



Item .....
Meeting .....2021 October 04

**COUNCIL REPORT**

<b>TO:</b>	CHIEF ADMINISTRATIVE OFFICER	<b>DATE:</b>	2021 September 28
<b>FROM:</b>	DIRECTOR PLANNING AND BUILDING	<b>FILE:</b>	49500 20
		<i>Reference:</i>	<i>REZ #19-70</i>
<b>SUBJECT:</b>	<b>REZONING REFERENCE #19-70</b>		
	<b>7109 - 18<sup>TH</sup> AVENUE AND 7358, 7360, 7376, 7378 - 18<sup>TH</sup> STREET</b>		
	<b>RESPONSE TO ISSUES RAISED AT PUBLIC HEARING</b>		
<b>PURPOSE:</b>	To provide further information on the issues raised at the Public Hearing for Rezoning Reference #19-70.		

**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 #19-70.

**REPORT**

**1.0 BACKGROUND**

On 2021 July 27, a Public Hearing was held for Rezoning Reference #19-70. The purpose of the subject rezoning application is to permit the development of a 29-storey high-rise market strata and rental building with underground parking (see *attached* Sketches #1 and #2).

At the Public Hearing, sixteen verbal submissions and thirty-one written submissions, including four petitions with 227 signatures were received, all of which expressed concerns. These concerns related to:

- area traffic and traffic impacts during construction;
- noise during construction;
- proposed building spatial separation and impacts on adjacent development and Poplar Park;
- development site size and density;
- impacts to Byrne Creek; and,
- public notification of the rezoning proposal.

At the Public Hearing, Council requested that a staff report be submitted to provide further information on the issues raised. This report responds to Council's request.

**2.0 ISSUES RAISED**

**2.1 Area Traffic and Traffic Impacts During Construction**

Concerns were raised regarding area traffic and traffic impacts during construction.

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### *Area Traffic*

A comprehensive review of traffic and transportation related infrastructure required for the proposed development has been undertaken by City staff within the Transportation Planning and Transportation Engineering Divisions, and the applicant is providing a transportation demand management strategy for the site.

To enhance pedestrian safety and to improve the public realm, the applicant is required to provide the Town Centre Standard public realm along all road frontages adjacent the development site. This includes construction of new separated sidewalks, cycle tracks, boulevard landscaping, pedestrian lighting, rain water amenities, curb bulges, and street trees.

The transportation demand management strategy developed for the site is intended to encourage and support travel modes other than single-occupant vehicles. This includes provision of: two bicycle storage spaces per residential unit; a transit pass subsidy program for both the market and rental residential buildings, which is intended to partially offset the cost of transit passes for a temporary period and to positively influence transit usage; and a fund to support car share, equivalent to one car and space per 100 residential units, with memberships available to all strata and rental residents.

### *Traffic Impacts During Construction Activity*

To mitigate potential traffic impacts during construction, 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. Any temporary or partial road closure during construction will require traffic flag-persons on site to help mitigate potential traffic conflicts.

## **2.2 Noise During Construction**

Concerns were raised regarding noise generated by construction activities.

It is recognized that during the construction phase of any development, there will be some impact to the surrounding area, including noise. To minimize noise impacts to the surrounding neighbourhood, the applicant will be required to ensure that construction and vehicle noise originating from the proposed development site abides by the permitted hours of construction and the Burnaby Noise or Sound Abatement Bylaw. The bylaw limits construction activity to the hours of 7:00 am to 8:00 pm Monday to Friday, 9:00 am to 8:00 pm on Saturdays, and at any time Sundays and any statutory holiday. The Bylaw also limits the level of noise emanating from construction sites to 85 dBAs.

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### **2.3 Proposed Building Spatial Separation and Impacts to Adjacent Developments and Poplar Park**

Concerns were raised regarding the proposed building separation from the high-rise development at 7108 Edmonds Street, and the impacts on solar access, and views to adjacent developments and Poplar Park.

#### *Building Separation*

The proposed development plan is for a single 29-storey apartment tower, located in the southwestern portion of the site. The existing ten-storey building located at 7108 Edmonds Street is the closest development, located directly to the northeast of the proposed tower, is approximately 45 m (147 ft.) away corner to corner. Urban design guidelines generally indicate that two towers should be separated by a minimum of 24 m (80 ft.) for corner to corner distances or 30 m (100 ft.) for face to face distances. The subject proposal exceeds this guideline as there are no towers located within either noted distance of the subject tower.

#### *Impacts on Adjacent Developments and Poplar Park*

It is noted that the proposed tower floor plate is 668.9 m<sup>2</sup> (7,200 sq. ft.), which is less than the 750 m<sup>2</sup> (8,100 sq. ft.) generally identified in design guidelines as a maximum. While a building with a slightly lower height and a larger floor plate could be considered for the subject site, this would result in a bulkier, more impactful form; there would be less on-site open space, increased shadowing, greater view obstruction, and reduced separation between buildings. To minimize the impact of the development, as noted, the proposed building has a small foot print and slender profile that minimizes the shadow width and allows the shadow to travel quickly across adjacent areas as the sun moves through the sky. Due to the location of the proposed tower at the southwest portion of the site, shadow studies undertaken by the consultant demonstrate that the tower will impact the development site to the northeast generally towards the middle of the day (12:00 pm), in the fall and winter, and Poplar Park to the east evenings (5:00 pm) fall and winter. Within the Edmonds Town Centre context, the proposed building height and massing has appropriately taken into consideration issues of solar access, shadowing and views.

Overall, the massing, scale and location of the building is considered appropriate given the reasons noted above. Furthermore, it is noted that the development form is consistent with the site's high-density residential designation within the Edmonds Town Centre Plan, the City's Official Community Plan, the Metro Vancouver Regional Growth Strategy, and Burnaby's Rental Use Zoning Policy which support the accommodation of higher densities for both rental and strata tenures within this area given available access to public transit, employment, services, and other community amenities.

### **2.4 Development Site Size and Density**

Concerns were expressed regarding the size of the proposed development site size and its density.

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*Development Site Size*

The Council-adopted Edmonds Town Centre Plan (1994), identifies the consolidation of the subject site together with a redundant portion of 19<sup>th</sup> Avenue for high-density multiple-family residential development under the CD Comprehensive Development District, utilizing the RM4s Multiple Family Residential District as a guideline. The proposed development site has a net site area of approximately 2,579.51 m<sup>2</sup> (27,766 sq. ft.) which exceeds the minimum zoning bylaw site area requirement for RM4s development of 1,670 m<sup>2</sup> (17,976. sq. ft.).

*Development Density*

In addition to the high-density multiple-family residential development designation under the Edmonds Community Plan utilizing the RM4s Multiple Family Residential District, Council's Rental Use Zoning Policy applies to the subject site, and as such, the utilization of the RM4r Multiple Family Residential District is required. The density of developments under the Comprehensive Development District is a function of the permitted Floor Area Ratio (FAR), multiplied by the site size. For this site, the RM4s District permits a maximum of 3.6 FAR, the RM4r District permits a maximum of 1.7 FAR, and an offset density of 0.85 FAR, for a total of 6.15 FAR. The proposal is considered in line with both the Edmonds Town Centre Plan, and the City's Rental Use Zoning Policy.

**2.5 Byrne Creek Impacts**

Concern was expressed regarding the environmental impact of development to Byrne Creek.

Regarding development impact to Byrne Creek, numerous measures will be in place during and after construction to ensure its protection. Notably, these measures include the establishment of an erosion and sediment control system during construction to prevent silt-laden runoff from entering the downstream drainage system and ending up in creeks and lakes, and the provision of an on-site stormwater management system to reduce peak runoff, provide flood protection, and enhance water quality. Furthermore, the proposed development will include three on-site car wash stalls, all of which direct waste water through an interceptor that collects oils and solids, prior to discharge to the building's sanitary sewer system. Wastewater is ultimately conveyed to a waste water treatment facility, with no direct discharge into a storm drain or local waterway.

**2.6 Public Notification of Rezoning Proposal**

Concern was raised regarding public notification of the subject rezoning proposal.

Notification requirements of a Public Hearing process are established under the provisions of the *Local Government Act* (Sections 465 Public Hearing Procedures and Section 466 Public Hearing Notice), as well as the *Burnaby Zoning Bylaw* (Section 7.8 Bylaw Amendments).

Public notification for the proposed development under Rezoning Reference #19-70 has occurred in compliance with the requirements of the *Local Government Act* and *Burnaby Zoning Bylaw*. Notification of the Public Hearing process included:

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- installation of a Public Hearing sign along the 18<sup>Th</sup> Avenue and 18<sup>Th</sup> Street frontages of the subject development site notifying the public of the proposed rezoning bylaw amendment, place, time and date of the hearing, and, contact information of the rezoning applicant;
- advertisement of the proposed rezoning bylaw amendment in two consecutive issues of a newspaper (Burnaby Now), the last publication to appear not less than three days and not more than 10 days before the public hearing;
- advertisement of the proposed rezoning bylaw amendment on the City's website; and,
- provision of written notice and copy of the proposed rezoning bylaw amendment to all property owners and residents within 30 m of the subject development site.


The proposed plan of development had also been made available for viewing in advance of the Public Hearing online (attached to the Public Hearing Agenda), and by contacting the Planning Department directly.

### 3.0 CONCLUSION

The development proposal for the subject rezoning application is for a 29-storey high-rise market strata and rental building with underground parking.

This report provides information responding to a number of concerns raised at Public Hearing. In order to achieve Final Adoption of the rezoning, the developer will be required to satisfy all prerequisite conditions of the subject rezoning application. This includes: construction of the Town Centre Standard along all road frontages; provision of a transportation demand management strategy for the site; submission of a construction access plan; adherence to the Burnaby Noise or Sound Abatement Bylaw; and provision of an erosion and sediment control system during construction. Overall, the proposal is consistent with the Edmonds Town Centre Plan, is high quality in its architecture and landscape treatment, and is considered beneficial to the community through its provision of rental units and public realm improvements. In view of the above, the proposed rezoning application remains supported by staff.

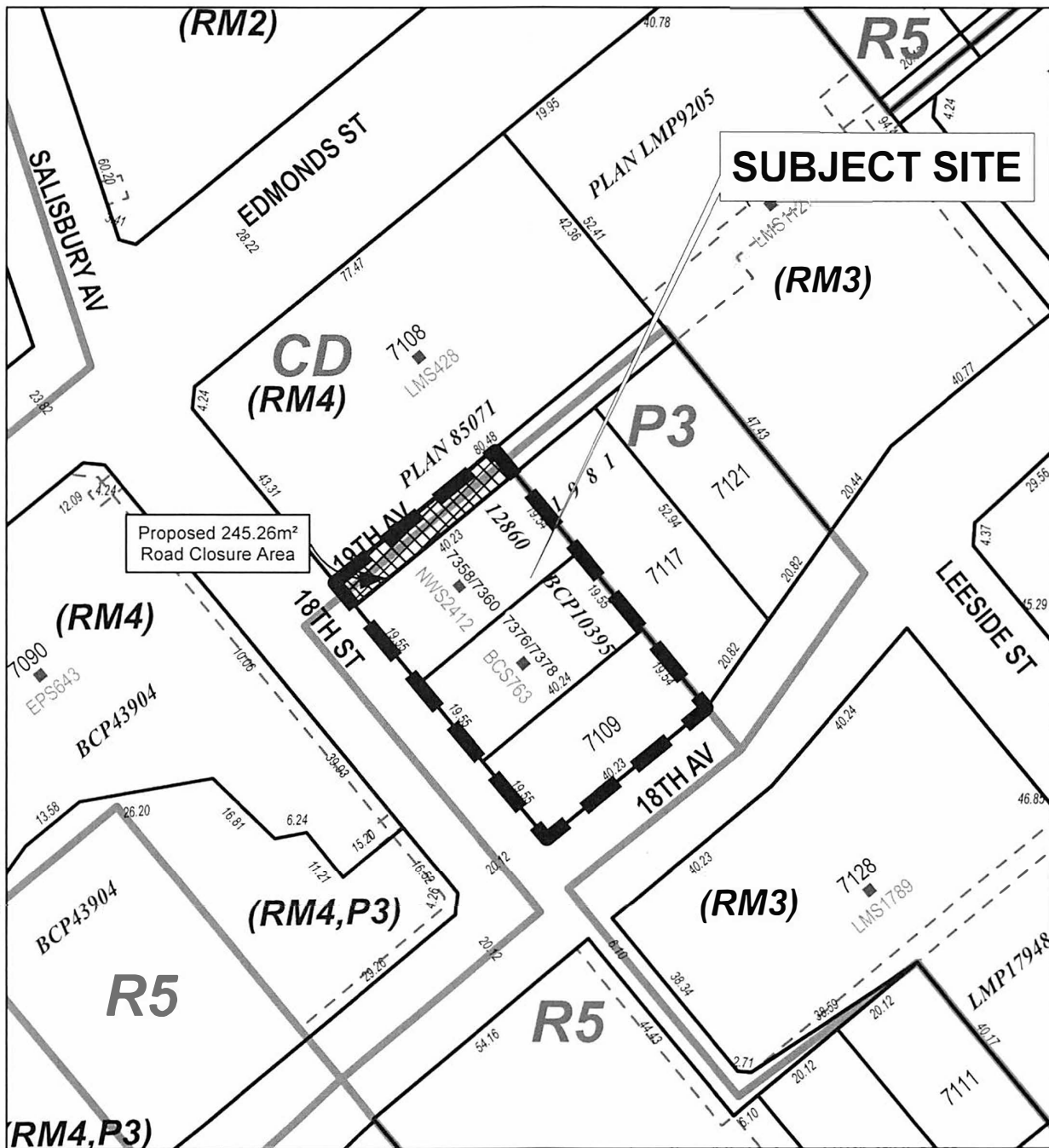
It is recommended that a copy of this report be sent to the applicant and those who spoke at, or submitted correspondence to, the Public Hearing for Rezoning Reference #19-70.

  
E. W. Kozak, Director  
PLANNING AND BUILDING

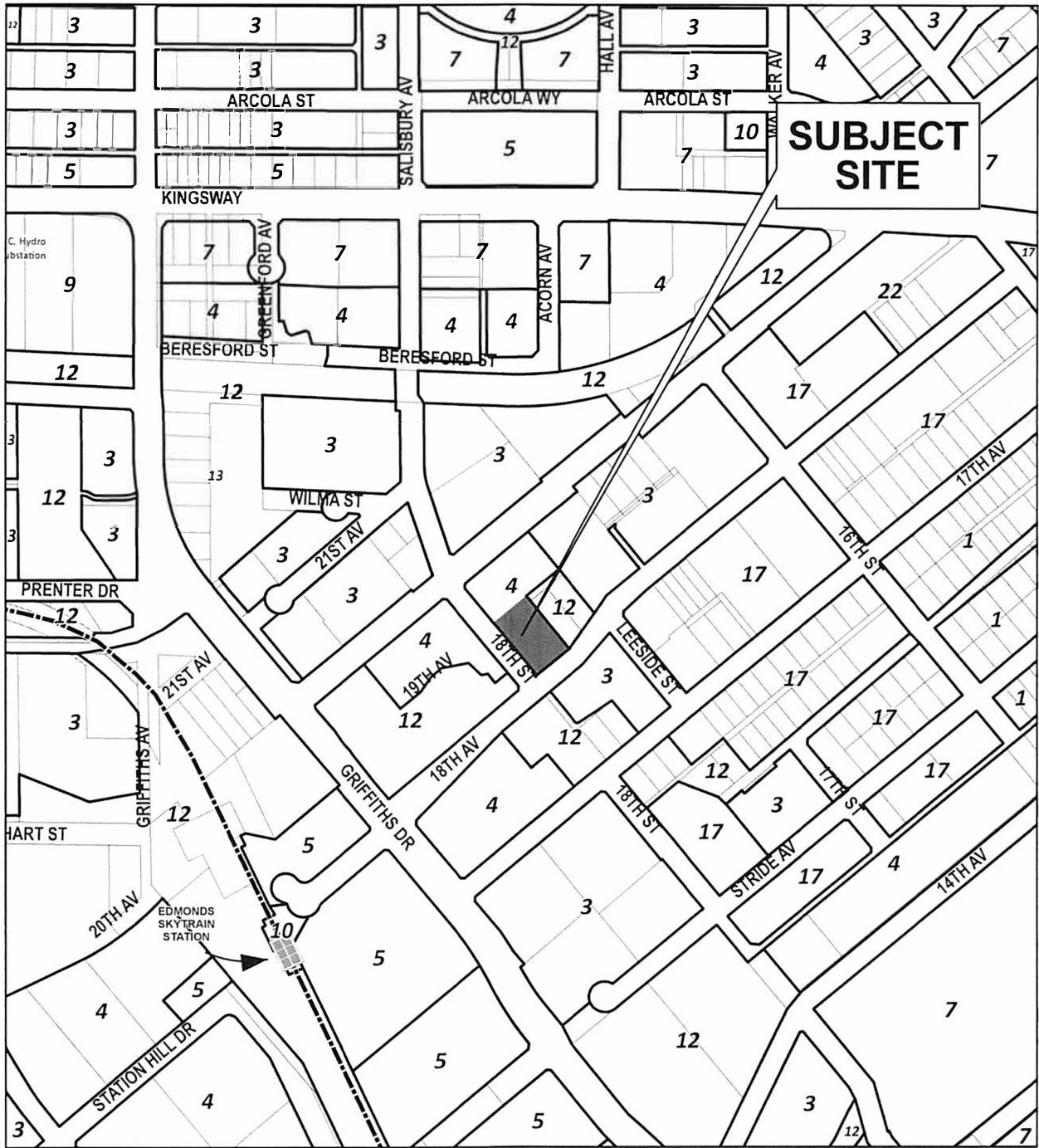
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#### Attachments

cc: Director Corporate Services  
Director Parks, Recreation and Cultural Services  
Chief Building Inspector  
City Clerk



 <p>City of Burnaby</p>	<p>PLANNING &amp; BUILDING DEPARTMENT</p>
<p>Date: SEPT 16 2021</p>	<p><b>REZONING REFERENCE #19-70</b>  <b>7358,7360,7376,7378 18TH STREET</b>  <b>AND 7109 18TH AVENUE</b></p> <p> Subject Site</p>
<p>scale: 1:1,250</p>	
<p>Drawn By: RW</p>	



- |   |   |
|---|---|
| <b>1</b> Single and Two Family Residential          | <b>9</b> Industrial   |
| <b>3</b> Medium Density Multiple Family Residential | <b>10</b> Institutional   |
| <b>4</b> High Density Multiple Family Residential   | <b>12</b> Park and Public Use/Public School                                   |
| <b>5</b> Commercial                                 | <b>17</b> Low or Medium Density Multiple Family Residential (Ground Oriented) |
| <b>6</b> Medium Density Mixed Use                   | <b>22</b> Low/Medium Density Mixed Use  |
| <b>7</b> High Density Mixed Use                     |   |

## Edmonds Town Centre Plan Development Guidelines



PLANNING & BUILDING DEPARTMENT

Note: Composite Sketch Subject to Change

