

1997 DECEMBER 16

A Public Hearing was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 1997 December 16 at 7:30 p.m.

PRESENT: Mayor D.P. Drummond (In the Chair)  
Councillor D.G. Evans  
Councillor D.N. Johnston  
Councillor C. Redman  
Councillor J. Young

ABSENT: Councillor D.R. Corrigan  
Councillor D.A. Lawson  
Councillor L.A. Rankin  
Councillor N. M. Volkow

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

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

1. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 61, 1997" - BYLAW NO. 10679

Rezoning Reference #17/97

4200 North Fraser Way - located at the southwest corner of North Fraser Way and North Fraser Crescent

Lot 2, D.L. 164, Grp. 1, NWD, Plan LMP31818

From: CD Comprehensive Development District (based on M2 General Industrial and M5 Light Industrial Districts)

To: Amended CD Comprehensive Development District (based on the M5 Light Industrial District use and density and Glenlyon Concept Plan guidelines and in accordance with the Development Plan entitled "Morgan Building" prepared by Christopher Bozyk Architects Ltd.)

The purpose of the proposed zoning bylaw amendment is to provide for the development of a two-storey office/research facility.

No one appeared in connection with this rezoning proposal.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rezoning Reference 17/97, Bylaw No. 10679.

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 #17/97, Bylaw No. 10679 be now terminated."

CARRIED UNANIMOUSLY

2. "BURNABY ZONING BYLAW 1965. AMENDMENT  
BYLAW NO. 62, 1997" - BYLAW NO. 10680

Rezoning Reference #38/97

7037/55/63/73 Edmonds Street, 6990/7030/54/56/80 - 21st Avenue - fronts on 21st Avenue and Edmonds Street between 19th Street/Griffiths Avenue and Salisbury Avenue

Easterly 60 ft., Lot 1, Plan 8190 having a frontage of 60 ft. on 21st Avenue by full depth of lot and adjoining Lot "B"; Lots 1-4, Plan 12922; Pcl. "A" (BY 53843E) of Lot 2, Plan 8190; Lots 170 and 171, Plan 31015; all of D.L. 95, Grp. 1, NWD

From: R5 Residential District

To: CD Comprehensive Development District (based on RM3 Multiple Family Residential District and Edmonds Town Centre Plan guidelines and in accordance with the Development Plan entitled "Edmonds and Twenty-First Avenue" prepared by Hewitt Tan Kwasnicky Architects Inc.)

The purpose of the proposed zoning bylaw amendment is to permit a 78 unit townhouse and low-rise apartment development with underground parking.

No one appeared in connection with this rezoning proposal.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rezoning Reference #38/97, Bylaw No. 10680.

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

MOVED BY COUNCILLOR EVANS  
SECONDED BY COUNCILLOR JOHNSTON

"THAT this Public Hearing relating to Rezoning Reference #38/97, Bylaw No. 10680 be now terminated."

CARRIED UNANIMOUSLY

3. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 63, 1997" - BYLAW NO. 10681

Rezoning Reference #53/97

2020 & 2060 Bellwood Avenue - located on the north side of the Lougheed Highway between Bellwood Avenue and Springer Avenue

NWD Strata Plan NW 419, D.L. 125

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

To: Amended CD Comprehensive Development District (based on RM5 Multiple Family Residential District and a maximum FAR of 2.0 and in accordance with the Development Plan entitled "2020 & 2060 Bellwood Avenue" prepared by All-Span Engineering & Construction Ltd.)

The purpose of the proposed zoning bylaw amendment is to permit the enclosure of balconies on the existing buildings.

No one appeared in connection with this rezoning proposal.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rezoning Reference #53/97, Bylaw No. 10681.

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 #53/97, Bylaw No. 10681 be now terminated."

CARRIED UNANIMOUSLY

4. "BURNABY ZONING BYLAW 1965. AMENDMENT  
BYLAW NO. 64, 1997" - BYLAW NO. 10682

Rezoning Reference #57/97

8511 Cumberland Place (George Derby area) - located in the former George Derby Hospital lands at the north end of Cumberland Street in east Burnaby

Lot 1, D.L. 11, Grp. 1, NWD, Plan LMP22277

From: CD Comprehensive Development District (based on RM1 Multiple Family Residential District)

To: Amended CD Comprehensive Development District (based on RM1 Multiple Family Residential District use and density and the George Derby Area Community Plan guidelines, and in accordance with the Development Plan entitled "Avalon Housing Co-operative" prepared by John Currie Architects Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the development of a 40 unit co-operative townhouse development.

No one appeared in connection with this rezoning proposal.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rezoning Reference #57/97, Bylaw No. 10682.

Arising from its consideration of Bylaw No. 10682 the Advisory Planning Commission adopted the following motion:

"THAT the Advisory Planning Commission express to Council its concern regarding the impact this densification will have on the school system in the area."

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

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MOVED BY COUNCILLOR EVANS  
SECONDED BY COUNCILLOR JOHNSTON

"THAT this Public Hearing relating to Rezoning Reference #57/97, Bylaw No. 10682 be now terminated."

CARRIED UNANIMOUSLY

5. "BURNABY ZONING BYLAW 1965. AMENDMENT  
BYLAW NO. 65. 1997" - BYLAW NO. 10683

Rezoning Reference #62/97

4177 Kingsway - located between Kingsway and Grange Street west of Barker Avenue

Pcl. "A" (Exp. Pl. 12261), Lot 11, D.L. 151, Grp. 1, NWD, Plan 1662

From: C4 Service Commercial District

To: C6b Gasoline Service Station District

The purpose of the proposed zoning bylaw amendment is to permit redevelopment of the service station with a retail grocery store.

A letter dated 1997 December 09 was received from Glen Magnus, General Manager, United Realty Ltd., 4211 Kingsway, Burnaby advising of a number of reasons they oppose the proposed bylaw.

A letter dated 1997 December 15 was received from Michael P. Leroux, Richard Buell Sutton, Barristers & Solicitors on behalf of Burnaby Centre, which fronts the western portion of Barker Avenue across from the subject site, advising that their client does not feel they have had sufficient time to prepare an informed response for this Public Hearing. Their client, is strongly opposed to this proposal and advise their three main objections are regarding the closure of Barker Street, visibility and potential impact on existing tenants of Burnaby Centre.

A letter dated 1997 December 16 was received from C.V. Simpson, 1504 - 4160 Sardis Street, Burnaby advising they do not support the proposal to locate another grocery store on the subject property and expressing concern that hours of operation may be 24 hours per day increasing the noise and could serve as a gathering place for young people. The writer is also opposed to the partial closure of Barker Avenue because of the need for a thoroughfare for emergency vehicles.

Michael Leroux, Solicitor appeared on behalf of Burnaby Centre, property owners adjacent the subject site, requesting a postponement of the public hearing for this application until January. Burnaby Centre do not feel they have had sufficient time to prepare an informed response for this evening. The speaker further advised that his client does not consider the drawing and technical information provided by City staff and the applicant to be of an appropriate scale to allow comprehensive study by their architect and that the additional information they have requested has not been made available yet.

In response to a query from His Worship, Mayor D.P. Drummond, the Secretary advised that the Office of the City Clerk had complied with the Municipal Act in providing 10 days notice to all owners/occupiers of property within 30 m of the property subject to rezoning.

Mr. Leroux advised that his client, Burnaby Centre, has several concerns and objections with regard to the rezoning application and development proposal. Firstly, Mr. Leroux advised the proposed closure of Barker Avenue associated with this development is of significant concern because of the loss of parking spaces on Barker Avenue. Burnaby Centre has, over the past several years, had a number of discussions with Burnaby Planning Department staff regarding the serious problem with parking in this area and, any loss of any street parking would have serious consequences for Burnaby Centre. The speaker informed Council that Burnaby Centre is in the process of undertaking a major refurbishment of its complex in order to update and bring it into conformance with the rest of the newer Metrotown development. The vacant main floor space will be refurbished and most prospective tenants will require some form of short term parking space adjacent the entrance to their business -- loss of this parking space would have a negative financial impact on Burnaby Centre.

Mr. Leroux suggested that the proposal to move the gas station kiosk further east will create a tunnel or canyon effect between the two developments. In response to these concerns, Burnaby Centre's architect has suggested to Shell and its consultants that the kiosk proposed for the site could be located on the western portion of the property, further away from Burnaby Centre, while still accomplishing Shell's goals to modernize its station, install more pumps and increase Shell's visibility on Kingsway. Mr. Leroux further suggested that the question of setback contravention could be resolved at the Board of Variance. Burnaby Centre feels it has not received a satisfactory response from Shell to this proposal.

The speaker questioned the need to close any portion of Barker Avenue which, while it is short, is vital to the movement of traffic in the area, particularly for westbound Grange Street vehicles wanting to access Patterson Avenue and the Skytrain Station and the movement of emergency vehicles through the area.

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Mr. Leroux suggested that installing a gas bar would be sufficient for the new Shell station as there is already a convenience store in Burnaby Centre, for which a more visible space has been planned, as well as several other local convenience stores in the area. The speaker suggested that a small kiosk selling chips, cigarettes and providing automotive supplies would not be detrimental, however the proposal is calling for a grocery store which would be in direct competition with the convenience store in Burnaby Centre.

Mr. Striker, General Manager, Burnaby Centre, #101 - 4280 Grange Street, Burnaby appeared before Council members to update Council on steps undertaken by Burnaby Centre in addressing issues of parking for its commercial component and modernization of the Centre. Mr. Striker advised that PPA approval was received from the City of Burnaby on Friday and they were planning to go forward with a refurbishment project at an estimated cost of \$2 million. Barker Avenue, informed Mr. Striker, is classified as a commercial street and a commercial treatment for the Barker frontage has been included in Burnaby Centre's project. Mr. Striker also expressed dissatisfaction that the plans submitted by Shell were not made available to Burnaby Centre and its consultants in a larger format and for a longer period of time in order that they may provide more informed comments on the proposal.

In response to a query from Council regarding Barker Avenue, Mr. Striker confirmed that their preference would be to have Barker Avenue remain a two-way street especially as neither the Traffic Department nor the applicant have explained the need to close Barker Avenue.

In conclusion, Mr. Striker reiterated the previous speaker's comment that a "canyon" effect will be created if Barker is made to be one-way and the new station located so much closer to Burnaby Centre.

Linda Ko, representing Vallentine Ko owner of Kingsway Grocery located at 5 - 4277 Kingsway, Burnaby appeared before members of Council to express concern about the proposal for another convenience store in this area. The speaker advised that the addition of the Shell grocery store would bring to five the number of convenience stores within 1400 linear feet and there would only be 200 feet between Mr. Ko's store and the Shell Station store. Mr. Ko does not object to the gasoline station itself, he feels it is an asset to the neighbourhood, nor does he object to Shell selling small items such as pop and chips but he is very concerned about the impact a convenience-type grocery store would have on his business. A list of Mr. Ko's concerns was provided to the Clerk and is on file in the Office of the City Clerk.

In conclusion, Ms. Ko presented a petition containing signatures of 375 area residents, Burnaby Centre store owners and customers objecting to the proposed grocery store component of the subject rezoning application. The petition is on file in the City Clerk's office and the text is contained hereunder:

“We oppose the establishment of the fourth convenient store at Shell gas station having a detrimental effect on 3 existing grocery stores in 1400 feet.”

Fred Steinert, 4225 Grange Street, Burnaby appeared before the members of Council to express his opposition to the rezoning proposal because of the loss of the garage component of the service station. The speaker objects to the proposal which will remove the only service station with a garage in the whole Metrotown area.

Margery Ryan, 4160 Sardis Street, Burnaby appeared before Council to express her opposition to the rezoning application. The speaker complained that the service station is already the source of noise to neighbouring apartments and objects to the addition of a grocery store because it could encourage young people to gather and create even more noise and problems.

Dennis Danielson, 4086 Spruce Street, Burnaby appeared before Council members to express opposition to the rezoning proposal. The speaker suggested that Shell should maintain its service station and garage and sell only service station related products and not unfairly compete with small grocery operators for convenience products. Mr. Danielson also expressed concern about the tunnel or “canyon” effect that would be created by narrowing Barker Avenue and moving the Shell Station closer to Burnaby Centre.

Gloria McDonald, Mark Trend Research, appeared before members of Council to provide Council with results of a study they were retained by Shell Canada to conduct for the purpose of measuring support for redevelopment. The speaker, assisted by overhead graphics, indicated the results of a survey of 300 residents within a 300 metre radius of the subject site and 300 customers of the Kingsway/Grange Shell Station. In both cases, residents and customers, the majority of respondents indicated support - 54% of residents either strongly or somewhat support the proposal and among customers 55% support the proposal. In opposition, 27% of residents opposed the development and 20% were undecided, amongst customers, 35% opposed the development and 10% were undecided. The major reasons given for supporting the proposal were: amongst residents- convenience (close to home) and need to improve station’s appearance and; for customers - pay at pump concept and need to improve appearance of station.

Peter Beam, appeared before members of Council advising he had been commissioned by Shell Canada to undertake an independent study of the impact related to the convenience kiosk associated with the proposed service station. The speaker advised that after an analysis of the subject site, the general area and other stores in the area he has concluded the convenience kiosk will have minimal or no impact on the existing stores.



Mr. Beam highlighted the key reasons for this conclusion: gas bar's primary purpose is to serve automobile traffic and secondarily convenience needs; given high regional nature of gas bar traffic location - majority of traffic will be from outside the neighbourhood; merchandising mix for this type of store will be vastly different from a normal convenience store - impulse items will be purchased (i.e candy bars, coffee, chips and pop) - virtually no grocery items will be carried; site is not pedestrian friendly - between two main arterials - ideally suited for vehicular traffic; conversely neighbourhood stores in area are pedestrian oriented and not well suited for vehicular customers. Mr. Beam concluded that the Shell convenience kiosk will serve completely different target markets and not offer the same type of merchandise.

In response to a query of Council Mr. Beam confirmed that the kiosk will provide service station products, i.e. oil, windshield washer fluid. For comparison purposes, the speaker advised that an average 7-Eleven style store would have triple or more the square footage proposed for this kiosk.

John McClurg, 1400 - 1130 W. Pender Street, Vancouver, rezoning applicant appeared before Council to provide Council with, assisted by photographs, a visual concept of the site as it is now and how it would appear after redevelopment. In response to comments made by previous speakers, Mr. McClurg suggested that the proposed new facility will not block the view of Burnaby Centre any more than the existing station does now, there will still be some parking provided on Barker Avenue, traffic circulation will be improved through a highway exchange with the City and the proposal is much smaller in scale that what could be built under the existing zoning.

Mr. McClurg informed Council that, since the time Shell first put forward a redevelopment proposal for this site, a great deal of time and energy has been spent addressing concerns expressed by Burnaby Centre and area residents during that first process. This new proposal has been revised significantly from the previous application and a concerted effort has been made to inform and discuss with Burnaby Centre the plans for redevelopment, including an invitation to Kingsway Grocery to review the merchandise planned for the store.

In conclusion, Mr. McClurg submitted the development proposal will improve the appearance of the subject site as well as meeting Shell's goal to update its service station to provide better service to its customers.

Ms. Linda Ko, appeared again before Council, on behalf of the owners of Kingsway Grocery at 4277 Kingsway, to express concerns regarding the grocery store component of the subject application. The speaker advised that she disagrees the proposed store will not directly compete with existing convenience grocery stores because the sale of chips, chocolate bars, etc. are the reason most people go to a small grocery store and additional items are then purchased once a customer is in the store.

Mr. Michael Leroux, Solicitor for Burnaby Centre, again approached Council to request that clarification be provided regarding certain aspects of the redevelopment proposal, such as the traffic study conducted by Shell, and further reminded Council that Burnaby Centre's alternate proposals for the site have not yet been responded to by staff or Shell.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rezoning Reference #62/97, Bylaw No. 10683.

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 #62/97 Bylaw No. 10683 be now terminated."

CARRIED UNANIMOUSLY

6. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 66, 1997" - BYLAW NO. 10684

Rezoning Reference #64/97

3555 Gilmore Way - located on the west side of Gilmore Way, south of Canada Way, within the overall Discovery Place (BCIT) Site

Lot A, D.L. 71, Grp. 1, NWD, Plan LMP24640

From: CD Comprehensive Development District (based on M8 Advanced Technology Research District and Discovery Place Community Plan)

To: Amended CD Comprehensive Development District (based on M8 Advanced Technology Research District and Discovery Place Community Plan, and in accordance with the Development Plan entitled "Hong Kong Bank of Canada" prepared by Gustavson Wylie Architects Inc.)

The purpose of the proposed zoning bylaw amendment is to permit a three-storey addition with underground parking to the existing advanced technology office and research facility.

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A letter dated 1997 December 15 was received from Parvin Chami, 3710 Kalyk Avenue, Burnaby, Chair, Friends of Discovery Park advising that while she does not object to the proposed addition in principle, she does have concerns regarding how the development will progress. The writer outlines a number of requests regarding fencing, landscaping, mechanical etc. which the applicants have committed to and also lists some additional requests which are important if the proposal is to receive support from the neighbours.

Parvin Chami, 3710 Kalyk Avenue, Burnaby appeared before members of Council to advise that she does not object in principle to the proposed addition; however she does have a number of concerns, as outlined in her letter, and Mrs. Chami reviewed these concerns for Council's consideration.

Dennis Danielson, 4086 Spruce Street, Burnaby appeared before members of Council to provide comment on the subject rezoning application. Mr. Danielson advised that relations have improved between the Hong Kong Bank of Canada and area neighbours and expressed the hope that this improved relationship will continue beyond approval of the subject application. With respect to the application itself, the speaker supports the proposal for underground parking; however he also indicated a preference to see more use of porous paving than was indicated in the report. In conclusion, Mr. Danielson requested that Council be vigilant in its monitoring of the subject development to ensure the property is developed in an appropriate manner. A copy of Mr. Danielson's presentation is on file in the Office of the City Clerk.

Parvin Chami, 3710 Kalyk Avenue, Burnaby again appeared before Council with regard to the rezoning proposal. The speaker added to Mr. Danielson's request that the applicant keep its commitment to develop the property in a responsible manner and that Council ensure these commitments are kept.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rezoning Reference #64/97, Bylaw No. 10684.

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

MOVED BY COUNCILLOR EVANS  
SECONDED BY COUNCILLOR JOHNSTON

"THAT this Public Hearing relating to Rezoning Reference #64/97, Bylaw No. 10684 be now terminated."

CARRIED UNANIMOUSLY

7. "BURNABY ZONING BYLAW 1965. AMENDMENT  
BYLAW NO. 68, 1997" - BYLAW NO. 10686

Rezoning Reference #72/97

Ptn. 3101 Wayburne Drive - located on the west side of Wayburne Drive between Canada Way and Manor Street

Ptn. Lot A, Blk. 2, D.L. 73, Grp. 1, NWD, Plan LMP14893

From: CD Comprehensive Development District (based on M5 Light Industrial District)

To: Amended CD Comprehensive Development District (based on M5 Light Industrial District and in accordance with the Development Plan entitled "Canada Way Business Park" prepared by Musson, Cattell, Mackey Partnership)

The purpose of the proposed zoning bylaw amendment is to permit development of two office buildings.

No one appeared in connection with this rezoning proposal

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rezoning Reference #72/97, Bylaw No. 10686.

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

MOVED BY COUNCILLOR EVANS  
SECONDED BY COUNCILLOR JOHNSTON

"THAT this Public Hearing relating to Rezoning Reference #72/97, Bylaw No. 10686 be now terminated."

CARRIED UNANIMOUSLY

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ADJOURNMENT

MOVED BY COUNCILLOR JOHNSTON  
SECONDED BY COUNCILLOR EVANS


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

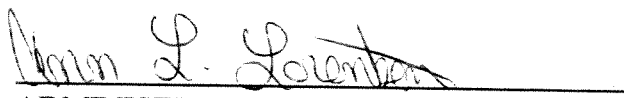
CARRIED UNANIMOUSLY

The Public Hearing (Zoning) adjourned at 9:10 p.m.

Confirmed:

Certified Correct:

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
ADMINISTRATIVE OFFICER I