

TO: CITY MANAGER

2002 August 06

FROM: APPROVING OFFICER

**SUBJECT: ROAD CLOSURE REFERENCE #01-10
X-REFERENCE SUBDIVISION #01-42
Highway Exchange Bylaw No. 11383, adjacent 3681 Lynndale Crescent**

PURPOSE: To provide Council with information with respect to a letter received from the Hoy family of 3679 Lynndale Crescent.

RECOMMENDATIONS:

1. **THAT** Reconsideration and Final Adoption of Burnaby Highway Exchange Bylaw No. 3, 2002, appearing elsewhere on this Agenda, be given.
2. **THAT** a copy of this report be forwarded to the Hoy family at 3679 Lynndale Crescent, Burnaby, B.C. V5A 3S5.

REPORT

1.0 Background

Council, at its meeting of 2002 May 27, authorized the introduction of a Highway Exchange Bylaw involving the closure of a portion of road allowance adjacent to 3681 Lynndale Crescent in exchange for a portion of 7347 Winston Street to be dedicated as road. This exchange of land is part of an application for subdivision to create four R1 Residential single-family lots. Correspondence was received at the Council meeting of 2002 July 22 from the Hoy family residing at 3679 Lynndale Crescent (adjacent to the subject subdivision) expressing their opposition to the subdivision and the associated highway exchange bylaw. This report provides a response to the letter from the Hoy family.

2.0 Overview of the Subdivision

A subdivision application was received to subdivide 3751 Phillips and 7347 Winston Street that also involved a remnant City lot addressed 3681 Lynndale Crescent (shown on the attached sketch). The applicant of the subdivision originally requested a five-lot subdivision. However, to provide the required lot width according to the R1 Residential District zoning, it was determined that only four lots could be developed. This included the City lot at 3681 Lynndale Crescent which was previously dedicated to the City under an adjacent subdivision approval for the eventual inclusion in the subject application. Council, at its meeting of 2002 May 13, approved the sale of the City lot subject to its consolidation with the adjoining property.

A tentative approval letter outlining the conditions for approval of the subdivision was sent to the applicant on 2002 January 11. The proposed closure of the road allowance and dedication of a portion of the applicant's property as road via Highway Exchange is one of the conditions of subdivision approval, subject to adoption of the Highway Exchange Bylaw by City Council.

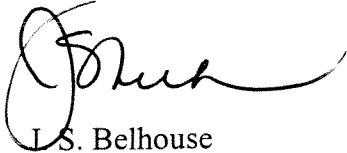
The setback from the watercourse has been reviewed by the Ministry of Water, Land and Air Protection as well as by the Department of Fisheries and Oceans. In response to the particulars of the site, they have agreed to a setback from top of bank that varies from 7 to 15 metres. These setbacks, along with the requisite Section 219 covenants, have been included in the Tentative Approval provided for this subdivision.

In order to complete the subdivision as proposed, a small portion of the Lynndale Crescent road allowance must be closed and consolidated with the subject site and in exchange, a portion of 7347 Winston Street be dedicated as road. The purpose of the closure is twofold: to effect the desired turning radius on Lynndale Crescent and to provide the required extra depth for Lots 2 and 3 given the needed setback from the top of bank.

The proposed lots are in conformance to the prevailing R1 Residential District zoning for single-family residential use and is consistent with the density of the existing surrounding properties.

3.0 Conclusion

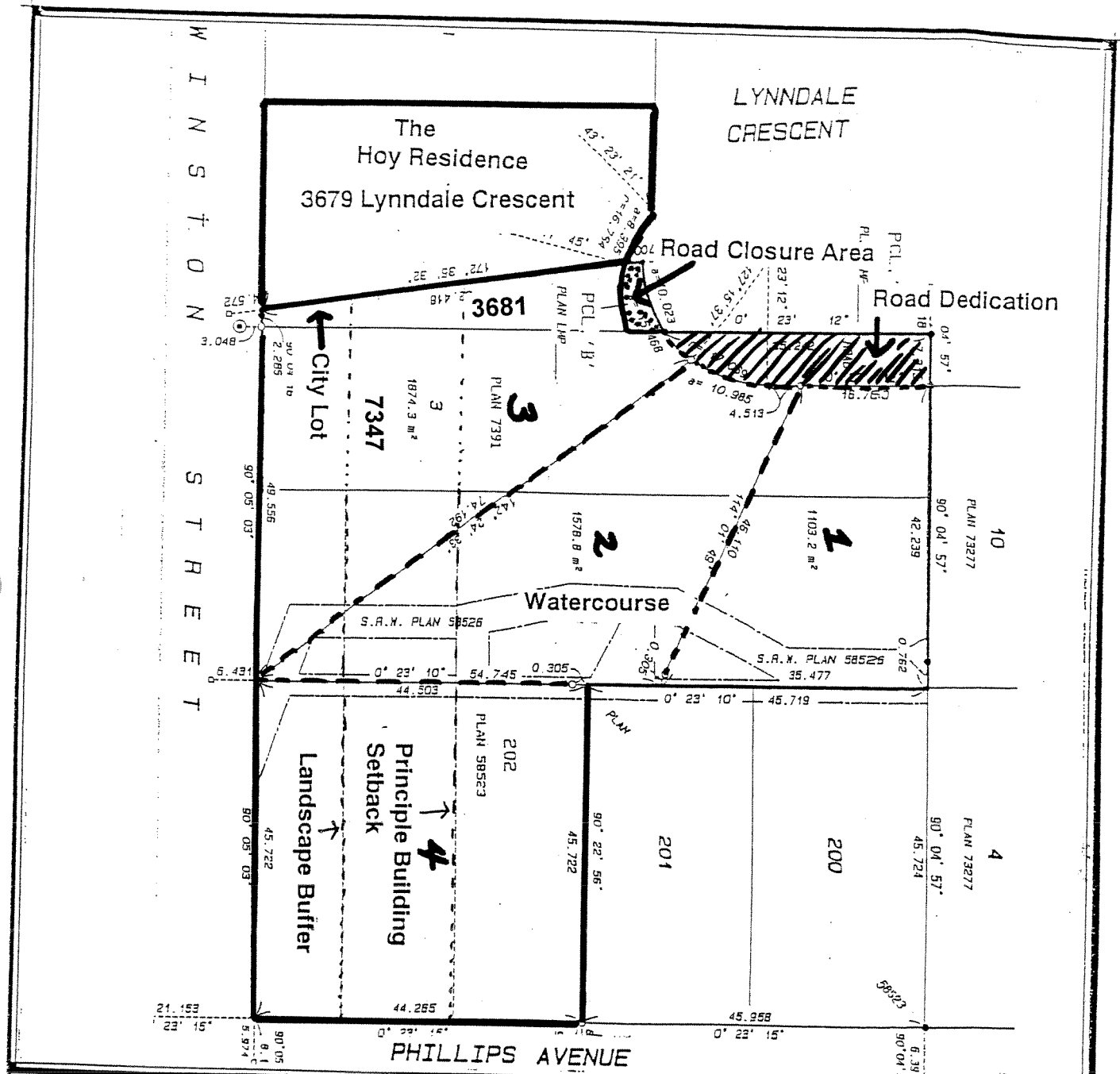
As this proposed subdivision meets the requirements of the R1 Residential District zoning regulations and is in conformance with the conditions of the Tentative Approval, the Approving Officer is recommending that Council Reconsideration and Final Adoption of Burnaby Highway Exchange Bylaw No. 3, 2002, appearing elsewhere on this Agenda, be given.



I.S. Belhouse
APPROVING OFFICER

KB:JSB:hr

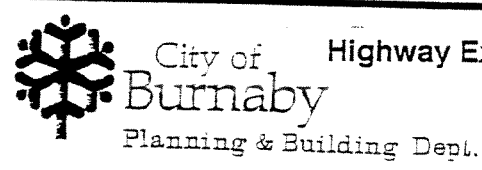
cc: City Solicitor



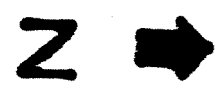
Date: 2002 July 22

Scale: N.T.S.

Drawn By: KAB



Highway Exchange Bylaw No. 11383
 Proposed Subdivision
 3751 Phillips, 7347 Winston and
 3681 Lynndale Crescent



R1 Residential District Zoning

July 17, 2002

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Mayor and Council
4949 Canada Way
Burnaby, B. C.
V5G 1M2

Attention: Mayor and Council

Re: Burnaby Highway Exchange Bylaw No. 3, 2002
Bylaw No. 11383

We are opposed to the adoption of this bylaw for the following reasons:

1. Opposition to the proposed subdivision, which requires that this bylaw be adopted by you.
2. Opposition to the Ministry of Water, Land and Air Protection and the Department of Fisheries and Oceans' support for a reduced and variable stream-side setback (leave area) on proposed lots for this subdivision due to a request by a City of Burnaby subdivision technician for these reductions.
3. Opposition to the average width of distance calculation utilized, in order to achieve the requirement of the City of Burnaby for the property front of proposed lots for this proposed subdivision.
4. Opposition to the future increase in the density of homes and population in the neighborhood, if this proposed subdivision is granted final approval.
5. Preference for as much preservation as obtainable of the current characteristics of the neighborhood.
6. The outcome of this proposed bylaw appears to be predetermined, in order to complete the proposed subdivision, which is granted tentative approval.

We request that you do not adopt this proposed bylaw for primarily these reasons.

Sincerely,

The Hoy Family
3679 Lynndale Crescent

COPY: - CITY MANAGER
- DIR. PLNG. & BLDG. - FOR REPORT

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