

TO: CITY MANAGER 1997 JULY 14

FROM: DIRECTOR PLANNING AND BUILDING OUR FILE: 15.601

SUBJECT: **REZONING OF BIG BEND AREA PROPERTIES IN CONFORMANCE WITH ADOPTED DEVELOPMENT PLANS**

PURPOSE: To provide Council with information in support of a recommendation to rezone properties in the Big Bend area in conformance with their Development Plan designations.

RECOMMENDATION:

1. **THAT** the preparation of a rezoning bylaw for those properties referenced on Figure 2 *attached* be commenced as outlined in this report and that the property owners be consulted as the first step of the rezoning process.

REPORT

Prior to the adoption of the Big Bend Development Plan in 1972 (Figure 1 *attached*), the Big Bend area was primarily zoned for M3 and M3a Heavy Industrial use. The Development Plan provided a balanced framework for the area by designating lands for industrial, public open space, agricultural, industrial, commercial and residential uses. Subsequent to its adoption, a number of area rezonings were undertaken to bring the zoning of individual properties into conformance with the adopted Plan. The existing zoning is shown on Figure 2 *attached*. In specific instances where historic uses would have been placed into a position of non-conformance, the M3 or M3a zones were retained.

A report was submitted to Council in 1994 advising that the situation with respect to a number of these original industries had changed over time to the degree that the properties referenced on Figure 2 now either contain M2 uses, were vacant, or were actively being marketed for redevelopment. It was recognized that this situation could give rise to the entrenchment of new heavy industrial facilities in the long term which are incompatible with the adopted Big Bend Development Plan designations and with the higher order uses located or proposed on the surrounding lands. Moreover, it was noted that heavy industrial uses often have a reliance on outdoor storage and processing which would adversely affect the redevelopment or assembly of properties for general or light industrial use on a comprehensive basis. It was proposed, therefore, that the zoning of these properties be adjusted to conform with the adopted Big Bend Development Plan.

Council also received a delegation from the owners of 5450, 5577 and 5744 Byrne Road providing information in support of retaining the properties' M3 zoning. This matter was referred to staff. No further action was taken at that time and two of the properties have since been sold. One has been redeveloped with an M2 use and the other is available for redevelopment. Given the time that has expired, this matter is being brought forward for further review as follows.

The properties under review are referenced numerically on Figure 2 and described as follows:

1. 5389 & 5577 Byrne Road; proposed M3 to CD (M2/M5)

These properties, which have recently been sold, previously housed a heavy industrial sand blasting facility. Their Big Bend Development Plan designation provides for their redevelopment for M2 General Industrial use. The site, which includes an historic large, metal clad building is currently being used for indoor and outdoor storage uses including building forms, containers, recreational vehicles, trucks and boats.

The fact that the subject properties are relatively large (approximately 7.7 acres) and are highly visible from both Byrne Road and the Riverway Golf Course provides an opportunity to utilize the CD Comprehensive Development District based on the M2 and M5 Districts to attract higher order uses on these and the surrounding lands, thereby accommodating a more diverse range of industrial uses.

2. 5450 Byrne Road; proposed M3 to M2

Consists of two properties which previously housed a sawmill operation. They have since been sold and redeveloped with a wholesale lumber/truss manufacturing facility. These uses are permitted under the proposed M2 General Industrial District.

3. 5744 Byrne Road; proposed M3 to CD (M2/M5)

This property is currently occupied by an automobile sales use and an outdoor storage facility for an equipment rental firm. It is being advertised for sale. Given its position of prominence at the intersection of Marine Way and Byrne Road, it would benefit from the application of the Comprehensive Development zoning provisions based on the M2 and M5 Districts.

4. 7481 Mandeville Avenue and the adjacent rail right-of-way; proposed M3a to M3

This property is occupied by an industry which requires the retention of the M3 zoning provision. The M3a designation, which allows automobile wrecking yards, junk yards, pounds and the storage of low hazard fireworks is not required. Consideration is to be given to allowing the incorporation of a portion of the redundant rail right-of-way at the rear of the property into the existing site.

5. 7411/31/51, 7531/51/91 Mandeville Avenue, 4751 Tillicum Street and the adjacent rail right-of-way; proposed M3a to CD (M2/M5)

These lands are owned by the City of Burnaby and the Canada Lands Company Ltd. As they front onto a future major industrial collector road, it is proposed that they be rezoned to CD based on the M2 and M5 Districts to provide for more diverse, higher order uses.

6. 5855 Marshland Avenue, portions of 7884/7920 Prairie Street; proposed M3a and A1 to CD (M5)

These lands are owned by the City and are leased on a month-to-month basis to a pallet manufacturing facility. Their rezoning to CD based on the M5 Light Industrial District reflects the fact they are situated at the junction of one of the principal intersections providing access from Marine Way to the emerging Big Bend industrial area.

In addition to the fact that certain properties within the interior of the Big Bend area do not conform to their adopted Development Plan designations, other properties referenced on Figure 2 which abut the North Arm of the Fraser River are also vacant and zoned for M3 Heavy Industrial use. As they are adjacent to the River, their southerly portions are covered by the Fraser River Estuary Management Program's (FREMP) Statement of Intent which was entered into with other Estuary Manager's on 1993 May 10.

These properties fall within the FREMP Management Unit V-3.3 (Figure 3 *attached*) in which the Upland 50 metre wide portion and the Foreshore portion have a primary designation of Industrial which means that the land and water areas are designated for industries that require water-borne transportation, surface use of the water or use of submerged lands in their operation. The upland portion also has a Recreation sub-designation which advises of the City's intent to pursue the provision of linear public access opportunities along the River's edge as a component of the industrial development of lands abutting the Fraser River.

The FREMP Statement of Intent includes a clause which states the *"For those Area Designations which have received concurrence, each Party agrees to implement administrative procedures to support each Area Designation with include but are not limited to the following:*

- a) zoning bylaws;*
- b) foreshore leases;*
- c) building permits;*
- d) servicing arrangements;*
- e) navigational approvals;*
- f) environmental approvals;*
- g) adoption of official community plans and area plans;*
- h) acquisition or dedication of parcels for specified purposes."*

In view of the foregoing, it is proposed to rezone the undeveloped parcels abutting the River from the M3 Heavy Industrial District to CD based on the M3 District as a guideline together with the following:

- a) Uses abutting the North Arm of the Fraser River shall require water-borne transportation, surface use of the water or use of submerged lands in their operation.
- b) Industrial uses shall provide linear public access along the upland areas abutting the North Arm of the Fraser River.
- c) Due to the proximity to the North Arm of the Fraser River, particular attention will need to be paid to the type and conditions of use for upland industries. No use shall be permitted which has the potential to damage or have a negative environmental impact on the River.
- d) Uses shall make efficient use of available lands, assist overall employment growth which increasing the value of the industrial tax base, and integrate with the surrounding natural and physical environment.

The properties proposed for rezoning are referenced numerically on Figure 2 and described as follows:

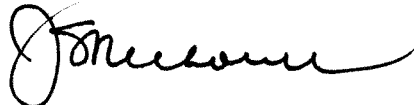
7. 8335 Meadow Avenue (Lot 2); M3 to CD (M3)

This 22.6 acre parcel is owned by the Canadian National Railway, is vacant and being offered for sale. Staff have met with CN's Regional Land Sales Manager to review land use options resulting in an agreement to pursue the development and adoption of a land use concept plan which would form the basis for Comprehensive Development zoning regulations. These regulations would address issues such as the location and amount of water related industry, public access along the river, servicing issues and subdivision options.

8. 5324 Thorne Avenue; M3 to CD (M3)

The northerly half of this 19 acre parcel is utilized by a major recycling firm. The southerly portion abutting the river is being offered for sale or lease. It contains a dock facility which is currently not in use. As in the case of the adjoining CNR property, it would be staff's intention to work with the property owner to prepare land use and zoning regulations for Council's consideration and incorporation into Comprehensive Development zoning regulations.

The situation regarding each property identified herein needs to be reviewed on a site specific basis. It is equally important to ensure that the property owners have sufficient opportunity to address this matter. It is, therefore, being recommended that Council authorize the preparation of a rezoning bylaw and that the property owners be consulted as the first step in the zoning process. Following initial discussions, further more detailed information will be submitted for Council's consideration before proceeding further.



D.G. Stenson, Director
PLANNING AND BUILDING

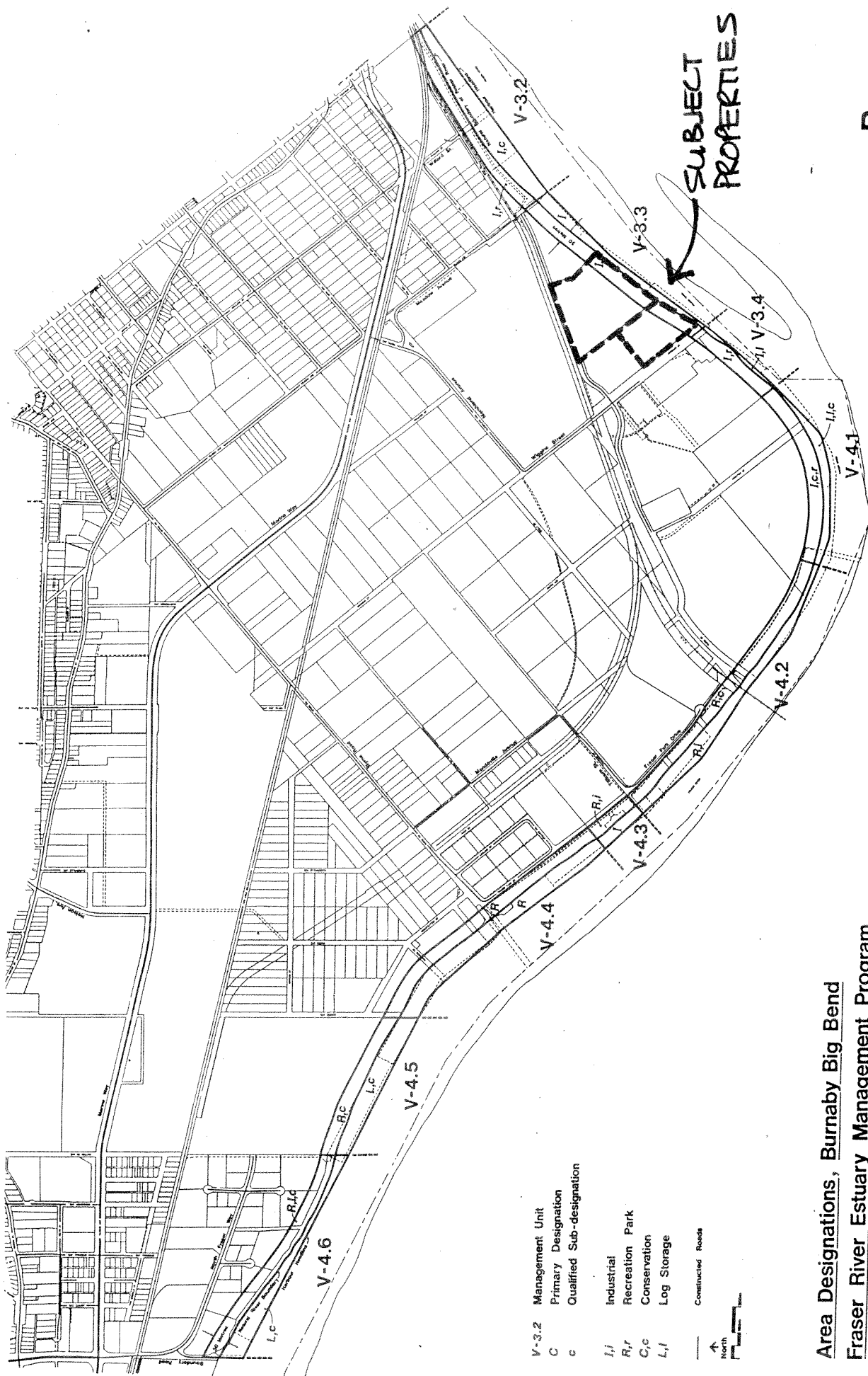
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Attachments

cc: City Clerk
City Solicitor
City Engineer

BIG BEND DEVELOPMENT PLAN

Revised to 1994 July

90 kmr 16



Appendix B
 1992 November

Figure 3
 97 JULY 96