

PUBLIC HEARING

2013 MAY 28

A Public Hearing (Zoning) was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 2013 May 28 at 7:00 p.m.

PRESENT: His Worship, Mayor D.R. Corrigan, In the Chair
Councillor P. Calendino
Councillor S. Dhaliwal
Councillor D.N. Johnston
Councillor C. Jordan
Councillor A. Kang (*arrived at the Public Hearing at 7:04 p.m.*)
Councillor P. McDonell
Councillor N.M. Volkow

ABSENT: Councillor R. Chang

STAFF: Mr. Lou Pelletier, Director Planning and Building
Mr. Sid Cleave, Deputy City Clerk
Ms. Eva Prior, Administrative Officer
Ms. Ginger Arriola, Clerk 3

The Public Hearing was called to order at 7:03 p.m.

1) **BURNABY ZONING BYLAW 1965,**
AMENDMENT BYLAW NO. 12, 2013 – BYLAW NO. 13209

Rez. #12-27A

3290 Sperling Avenue
Owner: City of Burnaby

Portion of Block 9, District Lots 44 & 78, Group 1
New Westminster District Plan 4156

(Unaddressed property)
Owner: City of Burnaby

Portion of West 66 Feet (Bylaw Filed 11774),
Block 19, District Lots 44 and 78, Group 1, New
Westminster District Plan 3049

From: R5 Residential District

To: P3 Park and Public Use District

The purpose of the proposed zoning bylaw amendment is to bring the prevailing zoning of the subject properties owned by the City into conformance with their designated use as a public park.

The Advisory Planning Commission advised it supports the rezoning application.

There were no further submissions received regarding Rezoning #12-27A, Bylaw No. 13209.

Councillor Kang arrived at the Public Hearing at 7:04 p.m.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for Rez. #12-27A, Bylaw #13209 be terminated.”

CARRIED UNANIMOUSLY

2) [BURNABY ZONING BYLAW 1965,](#)
[AMENDMENT BYLAW NO. 13, 2013 – BYLAW NO. 13210](#)

Rez. #12-27B

7951 Burris Street
Owner: Metro Vancouver

Parcel B (Statutory Right of Way Plan 26009)
Except: Part Dedicated Road on SRW Plan 27805;
District Lot 87, Group 1, New Westminster
District

7951 Haszard Street
Owner: Metro Vancouver

Parcel D (Statutory Right of Way Plan 26009) of
Parcel F (Reference Plan 1468A), District Lot 85,
Group 1, New Westminster District Except: Part
Dedicated Road on Plan 27805

7950 Haszard Street
Owner: Metro Vancouver

Parcel C (Statutory Right of Way Plan 26009)
Except: Part Dedicated Road on Plan 27805,
District Lot 87, Group 1, New Westminster
District

7950 Rayside Street
Owner: Metro Vancouver

Parcel E (Statutory Right of Way Plan 26009) of
Parcel U (Reference Plan 3159), District Lot 85,
Group 1, New Westminster District Except: Part
Dedicated Road on Plan 27805

7225 Trans Canada
Highway
Owner: Metro Vancouver

Parcel “C” (Reference Plan 1166), District Lot 85,
Group 1, New Westminster District Except:
Firstly: Part Shown as 0.193 Acres on
Statutory Right of Way Plan 2609 and Secondly:
Part Dedicated Road on Statutory Right of Way
Plan 27805

(Unaddressed Property)
Owner: City of Burnaby

All That Portion of District Lot 85 Shown as
Frontage Road on Plan 26009

(Unaddressed Property)
Owner: City of Burnaby

All Those Portions of District Lot 85 Now
Highway as Shown on Plan 27805

(Unaddressed Property)
Owner: City of Burnaby

Parts of Those Portions of District Lot 87 Now
Highway as Shown on Plan 27805

From: R5 Residential District
To: P3 Park and Public Use District

The purpose of the proposed zoning bylaw amendment is to bring the prevailing zoning of the subject properties owned by the City and Metro Vancouver into conformance with their designated use as a public park.

The Advisory Planning Commission advised it supports the rezoning application.

There were no further submissions received regarding Rezoning #12-27B, Bylaw No. 13210.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for Rez. #12-27B, Bylaw #13210 be terminated.”

CARRIED UNANIMOUSLY

3) [BURNABY ZONING BYLAW 1965,](#)
[AMENDMENT BYLAW NO. 14, 2013 – BYLAW NO. 13211](#)

Rez. #12-27C

9011 Avalon Avenue Owner: Metro Vancouver	Lot 4 Except: On Plan 5170; Block 4, District Lot 14, Group 1, New Westminster District Plan 3047
9002 Brunette River Owner: GVSDD (Metro Vancouver)	Parcel “A” (Plan 5170), Lot 4, Block 4, District Lot 14, Group 1, New Westminster District Plan 3047
9186 Brunette River Owner: GVSDD (Metro Vancouver)	Parcel “A” (Reference Plan 6121) of Lot 9 of Lots 1 and 2, Block 4, District Lot 14, Group 1, New Westminster District Plan 3047
6743 Cariboo Road Owner: Metro Vancouver	Lot 2, District Lots 10 and 40, Group 1, New Westminster District Plan 72890
6825 Cariboo Road Owner: Metro Vancouver	Lot 9 Except: Part .115 of an Acre Shown Red on Plan 6121 of Lots 1 and 2, Block 4, District Lot 14, Group 1, New Westminster District Plan 3047
From:	A2 Agricultural District and M2 General Industrial District
To:	P3 Park and Public Use District

The purpose of the proposed zoning bylaw amendment is to bring the prevailing zoning of the subject properties owned by Metro Vancouver into conformance with their designated use as a public park.

The Advisory Planning Commission advised it supports the rezoning application.

There were no further submissions received regarding Rezoning #12-27C, Bylaw No. 13211.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR CALENDINO:

“THAT this Public Hearing for Rez. #12-27C, Bylaw #13211 be terminated.”

CARRIED UNANIMOUSLY

4) [BURNABY ZONING BYLAW 1965,](#)
[AMENDMENT BYLAW NO. 15, 2013 – BYLAW NO. 13212](#)

Rez. #12-27D

6955 and 6965 Ash Street
Owner: City of Burnaby

Lots 14 and 15 Except: Part on Plan 26009; Block 12 of Block 3, District Lot 14, Group 1, New Westminster District Plan 3047

8736 Baker Avenue
Owner: City of Burnaby

Lot 1 Except: Part on Plan 26009; Block 14 of Block 3, District Lot 14, Group 1, New Westminster District Plan 3047

6974, 6984, and 6995
Louise Street
Owner: City of Burnaby

Lot 8 Except: Part on Plan 26009; Block 12 of Block 3, District Lot 14, Group 1, New Westminster District Plan 3047; Lot 9 Except: Part on Plan 26009; Block 12 of Block 3, District Lot 14, Block 1, New Westminster District Plan 3047; and Lot 11 Except: Part on Highway Plan 26009, Block 11 of Block 3, District Lot 14, Group 1, New Westminster District Plan 3047

From:

A2 Agricultural District

To:

P3 Park and Public Use District

The purpose of the proposed zoning bylaw amendment is to bring the prevailing zoning of the subject properties owned by the City into conformance with their designated use as a public park.

The Advisory Planning Commission advised it supports the rezoning application.

There were no further submissions received regarding Rezoning #12-27D, Bylaw No. 13212.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for Rez. #12-27D, Bylaw #13212 be terminated.”

CARRIED UNANIMOUSLY

5) **BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 16, 2013 – BYLAW NO. 13213**

Rez. #12-24

6225 and 6255 Cassie Avenue

Lot 101, DL 153, Group 1, NWD Plan 34958; Lot 92, DL 153, Group 1, NWD Plan 33201

From: RM3 Multiple Family Residential District

To: CD Comprehensive Development District (based on the RM5s Multiple Family Residential District, C2 and C2f Community Commercial District, and Metrotown Town Centre Development Plan as guidelines, and in accordance with the development plan entitled “Proposed Mixed-Use Commercial & Residential Development Cassie Avenue, Burnaby, BC” prepared by Chris Dikeakos Architects Inc.)

The purpose of the proposed zoning bylaw amendment is to permit construction of a 37-storey high-rise building above a four storey commercial office-retail podium.

The Advisory Planning Commission advised it supports the rezoning application.

An email dated 2013 May 17 was received from Kim Jiyeon opposing the rezoning application. The writer expressed concern regarding the busy construction site and noise level. The writer also noted the proposed 37-storey building will block her view and sunlight.

An email dated 2013 May 17 was received from Evan Yang expressing concern regarding the rezoning application. The writer noted the proposed construction will disrupt his sleep.

An email dated 2013 May 17 was received from Gary Hogarth expressing concern regarding the rezoning application particularly with traffic and parking congestion.

A letter dated 2013 May 21 was received from Ken Pett, 402-6152 Kathleen Avenue, Burnaby in support of Metrotown reaching its potential as a regional town centre. The writer requested that Council work to minimize the impact of controllable disturbances on surrounding neighbourhoods as they consider future rezoning applications for high density developments.

A letter dated 2013 May 25 was received from Dale and Lois Read, 2602-6220 McKay Avenue, Burnaby opposing the rezoning application. The writers noted the following points:

- The local condominium market is close to being saturated.
- The proposed development will displace viable rental housing.
- The second and third towers in the Station Square development should be completed before any additional towers in the immediate area are approved.

A letter dated 2013 May 28 was received from Jack Tan, 1702-4350 Beresford Street, Burnaby expressing concern regarding the rezoning application. The writer noted the following points:

- The proposed development will block his view and sunlight.
- More community services are required to accommodate the increasing population in the area.
- The population increase will negatively impact peoples' enjoyment of parks and their overall quality of life.
- Traffic, parking and crime issues will need to be addressed.

An email dated 2013 May 28 was received from Val Taggart, 1904-4350 Beresford Street, Burnaby opposing the rezoning application. The writer noted the proposed development will impede views and decrease adjacent property values. The writer also expressed concern regarding increased traffic and lack of sufficient parking.

An email dated 2013 May 28 was received from Anna Solnickova and Blair Richard Simmons, 504-4350 Beresford Street, Burnaby opposing the rezoning application. The writers noted the proposed construction will negatively impact the quiet enjoyment of their home as well as their privacy. The writers also noted the noisy and dusty construction phase will negatively impact their health.

An email letter was received from Jyan Nath, 4350 Beresford Street, Burnaby opposing the rezoning application. The writer noted there are already enough high rise and commercial areas on the south side of Central Boulevard.

An email dated 2013 May 28 was received from Anna Solnickova, President, Strata Council NW2790-4350 Beresford Street, Burnaby opposing the rezoning application. The writer noted the proposed development will result in significant loss of property value, privacy, quiet enjoyment, and parking for adjacent property owners.

Brian Daniel, 7883 Welsley Drive, Burnaby representing the Burnaby Art Gallery, appeared before Council in support of the rezoning application including the proposed art walk. The speaker also requested that consideration be given to using density bonus funds to build a new art gallery in the City. The speaker noted that such a community amenity would act as an economic generator by attracting people, businesses and investment. Mr. Daniel concluded by advising that a new art gallery would also stimulate creativity and innovation and distinguish Burnaby as an exciting place where people can celebrate their heritage and achieve personal and professional fulfillment.

Irene McCutcheon, 5762 Eglington Street, Burnaby, representing the Burnaby Art Gallery, appeared before Council in support of the proposed art walk included in the rezoning application. The speaker also advised that Burnaby needs a new class 'A' art gallery. The speaker concluded by noting such a facility would provide many economic and social benefits to the City.

Brigitta Vadasz, 6390 Willingdon Avenue, Burnaby, a resident of Southwood Manor, appeared before Council advising the proposed development would negatively impact affordable living, transit services, nearby schools and the overall original concept for Metrotown. Ms. Vadasz concluded by opposing the rezoning application based on social economic factors of rent, travel and overall well-being.

A copy of the speaker's presentation is on file in the City Clerks office.

Jason Haycock, 6331 McKay Street, Burnaby appeared before Council expressing concern regarding the rezoning application particularly with loss of sunlight for adjacent residents, traffic congestion created by construction vehicles, parking issues and displacement of renters.

There were no further submissions received regarding Rezoning #12-24, Bylaw No. 13213.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for Rez. #12-24, Bylaw #13213 be terminated.”

CARRIED UNANIMOUSLY

6) **BURNABY ZONING BYLAW 1965,**
AMENDMENT BYLAW NO. 17, 2013 – BYLAW NO. 13214

Rez. #06-22

3812, 3826, 3842, 3854 & 3862 Norfolk Street

Lots 1, 2 and 3, West Half of Lot 4 and East Half of Lot 4, Blk 45, D.L. 69, Group 1, NWD Plan 1321

From: R5 Residential District

To: CD Comprehensive Development District (based on RM3 Multiple Family Residential District and Community Plan Eight guidelines and in accordance with the development plan entitled “Proposed Townhouse Development Norfolk Street, Burnaby, B.C.” prepared by Chris Dikeakos Architects Inc.)

The purpose of the proposed zoning bylaw amendment is to permit construction of a three storey 16 unit townhouse development with garage and surface parking.

The Advisory Planning Commission advised it supports the rezoning application.

There were no further submissions received regarding Rezoning #06-22, Bylaw No. 13214.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for Rez. #06-22, Bylaw #13214 be terminated.”

CARRIED UNANIMOUSLY

7) **BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 18, 2013 – BYLAW NO. 13215**

Rez. #12-12

4555 Hastings Street

Lots 22 to 25, Blk 8, DL 122, Group 1, NWD Plan 1308

From: C4a Service Commercial District

To: CD Comprehensive Development District (based on C8a Urban Village Commercial District, Hastings Street Area Plan guidelines, and in accordance with the development plan entitled, “Dolphin Mixed Use Development” prepared by Chris Dikeakos Architects Inc.)

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

The Advisory Planning Commission advised it supports the rezoning application.

An email letter dated 2013 May 14 was received from Rahim Manji, Hollywood 3 Cinema Burnaby Ltd., supporting the proposed plan for redevelopment at 4555 Hastings Street. Mr. Manji also noted it is no longer economically viable for him to operate the Dolphin theatre. The speaker further advised that he is looking at alternative locations to re-open the theatre in Burnaby.

An email letter dated 2013 May 21 was received from Herman and Hilde Fellmer, 305-4570 Hastings Street, Burnaby expressing concern regarding the rezoning application. The writers noted the proposed four-storey building will block their view and reduce their property value.

An email letter dated 2013 May 23 was received from Lise Kreps, 4811 Pandora Street, Burnaby expressing concern regarding the loss of the Dolphin Cinema. The writer requested consideration be given to relocating and redesigning the Dolphin Cinema to create a brand new “destination” on the Heights.

A letter dated 2013 May 24 was received from Isabel Kolic, Executive Director, Heights Merchants Association, 4019 Hastings Street, Burnaby supporting the rezoning application including the provision of housing units for disabled residents.

A letter dated 2013 May 12 was received from Elizabeth Bowes, 707-4160 Albert Street, Burnaby expressing concern regarding the rezoning application. Mrs. Bowes noted the City needs the much appreciated Dolphin Theatre. The writer also noted there are already several vacant lots on Hastings Street within six blocks of the theatre.

A letter dated 2013 May 27 was received from Ken Fraser, Executive Director, Vancouver Resource Society, supporting the rezoning application. The Society intends to purchase 11-units in the development to provide housing opportunities for Burnaby residents living with disabilities.

An email letter dated 2013 May 26 was received from Manuel and Almerinda Imperadeiro, 4570 Hastings Street, Burnaby opposing the rezoning application. Mr. & Mrs. Imperadeiro's family enjoys visiting the theatre. In addition, the writers noted the proposed 4-storey development will block their view and diminish their property value.

An email letter dated 2013 May 25 was received from Charmane Sing, 303-4570 Hastings Street, Burnaby opposing the rezoning application. The writer noted the Dolphin Theatre, an entrenched landmark on Hastings Street for over 50 years, should not be demolished. The writer also noted the proposed 4-storey development will obstruct her view and decrease her property value.

An undated letter was received from Gino Muoio, 190 North Glynde Avenue, Burnaby supporting the rezoning application. Mr. Muoio noted the proposed development will attract new businesses to the area and provide housing options for people living with disabilities.

An undated letter was received from Dennis Ripoli, 3904 Cambridge Street, Burnaby supporting the rezoning application. Mr. Ripoli noted the proposed development will support local businesses and represents a good alternative to having the theatre close and remain vacant.

An undated letter was received from Sante Zaurrini, 3734 Yale Street, Burnaby supporting the rezoning application. The writer noted the proposed development will provide an opportunity for new businesses to serve local residents.

An undated letter was received by Reno Mauro, 4029 McGill Street, Burnaby supporting the rezoning application. The writer noted the proposed development will attract new businesses and residents and revitalize the neighbourhood.

An undated letter was received from Rino Cioffi, 4142 and 4156 Hastings Street, Burnaby supporting the rezoning application. The writer noted the proposed development will attract new residents to the neighbourhood and increase the customer base for local merchants.

An undated letter was received from Tony Novak, 4247 Oxford Street, Burnaby supporting the rezoning application. The writer noted the proposed development will create new retail space, improve the walkability of the street and make the neighbourhood more vibrant.

A letter dated 2013 May 27 was received from Annie Kwong expressing concern regarding the rezoning application. The writer noted the Dolphin Theatre is an iconic part of Burnaby Heights. The writer also noted the proposed development will impede her view and create dust, noise and traffic disruptions during the construction phase.

An email letter dated 2013 May 27 was received from Jennifer Ng, 4570 Albert Street, Burnaby opposing the rezoning application. The writer expressed concern regarding a variety of issues including noise, dust, air pollution, health, crime, parking, back lane and garage access, property damage and loss of privacy, sunlight, and property value.

An email letter dated 2013 May 28 was received from Lydia Silich and Derek Sarginson, 4570 Hastings Street, Burnaby opposing the rezoning application. The writers noted the proposed development will block their view and decrease their property value. The writers also advised they do not want to lose their neighbourhood theatre and noted at least six properties in the Heights area await development.

A letter dated 2013 May 27 was received from Flavio Unti, 424 North Boundary Road, Burnaby supporting the rezoning application. The writer noted the proposed development will attract new residents to the neighbourhood, increase the customer base for local businesses and provide housing opportunities for people with disabilities.

An email letter dated 2013 May 28 was received from Paul Caune, Executive Director, Civil Rights Now, 413-3651 Foster Avenue, Vancouver supporting the rezoning application. The writer noted the proposed development will provide housing opportunities for people with disabilities.

An email letter dated 2013 May 27 was received from Christie Zenone, 826 Quadling Avenue, Coquitlam, requesting the current zoning be retained and the iconic Dolphin Theatre preserved. The writer also noted there are currently six empty lots on Hastings Street that could accommodate the proposed development.

An undated letter was received from Sean Ungemach, 4005 Triumph Street, Burnaby supporting the rezoning application. The writer noted the proposed development will continue the revitalization of the neighbourhood and create an exciting retail street for North Burnaby.

An email letter dated 2013 May 28 was received from James Ballan, 6491 Broadway, Burnaby supporting the rezoning application. The writer noted the proposed development will provide business opportunities and attract residents to the neighbourhood.

A letter dated 2013 May 28 was received from Scott Van Denham, 317-7040 Balmoral Street, Burnaby requesting Council reject the rezoning application at least until the proponents submit plans to retain the movie theatre as a neighbourhood amenity at or near its current location.

Paul Caune, Executive Director, Civil Rights Now, 413-3651 Foster Avenue, Vancouver, appeared before Council to reiterate support for the rezoning application as noted in his previously submitted letter. Mr. Caune noted the provision of 11 wheelchair accessible rental units will allow people with disabilities to live in dignity.

Mr. Nelson Chow, 4159 Eton Street, Burnaby, appeared before Council and requested Council reject the rezoning application or find another location for the Dolphin Theatre. The writer also expressed concern regarding the lack of evening entertainment in the area.

Council inquired if owners in the multiple-family development directly across the street from the proposed development were notified regarding the community plan for the area when they purchased their units.

In response to the Council inquiry, the Director Planning and Building undertook to confirm if the owners in question received area plan notification forms.

Council noted it may be necessary to review the measures in place to ensure purchasers receive area plan notification forms with disclosure statements.

Margie Almas, 312-4570 Hastings Street, Burnaby appeared before Council advising that she was aware the subject site at 4555 Hastings Street could be redeveloped.

Flavio Unti, 424 North Boundary Road, Burnaby appeared before Council to reiterate support for the rezoning application as noted in his previously submitted letter. Mr. Unti emphasized the importance of providing housing for people with disabilities and attracting additional retail tenants to the neighbourhood.

There were no further submissions received regarding Rezoning #12-12, Bylaw No. 13215.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for Rez. #12-12, Bylaw #13215 be terminated.”

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR McDONELL:

"THAT this Public Hearing do now adjourn."

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 8:14 p.m.

Confirmed:

Certified Correct:

MAYOR

DEPUTY CITY CLERK