

ITEM	15
MANAGER'S REPORT NO.	55
COUNCIL MEETING	Aug. 15/77

Re: REZONING REFERENCE #26/76
S. 60', LOTS A & B, BLOCK 25, D.L. 80, GROUP 1, PLAN 16273
5584 KINCAID STREET

Following is a report from the Director of Planning regarding Rezoning Reference #26/76.

RECOMMENDATION:

1. THAT Rezoning Reference #26/76, Amendment #39, By-Law 6914 be lifted from the Table and abandoned.

* * * * *

PLANNING DEPARTMENT
AUGUST 10, 1977

TO: MUNICIPAL MANAGER
FROM: DIRECTOR OF PLANNING
SUBJECT: REZONING REFERENCE #26/76
S. 60', Lots A & B, Blk. 25, D.L. 80, Group 1, Plan 16273
5584 Kincaid Street

1.0 BACKGROUND:

- 1.1 On September 20, 1976, Council gave favourable consideration to the rezoning of the subject site from Neighbourhood Institutional District (P1) to Residential District (R2) for the purposes of creating one lot for single family residential development (see attached report) and advanced the application to a Public Hearing.
- 1.2 Subsequent to the Public Hearing held on October 19, 1976, Council tabled the rezoning on October 25, 1976 pending a further report from the Planning Department investigating the possibility of orienting the proposed lot towards Forest Street as well as the feasibility of subdividing the subject church properties with two lots fronting Kincaid Street and two fronting Forest Street.
- 1.3 Council's tabling motion was taken in response to the various concerns expressed by the residents of the immediate area who felt that the proposed subdivision would create a visual inconsistency in the neighbourhood by permitting a residence to be constructed facing Teal Avenue with a 12 foot building setback on Forest Street, and a rear yard on the easterly portion of the site in full view of the adjacent residences on Forest Street. This situation would be created as a result of the proposed lot having a 132' frontage on Forest Street with a 60' frontage on Teal Avenue (see attached Sketch #1).

2.0 GENERAL COMMENTS:

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- 2.1 Relative to the possibility of orienting the proposed residential lot towards Forest Street, the Planning Department advises that the location of the existing church must be considered. In this respect, this church is presently situated in the approximate centre of their two legal parcels, some 95 feet from the south property line. In order to maintain the church's conformity with the Zoning By-Law, it will be necessary to ensure that a rear yard of 30 feet is observed as per the P1 Zoning District. The proposed residential lot will then have a 132 foot frontage on Forest Street and a maximum frontage of 65 feet on Teal Avenue (see attached Sketch #2).

As a result, Council is advised that the appropriate lot orientation as suggested cannot be accomplished as long as the church structure remains in its present location.

However, should the church wish to remove their existing facility from the site then an alternative subdivision could take place where two residential lots appropriately oriented towards Forest Street would be created with an additional lot on the northern portion of the site oriented towards Teal Avenue (see Sketch #3).

- 2.2 Pursuant to the feasibility of subdividing the subject church properties into four residential lots (based on the R2 zoning designation), two fronting Kincaid Street and two fronting Forest Street, the Planning Department advises that the site does not have sufficient area to satisfy the requirements of the Zoning By-Law (minimum area of 7,200 sq. ft. and width of 60 ft.). It is therefore feasible to create only a maximum of 3 R2 residential lots on these properties.

3.0 CONCLUSION:

- 3.1 In light of the foregoing information, Council is advised that the residential lot proposed in the subject rezoning request cannot be appropriately oriented towards Forest Street nor can there be a 4 lot subdivision created on the church properties.
- 3.2 However, should the church wish to remove their facility from the site, then a residential lot on the northern portion of the site could be created where the concerns expressed by the residents could be ameliorated.
- 3.3 As a result, the following alternative courses of action may be taken by the church;
- a) Retain the church in its present location without residential subdivision of their two legal parcels thereby maintaining the P1 zoning designation.
 - b) Remove the church and initiate rezoning and residential subdivision on the northern portion of their holdings as described in Section 2.1 above.

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4.0 RECOMMENDATION:

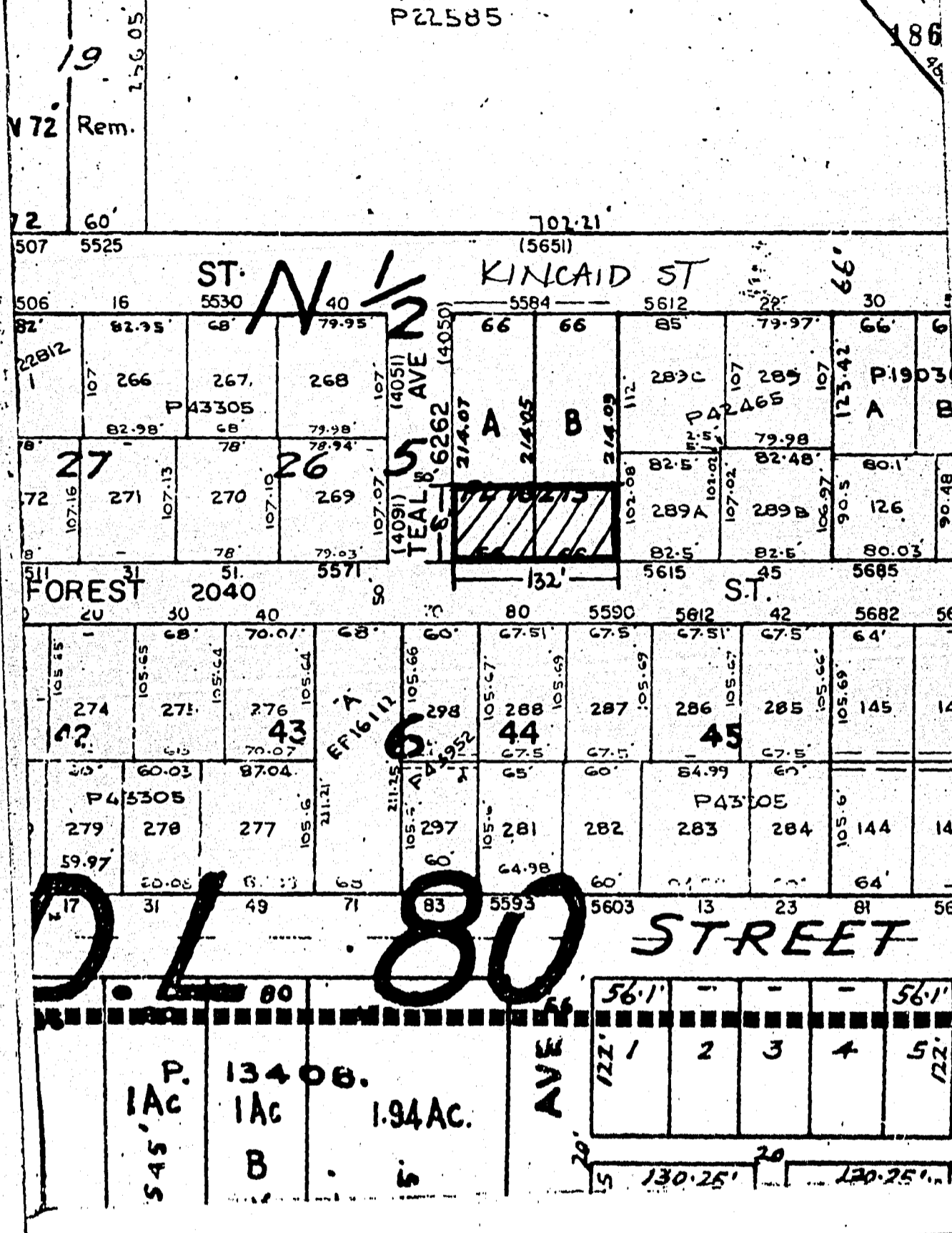
It is recommended THAT Council receive the report of the Planning Department and that Rezoning Reference #26/76, Amendment #39, By-Law No. 6914 be lifted from the table and abandoned.

AP
PDS/sam
Attachments

A. L. Parr
A. L. Parr
DIRECTOR OF PLANNING

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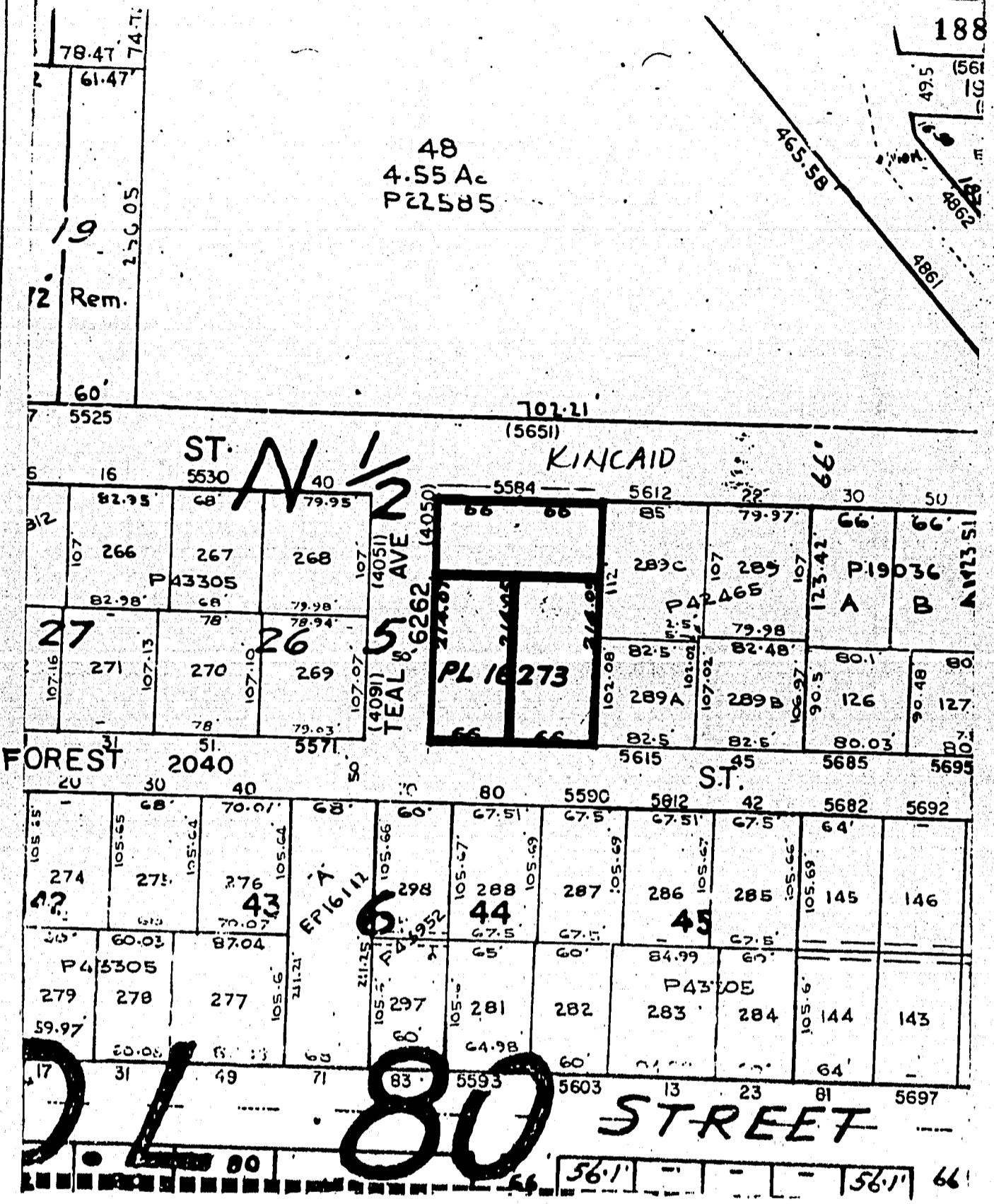
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 1" = 100'
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SKETCH #1

Burnaby Planning Department

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Date
 AUG/77

Scale
 1"=100'

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Burnaby Planning Department

SKETCH #3

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THE CORPORATION OF THE DISTRICT OF BURNABY

PLANNING DEPARTMENT
REZONING REFERENCE #26/76
SEPTEMBER 20, 1976

Item #2

1.0 GENERAL INFORMATION:

- 1.1 Applicant: First United Spiritualist Church
5584 Kincaid Street
Burnaby, B.C.
V5G 1W3
- 1.2 Subject: Application for the rezoning of:

Southern 60' of Lots A & B, Block 25,
D.L. 80, Plan 16273

From: Neighbourhood Institutional
District (P1)
To: Residential District (R2)
- 1.3 Address: 5584 Kincaid Street
- 1.4 Location: The subject site is located at the north
east corner of Teal Avenue and Forest
Street (see attached Sketches 1 and 2).
- 1.5 Size: The subject site is rectangular in
shape with an area of 7,920 square feet,
a width of 60 feet, and a depth of
132 feet.
- 1.6 Services: The Municipal Engineer has been requested
to provide the necessary servicing
information regarding the subject
site.
- 1.7 Applicant's
Intensions: The applicant has requested rezoning in
order to create one lot for single
family residential development based
on the R2 Zoning District.

2.0 SITE OBSERVATIONS:

The subject site is presently vacant with numerous deciduous trees and natural ground vegetation throughout. To the north of the site lies the First United Spiritualist Church facility, consisting of a modest one storey frame structure with an associated partially gravelled parking surface. To the south, west and east lie numerous fairly new and well maintained single family residences. The subject site is flanked by Forest Street on the south and Teal Avenue on the west which are both developed to full municipal standards.

3.0 GENERAL OBSERVATIONS:

At the present time, the subject site forms the southern one-third of two legal lots occupied by the First United Spiritualist Church facility which fronts Kincaid Street. These parcels are situated within a very well established single family residential area bounded by Canada Way, Royal Oak Avenue, Percival Avenue, and Gilpin Street, in which numerous new residential units have been constructed.

Upon recent discussions with the Planning Department, representatives from the Church indicated that the subject rear portion of the Church lots (Lots A and B) were not presently utilized for Church purposes, nor was it anticipated to be needed in the foreseeable future. As a result, they felt that this portion of their property could be subdivided for residential purposes. Subsequently, a subdivision application was submitted in July of 1976 (Subdivision Reference #90/76).

The requested subdivision will create one R2 single family residential lot which will front Teal Avenue. Most importantly, the requested subdivision will not render the existing Church site legally non-conforming in terms of satisfying the minimum lot requirement as the remaining Church site will be 20,328 square feet, which is well over the 9,600 square foot minimum site area as per the P1 Zoning District. However, in order to subdivide the subject lots for residential purposes, it is necessary that they be rezoned from P1 Institutional to R2 Residential.

The Planning Department advises that the requested rezoning will provide for suitable residential development in the context of existing predominantly R2 residential area. In addition, it will not render the existing Church site (comprising Lots A and B to be consolidated into one legal parcel) legally non-conforming in terms of site area requirements, and will provide for a considerable upgrading of the existing property. However, in order to provide a suitable interface between the Church and the proposed residential lot, it will be necessary for the applicant to provide an appropriate landscape buffer along the north property line of the subject site.

4.0 RECOMMENDATION:

It is recommended THAT Council receive the report of the Planning Department and request that a rezoning bylaw be prepared, and THAT the rezoning be advanced to a Public Hearing on October 19, 1976, and THAT the following be established as prerequisites to the completion of rezoning:

- (a) The satisfaction of all requisite conditions necessary to gain Subdivision Approval to include the consolidation of the two Church properties, Lots A and B, into one legal parcel.

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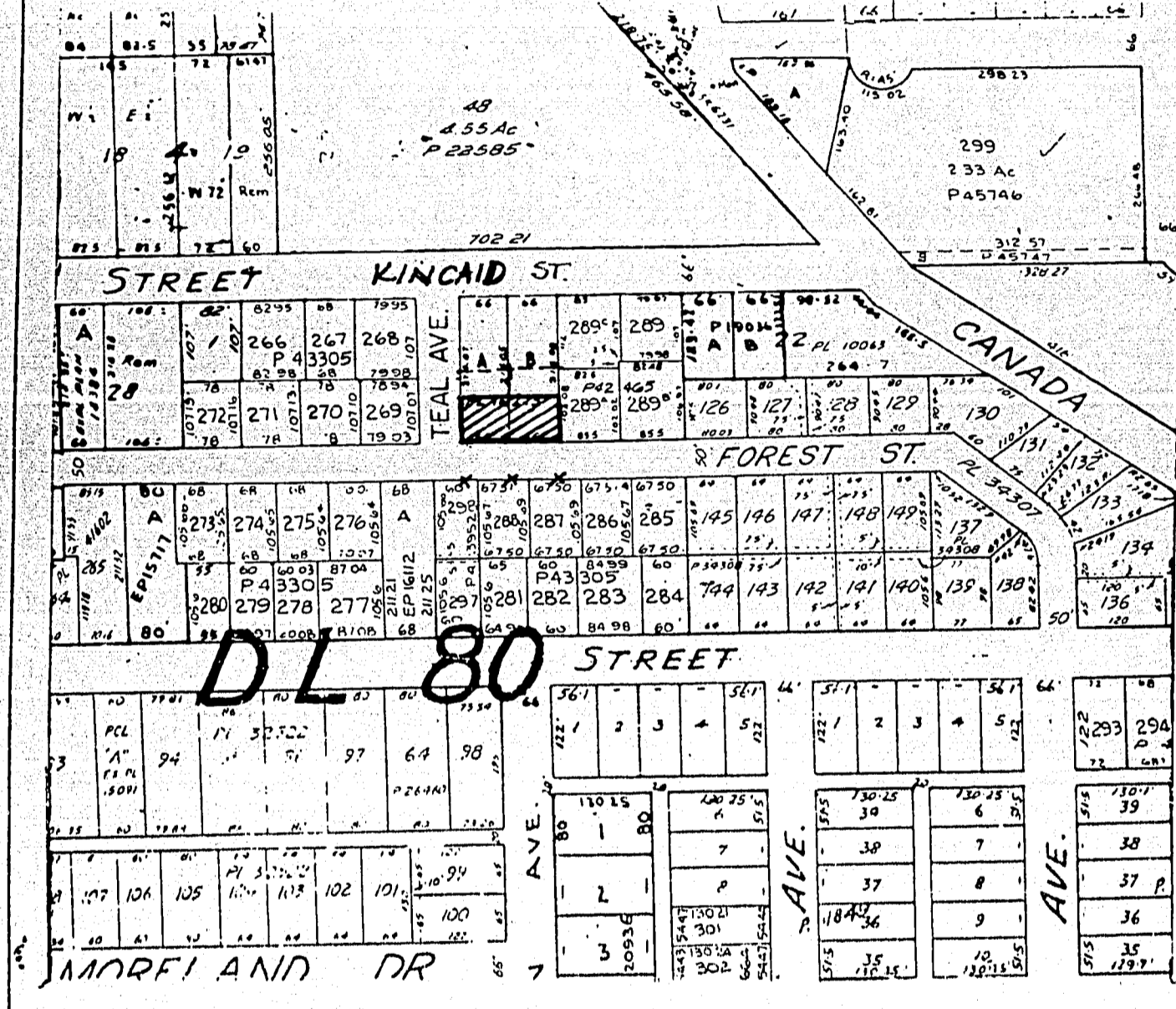
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- (b) The deposit of a \$521 per subdivided lot levy to go towards the acquisition of required neighbourhood parks.
- (c) The provision of an appropriate landscape buffer along the north property line of the subject site for the purposes outlined above and to the satisfaction of the Planning Department.


PDS:cw
Attach.

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Date
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Scale
1" = 200'

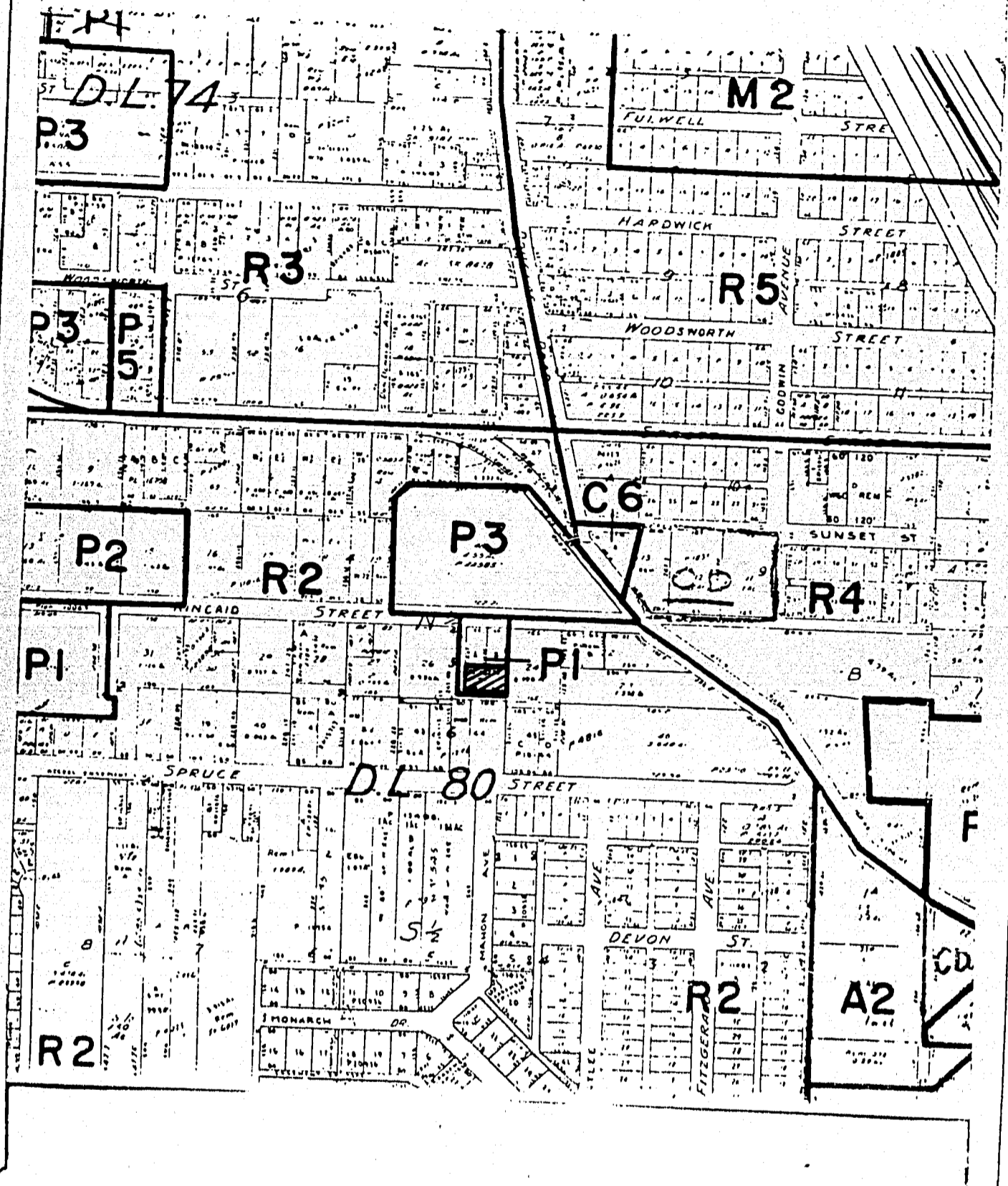
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P.D.S.

Burnaby Planning Department

REZONING REFERENCE # 26/76

Sketch #1

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Date
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Scale
 1"=400'

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Sketch #2