

ITEM 14
MANAGER'S REPORT NO. 31
COUNCIL MEETING Apr. 28/75

Re: Single-Family Dwelling Building Permit Applications
Kingsway Town Centre
(a) 6088 Willingdon Avenue - Lots B and C, D.L. 153, Plan 2660
(b) 6084 Kathleen Avenue - Lot 31, Block 11, D.L. 151/153, Plan 1191

Following is a report from the Director of Planning regarding building permit applications for construction of single-family dwellings in the Kingsway Town Centre.

RECOMMENDATIONS:

1. THAT Council endorse the preservation of the redevelopment potential of the three subject properties as a part of the Kingsway Town Centre; and
2. THAT Council agree to consider rezoning, if necessary, to preclude inappropriate new development within the Town Centre area; and
3. THAT the Chief Building Inspector be authorized to withhold building permits for the subject properties in accordance with Recommendations 1 and 2; and
4. THAT the Land Agent be authorized to commence negotiations with the respective owners with a view to Municipal acquisition of the properties as land assembly purchases.

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PLANNING DEPARTMENT
APRIL 25, 1975

TO: MUNICIPAL MANAGER
FROM: DIRECTOR OF PLANNING
SUBJECT: SINGLE-FAMILY DWELLING BUILDING PERMIT APPLICATIONS
KINGSWAY TOWN CENTRE
(a) 6088 WILLINGDON AVENUE - Lots 'B' & 'C', D.L. 153, Pl.2660
(b) 6084 KATHLEEN AVENUE - Lot 31, Blk.11, D.L.151/153,
Plan 1191

BACKGROUND:

The Chief Building Inspector has received applications for building permits for three new single-family dwellings on thirty-three foot lots within the contemplated Kingsway Town Centre, at the captioned addresses and under existing R5 zoning. As these properties lie within an area proposed for more intensive use and for major redevelopment, the applications were referred to the Planning Department for comment.

In response, the Planning Department has advised that new single-family dwelling development at these locations would be inconsistent with both the nature and intensity of land uses that are anticipated in the area, and that Council's direction should be obtained on the matter prior to issuance of any permits for new single-family residences within the area where zoning changes are contemplated and where a non-family-oriented living environment will prevail.

See Sketch A attached for property locations.

STATUS:

- (a) Applications were received on April 11 for the construction of two dwellings on 33 foot properties (Lots 'B' and 'C', D.L. 153, Plan 2660), presently known collectively as 6088 Willingdon Avenue and occupied by a single existing frame dwelling in fair condition. The existing building would of course need to be demolished to allow for the new construction if approved.

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The balance of the 6000 and 6100 Blocks Willingdon, east side, is occupied by modest older dwellings in fair to poor condition, on lots ranging from 33 to 66 feet in frontage. Development on the west side of Willingdon Avenue consists of medium density apartment buildings. Although only a few vacant properties exist in the area, several older buildings occupy two separate under-size properties, each capable of separate development. The majority of the dwellings appear to be in the forty to fifty year age range.

It is understood that the applicant for the building permits, John Crowe Construction, has an option on the property at the present time and that completion of arrangements with the property's owners are slated to be completed during the week of April 28th.

The Building Permit applications were made on April 11; to date no application has been made for a permit to demolish the existing building.

(b) 6084 Kathleen Avenue

An application was received on April 14, 1975 for construction of a single-family dwelling on a 33 foot lot at this address (Lot 31, Block 11, D.L. 151/153, Plan 1191). The site lies within an area of modest but well kept residences varying in age, but predominantly in the twenty to fifty year range. A few more recent dwellings exist to the north, dating from about 1965, and one dwelling was constructed in the area in 1971.

The property at 6084 Kathleen is vacant, and was until recently owned by the owner of the existing dwelling to the south. The building excavation has taken place and framing lumber has been delivered to the site, although the applicant, Mr. Tugo Cerrin was advised at the time of his application that the permit would not be issued until the matter had been referred to Council, and that approval might not be forthcoming.

Mr. Cerrin advises that he has made a down payment on the property on an agreement for sale, and that he is due to complete the purchase by mid-July. A full purchase price of \$38,000 for the lot has been mentioned.

DISCUSSION:

All three building sites lie within the area that is being considered for major redevelopment as part of the Metro Town that has been endorsed in concept for the Simpson-Sears area. Arising out of the Public Meetings - Phase One report in March 1974, Council approved of the Metro Town designation and approved the preparation of guidelines to reflect the development of the Metro Town. Subsequently, on October 21, 1974 Council directed that the Planning Department work jointly with GVRD planning staff in the preparation of the development guidelines and authorized a cost sharing in the retention of a consultant to this end.

This work has proceeded over the recent months and the consultant's submission has been received and reviewed. Department staff are at this time preparing a preliminary land use and development scheme incorporating the consultant's input. It is anticipated that this initial report will be submitted within the next nine or ten weeks.

At this time, however, it is evident that further investment in new single-family buildings in the area north of the B.C. Hydro rail line is inappropriate in terms of the scale, intensity, and types of land uses being proposed for the area in its emerging town centre role. Such new development would, if it is maintained, produce new housing and personal investments (and accordingly, create personal expectations) in an area where the urban environment is expected to become more conducive to core commercial activity and possibly high density, non-family-oriented residential accommodation, than to low density, family-oriented single family use. At the same time, if such development were carried on extensively in the area, it would no doubt deter the timely assembly of land and corresponding redevelopment for core uses that is contemplated, due to the added capital investment in building improvements that would be redundant in terms of redevelopment projects.

The fact that applications for three new building permits in the area have materialized at the same time may be an indication that real estate land values have reached the point where it is becoming economically viable to purchase older improved properties in declining areas and to demolish in order to create new building sites. If this is indeed the case, then a mechanism may be seen to exist for the rejuvenation of older and declining neighbourhoods; without doubt this would be a favorable condition that should be encouraged in general as a means of preserving stability and enhancing the quality of mature residential areas. However, and most importantly, this process should not be encouraged in areas which are in transition to other forms of land use which are not conducive to maintaining the essential amenities of a residential neighbourhood.

THE CURRENT SITUATION:

In the case of the subject properties in the proposed Town Centre, we believe that responsible planning dictates that redevelopment should be in accordance with the guidelines now in preparation and in any event should not incur any future conflict with proposed land use.

For these reasons, this Department would request Council's direction in dealing with the present permit requests.

One action available to Council is to consider amending the zoning of the area to reflect proposed use and so as to preclude the issuance of permits for individual dwelling use. Provision for the withholding of permits for thirty days prior to the adoption of an amendment to a zoning bylaw, without liability for damages, is made in Section 707 of the Municipal Act, with provision also for a subsequent sixty-day period within which the bylaw amendment would need to be passed in order to avoid liability.

An alternative that is available, and one which has been used successfully in the past, is to consider Municipal acquisition as part of a designated land assembly area, as a means of assuring and protecting Municipal land use objectives for an area. From discussions held to date with Mr. Cerrin, there are indications that he would be willing to enter into a property exchange or to sell to the Municipality at a price to cover his cost, if the Corporation were so disposed. He has further indicated that his full purchase price is approximately \$38,000.

The Willingdon Avenue properties are held under option, and it is not known whether the owners would be agreeable to discuss Municipal acquisition. A letter dated April 18 from the solicitor for the latter owners was received on April 22, requesting issuance of the permits within seven days, failing which a writ of Mandamus is to be sought. Under the circumstances, therefore, if Council determines to move to protect the development potential for these

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properties as part of the Town Centre, it should agree to consider rezoning of the properties if necessary, to direct that permits be withheld, and to authorize the Land Agent to negotiate for acquisition of the properties as a land assembly purchase.

With regard to the source of funds for a possible acquisition, the Treasurer has advised as follows:

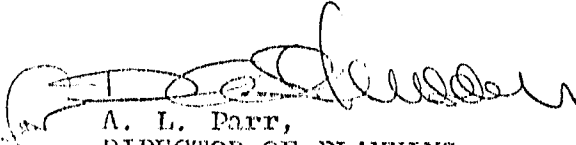
Statement of funds available for the purchase of land
as at 24 April 1975

Tax sale moneys reserve fund		\$ 1,996,354
Agreements receivable		<u>1,979,613</u>
		3,975,967
Deduct: required for West Building	\$ 473,309	
land assembly and development		
costs	292,255	
work order commitments	<u>112,734</u>	
		<u>878,298</u>
		3,097,669
Deduct: estimated value of lands		
authorized for negotiation for		
purchase this date		<u>1,476,200</u>
Uncommitted funds		<u><u>\$ 1,621,469</u></u>

RECOMMENDATION:

On the basis of the foregoing, it is recommended that:

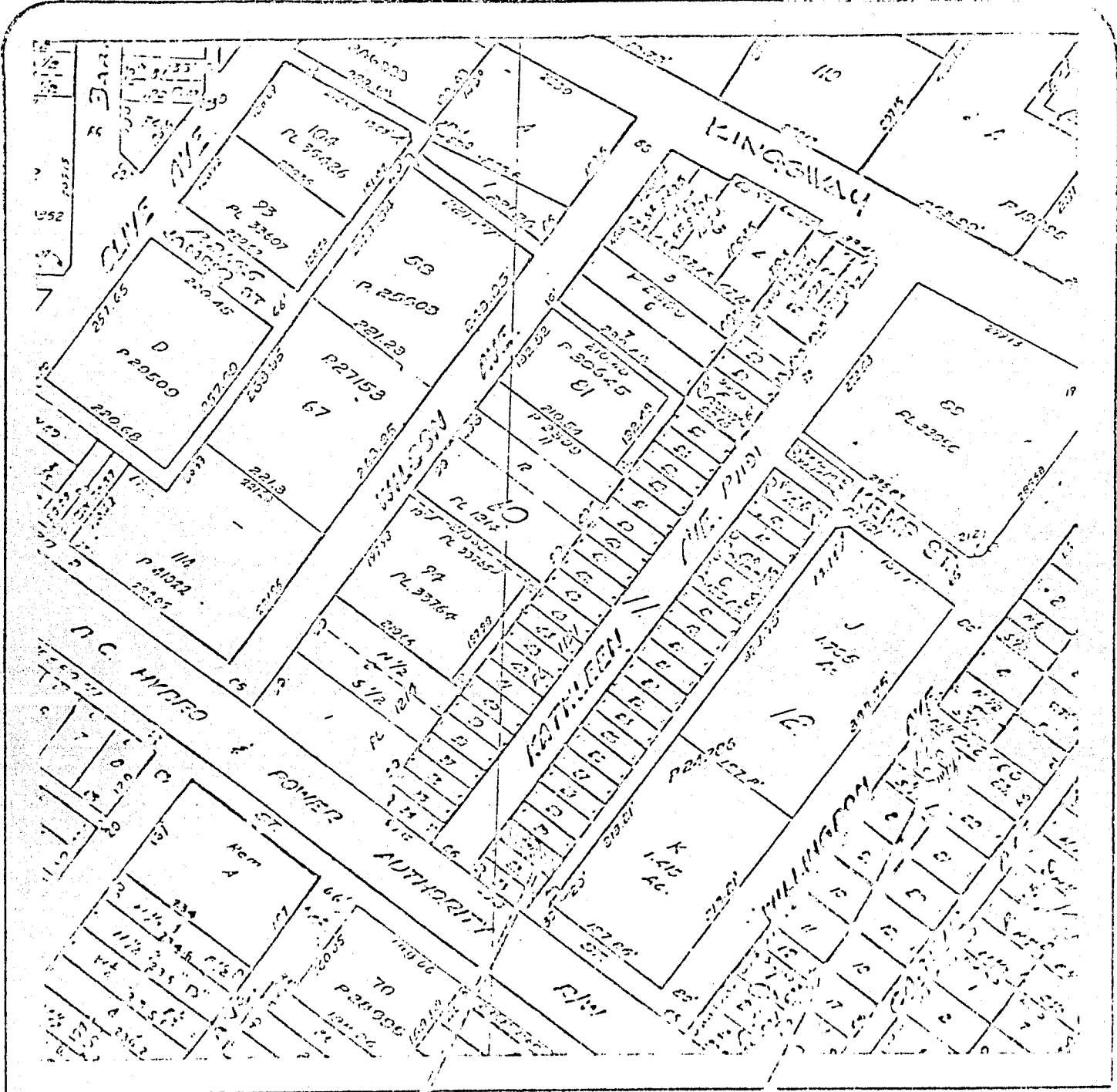
1. Council endorse the preservation of the redevelopment potential of the three properties as a part of the Kingsway Town Centre,
2. Council agree to consider rezoning, if necessary, to preclude inappropriate new development within the Town Centre area,
3. the Chief Building Inspector be authorized to withhold building permits for the subject properties in accordance with the above, and
4. the Land Agent be authorized to commence negotiations with the respective owners with a view to Municipal Acquisition of the properties as land assembly purchases.


A. L. Parr,
DIRECTOR OF PLANNING.

DGS:cm
Attach.

c.c. Chief Building Inspector
Municipal Solicitor
Land Agent

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Date
APR 7/75

SUBJECT
PROPERTY (b)

Prepared by Planning Department

SUBJECT PROPERTIES
(a)

Scale
1" = 200'

BUILDING PERMIT APPLICATIONS
KINGSWAY TOWN CENTER



Drawn By

SKETCH 'A'