

1995 JULY 10

A Public Hearing was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Monday July 10, 1995 at 6:00 p.m.

PRESENT: Mayor W.J. Copeland (In the Chair)
Councillor D.P. Drummond
Councillor D.G. Evans
Councillor D.N. Johnston (Arrived 6:14 p.m.)
Councillor L.A. Rankin (Arrived 6:10 p.m.)
Councillor C. Redman
Councillor J. Young

ABSENT: Councillor D.A. Lawson
Councillor D.R. Corrigan

STAFF: Mr. D. G. Stenson, Director Planning and Building
Ms. M. Pasqua, Deputy City Clerk

The Public Hearing was called to order at 6:06 p.m.

1. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 19, 1995" - BYLAW NO. 10217

Rezoning Reference #61/94

3249 North Road, Ptn. 3355 North Road; Ptn. 9812 Sullivan Street - located on North Road between Cameron Street and Sullivan Street

Lot 2 Exc.: Pcl. B (Reference Plan 33125), Plan 4155; Ptn. Lot A, Plan 77707; Ptn. Lot 87, Plan 68034, all of D.L. 6, Grp. 1, NWD

From: R2 Residential District and CD Comprehensive Development District (based on C3 General Commercial District Guidelines

To: CD Comprehensive Development District (based on P5 Community Institutional District use and RM3 Multiple Family Residential District density and in accordance with the Development Plan entitled "North Road Seniors Lodge" prepared by Richard Balfour & Associates, Architect)

The purpose of the proposed zoning bylaw amendment is to permit a 106 unit seniors' congregate care residential development.

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An undated letter was received from Thomas Grimm, 2520 Barton Street East, Hamilton, Ontario, owner of 9825 Cameron Street, Burnaby, B.C. opposing the rezoning application.

Council, at its meeting held on 1995 June 05 received a report from the Director Planning and Building prepared in response to Mr. Grimms concerns.

Upon consideration of the staff report Council adopted the following recommendations contained therein:

1. THAT this report and the letter from Mr. Thomas Grimm be referred to the Public Hearing for Rezoning Reference #61/94.
2. THAT copies of this report be sent to Thomas Grimm, c/o Rigets and Associates, Real Estate Inc., 545 Thetford Place, West Vancouver, B.C., V7S 1R0 and to the applicant for Rezoning Reference #61/94.

A letter dated 1995 June 21 was received from Randolph Rigets, Broker, Rigets and Associates Real Estate Inc. written on behalf of his client, Thomas Grimm advising of late notification for the June 20th Public Hearing and expressing opposition to the rezoning proposal.

A letter dated 1995 June 23 is on file from the City Clerk responding to Mr. Randolph Rigets letter of June 21 by advising that, due to circumstances regarding required notification, a new Public Hearing has been scheduled for July 10, 1995.

A letter dated 1995 July 05 was received from Randolph Rigets, Broker, Rigets and Associates, Real Estate Inc. acting as agent for Mr. Grimm, owner of 9825 Cameron Street advising he did not receive proper notification by mail of the Public Hearing scheduled for July 10. Mr. Rigets requested Council adjourn the July 10 Public Hearing for at least 30 days in order to contact other land owners and discuss the rezoning proposal.

A letter dated 1995 July 05 is on file from the City Clerk responding to Mr. Randolph Riget's letter of July 05 advising that all Public Hearing notices to abutting owners were mailed June 28 which more than complies with the requirement that notices be mailed at least 10 days prior to the Public Hearing. The letter also advised that, in staff's opinion, all notification requirements of Section 957(3) of the Municipal Act have been met for the July 10 Public Hearing.

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Councillor Rankin arrived at the Public Hearing at 6:10 p.m. and took his place at the Council table.

Mr. Rick Balfour, Balfour and Associates, 2638 West 14th Avenue., Vancouver addressed Council, accompanied by Mr. Bert Everett, 402 - 3rd Avenue, New Westminster, and provided brief comments on the subject rezoning proposal.

Councillor Johnston arrived at the Public Hearing at 6:14 p.m. and took his place at the Council table.

Mr. Balfour indicated that, as project architect, he has worked closely with the Planning Department and the community to integrate the development into the neighbourhood. The main issue has been pedestrian and vehicular access to the development and Mr. Balfour suggested that the rezoning proposal is not contingent upon the disputed cul-de-sac.

Mr. Randolph Rigets, Broker, Rigets and Associates, Real Estate Inc., #12 - 1065 24th Street, West Vancouver addressed Council on behalf of Mr. Thomas Grimm, owner of 9825 Cameron Street. Mr. Rigets advised of Mr. Grimm's opposition to the rezoning proposal due to the existence of the proposed cul-de-sac which will be on his land and the church's land to the south. Mr. Grimm is also opposed to the rezoning of his land which fronts onto Cameron Street. Mr. Rigets further advised, however, that his client is not opposed to the development proposal to the north and agrees with that development concept.

With regard to access, Mr. Rigets suggested that access to the development could be from North Road and also through city property on the north side where a road allowance already exists and on the west side of 9789 Cameron Street. The cul-de-sac referred to in the proposal was introduced as part of a previous development proposal which eventually collapsed and the cul-de-sac was never removed from city records. Mr. Rigets suggested, in fact, that the plan for a cul-de-sac should have been removed when the properties were not assembled and that the developer has even now suggested that the cul-de-sac is not a necessity to meet the requirements of the subject proposal.

In concluding, Mr. Rigets suggested that all properties fronting on Cameron Street be zoned for multi family and commercial uses and the rear of those properties be zoned for institutional uses, adjacent to the proposed 50 foot buffer area. Mr. Rigets felt this would create a good mix and would work well for the developer, the City and the taxpayers.

Arising from the presentation, Council requested staff prepare a report to Council responding to the comments and suggestions made by Mr. Rigets.

Wendy Degusseme, 1395 Harbour Drive, Coquitlam, B.C., owner of 9789 Cameron Street addressed Council in support of the previous speaker's (Mr. Randolph Rigets) comments and suggestions for the rezoning proposal.

Mr. S. Ghrmun, 9805 Cameron Street, Burnaby, B.C. addressed Council in support of the previous speaker's (Mr. Randolph Rigets) comments and suggestions for the rezoning proposal.

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 3249 North Road, Ptn. 3355 North Road; Ptn. 9812 Sullivan Street from R2 Residential District and CD Comprehensive Development District (based on C3 General Commercial District Guidelines to CD Comprehensive Development District (based on P5 Community Institutional District use and RM3 Multiple Family Residential District density and in accordance with the Development Plan entitled "North Road Seniors Lodge" prepared by Richard Balfour & Associates, Architect)

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

MOVED BY COUNCILLOR DRUMMOND
SECONDED BY COUNCILLOR JOHNSTON

"THAT this Public Hearing relating to Rezoning Reference #61/94, Bylaw No. 10217 be now terminated."

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED BY COUNCILLOR DRUMMOND
SECONDED BY COUNCILLOR YOUNG

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

CARRIED UNANIMOUSLY

The Public Hearing (Zoning) adjourned at 6:30 p.m.

Confirmed:

Certified Correct:


MAYOR


DEPUTY CITY CLERK

CITY OF BURNABY

ZONING BYLAW AMENDMENT

PUBLIC HEARING

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

MONDAY, 1995 JULY 10 AT 6:00 P.M.

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

1. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 19, 1995" - BYLAW NO. 10217

Rezoning Reference #61/94

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The purpose of the proposed zoning bylaw amendment is to permit a 106 unit seniors' congregate care residential development.

All persons who believe that their interest in property is affected by a proposed bylaw shall be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the bylaw.

The Director Planning and Building'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 Burnaby City Hall.

Copies of the proposed bylaw may be inspected at the office of the City Clerk at 4949 Canada Way, Burnaby, B.C. from 8:00 a.m. to 4:45 p.m. weekdays from Tuesday, 1995 June 27 to Monday, 1995 July 10.

**NO PRESENTATION WILL BE RECEIVED BY COUNCIL
AFTER THE CONCLUSION OF THE PUBLIC HEARING**

D.R. Comis
CITY CLERK