

ITEM 10
MANAGER'S REPORT NO. 43
COUNCIL MEETING 1981 09 21

RE: LETTER FROM MR. STANLEY MCINTYRE
152 N. GLYNDE AVENUE, BURNABY, B.C. V5B 1G7
ADDITION TO A DWELLING AT 161 N. GLYNDE AVENUE, BURNABY

ACTING MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Chief Building Inspector be adopted.

* * * * *

TO: MUNICIPAL MANAGER 1981 SEPTEMBER 15

FROM: CHIEF BUILDING INSPECTOR

RE: 161 N. GLYNDE AVENUE, BURNABY
LETTER OF MR. S. MCINTYRE OF
152 N. GLYNDE AVENUE, BURNABY

RECOMMENDATION:

1. THAT a copy of this report be sent to Mr. Stanley McIntyre, 152 N. Glynde Avenue, Burnaby, B.C. V5B 1G7

REPORT:

The following report is submitted as background information for Council in hearing the delegation of Mr. S. McIntyre and/or others of North Glynde Avenue, Burnaby.

Mr. McIntyre wrote to the Building Department on 1981 May 25 questioning the development of two new houses where formerly only one house had existed. He also questioned what might be done to limit height of new homes. Reply was made 1981 June 02 (see attachment 1).

Mr. McIntyre wrote again at length on 1981 August 24 saying he could see no noticeable reduction of height of a new dwelling being erected at 161 N. Glynde Avenue. He alleged the building contained 2½ stories over a basement, and thereby contravened the Zoning By-Law. Before making reply to Mr. McIntyre, a site survey was made. The results are shown on Record Memo dated 1981 August 27 (see attachment 2). Our letter of reply is dated 1981 August 28 (see attachment 3).

Mr. McIntyre wrote again on 1981 September 08 disputing the cellar classification made by Mr. R. Fraser of this department on 1981 August 27. Our reply of 1981 September 14 is shown as attachment 4.

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The definitions of cellar and basement as contained in the Zoning By-Law are as follows:

"Cellar" means that portion of a building between two floor levels which is partly or wholly underground and which has more than one half of its height, from finished ceiling, below average adjacent finished grade as determined by the Building Inspector. The height measured between floor and ceiling surfaces shall be not less than 1900 mm (6.23 feet). (B/L No. 5883-71-05-03)

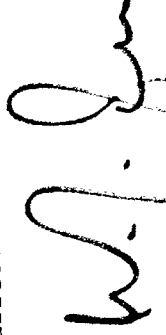
"Basement" means that portion of a building between two floor levels which is partly underground, but which has at least one half of its height from finished floor to finished ceiling above average adjacent finished grade as determined by the Building Inspector. The height measured between floor and ceiling surfaces shall be not less than 1900 mm (6.23 feet). (B/L No. 4993-66-10-03)

It will be seen that the distinction between the two spaces comes down to depth underground, and the determination of that depth is based on "adjacent finished grade as determined by the Building Inspector". The above definitions are operable in the By-Law in conjunction with the definition of "storey", which was amended early in 1980 to include a basement as a storey for regulation of height. With the amendments to the By-Law last year, single family dwellings are permitted to retain the former height of 2½ stories, but the overall measured height is reduced from 35 feet to 32 feet (round figures, imperial measure).

The case at hand is one of infilling/redevelopment of existing parcels of property with the accompanying loss of open space, and in this case view, afforded by the early development where only one dwelling occupied two lots.

In the former type of development where two lots provided one building site, bungalow style homes were often built where all the rooms for living, eating, sleeping, etc. were accommodated on one floor, sometimes over a cellar or basement. With the development of homes on 33 foot lots, and particularly on topography such as exists on Capital Hill, the accommodation is divided on two floors, and sometimes over a cellar floor level. Such is the design of the house at 161 N. Glynde, which has had to relate to an adjoining developed property to the south, to Glynde Avenue at the front, and to an inclined driveway up onto the property from the lane at the rear to a garage partly under a sundeck and main floor at the rear of the house.

We find the subject building to be well within the By-Law requirements for storey and overall height as well as for site coverage, albeit the slope of the property down from Glynde Street to the lane at the rear provides opportunity for difference of opinion of storey height based on the By-Law definitions. However, the inescapable fact remains that where two storey development replaces former one storey development on Capital Hill, some "viewscape" will be affected.



M.J. Jones
CHIEF BUILDING INSPECTOR

MJJ/mt
encl.

cc DIRECTOR OF PLANNING

Municipal Solicitor



THE CORPORATION OF THE DISTRICT OF
BURNABY

4949 Canada Way, Burnaby, B.C. V5G 1M2

Building Department


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ATTACHMENT # 1

Telephone (604)

294-7148

1981 June 02

Cross Filed: 161 North Glynde Ave. 

171 North Glynde Ave.

Mr. S. McIntyre,
152 North Glynde Avenue,
Burnaby, B.C.
V5B 1G7

Subject: N 1/2 F. Blk 54, DL 189

Thank you for your letter of 1981 May 25.

Please find enclosed a photostat copy of a portion of the Municipal Map of your block on North Glynde Avenue on Capital Hill. You will note your property at 152 North Glynde shown cross-hatched.

The property north of you, known by civic address 182 North Glynde, (addresses are shown in front of the properties in the street allowance) is actually comprised of two separate parcels of land known as Lot 16 and 17 of Block 54, DL 189. A demolition permit was issued in 1979 for the Jackman dwelling, formerly 182 North Glynde. Since then two new homes have been erected on Lot 16 and 17 with civic addresses known as 168 and 174 North Glynde respectively. Please also note on the map where we have marked a number of properties elsewhere on Glynde or Hythe Avenues comprising two separate lots but bearing only one civic address. Actually what may appear in the neighbourhood as a 66' lot are actually two 33' lots not involving sub-division when a former dwelling is removed.

With respect to height of buildings, control is exercised through the Zoning By-Law. Single family dwellings are regulated now to a height of 2 1/2 stories. An amendment to the Zoning By-Law just over one year ago tightened control over height by making a basement constitute a storey, unless depressed in the ground as is a cellar. Prior to this amendment, a dwelling could contain 2 1/2 stories over a basement, with the basement only slightly in the ground and a building then exhibiting what would appear to be a three storey height. The two dwellings next to you both had permits issued in 1979 and hence under the former regulation.

As noted, the current regulation reduces the allowed overall height of dwellings, and while you will have two dwellings in place of one, there should be a noticeable reduction of height over those that have been built just north of you.

/2.....

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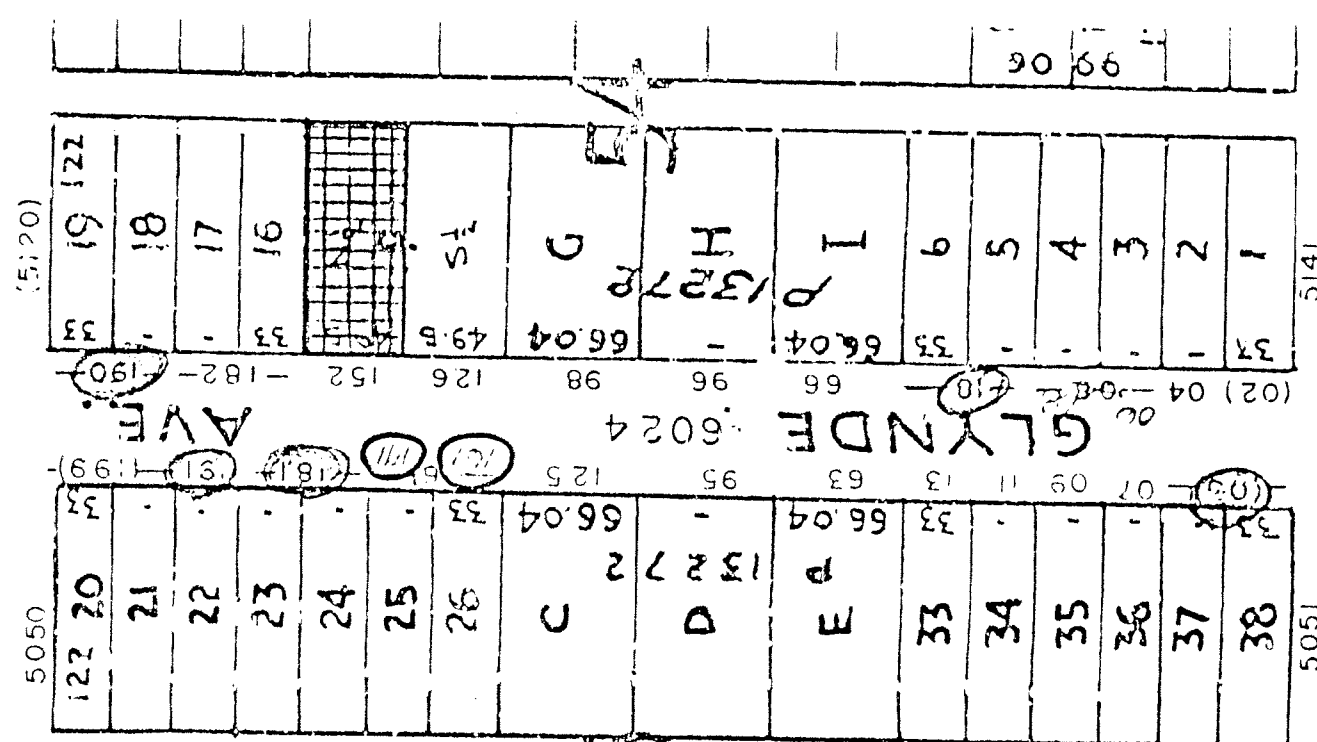
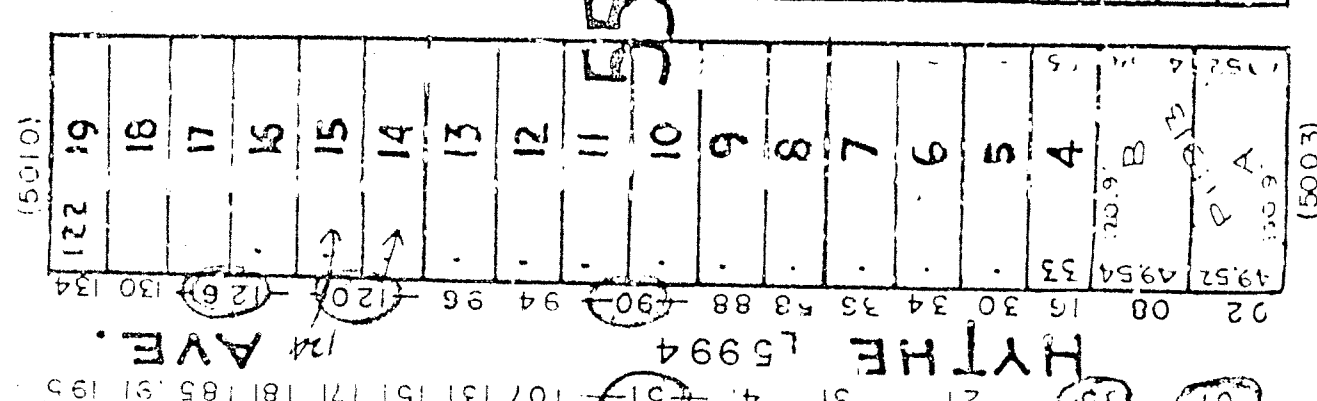
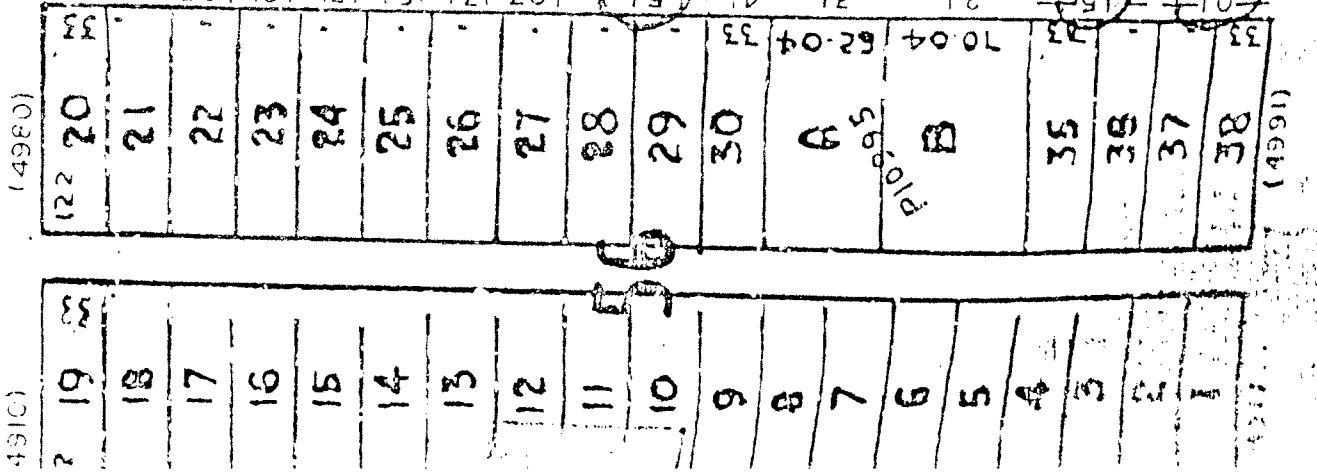
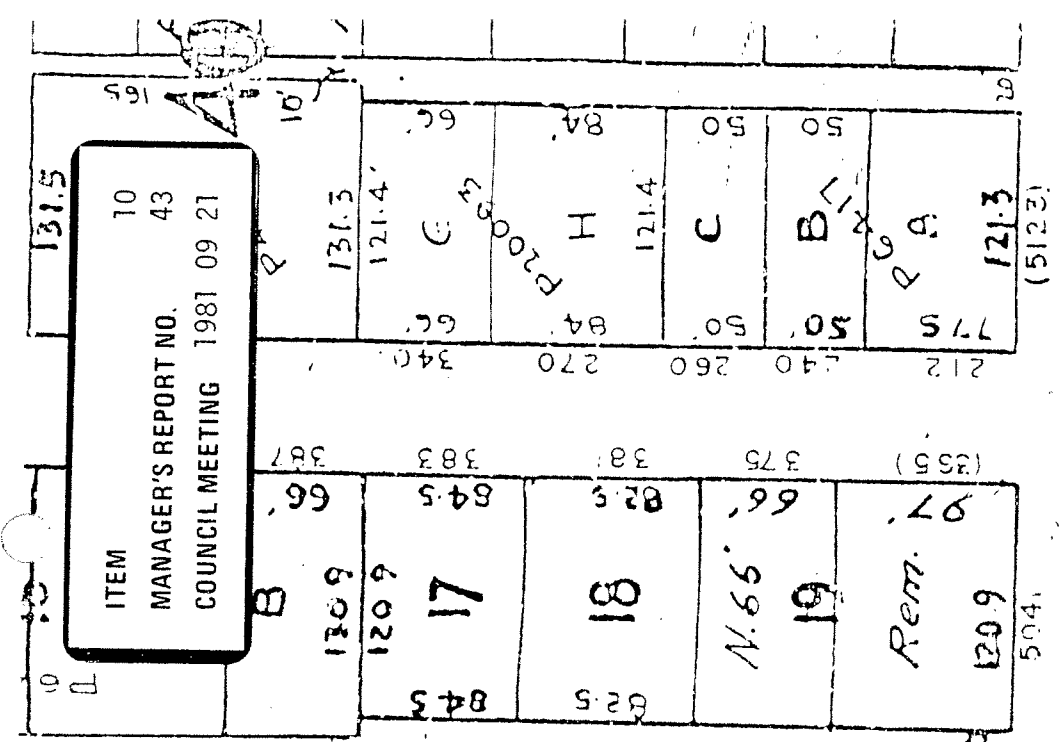
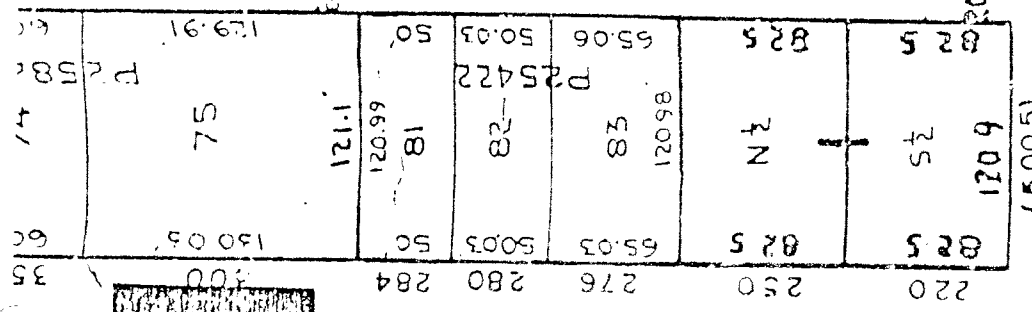
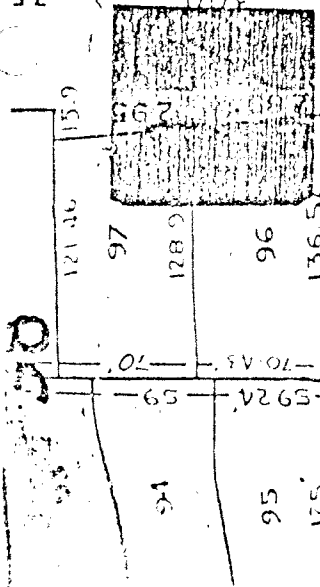
S. McIntyre,
152 N 4th Glynde Street,
Burnaby. B.C.

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Perhaps the foregoing will assist you in recognizing the type of development that is taking place on Capital Hill, but please call us if you have any further questions.

MJJ/st
encl.

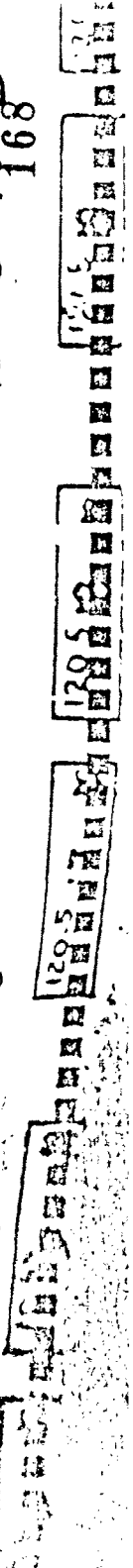
M. J. Jones
CHIEF BUILDING INSPECTOR.



D U Y 68

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4911



81-08-27

Record Memo
Subject: 161 North Glynde Ave.

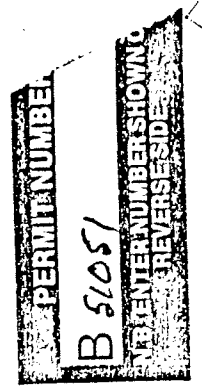
Building permit issued 1981 June 25
NO. B 51051

1981-07-16 - concrete forms inspected and approved by - R. FRASER

1981-07-27 - dampproofing inspected and approved by - A. LANE

1981-08-27 - siting of building and classification of cellar & re-inspected and confirmed in compliance with Bylaw by R. FRASER. Please refer to notes on back of permit card attached.

INSPECTION RECORD



Cross File:
161 North Glynde Avenue
171 North Glynde Avenue

81-08-27 - Framing in place
- checked height of building -
(a) cellat classification is confirmed -
(b) as permed only rough grades at the site.
(c) building is sited 2'0" lower than shown on the approved plans.
(d) building is 12'1" lower than the maximum permitted height of 32.12'-RF.

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ATTACHMENT # 3

294-7135

1981 August 28

Mr. S. McIntyre
152 North Glynde Avenue
Burnaby, B.C.
V5B 1G7

Subject: 161 North Glynde Avenue, Burnaby
Lot 26, Blk. 55, DL 189, Plan 4953
171 North Glynde Avenue, Burnaby
Lot 25, Blk. 55, DL 189, Plan 4953

This will confirm receipt of your letter of 1981 August 24 and of your telephone conversation on 1981 August 26 with Mr. R. Fraser of this department.

The home at 161 North Glynde Avenue, now in the framing stage, was rechecked on 1981 August 27 as a result of the assertions made in your letter, and we have to confirm to you that the building is being built to a cellar classification and wholly within the requirements of the Zoning By-Law as to height.

The building at 171 North Glynde Avenue, now only in the foundation stage, will be watched closely to ensure no deviation from by-law requirement.

MJJ:lm

c.c. R. Fraser, Supervisor,
Building Inspections

M.J. Jones
CHIEF BUILDING INSPECTOR

MJJ	
FRM	
JDS	
GRH	
RF	
ARB	
DHJ	
PAE	

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ATTACHMENT #4

171

294-7148

1981 September 14

S. McIntyre
 152 N. Glynde Avenue
 Burnaby, B.C.
 V5B 1G7

Subject: 161 N. Glynde Avenue, Burnaby
Lot 26, Blk. 55, D.L. 189, Plan 4953

Thank you for your letter of 1981 September 08, wherein you continued to question the application of the Zoning By-Law with respect to a dwelling under construction at 161 N. Glynde Avenue.

The Zoning By-Law contains the definition of cellar, but the by-law does not contain diagrams. What you may have seen were illustrations made for discussion purposes when amendments to the by-law were being considered early in 1980.

The explanation of the cellar configuration of the house at 161 N. Glynde Avenue was explained to you by R. Fraser of this department during your telephone conversation with him on 1981 August 26. Mr. Fraser will be pleased to go over with you that explanation if something is unclear. Contrary to the statement in your letter, we must confirm that the subject dwelling is of two storey height over a cellar, and as such, within the current by-law regulations.

M.J. Jones
 CHIEF BUILDING INSPECTOR

MJJ/mt

cc Mr. R. Fraser
 Supervisor, Building Inspections