

TO: CITY MANAGER 1994 JULY 20
FROM: DIRECTOR PLANNING AND BUILDING
SUBJECT: PERMITTED GROSS FLOOR AREA AT 6969 ROYAL OAK AVENUE
PURPOSE: To provide Council with information on the development of a property which is the subject of a delegation to Council.

RECOMMENDATION:

1. **THAT** a copy of this report be sent to Mr. Gabriele Cocco, 6345 E. Broadway, Burnaby, B.C. V5B 2Y4.

REPORT

Appearing elsewhere on this agenda is a delegation regarding the development of 6969 Royal Oak Avenue currently zoned R5 Residential District. The property is located within the Royal Oak Development Plan within an area designated as a future expansion area for RM3-type apartment development. The delegation, who is the son of the owner of the property, is requesting relaxation of the Burnaby Zoning Bylaw with regard to the maximum gross floor area of accessory buildings.

A complaint by a neighbour was recently received by our Building Division regarding construction on the subject property. Upon inspection, it was discovered that a carport had been added to an existing garage without Building Permit and that the carport had recently been enclosed.

Section 6.6(2)(b)(i) of the Zoning Bylaw permits accessory buildings on all "R" District zoned lots up to a maximum gross floor area of 56 m² (602.8 sq.ft.). With the enclosure of the carport, the gross floor area of accessory buildings on this property is 98.6 m² (1,062 sq.ft.), thus exceeding that permitted by the zoning bylaw by 42.6 m² (459 sq.ft.). In addition, the accessory buildings now occupy approximately 86% of the width of the rear yard, while Section 6.6(2)(c) states that not more than two-thirds of the width of the rear yard of any lot in an "A" or "R" District shall be occupied by accessory buildings.

This request to retain the illegal construction of the carport, which is now enclosed, cannot be permitted due to the gross floor area and the width of the accessory building exceeding that permitted by the Zoning Bylaw. Gross floor area (density) is not within the

CITY MANAGER
PERMITTED GROSS FLOOR AREA
1994 JULY 20 ...PAGE 2

ITEM	18
MANAGER'S REPORT NO.	44
COUNCIL MEETING	94/07/25

jurisdiction of the Board of Variance. Unless Council wishes to amend the Zoning Bylaw to increase the maximum gross floor area and the portion of the rear yard permitted to be covered by accessory buildings for all single-family residentially zoned properties in Burnaby, this unauthorized addition and enclosure cannot be permitted and would need to be removed.

This is for the information of Council.



D.G. Stenson, Director
Planning and Building

BW:yg

cc: Chief Building Inspector