

APRIL 8, 1975

A Special Meeting of the Municipal Council was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B. C. on Tuesday, April 8, 1975, at 7:30 P.M.

PRESENT: Mayor T. W. Constable, in the Chair
Alderman G. D. Ast
Alderman A. H. Emmott
Alderman D. A. Lawson
Alderman W. A. Lewarne
Alderman G. H. F. McLean
Alderman J. L. Mercier
Alderman V. V. Stusiak

ABSENT: Alderman B. M. Gunn

STAFF: Mr. M. J. Shelley, Municipal Manager
Mr. A. L. Parr, Director of Planning
Mr. D. G. Stenson, Assistant Director -
Current Planning
Mr. B. D. Leche, Municipal Clerk's Assistant

His Worship, Mayor Constable, opened this Special Meeting of Council by explaining the rules of order which would be observed during the course of the meeting.

His Worship, Mayor Constable, requested the Clerk to read the recommendations of the Director of Planning on the subject of Burnaby Highway Exchange By-Law No. 14, 1974, and the establishment of a green belt buffer area as an improved interface between the Chevron Canada Limited tank farm and the adjacent residential neighbourhood as contained in Item 18, Municipal Manager's Report No. 11, 1975.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MERCIER:

"That all of the previously tabled correspondence received in connection with Burnaby Highway Exchange By-Law No. 14, 1974, and the establishment of a green belt buffer area as an improved interface between the Chevron Canada Limited tank farm and the adjacent residential neighbourhood be now lifted from the table."

CARRIED UNANIMOUSLY

Mr. G. D. Stenson, Assistant Director, Current Planning, then read the report of the Director of Planning dated April 7, 1975, on the Chevron Canada Limited Project Implementation. The following is the substance of that report:

"On February 17, 1975, Council gave consideration to Item 18, Municipal Manager's Report No. 18, 1975, dealing with the Chevron Canada Limited Project Implementation. At that time the Municipal Clerk was directed to refer the report to area residents for their information and comments, it being understood that their views would be submitted to Council at a subsequent Special Meeting. The Director of Planning has been requested to comment on the submission and to respond to the various questions or suggestions contained in these responses. In this report, the Department proposes to summarize the positions expressed in the collection of responses that Council has received and to provide additional information on the subject. The Director of Planning reported that a total of 25 letters had been received giving expressions of the area residents' views on the implementation steps now in progress in connection with the Chevron expansion and modernization program and the Director of Planning provided a detailed synopsis of the responses received.

Synopsis

Five of the respondents reside within the area that has been designated for green belt buffer development, the balance, almost without exception, live within 3 blocks of the proposed green belt. Of these 5, two appear to be opposed categorically to an "external" buffer area but four are among the 10 respondents who favor the use of existing Chevron-owned lands for buffer development. Of the said 10 respondents, one advocates the principle of Chevron phasing out and eliminating the existing tanks proximate to McGill Park; a total of 6 advocate the prohibition of the use of Block 34, presently zoned M3 and owned by Chevron, for industrial purposes, but rather propose retention of this land as a natural buffer area adjacent to Montrose Park.

Four respondents expressed support for a buffer in general without tying it to the existing Chevron lands, and one expressed the wish that if the buffer is to be implemented, it should in fact be expanded somewhat. Two stated that the green belt plans as presently set out are too indefinite and possibly unenforceable; two also expressed opposition to any green belt lands owned by Chevron being maintained on a rental housing basis, and three stated that they favor immediate demolition of buildings and landscape development by Chevron upon acquisition, if the green belt is to be pursued. However, one voiced opposition to the prospect of reducing housing stock by demolition and the creation of a buffer. Two expressed concerns about neighbourhood deterioration related to the above, and five mentioned the question of "fair market value" for homes in the designated area and/or possible pressures to sell. Two suggested that a fence or hedge along present property boundaries would suffice.

Nine respondents expressed opposition to the land exchange as proposed; of these, 5 are among the 8 who oppose the present rezoning application (R.Z. #50/74). (It should be noted at this point that a Public Hearing was held on the subject of this rezoning application on December 17, 1974, and the Municipal Solicitor has advised that Council should not consider submissions received in connection with a rezoning application other than those presented at a duly called Public Hearing, in making its determinations on a rezoning By-Law.)

Concerning the closure of Carlton and Willingdon Avenues, two submissions opposed the notion of road closures, while 5 expressed concerns regarding access to the waterfront. Also, while 5 opposed the development of a roadway along the Scenic Drive route, one supported a scenic drive with qualifications (no heavy vehicles), and two supported the development of a walk or trail along the right-of-way.

Two respondents mentioned the desirability of obtaining title for that portion of the 5.7 acre parcel which is proposed to be leased to the Municipality for park purposes, in place of the leasehold, and three suggested that Municipal lands adjacent to McGill and Montrose Parks be dedicated for park purposes.

Status of Implementation and Comments

While many of the responses deal specifically with the issues Council is being asked to decide at this time, several relate to matters which were dealt with at the time when Council resolved to give approval-in-principle to the expansion program, in January 1974. At that time, Council will recall, a Proposed Land Use Scheme for the uses and facilities within the refinery boundaries (drawing #GT-R-24876-4, designated as Card #4 in the visual display) was adopted in concept, with certain operational features to be worked out as part of the

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implementation process. At that time, the staff reports dealt with certain of these matters which would come into play in the initial approvals of "new facilities", and the recommendations which Council adopted at that time anticipated the land exchange, road closures, rezoning and long-term lease arrangement. Moreover, the Land Use Scheme showed development of initially one, and ultimately a maximum of four new storage tanks within or adjacent to Block 34. Clearly any decision that would alter the Municipality's disposition on these topics would necessitate revision and resubmittal of the master plan that was approved.

As noted above, 6 of the respondents have stated that Block 34 should remain in its natural state and that no industrial use should be introduced. The Planning Department agrees that it is essential that a maximum of existing growth be retained, and that any industrial use, if introduced, must be kept well down the slope toward the north, so as to avoid excessive tree removal and visual problems when viewed from the residential neighbourhood to the south. The present adopted plan was developed with this objective in mind; the base elevation for the proposed tanks is to be approximately 100 feet lower than the elevation of Carlton and Yale Streets or Edinburgh and Gilmore, and the tanks are to be at the most northerly location possible in terms of existing topography and soil conditions.

If the rezoning by-law and road exchange were not to be approved, it should be realized that Block 34 currently possesses M3 zoning, and a preliminary examination indicates that at least two large storage tanks of the type proposed could be constructed in this block wholly in conformity with existing by-laws and setbacks. The only interface with Carlton Avenue road allowance in this case would be a pipeway crossing underground, to connect the new facilities with the existing tank field to the east; although Council's approval would be necessary for this crossing, there seems to be little indication that any interference with the public road would result.

In effect, this means that Block 34 can be put to industrial use without the benefit of road closure or rezoning; however, it would not be consistent with the approved master plan nor would it offer the Municipality the advantages of the lands it would acquire for public use by exchange, nor of creating a final, definitive boundary to the refinery site coincident with a continuous public right-of-way.

It has been suggested that if Willingdon Avenue road allowance is to be conveyed to Chevron, this should be based upon the realignment and reconstruction by that Company of Willingdon Avenue in a position to the east of its present location. Due to the terrain of the area and the desired pedestrian nature of proposed uses, it would be neither practicable nor appropriate to construct a road for vehicles into this part of Confederation Park. However, it would most definitely be an advantage to construct a high quality walking/bicycle path from the vicinity of Willingdon Avenue into the Park and ultimately to the area of the waterfront as a part of the linear park network that is presently being developed. This matter is and has been under consideration, as it would provide continuity for the walkway being proposed for the Scenic route alignment.

It has been suggested that the municipal property lying to the north of Trinity Street in the 4200 Block be incorporated within McGill Park and dedicated accordingly, and that the municipal lands south of Montrose Street between Gilmore and Boundary be incorporated within Montrose Park and similarly designated. The Planning Department would comment as follows:

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- (1) The Municipality has a policy of using the Reserved Park category for designating lands for park use. At this time, the procedure that is followed requires that the Planning Department report annually, recommending that Reserved Park status be given when all land assembly for a given park site is complete, and when all other criteria are met. In the case of McGill Park, no additional acquisitions are contemplated, and your staff agree that it would be appropriate now to cancel the redundant streets and lanes which penetrate the park site, to cancel lot lines and consolidate into a single parcel, to remove the existing, poor quality residential improvements, and to designate the balance of the park in the customary way. Any ramifications in terms of ownership or compensation, if any, would have to be worked out. This Department proposes to deal with McGill Park in the 1975 report on Park status, expected in late 1975.

- (2) In connection with Montrose Park and the properties lying to the south, it is confirmed that it is intended that the Municipal properties in question are considered to be a part of the ultimate park site, and the property should eventually be thus designated. However, as has been noted by the respondent, one property is currently in private ownership. This lot is not included in the current Parks Acquisition Program but the question of acquisition will be looked into when the Program is reviewed. When site assembly is complete, it will be appropriate to consider recommending Reserved Park Designation.

It has been proposed by several respondents that any buffer development take place only on lands owned by Chevron (Block 34, the south side of the 4400 Block Eton Street and the north side of the 4300 Block Eton Street) and in the Municipal land on the south side of the 4100 Block Edinburgh Street. While such an arrangement would make a start in providing a meaningful buffer, it should be borne in mind that this arrangement does not provide for continuity of the green belt and linear park strip to connect the three parks in the area, that it depends upon agreement for no industrial use of Block 34, and that it would still depend on acquisition (presumably at public expense) of as many as seven private properties in the 4300 Block Eton Street in order to complete the buffer development of this block.

The Planning Department has examined the various proposals for revision of the green belt buffer concept contained in the submissions, and it is our view that although many have merit as far as they go, none are comprehensive enough to give the degree of separation and continuity of public space as a "containing" element around the refinery that is necessary to ameliorate conflicts in the abutting land uses or to establish a firm, permanent boundary.

Mr. Stenson then reviewed, with an aid of a visual display, the various current proposals on a block by block basis over the territory involved.

In summary, the Planning Department would reiterate that completion of the related Rezoning By-Law, the Highway Exchange By-Law, and the exchange of deeds to land are all necessary steps in carrying out the recommendations adopted by Council on January 14, 1974. Further, approval in principle of the green belt buffer zone concept for implementation as presented is viewed by the Planning Department as a most important means of improving compatibility between the competing land uses and making possible a quality public open space linking the parks in the area. It is the Planning Department's view that a decision to maintain the status quo would not tend to bring about solutions

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to the situation which exists, but would rather tend to relieve the oil company of obligations they now have related to their approval in principle and contradict the terms of the concept and implementation proposal adopted by Council in 1974.

The Planning Department, on the basis of the foregoing, recommended that the recommendations of Item 18, Municipal Manager's Report No. 11, 1975, be adopted by Council.

MOVED BY ALDERMAN LAWSON:

SECONDED BY ALDERMAN AST:

"That all of the submissions from interested parties who have written to Council in connection with the Chevron Canada Limited Project Implementation, together with the foregoing report of the Director of Planning, be received."

CARRIED UNANIMOUSLY

DELEGATIONS

The following wrote requesting an audience with Council in connection with the Chevron Canada Limited Project Implementation:

- (a) Mr. T. S. Bremner, Vice President and Refinery Manager, Chevron Canada Limited
- (b) Mr. W. Morrison, North Slope Ratepayers' Association
- (c) Mr. T. B. Blake, North Slope Ratepayers' Association
- (d) Mr. R. Brewer, North Slope Ratepayers' Association
- (e) Mr. L. W. Sweet, North Slope Ratepayers' Association
- (f) Mr. D. Kent, North Slope Ratepayers' Association
- (g) Mr. H. S. Rose, 4065 Parker Street
- (h) Mrs. Celeste Redman, 4136 Eton Street
- (i) Mr. W. O. Artress, 4471 Cambridge Avenue
- (j) Mr. R. Smith, Parks and Recreation Commission.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

"That the delegations be heard."

CARRIED UNANIMOUSLY

Mr. T. S. Bremner, Vice President and Refinery Manager, then addressed Council on the matter of the Project Implementation as follows:

As we commence the fifth year of planning, discussion and presentation regarding modernization of our Plant and improvement of aesthetics of the overall refinery area, we look forward to the resolution of the Highway Exchange By-Law.

If there has been an advantage to the elapse of time, it has been in affording the opportunity of a closer individual relationship with some of our neighbours.

When considering the establishment of our South boundary we have had two things in mind since first consummating a plan. They are -

- 1. Landscaping
- and
- 2. Property Consolidation

both of which pertain mainly to the westerly sections of land.

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Landscaping has been completed on the north side of the 4400 Block Eton Street. The attention given this area, and the compliments received, give us a strong indication that the continuation of similar landscaping, following the contour of the south boundary of the tank field area would be an asset to the community.

To finalize property consolidation, the exchange of properties was agreed upon as an alternative to our original offer to purchase the sections necessary to allow for land consolidation of our tank field area. We are satisfied that we already own sufficient property to deed to the Municipality and to establish the Scenic Drive right-of-way boundary from Gilmore Avenue to the lane on the North side of the 4300 Block Eton Street in exchange for properties required by Chevron.

In recognizing the concern of the citizens and the general housing shortage we see no need for Chevron to make any further purchases of residential land south of the Scenic Drive boundary unless the Municipality deems it necessary to establish the Scenic Drive right-of-way through to Willingdon Avenue. We suggest that this is of no advantage to either party at this time.

We therefore submit that the Highway Exchange By-Law only, excluding Recommendations 4, 5 and 6 in the Agenda will provide an appropriate, adequate southern boundary between the residents and Chevron.

In addition it will also allow us to satisfy the request from both Council and residents to provide earth fill for the commencement of foreshore development to the north of Confederation Park. However, transportation of the fill can only be assured prior to the placement of track and the installation of loading rack structures.

With approval of Council tonight we believe we can all be reasonably satisfied and continue living together in an area that will be significantly improved for the residents.

Mr. W. Morrison, North Slope Ratepayers' Association, then read extensively from a brief dated February 28, 1975, and which was originally received by Council on March 17, 1975. The following is the summary of that brief:

1. That the outstanding land exchange and rezoning by-laws not be adopted.
2. That if Willingdon Avenue is to be conveyed to Chevron Canada Limited, such conveyance be based upon a realignment and reconstruction by that Company of Willingdon Avenue in a position to the east of its present location.
3. That the present proposed buffer zone concept as presently constituted be dropped.
4. That Chevron Canada Limited make available to the Municipality its current land holdings on the north half of Block 22, D.L. 187, (4400 Block Eton Street) and the south half of Block 27, D.L. 187 (4300 Block Eton Street) and the north half of Block 21, D.L. 187.
5. That the Municipality take no steps related to Block 34 so as to allow Chevron Canada Limited increased use of that block and a reduction of the buffer zone effect offered by that block.

6. That the north west tip of McGill Park be dedicated by Council as park as described under that heading in the brief.
7. That Montrose Park be extended to cover the areas as set forth in the heading in the brief.

Mr. T. B. Blake, North Slope Ratepayers' Association, presented a supplementary submission to that submitted by the Association dated February 28, 1975, and as presented to Council on March 17, 1975. The following is the text of Mr. Blake's supplemental submission:

The North Slope Ratepayers' Association prepared and tendered for the consideration of your Worship and Members of Council a Submission dated February 28, 1975. By reason of your letter of March 18th and particularly reference to Item 7 Municipal Manager's Report No. 19/75, we felt that the submission of supplementary material dealing with that item was in order and tender same, together with our sincere apology for the late date of its submission, herewith.

Secondly, the proposal set forth in the Chevron letter of March 4th, 1975, provides a rather convenient (for Chevron) method of forcing ahead the Highway Exchange By-Law No. 14, the passage of which as we stated in our earlier brief would deprive the Municipality of Burnaby and local residents in particular forever of a realistic buffer zone.

Our objections to the substance of Item 7 may then be set forth as follows.

1. The beach proposal simply provides a method of Chevron getting rid of expected surplus fill without expense.
2. The inference drawn from the recommendations set forth in Item 7 are that the Municipality would bear the cost of extending culverts, providing a rip-rap finish to retain any fill deposited by Chevron and providing a sand cover over the fill. Why should the Municipality expend such time and money when any gain will accrue to Chevron.
3. It is unlikely any public advantage could be taken of such a beach, having regard to lack of access (created in part by the passage of the Highway Exchange By-Law), the rail car loading installation proposed for the area and the foreshore water treatment basin apparently planned for the immediate area. In this regard, see Chevron Plan attached to Item 6 Manager's Report No. 19/75.
4. That although not spelled out in Item 7, the inference can only be that access to the proposed beach would be via underpass and/or overpass and municipally sponsored road as opposed to the proposal set forth in our earlier presentation whereby in exchange for conveyance of Willingdon Avenue, Chevron Canada Ltd. be required to install at its expense a By-Pass Road to provide water access and through lands presently owned by Chevron. This subject is dealt with, however, in our earlier objections to the Municipality conveying Willingdon Avenue and in exchange being granted a lease only of lands to the east.

We see Item 7 Manager's Report No. 19/75 as being a poorly planned effort to "hurry up" the passage of the Burnaby Highway Exchange By-Law No. 14 in a thinly disguised way and without opportunity for any local input into the "beach" variation. Meetings are held by the Planning Department in other parts of the Municipality to gain local input and assist with community planning, although we are offered no such opportunity with regard the various matters surrounding Chevron expansion.

Once again, we reiterate THE ISSUE IS "BUFFER ZONE". If this Council proceeds to adopt Highway Exchange By-Law No. 14, this will effectively destroy any opportunity to ensure adequate buffer zone creation around Chevron Canada Ltd. and would serve only to facilitate the expansion of the refinery spoken of in our earlier presentation.

As indicated in the earlier representation, we believe that on the merits there is ample reason why this By-Law No. 14 should not be passed and we again reaffirm the position set forth in the February 28th presentation requesting the By-Law not be adopted.

Mr. R. Brewer, Mr. L. W. Sweet, and Mr. D. Kent, North Slope Ratepayers' Association, did not wish to address Council at this time.

Mr. H. S. Rose, 4065, Parker Street, did not address Council at this time.

Mrs. Celeste Redman, 4136 Eton Street, then addressed Council and advised that she was opposed to the buffer zone and the whole Chevron expansion as presently proposed as she felt that it was too expensive for the Municipality. Mrs. Redman noted that the total tax revenue paid by Chevron Canada Limited to the Municipality was \$244,646.58 and the total area occupied by Chevron Canada Limited was 51.58 acres. This would mean a tax revenue per acre of \$4,743.03 per acre. The properties in the proposed buffer zone, with the exception of the Edinburgh Street lots for which Mrs. Redman was unable to obtain addresses because they were vacant lots, in 1974 paid a total of \$39,820.97 in taxes. Mrs. Redman noted that there are 1.63 acres per single side of a block in this area. Excluding McGill Park and the Edinburgh Street lots and the municipally owned lots between McGill Street and the refinery, there are 8.33 acres of taxable property involved in the proposal. At this rate the Municipality is realizing \$4,780.42 per acre on this currently zoned residential land which Mrs. Redman suggested was not as great as it could be because Chevron owns a great deal of this land. Actually tax income from the residential land is higher than that received from Chevron Canada. Mrs. Redman was of the opinion that this figure would be even higher if the majority of the land was in private ownership and developed as a strictly residential area. The establishment of the proposed buffer zone would mean the loss of this revenue to the Municipality. Mrs. Redman was doubtful if a viable park area could be created in the buffer zone and it would amount to little more than a walkway for local residents. Parking was not available for people from other areas. In exchange for a small park area, a great number of homes and potential homes are being done away with.

Mrs. Redman noted that this was an old established area with good services, shopping facilities, etc. and questioned Chevron's participation in community facilities. Mrs. Redman also inquired as to whether Eton Street would be blocked off. (The Planning Director advised that there is no proposal to close Eton Street at this time.)

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His Worship, Mayor Constable, noted that the figures quoted by Mrs. Redman did not agree with the figures supplied to Council in 1974 when the Chevron expansion was being considered. It was suggested that Mrs. Redman be supplied with the figures and breakdown of the taxes paid by Chevron Canada Limited.

Mr. W. O. Artress, 4471 Cambridge Avenue, then addressed Council and noted that the traffic problems which will occur with the Chevron expansion program had received very little attention. He was of the opinion that Willingdon Avenue, in particular, would become busier and noisier and inquired if there were plans for the widening of Willingdon Avenue between Hastings Street and the Refinery. Mr. Artress also questioned the future use of the proposed Scenic Drive and asked if this would be open to the use of trucks. (Mayor Constable pointed out that it had been the decision of this Council that a Scenic Drive would not be developed.)

Mr. R. J. Smith, Parks and Recreation Commission, then addressed Council and advised that he was appearing as a delegation representing the Parks and Recreation Commission to express the view of the Commission on the Chevron Project Implementation Report.

At the Commission meeting of Wednesday, April 2, 1975, a resolution was passed that a representative attend the Public Hearing and urge Council to support the view held by all members of the Commission present, that:

1. The property acquired by the Corporation abutting the Chevron property between Willingdon Avenue and Madison be preserved as parkland and used as Green Belt.
2. That the proposal for the Scenic Drive be abandoned and that all rights of way presently acquired for this drive be turned over to the Parks and Recreation Commission to enable the Commission to establish a continuous Green Belt which would include walking and cycling trails, from Boundary Road to Beta Avenue; and in future^{we} would urge the Municipality to turn over and assist the Commission in obtaining sufficient property to continue the Green Belt and walking and cycling trails from Beta Avenue to Kensington Park.

Hopefully, in the future some means can be found to continue this Green Belt eastward to the Westridge Area, where it could then connect with the Burrard Inlet Foreshore Park Plan presently being designed by the consultants and the Municipal Staff Committee.

It was the consensus of Council opinion that additional time was required to study the report of the Director of Planning and other briefs submitted this evening and that the recommendations contained in Item 18, Municipal Manager's Report No. 11, 1975, should remain on the table.

Alderman Stusiak indicated that he would move to lift from the table the recommendations contained in Item 18, Municipal Manager's Report No. 11, 1975, at the next regular meeting of Council on April 14, 1975.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN AST:

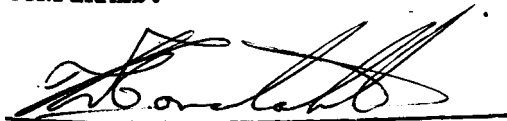
"That this meeting do now adjourn."

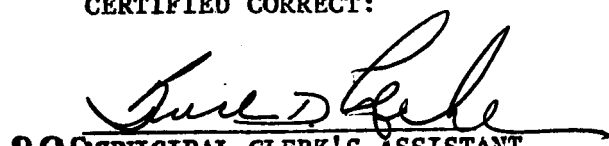
CARRIED UNANIMOUSLY

The meeting adjourned at 9:35 P.M.

CONFIRMED:

CERTIFIED CORRECT:


MAYOR


368 MUNICIPAL CLERK'S ASSISTANT

BL/mc