

17. Re: General Report on Residential
Condominiums and Conversions

Following is a report from the Director of Planning on residential condominiums and conversions.

RECOMMENDATIONS:

THAT the revised proposals as outlined in the attached Schedules be approved by Council for inclusion into the General Report on Residential Condominiums and Conversions. The final composite report can then be presented to Council for its final consideration.

THAT these guidelines be reviewed by the Planning Department after one year from the date of adoption of the guidelines and a report submitted to Council if warranted by the review of this matter.

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PLANNING DEPARTMENT
OCTOBER 11, 1973

SUBJECT: GENERAL REPORT ON RESIDENTIAL
CONDOMINIUMS AND CONVERSIONS

A. Background

On July 23, 1973 Council received a General Report prepared by the Planning Department on the subject of residential condominiums and conversions. The report was referred to the Advisory Planning Commission for comments.

On August 20, 1973, Council received an amended General Report prepared by the Advisory Planning Commission. Various points in the original General Report were added, deleted, or modified by the Advisory Planning Commission.

Council invited interested individuals and groups to present briefs on the matter of guidelines for residential condominiums and conversions. On October 1, 1973, Council received 11 briefs from interested individuals and groups and several delegations spoke in explanation of their briefs. These briefs were referred to the Planning Department for consideration and a report to Council for the meeting of October 15, 1973.

B. Public Submission

The submitted briefs were considered by the Planning Department. The following form was utilized to organize the delegation enquiries and comments.

1. General Comments.
2. Enquiries relating directly to the General Report guidelines are presented in a form resulting in a change or no change to the subject point under discussion.
3. A few minor points of misinterpretation will be clarified by adjustments in syntax to the text of the General Report.


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The submitted briefs have brought to the Municipality's attention, a wide spectrum of opinions, facts, and attitudes towards the preliminary General Report on Residential Condominiums and Conversions, which have been welcome.

Recommendation

1. It is recommended that the revised proposals as outlined in the attached Schedules be approved by Council for inclusion into the General Report on Residential Condominiums and Conversions. The final composite report can then be presented to Council for its final consideration.
2. It is recommended that these guidelines be reviewed by the Planning Department after one year from the date of adoption of the guidelines and a report submitted to Council if warranted by the review of this matter.

Respectfully submitted,


A. L. Parr,
DIRECTOR OF PLANNING.

KI:cm

Attachments.

DELEGATION ENQUIRY	COMMENTS
<p>1. Some standardization of condominium guidelines was suggested among municipalities of the GVRD. Standardization would apply primarily to the operational and legal aspects of the guidelines. The prospectus was noted as one item which could be standardized.</p>	<p>In principle, the Planning Department would support this suggestion. However such a regional approach should be initiated at the regional level.</p>
<p>2. The extension of the notice period beyond the statutory 4 months by a period related to the vacancy rate and the size of the conversion was suggested. Another delegation suggested the lengthening of the notice period to assist existing tenants.</p>	<p>Council will have the opportunity of taking the vacancy rate into consideration at the time that a given Strata Plan application is discussed.</p>
<p>3. The difference between tenancy and ownership was questioned. However, several delegations supported strong quality controls over condominiums.</p>	<p>If there exists a quality gap between tenancy and ownership projects, then, it is suggested that essentially the quality of rental projects would be raised to match that of condominiums and <u>not vice versa</u>.</p>
<p>4. Comments were made concerning certain aspects of condominium design which could warrant improvement.</p>	<p>These points will be taken under advisement and will influence the Planning Department in the design of future condominiums.</p>
<p>5. One delegation requested that approval of the prospectus and the Strata Subdivision development be given at the time the building permit is given.</p>	<p>Without necessarily tying the approval of the Strata Plan to the Building Permit approval, the Planning Department would have no objection to the approval to Strata Titling concurrently, although at that time, a Strata Plan cannot be actually surveyed.</p>

SCHEDULE "A" Page 2 REVIEW OF DELEGATION ENQUIRIES

DELEGATION ENQUIRY	COMMENTS
6. One delegation requested that provision be made for existing and recent tenants to formally express their views to the approving body on apartment conversions.	Tenants, upon being given notice of conversion by the applicant are at liberty to approach Council as a delegation.
7. Where a tenant is required to move as a result of a conversion, the applicant shall be required to pay an amount to to exceed \$500.00 moving expenses, and the tenants shall be so advised.	This suggestion would appear to be out of the powers of the Municipality to effect or enforce.
8. The Planning Department is in receipt of a Bill which is intended to amend the Real Estate Act. This amendment requires the filing of a prospectus for Strata Plans and Cooperatives.	It would be appropriate to study this proposed amendment and report to Council on the advisability of modifying or deleting the Municipality's prospectus requirements in favour of the prospectus to be required in the Real Estate Act.

DELEGATION ENQUIRIES RELATED TO THE GENERAL REPORT

PRELIMINARY GUIDELINE	DELEGATION ENQUIRIES	COMMENT	PROPOSED REVISIONS
<p>2.1.1.a. A minimum parking ratio of 1.5 parking stalls per unit should be maintained.</p> <p>2.1.1.b. A parking ratio of .2 (one parking space for every 5 units) be provided for visitor parking.</p>	<p>Developers state that the parking requirement is too high for High Rise and Low Rise Condominiums. Strata owner delegation and management firms support the <u>General Report</u> guidelines or feel this is not sufficient.</p>	<p>Pro and con positions are taken by various delegations. The guideline on balance appears viable. The point that the parking ratio for low rise and high rise condominiums is too high is well taken and some adjustment may be appropriate.</p>	<p>2.1.1.a. No change <u>Add</u> - for townhouse and family oriented situations.</p> <p>2.1.1.b. No change <u>Add</u> - for townhouse and family oriented situations.</p> <p>2.1.1.c. A total minimum parking ratio of 1.5 consisting of 1.3 for residents and 0.2 for visitors should be maintained for High Rise and Low Rise Apartments.</p>
<p>2.1.4. Driveways and concrete curbs to the municipal standard shall be required in condominium projects.</p>	<p>The standard concrete curbs to the Municipal standard was questioned as too stringent.</p>	<p>Council has specified concrete curbs to the Municipal standard for Greentree Village. The Planning Department supports a reasonable standard of curbing.</p>	<p>2.1.4. Concrete curbs to the Municipal standard are to be provided in the major driveways and parking areas of condominium projects.</p>
<p>2.1.5. Excepting townhouses and duplexes, a readily accessible resident representative of the Strata Corporation and the authorized Management Company is to be given authority to grant entry to the premises to the Municipal Departments of Building, Health, Assessment and Fire for emergency or inspection purposes.</p> <p>This requirement is to be included in the Strata Corporation Bylaws.</p>	<p>One delegation questioned whether the "resident representative" would be a permanent paid Manager.</p>	<p>In very large condominium projects, a permanent paid Manager may be appropriate while in smaller condominiums one of the residents could be authorized to grant entry to the requisite Municipal departments. How this matter is handled is up to the individual Strata Corporation.</p>	<p>2.1.5. No change</p>

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DELEGATION ENQUIRIES RELATED TO THE GENERAL REPORT

PRELIMINARY GUIDELINE	DELEGATION ENQUIRIES	COMMENT	PROPOSED REVISIONS
<p>2.1.6. At the time that the Strata Plans are submitted to the Municipality, the developer shall submit a complete copy of the requisite Strata Corporation Bylaws for perusal.</p>	<p>The timing of this point was questioned.</p>	<p>Some adjustments are in order.</p>	<p>2.1.6. A fully acceptable authorized copy of the Strata Corporation Bylaws shall be submitted to the Municipality before the Strata Plan is signed and sealed by the authorized Municipal officers.</p>
<p>2.1.8. Each potential condominium owner shall be supplied with a complete prospectus of the project by the developer. The prospective buyer must acknowledge receipt of the prospectus in writing. (See Revised General Report for full explanation.)</p>	<p>Different delegations either disagreed with the scope of the prospectus required or suggested that the prospectus be further detailed.</p>	<p>It is agreed that some of the financial and taxation facts cannot be outlined in accurate numerical form. What is requested is an honest examination of the circumstances with explicitly stated reservations or possible areas of significant variance.</p>	<p>2.1.8. No change. Add: The authorized applicant should sign the submitted prospectus attesting to its veracity as a factual information document. The prospective buyer should be informed by the applicant that the Municipality would not be liable for or be responsible for the enforcement of the detailed information contained in the prospectus.</p>
<p>2.2.1.3. Children should be discouraged in high rise condominiums.</p> <p>2.2.2.3. Children should not be encouraged in the typical corridor/elevator low rise apartment condominium.</p>	<p>A few developers questioned whether children should be excluded from high rise and low rise condominiums.</p>	<p>It is expected that a few children may well live in high rise or low rise condominiums. However on the whole typical high rise or low rise apartments are not suitable as child-raising environments. This point does not represent a direct prohibition but is meant to be a strong caution.</p>	<p>2.2.1.3. No change.</p> <p>2.2.2.3. No change.</p>

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PRELIMINARY GUIDELINE	DELEGATION ENQUIRIES	COMMENT	PROPOSED REVISIONS
<p>2.2.1.4. Bachelor/Studio Suites should only be considered under exceptional circumstances where extensive communal facilities and usable open space are provided in the project.</p> <p>2.2.2.4. Same as above.</p>	<p>Two delegations have questioned this point.</p>	<p>We would agree that this point should be modified.</p>	<p>2.2.1.4. and 2.2.2.4.</p> <p>A high proportion of Bachelor/Studio suites in a project without extensive communal facilities and usable open space is questionable.</p>
<p>2.2.3.3. The Community Plan guideline for low density multiple family housing of 10-12 units per acre should apply to all townhouse condominiums.</p>	<p>A few developers have considered the standard of 10-12 units per acre as too low.</p>	<p>Research indicates that this standard still may be somewhat high. The Low Density Multiple Housing designation noted in adopted Community Plans outlines a density of 10-12 units per acre.</p>	<p>2.2.3.3. No change.</p>
<p>2.2.3.6. The following minimum suite sizes should be used as a guideline:</p> <p>2 - Bedroom Unit - 900 sq.ft. 3 - Bedroom Unit - 1100 sq.ft.</p> <p>For information, the recently adopted R8 (Group Housing) District which is actually a condominium category intended for the accommodation of families with children requires that each suite have a minimum size of 1200 sq.ft.</p>	<p>A few developers have stated that the outlined unit sizes would not take into consideration a few low income housing projects.</p>	<p>Council would have the opportunity to consider low income housing projects with smaller units on its own merits.</p>	<p>2.2.3.6. No change.</p>

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<p>2.2.4.3. The use of maintenance free exterior materials would be recommended. Painted surfaces should be kept to a minimum.</p> <p>2.2.4.4. The general color specifications of any painted/stained surfaces shall be included in the Strata Corporation By-laws. Any change to the exterior of the project would require the consent of both owners and be specified in the Strata Corporation Bylaws.</p>	<p>These points were deleted by the Advisory Planning Commission.</p>	<p>The deletion is agreed to.</p>	<p><u>2.2.4.3. and 2.2.4.4.</u> Deleted.</p>
<p>3.1.4. Bachelor/Studio units should not be approved for conversion to condominium except under unique circumstances.</p>	<p>A few delegations have questioned this point.</p>	<p>A modification of this point is in order.</p>	<p>3.1.4. A <u>high</u> proportion of Bachelor/Studio suites in a project without extensive communal facilities and usable open space is questionable.</p>
<p>2.1.3. A suitable plan of development for condominiums should specifically include provisions for adequate open space and suitable communal facilities</p>	<p>It was requested that communal facilities be designed to a Commercial standard. It was also suggested that open space areas be clearly designated as to their use.</p>	<p>This is a valid point but may be difficult to enforce. The most appropriate action would be to make the applicant fully aware of this concern.</p>	<p><u>2.1.3.</u> No change, but add: It is strongly suggested that all communal facilities be constructed to a commercial standard. Open space areas should be clearly designated as to their use.</p>

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<p>3.1.7. In cases where the apartment project was constructed under bylaws not now in effect, the building should be treated as a new project and brought up to the standards of the Building Department in effect at the time conversion is being considered.</p>	<p>Several delegations suggested the certification by qualified engineers/architects (at the applicant's expense) that the building is structurally and mechanically sound. Some statement as to the condition of exterior and interior surfaces would be in order.</p>	<p>This suggestion is agreed to.</p>	<p>3.1.7. For every conversion, the certification by qualified engineer/architects (at the applicant's expense) that the building is structurally and mechanically sound would be required. Such certification will include information as to the condition of the exterior and interior surfaces and details of the building. These certificates would, then, be processed by the Building Department.</p>
<p>3.1.9. New point.</p>	<p>One delegation suggested that if the occupancy of the building has been reduced by the owner to a level substantially below the normal occupancy rate for the building, other than through normal attrition, the application should not be approved, unless the applicant can provide proof that the reduction occurred for legitimate reasons unrelated to the planned conversion.</p>	<p>Serious reductions in occupancy rates if brought to the attention of Council, should be considered at the time the application for approval of the Strata Plan is considered.</p>	<p>3.1.9. At the time of application for a condominium conversion, the applicant should provide the existing occupancy rate of the subject project.</p>

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BY-LAW CORRESPONDENCE

October 15, 1973

FIRST, SECOND AND THIRD READINGS:

BURNABY ZONING BY-LAW 1965, AMENDMENT BY-LAW NO. 38, 1973 (#6359)

October 11, 1973

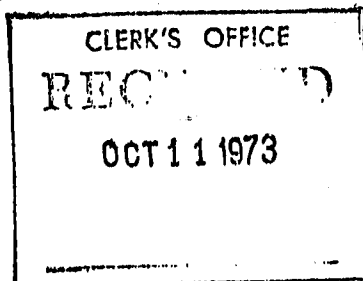
Mayor Constable
c/o Municipal Council
4949 Canada Way
Burnaby, B.C.

Dear Sir:

This is to state that our company Beaver Electric Co. of 3901 E. 2nd Avenue, Burnaby, B.C. was interested in purchasing the property known as 5300 Byrne Road, Burnaby. An offer was made on the property through Mr. Burt Ferguson of McCullough & Associates Ltd, realtors. The offer was subject to verification of M3 zoning in which the property was classed at the time. However, when we checked with the Planning Department in Burnaby they informed us that the property was to be rezoned from M3 to M2. This of course nullified our offer and we lost interest in the property.

Yours truly,

[Handwritten Signature]
Pres.



Cameras - October 5, 1973

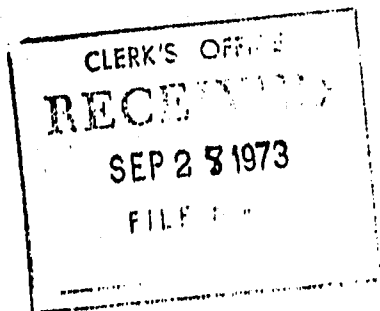
416 Dominion Street
North Burnaby, B.C.
28th Sept 1973.

The Mayor, and Council.

Dear Sir,

I will like you to consider
and use your kind office of trying
to get my Burnaby chauffeur's permit.
I do not want to collect welfare
money.

Thanking you in advance for
your kind consideration in this matter



I remain,
Yours respectfully,

H. King

In ~~Comers~~ - October 15, 1973

"T" DIVISION

Royal Canadian Mounted Police,
Burnaby Detachment,
6355 Galpin Street,
Burnaby 2, B. C.
September 19th, 1973.

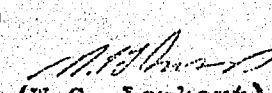
Mr. Narau Niranjau Singh,
5416 Dominion Street,
Burnaby 2, B.C.

Dear Sir:

In view of your driving record, your Burnaby
Chauffeur's Permit has not been approved.

Pursuant to Section 23 of the Motor Vehicle Act,
you may appeal this decision to the Municipal Council.

Yours truly,


(W.G. Lambert) Supt.
Officer In Charge
Burnaby Detachment

c.c. License Dept.
Burnaby Municipal Hall

SEP 28 1973