

TO: CITY MANAGER

1996 OCTOBER 16

FROM: DIRECTOR PLANNING AND BUILDING

OUR FILE: 16.300

**SUBJECT: HEIGHT OF HOUSES ON 5200 - 5300 BLOCKS  
OF CLINTON STREET AND NEVILLE STREET**

**PURPOSE:** To respond to an inquiry raised by Council concerning height of houses and the manipulation of grades.

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**RECOMMENDATION:**

1. **THAT** a copy of this report be sent to:

Mrs. Eilleen Busch  
5320 Neville Street  
Burnaby, B.C.

**R E P O R T**

**1.0 BACKGROUND**

At its meeting of September 30, 1996, Council considered a report (*attached*) that responded to concerns raised by Mrs. Eilleen Busch of 5320 Neville Street regarding the height of new houses built on the 5200 and 5300 block Clinton Street. At that meeting, Council tabled the report and requested more information about the height of houses in the 5200-5300 blocks of Clinton and Neville Street and about the control of the artificial manipulation of grade.

This report responds to these issues.

**2.0 HEIGHT OF HOUSES IN 5200 - 5300 BLOCKS  
OF CLINTON AND NEVILLE STREET**

Staff has reviewed building plans on file to help determine the height of existing houses on the south side of the 5200-5300 block and the north side of the 5200-5300 block Clinton Street. It should be noted that building plans are only available for houses built in the last 8 years, and in some cases, due to a change in the method of measuring height in 1991, the microfilmed plans did not clearly show the height calculation. Therefore, the height of many of the houses were estimated in the field. It is clear, however, that no house on either block was higher than the current maximum of 29.53 feet.

<b>Neville Street</b>	<b>Address</b>	<b>Estimated Height</b>
	5250	25 feet
	5272	27 feet
	5282	27 feet
	5288	28.5 feet
	5308	29.5 feet
	5320	27.4 feet
	5330	27 feet
	5338	28 feet
	5368	26 feet
	5376	27 feet
	5378	27.5 feet
<b>Roslyn Street (5388 Neville)</b>	7177	28 feet
<b>Clinton Street</b>	5237	20 feet
	5249	27 feet
	5259	27 feet
	5271	16 feet
	5281	28.5 feet
	5307	18 feet
	5333	24 feet
	5337	24 feet
	5343	24 feet
	5355	16 feet
	5365	21 feet
	5379	24 feet

### 3.0 MANIPULATION OF GRADE

As mentioned in the attached report, the height of houses is measured from the lesser of the average grade at the front or rear of the building, rather than the sidewalk level. Since properties can slope up or down between the sidewalk and the front face of the building, using the sidewalk level as a base point for height in sloping areas would mean that lots sloping down from the street would be treated in a much more favourable manner than lots that slope up from the street.

The Zoning Bylaw refers to the average grade as being the natural grade along the exterior of the *building* facing the front lot line. Natural grade is defined as follows:

"For the purposes of measuring the height of a building or determining a basement or cellar, the ground level adjacent to the exposed wall of a building with no adjustment having been made to the existing undisturbed ground level, except for minor slope equalization as approved by the Chief Building Inspector."

In order to determine the base level for measuring height, a topographic plan prepared by a B.C. Land Surveyor is required at the time of the application for a building permit. The maximum building height is calculated from the base topographic information. In the case where an area is characterized by a natural landform feature that has been graded over time using retaining walls to form building sites on a raised bench such as in the case of areas developed in the 1950's like Brentwood, Garden Village, Westridge and parts of the South Slope, the height of new houses is measured from this benched building site area.

The reference to "minor slope equalization" refers to situations where there is a site specific irregularity that requires site modification in order for the house to fit in with houses on the balance of the street. This provision is more commonly used in undeveloped areas with significant slope conditions such as Cariboo Heights.

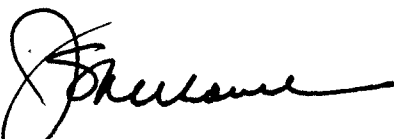
Finally, two other areas may involve ground manipulation and be exempt from the consideration of base level for the determination of height or cellar/basement classification. These include a garage or carport depressed into the grade and a small patio related to a cellar or basement area.

#### 4.0 CONCLUSION

While definitive information regarding the height of houses in the south side of the 5200-5300 block Neville Street and the north side of the 5200-5300 block of Clinton Street is not readily available, it is apparent that all houses are within the current maximum height of 29.53 feet as measured from the lesser of the average elevation at the front or rear of the principal building.

The requirement of the submission of a topographic plan for a site at the time of building permit has helped ensure that the grade of a site can not be manipulated. However, in the cases where an historic manipulation of the grade has occurred in response to local landform conditions, the topographic plan will show this manipulation at the building envelope area as being the base level for calculation of height.

On Thursday, October 3 the Director Planning and Building and Chief Building Inspector met with Mrs. Busch to discuss her concerns. Staff also informed Mrs. Busch that she would be notified at the time an application for a building permit was received for the lot at 5307 Clinton Street, and that staff would carefully consider height concerns when reviewing building plans for that lot.

  
D.G. Stenson, Director  
PLANNING AND BUILDING

BG\db  
Attachment

cc: Chief Building Inspector

TO: CITY MANAGER

1996 SEPTEMBER 25

FROM: DIRECTOR PLANNING AND BUILDING

OUR FILE: 16.300

SUBJECT: 5200 - 5300 BLOCK CLINTON STREET

PURPOSE: To provide a response to the issues raised by Mrs. Eilleen Busch of 5320 Neville Street.

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## RECOMMENDATION:

1. THAT a copy of this report be sent to:

Mrs. Eilleen Busch  
5320 Neville Street  
Burnaby, B.C. V5J 2H5

## REPORT

### 1.0 BACKGROUND

At its meeting of 1996 September 23, Council heard a delegation from Mrs. Eilleen Busch of 5320 Neville Street. With the use of photographs and detailed charts, Mrs. Busch explained her concerns regarding the height of new houses being built on the 5200-5300 block Clinton Street (*Attachment 1*) and their potential to block existing scenic views.

This report responds to the issues outlined by Mrs. Busch.

### 2.0 BUILDING PERMIT FOR NEW HOUSES AT 5307 CLINTON STREET

Mrs. Busch inquired as to whether a building permit has been issued for the "double lot" at 5307 Clinton Street. This older one storey house is located on a lot with two titles, that is, a separate house can be built on each half of the 64 foot wide lot without having to subdivide. To date, a building application has not been submitted for either half of this lot nor has an appointment been made to discuss a forthcoming application with Plan Checking staff. Staff will notify Mrs. Busch if and when an building permit application is made so that she can view the plans at the Building Department.

### **3.0 MEASUREMENT OF THE HEIGHT OF HOUSES**

Staff has visited the 5200-5300 block Clinton Street and Neville Street on three occasions. By looking at the current site grading and reviewing a topographic map from 1959, staff have found that the western half of the north side of Clinton Street towards Royal Oak is characterized by a natural landform feature that has been graded to form a raised bench that slopes down to grade at Roslyn Avenue. As mentioned in the staff report regarding this issue that appeared on the agenda of Council's May 6 meeting, such ground manipulations of an existing landform condition are common in Burnaby, especially in older neighbourhoods. These ground form manipulations can be as small as four or five lots, dependent on naturally occurring landform conditions. Consistent with the practise throughout the City, the height of the new houses is measured from these modifications of a natural occurring landform.

In his discussions with Mrs. Busch, the Chief Building Inspector noted that the landform of the lot at 5307 Clinton Street falls gently from west to east, that is, the retaining wall is slightly higher on the west side of the lot as compared to the east side. The property immediately to the east of 5307 Clinton Street is slightly lower, but still raised from the sidewalk. This small grade change over the property will be taken into account in the height of any new houses. The Chief Building Inspector has no recollection in stating that the height of a new house at 5307 would be four feet lower than the new house at 5281 Clinton Street.

The height of houses is measured from the lesser of the average grade at the front or rear of the building, rather than the sidewalk level. Since properties can slope up or down between the sidewalk and the front face of the building, using the sidewalk level as a base point for height in sloping areas would mean that lots that slope down from the street would be treated in a much more favourable manner than lots that slope upwards to the street.

### **4.0 PREVIOUS CHANGES TO MEASURING HEIGHT OF HOUSES**

The issue of the height and size of single family houses has been a common concern to residents as the older, typically smaller housing stock is replaced by newer larger houses that are built in recognition of high property values.

The last major change to the Zoning Bylaw affecting the way that height is measured occurred in 1991. The purpose of the amendments was to balance the need to build housing that fits well into existing neighbourhoods while still allowing new houses that meet contemporary expectations. Before that time, height was measured from the front of the building, regardless of slope.

During the consultation regarding proposed changes to the Zoning Bylaw, staff suggested that buildings on narrower lots (40 feet wide or less) should have a lower height restriction (25 feet) than buildings on wider lots. This recognized that building on wider lots needed a higher building to achieve an adequate roof pitch.

This part of the proposal received strong opposition and was subsequently dropped from the proposed changes to the bylaw. There was concern that a height of 25 feet would preclude renovations of existing buildings that involved adding a storey or half storey. Also, objection was raised to the inability to achieve an acceptable roof pitch at 25 feet and the lower height was viewed as pushing cellars too far into the ground leading to problems associated with pumping to sewers and a lack of daylight in cellar areas,


At that time, staff also investigated many of the ideas mentioned by Mrs. Busch including relating the height of houses to the existing context of the street. In discussions with residents and builders about these ideas, there was strong concern that relating the height of a new house to what exists immediately adjacent would provide a penalty and loss in property value to those that are located next to an old, small house. There was also concern that as redevelopment occurred, the "average" height would slowly increase, thereby benefitting those that could wait. Finally, the technical details and costs measuring the height of adjacent property were seen to be a barrier.

## 5.0 FUTURE INITIATIVES

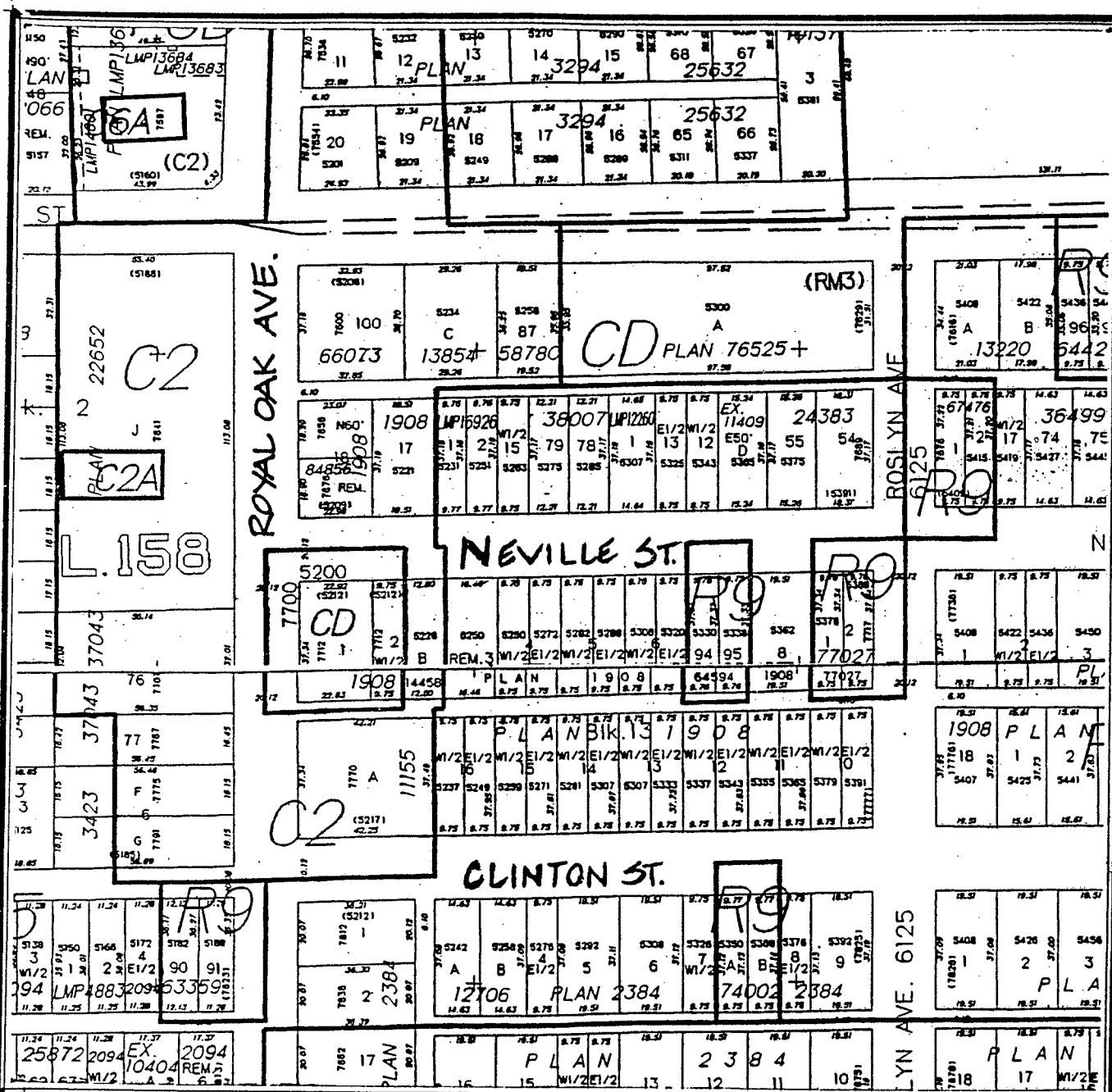
Appearing elsewhere on this agenda is a report detailing proposed changes to the way height is measured in the R10 District to better take into account sloping lots. If this proposed method is found to work well in the R10 District, similar changes could be considered in other single and two family residential areas. While the method proposed will not have a significant impact on the subject block faces since the building envelopes are relatively flat, it may help to further clarify some issues regarding site grading.

## 6.0 CONCLUSION

Staff are very appreciative of the time and effort Mrs. Busch has taken in thinking about the difficult situation of building in view areas. Building Department staff will contact Mrs. Busch at the time that an application for a Building Permit for the lot at 5307 Clinton Street is submitted.

  
D.G. Stenson, Director  
PLANNING AND BUILDING

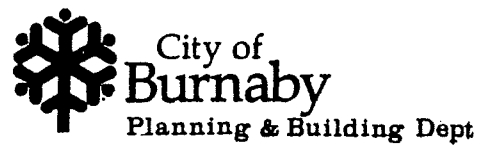
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Attachment  
cc: Chief Building Inspector



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ATTACHMENT 1

