

FEBRUARY 29, 1960

A Public Hearing was held in the Committee Room, Municipal Hall, 4545 East Grandview-Douglas Highway, on Monday, February 29, 1960 at 7:00 p.m.

PRESENT: Acting Reeve MacSorley was in the Chair; Councillors Brown, Drummond, Edwards, Jamieson, Mather and Prittie

Representations were received on the following rezoning proposals:

(1) FROM RESIDENTIAL TWO-FAMILY TO LIGHT INDUSTRIAL

Lot 1 E $\frac{1}{2}$ except W. 75 feet, Block 14, D.L. 70 E. 50 ac. of W $\frac{1}{2}$, Plan 3824, save and except the South 20 feet thereof. (Located on the North side of Grandview-Douglas Highway approximately 450 feet West of Willingdon Avenue).

No one appeared in opposition to this proposed rezoning.

(2) FROM RESIDENTIAL TWO-FAMILY TO COMMERCIAL

Lots 2C, 3D, 3E, Sketch 12375, Blocks 2/4, D.L. 28N, Plan 2162, save and except the Northerly 7 feet and the Southerly 31 feet, and Lot 3F, Blocks 2/4, D.L. 28N, Plan 2162, save and except the Northerly 7 feet and the Southerly 125 feet. (Located on the South side of Wedgewood Street approximately 189 feet East of Grandview-Douglas Highway).

Mr. A. L. Johnson, resident of Wedgewood Street, appeared and objected to the proposed rezoning because he felt the road (Wedgewood Street) was of insufficient width to adequately cope with additional traffic volumes. He added that this Street was also gravelled and that there was a deficiency of street lights on it. He advised that if these problems were overcome, he would be prepared to withdraw his objection. Mr. Johnson also mentioned that when property at the corner of Wedgewood Street and Grandview-Douglas Highway was being subdivided two years ago, assurance was given by Municipal officials that Wedgewood Street would remain residential.

(3) FROM RESIDENTIAL AND COMMERCIAL TO COMMERCIAL

Block 4 except part shown on By-Law 30078, D.L. 97, Plan 824, save and except the Northerly 20 feet thereof. (A triangular parcel bounded by Kingsway on the South, Imperial Street on the North, and Waltham Avenue on the East).

Mr. Matson, a resident living directly opposite the subject property appeared and inquired as to the nature of the proposed development. Mr. Forshaw also appeared and opposed the rezoning proposal on the grounds that he felt there was no need for additional car lots on Kingsway, and especially in this particular area. Mrs. Harrower appeared and inquired as to the noise probability from the proposed development. She advised that she was opposed to the rezoning if the property was to be used as a car lot. Councillor Harper arrived at the meeting.

(4) FROM COMMERCIAL TO RESIDENTIAL TWO-FAMILY

- (a) The South-westerly portions of Lots 5 and 6, Block 12, D.L. 93, Plan 3019. (Located on the North side of Imperial Street commencing at Russell Avenue and extending East a distance of approximately 302 feet).

Mr. R.R. Carlyle, owner of Lot 5, appeared and inquired as to why Council was desirous of rezoning his property. He advised that he applied for Commercial rezoning of the entire parcel approximately one year ago at which time it was rejected by Council because it was felt that from a land use viewpoint, the site "belonged" to the residential district to the North and because extension of commercial uses at the location could pose a serious traffic problem. He added that a further reason given was that the Health Department would not favour commercial development due to the absence of sewers. Mr. Carlyle claimed that all

of the foregoing reasons are invalid inasmuch as Council has recently approved commercial development of property on Kingsway between Hall and Salisbury Avenues which, he contended will cause greater traffic congestion than any possible commercial development of his property could ever generate. Mr. Carlyle stated that he had interviewed the Planning Director last July at which time it was suggested that the property be subdivided by severing the North 60 feet from the site and dedicating the next 50 feet abutting on the South for road purposes; this then would leave a parcel 237 feet deep on which an application for rezoning to Commercial could be made. Mr. Carlyle advised that he did not pursue this proposal at the time it was advanced but that subsequently he had negotiated with a development company from the east and had received a tentative offer from this company to purchase the 237 foot parcel. Mr. Carlyle stated that this transaction had reached the point where an interim agreement had been executed. He contended that in view of the foregoing, and especially the indication received from the Planning Department regarding utilization of the entire site, Council should abandon its current rezoning proposal and instead give serious consideration to rezoning either the whole parcel or, at least, the southerly 237 feet of it, to commercial.

- (b) Lot 1, Block 136, D.L. 92, Plan 3896; Lot 2, Blocks 135/136, D.L. 92, Plan 2447.
(Located at the South-east corner of Sperling Avenue and Walker Avenue).

Mr. I. Parry, spokesman for the applicant petitioners, appeared and submitted a petition signed by 128 residents living in the vicinity of the site under application. He presented a number of photographs taken of homes in this area to illustrate their quality and to underscore the contention of the petitioners regarding preservation of residential amenities. In this latter connection, he submitted that Council was legally obliged under Section 699(2) of the Municipal Act to exercise discretion and have due regard for not only this factor but others as well.

Mr. Legge, representative of the owner of the property under application (Standard Oil Company), appeared and advised that his Company had purchased this property in 1955 for the sum of \$14,000.00 for the purpose of eventually establishing a service station thereon. He stated that the small grocery store and living quarters which are presently located on the site were erected in 1950 and that a few months ago his Company had applied for a permit to erect a service station but, because of the location of the aforementioned grocery store and living quarters, he was directed to the Zoning Board of Appeal for permission to relocate the store to a position where the site could properly and comfortably accommodate both the service station and the store - living quarters. Mr. Legge stated that the Board, as is customary, notified adjacent property owners of this proposal and that it was then that opposition from the applicant petitioners was made known; this opposition finally leading to the petitioners applying for the rezoning of this property in order to preclude the construction of a gasoline service station thereon. Mr. Legge submitted a plot plan of the proposed development pointing out that approval of the access points had been received from the Engineering Department. This, he held, axiomatically indicated that the layout was satisfactory from a traffic standpoint. He added that it was also intended to remodel the existing commercial structure and incorporate it into the overall development scheme, all of which would result in making the site far more attractive than it is at present. On this particular point, he claimed that if the property were rezoned, the present commercial use would be permitted on a non-conforming basis but, because of this situation, it would be extremely unlikely that improvements would be made, ergo it would progressively deteriorate and thus adversely affect adjacent property values. Mr. Legge rebutted the argument of the petitioners regarding neighbouring residential development claiming that this development was not of the quality represented. He submitted a number of photographs of homes in this area in support of this contention. Mr. Legge advised that his Company had obtained an appraisal which revealed that:

- (a) The property, in its present state, was worth \$25,000.00
- (b) If rezoned to residential and each lot sold separately, it should fetch a total of \$13,000.00
- (c) If rezoned to residential and sold in its present state, it should fetch the sum of \$19,500.00

Mr. Legge pointed out that the nearest service station was three-quarters of a mile distant and that therefore there was a need for such facilities in this particular area.

In summation, Mr. Legge submitted that the Company should not be deprived of its investment in this property and maintained that the petition for its rezoning should be rejected for the reasons stated.

Mr. Parry was again allowed to speak and added that if the property was to be used commercially, no setbacks would need to be observed whereas siting regulations for residential buildings prescribe setbacks.

(5) FROM RESIDENTIAL MULTIPLE FAMILY TYPE II TO RESIDENTIAL MULTIPLE FAMILY TYPE I

Lot 5, Block 10, D.L.'s 151/3, Plan 1214.
(Located on the East side of Wilson Avenue,
approximately 520 feet South of Kingsway).

No one appeared in opposition to this proposed rezoning.

The Hearing then adjourned at 8:10 p.m.