

PUBLIC HEARING

2009 October 27

A Public Hearing (Zoning) was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 2009 October 27 at 7:30 p.m.

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

ABSENT: Councillor A. Kang
Councillor N.M. Volkow

STAFF: Mr. Basil Luksun, Director Planning and Building
Mr. Ed Kozak, Community Planner
Mr. Sid Cleave, Administrative Officer 1
Ms. Lynne Axford, Administrative Officer 1
Ms. Eva Prior, A/Administrative Officer 1

The Public Hearing was called to order at 7:34 p.m.

1. **“BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 48, 2008” - BYLAW NO. 12507**

Rez #07-59

1680 and 1710 Gilmore Avenue, 1771, 1779 & 1791 Douglas Road

Lots A & B, D.L. 120, Group 1, NWD Plan 13545, Lot A, D.L. 120, Group 1, NWD Plan 9309, Parcel One (Expl. Plan 12387), D.L. 120, Group 1, NWD Plan 9309 and Lot B Except: Firstly: Part on Expl. Plan 12387 and Secondly: Parcel A (Ref. Plan 30241), D.L. 120, Group 1, NWD Plan 9309

From: M1 Manufacturing District, M5 Light Industrial District and C4 Service Commercial District

To: CD Comprehensive Development District (based on RM5 Multiple Family Residential District, P3 Park and Public Use District and Brentwood Town Centre Plan guidelines and in accordance with the development plan entitled “Douglas Road – Burnaby” prepared by Hewitt, Kwasnicky Architects Inc.)

The purpose of the proposed zoning bylaw amendment is to permit a high-rise apartment tower with street-facing townhouses within the Brentwood Town Centre Development Plan area.

The Advisory Planning Commission advised it supports the rezoning application.

An email letter dated 2009 October 20 was received from Peter Cech regarding this rezoning application. Mr. Cech noted the First Avenue connector will result in more rat runners using Carlton Avenue northbound.

An undated letter was received from Eric Laity, 5781 Kitchener Street, Burnaby regarding this rezoning application. Mr. Laity noted the following points:

1. The intersection of Halifax and Douglas is presently a four-way stop which will be impacted by the increased population density of the proposed site.
2. There is significant traffic east and west on Halifax. The property at 1846 Gilmore constricts widening of the roadway. Vehicular and bicycle traffic on Gilmore constantly turn right or left to approach Brentwood from the west. Due to the narrowness of Halifax west of 4132 both pedestrian and moving traffic are exposed to hazards.
3. The proposed road extension of First Avenue through Gilmore to Douglas Road could alleviate much of the current congestion at Gilmore and Halifax. The suggestion of a traffic light to compliment this new intersection is a sound proposal. The elimination of the stop signs for travel north and south on Gilmore at Douglas is also a practical measure which could promote movement.
4. It is unlikely that traffic on Carleton Avenue would be impacted by the development.

A letter dated 2009 September 29 was received from Karim Nathoo, Monte Cristo Bakery, 1739 Douglas Road, Burnaby expressing concern regarding the rezoning application. The writer advised the proposed project will seriously interrupt and hamper his company's operations and growth.

John O'Donnell, Ledingham McAllister Ltd., #300 – 1285 West Pender Street, Vancouver, the rezoning applicant, appeared before Council providing a power point presentation including design drawings of this revised development proposal.

The speaker noted the revised tower design from a square to rectangular shape will interfere less with the view of residents living in the existing residential complex at 4132 Halifax Street.

The speaker advised the proposed development plan is consistent with the goals of the Brentwood plan in the following ways:

- High density residential development is being located near rapid transit.
- Additional park space is being provided.
- Road development in the area is being improved.

Greg Magirescu, #2203 – 4132 Halifax Street, Burnaby appeared before Council opposing the rezoning application. Mr. Magirescu advised that he purchased his condominium unit based on an incorrect city document which designated the subject site for medium density development. Had he known the subject site was actually designated for high density

development, he would have considered other purchase options. The speaker concluded by emphasizing the proposed tower development will have a negative impact on the value of his investment.

Theresia Beorkamp, #503 – 4353 Halifax Street, Burnaby appeared before Council advising the proposed development will increase traffic in this already congested area. The speaker expressed concerns regarding pedestrian safety at nearby intersections and particularly at the Douglas Road/Halifax Street intersection. The speaker concluded by noting traffic lights should be installed at these intersections.

** Councillor Chang retired from the Council Chamber at 8:02 p.m. **

Tom McCafferty, 4211 Graveley Street, Burnaby appeared before Council expressing concern regarding the proposed closure of Douglas Road between Carleton Avenue and Gilmore Avenue. The speaker noted if this road closure proceeds then the historic nature of the road should be recognized.

In response to the speaker's comments, the Director Planning and Building agreed to advise the Parks, Recreation and Cultural Services Department of the historic nature of this road.

John Dorsey, #1603 – 4132 Halifax Street, Burnaby appeared before Council opposing the rezoning application.

Councillor Chang returned to the Council Chamber at 8:10 p.m. and took his seat at the Council table.

Mr. Dorsey submitted a petition containing 61 signatures from residents of 4132 Halifax Street objecting to the proposed development. Only 5 of these signatures were provided in accordance with the City's Policy for submission of petitions to Council.

The text of the petition read as follows:

“Petition Burnaby Zoning Bylaw #12507 Rezoning Reference #07-59

We, the undersigned, are all residents of 4132 Halifax St, Burnaby, BC, V5C 6V1 and we object strongly to this second attempt at rezoning the properties directly north of 4132 Halifax St in order to erect a 32 storey high-rise.

When we purchased our real estate, the City of Burnaby provided area development maps and offered staff direction indicating the land in question would be zoned Rm3 – Medium Density. The city's plan showed all properties surrounded by Gilmore Ave, Douglas Street and Halifax St were to be developed as Rm3-medium density.

The City of Burnaby is saying the maps were made in error and that the staff in the Planning Department was the cause of the error. The attempt to rezone to Rm5 is a complete contradiction to what the citizens were told was community plan for the designated site.

As property owners, we investigated future zoning plans and have carried out due diligence. When City Hall told us there would be no high rises, we took them at their word and purchased our homes. A mistake may have been made, but we are asking the city to live with their mistake and hold true to the information that was given to us.”

Carmen Ortega, #905 – 4132 Halifax Street, Burnaby appeared before Council expressing concern regarding the lack of sidewalks and crosswalks in the area near the proposed development. The speaker concluded by inquiring if the traffic study undertaken by the rezoning applicant is available to the public.

The Director of Planning and Building advised that copies of the traffic study are available in the planning department.

Scott Ruddy, #1408 – 4132 Halifax Street, Burnaby appeared before Council advising the proposed development will increase traffic in this already congested area. The speaker expressed particular concern regarding traffic congestion on Gilmore Avenue between Douglas Road and Lougheed Highway. He also advised of numerous accidents at the Lougheed Highway/Gilmore Avenue intersection.

Shirley Dorsey, #1603 – 4231 Halifax Street, Burnaby appeared before Council inquiring if tower developments are likely for properties adjacent to the subject site.

In response to the speaker's inquiry, the Director Planning and Building advised the properties immediately northwest of the subject property have not been acquired and would be the subject of a separate rezoning application at the time of development.

Paul Oster, #1807 – 4353 Halifax Street, Burnaby appeared before Council advising proposed changes to the development increase the impact on the privacy and view of residents in his residential complex. Mr. Oster concluded by noting that a detailed pedestrian access plan should be developed for the subject area.

James Madhavan, 7927 13th Avenue, Burnaby, President of Fiji Canada Association, former owner of 1791 Douglas Road, appeared before Council supporting the rezoning application.

Nick DiPalma, 4601 Union Street, Burnaby appeared before Council supporting the proposed tower development and improvements to the First Avenue/Gilmore Avenue intersection.

Gerry Rosen, 4202 Graveley Street, Burnaby appeared before Council expressing concern that the proposed First Avenue connector will increase traffic on Carleton Avenue and Graveley Street.

** Councillor Calendino retired from the Council Chamber at 8:51 p.m.**

David Switzer, 4006 Albert Street, Burnaby appeared before Council supporting the proposed development and noted it is close to a skytrain station.

Councillor Calendino returned to the Council Chamber at 8:54 p.m. and took his seat at the Council table.

The speaker also supported improvements to the First Avenue/Gilmore Avenue intersection.

Mike Murphy, 4256 Graveley Street, Burnaby appeared before Council expressing concern that infrastructure improvements and traffic control measures have not kept pace with development in the neighbourhood.

Tom McCafferty, 4211 Graveley Street, Burnaby appeared again before Council noting the First Avenue connector will increase traffic on Graveley Street.

** Councillor Jordan retired from the Council Chamber at 8:58 p.m.**

The speaker further noted that Graveley Street is on a hill which poses a problem when it snows.

Mike Moscone, T. Moscone & Bros. Landscape Contractors Ltd., 4025 East 1st Avenue, Burnaby appeared before Council supporting the proposed tower development.

Councillor Jordan returned to the Council Chamber at 9:02 p.m. and took her seat at the Council table.

Martin Tanic, 2601 – 4132 Halifax Street, Burnaby appeared before Council acknowledging the road system in the subject area needs to be improved. Given the traffic challenges in the area, the speaker encouraged Council to consider medium instead of high density development for properties adjacent to the subject property.

There were no further submissions received regarding Rez. #07-59, Bylaw No. 12507.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CALENDINO:

“THAT this Public Hearing relating to Rez. #07-59, Bylaw No. 12507 be terminated.”

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CALENDINO:

“THAT the traffic and transportation issues raised at the Public Hearing regarding Rez. 07-59, Bylaw No. 12507 be REFERRRED to the Traffic Safety Committee and Transportation Committee for review.”

CARRIED UNANIMOUSLY

2. **“BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 43, 2009” - BYLAW NO. 12714**

Rez #06-14

7595 Kingsway

Lot 74, D.L. 29, Group 1, NWD Plan 41638

From: C4 Service Commercial District and P8 Parking District

To: CD Comprehensive Development District (based on RM3 Multiple Family Residential District, and Edmonds Town Centre Plan as guidelines, and in accordance with the development plan entitled “Multi-Family Residential Development 7595 Kingsway” prepared by Wilson Chang Architect)

The purpose of the proposed zoning bylaw amendment is to permit a four storey apartment development with underground parking.

The Advisory Planning Commission advised it supports the rezoning application.

A letter dated 2009 October 27 was received from Allen Hutton, 7304 14th Avenue, Burnaby regarding the rezoning application. Mr. Hutton expressed concern regarding the dedicated left turn lanes on Kingsway and the removal of the local commercial component. The writer also noted traffic mitigation measures are necessary for 14th Avenue.

Brian Frederick, 1401 Como Lake Avenue, Coquitlam (owner - 7359 14th Avenue, Burnaby) appeared before Council expressing concern regarding the rezoning application. The speaker opposed vehicular access to the proposed development from the lane. In addition, he advised the development should be consistent with other developments in the neighbourhood and not exceed three stories.

A copy of Mr. Frederick’s submission is on file in the office of the City Clerk.

** Councillor Johnston retired from the Council Chamber at 9:22 p.m.**

Wilson Chang, project architect, 288 West 8th Avenue, Vancouver appeared before Council advising the current development plan for the site retains more trees than the previous development plan.

Councillor Johnston returned to the Council Chamber at 9:24 p.m. and took his seat at the Council table.

Mr. Chang also noted vehicular access to the development is from the back lane at a point which minimizes disruption to the rest of the lane.

There were no further submissions received regarding Rez. #06-14, Bylaw No. 12714.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

“THAT this Public Hearing relating to Rez. #06-14, Bylaw No. 12714 be terminated.”

CARRIED UNANIMOUSLY

3. **“BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 42, 2009” - BYLAW NO. 12713**

Text Amendment

The purpose of the proposed zoning bylaw text amendment is to clarify that Preliminary Plan Approval is required prior to the issuance of a business licence for any development proposal.

The Advisory Planning Commission advised it supports the text amendment.

Andrew Chisholm, 3610 Weston Court, Burnaby, President Dragonwood Enterprises, appeared before Council opposing the text amendment. The speaker advised that requiring small business to obtain preliminary plan approval as a condition of issuing a business licence is not reasonable or justified. The speaker also noted that the preliminary plan approval process can be expensive and time consuming.

There were no further submissions received regarding text amendment Bylaw No. 12713.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CALENDINO:

“THAT this Public Hearing for Text Amendment Bylaw No. 12713 be terminated.”

CARRIED UNANIMOUSLY

ADJOURNMENT

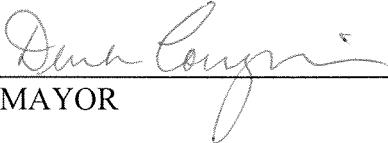
MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CALENDINO:

"THAT this Public Hearing do now adjourn."

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 9:32 p.m.

Confirmed:


MAYOR

Certified Correct:


ADMINISTRATIVE OFFICER I