

PUBLIC HEARING

2007 December 18

A Public Hearing (Zoning) was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 2007 December 18 at 7:30 p.m.

PRESENT: Councillor G. Evans, Acting Mayor
Councillor G. Begin
Councillor S. Dhaliwal
Councillor D.N. Johnston
Councillor C. Jordan
Councillor N.M. Volkow

ABSENT: Mayor D.R. Corrigan
Councillor P. Calendino
Councillor L.A. Rankin

STAFF: Mr. Basil Luksun, Director Planning and Building
Mr. Sid Cleave, A/Administrative Officer - Operations

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

1. “BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 51, 2007” - BYLAW NO. 12388

Rez. #07-27

3718, 3724, 3728, 3734, 3738 & 3744 Laurel Street

Lots 7 -12, BLK 4, D.L. 68, Group 1, NWD Plan 980

From: R5 Residential District

To: CD Comprehensive Development District (based on RM2 Multiple Family Residential District and Community Plan Eight as guidelines, and in accordance with the development plan entitled “Laurel Street, Burnaby, BC” prepared by NSDA Architects)

The purpose of the proposed zoning bylaw amendment is to permit a townhouse development.

The Advisory Planning Commission advised it supports the rezoning application.

Ms. Pina Ciarniello, 3717 Linwood Street, Burnaby, appeared before members of Council opposing the rezoning application. Ms. Ciarniello noted the following points:

- the proposed townhouse development is too high, it will block her view.
- how is the height of the proposed development measured?
- dwarf trees should be planted on the subject site, not tall ones.
- the proposed townhouse development will create a parking problem particularly in the lane.
- entrance into the development should be from Laurel Street only and not the lane.
- the proposed development will decrease the value of adjacent properties, the developer should be forced to compensate the owners of those properties.

In response to a query from Council, the Director Planning and Building noted that 12 of the units will be accessed from Laurel Street and the other 12 from the lane.

Mr. John Spanky, 3737 Linwood Street, Burnaby, appeared before members of Council raising a variety of issues regarding the rezoning application. He noted that the proposed 3 storey development will block his view. He is also concerned that residents in the proposed building will park in the lane and prevent him from accessing his property. The speaker further noted that if the townhouse was only 2 storeys high, it would be acceptable to him.

Mr. Spanky concluded by inquiring as to why all the parking for the development is not provided underground off of Laurel Street.

The Director Planning and Building advised that access from the lane allows for ground oriented family housing and thereby gives more diversity to the project.

Mr. John Yuen, 3731 Linwood Street, Burnaby, appeared before Council expressing concern regarding the rezoning proposal. Mr. Yuen noted that if this 3 storey development is approved then he will lose all of his view.

The speaker requested that the empty houses on the subject site be boarded up or demolished to prevent transients from occupying them.

Mr. Yuen also noted that residents in the proposed building will likely park in the lane and prevent him from turning into his garage.

The speaker concluded by requesting that the height of the proposed development be lowered.

The Director Planning and Building noted that the proposed development meets the terms of the Council adopted community plan for the area. He also noted that the RM2 designation allows a maximum height of three storeys and 39.37 ft. In this rezoning application, the proposed townhouse is only 33 ft. and 11 in. high.

Ms. Karen Tuckwood, Sunset Heights Co-op, 3798 Laurel Street, Burnaby, appeared before members of Council expressing concern regarding three empty houses on the subject site. The speaker noted that these houses attract transients and urged that they be demolished as soon as possible.

In response to an inquiry from Council, the Director Planning and Building noted that there is no security requirements for these vacant houses. Mr. Luksun noted, however, that he will bring the security concerns to the attention of the developer.

Mr. Greg Smith, 3743 Linwood Street, Burnaby, appeared before Council expressing concern regarding the height of the proposed townhouse and the resulting loss of view. The speaker inquired regarding the height of the proposed townhouse as compared to the existing townhouse project to the east. The speaker further inquired as to how the height of the proposed development is measured.

The Director Planning and Building advised that the building height is measured from the front average elevation to the highest point of the structure.

Mr. Smith inquired if the rezoning application includes spot lights in the lane.

The Director Planning and Building advised that plans for the subject site do not include spot lights in the lane.

Mr. Smith concluded by emphasizing that all parking for the subject development should be underground.

The Director Planning and Building noted that it is physically possible for all the parking to be underground, however, providing parking access from the lane is beneficial from an housing affordability and diversity aspect.

Mr. Craig Rowland, Lистраor Development Corporation, 700 West Georgia Street, Vancouver, appeared before Council to respond to comments expressed regarding this rezoning application. He noted the following points:

- the subject site is being developed within the parameters of the community plan for the area.
- the proposed development is sensitive to the character and the needs of the the neighbourhood.
- the dimensional height of the proposed development is lower than the minimum permitted by the Burnaby Zoning Bylaw.
- the proposed flat roof brings the scale of the development down.
- ground oriented family housing is an important part of the proposed development.
- a car wash facility is being provided in the underground parking structure.
- landscaping on the subject site would typically include ornamental cherry trees, not tall trees.
- no major security lighting is proposed for the lane; the proposed lighting includes only smaller and lower voltage lights on individual garages.

- currently there are three vacant houses on the subject site; one of these houses is expected to be rented in the next few days; the rezoning applicant will work with city staff to expedite the demolition of the remaining two vacant houses.

In response to an inquiry from Council, Mr. Rowland noted that the proposed development is higher than the Sunset Heights Co-op building next door. Mr. Rowland noted, however, that he did not have information at hand regarding the exact difference in height.

There were no further submissions received regarding Rez. #07-27, Bylaw No. 12388.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing relating to Rez. #07-27, Bylaw No. 12388 be now terminated.”

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT staff prepare a report responding to the issues raised at the Public Hearing regarding Rez. #07-27, Bylaw No. 12388.”

CARRIED UNANIMOUSLY

2. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 52, 2007" - BYLAW NO. 12389

Rez. #07-46

6410 Empress Avenue and Ptn. of 6460 Empress Avenue

Lot 254, D.L. 92, Group 1, NWD Plan 32944 and Ptn. of Lot 264, D.L. 92, Group 1,
NWD Plan 36217

From: R5 Residential District

To: P3 Park and Public Use District

The purpose of the proposed zoning bylaw amendment is to bring the properties into conformance with their intended use as a public elementary school.

The Advisory Planning Commission advised it supports the rezoning application.

Mr. Nick Legassie, 6137 Sperling Avenue, Burnaby, appeared before members of Council requesting an explanation of this rezoning proposal.

The Director Planning and Building advised that this proposal is to rezone two remaining lots on the Brantford School site from R5 to P3 so that the school is on legally zoned land.

There were no further submissions received regarding Rez. #07-46, Bylaw No. 12389.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR DHALIWAL:

“THAT this Public Hearing relating to Rez. #07-46 , Bylaw No. 12389 be now terminated.”

CARRIED UNANIMOUSLY

3. “BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 53, 2007” - BYLAW NO. 12390

Rez. #07-20

7555 Edmonds Street

Parcel ‘One’, D.L. 30, Group 1, NWD Plan 80516

From: CD Comprehensive Development District (based on C2, C2h Community Commercial District)

To: Amended CD Comprehensive Development District (based on C2, C2h Community Commercial District and Edmonds Town Centre Plan and in accordance with the development plan entitled “Edmonds Street Liquor Store / Oliver Twist Neighbourhood Pub” prepared by DJS Designs)

The purpose of the proposed zoning bylaw amendment is to permit expansion of the existing licensee retail store (private liquor store) within the existing building.

The Advisory Planning Commission advised it supports the rezoning application.

Mr. John Johnson, 14279 Silver Valley Road, Maple Ridge, the rezoning applicant, appeared before members of Council advising that he is available to answer any questions Council may have with regard to the subject rezoning application.

In response to an inquiry from Council, Mr. Johnson advised that for safety and security reasons a minimum of two employees will be present on site during operating hours which is the current practice as well.

There were no further submissions received regarding Rez. #07-20, Bylaw No. 12390.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR DHALIWAL:

“THAT this Public Hearing relating to Rez. #07-20, Bylaw No. 12390 be now terminated.”

CARRIED UNANIMOUSLY

4. “BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 54, 2007” - BYLAW NO. 12391

Rez. #07-47

4680 Kingsway (Unit #300)

Lot 1, D.L. 153, Group 1, NWD Plan 76637

From: CD Comprehensive Development District (based on C3 General Commercial District)

To: Amended CD Comprehensive Development District (based on C3 General Commercial District and P6 Regional Institutional District and Metrotown Development Plan guidelines and in accordance with the development plan entitled “Alexander College Proposal” prepared by OLEG.)

The purpose of the proposed zoning bylaw amendment is to permit an internal change of use to allow a post secondary college use.

The Advisory Planning Commission advised it supports the rezoning application.

Mr. Marv Westrom, President of Alexander College, 300-4680 Kingsway, Burnaby, appeared before Council advising that he is available to answer any questions Council may have with regard to the subject rezoning application.

There were no further submissions received regarding Rez. #07-47, Bylaw No. 12391.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR DHALIWAL:

“THAT this Public Hearing relating to Rez. #07-47, Bylaw No. 12391 be now terminated.”

CARRIED UNANIMOUSLY

5. “BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 50, 2007” - BYLAW NO. 12368

Text Amendment

The purpose of the proposed zoning bylaw amendment is to amend the Administration and Assembly District (P2) to include a new sub-zone of P2(g) and establish Farmers' Market as a permitted use.

The Advisory Planning Commission advised it supports the text amendment.

There was no further submissions received regarding text amendment bylaw no. 12368.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

“THAT this Public Hearing relating to Text Amendment, Bylaw No. 12368 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 8:30 p.m.

Confirmed:

Certified Correct:



ACTING MAYOR



A/ADMINISTRATIVE OFFICER - OPERATIONS