

Mayor and Council

c/o Office of the City Clerk
4949 Canada Way
Burnaby, BC V5G 1M2

clerks@burnaby.ca.

Rez Ref #

1932

Bylaw #

Re: Proposed Seton Villa Expansion – Rezoning Reference #19-32 Seniors' Supportive Housing
3755 McGill Street

My name is Michael Warsh. I am a long-time resident of the Burnaby Heights Community having lived at 4086 Eton Street for nearly 40 years and in the greater Burnaby North the preceding 12 years. I was the former owner of 3726 Trinity St (next door to the proposed expansion) having purchased the home with my son some 6 years ago. He has lived there ever since our purchase, and in fact he has subsequently taken full title of the property for what is now his first home.

I want to begin my statements to Council by saying that I very much appreciate what this and previous Councils have initiated in terms of our collective need to grapple with the overwhelming pressures put upon us by the unceasing population growth we are witnessing. In response, Council developing what are clearly sensible well-considered and well-thought out planning guidelines, the main features of which, I would note, are not just that is well-planned and well thought out, but these initiatives have attempted to direct densification to our major transportation corridors and growth polls and thusly protecting and enhancing our single family/dual family residential areas. Well done indeed.

I am especially concerned, however, about the proposed extension/expansion at Seton Villa. This project does not fit into those clearly envisioned developmental initiatives, guidelines, protocols or planning efforts fostered by Council.

The Burnaby Heights Community I live in is an intact residential community almost exclusively made up of single-family homes. Although there is an historic institutional designation at the Seton Ville property, it is nonetheless clear to me that we would not be having a conversation about approving a proposal like this for a four-story building in our community if it were not for that designation. That is, the proposed Seton Villa expansion does not in any way meet the afore mentioned well-designed growth and developmental plans laid out by council. It is only because of the institutional designation that such a possibility for this building exists. However, that in itself should not be considered a free licence to invalidate or otherwise set aside Council's planning initiatives, nor should it remove protections for the neighbors from such an egregious attack on their homes, lives and property.

This issue is not new. At the time of the original Seton Villa proposal in the 70s, and at several times thereafter as well, it had been stated and promised to Council and by Council that there would be no further expansion at the site. As an example, at one time a few years after the initial Seton Villa building had been completed, a proposal for expansion was made to Council. At that time Council reaffirmed the proposition that there would be no expansion at the Seton site by clearly and unequivocally turning down the proposal. At the November 18, 1976 Council Meeting as Council was denying the application for expansion of the Seaton Mansion, it went on record to

say that the proposal was not suited to the adjacent area and that it "would create a conflicting and undesirable element in what is otherwise a well-established residential neighborhood." Nothing has changed in our community since then. We are still a well-established single-family residential neighborhood and this proposed expansion would still create a conflicting and undesirable element in our residential community.

When I spoke to a member of Council about the past and about the no expansion promises, and about past Council decisions that rejected efforts by Seton Villa to do so, it was suggested to me that I should not put too much credibility on something that happened long ago because, after all, "times change/circumstances change." While that may be true, I should have asked at the time, just how many years must pass before promises made to Council are no longer valid? If a builder today says they will not do this or that, how many years have to pass before it becomes acceptable for them to do it anyway, simply because "times change/circumstances change". I am sure there are many builders who would like to know the answer to that question. The Burnaby Heights residents were told there would be no Seton Villa expansion in the future. We feel this must be the real guiding premise here and not times change/circumstances change.

I have serious concerns about what the Director Planning and Building told the City Manager said with regards to the current proposal. It was said that the "impacts of the new building are considered relatively minor". I am not clear what has changed over time that would now make something that at one time would create a conflicting and undesirable element in what is otherwise a well-established residential neighborhood to something relatively minor. I believe saying that the impact of the proposal would be relatively minor is not just a misleading comment, nor is it a matter of opinion; rather, it is a false proposition. This project would have significant and long-term negative impact on the immediate neighbours/neighbourhood.

Trinity and Boundary Streets, as well as other streets in the surrounding area, are not designed for, nor are they suitable for, the kind of traffic that this project would generate, not just during the prolonged building stages, but permanently. While I recognize that few if any of the 45 new residents at this expanded site may actually drive, it is the demand for increased staffing and services, materials and supplies that will permanently turn our residential streets into congested thoroughfares. Even today we see upwards of 12 or more vehicles each day, weekends included, using the laneway between McGill and Trinity Streets that leads into Seton Villa. The situation is already problematic for the residents living adjacent to the laneway and an increase of the magnitude envisioned in this proposal will make it totally unbearable for them. The noise levels and congestion from delivery trucks, garbage trucks and service vehicles coming and going from dawn to dusk and from the the blocked roadway and the increased traffic on this small residential laneway should not be tolerated in any residential community in Burnaby, so why will it be tolerated here? While we are told plans are going to be put into place so that this scienero would not happen, but are these plans adequate? They are not adequate for the present situation and it is hard to believe the plans for the expansion will be any better.


We also heard several interesting claims made in various public presentations that this new building project will have no deleterious impact on the adjacent property, nor on the property values or the lives of those living on Trinity St and Boundary. We were told that the shadow that would be cast by the building will not affect the surrounding neighbors. We were told this four-story building will increase neighboring property values! I beg to differ. These statements are just not true. They are made of pure fiction. The situation has not changed from 1976 when expansion was rejected because, as noted, this kind of development would create a conflicting and undesirable element in what is otherwise a well-established residential neighborhood.

This is not a not a NIMBY story. This is not some cockamamie anti-senior crusade. It is about the inappropriate building of a four-story structure smack dab in the middle of a single-family community, far from appropriate transportation corridors, from appropriate transportation services and from community services, and completely out of sync with the community it would be built in while in contradiction to Burnaby's well-designed densification guidelines. This proposal will have disastrous impact on Seton Villa's neighbors. If this building is approved there are homes that would lose the sun throughout the mornings, especially in the summer months. The homes next to the site will take the brunt of the increased traffic and noise and congestion from the laneway and from the traffic on Boundary and Trinity. I have spoken to a number of real estate agents, including the one who helped with the purchase of my son's property in the first place, and all agree that this expansion will have a negative impact on property values. This can be documented. We ask you to not support this proposal.

I have two other points which I believe should be addressed. In terms of Seton Villa's past and future promises, I should note they have not followed up on their side of the deal to restore Overlynn Manor, improve the curb side appeal and maintain the gardens. I would think these need to be address this before any plans for expansion are entertained. Moreover, while I suspect the proposal for a new building has been vetted for seismic concerns, I wonder if the old building has had its complete seismic assessment. This too should be considered before addressing a new proposal for a new building.

There are some in the community who believe we should propose a compromise – a point where we can all “live with this project” – one where everyone wins. Everyone agrees that the best solution for the expansion is the Northwest corner of McGill St where it meets Esmonds, that is, at the place on the corner of the current small heritage park site, and in turn tear down the Seton Villa gym and use the entire current proposed building site to rebuild a bigger and better hertiage park there. While I understand there are many roadblocks to this as the current park is an already designated heritage site, it nonethelss could be possible if cooperation were solicited and gained from the many stakeholders. I would encourage Council to take up the attempt at this workable solution; one that we can all can live with, and Council should do so before addressing Seton Villa's expansion plans.

Yours,


Michael Warsh
4086 Eton Street
Burnaby, BC V5C 1J7

Dec 14, 2020

Rez. #19-32 - Against

December 14, 2020

Via Email: clerks@burnaby.ca

City of Burnaby
4949 Canada Way
Burnaby, BC V5G 1M2

Attn: Mayor Mike Hurley and City Councillors

Re: **Rez. #19-32**
3755 McGill St

Rez Ref # 19-32
Bylaw # _____

We are **against** the rezoning of this property which would allow additional density to an already high density site in the middle of a single family neighborhood for the following reasons:

1. The rezoning is out of scale and context for this neighborhood and contrary to Burnaby's previous position on this site's density and land use.
2. The rezoning process has not been transparent as we, and many other residents of the neighborhood, were unaware of any proposed rezoning until the week of Nov 30, 2020.
3. The increased light pollution from the proposed building will amplify the already adverse effect to the residents from an already "bright" existing building, Seton Villa.
4. The increased traffic to an already heavily congested neighborhood will affect the safety of the current residents and their children.
5. The lack of parking in front of our homes, which is taken up daily, by staff at Seton Villa for days on end.

Again, we are **against** this development.

Luca Tinaburri & Jessica Boffo
3740 McGill Street

420 Boundary Road, North
Burnaby, B.C.
V5K 3T1
2020 December 14th

Mayor and Council
c/o Office of the City Clerk
4949 Canada Way
Burnaby, B.C.
V5G 1M2

Rez Ref # 19.32

Bylaw # _____

Re: Proposed Seton Villa Expansion – Rezoning Reference #19-32
Seniors Supportive Housing 3755 McGill Street

Dear Mayor Hurley and City Councilors

I am writing to express my concerns about the effects of the proposed project on the adjacent residents and the failure of the Planning and Building Department to address these concerns.

The stated principles of the Burnaby's zoning bylaw are:

- The character of each zone, the character of the buildings already erected and the peculiar suitability of the zone for particular uses
- The prevention of the overcrowding of land, and preservation of the amenities peculiar to any zone
- The securing of adequate light, air and access
- The value of the land and the nature of its present and prospective use and occupancy
- The conservation of property values
- The promotion of health, safety, convenience, and welfare of the public

In particular CD 700.2 “Conditions of Use states”:

... all buildings and uses, and the density of such development shall be compatible with abutting land uses and provide a desirable and stable environment in harmony with that of the surrounding area.

When a new development which requires rezoning is proposed, the affected property owners might reasonably expect the Planning and Building Department would examine the proposed project objectively in terms of the zoning bylaw intentions.

Councilors cannot spend the time to review the details of every proposed new project so they depend on the Planning and Building Department to provide objective reports with enough detail to support informed decision making on all aspects of a project.

The Planning and Building Department report of 2020 November 18 is “density driven”. A reasonable effort was not made to address the effects of the proposed building on the adjacent residents; in particular our expectation that the intentions of the Burnaby zoning bylaw would be seriously considered **rather than as an obstacle to be minimized and navigated around.**

YH

The lack of attention to neighbourhood concerns is consistent with the approval of the existing tower in 1970 but, as outlined below, the Planning Department of the day at least mentioned some neighbourhood aspects before reverting to density driven approval.

THE 1970 TOWER

The Burnaby Planning Department initially rejected the original 19 storey tower proposal citing concerns which are consistent with some of the stated intentions of the current zoning bylaw:

- Tower out of character with the surrounding densities and building profiles
- Loss of privacy of the surrounding residents
- Loss of openness of the site
- Distances to shopping for the tower residents combined with inadequate public transit

However the Planning Department recommended they *be authorized to work with the applicant toward the creation of a senior citizens schema which, by reflecting a lower density, would be more compatible with the physical criteria which prevail, could make recreational facilities available to the great number of senior citizens who reside in the surrounding area, and would lessen the disadvantages occasioned by distance to shopping and the inconvenient public transit service.*

The Planning Department suggested the project be developed under CD zoning using a mixture of RM4 multiple family and P5 institutional regulations – in particular CD zoning under RM4 density regulations (where the maximum permissible floor area ratio was 1.2 if the site coverage exceeded 25%).

By replacing the school with the tower, the site coverage was reduced to 18.8% which allowed a floor area ratio (FAR) bonus of 0.2 which brought the allowable FAR to 1.4 and permitted a **17 storey** tower.

The Planning Department made no further mention of their previous objections to the tower.

In the subsequent public hearing:

- the Director of Planning was asked what consideration the Planning Department gave to the abutting owners to the west of the tower. He replied that the westerly location of the tower would leave more open space for the residents of the tower and not spoil the natural garden settings of the property. In considering the abutting owner's privacy, he felt the natural growth of trees on the site would provide a barrier.
- The resident at 3726 Trinity Street (abutting the property to the west) stated the tower would block the sunlight from his property. He was advised that a six foot fence was proposed between his property and the site and there would be a 15 foot wide landscaped area to the east of the fence. This of course did not address his concerns about blocking sunlight nor did a 6 feet fence provide any privacy from the tower.
- The resident at 3740 McGill Street objected to the development of a modern high-rise apartment type building. She submitted the site should be in accord with the style and charm of the existing mansion and coach house and compatible with the existing residential development in the area – i.e. the tower was not compatible with the abutting land uses and did not provide a desirable and stable environment in harmony with that of the surrounding area. There was no response to this concern.

The proposed **17 storey** tower eventually became the current **19 storey tower** but the additional two stories are not mentioned in the documents I have been able to find. It is possible an additional FAR bonus was given for retention of the Overlynn Mansion and garden.

In a 1999 September 13 report to City Council the Director of Planning and Building stated “the 1970 rezoning “in essence ... compensated the property owner for the retention of these features in exchange for a medium density development” within a “well established single family residential neighbourhood”.

To the affected residents the current rezoning request is an effort to “double dip” on the terms of the 1970 rezoning without any significant effort to mitigate the additional impacts on the adjacent properties.

THE CURRENT PROPOSAL FOR A FOUR STOREY BUILDING

The Planning and Building Department has not performed an objective assessment of the proposed new four storey building. The department has acted as a project proponent and minimized the effects of the new building on the adjacent properties.

With respect to the CD 700.2 Condition that .. all buildings and uses, and the density of such development shall be compatible with abutting land uses and provide a desirable and stable environment in harmony with that of the surrounding area.

The Planning and Building Department report states *“Given the overall size of the subject property and setbacks from the adjacent property and Overlynn Mansion, the impacts of the new building are considered relatively minor, with a four storey form less impactful than a previously proposed five-storey form, while providing the opportunity for additional outdoor open space.*

In reality the comparison to a previous proposal is not relevant to the current proposal. A comparison consistent with the requirements of CD7002 would be to the current state of the property and the abutting land uses.

The proposed new building design is “turn the crank condo”. It is **not** compatible with the Overlynn Mansion, the neighbouring properties, and even the existing tower.

With respect to Site Coverage

The Planning and Building Department report states *the proposed overall site coverage is 29%, suggesting the site would not be overbuilt.*

In reality the 29% coverage is based on the area of the entire site. The site coverage of the non-heritage protected portion of the site is on the order of 36%. Despite this apparently low coverage the proposed building removes the openness of the non-protected portion of the site, and the visibility amenity associated with the Overlynn Mansion – i.e. it removes the visibility of the mansion from every abutting property to the west and significantly reduces the visibility from the western end of Trinity Street.

Should the proposed new building be erected the view from Overlynn mansion toward Burrard Inlet (designated as a defining element of the mansion’s heritage value) will consist primarily of a 1970’s concrete tower and a 2020 condo.

With respect to Setbacks

The Planning and Building Department report states nothing more than “*the setbacks from the Trinity Street property line and the abutting properties to the west will exceed the minimum requirements.*”

In reality the increases over the minimum requirements are marginal and will have no effect on the additional loss of privacy and the increase in light pollution that will be experienced by the abutting Trinity Street properties and the abutting properties to the west. As outlined below, the abutting property immediately to the west (in particular 3726 Trinity Street) will see a significant reduction in direct sunlight that will make growing anything but shade tolerant plants impractical.

The proposed setbacks are the 2020 equivalent of the 1970 offer to the owner at 3726 Trinity of a “six foot fence and a 15 foot grass area” to mitigate the effect of the 19 storey tower.

With respect to Shading

The Planning and Building Department report states *Shadow studies indicate there is minimal new impact to most neighbourhood properties.*

In reality the Planning and Building Department chose to ignore the fact that the shadow impact of the new building is additive to the impact of the tower and also chose to characterize the neighbouring properties as a single entity. The result is the above misleading overall comment in their report.

The properties to the west of the site currently receive direct sunlight in two “windows”:

- In May, June, July between sunrise and the sun passing behind the tower
- In the rest of the year only after the sun passes to the south of the tower

The excerpts from the shadow study inserted below show the combined shadow effect of the proposed new building and the existing tower place the back yard of 3726 Trinity in complete shadow for much of the year and, even in the summer months, the minimum requirement of 8 hours of sun a day for growing vegetables and other sun dependent plants will not be met. The sunlight reduction will also affect the back yards of 3722 Trinity Street and 420 and 424 North Boundary Road but to a somewhat lesser extent.

In the winter months the combined shadows of the new building and the tower will extend across Trinity Street to shade the front yards on the north side of Trinity.

The Planning and Building Departments report is at least correct in that the residents of McGill Street will not be affected (since they are south of the Seton site).

Shadow Diagrams Excerpts. The shadow cast by the tower is outlined by dashed red lines. The shadow cast by the proposed new building is outlined by dash green lines.



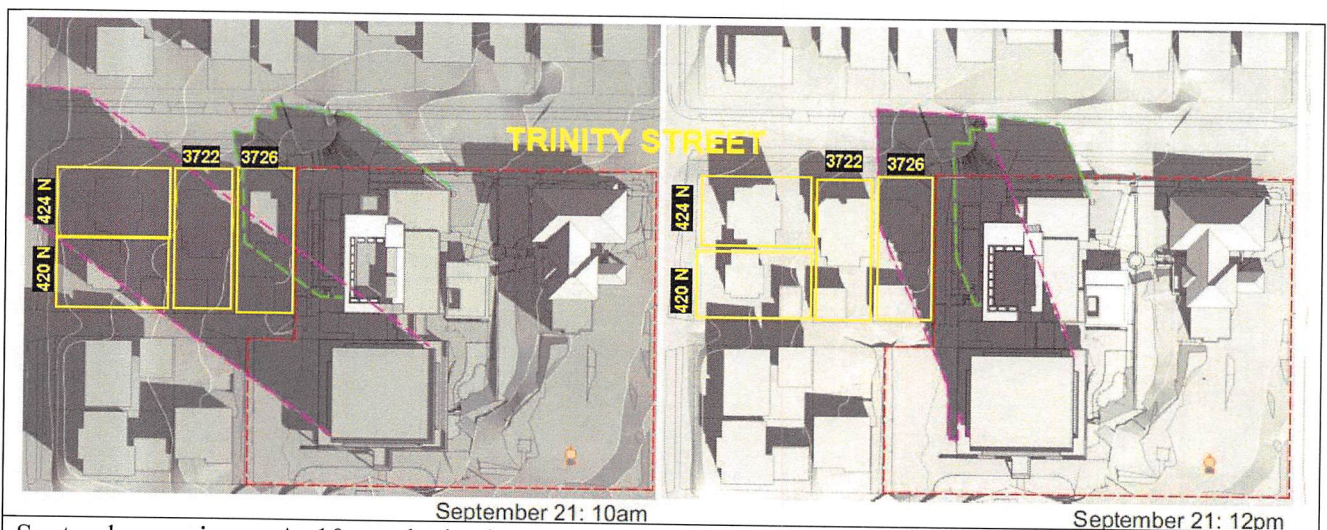
December solstice. From sunrise until 10 am the 3726 Trinity back yard is fully shadowed. The other back yards to the west are not shadowed by the Seton building but the sunlight is very weak. The front yards of the adjacent properties on the north side of Trinity Street are shadowed.



March equinox. From sunrise until 10 the western property back yards are fully shaded by the new building + tower. At 12 pm the sun has not progressed completely around the tower so the 3726 back yard remains in complete shade. The sunlight is much stronger than in December. The front yards on the north side of Trinity street are not shadowed.



June solstice. At 10 am the shadow cast by the new building extends just to the edge of the 3726 back yard. At any time before 10 am the new building shadow will extend into the 3726 back yard and before about 8 am it will cover the 3726 back yard. At 12 pm the sun has not progressed around the tower and the 3726 back yard is completely shaded. The same effects will apply to dates between the March equinox and the June solstice. The result will be a major reduction of the total sun exposure of the 3726 back yard and a significant reduction in the back yard sun of the other western properties.



September equinox. At 10 am the back yards of all the western properties are in shadow. The same applies to times before 10 am. By 12 pm the sun has not progressed around the tower and the 3726 back yard remains completely shaded. The same effects will apply to dates between the September equinox and the December solstice. The result will be a major reduction of the total sun exposure of the 3726 back yard.

With respect to Light Pollution

The Planning and Building Department report offers nothing more than the applicant's response to resident's feedback from the September open house presentation of a site plan and artistic renditions of selected views. The proposed mitigation consists of:

- Operable blinds in all rooms
- Occupancy sensors in common rooms to ensure the lights are off in vacant common rooms
- Blinds will be closed at night by staff
- Landscape lighting will be located as necessary for safe pedestrian access and site security in a way which minimizes light spillage

In reality there is no indication:

- the Planning and Building Department has done, or is planning to do, a review of the proposed mitigation measures
- an enforcement mechanism exists should the applicant not implement their proposed mitigation measures

The rooms in the existing tower are also equipped with operable blinds but many of the residents choose not to operate them and also leave their lights on until very late, and even overnight.

The addition of light sensors in "common rooms" will have little effect if the residents in the individual rooms choose not to close blinds and/or turn off lights. The applicant's statement that "blinds will also be closed at night by staff" may apply to the "common rooms" but it is most unlikely that staff will enter the individual rooms to close blinds when the occupants choose not to.

The measures to be taken to mitigate landscape lighting spillage are left to the goodwill of the applicant to implement in the future. The fact is there has been a total lack of response by Action Line Housing to longstanding and ongoing complaints by Trinity Street residents about extremely bright lighting of the northern parking lot.

It is also worth mentioning there has been a total lack of response by Action Line Housing and the City of Burnaby to Trinity Street resident's complaints of extremely bright lighting used during the frequent film shoots at the Overlynn Mansion.

With respect to traffic

The Planning Department report states:

Vehicular access to the proposed building will be from Trinity Street with some loading and solid waste recycling access from the lane.

One additional loading stall is proposed on site ... the loading bay will accommodate the slight increase in resident move-in/move out with the new units; there is not expected to be a change in the frequency of deliveries. The Traffic Study provided by the applicant notes that the Operation Manager would schedule loading activity such that loading demand issues do not occur.

All uses on the site are required to comply with the Burnaby Noise or Sound Abatement Bylaw

In reality the Traffic study performed for the applicant has not been made available to the affected neighbours. The scope and results of the study are not known to the neighbours.

The combination of waste removal, recycling removal, and food deliveries to the tower currently amounts to multiple daily deliveries in addition to the regular Burnaby waste removal and recycling for residents of the properties served by the lane. Access to the tower by service contractors is also made through some combination of the lane and McGill Street. This will very likely continue if the new building is erected.

The trucks frequently obstruct each other and sit idling causing noise and exhaust emissions. Resident complaints regarding noise and idling to both Burnaby and to Seton management have been ignored.

The future reality would be:

- the additional loading bay will be added north of the existing loading bay and is thus immediately adjacent to the abutting property – 3726 Trinity.
- 33 foot long trucks will use the new loading bay and will have to maneuver immediately behind the 3726 Trinity garage.
- A waste and recycling staging area will be added at the existing loading bay
- Additional access not mentioned in the Planning Department report will include
 - F150 pickup plus dumpster for waste and recycling staging
 - Personal vehicle loading
 - Translink Handy Dart
 - Seton shuttle bus shed

All of the access will involve some combination of the lane and McGill Street and all of the access will involve maneuvering at the east end of the lane behind the 3726 Trinity Street garage.

Based on the performance of Seton management over the last several years there will be no effective effort made to coordinate the traffic. Based on the lack of response to previous complaints regarding noise and idling there will be no response from either Burnaby or Seton management.

There will be significantly increased truck traffic on McGill Street to access the lane.

There will be significantly increased automobile traffic on Trinity Street to and from the proposed underground parking.

The increased traffic on McGill Street and especially Trinity Street will be additive to the congestion and lack of parking during the frequent film shoots at the Overlynn manner.

Vehicle Access and Maneuvering Summary

	Vehicle length	access	Loading/unloading
Burnaby waste removal	12 m 42.5 ft	Inbound up lane Outbound to McGill	Waste/recycling staging area at east end of lane
F150+ dumpster	7.15 m 23.5 ft	Inbound/outbound McGill	Backs in and out of existing loading bay at east end of lane
Food Supply delivery (MSU)	10 m 32.8 ft	Inbound/outbound McGill	Backs in and out of new loading bay adjacent to 3726 Trinity
Personal vehicle loading	5.6 m 18 ft	Both lane and McGill	Adjacent to existing loading bay
Translink Handy Dart	8.1 m 26.6 ft	Both lane and McGill	Immediately behind 3726 Trinity garage
Seton Shuttle Bus	8.1 m 26.6 ft	Both lane and McGill	Bus shed located immediately behind 3726 Trinity garage

With respect to Parking

The Planning and Building Department report states:

One additional parking stall than is required in proposed. Underground parking is available for staff and residents, and the Traffic Study provided by the applicant indicates that the visitor parking provided at grade is expected to be adequate for the site.

In reality the Traffic study performed for the applicant has not been made available to the affected neighbours. The scope and results of the study are not known to the neighbours.

There are 18 visitor parking spaces provided at grade to the west of the tower. One of these is designated for wheelchair access.

At present service contractors (gardeners, repair personnel, etc.) use this parking for their vehicles and also park on McGill Street. Visitors and staff members park on McGill Street, Trinity Street, and Boundary Road even when there are vacant spaces available in the existing on grade parking. Presumably they find the on-street parking more convenient.

The only recourse for residents who observe parking in front of their houses is to record the time someone parks and call Burnaby bylaw enforcement once the time exceeds 3 hours. Most residents simply tolerate the parking even when it impedes access for themselves or their own visitors.

The Planning Department report does not mention service contractor parking. Perhaps the Traffic Study performed for the applicant addresses this issue.

Film shoots at Overlynn mansion are very frequent and are an important source of revenue for Action Line Housing. Even when areas on McGill and Trinity Streets are signed for Special Event Parking (i.e. film shoots) vehicles involved in the shoots frequently park in front of residences outside the special event area. The only recourse for residents is to complain to the Burnaby film liaison, Burnaby Bylaw enforcement, the film shoot, Seton Villa or some combination thereof. There is usually no response to such complaints so the local residents just put up with it while Action Line Housing makes money.

With respect to Heritage Retention

The Planning and Building Department report states:

A heritage consultant has been hired to ensure that heritage alterations for the landscape sundial and wall elements are appropriately addressed.

A detailed adaptive re-use of Overlynn Mansion is required as part of this rezoning. Furthermore, any alterations to the property that require a Heritage Alteration Permit would need to be approved by Council.

In reality:

The (unspecified) alterations involving the sundial and the stone wall are a minor aspect of the proposed project.

The project proponent has addressed the detailed adaptive re-use of the Overlynn Mansion by stating “we have CD zoning so we can do anything” and claiming the proposed new building and the re-use of Overlynn have been “uncoupled”.

9/11

Action Line Housing has long considered the preservation of Overlynn Mansion and the adjacent garden as a liability. This explains the current “run down” condition of the mansion despite the fact it is the site of many film shoots at a current charge by Action Line Housing in excess of \$3,000 per day.

Over the years Action Line Housing has requested a tax exemption for the heritage protected portion of the site which has been designated as the eastern 130 feet of the site.

On 1997 September 29th the director of Action Line Housing stated in a delegation to City Council that *“the only reason for the continued existence of Overlynn Mansion is the City’s interest as a heritage building. Given that the City has indicated a public interest in the mansion through its heritage designation, the Action Line Housing Society is requesting Council grant an exemption of property taxes of approximately \$4,000 per year”*

In a 1999 September 13 report to City Council the Director of Planning and Building stated “the 1970 rezoning “in essence ... compensated the property owner for the retention of these features in exchange for a medium density development” within a “well established single family residential neighbourhood”.

Adaptive re-use of the Overlynn Mansion could have a major effect on the adjacent properties – for example continued use for film shoots. It would have been proper to address the adaptive re-use program and present it to the affected residents before proceeding to a public hearing.

On a more whimsical note; Action Line Housing built a smoking shed in the heritage protected area of the Mansion garden about three years ago. The architect’s drawings rebrand the smoking shed as “Existing Gazebo to be retained”. So I assume it will now be a heritage protected smoking shed.

With respect to conservation of property values

The Planning and Building Department report is silent on this issue despite it being one of the stated principles of Burnaby’s zoning bylaw.

In reality:

The properties to the west of the site will be affected by additional:

- loss of privacy
- loss of sunlight
- light pollution
- large truck traffic in the lane - the garage behind 3726 Trinity Street will be the epicenter for all backing and maneuvering of trucks, the Translink Handy Dart and the Seton shuttle bus with concomitant noise, exhaust fumes and periodic obstruction of access to the garage

The properties on the north side of Trinity Street will be affected by additional

- loss of privacy
- loss of sunlight in the front yards (in the winter)
- light pollution
- increased traffic to the underground parking
- increased parking in front of their houses given the propensity of Seton visitors to park on the street instead of the on-site parking.

The properties on McGill Street will be affected by additional:

- increased truck, Translink Handy Dart and Seton shuttle bus traffic into and out of the lane
- increased parking in front of their houses given the demonstrated propensity of Seton visitors to park on the street instead of the on-site parking

The effect on the values of the properties to the west will be significant while the effect on the value of 3726 Trinity Street will be extreme.

The failure of the Planning and Development Department to even mention property values places the affected owners in the position of absorbing the decrease (or lower rate of increase) of their property value or engaging the services of a professional real estate appraiser at their own expense.

In Conclusion:

I believe the proposed project should not proceed beyond the current public hearing without:

- An objective assessment of the effects on the adjacent residents
- The provision of the required detailed adaptive re-use of Overlynn Mansion
- The provision of some type of assurance that the promises made by Action Line Housing will actually be followed

Yours sincerely



Duncan C. Reid

10/11