

17. Re: Letter dated October 9, 1973 from Mr. E.W.T. Hnatiuk  
1050 West Pender Street, Vancouver  
Green Tree Village - Curb Design  
Rezoning Reference #1/72 and #19A/73  
(Item 15, Report No. 21, March 19, 1973)

Appearing on the Agenda for the October 22, 1973 meeting of Council is a letter from Mr. E.W.T. Hnatiuk regarding standards for curbs in the Green Tree Village Development. Attached for the consideration of Council are reports on this subject from the Engineer and the Director of Planning.

RECOMMENDATION:

THAT municipal standards for curbs in condominium areas be established as follows:

1. Curbs and gutter and/or curb walks on all internal strata title streets, with standard drop sections where necessary to gain access to the adjoining parking areas.
2. An extruded concrete curb on asphalt to the Engineering Department's specifications for the perimeter of the strata title parking areas.

ITEM 17

MANAGER'S REPORT NO. 79

COUNCIL MEETING Oct. 22/73

THE CORPORATION OF THE DISTRICT OF B IABY

INTER-OFFICE COMMUNICATION

TO: Municipal Manager

DEPARTMENT:

DATE: 18 Oct./73

FROM: Municipal Engineer

DEPARTMENT:

OUR FILE #

SUBJECT: Greentree Village, Phases I and II  
Curbs in Parking Areas

OCT 18 1973

YOUR FILE #

MUNICIPAL MANAGER'S  
OFFICE

During the past month, this subject has been extensively discussed between the developer (Dawson Developments Ltd.), the Planning Department, and the Engineering Department. As you know, the standard of curbing for this development was the subject of discussions earlier this year which culminated in a report by the Planner approved by Council in late March, which recommended the construction of "...curbs to Municipal standards..." on the internal strata-title streets. The Municipal Clerk's letter of 21 March, 1973, to John H. Haiste & Associates Ltd. (Dawson's engineering firm) reads: "With reference to your letter of March 16, 1973, concerning the type of curb to be constructed on the streets to be created in the development of the above described property, I would advise that Council received your submission on March 19th, and after considering it and the attached report of the Manager on the matter, confirmed that the construction of the curbs to be in accordance with municipal standards." (The underlining is ours).

Subsequent to this, the developer submitted design plans which were approved by both the Engineering and Planning Departments which indicate standard municipal curbs and gutter and/or curb walks on all internal strata title streets, with standard drop sections where necessary to gain access to the adjoining parking areas. The perimeter of adjoining parking areas was defined by the installation of extruded concrete curbs on the asphalt surface. These plans were approved because we, most certainly we in Engineering, considered the standards to be adequate and to an appropriate "municipal standard", a considerable improvement on other similar developments in the Municipality which have no curbing on streets or parking areas; further, the standards were considered to be consistent with the intent of Council's approval for this particular development.

Construction of this development has progressed through the summer to the point where construction of the streets has now commenced and the curb details on the approved plans are now being questioned as to whether an extruded concrete curb on asphalt on a curb and gutter should be installed around the parking areas.

The responsibility of this Department for construction in private strata-title areas is not clearly defined. When the original plans were approved by us, we considered that our responsibilities were basically limited to the area between the back of curbs or walks on internal strata-title streets, with the parking areas forming part of the private development and thus totally under the jurisdiction of the Building Inspector. Nevertheless, at the request of the Planning Department, we reviewed the design proposal for the perimeter of the parking areas (which on first submission showed no curbs at all), and ultimately approved the extruded concrete curb on asphalt for this location and use, there being no existing municipal standard for this purpose except that which we use on municipal parking lots where we have found extruded concrete curbs on asphalt to be more than adequate for the use.

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We stand by the approvals accorded the design plans, which now show curb and gutter and/or curb walk for construction of all roads in the development and extruded concrete curb on asphalt at the perimeter of the parking areas. We consider this standard of construction to be adequate and suitable for this development and recommend its adoption.

It is our intention, in the near future, to review, advise and report on the entire question of appropriate standards for work on internal streets and parking areas in strata-title developments including recommendations as to which department is most suitably equipped with the appropriate personnel to carry out the required inspection duties. For the time being, we are both approving plans and inspecting the work on the internal street systems, but I am requesting our Contracts Engineer to instruct his inspectors assigned to inspection of the internal street systems to also inspect the base preparation paving and extruded curb operations on the parking areas immediately adjacent to the internal streets.

AP/EEO:op

  
MUNICIPAL ENGINEER

- c.c. ( ) Planning Director  
( ) Chief Building Inspector  
( ) Design Engineer  
( ) Contracts Engineer

ITEM 17  
MANAGER'S REPORT NO. 79  
COUNCIL MEETING Oct. 22/73

PLANNING DEPARTMENT  
OCTOBER 19, 1973

SUBJECT: CURBS IN CONDOMINIUM AREAS  
GREENTREE VILLAGE -  
REZONING REFERENCE #1/72 AND #19A/73

The developer of the subject condominium project has requested Council "to clarify the situation regarding the installation of curbs to the Municipal Standard".

In reply to this enquiry, the Planning Department would make the following points:

1. The report of March 15, 1973 (attached) which Council adopted, discussed whether "the use of extruded concrete curbs bearing directly on the asphalt paving be permitted in the drives and parking areas of the condominium project instead of concrete curbs to the Municipal Standard" for Phase I of Greentree Village. It was our distinct recollection that the discussion centred both on condominium driveways and parking areas in relation to the provision of the standard curb and gutter detail. The recommendation adopted by Council stated "that the installation of curbs to the Municipal Standard be established as a prerequisite to the subject zoning".
2. The developer specifically submitted a letter of undertaking dated September 10, 1973 (attached) agreeing to the higher standard of curbing as a Council requirement in order to obtain his Phase II rezoning for Greentree Village.
3. The position of the Planning Department has been that it has no authority to change Council's decision on this matter. If the developer had further reservations on this matter, we have advised that the developer would have to approach Council for reconsideration. (attached letter of October 11, 1973)

4. The Planning Department would like to emphasize that the main consideration in front of Council is that the standard of curbs which Council set for the subject condominium project in the first place should not be lowered.
5. On balance, there was some disagreement on the subject of curbs to the Municipal standard among the participants due to the fact that at the time of the March 15, 1973 report to Council a precise Municipal Standard for curbs in condominium parking areas as distinct from streets, had not been clearly delineated. This situation is mainly due to the fact that we are faced with a situation with regard to condominiums for which new approaches have been necessary to be worked out and for which Municipal responsibility in condominium areas have been clarified over the last few months. The matter now appears to be resolved. The Engineering Department has clearly delineated a Municipal Standard for curbs in condominium parking areas and attested to its appropriateness in the situations in which it will be used. The Planning Department would not contest the Engineering Department's determination of the appropriate standards for curbs in condominium areas.
6. The Municipal Standards for curbs in condominium areas suggested as appropriate are:
  - 1) Curbs and gutter and/or curb walks will be provided on all internal strata title streets, with standard drop sections where necessary to gain access to the adjoining parking areas.
  - 2) An extruded concrete curb on asphalt to the Engineering Department's specifications would be acceptable for the perimeter of the strata title parking areas.
  - 3) The Engineering Department is pursuing the matter of inspection responsibilities with regard to condominium development.
7. On October 15, 1973, Council also discussed various revisions to the General Report on Residential Condominiums and Conversions. One of the points adopted by Council stated:

"Concrete curbs to the Municipal Standard are to be provided in the major driveways and parking areas of condominium projects."


RECOMMENDATION

In the light of further study on the matter of curbs in condominium areas, the Planning Department recommends that Council's March 15, 1973 decision on this matter be clarified in the following manner:

The Municipal Standards for curbs in condominium areas are:

1. Curbs and gutter and/or curb walks will be provided on all internal strata title streets, with standard drop sections where necessary to gain access to the adjoining parking areas.
2. An extruded concrete curb on asphalt to the Engineering Department's specifications would be acceptable for the perimeter of the strata title parking areas.

Respectfully submitted,

  
A. L. Parr,  
DIRECTOR OF PLANNING.

KI:cm

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Attach.

ITEM 15  
MANAGER'S REPORT NO. 21  
COUNCIL MEETING Mar. 19/73

15. Re: Curbs in Condominium Areas  
Green Tree Village - Forest Lawn Housing Development  
Rezoning Reference #1/72

ITEM 17  
MANAGER'S REPORT NO. 79  
COUNCIL MEETING Oct. 22/73

Following is a report from the Director of Planning regarding standards for curbs in condominium developments.

Appearing elsewhere on this Agenda is a presentation made by Mr. P.F. Hogan, for John H. Haiste and Associates Limited, on the subject of this item. The material submitted by Mr. Hogan which appeared on the March 12 Agenda is attached for convenient reference by the Council.

RECOMMENDATION:

THAT installation of curbs to Municipal standard be established as a prerequisite to the subject rezoning.

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PLANNING DEPARTMENT

MARCH 15, 1973

OUR FILE: RZ 1/72

RE: CURBS IN CONDOMINIUM AREAS  
GREEN TREE VILLAGE - FOREST  
LAWN HOUSING DEVELOPMENT  
REZONING REFERENCE #1/72

In a letter of March 9, 1973 to the Municipal Clerk the applicant has requested that the use of extruded concrete curbs bearing directly on the asphalt paving be permitted in the drives and parking areas of this condominium project instead of concrete curbs to the Municipal Standard.

It is the opinion of the Planning Department that the proposed extruded concrete curb is classified as temporary curb. The Municipal Engineer concurs with this opinion. Extruded concrete curb requires more maintenance than Standard Municipal curbs as it is not as strong, cross-sectionally, as the Standard Municipal curb and is very much subject to breakage as evident by experience with similar type curbs on various streets particularly in the Capitol Hill area.

Further, in the case of condominiums, the original developer/contractor does not have any legal responsibility for the maintenance of curb quality after the initial guarantee period and after all units have been sold. The intent of the recommended use of curbs to the Municipal Standard is to ensure that condominium owners are not faced with high maintenance costs.

It does not appear reasonable to assume that condominium owners should be willing to accept a lower standard of services (i.e. curbs) than that provided to, say, single-family dwelling owners due to a technical differentiation in ownership. It will be recalled that condominium owners look to the Corporation when they feel they have been sold a poor quality facility. Such a complaint came from new owners of a condominium development near Broadway and Holdom.

Recommendation

That the installation of curbs to the Municipal Standard be required as a prerequisite to this rezoning.

Respectfully submitted,

*A. L. Parr*  
A. L. Parr,  
DIRECTOR OF PLANNING

KI/mp  
c.c. Municipal Engineer



DELEGATIONS (C)  
Regular Council Meeting  
March 12, 1973

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MANAGER'S REPORT NO. 79  
COUNCIL MEETING Oct. 22/73

2 (c)

JH

JOHN H. HAISTE & ASSOCIATES LTD.  
CONSULTING ENGINEERS  
NORTH VANCOUVER · LEEDS, U.K. · LAGOS, NIGERIA

1583 Pemberton Avenue  
North Vancouver, B.C.  
Telephone 980-2518

March 9, 1973

Mr. J. H. Shaw  
Municipal Clerk  
District of Burnaby  
4949 Canada Way  
Burnaby, B.C.

Dear Sir:

RE: DAWSON DEVELOPMENTS LTD., GREEN TREE VILLAGE

On Monday March 12th, 1973 the above project will appear before Council for fourth reading and we request that this letter be submitted to the Mayor and Council at the same time. If for some reason the project does not go for fourth reading we request that this letter be held until such time as presentation is made.

For the curb in the private roads of the condominium area of this site we have recommended the type which has been successfully used for many years for full municipal service by The District of North Vancouver. Also this curb has been used in many heavy duty parking areas such as the Park Royal Shopping Centre car park.

We have in fact, at the request of your Planning Department, added dowelling arrangements to give additional stability to the curb; a sophistication which is not found necessary by other extensive users.

With this letter we append copies of correspondence with your Planning Department which show clearly that we are convinced that the type of curb recommended is more than adequate for this part of the development.

On two occasions we obtained the distinct impression from the staff of your Planning Department that our recommendation had been accepted. So convinced were we of this that tenders have been called for the work in the condominium area including the type of curb recommended.

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JH

TO: Mr. J. H. Shaw

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Mr. M. H. Campbell, P. Eng. the Assistant Municipal Engineer for the District of North Vancouver has offered to take the staff of your Planning and Engineering Departments around his municipality to illustrate where this type of curb has been successfully used. Also to show where problems have been experienced with this curb to show that the conditions that caused the problems do not exist in the location for which we are recommending this curb. This offer has not yet been taken up.

The essence of the point in question is:- Will the curb recommended be a permanent installation for the location under consideration. It is our contention that the answer to this is irrefutably yes. The question which appears to have been put to your Engineering Department is:- Is the curb recommended (costing approximately \$.80 per foot) as robust as the municipal curb (costing approximately \$4.00 per foot). The answer to this question is no.

The costs involved are drastically different and it will mean the expenditure of thousands of extra dollars on this project alone if curb to the Burnaby municipal standard is installed, rather than curb to a standard accepted by other municipalities. It should be stressed that we are considering only the curb in private roads; roads which are not the responsibility of the municipality to maintain. On many condominiums these private roads are found perfectly acceptable without any concrete curb whatsoever.

It is our request that the Mayor and Council carefully consider this matter and give approval to the curb recommended, bearing in mind that this is the first phase of a development which will involve Dawson Developments Ltd. for a number of years.

Yours very truly,

JOHN H. HAISTE & ASSOCIATES LTD.  
Per:

*(Signature)*

*(Signature)* P. F. Hogan, P. Eng.

PFH:ed

P.S. I would appreciate the opportunity to address Council with respect to the contents of this letter.



Attachment to Delegation  
March 12, 1973

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MANAGER'S REPORT NO. 21  
COUNCIL MEETING Mar. 19/73

ITEM 17  
MANAGER'S REPORT NO. 79  
COUNCIL MEETING Oct. 22/73

February 23, 1973

Mr. A. L. Parr  
Director of Planning  
Corporation of Burnaby  
4949 Canada Way  
Burnaby, B.C.

Dear Mr. Parr:

RE: DAWSON DEVELOPMENTS LTD., GREEN TREE VILLAGE

As you are aware it was our proposal that extruded curb dowelled into the blacktop should be adopted for the condominium area of the above development. This proposal was accepted by your Mr. K. Ito and a tender has been called on this basis.

Now we find that you have vetoed the decision made by Mr. Ito and currently require a different type of curb to be installed.

As described in our letter dated February 7th, 1973 to Mr. Ito we have discussed this matter in detail with Mr. M. H. Campbell, P. Eng. the Assistant Municipal Engineer at the District of North Vancouver, where they have installed miles of this curb. Maintenance on the curbs in North Vancouver is almost exclusively limited to street intersections in those areas where grades are in excess of 1.5% and the manoeuvrability of snow removal equipment is difficult. On areas of reasonable grades there is virtually no maintenance required.

Mr. M. Campbell has offered to discuss this matter with you and your Engineers and to take you around condominium developments in the Municipality and on certain truck routes where these curbs are installed.

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TO: Mr. A. L. Parr

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Mr. Campbell is in fact the owner of a condominium unit and has many reassuring comments to make on the operation and maintenance of a condominium development which would probably dispell many of your points of concern.

We suggest, therefore, that a meeting be held with Mr. Campbell, since the costs involved in providing the suggested alternative curb will be considerable on this development and other such developments in Burnaby.

Yours very truly,

JOHN H. HAISTE & ASSOCIATES LTD.  
Per:

P. F. Hogan, P. Eng.

PFH:ed

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March 12, 1973

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MANAGER'S REPORT NO. 21

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COUNCIL MEETING Oct. 22/73

March 1, 1973

Mr. A. L. PARR  
Director of Planning  
Corporation of Burnaby  
4949 Canada Way  
Burnaby, B.C.

Dear Mr. Parr:

We enclose herewith copies of our correspondence on the curbs proposed for Green Tree Village Condominiums.

As discussed at our meeting on February 27th, we give below our reasons for holding to the original recommendation that these curbs be installed as agreed with your Mr. Ito.

1. Type has proved satisfactory in municipal situations with the exception of certain conditions which do not apply on this project.
2. Type has proved satisfactory over many years service in parking areas such as Park Royal where extremely heavy use occurs.
3. It is not practical to use the curb recommended by your Engineering Department for the roads under consideration.
4. This is a relatively expensive development similar to those on the North Shore and, because of this it is anticipated that funds will be readily available from the residents' maintenance dues for the operation of the Condominium. Therefore, it is not anticipated that approaches will be made by residents to the Municipal Council for services or attention.
5. Dawson Developments have a reputation to protect and will not allow substandard or unsatisfactory workmanship to exist on this development; particularly

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TO: Mr. A. L. Parr

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since they will be involved on this site for a number of years.

6. If after some time it is clearly established that the curbs are not satisfactory, and it can be shown that this dissatisfaction is due to the type of curb rather than construction problems, an alternative curb will be installed in other phases of this development.

As agreed at our meeting on February 27th receipt of the above information will enable you to approve the type of curb proposed without the necessity to involve the Engineering Department or Council.

Yours very truly,

JOHN H. HAISTE & ASSOCIATES LTD.  
Per:

F. F. Hogan, P. Eng.

PFH:ed  
Encls.

cc: Mr. E. Hnatiuk; Dawson Developments Ltd.

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March 12, 1973

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MANAGER'S REPORT NO. 21  
COUNCIL MEETING Mar. 19/73

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COUNCIL MEETING Oct. 22/73

February 23, 1973

Mr. A. L. Parr  
Director of Planning  
Corporation of Burnaby  
4949 Canada Way  
Burnaby, B.C.

Dear Mr. Parr:

RE: DAWSON DEVELOPMENTS LTD., GREEN TREE VILLAGE

Further to our letter dated February 22nd, 1973  
and to our telephone discussion on February 23rd, 1973  
it is confirmed that we will take up the matter of curbs  
in the condominium area with Mr. V. Kennedy, P. Eng.  
your Assistant Municipal Engineer.

Yours very truly,

JOHN H. HAISTE & ASSOCIATES LTD.  
Per:

P. F. Hogan, P. Eng.

PFH:ed  
cc: Mr. V. Kennedy, P. Eng.



Attachment to Delegation  
March 12, 1973

MANAGER'S REPORT NO. 21  
COUNCIL MEETING Mar. 19/73

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COUNCIL MEETING Oct. 22/73

February 23, 1973

Mr. M. H. Campbell, P.Eng.,  
Assistant Municipal Engineer,  
355 West Queens,  
North Vancouver, B.C.

Dear Mr. Campbell:

RE: DAWSON DEVELOPMENTS LTD., GREEN TREE VILLAGE

Thank you for spending time discussing curb construction and maintenance in North Vancouver as it relates to condominium development in the District of Burnaby.

Your offer to discuss the matter with the Planning and Engineering staff of Burnaby is very much appreciated, since this topic could involve the expenditure of considerable sums of money on the above mentioned development and all such developments constructed in Burnaby in the future.

Yours very truly,

JOHN H. HAISTE & ASSOCIATES LTD.  
Per:

P. F. Hogan, P.Eng.

PFH:ed

cc: Mr. E. Hnstiuk  
Mr. V. Kennedy, P.Eng.  
Mr. A. L. Parr



ITEM 15  
MANAGER'S REPORT NO. 21  
COUNCIL MEETING Mar. 19/73

February 7, 1973

Mr. K. Ite  
Planning Department  
District of Burnaby  
4949 Canada Way  
Burnaby, B. C.

ITEM 17  
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COUNCIL MEETING Oct. 22/73

Dear Mr. Ite:

RE: DAWSON DEVELOPMENTS LTD., GREEN TREE VILLAGE,  
BURNABY, B. C.

Reference is made to our discussions on February 6th, 1973 concerning the type of curb proposed for the condominium area of the above project. The cross section and type of curb proposed is identical to the one utilized by the District of North Vancouver on the vast majority of roads within that Municipality.

Before a decision was made to use this kind of curb within the condominium area we consulted with the Engineering Department at the District of North Vancouver and established that they found the curb satisfactory. As a result of our enquiries with this Department we are convinced that this curb is more than adequate for this application and would recommend that you contact Mr. M. H. Campbell, Assistant Municipal Engineer for the District of North Vancouver and confirm that they find the curb satisfactory.

We have checked with the Burnaby Engineering Department about the suitability of this curb for the condominium application and find that they are not prepared to express an opinion.

Since our meeting on February 6th, 1973 we have given considerable thought to this aspect of the Green Tree Village development and wish to stand by our recommendation that this type of curb be adopted for the private roads within this development.

Yours very truly,  
JOHN H. HAISTE & ASSOCIATES LTD.  
Per:

•P. F. Hogan, P.Eng.

PFH;ed  
cc: Mr. E. Hnatiuk; Mr. M. H. Campbell, P.Eng.

ITEM 17

MANAGER'S REPORT NO. 79

COUNCIL MEETING Oct. 22/73

745 CLARK DRIVE, VANCOUVER 6, BRITISH COLUMBIA. ☎ 255-5471 • TELEX DAWCO



September 10, 1973.

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

ATTENTION: Mr. T. Parr  
Planning Dept.

RE: Green Tree Village-Phase II

Dear Sir:

We are, of course, disappointed to learn that the minutes of council indicate that the curbs around parking areas must be constructed to municipal standards. Inasmuch as this problem has already been discussed at length with Council, we must agree with the decision at this time. We would however appreciate your co-operation in referring the matter to Council again should this be found necessary.

Our consulting engineers and roadway contractor will be reviewing the practicality of the design in detail and may have recommendations which would be presented to you for further consideration.

Yours very truly,

DAWSON DEVELOPMENTS LIMITED

A handwritten signature in dark ink, appearing to read "E.W.T. Hnatuk", is written over the typed name.

E.W.T. Hnatuk, P. Eng.,  
Project Manager.

EWTH/ds

cc. ENG.

PLANNING DEPARTMENT

11 October, 1973

Dawson Developments Ltd.,  
1050 West Pender Street,  
Vancouver, B.C.

Attn: Mr. E. Hnatiuk

Dear Sirs:

Re: Curbs to Municipal Standards  
Condominium Areas  
Greentree Village - Phase II  
Rezoning Reference #19A/73

This will confirm receipt of your letter of October 1, 1973 and a subsequent telephone discussion of October 4, 1973 concerning the matter of concrete curbs in condominium areas. We are also in receipt of your letter of agreement to the installation of the requisite curbs in condominium areas. To set the record straight, there would also be no difference in interpretation between the representatives of the Engineering and Planning Departments who attended the actual Council meeting at which the whole question of concrete curbs to the Municipal standards was discussed. We would restate the position of the Planning Department, which has been reiterated repeatedly, that curbs to the Municipal standards (curb and gutter), are to be provided in condominium driveways and parking areas, and were so authorized by Council.

The only authority which could change this position would be Council itself. The developer is at liberty to request the consideration of Council to reopen this matter.

We would therefore expect that your letter of undertaking of September 10, 1973 in conjunction with the final adoption of Rezoning 19A/73 would be adhered to and that, should you have further reservations on this matter, you will approach Council for reconsideration.

If you require further clarification, do not hesitate to contact us.

Yours truly,

  
A. L. Parr,  
DIRECTOR OF PLANNING

KI:ea  
c.c. Municipal Engineer