

REPORT
1996 FEBRUARY 05

CITY OF BURNABY

HOUSING COMMITTEE

HIS WORSHIP, THE MAYOR
AND COUNCILLORS

**RE: PROPOSED CHANGES TO THE ZONING BYLAW AFFECTING
SINGLE AND TWO FAMILY DEVELOPMENT IN THE R4 AND
R5 DISTRICTS**

RECOMMENDATION:

1. THAT Council direct the City Solicitor to prepare a bylaw that amends the text of the Zoning Bylaw reflecting the changes to the R4 and R5 District contained in this report.

REPORT

The Housing Committee, at its meeting held on 1996 January 23, adopted the *attached* staff report outlining the response by residents to proposed changes to the size and width of lots in the R4 District and the size and shape of semi-detached dwellings in the R4 and R5 Districts.

Respectfully submitted,

Councillor L.A. Rankin
Chairman

Councillor C. Redman
Member

Councillor J. Young
Member

COPY - CITY MANAGER
- DIR. PLNG. & BLDG.
- CITY SOLICITOR

NOTE: Supporting documentation accompanying this report has been forwarded to Council under separate cover and is available in the City Clerk's office

TO: CHAIRMAN AND MEMBERS
HOUSING COMMITTEE

1996 JANUARY 17

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **PROPOSED CHANGES TO THE ZONING BYLAW AFFECTING SINGLE
AND TWO FAMILY DEVELOPMENT IN THE R4 AND R5 DISTRICTS**

PURPOSE: To report on the response by residents to proposed changes to the text of the R4 and R5 Districts and recommend a revised proposal.

RECOMMENDATION:

1. **THAT** the Housing Committee recommend that Council direct the City Solicitor to prepare a bylaw that amends the text of the Zoning Bylaw reflecting the changes to the R4 and R5 District contained in this report.

R E P O R T

1.0 BACKGROUND

At its meeting of October 2, 1995, City Council adopted the following recommendation put forward by the Housing Committee:

"THAT Council authorize staff to pursue the consultation process outlined in this report to obtain input regarding proposed amendments to the zoning bylaw that affect the development of two family semi-detached housing in the R4 and R5 Districts and the size and width of single and two family lots in the R4 District."

Staff has now completed the consultation process. The purpose of this report is to summarize the comments received and recommend that the text amendment process for the R4 and R5 Districts be pursued.

2.0 THE PROPOSED CHANGES TO THE SIZE AND WIDTH OF LOTS IN THE R4 DISTRICT

The proposed changes to the text of the R4 District are viewed as being minor adjustments that would allow the subdivision of a small number of lots and the creation of two family lots that fit well in terms of existing lot patterns and address some historic anomalies in development patterns. Given the small number of lots that are affected, and the fact that most of them are already developed with buildings, redevelopment will occur slowly over time.

The proposed changes to the text of the R4 District, as detailed in Appendix "A" would:

- ▶ reduce the minimum lot width (for single family lots) from 60 feet to 50 feet, and the minimum lot area from 7,200 square feet to 6,000 square feet.
- ▶ reduce the minimum lot width (for two family lots) from 72 feet to 68 feet, and the minimum lot area from 8,600 square feet to 8,160 square feet.

There are currently about 4,800 lots in the R4 District. Of these, about 760 currently have two-family development potential, with about 300 of these developed with two family dwellings. The proposed changes to the R4 District would result in about 70 lots achieving subdivision potential, and 120 single family lots achieving two family development potential.

3.0 THE PROPOSED CHANGES TO THE SIZE AND SHAPE OF SEMI-DETACHED DWELLING IN THE R4 AND R5 DISTRICT

The objective of the new regulations is to permit the development of new semi-detached dwellings that better meet the needs of a wider range of household types and that are still in character with existing neighbourhoods.

The current regulations affecting the development of semi-detached units in the R4 and R5 District permit the development of a one storey building with (maximum 1247.3 sq. ft. each side) on a cellar. The maximum height is eighteen feet compared to 29.5 feet for detached dwellings. These regulations were put in place in the Zoning Bylaw in 1979 to discourage the practice of illegal conversion of semi-detached buildings to four units. The take-up of opportunities to build semi-detached units has not been significant.

The original proposed regulations, detailed in the attached report of the Housing Committee of 1995 October 02, (Appendix "B") reflect the acceptance of the concept of strata title ownership in the housing market and the existence of well-designed semi-detached units that fit well into existing neighbourhoods in surrounding municipalities. These regulations permit the development of a two storey building on a crawl space. The second floor would have a limit in floor area of 700 square feet for the R5 District and 750 square feet for the R4 District to discourage the development of illegal occupancy. The proposed regulations are based on the regulations for new semi-detached units that were developed for semi-detached dwellings in the R12 District.

4.0 PUBLIC CONSULTATION PROCESS

An article outlining the changes to the text of the Zoning Bylaw was included in the November 1995 issue of InfoBurnaby and an advertisement was placed in the paper on two occasions inviting residents to two public meetings that were held in late November.

About 40 people attended the Public Meetings where 17 submitted comment sheets. In addition, staff received five letters responding to the proposal and received verbal comments from two developers who build semi-detached units.

4.1 Proposed Changes to the Size and Width of Single and Two Family Lots in the R4 District

All comments received were in support of the proposal to reduce the minimum lot width and area for single family lots from the current 60 feet and 7,200 square feet to 50 feet and 6,000 sq. ft. Many property owners that had lots in the R4 District that still would not achieve subdivision under the proposal desired that the minimum lot size be reduced so that their particular lot could be subdivided. Lot widths of 33 to 36 feet were mentioned as suggestions. One person requested that the minimum lot regulations in the R2 District also be reduced.

Similarly, all comments received were in support of reducing the minimum lot width and area requirement for two family dwellings. Again, some comments were received stating that if two units are permitted on a lot, then two single family houses should be permitted, i.e., the lot should be subdividable.

Some property owners with extra long lots, especially in the Rosewood area, found that the proposal, while giving some properties two family potential, did not meet their unique circumstances.

Finally, one comment was received suggesting that corner lots be permitted to have two family development potential if they have the area, but not necessarily the minimum lot width since the key variable in semi-detached dwelling development is street frontage in providing access to each unit. It was felt that very attractive, asymmetrical buildings could be developed on corner sites.

4.1.1 Staff Response:

At the outset, the proposal to reduce minimum lot size was put forward in the context of initiating minor adjustments to the Zoning Bylaw so that some anomalous lots could be developed in context with existing neighbourhoods. The proposal put forward brings the requirements for single family housing in the R4 District in line with the R5 District, and brings the requirements for two family development closer to the R5 District.

It is acknowledged that the public response to the proposal was very small, no doubt in part reflecting the minor nature of the proposed change. A proposal that would reduce the minimum lot size regulations to the extent as proposed by some of the respondents would have a much bigger impact on R4 areas and potentially other Zoning districts that may want similar treatment. Many more lots in the R4 District would become eligible for subdivision, either through simple subdivision or lot consolidation and subdivision, under the proposals advanced by some of those who took the opportunity to comment.

Many of the arguments put forward by those advocating a significant reduction in lot size regulations for single family development in the R4 District have merit. Property owners pointed to the high cost of land, the need to develop land more efficiently, and the desire to achieve a financial return from one's property. However, it is also realized that such a change could have a significant impact on existing neighbourhoods, which should be consulted fully. At this point, staff recommend that the proposed minor adjustments to the R4 District be implemented, and that any more significant changes be considered at a later date in the context of a comprehensive review of all the single and two family zoning districts that would seek to simplify the existing regulations.

Further, some of the situations presented by residents desiring smaller lots are potential candidates for neighbourhood rezoning initiatives to higher intensity single and two family uses. In these cases, staff informed the residents of this option. In the case of neighbourhoods with extra long lots, such as Rosewood, staff could explore other initiatives such as permitting the second unit in the form of a coach house in the rear of the property for inclusion within a neighbourhood rezoning initiative if desired by the residents.

Finally, staff agree that there may be merit for corner sites with the minimum area requirement to be eligible for two-family development even if they do not have the minimum width requirement. However, staff believe this consideration should be part of the more comprehensive review of the single and two-family regulations to ensure that they remain contemporary in addressing the range of current issues and circumstances.

4.2 Proposed Changes to the Regulations Affecting the Development of Semi-Detached Two Family Dwellings in the R4 and R5 Districts

The majority of people who provided comments were in support of the proposed changes to the regulations affecting the size and shape of semi-detached units in the R4 and R5 District. Only one person was opposed to the proposal; it was his opinion that floor area should be an outright 0.6 Floor area ratio for single and two family buildings as was the case in the Zoning Bylaw over five years ago.

Some comments were received that the limitation on the second floor may not prevent the creation of fourplex buildings, and that this restriction should be removed. One respondent felt that the development of fourplex buildings was desirable.

During the question and answer period some residents questioned the need for lower heights for semi-detached units (25 feet versus 29.53 feet for single family dwellings).

Some comments were also received that the maximum floor area permitted for semi-detached units was less than the maximum floor area permitted for either single family or the existing semi-detached one storey dwellings, especially in the R4 District. These people felt that this may result in a disincentive to build the two-storey semi-detached units.

4.2.1 Staff Response

The main objective of the proposal to change the regulations affecting semi-detached dwellings is to provide for buildings that better meet contemporary needs while still fitting in with existing neighbourhoods. It is proposed that two storey buildings be permitted that would generally have living areas on the main floor and sleeping areas upstairs. The prohibition on cellars should prevent illegal occupancy, but would result in more building above grade than what is permitted currently for single or semi-detached. In essence, there is a trade-off between allowing more floor space (and building bulk) above grade in the two storey form of building and allowing maximum floor area without requiring that a significant portion (47% in the R4 District) must be in a cellar in the current one storey form. Staff believe that allowing the total floor area of 4,736 square feet in the R4 District to be above grade is not desirable because:

- ▶ the buildings would be more massive than new single family houses in the neighbourhood;
- ▶ the resulting unit sizes would be extremely large, encouraging multiple occupancy.

It would be possible to make up some of the difference between floor space permitted under the proposal and total floor space currently allowed by changing the proposal to permit extra floor space to be included in larger detached accessory buildings. While not adding to the bulk of the principal building, this space could be used for parking or storage.

Staff believe that the discouragement of conversion to fourplexes is extremely important. In the past, the tendency to fourplex semi-detached units often disrupted neighbourhoods due to problems associated with parking, noise and lack of maintenance. Many of these older buildings were owned and run as investment properties and tended to be financially lucrative to the absentee investor. Therefore, staff believe that the restriction on the second floor is an important part of the proposal. In addition, the smaller second floor should lead to more innovative design solutions involving interesting roof shapes and the use of architectural features such as dormers. Plan Checking staff will be asked to closely monitor the floor plans of all new semi-detached buildings if the proposal is implemented to ensure that second floors do not contain the ability to convert to self-contained suites. In drafting the bylaw, consideration will be given to restricting access to the units to the main floor only.

Further, it is recommended that the proposal be amended to continue to allow the development of semi-detached units as they are now permitted. This means that there would be two types of semi-detached buildings with separate regulations; a single storey type and a two storey type. This means that those who wish to develop units as they currently exist for various reasons such as larger floor area or because they desire one floor living will be able to do so.

With respect to height, staff believe that given the increased above grade bulk afforded by the proposed units, it is important that the buildings have a lower profile, and hence, a lower height. Currently, single family dwellings are permitted 29.5 feet in height for two storeys with one half of a cellar being above grade, versus only two storeys for the proposed new units. Once again, staff will be monitoring this situation very closely (also relative to the new R12 District) and if it is found that the height is too restrictive, an amendment to this regulation would be considered.

5.0 SUMMARY AND NEXT STEPS

A summary of the original proposal to amend the minimum lot size and width requirements for the R4 District and the proposed regulations and amendments to the original proposal for the development of semi-detached buildings in the R4 and R5 District is included in appendix "A" attached to this report. In essence, it is recommended that the original proposal proceed with the following minor changes:

- ▶ the option of building one storey with cellar semi-detached units, as currently contained in the bylaw, remain;
- ▶ that where the floor area for two storey semi-detached units is less than the maximum floor area for that District, then some of that difference be made up in detached accessory buildings.
- ▶ the definition of two storey semi-detached dwelling make a reference that exterior access is to the main floor only.

In addition, a very minor housekeeping amendment to the R5 District is proposed that changes the minimum area for a boarding and lodging use to 7,200 square feet from 7,212.1 square feet to make this regulation consistent with bylaw changes that were made regarding metric conversion one year ago.

If the Housing Committee and Council agrees with this proposal, it would be appropriate to request the City Solicitor to prepare the necessary text amending bylaw to be introduced for First Reading and referral to a Public Hearing in accordance with the normal process.

6.0 CONCLUSION

Although response to the proposed changes to the R4 and R5 District was not extensive in terms of numbers of residents, those that did respond were overwhelming in support of the proposed changes to the R4 and R5 District.

These changes were put forward in the context of minor adjustments to the Zoning Bylaw that attempt to deal with certain anomalies and create more appropriate housing forms. It is realized that some residents desired a greater degree of change that could not be accommodated through this process. Through neighbourhood reviews some of these concerns may be addressed in the future.

The minor changes that reflect the terminology for semi-detached dwellings will also be made to the R12 district.



D.G. Stenson, Director
PLANNING AND BUILDING



BG/db

cc: Chief Building Inspector
City Solicitor
City Manager