

ITEM	10
MANAGER'S REPORT NO.	64
COUNCIL MEETING	1980 10 20

RE: REZONING REFERENCE #26/80
 3960/70/78/92 REGENT STREET
 3951/61/71/77/87 GRANDVIEW HIGHWAY
 (REZONING ITEM #7 WHICH COUNCIL CONSIDERED ON 1980 JULY 21,
 REPORT NO. 48, PAGES 351-359)

Following is a report from the Director of Planning on Rezoning Reference #26/80.

RECOMMENDATION:

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

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TO: MUNICIPAL MANAGER 1980 OCTOBER 09
 FROM: DIRECTOR OF PLANNING
 RE: REZONING REFERENCE #26/80
 Lots 4, 6, 7, E½ Lots 5, 8, and 9 and
 W½ lots 5, 8, and 9, D.L. 69, Plan 1321
 From: R5 Residential District
 To: M5 - Light Industrial District
 3960/70/78/92 Regent Street
 3951/61/71/77/87 Grandview Highway

RECOMMENDATIONS:

- 1) THAT Council authorize the introduction of a Highway Exchange Bylaw according to the terms outlined in Section 3.3 of this report, contingent upon the granting of Second Reading of the subject rezoning bylaw.
- 2) THAT Council approve the sale of Municipal property for inclusion in the development site according to the terms outlined in Section 3.4 of this report.
- 3) THAT a rezoning bylaw be prepared and advanced to First Reading on 1980 November 03 and to a Public Hearing on 1980 November 18 at 19:30 h.

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- 4) THAT the following be established as prerequisites to the completion of rezoning:
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- a) The submission of a suitable plan of development to reflect the vehicular access requirements outlined in Section 3.5 of this report.
 - b) The deposit of sufficient monies to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed and constructed to the approval of the Municipal Engineer. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
 - c) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
 - d) The submission of an undertaking to remove all existing improvements from the site within six months of the rezoning being effected but not prior to Third Reading of the By-law. In the event that existing improvements on the site are vacant and considered to be a hazard to life or property, the Fire Prevention Office may issue an order to demolish such improvements and remove the resultant debris prior to Third Reading.
 - e) The consolidation of the net project site into one legal parcel.
 - f) The granting of any necessary easements.
 - g) The dedication of any rights-of-way deemed requisite.
 - h) The completion of the requisite Road Exchange Bylaw as outlined in Section 3.3 of this report.
 - i) The completion of the Municipal Land Sale as outlined in Section 3.4 of this report.
 - j) The Approval of the Ministry of Transportation and Highways to the rezoning application.

1.0 SHORT PROJECT DESCRIPTION

The applicant proposes to construct light industrial warehouse and related office facilities based on the M5 Light Industrial District.

2.0 BACKGROUND INFORMATION

2.1 On 1980 July 21 Council gave favorable consideration to the subject rezoning request and authorized the Planning Department to work with the applicant towards confirming that the Province would be prepared to sell lands which were to be included in the proposed land assembly and rezoning. We refer Council to the attached report and specifically to Section 3.6

2.2 Additionally, Council on 1980 July 21 authorized the Legal and Lands Department to enter into preliminary negotiations with the applicant towards the sale of Municipal lots 4, the W₂ of Lot 5, and the redundant land and road allowances (as outlined in Sections 3.3 and 3.4 of the attached report and illustrated in sketch #3) with the understanding that such negotiations are contingent upon the successful acquisition of the Provincial properties and subject to the approval of Council.

3.0 GENERAL DISCUSSION

- 3.1 Pursuant to recommendation #2.1 above, the Ministry of Transportation and Highways on behalf of the Province has confirmed in a letter dated 1980 September 16 that sale of their lands would be entertained on the basis of entering into a land exchange with the applicant as illustrated in sketch #5 whereby lands required for future road right-of-way would be secured. As a result, the site configuration for the subject rezoning has been modified.
- 3.2 Pursuant to recommendation #2.2 above, the Legal and Lands Department have determined a purchase price for the Municipally owned lands, and the lane and road allowances to be included within the development site. A \$5.00 per square foot figure has been arrived at.
- 3.3 In reference to the Highway Exchange Bylaw, the following prerequisites must be satisfied prior to its completion and the completion of rezoning.
- a) Consolidation of the cancelled lane and road allowances with the net project site.
 - b) Granting of necessary easements to cover any existing utilities or services within the lane or road allowances.
 - c) Payment of compensation to the Municipality for the area in the amount of \$5.00 per square foot for approximately 18,511 square feet of area being closed. The final square footage of the area is to be determined at the time the surveyor prepares the road closing bylaw plan. This figure was based on the proposed industrial zoning designation.
 - d) Submission of all necessary road closing, consolidation and right-of-way plans by the applicant.
- 3.4 In reference to the sale of the Municipal lands involved in this proposal, Council is advised that compensation to the Municipality will be made in the amount of \$60,390 or \$5.00 per square foot for 12,078 square feet.
- 3.5 As outlined in Section 3.5 of the attached report, Regent St., is intended to provide primary access to the subject site with no access permitted from Clydesdale, as a means of avoiding potential conflict with existing traffic flows. It will therefore be necessary for the suitable plan of development to reflect this requirement.
- 3.6 With respect to the upgrading of Regent Street (which is presently unopened for the most part in this area) the Planning Department in consultation with the Municipal Engineer have concluded that it would be appropriate for the applicant to be responsible for its development to full Municipal standards adjacent to the site, with interim standards eastwards to Gilmore Avenue. Interim standards would essentially involve

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the construction of a 20 ft. wide pavement with a 6 ft wide gravel shoulder and open drainage ditch on either side. Future upgrading of this section to a full standard would be accomplished via subsequent rezoning applications anticipated for lands on the south side of Regent Street between McDonald Avenue and Gilmore Avenue. Council is advised that Municipal policy requires upgrading of roads to full standards only adjacent to development sites under rezoning and subdivision applications.

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- 3.7 All services required to serve the development site will be handled by a servicing agreement to be the subject of a further report.


A. L. Parr,
DIRECTOR OF PLANNING

APL
PDS/gl

Attachment

c.c. Municipal Solicitor
Municipal Engineer

THE CORPORATION OF THE DISTRICT OF BURNABY

PLANNING DEPARTMENT
REZONING REFERENCE #26/80

Item # 7

1.0 GENERAL INFORMATION:

- 1.1 Applicant: Oballa Realty Ltd.
1399 Commercial Drive
Vancouver, B.C.
V3L 3X5
- 1.2 Subject: Application for the rezoning of:

Legal: Lots 4,6,7, E½ Lots 5, 8 and 9
and W½ Lots 5,8 and 9, D.L. 69
Plan 1321

From: R5 - Residential District
To: M5 - Light Industrial District
- 1.3 Address: 3960/70/78/92 Regent Street and 3951/61/
71/77/87 Grandview Highway
- 1.4 Location: The site is located on the west side
of McDonald Avenue between the Grand-
view Highway and Regent Street (refer
to Sketches 1 and 2).
- 1.5 Size: The site is irregularly shaped with an
area of approximately 4650 m² (50,000
sq. ft.), a 60.4 m (198 ft.) frontage on
Regent Street and a 74.4 m (244 ft.)
frontage on McDonald Avenue.
- 1.6 Services: The Municipal Engineer has been requested
to provide all servicing information.
- 1.7 Applicant's
Intentions: The applicant has requested rezoning in
order to develop light industrial ware-
house and related office facilities.

2.0 SITE OBSERVATIONS:

The majority of the subject site is undeveloped and heavily treed with a modest wood-frame storage building occupying the south-eastern corner. To the west lie similar undeveloped properties. The 401 Freeway is located to the south of the site and to the north lie a number of newly constructed industrial warehouse facilities. To the east of the site lie a combination of undeveloped properties and single family homes. Vehicular access is from McDonald Avenue which is only partially developed.

3.0 GENERAL DISCUSSION:

- 3.1 Historically, the subject site is situated within a residen-
tially zoned enclave located immediately north of the Trans-
Canada Highway and west of Gilmore Avenue that has been desig-
nated for Light Industrial development as outlined in the
Myrtle Street Area Study (refer to attached zoning Sketch #2).
It had been concluded in this study that since the remaining

residential element found within this area is essentially isolated from the larger residential enclave (located south of the Trans-Canada Highway) and its complimentary community services such as schools etc., that phased light industrial development is the most logical redevelopment pattern for the area. Industrial development as such would be suitably integrated with the existing uses found within the Central Valley Industrial Area and developed on the basis of the M5 Zoning District as a means of encouraging high development standards with quality architectural design.

For Council's information, properties to the north of the subject site have been recently rezoned under Rezoning Reference #8/77, #8/76 and #37/73 to the M5 designation and are presently occupied by three new light industrial facilities (refer to Sketch #1).

- 3.2 As outlined in the Myrtle Street Area Study, light industrial development of this area is intended to be implemented on a phased basis through individual rezoning applications. In order to satisfy the varying needs and requirements of industrial uses, it is intended that parcels between three quarters of an acre and two acres be assembled in which redundant lane and road allowances may be abandoned and incorporated into respective development sites. Further, as a means of providing appropriate vehicular movement in the area, some roads may be partially closed or cul-de-saced.

More specifically, McDonald Avenue between Myrtle Street and Clydesdale Street is intended to be abandoned while Regent Street will be cul-de-saced approximately 500 feet west of Gilmore Avenue (see attached Sketch #4). In association with Rezoning References #8/76 and #37/73, McDonald Avenue between Regent Street and Myrtle Street has already been closed while a portion of the proposed Regent Street cul-de-sac has been dedicated. The remainder of Regent Street (between Ingleton Avenue and the western end of the proposed cul-de-sac) is intended to be consolidated with future industrial sites to be assembled to the south to compensate for their lesser depth due to the location of the Trans-Canada Highway. Furthermore, McDonald Avenue between Clydesdale Street and Regent Street is considered to be redundant and will thus be abandoned and consolidated with future M5 sites located to the immediate west and east.

- 3.3 At the present time Lots 4 and $W\frac{1}{2}$ of Lot 5 are owned by the Corporation and represent an essential portion of an appropriate site for industrial development at this location (refer to Sketch #3). The Planning Department recommends that the Legal and Lands Department be given authority to enter into negotiations with the applicant towards the sale and consolidation of these two lots prior to the completion of rezoning.
- 3.4 The partially developed McDonald Avenue road allowance located immediately west of the subject site, the east-west undeveloped lane allowance situated between Clydesdale Avenue and Regent Street and the undeveloped Regent Street road allowance adjacent to the site are considered redundant relative to the Myrtle Street Area Study (refer to Sketch #3). It is therefore recommended

that these allowances be abandoned and sold to the applicant for inclusion within the proposed development site prior to the completion of rezoning. However, only the west half of the McDonald Avenue road allowance should be included in the subject rezoning and development site, since the east half is intended to be included in the future industrial site to the east which has been favourably considered by Council pursuant to Rezoning Reference #21/77.

- 3.5 Regent Street is intended to provide primary access to the subject site with no access permitted from Clydesdale Avenue (Grandview) as a means of avoiding potential traffic problems. Pursuant to the usual procedure for requiring the rezoning applicant to provide all Municipal services necessary to serve the development site, the subject applicant would normally be required to upgrade Regent Street to full standards. However, in view of the high cost of constructing Regent Street approximately 500' west from Gilmore Avenue, the Planning Department in consultation with the Municipal Engineer is prepared to examine alternative approaches to the requirement which will be detailed in a further report to Council.
- 3.6 At the present time, the W $\frac{1}{2}$ and E $\frac{1}{2}$ of Lot 9 and the W $\frac{1}{2}$ of Lot 8 are owned by the Provincial Government and like the two Corporation properties, form an integral part of the development site. It is therefore necessary for the applicant to arrange for the acquisition of these lots such that they can be consolidated with the subject development site prior to the completion of rezoning. In this regard, Council is advised that without the applicant obtaining title to the Provincially owned properties or authorization to act on their behalf, a rezoning by-law should not be prepared or advanced to First Reading nor a Public Hearing. Notwithstanding, the Planning Department advises that it would be appropriate for Council to consider this application in concept at this time, without unduly delaying the applicant. The applicant is aware of this situation and is pursuing negotiations with the Provincial authorities in this regard. In addition, the Planning Department has written to the Provincial authorities outlining these circumstances and the course of action that we are proposing to take. However, upon confirmation of the applicant's acquisition of the Province's properties or receipt of their necessary authorization, this Department will prepare a further report to Council outlining the requisite conditions of rezoning and requesting the preparation of a rezoning bylaw amendment.

4.0 CONCLUSION:

The subject rezoning request will further the land use objectives as outlined in the Myrtle Street Area Study and will improve the standards of industrial development in the immediate area. In addition, it will significantly add to the assembly of appropriate industrial land uses that have already been initiated to the northwest of the subject site.

5.0 RECOMMENDATION:

- 1) THAT Council give favourable consideration to the subject rezoning request and that the Planning Department be authorized to work with the applicant towards confirmation of the acquisition of the Provincial lands or receipt of authorization as outlined in Section 3.6 at which time a further report will be submitted to Council.

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- 2) THAT Council authorize the Legal and Lands Department to enter into preliminary negotiations with the applicant towards the sale of Municipal Lots 4 and the W $\frac{1}{2}$ Lot 5 as well as the redundant road and lane allowances (as outlined in Sections 3.3 and 3.4 respectively) with the understanding that negotiations are contingent upon the successful acquisition of the Provincial properties and subject to the approval of Council.

PDS/rlp
Atts.

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OBALLA REALTY LTD.

1399 COMMERCIAL DR., VANCOUVER, B.C., V5L 3X5 PHONE 253-2423

July 2, 1980

Planning Department
The Corporation of the District of Burnaby
4949 Canada Way
Burnaby, BC

Dear Mr. Sanderson:

Re: Propose development of Lots 4, 5, 6, 7, 8, and 9, Block 18,
D.L. 69. Plan 1321

Please be advised that is our intention to consolidate and to re-zone the above properties to light industrial M5 Zoning.

We would like to bring to your attention that the properties known as West ½ of Lot 5, Lot 4, and Lot 9 and West ½ of Lot 8, do not belong to us, but we are ready and willing to acquire them as soon as they are available.

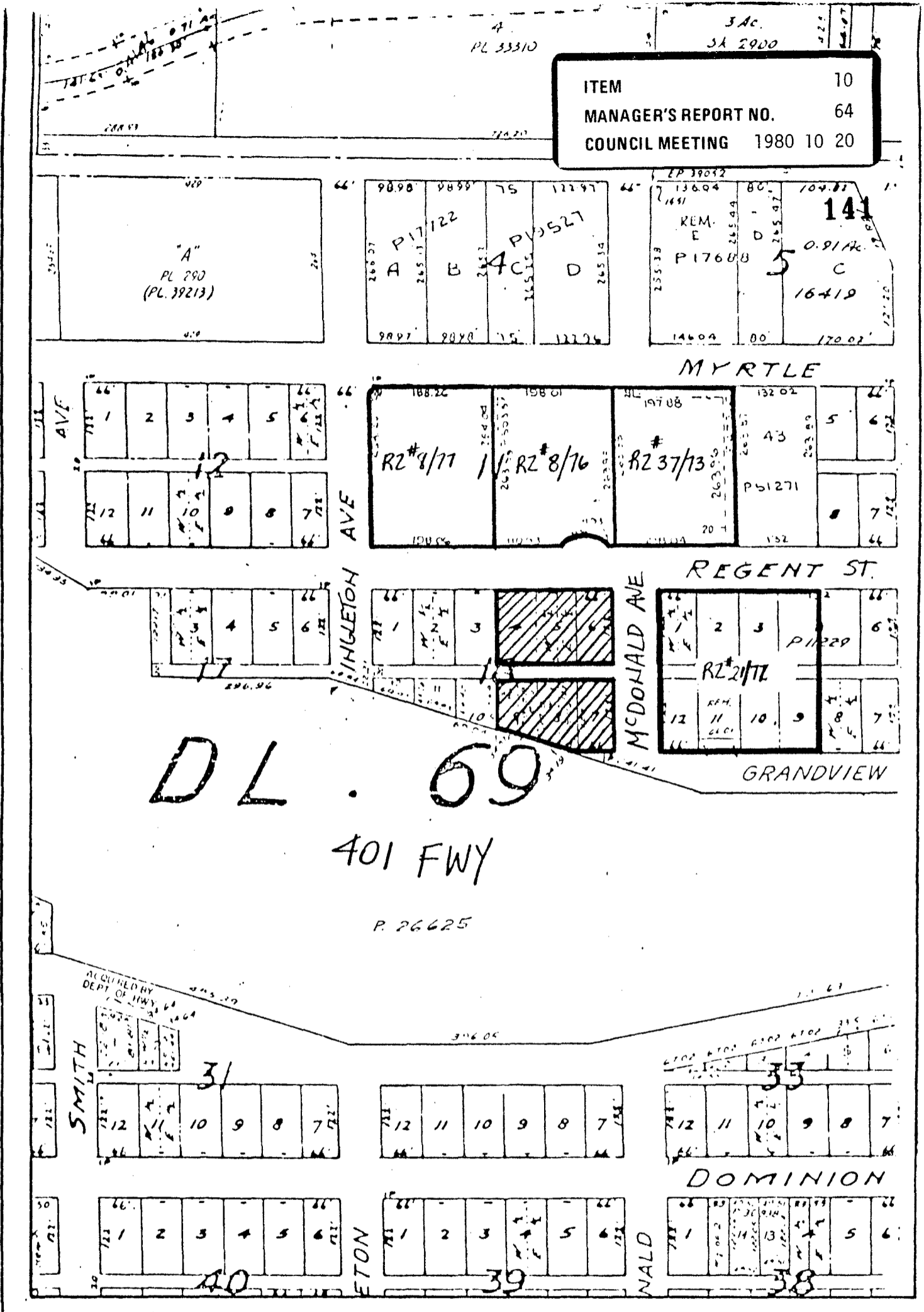
We are prepared to pay a fair market price for these extra lots and also the McDonald Avenue Road Allowance, the lane and the regent road allowance.

It is our desire to cooperate fully with the Municipality, and we will endeavor to arrive at a satisfactory agreement. We remain,

Yours truly,

G. Oballa

GO/iag



Date
1980/JULY

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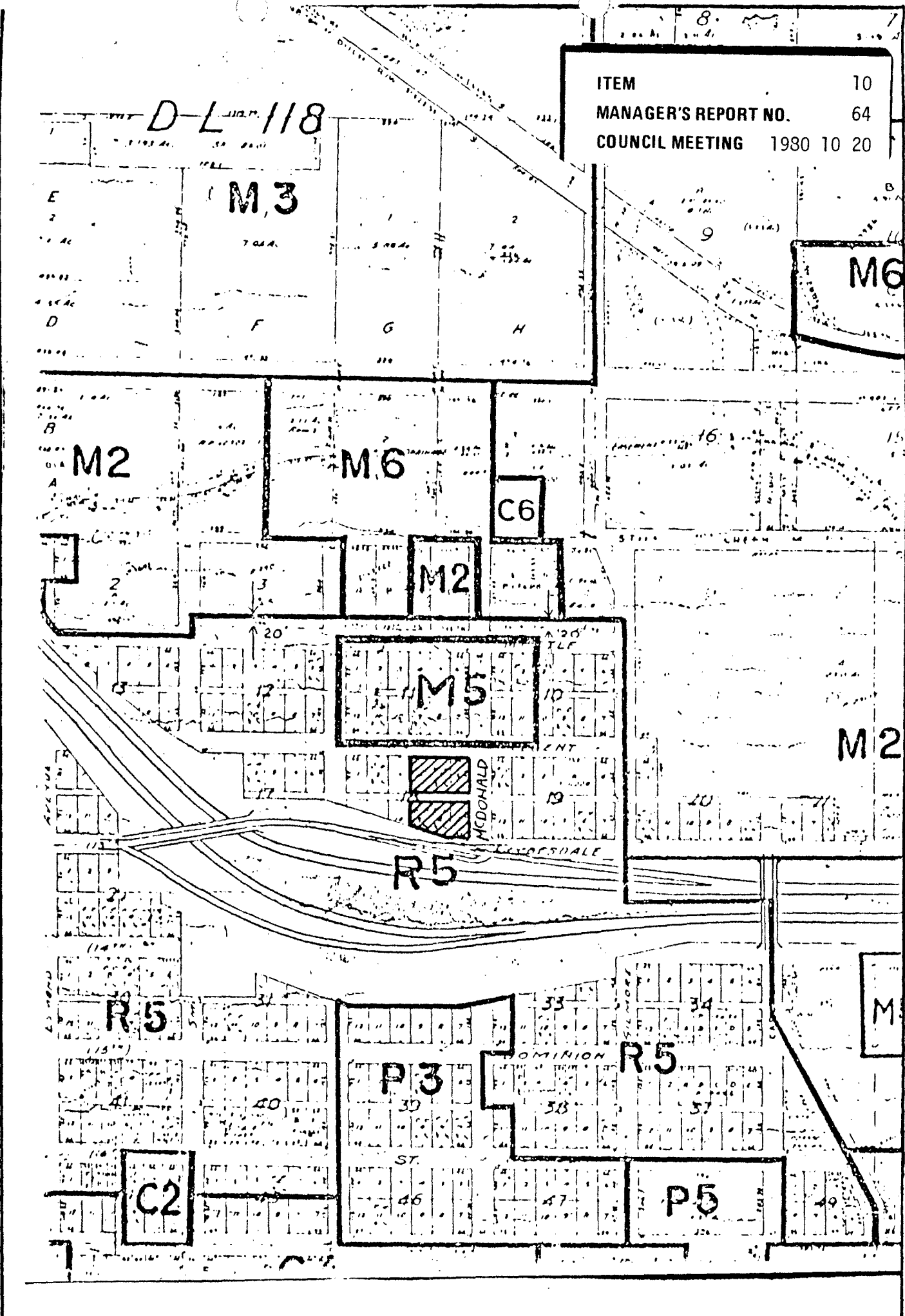
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Burnaby Planning Department



REZONING REFERENCE # 26/80
SKETCH # 1



Date
1980/JULY

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Drawn By



Burnaby Planning Department

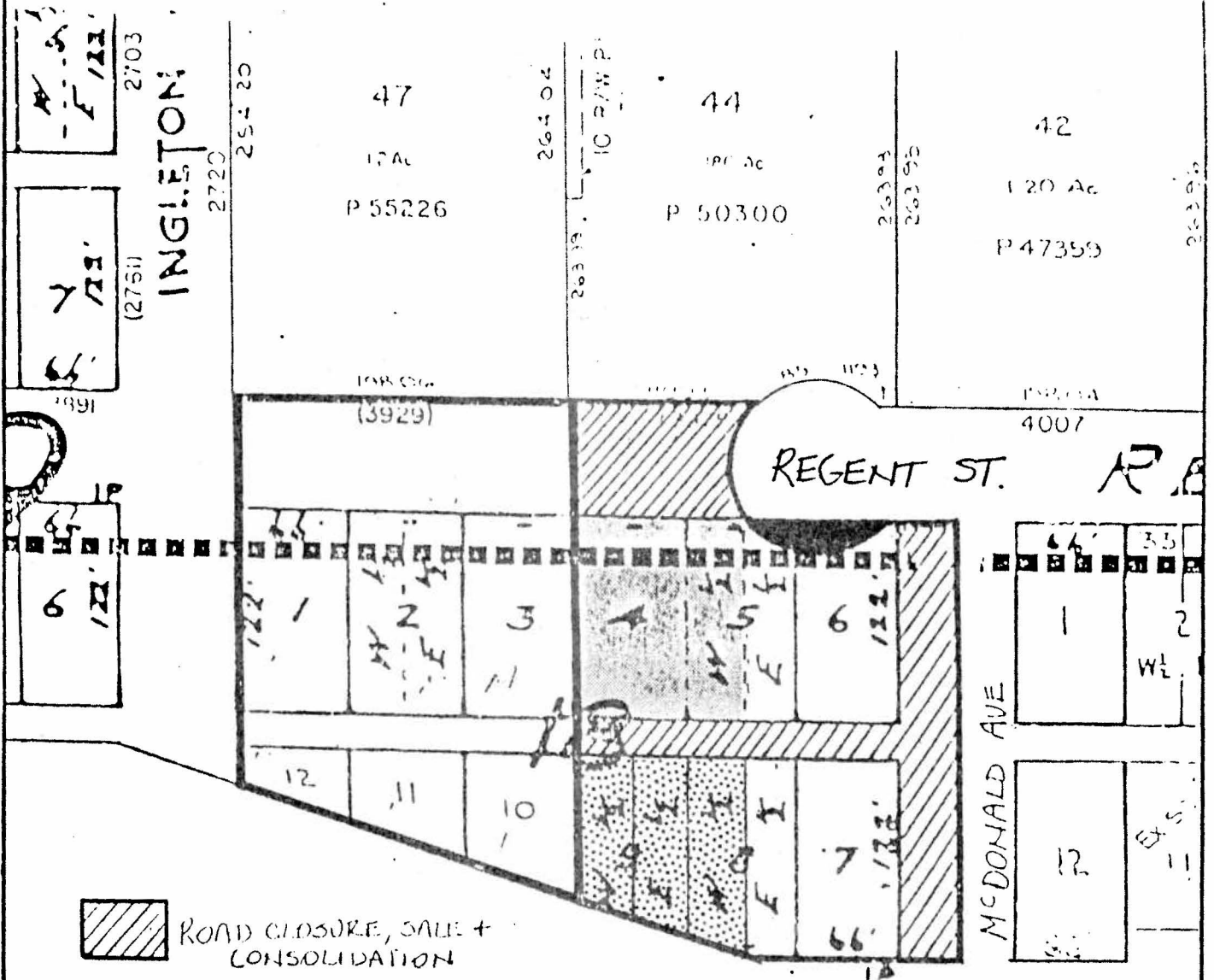


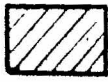
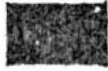


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ZONING SKETCH # 2

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-  ROAD CLOSURE, SALE + CONSOLIDATION
-  DEDICATION VIA ROAD EXCHANGE
-  MUNICIPAL PROPERTY
-  PROVINCIAL PROPERTY



Date
 1980/JULY

Scale
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Drawn By

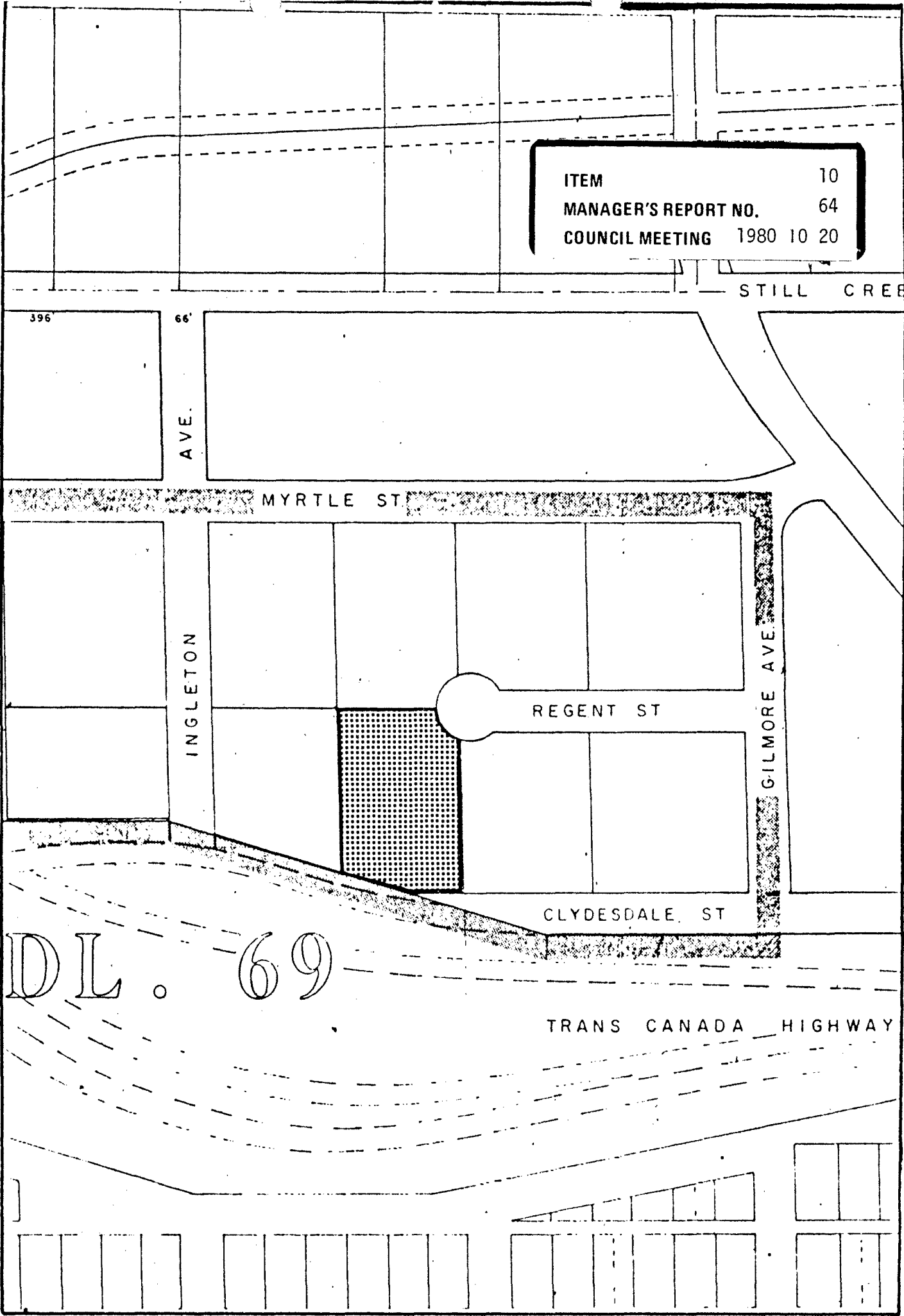


Burnaby Planning Department



REZONING REFERENCE #26/80
 SKETCH #3

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Date
1980/JULY



Burnaby Planning Department



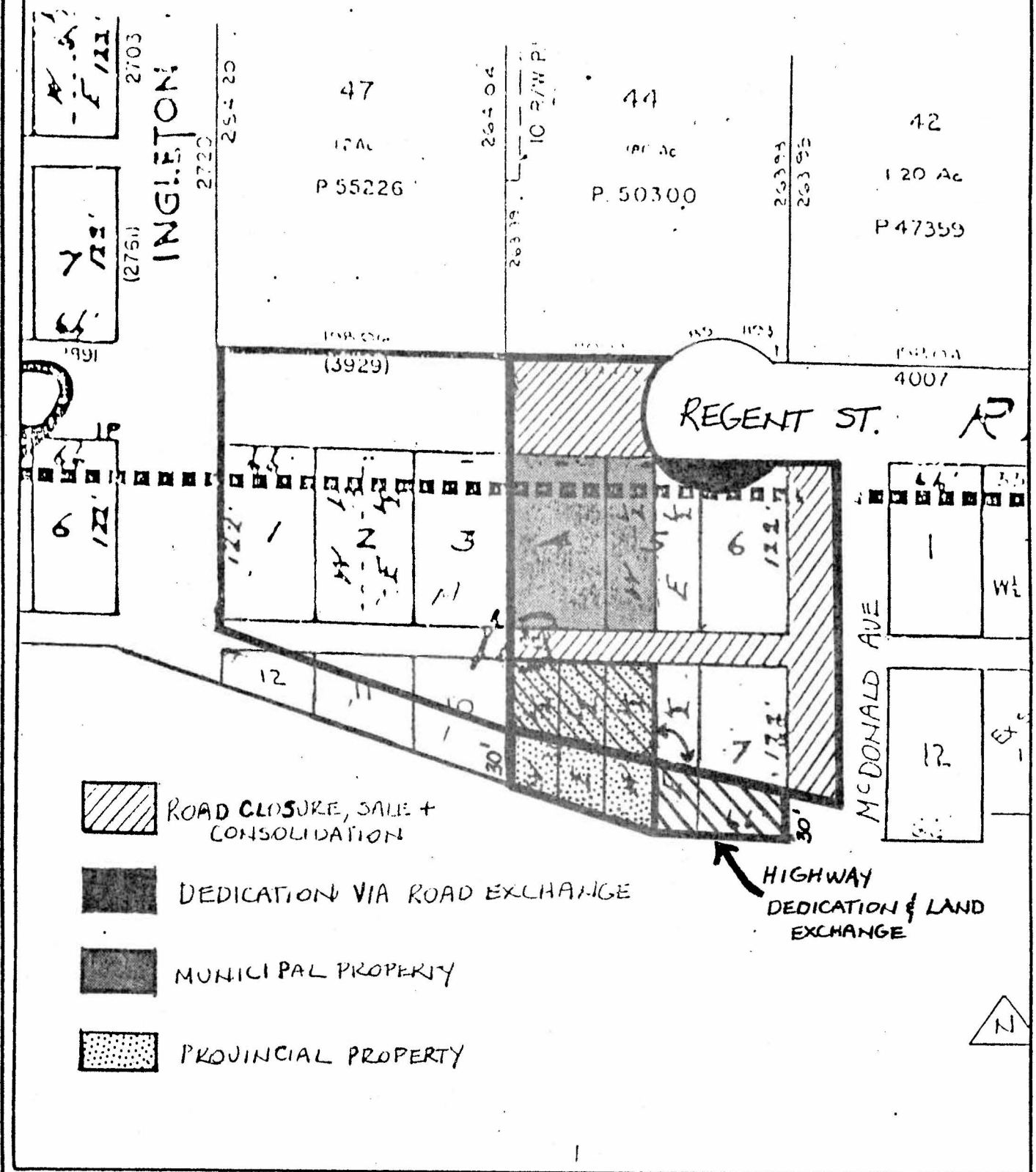
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REZONING REFERENCE #26/80
MYRTLE STREET STUDY AREA


Drawn By

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Date
 1980 OCT
 Scale
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 Burnaby Planning Department
 SKETCH #5