

PUBLIC HEARING

2010 February 16

A Public Hearing (Zoning) was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 2010 February 16 at 7:00 p.m.

PRESENT: Councillor D.N. Johnston - In the Chair
Councillor P. Calendino (*arrived at 7:18p.m.*)
Councillor S. Dhaliwal
Councillor C. Jordan
Councillor A. Kang
Councillor N.M. Volkow

ABSENT: Mayor D.R. Corrigan
Councillor R. Chang
Councillor P. McDonell

STAFF: Mr. Basil Luksun, Director Planning and Building
Mr. Robert Renger, Planner 3
Mr. Sid Cleave, Administrative Officer 1
Ms. Blanka Zeinabova, Administrative Officer 1

The Public Hearing was called to order at 7:10 p.m.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR JORDAN:

“THAT Councillor Johnston be appointed Acting Chair for the 2010 February 16 Public Hearing.”

CARRIED UNANIMOUSLY

1. **“BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 1, 2010” - BYLAW NO. 12760**

Rez #06-65

Ptn. of 8888 University Drive and 9055 University High Street

Ptn. of Lot 1 Except: Part in Plan BCP25760, D.L.’s 31, 101, 102, 141, 144, 147, 209, 210 & 211, Group 1, NWD Plan BCP6258, and Lot 25, D.L. 211, Group 1, NWD Plan BCP31371

From: P11e SFU Neighbourhood District

To: CD Comprehensive Development District (based on P11e SFU Neighbourhood District, P8 Parking District, C3 General Commercial District, and P1 Neighbourhood Institutional District and in accordance with “Attachment ‘A’ Development Parameters” prepared by the City of Burnaby and the development

plan entitled “UniverCity Phase 3 Conceptual Development Plans & Development Statistics” prepared by SFU Community Trust)

The purpose of this proposed zoning bylaw amendment is to establish the master CD zoning for Phase 3 of UniverCity as well as the concept plan for Phase 4, and specifically to:

- accommodate the creation and servicing of the next phase of UniverCity development sites, and to allocate the overall density of 1.70 Floor Area Ratio (based on P11e guidelines with full underground parking) which applies to Parcels 16, 17, 18, 19, 20, 21, 23, 27, 28, 29 and 43
- establish development statistics and conceptual development plans to permit the development of Parcels 16, 17, 18, 19, 20, 21, 23, 27, 28, and 29 for residential use.
- provide for the maintenance of the existing office, water tower, and public park development, and to accommodate a potential new water tower, on Parcel 26 (based on P11e guidelines).
- add an area to the existing neighbourhood park to accommodate a pumphouse and associated park facilities (based on P11e guidelines).
- establish development plans to permit the development of Parcel 22 for a childcare centre (based on P1 guidelines) and of Parcel 25 for temporary sales centres only (for developments in UniverCity) and for temporary surface parking (based on C3 and P8 guidelines).
- establish development guidelines for future amended CD rezoning of Parcel 24 for commercial (retail/office) use with a transit hub and bus layover component as well as a possible residential component (based on C3 and P11e guidelines) and of Parcel 25 for mixed commercial and residential use (based on C3 and P11e guidelines).
- establish overall density and concept plan for the future subdivision and rezoning of Parcel 43 (Phase 4) to create future development sites (based on P11e guidelines).

The Advisory Planning Commission advised it supports the rezoning application.

Burnaby City Council, at the open Council meeting held on 2010 February 01, received an additional staff report regarding the subject rezoning application and adopted the following recommendation contained therein:

1. THAT the prerequisites to Rezoning Reference #06-65, Master CD Rezoning for 14 development sites and potential new watertower in UniverCity Phase 3; Concept Plan for UniverCity Phase 4; UniverCity at SFU be AMENDED to include
 - k) The granting of Section 219 Covenants governing development of wood frame buildings and mezzanines.

Copies of the report are available upon request to the City Clerks office.

Gordon Harris, President and CEO, S.F.U. Community Trust, 150-8960 University High Street, Burnaby, the rezoning applicant, appeared before Council advising this rezoning application builds on the success of UniverCity and ensures a broad mix of housing types and scale of buildings.

Mr. Harris noted changes from the previous rezoning application including the following:

- previous parcel 22 subdivided into two new parcels, one of those parcels accommodates a 50 space child care centre.
- parcel 25 has been removed from the rezoning proposal to allow for temporary placement of sales centres for future development sites.
- previous parcels 23 and 24 have been combined into a single parcel to accommodate a transit hub and bus layover component.

The speaker concluded by expressing appreciation to the planning and engineering departments for working with the S.F.U. Community Trust on this project.

Alan James, 7551 Kraft Crescent, Burnaby appeared before Council raising several issues regarding the proposed development. The speaker noted the following points:

- the rezoning application should require water quality, during and after the construction period, to be as good as or better than before construction started.
- cutting and pruning of trees is a source of much concern; such cutting should be reviewed by a community panel including neighbourhood residents.
- it is important to provide opportunities for citizen input regarding preservation of green space.
- a tree retention plan for Richard Bolton Park should be established.

Jacqueline Blair, 9191 UniverCity Crescent, Burnaby appeared before Council expressing concern regarding the rezoning application. The speaker noted as people and buildings are added to the neighbourhood she would like to see an increase in green space for children.

Liz Stockwell, 120-9191 University Crescent, Burnaby appeared before Council expressing concern regarding the rezoning application. The speaker advised this development proposal does not preserve enough natural green space (trees, vegetation, forest parcels). More attention must be paid to this important matter.

Vivian Sorenson, 805 – 9262 University Crescent, Burnaby appeared before Council expressing concern regarding the rezoning application. The speaker noted it is important to provide opportunities for citizen input regarding the preservation of green space.

Charles Butterfield, 1002 - 9262 University Crescent, Burnaby, President of Nova 2 Strata Council, appeared before Council expressing concern regarding the rezoning application. The speaker noted the initial UniverCity model or original concept showed 10 storey buildings with a lot of green space between buildings. Some of the proposed buildings are now much higher than 10 storeys with less green space between them. Mr. Butterfield also noted the issue of radiation from the watertower warrants attention. The speaker concluded by requesting that Council review the size of buildings in relation to the amount of trees and vegetation provided.

There were no further submissions received regarding Rezoning #06-65, Bylaw No. 12760.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR VOLKOW:

“**THAT** this Public Hearing relating to Rez. #06-65, Bylaw No. 12760 be terminated.”

CARRIED UNANIMOUSLY

2. **“BURNABY ZONING BYLAW 1965,**
AMENDMENT BYLAW NO. 2, 2010” - BYLAW NO. 12761

Rez #07-53

6947, 6951 and 6979 Hastings Street

Parcel A, D.L. 206, Group 1, NWD Ref. Plan 76560, Lot 97 Except: Part dedicated road on Plan LMP22425, D.L. 206, Group 1, NWD Plan 58769, Lot 95 Except: Part dedicated road on Plan LMP21206, D.L. 206, Group 1, NWD Plan 57833

From: M1 Manufacturing District

To: CD Comprehensive Development District (based on RM3 Multiple Family Residential District and Apartment Study Area ‘C’ guidelines, and in accordance with the development plan entitled “Proposed Residential Development, 6947-51-79 Hastings Street, Burnaby, B.C.” prepared by Hywel Jones Architect.)

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

The Advisory Planning Commission advised it supports the rezoning application.

An email letter dated 2010 February 15 was received from Maurice and Carlin Hayden, 7003 Sierra Drive, Burnaby expressing concern regarding the rezoning application. The writers noted vehicles making a left hand turn off of Hastings Street onto Cliff Avenue and then turning into the driveway of the proposed development could potentially cause back ups at the intersection. The writers requested that a traffic study be undertaken to determine the impact of the proposed development on nearby roads.

An email letter dated 2010 February 15 was received from Hilary Dobb, 7010 Malibu Drive, Burnaby expressing the following concerns regarding this rezoning application:

- attention must be paid to the safety of local residents accessing Northcliffe Crescent off of Hastings Street.
- the timing of the traffic light at the Hastings Street / Cliff Avenue intersection needs to be reviewed; pedestrian safety is an issue at this intersection as well.
- moving the bus stop is also an issue; its far enough away already.

- attention must be paid to making the proposed building more architecturally attractive.

An email letter dated 2010 February 15 was received from Jason Heard, 7015 Malibu Street, Burnaby opposing this rezoning application. The writer noted the following points:

- the urban trail is a key transportation route for many residents who enjoy biking, walking and jogging; residents need a clear understanding of how the proposed development will impact the urban trail and park.
- the proposed development may create an on-street parking problem in the neighbourhood.
- the Hastings Street / Cliff Avenue intersection is already congested; the proposed development may worsen the congestion.

An email letter dated 2010 February 15 was received from Neil and Hanne Syme, 416 Northcliffe Crescent, Burnaby expressing concern regarding the rezoning application. The writers noted the proposed development will significantly increase the volume of traffic at the Hastings Street / Cliff Avenue intersection. The writers further noted that the timing and functions of the intersection traffic light need to be improved. The writers concluded by noting the proposed development should provide sufficient on-site parking to eliminate the need to park on the street.

Neil Syme, 416 Northcliffe Crescent, Burnaby appeared before Council to reiterate the concerns in his previously noted letter. In addition, Mr. Syme expressed concern regarding the plan to move the bus stop.

In response to the speakers concern, the Director Planning and Building advised it is anticipated the bus stop location will shift only slightly.

The speaker concluded by advising that his main concern relates to traffic congestion and conflicts associated with the single entry and exit to the area for local residents.

Alain Albert, 7004 Malibu Drive, Burnaby appeared before Council expressing the same concerns as the previous speaker. He noted the following points and questions:

- the location of the entrance to the proposed development may contribute to further traffic congestion and conflicts at the Hastings Street / Cliff Avenue intersection.
- the bus stop should not be moved; it might discourage people from taking public transit.
- will units in the proposed development be owner-occupied or rented?
- how long will it take to construct the proposed development?
- is there a plan to identify the location of the gas pipeline in relation to the proposed development?
- traffic count information needs to be clarified.

In response to the speakers comment regarding traffic count data from the engineering department, the Director Planning and Building advised he will review and confirm the information.

Jeff Milani, the owner of 6947, 6951 and 6979 Hastings Street Burnaby appeared before Council noting his business at the subject location currently generates much of the traffic in the area and when the business closes that traffic will decline as well.

Howie Jones, the project architect, appeared before Council to address questions from previous speakers. Mr. Jones noted the following points:

- the proposed development includes 108 parking stalls; on street parking should not be an issue.
- the urban trail will be enhanced and include additional lighting.
- this is not a rental project, it is anticipated units will be occupied by end users.
- the construction period for the project is estimated at 12 months.
- the gas pipeline appears to be completely off the subject property according to survey.

Mr. Syme, 416 Northcliffe Crescent, Burnaby appeared again before Council to inquire regarding the allocation of parking spots for the proposed development.

In response to the speakers inquiry, Mr. Jones, the project architect, advised that each unit has a minimum of one parking spot.

Mr. Albert, 7004 Malibu Drive, Burnaby appeared again before Council advising there is a jet fuel pipeline along the bicycle path on the west side of Cliff Avenue. The speaker further noted that if this pipeline is not on the subject property then it is probably located very close to it.

There were no further submissions received regarding Rezoning #07-53, Bylaw No. 12761.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing relating to Rez. #07-53, Bylaw No. 12761 be terminated.”

CARRIED UNANIMOUSLY

Arising from discussion, Councillor Volkow was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JORDAN:

“**THAT** staff prepare a report responding to the issues and concerns raised at the Public Hearing for Rezoning #07-53, Bylaw No. 12761 particularly regarding eastbound Hastings Street traffic and the configuration of the left turn bay and timing of the lights at the Cliff Avenue intersection and regarding westbound traffic coming from the Barnet Highway.”

CARRIED UNANIMOUSLY

3. “BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 3, 2010” - BYLAW NO. 12762

Rez #09-32

6130 and 6150 Wilson Avenue and 6149 Kathleen Avenue

Lot “A” Except: Northerly 33 ft. extending from the westerly boundary to the easterly boundary of said lot and adjoining the right-of-way of the BC Electric Railway Company Ltd., D.L. 151, Group 1, NWD Plan 1992, Parcel “A” (BY49405E) Lot 1, D.L. 151, Group 1, NWD Plan 1992 and Easterly Half Lot 1, D.L.’s 151 and 153, Group 1, NWD Plan 1992

From: R5 Residential District and M4 Special Industrial District

To: CD Comprehensive Development District (based on RM5 Multiple Family Residential District and Metrotown Development Plan guidelines and in accordance with the development plan entitled “Phase 2 – High Rise Residential Development” prepared by Chris Dikeakos Architects Inc.)

The purpose of the proposed zoning bylaw amendment is to permit a 21-storey apartment building with street-fronting townhouses.

The Advisory Planning Commission advised it supports the rezoning application.

A letter dated 2010 February 11 was received from Ken Bett, 402-6152 Kathleen Avenue, Burnaby noting the following concerns and questions regarding this rezoning application:

1. SkyTrain Noise

- will the phase 2 tower amplify and reflect SkyTrain noise?
- what can be done by the developer, TransLink and the City to minimize the impact of SkyTrain noise on the neighbourhood residents?

2. Jewel Driveway Access

- the Jewel development parking ramp is pointed directly at the highrise building at 6152 Kathleen Avenue.
- steps should be taken to minimize the impact of headlight reflection on the residents of 6152 Kathleen Avenue.

3. Density Bonus Monies

- density bonus funds associated with the proposed development should be invested into the immediate neighbourhood.

4. Traffic Concerns

- making a left turn from Mayberry Street is becoming more and more difficult and dangerous especially during rush hours and peak shopping times at Metropolis at Metrotown.
- consideration should be given to opening the cul-de-sac at Maywood Street and Patterson Avenue to allow an easy left turn with the light at Maywood Street and Willingdon Avenue.

A letter dated 2010 February was received from Mr. & Mrs. Suen, 1705 – 4333 Central Boulevard, Burnaby opposing the rezoning application for noise, pollution and cost reasons.

A letter dated 2010 February 16 was received from John Aarts, 404 – 6282 Kathleen Avenue, Burnaby requesting that traffic changes be implemented to encourage traffic going north-west from Willingdon Avenue to Kingsway west to use the wider Beresford Street, instead of the narrower local Mayberry Street. This may involve co-ordinated traffic lights for a combined Willingdon Avenue, Central Boulevard and Beresford Street intersection.

A second letter dated 2010 February 16 was received from John Aarts, 404 – 6282 Kathleen Avenue, Burnaby expressing concern regarding the quality of the proposed pedestrian walkway associated with this rezoning application. The writer requested that the walkway be a six foot wide concrete, paved brick or stone surface. In addition, the writer requested that the existing asphalt pedestrian walkway forming part of a previous rezoning application be changed to a six foot wide concrete, paved brick or stone surface.

John Aarts, 404 – 6282 Kathleen Avenue, Burnaby appeared before Council reiterating the requests in his two previously noted letters.

Regarding the proposed and existing pedestrian walkways, the speaker emphasized that asphalt construction does not meet the requirements for a “park-like” setting. The speaker also noted the existing walkway is not level and puddles of water form on it.

In response to the speakers comments, the Director Planning and Building advised the engineering department has determined that asphalt walkways are appropriate in cases where several engineering services are below ground.

There were no further submissions received regarding Rezoning #09-32, Bylaw No. 12762.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR CALENDINO:

“**THAT** this Public Hearing relating to Rezoning #09-32, Bylaw No. 12762 be terminated.”

CARRIED UNANIMOUSLY

Arising from discussion, Councillor Volkow was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JORDAN:

“**THAT** staff prepare a report responding to the matters raised at the Public Hearing for Rezoning #09-32, Bylaw No. 12762 particularly regarding the pedestrian walkway and alternatives to asphalt construction such as paved brick or stone surface and regarding traffic concerns.”

Regarding Rezoning #06-65, Bylaw No. 12760, dealt with previously in the Public Hearing, Councillor Jordan was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR JORDAN:

“**THAT** staff prepare a report responding to the issues raised at the Public Hearing for Rezoning #06-65, Bylaw No. 12760.”

CARRIED UNANIMOUSLY

**4. “BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 4, 2010” - BYLAW NO. 12763**

Rez #08-43

3740 and 3746 Manor Street

East Half of Lot 7, Blk 29, D.L. 69, Group 1 NWD Plan 1321 and Lot 8, Blk 29, D.L. 69, Group 1, NWD Plan 1321

From: R5 Residential District

To: CD Comprehensive Development District (based on the RM2 Multiple Family Residential District and Community Plan Eight guidelines and in accordance with the development plan entitled “11-Unit Townhouse Development, 3740-3746 Manor Street, Burnaby, B.C.” prepared by Matthew Cheng Architect Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of an 11-unit townhouse project with full underground parking.

The Advisory Planning Commission advised it supports the rezoning application

Councillor Calendino retired from the Public Hearing at 8:50 p.m.

Councillor Jordan retired from the Public Hearing at 8:50 p.m.

A quorum was no longer present at the Hearing.

Councillor Calendino returned to the Public Hearing at 8:51 p.m. at which time a quorum was present.

Councillor Jordan returned to the Council Chamber at 8:52p.m.

There were no further submissions received regarding Rezoning #08-43, Bylaw No. 12763.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR CALENDINO:

“THAT this Public Hearing relating to Rezoning #08-43, Bylaw No. 12763 be terminated.”

CARRIED UNANIMOUSLY

Arising from discussion, Councillor Volkow was granted leave by Council to introduce the following motion:

MOVED BY COUNCILLOR VOLKOW:
SECONDED BY COUNCILLOR CALENDINO:

“THAT the disclosure statement for the proposed development advise potential purchasers of the Gateway proposals for the Grandview Highway.”

CARRIED UNANIMOUSLY

**5. “BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 5, 2010” - BYLAW NO. 12764**

Rez #09-34

6250 Lougheed Highway

Lot 116 Except: Part dedicated road on Plan 67656, D.L. 130, Group 1, NWD Plan 47649

From: CD Comprehensive Development District (based on M5 Light Industrial District, A1 Agricultural District) and R2 Residential District

To: Amended CD Comprehensive Development District (based on M5 and M5r Light Industrial District, A1 Agricultural District and Holdom Station Area Plan guidelines and in accordance with the development plan entitled “Gardenworks – 6250 Lougheed Highway” prepared by John Zaplatynsky) and R2 Residential District

The purpose of the proposed zoning bylaw amendment is to permit an internal café use.

The Advisory Planning Commission advised it supports the rezoning application.

Councillor Calendino retired from the Public Hearing at 8:54 p.m.

There were no further submissions received regarding Rezoning #09-34, Bylaw No. 12764.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR VOLKOW:

“**THAT** this Public Hearing relating to Rezoning #09-34, Bylaw No. 12764 be terminated.”

CARRIED UNANIMOUSLY

6. **“BURNABY ZONING BYLAW 1965,**
AMENDMENT BYLAW NO. 6, 2010” - BYLAW NO. 12765

Rez #09-30

9500 Glenlyon Parkway

Lot 1, D.L. 165, Group 1, NWD Plan BCP36073

From: CD Comprehensive Development District (based on M5 Light Industrial District and Glenlyon Concept Plan)

To: Amended CD Comprehensive Development District (based on M5 Light Industrial District, P1 Neighbourhood Institutional District and Glenlyon Concept Plan guidelines and in accordance with the development plan entitled “Ritchie Bros. Childcare” prepared by Bunting Coady Architects Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the operation of a public childcare component.

The Advisory Planning Commission advised it supports the rezoning application.

Councillor Calendino returned to the Public Hearing at 8:56 p.m.

There were no further submissions received regarding Rezoning #09-30, Bylaw No. 12765.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR JORDAN:

“**THAT** this Public Hearing relating to Rezoning #09-30, Bylaw No. 12765 be terminated.”

CARRIED UNANIMOUSLY

7. **“BURNABY ZONING BYLAW 1965,**
AMENDMENT BYLAW NO. 7, 2010” - BYLAW NO. 12766

Rez #09-31

7700 Riverfront Gate

Lot A, D.L. 166, Group 1, NWD Plan BCP11469

From: CD Comprehensive Development District (based on M2 General Industrial District and M5 Light Industrial District)

To: Amended CD Comprehensive Development District (based on M2 General Industrial District, M5 Light Industrial District, Big Bend Development Plan guidelines and in accordance with the development plan entitled “Mezzanine Expansion” prepared by Streamline Facility Planning)

The purpose of the proposed zoning bylaw amendment is to permit construction of a mezzanine expansion.

The Advisory Planning Commission advised it supports the rezoning application.

There were no further submissions received regarding Rezoning #09-31, Bylaw No. 12766.

MOVED BY COUNCILLOR DHALIWAL:

SECONDED BY COUNCILLOR JORDAN:

“**THAT** this Public Hearing relating to Rezoning #09-31, Bylaw No. 12766 be terminated.”

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED BY COUNCILLOR VOLKOW:

SECONDED BY COUNCILLOR JORDAN:

"THAT this Public Hearing do now adjourn."

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 8:58 p.m.

Confirmed:



ACTING CHAIR

Certified Correct:



ADMINISTRATIVE OFFICER I