

Re: Strata Title Application #29/74
Lot 93, D.L. 30, Plan 37093, Group 1, N.W.D.
7425 Eighteenth Avenue

Following is a report from the Director of Planning regarding Strata Title Application #29/74.

RECOMMENDATION:

THAT the Director of Planning's recommendations be adopted.

* * * * *

PLANNING DEPARTMENT
AUGUST 15, 1974

TO: MUNICIPAL MANAGER
FROM: DIRECTOR OF PLANNING
1.0 SUBJECT: STA #29/74

Applicant: D. M. Sarter, Architect,
1209 East 4th Street,
North Vancouver, B. C.
Attention: Mr. D. Wong

Legal: Lot 93, D.L. 30, Plan 37093,
Group 1, N.W.D.

Address: 7425 Eighteenth Avenue
(See Sketch #1, attached)

The Planning Department has received an application for Strata Title Approval for the conversion of an existing 47-unit rental apartment to a 39-unit condominium. In reference to Councils' 8 July, 1974 declaration that no further strata title conversions will be approved, the subject STA #29/74 was one of those few existing applications that was exempted and which Council determined to consider on the basis of the Guidelines for Residential Condominiums and Conversions.

2.0 BACKGROUND:

The subject development is located within an area that has been designated for medium density apartment use as a part of Area "O" of the 1969 Apartment Study. The subject property was rezoned to accommodate the 47-unit apartment in early 1970 (R.Z. #75/69) and on the basis of the rezoning suitable plan of development, Preliminary Plan Approval for the project (P.P.A. #1113) was granted on 3 April, 1970. The building is in conformity with the intent of the Apartment Study; and, it is now fully occupied.

The applicant now wishes to convert the apartment to condominium use, is aware of Council's Condominium Guidelines, and has proposed a number of alterations in preparation for condominium tenure (which will be outlined below).

Council will recall having recently dealt with an application for the conversion to condominium use of the adjacent apartment building, a sister building to the subject one, under STA #15/74 (7428 Nineteenth Avenue). STA #15/74 was granted Tentative Approval for strata titling by Council on 27 May, 1974 and after a reconsideration of the matter and a discussion of provisions for relocating non-purchasing tenants, Council reaffirmed Tentative Approval on 6 August, 1974. The subject building is of similar design and construction to the adjacent building that was approved under STA #15/74.

3.0 PROJECT DESCRIPTION:

3.1 Following is a statistical description of the proposed condominium:

a) Overall Site Area: 31,702.2 sq. ft.

b) Floor Area Ratio:

Maximum Allowable F.A.R. = 1.1
Designed F.A.R. = 1.1

c) Proposed Unit Mix:

Two Bedroom Units

(3) Type A₁ @ 1,031 sq. ft. = 3,093 sq. ft.
(3) Type A₂ @ 945 sq. ft. = 2,829 sq. ft.
(3) Type A₃ @ 965 sq. ft. = 2,895 sq. ft.
(2) Type A₄ @ 1,011 sq. ft. = 2,022 sq. ft.
(3) Type C 891 sq. ft. = 2,673 sq. ft.
(3) Type D @ 893 sq. ft. = 2,679 sq. ft.

One Bedroom Units

(22) Type B @ 634 sq. ft. = 13,948 sq. ft.

Total Units = 39 Total Area = 30,139 sq. ft.

(d) Usable Open Space:

Minimum U.O.S. Required
(@ 300 sq. ft. per Two Bedroom and
200 sq. ft. per One Bedroom) = 9,500 sq. ft.

Designed U.O.S. = 12,947.2 sq. ft.

(e) Parking Provision:

Required Parking Ratio for
Low-rise Apartment
Condominiums = 1.5 spaces per unit
(39 units x 1.5 spaces
per unit = 59 spaces required)

Existing parking does not meet this provision and the applicant has submitted a proposal to accommodate the additional required spaces as outlined below.

(f) Communal Facilities:

- recreation room

(g) Occupancy Rate:

The building is currently 100% occupied.

3.2 The subject building, a three-storey frame structure, is essentially L-shaped with vehicular access and primary pedestrian access from Eighteenth Avenue. The building is in good condition and repair. Basic facade materials include cedar shakes (on the extended mansard roof), stucco, and brick veneer. Extensive and successful landscaping of the site is provided.

4.0 REQUIRED AND PROPOSED CHANGES:

The Municipal Engineer, Chief Fire Prevention Officer, and Chief Public Health Inspector have indicated that the proposed strata titling is acceptable provided that the Condominium Guidelines are satisfied. In addition, the Chief Public Health Inspector requests that all renovation plans be submitted to his office for approval prior to issuance of a Building Permit. The Chief Building Inspector recommends approval of the Strata Titling providing certain minor matters are resolved as per his requirements.

Currently, in this development the requisite parking accommodation for condominiums is not provided. The applicant has submitted drawings (in application for Preliminary Plan Approval) that delineate an extension of the underground parking facility and the consolidation of a number of units, such that the resulting 39 condominium units would be provided with 59 parking spaces, thus fulfilling the 1.5 spaces-per-unit guideline minimum. Preliminary review of these drawings indicates that the required parking can be successfully accommodated.

The usable open space provided in the proposed condominium is somewhat more than that required as minimum by the Zoning Bylaw. Communal facilities, with the exception of a recreation room are non-existent.

5.0 PROVISIONS FOR EXISTING TENANTS:

The applicant, being aware of the Tenant Provisions established for the adjacent building (STA #15/74) has expressed, by letter of 18 June, 1974, that he will comply with similar provisions. Moreover, the owner of the property has requested that a letter of 2 August, 1974 from himself regarding this matter be appended to the present report, such being attached and noted as Exhibit 1.

It is, therefore, recommended that the following be required for this strata titling as provisions for tenants who do not wish or cannot purchase their units:

(a) The landlord must provide a period of one-hundred-twenty (120) days notice-to-vacate.

(b) The developer will make available to existing tenants the option to purchase with low down payments during the period of notice-to-vacate.

- (c) The developer will provide professional apartment finding services to all tenants who do not wish to purchase such that those tenants will be provided with alternate suitable accommodation (these services to be available at the outset of the notice-to-vacate period).
- (d) The developer shall pay to the tenant, forthwith upon receipt of a statement of account of his mover, the amount of the tenants necessary moving expenses, or the amount of three hundred dollars (\$300.00), whichever amount is less. [from Landlord and Tenant Act]
- (e) The landlord shall agree that the tenant may, without penalty, terminate the tenancy agreement at any time during the four month notice-to-vacate period by
- (a) giving the landlord ten days notice in writing setting out the effective date of termination; and
 - (b) paying, if it is due at the time he gives notice, an amount of rent up to the effective date of termination that is proportionate to his monthly rental, and the tenancy agreement shall terminate at the effective date of termination. [from Landlord and Tenant Act]
- (f) The developer will notify each tenant at the time of the initial notice-to-vacate of the above delineated provisions in full.
- (g) The developer/owner will submit to the Municipality a listing of existing tenants in the development certified to be complete and accurate by a Notary Public; and, the developer will then submit one of the following for each unit in the development:
- A letter agreeing to terminate residence signed by each tenant who wishes to utilize the pre-established tenant relocation provisions or, in lieu of this, proof of termination of residence.
 - A binding legal agreement, acceptable to and signed by both the tenant and developer, for each tenant who does not wish or cannot relocate that the subject unit will be provided to the tenant under a rental situation by the developer until that tenant relocates at his own will (all legal expenses to be borne by the developer).
 - Acceptable proof that a tenant wishes to abstain from signing either an affirmation that he will relocate or an agreement to remain (such to be confirmed by the Municipality).

It is recommended that the developer be required to agree to comply with the provisions as outlined above as prerequisite to final Strata Title Approval.

6.0 CONCLUSION:

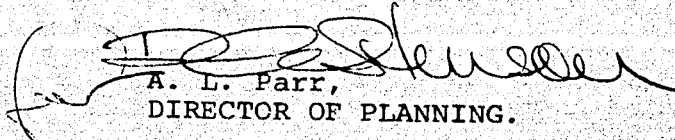
Providing that the parking situation can be resolved (such that Preliminary Plan Approval can be granted, that the requirements of Municipal Departments as above outlined are undertaken by the developer, that the provisions for relocation of tenants are agreed upon by the applicant, and that the operational condominium guidelines are satisfied by the applicant, the Planning Department is not opposed to the proposed conversion.

7.0 RECOMMENDATIONS:

It is recommended that Council grant tentative Strata Title Approval to the subject application subject to the fulfillment of the following as prerequisite to signature of the strata plans by the Major and Municipal Clerk (i.e., final approval):

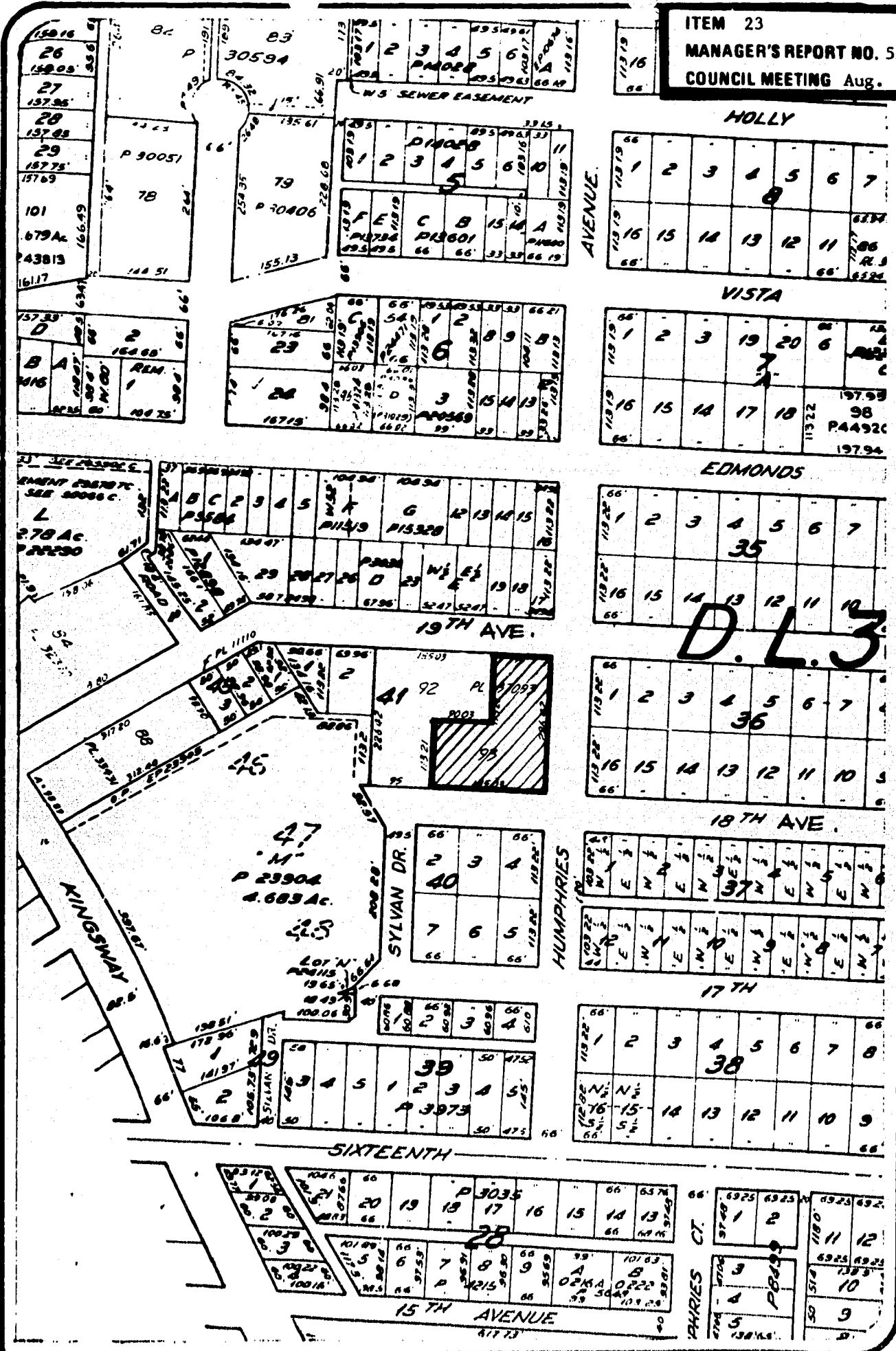
- 7.1 The fulfillment in full (including completion of necessary construction) of Sections 3.1.1, 3.1.2, 3.1.3, 3.1.5 and 3.1.7 of the Guidelines for Residential Condominiums and Conversions (which includes the requirement for adequate condominium parking).
- 7.2 The fulfillment of Section 3.1.6 of the Guidelines for Residential Condominiums and Conversions via the submission of a written undertaking by the developer to comply in full with the provisions (as outlined above) for relocating existing tenants who do not wish to purchase their units and the submission of documents as delineated in Tenant Provision "g", above.
- 7.3 The fulfillment of Section 3.1.8 of the Guidelines for Residential Condominiums and Conversions via the completion by the developer of any and all changes required by the Chief Public Health Inspector and Chief Building Inspector, as outlined above.

Respectfully submitted,


A. L. Parr,
DIRECTOR OF PLANNING.

LBB:bp
Attach.

ITEM 23
 MANAGER'S REPORT NO. 55
 COUNCIL MEETING Aug. 19/74



SCALE 1" = 200'
 DRAWN [Signature]
 DATE AUG. 74

STA # 29/74



SKETCH # 1 169

ITEM 23
MANAGER'S REPORT NO. 55
COUNCIL MEETING Aug. 19/74

STA 29/74

978 Macintosh St.,
Coquitlam, B.C.

August 2, 1974

The Corporation of Burnaby,
4949 Canada Way,
Burnaby 1, B.C.

Attention: Mr. L. Beasley, Rezoning Technician

Gentlemen:

Re: Application for Conversion,
Chateau Delon, 7425 - 18th Ave.

We wish to assure that all sections of the strata-titles act will be adhered to, including the four month allowance to vacate.

In the event that any hardship cases arise, we will endeavour to extend occupancy period and do all within reason to re-locate the tenants. Present tenants will be offered first choice of purchase.

All expenses of the rental agency to be used will be paid by ourselves.

We have been in contact with C.M.H.C. and they have agreed to financing, which will ensure low down-payments with interest below ten percent.

We trust that the above information will meet with your approval.

Yours very truly,

H. Phillips

H. Phillips.

HP:bh

EXHIBIT 1