

DECEMBER 14, 1976

A Public Hearing was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, December 14, 1976 at 7:30 P.M.

PRESENT:

Mayor T.W. Constable, in the Chair
Alderman D.P. Drummond
Alderman A.H. Emmott
Alderman B.M. Gunn
Alderman D.A. Lawson
Alderman V.V. Stusiak

ABSENT:

Alderman G.D. Ast
Alderman G.H.F. McLean
Alderman F.G. Randall

STAFF:

Mr. A.L. Parr, Director of Planning
Mr. J. Hudson, Municipal Clerk
Mr. B.D. Leche, Municipal Clerk's Assistant

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

Reference RZ #3/76

Lot 104, D.L. 127, Plan 46737 and Lots 1, 2 and 3, Block 85, D.L. 127, Plan 4953

5310 Capitol Drive and 5307/15/21/31 East Hastings Street - The subject site is located on the north side of Hastings Street between Capitol Drive and Springer Avenue.

The applicant has requested rezoning in order to construct a 3 storey Strata Title apartment building.

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

2. FROM RESIDENTIAL DISTRICT (R4) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Reference RZ #34/76

Lot 217, D.L. 80, Plan 34884 and Parcel 1 of Lot "B", D.L. 80, Plan 5296

4880 and 4892 Canada Way - The subject site is located on the north side of Canada Way between Norland Avenue and Douglas Road between the Dania Home and the new Cedar Park Senior Citizens apartments.

The applicant has requested rezoning in order to construct CMHC sponsored limited dividend senior citizens apartments similar to the Cedar Park project.

Mr. Roberts, Vice President, Narod Developments Ltd. then addressed Council and spoke in favour of the proposed rezoning. Mr. Roberts advised that the application for rezoning was being made on behalf of the New Chelsea Society for a senior citizens home which Narod Developments Ltd. would be developing and building for the ultimate ownership of the Society. The New Chelsea Society is a non-profit Society which is sponsored by various branches of the Royal Canadian Legion.

Mr. Roberts, with the aid of a slide presentation, then reviewed several similar developments that had been completed by Narod Developments Ltd.

in the lower mainland to demonstrate the careful planning that was involved to ensure that such developments were fully compatible with the area in which they were located and that the needs of the prospective occupants received every consideration.

Mr. Gilbert, also with the aid of a slide presentation, then explained the concept and layout, including type and location of buildings, landscaping, bus stops, etc., of the development under consideration at the Public Hearing this evening. A portion of Building "A" had been specially designed for the use of handicapped people, particularly people confined to wheel chairs with wider doors, extra grab bars and special arrangements in the kitchens.

In reply to a question by Alderman Stusiak in which he noted that there were only 12 one-bedroom apartments, Mr. Roberts advised that the New Chelsea Society considered this to be the optimum requirement. Mr. Roberts further advised that while firm rental rates for this accommodation had not been arrived at, it was anticipated that suites would be in the \$90.00 to \$110.00 per month bracket.

In reply to a question by Alderman Lawson as to whether the buildings would be equipped with elevators, Mr. Roberts confirmed that the buildings would be so equipped and that the elevators would be larger than normally associated with this type of development. Mr. Roberts also advised that provision was being made for more active recreational areas than that provided by lounges.

Mrs. F. Tesar, 4892 Canada Way, then addressed Council and spoke in opposition to the proposed rezoning. Mrs. Tesar did not consider that this was a good location for a nursing home. Canada Way was a very busy arterial and people have considerable trouble attempting to cross this road at any time. Mrs. Tesar also advised that she had received complaints concerning a similar development, Cedar Park No. 1, with respect to a lack of adequate heating on the ground floors.

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

3. FROM NEIGHBOURHOOD COMMERCIAL DISTRICT (C1) AND SMALL HOLDINGS DISTRICT (A2) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Reference RZ #37/76

Lot 4, Block 3, Sk. 8125 exc. Pt. on Plan 21109, D.L. 59, 136 & 137, Plan 3050; Lots 1 and 2, Block 3, D.L. 59, Plan 9334; Lot 3, S.D. 4, Block 3, D.L. 59, 136 & 137, Plan 14985

7111 Lougheed Highway and 2820/2808/2776 Bainbridge Avenue - The subject site is located on the northeast quadrant of Lougheed Highway and Bainbridge Avenue.

The applicant has requested rezoning of the entire site with the subdivision of a 1.2 acre portion of the corner of Bainbridge Avenue and Lougheed Highway to permit the construction of a single storey commercial development of approximately 12,000 square feet. This facility will serve the needs of the residential community in the balance of the site and in the surrounding area.

Mr. John Bethel advised Council that he was appearing this evening as Counsel for Mrs. V. Kuzyk, owner of the property at 2726 Bainbridge Avenue, immediately to the north of the property under consideration this evening, and that his client was opposed to the proposed rezoning. Mr. Bethel noted that a Mr. Collingwood was also present this evening to present a brief on behalf of Mrs. Kuzyk.

Mr. Dennis Collingwood advised that his profession was an Accredited Appraiser. Mr. Collingwood then presented a brief on this subject. The following is the text of that brief:

"The property was included in the 1969 apartment study report adopted by Council in February 1970, under apartment development Burnaby Area F.

The property comprises 2.5 acres with frontage on Bainbridge of 129.87' and a depth of 838.98'. The topography of the land is level and comparable to the area under application for rezoning.

There is extensive landscaping to the front portion of the property which includes front and rear lawns and numerous shrubs, trees and flowering bushes. In addition, the rear has a good growth of coniferous trees plus various maple and alder.

Improvements include a 25 year old, attractive bungalow in good condition. There are two storage sheds at the rear of no consequential value.

In August 1975, as appraisers, we were instructed by our client, Mrs. Kuzyk, through Mr. J. Edwards, her solicitor, to make an appraisal of the property for estate purposes as of July 9, 1975. Our review of the property and its future intended use had to be seriously considered in making an evaluation in view of the future tax problem, including capital gain. It was our information from planning at that time that the subject was part of a proposed development for apartments with ten to twelve units per acre.

Subsequently, we were given a proposed plan which showed the subject as part of the development, but seriously affected by future road pattern. It was my understanding and advice that due to the Bainbridge widening and location of the B.C. Hydro Right of Way, the subject was the only location for the access road to the proposed school and park area. It was my information that the subject would be part of the total development and become part of any zoning change. I therefore proceeded accordingly with a valuation on this premise. We have also been engaged by interested clients and owners of part of the adjoining lands under application and have used similar values.

It was noted in January 1976 that a proposal was made to Council for development of a shopping centre at the northeast corner of Bainbridge and Lougheed comprising 8.2 acres which excluded the Kuzyk property. Since Planning opposed this plan, we can only assume that the present application is a modification.

In 1975 and 1976 we were approached by representatives of development firms with regard to the subject and adjoining parcels. After investigation, these clients lost interest when it was revealed that the adjoining parcels were under option and that the subject was proposed road access and widening.

In September 1976 under Reference #37/76, application was made for rezoning the following:

Lot 4, Block 3, Sk. 8125, Except Part on 21109, District Lot 59/136/137, Plan 3050

Lots 1 & 2, Block 3, District Lot 59/136/137, Plan 14985

Lot 3, S.D. 4, Block 3, D.L. 59/136/137, Plan 14985

located at 7111 Lougheed Highway and 2820 & 2808 Bainbridge.

This application excluded the subject property owned by Mrs. Kuzyk, which by all standards of plottage and topography, falls in the same category. Also, this is the same area adopted by Council in 1970 which included the subject.

The proposed use for the Kuzyk property by the Planning Department is for major road for widening Bainbridge and for providing access to municipal land set aside for schools and parks and the proposed area being rezoned. As a result, this has deterred developers and real estate, including Berkley Homes Ltd., from purchasing the property.

In meetings which were attended by myself and Mrs. Kuzyk, planners refused to include the subject in the rezoning. It was suggested that

because the major area of the subject was needed for roads, the developer could not be expected to purchase the property. They suggested that Mrs. Kuzyk write and request the municipality to purchase the property in view of the intended use.

Mrs. Kuzyk has written to the municipality, with copies to the manager, requesting that they purchase her property. To date she has no confirmation as to their intentions.

If this application is approved, the subject property will be left isolated and dependent on numerous Broadway properties and owners for consolidation. With the road demands representing over 60% of the total area, no developer is interested. The widening of Bainbridge will remove all frontage and landscaping, and place the residence in a very vulnerable location.

Under the circumstances, Mrs. Kuzyk has no alternative but to protest this action and deem that her property will be affected by the result of this rezoning, which in our opinion, is very discriminatory. It is our opinion that the subject property should be included as part of the development rezoning. Alternatively, if the municipality does not consider that the property should be a condition of the rezoning proposal, then, because its proximity and proposed use, they should acquire the property. The valuation should also be in the same relationship as those under the rezoning."

In reply to a question of Alderman Stusiak, Mr. Collingwood advised that he would not be opposed to the type of development envisaged by this rezoning proposal providing the problems involving his client's property could be satisfactorily resolved.

His Worship, Mayor Constable, advised that a report from the Planning Department on the Kuzyk property would be available in approximately one week's time.

The Director of Planning stated that his Department had been studying the question as to whether the road proposed for the Kuzyk property would actually be required. The conclusion was being reached that, in fact, that road would not be required. In that event, the most logical boundary between the two developments would be the B.C. Hydro Right-of Way which is a boundary. The Kuzyk property would become a developable part north of the Right-of-Way and would not need to be a part of the proposal under consideration and would take its part in a consolidation to the north. Whether the Municipality would still want to acquire the property itself because of the Bainbridge situation, apart from the service road, or whether it would then be left for future consolidation is the subject of the report being prepared by the Planning Department at this time.

Mr. M.H. Anderson, 7212 Broadway stated that he was concerned with drainage problems which may be created when the proposed development proceeds and requested that he receive notice of any future Public Hearings that may be held in this concern.

Mr. John Bethel also requested that he be kept informed of future Public Hearings in this regard.

Dr. J.H. McLean, 5490 Monarch Street, advised that he was the owner and operator of the Burnaby Veterinary Hospital, 7287 Lougheed Highway. Dr. McLean stated that he was opposed to the proposed rezoning as he did not consider that it would be compatible with his existing business. He was certainly opposed to the residential aspect of the rezoning. Dr. McLean was of the opinion that he did not have sufficient information on the proposal and the rezoning should not be proceeded with at this time.

Mr. Bob McGillivray, Berkely Homes Ltd. the applicant for the rezoning noted that what he had applied for is 12,000 square feet of commercial space on the corner of a site that is now basically commercial and have applied for a medium density or low density condominium development on the rest of the site. Mr. McGillivray noted that it had been suggested this evening that the developer was not giving anything. In this case the developer was giving a little over \$200,000.00 worth of land to the Municipality. The original application for the development of this site was in April 1975 for 6,500 square feet of commercial space and only 4,500 square feet has been added but the site itself has been increased at least three times.

Mr. Peter Cole, the Architect for the proposed development, with the aid of sketch plans and an artist's drawing of the proposed commercial project outlined the concept of the development including road patterns, etc. Mr. Cole noted that application tonight is solely for the 1.2 acre portion on the southwest corner of the Lougheed Highway and Bainbridge Avenue. The application is for 12,000 square feet of commercial space in two buildings containing a bank, retail space and a restaurant. The site coverage is only 23%, the balance is occupied by 42 parking spaces where the By-law requirement is 24 spaces and two loading bays. The remainder of the site is landscaped. There are extensive setbacks from both Lougheed Highway and Bainbridge Avenue. The balance of the site has been developed in accordance with the Community Plan showing 68 townhouse units. This is a general plan of development. The number of units per site per acre is only 9.57. It is certainly not a high density development. It is only 15% site coverage. The developer is providing his own internal road system. The main access road is from Bainbridge Avenue some 380 feet from its intersection with Lougheed Highway. Mr. Cole noted that this road will parallel the property line between the site under consideration and that immediately to the north (Kuzyk) and could improve access to that site which presently has its only access off Bainbridge Avenue. There will be no access to the site from Lougheed Highway. A 90 foot landscaped setback will be provided between the site and Lougheed Highway. The commercial buildings are single storey with a combination of brick and cedar. Mr. Cole reiterated that the plan under consideration conforms to the Community Plan which has been in existence since 1970 and the overall planning concepts which have been developed by the Planning Department are being adhered to.

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

4. FROM RESIDENTIAL DISTRICT (R1) TO ADMINISTRATION AND ASSEMBLY DISTRICT (P2)

Reference RZ #42/76

Part of Lot 33, D.L. 79, Plan 38937 and Part of Lot C, Blocks 4 & 5 pt. D.L. 79, Plan 15589

Part of 6110 Gilpin Street and Part of 4857 Rowan Avenue - The subject site is located on the south side of Gilpin Street between Iris Street and Rowan Avenue.

The subject rezoning has been requested for the purposes of developing the proposed Burnaby Main Central Branch Library.

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


MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN DRUMMOND:

"THAT this Public Hearing be now terminated."

CARRIED UNANIMOUSLY

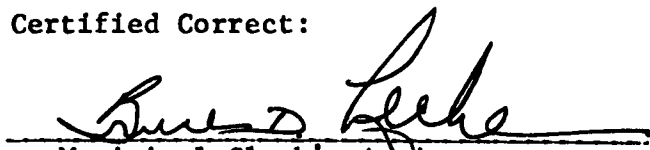
The Public Hearing terminated at 8:48 P.M.

Confirmed:



Mayor

Certified Correct:



Municipal Clerk's Assistant