

# Rescind the Rezoning of 2048 Suffolk Avenue

Presented by Dave Teixeira (dave@dave.ca)  
to Port Coquitlam City Council  
Monday, March 10, 2008

# History

Roughly five years ago Bay City Kia, located at 2037 Lougheed Highway [A], purchased 2048 Suffolk Avenue [B] – a single family home and property.

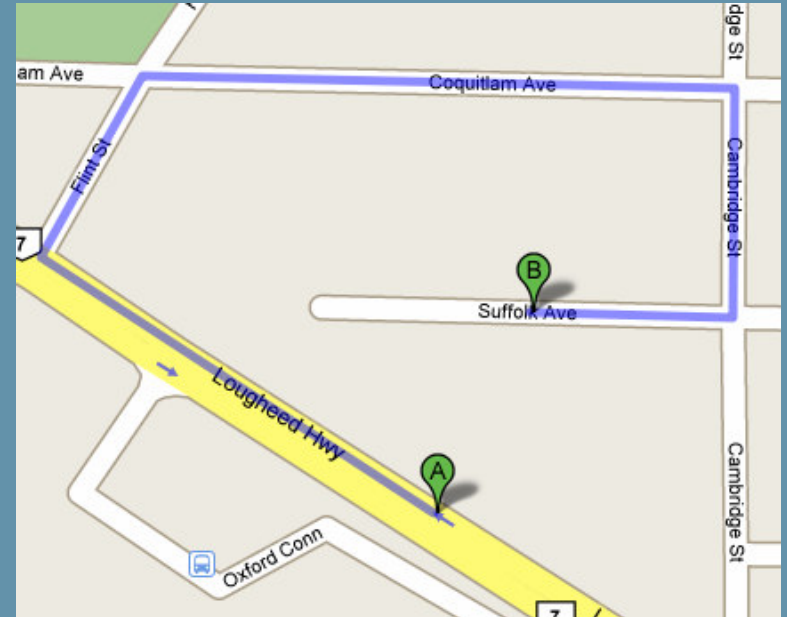
Home demolished, paved, a 10-foot high fence with barbwire at the top facing Suffolk Avenue put up and 50 vehicles – cars, boats, trailers, trucks, etc. – moved onto lot.

**This use of the property is illegal under the current bylaws and OCP.**

In July 2007, residents notified that Kia looking to have the property rezoned.

Since that time the community has expressed concerns with the business operation.

City gave direction to the Bylaw Department to NOT enforce the bylaw infractions on the property while the rezoning application was in play.



# December 10<sup>th</sup> Council Meeting

## THE FOLLOWING RESOLUTION PASSED UNANIMOUSLY

*Provide for continued processing of the applications and commercial occupancy of 2048 Suffolk Avenue by:*

- a) Establishing a new deadline of January 14, 2008 for the applicant to provide a traffic report in accordance with the Terms of Reference;*
- b) Extending the suspension on enforcement action to obtain land use compliance of 2048 Suffolk Avenue with the Zoning Bylaw while the development applications are being actively considered; and*
- c) That the main access gate from 2055 Loughheed Highway to Suffolk Avenue be closed and no longer used.*

# What Was Said

## TRAFFIC STUDY LINE IN THE SAND MOVED - AGAIN

“We have instructed Ward [Consulting] to have a draft available to the City at least a week prior to the January 14<sup>th</sup> deadline.”

*Marco Abenante – co-owner Bay City Kia*  
*Monday, December 10, 2007*

“[The Traffic and Circulation Study] is supposed to be vetted by January 14<sup>th</sup>.”

*Kim Fowler, Director of Development Services*  
*Monday, December 10, 2007*

“Hopefully this is the last line in the sand that we are drawing of January 14<sup>th</sup> and after that we will say “that’s it”...but there’s the line.”

*Councillor Greg Moore*  
*Monday, December 10, 2007*

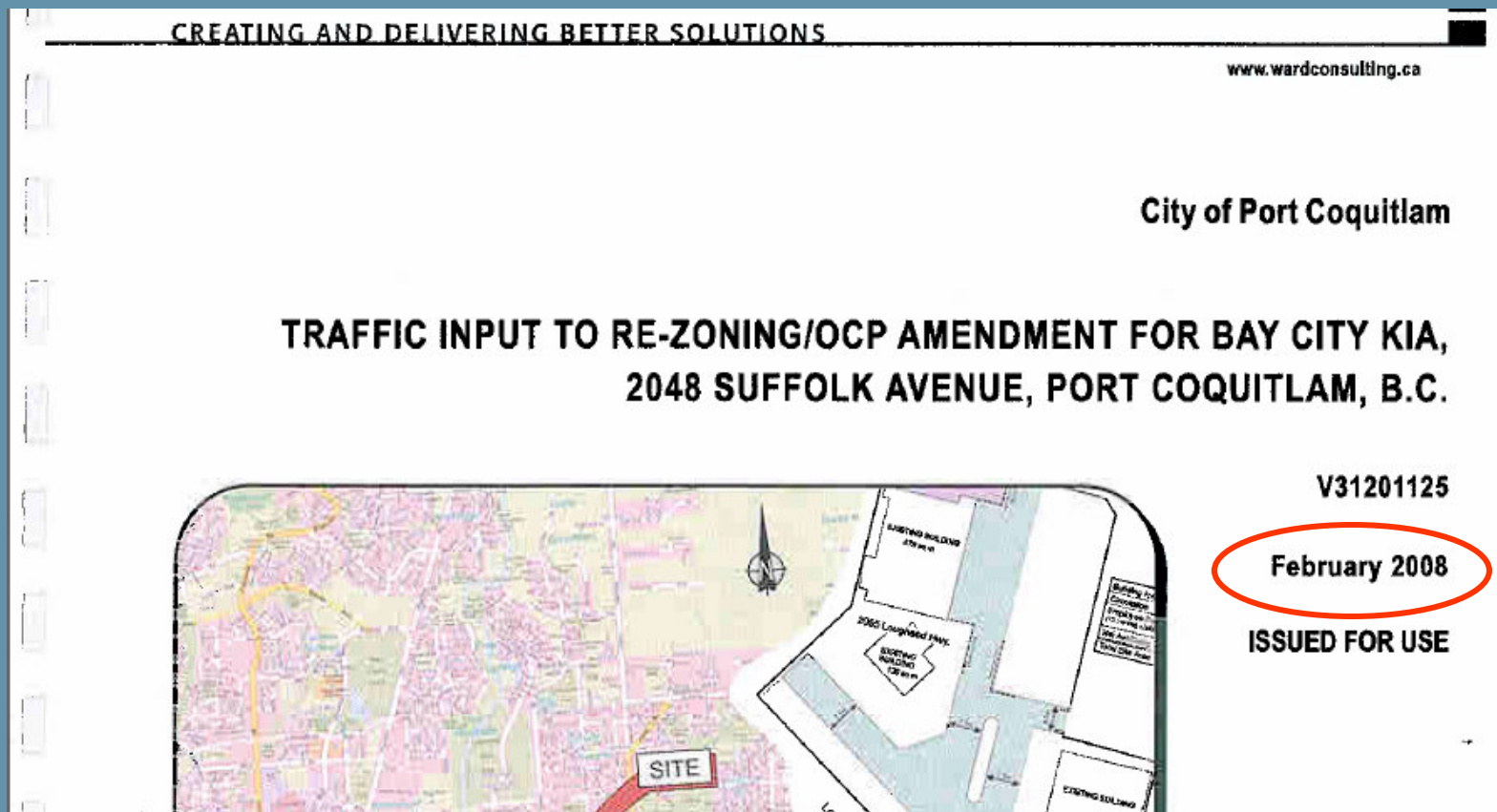
“I will wait until the 14<sup>th</sup>, but in all frankness, my patience is completely gone.”

*Councillor Darrell Penner*  
*Monday, December, 10 2007*

# Results

## TRAFFIC STUDY LINE IN THE SAND MOVED - AGAIN

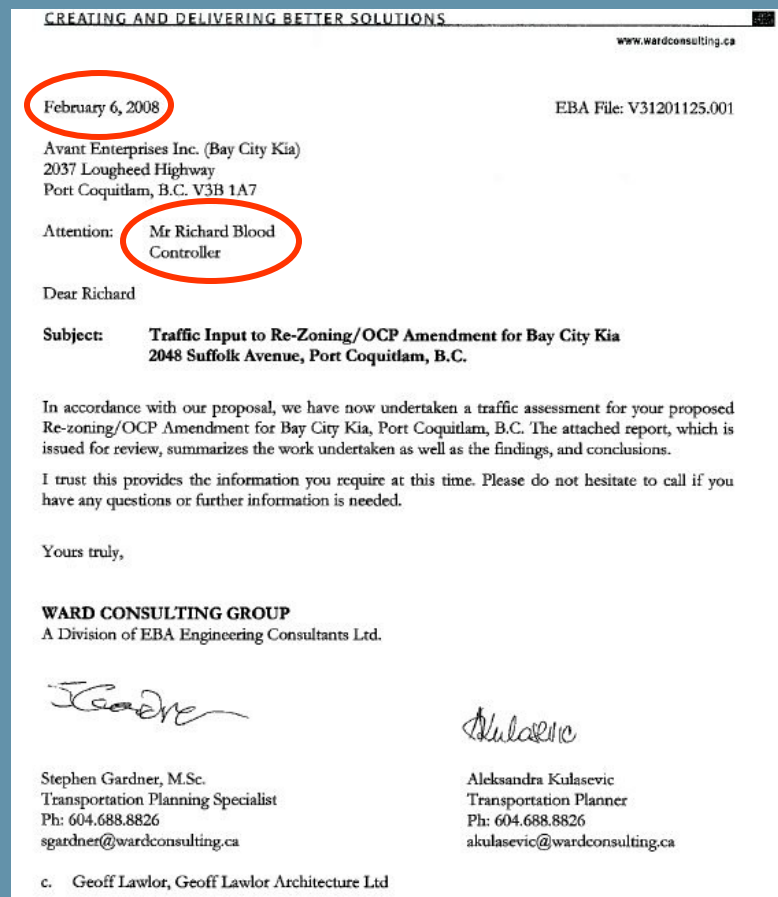
Final Study received February 8, 2008 emailed out on February 13, 2008



# Results

## TRAFFIC STUDY LINE IN THE SAND MOVED - AGAIN

Final Study cover page shows date of February 6, 2008 as sent to Richard Blood



# What Was Said

## CLOSING OFF THE MAIN GATE ON SUFFOLK AVENUE

“I personally promise to make sure everything moves forward as fast as possible from now on.”

*Marco Abenante – co-owner Bay City Kia*  
*Monday, December 10, 2007*

“I don’t see a problem giving them [Kia] what I call a little bit more rope. The rope is only so long.”

*Councillor Mike Bowen*  
*Monday, December 10, 2007*

“The main gate will be closed...the paint shop gate will remain open.”

*Mayor Scott Young*  
*Monday, December 10, 2007*

# Results

## THE GATE WAS OPENED AT LEAST ONCE AND THE PAINT SHOP GATE USED IMPROPERLY

January 22, 2008

Gate opened for car washing. Photos taken, bylaw office notified and email sent to Bay City Kia.

March 5, 2008

Cars being unloaded. Photos taken, observed by RCMP, bylaw office notified and email set to Bay City Kia.

# What Was Said

## VARIOUS OTHER ISSUES

“We have our large truck deliveries going off site.”

*Marco Abenante – co-owner Bay City Kia  
Monday, December 10, 2007*

“We no longer keep unlicensed vehicles outside the fenced area.”

*Marco Abenante – co-owner Bay City Kia  
Monday, December 10, 2007*

“Our Managers have been strongly enforcing safe and legal driving of our vehicles by Bay City Staff.”

*Marco Abenante – co-owner Bay City Kia  
Monday, December 10, 2007*

Large truck delivered cars to 2048 Suffolk on March 5<sup>th</sup>.

Many photos taken of cars illegally parked in the fire lane between the Kia dealership and Suffolk Avenue.

February 7<sup>th</sup> Kia cars without license plates photographed driving from Kia, down laneway, down Loughheed towards Pitt River Bridge area.

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“I am not in favour individually of continuously allowing these things to carry on to trouble the neighbourhood and I do not believe Council is generally in favour of it.”  
*Councillor Mike Forrest – Monday, December 10, 2007*

# Communications

Sample of emails sent to Bay City Kia – no response received.

## Merry Christmas and Study Suggestion

☆ from **Dave Teixeira** <dave@dave.ca>  
to Marco Abenante <mabenante@bckia.ca>,  
date Sun, Dec 23, 2007 at 7:09 PM  
subject Merry Christmas and Study Suggestion  
mailed-by gmail.com

[hide details](#) 12/23/07

[Reply](#) | ▼

Marco - I hope you, your family and staff are having or are about to have a wonderful Christmas Holiday!

I had a thought today RE: the traffic and circulation study. If you like, we could review the study together so that concerns are brought out before you submit to the City so that any opposition is minimized. I could come to your office if that is most convenient so that draft copies do not have to be circulated outside of your office. Let me know what you think.

Again, enjoy the holidays and all the best.

Dave.  
(604) 418-9177

# Communications

## Issues Still Remain

★ from **Dave Teixeira** <dave@dave.ca>  
to Marco Abenante <mabenante@bckia.ca>,  
date Wed, Mar 5, 2008 at 8:00 PM  
subject Issues Still Remain  
mailed-by gmail.com

[hide details](#) Mar 5 (4 days ago)

[Reply](#) | ▼

Marco,

Today residents observed and photographed a large transport truck unloading cars at 2048 Suffolk around 9:30am. As well, two RCMP officers made the same observation and noted various parking violations on Cambridge by Kia employee cars, Kia demo cars and other automobiles not related to your business. The RCMP officers said they would be dropping by your business this morning to discuss with you.

Today's violations are in addition to January 22nd where the gate on 2048 Suffolk Avenue was opened and car washing was taking place; January 24th where Auto Magic was servicing vehicles in front of 2048 Suffolk Avenue; various double parking in front of 2048 Suffolk Avenue by vehicles with Kia demo plates; various Kia demo cars and unlicensed cars parked illegally in the alley; February 7th Kia vehicles driving from the alley, down Lougheed towards the Pitt River Bridge without license plates; and the continued lack of employee parking (employees indicate they are directed by Kia Management to park on Cambridge).

Marco, while many of the issues have subsided since December 10th when the gate at 2048 Suffolk was ordered close, many issues remain. As such, these issues coupled with the late delivery of an acceptable Traffic and Circulation Study has prompted the residents in the area to re-approach Council this Monday to ask for the denying of the development permit and the immediate return of 2048 Suffolk Avenue to residential compliance.

I do believe that you wanted this process to work, however, the understanding of the rules and regulations did not made its way into the culture of Bay City Kia as a whole. As such, we will be pushing very hard for Council to make this decision.

I say with all sincerity, you need to come back to the City with a plan once your staff understands the penalties for non-compliance. As I said in my email just before Christmas, I am even willing to assist. The health, safety and quality of life of the families in the area are at risk until these problems are fixed.

Dave.

# Key Issues

## OVER 500 DOCUMENTED VIOLATIONS

From July to present **over 500 photos documenting Kia violations** in the community have been forward to the City Committees and/or Bylaw Department and even witnessed by some City Councillors.

Violations include but are not limited to:

- Parking on residential streets for more than 48 hours.
- Double parking – triple parking.
- Parking vehicles without license plates – without insurance.
- Parking in fire lanes and partially on sidewalks.
- Speeding and reckless driving.
- Driving the wrong way down Loughheed Highway.
- Unloading vehicles from large transport trucks parked the wrong way on Suffolk and Cambridge.
- Servicing vehicles on residential roads.
- Late night commercial operations from residential property.

# Recommendations

Create and pass a motion this meeting to **deny / revoke the rezoning applications for 2048 Suffolk Avenue and immediate compliance with the land use zoning.**

Encourage **Bay City Kia to work on a new rezoning package** which works within the framework of the community concerns, OCP, zoning and bylaws.

Work towards **adopting the “Nine Points”** as presented to the Protective Services Committee on September 13, 2007, other committees and Council during 2007. These include parking restrictions on Cambridge; enforcing staff and customer parking regulations on the Bay City Dealership lot; and coordinated policing efforts with the RCMP and Bylaw.

“Dave – our interest is to come to resolution, not put the thing off.”

***Councillor Mike Forrest***  
***Monday, December 10, 2007***

“We continually move the line in the sand and I think it hurts the credibility of whether it is committee or Council.”

***Councillor Greg Moore***  
***Monday, December 10, 2007***

“This comes down to good faith...do they [Kia] deliver?...How can you have good faith with what’s going to happen here?”

***Councillor Darrell Penner***  
***Monday, December 10, 2007***

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