

1978 JUNE 20

A Public Hearing was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C., on Tuesday, 1978 June 20 at 19:30 h.

Present: Acting Mayor G.D. Ast, in the Chair
Alderman D.P. Drummond
Alderman A.H. Emmott
Alderman B.M. Gunn
Alderman W.A. Lewarne
Alderman F.G. Randall

Absent: Mayor T.W. Constable
Alderman D.A. Lawson
Alderman D.M. Mercier

Staff: Mr. M.J. Shelley, Municipal Manager
Mr. A.L. Parr, Director of Planning
Mr. P.D. Sanderson, Zoning Technician, Planning Department
Mr. James Hudson, Municipal Clerk
Mr. C.A. Turpin, Municipal Clerk's Assistant

The Public Hearing was called to order at 19:30 h.

1. Rezoning Reference #6/78

FROM: COMMUNITY COMMERCIAL DISTRICT (C2)
TO: GASOLINE SERVICE STATION DISTRICT SELF-SERVE (C6A)

Lot 1 Except Parcel "A", Explanatory Plan 15692, District Lot 28 North, Plan 632.

7274 Canada Way - located on the north-east corner of Canada Way and Edmonds Street.

The applicant has requested rezoning in order to demolish the former full-serve gas station facility and construct a new self-serve facility.

Mr. David Hillstrom, 7207 Ramsay Avenue, the applicant for this rezoning, appeared before the members of Council.

Mr. Hillstrom read a prepared brief to the members of Council, the text of which is contained hereunder:

"Dear Sir:

RE: Application for rezoning
7274 Canada Way, Burnaby

Please consider this request to rezone our property known as: Lot one (1) of the North Portion of Lot twenty-eight(28), Group One (1), Plan 632, Except Parcel A (Explanatory Plan 15692 and Road N.W.D.) from C2 Commercial to C6A Gasoline Self Serve Station.

We purchased the above land on March 10, 1978 from the previous owners, Mr. and Mrs. N. Shogan.

The Shogans leased this property to Chevron Canada Ltd., from March 7, 1958 to April 30, 1978.

The existing improvements are badly out dated and are no longer economical or viable to operate.

Site Description

The subject property is a C2 site at the north-east corner of Canada Way and Edmonds Street. The property has 120 feet frontage on Canada Way and 104.63 feet frontage on Edmonds Street. The site is presently used for gasoline service station, which is a conforming use under the C2 zoning.

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This intersection has a heavy traffic volume particularly during rush hours. Canada Way is a major connector to the 401 Freeway and links Burnaby, New Westminster and Surrey with Vancouver. Edmonds Street is a major community commercial street which also is heavily used as a connector to Canada Way and Kingsway.

Due to the heavy traffic volume, the use of this property as a Gasoline Self Serve Station is the highest and best use of the site.

Proposed Improvements

We propose to develop a new modern Gasoline Self Serve Station complete with a control center, 12 dispensers and covered by a large attractive canopy.

Our control building is centrally located on the site, which allows for the maximum open space on a well landscaped site.

Company Data

Hillstrom Oil Company Limited is a privately owned British Columbia Company registered on February 26, 1973.

The company is owned and operated by D.E. and D.J. Hillstrom of 7027 Ramsay Avenue, Burnaby.

We propose to operate this site on a 24 hour basis 364 days per year and will create employment for six (6) people plus some part time staff.

We presently own and operate a large Gasoline Self-Serve Center located at 128th Street and 102nd Avenue, in Surrey.

We have made a very substantial investment in this site and require approval of our building permit in order to turn our development into an asset for this community and provide the local residents and the motoring public with petroleum products at competitive prices.

Approval of our building permit for May 1, 1978 would greatly assist us in our total development of this site.

We look forward to your approval for our proposal."

In response to a question from Alderman Gunn, Mr. Hillstrom advised that the proposed development did not include the construction of service bays. Initially construction of service bays was considered, however, two underlying factors made the construction of such facilities economically unsound. These two factors were; (1) the Gulf Service Station on the south-east corner of this intersection has at present three service bays, and over the past five years there have been four lessees in this location that have tried to operate that business economically but have failed because they were unable to build a sufficient volume of gasoline business or a sufficient volume of service bay business. There are other locations with service bay facilities in the immediate area also. (2) people are looking to specialty shops for service repairs and are only interested in purchasing gasoline at the service stations.

In response to another question from Alderman Gunn, Mr. Hillstrom advised the members of Council that oil, water, air, and transmission fluid would be available at this location.

Frederick Earl Widmer, 8281 16th Avenue, then addressed the members of Council and advised that he wished to speak against the proposed rezoning. Mr. Widmer advised that he was not speaking on behalf of any group but as a private citizen who resides in the area. He questioned the geographical description of the proposed development. He stated that he believed that it is located on the north-east corner rather than the north-west corner of the Edmonds Street and Canada Way intersection. Mr. Widmer felt that the Planning Department recommendations were slanted towards the motoring public with no consideration given to pedestrian traffic. School children and senior citizens use this particular intersection frequently, and with the constant arriving and leaving of

vehicular traffic at the proposed self service station a major problem could develop. Mr. Widmer advised that the Planning Department neglected to state in their brief that Edmonds Street is intended to be a 100' wide major arterial thoroughfare. He felt that this would only add to the traffic problems at the intersection. Mr. Widmer put forward two recommendations for the consideration of Council:

1. A delay of the development until traffic and safety have evaluated the application.
2. Further traffic studies be taken both vehicular and pedestrian for the safety of our citizens.

Alderman Gunn advised Mr. Widmer that the property is already zoned for a service station. The only consideration is whether to allow a self-serve service station or not.

In response to a question from Alderman Gunn, Mr. Widmer felt that the increase in traffic from a self-serve service station as opposed to a conventional service station would be so severe as to warrant major concern on the part of the citizens of the area.

In response to a question from Alderman Lewarne, Mr. Widmer advised that he does drive an automobile and that the problems he encounters when obtaining gasoline for his car at surrounding service stations in the area are not as great as those he anticipates will be created from this proposed development.

Mr. Widmer also in response to a question from Alderman Lewarne indicated that the discussions with the N.I.P. Planners in this community did not consider the ramifications of self-serve service stations.

In response to a question from Alderman Lewarne, Mr. Parr, Director of Planning advised that there were no reports received from the Traffic Division of the Engineering Department that would indicate a major traffic safety problem would surface in this area as a result of this development.

Mr. Wes Wills, representing the Garage and Service Station Division of the Automotive Retailers Association of B.C., then addressed the members of Council. Mr. Wills indicated that he was not aware of whether or not the demolition permit was taken out before or after the building was demolished. He stated that construction had already commenced on the new unit. There are a great number of service stations in this area at the present time and the Automotive Retailers' Association feels that another service station be it self-serve or conventional is not needed at this time. Mr. Wills advised that a self-serve service station requires the volume equivalent to that of four or five conventional stations in order to make a profit. He advised that a major concern to B.C. service station operators at present is the fact that the dealers cost for gasoline at present is 88.4 cents per gallon, that is the dealers landed cost at the station, whereas the predominant price at retail in the same area is 85.9 cents. It is only with subsidies from the oil companies that service station dealers can continue to exist. Mr. Wills requested that Council withhold any action on this development.

In response to a question from Alderman Gunn, Mr. Wills advised that his organization represents service stations, body shops, towing companies, auto glass dealers, auto wrecking dealers, and auto parts wholesaling and retailing stores. There are seven divisions to the organization of which Garage and Service Stations is one. The large oil companies have membership in their own organization. The general policy of the Automotive Retailers' Association is to discourage the construction of any new service stations in the Lower Mainland area until the situation that now exists can be remedied.

In response to a question from Alderman Lewarne, Mr. Wills stated that he does not feel his organization is getting into a question of entering into a combine.

In response to a question from Alderman Lewarne, Mr. Wills advised that the Automotive Retailers' Association does not have a policy stating a

preference towards either self-serve service stations or conventional service stations.

In response to a question from Alderman Randall, Mr. Parr, Director of Planning indicated that he was not aware of whether the demolition permit was issued prior to the tearing down of the structure but that construction had commenced on the new structure before a permit was obtained and a stop work order was issued preventing any further construction until such time as the rezoning proposal could be considered.

Alderman Gunn questioned whether the applicant intends to operate the service station or sell it.

The answer to this question was not firmly established.

There were no other submissions received in connection with this rezoning application.

2. Rezoning Reference #7/78

FROM: GENERAL INDUSTRIAL DISTRICT (M2) AND RESIDENTIAL DISTRICT (R2)
TO: ADMINISTRATION AND ASSEMBLY DISTRICT (P2) AND RESIDENTIAL DISTRICT (R2)

Portion of the East ½ of Lot "D" except Explanatory Plan 14805, Block 7, District Lot 125, Plan 3436; Portion of Lot 4, Block 7, District Lot 125, Plan 5139.

5502 Loughheed Highway - located on the south side of the Loughheed Highway between Springer Avenue and Holdom Avenue.

The applicant has requested rezoning in order to construct an addition to the existing bowling facility to accommodate a racquetball complex and an extension to the existing restaurant and lounge.

Alderman Lewarne mentioned that he cannot understand why the applicant must remove the freestanding sign on the Loughheed Highway. The sign is in a good state of repair, would be costly to remove, serves a definite purpose and is at present a legal sign.

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

3. Rezoning Reference #8/78

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

Lots 6, 7 & 15, Block 7, District 186, Plan 1124, Portion of east-west lane allowance between Esmond Avenue and Ingleton Avenue.

3855 Pandora Street; 3854, 3876 Triumph Street - located on the south side of Triumph Street and on the north side of Pandora Street between Esmond Avenue and Ingleton Avenue.

The applicant has requested rezoning in order to construct a community hall for the St. Helen's Parish.

Mr. Ray Boivin, a parishioner of St. Helen's parish addressed the members of Council regarding this application. He spoke on behalf of the applicant advising the members of Council that there are five churches in the immediate area and two of these churches have their own community halls. The parish is now financially capable of constructing such a hall and it is intended that this will be the focal point of all the church activities. The appearance of the hall will be low key and will blend in with the other structures in the community. He also advised that underground parking will be provided.

Mr. Ken Mabbutt, 3836 Pandora Street then addressed the members of Council speaking in opposition to this rezoning application. Mr. Mabbutt questioned the description 'modest in size' of this proposal as when completed it will occupy fifty percent of the entire block. He was also very concerned with the proposed closure of the east-west lane between Triumph Street and Pandora Street. The proposal is to divert the lane to the north to exit onto Triumph Street. This would mean that the exit would be just at or just below the crest of the hill on Triumph Street and would create a major traffic hazard. Mr. Mabbutt was also very concerned with the planned twenty-nine off-street parking spaces for the new community hall. He did not feel that this was nearly adequate to handle the parking requirements for the events held at the hall. Mr. Mabbutt also questioned whether this would be a useful community facility that would benefit the members of the community as a whole.

In response to a question from Alderman Randall, Mr. Mabbutt indicated that he had only contacted residents in the 3800 block Pandora Street of which he was in possession of twelve signatures representing owners in that block.

In response to a question from Alderman Gunn, Mr. Mabbutt did not feel that the objections of the residents in the 3800 block Pandora Street were concerned with the use of the facility by members of the community but rather the traffic noise and parking problems that will be created.

Mr. Alfred Phillips, 3845 Pandora Street, then addressed the members of Council advising that he was not in opposition to the members of St. Helen's parish constructing a gymnasium for the use of the children at the school but was opposed vehemently to the building of a hall for the purposes of renting out the facility. He was also very concerned with the proposed height of the building as he has been unable to obtain from anyone the estimated height for the proposed structure. The proposed building will be located approximately 15 feet from Mr. Phillips' property.

In response to a question from Alderman Lewarne, Mr. Parr, Director of Planning indicated that there have been no plans submitted for the proposed structure and therefore the height of the building has not as yet been determined.

In response to a question from Alderman Gunn, the proposed parking spaces comply with the requirements of the by-law. Though this may not be the case should the facility be rented out to various groups for facilities such as dances, etc. The by-law requires a greater amount of parking should this community hall be considered a commercial hall as a result of certain events held therein.

In response to a question from Alderman Lewarne, the Planner indicated that on certain occasions in the past the applicants have met with the area residents to explain the proposal but there has not been a situation where the two have worked out the proposal together.

Mr. Fred Mabbutt, the registered owner of 3836 Pandora Street then addressed the members of Council. Members of Council had previously heard from Mr. Mabbutt's son, Ken, who presently resides at this address. Mr. Mabbutt's main concern was that the property values will decline substantially. He was also concerned with the fact that this may become a commercial enterprise.

Mr. Alex Blesch, of 520 North Ingleton Avenue then addressed the members of Council and spoke on behalf of the application. He felt that it would provide a service for the children that was presently lacking in the area. Mr. Blesch asked the gallery for an indication of those people who were in favour of the proposal.

Mrs. M. Cooper, 3806 Pandora Street then addressed the members of Council and spoke in opposition to the application. Her main concern was that most of the people here in attendance do not live in the immediate area and therefore will not be effected by the parking problem. She felt that the parking problem is a major consideration for those who live on Pandora Street.

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Mr. Manlio Mottis of 4317 Parker Street then addressed the members of Council and advised that he was in favour of the rezoning application. He advised members of Council that he presently resides on Parker Street where there is a church at the end of the block. He feels that he has had to put up with parking problems for many years but has not objected to this as he realizes that it provides a great deal of good to the community.

Mr. John Caldwell, then addressed the members of Council and spoke on behalf of this application. He will have five children attending this school this coming year and has been very disappointed in the past when the children have been forced to play outside in the rain. This new facility will allow the children to come indoors and continue their activities under the shelter that will be provided.

Mr. Sidney B. Stenner, 3717 Albert Street then addressed the members of Council and spoke on behalf of the rezoning application. He has to put up with the parking for the events at the P.N.E. on an almost daily basis and feels that the additional parking problem that may be created as a result of this proposal would not add significantly to the problem that already exists.

In response to a question by Alderman Gunn, Mr. Boivin stated that the children of the neighbourhood that do not belong to the church will be permitted to use the proposed new facilities.

Mr. Shelley, the Municipal Manager indicated that the answer was 'yes' to a question posed by Alderman Drummond regarding whether or not the School Board allow the rental of the public school halls at present.

In response to a question from Alderman Randall, Mr. Parr advised that there is no additional room allocated for parking. The proposed plan uses all available space and leaves no area where additional parking could be facilitated.

There were no other submissions received in connection with this rezoning application.

4. Rezoning Reference #10/78

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

Lots 1 and 2 South ½, Block 22, District Lot 6, Plan 6791, Lot 1 the West 80', Block 23, District Lot 6, Plan 6991; Parcel "B", Block 21, District Lot 6, Plan 6105.

9489, 9523, 9573, 9611 Cameron Street - located on the north side of Cameron Street between Noel Drive and North Road.

The Corporation of the District of Burnaby has initiated this rezoning for the purposes of constructing the first phase of a library and recreation complex to serve the residents of the north-eastern part of the Municipality.

Mrs. Lillian Mann of 9637 Cameron Street addressed the members of Council and read from a prepared brief the text of which is contained hereunder:

"I am Mrs. Lillian Mann, 9637 Cameron Street, and my home abuts the properties proposed for re-zoning.

I understand that this rezoning is to allow for the building of a recreational facility and I would question why ... since the money by-law to provide such facility was rejected by the voters in November of 1977.

However, if Council insists on pushing ahead, it is my opinion the community would be better served if such facility was located on the south side of Cameron Street, adjacent to the public school and an already designated park area. This land has been vacant and for sale for some years and it would provide far easier access to school children,

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apartment residents and the senior citizen development. It also affords already available parking and is far more convenient to bus transportation. It would also be in a position to utilize school property which could become obsolete with today's trend to a diminishing school population.

Cameron Street is a traffic hazard at the present time and the additional traffic which would be generated would create an impossible situation for local residents.

I feel residents of this area have not been given sufficient opportunity to express their views regarding community facilities. The last meeting held in the area was in the Fall of 1976 and was very hastily called and poorly publicized. I feel community input has not been given adequate consideration for a project of this nature.

Although one must expect some changes to occur, some of the past changes in our neighbourhood have not been very well planned and I would hope any further changes would be given very close study. Could it not be publicized in the neighbourhood the type of facility proposed here ... and just where it will be located on this parcel of land, before a rezoning meeting is called?

If this project is allowed to proceed in this location, I am most concerned for my privacy. I have lived in Burnaby for 50 years, with 23 years in my present home. My son and daughter and myself do not wish to live elsewhere, nor is it economically possible for us to do so.

Should Council insist on proceeding with this proposed facility, we would respectfully request that our home be provided with an adequate buffer zone, in order that we may maintain our long established way of life."

Mrs. Anita Morris, of the Lougheed Town Community Association then addressed the members of Council advising that she was speaking on behalf of the Lougheed Town Community Association and also as a resident of the area effected by the proposed rezoning. Mrs. Morris indicated that she was absolutely opposed to the proposed rezoning application. Mrs. Morris indicated that the development arising from the proposed rezoning is neither wanted nor needed. She was particularly concerned with the amount of money spent or going to be spent on this development. The traffic the proposed development would create was also of a major concern to her.

Mrs. Morris also advised that she had been in contact with the Municipal Assessor and he informed her that all the properties surrounding this proposed development would be devalued at an average of \$ 5,000.00 per property.

In response to a question from Alderman Drummond, Mrs. Morris advised that she was opposed to any use of the land on the north side of Cameron Street for anything but residential purposes.

Mr. Rodger Ramage, 3362 Noel Drive, then addressed members of Council advising that he was speaking on behalf of the Sullivan Ratepayers' Association and that they as a group were in support of this rezoning proposal with certain ramifications. Their main concern was that perhaps Council was going ahead and making a rezoning in a small area rather than looking at the entire area as a whole. He did not wish to see piecemeal rezoning taking place. Mr. Ramage indicated that Council was deciding on a very small part of a very large area.

Alderman Gunn advised Mr. Ramage that most rezonings take place in this manner as it is practically impossible to do what you would like. Ideally Council would like to start from square one and rezone the whole municipality in an ideal fashion.

Mr. Bob Shellborn, 9684 Sullivan Street, then addressed the members of Council advising that the only reason he would be against the proposed rezoning would be its connection with the Beaverbrook extension.

The Planner, Mr. Parr, indicated that the Beaverbrook extension is unrelated to this rezoning proposal.

There were no other submissions received in connection with this rezoning application.

5. Rezoning Reference #11/78

FROM: SMALL HOLDINGS DISTRICT (A2)
TO: RESIDENTIAL DISTRICT (R2)

Lots 53,54,64, District Lot 138, Plan 1256; Rear portions of Lots "I" except Explanatory Plan 25861, "J", "K", "L", "M", "N", except Plan 26234, "O" except Explanatory Plan 36262, "P", "Q", "R", all of District Lot 138, Plan 12221; portion of Belmont Avenue.

7431, 7659, 7679 Kitchener Street; 7450, 7480, 7490, 7510, 7530, 7540, 7570, 7590, 7610, 7630 Aubrey Street - located on the north side of Kitchener Street road allowance extending approximately 600 metres east of Phillips Avenue.

The applicant has requested rezoning in order to create a single family residential subdivision based on the R2 Zoning District.

Mr. John Clark, 7491 Aubrey Street, addressed the members of Council regarding this rezoning application. He stated that he was in favour of the proposed rezoning with the exception of the proposal to provide vehicular access to the new subdivision. The only means of access or egress from the entire development is via Phillips Street on Curtis Avenue. At present a problem exists in attempting to turn onto Curtis from Phillips in the morning when the traffic is increased by commuters and students attempting to get to Simon Fraser University. The addition of more individuals attempting to turn onto Curtis will only enlarge the traffic problem that exists at present. The proposed development calls for seventy-two new homes to be constructed and this means a much greater traffic burden will be placed on Phillips Avenue and Aubrey Street. There is also a problem at the bottom of Phillips Avenue where it meets Aubrey Street if there is a heavy snow-fall. Mr. Clark felt that some provision should be made at the bottom of the proposed properties so that they can drive out of the subdivision without using the Aubrey Street/Phillips Avenue exit: Should Aubrey Street be the only means of exit, it would have to be upgraded as at present there are no curbs and ditches located on either side of the road.

Mr. Stewart Gibbs, 7575 Aubrey Street, then addressed the members of Council regarding this zoning application and indicated that he was in favour of the proposed rezoning but that he also was very concerned with the traffic that will be created in the area. His main concern is for the children that use the street to go to and from school.

In response to a question from Alderman Gunn, Mr. Parr, Director of Planning, advised that he would like to review both the pedestrian and vehicular traffic situation as a result of the problems presented by the two speakers.

Mr. George Piggett, of New Horizons, then addressed the members of Council speaking on behalf of the applicant. Mr. Piggett advised that the future plans call for an extension of Burnwood to join with Hastings Street and thus this may alleviate the traffic problem in the future. His main point was that the natural progression is to develop up the hill to attach to the already constructed sanitary and storm sewers. After this is done, the development on the north side of Aubrey Street will take place. Mr. Piggett reminded Council that they are dealing with the use of the land and that to rezone this land R2 would be to make the best use of the land. He felt that the developer and the Planning Department could, in the future, make any adjustments to the plans to take into consideration traffic problems and such.

Mr. Donald C. Edwards, 7531 Aubrey Street, then addressed the members of Council advising that he was very concerned about the access and traffic flow that will be created on Aubrey Street. He wished to see another method of access and egress to the proposed subdivision created.

Mr. Donald H. Davidson, 7408 Aubrey Street, then addressed the members of Council and advised that he was pleased with the plan to rezone the area to R2 zoning. His only reservation was that he would very much like to see a bottom access to the subdivision be created. Preferrably this would be Greystone Drive.

There were no other submissions received in connection with this rezoning application.

6. Text Amendments

- a) Section 7.8(1) removed since the subject matter is already dealt with in the Municipal Act under Section 704(1) and need not be repeated in the Zoning By-Law:

"This By-Law shall not be amended or repealed except after a hearing under Section 703 of the Municipal Act, and except upon the affirmative vote of at least two-thirds of all members of Council present at the meeting at which the vote is taken and entitled to vote on the By-Law."

- b) Section 7.9 removed since the Board of Variance and its powers is already dealt with in the Municipal Act under Sections 708, 709, and 710 and need not be repeated in the Zoning By-Law:

"The Zoning Board of Appeal shall hear and determine any appeal resulting from the enforcement of this By-Law as provided in Section 709 of the Municipal Act."

There were no submissions received in connection with these text amendments.

7. Text Amendment

Proposed Amendment

The following amendment is required to the definition of "Outdoor Garden Shop" in Section 3 of the Burnaby Zoning By-Law:

"Outdoor Garden Shop means an open area used for the display and retail sale of bedding plants, flowers, nursery stock, christmas trees or seasonal fresh fruit and vegetables, but shall not include commercial nurseries or greenhouses."

There were no submissions received in connection with this text amendment.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN RANDALL:

"THAT this Public Hearing be now terminated."

CARRIED UNANIMOUSLY

The Public Hearing terminated at 21:39 h.

Confirmed:

Certified Correct:



ACTING-MAYOR



MUNICIPAL CLERK'S ASSISTANT

CAT/sb