

CITY OF BURNABY

PLANNING AND BUILDING REZONING REFERENCE #19-40 2019 OCTOBER 23

ITEM #06

1.0 GENERAL INFORMATION

- 1.1 Applicant:** Carlton Contractors Ltd.
5737 Byrne Road
Burnaby, BC V5J 3J1
Attn: Wolfgang Isachsen
- 1.2 Subject:** Application for the rezoning of:
See Schedule "A"
- From:** M2 General Industrial District
- To:** CD Comprehensive Development District (based on C2 Community Commercial District, C6b Gasoline Service Station District, and Byrne Road and Marine Way Development Plan, and Big Bend Development Plan as guidelines)
- 1.3 Address:** 5675, 5689, 5701 and 5813 Byrne Road
- 1.4 Location:** The subject site is located at the intersection of Byrne Road and Marine Way (Sketch #1 *attached*).
- 1.5 Size:** The site is irregular in shape with a total area of approximately 3.12 hectares (7.7 acres).
- 1.6 Services:** The Director Engineering will be requested to provide all relevant servicing information.
- 1.7 Rezoning Purpose:** The purpose of the proposed rezoning bylaw amendment is to permit the construction of a general commercial retail centre and gas station.

2.0 POLICY FRAMEWORK

The subject application aligns with the following goals and sub-goals of the Corporate Strategic Plan:

A Connected Community

- Partnership - Work collaboratively with businesses, educational institutions, associations, other communities, and governments.

An Inclusive Community

- Enhance City workforce diversity - Support a diversified City workforce by identifying barriers and implementing proactive strategies.

A Dynamic Community

- Economic opportunity – Foster an environment that attracts new and supports existing jobs, businesses and industries.

3.0 NEIGHBOURHOOD CHARACTERISTICS

The subject site is located within the Byrne Road and Marine Way Development Plan portion of the Big Bend Development Plan area (see *attached* Sketches #1 and #2). The site, located at the intersection of Byrne Road and Marine Way, is comprised of four properties, including a City-owned property located at 5675 Byrne Road. The site is irregular in shape with an area of approximately 3.12 hectares (7.7 acres). The two eastern properties are occupied by a variety of automobile oriented uses including used car dealerships and repair shops, and general manufacturing, while the two western properties are vacant.

To the southeast of the subject site, across Byrne Road, are general and heavy industrial properties, to the south, across Marine Way, is the Market Crossing retail centre, and to the southwest of the subject site, across Marine Way, is a general industrial property. To the north of the subject site, is Byrne Creek Ravine Park, with agricultural properties behind.

4.0 BACKGROUND INFORMATION

- 4.1 The Byrne Road and Marine Way Development Plan, approved by Council in 2002, designated the subject site along with several other nearby properties as a specialized retail area, in order to attract larger-scale specialized retailers that sell a single or specialized category of goods (see *attached* Sketch #1). It should be noted that the nearby Market Crossing retail centre, located at 7200 and 7501 Market Crossing, is designated for general retail use, which provides for a wider range of permitted commercial uses than those permitted in the specialized retail area.
- 4.2 To date, only one specialized retail centre has been developed in accordance with the specialized retail designation of the Plan. Big Bend Crossing 5751 Marine Way was approved under Rezoning Reference #04-10 and was constructed in 2007. Over the years, the retail centre has experienced difficulty in attracting additional specialized retailers and maintaining existing tenancies. It is believed that general retail uses would complement the retail centre to the south and bring consistency to the overall commercial precinct. To that end, an application, Rezoning Reference #19-37, to amend the Byrne Road and Marine Way Development Plan to permit general commercial uses within the existing specialized retail centre designated properties (see *attached* Sketch #1) is currently in stream and is expected to achieve Final Adoption in early 2020. The subject property is included within the proposed plan amendment.

5.0 GENERAL INFORMATION

- 5.1 The applicant is requesting rezoning to the CD Comprehensive Development District (based on C2 Community Commercial District, C6b Gasoline Service Station District, and Byrne Road and Marine Way Development Plan, and Big Bend Development Plan as guidelines) in order to permit the construction of a general commercial retail centre and gas station. Similar to Rezoning Reference #19-37, this application is seeking a Plan amendment to permit general commercial uses within properties designated for specialized retail uses, in the event that Rezoning Reference #19-37 fails to advance to second reading.

It is noted that the inclusion of general commercial uses, while not identified in the Plan, is considered desirable and supportable, in order to assist in the redevelopment of the subject site, and other designated specialized retail areas within the Plan. As such, an amendment to the Byrne Road and Marine Way Development Plan is proposed to provide for general commercial uses for the properties designated for specialized retail uses within the Plan (see *attached* Sketch #1), including the subject site.

- 5.2 Adjacent to the north and west of the subject site is Byrne Creek, a Class A fish-bearing stream that was realigned to its present location and restored in the 1980s. The Byrne Road and Marine Way Development Plan requires that all new development be set back at least 15 m (49 ft.) from the top of the ravine bank of Byrne Creek. It is noted that a 15 m (49 ft.) setback will establish a Streamside Protection and Enhancement Area (SPEA) that is consistent with the streamside protection provisions in the Zoning Bylaw (Section 6.23). The SPEA setback will be a no-disturbance zone for conservation purposes and will be protected by a restrictive covenant and permanent fencing. As a condition of development, the developer is required to prepare and implement a plan to restore the SPEA to a natural condition in accordance with City guidelines.
- 5.3 The Director Engineering will be requested to provide all relevant servicing information.
- 5.4 The granting of any necessary statutory rights-of-way, easements, and/or covenants will be required.
- 5.5 Detailed plans for an engineered sediment control system to the approval of the Director Engineering will be required.
- 5.6 The submission of a suitable on-site stormwater management system to the approval of the Director Engineering, the deposit of sufficient monies for its provision, and the granting of a Section 219 Covenant to guarantee its provision and continuing operation is required.
- 5.7 A Site Profile and resolution of any arising requirements will be required.
- 5.8 The GVS & DD Sewerage Development Cost Charge will apply to this rezoning.

- 5.9 The Regional Transportation Development Cost Charge will apply to this rezoning.
- 5.10 A geotechnical review of the subject site's soil stability and registration of a Section 219 Covenant regarding the findings of the approved report will be required.
- 5.11 The granting of a Section 219 Covenant respecting flood proofing requirements is required.
- 5.12 The proposed prerequisite conditions to the rezoning will be included in a future report.

6.0 RECOMMENDATIONS

1. **THAT** the amendment to the Byrne Road and Marine Way Development Plan to permit general commercial uses, as outlined in Section 5.1 of this report, be approved (to take effect upon the granting by Council of Second Reading of the Rezoning Bylaw related to the subject site).
2. **THAT** the Planning and Building Department be authorized to continue to work with the applicant towards the preparation of a suitable plan of development for presentation to a Public Hearing on the understanding that a more detailed report will be submitted at a later date.



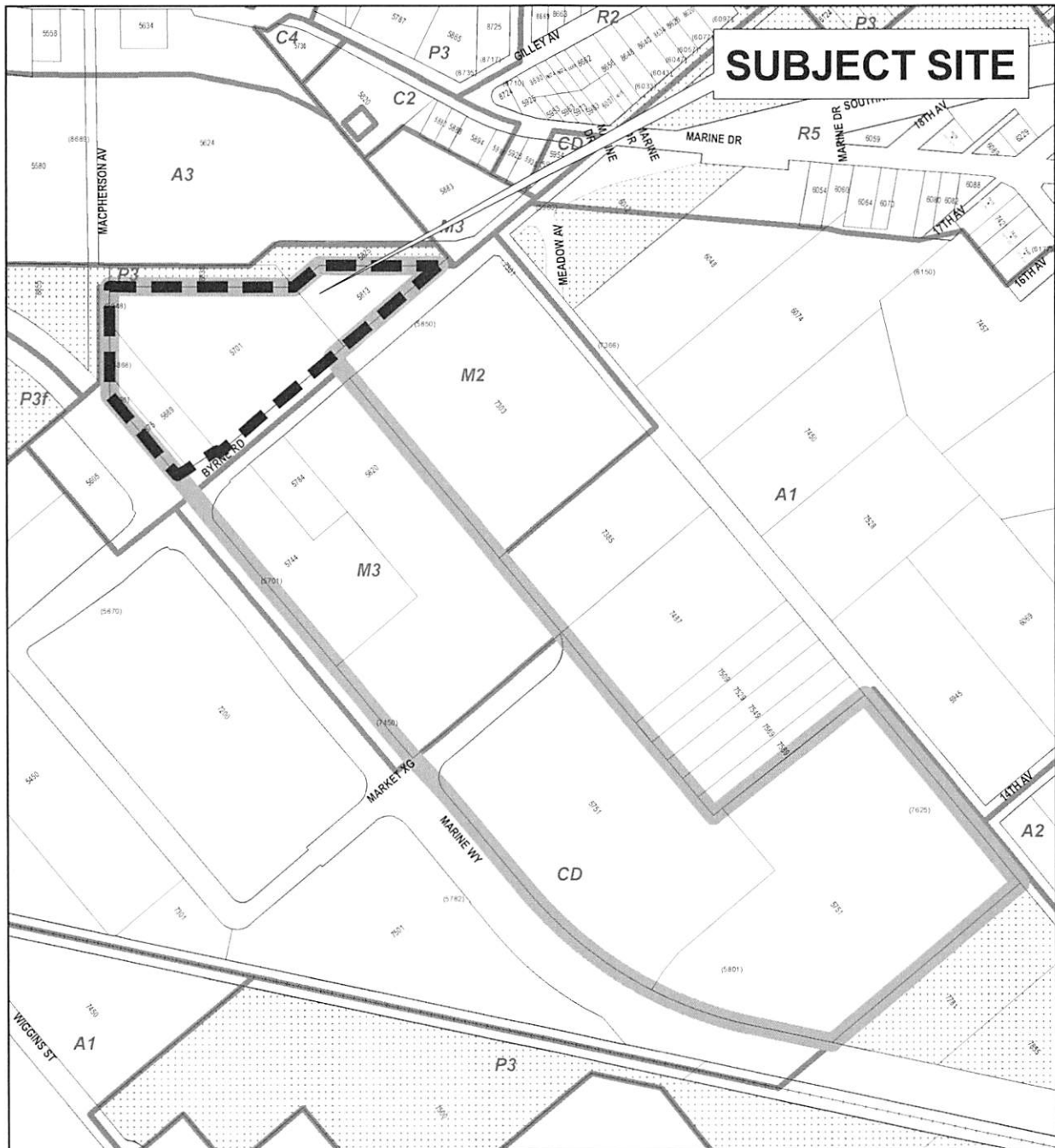
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Attachments

cc: City Solicitor
City Clerk

SCHEDULE A
REZONING 19-40

ADDRESS	LEGAL DESCRIPTION	PID
5675 Byrne Road	Lot 1 Except: Firstly: Part Subdivided By Plan 50848, Secondly: Part Highway Statutory Right Of Way Plan 66149, District Lot 162, Group 1, New Westminster District Plan 7064	001-492-560
5689 Byrne Road	Lot 2 Except: Part Highway Statutory Right Of Way Plan 66149; District Lot 162, Group 1, New Westminster District Plan 7064	002-447-452
5701 Byrne Road	Lot 55 Except: Part On Bylaw Plan 54043; District Lot 162, Group 1, New Westminster District Plan 54032	002-692-937
5813 Byrne Road	Lot 7 Except Part Subdivided By Plan 71476 District Lot 162, Group 1, New Westminster District Plan 7064	001-673-882



PLANNING & BUILDING DEPARTMENT



DATE:
OCT 03 2019

SCALE:
1:6,000

DRAWN BY:
AY

REZONING REFERENCE #19-40
5675, 5689, 5701 AND 5813 BYRNE ROAD

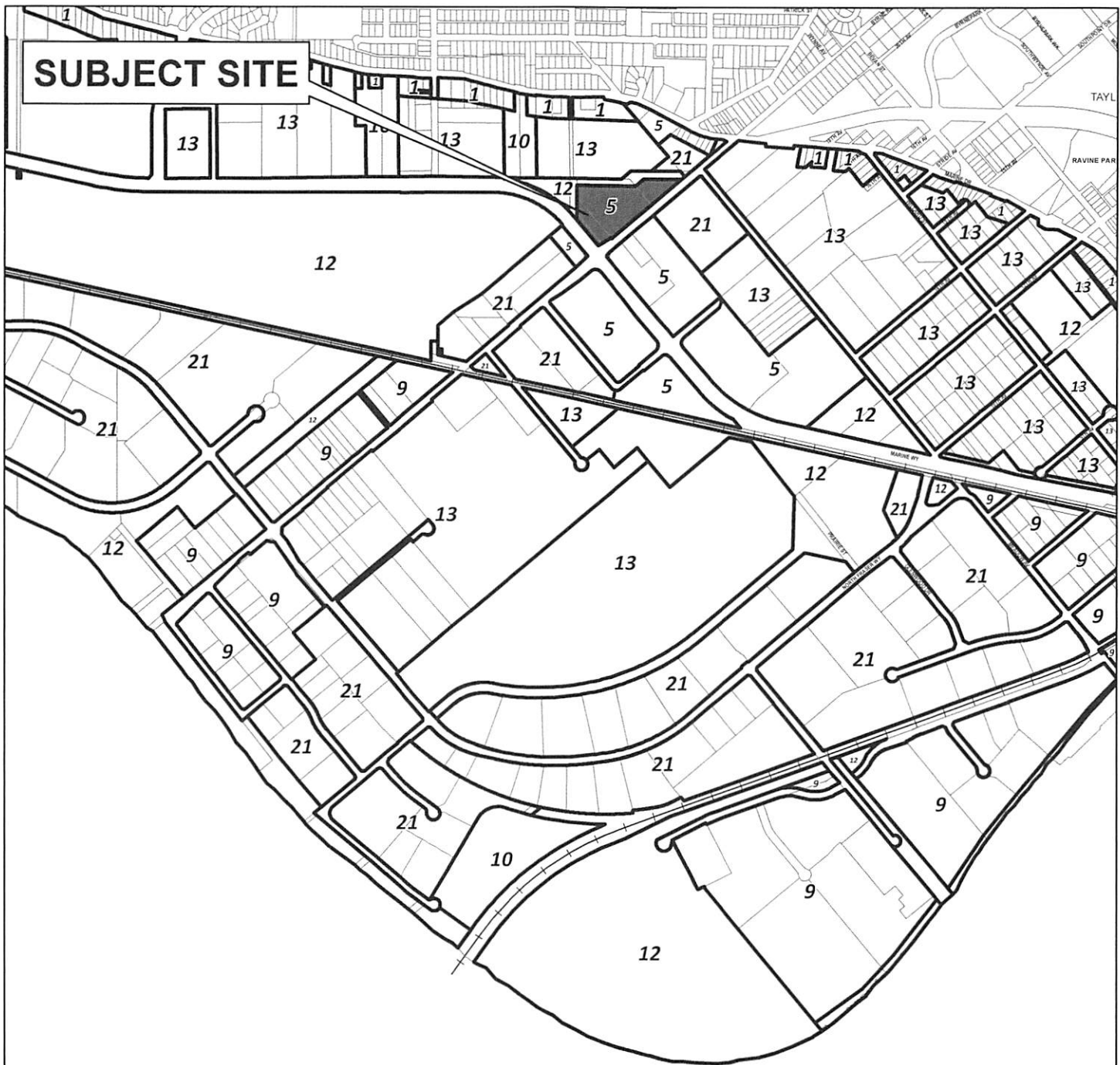


Subject Site



Existing Specialized Retail Area And
Proposed Plan Amendment Boundary

Sketch #1



- | | |
|---|-----------------------------|
| 1 Single and Two Family Residential | 10 Institutional |
| 2 Low Density Multiple Family Residential | 12 Park and Public Use |
| 5 Commercial | 13 Agricultural |
| 9 Industrial | 21 Big Bend Business Centre |



PLANNING & BUILDING DEPARTMENT

Big Bend Community Plan

Letter of Intent

August 19, 2019

To City of Burnaby Planning Department

This is a Letter of Intent for the properties :

5813 Byrne Rd, 5701 Byrne Rd, 5689 Byrne RD and 5675 Byrne Rd,

I would like to change the zoning from Industrial M2 use to C2 General Retail , a commercial shopping center with possibly second storey offices for accounting, lawyers, insurance offices etc as well as a Shell Gas station at the north end of the property. The total area combined is about 7.5 acres and offers Burnaby an opportunity to make this location a fabulous attraction for the traffic flowing past and going to Vancouver or New Westminster as well as future growth in the area to all the industrial operations being developed in the area.

Currently there are two old industrial buildings located on 5701 Byrne Rd each approximately 25,000 sft and approximately 55 years of age. These buildings are in need of major repair and no longer fits the need for the area. There is also a building approximately 13,500 sft Industrial use and as well over 50 years of age and no longer fits the need for the area. The remaining properties are land only.

5675 is owned by the City of Burnaby and is required to be acquired to make this development what Burnaby would like to see built.

The area is need of commercial retail stores and shops accompanied but what is needed most a gas station in the area. This development will enhance the corner of Byrne Rd and Marine Way providing the retail and commercial services further needed in the area . It is the only location one would be able to buy gas along the corridor of Marine and is desperately needed.

I ask that you please consider this application to improve south Burnaby busiest corner .

Best regards

Wolf Isachsen

6047289653