

ITEM	3
MANAGER'S REPORT NO.	26
COUNCIL MEETING	92/04/13

TO: MUNICIPAL MANAGER

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: PUBLIC HEARING CONCERNS  
 REZONING REFERENCE #52/91  
 5221 NEVILLE STREET  
 ROYAL OAK DEVELOPMENT PLAN  
 (SEE ATTACHED SKETCHES)

1992 APRIL 07

PURPOSE: To provide Council with responses to issues arising out of the 1992 February 25 Public Hearing.

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**RECOMMENDATION:**

- 1) THAT this report be received for information purposes.

**R E P O R T**

**1.0 BACKGROUND:**

At the 1992 March 02 Council meeting, Second Reading for this project was tabled pending a staff response to several issues arising out of the 1992 February 25 Public Hearing. In particular, Council wished further information about the status of non-conformity of the abutting properties at 7058 and 7676 Royal Oak Avenue, about the development potential of a consolidation, about whether the neighbouring owners have attempted to achieve a consolidation, and schematics of possible development on a consolidated site to illustrate various setbacks required.

As Council will recall, in the Royal Oak Development Plan, this site is designated for consolidation with the two adjoining lots to the west fronting on Royal Oak Avenue for South Slope Commercial Centre uses, specifically C2 Commercial District redevelopment. (See attached sketches #1 and #2). On 1991 September 16, Council received an information report on development options for the site arising from a request by the previous owner to develop the lot independently using C2 District guidelines based on the claim that consolidation was not feasible. Staff stated a preference for upholding the Development Plan or redeveloping the site using R5 District guidelines but acknowledged the owner could redevelop under existing zoning.

Subsequently, the property was sold and an application was made to rezone the property to R5 Residential District. At the Public Hearing, the adjoining neighbours to the west expressed a concern that such a change to the Development Plan would adversely affect their properties.

**2.0 DISCUSSION:**

At the moment, both of the neighbouring properties, irrespective of current uses, are legally non-conforming regarding the total lack of parking and loading facilities. In addition, the latter property is non-conforming in that it lacks a rear yard. Sketch #3 attached illustrates the existing situation.

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If 5221 Neville Street were rezoned to R5, then, as the attached Sketch #4 demonstrates, both properties would be obliged to provide greater yards than those required between abutting C2 properties. 7658 Royal Oak Avenue appears to have a large enough rear yard to accommodate the larger requirement without being non-conforming while 7676 Royal Oak Avenue, lacking a yard on the east side, is already non-conforming with respect to setback from the east property line. 114

The consolidation of these two properties at 7658 and 7676 Royal Oak Avenue, as shown in attached Sketch #5, would ease layout constrictions and provide for improved development potential. If 5221 Neville Street remained zoned C2 then somewhat lesser yard setbacks would be required than if 5221 Neville Street were rezoned R5. However, the main point is that parking and loading requirements would likely restrict the size of the building rather than the required rear and side yard setbacks.

Attached Sketches #6 and #7 show, in more detail, how if the three lots were consolidated, the loading bay parking stalls and manoeuvring aisle would likely result in a significant setback between a commercial building fronting on Royal Oak Avenue and adjoining single and two family dwellings to the east along Neville Street.

The owners of the three properties are now attempting to discuss possibilities of consolidation. There does appear, however, to be some confusion in these discussions about the feasibility of achieving realistic financing and timing, with the applicant eager to have a rapid decision. Our contacts show that the Royal Oak frontage owners are somewhat receptive to purchasing the subject property at fair market value for interim use as parking and eventual consolidation and redevelopment. However, no resolution has been achieved to date in practical terms.

### 3.0 CONCLUSION:

Based upon a close investigation of these three properties, there appear to be several redevelopment options available. Parking and loading requirements are considered the primary factors restricting the size and footprint of the building while issues of financing and timing appear to affect the three owners' ability to consolidate in the near future. Should the unsettled situation continue, it is unlikely that a decision regarding consolidation will be achieved, which would lead to the conclusion that this rezoning be considered on its own merits.

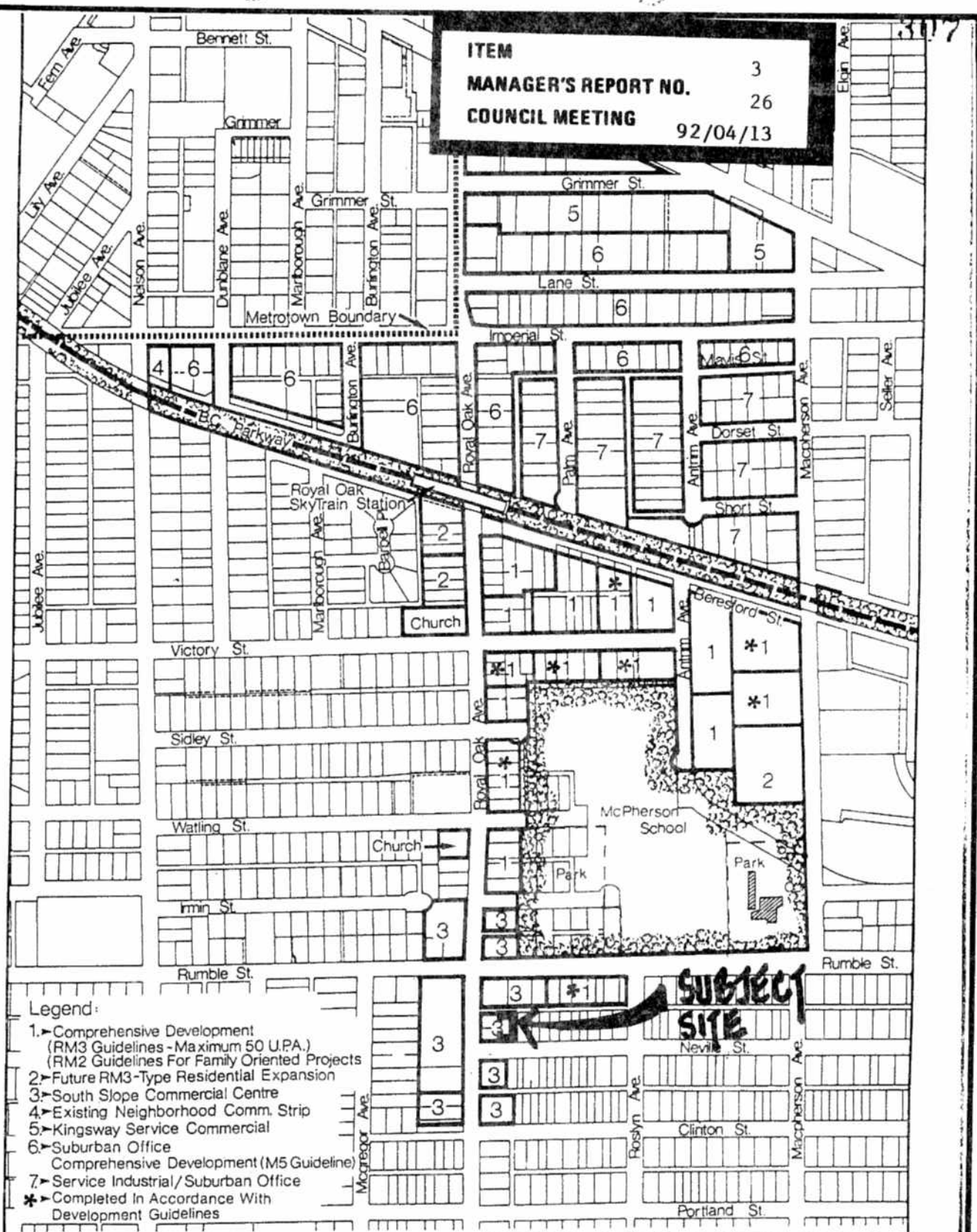
This is for the information of Council.

  
A. L. Parr, Director  
Planning and Building

  
FA: ap

Attach.

cc: Municipal Clerk



Date:  
 JANUARY 1992

Scale:  
 N.T.S.

Drawn By:  
 J.P.C.

**BURNABY**  
 Planning &  
 Building Inspection  
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**REZONING REFERENCE # 52/91**

SKETCH # /

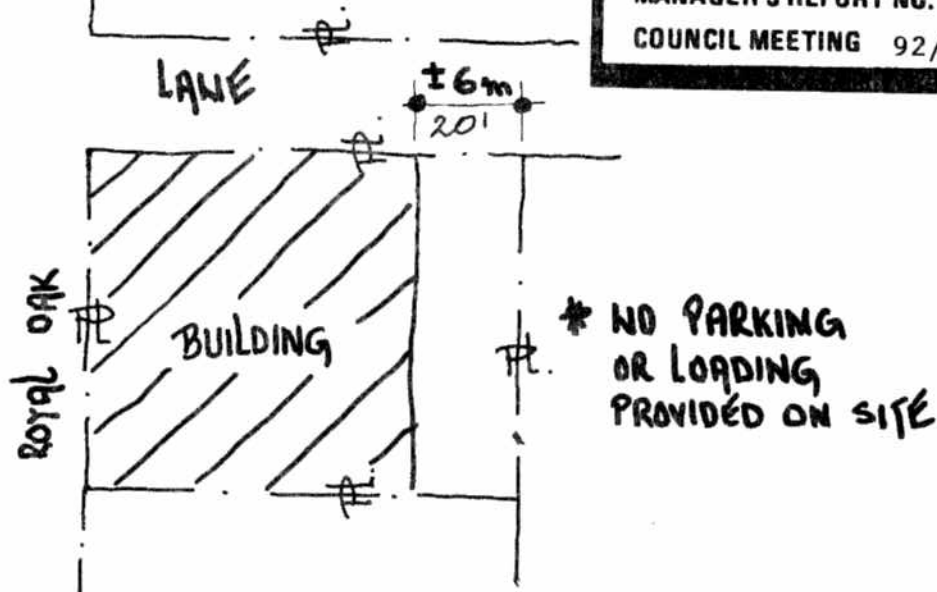
North

# EXISTING SITUATIONS

NON-CONFORMING  
RE: PARKING & LOADING

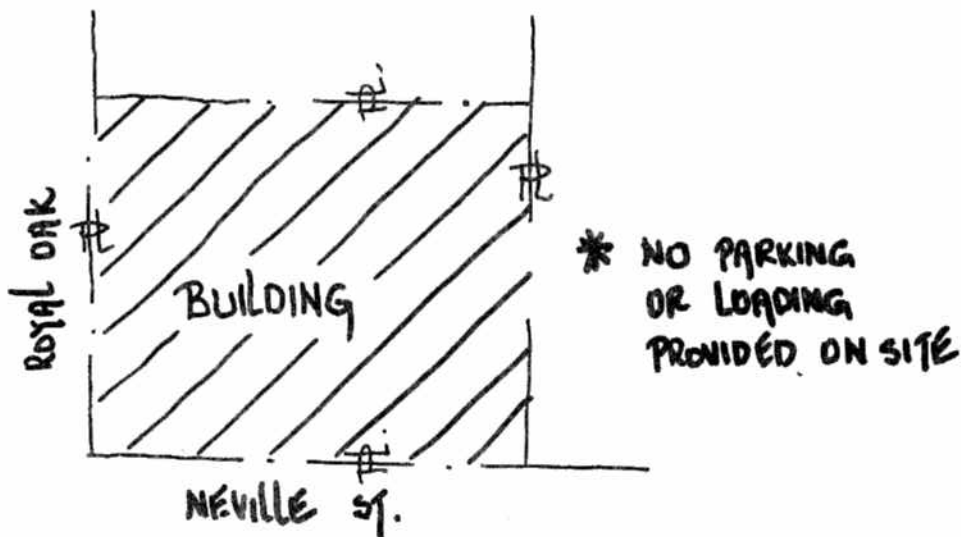
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7658  
ROYAL OAK



NON-CONFORMING  
RE: PARKING, LOADING & REAR YARD SETBACK

7676  
ROYAL OAK



Date:  
APRIL 1992

Scale:  
1:400

Drawn By:  
J.P.C.

 THE CORPORATION OF THE DISTRICT OF  
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REZONING REFERENCE #52/91  
7658 & 7676 ROYAL OAK AVE.  
"EXISTING SITUATIONS"

SKETCH # 3



# REDEVELOPMENT SETBACK REQUIREMENT

\* IN ALL CASES PARKING & LOADING REQUIREMENTS WILL RESULT IN LARGER YARD.

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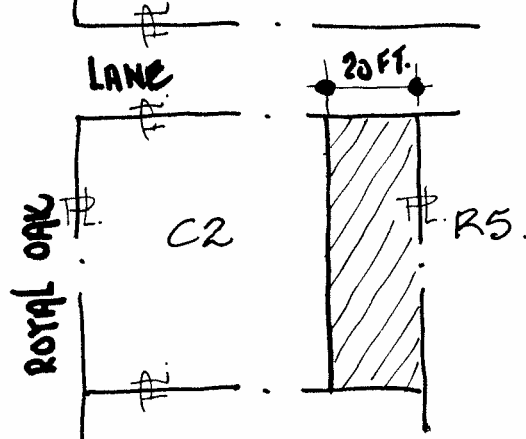
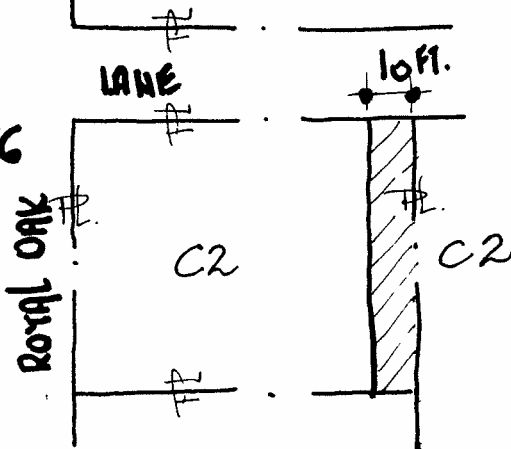
## EXISTING ZONING

REAR YARD - 9.84 FT (MIN.)  
SIDE YARD - NIL.

## WITH R-5 TO THE REAR

REAR YARD - 19.69 FT (MIN.)  
SIDE YARD - NIL.

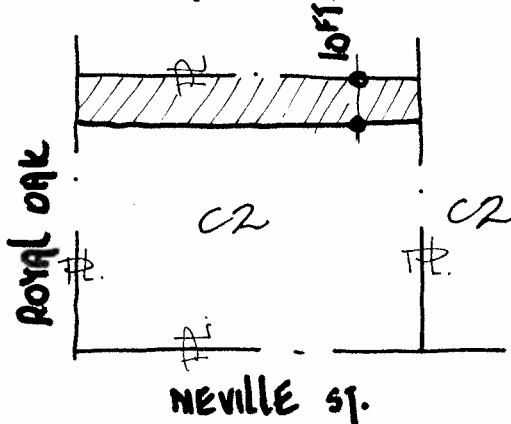
7658 & 7676  
ROYAL OAK  
(FRONTING ON ROYAL OAK)



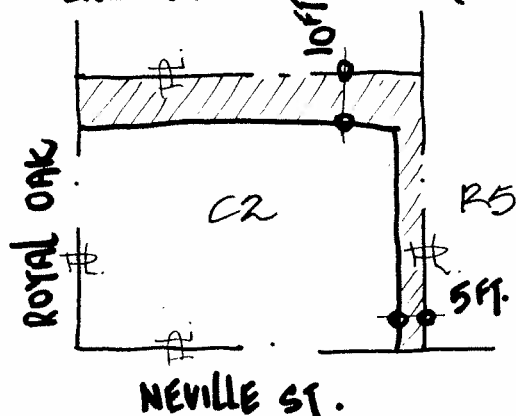
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REAR YARD - 9.84 FT (MIN.)  
SIDE YARD - NIL

7676  
ROYAL OAK  
(FRONTING ON NEVILLE ST.)



REAR YARD - 9.84 FT (MIN.)  
SIDE YARD - 9.92 FT (MIN.)



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REZONING REFERENCE # 52/91

7658 & 7676 ROYAL OAK AVE.

"EXISTING SITUATION WITH R-5 TO REAR"

SKETCH #4.

Date:

APRIL 1992

Scale:

1:500

Drawn By:

J.P.C.

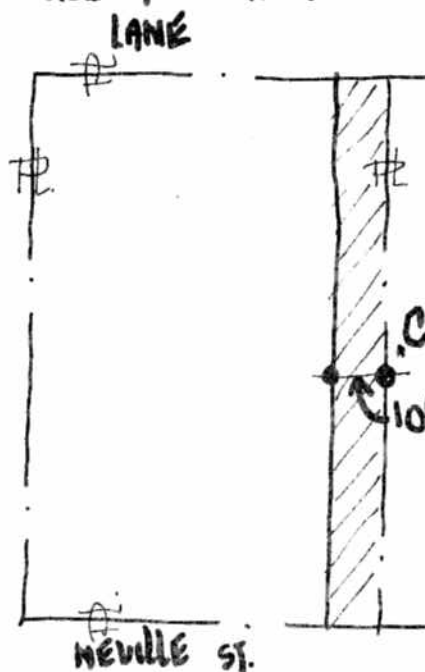
# SETBACK REQUIREMENTS IF 7658 & 7676 WERE CONSOLIDATED

\* IN ALL CASES PARKING & LOADING REQUIREMENTS WILL RESULT IN LARGER YARDS.

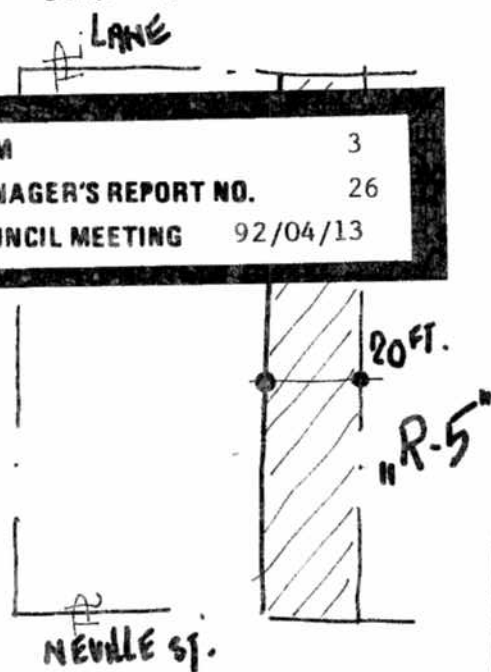
**EXISTING ZONING**  
 REAR YARD - 9.84 FT. (MIN.)  
 SIDE YARD - NIL.

**WITH R-5 LOT AT 5221 NEVILLE**  
 REAR YARD - 19.69 FT. (MIN.)  
 SIDE YARD - NIL.

FRONTING  
 ROYAL OAK



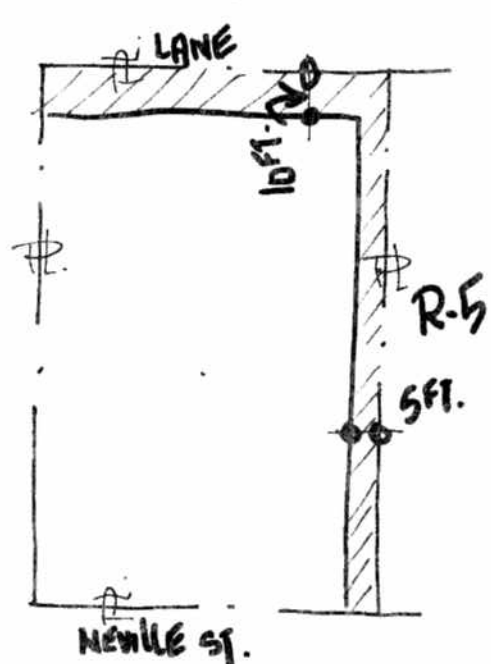
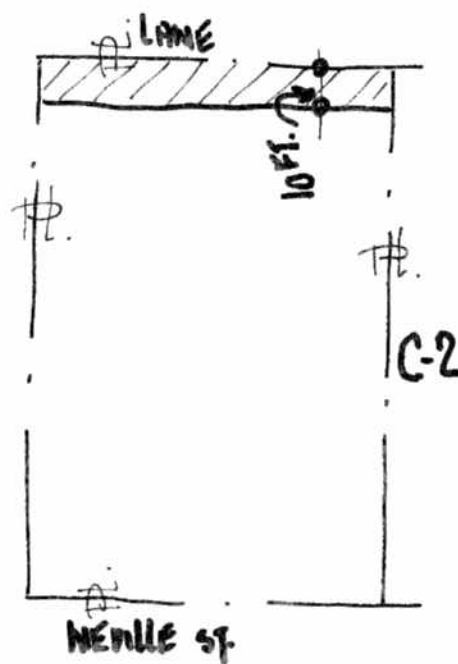
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REAR YARD - 9.84 FT. (MIN.)  
 SIDE YARD - NIL

REAR YARD - 9.84 FT. (MIN.)  
 SIDE YARD (EAST) - 4.95 FT. (MIN.)

FRONTING  
 NEVILLE



Date:  
 April 1992

Scale:  
 1:500

Drawn By:  
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**REZONING REFERENCE # 52/91**

7658 & 7676 ROYAL OAK AVE.

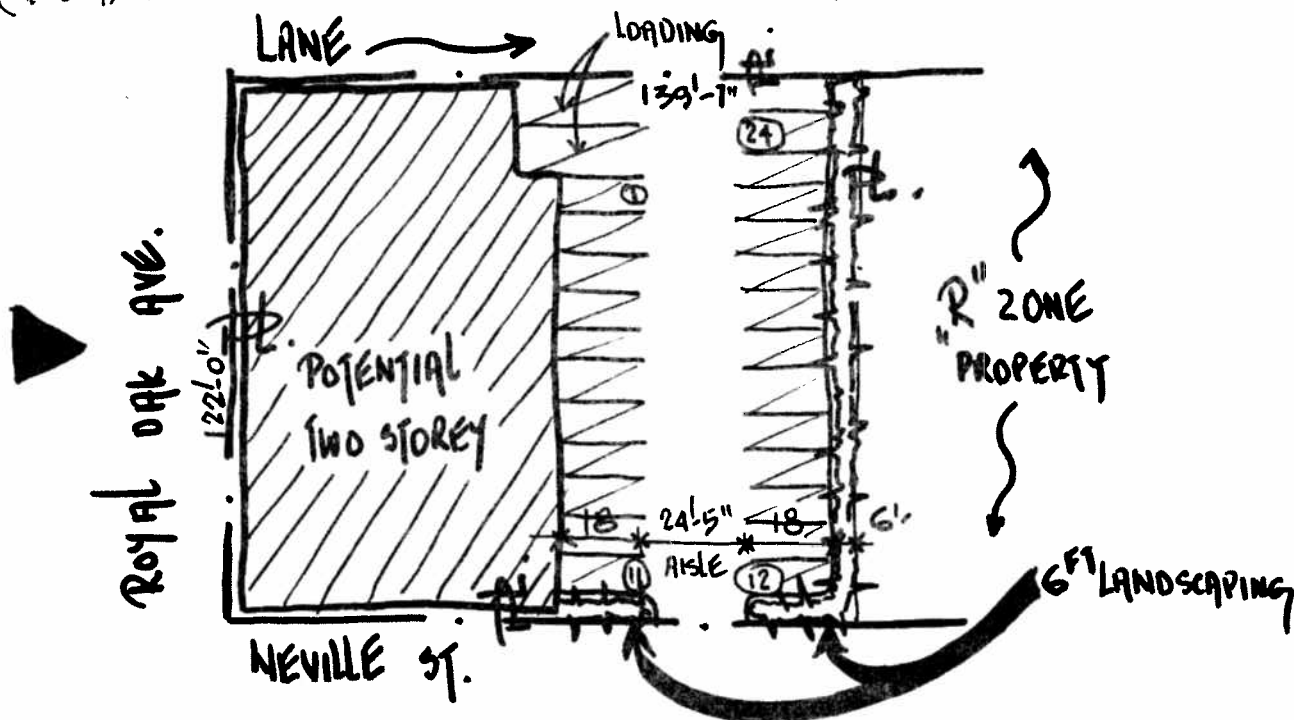
"POTENTIAL CONSOLIDATION SETBACK"

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SKETCH # 5

EXAMPLE DEVELOPMENT FOR  
CONSOLIDATED SITE (3 LOTS).  
(ROYAL OAK AVE AS FRONT YARD).

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- \* - ROYAL OAK AVE. AS FRONT
- \* - REAR SETBACK MIN. 19.69 FT.
- \* - 6 FT. L/S STRIP REQ'D AT REAR

FIRST STOREY - 8690  $\text{ft}^2$  @  $1/495 = 17.56$   
 SECOND STOREY (PARTIAL) 3188  $\text{ft}^2$  @  $1/495 = 6.44$   
 TOTAL BLDG. AREA — 11,879  $\text{ft}^2$       24.0 STALLS

Date:  
APRIL 1991

Scale:  
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J.P.C.



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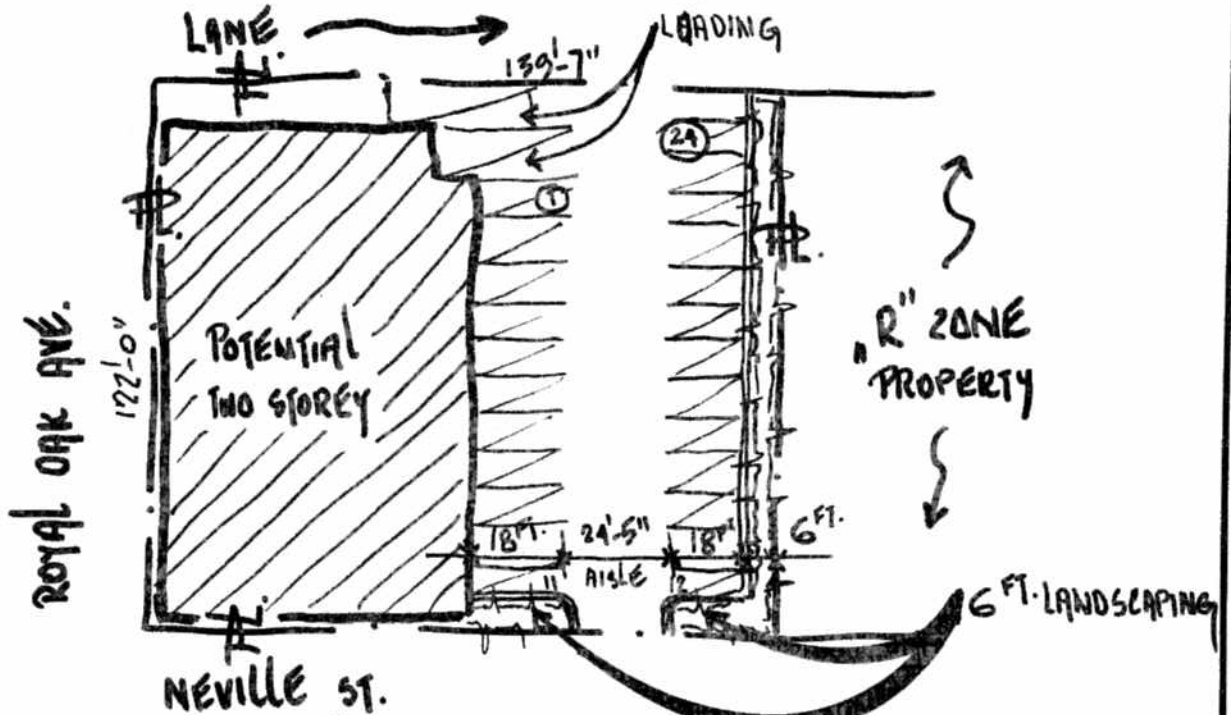
7658 & 7676 ROYAL OAK AVE. AND 5221 NEVILLE ST.

SKETCH # 6



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EXAMPLE DEVELOPMENT FOR  
CONSOLIDATED SITE (3 LOTS)  
(NEVILLE ST AS FRONT YARD).



- \* NEVILLE ST. AS FRONT
- \* REAR SETBACK MIN. 9.84 FT.
- \* 6 FT. L/S. STRIP REQ'D. AT SIDE

FIRST STOREY - 8,078  $\text{sq ft}$  @  $\frac{1}{495}$  = 16.32  
 SECOND STOREY (PARTIAL) 3,801  $\text{sq ft}$  @  $\frac{1}{495}$  = 7.68  
24.00 STALLS

TOTAL BLDG. AREA = 11,879  $\text{sq ft}$

Date:  
APRIL 1991

Scale:  
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**REZONING REFERENCE # 52/91**  
7658 & 7676 ROYAL OAK AVE. AND 5 221 NEVILLE ST.

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SKETCH #7

