

**TO:** CITY MANAGER

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** REZONING REFERENCE #01-13  
ROAD CLOSURE REFERENCE #02-5  
SUBDIVISION REFERENCES #02-9 and #02-10  
Portion of 9200 Glenlyon Parkway  
Highway Exchange Bylaw

2002 March 11

**PURPOSE:** To propose a recommended approach to handling the proposed road closure and compensation related to a portion of North Fraser Crescent for consolidation with the adjacent properties.

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**RECOMMENDATION:**

1. **THAT** Council authorize the provision of a Section 219 Covenant as outlined in Section 3 of this report as a requirement of the Highway Exchange Bylaw.
2. **THAT** the completion of the subject Highway Exchange Bylaw be removed as a prerequisite condition in conjunction with Rezoning Reference # 01-13 regarding the proposed closure of North Fraser Crescent for consolidation with the adjacent properties.

**REPORT**

1.0 **Background:**

1.1 In reference to the subject rezoning application for a high-tech office building proposal in Glenlyon Business Park, Council on 2001 November 26, adopted the following recommendation:

“**THAT** the introduction of a Highway Exchange Bylaw be authorized according to the terms outlined in Section 4.8 of this report, contingent upon the granting by Council of Second Reading of the subject rezoning bylaw. “

1.2 The above recommendation refers to the closure and sale of an undeveloped portion of North Fraser Crescent located east of the subject site for consolidation with the adjacent parcels (5000 North Fraser Crescent and 9200 Glenlyon Parkway) in exchange for the road dedication of portions of 4751 Byrne Road and 7400 Hugh Drive for the future widening of Byrne Road (see **attached** sketch #1). All of these properties are owned by Canada Lands

Ltd., the developers of Glenlyon Business Park, who had previously dedicated the subject road right-of-way as part of the original business park rezoning and subdivision.

- 1.3 The subject rezoning application received Second Reading on 2002 January 07 and the subject Highway Exchange Bylaw application has been circulated to the various internal departments and external agencies for review. The completion of the Highway Exchange Bylaw is currently a prerequisite condition of Rezoning Reference #01-13.

## 2.0 **Current Situation**

- 2.1 The Glenlyon Business Park which involves approximately 52.6 hectares (130 acres) was initially rezoned in 1994 to the CD Comprehensive Development District based on M2 General Industrial District and M5 Light Industrial District as guidelines, together with the Glenlyon Concept Plan. The business park is intended to be developed on a phased basis and the majority of the land required for roads was dedicated as part of the first phase of development.
- 2.2 Development of the business park is proceeding where a number of individual lots have been rezoned, subdivided and developed for Ballard Power Systems Ltd., Future Shop, Inex Pharmaceuticals Ltd., Ballard Power Generation Systems, Telus, Hospital Employees Union and another recently completed two storey office building. Further development of the business park will require additional site specific rezoning and subdivision applications and further adjustments to the original concept plan are expected to reflect the needs of prospective developments.
- 2.3 As outlined in the Glenlyon Concept Plan, Glenlyon Parkway, North Fraser Way and North Fraser Crescent have been dedicated and partially constructed to provide vehicular access and circulation within and through the business park (see attached sketch # 2). Future development will likely require additional road dedications and construction within the northeastern portion of the business park through future specific rezoning and related subdivision applications.
- 2.4 The original rezoning (Rezoning Reference # 44/92) and subdivision application which created the Glenlyon Business Park required Canada Lands Ltd. to complete a Highway Exchange Bylaw which dedicated 5.064 hectares for the construction of new roads in exchange for the closure of 4.883 hectares of redundant road allowances. This resulted in a net gain of 0.181 hectares to the City.

The subject Highway Exchange Bylaw that now proposes to close a portion of North Fraser Crescent in exchange for dedications required for the new North Fraser Crescent cul-de-sac

and Byrne Road widening will result in a net gain of 0.586 hectares to Canada Lands. Subtracting the previous net gain of 0.181 hectares to the City from the proposed net gain of 0.586 hectares to Canada Lands, the adjusted figure will result in a revised net gain of 0.405 hectares to Canada Lands at this time. However, additional road dedications are expected as part of the future development of the business park. A summary of these figures is outlined below:

a) **Previous Road Dedications/Closures**

Road Dedications: Total: 5.064 hectares

Road Closures: Total: 4.883 hectares

*Previous Net Gain to Burnaby:*  $(5.064 - 4.883) = 0.181$  hectares

b) **Proposed Road Dedications/Closures**

Road Dedications:  
North Fraser Crescent cul-de-sac: 0.045 hectares  
Byrne Road: 0.034 hectares

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Total: 0.079 hectares

Road Closure:  
North Fraser Crescent: 0.665 hectares

*Proposed Net Gain to Canada Lands:*  $(0.665 - 0.079) = 0.586$  hectares

c) **Summary Balance**

*Revised Net Gain to Canada Lands:*  $(0.586 - 0.181) = 0.405$  hectares

- 2.5 Upon further discussions with the applicant, the proposed closure of a portion of North Fraser Crescent is now located further east than originally planned. Since the revised location of this road closure will not impact the subject development site, the Highway Exchange Bylaw can stand on its own and be pursued independent of the subject rezoning application (Rezoning Reference #01-13). Since the subject rezoning applicant wishes to proceed with development as soon as possible and in view of the required time period to process the Highway Exchange Bylaw, it is recommended that its completion be removed as a prerequisite condition of Rezoning Reference #01-13. The road closure will likely be pursued

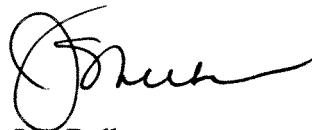
in association with future rezoning and development of the vacant lands located adjacent to the portion of North Fraser Crescent to be closed.

**3.0 Proposed Section 219 Covenant**

3.1 The subject portion of North Fraser Crescent was originally dedicated for roads by Canada Lands Ltd. who currently own the two adjacent properties and all of the remaining land in the Glenlyon Business Park. Additional road dedications will likely be required as part of the future development phases of the business park and the proposed road closure is considered to be an adjustment to the ongoing development of the Glenlyon Business Park. As such, the revised net gain to Canada Lands Ltd. as outlined in Section 2.4 is expected to be offset by future road dedications which may result in a final net gain to the City upon the completion of the development of the business park.

3.2 In view of the foregoing, it is proposed that payment for the proposed net gain of 0.405 hectare road closure lands to Canada Lands not be required at this time but that the City maintain an ongoing tally of the road allowance areas until the development of the business park is completed. At that time, if there is a remaining net gain to Canada Lands, payment to the City for the land area at fair market value will be required.

In order to ensure that this requirement is met, it is recommended that a Section 219 Covenant be registered over the Remainder of Lot 2 which is the large parcel owned by Canada Lands located in the northeastern portion of the business park (see sketch #1). This covenant would need to be addressed as part of any rezoning, subdivision or development of the last remaining development site and require final resolution of the net land gain or loss of related road allowances. The covenant would also include a time limit when the owner/developer would be required to pay market value for the 0.405 hectare area net gain at a specified time should the final development of the business park not be complete. The City Solicitor concurs with this approach.

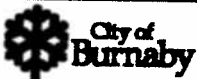
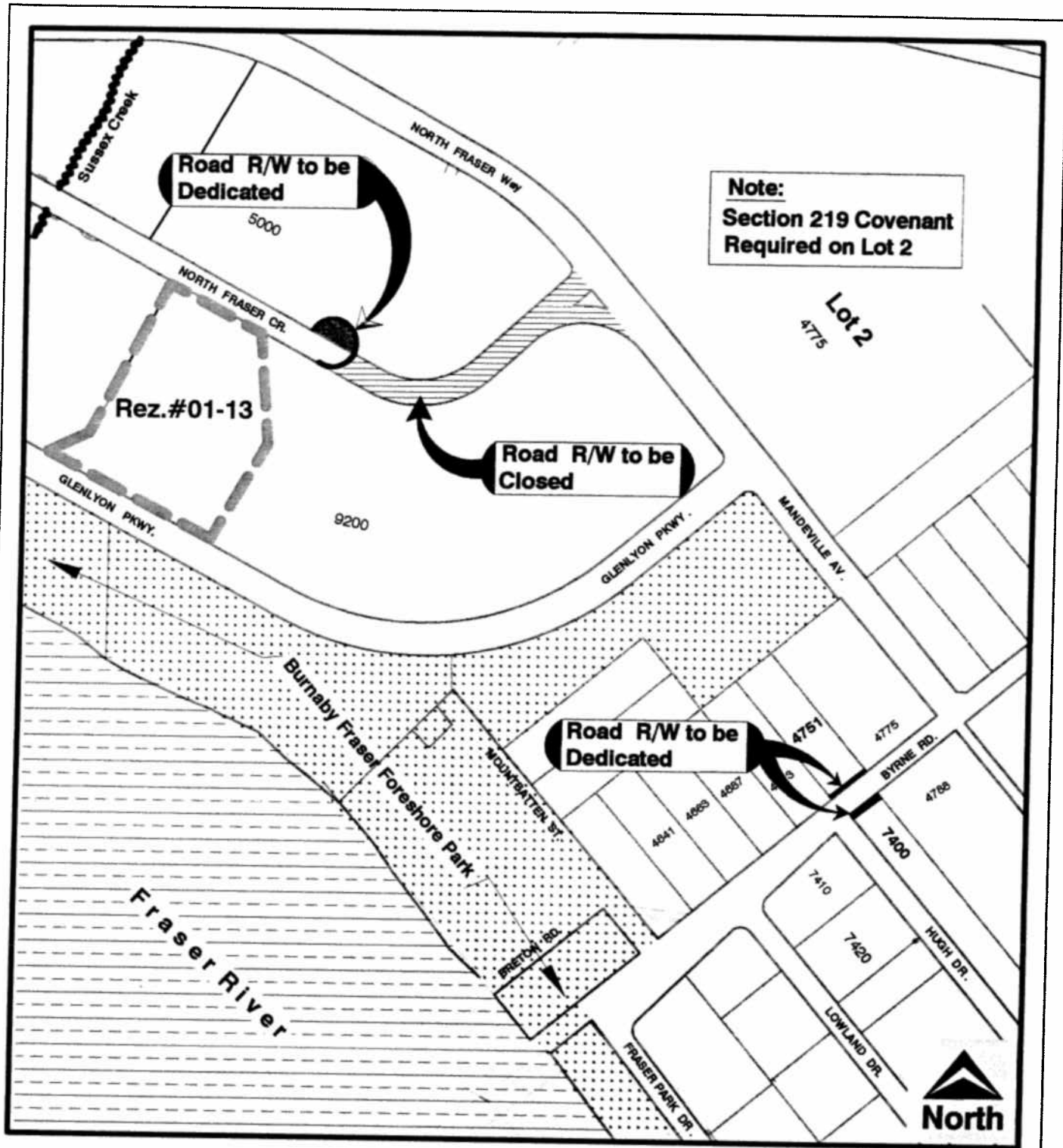


J.S. Belhouse  
Director Planning and Building

PS:gk  
Attach

cc. Director Engineering  
City Solicitor

p:\Phil Sanderson\Road Exchange Report



Planning And Building Department

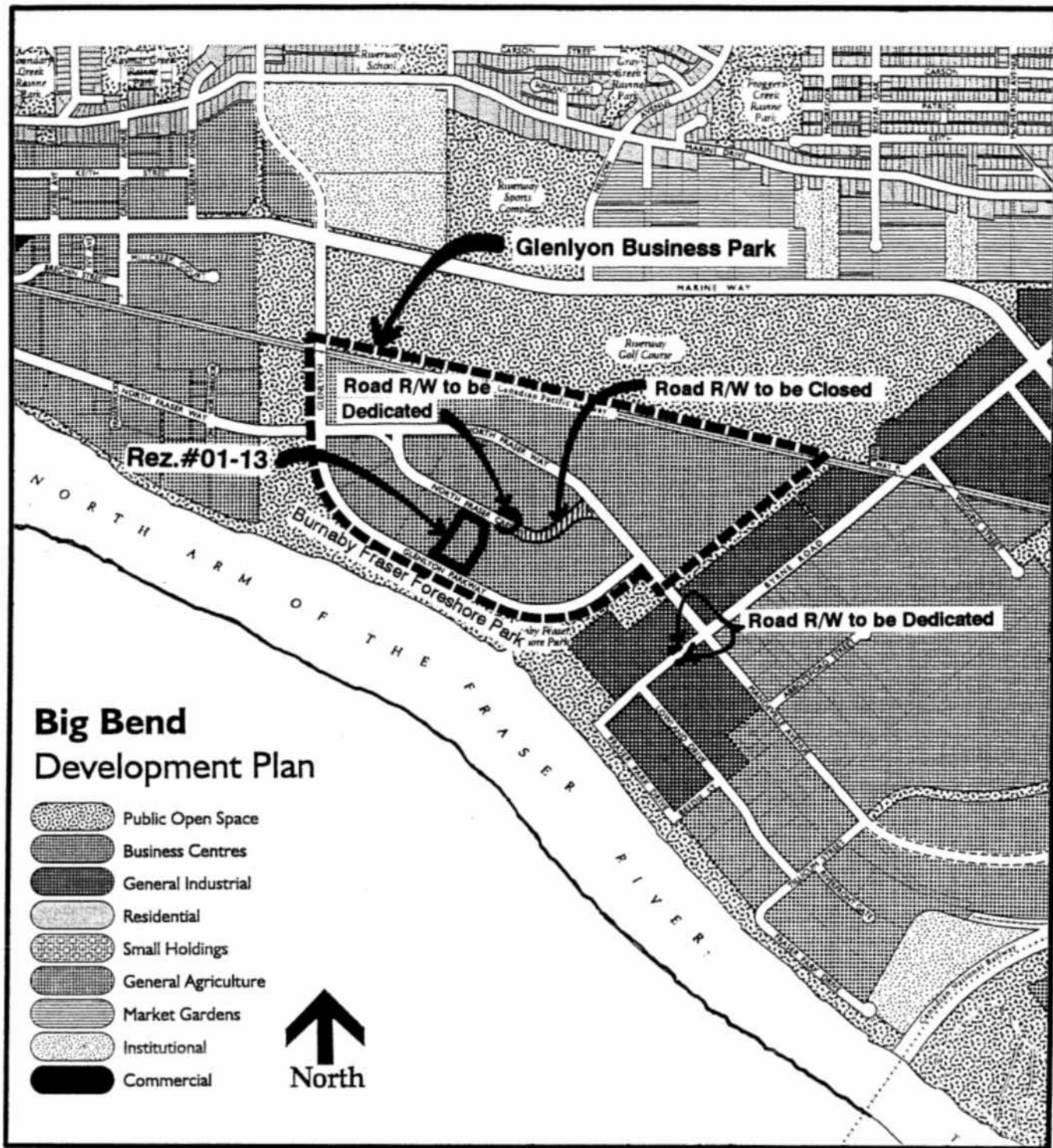
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Drawn By: J.P.C.

Date: April 2002

**REZONING REFERENCE 01 -- 13**  
 Highway Exchange Bylaw - Configuration

Sketch # 1



Planning And Building Department

Scale: N.T.S.

Drawn By: J.P.C.

Date: April 2002

**REZONING REFERENCE 01 -- 13**  
 Highway Exchange Bylaw - Configuration

Sketch #2