

2003 January 28

A Public Hearing (Zoning) was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 2003 January 28 at 7:30 p.m.

PRESENT: Mayor Derek R. Corrigan (In the Chair)
Councillor D.G. Evans
Councillor D.N. Johnston
Councillor C. Jordan
Councillor L. Rankin
Councillor C.M.H. Redman
Councillor N. M. Volkow

ABSENT: Councillor P. Calendino
Councillor S. Dhaliwal

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. 52, 2002" - BYLAW NO. 11479

Rez. #02-35

3861, 3875 and 3891 Kingsway, 3880 and 3892 Sandell Street

Lot "B", Blk. 49, D.L. 35, Grp. 1, NWD 799; Parcel "One" (Expl P1 15591) Lot "A", Blk. 49, D.L. 35, Grp. 1, NWD 799; Lot "A" Except: Parcel "One" (Expl P1 15591), Blk. 49, D.L. 35, Grp. 1, NWD 799; Lot 6, D.L. 35, Grp. 1, NWD 7313; Lot 7, D.L. 35, Grp. 1, NWD 6779

From: P1 Neighbourhood Institutional District and R5 Residential District

To: CD Comprehensive Development District (based on P5 Community Institutional District, RM3 Multiple Family Residential District and Metrotown Development Plan, and in accordance with the development plan entitled "Villa Grace" prepared by Kingsley Lo Architect, and "St. John The Divine Church Alterations" by Birmingham and Wood Architects)

The purpose of the proposed zoning bylaw amendment is to permit retention and partial restoration of a historic church and development of a seven storey combination seniors' strata titled and rental apartment.

The Advisory Planning Commission advised Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rez. #02-35, Bylaw No. 11479.

Sandra Freeman, 6089 Madison Street, Vancouver appeared before Council members as an employee of the Park View Day Care Centre situated at 3895 Kingsway, and as a representative of a group of parents whose children attend the day care centre. The speaker advised that there is concern with the subject application due to the provincial government's closure of quality child care and questioned what will happen to the child care centre on site that currently services 30 families.

The speaker inquired if there is a plan to have the childcare centre remain at its present location as the childcare centre has been in that location for 50 years and the termination of its services would be a detriment to the City of Burnaby. Ms. Freeman advised that the centre has affordable rates along with a high demand for childcare in that area.

In response to the speaker's inquiry regarding the future of the existing childcare facility, the Director Planning and Building advised that the childcare facility is not part of the redevelopment proposal and the owners and operators have been informed that the City is willing to assist in finding a new location for the childcare facility.

Roger Nordrum, 3838 Sandell Street, Burnaby appeared before Council members advising that in addition to his residence at 3838 Sandell Street, he owns the rental residences at 3856 and 3868 Sandell Street.

Mr. Nordrum advises that all three properties will lose a significant amount of morning sunlight (especially during the winter months) due to the height of the proposed seven storey structure. The speaker noted that the first floor begins at an elevation higher than Sandell Street so that the net shade effect is actually greater than that of a seven storey building.

The overhead doors to parking level P2 and P3 will create considerable noise intrusion for 3868 Sandell Street. The P2 entrance is adjacent to the south-east corner of his property while P3 entrance is east of the residence at 3868 Sandell and is approximately 30 feet from our property line. Both of these parking levels will have large number of cars coming and going, thus the noise from the overhead doors promises to be a significant nuisance.

In summary, while the shade from the proposed structure might be considered to be a "nuisance" factor, the proximity of the P2 and P3 parking entrance doors (and the adjacent driveway traffic) will seriously affect the resale value of 3868 Sandell Street.

Should the proposed "Villa Grace" development be approved by Council, it would be appreciated if the architects could incorporate some design changes to minimize the impacts described in the foregoing.

Mr. J. Fogel, #116-5715 Jersey Avenue, Burnaby appeared before Council members advising that he had in his possession 13 letters written by residents of the strata units which he would be reading for the record.

Mr. Fogel expressed his opposition to the proposal due to the height and close proximity to the next apartment. The speaker suggested that there is a financial and esthetic aspect that should be considered by Council. The speaker referred to sections 3.4 and 3.5 of the report wherein there are two different formulations on the City's input with respect to the subject plan.

In the original proposal there was provision for transfer of city owned property in exchange for the restoration of St. John Devine Church. Designation as a heritage site and restoration of the Church is an important part of the City's proposal for the use of the land and yet this proposal calls for a building at the highest point which is higher than the steeple of the church. The speaker questioned, from an esthetic point of view, how the site will look with this large building behind the church; is this what the City is trying to achieve from the development site? The previous proposal at its highest point was just above his apartment which is three storeys above the ground; this one almost doubles the height at its highest point. In the surrounding neighbourhood, the tallest building to Patterson on the east and the Telus building on the west, is no more than three and half storeys above ground.

In concluding, Mr. Fogel expressed his opposition due to the fact that his unit faces westward and this will change the privacy aspect of his patio as well as all the west facing units in both the Jersey building and certainly the western portion of the Kingsway building. Mr. Fogel stated that the view aspect is minor, but the Telus building does provide a green space, which will change dramatically. The speaker would prefer something lower down and further back so there is more space between his apartment and the proposed building.

The following letters were submitted by Mr. Fogel for the record.

A letter dated 2003 January 28 was submitted from Mrs. Prabhjot K. Singh and Mr. Indiver Singh, #216-3925 Kingsway, Burnaby in opposition to the proposal due to reduced sunlight, reduced privacy for west facing units, reduced views westward, increased noise level and an increase in people and traffic.

Rosya Lata #211- 3925 Kingsway, Burnaby was in support of the comments by Mr. and Mrs. Singh.

A letter dated 2003 January 28 was submitted from Rose Kazak, #202 - 5715 Jersey Avenue, Burnaby expressing opposition to the proposal due to reduced sunlight plus her view will encompass cement and windows with no green scape. The writer feels that the foregoing will compromise the resale value of her suite. The proposed building is too high for the lot which affects the residents next door. The writer has concerns regarding water pressure and stress leaks in our piping along with building shifts because of the horrendous hole in the ground that will be required for the foundation.

A letter dated 2003 January 26 was submitted from Kristine DeZeenheer, #311 - 3925 Kingsway, Burnaby expressing concerns as to the height of the building situated so close to the west side of 3925 Kingsway and the negative effects on the health of the residents, mainly seniors. There will be so little green and air space between the two properties. The height will block out light and the little sunshine that now exists. Artificial lighting will be required for all working hours. The new neighbours will have armchair views of the interior of our suites which will lead to daytime drape closure, further contributing to claustrophobia and depression.

A letter (undated) was received from Rose Elliott (Kingsway building) expressing opposition to the construction of high rises around their apartment building.

A letter (undated) was received from Susan Sugujama, #315 - 3925 Kingsway, Burnaby expressing opposition to the proposal due to the loss of light, lack of privacy and health hazards.

A letter (undated) was received from Margaret Hoffman, #116 - 3925 Kingsway, Burnaby expressing opposition to the proposal due to the loss of her view. The writer says she has never heard of a high-rise apartment building being built right next to a low-rise apartment building. The writer will seek compensation for the loss of privacy, sunshine, view and enjoyment of her home.

A letter dated 2003 January 26 was received from Tara and Raj McCall, #114 - 3925 Kingsway, Burnaby expressing opposition to the proposal due to the height of the building.

A letter dated 2003 January 27 was received from Helen Dirksen, #314 - 5715 Jersey Avenue, Burnaby expressing opposition to the height of the building which will block the sunshine and the view for the western exposure. The writer would like to see a much lower building constructed.

A letter dated 2003 January 24 was received from Katherine S.B. The, #314 - 3925 Kingsway, Burnaby expressing opposition to the proposal. The writer recommends that the building not be built higher than two storeys for easy evacuation in case of a power failure or emergency. Trees should be planted along side The Cameray Gardens to provide a green space between the two buildings. The residents of Cameray Gardens on the west wing will have to draw their blinds and drapes forever. The writer states that to build a seven storey building along side Cameray Garden is a plan with no consideration for the freedom and privacy of their neighbours.

A letter dated 2003 January 27 was received from Rita Hornung, #203 - 5715 Jersey Avenue, Burnaby expressing opposition to the proposal for the following reasons:
The distance of 20 feet from the lane to the proposed new building should be at least 50 feet. The writer advises that the height of the new building is too high as it will block out all the daylight and evening sunsets, which she has enjoyed for 22 years. The writer recommends that four storeys should be the maximum height of the building. The increased traffic volumes will take away from the quietness of the area.

A letter dated 2003 January 26, was received from Celine and John Phillips, #316 - 5715 Jersey Avenue, Burnaby expressing opposition to the proposal as it will negatively effect the value of their property. Concerns were expressed regarding the loss of views and sunlight, along with a loss of privacy. The environmental impact will negatively effect the daily life for the residents in this building.

A letter dated 2003 January 27 was received from Mr. and Mrs. Abu Nasiruddin, #317 - 5715 Jersey Avenue, Burnaby expressing opposition to the proposal as it will reduce the sunlight and eliminate the westward views and reduce property values.

Susan Larsen, 3865 Sandell Street, Burnaby appeared before Council members stating that she has been a resident owner for 30 years. The speaker advised that she is in opposition to the height of this building. The speaker presented pictures of the area which were circulated to the Council members. The speaker circulated photos of the surrounding area confirming that the

height of the proposed building is too high for the area. Cameray Gardens is a three storey building and any development next door should fit in with that type of development. The speaker expressed concerns about a shadow cast from the proposed building coming down on Sandell Street along with the loss of privacy and quality of life if one has to view a seven storey building tapering down to Sandell Street. Concerns were expressed about the increase in traffic; Sandell has been a cul de sac for many years and it was only about three years ago that 'no parking' signs were put in on the south side of Sandell Street to try and curb the Telus employee parking. The speaker questioned where visitors are going to park? The architect's sketch only shows 10 parking spaces. Is the Church going to be restored as a heritage building or is it going to be used as a church? The speaker noted that if the building is going to be used as a Church, where are people going to park? Across the street from her apartment there are two empty lots that have rat infestation.

Don Westphal, #302 - 5715 Jersey Avenue, Burnaby expressed his opposition to the height of the building facing westward which affects his quality of life and the value of his condominium. The residents in this area will be paying a high price to preserve the Church if a building of this height is constructed in this area as all other buildings are low rise.

Sandra Freeman, 6089 Madison Street, Vancouver appeared before Council members again to bring up the issue of community. She has worked in the area for eight years but the actual daycare is in a separate building behind the church and for many years that building was used for scouting/guiding groups, banquets and dinners, all of which were affiliated with the Church. We have always prided ourselves in trying to get to know the neighbours and neighbours have actually come to enjoy the close proximity of the children. If that is taken away, it will not be a good thing as seniors and children are a good combination. The earlier proposal was to include a multi-purpose educational room in the existing building.

In concluding, the speaker stated that a lot of people have commented about keeping their green space. Right now the playground provides a view of the mountains, children can see the mountains, planes and snow but if the development proceeds everything will be gone.

The speaker requested a copy of the previous set of minutes; this is the first time she has actually had the opportunity to see the height of the proposed building. Forty five families will be affected by the development.

Don Lee, 999 East 54th Street Vancouver appeared before Council members advising that he can see the concern of the neighbours regarding the height but would like to address the public benefits in the community as well. Mr. Lee supports the Chinese Mennonite Church Senior Condominium apartment that accommodates rental housing projects. The speaker advised that the Church already has two congregate housing projects with a total of 90 units in Vancouver/Delta and the East side. The speaker provided a number of statistics on the seniors housing units in the lower mainland noting that there is an urgent demand locally for seniors housing particularly the congregate housing and congregate care housing. This type of housing is not government subsidized. Mr. Lee advised of two congregate care projects in Vancouver - 485 Dominion Avenue and 333 East Pender Street where the average age is 80 years old; and the speaker noted three other congregate care projects are underway.

The senior population is venerable to social insolation due to their living arrangement and reduction of mobility that comes with health problems and advancing age. With proper nursing

care and together with balanced meals and other services such as laundry and maid service as well as recreational activities for residents, it is an ideal place other than their family home. The development is designed well and conforms with the sloping land; it will be a very attractive and a functional enhancement to the neighbourhood.

Kingsley Lo, Architect, 203 - 1545 West 8th Avenue, Vancouver appeared before Council members advising that when he designed this project he desired to bring nature to the seniors. Mr. Lo wanted to incorporate an oriental concept in the design; two opposing elements in nature that work in harmony. Mr. Lo proceeded to explain the functionality of the design for this proposal. The speaker is trying to preserve the view which is important for the neighbours.

** Councillor Johnston retired from the meeting at 8:40 p.m. **

In response to a query from Council, the Director Planning and Building advised that staff will have on file a copy of the computer modelling relating to this project.

In response to a query from Council regarding how the configuration of the site affects the setbacks from the Jersey complex, Mr. Lo responded that they are working with the Planning Department on the dimensions.

In response to an inquiry from Council regarding whether the Church would be operating as a church, Mr. Lo confirmed that the Church will be operating.

** Councillor Johnston returned to the meeting at 8:45 p.m. **

Sandra Moore, Birmingham and Wood Architects, 231 Carrall Street, Vancouver, Architect for the restoration of St. John The Devine Church appeared before Council members to advise that they have prepared the documentation for the restoration of St. John The Devine Church was originally built in 1899 and is the oldest standing church in Burnaby. It was substantially enlarged and rotated on its site in the 1940's and it was at that time, the building was stuccoed and wood siding removed. We are proposing to restore that wood siding and the exterior detailing of the church and the original window type. A large proportion of the upgrading that is proposed is to improve life safety issues particularly fire safety issues which account for approximately 50 percent of the restoration costs. The cost of the restoration has been established at approximately \$450,000 by a professional surveyor. There are some parking stalls provided at grade with access from Kingsway with additional parking underground. There are many precedents all over the world for historic structures being neighbours with newer more modern, larger structures and as a restoration architect she does not see any heritage difficulty with that proposal. It is an important piece of work and an important heritage asset for the City of Burnaby.

In response to a query from Council regarding the windows and the understanding that the diocese of New Westminster took the windows out of the Church and moved them to another facility, Ms. Moore responded that those windows were not actually the original windows; they were commissioned over the course of their tenure in the building. There are three examples left in the building and we are proposing having similar designs made for new window openings.

Roger Normann, 3835 Sandell Street, Burnaby appeared again before Council members to request clarification on the time of year represented by the shadow map. Mr. Lo responded that it was the time of the equinox; March 21 and September 21 - 10 a.m. and 3 p.m.

The speaker advised that he has no objection to provision of adequate and comfortable housing for senior citizens. His objection is not with the function of the building but simply its physical impact on the immediate neighbourhood.

Steven Lee, 76 South Glynde Avenue, Burnaby, Pastor and President of the Housing Society appeared before Council members in support of seniors housing. Pastor Lee stated that currently in Vancouver there are two senior housing projects which accommodate about 120 seniors, averaging about 80 years old, along with two other projects that are currently under construction with the purpose of creating more space for seniors

In response to a query from Council regarding the policy in terms of the strata and rental units, Pastor Lee responded that for the younger seniors, they can purchase a unit so as they get older they will have the care that is required all in the same building. It was confirmed that interested buyers do not have to be a member of the Church.

In response to a query from Council regarding the elimination of the daycare facility, Pastor Lee responded that they are happy to run the daycare in the Church building.

In response to a query from Council regarding whether any of the units are affordable housing for seniors, Paster Lee stated that it would be affordable housing for middle income seniors.

Kingsley Lo, Architect, 203 - 1545 West 8th Avenue, Vancouver appeared again before Council members regarding the cul de sac on Sandell Street asked staff to investigate whether it could be opened to allow for safer traffic flow.

Mr. Fogel, #116 - 5715 Jersey Avenue, Burnaby appeared again before Council members to affirm that the proposal for senior housing is certainly commendable. His concern is with the design of the building and in particular its height. When examining the shadow diagram the speaker believed that the results could be unreliable.

Mr. Roger Nordrum, 3838 Sandell Street, Burnaby appeared again before Council members to add a further comment about Mr. Lo's last question regarding the opening of the cul de sac for through traffic on Sandell Street. Mr. Nordrum lives on the west end of Sandell Street which is protected from through traffic at the moment and although the east end of Sandell Street, north of the apartment buildings is accessible for two-way traffic, the portion on the west side of Sandell Street is by no means up to standard for regular through traffic at all.

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

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT this Public Hearing relating to Rez.#02-35, Bylaw No. 11479 be now terminated."

CARRIED UNANIMOUSLY

2. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 1, 2003" - BYLAW NO. 11493

Rez. #63/97

7155 and 7185 Kingsway

Lot 1, D.L. 95, Grp. 1, NWD LMP21431, and Lot 190, D.L. 95, Grp. 1, NWD 41038

From: C3 General Commercial District and CD Comprehensive Development District
(based on C3 and C3a General Commercial District)

To: Comprehensive Development District (based on RM5 Multiple Family Residential
District, C3 and C3a General Commercial District use and density and Community
Plan Guidelines, and in accordance with the development plan entitled "High Gate
Village" prepared by Lawrence Doyle Architect Inc. and Urban Design Group
Architects Ltd.)

The purpose of the proposed zoning bylaw amendment is to permit a residential and
commercial high-density mixed-use development.

The Advisory Planning Commission advised Council that following its consideration of this
rezoning application, a decision was reached to SUPPORT Rez.#63/97, Bylaw No. 11493.

A memo from the Director Planning and Building was received advising that there are revised
pages 8 and 9 regarding the redevelopment of the Middlegate Mall.

The revisions result from the architects having just advised of minor changes to the statistics of
the commercial development as follows:

- minor changes to the floor area of the various commercial components;
- more restaurant seating (in the future an amendment rezoning may be pursued to change
one of the proposed restaurants to a liquor-primary establishment);
- a correction regarding the amount of commercial parking provided, which is 456 spaces,
well above the 334 spaces required.

Mr. Larry Doyle, Architect, #200 - 1450 Creekside Drive, Vancouver appeared before Council
members representing Bosa Properties who are the developers of the subject proposal. Mr.
Doyle provided information with regard to the subject application, and advised that the plan
that is before Council is an amendment to rezoning 63/97 and the new proposal has kept the
intent of the original approved development. The speaker advised that some refinements have
been made to the elements previously approved.

Mr. Doyle provided an overview of the drawings that were on display highlighting the
commercial development on the lower level and residential and town centre areas on the upper
level. Mr. Doyle noted that one major change from the original plan, would now be the
location of a fourth tower on the other side of the urban trail instead of being located on the
southern portion of the property.

The speaker advised that the existing food store will remain on site while the new centre is under construction. After completion of the centre, the existing food store will be demolished and a new food store will be available.

In response to a Council query, Mr. Doyle advised that the food store is 41,000 sq. ft.

The Director Planning and Building advised that the applicant for the restaurant may be making an application for a liquor facility that would have to go through a subsequent rezoning.

In response to a query from Council, Mr. Doyle responded that parking provisions for the RCMP will be three spaces on the surface and eight spaces underground.

In response to a query from Council, Mr. Doyle responded that decorative pavers would be used in the centre garden area to make the area as interesting as possible.

In response to a query from Council, Mr. Doyle responded that parking will be underground but will be the same level as Kingsway.

In response to a query from Council, Mr. Doyle responded that one of the criteria for the new development is to commence construction of the one tower so that the development starts to feel like a community.

In response to a query from Council, Mr. Doyle advised that the town square would be maintained by the developer.

John Tregilges, #217 - 3809 Albert Street, Burnaby appeared before Council members advising he was in attendance as a representative of Local 503 Retail Stores and Warehouse Liquor Stores representing 1300 employees facing job loss due the Provincial government's privatization of alcohol. The speaker advised that they are in support of the redevelopment with some reservations as to the type of liquor store which will be integrated in the existing development.

The speaker provided comments relating to private liquor sales and licences that have already been granted for over 250 private stores in the GVRD area.

The speaker requested that Council encourage the Provincial government to maintain its existing government liquor store in this new development.

Mary Mowat, 3899 Marguerite Street, Vancouver appeared before Council members advising that she was in attendance to address the property directly to the north of this development. The speaker advised that she was representing her parents, Theresa and George Winkler. Their property address is 6961 Hall Avenue and 6960 Salisbury Avenue.

The speaker provided a brief history of the subject property located at 6961 Hall Avenue and 6960 Salisbury Avenue, advising that it was once part of the whole Middlegate Shopping Mall area. The speaker provided a brief summary of background information relating to the development that took place on the Middlegate site in the 1950's.

Ms. Mowat advised that their property consists of two buildings housing 68 units mainly three bedrooms units. The speaker advised that there is on average approximately 150 children that live in their development. The speaker advised that the buildings are set up in a u-shaped configuration. The entrances to the buildings are all facing the proposed development. This brings up the whole idea of how this proposed large development is going to negatively affect our property, particularly due to the loss of sunlight and the increase in traffic and noise. The speaker suggested that a noise attenuation buffer will be required. The families that live here have children that walk to elementary school and high school every day.

The speaker referred to the display drawings and drew particular attention to the driveways from the two towers. Ms. Mowat calculated how many parking stalls are accommodated in the towers and this will increase the parking by 718 stalls which means that 718 cars are going to leave every morning and come home every evening and this will negatively affect the 68 unit apartment across the street.

The three storey walk up apartments have single glazed windows. The apartment complex is situated on two acres of land and families who rent accommodation there appreciate the quietness of the area. There are hardwood floors in the buildings along with swimming pools in the south facing courtyard. The speaker stated that due to the u-shaped design of the apartment buildings, more exhaust will collect in the front of their buildings.

The speaker advised that she had addressed the noise issue and the underground parking issue. Collier street was built to allow protection for the property across from the shopping centre. The speaker requested that the ramps be moved over to Salisbury and Hall Avenue for the benefit of those people and the children that are going to be walking and playing around the complex and for the children who walk to school each morning.

The other point the speaker wished to convey, is that the proposed towers across from the respective property are 27 and 29 storey buildings and then reminded everyone that their apartments are just three storey walk up apartments. The previous application was designed for seven storey buildings.

The speaker further pointed out that with the previous developer all the towers were to be along the Kingsway frontage because those towers would not affect the residential component which is north of the development. There was also a townhouse concept to be included in the proposal to keep with the residential component.

In concluding, the speaker advised that she is not against development and clearly understands that the Midlegate Mall needs improvement for the whole Edmonds area but she would like to see the residential component addressed. The speaker has requested that the two towers be moved forward and that a large buffer be put in, and in turn, the parking entrance moved to Salisbury Avenue and Hall Avenue. The speaker further advised that because 68 families and 150 children are living in the apartments, try to imagine the kind of excavation pit that will exist while the three northern buildings are being constructed. As renters, people will choose not to live in this area. Therefore, as owners of the apartment blocks, we will be negatively affected for the two to three years in which development will take place. It will become very difficult to rent the properties especially as they are family oriented. The speaker would like property tax relaxation due to the fact that they will not be able to rent the units as serene, quiet property.

The speaker questioned what is the developer going to bring to the rest of the community? These are four towers with an average height of 28 storeys. Nothing like this exists within this residential area and the speaker suggested that people take a walk around the area and they will see that there are homes and many apartment blocks within this region but of course they are all three storey walk ups. The next issue to be considered is what is going to happen to our three storey development. It was suggested that the City 'grandfather' the same zoning to their property as that offered to the subject development.

Lastly, the speaker advised that many people who live in our apartments do not have cars because there is direct walking access to the mall. The speaker requested that consideration be given to providing a walkway through the new development, so the public can have access to the shopping centre. It was also requested that some sort of buffer be erected during the construction of the development. It was suggested that the small fence is not going to be sufficient to protect the people and children who live in the area.

George Winkler, 1063 Broadway, Vancouver, owner of 6961 Hall Avenue and 6960 Salisbury Avenue appeared before Council members advising that this shopping centre is built for the neighbourhood area not just for the four towers. The speaker requested that the towers should be moved back, and public access should be provided to the shopping centre from the north side. It makes sense to move the entrances of the towers to Salisbury Avenue as there is a bus route along that street. Consideration should be given to the neighbours as well.

Margaret Stevens, 7067 Gray Avenue, Burnaby appeared before Council members stating that she had the following questions:

The speaker referred to the display model and questioned the large section of green noted on the plan as being semi-private park; that concerns the speaker as the area has a lot of children and the only other park close by is Richmond Park. People with young children in strollers and babies, will not find it as close as it would be for an older person. Children need a green space. The speaker stated that she would not like to see a high rise development with a private park, something like City in the Park. If plans are made to make the area a semi-private park it will not work. It is fortunate that there is a police office nearby, as they will be kept busy keeping people from that park. The speaker stated that she would like that park space to be freely open to all of the public.

The speaker further questioned the urban trail and why it is actually a road with parking spots?

The speaker further questioned the access from Kingsway, according to the plans, there seems to be stairs. Ms. Stevens advised that she hopes it is not private because people will walk straight across and not around the development.

Ms. Stevens advised that regarding access to shopping mall, she does not see a ramp for wheelchairs and motorized scooters and people in strollers. If there are no plans for a ramp from Kingsway, there should be. You cannot expect those people to be going up and around in order to get access to the shopping mall because there are no details of the road plan entering into the mall area.

How are cars heading east on Kingsway turning into the mall or will access be restricted at this entrance. To exit the cars will only able to turn west? What are the plans if cars are

coming from the west; do they turn on Salisbury or do they turn on Hall? How easy will that be for people to negotiate?

In concluding, the speaker advised that she works at the library and is concerned about the dangerous situation that exists at the intersection of Kingsway and Hall Avenue. Most parking is going to be at ground level below the commercial spaces. I did not see where people enter the stores; there are a lot of people in that area who don't drive. There has to be space that is very accessible for people who are walking.

Joan Carne, 6392 Neville Street, Burnaby appeared before Council members advising that as a streamkeeper in Burnaby she is happy to hear that storm water retention is a requirement of the development as this will certainly improve the water quality of Bryne Creek

The speaker expressed concerns regarding adequate access in and out of the parking garage. The speaker also shares the concern about semi-private park green space and would like to see the opportunity for more public green space.

The speaker questioned if there was any potential for green roof type developments or even garden roof tops to make more use of some of these flat roofs, more particularly in the commercial zone.

Ms. Carne stated that traditionally Middlegate Mall had a bowling alley and she was not sure if the bowling alley still existed. The speaker suggested that there should be a recreational facility in the area and questioned if there are plans for such a facility.

The speaker expressed her support for the stormwater management plan but requested information on how the stormwater will be managed.

R. Kutle, 6714 Imperial Street, Burnaby appeared before Council members advising that he has lived in the area for ten years. The speaker stated that he has visited friends who live in the u-shaped buildings. The owners of the buildings have done nothing to improve the buildings for the tenants over the last 30 years but they have the highest rent.

The speaker is in support of the new development and would like to see construction start very soon.

Craig Bryant, owner of the Optician store at #206 - 7155 Kingsway, Burnaby appeared before Council members advising that he would like to express concern regarding the retail/commercial development as it has been proposed. There were town centre plan brochures sent out about eight years ago, indicating that there had to be a food store, bank, drug store/pharmacy and other retail mix on the site as part of an overall comprehensive retail development for the area.

The speaker expressed that the current development plan does not have what is required to be a successful integrated retail environment for the area. The costs to be incurred for this development would be much more appropriate in a Metrotown environment as opposed to a Middlegate environment. No development representatives have approached the existing retailers to find out what the retailers want or what do they need.

This kind of a development speaks of a scale that is larger than would be necessary for the area that existing retailers need. Mr. Bryant advised that he has operated his business from 525 sq. ft. for 13 1/2 years ; the smallest retail in the new development is 1160 sq. ft. The businesses that are in the mall right now and would like to stay in the area and serve the people in the community, do not require 1600 sq. ft. stores. This does not fit in with a Middlegate environment.

** Councillor Redman retired from the meeting at 10:20 p.m. **

The speaker expressed concern that if Save On Foods becomes part of the shopping centre there will be an escalator up through the middle of the Save On Food store. The generation of foot traffic will be considerably diminished. The speaker expressed his concern that the development will only be for large retailers.

In concluding, the speaker stated that the design needs to be simplified, and with lower cost construction in order to keep the rents in line. Most businesses along Kingsway are set back 40 to 50 feet due to the high traffic along Kingsway, exhaust fumes, high density, and problems with dirt and dust along with increased noise levels.

In response to a Council query, Mr. Bryant responded that the scale and size of floors on the renderings are not shown and he thinks that the smallest area is 860 sq. ft.

In response to a Council query, Mr. Bryant advised that all the businesses have communicated amongst themselves, as with the kind of anonymous ownership that we have had in the mall, there has been no one available to discuss future plans for the mall.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR EVANS:

“THAT the Public Hearing do now recess.”

CARRIED UNANIMOUSLY

The Public Hearing recessed at 10:35 p.m.

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR JOHNSTON:

“THAT the Public Hearing do now reconvene.”

CARRIED UNANIMOUSLY

The Public Hearing reconvened at 10:45 p.m. with all Council members present.

Alan Mowat, 3899 Marguerite, Vancouver appeared before the Council members and advised that his wife and father in-law spoke previously in the meeting. The speaker advised that they own the building at 6960 Hall Avenue which is directly behind the proposed development on Collier Avenue. Based on how much it was an issue in the previous rezoning for the senior's

development regarding the loss of sunlight and given the size of this particular development, Mr. Mowat requested that a computer modelling study be undertaken to see the effect on the loss of sunlight on their apartment buildings.

Mr. Mowat requested information on how the legal lots are being reconfigured under the new proposal.

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

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT this Public Hearing relating to Rez.#63/97, Bylaw No. 11493 be now terminated."

CARRIED UNANIMOUSLY

3. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 2, 2003" - BYLAW NO. 11494

Rez. #01-36

4722 Imperial Street and 6830 Waverley Avenue

Lot A and Lot B, D.L. 99, Grp. 1, NWD 14914

From: C2 Community Commercial District

To: CD Comprehensive Development District (based on P2 Administration and Assembly District guidelines, and in accordance with the development plan entitled "Taiwan Economic and Cultural Centre" prepared by Matthew Cheng Architect Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a Taiwan Economic and Cultural Centre.

The Advisory Planning Commission advised Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rez. #01-36, Bylaw No. 11494.

A letter dated 2003 January 21 was received from Ron Jack and Wendy Cheng, 5623 Spruce Street, Burnaby expressing support for the rezoning.

Leslie Bambury, 7289 Waverley Avenue, Burnaby appeared before Council members expressing that she was not in opposition to the rezoning.

Ms. Bambury presented the following concerns:

- hours of operation of the new proposed facility;
- the maximum attendance for cultural and social events;
- will there be limited residential parking offered for the people of Waverley and Jubilee Avenue which will be impacted by the lack of parking;
- where is the parking entrance to the underground parking of the facility; will it be off the laneway behind Imperial, will it be off Waverley or Kingsway;
- Intersection of Waverley and Imperial is already a dangerous intersection; there is a 7-11 gas station there. The city has put signs up that the intersection must remain unblocked but trying to get in and out of Waverley any time of the day is hazardous due to people not adhering to the signs. Are there plans being considered for that intersection;
- With the increased traffic will there be consideration given to the installation of speed bumps down Waverley or Jubilee Avenue;

In concluding, the speaker recognizes that there is definitely an Asian population that would benefit from something of this nature but the speaker would like to note that it is mainly a residential area and therefore, all of these questions need to be addressed and the residents satisfied that it is not going to become more of a parking lot along our streets.

Ron Jack, 5623 Spruce Street, Burnaby appeared before Council members (letter was read into the minutes) to advise that he is in support of the proposal to change the designation of that lot.

Mr. Jack wished to address the comments of Ms. Bambury:

- as you can see from the proposal, the site has been commercial for approximately 40 years. The convenience store 7-11 is a 24 hour a day operation; the cultural centre will not be operating 24 hours a day therefore will not change the tone of the neighbourhood;
- The Chinese community has not had anything significant happen in their community for a number of years. We are very happy to see that the Taiwanese people are building the centre which will create a home for smaller groups to hold events. The property in question has been derelict for many years and with the addition of this building it will be greatly improved.

In response to a Council query, the Director Planning and Building responded that there will be 53 parking spaces, 18 parking spaces on the surface and the rest are underground. The entrance to the parking is situated off the laneway.

Matthew Cheng, Architect, 2223 West Broadway, Vancouver appeared before Council members advising that the purpose of the Taiwan Cultural Centre is to promote the Taiwanese culture to the public and provide space for their activities. The speaker explained the various cultural events that will take place in the centre.

John Lee, 7905 Meadow Drive, Burnaby appeared for the Council members advising that he has been a citizen of Burnaby for the last 30 years and wishes to express his support for the rezoning application.

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

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT this Public Hearing relating to Rez.#01-36, Bylaw No. 11494 be now terminated."

CARRIED UNANIMOUSLY

4. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 3, 2003" - BYLAW NO. 11495

Rez. #02-34

Ptn. of 7832 Enterprise Street

Ptn. of Lot "A" Except: Part Subdivided by Plan 30067, D.L. 42, Grp. 1, NWD 19615

From: M3 Heavy Industrial District

To: CD Comprehensive Development District (based on M5 Light Industrial District use and in accordance with the development plan entitled "Canadian Red Cross" prepared by Scott Gordon Architect)

The purpose of the proposed zoning bylaw amendment is to permit a portion of the existing two-storey building to be utilized as a principal office for the Canadian Red Cross, Lower Mainland Region.

The Advisory Planning Commission advised Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rez.#02-34, Bylaw No. 11495.

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

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT this Public Hearing relating to Rezoning #02-34, Bylaw No. 11495 be now terminated."

CARRIED UNANIMOUSLY

5. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 4, 2003" - BYLAW NO. 11496

Rez. #02-42

Ptn. of 8411 Lougheed Highway

Ptn. of Lot 47 Except: Part Dedicated Road on Plan LMP 52298, D.L. 58, Grp. 1, NWD
29880

From: R1 Residential District

To: CD Comprehensive Development District (based on M3 Heavy Industrial
District and R1 Residential District and in accordance with the development
plan entitled "S.F. Cabinet Sign" prepared by Galaxie Signs Ltd.)

The purpose of the proposed zoning bylaw amendment is to permit the installation of a free-standing sign within the R1 Residential District buffer strip located adjacent to the Lougheed Highway.

The Advisory Planning Commission advised Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rez.#02-42, Bylaw No. 11496.

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

MOVED BY COUNCILLOR EVANS:

SECONDED BY COUNCILLOR JOHNSTON:

"THAT this Public Hearing relating to Rezoning #02-42, Bylaw No. 11496 be now terminated."

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR EVANS:

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

CARRIED UNANIMOUSLY

The Public Hearing (Zoning) adjourned at 11:10 p.m.

Confirmed:

Certified Correct:


MAYOR


ADMINISTRATIVE OFFICER I