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**COMMUNITY DEVELOPMENT COMMITTEE**

*HIS WORSHIP, THE MAYOR  
AND COUNCILLORS*

**SUBJECT: REQUEST FOR AREA REZONING TO THE R12S DISTRICT – AREA  
BOUNDED BY NEVILLE STREET, CURRAGH AVENUE, CLINTON  
STREET, AND BULLER AVENUE**

**RECOMMENDATIONS:**

1. **THAT** Council authorize initiation of a consultation process with property owners and area residents to consider an R12S area rezoning of the area bounded by Neville Street, Curragh Avenue, Clinton Street, and Buller Avenue.
2. **THAT** a copy of this report be sent to Mr. Au Ying Chen, the petition organizer, at 7715 Curragh Avenue, Burnaby, BC, V5J 4W3.

**REPORT**

The Community Development Committee, at its meeting held on 2013 October 29, received and adopted the *attached* report to seek Council's concurrence to initiate a consultation process with property owners and area residents to consider 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

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

**DATE:** 2013 October 23

**FROM:** DIRECTOR PLANNING AND BUILDING

**FILE:** 49500 10  
*Reference: R12S Neville Curragh  
Clinton Buller*

**SUBJECT:** **REQUEST FOR AREA REZONING TO THE R12S DISTRICT – AREA BOUNDED BY NEVILLE STREET, CURRAGH AVENUE, CLINTON STREET, AND BULLER AVENUE**

**PURPOSE:** To seek Council's concurrence to initiate a consultation process with property owners and area residents to consider an area rezoning of the subject properties to the R12S Residential District.

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**RECOMMENDATIONS:**

1. **THAT** Council be requested to authorize initiation of a consultation process with property owners and area residents to consider an R12S area rezoning of the area bounded by Neville Street, Curragh Avenue, Clinton Street, and Buller Avenue.
2. **THAT** a copy of this report be sent to Mr. Au Ying Chen, the petition organizer, at 7715 Curragh Avenue, Burnaby, BC, V5J 4W3.

**REPORT****1.0 BACKGROUND**

A petition requesting the rezoning of the area bounded by Neville Street, Curragh Avenue, Clinton Street, and Buller Avenue to the R12S Residential District has been received in the Planning Department. The petition area is comprised of twenty-eight legal lots with a mix of single and two family dwellings. The petition was signed by seventeen (61%) of the twenty-eight 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 with property owners and the neighbourhood in response to the petitioners' request.

## 2.0 DISCUSSION

### 2.1 Subject Area

The area represented on the petition consists of the blocks bounded by Neville Street, Curragh Avenue, Clinton Street, and Buller Avenue. The proposed rezoning area is located in the Clinton-Glenwood planning study neighbourhood. The surrounding area is primarily zoned R5 District. 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 twenty-eight legal lots composed of sixteen single-family dwellings, two two-family dwellings (located on two legal lots), and five strata two-family dwellings (located on ten legal lots) developed under the R5 and R9 Residential District. The lot widths range from 10.06 m (33 ft.) to 24.23 m (79.49 ft.) while the lot sizes range from 367.6 m<sup>2</sup> (3,956.94 sq.ft.) to 838.44 m<sup>2</sup> (9,025.19 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 of the homes were built before the establishment of the Zoning Bylaw in 1965. Fourteen of the properties have been developed with homes built after 1980. Twenty-eight of the properties are owner-occupied and the majority of the residences are well maintained and in good condition (see *Attachment #1*).

### 2.2 Current and Proposed Development Potential

The current R5 and R9 development potential of the twenty-eight (28) lots is for thirty (30) single and two family dwellings.

The R12S District zoning category was established by Council as an alternative to the R12 District for neighbourhoods where it was considered that single family dwellings on small lots and two family on larger lots would be more suitable to the existing neighbourhood character. Under the R12S District, each lot shall have an area of not less than 306.57 m<sup>2</sup> (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-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-family dwellings on 9.15 m wide lots where there is lane access.

With respect to the subject proposal, seven properties would become eligible for a subdivision to create two lots which would accommodate a new single family dwelling on each new lot. Nine properties would become eligible for development of a two-family dwelling. The remaining seven properties lots would retain their single family dwelling development potential. Development under the proposed rezoning would be subject to meeting all City bylaw requirements.

As noted, the seven small lots would retain their existing development potential for a single family dwelling under the proposed R12S District. However, the two block fronts provide for

To: Community Development Committee  
From: Director Planning and Building  
Re: Request for Area Rezoning to the R12S District – Area Bounded by  
Neville Street, Curragh Avenue, Clinton Street, and Buller Avenue  
2013 October 23..... Page 3

the proposal to achieve a contiguous rezoning area that is consistent with the policy for the application of the R12S District and recognition of existing small lot character.

### **2.3 Area Rezoning Assessment**

R12S District area rezoning requests from the community are evaluated based on Council’s adopted policy which includes consideration of a number of factors such as the existing housing character of the area; appropriateness of the area’s proposed boundaries; and its Official Community Plan (OCP) designation.

There are several considerations that support the application of the R12S District 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 10-12 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 61% 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 and consider 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 property owners and area 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, all 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 a nearby venue.

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 area rezoning guidelines outline that in order for a proposal to be forwarded to Public Hearing it must 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.

To: Community Development Committee  
From: Director Planning and Building  
Re: Request for Area Rezoning to the R12S District – Area Bounded by  
Neville Street, Curragh Avenue, Clinton Street, and Buller Avenue  
2013 October 23..... Page 4

### 3.0 CONCLUSION

A petition was received from seventeen (61%) of the twenty-eight 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 (30 ft) wide lots and two family dwellings on 13.7 m (45 ft) wide lots.

Given the area's OCP land-use designation, existing 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 further explore the interest of property owners to pursue an area rezoning to the R12S Residential District and to seek comments from the surrounding neighbourhood on the proposal. The process would include brochures, questionnaires, and an open house. The results of this public consultation 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 Mr. Au Ying Chen, the organizer of the area rezoning petition process.



Lou Pelletier, Director  
PLANNING AND BUILDING

SF/sa:sla  
**Attachment**

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



PLANNING & BUILDING DEPARTMENT



DATE:  
JUNE 25 2013

SCALE:  
1:2,500

DRAWN BY:  
AY

NEVILLE CURRAGH CLINTON BULLER R12S

 Rezoning Area     Consultation Area