

## **PUBLIC HEARING**

September 28, 2015 6:00 p.m.  
Sapperton Pensioners' Hall  
318 Keary Street  
New Westminster, BC V3L 3L3

### **MINUTES**

#### **PRESENT:**

Mayor Jonathan Coté  
Councillor Bill Harper  
Councillor Patrick Johnstone  
Councillor Jaimie McEvoy  
Councillor Mary Trentadue  
Councillor Lorrie Williams

**ABSENT:** Councillor Chuck Puchmayr

#### **STAFF:**

Ms. Lisa Spitale	- Chief Administrative Officer
Ms. Jan Gibson	- City Clerk
Mr. Dean Gibson	- Director of Parks, Culture and Recreation
Mr. Gary Holowatiuk	- Director of Finance & Information Technology
Mr. Jim Lowrie	- Director of Engineering Services
Ms. Bev Grieve	- Director of Development Services
Mr. Philip Lo	- Council and Committee Clerk

The meeting was called to order at 5:59 pm.

Mayor Coté read the statement of procedure regarding the Public Hearing.

### **BUSINESS**

#### **1. Zoning Amendment Bylaw No. 7764, 2015 (900 Carnarvon Street, Tower Four) [A Bylaw to Amend Zoning Bylaw No. 6680, 2001]**

##### Attachments:

- i. Notice of Public Hearing
- ii. Zoning Amendment Bylaw No. 7764, 2015

Reports to Council			
Report Author	Meeting/Document/Date	Public Hearing Date	#
Legislative Services	Minute Extracts	September 28, 2015	R-1*
Development Services	CW, Report (regarding the Housing Agreement for 900 Carnarvon Street), July 13 2015	September 28, 2015	R-2
Development Services	CW, Report (regarding the First and Second Reading of Bylaw 7764 for 900 Carnarvon Street), July 13 2015	September 28, 2015	R-3
Development Services	CW, Report, July 6, 2015	September 28, 2015	R-4*
Development Services	CW, Report, June 1, 2015	September 28, 2015	R-5*
Development Services	CW, Report, September 8, 2014	September 28, 2015	R-6*
Development Services	CW, Report, April 14, 2014	September 28, 2015	R-7*
Development Services	CW, Report, November 4, 2013	September 28, 2015	R-8*
Development Services	CW, Report, March 4, 2013	September 28, 2015	R-9*
Development Services	CW, Report, February 25, 2013	September 28, 2015	R-10*

Written Submissions				
Name	Correspondence Date	Date Received	In Support/Opposed / Concerns	#
Stephen Munro	September 19, 2015	September 21, 2015	Opposed	C-1
Shoko Shimizu	September 19, 2015	September 21, 2015	Opposed	C-2
Robert Galer	September 19, 2015	September 21, 2015	Opposed	C-3
Nancy Song	September 19, 2015	September 21, 2015	Concerns	C-4
Naresh Desai	September 19, 2015	September 21, 2015	Opposed	C-5
Peter Timmins	September 19, 2015	September 21, 2015	Opposed	C-6
Lisa Blackham	September 19, 2015	September 21, 2015	Concerns	C-7
Dr. Rohit Desai	September 19, 2015	September 21, 2015	Opposed	C-8
Brenda Lo	September 20, 2015	September 21, 2015	Opposed	C-9
Ali Dabiri	September 20, 2015	September 21, 2015	Opposed	C-10
John Lunam	September 20, 2015	September 21, 2015	Opposed	C-11a
John Lunam	September 20, 2015	September 21, 2015	Opposed	C-11b

Heymann Yip	September 20, 2015	September 21, 2015	Opposed	C-12
Jim and Maeve Hiscock	September 20, 2015	September 21, 2015	Concerns	C-13
Maria Criselda Morales	September 21, 2015	September 21, 2015	Opposed	C-14a
Maria Criselda Morales	September 21, 2015	September 21, 2015	Opposed	C-14b
Mahmoud Oloumi	September 21, 2015	September 21, 2015	Opposed	C-15
Peter Enders	September 21, 2015	September 21, 2015	Concerns	C-16
Aziz Walji	September 21, 2015	September 21, 2015	Opposed	C-17
Karen Furlotte	September 22, 2015	September 22, 2015	Opposed	C-18
Erwin Tang	September 22, 2015	September 22, 2015	Opposed	C-19
Hiran Dighe	September 23, 2015	ON TABLE September 24, 2015	Opposed	C-20
Bob McCulloch	September 23, 2015	ON TABLE September 24, 2015	Opposed	C-21
Jacqueline D. Kinsey	September 23, 2015	ON TABLE September 24, 2015	Opposed	C-22
Marcus McKenna	September 23, 2015	ON TABLE September 24, 2015	Opposed	C-23
Sandy & Mary Lee	September 23, 2015	ON TABLE September 24, 2015	Opposed	C-24
Henry & Madeline Lee	September 23, 2015	ON TABLE September 24, 2015	Opposed	C-25
David and Joanne Dodge	September 23, 2015	ON TABLE September 24, 2015	Opposed	C-26
New Westminster Chamber of Commerce	September 23, 2015	ON TABLE September 24, 2015	In Support	C-27
Solveig Brickenden	September 24, 2015	ON TABLE September 24, 2015	Concerns	C-28
Paul Rea	September 24, 2015	ON TABLE September 25, 2015	Concerns	C-29
Emilio Gomez-Garcia	September 24, 2015	ON TABLE September 25, 2015	Opposed	C-30
Lisa Blackham	September 24, 2015	ON TABLE September 25, 2015	Opposed	C-31
Joyce & Ron Yap	September 24, 2015	ON TABLE September 25, 2015	Opposed	C-32
Deb McIsaac	September 25, 2015	ON TABLE September 25, 2015	Opposed	C-33
Chris Kerr	September 25, 2015	ON TABLE September 25, 2015	In Support	C-34
Nancy Brooks	September 25, 2015	ON TABLE September 25, 2015	In Support	C-35
Andrew Wong	September 25, 2015	ON TABLE September 25, 2015	In Support	C-36
Raj Pannu	September 25, 2015	ON TABLE September 25, 2015	In Support	C-37

- a. Explanation of bylaw and proposed development of the lands (Director of Development Services)

Bev Grieve, Director of Development Services, provided an explanation of Bylaw No. 7764 and the proposed development. Ms. Grieve noted that the proposed pedestrian walkway design connecting Tower 1 and Tower 4 has been lowered to parking level P4.

- b. Statement concerning the number of written submissions received and their distribution (City Clerk)

Jan Gibson, City Clerk, reported that 49 submissions have been received, with 35 submissions in opposition to the application, 9 submissions expressing concerns, and 5 submissions in support.

- c. Motion to receive submissions

**MOVED and SECONDED**

*THAT the written submissions be received.*

**CARRIED.**

All members of Council present voted in favour of the motion.

- d. Invitation to those present to address the bylaw

**Graham McGarva** and **Maranatha Coulas**, the Applicant and Project Architect from VIA Architecture, provided an On Table PowerPoint presentation summarizing the rezoning application and highlighting the proposed amenities of Tower 4, noting the following:

- This project provides 398 secure market rental housing units, and complies with all applicable City policies;
- Original pedestrian connection design linking Tower 4 to Tower 1 stairway and elevator resulted in compromised security and functionality, and was not acceptable to existing residents;
- New proposed design with pedestrian connection on P4 level links directly to transit and retail concourses via the parkade, or via rooftop amenity level of Tower 4;
- The number of two and three-bedroom units in Tower 4 have increased to 39%;
- A number of traffic and pedestrian safety improvements may be made on Carnarvon Street to mitigate anticipated volume.

**B.C. Lee**, resident at 898 Carnarvon St., inquired as to whether the proposed pedestrian access on level P4 will affect existing parking spaces, and whether pedestrians will be able to access currently secured areas from P4.

In response, staff suggested that as pedestrians could use the drive aisle, there may not be any loss in parking spaces.

The Applicant advised that there will be no security compromise to the secured elevator cores for the three existing towers.

**Matthew**, resident at 898 Carnarvon St., suggested that the proposed location for Tower 4 may be better used for a community amenity such as a swimming pool.

**Gerry Findling**, Strata Council member of 888 Carnarvon St., expressed concerns with unauthorized access to unsecured areas via the vehicle driveway. Mr. Findling also requested clarification on the allocation of the 40 proposed visitor parking spaces within the existing parkade, and how they would be accessed by visitors without accessing secured residential parking.

In response, staff noted that City records indicate the existence of surplus parking spaces within the Plaza 88 site. Per City bylaw, the Developer is able to use these surplus spots for Tower 4 while meeting bylaw requirements.

The Applicant also noted that while security details have not yet been determined, the project recognizes the importance of maintaining secured areas for the existing towers. In response to questions from Council, the Applicant noted that the current commercial parking area would be best suited for visitors to Tower 4.

**Sheila Sullivan**, resident at 898 Carnarvon St., expressed concerns regarding the allocation of visitor parking spaces within the current residential parkade, as well as potential security compromises to locked areas.

**Oliver Demuth**, resident at 898 Carnarvon St., suggested that any commitments made by the Developer at the Public Hearing should be enforceable. Mr. Demuth also inquired as to the City's plans for mitigating

any additional pedestrian and vehicle congestion as a result of the increased density.

In response, **Bev Grieve**, Director of Development Services, noted that the City worked with the Developer to ensure that residents' concerns regarding the pedestrian walkway and elevator access were taken into account in the redesign. Ms. Grieve also noted that, over the past seven years, the City has invested in improvements to downtown-area amenities to support the anticipated growth in population.

**Doug Thomson**, resident at 898 Carnarvon St., opposed the use of the P4 parking level as a pedestrian access, and noted that the extended walkway on the concourse level (adjacent to the Dyanmic Health and Fitness) could have been an alternative.

**Roy Hudlin**, resident at 898 Carnarvon St., expressed concerns that the proposed pedestrian access at level P4 would allow access to secured parking areas, compromising the security for all three towers.

In response to questions from Council, the Applicant noted the following:

- The approved master plan concept for the development was originally conceived with all four towers connecting to the commercial area via a continuous parkade, while elevators and stairwells to individual towers would be secured from public access. The pedestrian access at P4 under consideration would be a continuation of that original design concept;
- The commercial parkade is currently used for visitor parking, as it has more capacity than is required for commercial use; and
- Parkade level P4 currently contains unallocated residential parking.

**Heymann Yip**, Strata president for 898 Carnarvon St., cited insufficient visitor parking passes and street parking to service the existing towers, plus the additional proposed density. Mr. Yip notes that the Developer had previously informed the Strata that no additional visitor parking is available.

**Dave Griffiths**, resident at 888 Carnarvon St., requested clarification as to the location of the surplus parking spaces, and requested that visitors parking for Tower 4 be allotted only in the commercial parkade. Mr. Griffiths also noted considerable variances in the size of residential parking spots between the three existing towers.

In response, staff advised of the following:

- The City is only aware of the overall number of surplus parking spaces within the Plaza 88 site, but not their specification allocation; and,
- A variance was granted in 2005 to meet the requirements for small parking spaces.

The Applicant further advised that as there is adequate excess parking capacity in the commercial area, it would be unnecessary to allocate existing residential parking for Tower 4 visitors parking. The Applicant noted that visitors parking was not a specific requirement at the project's conception in 2006, but is now an issue that will be addressed.

**Procedural Note:** a 5-minute recess was called at 6:45 PM; the Public Hearing reconvened at 6:52 PM.

**Tim Schmitt**, resident, expressed support for the development, in particular its integration with public transit and its proposed height. Mr. Schmitt suggests that the street structure in the downtown area also promotes development of a walkable urban city.

**Paul Rea**, resident at 898 Carnarvon St., expressed concerns that Tower 4 would be higher than 28 floors, as he was originally informed in 2006.

In response, staff noted that the development has been driven by the Official Community Plan (OCP), specifically the high-density residential designation, which does not provide specific heights.

**James Harrington**, resident at 898 Carnarvon St., expressed concerns regarding pedestrian safety and security on parking level P4, as well as concerns that the proposed entry way into the commercial concourse from P4 may be too narrow. Mr. Harrington suggests that the extended walkway on the concourse level should be used instead to connect Tower 4.

In response to questions from Council, staff noted the following:

- Both the Developer and staff were initially interested in developing a walkway to provide access to transit and Shops at New West;
- A number of objectives, include making the grades and routes of the walkway accessible and convenient, have to be balanced to achieve the best outcome;
- The extended walkway on the concourse level was closed off prior to completion of negotiations regarding where a pedestrian walkway could

be located, and that Shops at New West had the right to do so at the time; and,

- The proposed entry way into the commercial concourse from P4 may be narrow, but is accessible.

**Kim Patamia**, resident at 892 Carnarvon St., suggested that the proposed walkway could connect to level P3 instead.

In response, staff noted that the first proposal from the Developer was a walkway at-grade across the McInnes Overpass; however, staff determined that a pedestrian crossing at that location could not be adequately proven to be safe.

**Jason Shanks**, representing Westminster Towers, thanked the Developers for reducing the proposed tower bulk, but expressed concerns regarding the impact of simultaneous construction projects in the area on Carnarvon St. traffic. Mr. Shanks suggests revisiting the concept of a vehicular crossing instead of a pedestrian walkway.

In response, staff noted that a vehicular crossing had been proposed; however, staff were concerned about the negative design impact on McInnes Overpass, and that there was insufficient prove of benefit to area traffic.

**Mike Degelder**, the Developer (Plaza 88 Development), noted the following:

- It was originally conceived that parking would be contained in one structure serving all four towers, and that a cross-easements agreement across the four towers was contained in the original development agreement;
- Previous Council had rejected a vehicular crossing over McInnes Overpass, therefore the foot bridge idea was conceived;
- Plaza 88 Developments controls approximately 520 unreserved parking spaces in the structure; the allocation of the 40 visitor spaces for Tower 4 is a management issue.

**Mayor Coté** called for additional first time speakers, with no response; Mayor Coté called for second time speakers.

**B.C. Lee**, noted that level P4 is primarily a driveway for accessing other levels, and that it would not be safe for pedestrians to share this route with



vehicular traffic. Mr. Lee also expressed concerns with elevator and stairwell security.

**Gerry Findling**, expressed the following concerns regarding the walkway:

- The hallway linking the commercial area may not be handicap-accessible, as it is narrow and contains a significant grade;
- The entry-way door into the commercial area is currently a one-way door, without proper access back into the parkade; and,
- This door was only built to minimum fire code standards, and not built for day-to-day access.

In response, staff noted that the Applicant has been directed to find an accessible solution.

**Roy Hudlin** reiterated the security concerns from a professional perspective, and expressed concerns with projected increase in area traffic.

In response, staff advised of various proposed off-site improvements that may complement this development, including:

- A new traffic signal at Carnarvon St. and McInnes Overpass;
- Improvements to roundabout at 10<sup>th</sup> St. and Carnarvon St.; and
- Widening of the pedestrian walkway across McInnes Overpass.

**Heymann Yip** noted continuing difficulties in accessing visitor parking passes despite the number of available parking spots, and also ongoing difficulties with non-compliant renters.

**Jason Shanks** expressed concerns that the proposed traffic signal at Carnarvon St. and McInnes Overpass may be too far from the parkade entrance to be effective. Mr. Shanks suggested that a vehicular overpass may have relieve pressure on Carnarvon St. traffic by providing an alternative exit.

**Sheila Sullivan** suggested that more litter receptacles should be installed in the area.

In response, staff suggested that the City may review the area and determine whether additional litter receptacles, including solar compactors, are warranted.

**Matthew**, resident, reiterated the need for additional, easily accessible community amenities in the downtown area.

In response, Council noted that the redevelopment process for Canada Games Pool thus far has been focused on its existing location.

The Applicant advised Council to exercise its discretion in finding a meaningful resolution that is amenable to the community, and expressed concerns with the opposition to specific components of the development at this stage of the process.

**Christopher Lee**, resident at 898 Carnarvon St, expressed concerns that the design drawings will not be followed, citing examples of previous deficiencies in the development. Mr. Lee is also concerned with traffic and pedestrian safety issues in the area.

**Mayor Coté** called for third time speakers.

**Roy Hudlin** requested clarification on the issue of the Developer's "right to build", and the role of City Council in approving the Developer's proposal.

Staff clarified that the Public Hearing focuses on the rezoning application which addresses the design elements that exceed regulations in the zoning bylaw (i.e., exceeds development rights):

- Permitted residential floor-space ratio;
- Permitted total floor space;
- Number of units;
- Building height; and
- Site coverage.

**Oliver Demuth** requested clarification on the process to further discuss and resolve the issues raised at this Public Hearing.

In response, staff suggested that, while there have been previous public meetings on this project, further dialog may be required to address and resolve the issues raised at this Public Hearing prior to approval of the application.

e. Motion to close the Public Hearing

**MOVED and SECONDED**

*THAT the Public Hearing regarding Zoning Amendment Bylaw No. 7764, 2015 be closed.*

**CARRIED.**

All members of Council present voted in favour of the motion.

- f. Motion to refer Bylaw No. 7764, 2015 to Council for Third Reading

**MOVED and SECONDED**

*THAT Zoning Amendment Bylaw No. 7764, 2015 be referred to Council for Third Reading.*

**CARRIED.**

All members of Council present voted in favour of the motion.

**2. Zoning Amendment Bylaw No. 7779** [Housekeeping Amendments to Zoning Bylaw No. 6680, 2001]

Attachments:

- i. Notice of Public Hearing
- ii. Zoning Amendment Bylaw No. 7779, 2015

Reports to Council			
Report Author	Meeting/Document/Date	Public Hearing Date	#
Clerks	Minutes Extracts	September 28, 2015	R-1*
Development Services	CW, Report, August 31, 2015	September 28, 2015	R-2

Written Submissions				
Name	Correspondence Date	Date Received	In Support/Opposed / Concerns	#
None to date.				

- a. Explanation of bylaw and proposed development of the lands (Director of Development Services)

Bev Grieve, Director of Development Services, summarized the purpose of proposed Zoning Amendment Bylaw No. 7779, 2015.

- b. Statement concerning the number of written submissions received and their distribution (City Clerk)

There were no written submissions.

- c. Motion to receive submissions

There were no written submissions.

- d. Invitation to those present to address the bylaw  
Mayor Coté called three times for speakers to the application. There was no response.
- e. Motion to close the Public Hearing

**MOVED and SECONDED**

*THAT the Public Hearing regarding Zoning Amendment Bylaw No. 7779, 2015 be closed.*

**CARRIED.**

All members of Council present voted in favour of the motion.

- f. Motion to refer Bylaw No. 7779, 2015 to Council for Third Reading

**MOVED and SECONDED**

*THAT Zoning Amendment Bylaw No. 7779, 2015 be referred to Council for Third Reading.*

**CARRIED.**

All members of Council present voted in favour of the motion.

**ADJOURNMENT OF PUBLIC HEARING**

The Public Hearings were adjourned at 7:47pm.

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**JONATHAN COTÉ**  
**MAYOR**

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**JAN GIBSON**  
**CITY CLERK**