

1980 APRIL 15

A Public Hearing was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C., on Tuesday, 1980 April 15 at 19:30 h.

PRESENT: Mayor D.M. Mercier, In the Chair
Alderman G.D. Ast
Alderman D.N. Brown
Alderman D.P. Drummond
Alderman A.H. Emmott
Alderman D.A. Lawson
Alderman W.A. Lewarne
Alderman V.V. Stusiak

ABSENT: Alderman F.G. Randall

STAFF Mr. M.J. Shelley, Municipal Manager
Mr. A.L. Parr, Director of Planning
Mr. D.G. Stenson, Assistant Director - Current Planning
Mr. K.K. Ito, Current Planner
Mr. P.D. Sanderson, Planner I
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. FROM SMALL HOLDINGS DISTRICT (A2) TO LIGHT INDUSTRIAL DISTRICT (M5)

Rezoning Reference #38/79

Lot A exc. Pcl. 1 Ref. Plan 29411 and Lot B, Block 11, D.L. 10, Plan 3320.

6750 and 6766 Cariboo Road - located on the east side of Cariboo Road approximately 30 m south of Government Street.

The applicant requests rezoning in order to develop a warehouse facility.

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

"THAT this portion of the Public Hearing relating to Rezoning Reference #38/79 be now terminated."

CARRIED UNANIMOUSLY

2. FROM SERVICE COMMERCIAL DISTRICT (C4), ADMINISTRATION AND ASSEMBLY DISTRICT (P2), AND MANUFACTURING DISTRICT (M1) TO MANUFACTURING DISTRICT (M1)

Rezoning Reference #3/80

Lot 86, D.L. 98, Plan 40572

7325 MacPherson Avenue - located on the west side of MacPherson Avenue between Beresford Street and Irmin Street.

The applicant requests rezoning in order to utilize the existing building to expand the plant facilities of the adjacent manufacturing business.

Mr. Ralph Banni, Vice-President, Board of Directors of the MacPherson Winter Club, then addressed the Members of Council and advised that he had had extensive discussions with the Burnaby Planning Department, the owners of MacPherson Curling Centre, and the proposed buyers of the building, respecting this rezoning application. The concerns of the MacPherson Winter Club centre around the fact that the existing curling rink activity would become non-conforming upon implementation of the proposed M1 zoning category. It was the opinion of Mr. Banni that the proposed rezoning would be in direct contravention of the lease that currently exists between the MacPherson Winter Club and the MacPherson Curling Centre.

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His Worship, Mayor Mercier, advised Mr. Banni that the Director of Planning has recommended to Council that action be deferred respecting this application until the MacPherson Winter Club and the owners of the building can sort out the problems associated with the lease.

Mr. Banni then requested that this rezoning application be tabled until the matter of the lease can be resolved.

His Worship, Mayor Mercier, advised that it would not be necessary to table this application at the Public Hearing tonight, but rather defer any action and table the application when it is brought before Council at a regular Council Meeting.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN DRUMMOND:

"THAT this portion of the Public Hearing relating to Rezoning Reference #3/80 be now terminated."

CARRIED UNANIMOUSLY

3. FROM NEIGHBOURHOOD INSTITUTIONAL DISTRICT (P1) TO RESIDENTIAL DISTRICT (R5)

Rezoning Reference #4/80

Lot D, D.L. 92, Plan 19627

6550 Lakeview Avenue - located on the east side of Lakeview Avenue between Imperial Street and Stanley Street.

The applicant requests rezoning in order to subdivide the site for single family residential development.

Mr. Robert D. Strong, 6525 Brantford Avenue, then addressed the Members of Council and advised that he owned property directly behind the subject site which abuts a 9 metre road allowance that also abuts the subject property. Mr. Strong advised that he had no objection to the proposed rezoning of the property, but is opposed to the recommendation of the Burnaby Planning Department that the applicant be required to dedicate the northerly 6 metres of the subject property and construct an appropriate residential street adjacent to the site, consisting of an 8.5 metre road pavement width with concrete curb and gutters. Mr. Strong felt that if this road widening were permitted it would place his property in jeopardy respecting the future widening of the road from Lakeview Avenue to Brantford Avenue. Mr. Strong indicated that there would be no purpose in widening the road unless the widening was carried through from Lakeview Avenue to Brantford Avenue and if this were done it would require the demolition of Mr. Strong's house and leave his property with a width of thirty (30) feet.

His Worship, Mayor Mercier, requested that the Director of Planning bring forward a report to Council respecting the matter of the road widening at the time when this application is brought before Council at a regular Council Meeting.

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN DRUMMOND:

"THAT this portion of the Public Hearing relating to Rezoning Reference #4/80 be now terminated."

CARRIED UNANIMOUSLY

4. FROM PARK AND PUBLIC USE DISTRICT (P3) TO RESIDENTIAL DISTRICT (R2)
AND TRUCK GARDENING DISTRICT (A3)

Rezoning Reference #6/80

Portion of Lot 137, D.L. 157/163, Plan 45779

4686 Marine Drive - Located on the south side of Marine Drive approximately 65 metres west of Mandeville Avenue.

The applicant requests rezoning as a result of negotiations which have been undertaken to acquire lands for the construction of the Nelson Avenue intersection at Marine Drive.

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

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN BROWN:

"THAT this portion of the Public Hearing relating to Rezoning Reference #6/80 be now terminated."

CARRIED UNANIMOUSLY

5. FROM GASOLINE SERVICE STATION DISTRICT (C6) TO COMPREHENSIVE DEVELOPMENT
(CD) USING NEIGHBOURHOOD COMMERCIAL DISTRICT (C1) GUIDELINES

Rezoning Reference #7/80

Lot 2 part of Block 2, D.L. 130, Plan 11990

5757 Lougheed Highway - located on the northeast corner of the Lougheed Highway/Holdom Avenue intersection.

The applicant requests rezoning in order to construct a single storey retail-commercial facility.

Mr. Robert C. Harris, 5770 East Broadway, then addressed the Members of Council and advised that the proposed rezoning application appears to be the best one in comparison to several previous applications. Mr. Harris did, however, express some concern that should the proposed Colour Your World paint store cease operation on the site at some future time, a fast food outlet, or similar operation that carries on business during the late hours of the evening, may then be permitted to be constructed on the subject site. Mr. Harris was also concerned with the number of parking spaces that will be provided and the additional traffic that will be created at the intersection of the Lougheed Highway and Holdom Avenue.

MOVED BY ALDERMAN LEWARNE:
SECONDED BY ALDERMAN LAWSON:

"THAT this portion of the Public Hearing relating to Rezoning Reference #7/80 be now terminated."

CARRIED UNANIMOUSLY

6. FROM REGIONAL INSTITUTIONAL DISTRICT (P6) TO COMPREHENSIVE DEVELOPMENT
DISTRICT (CD) AND PARK AND PUBLIC USE DISTRICT (P3)

Rezoning Reference #8/80

Portion of D.L. 71 and 72

3700, 4299 and 4351 Willingdon Avenue - the major portion of the subject site is located west of Willingdon Avenue between Canada Way and Moscrop Street. An additional triangular parcel is located at the south-east corner of Willingdon Avenue and Moscrop Street.

The applicant requests a rezoning in order to establish a research park on the subject site.

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Mr. Laurie B. Feenie, 3743 Kincaid Street, then addressed the Members of Council and advised that he was the President of the North Central Burnaby Ratepayers Association and that the majority of the members of the Association were in concurrence with the ideology of the developer's plan. However, the Association has several objections, the first being with the location of the Hearing. Mr. Feenie advised that he did not feel the capacity of the Council Chamber was adequate to accommodate those citizens that are concerned with this proposed rezoning application. Mr. Feenie felt that a more suitable facility could have been obtained in which to conduct a Public Hearing concerning this application.

His Worship, Mayor Mercier, advised Mr. Feenie that the Members of Council had been asked if they had been contacted by a number of people indicating interest in this particular proposal. The Members of Council had not received any indication that there would be a large number of residents in attendance at the Public Hearing. Mayor Mercier advised that if prior citizen contact is not received either by municipal staff or the Members of Council, then it is very difficult to determine how many people will be attending a Public Hearing dealing with an item as it appears on the agendas for the Public Hearing. The response of the public respecting this particular application prior to tonight's Hearing did not indicate that there would be a sufficiently large number of residents attending to warrant holding the Hearing in a larger facility. Mayor Mercier advised that should it have been necessary, Council would have adjourned this portion of the Public Hearing to another evening when a larger facility could have been obtained in which to hold the Hearing.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN STUSIAK:

"THAT this portion of the Public Hearing relating to Rezoning Reference #8/80 be tabled until such time as all other matters pertaining to this Public Hearing have been considered and dealt with."

CARRIED

OPPOSED: ALDERMAN DRUMMOND

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN LEWARNE:

"THAT this portion of the Public Hearing relating to Rezoning Reference #8/80 be now lifted from the table."

CARRIED UNANIMOUSLY

His Worship, Mayor Mercier, noted that there were no longer any citizens that were not able to avail themselves of a seat within the Council Chamber at this time when this rezoning application is before the Members of Council.

Mr. Feenie then addressed the Members of Council and advised that one of his major concerns is with the proposed egress from the development along Kincaid Street. Residents currently residing along Kincaid Street already are subjected to a great deal of traffic as a result of the location of the Burnaby General Hospital. Mr. Feenie indicated that it was explained to the residents of the area that the reason for the Kincaid extension was to provide emergency vehicle access to the Burnaby General Hospital, and if this was in fact the case, he could not understand why this emergency vehicle traffic had to be funneled down Kincaid Street or Carlton Street when it could be put into the back yard of the Burnaby General Hospital.

His Worship, Mayor Mercier, requested that the Director of Planning provide a report regarding the concerns of Mr. Feenie respecting the emergency vehicle access in connection with Kincaid Street.

Mr. Feenie also indicated to the Members of Council that the name of the proposed development, that being "Discovery Park", has mislead many of the members of the public as they perhaps feel the term "park" means the creation of a playground and other facilities normally associated with a recreation park facility. Environmental noise was also mentioned as a

concern of some of the residents currently residing along Kalyk Street. Mr. Feenie stated that he hoped the proposed development would not create a noise problem for these people. A further concern of Mr. Feenie is the dedicated park site that is bounded by Gilpin Street, Moscrop Street and Willingdon Avenue. Mr. Feenie wanted to know if the park site would be recoverable and who would pay for the development of this park. Mr. Feenie indicated to the Members of Council that the proposed development is planned in three stages of fifteen years and the citizens of the area do not want a general industrial district or heavy industry to be located on the subject site at some future time. In connection with this matter, Mr. Feenie also mentioned that the citizens are concerned over the control that may be exercised over research involving armaments and poisonous gases.

His Worship, Mayor Mercier, explained to Mr. Feenie that no changes would be permitted to the development unless another Public Hearing was held and the same procedure followed as is being followed with this development at this time. The Comprehensive Development zoning in Burnaby is the tightest controlled zone within the municipality.

The Director of Planning, Mr. A.L. Parr, advised that the parkland bounded by Gilpin Street, Moscrop Street and Willingdon Avenue will remain parkland but there was never any intention to develop it further, but it was the intent to let it remain in its natural state as a natural park. It would be difficult to develop the land as a result of the ravine that runs through the property. Subsequently, with the proposal received by Discovery Parks the application only includes plans on the west side of Willingdon Avenue and therefore there is a question of whether this particular triangle of land will come into the ownership of Discovery Parks. For that reason the Council has decided to deal with this portion of land as a separate item. Discovery Parks is one issue and the provision of this triangle is another, but they will both be dealt with at the same time.

His Worship, Mayor Mercier, advised that there will be two by-laws brought forward at the same time, one dealing with the property concerning Discovery Park and another dealing with the triangle in question.

In response to a question from Council, Mr. Feenie advised that he was not opposed to the use of the land as proposed and the development, but was in opposition to several of the items as proposed by the Planning Department which include the egress planned for Kincaid Street.

Mr. Kenneth W. Isbister, 4323 Pine Street, then addressed the Members of Council and advised that he was in agreement with most of the comments made by Mr. Feenie. Mr. Isbister also expressed concern over the availability of public transit for the development, the clearing and replanting of the subject property, design of outdoor recreation areas, sufficiency of parking requirements, adequate lighting during the evening in connection with the close proximity of the Willingdon Detention Centre, and the safeguards that will be provided for the environment. The safeguards for the protection of the environment is the major concern of Mr. Isbister, and he questioned as to whether the Planning Department would have the expertise to determine what is a prototype manufacturing establishment as opposed to an on-going industrial development operation. Mr. Isbister questioned whether Burnaby does have the expertise to ensure that the research being carried out is done so with the utmost concern for the protection of the public.

Mr. Charles Stewart, 3707 Kincaid Street, then addressed the Members of Council and advised that he was in agreement with the opinions expressed by Mr. Feenie. Mr. Stewart also felt that there will be a considerable traffic problem created at the proposed Canada Way access and egress point. Respecting the Kincaid extension, Mr. Stewart advised that there was no reason why access to the Burnaby General Hospital for the residents that reside in the eastern portion of Burnaby could not be off Willingdon along to the back of the hospital and then back out on to Willingdon.

In response to a question from Council, Mr. Stewart advised that excluding the traffic problems he was in favour of the proposed development.

His Worship, Mayor Mercier, requested that the Planner report to the Members of Council on the matter of the through aspect of the proposed Kincaid extension versus the alternate routes as mentioned tonight. This concerns the Kincaid extension from the eastern boundary of the proposed development through to Smith Avenue on the west.

Mr. Gilbert P. Porter, 4080 Kincaid Street, then addressed the Members of Council and advised that he was concerned regarding the Kincaid extension. Mr. Porter did not see why the proposed access and egress for the development has to jog into the residential area. Mr. Porter indicated that he was in favour of the complex and the whole ideology of the development, along with the amount of effort that has been expended by both the developer and the Planning Department, which has been tremendous.

Mr. Joseph I. Frizzell, 5455 Meadedale Drive, then addressed the Members of Council and advised that he was a former resident of the area and was here tonight to support the residents and their concerns. The off-street parking in the area is already a problem which will only continue to worsen. Mr. Frizzell felt that if the streets contained within the proposed development were widened to permit access to the Burnaby General Hospital then this would take the traffic off the residential streets that is currently hospital oriented. Mr. Frizzell was also concerned with the CD designation as it pertains to this development. Mr. Frizzell questioned as to whether this development would always be restricted to a research complex.

His Worship, Mayor Mercier, explained the regulations that pertain to the zoning designation "Comprehensive Development".

Mr. Robert Falls, 3658 Kalyk Avenue, then addressed the Members of Council and expressed concern over the damage being done to the ecology by the surveyors currently on the subject property. A stand of 50 year old maple trees was felled across the creek and vehicles are currently driving through and over the natural vegetation. Mr. Falls felt that this damage could have been avoided. Mr. Falls suggested that before further consideration be given to this project a biophysical analysis occur and should at least include an identification and delineation of significant plant and animal communities in terms of aesthetics, sensitivity, uniqueness and productivity. This study should include a prediction of the effects of the development on the plant and wildlife in the area.

Mr. Ernest Y. Maitland, 4450 Halley Avenue, then addressed the Members of Council and advised that he was a resident in the area, employed by the British Columbia Institute of Technology and a Transportation Economist. Mr. Maitland felt that the roads were not of sufficient width in the proposed development to handle the type of vehicular traffic that will be experienced as well as the amount of traffic that can be expected. Mr. Maitland also felt that it is vitally important to have egress to the hospital as more accidents occur in a research development than under normal circumstances.

Mr. Laverne Wiebe, 5242 Christopher Court, then addressed the Members of Council and advised that he was the Chairperson of the Research Park Committee at Simon Fraser University. Mr. Wiebe felt that the Municipal Council should exercise control over the research rather than the Board of Directors of Discovery Park or the Board of Governors of individual universities.

Mr. Allan R. Crawford, 1449 Chartwell Drive, West Vancouver, B.C., then addressed the Members of Council and advised that he was one of the Trustees of the Discovery Foundation, and a Director of the Discovery Parks Incorporated. Mr. Crawford introduced, to the Members of Council and the residents in attendance, several of the Trustees of Discovery Foundation that were in attendance to tonight's Hearing. Mr. Crawford also introduced the architect, landscape architect, legal advisor and the planning consultant for the project. Mr. Crawford indicated that any of these people he had introduced would be happy to answer any questions from the residents at the conclusion of tonight's Hearing. Mr. Crawford indicated that the Discovery Parks Incorporated had a meeting with the area residents on 1980 April 08, at which approximately 200 to 250 residents were in attendance. Mr. Crawford indicated that Discovery Parks Incorporated is the vehicle to develop research

parks such as this, and is a wholly owned subsidiary of Discovery Foundation, which is funded by the provincial government and is a non-profit foundation. The beneficiaries of the Discovery Foundation are the university and the public, and research organizations in this province. All the directors and trustees of Discovery Foundation and Discovery Parks are volunteers. The common goal is to encourage high technology research in this province. The Discovery Park aim is to develop a facility of superior quality that would encourage quality tenants to occupy the facility. Mr. Crawford also mentioned that in this type of development the people who work in such developments are more concerned with safety than even the average manufacturing firm. Almost as a matter of course, safety is built into a good research laboratory. It was the opinion of Mr. Crawford that the accident potential in this type of development was a good deal lower than that of the average manufacturing plant.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN BROWN:

"THAT this portion of the Public Hearing relating to Rezoning Reference #8/80 be now terminated."

CARRIED UNANIMOUSLY

7. FROM NEIGHBOURHOOD INSTITUTIONAL DISTRICT (P1) AND RESIDENTIAL DISTRICT (R4) TO COMMUNITY INSTITUTIONAL DISTRICT (P5)

Rezoning Reference #10/80

D.L. 33, Lot 223, Plan 42095, D.L. 33, Lots 82 and 83, Plan 20532, D.L. 33, Rem. Lot 2, Ex. Sk. 1495 and 6657, Plan 944, D.L. 33, Lot 84, Plan 25032.

4812, 4868, 4878 and 4888 Willingdon Avenue and 4551 Price Street - located on the east side of Willingdon Avenue between Moscrop Street and Price Street.

The applicant requests rezoning for the purpose of expanding the existing church facilities.

Mr. Verdun H. Delgatty, 4012 Carson Street, then addressed the Members of Council and advised that he was the architect for the proposed development. Mr. Delgatty stated that two meetings had been held with the area residents, the first on 1980 April 08 and again on 1980 April 10, at which time the plans were explained to those in attendance.

In response to a question from Council, Mr. Delgatty advised that the subject property is to be consolidated and the existing homes located on the site will be demolished.

Mr. James P. Champion, 4570 Gilpin Street, then addressed the Members of Council and advised that his property abutted the church property along the eastern border. Mr. Champion expressed concern over the demolition of the four houses and the reduction of the residential possibilities in the area. Mr. Champion also expressed concern over the possible future expansion under P5 guidelines if this rezoning application were to be successful. Mr. Champion was also concerned with the possible traffic congestion that may occur as a result of the addition to the church.

Mr. Donald E. Parker, 4965 Pioneer Avenue, then addressed the Members of Council and advised that he was very concerned with the environmental impact resulting from the traffic that will be leaving the enlarged parking area if the development is permitted to proceed. Mr. Parker indicated to the Members of Council that a situation currently exists whereby traffic leaving the church parking areas proceeds up through the lane at the back of his home at excessive speed. Mr. Parker mentioned the fact that he also heard that there may be a possibility of a three storey parking garage being located on the subject site. Mr. Parker suggested that some restrictions may be placed on the development with respect to the traffic problems that may be created. Possible restrictions suggested by Mr. Parker were egress on to Willingdon Avenue to prevent the traffic from proceeding through the

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residential area, speed bumps located through the lanes currently used by the members of the congregation, and the installation of "Resident Parking Only" signs.

His Worship, Mayor Mercier, as a result of concerns expressed by Mr. Parker requested that the Director of Planning bring forward a report respecting the restrictions that may be placed on the construction of a parking garage on the subject site.

Mr. Robert F. Grisenthwaite, 4849 Harken Drive, then addressed the Members of Council and advised that he was of the opinion that the construction planned for the church property could be accomplished under the current P1 zoning designation, rather than the requested P5 zoning designation.

His Worship, Mayor Mercier, requested that the Director of Planning report on the suggestion by Mr. Grisenthwaite, that all expansion to the church be completed under P1 guidelines rather than the proposed P5 guidelines.

Mr. Nigel C.A. Smith Gander, 4818 Harken Drive, then addressed the Members of Council and advised that he would very much like to see the expansion of the proposed facility completed under the P1 guidelines rather than the proposed P5 guidelines. Mr. Smith Gander felt that the municipality would have more control over the development if the church expansion was permitted only under the P1 guidelines. Mr. Smith Gander also expressed concerns regarding the current parking situation in the immediate area.

Mr. Alan R.J. Blackwell, 4456 Wildwood Crescent, then addressed the Members of Council and advised that he was of the opinion that the proposed expansion should be allowed under the P1 guidelines and not the P5 guidelines as planned.

Mr. Mike Carlassara, 4839 Harken Drive, then addressed the Members of Council and advised that he was in agreement with the previous speakers and felt that the church expansion should be permitted under the P1 guidelines and not P5 guidelines as proposed.

Mr. James W. Champion, 4560 Gilpin Street, then addressed the Members of Council and advised that he also felt that the zoning should remain P1. Mr. Champion also expressed concern over the current traffic problems in the area and the proposed demolition of the residential houses located on the subject property.

Mr. William H. Hayter, 4010 Irmin Street, then addressed the Members of Council and advised that he was a member of the congregation of the Willingdon Church. Mr. Hayter advised that there was some consideration some time ago respecting multi-tier parking garage, but this was considered not feasible and will not be constructed. With respect to the traffic being created by the church facility, Mr. Hayter advised that the church currently has a membership of approximately 550 people, and attendance at the Sunday morning service is usually approximately 650 people, with the attendance at the evening service being approximately 350 to 400 people, of which 75% live in the immediate area of the church. Mr. Hayter also emphasized that the church services this community and its citizens. A play centre for three and four year old children is being provided for approximately 60 to 70 children at the present time, of which a very small number are the children of church members. Meals-on-Wheels are currently being delivered from the subject site, and the church conducts a very large Boy Scout program of which few members are members of the church congregation. Mr. Hayter wished to emphasize that the church is very concerned with the community and its relationship with its neighbours.

Mrs. Bernadette M. Smith Gander, 4818 Harken Drive, then appeared before the Members of Council and advised that she was very concerned with the parking problems that are now in existence respecting the subject site. Mrs. Smith Gander indicated that many times on a Sunday morning members of the congregation double park along Gilpin Street, preventing the area residents from travelling along this street.

His Worship, Mayor Mercier, requested that the Municipal Manager contact the Royal Canadian Mounted Police, Burnaby Detachment, and request that parking patrols be conducted in the area of the subject site during the hours of church services in order to enforce parking regulations.

Mr. Philip B. Nettleton, 7160 Buchanan Street then addressed the Members of Council and advised that he was a member of the congregation and wished to suggest that the architect be given an opportunity to present the drawings to those in attendance tonight in order to provide all concerned with an idea of the design of the proposed expansion.

His Worship, Mayor Mercier, requested that the Director of Planning bring forward a report respecting the possible developments regarding size and uses that may be permitted on the subject site under the P5 designation should the church vacate the property at some future date.

Council suggested that the architect and the Planning Department display the site plans and further renderings that are available in the main lobby of the Municipal Hall so that those in attendance tonight may have an opportunity to review and question those plans.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN STUSIAK:

"THAT this portion of the Public Hearing relating to Rezoning Reference #10/80 be now terminated."

CARRIED UNANIMOUSLY

8. FROM SMALL HOLDINGS DISTRICT (A2) TO COMPREHENSIVE DEVELOPMENT (CD)

Rezoning Reference #11/80

Portion of Lots 89 and 90, Plan 57544

9620 and 9584 Manchester Drive - located east of Government Road, north of the Trans Canada Highway and south of Manchester Drive (a new street).

The applicant requests rezoning in order to develop 197 apartment suites in four buildings. The applicant intends to construct the development in two phases with two buildings being built immediately upon approval.

Mr. Tom Morton, Architect for the proposed development, then addressed the Members of Council and advised that he wished to make several points that have arisen as a result of discussions with the Burnaby Planning Department and the Strata Council of the Village del Ponte. Further to when the plans were originally submitted, the developer proposes to move one of the buildings adjacent to the Village del Ponte property from 52 to 60 feet from the property line. The location of the proposed bridge that crosses over the stream and provides access to the building will now be moved some 32 feet from the original proposed location in order to save three trees which would have had to be removed under the original plan.

Mr. John A. Richardson, 9964 Millburn Court, then addressed the Members of Council and advised that he was the Chairman of the Council of Owners of Strata Plan N.W.655. Mr. Richardson read from a prepared submission, the text of which is contained hereunder:

"Submission re: Rezoning Reference #11/80

Introduction:

The Village del Ponte (the Village) is located to the east of the southerly half of the eastern boundary of the applicant's property, and is separated therefrom by a berm (a bank of soil) situated on the applicant's property.

Upon hearing of the rezoning reference the Village contacted the applicant. The Village has been supplied with plans and updated information by the applicant, their architects and the Planning Department. A representative of the applicant attended an information meeting at the Village on March 31.

It is believed that the concerns expressed by the Village have been informally resolved, however, they have not, to date, been formally expressed or incorporated in the applicant's plans.

The concerns are:

- (1) The location of the proposed building D.
- (2) The location of the proposed bridge.
- (3) The location of a walkway between the properties.
- (4) The implementation of the plans adopted.

The location of the proposed building D:

- (1) The location of the berm is incorrectly shown on the applicant's plans.
- (2) The berm was constructed as part of the development of the Village, and should have been located astride the property line with a fence along the boundary. In fact, it was located entirely on the applicant's property. The costs of construction of the berm and the fence, of subsequent landscaping and maintenance have been borne by the Owners of the Village.
- (3) If building D proceeds in accordance with the plans submitted, the whole of the berm would disappear to permit construction of the parking garage, fire access road and other ancillary elements of the building.
- (4) The construction of this berm took place subject to the supervision and approval of the Building Department of the municipality. Its removal in conjunction with the presently proposed location of the building would create an eyesore. Moreover, it would drastically reduce the privacy of the Village.
- (5) It is requested that building D be moved sufficiently westward to permit the fence and the easterly face of the berm to remain; and to permit the location of the walkway to be changed to the west side of the fence.
- (6) Notwithstanding the applicant's rights in respect of the property on which the berm lies, the applicant has generously undertaken to recognize the difficulties of the Village in this respect and move the building as requested. It is understood that the Planning Department concurs in this.

The location of the proposed bridge:

- (1) Because of the configuration of the site, and the location of building D, the presently proposed location of the bridge could be unsightly. Moreover, it would probably entail the removal of three mature trees. These three trees in conjunction with a further three trees presently preserved will, when in leaf, form an almost complete screen between the properties.
- (2) While it may be doubtful whether the two alders will survive, it is requested that every effort be made to preserve them and the much larger maple.
- (3) It is understood from the applicant's architects that the bridge could be sited no closer than 30 feet from the existing bridge, and that the Planning Department concurs in this. Such a provision would be acceptable to the Village.

The location of a walkway between the properties:

- (1) A yet unconstructed walkway just inside the applicant's eastern property line was approved as part of a package of arrangements involved in Rezoning #22/77, a residential development to the north of the Village; this walkway would give access to those residents to a public walkway running through the park strip to the south of the Village. As part of the present application it is proposed to extend this path-way to Government Road.
- (2) This unconstructed walkway leads from the dedicated fire access road between the Village and the development to the north. Its location was partly determined by the mis-located berm, and it was reluctantly conceded by the Village as it presents an open invitation for people to intrude on the privacy of this Village, since the private Village roads would provide a shortcut to those who would otherwise have to use the southerly walkway for access to the east.

- (3) It is patent that if the walkway is located as presently approved the residents of all three developments will use it to the inconvenience of the Village. If the location were changed to the west side of the berm only the residents of two developments would use it, as residents of the Village have their own more convenient access to the south walkway.
- (4) It is therefore requested that the location of the proposed walkway be moved to the west side of the fence in accordance with the suggestion of the Planning Department.

The implementation of the plans adopted:

- (1) The Village respectfully wishes to point out to the Council that in certain matters affecting the interests of the Owners of the Village, notwithstanding the directions of the Council, and the plans approved, the Building Department of the municipality has failed to adequately supervise their implementation.

For example:

- (a) The failure to site the berm as provided by the plans.
 - (b) As part of the negotiations between the municipality, the Village, and the developer of the development to the north, Rezoning 22/77, it was agreed that a buffer zone of 30 feet of existing natural vegetation would be retained and supplemented. Instead this zone has been substantially reduced, and a large part is no more than ten feet wide. In its original state this zone would have shielded the Village from the development to the north when the trees were in leaf. It is submitted that it is not an adequate substitute to allow the developers to remove the natural vegetation and replace it with lesser growth that will take many years before a full screen is again available.
- (2) While the Village is not inferring potential bad faith on the part of the present developer, in fact rather the opposite, nevertheless, the Village feels that the concerns expressed in this submission should be safeguarded. As a consequence the Village requests that the following provisions should be incorporated into the approval given:
 - 1) A hoarding be erected to protect the berm during construction.
 - 2) Protective fences be erected around the trees referred to above.
 - 3) Any easements or rights-of-way for utilities, etc. be located to the west of the berm.
 - 4) That no access over the presently existing fire access road be permitted during construction.
 - 5) That a written record of the relevant decisions be available to Village.

Conclusion:

Subject to the concerns above, the Village has no objection to the rezoning, and appreciates the help and co-operation of the developer and the Planning Department."

His Worship, Mayor Mercier, requested a report be brought forward to the Members of Council respecting the concerns as outlined in the presentation by Mr. Richardson.

Ms. Nancy E. Chisholm, 9834 Belfriar Drive, then addressed the Members of Council and advised that she was in support with the presentation of Mr. Richardson. Ms. Chisholm wished to emphasize the concern over the buffer zone and the terminal condition of the trees.

Ms. Carol Elliot, 2926 Argo Place, then addressed the Members of Council and advised that she was very concerned with the density that was being created in the area respecting the current capacity of the neighbouring schools. Ms. Elliot indicated that the schools are currently over-crowded and with the addition of the proposed development it will only make a bad situation worse.

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His Worship, Mayor Mercier, requested that the Director of Planning contact the Burnaby School Board and obtain a report respecting the school population in the area.

Mr. Roderick MacKenzie, a lawyer with the firm of Shrum, Liddle and Hebenton, 505 Burrard Street, Vancouver, B.C., then addressed the Members of Council and advised that he was representing Lincoln Developments, the developers of the adjacent complex. Mr. MacKenzie indicated to the Members of Council that Lincoln Developments were opposed to this development as a result of the increased density that will occur. Mr. MacKenzie referred to the Municipal Act and Council's responsibilities respecting rezoning applications. Mr. MacKenzie advised that his clients were very much opposed to this rezoning application.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN STUSIAK:

"THAT this portion of the Public Hearing relating to Rezoning Reference #11/80 be now terminated."

CARRIED UNANIMOUSLY

9. PROPOSED TEXT AMENDMENT TO ZONING BY-LAW FOR SECTION 700.1(4)

A text amendment is required to Section 700.1(4) -

Uses permitted of the Comprehensive Development District (CD) of the Burnaby Zoning By-law 1965 to permit the Regional Institutional District (P6) to be used in conjunction with the Light Industrial District (M5) to accommodate the proposed mixture of uses to enable the Willingdon Site - Discovery Park Research and Development Facility to be established.

To accomplish this, Section 700.1(4) which currently reads:

"Uses permitted in M1, M2, M3, M5 or M7 Districts, either along or in combination with uses in P3 or P8 Districts."

would be amended by adding the notation "P6" between "P3" and "or" so that the amended Section 700.1(4) will read:

"(4) Uses permitted in M1, M2, M3, M5 or M7 Districts, either alone or in combination with uses in P3, P6, or P8 Districts."

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

MOVED BY ALDERMAN STUSIAK:

SECONDED BY ALDERMAN BROWN:

"THAT this portion of the Public Hearing relating to this proposed Text Amendment be now terminated."

CARRIED UNANIMOUSLY

10. PROPOSED TEXT AMENDMENT TO ZONING BY-LAW FOR CENTRAL VETERINARY HOSPITALS

The following amendments are proposed to the regulations governing central veterinary hospitals, animal hospitals and animal clinics in the Burnaby Zoning By-law:

(1) Definition of "Animal Clinic"

The addition of the following definition to Section 3:

"Animal Clinic means any building, structure or premises in which the business of minor treatment or diagnosis of animal sickness or disease is carried on and in which no provision is made to keep or board animals. An Animal Clinic shall be operated by a qualified veterinarian and be subject to the provisions of the Burnaby Kennel Regulation By-law 1960."

(2) Definition of "Central Veterinary Hospital"

The additional of the following definition to Section 3:

"Central Veterinary Hospital means an animal hospital which operates 24 hours a day providing hospital facilities for the patients of participating member veterinarians and which serves a number of animal clinics on an area wide basis, and where no provision is made for the keeping or boarding of healthy animals."

(3) Uses Permitted in the C4 (Service Commercial) District

The amendment of Section 304.1 (Uses Permitted) to allow for the addition of "Animal Clinics".

(4) Uses Permitted in the M1 (Manufacturing) District

The amendment of Section 401.1 (Uses Permitted) to allow for the addition of the following:

"(18) Central Veterinary Hospitals, subject to the following conditions:

- (a) Resident veterinarian or caretaker quarters shall be located within and form an integral part of the principal building and not be used for family accommodation.
- (b) All facilities shall be located within a completely enclosed building.
- (c) All facilities shall meet the requirements of the Health Act and pertinent regulations made pursuant thereto.
- (d) No outside storage of goods or materials shall be permitted."

(This use and the related conditions would automatically extend to the M2 (General Industrial) and M3 (Heavy Industrial) Districts, including the M3a designation.)

(5) Uses Permitted in the M3a designation of the M3 (Heavy Industrial) District

The deletion of sub-clause (c) (animal hospitals, including caretaker accommodation) of Clause (15) of Section 403.1 (Uses Permitted).

(This would remove animal hospitals as a permitted additional use in the M3a designation and replace it with the preceding item 4 above.)

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

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN DRUMMOND:

"THAT this portion of the Public Hearing relating to this proposed Text Amendment be now terminated."

CARRIED UNANIMOUSLY

The Public Hearing terminated at 22:00 h.

Confirmed:

Certified Correct



MAYOR



MUNICIPAL CLERK'S ASSISTANT

THE CORPORATION OF THE DISTRICT OF BURNABY

ZONING BY-LAW AMENDMENTS

PUBLIC HEARING

The Council of The Corporation of the District of Burnaby hereby gives notice that it will hold a Public Hearing on

TUESDAY, 1980 APRIL 15 at 19:30 h

in the Municipal Hall, 4949 Canada Way, Burnaby, B.C., V5G 1M2 to receive representations in connection with the following proposed amendments to "Burnaby Zoning By-law 1965":

1. FROM SMALL HOLDINGS DISTRICT (A2) TO LIGHT INDUSTRIAL DISTRICT (M5)
"BURNABY ZONING BY-LAW 1965, AMENDMENT
Rezoning Reference #38/79 BY-LAW NO. 9, 1980" - BY-LAW NO. 7491

Lot A exc. Pcl. 1 Ref. Plan 29411 and Lot B, Block 11, D.L. 10, Plan 3320.

6750 and 6766 Cariboo Road - located on the east side of Cariboo Road approximately 30 m south of Government Street.

The applicant requests rezoning in order to develop a warehouse facility.
2. FROM SERVICE COMMERCIAL DISTRICT (C4), ADMINISTRATION AND ASSEMBLY DISTRICT (P2), AND MANUFACTURING DISTRICT (M1) TO MANUFACTURING DISTRICT (M1)
"BURNABY ZONING BY-LAW 1965, AMENDMENT
Rezoning Reference #3/80 BY-LAW NO. 10, 1980" - BY-LAW NO. 7492

Lot 86, D.L. 98, Plan 40572

7325 MacPherson Avenue - located on the west side of MacPherson Avenue between Beresford Street and Irmin Street.

The applicant requests rezoning in order to utilize the existing building to expand the plant facilities of the adjacent manufacturing business.
3. FROM NEIGHBOURHOOD INSTITUTIONAL DISTRICT (P1) TO RESIDENTIAL DISTRICT (R5)
"BURNABY ZONING BY-LAW 1965, AMENDMENT
Rezoning Reference #4/80 BY-LAW NO. 11, 1980" - BY-LAW NO. 7493

Lot D, D.L. 92, Plan 19627

6550 Lakeview Avenue - located on the east side of Lakeview Avenue between Imperial Street and Stanley Street.

The applicant requests rezoning in order to subdivide the site for single family residential development.
4. FROM PARK AND PUBLIC USE DISTRICT (P3) TO RESIDENTIAL DISTRICT (R2)
AND TRUCK GARDENING DISTRICT (A3) "BURNABY ZONING BY-LAW 1965, AMENDMENT
Rezoning Reference #6/80 BY-LAW NO. 12, 1980" - BY-LAW NO. 7494

Portion of Lot 137, D.L. 157/163, Plan 45779

4686 Marine Drive - located on the south side of Marine Drive approximately 65 metres west of Mandeville Avenue.

The applicant requests rezoning as a result of negotiations which have been undertaken to acquire lands for the construction of the Nelson Avenue intersection at Marine Drive.

5. FROM GASOLINE SERVICE STATION DISTRICT (C6) TO COMPREHENSIVE DEVELOPMENT (CD) USING NEIGHBOURHOOD COMMERCIAL DISTRICT (C1) GUIDELINES
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 13, 1980" - BY-LAW NO. 7495
Rezoning Reference #7/80
Lot 2 part of Block 2, D.L. 130, Plan 11990
5757 Lougheed Highway - located on the northeast corner of the Lougheed Highway/Holdom Avenue intersection.
The applicant requests rezoning in order to construct a single storey retail-commercial facility.
6. FROM REGIONAL INSTITUTIONAL DISTRICT (P6) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD) AND PARK AND PUBLIC USE DISTRICT (P3)
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 14, 1980" - BY-LAW NO. 7496
Rezoning Reference #8/80
Portion of D.L. 71 and 72
3700, 4299 and 4351 Willingdon Avenue - the major portion of the subject site is located west of Willingdon Avenue between Canada Way and Moscrop Street. An additional triangular parcel is located at the south-east corner of Willingdon Avenue and Moscrop Street.
The applicant requests a rezoning in order to establish a research park on the subject site.
7. FROM NEIGHBOURHOOD INSTITUTIONAL DISTRICT (P1) AND RESIDENTIAL DISTRICT (R4) TO COMMUNITY INSTITUTIONAL DISTRICT (P5)
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 15, 1980" - BY-LAW NO. 7497
Rezoning Reference #10/80
D.L. 33, Lot 223, Plan 42095, D.L. 33, Lots 82 and 83, Plan 20532, D.L. 33, Rem. Lot 2, Ex. Sk. 1495 and 6657, Plan 944, D.L. 33, Lot 84, Plan 25032.
4812, 4868, 4878 and 4888 Willingdon Avenue and 4551 Price Street - located on the east side of Willingdon Avenue between Moscrop Street and Price Street.
The applicant requests rezoning for the purposes of expanding the existing church facilities.
8. FROM SMALL HOLDINGS DISTRICT (A2) TO COMPREHENSIVE DEVELOPMENT (CD)
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 16, 1980" - BY-LAW NO. 7498
Rezoning Reference #11/80
Portion of Lots 89 and 90, Plan 57544
9620 and 9584 Manchester Drive - located east of Government Road, north of the Trans Canada Highway and south of Manchester Drive (a new street).
The applicant requests rezoning in order to develop 197 apartment suites in four buildings. The applicant intends to construct the development in two phases with two buildings being built immediately upon approval.
9. PROPOSED TEXT AMENDMENT TO ZONING BY-LAW FOR SECTION 700.1(4)
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 17, 1980" - BY-LAW NO. 7500
A text amendment is required to Section 700.1(4) -
Uses permitted of the Comprehensive Development District (CD) of the Burnaby Zoning By-law 1965 to permit the Regional Institutional District (P6) to be used in conjunction with the Light Industrial District (M5) to accommodate the proposed mixture of uses to enable the Willingdon Site - Discovery Park Research and Development Facility to be established.
To accomplish this, Section 700.1(4) which currently reads:

"Uses permitted in M1, M2, M3, M5 or M7 Districts, either alone or in combination with uses in P3 or P8 Districts"

would be amended by adding the notation "P6" between "P3" and "or" so that the amended Section 100.1(4) will read:

"(4) Uses permitted in M1, M2, M3, M5 or M7 Districts, either alone or in combination with uses in P3, P6, or P8 Districts."

10. PROPOSED TEXT AMENDMENT TO ZONING BY-LAW FOR CENTRAL VETERINARY HOSPITALS
"BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 18, 1980" - BY-LAW NO. 7501
The following amendments are proposed to the regulations governing central veterinary hospitals, animal hospitals and animal clinics in the Burnaby Zoning By-law:

(1) Definition of "Animal Clinic"

The addition of the following definition to Section 3:

"Animal Clinic means any building, structure or premises in which the business of minor treatment or diagnosis of animal sickness or disease is carried on and in which no provision is made to keep or board animals. An Animal Clinic shall be operated by a qualified veterinarian and be subject to the provisions of the Burnaby Kennel Regulation By-law 1960."

(2) Definition of "Central Veterinary Hospital"

The addition of the following definition to Section 3:

"Central Veterinary Hospital means an animal hospital which operates 24 hours a day providing hospital facilities for the patients of participating member veterinarians and which serves a number of animal clinics on an area wide basis, and where no provision is made for the keeping or boarding of healthy animals."

(3) Uses Permitted in the C4 (Service Commercial) District

The amendment of Section 304.1 (Uses Permitted) to allow for the addition of "Animal Clinics".

(4) Uses Permitted in the M1 (Manufacturing) District

The amendment of Section 401.1 (Uses Permitted) to allow for the addition of the following:

"(18) Central Veterinary Hospitals, subject to the following conditions:

- (a) Resident veterinarian or caretaker quarters shall be located within and form an integral part of the principal building and not be used for family accommodation.
- (b) All facilities shall be located within a completely enclosed building.
- (c) All facilities shall meet the requirements of the Health Act and pertinent regulations made pursuant thereto.
- (d) No outside storage of goods or materials shall be permitted."

(This use and the related conditions would automatically extend to the M2 (General Industrial) and M3 (Heavy Industrial) Districts, including the M3a designation.)

(5) Uses Permitted in the M3a designation of the M3 (Heavy Industrial) District

The deletion of sub-clause (c) (animal hospitals, including caretaker accommodation) of Clause (15) of Section 403.1 (Uses Permitted).

(This would remove animal hospitals as a permitted additional use in the M3a designation and replace it with the preceding item 4 above.)

All persons who deem their interest in property affected by the proposed By-laws and wish to register an opinion may appear in person, by attorney or by petition at the said Hearing.

A copy of the proposed By-laws may be inspected at the office of the undersigned any time between 08:30 h and 16:30 h, Monday to Friday inclusive (excepting Public Holidays) up to 16:30 h on Tuesday, 1980 April 15.

James Hudson