

April 21, 1976

A Public Hearing was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Wednesday, April 21, 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 G.H.F. McLean
Alderman F.G. Randall
Alderman V.V. Stusiak

ABSENT:

Alderman D.A. Lawson

STAFF:

Mr. M.J. Shelley, Municipal Manager
Mr. A.L. Parr, Director of Planning
Mr. B.D. Leche, Municipal Clerk's Assistant
Mr. R.N. Drennan, Committee Secretary

PROPOSED REZONINGS:

- (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.

Mr. Lort, the architect for the applicant appeared to answer questions concerning the subject rezoning application.

There were no questions asked of the architect and no other submissions were received in connection with the rezoning proposal.

- (2) FROM COMPREHENSIVE DEVELOPMENT DISTRICT (CD)
TO AMENDED COMPREHENSIVE DEVELOPMENT DISTRICT(CD)

Reference RZ #32A/74

Lot 198, D.L.'s 35/151, Plan 47944

(3777 Kingsway -- Located on the North-East corner of Kingsway and Boundary Road extending to the B.C. Hydro and Power Authority Right-of-Way)

An amendment to the CD Plan is proposed by adding an interior property line to provide for the construction of the B.C. Telephone Company Office complex in two phases.

Mr. Leslie Molder, B.C. Telephone Company Ltd. came forward to answer questions on the rezoning proposal.

In response to questioning Mr. Molder advised that the rezoning was required to aid in mortgage financing. The first phase of development is comprised of the office building presently being constructed. As demand for more office space grows a new and smaller development would be constructed on the second lot to the north of the present building under construction.

Mr. Molder also advised that there would be no change in the parking pattern for the development.

There were no further submissions in connection with this rezoning proposal.

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

Reference RZ #1/76

Lot 12 Except West 34.5 feet AND Lot 13, Block "D",
D.L. 96, Plan 1740

(6558 Kingsway -- Located on the South side of Kingsway at the Conway Avenue intersection)

The applicant requests rezoning in order to utilize the site for a used car sales operation.

A memo from the Director of Planning to the Municipal Clerk dated April 9, 1976 advised that the applicant, Mr. Gary Parsons had formally withdrawn his rezoning application as of April 7, 1976.

(4) FROM SMALL HOLDINGS DISTRICT (A2)
TO RESIDENTIAL DISTRICT TWO (R2)

Reference RZ #2/76

Lot 43, D.L. 138, Plan 1256

(7660 Aubrey Street -- Located on the South West slope of Burnaby Mountain, South of Aubrey Street and East of the Belmont Avenue right-of-way)

The applicant proposes to include this triangular-shaped site in a single family residential subdivision based on the R2 Zoning Regulations.

No one appeared in connection with the subject rezoning proposal.

(5) FROM GENERAL INDUSTRIAL DISTRICT (M2)
TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Reference RZ #4/76

(a) Lot 4, Block 23, D.L. 1, Plan 4231

(b) Lot 5 Except Part S.E. of Hwy. on Plan 25870, Block 23,
D.L. 1, Plan 4231

(c) Lot 6, Except Part S.W. of Hwy. on Plan 25870, Block 23,
D.L. 1, Plan 4231

(4403, 4505 and 4511 North Road -- Located on the West side of North Road. North of the Trans Canada Highway)

The applicant proposes to develop a phased commercial/warehousing complex consisting of a 4-storey office building, a 3-level warehousing facility and an automotive sales and service centre.

Mr. Gerald Hamilton, Architect for the developer appeared in connection with this rezoning proposal to answer questions. Mr. Hamilton advised that the site in question is west of North Road, north of the 401 Freeway and immediately south of the relocated Rochester Street. On the five acre site the developer is proposing to put a Comprehensive Development comprised of a home and leisure centre, a four storey office building and a building which will house a Renault dealership. Intensive landscaping with appropriate buffer zone, trees and open space will be achieved in order to make this commercial development compatible with the townhouse development north of Rochester Street.

In response to questioning, Mr. Hamilton advised that the home and leisure centre would be both a warehouse facility and a retail store where items such as plumbing supplies, light fixtures, remodelling materials, etc would be sold. Mr. Hamilton further advised that sinuous curves would be incorporated on the roof of the development which involves the use of a combination of colours and roofing materials to give a pleasant outward effect.

Alderman Stusiak confirmed with Mr. Hamilton that access to this development would be off Rochester Street coming off North Road.

In answer to a question from Alderman Stusiak, the Director of Planning advised that provision was made for a proper setback from North Road to allow for the future widening of North Road.

In answer to a question from Alderman Gunn, the Director of Planning advised that a sufficient buffer zone of approximately 100 feet was being provided for between the commercial development to the south and the townhouse condominium to the north. This buffer zone would not only include landscaping, trees and open space but also a fence to be constructed by the developer of the subject property.

(6) FROM RESIDENTIAL DISTRICT FOUR (R4)
TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Reference RZ #5/76

D.L. 135 Except Plans 3234 and 4484, Plan 3072

(1551 Phillips Avenue -- Located on the North side of Halifax Street between Augusta Avenue and Phillips Avenue)

The applicant proposes the development of multiple family strata title accommodation consisting of 66 townhouse units (10 to 12 units per acre) and 208 apartment units within two 13-storey highrise buildings.

In connection with this rezoning proposal, Mr. C.F. Bufton, 1855 Goleta Drive, Burnaby, B.C., V5A 1P6 appeared to represent the Strata Council of Phase III of Montecito 2000. Mr. Bufton stated that the particular concern of the Strata Council was which particular school would accommodate school age children from the proposed development.

In response, the Director of Planning advised that children from this development would go to the Montecito School. The Director of Planning was requested to communicate with the School Board to obtain additional information on this subject.

A letter from Mr. T.W. Kirby, 7241 Kitchener Street, Burnaby dated April 17, 1976 was received in connection with this rezoning proposal. Mr. Kirby wished to register strong objection to the subject rezoning on the basis that Council should not allow the construction of high rise apartment buildings and townhouse units in an area of primarily single family homes.

A letter was received from Mr. Harry Kanuka, General Manager - Residential of Daon Development Corporation, 1050 West Pender Street, Vancouver, British Columbia, V6E 3S8. The letter reads as follows:

"With reference to our application to rezone the above described property to Comprehensive Development District (CD), we agree to undertake the required prerequisites effected as follows:

- (a) to submit a suitable plan of development as prepared by our Architect,
- (b) drawings of the subdivision plan creating the subject sites, are prepared to the maximum possible state at this time, however, these drawings can only be finalized when the adjoining municipal subdivision plan is registered,

- (c) to grant any easements as may be required on the subject property,
- (d) to deposit with the Burnaby Municipality a Letter of Credit in the amount required to cover the costs of all services necessary to service the site, on or before final adoption,
- (e) that the installation of all electrical, telephone and cable servicing and all wiring to be underground throughout the development and to the point of connection to the existing service where the sufficient facilities are available to service the development.
- (f) to dedicate any right-of-ways as may be required on this site,
- (g) to the request of your prerequisites in item (g) (your letter)
- (h) to comply with all applicable guidelines are required,
- (i) to deposit a Letter of Credit to cover the per unit level as outlined in your schedule (Page 4 RZ Ref. #5/76 dated March 22, 1976 para. 4.5) in the amount of \$ 218,192 net total. This acquisition is for proposed neighbourhood parks,
- (j) to preserve as many existing mature trees as possible on the site,
- (k) we shall present a schedule of the construction staging of this site at the time of final adoption."

There were no further submissions received in connection with this rezoning proposal.

(7) FROM RESIDENTIAL DISTRICT FIVE (R5)
TO LIGHT INDUSTRIAL DISTRICT (M5)

Reference RZ #8/76

Lots 4,5, 6, 7, 8, 9W1/2 and 9E1/2, Block 11, D.L. 69,
Plan 1321

(3958/3976/3986 Myrtle Street; 3953/3963/3975/3993 Regent Street --
Located between Myrtle Street and Regent Street on the East side of
Ingleton Avenue)

*It is proposed to rezone these municipality owned properties in order
to sell or lease the total site for the development of Light Industrial
uses based on M5 zoning regulations.*

There were no submissions received in connection with this rezoning
proposal.

(8) FROM NEIGHBOURHOOD COMMERCIAL DISTRICT (C1)
TO RESIDENTIAL DISTRICT FOUR (R4)

Reference RZ #9/76

Lot 11, Block 23, D.L. 159, Plan 1393

(5930 Portland Street -- Located on the South side of Portland
Street East of Buller Avenue)

The applicant proposes the construction of a new duplex on the site.

Alderman Emmott questioned the Director of Planning as to why the
subject property was going to be rezoned from Neighbourhood Commercial
District (C1) to Residential District Four (R4) instead of Residential
District Five (R5).

In reply the Director of Planning advised that an R4 area is essentially
a 60 foot frontage single family area, however, a duplex can be built

in an R4 area on a larger lot. The nature of an R4 area is that duplex development is very limited. An R5 zoning change would create a duplex area.

Aldermen Emmott stressed that his reason for raising this particular subject was that he hoped the applicant's interests were being protected in the event of a future rezoning from R4 to R5.

There were no further submissions received in connection with this rezoning proposal.

(9) FROM RESIDENTIAL DISTRICT THREE (R3)
TO RESIDENTIAL DISTRICT FIVE (R5)

Reference RZ #12/76

Lot "F", S.D. 1 & 3, Block 1, D.L. 11, Plan 19840

(7694 Cumberland Street - Located on the North side of Cumberland Street at the Armstrong Avenue intersection)

The applicant proposes the construction of a new duplex on the site.

There were no submissions received in connection with this rezoning proposal.

(10) FROM SMALL HOLDINGS DISTRICT (A2) AND HEAVY INDUSTRIAL DISTRICT (M3)
TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Reference RZ #13/76

(a) Lot 3 Except South 33 feet, D.L. 142, Plan 14043

(b) Lot "B" Except Reference Plan 14602, Block 2, D.L. 143,
Plan 5360

(2366 Underhill Avenue and 8309 Broadway -- Located on the Southern slope of Burnaby Mountain and consists of Areas 13 and 14 as designated in the adopted Burnaby 200 Community Plan)

The applicant proposes to construct 52 terraced townhouse family dwelling units in conformance with Areas 13 and 14 of the Burnaby 200 Community Plan.

A letter dated April 15, 1976 was received from Clark, Wilson & Company, Barristers and Solicitors, 475 Howe Street, Vancouver, B.C., V6C 2B8 advising that Mr. Bruce J. Partridge wished to make a representation to the Municipal Council at the Public Hearing on behalf of Shell Canada Limited.

Mr. Partridge proceeded to read the Shell Canada Limited brief, the text of which is as follows:

"My name is Bruce Partridge. I appear on behalf of Clark, Wilson & Company, Solicitors for Shell Canada Ltd., and I am authorized to present this brief for that company.

Shell Canada owns the property directly across Underhill Avenue from Areas 13 and 14 of the proposed development plan. We are here to suggest to you that it would not be in the public interest to rezone Areas 13 and 14 as requested by the developer. We recommend that you, as members of the Municipal Council exercise your discretion in the public interest by retaining the original plan adopted by Council on August 18, 1975, as it related to Areas 13 and 14. We take no position concerning the other Areas of the plan -- only Areas 13 and 14.

We appear in what may seem to be an unusual role. I suppose that usually those who appear before you to oppose a particular spot zoning are most concerned with its impact on their own property or pocketbook. Instead, our concern is that we believe that if a developer places homes of any kind on Area 13 and 14, it would be unfair to those who subsequently purchased or rent those homes without due consideration for the fact that

they will be living close to industry.

Shell Canada is aware of its responsibility as a corporate citizen. We are proud of the many ways in which we seek to enhance the quality of living in the community of which we are a part. We devote considerable thought to making our installations as visually attractive as is feasible, and to protecting our neighbours from any negative impact from our installations and operations. We also believe that in some circumstances it is our responsibility to speak out on matters of community interest.

Incidentally, so that there will be no mistake about our position, I am authorized to assure you that Shell Canada has no designs on the land in question, now or in the future.

In the plan which has been approved, the Planning Department and the Municipal Council, with commendable foresight, provided for a buffer zone of something more than 100 yards between the nearest homes and Underhill Avenue. This buffer zone is a green-belt or a sort of parkland. It will enhance the appearance of the town houses and maisonettes designed for the development. The buffer zone or setback creates a sense of openness and helps to avoid a cluttered, citified, overcrowded atmosphere. Most important, we believe the buffer zone protects the residents of the whole development from being forced to live closer than is desirable to a large industrial development.

As we all know, the Municipal Act empowers you to make zoning decisions. We are also aware that the Act requests you to have due regard for the preservation of amenities, the character of each zone, the betterment of the environment, the fulfillment of community goals, and the provision of necessary public space. On each of these counts we submit that it would be wrong to authorize a developer to construct homes in the existing buffer zone or greenbelt area along Underhill Avenue.

The existing protective strip, some 100 yards in width, is necessary to preserve the amenities for the town houses and maisonettes already approved for the rest of the area. The future owners and tenants of these homes, too, would suffer if more homes were built, quite literally in the shadow of an industrial development.

As a community we should take a lesson from the problems of Winston Street, where residences and industrial areas developed without sufficient separation between them. The property under consideration tonight is adjacent to two large industrial areas -- Shell to the east, and Trans Mountain to the north. To permit residential development without an appropriate buffer zone would seem to invite a recurrence of the problems of Winston Street.

We recognize that the Municipal Act also charges you to consider the promotion of the efficiency of an area. On first consideration, it might be thought that to permit construction of the residences proposed for Areas 13 and 14 could improve efficiency, or at least increase the economic return to the developer. We submit that the facts refute such an assumption.

The plan which Council has previously adopted provides for 1,170 units. If the Municipal Council were to approve all of the proposed rezoning except the small Areas identified as 13 and 14 the buffer zone would be preserved, yet 148 additional residential units could be constructed. The total plan would then provide for 1,318 residential units.

On the other hand, if the Municipal Council permitted the developer to build in Areas 13 and 14, the number of residential units would increase to 1,370. This minor increase would be at the cost of the buffer zone, with all of the problems possibly attendant upon that loss.

April 21, 1976

As a concerned and responsible citizen of this community, Shell Canada urges you not to discard the protection afforded by the buffer zone for what would be less than a 4 per cent increase in the number of residential units.

We submit that now is the time for you to act to prevent problems before they arise, as they seem certain to do if this relatively minor increase in numbers is permitted at the expense of essential insulation between industrial and residential areas.

On behalf of Shell Canada, I want to thank you for your kind attention. If you should have any questions about this representation, I shall be glad to attempt to answer them."

In response to questioning, Mr. Partridge advised that Shell Canada was not opposed to the development in general only to the residential development of Areas 13 and 14 in the Burnaby 200 Community Plan.

On a question from Alderman McLean, Mr. Partridge replied that the remaining life span of the Shell Canada tank farm on the nearby property would be approximately 20 years.

In reply to a question from Alderman Gunn, Mr. Partridge advised that Shell Canada was concerned with visual and aesthetic conflicts which may arise between an industrial and residential area.

There were no further submissions received in connection with this rezoning proposal.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN AST:

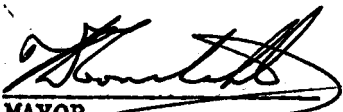
"THAT this Public Hearing be now terminated."

CARRIED UNANIMOUSLY

The Public Hearing terminated at 8:25 P.M.

Confirmed:

Certified Correct:


MAYOR

MUNICIPAL CLERK'S ASSISTANT

RND/sb

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