

TO: CITY MANAGER

2005 March 14

FROM: DIRECTOR PLANNING AND BUILDING

**SUBJECT: REZONING REFERENCE #04-76
Retention of Existing Single-Family Dwelling with
Greater Gross Floor Area in order to Subdivide Property**

ADDRESS: Portion of 7480 Curtis Street (See attached Sketch)

LEGAL: Portion of Lot 3, D.L. 138, Group 1, NWD, Plan 58917

FROM: R2 Residential District

TO: R2a Residential District

APPLICANT: Salikan Architecture Inc.
404 – 873 Beatty Street
Vancouver, B.C. V6B 2M6
(Att: Robert Salikan)

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2005 April 19.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2005 April 4 and to a Public Hearing on 2005 April 19 at 7:30 p.m.
2. **THAT** the following be established as prerequisites to the completion of the rezoning:
 - a. The submission of a suitable plan of development.
 - b. The completion of the necessary subdivision.
 - c. The owner enter into a covenant certifying that the land shall be developed only in accordance with the approved building plans.

REPORT

1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit the retention of an existing single-family dwelling which has a gross floor area greater than that permitted under the R2 District zoning in connection with the proposed subdivision of the property.

2.0 BACKGROUND

2.1 On 2005 January 24, Council received a report regarding the rezoning of the subject site to R2a District. The report noted that the applicant is requesting that the site be rezoned in order to be able to subdivide the property into two lots, with both lots having access off Curtis Street. The applicant wishes to retain the existing dwelling located on the easterly portion of the site. In light of the existing dwelling exceeding the maximum gross floor area permitted under the R2 District zoning, the applicant is requesting that the proposed easterly lot be rezoned to R2a District, which would permit the retention of the larger single-family dwelling, which was constructed in 1984.

The report also noted that there are two covenants registered over the existing property. One covenant is for a 27.5m road setback from Burnwood Drive. This covenant is considered redundant and is proposed to be released. The former plan to extend Burnwood Drive to the Phillips/Bainbridge connector as a link between the Lougheed Highway and Burnaby Mountain Parkway is no longer applicable. Burnwood Drive currently has major collector greenway designation in the adopted Burnaby Transportation Plan and terminates in a cul-de-sac at the Burnaby Mountain Parkway. As it will carry less traffic than the road formerly planned, the 27.5m setback is no longer required. However, the existing 12.5m landscape buffer zone covenant abutting Burnwood Drive will continue to be retained in line with similar covenants on other properties on both sides of Burnwood Drive.

The report concluded that it appears that the existing dwelling does not meet all of the Council-adopted guidelines for assessing rezonings to an R" a" District. However, in consideration of the fact that it is an existing dwelling that has been accepted in the neighbourhood since 1984 and that the most significant impact of the retention of this larger dwelling would be on the dwelling to be constructed on the proposed property to the west, for which any potential purchasers would be aware of the existing dwelling and its relationship to the new lot, there is merit in advancing the application to a Public Hearing once the necessary information is received regarding the existing dwelling.

2.2 At that time Council authorized the Planning and Building Department to work with the applicant towards the preparation of a suitable plan of development for presentation to a Public Hearing on the understanding that a more detailed report will be submitted at a later date.

The applicant has submitted a complete plan of development for submission to a Public Hearing.

3.0 GENERAL DISCUSSION:

3.1 The applicant has now submitted a plan of development for the existing dwelling. The existing dwelling has a gross floor area of 616.5 m² (6,637 sq. ft.), resulting in Floor Area

Ratio of 0.59 for the proposed lot. It is important to note that in this R”a” District rezoning, it is unlikely that the existing dwelling will be altered, however, it is possible to change the proposed property line.

The proposed property line is now 5 feet closer to the existing dwelling than was shown in the first report to Council. The property line could be established as was originally anticipated in the first report, thus creating a larger property and a dwelling with a lower Floor Area Ratio. However, it is recommended that the property line be established 5 feet closer to the existing dwelling based on two factors. The first is that there will still be a generous 7.7m (25.3 ft.) sideyard setback for the existing dwelling from the new property line. The second factor is that with the retention of the 12.5m (41 ft.) landscape buffer zone covenant along Burnwood Drive, the inclusion of an additional 5 feet in width would be very beneficial for the proposed westerly lot.

- 3.2 It is noted that the height of the existing dwelling is 10.6m (35 ft.), where a maximum of 9.0m (29.5 ft.) is permitted in both the existing R2 and proposed R2a zoning. The dwelling is legally non-conforming in terms of building height. This legal non-conformity status would not change as a result of the R2a zoning which is only dealing with the floor area issue.
- 3.3 The applicant must complete the necessary subdivision process as a prerequisite condition of the rezoning. The existing tennis court and portion of the fish pond encroaching within the 12.5m landscape buffer area will be required to be removed in connection with the subdivision of the property.

4.0 CONCLUSION:

In light of the fact that the proposed rezoning is for an existing dwelling which has been accepted in the neighbourhood since 1984 and that that the most significant impact of the retention of this larger dwelling would be on the dwelling to be constructed on the proposed property to the west, for which any potential purchasers would be aware of the existing dwelling and its relationship to the new lot, this Department recommends that this rezoning be advanced to Public Hearing.

5.0 DEVELOPMENT STATISTICS

- 5.1 Site Area: - 1,034.5m² (11,136 sq. ft.)
- Lot Coverage Permitted: - 40%
- Lot Coverage Shown: - 25%
- 5.2 Building Height: - 2 storeys with cellar
10.6m (35 ft.)

5.3	Maximum Floor Area Ratio:	-	0.60
	Development Density Permitted Under the R2"a" Zoning:	-	620.7m ² (6,681.6 sq. ft.)
	Gross Floor Area Shown:	-	616.5m ² (6,637 sq. ft.)
	Floor Area Ratio:	-	0.59
5.4	Above Grade Floor Area Permitted:	-	413.7m ² (4,454 sq. ft.)
	Above Grade Floor Area Shown:	-	397.9m ² (4,283 sq. ft.)

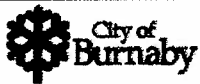
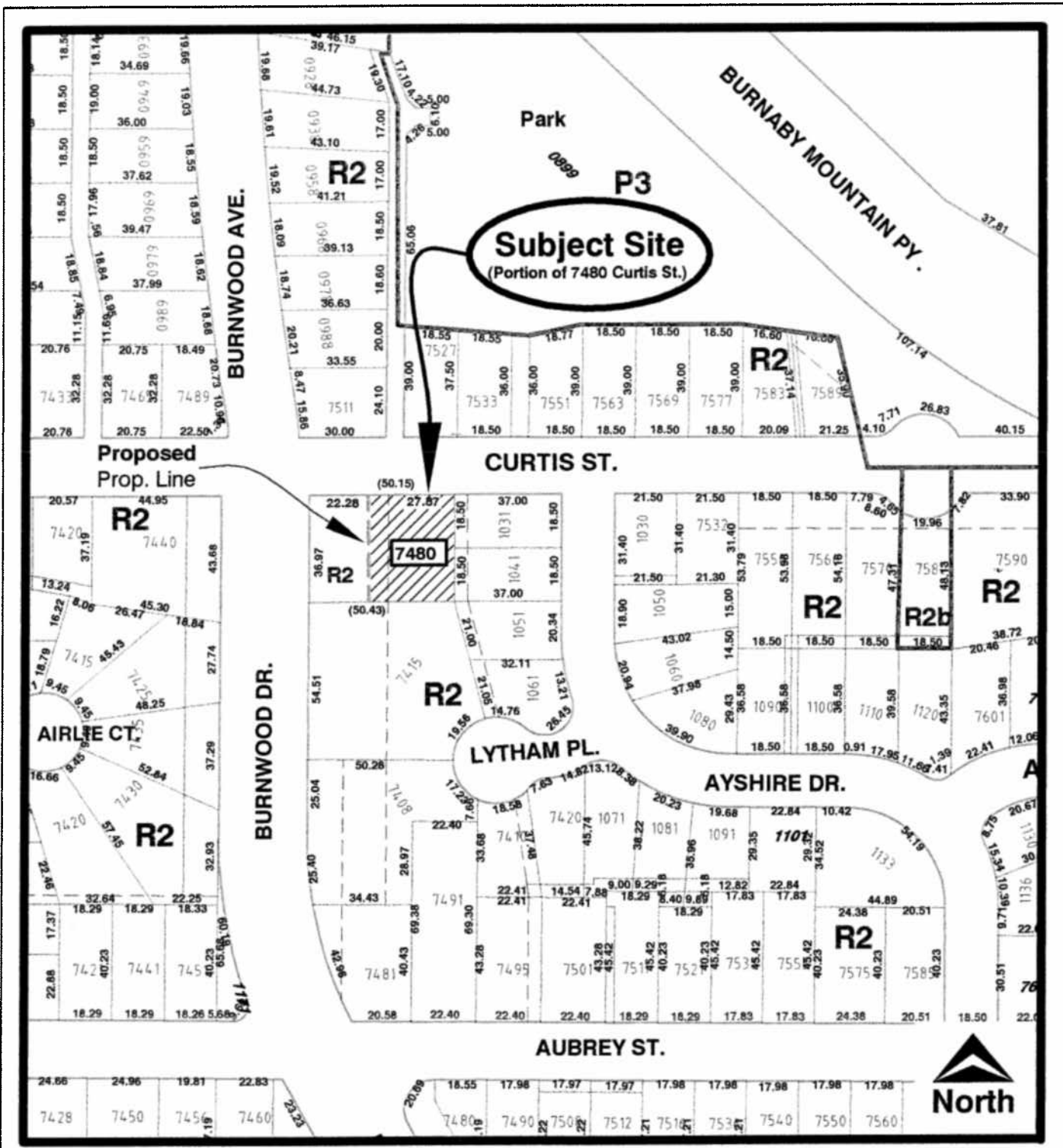


J. S. Belhouse
Director Planning and Building

BW:gk
Attach

cc: City Clerk
City Solicitor
Chief Building

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Planning and Building Department

Scale: 1 = 2000

Drawn By: J.P.C.

Date: March 2005

REZONING REFERENCE # 04 -- 76
 Portion of 7480 Curtis St.

Sketch # 1

