

16. Re: Rezoning Reference #33/73
 Application for the Rezoning from Residential District (R4) to
 Multiple Family Residential District (RM3) of
 D.L. 127 and 218, Block 85, Lots 5 to 9 Inclusive, Plan 4953
 5361, 5381, 5395 Hastings Street; 5470 Empire Drive; 5360 Capitol Drive

Council on July 30, 1973 approved a rezoning application of the subject properties for further consideration, with the stipulation that, in addition to the three prerequisites approved, the proposed development be restricted to a height of no more than two stories or 30 feet as would be visible from the Empire Drive elevation.

Although the Planning Department is not prepared to recommend a waiver of the height restriction established by Council, the applicant has requested that he be allowed to build a structure with more than two stories above the curb elevation on Empire Drive.

Following is a report from the Director of Planning regarding this matter.

RECOMMENDATION:

THAT Council give consideration to the proposal currently put forward by the applicant, indicate whether or not the proposal is acceptable and direct the Planning Department accordingly.

* * * * *

MR. M. J. SHELLEY,
 MUNICIPAL MANAGER.

PLANNING DEPARTMENT
 SEPTEMBER 14, 1973

Dear Sir:

SUBJECT: Application for the Rezoning from Residential District (R4) to Multiple Family Residential District (RM3) of D.L. 127 and 218, Block 85, Lots 5 to 9 inclusive, Plan 4953 (5361, 5381, 5395 Hastings Street; 5470 Empire Drive; 5360 Capitol Drive).

COMMENTS:

On July 30, a recommendation was placed before Council that the rezoning application of properties located on the northwest corner of Hastings and Empire be approved for further consideration, final approval to be subject to the following prerequisites:

- 1) The submission of a suitable plan of development.
- 2) The consolidation of the properties into one site.
- 3) Submission of an undertaking to remove all existing improvements on the site within six months of the rezoning application being effected.

Council endorsed this recommendation. Under further consideration, however, and as a result of Public Hearing, Council later made one addition to the list of prerequisites, i.e., that "the development planned to be built on the site be restricted to a height of no more than two storeys or 30 feet, visible from the Empire Drive elevation".

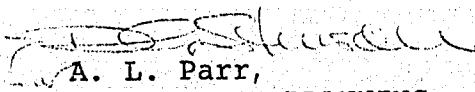
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The applicant's current proposal, a three-storey structure, at some places exposes more than two storeys to Empire Drive (as illustrated in sketch #4) and as such does not entirely meet the terms of reference outlined by the fourth prerequisite. However, that exposure is less than the 30' height restriction that was also expressed in the prerequisite. Because of this, the applicant has submitted the attached materials delineating the height of the building relative to its neighbours to the North and East and the effect of the building on those neighbours' southern line of vision. This is shown through cross-sections (sketches 2-4), which are located on the Key Map provided. These cross sections indicate that, even under the present design configuration, the horizontal view of those neighbours will essentially not be impaired although this does not completely hold true for the view into the valley below. Also, in response to the implications of the fourth prerequisite, the applicant indicates in the enclosed correspondence that in his view the project is not economically feasible if decreased in floor area, for reasons he presents, without turning to strata-titled condominium development.

In reference, therefore, to the fourth prerequisite, the Planning Department requests that Council consider the proposal currently put forward by the applicant, indicate whether or not it is prepared to accept it, and direct the Planning Department accordingly.

Respectfully submitted,


A. L. Parr,
DIRECTOR OF PLANNING.

LB:bp
Attach.

Garden Construction Ltd.

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MANAGER'S REPORT NO. 69

COUNCIL MEETING Sept. 17/73

4459 Venables Street, Burnaby 2, B.C. - Phone 291-1593

September 10, 1973

Corporation of the District of Burnaby
Municipal Hall,
4949 Canada Way
Burnaby 2, B.C.

Attention: Mr. Shaw, Municipal Clerk and
Members of Council

Your File: RZ 33/73

Dear Sirs:

Enclosed please find letters from Canada Permanent Trust, Mr. L. Lund, Architect, also map from Ken Wong & Associates, surveyors.

Reference your letter of August 28th, 1973, to Canada Permanent Trust, this is to inform you that it would not be feasible for us to construct an apartment block of less than two storeys. If we were to construct a three-storey apartment block with a 30 ft. maximum height on Empire Drive, this would allow us to have 39 suites, otherwise we would be restricted to a maximum of 34 suites. As previously stated, it would not be feasible as the land was fully paid and was very highly priced. The only other alternative would be to construct strata-titled condominiums which is not our intent.

Since there is a shortage of apartment suites for rent in the District of Burnaby, we feel that not only are we doing a service to the citizens of our District by having available five additional suites, but also this investment would be one of achieving a return for our shareholders who are Burnaby residents.

If you were to examine the lots, Map Rezoning Reference 33/73 from the Burnaby Planning Department, along with the enclosed map from our surveyor, you will notice that the residents located immediately north of our property will not have their view hampered in any manner or fashion as the block will be constructed so as to permit the residents to retain a good view looking southwards. This is substantiated by the elevations of our property with that of the residents immediately to the north. The north-west corner of our property is 35 feet higher than the boundary line along Hastings Street and, consequently, this elevation creates additional construction costs due to the drastic slope.

We would like to point out that underground parking will be supplied with no extra charge to the tenants.

In closing we would appreciate if the council members would take into consideration our views as outlined above together with the enclosed information, and we look forward to receiving a favourable reply whereby we will be able to construct a three storey block with a maximum height of 30 feet along Empire Drive.

Should the council require any additional information, kindly contact us as we will have a representative in attendance when our application is being considered.

Yours very truly,

GARDEN CONSTRUCTION LTD.


O. Hoffo - President

OB/lp

Encls.

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September 13, 1973

Deputy Municipal Clerk
The Corporation Of The
District Of Burnaby
4949 Canada Way
Burnaby, B.C.

Attention: Mr. E. Ward

Dear Sir:

Re: REZONING REFERENCE NO. 33/73
Lots 5, 6, 7, 8, and 9, Block 85, D.L.'s 127/218 Plan 4953
(5361, 5381 Hastings Street; 5470 Empire Drive; 5395
Hastings Street; 5360 Capitol Drive - Located at the
Northwest corner of Hastings Street and Empire Drive)

We acknowledge your letters dated August 2nd, 1973 and August 28th, 1973. We noted that 3 prerequisites mentioned in your first letter dated August 2nd, 1973, but this 4th prerequisite in your second letter dated August 28th, 1973, puts very heavy weight on our prospective plans. As we all know, since the last 3 years cost of lots have rapidly increased extremely which makes it very difficult for any builder to put less suites to compensate lot value ratio. In this particular site the prospective purchaser has shown a very strong desire to build a 39 suite apartment block for the above mentioned site,

Furthermore as to financing the site our Company has given a receptive indication to mortgage the 39 suite apartment block. The purchaser, knowing of your first letter dated August 2nd, 1973 went and removed the subject for the above mentioned site, as the purchaser found out it was feasible.

Now with your 4th prerequisite our purchaser finds himself in a very difficult position, therefore we will request that your kindly give a serious consideration to our purchaser's plans for a 39 suite apartment block.

Thanking you, we remain.

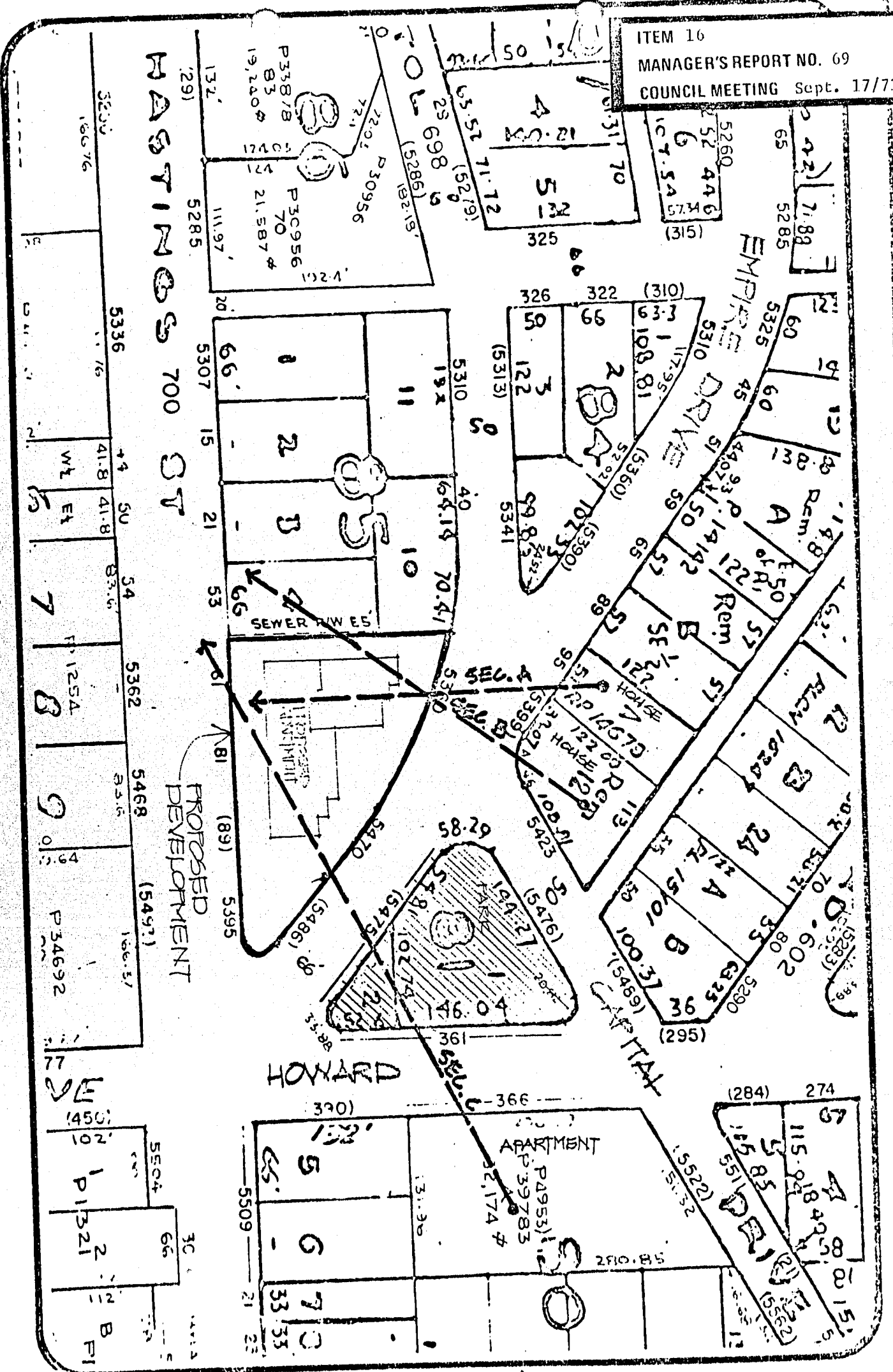
Yours faithfully,

James Israni
Sales Representative

Jl:ph

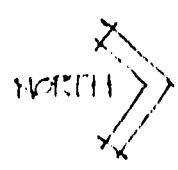
c.c. Garden Construction Ltd.

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SCALE	1:100
DRAWN	L. E. E.
DATE	13 SEPT. 1973

REFERENCE # 33/73 REZONING
KEY MAP FOR CROSS-SECTIONS



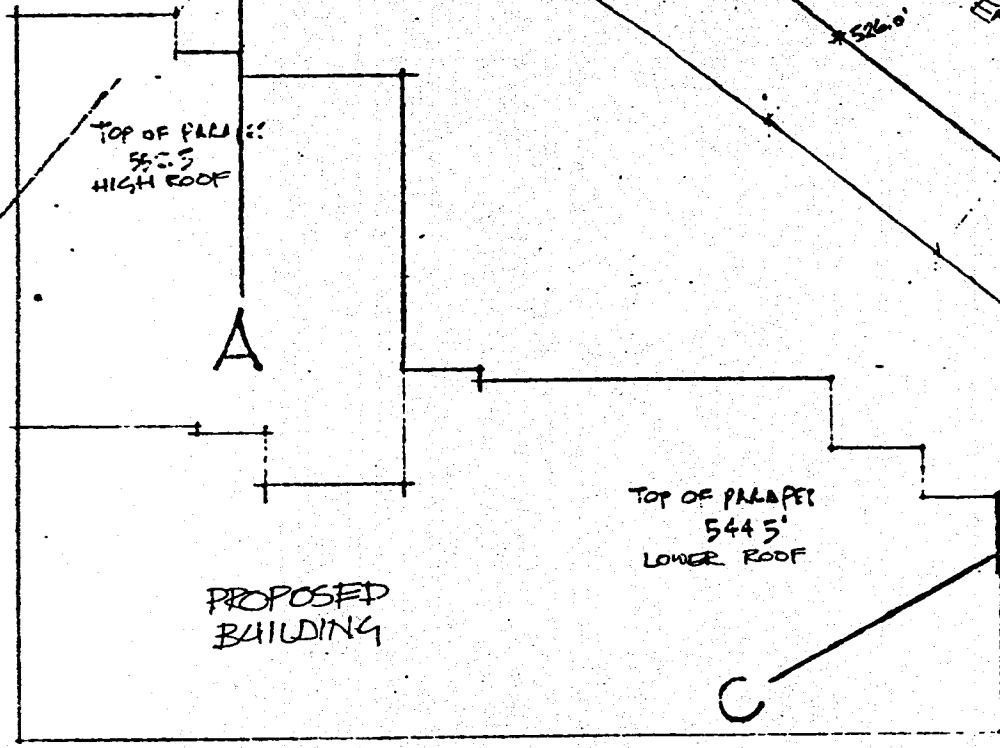
BURNABY PLANNING DEPARTMENT



CAPITAL DRIVE

PARK

EMPIRE DRIVE



TOP OF PALAPET
528.5
HIGH ROOF

A

TOP OF PALAPET
544.5
LOWER ROOF

PROPOSED
BUILDING

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PLAN INDICATING
 ELEVATIONS @
 SOUTHERLY CURB
 OF EMPIRE DRIVE

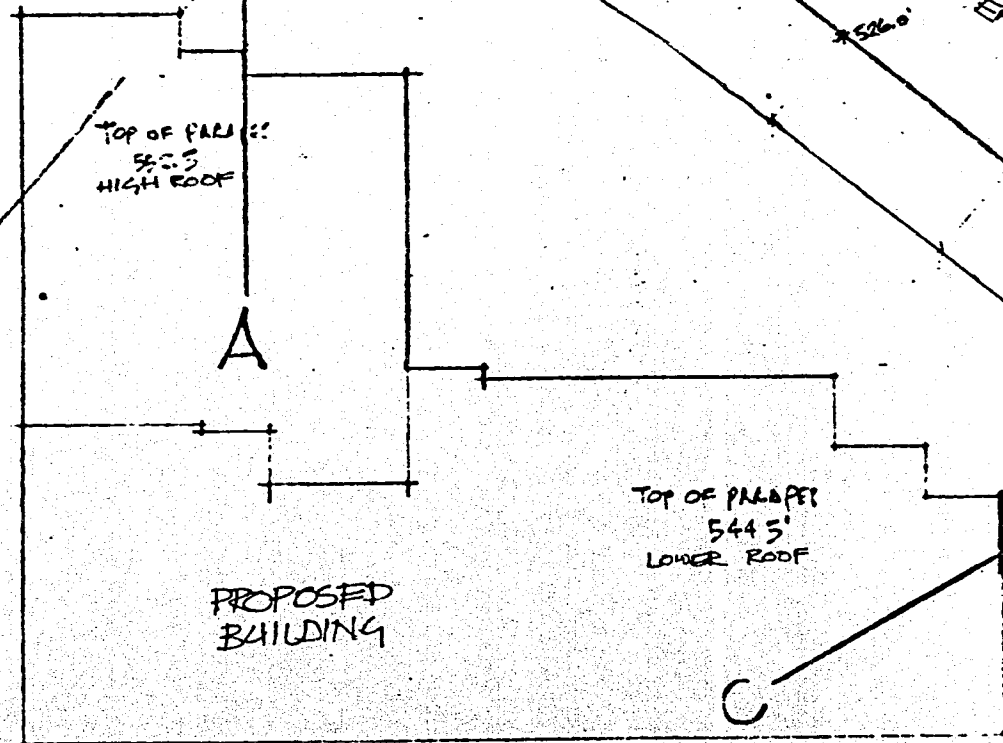
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QUESTION #1

CAPITAL DRIVE

PARK

EMPIRE DRIVE



TOP OF PARCEL
542.5
HIGH ROOF

A

TOP OF PARCEL
544.5
LOWER ROOF

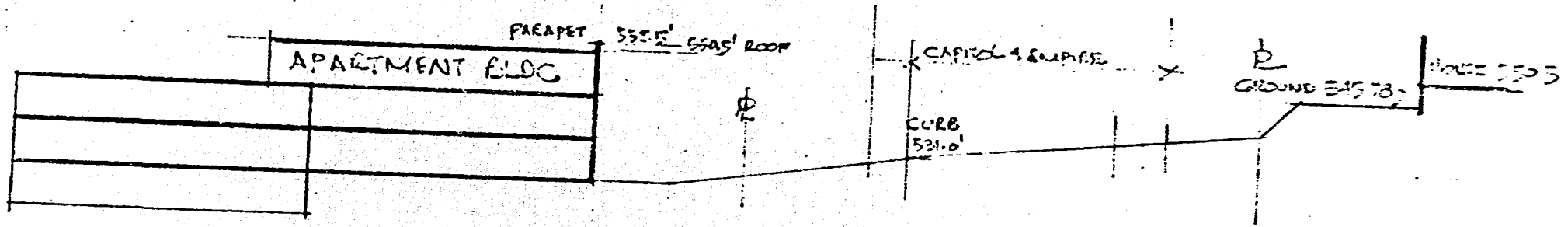
PROPOSED
BUILDING

C

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PLAN INDICATING
 ELEVATIONS @
 SOUTHERLY CURB
 OF EMPIRE DRIVE

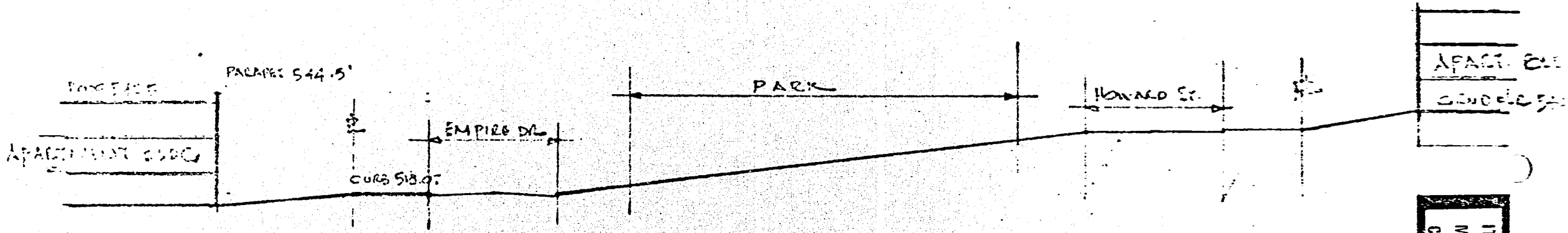
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SECTION LINE 'A'

SKETCH # 2
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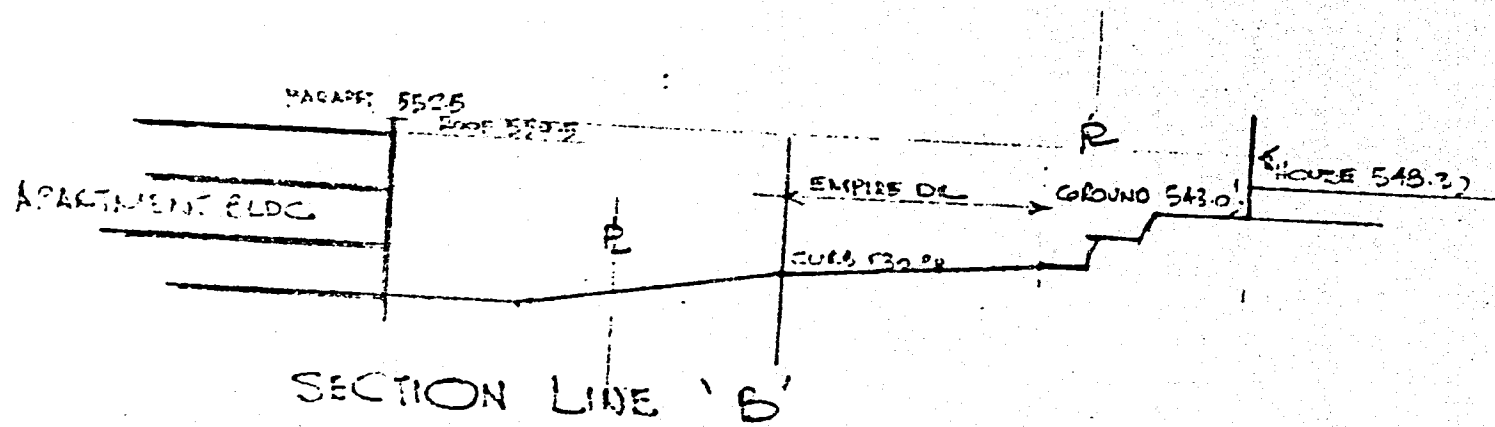


SECTION LINE 'C'

APART. 251
CONDO 251

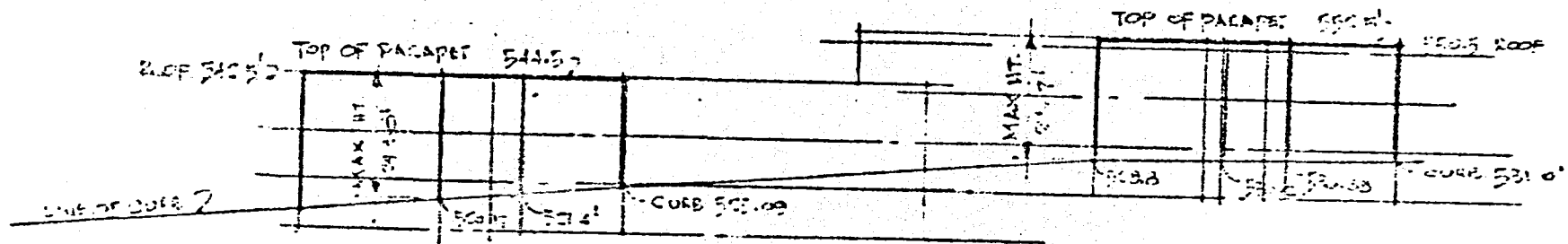
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SHEET # 3



SECTION 45

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ELEVATION OF BLDG TO CURB AT EMPIRE DR.

SEARCH

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