

APRIL 21, 1971

A Public Hearing was held in the Council Chambers of the Municipal Hall, 4949 Canada Way, Burnaby 2, B. C. on Wednesday, April 21, 1971 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, Dailly,  
Drummond, Emmott, Ladner and  
McLean;

ABSENT: Alderman Mercier;

HIS WORSHIP, THE MAYOR, first explained the purpose of the Public Hearing and the procedure which 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 TWO (R2) TO PARK AND PUBLIC USE DISTRICT (P3)

Reference RZ #1/71

Lot 5 except Plan 15900 and 31131, S.D. 1, Blks. 1/2, D.L. 207, Plan 4032

(380 Cliff Avenue -- Located on the East side of Cliff Avenue approximately 53 feet North of its intersection with Inlet Drive)

No one appeared in connection with this rezoning.

(2) FROM RESIDENTIAL DISTRICT FOUR (R4) TO NEIGHBOURHOOD INSTITUTIONAL DISTRICT (PI)

Reference RZ #59/70

- (a) Portions of Lots 42 and 49, D.L. 135, Plan 3234
- (b) Portion of Augusta Avenue Undeveloped Road Allowance between the said portions of Lots 42 and 49

(1351/50 Augusta Ave -- Located on the North side of Kitchener Street, from a point 297 feet East of Duthie Avenue Eastward a distance of 363 feet, and South of the proposed Broadway - Hastings Diversion)

Mr. T. W. Kirby, 7241 Kitchener Street submitted a letter in which he strongly objected to the proposed rezoning from Residential District R4 to Neighbourhood Institutional District (PI).

He considered that this proposal to build a church and a church school in close proximity to his residence was outrageous. He was concerned that the church was receiving preferential treatment insofar as this rezoning and subsequent acquisition of the property was concerned.

Mr. D. L. Davie, 7230 Kitchener Street, requested information as to the type of school activities that would be carried on at this location and whether such activities as bingos were supported by the church concerned.

Reverend Ernest Hanson, 3943 Oxford Street, Pastor of the Vancouver Heights Baptist Church, stated that the school activities would be limited to Sunday School and other community projects for the youth of the district but would not include day school activities. The Reverend Hanson went on to say that this site was considered ideal by his church due to its central location and the very large area that would be served.

Mr. R. B. McGenn, 1071 Augusta Avenue was adamantly opposed to the proposed rezoning. He complained that as an interested owner he had not been notified of the rezoning. He was opposed rezoning of the undeveloped portions of the Augusta Avenue Undeveloped Road Allowance and objected to the use of this property for church purposes under any circumstances.

Mr. A. B. Goy, 1340 Duthie Avenue, supported Mr. McGenn's remarks and opposed the proposed rezoning.

(3) FROM RESIDENTIAL DISTRICT FIVE (R5) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT THREE (RM3)

Reference RZ #9/71

- (a) Lots 11 and 12, Blk. 4, D.L. 121, Plan 1354
- (b) Lots 13 and 14, Blk. 4, D.L.'s 121/187, Plan 1354

(4461, 4455, 4449, 4443 Albert Street -- Located on the North side of Albert Street 66 feet West of its intersection with Willingdon Avenue)

No one appeared in connection with this rezoning.

(4) FROM RESIDENTIAL DISTRICT FIVE (R5) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT THREE (RM3)

Reference RZ #3/71

- (a) Lot 20, Block 49, D.L.'s 151/3, Plan 1936
- (b) Lots 21 and 22, Blk. 49, D.L. 153, Plan 1936

(6662 McKay Avenue, 4308 and 4314 Maywood Street -- Located at the South-East corner of McKay Avenue and Maywood Street)

Porte Realty Ltd. 1678 West Broadway, Vancouver 9 submitted a letter indicating that the purchasers of the property will be complying with the prerequisites for rezoning. It was stated that it was their understanding that the site had already been surveyed and a suitable

plan of development was presently being drawn-up by an Architect.  
No one appeared in connection with this rezoning.

(5) FROM RESIDENTIAL DISTRICT FIVE (R5) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Reference RZ #24/70

N. 165.5 feet of Lot 2 except the Northerly 123 feet, Block 5, D.L. 32, Plan 6123

(4875 Kingsway -- Located on the West side of Nelson Avenue approx. 417 feet North of Kingsway)

Brite Construction Ltd. submitted a letter requesting cancellation of this rezoning application on the subject property as the owner, Surrey Motor Hotel, Mr. P. Zackus, refuses to complete the sale of the said property.

They regretted the necessity to cancel the application but were not in a position to proceed further. No further action was taken on this rezoning application.

(6) FROM COMMUNITY COMMERCIAL DISTRICT (C2) AND RESIDENTIAL DISTRICT FIVE (R5) TO COMMUNITY COMMERCIAL DISTRICT (C2)

Reference RZ #4/71

Block 29, Sketch 12490, D.L. 98, Plan 573

(5171/5179 Rumble Street -- Located on the North side of Rumble Street 90 feet West of Royal Oak Avenue)

Alderman Emmott remarked that in view of the fact that the proposed rezoning of the subject site would be futile unless Lot 48 immediately adjacent on the West side of the site in question was also rezoned to P8 zoning to provide parking facilities as previously requested by the applicant it might be advisable for Council to re-examine the proposed rezoning for Lot 28.

Mr. D. M. Sarter, Architect, 1328 Main Street, North Vancouver, also stated that rezoning and use of the adjoining property for parking was essential.

Mr. N. H. Glover, 5141 Rumble Street, speaking on his own behalf and that of four other abutting owners, was in opposition to the use of Lot 48 as a parking lot. Mr. Glover stated that existing parking lots in the area were already creating problems insofar as abutting residential properties are concerned and he and his neighbours had no wish to have this situation further aggravated. Mr. Glover stated that there were several other reasons for his and his neighbours opposition to the use of Lot 48 as a parking area but did not elaborate at this time.

(7) FROM COMMUNITY COMMERCIAL DISTRICT (C2) TO DRIVE-IN RESTAURANT DISTRICT (C7)

Reference RZ #11/71

- (a) Lot 25, Blk. 3, D.L. 28, Plan 2105
  - (b) Lots 24 and 26, R.S.D. 21/23, S.D. 1/18, Block 3, D.L. 28S, Plan 2105
- (7865, 7857 and 7871 Sixth Street -- Located on the South-West corner of 11th Avenue and Sixth Street)

No one appeared in connection with this rezoning.

(8) FROM SERVICE COMMERCIAL DISTRICT (C4) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT THREE (RM3)

Reference RZ #52/70

- (a) Lots 4 & 5W $\frac{1}{2}$ , Block 2, D.L. 68NW pt, Plan 980
- (b) Lots 5E $\frac{1}{2}$  to 10 incl., Block 2, D.L. 68, Plan 980

(3838, 3840, 3886 Canada Way -- Located on the South side of Canada Way approx. 120 feet East of its intersection with Smith Avenue)

Mr. Waterman, 3841 Canada Way, expressed opposition to the proposed rezoning.

Mr. J. R. Augustine, 13496 - 104th Avenue, Surrey, also expressed opposition to the rezoning.

Alderman Ladner noted that Mr. Augustine was the owner of 3838 Canada Way and 3840 Canada Way which form a part of this application for rezoning.

Alderman Ladner queried Mr. Augustine's intentions in this regard but was assured that he was opposed to the application.

(9) FROM GASOLINE SERVICE STATION DISTRICT (C6) TO SERVICE COMMERCIAL DISTRICT (C4)

Reference RZ #10/71

Lot 244, D.L. 91, Plan 34482

(6745 and 6785 Canada Way -- Located at the South-West corner of Canada Way and Formby Street)

A petition bearing 49 signatures of residents in the area immediately surrounding the site of the proposed rezoning was received in opposition to the establishment of a car washing facility at this location.

Mr. A. G. Beaton, 7629 Formby Street, also opposed the rezoning application and the establishment of a car washing facility on this site.

Mr. Arnold F. C. Hean speaking on behalf of the application for rezoning stressed that the operation proposed by his client was a very neat and efficient business. No mechanical services of any kind are provided on the site and it is, therefore, not cluttered-up with vehicles in various states of repair. He pointed out that a similar operation conducted by his client has been operating at 1896 West 4th Avenue in Vancouver for many years. During that period no "stacking" problems or complaints from neighbours had been encountered.

Mr. Hean invited anyone interested to inspect the Vancouver installation of his client. He also stated that because of the building design and the property and building maintenance programme carried out it would not, in any way, intrude offensively into the area. Employment would be provided for approximately 25 people.

Mr. Hean urged favourable consideration of this application for rezoning and was of the opinion that the operation of this business on this site would be of benefit to the municipality as well as to his client.

(10) FROM HEAVY INDUSTRIAL DISTRICT (M3) AND RESIDENTIAL DISTRICT TWO (R2)  
TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Reference RZ #12/71

5.436 acre portion of Lot 284, D.L.'s 6/10/56, Plan 38574

(Located approximately 1,560 feet North of the North side of the Lougheed Highway Right-of-way along Gagliardi Way)

Dunhill Developments Ltd. 778 Premier Street, North Vancouver wrote concerning the problems created by the construction of an elementary school in the area under review. Dunhill Developments Ltd. contended that anticipated population of school age children generated by the proposed development could easily be accommodated in present school facilities. This would then provide a period of several years before any pressure on the school occurs, enabling the proper planning of school requirements and not stifling this housing development.

NOTE - A copy of a letter from Dunhill Developments Ltd. is attached to and forms part of these minutes.

Mr. Jack Fleming, School Trustee and currently Chairman of the Buildings and Grounds Committee of the Board of School Trustees, School District No. 41, presented a brief which outlined the Board's adamant opposition to any further rezoning or development in the Stoney Creek Area until some acceptable provision has been made for a suitable site in this particular catchment area.

NOTE - A copy of Mr. Fleming's Brief is attached to and forms part of these minutes.

In reply to a question from Alderman Ladner, Mr. Fleming advised that the proposed additions to the Cameron School and the further development of this Cameron School Site had been advanced to provide accommodation for the school population which will be generated by Phase I of the Dunhill Project.

Mr. Fleming was reasonably certain that the additions to the Cameron Street School could be completed by September 1971, in time for the commencement of the Fall Term.

Alderman Daily enquired if Dunhill Developments had abided by any commitments made to the School Board in connection with the site for the required schools.

Mr. Fleming advised that there was no actual commitment, as such, on the part of Dunhill but the answer would appear to be in the affirmative.

Alderman Emmott noted that negotiations on the acquisition of the school site had been going on for many months without firm results. He felt that some commitment resolved on the School Board or the Corporation was needed to bring this matter to a head and that it might be expedient to consider expropriation proceedings.

Alderman Ladner noted that, as Western Pacific Ltd. has already agreed to convey the school site to the School Board following negotiations of the purchase price, they perhaps would not object to expropriation with the ensuing arbitration procedures.

Mr. T. W. Cade, 2659 Mountview Place, agreed with the remarks contained in Mr. Fleming's brief and opposed the rezoning.

Mr. B. D. Rogers, 2826 Noel Drive concurred with the remarks of the previous speaker and also opposed the rezoning.

Mr. J. F. Atkinson, 2790 Noel Drive, also opposed the rezoning on similar grounds.

Mr. K. G. Westlake, 2916 Pritchard Avenue, was also concerned about congestion in the schools and opposed to the rezoning.

(II) FROM RESIDENTIAL DISTRICT TWO (R2) AND HEAVY INDUSTRIAL DISTRICT (M3) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Reference RZ #37/70

(a) Southerly 2.083 acre portion of Lot 284, D.L.'s 6/10/56, Plan 38574

(Located approximately 300 feet East along Centaurus Drive of the Intersection of Eastlake Drive and Centaurus Drive)

(b) Portion of Lot 97, D.L.'s 4 & 6, Plan 31569

(Lying in the South-East corner of Eastlake Drive and Beaverbrook Drive approx. 1,000 feet North of Loughheed Highway)

*This application has been the subject of a previous Public Hearing on August 11, 1970, and the By-law relative to it "Burnaby Zoning By-law 1965, Amendment By-law No. 43, 1970" was Finally Adopted on October 26, 1970. One of the prime requirements to Comprehensive Development zoning is that specific plans and building programmes form an integral part of the By-law and must be adhered to. Any amendment proposed to the By-law requires a further Public Hearing before a change may be effected. The developer requires that a change be made, hence the purpose of this further Hearing. Details of the changes proposed will be available at the Hearing for inspection and comment.*

Thompson, Berwick, Pratt & Partners, 1553 Robson Street, submitted a letter requesting an amendment of the By-law pertaining to the CD 4 area presently under development to allow minor house plan changes in the Northerly portion of CD 4 which is that portion to be developed in concert with CD 1.

No one appeared in connection with this rezoning.

(12) FROM SPECIAL INDUSTRIAL DISTRICT (M4) TO SERVICE COMMERCIAL DISTRICT (C4)

Reference RZ #7/71

Lot 16 except Ref. Pl. 30318, Blk. 8, D.L. 97, Plan 1627

(6915, 6929 Buller Avenue -- Located on the West side of Buller Avenue approx. 140 feet South of Kingsway)

No one appeared in connection with this rezoning.

TEXT AMENDMENTS

(13) PROPOSED ZONING BY-LAW AMENDMENTS INVOLVING RESIDENTIAL DEVELOPMENT

(i) Definitions (Section 3)

The addition of the word 'average' as below:

"Basement" means that portion of a building between two floor levels which is partly underground, but which has at least one half of its height from finished floor to finished ceiling above average adjacent finished grade as determined by the Building Inspector. The height measured between floor and ceiling surfaces, shall be not less than 6 feet, 4 inches.

"Cellar" means that portion of a building between two floor levels which is partly or wholly underground and which has more than one half of its height, from finished floor to finished ceiling, below average adjacent finished grade as determined by the Building Inspector. The height measured between floor and ceiling surfaces, shall be not less than 6 feet, 4 inches.

(ii) Accessory Buildings and Uses (Section 6.6)

The amendment of Clause (i) (b) as follows:

(i)(b) "Where an accessory building or structure is attached to the principal building, it is to be considered a part of the principal building and shall comply in all respects with the requirements of this By-law applicable to the principal building."

(iii) Yards (Section 6.12)

The amendment of Clause (i) (d) to read:

(i)(d) "Balconies and sun shades, provided that such projections do not exceed 4 feet nor 50 percent of the width of a required side yard."

(iv) Fences (Section 6.14)

The addition of the following new clause (5)(d) to this section;

(5)(d) "In R Districts, where the rear line of a lot abuts the side line of an adjoining lot, the height of fences, walls or hedges on such rear lot line shall be not greater than the height permitted on the side line of the adjoining lot at the point of abutment."

No one appeared in connection with the proposed Zoning By-law Amendment involving residential development.

(14) PROPOSED ZONING BY-LAW AMENDMENTS INVOLVING INDUSTRIAL DEVELOPMENT

1. The establishment of a new industrial zoning category:

405. LIGHT INDUSTRIAL DISTRICT (M5)

This District provides for the accommodation of light industrial uses, encourages a high standard of development and is particularly designed to be located adjacent, or in close proximity, to residential areas with a minimum of conflict.

405.1 USES PERMITTED:

- (1) The following commercial and service uses:
- (a) Laboratories
  - (b) Laundries and dry cleaning establishments
  - (c) Nurseries and greenhouses
  - (d) Radio and television broadcasting and production studios
  - (e) Sale, rental and repair of tools and small equipment such as chain saws, hand and edge tools, lawn mowers, motorbikes, roto tillers and outboard motors

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- (f) Trade schools
  - (g) Architectural, data processing, drafting, engineering and surveying offices
- (2) The manufacturing, preserving, canning, freezing, grading or packaging of the following food products:
- (a) Bakery products
  - (b) Candy and confectionery products
  - (c) Carbonated beverages
  - (d) Dairy products
  - (e) Eggs
  - (f) Fruits, vegetables and nuts
  - (g) Foods from previously milled grains
  - (h) Pickled fruits and vegetables, flavouring extracts, jams and jellies, sauces, seasonings and other similar products
- (3) The manufacturing, dyeing, or finishing of the following textile products, or others of like character of kind:
- (a) Apparel and clothing
  - (b) Canvas products
  - (c) Carpets, mats and rugs
  - (d) Cotton and Jute bags
  - (e) Curtains and Draperies
  - (f) Fabrics
  - (g) Thread, yarn, twine and rope (excluding production of synthetic fibers)
  - (h) Felt
- (4) The manufacturing or finishing of the following wood, metal and paper products
- (a) Articles from prepared paper
  - (b) Household utensils, cutlery, hand and edge tools
  - (c) Ornamental and art products
- (5) The manufacturing or finishing of the following furniture and fixtures, or other products of like character or kind:
- (a) Household and office furniture
  - (b) Brooms, brushes and mops
  - (c) Mattresses and bedsprings
  - (d) Partitions, shelving, lockers and office and store fixtures
  - (e) Plumbing fixtures
  - (f) Window blinds and shades
- (6) The manufacturing, assembly, or finishing of bicycles.
- (7) The manufacturing, assembly, and finishing of the following electrical and electronic equipment.
- (a) Business and office equipment
  - (b) Electronic instruments
  - (c) Household appliances
  - (d) Radio and television
  - (e) Small electrical equipment such as lighting fixtures, record players, telephone and telegraph apparatus, wiring equipment and x-ray apparatus

- (8) The manufacturing of articles from prepared glass and ceramic material.
  
- (9) The manufacturing, compounding, finishing or packaging of the following chemical and allied products:
  - (a) Articles from prepared plastic and rubber
  - (b) Cosmetics and perfumes
  - (c) Medicinal preparations
  - (d) Pharmaceuticals and drugs
  
- (10) The manufacturing, finishing, or packaging of the following miscellaneous products:
  - (a) Articles from prepared bone, cork, feathers, fibre, hair, horn and wax
  - (b) Business and office equipment such as typewriters, adding machines and cash registers
  - (c) Miscellaneous office supplies
  - (d) Fur, leather and associated products (excluding tanning)
  - (e) Jewelry, watches and clocks
  - (f) Musical instruments
  - (g) Novelties and toys
  - (h) Optical and photographic equipment
  - (i) Orthopedic and medical appliances
  - (j) Rubber and metal stamps
  - (k) Scientific and professional instruments
  - (l) Signs
  - (m) Sporting goods
  - (n) Tobacco and tobacco products
  
- (11) Printing, publishing and book binding, blueprinting and photo-stating; lithographing, engraving; stereotyping and other reproduction processes.
  
- (12) Storage buildings, warehousing and wholesale establishments; packing and crating; cold storage and ice plants.
  
- (13) Agricultural uses, excluding the keeping of livestock and the cultivation of mushrooms.
  
- (14) Accessory buildings and uses, including the indoor display, storage and retail sale of goods produced on the premises.
  
- (15) Living accommodation for a caretaker or watchman, if such living accommodation is essential to the operation of the industry, subject to the following:
  - (a) to be located within a new principal building housing a permitted industrial use, on a lot with a minimum area of two acres;

- (b) to be limited to the caretaker or watchman, and not used for family accommodation;
- (c) to form an integral part of the principal building and to be included in the building plans thereof;
- (d) to be fully separated from the industrial use by walls, partitions or a floor;
- (e) to be provided with an entrance separate from that of the industrial use;
- (f) to have a maximum floor area of 600 square feet

**405.2 CONDITIONS OF USE:**

- (1) All permitted uses shall be housed completely within an enclosed building, except for permitted agricultural uses, parking and loading facilities.
- (2) Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, liquid effluents, dust, fumes, smoke, vibration, noise or glare; nor shall anything be done which creates or causes a health, fire or explosion hazard, electrical interference or undue traffic congestion.

**405.3 HEIGHT OF BUILDINGS:**

The height of a building shall not exceed 40 feet.

**405.4 LOT AREA AND WIDTH:**

Each lot shall have an area of not less than 10,000 square feet and a width of not less than 100 feet.

**405.5 LOT COVERAGE:**

The maximum coverage shall be 40 percent of the lot area.

**405.6 FRONT YARD:**

A front yard shall be provided of not less than 30 feet in depth.

**405.7 SIDE YARDS:**

A side yard shall be provided on each side of the building of not less than 20 feet in width.

**405.8 REAR YARD:**

A rear yard shall be provided of not less than 20 feet in depth, except where a lot abuts a lot in an A, R or RM District, or is separated by a lane therefrom, such rear yard shall be not less than 30 feet in depth.

405.9 OFF-STREET PARKING:

Off-street parking shall be provided and maintained in accordance with Schedule VII of this Bylaw.

405.10 OFF-STREET LOADING:

Off-street loading shall be provided and maintained in accordance with Schedule IX of this Bylaw.

2. The establishment of a new industrial zoning category for truck terminals:

406. TRUCK TERMINAL DISTRICT (M6)

This District provides for the orderly development and location of truck terminals in proper relationship to major transportation routes and surrounding uses.

406.1 USES PERMITTED:

- (1) Truck terminals
- (2) Cartage, delivery and express facilities
- (3) Accessory buildings and uses, including:
  - (a) Automotive repair shops
  - (b) Caretaker accommodation, subject to the provisions of Clause (16) of Section 401.1 of this Bylaw
  - (c) Cafeteria services and sleeping accommodation, subject to being located on a lot with a minimum area of three acres and provided that such facilities are used only by employees, and truck drivers during necessary stopovers at the premises.
  - (d) Recreational lounges
  - (e) Refueling and truck washing facilities
  - (f) Storage buildings and warehouses

406.2 CONDITIONS OF USE:

- (1) No portion of any lot shall be located closer than 200 feet to the zoning boundary of an A, R or RM District.
- (2) Any required yard which fronts upon or adjoins a public street shall be fully and suitably landscaped and properly maintained. Such yards, which may be crossed by access driveways, shall not be used for any other purpose.
- (3) No materials or supplies shall be stored or permitted to remain on any part of the lot outside the buildings constructed thereon.
- (4) All driveways, access roads and truck maneuvering areas; all loading dock, terminal building and service areas; and all areas used for the parking of trucks and employee vehicles shall be surfaced with an asphalt, concrete or similar pavement so as to provide a surface that is durable and dust free. Such areas shall be so graded and drained as to properly dispose of all surface water.

- (5) Vehicular entrance and exit points shall be subject to the approval of the Municipal Engineer. Such entrances and exits shall be provided separately and located not less than 80 feet apart.
- (6) The lot shall be designed in such a manner as to permit forward movement of all vehicles both upon entering and upon leaving the lot.
- (7) Adequate area shall be provided for the maneuvering of trucks entirely within the boundaries of the lot and provision shall be made for the on-site parking of all trucks which operate from or utilize any of the facilities located on the lot.
- (8) All exterior lighting shall be designed to deflect away from adjacent properties.

406.3 HEIGHT OF BUILDINGS:

The height of a building shall not exceed 40 feet.

406.4 LOT AREA AND WIDTH:

Each lot shall have an area of not less than one acre and a width of not less than 150 feet.

406.5 LOT COVERAGE:

The maximum coverage shall be 25 percent of the lot area.

406.6 FRONT YARD:

A front yard shall be provided of not less than 20 feet in depth.

406.7 SIDE YARDS:

A side yard shall be provided on each side of the building of not less than 20 feet in width.

406.8 REAR YARD:

A rear yard shall be provided of not less than 20 feet in depth.

406.9 OFF-STREET PARKING:

Off-street parking shall be provided and maintained in accordance with Schedule VIII of this Bylaw.

406.10 OFF-STREET LOADING:

Off-street loading shall be provided and maintained in accordance with Schedule IX of this Bylaw.

3. The removal of truck terminals and drive-in theatres from the M2 (General Industrial) District, and the addition of the latter use to the M3 (Heavy Industrial) District:

(1) The amendment of Clause (2) of Section 402.1 (Uses Permitted) in the M2 District as follows:

(2) The following commercial and service uses:

- (a) Golf driving ranges
- (b) Offices, storage buildings, workshops and yards for the following trade contractors: cement, excavating, masonry and moving.
- (c) Tire retreading and rebuilding
- (d) Welding shops not exceeding 6,000 square feet in gross floor area.

(2) The amendment of Clause (2) of Section 403.1 (Uses Permitted) in the M3 District to read:

(2) The following commercial and service uses:

- (a) Drive-in theatres
- (b) General and heavy construction contractors
- (c) Sale and repair of machinery and heavy equipment
- (d) Welding shops

4. The increasing of yard setback standards in M1, M2 and M3 Districts in cases where an industrial use abuts or faces a lot in an A, R or RM District, the provision of landscaping and the prohibiting of off-street parking in such yards:

(1) Front Yards - The amendment of Sections 401.6 (M1 District), 402.5 (M2 District) and 403.4 (M3 District) to read as follows:

"A front yard shall be provided of not less than 20 feet in depth, except where a lot is separated from a lot in an A, R or RM District by a street, such front yard shall be not less than 30 feet in depth."

(2) Rear Yards - The amendment of Sections 401.8 (M1 District), 402.7 (M2 District) and 403.6 (M3 District) to read as follows:

"A rear yard shall be provided of not less than 10 feet in depth, except where a lot abuts a lot in an A, R or RM District, or is separated by a lane therefrom, such rear yard shall be not less than 30 feet in depth."

(3) Off-Street Parking in Required Yards - The amendment of Clause (2) of Section 800.6 (Location and Siting of Parking Facilities) to read as follows:

"No parking area shall be located within the following required yards:

- (a) A side yard which adjoins a flanking street on a corner lot in an RM or P District, provided that in no case need the setback for such parking area exceed a distance of 15 feet.

- (b) A side yard in a C or P District which is separated by a street from a lot in an A, R or RM District, provided that in no case need the setback for such parking area exceed a distance of 15 feet.
- (c) Any yard in an M District which abuts a lot in an A, R or RM District, or is separated by a street or lane therefrom."

- (4) Landscaping - The amendment of Clause (d) of Section 6.15 (Screening and Landscaping) to read as follows:

"Where the rear line of a lot in an M District abuts a lot in an A, R or RM District, or is separated by a lane therefrom, the required rear yard shall be fully and suitably landscaped and properly maintained."

- 5. Other proposed Zoning Bylaw amendments resulting from the addition of the M5 (Light Industrial) and M6 (Truck Terminal) Districts:

- (1) Definitions - The addition of the following definition to Section 3 of the Bylaw:

"TRUCK TERMINAL" means a building or property used as an origin or destination point for the loading, unloading, assembling or transferring of goods transported by truck or which provides containerized freight handling facilities or rail-truck services, and where the local pick-up, delivery and transitory storage of goods is incidental to the primary function of motor freight shipment, provided, however, that any lot where trucking is the principal use and which operates any vehicles in excess of single unit, single axle, 30,000 G.V.W., shall be considered, for the purposes of this Bylaw, as a truck terminal.

"CARTAGE, DELIVERY AND EXPRESS FACILITY" means a building or property used as an origin or destination point from which single unit, single axle trucks, of 30,000 G.V.W. or less, are dispatched for the local delivery or pick-up of goods, and which may include necessary warehouse space for the transitory storage of such goods.

- (2) Zoning District Schedules - The amendment of Section 5.1 (Designation of Districts) as follows:

IV. INDUSTRIAL	M
Manufacturing	M1
General Industrial	M2
Heavy Industrial	M3 and M3a
Special Industrial	M4
Light Industrial	M5
Truck Terminal	M6

- (3) Lot Area and Width - The amendment of Clause (1)(a) of Section 6.11 (Existing Lots) as follows:

"The lot area and lot width requirements of this Bylaw shall not apply to any lot in an A, R, C1, C2, C3, C4, M1, M2, M3, M4, M5 or P5 District which has an area or width less than that required by this Bylaw, if such a lot was described on the official records on file in the Land Registry Office on or before June 7th, 1965."

Mr. M. Patenaude, Co-Ordinator, Steering Committee, for Burnaby Committee, for Burnaby Ratepayers concerned with preserving the Burnaby Lake Area for park purposes submitted a letter expressing their fullest support for the zoning changes in the M categories being proposed.

They view these new zoning restrictions as the first indication that Council is sincerely concerned about the obvious destruction of Burnaby Lake and its immediate environment by misplaced industries.

Also, they wish to assure Council that they will be ready very soon to present a case with verifiable public support that will determine that the lake area is not to be lost as a public park.

Alderman Emmott requested information as to whether all individual owners or operators who would be affected by the removal of truck terminals and Drive-In Theatres from the M2 zone had been advised of the proposed amendments to this section of the By-law.

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Section (1) -- The Establishment of a New Industrial Zoning Category (M5)

Mr. Angus Macdonald, Manager of the Burnaby Chamber of Commerce, presented a brief on behalf of the Chamber in which it was contended that the proposed amendments to the By-law were ill timed in that a complete picture was not being presented. The Chamber's brief was also concerned with the apparent lack of publicity given to the proposed amendments.

NOTE -- A copy of the Chambers brief is attached to and forms part of these minutes.

There were no further comments on the proposed new M5 zoning.

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Section (2) -- The Establishment of a New Industrial Zoning Category for Truck Terminals (M6)

Mr. Macdonald pointed out that the brief of the Chamber of Commerce applied equally to the proposed M6 zoning as to the proposed M5 zoning and he had no further comment at this time. He did query whether the removal of truck terminals from the M2 zoning would automatically remove this use from the M3 zoning also. He contended that it would, and asked if this was the intention.

The Planning Director stated that this point would require further investigation.

Mr. William Street, speaking on behalf of his client, Inter City Express, voiced strong objection to the proposed amendments. He was concerned that a business would be placed in a position where it was non-conforming by regulation and conforming by use.

Mr. Bendley, Jersey Farms Ice Cream Plant, 4047 Lozells Avenue, expressed objection to the proposed amendments as he did not think the premises at the above address could be placed in a conforming position under the new regulations.

Mr. R. T. Kromhoff, 7775 Government Street, was opposed to the proposed text amendments as he feared his business in Winston Street would be placed in a non-conforming position.

Mr. Crowder, Public Freightways Ltd., 3985 Still Creek Street, was also opposed to the proposed text amendments.



Mr. Lyons, C.N. Industrial Development Officer, stated that in his opinion Council would be making a grave error in proceeding with the proposed text amendments at this time. He stressed that By-law Amendments must be considered in conjunction with their effects upon the whole municipality and as a means of obtaining an ultimate goal. Mr. Lyons mentioned the Urban Structure Report as an example.

Mr. Choppel, Fleet Express Lines, 4227 Lozells Avenue was opposed to the text amendments.

Mr. Presten, Provincial Freight Lines, was not in favour of the By-law Amendments.

Trimac Transportation Systems, 7620 Government Street, opposed the proposed amendments. They pointed out that their premises at the above address could not be made conforming under the new regulations.

Mr. J. H. Bridge, 8111 Government Street, spoke in favour of the proposed amendments and considered that they were a necessary step to ensure the preservation of the Winston Street Area from encroachment by undesirable industry.

Mr. A. Patenaude, Co-Ordinator, Steering Committee, Burnaby Ratepayers Concerned with Preserving Burnaby Lake for Park Purposes, re-iterated the remarks contained in his letter referred to earlier in these Minutes. He stressed that his Association was wholeheartedly in favour of the proposed amendments and of any other action which would ensure the preservation of this area for park purposes.


Mr. D. Church, 3833 Winlake Drive, also supported the proposed amendments as a means of preserving the Burnaby Lake Area.

The Hearing adjourned at 10:35 p.m.

Confirmed:

Certified correct:

  
MAYOR

  
CLERK

BL/hb

# DUNHILL DEVELOPMENTS

A JOINT VENTURE OF:  
**BRAMALEA TRANS-CANADA LTD.**  
**W.K.P. CONSTRUCTION LTD.**

April 21st, 1971.

The Mayor and Members of Council,  
Corporation of the District of Burnaby,  
4949 Canada Way,  
Burnaby, B.C.,

Reference: RZ #12/71 Lougheed Highway  
and Gaillard Way

Gentlemen;

With respect to the above application, we feel that our design is substantially the same as the community plan approved in principle by Council during October 1970. There have been minor refinements and as your Planning Department agrees, they are desirable improvements.

We are faced with the problem of the building of the Elementary School in this area. A problem upon which Dunhill cannot take any direct action, but one that effects this project and Dunhill Developments.

It is the experience of Dunhill that there are not nearly as many students produced by this type of development as is commonly thought. Unlike garden apartments and family type apartments, townhouses are owned by a younger married couple and have fewer children. In a comparable development in North Vancouver and one of the few which can be logically used for comparison, there are 178 Units. From the 178 Units, there are a total of 47 school age children of fairly evenly distributed ages. Applying these ratios to the proposed development, we find that the 86 Units will produce only 22 school age children.

The School Board now maintains they can accommodate the children from the already existing project and we submit that the additional 22 students can easily be accommodated in present school facilities. There will then be several years before any pressure on the school occurs, enabling the proper planning of the school requirements and not stifling this housing development.

Yours very truly,

DUNHILL DEVELOPMENTS.

  
P. A. Morse.

P.  
PAM/mm

**BOARD OF SCHOOL TRUSTEES  
DISTRICT NO. 41 (BURNABY)**

April 21, 1971

The Mayor and Council,  
The Corporation of the  
District of Burnaby,  
4949 Canada Way,  
Burnaby 2, B. C.

Gentlemen:

Re: Rezoning Lot 97, D.L.'s 4 and 6, Plan  
31569 - Reference Rezoning No. 37/70

My name is Jack Fleming, School Trustee, and currently Chairman of the Buildings and Grounds Committee of the Board of School Trustees, School District No. 41 (Burnaby).

I have been directed by the Board of School Trustees to appear here tonight as its spokesman to express as vehemently as possible the Board's opposition to any further rezoning or development in the Stoney Creek area until some acceptable provision has been made for a suitable site in this particular catchment area.

In reviewing the Stoney Creek School-Park Site file with the Board's officials, I have noted that:

- 1) The Stoney Creek School-Park Site, which appears to have a distinct bearing on the rezoning under consideration this evening, was first brought to the attention of the Board by the Planning Department in 1967, and in that year some informal discussions took place with the owners of the land.
- 2) The Board was aware that there were a number of easements involved:  
(a) the Trans-Mountain Oil Pipeline, (b) a B. C. Hydro Power Line,  
(c) a Burnaby Sewer Easement (Simon Fraser), and (d) Easements which had been previously granted to the Greater Vancouver District Sewer and Drainage Board.
- 3) The first topographical surveys viewed by the Board's representatives of the school site were in August of 1967, although the acquisition of property in the area had been anticipated in School Loan Referendum No. 6, which was approved by the ratepayers on December 10th, 1966.
- 4) Following a preliminary meeting with the owners of the site, Western Pacific Projects, a feasibility study based on the original survey of August, 1967 was commissioned, with the hope that the 17 acres of property would accommodate an elementary school and a junior-senior secondary school.
- 5) On January 3, 1968 the Board received a further topographical survey of the site to assist its architect with the site utilization study. Because it was at that time a vast area of undeveloped land, the survey was done via low-flying helicopter using special equipment designed to record contours.

...../2

- 6) Although several informal discussions had taken place, formal negotiations began with the owners shortly after April 9, 1968, with the approval of the Department of Education but without any "actual commitment".
- 7) I note from the file that there was a considerable exchange of correspondence with the owners, including advice in 1969 from the Planning Department that the site had finally been "defined". In the Planning Director's letter of December 17, 1969, the Board was also given notice of the possibility of 1500 units being developed, subject to the approval of Council.
- 8) March 4, 1970 - advice was received from Western Pacific Projects that development might take place, and I quote in part: "As you are aware, this matter has been under discussion for some three years now, and consequently the land has been effectively removed from the market and, therefore, we feel it only fair that this matter be resolved with reasonable dispatch."
- 9) March 26, 1970 - a memo was received from the Planning Department confirming the definition of the site, explaining that the Highways Department had agreed to establish definitely the road routes adjacent to the school site.
- 10) July 8, 1970 - A tracer was received from Western Pacific Projects Limited concerning the status of negotiations, making reference to the imminence of development by Dawson Developments Limited.
- 11) October 5, 1970 - Councillor Ladner was appointed to meet with a committee of the Board in order to endeavour to establish a liaison between the owners, developers, and the Board.
- 12) October 5, 1970. - the Board was asked to confirm "that classroom facilities will be available" before any further action would be taken by Council.  
(Mr. A. L. Parr's memo of October 5, 1970.)
- 13) Various letters re value of school site. Concern expressed by Western Projects in arriving at "value of owners" (residual).
- 14) Alderman Ladner's report to Council, October 9, 1970, quoting in part as follows:

"It would appear that the location of the site and all other matters have been resolved except for the price to be paid by the Board to Lake-City Industrial Corporation Ltd. for the site.

Mr. MacCarthy has not yet been able to arrive at a value and before he can do so he requires some further information including engineering costs in regard to easements held by the Sewerage and Drainage District, the Trans-Mountain Pipeline Company and B. C. Hydro. He expects that he will arrive at a final value within a week to 10 days.

Before the Board can approve the site it required the approval of the Department of Education in Victoria."

- 15) Dawson's letter to the Mayor and Council under date of October 13th quoted in part as follows:

"On July 27th, 1970, your Planning Director delivered a report to Council recommending that the final reading of the amending zoning bylaw be subjected to (8) prerequisites, one of which was the availability of an elementary school building. Since that time, all prerequisites have been satisfied except the availability of an elementary school building. The owners of the land within which the elementary school is to be built and the School Board have been in negotiation since July, and I am sorry to report that as of today the School Board has not established an appraised value for the site. It should be noted that 5 acres of land are required for the elementary school. Our role in bringing these two parties together has been most frustrating and despite the serious efforts by both parties in the past, I am concerned that the matter of land value may not be resolved by October 26th. If this happens and if the prerequisite remains, then we may lose our mortgage financing for the 189 unit innovative housing scheme."

- 16) Municipal Clerk's letter to the Board of October 15, 1970 quoted in part:

"The Council, following consideration of the submissions, deferred action on the question of proceeding with the rezoning until its October 19th meeting and directed me to ask the School Board for a report at that time indicating the situation respecting the progress being made in endeavouring to negotiate a price for the site that is intended to be used for school purposes. The Council would ask as well that if the Board is unable to furnish the information being sought, you indicate the reason(s) and also whether the Board would have any objection to Council finalizing the rezoning in question by October 26, 1970."

- 17) The Board's reply under date of October 19th, 1970, which is quoted in part:

"Until such time as a fair market value can be set on the required school site, the Board's committee would prefer to see this project deferred, recognizing of course that the final authority for such a decision rests with the Corporation of the District of Burnaby."

- 18) October 20, 1970 - the Municipal Clerk addressed a letter to the Board which is quoted in part:

"The Council felt the rezoning proposal could perhaps be advanced if Dawson Developments Limited could provide assurance that elementary school facilities, even though they may be temporary, will be available when their planned development is occupied."

- 19) This led to an informal meeting to discuss alternative means of providing a school site in the event that negotiations with Western Pacific failed. The Board authorized me, at that time as Chairman, to appear before the Municipal Council on October 26, 1970, guaranteeing that arrangements would be made to accommodate students expected from the innovative housing development plan of Dawson Construction. This action was taken in good faith in the belief that the Council was strongly in favour of the development and that there was apparently a danger of the necessary financing being withdrawn or being lost through "default". Dawson Developments Limited, accordingly was granted the necessary rezoning for two phases of what appeared to be a long-range high-density residential project.

20) October 30, 1970 - an acknowledgment by Dawson Construction to the Corporation of an undertaking to provide an alternative site.

21) Site negotiations:

Negotiations for the Stoney Creek School Site as previously described, with Western Pacific Projects, have been prolonged and unsuccessful.

As the Dawson Development project proceeded, it became possible for a number of individuals, including myself, to conduct a physical examination of the actual site for which the Board was negotiating, and it became obvious that a more accurate topographical survey would have to be secured before final negotiations could be undertaken for the purchase of this property.

A subsequent topographical survey has revealed a number of problems - drainage, fill, sewer services and heavy clearing, which did not show up on the initial aerial surveys. Viewing the information currently available, it would appear that the Board might be able to utilize 12 of the original 17 acres earmarked for school purpose, leaving the balance of 10 acres to be used, perhaps by the Municipality, as a "natural greenbelt". The actual development costs involved for the 12 acres which the Board might find useable, are now being subjected to a detailed analysis by various resource persons retained by the Board's Correlating Architect, and a final report of a layout is expected shortly.

CONCLUSION: The Council members have in their possession the Board's letter of March 26th which for the record I should like to read in part:

"This whole situation was recently reviewed by the Board. Mr. J. R. Fleming, last year's Chairman, pointed out that the Board had made a commitment to the Council that it would make provision for accommodation for the increase in the enrolment envisaged as a result of the innovative housing and the adjoining condominiums. It was pointed out that a physical examination of the site slated for elementary school purposes indicated that it was not suitable, and since the Board was running out of time it felt it had no recourse but to find some alternative means of fulfilling its commitment.

To this end, the officials were directed to meet with the Manager, the Planning Engineer and others, to discuss the feasibility and acceptability of increasing the adjoining Cameron School to the optimum size it would have to be to serve its catchment area in the future, and since it is less than one-half mile from the periphery of the current development, this would solve the problem temporarily. Perhaps I should point out that it takes far less time to add to an existing school for September use than would be the case if the Board were to start from a raw site. Accordingly, the Board is taking the following steps:

- 1) Subject to the approval of the Department of Education, it will transfer the sum of \$280,000.00 from the Stoney Creek School site to the Cameron School addition.
- 2) At the suggestion of its Architect, the Board is having a number of ground survey lines taken through certain portions of the adjoining Stoney Creek School site so that it might have a sounder base on which to plan the total site utilization.

- 3) To recommend to the Council that no further rezoning take place until a suitable school site has been acquired, either from the owners of the "Stoney Creek School Site", or alternatively, from Dawson Developments, although the topography in both instances would appear to be somewhat difficult from what can be observed without the advantage of an accurate survey."

I am informed that this is one of the very few times that the Board has appeared at a public hearing concerning the rezoning of land affecting the welfare of students in this district, mainly because of the excellent service which the Council's Planning Director and his staff have been able to render to the Board in its efforts to integrate school facilities with other amenities in the community. The Board is doing everything within its power to make certain that school accommodation is provided as agreed, with a minimum of disruption to the residents of the Cameron-Lyndhurst area.

The Board, of course, recognizes that the final decision with respect to planning matters and the rezoning of land rests with the Mayor and the members of Council. In the circumstances, as I stated at the outset, I have been charged with the responsibility of urging you to refrain from any further rezoning in this area until some form of accommodation has been reached with respect to a school site in the Stoney Creek catchment area, which ultimately will be needed to serve that section of the community.

Respectfully submitted,

J. R. Fleming, Chairman,  
BUILDINGS AND GROUNDS COMMITTEE

BURNABY CHAMBER OF COMMERCE

NOTES FOR A PUBLIC HEARING APRIL 21st, WITH RESPECT  
TO PROPOSED ZONING BYLAW CHANGES

My name is Angus Macdonald, Manager of the Burnaby Chamber of Commerce. The Burnaby Chamber has some 400 members who represent all types of business, industry and the professions in the community. The objects of the Chamber are to promote the civic, commercial and industrial welfare of our community. We are able to do this because of the broad experience and knowledge of our members, both as residents of Burnaby and as the heads of businesses. They know the needs of business, its methods of controlling interaction with other uses and the various steps that must be taken to ensure prosperous businesses that can provide the employment our residents need and pay taxes to support the many facilities that our residents, our members included, both want and demand.

When the Winston Street Industrial Collector report was first tabled in Council in January a large committee of the Chamber studied and reported our views to Council. Among the recommendations we made in our report of February 18th are two that are pertinent for discussion tonight:

Firstly, Implementation of Zoning Changes

"The consequences of the proposed changes in zoning are so wide that Council should ensure that they are aware of the number of businesses that will become non-conforming. Council should not change these regulations without adequately informing, by letter, each landlord or tenant in the industrial zones affected."

Non-conformity in industry, commerce, housing and agriculture presents major problems to the landowner and tenant. It also places major problems before the municipality and residents. Council should ensure that all concerned persons, individuals, businesses, everybody who might be concerned, are aware of the proposed changes and how these changes will affect them. Only then can Council take action, knowing the effect of its decisions.

We are aware that Council has a report which indicates the businesses that will become non-conforming in the Winston Street area because of the proposed changes, but Council does not know how many businesses will become non-conforming throughout Burnaby if these plans are instituted. This is so because at this time no one is aware of where M5 and M6 zones will be located. Is Council aware that every truck terminal in Burnaby will become



non-conforming immediately if this bylaw is passed? We are not at all certain what the aim of Council is in removing truck terminals from M2. Is it to stop trucks on streets? If this is the case then we submit that these changes will not accomplish Council's aim because there is no way in which trucks will not pass through Burnaby, whether their terminals are in Hope, Richmond, North Vancouver, or wherever. Trucks are a necessary part of our economy and will be using the major highways and our collector routes through Burnaby to serve our businesses and even some of our residential streets to serve our residents.

To the best of our knowledge the only notice of this Public Hearing into the proposed zoning changes was contained in advertisements stated to be in the Vancouver Sun, which I doubt if many people here have even seen. I am aware, of course, that the Chamber and another person were advised that this Public Hearing would be held.

We would reiterate that in all fairness every concerned property owner and tenant should be given the opportunity to be made directly aware of the implications of these changes in zoning. Council has done this in the past by writing to owners of concerned properties and abutting owners and we believe it is only fair that this policy should be continued.

Secondly, "We recommend that Part III of this report, 'Proposed Bylaw Amendments', be dealt with separately from the Winston Street Collector report and in conjunction with possible use changes in M3, M3A and M4 zones."

We would reiterate that any change in regulations within industrial zones, changes in use in any zone, or the implementation of new zoning categories, can only be discussed sensibly when they are considered with any other proposed changes.

We are awaiting a report on changes in the M3, M3A, M4 zones and it would seem appropriate that if one is to discuss changes in one industrial zone that they all be discussed together so that the business community, Council and our residents can see the whole picture and make comments that will assist Council in coming to a decision that will help our residents and our businesses.

The next point I wish to make is:

Council now has under consideration a monumental work, the "Urban Structure" report. In consideration of this report

Council will accept or reject portions or all of this report and from their discussion will come to conclusions that will finally set a development pattern for Burnaby.

The first and foremost problem that you as members of Council face is in setting objectives for the residents and industries of Burnaby. When this pattern of development is set, then, and only then, should consideration be given to the detailed methods of direction and control through our Zoning and other Bylaws.

Will changing set-backs from 20' to 30' achieve the aim of making industry more acceptable? Better by far to have adequate controls to ensure that the 20' that are landscaped are properly maintained to be of benefit to the municipality so that our residents will continue to see something that is better than bare walls.

Is 40% coverage any better than 50% for the sake of our residents? We don't think this really matters.

One notes that on a minimum size lot in the proposed M5, of 100 x 100, the maximum building one can obtain is 3,000 square feet and this does not allow for required parking and loading facilities.

We, therefore, believe that it is premature to implement these changes now because:

- (a) concerned owners and tenants are not aware of the regulations proposed;
- (b) the text amendments cannot be discussed sensibly unless the areas to which they are to be applied are known;
- (c) Council must be fully aware of the very real problems that non-conformity will bring to owners of businesses, to residents and to themselves;
- (d) we must be certain that the changes proposed will achieve the aim of Council, which is not clear at this time;
- (e) finally, that the development pattern for Burnaby is not yet set and will not be until final discussion is completed on the "Urban Structure" report. Then, and only then, should we be discussing changes in our Zoning Bylaw to direct and, if necessary, control residential,

commercial, industrial, park and  
public land use.

Respectfully submitted,

Angus J. Macdonald,  
Manager,  
BURNABY CHAMBER OF COMMERCE.

April 21, 1971

