

2004 April 27

A Public Hearing (Zoning) was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 2004 April 27 at 7:30 p.m.

PRESENT: Mayor Derek Corrigan
Councillor P. Calendino
Councillor S. Dhaliwal
Councillor D. Evans
Councillor D.N. Johnston
Councillor C. Jordan
Councillor L. Rankin
Councillor C.M.H. Redman
Councillor N. M. Volkow

STAFF: Mr. Jack Belhouse, Director Planning & Building
Mrs. Ann Lorentsen, Administrative Officer Operations

The Mayor called the Public Hearing (Zoning) to order at 7:30 p.m.

1. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 1, 2004" - BYLAW NO. 11675

Rez. #03-49

7671 Griffiths Lane & 6870 Rumble Street

Lot 4 Except: Firstly: Part Subdivided by Plan 22426, Secondly: Part on Statutory Right-of-Way Plan 67388, Blk 2, D.L. 169, Group 1, NWD Plan 992; and Lot A, D.L. 160, Plan LMP 303

From: CD Comprehensive Development District (based on RM2 Multiple Family Residential District)

To: Amended CD Comprehensive Development District (based on RM2 Multiple Family Residential District and the Edmonds Town Centre Plan as guidelines and in accordance with the development plan entitled "Canyonwood Townhouse Development" prepared by Tomizo Yamamoto Architect Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a 25-unit stacked townhouse development with underground parking.

Scott Webber, 211 - 6860 Rumble Street, Burnaby appeared before Council to advise of neighbouring residents' objections regarding site access related to the subject application. In referring to comments contained in the report of the Director Planning and Building and the series of photographs distributed to members of Council, the speaker provided the following comments regarding alternate access to the subject site:

- ▶ Rumble Street is considered to be an undesirable point of access because it is a major collector road to which access must be minimized and because of its proximity to a pedestrian crosswalk and intersection; however these issues also apply to a project under construction on 21st Avenue ("Villetta") which has access to Edmonds Street (a major collector) with traffic and the point of access is only 38 metres to the Edmonds/Griffiths intersection;
- ▶ Proposed realignment of the urban trail as shown in photo #3 will result in visibility issues for pedestrians - should be relocated to east of the Skytrain guideway pillar and thus will not be an issue in locating a driveway off of Rumble;
- ▶ It is possible to approach the rail right-of-way holders to negotiate access agreements.
- ▶ Change of grade from Rumble Street to the base of the parking structure would mean construction of an overly long access ramp however this is based on the assumption that 25 units are to be developed on this site - if it is possible to gain access off of Rumble perhaps other alternatives should be considered for development of the site.

Suzanne Groleau, 310 - 6860 Rumble Street, Burnaby appeared before Council advising that she was representing the Strata Council of LMS345 Governor's Walk. The speaker requested that Council delay granting any approval of this rezoning application to allow the owners of the Corporation an opportunity to hold a Special General Meeting to be provided with all available information, to consider their options and decide whether they want to go to court to have the easement set aside or whether they want to negotiate with Noort Homes to obtain a new agreement for the existing easement. The Strata Council is currently waiting for a detailed report from their lawyer on the current easement agreement and once this information is received they want to hold the Special Meeting, which should be no later than early June. Should the owners of LMS345 decide to negotiate with Noort Homes the Strata Council believe the negotiated agreement, as well as some form of bond, should be in place before the start of construction. The speaker requested that following the Special General Meeting the City should impose a two month negotiating period to ensure the two parties are committed to resolving this issue. In conclusion, Ms. Groleau asked that, based on the severe impact to their community, Council delay any decision to approve this application until both parties have settled their differences as once construction begins their will be no incentive on the part of Noort Homes to negotiate.

In response to a query from Council about what the Strata Council were wanting to negotiate, Ms. Groleau advised they are considering a new agreement.

J.S. Belhouse, Director Planning and Building explained the impact of adopting the prerequisite recommended in the new staff report and the process that will follow.

Glen Noort, 21522 46B Avenue, Langley of Noort Homes Ltd., the applicant for the proposed development, appeared before Council members to address the comments of the previous speakers. Firstly, the access point proposed off of Rumble Street is only 15', not wide enough to support a 20 foot wide double driveway; and secondly a 210 foot ramp would be required to get from Rumble to the base of the underground parking structure which would have a 21 foot grade difference and 10% maximum ramp slope. This situation, informed Mr. Noort, would result in elimination of a large portion underground parking.

To have access from Rumble would also require the purchase of additional land from Southern railway and relocation an buried fuel line. Mr. Noort noted that they have offered to enter into an equitable cost sharing arrangement for the maintenance and liability insurance for the easement and have offered to modify their excavation plan on the construction site to minimize impact on the adjacent property.

Suzanne Groleau, 6860 Rumble Street again appeared before members of Council advising that, to date, Mr. Noort has refused to enter into any negotiation with representatives of the Strata Council and has not provided any written confirmation of the promises he is now offering.

At this time Council brought forward for consideration the following report from the Director Planning and Building:

REZONING REFERENCE #03/49
7671 Griffiths Lane & 6870 Rumble Street
Edmonds Town Centre - Sub Area 3
Response to Public Hearing Issues

RECOMMENDATION

1. THAT Council establish the following additional prerequisite for Rezoning Reference #03-49.
 - u. Completion of a new easement or other legally binding agreement requiring the proposed new development to pay an equitable share of the maintenance, repair and liability protection costs for the driveway easement and adjacent landscaping.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR EVANS:

‘THAT the recommendation of the Director Planning and Building be adopted.’

CARRIED UNANIMOUSLY

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

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT this Public Hearing relating to Rez.#03-49, Bylaw No. 11675 be now terminated."

CARRIED UNANIMOUSLY

2. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 24, 2004" - BYLAW NO. 11719

Rez. #04-05

4700 Imperial Street

Lot 1, D.L. 99, Group 1, NWD Plan BCP 6963

From: CD Comprehensive Development District (based on P2 Administration and Assembly District)

To: Amended CD Comprehensive Development District (based on P2 Administration and Assembly District and in accordance with the development plan entitled "Taiwan Economic & Cultural Centre, 4700 Imperial Street, Burnaby B.C." prepared by Andrew Cheung Architects Inc.)

The purpose of the proposed zoning bylaw amendment is to permit alterations to the Cultural Centre design, including adding a third floor and additional underground parking.

A letter dated April 19 was received from Maureen Hoechsmann, writing on behalf of the Mawhinney family of 6889 Waverley Avenue, advising they do not support the proposed amendment. The writer notes that while they feel the Centre will improve the appearance of the corner and revitalize the area they are concerned about the following issues: bulk of the proposed building, provision of parking, especially for special events, increased traffic and noise.

A letter dated April 26 was received from the President, Wall Financial Corp., acting as the property manager and agent for Telkwa Apartment, 4575 Imperial Street expressing support for the subject application.

Maureen Hoechsmann, 4382 Greta Street, Burnaby appeared before members of Council, advising her family have lived in this area, diagonal to the subject site, for over 45 years and they are very concerned about the impact the proposed building will have on the neighbourhood. The speaker noted that the proposed building has much higher site coverage and square footage which will result in more people using the building and more parking required. Ms. Hoechsmann is concerned that, although the proposal meets the bylaws for required parking space, there will not be sufficient parking for the actual number of people using the facility, especially during special events that may be held in the evening.

The speaker also expressed concern regarding the vehicular exit from the underground parkade into a narrow lane which then exits onto Waverley Avenue. This area is already very congested with traffic and Ms. Hoechsmann feels the quiet and tranquility of the neighbourhood will be negatively impacted. In conclusion, the speaker noted that during times of heavy usage parking needs will spill over into the residential streets, resulting in increased noise, traffic congestion and inconvenience for area residents.

In response to queries from members of Council, Mr. J.S. Belhouse, Director Planning and Building advised of the following: that all current surface parking will be removed and included in the underground parking; the actual number of persons permitted in the assembly area is unknown at this time - that decision is dependent on building loads and the Fire Marshal; the hours of operation are not set out in the bylaw and; the overall height of the building increases by 2-1/2 feet with larger building bulk.

Tony Robertson 6890 Waverley Avenue, Burnaby appeared before members of Council advising that he did not oppose the original Cultural Centre proposal; however he is opposed now because of the serious parking issues the neighbourhood is experiencing. The speaker informed Council that two private schools have recently opened in the area which has resulted in parking conflicts with the residential neighbourhood. Mr. Robertson also expressed concern about increased traffic in relation to the t-intersection with the lane at Waverley Avenue. Increased traffic congestion and lack of parking in the area has lead to his being opposed to the subject application, concluded Mr. Robertson.

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

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT this Public Hearing relating to Rez.#04-05, Bylaw No. 11719 be now terminated."

CARRIED UNANIMOUSLY

3. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 25, 2004" - BYLAW NO. 11720

Rez. #04-11

4399 Lougheed Highway

Airspace Parcel 1, D.L. 119, Group 1, NWD Air Space Plan LMP49418

From: CD Comprehensive Development District (based on RM5 Multiple Family Residential District, P3 Park and Public Use District, C3, C3a General Commercial District)

To: Amended CD Comprehensive Development District (based on RM5 Multiple Family Residential District, P3 Park and Public Use District, C3, C3a General Commercial District and in accordance with the development plan entitled "Proposed Occupant Loads for the Shark Club, Burnaby" prepared by Deangelis Architecture)

The purpose of the proposed zoning bylaw amendment is to permit an increase in the seating capacity of the Shark Club liquor licence establishment, coupled with a reduction in the seating capacity for the associated restaurant, and the elimination of the accessory brewing and display function from the CD plans.

Zrinka Radic, 4398 Buchanan Street, Burnaby appeared before members of Council to express her opposition to the subject application. The speaker advised that contrary to what had been promised when she appeared at a previous rezoning for this business, the issues of noise associated with the restaurant/nightclub have not been addressed. The owner had committed to ensuring the exit door adjacent Buchanan Tower would be alarmed to prevent people for using the exit except for an emergency and that music would be turned down in the later hours and that the patio would be quiet after 10 pm - these commitments are not being met, stressed Ms. Radic. When people purchased their homes in Buchanan Tower they thought they were buying homes that looked over a beautiful garden courtyard with a family style restaurant – they are now facing a “nightclub” style facility which is not compatible with the lifestyle of the neighbouring residents.

Ms. Radic advised she is opposed to the proposal and urged Council to refuse the rezoning application. The speaker submitted a petition signed by 151 residents of 4398 Buchanan Street, the text is as follows:

“We the undersigned, hereby petition the City of Burnaby to NOT APPROVE the zoning bylaw amendment. We, the undersigned owners of the units at 4398 Buchanan Street are AGAINST this amendment to permit an increase in the seating capacity of the Shark Club liquor license establishment.

We state or believe that
Permit to increase in the seating capacity of the Shark Club liquor license establishment will have a negative impact on:

1. High noise levels in the Buchanan towers area
2. Resale value of the properties in the Buchanan Towers
3. Quality of our lifestyles.

Proposed zoning bylaw amendment would also increase the likelihood of:

1. Increase in substance abuse
2. Vandalism to Buchanan Towers, parkade and gardens
3. Drinking and driving within parkade levels
4. High noise levels until 4:00 am”

Parvin Yavari, appeared before Council on behalf of her mother Akram Seyed Parsa, who resides at 4398 Buchanan Street. Ms. Yavari is very concerned that the promises, made to residents when they purchased their homes in the development, are being stripped away and changes are being made to benefit the developer and the commercial tenants at the expense of the residential tenants. The speaker was very upset that a family restaurant (which had been acceptable to residents) has been replaced with a club that caters to groups of noisy, drunken people and other unacceptable behaviour. Ms. Yavari is very concerned that these people have access to the residential visitors parking level, exposes tenants to inappropriate behaviour and removes the feeling of safety and security for residents and their visitors.

Lucy Gallo, 4398 Buchanan Street, Burnaby came before Council to express her opposition to the application. The speaker is extremely concerned about the noise and behaviour of club patrons who have access to their property from the patio and to the visitor parking.

Frank Sroetryak, 4134 Maywood Street, Burnaby appeared before Council members urging Council to not approve this application. The speaker noted that any establishment where drinking is promoted will have problems such as excessive noise, vandalism crime. A residential community is not a good location for such a facility Mr. Sroetryak commented and suggested Council make this facility just a regular restaurant and remove the liquor component.

Marianna Vjoric, 4398 Buchanan Street, Burnaby appeared before members of Council advising that she looks right out into the restaurant and patio and the noise has made her life terrible. The speaker noted that noise emanates from the stairs that come up from the downstairs portion of the restaurant and even when the patio doors are closed she can hear music constantly, making it impossible to use of her own patio. Lastly, Ms. Vjoric informed Council that crime and vandalism has increased for units in the courtyard area, although she cannot say for certain that patrons of the Shark's Club are causing the problem.

Albert Hoft, 406 - 4398 Buchanan Street, appeared before members of Council advising that the situation with the Shark's Club has become "Hellish" because of the constant disruption of sleep. The speaker explained that because the club and the residences share the same infrastructure the bass of the music vibrates through the building - he can feel it through his pillow when sleeping. The music volume appears to go up as the evening goes on so, although the patio was built to withstand noise, the rest of the restaurant can't contain the escalating volume of music. Mr. Hoft also noted that the patrons and staff use the area outside the fire door, which was supposed to be alarmed to prevent opening, as a smoking area and has become a high traffic area.

In conclusion, Mr. Hoft expressed concern is the Club may have future plans to take over the grassy area past the patio to expand the facility and further make life difficult for residents. The speaker urged Council to turn down this application.

Councillor Redman retired from the meeting at 9:05 p.m.

Lucy Gallo, 4398 Buchanan Street, Burnaby again appeared before Council to stress how difficult this situation has become for residents and noted that some residents have sold and moved to get away from the situation and others are thinking of selling.

Councillor Redman returned to the meeting at 9:06 p.m.

Zerinka Radic, 4398 Buchanan Street, Burnaby again appeared before Council members suggesting to Council that, in the future, they should not put a nightclub type of use in a residential community and, lastly, requested Council members take all the comments given tonight into consideration when making their decision.

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

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT this Public Hearing relating to Rez.#04-11, Bylaw No. 11720 be now terminated."

CARRIED UNANIMOUSLY

4. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 26, 2004" - BYLAW NO. 11721

Rez. #01-10

6845 Kitchener Street

Lot 186, D.L. 132, Group 1, NWD Plan 27970

From: R4 Residential District

To: CD Comprehensive Development District (based on R4 Residential District and P7 Special Institutional District and in accordance with the development plan entitled "Charlford House Society for Women" prepared by Pat McNamara and Cal Walker of the Society)

The purpose of the proposed zoning bylaw amendment is to bring the Charlford House supportive recovery home into compliance with the City's Zoning Bylaw and to facilitate its expansion from a 10-bed to 15-bed facility licensed under the Community Care Facility Act.

A letter dated April 27 was received from Olivo Bortolazzo, 6870 Kitchener Street, advising he is strongly opposed to the proposed application to permit expansion to a 15 bed facility.

A letter was received from Rob Aiello, 1314 Blaine Drive advising of his objection to the subject rezoning application because of the proximity of the facility to an Elementary School and the possible degradation of safety in the area.

A letter was received from Brent Stebbings, 6835 Kitchener Street, Burnaby advising that as a direct neighbour of Charlford House for the past three years he feels they have been excellent neighbours and he wishes them success.

A letter was received from Philip Swanson, 6860 Kitchener Street, Burnaby advising that Charlford House and its residents are an asset to the community and should be allowed to operate at their present capacity.

Cal Walker, Abbotsford, Charlford House Society appeared before Council in support of the subject application. Mr. Walker noted that Charlford House has been in Burnaby for many years and serve a valuable service to the community by providing a place where women can overcome difficulty and return home to be contributing members of society.

The facility currently permits 10 residents in one half of the existing duplex, the intention is to take over the other half of the duplex to allow expansion for up to 15 residents at a time. Maintaining a 15 bed facility is the only way Charlford House will remain financially viable informed the speaker.

Mr. Walker informed Council that there will be no noticeable physical changes required for the house itself but rather it is intended to commit some improvements such as painting and other maintenance.

Matt Foley, 6990 Kitchener Street, Burnaby appeared on behalf of his parents who reside at 6861 Kitchener Street, adjacent the subject site, to express opposition to the proposed expansion of Charlford House. The speaker noted that when this facility was first established in this community residents accepted it because there was a need for it; however over the years there have been some incidents which has lead them to think expansion of the facility will have an adverse affect on the neighbourhood and their property in particular. Mr. Foley advised that his family feels the balance of what is acceptable to the neighbourhood has been lost since the expansion of Charlford House to what is actually 14 beds at present. The speaker compared living next door to the facility as being similar to living next to the hotel because of the volume of people rotating through the residence every 3 to 6 months. With an expanded Charlford House and the Down Syndrome Centre both located within this block the neighbourhood an uneven ratio between residential and institutional uses has developed. Mr. Foley also noted that the house in question is badly in need of repair and has not been well maintained, except for the work done by the tenant who will be displaced by the proposed expansion.

In response to a query from Council about what types of incidents he was referring to, Mr. Foley advised the incidents were mostly related to parking, traffic, and noise related to visitors to the house as well as smoking and loss of privacy. Mr. Foley submitted a letter from his parents and a copy of this is on file in the office of the City Clerk.

Mr. Foley also submitted a petition signed by 21 area residents opposed to the application. The petition reads as follows:

“As a resident in close proximity to 6845 Kitchener Street, I would like to expressed my opposition to the proposed rezoning of this property and further expansion of this facility.

Please express my concerns to Council and submit this petition as my expression.”

Lynne de Champlain, 6855 Kitchener Street, Burnaby appeared before Council advising that she and her family occupy the subject property and will be displaced should the application be approved. Ms. de Champlain advised that currently Charlford has already taken occupancy in the lower half of her side of the duplex. The speaker questioned why the whole side of her duplex is required when the Society has already accommodated 14 people in the existing available space.

Cal Walker, Charlford House Society again appeared before members of Council to address some of issues raised by the previous speaker. Regarding parking, Mr. Walker advised the tenants are not permitted vehicles and while they may have a special occasion, such as the Christmas Open House or an alumni meeting, once or twice a year there are few times when parking is an issue. There is a commitment to improve the appearance of the house if the rezoning is approved informed Mr. Walker and the residents of the facility are encouraged to be active and participate in the community.

In response to a query from council regarding the four women already occupying the lower half of the subject property, Mr. Walker explained this space is being used as a "transition suite" for women preparing to leave the facility; however the space is limited and needs to be made larger.

Matt Foley, 6990 Kitchener Street again came before Council advising that all the neighbourhood participate in community activities as do the tenants who currently live at the subject property.

Craig Fedewa, 6896 Kitchener Street, Burnaby appeared before Council to express his opposition to the subject application. The speaker questioned whether there was some way the property can be used for the proposed purpose but without changing the zoning to an institutional use. Mr. Fedewa advised he was concerned that once the change is made the property will never revert back to a purely residential use. The speaker also questioned if the house is already being occupied by 14 people, without proper zoning, what will prevent them from going beyond that number once they are approved for 15 people. Mr. Fedewa pointed out that they have not complied with existing regulations and he fears that this practice may continue.

Theresa Foley, 2310 Sperling Avenue, Burnaby appeared before Council also questioning what will prevent Charlford House from doing what they are now doing by housing more residents that what is permitted. Ms. Foley further explained that the noise, which impacts her parents home, comes from visitors to the house and staff make no effort to control the behaviour of the residents' visitors. Lastly, the speaker questioned whether the upstairs space is really required when they are already housing 14 residents?

In response to the speaker's requesting regarding the required amount of space, Cal Walker, Charlford House Society advised that they are bound to provide a bedroom for each person residing in their facility and there just isn't enough space in the space currently being occupied.

J. Belhouse, Director Planning and Building clarified that as a licensed facility Charlford House will have no discretion to increase the number of residents in the facility over what the licence permits.

Craig Fedewa, 6896 Kitchener Street again appeared before Council asking what assurances does the neighbourhood have that the Society will not break the bylaw or the proposed covenant.

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

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT this Public Hearing relating to Rez.#01-10, Bylaw No. 11721 be now terminated."

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR VOLKOW

"THAT this Public Hearing do now recess."

CARRIED UNANIMOUSLY

The Public Hearing recessed at 9:55 p.m.

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR VOLKOW

"THAT the Public Hearing reconvene."

CARRIED UNANIMOUSLY

The Public Hearing reconvened at 10:05 p.m. with Councillors Evans and Rankin absent.

5. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 27, 2004" - BYLAW NO. 11722

Rez. #03-41

5887 Pioneer Avenue

Lot 217, D.L. 33, Group 1, NWD Plan 41818

From: R5 Residential District

To: CD Comprehensive Development District (based on RM2 Multiple Family Residential District and Metrotown Development Plan guidelines and in accordance with the development plan entitled "Grange Townhouses" prepared by Denis Turco Architect Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the development of a six unit in-fill townhouse project.

A form-letter petition was received from the owners of 5801, 5810, 5821, 5831, 5836, 5838, 5843, 5850, 5852, 5855, 5867 Pioneer Avenue and 4556 Grafton Street the text of the letter reads as follows:

"We, the undersigned, hereby object to the rezoning of 5887 Pioneer Avenue from R5 to RM2.

Accordingly, we wish to state our reasons. Firstly, Pioneer Avenue is very narrow and with high density of residence. Secondly, there are not enough spaces for parking nor are there any sidewalks. Thirdly, the heavy traffic in this area has posed a problem to us already. Last, but not least, if the rezoning is carried out, it will obstruct the view of the nearby area and will affect the environment too. In any case, the rezoning causes much inconvenience to us as explained.

Therefore, we being the owners/ residents of Pioneer Avenue, once again object strongly to the above plan and some of us are ready to attend the Public Hearing on April 27, 2004 at 7:30 to express our concerns."

Alice Lam, 4336 Halley Avenue appeared before Council on behalf of her parents, owners of 5867 Pioneer Avenue, and others who had submitted the form-letter petition noted previously. The speaker advised that parking and traffic is already congested in this area and views will be obstructed by the proposed building. The speaker noted that her parents and many other area residents are seniors who want peace, not the noise of construction, increased traffic, crime and vandalism.

Ken Lam, 5867 Pioneer Avenue, Burnaby appeared before Council to express his opposition to the subject application. The speaker suggested this site would be suitable for a duplex because traffic is so bad in this area. Mr. Lam advised that he was representing all the other persons who were in attendance but not speaking tonight because of language difficulty. These persons had signed the letters submitted and noted previously in the Public Hearing.

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

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR DHALIWAL:

"THAT this Public Hearing relating to Rez.#03-41, Bylaw No. 11722 be now terminated."

CARRIED UNANIMOUSLY

6. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 28, 2004" - BYLAW NO. 11723

Rez. #03-36

4147/49 Central Boulevard & 5964/78/92 Olive Avenue

Parcel "A" (J44243E) of Lot 2, East Half of Lot 2 (Exp. Pl. 3057), N.50 ft. (Plan with Charge 32403C) Lot 3, D.L. 151, Group 1, NWD Plan 2155, Parcel "A" (Ref. Pl. 2275) Lots 3 & 4, D.L. 151, 152 & 153, Group 1, NWD Plan 2155, Parcel "C" (Ref. Pl 1442) Lots 3 & 4, D.L. 151, Group 1, NWD Plan 2155

From: M4 Special Industrial District

To: CD Comprehensive Development District (based on RM3 Multiple Family Residential District with amenity bonus and Metrotown Development Plan as guidelines, and in accordance with the development plan entitled "4147 Central Boulevard" prepared by Integra Architecture Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a 29-unit stacked townhouse development with underground parking.

Margaret Sandvik, 6075 Wilson Avenue, Burnaby appeared before Council to express concern about the proposed use of this site, which is the last remaining site that is close to SkyTrain. The speaker suggested this property would be better utilized if it were a highrise building with units suitable for the handicapped and/or seniors who would benefit from being able to access public transit, metrotown and all the other facilities within a short distance. Existing apartment building in this area are not suitable for seniors and especially not the handicapped, concluded Ms. Sandvik.

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

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR DHALIWAL:

"THAT this Public Hearing relating to Rez.#03-36, Bylaw No. 11723 be now terminated."

CARRIED UNANIMOUSLY

7. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 29, 2004" - BYLAW NO. 11724

Rez. #04-12

5898 Trapp Avenue

Lot 4, D.L. 155, Group 1, NWD Plan BCP 8172

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

To: Amended CD Comprehensive Development District (based on M2 General Industrial District, M5 Light Industrial District and Glenwood Industrial Development Plan guidelines and in accordance with the development plan entitled "Multi-Tenant Building" prepared by Christopher Bozyk Architects Ltd.)

The purpose of the proposed zoning bylaw amendment is to permit construction of a multi-tenant industrial building.

Christopher Bozyk, 611 Alexander Street, Vancouver appeared before Council advising that as the architect for the subject application he was available to answer any questions Council may have.

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

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CALENDINO:

"THAT this Public Hearing relating to Rez.#04-12, Bylaw No. 11724 be now terminated."

CARRIED UNANIMOUSLY

8. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 30, 2004" - BYLAW NO. 11725

Text Amendment

The purpose of the proposed text amendment is to amend the Burnaby Zoning Bylaw with respect to pawn shops and second-hand store uses and the retail sale of used goods.

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

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR DHALIWAL:

"THAT this Public Hearing relating to the Text Amendment, Bylaw No. 11725 be now terminated."

CARRIED UNANIMOUSLY

9. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 31, 2004" - BYLAW NO. 11726

Text Amendment

The purpose of the proposed text amendment is to amend the Burnaby Zoning Bylaw related to decreasing the minimum lot width required for an application to an R"a" District.

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

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR DHALIWAL:

"THAT this Public Hearing relating to the Text Amendment, Bylaw No. 11726 be now terminated."

CARRIED UNANIMOUSLY

10. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 32, 2004" - BYLAW NO. 11727

Text Amendment

The purpose of the proposed text amendment is to amend the Burnaby Zoning Bylaw respecting housekeeping units, residential use in the C9 District and floor area calculations in the A1, A2 and A3 Districts.

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

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CALENDINO:

"THAT this Public Hearing relating to the Text Amendment, Bylaw No. 11727 be now terminated."

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

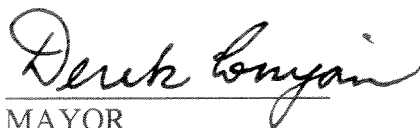
"THAT this Public Hearing (Zoning) do now adjourn."


CARRIED UNANIMOUSLY

The Public Hearing (Zoning) adjourned at 10:25 p.m.

Confirmed:

Certified Correct:


MAYOR


ADMINISTRATIVE OFFICER
OPERATIONS