

1992 April 28

A Public Hearing was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 1992 April 28 at 7:30 p.m.

PRESENT: Acting Mayor, Alderman J. Young (In the Chair)
Alderman D.R. Corrigan (Arrived 7:58 p.m.)
Alderman D.P. Drummond
Alderman D.G. Evans (Arrived 7:38 p.m.)
Alderman D.A. Lawson
Alderman E. Nikolai
Alderman L.A. Rankin
Alderman C. Redman

ABSENT: Mayor W.J. Copeland

STAFF: Mr. A.L. Parr, Director Planning & Building
Mrs. M. Pasqua, Administrative Officer Operations

The Public Hearing was called to order at 7:32 p.m.

1. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 14, 1992" - BYLAW NO. 9711

TEXT AMENDMENT

The purpose of the proposed zoning text amendment is to delete Golf Driving Ranges as a permitted use in the Industrial Districts.

A letter dated 1992 March 31 was received from Vic Jang, NRS Block Bros. Realty, 5508 Hastings Street, Burnaby, B.C. V5B 1R3 requesting that his name be put forward as being in support of the proposal for a golf driving range and teaching facility on Shellburn's industrial zoned property.

The Advisory Planning Commission wish to advise Council that following its consideration of this Text Amendment a decision was reached to SUPPORT the deletion of Golf Driving Ranges as a permitted use in the Industrial Districts.

There were no further submissions received in connection with this Text Amendment.

Alderman Evans arrived at the Public Hearing at 7:38 p.m. and took his place at the Council table.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN RANKIN:

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

CARRIED UNANIMOUSLY

2. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 15, 1992" - BYLAW NO. 9722

Rezoning Reference #35/91

5171-79 Rumble Street and 7537 Royal Oak Avenue

Lot 29, D.L. 98, Plan 573, Pcl. B (EB 12490); Lot 80, D.L. 98, Plan 32624

From: R5 Residential District, C2 Community Commercial District
and P8 Parking District

To: CD Comprehensive Development District (based on C2 Community Commercial District guidelines and in accordance with the development plan entitled "Chevron Canada - Royal Oak Avenue and Rumble Street") and C6a Gasoline Service Station District

The purpose of the proposed rezoning bylaw amendment is to permit development of a self-service gas station and retail space.

Mr. Fred Moore, an employee of Chevron Canada, 1500 - 1050 West Pender Street, Vancouver, B.C. addressed Council representing the applicant for the subject rezoning. Mr. Moore advised of the intention to remove the existing gas station and replace it with self service and an expanded convenience store. The speaker informed Council of a neighbourhood visitation which was conducted by the proponents of the rezoning which resulted in a positive response to the development proposal.

In concluding, Mr. Moore offered artistic renderings of the proposed self serve gas station and submitted a petition of support containing 107 customers' signatures. The content of the petition reads as follows:

"We, the undersigned, are in favour of Chevron Canada's proposed comprehensive development of the northwest corner of Royal Oak Avenue and Rumble Street, which will permit a self serve gasoline station with Town Pantry convenience mart and a retail 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 5171-79 Rumble Street and 7537 Royal Oak Avenue from R5 Residential District, C2 Community Commercial District and P8 Parking District to CD Comprehensive Development District (based on C2 Community Commercial District guidelines and in accordance with the development plan entitled "Chevron Canada - Royal Oak Avenue and Rumble Street") and C6a Gasoline Service Station District.

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

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN EVANS:

"THAT this Public Hearing relating to Rezoning Reference #35/91 be now terminated."

CARRIED UNANIMOUSLY

3. BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 16, 1992" - BYLAW NO. 9723

Rezoning Reference #56/91

4199 Lougheed Highway

Parcel One (Ex. Pl. 12576) of Lot C, D.L. 119, Plan 3363

From: CD Service Commercial District

To: CD Comprehensive Development District (based on C3 General Commercial District guidelines and in accordance with the development plan entitled "Proposed Casino Lougheed Highway" prepared by Elbe Lock Walls and Associates Inc.)

A letter dated 1992 April 25 was received from Lorna Hancock, Executive Director, Health Action Network Society, 202 - 5262 Rumble Street, Burnaby, B.C., V5J 2B6 expressing support for the rezoning proposal.

Thirty-five (35) identical letters were received, all dated 1992 April 26 and signed by members of the community and various not-for-profit organizations in Burnaby. The letters are sent in opposition to the subject rezoning as it was felt that it contravenes the Brentwood Community Plan, is not good utilization of the property, and its close proximity to the newly constructed Executive Inn and the already established family eating establishments.

Mr. Donald Copan, 4667 Highlawn Drive, Burnaby addressed Council on behalf of a number of community based not-for-profit organizations which have expressed a concern about the possibility of another casino facility being permitted to operate in Burnaby. The speaker requested Council not jeopardize the opportunity of a locally based casino company being formed by Burnaby citizens for Burnaby citizens by allowing a profit motivated casino company to transfer a not too successful operation in Langley into the site on the Lougheed Highway in Burnaby.

Mr. Copan stated that the proximity of the casino to the newly opened Executive Inn and its sharing the adjacent sites with two eating establishments will create a parking crisis which would be detrimental to the location. The subject site does not provide accessibility to existing public transportation.

In concluding, Mr. Copan advised that the proposed casino does not comply with the general criteria adopted by previous Councils for the Brentwood Town Centre Plan and the adopted criteria for suitable areas to accommodate casinos and bingo parlors.

An additional twenty-seven (27) identical letters were received, signed by members of the community and various not-for-profit organizations in Burnaby. The letters all state opposition to the rezoning proposal as it was felt that it contravenes the Brentwood Town Centre Plan, is not good utilization of the land and is too close to the newly constructed Executive Inn and already established restaurant outlets.

Alderman Corrigan arrived at the Public Hearing at 7:58 p.m. and took his place at the Council table.

Mrs. Anne Bailey, 7982 Rosewood Street, Burnaby, addressed Council on behalf of Burnaby citizens who support non-profit societies and requested Council reject the proposal for a casino at 4199 Lougheed Highway. Mrs. Bailey indicated that the land use contravenes the Brentwood Community Plan, and was concerned regarding the utilization of the property in light of its proximity to the newly constructed Executive Inn and the already established family restaurants.

Mr. Fred Katzel, 5255 Shelby Court, Burnaby, addressed Council in opposition to the rezoning application.

Mrs. Rita Katzel, 5255 Shelby Court, Burnaby addressed Council in opposition to the rezoning application. Mrs. Katzel advised she was a Community Health Nurse and was very concerned regarding the negative social impact that casinos create.

Alderman Redman retired from the Public Hearing at 8:25 p.m.

Mr. Bill Hutchison, 8538 Woodtrail Place, Burnaby, addressed Council advising he was the Past President of Football B.C., an organization that has participated in and benefitted from the gaming industry.

Alderman Redman returned to the Public Hearing at 8:26 p.m. and took her place at the Council table.

Alderman Drummond retired from the Public Hearing at 8:28 p.m.

Alderman Drummond returned to the Public Hearing at 8:30 p.m. and took his place at the Council table.

Mr. Hutchison challenged a number of statements made by a previous speaker regarding the operation of casinos and requested Council consider approving the application for a casino at 4199 Loughheed Highway. The speaker was of the opinion that the subject site was acceptable in that it is central, provides for adequate parking and reasonable access and is in keeping with the Brentwood Town Centre Plan.

Mr. Nordee Sadini, 3580 Marine Drive, West Vancouver addressed Council as the owner of the new Executive Inn which is located adjacent to the subject site for rezoning. Mr. Sadini expressed concern regarding traffic and noise being generated from the casino operation which would be detrimental to the comfort and enjoyment of hotel patrons. The speaker was also of the opinion that access to the casino from Halifax Street was not adequate.

Alderman Corrigan retired from the Public Hearing at 8:40 p.m.

In response to an inquiry from Council, Mr. Parr, Director Planning and Building advised that the main access to parking for the facility is shown as being from the Loughheed Highway and that staff will look into the suggestion that access may be gained off of Halifax Street.

Mr. Louie Gill, 7796 Elwell Street, Burnaby addressed Council advising that he was the Project Manager of LGR Construction which is the company involved with the construction of the Executive Inn, immediately adjacent to 4199 Loughheed Highway. Mr. Gill advised that over the two year construction period, he was aware of six motor vehicle accidents at the intersection of Halifax Street and Douglas Road. The speaker was of the opinion that any access to the proposed casino off of Halifax Street would have a negative impact on existing traffic problems.

Alderman Corrigan returned to the Council Chamber at 8:45 p.m. and took his place at the Council table.

Mr. David Erhart, 5635 Patterson Avenue, Burnaby addressed Council representing Loughheed Lanes as the developer for the rezoning proposal. Mr. Erhart made reference to the policy criteria for casinos which was adopted by Council in September, 1989. The four key issues in determining appropriateness were the chosen area, the level of commercial development, the services available to the site and the location. In reviewing these issues, Mr. Erhart was of the opinion that the subject site met all criteria adopted by Council and therefore supported the rezoning.

With respect to the Advisory Planning Commission's request for additional parking allocations, the speaker indicated that the parking required for the proposed casino was the same as required for the 115 room hotel adjacent to 4199 Loughheed Highway.

Ms. Susan French, 5685 Willingdon Avenue, Burnaby addressed Council suggesting that the social issues which result from casino operations should be considered by Council as well as land use considerations.

Eileen and Mike Lynchuck, 1804 - 6220 McKay Avenue, Burnaby addressed Council as the owners of C.W. Casino World in Metrotown. The speakers oppose a second casino in Burnaby and suggested the proposed casino should be located to an area that does not already have such a facility. The speakers felt that the proposed casino was not a significant distance away from the Metrotown casino which was one of the criteria adopted by Council in its gaming policy.

Ms. Jackie Shaefer, Great Canadian Casinos, 4428 Dawson Street, Burnaby addressed Council in support of the rezoning application. The speaker advised that the Gaming Commission is supportive of the proposal and that it is their jurisdiction to determine licensing of casinos and how best to serve charities.

Alderman Lawson retired from the Public Hearing at 9:11 p.m.

Mr. Gino Ramogidon, 4106 Albert Street, Burnaby addressed Council representing the Federation of Immigrant Workers and Families and advised he was not in favour of the proposed rezoning. The speaker felt that the location was not appropriate in that there is no access to public transportation, poor lighting and no sidewalks in the immediate area.

Mr. Sam Palidda, 7721 Allman Street, Burnaby addressed Council in opposition to the rezoning proposal as he felt the location was not appropriate for a casino and that consideration should be given to a more isolated site.

Mr. Pietro Calendino, 5468 East Hastings Street, Burnaby addressed Council advising he was a past member of the Advisory Planning Commission and currently a School Trustee in Burnaby.

Alderman Nikolai retired from the Public Hearing at 9:35 p.m.

Mr. Calendino was not in support of casinos per se but acknowledged that benefits are derived by not-for-profit organizations. The speaker was not in support of the proposed location on Lougheed Highway as he felt it was too close to the existing Metrotown casino.

Mr. Tony Serge, 28 South Holdom Avenue, Burnaby addressed Council with two concerns regarding the rezoning application. The first concern was for the safety of patrons in an area which has poor access, poor lighting and no sidewalks. The second concern involved the impact the casino would have on the social environment.

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 4199 Lougheed Highway from CD Service Commercial District to CD Comprehensive Development District (based on C3 General Commercial District guidelines and in accordance with the development plan entitled "Proposed Casino Lougheed Highway" prepared by Elbe Lock Walls and Associates Inc.)

Arising from the discussion of Bylaw No. 9723 (proposed casino - 4199 Lougheed Highway) the Commission adopted the following motion:

"THAT the Advisory Planning Commission advise Council of its concern regarding the number of parking spaces allocated for the proposed casino and that Council be requested to consider substantially increasing the number of parking spaces required for this development."

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

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN EVANS:

"THAT this Public Hearing relating to Rezoning Reference #56/91 be now terminated."

CARRIED UNANIMOUSLY

4. ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 17, 1992" - BYLAW NO. 9724

Rezoning Reference #2/92

4505 Canada Way

Lot 33, D.L. 70, Plan 38032

From: C6a Gasoline Service Station District
To: C6b Gasoline Service Station District

The purpose of the proposed rezoning bylaw amendment is to permit the development of a retail grocery store in conjunction with a replacement for the existing self-service gasoline service station.

Mr. John McClurg, Shell Canada, 1750 West 75th Avenue, Vancouver addressed Council representing the applicant for rezoning. Mr. McClurg suggested that it was time to upgrade and modernize the existing facility which will include expansion of the merchandising area. Attention will be given to design and landscaping. B.C. Telephone Company, the adjacent property owner has given its support for the project and encourages enhancement of the subject property.

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 4505 Canada way from C6a Gasoline Service Station District to C6b Gasoline Service Station District.

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

MOVED BY ALDERMAN LAWSON:
SECONDED BY ALDERMAN EVANS:

"THAT this Public Hearing relating to Rezoning Reference #2/92 be now terminated."

CARRIED UNANIMOUSLY

5. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 18, 1992" - BYLAW NO. 9725

Rezoning Reference #4/92

Portion of 5258 Lougheed Highway

Portion of Lot 8, D.L. 125, Plan 22016

From: C6 Gasoline Service Station District

To: M2 General Industrial District and R2 Residential District

The purpose of the proposed rezoning bylaw amendment is to permit the development of a warehouse.

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 5258 Lougheed Highway from C6 Gasoline Service Station District to M2 General Industrial District and R2 Residential District.

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

Alderman Corrigan retired from the Public Hearing at 9:47 p.m.

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN LAWSON:

"THAT this Public Hearing relating to Rezoning Reference #4/92 be now terminated."

CARRIED UNANIMOUSLY

Alderman Redman retired from the Public Hearing at 9:46 p.m.

6. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 19, 1992" - BYLAW NO. 9726

Rezoning Reference #12/92

#112 - 4640 Kingsway

Lot 1, D.L. 153, Plan 76637

From: CD Comprehensive Development District (based on C3 District guidelines)

To: "Amended" CD Comprehensive Development District (based on C3 District guidelines, and in accordance with the development plan entitled "Proposed Addition to Restaurant" prepared by Urban Design Group Architect Ltd.)

The purpose of the proposed rezoning bylaw amendment is to permit an addition to an existing restaurant and glass canopy within Station Square Metrotown.

An undated letter was received from D. Wong, 501 - 6220 McKay Avenue, Burnaby, B.C. expressing opposition to the subject rezoning.

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 #112 - 4640 Kingsway from CD Comprehensive Development District (based on C3 District guidelines) to "Amended" CD Comprehensive Development District (based on C3 District guidelines, and in accordance with the development plan entitled "Proposed Addition to Restaurant" prepared by Urban Design Group Architect Ltd.)

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

MOVED BY ALDERMAN DRUMMOND:
SECOND BY ALDERMAN LAWSON:

"THAT this Public Hearing relating to Rezoning Reference #12/92 be now terminated."

CARRIED UNANIMOUSLY

7. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 20, 1992" - BYLAW NO. 9727

Rezoning Reference #15/92

Portion of 4211 Kingsway

Portion of Lot A (X91117), D.L.'s 151 & 153, Plan 44574

From: CD Comprehensive Development District (based on RM5 and C3 District guidelines)

To: "Amended" CD Comprehensive Development District (based on RM5 and C3 District guidelines, and in accordance with the development plan entitled "Recladding of office building, Burnaby Centre" prepared by Hamilton Doyle Architects)

The purpose of the proposed rezoning bylaw amendment is to permit major alterations to the exterior of an existing seven storey office building.

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 Portion of 4211 Kingsway from CD Comprehensive Development District (based on RM5 and C3 District guidelines) to "Amended" CD Comprehensive Development District (based on RM5 and C3 District guidelines, and in accordance with the development plan entitled "Recladding of office building, Burnaby Centre" prepared by Hamilton Doyle Architects)

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

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN LAWSON:

"THAT this Public Hearing relating to Rezoning Reference #15/92 be now terminated."

CARRIED UNANIMOUSLY

A D J O U R N M E N T

MOVED BY ALDERMAN DRUMMOND:
SECONDED BY ALDERMAN EVANS:

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

CARRIED UNANIMOUSLY

The Public Hearing (Zoning) adjourned at 9:51 p.m.

Confirmed:

Certified Correct:


MAYOR


ADMINISTRATIVE OFFICER OPERATIONS

THE CORPORATION OF THE DISTRICT OF BURNABY
ZONING BYLAW AMENDMENTS

PUBLIC HEARING

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

TUESDAY, 1992 APRIL 28 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 amendments to "Burnaby Zoning Bylaw 1965":

1. "BURNABY ZONING BYLAW 1965, AMENDMENT BYLAW NO. 14, 1992" - BYLAW NO. 9711

TEXT AMENDMENT

The purpose of the proposed zoning text amendment is to delete Golf Driving Ranges as a permitted use in the Industrial Districts.

2. "BURNABY ZONING BYLAW 1965, AMENDMENT BYLAW NO. 15, 1992" - BYLAW NO. 9722

Rezoning Reference #35/91

5171-79 Rumble Street and 7537 Royal Oak Avenue

Lot 29, D.L. 98, Plan 573, Pcl. B (EB 12490); Lot 80, D.L. 98, Plan 32624

From: R5 Residential District, C2 Community Commercial District and P8 Parking District

To: CD Comprehensive Development District (based on C2 Community Commercial District guidelines and in accordance with the development plan entitled "Chevron Canada - Royal Oak Avenue and Rumble Street") and C6a Gasoline Service Station District

The purpose of the proposed rezoning bylaw amendment is to permit development of a self-service gas station and retail space.

3. "BURNABY ZONING BYLAW 1965, AMENDMENT BYLAW NO. 16, 1992" - BYLAW NO. 9723

Rezoning Reference #56/91

4199 Lougheed Highway

Parcel One (Ex. Pl. 12576) of Lot C, D.L. 119, Plan 3363

From: C4 Service Commercial District

To: CD Comprehensive Development District (based on C3 General Commercial District guidelines and in accordance with the development plan entitled "Proposed Casino Lougheed Highway" prepared by Elbe Lock Walls and Associates Inc.)

The purpose of the proposed rezoning bylaw amendment is to accommodate a casino.

4. "BURNABY ZONING BYLAW 1965, AMENDMENT BYLAW NO. 17, 1992" - BYLAW NO. 9724

Rezoning Reference #2/92

4505 Canada Way

Lot 33, D.L. 70, Plan 38032

From: C6a Gasoline Service Station District
To: C6b Gasoline Service Station District

The purpose of the proposed rezoning bylaw amendment is to permit the development of a retail grocery store in conjunction with a replacement for the existing self-service gasoline service station.

5. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 18, 1992" - BYLAW NO. 9725

Rezoning Reference #4/92

Portion of 5258 Lougheed Highway

Portion of Lot 8, D.L. 125, Plan 22016

From: C6 Gasoline Service Station District

To: M2 General Industrial District and R2 Residential District

The purpose of the proposed rezoning bylaw amendment is to permit the development of a warehouse.

6. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 19, 1992" - BYLAW NO. 9726

Rezoning Reference #12/92

#112 - 4640 Kingsway

Lot 1, D.L. 153, Plan 76637

From: CD Comprehensive Development District (based on C3 District guidelines)

To: "Amended" CD Comprehensive Development District (based on C3 District guidelines, and in accordance with the development plan entitled "Proposed Addition to Restaurant" prepared by Urban Design Group Architect Ltd.)

The purpose of the proposed rezoning bylaw amendment is to permit an addition to an existing restaurant and glass canopy within Station Square Metrotown.

7. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 20, 1992" - BYLAW NO. 9727

Rezoning Reference #15/92

Portion of 4211 Kingsway

Portion of Lot A (X91117), D.L.'s 151 & 153, Plan 44574

From: CD Comprehensive Development District (based on RM5 and C3 District guidelines)

To: "Amended" CD Comprehensive Development District (based on RM5 and C3 District guidelines, and in accordance with the development plan entitled "Recladding of office building, Burnaby Centre" prepared by Hamilton Doyle Architects)

The purpose of the proposed rezoning bylaw amendment is to permit major alterations to the exterior of an existing seven storey office building.

All persons who deem their interest in property affected by the proposed bylaw who wish to register an opinion may present letters and/or petitions addressed to the Mayor and Council, c/o Burnaby Municipal Clerk's Department, 2nd Floor, 4949 Canada Way, Burnaby, B.C., V5G 1M2 prior to the Public Hearing or appear in person, by attorney or petition, at the said hearing. Submissions will not be accepted after termination of the Public Hearing.

Copies of the Director Planning and Building Inspection's reports and related information respecting the subject rezoning application are available for public examination at the offices of the Planning Division, 3rd floor, in the Burnaby Municipal Hall.

Copies of the proposed bylaw may be inspected at the office of the Municipal Clerk at 4949 Canada Way, Burnaby, B.C. during regular business hours from Tuesday, 1992 April 07 to 4:30 p.m. on Tuesday, 1992 April 28.

C.A. Turpin
MUNICIPAL CLERK