

COMMUNITY DEVELOPMENT COMMITTEE

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

SUBJECT: REZONING REQUEST FOR 5750 PORTLAND STREET

RECOMMENDATION:

1. THAT Council direct staff to advise Mr. Chris Ishkanian of 5750 Portland Street, Burnaby of the process for advancement of an area rezoning request to the R3 District for block front on the south side of Portland Street located between MacPherson Avenue and Buller Avenue, as outlined in this report.

REPORT

The Community Development Committee, at its meeting held on 2012 September 28, received and adopted the *attached* report responding to a delegation request to the rezoning of the subject property in order to support a subdivision application to create two smaller lots.

Respectfully submitted,

Councillor C. Jordan
Chair

Councillor D. Johnston
Vice Chair

Councillor P. Calendino
Member

Copied to: City Manager Director Planning & Building

TO: CHAIR AND MEMBERS
COMMUNITY DEVELOPMENT COMMITTEE

DATE: 2012 September 11

FROM: DIRECTOR PLANNING AND BUILDING

FILE: 42000 01
*Reference: Single and Two Family
Residential General*

SUBJECT: REZONING REQUEST FOR 5750 PORTLAND STREET

PURPOSE: To provide information in response to a request for rezoning of property at 5750 Portland Street to the R12 District.

RECOMMENDATION:

1. **THAT** staff advise Mr. Chris Ishkanian of 5750 Portland Street, Burnaby of the process for advancement of an area rezoning request to the R3 District for block front on the south side of Portland Street located between MacPherson Avenue and Buller Avenue, as outlined in this report.

REPORT

1.0 INTRODUCTION

Mr. Chris Ishkanian of 5750 Portland Street appeared as a delegation at the 2012 June 26 Community Development Committee meeting to request rezoning of the subject property in order to support a subdivision application to create two smaller lots. As directed by the Committee, this report has been prepared in response to the request of the delegation.

2.0 DISCUSSION

2.1 *Prevailing R2 Single Family District*

The delegation sought information regarding options to achieve subdivision of the subject property (*see Sketch #1*). Advice on this matter has been provided previously; that subdivision of the existing lot under the prevailing R2 Residential District could not be granted by the Approving Officer in that the proposed lots would not have sufficient width or area, and this fails to comply with the prevailing R2 zoning regulations for the lot.

Specifically, the R2 District requires that each new lot have a minimum lot width of 18.28 m (60 ft) and a minimum lot area of 668.88 m² (7,200 sq.ft.). The lot at 5750 Portland Street is 22.86 m (75 ft) wide, 36.88 m (121 ft) deep, and has lot area of 843.1 m² (9,075.05 sq.ft.). The existing lot would, therefore, need to have an overall width of 36.56 m (120 ft), and an area of

over 1,337.76 m² (14,400 sq. ft.), in order to achieve subdivision in accordance with the requirements of the prevailing R2 District. As such, approval of a subdivision cannot be granted as the lot has a shortfall in width of about 13.72 m (45 ft), and in area of about 494.66 m² (5,325 sq.ft).

In relation to the prevailing zoning of the property, staff have also reviewed the potential for the consolidation and re-subdivision of the subject property together with the adjacent lot to the east at 5764 Portland Street. The lot at 5764 Portland Street is developed with a single-family dwelling constructed in 1953, and the lot is 22.86 m (75 ft) wide and has a lot area of 843.1 m² (9,075.05 sq.ft.). Again, however, consolidation and re-subdivision of these two lots would not generate sufficient area to create an additional lot (3 lot subdivision) as the resulting width and area of the lots would not meet the requirements of the prevailing Zoning District to allow for subdivision. The resulting lots could not be approved as they would each have a width of 15.24 m (50 ft.) and an area of 562.1 m² (6,050.03 sq.ft.), which represents a shortfall of width and area relative to the requirements of the R2 District, specifically of 3.04 m (9.97 ft.) and 106.78 m² (1,149.37 sq.ft) per lot.

2.2 Rezoning to an Alternative Single Family Suburban District

The request to achieve subdivision of the lot has also been reviewed in relation to the area rezoning process and the designation of the property under the adopted Official Community Plan (OCP). Under the OCP, the area on the south side of Portland Street is designated for future *Single Family Suburban* residential development, under the prevailing R2 District, or similar Single Family Districts which include the R1, R3, R10 and R11 Residential Districts.

Similar to the discussion of the R2 District above, given the size of the subject lot, and the resulting lot sizes when considered as part of a consolidation / re-subdivision approach involving the neighbouring property at 5764 Portland Street, new subdivision potential would not be created under either of the R1 or R11 Districts.

Subdivision potential would be created, for these 2 lots to achieve 3 lots, under either of the R3 or R10 District. The R10 District was created, however, to regulate and reduce the bulk of residential dwellings. In this regard, this District would not result in a consistent form of development as permitted under the R2 District for the balance of the subject block. The bulk and density provisions of the R3 District, however, are equivalent to those of the R2 District, but are applied to a smaller lot size. In this regard, the use of the R3 District would maintain a similar size and bulk of dwelling in relation to lot size as the prevailing R2 District on this block front. Further, the required width provisions of the R3 District (minimum lot width of 15 m [49.2 ft]) would be consistent with the existing lot subdivision pattern of the subject block which is typically 15.24 m (50 ft). Area requirements for lots of a minimum of 557.4 m² (6,000 sq.ft.) would also be met and would be consistent with the established pattern on the subject street front.

In light of the foregoing, an area rezoning to the R3 District would support the subdivision objectives of the delegation and would appropriately maintain the prevailing pattern on the block front. However, following approval of an area rezoning to this District, the achievement of an additional lot with a width and area conforming to the R3 District, in keeping with the lots on this block, could only be created through approval of a consolidation / re-subdivision for the two lots at 5750 and 5764 Portland Street. It is noted that the area rezoning would result in the creation of additional development potential for these two lots only, as the balance of the lands on this block front are currently subdivided in a pattern that achieves the maximum lot potential. At the same time, there would be no loss or impact to the existing development potential of the majority of the other lots on the block front that would arise from such a rezoning. It is noted that three lots at 5892, 5808 and 5786 Portland Street would have a loss of some potential gross floor area, 70 m² (753.5 sq.ft.), that would arise from rezoning to the R3 District, based on the larger site area of these lots.

On this basis, staff would recommend that the delegation be advised of the process to achieve additional subdivision potential through advancement of an area rezoning process based on the R3 District. Staff would provide the delegation the necessary guidance and information to collect an initial petition indicating interest on the part of other properties on the south side of this block to proceed through the process. The minimum area for the rezoning would extend along the south side of Portland Street between MacPherson and Buller Avenues. On submission of a petition expressing interest, staff would prepare the necessary subsequent report to Committee to consider whether initiation of the formal review process is supported.

2.3 Rezoning to an Alternative Small Lot District

The delegation also sought support for rezoning of the single lot or the block front to an alternative small lot district that would allow for subdivision of the subject lot on its own. Staff would note that under the Burnaby Zoning Bylaw, subdivision of the lot on its own could only be achieved under the R12 District. An area rezoning process for the lot or the larger block front to the R12 District is not supported given the prevailing OCP designation of the area to the Single Family Suburban designation, as noted above. The R12 area rezoning process is available for use in the Single and Two Family Urban Residential designated areas which are typically zoned R4 and R5.

It is noted that the delegation also requested an OCP amendment to extend the existing Single and Two Family Urban Residential designation that applies to lands within the Royal Oak Community Plan area to the north, to encompass lands south of Portland Street (*see Sketch #2*). Staff would advise of the role and function of the prevailing OCP designations and Council policies to provide for clear direction and certainty for residents and owners of lands in this and other areas of the City with regard to future land use and development forms. Based on these objectives, it is advised that a site specific or block front OCP change is generally not supported. Staff would note that a change of this nature may be considered as part of any future OCP review process that would provide the broader community in Burnaby with the opportunity to consider setting alternative directions for development within neighbourhoods.


To: Community Development Committee
From: Director Planning and Building
Re: Rezoning Request for 5750 Portland Street
2012 September 11 Page 4

Staff would also note that where change is supported in line with prevailing OCP designations, the City area rezoning process has ensured that any changes to prevailing zoning are adequately supported and advanced in consultation with affected property owners.

3.0 CONCLUSION

In summary, based on the above, there is an opportunity to advance an area rezoning process involving the subject lot, and the lots on the balance of the block on the south side of Portland Street, to support the objectives of the delegation for an approvable plan of subdivision. As noted, rezoning to the R3 District through the area rezoning process would be consistent with the OCP designation for the properties, and would support approval of a future subdivision application that would create 3 conforming lots through the consolidation / re-subdivision of lands at 5750 and 5764 Portland Street. Subject to the successful completion of the required rezoning and subdivision approvals processes, the resulting lots would be consistent in size and area with the majority of the existing lots on this block. It is also noted that the majority of the lots on the block front would remain fully conforming with the R3 District, neither gaining nor losing development potential from the change, as these lots currently conform to the minimum width and area requirements of the R3 District. The noted exceptions are 5892, 5808 and 5786 Portland Street which would have a loss of some potential gross floor area of 70 m² (753.5 sq.ft.), that would arise from rezoning to the R3 District.

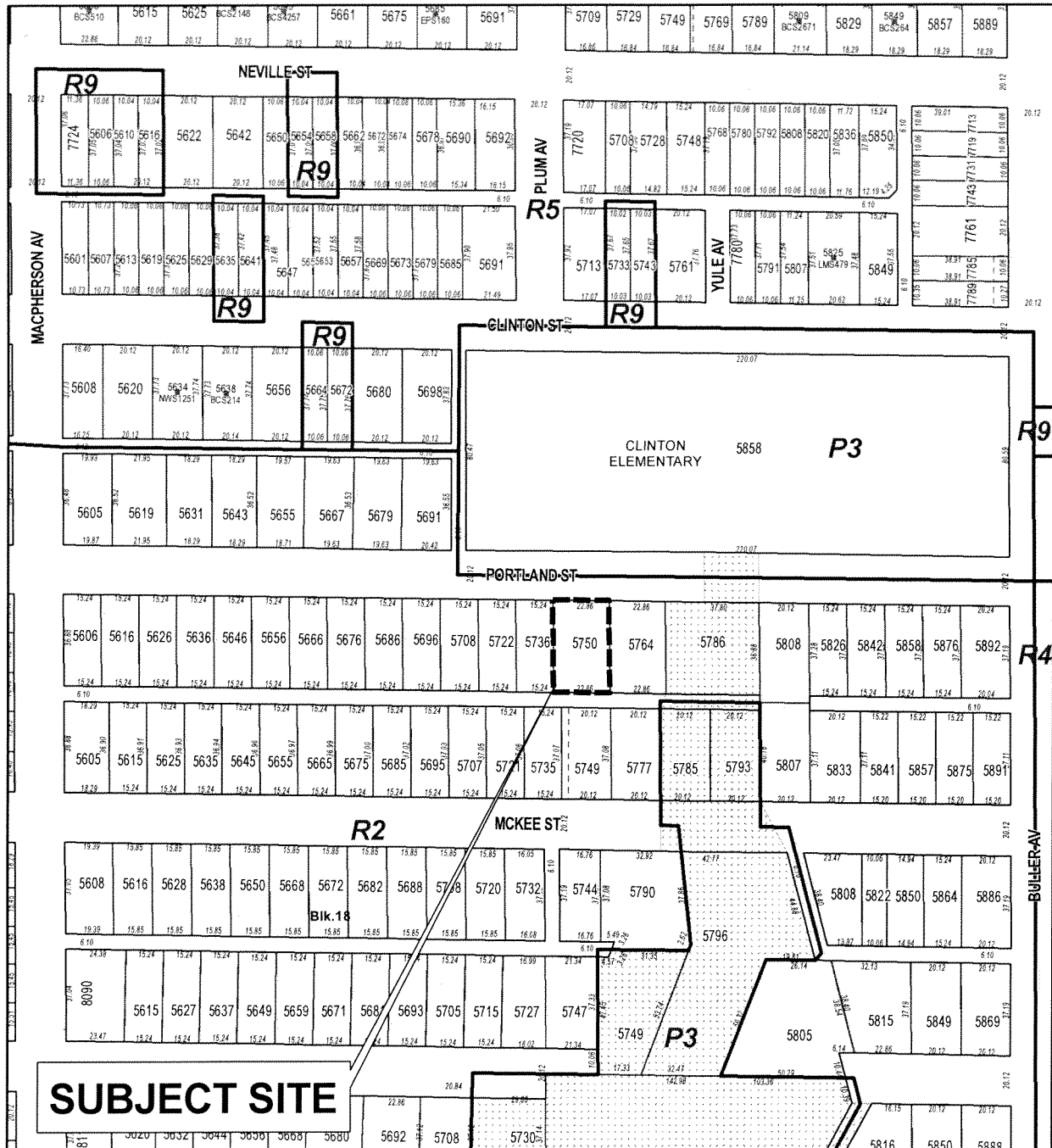
On this basis, it is recommended that staff advise Mr. Chris Ishkanian of 5750 Portland Street, Burnaby of the process for advancement of an area rezoning request to the R3 District for block front on the south side of Portland Street located between MacPherson Avenue and Buller Avenue, as outlined in this report.


Lou Pelletier, Director
PLANNING AND BUILDING

LP/SF:sla

Attachments

cc: City Manager



SUBJECT SITE




PLANNING & BUILDING DEPARTMENT

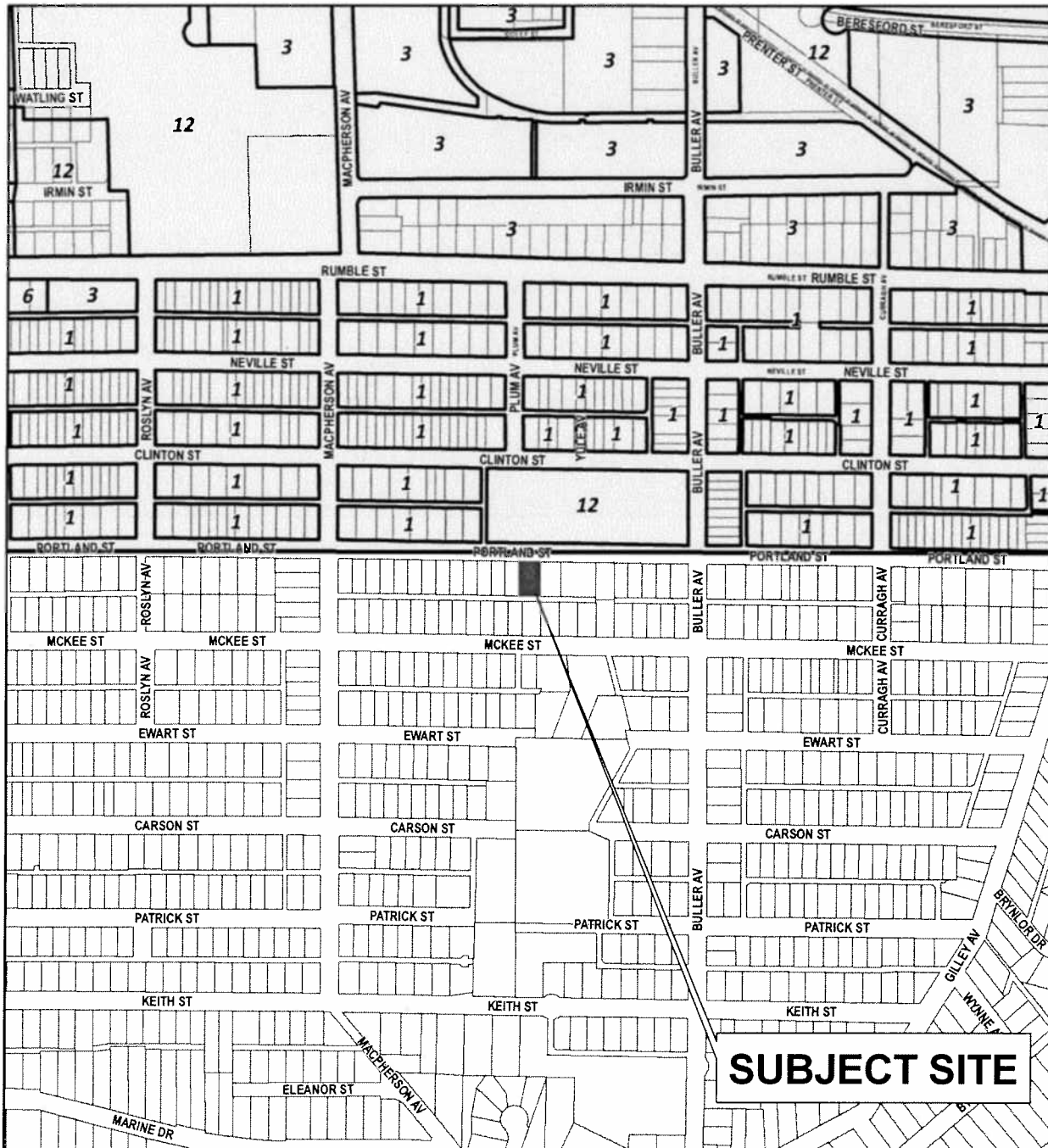


DATE:
SEP 04 2012

SCALE:
1:2,600

DRAWN BY:
AY

 Subject Site
5750 PORTLAND ST



**Royal Oak Community Plan
Land Use**



City of Burnaby
PLANNING & BUILDING DEPARTMENT

General Land Use Designation Key

- 1 Single and Two Family Residential
- 3 Medium Density Multiple Family Residential
- 5 Commercial
- 6 Medium Density Mixed Use
- 9 Industrial
- 10 Institutional
- 12 Park and Public Use
- 20 Industrial and Commercial Mixed Use

