

ITEM	17
MANAGER'S REPORT #	12
COUNCIL MEETING	96/04/22

TO: CITY MANAGER

1996 April 16

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #55/95
RESPONSE TO PUBLIC HEARING ISSUES

PURPOSE: To respond to issues raised at the Public Hearing for the subject rezoning

RECOMMENDATION:

1. THAT Council authorize the revision of the survey plans and engineering design drawings for the City subdivision to reflect the exclusion of Lots 34 and 35 from the residential subdivision, and their introduction into the buffer/park area.

REPORT

1.0 Background:

- 1.1 On 1996 January 22 Council received a report regarding the rezoning of the lands shown on attached Sketch #1 from R4 Residential District and A2 Small Holdings District to R2 Residential District and P3 Park and Public Use District. The purpose of the rezoning amendment is to permit the creation of a single-family residential subdivision and a park/buffer area. The lands proposed to be rezoned to R2 District to accommodate the single-family subdivision are shown on the attached Sketch #2.

The Public Hearing for this rezoning was held on 1996 February 20, at which time area residents commented on a number of issues regarding the residential subdivision component of the rezoning. On 1996 March 04 Council gave Second Reading to the rezoning bylaw and requested staff to prepare a report on the issues raised at the Public Hearing.

This report is in response to that request.

2.0 General Discussion:

- 2.1 The majority of the comments expressed at the Public Hearing related to the residents' desire to preserve the existing wooded area and to avoid cutting down trees. While these comments were expressed in a variety of ways, the general concern and objectives were

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consistent. The residents indicated that this undeveloped area was valuable as a forest or buffer area and that cutting down trees is undesirable. In addition, a number of comments were made about the loss of wildlife habitat, residents' expectations that the area would be preserved as a park site and increased traffic generated by the residential development.

- 2.2 It is noted that the whole of this area has historically been zoned either R4 Single and two-family residential District or A2 Small Holdings District, which provides for residential uses desiring large outdoor areas, as well as for the maintenance of larger parcels of land for possible future development. In essence, low density, single-family residential development is already permitted on these lands.

It is also important to consider the residential development within the broader context related to preservation of forest areas. The forested nature of these lands is typical of the condition that prevailed for most of the slopes of the west and south sides of Burnaby Mountain prior to the subdivisions that produced the residential areas in which the residents appearing at the Public Hearing now live. Following public meetings in 1973, Burnaby's Council in 1976 concluded its deliberations on the boundaries of an area to be known as the Burnaby Mountain Conservation area, and through zoning and the establishment of policies including property acquisition, took steps to ensure the perpetual preservation of the Conservation area lands. The boundary of the Conservation Area in this vicinity is the north-east side of the Burnaby Mountain Parkway.

The proposed residential development is outside the Conservation Area, and additionally facilitates the execution of a component of a Transfer Agreement between the City of Burnaby and Simon Fraser University, which was described in detail in a 1995 November 15 Council report. This Transfer Agreement allows for the fulfilment of a long-standing objective of the people of Burnaby - the retention of the integrity of the Burnaby Mountain Conservation Area.

A key element of the Transfer Agreement for the City of Burnaby is as follows:

- (i) The University will contribute to the public, by transfer of title to the City, for park and conservation purposes, approximately 800 acres of University land outside the Ring Road and 20 acres of University land immediately south of Gaglardi Way. In return, the City will transfer a four (4) acre Burnaby parcel which projects inside the Ring Road, and approximately six acres of serviced City lands to help establish the Burnaby Mountain Endowment Fund.

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In this agreement, the City of Burnaby receives 820 acres of land to be protected in the Burnaby Mountain Conservation Area, while S.F.U. is to receive approximately 28 to 30 of the proposed residential lots to be created through the subdivision process, representing approximately six acres of serviced land, which is facilitated by the subject rezoning.

- 2.3 In terms of the specific proposal for Rezoning Reference #55/95, a great deal of consideration was given to the appropriate layout and zoning boundary for this particular site. Within the course of development of the preliminary subdivision layout for this rezoning proposal, the City Surveyor was asked to prepare a complete survey of existing deciduous and coniferous trees on the site as well as a topographic survey of this site. Subsequently, the tree survey was reviewed and the trees were assessed by the City Landscape Inspector and the Environmental Planner. Decisions were made regarding the state of the trees, the tree species, and the areas containing those trees, to determine specifically which trees and areas should be given the highest priority for protection and preservation.

From the contour information provided and the tree protection areas identified, a preliminary subdivision layout was prepared (Sketch #2). This plan respects and works with the grades of the site, and it respects the identified tree buffer areas, which will provide screening and buffering from Burnaby Mountain Parkway adjacent to the proposed development site.

Utilizing this information, a subdivision layout and rezoning proposal was formulated which accommodates 51 single-family residential lots as well as a significant treed buffer area to be rezoned to P3 Park and Public Use District and left largely in a natural state. The land proposed to be rezoned to R2 District, including the road rights-of-way is 4.87 hectares (12 acres) in size, while the land proposed to be rezoned to P3 District is 3.76 hectares (9.2 acres). With 43% of the land proposed to be rezoned to P3 Park and Public Use District, much of the residents' desires to enjoy an urban forest and a natural treed setting for walking will be satisfied.

- 2.4 Staff have, however, re-assessed the buffer/park area in response to the Public Hearing comments to ensure that all reasonable and justifiable steps are being taken at this time to maintain a sufficient park/buffer strip along Burnaby Mountain Parkway. In particular, staff reviewed in detail the suggestion made at the Public Hearing that the buffer area was too narrow at certain points and that residential Lots 32, 33, 34, 35, 50 and 51 should be excluded in order to increase the size of the buffer.

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In terms of the overall issue of the preservation of the forest, a comprehensive tree management plan that includes augmenting the forest buffer with new coniferous plant stock is considered to be the most advantageous method to ensure long term value of this buffer area. The Ecosystem Planner has prepared a cost estimate and reforestation plan for the buffer strip. The park/buffer area has been separated into three different areas with corresponding different planting intensities. This supplemental planting should enhance the park/buffer area and provide for succession in this wooded area.

The City Landscape Inspector examined the lots that were suggested at the Public Hearing to be excluded from residential development and kept in the buffer area to determine the effect of this proposal. In general, the deletion of most of the suggested residential lots proposed would result in little gain in terms of preserving existing trees. Most of the existing trees on lots proposed to be deleted either provide little screening or have a poor retention rating or both. The exception to this was Lots 35 and 36 which include some mature cedar trees along their northeast edge in reasonable condition, and which form part of the existing forest edge. It is therefore recommended that Lot 35 be deleted as a residential lot and the vehicular access to Lot 36 be reconfigured in order to be able to save the above noted mature cedar trees.

Beyond this, the deletion of Lot 34, while not representing an attempt to preserve mature trees, would provide an opportunity to widen the buffer and provide a more continuous urban forest experience much of which would be maintained and enhanced through replanting in the area.

- 2.5 With respect to the issue of displacement of habitat, the Ecosystem Planner advises that his site visit revealed that within this forest structure there were no obvious ecologically sensitive areas or any signs of stick nests within the canopies indicating nesting birds, or evidence of large mammals such as deer having visited the site recently. This indicates the forest is not likely used as primary nesting habitat. The absence of environmental indicators such as nests or deer scat suggests that whatever wildlife habitat the forest once provided has likely been displaced further up Burnaby Mountain with the recent construction of the Burnaby Mountain Parkway.
- 2.6 With respect to comments received at the Public Hearing concerning "park site" signs, it is noted that the Burnaby Parks and Recreation Commission first approved an acquisition program for Duthie Union Park Site in 1967. The original 6 acre park site was bounded by the Duthie-Union School site, the proposed western access road to SFU (now Burnaby Mountain Parkway), Phillips Avenue, and Union Street. At that time, the majority of the lands within the proposed park site were City-owned, leaving only the rear portion of 7320 Hastings Street to be acquired (it still remains to be acquired). At

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no time have any lands been dedicated or zoned for park purposes within the area that is the subject of the current rezoning.

Preliminary Neighbourhood Park development took place in 1975/76, primarily on the school ground portion of the site. Signs requesting the public to refrain from dumping and tree cutting were placed north of Union Street in approximately 1978 or 1979. The southerly extent of the site was limited at that time to the north side of Union Street, but the addition of the park/buffer area as noted in this rezoning would increase the size and scope of the park site by extending the park to the south and east, beyond Union Street to Curtis Street, and increase its area to approximately ten (10) acres.

As noted, the boundaries of the reconfigured and expanded park site have been configured to include within the park the most significant trees and natural growth areas. Parks staff have noted that only a small portion of the Duthie-Union park site should be considered as effective recreational space; due to topographical conditions most of the area would serve a passive, rather than an active, recreational function. According to Parks staff the neighbourhood park facilities which have yet to be developed can be accommodated within the western portion of the woods nearest the school site. As a result the reconfiguration and extension of the park site to the north and east of the Burnwood Subdivision will not impede future neighbourhood park facility development, but will rather supplement it by adding land to the southeast that contains a large number of the most valuable conifers and deciduous trees in the area, and by making possible a park trail component within this natural area, extending southward to the Curtis Street cul-de-sac, accessible to the larger community through pedestrian pathways that are to be provided as part of the subdivision servicing.

- 2.7 In terms of vehicular traffic generated by the residential development, the proposed zoning is R2 Residential District, which is the same as the zoning to the south across Curtis Street and is of a lower potential density than the R4 District area to the west across Phillips Avenue (R4 zoning permits two-family dwellings, while R2 zoning does not). The amount of vehicular traffic generated by this low density development should be relatively insignificant, especially considering vehicular access is provided through rear lanes to Curtis Street and that this traffic will be more than off-set by the closure of Curtis Street, including the elimination of commuter traffic travelling over Burnaby Mountain on to Curtis Street.

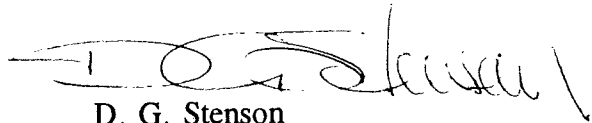
3.0 **Finance:**

It is estimated that the cost of the supplemental tree planting program will amount to approximately \$50,000. This expenditure will be included under the 1997 Burnwood Subdivision component of the 1996 - 2000 Annual Capital Program.

4.0 Conclusion:

4.1 This report provides a summary of the broader context for this rezoning as well as the methodology that was used to determine the subdivision layout and park/buffer boundary for this area. In response to the Public Hearing comments, staff examined in greater detail certain areas of the buffer/residential lot interface where the buffer is narrowest and concluded that the park buffer area could be improved to provide a more continuous urban forest through the deletion of Lots 34 and 35 and the development of a comprehensive management plan for the forest, including supplemental tree planting.

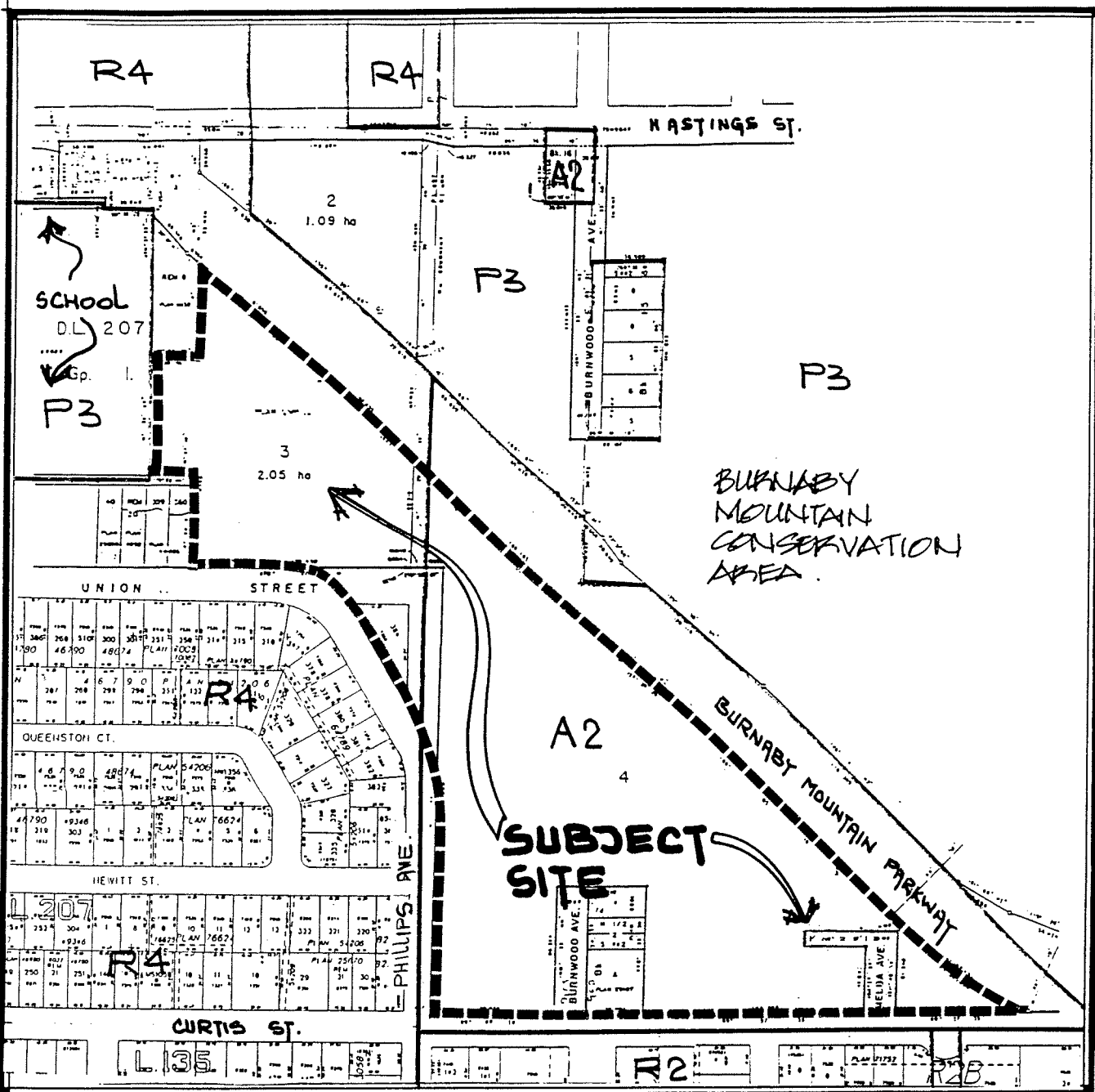
If Council adopts the recommendation in this report in response to the submissions made at the Public Hearing, survey and design work for the City subdivision will proceed as amended and Rezoning Reference #55/95 would be advanced to Council for Third Reading and Final Adoption in the usual manner, as prerequisite conditions are fulfilled. The areas represented by Lots 34 and 35 will subsequently be submitted for rezoning to P3 Park and Public Use District to reflect the ultimate park/buffer boundary.



D. G. Stenson
Director Planning and Building

BW:gk
Attach

cc: Director Recreation and Cultural Services
Director Engineering
Director Finance



Date:
 NOVEMBER 1995

Scale:
 1:4000

Drawn By:
 J.P.C.



City of
Burnaby
 Planning & Building Dept.



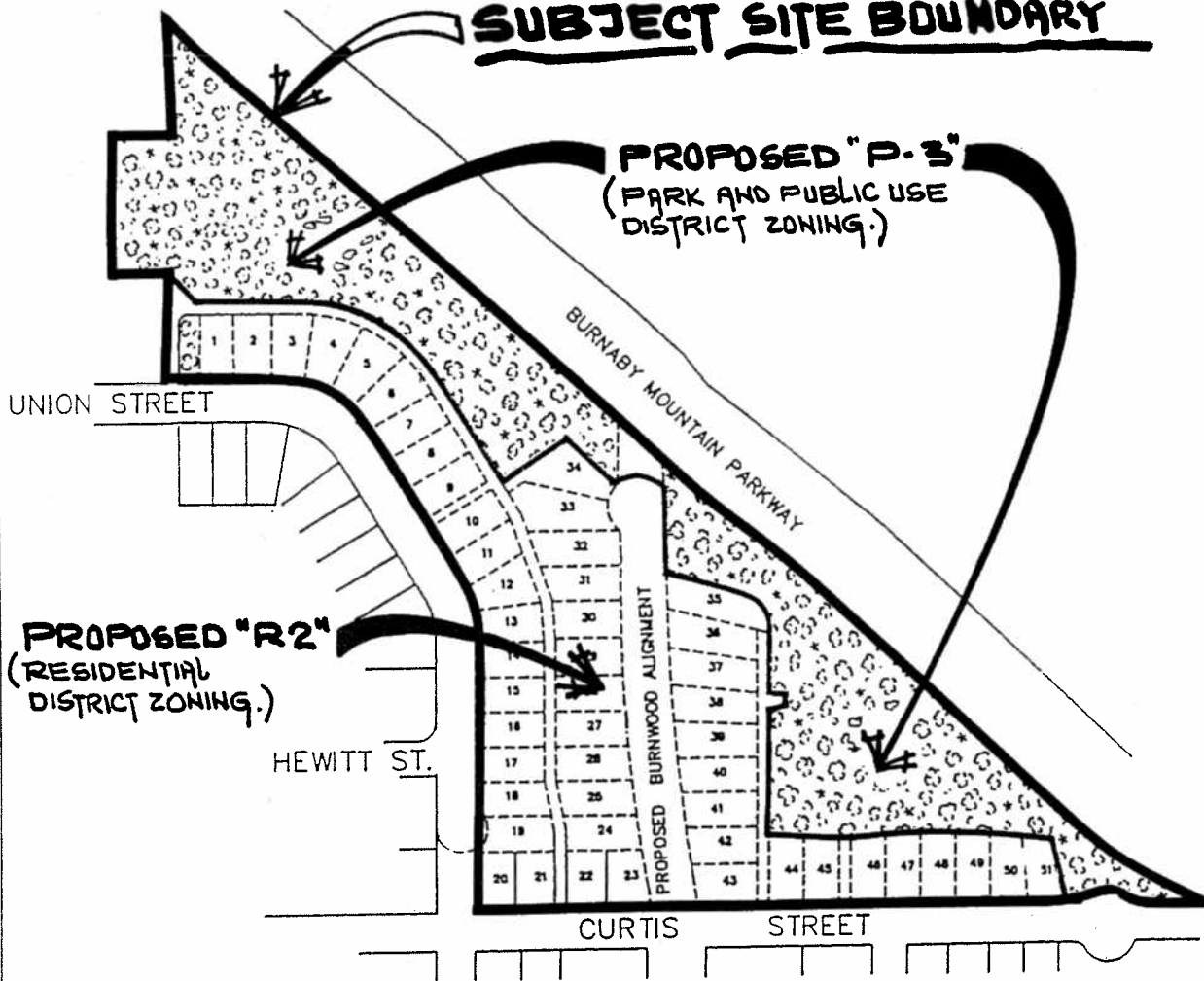
North

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SKETCH # 1

BURNABY MOUNTAIN
CONSERVATION AREA.

SUBJECT SITE BOUNDARY



Date:
NOVEMBER 1995

Scale:
1: 4000

Drawn By:
J.P.C.



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Burnaby
Planning & Building Dept.

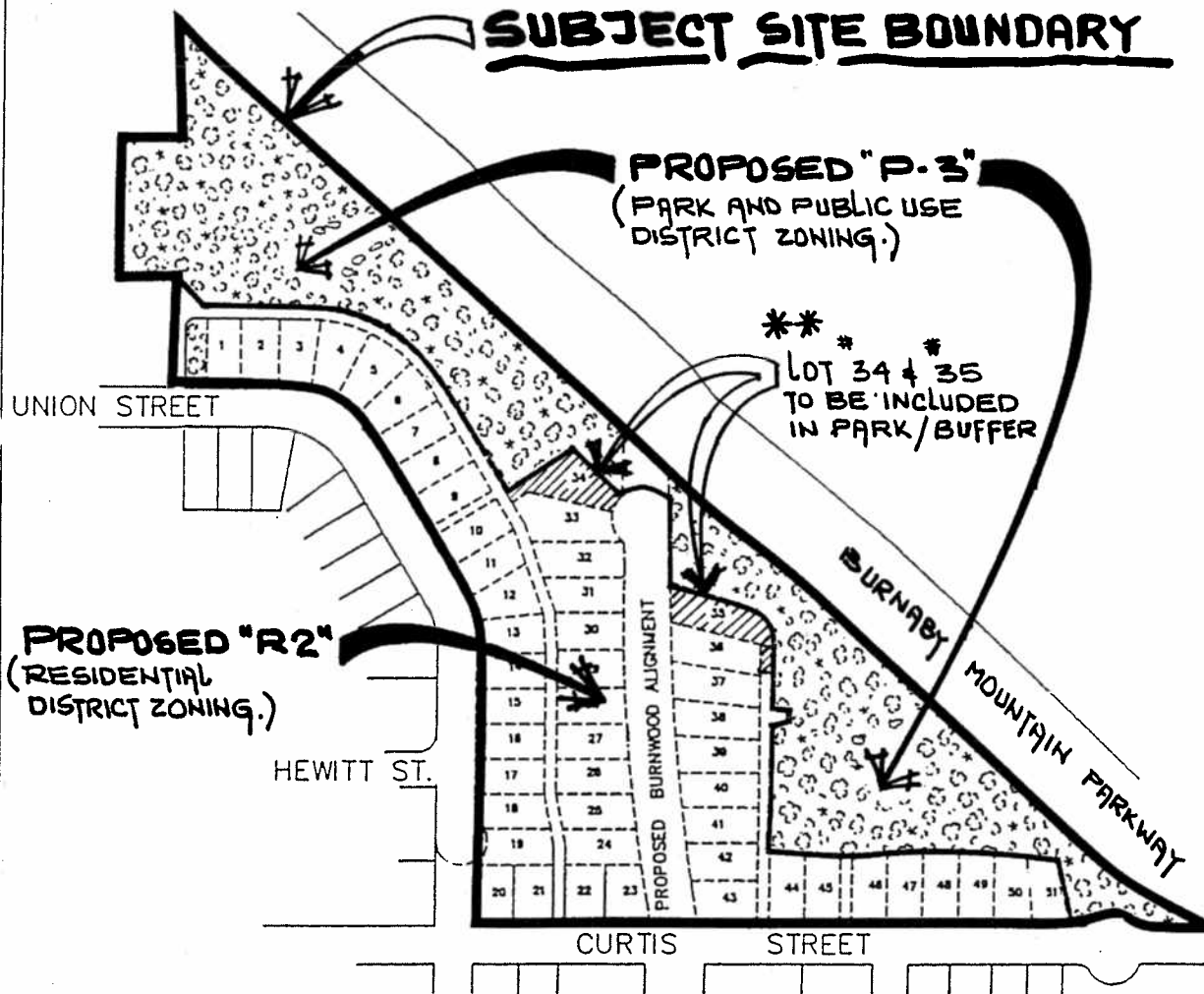


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SKETCH # 2

BURNABY MOUNTAIN
CONSERVATION AREA

SUBJECT SITE BOUNDARY



Date:
APRIL 1996

Scale:
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J.P.C.



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North

REZONING REFERENCE # 55/95

SKETCH # 3.

