

## PUBLIC HEARING

*2006 August 29*

A Public Hearing (Zoning) was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 2006 August 29 at 7:30 p.m.

PRESENT: Mayor D.R. Corrigan, In the Chair  
Councillor G. Begin  
Councillor S. Dhaliwal  
Councillor G. Evans  
Councillor D.N. Johnston  
Councillor C. Jordan  
Councillor N.M. Volkow

ABSENT: Councillor P. Calendino  
Councillor L.A. Rankin

STAFF: Mr. Basil Luksun, Deputy Director Planning & Building  
Mr. Sid Cleave, Administrative Officer I

The Mayor called the Public Hearing to order at 7:33 p.m.

1. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 42, 2006" - BYLAW NO. 12131

Rez. #98-51

4200 Canada Way

Lot 1, D.L. 71, Group 1, LMP 41517

From: CD Comprehensive Development District (based on M8a Advanced Technology Research District and Discovery Place Community Plan)

To: Amended CD Comprehensive Development District (based on M8a Advanced Technology Research District and Discovery Place Community Plan and in accordance with the development plan entitled "Discovery Place – Building 12" prepared by Bunting Coady Architects)

The purpose of the proposed zoning bylaw amendment is to permit development of a five storey advanced technology research and office facility over three levels of underground parking.

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

A letter dated 2006 August 26 was received from Mary Freeman, 3470 Kalyk Avenue, Burnaby, BC, urging that a large buffer be provided around the subject property and expressing concern regarding the lack of parking in the area.

A letter dated 2006 August 29 was received from J. Paul Anderson and Linda Walsh, 4062 Nithsdale Street, Burnaby, BC, urging that the subject development adhere closely to the guidelines in the revised community plan. In particular, the writers noted the following:

1. In order to maintain a “campus-like atmosphere,” there should be no fencing.
2. The amount of underground parking should be sufficient for both present and future needs.
3. A path, accessible to both wheelchairs and bicycles, should be constructed to link the lane parallel to and east of Kalyk Avenue directly to Canada Way.
4. The buffer zone between the nearby houses and the new building should be as wide as possible. Landscaping, both in the buffer zone and in front of the building, should include large native plantings that can support the wildlife currently living in this area.
5. The mechanical operation of the building should be as quiet as possible and out of the line of sight of nearby residents.

A letter dated 2006 August 27 was received from Marla Magarrell and Terri McGovern, 4005 Nithsdale Street, Burnaby, BC requesting that the following issues be addressed in conjunction with the proposed development:

1. A larger green buffer area between the homes and the developed property
2. Adequate parking for employees
3. Superior noise abatement equipment around the rooftop mechanical room
4. Improvement on the existing pedestrian path between Kalyk Avenue and Sanderson Way

A letter dated 2006 August 29 was received from Maartje, James and Jacqueline Fenn, 3626 Kalyk Avenue, Burnaby, BC requesting that the following issues be addressed in conjunction with the proposed development:

1. The facility should contain a large buffer zone.
2. The facility should contain an onsite security guard.
3. Shower facilities and storage lockers for employees should be within the enclosed building.

4. The mechanical room should be well insulated so as to not adversely affect the community.
5. Great care should be taken to ensure that construction of the three levels of underground parking does not affect the drainage patterns in the area.

Parvin Chami, 3710 Kalyk Avenue, Burnaby, appeared before Council as Chair, Friends of Discovery Park, to express the following comments and concerns regarding the subject rezoning application:

1. Buffer Zone  
There should be a planted buffer zone between the subject building and the neighbouring residences to provide a visual screen and some space for wildlife habitat.
2. Building Use  
The subject building should house only clean industry.
3. Building Position  
The subject building should be positioned on the lot as far as possible from area residences.
4. Underground Parking  
The subject building should have four levels of underground parking.
5. Underground Parking Exhaust Fans  
These exhaust fans should be equipped with silencers and/or acoustic barriers and should be directed away from neighbouring residences.
6. Environmental Impact of Building  
The subject building should be environmentally friendly and designed to minimize pollution and energy use.
7. Air Handling  
A commercial rooftop unit, whether an air cooled condenser or water unit with a cooling tower, will likely be too noisy. Silencers or acoustic barriers should be considered.
8. Fencing  
There should be no fencing around this property except for a temporary fence during construction.
9. Landscaping  
Landscaping around the building should be carefully planned using native trees and shrubs to emphasize the natural appearance of the lot.

10. Drainage  
Careful and thorough plans should be in place to deal with surface drainage, so as to avoid costly future drainage repairs and to prevent future flood damage to nearby houses.
11. Path from Lane to Canada Way  
There should be a lighted path that is both wheelchair accessible and bicycle friendly to connect the lane east of Kalyk Avenue directly to Canada Way. There is currently a path connecting this lane with Gilmore Way. Safety concerns were noted regarding this path. Furthermore, it was noted that the path lacks wheelchair accessibility.
12. Construction Disturbances  
Care should be taken to minimize the effect of building construction on nearby residences. Reasonable construction hours and noise levels should be observed.
13. Community Policing Office  
A Community Policing Office should be established in the area, perhaps in conjunction with the new fire hall being built on Gilmore Avenue, north of Canada Way.

A copy of Ms. Chami's presentation is one file in the City Clerk's Office.

Mr. Dennis Danielson, 4086 Spruce Street, Burnaby appeared before Council and endorsed the concerns and comments expressed in the letters received regarding this rezoning application. Mr. Danielson emphasized that the revised community plan does not permit fencing around developments in Discovery Park. Mr. Danielson also noted that appropriate noise abatement equipment should be installed in the subject building. The speaker concluded by urging that the original vision for a campus-like development not be forgotten.

Mr. Tom Douglas, development manager for Discovery Park, appeared before Council to provide an overview of the proposed development. Mr. Douglas noted that the project will implement many of the principles of sustainable development such as minimizing energy consumption and maximizing recycling opportunities during construction and in subsequent building operations. The speaker concluded by noting that noise associated with the operation of the subject and building will be kept to a minimum.

In response to an inquiry from Council, Mr. Douglas noted that temporary fencing will be removed from the site upon completion of construction.

In response to a further inquiry from Council, Mr. Douglas noted that on site security will be provided when the subject building is complete and occupied. Mr. Douglas also advised of the intention to provide security both inside and outside the building.

There were no further submissions in relation to Rez. #98-51, Bylaw No. 12131.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR DHALIWAL:

“THAT this Public Hearing relating to Rez. #98-51, Bylaw No. 12131 be now terminated.”

CARRIED UNANIMOUSLY

2. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 43, 2006" - BYLAW NO. 12132

Rez. #06-34

5375 Gilpin Street

Lot 182, D.L. 83, Group 1, NWD Plan 42596

From: R2 Residential District

To: R2 “b” Residential District

The purpose of the proposed zoning bylaw amendment is to permit an increase in the capacity of the current child care centre from a maximum of seven children to a maximum of ten children.

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

A letter dated 2006 August 21 was received from Barry McGaffin, 5401 Gilpin Street, Burnaby expressing concerns related to the proposed increase in child care enrolment for this property. The writer has concerns with traffic safety in relation to potential increased vehicular traffic and speed in the lane and suggests speed humps should be considered. Secondly, Mr. McGaffin is concerned about the condition of the road shoulders and pavement from vehicles turning and pulling off of Gilpin at or near the subject property; the writer suggests proper curbing and paving be considered when the fire hydrant relocation takes place.

A letter dated 2006 August 26 was received from Brian and Aiko Johnson, 5382 Ivar Place, Burnaby, BC expressing opposition to this rezoning proposal until a dead tree is removed from the northwest corner of the east side of 5389 Gilpin Street.

In response to an inquiry from Council, the Director Planning and Building noted that the tree referred to in the above noted letter from Brian and Aiko Johnson was examined by the City arborist. The Director Planning and Building noted that the arborist is of the opinion that the tree will not pose a problem for two years. In the meantime, the City has suggested that the rezoning applicant approach the owner of the neighbouring property to discuss the possibility of removing the tree.

There were no further submissions in relation to Rez. #06-34, Bylaw No. 12132.

MOVED BY COUNCILLOR JOHNSON:  
SECONDED BY COUNCILLOR DHALIWAL:

“THAT this Public Hearing relating to Rez. #06-34, Bylaw No. 12132 be now terminated.”

CARRIED UNANIMOUSLY

3. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 44, 2006" - BYLAW NO. 12133

Rez. #06-35

Ptn. of Unit 7492 Conway Avenue (7532 Conway Avenue)

Ptn. of Parcel “B”, D.L. 96, Group 1, NWD Plan 81358

From: M2 General Industrial District

To: M2 “r” General Industrial District

The purpose of the proposed zoning bylaw amendment is to permit a restaurant orientated to the surrounding industrial area.

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

There were no further submissions in relation to Rez. #06-35, Bylaw No. 12133.

MOVED BY COUNCILLOR JOHNSON:  
SECONDED BY COUNCILLOR DHALIWAL:

“THAT this Public Hearing relating to Rez. #06-35, Bylaw No. 12133 be now terminated.”

CARRIED UNANIMOUSLY

A D J O U R N M E N T

MOVED BY COUNCILLOR JOHNSON:  
SECONDED BY COUNCILLOR JORDAN:

“THAT this Public Hearing do now adjourn.”

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 8:04 p.m.

Confirmed:

  
MAYOR

Certified Correct:

  
ADMINISTRATIVE OFFICER I