



PUBLIC HEARING MINUTES

Tuesday, 2015 November 24

A Public Hearing (Zoning) was held in the Council Chamber, Burnaby City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 2015 November 24 at 7:00 PM.

CALL TO ORDER

PRESENT: His Worship, Mayor D. Corrigan
Councillor P. Calendino
Councillor S. Dhaliwal
Councillor C. Jordan
Councillor A. Kang
Councillor P. McDonell
Councillor N. Volkow
Councillor J. Wang

ABSENT: Councillor D. Johnston (*due to injury*)

STAFF: Mr. L. Pelletier, Director Planning and Building
Mr. E. Kozak Assistant Director Current Planning
Ms. M. Leung, City Solicitor
Ms. K. O'Connell, Deputy City Clerk
Ms. E. Prior, Administrative Officer

The Public Hearing was called to order at 7:01 p.m.

MOVED BY COUNCILLOR P. CALENDINO
SECONDED BY COUNCILLOR A. KANG

THAT the Public Hearing do now recess.

CARRIED UNANIMOUSLY

The meeting recessed at 7:04 pm.

MOVED BY COUNCILLOR P. CALENDINO
SECONDED BY COUNCILLOR A. KANG

THAT the Public Hearing do now reconvene.

CARRIED UNANIMOUSLY

The meeting reconvened at 7:15 p.m.

ZONING BYLAW AMENDMENTS

- 1) **BURNABY ZONING BYLAW 1965,**
AMENDMENT BYLAW NO. 35, 2015 – BYLAW NO. 13531

Rez. #15-01

6750 Dunblane Avenue, 5025 Imperial Street and 6729/6789 Marlborough Avenue

From: RM3 Multiple Family Residential District

To: CD Comprehensive Development District (based on the RM5s Multiple Family Residential District, C2 Community Commercial District, Metrotown Town Centre Development Plan as guidelines, and in accordance with the development plan entitled “Marlborough Multi-Family” prepared by Chris Dikeakos Architects Inc.)

The purpose of the proposed zoning bylaw amendment is to permit a 27-storey apartment building with street-oriented townhouses on Marlborough Avenue and live-work townhouse units with flats above on Imperial Street.

The Advisory Planning Commission advised it supports the rezoning application.

Sixteen letters were received in response to the proposed bylaw amendment.

OPPOSED:

Peg Lalor, 3544 Naples Way, Vancouver
Dave Dumaresq, 6187 McKenzie Street, Vancouver
Jacqueline Hardy, 7615 Coldicutt Street, Burnaby
Avalon Findlay, 202-57 Agnes Street, New West Minster
Shirley Sinclair, 5430 Portland Street, Burnaby
John Eddy, 209-6425 Silver Avenue, Burnaby
Kurt Ward-Theiss, 4879 Albert Street, Burnaby
David Waterlow, 302-5250 Victoria Street, Burnaby
Alexander Daughtry, 1320 Salisbury Drive, Vancouver

Scott Gentes, 308-6622 Willingdon Avenue, Burnaby
Murray Martin, 1403-7235 Salisbury Avenue, Burnaby
Franca Zumpano, 1583 Springer Avenue, Burnaby
Helen Ward, 4819 Albert Street, Burnaby
K. Mezei, 304 North Delta Ave, Burnaby
J. Jordan, 1102-4194 Maywood Street, Burnaby
J. McLean, 1102-4194 Maywood Street, Burnaby

The following speakers appeared before Council in support or opposition to the proposed bylaw amendment.

Alan Lee, 805-2138 Madison Ave, Burnaby, spoke in opposition to the rezoning application. Mr. Lee expressed concern regarding the loss of affordable housing in the neighbourhood.

David Miller, 208-6650 Dublaine Ave, Burnaby, spoke in opposition to the rezoning application. Mr. Miller shared concerns regarding the loss of affordable housing, the impact on families that live in buildings that will be displaced and the unaffordability of new housing stock.

Melissa Van Dyke, 108-5055 Imperial Street, Burnaby, spoke in opposition to the rezoning application. Ms. Van Dyke shared her concerns regarding the loss of low income rental properties and subsequent loss of socio-economic diversity in the neighbourhood.

Simeran Singh, 7112 Gray Avenue, Burnaby, spoke in opposition to the rezoning application. Ms. Singh shared her concerns regarding the displacement of families, and loss of affordable housing stock, and the inaccessibility of the Burnaby Tenancy Assistance Policy.

Ivan Drury, 7006 Kensington Ave, Burnaby, spoke in opposition to the rezoning application. Mr. Drury shared concerns regarding the destruction and loss of affordable rental apartments and development of unaffordable units. Mr. Drury requested a moratorium on the demolition of existing affordable housing.

Zainab Amini, 5025 Imperial Avenue, Burnaby, appeared on behalf of her mother, who relies on family members, the medical facilities in the neighbourhood and cannot afford to relocate to another area.

Wanda Mulholland, 7476 13th Ave, Burnaby, appeared on behalf of the Burnaby Task Force on Homelessness and spoke in opposition to the rezoning application. Ms. Mulholland requested anti-demolition and affordable unit replacement policies to address the loss of affordable housing in Burnaby.

Gabriele Cocco, 5251 Broadway Street, Burnaby spoke in opposition to the rezoning, as he sees no benefit from the rezoning and development.

MOVED BY COUNCILLOR S. DHALIWAL
SECONDED BY COUNCILLOR N. VOLKOW

THAT this Public Hearing for Rez. #15-01, Bylaw #13531 be terminated.

CARRIED UNANIMOUSLY

2) **BURNABY ZONING BYLAW 1965,**
AMENDMENT BYLAW NO. 31, 2015 – BYLAW NO. 13527

Rez. #12-21

1846, 1876, and 1904 Gilmore Avenue

From: M1 Manufacturing District and M2 General Industrial District

To: CD Comprehensive Development District (based on RM5s Multiple Family Residential District and Brentwood Town Centre Development Plan as guidelines and in accordance with the development plan entitled “1846, 1876 & 1904 Gilmore Avenue, Proposed Residential Development Gilmore Avenue, Burnaby, B.C.” prepared by Chris Dikeakos Architects Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a high-rise apartment tower over a ground oriented townhouse and amenity podium.

The Advisory Planning Commission advised it supports the rezoning application.

Eleven letters were received in response to the proposed bylaw amendment.

OPPOSED:

Sue Garbe, 2402-4132 Halifax Street, Burnaby
Jurgen Wolter, 3505-4189 Halifax Street, Burnaby
George Chang, 1001-4132 Halifax Street, Burnaby
Kevin O’Mahony, 2505-4189 Halifax Street, Burnaby
Eddie Fok, 4132 Halifax Street, Burnaby
Isabella Ma, 22-2345 Madison Avenue, Burnaby
Alessio Cippiciani, 2404-4132 Halifax Street, Burnaby
Nadia Cippiciani, 5310 Schou Street, Burnaby
Desiree Bryce, 1604-4132 Halifax Street, Burnaby
Nickolas Kvenich, 2008-4132 Halifax Street, Burnaby
Lily Cheung, 1202-4132 Halifax Street, Burnaby

The following speakers appeared before Council in support or opposition to the proposed bylaw amendment.

Scott Ruddy, 1408-4132 Halifax Street, Strata President of the Marquis Grand spoke in opposition to the rezoning application. Mr. Ruddy shared concerns regarding: construction related traffic, crime, noise, dust and waste; traffic speed and lack of calming devices in the area, close proximity of the building, impact of temporary driveways on current residents, the lack of a community policing station to address rising crime issues, lack of other community amenities such as a community centre, loss of view and privacy.

Ray Ellingson, 1202-4132 Halifax Street spoke in opposition to the rezoning application. Mr. Ellingson shared concerns regarding: loss of independent businesses in the neighbourhood, close proximity of the building to existing high-rises, loss of local jobs, loss of quality of life, loss of existing views, loss of privacy, loss of western view and western direct sunlight and decreased property value. Mr. Ellingson requested that Council consider a low-rise mixed residential development.

Adrian Rusu, 1208-1432 Halifax Street, Burnaby, spoke in opposition to the rezoning application. Mr. Rusu shared concerns regarding: suspected violations of the Burnaby Zoning Bylaw, loss of views, inadequate access to light/air, parking challenges, traffic congestion, overcrowding of the area, lack of distance between existing buildings and proposed development. A power point presentation provided by Mr. Rusu was accepted by Council as part of the Public Hearing.

Councillor P. Calendino retired from the Council Chamber at 8:11 p.m.

Councillor P. Calendino returned to the Council Chamber at 8:19 p.m.

Claudia Cippiciani, 2404-4132 Halifax Street, Burnaby, spoke in opposition to the rezoning application. Ms. Cippiciani highlighted three main points of opposition: 1) non-conformity to the OCP, 2) incompatibility to adjacent land and maintenance of industrial and commercial opportunities, and 3) lack of suitability to accommodate the proposed density. Ms. Cippiciani shared concerns regarding: OCP violations, height of the building, size of the lot to accommodate the proposed development, impacts of large scale excavation on 4132 Halifax Street as the building is already structurally compromised, loss of diverse housing options to accommodate families, lack of medium density options, environmental and contamination issues, loss of neighbourhood character and decreased property values. Ms. Cippiciani urged Council to review the development and proposed rezoning while considering the objectives of the OCP.

Steve St-Onge, 2404-4132 Halifax Street, Burnaby, spoke in opposition to the rezoning application. Mr. St-Onge shared his concerns regarding the loss of

existing housing stock and the unsuitability of the lot to accommodate the proposed development. Mr. St-Onge believes the proposed rezoning application to be against the Burnaby Zoning Bylaw.

Richard Haddon, 2202-4132 Halifax Street, Burnaby, spoke in opposition to the rezoning application. Mr. Haddon shared concerns regarding the loss of evening sun due to the close proximity of the new building, lack of street separation between buildings, loss of privacy, traffic congestion and traffic safety. Mr. Haddon requested that the project be delayed until after the second Avira building is complete and that Council consider moving the high-rise to a more appropriate location.

Adam Radziwon, 2604-4132 Halifax Street, Burnaby, spoke in opposition to the rezoning application. Mr. Radziwon shared concerns regarding: traffic congestion, loss of view, close proximity to proposed building, increase in crime, loss of privacy, negative impacts of construction (dust and noise), loss of property value, loss of light, issues with existing and proposed entrances to residential buildings, concerns with foundations and slope construction on building stability.

David Jarvis, 1701-4132 Halifax Street, Burnaby, spoke in opposition to the rezoning application. Mr. Jarvis shared concerns regarding: suitability of the lot to accommodate a development of the proposed size, loss of jobs in the area, loss of industry, loss of views, close proximity of the proposed building, lack of parking options, concerns with parking issues and overflow onto Halifax Street, potential for increased car accidents and related injuries. Mr. Jarvis supports development but urged Council to develop Burnaby responsibly. Mr. Jarvis is concerned that the new units will not be sale-able and will sit empty.

**Councilor McDonell retired from the Council Chamber at 9:07 p.m. **

**Councillor McDonell returned to the Council Chamber at 9:08 p.m. **

Aldo Porra, 601-41321 Halifax Street, Burnaby, spoke in opposition to the rezoning application for the same reasons mentioned by previous speakers.

Nickolas Kvenich, 2008-4132 Halifax Street, Burnaby, spoke in opposition to the rezoning application. Mr. Kvenich shared concerns regarding: increased crime from urban sprawl, loss of view, loss of property value and sale-ability of the existing units and ones yet to be built and loss of pride in building.

Mathew Johnston, 2102-4132 Halifax Street, Burnaby, spoke in opposition to the rezoning application. Mr. Johnston shared concerns regarding: the size, scale and proximity of the development, unsustainable growth, lack of consideration for the well-being of residents and workability of the city, supports the concerns of previous speakers.

Eddi Lee, 901-4132 Halifax Street, Burnaby, spoke in opposition to the rezoning application. Mr. Lee agreed with previous speakers and shared his concerns regarding: lack of public consultation/process with existing residents, loss of property value, increased traffic, decreased safety of residents and loss of enjoyment of life.

Sabreena Modder, 1803-4132, Halifax Street, Burnaby, spoke in opposition to the rezoning application. Ms. Modder shared concerns regarding: loss of view, increase in crime, contravention of the original Brentwood Development Plan and Burnaby bylaws, height of the building, proximity to existing buildings, traffic issues, loss of sunlight, loss of house pride, impact on existing compromised foundation, lack of sleep due to construction, loss of independent businesses, loss of housing and neighbourhood diversity.

Joyce Lole, 1605-4132 Halifax Street, Burnaby, spoke in opposition to the rezoning application. Ms. Lole shared concerns regarding the loss of local businesses and crime due to overcrowding.

Jenny Johnston, 2102-4132 Halifax Street, Burnaby, spoke in opposition to the rezoning application. Ms. Johnston thoroughly investigated the development plans for the area prior to purchasing and this high rise was not identified in the plans. Ms. Johnston shared concerns regarding: the height of the building, increased vacancy rate and empty condos and resulting crime, size of the property to accommodate the proposed development and decrease of quality of life.

Imroz Rupani, 2101-4132 Halifax Street, Burnaby, spoke in opposition to the rezoning application. Mr. Rupani shared concerns regarding: the size of the property and its ability to accommodate the proposed development, close proximity of the development to existing high-rises and lack of Council's understanding regarding the impact of the rezoning on the community.

Martin Tanick, 2601-4231 Halifax Street, Burnaby, who recently sold his property, spoke in opposition to the rezoning application. Mr. Tanick shared his concerns regarding the the height/size/scale, and proximity of the building.

Richard Bernstein, representative of Chris Dikeakos Architects Inc. appeared before Council to address concerns raised by previous speakers regarding the distance between the buildings and clarified that the distance between 4231 Halifax Street and the proposed tower would be 135 -140 ft and that the building has been offset on the property to limit the impact on sightlines of surrounding buildings. Mr. Bernstein maintained that the lot size is sufficient to support a development of the proposed scale.

Shaehin Devji, 1508-4231 Halifax Street, Burnaby, spoke in opposition to the rezoning application. Ms. Devji shared concerns regarding the lack of public

consultation, loss of view, increased traffic and agrees with the comments made by previous speakers.

MOVED BY COUNCILLOR S. DHALIWAL
SECONDED BY COUNCILLOR N. VOLKOW

THAT this Public Hearing for Rez. #12-21, Bylaw #13527 be terminated.

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR C. JORDAN
SECONDED BY COUNCILLOR P. CALENDINO

THAT staff report back to Council on the issues raised by the delegations at the Public Hearing held on 2015 November 24; and

THAT a report be prepared outlining crime rates in the Brentwood Town Centre area.

CARRIED UNANIMOUSLY

3) **BURNABY ZONING BYLAW 1965,**
AMENDMENT BYLAW NO. 32, 2015 – BYLAW NO. 13528

Rez. #14-35

2338 and 2440 Madison Avenue

From: M2 General Industrial District

To: CD Comprehensive Development District (based on RM4s Multiple Family Residential District and Brentwood Town Centre Development Plan as guidelines and in accordance with the development plan entitled “Fulton House” prepared by Buttjes Architecture Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a 41 storey high-rise apartment tower with ground oriented townhouses, underground and structured parking.

The Advisory Planning Commission advised it supports the rezoning application.

Seven letters were received in response to the proposed bylaw amendment.

OPPOSED:

Sue Garbe, 2402-4132 Halifax Street, Burnaby
Aaron Lowe, 2801-2345 Madison Avenue, Burnaby
Annie Zhang, 2355 Madison Avenue, Burnaby
Isabella Ma, TH 22-2345 Madison Avenue, Burnaby
Daniel Lam, 2355 Madison Avenue, Burnaby
Ann Marie Giesbrecht, 1906-2355 Madison Avenue, Burnaby
Ping Yao, 601-2355 Madison Avenue, Burnaby

The following speakers appeared before Council in support or opposition to the proposed bylaw amendment.

Brian Ellis, 900-1332 West Broadway, Vancouver, representing Polygon Homes BC, appeared before Council to answer any questions.

Francis Flanagan, TH 8-2355 Madison Avenue, Burnaby, spoke in opposition to the rezoning application. Ms. Flanagan shared concerns regarding the lack of research on the impacts of densification, lack of market information to justify building (not enough demand), increase in crime and high percentage of vacant condos.

Kayshan Mirfakhrai, 1703-2345 Madison Avenue, Burnaby, spoke in opposition to the rezoning. Ms. Mirfakhrai shared concerns regarding: increased traffic, parking concerns, loss of quality of life, health concerns, noise issues, lack of security, lack of community centre and a lack of an integrated development plan. Ms. Mirfakhrai asserted that consideration should be given to the impact of high rise developments on the whole city not just the surrounding area.

MOVED BY COUNCILLOR S. DHALIWAL
SECONDED BY COUNCILLOR N. VOLKOW

THAT this Public Hearing for Rez. #14-35, Bylaw #13528 be terminated.

CARRIED UNANIMOUSLY

4) **BURNABY ZONING BYLAW 1965,**
AMENDMENT BYLAW NO. 33, 2015 – BYLAW NO. 13529

Rez. #14-29

6960 Royal Oak Avenue

From: M4 Special Industrial District

To: CD Comprehensive Development District (based on C9 Urban Village Commercial District and Royal Oak Community Plan guidelines and the development plan entitled "Mix-Use Development, 6960-Royal Oak Avenue, Burnaby, B.C." prepared by DF Architecture Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a four-storey mixed-use development with full residential underground parking and at grade commercial parking, with ground level commercial fronting Royal Oak Avenue and residential uses (42 units) above.

The Advisory Planning Commission advised it supports the rezoning application.

No letters were received in response to the proposed bylaw amendment.

No speakers appeared before Council in support or opposition to the proposed bylaw amendment.

MOVED BY COUNCILLOR S. DHALIWAL
SECONDED BY COUNCILLOR N. VOLKOW

THAT this Public Hearing for Rez. #14-29, Bylaw #13529 be terminated.

CARRIED UNANIMOUSLY

5) **BURNABY ZONING BYLAW 1965,**
AMENDMENT BYLAW NO. 34, 2015 – BYLAW NO. 13530

Rez. #13-40

6980/6992 Buller Avenue and 6977/6991 Waltham Avenue

From: M4 Special Industrial District

To: CD Comprehensive Development District (based on P2 Administration and Assembly District, M5 Light Industrial District and the Royal Oak Community Plan as guidelines and in accordance with the development plan entitled "BCEHS Burnaby Buller Ambulance Centre" prepared by NSDA Architects)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a new BC Ambulance Centre development within the Royal Oak Community Plan area.

The Deputy City Clerk read the following into the public record:

“It has come to our attention that an administrative error was made in the public hearing report for Rezoning Reference #13-40 regarding the height of the building. The height of the building was noted as being two storeys with a dimensional height of 3.6 m (11.7 ft). The correct height is two storeys, with a dimensional height of 11.7 m (36 ft).”

The Advisory Planning Commission advised it supports the rezoning application.

No letters were received in response to the proposed bylaw amendment.

The following speakers appeared before Council in support or opposition to the proposed bylaw amendment.

Gabriele Cocco, 5251 Barber Street, Burnaby, appeared before council in opposition to the rezoning application. Mr. Cocco shared concerns regarding the increase in height of the new building and lack of parking.

Diane Gillies, 6675 St. Charles Place, President of the Kingsway Imperial Neighbourhood Association (KINA), spoke in favor of the proposed rezoning application as it will have a positive impact on the neighbourhood and will potentially decrease crime.

MOVED BY COUNCILLOR S. DHALIWAL
SECONDED BY COUNCILLOR N. VOLKOW

THAT this Public Hearing for Rez. #13-40, Bylaw #13530 be terminated.

CARRIED UNANIMOUSLY

6) **BURNABY ZONING BYLAW 1965,**
AMENDMENT BYLAW NO. 36, 2015 - BYLAW NO. 13532

Text Amendment

The purpose of the proposed bylaw text amendment is to recommend amendments to Section 7.9 of the Burnaby Zoning Bylaw to provide updated fees for rezoning applications and administration of servicing agreements.

The Advisory Planning Commission advised it supports the rezoning application.

No letters were received in response to the proposed bylaw amendment.

No speakers appeared before Council in support or opposition to the proposed bylaw text amendment.

MOVED BY COUNCILLOR S. DHALIWAL
SECONDED BY COUNCILLOR N. VOLKOW

THAT this Public Hearing for Burnaby Zoning Bylaw 1965 Text Amendment, Bylaw #13532 be terminated.

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR S. DHALIWAL
SECONDED BY COUNCILLOR P. CALENDINO

That this Public Hearing do now adjourn.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 10:38 p.m.

Confirmed:

Certified Correct:

Derek Corrigan
MAYOR

Kate O'Connell
DEPUTY CITY CLERK