

PUBLIC HEARING  
2007 February 20

A Public Hearing (Zoning) was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 2007 February 20 at 7:30 p.m.

PRESENT: Mayor D.R. Corrigan  
Councillor G. Begin  
Councillor P. Calendino  
Councillor S. Dhaliwal  
Councillor G. Evans  
Councillor D.N. Johnston  
Councillor C. Jordan

ABSENT: Councillor L.A. Rankin  
Councillor N.M. Volkow

STAFF: Mr. Basil Luksun, Director Planning and Building  
Ms. Ann Lorentsen, Administrative Officer Operations

The Public Hearing was called to order at 7:33 p.m.

1. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 07, 2007" - BYLAW NO. 12233

Rez. #06-15

5587, 5607, 5621 and 5635 Inman Avenue

E. 114.50 of Lot 1, D.L. 34, Grp. 1, NWD Pl. 2038; N. 50.ft. & S. 12 ft. (having a frontage of 50 ft. on Inman Ave. with a uniform width for the full depth of Lot) of Lot 1, D.L. 34, Grp.1, NWD Pl. 2115; N. 38 ft. (having a frontage of 50 ft. on Inman Ave. with a uniform width for the full depth of Lot) of Lot 2 & Lot 2 Except N. 38 ft. of D.L. 34, Grp. 1, NWD Pl. 2115; N. 26 ft. of Lot 3, D.L. 34, Grp. 1, NWD Pl. 2115 having a frontage of 26 ft. on Inman Ave. and a uniform width the full depth of said Lot and adjoining Lot 2

From: R5 Residential District

To: CD Comprehensive Development District (based on RM3 Multiple Family Residential District and Metrotown Development Plan guidelines and in accordance with the development plan entitled "5587 Inman Street Apartment Building" prepared by Denis Turco Architect Inc.).

The purpose of the proposed zoning bylaw amendment is to permit the construction of a 41-unit apartment development with full underground parking.

The Advisory Planning Commission advised it supports the rezoning application.

There were no further submissions received regarding Rez. #06-15, Bylaw No. 12233.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR DHALIWAL:

“THAT this Public Hearing relating to Rez. # 06-15, Bylaw No. 12233 be now terminated.”

CARRIED UNANIMOUSLY

2. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 08, 2007" - BYLAW NO. 12234

Rez. #06-19

7738, 7750 and 7762 Edmonds Street

Parcel “B” (H114553E), Lot 44, Parcel “A” (H114553E), Lot 43 and Lot 42 Except:  
Firstly: Part shown as lane on Expl. Pl. 12641; Secondly: Parcel “A” (Expl. Pl. 12641),  
D.L.  
28, Group 1, NWD Pl. 632

From: C2 Community Commercial District and C4 Service Commercial District

To: CD Comprehensive Development District (based on C2 Community Commercial District, RM3 Multiple Family Residential District and in accordance with the development plan entitled “7738, 7750 & 7762 Edmonds Street” prepared by Creekside Architects)

The purpose of the proposed zoning bylaw amendment is to permit development of a mixed-use project with retail at-grade and three levels of residential above.

The Advisory Planning Commission advised it supports the rezoning application.

Rev. Tanksley, St. Albans Anglican Church, 7717 19<sup>th</sup> Avenue, Burnaby appeared before Council to inquire about future access to the lane from Canada Way.

Director Planning and Building, Basil Luksun, advised that a southern portion of the subject property is to be dedicated for lane, however the lane will not be opened until the other half of the lane is dedicated once the properties to the south are redeveloped.

There were no further submissions received regarding Rez. #06-19, Bylaw No. 12234.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR BEGIN:

“THAT this Public Hearing relating to Rez. # 06-19, Bylaw No. 12234 be now terminated.”

CARRIED UNANIMOUSLY

3. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 09, 2007" - BYLAW NO. 12235

Rez. #06-25

Ptn. of 8545 North Fraser Way and ptn. of 5595 Trapp Avenue

Ptn. of Lot 1, D.L. 155, Grp. 1, NWD Pl. BCP21951, Ptn. of Parcel “A” except:  
Firstly: Part Subdivided by Pl. BCP4738, Secondly: Part Subdivided by Pl. BCP8172,  
Thirdly: Part Subdivided by Pl. BCP21951, Fourthly: Part Subdivided by Pl. BCP22388,  
D.L. 155, Grp. 1 NWD Pl. BCP4737

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 and M5 Light Industrial District and the Glenwood Industrial Estates Concept Plan guidelines and in accordance with the development plan entitled “Glenwood 4 & 5, North Fraser Way” prepared by Christopher Bozyk Architects Ltd.).

The purpose of the proposed zoning bylaw amendment is to permit the development of a multi-tenant light industrial building and a distribution warehouse.

The Advisory Planning Commission advised it supports the rezoning application.

There were no further submissions received regarding Rez. #06-25, Bylaw No. 12235.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR DHALIWAL:

“THAT this Public Hearing relating to Rez. #06-25, Bylaw No. 12235 be now terminated.”

CARRIED UNANIMOUSLY

4. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 10, 2007" - BYLAW NO. 12236

Rez. #06-32

5480, 5516 & 5550 Patterson Avenue

Lots 3, 16 & 17, D.L. 34, Grp. 1, NWD Pl. 1355

From: R5 Residential District

To: CD Comprehensive Development District (based on RM3 Multiple Family Residential District and Metrotown Development Plan guidelines and in accordance with the development plan entitled "Multi-Family Residential Development 5480, 5516 & 5550 Patterson Avenue" prepared by Wilson Chang Architect).

The purpose of the proposed zoning bylaw amendment is to permit the construction of a 48-unit stacked townhouse development with full underground parking.

A letter dated Feb. 19, 2007 was received from Pam Moodie and Sue Neumann, 5400 Patterson Avenue, Burnaby expressing opposition to the rezoning application and concerns regarding increased density, parking, location of garbage and recycling facilities, impact of building setback and height on use and enjoyment of their property.

The Advisory Planning Commission advised it supports the rezoning application.

Hugh Finnamore, President Strata NW3153, 5400 Patterson Avenue, Burnaby appeared before council members advising they are immediate neighbours to the subject property and are concerned about the disposition of residents from the group home located on the subject site and about the lack of consultation with area residents about the proposal. Mr. Finnamore noted that, while the Strata Corporation welcomes new development and supports higher density, they do not support increased densities to a maximum level as reflected in the application.

Mr. Finnamore raised the following points regarding the development proposal: Density – proposal calls for double the density of anyone else in the neighbourhood which will result in sun being cut the from south side of Patterson; Unit Size – proposed units are small and will attract investors (renters) instead of owners; Parking – 84 spaces, including 12 visitor stalls, is not sufficient and the majority of stalls are for small sized vehicles which will result in street parking becoming a problem; Fire Protection – other units in the Sardis/Barker area were required to have a 30' fire lane while this proposal only requires a 10' fire access; Building Design – design requirements for the new development will not complement existing buildings, the height will allow them to tower over adjacent properties blocking out light and the proposed patios are not appropriate for the area; Garbage Containers – proposed location is unacceptable because of potential noise, accessibility for animals and difficulty for pickup; Tree Removal – concern that ornamental cedars on along south property line of Patterson Court could be damaged and/or destroyed during excavation and proposed new landscaping is not as significant as existing; Drainage – existing drainage problems will be worsened and increased hydration will make neighbouring yards unstable and have the effect of drowning substantial vegetation on those properties; Urban Trail – the plan is unworkable and premature: Noise – space between buildings is narrow and high, allowing the sound to bounce; Crime – existing high levels of crime will increase along with an increase in rental units, ownership and control promotes a safer community.

In conclusion Mr. Finnamore pointed out that the Strata Council he represents want to see: 5480 Patterson to conform to RM1 guidelines, that any building on that lot is no more than two stories with at least a 20' side-yard setback and the UPH does not exceed the block maximum; the exterior design complement neighbouring developments; protection of tree root systems; garbage and recycling containers and bins stored underground; and, at a minimum, the same density as existing developments at 4155 Sardis and 5565 Barker.

Mr. Finnamore circulated to Council a number of photographs related to the points he raised and the photographs and a copy of the speaker's presentation to Council in on file in the Office of the City Clerk.

In response to a query from Council, Basil Luksun, Director Planning and Building explained that the Metrotown Development Plan has been in place since the 1970s and the designation of these lots as well as those across the street for RM3 zoning has always been part of that plan. The Director confirmed that the maximization of density for this development is a result of an amenity density bonus of 0.13 FAR.

Paul McGown, 5575 Patterson Avenue, Burnaby and President of Strata NW2840 appeared before members of Council advising that the Strata Council objects to the rezoning application because of the proposed reduced setbacks and dramatically higher building heights and increased UPH. The speaker pointed out that the UPH (unit density) for the majority of newer RM3 properties in Burnaby is 82 while the UPH for this development is 153, making the density inappropriate for the area and offensive to existing residents. Mr. McGown noted that other RM1 and RM3 properties in the area meet or are under the setbacks required for their zone and have real trees and lawns incorporated into their development which is not being proposed here. Mr. McGown concluded by urging Council to give consideration and be fair to existing property owners and residents regarding the density and setback issues related to this application.

Carol Mundt, 4155 Sardis Street, Burnaby appeared before Burnaby Council advising, as President of the Strata Council, they are particularly concerned about the lack of a fire lane required for this development. Ms. Mundt noted, should a fire occur on the subject site, the Strata are worried about the west side of their building because of the lack of access for fire vehicles and the overall lack of land or setbacks around the proposed building.

Bill Moser, 5400 Patterson Avenue, Burnaby appeared before Council advising that, as the builder of Patterson Court, he had had a great relationship with the Planning Department and they had worked together to consult and discuss with area residents concerns about that development. The speaker noted the following concerns: proposed density and unit size, required urban trail, garbage and recycling, protection, drainage and protection of trees. Mr. Moser advised that Burnaby had required Patterson Court to be built to a high standard and the same standard should be expected of a neighbouring development and suggested the developer meet and discuss the plan with area residents and come back with a design that will acceptable to all.

\*\* Councillor Dhaliwal retired from the Council Chamber at 8:38 pm and did not return to the meeting.

Peter Laurence, 5565 Barker Pl., and President of the Strata Council for his building, appeared before Council to advise they concur with comments made by the previous speakers. The speaker noted that they live in a desirable neighbourhood and residents want to keep it that way; by not including the property on the corner of Sardis and Patterson they are creating units that are too small to sell and will become rental properties. In addition to unit size and parking, Mr. Laurance also noted concerns regarding parking, fire protection, garbage location, tree removal, drainage and the required urban trail. In conclusion, Mr. Laurence proposed that Burnaby ask the developers to come up with a more realistic solution and not to approve this amendment without substantial modification to the proposal. A copy of Mr. Laurence's presentation is on file in the Office of the City Clerk.

Ivy Chin, 5663 Inman Avenue, Burnaby appeared before Burnaby to express concern about increased density in the whole neighbourhood and its affect on traffic, crime and parking.

Mayur Kathary, 6429 Gordon Avenue, Burnaby, the rezoning applicant and Wilson Chang, 105 W. 46<sup>th</sup> Avenue, Vancouver, project architect appeared before the members of Council advising they were available to answer questions from Council.

In response to a Council query, Mr. Kathary advised they did not have discussions with area residents or hold an open house; however they had posted contact information on the development signage for residents to contact the project architect.

In response to a Council inquiry regarding the property located at 4125 Sardis Avenue, the Director Planning and Building advised the applicant had not originally included that property in their application, however, upon request of the Planning Department, they attempted to purchase the property but had been unsuccessful.

Paul McGown, 5575 Patterson Avenue, Burnaby again appeared before Council to inquire, if 4125 Sardis Street was acquired, would it be the same type of development as being proposed here?

The Director Planning and Building, Basil Luksun, advised that should that property be purchased at a later date the current proposal would be extended to that property. Mr. Luksun also noted, for information purposes, that the side yard setback proposed for the east and west sides of the subject property are the same as those at 4160 Sardis Street.

Bill Moser, 5400 Patterson Avenue, again appeared before Council to stress that the setbacks and height of the proposed buildings will negatively impact light to neighbouring properties.

Gary Long, 5575 Patterson Avenue, Burnaby appeared before members of Council enquiring what, if any, was the top density allowed?

Mr. Luksun, Director Planning and Building advised there are a range of densities allowed under CD zoning however the maximum permitted under the proposed application is 1.1 FAR, however, within Town Centres developers have the option of paying for a bonus density for which 1.5 FAR would be permitted.

Pam Moodie, 5400 Patterson Avenue, Burnaby appeared before members of Council to express her opposition to the rezoning application as it has been presented. Ms. Moodie advised the location of the garbage and recycling area is immediately under her unit and the noise level will be unacceptable.

There were no further submissions received regarding Rez. #06-32, Bylaw No.12236.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR JORDAN:

“THAT this Public Hearing relating to Rez. #06-32, Bylaw No.12236 be now terminated.”

CARRIED UNANIMOUSLY

Arising from consideration of the presentations, Councillor Begin was granted leave to bring forward the following motion:

MOVED BY COUNCILLOR BEGIN:  
SECONDED BY COUNCILLOR JOHNSTON:

“THAT staff provide Council with a report, responding to the concerns of the speakers, prior to second reading of the bylaw and the speakers be provided with copies of that report.”

CARRIED UNANIMOUSLY

5. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 11, 2007" - BYLAW NO. 12237

Rez. 06-66

4705 Wayburne Drive

Lot A, D.L. 72, Grp. 1, NWD Pl. LMP 5294

From: CD Comprehensive Development District (based on P6 Regional Institutional District)

To: P6 Regional Institutional District

The purpose of the proposed zoning bylaw amendment is to permit education institution use by BCIT and integration of the site into the main BCIT campus.  
The Advisory Planning Commission advised it supports the rezoning application.

There were no further submissions received regarding Rez. #06-66, Bylaw No. 12237.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR JORDAN:

“THAT this Public Hearing relating to Rez. # 06-66, Bylaw No. 12237 be now terminated.”

CARRIED UNANIMOUSLY

6. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 12, 2007" - BYLAW NO. 12238

Rez. #06-51

4302 Hastings Street

Lot 52, D.L. 121, Grp. 1, NWD Pl. 48987

From: C8a Urban Village Commercial District (Hastings)

To: CD Comprehensive Development District (based on C8a Urban Village Commercial District (Hastings) and Hastings Street Area Plan guidelines, and in accordance with the development plan entitled “4302 Hastings St. Vancity Credit Union – Branch 6” prepared by Walter Francl Architect Inc.)

The purpose of the proposed zoning bylaw amendment is to permit a mixed-use commercial/multiple-family residential development.

The Advisory Planning Commission advised it supports the rezoning application.

A letter was received from Pauline Mudrakoff, 3961 Albert Street, Burnaby expressing opposition to the subject application because of the height of the building and she would prefer the building be built to four stories at the front with two angled to the back.

There were no further submissions received regarding Rez. #06-51, Bylaw No. 12238.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR JORDAN:

“THAT this Public Hearing relating to Rez. #06-51, Bylaw No. 12238 be now terminated.”

CARRIED UNANIMOUSLY



7. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 13, 2007" - BYLAW NO. 12239

Rez. #06-67

7400 Fraser Park Drive

Parcel A, D.L. 166A, Grp. 1, NWD Pl. 77603

From: CD Comprehensive Development District (based on M1 Manufacturing District and M5 Light Industrial District)

To: Amended CD Comprehensive Development District (based on M1 Manufacturing District, M5 Light Industrial District and Big Bend Development Plan guidelines and in accordance with the development plan entitled "Flora Manufacturing and Distribution Ltd. - Manufacturing and Warehouse Addition" prepared by Farpoint Architectural Inc.)

The purpose of the proposed zoning bylaw amendment is to permit an expansion to the existing manufacturing/warehousing facility.

The Advisory Planning Commission advised it supports the rezoning application.

There were no further submissions received regarding Rez. #06-67, Bylaw No. 12239.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR JORDAN:

"THAT this Public Hearing relating to Rez. # 06-67, Bylaw No. 12239 be now terminated."

CARRIED UNANIMOUSLY

8. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 14, 2007" - BYLAW NO. 12240

Rez. #06-37

7325 Ridge Drive

Lot 86, D.L. 216, Grp. 1, NWD Pl. 10936

From: R2 Residential District

To: R2 "a" Residential District

The purpose of the proposed zoning bylaw amendment is to permit the renovation of an existing dwelling with a proposed total gross floor area greater than that permitted by the prevailing zoning.

The Advisory Planning Commission advised it supports the rezoning application.

A letter dated Feb. 13, 2007 was received from Carell Keath, 7238 Braeside Drive, Burnaby expressing opposition to the proposed bylaw amendment.

A letter dated Feb. 20, 2007 was received from Robert Daviduk, 7334 Braeside Drive, Burnaby advising that the proposed rezoning change would have a negative impact on his property and on the neighbourhood.

Bill Mitchell, 7335 Ridge Drive, Burnaby appeared before members of Council advising that he has looked at the plans for the proposed renovation and he has some concerns about the size of the increased square footage for the property, which will be approximately 1/3 larger than his home. Mr. Mitchell is particularly concerned about the size of the proposed decks which will overlook the back of his property and advised he would not have purchased this property had he thought his neighbour would be permitted to build a deck so close to his property. In conclusion, the speaker suggested allowing this application would not set a good precedent for the neighbourhood.

David Huntley, 7341 Ridge Drive, Burnaby appeared before Council to express concern about this subject application which would permit a renovation with square footage larger than his home. The speaker is concerned about the growing trend for larger homes which he does not feel are conducive to creating a good neighbourhood.

There were no further submissions received regarding Rez. #06-37, Bylaw No. 12240.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR EVANS:

"THAT this Public Hearing relating to Rez. #06-37, Bylaw No. 12240 be now terminated."

CARRIED UNANIMOUSLY

### ADJOURNMENT

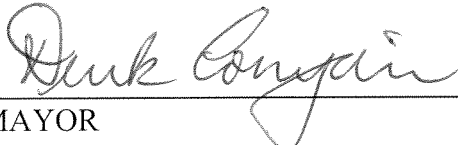
MOVED BY COUNCILLOR EVANS:  
SECONDED BY COUNCILLOR JOHNSTON:

"THAT this Public Hearing do now adjourn."

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 9:18 p.m.

Confirmed:

  
MAYOR

Certified Correct:

  
ADMINISTRATIVE OFFICER  
OPERATIONS