

PUBLIC HEARING

2009 January 20

A Public Hearing (Zoning) was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 2009 January 20 at 7:30 p.m.

PRESENT: Mayor D.R. Corrigan, in the Chair
Councillor P. Calendino
Councillor R. Chang
Councillor S. Dhaliwal
Councillor D.N. Johnston
Councillor C. Jordan
Councillor A. Kang
Councillor P. McDonell
Councillor N. M. Volkow

STAFF: Mr. Basil Luksun, Director Planning and Building
Mr. Sid Cleave, A/Administrative Officer – Operations

The Public Hearing was called to order at 7:32 p.m.

1. **“BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 70, 2008” - BYLAW NO. 12578**

Rez #08-06

2085 Rosser Avenue, 4388 & 4398 Lougheed Highway and Ptn. of Lougheed Highway

Lots 30 & 31, D.L 119, Group 1, NWD Plan 29692 and Parcel 1 (Bylaw Plan LMP53656), D.L. 119, Group 1, NWD Plan 2855

From: CD Comprehensive Development District (based on C3 General Commercial District) and M1 Manufacturing District

To: Amended CD Comprehensive Development District (based on RM5 Multiple Family Residential District, C2 Community Commercial District and Brentwood Town Centre Plan guidelines and in accordance with the development plan entitled “Proposed Mixed-Use Development at Lougheed & Rosser” prepared by Chris Dikeakos Architects Inc.)

The purpose of the proposed zoning bylaw amendment is to permit a high-rise apartment development with ground-level townhouses and a small street-fronting commercial component.

The Advisory Planning Commission advised it supports the rezoning application.

There were no further submissions received regarding Rez. #08-06, Bylaw No. 12578.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CALENDINO:

“THAT this Public Hearing relating to Rez. #08-06, Bylaw No. 12578 be now terminated.”

CARRIED UNANIMOUSLY

**2. “BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 71, 2008” - BYLAW NO. 12579**

Rez #04-44

6515 Bonsor Avenue

Lot 3, D.L. 152, Group 1, NWD Plan 80573

From: CD Comprehensive Development District (based on C3 General Commercial District)

To: Amended CD Comprehensive Development District (based on C3 General Commercial District guidelines and in accordance with the development plan entitled “Proposed Patio for Firefighters’ Social & Athletic Club” prepared by CK Robinson Engineering)

The purpose of the proposed zoning bylaw amendment is to permit an outside patio for the Firefighters’ Social and Athletic Club.

The Advisory Planning Commission advised it supports the rezoning application.

A letter dated 2009 January 14 was received from Roger Whitehouse, 2000-6521 Bonsor Avenue, Burnaby opposing the rezoning application. Mr. Whitehouse expressed concern the proposed patio will expose residents in his complex to excessive noise. The writer also noted the proximity of the proposed patio to the adjacent bus stop will expose those waiting for a bus to that same noise.

A letter dated 2009 January 16 was received from Eric Kong, Royal Pacific Property Corporation, 550 North Tower, Oakridge Centre, 650 West 41st Avenue, Vancouver, on behalf of the registered owner of units 300, 400, 402, 703 1403, 2103, 2203 and 2303 at 6521 Bonsor Avenue, Burnaby. Mr. Kong advised the registered owner objects to the subject rezoning application.

Allan Tummon, Strata Council President, Symphony One, 6521 Bonsor Avenue, Burnaby appeared before Council opposing the rezoning application.

Mr. Tummon noted the following points:

- noise from an outdoor patio will be excessive

- the patio will negatively impact the quality of life for children and families in the neighbourhood

In response to an inquiry from Council, the Director Planning and Building advised that the current rezoning application is for an outdoor patio with no canopy. The Director Planning and Building further advised that the rezoning applicant received letters from the Strata Councils of the apartment towers at 6521 Bonsor Avenue and 4830 Bennett Street stating they do not object to the elimination of the canopy over the patio subject to the following:

- the patio will only be open from May 1 to September 30 each year
- the hours of liquor sale on the patio be restricted from 11:00 a.m. to 8:30 p.m., Monday to Saturday, and 12:00 noon to 8:30 p.m. on Sundays, with the patio to be vacated and locked by 9:00 p.m.
- no music or amplifications on the patio at any time. In addition, no loud music will be allowed to escape from indoors to the patio through open doors or other openings leading to the patio
- no smoking on the patio at any time

In response to the comments of the Director Planning and Building, Mr. Tummon re-iterated his opposition to the rezoning application and noted that he previously believed the patio had already been approved.

Amir Suleman, 1701-6521 Bonsor Avenue, Burnaby appeared before Council opposing the rezoning application.

Mr. Suleman noted the following points:

- given the large number of families and children in the neighbourhood, it is inappropriate to promote the consumption of liquor in open/outside patio areas
- crime is already a problem in the neighbourhood and homes need to be protected.

Karen Cresswell, 300-4830 Bennett Street, Burnaby appeared before Council expressing concern regarding the rezoning application. The speaker noted that an open/unenclosed patio will result in additional noise.

Mr. Horbulyk, 4678 Carson Street, Burnaby appeared before Council supporting the rezoning application. The speaker advised that a patio without a cover is less likely to attract homeless people.

Blair Franklin, 5728 Neville Street, Burnaby appeared before Council supporting the rezoning application. The speaker also noted that the Firefighters Club is a safe and secure place.

There were no further submissions received regarding Rez. #04-44, Bylaw No 12579.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing relating to Rez. #04-44, Bylaw No. 12579 be now terminated.”

CARRIED UNANIMOUSLY

**3. “BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 72, 2008” - BYLAW NO. 12580**

Rez #08-42

7204, 7208, 7214, 7220, 7226, 7230, 7236, 7242, 7248, 7252, 7258 Stride Avenue

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, D.L. 53, Group 1, NWD Plan 10225

From: R5 Residential District

To: R12 Residential District

The purpose of the proposed zoning bylaw amendment is to respond to a neighbourhood request to rezone the properties on the 7204 to 7258 Stride Avenue block front from R5 Residential District to R12 Residential District.

The Advisory Planning Commission advised it supports the rezoning application.

There were no further submissions received regarding Rez. #08-42, Bylaw No. 12580.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR CALENDINO:

“THAT this Public Hearing relating to Rez. #08-42, Bylaw No. 12580 be now terminated.”

CARRIED UNANIMOUSLY

**4. “BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 73, 2008” - BYLAW NO. 12581**

Rez #08-38

4501 North Road (Strata Lot 9 & Common Property)

Strata Lot 9, D.L. 1, NWD Strata Plan NW1901, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V and common property NWD Strata Plan NW1901.

From: CD Comprehensive Development District (based on C1 Neighbourhood Commercial District, C2 Community Commercial District and M5 Light Industrial District)

To: Amended CD Comprehensive Development District (based on C1 Neighbourhood Commercial District, C2 Community Commercial District, M5 Light Industrial District and Lougheed Town Centre Plan guidelines and in accordance with the

development plan entitled “Rezoning North Rd. Centre” prepared by Paragon Construction Ltd.)

The purpose of the proposed zoning bylaw amendment is to permit the conversion of a portion of deck to office space and the change of use of Strata Lot #9 from light industrial to neighbourhood commercial.

There were no further submissions received regarding Rez. #08-38, Bylaw No. 12581.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing relating to Rez. #08-38, Bylaw No. 12581 be now terminated.”

CARRIED UNANIMOUSLY

5. **“BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 74, 2008” - BYLAW NO. 12582**

Rez #06-35

7532 Conway Avenue (Portion of 7492 Conway Avenue)

Ptn. Lot B, D.L. 96, Group 1, NWD Plan 81358

From: M2 General Industrial District

To: M2 ‘r’ General Industrial District

The purpose of the proposed zoning bylaw amendment is to permit a small restaurant oriented to the surrounding industrial area.

An email letter dated 2009 January 9 was received from Colleen Royal, Regional Operations Manager, Canoptec Inc., 7541 Conway Avenue, supporting the rezoning application. The speaker advised the proposed restaurant will be a welcome addition for those working in the local area.

There were no further submissions received regarding Rez. #06-35, Bylaw No. 12582.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR MCDONELL:

“THAT this Public Hearing relating to Rez. #06-35, Bylaw No. 12582 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 8:22 p.m.

Confirmed:

Certified Correct:



MAYOR



ADMINISTRATIVE OFFICER I