

October 21, 1975

A Public Hearing was held in the Council Chamber, Burnaby Municipal Hall, 4949 Canada Way, Burnaby, B. C. on Tuesday, October 21, 1975, at 7:30 p.m.

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

ABSENT: Alderman A. H. Emmott

STAFF: Mr. D. G. Stenson - Assistant Director - Current Planning
Mr. R. W. Watson, Deputy Municipal Clerk
Mr. B. D. Leche, Municipal Clerk's Assistant

(1) FROM RESIDENTIAL DISTRICT (R4) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT (RM3)

Reference #36/75

- (a) Lot 1, Block 90, D.L. 127, Plan 4953
- (b) Lot 2 Ex. Sk. 10950, Block 90, D.L. 127, Plan 4953
- (c) Parcel "A", Explanatory Plan 10950, Except Pt. on Plan 22230, S.D. 2, Block 90, D.L. 127, Plan 4953
- (d) Lot 1, Block 89, D.L. 127, Plan 4953

(5041/71/81 East Hastings Street and 5121/31 East Hastings Street --
Located on the North side of Hastings Street between Hythe Avenue
and Springer Avenue)

The applicant requests rezoning for the purpose of developing multiple family residential condominium accommodation.

Mr. Graham Boyd, 5131 Hastings Street, presented a petition signed by himself and 38 other residents of the area surrounding the site under consideration for rezoning objecting to the proposed rezoning of the subject properties. Mr. Boyd stated that he had been unable to obtain definite information on this rezoning proposal from the Municipal Planning Department but was of the opinion that the increased densities that would be created in the area which, in turn, will create a definite increase in traffic on the surrounding streets and aggravate an already critical parking situation.

Mr. Alex C. Fisher, 5131 Capitol Drive, stated that the proposed development on the subject properties would effectively destroy the view from his residence to the south. He also noted that traffic on Capitol Drive is very heavy at the present time, a situation that could only worsen if this rezoning proposal was approved.

Mr. Fisher also noted that it was planned to widen Capitol Drive and inquired as to who would bear the cost of the proposed widening.

Alderman Lewarne noted that the cost of widening Capitol Drive would be the responsibility of the developer.

Mr. J. Neratini, 370 South Glynde Avenue, also expressed opposition to the proposed rezoning on the grounds that the view from his residence would be spoilt by the planned development and that traffic problems would be created by the said development.

Mr. Bill McCreary, Architect for the proposed development, then addressed Council and explained the general concept of the development. There would be a total of 36 units in the development, 7 two-bedroom and 29 one-bedroom apartments. All of the required parking, with the possible exception of four spaces would be provided underground. The structure itself would be of a very high quality, with a reasonably low profile, and would be constructed with a cedar shingle roof. The portion of the site on which the structure could not be located would be developed into a park like setting which could probably be utilized by other residents of the surrounding area. Mr. McCreary noted that he had been working with the Planning Department towards a suitable plan of development for this site and advised that he, and his clients, are most willing to make reasonable changes to the plans to ensure that the development is acceptable to all concerned. The project has been designed to preserve existing trees wherever possible.

Alderman Ast noted that his concern was with the height of the proposed structure and inquired if the building would be constructed closer to the Hastings Street grade than is apparent from the drawing in order that the overall height of the building would be lower.

Mr. McCreary was of the opinion that the height of the building could be lowered in this manner and that this matter could be examined in greater detail.

Alderman Gunn suggested that Mr. McCreary should produce a profile plan showing the relationship of the proposed development to the houses to the north insofar as sight lines are concerned in order that Council can determine if the proposed height of the structure will indeed create view problems.

It was the consensus of opinion of Council that the height of the proposed development and its relationship to the residential properties on the north side of Capitol Drive would be a critical factor in the consideration of this rezoning proposal and that the Architect should give serious consideration to lowering the profile of the development to the maximum extent possible.

Mrs. Fisher, 5131 Capitol Drive, pointed out that if a three-storey structure was to be constructed on the subject property, they would be looking directly into the building from their home on the north side of Capitol Drive.

Mrs. M. Dallos, 371 Springer Avenue, objected to the proposed rezoning on the grounds that more noise would be generated in the neighbourhood.

There were no other submissions received in regard to the foregoing proposed rezoning.

(2) FROM RESIDENTIAL DISTRICT (R5) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT (RM3)

Reference #38/75

- (a) Lot 5S $\frac{1}{2}$, Block 34, D.L. 34, Plan 1355
- (b) Lot 6S $\frac{1}{2}$, Block 34, D.L. 34, Plan 1355
- (c) Lot 7S $\frac{1}{2}$, Block 34, D.L. 34, Plan 1355
- (d) Lot 8S $\frac{1}{2}$ Except North 50 feet, Block 34, D.L. 34, Plan 1355
- (e) Parcel "A", Explanatory Plan 13003, Block 8, D.L. 34, Plan 1355

(4247/63/77/91 Grange Street and 5649 Halley Avenue -- Located at the Northwest Corner of Grange Street and Halley Avenue)

The applicant requests rezoning in order to develop a three-storey frame strata title apartment building.

Mr. A. Borgeson of McAuley, Nicholls, and Maitland Peal Estate, advised that he was representing Mr. and Mrs. N. E. Wakelin, 4202 Sardis Street, Mr. and Mrs. Wakelin are not objecting to this rezoning but they did feel in the plan that has been shown where the lane comes through on an "L" shape was not in keeping with what should be done there. As a matter of fact, it was felt that this would be a hazard when it comes to getting fire equipment etc. through the lane.

Mr. and Mrs. Wakelin feel that as they are the only owner/residents in the area, while they do not live on this particular site, they want to sell their property. They have had their property on the market for some considerable time and they are concerned about an apartment being built so close to them without taking the lane right through to Halley Avenue and creating a comprehensive development taking the whole site in rather than leaving theirs isolated for future development. Mr. and Mrs. Wakelin felt that the most economical and feasible development of the property is to take the lane through to Halley Avenue and develop both properties in a comprehensive apartment block development.

In reply to a question by Alderman Lewarne, Mr. Borgeson stated that there would still be sufficient room to permit apartment development even with the proposed "L" shaped lane.

Mr. Stenson advised that in discussion with the developers the advisability of the location of the lane had been discussed. The developers preference was for the "L" shaped lane but a lane through to Halley Avenue was a possibility. Mr. Stenson further advised that the "L" shaped lane could act as a deterrent to short cutting traffic from Grange Street to Barker Avenue but it was not anticipated that this would be a problem.

Alderman Lewarne asked if the Planning Department would normally clear through the Fire Marshall the turning radius of an "L" shaped lane for a ladder truck. It would appear that unless a truncation comes off the other side of land that there is no way a fire truck would be able to negotiate that corner. A lane parallel to Grange Street would obviate this problem.

Mr. Stenson confirmed that for both fire trucks and garbage trucks a truncation is necessary and this has been included as part of the report. The "L" shaped lane is dependent on the provision of such a truncation.

There were no other submissions received in connection with the foregoing rezoning.

(3) FROM RESIDENTIAL DISTRICT (R5) TO GENERAL INDUSTRIAL DISTRICT (I2)

Reference #40/75

- (a) Lot 63, Block 8, D.L. 171, Plan 2686
- (b) Lot 62, Block 8, D.L. 171, Plan 2686
- (c) Lot 33, Block 8, D.L. 171, Plan 2686
- (d) Lot 32, Block 8, D.L. 171, Plan 2686

(6895 - 12th Avenue; 6894/89 - 13th Avenue; 6890 - 14th Avenue -- Located at the Corner of 14th Avenue and 20th Street and includes a Portion of the 20th Street Road Allowance)

The subject applicant requests rezoning for industrial use in conjunction with the consolidation of the subject lots with those industrial parcels to the immediate northeast in order to assemble an appropriate site for a land exchange with the Pestonic Mattress Company.

There were no submissions received in connection with the foregoing rezoning proposals.

(4) FROM SERVICE COMMERCIAL DISTRICT (C4) AND RESIDENTIAL DISTRICT (R5) TO SERVICE COMMERCIAL DISTRICT (C4)

Reference #33/75

Parcel "A", Reference Plan 9949, S.D. 7, Block "C", D.L. 96, Plan 1349

(6569 Kingsway -- Located on the North Side of Kingsway Just West of the Arcola Street Intersection)

The applicant requests rezoning in order to develop a two-storey professional office and retail commercial building.

Mr. Stan Huige, 6558 Balmoral Street, located immediately north of the subject property. Mr. Huige noted that the report received on the subject of the proposed rezoning indicated that a lane would be developed at the rear of that particular property. The residents of the neighbourhood have considerable objections to this proposed lane because of the fact that the only access to this lane leads through an institutional property, namely St. Frances de Sales School. It is assumed that the proposed commercial building will bring a large amount of heavy traffic. This creates hazards and the residents are concerned for the safety of the school children. The way this property is located the only way they can get out is through the school yard because the lane itself comes to a "T" at the very end three blocks further down. No one bothers to travel the three blocks but short cuts through the school yard. For that reason the residents would like to see a certain restriction put on the use of the lane. Mr. Huige noted that when Lots 29 and 30 were rezoned a few years ago a condition was attached to the rezoning, namely, that the traffic in the lane would be restricted for commercial use. It was suggested that a similar restriction be taken into consideration again.

Alderman McLean inquired of Mr. Huige that if the question of the lane was resolved would he be opposed to the rezoning proposal under consideration.

Mr. Huige replied that as his residence was located immediately behind the proposed development he could be faced with a 30 foot wall on the south side of his property which would effectively destroy his view and that he was not too keen in this respect. He advised that if the development was allowed to proceed he would like to see the proposed development constructed with as low a profile as possible.

Alderman Lewarne inquired as to whether Mr. Huige was mainly concerned with the amount of traffic in the lane or the speed of the traffic concerned and asked Mr. Huige if the developer was required to install a system of speed bumps in the lane the problem would be solved.

Mr. Huige replied that both aspects were of concern to him. He felt that there should be no access to the lane permitted at all. If access from the subject property to the lane was permitted he felt that it would be used as a short cut.

Mr. Stenson advised that it was his opinion that the only way access to the lane could be denied to the subject property would be as a condition to the required suitable plan of development which would then be transmitted into a development permit and thence a building permit for that development. Mr. Stenson stated that in his opinion the Municipal Solicitor would probably advise that such a condition would not necessarily carry through to successive purchasers of the property.

Mr. Stenson further advised that the Planning Department was prepared to recommend that, as an alternative to through lane development that, in fact, there be provision for a turn-around. At present there is a dead end lane without any provision for vehicle turn-around. If a suitable turn-around is provided at this time this would overcome any continuing problems which may have existed within the lane with reference to vehicle manoeuvring.

Mrs. Huige, 6558 Balmoral Avenue, stated that she considered that everyone should be greatly concerned about the school that is located right on this lane. Traffic using this lane has to pass right by the school and children from kindergarten to Grade VII in this area and she considered that the children should be the prime consideration when the future of this lane is discussed.

Alderman Gunn inquired of Mr. Huige his opinion as to whether if the lane was to be constructed right through and the lane was blocked in the middle so that access to the subject property was limited would the situation be improved.

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Mr. Huige advised he considered such a proposal would be an improvement.

Alderman Gunn then requested an opinion from Mr. Stenson as to the practicability of extending the lane right through.

Mr. Stenson advised that the A. & W. property is already developed. It is not under application at this time. It would be difficult and he considered that the Municipality would probably have to acquire the land.

Mr. A. Wozney, Chairman, Saint Francis De Sales School Board, submitted a letter dated October 20, 1975, in connection with the subject rezoning proposal. The following is the text of that letter:

"We have your letter of September 26th with respect to rezoning of the above-described property. Since the proposal is designed to bring the total area now used by the Lily Auto Court into proper zoning, we have no objection to the proposed rezoning set out in 33/75.

We are, however, concerned about the use of the lane north of the site. We wish to point out that if the 20' lane abutting the property provides access from parking on the site into the lane to the east beside Saint Francis De Sales School (Kindergarten to Grade 7), such use will constitute a hazard to the school children.

If, on the other hand, the third paragraph on page 2 refers only to facade treatment and rear landscaping, with no access to the lane for public parking, and if we are assured that the description on page one: Site Observation, 'Access to the site is from Kingsway' will continue to apply to the proposed new building, we would have no objection.

We would respectfully remind Council that in 1971 when rezoning was proposed to establish the business site immediately east of RZ #33/75, we requested similar lane restrictions for the protection of our children. While Council agreed that our concern was valid and it was agreed that access to Lot 30 would be by Kingsway, the fact is that this business now uses the lane for heavy vehicular transport. Any additional lane traffic emanating from the rear of RZ 33/75 would make the traffic situation for householders on Arcola to the east of the site, and for the school, extremely hazardous.

There were no other submissions received in connection with the foregoing rezoning proposal.

It was agreed that this matter should be referred back to the Planning Department for further study on ways and means of overcoming the problems of the lane in question and that the Planning Department be requested to submit a further report on this subject prior to the By-Law coming forward for initial readings.

(5) FROM GASOLINE SERVICE STATION DISTRICT (C6), SMALL HOLDINGS DISTRICT (A2) AND NEIGHBOURHOOD COMMERCIAL DISTRICT (C1) TO NEIGHBOURHOOD COMMERCIAL DISTRICT (C1)

Reference #42/75

Lot 79, Westerly 25 Feet, D.L. 1, Plan 48717 and Portion of Rochester Street to be Closed

(4327 North Road -- Located on the West Side of North Road Just South of Loughheed Highway)

The applicant requests rezoning in order to construct a two-storey commercial building.

Mr. Bob Boileau, representing the owners of the subject property, reported that they found themselves in a precarious position because the Municipality had requested the road exchange on Rochester Road from the north of this particular parcel of land to the south. Evidently, this is the future road pattern in this particular area. There was an amalgamation of 25 feet to the west of the property that was to be incorporated within this particular parcel. The 25 feet at the back of the property happens to be zoned A2. The property to the north where Rochester Road is presently in existence or where the road exchange is taking place is zoned C6 and the remainder of the property is zoned C1. What they were attempting to do here is to rezone the whole parcel so it can be developed as a C1 development. Mr. Boileau advised that the architect for the development was present this evening and would be willing to answer any questions Council may have in this respect.

There were no other submissions received in connection with the foregoing rezoning proposal.

(6) FROM SMALL HOLDINGS DISTRICT (A2) TO COMPREHENSIVE DEVELOPMENT DISTRICT (C2)

Reference #17/75

Lots 1, 2 and 3, Block 23, D.L. 1

(9740, 9887 and 9926 Rochester Road -- Located Southwest of the Intersection of the Lougheed Highway and North Road Just North of the 401 Freeway)

The applicant proposes an 80-unit condominium development composed of 62 townhouses, and 18 maisonette units on a 7.1 acre net site.

Mr. W. Lougheed, Galaxie Holdings Ltd. submitted a letter dated October 14, 1975, regarding the foregoing rezoning proposal. The following is the text of that letter:

"Our interests in the above appear in that we are adjacent property owners of 2.0 acres as marked in the site plan enclosed herewith.

We have been in a 'locked in' situation for 7 years as a result of the Community Plan 'G' and 'H'. We had hoped that when adjacent properties were opened up provision would also be made in the road pattern to open up our property for development. In the enclosed sketch we suggest how this could have been effected with a resultant more amenable distribution of auto traffic - the higher 60 and 100 units per acre to the Government Road/Lougheed area and the lower density 10-12 units per acre traffic to North Road. In addition it would not result in loss of developable property to the above applicant.

We have suffered great hardship these many years in having to hold and pay taxes on an unsaleable piece of property. Conversely there is a great need for housing and we could help to meet this need if given the opportunity to develop.

The several alternatives that we request Council to consider are as follows:

1. To rearrange the road pattern in the above Rezoning Ref. No. 17/75 in order to open access to our property as indicated in our sketch enclosed herewith.
2. To give approval of temporary access to Lougheed Highway as shown in the sketch plans submitted: this to be rearranged when the indicated proposed access of the above applicants layout becomes available.

3. Other alternatives would be:

- a) Our willingness to sell to the above applicant for consolidation in the above rezoning parcel at the same price as is being asked by the municipality for exchange of property to effect the rezoning.
- b) Appeal to the Corporation of the District of Burnaby for compensation of tax relief and loss of interest on our holdings 'locked in' as a result of the action imposed by the Corporation of the District of Burnaby.

We trust that you will give your careful consideration to our dilemma with a view to effecting an amenable solution.

✓ His Worship, Mayor Constable, stated that he understood that the applicants for this particular zoning is making some attempt to purchase the property owned by Galaxie Holdings Ltd. This information was corroborated by Mr. A. Bosa from the public gallery.

Alderman Lawson inquired as to proposed treatment of the creek bed on the subject property.

Mr. Stenson advised that this creek is planned for development as a feature of the landscaping and is being brought into the communal spaces within the project and developed in a sort of lagoon fashion in a natural fashion. The intent is to leave the creek in as natural a condition as possible.

Alderman Lawson indicated that she would be asking the Municipal Engineer the same questions on the proposed treatment of the creek at a later date.

Mr. Rabske of Galaxie Holdings Ltd. noted that in the Company's aforementioned letter they have stated various alternatives. Subsequent to this letter an application has been made for the rezoning of the two acres. The Planning Department, when this application was submitted, indicated that in no way would they consider an access off the Lougheed Highway. The two alternatives that would be left are:

1. The purchase by the applicant under consideration now, which should be a purely voluntary effort, Galaxie Holdings Ltd. does not want to exert any pressure or to indicate that Galaxie Holdings Ltd. would want Council to exert pressure so it has to be a voluntary purchase of the property and consolidation with the property now under consideration.
2. Should that not materialize the suggestion in Galaxies' letter should possibly be considered that the road be rerouted as Galaxie Holding indicated to include access to the property which they own and which has been locked in for the last seven years.

There were no other submissions received in connection with the foregoing rezoning proposal.

(7) (a) FROM COMPREHENSIVE DEVELOPMENT DISTRICT (CD) TO AMENDED COMPREHENSIVE DEVELOPMENT DISTRICT

Reference #30A/73

Lot 40, D.L. 79, Plan 47720

(6540 and 6590 Thomas Street -- Located on the Southwest Corner of Thomas Street and Kensington Avenue)

The applicant proposes to amend the approved CD plan for a recently constructed recreational building within the Sports Complex Area in order to permit the addition of a small indoor swimming pool.

There were no submissions received in connection with the forgoing rezoning proposal.

(b) Reference #34/75

Lot 35, D.L. 79, Plan 42703

(3920 Norland Avenue -- Located on the Northeast Corner of Norland Avenue and Ledger Avenue and Abuts Highway #401)

The applicant proposes to amend the approved CD plan from a single 2-storey office building to a redesigned 2 1/2-storey rental office building with underground parking.

There were no submission received in connection with the foregoing rezoning proposal.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN MCLEAN:

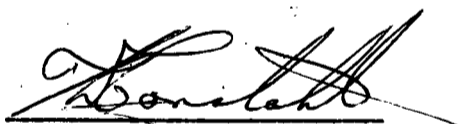
"THAT this Public Hearing be now terminated."

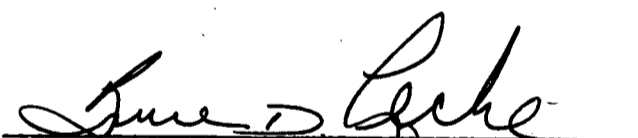
CARRIED UNANIMOUSLY

The Public Hearing terminated at 8:45 p.m.

Confirmed:

Certified Correct:


MAYOR


MUNICIPAL CLERK'S ASSISTANT

BL/mc