

FEBRUARY 4, 1969

A Public Hearing was held in the Council Chambers of the Municipal Hall, 4949 Canada Way, Burnaby 2, B. C. on Tuesday, February 4, 1969, at 7:30 p.m. to receive representations in connection with the following proposed amendments to "Burnaby Zoning By-law 1965":

PRESENT:

Mayor R. W. Prittie in the Chair;  
Aldermen Blair, Ladner, McLean and  
Mercier;

ABSENT:

Aldermen Clark, Dailly, Drummond and  
Herd;

His Worship, the Mayor, first explained the purpose of the Hearing and outlined the procedure followed by Council in dealing with rezoning applications. He also indicated the desired method for the public to express its views on the amendments proposed.

PROPOSED REZONINGS

(1) FROM RESIDENTIAL DISTRICT TWO (R2) TO RESIDENTIAL DISTRICT FIVE (R5)

Reference RZ #113/68

Lot 3, Block "N", D.L. 90, Plan 16923

(6680 Canada Way - Located at the North-East corner of Canada Way and Mayfield Street)

A letter was received from Mrs. M. Chan, 7425 Elliott Street, Vancouver, the owner/applicant, wherein it was indicated that the prerequisites to rezoning stipulated by Council to this application were acceptable.

A letter indicating opposition to the proposed rezoning was received from A. E. & I. R. Nelson of 6637 Canada Way, abutting owners, who expressed the opinion that the present single family zoning of the property should be retained.

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(2) FROM RESIDENTIAL DISTRICT FIVE (R5) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT ONE (RM1)

Reference RZ #114/68

Lot 3 except Parcel "A" Explanatory Plan 12790, Block 17, D.L. 29, Plan 9850

(7459 - 12th Avenue - Located on the North side of 12th Avenue from a point 173 feet East of Kingsway Eastward a distance of 284 feet)

No one appeared in connection with this rezoning.

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

(a) Reference RZ #110/68

Lots 12 to 14 inclusive, Block 2, D.L. 95, Plan 1796

(7207, 7221 and 7235 Arcola Street, respectively - Located on the North side of Arcola Street Eastward from Hall Avenue a distance of 198 feet)

Philps-Deardon Ltd, the applicants, submitted a letter indicating acceptance to the prerequisite to rezoning as specified.

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(b) Reference RZ #125/68

Lots 11 to 14 inclusive, Block 49, D.L.'s 151/3, Plan 1936

(4249, 4263, 4277 and 4291 Imperial Street, respectively - Located on the North side of Imperial Street Westward from McKay Avenue a distance of 200 feet)

No one appeared in connection with this rezoning.

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(c) Reference RZ #92/68

Lot 1 Except South 50 feet, Lot 1 South 50 feet; Lot 2 North 60 feet; Lot 4N½; and Lot 5N½, all of Block 34, D.L. 34, Plan 1355

(5608, 5626 and 5642 Barker Avenue; 4238 and 4250 Sardis Street, respectively - Located on the South side of Sardis Street from Barker Avenue Eastward a distance of approximately 266 feet, with a depth of approximately 180 feet)

Hean, Wylie, Dixon and Levine, Barristers and Solicitors, submitted a letter on behalf of Mr. & Mrs. J. W. Wisely owners of 4250 Sardis Street, one of the subject properties, wherein was expressed the opinion that the Interim Agreement covering the purchase of the property by Jed Holdings Ltd, the applicant, was not an enforceable document.

Mr. Shnier, 2105 West 32nd Street, Vancouver, owner of an apartment development immediately to the South of the subject property, then spoke and indicated that whilst he was not opposed to the application itself, he submitted that the proposed development should accept half the cost of the services which benefit and serve the two sites. He indicated that a prerequisite attached to an earlier application for the subject property required the developers to deposit funds to cover half the costs of extending sewer facilities and the cost of paving the lane which separated his property from that under application. Mr. Shnier added, that as this earlier application had been withdrawn the full cost of the servicing had been charged to his development.

The Planning Director confirmed this and pointed out that Council had been faced with this situation previously, and that presently there was no legal way by which the present applicant could be required to share the cost for services that were already existing.

Mr. P. Fraser, Solicitor, then spoke on behalf of the applicant Jed Holdings Ltd., and submitted that the Interim Agreement held by his client for the purchase of 4250 Sardis Street was enforceable, and that he did not agree with the views expressed by Hean, Wylie, Dixon and Levine on the matter. A letter to this effect was handed to the Clerk.

He further submitted that the interest in the property itself should not affect the consideration given the application for rezoning.

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(d) Reference RZ (a)#54/68 and (b)#1/69

- (a) Lots 7 to 9 inclusive, Block 7, D.L.'s 116/186, Plan 1236
- (b) Lot 6, Block 7, D.L.'s 116/186, Plan 1236

(3866, 3876, 3886 and 3848 Albert Street, respectively - Located on the South side of Albert Street, from a point 50 feet West of Ingleton Avenue Westward a distance of 200 feet)

No one appeared in connection with this rezoning.

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(4) FROM RESIDENTIAL DISTRICT FIVE (R5) AND GENERAL COMMERCIAL DISTRICT (C3) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT THREE (RM3)

Reference RZ #111/68

- (a)(i) Lots 2 to 5 inclusive, Block 42, D.L. 30, Plan 3036
- (ii) Lot "F" West 52 feet, Block 42, D.L. 30, Plan 11519
- (b) Lots 26 to 29 inclusive, Block 42, D.L. 30, Plan 3036
- (a) Vacant, 7408, 7410, Vacant and 7414 Edmonds Street, respectively - Located on the South side of Edmonds Street from a point approximately 332 feet West of Humphries Avenue Westward a distance of 192 feet; and abutting the rear of
- (b) 7415, Vacant and 7405 Nineteenth Avenue, respectively - Located on the North side of Nineteenth Avenue from a point approximately 313 feet West of Humphries Avenue Westward a distance of 164 feet)

No one appeared in connection with this rezoning.

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(5) FROM RESIDENTIAL DISTRICT FIVE (R5) AND SERVICE COMMERCIAL DISTRICT (C4) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT THREE (RM3)

Reference RZ #116/68

Block 3 except Plan 6177 and except Parcel "C", Reference Plan 10610, and except part on Plan with By-law 30078, D.L. 97, Plan 824

(6037 Kingsway - Located on the North-East corner of Kingsway and Waltham Avenue and extending through to Imperial Street; having a frontage on Kingsway of 261 feet and a width of 240 feet on Imperial Street)

Mr. Norman S. Jones, Architect, spoke on behalf of the application and displayed a perspective rendering of the three storey frame apartment building that was proposed for the site. He indicated that 120 suites were envisaged, and they would be built around a well developed courtyard area. Mr. Jones added that underground parking would be provided and access would be taken off Waltham Avenue. In reply to a question put

in this respect, he confirmed that there would be no access from Kingsway.

Mr. D. Wood, speaking for the applicant, indicated acceptance of the prerequisites to rezoning established by Council.

Mr. G. G. Holmes, 6716 Waltham Avenue, then spoke in opposition to the rezoning proposal and submitted that those in the neighbourhood did not want apartment development on the site. He advised that the residents of the area were concerned with the continuing security of the area and were of the opinion that the site was well suited for commercial use and should be developed as such. He added that this would be in keeping with the commercial development along Kingsway.

Mr. Holmes then spoke of the hazardous traffic situation that would be created by traffic generated by the apartment use, with its allied parking problems. He was also of the opinion that access to the building off Waltham Avenue was dangerous as the road carried a considerable amount of traffic.

Mr. O. Covello, 6675 St. Charles Place, also indicated opposition to the application and agreed with the points made by the previous speaker. In view of the development proposed, he expressed concern as to the sufficiency of the accommodation in the school immediately East of the subject property. He also expressed particular concern to the additional traffic that would be injected into the area and to the parking problems that would be created, especially the hazard to the neighbourhood children who attended the adjoining school.

Mr. W. G. Riddell, 423 - 3rd Street, New Westminster, an abutting property owner, spoke in favour of the application and expressed the opinion that it was a logical development for the site in that a school and other facilities were near to hand.

Mr. R. Wood, 6650 Waltham Avenue, indicated opposition to the proposal and concurred in the views expressed by two previous speakers, Mr. Holmes and Mr. Covello.

Mr. R. Gallagher, 6635 St. Charles Place, also spoke in opposition to the application and agreed with those that had previously objected to the proposal.

Mr. V. Delgatty, 4027 Marine Drive, then spoke in support of the proposed development, indicating that he was associated with the architect for the project. He advised that all existing trees around the periphery of the site would be retained where possible, providing a buffer zone particularly between the site and the school area. He also noted that the lane provided by the developers, between the site and the school, as a prerequisite to rezoning was for the benefit of the neighbourhood and that there was no access to it from the apartment itself.

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(6) FROM RESIDENTIAL DISTRICT FIVE (R5) AND SERVICE COMMERCIAL DISTRICT (C4) TO SERVICE COMMERCIAL DISTRICT (C4)

Reference RZ #123/68

Lots 1 and 2 except part on Plan with By-law 30078, S.D. "C", Blocks 2 and 3, D.L. 96H, Plan 1349

(6425 Kingsway - Located on the North-East corner of Kingsway and Colborne Avenue and extending through to Balmoral Street; having a frontage of approximately 196 feet on Kingsway and a width of approximately 186 feet on Balmoral Street)

Mr. D. MacLeod, 6974 Colborne Avenue, submitted a petition in opposition to the rezoning proposal, signed by himself and twenty-six others and representing sixteen properties located within the immediate area.

The following reasons were given in support of the petition:

- (1) that the rezoning category requested would permit the site to be used as a car sales lot or an auto wrecking yard, in the event that the site is no longer used to accommodate a trailer sales lot.
- (2) commercial zoning would allow access onto Balmoral Street and create an additional traffic hazard to children residing on the street and to those that use the street as a route to and from the nearby school.
- (3) it appears that no buffer zone and essential landscaping is required between the commercially zoned property and the adjacent residential holdings. This, if allowed, would deteriorate property values of adjacent residential property.
- (4) if the zoning is permitted, the business would undoubtedly front onto Kingsway, with the consequence that Balmoral Street would serve as the back lane for the depositing of refuse and garbage from the property, adding a health hazard, not to mention an unsightly mess on a residential street.

Mr. O. Munday, 210 - 3rd Avenue, New Westminster, the applicant, then spoke in favour of the application, and confirmed that the site was to be utilized as a trailer sales lot and that he could foresee no likelihood of the property being used as feared by the petitioners. He also confirmed that no access would be taken off Balmoral Street to the site, and that a landscaped area would be provided as a buffer zone between the commercial use and the residential area. Mr. Munday also pointed out that all but a small portion of the site already enjoyed the Service Commercial District zoning category applied for, and the application concerned only an odd shaped segment of the site which fronted onto Balmoral Street.

Mr. Max Munday, 3957 Bond Street, also spoke in favour of the proposal and concurred in the views expressed by the previous speaker. He added that it was not intended that the development proposed be of a temporary nature and that it would be made as presentable and attractive as possible.

Alderman McLean requested that plans of development for the site be available when the matter is next considered by Council.

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(7) FROM NEIGHBOURHOOD COMMERCIAL DISTRICT (C1) TO PARKING DISTRICT (P8)

Reference RZ #104/68

Lot 4, Block 4, D.L. 68, Plan 900

(3430 Boundary Road - Located on the East side of Boundary Road from a point 87 feet South of Laurel Street Southward a distance of 45 feet)

The Hanna Medical Clinic, the applicant, submitted a letter relative to the prerequisites to rezoning attached to the application, wherein was indicated that a suitable plan of development had been submitted and that all structures had already been removed from the site. Insofar as the third condition to rezoning, "the deposit of monies to cover the cost of paving that portion of the lane at the rear of the property", the letter indicated that this prerequisite was agreed to providing the maximum amount of paving did not exceed 40 feet.

It was pointed out that the width of the lot was in fact 43 feet, and it was felt that no problem existed as the difference in cost of paving the additional three feet was minimal and the matter could be resolved with the applicants.

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

Reference RZ #132/68

Lot 1, Block 3, D.L. 127 E4, Plan 1342

(5604 Hastings Street -- Located on the South-East corner of Hastings Street and Ellesmere Avenue)

Mr. W. G. Nelson, Barrister and Solicitor, appeared on behalf of the applicant, and advised that the owner had operated a store on the site for many years, and that recently the front portion of his property had been acquired by the Corporation for the purpose of widening Hastings Street. The widening, it was advised, required that the existing store and combined living quarters be moved. It was submitted that the owner wished to continue as before on the site but could not rebuild the existing facilities as the present use was non-conforming, hence the need to rezone the property to allow both a store and living quarters on the site.

Mr. P. Seifner, 5350 Parker Street, a neighbouring property owner, then spoke and advised that whilst he was not basically against this particular application, he was of the view that it was a retrograde step and that the Commercial zoning for the area should be upgraded. Mr. Seifner indicated that he owned nearby property having a frontage of 132 feet on Hastings Street and that the present zoning of the area permitted the establishment of small business operations only, which, coupled with the nature of the land, did not allow for its economic development.

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(9) FROM GENERAL COMMERCIAL DISTRICT (C3) TO SERVICE COMMERCIAL DISTRICT (C4)

Reference RZ #133/68

Lot "A" North 132 feet and Lot 3, S.D. 25, Blocks 1 and 3, D.L. 95N, Plan 4901

(7112 Kingsway - Located on the South-East corner of Kingsway and Salisbury Avenue, with a frontage on Kingsway of 188 feet and a depth of 132 feet)

Mr. D. McRae, of Standard Oil Company, spoke in favour of the proposal and advised that the service station existing on the site had been placed in a non-conforming situation as a result of a recent text amendment to the Zoning By-law. He indicated that the present zoning would bring the service station back into a conforming category.

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(10) FROM GASOLINE SERVICE STATION DISTRICT (C6) AND SMALL HOLDINGS DISTRICT (A2) TO GASOLINE SERVICE STATION DISTRICT (C6)

Reference RZ # 82/68

Lot 53, D.L. 4, Plan 31308

(3965 North Road -- Located on the West side of North Road between Government Road and Austin Road)

It was advised that this application had previously been to a Public Hearing, and the By-law to effect the rezoning had received two readings, duu, however, to the same text amendment to the By-law referred to by the previous speaker, it was necessary to return the application for a further Public Hearing.

Mr. D. L. Fraser, of Imperial Oil Company, the applicant, spoke in favour of the application and confirmed that the Company agreed to the prerequisites to rezoning as established by Council.

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(11) FROM GENERAL INDUSTRIAL DISTRICT (M2) TO HEAVY INDUSTRIAL DISTRICT (I43a)

Reference RZ #121/68

Lot 1, S.D. "E", Block 1, D.L. 75, Plan 4147

(Located on the South-East corner of Norland Avenue and Darnley Street)

Mr. L. P. Forbes, 326 Sea Shell Lane, North Vancouver, an abutting property owner, then spoke and indicated that he had no objection to the proposed rezoning, but wished to know the extent of the widening of Darnley and Norland referred to in the report prepared relative to the application.

He was advised to contact the Planning Department in this respect.

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(12) FROM SPECIAL INDUSTRIAL DISTRICT (M4) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT THREE (RM3)

Reference RZ #107/68

Lots 1 S $\frac{1}{2}$  and 2, Blocks 42/43, D.L.'s 151/3, Plan 1566

(6450 Telford Avenue - Located on the South-East corner of Telford Avenue and Beresford Street)

Pro-Odos Holdings Ltd., the applicant, submitted a letter indicating that the prerequisites to rezoning established by Council in connection with this proposal were acceptable.

Mr. E. Fox, 6472 Telford Avenue, an abutting owner, then spoke in opposition to the proposed rezoning and submitted that apartment use was not suitable for the subject property as industry bounded the site on three sides. Mr. Fox advised that he had operated a body shop on his property for eight years, and had established at this location only after ensuring that it conformed with the zoning requirements and regulations of the municipality. He noted that conditions were changing and maintained that should an apartment be established on the site as envisaged, his type of business would soon be a cause of complaint to those that utilize the apartment building. Mr. Fox further submitted that it would, in the circumstances, be difficult to continue to operate his business and for him to relocate would be a hardship.

Attention was drawn to the report of the Planning Director on the matter, which noted that industry abutted on only one side of the subject property.

The Planning Director indicated that he would check this conflict of information and advise on the matter when it was again considered by Council.

Mr. J. P. Pappajohn, for the applicant, spoke in support of the application and submitted that the general area was primarily apartment zoned and developed as such.

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(13) (a) FROM SMALL HOLDINGS DISTRICT (A2) TO RESIDENTIAL DISTRICT TWO (R2)

That part of Parcel 1, Explanatory Plan 9426, except part on Plan 25974, S.D. "C", Block 1, D.L.'s 78/131, Plan 7071 lying North of the Northerly limit of the power line right-of-way.

(b) FROM SMALL HOLDINGS DISTRICT (A2) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT ONE (RM1)

The remaining part of the aforescribed Parcel 1 lying South of the North boundary of the right-of-way referred to under 13(a) above.

Reference RZ #100/68

(6842 Broadway - The property is approximately 1.9 acres in size and is located on the South side of Broadway from a point approximately 203 feet West of Eilerslie Avenue Westward a distance of approximately 70 feet and extends through to Lougheed Highway in an irregularly shaped fashion.)

Mrs. B. Smith, 6858 Broadway, enquired as to the access proposed to the development envisaged for the subject properties, and was advised that a subdivision plan had been prepared for the area with access provided by a road that would run parallel to Broadway, approximately midway between Broadway and the Lougheed Highway.

It was also pointed out that this application was an extension of the development proposed for those properties lying immediately to the West, and that development North of the power line right-of-way would be single family in character.

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

Reference RZ #120/68

Lots 37 to 41 inclusive, D.L. 4, Plan 24746

(3410 Bell Avenue, 9230 and 9240 Cameron Street, 3430 and 3440 Bell Avenue respectively -- Located on the South side of Cameron Street Eastward from Bell Avenue a distance of approximately 166 feet with a depth on Bell Avenue of approximately 252 feet)

Mrs. J. Gyurcsek, 3410 Bell Avenue, owner of one of the subject properties, indicated approval to the application.

Mr. J. N. Tolerton, 3430 Bell Avenue, also expressed approval to the proposed rezoning.

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(15) FROM SMALL HOLDINGS DISTRICT (A2) TO GENERAL COMMERCIAL DISTRICT (C3)

Reference RZ #103/68

- (i) Parcel "H" Explanatory Plan 12417, Block 8, D.L. 4, Plan 845
- (ii) Lot 54, D.L. 4, Plan 31308

(Vacant and 9726 Cameron Street, respectively - Located on the South side of Cameron Street from a point approximately 175 feet East of Erickson Drive Eastward a distance of approximately 307 feet)


Broughton, Street & Company, submitted a letter on behalf of the applicants, wherein was indicated agreement with the prerequisites to rezoning as established by Council.

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The Public Hearing adjourned at 9:05 p.m.

Confirmed:

Certified correct:

  
MAYOR

  
DEPUTY CLERK

GH/hm