

ITEM 18
MANAGER'S REPORT NO. 5
COUNCIL MEETING Jan. 26/76

Re: IMPLEMENTATION AND DEVELOPMENT CONTROL MEASURES FOR THE
DESIGNATED CONSERVATION AREA ON BURNABY MOUNTAIN

Following is a report from the Director of Planning on the Burnaby Mountain Conservation Area.

RECOMMENDATION:

1. THAT the Director of Planning's recommendations be adopted.

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PLANNING DEPARTMENT
JANUARY 21, 1976

TO: MUNICIPAL MANAGER
FROM: DIRECTOR OF PLANNING
RE: BURNABY MOUNTAIN CONSERVATION AREA: IMPLEMENTATION

A. BACKGROUND

It will be recalled that the Council, at a special meeting on July 2, 1974, as part of its consideration of the document "Public Meetings - Phase One," approved in principle the establishment of a conservation area on Burnaby Mountain. This action gave recognition to the many proposals advanced by the public meeting participants that high priority be given to such a concept.

Council's consideration of a number of reports on this subject during 1975 led to the delineation of the conservation area on Burnaby Mountain, which is shown on the attached map 1. This action has also received the strong support of the G.V.R.D. in the recently published Livable Region Study.

In addition to the designation of the Burnaby Mountain Conservation Area and the determination of its boundaries, the Council, on July 7, 1975, approved a number of other recommendations, including:

- a) The establishment of the Burnaby Mountain West Slope Conservation Assembly Area.
- b) The inclusion of adequate funds within the Capital Improvement Program to allow for the gradual acquisition

of private holdings in the West Slope Conservation Assembly Area as they become available.

- c) The preparation of a report relating to the proposed servicing and sale of municipal property on Queenstone Court.
- d) The making of representations to the G.V.R.D. for their support for an application to the province for greenbelt acquisition assistance within the Burnaby Mountain West Slope Conservation Area.
- e) The preparation of a further report concerning the proposed rezoning of the Trans Mountain tank farm property from M3 (Heavy Industrial) to M7a (Petroleum Products Storage).
- f) The authorizing of the Planning Department to process subdivision applications for the "lowland" development areas on the west slope of Burnaby Mountain on the basis of approved development guidelines.

B. PLAN IMPLEMENTATION AND DEVELOPMENT CONTROL MEASURES

There are a number of methods available under existing legislation that provide for the implementation of plans which have been adopted for various forms of development in particular areas of a community. These include such measures as zoning, regional plans, official community plans, land acquisition for public purposes and, in the case of park areas, the application of park dedication or reservation by-laws.

Zoning is probably the most commonly and easily applied method, under the authority of the Municipal Act, for regulating the use of land in conformity with an approved development plan for a community, a section thereof or an individual property. The objectives which have been established for an area will usually be implemented through the application of an existing zoning district category. There may be cases, however, where, due to special circumstances, the addition of a new classification will be necessary.

A regional plan generally sets out broad land use guidelines for a large area composed of a number of communities. Such a document, based on the policies and objectives which have been established for the future development of the region, provides a framework within which the more detailed plans of the individual member municipalities are prepared and implemented.

Provision is included in the Municipal Act for a municipality to prepare and, with the approval of Council, adopt an Official Community Plan for any or all areas within its jurisdiction. Such a plan does not come into effect until approval has been received from the province (the Lieutenant-Governor in Council). This procedure also applies to any proposed amendments to the plan following its adoption.

The Municipal Act also permits a municipality to acquire and/or expropriate privately held land for public purposes (i.e. parks, public recreation, community facilities, municipal buildings, rights-of-way, etc.).

The alternatives which are available for parkland preservation in the Municipal Act include the dedication and the reservation of land for public purposes. The former requires, except where a property has an area of one acre or less, the assent of the electors of the municipality. This applies both to the dedicating and undedicating of land. A reservation, on the other hand, does not require the assent of the electors. Such a reservation may only be removed by an affirmative vote of at least two-thirds of the members of the Council and the approval of the Lieutenant-Governor in Council who may, before granting such approval, direct that the assent of the electors be obtained.

C. THE BURNABY MOUNTAIN CONSERVATION AREA:
EXISTING LAND USE CONTROLS

Two of the land use control measures discussed in the preceding section are currently in force within the Burnaby Mountain Conservation Area. These include municipal zoning and Official Regional Plan designations. The existing zoning for the area is shown on map 2, which is attached.

It will be noted that the present S.F.U. campus, plus an extensive area to the south and east, is included in the P6 (Regional Institutional) District. The boundary of this zone is formed by the projected ring road location around the university area. A2 (Small Holding) District zoning extends around the outer perimeter of this route and covers most of the land included within the Burnaby Mountain Conservation Area. This zone permits such uses as single family dwellings, farming, greenhouses, kennels, riding academies and the keeping of cows, goats, horses, mules and sheep, as well as pigeons and poultry. Although a minimum lot area of one acre is required in new subdivisions, a single family house could be constructed on a smaller lot which was in existence before the effective date of the Zoning By-law (June 7, 1965), provided certain utilities are available.

Heavy Industrial (M3) zoning extends from Gaglardi Way to Shellmont Street and includes the Trans Mountain tank farm area. Also included in this category is the developed portion of the Gulf Oil Company property in the northeast. There are, in addition, two small residentially zoned enclaves in the westerly and southeasterly sectors. However, most of the land involved is presently under the ownership of the Corporation.

The existing Official Regional Plan designations are indicated on the accompanying map 3. The RSV-2 (Institutional Reserve Areas) classification occupies a large portion of the Conservation Area. This category designates lands utilized or held for major public and semi-public purposes. The types of uses permitted include major institutional developments such as S.F.U., airports, clinics, provincial forests and reservoirs, as well as a number of ancillary activities which are customarily incidental to these uses, including light repairing and manufacturing, local commercial, residential, recreational and rural uses.

The PRK-1 (Established Park Areas) category has been applied to the existing Burnaby Mountain Park facility. The Trans Mountain tank farm area and the Gulf Oil Company property are included in the IND-1 (Developing Industrial Areas) designation,

while an URB-1 (Established Urban Areas) classification extends into the westerly and southeasterly extremities of the conservation area. Provision is made under this category for residential, commercial, industrial, public and semi-public, religious, recreation, rural and transportation uses.

D. AREA PRESERVATION CONSIDERATIONS

As noted earlier in the report, it is considered necessary that steps be taken to insure the continuing preservation of the Burnaby Mountain Conservation Area. Such measures would also be designed to add emphasis to the intent of this concept and to underline the function of the mountain as a public open space - recreational area of considerable significance to both the municipality and the region.

While a number of methods are available for the realization of this objective, and more than one of them could be employed, it is concluded that zoning would provide the most logical initial phase in the program of implementation. In this regard, the retention of the existing P6 (Regional Institutional) area is considered essential since it gives recognition to the existing S.F.U. facility, as well as providing a sizeable amount of space for further development in the future. However, the present A2 (Small Holding) designation which covers a large part of the Conservation Area does not, in our opinion, reflect the policies and objectives which have been approved for the future use of this portion of the mountain.

While consideration was given to the possibility of creating a new zoning category, it is felt that the P3 (Park and Public Use) District would best meet the goals which have been established for the area. This type of zoning covers the existing parks and schools in the municipality, as well as publicly owned properties around Burnaby Lake and in the south slope ravine and north slope conservation areas. The permitted uses in the zone, in addition to parks and schools, include such items as auditoriums, bowling greens, community centres, swimming pools, tennis courts, botanical gardens, play fields and playgrounds, etc.

The application of P3 zoning to municipal land and to the S.F.U. area which lies outside the present P6 District designation is considered appropriate. In the latter instance, this would be in keeping with the original agreement between the Corporation and the province wherein lands not required or otherwise topographically unsuitable for further university development would be devoted to open space for the use and enjoyment of the public.

The province owns a parcel of land immediately north of Gaglardi Way, adjacent to the Burnaby 200 project site. Following discussions on the future use of the property, agreement has been reached that it be reserved for park purposes. The inclusion of this area within the P3 zoning category would therefore be appropriate.

There is a block of land under Federal ownership in the north-easterly portion of the Conservation Area (D.L. 114). This large parcel, which covers approximately 84 acres, is topographically unsuitable for development and should be included in the proposed P3 area.

Since the P3 District is a public use zone, it cannot be applied to privately held properties. However, as these are acquired, over a period of time, they should be rezoned to this category.

While the Trans Mountain tank farm is a relatively passive type of industrial activity, the existing M3 (Heavy Industrial) zoning of the site permits a variety of uses which would have a much more detrimental effect on the conservation concept for the area. A zoning category that would maintain the conformity of the site, but restrict it to its present petroleum storage use is therefore required. It will be recalled by Council that such a category (M7a), which provides only for the storage of petroleum products, has been given third reading as part of the implementation of the Eastern Burrard Inlet Development Plan. The future application of the M7a designation to this site, as well as to the presently industrially zoned portion of the Gulf Oil property in the northeasterly corner of the area is proposed.

With regard to the Official Regional Plan designations in the Burnaby Mountain Conservation Area, it is considered that the present RSV-2 (Institutional Reserve Area) classification best reflects the S.F.U. campus use and the adjoining sector proposed for future development (i.e. the area currently zoned P6). On the other hand, it is our view that the PRK-2 (Potential Park Area) designation would be the most suitable category to be applied to most of the area which is presently zoned A2 (Small Holdings).

An Official Community Plan involves a somewhat cumbersome and time consuming procedure to implement and it is considered doubtful, with the availability of other controls, that the taking of such a step would be necessary.

With respect to the dedication or reservation of publicly owned lands for park purposes, the latter method is much more easily applied and provides almost the same degree of control. This was the method employed by the Parks and Recreation Commission early in 1975 to protect a number of park sites in the municipality.

E. PROPOSED REZONINGS

It is proposed that publicly owned lands which lie outside the projected S.F.U. ring road location be rezoned to the P3 (Park and Public Use) District category as phase 1 in the development of a program for the preservation of the Burnaby Mountain Conservation Area.

The resulting phase 1 zoning pattern is outlined on map 4, while map 5 shows the detailed designations in the West Slope Conservation Assembly Area where a number of privately owned lots are situated.

Further proposed future rezonings (phase 2) would include the following:

- a) Privately owned properties to the P3 designation, upon their acquisition by the Corporation.
- b) The Trans Mountain tank farm site and the presently industrially zoned portion of the Gulf Oil property to the proposed new M7a (Petroleum Products Storage) designation once this category has been finally approved by the Council for inclusion in Burnaby Zoning By-law.


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The maintenance of the existing A2 (Small Holdings) District zoning will be necessary on privately held properties within the Burnaby Mountain Conservation Area. However, as these are gradually acquired, the application of P3 zoning should follow. In addition, the retention of the present P6 (Regional Institutional) zoning in the S.F.U. area is proposed.

F. RECOMMENDATIONS

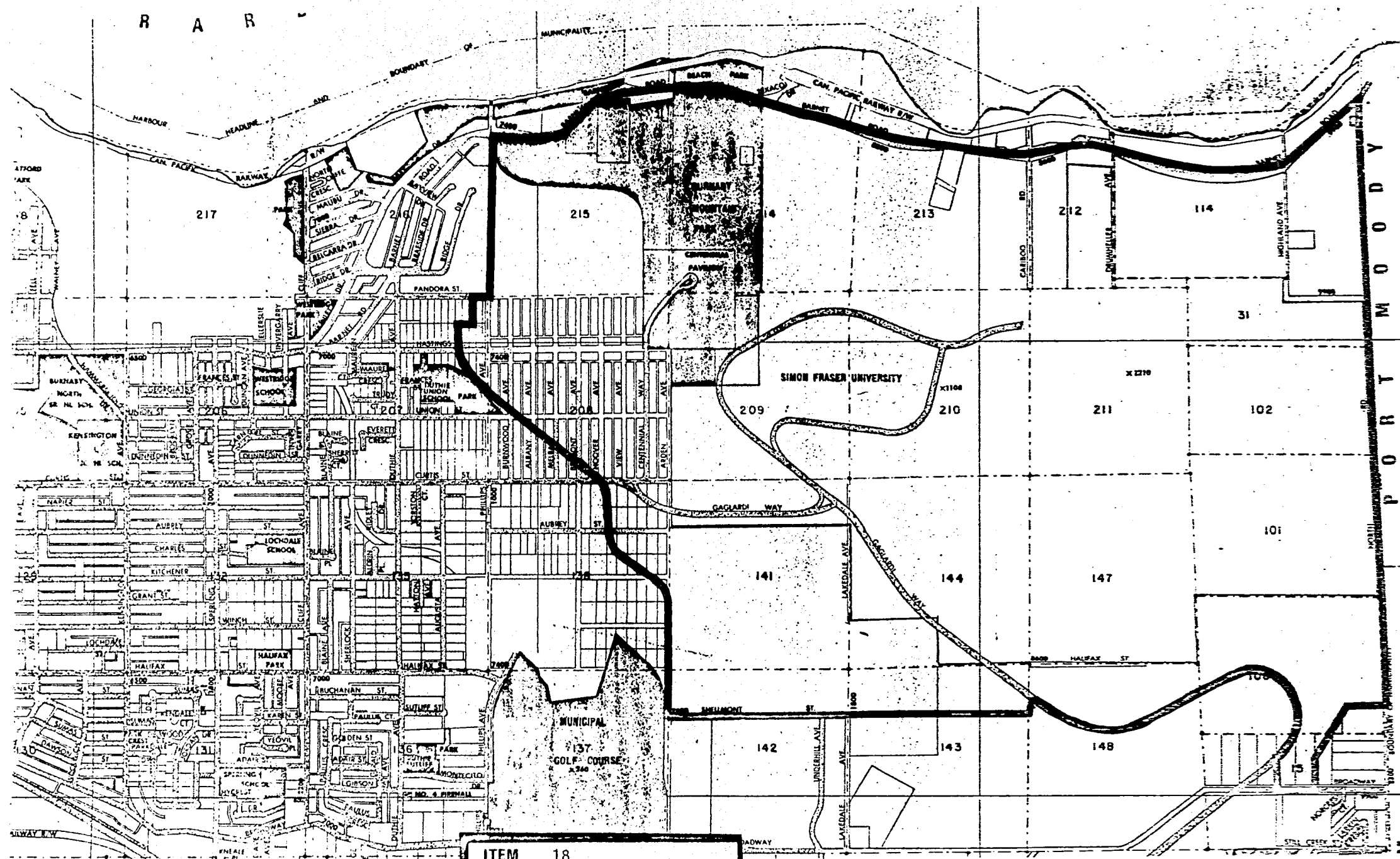
It is recommended:

- (1) THAT the Council receive the report of the Planning Department and request that a rezoning by-law be prepared for the proposed phase 1 rezonings to the P3 (Park and Public Use) District category, as shown on maps 4 and 5, and that these rezonings be advanced to a Public Hearing on March 23, 1976.
- (2) THAT a Park Reservation By-law be prepared for all of the P3 zoned properties, once the proposed phase 1 rezonings have been finalized.
- (3) THAT a further report concerning the advancing of certain proposed amendments to the Official Regional Plan be prepared for the consideration of Council following the completion of the recommended phase 1 rezonings in the Burnaby Mountain Conservation Area.
- (4) THAT as privately held properties are acquired within the previously approved West Slope Conservation Assembly Area the necessary steps be taken to have them rezoned to the P3 District category, and included in a Park Reservation By-law.
- (5) THAT final approval of the two Marine District categories, which were designed for the implementation of the Eastern Burrard Inlet Foreshore Development Plan, be followed by the rezoning of the Trans Mountain tank farm site and the presently industrially zoned portion of the Gulf Oil property to M7a (Petroleum Products Storage).


A. L. Parr
DIRECTOR OF PLANNING

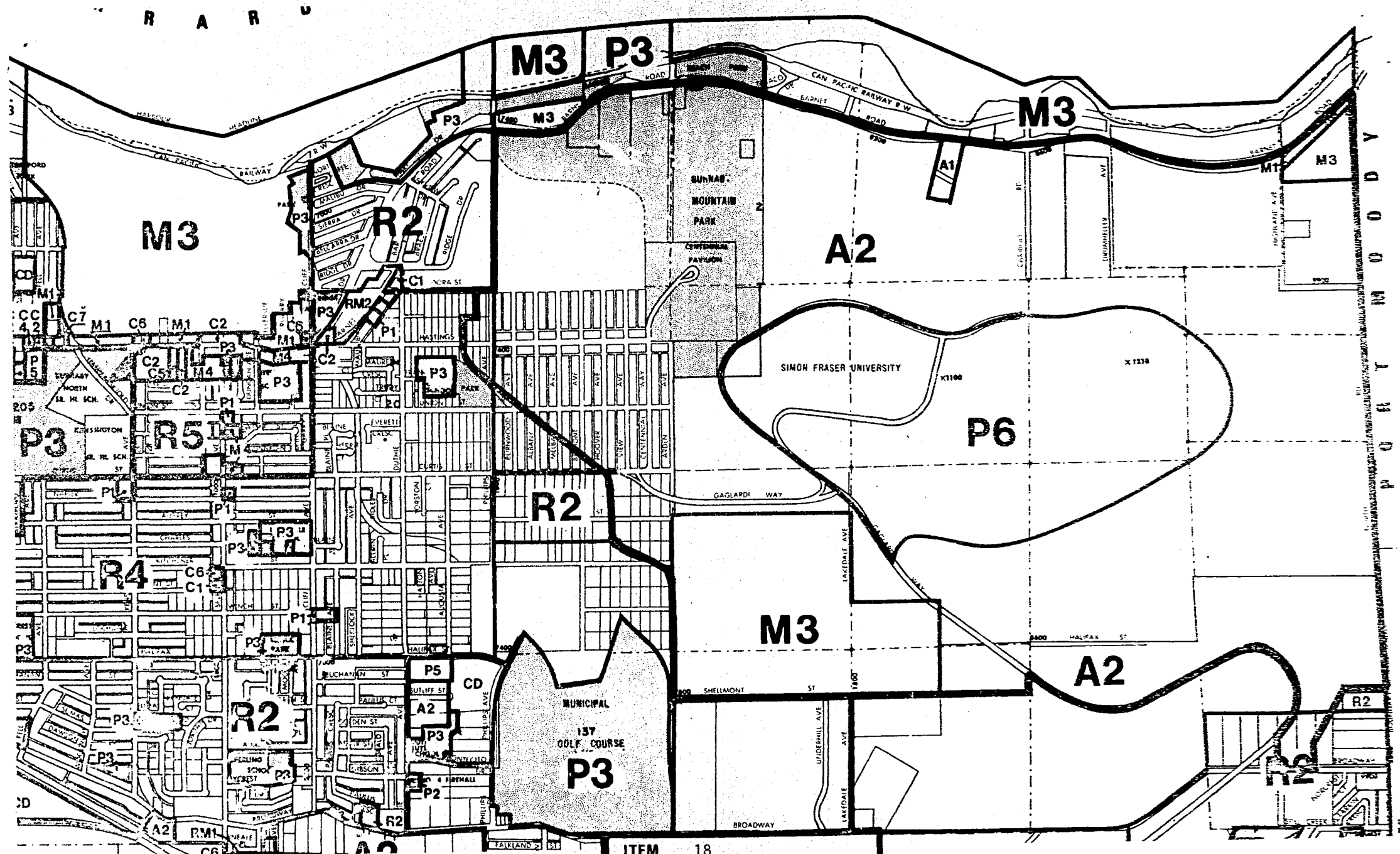
RBC:cw
Att.

cc: Chief Building Inspector
Municipal Clerk
Municipal Engineer
Land Agent
Municipal Solicitor
Municipal Treasurer
Parks and Recreation Administrator
Assistant Director - Long Range Planning and Research



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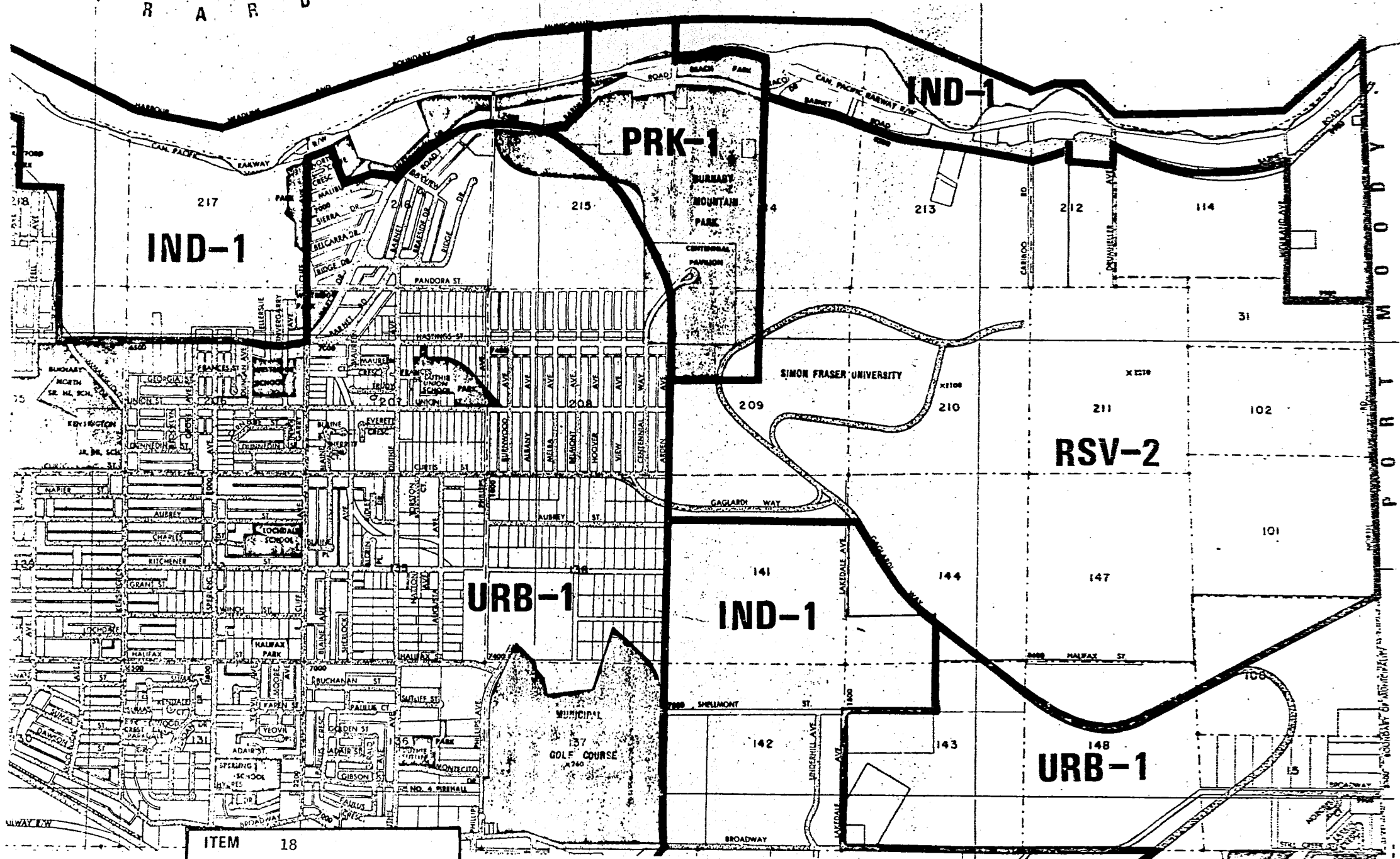
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EXISTING ZONING

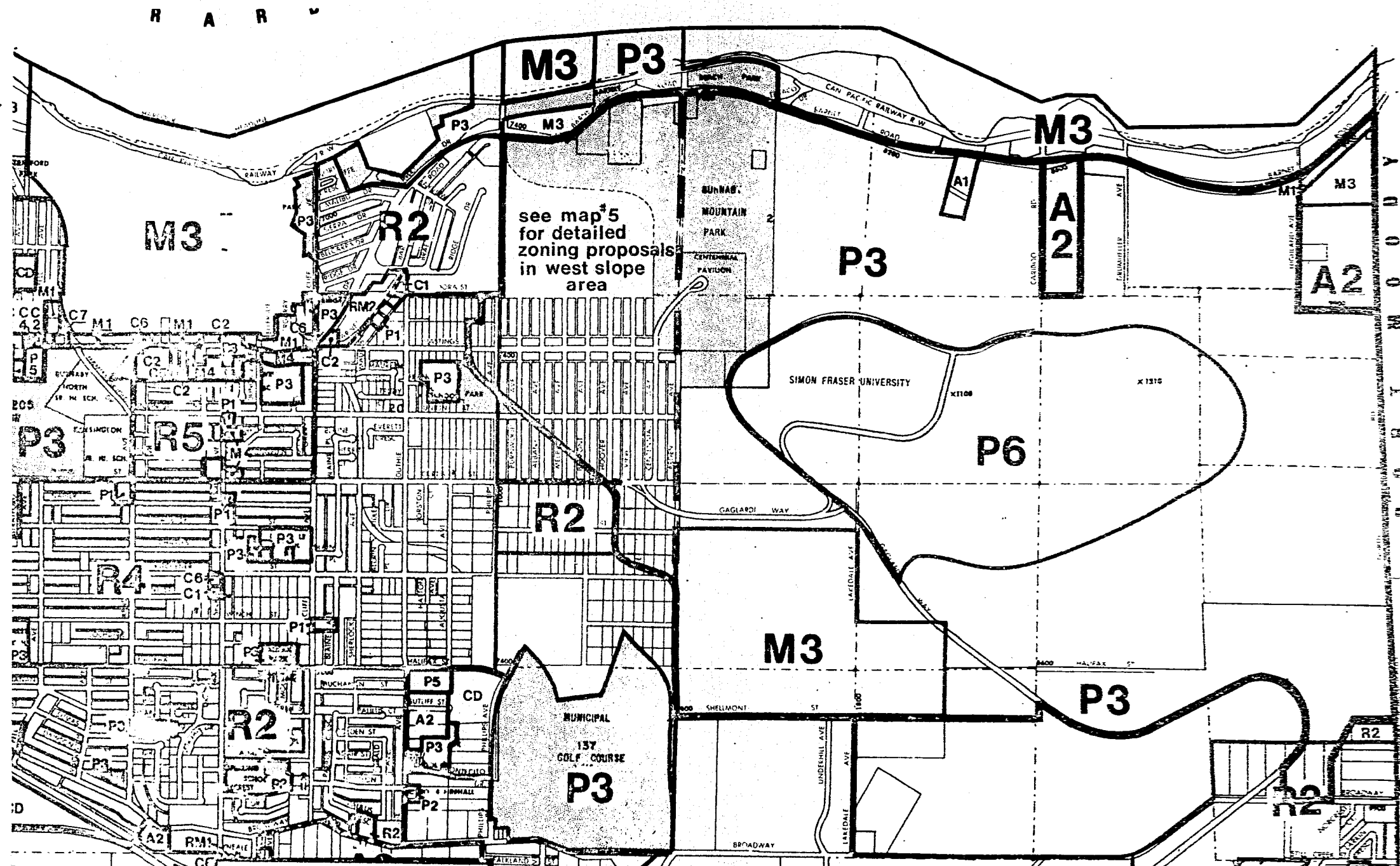
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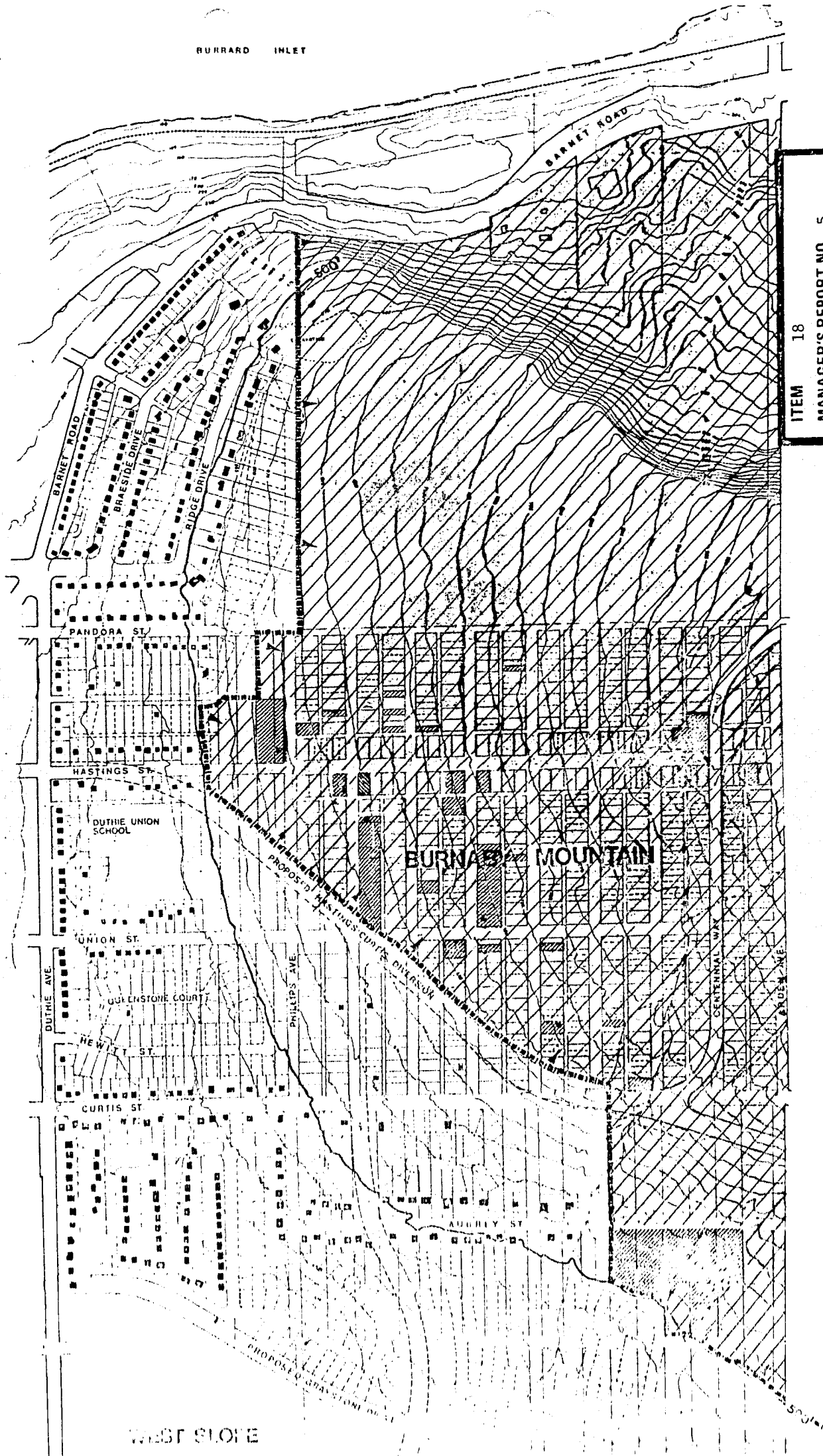
EXISTING REGIONAL PLAN DESIGNATIONS



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PROPOSED ZONING PATTERN (PHASE I)

RURRARD INLET



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- WEST SLOPE
- ▲ MOUNTED ELEVATION TO SEA LEVEL
 - MOUNTED ELEVATION
 - PROPOSED ELEVATION
 - PROPOSED ELEVATION
 - PROPOSED ELEVATION

PROPOSED FOR P3 ZONING [diagonal hatching symbol]

PROPOSED TO REMAIN UNCHANGED [horizontal hatching symbol]

UNTIL ACQUIRED [cross-hatch symbol]