

RE: LETTER FROM MR. JAMES DUFF
 6570 GILLEY AVENUE, BURNABY, B.C. V5H 3W9
 REZONING REFERENCE #79/80

MUNICIPAL MANAGER'S RECOMMENDATION:

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

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TO: MUNICIPAL MANAGER 1981 AUGUST 14

FROM: DIRECTOR OF PLANNING

SUBJECT: REZONING REFERENCE #79/80
 LOT 15, BLK. 8, D.L. 93, PL. 1525
 6549 Gilley Avenue

RECOMMENDATION:

1. THAT a copy of this report be sent to Mr. James Duff, 6570 Gilley Avenue, Burnaby, B.C., V5H 3W9.

Report

Appearing on the Council agenda is a letter from Mr. James Duff regarding the above referenced Rezoning Application.

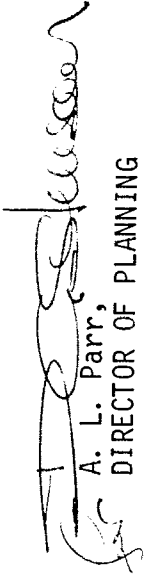
1.0 GENERAL COMMENTS:

- 1.1 Council is advised that the subject application requests rezoning from the R5 Residential District to the R9 Residential District in order to permit the subdivision of the site into two parcels for single family development (refer to attached rezoning report).
- 1.2 The subject rezoning application was considered by Council on 1981 June 01, advanced to First Reading of the Bylaw Amendment on 1981 June 15, further advanced to a Public Hearing on 1981 June 30 and received Second Reading on 1981 July 13. The Planning Department is prepared to advance the rezoning to Third Reading and Final Adoption upon satisfaction of the prerequisite conditions of rezoning in the usual manner.

- 1.3 For Council's reference, a copy of the R9 Zoning District regulations have been attached which outlines Section 109.3 (2) (a) as referenced in the delegation's letter.

In the opinion of the Municipal Solicitor, the action taken under this Section conforms to the Zoning Bylaw. It is noted that Mr. Duff provides no specific information on why he regards it to be illegal.

AP
 PDS/g1
 Attachments


 A. L. Parr,
 DIRECTOR OF PLANNING

c.c. Municipal Solicitor

PLANNING DEPARTMENT
REZONING REFERENCE #79/80
1981 MAY 20

Item #19

ITEM	7
MANAGER'S REPORT NO.	38
COUNCIL MEETING	1981 08 24

1.0 GENERAL INFORMATION:

- 1.1 Applicant: Mr. Vlado Bulic,
4027 Brandon Street
Burnaby, B.C.
- 1.2 Subject: Application for the rezoning of:
Lot 15, Blk. 8, D.L. 93, P1. 1525
- From: R5 Residential District
To: R9 Residential District
- 1.3 Address: 6549 Gilley Avenue
- 1.4 Location: The site is located on the east side of Gilley Avenue between Bryant Street and Imperial Street (refer to attached sketches 1 & 2).
- 1.5 Size: The site is rectangular in shape with an area of 840.69 m² (8731.8 sq. ft.), a width of 20.42 m (66.98 ft) and a depth of 41.17 m (135 ft).
- 1.6 Services: The Municipal Engineer has been requested to provide all relevant servicing information.
- 1.7 Rezoning Intention: The intent of the proposed rezoning bylaw is to permit the creation of two lots and the construction of two new single family dwellings.

2.0 NEIGHBOURHOOD CHARACTERISTICS:

- 2.1 The subject site is occupied by an older single family home in poor condition. Several duplexes fronting Gilley Avenue are located to the south of the site and to the north lie three new single family dwellings oriented towards Bryant Street. To the east across Gilley Avenue and to the west fronting Randolph Avenue lie additional single family homes. Vehicular access to the site is from Gilley Avenue which is constructed to an interim standard.
- 2.2 A variety of duplexes and single family homes are located within the block in which the site is located and in the immediate area. A number of smaller lots (approximately 33 ft. width) occupied by modest homes are situated at the southerly end of the block. As such, this area is considered to be a typical mature single family and duplex residential neighbourhood zoned R5.

3.0 GENERAL COMMENTS:

- 3.1 The applicant has requested rezoning of the subject site in order to create two 33 ft. lots for single family development.
- 3.2 The three lots located to the immediate north of the subject site were recently subdivided as per Subdivision Reference #90/79 whereas each lot possesses a width of approximately 50 ft. Although these lots satisfy the requirements of the prevailing R5 District, they are somewhat smaller than the majority of the 66 ft. lots located within the block.

- 3.3 The subject rezoning request falls under category "C" as outlined in the Introductory Report where the property possesses sufficient area and width to satisfy the R9 zoning regulations.
- 3.4 Since Gilley Avenue in this area is considered to be a collector street, it would be appropriate to minimize driveway crossings and therefore require the applicant to provide a common driveway for the use of the proposed two new residences. It is therefore necessary for the applicant to register a Restrictive Covenant under Section 215 of the Land Title Act against the title of the two new lots to ensure this requirement.
- 3.5 In view of the existing neighbourhood characteristics and the intent of the R9 Zoning District, the Planning Department considers that this application can be supported and will be compatible with the prevailing residential development pattern.

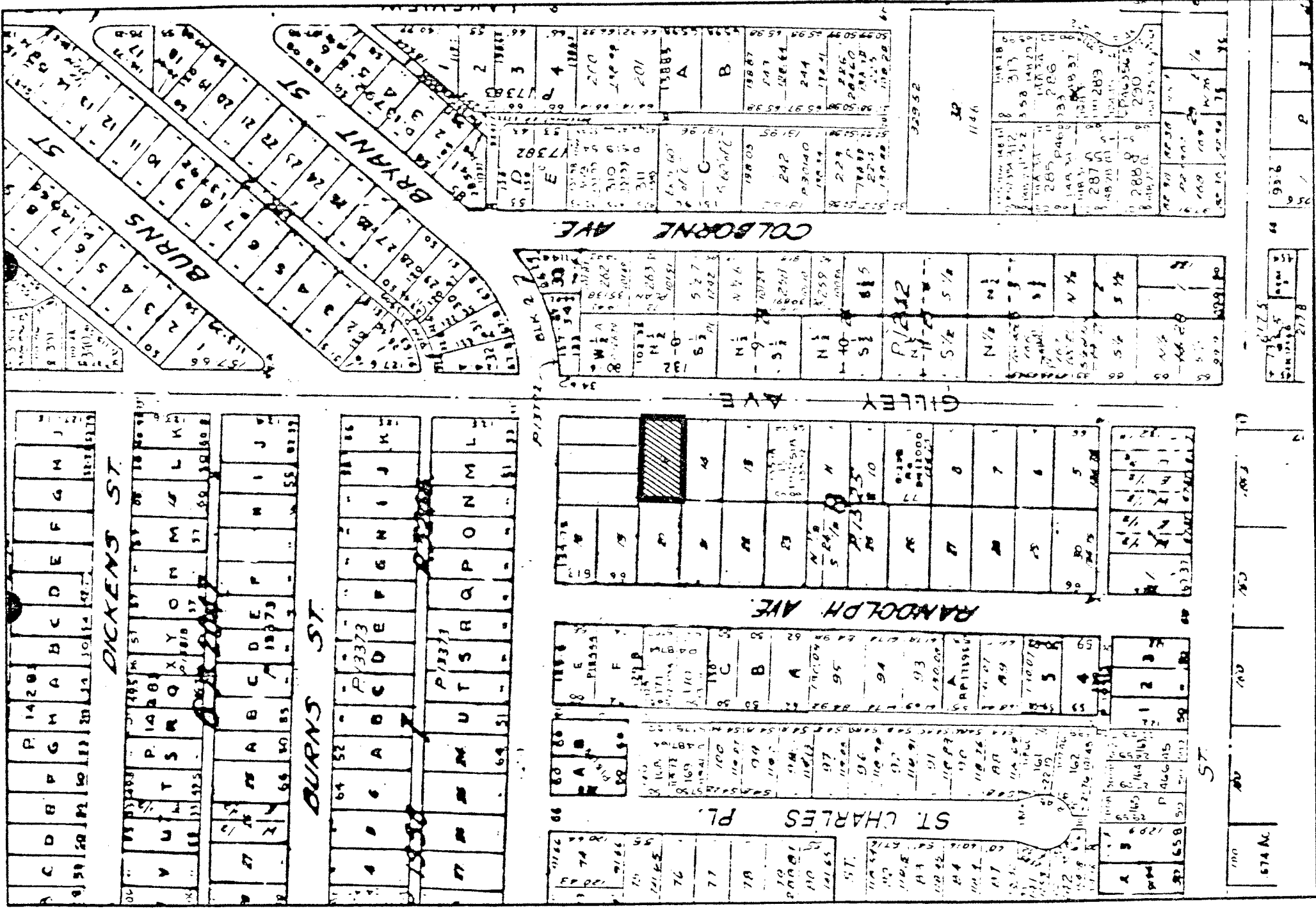
5.0 RECOMMENDATION:

THAT a rezoning bylaw be prepared and advanced to First Reading on 1981 June 15 and to a Public Hearing on 1981 June 30 at 19:30 h and that the following be established as prerequisites to the completion of the rezoning:

- a) The satisfaction of all subdivision requirements.
- b) The registration of a Restrictive Covenant under Section 125 of the Land Title Act against the title of the two new lots to ensure the use of a common driveway to Gilley Avenue as described in Section 3.4 of this report.
- c) A parks acquisition levy is applicable to this development. The current applicable levy is \$521.00/unit. The levy amount may be altered upon consideration by Council of a report currently under preparation which reviews the applicable levies. If Council adopts a new levy amount prior to Final Adoption of the bylaw associated with this development it is proposed that the new amount would be applicable.

mb

PDS/nb
attachment



Date

1981 JUNE

Scale

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Drawn By

SUBJECT SITE

SKETCH 1



Burnaby Planning Department

ITEM 7

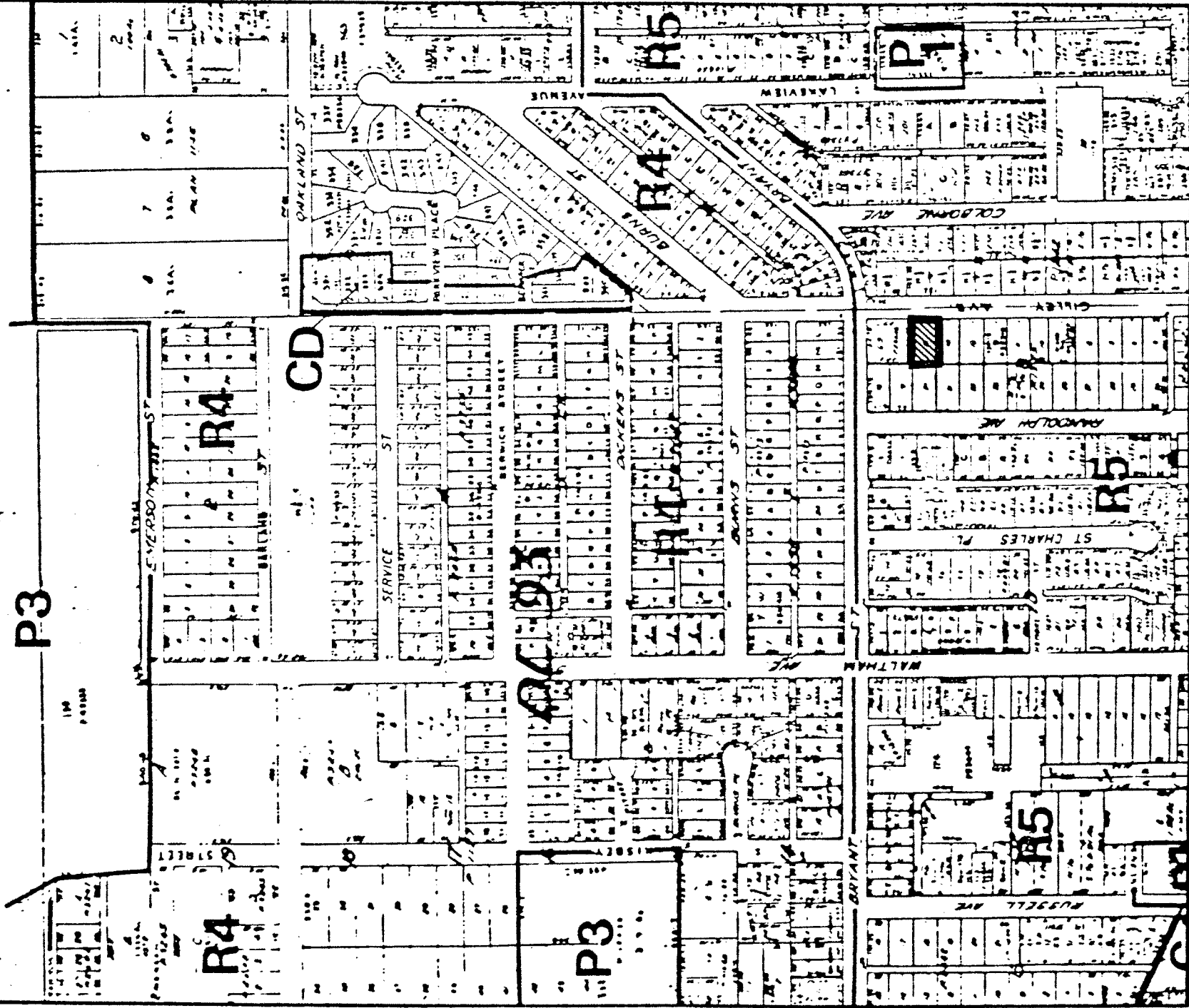
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Date

1981 JUNE

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Burnaby Planning Department

REZONING REFERENCE #



SUBJECT SITE

SKETCH # 2

109. RESIDENTIAL DISTRICT (R9)
(B/L No. 7580-80-12-01)

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:

- (1) The height of a building shall not exceed 9.8 m (32.12 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 372 m² (4,000 square feet) and a width of not less than 12.2 m (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 372 m² (4,000 square feet) in area, and less than 12.2 m (40 feet) in width, give evidence in a block front of a historic small lot settlement pattern; any existing lot of record in that block front may be subdivided into two lots, each with a width compatible with the prevailing lot width 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:

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

109.4 Lot Coverage:

The maximum coverage shall be 35 per cent of the lot area.

109.5 Front Yard:

A front yard shall be provided of not less than 6.0 m (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 1.2 m (3.94 feet) in width, except that where the width of the lot is reduced below 12.2 m (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 2.4 m (7.87 feet) in width, except that where the width of the lot is reduced below 12.2 m (40 feet), the required side yard adjoining the flanking street may be reduced to a minimum width of 1.8 m (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 7.5 m (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.