

PUBLIC HEARING

2007 JUNE 26

A Public Hearing (Zoning) was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 2007 June 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
Councillor L.A. Rankin

ABSENT: Councillor G. Evans
Councillor N.M. Volkow

STAFF: Mr. Basil Luksun, Director Planning and Building
Ms. Ann Lorentsen, A/Deputy City Clerk
Mr. Sid Cleave, A/Administrative Officer - Operations

The Public Hearing was called to order at 7:31 p.m.

1. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 29, 2007" - BYLAW NO. 12290

Rez. #07-06

6688 Byrne Park Drive and 6689 Southpoint Drive

Lots 1 and 2, D.L. 171, Group 1, NWD Plan LMP30202

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 "Green", prepared by Integra Architecture Inc.)

The purpose of the proposed zoning bylaw amendment is to permit low-rise apartments and accessory townhouses with underground parking.

The Advisory Planning Commission advised it supports the rezoning application.

A letter dated 2007 June 22 was received from Paul McDonell, #209 – 6707 Southpoint Drive, Burnaby, B.C. supporting this rezoning application. Mr. McDonell noted that this project would be a great addition to the neighbourhood.

A letter was received from Alan Hill, 42 – 6735 Southwynde Avenue, Burnaby advising of the following concerns:

- Insufficient community facilities in area to sustain population densification and greater dependency on use of vehicles;
- Better utilization of the site would be for park land, especially as a recreation corridor between new school on Southpoint Drive and Byrne Creek Ravine park.

The writer also suggested the applicant be required to fund the opening of park land south of Southwynde Avenue for public use.

Steve Forest, Adera Equities Inc., 1055 Dunsmuir Street, Vancouver, the rezoning applicant, appeared before members of Council advising that he and the design and landscape architects are available to answer any questions Council may have with regard to the subject application.

Steve Forest submitted an aerial photograph of the subject site and surrounding properties for the information of Council.

Jim Lawson, 306 – 6740 Station Hill Court, Burnaby, B.C. appeared before members of Council advising that the subject site would be best utilized as a green belt. The speaker also expressed concerns regarding increased traffic, lack of support facilities in the area and, the affect of the proposed project on his property value.

Justin Hoffman, 10-7488 Southwynde Drive, Burnaby, B.C. appeared before members of Council expressing concern regarding increased densification and traffic that will result from the proposed development.

The speaker also expressed concern regarding the following: lack of traffic calming measures; increased densification may lead to increased crime; the impact of the proposed development on property values in the neighbourhood; the incompatibility of the proposed development with neighbouring residential developments.

In response to a query from Council, the Director Planning & Building advised that the density for this RM2 site is in accordance with the Edmonds Area Plan.

Justin Hoffman concluded by noting that the proposed RM2 density for the subject site will increase the number of units per acre from 40 to 44 or 45 and this is not what residents in the area were expecting.

Will Neustaeter, 30-7488 Southwynde Avenue, Burnaby, appeared before Council inquiring about the proposed start date for construction, access route to site and impact of the development on adjacent property values.

In response to Will Neustaeter's inquiries, Mr. Steve Forrest, Adera Equities Incorporated, 1055 Dunsmuir Street, Vancouver, B.C. appeared before Council advising that the proposed start date for the project is late 2007 or early 2008 and access to the site would be from Byrne Park Drive cul-de-sac. Mr. Forrest further advised that generally new development increases real-estate prices in adjacent areas.

Otfrid Tuch, 104 – 6742 Station Hill Court, Burnaby, appeared before Council expressing concern regarding the loss of greenbelt area associated with the proposed development.

Basil Luksun, Director Planning & Building, advised that significant open space was included as part of the concept plan for the development and the trail system to the south of the development will remain.

John McMahan, 24-7488 Southwynde Avenue, Burnaby, appeared before Council expressing concern regarding the traffic and safety issues mentioned by previous speakers. Mr. McMahan also noted that the proposed apartment complex structure represents a departure from the townhouse style development in the area and will change the fabric of the neighbourhood.

Cindy Croston, 26 – 7488 Southwynde Avenue, Burnaby, appeared before Council expressing concern regarding the proposed development and noted that the increased densification will create additional traffic and crime problems in the area. The speaker concluded by requesting that the proposed development be the same as existing residential developments in the area.

Dorothy Ong, 402 – 6742 Station Hill Court, Burnaby, appeared before Council to commend the developer for the green concept incorporated into the proposed development. The speaker noted that should the overall plan for the area be built according to plan there is the potential for too much loss of green space.

There were no further submissions received regarding Rez. #07-06, Bylaw No. 12290.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CALENDINO:

“THAT this Public Hearing relating to Rez. #07-06, Bylaw No. 12290 be now terminated.”

CARRIED UNANIMOUSLY

2. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 30, 2007" - BYLAW NO. 12291

Rez. #06-60

2122, 2216 and 2350 Delta Avenue

Lot 1, Except: Part now Road on Statutory Right-of-Way Plan 21112, D.L. 125, Group 1, NWD Plan 3733, Lot 2, D.L. 125, Group 1, NWD Plan 3733 and Lot “E”, D.L. 125, Group 1, NWD Plan 13191

From: M2 General Industrial District

To: CD Comprehensive Development District (based on RM5 Multiple Family Residential District and P3 Park and Public Use District and Brentwood Town Centre Plan guidelines, and in accordance with the development plan entitled “Perspectives” prepared by Buttjes Architecture Inc.)

The purpose of the proposed zoning bylaw amendment is to permit a residential high-rise tower and street-fronting townhouses north of the Dawson Street Extension, and a City-owned park site south of the Dawson Street Extension.

The Advisory Planning Commission advised it supports the rezoning application.

A letter dated 2007 June 20 was received from S. Wells, Davis LLP, on behalf of Purolator Courier Ltd., a tenant located at 2245 Douglas Road. The writer advised their client was not given sufficient notification of the proposed rezoning and associated changes and has not been given access to relevant documents relating to the proposal. The letter noted Purolator is interested in traffic and engineering reports related to the new Dawson Street extension and the timetable for construction.

The writer concluded by requesting Council postponement of the public hearing until their client has had opportunity to retain consultants regarding the numerous issues raised by the subject rezoning application.

A second letter, dated 2007 June 22 was received from S. Wells, Davis LLP, on behalf of their client, Purolator Courier Ltd, located at 2245 Douglas Road. The letter advised that although they have been in contact with staff their client has not been able to meet with staff to view applicable documents nor have their concerns been addressed. The writer reiterated their request for a postponement or adjournment of the Public Hearing.

A memorandum dated 2007 June 25 was received from the Director Planning and Building responding to concerns outlined in two letters received from Davis LLP on behalf of their client, Purolator Courier, located at 2245 Douglas Road. The memo noted the subject rezoning application has been submitted to Council in accordance with the Brentwood and Holdom Area Plans which were adopted by Council following a community consultation process, and the Dawson Street extension is included in the City's adopted Burnaby Transportation Plan.

All statutory requirements have been met regarding notification of this Public Hearing. Staff have offered to meet with Purolator at any time on short notice to discuss any issues or concerns.

A letter dated 2007 June 26 was received from Woodland Investments Ltd., 601 - 1401 West Broadway, Vancouver, owners of 4828 and 4756 Lougheed Highway noting the following with regard to the subject rezoning application: further development of this site is a positive move; concerned about increases required for setbacks; financing of a pedestrian overpass, drainage issues, security of their property; any impediment to operation of their business, possibility of expropriation to extend Dawson; location of future school/park.

John O'Donnell, Vice President Ledingham McAllister Communities Ltd., 800-1199 West Hastings Street, Vancouver, the rezoning applicant, appeared before members of Council advising that he and Cameron Thorn as well as the design and landscape architects are available to answer any questions Council may have with regard to the subject application.

John O'Donnell advised that he is aware of concerns raised by Purolator Courier Ltd. regarding the proposed Dawson Street extension and noted that the City Engineering Department will determine the requirements of the design. Mr. O'Donnell further advised that the rezoning applicant will consult with Purolator and other tenants in the industrial site during road construction and attempt to minimize any disruptions to their businesses.

John O'Donnell submitted an aerial photograph of the rezoning site for the information of Council.

Andrew Chisholm, Woodland Investments Ltd., 601 – 1401 West Broadway, Vancouver, owners of 4828 and 4756 Lougheed Highway, appeared before members of Council to re-iterate the concerns expressed in the letter already submitted to Council.

The speaker raised the following points:

- Further development of this unused site is a positive step forward.
- Dragonwood/Woodland would like to purchase half of the Delta Avenue right of way.
- The purchase of Delta by Ledingham McAllister must not constitute a larger setback than what is currently mandated by DFO and the municipality for the existing ditch running down Delta.
- Dragonwood/Woodland or any future owner of 4828 and 4756 Lougheed Highway should not be responsible for construction or financing of a pedestrian overpass.
- A cohesive and transparent water flow management plan should be in place for properties in this area.
- Steps should be taken by the municipality and the developer to ensure the security of Woodland/Dragonwood Industrial Estates.
- The development of the subject site should not impede the operations of Woodland/Dragonwood Industrial Estates.
- Dragonwood/Woodland seeks confirmation that the municipality will not expropriate lands to extend Dawson.
- The City should reconsider the 7.88 acre requirement for a school and park on the Dragonwood/Woodland site.

Paul Merrick, General Manager for Purolator in B.C., appeared before Council advising that Purolator is not opposed in principle to development of the subject site but is concerned about the potential impact of this development on Purolator's business operations at 2245 Douglas Road.

The speaker requested an opportunity to consult with city staff before this rezoning proposal is approved to determine if there is anything in the proposal that would unnecessarily interfere with Purolator's business. The speaker noted that further information is required regarding planning for the new Dawson Street extension, traffic flow expectations, access to the Purolator facility and, the type of screening to be provided to minimize the potential incompatibility with Purolator's operation.

Paul Merrick noted that clear access to Purolator facilities is critical to the successful operation of the business. Any delays created by road or on-site construction would create significant storage problems for Purolator.

Paul Merrick concluded by requesting that Council postpone consideration of the proposed zoning bylaw amendment until Purolator meets with city staff to obtain further information regarding the proposed development and its potential impact on Purolator's business operations at 2245 Douglas Road.

Mayor Corrigan advised the speaker that Purolator may meet with city staff and the developer on an on-going basis to discuss access and egress issues and ways to accommodate their business operations during road construction.

George Hayhoe, Vice President of the Beedie Group, owner of 2245 Douglas Road, appeared before Council advising that the buildings on their property were designed and built with the full knowledge that one day a road would be going across the property.

The speaker noted that he is not opposed to the subject rezoning application, however, more information needs to be made available regarding the road profile and alignment as well as the timing for the proposed project.

There were no further submissions received regarding Rez. #06-60, Bylaw No. 12291.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CALENDINO:

“THAT this Public Hearing relating to Rez. #06-60, Bylaw No. 12291 be now terminated.”

CARRIED UNANIMOUSLY

3. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 28, 2007" - BYLAW NO. 12287

Rez. #07-10

7610 Joffre Avenue

Lot 1 Except: Parcel "A" (Expl. Pl. 12037) of D.L. 175, Group 1, NWD Plan 11511

From: C1 Neighbourhood Commercial District

To: R5 Residential

The purpose of the proposed zoning bylaw amendment is to permit the property to be subdivided into two lots in order to permit 2 new two-family dwellings on each lot.

The Advisory Planning Commission advised it supports the rezoning application.

Shelley Wepruk, 3798 Rumble Street, Burnaby, appeared before Council opposing this rezoning application.

The speaker requested that consideration be given to rezoning the subject property to R2 Residential to allow for development of two single family dwellings which is more in keeping with the historic planning of this neighbourhood.

The speaker concluded by noting that R2 Residential zoning would preserve the character and integrity of the neighbourhood whereas R5 Residential zoning would permit the construction of two large and obtrusive duplexes.

A copy of Shelley Wepruk's presentation is on file in the City Clerk's office.

Shelley Wepruk also submitted a petition containing the signatures of five residents opposing the rezoning application. The text of the petition is as follows:

"We, the undersigned Burnaby residents, unanimously support the rezoning of Lot 1 Except: Parcel "A" (Exp. Pl. 12037) of D.L. 175, Group 1, NWD Plan 11511 from C1 Commercial to 2 R2 Residential lots.

We wish to see it rezoned and subdivided into two R2 single family lots not the two dual-family R5 residential lots the developer has proposed."

William Davies, 4569 Victory Street, Burnaby, appeared before Council advising that this proposal to change the existing zoning and tear down the Burnaby Food Market is a mistake. Mr. Davies further advised that this market is an essential service to the thousands of people who live in the southwest part of Burnaby's south slope.

** *Councillor Rankin retired from the Public Hearing at 8:35 p.m. and did not return to the meeting.* **

Christine Denham, 7709 Joffre Avenue, Burnaby, appeared before Council advising that she would prefer to see the existing store remain but if that's not possible then consideration should be given to providing a small corner store on one lot and an R2 Residential dwelling on the other lot. Another option suggested by the speaker would be to put single family dwellings on both lots and restore the original plan devised for the neighbourhood back in the 1940's.

Patti Kells, 3814 S.E. Marine Drive, Burnaby appeared before members of Council in support of a corner store remaining on the subject site.

In response to an inquiry from Council, the Director Planning and Building advised that if Council is of the view that commercial use is the best use for the subject property then it is Council's prerogative to not approve the rezoning application.

Onkar Hayre, 7615 Joffre Avenue, Burnaby, appeared before Council opposing this rezoning application as R5 zoning is not compatible with the R2 and R10 zoning in the neighbourhood. The speaker also noted that the existing commercial structure on the subject site is obtrusive, an eye sore, an attraction for excessive traffic and a late night trouble spot.

Onkar Hayre concluded by requesting that consideration be given to rezoning the subject property to R2 Residential District in keeping with the character of and original plan for the neighbourhood.

A copy of Mr. Hayre's presentation is on file in the City Clerk's office.

Gary Holisko, 3780 Carson Court, Burnaby, appeared before Council and suggested that the developer work with the City to come up with a better plan for the subject property to benefit the owner as well as neighbouring residents and the community at large. Mr. Holisko presented the following two options.

1. commercial use on the main floor with residential use above
2. one commercial lot and one single family dwelling lot

The speaker concluded by emphasizing that local residents should be able to shop in their own neighbourhood.

Shane Bilodeau, 3793 Rumble Street, Burnaby, appeared before Council in favour of the proposed zoning change from C1 to R5. The speaker, however, preferred R2 zoning for the subject property as this would be more consistent with the surrounding neighbourhood.

Shane Bilodeau expressed concern regarding noise from and criminal activity around the store especially after closing time. The speaker concluded by advising that he is constantly finding store related garbage on his front lawn.

Pat McEwan, 3760 Southwood Street, Burnaby, appeared before Council advising that it is convenient to have a corner store on the subject site. The speaker emphasized the importance of being able to walk rather than drive to a store.

Mr. Cheema, 6325 East Broadway, Vancouver, appeared before Council advising that his parents operate the store and he works there as well. The speaker advised that he is not opposed to change but is concerned that his parents be given sufficient notice to vacate the store.

Mayor Corrigan advised that the business relationship between Mr. Cheema's parents and the landlord is a private matter between the two parties.

Christine Fuchs, 7652/54 Joffre Avenue, Burnaby, appeared before Council acknowledging the benefit in having a neighbourhood corner store. The speaker noted, however, that she favours residential zoning, either R2 for R5, for the subject site.

Gary Holisko, 3780 Carson Street, Burnaby, again appeared before Council advising of recent criminal activity in the neighbourhood unrelated to the corner store. Mr. Holisko emphasized that crime does not have to be associated with a retail outlet.

Shane Bilodeau, 3793 Rumble Street, Burnaby, again appeared before Council advising of daily criminal activity on the west and north sides of the subject site. The speaker noted that he has brought this matter to the attention of the RCMP.

There were no further submissions received regarding Rez. #07- 10, Bylaw No. 12287.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CALENDINO:

“THAT this Public Hearing relating to Rez. #07-10, Bylaw No. 12287 be now terminated.”

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CALENDINO:

"THAT this Public Hearing do now adjourn."

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 9:10 p.m.

Confirmed:

Certified Correct:


MAYOR


A/ADMINISTRATIVE OFFICER - OPERATIONS