

Re: APPLICATION FOR STRATA TITLE APPROVAL ON AN EXISTING DUPLEX  
LOT 44 OF PCL. 1, S.D. "B", BLOCK 4, D.L. 94, PLAN 15376  
6157/59 ELGIN AVENUE

Following is a report from the Director of Planning regarding a request for Strata Title Approval on a duplex at 6157/59 Elgin Avenue.

RECOMMENDATION:

1. THAT the subject Strata Title be approved subject to the fulfillment of Sections 6.1 through 6.7 of the Guidelines for Duplex Condominiums and Conversions.

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PLANNING DEPARTMENT  
1978 APRIL 12

TO: MUNICIPAL MANAGER  
FROM: DIRECTOR OF PLANNING

1.0 SUBJECT: STA #4/78

Applicant: Mr. B. Larmer, 6157 Elgin Avenue, Burnaby, B. C.

Legal: Lot 44 of Pcl. 1, S.D. "B", Block 4, D.L. 94,  
Plan 15376

Address: 6157/59 Elgin Avenue

The Planning Department is in receipt of an application for the Strata Title Approval of an existing and occupied duplex at the subject address. Council approval is required since the building permit for construction was not issued on the basis of Strata Title use.

2.0 GENERAL OBSERVATIONS:

The subject property falls within a single and two family residential district (R4) in an area not proposed for alternative use (see attached sketch). The duplex use of the subject property is presently legally non-conforming since its lot width of 19.7 m (65.9 feet) is less than the minimum requirements of the prevailing R4 zoning regulations (22 m/72 feet). However, since the duplex was constructed prior to the introduction of the 1965 Burnaby Zoning Bylaw Section 4.2 (1) of the Bylaw (which is outlined below) would apply in this situation:

" The lawful use of any land, building or structure existing at the time of the adoption of this Bylaw may be continued (subject to the provisions of Section 705 of the Municipal Act), although such use does not conform with the provisions of this Bylaw. "

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Mr. & Mrs. B. Larmer occupy 6159 Elgin Avenue whereas 6157 Elgin Avenue is presently occupied by Mr. & Mrs. T. Gage. The Larmer's intend to sell their unit upon Strata Title completion while the Gages intend to retain title and continue to reside in their unit.

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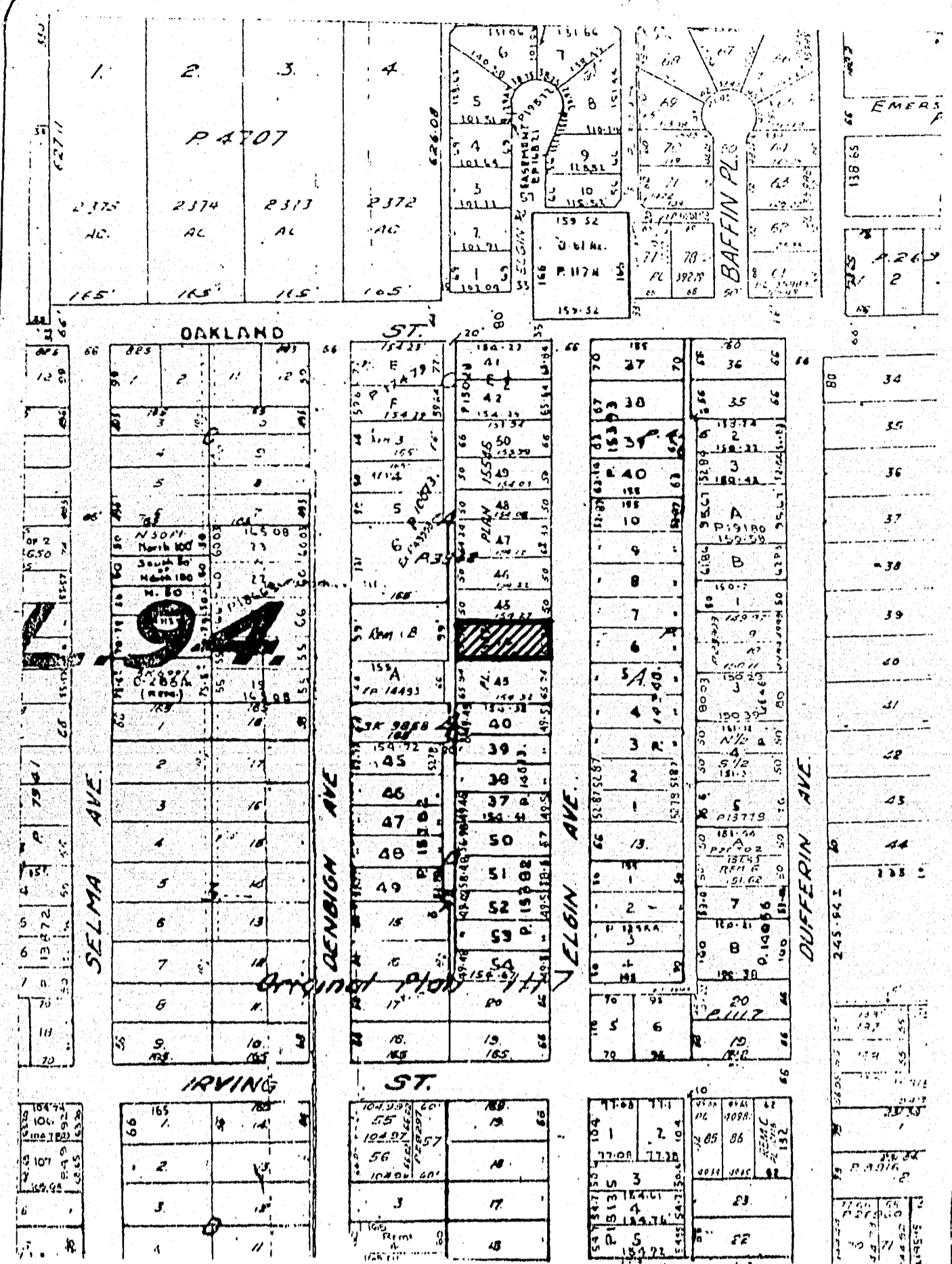
All requisite Departmental approval has been given and the Planning Department would support the proposed Strata Titling provided that all requisite Guidelines for Duplex Condominiums and Conversions are fully satisfied.

3.0 RECOMMENDATION:

It is recommended THAT the subject application for Strata Titling be granted approval by Council, subject to the fulfillment of Sections 6.1 through 6.7 of the Guidelines for Duplex Condominiums and Conversions.

  
A. L. Parr  
DIRECTOR OF PLANNING

PDS/sam  
Attachment



Date  
1978/APRIL

Scale  
1:2400

Drawn By  
P.D.S.



STA# 4/78

Burnaby Planning Department

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