

1997 MARCH 25

A Public Hearing was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 1997 March 25 at 7:30 p.m.

PRESENT: Councillor D.A. Lawson (In the Chair)
Councillor D.R. Corrigan
Councillor D.N. Johnston
Councillor C. Redman
Councillor N. M. Volkow
Councillor J. Young

ABSENT: Mayor D.P. Drummond
Councillor D.G. Evans
Councillor L.A. Rankin

STAFF: Mr. D. G. Stenson, Director Planning and Building
Ms. Kimberly Flick, Planning Analyst
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. 56, 1996" - BYLAW NO. 10487

Rezoning Reference #33/96

3765/75/85/91 Albert Street - located on the northwest corner of Albert Street and Esmond Avenue, half a block east of Boundary Road in the Hasting Street Area Plan

Lots 11/12/13/14, Blk. 1, D.L. 116, Grp. 1, NWD, Plan 1236

From: R5 Residential District

To: CD Comprehensive Development District (based on RM7 Hastings Village Multiple Family Residential District use and density and the Hastings Street Area Plan as guidelines and in accordance with the Development Plan entitled "21 Unit Family Townhouse Project" prepared by Elbe, Lock, Walls and Associates Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the development of a non-market stacked townhouse project and retention of a Heritage House.

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A letter dated 1997 March 14 was received from Rannald and Julie McDonald, #304 - 3740 Albert Street, Burnaby expressing their opposition to the rezoning application. The writers advise they are opposed to the proposed non-market use as it will result in a decrease in their property value and an increase in the crime rate in the neighbourhood.

Bernard Curtin, 3875 Albert Street, Burnaby appeared before the members of Council to advise that he currently resides in the heritage home included in this development and that he is opposed to the rezoning proposal as it relates to the redevelopment of his residence. Mr. Curtin advised the house presently contains four suites and that under this new proposal only two suites will be created. The speaker suggested that the objective of creating affordable housing is not being met by creating two larger living units instead of maintaining the existing number of four smaller, more affordable units.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rezoning Reference #33/96, Bylaw No. 10487.

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

MOVED BY COUNCILLOR CORRIGAN
SECONDED BY COUNCILLOR YOUNG

"THAT this Public Hearing relating to Rezoning Reference # 33/96, Bylaw No. 10487 be now terminated."

CARRIED UNANIMOUSLY

2. "BURNABY ZONING BYLAW 1965. AMENDMENT
BYLAW NO. 9. 1997" - BYLAW NO. 10541

Rezoning Reference #27/96

8640/48/56/62/74/80/8724 Gilley Avenue; 5925/53/63/73/83 Marine Drive; 6007/15 Byrne Road - located between Gilley Avenue and Byrne Road north of Marine Drive

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Lots 7/6/5; Lot 5, Exc: Pcl "A" (Ref. Plan 3004); Pcl. "A" (Ref. Plan 3341) Lot 4; Pcl. "C" (Ref. Plan 3395) Lot 3, Lot 3 Exc.: Firstly Pcl. "C" (Ref. Plan 3395); Secondly: Pcl. "A" (Ref. Plan 3527); Thirdly: Pcl. "B" (Plan with charge deposited 31866C); Pcl. "A" (Ref. Plan 3307) of Lot 2; Pcl. "D" (Ref. Plan 2807) Lot 2; Pcl. "C" (Ref. Plan 1342) of Lot 2; Pcl. "A" (Ref. Plan 3527) Lot 3; Pcl. "B" (Ref. Plan with charge deposited No. 31866C) Lot 3; Lot 4, Exc: Firstly: Pcl. "B" (Ref. Plan 3226) Secondly: Pcl. "A" (Ref. Plan 3341), all of Plan 2014; Lots "A" & "B", Plan 3992; all of D.L. 159

From: R2 Residential District

To: R5 Residential District

The purpose of the proposed zoning bylaw amendment is to permit small lot residential subdivision.

A letter dated 1997 March 25 was received from Kal Bains, 8610 Gilley Avenue, Burnaby expressing opposition to the rezoning application. The writer outlined the following concerns: traffic turning left off of Gilley creating a traffic hazard; access/egress from the property during snow conditions and; the environmental impact on the park.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to NOT SUPPORT Rezoning Reference #27/96 , Bylaw No. 10541.

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

MOVED BY COUNCILLOR CORRIGAN
SECONDED BY COUNCILLOR YOUNG

"THAT this Public Hearing relating to Rezoning Reference #27/96, Bylaw No. 10541 be now terminated."

CARRIED UNANIMOUSLY

3. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 10, 1997" - BYLAW NO. 10542

Rezoning Reference #60/96

4250 Kingsway - located at the southeast corner of Kingsway and Olive Avenue

Lot 127, D.L. 151, Grp. 1, NWD, Plan 46883

From: CD Comprehensive Development District (based on RM5 Multiple Family Residential District and C3 General Commercial District)

To: Amended CD Comprehensive Development District (based on RM5 Multiple Family Residential District and C3 General Commercial District use and density, and in accordance with the Development Plan entitled "Kingsway & Olive" prepared by Lawrence Doyle Architect)

The purpose of the proposed zoning bylaw amendment is to permit mixed-use commercial and high-rise residential development.

Frank Helden, appearing on behalf of his wife who resides at 5868 Olive Avenue, Burnaby appeared before the members of Council to express their opposition to the rezoning application. Mr. Helden suggested that this site would be better developed for store, park, or 3 storey apartment use but was not suitable for a high-rise development. The speaker advised that access to the site must be from the lane and he did not consider the lane to be adequate to handle the volume of traffic generated by a high density development.

Parvin Chami, 3710 Kalyk Avenue, Burnaby appeared before members of Council to express her concern about the proposed development. The speaker advised she was opposed to the application because the increase in density will have a negative impact on traffic in this area. Ms. Chami suggested that the Kingsway corridor through Metrotown is already congested and she is not in favour of development that will further increase the volume of traffic in the area.

Larry Doyle, 200 - 1450 Creekside Drive, Vancouver, Architect and applicant for the subject rezoning application, appeared before members of Council in support of the application. Mr. Doyle advised that this site was an important one in the development of Metrotown, as it is the last large commercial site to be developed, and a strong commercial presence is essential. Mr. Doyle advised that access to the site will be from the full width lane to the rear of the site and he does not anticipate any problems with access/egress or parking for the site. The speaker further advised that trucks accessing the loading docks will not turn in the lane but will access the site and conduct all turning maneuvers on-site.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rezoning Reference #60/96, Bylaw No. 10542.

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

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MOVED BY COUNCILLOR CORRIGAN
SECONDED BY COUNCILLOR JOHNSTON

"THAT this Public Hearing relating to Rezoning Reference #60/96, Bylaw No. 10542 be now terminated."

CARRIED UNANIMOUSLY

4. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 11, 1997" - BYLAW NO. 10543

Rezoning Reference #61/96

3600 Gilmore Way - located east of Gilmore Way, about two blocks south of Canada Way, in Discovery Place (BCIT) Site

Pcl. 1, D.L. 71, Grp. 1, NWD, Plan 80047

From: CD Comprehensive Development District (based on M8 Advanced Technology Research District, M5 Light Industrial District and the Discovery Place Community Plan)

To: Amended CD Comprehensive Development District (based on M8 Advanced Technology Research District, M5 Light Industrial District and the Discovery Place Community Plan as guidelines and in accordance with the Development Plan entitled "PMC Building Phase 2 Expansion" prepared by Robert J. Morton Architect)

The purpose of the proposed zoning bylaw amendment is to permit the development of an advanced technology research and office facility expansion.

Parvin Chami, 3710 Kalyk Avenue, Burnaby appeared before the members of Council to compliment the developer on an environmentally sensitive plan and their co-operative and concerned attitude to the community. However, Ms. Chami wanted to stress to Council that all details proposed within a rezoning proposal must be followed up by City staff. The speaker suggested that the community have done their job in letting Council know what they expect and when developers have agreed to undertake certain conditions it should up to the City to ensure that they follow through.

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The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rezoning Reference #61/96, Bylaw No. 10543.

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

MOVED BY COUNCILLOR CORRIGAN
SECONDED BY COUNCILLOR JOHNSTON

"THAT this Public Hearing relating to Rezoning Reference #61/96, Bylaw No. 10543 be now terminated."

CARRIED UNANIMOUSLY

5. "BURNABY ZONING BYLAW 1965. AMENDMENT
BYLAW NO. 12, 1997" - BYLAW NO. 10544

Rezoning Reference #1/97

3755 McGill Street - located east of Boundary Road and south of Trinity Street at Esmond Avenue

Lot 45, D.L. 186, Grp. 1, NWD, Plan 4010

From: CD Comprehensive Development District (based on RM4 Multiple Family Residential District, P5 Community Institutional District)

To: Amended CD Comprehensive Development District (based on RM4 Multiple Family Residential District, P5 Community Institutional District, C1 Neighbourhood Commercial District and R5 Residential District and in accordance with the Development Plan entitled "Overlynn Mansion" prepared by Dalla-Lana/Griffin Architects)

The purpose of the proposed zoning bylaw amendment is to expand the list of permitted uses within the "Overlynn Mansion" historic building.

An undated letter was received from H.S.J. and C.M. Bishop, 3726 Trinity Street advising that expanding the uses of Overlynn Mansion would not be fair to the surrounding neighbourhood. The writers advise that insufficient parking has been an ongoing problem for surrounding neighbours and Seton Villa residents and that any new use of Overlynn Mansion would only compound the problem.

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Margaret Sproule, 3861 Yale Street, Burnaby, appeared before the members of Council to inquire as to the specific uses proposed for Overlynn Mansion. The speaker expressed concern that any increased usage of the Mansion will further aggravate parking in the area.

Eric Janes, 3723 Trinity Street, Burnaby appeared before the members of Council to express his opposition to the rezoning application. Mr. Janes advised that, at present, the parking situation in the neighbourhood is a problem with residents and visitors to Seton Villa parking on the street and in front of his and neighbouring homes. He is opposed to any use of Overlynn Mansion that will increase the need for parking in the area.

Mr. Janes also expressed concern about the apparent broadness of the of the application, especially its commercial component.

In response to a query of Council, Mr. D.G. Stenson, Director Planning and Building, provided clarification as to the uses that will be permitted in Overlynn Mansion. Mr. Stenson also explained the proposed use of a covenant to limit the uses that will be allowed under the C1 zoning.

Victor Stusiak, 8338 Hollis Place, Burnaby appeared before members of Council on behalf of Action Line Housing Society, the owners and rezoning applicants for the subject property, providing background on the Society, Seton Villa and Overlynn Mansion. The speaker informed Council of the Society's urgent need to expand the uses permitted in Overlynn because the many restrictions associated in using the Mansion have made it very difficult to lease or rent which has placed a financial burden on the Society.

In response to the previous speakers' concerns about parking Mr. Stusiak advised that Action Line Society has been working with City staff to address this issue.

The speaker then advised he had several concerns regarding the conditions of rezoning established by City staff and adopted by Council. In particular, the Society requests that prerequisite (c), which requires provision of a covenant limiting office uses to non-profit organizations, be eliminated. Mr. Stusiak suggests that a Letter of Understanding between the City and Action Line Society would be more cost effective, that limiting offices to only non-profit organizations is too restrictive and, further, that Action Line were not made aware of this requirement when they made application for rezoning.

** Councillor Corrigan retired from the Council Chamber at 8:30 p.m.

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The speaker further requested that the issue of commercial signs, set out in prerequisite (a), also be deleted. Mr. Stusiak advised that some form of appropriate signage would be necessary outside of the building. At present, Action Line have only one new prospective tenant for the building, which would establish a private school for girls with approximately 30 students.

- ** Councillor Corrigan returned to the Council Chamber at 8:33 p.m. and took his place at the Council table.

Sumiko Hui, a representative of the school interested in locating in Overlynn, then appeared before Council providing further information regarding the students who would be attending the proposed school. The speaker advised that the students would be university-age, Japanese, girls who will be working on a one year English program. Ms. Hui advised the school will only require classrooms and it is expected that only the instructors will require parking.

Donna Kerr, Administrator, Seton Villa, 3755 McGill Street, Burnaby then appeared before members of Council to express her support for the rezoning application.

Victor Stusiak, Action Line Housing Society, again addressed Council to reiterate the Society's concern about the restrictive covenant and repeated his suggestion that, because Action Line will not selling Overlynn Mansion, a Letter of Understanding would be a more timely and less expensive way of restricting the uses permitted on the property. Mr. Stusiak further advised that finding a tenant for the building is further restricted by the building not meeting the Building Code for certain classifications and that considerable expenditure would be required to upgrade in order to permit those uses. In conclusion, Mr. Stusiak requested Council's assistance in a prompt resolution of these issues in order that some action may be taken in renting Overlynn Mansion. Mr. Stusiak provided Council with documentation of his concerns and a copy is on file in the Office of the City Clerk.

- ** Councillor Corrigan retired from the Council Chamber at 8:51 p.m. and did not return to Public Hearing (Zoning).

Eric Janes, 3723 Trinity Street, Burnaby, again appeared before Council members and advised that, regardless of who occupies Overlynn Mansion, parking will continue to be a problem in the area because of Seton Villa. The speaker also expressed concern about statements that the property will not be sold nor will the students at the school be driving vehicles, when there can be no guarantee of either of these actions.

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Donna Kerr, Administrator, Seton Villa, again addressed Council and outlined the process being undertaken to resolve parking problems associated with the Seton Villa facility. Ms. Kerr also advised that she understood that many of the students who would be attending the proposed school are interested in in-home residency thereby eliminating the need for student parking at the school.

Margaret Sproule, 3861 Yale Street, Burnaby again appeared before Council to advise she was opposed to any further intrusion into the residential neighbourhood and parking will be required for either teachers or employees of offices.

John McNamara, 1108 W. 40th Avenue, Vancouver appeared before the members of Council to express concern that too much emphasis is being placed on the fact that this proposed school does not require parking, however, other schools may require parking.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rezoning Reference #1/97, Bylaw No. 10544.

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

MOVED BY COUNCILLOR YOUNG
SECONDED BY COUNCILLOR JOHNSTON

"THAT this Public Hearing relating to Rezoning Reference #1/97, Bylaw No. 10544 be now terminated."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR VOLKOW

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

CARRIED UNANIMOUSLY

The Public Hearing (Zoning) recessed at 9:14 p.m.

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR VOLKOW

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

CARRIED UNANIMOUSLY

The Public Hearing (Zoning) reconvened at 9:20 p.m. with His Worship, Mayor D.P. Drummond and Councillors Corrigan, Evans and Rankin absent.

6. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 13, 1997" - BYLAW NO. 10545

Rezoning Reference #3/97

7454/60/66/72/78/84/90/96 Elwell Street, 7453/56/59/60/64/65/68/69/73/76/79/80/84/85/90/
92/95 Rosewood Street, 7459/61/62/65/67/68/71/73/74/76/77/78/85/86/87/89/92/93/96
Holly Street, 7463/69/75/81/85/87/93 Vista Crescent, 7096/7124/34 Humphries Avenue,
6961/7037/87 Mary Avenue - area bounded by Edmonds Street to the south, Elwell Street to
the north, Richmond Park to the west and Mary Avenue to the east.

Lot D, Plan 14084; Lot B, Plan 10471; Lots E/F, Plan 14169; Lots 9/10/11/12/16/15, Blk.
10, Plan 3036; Lots 1/3/4/5/6/9/13/12, Blk. 9, Plan 3036; Lots 1/2/3/4/5, Plan 14477; Lots
2/1, Plan 73950; Strata Lots 1/2, Strata Plan NW2283, together with an interest in the
common property in proportion to the unit entitlement of the Strata Lots as shown on Form
1; Lot "A" Exc: North 50 ft. having a frontage of 50 ft. on Mary Avenue by full depth of lot
and adjoining Lots 11 and 12, Plan 7475; Lot 2, Plan 74127; Lots 1/2, Plan 76827; Lots
1/2/3/4/6/7/8/11/12/13/14/15/16, Blk. 8, Plan 3036; Lots 1/2, Blk. 9, Plan LMP11038; Strata
Lots 1/2, Strata Plan NW3017, together with an interest in the common property in
proportion to the unit entitlement of the Strata Lot as shown on Form 1; Strata Lots 1 & 2,
Strata Plan NW1105, together with an interest in the common property in proportion to the
unit entitlement of the Strata Lot as shown on Form 1; Lots 1 & 2, Plan LMP12314; Lots 86
& 87, Plan 33051; Lot 1, Plan 74127; Pcl. One (370080E), Lot A, Plan 7475; Lot 18, Plan
13901; all of D.L. 30, Grp. 1, NWD

From: R5 and R9 Residential Districts

To: R12 Residential District

The purpose of the proposed zoning bylaw amendment is to permit the development of
single family and two family dwellings on small lots in the 7400 blocks of Holly Street,
Rosewood Street, the north side of Vista Crescent and the south side of Elwell Street.

A letter dated 1997 March 12 was received from Adelaine Kelly, 7465 Rosewood Street,
Burnaby requesting Council support for the proposed R12 plan in this neighbourhood.

A letter dated 1997 March 14 was received from D. Beaudin, Executive Director, New Vista
Society, 7550 Rosewood Street, Burnaby advising they have no objection to the rezoning
proposal.

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A letter dated 1997 March 16 was received from Darrel and Colynne Shield, 7468 Rosewood Street, Burnaby advising they are in favour of the rezoning proposal.

A letter dated 1997 March 25 was received from Mandy Klepic, 7481 Vista Crescent, Burnaby indicating her support for the proposed R12 rezoning.

Steve Newburg, 7469 Rosewood Street, Burnaby appeared before the members of Council seeking clarification regarding the cost of infrastructure improvements resulting from subdivision of lots in the new R12 zone. Mr. Newburg advised he is in favour of the rezoning if the cost of the improvements is applied only to those owners who subdivide their property and if the cost is applied at the time of subdivision.

In response to a query from Council regarding these proposed charges, Mr. D.G. Stenson, Director Planning and Building advised the need for infrastructure improvements is still being examined, therefore, it is unknown what the exact cost will be. The development costs will be applied only to those persons seeking subdivision.

James Fiddes, 7485 Vista Crescent, Burnaby appeared before the members of Council requesting clarification of the tax implications associated with the rezoning to the R12 District.

Kimberly Flick, Planning Analyst, Planning and Building Department provided a brief outline of the process by which those property owners meeting a certain criteria can apply for exemption from the resulting tax increase.

Faouzieh Charaf, 7482 - 19th Avenue, Burnaby, owner of property at 7463 Vista Crescent, appeared before Council to express support for the application.

Sandi Singh, 7112 Grey Avenue, Burnaby appeared before Council, on behalf of her parents J. and M. Gill owners of 7476/78 Rosewood Street, to advise that they are in favour of the rezoning application. However, the speaker advised her parents are concerned that because they have recently moved from the area they will not be eligible for the tax exemption.

Tami Mark, 6536 Imperial Street, Burnaby, owner of 7459 Rosewood Street, appeared before members of Council to advise she was in favour of the proposed rezoning. The speaker requested that Council when looking at the development charges, ensure that those people not developing their property are excluded from paying the charge.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rezoning Reference #3/97, Bylaw No. 10545.

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

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MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR VOLKOW

"THAT this Public Hearing relating to Rezoning Reference #3/97, Bylaw No. 10545 be now terminated."

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED BY COUNCILLOR YOUNG
SECONDED BY COUNCILLOR JOHNSTON


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

CARRIED UNANIMOUSLY

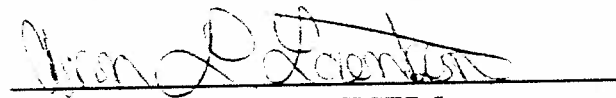
The Public Hearing (Zoning) adjourned at 9:55 p.m.

Confirmed:

Certified Correct:



ACTING MAYOR



ADMINISTRATIVE OFFICER I