

COMMUNITY DEVELOPMENT COMMITTEE

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

**SUBJECT: REQUEST FOR AREA REZONING TO THE R12S DISTRICT –
AREA BOUNDED BY MCKEE STREET, ROYAL OAK AVENUE,
CARSON STREET AND MCGREGOR AVENUE**

RECOMMENDATIONS:

1. **THAT** Council authorize initiation of a consultation process to explore the desirability of an R12s area rezoning of the area bounded by McKee Street, Royal Oak Avenue, Carson Street and McGregor Avenue.
2. **THAT** Council send a copy of this report to Ms. Eliza March, the petition organizer, at 5171 Ewart Street, Burnaby, BC, V5J 2W3.

REPORT

The Community Development Committee, at its meeting held on 2013 May 28, received and adopted the *attached* report seeking Council's concurrence to initiate a consultation process to explore the desirability of an area rezoning of the subject properties to the R12s Residential District.

Respectfully submitted,

Councillor C. Jordan
Chair

Councillor D. Johnston
Vice Chair

Councillor P. Calendino
Member

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| Copied to: | City Manager Acting Director Engineering Director Planning & Building Chief Building Inspector |
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TO: CHAIR AND MEMBERS
COMMUNITY DEVELOPMENT COMMITTEE

DATE: 2013 May 22

FROM: DIRECTOR PLANNING AND BUILDING

FILE: 49500 10
*Reference: R12s McKee Royal Oak
Carson McGregor*

**SUBJECT: REQUEST FOR AREA REZONING TO THE R12S DISTRICT –
AREA BOUNDED BY MCKEE STREET, ROYAL OAK AVENUE,
CARSON STREET, AND MCGREOR AVENUE**

PURPOSE: To seek Council's concurrence to initiate a consultation process to explore the desirability of an area rezoning of the subject properties to the R12s Residential District.

RECOMMENDATIONS:

1. **THAT** Council be requested to authorize initiation of a consultation process to explore the desirability of an R12s area rezoning of the area bounded by McKee Street, Royal Oak Avenue, Carson Street, and McGregor Avenue.
2. **THAT** a copy of this report be sent to Ms. Eliza March, the petition organizer, at 5171 Ewart Street, Burnaby, BC, V5J 2W3.

REPORT**1.0 BACKGROUND**

A petition requesting the rezoning of the area bounded by McKee Street, Royal Oak Avenue, Carson Street, and McGregor Avenue to the R12s Residential District has been received in the Planning Department. The petition represents an area consisting of thirty (30) legal lots composed of twenty-three (23) single family dwellings, one (1) two family dwelling (one legal lot), and three (3) strata two family dwellings (six legal lots) (see *Attachment #1*). The petition was signed by fifteen (15) (50%) of the thirty (30) property owners in the proposed rezoning area. The purpose of this report is to seek Council authorization to initiate an R12s area rezoning consultation process in response to the petitioners' request.

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From: Director Planning and Building
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2.0 DISCUSSION

2.1 Subject Area

The area represented on the petition consists of the blocks bounded by McKee Street, Royal Oak Avenue, Carson Street, and McGregor Avenue. The proposed rezoning area is located in the Sussex-Nelson planning study neighbourhood. The surrounding area is primarily zoned R4 and R5 with R2 zoning to the east of Royal Oak Avenue. Frogger’s Creek Ravine Park is located to the west. The proposed rezoning area is designated in the Official Community Plan for ‘Single and Two Family Residential Urban’ development under the Residential Framework.

The area is comprised of thirty (30) legal lots developed with twenty-three (23) single family dwellings, one (1) two family dwelling (one legal lot), and three (3) strata two family dwellings (six legal lots), developed under the R4 and R9 Residential District. The lots widths range from 11.6 m (38.06 ft.) to 23.67 m (77.66 ft.) while the lot areas range from 421.1 m² (4,532.83 sq.ft.) to 870.83 m². (9,373.84 sq.ft.). The lots are served by constructed lanes which provide rear access to all of the properties. The housing is of mixed age – nine (9) of the homes were built before the establishment of the Zoning Bylaw in 1965. Fourteen (14) of the properties have been developed with homes built after 1980. Twenty-six (26) of the homes are owner-occupied and most are well maintained and in good condition.

The two (2) City-owned lots at 5172 and 5192 McKee are used for a water reservoir and form the Alta Vista Reservoir Park. Future plans are to retain these lots for reservoir and park use. Should the proposed area rezoning be advanced, these lots would be excluded from the process for the R12s rezoning, and their prevailing R4 zoning could be advanced by the City for rezoning to the P3 Park and Public Use District, consistent with their long term intended use.

2.2 Current and Proposed Development Potential

The current R4 and R9 development potential of the thirty (30) lots is for thirty-four (34) single and two family dwellings.

The R12s District zoning category was established as an alternative to the R12 District for neighbourhoods where it was considered that the R12 two family dwellings on small lots might not be supported due to neighbourhood character and concerns about density. Under the R12s District, each lot shall have an area of not less than 306.57 m² (3,300 sq.ft.) and a width of not less than 9.15 m (30 ft). Single family dwellings are permitted on all legal lots. Two (2) family dwellings are also permitted in the R12s District but only on lots with widths not less than 13.7 m (45 ft) with or without lane access. It is noted that the R12 District permits two (2) family dwellings on 9.15 m wide lots where there is lane access.

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With respect to the subject proposal, nine lots would become eligible for a two (2) lot subdivision with a single family dwelling permitted on each new lot. Two (2) lots would become eligible for a two (2) family dwelling. The remaining lots would retain their single family dwelling potential. Development potential is subject to meeting all City bylaw requirements.

2.3 Area Rezoning Assessment

R12s District area rezoning requests are evaluated based on a number of factors including the existing housing character of the area, appropriateness of the area's proposed boundaries, and the Official Community Plan (OCP) designation.

There are several considerations in the proposed area rezoning. The block is appropriately designated in the OCP for 'Single and Two Family Residential Urban' development. The area is developed with some existing small lot development consisting of several 11-12 metre wide lots. The petition area represents four block fronts that are generally suitable for the proposed R12s District. There is also sufficient support from the property owners to pursue an R12s area rezoning process, with 50% of the owners having signed a petition requesting advancement of the area rezoning process. Given the general support of the circulated petition, the block configuration, and the existing small lot character of the area, it is recommended that a consultation process be initiated to enable the community to further assess the desirability of pursuing an area rezoning to the R12s Residential District.

2.4 Consultation Process

If authorized, the consultation process will include several means by which residents can comment on the proposed area rezoning. Brochures and questionnaires will be sent to the owners and tenants in the block proposed for rezoning. In accordance with Council policy, residential properties within 100 m (328 ft) of the proposed rezoning area will be included in the consultation area (see *Attachment #1*). An open house with displays and opportunities for the presentation of questions and comments to staff will be scheduled at the nearby Clinton or Nelson Elementary Schools.

The results of the public consultation will be assessed to determine if there is adequate support for further advancement of the area rezoning and the results will be reported back to Committee and Council. The Council adopted guidelines for area rezonings state that a proposal to be forwarded to Public Hearing should meet the following criteria:

1. Where the response rate is 100%, at least 50% of all the property owners in a defined area have indicated that they support an area rezoning; or
2. Where the response rate is less than 100%, at least 50% of the property owners have responded and 70% support the area rezoning.

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3.0 CONCLUSION

A petition was received from 15 (50%) of the 30 property owners in the area, requesting an area rezoning to the R12s Residential District. The rezoning would permit single family dwellings on 9.15 m wide lots and two (2) family dwellings on 13.7 m wide lots.

Given the area's OCP designation, small lot character, the configuration of the proposed rezoning area, and the support of the property owners to pursue the area rezoning process, it is recommended that a consultation process be initiated to explore the interest of property owners to pursue an area rezoning to the R12s Residential District. The process would include brochures, questionnaires, and an open house to determine the support for the rezoning. The results would be reported back to Committee and Council with a recommendation to either advance or not advance the rezoning through the bylaw approval process.

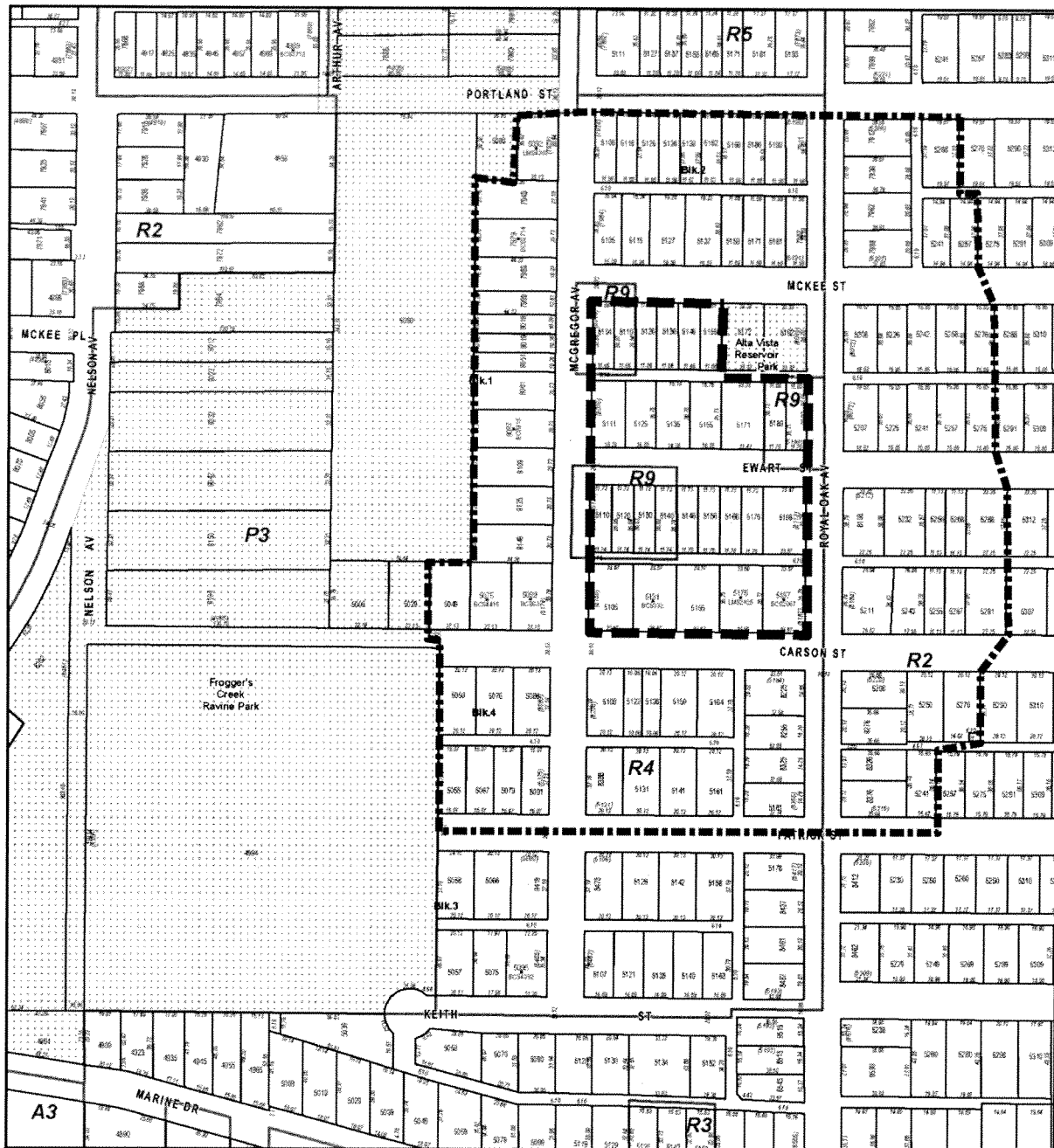
It is also recommended that a copy of this report be provided to Ms. Eliza March, the organizer of the area rezoning petition process.


Lou Pelletier, Director
PLANNING AND BUILDING

SF/sa/jc

Attachment

cc: City Manager
Acting Director Engineering
Chief Building Inspector
Acting City Clerk



PLANNING & BUILDING DEPARTMENT



DATE:
MAY 15 2013

SCALE:
1:3,500

DRAWN BY:
AY

MCKEE ROYAL OAK CARSON MCGREGOR R12S

 Rezoning Area  Consultation Area