

ITEM	22
MANAGER'S REPORT NO.	47
COUNCIL MEETING	94/08/22

**TO:** CITY MANAGER 1994 AUGUST 18

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** REZONING REFERENCE #17/94

**ADDRESS:** 5128, 5138, 5150 LORRAINE AVENUE;  
 3770, 3778 BRANDON STREET; 3773 AND PTN. OF  
 3749, 3755, 3765, 3781 BURKE STREET

**LEGAL:** SEE ATTACHED SCHEDULE A

**FROM:** R5 RESIDENTIAL DISTRICT

**TO:** R9 RESIDENTIAL DISTRICT

**APPLICANT:** NRS KINGSWAY REALTY CO.  
 3107 KINGSWAY  
 VANCOUVER, B.C. V5R 5J9  
ATTENTION: BRIAN MAMCHUR

**PURPOSE:** To seek Council authorization to forward this application to a Public Hearing on 1994 September 27.



**RECOMMENDATIONS:**

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 1994 September 06, and to a Public Hearing on 1994 September 27 at 7:30 p.m.
2. **THAT** the following be established as prerequisites to the completion of the rezoning:
  - a) The deposit of sufficient monies to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.

ITEM	22
MANAGER'S REPORT NO.	47
COUNCIL MEETING	94/08/22

- b) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
- c) The submission of an undertaking to remove all existing improvements from the site within six months of the rezoning being effected but not prior to Third Reading of the Bylaw. In the event that existing improvements on the site are vacant and considered to be unsafe, unstable, and a hazard to life, the Fire Prevention Office may recommend immediate demolition of such improvements and removal of the resultant debris prior to Third Reading.
- d) The satisfaction of all necessary subdivision requirements.
- e) The granting of any necessary easements.
- f) The dedication of any rights-of-way deemed requisite.
- g) The deposit of the applicable per unit Parkland Acquisition Charge.

## REPORT

### 1.0 REZONING PURPOSE:

The purpose of the proposed rezoning bylaw amendment is to permit a small lot subdivision.

### 2.0 BACKGROUND:

- 2.1 On 1994 March 21 Council received a report from the Director Planning and Building regarding a proposal to rezone the site shown on attached Sketch #1 to R9 Residential District in order to permit small lot subdivision. The report concluded that there is support for the concept of R9 District zoned small lot subdivision within the subject block, however, an appropriate site assembly must be achieved to accomplish a suitable subdivision layout both in terms of the initial rezoning proposal and the final subdivision configuration. At the time, it was considered that the properties at 3754 and 3762 Brandon Street likely need to be included in the site assembly to achieve a suitable layout.

At that time Council authorized the Planning and Building Department to work with the applicant towards a suitable R9 District subdivision layout based on a larger site assembly.

### 3.0 **GENERAL DISCUSSION:**

- 3.1 Since Council adopted the above recommendation, staff have discussed a number of different subdivision layouts with the applicant. In addition, the owner of the property at 5168 Lorraine Avenue has withdrawn their consent to rezoning, while the property at 3754 Brandon Street is now included in the rezoning.

The applicant has now submitted a subdivision layout for Rezoning Reference #17/94 which is actually smaller in overall site size (see **attached** Sketch #2) but, appears from preliminary analysis to be generally acceptable in terms of satisfying the R9 District regulations, subdivision requirements and Engineering standards for the proposed new road and lanes.

- 3.2 The current subdivision layout is significantly different from earlier layouts in that the central vehicular access to the new lots would be from a cul-de-sac through 3773 Burke Street. The principal methods in which the applicant has managed to show an acceptable subdivision layout for both the initial proposal and the long term subdivision configuration is through providing the vehicular access from Burke Street and through retaining the possibility of future small lot subdivision through properties qualifying for R5 Single Family Dwelling - Small zoning. The properties noted in the previous report, 3754 and 3762 Brandon Street, as well as most of the remaining properties along Lorraine Avenue would qualify for R5s zoning and small lot subdivision. See **attached** Sketches #1 and #2 for the current rezoning proposal and the final subdivision configuration.
- 3.3 In light of the fact that the new subdivision layout would include a new road/cul-de-sac right-of-way through 3773 Burke Street, the Approving Officer sought input from the immediately abutting neighbours to the east and west prior to submitting this rezoning report to Council. The owner of the property at 3765 Burke Street had no objectives to the new road.

The owners of the property at 3777 Burke Street advised in writing that they object to the proposed plan due to:

- 1) the taxpayer cost for the construction of the new road and lane,

- 2) lower property value due to surrounding traffic, increase in noise and pollution,
- 3) it would spoil the existing neighbourhood appearance,
- 4) disturbance during construction time.

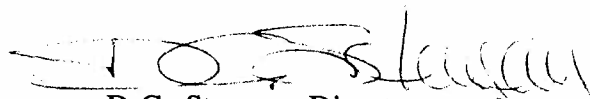
With regard to #1, it was previously explained to the property owner that the developer would be responsible for all servicing costs. The points raised in #2 and #3 are subjective judgements and could be considered debateable. With regard to the final point, it is certainly the case that during construction there would be some disruption for abutting properties.

Based on the objections raised, it was considered appropriate to forward the rezoning to a Public Hearing, which will provide the opportunity for all abutting property owners to state their views on the rezoning proposal.

- 3.4 Dedications for road right-of-way will be required for the new road/cul-de-sac, new internal lanes and bringing the lane right-of-ways to the rear of Lorraine Avenue and Smith Avenue up to the standard width. Other dedications may be required in order to upgrade the abutting streets.
- 3.5 The Director Engineering will be requested to prepare an estimate for the services necessary to serve this site. The servicing requirements will include, but not necessarily be limited to the construction of the new road to a 28 foot standard with a curbwalk, the construction of new lanes and the upgrading and extending of water and sewer lines.
- 3.6 A Neighbourhood Parkland Acquisition Charge of \$933.00 per unit is applicable for the rezoning.

#### 4.0 CONCLUSION:

- 4.1 The applicant has submitted a new subdivision layout which illustrates R9 District small lot subdivision on the subject site and R5s District small lot development through subdivision on the remaining properties within the perimeter of the properties included in the current rezoning application, which is generally acceptable. Further detailed examination is required to determine the exact lot configuration and servicing requirements.

  
D.G. Stenson, Director  
Planning and Building

BW:yg

222 cc: City Clerk  
Director Administrative & Community Services

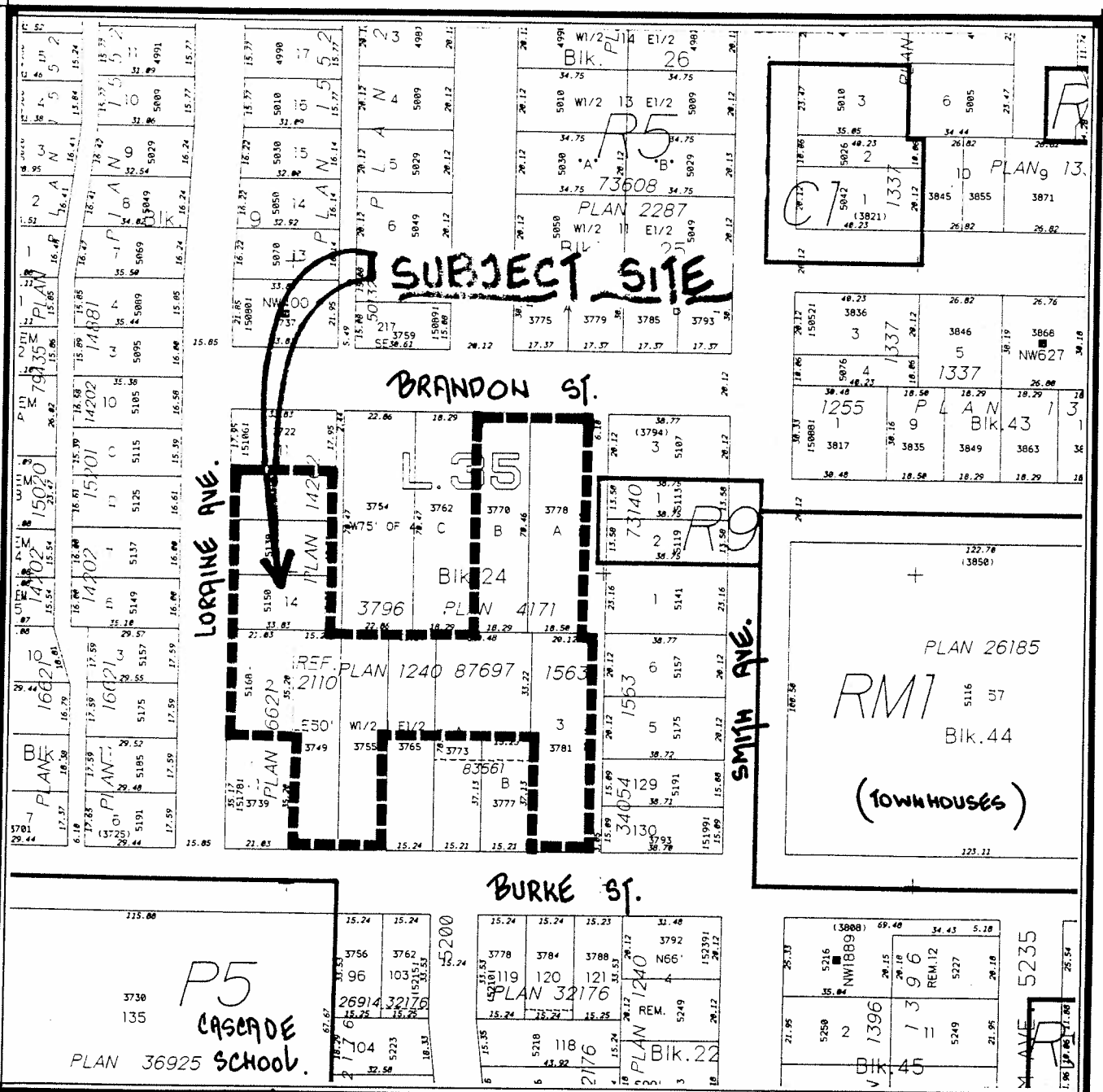
**SCHEDULE "A"**

**REZONING REFERENCE #17/94**

ITEM	22
MANAGER'S REPORT NO.	47
COUNCIL MEETING	94/08/22

1. **5128 LORRAINE AVENUE**  
LOT 12, D.L. 35, LAND DISTRICT 37, GROUP 1, N.W.D. PLAN 14202
2. **5138 LORRAINE AVENUE**  
LOT 13, D.L. 35, LAND DISTRICT 37, GROUP 1, N.W.D. PLAN 14202
3. **5150 LORRAINE AVENUE**  
LOT 14, D.L. 35, LAND DISTRICT 37, GROUP 1, N.W.D. PLAN 14202
4. **3770 BRANDON STREET**  
LOT B OF 4, BLK. 24, D.L. 35, LAND DISTRICT 37, GROUP 1, N.W.D.  
PLAN 4171
5. **3778 BRANDON STREET**  
LOT A, D.L. 35, LAND DISTRICT 37, GROUP 1, N.W.D. PLAN 4171
6. **3749 BURKE STREET**  
EAST 50 FT. OF LOT 11 EXCEPT: PART INCLUDED IN PARCEL "A"  
(REFERENCE PLAN 2110), D.L. 35, LAND DISTRICT 37, GROUP 1, N.W.D.  
PLAN 799
7. **3755 BURKE STREET**  
WEST 1/2 OF LOT 1, BLK. 23, D.L. 35, LAND DISTRICT 37, GROUP 1,  
N.W.D. PLAN 1240
8. **PTN. 3765 BURKE STREET**  
PTN. EAST 1/2 OF LOT 1, BLK. 23, D.L. 35, LAND DISTRICT 37, GROUP 1,  
N.W.D. PLAN 1240
9. **PTN. 3773 BURKE STREET**  
PTN. LOT A, D.L. 35, LAND DISTRICT 37, GROUP 1, N.W.D. PLAN  
NWP87697
10. **3781 BURKE STREET**  
LOT 3, BLK. 23, D.L. 35, LAND DISTRICT 37, GROUP 1, N.W.D. PLAN 1563

:yg



Date:  
**AUGUST 1994**

Scale:  
**1:2000**

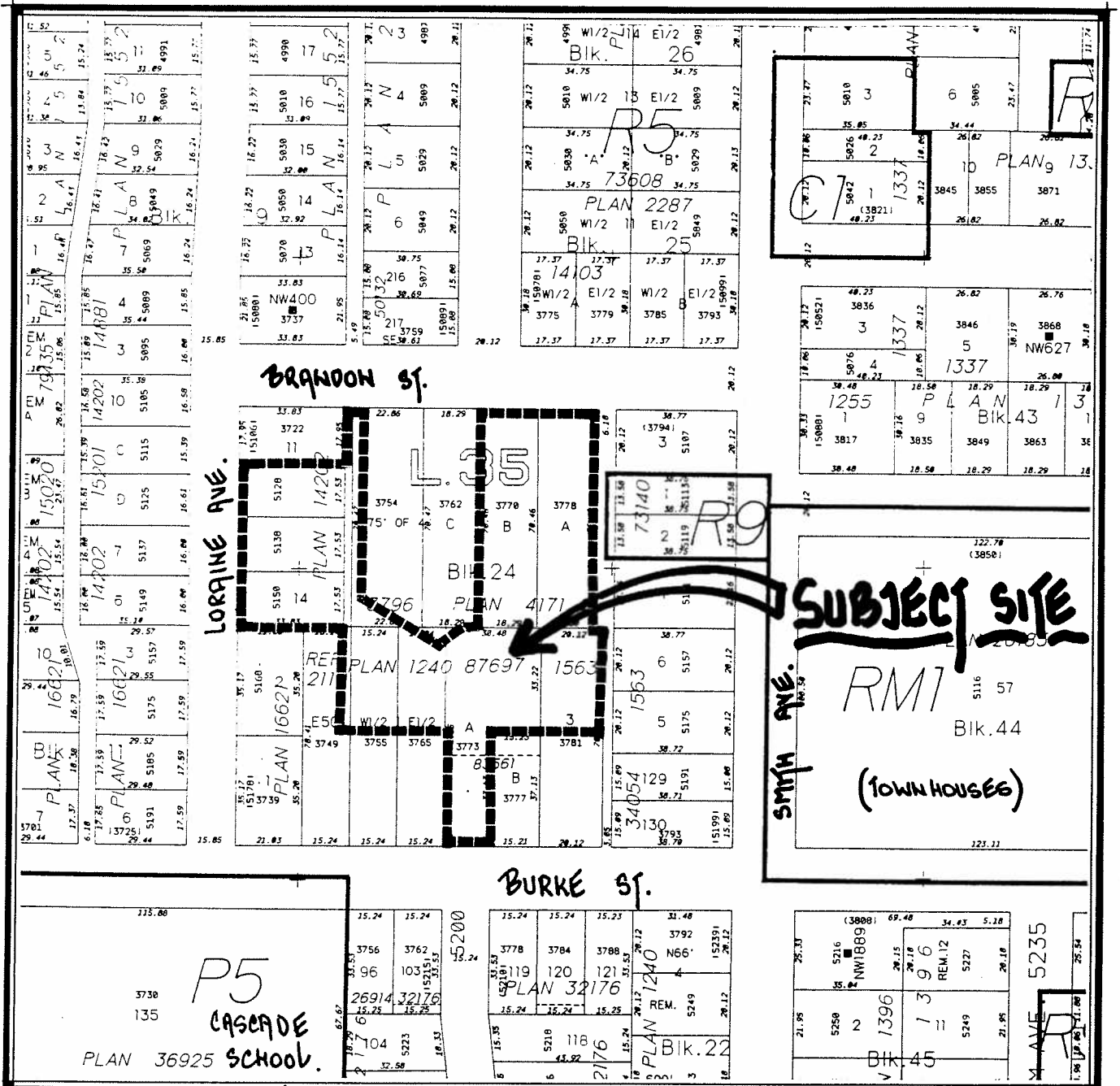
Drawn By:  
**J.P.C.**



**REZONING REFERENCE # 17/94**  
 (ORIGINAL SUBJECT AREA)



**SKETCH # 1.**



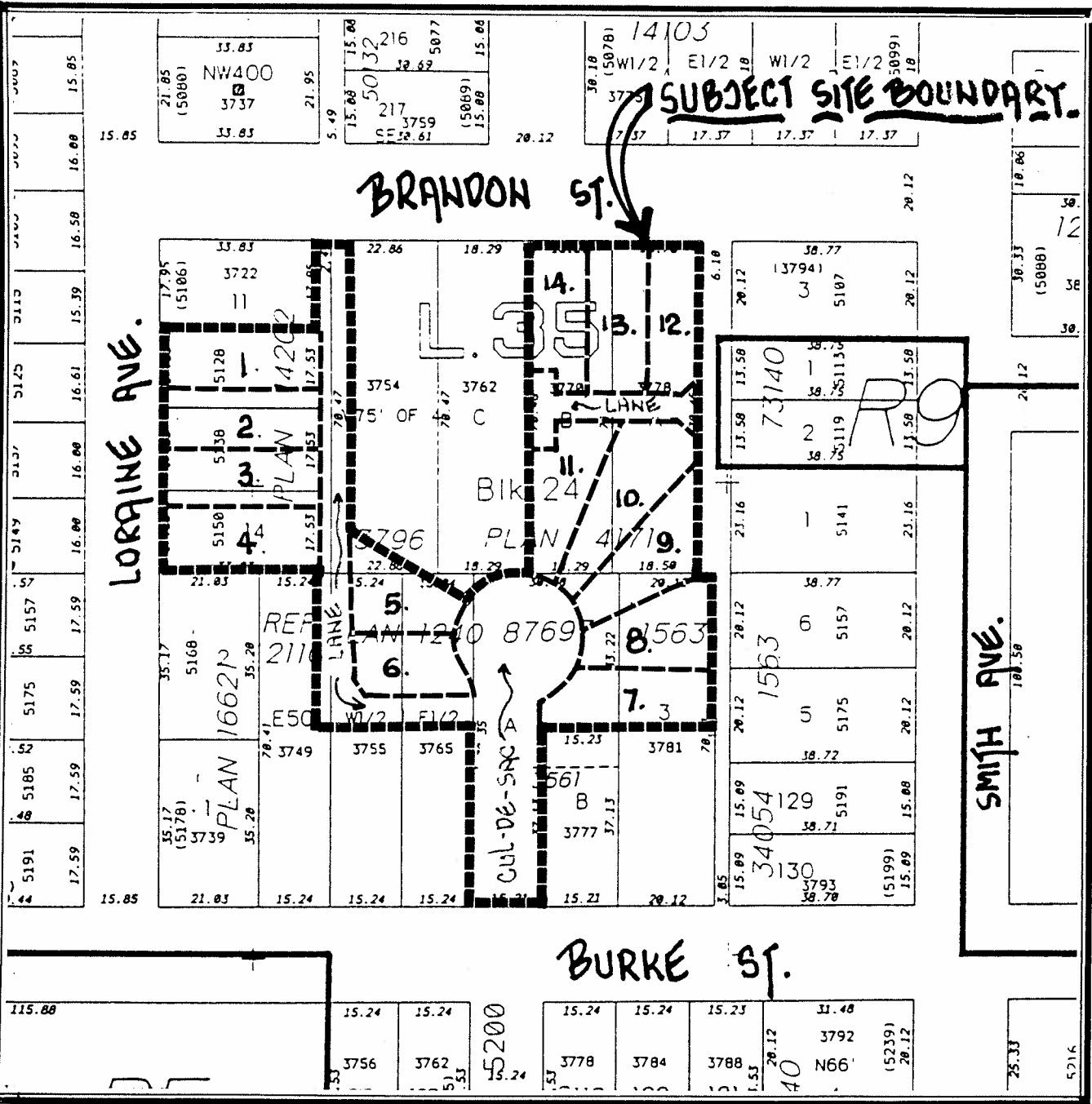
Date: AUGUST 1994  
 Scale: 1:2000  
 Drawn By: J.P.C.



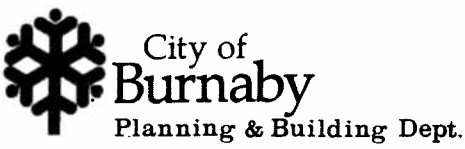
REZONING REFERENCE # 17/94  
 (PROPOSED SUBJECT AREA)



SKETCH # 2.



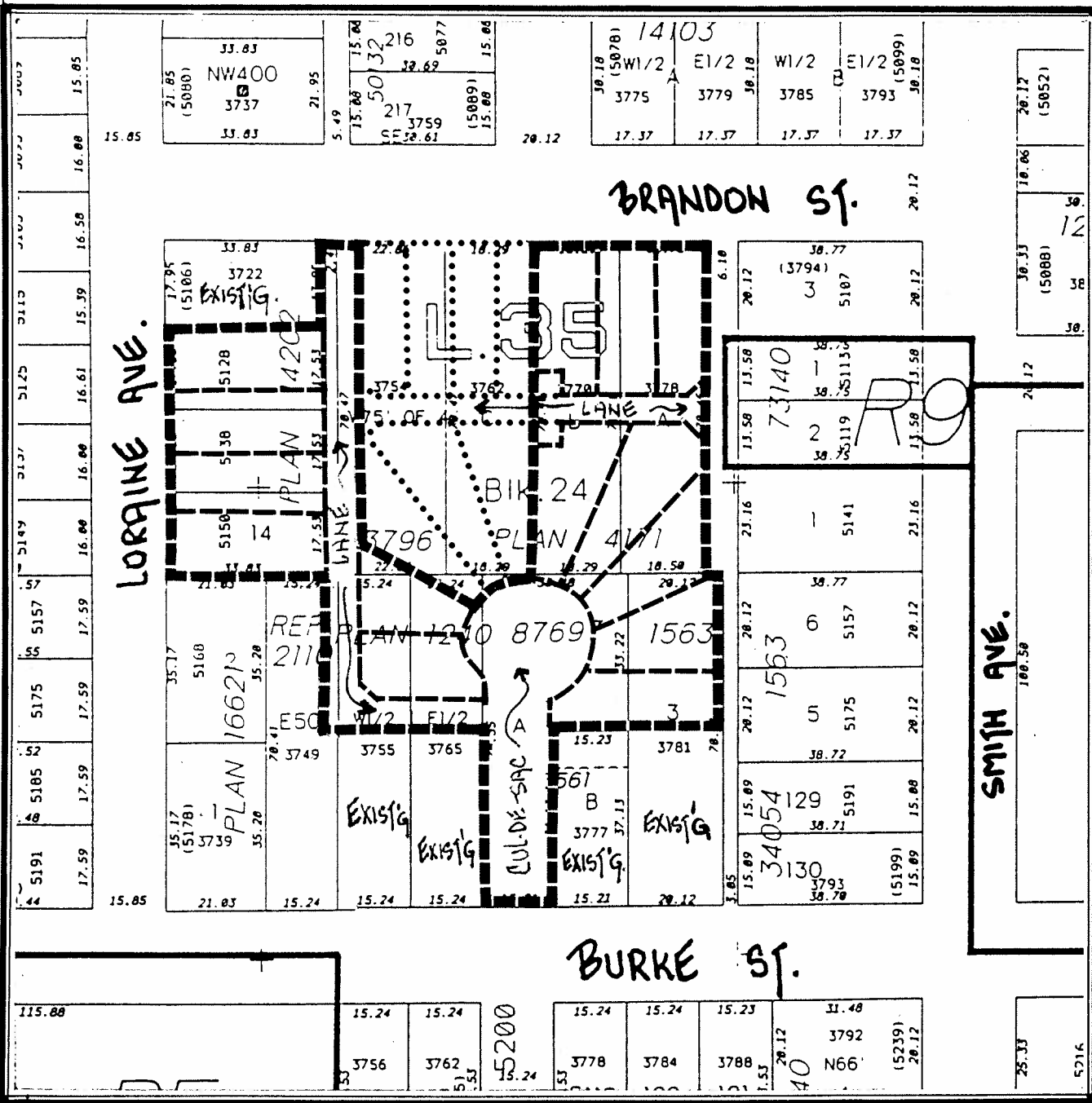
Date: AUGUST 1994  
 Scale: 1:1500  
 Drawn By: J.P.C.



**REZONING REFERENCE #17/94**  
 (CURRENT REZONING/SUBDIVISION PROPOSAL)

SKETCH # 3.

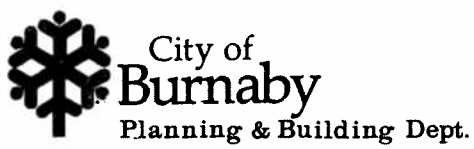




Date:  
**AUGUST 1994**

Scale:  
**1:1500**

Drawn By:  
**J.P.C.**



**REZONING REFERENCE #17/94**  
 (CONCEPTUAL SUBDIVISION CONFIGURATION)

**SKETCH #4**

