

1999 JUNE 29

A Public Hearing was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 1999 June 29 at 7:30 p.m.

PRESENT: Mayor D.P. Drummond (In the Chair)  
Councillor D.G. Evans  
Councillor D.N. Johnston  
Councillor D.A. Lawson  
Councillor C.M.H. Redman  
Councillor L.A. Rankin  
Councillor N. M. Volkow  
Councillor J. Young

ABSENT: Councillor D.R. Corrigan

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. 24, 1999" - BYLAW NO. 10934

Rez. #98-49

7737 Tenth Avenue - located on the north westerly side of Tenth Avenue between Canada Way and Sixth Street

Lot 46, D.L. 28, Group 1, NWD Plan 2105

From: R5 Residential District

To: C6b Gasoline Service Station District

The purpose of the proposed zoning bylaw amendment is to permit expansion of a planned gasoline service station site.

A letter was received from Chi H. Troung, Xiao C. Troung and Ji J. Laing, 7745 - 10th Avenue Burnaby advising of their objection to the subject application because of possible contamination and pollution from the proposed use of the property.

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A letter was received from Jit and Najmin Rai, 7886 Canada Way, Burnaby advising of their concerns regarding the subject application. The writer's concerns include: decreased property value, increased noise, possible soil contamination, increased littering and safety issues associated with the proposed use.

Amarjit Rai, 7866 Canada Way, Burnaby appeared before members of Council to express her concern about the effect the proposed expanded service station will have their property. The speaker is concerned about safety issues such as increased traffic, traffic flow on the property and possible increased crime related to the proposed grocery store. Ms. Rai also expressed dissatisfaction with closure of a lane behind their property. In conclusion, the speaker informed Council she is opposed to the subject application.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rezoning Reference #98-49, Bylaw No. 10934.

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 #98-49, Bylaw No. 10934 be now terminated."

CARRIED UNANIMOUSLY

2. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 27, 1999" - BYLAW NO. 10953

Rez. #98-54

8335 Eastlake Drive

Lot 2, D.L. 57, Group 1, NWD Plan LMP25484

From: M3 Heavy Industrial District

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

The purpose of the proposed zoning bylaw amendment is to permit the development of an office and high-tech complex to include five buildings on a phased basis with surface and underground parking.

Ray Langcaster, 1971 Charles Street, Vancouver appeared before Council on behalf of The Mutual Group, rezoning applicant, in support of the subject application. Mr. Langcaster provided Council with background information about the Mutual Group, gave a brief history of the site and outlined steps taken in bringing the application to this point. The application has been reviewed by the Ministry of Environment and the proposed development plan approved, including the landscaping and riparian plans. The development calls to include the following: 45% of the lands to remain in its natural pervious form; a right-of-way for public access to a walking path on the west of the property; a right-of-way for a wildlife corridor on the east of the property. A written copy of Mr. Langcaster's presentation was provided to Council and is on file in the Office of the City Clerk.

Christopher Boyzk, architect for the subject rezoning application, appeared before members of Council to briefly describe the proposed development. The speaker pointed out the following elements of the project: the site is steeply sloped (approximately 120 feet from south to north) and has two watercourses running through it - one on the westerly side of the site and the other on the easterly side; the five proposed buildings have been designed to step down the sloped site; two main accesses are provided to the site - one on the east, the other on the west that travel up the site and loop around; extensive landscaping is planned, particularly in the MOE (Ministry of Environment) covenant area along the east property line and, as well, in the west where a covered watercourse exists; the overall design is to elicit a parklike environment through landscaping and will provide a setting for the buildings that will not detract from any potential development in the future.

Steve Cotter, 8865 Finch Court, Burnaby appeared before Council members to express his concern about the subject application. Mr. Cotter advised that he is concerned that, because he had only just become aware of the subject proposal, he does not feel he has had sufficient time to undertake research, prepare questions and address issues associated with this application. Mr. Cotter provided Council with a hand-out outlining some of his concerns and suggestions with regard to the application and a copy of this is on file in the Office of the City Clerk.

The speaker reviewed for members of Council the following issues: requests day-lighting of the top section of the east stream; suggests that some replanting be undertaken in rear buffer zone and further that existing trees be maintained until replanted species have attained reasonable height; favours linkage to Burnaby trail through this property and encourages preservation of any wildlife corridors that may exist; suggests a 15 meter setback from top of stream bank to provide habitat protection, pedestrian and wildlife linkages in the buffer zone; suggests reduction of parking spaces be considered as 20% more than the required minimum is proposed to be provided and fewer parking spaces would allow for ponds and swales on the site to help mitigate water run-off concerns and would allow a smaller percentage of the site (45% as opposed to 50%) to be impervious; suggests a 3 m dedication be provided to allow for widening of Eastlake.

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In referring to page four of his hand-out, which indicates landscaping at the top of the site, Mr. Cotter informed Council that there are several areas where there would be gaps because the deciduous trees would not screen the site year-round.

MOVED BY COUNCILLOR REDMAN:  
SECONDED BY COUNCILLOR JOHNSTON:

“THAT this Public Hearing do now recess for the purpose of conducting a Special Council Meeting.”

CARRIED UNANIMOUSLY

The Public Hearing recessed at 8:14 p.m.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR LAWSON:

“THAT this Public Hearing do now reconvene.”

CARRIED UNANIMOUSLY

The Public Hearing reconvened at 8:16 p.m. with Councillors Corrigan and Rankin absent.

Steve Cotter, 8865 Finch Court, continued his presentation to Council with regard to Rezoning Reference #98-54, Bylaw No. 10953. With regard to landscaping for the site Mr. Cotter inquired whether some of the larger tree species located at the corner of the property really needed to be removed as he did not have access to the arborist report that had been undertaken on behalf of the developer. The speaker, in referring to his hand-out, noted several pages of information from the Centre for Watershed Protection addressing urban watersheds and streams that has been provided for Council's information.

Mr. Cotter brought Council's attention to a list of names and addresses of other area residents who also have concerns regarding the subject application.

Council requested that staff in a future report to Council provide the following: history of the streams on the site and the culverting of one; the rationale for the split between underground and surface parking; address the concerns expressed in Mr. Cotter's presentation; and the information received from the arborists regarding tree retention also be included.

Gaylord "Skip" King, 9154 Satuma Drive, Burnaby appeared before Council to express his concerns regarding environmental aspects of the application. Mr. King suggested, because a large portion of one of the watercourses is not contained on this site but rather on an adjoining property not yet developed, that development of stream on the subject site be compatible with future development on the adjoining site and that all development should include "daylighting" of the entire watercourse. The speaker indicated his pleasure that this development incorporates a pedestrian trail along the watercourse and the bike bath will be retained separately in its present location. Mr. King expressed concern about only 5 m being provided as a riparian setback from the streams because he understood 15 m should be required and he is also concerned with the proposed 55% impervious surface area, when the Stoney Creek Management Plan, the Brunette Basin Watershed Group and the G.V.R.D. have all indicated a goal of 30% effective impervious surfaces in Burnaby watersheds.

Councillor Young retired from the Council Chamber at 8:45 p.m.

Mr. King also expressed concern that a storm water management plan has not yet been submitted and strongly encourages requirement for water detention and prevention measures that would prevent any negative impact on Stoney Creek or any other watershed. The speaker encouraged Council to require an independent, full-time environmental monitor to oversee the development and concluded that the City should ensure that all guidelines and requirements are followed by the developer.

Councillor Young returned to the Council Chamber at 8:49 p.m.

Terry Bell, 8218 Forest Grove Drive, Burnaby appeared before Council to express his support of the comments of the previous speakers. Mr. Bell advised that he was attracted to Burnaby because of its green spaces and he is concerned about screening provisions for the subject application and emphasized that screening must be put in place and maintained. Mr. Bell also expressed concern about the height of the proposed buildings, more specifically, he is concerned about the highest of the five buildings being located at the highest elevation of the site. In conclusion, Mr. Bell requested that Council and staff look into these concerns prior to proceeding further with this application.

In response to a query from Council, Mr. D.G. Stenson, Director Planning and Building clarified the relationship of the building heights to the site. Mr. Stenson explained that indeed the tallest of the five buildings are located at the northernmost portion of the site; however because of the extreme slope of the site the buildings are essentially terraced, with the five storey buildings having 3 storeys on one face and five on the other and the three storey buildings having three storeys on one face and two on the other.

In relation to the residential development to the north, Mr. Stenson advised that the grade level of the highest building is approximately 82 m and the lowest grade level of the lowest townhouse in Forest Grove is approximately 104 m. The topmost level of the highest building of the proposed development is approximately 98 m.

Parvin Chami, 3710 Kalyk Avenue, Burnaby appeared before Council to express concern regarding the development proposal and put forward a number of suggestions to help minimize its environmental impact. The speaker addressed the following: Streams - why was the westerly stream culverted just last year, despite Burnaby's open stream policy and suggests that up to 30 m from the top of the bank of both streams be protected; Landscaping - designed, installed and maintained to professional standards, sensitive to providing wildlife habitat and providing a visual screen between the buildings and neighbouring residences, and all trees and vegetation protected during all stages of construction; Underground Parking - suggests minimizing surface parking to permit more vegetation and that the driveway proposed near the easterly stream be relocated adjacent the west driveway; Heating and Air Handling - mechanical systems designed to minimize noise and height; Enforcement of Environmental and Construction Requirements - suggests an environmental monitor and requirement of posting of a bond to ensure no damage to property; and Front Setback - that any plans for widening of Eastlake Drive be taken into account in the development. A copy of the speaker's presentation was provided and is on file in the Office of the City Clerk.

Wendy Lawson, 8346 Vinewood Place, Burnaby appeared before members of Council to express some concern about the proposed development. Ms. Lawson advised that she too is concerned about the short time period allowed to residents to address this important issue and expressed appreciation to those area residents who brought the proposal to her attention. The speaker indicated that her main reason for locating in this area was its quiet and the trees and expressed concern that the hydro right-of-way located adjacent the site could be developed into a road to access the development. Ms. Lawson is also concerned about increased traffic that may result from the development, especially because of the abundance of parking being provided on-site.

In conclusion, the speaker suggested that Council consider requiring more obvious signage of Public Hearing notices in order that area residents may inform themselves when development proposals are put forward for comment and that a more generous time period be allowed for preparation of comments .

In response to a query from Council regarding the B.C. Hydro right-of-way, Mr. D.G. Stenson, Director Planning and Building advised that the right-of-way is only for use of hydro and no other purpose. The Broadway road right-of-way to the north of the hydro right-of-way is dedicated for road; however Council in any of its consideration of development and transportation plans for the area has never shown any desire to open this roadway.

Aziz Ali, 6523 Parkdale Drive, Burnaby appeared before Council to advise that many area residents have indicated a concern about the proposed development and suggested that Council delay the Public Hearing to allow further input from area residents.

Parvin Chami, 3710 Kalyk Avenue, Burnaby again appeared before Council to request that staff meet with the developer and area residents to discuss concerns about the proposed development.

Raymond Langcaster, 1971 Charles Street, Vancouver again appeared before Council on behalf of The Mutual Group, the rezoning applicant, to clarify some of the issues discussed at this Public Hearing. Mr. Langcaster advised that a transportation study and soils tests have been undertaken; historical documentation of soils placed on the site are available; elevations are shown on the drawings and the building profiles indicate the relationship between Broadway as it exists today and the proposed buildings; current landscaping plans are only conceptual at this time with more detailed landscaping plans to be developed further into the process but plans will call for the use of appropriate native materials; security and safety issues have also been considered in planning screening for the site; a large buffer area will be established at the rear of property; and lastly, the site profiles show to what depth fill material has been placed on the 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 #98-54, Bylaw No. 10953.

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

MOVED BY COUNCILLOR LAWSON:  
SECONDED BY COUNCILLOR JOHNSTON:

"THAT this Public Hearing relating to Rezoning Reference #98-54, Bylaw No. 10953 be now terminated."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR VOLKOW:  
SECONDED BY COUNCILLOR REDMAN:

"THAT this Public Hearing do now recess."

CARRIED UNANIMOUSLY

The Public Hearing recessed at 9:45 p.m.

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MOVED BY COUNCILLOR EVANS:  
SECONDED BY COUNCILLOR JOHNSTON:

"THAT this Public Hearing do now reconvene."

CARRIED UNANIMOUSLY

The Public Hearing reconvened at 9:48 p.m. with Councillors Corrigan and Rankin absent.

3. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 28, 1999" - BYLAW NO. 10954

Rez. #99-12

7550 Lowland Drive

Lot A, D.L. 166A, Group 1, NWD Plan LMP41947

From: CD Comprehensive Development District (based on M1 Manufacturing District and M5 Light Industrial District)

To: Amended CD Comprehensive Development District (based on M2 General Industrial District and M5 Light Industrial guidelines and in accordance with the development plan entitled "Mail-o-Matic" prepared by Beedie Construction Co. Ltd.)

The purpose of the proposed zoning bylaw amendment is to permit the development of a warehouse type building accommodating a business that prepares mail for bulk delivery.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rezoning Reference #99-12, Bylaw No. 10954.

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 #99-12, Bylaw No. 10954 be now terminated."

CARRIED UNANIMOUSLY



4. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 29, 1999" - BYLAW NO. 10955

Rez. #99-14

4401 Still Creek Drive

Lot 1, D.L. 70, Group 1, NWD Plan 29239

From: CD Comprehensive Development District (based on M5 Light Industrial District and Willingdon Business Park Community Plan)

To: Amended CD Comprehensive Development District (based on M5 Light Industrial District and Willingdon Business Park Community Plan and in accordance with the development plan entitled "Willingdon Park - Proposed Signage for Phase 5" prepared by Cohos Evamy Interplan)

The purpose of the proposed zoning bylaw is to permit a skysign.

John Scott, Cohos, Evamy Interplan, 300 - 131 Water Street, Vancouver, the rezoning applicant, appeared before members of Council advising he is available to respond to any questions Council may have with regard to the subject application.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rezoning Reference #99-14, Bylaw No. 10955 .

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 #99-14, Bylaw No. 10955 be now terminated."

CARRIED UNANIMOUSLY

5. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 30, 1999" - BYLAW NO. 10956

Rez. #99-20

3791 Kingsway

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Lot 199, D.L. 35/151, Group 1, NWD Plan 47944

From: CD Comprehensive Development District

To: Amended CD Comprehensive Development District (based on C6a Gasoline Service Station District and P8 Parking District and in accordance with the development plan entitled "B.C. Tel Parking Lot Proposal" prepared by Birmingham and Wood Architects)

The purpose of the proposed zoning bylaw amendment is to permit construction of an interim surface parking lot at present while preserving the future option of rebuilding a gasoline service station in accordance with current CD zoning plans.

James Birmingham, 7 Gaolers' Mews, Vancouver, B.C., architect for the subject application, appeared before Council advising he is available to answer questions Council may have with regard to the application.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rezoning Reference #99-20, Bylaw No. 10956.

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 #99-20, Bylaw No. 10956 be now terminated."

CARRIED UNANIMOUSLY

6. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 31, 1999" - BYLAW NO. 10957

Rez. #99-24

6083 McKay Avenue and 4538 Kingsway

Air Space Parcel 4, D.L. 153, Group 1, NWD Air Space Plan LMP41435, Air Space Parcel 2, D.L. 153, Group 1, NWD Air Space Plan LMP41433

From: CD Comprehensive Development District (based on RM5 Multiple Family Residential District, C3 General Commercial District and P2 Administration and Assembly District)

To: Amended CD Comprehensive Development District (based on RM5 Multiple Family Residential District, C3 General Commercial District and P2 Administration and Assembly District and in accordance with the development plan entitled "Skysigns for The Crystal" prepared by Knight Signs)

The purpose of the proposed zoning bylaw amendment is to permit skysigns.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rezoning Reference #99-24, Bylaw No. 10957. Arising from its consideration of this application the Advisory Planning Commission adopted the following motion for Council's consideration:

"THAT the Advisory Planning Commission express its concern to Council about the size of the combined letter and logo sign proposed for the Hilton Hotel in the subject application."

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

MOVED BY COUNCILLOR LAWSON:  
SECONDED BY COUNCILLOR JOHNSTON:

"THAT this Public Hearing relating to Rezoning Reference #99-24, Bylaw No. 10957 be now terminated."

CARRIED UNANIMOUSLY

7. "BURNABY ZONING BYLAW 1965, AMENDMENT BYLAW NO. 32, 1999" - BYLAW NO. 10958

Rez. #99-25

Ptn. of 250 Willingdon Avenue

Ptn. Of Parcel One, D.L.'s 122 & 188, Group 1, NWD Plan NWP87902

From: P3 Park and Public Use District

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To: Comprehensive Development District (based on P3 Park and Public Use District guidelines, and in accordance with the development plan entitled McGill Library/Archive prepared by James KM Cheng Architects Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of the replacement McGill Library.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rezoning Reference #99-25, Bylaw No. 10958.

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 #99-25, Bylaw No. 10958 be now terminated."

CARRIED UNANIMOUSLY

8. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 33, 1999" - BYLAW NO. 10960

Rez. #98-44

7750 Government Street

Lot V, D.L. 42, Group 1, NWD, Plan 23020

From: R1 Residential District

To: R1a Residential District

The purpose of the proposed zoning bylaw amendment is to permit the construction of a single family dwelling with a floor area greater than that permitted under the prevailing residential zoning.

Otto Schmid, 8205 Burnlake Drive, Burnaby appeared before members of Council advising of his concern about the subject application. The speaker requested clarification on the difference in square footage permitted under the current zoning and what is being planned.

In response to Council's query regarding square footage, Mr. D.G. Stenson, Director Planning and Building advised that under the current R1 zoning a 6,350 square foot house would be permitted and the house proposed in this application is 7,525 square feet.

The speaker informed Council that he considers the square footage permitted under the existing zoning to be sufficient for this lot and that a larger house would not be in keeping with the existing neighbourhood.

Henry Hill, 7774 Government Street, Burnaby appeared before Council seeking further information with regard to how the covenant for the property would be utilized. Mr. Hill also expressed appreciation to planning staff, the new owners and the architect for their effort in trying to maintain the integrity of this property and agrees with the comments contained in the staff report regarding this unique and individual residential property. Mr. Hill's concern about the application involves the three levels of government associated with the different aspects of the site - Department of Fisheries, G.V.R.D. and City of Burnaby - and who will have ultimate authority and responsibility, especially when the circumstances can involve more than one jurisdiction. For example, Mr. Hill questioned who will have jurisdiction of maintaining the integrity of the watercourse, the integrity of the leaf strip and ensuring the standard of work on G.V.R.D. right-of-way. These are complex questions, arising from a complex situation, informed the speaker, and someone should be in charge of the upkeep and condition of the property. Lastly, Mr. Hill inquired whether the landscaping plan, which was presented to the Board of Variance, will be the final plan of how the work will be undertaken.

Les Lee Lowe, 7408 Government Road, Burnaby appeared before Council to clarify that Government Street is now called Government Road and suggested that Burnaby staff take the necessary action to reflect this name change.

Peter Chu, 210 - 6939 Hastings Street, Burnaby, architect for the subject application appeared before Council accompanied by Patricia Campbell, 6545 Bonsor Street, Burnaby, landscape architect for the project. Mr. Chu advised the majority of the additional square footage, approximately 1,200 square feet, requested in this application is primarily due to the covered driveway at the front of the house and the verandah at the back. The massing of the house itself is no more than what would be allowed under the existing zoning but because the covered areas are, in the City of Burnaby, included in the overall square footage they are required to seek this rezoning.

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Patricia Campbell, described the landscaping plan proposed for this property and in response to a question asked by a previous speaker, advised that the leave strip is to be left as it is with some minor improvements planned for the landscape with in-fill planting but that overall the intent is for the leave strip landscape to stay as is. There are plans for more extensive change in landscaping for other areas of the site which will be improved with in-fill plantings and an area of lawn being removed and replaced with wildlife enhancing native plantings.

In response to a query from Council Mr. Chu advised he was not aware of the current condition of the bridge.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rezoning Reference #98-44, Bylaw No. 10960.

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

MOVED BY COUNCILLOR LAWSON:  
SECONDED BY COUNCILLOR JOHNSTON:

"THAT this Public Hearing relating to Rezoning Reference #98-44, Bylaw No. 10960 be now terminated."

CARRIED UNANIMOUSLY

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 10:15 p.m.

Confirmed:

  
MAYOR

Certified Correct:

  
ADMINISTRATIVE OFFICER I