

RE: LETTER FROM MR. MIKE FELZER ET AL  
SCREEN FENCING AT 4775 HASTINGS STREET

MUNICIPAL MANAGER'S RECOMMENDATION:

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

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ITEM	15
MANAGER'S REPORT NO.	37
COUNCIL MEETING	1981 08 10

TO: MUNICIPAL MANAGER PLANNING DEPARTMENT  
FROM: DIRECTOR OF PLANNING 1981 AUGUST 06  
SUBJECT: DELEGATION CONCERNING SCREEN FENCING AT 4775 HASTINGS STREET

RECOMMENDATION:

1. THAT a copy of this report be forwarded to P.H. Foods Ltd., No. 1 - 1001 Austin Avenue, Coquitlam, B.C., V3K 3P2, and to all those whose names appear on the petition submitted to the Council Meeting of 1981 August 10.

REPORT

The Planning Department has been asked to report on the request by the petitioners which appears on the Council Agenda of 1981 August 10, in connection with the existing Pizza Hut operation at the referenced address.

The subject property is zoned C7 Drive-In Restaurant District, and was developed under Preliminary Plan Approval issued 1969 January 23. The approved development plans showed the requisite 6' high screen fencing along the north property line abutting the Municipal lane which separates the site from the residential area to the north and made provision for a height reduction to 3½' maximum for the easterly 20' portion of that fence for visual/safety reasons.

We understand that the fence was constructed and approved in accordance with these requirements, but at some time during the past twelve years the fence was demolished/removed, with the result that the residential properties have been deprived of the required visual screening which the Zoning Bylaw requires to be provided and properly maintained in such instances.

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On 1981 June 04, the Burnaby Board of Variance considered an appeal from P.H. Foods Ltd., operators of the Pizza Hut, to be permitted to retain a temporary trailer on the subject property. The relaxation was allowed subject to the compliance with all other Municipal regulations and requirements and in addition subject to the conditions set out in the Board's letter dated 1981 June 15 (attached). Particular attention is drawn to paragraph c) which sets out the pertinent screening requirements, together with the direction that these requirements be complied with immediately.

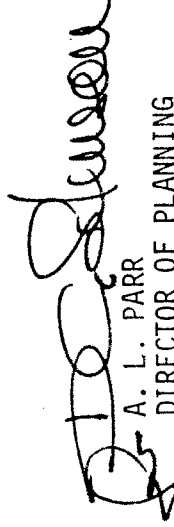
Subsequent to that letter on or about June 17 Planning Department staff made contact with Mr. J. Henry Cerny of P.H. Foods Ltd. to further elaborate on the provisions of the Bylaw related to required screening and permitted fencing; Mr. Cerny indicated that it was the company's intention to proceed with a fencing project in accordance with these requirements.

Since that date, no new developments have taken place on the site, and although we have been unable to reach Mr. Cerny, Mr. Zwaga of his operation has of today's date indicated that he understands the obligation that exists to construct screening to the Bylaw's requirements, and that it is his intention to construct this fencing within the next thirty (30) days.

By copy of this report, we wish to confirm that it is a requirement of the Burnaby Zoning Bylaw, Section 6.15(3)(b) and Section 307.2(2), that suitable screening be provided and properly maintained on this property abutting the lane.

Staff will look to P.H. Foods Ltd. to comply with the Bylaw and in this connection the Chief Building Inspector is being requested to provide the necessary follow-up in inspection and enforcement.

This is for the information of Council.

  
A. L. PARR  
DIRECTOR OF PLANNING

DGS:lf

cc: Municipal Solicitor  
Chief Building Inspector  
Municipal Clerk (Attention: Secretary, Board of Variance)

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## Burnaby Board of Variance

OFFICE OF THE SECRETARY, MUNICIPAL HALL, 4949 CANADA WAY, BURNABY BC, V5G 1M2  
TELEPHONE 294 7290

1981 June 15

B.V. 2215

P.H. Food Limited  
Bert Zwaga, Manager  
No. 1 - 1001 Austin Avenue  
Coquitlam, B.C.  
V3K 3P2

Dear Sir:

Re: Pizza Hut, 4775 East Hastings Street  
Lot A, Block 6, D.L. 122, Plan 1308

Please be advised that the Board of Variance on 1981 June 04 allowed your appeal for the relaxation of Section 6.7(3)(b) of the Burnaby Zoning Bylaw to allow the retention of a temporary trailer to be located on the subject property.

This relaxation is, of course, allowed subject to your full compliance with all other applicable municipal regulations and requirements, and in addition, subject to the following conditions:

- a) The relaxation is allowed for a period of one (1) year from the date of this advice.
- b) A Performance Bond in the amount of \$5,000.00 is to be posted with the Chief Building Inspector.
- c) That Section 6.15(3)(b) of the Burnaby Zoning Bylaw which reads as follows:  
"Screening of 1.8m (5.91 feet) in height shall be provided and properly maintained:  
1) where any parking or loading area abuts a lot in an A, R, or RM District, or is separated therefrom by a street or lane, except however, that where a parking area abuts a lane, the screening along the lane shall be not less than 800mm (2.62 feet) nor more than 1m (3.28 feet) in height for a distance of not less than 6.0m (19.69 feet) from all points of ingress and egress to and from such parking area."  
be complied with immediately.

Please present this letter when applying for your Building Permit.

Yours truly,



C.A. Tuppin  
SECRETARY

BURNABY BOARD OF VARIANCE



cc: Director of Planning  
Chief Building Inspector

Pizza Hut



