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MANAGER'S REPORT NO.	79
COUNCIL MEETING	1979 11 19

RE: LETTER FROM VAN COUVER CUSTOM VANS
 6138 KINGSWAY, BURNABY, B.C. V5J 1H5
REQUIREMENT FOR LANDSCAPING OF PROPERTY AT 6138 KINGSWAY

Appearing on the agenda for the 1979 November 19 meeting of Council is a letter from Mr. Tom Kirigin, President of Van Couver Custom Vans, regarding the property at 6138 Kingsway. Following is a report from the Director of Planning on this matter.

RECOMMENDATION:

1. THAT the recommendation of the Director of Planning be adopted.

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TO: MUNICIPAL MANAGER 1979 NOVEMBER 14
 FROM: DIRECTOR OF PLANNING
 SUBJECT: CORRESPONDENCE FROM VAN COUVER CUSTOM VANS
 6138 KINGSWAY

RECOMMENDATION

1. THAT a copy of this report be sent to Mr. Tom Kirigin, President, VanCouver Custom Vans at 6138 Kingsway, Burnaby, B.C. V5J 1H5 and to the B.C. Assessment Authority at 4911 Canada Way, Burnaby, B.C. V5G 1M1.

REPORT

Appearing on the Agenda for the Council meeting of 1979 November 19 is a letter to the B.C. Assessment authority from Mr. T. Kirigin which makes reference to the requirement for a landscaped area on a portion of the property occupied by VanCouver Custom Vans, and seeking consideration for what Mr. Kirigin seems to regard as a taking of a portion of the property.

For information, the property at 6138 Kingsway (Lots 1 and 2, Block 11, D.L. 97, Plan 2802) is situated in a C4 Service Commercial District. This property was formerly occupied by a Home Oil Station, as a permitted use in the C4 zone subject to the regulations of the C6 District. On 1977 July 26, Preliminary Plan Approval was issued to Mr. Kirigin as a result of his request to change the use of the property from a gasoline service station to an automotive sales and automotive accessory retail sales outlet. As a result of this change of use, the requirements of the C4 District, which include a minimum 6m (nominally 20 foot) landscaped front yard and 1.8m (6 foot) landscaped strip adjacent the flanking site were applied.

The provision of such landscaped areas reflects the minimum standards set out in the Zoning By-law for the C4 District, and are in line with other landscaping requirements for similar properties in this category. These

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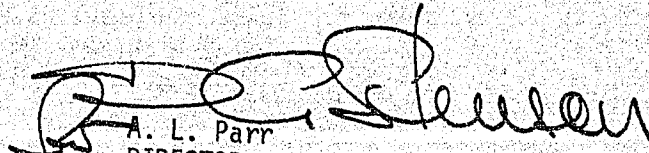
requirements were part of the approval granted on 1977 July 26 and were consented to by the property owner under cover of a letter dated 1977 August 15 from Buell, Ellis and Company, Solicitors for Home Oil Distributors Limited.

The required landscaping has been satisfactorily completed and there are no outstanding objections in this regard with reference to this property.

Mr. Kirigin's reference to expropriation without compensation is without substance as the land area involved has not been taken via expropriation or any other procedure but on the contrary remains as part of the privately held properties, landscaped in satisfaction of the minimum landscaped front yard requirements of this district.

We trust this will clarify the situation being referred to in Mr. Kirigin's letter; should there be any basis for adjustment of assessments as a result of the area occupied by the landscaping, we would expect that this would be taken into consideration by the B.C. Assessment Authority to whom the letter was addressed.

This is for the information of Council.


A. L. Parr
DIRECTOR OF PLANNING

DGS/ds

cc Municipal Treasurer