
TO: CITY MANAGER **DATE:** 2014 July 16

FROM: DIRECTOR PLANNING AND BUILDING **FILE:** 49500 20
Reference: REZ #13-33

SUBJECT: REZONING REFERENCE #13-33
7174 BARNET ROAD
RESPONSE TO PUBLIC HEARING ISSUES

PURPOSE: To respond to issues raised at the Public Hearing for Rezoning Reference #13-33.

RECOMMENDATION:

1. **THAT** a copy of this report be sent to the applicant and those who spoke at, or submitted correspondence to, the 2014 June 24 Public Hearing for Rezoning Reference #13-33.

REPORT

1.0 BACKGROUND

On 2014 June 24, a Public Hearing was held for Rezoning Reference #13-33 (see Sketch #1 *attached*). The purpose of the proposed rezoning bylaw amendment is to permit the construction of a three-storey mixed-use commercial and residential development with underground parking.

Four speakers appeared at the Public Hearing, and five items of correspondence were received with regards to traffic, the closing of the existing pub, privacy, construction impacts, underground vehicular access, existing trees on site and the impacts of the development on the adjacent property's fire access.

The traffic issues raised will be addressed separately through the Traffic Safety Committee; this report responds to the other issues raised.

2.0 NEIGHBOURHOOD CONTEXT

The subject property is located within a residential sub-area of Apartment Area "C" bounded by Hastings Street, Duthie Avenue, Ridge Drive and Inlet Drive (see Sketch #1 and #2 *attached*) which currently accommodates a total of approximately 456 residential units. Existing developments in the area include: 117 units in Oceania Court at 7070 Inlet Drive, constructed in 1968; 72 units in Harbour Ridge Terrace at 7110 Barnett Road, constructed in 1988; and, 56 units in Nova Vita Co-op at 7166 Barnet Road, constructed in 1988. The subject proposal is for 21 residential units and a small component of commercial set within this existing multiple-family residential area.

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3.0 ISSUES RAISED

Issue #1 – Closure of the Pub: Correspondence was received both opposing and in favour of the closure of the Mountain Shadow Pub which currently occupies the site.

Response:

Although the pub provides for a community gathering space, the property owner has indicated that the pub is no longer financially viable on the site. In addition, it is noted that the pub has a longstanding history of noise complaints.

It should be noted that, given the unique building that currently occupies the site, the architect has chosen to retain some of the current building's elements in the proposed new design. Specifically, brick and beams in the current structure are proposed to be re-used as a touchstone of the site's past.

Issue #2 – Relationship with the adjacent development to the South: Concerns were raised by the occupants of the neighbouring Nova Vita Co-op regarding their fire access, privacy impacts and the location of the underground parkade ramp.

Response:

Consideration was given to the subject site's relationship with the adjacent development. For example, consideration was given to the setbacks to the housing co-op. The closest three townhouses, of this development to the Co-op, have been setback 6.0 m (20 feet), which is 5 feet beyond the typical setback in this regard. The ramp to the underground parkade is located at the southwestern most edge of the property with access from Barnet Road. The ramp could not be reasonably located in another location due to the awkward shape and grades on the site, as well as the proximity of the intersection of Barnet Road and Pandora Street. The parkade gate, which is fully located underground, will minimize any impacts with regards to noise from the gate opening and closing.

Several speakers raised the issue of privacy impacts, specifically related to the removal of the existing brick wall at the rear property line of the subject site and its replacement with a 6 foot high cedar fence and related landscaping. The speakers specifically requested that the replacement fence be 8 feet in height. Given that the existing fence is of a similar height, the request of the adjacent property is considered supportable. The plans for the subject site will be amended to reflect this change.

Concerns were raised with regards to potential impacts of the proposed site on the fire access of the adjacent site. In response, the Burnaby Captain Fire Prevention, has visited the site and met with the President of the Nova Vita Co-op, and does not have any concerns with regards to the Co-op's existing or future fire access.

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Issue #3 – Construction Impacts: Concerns were raised with regards to dust and construction debris that may affect adjacent properties during construction, including the adjacent play area on the Co-op site.

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 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.

In addition, with regards to safety during construction, staff will request that the developer's construction team meet with the residents of the neighbouring Co-op, prior to commencing construction, in order to review the construction safety measures.

Issue #4 – On site Trees: Correspondence was received requesting that on-site trees be retained.

There are a total of 16 trees on-site. The applicant has provided an arborist report indicating that the trees could not be feasibly retained due to the extent of the excavation for underground parking. The report, as well as the submitted landscape plan, has been approved by the City's Landscape Technician. Under the subject rezoning application, 22 replacement trees are proposed in-line with the replacement requirements of the new Burnaby Tree Bylaw.

4.0 CONCLUSION

At the Public Hearing held for Rezoning Reference #13-33, issues were raised with regards to traffic, the closing of the existing pub, privacy, construction impacts, underground access, existing trees on site and the impacts of the development on the adjacent property's fire access.

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As requested by Council at the Public Hearing, this report provides the staff response to these matters. As noted, the traffic issues are to be addressed separately by the Traffic Safety Committee.

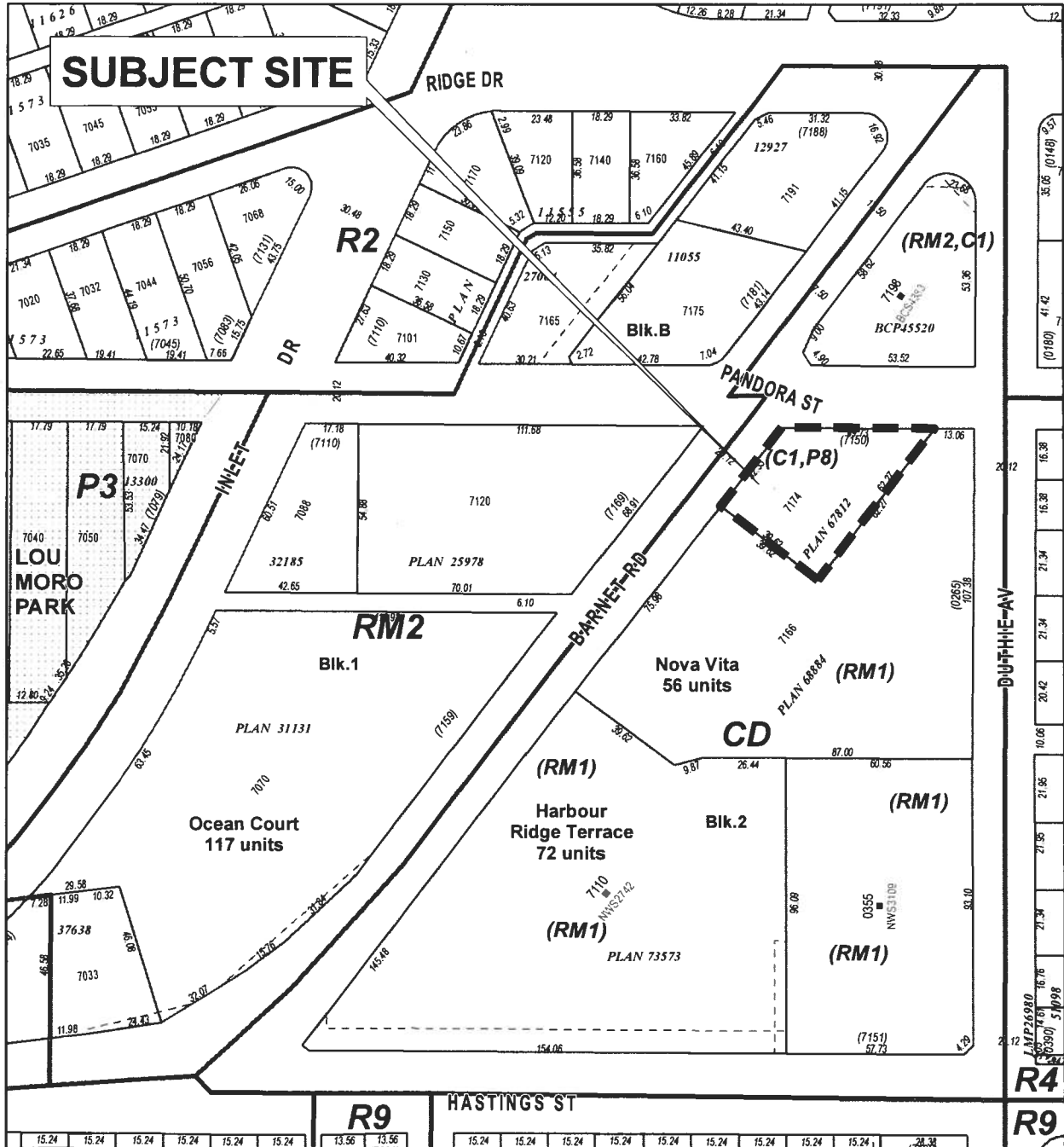
It is recommended that a copy of this report be sent to the applicant, those who spoke or submitted correspondence to the Public Hearing for Rezoning Reference #13-33.


Lou Pelletier, Director
PLANNING AND BUILDING

DR:spf

Attachments

cc: Director Engineering
Chief Building Inspector
City Clerk



PLANNING & BUILDING DEPARTMENT



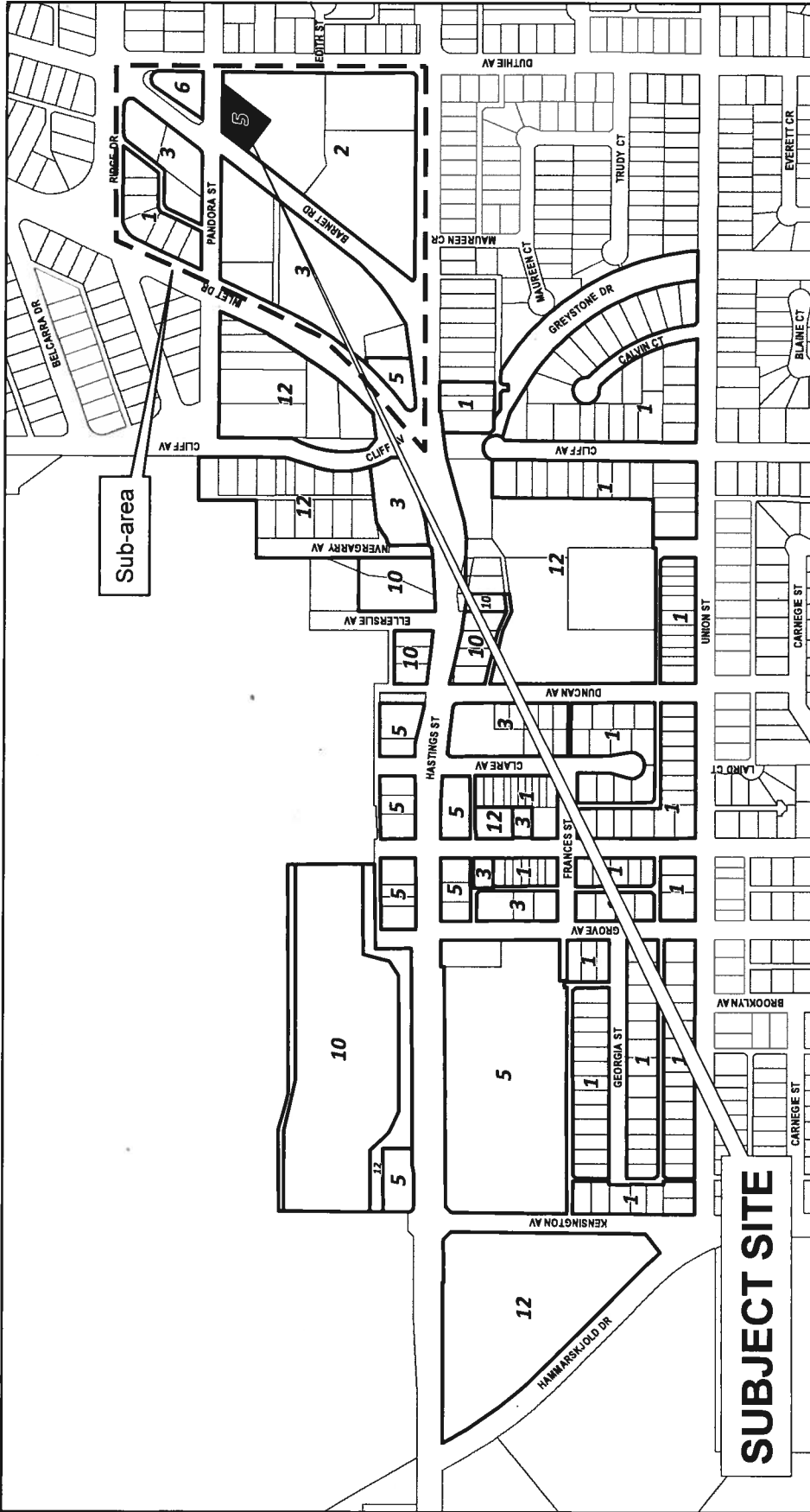
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REZONING REFERENCE #13 -- 33
7174 BARNET ROAD

 Subject Site



**Lochdale Area
Development Plan**



PLANNING & BUILDING DEPARTMENT

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