



PUBLIC HEARING

MINUTES

Tuesday, December 14, 2021, 5:00 p.m.
Electronic Meeting

PRESENT: His Worship, Mayor Mike Hurley
Councillor Pietro Calendino (*participated electronically*)
Councillor Alison Gu (*participated electronically*)
Councillor Mike Hillman
Councillor Dan Johnston (*participated electronically*)
Councillor Colleen Jordan (*participated electronically*)
Councillor Joe Keithley (*participated electronically*)
Councillor James Wang

ABSENT: Councillor Sav Dhaliwal

STAFF: Mr. Dipak Dattani, Director Corporate Services
Mr. Ed Kozak, Director Planning & Building
Ms. Lee-Ann Garnett, Deputy Director Planning & Building
Mr. Johannes Schumann, Assistant Director Planning & Building
Ms. Blanka Zeinabova, City Clerk
Ms. Eva Prior, Acting Deputy City Clerk
Ms. Ginger Arriola, Council Support Assistant

1. **NOTICE**

Notice of Public Hearing was given under Section 466 of the Local Government Act.

2. **CALL TO ORDER**

His Worship, Mayor Mike Hurley, called the Public Hearing to order at 5:00 p.m. and conducted the roll call. Councillors Calendino, Gu, Johnston, Jordan and Keithley participated electronically.

His Worship, Mayor Mike Hurley, recognized the ancestral and unceded homelands of the hən̓q̓əmi̓n̓əm̓ and Skwxwú7mesh speaking peoples, and extended appreciation for the opportunity to hold a meeting on this territory.

The City Clerk reviewed the purpose of a public hearing and public participation instructions.

3. ZONING BYLAW AMENDMENTS

3.1 Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 34, 2021 - Bylaw No. 14399

Rez. #19-49

3676 Kensington Avenue

From: P3 Park and Public Use District

To: CD Comprehensive Development District (based on P3 Park and Public Use District and the Burnaby Lake Sports Complex Community Plan as guidelines, and in accordance with the development plan entitled "Burnaby Lake Aquatic & Arena" prepared by HCMA Architecture & Design)

Purpose: to permit the development of a new aquatics and arena facility within Burnaby Lake Sports Complex

Applicant: City of Burnaby

One (1) letter was received in response to the proposed rezoning application:

1. Allen Hutton, 7304 14th Avenue, Burnaby

No speakers appeared before Council in support or opposition to the proposed rezoning application.

MOVED BY COUNCILLOR CALENDINO

SECONDED BY COUNCILLOR WANG

THAT this Public Hearing for Rez. #19-49, Bylaw No. 14399 be terminated.

CARRIED UNANIMOUSLY

3.2 Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 35, 2021 - Bylaw No. 14400

Rez. #21-17

2505 Eastbrook Parkway

From: CD Comprehensive Development District (based on the M5 Light Industrial District as a guideline)

To: CD Comprehensive Development District (based on the M5 Light Industrial District and M1 Manufacturing District as guidelines and in accordance with the development plan entitled "Tesla Service Centre" prepared by T.I. Studios Architecture Inc.)

Purpose: to permit the use of the property as an automotive dealership and service centre for an electric vehicle manufacturer. Minor interior and exterior renovations to the existing building are proposed

Applicant: T.I. Studios Architecture Inc.

One (1) letter was received in response to the proposed rezoning application:

1. Stephen P. Boyle, 2929 West 13th Avenue, Vancouver

No speakers appeared before Council in support or opposition to the proposed rezoning application.

MOVED BY COUNCILLOR KEITHLEY
SECONDED BY COUNCILLOR WANG

THAT this Public Hearing for Rez. #21-17, Bylaw No. 14400 be terminated.

CARRIED UNANIMOUSLY

3.3 Burnaby Phased Development Agreement (Belford Properties) 2021 - Bylaw No. 14401

Sites Subject to Phased Development Agreement:

- SITE A - 6630 Telford Avenue (REZ #18-23)
- SITE B - 6433 McKay Avenue and 6366 Cassie Avenue (REZ #17-34)
- SITE C - 6444 Silver Avenue (REZ #17-39)
- SITE D - 4355 Maywood Street (REZ #18-21)

Purpose: to enter into a Phased Development Agreement in respect to Rezoning Reference #17-34 (Bylaw No. 14403), #17-39 (Bylaw No. 14404), #18-21 (Bylaw No. 14405), and #18-23 (Bylaw No. 14402)

Developer: Belford (McKay) Nominee Ltd.; Belford (McKay) Properties Limited Partnership; Belford (Maywood) Nominee Ltd.; Belford (Maywood) Properties Limited Partnership; Belford (Silver 3) Nominee Ltd.; Belford (Silver 3) Properties Limited Partnership; Belford (Telford) Nominee Ltd.; Belford (Telford) Properties Limited Partnership (collectively, "**Belford Properties**").

No correspondence was received in response to the proposed Phased Development Agreement.

The following speakers appeared before Council through the online webinar or teleconference in response to the proposed zoning by-law amendment:

Murray Martin, 7235 Salisbury, Burnaby, spoke on behalf of ACORN. Mr. Martin advised that ACORN is opposed to the Phased Development Agreement and subsequent rezonings due to the inadequate protection for displaced tenants. The speaker expressed the following concerns regarding the Tenant Assistance Policy: the rent top-up formula and maximum 36 month duration is problematic; and units that have been empty for two years are not eligible for benefits, which is leaving large numbers of units untenanted.

Stephen Bennett, Chief Executive Officer, Affordable Housing Societies, expressed his appreciation of the affordable housing units that will be created as part of Rezoning #18-23, 6630 Telford Avenue.

Danielle Edwards, 4355 Maywood Street, Burnaby, expressed concern regarding the lack of building maintenance and subsequent safety issues, inadequate rent top-up, and the inequitable size of replacement units.

Chamilia Alexeeva, 6366 Cassie Avenue, Burnaby, expressed concern regarding the proposed rent top-up formula and maximum 36 month duration, smaller size of replacement units, and lack of similar amenities that are currently available, i.e. washers and dryers, and vehicle parking.

Mahboubeh Sarvi, 4355 Maywood Street, Burnaby, spoke in opposition to Rezoning #18-21 advising that storage and parking will not be provided in the replacement units.

Geoffrey Bacon, 6366 Cassie Avenue, Burnaby, queried the timing of the Phased Development Agreement. Mr. Bacon expressed concern regarding the proposed rent top-up formula and maximum 36 month duration, and smaller size of replacement units.

AJ Mouhamed, 6533 McKay Avenue, Burnaby, expressed concern regarding construction in the area, and queried traffic and construction plans.

Julio Caesar, 4300 Maywood Street, Burnaby, expressed concern regarding rent pricing of the replacement units.

Arkady Elgort, 6366 Cassie Avenue, Burnaby, expressed concerns regarding the proposed rent top-up, and queried the deadline for completed application forms. Mr. Elgort also queried if tenants of 6366 Cassie Avenue will be transitioned directly to 6630 Telford Avenue.

Chamilia Alexeeva, 6366 Cassie Avenue, Burnaby, spoke for a second time expressing concern regarding a lack of maintenance and subsequent safety

concerns. Ms. Alexeeva requested that the City require developers to provide adequate maintenance.

MOVED BY COUNCILLOR KEITHLEY
SECONDED BY COUNCILLOR WANG

THAT this Public Hearing for Burnaby Phased Development Agreement (Belford Properties) 2021, Bylaw No. 14401 be terminated.

CARRIED UNANIMOUSLY

3.4 Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 36, 2021 - Bylaw No. 14402

Rez. #18-23

6630 Telford Avenue

From: RM3 Multiple Family Residential District

To: CD Comprehensive Development District (based on the RM4r Multiple Family Residential District and Metrotown Downtown Plan as guidelines and in accordance with the development plan entitled "Telford Rental" prepared by DA Architects & Planners, and Gauthier and Associates)

Purpose: to permit the construction of two high-density rental apartment buildings fronting Telford Avenue in accordance with the terms specified in a proposed Phased Development Agreement (PDA) Bylaw. (BYLAW No. 14401)

Applicant: Belford (Telford) Properties Ltd.

Three (3) letters were received in response to the proposed rezoning application:

1. Bin Wang, 6630 Telford Avenue, Burnaby
2. Murray Martin, 7235 Salisbury Avenue, Burnaby
3. Saahil Kirpal, 5069 Beresford Street, Burnaby

The following speakers appeared before Council through the online webinar or teleconference in response to the proposed zoning bylaw amendment:

Murray Martin, 7235 Salisbury, Burnaby, spoke for a second time citing concerns regarding the lack of communication between Belford Properties, the City, and current tenants resulting in fear and confusion. Mr. Martin requested clarification regarding which sites would require interim housing and which sites would be accommodated at 6630 Telford. Mr. Martin reiterated concerns raised earlier in the Public Hearing: rent top-up formula and maximum 36 month duration are

problematic; and units that have been empty for two years are not eligible for benefits which is leaving large numbers of units untenanted.

Christopher Huxtable, representative for 6540 Telford Avenue, spoke in opposition to the proposed rezoning. Mr. Huxtable cited that the proposed development fails to meet zoning requirements, specifically: the 400-foot minimum frontage for the two towers; the gross site area is only 34,000 square feet, where 48,000 square feet is required; only allows for a 15-foot setback around the perimeter of development; pedestrian right of way is not adequate; development exceeds the allowable density; and the separation of the two towers will be 60 feet, where 100 feet is required. In conclusion, Mr. Huxtable advised that the proposal fails to meet three requirements of the Metrotown Downtown Plan – the density exceeds the maximum stipulated, the tower separation is significantly reduced, and no allowance has been made for the required pedestrian neighbourhood linkage. Equal development opportunity for the 6540 Telford Avenue is not achievable.

Stephen Bennett, Chief Executive Officer, Affordable Housing Societies, expressed his appreciation and need for the affordable housing units which will be created through this rezoning.

Geoffrey Bacon, 6366 Cassie Avenue, Burnaby, requested clarification regarding timelines of which sites would be displaced in the first phase of construction, and the possible financial implications.

Chamilia Alexeeva, 6366 Cassie Avenue, Burnaby, requested clarification as to timelines regarding displacement.

**Councillor Wang left at 6:17 p.m. and returned at 6:20 p.m.*

Mahboubeh Sarvi, 4355 Maywood Street, Burnaby, expressed concerns regarding the reduced size of replacement units, and lack of consultation and parking. Ms. Sarvi also requested clarification regarding options provided on the Tenant Assistance application form.

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR JORDAN

THAT this Public Hearing for Rez. #18-23, Bylaw No. 14402 be terminated.

CARRIED UNANIMOUSLY

3.5 Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 37, 2021 - Bylaw No. 14403

Rez. #17-34

6433 McKay Avenue and 6366 Cassie Avenue

From: RM3 Multiple Family Residential District

To: CD Comprehensive Development District (based on the RM4s Multiple Family Residential District and Metrotown Downtown Plan as guidelines and in accordance with the development plan entitled "M Residences & Spa" prepared by Buttjes Architecture Inc. and PWL Partnership Landscape Architecture Inc.)

Purpose: to permit the construction of a single, market strata high-rise apartment building with townhouses fronting Cassie and McKay Avenues in accordance with the terms specified in a proposed Phased Development Agreement (PDA) Bylaw. (BYLAW No. 14401)

Applicant: Belford (McKay) Properties Limited Partnership

Twelve (12) letters were received in response to the proposed rezoning application:

1. Stephen Vincent, 6366 Cassie Avenue, Burnaby
2. Shirley Chen, 6288 Cassie Avenue, Burnaby
3. Pooja Maheta, 6280 Willingdon Avenue, Burnaby
4. (Writer requested redaction of name and address)
5. Karen Murphy and Mark Connick, 6366 Cassie Avenue, Burnaby
6. Chamilia Alexeeva, 6366 Cassie Avenue, Burnaby
7. Murray Martin, 7235 Salisbury Avenue, Burnaby
8. Simone Kubo, 6366 Cassie Avenue, Burnaby
9. Taher Mahmud, 6433 McKay Avenue, Burnaby
10. Krista Soderlind, 6366 Cassie Avenue, Burnaby
11. Seona Lewis, 6366 Cassie Avenue, Burnaby
12. Jana Sheftel, 6366 Cassie Avenue, Burnaby

The following speakers appeared before Council through the online webinar or teleconference in response to the proposed zoning bylaw amendment:

AJ Mouhamed, 6533 McKay Avenue, Burnaby, advised that he is currently paying market rent for his home, and requested the ability to apply for the non-market housing being proposed.

Murray Martin, 7235 Salisbury Avenue, Burnaby, requested clarification regarding the 36 month timeline outlined in the Rental Assistance Policy. Mr. Martin expressed concern that developers may be using high pressure tactics to force tenants to leave their units due to a lack of clear communication and understanding of the Policy.

Arkady Elgort, 6366 Cassie Avenue, Burnaby, requested that the City deny the demolition permit for 6366 Cassie Avenue. The speaker requested further information regarding a possible displacement date and how that information will be communicated to tenants.

Krista Soderlind, 6366 Cassie Avenue, Burnaby, spoke in opposition to the proposed rezoning. Ms. Soderlind expressed concern regarding fair compensation through the Tenant Assistance Policy, advising that replacement units will not be at 6366 Cassie Avenue. Further, the units are not equal to the size of their current units and will not include parking, adequate laundry facilities, utility hook-ups, heat and hot water. The speaker also addressed unsafe conditions in the building due to inadequate maintenance.

Seona Lewis, 6366 Cassie Avenue, Burnaby, spoke in opposition to the proposed rezoning advising that the tenants have been living with the uncertainty of displacement for 3.5 years due to the lack of communication by Belford Properties and the City. Ms. Lewis advised that they have been informed that parking will not be available for tenants of the replacement units, and laundry facilities will be 'adequate'.

Seona Lewis, 6366 Cassie Avenue, spoke for a second time regarding parking concerns advising that Belford Properties stated that parking would only be available for the market housing units, not for the non-market units.

Krista Soderlind, 6366 Cassie Avenue, Burnaby, spoke for a second time expressing concern regarding the amenity inequality between non-market and market rental units. The speaker requested the City's assistance with the concerns brought forward.

Geoffery Bacon, 6366 Cassie Avenue, Burnaby, requested that Council reject the Phased Development Agreement until the replacement units at 6630 Telford Avenue have been completed.

AJ Mouhamed, 6533 McKay Avenue, Burnaby, spoke for a second time expressing concern regarding construction in the area which has brought heavy trucks, traffic disruption, dirt and dust, noise, added crime, and unsafe conditions for children and pedestrians in the area.

Leslie Madison, 5190 Hastings Street, Burnaby, spoke in opposition to the proposed rezoning expressing concerns regarding the miscommunication by Belford Properties and the City.

Chamilia Alexeeva, 6366 Cassie Avenue, Burnaby, informed Council of miscommunication regarding the Tenant Assistance Policy by both Belford

Properties and the City. A phone number provided for the tenant re-location office was out of order.

Leslie Madison, 5190 Hastings Street, Burnaby, spoke for a second time advising that it is discouraging to see information regarding the second reading on the website.

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR JORDAN

THAT this Public Hearing for Rez. #17-34, Bylaw No. 14403 be terminated.

CARRIED UNANIMOUSLY

3.6 Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 38, 2021 - Bylaw No. 14404

Rez. #17-39

6444 Silver Avenue

From: RM3 Multiple Family Residential District

To: CD Comprehensive Development District (based on the RM4s Multiple Family Residential District and Metrotown Downtown Plan as guidelines, and in accordance with the development plan entitled "6444 Silver Avenue, Burnaby, BC" prepared by IBI Group Architects (Canada) Inc. and PWL Partnership Landscape Architects Inc.)

Purpose: to permit the future construction of a single, market strata high-rise apartment building with townhouses fronting Silver Avenue in accordance with the terms specified in a proposed Phased Development Agreement (PDA) Bylaw. (BYLAW No. 14401)

Applicant: Belford (Silver 3) Properties Limited Partnership

Two (2) letters were received in response to the proposed rezoning application:

1. Caroline Ferreira (no address provided)
2. Murray Martin, 7235 Salisbury Avenue, Burnaby

The following speakers appeared before Council through the online webinar or teleconference in response to the proposed zoning bylaw amendment:

Murray Martin, 7235 Salisbury, Burnaby, spoke in opposition to the proposed rezoning for the same reasons outlined in the previous rezonings. The speaker

also thanked Council for acknowledging the miscommunication that has transpired regarding all issues brought forward.

Leslie Madison, 5190 Hastings Street, Burnaby, spoke in opposition to the proposed rezoning due to miscommunication of information regarding this and the previous rezonings.

Marcus Santos, 6444 Silver Avenue, Burnaby, spoke in opposition to the proposed rezoning due to the lack of communication by Belford Properties and the City regarding the Tenant Assistance Policy and displacement timelines.

Seona Lewis, 6366 Cassie Avenue, Burnaby, advised that a City representative did attend the Zoom information session facilitated by the City and Belford Properties; however, many tenants were unable to connect to the Zoom meeting for various reasons. At that meeting, Ms. Lewis was advised by Belford that the information regarding relocation to 6366 Cassie Avenue had been a typo and no further information or communication was provided. The contact phone number provided by Belford was not in service.

Krista Soderlind, 6366 Cassie Avenue, Burnaby, advised that the Zoom information session held by Belford Properties and the City was difficult for some tenants to navigate, particularly for tenants that are not computer literate or have a language barrier.

Leslie Madison, 5190 Hastings Street, Burnaby, spoke for a second time strongly recommending that the City address the communication issues brought forward.

MOVED BY COUNCILLOR HILLMAN
SECONDED BY COUNCILLOR WANG

THAT this Public Hearing for Rez. #17-39, Bylaw No. 14404 be terminated.

CARRIED UNANIMOUSLY

3.7 Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 39, 2021 - Bylaw No. 14405

Rez. #18-21

4355 Maywood Street

From: RM3 Multiple Family Residential District

To: CD Comprehensive Development District (based on the RM4s Multiple Family Residential District, C2 Commercial District and Metrotown Downtown Plan as guidelines and in accordance with the development plan entitled "4355 Maywood"

prepared by IBI Architecture Inc. and ALA Gauthier + Associates Landscape Architects Inc.)

Purpose: to permit the future construction of a single, market strata high-rise apartment building with a residential podium and a neighbourhood commercial space on the corner of Maywood Street and Silver Avenue in accordance with the terms specified in a proposed Phased Development Agreement (PDA) Bylaw. (BYLAW No. 14401)

Applicant: Belford (Maywood) Properties LP.

Two (2) letters were received in response to the proposed rezoning application:

1. Murray Martin, 7235 Salisbury Avenue, Burnaby
2. Danielle Edwards Cony dos Santos, 4355 Maywood Street, Burnaby

The following speakers appeared before Council through the online webinar or teleconference in response to the proposed zoning bylaw amendment:

Murray Martin, 7235 Salisbury Avenue, Burnaby, spoke in opposition to the proposed rezoning for the same reasons outlined in the previous rezonings. The speaker also requested that the City address communication matters.

Mahboubeh Sarvi, 4355 Maywood Street, Burnaby, spoke in opposition to the proposed rezoning, and agreed regarding the lack of information by Belford Properties. The speaker requested that a City representative be present at any further information session, and the deadline regarding information required for the Tenant Assistance form.

Danielle Edwards, 4355 Maywood Street, Burnaby, requested assistance to ensure maintenance of the building and safety of the tenants. The services have been declining and are affecting the mental and physical health of the current tenants. Ms. Edwards also apprised Council that she attended Zoom meeting and many questions were left unanswered.

MOVED BY COUNCILLOR CALENDINO
SECONDED BY COUNCILLOR WANG

THAT this Public Hearing for Rez. #18-21, Bylaw No. 14405 be terminated.

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JORDAN
SECONDED BY COUNCILLOR GU

THAT staff report back to Council on the issues raised by the delegations at the Public Hearing for Bylaw No. 14401, 14402, 14403, 14404 and 14405 prior to second reading of the bylaw; and

THAT a copy of the report be forwarded to the individuals that wrote and/or spoke at the Public Hearing.

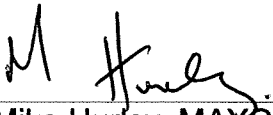
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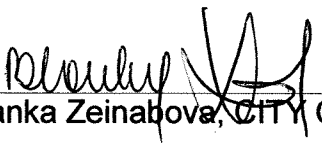
4. **ADJOURNMENT**

MOVED BY COUNCILLOR CALENDINO
SECONDED BY COUNCILLOR KEITHLEY

THAT the Public Hearing meeting adjourn at 7:58 p.m.

CARRIED UNANIMOUSLY


Mike Hurley, MAYOR


Blanka Zeinabova, CITY CLERK