

COMMUNITY DEVELOPMENT COMMITTEE

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

**SUBJECT: R12S DISTRICT AREA REZONING PUBLIC CONSULTATION
RESULTS – AREA BOUNDED BY NEVILLE STREET, CURRAGH
AVENUE, CLINTON STREET, AND BULLER AVENUE**

RECOMMENDATIONS:

1. **THAT** Council authorize a Rezoning Bylaw for the area bounded by Neville Street, Curragh Avenue, Clinton Street, and Buller Avenue, as referenced in *Schedule A*, be prepared and advanced to First Reading on 2014 June 9 and to Public Hearing on 2014 June 24 at 7:00 p.m. to rezone the subject properties from the R5 and R9 Residential Districts to the R12S Residential District.
2. **THAT** a copy of this report be sent to the property owners and residents in the petition and consultation areas, as shown on *Attachment #1*.

REPORT

The Community Development Committee, at its meeting held on 2014 April 29, received and adopted the *attached* report reviewing the results of the consultation process regarding a request for an area rezoning from the R5 and R9 Residential Districts to the R12S Residential District and to recommend that the subject area be advanced through the rezoning process.

Respectfully submitted,

Councillor C. Jordan
Chair

Councillor D. Johnston
Vice Chair

Councillor P. Calendino
Member

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

DATE: 2014 April 22

FROM: DIRECTOR PLANNING AND BUILDING

FILE: 49500 01
*Reference: R12S Neville Curragh
Clinton Buller*

SUBJECT: R12S DISTRICT AREA REZONING PUBLIC CONSULTATION RESULTS
– AREA BOUNDED BY NEVILLE STREET, CURRAGH AVENUE,
CLINTON STREET, AND BULLER AVENUE

PURPOSE: To review the results of the consultation process regarding a request for an area rezoning from the R5 and R9 Residential Districts to the R12S Residential District and to recommend that the subject area be advanced through the rezoning process.

RECOMMENDATIONS:

1. **THAT** the Community Development Committee recommend that Council authorize that a Rezoning Bylaw for the area bounded by Neville Street, Curragh Avenue, Clinton Street, and Buller Avenue, as referenced in *Schedule A*, be prepared and advanced to First Reading on 2014 June 9 and to Public Hearing on 2014 June 24 at 7:00 p.m. to rezone the subject properties from the R5 and R9 Residential Districts to the R12S Residential District.
2. **THAT** a copy of this report be sent to the property owners and residents in the petition and consultation areas, as shown on *Attachment #1*.

REPORT**1.0 BACKGROUND**

A petition requesting the rezoning of the area bounded by Neville Street, Curragh Avenue, Clinton Street, and Buller Avenue from the R5 and R9 Districts to the R12S Residential District was received by the Planning Department. The petition represents an area consisting of 28 legal lots composed of sixteen (16) lots with single family dwellings, two (2) legal lots with two family dwellings, and five (5) legal strata lots with two family dwellings (see *Attachment #1*). The petition was signed by 17 (61%) of the 28 property owners.

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 From: Director Planning and Building
 Re: R12S District Area Rezoning Public Consultation
 Results – Area Bounded by Neville Street, Curragh
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On the recommendation of the Community Development Committee, Council at its regular meeting of 2013 November 04 authorized staff to initiate a consultation process to determine the level of support for the proposed area rezoning. This report reviews the results of the consultation process and recommends that the area rezoning be advanced to a Public Hearing.

2.0 CONSULTATION PROCESS

The approved consultation process for the subject area rezoning involved distribution by the City of a brochure and a questionnaire, and the holding of an open house hosted by Planning Department staff. The brochure and questionnaire were distributed to property owners and residents of the 28 properties in the proposed rezoning area, and to the 119 owners and residents who own or reside, within 100 metres of the rezoning area (the consultation area) as shown on *Attachment #1*.

The open house was held on 2014 February 27 at Clinton Elementary School and was attended by 18 residents.

2.1 Responses in the Rezoning Area

There were 18 responses to the questionnaire from the property owners of the 28 lots in the rezoning area, representing a response rate of a 64%. The table below contains the questionnaire results for owners in the rezoning area.

Questionnaire Results – Owners in the Rezoning Area

	Total	Support	Oppose	Undecided	Did Not Respond
Resident Owner	27	15	2	0	10
Absentee Owner	1	1	0	0	0
Total	28	16	2	0	10

The results show that 16 of the owners favoured the proposed area rezoning while 2 were opposed. The 16 positive responses represent 57% of the total number of lots in the subject area.

There were no responses from tenants in the rezoning area.

2.2 Responses in the Consultation Area

Of the 119 owners and residents contacted in the consultation area, seven returned questionnaires. Three generally supported the rezoning while 4 expressed concerns related to parking and increasing density.

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3.0 DISCUSSION

The key factor in recommending whether an area rezoning should proceed through the rezoning process is evidence of majority opinion in support of the rezoning within the proposed rezoning area. The adopted guidelines for area rezonings state that a proposal should meet the following criteria, in terms of responses to the questionnaire, in order to be forwarded to Public Hearing:

1. Where the response rate is 100%, at least 50% of the properties have indicated that they support an area rezoning; or
2. Where the response rate is less than 100%, at least 50% of the properties have responded and 70% of those who responded support the area rezoning.

The response rate for the subject area rezoning does not meet the first criterion because 100% of the properties within the rezoning area did not respond. However, the response rate does meet the second criterion as 64% (18) of the property owners in the rezoning area responded. Of these respondents, 16 supported the area rezoning proposal which represents 89% of the respondents. This result therefore meets the 70% support requirement. There were 2 property owners opposed, representing 11% of the respondents. Ten property owners did not respond.

The proposal meets the Council adopted guidelines for area rezoning as there is majority support among the property owners within the rezoning area. Therefore it is recommended that this proposal be advanced through the rezoning process to a Public Hearing.

Should the rezoning process conclude to establish the R12S District, 7 properties would become eligible for a two lot subdivision with a single family dwelling permitted on each new lot. Nine properties would become eligible for a two family dwelling. The remaining 7 properties would retain their single family dwelling potential. Subdivision and redevelopment of any of the above-noted properties would be subject to meeting all City bylaw requirements.

4.0 CONCLUSION

The results of the public consultation process for the proposed R12S area rezoning of the area bounded by Neville Street, Curragh Avenue, Clinton Street, and Buller Avenue indicate support for the proposed area rezoning to the R12S District. Of the 28 property owners in the rezoning area, 16 indicated support, 2 objected, and 10 did not respond. As such, the proposal has reached the required percentage of support under the City's adopted guidelines for the Area Rezoning program.

It is recommended that the Community Development Committee recommend that Council authorize that a Rezoning Bylaw for the area bounded by Neville Street, Curragh Avenue, Clinton Street, and Buller Avenue as referenced in *Schedule A*, be prepared and advanced to First Reading on 2014 June 09 and to Public Hearing on 2014 June 24 at 7:00 p.m. to rezone the subject properties from the R5 and R9 Residential Districts to the R12S Residential District.

To: Community Development Committee
From: Director Planning and Building
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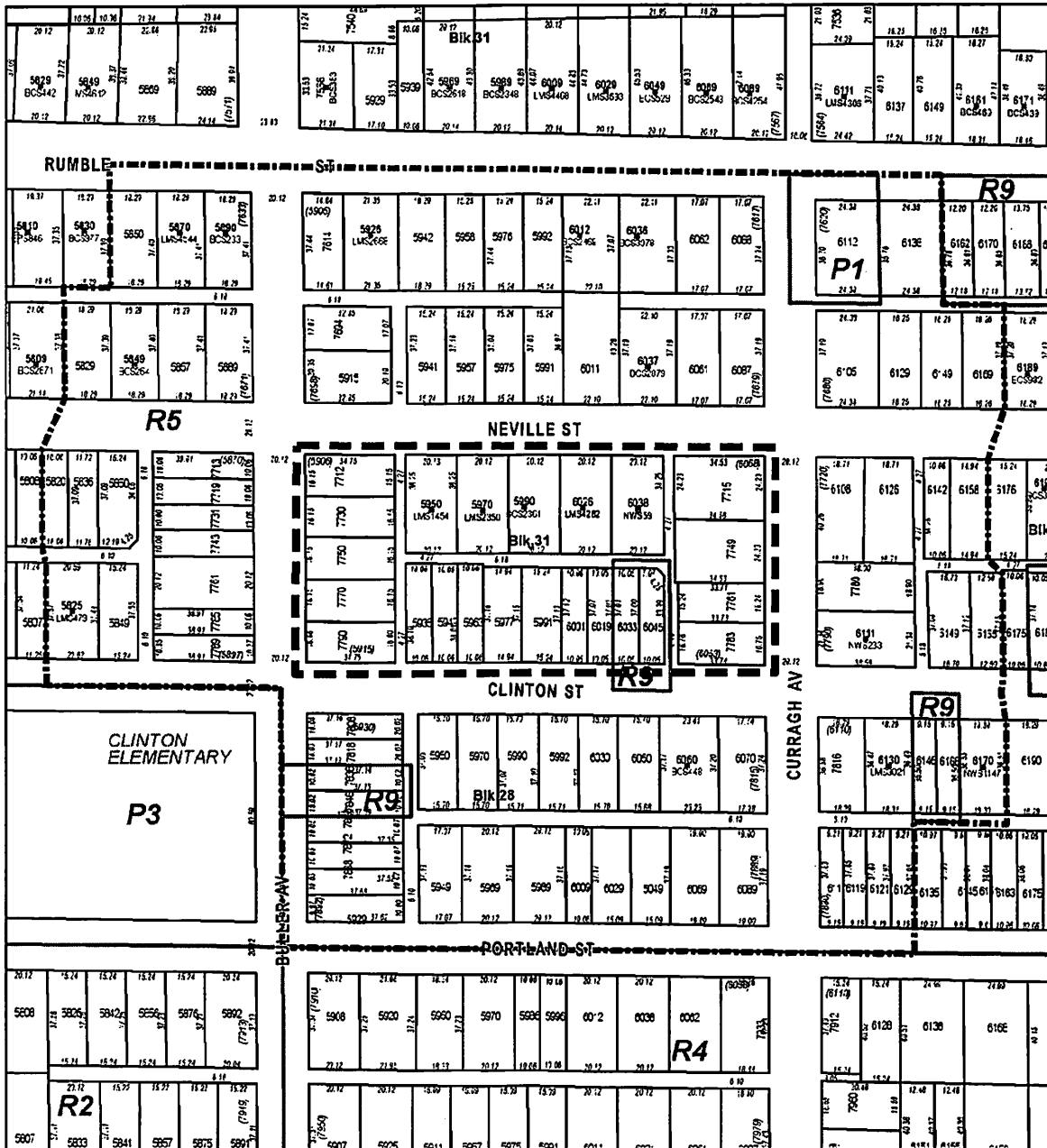
It is further recommended that a copy of this report be sent to the property owners and residents in the petition and consultation areas, as shown on **Attachment #1**.



Lou Pelletier, Director
PLANNING AND BUILDING

SF/sa
Attachments

cc: City Manager
Director Finance
Director Engineering
City Solicitor
Chief Building Inspector
City Clerk

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City of
Burnaby

DATE:
JUNE 25 2013


SCALE:
1:2,500

DRAWN BY:
AY

PLANNING & BUILDING DEPARTMENT

NEVILLE CURRAGH CLINTON BULLER R12S

Rezoning Area
 Consultation Area



Schedule A

Address	Legal Description	Zoning District
5950 Neville St	Strata Lot 1, DL 159, Group 1, NWD Strata Plan LMS1454 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1	R5
5952 Neville St	Strata Lot 2, DL 159, Group 1, NWD Strata Plan LMS1454 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1	R5
5970 Neville St	Strata Lot 1, DL 159, Group 1, NWD Strata Plan LMS2350 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1	R5
5972 Neville St	Strata Lot 2, DL 159, Group 1, NWD Strata Plan LMS2350 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1	R5
5990 Neville St	Strata Lot 1, DL 159, Group 1, NWD Strata Plan BCS2361 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1	R5
5992 Neville St	Strata Lot 2, DL 159, Group 1, NWD Strata Plan BCS2361 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1	R5
6026 Neville St	Strata Lot 1, DL 159, Group 1, NWD Strata Plan LMS4282 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1	R5
6028 Neville St	Strata Lot 2, DL 159, Group 1, NWD Strata Plan LMS4282 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1	R5
6038 Neville St	Strata Lot 1, DL 159, Group 1, NWD Strata Plan NW59 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1	R5
6040 Neville St	Strata Lot 2, DL 159, Group 1, NWD Strata Plan NW59 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1	R5
5935 Clinton St	West Half Lot 6, DL 159, Grp 1, NWD Plan 1606	R5

5949 Clinton St	The East half of Lot 6, Blk 31, DL 159 Grp 1, NWD Plan 1606	R5
5963 Clinton St	West half Lot 7, Blk 31, DL 159, Grp 1, NWD Plan 1606	R5
5977 Clinton St	Lot D, DL 159, Grp 1, NWD Plan 13948	R5
5991 Clinton St	Lot E, DL 159, Grp 1, NWD Plan 13948	R5
6001 Clinton St	Lot 1, DL 159, Grp 1, NWD Plan 85345	R5
6019 Clinton St	Lot 2, DL 159, Grp 1, NWD Plan 85345	R5
6033 Clinton St	Lot 1, DL 159, Grp 1, NWD Plan 78119	R9
6045 Clinton St	Lot 2, DL 159, Grp 1, NWD Plan 78119	R9
7712 Buller Ave	Lot 1, Blk 31, DL 159, Grp 1 NWD Plan 1606	R5
7730 Buller Ave	Lot 2, Blk 31, DL 159, Grp 1, NWD Plan 1606	R5
7750 Buller Ave	Lot 3, Blk 31, DL 159, Grp 1, NWD Plan 1606	R5
7770 Buller Ave	Lot 4, Blk 31, DL 159, Grp 1, NWD Plan 1606	R5
7790 Buller Ave	Lot 5, Blk 31, DL 159, Grp 1, NWD Plan 1606	R5
7715 Curragh Ave	Lot C, DL 159, Grp 1, NWD Plan 13378	R5
7749 Curragh Ave	Lot B, DL 159, Grp 1, NWD Plan 13378	R5
7761 Curragh Ave	Lot 51, DL 159, Grp 1, NWD Plan 26964	R5
7783 Curragh Ave	Lot 52, DL 159, Grp 1, NWD Plan 26964	R5