



Item .....  
Meeting ..... 2010 October 04

COUNCIL REPORT

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**TO:** CITY MANAGER **DATE:** 2010 September 29  
**FROM:** DIRECTOR PLANNING & BUILDING **FILE:** 49500 20  
*Reference: REZ #10-24*  
**SUBJECT: REZONING REFERENCE #10-24**  
**Napier Street Block rezoning**  
**PURPOSE:** To request a rezoning bylaw amendment to bring the zoning of the subject block into conformance with a residential use designation.

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**RECOMMENDATIONS:**

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2010 October 04 and to a Public Hearing on 2010 October 26 at 7:00 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 consolidation of the subject properties at 3804 and 3810 Napier Street into one legal parcel.
  - c. Removal of the existing garage straddling the property line between 3820 Napier Street and 1123 Douglas Road, and replacement of the existing front driveway vehicular access at 1123 Douglas Road with access via the rear lane.
  - d. The deposit of sufficient monies including a 4% Engineering Inspection Fee to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering design.

**REPORT**

**1.0 GENERAL INFORMATION**

- 1.1 Applicant:** City of Burnaby  
4949 Canada Way  
Burnaby, BC V5G 1M2

- 1.2 **Subject:** Application for the rezoning of:  
Schedule A (attached)  
  
**From:** M3 Heavy Industrial/R5 Residential District  
  
**To:** R5 Residential District
- 1.3 **Address:** Ptns. of 3804, 3810 & 3820 Napier Street and ptns. of 1123 & 1145 Douglas Road.
- 1.4 **Location:** The subject block is located along the south side of Douglas Road, east of Esmond Avenue (Sketch #1 attached).
- 1.5 **Services:** The Director Engineering will be requested to provide all relevant servicing information.
- 1.6 **Rezoning Purpose:** The purpose of the proposed rezoning bylaw amendment is to bring the zoning of the subject block into conformance with a residential use designation.

## 2.0 NEIGHBOURHOOD CHARACTERISTICS

The subject block is located along the south side of Douglas Road, on the boundary of a designated industrial area characterized by two-storey industrial warehouse buildings to the west, and a stable single- and two-family R5 Residential District neighbourhood to the east, across Douglas Road. Vehicular access to the subject properties is available via a rear lane. The subject property at 1123 Douglas Road also has existing vehicular access via Douglas Road.

## 3.0 BACKGROUND INFORMATION

- 3.1 On 2010 May 17, Council authorized the Legal and Lands Department to negotiate for the sale of the City-owned property at 3820 Napier Street to the property owner of 1123 Douglas Road in order to resolve a property encroachment matter. Council also authorized the advancement of a rezoning application for the subject City-owned property to remove the M3 Heavy Industrial District zoning portion of the property to bring it into conformance with the R5 District residential designation prior to the sale of the City-owned property.
- 3.2 The Planning and Building Department has also received several inquiries regarding the development potential of a number of R5 Residential District properties within the subject block of Napier Street, between Esmond Avenue and Douglas Road. Upon review of the subject block, it was noted that a portion of the private properties at 3804 & 3810 Napier Street and 1123 & 1145 Douglas Road are zoned M3 Heavy Industrial District. The current split-zoning of these residential properties limits their future

development for R5 District residential purposes. As such, the review concluded that there would be merit in rezoning the subject block, as part of the City-initiated rezoning application of the subject property at 3820 Napier Street, to remove the M3 District designation.

Input from the private property owners of the above noted subject properties has been sought regarding this City-initiated rezoning application. The property owners at 3804 & 3810 Napier Street and 1123 Douglas Road have indicated their support of the City's intent to rezone the subject block. Staff have not received a response from the property owner at 1145 Douglas Road, who was notified via registered mail on 2010 August 27. It is noted that this property only has a very small portion of the rear yard that is currently zoned to the M3 District, and as such the rezoning does not materially affect the development potential of this property.

3.3 The intent of R5 District zoning along the west side of Douglas Road, which extends from Parker Street to Gilmore Avenue and was established in 1965, is to serve as a buffer area to separate the residential neighbourhood on the east side of Douglas Road from industrial development to the west.

**4.0 GENERAL INFORMATION**

4.1 The subject private property at 3804 Napier Street is improved with an older single-family dwelling. The subject private property at 3810 Napier Street is vacant and landscaped with vegetation and trees and appears as an extension of the rear and side yards at 3804 Napier Street. Vehicular access to the subject properties is available via the rear lane, which is constructed to an interim standard (see attached Sketch #1).

The property owner is seeking to consolidate the subject private properties at 3804 and 3810 Napier Street, pursuant to the potential R5 District zoning, in order to permit the development of a two-family dwelling. The property owner has submitted a survey plan, prepared by Target Land Surveying dated 2010 August 21, which indicates that the proposed consolidation of the subject properties would meet the minimum required lot width and area for a two-family dwelling under the R5 District. The subject properties at 3804 and 3810 Napier Street are to be consolidated into one legal parcel, as a prerequisite of rezoning, prior to Final Adoption.

4.2 The subject City-owned property at 3820 Napier Street is developed and utilized for residential purposes through a historic encroachment of a private single-family dwelling from the adjacent lot at 1123 Douglas Road, which accommodates part of the garage and landscaped yard for the dwelling. Vehicular access to the existing detached garage for the subject dwelling is via Douglas Road. Vehicular access is also available via the rear lane.

To: City Manager  
From: Director Planning & Building  
Re: Rezoning Reference #10-24  
Napier Street Block Rezoning


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It is noted that the subject properties at 3820 Napier Street and 1123 Douglas Road meet the lot area and width requirements under the R5 Single Family Dwelling – small lot provisions for the development of a single-family dwelling.

As previously noted in this report, on 2010 May 17, Council authorized the Legal and Lands Department to negotiate for sale of the City-owned subject property at 3820 Napier Street to the adjacent property owner at 1123 Douglas Road, as a viable option to achieve resolution of the above noted encroachment issue.

As a prerequisite of the rezoning, in order to meet the requirements of the Zoning Bylaw, the property owner of 1123 Douglas Road would be required to remove the older garage structure that straddles the existing property line and to take access to this property from the rear lane rather than Douglas Road.

- 4.3 The subject private property at 1145 Douglas Road is improved with a newer single-family dwelling. Vehicular access to the subject property is via the rear lane. It is noted that the subject dwelling is developed entirely within the R5 District portion of the subject property and that only a small portion of the southwest corner of the property is part of this rezoning application. As such, the subject rezoning application does not materially affect the future development potential of this property.
- 4.4 No development of the subject properties is being pursued at this time.
- 4.5 There is no road dedication requirement associated with this rezoning application.
- 4.6 The Director Engineering will be requested to provide all relevant servicing information, as well as prepare an estimate for all services necessary to serve this site.

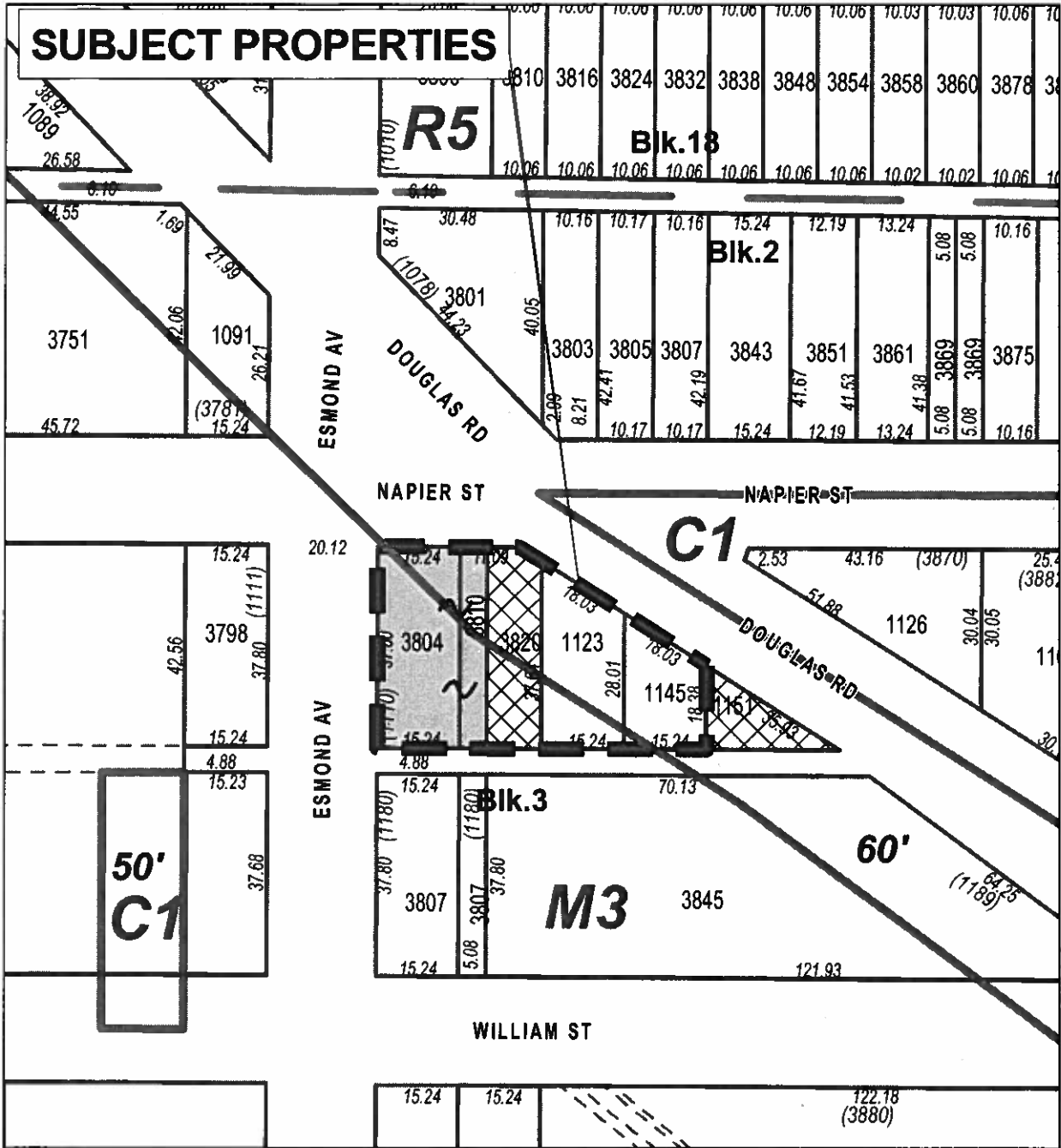
  
B. Luksun, Director  
PLANNING AND BUILDING

ZM:spf/tn  
*Attachments*

cc: City Clerk  
City Solicitor  
Director Engineering  
Director Finance

**Rezoning Reference #10-24**  
**Schedule "A"**

3804 Napier Street	Portion of Lot 1, Blk 3, DL 117, Grp 1, NWD Plan 1008
3810 Napier Street	Portion of West 1/3 of Lot 2, Blk 3, DL 117, Grp 1, NWD Plan 1008
3820 Napier Street	Portion of East 2/3, Lot 2, Blk 3, DL 117, Grp 1, NWD Plan 1008
1123 Douglas Road	Portion of Lot 3, Blk 3, DL 117, Group 1, NWD Plan 1008
1145 Douglas Road	Portion of Lot 4, Blk 3, DL 117, Group 1, NWD Plan 1008



**SUBJECT PROPERTIES**



DATE: SEPT 13 2010

SCALE: 1:1,200

DRAWN BY: DJ

Planned Consolidation

City-Owned Property

**REZONING REFERENCE #10-24**

**3804, 3810 & 3820 NAPIER ST**

**1123 & 1145 DOUGLAS RD**

Sketch #1