

February 17, 1976

A Public Hearing was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, February 17, 1976, at 7:30 p.m.

Present:

Mayor T.W. Constable, In the Chair
Alderman G.D. Ast
Alderman D.P. Drummond
Alderman A.H. Emmott
Alderman B.M. Gunn
Alderman D.A. Lawson
Alderman G.H.F. McLean
Alderman F.G. Randall

Absent:

Alderman V.V. Stusiak

Staff:

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

(1) FROM COMPREHENSIVE DEVELOPMENT DISTRICT (CD) TO AMENDED COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Reference RZ #77A/73

Lot 264, D.L. 78, Plan 35880

(6845 Lougheed Highway -- Located approximately 520 feet East of the intersection of Lougheed Highway and Sperling Avenue on the North side of the Lougheed Highway)

The applicant wishes to make significant adjustments to elevations, floor plans and unit mix of the subject 14 unit townhouse condominium proposal.

The Director of Planning, by memorandum dated February 13, 1976, advised that the applicant has requested that the above referenced rezoning be withdrawn from this Public Hearing.

(2) FROM RESIDENTIAL DISTRICT (R5) TO NEIGHBOURHOOD INSTITUTIONAL DISTRICT (P1)

Reference RZ #57/75

Lots 13 and 14, Block 7, D.L. 186, Plan 1124

(3865 and 3871 Pandora Street - Located on the North side of Pandora Street near the intersection of Ingleton Avenue and Pandora Street)

The applicant proposes to construct a Rectory and Activity Room as an expansion to the existing St. Helen's Church.

Mr. Marvyn A. Shore, Shore and Helsing, Barristers and Solicitors, submitted a letter on behalf of his clients, Mr. and Mrs. P.A. Tudge, 3855 Pandora Street, advising that subject to two conditions his clients had no objection to the subject application for rezoning.

Following is the text of Mr. Shore's letter:

"We have been instructed by the above-named Mr. and Mrs. Tudge to reply to your notice of January 28, 1976 with regard to the above application for rezoning. Mr. and Mrs. Tudge will be attending the hearing on February 17, 1976 and request an opportunity to speak as persons owning and occupying the property immediately adjacent to the lot in question.

Our Clients have been the neighbours of St. Helen's Church for many years and have unfortunately undergone a good deal of annoyance and frustration as well as some physical damage to their property as result primarily of children playing in the church property.

Accordingly, they have no basic objection to the rezoning, provided that

it be subject to two important conditions which they would ask be included, namely:

- (1) That adequate drainage be required around the proposed buildings to prevent surface water from running onto our clients' adjoining property, and
- (2) That before demolition begin, an adequate fence with a screen top portion be required to be constructed - with proper provision for permanent maintenance - to help to prevent damage to the Tudge property from children playing in the yard.

We understand that on numerous occasions over the past five or six years, our clients have been personally hit by flying balls, rocks and hockey pucks from next-door, and on one occasion lost a window in their home as result of a stone being thrown through it.

Another problem has been the fence which has had to be repaired several times because of children actually ganging up, running to and hitting the fence causing it to lean over. Mr. Tudge used to be able to repair it himself, but now is no longer able to do so and last year was compelled to hire somebody to do it for him at a cost of \$70.00.

We must concur in the opinion of our clients that the owners of the church property are under a duty to take whatever steps are necessary to prevent such damage from occurring to neighbouring property. We feel that unless the conditions which have been asked are imposed that this duty will not have been fulfilled, and we understand that our clients intend in future to seek the assistance of the courts if necessary to assure their rights to freedom from damage to their property caused by inadequate safety measures next door.

In summary, then, our clients have no objection to the application at all so long as the foregoing two points are included in the rezoning order. Otherwise, they must make the strongest protest against it."

Mr. Percy Tudge, 3855 Pandora Street, then addressed Council and reiterated the remarks quoted in his Solicitor's letter aforementioned. Mr. Tudge noted that he had lived adjacent to the property under consideration for many years and had been having problems with the kids playing on the church property for the past six years. Discussions with church authorities had produced no positive results and Mr. Tudge requested that Council require some form of positive corrective action on the part of St. Helen's Church as a condition of rezoning. Mr. Tudge also suggested that the entrance to the proposed structure be relocated from the west side to the North or south sides which would assist in preserving the amenities of his own property.

It was agreed that the Director of Planning, as a prerequisite to the proposed rezoning, would require positive action on the part of the appellant to ensure that adequate drainage and fencing was provided as part of the development and that the relocation of the entrance way to the activity centre would be studied in the light of fire regulations.

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

(3) FROM COMPREHENSIVE DEVELOPMENT (CD) TO AMENDED COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Reference RZ #59/75

Lots 36 and 37, D.L. 166A, Plan 48494

(7422 and 7432 Fraser Park Drive -- Located on the North side of Fraser Park Drive between Byrne Road and Lowland Drive)

The applicant proposes to construct two office/warehouse facilities on two separate lots.

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

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

Reference RZ #60/75

- (a) North 160.55 feet of Lot 3, S.D. 2, Block 1, D.L. 59, Plan 10302
- (b) Lot "A", R.S.D. 3, S.D. 2, Block 1, D.L. 59, Plan 15822
- (c) Lot 2, S.D. 2, Block 1, D.L. 59, Plan 10302

(2751 and 2821 Bainbridge Avenue; and 7059 Lougheed Highway -- Located on the North side of the Lougheed Highway near the intersection of Bainbridge Avenue and Lougheed Highway)

The applicant proposes to construct 25 strata Title townhouse units on a 2.1 acre net site.

Mr. Richard Bemben, Architect, with the aid of drawings and renderings and a small scale model of structures proposed for the site under consideration, reviewed the proposed development and advised that he was prepared to answer any questions Council may have on this subject.

In reply to a question by Alderman Gunn, Mr. Bemben advised that he was not in a position to comment on the proposed selling price of individual units but it was expected that the selling price per unit would be in the \$ 50,000.00 to \$ 60,000.00 neighbourhood.

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

(5) FROM COMPREHENSIVE DEVELOPMENT DISTRICT (CD) TO AMENDED COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Reference RZ #63/75

Lot 127, D.L. 151, Plan 46883

(4250 Kingsway -- Located on the South-East corner of Kingsway and Olive Avenue)

This rezoning proposal provides for an amendment to the approved CD Plan to provide for a Retail and Residential building on Kingsway to include offices within the tower.

Mr. Gerry Blonski, representing Sidney C. Suen, Architect, then addressed Council on the subject of the proposed rezoning. The proposed amendment to the approved Comprehensive Development Plan calls for the conversion of the first nine floors of the proposed tower to an office complex which the Architect considered would be more in keeping with the objectives of the Burnaby Planning Department for the Burnaby Town Centre. It is considered that this amendment will provide a very positive step to fulfill the Planning Department's objectives. It had been found that Kingsway was not entirely suitable to have a fully oriented residential development located on it.

In reply to a question of Alderman Lawson as to whether consideration had been given to providing double glazing on the Kingsway side of the development, Mr. Blonski advised that he considered that the residential component would be high enough up that noise from Kingsway would not present a problem.

In reply to a question by Alderman Gunn as to problem of traffic noise from Kingsway insofar as the tenants of the commercial component of the structure are concerned, Mr. Blonski advised that his Company would be willing to examine this question closely and, if it is considered necessary, corrective action could be taken.

Alderman McLean raised the question with the Director of Planning as to whether Council should make it a condition of rezoning that all buildings on Kingsway and other major arterials in the Municipality be equipped with double glazing.

The Director of Planning noted that Council had previously directed the Planning Department to study and report on the whole question of double glazing of structures on arterial highways but that his Department had not had the opportunity to pursue the matter in any detail. The Director of Planning could not provide an estimated date as to when this study would be available for Council's consideration.

His Worship, Mayor Constable, noted that this question had been coming up at most Public Hearings and that perhaps some priority should be given to establishing a policy on this question, one way or another, rather than having it come up at every Public Hearing.

The Director of Planning advised that he would be governed by the remarks of Council as outlined in the foregoing paragraphs with relation to the report on double glazing.

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

(6) FROM MULTIPLE FAMILY RESIDENTIAL DISTRICT (RM3) TO MULTIPLE FAMILY RESIDENTIAL DISTRICT (RM2)

Reference RZ #64/75

Lot 8 except Plan 22210, Block "G", D.L. 127 W3/4, Plan 1254

(5090 Hastings Street -- Located on the South side of Hastings Street between Delta Avenue and Springer Avenue)

The applicant proposes to construct eight (8) strata title apartment units.

Mr. Richard Bembem, Architect, with the aid of renderings and drawings outlined the concept of the development of eight strata title apartment units on the subject site. The development will be of low profile and will take advantage of the sloping topography of the site. No windows will be located on the Hastings Street frontage of the property. All units will be oriented to the south and the view that exists in that direction.

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

(7) FROM GENERAL INDUSTRIAL DISTRICT (M2) TO LIGHT INDUSTRIAL DISTRICT (M5)

Reference RZ #65/75

Westerly portion of Lot 87, D.L. 40, Plan 34265

(8130 Winston Street - Located on the South side of Winston Street between Piper Avenue and Brighton Avenue)

The applicant proposes to construct a single or multi-tenant light industrial facility with an associated office component.

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

(8) FROM SPECIAL INDUSTRIAL DISTRICT (M4) TO SERVICE COMMERCIAL DISTRICT (C4)

Reference RZ #66/75

Lot 31, S.L. 94, Plan 720

(5259 Lane Street -- Located on the North side of Lane Street just East of Royal Oak Avenue)

The applicant proposes to construct a two-storey office building for the B.C. Federation of Telephone Workers.

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

MOVED BY ALDERMAN MCLEAN:

SECONDED BY ALDERMAN AST:

"That this Public Hearing be now terminated."


CARRIED UNANIMOUSLY

The Public Hearing terminated at 8:10 p.m.

Confirmed:

Certified Correct:


MAYOR


MUNICIPAL CLERK'S ASSISTANT

BL/sb