

1979 OCTOBER 16

A Public Hearing was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 1979 October 16 at 19:30 h.

PRESENT: Mayor T.W. Constable, In the Chair
Alderman G.D. Ast
Alderman D.P. Drummond
Alderman A.H. Emmott
Alderman W.A. Lewarne
Alderman D.M. Mercier
Alderman F.G. Randall

ABSENT: Alderman B.M. Gunn
Alderman D.A. Lawson

STAFF: Mr. D.G. Stenson, Assistant Director - Current Planning
Mr. James Hudson, Municipal Clerk
Mr. C.A. Turpin, Municipal Clerk's Assistant

The Public Hearing was called to order at 19:30 h.

1. FROM GENERAL INDUSTRIAL DISTRICT (M2) TO PARK AND PUBLIC USE DISTRICT (P3)
AND
FROM PARK AND PUBLIC USE DISTRICT (P3) TO GENERAL INDUSTRIAL DISTRICT (M2)

Rezoning Reference #26/79

Portion of Lot 59, D.L. 162, Plan 57708; Portion of Lot 60, D.L. 162, Pl. 57708

8990 Royal Oak Avenue and 5289 Byrne Road - located at the northwest corner of the intersection of Byrne Road and Royal Oak Avenue.

The Corporation of the District of Burnaby has requested rezoning to facilitate a land exchange as authorized by Council on 1979 April 09.

There were no submissions received in connection with this Rezoning application.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN LEWARNE:

"THAT this portion of the Public Hearing relating to Rezoning Reference #26/79 be now terminated."

CARRIED UNANIMOUSLY

2. FROM SINGLE FAMILY RESIDENTIAL DISTRICT (R2) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Rezoning Reference #27/79

Rem. Lot 294, Ex. Pl. 48533, D.L.'s 6 and 56, Plan 41353

9005 Centaurus Circle - located on the southern half of those lands surrounded by Centaurus Circle near the intersection of Centaurus Drive.

The applicant requests rezoning in order to construct a high rise rental apartment containing 144 units and a small convenience commercial facility in accordance with the adopted Community Plan.

Mr. Frederick W. Roycroft, #212 - 8750 Centaurus Circle, then addressed the members of Council and advised that he was representing the Norman Bethune Co-op Association.

Mr. Roycroft first wished to read a letter from Mr. Carlo and Mrs. Paula Jacobsen, 3013 Carina Place, residents of the area in attendance at tonight's Hearing, but did not wish to appear before Council as they felt their accent may make it difficult for the members of Council to understand them. The text of the letter is as follows:

"We strongly protest any rezoning from R2 to CD of the above property. This would be out of character with the neighbourhood which is zoned R2 and would pose many unwanted problems for us as homeowners in the area.

We already have a traffic problem in the neighbourhood, therefore adding 144 apartments and commercial businesses will aggravate an already bad problem by creating an even worse situation. There is also a shortage of parking with the existing residences. What will happen with 144 new apartments?

Any residential area that experiences an increase in traffic and an increase in transient population experiences a marked decrease in property values.

If the developer would build townhouses of the same type as are already within the R2 zone, we have no objection as this would be in keeping the area within the existing residential character.

To repeat -- We strongly oppose any amendments, changes or rezoning of the above property."

Mr. Roycroft then advised that he had been delegated by the residents of the area to submit a petition to the members of Council. Mr. Roycroft read the petition to Council, the text of which is contained hereunder:

"We, the undersigned residents of Simon Fraser Area are opposed to the above rezoning from R2 to CD.

Our objections to this rezoning application include:

1. Parking already crowds the streets adjacent to the proposed site. More cars from a facility with even fewer parking spaces than those currently required by present developments will further crowd the streets and worsen an already hazardous situation.
2. Traffic on Centaurus Circle is already congested. Another 180 to 200 cars plus commercial traffic from other areas will further aggravate a potentially dangerous situation.
3. Stoney Creek Community School (Kindergarten to Grade Five) cannot accommodate further children from the above development. Because Lyndhurst and Cameron Schools are not full, young children will be requested to undertake a long dangerous walk. (Grade Five children should not walk to Cameron School for example.)
4. Any development which may eventually be allowed on the property should pay the full park acquisition levy. The residents on such a development will benefit immediately from the park and the developer will use the park as an added selling point. He should therefore be required to pay the full fee.
5. The addition of 3 levels of underground parking will attract more petty criminals and vandals to the area.
6. Whether or not Council is aware of it, our community has developed a character of its own. The residents are pleased with the aesthetics of the area as it exists. We are definitely opposed to any high rise in our community.

The Simon Fraser area as it has evolved is no longer compatible with the original ideas of the community plan. The parking, traffic and school problems and the nature of the community are definitely not the same as those envisioned by the original planners 9 years ago. Therefore we request that Council revise this community plan, and bring it up to date in accordance with the present realities and this area. We would also expect that such a revision be discussed thoroughly with residents and that we have a say in any changes."

The petition contained the signatures of 970 residents of the area.

Mr. Roycroft, in his capacity as President of the Norman Bethune Housing Co-operative at 8750 and 8752 Centaurus Circle, wished to advise members of Council that the Board of the Norman Bethune Housing Co-op wishes to go on record as being totally opposed to any high rise development in their area. The speaker also wished to expand on the traffic problems that will be created in the area and the possible increase of vandalism which is likely to occur. The citizens of the area currently have a vandalism problem and feel that the proposed development would only increase this problem. Mr. Roycroft also indicated that he had been to the Municipal Hall twice within the last several weeks in order to obtain some information regarding the community plan for the area. He first went to the Parks and Recreation Department and was referred by them to the Planning Department who in turn referred Mr. Roycroft back to the Parks and Recreation Department. He has only been able to obtain a tentative map which has been shelved for approximately five years according to a planner in the Parks and Recreation Department. The speaker, in his effort to obtain a copy of the community plan, was only able to obtain two maps and a booklet from the Planning Department which did not mention the community plan for the area. The people of the area have come to value the greenery and the areas where their children have a place to play, that is not either an asphalt parking lot to the rear or a boulevard in the front which is adjacent a street filled with traffic. Mr. Roycroft stated "the Norman Bethune Housing Co-operative is extremely worried that additional development of the type which is proposed in this rezoning application, also proposed for the other side of the Circle, according to the maps I have obtained, will be detrimental to the sense of community spirit which is beginning to develop in the area".

In closing his presentation, Mr. Roycroft noted that in the report from the Director of Planning, it mentions the percentage of gross site and percentage of net site several times. Mr. Roycroft objects very strongly to the fact that the current park is mentioned in adjunct with the proposed development.

In response to questions from Council, the Director of Planning was requested to provide a report indicating what was the principle involved in including the park dedication in the site coverage percentages. Council also wished to know why this portion of land dedicated for park purposes by a previous developer should exempt the current unrelated developer from the Parks Levy Charges?

In response to a question from Council, Mr. Roycroft advised that he envisioned a suitable use for the subject property would be the creation of a park. The area is greatly in need of additional park area.

Dr. Colin I. Godwin, 3010 Aries Place, then addressed members of Council and advised that he was the Chairman of the Owners Council of the Simon Fraser Hills Phase IV Development. Dr. Godwin stated that the Owners Council is in complete support of the petition previously submitted by Mr. Roycroft. In addition, Dr. Godwin submitted 35 letters to Council from the residents of the Simon Fraser Hills Phase IV Development. The speaker provided a breakdown of the contents of the letters as follows:

- a) 15 of the letters mention the detrimental effect on the aesthetics that the proposed development would have.
- b) 24 of the letters mention the subject of population density and express general opposition to the proposed high rise development, specifying the lack of recreation facilities for the proposed development and the detrimental effect the development would have on the growing community spirit.
- c) 4 of the letters specify the detrimental effect transient rentals would have on the area.
- d) 21 of the letters specify the detrimental effect that the proposed development would have on children's safety and the effect the increased density would have on the school population. The schools in the area are at present, overcrowded.
- e) 2 of the letters mention the possibility of increased vandalism in the area.

- f) 17 of the letters mention the parking problem as it now exists and the very probable increase of this problem if the proposed development were permitted.
- g) 23 of the letters mention the traffic congestion and traffic noise in the area which will only be increased if this development were permitted.

The 35 letters submitted to the members of Council by Dr. Godwin were from the following area residents:

Jennifer Artz
2942 Argo Place

Mr. G.P. Artz
2942 Argo Place

Mr. Gary J. Hetherington
3007 Aries Place

Mrs. Patricia J. Godwin
3010 Aries Place

L. Clements
2945 Aries Place

Mr. M.C. Marshall
3050 Aries Place

Suzanne Smith
3237 Ganymede Drive

Mary C. O'Rourke
#204 - 9152 Saturna Drive

Mrs. Christine M. Hawkins
#103 - 9151 Saturna Drive

Mr. & Mrs. T.P. Au
3046 Aries Place

Mr. & Mrs. R. Sundberg
3003 Aries Place

D. Currie
3041 Aries Place

Carolyn McKinnon
Aries Place

Mr. Tim Pera
3019 Aries Place

Mr. Ronald S. Smith
Mrs. Bertha Smith
3033 Aries Place

Catherine Birt
Aries Place

Mr. Danial A. Enarson
Mrs. Joanne F. Enarson
3052 Aries Place

G. Morrison
3053 Aries Place

Celia Brown
3005 Aries Place

Miss D.R. Webb
3029 Aries Place

Jean Iten
#304 - 9146 Saturna Drive

Mr. D. Booth
2946 Argo Place

Mr. Lester T.C. Furlong
Ms. Lee
3057 Aries Place

Mr. T.D. Wood
Melody Wood
3051 Aries Place

Michelle Wood
3051 Aries Place

Sherry Wood
3051 Aries Place

Vanessa Hill
Argo Place

Christine Parry
9023 Lyra Place

Lisa Carratt
9020 Altair Place

Mark and Carol Jamison
(Address unknown)

Mrs. Janet Armstrong
#101 - 9134 Capella Drive

Mr. & Mrs. Seaubert
3242 Ganymede Drive

Dr. Godwin encouraged the members of Council to read for themselves the letters referred to above.

Dr. Godwin then read, to the members of Council, a letter he had prepared regarding this rezoning application. The letter was then presented to the members of Council, and the text of this letter is contained hereunder:

"Our major concerns are:

1. Parking provisions for "Residential" at 1.25/unit is inadequate

Overflow from CD developments adjacent to the above site currently clog the streets by parking on both sides. We recommend a minimum allotment of 2.0 spaces/unit. (Edgewood Place, about the same size as proposed above, has 1.5 spaces/unit and is full; the difference from 1.25 is about 35 cars - 35 cars take up a lot of street parking!) Visitor parking is not provided for; an additional 0.2 spaces/unit is required (based on Edgewood Place).

2. We are concerned that the 'commercial' development has a laundry facility. The present neighbourhood does not need a laundromat. This would appear to be a profitable enterprise for the Developer and use of the tenants only. We suggest the Developer adopt the more normal route of providing laundry facilities strictly for tenants.

3. Parking provisions for 'commercial' at 9 spaces is inadequate

A large number of residents will be driving to this facility; in out winter climate, few persons walk. A minimum of 15 spaces is required.

4. Parking provision for 'loading' is inadequate

Three spaces would be more realistic.

5. For traffic safety, because of parking congestion, Council should consider a one-way, counter-clockwise traffic pattern around Centaurus Circle.

6. Recreation room size should be specified and should be large enough to accommodate a number of activities including active sports. A playground area must be included to accommodate children. These might compensate for the lack of a pool which will increase illegal entry to those adjacent CD developments with pools.

7. Park improvements should be specified beyond 'appropriate...walkways, grassed areas, etc.'

8. Stoney Creek Community School (Kindergarten to Grade Five) cannot accommodate further children from the above development. Because Lyndhurst and Cameron Schools are not full, young children will be requested to undertake a long dangerous walk. (Grade Five children should not walk to Cameron School for example.)

9. Increasing the proportion of rental units beyond those 294 rental units in Mountainwood plus those in surrounding Strata Corporations makes development pride in our community impossible. We recommend that the units be privately owned to increase the pool of affordable housing and sense of community.

10. While we appreciate the compliment as to the attractiveness of the landscaped areas of surrounding CD housing, it should be noted that these areas are for the private use of the Owners of the condominium developments and should, in no way, lessen the developers responsibility in providing similar 'green belt' areas within his own plan.

11. A high rise adjacent to the park (within 50 feet) will tend to create the impression that the public park is for the private use of the residents of the high rise. Furthermore, the aesthetics of the park are severely damaged; one only has to recall the public outcry at the proposed Four Season development at the entrance to Stanley Park."

Mrs. Margaret M. Chapman, 2871 Corona Drive, then addressed members of Council and advised that she was appearing on behalf of the Owners Council of Simon Fraser Hills Phase III Development. Mrs. Chapman read from a prepared statement, the text of which is contained hereunder:

"I speak on behalf of Simon Fraser Hills Phase III, which is opposed to rezoning within Centaurus Circle from R2 to CD.

Members of the Phase III Council have personally spoken to owners of 68 out of 74 units. Owners agree that parking is already congested around Centaurus Circle. This new development seems to have inadequate allowance for on-site parking for residents and visitors, so street parking will become even more congested.

With the extra vehicles, traffic movement will increase to the point of being a severe hazard. Many residents mention there have already been near accidents because of poor visibility around parked cars.

Owners feel that the advantage of having a nearby convenience store is far outweighed by the disadvantages of extra traffic, extra parking, extra litter, and extra temptation to the children that the store would bring.

Although our Strata Corporation is considered a low density area, we have been experiencing an increase in vandalism. Growth in population can only increase this problem.

This Council would like to see City Planners meeting with representatives from our area to draft another development plan before rezoning is ever considered."

Mrs. Chapman presented her letter to Council along with two further letters expressing concern and opposition to this proposed development. These letters were from the following residents:

- 1. Jane Damon
2867 Corona Drive
- 2. M.A. Patterson
8957 Corona Place

Mr. Kenneth A. Faulkner, 9002 Centaurus Circle, then addressed the members of Council and advised that he was the Vice-Chairman of a Strata Council representing the owners of Strata Plan N.W. 65. The following is the substance of Mr. Faulkner's address:

"On behalf of the members of Strata Plan N.W. 65, I am opposing this rezoning application. The Simon Fraser Hills area, as evolved, has been a very liveable community with an aesthetic character of its own. The addition to this area of any structure that is in direct conflict with the surrounding area, and does not meet with the aesthetics of the area, is not in the best interest of the area and its residents. We are in support of the earlier petition that was presented and would like to emphasize that we do not need this type of structure adding more traffic to an already crowded area. Nor do we need the additional social pressures brought to this quiet community. The community school is near or at capacity and does not need additional pressures brought to bear on it. The community plan is long overdue for review. It is now over 9 years old and is no longer in step with the needs and values of the community. It is time to reassess development for development sake and obtain planning input from the community."

Mr. Faulkner then read from a letter in his possession from Mr. Ian L. Monteith, 3247 Ganymede Drive, the Chairman of the Simon Fraser Village. The text of the letter is as follows:

"I, the undersigned, as Chairman of the Council of Simon Fraser Village Strata Plan NW 58, support the Councils of Simon Fraser Hills in question.

I feel that this rezoning for a high rise tower will put strain on the schools in this area, and also on the traffic situation, which is very congested at the present time with the many townhouses and condominiums developments.

It is an error, in my opinion, to construct a high rise tower in an area that is already too densely populated.

The Burnaby Municipal Council should consider the implications of another high rise in the area of Lougheed Mall, and decide against the rezoning application."

Mr. Alan Knight, 9014 Lyra Place, then addressed the members of Council and advised that he was the Chairman of the Strata Council of Simon Fraser Hills Phase I Development. The following is the substance of Mr. Knight's address:

"To begin with, I would like to thank the Planning Department counter staff for their help and co-operation in preparing the submission. By the third morning, when I came, they told me I was late for work and my desk was the one on the right. I am speaking on behalf of a group of citizens who have a Port Moody phone number, a New Westminster Manpower Office, and a Coquitlam Post Office. We are part of Burnaby. In our area, approximately 98 percent of the people we contacted did sign the petition that has been previously presented to the Clerk. We did have one person in our area who thought it was a good idea to construct a high rise. This was a very personal thing as his mother was needing a place to retire in a few years and he thought this would be a good place for her. In opposition to this proposal, I would like to speak directly to the report of the Director of Planning as presented to Council on 1979 August 22. On Page 139 of the report under Item 1 - 7 notes 'this development is in accordance with the adopted community plan'. Gentlemen, why we should be directed in 1980 by a 1970 Community Plan, I do not understand. Especially when you consider that in 1970, it was not known whether people would enjoy strata homes, or if strata title self government, which I represent, would work. Phase I of Simon Fraser Hills was the first one developed and I then lived in Vancouver where people said it would never work. The world has changed rapidly since 1970 when this plan was developed. Consider that gas cost 6 cents a litre and pocket calculators weighed 15 pounds and cost \$4,000.00. The planners and developers were not required to peruse environmental impact statements before proceeding with their schemes. On Page 140, Item 2 - 0, my neighbours and I are referred to as occupants of low density cluster housing. I have calculated that we have a population density of 45 to 50 people per acre. This is two to three times in excess of normal residential areas and I estimate, one-third that of the proposed high rise development. The high rise dwelling is supposed to be compatible with us. On Page 141, Item 4 - 3, it states 'the Neighbourhood Parks Acquisition Levy will not apply to this development'. In the brochure 'Burnaby Development Cost Charges', dated 1979 April, it states 'the required charge will be applied'. Which is it, will it be applied or not be applied? For the proposed 144 suites at \$950.00 per suite, the fee is \$136,800.00. Granted we need development, not acquisition, but if I read this correctly, this is an acquisition charge and not a development charge. The developer is required to do some work on the park as approved by the Parks and Recreation Department. There is no value stated in connection with this. We believe that if there is to be work done, it should be to the value of \$136,800.00. In excusing Menkis Construction Limited from this charge, it will set a precedent to excuse the developers of the area to the east, where the zoning is correct, from this charge of another \$130,000.00. If these units are allowed, we urge that the one-quarter million dollars involved be assessed, according to the rules, and be used. On Page 142 of the report, we come to the parking allotment. In accordance with the rules of the Corporation as indicated by the Planning Department, off-street parking and loading brochure, 1.25 spaces have been provided in this development. In the surrounding low density cluster housing, the same rules require 1.50 spaces per unit. The streets are already crowded and the 180 stalls provided by the 1.25 spaces per unit are not enough. I also wish to point out that the design of the two storey underground parking garage is such that some tenants will have to walk two-thirds of the length of a football field to the elevator. People being people, they will park on the road on a sunny day and not drive into a sub-teranian garage. This will add to an already unsafe and congested situation. Gentlemen, high rise apartments do not aesthetically fit our low rise cluster housing in the area and I urge you to defeat this proposal and then sit down with the citizens and work out a proposal that meets our needs and wants."

Melody Wood, 3051 Aries Place, then addressed the members of Council and read from a prepared brief, the text of which is contained hereunder:

"Your Worship, Mayor Constable, Council members, thank you for this opportunity to express my views.

My name is Melody Wood. I have been a resident of Simon Fraser Hills for four years and I intend to be a resident for at least another four. I have a short presentation on two separate issues.

The first issue is our schools.

We must assume that the 2 and 3 bedroom suites, as outlined in the plans will accommodate children.

Stoney Creek Community School cannot accommodate more students. The other two schools are also close to overcrowding. No provisions are planned to alleviate this serious situation. Personally, I do not appreciate being forced to accept shift work in our schools, while we wait for new construction, nor would I welcome the prospect of having to transport my child out of my area for education.

I am totally opposed to the high density proposed for our area. Density creates movement. Stoney Creek School has a turnover greater than 20 percent. This puts a large strain on classroom continuity. We do not want to be classified as a 'transient area' because as a result the quality of education definitely suffers!

This proposed development will spoil our community.

Stoney Creek is a Community School. They are successful only, if the community is involved. We have to concern ourselves with long term development as in my opinion, there is no sense of community in a transient population. Many, many residents have worked very hard to establish our community school and we feel drastically threatened.

I personally am attacking your nine year old 'Community Plan' because I do not feel that you have seriously considered how we would be affected.

In my opinion, Burnaby Municipal Council should be more concerned with the lifestyle they are imposing on residents rather than revenue gained through the developers.

We ask you to ask yourselves, would you be in favour of your community stability being threatened?

My second issue is the Block Parent Program, of which I am voluntarily the Stoney Creek Area Co-ordinator.

For those unfamiliar with the program - I will explain.

The Block Parent Program is sponsored by the Burnaby School Board and the Burnaby R.C.M.P. It is designed primarily as a means of reducing the incidence of child molestation. The structure of the program provides assistance to children in other emergencies. It was initiated in 1968 in Ontario. At least two, and preferably more, homes on each block are designated as Block Parents. These homes display a sign in a window facing the street. This sign means 'this house is safe'.

In this program, along with other crime prevention programs, the R.C.M.P. rely almost totally on Community volunteers. The Block Parent Program in the Stoney Creek-Cameron area is relatively new, however, it is already obvious that individual home owners or townhouse type residents are becoming Block Parents and high rise or apartment dwellers are not. We have had a much better response to the Program from the residents in the Stoney Creek area as opposed to those of the Cameron area.

This proposed high rise development will detract considerably from the cohesiveness of this most needed program.

There is presently no feasible, working program for apartment areas and high rise homes cannot offer easy access to children in trouble.

We ask you, Your Worship, and Council members, when you review this proposal, to seriously consider these effects we would be forced to contend with."

Carole Elliott, 2926 Argo Place, then addressed the members of Council and read from a prepared brief, the text of which is contained hereunder:

"What has the contractor built? There is no listing in the telephone directory nor with information under the name, 'Menkis Construction'. Who are the backers? Could there be a conflict of interest? Why was there such a rush to attempt to send this to Public Meeting on September 25. I, for one, am very interested in the above.

I have been a resident of this area for 7 years. Previous to moving to this area I resided in Vancouver's West End for 10 years and the South Burnaby Apartment Area for over 3 years and a residential area of Vancouver for 2 years. As the upkeep of a yard and house was very hard and time consuming for a single, working woman, I decided to buy a strata unit. I chose this area as I did not wish to return to a concrete jungle where one locks their door and speaks to no one. I wanted to become part of a growing community, where single people, older couples, the young married and children resided together in harmony and where I felt a sense of belonging.

I have been active in the neighbourhood and have at different times been Chairman and Financial Chairman of a Strata Corporation. I am at present Secretary of our Community School Advisory Council.

My comments are as follows:

1. Mountainwood Development, although built as a strata/co-op development, reverted to 284 rental units, which I feel is more than enough in one small area particularly in view of the approximately 10 percent rentals in the strata units.
2. The population balance will be too heavily weighted with persons not committed to living in the community for any length of time. There are already over 900 housing units in the area. It is impossible to assimilate anymore.
3. Our School is crowded. With an increase in population of any kind it is going to be impossible to even guess at the enrollment each year. There was a question this year as to whether Grade Five could be accommodated. How many times will parents have to go through this traumatic experience?
4. Our streets are overcrowded. Assuming this proposal is passed, I presume the land designated as 'park' will have parking restrictions adjacent to it. The parking and traffic situation will become intolerable.

I could go on at great length with regard to my feelings about this high rise. I will only comment that it is going to look like a smoke-stack. The shadow factors frighten me. One small recreation room and one tennis court is not enough for 144 units. My living room appears to be about the same size as the recreation room. The Community Centre under construction will be very full of organized programs. There are only limited tennis and squash courts being built. The Centre has an extremely large population to service now. Have I worked long and hard on behalf of my community and myself only to have it turn into a concrete jungle?

I circulated the petition presented in Mountainwood Rental Complex and found virtually unanimous condemnation of this proposal. Their main concerns were:

- a) fear of traffic congestion and parking problems;
- b) fear of school congestion;
- c) fear of loss of natural green area;
- d) fear of the heavy traffic both for themselves and their children who would have to cross the street between parked cars to gain access to the park;
- e) many expressed the view that they sympathized with the property owners but could move to a less crowded area without high rise development when their six-month leases expired, whereas we would be left with the problem.

The whole Community Plan is outdated and requires a very thorough review with a large amount of citizen input. I feel strongly on this point; we cannot proceed on a 10-year old plan.

Thank you for your co-operation in reading this very long submission. I would be interested in your comments."

In response to a question from Council, Ms. Elliott advised that she was not inferring that the conflict of interest she had referred to was in any way related to the members of Council.

Mr. David B. Fairey, 407 North Hythe Avenue, then addressed members of Council and advised that he was highly critical of the way this matter has been brought before the Public Hearing. Mr. Fairey stated that he feels that this application, in terms of procedure, warrants a separate Public Hearing.

Mr. Wayne Wilson, 3009 Aries Place, then addressed members of Council and read from a prepared brief, the text of which is contained hereunder:

"The proposed high rise rental apartments in Centaurus Circle are of great concern to me as a taxpayer and resident in the area. The construction of a commercial and rental building of the type proposed is objectionable for many reasons.

1. Aesthetically: The area is full of beautiful trees and the existing buildings compliment the natural surroundings. All of the Simon Fraser Hills area, including the Co-op and Mountainwood rental units are low level wood exterior buildings. All the architecture in our area has been a marriage of functional design and the utilization of the local environment.

The high rise would be twenty stories of concrete and glass with commercial advertising signs for the proposed retail aspect of the development.

2. Type of Proposed Unit: We already have a large portion of rental units in our area. Some of the self-owned townhouse units are now rented. There is already a parking problem developing due to the rental units, many renters in Mountainwood are street parking to avoid parking charges. The addition of a huge new rental unit, with added commercial traffic, can only compound this problem.
3. Who will this development benefit? It certainly will not benefit the residents of Simon Fraser Hills. The main ones to benefit will be the owners of the high rise. We in Simon Fraser Hills regard our units, and the area, as our 'home'. We simply don't want a large and basically a commercial operation ruining what is one of the few decent townhouse developments in the Municipality.

As a homeowner I resent the intrusion of a monstrous, selfish and callous development plan into an area I have grown extremely fond of. As a homeowner I am tired of being treated as the second-class poor cousins, of the regular home owner.

Quite simply, we don't want the project regardless of zoning (which has changed whenever it has suited the Municipality). We don't want increased commercial traffic endangering our children, we don't want our streets congested, we don't want commercial operations bringing outside traffic into our area all hours of the day and night. Simon Fraser Hills doesn't want to become a mini west-end, ugly and poorly planned. We want a quality community, we have it now, its a decent place to live and we don't want that to change!

Please consider the wishes of the many taxpayers who call Simon Fraser Hills 'home'."

Mr. Barry Dean, 3746 Cambridge Street, then addressed members of Council and advised that he was the Chairman of the North Burnaby Residents Association. Mr. Dean indicated that he sympathized with the people in attendance tonight as the group he represents faced the same problem one month ago.

Suzanne White, 2983 Mira Place, then addressed members of Council and advised that she was the President of the Stoney Creek Community School Advisory Council but she was not representing that group at this Public Hearing. Ms. White then read from a prepared brief, the text of which is contained hereunder:

"I'm concerned for what a high rise development will do to the aesthetics of my neighbourhood now as well as in the future. We've worked very hard to create a true neighbourhood feeling with a great deal of success. Stoney Creek School was designated as a Community School one year ago and is now offering many programs that are heavily attended by residents. Many people are actively involved in the Community School and in their Strata Corporation Councils. All these people are willing to give their time and effort because they're concerned about the quality of life in their neighbourhood. We have developed a true 'our neighbourhood feeling', something rare and not to be taken lightly in this day and age.

For the future; I fear the area will become a slum. The population density is already high. City Planners have known for years that once a certain density of population is reached the number of Municipal and Government services needed, multiply geometrically and the quality of life in the area becomes abhorrent.

I would be very concerned if a high rise should be built or any other high density type of housing."

Ms. Sylvia N. Rainey, 2981 Mira Place, then addressed members of Council and read from a prepared brief, the text of which is contained hereunder:

"I am a resident of Simon Fraser Hills, one of the areas which will be seriously affected by the construction of the proposed high rise in the area known as Centaurus Circle. I appeal to you as one of many, to re-evaluate the best possible use of this land.

This area, almost adjacent to the Lougheed Mall and apartment complexes, is already densely populated. Indeed, it is verging on over populated. The congestion which would ensue from stacking more people upon more boggles the mind. And the children. What will become of them? Will they grow up 'Inner City Kids', manifesting their frustrations on society by vandalizing and/or dropping out?

It is incumbent upon us to see to it that our children have the best possible advantages. This includes living conditions. I do not want my child, or my neighbours children to compete with traffic on their way to an overcrowded (and thus harrassed) school environment. I do not want these same children, when out of school, to be angry and frustrated because they have 'nowhere to go and nothing to do', because no one has had the foresight to consider their needs.

At the moment, the area in question is a haven for many youngsters. Robin Hood lives in those trees, and the Swiss Family Robinson has survived many a summers evening there. These will be kids who grow up with happy memories of friends sharing valuable experiences. These will be kids who grow up caring about others and their community. Surely the best possible use for that land would be to invest it in our most valuable resource, our children. Perhaps a park, maybe a fitness circuit, but a People Place, for all to enjoy and benefit from, not another concrete abomination for kids to have to stay away from.

I ask that you remember your own childhoods and the joy of having a private place to go, a tree to climb, or having no place to go, and wishing you did. Now think of our kids. Don't they deserve a place to go, a tree to climb? I think so."

Ms. Pauline Mudrakoff, 3743 Albert Street, then addressed members of Council and read from a prepared brief, the text of which is contained hereunder.

"I am opposing this rezoning, as a month ago, I was asked by a fellow employee of mine, who was being transferred to this area, to help him find a residence in Burnaby near the University. From my verbal description of this serene townhouse complex at Simon Fraser Hills, this fellow was ready to purchase and settle down - when, lo, the community plan struck again! Here is a lovely uniformly designed complex about to be ruined by an obtrusive 19 storey tower for transients and an insignificant retail spread.

It did not take me long to learn that the community plan, expounding Comprehensive Development Zoning, had been kept a dark secret from unsuspecting purchasers of accommodation in this neighbourhood, and that is one reason why I oppose this rezoning. Also, this complex could have been a haven for those escaping from high densities in other parts of Burnaby..

I have previously presented Council with facts from sociological studies on the adverse effects of high rise dwellings on the immediate neighbourhood and on its own tenants, and now I will enlighten you with a brief quotation from the Vancouver Sun Medical Critic, writing about Surrey on October 15. 'Last year in Surrey, there were more suicides than traffic fatalities.'

The reason is a mystery, but public health officials suspect it is a result of the rapid growth that influences many areas of Surrey life.

The population growth, and the development that accompanies it, introduces a sense of uncertainty into people's lives, says Medical Health Officer, Dr. William Meekison.

Anytime you have an area undergoing fairly rapid change... you tend to see your indicators of mental health going a bit sour.

Surrey is some twenty miles away. Are you planning for mental health facilities here? Less than three storeys, of course.

The apathetic among us say of this development - oh well, it's progress.

To that I say - progress is not the duplicating of the same monotonous apartments towers all through the Municipality - inviting congestion and misery. Progress is when the community is planned to give its inhabitants comfort and sanity.

It is imperative that this community plan be discussed with all persons in the area so they can share in choosing the best recipe for the Peanut."

Mr. Douglas Calladine, 2944 Argo Place, then addressed the members of Council and read from a prepared brief, the text of which is contained hereunder:

"I would like to oppose the rezoning in the area known as Simon Fraser Hills to permit the erection of high rise buildings.

The construction of the proposed 19 storey rental project would be detrimental to the area for a number of reasons. First and foremost is the problem of parking and traffic. The proposed 1 1/2 garage spaces per unit falls drastically short of the needs of such a building, pushing excessive numbers of cars on to street parking. This in turn creates major thoroughfare problems through a street, Centaurus Circle, of insufficient width for two side parking and driving lanes. This again, in turn, creates a hazardous condition for pedestrians, particularly young children, crossing such a congested street. I should point out also, that a great many residents in the vicinity use the area within and around Centaurus Circle for the purpose of walking their dogs and for jogging. The erection of a high rise will curtail such activities or, alternatively, force them to continue in far less pleasant surroundings.

There will be a considerable increase in the flow of traffic along both Beaverbrook Drive and Beaverbrook Crescent, an area used for school crossing. The increased number of children due to the high rise will

necessitate a further school partol at Aquarius and Beaverbrook Crescent adding both to cost and to hazard. Further, some of the children will ignore the regular school routes, and instead cut across Simon Fraser Hills Phase IV, adding to noise, damage to property, and, probably of a far more serious nature, increasing the danger to this complex of public liability.

With no swimming facilities, illegal entry into the surrounding area's pool facilities will be attempted, with its subsequent problems to these areas. There can also be hardly any refuting the statement that increased vandalism will occur. Nor, I might add, could one imagine that such a rental unit could not produce much noise and annoyance to nearby condominium units. Certainly if the Montecito high rise, a similar unit, is any criterion, such was the case, even to increased expenses for policing, both public and private.

To those people owning condominiums already on Centaurus Circle near to the proposed high rise, in addition to the ensuing traffic and noise conditions, they will be faced with a monolithic building curtailing at least some of the sunshine of which they would normally be in receipt of. Couple this with an invasion of their privacy due to possible prying eyes, the increased noise level in the area, and the reduction in environmental quality, and it is readily apparent that some of these people will move away and place their units up for sale. Two owners I know have already indicated this to me. If this action becomes even slightly more widespread, selling will become difficult, leading to reduced market prices, with a possible depression in the value of the units in the area. It is my hope that if such a condition should arise, the Burnaby Land Tax Department is cognizant of it, even at the expense of less tax dollars to the Municipality of Burnaby.

I cannot finish without some mention of what to me, and I think, most of the people in this area, is of an extremely important nature. That is the aesthetic value of our surroundings. Practically everyone I have spoken to enjoys this area, because of its natural beauty, its trees, its pleasant surroundings. Who can argue that the building of high rises in the area would help to destroy that beauty.

I strongly suggest to Council that economics and profit should not automatically take precedent over livability. If you agree with me that many hundreds of people surrounding Centaurus Circle are entitled to preserve their enjoyment of where they live, you will oppose the rezoning as proposed."

Mr. Peter C. Andrade, 9016 Lyra Place, then addressed the members of Council and advised that he has been a resident in the area for five years. Mr. Andrade advised that he was not representing any group but he would like to discuss the school situation in the area. The principal of the Stoney Creek Community School notified all the parents of Grade Four students, in writing, that commencing with the school year 1979/1980, there would no longer be an accommodation for Grade Five students and these students would have to either go to Cameron Elementary School or Lyndhurst Elementary School. The reason for this is that the Stoney Creek Elementary School is filled to capacity. As a result of this notice there was a meeting held between the parents and the School Board, at the school, and it was determined that the Grade Five students could be accommodated for one additional year. This would mean that there would be no Grade Five students attending Stoney Creek Community School during the school year 1980/1981. These school problems are based on a present housing development in the area. Mr. Andrade stated that in his opinion, if future developments were permitted, it is entirely possible that Grade Four and even Grade Three students could no longer be accommodated at Stoney Creek Community School. This would mean students in the age group of 7 years old would be forced to walk approximately three-quarters of a mile to school. Mr. Andrade indicated he wished to know whether the school problems were discussed with this specific area in mind and not just the general school population in Burnaby. Mr. Andrade did not care to know how the School Board generally operates in Burnaby but just whether this specific problem was discussed with the School Board.

His Worship, Mayor Constable, requested that the Director of Planning obtain a report from the Burnaby School Board regarding the questions raised at tonight's Hearing. This would include all details respecting Stoney Creek Community School and the walk children would be required to make to either Lyndhurst Elementary School or Cameron Elementary School. The members of

Council also requested that the report contain the estimated school population for the proposed high rise development as opposed to a garden type development.

Mr. Donald Todd, 9018 Lyra Place, then addressed the members of Council and advised that he was in complete agreement with all the previous speakers. Mr. Todd advised that he felt this meeting was not sufficient as this is too big an issue to be dealt with in this meeting alone. Mr. Todd also felt the facilities were insufficient. Mr. Todd invited the members of Council to have the meeting at the Community School where more citizens of the area could attend and Council could receive a more wide-spread viewpoint.

Mr. Robert A. Waldron, 2956 Mira Place, then addressed members of Council and advised that his son had been hit by two automobiles very recently. The traffic in the area is already a real problem.

Mr. Russell Van Tassell, 9030 Lyra Place, then addressed members of Council and advised that he had just recently moved into the area. He wished to let Council know that he was strongly opposed to this rezoning application and feels that the idea of meeting in the Community School is a very good one as it would give the members of Council an opportunity to view the area.

The following citizens wrote letters addressed to the Mayor and Council expressing their opposition to this proposed rezoning application. These letters were submitted to the members of Council at the Public Hearing.

Mr. Ken Faulkner & Mrs. Rhonda Faulkner
9002 Centaurus Circle

Mrs. D. Hetherington
3007 Aries Place

Mr. & Mrs. J.S. Jervis
8946 Centaurus Circle

Carol Ann Gibbs
3016 Aries Place

Harold & Connie Hillman
2866 Neptune Crescent

John K. Dargel
8832 Centaurus Circle

Tanya Dargel
8832 Centaurus Circle

Marikka Dargel
8832 Centaurus Circle

Marie Byrne
8930 Centaurus Circle

Miss Louise A. Grimshaw
3013 Vega Court

K. Sheidow
2982 Corona Drive

Renate & Ulrich Hess
9016 Centaurus Circle

Alfred & Norma Milther
8908 Centaurus Circle

Margaret & Dennis Bell
3018 Vega Court

Leila A. Hennings
8904 Centaurus Circle

Mrs. Florence I. Hall
9010 Centaurus Circle

Ron & Joan Plomske
8902 Centaurus Circle

Mrs. W.J. Bain
3002 Vega Court

Mr. & Mrs. L.R. Lavender

Edith Thimsen
2984 Corona Drive

Miss Barbara Eriksson
3011 Vega Court

Mrs. D. McGrath
3004 Vega Court

M. Jiwa
2976 Corona Drive

Ms. Kathryn Hornburg
8932 Centaurus Circle

Carol A. O'Dell
9012 Centaurus Circle

Mrs. V. Suffron
3015 Vega Court

Yvonne Lidvall
9012 Centaurus Circle

Mr. & Mrs. J.S. Milne
2898 Neptune Crescent

Mrs. Jacqueline Erickson
2867 Neptune Crescent

Gloria Perley
3056 Aries Place

Mrs. L. Bhimani
2865 Neptune Cresc

Mrs. Mary Rees
8862 Centaurus Circle

Bernice D. Cuchera
3043 Aries Place

Lynn Avender
3259 Ganymede Drive

Wendi Aldcroft
9038 Altair Place

Liz Dill
3029 Centaurus Circle

Heinrich Schimpl
8914 Ganymede Place

Alisen Carter
2953 Argo Place

Frances Cassell
3046 Carina Place

Mr. & Mrs. R. Birdse
3015 Aries Place

James & Margaret Swa
2935 Argo Place

G. Eckenswiller
9038 Centaurus Circle

E.C. Towart
8936 Centaurus Circle

MOVED BY ALDERMAN AST:
SECONDED BY ALDERMAN EMMOTT:

"THAT this portion of the Public Hearing relating to Rezoning Reference #27/79 be now terminated."

CARRIED UNANIMOUSLY

The Public Hearing recessed at 21:12 h.

The Public Hearing reconvened at 21:25 h with Aldermen Gunn and Lawson absent.

3. FROM SERVICE COMMERCIAL DISTRICT (C4) AND RESIDENTIAL DISTRICT (R5) TO DRIVE-IN RESTAURANT DISTRICT (C7)

Rezoning Reference #29/79

Pcl. A Ref. Pl. 9949, S.D. 7, Block C, D.L. 96, Plan 1349

6569 Kingsway - located on the north side of Kingsway west of the Arcola Street intersection.

The applicant has requested rezoning in order to permit the development of a Church's Chicken Drive-In Restaurant.

Mr. Charles McManuis, 3075 Point Grey Road, Vancouver, then addressed members of Council and advised that he was President of Church's Chicken of Western Canada Limited. Mr. McManuis advised that he wished to demolish the existing structure on the property, a building used as a sales office for the purpose of selling mobile home trailers, and construct a Church's Chicken Restaurant. The restaurant will be a single storey building with surrounding landscaping as required in the by-law. Mr. McManuis also advised that Church's Chicken is a Canadian company and their buildings and product is considerably different to that of Kentucky Fried Chicken. There will be 36 parking spaces in conjunction with the restaurant.

In response to questions from Council, Mr. McManuis advised that the restaurant will cater to approximately 200 people per day with the busiest day usually being Sunday. The hours of operation of the restaurant will be from 11:00 h to 22:00 h.

Mr. Stan Huige, 6558 Balmoral Street, then addressed members of Council and advised that he was appearing on behalf of the adjoining owners and residents. Mr. Huige then read from a brief, the text of which is contained hereunder:

"We wish to go on record as opposing the rezoning of this residential property to C7 and the establishment of a chicken drive-in restaurant on the subject site.

In the event that Council does approve the rezoning of the subject site to C7, we feel that the minimum requirements for separating our homes from this establishment should be:

- a) a 6 metre width lane the full length of the subject site.
- b) also an additional 6 metre wide buffer zone the full length of the site
- c) a 6 foot fence separating this buffer zone and lane from the subject site in order that all traffic shall be prevented to enter our residential area via the lane.

The above mentioned conditions are in accordance with the observation of the Planning Department and we would like to refer to Rezoning Reference #33/75, Section 3, Paragraph 3, I quote -

'In order to minimize any negative interface effects between the proposed office facility and the residential enclave to the immediate north of this site it is necessary that the existing lane located at the rear of the property which ends near the east property line be extended across the northern portion of the property. The applicant will thus be responsible for the design and the construction of the required lane.'

In the same Rezoning Reference #33/75.

I would also draw your attention to 5.0 Recommendation: b) I quote - "The dedication of 20 feet along the rear portion of the subject site for appropriate lane development".

You will agree with us that if a lane was a requirement for an office building, it is certainly most desirable under the present plans.

Furthermore, we have located on our properties the main sanitary sewer and the main storm sewer. These services as well as Hydro right-of-way and garbage collection require access via the lane.

Regarding the proposed turn-around. As you have seen from Rezoning Reference #33/75, the Planning Department's recommendations were for a lane. At the Public Hearing this was discussed at great length and the recommendation of Council was to have the lane with a turn-around at the end of the lane i.e. the North West corner. This has somehow, now 4 years later, conveniently become the North East corner. In this case, instead of a proper lane there would be a small hammerhead at the end of the existing lane - contrary to Council's decision of September 17, 1975.

Such a turn-around may be highly desirable to the developer whereas it would only create a tremendous nuisance factor for residents.

I should point out that all sketches were omitted from our Rezoning Reference which we received in the mail and it was a bit of a surprise to us to find a hammerhead replacing a lane - when we finally got the sketch at City Hall, after several visits.

Further to all this, I would like to refer you to Section 10 of the Manager's Report No. 43 of June 28, 1971. This statement refers to the property immediately east of the subject site. I refer to Frank Dunn Trailer Sales.

'The Planning Department feels that the trailer sales operation should be designed such that traffic is restricted from the lane and it recommends that Council establish this as a condition of a suitable plan of development. The Manager concurs'.

Frank Dunn was required to have a lane and a 6 metre buffer for C4 rezoning yet no such requirements have been demanded for this subject site which has a far greater nuisance factor. It should be noted here also that once the rezoning was passed there was no adherence to the conditions set. Trailers use the lane on a regular basis and often flat deck trucks loaded with trailers park there overnight. We know from experience that the same would happen if this chicken drive-in restaurant were established.

Once more I refer you to Rezoning Reference #33/75, Page 2, 3.0, Paragraph 3, where the Planning Department's observation is that - 'The subject facility should be designed to reflect a low profile facility compatible with the abutting residential neighbourhood'. Since when do we consider a chicken drive-in Compatible with single family homes.

The increased traffic and all its undersirable side effects such as loud music, screeching tires, loitering, shouting, etc., do nothing to enhance the peace and quiet of our neighbourhood. We already put up with enough of this from the neighbouring A&W Drive-In.

The smells emanating from this kind of establishment can be positively sickening. According to available information, the exhaust fan for this C7 site could be within 20 feet of our property line. It would virtually make our homes uninhabitable. We would not be able to use sundecks or open bedroom windows.

It should not be necessary to expound on the litter problems that are attached to drive-in restaurants.

All these factors have a disastrous effect on the value of our homes and lower the standard of our neighbourhood.

There is also a safety factor involved in this. The lane which extends from this property runs adjacent to St. Francis de Sales Church and the adjoining elementary school. The only legal exit here passes next to the school building. Due to the awkward corner at the end of the lane the traffic will cut across school and church property, causing a serious safety hazard. The school is also utilized by pre-schoolers, senior citizens entre nous club, scouts, cubs, brownies and girl guides. This is a point of utmost importance.

In conclusion we are strongly opposed to having a chicken drive-in restaurant built at 6569 Kingsway. It is quite unnecessary to locate 2 similar establishments adjacent to single family homes. We are already adequately serviced by 16 various food outlets between Waltham and Edmonds. Kentucky, Alberts and Brownies chicken outlets are nearby.

Considering there is already so much vacant or boarded up commercial property on Kingsway it seems better for the community to upgrade or redevelop this.

In view of the large number of residents opposing rezoning to C7 of this particular site we would stress the accountability of our elected representatives to the concerned residents.

I hereby present a petition on behalf of 231 people opposed to this rezoning."

Mr. Huige presented a petition to Council containing the signatures of 231 residents of Burnaby and the text of the petition is as follows:

"We, the undersigned residents, wish to express our opposition to the Rezoning from Residential to C7, and to the establishment of a Chicken Drive-In Restaurant at 6569 Kingsway. We are opposed on the ground of further disturbance next to our homes, excess noise and odours, and the safety of elementary school children. We feel that this type of rezoning would be of benefit to the promoter only."

In response to question from Council, Mr. Huige advised that many of the names on the petition were involved in a variety of activities at St. Francis de Sales Church and not residents in the immediate area.

Reverend John Swinkels, Pastor of St. Francis de Sales Church, located at 6610 Balmoral Street, then addressed the members of Council and read from a prepared brief, the text of which is contained hereunder:

"As Pastor of St. Francis de Sales Parish, which paid \$6,834.00 in taxes to Burnaby, and representing many Burnaby residents, I must voice our concerns about the rezoning of 6569 Kingsway from C4 and R5 to C7.

There are sufficient C7 zoned properties in the area, and adding another one would increase traffic and more vandalism than we already have.

It is very difficult for us to control traffic that cuts through our private parking lots, endangering the children who attend our school.

Although it is stipulated that access to the property in question is to be from Kingsway, there is nothing to prevent, after zoning change, to install a driveway from the lane.

As it is, many of those who use the existing drive-in restaurants, park in our lots for privacy and then leave the garbage behind.

Because of all this, we oppose the rezoning to C7."

Mr. G. McAtee, 7350 Salisbury Street, then addressed members of Council and advised that though he lived a considerable distance from the subject property, he has a child attending the St. Francis de Sales School and is very concerned with her safety respecting traffic in the area. Mr. McAtee felt that this was a considerable change in zoning as the rear portion of the subject property is currently zoned residential. Mr. McAtee was also concerned that there would

be lane access to the restaurant. Mr. McAtee then advised Council that he was completely opposed to this rezoning application.

Mr. Bob McDougall, the Director of Operations for Church's Chicken of Western Canada, then addressed members of Council in order to clarify the position respecting lane access. Mr. McDougall advised that his company does not desire, either now or in the future, access to the rear lane. They would prefer that all traffic enter and exit through the Kingsway access and this includes any vehicles required to pick up garbage.

Mrs. Mary Huige, 6558 Balmoral Street, then addressed members of Council and advised that she was very much opposed to this rezoning application. Her family has taken a great deal of pride in their home as have the surrounding neighbours, and the construction of a drive-in restaurant would have a very great detrimental effect on the area. The noise and the screeching of tires that currently erupts from the A&W Drive-In that will be adjacent to this proposed Chicken Drive-In is already intolerable.

MOVED BY ALDERMAN AST:

SECONDED BY ALDERMAN EMMOTT:

"THAT this portion of the Public Hearing relating to Rezoning Reference #29/79 be now terminated."

CARRIED UNANIMOUSLY

4. PROPOSED TEXT AMENDMENT TO ZONING BY-LAW FOR RESIDENTIAL OCCUPANCY STANDARDS

1. DEFINITION OF "BUILDING"
2. DEFINITION OF "CELLAR"
3. DEFINITION OF "DWELLING, DUPLEX" (NEW)
4. DEFINITION OF "DWELLING, SEMI-DETACHED" (NEW)
5. DEFINITION OF "HOME OCCUPATION"
6. DEFINITION OF "STOREY"
7. APPLICATION OF BY-LAW REGULATIONS REGARDLESS OF FORM OF OWNERSHIP OR TENURE
8. DEVELOPMENT UNDER THE STRATA TITLES ACT (NEW)
9. MAXIMUM PERMITTED GROSS FLOOR AREAS FOR TWO-FAMILY DWELLINGS IN R4 AND R5 DISTRICTS (NEW)
10. MAXIMUM PERMITTED BUILDING HEIGHTS IN RESIDENTIAL DISTRICTS

Mrs. Gerd Evans, 6541 - 12th Avenue, then addressed the members of Council and advised that she was very concerned about one section concerning the definition of a "CELLAR". Mrs. Evans felt that it was not the business of the Burnaby Council to consider whether bedrooms should be allowed in the basements of Burnaby residents. Mrs. Evans felt that a young family with three or four children should be allowed to build a bedroom in the basement for one or two of those children. Mrs. Evans felt that the proposed definition change in the By-law would prevent people from doing this. The speaker also advised Council that she currently had a legal conforming in-law suite in the basement of her home. Mrs. Evans did not want to be classified as non-conforming if that is what this definition change will do respecting her in-law suite.

His Worship, Mayor Constable, advised Mrs. Evans that if the use of the in-law suite was continued by another in-law, it would be permitted. It could not, however, be used by anyone other than an in-law.

His Worship, Mayor Constable, retired from the Council Chamber at 22:20 h.

Alderman Ast took over the Chairmanship of the Hearing.

Mr. David Fairey, 407 North Hythe Avenue, then addressed the members of Council and advised that he was representing the Burnaby Citizens Association at tonight's Hearing. Mr. Fairey advised Council that he was critical of the way these amendments had been brought before tonight's Public Hearing. He stated it was a very complex subject and should not have been dealt with at the same time as the other matters as listed on the agenda. Mr. Fairey also stated that he felt the manner in which this was advertised was uninformative to the residents of this Municipality. Mr. Fairey stated that there is a complete lack of clarity regarding which dwellings will be affected respecting the changes in definition for "STOREY, CELLAR, and HOME OCCUPATION". Mr. Fairey stated that these amendments are not based on any indepth analysis of the housing situation or any comprehensive long range policy or plan designed to increase the supply of housing. Mr. Fairey stated that on several counts these proposed amendments can not be supported by the organization he represents in accordance with the policies of the B.C.A. Mr. Fairey stated that the proposed definition for "CELLAR" will effect not only R4 and R5 residential zoned areas in Burnaby, but also all other residential areas.

Ms. Celeste Redman, 4136 Eton Street, then addressed the members of Council and advised that she too was here on behalf of the Burnaby Citizens Association. The following is the substance of Ms. Redman's address:

"I wish to express concern on behalf of the Burnaby Citizens Association about the proposed changes to the zoning by-law. Upon investigation it would appear that the changes to the zoning by-law are based on rather spurious information. Our organization is concerned that the proposed zoning changes could have unforeseen effects that could change the character of Burnaby, possibly setting standards that could make home ownership all but impossible. Therefore, we believe that it would be premature for Council to vote on the proposed zoning changes for the following reasons:

1. The housing survey commissioned by Council earlier this year is not anywhere near completion and therefore not enough information is known about what exists at the present time in the way of in-law suites, registered suites and private homes, and lower floor suites and duplexes.
2. We have not been able to locate any study which will give Council knowledge of the impact on density and the availability of ground oriented family rental accommodation.
3. Last but not least, no input from the citizens of Burnaby has been obtained regarding the standards, density, etc., that they wished to see in Burnaby.

Therefore, the Burnaby Citizens Association proposes that Council disregard all of the proposed zoning by-law changes, complete a comprehensive survey to determine the full extent of in-law, unregistered, and illegal suites as they now exist in the low density residential zones. This information should then be referred to the Housing Committee which could be expanded to include citizen advisors, to study and make recommendations for discussion. Input should be obtained from the public through a series of Public Information Meetings in order for the Committee to bring back recommendations to change the zoning by-law of Burnaby."

Mayor Constable returned to the Council Chamber and took his place in the Chair at 22:30 h.

Ms. Ilse C. Leis, 4831 Harken Street, then addressed the members of Council and advised that she strongly objects to two things regarding the Text Amendments. The first objection was that the speaker did not feel that a sufficient amount of time was given to the residents to consider this question. These amendments should not require an interpretation by the Planning Department but should be understandable by every resident of Burnaby. Secondly, Ms. Leis objects to the way such notices are brought to the attention of the home owners. Ms. Leis felt that a home owner should not have to take a paper in order to be informed of these types of changes. Ms. Leis felt that these were very important amendments and there should be a public notice as there is at election time, posted on telephone poles, or a notice should be delivered personally to each home. Ms. Leis proposed that Council study all of the amendments once again and put them in such language that they are understandable. Ms. Leis stated

that the by-laws in Burnaby are not up to date and adjusted to the conditions that now exist in Canada. Ms. Leis advised Council that they should not accept the rationale that only blood relatives should be given consideration when deciding on density.

Mr. Nigel Smith-Gander, 4818 Harken Drive, then addressed the members of Council and advised, though it has become apparent that some clarification is required, he supports the intent of the amendments. The speaker indicated that there was a lot of merit in what the previous speakers had to say but he felt there was one consideration not mentioned, and that was revenue. Mr. Smith-Gander felt that if people were constructing fourplexes in order to obtain additional revenue, then they should be prevented from doing so. Mr. Smith-Gander advised that he had witnessed two supposed duplexes constructed in his area that were equipped with coin laundries, four stoves, and electrical wiring to allow the installation of four kitchens. Mr. Smith-Gander contacted the Chief Building Inspector, Mr. M.J. Jones, and advised that Mr. Jones has been very helpful in explaining the problem Council has had with these illegal fourplexes. Mr. Smith-Gander stated "I find I can't feel a great deal of sympathy for owners of these properties as anybody who invests in an enterprise that is dependant on violating the law or by-law to provide an acceptable profit is most knowingly placing himself in a high risk situation". That individual must accept that illegal activities are not a good investment. Mr. Smith-Gander felt that the by-laws would have to be amended in order that fourplexing may be stopped.

Mr. Eric C. Goodman, 8612 Gilley Avenue, then addressed the members of Council and advised that he supported the idea of a study being conducted regarding these proposed amendments. Mr. Goodman questioned as to whether he could contact either the Planning Department or the Legal Department to find out how these amendments would effect his personal property

MOVED BY ALDERMAN EMMOTT:

SECONDED BY ALDERMAN AST:

"THAT this portion of the Public Hearing relating to the proposed Text Amendments to the Zoning By-law for Residential Occupancy Standards be adjourned."

CARRIED UNANIMOUSLY

Alderman Lewarne retired from the Council Chamber at 23:10 h.

5. FROM RESIDENTIAL DISTRICT (R5) TO COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Rezoning Reference #30/79

Lots 3,4,6,7,8 and 9 of Block A of 47, D.L. 151, Plan 1437; Lot 5 of Block A of 47, D.L.'s 151/153, Plan 1437; Lots 10 and 11, Block A of 47, D.L.'s 151/153, Plan 1437; Lots 12 and 15, Block 47, D.L. 151, Plan 1437; Lots 13 and 14 of A, Block 47, D.L.'s 151/153, Plan 1437; Lots 16 and 17 of A, Block 47, D.L. 151, Plan 1437;

6446/76/92/6508/26/42/58 Patterson Avenue; 4126/42/56/58/76 Maywood Street; and 6503/07/25/41 Willingdon Avenue - located immediately east of Central Park and bounded by Patterson Avenue on the west, Willingdon Avenue on the east and Maywood Street on the north.

The applicant requests rezoning to permit the phased construction of two high rise rental apartment buildings based upon RM5 Zoning guidelines.

There were no submissions received in connection with this rezoning application.

MOVED BY ALDERMAN MERCIER:

SECONDED BY ALDERMAN RANDALL:

"THAT this portion of the Public Hearing related to Rezoning Reference #30/79 be now terminated."

CARRIED UNANIMOUSLY

1979 October 16

Alderman Lewarne returned to the Council Chamber and took his place at the Council table at 23:11 h

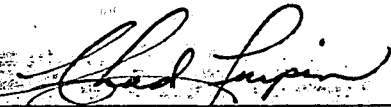
The Public Hearing was terminated at 23:12 h.

Confirmed:

Certified Correct:



MAYOR



MUNICIPAL CLERK'S ASSISTANT