

1980 MARCH 18

A Public Hearing was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C., on Tuesday, 1980 March 18 at 19:30 h.

PRESENT: Mayor D.M. Mercier, In the Chair
Alderman G.D. Ast
Alderman D.N. Brown
Alderman D.P. Drummond (arrived at 19:36 h)
Alderman A.H. Emmott
Alderman D.A. Lawson
Alderman W.A. Lewarne
Alderman F.G. Randall
Alderman V.V. Stusiak

STAFF: Mr. M.J. Shelley, Municipal Manager
Mr. A.L. Parr, Director of Planning
Mr. P.D. Sanderson, Planner 1
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 COMPREHENSIVE DEVELOPMENT DISTRICT (CD) TO AMENDED COMPREHENSIVE DEVELOPMENT DISTRICT (CD)

Rezoning Reference #32/74A

Lot 204, D.L. 35, Plan 51937

5580 Boundary Road - located on the east side of Boundary Road, north of Kingsway and the B.C. Telephone Headquarters building, adjacent the B.C. Hydro railway right-of-way.

The applicant requests rezoning for an amendment to the existing Comprehensive Development (CD) zoning in order to accommodate an increased floor area of approximately 72,000 sq. ft. over the 130,000 sq. ft. Phase II building expansion previously approved, to handle projected staff growth. Increased permanent on-site parking is also provided.

Mr. Frank Musson, 5612 Westport Place, West Vancouver, B.C., then addressed the Members of Council and advised that he was a member of the firm of Musson, Cattell and Associates, who are the architects for the proposed development. Mr. Musson indicated that the proposed second phase of the development is slightly larger than was originally planned at the time the first phase was constructed. The original plans called for the second phase to be approximately 130,000 square feet whereas the proposed building is now planned to contain approximately 200,000 square feet of floor area. In Mr. Musson's opinion, as an architect, the massing of the second phase is in fact more appropriate as it enables the overall shape to more reflect Phase I. The other change that has been made was to increase the parking ratio over that which was previously planned. Mr. Musson advised that he was in attendance tonight to answer any questions that Council or the citizens in attendance may have respecting the proposed development.

Mr. Robert G. Donnelly, 4871 Hickory Court, Burnaby, B.C., then addressed the Members of Council and advised that he was the President of the Telecommunications Workers Union and was here on behalf of the union membership as well as in sympathy with the residents who reside in the area of the B.C. Telephone Company Headquarters building and are greatly affected by the parking problems. Mr. Donnelly read from a prepared submission, the text of which is contained hereunder:

"The Telecommunications Workers Union wishes to take this opportunity to thank the Burnaby Municipal Council for holding this Public Hearing to allow concerned citizens to air their views on the issue of the proposed second tower at the B.C. Telephone Company building on Kingsway.

We are the union representing some 1,400 members who work in that building, and also many members who work at other locations, throughout the city, and the province, who are required from time to time to go to that building to work for short periods of time.

1980 March 18

On behalf of the employees we represent, working in the B.C. Telephone Company building at 3777 Kingsway, we wish to take this opportunity to voice our opposition to the amendment before this Council to provide an additional 72,000 square feet of office space in the proposed building expansion. We are not generally opposed to the expansion as such, but we are opposed to this Council allowing the expansion without B.C. Telephone being required to meet the parking regulations of the municipality.

Firstly, as you are no doubt aware, since the building was originally occupied in the summer of 1977, there have been constant complaints from the area residents. The complaints regard the employees parking in the residential area surrounding the building. The problem has come before Burnaby Council, and parking restrictions were imposed. The same thing happened in Vancouver. Parking regulations were imposed whereby only block residents were allowed to park on their street. We do not think that the problem was solved in this manner, rather that it only spread the problem over a larger area. By this, we mean, that the regulations posted must be policed by the residents to be effective, and if a certain resident does not bother to complain, then the violator remains; while if the resident complains, the violator is removed. We are certain that the news regarding which houses are "okay" to park in front of travels fast! Therefore, only some of the people need to park somewhat further from the building, but in the majority little has changed. The constant onus placed on the residents can hardly be fair, and certainly the annoyance of these people does much to destroy the concept of a peaceful neighbourhood.

Secondly, the Council has "dealt with" the complaints regarding parking in Central Park by imposing three hour restrictions in the park. During the summer when the park is in maximum use, the number of complaints increase. But, during the winter, the complaints decrease because of the lessened demand on the facilities and on the parking. We submit to you that there are still a great many employees using the parking in Central Park, and taking the chance of not getting caught. One has only to visit the park early in the morning to see that there are far more cars in the lot than there are people using the parking facilities. Central Park is something we all take pride in, and everything must be done to ensure that facilities are kept strictly for the purpose they were originally established for.

Upon completion of the present building, B.C. Hydro minimumly increased the bus service to the address. Still, many employees spend upwards of three hours each day travelling by public transit to their work. There has been no decided change of routing to alleviate the circular route people are forced to take to work. Many of those employees do not have cars, and have no choice of travel. Even if they did, the problem of where to park when they arrive still exists.

We understand that the LRT terminal on the plans has been changed, but we consider that a "band-aid" approach. The overall question of when and if the LRT will be available is still up in the air. The whole concept of LRT has been discussed for more than twenty years and we do not foresee an operational Light Rapid Transit System functional in this decade. We feel that until such time as the LRT is a fact, it should not be used as an argument to give relief to municipal parking regulations.

The cause of the situation cited is the lack of adequate parking in the present B.C. Telephone building. The parking spaces provided in that building are 351 marked spaces in the lower levels, of which 42 are reserved for B.C. Tel vehicles. This means that a total of 309 spaces are available to the employees and public. There are an additional 146 spaces provided.

According to the municipal by-law, one space is to be provided for each 46 square metres (495.16 square feet) of floor space. We estimate that there should be 880 parking spaces provided in the present building. With 455 provided there is only 51% of the spaces required by municipal regulation. There are approximately 2,800 people working in the building, which means there is less than one parking space provided for each six (6) employees, with nothing left for customer parking.

1980 March 18

During the construction period, which will be approximately two years, the 146 spaces outside will be lost. We are not aware of any alternate arrangements being made to facilitate the present patrons. We can only assume that these people will also be forced to seek street parking in the residential areas. This can do nothing but create further congestion in the neighbourhood and more angry residents.

The construction of the new building will increase the off street parking, but we are of the opinion that it will not meet the needs of the building.

The combination of 800 spaces provided between the two buildings will not meet the municipal regulations for the first building. The second building being proposed is an additional 200,000 square feet of office space, which has for all intents and purposes no parking provided. Where are these employees to park? Who is responsible to provide adequate parking for the employees? Surely it should not be the surrounding residents! Surely it should not be the community as a whole! Rather the responsibility should be that of the employer -- to provide adequate parking. We are certain that the original by-law was created to provide adequate facilities at each location, and no waiver should be given to the regulations as they stand.

We therefore request that this Council consider seriously the plans which have been provided by B.C. Tel and that they give approval only when the parking regulations have been met. We ask that you seriously reflect on the many problems created by the present parking, and that you base your decision on correcting the past problems, and not towards creating more problems."

In response to a question from Council Mr. Donnelly advised that if the parking were increased to conform with the guidelines of the Burnaby Zoning By-law then the Union would have no legal objection to the development proceeding. Mr. Donnelly also advised that the B.C. Telephone Company employees are currently charged a fee for on-site parking.

Mr. Michael Sawula, 5280 Boundary Road, Burnaby, B.C., then addressed the Members of Council and advised that he wished to address the problem of parking in the area of the proposed development. Mr. Sawula indicated he was not opposed to the construction of the second phase of the development but was very concerned with the parking as it currently, and will continue, to affect his property. Mr. Sawula stated that access and egress from his property is very difficult and the situation will only worsen unless the parking problems can be resolved. Mr. Sawula felt that parking should be provided for all patrons of the B.C. Telephone complex. This would include the employees as well as the public who have reason to visit the offices of the Telephone Company.

Mr. Henry Switzer, 5919 Ormidale Street, Vancouver, B.C., then addressed the Members of Council and advised that he was not opposed to the construction of the additional building on the property currently occupied by the B.C. Telephone Company Headquarters building, and in addition was not opposed to the B.C. Telephone Company employees coming into the area to work, but was very much opposed to the situation whereby the Telephone Company employees are constantly parking in front of his home for at least eight (8) hours a day. Mr. Switzer felt that the Municipal Council and the B.C. Telephone Company should provide the required parking so that the employees may park on the site rather than along the residential streets adjacent to the complex. Mr. Switzer indicated that many of the people on the south side of Kingsway in the area surrounding the B.C. Telephone Company complex are very unhappy with the current parking situation.

His Worship, Mayor Mercier, advised those in attendance that the Members of Council realize there is a parking problem in the area and this matter will be most assuredly considered by Council before a decision is made respecting this rezoning application.

His Worship, Mayor Mercier, requested that the Director of Planning report to Council outlining the previous parking arrangements and commenting fully on the current parking requirements.

1980 March 18

Mr. Nathan Davidowicz, 2924 East 41st Avenue, Vancouver, B.C., then addressed the Members of Council and advised that he was appearing on behalf of two citizens groups tonight. The first group, the Champlain Heights Planning Advisory Committee, provided Mr. Davidowicz with a letter which they requested he read to the Members of Council and then submit such letter for their consideration. The text of this letter is contained hereunder:

"To: Burnaby Council

The Champlain Heights Planning Advisory Committee oppose the rezoning application of B.C. Telephone Company to permit construction of a second building on the northeast corner of Boundary Road and Kingsway, until parking and traffic problems can be resolved by adequate public transit.

Roy Smyth, Vice-Chairman
Champlain Heights Planning
Advisory Committee"

Mr. Davidowicz then advised that the second group he was speaking on behalf of tonight was the Killarney-Champlain Citizens for Action Association. Mr. Davidowicz advised that his association is very much concerned with the parking and traffic problems that are occurring in the area of the B.C. Telephone Company complex. Mr. Davidowicz stated that the B.C. Telephone Company was saving money by not providing the required parking for employees and therefore should spend such money in order to encourage public transit. These funds could be used to hire buses to transport the Telephone Company employees to and from work. Mr. Davidowicz stated that he did not wish to see the parking increased as it would just create more traffic congestion in the area. Mr. Davidowicz also stated that "Resident Parking Only" signs should be placed on the streets adjacent to the B.C. Telephone Company complex.

In response to a question from Council, Mr. Davidowicz clarified the point that it was not only his personal opinion, but that of his association that the parking requirements should not be increased.

Mr. Wayne Allen, 3740 Thurston Street, Burnaby, B.C., then addressed the Members of Council and advised that he owned several pieces of property in the immediate area of the B.C. Telephone Company complex. Mr. Allen indicated that he was not opposed to the construction of the second phase but is most concerned with the parking problems that will result during the period of construction. Mr. Allen felt that some solution to this problem should be sought prior to the start of construction. Mr. Allen advised that there is currently large parcels of land for sale in the immediate area and perhaps this land could be used for parking on a temporary basis during the period of construction. Mr. Allen indicated that the B.C. Telephone Company development was a welcome addition to the area and it has had an affect on increasing the value of property which is located within the adjacent vicinity of the building. Mr. Allen felt that the parking problems could be resolved.

Mr. Gary S. Grais, 1138 Millstream Road, West Vancouver, B.C., then addressed the Members of Council and advised that he was the General Manager of the B.C. Division of Dominion Construction, who were the contractors for the Phase I development and in addition will be the contractors responsible for the construction of Phase II if it is permitted. Mr. Grais advised that the cost for parking currently in existence on the site is \$1.00 per day for covered parking and seventy five cents per day for uncovered parking. Mr. Grais felt that this was a very reasonable charge in light of the cost of parking in the downtown area where the employees originally had to park. Mr. Grais advised that the current on-site parking includes 576 parking spaces and if the new development were permitted to go ahead the parking upon completion of construction would amount to 805 on-site parking spaces.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN BROWN:

"THAT this portion of the Public Hearing relating to Rezoning Reference #32/74A be now terminated."

CARRIED UNANIMOUSLY

2. FROM RESIDENTIAL DISTRICT (R5) TO COMMUNITY INSTITUTIONAL DISTRICT (P5)

Rezoning Reference #2/80

Lot B, Block 20, D.L. 29, Plan 5120

7659 14th Avenue - located at the corner of 14th Avenue and Burgess Street.

The applicant requests rezoning for the establishment of an emergency shelter for Burnaby women and their children and single women.

Mr. George W. Lapthorne, 7658 14th Avenue, Burnaby, B.C., then addressed the Members of Council and advised that he represented a group of approximately 80 area residents who are definitely opposed to the rezoning of the subject property. Mr. Lapthorne then presented a petition to the Members of Council containing the signatures of 81 of the area residents. The text of the petition is contained hereunder:

"We, the undersigned, do hereby object to the home at 7659 - 14th Avenue (located at the corner of 14th Avenue and Burgess Street), Burnaby, British Columbia, being utilized as an emergency shelter for Burnaby women and their children and single women who are in need of temporary accommodation because of family violence or other crises. We ALSO object to the Community Institutional District P5 Zoning application for this area."

Mr. Lapthorne then expressed several concerns to the Members of Council respecting the proposed rezoning. He indicated that the rezoning would have a detrimental effect on the land value of surrounding properties, and as most of the people in the area are currently making improvements to their home the value of their property is of a very great concern to them. Mr. Lapthorne felt that the introduction of this type of establishment into a residential area would divide the neighbourhood. He also indicated that the house is small and of poor construction and would not be particularly suitable for the purpose intended. Mr. Lapthorne also cited other problems such as parking, the disruptiveness of a 24 hour service that will be provided, and the possible use of the property in future years.

Mrs. Margaret Y. Brash, 7670 14th Avenue, Burnaby, B.C., then addressed the Members of Council and advised that she was very much in support of the rezoning. Mrs. Brash felt that there was a very great need for this home and she could think of no better use for this property than to now make it an emergency shelter for abused women and children. Mrs. Brash felt that the home was suitable for the intended use.

Mrs. Wenda Erickson, 7750 Rayside Avenue, Burnaby, B.C., then addressed the Members of Council and advised that she was the Program Director for Lifeline Society. Mrs. Erickson advised that the Society has contacted the landlord of the property and have been told that the required Lane Allowance will not be dedicated. Mrs. Erickson also advised Council that Lifeline Society has continued to look for a suitable house in Burnaby but have been unsuccessful. Mrs. Erickson advised that money has been set aside by the Department of Human Resources for upgrading the existing building. The number of occupants at the establishment, in all probability, would consist of three or four mothers and their children. There will be no member of the Lifeline Society living as a resident in the home though there will always be someone there on three eight hour shifts per 24 hour day. Mrs. Erickson explained that they will attempt to establish a family-like atmosphere and would certainly not cause any problems for the surrounding neighbours.

Mrs. June C. Ebel, 7628 14th Avenue, Burnaby, B.C., then addressed the Members of Council and advised that she was opposed to this rezoning application. Mrs. Ebel felt that the property values of the surrounding homes will definitely decrease and in addition, was concerned with what assurances could be provided to ensure that once the property is rezoned to an institutional use that other activities, which may be less desirable, are not permitted once the Lifeline Society vacates the premises. Mrs. Ebel wished to know that if the neighbours have a grievance at some future time regarding the subject property where would such grievance be heard? Mrs. Ebel would rather the subject property remain zoned as residential.

1980 March 18

Mr. Walter Czermak, 7777 18th Avenue, Burnaby, B.C., then addressed the Members of Council and advised that he was the owner of property at 7574 Burgess Street, which was adjacent to the subject property. Mr. Czermak indicated that when he resided at 7574 Burgess Street he was constantly bothered by the people who were residing in the group home on the subject property. Mr. Czermak is definitely opposed to this rezoning application.

Mr. Ernest J. Mortimer, 7644 Hilda Street, Burnaby, B.C., then addressed the Members of Council and advised that he was very much in favour of this rezoning application. Mr. Mortimer explained that he had been a long time resident in the area and this particular piece of property at one time used to be a very attractive part of the neighbourhood. There is a great need for the type of development that is proposed and the plans for improving the property would only enhance the neighbourhood. Mr. Mortimer felt that this was an emergency situation and to continue to place battered wives in a motel/hotel is very unsatisfactory.

Mr. Ronald L. Bannister, 6208 Berwick Street, Burnaby, B.C., then addressed the Members of Council and advised that he was the President of the Lifeline Society. Mr. Bannister just wished to assure Members of Council and those in attendance tonight that if the Society is allowed to occupy the home in question they would do everything in their power to ensure that they would in no way jeopardize their chances of retaining the house for their use. Mr. Bannister also indicated that a great amount of effort will be taken to upgrade the appearance and quality of the existing house.

MOVED BY ALDERMAN STUSIAK:
SECONDED BY ALDERMAN LEWARNE:

"THAT this portion of the Public Hearing relating to Rezoning Reference #2/80 be now terminated."

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 21:30 h.

Confirmed:

Certified Correct:



MAYOR



MUNICIPAL CLERK'S ASSISTANT

THE CORPORATION OF THE DISTRICT OF BURNABY

ZONING BY-LAW AMENDMENTS

PUBLIC HEARING

The Council of The Corporation of the District of Burnaby hereby gives notice that it will hold a Public Hearing on

TUESDAY, 1980 MARCH 18 at 19:30 h

in the Municipal Hall, 4949 Canada Way, Burnaby, B.C., V5G 1M2 to receive representations in connection with the following proposed amendments to "Burnaby Zoning By-law 1965":

1. FROM COMPREHENSIVE DEVELOPMENT DISTRICT (CD) TO AMENDED COMPREHENSIVE DEVELOPMENT DISTRICT (CD) "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 7, 1980" - BY-LAW NO. 7476

Rezoning Reference #32/74A

Lot 204, D.L. 35, Plan 51937

5580 Boundary Road - located on the east side of Boundary Road, north of Kingsway and the T.C. Telephone Headquarters building, adjacent the B.C. Hydro railway right-of-way.

The applicant requests rezoning for an amendment to the existing Comprehensive Development (CD) zoning in order to accommodate an increased floor area of approximately 72,000 sq. ft. over the 130,000 sq. ft. Phase II building expansion previously approved, to handle projected staff growth. Increased permanent on-site parking is also provided.

2. FROM RESIDENTIAL DISTRICT (R5) TO COMMUNITY INSTITUTIONAL DISTRICT (P5) "BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 6, 1980" - BY-LAW NO. 7475

Rezoning Reference #2/80

Lot B, Block 20, D.L. 29, Plan 5120

7659 14th Avenue - located at the corner of 14th Avenue and Burgess Street.

The applicant requests rezoning for the establishment of an emergency shelter for Burnaby women and their children and single women.

All persons who deem their interest in property affected by the proposed By-laws and wish to register an opinion may appear in person, by attorney or by petition at the said Hearing.

A copy of the proposed By-laws may be inspected at the office of the undersigned any time between 08:30 h and 16:30 h, Monday to Friday inclusive (excepting Public Holidays) up to 16:30 h on Tuesday, 1980 March 18.

James Hudson
Municipal Clerk