

## PUBLIC HEARING

2012 NOVEMBER 27

A Public Hearing (Zoning) was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 2012 November 27 at 7:00 p.m.

PRESENT: His Worship, Mayor D.R. Corrigan  
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. Lou Pelletier, Director Planning and Building  
Mr. Sid Cleave, Deputy City Clerk  
Ms. Eva Prior, Administrative Officer 1

The Public Hearing was called to order at 7:05 p.m.

1) **BURNABY ZONING BYLAW 1965,**  
**AMENDMENT BYLAW NO. 42, 2012 – BYLAW NO. 13147**

Rez. #11-52

4125 Sardis Street

Lot 18, Blk 36, DL 34, Group 1, NWD Plan 1355

From: R5 Residential District

To: CD Comprehensive Development District (based on RM2 Multiple Family Residential District and Metrotown Development Plan guidelines and in accordance with the development plan entitled “Sardis Street Development” prepared by Gradual Architecture)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a three storey stacked townhouse development (10 units) with full underground parking.

The Advisory Planning Commission advised it supports the rezoning application.

A letter dated 2012 November 19 was received from Caroline Takamatsu, 201-5588 Patterson Avenue, Burnaby opposing the rezoning application. Ms. Takamatsu expressed concern regarding traffic congestion as well as loss of privacy and natural light. The writer concluded by requesting that the number of units in the proposed development be minimized.

A letter dated 2012 November 22 was received from Sarah Lutz, Ascent Real Estate Management Corporation, on behalf of the Owners Strata Plan BCS 3355 for 5588 Patterson Avenue, Burnaby

expressing concern regarding the rezoning application particularly with respect to the proposed underground parking on the subject site and the potentially negative impact of that construction work on the building at 5588 Patterson Avenue.

An email dated 2012 November 27 was received from Xia Yuan, 407-4160 Sardis Street, Burnaby opposing the rezoning application.

Eric Wan, #221-5588 Patterson Avenue, Burnaby appeared before Council expressing concern regarding the rezoning application. The writer noted the following points:

- On site drainage should be properly contained within the proposed development.
- The square footage of the subject lot does not meet the minimum requirement for a 3-storey building in the RM2 District.
- Excavation work for the proposed underground parking may negatively impact the building at 5588 Patterson Avenue.

In response to the issues raised by Mr. Wan, the Director Planning and Building noted the following points:

- The developer is required to submit an on-site sediment control plan which details the handling of drainage and sediment during all phases of construction.
- The proposed CD District provides a variance regarding the height of the proposed development.
- The developer's geotechnical and structural engineers provide confirmation that excavation work can be done safely and without damage to neighbouring properties.

Paul McGowan, 5575 Patterson Avenue, Burnaby appeared before Council expressing concern regarding the rezoning application. The speaker inquired regarding plans for planting boulevard trees.

In response to the speaker's inquiry, the Director Planning and Building noted that servicing requirements for the development include the planting of boulevard trees.

Mr. McGowan concluded by suggesting that amenity density bonus funds be used for renewal of boulevard trees in the Metrotown area.

There were no further submissions received regarding Rezoning #11-52, Bylaw No. 13147.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for Rez. #11-52, Bylaw No. 13147 be terminated.”

CARRIED UNANIMOUSLY

2) **BURNABY ZONING BYLAW 1965,**  
**AMENDMENT BYLAW NO. 43, 2012 – BYLAW NO. 13148**

Rez. #12-17

Portion of 2801 Ellerslie Avenue

That portion of the common property of NWS3294, DL 59 and 78, Group 1, NWD, located north of Ellerslie Ave.

From: CD Comprehensive Development District (based on RM1 Multiple Family Residential District)

To: R2 Residential District

The purpose of the proposed zoning bylaw amendment is to permit a two-lot R2 Residential District single-family subdivision.

The Advisory Planning Commission advised it supports the rezoning application.

An email letter dated 2012 November 16 was received from Veronica Hoffman, 2709 Ellerslie Avenue, Burnaby expressing concern regarding the rezoning application. The writer requested that drainage and cleaning of sewage be appropriately handled during construction of the proposed development.

An email dated 2012 November 19 was received from Hongju He, 2801 Ellerslie Avenue, Burnaby supporting the rezoning application.

A letter dated 2012 November 22 was received from Shirley Turnbull, 7056 Mawhinney Close, expressing a variety of concerns regarding the rezoning application including destruction of trees and wildlife as well as traffic and parking congestion.

Henry Geant, 7039 Mawhinney Close, Burnaby appeared before Council supporting the rezoning application subject to provision of a 15-metre setback from the top of the creek bank.

There were no further submissions received regarding Rezoning #12-17, Bylaw No. 13148.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for Rez. #12-17, Bylaw No. 13148 be terminated.”

CARRIED UNANIMOUSLY

3) **BURNABY ZONING BYLAW 1965,**  
**AMENDMENT BYLAW NO. 44, 2012 – BYLAW NO. 13149**

Rez. #07-45

5161 and 5191 Hastings Street

Lots 3 and 4, Blk 89, D.L. 127, Group 1, NWD Plan 4953

From: RM3 Multiple Family Residential District and R4 Residential District

To: CD Comprehensive Development District (based on RM2 Multiple Family Residential District and Apartment Study Area B guidelines, and in accordance with

the development plan entitled “5161 & 5191 Hastings Street” prepared by Merrick Architecture)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a 22-unit stacked townhouse development with underground parking.

The Advisory Planning Commission advised it supports the rezoning application.

A letter dated 2012 November 16 was received from Sharyl Brown, 104-5220 Capitol Drive, Burnaby supporting the rezoning application. The writer also requested attention be given to saving the existing trees on the subject property.

There were no further submissions received regarding Rezoning #07-45, Bylaw No. 13149.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for Rez. #07-45, Bylaw No. 13149 be terminated.”

CARRIED UNANIMOUSLY

4) **BURNABY ZONING BYLAW 1965,**  
**AMENDMENT BYLAW NO. 45, 2012 – BYLAW NO. 13150**

Rez. #12-25

2830 Bainbridge Avenue

Lot 178, District Lot 59, Group 1, NWD Plan 52579

From: CD Comprehensive Development District (based on C1 Neighbourhood Commercial District)

To: Amended CD Comprehensive Development District (based on C1 Neighbourhood Commercial District and P1 Neighbourhood Institutional District as guidelines and in accordance with the development plans entitled “Learning Ladder Child Care Centre” prepared by SEL Engineering Ltd.)

The purpose of the proposed zoning bylaw amendment is to permit a licensed child care facility with up to 61 children and 12 staff.

The Advisory Planning Commission advised it supports the rezoning application.

There were no further submissions received regarding Rezoning #12-25, Bylaw No. 13150.

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for Rez. #12-25, Bylaw No. 13150 be terminated.”

CARRIED UNANIMOUSLY

5) **BURNABY ZONING BYLAW 1965,**  
**AMENDMENT BYLAW NO. 46, 2012 – BYLAW NO. 13152**

Rez. #12-15

6530 and 6550 Nelson Avenue

Lot 48, District Lot 152, Group 1, NWD Plan 32590; Lot B, District Lot 152, Group 1, NWD Plan 32590

From: RM3 Multiple Family Residential District

To: CD Comprehensive Development District (based on the RM5s Multiple Family Residential District and Metrotown Town Centre Development Plan as guidelines and in accordance with the development plan entitled “The Met 2” prepared by Buttjes Architecture Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a high-rise multiple family residential development with a townhouse component.

The Advisory Planning Commission advised it supports the rezoning application.

A petition letter dated 2012 November 15 was received containing the signatures of eight owners from Strata Corporation NW 981 for 4930 Bennett Street, Burnaby expressing concern regarding the rezoning application. The writers inquired regarding the following points:

- Will they be compensated for any damage to their property resulting from construction of the proposed development?
- Can their property only be developed in conjunction with 4960 Bennett Street?

An email letter was received from Marlon Salvador, 104-4930 Bennett Street, Burnaby opposing the rezoning application. The writer noted deep excavation for the proposed development may negatively impact the foundation of the building he lives in.

An email letter dated 2012 November 27 was received from Bo Li, 6550 Nelson Avenue, Burnaby opposing the rezoning application because the writer will be forced to move if the proposed development is approved. The writer also expressed concerns regarding air quality, traffic congestion and lack of places for children to play.

Wendy Hinestrosa, 5644 Carson Street, Burnaby appeared before Council expressing concern regarding the rezoning application. The writer noted the following points and questions:

- Replacing moderately priced rental housing in good condition with a condominium tower may not be in the best interest of Burnaby residents.
- Has a traffic impact study been completed? Traffic in the area is already congested.
- Excavation of the subject site will impact the root zones of neighbouring properties to the north and east including Loblely Park. Is there a concept plan for Loblely Park?
- What is the planned community amenity?
- On-site storm water management needs to be appropriately managed.

The speaker concluded by noting the proposed project appears to be too large, too costly to the taxpayer and damaging to the environment.

A copy of Ms. Hinestrosa's presentation is on file in the Office of the City Clerk.

In response to the speaker's comments, the Director Planning & Building noted the following points:

- The traffic impact study for the development did not identify significant concerns.
- No trees are being removed from Lobley Park in conjunction with the proposed development

*\*Councillor Calendino retired from the Council Chamber at 7:43 p.m. \**

- Density bonus funds will be taken as a cash-in-lieu contribution for future use toward a community amenity.

Diane Curry, 4930 Bennett Street, Burnaby, BC appeared before Council to re-iterate the concerns contained in the previously noted petition letter from Strata Corporation NW 981.

Council noted that a written reply to the petition letter would be forwarded to Strata Corporation NW 981.

*\*Councillor Calendino returned to the Council Chamber at 7:45 p.m. and took his place at the Council table.\**

In response to the petition letter from Strata Corporation NW 981, the Director Planning and Building noted the following points:

- Development options for 4930 Bennett Street include rebuilding under the RM3 district or in consolidation with 4960 Bennett Street or the subject development plan could be amended to include 4930 Bennett Street.
- The developer's geotechnical and structural engineers provide confirmation that excavation work on the subject property can be done safely and without damage to neighbouring properties; any damage to a neighbouring property would be the subject of a civil matter.

Eldon Marrett, 203 – 4930 Bennett Street, Burnaby appeared before Council expressing concern regarding the risk of damage to the property at 4930 Bennett Street which is located as little as two feet from the proposed development.

The Director Planning and Building encouraged the speaker to approach the developer regarding this matter. In addition, the Director Planning and Building once again noted the developer's geotechnical and structural engineers provide confirmation that excavation work can be done safely and without damage to neighbouring properties.

Clayton Gillies, 6570 Dunblane Avenue, Burnaby appeared before Council expressing concern regarding the rezoning application. The speaker noted the following points and questions:

- There should have been a presentation to the public regarding the proposed development.
- Did the traffic study support locating the main car entrance near the corner of Dunblane Avenue and Grimmer Street? The main car entrance should be off of Nelson Avenue or extended from the MET 1 building.
- Excavation for the proposed development poses a threat to trees in Lobley Park; a risk management approach for windthrown trees should be undertaken by the City.

- Garbage bins in the proposed development should be relocated; the bins are too close to his property.
- Is there a shade or view corridor analysis for the development? His view will be negatively impacted.
- The proposed tower should be lower, consideration should be given to granting less than the maximum density bonus requested by the developer.
- Provisions of the noise bylaw should be enforced during construction of the development.
- Due to the large amount of dust from the development, adjacent property owners should be compensated for washing their cars.
- Erosion sediment control plan will not be effective.

Diane Curry, 4930 Bennett Street, Burnaby again appeared before Council inquiring as to whether or not the proposed development will impact the dead-end alley adjacent to their building.

In response to the speaker's inquiry, the Director Planning and Building advised the proposed development will not change the current configuration of the alley.

Marcio Rodrigues, 307 – 6550 Nelson Avenue, Burnaby appeared before Council expressing concern regarding the loss of housing for low income families in the Metrotown area.

His Worship, Mayor Derek Corrigan, advised that the City protects as much rental housing as possible and has established an affordable housing account. The Mayor further noted the City encourages higher orders of government to provide affordable housing.

Linda Miki, 8335 Roseberry Avenue, Burnaby appeared before Council expressing concern regarding the rezoning application. The speaker requested consideration be given to including a component of social housing in high rise developments such as this one. The speaker also expressed a general concern regarding walkability, drivability and liveability in the community.

There were no further submissions received regarding Rezoning #12-15, Bylaw No. 13152.

MOVED BY COUNCILLOR DHALIWAL:  
SECONDED BY COUNCILLOR VOLKOW:

“THAT staff prepare a report in response to the issues raised at the Public Hearing for Rez. #12-15, Bylaw No. 13152.”

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON:  
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for Rez. #12-15, Bylaw No. 13152 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 8:32 p.m.

Confirmed:

Certified Correct:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DEPUTY CITY CLERK