

MAY 20, 1970

A Public Hearing was held in the Council Chambers of the Municipal Hall, 4949 Canada Way, Burnaby 2, B.C., on Wednesday, May 20, 1970, at 7:30 p.m., to receive representations in connection with the following proposed amendments to Burnaby Zoning By-Law 1965:

PRESENT: Mayor Prittie in the Chair;
Aldermen Blair, Clark, Drummond, Herd
and McLean

ABSENT: Aldermen Dailly, Ladner and Mercier

HIS WORSHIP, THE MAYOR, first explained the purpose of the Public Hearing, and outlined the procedure that Council was required to follow in connection with rezonings. He also suggested the desired method for the public to express its views in regard to the proposed amendments.

PROPOSED REZONINGS

(1) FROM RESIDENTIAL DISTRICT FOUR (R4) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Reference RZ#6/70

Lots 7 and 8, S.D. 1, Part Blocks 12, 13 and 14, D.L. 79N, Plan 11962

(6416 and 6428 Sprott Street - Located on the South-East corner of Norland Avenue and Sprott Street)

Mr. and Mrs. R. Anderson, 3908 Norland Avenue, submitted a letter indicating their opposition to the proposed rezoning on the grounds that the development of a three-storey office building on the site would be detrimental to their property value.

Mr. Anderson also spoke to the rezoning, and noted that his main reason for opposing the application was that the three-storey office building proposed for the site would obstruct his view. He noted that the adjoining properties were all residentially used and submitted that the office building should be located where it would be more compatible with the surrounding development. Mr. Anderson advised that he was aware that his property, and that under application, fell within the area designated for central area use, that would accommodate administrative and office type buildings.

Mr. K. V. Jonas, 3903 Norland Avenue, then spoke and advised that he lived opposite the properties under application, and, having viewed the development plans for the site, was in favour of the proposed rezoning provided the office building envisaged was not constructed higher than three storeys.

* * *

As the following seven areas were proposed for rezoning to the new sub-category, GENERAL COMMERCIAL DISTRICT (C3a), it was felt advisable that the text amendment creating the sub-category be dealt with first.

(4) PROPOSED TEXT AMENDMENTS

1. Designation of Districts - Section 5.1

- The addition of the words: "and C3a" to the General Commercial C3 designation in the table of district schedules (page 11).
- The deletion of the clause which follows the table of district schedules (page 12 and its replacement by:

"The suffix "a" attached to a zoning designation denotes an area:

- (a) Where additional uses are permitted, subject to the regulations of the district and/or
- (b) Where variations have been made to one or more of the bulk regulations governing development in the district to which the suffix is applied."

2. Floor Area Ratio - Section 303.5 - C3 District

The addition of the following clause (page 48) to this section:

"The minimum floor area ratio shall be 2.00 in areas having a C3a designation."

The Planning Director then explained the intent of the proposed text amendments and the purpose for creating this sub-category to the General Commercial District (C3) zoning.

The Planner advised that the proposed change set a minimum density standard of development for this highest density of Commercial zoning, not presently provided for in the regulations. He expressed the view that there was a need to set a minimum standard of Commercial use in order to ultimately achieve a higher standard of Commercial development in certain areas of the municipality. The Planning Director indicated that the following seven areas proposed for rezoning to the new "C3a" category, were those defined in the 1969 Apartment Study as core areas, where a higher density of Commercial development would be desirable.

It was pointed out that the change in zoning did not alter the uses presently permitted under the "C3" zoning category, nor would existing development be affected by the amendment. The Planner submitted that the sub-category would act as a holding zone for higher density Commercial use in the areas defined, where development or redevelopment occurred. He noted, however, that the minimum standard proposed would not affect Comprehensive Development zoning where approved.

Mr. J. Holdom, 270 North Grosvenor Avenue, spoke and submitted that the change proposed was discriminatory and would be a hardship to those owning small parcels of land. He expressed the view that in complying with the parking and setback requirements it would be almost impossible to develop a 33-foot lot under the minimum standard of the amendment.

Mr. P. Matthews, of A. & W. Drive-ins, Ltd., also indicated opposition to the minimum standards proposed, and expressed the view that it was a retrograde step. He voiced concern on the ramifications of providing the required parking when developing the average 66-foot lot or smaller under the "C3a" standards, and considered that there would be considerable hardship in this.

Mr. Matthews then asked whether or not a relaxation of the parking requirements was being considered for "C3" type development.

The Planning Director agreed that parking requirements were a problem when developing small lots, and pointed out that underground or shared parking could be resorted to, though this was not satisfactory. The Planner further advised that a study was presently being undertaken on the compatibility of parking with high density development.

Mr. C. McGowan, 4990 Newton Street, on querying the duration that the "C3a" category might be considered a holding zone, was advised that time was needed for Council to consider the implementation of ultimate development of these key areas, that were fast disappearing. Mr. McGowan felt that this could mean ten or more years, and be a hardship to the small owner, who would not be able to develop under the restrictive minimum standards proposed. He maintained that home owners and those with smaller holdings in the areas proposed for "C3a" zoning, would be forced to wait and sell to large scale developers, who could consolidate the properties into viable sites.

Mr. J. G. Neibel, 3730 Hastings Street, spoke and asked what effect the proposed change would have on properties already developed and that fell vacant.

He was advised that the uses permitted under the "C3" regulations remained unchanged, and the effect of the amendment would only apply to the redevelopment of those properties.

* * *

(2) (1) FROM GENERAL COMMERCIAL DISTRICT (C3)
TO GENERAL COMMERCIAL DISTRICT (C3a)

- (a) Lot 3, S.D."A", Blk.6, D.L.30, Plan 20569
- (b) Lots 12, 13, 14, 15, 21, 22 and "D", Blk.6, D.L.30, Pl.3036
- (c) Lot 24, Blk.2, D.L.30, Plan 3036
- (d) Lot"A", R.S.D."A", S.D.1, Blks.42/43, D.L.30, Plan 9584
- (e) Lot"B", R.S.D."A", S.D.1, Blks.42/43, D.L.30, Plan 9584
- (f) Lot"C", R.S.D.1, S.D."A", Blks.42/43/44, D.L.30, Plan 9584
- (g) Lots 2, 3, 4 & 5, Blk.42, D.L.30, Plan 3036
- (h) Lot"F" except W.52 feet, Blk.42, D.L.30, Plan 11519
- (i) Lot"F" West 52 feet, Blk.42, D.L.30, Plan 11519
- (j) Lots "G" and 12, Blk.42, D.L.30, Plans 15328 and 3036

(Cont'd) ...

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- (k) Lot 13, Blk.42, D.L.30, Plan 3036
- (l) Lots 14, 15 and 16, Blk.42, D.L.30, Plan 3036

(7411 - 7447 North side of Edmonds Street; 7390 - 7444 South side of Edmonds Street - Located on Edmonds Street West of Humphries Avenue)

Mr. G. Allen, 7387 - 19th Avenue, submitted two petitions from a majority of owners of property on 19th Avenue and Vista Crescent respectively, that abut directly on to the area proposed for rezoning to the "C3a" category.

The petitioners did not object to the rezoning of the properties under application, but were opposed to the limitation of the change. It was contended that the change should be extended to include the entire block in each case.

The reasons given for the contention were:

- (i) to safeguard property owners against devaluation of their properties;
- (ii) to protect them against the effects of abutting high-rise Commercial complexes;
- (iii) to ensure development of the area in a more reasonable, methodical and progressive manner;
- (iv) that their properties presently served as a buffer zone between Commercial development on Edmonds Street and the adjoining residentially zoned area;
- (v) that the present location of the residential/commercial zone boundary through the centre of the two blocks was unreasonable;
- (vi) to safeguard against further degeneration of the Single Family Residential living standards in the block;
- (vii) that rezoning of the entire block would indicate to property owners involved of the Municipality's guarantee of protection.

Mr. Allen then spoke and expressed the concern of the petitioners on their uncertainty as to the future of their properties with the development of Edmonds Street under the proposed "C3a" zoning.

He was assured that no specific applications for development were held in this respect.

The Planning Director pointed out that the present proposal was merely to rezone only those existing "C3" areas within the Community Plan areas of the Apartment Study. He expressed the view that the amendment was not an obstacle to the development of the remainder of the blocks as envisaged by the petitioners. The Planner also considered that there might be advantage in this to fulfill the minimum floor area ratio requirements proposed.

(ii) FROM GENERAL COMMERCIAL DISTRICT (C3)
TO GENERAL COMMERCIAL DISTRICT (C3a)

- (a) Lots 1, 2 and 3, Blk.26, D.L.95, Plan 9019
- (b) Lots "A", "B" and "C", S.D.1/2, Blk.27, D.L.95, Plan 6229
- (c) Lot "D", S.D.1/2, Blk.27, D.L.95, Plan 4892

(7140 - 7192 Kingsway -- Located on the South side of Kingsway adjacent to Acorn Avenue)

Mr. K. S. Heed, of Macaulay, Nicolls, Maitland & Co. Ltd., spoke on behalf of T. and S. Jung, owners of 7140 to 7162 Kingsway, and expressed opposition to the proposed rezoning. He contended that the minimum standard to be imposed would impede and frustrate the future sale and development of the property. Mr. Heed also questioned the suitability of the area for core development.

Mr. Heed also submitted a letter from Braidwood and Company, Barristers and Solicitors, opposing the proposed rezoning on behalf of their clients, Mr. and Mrs. Jung. The letter referred to a possible sale of the Jung property, presently being negotiated, and expressed the view that the rezoning to the "C3a" category would inflate the price of the land beyond its present and future potential.

Mr. Heed also spoke on behalf of Gordon's Florists, Ltd., 7180 Kingsway, and again expressed opposition to the proposed rezoning for basically the same reasons put forward for Mr. and Mrs. Jung. He presented a letter of opposition from his client, indicating that the proposed change would be detrimental to plans for the future development of the site.

(iii) FROM GENERAL COMMERCIAL DISTRICT (C3)
TO GENERAL COMMERCIAL DISTRICT (C3a)

- (a) Lot 32, Blk.7, D.L.121, Plan 1054
- (b) Lot 31, Blk.7, D.L.121, Plan 1054
- (c) Pcl."A", Expl.Plan 14860, S.D.29/30, Blk.7, D.L.121, PI.1054
- (d) Lots 28 & 29, Blk.7, part on Sketch 11233, D.L.121, PI.1054
- (e) Lot 27, Blk.7, D.L.121, Plan 1054
- (f) Lots 23, 24, 25 and 26, Blk.7, D.L.121, Plan 1054
- (g) Lot 22, Blk.7, D.L.121, Plan 1054
- (h) Lot 39, D.L.121, Plan 26910
- (i) Lots 26 to 30, Blk.6, D.L.121, Plan 1054
- (j) Lot 19, Blk.6, D.L.121, Plan 1054
- (k) Lots 1 & 2, except N.20 feet, Blk.10, D.L.121, Plan 1054
- (l) Lot 3, except N.20 feet, Blk.10, D.L.121, Plan 1054
- (m) Lot 4 except N.20 feet, Blk.10, D.L.121, Plan 1054
- (n) Lots 5 to 18, except N.20 feet, Blk.10, D.L.121, Plan 1054
- (o) Lots 1 to 5, Blk.11, D.L.121, Plan 1054
- (p) Lot 6 except N.20 feet, Blk.11, D.L.121, Plan 1054
- (q) Lots 7 to 18, except N.20 feet, Blk.11, D.L.121, Plan 1054

(4217 - 4269; 4319 - 4349; 4371 North side of Hastings Street; 4204 - 4298; 4302 - 4366 South side of Hastings Street -- Located on Hastings Street between Carlton and Rosser Avenues)

Mr. H. Jenns, 3710 Pandora Street, on the question of changing existing buildings under the proposed minimum requirements of "C3a" zoning, was advised by the Planning Director that it was not the thinking of the Department that the amendment would affect additions to present development. It was reiterated, however, that redevelopment of the site within the "C3a" zoning category would need to satisfy the minimum floor area ratio requirement.

Mr. H. Jenns then indicated, that whilst he was not against the concept of the proposed change, suggested that the restrictive minimum be applied to consolidated properties only, in view of the difficulties that would be encountered in developing a 33-foot lot.

Mrs. L. F. Jung, owner of 4255 Hastings Street, spoke and advised that she had a buyer for her property and considered that the sale would likely collapse as it would be very difficult to develop the small lot under the "C3a" zoning proposed.

Mr. J. Holdom, 270 North Grosvenor Avenue, also spoke on behalf of Mrs. Jung, and expressed opposition to the proposed rezoning.

He reiterated her concern relative to the development of a 33-foot lot, submitting that it would be almost impossible to develop a lot of this size under the minimum floor area ratio requirements considered.

Mr. Holdom then spoke for Mr. J. Abernathy, 4245-53 Hastings Street, who offered no objection to the proposed rezoning to the "C3a" Commercial category.

(iv) FROM GENERAL COMMERCIAL DISTRICT (C3)
TO GENERAL COMMERCIAL DISTRICT (C3a)

- (a) Lot 9 except South 16½ feet shown on Plan with By-Law 30078, Blk.1, D.L.151, Plan 1662
- (b) Lot 8 except part on Plan with By-law 30078, Blk.1, D.L.'s 151/3, Plan 1662
- (c) Lot 7E½ except South 16½ feet, Blk.1, D.L.151, Plan 1662
- (d) Lot 7W½, except South 16½ feet, Blk.1, D.L.151, Plan 1662
- (e) Lot 6 except South 16½ feet, Blk.1, D.L.151, Plan 1662
- (f) Lot 5W½, Blk.1, D.L.151, Plan 1662
- (g) Lot 5E½, Blk.1, D.L.151, Plan 1662
- (h) Lot 4, Blk.1, D.L.151, Plan 1662
- (i) Lots 2 & 3, Block 1, D.L.151, Plan 10651
- (j) South portion of Lot 1, Blk.1, D.L.'s 151/3, Plan 1662
- (k) Lot "B", Blk.2 West part, D.L.'s 151/3, Plan 15880
- (l) South portion of Lots 1 & 2, except part on Plan with By-law 30078, Blk.2 E. part, D.L.'s 151/3, Plan 5457

(4205 to 4361 North side of Kingsway -- within the area bounded by Willingdon Avenue, Kingsway, Barker Avenue and Grange Street)

No one spoke to this proposed rezoning.

(v) FROM GENERAL COMMERCIAL DISTRICT (C3)
TO GENERAL COMMERCIAL DISTRICT (C3a)

- (a) Lot 20, Blk.8, D.L's 116/186, Plan 1236
- (b) Lot 19 except West 18.75 feet and except East 9 inches, Block 8, D.L.116N½, Plan 1236
- (c) Lot 19, Sketch 12916, Blk.8, D.L's 116/186, Plan 1236
- (d) Lot 18E½, Blk.8, D.L.116, Plan 1236
- (e) Lot 18W½, and Lot 19 East 9 inches, Blk.8, D.L's 116/186 Plan 1236
- (f) Lot 17, Blk.8, D.L's 116/186, Plan 1236
- (g) Lots 15 and 16, Blk.8, D.L.116N½, Plan 1236
- (h) Lot 14 except Sketch 9453, Blk.8, D.L's 116/186, Plan 1236
- (i) Parcel "A", Explanatory Plan 9453, S.D.13/14, Blk.8, D.L. 116N½, Plan 1236
- (j) Lot 13E½, Blk.8, D.L's 116/186, Plan 1236
- (k) Lot 12, Blk.8, D.L's 116/186, Plan 1236
- (l) Lot 11, Blk.8, D.L.116N½, Plan 1236
- (m) Lot 20, Blk.7, D.L.116, Plan 1236
- (n) Lots 18 & 19, Blk.7, D.L's 116/186, Plan 1236
- (o) Lots 14 to 17, Blk.7, D.L.116N½, Plan 1236
- (p) Lot 13, Blk.7, D.L.116, Plan 1236
- (q) Lot 12, Blk.7, D.L.116N½, Plan 1236
- (r) Lots 1 & 2, except North 20 feet, Block 9, D.L.116N½, Plan 1236
- (s) Lot 3 except North 20 feet, Blk.9, D.L.116N½, Plan 1236
- (t) Lot 4 except North 20 feet, Blk.9, D.L's 116/186, Plan 1236
- (u) Lot 5, except North 20 feet, Blk.9, D.L's 116/186, Plan 1236
- (w) Lot 9, except North 20 feet, Blk.9, D.L.116N½, Plan 1236
- (x) Lot 10, Blk.9, D.L. 116, Plan 1236

(3703 to 3881 North side of Hastings Street; 3700 to 3798 South side of Hastings Street -- Located on Hastings Street between Boundary Road and Ingleton Avenue)

Mr. W. R. Cummings, 3836 Albert Street, queried the limits of the proposed rezoning, and was advised that the change affected only specific areas and properties already zoned General Commercial District (C3).

(vi) FROM GENERAL COMMERCIAL DISTRICT (C3)
TO GENERAL COMMERCIAL DISTRICT (C3a)

The Northerly portion of Lot 78, D.L's 2 and 4, Plan 35966.

(Vacant -- Located on the South-East corner of Austin Road and Loughheed Highway)

Great West International Equities Ltd., owner of the subject property, submitted a letter expressing strong opposition to the proposed rezoning. The letter dealt particularly with the parking needs for a complex if built on the site to the minimum standard under "C3a" zoning, indicating that 1,000 stalls, or the equivalent of 8 acres of surface parking would be required. The letter also questioned the appropriateness of rezoning only a portion of their property, and considered that the total area should be dealt with as one.

The letter referred to discussions being held with municipal staff relative to the development of the site.

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Several points were raised by the Company in the letter relative to the use of the site under the "C3a" zoning category, and it was recommended that the letter be referred to the Planning Director for reply.

When queried as to the reason for bringing forward only a part of the subject property for rezoning, the Planning Director explained that only existing General Commercial District (C3) zoned areas had been considered, and only the portion of the site under application carried that zoning category.

Concerning the discussions referred to in the letter, the Planning Director advised that they had not advanced to the point where type of development for the site had been decided upon. He noted that the property could be developed under the provisions of Comprehensive Development zoning, but it was not known at this stage if this would be achieved.

Mr. H. Bonnar, then spoke for Great West International Equities Ltd., and advised that development of the site had been under consideration for some six months. He submitted that any restriction placed on the land would hinder development. Mr. Bonnar further noted that with the present economic situation, he could not see the development of the site at the minimum floor area ratio proposed. He also gave assurance that any development of their property would be compatible to their Loughheed Mall complex immediately to the North.

(vii) FROM GENERAL COMMERCIAL DISTRICT (C3) AND PARKING DISTRICT (P8)
TO GENERAL COMMERCIAL DISTRICT (C3a)

- (a) Southerly portion of Lot 2 except North 123 feet, Block 5, D.L. 32, Plan 6123
- (b) Lot 1 except part on Plan with By-law 30078, Blks. 23 and 24 part, D.L. 32, Plan 1444
- (c) Lot 2 except part on Plan with By-law 30078, Blk.24, D.L.32, Plan 1444
- (d) Lot "B", except part on Plan with By-law 30078, Blk.24, D.L.32, Plan 8968
- (e) Lot "C", Block 24, D.L. 32, Plan 8968
- (f) Lot "D", Block 24, D.L. 32, Plan 8968
- (g) Pcl."G", Ref. Plan 14141, Blk.32, D.L.152, Plan 783
- (h) Pcl."F", Expl.Plan 9144, Blk.24, D.L. 32, Plan 812
- (i) Pcl."J", Expl.Plan 15978, D.L's 32/152
- (j) Lot 12, S.D.1, Blk.26, D.L's 151/3, Plan 11715
- (k) Lot 38, -D.L's 32 and 152, Plan 24986
- (l) Lot 39, D.L's 32/152, Plan 24986
- (m) Lot 4, Blk.26, D.L's 151/3, Plan 4798
- (n) Lot 5, Blk.26, D.L's 151/3, Plan 4732
- (o) Lot 6, Blk.26, D.L's 151/3, Plan 4798
- (p) Lot "C" and Lot "D", Blk.26, D.L.152, Plan 12232
- (q) Lots 9 & 10, Blk.26, D.L.152, Plan 4932
- (r) Lot "A", Blk.27, D.L.152, Plan 5847

(4875-4959 Kingsway; 4990-5000 Newton Street; 5019 Kingsway; 4900-5000 Kingsway; 6446 Nelson Avenue; 4989-4969 Bennett Street -- Located within the area bounded by Nelson Avenue, Newton Street, Bennett Street and Marlborough Avenue, and also the site at the North-West corner of Kingsway and Nelson Avenue)

Turner, Meakin & Co. Ltd., Agents for South Burnaby Investments Ltd., owners of several properties proposed for rezoning, submitted a letter indicating opposition to the proposed change. It was contended that the proposed change governing the minimum floor space ratio could serve to restrict the orderly growth of the community, and place upon it an unnecessary hardship. The letter also pointed out that no other municipality or the City of Vancouver has seen the need to invoke this type of legislation.

Mr. C. McGowan, 4990 Newton Street, also spoke in opposition to the proposed rezoning, reiterating the concern previously expressed relative to the development of smaller properties under the minimum requirements of the "C3a" zoning.

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(3) FROM COMMUNITY COMMERCIAL DISTRICT (C2)
TO SERVICE COMMERCIAL DISTRICT (C4)

Reference RZ #4/70

Lots 24 to 27 inclusive, Block 2, D.L. 28, Plan 24032

(7817 and 7827 - 6th Street -- Located at the North-West corner of Sixth Street and 11th Avenue)

Mr. L. G. Nelson, owner of the subject property, expressed his support for the proposed zoning, and submitted pictures projecting the future development of the site.

Mr. P. Kotylak, representing a Company of Importers and Wholesale Distributors, spoke and expressed opposition to the rezoning application, submitting that Service Commercial District (C4) use would be detrimental to the Company's \$200,000.00 store development proposed for land opposite that under application. He expressed the view that the uses permitted under the "C4" zoning category would not add to the customer pulling power to aid their business. Mr. Kotylak indicated that he would prefer to see the site retain its present zoning and be developed with the same type of operation as their own to encourage custom.

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The Public Hearing adjourned at 9:10 p.m.

Confirmed:

Certified correct:

Robert A. Purdie
MAYOR

J. Shaw
CLERK