

1993 FEBRUARY 23

A Public Hearing was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 1993 February 23 at 7:30 p.m.

PRESENT: Mayor W.J. Copeland (In the Chair)  
Councillor D.P. Drummond  
Councillor D.G. Evans  
Councillor D.A. Lawson  
Councillor L.A. Rankin  
Councillor J. Young

ABSENT: Councillor D.R. Corrigan  
Councillor E. Nikolai  
Councillor C. Redman

STAFF: D.G. Stenson, Acting Director Planning and Building  
M. Pasqua, Administrative Officer Operations  
A. Lorentsen, Acting Administrative Officer Operations

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

1. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 4, 1993" - BYLAW NO. 9849

TEXT AMENDMENT

The purpose of the proposed zoning bylaw amendment is to permit a dwelling unit as a permitted use in the P2 Administration and Assembly District, provided that such dwelling unit is located on the same lot as the institution which it serves.

No one appeared in connection with this rezoning application.

The Advisory Planning Commission wish to advise Council that following its consideration of this Text Amendment a decision was reached to SUPPORT the amendment to permit a dwelling unit as a permitted use in the P2 Administration and Assembly District, provided that such dwelling unit is located on the same lot as the institution which it serves.

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

MOVED BY COUNCILLOR DRUMMOND  
SECONDED BY COUNCILLOR YOUNG

"THAT this Public Hearing relating to the Text Amendment, Bylaw No. 9849 be now terminated."

CARRIED UNANIMOUSLY

2. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 5, 1993" - BYLAW NO. 9850

TEXT AMENDMENT

The purpose of the proposed zoning bylaw amendment is to recognize outdoor patio seating as a permitted use in the C1, C2, C3 and C4 Districts and to provide for limited opportunities for mobile retail and food carts on sites zoned CD Comprehensive Development District (based on C3 District guidelines).

No one appeared in connection with this Text Amendment.

The Advisory Planning Commission wish to advise Council that following its consideration of this Text Amendment a decision was reached to SUPPORT the amendment to recognize outdoor patio seating as a permitted use in the C1, C2, C3 and C4 Districts and to provide for limited opportunities for mobile retail and food carts on sites zoned CD Comprehensive Development District (based on C3 District guidelines).

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

MOVED BY COUNCILLOR DRUMMOND  
SECONDED BY COUNCILLOR LAWSON

"THAT this Public Hearing relating to the Text Amendment, Bylaw No. 9850 be now terminated."

CARRIED UNANIMOUSLY

3. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 6, 1993" - BYLAW NO. 9851

Rezoning Reference #44/91

Portion of 3902/08/10/12/40/52/58/80 Albert Street

Portion of Lot 2, Lot 3, Lot 3/4, Lot E. 33' of 4, 5, 6, 7, 8, Blk. 6, D.L. 116, Plan 1236

From: R5 Residential District

To: CD Comprehensive Development District (using RM3 Multiple Family Residential District density and the Hastings Street Area Plan as guidelines and in accordance with the development plan entitled "Albertville" prepared by Ted Murray Architecture)

The purpose of the proposed zoning bylaw amendment is to permit the development of two three storey stacked townhouse structures.

A letter dated 1993 February 14 was received from Mrs. L. West-Sells, 301 - 3961 Albert Street, Burnaby, B.C., V5C 2E2 expressing her support for this rezoning application.

Mr. Larry French, Robertson's Home Hardware, 4052 E. Hastings Street, Burnaby, representing the Heights Merchant's Association, addressed Council advising the Association are in support of the rezoning application. The proposal is in conformance with the new Hastings Street Area Plan and therefore the Association considers this project to be a positive step forward in the redevelopment of the neighbourhood.

Ms. Pauline Mudrakoff, 3961 Albert Street, Burnaby addressed Council expressing support for the proposed rezoning application. The speaker felt the proposal would be a welcome addition to the Hastings Village and asked if an architectural rendering of the project was available to be shown to those in attendance.

Ms. Mudrakoff expressed concern that, should the buildings be occupied by families, a play area and fencing be provided.

In conclusion, Ms. Mudrakoff advised that she was in full support of the proposed development and hopes that it will proceed.

Ms. Mudrakoff also took the opportunity to remind Council that parking was an important issue to the residents of the Hastings Street area and that proposed public parking is to supplement existing on-street parking.

Mr. D.G. Stenson, Acting Director Planning and Building on behalf of the architect provided a rendering of the proposed structure.

Mr. Ted Murray, 200 - 1737 E. 3rd Avenue, Vancouver, Architect for the project, came forward advising he was present to respond to questions from Council. In response to questions from Ms. Mudrakoff the speaker provided the measured distances between the two buildings and the two side yard setbacks.

Mr. Murray also advised that, although there will not be a children's playground, grass and landscaped areas will be provided along the sides and rear of the building and the rear of the property will be fenced.

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 properties at a portion of 3902/08/10/12/40/52/58/80 Albert Street from R5 Residential District to CD Comprehensive Development District (using RM3 Multiple Family Residential District density and the Hastings Street Area Plan as guidelines and in accordance with the development plan entitled "Albertville" prepared by Ted Murray Architecture).

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

MOVED BY COUNCILLOR DRUMMOND  
SECONDED BY COUNCILLOR EVANS

"THAT this Public Hearing relating to Rezoning Reference #44/91, Bylaw No. 9851 be now terminated."

CARRIED UNANIMOUSLY

4. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 7, 1993" - BYLAW NO. 9852

Rezoning Reference #14/92

4301 - 4399 Kingsway

Lot A, D.L.'s 151 and 153, Plan 84450

From: CD Comprehensive Development District

To: "Amended" CD Comprehensive Development District (based on C3 General Commercial and RM5 Multiple Family Residential Districts, and in accordance with the development plan entitled "High-Rise Apartment/Commercial Mixed-Use Development" prepared by Hamilton Doyle Architects)

The purpose of the proposed zoning bylaw amendment is to permit a mixed-use development composed of two high-rise apartment towers and a two-storey commercial retail component.

Mr. Frank Helden, 311 - 5868 Olive Avenue, Burnaby addressed Council on behalf of his wife who was unable to attend the Public Hearing. The speaker advised that Burnaby has enough high rise developments and was opposed to this application. It is Mrs. Helden's wish that in the future only three storey buildings be built in the Metrotown area. It was also noted that parking is already at a premium in this area with the proximity of Skytrain and additional density will only increase the existing problems.

Mr. Helden, speaking on his own behalf, advised he too was opposed to the proposed application. The speaker advised that a previously constructed building in this area resulted in the loss of a lane and did not wish this trend to continue. Mr. Helden also expressed concern that high rise buildings would not be safe if an earthquake or other major disaster struck the area. The speaker concluded by advising that he wishes to see only a three storey development on this lot.

Mr. David Jay, 4345 Grange Street, Burnaby addressed Council advising that he lived in a three storey development across the street from one of the proposed towers. Mr. Jay advised that in 1991 he had attended a public hearing for a high rise proposal in this area and at that time had requested that a study of sun/shadow paths be conducted to indicate how the building could best be situated to prevent blockage of sunlight to his building. The speaker expressed concern that this proposal also threatened the blockage of sun from his residence and asked if a sun path study had been conducted for this proposal.

In conclusion, Mr. Jay felt that, with the present blockage of sun from existing buildings combined with this new proposal, he would be denied exposure to the sun for a considerable amount of time during the day.

The Acting Director Planning and Building, Mr. D.G. Stenson advised that the Planning Department had not requested nor received such a study but that the architect for the project who was present at the Public Hearing may have some information on the subject.

Mr. Larry Doyle, Hamilton Doyle Architects, architects for this project, addressed Council to answer any questions Council may have about the proposal. With regard to the issue of sun/shadow paths Mr. Doyle advised that some studies had been conducted as part of the design of the towers and they are working with the Planning Department to meet the needs of this issue and other aspects of placing the towers. In response to the issue of fire and earthquake safety expressed by a previous speaker, Mr. Doyle advised that the building meets all the requirements and standards of current codes.

Mr. Doyle advised Council that the proposal had originally included 53 additional underground parking spaces for this project but these spaces have now been withdrawn from the project.

In response to questions from Council Mr. Doyle provided further details as to the distances the buildings will be in relation to both Kingsway and Grange Street. The speaker also provided staff with a copy of the sun/shadow study conducted for the project.

Mr. David Jay, 4345 Grange Street, Burnaby again addressed Council advising he still had concerns regarding the positioning and distances from the street of the towers.

Mr. D.G. Stenson, Acting Director Planning and Building informed Council of measurements taken recently for this project.

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 properties at 4301 - 4399 Kingsway from CD Comprehensive Development District to "Amended" CD Comprehensive Development District (based on C3 General Commercial and RM5 Multiple Family Residential Districts, and in accordance with the development plan entitled "High-Rise Apartment/Commercial Mixed-Use Development" prepared by Hamilton Doyle Architects).

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

MOVED BY COUNCILLOR DRUMMOND  
SECONDED BY COUNCILLOR YOUNG

"THAT this Public Hearing relating to Rezoning Reference #14/92, Bylaw No. 9852 be now terminated."

CARRIED UNANIMOUSLY

5. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 8, 1993" - BYLAW NO. 9853

Rezoning Reference #18/92

3943/45/91 Pender Street; 435/63 MacDonald Avenue

Plan 1236, Lot 13/14, Blk. 11, Pcl. B (RP 2986), Plan 1236, Lot 13, Blk. 11, Exc. Plan RP 2986, Plan 1236, Lots 11 and 12, Plan 1236, Lots 11 and 12 N 40', Plan 63799, Lot 56, all of Blk. 11, D.L. 116, Land District 37

From: R5 Residential District and C3 General Commercial District

To: CD Comprehensive Development District (using the RM4 Multiple Family District for the Residential, C1 Neighbourhood Commercial District for the Commercial, and P8 Parking District for the Public Parking and the Hastings Street Area Plan as a guideline, and in accordance with the development plan entitled "Hastings Village" prepared by John Currie Architect)

The purpose of the proposed zoning bylaw amendment is to permit the development of a mixed use project with non-market housing, a commercial component and public parking.

A letter dated 1993 February 23 was received from Karen and Gwen Kidd, Baxter and Kidd Holdings, 3962 East Pender Street, Burnaby, B.C. objecting to the proposed rezoning application and asking that Council table the application until such time as an opportunity has been given to consult with those people who live and work in Vancouver Heights.

Mr. Larry French, Robertson's Home Hardware, 4052 E. Hastings Street, Burnaby, representing the Heights Merchant's Association, addressed Council advising that the Association are in support of this application and the comments made earlier this evening in connection with Rezoning Reference #44/91 also apply to this rezoning application.

Ms. Pauline Mudrakoff, 3961 Albert Street, Burnaby addressed Council to advise that she also was in favour of the proposed rezoning application. The speaker advised that she has seen and spoken with residents of similar projects and was pleased with the results.

Mr. Carroll McLean, 202 - 412 12th Street, New Westminster, President, West Coast Community Home Society, a non-profit organization sponsoring the non-market housing component of this project, appeared before Council providing background about the Society and its goals. The speaker advised that the Society is excited about this project for two reasons; firstly, meeting the need for affordable housing and; secondly, the opportunity for establishing a mixed-used development.

In conclusion, Mr. McLean asked for Council's support for this project which would allow them to continue providing affordable housing to those who need it most.

Councillor Drummond retired from the Council Chamber at 8:15 p.m.

In response to an inquiry of Council concerning signage for the public parking component of this project the Acting Director Planning and Building replied that signs will be provided upon approval of funding.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to NOT SUPPORT the rezoning of the properties at 3943/45/91 Pender Street; 435/63 MacDonald Avenue from R5 Residential District and C3 General Commercial District to CD Comprehensive Development District (using the RM4 Multiple Family District for the Residential, C1 Neighbourhood Commercial District for the Commercial, and P8 Parking District for the Public Parking and the Hastings Street Area Plan as a guideline, and in accordance with the development plan entitled "Hastings Village" prepared by John Currie Architect).

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

MOVED BY COUNCILLOR RANKIN  
SECONDED BY COUNCILLOR EVANS:

"THAT this Public Hearing relating to Rezoning Reference #18/92, Bylaw No. 9853 be now terminated."

CARRIED UNANIMOUSLY

6. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 9, 1993" - BYLAW NO. 9854

Rezoning Reference #51/92

9280 Salish Court

D.L. 4, Strata Plan NW789, Grp. 1, NWD

From: CD Comprehensive Development District (based on RM4 Multiple Family Residential District guidelines)

To: CD Comprehensive Development District (based on RM5 Multiple Family Residential District guidelines to a maximum Floor Area Ratio of 1.83)

The purpose of the proposed zoning bylaw amendment is to allow the enclosure of balconies on the existing building.

A letter dated 1993 February 15 was received from Abraham Vandergugten, 805 - 9280 Salish Court, Burnaby, B.C., V3J 7J8 advising that he had some concerns with regard to ventilation into the enclosed balcony areas. The writer has no objection to the proposal if these concerns are addressed.

In response to an inquiry from Council as to the ventilation problems expressed by the writer, the Acting Director Planning and Building, Mr. D.G. Stenson advised that it will be necessary to extend the ducting to the outside of the balcony enclosures and will be taken care of during the inspection process.

Councillor Drummond returned to the Council Chamber at 8:18 p.m. and took his place at the Council table.

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 9280 Salish Court from CD Comprehensive Development District (based on RM4 Multiple Family Residential District guidelines) to CD Comprehensive Development District (based on RM5 Multiple Family Residential District guidelines to a maximum Floor Area Ratio of 1.83).

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

MOVED BY COUNCILLOR RANKIN  
SECONDED BY COUNCILLOR LAWSON

"THAT this Public Hearing relating to Rezoning Reference #51/92, Bylaw No. 9854 be now terminated."

CARRIED UNANIMOUSLY

7. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 10, 1993" - BYLAW NO. 9857

Rezoning Reference #55/92

1459 and 1509 Springer Avenue

Lot Lot 191, D.L. 126, Grp. 1, NWD, Plan 31611; Lot 518, D.L. 126, Grp. 1, NWD, Plan 40683



From: R2 Residential District

To: R3 Residential District

The purpose of the proposed zoning bylaw amendment is to permit the subdivision of the site into 3 lots in order to build an additional single-family dwelling, while retaining the two existing dwellings.

A letter dated 1993 February 17 was received from Mr. and Mrs. King, 1350 Crestlawn Drive, Burnaby, B.C., V5B 3K1 expressing opposition to the rezoning application.

A petition containing 23 signatures of residents of Springer Avenue and Crestlawn Drive was submitted in support of the rezoning application. The text of the petition is as follows:

"We the undersigned support the application of Peter and Mary Pellizzari to change 1509 and 1459 Springer Avenue from R2 to R3 zoning which would create three lots."

A letter dated 1993 February 23 was received from Edwin Wilkerson, 1512 Crestlawn Drive, Burnaby, B.C. expressing support for the proposed rezoning application.

Mrs. Elsie King, 1350 Crestlawn Drive, Burnaby appeared before Council to express her opposition to this proposal. Mrs. King read the above noted letter submitted earlier to Council, reiterating her view that the proposal was inappropriate for this neighbourhood. Mrs. King agrees with the recommendation of the Planning and Building to deny this application.

Mr. Gino Ferronato, 2423 Dorman Drive, Burnaby, representing the owner of the subject property, appeared before Council advising that 23 adjacent property owners had been contacted and had indicated support for this rezoning application. The speaker was of the opinion that most of the neighbourhood supported the application and that the proposal was the best solution for developing the site.

Mr. Dan DeYoung, 1604 Springer Avenue, Burnaby, appeared before Council advising that he was in favour of the proposed rezoning application. Mr. DeYoung felt that the proposal would be an improvement to the neighbourhood.

Mr. Gita DaCosta Reese, 5338 Willingdon Avenue, Burnaby, appeared before Council to advise that he was in support of the proposed rezoning application. The speaker felt a new house on the lot would only improve its appearance.

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 properties at 1459 and 1509 Springer Avenue from R2 Residential District to R3 Residential District.

1993 February 23

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

MOVED BY COUNCILLOR RANKIN  
SECONDED BY COUNCILLOR LAWSON

"THAT this Public Hearing relating to Rezoning Reference #55/92, Bylaw No. 9857 be now terminated."

CARRIED UNANIMOUSLY

A D J O U R N M E N T

MOVED BY COUNCILLOR EVANS  
SECONDED BY COUNCILLOR YOUNG

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


CARRIED UNANIMOUSLY

The Public Hearing (Zoning) adjourned at 8:35 p.m.

Confirmed:

Certified Correct:

  
MAYOR

  
ACTING ADMINISTRATIVE OFFICER  
OPERATIONS