

RE: STRATA TITLE REFERENCE #9/82
LOT 37, D.L. 120, PLAN 60391
4363/73 HALIFAX STREET - RZ #28/80
(ITEM 9 OF ITEM 18, REPORT NO. 48, 1982 JULY 21)
(ITEM 12, REPORT NO. 56, 1982 SEPTEMBER 08)

ITEM 3
MANAGER'S REPORT NO. 59
COUNCIL MEETING 1982 10 25

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Director Planning & Building Inspection be adopted.

* * * * *

TO: MUNICIPAL MANAGER 1982 OCTOBER 15

FROM: DIRECTOR PLANNING &
BUILDING INSPECTION

SUBJECT: STRATA TITLE REFERENCE #9/82
4363/73 HALIFAX STREET
LOT 37, D.L. 120, PLAN 60391

RECOMMENDATION:

1. THAT Council grant Strata Title Approval to the subject application subject to the following prerequisite conditions:
 - a) The submission of five paper copies of the strata survey plans.

REPORT

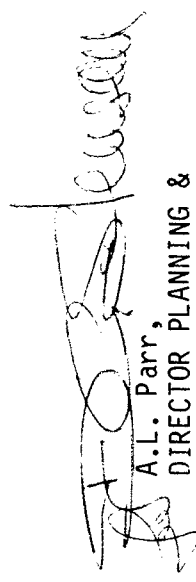
1.0 INTRODUCTION:

The Planning & Building Inspection Department is in receipt of an application to strata title 154 residential units located within the two three storey apartment buildings located on the subject site (refer to attached sketches).

2.0 BACKGROUND INFORMATION:

- 2.1 The subject apartment buildings were recently constructed pursuant to Rezoning Reference #28/80 which was given Final Adoption on 1981 April 06. As noted in the Public Hearing report received by Council the project was designed to meet the municipal strata title development standards. The site is zoned CD Comprehensive Development based on the RM4 Multiple Family District and includes a total of 335 residential units on a 2.3 hectare (5.9 acre) parcel. The subject buildings are three storeys and three storeys plus basement and contain 65 units and 89 units respectively. A 24 storey apartment tower which contains 181 units is also located on the site.
- 2.2 Pursuant to the Condominium Act Section 8 (1), the owner developer is required when tendering a strata plan for deposit to file with the Registrar of the Land Title Office a certificate from a B.C. Land Surveyor dated not more than 90 days prior to the date on which the plan is deposited, certifying that the building has not been occupied prior to the date of the certificate. If the building has been occupied prior to this statutory time period, strata titling must be regarded as a conversion which requires the approval of the Municipal Council.

- 2.3 Construction of the subject apartment buildings proposed for strata titling was completed well in advance of the 24 storey tower and as such were rented in order to generate revenue as quickly as possible. The required strata survey plans for the project were not prepared and tendered for deposit until construction of the tower was complete. Since the low rise buildings were occupied prior to tendering of the strata survey plans, the subject strata titling technically must be treated as a conversion relative to the statutory requirements of the Condominium Act referenced above.
- 2.4 Council is reminded that there is presently a moratorium on the conversion of occupied multiple family residential development that was initially enacted in 1974 July in response to the shortage of rental accommodation that prevailed at that time. Council will recall that the moratorium on strata title conversion of occupied two family dwellings was lifted on 1982 January 04. The Planning & Building Inspection Department is of the opinion that the subject strata application is only considered to be a conversion on a technical basis under the circumstances outlined above and should not be regarded as a violation of the current moratorium.
- 2.5 The applicant advises that the subject apartment units were intended to be strata titled and as such were designed to meet the guidelines for residential condominium with respect to minimum suite size and off-street parking standards. The strata title proposal has been circulated to all the relevant Municipal Departments for comment. The Chief Public Health Inspector, the Director Engineering and the Director Fire Services and the Chief Building Inspector have indicated that they have no objection to the proposed strata titling.
- 2.6 Pursuant to other guidelines for residential condominiums and conversions that are relevant to this application, the applicant has provided this Department with a notarized statutory declaration outlining his intent to continue to operate the property as a rental project and that no changes to the existing tenancy situation will be made at this time. The applicant also provided a list of all existing tenants, who will each be provided with a letter from the owners outlining their intent of the strata title conversion proposal and a copy of the pertinent sections of the Condominium Act that outlines their rights as tenants regarding tenancy termination and relocation provisions. Since the buildings were constructed recently, this Department considers that certification from an architect or structural engineer that the building is structurally and mechanically sound and a certification from a health consultant that the buildings are free from any infestation will not be necessary.


A.L. Parr,
DIRECTOR PLANNING &
BUILDING INSPECTION

PDS/g1

Attachment

cc: Chief Building Inspector

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
16	17	18	19	20	21	22	23	24	25	26	27	28	29	30

GRANT ST

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
16	17	18	19	20	21	22	23	24	25	26	27	28	29	30

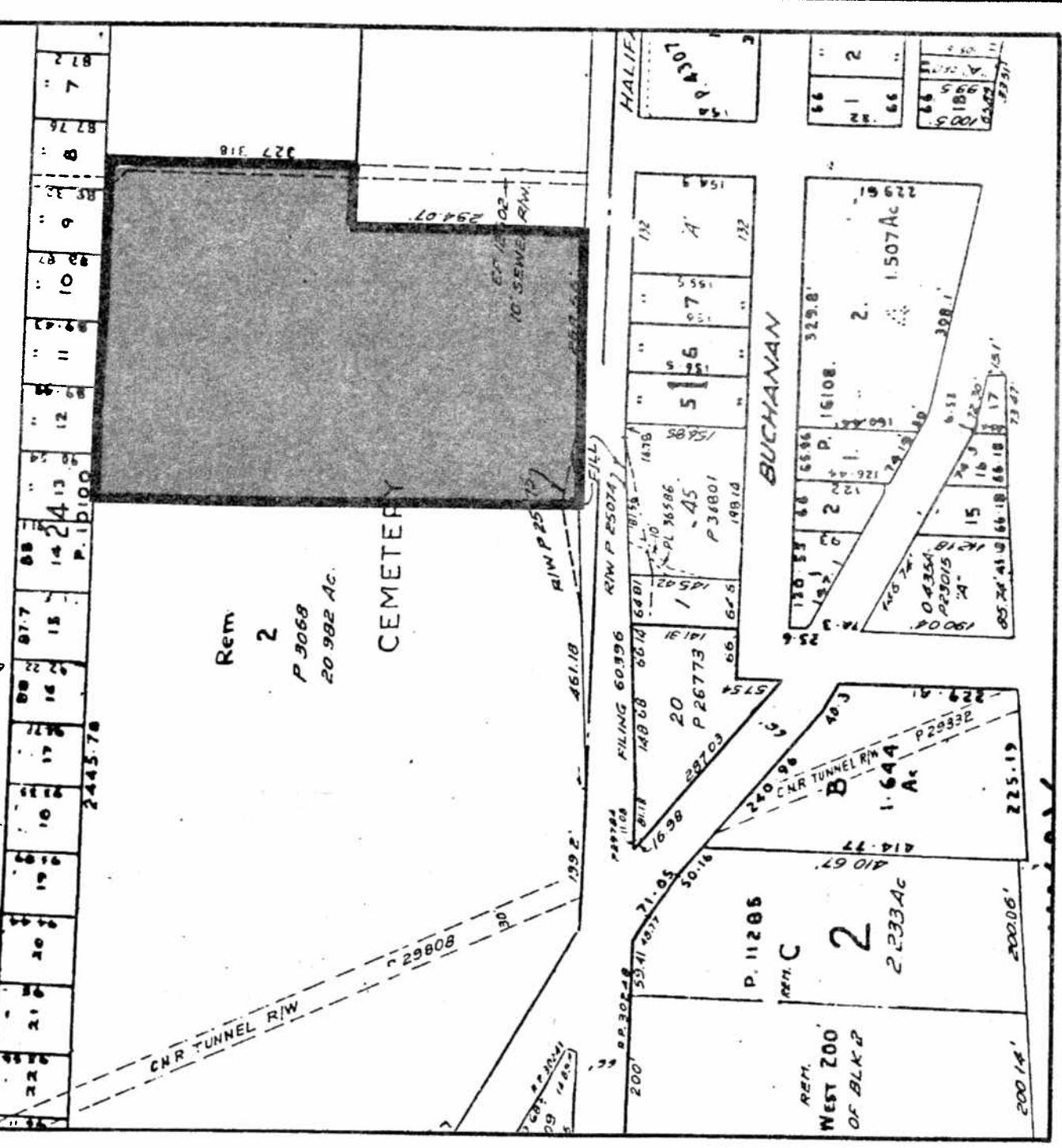
GRAVELEY ST

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
16	17	18	19	20	21	22	23	24	25	26	27	28	29	30

ROSSIGNOL AVE

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
16	17	18	19	20	21	22	23	24	25	26	27	28	29	30

ITEM 3
 MANAGER'S REPORT NO. 59
 COUNCIL MEETING 1982 10 25

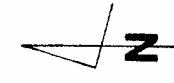


Burnaby Planning Department

Date
1982 OCT

Scale
1:2400

Drawn By

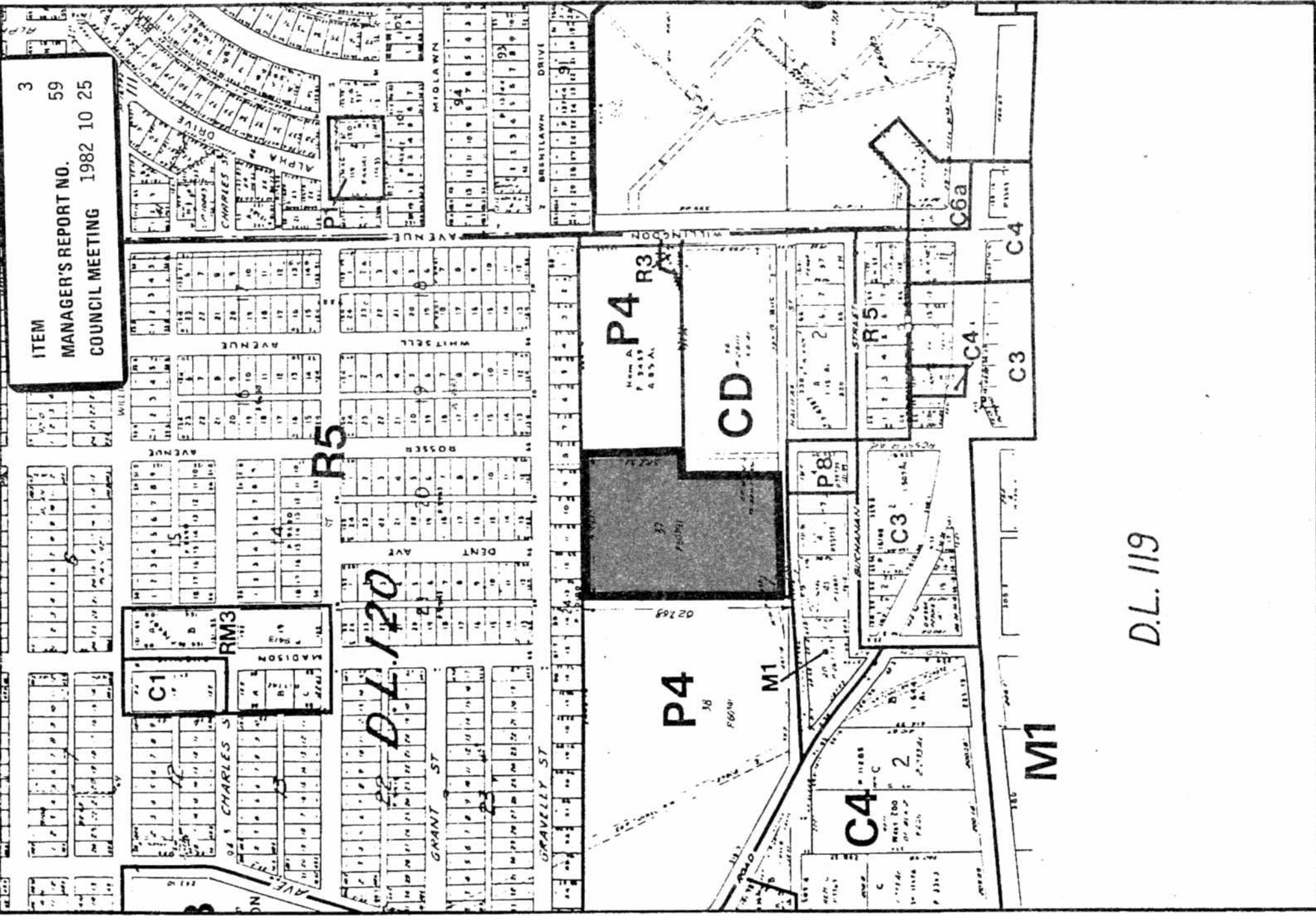


STRATA TITLE APPLICATION # 9182

Drawn By

108

sketch #1



ITEM 3
 MANAGER'S REPORT NO. 59
 COUNCIL MEETING 1982 10 25

D.L. 119



Burnaby Planning Department

Date
1982 OCT

Scale
1 : 4800

Drawn By

STRATA TITLE APPLICATION # 9/82

sketch # 2

