by the City's Parks, Recreation and Cultural Services Department to determine the park's specific use and design. To the southwest, across Sperling Avenue and Canada Way, is the Burnaby Village Museum, with the Shadbolt Centre for the Arts, Burnaby Art Gallery and Deer Lake Park beyond. Together, these local and city wide amenities provide unparalleled recreation opportunities for residents of the proposed development area.

In regard to local schools to serve the proposed development, Buckingham Elementary, Lakeview Elementary, and Burnaby Central High School are all within walking distance of the site. The most direct route to Buckingham Elementary is along Canada Way to Burris Street, Burris Street to Buckingham Drive, and Buckingham Drive to the School (1.1 km). The most direct route to Lakeview Elementary is along Canada Way to Mayfield Street, and Mayfield Street to the School (1.2 km). The most direct route to Burnaby Central Secondary is along Canada Way to Deer Lake Avenue, Deer Lake Avenue to Deer Lake Parkway, and Deer Lake Parkway to the School (1.0 km). City staff consult with the Burnaby School District on enrollment projections on a regular basis. The School District is mandated by the Provincial government to provide for spaces to meet enrollment demands. The Burnaby School District has noted that local schools, including Buckingham Elementary, can accommodate the children from the new families that would choose to locate in the proposed development. The School District also noted that enrolment fluctuates year to year, with some years higher than others, within individual schools. The Burnaby School District has been able to, and expects to be able to continue to accommodate new enrollment in Burnaby.

3.0 CONCLUSION AND RECOMMENDATION

The development proposal for the subject rezoning application (Rezoning Reference #07-49) is for a 132-unit townhouse development within the Canada Way – Claude Avenue Area Plan. The proposal is considered supportable given its consistency with the adopted Plan, in its pursuance of quality architecture and a progressive landscaping treatment in character with the surrounding single-family neighbourhood.

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This report presents information responding to questions raised at the Public Hearing, including those related to density and building form; traffic; parking; emergency vehicle access, potential construction impacts; soil stability; potential environmental impacts; and, available park and school space. As a condition of Final Adoption of the rezoning, the developer will be required to complete the required prerequisites of the subject rezoning application, as well as obtain the necessary City-approvals and permits, which will ensure that the concerns raised at Public Hearing are appropriately addressed. In view of the above, the development proposal is considered to be supportable.

It is recommended that a copy of this report be sent to the applicant and those who spoke at, or submitted correspondence to the Public Hearing for Rezoning Reference #07-49. A future report on the intersection of Canada Way and Rayside will also be submitted to the Traffic Safety Committee for its consideration.



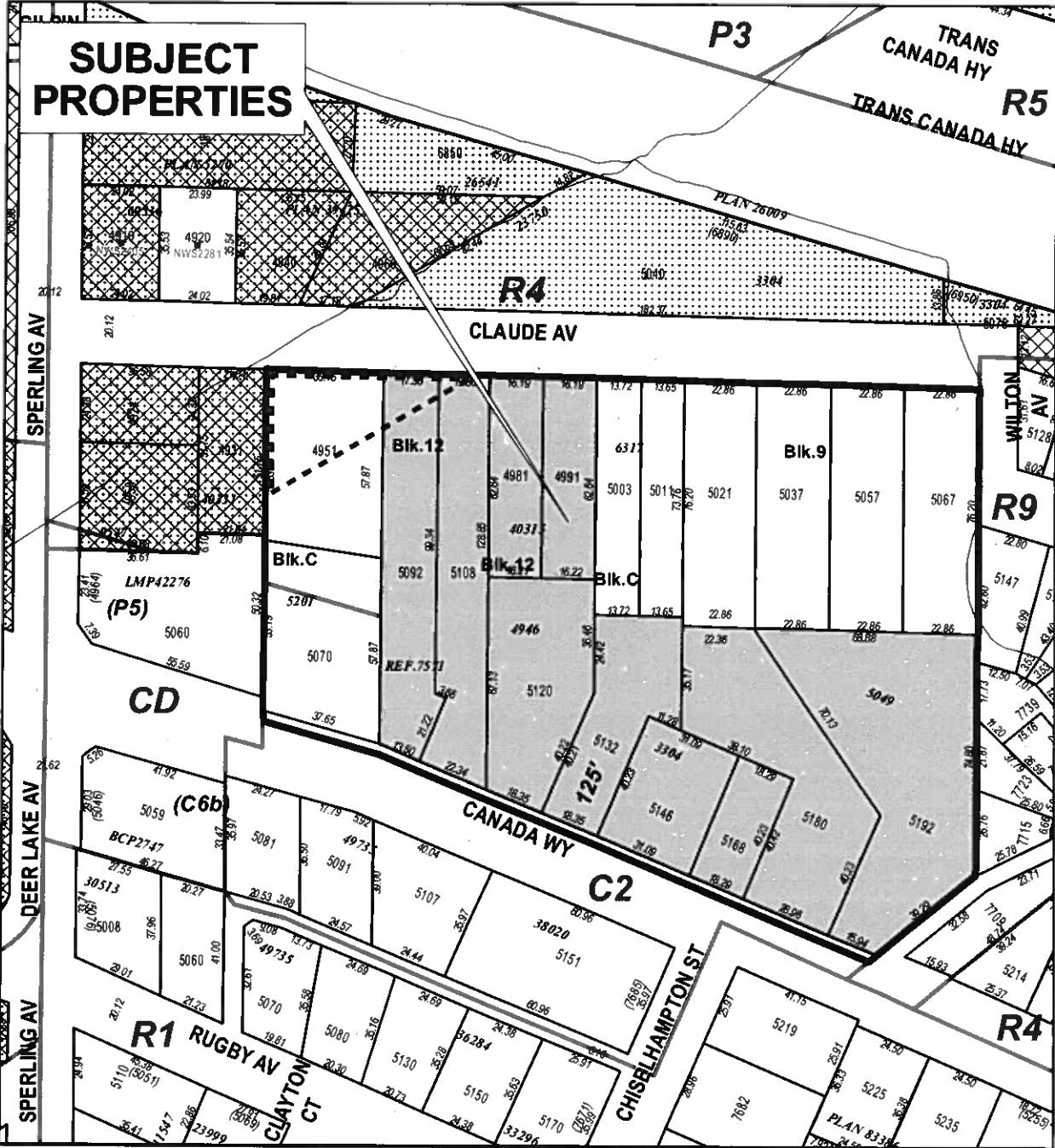
Lou Pelletier, Director
PLANNING AND BUILDING

JBS:spf

Attachments

cc: Director Engineering
Chief Building Inspector
City Clerk

SUBJECT PROPERTIES



PLANNING & BUILDING DEPARTMENT



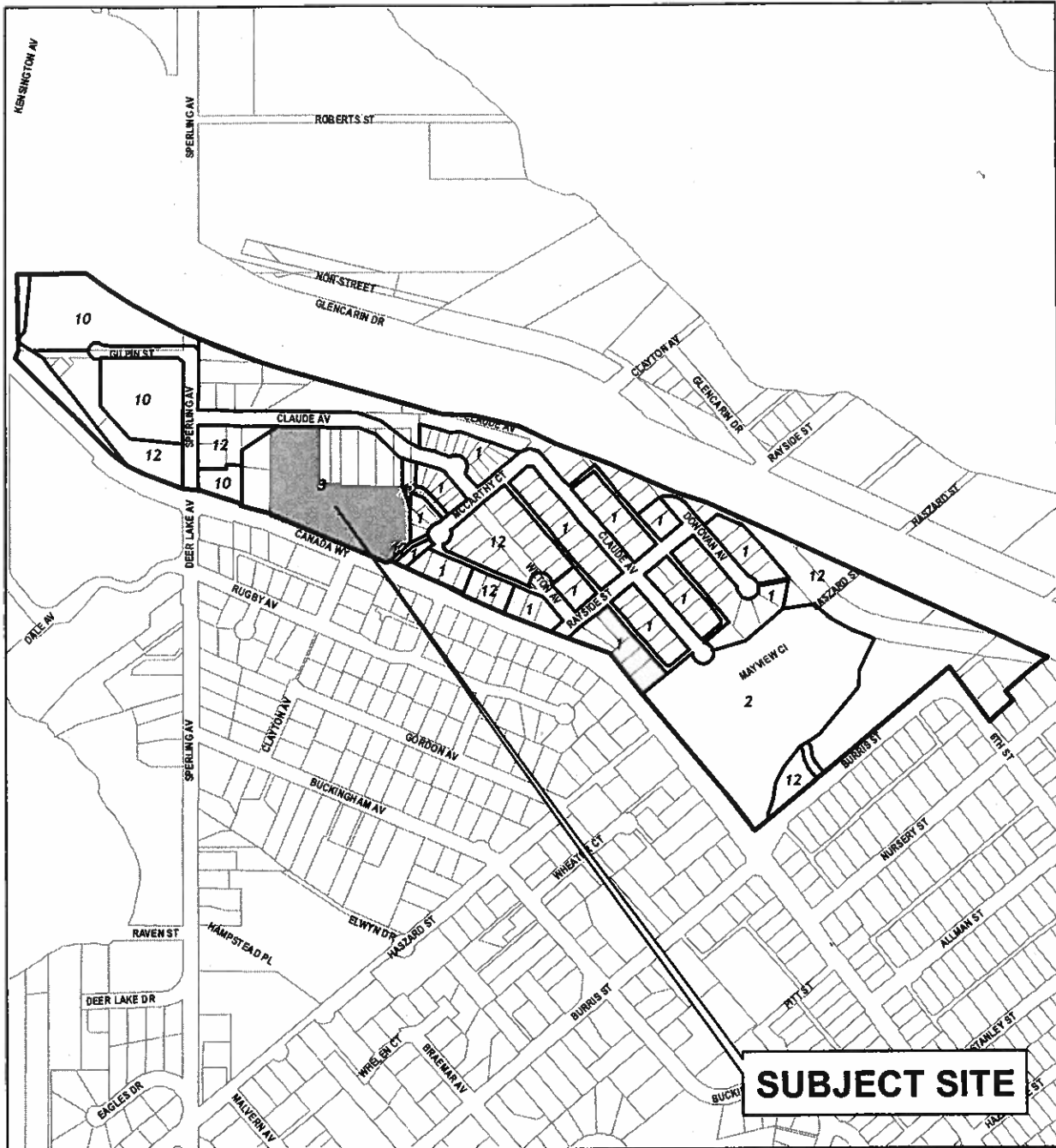
DATE: OCT 07 2013

SCALE: 1:2,000

DRAWN BY: AY

**REZONING REFERENCE #07-49
PORTION OF CANADA WAY - CLAUDE AVENUE AREA PLAN**

- Subject Properties
- City-Owned Property
- Plan Boundary
- To be Dedicated



SUBJECT SITE

Rayside



PLANNING & BUILDING DEPARTMENT

- 1 Single and Two Family Residential
- 2 Low Density Multiple Family Residential
- 3 Medium Density Multiple Family Residential
- 10 Administration and Public Assembly
- 12 Park and Public Use

