

17. Re: Question on Rezoning raised by Mr. H. Collingwood  
Lot 3, Blocks 1/3, D.L. 43, Plan 13984  
3968 Phillips Avenue

At the Council Meeting held on July 12, 1971, Council received the attached letter from the owners of the above described property and directed that a report be submitted on the property which is shaded on the attached sketch. Subsequently, at the Public Hearing held August 10th, the owner appeared and expressed the same sentiments.

In the Community Plan prepared for this area in 1959, the triangle shown in the heavy outline on the attached plan was slated for Industrial zoning but was not rezoned as the location of this portion of Winston Street had not been finalized and acquisition by the Corporation was necessary. Acquisition for the road was completed and construction subsequently took place. Only in recent months has there been any move on the part of any owners in this triangular block to have the land considered for Industrial zoning.

In the rezoning proposals currently before Council, this area was advanced for M5 Industrial zoning but final passage of the bylaw for these properties would have to await the creation of appropriate sites as two of the parcels do not have adequate frontage for M zoning and two have awkward triangular shapes. The Department's objective is therefore to make these parcels a part of the Industrial area south of Winston Street. Action is, however, required on the part of the owners to create appropriate sites.

Specifically, in answer to the question raised in the last paragraph, there is no way that the Municipality can compensate in cases like this; and since there is no municipal purpose to acquire the property, the Municipality has no authority to acquire it. Rezoning can increase or decrease property values. We do not recommend a change in proposed zoning.

RECOMMENDATION:

THAT the owners be advised accordingly; and  
THAT they should work with the adjoining property owners to create appropriate sites so that the Bylaw can be finally passed; and  
THAT the Planning Department be asked to assist them in this respect.

(o) Mr. and Mrs. H. Collingwood, 3968 Phillips Avenue, Burnaby, B.C.

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Re: 3968 Phillips Ave.  
Lot 3, Blk. 1/3, D. L. 43, Plan 13984

We purchased the above  $\frac{1}{2}$  acre in 1953 and built a house under N.H.A. on it. At this time all surrounding area was small holdings and residential lots.

After I.E.L. ( presently Pit Par ) began operations we had to petition against the noise and followed by protesting the heavy smoke nuisance across from us by the plant burning therolite panels and garbage.

The next development was the trucking depot, Canadian Freightways, now Chapmans, Canadian Oxygen and then Lake City Steel Fabricators. Once again the noise from Lake City Steel was excessive and impossible to tolerate. We petitioned again and after investigation, Council closed down the operation.

The traffic and consequent noise in the last two to three years created by the industry south of our property, and in particular the heavy semi-trailer trucks from Chapmans and Freightliner became unbearable and for health reasons we were forced to move in 1970.

continued...

(c) Mr. and Mrs. H. Collingwood, 3968 Phillips Avenue, Burnaby, B.C.

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The road which was paved after most of the industries moved in on Phillips is still being paid for by the residents but is used for parking by the employees of the trucking firms. Sidewalks and lighting are unexistent on the street.

We listed our property for sale. We had an industrial purchaser but he was turned down by planning due to the 85 foot frontage. The area is not attractive to someone looking for a residential home, because of the surrounding industry.

We feel we have been put into a position where our property is devalued considerably by the rezoning of adjacent properties to industrial some time ago. Over the years it has been a constant battle to maintain some sort of a livable atmosphere and conditions have deteriorated.

Is the taxpayer at the mercy of whatever zoning is forced on him? or is council prepared to compensate in some way in a situation like ours and purchase the property or change the surrounding zoning back to residential?

Yours truly,

Mr. and Mrs. H. Collingwood

*H. Collingwood*  
*Mrs. H. Collingwood*

