

1986 NOVEMBER 25

A Public Hearing was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C., on Tuesday, 1986 November 25, at 7:30 p.m.

PRESENT: Acting Mayor Begin (In the Chair)

Alderman G.H.F. McLean  
Alderman E. Nikolai  
Alderman V.V. Stusiak  
Alderman S.V. Veitch

ABSENT:

Mayor W.A. Lewarne  
Alderman D.P. Drummond  
Alderman A.H. Emmott  
Alderman L.A. Rankin

STAFF: Mr. A.L. Parr, Director Planning & Building Inspection  
Mr. R.D. Seath, Administrative Officer II

The Public Hearing was called to order at 7:30 p.m.

1. FROM GENERAL COMMERCIAL DISTRICT (C3) TO COMPREHENSIVE DISTRICT (CD) (BASED ON C3 GENERAL COMMERCIAL DISTRICT & METRO TOWN DEVELOPMENT PLAN GUIDELINES) "BURNABY ZONING BYLAW 1965, AMENDMENT BYLAW NO. 108, 1986" - BYLAW NO. 8657

Rezoning Reference #102/86

Lots 9 & 10, D.L. 152, Plan 4932 & Lot 'D', D.L. 152, Plan 12232, Group 1, NWD

6470, 6486 & 6496 Nelson Avenue - located on the northeast corner of Bennett Street and Nelson Avenue.

The purpose of the proposed bylaw is to accommodate development of a six-storey office building with underground parking.

Mr. Bradley J. Johnson, #205 - 4930 Bennett Street, Burnaby, B.C., then addressed the members of Council and advised that if this rezoning application were allowed to proceed, it would completely block his mountain view from the third floor. In addition, Mr. Johnson stated that parking is at a premium and traffic volumes are horrendous on Bennett Street.

In response to a query from a member of Council as to whether the delegation was in favour or opposed to this rezoning application, Mr. Johnson stated that he was opposed to a six storey building, as proposed, but would not be opposed to a three storey building.

Mrs. Helen H. Kalyk, 7345 Punnett Close, Burnaby, B.C., then addressed the members of Council and advised that she and her husband are the registered owners of 6446 Nelson Avenue and in support of this rezoning application. Mrs. Kalyk stated that she was opposed to losing 16 feet off the front of their property on Nelson Avenue for future widening and queried why the 16 foot requirement could not be taken from the west side of Nelson Avenue. Mrs. Kalyk suggested that the proposed widening of Nelson Avenue could be tapered from a 16 foot width at the intersection of Nelson and Bennett Street, to a zero foot width at 6446 Nelson Avenue and still provide the necessary area for future widening.

In conclusion, Mrs. Kalyk stated that she is opposed to the proposed lane closure and subsequent consolidation of this lane closure with the Plaza 5000 site.

Mr. Nick Kalyk, 7345 Punnett Close, Burnaby, B.C., then addressed the members of Council and advised that he had spoken with the Director Engineering regarding the feasibility of taking a 16 foot widening from Bennett Street and Nelson Avenue and tapering it to a zero foot widening at the lane adjacent to his property.

In response, Mr. A.L. Parr, Director Planning and Building Inspection, advised that this proposal was the original widening proposal for Nelson Avenue whereby the road angle would result in a shorter distance south of Kingsway to the lane.

Mr. Brian D. Meakin, Property Manager, Turner, Meakin and Co. Ltd., 200 - 1682 West 7th Avenue, Vancouver, B.C., then addressed the members of Council and advised that he was representing the owners of Lots C and J, namely 4900 Kingsway and 6470 Nelson Avenue respectively. Mr. Meakin read from a prepared text dated 1986 November 23, the contents of which is contained hereunder:

'We are the agents for E.E. Chesko & B.H. Goldstein owners of 4900 Kingsway and 6450 Nelson Avenue. We wish to register objections on behalf of our clients in connection with the captioned rezoning application.

Areas of concern to our clients fall into the following four categories:

1. That area referred to in the Burnaby Manager's Report No. 65 as a future redevelopment site, which encompasses our client's property.
2. The proposed road widening scheme for Nelson Avenue.
3. The proposed closure of the lane.
4. The proposed parking for the subject in the 5000 Block of Newton Street.

We deal with each of these in turn.

1. Future Redevelopment Site

We submit that this area, identified as the lighter shaded area on the plan attached to the Manager's report, represents an inappropriate assumption regarding consolidation with the result that the feasibility of this site for redevelopment fails.

- a) The site, as identified, comprises two ownerships. Lots "J" and "C" are owned by our clients. The other owner owns Lot 12, which splits our clients' holdings.  
After brief discussions with the owner of Lot 12, it appears that the probability of consolidation for redevelopment is extremely remote and certainly not foreseeable at this time.
- b) The only undeveloped land is Lot "C", which is used as surface parking for Lot J and residential accommodation. The balance of the purported future redevelopment site is developed with economically viable structures.
- c) Even if we assume the feasibility, the consequence of the proposed development is to impose onerous, and inequitable constraints on our client's property.

2. Road Widening - Nelson Avenue

We understand that certain changes have been proposed to the map attached to the Manager's report since the Notice of Public Hearing was mailed to reduce the proposed Road widening allowance.

The applicant is trading land on Nelson Avenue for the lane at rear.

Any loss of land from Nelson Avenue, without having the benefit to acquire replacement from, for example, the rear lane is unfair. It is proposed that the lane to the rear of 6450 Nelson be sold to the applicant. This is fundamentally unfair to our clients.

We also think it unfair to take the entire road allowance from the east side of Nelson although we understand that it is difficult to take from 6411 Nelson on the west side.

### 3. Lane Closure

The proposal to close the lane has serious ramifications for our clients property.

The applicant should only get one half of the lane to the east of 6450 Nelson (Lot 'C') and the other half should be available for our clients. To turnover the entire lane to the applicant is unfair.

If the lane is to be closed, then it should be closed all the way through, and split among all the owners, in an equitable manner.

### 4. Parking Relaxation

Parking in the area is difficult at best. Even Metrotown centre at some 2700 stalls wishes they had more and is under pressure to keep their lot clear of daily parkers. The applicant's agent, San Realty Ltd., Manager of 5000 Kingsway, has identical problems, and has expressed them to the writer on previous occasions. Daily parkers are usually staff of tenants in the project on site and adjacent developments where parking is inadequate. The point is simply that providing parking on Newton Street is completely unrealistic. It utterly ignores the reality of the parking problems in the area. We implore you to understand that not only is the proposed parking site in the 5000 block Newton impractical, but also is physically some 515 feet minimum walking distance from the nearest point of each site, with absolutely no provision for walking within each site. It makes even less sense when you understand that the maximum distance usually allowed by Burnaby to an off site parking lot is 400 feet.

The applicant tried to use this same site to obtain a parking relaxation when the property at 6411 Nelson Avenue was developed. We voiced the opinion then at the Board of Variance Hearing. That application was turned down and we ask you to do likewise in this instance.

What concerns us even more about the use of the 5000 Block Newton Street as a parking lot for the subject development is that the applicant represents a certain component of medical/dental office in the development. Our recollection is that they did likewise at 6411 Nelson and they have proceeded to fill the upper floors with medical/dental uses. We would suggest that this could well prove to be the case here, with the result after all, promoting the project as 'Metrotown Medical East Wing'. Please help to avoid making the current parking problems worse.

This concludes our presentation. Thank you for the opportunity to present our views. We ask that you consider carefully the issues we have addressed, and advise us in due course of the disposition of this application."

Mr. Stan Milacek, Applicant, 5628 Imperial Street, Burnaby, B.C., then addressed the members of Council and showed a detailed truncation drawing of the proposed Nelson Avenue widening. In the speaker's opinion, this proposed truncation and subsequent widening of Nelson Avenue would accommodate the redevelopment of the remaining three lots on Nelson Avenue.

Mr. Edward Chesko, 1080 Haywood Avenue, West Vancouver, B.C., then addressed the members of Council and advised that he is opposed to the proposed closure of the lane and subsequent consolidation with the Plaza 5000 site. Mr. Chesko suggested that he be afforded the opportunity to acquire the lane allowance to the rear of his property for future redevelopment of this site.

Mr. John Jambor, 7374 Hewitt Street, Burnaby, B.C., then addressed the members of Council and advised that the reason for the existing parking problem on his property at 6411 Nelson Avenue, results from Plaza 5000 patrons parking on his property and walking to either the medical/dental building or Plaza 5000.

Mrs. Helen H. Kalyk, 7345 Punnett Close, Burnaby, B.C., again addressed the members of Council and queried that if a site consolidation of the three remaining properties occurred for site redevelopment, would ingress/egress to underground parking be allowed to Nelson Avenue?

In response, Mr. A.L. Parr, Director Planning and Building Inspection, advised that this maybe a problem but that right turn in and right turn out movements only, to Nelson Avenue, was a possibility.

Mr. Bradley J. Johnson, 205 - 4930 Bennett Street, Burnaby, B.C., again address the members of Council and circulated two photos showing the existing site and the medical/dental building.

Mr. Stan Milacek, Applicant, 5628 Imperial Street, Burnaby, B.C., again addressed the members of Council and with the aid of an artists rendering of the proposed site development, provided the rationale for the proposed lane closure and addressed future access to the remaining three properties on Nelson Avenue for future site redevelopment.

Mr. Brian D. Meakin, Property Manager, Turner, Meakin and Co. Ltd., 200 - 1682 West 7th Avenue, Vancouver, B.C., again addressed the members of Council and advised that the proposed lane closure would be extremely detrimental to site redevelopment of the remaining three properties and suggested that secondary access to this portion of the site off Bennett Street, be denied.

The Advisory Planning Commission wish to advise Council that following their consideration of this rezoning application, a decision was reached to SUPPORT the rezoning of the property at 6470, 6486 and 6496 Nelson Avenue from General Commercial District (C3) to Comprehensive Development District (CD) (based on C3 General Commercial District and Metrotown Development guidelines).

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

MOVED BY ALDERMAN STUSIAK:  
SECONDED BY ALDERMAN McLEAN:

"THAT this Public Hearing relating to Rezoning Reference 102/86 be now terminated."

CARRIED UNANIMOUSLY

1986 November 25

A D J O U R N M E N T

MOVED BY ALDERMAN STUSIAK:  
SECONDED BY ALDERMAN McLEAN:

"THAT this Public Hearing (Zoning) do now adjourn."

CARRIED UNANIMOUSLY

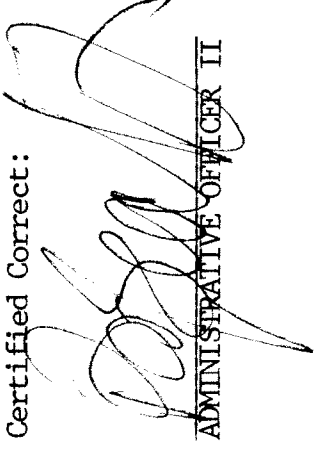
The Public Hearing (Zoning) adjourned at 8:31 p.m.

Confirmed:



ACTING MAYOR

Certified Correct:

  
ADMINISTRATIVE OFFICER II

THE CORPORATION OF THE DISTRICT OF BURNABY

ZONING BYLAW AMENDMENT

PUBLIC HEARING

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

TUESDAY, 1986 NOVEMBER 25 AT 7:30 P.M.

in the Municipal Hall, 4949 Canada Way, Burnaby, B.C., V5G 1M2, to receive representation in connection with the following proposed amendment to "Burnaby Zoning Bylaw 1965":

1. FROM GENERAL COMMERCIAL DISTRICT (C3) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD) (BASED ON C3 GENERAL COMMERCIAL DISTRICT & METROTOWN DEVELOPMENT PLAN GUIDELINES)  
"BURNABY ZONING BYLAW 1965, AMENDMENT BYLAW NO. 108, 1986" - BYLAW NO. 8657

Rezoning Reference #102/86

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6470, 6486 & 6496 Nelson Avenue - located on the northeast corner of Bennett Street and Nelson Avenue.

The purpose of the proposed bylaw is to accommodate development of a six-storey office building with underground parking.

All persons who deem their interest in property affected by the proposed bylaws who wish to register an opinion may appear in person, by attorney or by petition at the said Hearing. Submissions will not be received after termination of the Public Hearing.

Copies of the Director Planning and Building Inspection's reports and related information respecting the subject rezoning applications are available for public examination at the offices of the Planning and Building Inspection Department in the Burnaby Municipal Hall.

Copies of the proposed bylaws may be inspected at the office of the Municipal Clerk at 4949 Canada Way, Burnaby, B.C. during regular business hours from Friday, 1986 October 31 up to 4:30 p.m. on Tuesday, 1986 November 25.

C.A. Turpin  
MUNICIPAL CLERK