

PUBLIC HEARING

2014 MAY 27

A Public Hearing (Zoning) was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 2014 May 27 at 7:00 p.m.

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

ABSENT: Councillor N. Volkow

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 7:05 p.m.

1) **BURNABY ZONING BYLAW 1965,**
AMENDMENT BYLAW NO. 14, 2014 – BYLAW NO. 13343

Rez. #11-21

7604 Sixth Street

Lot A, D.L. 28, Group 1, NWD Plan 5406

From: C2 Community Commercial District and R5 Residential District

To: CD Comprehensive Development District (based on RM3 Multiple-Family Residential District, C1 Neighbourhood Commercial District and Sixth Street Community Plan guidelines and in accordance with the development plan entitled “Mixed Use Building” prepared by Joseph Park Architecture)

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

The Advisory Planning Commission advised it supports the rezoning application.

A letter dated 2014 May 26 was received from Chong Lum Hin, 7604 6th Street, Kabul Bazaar, 7622 6th Street, and Chicken and Pizza King, 7624 6th Street, Burnaby expressing concern regarding the rezoning application. The writers noted that demolition of the existing building on the subject rezoning site will force them to consider relocating their businesses at considerable cost.

There were no further submissions received regarding Rezoning #11-21, Bylaw No. 13343.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR KANG:

“THAT this Public Hearing for Rez. #11-21, Bylaw No. 13343 be terminated.”

CARRIED UNANIMOUSLY

2) **BURNABY ZONING BYLAW 1965,**
AMENDMENT BYLAW NO. 15, 2014 – BYLAW NO. 13344

Rez. #12-48

4700 Imperial Street

Lot 1, DL 99, Group 1, NWD Plan BCP6963

From: CD Comprehensive Development District (based on the P2 Administration and Assembly District)

To: CD Comprehensive Development District (based on the C2 Community Commercial District and in accordance with the development plan entitled “Presentation Centre, 4700 Imperial Street, Burnaby, British Columbia” prepared by Ramsay Worden Architects, to be superseded on 2018 January 01 by the development plan entitled “4700 Imperial St, Burnaby, B.C.” prepared by Matthew Cheng Architect Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a residential sales centre, and the subsequent construction of a one-storey commercial building once the residential sales centre use ceases.

The Advisory Planning Commission advised it supports the rezoning application.

There were no further submissions received regarding Rezoning #12-48, Bylaw No. 13344.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR MCDONELL:

“THAT this Public Hearing for Rez. #12-48, Bylaw No. 13344 be terminated.”

CARRIED UNANIMOUSLY

3) **BURNABY ZONING BYLAW 1965,**
AMENDMENT BYLAW NO. 16, 2014 - BYLAW NO. 13345

Rez. #12-18

8255/8360 Wiggins Street and 5279 Riverbend Drive

Lot 48 Except: Firstly: Parcel "A" (Bylaw Plan 70015); Secondly: Part Subdivided by Plan 72187; DL 167, Group 1, NWD Plan 48061; Lot 49, DL 167, Group 1, NWD Plan 48061; Lot 1, DL 167, Group 1, NWD Plan 18016

From: CD Comprehensive Development District (based on M2 General Industrial District, M3 Heavy Industrial District and M5 Light Industrial District)

To: Amended CD Comprehensive Development District (based on M2 General Industrial District, M3 Heavy Industrial District and M5 Light Industrial District, C2 Community Commercial District and Big Bend Development Plan guidelines, and in accordance with the development plan entitled "Riverbend Business Park Conceptual Development Plan" prepared by Christopher Bozyk Architects Ltd. and PFS Studio)

The purpose of the proposed zoning bylaw amendment is to establish a Conceptual Development Plan for the subject site, which would guide further individual site specific rezoning applications for the development of a multi-phased industrial business park and riverfront amenity area. No specific development or new construction is being sought under the subject rezoning application.

The Advisory Planning Commission advised it supports the rezoning application.

A letter dated 2014 May 27 was received from Peter and Donna Harco, owners of Wigg Holdings Ltd., 8355 Wiggins Street, Burnaby expressing general agreement with the overall concept plan for a large and high-class industrial/business development. The writers, however, noted their concern regarding the existing waste landfill at the southerly end of the Wiggins Street right-of-way. They requested this landfill be cleaned up as part of the overall development of the area. Regarding the clean-up cost, the writers noted the following points:

- The City of Burnaby should pay the total cost of this remediation.
- Perhaps there is potential for cost recovery from the former roofing factory owner who operated there until 1990.
- It would be unfair to assess any remediation costs to the current adjoining property owners since none of them had any part in the landfilling and were not owners of their sites during the time the dumping took place.

A letter dated 2014 May 27 was received from Scott Burns, Chief Executive Officer, Tricycle Lane Group of Companies, 200-155 Glendeer Circle SE, Calgary AB, co-owner of 5324 Riverbend Drive, Burnaby expressing concern the rezoning application will negatively impact the operations of Burnco Rock Products Ltd. in the City of Burnaby in the short, medium, and long term. The writer requested to meet with the City to work with the Planning and other departments to address these concerns, as well as to identify and address opportunities prior to further decisions being made regarding the proposed amendment. This includes:

- Reaffirming the City of Burnaby's support for Burnco;
- Receiving greater clarity from the City regarding the regulatory impact of the proposed amendment on 5324 Riverbend Drive;
- Receiving additional time to review the proposed amendment to understand its full implications;

- Clarifying the full extent of the use of 5324 Riverbend Drive;
- Addressing the numerous direct and indirect impacts of the proposed amendment on his site and operations and how these impacts will be mitigated; this includes the impacts of both the:
 - Rezoning of the subject area;
 - The direction established in the broader Conceptual Development Plan;
 - Identifying opportunities assuring co-existence of continuing uses at 5324 Riverbend Drive with the new vision concepts; and
- Establishing a means of communication with the City to ensure his company is informed in a more timely fashion in the future.

An undated letter was received from Donna O'Neill and Pierre Rubben, 6742 Empress Avenue, Burnaby expressing general support for the proposed rezoning and development plan. The writers noted, however, the current proposal indicates the surface finishing on the top of the dike/the dike path would be crushed granite. They requested the plan be amended to finish the dike surface with asphalt. The writers noted the reason for proposing this amendment is to provide accessibility to the dike for more citizens than would be the case with a crushed granite surface.

Donna O'Neill, 6742 Empress Avenue, Burnaby appeared before Council to re-iterate the request in her previously noted letter for the surface of the dike to be paved.

In response to the speaker's request, the Director Planning and Building noted the proposed crush granite finish atop the dike resulted from discussions with the Department of Fisheries and Oceans ten to fifteen years ago. The Director Planning and Building also noted there may be an opportunity to revisit this matter in the future.

Allan St. Pierre, 20657 91B Avenue, Langley, appeared before Council to read out the previously noted letter dated 2014 May 27 from Peter and Donna Harco.

Scott Burns, Chief Executive Officer, Tricycle Lane Group of Companies, 200-155 Glendeer Circle SE, Calgary AB, accompanied by Andrew Baigent, Urban Systems, 550-1090 Homer Street, Vancouver, appeared before Council to re-iterate the concerns contained in Mr. Burns's previously noted letter dated 2014 May 27. The speakers also noted the importance of addressing environmental contamination issues associated with the existing Wiggins Street landfill as mentioned in the previously noted letter from Peter and Donna Harco.

There were no further submissions received regarding Rezoning #12-18, Bylaw No. 13345.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR KANG:

“THAT this Public Hearing for Rez. #12-18, Bylaw No. 13345 be terminated.”

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JORDAN:
SECONDED BY COUNCILLOR KANG:

“THAT staff prepare a report in response to the issues raised at the Public Hearing for Rez. #12-18, Bylaw No. 13345.”

CARRIED UNANIMOUSLY

4) [BURNABY ZONING BYLAW 1965,](#)
[AMENDMENT BYLAW NO. 13, 2014 - BYLAW NO. 13335](#)

Text Amendment

The purpose of the proposed zoning bylaw text amendment is to allow for implementation of the floor area exemption provision in the revised Adaptable Housing Policy.

The Advisory Planning Commission advised it supports the text amendment.

Craig Henschel, 807-4160 Sardis Street, Burnaby appeared before Council expressing concern regarding the City’s Adaptable Housing Policy and the existing requirement to provide 20% of units as adaptable. The speaker noted the 20% requirement should be considerably higher to meet the needs of an aging population. The speaker concluded by requesting consideration of the proposed text amendment be held in abeyance pending a review of the 20% requirement.

There were no further submissions received regarding text amendment, Bylaw No. 13335.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR KANG:

“THAT this Public Hearing for text amendment, Bylaw No. 13335 be terminated.”

ADJOURNMENT

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

"THAT this Public Hearing do now adjourn."

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 7:46 p.m.

Confirmed:

Certified Correct:

MAYOR

DEPUTY CITY CLERK