

TO: CITY MANAGER 2002 JULY 16

FROM: DIRECTOR PLANNING AND BUILDING OUR FILE: 15.615

SUBJECT: OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW 2002
BYRNE ROAD AND MARINE WAY DEVELOPMENT PLAN

PURPOSE: To provide Council with information in response to the questions raised at the 2002 June 25 Public Hearing with respect to the subject OCP Amendment Bylaw 2002.

RECOMMENDATIONS:

1. **THAT** a copy of the reports previously received by Council in response to the issues and questions raised through the community consultation process, as referenced in this report, be sent to those recorded as making submissions to the 2002 June 25 Public Hearing with respect to the OCP Amendment Bylaw 2002.
2. **THAT** a copy of this report be sent to those recorded as making submissions to the 2002 June 25 Public Hearing for the OCP Amendment Bylaw 2002.

REPORT

1.0 BACKGROUND

Council, at its 2002 July 8 meeting, gave Second Reading to the subject OCP Amendment Bylaw No. 10709 and requested a report in response to the questions raised at the 2002 June 25 Public Hearing with respect to the subject amendment bylaw. The City Clerk has provided staff with a record of the Public Hearing discussion of the subject Amendment Bylaw. The following responds to the specific questions raised at the Public Hearing.

In addition, Council previously received reports responding to questions submitted by earlier delegations with respect to the Byrne Road and Marine Way Development Plan (*Item 04, Manager Report #09, 2002 March 25 and Item 01, Manager Report #14, 2002 May 13*). These reports have been provided to Council under separate cover for reference purposes. These reports provide additional information which may be of specific interest to those who made submissions to the Public Hearing.

2.0 RESPONSE TO QUESTIONS RAISED

2.1 Was a traffic study undertaken for the Commercial Precinct?

A traffic impact assessment was undertaken by Associated Engineering under contract to the City for the Commercial Precinct. The results of the traffic impact assessment were incorporated into a comprehensive approach to provide for transportation network improvements in relation to the proposed future development framework. The scope of proposed transportation improvements incorporated into the Development Plan include:

- *finishing of Byrne Road* to a four lane standard, including the provision of additional road width to accommodate cyclists; an Urban Trail on Byrne Road and along the Byrne Creek dyke; and separated sidewalks and boulevard treatment to accommodate pedestrians.
- *re-construction of the Byrne Road and Marine Way intersection* to provide dual left turn lanes from Byrne Road onto Marine Way together with other associated streaming and turning lanes.
- *upgrading Marine Way* to provide for three travel lanes in each direction through the Commercial Precinct with de-acceleration/exit lanes, and an Urban Trail along the south side of Marine Way with separated sidewalks on the north side of Marine Way.
- *constructing a new road* and associated intersections with Byrne Road and Marine Way to serve the Commercial Precinct by taking road dedications from existing industrial properties as they redevelop.

Following completion of the proposed road improvements, and taking into consideration the additional traffic associated with the proposed commercial development, the Byrne Road and Marine Way intersection is projected to function at a higher level of capacity and with fewer vehicle delays than at present. In terms of east and westbound truck movements on Marine Way, the traffic analysis documented the current (2001) *vehicle to capacity ratio (v/c)* on Marine Way at Byrne Road at 1.00 *v/c* eastbound and 0.85 *v/c* westbound during peak rush hour. By 2011, taking into account the full development of commercial uses contained within the Development Plan, a 2% annual increase in background traffic volumes, and the program of road improvement proposed in the Plan, the *vehicle to capacity ratio* is projected to improve to 0.81 *v/c* eastbound and 0.68 *v/c* westbound, representing a reduction in current traffic delays at this intersection.

2.2 Can something be done to address or mitigate the impact of existing traffic noise from Marine Way on the adjacent residential properties?

Residents in the Willard Street area currently experience significant truck and vehicle traffic noise generated from Marine Way. Noise attenuation measures were not undertaken when Marine Way was constructed by the Province. Current City standards provide for noise attenuation measures on expanded or new arterial roads built adjacent to residential areas.

While proper noise attenuation measures / fencing would be installed as part of any future upgrade of Marine Way adjacent to the Willard Street residential (Small Holdings) area, staff have been reviewing possible options for cost effective measures that could provide some interim mitigation of existing traffic noise on Marine Way.

Of the noise attenuation options available, a continuous concrete fence would provide the best noise protection to the residential area adjacent to Marine Way by intercepting wheel noise at ground level, and wind and exhaust stack noise to the height of the constructed noise fence. To be most effective, the noise fence should be installed as close to the source of the noise within the shoulder of the road as safety consideration will permit. At this time, however, installation of a *noise fence* does not appear practical given the limited available area on the shoulder of the road, the lack of a stable foundation within the shoulder to support the loads (wind/weight) associated with a solid fence, and the need to keep access to the road side ditch for maintenance equipment.

On an interim basis, some mitigation of noise impacts from Marine Way may be achieved through the installation of concrete no-post barriers along the shoulder of the road. Residents of the area report a reduction in traffic noise by virtue of the concrete no-post barrier installed down the centre of Marine Way which serves to, in part, intercept tire noise from eastbound traffic on Marine Way. As similar installation on the north shoulder of Marine Way could offer some protection to the residential area by intercepting tire noise from westbound traffic.

In response to the concern raised at the Public Hearing, staff will complete the work initiated on possible interim options to address some of the existing noise impacts of traffic from Marine Way on the adjacent residential properties. Staff will forward a report summarizing this work to the Housing and Community Planning Committee for consideration in determining the feasibility of implementing interim noise attenuation measures for those residential properties in the Willard Street area which are directly adjacent to Marine Way.

2.3 Why are the roads shown incorrectly on the map?

The maps included in the Development Plan for the Byrne Road and Marine Way Service Commercial Precinct indicate the legal lot boundaries and dedicated road rights-of-way as reflected in City's records of plans registered with the Land Titles office. The maps do not show or indicate the width or location of the paved surface of roads located within the dedicated road right-of-ways, or whether a road is currently constructed to a full or interim standard.

For example, 14th Avenue is dedicated as road from Meadow Avenue through to Marine Drive, however, it is un-constructed for about half of its length from Meadow Avenue to Willard Street. Similarly, the 20 foot wide pavement cap on Meadow Avenue curves within the 66 foot wide dedicated road right-of-way for Meadow Avenue at both 14th Avenue and 12th Avenue in relation to the drainage channels constructed within the dedicated road right-of-way.

2.4 What is the maintenance program for the 14th Avenue ditch?

The City's maintenance program involves an annual inspection of ditches with cleaning and maintenance work undertaken if necessary to maintain drainage function. City records indicate that maintenance work was undertaken on the 14th Avenue ditch in 1998. Concerns regarding the condition of any drainage facility in Burnaby may be forwarded directly to the City's Engineering Department for review. Engineering staff will assess the drainage concern and pursue measures to address the concern as necessary. Staff will attempt to contact the resident who spoke at the Public Hearing regarding the 14th Avenue ditch to review any emerging concerns with the ditch and to advise of the available avenue to forward concerns regarding ditch maintenance to the Engineering Department for review.

2.5 What information is available for Jerry Rogers Creek?

In 1999, the City broadly classified all watercourses in the City based on fisheries values. Over the past two years, the City has been working with environmental agencies, streamkeepers, and academic institutions to undertake more detailed mapping and assessment of Burnaby watercourses, including Jerry Rogers Creek.

With respect to Jerry Rogers' Creek, the City has mapped both open and piped sections of the Creek, delineated the watershed boundary, mapped terrain contour information, and overlaid this information on an orthophoto. A map showing the Jerry Rogers' Creek watershed is shown in Figure 1, *attached*.

The City retained a Registered Professional Biologist to appraise Burnaby watercourses for fish habitat values, document limiting factors for fish and identify potential enhancement opportunities. An overview summary of the preliminary information collected for Jerry Rogers' Creek is provided in Appendix 1, *attached*. Once finalized, all of the assessment and mapping information for Burnaby watercourses will be posted on the City's website.

Staff have contacted the Jerry Rogers' Creek Streamkeepers to coordinate a meeting to discuss the available information on the Creek and to respond to specific questions regarding the Creek and its relationship to existing and planned development.

2.6 *What is the status of lands proposed for exclusion from the Land Reserve?*

The lands within the proposed Commercial Precinct are currently designated for general industrial use in the City's adopted Official Community Plan and the Big Bend Development Plan. The subject Official Community Plan amendment will re-designate these lands for commercial use in relation to the Byrne Road and Marine Way Commercial Precinct Development Plan. Within this area, City lands covering an area of about 13.68 acres, and private lands totaling about 30.2 acres, are currently within the boundaries of the Land Reserve.

The lands proposed for exclusion have been industrially filled in preparation for future industrial development. The private lands were used for a peat extraction and land filling operation since about 1965 consistent with the prevailing M3 - Heavy Industrial zoning of the property. About 26 of the 30.2 acres of the subject private lands have been filled with hogfuel and building debris to a typical depth of 10 - 15 feet. The subject City lands have been industrially filled as part of a program to both remediate unauthorized fill materials historically placed on the property and to prepare the site for future industrial development. As such, the lands proposed for exclusion are not considered to be viable agricultural properties both in terms of their existing filled state, and the prevailing industrial zoning and designations within the Big Bend Development Plan.

The Land Reserve Commission has reviewed the proposed OCP Amendment Bylaw in relation to the Commercial Precinct Development Plan. The Commission, by its Resolution #245/2002, has consented to the adoption of the proposed OCP amendment bylaw. Further, the Commission noted that the plan is consistent with earlier Big Bend reviews undertaken with the Commission in 1977 and 1980. The Commission also noted that the terms of the development plan provide a suitable framework for protection of adjacent agricultural lands.

The proposed change in the prevailing industrial land use designation for the subject lands does not affect the City's commitment to the protection of agricultural lands as represented in the adopted Big Bend Development Plan and the City's OCP as previously submitted and reviewed by the Land Reserve Commission. As noted in Section 3.0 of this report, additional information on this subject was included in the previous reports to Council which are proposed to be sent to those making submissions to the Public Hearing for information purposes.

2.7 *Why was the neighbourhood association referred to the Parks and Recreation Commission to pursue its request for improvement of park lands within the Willard Street area?*

Council has delegated to the Parks and Recreation Commission, by Bylaw No. 5625, the responsibility for administration of parks and park property. Delegated responsibilities include the power to make decisions on expenditures to improve existing park lands. As well, the Commission is responsible for decisions related to the management, development, maintenance, and operation of park lands. As such, the Commission is the appropriate body to consider specific requests from the community for improvement of existing park lands.

2.8 *Why has the City not undertaken an assessment of the impact of the Commercial Precinct on the market value of adjacent property in the Willard Street area?*

From an assessment perspective, the BC Assessment Authority has advised that, given the lands in the Willard Street area are not being re-designated for a different land use, there is not a basis for a change in land value in the Willard Street area. Further, the established policy framework for land use in the area maintains the prevailing agricultural and small holdings designations of the Willard Street area on which local property assessment values are based.

In terms of development impacts on lands adjacent to the Commercial Precinct, Council adopted guidelines incorporated into the Plan seek to substantially mitigate potential development impacts on nearby residential and adjacent agricultural lands by providing for a clear separation of uses. The Development Plan establishes specific guidelines to address issues related to the interface of the Meadowland Peat property which is adjacent to Meadow Avenue, the City school/park site, and agricultural lands. Further, in terms of local traffic management, the plan does not provide for direct access into commercial sites from Meadow Avenue. The guidelines also seek to address noise, light and use intrusions through development setbacks, noise/security fencing requirements and building design parameters.

2.9 What is the purpose of accommodating big box development on the north side of Maine Way.

The Development Plan accommodates an opportunity for the development of a limited amount and type of medium and large scale specialized retail uses on the north side of Marine Way at Byrne Road. From an overall City perspective, there is a market demand for these specialized retail uses. Rather than to have these uses randomly located throughout the City, the City's Official Community Plan (OCP) identifies the Big Bend Area as an area where some of these uses could be accommodated in a planned and integrated environment.

Three consolidated sites have been designated for specialized retail uses that would serve both a Burnaby and a sub-regional market. This designation is also intended to provide an incentive for the existing general and heavy industrial properties on the subject sites to pursue rezoning in accordance with the integrated approach contained within the Development Plan.

Under prevailing industrial zoning designations, the properties could continue to be used for a broad range of industrial uses. The continuation of the prevailing industrial use, however, would not provide for the implementation of the range and quality of improvements contained in the Development Plan in terms of storm water management, landscaped setbacks, noise/security fencing, building siting and design, and transportation network and infrastructure upgrades.

2.10 Does Burnaby's Regional Context Statement need to be adjusted to reflect the proposed change in land use for subject area?

Burnaby's OCP, adopted by Council in 1998 June 15, anticipated the development of a commercial precinct within the Big Bend area. The OCP states:

"As part of the refinement of the Big Bend Area Plan, consideration will be given to the designation of a comprehensive service commercial area that could include some 'big box' type retail and other major auto oriented service commercial uses that are supportive of the overall goals of the OCP."

The City's Regional Context Statement identifies the relationship of the City's OCP to the fundamental strategies of the Livable Region Strategic Plan (LRSP). The proposed change in land use from a general industrial designation to the mix of commercial uses proposed for the Byrne Road and Marine Way Commercial Precinct is consistent with the directions of the City's OCP and has not changed the consistency

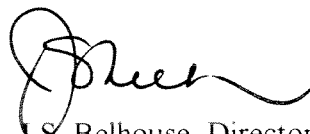
of the City's Official Community Plan with the LRSP as expressed in the City's Regional Context Statement. As such, staff consider that there is no requirement or need to amend the City's Regional Context Statement as a result of the proposed OCP amendment in relation to the Byrne Road and Marine Way Development Plan.

3.0 CONCLUDING COMMENTS

As requested by Council at its 2002 July 8 meeting, this report provides a response to the questions raised in submissions received by Council at the 2002 June 25 Public Hearing on the Official Community Plan Amendment Bylaw 2002 (Bylaw No. 11381) with respect to the Byrne Road and Marine Way Development Plan. Questions specifically raised by the City of New Westminster and the City of Richmond are addressed in *Sections 2.1, 2.6, and 2.10* of this report.

As part of the community consultation process undertaken in the preparation of the Development Plan for the Byrne Road and Marine Way Commercial Precinct, Council previously received two additional reports which provided responses to issues and questions submitted to Council by delegations (*Item 04, Manager Report #09, 2002 March 25 and Item 01, Manager Report #14, 2002 May 13*). The information in these reports may be of specific interest to those making submission to the Public Hearing, and will provide some additional information in response to some of the comments received at the Public Hearing. As such, it is recommended that these reports be sent to those recorded as making submissions to the 2002 June 25 Public Hearing with respect to the Byrne Road and Marine Way Development Plan.

It is recommended that a copy of this report be sent to those recorded as making submissions to the 2002 June 25 Public Hearing for the OCP Amendment Bylaw 2002.



J.S. Belhouse, Director
PLANNING AND BUILDING

JSB/
LP/sla/sa
Attachments(2)

- cc: Director Engineering
- Director Finance
- Director Parks, Recreation and Cultural Services
- City Solicitor
- City Clerk

SUMMARY WATERSHED INFORMATION
JERRY ROGERS' CREEK

1.0 Overview of Jerry Rogers' Creek

Jerry Rogers' Creek has a total watershed area of approximately 245 ha (605 acres). The Creek is a small, ground and storm water-fed stream on Burnaby's south slope that originates from the series of storm drains at 18th Avenue and 18th Street. The stream flows through the 14th Avenue ravine, before reaching the flatlands of the Burnaby Big Bend, where it has been channelized along roadways. There are a large number of ditches entering as tributaries into the stream, including those at Marshland and Meadow Avenues and Willard Street. Previous and existing land uses in the watershed have impacted water quality. The Jerry Rogers' Creek and watershed area are shown in Figure 1, *attached*.

2.0 Fisheries Resource Assessment

The City fisheries biologist's appraisal of the stream in 2001 noted that fish habitat is very limited. The Creek is inaccessible to fish from the Fraser River, as the pump station at the mouth of the Creek is a fish barrier. Warm summer water temperatures, limited flow, lack of riparian cover, channelization and poor water quality greatly restrict the stream's potential to support resident cold-water fish, such as rainbow and cutthroat trout. The 300m ditch along Willard Street, west of 12th Avenue, is fed by cool groundwater seepage, and is considered to have the most potential to support resident cold-water fish. No sampling has occurred to date in this reach to confirm fish presence or absence. The 14th Avenue ravine has limited fish habitat potential due to gradient and low summer flows.

In 1999, the City classified the stream as "*Ao – could be potentially inhabited by salmonids during the overwintering period with access enhancements*". This classification acknowledges that the pump station at the Creek mouth makes the Creek currently inaccessible to migratory fish. The Ao classification also notes that, if the stream were accessible, salmon usage of the watercourse would most likely only occur during the overwintering period. During the summer months, limited riparian vegetation and lack of flow results in high water temperatures in the Creek, and make the lower sections of the Creek intolerable for cold-water species, such as salmon and trout. In the winter, however, the Creek could provide rearing habitat for juvenile salmon migrating down the Fraser River, assuming that the pump station was fish accessible. As such, the Creek is now inhabited by warm-water tolerant species such as stickleback, catfish and sculpin.

Riparian

Riparian habitat in *Reach 1* and all tributaries is generally very limited due to the location of the waterway next to roads. Riparian vegetation is primarily grasses, providing little shade. Combined with the limited flows, the Creek temperatures will increase during summer

months. *Reach 2* above Marine Drive has excellent riparian habitat within a forested ravine. A cleared sanitary sewer and access road run along the top of the western ravine bank of *Reach 2*.

Fish Stocks

Fish sampling along Meadow Avenue between Thorn and Spur Roads occurred in 1999 and 2000. This sampling found stickleback, longnose dace, brown catfish, and sculpin (Envirowest & Tera Consulting 2001). These fish are resilient to warmer waters and are not protected under the Provincial Fish Protection Act. No salmonids, game fish or regionally significant fish were found during the sampling. The Provincial Fisheries Inventory Summary System (FISS) shows no records of fish sampling within the Creek.

Completed Enhancement Works

In 1996 a leachate control system was installed at the former Stride Landfill to divert contaminated stormwater flows from the site and Creek, and into the sanitary sewer system.

Relationship to the Byrne Road - Marine Way Commercial Precinct Plan

Most of the Commercial Precinct Plan area drains to the Byrne Road stormdrain pipe and then into the Fraser River. Sites B and C (see **Figure 2**) partially drains to Jerry Rogers' Creek. Post development, base flows from Site C will continue to flow to Jerry Rogers Creek, but peak flows will be diverted to the Byrne Road stormdrain pipe. Post-development, drainage from Site B will drain to the Byrne Road stormdrain pipe.

From a fisheries perspective, this drainage plan is not deemed to create a significant concern. The lands involved account for approximately 3% of the total watershed area. Site B is currently used industrially, while Site C has a history of industrial filling, so current storm flows may include some contaminants. While the planned drainage redirection will slightly lessen total flow into the Creek, it may also result in marginal water quality improvements.

The Byrne Road - Marine Way Commercial Precinct Plan has been reviewed and approved by the Department of Fisheries and Oceans and the Ministry of Water, Land, and Air Protection. In addition, during plan development City staff discussed the plan in detail with Byrne Creek Streamkeepers and the DFO Streamkeepers Coordinator. Staff will also discuss the environmental elements of the Plan with the Jerry Rogers Streamkeepers.

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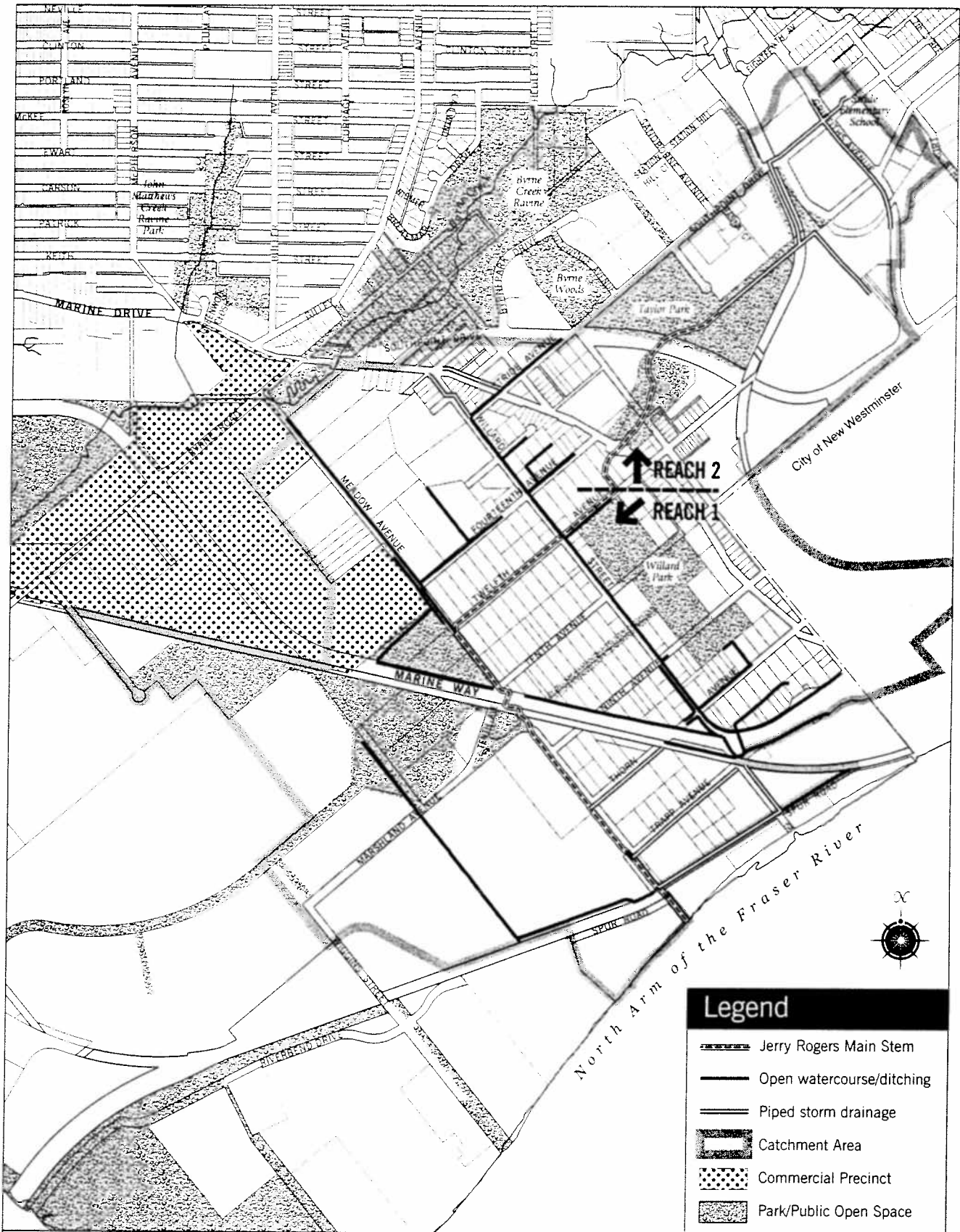
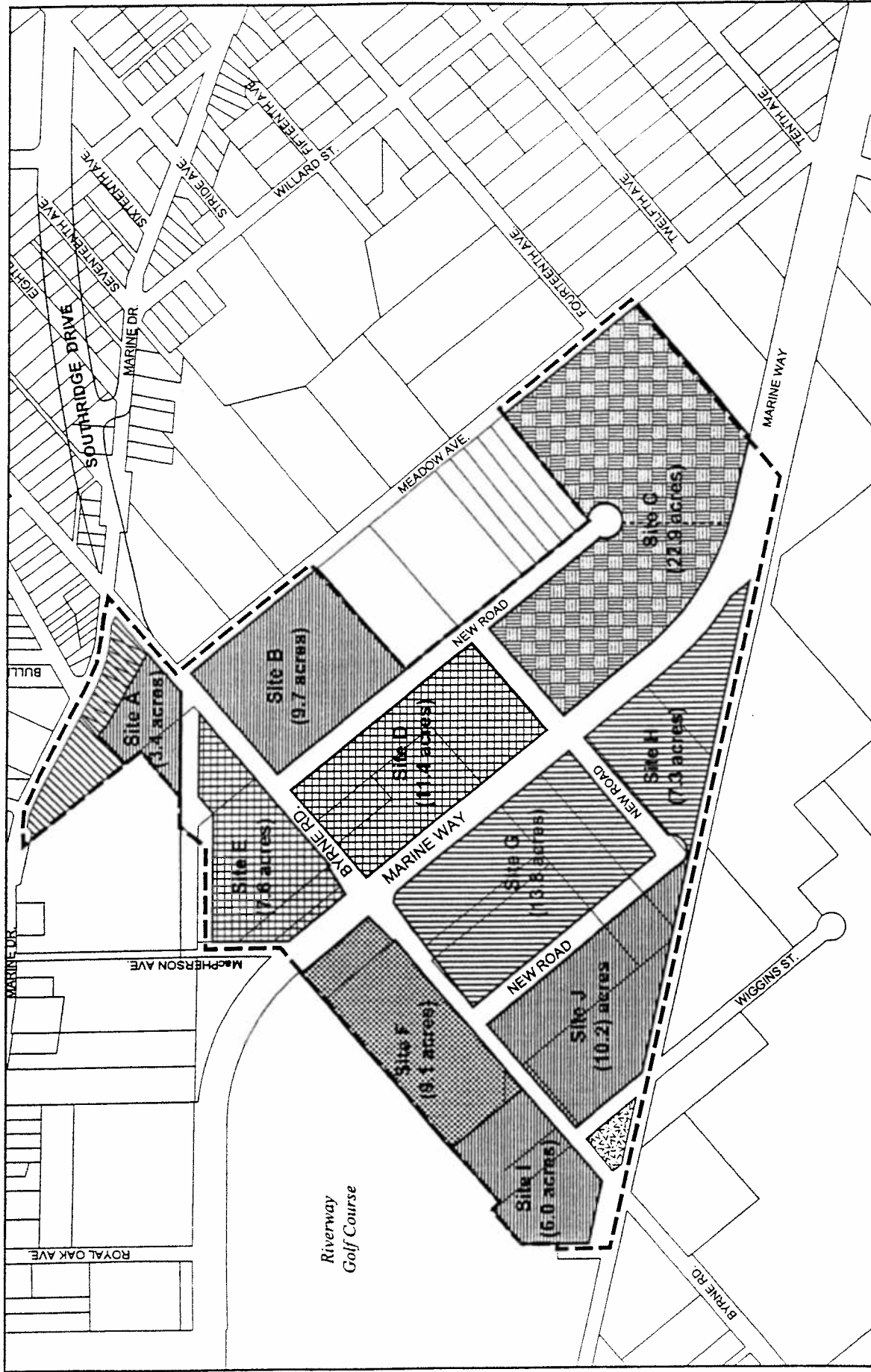


Figure 1 Jerry Rogers Creek



Legend	
	Jerry Rogers Main Stem
	Open watercourse/ditching
	Piped storm drainage
	Catchment Area
	Commercial Precinct
	Park/Public Open Space

Planning and Building Department
 2002 July
 drawn by rcn



- Primary Mixed Use Commercial Centre
- Large Scale Retail
- Suburban Office/Compatible Light Industrial
- Local Commercial
- Mixed Large/Medium Scale Retail/Suburban Office
- Motor Hotel/Ancillary Uses/Suburban Office
- Civic Use (Potential Fire Hall)

Figure 2
Land Use Designations