

TO: MAYOR & COUNCILLORS
FROM: GENERAL MANAGER PLANNING AND DEVELOPMENT
SUBJECT: **DVP #24-04 – 2751 PRODUCTION WAY – RETAINING WALL HEIGHT VARIANCE**
PURPOSE: To seek Council approval for Development Variance Permit (DVP) #24-04.

REFERENCES

Address: 2751 Production Way
Legal: PID:000-593-915
Lot 313 District Lot 56 Group 1 NWP66423
Applicant: Martin Clarke (Metro Vancouver)
Current Zoning: M3 Heavy Industrial District

RECOMMENDATION

THAT Development Variance Permit #24-04, included as **Attachment 2** in the report titled “DVP #24-04 – 2751 Production Way - Retaining Wall Height Variance” dated July 22, 2025, be approved; and

THAT the City Solicitor be directed to register notice of Development Variance Permit #24-04 with the Land Title Office.

1.0 POLICY SECTION

The subject Development Variance Permit (DVP) aligns with the following policies and plans adopted by Council: Corporate Strategic Plan (2022), Regional Context Statement (2013), Official Community Plan (1998), Lake City Business Centre Guide Plan (2000), Economic Development Strategy (2007), and Environmental Sustainability Strategy (2016).

Under Section 498 of the *Local Government Act* (LGA), a local government may, by Council resolution, issue a DVP to vary specific provisions of the Zoning Bylaw. The public notification process for the subject DVP application, as outlined in Section 4.0, has been completed.

2.0 BACKGROUND

2.1 The subject development site is located at the corner of Production Way and Broadway (see **Attachment 1**) and is zoned M3 Heavy Industrial District within the

Lake City Business Centre Guide Plan. The site is designated Business Centre under the City's Official Community Plan.

- 2.2 Land uses adjacent to the subject site include industrial uses, a Statutory Right of Way for a BC Hydro Transmission Line, and park land. The adjacent site to the west is also owned and operated by Metro Vancouver.

3.0 GENERAL INFORMATION

- 3.1 As noted below in **Table 1**, the applicant is seeking to vary Section 6.14.1 of the Zoning Bylaw, which permits a maximum retaining wall height of 1.2m. The proposed retaining wall runs along the western and northern boundary of the site and is approximately 180 m in length and 9.5m in height at its tallest point.

Table 1: Requested Variances

Bylaw Section		Bylaw Requirement	Requested Variance
6.14.1	Retaining Walls	Maximum of 1.2 m terraced retaining wall	Up to 9.5 m

- 3.2 The intent of the Zoning Bylaw requirements for limiting retaining wall height is to limit the massing impact of the building on the neighbouring properties. The requested variance is supported by the following rationale
- The proposed variance to increase the allowable retaining wall height is to facilitate the construction of a rear access roadway. This roadway will enhance site functionality by providing additional parking, a pedestrian walkway, and improved overall circulation.
 - The applicant has explored ways to rectify site conditions and to ensure compliance with the *Burnaby Zoning Bylaw* but has concluded that changes to the site layout would substantially impact the efficiency of the site. Ultimately, constructing a taller retaining wall is the most efficient option to avoid compromising the existing structure. Additionally, the proposed retaining wall has been designed considering future BC Hydro infrastructure to the north.
 - Given that the site is situated at a lower elevation than the adjacent property, the visual impact of the proposed retaining wall on neighboring sites will be minimal. Additionally, the wall will enhance slope stability and help mitigate erosion, contributing to the long-term safety and sustainability of the site.
- 3.3 For the reasons outlined above, staff support the variance request to facilitate the construction of the proposed retaining wall. The required permit for the requested

variances is attached as **Attachment 2** to this report. If Council approves the issuance of the DVP, notice of the DVP will be deposited in the Land Title Office and registered on the subject property's title.

4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

In accordance with the requirements set out in the *Local Government Act* (LGA) and the *Burnaby Development Procedures Bylaw*, public notice of the subject DVP application was delivered to adjacent property owners and occupants (within 30m of the subject property) at least ten (10) days before Council considered the application for approval and a sign was posted along the subject site's street frontages.

5.0 FINANCIAL CONSIDERATIONS

There are no financial considerations related to this proposal.

Respectfully submitted,

E. W. Kozak, General Manager Planning and Development

ATTACHMENTS

Attachment 1 – Sketch

Attachment 2 – Permit

REPORT CONTRIBUTORS

This report was prepared by Reyhan Cuming, Planner, and reviewed by Jennifer Wong, Assistant City Solicitor, and Mark Norton, Manager Development.