

DECEMBER 17, 1974

A Public Hearing was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B. C. on Tuesday, December 17, 1974 at 7:30 P.M.

PRESENT:

Mayor T. W. Constable, in the Chair
Alderman G. D. Ast
Alderman A. H. Emmott
Alderman B. M. Gunn
Alderman D. A. Lawson
Alderman W. A. Lewarne
Alderman G. H. F. McLean
Alderman V. V. Stusiak

ABSENT:

Alderman J. L. Mercier

STAFF:

Mr. M. J. Shelley, Municipal Manager
Mr. D. Stenson, Assistant Director - Current
Planning
Mr. J. Hudson, Municipal Clerk

The Public Hearing was held to receive representations in connection with the following rezoning proposals:

- (1) FROM RESIDENTIAL DISTRICT (R5) AND PARK AND PUBLIC USE DISTRICT (P3)
TO LIGHT INDUSTRIAL DISTRICT (M5)

Reference RZ #50/74

Lots 12 - 20, Block 33, D.L. 187, Plan 1282
Lot 1, Reference Plan 15102, Block 32, S.D. "C", D.L. 187 Pt. N. of R/W,
Plan 45373

(4148/52/58/66/78/88/98 Edinburgh Street and 4167/71 Yale and 4203
Trinity -- Located at the Easterly end of the South side of the 4100
Block Edinburgh Street up to Carlton Street, the Easterly portion of
the North side of the 4100 Block Yale Street, and the irregularly-
shaped area of land bounded by the East side of Carlton Street, the
present Chevron Refinery fence and Scenic Drive alignment.)

*The proposal is for the rezoning of the named parcels in order to permit
the construction of petroleum storage tanks within the refinery site to
the north as part of the approved expansion program, in a location affected
by the 200' setback limit associated with the present Residential Zone
Boundary.*

Mr. Gerry Houlden, Public Relations Representative, appeared on behalf of the
applicant, Chevron Canada Limited. Mr. Houlden advised the meeting that the
rezoning of the area described is in conjunction with a mutually advantageous
land exchange program with the Municipality. With the rezoning the southern
boundary of the Chevron property will follow the alignment of the fence which
presently borders McGill Park.

Alderman McLean enquired as to why the tanks would not be built in the lower
portion, rather than up close to the residential area. Mr. Houlden replied that
that is the tank area as defined and the tanks would be required for storage
and blending facilities. The gasoline and crude oil is processed on Penzance
Drive and carried by a pipeline to the tank field area where the processing or
blending is carried out in the tank field area and with the increased production
the firm must have storage for that production. The tanks will be down the hill
and far below the Yale Street level or even the Edinburgh Street level.

Alderman Ast enquired as to whether without the rezoning the firm could still
put the tanks in that area with the proper 200 foot setback.

Mr. Houlden advised that this would be questionable with the 200 foot setback
as you are getting a long way down the hill following the 200 foot requirement.

Alderman Gunn enquired as to who's criteria is the 200 foot setback.

Mr. Houlden advised that this is a Municipal By-Law.

Mr. L. C. Sweet, 4141 Trinity Street, then appeared before the Hearing and advised that he had with him 266 names signed on a petition against the proposed M5 zoning for four different reasons:

- (1) The proposed M5 zoning could allow the property to be used for light industry and not merely as a buffer as stated. We suggest it be zoned P3 and be developed so as to allow public access and usage. Chevron has not shown good faith in the past - we do not want them given any category or zoning that would allow them at some future date to make the edge of their buffer into the edge of their industrial site.
- (2) The proposed rezoning will lower the value of houses on its periphery and restrict chances of resale.
- (3) The rezoning of this small portion of Chevron's buffer zone would set a precedent for the eventual rezoning to M5 of their whole proposed buffer.
- (4) We object to Chevron's concept of a buffer zone created at the expense of people's homes especially at a time when housing is in short supply.

Alderman McLean enquired of Mr. Sweet as to whether he was unalterably opposed to the development or would he be in favour if it were P3.

Mr. Sweet replied that they were opposed to the development as M5 but would support a P3 as an alternative.

Mrs. H. B. Cattell, 4136 Trinity Street, advised the meeting that she was opposed to the rezoning as it is now and she feels the same way as Mr. Sweet and that if the rezoning does go through then right now, as now, her house value has gone down and enquired as to what is going to be done about that.

Mayor Constable advised that the Council had no control over assessment values and that Mrs. Cattell would have to appear before the Assessment Board and make an application to have the assessment reduced.

Mrs. C. P. Sexsmith, 4115 Yale Street, then appeared before the Hearing and advised that she was opposed to the rezoning of the ten lots and that if the land is rezoned for light industry then there is nothing to prevent expanded industrial usages of that land and that is incompatible with the adjoining residential area. If the rezoning is just to allow Chevron to have a buffer zone then M5 zoning is not necessary. A buffer zone around a petrochemical plant can not be considered a safety zone since if there were a serious fire or explosion two hundred feet of buffer would protect no one. If the buffer zone is intended to be a visual buffer then the area should be extensively landscaped and should be suitably zoned to allow for that. Rezoning the area for industry will decrease the property values. The only market for people who do wish to sell in the future will be Chevron at Chevron's price. Rezoning these ten lots will set a precedent and all the remaining lots of which there are 84 in Chevron's proposed expansion will be rezoned M5 also. The Company could then expand their operation to the limit of their buffer zone and once more apply for rezoning to establish a new buffer zone. The industry should be contained and should not be allowed to creep insidiously through an old established residential area. Mrs. Sexsmith urged that the application be rejected.

Mr. T. B. Blake, 3991 Trinity Street, then appeared before the Public Hearing and enquired if he was correct in assuming that the property involved with possibly one exception is all Municipal property. Mr. Stenson advised that Lots 19 and 20, Block 33, Plan 1282 are owned by Chevron Canada Limited and Lots 12 through 18, Block 33, Plan 1282 are owned by the Corporation of the District of Burnaby. Mr. Blake advised that one portion of this property is a piece of park property and he assumes that it is dedicated park land.

Mr. Stenson advised that the property to the East of Carlton Avenue is Municipal land and is not dedicated park land and forms part of the future park expansion and historically it has been called that but it is owned by the Municipality and it is not dedicated park land and Mr. Stenson believed there are two residential buildings on the property.

Mr. Blake advised that that was not his understanding and that originally McGill Park was one square block in area and that there was a trade between the other land that is being talked about or a portion of it when approximately one-half of McGill Park became the property of Standard Oil in return for which the Municipality obtained park land to compensate for that and Mr. Blake was of the opinion that if McGill Park is a dedicated park then this is actually part and parcel of McGill Park.

Mr. Stenson advised that it was his understanding that it is not a dedicated park land but perhaps this could be clarified.

Mr. Blake advised that his point is that if this is a dedicated park then it requires, he thought, a vote of the people to undedicate it and he would certainly like to know just what transpired when this transfer of property took place.

Mr. Blake was of the further opinion that what is being offered at the moment is a one-sided proposition and it has always been a one-sided proposition and perhaps that we as citizens have been as much to blame as anyone for allowing it to be that way but what we are here tonight on is part of a piece meal operation and this is not the first time in which Standard Oil has acquired residential property knowing that it is a residential property and then proceeded at the right time to apply for rezoning and that considerable lands have been acquired by them in this way and that perhaps it is legally correct but that he has his own reservations about the moral sense of it and he would like to know when they, Chevron, are going to request the rezoning of the rest of the property that they have acquired in many other ways and that they might as well throw the whole lot at them now than just part of it and then come back in the near future when things have simmered down again.

Mr. Blake advised that it was possible in the near future that certain easements would be required through the Chevron property but no one speaks about these things very much but the day is fast approaching when they are going to have to have another access road from the Second Narrows Bridge to connect with the Barnet Highway and this would require easements through the oil properties.

Mr. Blake drew to the attention of the Council that in the Greater Vancouver Regional District Sewage Plan the portion through Burnaby had not been finished but it would require an easement through these properties to take the sewage from as far East as Port Moody.

Mr. Blake advised that personal reasons for being against the rezoning was that Chevron are gradually getting into the residential areas just like a cancerous sore, it grows and grows and we wonder if its ever going to stop and he supposed it stopped when we are dead. This is what this area has faced for a good many years and in his own opinion Standard Oil have never been a good neighbour and in conclusion Mr. Blake thought that this Hearing and that Council should ask Standard Oil if they are going to stay on that site or progressively relocate and in some cases put some of their tanks down to ground level and they can easily do it on that hillside in such a way that people's property values are not depressed.

Mr. D. J. Drummond, 3986 Trinity Street, then addressed the Public Hearing and stated that he would like to speak against this proposal and that we have a narrow strip of treed area from Boundary Road to Carlton Avenue and that this strip is used by many people for walks in the different seasons and also on Carlton Avenue which will be taken over, the only access to the water especially for older people are the steps down Carlton Avenue and this access to the water will be taken away with this rezoning. It seems on the Western region of the Standard property there is also proposed tanks going in there and there seems to be quite a bit of room on the Western side of their property where they could put the three tanks and they have between 132 to 150 acres and Mr. Drummond thought that they can find room to locate these three tanks and stop their expansion and that if this rezoning is voted against by Council their expansion can go on and that is the crux of his argument and that this is a very small amount of property but at least it abuts on the water and hopefully the Burnaby Council will save this waterfront land.

Mr. Drummond hoped that Standard would compromise and say well we are not going to put these three tanks here, say we have other room on our property and for once make the neighbourhood happy.

Alderman Lawson advised that a couple of weeks ago she had walked the complete waterfront and that she had been up and down this trail system before and it appears to her that there was more of a trail system farther West and that in order to get down they had gone down one halfway between Boundary Road and Carlton Avenue and this is an excellent trail down to the water and it was just West of Gilmore Avenue and it was to the West of the fence.

Alderman Lawson enquired as to whether the trail at Carlton was used as much as the one appeared to be used that she went down.

Mr. V. F. Waller, 3784 Dundas Street addressed the Public Hearing and advised that he was speaking on behalf of Mr. and Mrs. A. Evenson who reside at 4297 Eton Street. Mr. Waller advised that when Standard Oil first made a bid to the Council for a permit to expand within the limits of their property there was no kick from this particular area or from Mr. and Mrs. Evenson. However it now appears that Standard Oil wants to move beyond their boundaries particularly in the area of McGill Park. McGill Park was an area that was left to the Municipality a great many years ago and it should remain. Standard Oil should be very well content having had to go to the lengths they have to achieve permits to expand their property and they should be content now to do so however it appears that given this little wedge they would continue to reach out and grasp for more. There will be a continual grasping situation where they want more and more and more buying up the properties around and Mr. Waller vigorously opposes on behalf of the Evensons this rezoning proposal.

Alderman Emmott requested assurance that all the various questions asked would be commented upon by the Planning Department. Mayor Constable assured Alderman Emmott that this would take place.

Mr. J. H. V. Cranswick, 4150 Eton Street, advised the meeting that he had been in that district since 1911 and that his parents were pioneers in that area and he is of the opinion that it is a shame because the pioneers had thought they had a pretty nice district and it was at one time classed as a second Shaughnessy. People from all over the city and tourists remarked in reference to the fresh air there but in the last ten to fifteen years he has heard lots of complaints in reference to odors. In 1915 they fought hard to get Confederation Park and now there is a road through the North end of it that the oil company uses and the oil company has part of the park that was originally planned and now they want to take McGill Park. These are the only parks that they have and Chevron started off with about 33 acres and they now have around 150 acres and they are still buying up houses, property values will go down and that he is definitely against the rezoning proposal.

Alderman Lewarne stated that there were several questions that had been brought up this evening for the staff to answer and one was the buffer and what has been the policy in the past of the Corporation in zoning buffer strips and enquired as to whether the Corporation has ever gone on the basis of using P3.

Mr. Stenson advised that he did not believe that P3 could be used for non-public lands and that the description of P3 in the zoning by-law only relates to public land and that one instance where a landscaped buffer was proposed was in conjunction with an additional lot to be added to a senior citizens high rise project and in that case the CD category was used in such a way that the specific development plan for the landscaping became the specific and only use that would be permitted on that site.

Alderman Lewarne suggested that the Corporation should look into the possible rezoning of that strip to another use other than the industrial use and enquired as to whether that had been considered by the Planning Department.

Mr. Stenson advised that the zoning by-law prevents the use for any petroleum storage, manufacturing and processing and handling within the 200 foot strip. It does not however prohibit other industrial uses such as support facilities, offices and parking.

Alderman Lewarne suggested making it a CD strip for landscaping only and enquired as to whether this would require a change in the zoning by-law or a change in the proposal. Mr. Stenson advised that it would require a change in the by-law and it would be to a new category in the by-law and there would have to be another Public Hearing held.

Alderman Lewarne stated that there was another question raised that the tanks themselves could be subsurface and enquired as to whether that had been discussed with the Refinery to which Mr. Stenson advised that this suggestion was raised by the Planning Department very early on in the discussions about 1971 and it is understood that the engineering mechanics of the thing will not allow that and that the cost of an underground tank installation would be enormous and that the Planner does not believe it has any precedent at least Chevron was unable to inform the Planning Department that there was a precedent for so doing.

Alderman Lewarne stated that there is considerable slope to the land and it seems to him that this could possibly be done by cuts so that the tanks would be at surface level at their southerly portion but exposed to the sea possibly or to the inlet and wondered whether this had been discussed with Chevron officials.

Mr. Stenson advised that yes it had and that the tanks are proposed to be incut and they will in fact be incut in such a way that the northern boundary of the tank is roughly at the existing grade.

Alderman Lewarne advised that Mr. Blake made the point in reference to sewerage easements and the Rawn Report and wondered whether this had been considered in the proposal. Mr. Stenson advised that he was not personally aware of the Rawn Report and had made a note to examine it.

Alderman McLean advised that the Rawn Report is now 20 years old. Mr. Stenson advised that there was a collector line installed about two years ago along the waterfront along an alignment which has been cleared and which roughly follows the discussed scenic drive alignment but is outside of the boundaries of what has been defined as the ultimate Chevron site in the reports. That sewer is in fact in place and is an interceptor line and that the refinery would have no affect on that line.

Alderman Emmott advised that there was a device used on the south side of the Loughheed Highway by rezoning residential and he believed that was done for the very purpose of prohibiting any development along in there and as he understands it, it is not the intention of Standard Oil to build anything in this buffer zone to which understanding Mr. Stenson concurred following which Alderman Emmott advised that if this is so and if the law still permits a Council to carry out rezoning to residential for that purpose it isn't meant that there should be any residential in there. This would prevent any manufacturing and perhaps some consideration might be given to this because he thinks that is the situation on the South side of the Loughheed Highway.

Mr. Stenson advised that there is a 200 foot setback associated with any residential zone boundary and he appreciates the device described along the Loughheed Highway and it also exists along Douglas Road but if the area within the ultimate site boundaries that are described were to remain residential then the 200 foot residential setback limit exists from those boundaries onwards.

No one else appeared in connection with this rezoning proposal.

(2) CHANGE IN COMPREHENSIVE DEVELOPMENT PLAN

Reference RZ #38A/73

Lot 26, D.L. 79, Plan 31328

(6460 Roberts Street -- Located on the South side of Roberts Street
255 feet East of Ledger Avenue)

This proposal is to amend CD plan for 2 identical office buildings to reduce the amount of underground parking, in conformity with recent amendments to Provincial Department of Highways standards.

Mr. Rick Browning advised that he was in attendance representing Canadian Freehold Properties Limited and advised that in absolute terms they have reduced their parking arrangement from 452 stalls in the previous scheme to 340 parking stalls and that there are no changes to the building site. They have reduced parking levels in the second tower being the tower closest to the Freeway by two levels in the tower itself and there is a parking structure which is between Tower 1 and Tower 2 and they have reduced that parking below grade by two and one-half levels. Above grade they have made some minor changes to landscaping in that they have increased this with a number of trees and they have also provided a landscaped sunken sitting area in the front courtyard along Canada Way. Changes are in conformity with Provincial Department of Highways standards which was one stall to 300 square feet and is now one stall for 400 square feet.

No one else appeared in connection with this rezoning proposal.

(3) TEXT AMENDMENT

SECTION 800.4

THAT Section 800.4 (Required off-street parking spaces) be amended as follows:

USE
(5) Senior Citizens Housing

REQUIRED PARKING SPACES
1 for each 5 dwelling units where well-served established bus route and commercial facilities are located within 1/4 mile of the development or 1 for each 4 dwelling units where such a development is located at a greater distance from an established bus route and commercial facilities.

No one appeared in connection with this rezoning proposal.

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN STUSIAK:

"That this meeting be now terminated."

CARRIED UNANIMOUSLY

The meeting terminated at 8:15 P.M.

CONFIRMED:

CERTIFIED CORRECT:


MAYOR


MUNICIPAL CLERK

JH/sr