

CITY OF BURNABY

HOUSING COMMITTEE

HIS WORSHIP, THE MAYOR
AND COUNCILLORS

Re: Review Processes for Area Rezoning Requests

RECOMMENDATIONS:

1. THAT the review processes outlined in this report be followed when considering requests for area rezoning.
2. THAT the Solicitor be directed to prepare a text amendment bylaw that would add the following to the text of the R12 District: "THAT the R12 District be limited to lots within an area that has been the subject of an area rezoning consultation process and approved for consideration of a zoning change by Council."

R E P O R T

The Housing Committee, at its meeting held on 1995 April 25, adopted the attached staff report outlining a variety of review processes to be followed in conjunction with area rezoning requests and defining a policy regarding the application of the R12 District.

Respectfully submitted,

Councillor L.A. Rankin
Chairman

Councillor C. Redman
Member

Councillor J. Young
Member

: - COPY - CITY MANAGER
- DIRECTOR PLANNING
- CITY SOLICITOR

TO: CHAIRMAN AND MEMBERS
HOUSING COMMITTEE

1995 APRIL 20

FROM: DIRECTOR PLANNING AND BUILDING

OUR FILE: 16.400

SUBJECT: REVIEW PROCESSES FOR AREA REZONING REQUESTS

Purpose: To recommend a variety of review processes that would be followed when considering requests for area rezoning and to define a policy regarding the application of the R12 District.

RECOMMENDATION:

1. **THAT** the Housing Committee recommend to Council:
 - i) **THAT** the review processes outlined in this report be followed when considering requests for area rezoning.
 - ii) **THAT** the Solicitor be directed to prepare a text amendment bylaw that would add the following to the text of the R12 District: "THAT the R12 District be limited to lots within an area that has been the subject of an area rezoning consultation process and approved for consideration of a zoning change by Council,"

R E P O R T

1.0 BACKGROUND

At its meeting of January 9, 1995 the Housing Committee considered a report that defined a policy regarding the application of the R12 District and directed staff to consider the broader question regarding the review process used to consider area rezoning. This report responds to this request by recommending specific processes for reviewing requests for area rezoning that strive to protect a neighbourhood, or alternatively encourage infill. In addition, to ensure that all forms of area rezoning processes are included, the report also discusses the issue of refinement of existing boundaries that is a subject of a separate report on the Housing Committee's agenda.

Over the past few years staff, the Housing Committee and Council have entertained a variety of requests for rezoning of larger areas to achieve a number of objectives. These request fall into three general categories:

- 1) Area rezoning to preserve the character and views in a single family area;
- 2) Area rezoning to permit infill development as part of the implementation of neighbourhood plans and housing policies.
- 3) Refinement to zoning boundaries so that the zoning designation of the neighbourhood better reflects existing development patterns.

Each of these categories reflects a different set of considerations and therefore, should involve a different review process.

2.0 AREA REZONING: PROTECTIONIST ZONING REQUESTS

The first category of area rezoning involve requests from residents in neighbourhoods who are concerned about the size, shape and height of new houses, especially those houses that block scenic views. Typically, these area rezoning requests involve a rezoning request to the R10 or R11 District to ensure that new single family development is more in character with older, established neighbourhoods.

At its meeting of May 25, 1994, the Housing Committee considered a report that discussed various area rezoning requests and presented a process for considering those requests. The Housing Committee, and subsequently Council adopted the following resolution:

"THAT new requests for area rezoning be referred to staff for a report to the Housing Committee and subsequent recommendations to Council."

Following referral to staff, a report to the Housing Committee is prepared that assesses the request in terms of the following:

- ▶ the character of housing in the area (e.g. uniformity or diversity in terms of the bulk and age of houses and size of lots);
- ▶ the appropriateness of area boundaries (e.g. the number of properties, the land uses and character of adjacent areas.);
- ▶ the zoning regulations or zoning district to be proposed;
- ▶ the proposed area rezoning in the context of the City's overall residential growth management strategy; and
- ▶ the priority to be assigned to initiating an area rezoning in the context of other area rezoning that are underway and other work priorities within the department.

Considering the above, staff would recommend that the area rezoning be pursued, that it not be pursued or that it be reconsidered at a later date after the completion of another land use planning process. The Housing Committee would consider staff's report and recommendation and submit its recommendations to Council.

If agreed by Council, staff would initiate a survey process to determine support for the area rezoning. In some cases, where there is some uncertainty in the neighbourhood to which zoning category is desired, a more intensive neighbourhood planning process involving the creation of a neighbourhood committee is initiated. If there were a consensus from the neighbourhood that the rezoning was desirable, it would be recommended that a bylaw be prepared and be forwarded to Council for First Reading and a Public Hearing.

To date, "consensus" has meant that at least 50% of the total properties agree with the proposal. For example, where 70% of the survey respondents agree with the rezoning and the overall response rate from the neighbourhood was 72%, consensus was achieved.

3.0 AREA REZONING: NEW INFILL DEVELOPMENT OPPORTUNITIES

The second category of area rezoning involves requests from residents in neighbourhoods who wish to increase the density in their neighbourhoods. Usually such requests involve a higher density single or two family development potential that is achieved through subdivision or two family development potential. An example of this type of area rezoning process is the Norfolk neighbourhood plan that will likely result in the rezoning of the neighbourhood to the R12 District.

The R12 District permits both the subdivision of large lots into small lots and the development of two family dwellings on both small and large lots. There is a concern that the ad hoc rezoning of lots to the R12 District in absence of a larger neighbourhood planning process would disrupt stable single and two family neighbourhoods and remove the sense of certainty that is created through zoning. As a result, it is recommended that the following be added to the text of the R12 zoning category in order to diminish requests for ad hoc spot zoning for the purposes of subdivision and/or the potential to develop duplex on small lots:

"THAT the R12 District be limited to lots within an area that has been the subject of an area rezoning consultation process and approved for consideration of a zoning change by Council."

Area rezoning may be initiated by residents in a neighbourhood or by the City as part of the implementation of neighbourhood plans, housing polices or an updated Official Community Plan. In each case, the residents would be involved in a consultation process that would inform them of the options for increasing density and be asked, by questionnaire, for their opinion on the approaches.

A request for area rezoning to permit a infill development will be assessed by staff in terms of the following considerations:

- ▶ the housing character of the area (e.g. the size of existing lots, the age of the houses, the pace of redevelopment);
- ▶ the appropriateness of the area boundaries (e.g. the number of properties, the land uses and character of adjacent areas);
- ▶ the proposed area rezoning in the context of the City's overall residential growth management strategy.
- ▶ the priority to be assigned to the initiation of a an area rezoning process in the context of other area rezoning processes that are underway and other work priorities within the Planning and Building Department.

Requests for an area rezoning for the purpose of subdivision or new two family development would be the subject of a report to the Housing Committee with a subsequent recommendation to Council.

If Council agrees, then a neighbourhood consultation process would be initiated to inform the residents and property owners of the options and their ramifications. Depending on the complexity of the proposed rezoning or the size of the area, the consultation process may involve the use of a neighbourhood advisory planning group, a public meeting or more simply, the us of information dissemination and a survey. Following the consultation process, the degree of support for the proposal will be determined, and the results reported to the Housing Committee and Council. If there is general support for the rezoning, then it will be recommended that a bylaw be prepared and be given First Reading and forwarded to a Public Hearing.

4.0 AMENDMENT TO EXISTING ZONING BOUNDARIES

The third category of area rezoning involve the amendment to existing zoning boundaries where the existing zoning of a site (or area) does not reflect the actual lot development pattern.

An example of when this situation can occur is where the subdivision patterns of a single family areas consists primarily of 33 or 45 foot wide lots, typical of the R5 District, but the actual zoning category is associated with larger lots. The problem occurs when some owners of larger lots in these areas want to develop in character with the rest of the neighbourhood but cannot due to the prevailing zoning. It would be appropriate, in such cases, that the neighbourhood be rezoned to a zoning category that better reflects the existing development.

This category of area rezoning is the subject of a separate report to the Housing Committee that deals with minor refinements to the zoning bylaw and zoning boundaries that affect single and two family developments. In that report it is suggested that a request for rezoning be initiated by a resident or property owner in the neighbourhood, or by the City. The following process was outlined in that report to deal with requests for refinements to existing zoning boundaries.

Following receipt of the request, staff will evaluate the request in relation to the following criteria and prepare a recommendation for the Housing Committee:

- ▶ At least 50% of the existing lots are not reflective of the current zoning category (ie. non-conforming);
- ▶ That the proposed zoning category better reflects existing lot development;
- ▶ That the rezoning involves a realignment of existing zoning boundaries.

If the proposed zoning meets the intent of the existing boundaries, and the Housing Committee and Council agrees that consideration of an area rezoning is warranted, then staff would survey the potentially affected residents and property owners in the neighbourhood about their views of the proposed rezoning. If there is support, staff would recommend that a formal rezoning process be initiated. It should be noted, however, that owners of the non-conforming lots may not necessarily support a rezoning to a more appropriate category, even if that new development was in accordance with their own lot size.

5.0 CONCLUSION

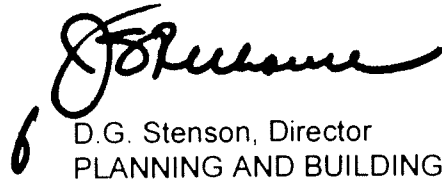
This report outlines three possible area rezoning processes that may be initiated by residents in a neighbourhood or by the City. In summary, these processes involve:

- 1) Area rezoning to preserve the character and views in single family areas;
- 2) Area rezoning to permit infill development as part of the implementation of neighbourhood plans or housing policies.
- 3) Refinement to zoning boundaries so that the zoning designation of the neighbourhood better reflects existing development patterns.

It is recommended that the processes outlined in this report be followed when considering requests for area rezoning.

In addition, to ensure that the R12 District is not used for the purpose of ad hoc spot zoning for the purpose of subdivision and/or the construction of a duplex dwelling, it is recommend that the following be added to the text of the R12 District:

"THAT the R12 District be limited to lots within an area that has been the subject of an area rezoning consultation process and approved for consideration of a zoning change by Council."


D.G. Stenson, Director
PLANNING AND BUILDING

cc: City Manager
City Solicitor

