

2002 AUGUST 27

A Public Hearing (Zoning) was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 2002 August 27 at 7:30 p.m.

PRESENT: His Worship, Mayor D.P. Drummond, In the Chair  
Councillor G.R. Begin  
Councillor D.G. Evans  
Councillor N. C. Harris  
Councillor D.N. Johnston  
Councillor N. M. Volkow

ABSENT: Councillor D.R. Corrigan  
Councillor B.K. Der  
Councillor C.M.H. Redman

STAFF: Mr. Jack Belhouse, Director Planning & Building  
Ms. G. McCaskie, Administrative Officer I

The Public Hearing (Zoning) was called to order at 7:30 p.m.

1. "BURNABY ZONING BYLAW 1965. AMENDMENT  
BYLAW NO. 26, 2002" - BYLAW NO. 11412

Rez. #02-14

7859 & 7867 Canada Way

Lots 20 & 21, Blk. 12, D.L. 29, Grp. 1, NWD 3035

From: R5 Residential District

To: P1 Neighbourhood Institutional District

The purpose of the proposed zoning bylaw amendment is to permit additional parking on the overall site and the long term institutional designation of the 7859 Canada Way portion of the site permitting the short term rental of the existing dwelling at 7859 Canada Way.

The Advisory Planning Commission advised Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rez. #02-14, Bylaw No. 11412.

There were no submissions received in connection with this rezoning.

MOVED BY COUNCILLOR JOHNSTON  
SECONDED BY COUNCILLOR BEGIN

"THAT this Public Hearing relating to Rezoning #02-14, Bylaw No. 11412 be now terminated."

CARRIED UNANIMOUSLY

2. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 27, 2002" - BYLAW NO. 11413

Rez. #02-15

6321 Marine Drive

Lot 10, D.L. 173, Grp. 1, NWD 9073

From: R5 Residential District

To: CD Comprehensive Development District (based on P5 Community Institutional District, R5 Residential District and Edmonds Town Centre Plan guidelines and in accordance with the development plan entitled "Proposed renovations to 6321 Marine Drive" prepared by B.C. Housing)

The purpose of the proposed zoning bylaw amendment is to permit an existing house to be utilized for a licensed residential home for up to 12 adult residents with psychiatric disabilities.

The Advisory Planning Commission advised Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rez. #02-15, Bylaw No. 11413.

A letter dated 2002 August 17 was received from M. Kardynal, 6336 Marine Drive, Burnaby, advising of his opposition to the rezoning due to the location in their neighbourhood of a men's half-way house, a women's safe house, a women's correctional institution and an incinerator.

A letter dated 2002 August 20 was received from Mrs. McCready, 6311 Marine Drive, Burnaby, advising of her opposition to the rezoning due to the devaluation of her home and problematic noise levels that will be experienced with an increased number of residents living in the existing house.

A letter dated 2002 August 26 was received from Phillip Eidsvik, 6377 Marine Drive, Burnaby, advising that he recently signed a petition to oppose the proposed rezoning of 6321 Marine Drive.

The speaker signed the petition opposing the rezoning application with the following concerns:

- creation of an institution in an area of single family or two family homes;
- Marine Drive is already under significant stress; and
- the timing for the rezoning process

A letter dated 2002 August 29 was received from Eileen and Ajmer Bains of 6349 Marine Drive, Burnaby, expressing their opposition to the rezoning as they wish to maintain the quality of life that is enjoyed in the neighbourhood. The writers advised that they were opposed due to the current proximity of a womens prison, and a girls and boys group home.

Shelley Brown, 6108 Carson Street, Burnaby, Chair of the Glenwood Elementary School Parent Advisory Council, appeared before Council advising that she understands the need for community care facilities, but acknowledges that there are some facilities that are less intrusive to a neighbourhood than others. The speaker stated that 12<sup>th</sup> Avenue already has two distinct homes that cause parents and children anxiety and the proposal for an additional group home within close proximity is excessive. The speaker questioned who regulates a rooming house, the title of property, the definition of residents, regulations that either require or deny a need for licencing. The speaker also inquired regarding activities that transpire at these homes that could be considered troubling and are not clearly defined to the immediate neighbours.

Ms. Brown presented the following additional concerns:

- discussions with City officials led the community to believe that efforts were made to ensure that an area would not become saturated with “special” facilities.
- the well being of the school students does not cease at 3:00 p.m. when leaving the school grounds. Once home, the children need the attention of their parents. If the parents are embroiled in unpleasant or uncomfortable neighbourhood matters, the children are less likely to receive the attention they deserve, or allowed the freedom to play or travel within the boundaries that otherwise would be considered safe.
- Budget cut backs in the district left this area without a school bus at the end of June. Concerned parents of both elementary and high school students have been investigating alternate means, including the public transit system and walking school buses. The plan of B.C. Housing does not indicate whether residents with transit passes wait at the bus stops and/or travel, supervised or unsupervised.
- fear for children’s safety in the neighbourhood.
- work was performed by BC Housing prior to their letter of May 6 and Glenwood School was not notified. How do they have the benefit of holding a neighbourhood meeting within the school during the month of August?
- A description of the relationship should be developed between the two community groups. Can parents be guaranteed that any relationship fostered will be safe. What is the recourse if something happens?
- The following wording is suspect: Maximum of approximately 12 residents in each facility. Is this actual wording in the Community Care Facility Act?
- Each residential facility offers onsite skill development programs and social/recreational activities. If bedrooms are created from the existing games room, play room and family room, where will these activities be held?
- What rezoning procedures would be required if the facility funding and operation collapsed, after having been in operation for some time?

In concluding, the speaker commented that as the neighbourhood aspires to develop the school as an outstanding educational and recreational facility within the community, there is a sense of apprehension brought forth by the plans for the licensed residential group home.

Margaret Gorrie, Registered Nurse, 7232 Copeland Street, New Westminster, appeared before Council advising that she has worked with people who have mental illnesses for over two decades and is currently working as a Consultant with the Fraser Health Authority to develop residential care facilities. The speaker advised that there are 40,000 people in British Columbia with mental health issues that require 24 hour/7 day a week care under the supervision of a registered or psychiatric nurse. The age group of the residents who will be living in the mentioned facility will be 50 years and over. As these people age, there will be the onset of health related problems. The speaker advised that if the residents' health improve they would normally be discharged from the residence.

Rosanne Rothenberg, RPN, Simon Fraser Health Region, Burnaby Mental Health Services, appeared before Council for the purpose of responding to any questions.

In response to a query from Council regarding the term, "Manager of Care" and whether that person is a health practitioner or a bureaucrat, Rosanne Rothenberg responded that the Manager of Care would be a registered nurse or registered psychiatric nurse. There would not be a registered nurse on staff at all times but all staff have appropriate training.

In response in a query from Council about what type of illness falls under the category of mental health illness/problems. Rosanne Rothenberg responded by advising that mental health issues would include such illnesses as bipolar and schizophrenia.

In response to a query from Council inquiring about mental health issues and criminal backgrounds; when residents/patients leave the facility are they free to leave and return to the residence on their own and in the past, what vicinity had these patients been sheltered and had there been a history of violence from these clients? Rosanne Rothenberg responded that the residents are admitted from the health care system not the criminal system. When residents leave the premises, it is an open facility and the residents are free to come and go. These residents, because they are older, are very often socially isolated and sometimes do not have families or close friends. Due to age, the residents tend to develop age related illnesses. In the 1960's Burnaby Mental Health offered a variety of housing programs where food was cooked for the residents and medications administered, giving maximum independence and quality of life until the clients could no longer manage on their own, and they would then move to a continuing care situation. The speaker also advised that there has been no history of violence, and if there was violence, the client would usually be admitted to a hospital.

In response to a query from Council regarding whether there is twelve bedrooms in the residence, Rosanne Rothenberg responded that the residence has twelve bedrooms and the residents would each have their own room as well as a shared recreational area.

In response to a query from Council as to whether the residents do their own cooking Rosanne Rothenberg responded that the residents do not prepared their own meals.

Brad Beedie, 6533 - 12<sup>th</sup> Avenue, Burnaby, appeared before Council to advise that he has lived in the Edmonds area since 1987 and since that time has enjoyed the tranquillity and uniqueness of the neighbourhood. The speaker advised that his son currently attends Glenwood Elementary School and until June of this year, the school bus picked up the neighbourhood children at the bottom of the hill on Marine Drive. Provincial fiscal restraint forced on the local School Board has eliminated the school bus service.

The speaker commented that the half way house on 12<sup>th</sup> Avenue and Marine Drive, together with the safe-house for disadvantaged children at the top of the hill is enough for the neighbourhood. Mr. Beedie expressed his concerns with the prospect of having to live in the area with a dozen patients with a history of severe and persistent mental illness. The speaker advised that the area has already had problems with the residents at the top of the hill. Mr. Beedie advised that there are many children who play in the neighbourhood and the prospect of having residents that are "fairly stable while receiving the treatment" does not fit in with a reasonable plan for this area. The speaker suggested that if such a facility is to be established in the neighbourhood, it would be suggested that one of the other two local houses dedicated to social programs should be moved to another neighbourhood that is not already playing such an important role for the City.

In concluding, the speaker questioned the impact on the families living in this neighbourhood. As all actions point at the different levels of government, it would appear his family should move, as this is not in keeping with a "family neighbourhood". The speaker urged Council to reconsider the rezoning due to the number of concerns raised by the residents.

Eileen Bains, 6349 Marine Drive, Burnaby, appeared before Council advising that she is opposed to the rezoning. The speaker advised that there are far too many institutional type homes in the area. The residents were not advised when the Salvation Army facility for drug and alcohol abuse was opened in their community. Concerns were expressed that at the Salvation Army facility there is a 3 to 6 month turn over with a maximum of eight people at a time. The speaker advised that within 200 ft. - 500 ft. there will be three institutional type homes and feels that the area is over saturated with institutional type homes.

Theresa Manning, 6869 Keith Street, Burnaby, appeared before Council advising that for the past 22 years she has been working in the psychiatric field and feels that she has a greater insight into the problems that may arise, than many of her neighbours. The speaker advised that there are many levels and types of mental illness and it is her belief that the facility in question will be housing difficult to place clients.

The speaker outlined her concerns as follows:

- A large turnover of patients. Where are the clients coming from? Would it be from other community placements such as Riverview or forensic, a facility that deals with the criminally insane? The speaker expressed her concerns with the behaviours that can be displayed by people with mental illness. Clients can be noisy, disturbing, erratic and frightening if the illness is not understood. Some patients may also be dangerous. Ms. Manning advised that as there will be a high turnover, it would lead one to believe that the better clients will move on, leaving the most difficult ones, that may display erratic behaviours.

- Supervision - The speaker stressed that she is concerned that the same staff who are responsible for the duties of caring for the clients will also be responsible for cooking and housekeeping duties. Will this home be any different. - what is the reality? Will salaries be high enough to prevent staff turnover? Will the ratio of staff per client be high enough? Will the facility be as closely monitored on the afternoon and night shifts? The speaker recommended that proper research be undertaken by the City.
- Sexual tendencies of these patients should be questioned.
- How responsible would the residence have to be for informing neighbours on criminal backgrounds or would these clients be protected under a privacy act knowing that the home will be close to schools. It is recommended that the City inform the neighbourhood of any clients with charges related to children, and that policies and procedures be in place.
- How will the residence effect her children. It is already difficult to allow kids the freedom to play outside the boundaries of the yard and if this rezoning is passed, it may be that much more difficult, depending on the profiles of the clients involved.
- Devaluation of the neighbour's property will be affected due to the mini institution adjacent their property.

Marion Kardynal, 6336 S.E. Marine Drive, Burnaby, appeared before Council expressing her opposition to the rezoning application.

Joanne Edwards, 6176 Marine Drive, Burnaby, appeared before Council advising that she is a registered nurse and from her experience advises that when these clients become socially isolated and middle aged they are more likely to act out sexually. The speaker questioned what college education and crises training the staff require? It was requested that ratio staffing for clients be given for day, afternoon and night shifts. Twenty four hour supervision is not always possible in group homes. People with mental health issues have very aggressive personalities, and can turn from calm and placid to violent behaviour in a second; an example of such illnesses that possess these characteristics are Bipolar and schizophrenia. All these patients with mental health issues are on medications and become sick when they are not medicated.

The speaker expressed concern regarding children traversing to school, and having to pass by this location; kids are trusting and do not understand mental illness. Marine Drive has dense bush and areas that are not populated and as such, residents are at a potential risk if they frequent this isolated area. The speaker suggested that the rezoning in question should not happen in an area where two other institutional houses are located as this area could be potentially dangerous to the residents themselves.

\*\*Councillor Nancy Harris retired from the meeting at 8:30 p.m.\*\*

Darren Hawrish, 6382 Marine Drive, Burnaby, appeared before Council advising that he is in opposition to the rezoning. The speaker questioned that, if this particular rezoning goes forward could the site be used for something else less desirable in the future and is there a back up plan if this should happen?

\*\*Councillor Nancy Harris returned to the meeting at 8:34 p.m. and took her place at the Council table.\*\*

Mr. Hawrish pointed out that there are numerous children in the neighbourhood. Also, the group home residents will be more prone to injure themselves so there will be more ambulances coming and going from this location.

Shelley Brown, 6108 Carson St., Burnaby, appeared again before Council to advise that the house in question has more than 12 rooms. There is a games room and family room. The speaker observed that as of August 25, the den is in the basement. It was questioned if there are actually only seven bedrooms in the house.

Danielle Ebus, 6352 Marine Drive, Burnaby, appeared before Council to advise that he had only heard last week about the rezoning. The speaker has safety and security concerns. The speaker expressed that there is much to worry about as this is a family neighbourhood. In concluding, the speaker expressed his opposition to the rezoning.

Michelle Fuller, 6530 Marine Drive, Burnaby, appeared before Council advising that the subject house is seven houses from her home and six houses away there is a house for troubled teens, along with two elementary schools. Small children do not understand about mental health issues and there is no bus service for the school children. The area in question is heavily treed and contains a large amount of bush. There are bus stops beside the facility in question and the speaker feared for the safety of the children in the area as there are too many facilities within a two block radius.

Paul Smith, 6314 Marine Drive, Burnaby, appeared before Council advising that the neighbourhood has a number of concerns. The speaker advised that he was on vacation and he did not see any petition being circulated in the neighbourhood. Mr. Smith feels that the timing was poor due to a large number of people being on holidays at the present time.

Harry Demchuck, 6423 Marine Drive, Burnaby, appeared before Council to advise that he is in opposition to the rezoning.

Frank Cound 6477 Marine Drive, Burnaby, appeared before Council expressing his concerns that if this rezoning proceeds, what comes next after it ; can any institution come into that location and which group is coming next. The speaker expressed his opposition to the rezoning as there are five or six different institutional buildings in the area.

Morris Poundall, 6326 Marine Drive, Burnaby, appeared before Council expressing concern as to what the cost is for the community to have the residence in this vicinity. The speaker expressed concerns about the patients having drug dependency and social problems. Mr. Poundall commented that there is a half way house one block away and the community was not advised of that particular location. Concerns were also expressed regarding thefts and break-ins in the neighbourhood.

Peter Brown, 955 London Place, New Westminster, appeared before Council to express his sympathy for the people in Burnaby in having to deal with this situation in their neighbourhood.

A Petition containing 52 signatures was submitted prior to the termination of the Public Hearing advising of the following:

"We the residents of the South Slope and Big Bend Area of Burnaby are opposed to the rezoning application at 6321 Marine Drive, (from A R5 to A P5, R5) and any further non-residential facility considerations."

A Petition containing 45 signatures was submitted prior to the termination of the Public Hearing advising of the following:

"We the residents of South Burnaby neighbouring the house located at 6321 Marine Drive vehemently oppose the proposed Amendment of Bylaw 1965 Amendment No. 27, 2002."

A letter dated 2002 August 19 was submitted prior to the termination of the Public Hearing from Kal and Mickey Bains, (brother and sister) 6335 Marine Drive, Burnaby, advising that they are in opposition to the subject rezoning. The writers advised that they purchased their home in order to be near their parents as they age and have health concerns. The owners advised that it will now be more difficult to rent the home as potential renters view the neighbouring house and the related traffic as undesirable. Kal and Mickey Bains also stated that they are incensed that this matter affecting their property value was not disclosed. The writers have a concern that the house has seven bedrooms which the BCHMA have taken the liberty of converting rooms into something else.

In concluding, the writers expressed that there is a women's prison facility, and two other group homes in the area and any further rezoning applications for institutional type facilities do not belong in this area.

Council advised that a staff report will come forward addressing the issues raised at the Public Hearing.

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

MOVED BY COUNCILLOR EVANS  
SECONDED BY COUNCILLOR BEGIN

"THAT this Public Hearing relating to rezoning #02-15, Bylaw No. 11413 be now terminated."

CARRIED UNANIMOUSLY



3. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 28, 2002" - BYLAW NO. 11414

Rez. #02-19

1431 (1435) Sperling Avenue

Lot 351, D.L. 132, Grp. 1, NWD 53646

From: C1 Neighbourhood Commercial District

To: CD Comprehensive Development District (based on C1 Neighbourhood Commercial District and P1 Neighbourhood Institutional District guidelines and in accordance with the development plan entitled "Proposed Child Care Centre" prepared by Antil Patel)

The purpose of the proposed zoning bylaw amendment is to permit a Montessori preschool within the existing commercial development.

The Advisory Planning Commission advised Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rez. #02-19, Bylaw No. 11414.

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

MOVED BY COUNCILLOR JOHNSTON  
SECONDED BY COUNCILLOR EVANS

"THAT this Public Hearing relating to Rezoning #02-19, Bylaw No. 11414 be now terminated."

CARRIED UNANIMOUSLY

4. "BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 29, 2002" - BYLAW NO. 11415

Rez. #02-23

Ptn. of 5502 Lougheed Highway

Ptn. of Lot 102, D.L. 125, Grp. 1, NWD 56065

From: R2 Residential District

To: CD Comprehensive Development District (based on M2 General Industrial District and R2 Residential District and in accordance with the development plan entitled "Survey Plan of Proposed Sign Location" prepared by Butler, Sundvick & Associates and "Revs The Bowling Centre Sign Concept Plan" developed by Apollo Sign & Millwork)

The purpose of the proposed zoning bylaw amendment is to permit the siting of a free-standing sign within the Lougheed Highway R2 buffer area.

The Advisory Planning Commission advised Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rez. #02-23, Bylaw No. 11415.

There were no submissions received in connection with this rezoning.

MOVED BY COUNCILLOR EVANS  
SECONDED BY COUNCILLOR BEGIN

"THAT this Public Hearing relating to rezoning #02-23, Bylaw No. 11415 be now terminated."

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED BY COUNCILLOR JOHNSTON  
SECONDED BY COUNCILLOR BEGIN

"THAT this Public Hearing (Zoning) do now adjourn."

CARRIED UNANIMOUSLY

The Public Hearing (Zoning) adjourned at 9:00 p.m.

Confirmed:

Certified Correct:

  
MAYOR

  
ADMINISTRATIVE OFFICER I