

PUBLIC HEARING

2013 NOVEMBER 26

A Public Hearing (Zoning) was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 2013 November 26 at 7:00 p.m.

PRESENT: His Worship, Mayor D.R. Corrigan, In the Chair
Councillor P. Calendino
Councillor R. Chang
Councillor D.N. Johnston
Councillor C. Jordan
Councillor A. Kang
Councillor P. McDonell
Councillor N.M. Volkow

ABSENT: Councillor S. Dhaliwal

STAFF: Mr. Lou Pelletier, Director Planning and Building
Mr. Ed Kozak, Assistant Director - Current Planning
Mr. Sid Cleave, Deputy City Clerk
Ms. Eva Prior, Administrative Officer

The Public Hearing was called to order at 7:04 p.m.

1) **BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 33, 2013 – BYLAW NO. 13252**

Rez. #11-30

7378 Morley Street

Lot 197, D.L. 91, Group 1, NWD Plan 29565

From: R3 Residential District

To: R3a Residential District

The purpose of the proposed zoning bylaw amendment is to permit construction of a new single-family dwelling larger than is permitted under the site's current R3 zoning.

The Advisory Planning Commission advised it does not support the rezoning application.

There were no further submissions received regarding Rezoning #11-30, Bylaw No. 13252.

**MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:**

“THAT this Public Hearing for Rez. #11-30, Bylaw No. 13252 be terminated.”

CARRIED UNANIMOUSLY

2) **BURNABY ZONING BYLAW 1965,**
AMENDMENT BYLAW NO. 34, 2013 – BYLAW NO. 13253

Rez. #12-42

4670 Assembly Way

Lot 2, DL153, Group 1, NWD Plan BCP51090

From: CD Comprehensive Development District (based on RM5(s) Multiple Family Residential District and C3 General Commercial District and Metrotown Development Plan Guidelines)

To: Amended CD Comprehensive Development District (based on RM5(s) Multiple Family Residential District and C3 General Commercial District and Metrotown Development Plan Guidelines, and in accordance with the development plan entitled “Station Square – Site 2 & 3” prepared by Chris Dikeakos Architects Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of two high rise apartment towers (38 and 48 storeys) atop a low-rise commercial and office podium.

The Advisory Planning Commission advised it supports the rezoning application.

A letter dated 2013 November 19 was received from Su Chin Yuan, 6390 Clinton Street, Burnaby supporting the rezoning application.

A letter dated 2013 November 20 was received from Xiao Yan Hua, 209-7231 Antrim Avenue, Burnaby supporting the rezoning application.

A letter dated 2013 November 19 was received from Po Tsun Su, 5042 Watling Street, Burnaby supporting the rezoning application.

An email letter was received from Lois Reid, #2602-6220 McKay Avenue, Burnaby, President of the Strata Council for the Grande Corniche 2, urging that the Station Square project be completed as quickly as possible so their lives and neighbourhood can return to normal.

A letter dated 2013 November 26 was received from Captain Owen M. Pereira, 303-6220 McKay Avenue, Burnaby supporting the rezoning application.

Lois Reid, President of Strata Council for Grande Corniche 2, 2602-6220 McKay Avenue, Burnaby appeared before Council supporting the rezoning application. The speaker noted the completion of towers 2 and 3 is essential to make the area functional again. The speaker also noted the refined design of the towers makes them meld better with the surrounding area. Ms. Reid concluded by noting the Station Square Development contributes to making Burnaby a vibrant, liveable and progressive community.

Linda Griffiths, General Manager, Holiday Inn, 4405 Central Boulevard, Burnaby appeared before Council supporting the rezoning application. The speaker noted the proposed towers are in keeping

with the community plan for the area. The speaker also noted additional stores, businesses, and residents will bring more vitality to the community.

There were no further submissions received regarding Rezoning #12-42, Bylaw No. 13253.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

“THAT this Public Hearing for Rez. #12-42, Bylaw No. 13253 be terminated.”

CARRIED UNANIMOUSLY

3) [BURNABY ZONING BYLAW 1965,](#)
[AMENDMENT BYLAW NO. 36, 2013 – BYLAW NO. 13255](#)

Rez. #07-49

5092, 5108, 5120 5132, 5146, 5168, 5180, 5192 Canada Way, 4981, 4991 Claude Avenue

Lots 1 and 2, District Lot 85, Group 1, NWD 7571; Lot B Except: the northerly 205 ft., District Lot 85, Group 1, NWD Plan 4946; Lot 3, District Lot 85, Group 1, NWD Plan 6317; Lot 11 Except: Easterly 60 ft. having a frontage of 60 ft. on Douglas Road with uniform width the full depth of said lot and adjoining Lot 10, NWD Plan 3304; The easterly 60 ft. of Lot 11, District Lot 85, Group 1, having a frontage of 60 ft. on Douglas Road with a uniform width the full depth of said lot and adjoining lot 10, NWD Plan 3304; Lots A & B, District Lot 85, Group 1, NWD Plan 5049; Lots 170 and 171, District Lot 85, Group 1, NWD Plan 40315

From: R4 Residential District and C2 Community Commercial District

To: CD Comprehensive Development District (based on RM2 Multiple Family Residential District, Canada Way and Claude Avenue Area Plan guidelines and in accordance with the development plan entitled “Royal Deer Lake Residences” prepared by GBL Architects Inc.).

The purpose of the proposed zoning bylaw amendment is to permit the construction of a 132 unit townhouse development with under-building and underground parking.

The Advisory Planning Commission advised it supports the rezoning application.

A letter dated 2013 November 21 was received from Murray Brandt, 5157 Wilton Avenue, Burnaby opposing the rezoning application. The writer expressed concern regarding density, traffic, noise, parking, privacy, trees and water table. Mr. Brandt concluded by noting he would welcome a development proposal that fits within the scope of the current R4 residential zoning.

A letter was received from Subhra Khanti Mukherjee and Swati Mukherjee, 7709 McCarthy Court, Burnaby expressing concern regarding the rezoning application. The writers inquired regarding a number of matters including the following:

- Will there be any vehicle access along the lane continuing beside 7709 McCarthy Court during and after construction? Will there be proper fencing along this stretch of road? Will there be piling work near 7709 McCarthy Court?
- What will be the working hours for the project?
- Will an overhead power transmission tower, water or gas lines be installed along the road?

The writers concluded by requesting safety measures be implemented during the construction phase of the project including installation of a screen along their property line to mitigate the impact of dust and flying debris and protect their privacy.

A letter dated 2013 November 26 was received from John Smyth, 7739 McCarthy Court, Burnaby expressing concern regarding the rezoning application particularly with respect to the proximity of the proposed buildings to existing homes, the potential for property damage to neighbouring properties during the construction phase, traffic and parking congestion, road closures, loss of natural lighting, loss of privacy, construction noise and reduced property values for adjacent home owners.

The writer also inquired regarding stream setbacks as well as measures and steps that would be taken to protect the natural environment and wildlife in the area.

In conclusion, Mr. Smyth noted the proposed development is not compatible with the existing character of the neighbourhood.

A letter dated 2013 November 24 was received from Marie Kalaw, 7731 McCarthy Court, Burnaby opposing the rezoning application. The writer expressed concern regarding vehicle and pedestrian traffic as well as parking.

The writer also noted it is her understanding that Claude Avenue will be closed during the construction phase of the project. This will make it difficult for her family to come and go from their home. Accordingly, Ms. Kalaw noted a more efficient and safe way is required to access their home.

A letter dated 2013 November 26 was received from Dana and Cory Bailey, 5128 Wilton Avenue, Burnaby opposing the rezoning application. The writers expressed concern regarding traffic, noise, density, parking, trees and the environmental sensitivity of the area. The writers also asked if any studies have been conducted to minimize the impact to the neighbourhood regarding noise, traffic, parking and tree removal.

A letter dated 2013 November 26 was received from Rene Peche, 5197 Wilton Avenue, Burnaby opposing the rezoning application. The writer expressed traffic and parking concerns and noted that speeding traffic and parked vehicles on streets and the cul-de-sac will make it very dangerous for children to play in the neighbourhood. The writer also noted the proposed development is too dense for this small area.

A letter dated 2013 November 26 was received from Linda Jung, 5158 Wilton Avenue, Burnaby opposing the rezoning application. The writer expressed concern regarding traffic, parking, noise, trees and other environmental issues. The writer would welcome another development proposal better suited to the area.

William Qian, 7715 McCarthy Court, Burnaby appeared before Council opposing the rezoning application. The speaker noted there is a narrow driveway in front of his garage for local access from McCarthy Court to Canada Way and the proposed development will increase the traffic on the driveway and elevate the risk of an accident for vehicles leaving or entering his garage.

The speaker concluded by expressing concern regarding noise from the proposed development and noted he will experience a loss of privacy and natural light.

Karen Franta, 5021 Claude Avenue, Burnaby appeared before Council opposing the rezoning application. The speaker noted the proposed development may cause damage to her property.

Murray Brandt, 5157 Wilton Avenue, Burnaby appeared before Council opposing the rezoning application. Mr. Brandt expressed concern regarding density, traffic, parking, privacy and noise. The speaker posed questions including the following:

- What are the parking requirements for the proposed development?
- Is the bare minimum parking requirement going to meet and/or exceed the capacity required for residents in a development of this scale?
- What impact will a project of this magnitude have on the water table?
- What is the impact on the salmon spawning streams currently designated as environmentally sensitive that border the Claude Avenue side of the development?
- What independent environmental studies have been completed to assess the project impact on the water table and its associated effect on the surrounding homes and the salmon spawning stream?
- How high will the structure be?
- How many trees will be removed?
- What independent studies have been completed to determine the short and long term effects of any tree removal?
- What quality standards have been set for the property?
- Who is the builder?
- Will rental units be allowed?
- Who is the target market and what is the price point for the proposed project?

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

- The community plan for the area was established in 1974; in 2004 Council adopted guidelines for RM2 Multiple Family development.
- The proposed townhouses are approximately 29 ft. high.
- Developments adjacent existing watercourses go through an environmental review process; stream setbacks must meet provincial and federal requirements.
- Strata councils set rules regarding rental of units.

Paul Goodwin, GBL Architects Inc. 140-2034 West 11th Avenue, Vancouver, the rezoning applicant, appeared before Council to answer questions Council may have.

In response to a query from Council, Mr. Goodwin noted the owner of the proposed development unsuccessfully attempted to purchase additional properties to the east of 4991 Claude Avenue for incorporation into the subject site.

John Smyth, 7739 McCarthy Court, Burnaby appeared before Council expressing concern regarding the proximity of the proposed development to existing homes in the area and the resulting loss of privacy and sunlight to those homes. The speaker also noted the Canada Way/Sperling intersection is already busy and the proposed development will only make the situation worse. Mr. Smyth concluded by noting the development may need additional parking spaces and he is worried new residents will park their cars in the McCarthy Court cul-de-sac.

Franca Zumpano, 1583 Springer Avenue, Burnaby appeared before Council to express concern about the rezoning application and inquire regarding park and community amenities as well as the capacity of school facilities in the area.

In response to the speakers query, the Director Planning and Building noted the proposed development falls within the catchment area for Buckingham school. He further noted the City forwards development applications to the School District for comment. The Director Planning and Building also noted that Wilton Park is located in close proximity to the proposed development.

Jason Cox, 5003 Claude Avenue, Burnaby appeared before Council expressing concern regarding the rezoning application and the impact of the proposed development on traffic, the salmon run off and wildlife.

Councillor Chang retired from the Council Chamber at 8:04 p.m.

Rene Peche, 5197 Wilton Avenue, Burnaby appeared before Council expressing concern regarding the rezoning application and requested that consideration be given to conducting a traffic study.

Linda Jung, 5158 Wilton Avenue, Burnaby appeared before Council opposing the rezoning application. The speaker expressed concern regarding the capacity of Buckingham school to accommodate additional students, traffic congestion at the Canada Way/Sperling intersection and poor soil conditions on the subject site.

Councillor Chang returned to the Public Hearing at 8:12 p.m. and took his seat at the Council table.

There were no further submissions received regarding Rezoning #07-49, Bylaw No. 13255.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for Rez. #07-49, Bylaw No. 13255 be terminated.”

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT staff prepare a report in response to the issues raised at the Public Hearing for rezoning #07-49, Bylaw No. 13255.”

CARRIED UNANIMOUSLY

4) **BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 37, 2013 – BYLAW NO. 13256**

TEXT AMENDMENT

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

The Advisory Planning Commission advised it supports the text amendment.

There were no further submissions received regarding text amendment Bylaw No. 13256.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for text amendment Bylaw No. 13256 be terminated.”

CARRIED UNANIMOUSLY

5) **BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 39, 2013 – BYLAW NO. 13259**

TEXT AMENDMENT

The purpose of the proposed zoning bylaw text amendment is to provide clarification and improvements to the wording of the bylaw regarding amenity space provisions in multiple-family buildings.

The Advisory Planning Commission advised it supports the text amendment.

There were no further submissions received regarding text amendment Bylaw No. 13259.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for text amendment Bylaw No. 13259 be terminated.”

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR VOLKOW:

"THAT this Public Hearing do now adjourn."

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 8:22 p.m.

Confirmed:

Certified Correct:

MAYOR

DEPUTY CITY CLERK