

ITEM	16
MANAGER'S REPORT NO.	47
COUNCIL MEETING	93/08/09

TO: CITY MANAGER 1993 AUGUST 3

FROM: DIRECTOR PLANNING AND BUILDING OUR FILE: 16.300
SD 89/89

SUBJECT: 3930 PINE STREET

PURPOSE: To provide information concerning the subdivision and development potential of the property at 3930 Pine Street.

RECOMMENDATION:

1. **THAT** a copy of this report be sent to Mr. Mark Zulj at 3922 Pine Street, Burnaby, B.C., V5G 1Z2.

REPORT

1.0 BACKGROUND

Mr. Mark Zulj appeared before Council at its meeting on 1993 July 26. He is the current owner of two properties at 3922 and 3930 Pine Street which are zoned R4 Residential District. Mr. Zulj was seeking Council approval to build a new house at 3930 Pine Street with greater floor area above grade than that permitted under the R4 Residential District of the Zoning Bylaw.

As background information, the two lots were created by a subdivision in 1991 November (SD Reference 89/89). The original lot measured 78' X 122' and was subdivided into two 39' X 122' lots. The subdivision was permitted under the R4 small lot regulations, as adopted in 1989.

Shortly after subdivision approval, a building permit was issued in 1992 March to build a new house on one of the lots (3922 Pine Street). A rezoning was not involved. The house was developed under the current regulations of the R4 District and has two storeys and a cellar. The gross floor area is 2825 sq. ft., of which 2145 sq. ft. is located above grade.

2.0 DEVELOPMENT POTENTIAL

Mr. Zulj is now interested in building a house on the remaining vacant lot at 3930 Pine Street. Under the R4 District, the development potential is as follows:

<u>R4 District</u>	<u>sq. ft.</u>
Lot area (38.98' X 121.89'):	4751.2
Permitted gross floor area (60% of lot area):	2850.7
Permitted above grade floor area (20% of lot area + 1399.4 sq. ft.):	2349.6

As noted, a maximum of 2,349.6 sq. ft. of floor area may be constructed above grade on this lot. In order to build to the maximum permitted density, an additional 501.1 sq. ft. of floor area would be permitted in a cellar. A cellar is defined as having more than half its height located below the average natural grade.

Contrary to the R4 District regulation limiting the amount of floor area located above grade (20 percent of lot area plus 1399.4 sq. ft.), Mr. Zulj would like to build a house with all of the permitted gross floor area located above grade (i.e., 2850.7 sq. ft. on two floors). Mr. Zulj's request to increase the permitted density above grade for his property cannot be granted by the Board of Variance because it does not have the authority to vary permitted densities under the Zoning Bylaw. The only means to accommodate Mr. Zulj's request would be through an amendment to the Zoning Bylaw, which involves a Public Hearing. It should be noted that such an amendment would affect all R4 residential properties in the city and would involve a change to the policy of controlling the bulk of houses, which was the subject of an extensive public consultation process in 1991.

Mr. Zulj would have been able to build a single house with greater floor area located above grade if he had not subdivided his property into two lots in 1991 November. The development potential on the former lot is as follows:

<u>R4 District</u>	<u>sq. ft.</u>
Lot area (77.98' X 121.89'):	9504.9
Permitted gross floor area (maximum for R4 District):	4736.3
Permitted above grade floor area (40% of lot area):	3801.9

On this larger lot, 3801.9 sq. ft. would be permitted above grade. This is an increase of 1452.3 sq. ft. over the above grade floor area permitted on the subdivided lot (3930 Pine Street).

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3.0 NEIGHBOURING PROPERTIES

In his presentation to Council, Mr. Zulj stated that his request for additional above grade floor area would not have a negative impact in his neighbourhood because there are existing houses which are larger than his proposed house. However, it should be noted that these larger houses are located on larger lots, and consequently support a building of greater floor area, based on the same R4 density under the Zoning Bylaw (see zoning map in Attachment A). For instance, the house at 3938 Pine Street (adjacent to Mr. Zulj's property) is located on a 78' X 122' lot and was constructed in 1990 with 4,736 sq. ft. of floor area located above grade, as permitted under the previous R4 regulations of the Zoning Bylaw.

This report is for the information of Council.



D.G. Stenson, Director
PLANNING & BUILDING

SL/cb

Attachment

