

ITEM	6
MANAGER'S REPORT NO.	77
COUNCIL MEETING	Nov. 29/76

Re: REZONING REFERENCE #41/76  
 SETON VILLA - 401 NORTH ESMOND STREET  
 (ITEM 14, REPORT NO. 73, NOVEMBER 15, 1976, PAGE 303)

Following is a report from the Director of Planning regarding Rezoning Reference #41/76.

RECOMMENDATIONS:

1. THAT the subject rezoning be lifted from the table; and
2. THAT Council not give favourable consideration to the rezoning request.

\* \* \* \*

PLANNING DEPARTMENT  
 NOVEMBER 18, 1976

TO: MUNICIPAL MANAGER  
 FROM: DIRECTOR OF PLANNING  
 SUBJECT: REZONING REFERENCE #41/76  
 SETON VILLA - 401 NORTH ESMOND STREET

1.0 BACKGROUND

On November 15, 1976, Council received a Planning Department report regarding rezoning of the above referenced site from Comprehensive Development District (CD) to Amended Comprehensive Development District (CD) and Special Institutional District (P7) for the purpose of establishing a Rehabilitation and Treatment Centre for Alcoholics to be located within the existing Seton Mansion. The subject rezoning was tabled pending a further report from the Planning Department regarding the legal and density (Floor Area Ratio) implications related to the subject proposal.

Upon examination of the subject request the Planning Department advised Council that the proposed use was not suited to the adjacent area and would create a conflicting and undesirable element in what is otherwise a well established residential neighbourhood. Furthermore, the subject site was not situated in close proximity to related service commercial and transit facilities supportive of a rehabilitation centre. In addition, the proposed facility would exclude the use of the Mansion as an important amenity feature for the adjacent senior citizens complex which had originally provided a positive element of the Seton Villa project when it was initially considered by Council. As a result, a negative recommendation was submitted primarily on the basis of land use and the relative merits of the subject proposal.

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citizens development that would result from the introduction of the proposed rehabilitative centre use and the attendant necessary amendment to the CD plan would exceed the maximum permitted density of any residential district including the RM5 High Density Apartment category.

Accordingly, it will be seen that a detailed examination of the statistics applying to the Seton Villa complex as constructed, lacking qualification for the underground parking bonus, reveals that the requested CD amendment cannot be legally approved, as it would exceed the maximum legally-permitted Floor Area Ratio limit.


### 3.0 CONCLUSION

In conclusion, the Planning Department advises that the subject proposal cannot, from a legal and technical point of view, be permitted since it would clearly raise the density limits of the remaining senior citizens site well above the maximum level permitted in the Burnaby Zoning Bylaw 1965. This would result in a direct contradiction of the Bylaw, which is not legally permitted.

It is therefore necessary for Council, in light of the foregoing technical and legal information, to reconsider the subject proposal and to resolve to not give favourable consideration to the rezoning request.

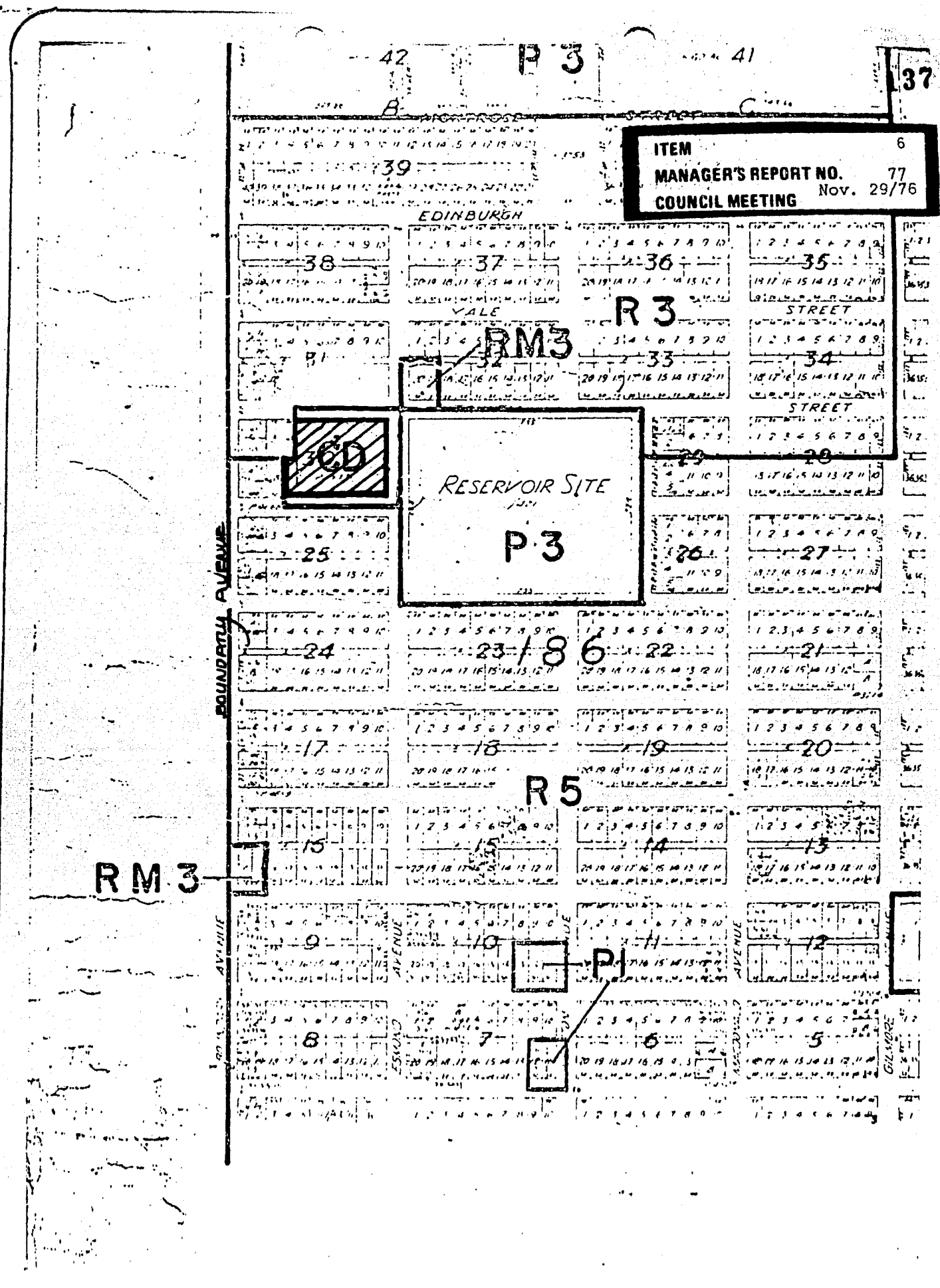
### 4.0 RECOMMENDATION

It is recommended THAT Council receive the report of the Planning Department and lift from the table and not give favourable consideration to the subject rezoning request.

  
A. L. Parr,  
DIRECTOR OF PLANNING.

PDS:DGS:cm  
Attach.

c.c. Municipal Solicitor  
Municipal Clerk



Date  
NOV/76

Scale  
1"=400'

Drawn By  
P.D.S.



Burnaby Planning Department

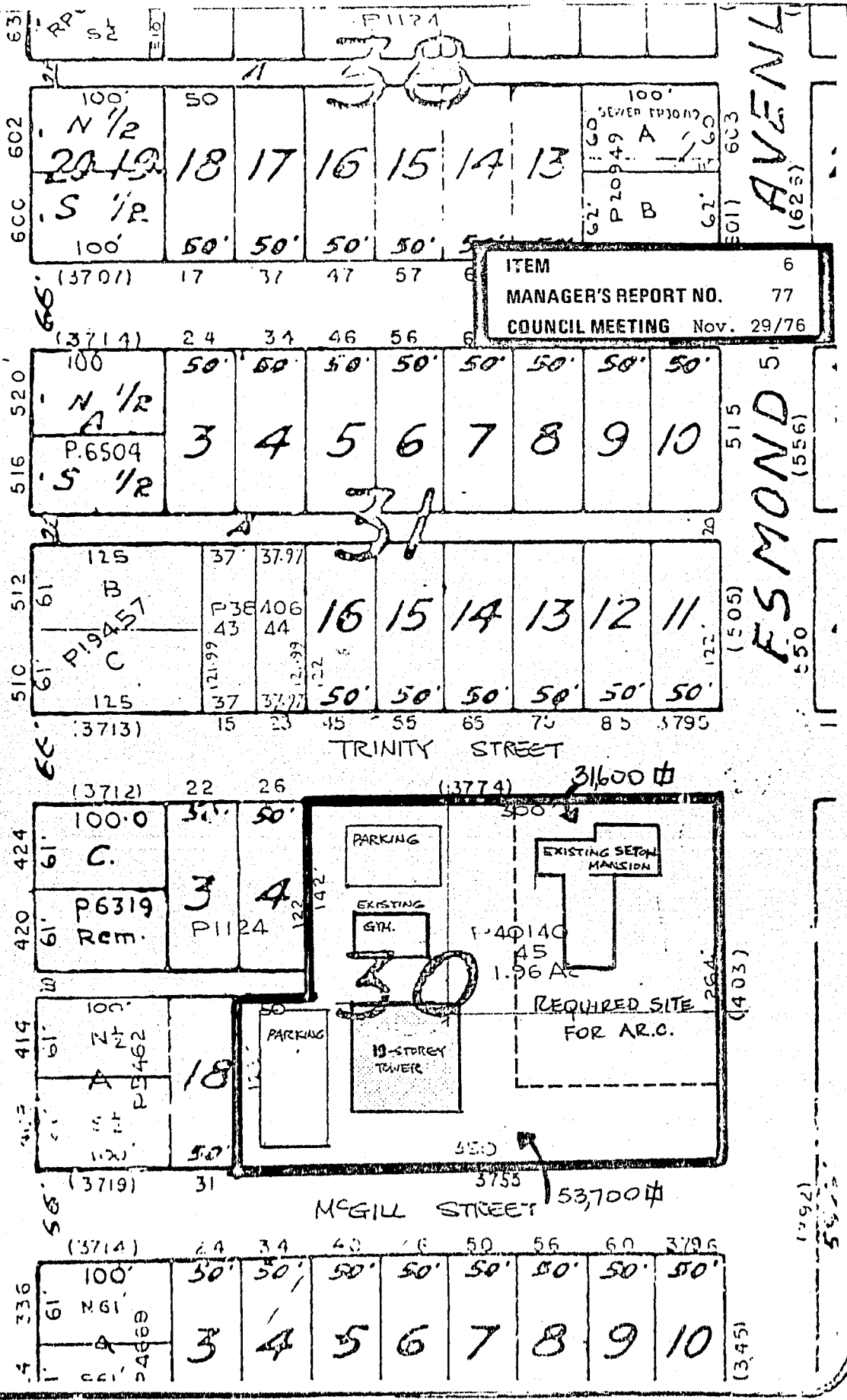


REZONING REFERENCE # 41/76

Sketch #1

BOUNDARY 5104 ROAD

ESMOND AVENUE



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Scale  
1" = 100'

Drawn By



Burnaby Planning Department



SKETCH # 2 : EXISTING SITUATION