

RE: LETTER FROM R. V. WINFIELD
7671 EDMONDS STREET, BURNABY, B.C., V3N 1B6
PRELIMINARY PLAN APPROVAL APPLICATION #6143
7670 KINGSWAY

ITEM 13
MANAGER'S REPORT NO. 43
COUNCIL MEETING 1981 09 21

ACTING MUNICIPAL MANAGER'S RECOMMENDATION:

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

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TO: MUNICIPAL MANAGER. PLANNING DEPARTMENT
FROM: DIRECTOR OF PLANNING 1981 SEPTEMBER 14TH
SUBJECT: Preliminary Plan Approval Application #6143
7670 Kingsway
Lot 17, Blk. 18, D. L. 29, Plan 16141.
(Sketches 1 and 2, attached.)

RECOMMENDATIONS:

It is recommended THAT:

1. Council authorize the introduction of a zoning bylaw amendment to rezone the subject property to Multiple Family Residential District (RM2) in accordance with the adopted Community Plan.
2. The Chief Building Inspector be directed to withhold a Building Permit for the subject property pending the adoption of the bylaw amendment noted above in accordance with Section 724 of the Municipal Act.

3. A copy of this report be sent to the owner.

180

Dollarton Holdings Limited,
43785 Chilliwack Mountain Road,
R. R. #1,
Sardis, B.C.

and applicant:

J. K. W. Engineering Limited,
390 - 1090 West Georgia Street,
Vancouver, B.C.

S U M M A R Y

The Planning Department has received a Preliminary Plan Approval Application for the development of an amusement arcade, games sales, offices, repair shop and retention of a portion of an existing gas station and pumps at 7670 Kingsway. The development generally conforms to the existing C4 zoning but is in conflict with the approved Kingsway/Edmonds Area Plan. The development would be incompatible with existing and proposed nearby development.

Possible options in dealing with this application are: approve the incompatible use, purchase the property and resell for development which is consistent with the Plan or rezone the property to RM2 which is consistent with the Plan as a step towards Plan implementation.

Of these options we recommend rezoning the property to RM2 because this action is in conformity with the Plan in that the site would be rezoned for apartment development. The existing development could remain as legally non-conforming and a prospective developer could apply for Preliminary Plan Approval and need not be involved in the more lengthy rezoning process. This action is consistent with other rezonings in conformity with the Community Plan which have taken place and are currently in process in the area.

R E P O R T

1.0 BACKGROUND:

The Planning Department has received an application for Preliminary Plan Approval for the construction of a building containing an amusement arcade, games machine sales area, associated repair shop and offices as a major addition to an existing gas station building. The proposal involves the retention of the existing gas pumps and the majority of the existing gas station. The area of the gas station to remain is 91.0 m² (980 sq. ft.) and the area of new construction is 730.8 m² (7,867 sq. ft.).

The submitted plans comply with the lot's existing Service Commercial District (C4) zoning in terms of use and density however the proposed landscaping does not meet the Zoning Bylaw requirements and the number and location of driveway crossings proposed are not acceptable and would not likely be approved by the Ministry of Highways.

The lot is within the Kingsway/Edmonds Area Plan wherein it forms part of a site which is designated for a mixed use (RM2 and C2) development. If the lot were to be developed on its own, development in accordance with RM2 regulations is indicated on the Plan. The proposed development is in conflict with the Community Plan approved by Council on 1980 March 31st. The property owner has indicated that he is aware of the adopted Plan for this area. Because of the inconsistency of the proposed development with the adopted plan we are forwarding this application to Council for review.

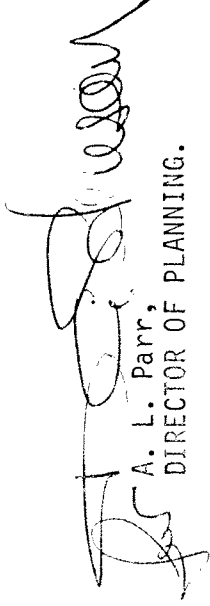
2.0 POSSIBLE ACTIONS:

- 2.1 The Municipality has a variety of options in dealing with this application. These are: authorize the Planning and other involved Departments to process and approve development drawings which conform to the existing C4 zoning, offer to purchase the property at fair market value or rezone the property to further the implementation of the Community Plan. These options are discussed below.
- 2.2 To permit redevelopment under the existing zoning would be in conflict with the adopted Plan. The service commercial land uses (gas station and amusement arcade and games sales and service) would be incompatible with the existing and future residential development in the area. The 3.0 m rear setback required within C4 zoning is not adequate to screen the development from the existing apartment building to the northeast. The 1.8 m wide planted area required along Thirteenth Avenue is not adequate to screen the development from residential development which is envisioned within the Plan to take place across Thirteenth Avenue. **In general, the character of development** would detract from the evolving residential character of the area. For these reasons, this option is not recommended.
- 2.3 The Municipality could offer to purchase the property at market value with the intention of reselling it for development which conforms to the Plan. This approach is certainly an effective means of controlling the land use, however, Council has not typically considered purchasing property for community plan implementation to be an appropriate use for Municipal funds except within approved land assembly areas. This is an option which we could pursue further with the Legal and Lands Department and the owner if Council so directs.
- 2.4 To further implementation of the Plan, Council could rezone the land to Multiple Family Residential District (RM2).
- If the property were to be zoned RM2 the existing improvements and uses could remain as legally non conforming permitting the use and maintenance of that which currently exists and the site would be zoned for residential development which conforms with the Plan. The site is large enough, 0.232 hectares (0.573 acres), to support a suitable RM2 development.
- Because the site is suitable for rezoning to RM2, it is appropriate that the site be rezoned to RM2. This option will save time for the potential developer and therefore should make the property more attractive and is in direct conformity with the Plan. The Plan envisioned residential development on this portion of the proposed total site. If the property were rezoned this lot could be developed independently of the lots to the north but would be compatible in terms of land use.
- Rezoning to RM2 in conformance with the adopted Community Plan is consistent with other recent rezonings in the area: Rezoning Reference #103/80 at Twelfth Avenue and Kingsway and Rezoning Reference #150/81 at Fourteenth Avenue and Kingsway which is to be considered by Council on 1981 September 21st. This action is also consistent with less recent rezonings and developments in the area which are in conformity with the Plan and noted with asterisks on the attached Plan. Council has not approved other developments in the area which are in conflict with this Plan. Approximately 75% of the area is developed in conformity with the Plan.
- The property owner has indicated that he may pursue legal action if his Preliminary Plan Approval Application is denied. In light of this possibility the Municipal Solicitor has been consulted and has given his advice in the preparation of the report.

3.0 CONCLUSION:

182

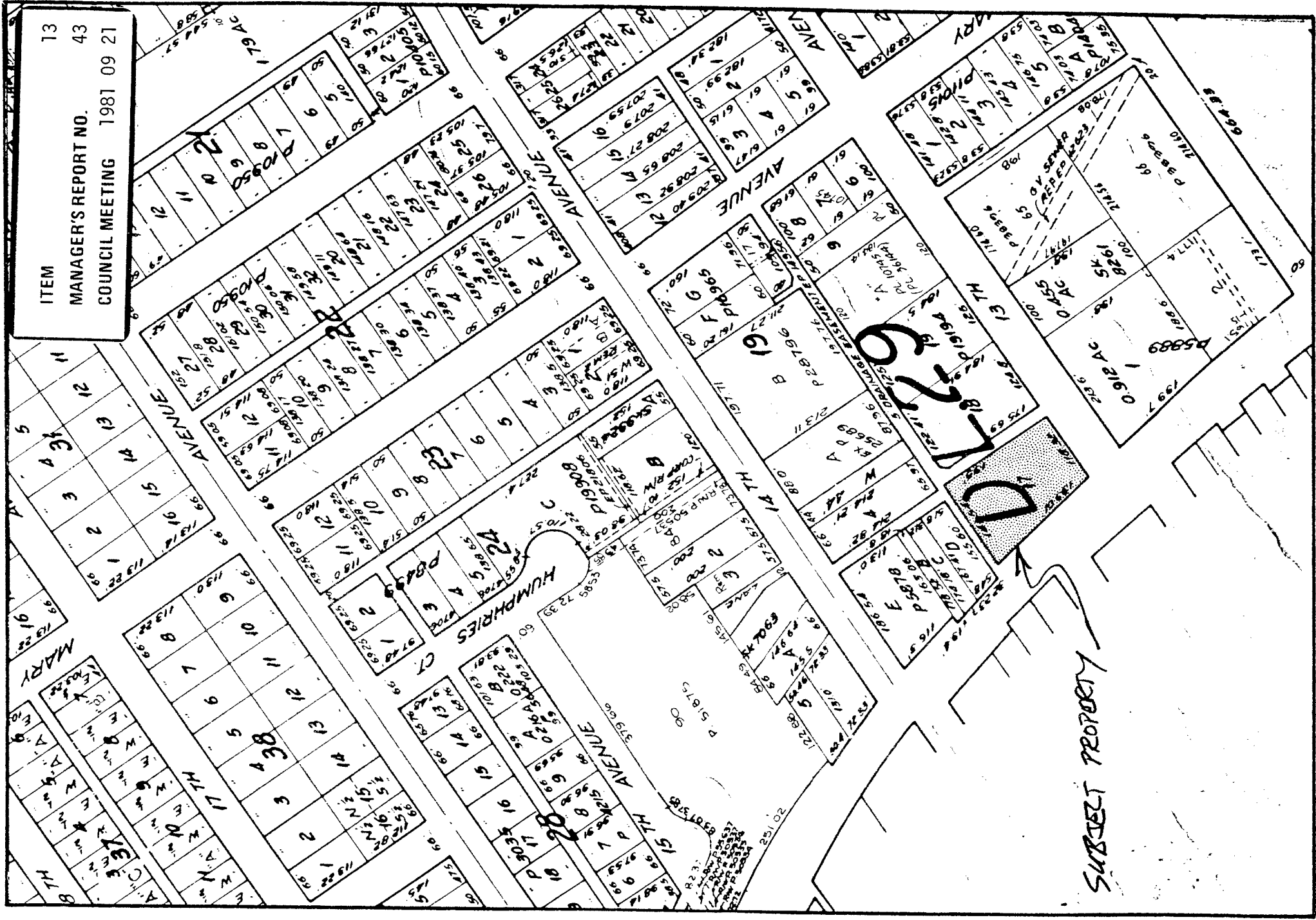
It is our conclusion that rezoning this property to Multiple Family District (RM2) is the most effective means of implementing the approved Plan and avoiding a land use conflict with several adjacent sites. We therefore recommend that Council authorize the staff to take the necessary steps to advance such a rezoning bylaw.



A. L. Parr,
DIRECTOR OF PLANNING.

CBR/mdw

C. C. Municipal Solicitor.
Chief Building Inspector.



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SUBJECT PROPERTY



Burnaby Planning Department

Date

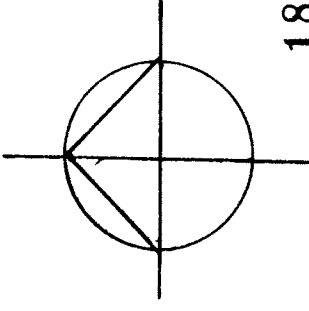
1981 SEPT.

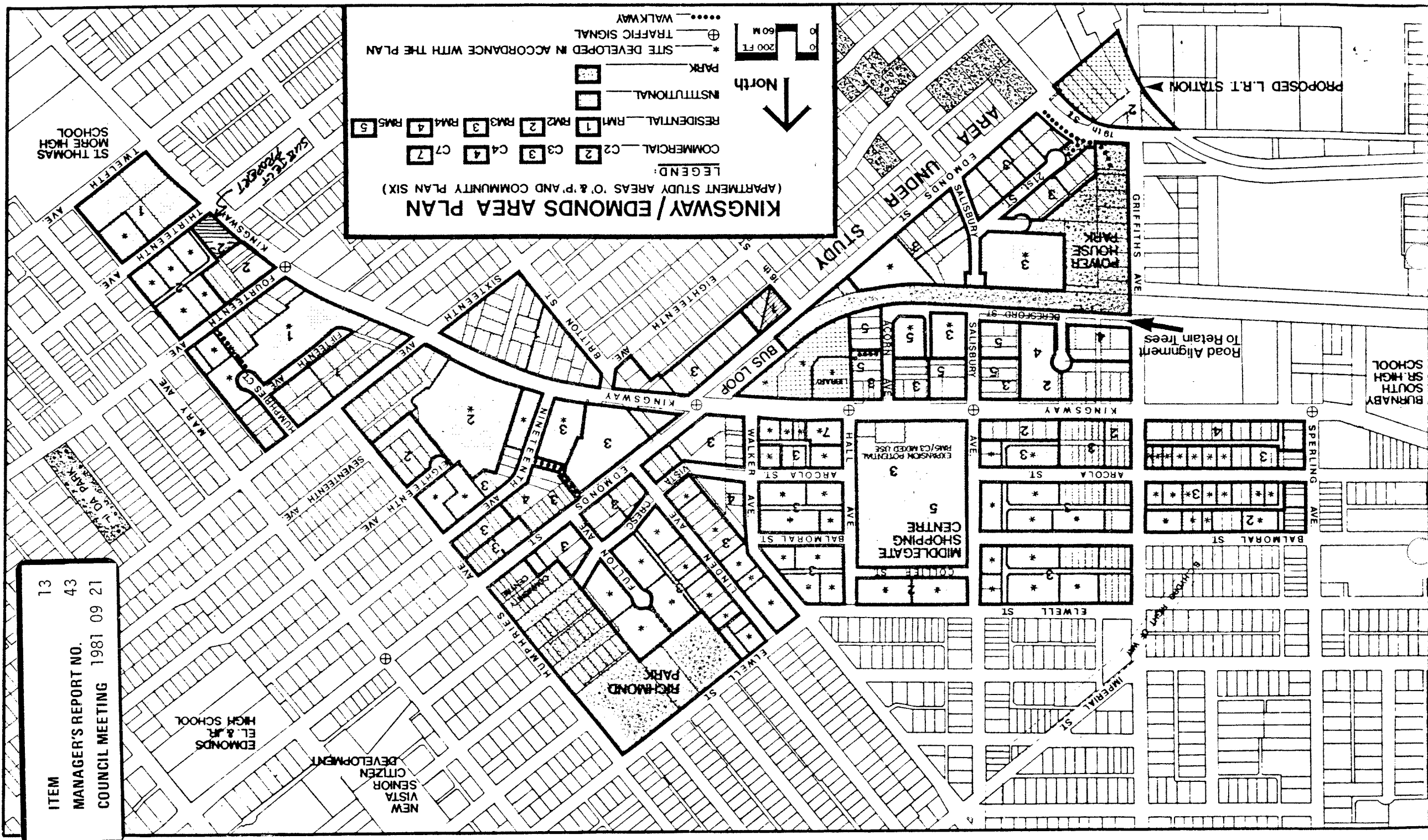
Scale

1" = 100'

Drawn By

P.P.A. #6193
 7670 KINGSWAY





KINGSWAY/EDMONDS AREA PLAN
 (APARTMENT STUDY AREAS 'O' & 'P' AND COMMUNITY PLAN SIX)

LEGEND:

- COMMERCIAL — C2 2 C3 3 C4 4 C7 7
- RESIDENTIAL — RM1 1 RM2 2 RM3 3 RM4 4 RM5 5
- INSTITUTIONAL
- PARK
- * SITE DEVELOPED IN ACCORDANCE WITH THE PLAN
- ⊕ TRAFFIC SIGNAL
- WALKWAY

Scale: 200 FT, 60 M

North

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EDMONDS
 EL & JR
 HIGH SCHOOL

NEW
 VISTA
 SENIOR
 CITIZEN
 DEVELOPMENT

MIDDLEGATE
 SHOPPING
 CENTRE

RICHMOND
 PARK

IMPERIAL ST

Road Alignment
 To Retain Trees

POWER
 HOUSE
 PARK

PROPOSED L.R.T. STATION

BURNABY
 SOUTH
 SR HIGH
 SCHOOL

ST THOMAS
 MORE HIGH
 SCHOOL