
TO: CITY MANAGER **DATE:** 2012 February 29

FROM: DIRECTOR PLANNING AND BUILDING **FILE:** 49500 20
Reference: Rez.#11-17

SUBJECT: RESPONSE TO QUESTIONS RAISED AT PUBLIC HEARING

PURPOSE: To respond to Council's request for further information regarding questions raised at the 2012 February 21 Public Hearing for Rezoning Reference #11-17.

RECOMMENDATION:

1. **THAT** a copy of this report be sent to Mr. Matthew Haydar, #301 – 6739 Royal Oak Avenue, Burnaby, BC V5H 3P5.

REPORT

1.0 INTRODUCTION

At the 2012 February 21 Public Hearing for the property at 6709 Royal Oak, (Rezoning Reference #11-17), Council requested a staff report on the questions raised by an area resident. The application for rezoning is from the R5 Residential District to the CD Comprehensive Development District, based on RM2 District guidelines, in order to permit the construction of a new 4-unit, three-storey townhouse development with surface parking.

At the Public Hearing, Mr. Matthew Haydar, a resident at #301 – 6739 Royal Oak Avenue raised a number of questions regarding trees, a former gas station site, and recent improvement to the existing dwelling on the property.

As requested by Council at the Public Hearing, this report provides a staff response to the questions raised.

2.0 QUESTIONS RAISED

- 2.1 *A question was raised regarding the number and location of existing trees on the subject property and adjacent public right-of-way.*

As noted in the survey plan, which was presented at the Public Hearing as part of the suitable plan of development, there are currently three trees along the Royal Oak frontage of the site, and one tree at the rear of the property. The three trees along the Royal Oak frontage are identified as Douglas Fir trees. The single tree at the rear of the property is

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identified as a Western Red Cedar tree. A site survey of the trees shows that the three trees on the Royal Oak frontage, noted in the Public Hearing report and referenced by the delegation, are located on the subject property with one tree partially within the public right-of-way, and the tree to the rear of the property is also located on the subject property.

With regard to tree retention and replacement, the City's Landscape Development Technician concurred with the submitted arborist report which noted that the subject three trees on the Royal Oak frontage are not suitable for retention as they have been previously topped and could pose a hazard to the proposed development and vehicular traffic on Royal Oak Avenue, given that the weaker stem re-growth are more prone to breakage.

With regard to the subject Western Red Cedar tree at the rear, while this tree has not been previously topped and is in good condition, the arborist report noted that due its extensive root system, it would likely suffer irreparable damage from the site's construction. As such, this tree is also not being considered for retention. The City's Landscape Development Technician also concurs with this conclusion.

As part of the proposed plan of development, City approval would be given for the removal of the noted trees, should the application proceed to Final Adoption of the Bylaw. As noted in the suitable plan of development, the applicant-developer proposes to replace the subject trees with two Katsura trees (*cercidiphyllum japonica*) within the front yard and one Red Maple tree (*acer rubrum*) within the rear yard.

2.2 *A question was raised as to whether the site would be subject to environmental review due to potential contamination from a historic gasoline service station use in the area.*

City records indicate that a gasoline service station was historically located at the northwest corner of Royal Oak Avenue and Imperial Street (5155 Imperial Street). City records do not indicate that a gas station was located on the east side of Royal Oak across from the subject property, as generally indicated by the delegation¹. The subject gasoline service station at 5155 Imperial Street was since rezoned (Rezoning Reference #23/80) and redeveloped for RM2 Multiple-Family Residential District use.

The subject site under rezoning is required to meet the Provincial Environmental Management Act, prior to Final Adoption of the Bylaw. As such, should any contamination be found, it would have to be remediated prior to issuance of relevant City approvals and permits.

¹ Staff have reviewed historic aerial photographs dating from 1965 – 1983 which indicate that the lands on the east side of Royal Oak Avenue were single-family dwellings which developed, over time, as commercial/industrial sites. No gasoline service station was noted on the east side of Royal Oak Avenue.


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2.3 *A question was raised as to whether recent improvements to the existing single-family dwelling on the property was considered as part of the subject application for development.*

The question of the economic feasibility of development proposals in relation to the value of existing improvements is typically addressed by the private property interest. In this regard, the decision to advance redevelopment of the property is the prerogative of the property owner. In this case, the property owner has made an application for rezoning to the CD(RM2) District, in line with the Metrotown Centre Plan. Staff, in considering the application, have taken into account that the proposal is in line with the Council adopted Metrotown Development Plan, and has supported the application on that basis.

3.0 CONCLUSION

The above is submitted in response to the questions raised at Public Hearing with regard to Rezoning Reference #11-17 and it is recommended that a copy of this report be sent to the delegation who appeared at the Public Hearing.


B. Luksun, Director
PLANNING AND BUILDING

ZM:spf/tn

cc: Director Engineering
City Clerk