ITEM	
MANAGER'S REPORT #	06
COUNCIL MEETING	06
	96/02/19

TO: CITY MANAGER 1996 FEBRUARY 14

FROM: DIRECTOR PLANNING & BUILDING

SUBJECT: **23 S. HOWARD AVENUE, BURNABY, B.C.**

PURPOSE: To provide Council with additional information regarding the unauthorized conversion of a crawl space at 23 S. Howard Avenue, Burnaby, B.C., to habitable living area.

RECOMMENDATION:

1) **THAT** a copy of this report be sent to Ante and Sonja Pocrnic at 23 S. Howard Avenue, Burnaby, B.C. - V5B 3P4.

REPORT

At the regular Council meeting of 1996 January 22, Council received a delegation and an accompanying staff report regarding the unauthorized conversion of a crawl space at 23 S. Howard Avenue, Burnaby, B.C., to habitable living area. Council subsequently requested that staff provide additional information. This report addresses that request.

In determining the development density of buildings on single-family lots, Burnaby's Zoning Bylaw considers two factors. Gross Floor Area, which is the total area of all the floors measured to the extreme outer limits of the building, and the more restrictive above grade floor area that regulates all of the floors above the cellar, are both examined when determining the permitted density.

In the case of smaller lots, the maximum above grade floor area regulation and the maximum total floor area restriction tend to work out to be very close. For example, of a 33 ft. by 120 ft. lot , a maximum total floor area that can be developed is 2,376 sq. ft. and a maximum floor area above a cellar is 2,192 sq. ft. This leaves a maximum floor area that can be developed in the cellar of 184 sq.ft

In calculating the development densities for larger lots, a much greater percentage of the floor area is required to be in the cellar in order to achieve the maximum floor area that can be developed. Therefore, under current regulations, small lots can achieve a higher percentage of floor area above grade than larger lots.

On a flat site, the visible bulk of a building with a cellar is similar to one with a crawl space. However, the density of the land use is very different. Developed cellar space is usable floor area to the inhabitants of the house with bedrooms, recreation rooms, dens, workshops, utility rooms and often unauthorized secondary suites. In the case of a lot with even a very small slope, the cellar adds visible bulk to the building, creating the look of a three-storey building from the downhill side.

If cellars were to be excluded from the calculation of development density, a typical small lot (33 ft. x 120 ft.) could achieve an equivalent floor area ratio of up to 0.90. This corresponds to development densities in the RM2/RM3 Districts which permit medium density multi-family development. Excluding the floor area of the cellar would probably also result in a general increase in property values for small lots due to an increase in buildable floor space. If cellars were to be excluded from the maximum total buildable floor area, then consideration would have to be given to a corresponding reduction in the overall development density for that zone or zones.

Staff of the Plan Checking section of the Building Department have reviewed the approved plans on file for 23 S. Howard Avenue and have confirmed that when the house was built, it was 69 sq.ft. less than the maximum gross floor area permitted. Excavating the crawl space and converting it to habitable space has increased the floor area by 694 sq.ft. The result in gross floor area of the single-family dwelling is now 625 sq.ft. larger than allowed by the Zoning Bylaw.

CONCLUSION:

The regulations contained in Burnaby's Zoning Bylaw which regulate development of a single-family lot is designed to restrict both the bulk and the development density of the property. Re-excavating of the crawl space at 23 S. Howard Avenue has resulted in the gross floor area of the single-family dwelling being 625 sq.ft. larger than that allowed by the Zoning Bylaw.

In order for the City to be consistent in its application of its Zoning Bylaw, the property owners will have to restore the crawl space to its previously approved condition.

Reduced copies of the cellar plan, site plan, first floor plan, second floor plan, roof deck plan, front east elevation, rear west elevation, north and south elevations of the property at 23 S. Howard Avenue are available with the City Clerk.

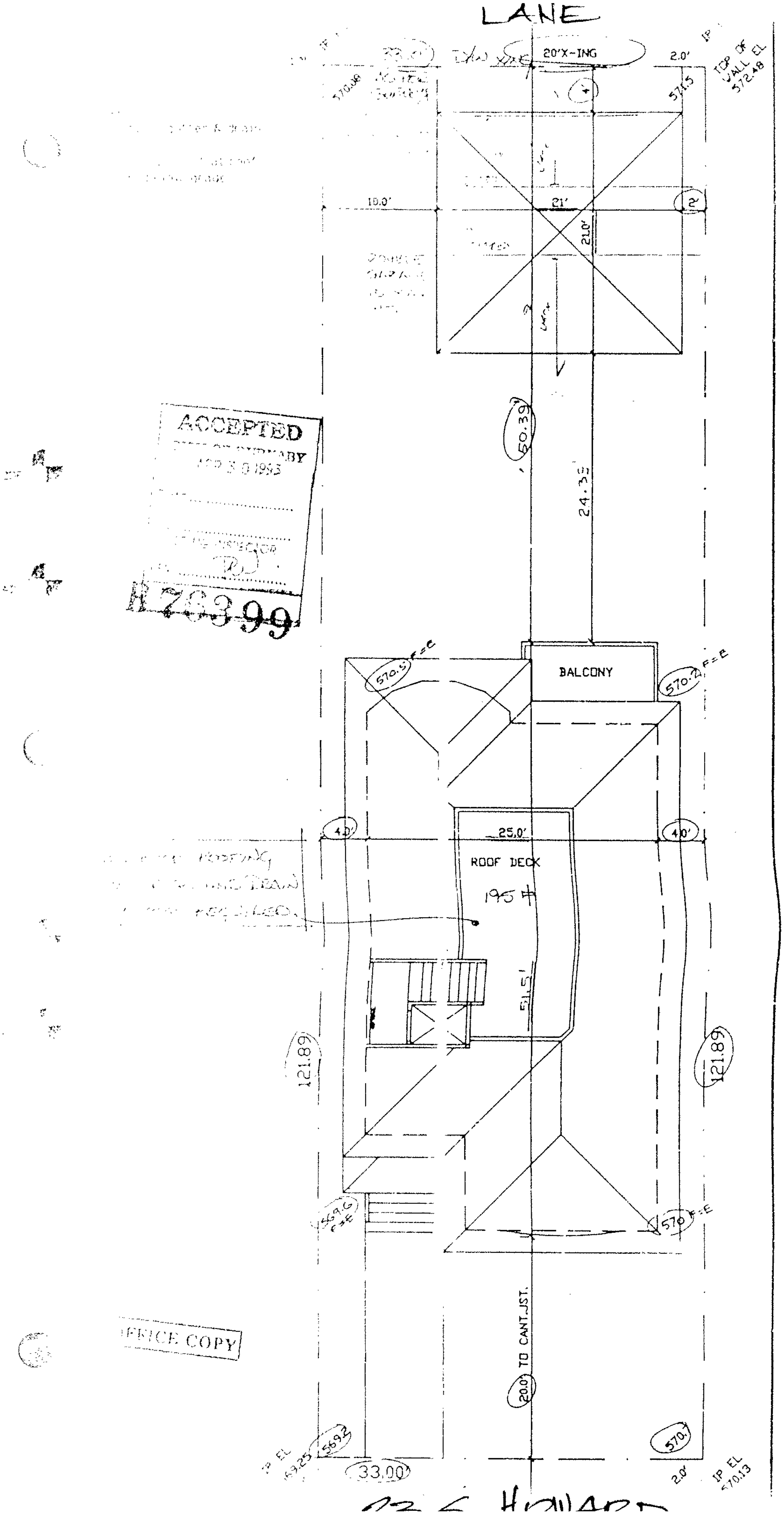
This is for the information of Council.

D. G. Stenson, DIRECTOR
PLANNING & BUILDING

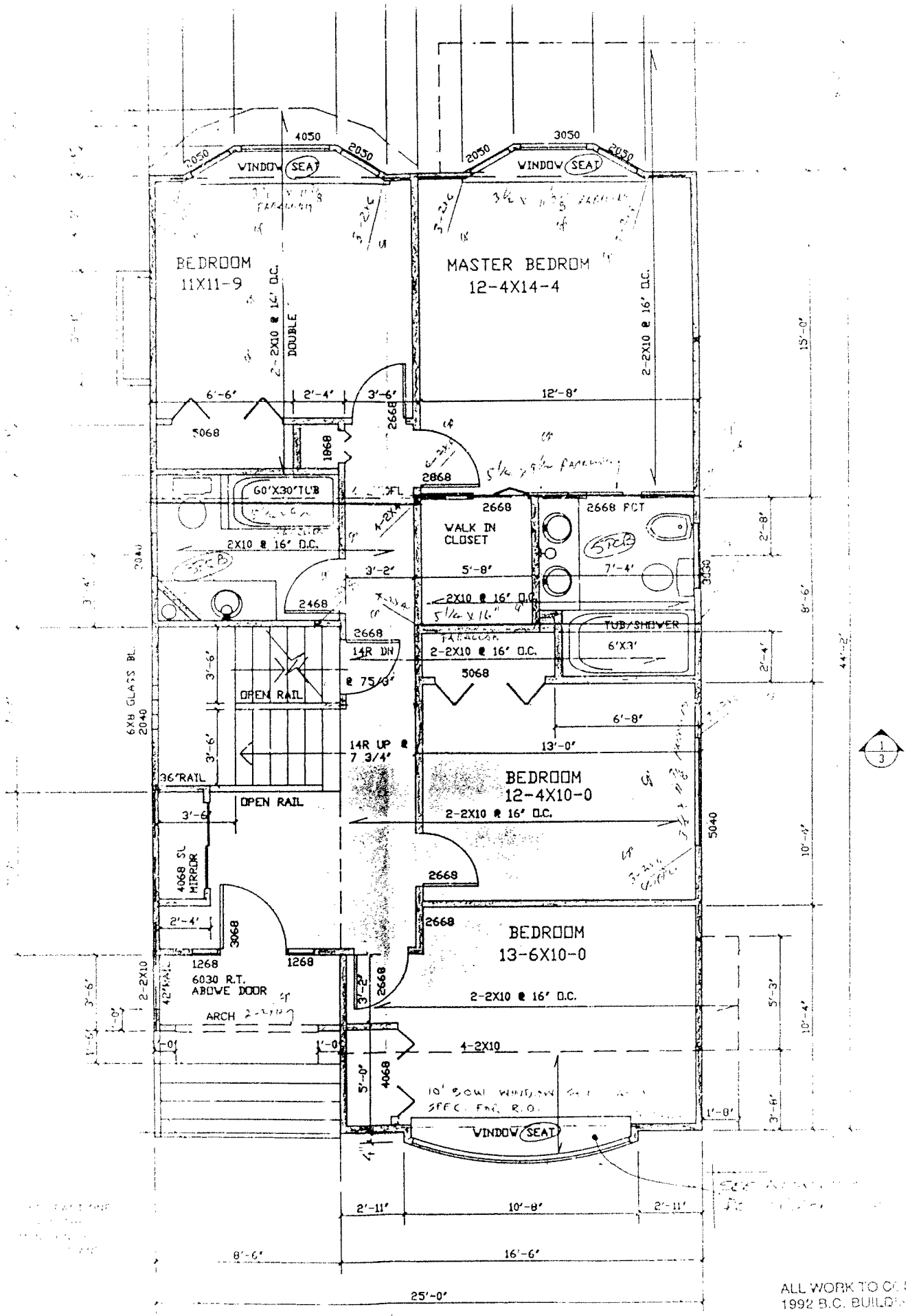
DWM/BG:ap

cc: Chief Building Inspector

howard.rep

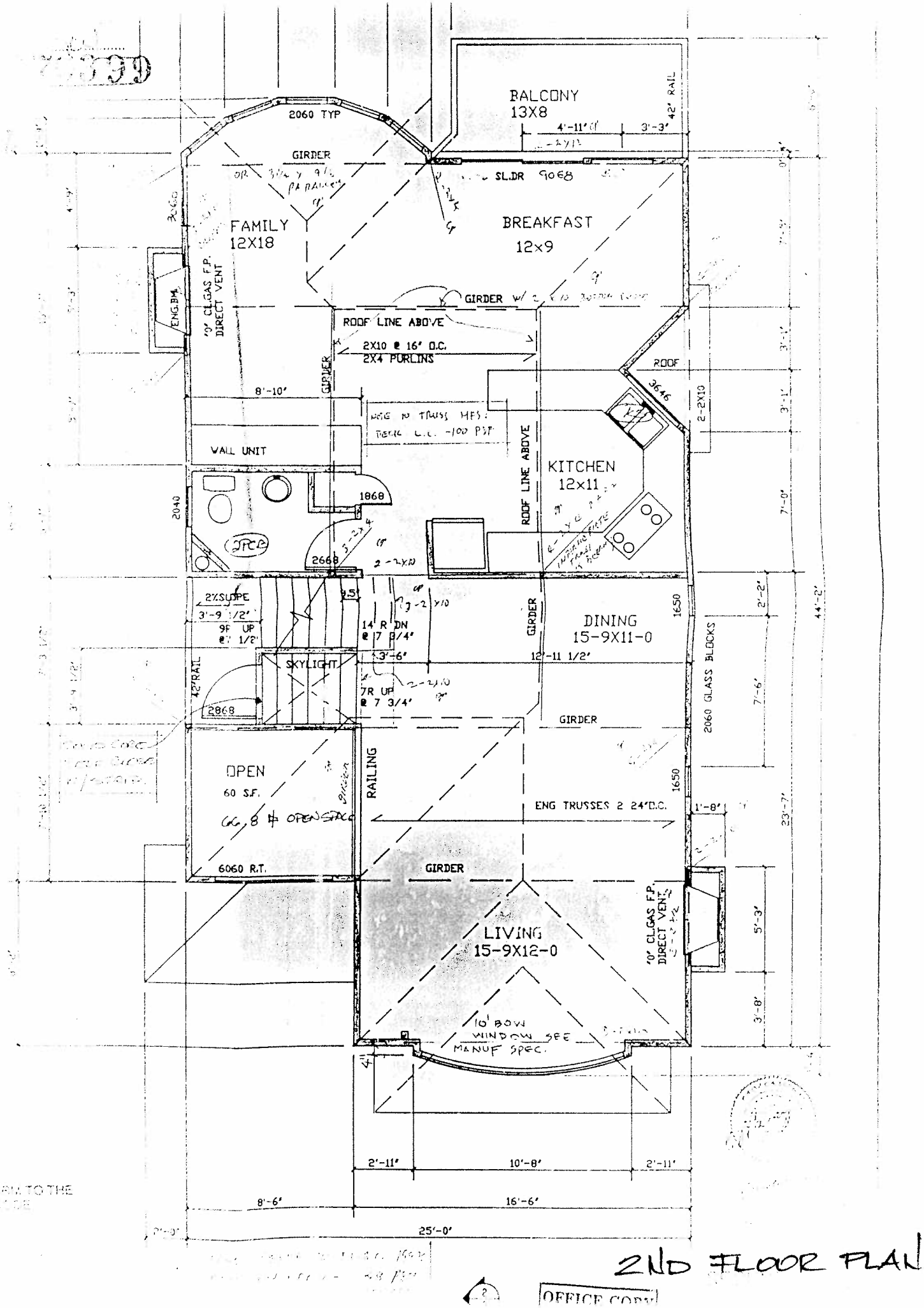

LANE
20'X-ING
2.0'
TOP OF WALL EL 572.48
571.5
10.0'
21'
2'
21.0'
50.39
24.35
ACCEPTED
BALCONY
570.5 F=E
570.2 F=E
4.0'
25.0'
4.0'
ROOF DECK
195#
31.5'
121.89
121.89
569.6 F=E
570 F=E
20.0' TO CANT.JST.
569.2
570.1
33.00
2.0'
IP EL 570.13
FFICE COPY

SITE PLAN



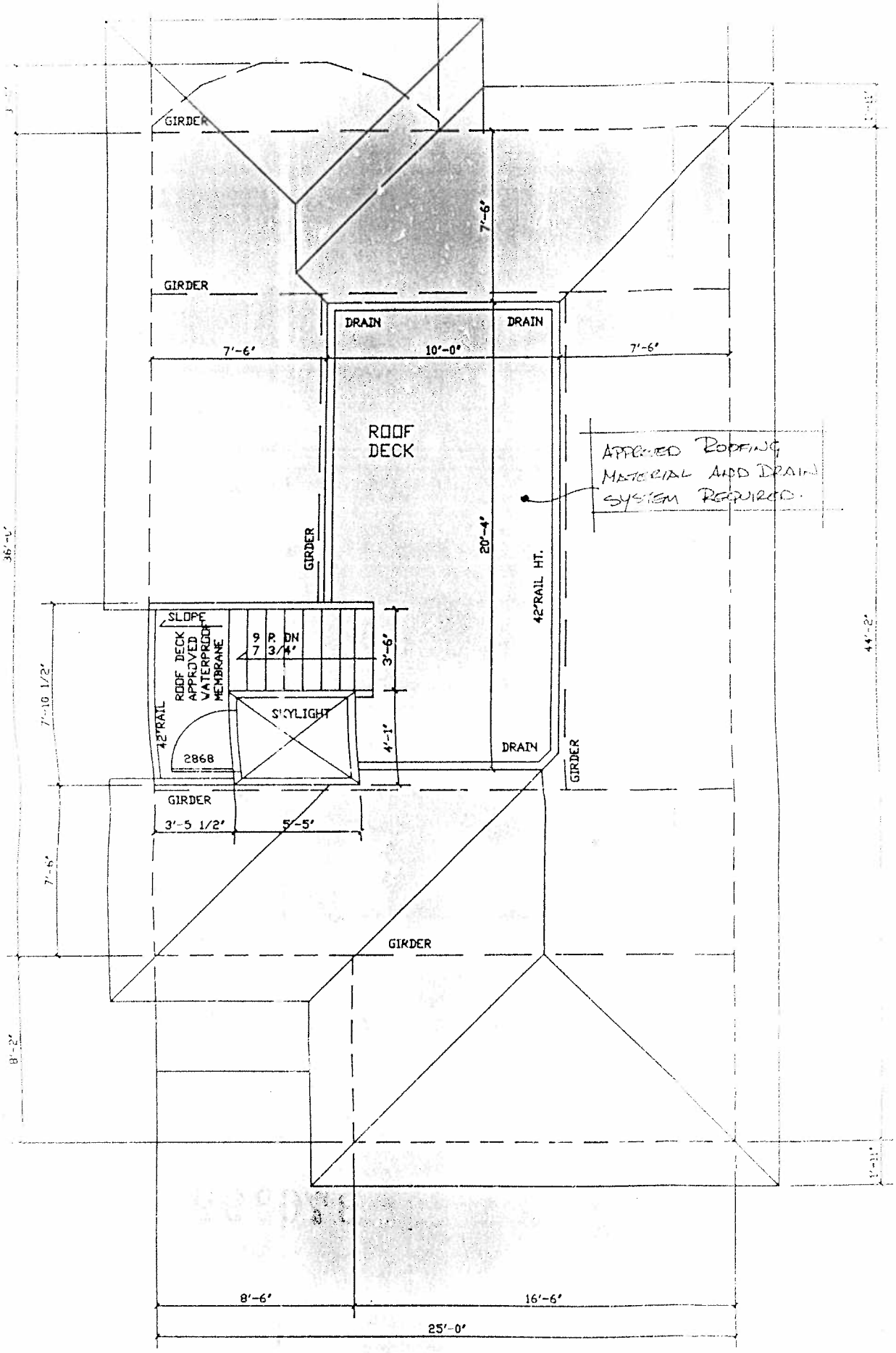
ALL WORK TO CONFORM
1992 B.C. BUILDING CODE

1ST FLOOR PLAN



2ND FLOOR PLAN

OFFICE COPY



ROOF DECK

CONCRETE TILES
BUILDING PAPER
1/4" SHEATING (OSB) ST

FRONT EAST

GARAGE NOT
-Roof to slope
system
-Max. Height: 15
-Appv'd fdn. min

...ner is aware that gravity
...e may not be possible for the
...connections in the cellar of the
..., and pumping may be required.

re: [signature]

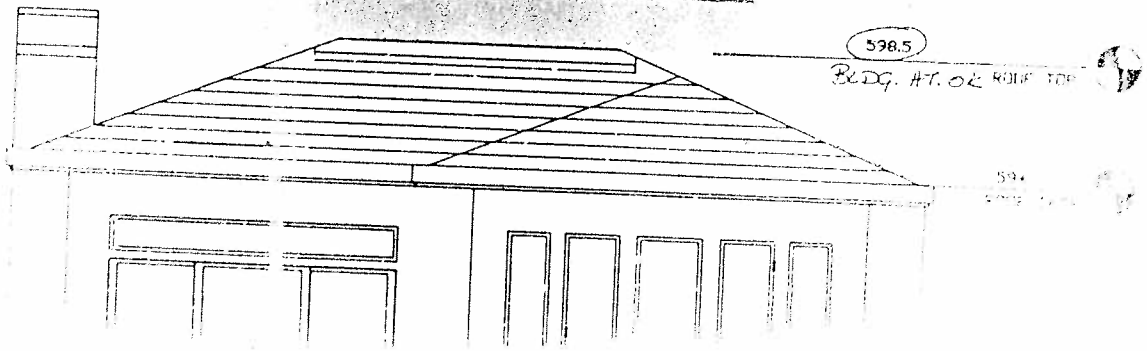
Apr 30/93

DRAWINGS HAVE NOT BEEN CHECKED FOR COMPLIANCE WITH STRUCTURAL REQUIREMENTS AS OUTLINED IN THE 1992 BRITISH COLUMBIA BUILDING CODE. IT IS THE RESPONSIBILITY OF THE DESIGNER, CONTRACTOR AND OWNER TO ENSURE COMPLIANCE. THE BUILDING INSPECTOR AT HIS DISCRETION, MAY AT THE FRAMING STAGE, REQUEST APPROVAL OF THE FRAMING OR PORTION THEREOF, BY AN ARCHITECT OR ENGINEER REGISTERED IN THE PROVINCE OF BRITISH COLUMBIA.

DATE: Apr 30/93

NAME: [illegible] (print)

NAME: [signature] ; (sign)



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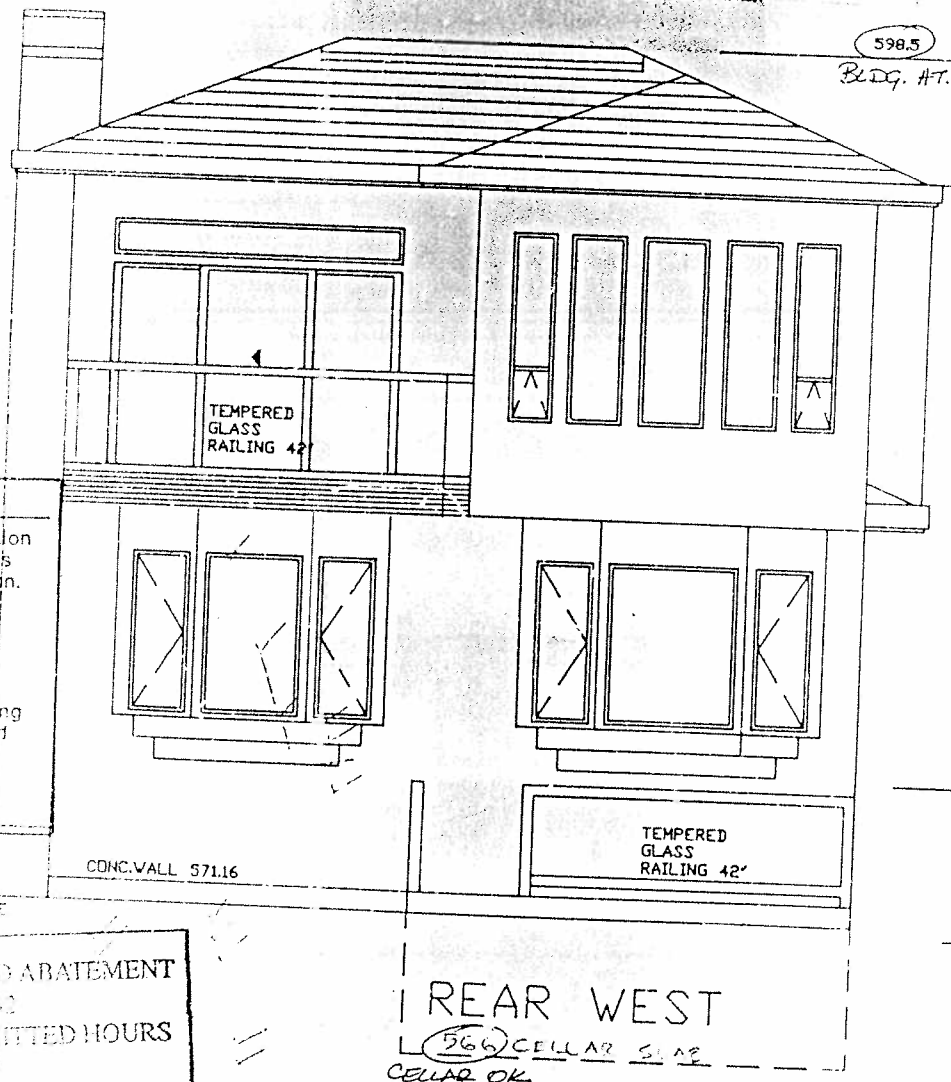
DATE: Apr 30/93

NAME: S. Rodrnic (print)

NAME: (sign)



REAR WEST

566 CELLAR SLAB

CELLAR OK @ MAX.

...ND ABATEMENT

...TTED HOURS

7 am to 10 pm

9 am to 10 pm

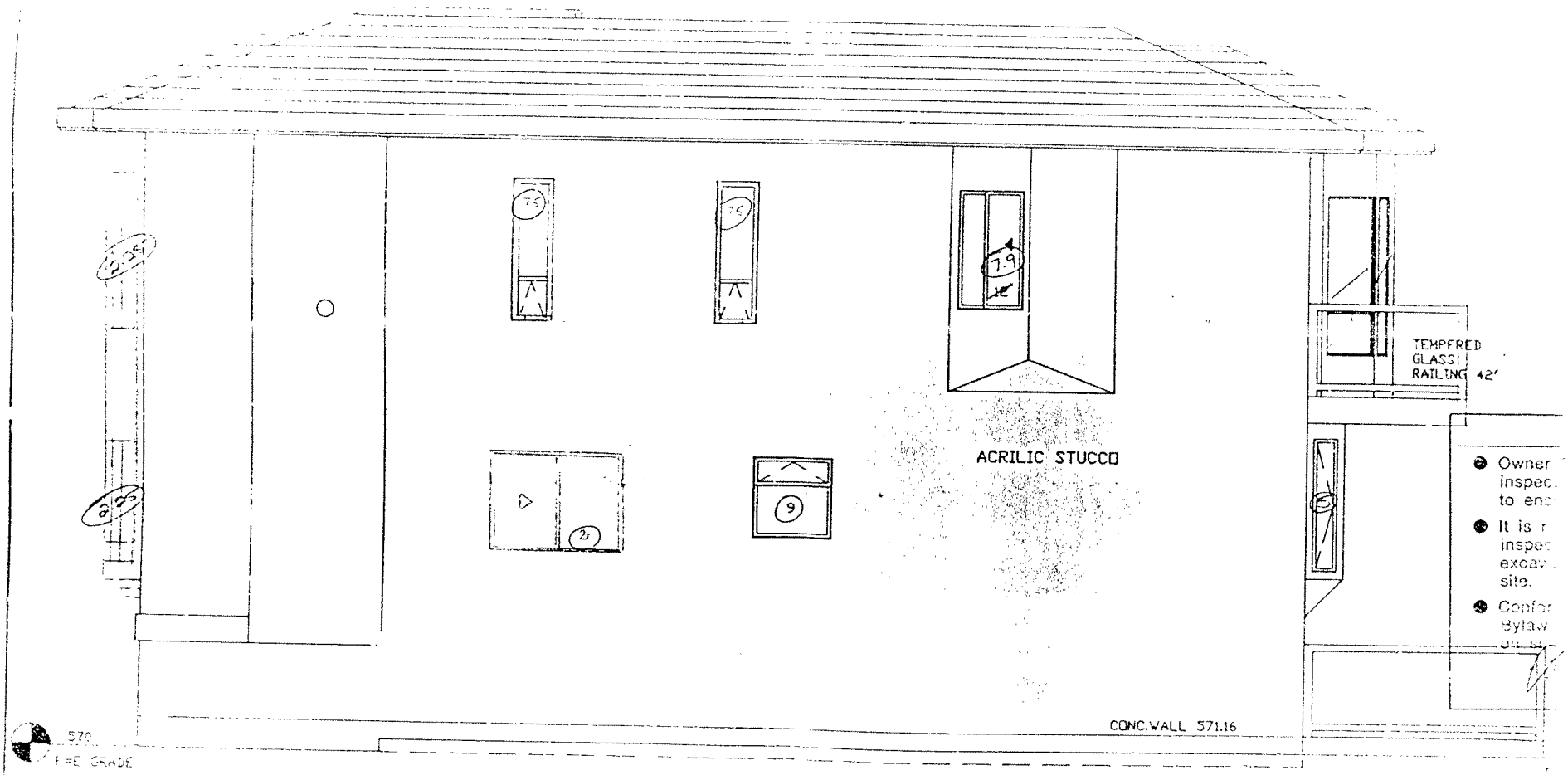
ORIGINAL
HOME DESIGN STUDIO

1471 Cliff Ave.
Burnaby, B.C.
V5A 3K3
(604) 420--0942

project name POORNIC RESIDE...

design	DAMIR BOROVIC
drawn	DAMIR BOROVIC
checked	DAMIR BOROVIC

OPEN PERM (7 %) ' = 47.0
OPEN ACTUAL = 47.0



- Owner inspec to ens
- It is r inspec excav site.
- Confor Bylaw on

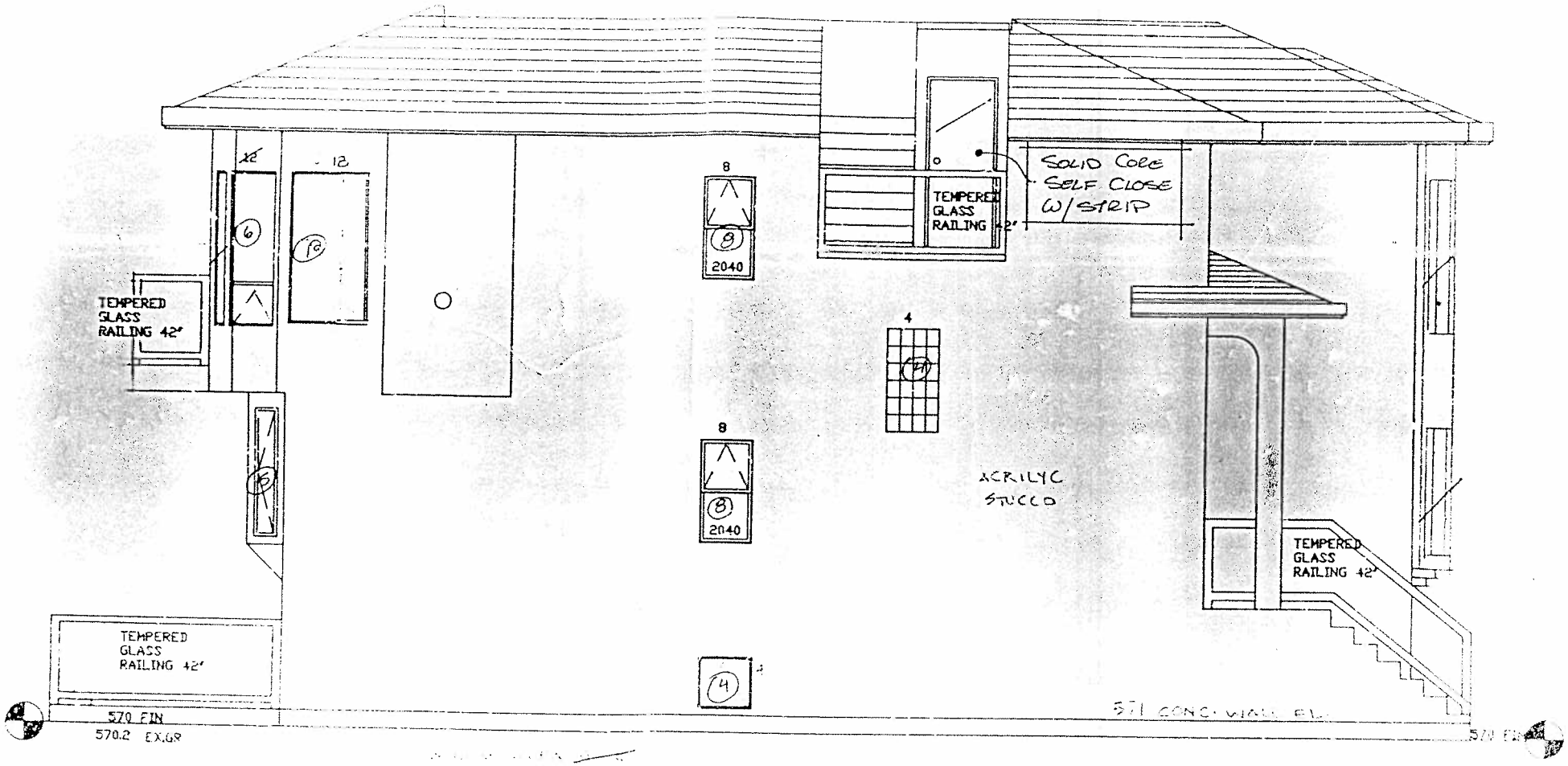
NORTH

L.D. @ 4.0 NORTH.

WALL AREA	=	1039.9
OPEN PERM (7 %) '	=	72.8 #
OPEN ACTUAL	=	61.0 #

HOWARD

PROPOSED



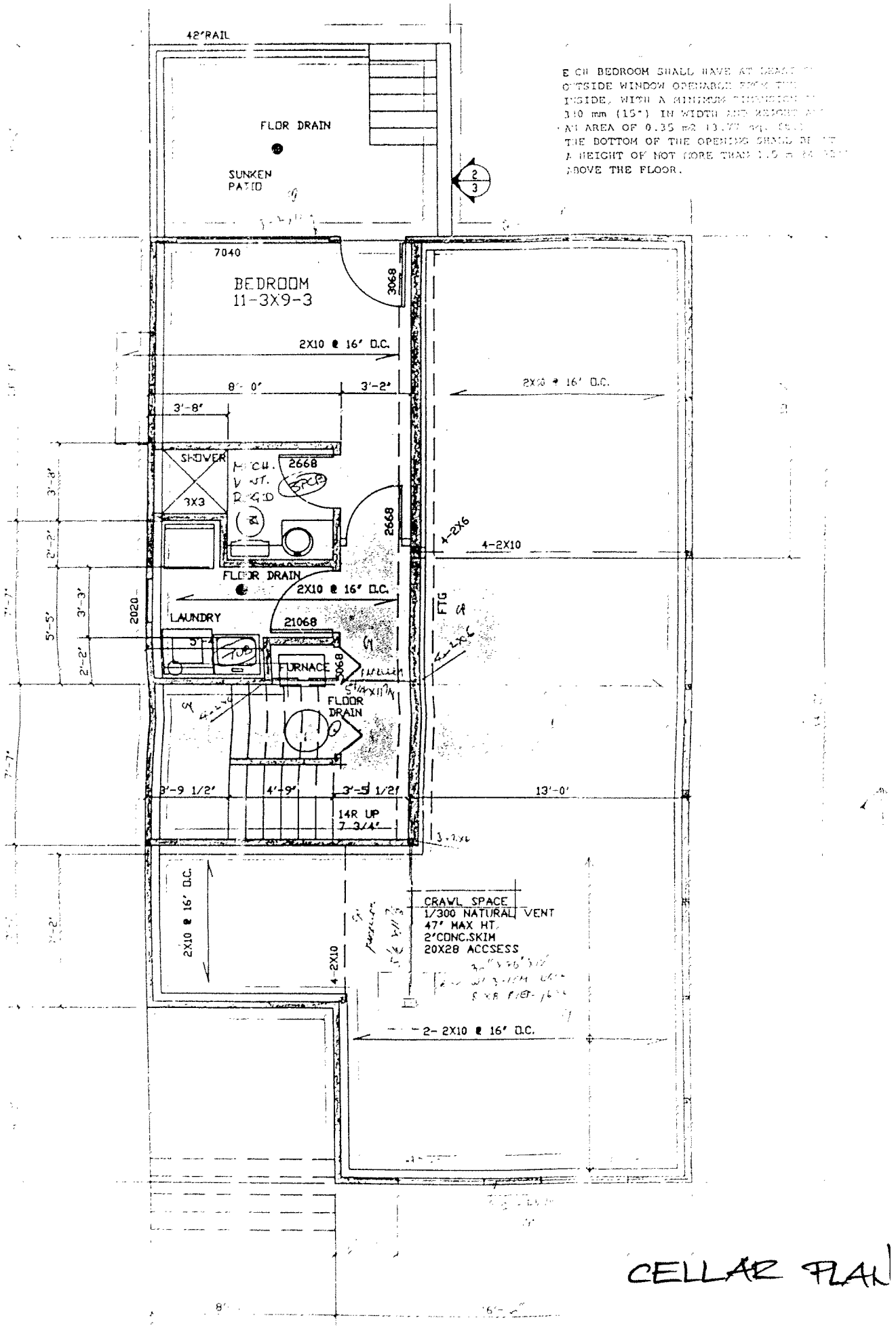
SOUTH SIDE

L.D. @ 5'0" SOUTH

WALL AREA	=	1015 ?
OPEN PERM (7 %)	=	71.1
OPEN ACTUAL	=	47.0%

Note: Owner is aware that gr
drainage may not be possible
sewer connections in the
building, and

Signature



E CH BEDROOM SHALL HAVE AT LEAST
OUTSIDE WINDOW OPENABLE FROM THE
INSIDE, WITH A MINIMUM DIMENSION
380 mm (15") IN WIDTH AND HEIGHT
AN AREA OF 0.35 m2 (3.77 sq. ft.)
THE BOTTOM OF THE OPENING SHALL BE AT
A HEIGHT OF NOT MORE THAN 1.0 m (39.37")
ABOVE THE FLOOR.

CELLAR PLAN