



Item
Meeting 2015 November 23

COUNCIL REPORT

TO: CITY MANAGER 2015 November 18

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #15-24
Proposed Three Lot Residential Subdivision

ADDRESS: 6755 Canada Way (see *attached* Sketches #1 and #2)

LEGAL: Lot 253, DL 91, Group 1, NWD Plan 41113

FROM: C4 Service Commercial District

TO: R5 Residential District

APPLICANT: Bob Cheema
Unit #1 – 5730 Carnarvon Street
Vancouver, BC V6N 4E7

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2016 January 26.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be advanced to First Reading on 2015 December 14, and to a Public Hearing on 2016 January 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, including the completion of the necessary subdivision.
 - b) 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. One of the conditions for the release of occupancy permits will be the completion of all requisite services.

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- c) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.
- d) The dedication of any rights-of-way deemed requisite.
- e) A Letter of Undertaking to offer to renew or upgrade fencing adjacent to the lane for the property owners of 7670 Formby Street and 7671 Ulster Street, with bonding if accepted, is required.
- f) The granting of a Section 219 covenant to ensure that no vehicular access is to be taken via Canada Way.
- g) The granting of a Section 219 covenant to ensure that the conditions outlined in "Schedule B" of the Certificate of Compliance issued on 2013 July 23 have been met.
- h) Release of Restrictive Covenant Filing No. CA3321800 on Title.
- i) The pursuance of Storm Water Management Best Practices in line with established guidelines.
- j) Submittal of a tree survey and arborist report, and issuance of a Tree Cutting Permit as required.
- k) The deposit of the applicable Parkland Acquisition Charge.
- l) The deposit of the applicable School Site Acquisition Charge.
- m) The deposit of the applicable GVS & DD Sewerage Charge.

REPORT

1.0 REZONING PURPOSE

The purpose of the proposed rezoning is to permit the subdivision of the site into three two family residential lots.

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2.0 BACKGROUND

2.1 The subject property is located on Canada Way and spans the block between Formby Street and Ulster Street. The site is located within a single and two family residential neighbourhood and is designated within the Official Community Plan (OCP) for Single and Two Family Urban residential use. Immediately to the southeast across Ulster Street are single family dwellings zoned R3 Residential District, while to the northwest across Formby Street are single family dwellings zoned R5 Residential District. To the northeast across Canada Way are single family dwellings zoned R2 Residential District, and to the southeast across Canada Way are single family dwellings zoned R5 Residential District.

2.2 The subject site is currently zoned C4 Service Commercial District. The site was originally zoned R5 Residential District, but was rezoned to the C6 Gasoline Service Station District in 1968 (Rezoning Reference #64/68) in order to permit the expansion and renovation of a legal non-conforming gasoline service station that had existed prior to 1965. In 1971, the property was rezoned to the C4 Service Commercial District (Rezoning Reference #10/71), in order to permit the addition of a car wash to the site. In 2001, the car wash and gas station were demolished, and the site has since remained vacant.

2.3 On 2013 April 26, the applicant submitted an application (Rezoning Reference #13-13) to rezone the property to the R5 Residential District to permit a three lot residential subdivision. On 2013 May 27, Council authorized staff to work with the applicant towards the preparation of a suitable plan of development for presentation at Public Hearing.

Prior to achieving a suitable plan of development under the proposed R5 District, the applicant initiated an area rezoning process to rezone the property, which spans the full block front, to the R12 Residential District. On 2014 April 07, Council authorized the initiation of an area rezoning consultation process to consider the proposal. The public consultation process was undertaken and a proposal to subdivide the property into six residential lots suitable for two family development was presented to a Public Hearing on 2015 February 24. On 2015 March 09, Council defeated the proposal.

2.4 The current application was submitted on 2015 June 26. On 2015 July 15, Council authorized staff to work with the applicant towards the preparation of a plan of development suitable for presentation at a Public Hearing. The applicant has now submitted a suitable plan of development.

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3.0 GENERAL COMMENTS

3.1 The applicant proposes rezoning of the site to the R5 Residential District to permit subdivision of the site into three two family residential lots with a rear lane (Sketch #2 *attached*). The proposed lots have the following approximate dimensions:

- Lot 1: 679.5 m² (7,314.1 ft²) with a width of 20.1 m (65.94 ft.)
- Lot 2: 676.9 m² (7,286.1 ft²) with a width of 20.1 m (65.94 ft.)
- Lot 3: 678.7 m² (7,305.5 ft²) with a width of 19.9 m (65.28 ft.)

As such, the lots are eligible for two family residential development under R5 District regulations.

3.2 The proposed lot dimensions reflect the proposed closure and consolidation of approximately 89.9 m² (967.7 ft²) of redundant road right of way on the southeast side of Formby Street with the adjacent subject site, in exchange for the dedication of an approximately 350.75 m² (3,775.4 ft²) area to establish a 6.1 m wide rear lane. As the road dedication area exceeds the road closure area, no sale of City land is required. The applicant also proposes a 0.8 m wide statutory right of way for sidewalk purposes.

3.3 The proposal would permit six residential units on three lots, consistent with the density permitted on neighbouring R5 District lots. The proposed lot configuration meets the technical requirements of the R5 District and would be consistent with the prevailing development pattern along this section of Canada Way. It is noted that the previous proposal to rezone to the R12 District, which was defeated by Council, would have permitted six lots and 12 residential units, twice the number currently proposed.

3.4 The proposed lot orientation and rear lane would eliminate driveway crossings on the flanking side streets, thus maximizing the availability of on-street parking on the side streets and increasing pedestrian and vehicle traffic safety. More specifically, the proposal would result in an approximately 24.8 m continuous curb on both Formby Street and Ulster Street, excluding required parking setbacks from Canada Way and the rear lane. This distance would provide approximately seven on-street parking spaces. In contrast, if the lots were oriented to face the side streets, the provision of two driveway crossings in the same distance would yield only four on-street parking spaces. If the proposed rezoning is approved by Council, staff will work to identify opportunities for parking, in addition to the bylaw requirements, on the proposed lots during Building Permit application review.

3.5 The Director Engineering will be requested to prepare an estimate for all services necessary to serve this site. The servicing requirements will include, but not necessarily be limited to:

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- upgrading of water mains, sanitary sewers, and storm sewers as required;
 - construction of the proposed 6.1 m wide lane at the rear of the subject property;
 - removal of the existing driveway access on Ulster Street and reinstatement of the front boulevard, curb and gutter;
 - construction of separated sidewalks, with street trees, and street lighting on Canada Way and Ulster Street; and,
 - construction of a sidewalk, curb and gutter on Formby Street.
- 3.6 Road dedication is required for the proposed 6.1 m wide lane at the rear of the subject property.
- 3.7 The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development, is required.
- 3.8 A Letter of Undertaking to offer to renew or upgrade fencing adjacent to the lane for the property owners of 7670 Formby Street and 7671 Ulster Street, with bonding if accepted, is required. This provision, along with the reduced unit and lot count and the effort to maximize available on-street and off-street parking, are proposed in response to public input received at the Public Hearing on 2015 February 24.
- 3.9 The granting of a Section 219 covenant will be required to ensure that no vehicular access is to be taken via Canada Way.
- 3.10 Due to the past use of the subject property as a gas station, the granting of a Section 219 is required to ensure compliance with the conditions of Schedule B of the Certificate of Compliance issued on 2013 July 23 by the Ministry of Environment.
- 3.11 Given the size of the site, best management practices are acceptable in lieu of a formal storm water management plan.
- 3.12 Given that there are mature trees on the subject site, a tree survey and arborist report will be required. A Tree Cutting Permit will be required for the removal of any protected trees.
- 3.13 A Parkland Acquisition Charge of \$13,042.00 (for three lots minus credit for one lot) applies.
- 3.14 A School Site Acquisition Charge (SSAC) of \$5,400.00 (for six residential units at a density of 10 du/acre) applies.

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3.15 The GVS & DD Sewerage Development Cost Charge of \$10,386.00 (for six residential units) applies.

4.0 DEVELOPMENT PROPOSAL

All measures are approximate:

4.1 Site Area 2,302.15 m² (24,780.14 ft²)

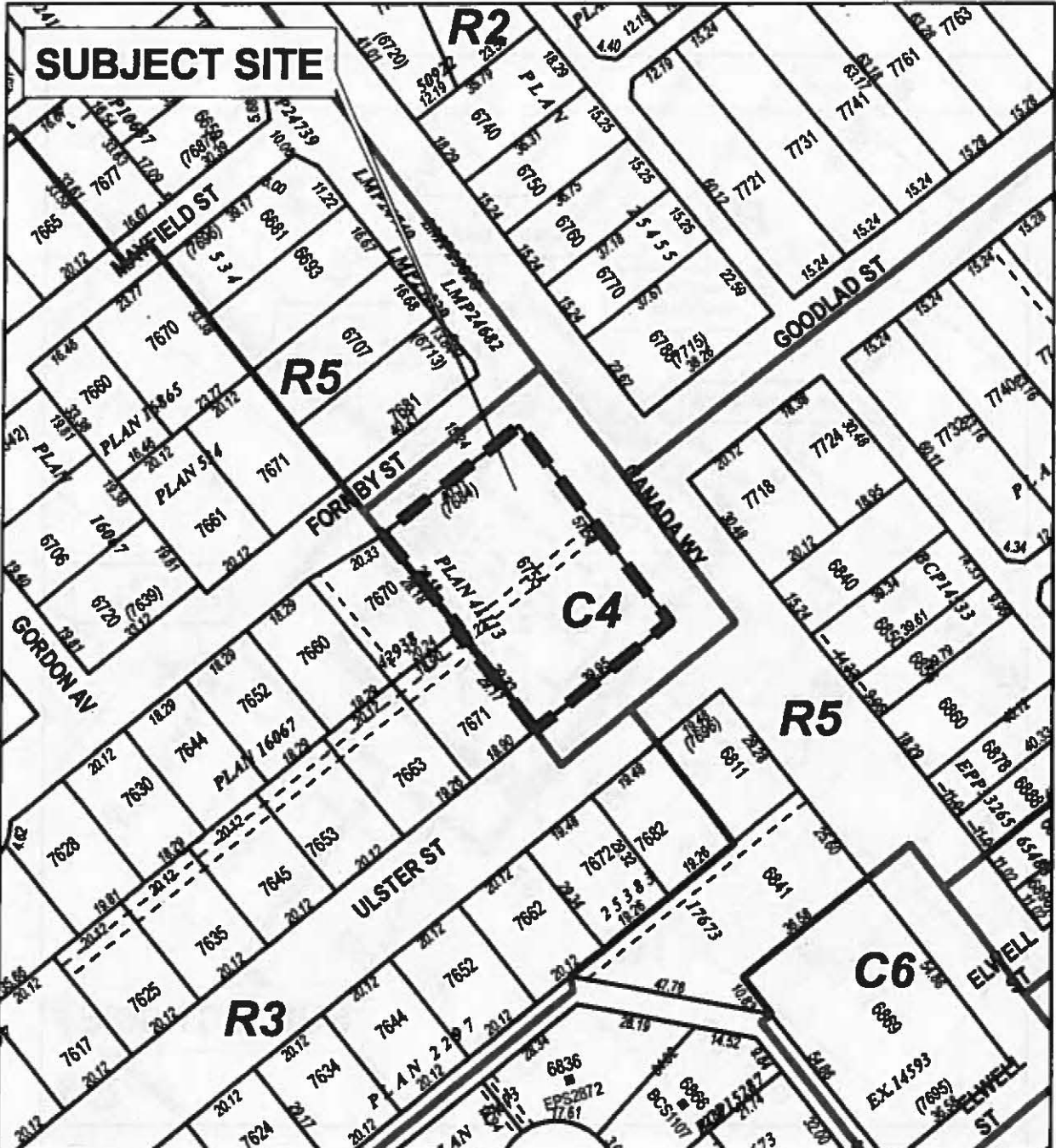
4.2 Proposed Lots	Area	Width
Lot 1	679.5 m ² (7,314.07 ft ²)	20.1 m (65.95 ft)
Lot 2	676.9 m ² (7,286.09 ft ²)	20.1 m (65.95 ft)
Lot 3	678.7 m ² (7,305.47 ft ²)	19.9 m (65.28 ft)

4.3 Required Dedications	Area	Width
Lane	368.8 m ² (3,969.73 ft ²)	6.1 m (20.00 ft)
Road Closure Area	89.9 m ² (967.68 ft ²)	2.7 m (8.86 ft)
Statutory ROW	27.7 m ² (298.16 ft ²)	0.8 m (2.62 ft)


Lou Pelletier, Director
PLANNING AND BUILDING

LF:spf/tn
Attachments

cc: Director Engineering
City Solicitor
City Clerk



PLANNING & BUILDING DEPARTMENT



DATE:
JUL 02 2015

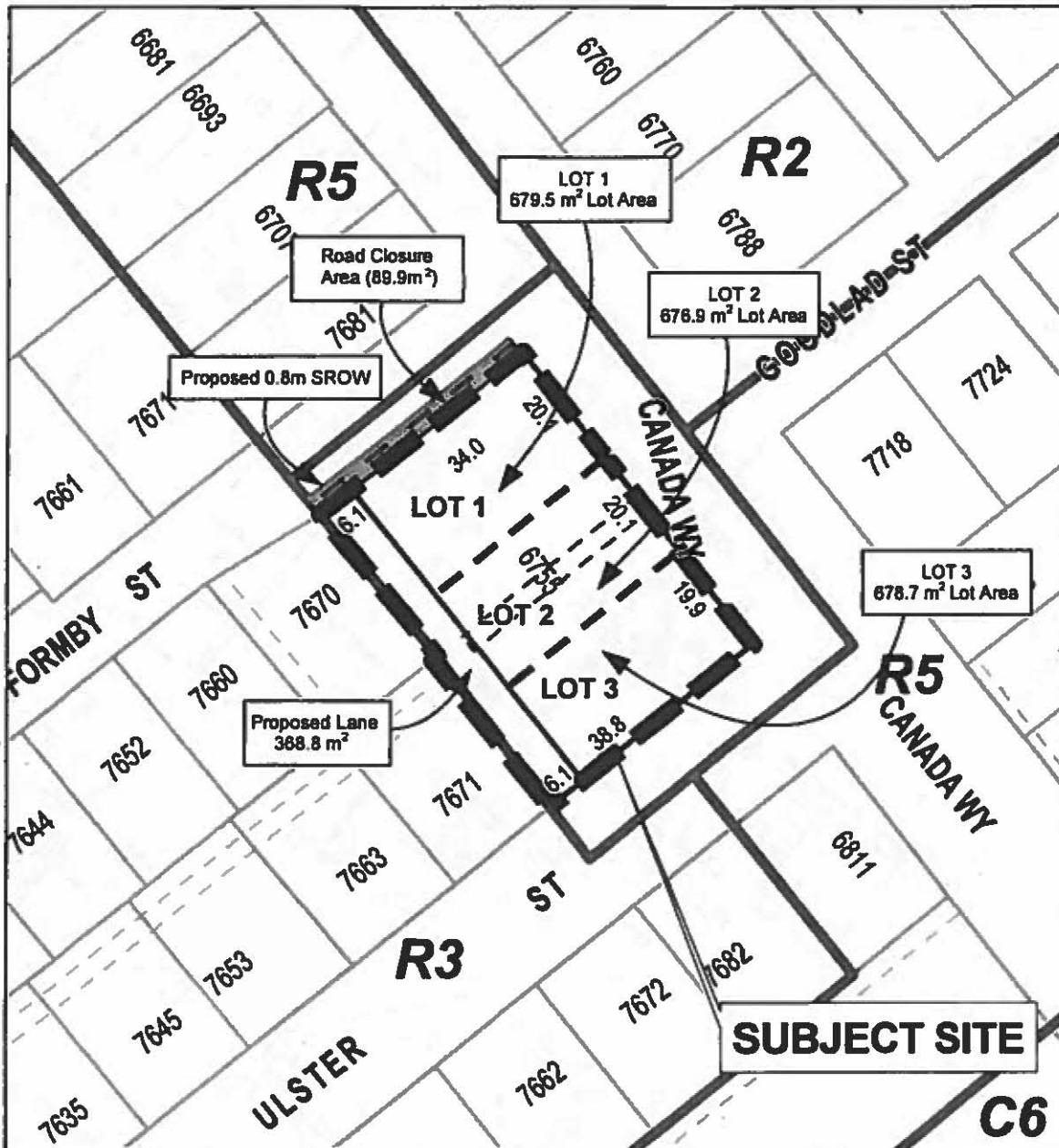
SCALE:
1:1,500




DRAWN BY:
AY

REZONING REFERENCE #15-24
6755 CANADA WAY

 Subject Site

Sketch #1



 <p>City of Burnaby</p>	<p>PLANNING & BUILDING DEPARTMENT</p> <p style="text-align: right;">↑ N</p>
<p>Date: JUL 07 2015</p>	<p>REZONING REFERENCE #15-24 6755 CANADA WAY</p>
<p>scale: 1:1,000</p>	<p> Subject Site  Road Closure Area (approximate)</p>
<p>Drawn By: AY</p>	

Sketch #2