

ITEM	11
MANAGER'S REPORT #	20
COUNCIL MEETING	95/04/24

TO: CITY MANAGER

1995 APRIL 19

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: DEVELOPMENT OPTIONS
5221 NEVILLE STREET
ROYAL OAK DEVELOPMENT PLAN

PURPOSE: To respond to a letter to Council regarding a property at 5221 Neville Street within the Royal Oak Development Plan

RECOMMENDATION:

1. **THAT** staff be authorized to process a rezoning application in line with this report for 5221 Neville Street from C2 to R5 Single-Family Dwelling Small for the eastern portion and P8 Parking District on the western portion.

R E P O R T

1.0 INTRODUCTION:

This Department has been requested to respond to a letter appearing on the agenda of the 1995 April 10 Council meeting.

This letter is from the owner of the C2 zoned property at 5221 Neville Street, requesting Council permission for the potential redevelopment of the site with a single-family residence on the eastern portion and, on the western portion, a parking lot for the abutting commercial property at 7676 Royal Oak Avenue rather than with a larger consolidated site as indicated in the Royal Oak Development Plan adopted by Council in 1987 May (see **attached** Sketches #1 & 2)). Staff typically report to Council on such issues when an actual application to develop not in accordance with the Area Plan is received. However, given the history of discussions on possible uses for this property, staff are responding to the questions now raised in the letter in order to find a timely suitable solution to allow the site to redevelop.

2.0 BACKGROUND:

The subject property, now vacant after the previous owner demolished a legally non-conforming single-family dwelling in 1988, is 19.51m (64 feet) wide with C2 commercial property to the north and west and R5 residential lots to the east and south. The Royal Oak Development Plan

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indicates this property to be redeveloped in conjunction with a consolidated site which would include the two properties to the west 7676 and 7658 Royal Oak Avenue, the former of which is also owned by the applicant. These properties hold older, substantial buildings in good condition and it is our understanding that the two owners have no interest in consolidating the three properties for redevelopment in the near future.

In September 1991, a previous owner appeared before Council as a delegation requesting permission to develop the site independently according to C2 guidelines. Staff indicated some concern at introducing a new C2 use on the subject property relating as it does to a residential street, but acknowledged that a consolidated redevelopment was unlikely in the near future and recommended that a suitable Preliminary Plan Approval application, if applied for the site, be processed.

However, the applicant then decided to pursue a rezoning application (Rezoning Reference #52/91) to R5 Single-Family Dwelling - Small for site subdivision into 2 lots. This designation requires 30% or more of the existing lots with zoning designations R4, R5 and R9 in the block front to have a width of 45 feet or less. In this case, 33% of the lots on the north side then qualified as small lots, making this application eligible for R5 Single-Family District small lot development. Notwithstanding, at the 1992 February 25 Public Hearing, several concerns were expressed. It was noted that 7676 Royal Oak Avenue was legally non-conforming without parking and loading facilities and without an easterly setback. If the abutting property at 5221 Neville Street became residential, the future setback requirement would be increased. A representative for the owners of the two Royal Oak commercial properties advised that his clients objected to the rezoning and presented a petition signed by 25 nearby residents stating their belief that the rezoning of the property would limit the development potential of the abutting properties fronting on Royal Oak Avenue.

Second Reading for this project was subsequently tabled, pending a staff response to issues raised at the Public Hearing. This report included several sketches indicating possible layouts for future site consolidation with and without 5221 Neville Street. It was concluded that parking and loading requirements are considered the primary factors restricting the size and foot print of the building while issues of financing and timing appear to affect the three owners' ability to consolidate in the near future. After further discussion at subsequent Council meetings, the rezoning was defeated.

The subject property now belongs to the same owner as the abutting property at the northeast corner of Neville Street and Royal Oak Avenue who is proposing another site configuration.

3.0 DISCUSSION:

The proposal is to divide the site in half, rezoning the eastern 32 feet to R5 to construct a new single-family dwelling while rezoning the western 32 feet to P8 and consolidating it with 7676

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Royal Oak Avenue for the purpose of providing a rear yard and on-site parking and loading. These are both currently absent, rendering the site legally non-conforming. This P8 zoned area would also function as a transitional buffer between the commercial buildings to the west and the single -family dwellings to the east.

This proposal is still not fully in keeping with the intent of the Royal Oak Development Plan, yet has some merit as a solution to a site where designated redevelopment is unlikely to occur in the near future.

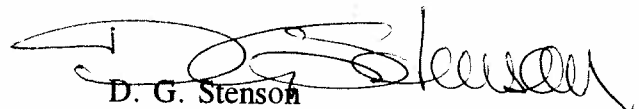
The use of the eastern portion of 5221 Neville Street for a single-family dwelling acknowledges the residential character of the street while meeting the requirement for R5 Small Lot developments. The north side of the block now has 64% small lots, with two new houses built on the recently subdivided site abutting to the east at 5231 and 5251 Neville Street. The option of residential use of the site has been broached by staff throughout discussions with various owners. Moreover, the abutting property to the east, 5231 Neville Street, would now have a residential rather than a commercial neighbour which could allay concerns about vehicular access noise.

The parking portion of 5221 Neville Street, which would be consolidated with 7676 Royal Oak Avenue and be rezoned to P8 Parking District, is sufficiently wide at 32 feet to accommodate 45 degree parking with the necessary 1.8 m of landscaped screening adjacent to the R5 District single-family dwelling. This configuration would give 7676 Royal Oak Avenue the rear yard it lacks, as well as space to provide parking and loading facilities. In the future, when redevelopment might occur, there would be more land for consolidation into a single C2 project and the process should be simplified by having only two property owners involved.

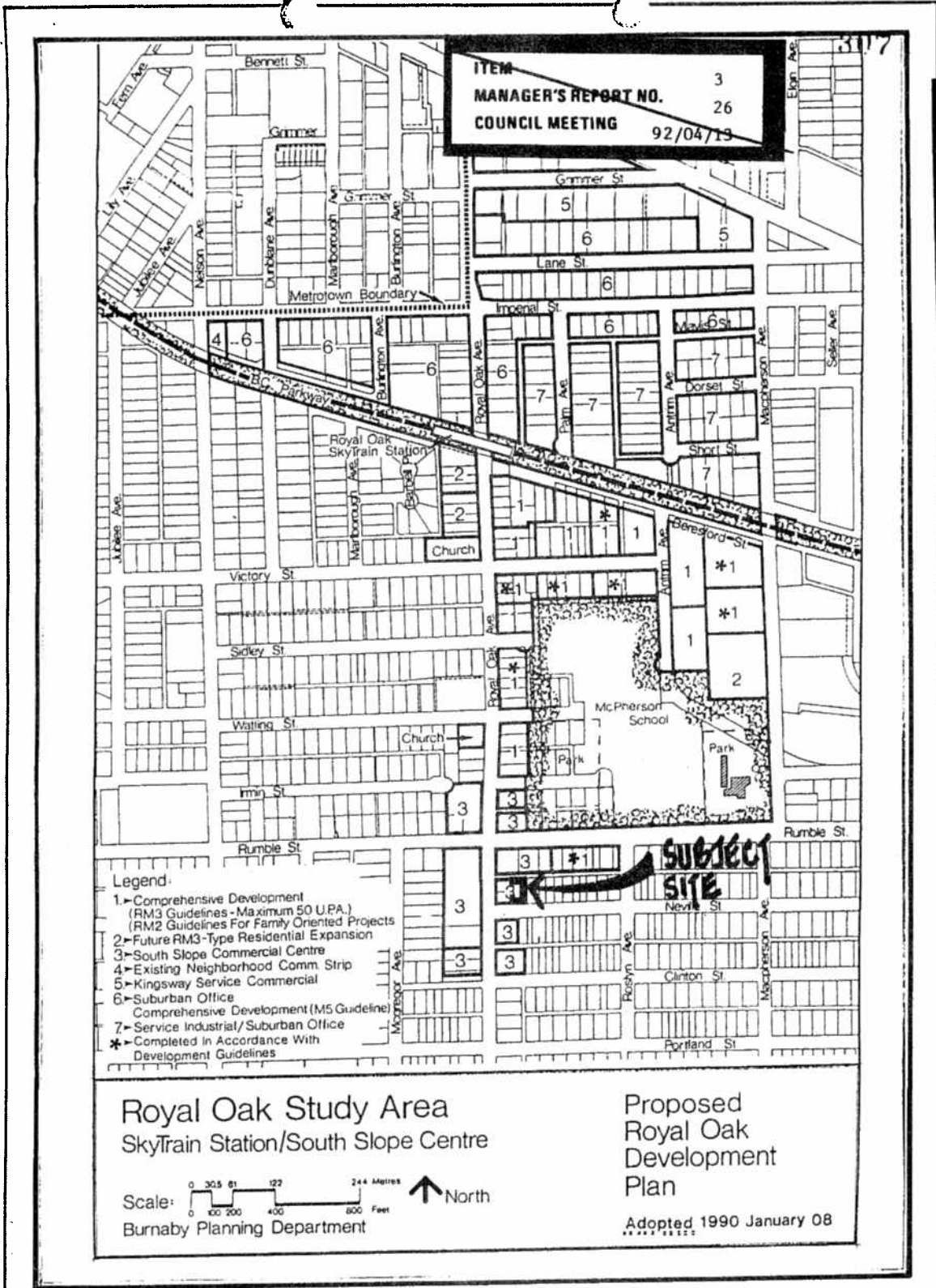
4.0 CONCLUSION:

Under the circumstances, given that it would be less than ideal to introduce a new independent C2 use on the subject property fronting Neville Street under existing zoning, that Neville Street has a distinctly residential character, that the two properties fronting Royal Oak Avenue are presently commercially developed and unlikely to redevelop in the near future, and that 5221 Neville Street is owned by an abutting property owner willing to ameliorate a poor parking situation, it is recommended that staff process a rezoning application, if applied for in the next rezoning series, for the subdivision and redevelopment of 5221 Neville Street as an R5 small lot single-family dwelling and as a P8 parking lot to be consolidated with 7676 Royal Oak Avenue.

This is for the information of Council.


D. G. Stenson
Director Planning and Building

FA:gk
Attach



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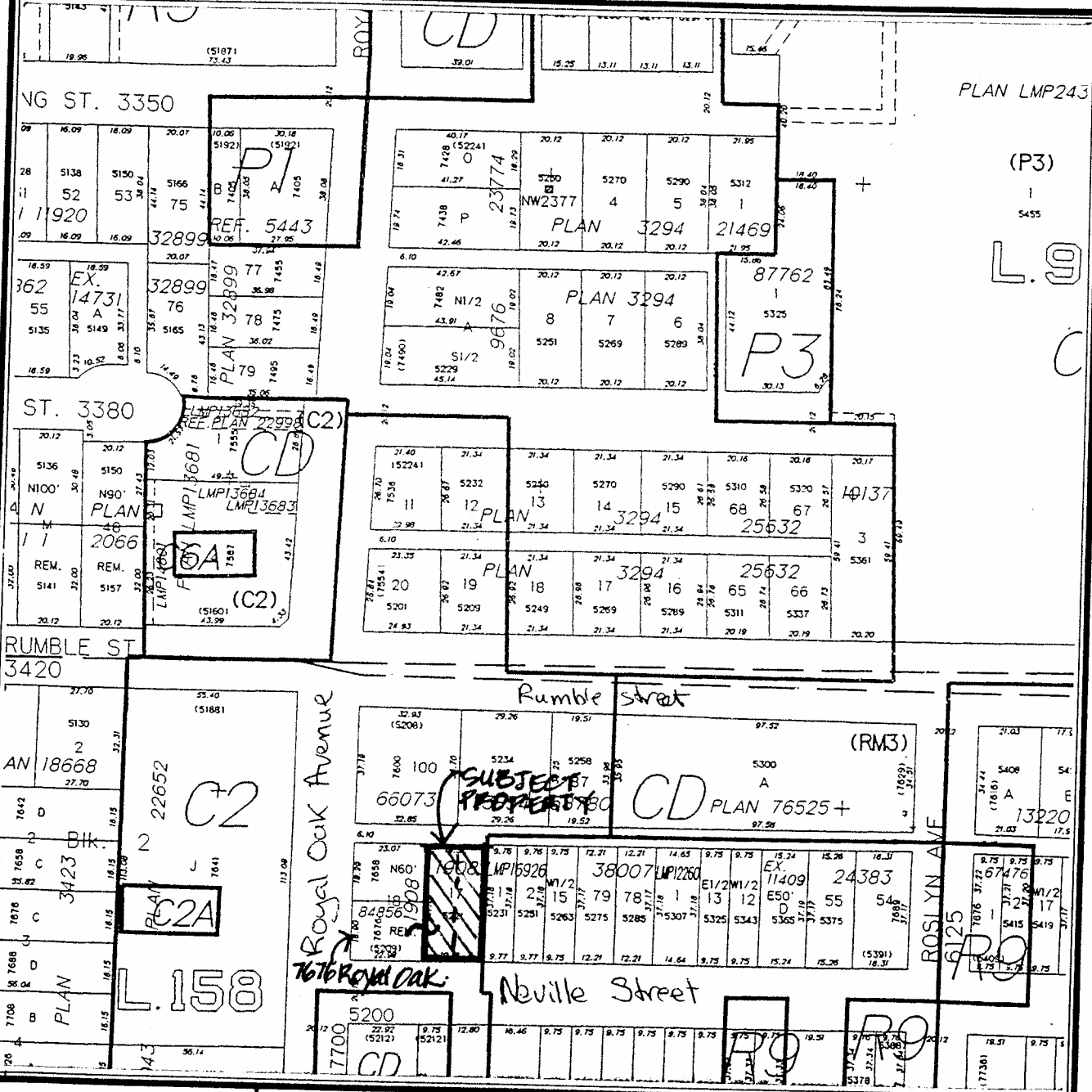
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SKETCH # /



Date: April 1995
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City of
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Planning & Building Dept.

Development Inquiry
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Sketch #2

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