

TO: CITY MANAGER 1996 MAY 22

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #11/96
7659 FOURTEENTH AVENUE
LANE DEDICATION AND CONSTRUCTION

PURPOSE: To provide Council with information regarding a staff recommendation that the applicant be required to dedicate and construct a rear lane.

RECOMMENDATION:

1. THAT Council receive this report for information purposes.

R E P O R T

1.0 BACKGROUND:

- 1.1 On 1996 March 25, Council received a rezoning report on an application to rezone the subject site from P5 Community Institutional District to R5 Residential District. At that time Council adopted the recommendation to advance this rezoning to the 1996 April 23 Public Hearing.

Within the 1996 March 25 report, the following information and requirements were provided:

"A dedicated but unconstructed lane right-of-way runs through the middle of this block. Roughly half of the properties front on Canada Way, which is a Primary Arterial and a busy commuter route. As it is beneficial to provide secondary vehicular access to residential properties which front on Primary Arterials, the dedication and construction of a lane is required through the site to facilitate future secondary access for the entire block and secondary access for four existing residential properties on Canada Way at this time.

The Director Engineering will be requested to prepare an estimate for all services necessary for this site. All servicing requirements, including the dedication and construction of the lane, will be reviewed through the subdivision process."

- 1.2 On 1996 May 6, Council gave Second Reading to the subject zoning bylaw amendment and on 1996 May 13, under Inquiries, Council requested staff to prepare a report on the lane requirements and the ramifications of deleting that requirement.

2.0 GENERAL DISCUSSION:

2.1 As background, when the property was rezoned from R5 District to P5 District (Rezoning Reference #2/80), the rezoning report included the following prerequisite condition:

"The dedication of any rights-of-way deemed requisite to include the lane allowance as referred to in Section 4.4."

Section 4.4 of the rezoning report for Rezoning Reference #2/80 stated that the portion of the site required for future lane development should be dedicated at that time. However, construction would not be undertaken until the entire lane allowance between 14th Avenue and 16th Avenue is available.

On 1980 March 24, however, Council directed that the lane requirements be removed from the prerequisites to that rezoning proposal. Rezoning Reference #2/80 received Final Adoption on 1980 May 26.

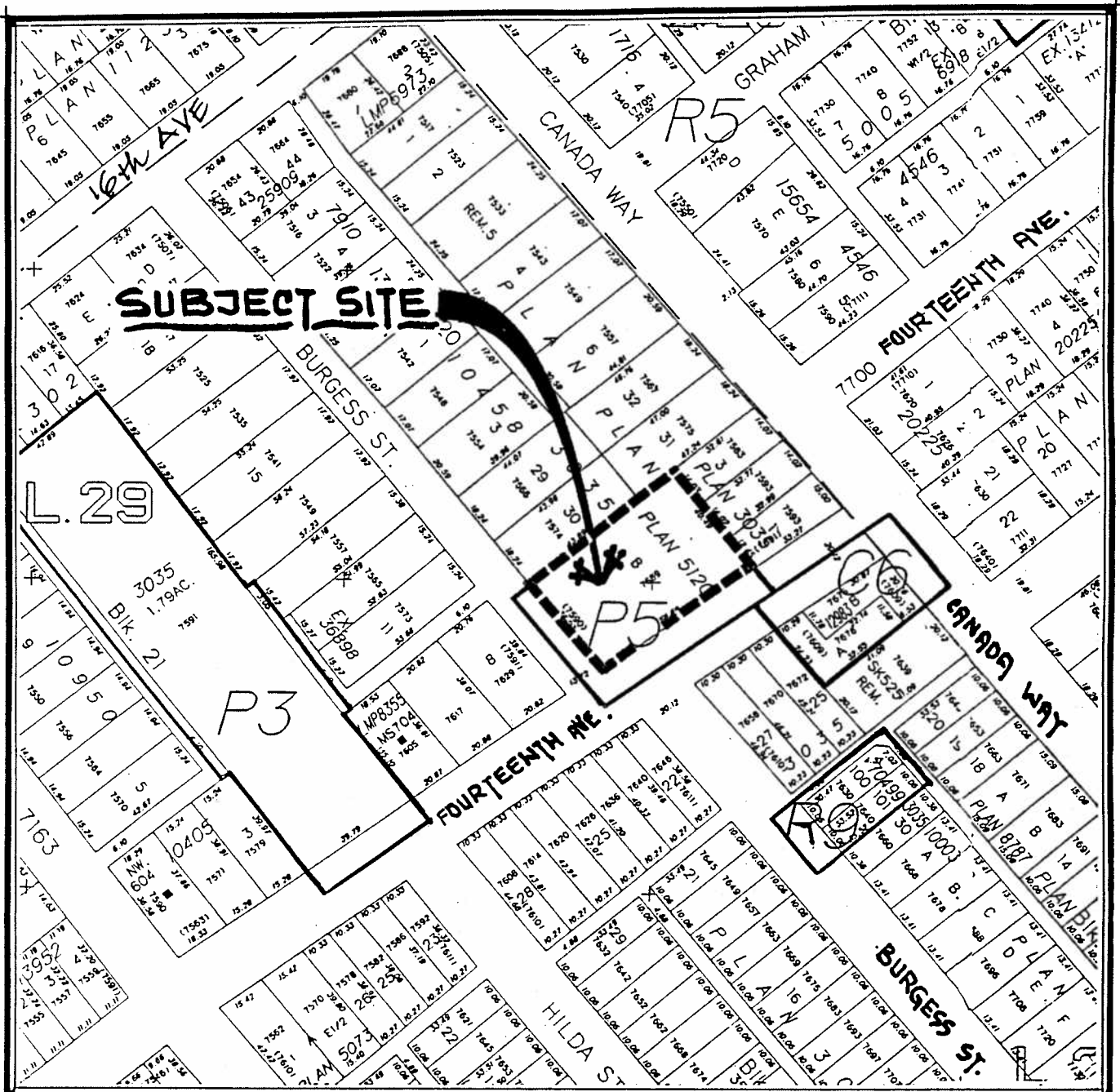
2.2 For the subject rezoning, the satisfaction of all necessary subdivision requirements was established as a prerequisite to the completion of the rezoning. The lane requirements then become a condition of the subdivision. Section 75(1)(d) of the Land Title Act states that:

75(1) - A subdivision shall comply with the following, and all other requirements in this Part:

- (d) suitable lanes shall be provided in continuation of existing lanes and in every other case where lanes are considered necessary by the Approving Officer.

The Approving Officer has considered the provision of the lane important for the following reasons:

1. A dedicated and constructed lane through this site would provide potential vehicular access through a rear lane to the four properties at 7575, 7583 and 7593 (2 properties) Canada Way in connection with this rezoning. Canada Way is a designated Primary Arterial in the Burnaby Transportation Plan and a heavily used commuter route. Experience with other individual single-family residential properties has shown that the safety of residents fronting on major roads is compromised by not having vehicular access on to a lane. From a broader municipal perspective, it is desirable for individual residential properties to not have vehicular access on to a Primary Arterial as it reduces capacity and efficiency of traffic flow on the Arterial. Maintaining the efficiency of Primary Arterials provides better commuter traffic flow and decreases the likelihood of rat running through single-family residential neighbourhoods.



Date:
MARCH 1996

Scale:
1:2000

Drawn By:
J.F.C.



City of
Burnaby
 Planning & Building Dept.



REZONING REFERENCE # 11/96

2. From the perspective of consistency and equitable treatment, other properties in this block have not been exempted from the requirement to dedicate the lane with the result that approximately 2/3 of the lane dedication has been provided to date.

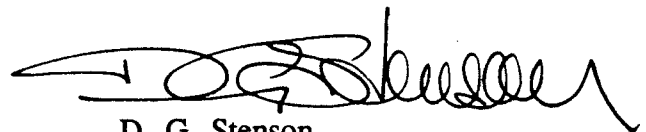
For example, in a 1992 subdivision of property at the westerly end of this lane (creating 7680 and 7688 16th Avenue) lane dedication was obtained to eliminate a former bottleneck at this end of the lane and provide a full width connection to 16th Avenue. The subdivider also deposited funds for the future construction of the portion of lane abutting the subdivided property.

3. The dedication and construction of the lane in connection with this rezoning would provide alternative vehicular access for the four properties immediately abutting the subject site in the near future. In addition to the short term benefits, the lane dedication and construction would facilitate future vehicular access through a rear lane for an additional seven properties which front on Canada Way between Fourteenth and Sixteenth Avenues, the benefits of which are the same as those described for the four abutting properties noted in point #1. It is acknowledged that for the construction of the lane from Fourteenth Avenue to Sixteenth Avenue, dedications would be required from four R5 zoned lots.
4. The provision of secondary vehicular access to the residential lots through a rear lane would provide safer access for municipal services such as garbage pickup, which currently must stop frequently on Canada Way.

3.0 CONCLUSION:

- 3.1 The ramifications of deleting the lane requirements would be that the four abutting properties would not have potential vehicular access through a rear lane after the rezoning is completed and the likelihood of providing rear lane access for the other seven properties facing Canada Way between Fourteenth and Sixteenth Avenue in the future is greatly reduced. In addition, municipal services such as garbage pick-up will have to continue to be provided from Canada Way. Therefore, in light of both the short term and long term potential benefits of the lane, it is recommended that the applicant be required to dedicate and construct the lane.

This is for the information of Council.



D. G. Stenson
Director Planning and Building

BW:gk

cc: Director Engineering