

AUGUST 15, 1972

A Public Hearing was held in the Council Chambers, Municipal Hall, 4949 Canada Way, Burnaby 2, B. C. on Tuesday, August 15, 1972 at 7:30 p.m. to receive representations in connection with the following rezoning proposals:

PRESENT: Acting Mayor J. Dailly, in the Chair;
Alderman D. A. Lawson;
Alderman G. M. Dowding;
Alderman J. D. Drummond;
Alderman W. R. Clark;
Alderman T. W. Constable;

ABSENT: Alderman W. A. Blair;
Alderman H. G. Ladner;
Mayor R. W. Prittle;

STAFF PRESENT: Mr. L. Armstrong - Administrative Planner
Mr. J. H. Shaw - Municipal Clerk
Mr. B. Leche - Municipal Clerk's Assistant

The Acting Mayor explained the procedure Council must follow when processing applications for rezonings.

(1) FROM RESIDENTIAL DISTRICT ONE (R1) TO PARKING DISTRICT (P8)

Reference RZ #30/72

The Westerly 50 foot portion, fronting Lougheed Highway, of Lot 1, Except Explanatory Plans 12809 and 14855, Block 4, D.L. 59, Plan 3050

(2932 Bainbridge Avenue -- Located on the South side of the Lougheed Highway 120 feet East of Bainbridge Avenue)

Mr. G. Houlden, Property Representative, Standard Oil of British Columbia Limited spoke in favour of this rezoning proposal.

(2) FROM RESIDENTIAL DISTRICT TWO (R2) TO PARKING DISTRICT (P8)

Reference RZ #35/72

The North 63 feet of Lot 3, Except Reference Plan 34084, S.D. 1/2, Block 2, D.L. 8, Plan 11539

(2761 North Road -- Located on the North-West corner of Lyndhurst Street and North Road)

Mr. D. J. Mazzucco, 6688 Hazzard Street, owner and developer of the subject property, spoke in favour of the rezoning. He did, however, discuss the prerequisites established for this rezoning proposal as follows:

- (a) He was in agreement with the proposed future closure of Lyndhurst Street and was willing to purchase the redundant portion of the Lyndhurst Road Allowance. He had, however, been unable to obtain a purchase price from the Land Agent.
- (b) He was unable to see the necessity for the dedication of a 20-foot lane allowance on the West boundary of the site.

Aug/15/1972
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He noted that he had already dedicated 34 feet from the front of the property for North Road.

The Director of Planning agreed that a firm price for the redundant Lyndhurst Street Road Allowance should be known prior to an agreement being signed. He further noted that the 20-foot lane allowance is required to provide secondary access to the property.

Mr. Jim Sloboda, 9955 Lyndhurst Street, speaking on behalf of his Mother who is the owner of the property immediately West of the proposed rezoning, posed the following questions:

- (1) What is the status of the previous proposal to rezone this property to R6?

The Director of Planning advised that the applicant had reviewed his earlier proposal and now wishes to develop the property with a small neighbourhood commercial centre which would be oriented to the shopping needs of the surrounding neighbourhood. He noted that the subject property had dual zoning. Approximately the South 150 feet of the lot is zoned Neighbourhood Commercial District (C1) which will accommodate the proposed commercial development and the remaining Northerly portion of the property is zoned Residential District Two (R2). The P8 Parking District zoning would enable the applicant to provide additional parking for his proposed development without leading to additional pressure for zoning changes in the area.

- (2) If the current proposal to rezone from R2 to P8 is approved, could other R6 proposals be entertained?

The Planning Director replied in the negative.

- (3) Would the proposed 20-foot lane on the West side of the property provide a thoroughfare from North Road to Lyndhurst Street?

The Director of Planning advised that the municipality, by various means at its disposal, would frustrate such a movement. The principal use of the lane would be to serve as an access to the commercial development for residents to the West.

(3) FROM RESIDENTIAL DISTRICT FOUR (R4) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT THREE (RM3)

Reference RZ #44/72 and 46/72

(a) Lots 1 to 3 Incl. and 20 to 22 Incl., Block 77, D.L. 127,
Plan 4953 -- RZ #46/72

(b) Lots 17 to 19 Incl., Block 77, D.L. 127, Pl. 4953 - RZ #44/72

(270, 290, 330 S. Ellesmere Avenue, 271, 251, 221 S. Holdom Avenue and 341, 331, and 291 S. Holdom Avenue - Located between Ellesmere and Holdom Avenues Immediately South of Capitol Drive)

Mr. R. Reddington, 16 S. Holdom Avenue, stated that while he was not opposed to the rezoning, he was concerned with the parking problems which could be generated on both Holdom Avenue and on Capitol Drive. He noted that existing apartments in this area on Holdom Avenue were already creating problems.

The Planning Director noted that a local improvement project which will widen Holdom Avenue to 36 feet between Hastings and Pandora Street is scheduled for completion this year. He further noted that a policy whereby apartment

owners would be obliged to include charges for underground parking in their rental schedules would encourage tenants to utilize the parking spaces provided and thus reduce the on-street parking problems.

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

(a) Reference RZ #31/72

Lots 1 and 2, Block 27, D.L. 32, Plan 8952

(6270 and 6290 Marlborough Avenue -- Located on the North-East corner of Marlborough Avenue and Newton Street)

Mr. E. Langemann, 5140 Sanders Street, submitted a letter strongly objecting to the proposed rezoning proposal.

He noted that his own property is located across the North lane and two lots East from the subject lots. When the property was purchased the area was zoned for family homes and was a good quiet neighbourhood. He noted that the current rezoning proposal would allow about 25 families where two single family dwellings were previously located. This, coupled with the approximate 65-family units already located in the two apartment buildings immediately East of the proposed apartment building, will add about 90 families across the lane where once seven families lived.

He was convinced that 90 families would create very real problems within the neighbourhood and that these problems have been created as a direct result of the municipal rezoning policy.

He further noted that his, and other homes on Sanders Street, are too new to be attractive to prospective developers and that he could not take advantage of the higher prices that the owners of older homes are able to ask.

He questioned the value of a Public Hearing in such instances where it appears the developer is so certain of the approval of the rezoning application that the properties in question have already been purchased.

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

(b) Reference RZ #43/72

(a) Lots 3, 9 and 1 and 2N½, R.S.D. "C", S.D. 19/20, Blks. 1/3, D.L. 95, Plan 1264

(b) Lots 1 and 2 S½ and 4, Block "C", D.L. 95, Plan 1264

(c) Lot 5, S.D. "C", Blks. 19 and 20, D.L. 95, Plan 1264

(d) Lots 6, 7 and 8, S.D. "C", Blk. 19, D.L. 95, Plan 1264

(e) Lot "A", R.S.D. "C", S.D. 19/20, Blk. 1/3, D.L. 95N, Pl. 12434

(6922, 6976 Arcola Street, 7112 Griffiths Avenue, 7140 Griffiths Avenue, 6932, 6940, 6950, 6966, 6990 Arcola Street -- Located at the South-East corner of Arcola Street and Griffiths Avenue)

Mrs. J. Swlecki spoke in favour of the proposed rezoning.

(5) FROM RESIDENTIAL DISTRICT FIVE (R5) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT FOUR (RM4)

Reference RZ #45/72

Lots 2 to 4 inclusive, and 18 to 20 inclusive, Block 48, D.L.'s 151/3, Plan 1437

Lots 1 and 17, Block 48, D.L. 151, Plan 1437

(6770, 6750 Patterson Avenue, 6749 Willingdon Avenue, 4149, 4169 Imperial Street, 6790 Patterson Avenue and 6729 Willingdon Avenue Located Immediately North of Imperial Street between Patterson and Willingdon Avenues)

Mr. Sawatski of Cardinal Developments Ltd. enquired as to the future alignment of Willingdon Avenue and how this alignment would effect the subject properties and also the properties owned by his Company, to the North.

Director of Planning advised that the acquisition of right-of-way for the proposed extension of Willingdon Avenue and the construction of this route await a Council decision on the designation of Willingdon Avenue as a major North-South road. The Planning Department is currently studying the proposed extension with the intent of placing a report on this question before Council in the near future. It is the Planning Department's opinion the development of the subject site could proceed without Council deliberations on the Willingdon extension for the following reasons:

- (a) The proposed road, if adopted as policy, would require a minimal dedication from the subject site, namely a small truncation.
- (b) The site would not be dependent upon the extension of Willingdon Avenue for access as Imperial Street and Willingdon Avenue are more desirable as points of access for the proposed development.
- (c) It is the Planning Department's opinion that regardless of the outcome of deliberations on the desirability of the Willingdon extension, the most logical use of the subject site is for RM4 development.

Mr. Swatski objected to the proposed rezoning.

Mr. Bjornson of Shamrock Holdings Ltd., owners of property across the street from the proposed development, was concerned with where vehicular traffic will enter and leave the development. He enquired if the existing alignment of Willingdon Avenue would be cul-de-saced and was of the opinion that it should be left open to provide greater access. He suggested that RM5 zoning would be more suitable than RM4 zoning for this site.

Mr. Bjornson objected to the proposed rezoning.

Mr. Quan, 6730 Willingdon Avenue, supported the remarks of the previous speaker and also was opposed to the proposed rezoning.

Mr. G. Stafford, 4690 Imperial Street, spoke in favour of the rezoning.

Mr. E. E. Collicutt, 6749 Willingdon Avenue, spoke in opposition to the rezoning proposal.

A resident of 4250 Maywood Street also spoke in opposition to the rezoning.

(6) FROM RESIDENTIAL DISTRICT FIVE (R5) TO NEIGHBOURHOOD INSTITUTIONAL DISTRICT (PI)

Reference RZ #48/72

Lot 59, Block 1, D.L. 74S½, Plan 1547
Lot 60, Block 1, D.L. 74, Plan 1547

(5170 and 5190 Norfolk Street -- Located on the South-West corner of Norfolk Street and Royal Oak Avenue)

Mr. P. D. McInnes, 3262 Royal Oak Avenue, spoke in opposition to the proposed rezoning. He was of the opinion that the problems which may be created by a parking lot in this area are not sufficiently clear at this time. He did, however, feel that the creation of a parking lot would lead to an increase in traffic.

Mr. P. Neill, 5149 Norfolk Street, and Mr. J. Dutton, 5129 Norfolk Street supported the remarks of the previous speaker and were opposed to the rezoning proposal.

Mr. E. Gardeckl, 5169 Norfolk Street, enquired as to the access point to the proposed parking area. He also expressed the fear that should the church vacate this property, was there sufficient control to govern future development.

The Reverend Fraser of the Royal Oak Baptist Church, speaking in favour of the rezoning application, pointed out that the parking facility would be developed in accordance with the regulations of the Burnaby Zoning By-law. He stated that access to the area would be from Norfolk Street. He also noted that the use of the parking lot would be strictly controlled and, in the hours when not in use by the Church organization, would be barred from use by the general public with chains and padlocks.

(7) FROM RESIDENTIAL DISTRICT THREE (R3) TO NEIGHBOURHOOD INSTITUTIONAL DISTRICT (PI)

Reference RZ #29/72

The Easterly 269.11 feet of Lot 85, D.L. 74, Plan 30139 measured Westward from the intersection of Canada Way and Laurel Street

(5146 Laurel Street - Located on the South-West corner of Canada Way and Laurel Street)

Mr. W. Manning, 6049 Sprott Street, President, St. Theresa's Parish Committee, spoke in favour of the proposed rezoning.

Mr. J. E. Sims, 3275 Royal Oak Avenue, was also in favour of the proposed rezoning.

Miss M. E. Newcombe and Miss K. M. Jones, 4989 Laurel Street, were also in favour of the rezoning.

(8) FROM NEIGHBOURHOOD INSTITUTIONAL DISTRICT (PI) TO RESIDENTIAL DISTRICT THREE (R3)

Reference RZ #28/72

Lot "P" Prt, R.S.D. M, S.D. 1, Block 3, D.L. 74S½, Plan 4355

(4703 Canada Way -- Located on the South-East corner of Canada Way and Laurel Street)

Mr. W. Manning, 6049 Sprott Street, President, St. Theresa's Parish Committee, spoke in favour of this rezoning.

Mr. J. S. Sims, 3275 Royal Oak Avenue, supported Mr. Manning in this respect.

Mrs. M. Sanderson, 5269 Laurel Street, also supported the proposed rezoning proposal.

(9) FROM RESIDENTIAL DISTRICT TWO (R2) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Reference RZ #8/71

- (a) Lot 3, Ex. Pl. 20310, Blk. 3 Prt., D.L. 156, Plan 14380
- (b) Pcl. "C", Expl. Pl. 13801, Ex. Plan 20310, R.S.D. 2, S.D. "A", Blk. 3, D.L. 156, Plan 5322
- (c) Lot "B", Expl. Pl. 14319, Blk. 3, D.L. 156, Plan 3815
- (d) Lot "F", Blks. 2 and 3, D.L. 156, Plan 19936

(4225, 4249, 4271, 4291 Marine Drive -- Located on the North side of Marine Drive approximately 470 feet East of Patterson Avenue)

Mr. and Mrs. Scott Stevenson, 4209 Marine Drive, submitted a letter indicating their full support for the proposed rezoning project. They believed it to be a beautifully planned project and felt that it would be a tremendous improvement and will get rid of the dumping of various refuse on the ravine lot that they are located immediately adjacent to.

Mr. A. F. C. Hean, Solicitor, speaking on behalf of his client, Mr. Norman Boxer, the owner and developer of the subject property, outlined the history of this rezoning proposal. He noted that work had commenced approximately five years ago and that the initial plan had called for a development containing 55 units. They had been advised by the Planning Department that this was not acceptable and the number of planned units was reduced accordingly.

The plans were subsequently amended to reduce the number of units to 42. Over the course of time, the plans have again been reduced to the present proposal which calls for a total of 35 living units with underground parking facilities for 53 vehicles which provides a ratio of parking places to units of 1.51:1, which exceeds By-law requirements.

Mr. Hean stressed his clients desire to provide a development which will provide the absolute maximum in gracious living for the occupants of the development taking into consideration the limitations of the site itself and the character and amenities of the surrounding Residential District which is zoned R2.

He noted that the site is immediately adjacent to a Park and a School and was of the opinion that, due to declining school populations, children from the proposed development could be assimilated without problem.

The Architect has come up with a daring plan for this 1.85 acre plot which could well serve as an example for the development of similar parcels within the Municipality. The buildings will be of low profile and the architect has provided the maximum facilities within the site itself.

Mr. Hean noted that there was a rise of 30 feet from the front of the property on Marine Drive to the rear of the property, a factor which will protect the residents on Boxer Street to the North from any invasion of their privacy or interruption of the view they currently enjoy.

Because of the benefits which will accrue to the Municipality if this rezoning proposal is allowed, Mr. Hean urged that Council give favourable consideration

to the current proposal of his client.

Mr. D. V. Bennett, 4213 Boxer Street, speaking on behalf of the following residents of Boxer Street, who were all present at the Public Hearing opposed the rezoning proposal:

Mr. and Mrs. N. H. Tsuyki, 4253 Boxer Street
Mr. and Mrs. R. McNiney, 4254 Boxer Street
Mr. and Mrs. R. G. Bushnell, 4244 Boxer Street
Mr. and Mrs. G. A. Brown, 4234 Boxer Street
Mr. and Mrs. F. E. McWhinnie, 4224 Boxer Street
Mr. and Mrs. C. V. Borgerson, 4214 Boxer Street
Mrs. D. V. Bennett, 4213 Boxer Street

Mr. Bennett went on to say that he was aware of the large amount of planning that had gone into this project to bring it to its present status. He noted that Mr. Hean had stated that planning had been going on over a five year period but that he and his neighbours had only 10 days to prepare a presentation to the Public Hearing.

The abutting owners were not overly concerned with the effect the rezoning would have on neighbourhood facilities such as parks and schools. Mr. Bennett maintained, however, that the proposed density for the site of 19 units per acre could not, in any way, be considered compatible with the surrounding area. He noted that the existing density for the R2 zone, which includes Boxer Street is five units to the acre. The density proposed for the subject site would create a small enclave surrounded by R2 zoning with a density of less than a third of the proposed CD Zoning.

He was aware that the existing improvements on the site in question were very inferior and improvement was a necessity. He requested the co-operation of Council and the Planning Department in arriving at a solution more compatible than that being considered by this Public Hearing.

He enquired as to whether the proposed project would be a condominium development or was being built on a rental basis and was concerned that no schedule of construction had been presented.

In conclusion, Mr. Bennett again stated that it was the density (19 units per acre) that was the main concern of himself and his neighbours and the incompatibility of this rezoning proposal with the surrounding R2 zoning.

Mr. Hean then advised that the project would be constructed as a condominium and units would be sold to individual purchasers. He noted that under the Strata Titles Act, adequate maintenance was a necessity and would ensure that the project was maintained in a satisfactory manner in perpetuity. He went on to say that there are other 2 acre plots in the Municipality which would not support the densities proposed for this site. He noted that underground parking was extremely expensive but did ensure that automobiles did not constitute a nuisance to abutting properties. Cost of the project was estimated at \$19,000.00 to \$23,000.00 per unit but this price did not include the provisions of underground parking.

Mr. Hean stated that this was a new and daring approach to a very serious problem.

Mr. Bennett did not agree that the proposal was either daring or new. The proposed density of 19 units per acre would constitute a flagrant over-development of the site with no respect being given to the adjacent R2 zone.

Mr. Mar, the Architect, stated that in his opinion density was not the prime factor to be considered in this instance. He noted that the design allowed for the maximum amount of open space possible on the site and only 26% of the total area would be covered by buildings. With such an arrangement, there would be no question of overcrowding.

B. TEXT AMENDMENT

(1) The revision of Sub-Clause (c), Clause (3) (Exceptions to Side Yard Requirements) of Section 6.12 (Yard) as follows:

"(c) In M Districts the required side yard on each side of the principal building may be reduced to a minimum of 10 percent of the lot width, except that where a principal building is constructed to the side lot line the width of the other side yard may be reduced to a minimum of 20 per cent of the lot width."

(2) The revision of the proposed amendment of Sub-clause (b)(1), Clause (2), Section 6.15 (Storage Yards) as follows:

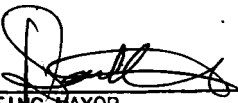
"(1) In A, C4 and M Districts, any part of a lot used or intended to be used as an outside storage area shall be enclosed by screening on any side not facing directly upon the principal building on the lot, and no material shall be piled to extend above such screening in A, C4, M1, M4 or M5 Districts. In the case of M2, M3 or M6 Districts, material may be piled to a maximum height of 12 feet,"

No one appeared in connection with this proposed text amendment.


The Hearing adjourned at 9:00 p.m.

Confirmed:

Certified correct:



ACTING MAYOR



CLERK

BL/hb