

1989 OCTOBER 24

A Public Hearing was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 1989 October 24 at 7:30 p.m.

PRESENT: Mayor W.J. Copeland (In the Chair)
Alderman R.G. Begin
Alderman D.P. Drummond
Alderman L.A. Rankin
Alderman J.M. Sawicki
Alderman J. Young

ABSENT: Alderman D.R. Corrigan
Alderman E. Nikolai
Alderman F.G. Randall

STAFF: Mr. D.G. Stenson, Deputy Director Planning & Building
Inspection
Mr. R.D. Seath, Administrative Officer II

The Public Hearing was called to order at 7:38 p.m.

1. FROM C7 DRIVE-IN RESTAURANT DISTRICT AND R5 RESIDENTIAL DISTRICT
TO C4 SERVICE COMMERCIAL DISTRICT

"BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 71, 1988" - BYLAW NO. 9098

Rezoning Reference #64/88

Lot 18, D.L. 29, Grp. 1, NWD, Plan 3035
7585 Kingsway

The purpose of the proposed rezoning bylaw amendment is to develop a gasoline service station, in conjunction with a service commercial building.

A letter dated 1989 October 20 was received from Cyril and Maria Popoff, 7275 - 17th Avenue, Burnaby, B.C., V3N 1L1 in opposition to the rezoning application.

No one appeared in connection with this rezoning application.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT the rezoning of the property at 7585 Kingsway from C7 Drive-In Restaurant District and R5 Residential District to C4 Service Commercial District.

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

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN YOUNG:

"THAT this Public Hearing relating to Rezoning Reference #64/88 be now terminated."

CARRIED UNANIMOUSLY

2. TEXT AMENDMENT

"BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 62, 1989" - BYLAW NO. 9275

The purpose of the proposed text amendment bylaw is to include casinos and bingo halls as permitted uses in the C3 zoning district when designated on a comprehensive development plan, subject to the provisions of the CD (Comprehensive Development) District.

No one appeared in connection with this rezoning application.

The Advisory Planning Commission wish to advise Council that following their consideration of this Text Amendment, a decision was reached to SUPPORT "Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 62, 1989" - Bylaw No. 9275.

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

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN BEGIN:

"THAT this Public Hearing relating to Bylaw No. 9275 be now terminated."

CARRIED UNANIMOUSLY

3. TEXT AMENDMENT

"BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 63, 1989" - BYLAW NO. 9276

The purpose of the proposed text amendment bylaw is to increase the number of cats permitted per household from two to four.

A letter dated 1989 October 20 was received from Cyril and Maria Popoff, 7275 - 17th Avenue, Burnaby, B.C., V3N 1L1 in opposition to the Text Amendment.

A letter dated 1989 October 23 was received from Emily Hadley, 6591 Elwell Street, Burnaby, B.C., V5E 1J9 in opposition to the Text Amendment.

A letter dated 1989 October 23 was received from Fred Court, 124 N. Ingleton Avenue, Burnaby, B.C., V5C 1S9 in opposition to the Text Amendment.

(Mrs.) V. Wuensche, 7252 Ridge Drive, addressed the members of Council and advised that 20% of attacks on wildlife are caused by cats and as such was opposed to the proposed Text Amendment.

Nancy Conrod, 3890 Cambridge Street, appeared before Council and advised that cats provide a degree of companionship for their owner and as such was in support of the Text Amendment.

The Advisory Planning Commission wish to advise Council that following its consideration of this Text Amendment, a decision was reached to SUPPORT "Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 63, 1989" - Bylaw No. 9276.

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

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN BEGIN:

"THAT this Public Hearing relating to Bylaw No. 9276 be now terminated."

CARRIED UNANIMOUSLY

4. FROM CD COMPREHENSIVE DEVELOPMENT DISTRICT (BASED ON RM3 MULTIPLE
FAMILY RESIDENTIAL DISTRICT GUIDELINES) TO AMENDED CD
COMPREHENSIVE DEVELOPMENT DISTRICT (BASED ON RM2 MULTIPLE FAMILY
RESIDENTIAL DISTRICT AND RM3 MULTIPLE FAMILY RESIDENTIAL DISTRICT
USE AND DENSITY)
"BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 64, 1989" - BYLAW NO. 9277

Rezoning Reference #49/89

Lot 5, D.L. 160 and 171, Plan 78941

7345 Sandborne Avenue

The purpose of the proposed rezoning bylaw amendment is to accommodate a stacked townhouse development.

No one appeared in connection with this rezoning application.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT the rezoning of the property at 7345 Sandborne Avenue from CD Comprehensive Development District (based on RM3 Multiple Family Residential District guidelines) to Amended CD Comprehensive Development District (based on RM2 Multiple Family Residential District use and density).

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

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN YOUNG:

"THAT this Public Hearing relating to Rezoning Reference #49/89 be now terminated."

CARRIED UNANIMOUSLY

5. FROM R5 RESIDENTIAL DISTRICT TO CD COMPREHENSIVE DEVELOPMENT DISTRICT (BASED ON RM3 MULTIPLE FAMILY RESIDENTIAL DISTRICT GUIDELINES)
"BURNABY ZONING BYLAW 1965, AMENDMENT BYLAW NO. 65, 1989" - BYLAW NO. 9278

Rezoning Reference #51/89

Lot 3, Grp. 1, NWD, Plan 13171; Lot 2, Grp. 1, NWD, Plan 11953;
Lot 1, Grp. 1, NWD, Plan 11953, All of D.L. 33

5626, 5642, 5658 Halley Avenue

The purpose of the proposed rezoning bylaw amendment is to permit the construction of a three-storey apartment.

A letter dated 1989 October 23 was received from Roy B. Mason, #333 - 5695 Chaffey Avenue, Burnaby, B.C., V5H 2S1 and petition containing twenty (20) signatures of members of Strata Plan 2953, 5695 Chaffey Avenue, opposing the sale of the municipally owned lane abutting the south side of the development site to the developer.

The text of the petition is contained hereunder:

"Submission to the Corporation of the District of Burnaby concerning Rezoning Reference No. 51/89.

It is hereby requested that the above rezoning bylaw and the associated Highway Exchange Bylaw be amended to incorporate the following changes:

- i) THAT the portion of the municipally owned lane allowance bounding the south edge of the proposed development be retained to provide Fire Department access to the existing three-storey condominium (5695 Chaffey Avenue) on the contiguous property.
- ii) THAT the spacing between the existing three storey structure and the proposed building be increased by twenty-five feet in the north-south direction. This can be accomplished by extending the proposed development to include the lot immediately north (5608 Halley Avenue).

The above submissions presented to Burnaby Council on behalf of the following property owners of Strata Plan NW 2953."

Roy B. Mason, #333 - 5695 Chaffey Avenue, addressed the members of Council and advised that the petition is not opposing the rezoning application but rather the proposed lane closure which will inhibit access of emergency vehicles to the rear of 5695 Chaffey Avenue.

Council requested that staff provide a report with respect to the lane status and also address the ability of emergency vehicles to access the rear of 5695 Chaffey Avenue.

Dean A. Nontell, 5608 Halley Avenue, addressed the members of Council and expressed concern with respect to the affect which the proposed rezoning would have on his property.

David J. Ehrhardt, 6660 Stanley Street, addressed the members of Council and advised that he was representing 5600 Patterson Developments Ltd. and was present this evening to answer any questions with respect to the rezoning application.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT the rezoning of the property at 5626, 5642 and 5658 Halley Avenue from R5 Residential District to CD Comprehensive Development District (based on RM3 Multiple Family Residential District guidelines).

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

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN BEGIN:

"THAT this Public Hearing relating to Rezoning Reference #51/89 be now terminated."

CARRIED UNANIMOUSLY

6. FROM C1 NEIGHBOURHOOD COMMERCIAL DISTRICT TO R3 RESIDENTIAL DISTRICT
"BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 66, 1989" - BYLAW NO. 9279
Rezoning Reference #62/89

Portion of D.L. 13, Lot 85, Plan 13983; Portion of D.L. 13, Lot 86, Plan 13983

Portion of 8669 and Portion of 8675 Eleventh Avenue

The purpose of the proposed rezoning bylaw amendment is to bring the zoning of the subject site into conformity with the long term existing use of the properties.

No one appeared in connection with this rezoning application.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT the rezoning of a portion of 8669 and 8675 Eleventh Avenue from C1 Neighbourhood Commercial District to R3 Residential District.

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

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN BEGIN:

"THAT this Public Hearing relating to Rezoning Reference #62/89 be now terminated."

CARRIED UNANIMOUSLY

7. FROM R5 RESIDENTIAL DISTRICT TO CD COMPREHENSIVE DEVELOPMENT DISTRICT (BASED ON RM3 MULTIPLE FAMILY RESIDENTIAL DISTRICT GUIDELINES)
"BURNABY ZONING BYLAW 1965, AMENDMENT BYLAW NO. 67, 1989" - BYLAW NO. 9280

Rezoning Reference #64/89

Lot 10, Blks. 13 to 15, D.L. 98, Plan 2066; Lot 11, Blk. 14, D.L. 98, Plan 2066; Lot 5, Blks. 13 to 15, D.L. 98, Plan 2066; Lot 6, Blk. 14, D.L. 98, Plan 2066

5361 and 5387 Victory Street; 5362 and 5388 Beresford Street

The purpose of the proposed rezoning bylaw amendment is to permit the construction of a three-storey apartment building.

Ted Murray, Architect, #103 - 511 West 14th Avenue, addressed the members of Council and advised that the number of units in the proposed apartment building has been reduced from 36 to 30 in order to increase the size of the units. The speaker further advised that he was available to answer any questions with respect to the rezoning application.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT the rezoning of the property at 5361 and 5387 Victory Street; 5362 and 5388 Beresford Street from R5 Residential District to CD Comprehensive Development District (based on RM3 Multiple Family Residential District guidelines).

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

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN BEGIN:

"THAT this Public Hearing relating to Rezoning Reference #64/89 be now terminated."

CARRIED UNANIMOUSLY

8. FROM A2 SMALL HOLDINGS DISTRICT TO R2 RESIDENTIAL DISTRICT
"BURNABY ZONING BYLAW 1965, AMENDMENT BYLAW NO. 68, 1989" - BYLAW NO. 9281

Rezoning Reference #70/89

Portion of Lot 297, D.L. 59, Plan 52887

Portion of 2728 Bainbridge Avenue

The purpose of the proposed rezoning bylaw amendment is to complete the subdivision of the R2 District subdivision to the east.

No one appeared in connection with this rezoning application.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT the rezoning of a portion of 2728 Bainbridge Avenue from A2 Small Holdings District to R2 Residential District.

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

MOVED BY ALDERMAN YOUNG:
SECONDED BY ALDERMAN BEGIN:

"THAT this Public Hearing relating to Rezoning Reference #70/89 be now terminated."

CARRIED UNANIMOUSLY

9.

FROM R5 RESIDENTIAL DISTRICT TO CD COMPREHENSIVE DEVELOPMENT DISTRICT (BASED UPON THE RM5 MULTIPLE FAMILY RESIDENTIAL DISTRICT GUIDELINES)
"BURNABY ZONING BYLAW 1965, AMENDMENT BYLAW NO. 69, 1989" - BYLAW NO. 9284

Rezoning Reference #73/89

Lot 20, Blk. 33, D.L. 151, Grp. 1, Plan 2002; Lot 19, D.L. 151, Grp. 1, Plan 2002; Lot 18, Grp. 1, D.L. 151, Plan 2002, NWD; Lot 17, Grp. 1, D.L. 151, Plan 2002; Northerly portion of Lot 16, D.L. 151 having frontage of 33 ft. on Patterson Avenue by a full depth of Lot 16 and adjoining Lot 17 and Plan 2002; Lot 16, South 33 ft., Grp. 1, D.L. 151, Plan 2002; Lot 15, D.L. 151, Grp. 1, Plan 2002; Lot 10, D.L. 151, Grp. 1, NWD, Plan 2002; Lot 11, Exc. Pcl. A, Ref. Plan 4312, Plan 2002, Blk. 33; Parcel "A" of Lot 11, D.L.S 151 and 153, Grp. 1, NWD, Plan 2002; Lot 12, Blk. 33, D.L. 151, Plan 2002; Lot 14, Grp. 1, D.L. 151, Plan 2002

6142/58/76/92/6208/26/50 Patterson Avenue and 6155/65/79/95 Wilson Avenue

The purpose of the proposed rezoning bylaw amendment is to permit the development of a high-rise residential building.

A letter dated 1989 October 24 was received from Miss Anne Marken, #304 - 4105 Maywood Street, Burnaby, B.C., V5H 4A3 in opposition to the rezoning application.

Barry McLeod, McLeod Barkley, Architects, 5765 Seaview Place, West Vancouver, addressed the members of Council and advised that he was present this evening to answer any questions with respect to the rezoning application.

In response to a query from a member of Council as to how the landscaping would be maintained on the triangular piece of open property on the south side of the subject site, John O'Donnell, Polygon Projects Ltd., 1800 Spyglass Place, Vancouver, addressed the members of Council and advised that this would be done by the Strata Council through a restrictive covenant registered against the property to ensure the landscaping is maintained to the satisfaction of the Planning Department.

Bruce A. Carlson, President, Post 83 Housing Co-operative Association, #2102 - 4221 Mayberry Street, Burnaby, addressed the members of Council and submitted two petitions with respect to the rezoning application.

The text of the first petition, containing 100 signatures, is contained hereunder:

"From: Members/residents of Post Housing 83 Co-operative Association of 4221 Mayberry Street, Burnaby, B.C., V5H 4E8.

To: The Corporation of the District of Burnaby; Municipal Council.

Re: Rezoning Reference #73/89

The members/residents of the Post 83 Housing Co-operative Association hereby petition the Burnaby Municipal Council to alter and/or delete the characteristics of the proposed rezoning and adopt the following:

- i) THAT the proposed high-rise tower be limited to 18-24 floors in height, rather than the proposed height of 25 floors which would obstruct or eliminate the view of Post 83 residents and possibly interfere with roof top communication equipment.

- ii) THAT Wilson Avenue remain open and not made into a cul-de-sac, for access, emergency and traffic volume reasons.
- iii) THAT the proposed building provide ten parking spaces for visitors to their building so as not to create further parking problems in the area.
- iv) THAT no tennis court be built around the building or have appropriate noise blocking barriers and time of day restrictions.
- v) THAT all curbs and sidewalks erected be of the wheelchair accessible type."

The speaker requested that Council give consideration to the points raised in this petition and requested that the residents of the area bounded by Patterson Avenue, Beresford Street and Willingdon Avenue be provided with an information package with respect to this rezoning application and that this portion of the Public Hearing be adjourned to allow these residents an opportunity to express their concerns.

Mr. Carlson then submitted the second petition containing one hundred and twelve (112) signatures of area residents, the text of which is contained hereunder:

"Petition

FROM: Members/residents of Post 83 Housing Co-operative Association at 4221 Mayberry Street, Burnaby, B.C., V5H 4E8.

TO: The Corporation of the District of Burnaby; Municipal Council.

RE: Rezoning Reference #73/89 and Community Plan Two - 1975 April.

The members/residents of the Post 83 Housing Co-operative Association hereby petition the Burnaby Municipal Council to delete the proposed changes to the streets in the area and adopt the following:

- "i) THAT Wilson Avenue continue to reach the Mayberry Street - Patterson Avenue corner and not be made into a cul-de-sac.
- ii) THAT Patterson Avenue not be closed after reaching Mayberry Street but continue to join into Willingdon Avenue.
- iii) THAT the Mayberry Street barrier be removed and a traffic light be installed at the Willingdon Avenue end.
- iv) THAT the alleyway between Kathleen Avenue and Beresford Street remain open."

In response to the traffic concerns, Alderman Young as Chairman of the Traffic Safety Committee advised the delegation to present his traffic concerns to the Traffic Safety Committee whose next meeting will be held on Tuesday, 1989 November 07.

Council requested that staff provide a report which would address the proposed cul-de-sac on Wilson Avenue and also address the shadow effect which the proposed highrise development would have on existing development in the immediate area.

Mr. John O'Donnell of Polygon Projects Ltd. again addressed the members of Council and advised that the Wilson Avenue cul-de-sac would not be completed until such time as the remaining undeveloped properties on Wilson Avenue are developed. Mr. O'Donnell further advised that the site coverage has been reduced to 12% in an attempt to retain the existing view corridors of abutting highrise development.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT the rezoning of the property at 6142/58/76/92/6208/26/50 Patterson Avenue and 6155/65/79/95 Wilson Avenue from R5 Residential District to CD Comprehensive Development District (based upon the RM5 Multiple Family Residential District guidelines).

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

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN BEGIN:

"THAT this Public Hearing relating to Rezoning Reference #73/89 be now terminated."

CARRIED UNANIMOUSLY

10. FROM C2 COMMUNITY COMMERCIAL DISTRICT TO C2a COMMUNITY COMMERCIAL DISTRICT
"BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 70, 1989" - BYLAW NO. 9286

Rezoning Reference #61/89

Portion of Lot 95, D.L. 94, Plan 46435

Portion of 5665 Kingsway

The purpose of the proposed rezoning bylaw amendment is to permit the establishment of a retail beer and wine store.

A letter dated 1989 October 20 was received from Mrs. Barb Arnett, Executive Assistant, Datatech Systems Ltd., #135 - 5665 Kingsway, Burnaby, B.C., V5H 2G4 in opposition to the rezoning application.

Peter Rogers, 6350 Elgin Avenue, addressed the members of Council and advised that an application for a wine and beer store at this location has been rejected twice before. The speaker suggested that the area is sufficiently served with liquor outlets and that if this rezoning application were approved, it would have an adverse affect on the residential properties to the north of the site and also adversely affect traffic for these residential properties.

In conclusion, the speaker stressed that the sale of alcohol products should be made less available rather than more available.

Sharyn L. Wikjord, 6535 Denbigh Avenue, addressed the members of Council in support of the rezoning application and submitted a petition containing the signatures of 57 residents in support of the rezoning application. The text of the petition is contained hereunder:

"If you are interested in having a wine and beer store located next to Delaneys Pub at Kingsway and Dufferin please sign below. Many South Burnaby residents are wondering why there is no wine and beer store outlet in South Burnaby and why they have to drive to New Westminster or Vancouver. Please indicate below if you are in favour."

Terry Bemister, #802 - 6555 Bonsor Avenue, addressed the members of Council and advised that the proposed location of the wine and beer store provides good parking and access to and from the site and as such was in support thereof.

Ingrid Osmond, 6555 Gilley Avenue, addressed the members of Council in support of the rezoning application.

Stephan Peterson, 7018 Russell Avenue, addressed the members of Council in support of the rezoning application.

Verlene Hahn, 5812 Dickens Place, addressed the members of Council in support of the rezoning application.

Phillip Smith, 7058 MacPherson Avenue, addressed the members of Council in support of the rezoning application.

Brian McGuiness, 5975 Elgin Place, addressed the members of Council in support of the rezoning application.

Denny Talbot, 6789 Marlborough Avenue, addressed the members of Council in support of the rezoning application.

Paul W. Thornton, 6528 Denbigh Avenue, addressed the members of Council in support of the rezoning application.

Grant Bender, 6535 Denbigh Avenue, addressed the members of Council in support of the rezoning application.

Dave G. Crown, General Manager of Artesia Investments Ltd., 5665 Kingsway, and owner of Delaneys Pub addressed the members of Council in support of the rezoning application.

Mr. Crown advised that the patrons of Delaneys Pub have requested that a wine and beer store be provided which would be operated in a mature and responsible fashion in order to ensure that it would be an asset to the neighbourhood. Mr. Crown further stated that of 66 residents contacted on both Elgin and Dufferin Streets that 51 had expressed support for the rezoning application while 15 were opposed.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT the rezoning of a portion of 5665 Kingsway from C2 Community Commercial District to C2a Community Commercial District.

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

MOVED BY ALDERMAN YOUNG:
SECONDED BY ALDERMAN RANKIN:

"THAT this Public Hearing relating to Rezoning Reference #61/89 be now terminated."

CARRIED UNANIMOUSLY

A D J O U R N M E N T

MOVED BY ALDERMAN RANKIN:
SECONDED BY ALDERMAN DRUMMOND:

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

CARRIED UNANIMOUSLY

The Public Hearing (Zoning) adjourned at 9:37 p.m.

Confirmed:

Certified Correct:


MAYOR


ADMINISTRATIVE OFFICER II