

PUBLIC HEARING

2011 AUGUST 30

A Public Hearing (Zoning) was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 2011 August 30 at 7:00 p.m.

PRESENT: Mayor D.R. Corrigan, In the Chair
Councillor R. Chang
Councillor S. Dhaliwal
Councillor A. Kang (*arrived at 7:09 p.m.*)
Councillor D.N. Johnston
Councillor C. Jordan
Councillor P. McDonell
Councillor N.M. Volkow

ABSENT: Councillor P. Calendino

STAFF: Mr. Basil Luksun, Director Planning and Building
Mr. Ed Kozak, Senior Current Planner
Mr. Sid Cleave, Acting Deputy City Clerk
Ms. Eva Prior, Acting Administrative Officer 1

The Public Hearing was called to order at 7:00 p.m.

1) **BURNABY ZONING BYLAW 1965,**
AMENDMENT BYLAW NO. 34, 2011 – BYLAW NO. 12989

Rez. #10-39

4382/4394 Beresford Street, 6337/6361 Silver Avenue and 6336/6350/6364 McKay Avenue

Lot “A” and “B”, DL 153, Group 1, NWD Plan 9685

Lot 4, DL 151 and 153, Group 1, NWD Plan 10048

Lot 20 and 21, DL 153, Group 1, NWD Plan 2884

Lot 2 and 3, DL 153, Group 1, NWD Plan 10048

From: M4 Special Industrial District and RM3 Multiple Family Residential District

To: CD Comprehensive Development District (based on RM5s Multiple Family Residential District, C2 Community Commercial District and Metrotown Development Plan guidelines and in accordance with the development plan entitled “Silver and MacKay, Burnaby, B.C.” prepared by Neale, Staniszki, Doll, Adams Architectures)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a mixed-use development consisting of a high-rise apartment tower over a commercial/ground oriented housing podium.

The Advisory Planning Commission advised it supports the rezoning application.

Rick McGowan, 107-5656 Halley Avenue, Burnaby appeared before Council requesting that consideration be given to the following three part proposal:

1. Swap city-owned property at 4382 Beresford Street for developer owned property, 6336, 6350, or 6364 McKay Avenue, where the Mowat House will be relocated.
2. Use density bonus funds derived from this rezoning to renovate the Mowat House for adaptive re-use as a clubhouse for the Burnaby Mental Wealth Society.

Councillor Kang arrived at the Hearing at 7:09 p.m. and took her seat at the Council table.

3. Use 20% or more of the density bonus for affordable/special needs housing within the new residential tower for suitable clients of the Burnaby Mental Wealth Society or other non-profit groups in the community.

A copy of Mr. McGowan's presentation is on file in the Office of the City Clerk.

Mr. Norman Bacon, 6438 McKay Avenue, Burnaby appeared before Council expressing concern regarding the rezoning application. Mr. Bacon noted the high rise developments already under construction in the area will have a tremendous impact on hydro, water and garbage services as well as street traffic. Mr. Bacon concluded by requesting that construction of the subject high rise apartment tower not proceed until those projects currently under construction are completed and their full impact on the community is further reviewed.

An undated letter was received from Alice Nolan, 304-6630 McKay Avenue, Burnaby opposing this rezoning application. The writer expressed a preference for low rise apartment buildings consisting of less than 50 suites.

A letter dated 2011 August 23 was received from Bonnie Game, 1204-6689 Willingdon Avenue, Burnaby expressing concern regarding the rezoning application. Ms. Game advised that a lower-level multi-family dwelling project would better suit this area. The speaker also noted this proposal would increase traffic on already busy streets.

There were no further submissions received regarding Rezoning #10-39, Bylaw No. 12989.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR MCDONELL:

“THAT this Public Hearing for Rez. #10-39, Bylaw #12989 be terminated.”

CARRIED UNANIMOUSLY

2) **BURNABY ZONING BYLAW 1965,**
AMENDMENT BYLAW NO. 27, 2011 – BYLAW NO. 12981

Rez. #10-27

4806 and 4856 Hastings Street

Lot 53, Except: Part Road On Plan LMP 27186, DL 122, Group 1, NWD Plan 48766 and Lot 78, DL 122, Group 1, NWD Plan 60320

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, “Mixed Use Project, 4806 and 4856 Hastings Street, Burnaby, B.C.” prepared by Chris Dikeakos Architects Inc.)

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.

Dave Taylor, 4787 E. Pender Street, Burnaby appeared before Council and noted the following points and questions regarding the rezoning application:

- Will trees on the subject site be preserved?
- The City should require the rezoning applicant to provide additional on-site parking spaces
- The entrance to the underground parking is off of a short and narrow lane
- A barrier should be placed on Hastings St. to prevent lefthand turns onto Gamma Avenue or the lane should be blocked off.
- Does the maximum building height of 52.5 ft. include the roof guard?

Dave Taylor, 4787 E. Pender Street, Burnaby again appeared before Council advising that the rezoning applicant should not be required to provide any signage for the Heights Merchants Association.

Letters supporting the rezoning application were received from:

Tara S. Siddoo, Tara S. Siddoo & Sons Ltd., c/o 4660 Albert Street, Burnaby

Allan Ladha, Norburn Lighting and Bath Centre, 4600 E. Hastings Street, Burnaby

David Switzer, W.G. Switzer Ltd., 4019 E. Hastings Street, Burnaby

Kyle Wilson, Cushman and Wakefield, Suite 700-700 West Georgia Street, Vancouver

V. Grace Pagnanini, Pagnanini Edwards Lam Chartered Accountants, 306-3701 Hastings Street, Burnaby

Bonnie Game, Expedia Cruise Ship Centres, 102-4634 Hastings Street, Burnaby

Teri Smith, Acting Executive Director, Heights Merchants Association, 4019 Hastings Street, Burnaby

Maggie Murphy, 4 Cats Art Studios - Capital Hill, 4676 Hastings Street, Burnaby

Anthony Spagnuolo, 7391 Curtis Street, Burnaby

K. J. Eom, Regent Fish Market, 4020 E. Hastings Street, Burnaby

Ralph Malito, Malito Printers Ltd., 4655 Hastings Street, Burnaby

There were no further submissions received regarding Rezoning #10-27, Bylaw No. 12981.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for Rez. #10-27, Bylaw #12981 be terminated.”

CARRIED UNANIMOUSLY

3) **BURNABY ZONING BYLAW 1965,**
AMENDMENT BYLAW NO. 28, 2011 – BYLAW NO. 12982

Rez. #10-43

4301 Hastings Street

Lots 33-36, Blk 6, DL 121, Group 1, NWD Plan 1054

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, “Mixed-Use Commercial and Residential Development, 4301 Hastings Street, Burnaby, B.C.” prepared by Chris Dikeakos Architects Inc.)

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.

Letters supporting the rezoning application were received from:

Antonio Mauro, Anton’s Pasta Bar, 4260 E. Hastings Street, Burnaby

David Switzer, W.G. Switzer, 4019 E. Hastings Street, Burnaby

Kyle Wilson, Cushman and Wakefield Ltd., Suite 700-700 W. Georgia Street, Vancouver

V. Grace Pagnanini, Pagnanini Edwards Lam Chartered Accountants, 3-4018 Albert Street, Burnaby

Teri Smith, Acting Executive Director, Heights Merchants Association, 4019 Hastings Street, Burnaby

Dr. Ann Izzard, Burnaby Heights Integrative Health Care Inc., 4353 Hastings Street, Burnaby

Anthony Spagnuolo, 7391 Cutis Street, Burnaby

Surjeet Siddoo, 206-4365 Hastings Street, Burnaby

Chandra Siddoo, - Atwal, Kaspur Investments Ltd., 1349 Marine Drive, West Vancouver

Tara S. Siddoo, Tara S. Siddoo & Sons Ltd., c/o 4660 Albert Street, Burnaby

Randall Cobbett, Cobbett & Cotton Law Corporation, 300-410 Carleton Avenue, Burnaby

K.J. Eom, Regent Fish Market, 4020 East Hastings Street, Burnaby

There were no further submissions received regarding Rezoning #10-43, Bylaw No. 12982.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for Rez. #10-43, Bylaw #12982 be terminated.”

CARRIED UNANIMOUSLY

4) **BURNABY ZONING BYLAW 1965,**
AMENDMENT BYLAW NO. 29, 2011 – BYLAW NO. 12983

Rez. #11-10

950 Sperling Avenue

Lot 5, District Lot 206, Group 1, NWD Plan 5832

From: M4 Special Industrial District

To: R5 Residential District

The purpose of the proposed zoning bylaw amendment is to permit an R5 Residential District single and two-family residential subdivision.

The Advisory Planning Commission advised it supports the rezoning application.

Sandra Battistel, 6824 Dunnedin Street, Burnaby appeared before Council inquiring if the lane to the east of her property will be accessed from Sperling Avenue.

In response to the speaker’s inquiry, the Director Planning and Building advised the lane will be accessed from Carnegie Street.

There were no further submissions received for Rezoning #11-10, Bylaw No. 12983.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for Rez. #11-10, Bylaw #12983 be terminated.”

CARRIED UNANIMOUSLY

5) **BURNABY ZONING BYLAW 1965,**
AMENDMENT BYLAW NO. 30, 2011 – BYLAW NO. 12984

Rez. #11-28

8955 University High Street

Lot 24, D.L. 211, Group 1, NWD Plan PL BCP45523

From: CD Comprehensive Development District (based on C3 General Commercial District and P11e SFU Neighbourhood District)

To: Amended CD Comprehensive Development District (based on C3 General Commercial District, P11e SFU Neighbourhood District, SFU Community Plan guidelines and in accordance with the development plan entitled “SFU Parcel 24 Sales Centres” prepared by PWL Partnership)

The purpose of the proposed zoning bylaw amendment is to permit three sales centres to market residential development at UniverCity and to maintain the existing guidelines for future redevelopment of the site.

The Advisory Planning Commission advised it supports the rezoning application.

There were no further submissions received regarding Rezoning #11-28, Bylaw No. 12984.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for Rez. #11-28, Bylaw #12984 be terminated.”

CARRIED UNANIMOUSLY

6) **BURNABY ZONING BYLAW 1965,**
AMENDMENT BYLAW NO. 31, 2011 – BYLAW NO. 12985

Rez. #11-29

4603 Kingsway (Units #101 & 211)

Portion of Lot A, D.L. 153, Group 1, NWD Plan 77973

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

To: Amended CD Comprehensive Development District (based on C3 General Commercial District and P6 Regional Institutional District and Metrotown Development Plan guidelines and in accordance with the development plan entitled “Alexander College Proposal” prepared by Marv Westrom).

The purpose of the proposed zoning bylaw amendment is to permit an internal change of use to allow a post-secondary college use.

The Advisory Planning Commission advised it supports the rezoning application.

There were no further submissions received regarding Rezoning #11-29, Bylaw No. 12985.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for Rez. #11-29, Bylaw #12985 be terminated.”

CARRIED UNANIMOUSLY

7) **BURNABY ZONING BYLAW 1965,**
AMENDMENT BYLAW NO. 32, 2011 – BYLAW NO. 12986

Rez. #10-11

4060 Regent Street

Lot 1, D.L. 69, Group 1, NWD Plan 86878

From: M5 Light Industrial District

To: CD Comprehensive Development District (based on M5 Light Industrial District and Myrtle Street Area as guidelines and in accordance with the development plan entitled “BC Nurses’ Union Expansion” prepared by KMBR Architects Planners Inc.)

The purpose of the proposed zoning bylaw amendment is to permit an expansion to the existing office building on the subject site.

The Advisory Planning Commission advised it supports the rezoning application.

There were no further submissions received regarding Rezoning #10-11, Bylaw No. 12986.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for Rez. #10-11, Bylaw #12986 be terminated.”

CARRIED UNANIMOUSLY

8) **BURNABY ZONING BYLAW 1965,**
AMENDMENT BYLAW NO. 33, 2011 – BYLAW NO. 12987

Rez. #11-06

8501 and 8600 Commerce Court

Lot A and B, District Lot 10, Group 1, NWD Plan 72477

From: M3 and M3 ‘r’ Heavy Industrial District

To: CD Comprehensive Development District (based on M5 and M5‘r’ Light Industrial District, B2 Urban Office District, and Lake City Business Centre guidelines, and in accordance with the development plan entitled, “Imperial Square, Lake City, Burnaby, BC” prepared by Walter Francl Architecture Inc.)

The purpose of the proposed zoning bylaw amendment is to permit light industrial, office and research uses within the existing buildings on the subject properties. No new buildings will be constructed.

The Advisory Planning Commission advised it supports the rezoning application.

There were no further submissions received regarding Rezoning #11-06, Bylaw No. 12987.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for Rez. #11-06, Bylaw #12987 be terminated.”

CARRIED UNANIMOUSLY

9) **BURNABY ZONING BYLAW 1965,**
AMENDMENT BYLAW NO. 23, 2011 – BYLAW NO. 12973

Rez. #10-36

8999 Nelson Way (Lease Ptn. Of 8888 University Drive)

Lot 1, DL 31, 101, 102, 141, 144, 147, 209, 210 & 211, Group 1, NWD Plan BCP45523

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

To: Amended CD Comprehensive Development District (based on M5 Light Industrial District, P6 Regional Institutional District and Discovery Parks SFU Community Plan guidelines) and in accordance with the development plan entitled “Simon Fraser University, Discovery 1, Proposed Rezoning, 8999 Nelson Way, Burnaby, BC” prepared by Simon Fraser University)

The purpose of the proposed zoning bylaw amendment is to permit academic use within an existing multi-tenant research/office building in Discovery Park SFU.

The Advisory Planning Commission advised it supports the rezoning application.

There were no further submissions received regarding Rezoning #10-36, Bylaw No. 12973.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for Rez. #10-36, Bylaw #12973 be terminated.”

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

"THAT this Public Hearing do now adjourn."

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 7:52 p.m.

Confirmed:

Certified Correct:

MAYOR

ACTING DEPUTY CITY CLERK