



Item	
Meeting	2016 November 07

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2016 November 02

FROM: DIRECTOR PLANNING AND BUILDING **FILE:** 49500 20
Reference: REZ #16-23

SUBJECT: REZONING REFERENCE #16-23
8940 UNIVERCITY CRESCENT
RESPONSE TO ISSUES RAISED AT PUBLIC HEARING

PURPOSE: To respond to issues raised at the Public Hearing for Rezoning Reference #16-23.

RECOMMENDATION:

1. **THAT** a copy of this report be sent to the applicant and to those who spoke at, or submitted correspondence to, the Public Hearing for Rezoning Reference #16-23.

REPORT**1.0 BACKGROUND**

On 2016 October 25, a Public Hearing was held for Rezoning Reference #16-23. The purpose of the subject rezoning application is permit the development of a 13 storey apartment building with a townhouse podium.

At the Public Hearing, two delegations appeared before Council and presented a petition expressing concern regarding the rezoning proposal. Topics raised included: development form; greenspace; traffic, safety, and parking; construction activities and the impact on property values; and notification of planned development. Council requested that staff prepare a report addressing the matters raised by the delegations. This report responds to Council's request.

2.0 TOPICS RAISED**2.1 Development Form***Density and Height*

Concern was expressed regarding the density and height of the proposed development and the impact on quality of life.

To: City Manager
 From: Director Planning and Building
 Re: REZONING REFERENCE #16-23
 RESPONSE TO ISSUES RAISED AT PUBLIC HEARING
 2016 November 02..... Page 2

The subject site is located within a designated residential area of the Simon Fraser University Community Plan. It comprises Lot 17 within Phase 3 of the UniverCity community, which was created by Rezoning Reference #06-65 and adopted by Council on 2010 July 26. The development parameters and statistics established for the site through Rezoning Reference #06-65 permit a maximum development density of 2.6 FAR (providing a maximum gross floor area of 112,000 sq.ft.), up to 117 residential units, and a maximum building height of 12 storeys, including a street fronting townhouse component. The subject rezoning application proposes a density and unit count in accordance with the established development parameters. With respect to height, the applicant proposes a height variance of one storey, to achieve a 13 storey building form. The requested height variance is supportable as it allows for a more terraced building form, reflecting the topographic nature of Burnaby Mountain. Additional terracing also provides more opportunities for outdoor living space, in accordance with design objectives for the UniverCity community, as well as better views and sightlines from adjacent buildings.

The established development parameters, along with detailed Design Guidelines, Landscape Guidelines, and Green Building Requirements developed and administered by SFU Community Trust, help ensure UniverCity is a high quality, livable community. The development approvals process requires consideration of building siting and architectural design; views; provision of public and private outdoor space and amenities; public realm design; accessible and adaptable design; safety and security; vehicle and bicycle parking provisions; tree and habitat conservation; and landscaping; amongst other urban planning and design principles. Overall, the proposed development is considered to meet the high standards of design, including building siting, of both the City and SFU Community Trust.

Setbacks and Building Separation

Concern was expressed regarding the siting of the proposed building and its potential impact on the "Altitude" development on Lot 16 to the immediate east of the subject site, which is comprised of two towers – a 14 storey building on the western portion of the site and a 12 storey building on the eastern portion.

Rezoning Reference #06-65 specifies minimum 7.5 m (24.6 ft.) side yard setbacks for both Lots 16 and 17. Development must also respect established Tree Preservation and Riparian Covenant areas. The proposed building has a minimum side yard setback of 10.67 m (35 ft.) from the shared property line between Lots 16 and 17, while the western building on the Altitude site is set back a minimum 9.9 m (32.5 ft.). Separation between the two buildings ranges from 21.5 m (70.5 ft.) to 31.6 m (103.7 ft.), which far exceeds the 15 m (49.2 ft.) separation that would be achieved through outright application of the side yard setback otherwise permitted on both lots. These separation distances allow for enhanced access to sunlight, views, and privacy. It is also noted that the established Tree Preservation Area straddling the shared lot line contains several large, coniferous trees that will provide additional privacy screening between the buildings.

To: City Manager
 From: Director Planning and Building
 Re: REZONING REFERENCE #16-23
 RESPONSE TO ISSUES RAISED AT PUBLIC HEARING
 2016 November 02..... Page 3

2.2 Loss of Greenspace

Concern was expressed regarding the loss of green space and mature trees on the subject site.

As noted, Rezoning Reference #06-65 established Tree Preservation and Riparian areas on the subject site, through covenants BB1173702 and BB1173704 respectively. The Tree Preservation Area, located along the east property line, measures 367.8 m² (3,959 sq.ft.), while the Riparian Covenant Area, located at the rear of the property measures 1,199.8 m² (12,915 sq.ft.). The covenants are registered on the title of the property, and current and future property owners are required to protect the trees and vegetation within these established areas in perpetuity and ensure the areas are not adversely impacted by adjacent construction activities. In addition to continued protection of these green spaces, the subject rezoning application proposes significant landscape enhancements, including the provision of 89 new trees and numerous shrubs, perennials, groundcover, and grasses.

With respect to the provision of green space in general, the Simon Fraser University Community Plan that was adopted by Council in 1996 included the establishment and protection of the 312.8 hectare (773 acre) Burnaby Mountain Conservation Area and sought, through subsequent master rezoning and subdivision processes in the designated residential area, the establishment of numerous Tree Preservation and Riparian Covenant areas, the development of the 1.1 hectare (2.7 acre) Richard Bolton Park, and the establishment of development guidelines that require the provision of outdoor amenity areas, including children's play areas, on every development site. A 0.46 hectare (1.14 acre) community park is also planned on University Crescent at Slopes Mews in connection with Rezoning Reference #16-14, which is currently underway. Overall, the UniverCity community is considered to have a suitable amount of green space.

2.3 Traffic, Safety, and Parking

Concern was expressed regarding the impact of the proposed development on traffic, safety, and parking.

As a mixed-use community in close proximity to the SFU campus and with easy access to shops, services, and transit, UniverCity has a large percentage of pedestrians, cyclists, transit users, and car share users. The proposed development will further support sustainable modes of transportation by improving pedestrian facilities along the development frontage and by providing 146 on-site bicycle parking spaces, including 24 spaces for visitors. These measures help reduce use of vehicles, thereby lessening traffic volumes in the neighbourhood.

With respect to traffic safety, University Crescent is designed as a local residential street, with one moving lane in each direction, curb bulges, and parking lanes. The speed limit in the neighbourhood is 30 km/h. Vehicular access to the development site is near the west property line, sufficiently distant from the access points to the adjacent Lots 16 and 18. The residential loading space provided at Lot 18 is proposed to be shared with Lot 17, so to avoid the need for an additional driveway crossing. Finally, as noted above, the developer will be required to

To: *City Manager*
 From: *Director Planning and Building*
 Re: *REZONING REFERENCE #16-23*
RESPONSE TO ISSUES RAISED AT PUBLIC HEARING
 2016 November 02..... Page 4

improve the pedestrian environment, through the provision of a 2.7 m (8.9 ft.) front boulevard swale and a 1.8 m (5.9 ft.) unit paver sidewalk. The proposed development is not anticipated to adversely impact traffic safety.

Vehicle parking for the proposed development is in accordance with the Burnaby Zoning Bylaw requirements for the P11e SFU Neighbourhood District. The development requires a total of 152 parking spaces, based on a ratio of one parking space for every one bedroom unit, 1.1 spaces per two bedroom unit, 1.2 spaces per three bedroom unit, and 0.25 spaces per lock-off suite. Additional visitor parking is also required, based on a ratio of 0.2 spaces per dwelling unit. The applicant has elected to provide one additional parking space to serve the development, for a total of 153 parking spaces. The number of off-street parking spaces proposed for the subject development is considered suitable. It is also noted that SFU Community Trust also owns and operates public parking facilities to support commercial uses and to provide additional supply for visitors to the area.

2.4 Construction Activities and Impact on Property Values

Concerns were expressed regarding construction activities and their impact on property values.

It is recognized that during the construction phase of any development, surrounding areas can be affected by construction traffic, noise, and dust. Staff will work with the applicant and its consultants to minimize any disruption to adjacent streets and residents. To mitigate potential traffic impacts, the applicant will be required to submit a construction access plan to the Engineering Department prior to commencement of construction. The plan would address construction access locations, materials delivery locations and timing, and specific requests for construction related road closures. As an overarching principle, the applicant will be requested to accommodate construction traffic and materials delivery on the development site itself, wherever possible. Furthermore, contractors and trades will be encouraged to use transit to access the site, and applicants will also be required to secure sufficient off-street parking for contractors and trades so that parking on local streets is not necessary. To mitigate dust, the applicant will be required to 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. Finally, with respect to noise, any construction and vehicle noise originating from a development site must abide by the Burnaby Noise Bylaw. The bylaw limits construction activity to 7:00 am to 8:00 pm from Monday to Friday, and 9:00 am to 8:00 pm on Saturdays. The Bylaw also limits the level of noise emanating from construction sites to 85 dBAs.

Staff are not aware of evidence that suggests that residential development and related construction activities adversely impact property values. UniverCity is considered a leading sustainable mixed-use community. It has received substantial national and international media attention, numerous awards, and has been featured at numerous workshops, conferences and seminars across Canada and the United States. Staff believe that continued implementation of the adopted community plan will continue to create value captured by property development.

To: City Manager
From: Director Planning and Building
Re: REZONING REFERENCE #16-23
RESPONSE TO ISSUES RAISED AT PUBLIC HEARING
2016 November 02..... Page 5

2.5 Notification of Future Development


Concern was expressed regarding a lack of notification of planned development on Lot 17.

Burnaby City Council has adopted a policy which requires developers of new multiple-family projects in community plan areas to provide information about area land use plans to prospective purchasers. As a condition of development approval and in accordance with covenant BB1173712, the developer of the Altitude project was required to display two area plan context signs at both its sales/marketing office for the project and on the development site. The signs showed the subject property within the area plan context, along with information pertaining to potential surrounding land uses, densities, and building forms, in addition to City Hall contact information. Signage was required to remain until such time as all units are sold, or for a period of one year, whichever is greater. The developer was also required to distribute a Notification of Area Plan along with its disclosure statements. These measures are to ensure that prospective purchasers are informed of potential surrounding development, including planned development on Lot 17.

3.0 CONCLUSION

This report has been prepared in response to matters raised at the Public Hearing held for Rezoning Reference #16-23. These items are considered to have been suitably addressed in the master rezoning for the Phase 3 lands, Rezoning Reference #06-65, and in the subject development proposal.

It is recommended 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 #16-23.


Lou Pelletier, Director
PLANNING AND BUILDING

KH:spf

cc: Director Engineering
Director Finance
City Clerk