

ITEM	14
MANAGER'S REPORT NO.	64
COUNCIL MEETING	1980 10 20

RE: SMALL LOT SUBDIVISION
FOR SINGLE FAMILY RESIDENTIAL DEVELOPMENT IN BURNABY
(ITEM 18, SUPPLEMENTARY REPORT NO. 18, 1980 JUNE 02
(ITEM 23, REPORT NO. 60, 1980 SEPTEMBER 29)
(ITEM 27, REPORT NO. 60, 1980 SEPTEMBER 29)

Following is a report from the Director of Planning on the matter of small lot subdivision in Burnaby.

RECOMMENDATION:

1. THAT the recommendations of the Director of Planning be adopted.

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TO: MUNICIPAL MANAGER

1980 OCTOBER 09

FROM: DIRECTOR OF PLANNING

SUBJECT: SMALL LOT SUBDIVISION
FOR SINGLE FAMILY RESIDENTIAL DEVELOPMENT IN BURNABY

RECOMMENDATIONS

1. THAT the Council receive the report of the Planning Department and authorize the preparation of a by-law to permit the establishment of a new zoning category and the introduction of the necessary Zoning By-law text amendments, as outlined in Section "C" into the Burnaby Zoning By-law, and that these amendments be advanced to a Public Hearing on 1980 November 18.
2. THAT the Council give approval to the process of implementing small lot development for single family dwellings in this Municipality as proposed in Section "D".

SUMMARY

This report reviews concerns raised by Council during their discussion of small lot subdivision in Burnaby.

It concludes that if small lot subdivision is to be permitted in Burnaby, it is necessary to recognize that there are three circumstances under which such development could occur:

1. completely new small lot subdivision of undeveloped areas
2. subdivision of an existing lot compatible with the predominant and historic lot pattern in an already developed area
3. subdivision of an existing vacant lot, which can legally experience two family dwelling development, into two single family dwelling lots.

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The report also reaches two other basic conclusions, firstly, that a maximum lot coverage of 35 per cent should be maintained in order to recognize a reasonable scale between lot and building area, and avoid incompatible over-building in a neighbourhood; and secondly, that the proposed R9 zone should be used for traditional single family dwelling development where minimal regulation is exercised over the individual. Other existing zoning categories (CD, R6, R8) should be used to provide housing types such as zero lot line, cluster housing, townhousing, etc., which require variety in setback and dwelling location.

REPORT

A. BACKGROUND

A Planning Department report on the above subject dated 1980 September 23 was presented to the Municipal Council on 1980 September 29.

A number of questions were raised during discussion of the proposed development standards contained in the report, as a result of which staff were asked to review the following items and report back to Council.

1. recognition of historic subdivision patterns
2. division of existing undeveloped two family dwelling lots into two single family lots
3. relationship between proposed lot area, and existing lot depths
4. need for secondary lane access to narrow frontage lots
5. amount of site coverage
6. flexibility in front and side setbacks.

B. REVIEW

1. Recognition of
Historic Subdivision Patterns

One of the functions of the proposed R9 Residential District is to permit the subdivision of large existing lots of record into smaller lots that would be similar in size to the predominant or "historic" lot size in the block. It is important that this "infill" function which will result in the creation of additional single family dwellings on an already developed street, maintain compatibility with adjacent development.

Proposed standards should recognize two factors:

- a) the need to quantify the term predominant in order to ensure that compatibility is maintained.
- b) the need to ensure that minimum area and frontage requirements do not prohibit the infill function from actually occurring.

Conclusion

Remove minimum standards and allow the predominant lot size in a block to set the standard, but at the same time require that this standard be set by not less than 75 per cent of the frontage of a block in order to maintain compatibility with existing development.

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2. Division of Existing Undeveloped Two Family Dwelling Lots Into Two Single Family Lots

Item 1 dealt with historic patterns of small lot development, which have to be predominant in order to permit similar subdivision to take place. Such a pattern could be found in any of the residential zones in the Municipality.

Item 2 is concerned with lots located in R4 and R5 Residential zones which are of sufficient size to legally experience two family dwelling development, even though they may not be predominant in a block. There may in fact be only one lot of the required area and frontage in a block.

Inasmuch as the overall residential density would not be affected by the subdivision of such a lot into two single family lots; and in fact, the character of development could be more compatible with existing single family development, it was the intent of the 1980 September 23 report that such a subdivision be permitted. However, there was a minimum standard of 3,900 square feet and 33 foot frontage proposed which would have prevented some existing R5 zoned lots from subdividing into two.

Conclusion

Make specific reference to the existing R4 and R5 zones in the proposed R9 zone, and permit subdivision that will allow two single family dwellings to be constructed on lots which can legally experience two family dwelling development.

3. Relationship Between Proposed Lot Area and Existing Lot Depths

Historic lot depths in Burnaby are extremely varied, although the most usual depth in existing 33 foot frontage lot areas is 120 feet. It is agreed that existing blocks with lots of shallow depth, should not be prohibited from subdividing by the establishment of an unrealistic lot area and frontage requirement.

Conclusion

This item is in fact resolved by the conclusions reached in the previous two items; namely that where a small lot pattern predominates, that pattern should be allowed to continue; and that legal two family dwelling lots even if isolated, should be permitted to divide into two single family lots.

4. Need for Secondary Lane Access to Narrow Frontage Lots

It was proposed in the 1980 September 23 report that where the width of a lot is reduced below 40 feet, secondary lane access should be provided to the lot. It is agreed that this item in itself should not prohibit the subdivision of a lot that would be compatible with its neighbours, i.e. a predominant small lot pattern in an existing neighbourhood where there is currently no lane.

Conclusion

Remove the lane requirement from the proposed R9 zone.

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5. Amount of Site Coverage

As the size of lots become smaller, and where there is no comprehensive plan or individual design control involved (as in the proposed R9 zone), it is important that as much attention as possible be given to the basic guidelines for the development of these lots to ensure both good livability on the site and compatibility with the neighbourhood. A large house on a small lot could for example, create a considerable impact on an area, particularly when minimal side yards permit the house to be located in close proximity to single family homes on conventional sized lots.

Conclusion

Maintain a maximum lot coverage of 35 per cent in order to recognize a reasonable scale between lot and building areas, and avoid excessive standardization and over-building of development.

6. Flexibility in Front and Side Setbacks

While variety in setbacks is desirable, it is extremely difficult, if not impossible to provide for such variety on an individual lot basis; particularly where that lot may be located between two existing single family dwellings complying with standard setbacks. To implement such a proposal on an individual lot basis would necessitate giving discretionary design control to an official of the Corporation. This is not recommended.

The proposed R9 zone is therefore conceived as allowing normal detached single family development (with no design controls attached) on smaller than normal lots.

However, the desirability of varied setbacks and approaches to the siting of dwellings is recognized in the Burnaby Zoning By-law, which provides for such housing types as zero lot line, cluster housing, town-housing, row housing, group housing, etc., through the use of CD, R6, and R8 zoning categories. Several good examples of such development exist in the Municipality.

Conclusion

Maintain the proposed traditional single family dwelling use of the R9 zone where minimal regulation is exercised over the individual, and make use of more comprehensive zoning where variety in setbacks and dwelling location necessitates comprehensive design control.

C. PROPOSED ZONING BY-LAW TEXT AMENDMENTS

As a result of the review, it is proposed to change the text of the Residential District R9 category contained in part "J" of the 1980 September 23 report in order to reflect the following conclusions.

1. In already subdivided residentially zoned areas where a small lot pattern is predominant, allow further subdivision provided it is compatible with the historic pattern. In order to do this it is necessary to establish what is meant by predominant, and our conclusion is that not less than 75 per cent of the linear frontage of a block should be already developed with small lots.

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2. Permit undeveloped existing lots which can legally experience two family dwelling development to subdivide into two lots for the purpose of constructing two single family dwellings.
3. Remove the mandatory requirement of secondary lane access for narrow frontage lots in order to allow small lot subdivision in areas where the predominant lot pattern does not include lane access.

The amendments proposed to the regulations of the Burnaby Zoning By-law in order to permit small lot subdivision for single family dwelling purposes will now be as follows:

(1) Establishment of Zoning Districts and Schedules

The addition to Section 5.1 (Designation of Districts) of the following:

DISTRICT TITLE	SHORT DESIGNATION
Residential	R9

(2) Residential Districts (R)
(Schedule No. 1)

The addition of a new residential zoning district with regulations as set forth below:

109. RESIDENTIAL DISTRICT (R9)

This District provides for the inclusion of compact single family dwellings in the mature and developing residential areas of the Municipality.

109.1 Uses Permitted:

- (1) Single family dwellings
- (2) Home occupations
- (3) Accessory buildings and uses.

109.2 Height of Buildings:

The height of a building shall not exceed 10.5m (34.45 feet) nor 2½ storeys.

109.3 Lot Area and Width:

- (1) Each lot for a single family dwelling shall have an area of not less than 372m² (4,000 square feet) and a width of not less than 12.2m (40 feet).
- (2) Notwithstanding anything in this section contained, existing lots of record may be subdivided in accordance with the following provisions:
 - (a) In cases where existing lots of less than 372m² (4,000 square feet) in area, and less than 12.2m (40 feet) in width predominate, in that they occupy in the order of 75 per cent in length of any one block front, any existing lot of record may be subdivided into two lots, each with a width compatible with the prevailing lotwidth in the block front.
 - (b) An existing lot of record located in an existing R4 or R5 Residential District which meets the required standards to experience two family dwelling development, may be subdivided into two single family residential lots in accordance with the following table:

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<u>Existing Zoning</u>	<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>
R4	400m ² (4,305.7 sq.ft.)	11m (36.09 ft.)
R5	335m ² (3,600 sq.ft.)	9.25m (30.35 ft.)

109.4 Lot Coverage:

The maximum coverage shall be 35 percent of the lot area.

109.5 Front Yard:

A front yard shall be provided of not less than 6.0m (19.69 feet) in depth.

109.6 Side Yards:

- (1) A side yard shall be provided on each side of the building of not less than 1.2m (3.94 feet) in width, except that where the width of the lot is reduced below 12.2m (40 feet), the required side yard on each side of the building may be reduced to a minimum of 10 per cent of the lot width, provided that the minimum side yard on any one side shall be not less than 900 mm (2.95 feet).
- (2) In the case of a corner lot the side yard adjoining the flanking street shall be not less than 2.4m (7.87 feet) in width, except that where the width of the lot is reduced below 12.2m (40 feet), the required side yard adjoining the flanking street may be reduced to a minimum width of 1.8m (5.91 feet), provided that for every unit of length reduction in required side yard width the required front yard shall be increased by such unit of length.

109.7 Rear Yard:

A rear yard shall be provided of not less than 7.5m (24.61 feet) in depth.

109.8 Off-Street Parking:


Off-street parking shall be provided and maintained in accordance with Schedule VIII of this By-law.

D. PROPOSED IMPLEMENTATION PROCESS

The following steps are proposed in order to implement small lot development for single family dwellings in this Municipality:

1. The amendment of the text of the Burnaby Zoning By-law to make provision for the introduction of a new zoning district category with appropriate regulations governing small lot development.
2. The new zoning to be applied initially as the result of applications from the owners of properties which are subdividable under the new zoning category.
3. Area rezonings at a neighbourhood or sub-neighbourhood level to be undertaken with the involvement of the local residents following completion of the Residential Neighbourhood Environment Study which is in progress.
4. The inclusion of small lot single family development, where considered appropriate, as part of the housing mix, within undeveloped areas for which plans are being prepared (e.g. the Cariboo-Armstrong and Stride Avenue areas).

ALP/ds
 cc Chief Bldg. Insp.
 Municipal Clerk
 Municipal Solicitor


 A. L. Payne
 DIRECTOR PLANNING