

2001 FEBRUARY 20

A Public Hearing was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 2001 February 20 at 7:30 p.m.

PRESENT: Mayor D.P. Drummond (In the Chair)  
Councillor G. Begin  
Councillor B. Der  
Councillor D.G. Evans  
Councillor N. Harris  
Councillor D.N. Johnston  
Councillor C.M.H. Redman (Arrived 7:48 p.m.)

ABSENT: Councillor D.R. Corrigan  
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 7:31 p.m.

1. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 40, 2000" - BYLAW NO. 11174

Rez. #00-18

4805 and 4823 Hastings Street - located at the northeast corner of Hastings Street and Gamma Avenue.

Lot 47 Except: Part Dedicated Road on Plan LMP27632, D.L. 122, Group 1, NWD Plan 41015, Lot 46, D.L. 122, Group 1, NWD, Plan 42376

From: C4 Service Commercial District

To: CD Comprehensive Development District (based on C7 Drive-In Restaurant District guidelines and in accordance with the development plan entitled "McDonald's Restaurant Gamma & Hastings Burnaby, B.C.", prepared by P J Lovick Architects Ltd.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a drive-in restaurant with a drive-thru lane.

An undated letter was received from Al Simmons, 149 Delta Avenue, Burnaby registering protest to the subject application. The writer's concerns include: traffic flow and accident potential; pedestrian safety; noise and light pollution; litter; and the existing dangerous road angle on Hastings Street.

A letter dated February 16, 2001 was received from Mr. and Mrs. Ron Chan, 103 Hythe Avenue, Burnaby advising of their opposition to the proposed rezoning. The writers express concerns regarding traffic safety as well as increased noise and litter in the area.

A letter dated February 20, 2001 was received from Elan Gibson, 11 Hythe Avenue S., Burnaby registering her strong opposition to the proposed bylaw amendment. The writer is concerned about traffic, noise, litter and pollution related to the proposed drive-in.

An undated letter was received from A. Cimmarushti, 270 Delta Avenue, Burnaby expressing opposition to the rezoning because of concerns related to traffic congestion and accidents as well as noise and litter.

A letter dated February 20, 2001 was received from L. and O. Brisbais, Fairlane Fire Prevention Ltd., 4877 Hastings Street, Burnaby questioning whether this rezoning would have any affect on the zoning of their property or their taxes.

Peter Lovick, 3707 1st Avenue, Burnaby, Architect and rezoning applicant, appeared before members of Council to provide a brief summary of the proposed development plan. The speaker advised that after extensive consultation with the Planning Department the proposal will include the following features: the building is to be located on the southwest corner and will cover 11% of the site; 39 parking spaces will be provided; vehicular access will be from Gamma Avenue, and egress to Gamma Avenue and Hastings Street (westbound); there will be no dead-end parking to allow easier traffic flow; two lanes will be side-by-side at the drive-thru enabling anyone to leave the drive-thru lane if they choose; garbage collection facilities will be located in the centre of the site and well-screened; a landscaped patio will run along the Hastings Street side of the restaurant; the building will be one-storey with parapets to screen roof-top mechanical equipment; building design will be in keeping with the Hastings Village theme established for the area; extensive landscaping will be provided, especially along the Hastings Street side and has been increased along the fencing running along the rear lane; an 8 foot high, cement, sound-attenuation fence will run along the rear of the property, and; a traffic study has been undertaken and submitted to the Planning Department.

\*\* Councillor Redman arrived at the Public Hearing at 7:48 p.m.

In responding to a queries from Council, Mr. Lovick advised that it will not be necessary to shut down the drive-thru lane when deliveries are made to the loading area, the fencing is made of decorative, concrete sound attenuation material which will jog at intervals to allow landscaping on both sides and B.C. Transit are being consulted regarding the existing bus stop adjacent the site on Gamma. With regard to the bus stop Mr. Lovick clarified McDonalds would prefer to leave the stop where it is.

Dave Taylor, 4787 E. Pender Street, Burnaby appeared before members of Council to express a number of concerns regarding the subject application. Mr. Taylor was concerned about the possible re-location of the bus stop adjacent the site and about where employees of the restaurant would be parking their vehicles. The speaker suggested that many other businesses located on Hastings Street do not provide sufficient parking for employees and those vehicles are parked on neighbouring residential streets. Mr. Taylor indicated he is also concerned about the proposed hours of operation, increase noise, litter and safety issues, especially with regard to school children walking to the restaurant and crossing busy streets.

John D'Amato, 306 S. Gamma Street, Burnaby appeared before members of Council to express his opposition to the application because he feels his property will be negatively impacted by increased noise, traffic and litter. Mr. D'Amato informed Council that if Transit decide to relocate the bus stop, currently adjacent the subject site, it will most likely move to in front of his house. This will be a problem as he can only park one vehicle on site and must park his second vehicle in front of his home. The speaker indicated he was also concerned about the validity of the applicant's traffic study because he thinks it was conducted in the middle of the day, during the Christmas break, when traffic is very light, instead of during peak traffic times. The intersection of Gamma and Hastings has a significant number of accidents, concluded Mr. D'Amato, and is not a good location for a McDonald's.

Frank Mihalic, 4814 Albert Street, Burnaby appeared before members of Council advising of his opposition to the subject application. Mr. Mihalic provided two letters to Council outlining his concerns regarding dangerous traffic conditions, especially the Gamma/Hastings intersection and the impact of attracting more youth into the area, pollution and litter issues. The speaker concluded by requesting clarification regarding plans to the clean contaminated soils on the subject site. Mr. Mihalic advised area residents had received letters indicating Petro Canada were responsible for removing the contaminated soils but he did not know if that had actually been done.

In response to a query from Council, Mr. D.G. Stenson, Director Planning and Building advised that soil remediation had been conducted on this site to a standard satisfactory for the zoning. Also in response to Council's queries Mr. Stenson indicated that he did not have a history of traffic accidents for the Hastings/Gamma intersection available but he was sure that the Engineering Department would be able to provide such data if requested. Mr.

Stenson also noted that the Planning Department normally contact Coast Mountain Bus regarding possible bus stop changes later on in the process, however staff will now investigate the situation regarding the Gamma Street bus stop.

Wade Johannson, 99 Canberra Avenue, Burnaby appeared before Council members advising he too is concerned about traffic in the area and feels the bus stop on Gamma Avenue should not be relocated. Mr. Johannson concedes that eventually a business will locate on the subject site and, as far as businesses go, McDonald's appears to be a good corporate citizen that will do its best to accommodate area residents especially regarding litter clean-up. The speaker advised he would like to see the proposed hours of operation adhered to. In conclusion, Mr. Johannson indicated he is not opposed to the proposed use of the site but does have reservations regarding traffic safety.

Cindalia Serrambana, 5800 Winch Street, Burnaby appeared before members of Council in support of the proposed application. The speaker advised that, while she does not live in the immediately area, she often walks with her children to visit Confederation Park and considers the addition of a McDonald's as a benefit to the community. The speaker supports the application because Hastings Street is a commercial street and the proposed use is what you would expect for the area.

Larry Brisbois, owner, Fairlane Fire Prevention Ltd., 4877 East Hastings Street, Burnaby appeared before Council to advise that while he is not opposed to the proposed restaurant use of the site, he does have concerns regarding traffic safety issues related to the application. Mr. Brisbois agreed with previous speakers comments that the intersection at Gamma and Hastings is dangerous and he is concerned about children walking up Gamma through the access/exit point to the restaurant and drive-thru.

Darrell Horst, representing McDonald's Restaurants of Canada Ltd., Burnaby appeared before Council in support of the subject application. Mr. Horst submitted to Council 12 letters from area residents and 10 letters from area businesses indicating support for the subject application. Two of the letters from area residents, noted Mr. Horst, were from residents who, previously, had not supported the proposal but now do support it.

In addressing some of the issues that have been raised during the meeting, Mr. Horst advised that the traffic study, referred to by Mr. Lovick earlier, has been submitted to the Planning Department and is the result of several months of work which required gathering of information from a variety of sources by experts in traffic analysis. With regard to concerns about the Gamma Avenue access/egress point, Mr. Horst noted that, no matter what business is located on this site, access to the property would have to be from Gamma Avenue. With regard to the possible relocation of the bus stop, the speaker informed Council that his last communication with Coast Mountain Bus has indicated the bus company want to move the stop further up Gamma; however McDonald's do not support this proposal, would prefer to see it stay where it is and will be communicating that preference to Coast Mountain Bus.

In consultation with area residents, improvements have been made to the proposal to include fencing, 2 feet higher than originally proposed and made of sound attenuation concrete rather than wood and landscaping of the site has been increased. McDonald's policy regarding litter clean-up in neighbourhoods is flexible, noted Mr. Horst, and may be adopted to suit whatever the specific neighbourhood situation requires. Regarding concerns about increased movement of students into the neighbourhood, the speaker pointed out they are actually moving further away from Alpha School making it less attractive to students. The speaker confirmed the site has undergone the soil remediation that was required of Petro Canada. Mr. Horst agrees that traffic in this area is heavy and suggested "rat running" is taking place through the residential neighbourhood; their studies however indicate that access to and egress from the site is suitable for the business.

In conclusion, Mr. Horst advised McDonald will continue working with the City of Burnaby to make their proposal viable and urged Council to approve the subject application.

Frank Mihalic, 4814 Albert Street, Burnaby again appeared before members of Council to suggest that the City implement "Resident Parking Only" signs for three blocks surrounding the subject site if the application is approved.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rez. #00-18, Bylaw No. 11174 .

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 Rez. #00-18, Bylaw No. 11174 be now terminated."

CARRIED UNANIMOUSLY

2. "BURNABY ZONING BYLAW 1965. AMENDMENT  
BYLAW NO. 7. 2001" - BYLAW NO. 11207

Rez. #00-26

7800 Riverfront Gate - located on the north side of Riverfront Gate between the Burnaby Women's Correction Centre and Tillicum Street.

Lot 2, D.L. 166 & 167, Grp. 1, NWD Plan LMP 39677

To: CD Comprehensive Development District (based on M1 Manufacturing District, M2 General Industrial District, M3 Heavy Industrial District and M5 Light Industrial District)

From: Amended CD Comprehensive Development District (based on M2 General Industrial District and M5 Light Industrial District guidelines and in accordance with the development plan entitled "7800 Riverfront Gate" prepared by CEI Architecture Planning Interiors)

The purpose of the proposed zoning bylaw amendment is to permit the development of an industrial warehouse/distribution facility.

A letter dated February 16, 2001 was received from Development Review Coordinator, CN Railway advising that the comments regarding fencing and drainage expressed by the railway in a letter received at the November 2000 Public Hearing on a previous application for this property are still valid. A copy of this previous letter has been provided to members of Council and is on file

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rez. #00-26, Bylaw No. 11207.

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

MOVED BY COUNCILLOR EVANS  
SECONDED BY COUNCILLOR BEGIN

"THAT this Public Hearing relating to Rez. #00-26, Bylaw No. 11207 be now terminated."

CARRIED UNANIMOUSLY

3. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 8, 2001" - BYLAW NO. 11208

Rez. #00-38

4601 & 4611 Canada Way - located at the northwest corner of Canada Way and Wayburne Drive.

Lot "A", Blk. 2, D.L. 73, Group 1, NWD Plan LMP 14893

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 "IBM - Canada Way Business Park" prepared by Atlas Sign and Awning Company).

The purpose of the proposed rezoning bylaw amendment is to permit two sky signs.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rez. #00-38, Bylaw No. 11208 .

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 Rez. #00-38, Bylaw No. 11208 be now terminated."

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED BY COUNCILLOR EVANS  
SECONDED BY COUNCILLOR JOHNSTON

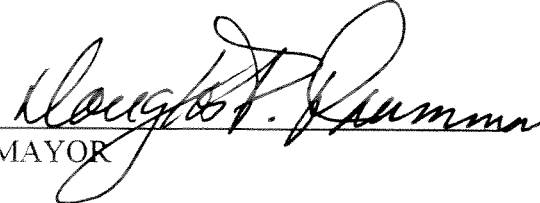
"THAT this Public Hearing (Zoning) do now adjourn."


CARRIED UNANIMOUSLY

The Public Hearing (Zoning) adjourned at 8:42 p.m.

Confirmed:

Certified Correct:

  
MAYOR

  
ADMINISTRATIVE OFFICER I