

Re: A - Purchase of Residential Properties by Chevron Canada Limited -
Proposed Buffer Area

B - Proposed Highway Exchange and Land Exchange - Chevron Refinery
Expansion

On November 4, 1974, Council requested detailed information on the land to be acquired by Chevron Canada Limited for development of a buffer strip on the periphery of the firm's tank farm, the condition of the homes that have been purchased by the firm and the relevant sections of the Burnaby Unsightly Premises By-law which can be invoked if the necessity arises. Following is a report from the Director of Planning on this matter, and also on the status of a proposed exchange of lands between the Municipality and the firm in the vicinity of the tank farm operation.

RECOMMENDATION:

THAT the Director of Planning's recommendations be adopted.

PLANNING DEPARTMENT
NOVEMBER 14, 1974

TO: MUNICIPAL MANAGER

FROM: DIRECTOR OF PLANNING

SUBJECT: A - PURCHASE OF RESIDENTIAL PROPERTIES BY CHEVRON
CANADA LIMITED - PROPOSED BUFFER AREA

B - PROPOSED HIGHWAY EXCHANGE AND LAND EXCHANGE -
CHEVRON REFINERY EXPANSION

A - PURCHASE OF RESIDENTIAL PROPERTIES AND PROPOSED BUFFER AREA.

The Council on November 4 received a report dealing with the subject of the demolition of a dwelling in the 4400-block Yale Street by Chevron Canada Limited. At that time, Council directed that a plan be prepared by the Planning Department to show in detail (i.e., lot numbers and addresses) the land to be acquired by Chevron to form part of the green belt buffer strip adjacent to the storage tank farm. Further information concerning current ownership, condition of buildings, and the relevant provisions of the Burnaby Unsightly and Untidy Premises Bylaw was also requested.

Attached as Sketch "A" is a map of the pertinent area adjacent to the tank farm site, showing the boundary of the proposed buffer area, present ownership by Chevron Canada and by the Municipality within the designated area, and the legal lot and block numbers, together with the hundred-block street address numbers. Accompanying the sketch is a tabulation of the Chevron-owned residential properties, listed by street address

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and legal lot numbers with information on the dwelling type, age, and apparent condition of buildings.

The following notes pertain:

- 1) The boundary shown on the plan represents the extent of the buffer area proposed by Chevron for property acquisition as properties become available for purchase over a period of years. Several sites in the area have been in the oil company's ownership for many years, while others have been more recently acquired. It should be stressed that the completion of the green belt area proposed depends on acquisition by Chevron in an open market situation, and that the company cannot compel any owner to sell his property. However the company is committed to making acquisitions when and as properties are available, leading toward eventual creation of the landscaped buffer area as defined, as an improved separation from the refinery plant, from the proposed Scenic Drive, and as a means of implementing the necessary land exchanges to effect the ultimate site boundary redefinition.
- 2) The age of dwellings is taken from Assessment Department records. The apparent condition of buildings has been classified on a scale of Good/Average/Fair/Poor based on visual field inspection without the benefit of detailed internal or structural examination, giving a comparative rating relative to the best privately-owned properties in the buffer area. The determinations given have been verified by Chevron property management officials based on exterior and building shell condition; considering interior conditions, Chevron representatives are inclined to class the buildings generally slightly lower, in the poor and fair range for the most part.
- 3) The condition of grounds (landscaping, maintenance, tidiness of premises) is generally consistent with the condition of the respective dwellings themselves.
- 4) We are informed that it is the policy of the agency retained by Chevron to manage its rental properties to maintain good properties and to require reasonable upkeep and care of the premises by tenants. Repairs and necessary replacements are made to rental dwellings so long as the buildings are generally livable and structurally sound; only in cases of clear un-livability is the decision made to demolish the structures.

Concerning the Burnaby Unsightly Premises Bylaw: this is described as "A By-law to prohibit the owners or occupiers of real property from allowing property to become untidy or unsightly and to require the owners or occupiers of real property, or their agents, to remove therefrom any accumulation of filth, discarded materials, or rubbish of any kind." We are informed by the Chief Public Health Inspector that the provisions of this Bylaw apply to any owner or occupier of land in the Municipality, including Chevron, and that its provisions may be invoked to remedy a situation of untidiness or unsightliness if the necessity arose. The Bylaw provides for removal and for charges by the Municipality in lieu of removal by the owner or occupier, and for penalties for violation under the

Summary Convictions Act. Of particular relevance are Sections 2 and 3 of the Bylaw which read as follows:

- "2. No owner or occupier of real property shall allow the said real property to become untidy or unsightly.
3. Every owner or occupier of real property or the agent of such owner or occupier shall remove from the said real property any accumulation of filth, discarded materials, or rubbish of any kind and in default of such removal the Municipality by its workmen and others may enter upon the said real property and effect such removal at the expense of the person so defaulting and the charges for so doing, if unpaid on the 31st day of December in any year, shall be added to and form part of the taxes payable in respect of that real property as taxes in arrear."

The foregoing, with attachments, is submitted for the information of Council.

B - PROPOSED HIGHWAY EXCHANGE AND LAND EXCHANGE - CHEVRON REFINERY EXPANSION.

As has been indicated in past reports there has been a long-standing proposal that the Municipality enter into a comprehensive land exchange with Chevron Canada Limited in the vicinity of the tank farm operation. At this time it is possible to make certain recommendations to Council concerning implementation of the first stage of such an exchange program, for reasons that will be described. Appearing elsewhere on the Agenda for November 18 is a related report dealing with a rezoning request for a portion of the lands proposed to be exchanged at this time.

Attached for convenient background reference is a photocopied extract of the section of the November 26, 1973 major report to Council on the proposed expansion program, dealing with the topic of boundary re-definition and proposed land exchange. In the conclusions of that report, it was pointed out that among the steps necessary to the implementation of the program if approved in principle by the Council, were the following:

- "(a) The preparation and execution of a land exchange with the Municipality, possibly including acquisition by Chevron of certain additional properties, so as to create the ultimate consolidated property as envisaged.
- (b) The cancellation and vesting of title to certain redundant portions of road allowance in order to accomplish (a).
- (c) The furnishing of easements and/or relocation of services associated with (b)."

On January 14, 1974, Council granted approval in principle and it is possible at this time to proceed with the implementation of the first stage of the exchange. The proposed exchange is being recommended on the basis of equal land area-for-area, without regard to improvements, although many of the Chevron properties are improved. The lands which will accrue to Chevron are either unimproved or redundant road allowance.

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As part of the mechanics of the Chevron Refinery expansion, the Planning Department's staff and representatives of Chevron Canada Ltd., have agreed to request Council's authority to execute a land exchange program to establish a boundary and develop a buffer zone between the Chevron Refinery and the adjacent residential areas. It is intended, in part, to achieve this objective by introducing a highway exchange by-law for certain redundant portions of road allowance and portions of the proposed Scenic Drive alignment.

The Planning Department has supported the proposed land exchange program as it would create a more rational boundary for the refinery in addition to providing lands for a viable open space buffer, thereby allowing a consistent, uniform landscape treatment to be effected. The Corporation will also obtain those lands necessary for the Scenic Drive road alignment.

It was agreed that, as the first stage of the exchange program, the Planning Department would request Council's authority to introduce a Highway Exchange By-law for those lands designated on the attached sketch #1 and for the exchange of Corporation lands and those properties presently owned by Chevron and shown on the attached sketch #1. It should be noted that this is the initial exchange only, and in the future it is proposed that additional properties and roads which become redundant are to be exchanged to complete the boundary redefinition of the Chevron site, the buffer area, and the Scenic Drive road allowance.

EXISTING SITUATION

Should Council grant the authority for the Highway Exchange and the proposed land exchange, then Chevron Canada Ltd. would be responsible for the preparation of a plan to accompany the Highway Exchange By-law.

Concurrently with the registration of the Highway Exchange By-law, the Municipal Solicitor will register a plan consolidating the newly created parcels with Chevron's existing holdings. Chevron will be responsible for the preparation of the consolidation plan which will include the parcels shown on the attached sketch #1.

The Municipal Solicitor will prepare the requisite deeds to consummate the exchange of lands as shown on the attached sketch #1.

The Planning Department is presently obtaining final information on what Municipal and public services are located within the subject site and, upon receipt of that information, easement documents will be prepared and executed to protect those services. Any relocation of services which may be necessitated is to be done wholly at Chevron's cost.

In the first stage of the proposed exchange program, the Municipality will receive a total of 3.70 acres, of which 1.21 acres will be in the form of road right-of-way for the proposed Scenic Drive alignment and 2.49 acres would be in the form of residential properties in the Corporation's name.

Chevron will receive a total of 3.65 acres in the first stage of the exchange, of which 3.10 acres will be in the form of closed road rights-of-way and 0.55 acres will be Corporation lands.

Attached is a detailed information sheet listing those lands in the exchange program and their respective areas.

The majority of those properties shown on the attached sketch #1 which will be transferred from Chevron to the Corporation are improved with dwellings which are presently providing revenue. The Municipal Land Agent is of the opinion that the condition of some of these dwellings may be such that they should be demolished prior to the finalization of the proposed exchange. The Planning Department is concerned with not diminishing the housing stock, however, inasmuch as the condition of some of the dwellings may dictate their demolition, we recommend that Council authorize the Chief Building Inspector, together with representatives of Chevron Canada Ltd., to inspect those dwellings which will be transferred to the Corporation and determine which should be demolished. Those dwellings which are deemed to be in satisfactory condition will remain and will provide revenue to the Municipality until such time as it is possible to complete the exchange program.

RECOMMENDATION


THAT the Municipal Council grant the authority to introduce a Highway Exchange By-law for those lands shown on the attached sketch #1; and,

THAT the Municipal Council grant the authority to exchange those Municipal lands for those properties presently owned by Chevron Canada Ltd. and, shown on the attached sketch #1; and,

THAT the first stage of the exchange program be subject to granting of such easements as may be necessary to protect Municipal and other public services with the costs of any relocation of services to be borne by Chevron Canada Ltd.; and,

THAT all survey and legal costs be borne by Chevron Canada Ltd.; and,

THAT the Chief Building Inspector be authorized to inspect those dwellings which will be transferred to the Corporation and, jointly with representatives of Chevron Canada Ltd., to determine which dwellings should be demolished prior to finalization of the proposed exchange.


A. L. Parr
DIRECTOR OF PLANNING

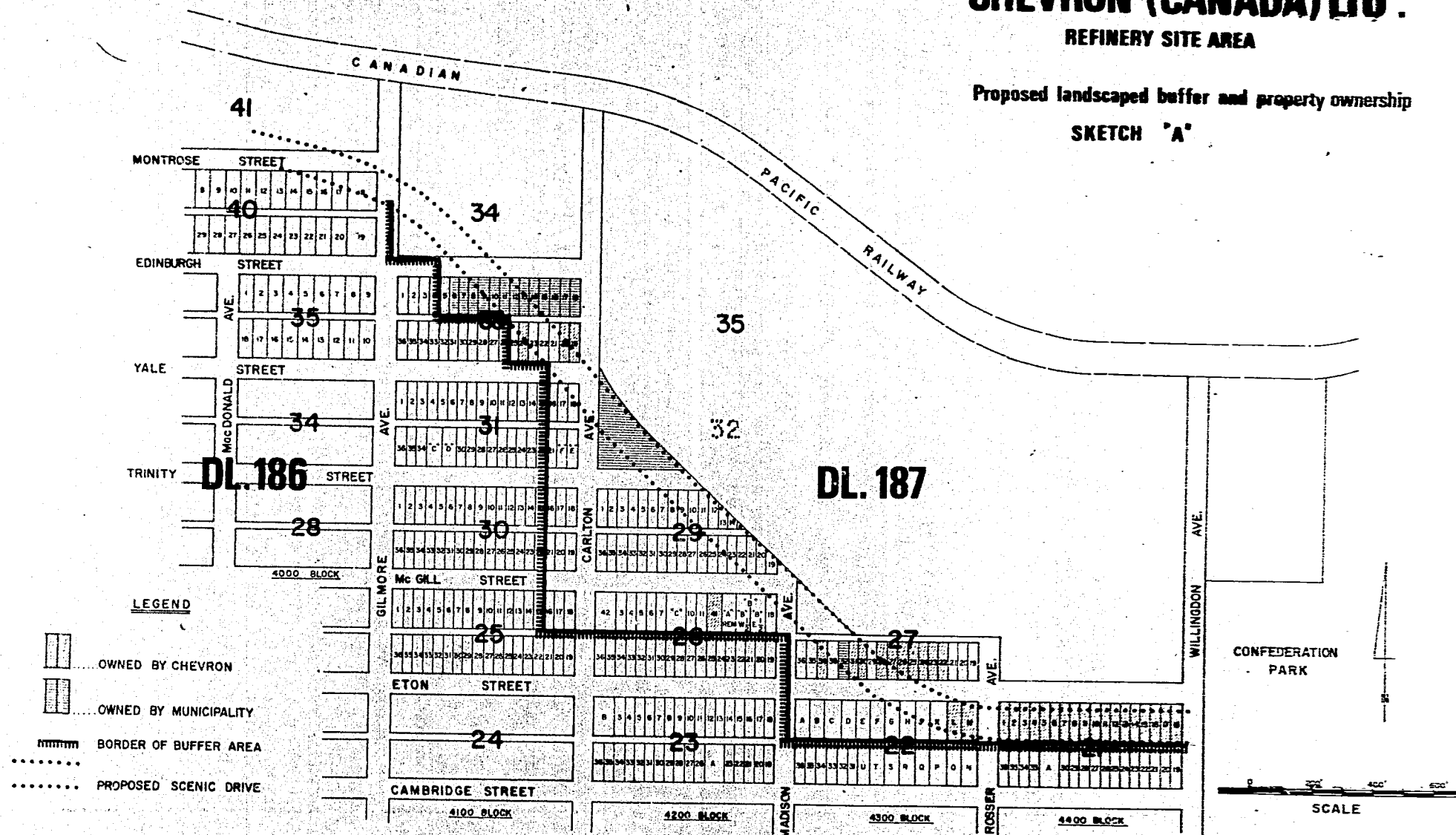
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Attchmts. (2)

CHEVRON (CANADA) LTD.

REFINERY SITE AREA

Proposed landscaped buffer and property ownership

SKETCH 'A'



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CHEVRON PROPERTIES AND HOUSESAPPARENT CONDITIONS OF HOUSES

No.	Street Address	Lot #	Blk.#	D.L.#	Bldg. Type	Age Yrs.	Apparent Condition
1.	4384 Eton St.	L	22	187	1 Storey	26	Good
2.	4392 Eton St.	M	22	187	1 Storey	26	Good
3.	4400 Eton St.	1 + 2	21	187	1½ Storeys	54	Poor
4.	4412 Eton St.	3	21	187	1 Storey	20	Fair
5.	4416 Eton St.	4	21	187	1 Storey	22	Average
6.	4424 Eton St.	5	21	187	--	--	Vacant Lot
7.	4426 Eton St.	6	21	187	--	--	Vacant Lot
8.	4432 Eton St.	7	21	187	1 Storey	25	Poor
9.	4436 Eton St.	8	21	187	1 Storey	22	Fair
10.	4438 Eton St.	9	21	187	1 Storey	22	Fair
11.	4440 Eton St.	10	21	187	1 Storey	26	Average
12.	4444 Eton St.	11	21	187	--	--	Vacant Lot
13.	4448 Eton St.	12	21	187	1 Storey	26	Average
14.	4452 Eton St.	13	21	187	1 Storey	54	Fair
15.	4454 Eton St.	14	21	187	1 Storey	18	Average
16.	4460 Eton St.	15	21	187	1 Storey	26	Average
17.	4464 Eton St.	16	21	187	1 Storey	25	Fair
18.	4468 Eton St.	17	21	187	1 Storey	22	Fair
19.	4472 Eton St.	18	21	187	1 Storey	21	Fair
20.	4361 Eton St.	22+23	27	187	1 Storey	27	Good
21.	4357 Eton St.	24+25	27	187	1 Storey	27	Good
22.	4353 Eton St.	26+27	27	187	1 Storey	27	Good
23.	4335 Eton St.	28	27	187	2 Storeys	64	Poor
24.	4329 Eton St.	30	27	187	1 Storey	22	Poor
25.	4327 Eton St.	31	27	187	--	--	Vacant Lot
26.	4309 Eton St.	34	27	187	--	--	Vacant Lot
27.	4120 Edinburgh	5	33	187	--	--	Vacant Lot
28.	4147 Yale St.	24	33	187	--	--	Vacant Lot
29.	4167 Yale St.	20	33	187	2 Storeys	64	Average
30.	4171 Yale St.	19	33	187	--	--	Vacant Lot
31.	4348 McGill St.	41	26	187	1½ Storeys	64	Poor

NOTE: In addition to the above-described properties, it is understood that Chevron Canada has made arrangements to acquire two additional properties outside the designated buffer area. These lots, known as 4141 Yale Street (Lots 26 and 27, Block 33, D.L. 187) are not part of the intended buffer and evidently arrangements to purchase have been made inadvertently by Chevron, as a result of a misinterpretation of buffer boundaries.

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2. Boundary Definition:

Discussions have taken place over past years concerning the development of more logical site boundaries for the Chevron Refinery, respecting patterns of land ownership, redundant road allowances, and projected road alignments at the site perimeter. A major land exchange between the Corporation and the oil company has been foreseen, to establish this more rational boundary, and to develop an effective buffer zone between the industrial use and adjacent residential uses.

The actual location of the ultimate boundary adjacent to Area 1, the westerly portion of the plant, is directly related to the alignment for the proposed Scenic Drive route, and as such, is dependent on future decisions by Council with respect to development of the road. Although a Scenic Drive route has been contemplated for some years, it has had a low priority rating in road planning, and no firm decisions have been made in its regard. Nothing in the current proposal would tend to precipitate a demand for the road, but it has been considered as a future possibility that must be protected at this time in establishing realistic boundaries.

It is proposed that a comprehensive land exchange proposal be developed and implemented as a part of any redevelopment or expansion package, with the projected Scenic Drive alignment as currently plotted providing the basic constraints in establishing boundaries, extent of road closures, and the like. (It should be noted that such a major land exchange has been contemplated for some years, and should be effected regardless of plant expansion or otherwise.)

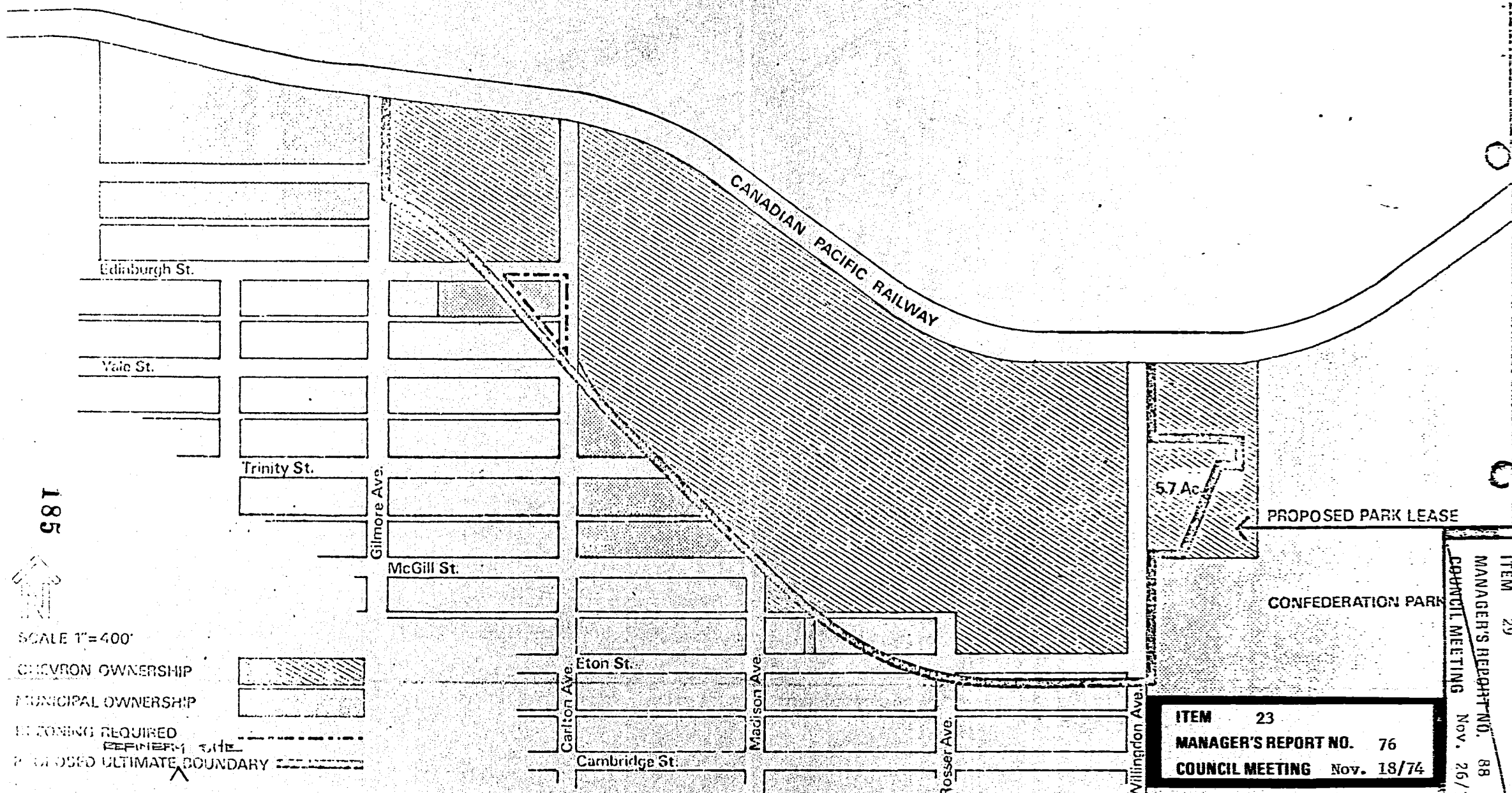
Chevron Canada has been engaged in a program of acquiring property in the vicinity of its tank farm installation as a means toward creating an effective buffer between itself and its residential neighbours, and portions of the properties thus acquired could figure in an eventual exchange for abandoned roads and portions of Municipal land lying north of the proposed boundary. Residual portions of properties lying south of any future road in the Scenic Drive alignment, should Council decide in favour of such at any time, would be used to create a landscaped buffer between the residential neighbourhood and, not only the refinery, but also the road itself.

Of particular significance from a short-range view, in terms of Chevron's current proposal, is the closure of portions of Carlton Avenue and Willingdon Avenue. The former would be necessary to provide for expansion of a row of large floating roof storage tanks westward into the Company-owned Block 34, and the latter is desired to effect a better measure of control and opportunity for landscaping at the principal entry to the refinery's office area near Willingdon and Eton Street.

In connection with the redefinition of the site boundaries in the vicinity of Block 34, it is noted that a rezoning of a portion of land north of the proposed "ultimate" boundary from a residential "R" category to some other suitable category, will be necessary to provide for compliance of two proposed new tanks and one existing, non-conforming tank. This matter involves the mandatory 200 foot minimum setback of petroleum storage facilities from the A2, R and RM Districts, and an adjustment of the boundary will more closely reflect the intended uses of the land in view of the proposed site boundary redefinition.

The attached sketch #1 indicates the present refinery site in Area 1 and also what is proposed as the ultimate boundary of the site under the current proposal. Such a boundary would be reinforced by and, in fact, form the basis of the perimeter screening elements envisioned in the landscape plans.

SKETCH 1



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SCALE 1"=400'

CHEVRON OWNERSHIP

MUNICIPAL OWNERSHIP

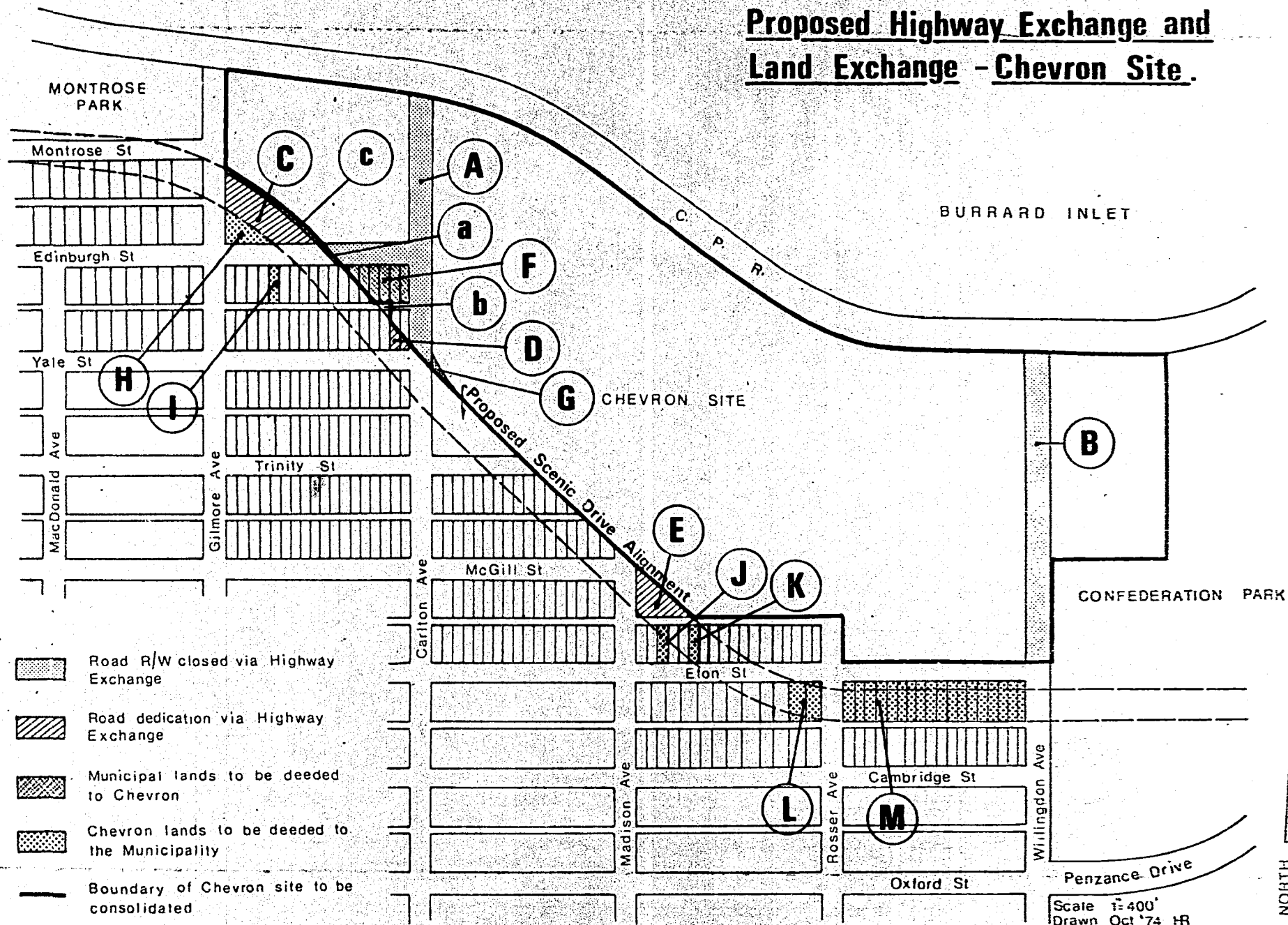
ZONING REQUIRED

PROPOSED ULTIMATE BOUNDARY

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Proposed Highway Exchange and Land Exchange - Chevron Site.



1st Stage Only.

Scale 1"=400'
Drawn Oct '74 HR

SKETCH No. 1

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PROPOSED HIGHWAY EXCHANGE AND LAND EXCHANGE - CHEVRON SITE.

ROAD R/W CLOSED VIA HIGHWAY EXCHANGE			
A	1.67 ACRES	72,600 SQ. FT.	
-a	<u>0.02</u> "	<u>850</u> "	
	1.65 "	71,840 "	
-b	<u>0.02</u> "	<u>1,000</u> "	
	1.63 "	70,840 "	
+B	<u>1.47</u> "	<u>63,856</u> "	
TOTAL	3.10 ACRES	134,696 SQ. FT.	
ROAD DEDICATION VIA HIGHWAY EXCHANGE			
C	0.71 ACRES	30,800 SQ. FT.	
+C	<u>0.10</u> "	<u>4,356</u> "	
	0.81 "	35,156 "	
+D	<u>0.06</u> "	<u>2,640</u> "	
	0.87 "	37,796 "	
+E	<u>0.34</u> "	<u>14,800</u> "	
TOTAL	1.21 ACRES	52,596 SQ. FT.	
MUNICIPAL LANDS TO BE DEEDED TO CHEVRON			
F	0.48 ACRES	20,881 SQ. FT.	
+G	<u>0.07</u> "	<u>2,985</u> "	
TOTAL	0.55 ACRES	23,866 "	
CHEVRON LANDS TO BE DEEDED TO MUNICIPALITY			
H	0.27 ACRES	11,650 SQ. FT.	
+I	<u>0.09</u> "	<u>4,026</u> "	
	0.36 "	15,676 "	
+J	<u>0.02</u> "	<u>4,026</u> "	
+K	<u>0.02</u> "	<u>4,026</u> "	
	0.54 "	23,728 "	
+L	<u>0.28</u> "	<u>12,078</u> "	
	0.82 "	35,806 "	
+M	<u>1.67</u> "	<u>72,854</u> "	
TOTAL	2.49 "	108,660 SQ. FT.	

Note: All Land Given To Be Deeded By City

Nov. 74 JZ/HF

ACCOUNT FILE SKETCH No. 1