
TO: CITY MANAGER **DATE:** 2014 October 22

FROM: DIRECTOR PLANNING AND BUILDING **FILE:** 49500 20
Reference: Rez #13-37

**SUBJECT: REZONING REFERENCE #13-37
NON-PROFIT SENIORS' SUPPORTIVE HOUSING FACILITY
RESPONSE TO PUBLIC HEARING ISSUES**

PURPOSE: To respond to issues raised at the Public Hearing for Rezoning Reference #13-37.

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 #13-37.

REPORT**1.0 BACKGROUND**

On 2014 September 30, a Public Hearing was held for Rezoning Reference #13-37. The subject rezoning application proposes a five-storey, 122 unit, non-profit seniors' supportive housing facility with surface parking, within the area of the Council adopted George Derby Community Plan (see *attached* Sketches #1 and #2).

At the Public Hearing, six written and four oral submissions were received from area residents primarily residing along Sixteenth Avenue and Cumberland Street concerning: vehicular access, and on-street parking; potential construction impacts; potential environmental impacts; future potential subdivision and development of the site; building form and height; and questions regarding the relationship between the existing George Derby Centre and the proposed development, and developer. 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 – Vehicular access, and on-street parking*

Questions were raised regarding potential traffic generated from the site related to the need for new vehicular access to the development from Sixteenth Avenue, and available on-street parking.

Response:

Concern regarding vehicular access – The subject development has been designed with a new vehicular access from Sixteenth Avenue to provide a safe and comfortable resident and visitor access to the site, as well as to meet the requirements related to maximum grades for fire truck access. Utilization of the existing driveway to Sixteenth Avenue could not be accommodated for these purposes given the site’s significant grades. The existing access from Sixteenth Avenue provides access to the existing long term care facility and is used for staff as well as to access service and loading areas. The subject development access will also utilize this existing driveway for service and loading areas, while providing for a new driveway access for residents, visitors, and emergency responders.

As a condition of Final Adoption, Traffic Engineering staff will further review the details of the proposed driveway access at Sixteenth Avenue to ensure that all local pedestrian and vehicular safety requirements are met for the required driveway access at this location.

Concern regarding on-street parking – On-street parking is accommodated on both sides of Sixteenth Avenue and Cumberland Street, and is available to local residents and visitors. It is noted that the proposed new driveway crossing would result in the loss of three existing on-street parking spaces on Sixteenth Avenue. The proposed development will provide the required number of on-site parking spaces under the Zoning Bylaw to meet resident and visitor needs.

Issue #2 – Potential construction impacts to the surrounding neighbourhood

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

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. Sixteenth Avenue and Cumberland Street will remain open during construction. To ensure that impacts to the surrounding neighbourhood are as minimal as possible, the developer will be required to meet the following provisions:

- submission and approval of a construction access plan to the Engineering Department prior to commencement of construction. The plan will include an outline of 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 is accommodated on-site, off-site within permitted parking lots or within permitted on-street parking areas;

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- submission and approval of a sediment control plan to the Engineering Department prior to issuance of a building permit to ensure that erosion, 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 decibels.

The applicant for the subject rezoning has indicated a projected construction start date of early summer 2015, with an anticipated construction period of approximately 18 months.

Issue #3 – Potential environmental impacts

Concerns were raised regarding the potential environmental impacts to existing park / open space and creeks, the loss of forested area due to construction, and the retention of park / open space within the unopened Coldicutt Street right-of-way.

Response:

Concern regarding impacts to parks / open space and creeks – It is noted that the proposed development is located on the site's south property line along the Sixteenth Avenue frontage, and is not in proximity to the Cariboo Conservation Area, which is located immediately adjacent to the site's north and east property lines. Specifically, the proposed building is setback 147 m (482 ft.) from the north property line, and 113 m (371.5 ft.) from the east property line. Within the area extending from the proposed development site, to the north and east property lines, all existing tall coniferous trees and landscaping will be retained.

The proposed development is not located in proximity to Cedar Creek, which is located to the extreme north of the site, or Coldicutt Creek, which is located to the east of the proposed development. The proposed development is approximately 90m (295ft.) from the top of the bank of Coldicutt Creek, the closest of the two creeks, which is well beyond the City's Streamside Protection and Enhancement Areas policy and Fisheries and Oceans Canada (DFO) regulations, which requires a setback of 30m (98 ft.) from the top of the bank of these watercourses.

To manage sediment during construction, a sediment control plan is required to be submitted by a certified professional Engineer, to the approval of the Director Engineering, to ensure that sediment from the site does not migrate into Cedar Creek or Coldicutt Creek, which are located to the north and east of the portion of the site proposed for development. Furthermore, in regard to stormwater drainage, a comprehensive stormwater management plan prepared by a certified professional Engineer will be required, to ensure that all rainwater captured on site is appropriately conveyed to the City's stormwater system.

Concern regarding loss of trees – The developer engaged an arborist to establish a tree protection and removal plan for the portion of the site proposed for development, which has been

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reviewed by the City's arborist. Within the area of the site proposed for development, the land will be cleared to accommodate the building, parking and access. The plan of development includes the replanting of trees within and adjacent to the perimeter of that portion of the site proposed for development. A tree protection plan will also be required as a condition of rezoning, including bonding and the provision of 1.2m (4 ft.) high chain link fencing around existing trees to be retained during construction that are in proximity to development activity.

Concern regarding retention of park / open space within the unopened Coldicutt Street right-of-way – It is noted that a portion of unopened Coldicutt Street road right-of-way is located along the site's east property line, and immediately adjacent to the existing multiple-family development to the east. This unopened road right-of-way, together with numerous other historically unopened road rights-of-way and City-owned properties, form the overall Cariboo Conservation Area. Such unopened road rights-of-way are viewed as park or open space area, and are not intended to accommodate future road construction or development. In the future, as a housekeeping item, the City intends to provide for the legal closure and consolidation of the lands with the Cariboo Conservation Area.

Issue #4 – Future potential subdivision and development of the site

Questions have been raised regarding the future subdivision and potential development of the site.

At this time the applicant has advised that there are no plans for the future subdivision of the site. Additionally, further development of the site, beyond the subject proposal, is not proposed at this time. However, the applicant has indicated that there is potential for development of additional uses to the east and north of the proposed building that could be advanced in the future through a further rezoning application process. Any such future development would require further rezoning approval by Council.

Issue #5 – Building form and height

Concerns were raised regarding the appropriateness of the building form and height proposed for the development site.

Response:

The P5 District permits a maximum site coverage of 40% and a maximum building height of 12.0m (39.37 ft.) or two-storeys. The subject rezoning application has been pursued under the CD Comprehensive Development District (utilizing the P5 District as a guideline). CD Comprehensive Development District zoning enables the variation of specific aspects of a zoning district, such as height, setbacks and coverage, where it benefits the overall development and plan context. In this circumstance, the proposed building massing of five-storeys results in a smaller building footprint, allowing for a greater portion of the site to remain undisturbed and landscaped. The more efficient building design also contributes to the economic viability of the project.

Further, consideration was given to the proposed building's relationship with the adjacent residential development. Given the building's siting, site grades, the mature landscaping around the perimeter of the site, and the overall size of the subject lot, the new building is not expected to impact surrounding development. This is due to the siting of the development which is setback 147m (482 ft.) from the north property line, which is well beyond the typical required rear yard setback of 9m (29.53 ft.), and is setback 113m (371.5 ft.) from the east property line, which is well beyond the typical side yard setback of 4.5m (14.76 ft.). Within this area, existing tall coniferous trees and shrubs will be retained, and new trees will be planted around the perimeter of the proposed development area, in order to reduce the exposure of the new development. Additionally, the building is setback 39m (127 ft.) from the Sixteenth Avenue, together with a proposed 16m / 53 ft. deep tree retention area along the development frontage on Sixteenth Avenue.

The architecture of the proposed senior's building is designed in the west coast contemporary style, with pitched roofs and broad overhangs; high quality wood-grained materials with natural earth tones; wood accents and details. This design style was specifically chosen in order to reflect the form of development of adjacent residential neighbourhoods to the north, west and east of the site.

Issue #6 – Relationship between the existing George Derby Centre and the proposed development, and developer

A question was raised regarding the relationship between the existing George Derby Centre and the proposed development, and developer.

Response:

The site is owned by the Provincial government and operated by the non-profit George Derby Long Term Care Society under a lease agreement. The proposed seniors' supportive housing project will be owned and operated by the George Derby Long Term Care Society, which operates the existing residential care facility. The facility would provide rental housing to seniors who are able to live independently, while being assisted on-site through supportive services including dining facilities, amenity facilities, organized social activities, housekeeping and laundry services. The existing care facility, together with the proposed senior's supportive housing, are intended to contribute to a comprehensive seniors' residential campus that would allow seniors to age in place.

Etherstane Developments Limited, the applicant for the subject rezoning, has been retained by the George Derby Long Term Care Society as the development consultant and project manager for the project. Etherstane, which was established in 1972, is mainly involved in providing development consulting and project management services to non-profit groups constructing affordable rental housing.

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3.0 CONCLUSION

The development proposal for the subject rezoning application (Rezoning Reference #13-37) is for a five-storey, 122 unit, non-profit seniors' supportive housing facility with surface parking, within the Council adopted George Derby Community Plan. The proposal is considered supportable given its consistency with the adopted Plan, the general public benefit derived from the proposed development, and its pursuance of quality architecture and significant retention of the existing landscaped character of the site.

This report provides information responding to questions raised at the Public Hearing, including those related to vehicular access, and on-street parking; potential construction impacts; potential environmental impacts; future potential subdivision and development of the site; building form and height; and questions regarding the relationship between the existing George Derby Centre and the proposed development, and developer.

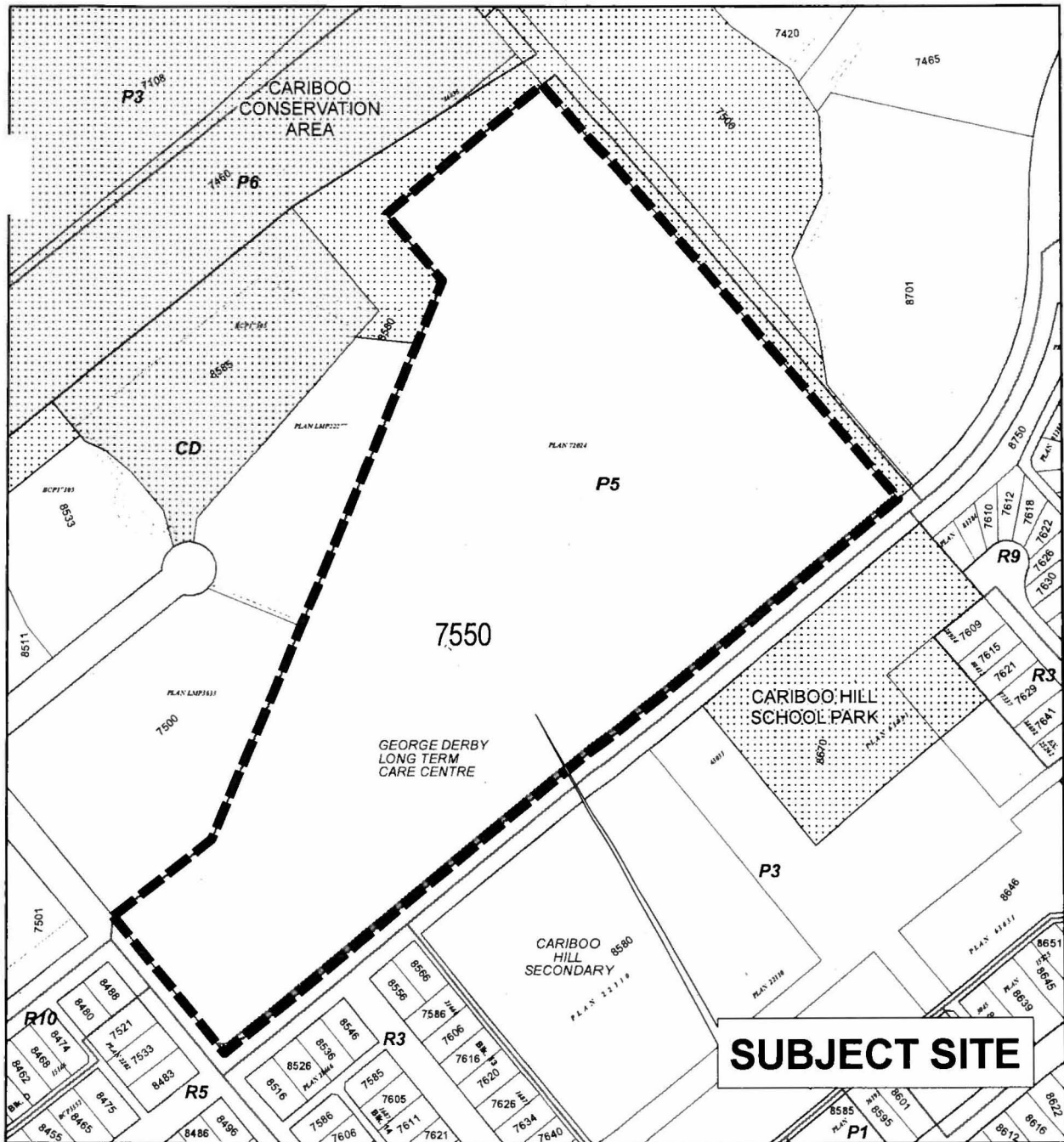
As a condition of Final Adoption of the rezoning, the developer will be required to complete the required prerequisites of the subject rezoning application, as well as obtain the necessary City approvals and permits.

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 #13-37.


Lou Pelletier, Director
PLANNING AND BUILDING

SMN:spf
Attachments

cc: Director Engineering
Chief Building Inspector
City Clerk




SUBJECT SITE

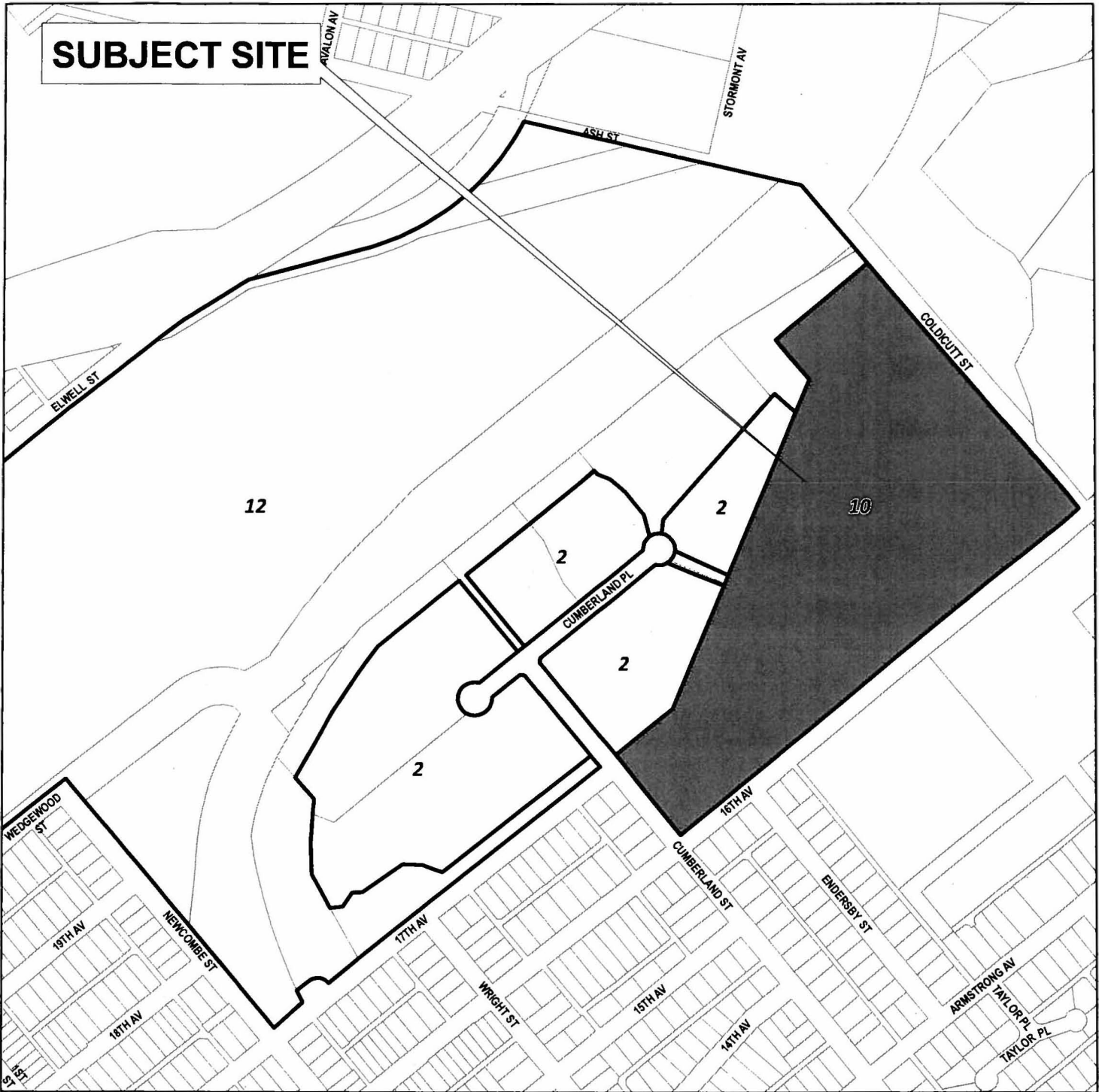


PLANNING AND BUILDING DEPARTMENT



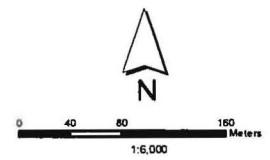
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 Subject Site
REZONING REFERENCE #13 -- 37
7550 CUMBERLAND STREET



General Land Use Designation Key

- 2** Low Density Multiple Family Residential
- 10** Institutional
- 12** Park and Public Use/Public School



PLANNING AND BUILDING DEPARTMENT

George Derby Community Plan