

PUBLIC HEARING

2010 December 14

A Public Hearing (Zoning) was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 2010 December 14 at 7:00 p.m.

PRESENT: Mayor D.R. Corrigan, In the Chair
Councillor P. Calendino
Councillor R. Chang
Councillor S. Dhaliwal
Councillor A. Kang

ABSENT: Councillor D.N. Johnston
Councillor C. Jordan
Councillor P. McDonell
Councillor N.M. Volkow

STAFF: Mr. Basil Luksun, Director Planning and Building
Mr. Sid Cleave, Administrative Officer 1

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

1. **“BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 41, 2010” - BYLAW NO. 12877**

Rez. #10-15

4702 Hastings Street

Lot 77, D.L. 122, Group 1, NWD Plan 58639

From: C4a Service Commercial District

To: CD Comprehensive Development District (based on RM3 Multiple Family Residential District and C2 Community Commercial District, Hastings Street Area Plan guidelines, and in accordance with the development plan entitled “Altezza Development, 4702 Hastings St., Burnaby, B.C.” prepared by i3 design)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a four-storey mixed use development.

The Advisory Planning Commission advised it supports the rezoning application.

A letter dated 2010 December 10 was received from Allen Ladha, Norburn Lighting & Bath Centre, 4600 East Hastings Street, Burnaby supporting the rezoning application. The writer noted the proposed development will attract additional families and businesses to the neighbourhood.

A letter dated 2010 December 12 was received from Andy Bates, 4805 E. Hastings Street, Burnaby supporting the rezoning application. The writer expressed excitement regarding the proposed

development and looked forward to positive changes in the area resulting from an influx of new investment, businesses, and residents.

A letter dated 2010 December 10 was received from Janie da Silva, Boffo Developments (Alpha) Ltd., 201-4695 E. Hastings Street, Burnaby supporting the rezoning application. The writer advised the proposed development is an important part of the revitalization of the Heights Area of Burnaby.

A letter dated 2010 December 11 was received from Anthony Spagnuolo, 7391 Curtis Street, Burnaby supporting the rezoning application. The writer noted the proposed development will help to revitalize the neighbourhood. The writer also advised that encouraging density along the Hastings Street corridor, with easy bus transportation, is an environmentally sound idea.

A letter dated 2010 December 12 was received from Peter Ferreira, Dance Addicts Studio Inc., Burnaby supporting the rezoning application. The writer noted the proposed development will help to revitalize the neighbourhood by attracting additional merchants, new families and further investment.

A letter dated 2010 December 13 was received from Michael Prodanovic, 4545 Hastings Street, Burnaby supporting the rezoning application. The writer noted the proposed development will result in much needed commercial and residential improvements to the neighbourhood. The writer further advised the development will enhance the beauty of the Heights portion of Hastings Street, while upgrading public safety for nearby residents.

A letter dated 2010 December 13 was received from Marvin Chu, LES MP Investments Ltd., owner of 4719 Hastings Street, Burnaby supporting the rezoning application. The writer noted recent changes to zoning in the area increase commercial activity and shopping options and attract more residents to the area.

A letter dated 2010 December 14 was received from Carey Siddoo, Tara S. Siddoo & Sons Ltd., owners of 4680, 4663, and 4651 Hastings Street, Burnaby supporting the rezoning application. The writer noted the proposed development will attract residents who wish to downsize from their houses yet stay in the Heights neighbourhood. The development also serves to reinforce the concept of environmental sustainability as residents will be able to walk to the doctor and shop locally.

The writer referenced one concern by requesting that “back in parking” not be permitted if angled parking is provided along the west side of Beta Avenue as part of the development project. Notwithstanding this concern, the writer noted this project will revitalize the neighbourhood.

A letter dated 2010 December 10 was received from Isabel Kolic, Executive Director, the Heights Merchants Association, 4019 Hastings Street, Burnaby supporting the rezoning application. The writer noted the following points:

- The 18 residential units above commercial-at-grade will provide more attainable housing for young families wishing to invest in the Heights as well as for retirees who are downsizing but wishing to remain in their long-time neighbourhood.

- The commercial units at street level will lend much needed vitality to the sidewalks and provide spillover commercial connections with nearby shops and services.

The writer concluded by advising the proposed development represents one more step in helping the Heights realize its true urban village potential.

Anna Maria Gammara, 479 Beta Avenue, Burnaby appeared before Council opposing the four-storey height of the proposed development as well as angled parking in front of her house. The speaker concluded by noting the development will attract more traffic and pollution to the area.

Dave Taylor, 4787 E. Pender, Burnaby appeared before Council opposing the rezoning application. The development is too high and does not include enough parking spaces. Angled parking in front of people's houses should not be permitted. The speaker concluded by noting that employers in the area should be required to provide parking for their employees.

Richard Hemming, 4775 Union Street, Burnaby appeared before Council opposing construction of the proposed four-storey building. The local residents view of the mountains should be protected. The speaker concluded by noting Hastings Street, north of Beta Avenue, should remain a residential area for family homes.

There were no further submissions received regarding Rezoning #10-15, Bylaw No. 12877.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR DHALIWAL:

“THAT this Public Hearing for Rez. #10-15, Bylaw #12877 be terminated.”

CARRIED UNANIMOUSLY

2. **“BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 42, 2010” - BYLAW NO. 12878**

TEXT AMENDMENT

The purpose of the proposed zoning bylaw text amendment is to permit kennels within Burnaby's M1, M2 and M3 industrial zoning districts.

An email letter dated 2010 December 10 was received from Paula Campbell expressing concern regarding the impact of the proposed bylaw amendment on the operation of Canine Corner Doggie Daycare. The amendment states the outdoor area must be in the back of the premises. In the case of Doggie Daycare, however, the outdoor area is located at the front of the building. The writer concluded by asking Council to reconsider this bylaw amendment which as currently written would result in the closure of Canine Corner Doggie Daycare.

Nick Kvenich, 2948 Phillips Avenue, Burnaby, a client of Canine Corner Doggie Day Care, appeared before Council expressing concern regarding the proposed text amendments. The speaker mentioned the staff report regarding the text amendments and noted the following points:

- in Section 1.2 of the report, the request for an open air run should have been referred to as an area for dogs to relieve themselves;
- the reference in the report to requiring a wooden fence on a concrete base should be modified to show wire mesh fencing with a cinder block base.

The speaker also noted additional health risks and stress to animals when they are required to relieve themselves inside a building which would likely be the case with Canine Corner Doggie Day Care as their existing outdoor run would be in violation of the proposed bylaw amendment. The speaker concluded by urging Council to involve all stakeholders and reach a compromise whereby existing animal day cares can continue to operate.

Kathleen Dickie, 8262 Amberwood Place, representing Canine Doggie Day Care, appeared before Council expressing concern regarding the proposed text amendments. The speaker noted the following points:

- the staff report regarding the text amendment does not address her request to keep using the existing Canine Corner Doggie Day Care outside area for dogs to relieve themselves;
- under the current bylaw all activities within an animal day care facility must be conducted within an enclosed building;
- only one of the six existing dog day care facilities would comply with the proposed new bylaw.

The speaker advised that dog day care facilities provide employment opportunities and a valuable service to the City of Burnaby. Ms. Dickie concluded by requesting City Council and staff work with her to find solutions to ensure the continued operation of Canine Corner Doggie Day Care and other such facilities in Burnaby.

Lisa Heightnen, 3246 Douglas Road, Burnaby, an employee of Canine Corner Doggie Day Care, appeared before Council advising if dogs are not allowed to relieve themselves in the existing outdoor area then the facility will have to close and she will lose her job.

Tina McInerney, 7125 Halifax Street, Burnaby appeared before Council in support of Canine Corner Doggie Day Care. The speaker noted this animal day care facility is part of a job placement and volunteer service program operated by the Burnaby School District. Her daughter benefitted from working at Canine Corner Doggie Day Care as part of this special needs and alternative learning program.

Emily Forrieter, 2930 Argo Place, Burnaby appeared before Council in support of Canine Corner Doggie Day Care. She has worked at this day care facility since her high school years and is worried it may have to close. The speaker concluded by urging the City to work toward resolving outstanding issues for the sake of the staff as well as the dogs at Canine Corner Doggie Day Care.

Judy Oliveri, 2315 Paulus Crescent, Burnaby, a client of Canine Corner Doggie Day Care, appeared before Council expressing concern regarding the proposed bylaw amendments. The speaker noted existing dog day care facilities provide employment opportunities and a valuable service to the community.

As far as the Canine Corner Doggie Day Care is concerned, the speaker noted the following points:

- The existing outside area is clean, well fenced and crucial to the operation of the business.
- Consideration should be given to placing a visual barrier around the fence.

Ms. Oliveri concluded by urging the City to work in collaboration with Canine Corner Doggie Day Care and the other dog day cares to find solutions for each one so they can continue to operate at their existing sites.

Darlene Stewart, 8914 Centaurus Circle, Burnaby, a client of Canine Corner Doggie Day Care, appeared before Council in support of the existing dog day care facilities. The speaker noted these small businesses are an essential part of the community. They provide a valuable service to their customers and a living for their staff. In addition, young employees are taught to take on responsibility and work hard.

The speaker noted the bylaws affecting these day care facilities should be fair and firm regarding health, safety and cleanliness requirements. In addition, they should be enforced with a good dose of common sense in a supportive and respectful way.

Ms. Stewart concluded by urging Council to seek sensible solutions which allow these businesses to continue to operate and provide good service in the community.

Jenna Rydall, 8220 Rosswood Place, Burnaby, a client of Canine Corner Doggie Day Care, appeared before Council expressing concern regarding the proposed bylaw text amendments. The speaker noted dogs should have an outdoor area to relieve themselves. The speaker also noted she would take it upon herself to ensure the Canine Corner Doggie Day Care outdoor area does not become an eyesore.

Andrea Noble, 8533 Cumberland Place, Burnaby, a client of Canine Corner Doggie Day Care, appeared before Council advising dog day cares are a necessity, not a luxury. The speaker requested that Council find a compromise to keep existing dog day cares open.

Heather Larson, 8256 Amberwood Place, Burnaby, a client of Canine Corner Doggie Day Care, appeared before Council expressing concern regarding proposed bylaw text amendments. The speaker noted without the help of Canine Corner Doggie Day Care, she would not have been able to keep her dog. Ms. Larson concluded by urging the City to work with Canine Corner Doggie Day Care and other dog day cares to allow them to continue to operate.

Dave Woolacott, 8244 Amberwood Place, Burnaby appeared before Council expressing concern regarding proposed bylaw text amendments. The speaker urged Council to consider the potential ramifications of these bylaw changes because most of the existing dog day cares would fail to comply with them.

Ms. Woolacott concluded by requesting that the proposed bylaw be rewritten to accommodate the existing dog day cares or that a grandfather provision allow them to continue to operate.

Jason MacTavish, representing “The Beloved Dog” daycare facility, 2345 Douglas Road, Burnaby appeared before Council advising the City did not consult with him regarding the proposed bylaw text amendments.

The Director Planning and Building advised the proposed bylaw amendments are intended to provide dog day cares with the opportunity to have an outdoor area for dogs to relieve themselves as long as that area is in the rear yard but not in the front yard or side yard due to the potential impact on adjacent property uses. The Director Planning and Building further clarified, under the existing bylaw, all activities within a day care facility are required to be within an enclosed building.

Nick Kvenich, 2948 Phillips Avenue, Burnaby again appeared before Council emphasizing the importance of having an outdoor area for dogs to relieve themselves. The speaker also noted dogs experience additional stress if they are required to relieve themselves inside a building. Mr. Kvenich concluded by advising if the proposed bylaw text amendments are approved, then he will probably no longer take his dog to Canine Corner Doggie Day Care as he does not want the dog to relieve itself inside a building.

Kathleen Dickie, 8262 Amberwood Place, Burnaby again appeared before Council advising if proposed text amendments are approved, then Canine Corner Doggie Day Care would have to make dogs relieve themselves inside the building and this would force the facility to close.

The speaker concluded by re-iterating her request that Council work with existing dog day care businesses to find a solution that would allow them to continue to operate.

Patrick Harvey, 9450 128th Street, Surrey appeared before Council advising if Canine Corner Doggie Day Care was not able to provide an outdoor area for dogs to relieve themselves, then he would be forced to take his dog elsewhere. The speaker concluded by urging Council to consider the financial implications to the City of Burnaby resulting from people taking their dogs to day care facilities in other communities.

Alister Calder, 4790 Fernglen Place, Burnaby, a client of Canine Corner Doggie Day Care, appeared before Council advising, due to his work schedule, day care is a requirement for his dog. The speaker further noted his dog was trained from an early age not to void itself inside a building.

The speaker concluded by encouraging Council to consider rewriting the proposed bylaw to state that outside facilities for dogs to relieve themselves do not necessarily have to be in a back yard but rather in an approved area.

Gustaf Creutz, 8220 Rosswood Place, Burnaby appeared before Council in support of Canine Corner Doggie Day Care and other such facilities in Burnaby. The speaker noted he would not take his dog to a day care facility where dogs relieved themselves inside a building. The speaker concluded by urging the City to work with the existing dog day care businesses to find a mutually beneficial agreement.

Jeff Ganskey, 8533 Cumberland Place, Burnaby appeared before Council expressing concern regarding the proposed requirement for outdoor run areas to be in a rear yard especially since most industrial buildings in the City have little room at the back.

Joyce Kriekenbeek, 7682 Kerrywood Crescent, Burnaby appeared before Council advising, due to her work schedule, day care is a necessity for her dog. If Canine Corner Doggie Day Care is required to remove its open air run, the she would no longer take her dog there.

Ms. Kriekenbeek noted it should not matter whether an open air run is located in a rear, side or front yard. The speaker concluded by requesting the proposed bylaw amendment be rewritten to accommodate the existing open air run at Canine Corner Doggie Day Care.

Karla Harvey, 9450 128th Street, Surrey appeared before Council advising if Canine Corner Doggie Day Care requires dogs to relieve themselves inside a building, then she would no longer take her dog there.

Scott Garrett, 810 St. Lawrence Street, Coquitlam, appeared before Council advising the staff report regarding the proposed text amendments fails to fulfill the needs of Canine Corner Doggie Day Care for an open air run. The speaker also noted if Canine Corner Doggie Day Care requires dogs to relieve themselves inside a building, then he would no longer take his two dogs there.

Fred Slawson, 2990 Starlight Way, Coquitlam, a client of Canine Corner Doggie Day Care, appeared before Council expressing concern regarding the proposed bylaw amendments. The speaker noted if the intention in requiring the outdoor dog run to be located in a rear yard is to minimize the impact on adjacent properties, then the bylaw could be rewritten to require the outdoor run to be visually blocked and kept clean.

There were no further submissions received regarding Text Amendment Bylaw No. 12878.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR CHANG:

“THAT this Public Hearing relating to Text Amendment, Bylaw No. 12878 be terminated.”

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR DHALIWAL:

“THAT this Public Hearing do now recess.”

CARRIED UNANIMOUSLY

The Public Hearing recessed at 8:39 p.m.

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR KANG:

“THAT this Public Hearing do now reconvene.”

CARRIED UNANIMOUSLY

The Public Hearing reconvened at 8:41 p.m.

3. **“BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 43, 2010” - BYLAW NO. 12879**

Rez. #10-30

8038 Glenwood Drive

Lot 7, D.L. 155, Group 1, NWD Plan BCP11246

From: CD Comprehensive Development District (based on M2 General Industrial District, M5 Light Industrial District and Glenwood Industrial Estates Concept Plan guidelines)

To: Amended CD Comprehensive Development District (based on M2 General Industrial District, M5 Light Industrial District, Glenwood Industrial Estates Concept Plan guidelines and in accordance with the development plan entitled “Tenant Improvements 8038 Glenwood Drive” prepared by Chercover Massie & Associates Ltd.)

The purpose of the proposed zoning bylaw amendment is to permit development of an internal second floor mezzanine expansion within the existing building.

The Advisory Planning Commission advised it supports the rezoning application.

There were no further submissions received regarding Rez. #10-30, Bylaw No. 12879.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR CHANG:

“**THAT** this Public Hearing relating to Rez. #10-30, Bylaw No. 12879 be terminated.”

CARRIED UNANIMOUSLY

4. **“BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 44, 2010” - BYLAW NO. 12880**

TEXT AMENDMENT

The purpose of the proposed zoning bylaw text amendment is to amend the rezoning application fees in the Burnaby Zoning Bylaw.

There were no submissions received regarding Text Amendment, Bylaw No. 12880.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR CHANG:

“**THAT** this Public Hearing for Text Amendment Bylaw No. 12880 be terminated.”

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR DHALIWAL:

"THAT this Public Hearing do now adjourn."

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 8:43 p.m.

Confirmed:

Certified Correct:


MAYOR


ADMINISTRATIVE OFFICER I