

ITEM	7
MANAGER'S REPORT NO.	79
COUNCIL MEETING	1980 12 22

RE: REZONING REFERENCE #46/80
PARCEL "B", REF. PL. 17411, BLK. 12, D.L. 10, PLAN 3054
FROM: A2 SMALL HOLDINGS DISTRICT
TO: M5 LIGHT INDUSTRIAL DISTRICT
8720 GOVERNMENT ROAD - "LOVE PROPERTY"

Following is a report from the Director of Planning on Rezoning Reference #46/80.

RECOMMENDATION:

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

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TO: MUNICIPAL MANAGER 1980 DECEMBER 10
FROM: DIRECTOR OF PLANNING
SUBJECT: REZONING REFERENCE #46/80
PARCEL "B", REF. PL. 17411, BLK. 12,
D.L. 10, PLAN 3054
From: A2 Small Holdings District
To: M5 Light Industrial District
8720 Government Road

RECOMMENDATIONS:

1. THAT Council adopt a procedure for rezoning the subject site to an M5 designation with the introduction of a Restrictive Covenant and Development Permit as outlined in this report.
2. THAT Council approve the subject site as a development permit area and provide for the issuance of development permits within the context of this subject zoning bylaw in accordance with Section 7.3 (3) and Section 700 of the Burnaby Zoning Bylaw 1965, Bylaw No. 4742.

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3. THAT a rezoning bylaw be prepared and advanced to First Reading on 1981 January 05 and to a Public Hearing on 1981 January 20 at 19:30 h, and that the following be established as prerequisites to the completion of rezoning:
- a) The registration of a Restrictive Covenant under Section 215 of the Land Titles Act against the title of the property as outlined in Sections 2.1 and 2.3 of this report.
 - b) The granting of required road and park lands to the Municipality at no cost.
 - c) 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. Included in this requisite condition will be the necessary determination of the appropriate means of providing vehicular access to the site, as discussed in Section 4.3 of the attached report, and the related costs, and approval of the Ministry of Transportation and Highways to the form of access.
 - d) 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.
 - e) 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 Bylaw. 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.
 - f) The subdivision of the subject site in order to create the proposed development site, and the parcels to be deeded to the Municipality at no cost for park purposes as illustrated on the attached sketch.
 - g) The granting of any necessary easements.
 - h) The approval of the Ministry of Transportation, Communication and Highways to the rezoning application.
 - i) The retention of as many mature specimen trees as possible on the site.
 - j) An amendment to the Official Regional Plan to permit industrial development on the site.

REPORT

1.0 BACKGROUND INFORMATION

On 1980 November 17 Council received a report (attached) from the Planning Department regarding the above referenced rezoning request which included the following recommendations:

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1. THAT Council confirm the development of the site for industrial purposes on the basis of CD (Comprehensive Development) District zoning, utilizing the M5 (Light Industrial) District regulations.
2. THAT Council authorize the Planning Department to work with the applicant towards the preparation of a suitable plan of development reflecting the development guidelines and information outlined in Section 4.0 of the Director of Planning's report, to be the subject of a further report to Council.

Arising out of Council's discussion of this matter, the following motions were adopted on that occasion:

1. "THAT Recommendation No. 1, aforementioned, be amended to provide for Rezoning Reference #46/80 on the "Love" property to be advanced to the next available Public Hearing on the basis of M5 zoning."
2. "THAT Rezoning Reference #46/80 be referred back to the Planning Department for the establishment of prerequisites, etc., and a further report to Council."

2.0 GENERAL DISCUSSION

- 2.1 In view of the special nature of the subject site and the motion to advance the rezoning on the basis of M5, Council consideration was given to the possibility of using the Development Permit procedure and/or covenants as means of providing appropriate development control without having to utilize CD zoning.

The Planning Department has reviewed this situation and advises that rezoning the site to the M5 category would not by itself provide adequate Municipal development control of this environmentally sensitive site. We advise that if rezoning and development is to be pursued on the basis of the M5 designation it requires the introduction of a Covenant and a Development Permit.

Procedurally, the rezoning bylaw would be advanced on the basis of the M5 designation with the standard prerequisite conditions of rezoning which must be satisfied prior to rezoning completion. As a prerequisite condition, a Restrictive Covenant under Section 215 of the Land Titles Act would be registered against the title of the land outlining the important design/development criteria for the site and most importantly, the requirement for obtaining a Development Permit from the Municipal Council prior to the issuance of a building permit. Other prerequisite conditions such as park dedications, easements, servicing deposits, vehicular access, etc. would all be appropriately determined and finalized prior to the completion of rezoning.

This procedure would essentially allow the site to be rezoned to the M5 category while providing the Municipality with the development control necessary to guide the development of this important strategic site located within the overall park concept for the area.

- 2.2 The aspect of appropriate access to the subject site either from the west along the north bank of the Brunette River from Cariboo Road or across the Brunette River by means of a project bridge would have to be resolved prior to the completion of this rezoning.

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2.3 The Restrictive Covenant as referred to above would include the following development/design criteria which would be reflected in the Development Permit:

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- a) The public or "good" face of any industrial development should face Gaglardi Way (first priority) and the Brunette River (second priority). An office face along these frontages is recommended. Assuming that industrial uses are pursued, development of multi or single tenant office/warehousing is considered to be appropriate in view of the sensitive environmental factors associated with this site.
- b) Any loading, service and primary parking areas should be located in the north-eastern sector of the site behind buildings which will screen these areas from Gaglardi Way and the Brunette River.
- c) Appropriate screen landscaping and natural treed buffer areas would be required around the entire property. More decorative landscaping such as heavily planted berms may be possible along the Gaglardi Way and Brunette River frontages. The Gaglardi Way frontage would not actually screen the building but would provide a pleasing aspect.
- d) Parking for visitors and employees may be appropriate between the buildings and the Gaglardi Way frontage as long as large expanses of paved areas are not emphasized and the parking areas are extensively landscaped. No loading or trucking uses should be provided along this frontage.
- e) All vehicular access to the property would be preferably from the west at a point approximately 250 ft. north of the south property line, utilizing the existing paved access over the Gaglardi Way right-of-way.

No access should be permitted from the south property line.
- f) Since Gaglardi Way overlooks the site from a high elevation, integral roof screening of mechanical equipment is essential.
- g) To be compatible with the overall park environment, faceted, lower scaled buildings of a maximum two storey height (39.37 feet) should be provided. Earth tone exterior colouration and natural appearing materials would be encouraged.
- h) Signage should be particularly controlled and be restricted to smaller non-illuminated signs.

3.0 DEVELOPMENT PERMITS

3.1 In accordance with Section 717 of the Municipal Act, it is proposed that Council provide for the issuance of development permits for detailed proposals within the subject site in this proposed rezoning bylaw.

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The purpose of this procedure is to give the applicant greater flexibility in pursuing detailed building designs, following Final Adoption of the zoning bylaw when specific uses and their detailed needs are identified; while retaining appropriate Municipal controls to assure the provision of high quality, properly coordinated developments.

3.2 It is proposed that:

- a) Council designate the subject site as a development permit area and provide that an owner of land within this development permit area shall prior to the commencement of a development, obtain a development permit.
- b) Council provide for the issuance of development permits conditional upon compliance with the following items:
 - 1) The subject rezoning report and the specified prerequisites.
 - 2) Development guidelines to be followed in conjunction with the M5 zoning designation which would be registered against the title of the land as a restrictive covenant.
 - 3) Any or all of the matters referred to in Section 717 (2) of the Municipal Act R.S.B.C. 1979.
- c) Development Permits would be processed in accordance with Section 7.3 of the Burnaby Zoning Bylaw and the general operational procedures approved by Council (Item 19, Manager's Report No. 46, Council Meeting 1980 July 07).

4.0 SERVICING AGREEMENT

A servicing agreement will be entered into with respect to the subject development; completed prior to Final Adoption of the rezoning bylaw; and may include any or all of the following items.

Appropriate design and construction work, provision of easements where required, and the deposit of funds to guarantee construction to the approval of the Municipal Engineer are required in relation to the following items:

- 1) Required Roadworks including curb and gutter and street lighting. A possible bridge over the Brunette River would also be covered by this item.
- 2) Any required road dedication or registered access easements.
- 3) Sanitary, storm sewer and waterworks.
- 4) Parkland dedications including public pedestrian park trail along the Brunette River frontage and the north-south Stoney Creek Park linkage.
- 5) Fire hydrants and Fire Hydrant Lines to the development site. Easements covering internal fire hydrant lines would be provided prior to the release of Development Permits.
- 6) Restrictive Covenants as required.
- 7) Underground wiring.

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- 8) Landscaping:
 - a) Street trees and boulevard landscaping where required.
 - b) Landscaping for the public pedestrian park/trail along the Brunette River frontage.

5.0 CONCLUSIONS

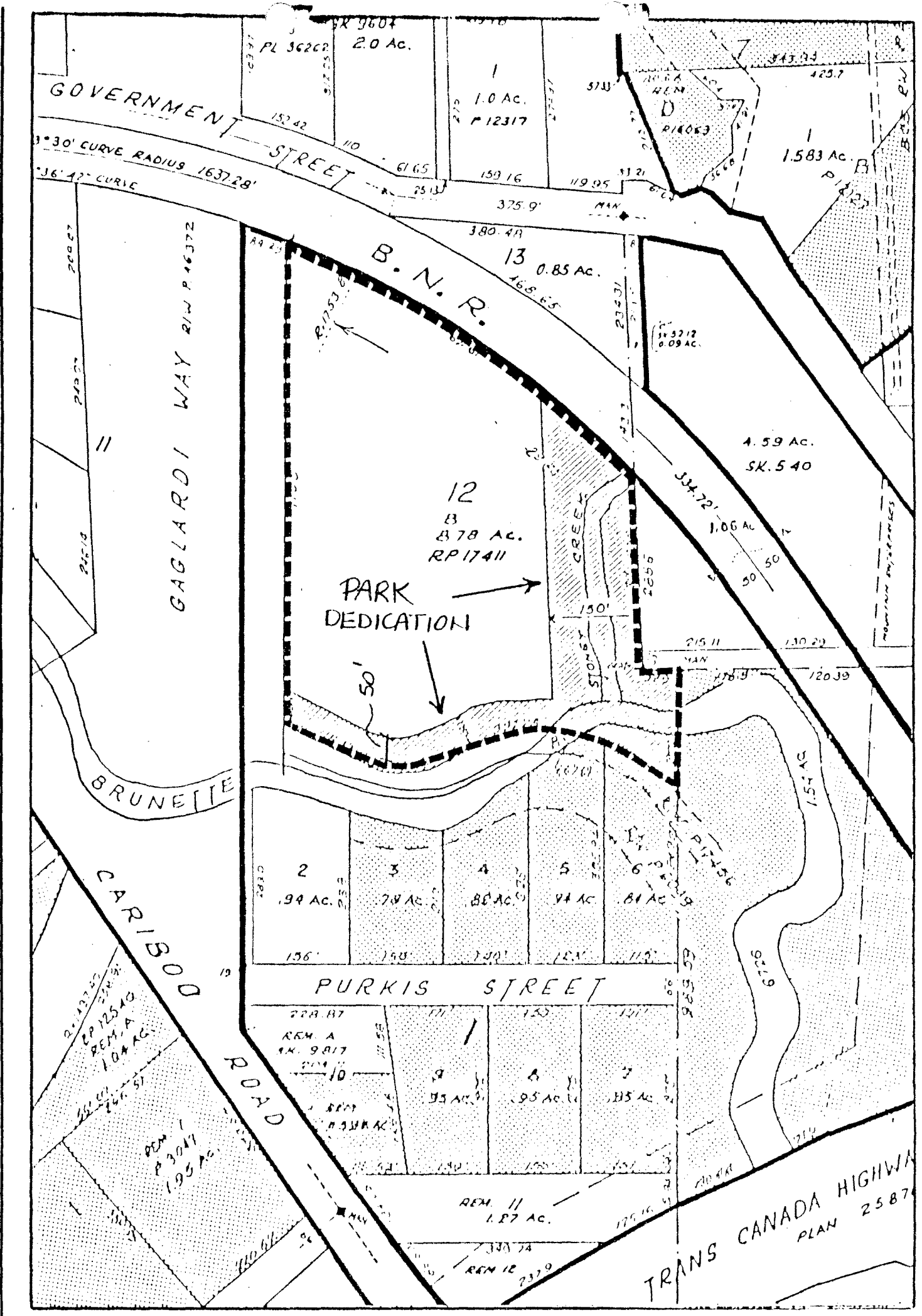
The Planning Department advises that rezoning and development of the site utilizing the procedures outlined above would provide the Municipality with an appropriate means of exercising necessary development control of this site while permitting the applicant to expeditiously pursue the subject rezoning request to the M5 designation. We would therefore recommend that Council adopt the foregoing procedure and advance the rezoning bylaw to First Reading on 1980 January 05 and to a Public Hearing on 1981 January 20.


A. L. Parr,
DIRECTOR OF PLANNING

PDS/KI/g1

Attachment


- c.c. Municipal Solicitor
- Municipal Engineer
- Parks & Recreation Dept.
- Chief Building Inspector
- Municipal Clerk
- Director of Fire Services
- Chief Public Health Inspector



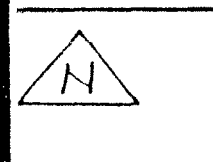
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RZ REF # 46/80 SKETCH A

Item # 3

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1.0 GENERAL INFORMATION:

- 1.1 Applicant: Hean, Wylie and Company,
600 Burnaby Centre,
4211 Kingsway,
P.O. Box 80359,
Burnaby, B.C. V5H 2A8
- 1.2 Subject: Application for the rezoning of:

Parcel B, Ref. Pl. 17411, Blk. 12,
D.L. 10, Plan 3054

From: A2 Small Holdings District
To: M5 Light Industrial District
- 1.3 Address: 8720 Government Road
- 1.4 Location: The site is located on the south side
of Government Road immediately east of
Gaglardi Way (Refer to attached Sketches
1, 2 and 3).
- 1.5 Size: The site is irregularly shaped with an
area of 2.67 hectares (8.73 acres).
- 1.6 Services: The Municipal Engineer has been requested
to provide all relevant servicing information.
- 1.7 Rezoning Intent: The intent of the proposed bylaw is to
develop the site for light industrial uses.

2.0 SITE OBSERVATIONS

The subject site is presently occupied by a single family dwelling and a number of other structures associated with the existing kennel operation. Much of the site has been cleared of major trees and a natural watercourse runs through its eastern portion. Vehicular access to the site is from a driveway that runs from Cariboo Road along the northern edge of the Brunette River on GVSDD property under the Gaglardi Way bridge structure and turns northwards within the Gaglardi Way right-of-way. To the north of the site lie two large agriculturally zoned properties presently occupied by residential buildings, and other large undeveloped parcels. The Gaglardi Way/Stormont Overpass lies to the immediate west of the site beyond which are several modest residential structures fronting Cariboo Road. The Brunette River and several residences on large properties are located to the south. To the east lies the BNR railway right-of-way and undeveloped properties.

3.0 BACKGROUND INFORMATION

- 3.1 The subject site is located within an area designated PRK-2 (potential park area) under the adopted Official Regional Plan and specifically forms an integral and necessary part of the Burnaby Lake-Central Valley Park System. The property is also located at the confluence of two major projected park trails. (refer to sketch #2)

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- 3.2. As submitted in report of 1980 August 05, the ultimate need of the subject site for park/open space purposes was confirmed by the Parks and Recreation Commission on 1978 November 01. This was followed by the approval of the Park Acquisition Program by the Commission on 1980 March 11 and the inclusion of the property on a two-stage basis. Stage I includes a strip of land along Stoney Creek and the Brunette River stream courses with Stage 2 including the acquisition of the remaining portion of the site. (Refer to Sketch 3). The Stage 2 acquisition was subsequently deleted as outlined below.
- 3.3 On 1980 September 08, the following recommendations were made by the Planning Department in response to the submission of Mr. Hean on behalf of Mr. and Mrs. Love to rezone the site to M5 Light Industrial District:
1. THAT the acquisition of the above-described property be advanced in priority and the Municipal Solicitor be authorized to reintroduce negotiations for its purchase.
 2. THAT a copy of this report be forwarded to the Parks and Recreation Commission for information.
 3. THAT a copy of this report be sent to Mr. Arnold F.C. Hean, Q.C., Hean, Wylie and Company, 600 Burnaby Centre, 4211 Kingsway, Burnaby, B.C. V5H 2A8.

However, arising out of Council's discussion of this report, the following Motion was adopted:

"THAT the Planning Department be instructed to work with the applicant to come forward with a project under the Light Industrial District (M5) or Comprehensive Development District (CD) under M5 guidelines to go to a Public Hearing and at the same time obtain a dedication as a pre-requisite on the Stoney Creek alignment to connect with the Deer Lake Park trails system."

Upon subsequent Council consideration of the Park Acquisition Program, the Stage II acquisition as referenced above was deleted.

The subject report is submitted in conformance with the Council direction given on 1980 September 08.

4.0 GENERAL DISCUSSION

- 4.1 Pursuant to the direction of Council, the Planning Department considers that rezoning to the CD Comprehensive Development District using the M5 guidelines is necessary in order to ensure high quality of development that provides an appropriate interface with the proposed park/trail system and Burnaby Lake Park context and compatibility with the site's natural setting. The overlook from Gaglardi Way adjacent to the site is also an important consideration.

As such, the following development guidelines should be reflected in a suitable plan of development.

- (a) The public or "good" face of any industrial development should face Gaglardi Way (first priority) and the Brunette River (second priority). An office face along these frontages is recommended. Assuming that industrial uses are pursued, development of multi or single tenant office/warehousing is considered to be appropriate in view of the sensitive environmental factors associated with this site.

- (b) Any loading, service and primary parking areas should be located in the north-eastern sector of the site behind buildings which will screen these areas from Gaglardi Way and the Brunette River.
- (c) Appropriate screen landscaping and natural treed buffer areas would be required around the entire property. More decorative landscaping such as heavily planted berms may be possible along the Gaglardi Way and Brunette River frontages. The Gaglardi Way frontage would not actually screen the building but would provide a pleasing aspect.
- (d) Parking for visitors and employees may be appropriate between the buildings and the Gaglardi Way frontage as long as large expanses of paved areas are not emphasized and the parking areas are extensively landscaped. No loading or trucking uses should be provided along this frontage.
- (e) All vehicular access to the property would be preferably from the west approximately one-third of the length of the property north from the south property line, utilizing the existing paved access over the Gaglardi Way right-of-way.
- No access should be permitted from the south property line.
- (f) Since Gaglardi Way overlooks the site from a high elevation, integral roof screening of mechanical equipment is essential.
- (g) To be compatible with the overall park environment, faceted, lower scaled buildings of a maximum two storey height (39.37 feet) should be provided. Earth tone exterior colouration and natural appearing materials would be encouraged.
- (h) Signage should be particularly controlled and be restricted to smaller non-illuminated signs.

4.2 The Stage 1 Park acquisition area as referenced above should be pursued in this rezoning as a prerequisite condition (Refer to Sketch 3). As such, the applicant will be required to dedicate a 50 foot wide strip adjacent to the south property line along the Brunette River frontage. This is necessary to provide an appropriate park experience on both sides of the primary trail and also to screen and buffer the trail from any proposed industrial development to the north. Dedication of a 150' strip for park/trail development adjacent to Stoney Creek will also be required. The meeting of the Stoney Creek trail and the Brunette River trail would be in an open field area which presents opportunities for detailed park design of a staging area.

4.3 Two detailed alternative access options have been examined. These are as follows (see Sketch 4):

Alternative "A" - Access Along the North Side of the Brunette River (See Sketch #4)

- i) Proposed alignment of industrial driveway
- from Cariboo Road along the north side of the Brunette River following generally the existing driveway to the west property line of the Love property
 - then north within the Gaglardi Way right-of-way

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following the existing driveway

- entry towards the east to the project loading/
service/parking areas would be at a point between
1/3 to 1/2 way up the west property line

- ii) 24 foot project driveway width standard with curbs is proposed. This driveway should be aligned a minimum of 3 feet clearance from any bridge abutment or columns. Suitable turning radii should be provided to accommodate trucks destined for this industrial development.
- iii) Continuous 6 foot high quality wood fence should be placed 3 feet south of the driveway curb from Cariboo Road to the point at which the driveway turns northward and to provide adequate separation from the public park trail for visual and safety reasons.
- iv) Some natural shrubbery and hedging should be provided on the south side of the wood fence against the fence to provide some visual softening of the fence on the park side.
- v) A 12 foot wide chipwalk to accommodate combined pedestrian, cycling and equestrian use should be placed a minimum 3 feet away from the wood fence. The chipwalk should be located suitably distant from the top of the river bank (say 3 to 6 feet) to avoid any danger to pedestrians, equestrians or cyclists slipping down the steep slope.
- (vi) The total width requirement to accommodate the driveway, fence, walkway, and outlined limiting separations for safety and landscaping should be provided such that this total width will not be limited by the existing Gaglardi Way bridge structure. If this is considered to be a problem, the required standards may have to be reanalyzed. The property in the area of the proposed access road off Cariboo Road is owned by the Greater Vancouver Sewerage and Drainage District (GVSSD) (6790 Cariboo Road) and by the Province (6780 Cariboo Road). Agreement must be obtained by the developer to obtain his legal project access from the GVSSD and the Province.

Alternative "B" - Access Over the Brunette River

- i) Access to the Love Property would be via a bridge over the Brunette River in approximate line with the west property line of the Love Property. This access would require additional road right-of-way dedication off the property south of the Brunette River at 9031 Purkis Street which is under private ownership.
 - North of the Brunette River the driveway would remain within the Gaglardi Way right-of-way following the existing driveway.
 - Entry towards the east to the project loading/
service/parking areas would be at a point between 1/3 to 1/2 way up the west property line.
 - The driveway would tie into Cariboo Road at a point south of the Brunette River. A site inspection indicates that Cariboo Road and the existing driveway

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along the west property line are in line. The traffic control aspects of this intersection require careful study.

- ii) A 24 foot project driveway width with curbs is proposed. A 5 foot wide curbwalk on the east side should be provided within the bridge structure.
- (iii) A bridge is required over the Brunette River. Two alternatives are noted on the attached sketch. The eastern alignment may be a safer one from the point of view of the connection to Cariboo Road although on the south side of the Brunette River it would cut through private property, an approximately 10 foot high bank, and be very close to a number of good specimen trees. The cost of the bridge which is expected to be substantial will be borne by the applicant. The design of the structure must provide adequate vertical clearance for the trail development adjacent to the Brunette River.

In summary, Alternative "B" is preferred in that it provides the shorter and more direct service driveway to the Love Property without adversely affecting the pedestrian/equestrian park/trail along the top of the north bank of the Brunette River and would permit the possibility of further subdivision of the site. Our Preliminary site inspection indicates that Alternative "A" could not be achieved due to insufficient width under the bridge structure but other than this localized under-bridge area sufficient width may be provided if the Provincially-owned property at 6780 Cariboo Road is also available for access and park/trail purposes in addition to the GVSSD property at 6790 Cariboo Road.

The Municipal Engineer has been requested to evaluate the implications of these access alternatives as well as other servicing requirements associated with this proposal. However, this information has not as yet been received.

- 4.4 The approval of the Ministry of Transportation and Highways is required to this rezoning proposal. In preliminary discussion with the Regional Approving Officer of the Ministry of Transportation and Highways, it appears that the Ministry would not object to a rezoning proposal for an M5 Industrial development on the Love property. However, concern was expressed as to the traffic safety aspects of the proposed project access driveway just north of the Brunette River Bridge onto Cariboo Road as outlined in Alternative "A".
- 4.5 The Planning Department considers that development under the CD zoning designation based on M5 is the appropriate method of rezoning the site. The CD designation will provide for the necessary control of building design, siting, exterior finishes etc and the extent and specific quality of landscaping to ensure that industrial development is compatible with the adjacent park/trail system. Furthermore, the CD designation will effectively control the quality of development should the site be purchased and developed by subsequent development interests.

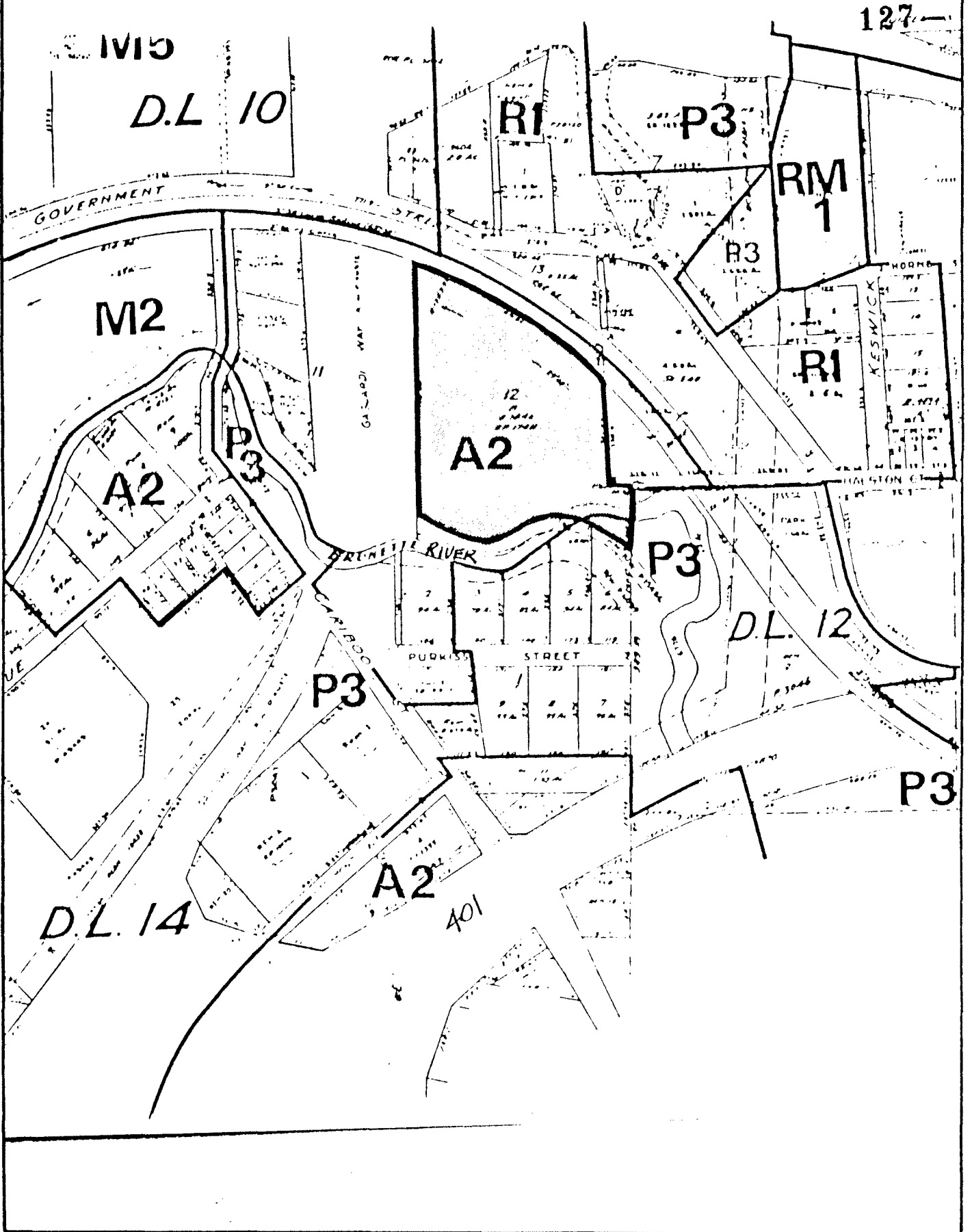
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5.0 RECOMMENDATIONS

- 5.1 THAT Council confirm the development of the site for industrial purposes on the basis of CD Comprehensive Development District zoning utilizing the M5 Light Industrial District regulations.
- 5.2 THAT Council authorize the Planning Department to work with the applicant towards the preparation of a suitable plan of development reflecting the development guidelines and information outlined in Section 4.0 to be the subject of a further report to Council.

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Attachment

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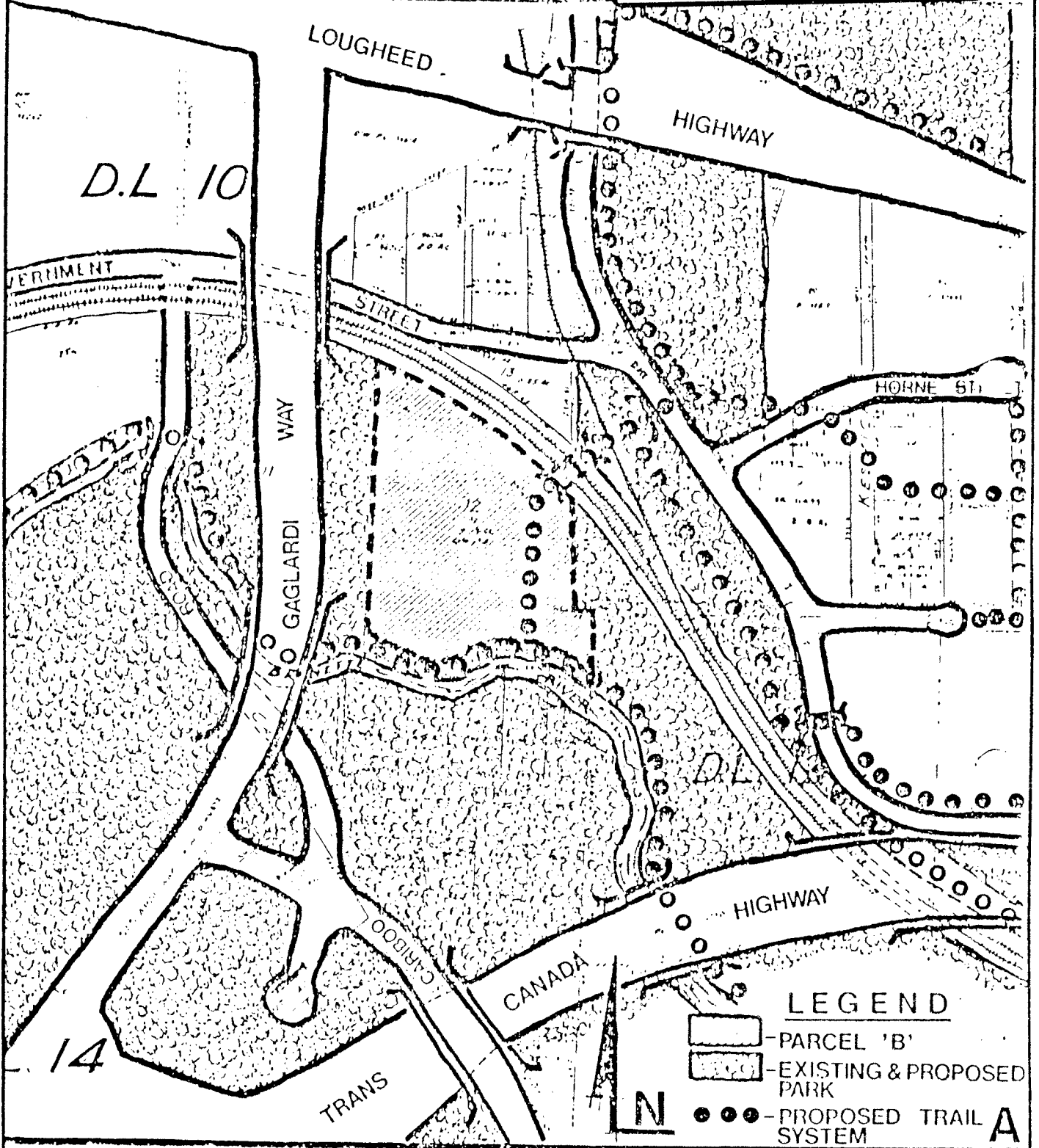


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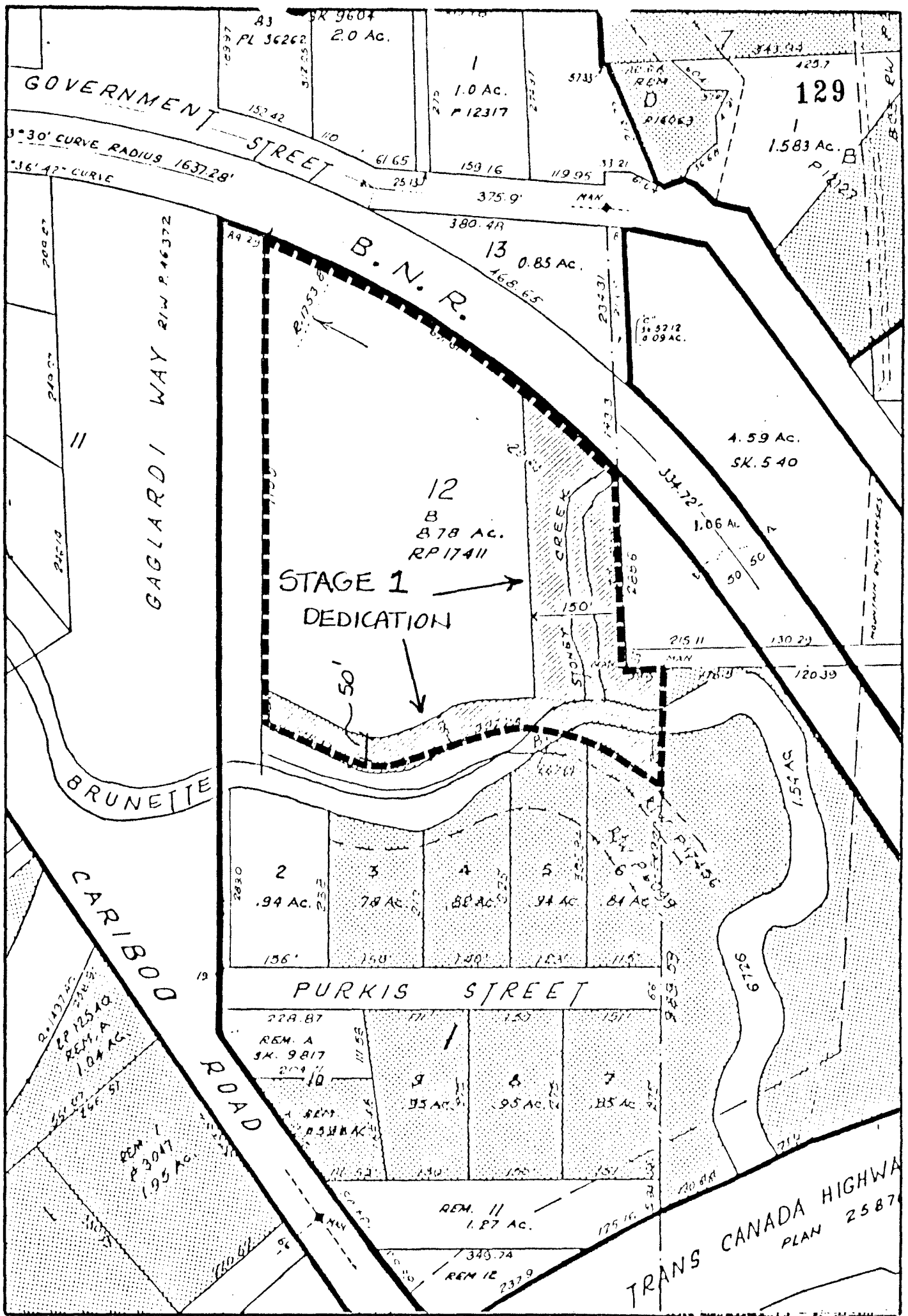
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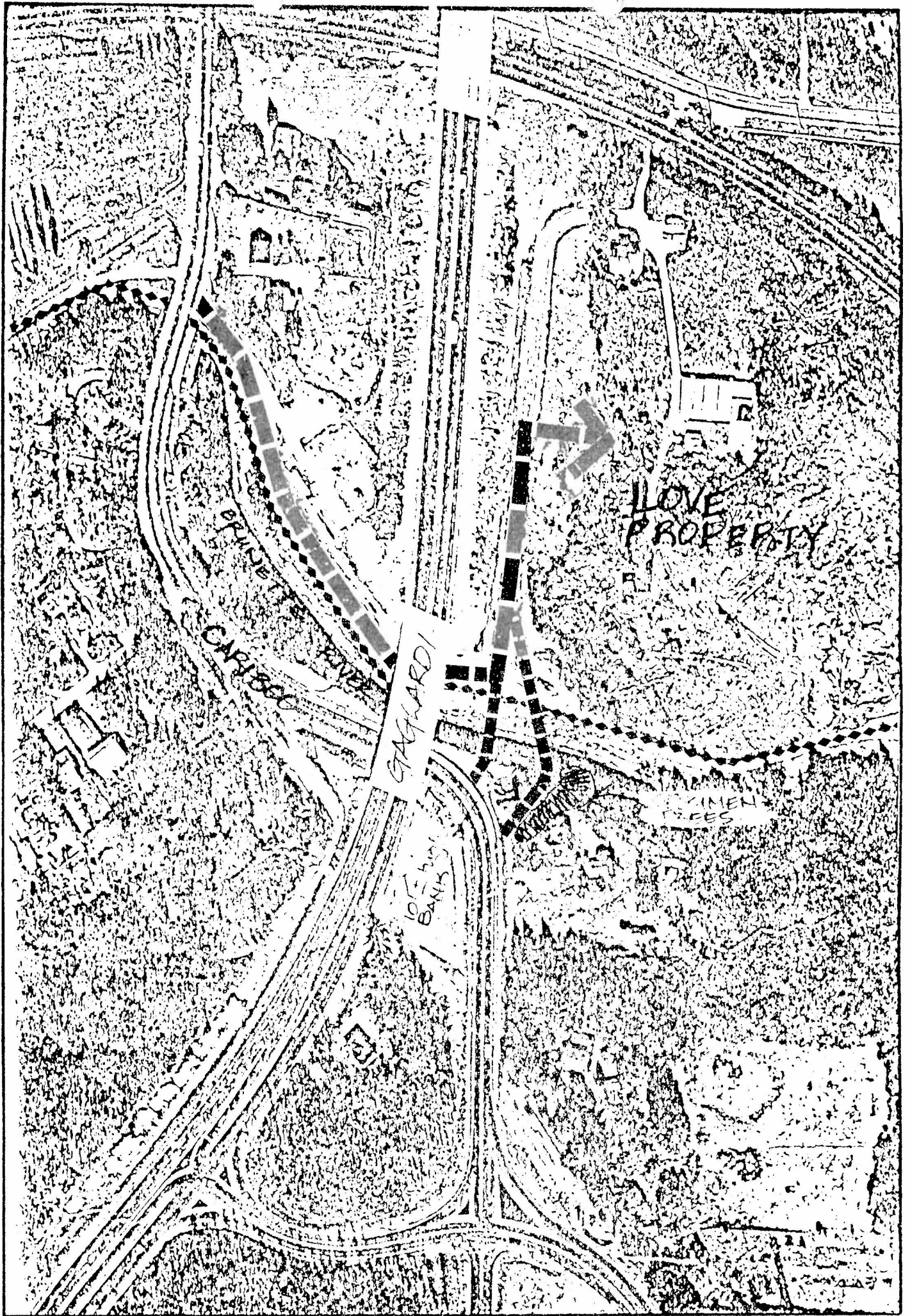
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- ◆◆◆◆◆ PEDESTRIAN/EQUESTRIAN TRAIL.
- BRUNETTE RIVER ROUTE
- - - - - BRUNETTE CROSSING ROUTE
2 ALTERNATIVES.

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SKETCH 4

