

ITEM	16
MANAGER'S REPORT NO.	87
COUNCIL MEETING	1978 12 11

RE: PROPOSED TEXT AMENDMENT TO ZONING BY-LAW FOR
LANDS WITHIN THE DESIGNATED FLOODPLAIN

Following is a report from the Director of Planning on a proposed text amendment to the Burnaby Zoning By-law.

The Municipal Solicitor has no objection to the proposed amendment. He does point out, however, that any zoning by-law affecting lands within this designated area will still require the approval of the minister pursuant to Section 187 of the Municipalities Enabling and Validating Act.

RECOMMENDATION:

1. THAT the recommendations of the Director of Planning be adopted.

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TO: MUNICIPAL MANAGER 1978 DECEMBER 05
FROM: DIRECTOR OF PLANNING
SUBJECT: PROPOSED TEXT AMENDMENT TO ZONING BY-LAW FOR
LANDS WITHIN THE DESIGNATED FLOODPLAIN

RECOMMENDATIONS:

1. THAT Council request that a text amendment be prepared for the Burnaby Zoning By-Law 1965 which adds the following to Section 6, Supplementary Regulations:

" 6.18 Fraser River Flood Plain:

All lands within the area of the Fraser River Flood Plain as described in Schedule AA - Flood Plain Map of the Official Regional Plan of the Lower Mainland Regional Planning Board, now the Official Regional Plan of the Greater Vancouver Regional District shall be subject to the following regulations:

- (1) No building shall be constructed or mobile unit located with the underside of the floor system of any area used for habitation, business, or storage of goods damageable by floodwaters:
 - (a) lower than the nearest point on an even gradient line along the natural boundary of the Fraser River from 11.13 feet (3.392 metres) Geodetic Survey of Canada datum at Boundary Road to 13.13 feet (4.002 metres) G.S.C. at Fenwick Street.
 - (b) within two hundred (200) feet (60 metres) of the natural boundary of the Fraser River. "

2. THAT the proposed text amendment be advanced to a Public Hearing on 1979 February 13 at 19:30 h.

178

...../2

ITEM	16
MANAGER'S REPORT NO.	87
COUNCIL MEETING	1978 12 11

REPORT

BACKGROUND:

On 1977 May 09, Council gave Final Adoption to the Stage Two Area rezonings for the Big Bend Area. The lands involved in this rezoning are located generally south of the B. C. Hydro Railway right-of-way between Patterson Avenue and the eastern boundary of the Municipality as illustrated on the attached Figure 1.

Prior to the adoption of this by-law, these lands were zoned M3a (Heavy Industrial District). The current zoning designations are shown on the attached Figure 2.

The majority of these lands are within the area of the Fraser River Flood Plain as designated in the Official Regional Plan. The Flood Plain map is attached as Figure 3. Section 187 of the Municipalities Enabling and Validating Act states that no Municipal by-law adopting, amending, or repealing any zoning by-law relating to lands described in Schedule AA - Flood Plain Map of the Official Regional Plan of the Greater Vancouver Regional District, shall have effect until such by-law is approved by the Minister (of Municipal Affairs and Housing).

The rezoning by-law was, therefore, forwarded to the Ministry of Municipal Affairs and Housing for approval. The Ministry then circulated the by-law to various Provincial Agencies for their review and comment. The Water Investigations Branch of the Ministry of the Environment recommended that certain provisions regarding flood control requirements for the area be included in the by-law.

In view of the fact that the by-law had been finally adopted, it was agreed that these provisions should be enacted through a subsequent zoning amendment by-law. The Minister then approved the rezoning by-law on the basis of this agreement.

EXISTING SITUATION:

The agreed upon provisions are as follows:

- " No building shall be constructed or mobile unit located with the underside of the floor system of any area used for habitation, business, or storage of goods damageable by floodwaters:
- (1) lower than the nearest point on an even gradient line along the natural boundary of the Fraser River from 11.13 feet (3.392 metres) Geodetic Survey of Canada datum at Boundary Road to 13.13 feet (4.002 metres) G.S.C. at Fenwick Street.
- (2) within two hundred (200) feet (60 metres) of the natural boundary of the Fraser River. "

The adoption of these amendments are in sympathy with the development approval procedures currently in place in Burnaby. All development in the Big Bend area is required to be flood-proofed to the elevations described in Item 1. Moreover, development further inland must be floodproofed to a minimum elevation

PROPOSED TEXT AMENDMENT TO
ZONING BY-LAW FOR LANDS
WITHIN THE DESIGNATED
FLOODPLAIN.....


PAGE 3.....

1978 12 05

ITEM	16
MANAGER'S REPORT NO.	37
COUNCIL MEETING	1978 12 11

calculated at a gradient of +0.01 per cent from these elevations. Prior to the issuance of a building permit, the Municipal Engineer, under the authority of the Soils Deposit By-Law, requires the submission by the applicant of a certificate prepared by a B. C. Land Surveyor showing the finished site grades upon completion of filling and after settlement and/or removal of any surcharge material, to demonstrate compliance with the requisite minimum design elevations.

It is, therefore, recommended that a text amendment be incorporated in the zoning by-law which provides for the agreed upon provisions in the flood plain and that this amendment be advanced to a Public Hearing.



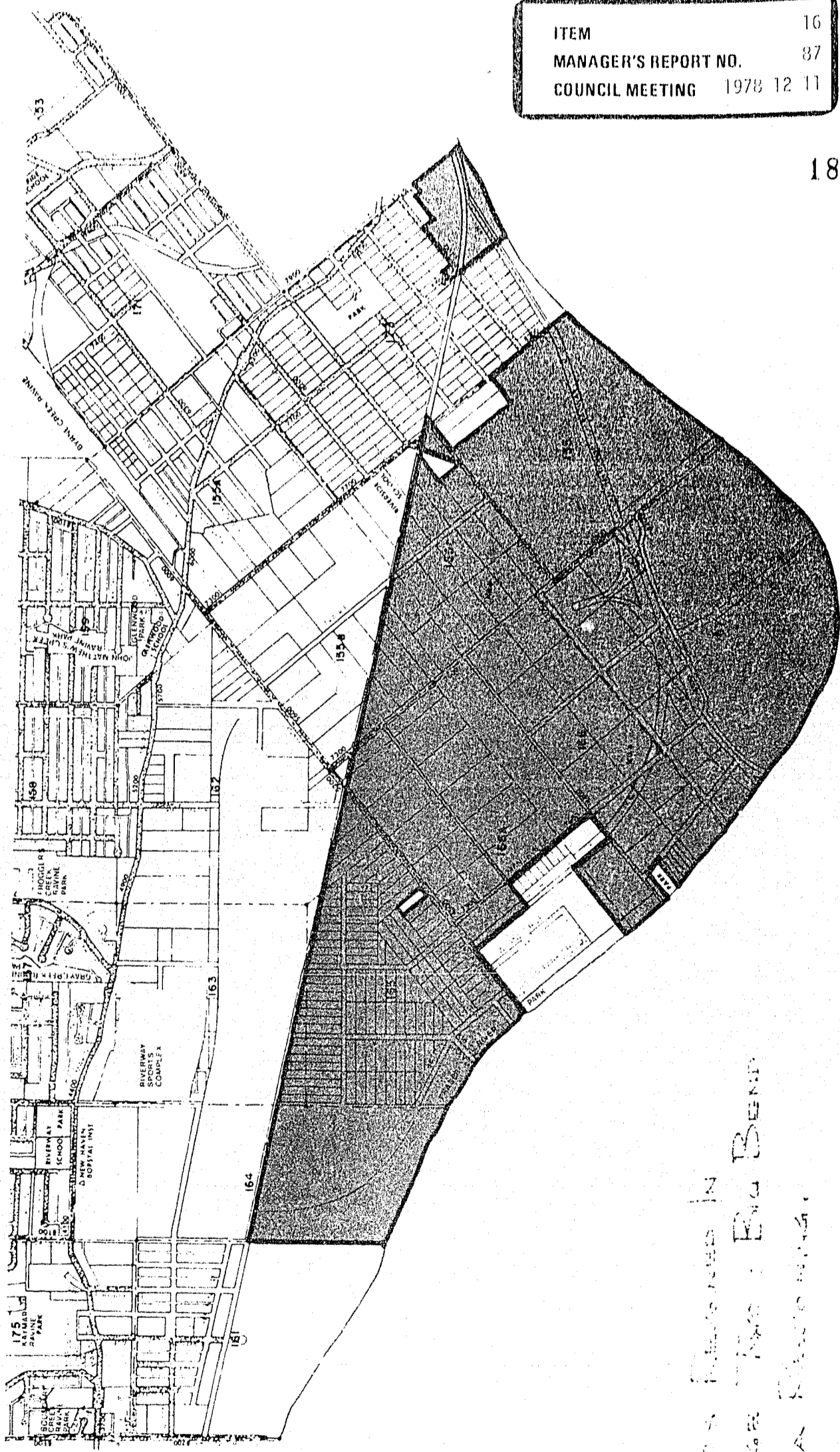
A. L. Parr
DIRECTOR OF PLANNING

PB/sam
Attachments

- cc: Municipal Clerk
Municipal Solicitor
Municipal Engineer
Chief Licence Inspector
Chief Building Inspector
Chief Public Health Inspector
Area Assessor
Land Agent
Parks and Recreation Administrator

ITEM	16
MANAGER'S REPORT NO.	87
COUNCIL MEETING	1978 12 11

181



LANDS REVENUES IN
 STAGE 1978 - 1980
 AREA REVENUES

