

Re: Complaint from Mr. A. G. H. Farmer, 1321 Douglas Road  
Noise and Present Zoning  
(Item 42, Report No. 51, July 22, 1974)

Appearing on the Agenda for the July 22, 1974 meeting of Council was a letter dated July 16, 1974 from Mr. A.G.H. Farmer, 1321 Douglas Road, complaining about a noise problem and a zoning problem. In Item 42, Report No. 51, which was considered by Council on July 22, 1974, we advised that a report on this subject would be submitted to Council on August 6, 1974.

The following is a report of the Director of Planning, dated August 1, 1974, with respect to the zoning problem. Attached is a report, dated August 1, 1974, from the Chief Public Health Inspector with respect to the noise problem and outlining the action taken to date in this connection.

RECOMMENDATIONS:

THAT Council not further consider the rezoning of this property to M3; and  
THAT Council confirm the designated R5 Buffer Zone as it presently exists along the south side of Douglas Road from Boundary Road to Gilmore Avenue; and  
THAT Council direct the Planning Department in concert with other Municipal Departments to investigate and report further on the subject situation to establish a suitable course of action in this instance.

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TO: MUNICIPAL MANAGER

AUGUST 1, 1974

FROM: DIRECTOR OF PLANNING

RE: D.L. 117 E. 1/2, BLK. 26, LOT 6,  
PLAN 1222, GROUP 1, N.W.D.  
1321 DOUGLAS ROAD  
(SEE ATTACHED SKETCH #1)

1.0 SUBJECT:

Council on 6 August, 1974, will receive a letter concerning the zoning of the subject property located at the southwest corner of Douglas Road and Charles Street in northwest Burnaby to which the following comments refer. This is a letter from Mr. A. G. H. Farmer.

2.0 GENERAL COMMENTS:

The subject property is located on Douglas Road at the interface of a Heavy Industrial District (M3) which extends to the west and a Residential District Five (R5) which extends beyond Douglas Road to the east. The interface condition has been handled via the designation of a 60' buffer zone on the south side of Douglas Road that in a general sense will ultimately be incorporated into the abutting industrial sites as redevelopment takes place and will be maintained in an undeveloped landscaped condition by the industrial uses (with a minimum allowance for non-commercial vehicular parking under a suitable development plan). The subject property falls within this R5 zoned buffer strip and is developed with an older single family dwelling that existed prior to the current zoning bylaw.

In those cases where residences exist within the buffer R5 zone, it is assumed that, until such time as redevelopment takes place, those existing residences will be occupied by persons who are aware of the abutting industrial uses and the implications of such uses being located adjacent to their homes, and who undertake occupation on that basis.

The correspondent has stated that there exists a negative relationship between his residence and adjacent industrial uses and he suggests that a solution to this problem would be achieved via rezoning of his own property to accommodate industrial uses also (i.e. rezoning to M3). On the one hand, it is felt that the proposed solution would not solve the stated problem for the correspondent but would simply act as a precedent leading to the deletion of the buffer zone all along Douglas Road, an undertaking that will only create a myriad of other problems for a large group of residences who heretofore have been assured of appropriate buffering and have occupied their residences on that basis. On the other hand, it is felt that the subject property cannot be rezoned to the M3 District, even if such was felt appropriate, because the size of the lot is less than the minimum allowable in the M3 District. The M3 District requires a minimum area of 10,000 sq. ft. and a width of not less than 100 ft.. The subject property has an approximate area of 5,914 sq. ft. and an approximate calculated width of 48 feet. Consequently, it is felt that the negative interface between the residential and industrial uses cannot be mediated via rezoning, as such is unfeasible relative to the requirements of the district and inappropriate relative to the larger planning context and Municipal goals for the area.

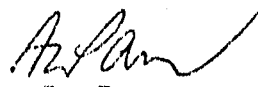
At the same time, the correspondent's problem as stated in his letter and as preliminarily confirmed via staff investigations should be dealt with by the Municipality. Consequently, it is felt that Council should authorize the Planning Department to confer with other departments in order to achieve a workable solution on the understanding that a further report delineating staff findings and recommending an appropriate course of action will be submitted at a later date.

**3.0 RECOMMENDATION:**

It is recommended that Council not further consider the rezoning of the subject property to M3 and that Council confirm the designated R5 buffer zone as it presently exists along the south side of Douglas Road from Boundary Road to Gilmore Avenue.

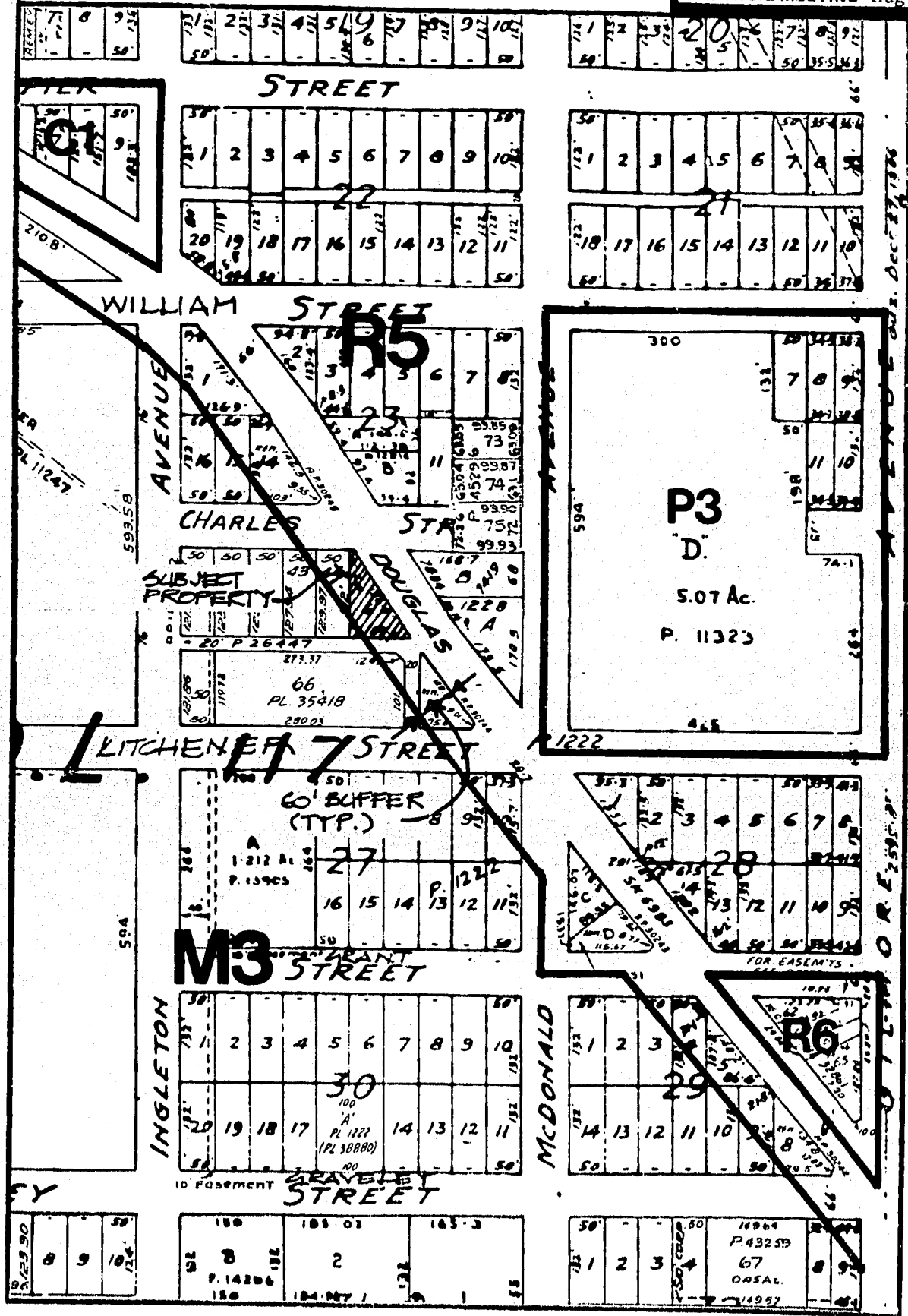
It is further recommended that Council direct the Planning Department in concert with other Municipal Departments and staff to investigate the subject situation towards the definition of a suitable course of action that will resolve the correspondent's problem (on the understanding that a further detailed report of findings and recommendations will be submitted at a later date).

Respectfully submitted,

  
A. L. Parr,  
DIRECTOR OF PLANNING.

LBB:bp  
Attach.

ITEM 35  
 MANAGER'S REPORT NO. 53  
 COUNCIL MEETING Aug. 6/74



SCALE: 1" = 200'  
 DATE: 1 AUG. 74

SKETCH # 1 193

ITEM 35

MANAGER'S REPORT NO. 53

COUNCIL MEETING Aug. 6/74

**THE CORPORATION OF THE DISTRICT OF BURNABY**

**INTER-OFFICE COMMUNICATION**

**TO:** M.J. Shelley                      **DEPARTMENT:**                      **DATE:** August 1, 1974  
**FROM:** G.H. Armson                      **DEPARTMENT:**                      **OUR FILE #** 4-1-74  
**SUBJECT:** 1321 DOUGLAS ROAD - ZONING AND NOISE - OWNER - MR. A. FARMER                      **YOUR FILE #**

In response to a letter as received from Mr. A. Farmer on July 17, 1974 and relating to his property, 1321 Douglas Road, we would submit the following information.

This particular property, due to its close proximity to industry, can be affected by industrial noise.

The Noise or Sound By-law states that permitted levels of noise emission from residential properties is 55 dBA between the hours of 7 a.m. - 10 p.m. and 45 dBA between the hours of 10 p.m. - 7 a.m. The permitted level of noise emission from industrial properties is 65 dBA between the hours of 7 a.m. - 10 p.m. and 60 dBA between the hours of 10 p.m. - 7 a.m. All noise measurements are taken at any point on the property line or within 20 feet of the property line of the real property.

In essence this means that Mr. Farmer's property will be subjected to the higher dBA rating permitted his industrially zoned neighbors. With strict compliance on the part of adjacent industry the differential is 10 dBA during day-time hours and 15 dBA during night-time hours. If 1321 Douglas Road were situated within an industrial zone and occupied as a dwelling there would be no problem as zoning dictates the level of noise emission and the higher rating would prevail.

This Department has carried out a program in decreasing noise emission in the immediate area.

LANGIS FOOD LTD. - 3975 KITCHENER ST.

In June 1973 this company exceeded the standards of noise emission as set forth in the Burnaby Noise or Sound Abatement By-law and were instructed by the Health Department to provide noise control equipment for their exhaust system. The dBA reading at this time reached a maximum of 75 dBA. The company proceeded with a noise control program and by August 10, 1973 the noise level emission had been reduced to a maximum of 62 dBA. On July 29, 1974 the noise level emission was monitored as 60 - 64 dBA which is within the standard set for industrial noise emissions. Langis Food operate a day shift only so the allowable maximum would be 65 dBA.

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ITEM 35  
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Page 2


PERFORMANCE UNLIMITED - 3970 CHARLES

This company has occupied these premises for approximately one month as an automotive repair shop on a day shift basis. On June 27, 1974 the owner of this business, working on his own vehicle, started the vehicle at approximately 12:00 midnight. The result, according to Mr. Farmer, was excessive noise. The owner of Performance Unlimited was contacted, realized his error and stated that there would be no reoccurrence of this nuisance. To date we have had no further complaints.

CONCLUSION

Due to the zoning of this particular property the occupants of this dwelling will be subjected to the decibel rating of neighboring industry rather than the lower decibel rating pertaining to residential zoning.

Industry -	7 a.m. - 10 p.m.	65 dBA
	10 p.m. - 7 a.m.	60 dBA
Residential -	7 a.m. - 10 p.m.	55 dBA
	10 p.m. - 7 a.m.	45 dBA

  
G.H. Armson, C.S.I. (C)  
CHIEF PUBLIC HEALTH INSPECTOR

GHA/cc

c.c. Planning Dept.