

1993 AUGUST 24

A Public Hearing was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 1993 August 24 at 7:30 p.m.

PRESENT: Acting Mayor D.P. Drummond (In the Chair)  
Councillor D.G. Evans  
Councillor D.A. Lawson  
Councillor C. Redman  
Councillor J. Young

ABSENT: Mayor W.J. Copeland  
Councillor D.R. Corrigan  
Councillor E. Nikolai  
Councillor L.A. Rankin

STAFF: Mr. D.G. Stenson, Director Planning and Building  
A.L. Lorentsen, Administrative Officer Operations

The Public Hearing was called to order at 7:45 p.m.

1. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 36, 1993" - BYLAW NO. 9935

Rezoning Reference #35/93

4990 Marine Drive - extending from Marine Dr. to Marine Way between Mandeville and Royal Oak Avenues.

Lot 2, Exc. Pcl. A (EP 10015), D.L. 162, Grp. 1, NWD, Plan 5452

From: P2 Administration and Assembly District

To: A3 Truck Gardening District

The purpose of the proposed zoning bylaw amendment is to permit greenhouse use on the property.

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 4990 Marine Drive from P2 Administrative and Assembly District to A3 Truck Gardening District.

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

MOVED BY COUNCILLOR YOUNG  
SECONDED BY COUNCILLOR EVANS

"THAT this Public Hearing relating to Rezoning Reference #35/93, Bylaw No. 9935 be now terminated."

CARRIED UNANIMOUSLY

2. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 37, 1993" - BYLAW NO. 9936

Rezoning Reference #36/93

4700 Kingsway - located in the Metrotown Primary Core between Kingsway and Central Boulevard, east of McKay Avenue.

Pcl. 3 Exc.: Firstly: Airspace Pcl. 1, Plan 79744; Secondly: Airspace Pcl. 2, Plan 87288; D.L. 153, Grp. 1, NWD, Plan 79648

From: CD Comprehensive Development District (based on C3 General Commercial District and P2 Administration and Assembly District Guidelines)

To: "Amended" CD Comprehensive Development District (based on C3 General Commercial District and P2 Administration and Assembly District Guidelines and in accordance with the Development Plan entitled "Eaton Centre Mobile Carts" prepared by Aitken Wreglesworth & Associates)

The purpose of the proposed zoning bylaw amendment is to permit four (4) mobile carts to be located in each of the two public open spaces on this property.

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 4700 Kingsway from CD Comprehensive Development District (based on C3 General Commercial District and P2 Administration and Assembly District Guidelines) to "Amended" CD Comprehensive Development District (based on C3 General Commercial District and P2 Administration and Assembly District Guidelines and in accordance with the Development Plan entitled "Eaton Centre Mobile Carts" prepared by Aitken Wreglesworth & Associates)

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

MOVED BY COUNCILLOR LAWSON  
SECONDED BY COUNCILLOR YOUNG

"THAT this Public Hearing relating to Rezoning Reference #36/93, Bylaw No. 9936 be now terminated."

CARRIED UNANIMOUSLY

3. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 38, 1993" - BYLAW NO. 9937

Rezoning Reference #37/93

7037 Randolph Avenue - located on the east side of Randolph Ave. between Kingsway and Beresford St.

Lot 6, Blk. 11, D.L. 97, Group 1, NWD, Plan 2802

From: M4 Special Industrial District

To: P8 Parking District

The purpose of the proposed zoning bylaw amendment is to permit the property to be used as a parking lot.

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 7037 Randolph Avenue from M4 Special Industrial District to P8 Parking District.

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

MOVED BY COUNCILLOR LAWSON  
SECONDED BY COUNCILLOR EVANS

"THAT this Public Hearing relating to Rezoning Reference #37/93, Bylaw No. 9937 be now terminated."

CARRIED UNANIMOUSLY

4. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 39, 1993" - BYLAW NO. 9938

Rezoning Reference #38/93

4420 and 4426 Albert Street - located on the south side of Albert St. just east of Willingdon Ave. and north of Hastings St.

Lots 5 & 6, Blk. 5, D.L. 121, Grp. 1, NWD, Plan 1054

From: R5 Residential District

To: CD Comprehensive Development District (based on RM2 Multiple Family Residential District and the Hastings Street Area Plan as Guidelines)

The purpose of the proposed zoning bylaw amendment is to permit the development of a small 2-1/2 storey townhouse project.

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 4420 and 4426 Albert Street from R5 Residential District to CD Comprehensive Development District (based on RM2 Multiple Family Residential District and the Hastings Street Area Plan as Guidelines)

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

MOVED BY COUNCILLOR EVANS  
SECONDED BY COUNCILLOR LAWSON

"THAT this Public Hearing relating to Rezoning Reference #38/93, Bylaw No. 9938 be now terminated."

CARRIED UNANIMOUSLY

5. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 41, 1993" - BYLAW NO. 9940

Rezoning Reference #41/93

6537 and 6549 Royal Oak Avenue - located on the westerly side of Royal Oak Ave. just south of Kingsway at the eastern edge of Metrotown.

Lots 27, 28, 29 & 30, Blk. 2, D.L. 152, Grp. 1, NWD, Plan 1209

From: RM3 Multiple Family Residential District

To: CD Comprehensive Development District (based on RM2 Multiple Family Residential District Guidelines)

The purpose of the proposed zoning bylaw amendment is to permit development of a small townhouse project.

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 6537 and 6549 Royal Oak Avenue from RM3 Multiple Family Residential District to CD Comprehensive Development District (based on RM2 Multiple Family Residential District Guidelines)

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

MOVED BY COUNCILLOR YOUNG  
SECONDED BY COUNCILLOR EVANS

"THAT this Public Hearing relating to Rezoning Reference #41/93, Bylaw No. 9940 be now terminated."

CARRIED UNANIMOUSLY

6. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 42, 1993" - BYLAW NO. 9941

Rezoning Reference #43/93

7026 Kingsway - located at the southeast corner of Kingsway and Greenford Ave.

Lot 23 Exc.: Part on Plan with Bylaw filed A29338, D.L. 95, Grp. 1, NWD, Plan 556

From: C4 Service Commercial District

To: CD Comprehensive Development District (based on RM5 Multiple Family Residential District, P5 Community Institutional District and C2 Community Commercial District use and density, and in accordance with the Development Plan entitled "City Club Revised" prepared by Cornerstone Architects)

The purpose of the proposed zoning bylaw amendment is to permit development of a mixed high rise apartment/townhouse/commercial development with 10 non-market units for people with physical disabilities.

Mr. David Shelton, 8449 Catalina Crt., Birch Bay, Washington, U.S.A. appeared before the members of Council to advise that he is the owner and developer of the subject property. Mr. Shelton advised that this proposal is an amended version of a proposal previously presented to Council for this property.

Mr. Shelton further advised that the commercial component of the project has been downsized and the number of residential units increased. The speaker also briefly outlined a proposal, in conjunction with the non-profit Community Living Society, to subsidize non-market units through development proceeds. In conclusion, Mr. Shelton advised that the plan calls for the entire project to be handicapped accessible and that this development is intended to be a model for other integrated developments.

In response to a query from Council the Director Planning and Building advised that site specific plans for the project were available for viewing by interested parties.

Mr. Lloyd Bray, 1216 Esquimalt Avenue, West Vancouver appeared before the members of Council and advised that he was President of Middlegate Honda, 6984 Kingsway, which is located adjacent to the subject property. The speaker indicated that he did not have a problem with the proposed change and that, although he had previously expressed concerns about proposals for this property, the reduced commercial component of this new proposal eliminates most of his concerns. Mr. Bray also advised he would take the opportunity to look at the plans to ensure that the new plans provide sufficient setback for reasonable visibility to his property by oncoming traffic.

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 7026 Kingsway from C4 Service Commercial District to CD Comprehensive Development District (based on RM5 Multiple Family Residential District, P5 Community Institutional District and C2 Community Commercial District use and density, and in accordance with the Development Plan entitled "City Club Revised" prepared by Cornerstone Architects)

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

MOVED BY COUNCILLOR LAWSON  
SECONDED BY COUNCILLOR YOUNG

"THAT this Public Hearing relating to Rezoning Reference #43/93, Bylaw No. 9941 be now terminated."

CARRIED UNANIMOUSLY

7. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 43, 1993" - BYLAW NO. 9942

Rezoning Reference #44/93

4940 Kingsway - located on the south side of Kingsway within  
Community Plan Four - Nelson-Kingsway.

Lot 1, D.L. 152, Group 1, NWD, Plan 74906

From: CD Comprehensive Development District (based on C3 General  
Commercial District Guidelines)

To: "Amended" CD Comprehensive Development District (based on  
C3 General Commercial District Guidelines)

The purpose of the proposed zoning bylaw amendment is to permit the  
construction of a small commercial extension to an existing  
commercial building.

Mr. William McCarthy, 6384 Buckingham Drive, Burnaby appeared  
before the members of Council and advised that he is President of  
5000 Kingsway Ltd. owner of the subject property. Mr. McCarthy  
advised that he is in attendance to answer any questions Council  
may have concerning the proposal and provided an information  
package and covering letter further describing the expansion  
proposal. A copy of this documentation is available in the City  
Clerk's office.

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  
4940 Kingsway from CD Comprehensive Development District (based on  
C3 General Commercial District Guidelines) to "Amended" CD  
Comprehensive Development District (based on C3 General Commercial  
District Guidelines)

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

MOVED BY COUNCILLOR EVANS  
SECONDED BY COUNCILLOR YOUNG

"THAT this Public Hearing relating to Rezoning Reference #44/93, Bylaw  
No. 9942 be now terminated."

CARRIED UNANIMOUSLY

8. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 44, 1993" - BYLAW NO. 9943

Rezoning Reference #46/93

6542 & 6584 Deer Lake Avenue - located on the west side of Deer Lake Ave., south of Canada Way.

Lot 5, Exc.: Southerly 78', and Pcl. "A" (407024E), Lot 6 D.L. 79, Grp. 1, NWD, Plan 1955

From: R1 Residential District

To: P3 Park and Public Use District

The purpose of the proposed zoning bylaw amendment is to permit the properties to be utilized as part of Deer Lake Park.

Mr. Douglas Porter, 3782 Thurston Street, Burnaby appeared before the members of Council and expressed concerns about tree retention for the subject properties. Mr. Porter also expressed a desire to see the buildings, particularly the one at 6542 Deer Lake Avenue, retained and reused.

In response to the speaker's query about tree retention the Director Planning and Building advised that there are no development plans for these particular properties; however the subject of tree retention will be looked at as part of the development plans and put before the Parks and Recreation Commission for review.

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 6542 and 6584 Deer Lake Avenue from R1 Residential District to P3 Park and Public Use District.

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

MOVED BY COUNCILLOR LAWSON  
SECONDED BY COUNCILLOR YOUNG

"THAT this Public Hearing relating to Rezoning Reference #46/93, Bylaw No. 9943 be now terminated."

CARRIED UNANIMOUSLY



9. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 46, 1933" - BYLAW NO. 9952

TEXT AMENDMENT

The purpose of the proposed zoning bylaw amendment is to regulate the location of billiard halls and amusement arcades.

A letter dated 1993 August 24 was received from Bertha Hanschke, 6870 Waverley Avenue, Burnaby encouraging Council to proceed with proposed changes to pool hall and arcade hours. The letter does not indicate support or opposition for the proposed text amendment which is the subject of this bylaw.

A letter dated 1993 August 24 was received from Alex and Caroline Soo, 6921 Jubilee Avenue, Burnaby outlining problems they were experiencing with an existing pool hall in their neighbourhood. The letter does not indicate support or opposition for the proposed text amendment which is the subject of this bylaw.

Mr. D.G. Stenson, Director Planning and Building addressed the members of Council to advise that after consultation with the City Solicitor it will be necessary to make a clarifying amendment to this bylaw with respect to the definition of "amusement arcade" to ensure that the definition does not inadvertently include reference to children's establishments; those establishments directed specifically towards children, such as child minding and children amusement centres which may have machines incidental to the establishments' principle purpose. It is staff's intention to bring forward a recommendation to Council to make a clarification amendment prior to second reading of the bylaw.

Laara Carden, 1105 - 789 Drake Street, Vancouver representing Mekka Entertainment Inc. appeared before the members of Council expressing her opposition to the proposed bylaw and to speak about the billiards industry of the '90s. Ms. Carden advised that she appreciates the impetus behind the proposed bylaw and agrees that any business imposing a negative social impact upon the community must have stringent regulations placed upon it; however she wants Council to base its decision on full knowledge of the billiards industry of the '90's. The speaker outlined how significant changes have occurred in the billiards industry in the past few years becoming a prestigious, safe and social sport for young upwardly mobile professionals.

The speaker indicated she was in favour of businesses such as "Billiards Cafes" being located adjacent residential neighbourhoods and as a responsible business owner being supportive of the community in which the business is located. She further believes policing would be an effective and responsible measure. The speaker also advised that regulation of hours would take away many of the problems associated with pool halls adjacent residential neighbourhoods.

Bertha Hanschke, 6870 Waverley Avenue, Burnaby appeared before the members of Council and advised that until today she had not been aware of the purpose of the proposed bylaw but rather had assumed that the purpose of the public hearing was to discuss the hours of business for pool halls and amusement arcades and had written the letter received earlier on that basis. The speaker advised that the problems she had experienced with having a pool hall located adjacent a residential area has to do with what is going on outside the building, not inside. The noise, traffic and disturbances are taking place outside the building and on the street and during all hours of the day, not just at night.

In response to a query from Council the speaker confirmed that she would rather see billiard halls located in commercial areas, not abutting residential neighbourhoods.

Peter Hanschke, 6870 Waverley Avenue, Burnaby appeared before the members of Council expressing support for the proposed text amendment. The speaker advised that his home is adjacent an existing pool hall and that in his experience noise and disturbance may be created by patrons of an "upscale" business just as well as any other. In Mr. Hanschke's opinion such businesses should be located in commercial areas away from residential neighbourhoods.

Sandra Adamson, 6826 Jubilee Avenue, Burnaby appeared before the members of Council advising that she supports the proposed text amendment. The speaker advised that she lives adjacent an existing pool hall and provided Council with a history of the problems she has experienced having a pool hall in her neighbourhood.

In conclusion, the speaker advised that pool halls should not be located in residential neighbourhoods.

Tony Robertson, 6890 Waverley Avenue, Burnaby appeared before the members of Council to advise he was in favour of the proposed text amendment. It was the speaker's opinion that many of the problems experienced with the pool hall in his neighbourhood were because of the parking lot being adjacent residential properties. It is Mr. Robertson's opinion that a pool hall should be located away from residential neighbourhoods.

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France Dorais, 7035 Jubilee Avenue, Burnaby appeared before the members of Council in support of the proposed text amendment. It is the speaker's opinion that pool halls should not be permitted in family neighborhoods.

The Advisory Planning Commission wish to advise Council that following its consideration of this text amendment, a decision was reached to SUPPORT the proposed text amendment.

There were no further submissions received in connection with this text amendment.

MOVED BY COUNCILLOR EVANS  
SECONDED BY COUNCILLOR LAWSON

"THAT this Public Hearing relating to Text Amendment, Bylaw No. 9952 be now terminated."

CARRIED UNANIMOUSLY

A D J O U R N M E N T

MOVED BY COUNCILLOR YOUNG  
SECONDED BY COUNCILLOR LAWSON


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

CARRIED UNANIMOUSLY

The Public Hearing (Zoning) adjourned at 8:45 p.m.

Confirmed:

Certified Correct:

  
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ACTING MAYOR

  
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ADMINISTRATIVE OFFICER OPERATIONS