

17. Re: Letter from Mr. R. J. Vowles, 5045 Maitland Street
Circular Driveway

Appearing on the Agenda for the January 22, 1973 meeting of Council were the following three items of correspondence regarding a request for permission to retain a circular driveway on residential property at 5045 Maitland Street:

1. Letter dated January 16, 1973 from Mr. R. J. Vowles, owner of the property who wishes to retain the circular driveway. Pictures of the circular driveway and adjacent area were enclosed with the letter.
2. Letter dated January 18, 1973 from Mrs. C.F. Vowles advising Council that she and Mr. Vowles will be in attendance at the January 22, 1973 meeting of Council to answer any questions that may arise in connection with the subject matter.
3. Statement dated January 17, 1973 from Miss D. Wrigley, former owner of the property, indicating that "the crescent driveway in the front yard at 5045 Maitland Street, Burnaby 1, B.C., was installed before the date of June, 1965."

The Municipal Engineer has investigated the matter and advises as follows:

"The subject property at the present time has vehicular access from the rear lane to a double carport, in addition to a circular concrete driveway from Maitland Street. During our check of vehicular accesses prior to the construction of curb and sidewalks, we noted that the circular driveway from Maitland Street did not serve a legal carport and was contained wholly within the front yard. The sideyards are of inadequate width for the passage of a motor vehicle, thus removing a concession previously granted to some by Council that if it was possible to serve a legal parking spot from such crossing, they would be installed.

In view of the above, the Vowles were informed by letter that, as the area violated municipal by-laws, no crossings would be provided to Maitland Street;

As to the date of construction of the concrete driveway, we would advise that it does not appear on aerial photos of the area taken in June of 1965, the date of the Zoning By-law. We must, therefore, assume that it was built after the passing of this by-law. It would appear, however, that vehicular access was being taken to the front yard prior to 1965 by what, in our opinion from studying the aerial photo, is a single access on the easterly side of the property. It would appear also from the aerial photo that the present double carport from the lane was built after June 1965.

We should probably also at this time advise Council that we have refused access to a gravelled front yard parking area to the property at 5065 Maitland Street, four houses to the east. The gravelled area does not show up on the aerial photo and we are, therefore, assuming that it was laid after 1965.

Continued ...

ITEM 17

MANAGER'S REPORT NO. 7

COUNCIL MEETING Jan. 29/73

17. Re: Letter from Mr. R. J. Vowles, 5045 Maitland Street
Circular Driveway - Cont'd.

In dealing with cases such as the two mentioned in this report, we must uphold the intent of the by-law which is to discourage the use of front yard areas for the parking of automobiles, boats, trailers, etc. There have been a fair number of similar cases come before Council in the last couple of years. These have been dealt with without a clearly defined policy being laid down. Those that have succeeded in retaining their front yard parking areas have in most cases had to have the ability to gain access to a legal parking area. We know of no case where one who has gained this concession has followed through and provided legal parking.

In view of the above report and to give meaning to the intent of that section of the Zoning By-law prohibiting front yard parking, we must ask Council's concurrence with our action in refusing driveway crossings to both 5045 and 5085 Maitland Street. "

RECOMMENDATIONS:

THAT the request to retain a circular driveway at the subject address be denied; and

THAT a copy of this report be sent to Mr. & Mrs. Vowles.