

APRIL 10, 1973

A Public Hearing was held in the Council Chambers, Municipal Hall, 4949 Canada Way, Burnaby 2, B. C. on Tuesday, April 10, 1973 at 7:30 p.m. to receive representations in connection with the following rezoning proposals:

PRESENT: Mayor R. W. Prittie, in the Chair;
Alderman W. A. Blair
Alderman W. R. Clark
Alderman J. D. Drummond
Alderman M. M. Gordon
Alderman D. A. Lawson
Alderman G. H. F. McLean
Alderman J. L. Mercier
Alderman T. W. Constable

STAFF PRESENT: Mr. A. L. Parr, Planning Director
Mr. B. D. Leche, Municipal Clerk's Assistant
Mr. R. F. Norcliffe, Municipal Clerk's Assistant

(3) FROM RESIDENTIAL DISTRICT TWO (R2) TO SPECIAL INSTITUTIONAL DISTRICT (P7)

Reference RZ #B/73

- (i) Lot 4, Block "N", D.L. 90, Plan 17407
- (ii) Lot 1, Block "N", D.L. 90, Plan 16923

(6630 and 6650 Canada Way -- Located on the North side of Canada Way, 130 feet West of Mayfield Street)

Mr. Peter G. Chatterton, President, International Society for Krishna Consciousness Inc., addressed the Hearing. He stated that his remarks would be an attempt to clearly delineate the nature of the use to which the property at the above address will be put should the requested rezoning be allowed. It had been brought to his attention that members of the surrounding community, acted on what he considered to be a gross misrepresentation of the true facts, had held a meeting to organize objections to the proposed rezoning.

Mr. Chatterton noted that he and other members of his group had visited many homes in the vicinity of the subject property and had found that a thick smoke screen of half truths, rumours, erroneous conclusions, etc. had clouded the issue to a point which seemed to destroy any hope of considered opinion and reasonable judgement.

He stated that aims of ISKCON were entirely peaceful and it was the intention of his group to cause no conflict in the area in any way.

He noted that members of ISKCON had no training in the treatment of drug abuse and there was actually no way the subject premises would be used as a drug drop-in centre. He noted that any work done by his group to assist youngsters who may be involved in drug abuse is accomplished on the streets or in the schools ^{not} in their home.

Mr. Chatterton stated that the population of the home would not be less than 15 or more than 20 at any one time. His Society lives to very strict rules and the use of intoxicants or illicit sex life is strictly prohibited. Visitors to the residence are not permitted to stay overnight under any circumstances.

Mr. Chatterton stated that he believed the proximity of the site to the nearby elementary school would create no problem. His associates were busy all day either in the home or in downtown Vancouver.

He could not see any way in which the home could possibly have a devaluing effect on other properties in the neighbourhood. It was the Society's intention to act in all ways as responsible citizens and good neighbours.

With regards to noise, Mr. Chatterton advised that his Society were early risers, getting up at 3:00 a.m. daily with religious services following shortly thereafter. He admitted this had been a source of complaint in the past but he was arranging for the proposed premises to be soundproofed and had arranged with an acoustical engineer to provide this service.

The population of the home would be composed of single men and women but no fraternization is allowed to due to the extremely rigid rules existing in the home.

In response to a question by Alderman McLean as to why the Society was vacating their present quarters in Vancouver, Mr. Chatterton advised that the residence in question was soon to be torn down. He stressed that the proposed site in Burnaby was very suitable and that such locations were very difficult to come by.

Alderman Lawson enquired as to the possibility of creating traffic problems. Mr. Chatterton advised that there would be no influx of cars. The Society had few visitors ^{those} and those that do are generally pedestrians. He noted that there was ample parking space on the property.

Alderman Gordon enquired if the Society had any testimonial from their present area of residence. Mr. Chatterton replied in the negative.

Alderman Constable enquired if the Society was presently in residence at the subject site. Mr. Chatterton advised that they were not and indicated that if the rezoning was refused another site would have to be found.

Mr. Chatterton presented a petition signed by 35 residents of the surrounding area stating that they had no objection to the proposed rezoning.

Mr. Alan Pinkney, 7880 Mayfield Street, submitted a petition signed by 480 residents of the area objecting to the proposed rezoning. The points made by the petitioners are as follows:

- (a) The residents in this area have built and maintained homes on the understanding that the area is to remain a residential district dwelling zone R2. A P7 zoning would lower property values and would be incompatible with the residential setting already established.
- (b) The building in question does not meet many other requirements of P7 zoning.
- (c) The present zoning does not attract traffic or cause parking problems. The proposed use of this premises would cause additional traffic on Mayfield and Berkley Streets, presently quiet residential streets.

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- (d) The introduction of P7 zoning could eventually allow the building to be used for the following purposes: aftercare, parole and rehabilitation centres, correctional institutions and half-way houses, institutions of religious and charitable natures etc. which would further conflict with the residential status of the surrounding homes and the positioning of the elementary school behind. The petitioners did not agree with the Planning Department's observation that the area is reasonably "isolated".
- (e) The petitioners noted that the new occupants plan to offer free meals at weekends. They feel this would attract large numbers of people who would be forced to use Berkley Street and Mayfield Street for parking. The homeowners have expressed concern on the effect this would have on homes in the area.
- (f) Other municipalities have rejected similar applications from this Society because of the proximity of one school. The petitioners noted that there were four elementary schools within five blocks of this building, including Burnaby Park.
- (g) Some of the petitioners have visited the area being vacated by this group and have found there activities generate considerable objectionable noise, such as chanting, etc. from as early as 4:30 a.m. until late at night. Activity of this nature would be objectionable to the R2 zoning.
- (h) Homeowners and taxpayers in this area have, and request the right, to maintain the zoning as R2.

Mrs. Elinore Lyons, 6592 Canada Way, submitted a letter objecting to the proposed rezoning. She noted that she and her husband were the owners of Lot 5 abutting the properties in question and were very disturbed at the prospect of having an institution of any sort right next door to their home. They want their children and themselves to be able to enjoy their neighbourhood and feel that an institution right next door would give them a sense of insecurity and limited privacy. They were concerned that the activities of the Society would create a traffic problem as the lane is the only access to the property. This lane is a dead end lane which ends directly behind their house. The lane is wide enough for only one car at a time as there is a ditch on one side and a wire fence on the other. Mrs. Lyons expressed concern that the building could become a drug rehabilitation centre under the proposed rezoning. She noted that the building was previously operated as a rest home and certainly did not cause conflict with the neighbourhood as the residents wished to enjoy a quiet undisturbed lifestyle as well as the neighbours. Mrs. Lyons is also concerned that the estimated population of the building under this proposal would be exceeded.

Mr. H. E. Green, 7742 Berkley Street, also submitted a letter objecting to the proposed rezoning.

Mr. J. R. McMaster, Principle of Lakeview School, wrote to advise that he was not in agreement with the report of the Planning Director which stated in part "the house is reasonably isolated and the proposed use is compatible with surrounding developments". His main concern for this property, however, had little to do with the type of rezoning but is specifically related to traffic congestion at the intersection of Canada Way and Imperial Street.

Mr. & Mrs. J. Esteves (6749 Hersham Avenue) submitted a letter objecting to the proposed rezoning.

Mr. & Mrs. S. E. Smith (7628 Formby Street) submitted a petition containing 45 signatures objecting to the proposed rezoning.

Mrs. I. D. Bridges (7665 Imperial Street) submitted a letter objecting to the proposed rezonings because she did not feel that a residential area adjoining an Elementary School is the place for this type of residence.

Mrs. Margaret Scott (7628 Imperial Street) submitted a letter objecting to the proposed rezoning on the grounds that the proposed use would not be compatible with the existing residential area.

Mrs. Mary Anne Hawkrige (7629 Imperial Street) and Mrs. Mildred D. Reddemann (7637 Imperial Street) submitted a letter objecting to the proposed rezoning. They noted that ISKCON is apparently active in the field of drug control and did not feel that drug rehabilitation groups should be formed on property which abuts an Elementary School. They were also concerned with a possible influx of people into the neighbourhood who do not conform with a way of life the residents have built for themselves in the neighbourhood.

Mr. & Mrs. C. S. Straticuk (7606 Imperial Street) wrote to express their objections to the proposed rezoning. They did not feel the purpose for which the applicants intend to use the property conforms with the surroundings, i.e., on property abutting an Elementary School. They noted that as parents of young children attending Lakeview Elementary School, their greatest concern rests with them. It is necessary for their children to pass this property on their way to and from school. The applicants for the rezoning have stated that their centres are always open for educative purposes and the distributing of free food all day Sunday. They felt this could only cause an influx of transient element into the neighbourhood which would inevitably cause a devaluation of the properties in the present residential area.

Mr. D. Gildemeester (6679 Hersham Avenue) spoke in opposition to the proposed rezoning. He was particularly concerned with a letter that had been circulated by ISKCON to surrounding residents in the area attempting to enlist their support for the proposed rezoning. He was concerned that should this rezoning proposal be approved and the proposed use later discontinued any of the other uses permitted in the P7 zone could take over the property. He did not feel that this was a proper area for any of these as permitted in the P7 District and was opposed to the rezoning in that respect.

Mrs. R. S. Almond (6670 Canada Way) spoke in opposition to the rezoning. She stated that she did not object to the establishment of such institutions but did not consider that they should be located within an established residential area.

Mr. Carl Mulder of ISKCON, apologized for the letter circulated throughout the surrounding area if that letter had been offensive to anyone. He stated that the chief objective of the Society was to obtain a place to live and worship which would be in peace and harmony with the surrounding community. He noted that the outdoor activities of his group were located mainly in downtown Vancouver where a large number of people could become involved. He stressed that the aim of his Society was a peaceful one.

Mr. G. A. Rose (7620 Formby Street) also spoke in opposition to the rezoning.

Mr. C. A. Thomson (6511 Canada Way) stated that he was opposed to any form of institutional zoning in this area.

Mr. Jim Lyons (6592 Canada Way) noted that although the proposed population of the Home was not to exceed 20 people, the structure itself could accommodate many more. He was concerned, therefore, that the proposed population of 20 could be exceeded and that this aspect would be very difficult to enforce.

(1) FROM RESIDENTIAL DISTRICT FOUR (R4) TO COMMUNITY COMMERCIAL DISTRICT (C2)

Reference RZ #10/73

Lots 5 and 6, Block 4, D.L. 127, Plan 1342

(481 and 515 South Ellesmere Avenue -- Located on the West side of Ellesmere Avenue, 126 feet North of Frances Street)

A letter was received from the applicant, Mr. Paul Seifner, which agreed to some prerequisites recommended by the Planning Department. These were:

- (a) that Lot 5 be consolidated with Lots "B" and "C" to the North;
- (b) that the house on Lot 5 be removed in the specified time;
- (c) that a suitable plan of development for the site be submitted.

Mr. Seifner added that the owners of the house on the Lot 6 to the South, Mr. and Mrs. Hine, have a very comfortable and attractive home on the site and have no desire to sell it. Mr. Seifner was certain that the proposed extension to the present building had merit, however, the acquisition of Lot 6 would make the proposition financially impossible and the whole development would be economically unsound.

Mr. Seifner in a further submission advised that he had been established in the area for 19 years. His Company had tried to develop and improve the area under the most difficult conditions. Because of the topography and difficulty in providing ample parking space, the present rental space is inadequate to bring in sufficient revenue to offset the cost, and the present building on Lots "B" and "C" is economically unbalanced. Mr. Seifner therefore, deemed it necessary to extend the building and consolidate the property. The removal of the house and landscaping of the property would make the West side of Ellesmere Avenue neat and attractive. He was therefore petitioning the Council for a favourable decision on the application.

A petition was received from J. and F. Knezovich and a number of other residents of Ellesmere Avenue and Frances Street which expressed opposition to the proposed rezoning.

Mr. J. N. Hine, 515 South Ellesmere Avenue, the owner of Lot 6 which was included in this rezoning proposal, spoke against the proposed rezoning.

Mrs. J. N. Hine, 515 South Ellesmere Avenue, also spoke against this proposal.

(2) (a) FROM RESIDENTIAL DISTRICT FIVE (R5) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT THREE (R3)

Reference RZ #3/73

Lots 31 and 32, Blocks 55/58, D.L. 33, Plan 1825

(4619 Grange Street and 5878 Elsom Avenue -- Located on the Northeast corner of Elsom Avenue and Grange Street)

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Mr. J. Kane, 4619 Grange Street, advised that he had no objection to the proposed rezoning. Mr. Kane, however, complained of the noise generated by truck traffic travelling along Grange Street.

(2) (b) FROM RESIDENTIAL DISTRICT FIVE (R5) TO NEIGHBOURHOOD
COMMERCIAL DISTRICT (C1)

Reference RZ #11/73

Lot 16, S.D.'s 1/12, Block 1, D.L. 748½, Flan 1547

(4626 Canada Way -- Located on the Southeast corner of
Canada Way and Westminster Avenue)

A letter was received from Auto Electric Service (Pacific) Limited which indicated that they were in favour of the proposed rezoning.

A letter was received from the applicant, Mr. R. B. McDonald, 6554 Lambert Crescent, North Delta, which elaborated on the initial letter of application. Mr. McDonald advised that he felt he had made a reasonable argument on three fronts. One, the need for such a development; two, the traditional use of the building; three, the benefit to the area by improvements of the existing building.

Mr. McDonald advised that there were in the immediate neighbourhood some 500 employees of various companies. In the past week he had had some discussion with the Managers of several of these firms, and they were unanimously in agreement with the concept of an industrial cafe for the area.

Mr. McDonald's second point was the traditional use of the building as a commercial enterprise. This property had been a commercial part of the residential area for 30 years. This property predated the new industrial across Wayburne Drive by 25 years. Lots 4, 3, and 95, to the East are in fact now commercial, and all the land west of the property in question is zoned for industrial use.

The third point in Mr. McDonald's Brief concerned the improvement of the building. The applicant advised that although the planner had referred to the building as an old converted house the building had not been built to be a house and had never been a house, it always had a residence in the rear but the difference between a commercial building with a residence attached and a converted house is very important. Mr. McDonald added that although the planner had indicated that the building was very old and run-down, what hadn't been said was that the building was sound in structure and only the exterior was in poor shape.

Mr. McDonald proposed to renovate the building extensively in order to create an attractive business, but the monies required for this could not be expended on the property under the current zoning. In his summation Mr. McDonald reiterated that there was a real need for this facility, and that he was not asking for a change in the use of the property but merely for confirmation of the traditional use.

Mr. D. McDonald, 6751-6th Street, Burnaby, addressed the Public Hearing in support of the application. Mr. McDonald advised:

- (a) That there was a need for an industrial cafe in the area as indicated by the petitions and by many of the employees of the surrounding commercial firms.

- (b) The building had always been commercially-zoned.
- (c) That the facility would be oriented towards the commercial community as indicated by the proposed hours of operation, 7:00 a.m. to 7:00 p.m.

Mr. F. H. Olson, 5009 Laurel Street, Burnaby, submitted a petition containing 56 signatures from home-owners in the immediate area protesting the proposed rezoning.

Mr. Olson advised the Public Hearing that the residents of the area were opposed to the further encroachment into the residential zone of commercial enterprises.

Mr. Olson was of the opinion that this type of facility would generate traffic problems as there was no parking available in the area. Mr. Olson added that at the moment there was a clearly defined demarkation line between the residential and commercial areas and he felt that this line should be maintained.

Mr. R. B. McDonald, 6554 Lambert Crescent, Delta, speaking in support of his application, advised that the commercial firms in this area were permanent responsible businesses and he felt that these businesses and their employees should be given consideration.

He added that he did not propose that this facility would become a meeting place for young people of the residential area but would be operated for the benefit of the commercial firms.

Mr. H. Wagner, 4049 Brandon Street, Burnaby, spoke in opposition to the rezoning advising that in his opinion this type of facility would increase the traffic problems in the area.

Mr. W. Van den Byllaardt, 4654 Canada Way, Burnaby, also spoke against the rezoning proposal. He added that he believed that this type of business would increase the traffic travelling along the lane south of Canada Way. He added that many children used this back lane due to the large amounts of traffic on Canada Way.

Mr. G. Rudolph, 4634 Canada Way, Burnaby, also spoke against the rezoning proposal. He advised that he had been very careful when he purchased his home to ensure that it was in a strictly residential area. He added that he did not wish this type of commercial venture in his neighbourhood.

Mrs. T. A. Maltman, 4648 Canada Way, Burnaby, advised that she used the lane south of Canada Way as an entrance to her property as she did not have access off Canada Way. She expressed concern that a business of this nature would generate extra traffic down this rear lane. Mrs. Maltman was opposed to the rezoning.

Mrs. G. Rudolph, 4634 Canada Way, Burnaby, also expressed opposition to the rezoning proposal and added that she did not believe that this type of commercial venture would serve the community in any way.

(2) (c) FROM RESIDENTIAL DISTRICT FIVE (R5) TO GENERAL COMMERCIAL DISTRICT (C3)

Reference RZ #2/73

lots 17 and 18, Block 6, D.L. 153, Plan 1768

(4686 and 4694 Hazel Street --- Located on the South-

west corner of Hazel Street and Sussex Avenue)

No one appeared in connection with this rezoning proposal.

9:10 p.m. Mayor R. W. Prittie left the meeting and Alderman D. A. Lawson took the Chair.

(4) FROM TOURIST COMMERCIAL DISTRICT (C5) TO GROUP HOUSING DISTRICT (R8)

Reference RZ #15/73

Lots 1 to 22, D.L. 29, S.P. NW25

(The area bounded by Kingsway, 13th Avenue, 13th Street and Ethel Avenue)

Mrs. R. C. Beatty, Unit #15, 7679 Kingsway, Burnaby, speaking in favour of the rezoning, requested that Council give consideration to the predicaments of the owners of this condominium and make it legal and conforming.

(5) (a) FROM DRIVE - IN RESTAURANT DISTRICT (C7) TO GENERAL COMMERCIAL DISTRICT (C3)

Reference RZ #7/73

Lot 3, S.D. "A", Block 6, D.L. 30, Plan 20569

(7437 Edmonds Street -- Located on the North side of Edmonds Street 132 feet West of Humphries Avenue)

No one appeared in connection with this rezoning proposal.

(5) (b) FROM DRIVE-IN RESTAURANT DISTRICT (C7) TO SERVICE COMMERCIAL DISTRICT (C4)

Reference RZ #6/73

Lot 18, Block 2, D.L. 29, Plan 3035

(7587 Kingsway -- Located on the South side of Kingsway 145 feet West of Fourteenth Avenue)

Mrs. R. J. Russell, 7376 Stride Avenue, Burnaby, advised the Public Hearing that while she had no objection to the proposed rezoning proposal, as a result of the construction of a building under the previous C7 Zoning she had been experiencing severe drainage difficulties on her property which abutted the parcel under consideration.

In addition, the fence which had been constructed between the properties was badly in need of repair and Mrs. Russell was concerned that it may cause some damage to trees on her property. Mrs. Russell advised that she had spoken to the owner of the adjacent property on several occasions but nothing had been done.

The Clerk was directed to make a note of these complaints and make arrangements for a report on this matter to be submitted to the Municipal Council.

Mr. G. W. Frederick, 7359-14th Avenue, Burnaby, advised that he was not opposed to the rezoning, however, he noted that certain prerequisites to the rezoning had also been prerequisites to the previous rezoning, and he was inquiring as to why these prerequisites had not been fulfilled on the earlier occasion.

In addition, Mr. Frederick inquired as to whether this would not be an opportune time for the completion of 16th Avenue through to Kingsway.

The Clerk was further directed to make a note of these matters and arrange for a report to Council.

(6) FROM HEAVY INDUSTRIAL DISTRICT (I3) TO TRUCK GARDENING DISTRICT (A3)

Reference RZ #16/73

Block 12, D.L. 163/5, Plan 1050

(4746 Marine Drive -- Located on the Southwest corner of Marine Drive and Mandeville Avenue)

Mr. W. Ferguson, Fraser, Hyndman, DeFrost and Giford, Barristers and Solicitors, representing the applicants submitted a Brief in favour of the rezoning proposal. This Brief is attached and forms part of the Minutes.

Alderman J. L. Mercier inquired as to the lack of inspection of the property and also the lack of communication between Municipal officials and the applicants.

Mr. A. L. Parr, the Planning Director, replied that the Planning Department was quite familiar with the property concerned, and the only properties that had been contacted regarding land exchange were those properties that were subject to the Phase I Zoning Programme. The property under consideration at the moment was not part of that Programme.

(7) FROM SMALL HOLDINGS DISTRICT (A2) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Reference RZ #35/71

- (1) Lot 9 except Explanatory Plan 11295, Block 2, D.L.'s 44/78, Plan 3049
- (11) Parcel C, Explanatory Plan 9256 except Explanatory Plan 11295, S.D.'s 7/8, Block 2, D.L.'s 44/78, Plan 3049

(2756 Ellerslie Avenue and 6917 Lougheed Highway -- Located at the Northeast corner of the Lougheed Highway and Ellerslie Avenue)

Mr. E. W. Miles, 6954 East Broadway, Burnaby, advised the Public Hearing that he was in favour of the rezoning. Mr. Miles requested some clarification regarding the road patterns in the area.

The Public Hearing adjourned at 9:45 p.m.

Confirmed:

Certified Correct:

Robert W. Patten
MAYOR

[Signature]
DEPUTY MUNICIPAL CLERK