

PUBLIC HEARING

2014 AUGUST 26

A Public Hearing (Zoning) was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 2014 August 26 at 7:00 p.m.

PRESENT: His Worship, Mayor D.R. Corrigan, In the Chair
Councillor P. Calendino
Councillor R. Chang (*arrived at 7:07 p.m.*)
Councillor S. Dhaliwal
Councillor C. Jordan
Councillor A. Kang
Councillor P. McDonell
Councillor N.M. Volkow

ABSENT: Councillor D.N. Johnston

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 7:03 p.m.

1) **[BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 26, 2014 – BYLAW NO. 13372](#)**

Rez. #12-46

4567 Lougheed Highway

Lot 1, DL 123 and 124, Group 1, NWD Plan EPP31990

From: CD Comprehensive Development District (based on the C3 and C3a General Commercial Districts, P2 Administration and Assembly District, RM4s and RM5s Multiple Family Residential Districts and Brentwood Town Centre Development Plan as guidelines)

To: Amended CD Comprehensive Development District (based on the C3 and C3a General Commercial Districts, P2 Administration and Assembly District, RM4s and RM5s Multiple Family Residential Districts and Brentwood Town Centre Development Plan as guidelines, and in accordance with the development plan entitled “Phase I - Residential Tower II” prepared by James K.M. Cheng Architects Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a 53 storey high-rise residential building atop a 3 level commercial podium.

The Advisory Planning Commission advised it supports the rezoning application.

Letters supporting the rezoning application were received from:

Alice Fung, 6888 Southpoint Drive, Burnaby
E Man Yeung, 216-4728 Brentwood Drive, Burnaby
Angelica Yang, 4271 Napier Street, Burnaby
Sukh Sidhu, 4601 Canada Way, Burnaby
Michael Moscone, 3983 Edinburgh Street, Burnaby
Tom Bresciani, 405-3255 Smith Avenue, Burnaby
Tedd Grippo, President, NorthWest Micro Service, 4026 1st Avenue, Burnaby
Jeanne Mackay, ECM Espresso Coffee Machines Co., 3709 1st Avenue, Burnaby
Rochelle Gounder, T. Moscone & Brothers Landscaping Ltd., 4025 1st Avenue, Burnaby
Diane Moscone, 3987 Edinburgh Street, Burnaby
Linda Craig, 7526 Birkdale Place, Burnaby
Dave Parris, TEK Systems, 401-4601 Canada Way, Burnaby
Sammy Li, 5123 Union Street, Burnaby
Mark Pribula, Zipcar, 654 Seymour Street, Vancouver
Mary Drpic, 903-3920 Hastings Street, Burnaby
Anthony Drpic, 1605-2138 Madison Avenue, Burnaby
Miles Fenske, 1401-3920 Hastings Street, Burnaby
Janice Fenske, 1401-3920 Hastings Street, Burnaby
Simon Chiu, 3829 Dominion Street, Burnaby
Sandra Wong, 6212 Neville Street, Burnaby
Vincent Lee, 1388 Carleton Avenue, Burnaby

A letter dated 2014 August 26 was received from Helen Ward, 4819 Albert Street, Burnaby opposing the rezoning application. The writer expressed concern regarding timing of the public hearing, notification area, earthquake risk, transit, density, the text amendment approving the supplementary community benefit bonus policy within the City's designated town centres, the amendment process for town centre plans, the provision of public amenities, amenity bonus calculations, public consultation and transparency, traffic and parking.

A letter dated 2014 August 26 was received from Shakila Jeyachandran, 1678 Delta Avenue, Burnaby expressing concern regarding the rezoning application and the lack of planning for traffic.

A letter dated 2014 August 25 was received from Linda Hancott, 2188 Rietta Court, Burnaby expressing concern regarding the rezoning application particularly related to earthquake risks and lack of planning for amenities.

A letter dated 2014 August 25 was received from Daren Hancott, 2188 Rietta Court, Burnaby expressing concern regarding the rezoning application. The writer noted the following points and questions:

- The proposed development requires further public consultation.
- The public notification area should be expanded beyond 30 metres.
- Does the City need 70 storey buildings?
- Does the City have the necessary fire-fighting equipment to handle a blaze or accident at such a height?

The writer also expressed concern in regard to amending of official community plans without prior public consultation.

A letter dated 2014 August 26 was received from G. Bruce Friesen, 1006-4758 Grange Street, Burnaby expressing concern regarding increasing traffic at the Willingdon Avenue/Lougheed Highway intersection and removal of a special ramp on the subject site for mobility challenged pedestrians.

A letter dated 2014 August 26 was received from Cathy Flores, 13-3765 Albert Street, Burnaby expressing concern regarding the loss of neighbourhood mall.

A letter dated 2014 August 26 was received from Thomas Hasek, 4758 Victory Street, Burnaby expressing transparency and accountability concerns regarding the public consultation process for town centre projects.

A letter dated 2014 August 26 was received from Kurt Theiss, 4819 Albert Street, Burnaby opposing the rezoning application. The writer expressed concern regarding transit as well as the risks associated with the potential for an earthquake.

**Councillor Chang arrived at the Public Hearing at 7:07 p.m.*

Helen Ward, 4819 Albert Street, Burnaby appeared before Council to reiterate the concerns raised in her previously noted letter.

Ross Howitt, 3287 Beaverbrook Drive, Burnaby appeared before Council expressing view and earthquake risk concerns in association with the proposed development. The speaker also asked if the development includes subsidized housing.

In response to the speaker's query, His Worship Mayor Corrigan noted the development includes market rental housing.

Eric Anderson, 4624 Brentlawn Drive, Burnaby appeared before Council requesting consideration be given to expanding the notification area for the Brentwood Mall redevelopment project.

Vincent Chang, 25 West 63rd Avenue, Vancouver appeared before Council supporting the rezoning application. The speaker noted high density residential building should be located close to transit.

Randall Ly, 3354 East 8th Avenue, Burnaby appeared before Council supporting the rezoning application. The speaker referenced the high demand for residential units at Brentwood Mall.

Nagib Karim, 6091 Sprott Street, Burnaby appeared before Council supporting the rezoning application. The writer noted the proposed development would revitalize the Brentwood Mall corridor.

Charter Lau, 104-5340 Hastings Street, Burnaby appeared before Council expressing traffic concerns regarding the rezoning application. The writer inquired regarding the City's plan to accommodate increased traffic in the subject area over the next 5 to 15 years.

Franca Zumpano, 1583 Springer Avenue, Burnaby appeared before Council expressing concern regarding the rezoning application related to traffic in the subject area and flowing into Springer Avenue, lack of public amenities, the need and cost for additional fire and hospital services, transparency and the text amendment approving the supplementary community benefit bonus policy within the City's designated town centres, emergency preparedness and transit.

**Councillor Chang retired from the Public Hearing at 7:43 p.m.*

The speaker also inquired regarding the matter of a possible previous decision to delay the public consultation process.

Staff undertook to review the matter.

Daren Hancott, 2188 Rietta Court, Burnaby appeared before Council to reiterate the concerns raised in his previously noted letter. The speaker also requested a written reply to his letter and an explanation of the process followed to increase building heights from 180 ft. or 200 ft. to 610 ft.

Helen Ward, 4819 Albert Street, Burnaby appeared again before Council expressing concern regarding the amount of time required to complete the town centre plan reviews given the amendment for the 'S' category zoning district has already been advanced by Council.

**Councillor Chang returned to the Public Hearing at 7:54 p.m. and took his seat at the Council table.*

There were no further submissions received regarding Rezoning #12-46, Bylaw No. 13372.

MOVED BY COUNCILLOR DHALIWAL:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for Rez. #12-46, Bylaw No. 13372 be terminated.”

CARRIED UNANIMOUSLY

2) [BURNABY ZONING BYLAW 1965,](#)
[AMENDMENT BYLAW NO. 27, 2014 – BYLAW NO. 13373](#)

Rez. #13-39

2273 Willingdon Avenue, 4460 and 4482 Dawson Street

Lots 6, 7, 8, Block 10, DL 119, Group 1, NWD Plan 2855; and Lot 9 (Except: Part on Bylaw Plan 52808), Block 10, DL 119, Group 1, NWD Plan 2855

From: M1 Manufacturing District

To: CD Comprehensive Development District (based on C9 Urban Village Commercial District and Brentwood Town Centre Development Plan guidelines and in accordance with the development plan entitled “Mixed Use Development” prepared by Yamamoto Architecture Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a five-storey mixed use development with retail at grade and residential uses above, with underground parking.

**Councillor Kang retired from the Public Hearing at 7:55 p.m.*

The Advisory Planning Commission advised it supports the rezoning application.

A letter dated 2014 August 25 was received from Kerry West, Xpert Mechanical & JK Lillie Ltd., Unit B, 4467 Juneau Street, Burnaby opposing the rezoning application. The writer expressed concern regarding the disruption to his business during the construction phase of the project. He also noted the demand for parking on Juneau Street exceeds the supply.

There were no further submissions received regarding Rezoning #13-39, Bylaw No. 13373.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for Rez. #13-39, Bylaw No. 13373 be terminated.”

CARRIED UNANIMOUSLY

3) [BURNABY ZONING BYLAW 1965,](#)
[AMENDMENT BYLAW NO. 28, 2014 – BYLAW NO. 13374](#)

Rez. #13-42

Address	Legal Description
3205 Noel Drive	Lot 1, DL 6, Group 1, NWD Plan 17130
3209 Noel Drive	Lot 1, Blk 10, DL 6, Group 1, NWD Plan 17130
3229 Noel Drive	Lot 11, DL 6, Group I, NWD Plan 18558
3239 Noel Drive	Lot 8 Except: Part on Plan with Bylaw Filed 44114; Blk 10, DL 6, Group 1, NWD Plan 17130
3249 Noel Drive	Lot 7 Except: Part Shown on Plan with Bylaw Filed 44114, Blk 10, DL 6, Group 1, NWD Plan 17130
3279 Noel Drive	Lot 6, Blk 10, DL 6, Group 1, NWD Plan 17130
3311 Noel Drive	Lot 5 Except: Part on Plan with Bylaw Filed 44114, Blk 10, DL 6, Group 1, NWD Plan 17130
3337 Noel Drive	Lot 4 Except: Part on Plan with Bylaw Filed 44114, Blk 10, DL 6, Group 1, NWD Plan 17130
3361 Noel Drive	Lot 3 Except: Part on Plan with Bylaw Filed 44114, Blk 10, DL 6, Group 1, NWD Plan 17130
3369 Noel Drive	Lot 1, Blk 10, DL 6, Group 1, NWD Plan 17130
9083 Cameron Street	Parcel "A" (Explanatory Plan 9672), Lot 17 Except: Parcel "One" (Reference Plan 22345); DL 6, Group 1, NWD Plan 748
9125 Cameron Street	Lot 2 Except: Part Outlined Red on Plan with Bylaw Filed 44114; Blk 10, DL 6, Group 1, NWD Plan 17130

From: R2 Residential District

To: CD Comprehensive Development District (based on RM2 Multiple Family Residential District, Lougheed Town Centre Plan guidelines and in accordance with the development plan entitled “Noel Drive Residential” prepared by RHA Architects Inc.)

The Deputy City Clerk advised that RHA Architects Inc. prepared the drawings.

The purpose of the proposed zoning bylaw amendment is to permit the construction of a 150 unit townhouse and low-rise apartment development with underground parking.

**Councillor Kang returned to the Public Hearing at 8:00 p.m. and took her seat at the Council table.*

The Advisory Planning Commission advised it supports the rezoning application.

A letter dated 2014 August 26 was received from Gary Wong, Vice President, Stonebrook Strata Council, 158-3288 Noel Drive, Burnaby supporting the rezoning application. The writer, however, noted a concern regarding the potential increase in traffic on Noel Drive between Cameron Street and Beaverbrook Drive.

A letter dated 2014 August 20 was received from Dr. Ronald Dong, 3293 Beaverbrook Drive, Burnaby objecting to the rezoning application. The writer noted the proposed development will significantly increase traffic in the area.

A letter dated 2014 August 21 was received from Liu Liang and Liang Jiantao, 130-3288 Noel Drive, Burnaby opposing the rezoning application.

A letter dated 2014 August 22 was received from Vasile Zamfirescu, 3302 Noel Drive, Burnaby expressing concern regarding the rezoning application. The writer noted the following questions:

- Is there any compensation contemplated for the owners of strata properties on Noel Drive who will see their immediate environment substantially altered by the proposed development?
- Is there a comprehensive plan in place to deal with the traffic impacts of the proposed development especially on Noel Drive?

A letter dated 2014 August 21 was received from Boris Rudnitski, 134-3288 Noel Drive, Burnaby objecting to the rezoning application. The writer noted the proposed development will significantly increase traffic on Noel Drive. The writer also expressed concern regarding noise, dust and road closures during the construction phase of the project.

A letter dated 2014 August 25 was received from Alan James, PO Box 56522 Lougheed Mall PO, Burnaby noting the following points regarding the rezoning application:

- Modify the area to be acquired for park space to include the steep slope on the west of Lots 8 and 11.
- Add a sentence to Recommendation 5.d. of the Manager's Report to have the developer remove any trash and invasive plants in the park area.
- The on-site stormwater management system should be designed to handle a 1000-year storm to take account of effects of climate change.
- Include responsibility for keeping sediment and other pollutants out of Stoney Creek as an item in the Strata by-laws.
- Add a requirement for demonstrating that the excavation for the units including the underground parking will not compromise the stability of the slope.
- Add a requirement that Fisheries and Oceans Canada approve the habitat restoration plan.

A letter dated 2014 August 26 was received from Ross Howitt, 3287 Beaverbrook Drive, Burnaby requesting street widths on all sides of the development be widened. The writer expressed traffic safety concerns related to increased traffic volumes on adjacent streets.

A letter dated 2014 August 26 was received from Reijo & Sinikka Seppanen, 9033 Cameron Street, Burnaby expressing concern regarding the rezoning application. The writers noted there should be no public access points from the subject property to their property. The writers further advised that the area between their property and the proposed building should have the maximum amount of privacy which could be achieved through a combination of retaining existing trees and adding more trees including a solid hedge of *Thuja Occidentalis* or similar as well as shrubbery and fence.

Ron Eban, 9083 Cameron Street, Burnaby appeared before Council expressing concern regarding the rezoning application. The speaker noted the following points:

- Embankment stability and safety issues pose a risk.
- The negative impact of the proposal on salmon and wildlife habitat will be significant.
- The developer should assist with relocation costs for existing residents on the subject site.

Cameron Thorn, Ledingham McAllister Communities Ltd., 3rd Floor, 1285 West Pender Street, Vancouver, the rezoning applicant, appeared before Council advising that Ward McAllister, President of the company, and other members of the development team were in attendance at this evening's hearing and available to answer any questions Council may have.

Alan James, 7551 Kraft Crescent, Burnaby, representing Stoney Creek Environment Committee, appeared before Council commending the City of Burnaby for their commitment to the streamside protection of Stoney Creek. The speaker, however, expressed concern regarding the rezoning application and noted the following questions:

- Will the proposed development impact peak flows in in the creek?
- If peak flows do change and result in damage to the spawning areas, will there be a guarantee of compensation?
- Will drains from the underground parking structure flow into the storm sewer system or sanitary sewer system?
- There is a steep cliff to the west of the proposed development and alongside the restoration area; have engineering studies been done to make sure construction activity does not result in a landslide?

In response to the speaker's queries, the Director Planning and Building noted the following points:

- Sediment control and stormwater management systems must perform to the satisfaction of the Director Engineering.
- Slope stability issues will be addressed through the building permit submission.
- The underground parking structure will be connected to the sanitary sewer system.

The speaker concluded by requesting a written response to the issues he raised at the public hearing including those in his previously noted letter.

Ross Howitt, 3287 Beaverbrook Drive, Burnaby appeared before Council to reiterate the concerns raised in his previously noted letter. The speaker requested a written response to his letter and

further, that a copy of the response also be forwarded to Mr. Gary Wong, Vice President, Stonebrook Strata Council.

In response to Mr. Howitt's letter, the Director Planning and Building noted that additional street widths are not part of the subject rezoning application.

Mr. Brenner, 3125 Noel Drive, Burnaby appeared before Council expressing concern in regard to increasing traffic in the subject area and requested the City address this matter.

Michael Schmidt, 1-2600 Beaverbrook Crescent, Burnaby appeared before Council expressing concern regarding the rezoning application. Mr. Schmidt supported the comments of Mr. Alan James, a previous speaker. Mr. Schmidt emphasized the importance of protecting salmon and other wildlife. He also noted flood and erosion risks.

Ms. Franca Zumpano, 1583 Springer Avenue, Burnaby appeared before Council to inquire regarding the school catchment area for the proposed development.

Mr. Cameron Thorn, Ledingham McAllister Communities Ltd, 3rd Floor, 1285 West Pender Street, Vancouver, the rezoning applicant, appeared before Council noting School District officials indicated the proposed development falls within the Stoney Creek catchment area and both Stoney Creek Elementary School and Burnaby Mountain Secondary School have capacity for new students.

Brian Arnold, 26-2600 Beaverbrook Crescent, Burnaby appeared before Council expressing concern regarding the rezoning application particularly with respect to stability of the embankment and protection of salmon and wildlife habitat.

Mr. John O'Donnell, Ledingham McAllister Communities Ltd., 3rd Floor, 1285 West Pender Street, Vancouver, the rezoning applicant, appeared before Council emphasizing the company's commitment to the health of Stoney Creek. The speaker noted the 30-meter setback from the creek actually enhances the Stoney Creek corridor.

There were no further submissions received regarding Rezoning #13-42, Bylaw No. 13374.

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing for Rez. #13-42, Bylaw No. 13374 be terminated.”

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR VOLKOW:

“THAT staff prepare a report in response to the issues raised at the Public Hearing for rezoning #13-42, Bylaw No. 13374.”

CARRIED UNANIMOUSLY

4) **BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 29, 2014 - BYLAW NO. 13375**

Rez. #13-18

3526 Smith Avenue

Lot "A", Except: East 80 Feet, Block 6, DL 68, Group 1, NWD Plan 10962

From: RM2 Multiple Family Residential District

To: CD Comprehensive Development District (based on RM3 Multiple Family Residential District and Broadview Community Plan guidelines and the development plan entitled "3526 Smith Avenue Townhouse Development" prepared by HNPA Architecture and Planning Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a 3-storey stacked townhouse development (34 units) with full underground parking.

The Advisory Planning Commission advised it supports the rezoning application.

A letter dated 2014 August 17 was received from Mrs. Barker, 3912 Linwood Street, Burnaby opposing the rezoning application. The writer expressed concern regarding the density of the development and questioned the provision of underground parking given the high water table in the area.

A letter dated 2014 August 22 was received from Lenore Lecy, 201-3421 Curle Avenue, Burnaby requesting that the subject site be incorporated into Avondale Park.

A letter dated 2014 August 26 was received from Azam Sarangi opposing the rezoning application and the loss of rental space.

There were no further submissions received regarding Rezoning #13-18, Bylaw No. 13375.

**MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR VOLKOW:**

"THAT this Public Hearing for Rez. #13-18, Bylaw No. 13375 be terminated."

CARRIED UNANIMOUSLY

5) **BURNABY ZONING BYLAW 1965,
AMENDMENT BYLAW NO. 30, 2014 - BYLAW NO. 13376**

Rez. #13-31

7011, 7029, 7087 MacPherson Avenue and 5558 Short Street

Lots 31-35, DL 98, Group 1, NWD Plan 1384

From: M4 Special Industrial District

To: CD Comprehensive Development District (based on RM3 Multiple Family Residential District and Royal Oak Community Plan guidelines and the development plan entitled "MacPherson and Short Townhomes: A Multi-Family Residential Development Burnaby, B.C." prepared by Robert Ciccozzi Architecture Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a three- storey stacked townhouse development (45 units) with full underground parking.

The Advisory Planning Commission advised it supports the rezoning application.

There were no further submissions received regarding Rezoning #13-31, Bylaw No. 13376.

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR VOLKOW:

"THAT this Public Hearing for Rez. #13-31, Bylaw No. 13376 be terminated."

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED BY COUNCILLOR CALENDINO:
SECONDED BY COUNCILLOR KANG:

"THAT this Public Hearing do now adjourn."

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 8:52 p.m.

Confirmed:

Certified Correct:

MAYOR

DEPUTY CITY CLERK