

PUBLIC HEARING

2006 September 26

A Public Hearing (Zoning) was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 2006 September 26 at 7:30 p.m.

PRESENT: Mayor D.R. Corrigan
Councillor G. Begin
Councillor P. Calendino
Councillor S. Dhaliwal
Councillor D.N. Johnston
Councillor C. Jordan

ABSENT: Councillor G. Evans
Councillor L.A. Rankin
Councillor N.M. Volkow

STAFF: Mr. Basil Luksun, Director Planning and Building
Ms. Ann Lorentsen, Administrative Officer Operations

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

1. **"BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 45 2006" - BYLAW NO. 12143**

Rez. #06-36

7312 Magnolia Terrace (Retail tenant space: 6808 Beresford Street)

Lot 6, D.L. 96, Group 1, NWD Plan LMP37089

From: CD Comprehensive Development District (based on RM2 Multiple Family Residential District and C1 Neighbourhood Commercial District)

To: Amended CD Comprehensive Development District (based on RM2 Multiple Family Residential District, C1 Neighbourhood Commercial District, P1 Neighbourhood Institutional District and Edmonds Town Centre Plan guidelines) and in accordance with the development plan entitled "Proposed Child Care Facility" prepared by Erica Yu)

The purpose of the proposed rezoning bylaw amendment is to permit the operation of a child care facility within a commercial tenant space within a small, mixed-use building on the site. The C1 District will be retained as part of the underlying zoning of the CD District zoning so the building can revert back to C1 uses should the child care facility cease operations in the future.

The Advisory Planning Commission advises that they are in support of this rezoning application.

A letter dated 2006 September 13 was received from Marina Petrovic advising that, as an area resident and mother of three young children, she supports the subject application to permit a child care facility within the subject space.

A letter dated 2006 September 18 was received from Elizabeth Zalamea, 7423 Hawthorne Terrace, Burnaby advising that, as a resident of the subject residential complex and the working mother of a toddler, she supports the subject application. The writer notes that, as the subject space has been unoccupied for more than a year, there is a great need for a daycare facility in the community and as there is an adjacent playground she would prefer to see a childcare facility for use by families.

A letter dated 2006 September 18 was received from Jeremy Meausette, on behalf of the applicant Erica Yu, responding to concerns raised by Ms. Yoke Fong in a letter submitted to the Planning Department. The writer noted the following: although this is a second child care facility for the applicant, there is no anticipated relocation of children from her present daycare; parking will be well within requirements; parents will arrive at various times during morning and afternoon to pick up and drop off children; parents will be advised to use the crosswalk when parking on the north side of Beresford Street as well as using the sidewalk across the front of the building; the playground is designated for public use and financial considerations over and above standard operating procedure will need to be addressed with the Property manager of Magnolia Terrace.

A letter dated 2006 September 26 was received from Craig Slack, 7473 Hawthorne Terrace, Burnaby expressing concern about use of the community park owned by the Magnolia Terrace strata council. The writer is concerned that subsequent wear and tear on the park facility will result in higher maintenance costs for the strata council and suggests the child care facility be mandated to pay a fair portion, in relation to usage, for maintenance costs of the park.

Neil Chin Aleong, 6833 Village Green, Burnaby appeared before Council advising that, as President of the Village Green Strata Council, he was present to express their concerns with regard to the subject application. Mr. Aleong noted that as their Strata is one of those responsible for maintenance of the park they are concerned about the cost implication to the Strata due to the increased usage of the park facilities by the daycare. The speaker advised the Council is also concerned about liability issues related to public use of the park and about increased noise in their quiet neighbourhood.

In conclusion, Mr. Aleong, noted that although the Strata does not object to the business they would like to see their concerns addressed prior to Council making a decision with regard to the application.

Ted Northcott, 7381 Hawthorne Terrace, Burnaby addressed Council advising that he is President of the Hawthorne Terrace Strata and that his Strata Council shares the same concerns outlined by the previous speaker.

The speaker noted that as the Stata Council is primarily concerned about the cost implications of wear and tear on the playground facilities they would be receptive to a proposal whereby the daycare provided a financial contribution to maintenance costs.

Mr. Northcott also expressed concern about the increase of young children in the area given the traffic situation on Beresford. The speaker advised that the speed of traffic on Beresford has increased significantly with many vehicles travelling at 70 – 80 km/hr, with little regard to pedestrians. Traffic calming, such as a reduced speed zone or possibly speed humps, should be considered for this street concluded the speaker.

At the request of His Worship, Mayor Corrigan, the Director Planning and Building, Basil Luk Sun, advised the Planning Department are in receipt of correspondence from the rezoning applicant advising she is willing to enter into an agreement to provide those Strata Councils responsible for the park with financial assistance for park upkeep. In response to a request from clarification from the delegation, Mr. Luk Sun advised he understood the applicant was considering a payment of \$15 a month to each of the affected Strata Councils.

His Worship, Mayor Corrigan further clarified that the park in question is covered by a Statutory Right-of-Way, allowing use of the park by the public, and that each of the affected Strata Councils had signed the agreement establishing the Right-of-Way.

There were no further submissions received regarding Rez. #06-36, Bylaw No. 12143.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

“THAT this Public Hearing relating to Rez. #06-36, Bylaw No. 12143 be now terminated.”

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR DHALIWAL:

"THAT this Public Hearing do now adjourn."

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 7:44 p.m.

Confirmed:

Certified Correct:


MAYOR


ADMINISTRATIVE OFFICER OPERATIONS

Councillor Evans

Councillor Evans inquired about problems at the Norman Bethune Housing development as reported in the local newspaper, and asked if there were any staff reports on this development.

The Director Planning and Building advised there were no reports prepared on this development.

8. ADJOURNMENT


MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT this 'Open' Council Meeting do now adjourn."

CARRIED UNANIMOUSLY

The 'Open' Council Meeting adjourned at 7:50 p.m.

Confirmed:


MAYOR

Certified Correct:


CITY CLERK