

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.

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 a 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.


for D.G. Stenson, Director
PLANNING AND BUILDING

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Attachment
cc: Chief Building Inspector

