

APRIL 19, 1977

A Public Hearing was held in the Council Chamber, Municipal Hall,
4949 Canada Way, Burnaby, B.C. on Tuesday, April 19, 1977 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 D.A. Lawson
Alderman W.A. Lewarne
Alderman F.G. Randall
Alderman R.D. Stewart
Alderman V.V. Stusiak

STAFF:

Mr. M.J. Shelley, Municipal Manager
Mr. A.L. Parr, Director of Planning
Mr. James 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 #38/73

Lot 26, D.L. 79, Plan 31328

6469 Roberts Street - located on the South side of Roberts Street
255 feet East of Ledger Avenue

The applicant has requested the amendment to this rezoning in order to add a small bus garage for McDonalds, one of the major tenants of the office development.

Mr. Rick Browning, representing the developers, Canadian Freehold Properties, then addressed Council and explained the concept of the proposed rezoning. The proposed garage is required by a major tenant of Sperling Plaza to provide the necessary shelter and maintenance facilities for the bus and camper operated by McDonald's Restaurants. The proposed structure has been designed to be completely compatible with both Phase 1 and Phase 2 of the Sperling Plaza project and the landscaping has also been adjusted to accommodate the planned garage.

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

2. FROM RESIDENTIAL DEVELOPMENT (R2) TO COMPREHENSIVE DEVELOPMENT (CD)

Reference RZ #45/76

D.L. 125, Blk. 1, Lot 1 exc. E93' and exc. Ex. Pl. 15008
and exc. Ref. Pl. 15201; D.L. 125, Blk. 1,2,3,4,6, Lot "B",
Ref. Pl. 15201; D.L. 125, Blk. 1,4,6, Lot 1 E93'; D.L. 125,
Lot 2 of Lot 1 - 6, Plan 3520

1838, 1848, 1868 Delta Avenue; 5030 Halifax Street, North
Portion of 1942 Delta Avenue - the subject site falls within
Area "D" of the 1969 Apartment Study and Community Plan #9.

The applicant has requested the rezoning in order to construct a
75 unit, 3½ storey condominium development with underground parking.

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

April 19, 1977

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

Reference #49/76

D.L. 92, Lot "V", Group 1, Plan 13612

6540 Oakland Street - located at the Southeast corner of Gilley Avenue and Oakland Street Right-of-Way

The project involves the development of forty-one houses on freehold lots providing a range of dwelling types including zero lot line and conventional side yard situations.

Mr. Tom Morton, Architect, for the proposed development, then addressed Council on the subject of the proposed rezoning. With the aid of plans and drawings, Mr. Morton outlined the concept of the proposed development. Mr. Morton noted that a previous proposal for the development of this site called for a total of 72 townhouses and that the present proposal is for 41 housing units which will considerably reduce the density planned for the site. The planned density of the site will not be different than if the site was developed as ordinary single and two family dwellings. The individual units will range from 1400 square feet to 1800 square feet. The materials will be cedar with one house specifically being stucco. There are five basic types of houses, each one specifically located on the site and each one varying from its neighbour somewhat. Roofs will be cedar shakes with fences to match. Parking is provided for two cars per house with further provision for visitor parking.

The main considerations in planning this project were the sun and the view. When planning the architecture, an effort had been made to bring the roofs down to create a better spatial relationship between the houses.

The stream has been maintained and the architects have been working very closely with the Planning Department on this. A mini-park would be created and would be turned over to the municipality to become part of the park system. The architect felt very strongly that the effort that had been put forth to plan right from the initial outset, the cul-de-sacs and the cul-de-sacs in relation to the stream, were based on an agreement and an understanding with the Planning Department that the mini-park would be given over to the municipality in lieu of a park levy. The area represented by the mini-park in this case amounts to some 13,000 square feet which is a substantial portion of the southeast corner of the site. This area would be highly landscaped in the manner shown on the landscape plan.

His Worship, Mayor Constable noted that the Director of Planning had submitted a report on the subject of a Park Land Levy on this site, copies of which are in possession of members of Council this evening. The following is the text of the Director of Planning's comments:

"Council on 18 April 1977 received Manager's Report #29, Item 9 which discussed, among other items, the retention of the stream through the subject development site and the applicability of the Parkland Acquisition Levy. Council requested further information with respect to the amount of land being provided to retain the stream.

Generally, a fifty foot right-of-way has been provided for in the architect's plan. Due to site specific considerations related to desired subdivision pattern, dwelling relationships and the desired curvilinear watercourse, this width is not consistent throughout the entire length. If the project was considered and processed as a standard subdivision complying with the existing zoning, the minimum appropriate width required to retain the stream and pedestrian path could have been reduced to forty feet varying to some extent along the length for the reasons noted above. This approach

April 19, 1977

would result in a reduction in the required dedication by 3059.5 square feet or 0.07 acres. The estimated market land value as stated in the Parkland Acquisition Levy report for developable land assuming single family residential densities is \$129,600 per acre. Thus the land being dedicated over and above the minimum requirement is valued at 0.07 acres x \$129,600 = \$9,072 or approximately \$9,100. (The required levy is 41 units x \$521 = \$21,361)

However, as can be seen from the sketch, this possible reduced dedication would not permit the construction of additional dwellings. Rather, it would provide larger building lots at the expense of a reduced, minimal public area. It is our view that the subdivision pattern as proposed in our earlier report (Manager's Report #29, Item 9) is the more appropriate one.

For the further information of Council, a former rezoning proposal for the site (Rezoning Reference #2/75), a strata title townhousing project, set aside a forty foot width to retain the stream. However, at that time, prior to detailed study of the Deer Lake area, a pedestrian pathway was not considered. The developer was required to pay a levy of \$475/unit as the revised Parkland Acquisition Levy was not in effect."

Mr. Fred Brooks, Landscape Architect for the proposed project, outlined the planned landscaping of the project.

In reply to a question by Alderman Stewart, Mr. Brooks advised that he could not supply information on the volume of water in the stream but adequate planning had taken place to ensure that the water level in the pond area could be maintained at a suitable level at all seasons of the year.

Mr. G. Beraldin, 5959 Brantford Street, also owner of the property at 5987 Brantford Street, advised Council that he had no objections to the proposed rezoning but was concerned with the proposed levels of the development and the possible effect on the existing sewer system. Mr. Beraldin also expressed concern that the view he presently enjoys may be damaged.

Mr. Gary Ninemien, 6193 Service Street, requested information on the following points:

- a. The proposed selling price of the proposed houses;
- b. The planned future function of Oakland Street;
- c. What the developer means when he states that the project will be architecturally controlled;
- d. Examples of similar developments in Burnaby or Vancouver; and
5. What the developer means by "Zero" lot lines and how it is proposed to handle ground water problems in the area.

The Director of Planning advised that Oakland Street is a future road and its development is simply designed to recognize that. Oakland Street is not proposed to be developed as part of this proposal.

The Director of Planning also explained the concept of "Zero" lot lines.

His Worship, Mayor Constable, advised that the selling price of the completed units does not come within the jurisdiction of this Council.

Mr. Dick Drinnan, 6377 Burns Street, enquired as to the developer's plans for protecting the view of the people living on the lane behind the proposed development.

The Director of Planning advised that the planned clustering of the proposed units, together with the roofs being kept down in height will assist in providing protection for the view presently enjoyed by people living on Burns Street.

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

April 18, 1977

4. FROM SMALL HOLDINGS DISTRICT (A2) AND GASOLINE SERVICE STATION DISTRICT (C6) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Reference #1/77

Lots 13 and 14, D.L. 2, Plan 35814

9920 and 9950 Lougheed Highway - located at the southwest corner of Lougheed and North Road.

Mr. Jack Hanson, Architect for the proposed development advised that he was present this evening together with the Director of North West Developments Ltd. to answer any questions that might arise in connection with the proposed rezoning.

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

5. FROM COMMUNITY COMMERCIAL DISTRICT (C2) TO GASOLINE SERVICE STATION SELF SERVE (C6A)

Reference #2/77

Lot 62, D.L. 28, Plan 32455

7320 Canada Way - located at the northeast corner of Canada Way and Edmonds Street.

The applicant has requested rezoning in order to convert the existing full service gasoline station to a self-service facility.

Mr. Bruce McDonald, Gulf Canada Ltd., advised that he was present to answer any questions that may arise.

In reply to a question from Alderman Randall as to why this Station should be converted to a "self serve", Mr. McDonald advised that it was necessary to maintain Gulf Canada's competitive position in Burnaby.

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

6. FROM RESIDENTIAL DISTRICT (R2) TO PARK AND PUBLIC USE DISTRICT (P3)

Reference #3/77

Pcl. "B", Blk. 21, D.L. 6, Plan 6105;
Lot 1 S $\frac{1}{2}$ of Blk. 22, D.L. 6, Plan 6791

9489 and 9523 Cameron Street - located on the north side of Cameron Street approximately 900' east of Noel Drive.

The Municipality is proposing rezoning in order to establish a Public Branch Library as part of a recreational complex to serve the northeast part of Burnaby.

Mrs. Anita Morris, Lougheed Town Community Association, 9375 Cameron Street, advised that she was speaking against the proposed rezoning. Mrs. Morris did not consider that a Public Hearing on this rezoning should be held this evening for several reasons:

- a. Sufficient publicity had not been given of the Public Hearing. Mrs. Morris's property is only two properties away from the site of the proposed rezoning and the notice from the Municipal Clerk had not been received until April 18, 1977;
- b. How can Planning recommend this rezoning when the area studies authorized just a few weeks ago had not been completed;

April 19, 1977

- c. How can concerned citizens have any input on this question when discussion of the subject will be closed following this Public Hearing;
- d. Why was the property at 9489 Cameron Street purchased in May 1976, six months before the referendum on a library site was held; and
- e. Why was more property at 9523 Cameron Street purchased after the referendum was turned down.

Mrs. Morris was of the opinion that the Recreation/Library complex should be located in the public area adjacent to Cameron School and the Lougheed Mall rather than in the single family residential area. Mrs. Morris pointed out that there are many other factors to be studied in the area and that if this rezoning goes forward this evening; if the property is rezoned, then the problems that face the neighbourhood are completely different. Property values in the area will surely be affected. This is a centre for all of northeast Burnaby and the residents are not prepared to sit still on Cameron Street and the area in general while it becomes a public thoroughfare. Mrs. Morris was of the opinion that the Public Hearing should be adjourned pending receipt of the promised report and that if this is not done, then the whole procedure becomes a farce.

Mr. Fred Morris, 9375 Cameron Street agreed with the remarks of the previous speaker. Mr. Morris was of the opinion that the library site should definitely be in the area of the Cameron School and the Lougheed Mall. Mr. Morris stated that he did not consider the excuse that this site was too expensive to be a valid excuse. The value of the property had been forced upward by the Municipality in rezoning a portion of the area for high rise development when it was unlikely that such development would take place in the foreseeable future. The proposed library should definitely be on the south side of Cameron Street, particularly in view of the fact that it is likely that Cameron School will be phased out in the future. Mr. Morris suggested that Council not rezone the subject property at this time because a careful review of the area will show that such action would be an expensive mistake.

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

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN LAWSON:

"THAT this portion of the Public Hearing concerning Rezoning Reference #3/77 (9489 and 9523 Cameron Street) be now adjourned."

CARRIED UNANIMOUSLY

7. FROM SMALL HOLDINGS DISTRICT (A2) TO PARK AND PUBLIC USE DISTRICT (P3)

Reference #6/77

- a. Lot 5, Blk. 17, D.L. 208, Plan 2501 - 350 Phillips Avenue
- b. Lot 17 S $\frac{1}{2}$, Blk. 18, D.L. 208, Plan 2501 - 295 Albany Avenue
- c. Lot 19 N $\frac{1}{2}$, Blk. 18, D.L. 208, Plan 2501 - 325 Albany Avenue
- d. Lot 20 S $\frac{1}{2}$, Blk. 18, D.L. 208, Plan 2501 - 355 Albany Avenue
- e. Lot 16, Blk. 16, D.L. 208, Plan 2501 - 461 Melba Avenue
- f. Lot 17 N $\frac{1}{2}$, Blk. 14, D.L. 208, Plan 2501 - 487 Melba Avenue
- g. Lot 14, Blk. 3, D.L. 208, Plan 2501 - 711 Melba Avenue
- h. Lot 13 S $\frac{1}{2}$, Blk. 4, D.L. 208, Plan 2501 - 720 Melba Avenue
- i. Lot 15 N $\frac{1}{2}$, Blk. 3, D.L. 208, Plan 2501 - 731 Melba Avenue
- j. Lot 15 N $\frac{1}{2}$, Blk. 20, D.L. 208, Plan 2501 - 261 Belmont Avenue
- k. Lot 13 S $\frac{1}{2}$, Blk. 5, D.L. 208, Plan 2501 - 734 Belmont Avenue
- l. Lot 6 N $\frac{1}{2}$, Blk. 6, D.L. 208, Plan 2501 - 916 Hoover Avenue

April 19, 1977

- m. Lot 26, Blk. 6, D.L. 208, Plan 2501 - 987 View Avenue
- n. Lot 2 E½, Blk. 23, D.L. 208, Plan 2501 - 7735 Hastings Street
- o. Lot 20, Blk. 23, D.L. 208, Plan 2501 - 383 Centennial Way
- p. Lot 14 E½, Blk. 14, D.L. 208, Plan 2501 - 7536 Hastings Street
- q. Lot 15, Blk. 14, D.L. 208, Plan 2501 - 7544 Hastings Street
- r. Lot 10 N½, Blk. 9, D.L. 208, Plan 2501 - 464 Centennial Way
- s. Lot 21 N½, Blk. 13, D.L. 208, Plan 2501 - 579 Belmont Avenue
- t. Lot 21 N½, Blk. 14, D.L. 208, Plan 2501 - 579 Melba Avenue
- u. Lot 12, Blk. 13, D.L. 208, Plan 2501 - 7556 Hastings Street

The subject properties are located on the western slope of Burnaby Mountain within the established Burnaby Mountain Conservation Area.

The Municipality is proposing rezoning for the purpose of bringing the subject properties into conformity with the surrounding P3 zoned area as a further step toward the implementation of the Burnaby Mountain Conservation area.

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

8. FROM GENERAL INDUSTRIAL DISTRICT (M2) TO GASOLINE SERVICE STATION DISTRICT (C6)

Reference RZ #7/77

Portion of Pcl. A, Ref. Pl. 2900, Exc. Pl. 38667, S.D. 3, Blk. H, D.L. 118, Plan 3067

Portion of 2555 Gilmore Avenue - located at the northwest corner of Gilmore Avenue and Still Creek Street

The applicant has requested rezoning in order to lease the subject area to Gulf Oil Canada Limited who intend to operate a Keylock operated truck fueling facility.

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

9. FROM SPECIAL INDUSTRIAL DISTRICT (M4) TO RESIDENTIAL DISTRICT (R5)

Reference RZ #9/77

- a. Lot 5, S.D. 5, Blk. 1, D.L. 206, Pl. 5832 - 950 Sperling Avenue
- b. Lot F, Blk. 1, D.L. 206, Pl. 10145 - 840 Sperling Avenue
- c. Lot 79, D.L. 206, Pl. 35191 - 947 Sperling Avenue
- d. Lot 80, D.L. 206, Pl. 35191 - 957 Sperling Avenue
- e. Lot 76, D.L. 206, Pl. 35191 - 6675 Curtis Street
- f. Lot 81, D.L. 206, Pl. 35191 - 6685 Curtis Street
- g. Lot 77, D.L. 206, Pl. 35191 - 960 Grove Avenue
- h. Lot 78, D.L. 206, Pl. 35191 - 948 Grove Avenue

The subject sites are located within the area bounded by Union Street, Curtis Street, Grove Avenue and Duncan Avenue.

The Municipality has proposed rezoning in order to bring the zoning of the subject properties into conformity with the adjacent properties, into conformity with the adjacent land uses and to prevent industrial intensification on the sites of the existing building supply operations at their present locations.

Mrs. Patricia Kask, 6895 Curtis Street, then addressed Council on the subject of the rezoning under consideration. Mrs. Kask advised that she was the owner of the property at 950 Sperling Avenue and was formally petitioning against the rezoning of this property as proposed.

April 19, 1977

Mrs. Kask has owned this property for thirty years and has carried on the business of a lumber yard on it. Taxes have been paid on this industrially zoned property for those thirty years. The rezoning of this property would greatly reduce the value of the property. Mrs. Kask stated that at no time had she, or her tenant, Curtis Lumber Company, ever considered establishing another type of business on this property. Mrs. Kask also requested an answer from Council as to her legal position if she should ever desire to sell this property as an operating lumber yard. However, if the Burnaby Planning Department is so determined to rezone and remove the lumber yard from this property, Mrs. Kask stated that she would be open to discussion concerning the purchase by Burnaby of the subject property at the present market value under the M4 zoning.

His Worship, Mayor Constable, advised Mrs. Kask that, in his opinion, if she was to sell the property as an operating lumber yard, it would remain as an operating lumber yard.

Mr. Brian Kask, President, Curtis Lumber Ltd., then addressed Council and advised that he owned the property immediately to the North of the site under consideration addressed as 934 and 940 Sperling Avenue. Mr. Kask expressed the view that the property at 950 Sperling Avenue would have little value as an R5 zoned lot unless the properties to the north could also be included in a residential subdivision. Mr. Kask questioned the viability of placing the existing lumber yard in a non-conforming position for what could be a long period of time.

The Director of Planning advised the purpose of the rezoning, as he understood it, based on the analysis that this area was, in fact a residential area, the M4 zoning was not compatible.

Mr. Garry Struther, Wall and Redekop Ltd., advised Council that he represented Wood King at 840 Sperling Avenue to the North of Curtis Lumber Ltd. Mr. Struther was of the opinion that down zoning of this property will only keep the existing building there for a longer period of time and will not solve the problem of concern to Council. Mr. Struther stated that he did not believe there was any objection from the neighbourhood on the type of business now operating at 840 Sperling Avenue or the use to which this property was being put.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN STEWART:

"THAT this portion of the Public Hearing concerning RZ #9/77 be now adjourned."

CARRIED UNANIMOUSLY

10. FROM RESIDENTIAL DISTRICT (R2), LIGHT INDUSTRIAL DISTRICT (M5) COMPREHENSIVE DEVELOPMENT DISTRICT (CD), RESIDENTIAL DISTRICT (R1), RESIDENTIAL DISTRICT (R5), RESIDENTIAL DISTRICT (R4) AND HEAVY INDUSTRIAL DISTRICT (M3) TO PARKS AND PUBLIC USE DISTRICT (P3)

Reference RZ #11/77

- a. Lot 28, Blk. 34, D.L. 188/189, Grp. 1, Pl. 4953 - 4937 Bessborough Drive
- b. Lot 127, D.L. 189, Grp. 1, Pl. 46877 - 5170 Bessborough Drive
- c. Lot 93, D.L. 42, Grp. 1, Pl. 40581 - 7870 Winston Street
- d. Lot 1 Exc. Pcl. A, Ref. Pl. 31802, R.S.D. A, S.D. 26, Blk. 8,
D.L. 40, Pl. 11689 - 4048 Piper Avenue
 - Pcl. A, Expl. Pl. 12038 of Lot 2, S.D. 26, Blk. 8, D.L. 40 - 4082 Piper Avenue
 - Lot 109, Blk. 8, D.L. 40, Pl. 46288 - 4122 Piper Avenue
 - S. 165.4 ft. of Lot A, Blk. 8, D.L. 40, Pl. 5274 - 4182 Piper Avenue
- e. Lot 301, D.L. 56, Pl. 48533 - Simon Fraser Hills Park

April 19, 1977

- f. Pcl. D, Expl. Pl. 45380, Exc. Pl. 47920, Blk. 1, D.L. 12, Pl. 3046 - Keswick-Government Area Park Site
- g. Lot 167, Blk. 5, D.L. 87, Pl. 31868 - Park strip adjacent to south side of Freeway
- h. Southerly Ptn. of Lot 350, D.L.90, Pl. 49651 and Lot 327, D.L. 90, Pl. 49651 and Lot 327, D.L. 90, Grp. 1, Pl. 44195
The southerly part of the park portion of the Lakeview School park site, and the easterly portion of the school site
- i. Lot 257, D.L. 86, Grp. 1, Pl. 39962; and Lot 169, D.L. 86 and 91, Grp. 1, Pl. 24948, except parts subdivided by Plans 36959 and 39962 - Buckingham Park
- j. Lot 279, D.L. 86 and 91, Grp. 1, Pl. 42810, except parts subdivided by Plans 46855 and 46431 - Malvern Park
- k. Lots 1, 2, 3, 4, 5, 6 and A, Blks. D14, D.L. 30, Pl. 14028 - Six lots on the north side of Holly Street abutting on Richmond Park
- l. Lot 2, N.W. 146.92 ft., Blk. 11, D.L. 29, Pl. 22086 and Lot Rem. C, N.W. 146.93 ft.; Blk. 11, D.L. 29, Pl. 7356 - Two Corporate owned lots located in the southerly portion of Mary Avenue Park
- m. Lot 10, Blk. 3, D.L. 29 - Lot on the northeast corner of Ernie Winch Park
- n. Lot A, Blks. 5/9/4, D.L. 96, Pl. 10437 - Lot on the northeast corner of Rene Memorial Park
- o. Lot 5W $\frac{1}{2}$, Pcl. A of Lot 5, Pcl. A of Lot 6, Lot 6E $\frac{1}{2}$, Pcl. B of Lot 7, Pcl. A of Lot 7, Lot 8W $\frac{1}{2}$, Lot 8E $\frac{1}{2}$, Lot 9W $\frac{1}{2}$, Lot 9E $\frac{1}{2}$, Lot 10W $\frac{1}{2}$, Pcl. A of Lot 10, Lot 11W $\frac{1}{2}$, Pcl. A of Lot 11, Blk. 39, D.L. 153, Grp. 1, Pl. 2884 - Maywood Park
- p. Lots 1 to 40 inclusive of Blks. 14 and 15, D.L. 82, Grp. 1, Pl. 2615, Blk. 23, D.L. 82, Grp. 1, Pl. 201; and Blk. 1 of D.L. 32 and 82, Grp. 1, Pl. 17168 - Forest Glen Park
- q. Northerly portion of Lot 143, Pl. 47277; Lot 144, Pl. 47458; Lot 141, Pl. 45611; Lot 7, Pl. 1050; Lot 117, Pl. 41192; Lot E, Pl. 26519 and Lot 137, Pl. 45779, D.L. 157/163 - Northerly part of Riverway Sports Complex Site
- r. 3.37 acre portion of Lot 43, D.L. 187/188, Pl. 49045 as shown on Map 19 - Area includes open stream course on north-westerly side of Confederation Park.

The Municipality proposes rezoning in order to bring the number of park properties into conformity with their existing or proposed use under the Burnaby Zoning By-law.

Mr. Bob Davis, 3004 Carina Place, stated that he had no objections to the proposed rezoning but noted that the Public Hearing Notices had only been received this past Thursday or Friday which gave interested parties very little time in which to prepare a submission if they so desired. With regard to Item (e) in the list of properties affected, Mr. Davis noted that a number of the owners in the area were under the impression that it was the entire subject site and not just the two-thirds covered by rezoning reference.

Mr. Davis indicated that a petition concerning the future use of the balance of this property will be placed before Council in the near future.

Mrs. Dorothy Salisbury, 5131 Harbour View, requested assurance that the proposed P3 zoning on the subject properties would protect these properties from any other use.

Mr. Tom Betts, 6667 Elwell Street, addressed Council and advised that he was the owner of the property listed in Item (n) in the list of properties affected. Mr. Betts was mainly concerned with the protection of wooded areas. He had no objection to the proposed rezoning.

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

0355

April 19, 1977

11. FROM RESIDENTIAL (R2) TO RESIDENTIAL (R4)

Reference RZ #12/77

Lot "E", D.L. 80, Plan 22622

5337 Spruce Street - located on the north side of Spruce Street between Royal Oak and Mahon Avenue

The applicant has requested rezoning for the purposes of constructing a duplex.

Mrs. I. Korman, 5311 Spruce Street, expressed opposition to the proposed rezoning. Mr. Korman complained of the current condition of the property stating that it was a distinct blot on the neighbourhood. The owner had refused to co-operate in any way with neighbour's requests that he clean up his property.

Mr. E. Meyer, 5360 Spruce Street, advised Council that he was definitely opposed to the construction of a duplex on the subject property. He agreed completely with the previous speakers remarks. He was also of the opinion that a duplex dwelling on the subject property would effectively destroy the view of the north shore mountains from his own property.

A petition signed by 24 residents of Spruce Street was received in opposition to the proposed rezoning.

Mr. Brian Calder advised that he was representing the owners of 5336 Forest Street and 5394 Spruce Street. The owners of these two properties had advised Mr. Calder that they were not opposed to this type of development provided that it is controlled and designed and is in keeping, as much as possible, in an improved way with the character of Spruce Street.

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

12. FROM EXISTING ZONING CATEGORIES FOR THE VARIOUS SECTORS TO THE ZONING CATEGORIES DESIGNATED IN THE ADOPTED BIG BEND AREA STUDY: PROPOSED DEVELOPMENT PLAN

Reference RZ #14/77

D.L.'s 155, 166, 167, 166A, 155B, 155C, 165 and 164 (Big Bend Redevelopment - Phase III) - the area south of the B.C. Hydro and Power Authority Railway right-of-way to the North arm of the Fraser River

The Municipality proposes these rezonings as one of the final stages of the implementation procedures outlined in the report entitled "Implementation, Big Bend Development Plan" which was adopted by Council on July 31, 1972. The adoption of the recommendations will result in the establishment of zoning designations which reflect the goals and objectives of the "Big Bend Area Study; Proposed Development Plan" and will establish tangible guidelines for development.

Mr. Ed Warner, owner of the property at 4833 and 4853 Byrne Road, then addressed Council on the proposed rezoning of the subject properties. Mr. Warner stated that he had operated on these properties since 1959. Mr. Warner was concerned that the proposed rezoning would interfere with the normal operation of his business. He noted that it was proposed to leave the existing zoning on some adjacent properties unchanged on the grounds that the businesses operating thereon were well established. Mr. Warner considered that his business was as well

April 19, 1977

if not better established than the other businesses in the area whose zoning will not be affected.

Mr. Brian Calder, A.E. Lepage Ltd., requested information on the effect that future development in the Big Bend Area will have on services such as sewer, etc. Mr. Calder noted that at the present time sewage from the 40 acre development at the foot of Byrne Road was being diverted directly into the North Arm of the Fraser River. At the time the 40 acre parcel had been developed, approval had been obtained to go into the Mountbatten and Marshend interceptor that is to be picked up when it is brought on line for Annacis Island. This has not taken place and sewage is diverted directly into the River. Mr. Calder also noted that the present condition of Byrne Road was deplorable and did nothing to encourage development in the area. The existing development at the foot of Byrne Road cannot realize its potential because of the lack of adequate access. Mr. Calder was of the opinion that the improvement of Byrne Road to an acceptable standard would open the door to really worthwhile development in this area of the Big Bend.

Mr. Duncan Williams, representing the owners of Lots 40, 24 and 25, D.L. 166A, requested information on the future of the proposed Marine Way.

His Worship, Mayor Constable, advised that the Municipality had received a commitment from the Minister of Highways last year that construction could very well take place this year. Loading material is already being stockpiled for the project up on Marine Drive. There are some problems but it is hoped that construction will commence this year on the portion of Marine Way from Boundary Road to Byrne Road.

Mr. Dave Griffiths, 4949 Byrne Road, enquired as to what was going to happen to his property.

The Director of Planning advised that it was proposed to rezone the property at 4949 Byrne Road for M2 use and Mr. Griffiths' property would be a permitted use under this zoning.

Mr. Griffiths stated that he had spent considerable time prior to the establishment of his present business on this site, determining that the zoning of the property would permit him to carry on his business for as long as he wished and expressed concern that the proposed rezoning would frustrate his business in the future.

Alderman Stusiak suggested that the Planning Department investigate Mr. Griffiths' problem in greater detail and submit a report to Council at the time the Rezoning By-law comes forward for hearings.

Alderman Randall requested that the Planning Department include Mr. Warner's property in the same investigation.

Mr. Shermani, representing Consumer Pallets Ltd., located in D.L. 155C advised that the property in question is leased from the Municipality and the lease agreement was entered into in 1969. At that time the Company had been informed that their development would be a permitted use under the existing zoning. The Company had spent a considerable amount of money developing the property. Mr. Shermani advised that his company was opposed to the rezoning on the basis that the majority of the property surrounding it will be Zone M3 and M2, etc. The proposed A1 zoning does not seem to be compatible with the actual facts. The property has been extensively filled and it is unlikely that it will ever be suitable for an agricultural use.

The Director of Planning advised that the proposed A1 zoning in this area is designed as a holding zone. In the future there will be consolidation with the industrial land to create another industrial estate.

April 19, 1977

13. A. FROM GASOLINE SERVICE STATION DISTRICT (C6) TO RESIDENTIAL DISTRICT (R5)

Reference RZ #15/77

Lot 2, 2 PT., D.L. 130, Plan 11990

5757 Lougheed Highway

B. FROM GASOLINE SERVICE STATION DISTRICT (C6) TO GENERAL INDUSTRIAL DISTRICT (M2) WITH A 60' RESIDENTIAL DISTRICT (R2) STRIP ALONG THE LOUGHEED HIGHWAY

Reference RZ #15/77

Part of Lot E, exc. E. 33', Blks. 7 & 8, D.L. 125, Plan 3436

5650 Lougheed Highway

C. FROM COMMUNITY COMMERCIAL DISTRICT (C2) TO RESIDENTIAL DISTRICT (R4)

Reference RZ #15/77

Lot 172, D.L. 85, Plan 41000

5060 Canada Way

D. FROM SERVICE COMMERCIAL DISTRICT (C4) TO COMMUNITY INSTITUTIONAL DISTRICT (P5)

Reference RZ #15/77

Portion of Lot 47, D.L. 29, Plan 2644

7450 - 12th Street

The Municipality has requested the subject rezoning for the purposes of providing for the suitable redevelopment of the existing abandoned or vacant service station sites.

Mr. G.W. Bahen, Devon Estates Ltd., submitted a letter containing comments on the foregoing rezoning proposals. The following is the text of Mr. Bahen's letter:

"We have examined Manager's Report #17 and agree with some of the recommendations as being in the best interests of the District of Burnaby. We do, however, object strongly to some of the recommendations of the Director of Planning and, as such, we comment as follows on the 5 sites that have been divested as uneconomical units by Imperial Oil Limited and Home Oil Distributors Limited, to Devon Estates Limited, a wholly-owned real estate subsidiary of Imperial Oil Limited.

Map Ref. #1 - 4366 East Hastings Street

This site is zoned C3 and, as such, it can be redeveloped in conformance with the By-laws governing C3 zoning. It is not the prerogative of the Director of Planning to delay the redevelopment of this site pending the assembly of a larger site for RM5 development. We respectfully suggest that a Writ of Mandamus is applicable in this case if a development permit under existing zoning is unreasonably withheld.

Map Ref. #5 - 5757 Lougheed Highway

This site is currently zoned C6 which restricts the use of the property to service station use.

April 19, 1977

It is appreciated that the surrounding area is zoned R5 residential and we wish to comment as follows:

In our opinion our site should be rezoned to C3 regardless of the R5 zoning to the north as it is impractical to think that someone would build a residential home facing onto and abutting the Lougheed Highway. In addition, there is no practical way that a lane could service this property. This is a specific problem site and should not be rezoned to R5 for the sole purpose of preventing any future development.

Map Ref. #7 - 6692 Lougheed Highway

We are most anxious to have this site rezoned and redeveloped and trust that a report from the Director of Planning will indeed be available in the near future.

Map Ref. #10 - 9950 Lougheed Highway

We trust the rezoning application on this site will be granted in the near future as the Director of Planning's recommendations for this site's use are included in the redevelopment plans.

Map Ref. #16 - 6879 Griffiths

As C4 zoning we hope to re-use this site in conformance with the current permitted uses.

Map Ref. #19 - 6270 Rumble

This site is zoned C6 and, as such, we could lease this site out for petroleum sales to another supplier of petroleum products. We will, however, not oppose the rezoning of this site to R5 residential. Rather than demolish the existing building we will leave it for a potential residential developer to remove.

It should be appreciated that the sites under discussion represent a substantial value and we must put these sites to use to obtain a return on our investment and to justify the continually rising tax cost."

Mr. S. Ruocco, Imperial Oil Ltd., addressed Council on Item (A) of the foregoing rezoning proposals (RZ #15/77 - 5757 Lougheed Highway). Mr. Ruocco was of the opinion that this site should be zoned C3 or C4 regardless of the residential zoning to the north. The site was completely incompatible with residential development. The site would have to be serviced off the Lougheed Highway. This is a specific problem site and should not be rezoned to R5 for the sole purpose of preventing any future development or use under the current zoning. Mr. Ruocco stated that his Company would be willing to sell this particular parcel to the Municipality under its existing C6 zoning.

Mr. R.C. Harris, 5770 Broadway, advised Council that in view of his experience with the former service station on this site he is quite happy to see a rezoning that will prevent the re-opening of another service station at this location.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN STEWART:

"THAT this portion of the Public Hearing concerning Item (A) of Rezoning Reference #15/77 (Lot 2, 2 Pt., D.L. 130, Plan 11990 - 5757 Lougheed Highway) be now adjourned."

CARRIED

OPPOSED: Alderman Randall

14. FROM COMPREHENSIVE DEVELOPMENT DISTRICT (CD) TO AMENDED COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

April 19, 1977

Reference RZ #74/69B

Lot 115 & 116, D.L. 151 and Lot 117, D.L. 151/3, Plan 44574

4211 Kingsway - The subject site is known as "Burnaby Centre".

The applicant has requested rezoning in order to satisfy the Canadian Radio and Television Commission requirements for quality of service.

Mr. W.R. Brownlee, Architect for Burnaby Centre, advised Council that this item had been before Council previously and due to an electronics problem which was not anticipated at the time a request had been received to change the format of the distribution antenna that would be placed against the elevator shaft on the top of the building. It would necessitate taking away the screen that was shown before but there would be far less of the apparatus showing. Mr. Brownlee stated that he was willing to answer any questions Council may have.

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

MOVED BY ALDERMAN STUSIAK:


SECONDED BY ALDERMAN STEWART:

"THAT this Public Hearing be now terminated with the exception of Rezoning Reference #3/77, #9/77 and Item (A) of #15/77 which were previously adjourned as indicated in these Minutes."

CARRIED UNANIMOUSLY

The Meeting terminated at 10:32 P.M.

Confirmed:



Mayor

Certified Correct:



Municipal Clerk's Assistant