

Re: Letter dated April 25, 1974 from Mr. Art Goy  
538 Duthie Street  
Residential Construction Adjacent to Duthie-Union Elementary School  
Subdivision Reference #134/74

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Appearing on the Agenda for the May 27, 1974 meeting of Council is a letter from Mr. Art Goy expressing concern over the location of housing proposed for construction on the property immediately west of the Duthie-Union Elementary School.

Following is the report of the Approving Officer with respect to the subject matter.

RECOMMENDATIONS:

THAT the Municipality not acquire any of the lots on behalf of the School Board; and

THAT a copy of this report be provided to Mr. Art Goy and to the Burnaby School Board.

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TO: MUNICIPAL MANAGER 23 MAY, 1974  
FROM: APPROVING OFFICER  
RE: SUBDIVISION REFERENCE #134/74  
RESIDENTIAL CONSTRUCTION ADJACENT  
TO DUTHIE-UNION SCHOOL

HISTORY:

Due to perimeter development and excessive lot depths in the block bounded by Duthie-Union-Hastings-Phillips, it was determined that the undeveloped interior of this block was suitable for the proposed Duthie-Union Elementary School. Subsequently the acquisition boundaries were set by the School Board and included a portion of the subject lot as shown on the attached sketch. The School Board then began to assemble the site necessary for construction of this facility. After repeated attempts to negotiate with the owner of the subject lot, the Board decided to abandon the acquisition of this parcel and to concentrate on assembling a site further east. The site was then assembled and the school built leaving Lot 2 isolated between the school buildings and the existing homes on Duthie. It was then impossible to plan a viable conforming subdivision layout with such a small remaining piece of land.

In 1967 the Planning Department recommended to the Board that they acquire the rear portion of Lot 2. The Board unanimously rejected this proposal.

Again in January, 1973 as a result of a subdivision application, the Director of Planning recommended the acquisition of this property. The Board at that time considered a report from the Building and Grounds Committee Chairman which stated:

"The piece of land in question has undesirable topography as related to the school site development and would be of questionable use. The Board does not have funds with which to acquire the land even if this were a desirable acquisition.

I am assured by the Architect that the ultimate school can be constructed on that portion of the site allotted for this purpose."

The Secretary-Treasurer was then directed to advise the Planning Director that it would not be in the public interest for the above described property to be acquired by the Board.

Finally on August 30, 1973 the Planning Department wrote to the Secretary-Treasurer of the School Board recommending that the Board reconsider their decision. It was indicated verbally by Mr. Durkin that the Board's position remained unchanged. Tentative approval for subdivision was then issued on September 11, 1973 for subdivision into four 50' wide lots, two on Hastings Street and two fronting on Frances Street.

At a meeting of the School Board September 19, 1973 the Board decided that since they had no funds to acquire this lot, there were only two alternatives:

- a) that the Planning Department refuse subdivision pending ultimate purchase by the Board,
- b) that the Corporation acquire the site and hold it for the Board.

It was considered that neither alternative was viable since tentative approval of the subdivision had been granted based on earlier decisions by the School Board. The applicant for the subdivision then proceeded to fulfil the conditions for final approval within the specified time. The subdivision plan was signed October 22, 1973 by the Approving Officer and subsequently registered by the applicant.

In reply to Mr. Goy's letter, the Planning Department would report that:

- 1) The subdivision has already been effected, thus allowing the owners of the lot to build subject to the approval of the Chief Building Inspector. At the present time the Building Inspector is withholding permits for these lots pending Council's direction.
- 2) The Zoning By-law in the P5 Institutional category, requires a minimum side yard of 20' on the school property, however the School Board on its part sets individual guidelines for its architect to follow when planning each school site.
- 3) As is shown on the attached sketch, a widening has been taken for the eventual construction of a cul-de-sac on Frances Street. This also precludes the obstruction of the access to the School by house construction. Due to the depths of Lots 242 and 241, the builder has the liberty of constructing his homes to the rear of the lots and at some distance from the school buildings, should he so wish.

- 4) Lots 242 and 241 have an area of approximately 14,000 square feet, which is much greater than the R4 Residential zone requires. When the subdivision application was considered, the Planning Department could not justify forcing the applicant to create one 100' wide lot which would have had an area of approximately 28,000 square feet.

Since the lots as yet have no improvements upon them, Council could still direct that the alternative offered by the School Board in September, 1973 be implemented. This would mean the acquisition of two single building lots to be held for the School Board to acquire at a later date.

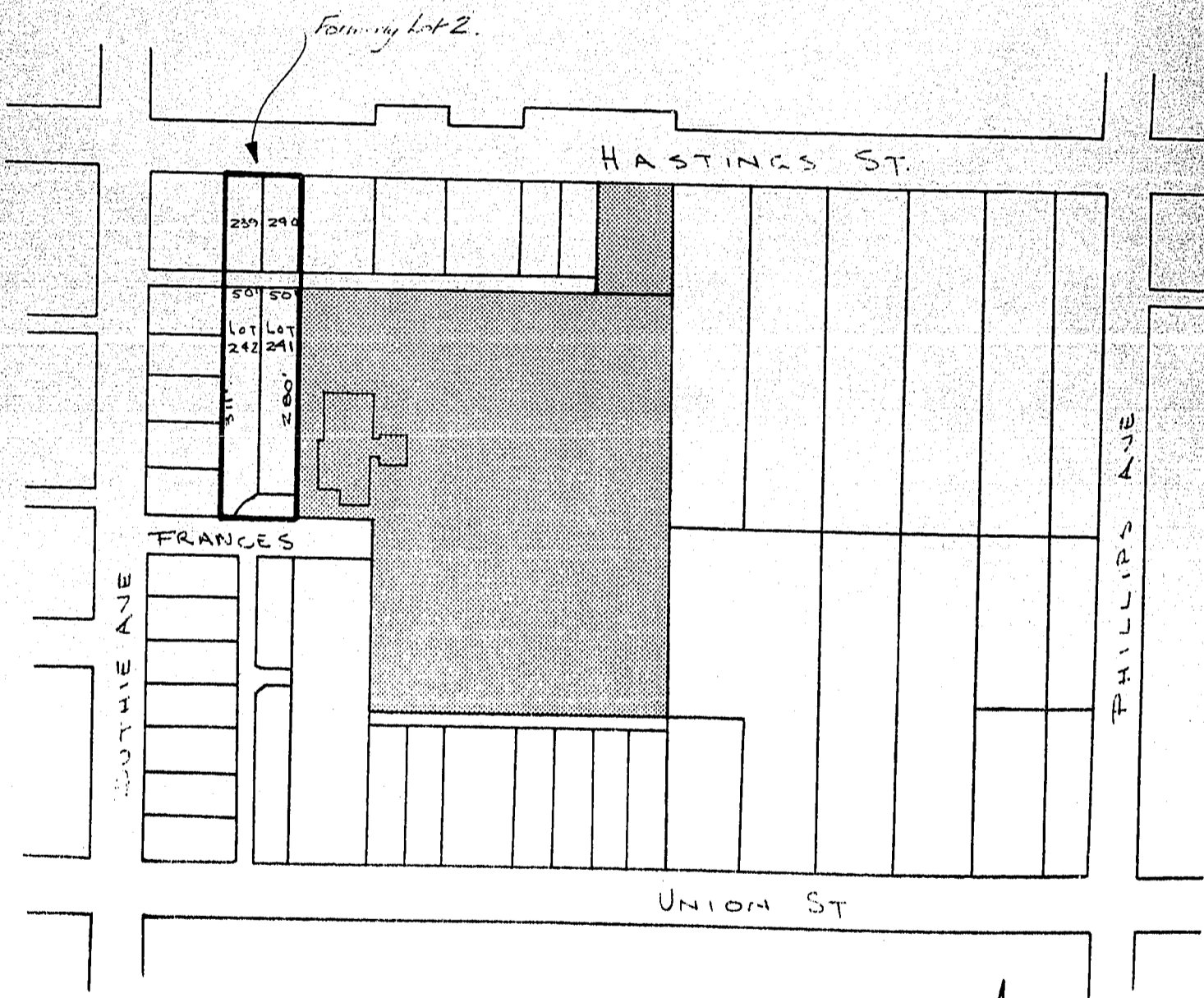
RECOMMENDATION:



THAT Council receive the above noted report for their information.

HR:ea  
Attchmt.

  
A. L. Parr,  
APPROVING OFFICER

ITEM 11  
MANAGER'S REPORT NO. 41  
COUNCIL MEETING May 27/74



SUBJECT PROPERTY   
SCHOOL PROPERTY 



SCALE 1" = 200'  
MAY '74 #2