

ITEM 15
MANAGER'S REPORT NO. 41
COUNCIL MEETING May 27/74

Re: Strata Title Approval Application
Lot 92, D.L. 30, Plan 37093, Group 1, N.W.D.
7428 Nineteenth Avenue

Following is a report from the Director of Planning regarding the subject Strata Title approval application.

RECOMMENDATION:

THAT the Director of Planning's recommendations be adopted.

PLANNING DEPARTMENT
MAY 24, 1974.

MR. M. J. SHELLEY,
MUNICIPAL MANAGER.

Dear Sir:

1.0 SUBJECT: STA #14/74

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

Legal: Lot 92, D.L. 30, Plan 37093,
Group 1, N.W.D.

Address: 7428 Nineteenth 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.

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 existing 49-unit apartment was developed after rezoning in 1970 (R.Z. #75/69); it 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).

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 @ 943 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:

- 1 sauna

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 from Eighteenth Avenue and primary pedestrian access from Nineteenth 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 Public Health Inspector and Chief Building Inspector have indicated that the proposed strata titling is acceptable provided that the Condominium Guidelines are satisfied. The Chief Fire Prevention Officer requires the following actions to be undertaken by the landlord in order to bring the building into conformity with current Municipal fire safety standards:

- a) the repair of a hole in the wall at the Third Floor fire doors; and,
- b) the provision of all fire and stairwell doors to be self-closing, self-latching and fitted to 3/8" maximum clearance at the finished floor.

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, the provision of some on-grade parking, 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 sauna, are non-existent.

5.0 PROVISION FOR EXISTING TENANTS:

The applicant, in his letter of 17 April, 1974 (attached), has proposed the following provisions for accommodating existing building tenants.

- a) The landlord will 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 the notice to vacate.
- c) The developer will cooperate with tenants to find other suitable accommodation.
- d) The developer will pay for moving expenses to relocate tenants anywhere on the lower mainland.

As an extension and/or amendment of the applicant's provisions as outlined above it is recommended that the following be required to be undertaken as a part of the conversion:

- 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.

It is recommended that the developer be required to agree to comply with the amended 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 Chief Fire Prevention Officer's required renovations are undertaken by the developer, that the amended 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 Mayor and Municipal Clerk (i.e., final approval):


- 7.1 The fulfillment in full 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 and amended above) for relocating existing tenants who do not wish to purchase their units.

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7.3 The fulfillment of Section 3.1.8 of the Guidelines for Residential Condominiums and Conversions via the submission of a written undertaking by the developer that the renovations required by the Chief Fire Prevention Officer, as outlined above, will be accomplished prior to transfer of title to any prospective purchaser.

Respectfully submitted,


A. L. Parr,
DIRECTOR OF PLANNING.

LBB:bp
Attach.

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COUNCIL MEETING May 27/74

DAINE M SARTER MRAIC
ARCHITECT
1209 EAST FOURTH STREET
NORTH VANCOUVER BC

April 17th 1974

Mr. A. Parr,
Director of Planning,
Municipality of Burnaby, B.C.
4949 Canada Way,
Burnaby, British Columbia.

re: Apartment Conversion at 19th Street,
P. P. A. #2698 for Messrs. P. Brown
and Mr. Lelkes.

Dear Mr. Parr;

May we state, on behalf of our clients the intent regarding the relocation of existing tenants at the above apartment. We feel that it is important to minimize the inconvenience to the tenants due to conversion to Strata Title occupancy and our clients are therefore prepared to make the following commitments: -

1. Provide a period of one hundred twenty (120) days notice to vacate,
2. Make available to the existing tenants the option to purchase with low down payments during the time period stated in 1 above,
3. Co-operate with tenants to find other suitable accomodation, and
4. Pay for moving expenses anywhere on the lower mainland.

Our clients are generally prepared to make any commitments within the limits of their capacity to ensure that the tenants relocation be as simple as possible.

We would welcome any comment which you may have regarding the above.

Yours very truly,



D. WONG for

Messrs. P. Brown & M. Lelkes.