



Item .....
Meeting.....2020 June 22

COUNCIL REPORT

**TO:** CITY MANAGER 2020 June 17

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE #17-10003**  
**Light Industrial and Office Development**  
**Big Bend Development Plan**

**ADDRESS:** 5317, 5371 Byrne Road and Portion of 9001 Bill Fox Way  
(see *attached* Sketches #1 and #2)

**LEGAL:** See Schedule 'A'

**FROM:** M2 General Industrial District

**TO:** CD Comprehensive Development District (based on M2 General Industrial District, M5 Light Industrial District, M5r Light Industrial District, and the Big Bend Development Plan guidelines and in accordance with the development plan entitled "5317 & 5371 Byrne Rd. & 9001 Bill Fox Way, Burnaby BC" prepared by Interface)

**APPLICANT:** BSBP Developments Ltd.  
#202 – 3823 Henning Drive  
Burnaby, BC V5C 6P3  
Attn: Peter Hall

**PURPOSE:** To seek Council authorization to forward this application to a Public Hearing on 2020 July 28.

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**RECOMMENDATIONS:**

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2020 July 06 and to a Public Hearing on 2020 July 28 at 5:00 p.m.
2. **THAT** the sale of City-owned property be approved in principle for inclusion within the subject development site in accordance with the terms outlined in Section 4.3 of this report, and subject to the applicant pursuing the rezoning proposal to completion.
3. **THAT** the following be established as prerequisites to the completion of the rezoning:
  - a) The submission of a suitable plan of development.

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- b) The deposit of sufficient monies, including a 4% Engineering Inspection Fee, 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 to City standards and constructed in accordance with the Engineering Design. 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 review of a detailed Sediment Control System by the Director Engineering.
- e) The granting of a Section 219 Covenant respecting flood proofing requirements.
- f) The submission of a geotechnical review regarding stability confirming that the site may be used safely for the intended use, for review by the Chief Building Inspector, and granting of a Section 219 Covenant respecting the submitted report.
- g) The completion of the sale of City property.
- h) The consolidation of the net project site into one legal parcel.
- i) The granting of any necessary statutory rights-of-way, easements and/or covenants.
- j) The deposit of the applicable GVS & DD Sewerage Development Cost Charge.
- k) The deposit of the applicable Regional Transportation Development Cost Charge.
- l) The provision of facilities for cyclists in accordance with Section 5.5 of the rezoning report.
- m) The submission of a detailed Comprehensive Sign Plan.
- n) The submission of a Site Profile and resolution of any arising requirements.
- o) The submission of a suitable Solid Waste and Recycling plan to the approval of the Director Engineering.
- p) 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.

## **R E P O R T**

### **1.0 REZONING PURPOSE**

The purpose of the proposed rezoning bylaw amendment is to permit the construction of a light industrial and office building with accessory restaurant uses.

### **2.0 POLICY FRAMEWORK**

The proposed development is in line with the Business Centre designation of the Council-adopted Big Bend Development Plan. The advancement of the proposed zoning bylaw amendment also 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.
- Social connection - Enhance social connections throughout Burnaby.

#### **A Dynamic Community**

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

### **3.0 BACKGROUND**

- 3.1 The subject site is located within the Byrne Road and Marine Way Commercial Precinct of the Big Bend Development Plan area, on the northwest side of Byrne Road between Marine Way and Bill Fox Way. The subject site comprises the properties at 5317, 5371 Byrne Road and a portion of the City-owned property at 9001 Bill Fox Way. To the northeast, adjacent to the site is an existing light-industrial and office development. Adjacent the site, to the northwest is Byrne Creek and the Riverway Golf Course beyond. To the southwest is an existing light-industrial development, with existing industrial developments beyond Bill Fox Way and the CPR line. To the southeast, across Byrne Road are vacant lands, a pump station and a warehousing development, with the Mayberry Cranberry Farm beyond.
- 3.2 On 2017 December 11, Council received the report of the Planning and Building Department regarding the rezoning of the subject site and authorized the Department to continue to work with the applicant in preparing a suitable plan of development with the understanding that a further and more detailed report would be submitted at a later date. The applicant has now submitted a plan of development suitable for presentation at a Public Hearing.

#### 4.0 GENERAL COMMENTS

- 4.1 The applicant is requesting rezoning to the CD Comprehensive Development District (based on M2 General Industrial District, M5 Light Industrial District, M5r Light Industrial District and the Big Bend Development Plan as guidelines) in order to permit the construction of a light-industrial and office building with accessory restaurant uses. The total area of the proposed building would be approximately 7,113 m<sup>2</sup> (76,564 sq. ft.).

In addition, the applicant intends to provide the opportunity for restaurants to be located within specific units of the proposed building. The inclusion of the M5r District zoning is necessary in order to provide for the restaurant use, however, the underlying M2/M5 Districts would provide for alternate uses should the restaurant uses cease to operate. The restaurants are intended to be small-scale and accommodate up to 50 seats each, and would serve the nearby office/light manufacturing developments. A restaurant up to 50 seats utilizes the same parking ratio as the alternative office uses in the specified units, and as such, no additional vehicle parking is required. Vehicular access is proposed from Byrne Road.

- 4.2 The Director Engineering will be requested to prepare an estimate for all services necessary to serve this site. The servicing requirements will include, but not necessarily be limited to, the construction of a separated sidewalk with boulevard grassing and street trees on Byrne Road fronting the development site.
- 4.3 The portion of property at 9001 Bill Fox Way is City-owned and is intended to be sold to the applicant and consolidated into the proposed development site as a requirement of the subject rezoning. The portion of the property has an area of 4,867 m<sup>2</sup> (52,388 sq.ft.). The completion of the sale of City-owned property is a prerequisite of this rezoning application. The Realty and Lands Division of the Public Safety and Community Services Department will determine a recommended purchase price for the City-owned property, which will be submitted to Council for its consideration and approval as part of a future report prior to Third Reading of the rezoning bylaw amendment.
- 4.4 Any necessary easements and covenants and statutory rights-of-way for the site are to be provided, including, but not necessarily limited to:
- a Section 219 Covenant respecting flood proofing requirements;
  - a Section 219 Covenant respecting geotechnical requirements; and,
  - a Section 219 Covenant guaranteeing the provision and ongoing maintenance of stormwater management facilities.
- 4.5 The GVS & DD Sewerage Development Cost Charge will apply to this rezoning.
- 4.6 The Regional Transportation Development Cost Charge will apply to this rezoning.

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- 4.7 A suitable on-site stormwater management system and a Section 2019 Covenant to ensure its installation and maintenance will be required.
- 4.8 A Site Profile and resolution of any arising issues will be required.
- 4.9 Engineering Environmental Services Division will need to review a submission of a detailed plan of an engineered Sediment Control System prior to Final Adoption.
- 4.10 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.

## 5.0 DEVELOPMENT PROPOSAL

- 5.1 Site Area: - 1.18 ha (2.9 acres)
- 5.2 Site Coverage: - 34%
- 5.3 Proposed Gross Floor Area:
- |                           |   |                      |                  |
|---------------------------|---|----------------------|------------------|
| Office                    | - | 4,522 m <sup>2</sup> | (48,675 sq. ft.) |
| Warehouse                 | - | 2,591 m <sup>2</sup> | (27,889 sq. ft.) |
| Total Proposed Floor Area | - | 7,113 m <sup>2</sup> | (76,564 sq. ft.) |
- 5.4 Vehicle Parking:
- |           |   |   |
|-----------|---|---|
| Office    | - | 4,522 m <sup>2</sup> @ 1/46 m <sup>2</sup> = 99 spaces  |
| Warehouse | - | 2,591 m <sup>2</sup> @ 1/186 m <sup>2</sup> = 14 spaces |
| Required  | - | 113 spaces  |
| Provided  | - | 116 spaces  |
- 5.5 Bicycle Parking:
- |                       |   |           |
|-----------------------|---|-----------|
| Required and Provided | - | 16 spaces |
|-----------------------|---|-----------|
- 5.6 Loading:
- |          |   |          |
|----------|---|----------|
| Required | - | 3 spaces |
| Provided | - | 4 spaces |

  
E. W. Kozak, Director  
PLANNING AND BUILDING

SMN:tn

### Attachments

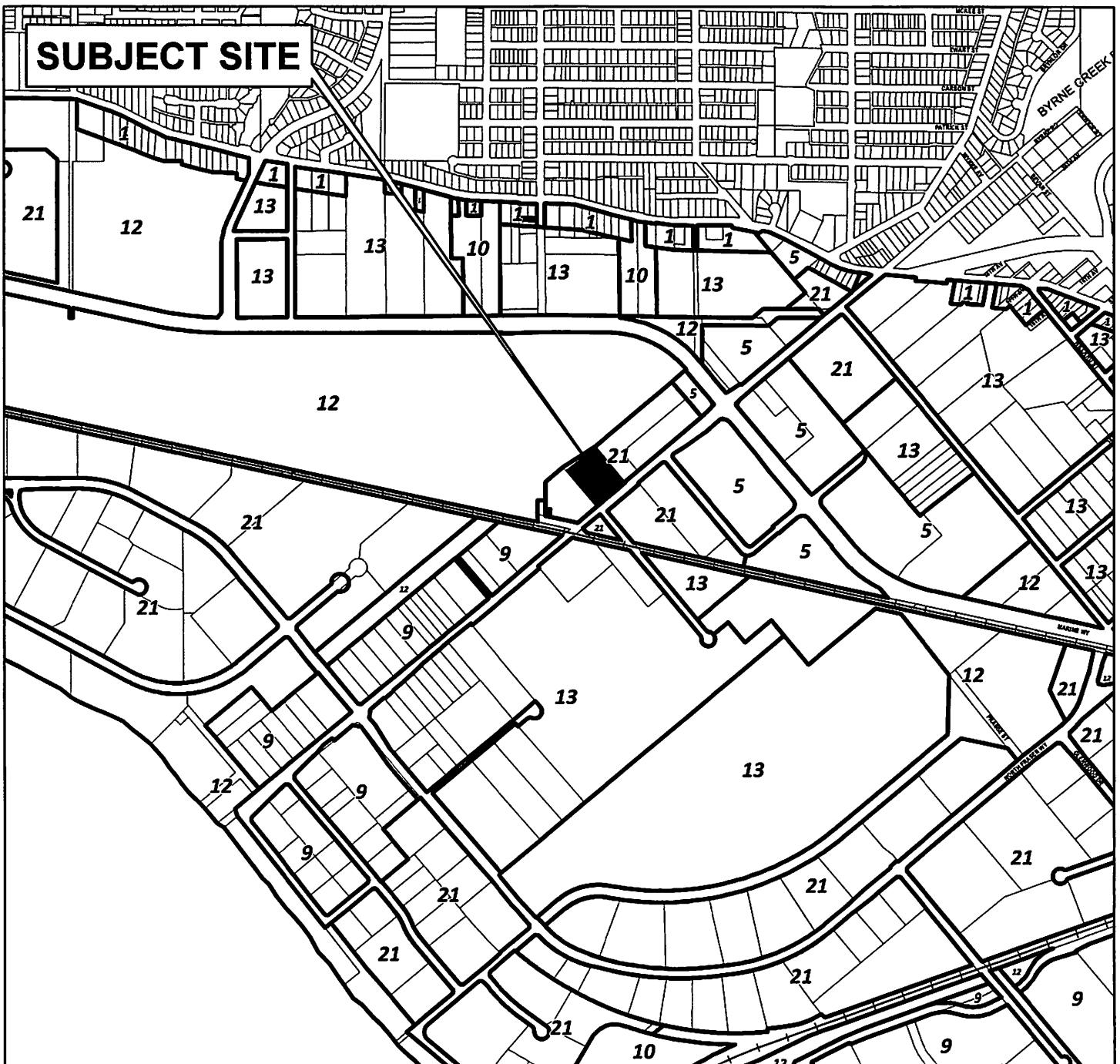
cc: Director Public Safety and Community Services City Solicitor City Clerk  
P:\49500 Rezoning\20 Applications\2017\17-10003 5317, 5371 Byrne Road and Ptn. of 9001 Bill Fox Way\Council Reports\Rezoning Reference 17-10003 PH Report  
2020.06.22.docx

**Schedule A**

**Rezoning Reference #17-10003**

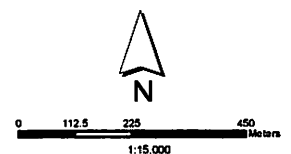
<b>ADDRESS</b>	<b>LEGAL DESCRIPTION</b>	<b>PID</b>
5317 Byrne Road	Lot 5 District Lot 162 Group 1 New Westminster District Plan 7195	001-683-900
5371 Byrne Road	Lot 6 District Lot 162 Group 1 New Westminster District Plan 7195	001-679-635
Ptn. of 9001 Bill Fox Way	Lot 1 District Lots 162, 163, 164 And 165 Group 1 New Westminster District Plan Epp30041	029-107-997





- 1** Single and Two Family Residential
- 2** Low Density Multiple Family Residential
- 5** Commercial
- 9** Industrial

- 10** Institutional
- 12** Park and Public Use
- 13** Agricultural
- 21** Big Bend Business Centre



PLANNING & BUILDING DEPARTMENT

## Big Bend Community Plan