

CITY OF BURNABY

COMMUNITY PLANNING & HOUSING COMMITTEE

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

RE: PROPOSED TEXT AMENDMENT TO THE R4 & R5 DISTRICT
SCHEDULES OF THE ZONING BYLAW

RECOMMENDATIONS:

1. **THAT** Council authorize the City Solicitor to prepare a bylaw to amend the text of the R4 and R5 Districts to include in the calculation of the minimum 30% small lots required to determine small lot character those small lots developed with single family dwellings that have a RM3 zoning designation, but are not designated for future multiple family development, and that the bylaw be forwarded to a Public Hearing.
2. **THAT** property owners and residents of property on the north side of the 3700 block of Spruce Street and adjacent owners be notified of the Public Hearing.

REPORT

The Community Planning and Housing Committee, at its meeting held on 2000 May 30, received and adopted the *attached* report requesting that the text of the R4 and R5 Districts be amended to include small lots with a RM3 designation, developed with single family dwellings, in the calculation of small lot character for the purposes of allowing small lot subdivision.

Respectfully submitted,

Councillor C. Redman
Chairman

Councillor G. Begin
Member

Councillor D. Johnston
Member

COPY - CITY MANAGER
- CITY SOLICITOR
- DIRECTOR ENGINEERING
- DIRECTOR PLANNING & BUILDING

TO: CHAIR AND MEMBERS
COMMUNITY PLANNING AND
HOUSING COMMITTEE

2000 May 24

FROM: DIRECTOR PLANNING AND BUILDING

OUR FILE: 16.400.22

**SUBJECT: PROPOSED TEXT AMENDMENT TO THE R4 AND R5 DISTRICT
SCHEDULES OF THE ZONING BYLAW**

PURPOSE: To recommend that the text of the R4 and R5 Districts be amended to include small lots with a RM3 designation, developed with single family dwellings, in the calculation of small lot character for the purposes of allowing small lot subdivision.

RECOMMENDATIONS:

1. **THAT** the Community Planning and Housing Committee recommend that Council authorize the City Solicitor to prepare a bylaw to amend the text of the R4 and R5 Districts to include in the calculation of the minimum 30% small lots required to determine small lot character those small lots developed with single family dwellings that have a RM3 zoning designation, but are not designated for future multiple family development, and that the bylaw be forwarded to a Public Hearing, and
2. **THAT**, if Council agrees to pursue the text amendment, property owners and residents of property on the north side of the 3700 block of Spruce Street and adjacent owners be notified of the Public Hearing.

REPORT

1.0 BACKGROUND

At its meeting of 1996 September 30, in response to a report from the Community Planning & Housing Committee, Council authorized staff to initiate a consultation process in the vicinity of the 4200 block of Boundary Road and the 3700 block of Spruce Street (see *attached* map 1) to explore the desirability of undertaking a minor zoning boundary adjustment process to the R5 District. This was in response to a request for rezoning that originated in the neighbourhood.

57 In April of 1997, a boundary area adjustment proposal and questionnaire was sent to residents and property owners in the 4200-4300 blocks of Boundary Road and the 3700 block of Spruce Street. Based on the results of the survey, Council decided to forward the zoning

boundary adjustment affecting properties currently zoned R4 or R9 on Spruce Street and Boundary Road to a formal rezoning process. After the Public Hearing, the bylaw received Final Reading on September 22, 1997.

The proposed boundary area adjustment included four lots on the north side of Spruce Street that are zoned RM3 but are developed with newer single family dwellings. The rezoning of these lots to the R5 District would result in the potential for future subdivision of five lots (66 feet wide) located on the north side of Spruce Street under the small lot provisions of the R5 District. However, the owners of the existing small lots with the RM3 (Multiple Family Residential) zoning designation did not wish to rezone to the R5 District as they wished to retain an option for apartment development in the distant future.

The owners of two properties located on the north side of the 3700 block of Spruce Street have requested that City staff review the matter and determine whether any actions can be considered to allow subdivision of their lots. This report responds to this request by proposing a minor "housekeeping" amendment to the text of the Zoning Bylaw.

2.0 QUESTIONNAIRE RESULTS FOR THE NORTH SIDE OF SPRUCE STREET

A questionnaire was sent to all residents and property owners in the subject area in April 1997 to determine the level of support for shifting the zoning area boundary, and in the case of Spruce Street, rezoning the existing small lots developed with single family dwellings, but zoned RM3 (Multiple Family Residential) to the R5 (Residential) zoning designation. Under the terms of the Zoning Bylaw, this would mean that the existing larger lots located on the north side of Spruce Street would be eligible for small lot development, since 30% of the existing lots are already small.

Of the ten R5 zoned lots that are located on the north side of Spruce Street, seven of the respondents were in favour of rezoning the existing small lots to the R5 District and two were opposed. All four existing small lots that are zoned RM3 (Multiple Family Residential) were opposed the rezoning to the R5 District.

3.0 POTENTIAL ACTION

The intent of small lot subdivision section of the R4 and R5 District in the Zoning Bylaw is to permit the subdivision of larger lots in cases where a block front exhibits existing small lot character. In the case of the north side of the 3700 block of Spruce Street, 5 of the 14 lots are 33 feet wide or less. This means that 36% of the existing lots are small, and therefore, a small lot character is deemed to exist. However, only those properties with the zoning designations R4, R5 and R9 are "counted" when determining small lot character. Therefore, in the subject block, only one of the 14 lots were eligible to be counted in the small lot calculation, notwithstanding the presence of a developed small lot character in the block face.

It is proposed that the R4 and R5 District schedules of the Zoning Bylaw be amended to include small lots developed with single family dwellings that have a RM3 (Multiple Family Residential) designation in the calculation of the minimum 30% small lots in a block face required to determine small lot character. In the interest of consistency, the amendment should apply to both Districts (R4 and R5) where the calculation of small lot character exists.

As well, it is proposed that only those RM3 lots already developed with single family dwellings that are located in areas designated as Single and Two Family Residential in the Official Community Plan be considered as contributing to small lot character. This will prevent the potential small lot subdivision of R4 or R5 lots single family lots in Community Plan areas where lot consolidation and multiple family development is deemed desirable, and land has been designated future for multiple family use.

Staff has reviewed the potential impact of the Zoning Bylaw text amendment described above and found that, at this time, the north side of the 3700 block of Spruce Street is the only area where the text change would impact existing subdivision potential.

4.0 PROPOSED TEXT AMENDMENT

The proposed text amendment would involve the addition of a clause in the R4 and R5 sections of the bylaw generally as follows:

104.2 and 105.2 Lot Area and Width

After subsection (2) Single Family Dwelling - Small:

Notwithstanding section 104.2(1) (105.2(1)), where 30 percent or more of the existing lots with:

- (a) the zoning designations R4, R5, and R9;*
- (b) the RM3 zoning designation, developed with single family dwellings, and are designated as Single and Two Family Residential in the Official Community Plan;*

in the block front have a width of 13.72 metres (45 feet) or less, each lot shall have an area not less than... .

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Proposed amendments to the Zoning Bylaw are the subject of a Public Hearing, but due to the nature of the bylaw amendment, property owners are not normally specifically notified. In this case, staff suggest that a letter be sent to all the property owners in the 3700 block of Spruce Street as well as the adjacent Boundary Road and Forest Street properties. In that

way, all of those that are potentially affected by the text amendment are notified of the Public Hearing date.

5.0 CONCLUSION

The north side of the 3700 block Spruce exhibits the physical characteristics required to meet the intent of the small lot provisions of the R5 District. Due to the historic presence of small lots with single family dwellings with the designation RM3, and the reluctance of those property owners to rezone to the R5 District, the balance of the property owners are unable to obtain small lot subdivision potential.

It is proposed that the text of the Zoning Bylaw be amended to address this situation. The suggested bylaw amendment would include in the calculation of the minimum 30% small lots required to determine small lot character, those small lots developed with single family dwellings that have a RM3 zoning designation, but are not designated for multiple family development. This would allow five existing lots on the north side of the 3700 block of Spruce Street to subdivide in accordance with the character of the surrounding neighbourhood.

If the Committee and Council agree to pursue the text amendment, it is also recommended that the property owners and residents in the subject block and in adjacent properties be notified of the proposed amendment and the date of a Public Hearing.

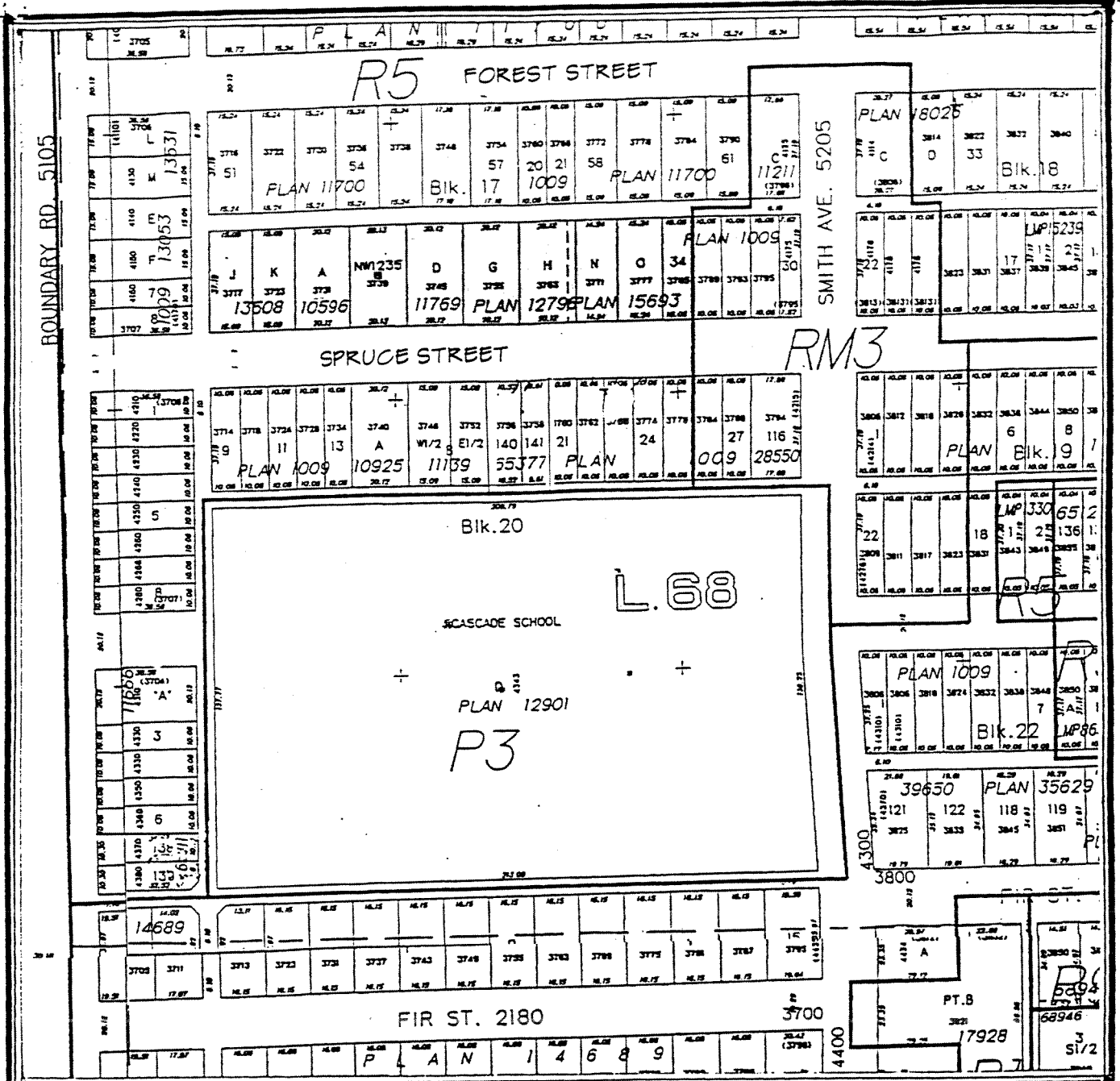


D.G. Stenson, Director
PLANNING AND BUILDING

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cc: City Manager
City Solicitor
Director Engineering

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Date:
2000 MAY 26

Scale:
1:2000

Drawn By:
RCN



City of
Burnaby
Planning & Building Dept

3700 BLOCK SPRUCE STREET

SUBJECT AREA

MAP 1