

MAY 30, 1972

A Public Hearing was held in the Council Chambers, Municipal Hall, 4949 Canada Way, Burnaby 2, B. C. on Tuesday, May 30th, 1972 at 7.30 p.m. to receive representations in connection with the following proposed amendments to Burnaby Zoning By-law 1965.

PRESENT: Acting Mayor H. Ladner
Alderman D. Lawson
Alderman W. R. Clark (7.35 p.m.)
Alderman W. A. Blair
Alderman J. Dailly
Alderman T. Constable
Alderman G. Dowding

Acting Mayor Ladner explained the procedures Council must follow in connection with proposed amendments to the Zoning By-law.

The following are the items that were the subject of the Hearing:

Proposed Rezoning:

- (a) From Residential District Two (R2) to Comprehensive Development District (CD)

Reference RZ #27/71.

A portion of Lot 67, Except Plans 38076 and 38574, D.L.'s 6/10/56/148, Plan 31569.

(Located between Gaglardi Way and Beaverbrook Drive south of the proposed Broadway Extension).

No one appeared in connection with this proposal.

- (b) From Residential District Three (R3) to Community Institutional District (P5).

Reference RZ #6/72.

Lot 5W $\frac{1}{2}$, Block 3, D. L. 74S $\frac{1}{2}$, Plan 1380.

(5408 Laurel Street - located on the south side of Laurel Street approximately 600 feet east of Canada Way).

No one appeared in connection with this proposal.

- (c) From Residential District Five (R5) and Service Commercial District (C4) to Comprehensive Development District (CD).

Reference RZ #25/71.

Block 3, Expl. Plan 6177 except Parcel "A" Ref. Plan 10610 and except part on plan with By-law 20078, D.L.97, Plan 824. (North-east corner of Kingsway and Waltham Avenue).

Mr. Pitman of 6031 Imperial Street, who stated he also owned 5949 Imperial Street, spoke and inquired about the satisfaction of the prerequisites associated with the rezoning proposal.

Alderman Clark arrived at the meeting.

Mr. Pitman mentioned another experience involving the rezoning of land nearby approximately one year ago when a number of things that were supposed to have been done by the developer were not undertaken.

(Item (c) continued....)

The Planning Director stated that this matter involved land on the south side of Imperial Street where an auto dealership is located and the reason all the prerequisites have not been completed is because the rezoning proposal is not yet consummated.

When Mr. Pitman asked about the two ramps to handle the traffic flow to and from the development planned on the property, the Planning Director stated that the only accesses would be from Imperial Street and from Waltham Avenue - not Kingsway.

When Mr. Pitman asked whether parking would be banned in the 6000 Block Imperial Street after the development is built, the Planning Director stated that he did not think this would occur.

Mr. Stede of Banco Finance Company, the intending developer of the property, then spoke and pointed out that the development planned will be an improvement which should be satisfactory for all concerned, in that it will retain the commercial character of Kingsway and provide housing facilities as well.

Mr. Stede also suggested that the present non-conforming use on the property was having a detrimental effect on the area.

(d) From Residential District Five (R5) to Comprehensive Development District (CD)

Reference RZ #3/72.

Lot 6, D. L. 34, Plan 849.

(located on the North side of Kingsway approximately 125 feet east of Inman Avenue).

Mr. Jones, Architect, spoke and explained the development proposal planned for the property and how it will be an improvement.

(e) Text Amendments. (see page following)

II. PROPOSED ZONING BYLAW TEXT AMENDMENTS

(1) Proposed A3 District Regulations:

603. TRUCK GARDENING DISTRICT (A3)

This District provides for farming, truck gardening, orchard or nursery cultivation and similar activities of an intensive agricultural character developed in proper relationship with surrounding uses.

603.1 Uses Permitted:

- (1) Farming, truck gardening, orchard or nursery cultivation, greenhouses and other similar enterprises and uses.
- (2) Accessory buildings and uses, including:
 - a) A single family dwelling on an agricultural lot with a minimum area of five acres, subject to the bulk regulations of this district.
 - b) Home occupations.
 - c) The storage and sale of peat which has been removed in the preparation of land for cultivation.

603.2 Conditions of Use:

The erection and use of roadside stands or similar structure for the retail sale of farm produce shall be prohibited.

603.3 Height of Buildings:

The height of a building shall not exceed 35 feet nor 2 1/2 storeys.

603.4 Lot Area and Width:

Each lot shall have an area of not less than five acres and a width of not less than 300 feet.

603.5 Front Yard:

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

603.6 Side Yards:

A side yard shall be provided on each side of the building of not less than 15 feet in width.

603.7 Rear Yard:

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

603.8 Off-Street Parking:

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

(2) The Amendment of Section 5.1 (Designation of Districts) as follows:

VI. AGRICULTURAL

AGRICULTURAL	A1
SMALL HOLDING	A2
TRUCK GARDENING	A3

(3) The Addition of the following to the A1 (Agricultural) District:

601.1 Uses Permitted:

- (11) Centres for the collection, storage, grading, crating, packaging and distribution of fruits and vegetables, but excluding canning, preserving or processing.
- (12) Farmer's markets for the retail sale of agricultural produce.

601.2 Conditions of Use:

- (1) Farmer's markets and centres for the collection, storage, grading, crating, packaging and distribution of fruits and vegetables shall be subject to the landscaping requirements which apply to M Districts under Section 6.15 of this Bylaw.
- (2) The erection or use of roadside stands or similar structures for the retail sale of farm produce shall be prohibited.

(The consecutive renumbering of the remaining sections in the A1 District category will be necessary to permit the insertion of the above "Conditions of Use" section, i.e. 601.3 Height of Buildings, 601.4 Lot Area and Width, 601.5 Front Yard, 601.6 Side Yards, 601.7 Rear Yard, 601.8 Off-Street Parking).

601.9 Off-Street Loading:

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

(4) The Addition of the following to the A2 (Small Holding) District:**602.1 Uses Permitted:**

- (6) Accessory buildings and uses, excluding the creation or use of roadside stands or similar structures for the retail sale of farm produce.

(5) The Addition of the following to the CD (Comprehensive Development) District:**700.1 Uses Permitted:**

- (4) Uses permitted in M1, M2, M3 or M5 Districts, either alone or in combination with uses in P3 or P8 Districts.

(6) The following Amendments to the Screening Requirements for Outside Storage under Section 6.15, Clause (2), including the deletion of the existing sub-clause (b) (ii) - (Screening Requirements in M2, M3 and M6 Districts):**(2) Storage Yards:**

- (a) No storage yard or area shall be permitted in a required front yard nor in any required yard which abuts a lot in an R or RM District, or is separated by a street or lane therefrom.

- (b) Screening consisting of a solid 8 foot fence or wall, which shall be uniformly painted and well maintained and not used for advertising or display purposes or for the posting of notices, or, a compact evergreen hedge not less than 6 feet in height which shall be maintained in good condition at all times, shall be provided as follows:

- (i) 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.
- (ii) Required front screening shall be so situated as to conform with the applicable front yard setback provisions.
- (iii) Where a side or rear yard is required to be landscaped the required screening shall be located on the line established by the yard setback provisions.

HUG BEND AREA STUDY: PROPOSED DEVELOPMENT

- (7) The deletion of the existing Section 403.5 (Side Yard Requirements in the MA District) and its replacement by the following:

403.5 Side Yards:

A side yard shall be provided on each side of the building of not less than 10 feet in width, except that:

- (1) A side yard not flanked by a street, lane or an A, R or RM District may be reduced to nil, provided that the other side yard has a width of not less than 20 feet.
- (2) In the case of a corner lot, the side yard adjoining the flanking street shall be not less than 14 feet in width.
- (3) Where a lot abuts a lot in an A, R or RM District, or is separated by a street or lane therefrom, a side yard shall be provided of not less than 20 feet in width.

Acting Mayor Ladner pointed out that the foregoing text amendments would involve land throughout the Municipality.

Mr. E. L. Sutton submitted a letter in which he set forth his views on the text amendment.

Mr. Angus J. Macdonald, Manager, Burnaby Chamber of Commerce, then spoke and presented a Brief containing the following points:

- (a) during the past seven years, after introduction of the Zoning By-law, there have been 35 amendments to the text of the by-law.
- (b) Council should ensure, when changing the text of the by-law, that property in the Municipality does not become nonconforming as a result. In the case at hand, concern was expressed that, though the proposals may be beneficial for any developments in the Big Bend Area where properties are more liable to be fairly large and development at the moment is minimal, the same regulations applied to other M3 areas would create non-conforming situations in some cases, particularly the Boundary-Douglas-Lougheed Highway areas. Perhaps it would be better to rezone land in the Big Bend Area to another industrial category, such as M 7, and apply the regulations now under consideration to that M7 zone only.
- (c) The attention of Council was being drawn to points made in a submission of the Chamber to Council on June 4, 1971 in respect of landscaping provisions in the zoning by-law.
- (d) It is difficult to rationalize any industrial use in an agricultural area where there is industrial land close by.
- (e) Farmer's markets cannot prosper unless there is a reasonably heavy flow of traffic and therefore it would seem this use would be better suited to the A3 area on Marine Drive rather than near or adjacent to the new Marine Way.
- (f) It would be desirable to allow some commercial uses in the Big Bend Area and this can be controlled by the use of CD zoning.
- (g) Screening should be provided, wherever possible, and it would be preferable to see compact evergreen hedges rather than solid 8' fences. Advertising should be allowed.
- (h) The normal practice in many industries, particularly the lumber industry, is to pile approximately 12 feet high. Since the By-law proposes that the height of screening be no greater than 8 feet, this would have an adverse affect on the lumber industry particularly.
- (i) The word "agriculture" in the second line of subsection (1) of section 403.5 should be deleted because the only industries which abut A1 zones are those that are proposed to be held as a long range industrial reserve. The same applies to the agricultural use in subsection (3).
- (j) The Council should consider the formation of an advisory or authoritative group to deal with landscaping, screening and other like matters.

Mr. W. Gillis, President of Mill and Timber Products, which is located at 8818 Greenall Avenue, spoke and provided an indication as to the scope of the business done by the Company. He stressed that his Company was opposed to the screening requirements for the piling of lumber, as mentioned by the Chamber of Commerce, and would be required to acquire more land to accommodate its products if not allowed to pile the lumber to a height of twelve feet. He added that it would also cost more in terms of the handling of the lumber.

Mrs. Evans of 6541 12th Avenue spoke and expressed support for the text amendments.

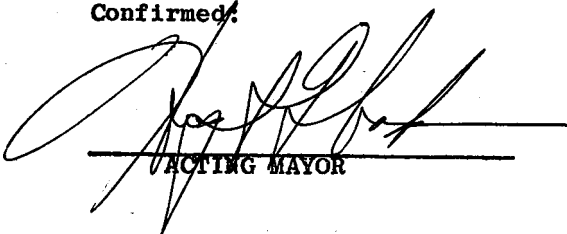
Mr. Patterson of Timber Preservers Ltd. indicated he was not opposed to the screening requirements but he felt they should be applied over a period of time. He added that screening would serve no purpose in the case of his Company's land because the plant faces the peat areas where there is no development.

When Mr. Green of 8103 Willard Avenue inquired, the Planning Director stated that the screening required by the Zoning By-law would not be applied to the crates piled by the Chinese gardeners in the Big Bend Area unless the farms were adjacent to a residential zone.

Mr. Green suggested that these regulations should apply.

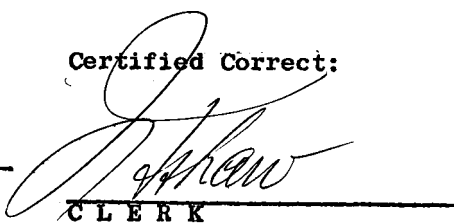
The Hearing adjourned at 8.30 p.m.

Confirmed:



ACTING MAYOR

Certified Correct:



CLERK