

JANUARY 17, 1967

A Public Hearing was held in the Council Chambers, Municipal Hall, 4545 East Grandview-Douglas Highway, Burnaby 2, B.C., on Tuesday, January 17, 1967, at 7:30 p.m., to receive representations in connection with the following proposed amendments to "BURNABY ZONING BY-LAW 1965":

PRESENT: Acting Reeve Blair in the Chair;
Councillors Corsbie (7:35 p.m.), Dailly
Drummond, Herd, Hicks, Lorimer and
McLean

The Acting Reeve outlined the procedure which Council follows in connection with rezonings, including the purpose of a Public Hearing. In addition, he suggested the desired method for the public to express its views in regard to the proposed amendments. He emphasized the object of a Public Hearing, which was that members of Council were present to listen to the opinions given and not to make decisions.

A. PROPOSED REZONINGS

- (1) FROM RESIDENTIAL DISTRICT TWO (R2)
TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Reference RZ #143/66

- (a) Lot 1, Except Reference Plans 6379/6173, Block 10, D.L. 136, Plan 3053
(b) Lot 15, S.D. 2/5, Block 10, D.L. 136, Plan 4417
(c) Lot 16, S.D. 4/5, Block 10, D.L. 136, Plan 4417
(d) Lots 17 and 18, S.D. 2/5, Block 10, D.L. 136, Plan 4417
(e) Lot 2, Except Reference Plan 22122, Block 10, D.L. 136, Plan 4417
(f) Lot 3, S.D. 2/5, Block 10, D.L. 136, Plan 4417
(g) Lot 4, Block 10, D.L. 136, Plan 4417
(h) D.L. 137, Except Part on By-Law 42665 and Except Plan 21410, Plan 3073

(Located in an area bounded on the North by Halifax Street, on the East by Phillips Avenue and the Municipal Golf Course, on the South by a new road linking Duthie Avenue with Phillips Avenue, and on the West by a proposed elementary school and park and the Swedish Canadian Rest Home)

Mr. A. Page, 7281 Halifax Street, first spoke and, referring to the recent School Referendum, mentioned that he had noted it contained a proposal to purchase property in the subject area for a school site. He enquired as to where funds would be obtained to build the school because the Referendum only covered the site acquisition.

The Administrative Planner replied that, so far as he knew, financing for the construction of the school building is available, but that he would report on this matter when the rezoning receives further consideration by Council.

He also pointed out that the development scheme connected with the subject rezoning is the first stage of a comprehensive proposal involving more land than that covered by the current rezoning application.

COUNCILLOR CORSBIE ARRIVED AT THE HEARING.

Mr. Page then asked who would pay for the services for the planned development. He was advised that the developer would be responsible for a large proportion of the servicing costs, with the remainder being the responsibility of the Municipality and other owners who would subsequently benefit.

Mr. R. W. Spence, 7241 Sutliff Street, next spoke and enquired as to the expected use of Sutliff Street when the development takes place. He pointed out that the Easterly end of Sutliff Street abuts one side of the area planned for development and that it would seem a natural route for both those involved in the construction of the development and, later, those frequenting it.

In reply, Mr. Spence was advised that Sutliff Street would provide access to 14 units. It was added that the developer would be providing a network of walkways which should minimize the amount of traffic on Sutliff Street.

Mr. Spence then asked if people using the street would help pay for it, and who would be responsible for curbs and sidewalks should they be installed.

The Local Improvement policy of the Corporation was explained to Mr. Spence in response to his question. With regard to the possible construction of Local Improvements on Sutliff Street, Mr. Spence was advised that, while the owners would be responsible for the charges, their consent to any such construction would first be required.

Mr. J. Connal, 7280 Sutliff Street, spoke and enquired as to the intended use of the two small strips of land at the East end of Sutliff Street.

The Administrative Planner explained that these two strips would become part of a park-like buffer zone between the development and the residential area to the West. He added that the developer would supplement this buffer strip so that, in total, it would have a width of approximately 200 feet.

^{W.G.}
Mrs. Clark, 7271 Halifax Street, asked about the financial stability of the intending developer.

The Administrative Planner recited the sections of the Comprehensive Development District in the Zoning By-Law and added that, in the event of sale of the property, the purchaser would be bound by all the conditions and requirements presently applicable. He pointed out that Council could, if it wished, change any of these conditions. The Administrative Planner also explained that the overall development planned provided for a homogeneous mixture of land use.

Mrs. Clark then asked what type of construction would be used, and was advised that all types of construction would be included, from frame type for the smaller buildings, to concrete for the larger ones.

It was suggested, at this juncture, that those interested in the development should view the model which was in the Committee Room and ask questions of the intending developers who were present. It was then directed that further representations on this item be held in abeyance until later in the evening after those interested availed themselves of the opportunity just suggested.

(2) FROM RESIDENTIAL DISTRICT FOUR (R4)
TO MULTIPLE FAMILY RESIDENTIAL DISTRICT ONE (RM1)

Reference RZ #134/66

Lot "A", Reference Plan 8354, S.D. 13 W2/3, Blocks 34 and 36,
D.L. 35, Plan 1370

(Located on the North-East corner of Smith Avenue and Moscrop Street)

A petition signed by 12 persons in favour of the rezoning proposal was read. The petitioners also expressed the opinion that it is now opportune to rezone the entire district to multiple family.

A letter was received from Mrs. Harper, 3374 Moscrop Street, indicating her support of the application, with the proviso that rezoning only be considered on an area basis, as advocated by her in previous letters to Council. She also submitted a folder containing pictures taken in the area, to illustrate the points which she had made in her other letters and this one.

It was directed that the location of the petitioners be plotted on a map to show their relationship to the subject property.

Mrs. F. Minus, 4709 Smith Avenue, then spoke and expressed agreement with the proposed rezoning. She also stated that, of those who signed the petition, seven abutted the subject property.

Mr. Buscombe, agent for the owner of the property in question, suggested that Council should ignore the letter from Mrs. Harper,

It was pointed out to him that any person, no matter where their property was located, had the right to express their view on any proposed amendment to the Zoning By-Law.

Mr. N. Gibbons, 3850 Moscrop Street, indicated his support of the rezoning.

Mr. N. R. Minus, 4709 Smith Avenue, expressed his approval of the proposed rezoning.

(3) FROM RESIDENTIAL DISTRICT FOUR (R4) TO INSTITUTIONAL DISTRICT (P1)

Reference RZ #141/66

Parcel "A", Explanatory Plan 14936, R.S.D. 47, S.D. 13/18, Blocks 1/36, D.L. 129, Plan 16332

(Located on the West side of Kensington Avenue between Curtis Street and Napier Street)

No one appeared in connection with this rezoning proposal.

(4) FROM RESIDENTIAL DISTRICT FIVE (R5)
TO MULTIPLE FAMILY RESIDENTIAL DISTRICT THREE (RM3)

(a) Reference RZ #132/66

Lots 7 to 10 inclusive, R.S.D. 1, S.D. 11/13, Blocks 1/3, D.L. 95N, Plan 1796

(Located on the North-East corner of Balmoral Street and Hall Avenue)

No one appeared in connection with this rezoning proposal.

(b) Reference RZ #131/66

Lot "B", Block 26, D.L. 95, Plan 9592

(Located on the North-West corner of Acorn Avenue and Beresford Street)

AND

(d) Reference RZ #142/66

Lot 6, Block 25, D.L. 95, Plan 2128

(Located on the East side of Salisbury Avenue 132.2 feet North of Beresford Street)

Mr. W. A. Campbell, 3793 Dubois Street, the applicant for the rezoning of Lot 6, spoke in favour of the proposal.

Mr. E. E. Ansell, 0097 - 11th Avenue, the owner-applicant for Lot "D", expressed support for the rezoning proposal.

(c) Reference RZ #137/66

Lots 17 and 18, Block 42, D.L. 153, Plan 1566

(Located on the North-East corner of Maywood Street and Telford Avenue)

Mr. Chippindale, 9384 Ebor Road, owner of an abutting property known as Lot 36, D.L. 153, Plan 24632, advised that he had only received notice of the Public Hearing on Friday, and had therefore not had too much time to prepare himself.

Mr. Chippindale said that his main concern was not one of rezoning but, rather, to Item 4 of the prerequisites detailed in the Planner's report on the application. He felt that the satisfaction of this matter (the closure of Maywood Street) would result in his property being adversely affected. He pointed out that the consolidation of the redundant Southerly portion of Maywood Street with his property and other adjacent ones on the South side of the Street would not provide him and the others with any benefit.

The Administrative Planner then read the Item 4 mentioned. He pointed out that this portion of Maywood Street was closed last September, although the allowance still existed, and the Planning Department felt this portion of the street to be redundant. He added that the walkway which would be retained from the road allowance could be realigned, if deemed necessary by the abutting owners and the Municipality.

Mr. Chippindale objected to this road cancellation proposal on the grounds that his and other property required access from both Imperial Street and Maywood Street, because of the positions of the houses.

The Administrative Planner then read a letter dated November 12, 1966, from Chippindale Construction Ltd. to the Lands Department in which it was indicated that the Company agreed in principle to the closing of Maywood Street, subject to satisfactory arrangements being made.

Mr. Chippindale reiterated that he had no objection to the proposed rezoning, but only wanted some assurance that the arrangements alluded to in his letter would be made before Maywood Street was closed.

He was advised that he would be informed before any action was taken to close the Street.

Mr. Chippindale pointed out that he had not been consulted or advised when Maywood Street was closed at Imperial Street last September.

The Administrative Planner stated that the intersection of Maywood and Imperial Streets had been a traffic hazard, and this is why Council closed Maywood Street. He added that Council had not notified the abutting owners that the Street was to be closed, although appropriate signing was installed, because the law does not require such notification in cases of this kind. The Administrative Planner also explained the two methods which are employed to cancel road allowances.

The Administrative Planner also suggested that Mr. Chippindale would not be compelled to take a portion of the road allowance but, if he did, he could use it for access or any other legal purpose.

(c) Reference RZ #149/66

lots 32 to 34 inclusive, S.D. "B", Blocks 47/49, D.L.'s 151/3, Plan 1936

(Located on the South-East corner of Maywood Street and Silver Avenue)

Mr. A. Chandler, 6716 Silver Avenue, owner of Lot 32, expressed approval to the proposed rezoning.

Mr. A. Hinton, 4350 Maywood Street, owner of Lots 33 and 34, also agreed with the proposed rezoning.

(5) FROM NEIGHBOURHOOD COMMERCIAL DISTRICT (C1)
TO COMMUNITY COMMERCIAL DISTRICT (C2)

Reference RZ #147/66

Lot "A", Block 6, D.L. 149NE $\frac{1}{2}$, Plan 7988

(Located on the South side of Imperial Street approximately 72 feet West of Sussex Avenue)

No one appeared in connection with this rezoning proposal.

(6) FROM COMMUNITY COMMERCIAL DISTRICT (C2) TO TOURIST COMMERCIAL DISTRICT (C5)

Reference RZ #133/66

Lot 3W $\frac{1}{2}$, except Plan 24586, Block 3, D.L. 206, Plan 1071

(Located on the South side of Hastings Street approximately 340 feet West of Grove Avenue)

Mr. E. M. Anderson, 6574 Hastings Street, owner-applicant, advised he was seeking to eliminate the non-conforming use which was being made of the property and to thus be able to rebuild.

(7) FROM MANUFACTURING DISTRICT (M1) AND RESIDENTIAL DISTRICT FIVE (R5)
TO SERVICE COMMERCIAL DISTRICT (C4)

Reference RZ #136/66

Lot "D", except Sketch 12387, S.D. 4, Block 3, D.L. 120, Plan 9309

(The subject property is located on the South side of Douglas Road at the intersection of that street and the extension of Halifax Street)

No one appeared in connection with this proposed rezoning.

(8) FROM SMALL HOLDINGS DISTRICT (A2)
TO MULTIPLE FAMILY RESIDENTIAL DISTRICT THREE (RM3)

Reference RZ #73/65

(a) Parcel "C", Explanatory Plan 12154, S.D. 2, and "D", Block 3, D.L. 4, Plans 6867 and 4332

(b) Block 3, W $\frac{1}{2}$ of N $\frac{1}{2}$ except part on Plan 4829, D.L. 4, Plan 845

(c) Lot "A" part North of Loughheed Highway, Block 3S $\frac{1}{2}$, D.L. 4, Plan 4332

(The above described properties are located on the North side of Loughheed Highway from a point approximately 452 feet East of Bell Avenue Eastward a distance of approximately 521 feet)

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P.H.

Mr. H. J. Yonkers, 940 Canyon Court, Coquitlam, one of the abutting owners, expressed his approval of the rezoning proposal.

Mr. N. D. Taylor, 9303 Loughheed Highway, then spoke and said that whilst he did not oppose the rezoning, he objected to the creation of the 50-foot access road referred to in the report of the Planning Department.

He was assured by the Administrative Planner that, whilst the provision of the 50-foot road allowance was in the overall plan, this acquisition would only take place when the concerned properties were in actual fact developed for the purposes indicated in the plan.

In response to a question, the Administrative Planner advised that the width of the Loughheed Highway at this particular point was at present 100 feet and therefore, with the road allowance mentioned above, the Highway would be 150 feet. He hastened to add that the road allowance for the Loughheed Highway would not be increased because the one now proposed was to provide an access road for the use of the development planned.

Mr. Taylor then asked why the proposed walkway could not be used as a road, thus obviating the need for acquiring the 50-foot strip along the South.

The Administrative Planner advised that careful consideration had been given to the traffic pattern that would evolve from the development and also the need for creating the right environment for the area. He pointed out that the overall plan had been designed so as to keep the main flow of traffic on the periphery and not in the interior. He added that the walkway had been designed with the specific intent of keeping the children away from vehicular traffic and providing a safe route to and from school.

Mrs. Taylor, 9303, Loughheed Highway, wished to know what would happen if the property was rezoned and the total development plan did not materialize.

In reply, she was advised that satisfaction of the overall plan was a pre-requisite to the rezoning.

Mr. R. Rapske, 6830 Ash Street, Vancouver, the applicant, displayed a prospectus of the planned development, including photographic evidence of similar developments undertaken elsewhere.

He advised that the total development would cost in the region of \$5,700,000.00 and would be done in stages. He added that the plans included 32 town houses, a 14-storey reinforced concrete high rise, and 186 suites contained in four-storey structures, with underground parking being provided almost wholly.

When asked whether the developer was financially capable of undertaking such a venture, Mr. Rapske assured the meeting that the developer's reputation was good and their background in this particular type of development was such that availability of credit was no problem. He also advised that the land on which the project was planned had been purchased by the developers.

Asked when work would start if the proposed rezoning was approved, he replied that the first stage of the project could be underway as soon as trunk sewer facilities are available.

The Administrative Planner pointed out that one of the prerequisites to the rezoning was that a trunk sanitary sewer be available in the vicinity of the Loughheed Highway and South-West corner of the Loughheed Mall Shopping Centre. He added that this was not the responsibility of the developers but was a part of the development plans for the Loughheed Mall Shopping Centre.

B. PROPOSED TEXT AMENDMENTS

(1) RM-6 Density Standards

(i) Height of Buildings (Section 204.5)

"The height of a building shall not exceed 100 feet and shall not be less than 4 storeys."

(ii) Floor Area Ratio (Section 204.7)

"The maximum floor area ratio shall be 1.20, except that:

- (a) where the coverage of the lot is less than 30 percent, and amount may be added equal to 0.02 for each 1 percent or fraction thereof by which such coverage is reduced below 30 percent;
- (b) where the area of the lot exceeds 40,000 square feet, an amount may be added equal to 0.001 multiplied by each 100 square feet of lot area in excess of 40,000 square feet, but in no case shall this amount exceed 0.24."

No one appeared in connection with this proposed amendment.

A. PROPOSED REZONINGS - ITEH (1) Reference RZ #143/66 (Cont'd):

Further representations were then invited in regard to this rezoning proposal.

Mr. F. W. West, 1740 Augusta Avenue, asked that the Administrative Planner outline the proposed commercial area referred to in the report of the Planning Department.

The Administrative Planner indicated the proposed area on a sketch that was displayed, and described it as being bounded on the West by Augusta Avenue, on the South by Halifax Street, on the East by the proposed extension to Phillips Avenue and on the North by a line approximately 400 feet parallel to Halifax Street.

Mr. West then asked about the height of the buildings planned, and was advised that the overall density of the development was comparable to RM3, with the highest buildings (15 storeys) at the North end and then ones of lesser varying heights to the South.

The applicant advised that the first stage of construction would be concerned only with the low density housing aspect of the project, with the balance being dependent upon the development of commercial facilities.

Mr. R. W. Spence expressed the view that, if Sutliff Street was not used in conjunction with the project, he would have no objection to the rezoning proposal.

Mr. Page again spoke and concluded by saying that he was against the rezoning proposal as he felt the value of his property for residential purposes would depreciate.

Mr. A. E. Williams, 2070 Duthie Avenue, expressed his opposition to the proposed rezoning because the overall plan, which calls for a major portion of his property to be utilized for school purposes, places the sale of his land into a very restricted market.

Mrs. Clark expressed concern about the possibility of the project failing due to the lack of finances. She asked whether there had been any enquiries into the financial stability of the developers. She also enquired as to whether the municipality was being protected by requiring the posting of performance bonds.

The Administrative Planner stated that all applicants for Comprehensive Development District zoning are required to provide pertinent information as to their intentions and ability in support of the application. He recited the requirements of the Zoning By-Law and emphasized that a developer had to produce a statement showing financial responsibility, including the posting of bonds and cash, to assure the installation of the Improvements required by the Municipality as a condition to development.

Mrs. Clark also suggested that consideration be given the matter of ensuring that adequate public transit service was provided in the area.

Mr. E. P. Bamford, 2106 Duthie Avenue, stated he was not in favour of the proposed rezoning for the same reasons expressed by Mr. A. E. Williams.

D. (2) GASOLINE SERVICE STATIONS IN GENERAL COMMERCIAL (C3) DISTRICTS

The inclusion of gasoline service stations and car washing establishments in General Commercial (C3) Districts only where such uses are included:

- (a) as part of a shopping centre, or
- (b) as part of an "automotive service centre" in combination with, and on the same lot as, an automobile showroom and/or an establishment for the retail sale of new automobile parts and accessories.

A Brief was submitted by the Petroleum Industry Committee which indicated their opposition to the change proposed.

The Brief argued that this amendment would result in most existing service stations in C3 zones becoming non-conforming.

In support of this view, it was pointed out in the submission that four major C3 zones in the municipality were examined and in each case, the majority of the businesses were auto-oriented.

Attention was also drawn to the preponderance of other apparent high intensity vehicular-oriented type uses in C3 zones, i.e. super markets, drive-in laundries, hotels, etc.

The Brief also indicated that it was difficult to appreciate the differentiation between individual service stations and a service station/automotive centre/new car dealership complex in a C3 zone.

It further added that the service provided by gasoline service stations is an essential component of the overall shopping patterns.

The Brief suggested that the present zoning regulations, insofar as service stations are concerned, are working satisfactorily and therefore no change in them should be made.

Mr. Melville, Chairman of the Petroleum Industry Committee, then expounded on the points made in the Brief regarding the proposed change. He suggested too that consultation with the Planning Department might result in some mutually satisfactory arrangement being evolved.

He explained that the present trend is towards the provision of service, and not one involving association with car dealerships.

Mr. J.B. Hobbs of Union Oil Company also expressed his opposition to the change for the same reasons outlined in the Brief of the previous speaker.

D. (3) CARETAKER ACCOMMODATION IN INDUSTRIAL ZONES

The addition of a regulation to the "Uses Permitted" sections in the M1 (Manufacturing), M2 (General Industrial) and M3 (Heavy Industrial) Districts:

"Living accommodation for a caretaker or watchman, if such living accommodation is considered essential to the operation of the industry, subject to the following:

- (a) to be located within a new principal building housing a permitted industrial use, on a lot with a minimum area of two acres;
- (b) to be limited to the caretaker or watchman, and not used for family accommodation;

- (c) to form an integral part of the principal building and to be included in the building plans thereof;
- (d) to be fully separated from the industrial use by walls, partitions or a floor;
- (e) to be provided with an entrance separate from that of the industrial use;
- (f) to have a maximum floor area of 600 square feet."

Mr. Angus J. Macdonald, Executive Secretary, Burnaby Chamber of Commerce, spoke and congratulated the Council on introducing this amendment. He suggested that the word "NEW" be removed from the proposed wording in order that presently established industries could benefit from the change.

Mr. L. A. Isert, 8077 Government Road, asked if Point (b) would apply to an individual who lived in a house and operated an industry on the same lot.

The Administrative Planner answered that this was presently proclued but that those who had such an arrangement prior to the introduction of the "Burnaby Zoning By-Law", and still had, would be considered as non-conforming.

Mr. R. Miller, 5792 Boresford Street, asked if the change would affect him. He explained that his house was on the front of the lot and the business at the rear of the lot.

He was advised that he was considered nonconforming and that the proposed change would not concern him.

The Hearing then adjourned at 9:30 p.m.

Confirmed:

Certified correct:



ACTING REEVE



C L E R K

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