

PUBLIC HEARING
2007 March 27

A Public Hearing (Zoning) was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 2007 March 27 at 7:30 p.m.

PRESENT: Acting Mayor S. Dhaliwal, In the Chair
Councillor G. Begin
Councillor P. Calendino
Councillor G. Evans
Councillor D.N. Johnston
Councillor C. Jordan
Councillor L.A. Rankin
Councillor N.M. Volkow

ABSENT: Mayor D.R. Corrigan

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. 15, 2007" - BYLAW NO. 12244

Rez. #04-64

3853/75/76/91/92 Norfolk Street

East Half Lot "A" Except: The West 60 Ft., D.L. 69, Plan 7465, Lots "B" and "C", D.L. 69, Plan 14265, Lots 5 and 6, D.L. 69, Blk. 45, Plan 1321, all of Grp. 1, NWD.

From: R5 Residential District

To: CD Comprehensive Development District (based on RM3 Multiple Family Residential District and Community Plan Eight as Guidelines, and in accordance with the development plan entitled "3888 Norfolk St." prepared by Matthew Cheng Architect Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a stacked townhouse project with full underground parking.

The Advisory Planning Commission advised it supports the rezoning application.

There were no further submissions received regarding Rez. #04-64, Bylaw No. 12244.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR EVANS:

“THAT this Public Hearing relating to Rez #04-64, Bylaw No. 12244. be now terminated.”

CARRIED UNANIMOUSLY

2. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 16, 2007" - BYLAW NO. 12245

Rez. #06-33

3870 Pender Street

Lot 7, Blk. 15, D.L. 116, Grp. 1, NWD Plan 1236

From: RM3 Multiple Family Residential District

To: CD Comprehensive Development District (based on RM2 Multiple Family Residential District and Hastings Street Area Plan guidelines, and in accordance with the development plan entitled “3870 Pender Street, Burnaby, B.C.” prepared by Cadlab Design and Development Inc.)

The purpose of the proposed zoning bylaw amendment is to permit an infill multiple-family residential project.

The Advisory Planning Commission advised it supports the rezoning application.

There were no further submissions received regarding Rez. #06-33, Bylaw No.12245.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR JORDAN:

“THAT this Public Hearing relating to Rez #06-33, Bylaw No.12245 be now terminated.”

CARRIED UNANIMOUSLY

3. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 17, 2007" - BYLAW NO. 12246

Rez. #06-29

8081 Lougheed Highway

Lot 3, D.L. 58, Grp. 1, NWD Plan 23988

From: R1 Residential District and M3 Heavy Industrial District

To: CD Comprehensive Development District (based on B1 Suburban Office District, M5 Light Industrial District, R1 Residential District and Lake City Business Centre guidelines, and the development plan entitled "Proposed Multi-Tenant Building – 8081 Lougheed Highway" prepared by Christopher Bozyk Architects).

The purpose of the proposed zoning bylaw amendment is to permit a new multi-tenant office/warehouse building on the subject site.

The Advisory Planning Commission advised it supports the rezoning application.

There were no further submissions received regarding Rez. #06-29, Bylaw No. 12246.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR EVANS:

"THAT this Public Hearing relating to Rez. #06-29, Bylaw No. 12246 be now terminated."

CARRIED UNANIMOUSLY

4. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 18, 2007" - BYLAW NO. 12247

Rez. #06-12

3753 & 3759 Manor Street

Lot 12 and West Half of Lot 11, Blk. 27, D.L. 69, Grp. 1, NWD Plan 1321

From: R5 Residential District

To: CD Comprehensive Development District (based on RM2 Multiple Family Residential District and Community Plan Eight guidelines and in accordance with the development plan entitled "Richview Townhouses" prepared by Matthew Cheng Architect Inc.).

The purpose of the proposed zoning bylaw amendment is to permit the construction of an 8-unit stacked townhouse development with under-unit at-grade parking.

The Advisory Planning Commission advised it supports the rezoning application.

A letter was received from Garnet and Barbara Godding, 3771 Manor Street, Burnaby expressing two concerns associated with the subject application. Their first concern is regarding street parking, and the lack thereof, and their second concern is the proposed purchase of a portion of Esmond Avenue which will reduce the width of Esmond Avenue, negatively impacting traffic flow in the area.

A letter dated 2007 March 27 was received from Greg Reid, owner of 3738/40 Grandview Hwy., Burnaby asking Council to reject the proposed rezoning application because of the associated proposal to close, and include as part of the development, a portion of Esmond Avenue. The writer expresses a number of concerns regarding traffic safety for existing residents should Esmond Avenue be narrowed at this time.

A letter dated 2007 March 26 was received from Diane Quinn, #202 – 3770 Manor Street, Burnaby to express her opposition to the subject application. The writer notes that she paid a premium for the panoramic view from her property which will be obstructed by the development of townhouses which, she believes once the at-grade parking is considered, will be a 4-storey development.

Giovanni Vagge, 3765 Manor Street, Burnaby appeared before members of Council advising that he is concerned about the loss of view from his property if the subject application is adopted. The speaker noted other concerns, such as: increased noise from construction; devaluation of his property and parking. In conclusion, Mr. Vagge is very concerned about the reduction in width of Esmond Avenue and its impact on for emergency vehicles and garbage collection. As immediate neighbours and in close proximity to the driveway of the subject property, Mr. Vagge speculated that he will need to spend money to mitigate noise by upgrading his windows and perhaps other improvements.

Lise Lalonde, #102 - 3770 Manor Street, Burnaby appeared before Council members advising that, in addition to her property, she was also representing owners of #219, #101 and #220 who could not attend this evening. The speaker informed Council residents are concerned about the potential loss of their views, loss of privacy and would prefer the subject property maintain its R5 zoning. Ms. Lalonde suggested the lots are too small for this type of development, access to parking will be difficult and street parking will be lost. In conclusion, the speaker noted that her view is a precious amenity for which she purchase her property and, while it was a mistake not to check with City Hall regarding future development in the area, she and others will be robbed of their view for the benefit of new residents.

Karima Jivraj, #320 - 3770 Manor Street, Burnaby appeared before Council to express her concerns and opposition to the subject rezoning application. The speaker advised that one of the main reasons she purchased her property was because of the 180 degree, north facing view from her unit and should this bylaw pass she will loose a significant portion of the view. Ms. Jivraj informed Council she understood, prior to her purchasing her property, the City of Burnaby had committed to future development to the north being two stories in height, not three, as proposed. The speaker noted that a significant portion of value in her property comes with the view and her investment will be lost should the subject bylaw be passed.

Ms. Jivraj also noted the following concerns: lack of available plans for the development; small unit sizes and a lack of fencing and security; increased traffic; negative impact on access for emergency vehicles because of road width reduction of Esmond Avenue; loss of parking; and the potential for increased crime and security issues.

The speaker concluded she is strongly opposed to the proposed bylaw change. A copy of Ms. Jivraj's presentation and a number of photographs are on file in the Office of the City Clerk.

In response to a query from Council Ms. Jivraj confirmed she has lived in the neighbourhood for four years, owning it for ten years; however she had never been made aware of the long term plan for development in the neighbourhood.

At Council's request, the Director Planning and Building Basil Luksun advised that the area plan for this neighbourhood was established in 1971 and that the proposed development would be built, as the speaker's building had been, in accordance with that plan. The maximum height for the proposed development will be 35.2 feet from the lowest point of the property explained Mr. Luksun with the plan to excavate the Manor Street frontage so that the buildings will be depressed the ground creating a two storey elevation on the Manor Street side.

At the request of Council, Matthew Cheng, project architect, appeared before members of Council to respond to queries regarding building height. Mr. Cheng advised the 35.2 foot maximum height is measured from the lowest point of the development, in this case the driveway; however because of the sloping site, the height of the buildings facing Manor Street will be lower.

The Director Planning and Building further clarified that Esmond Avenue is not being closed at this time as properties located to the north must continue to be accessed by Esmond; however the long term plan calls for the northerly properties to no longer require such access.

Donna Irwin, 2077 Manor Street, Burnaby appeared before Council to express her opposition to the subject application. The speaker advised that she had been told that the properties on that side of Manor Street would remain single family residential when she purchased her property. The speaker noted parking will become a more serious issue because they already have problems with trucks being parked on residential streets by local businesses and increased noise and traffic will also impact area residents. Ms. Irwin advised of other concerns such as access for emergency vehicles, loss of view and devaluation of property values. In conclusion, Ms. Irwin advised was shocked at the current proposal because as a 16 year resident and original owner of in her building she had never been given any indication of the long term plan for the subject properties.

In response to a query from Council, Ms. Irwin that her building had been marketed by one realtor who told purchasers their views would not be obstructed by future development across Manor Street.

At the request of Council, the Director Planning and Building, Basil Luksun, explained the current process of requiring new developers to post information on their sites about neighbourhood development plans and to provide disclosure statements including such information.

Basil Luksun, Director Planning & Building, in response to a Council query, explained that the properties north of the subject site are designated for park use under the existing plan; however those lands are now being considered for the widening of Grandview Highway for inclusion in the Provincial Gateway Project. With regard to the portion of Esmond Avenue proposed to be closed, a 6 m portion of the Esmond right-of-way will be closed for inclusion in the subject development; however the paved portion of Esmond will remain as it currently exists until such time as the properties to the north do not require access.

In response to a question regarding the height of the proposed townhomes on the Manor Street side of the development, Mr. Luksun advised the buildings will be 28.5 feet in height. If a house was to be built under the existing R5 zoning the maximum height permitted would be 29.5 feet.

Adrian Hansen, #301 - 3770 Manor Street, Burnaby appeared before Council to express his opposition to the subject application because of the negative impact the height of the proposed development will have on their view, the primary reasons for the recent purchase of their property. The speaker also noted a number of other concerns, including: the westerly encroachment onto Esmond Avenue impacting traffic flow and emergency vehicle access; recent construction of new single family homes in 3700 block of Manor Street; the proposed at-grade parking is insufficient; at-grade waste receptacles; stress on local neighbourhood by increased high-density development; loss of visual continuity of housing in neighbourhood; unclear definition of a 3 storey building; unclear of style and character of the development.

In response to a query from the speaker, the Director Planning and Building, advised that the site area coverage for the proposed development is 34%, comprised of two buildings, sited back to back with access to the site between the two buildings. With regard to parking, Mr. Luksun advised the proposal plan is to exceed the required number of parking spaces by three.

A copy of Mr. Hansen's presentation is on file in the Office of the City Clerk.

Responding to a query from Council, Mr. Luksun, Director Planning and Building advised that once a redevelopment plan is approved, the City will require the developer to include in its plan and disclosure statements information to potential purchasers about the possibility that northerly properties may be used to widen roads as part of the Gateway Program.

Doreen Mitchell, 3745 Manor Street, Burnaby appeared before Council advising of her concern regarding the proposed sale of a portion of Esmond Avenue to be included in the proposed development site. The speaker noted that parking is already an issue at this location because a local rental business uses the street for parking vehicles and the removal of the unused portion of the road will put additional pressure on parking for local residents.

There were no further submissions received regarding Rez. #06-12, Bylaw No. 12247.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing relating to Rez. #06-12, Bylaw No. 12247 be now terminated.”

CARRIED UNANIMOUSLY

5. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 19, 2007" - BYLAW NO. 12248

Rez. #06-54

8131 Wiggins Street

Lot 3 Except: Part Dedicated Road by Plan BCP4741 and Part in SRW Plan BCP8269,
D.L. 167, Grp. 1, NWD Plan LMP2259.

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 Estates
Concept Plan as guidelines and in accordance with the plan “Building 1 and 2,
8131 Wiggins Street” prepared by Christopher Bozyk Architects.)

The purpose of the proposed zoning bylaw amendment is to permit the development of a
glass manufacturing facility and head office, as well as a multi-tenant light industrial
building.

The Advisory Planning Commission advised it supports the rezoning application.

There were no further submissions received regarding Rez. #06-54, Bylaw No. 12248.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing relating to Rez. #06-54, Bylaw No. 12248 be now terminated.”

CARRIED UNANIMOUSLY

6. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 20, 2007" - BYLAW NO. 12250

Rez. #07-02

4155 Central Boulevard

Lot A, D.L. 151, Group 1, NWD Plan BCP15258

From: CD Comprehensive Development District (based on RM3 Multiple Family Residential District)

To: Amended CD Comprehensive Development District (based on RM3 Multiple Family Residential District as guidelines and in accordance with the development plan entitled "4155 Central Boulevard Security Gate" prepared by Strata Corporation BCS 1913)

The purpose of the proposed rezoning bylaw amendment is to permit the installation of an overhead security gate and related provisions for the underground visitor parking.

The Advisory Planning Commission advised it had no recommendation to put forward to Council for this rezoning application.

A letter dated 2007 March 19 was received from L.G. Sulmona, 5504 Union Street, Burnaby expressing three areas of concern associated with the subject application. The writer is concerned about traffic safety issues, including violation of the City's Street and Traffic Bylaw, a lack of neighbourhood engagement by the applicants and, lastly, the impact approval of this application may have on future similar applications.

Larry Moore, President, Strata Council, 4155 Central Boulevard, Burnaby appeared before Council to express the support of the Strata regarding this application. The speaker noted that in the past five days there has been 7 auto B&E's in their underground garage, numerous incidents of defecation and urination and several drug addicts and homeless people has been found there, resulting in \$5,000 being spent on additional security measures. Mr. Moore informed Council that should they not be permitted to install security gates the City will need to look into the impact the increased cost of crime, personal property loss, policing costs and the sanitary conditions related to underground parking such as this.

In response to a query from Council as to whether the Strata has contacted Community Policing, Mr. Moore advised that they have been contacted the local Community Police Office; however community police patrols are not permitted to enter premises such as this because its single entrance creates a safety concern for the officers.

There were no further submissions received regarding Rez. #07-02, Bylaw No. 12250.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR EVANS:

"THAT this Public Hearing relating to Rez. #07-02, Bylaw No. 12250 be now terminated."

CARRIED UNANIMOUSLY

ADJOURNMENT

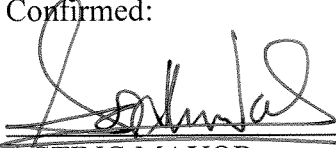
MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CALENDINO:

"THAT this Public Hearing do now adjourn."

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 8:38 p.m.

Confirmed:



ACTING MAYOR

Certified Correct:



ADMINISTRATIVE OFFICER
OPERATIONS