



Item .....  
Meeting ..... 2015 November 23

## COUNCIL REPORT

**TO:** CITY MANAGER 2015 November 18

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT: REZONING REFERENCE # 14-18**  
Proposed single family residence

**ADDRESS:** 7007 Jubilee (see *attached* Sketch#1)

**LEGAL:** Lot "C", D.L. 99, Group 1, NWD Plan 11790

**FROM:** R5 Residential District

**TO:** R5a Residential District

**APPLICANT:** Major Singh Gadey  
5193 Portland Street  
Burnaby, BC V5J 2R1

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

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### RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and 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.
  - 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.
  - c) The registration of a Section 219 Covenant requiring the land to be developed in accordance with the approved building and landscape plans.

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## **R E P O R T**

### **1.0 REZONING PURPOSE**

The purpose of the proposed rezoning bylaw amendment is to permit the construction of a single-family dwelling with a gross floor area beyond that permitted under the prevailing zoning.

### **2.0 BACKGROUND**

- 2.1 The subject property at 7007 Jubilee Avenue is located in an R5 District neighbourhood in the Sussex-Nelson area. The Official Community Plan (OCP) designates the subject site and surrounding properties for Single and Two Family Urban use. Adjacent properties generally contain larger two-storey homes, some with basements or cellars. No R5a District lots are located nearby.
- 2.2 The subject property contains an approximately 371.6 m<sup>2</sup> (4,000 sq. ft.) one-storey single-family dwelling with cellar and an attached garage. Vehicular access to the site is from Jubilee Avenue.
- 2.3 On 2014 July 21, Council received the report of the Planning and Building Department regarding the rezoning of the subject site and authorized the Department to work with the applicant in preparing a suitable plan of development with the understanding that a further and more detailed report would be submitted at a later date. The applicant has now submitted a plan of development suitable for presentation to a Public Hearing.

### **3.0 GENERAL COMMENTS**

- 3.1 The applicant proposes to rezone the subject property to the R5a District to allow for the construction of a new, approximately 690.82 m<sup>2</sup> (7,435.9 sq. ft.), single-family dwelling with a detached three-car garage on the 1,154.9 m<sup>2</sup> (12,429 sq. ft.) lot. Specific development plans include:
- a two-storey single-family dwelling with a sloping roof with a two-storey appearance from the front and rear elevations;
  - a detached three-car garage located in the southwest corner of the lot with vehicular access from the lane;
  - four bedrooms on the second floor; main living room functions including one bedroom on the main floor; and recreational facilities and a two-bedroom secondary suite in the cellar; and,
  - a landscaped front and rear yard.

- 3.2 Under the prevailing R5 District, each lot shall have an area of not less than 557.40 m<sup>2</sup> (6,000 sq. ft.) and a width of not less than 15 m (49.2 ft.). Under the R5a District, each lot shall have an area of not less than 840 m<sup>2</sup> (9,041.9 sq. ft.) and a width of not less than 21 m (68.9 ft.). The subject property has a lot area of approximately 1,154.9 m<sup>2</sup> (12,429 sq. ft.) and an average width of 22.86 m (75 ft.), therefore meeting the minimum lot area and width requirements of the R5a District.
- 3.3 With regard to development density, the R5 District permits a maximum gross floor area on the subject site of the lesser of 0.60 floor area ratio (FAR) or 370 m<sup>2</sup> (3,982.8 sq. ft.). The proposed R5a District would permit a single-family dwelling on the subject site with a maximum gross floor area ratio of 0.60 FAR on lots, such as the subject site, that have a minimum width of 22.5 m (73.8 ft.). Applied to the subject property, the 0.60 FAR would permit a dwelling with a maximum gross floor area of 692.94 m<sup>2</sup> (7,458.74 sq. ft.).
- 3.4 On 1989 January 03, Council adopted design guidelines for assessing single-family development proposals in the R "a" Residential Districts. The following is an assessment of the proposed development based on these guidelines:

- i) *Limit the scale of the dwelling to a two-storey appearance or to the scale of the neighbouring dwellings, whichever is less.*

The front elevation of the proposed development has a two-storey appearance and is considered to have minimal impact on the surrounding residential area. The height of the dwelling is 9.0 m (29.5 ft.) as measured from average front elevation to the highest point of the structure, which is within the maximum permitted height of the R5 and R5a Districts. Landscaping proposed along the front of the property will help reduce the prominence of the residence as viewed from the street.

Though there are some older lower-scaled single-family dwellings in the area, including at 7026 Waverly Avenue to the rear of the subject property and 7020 Jubilee Avenue across the street, the scale and character of the newer neighbouring dwellings is generally two-storey single-family dwellings with basements or cellars or two-storey two-family dwellings. As such, the proposed dwelling is in line with the scale and character of neighbouring properties.

- ii) *Maintain the existing pattern of front yard setbacks established along the street frontage, if the prevailing setback pattern is beyond the minimum required in the "R" District regulations.*

The proposed development provides an approximately 8.4 m (27.56 ft.) front yard setback from Jubilee Avenue, which is consistent with the front yard setback required under the bylaw and the prevailing setback pattern of the area.

- iii) *Require a minimum rear yard setback of 35% of the depth of the lot and limit the depth of the dwelling to a maximum of 18.30 meters (60.0 feet).*

The proposed development provides an approximately 25.83 m (84.75 ft.) rear yard setback which constitutes approximately 51% of the lot depth. The depth of the dwelling is 15.89 m (52.12 ft.), which is within the recommended maximum building depth of the bylaw.

- iv) *Encourage the side yard setbacks for the development under R "a" zoning to be doubled from that required in the pertinent "R" District zone.*

The R5 District requires a minimum side yard setback of 1.5 m (4.9 ft.). Development under the R5a District zoning requires a minimum side yard setback of 3 m (9.8 ft.). Both the north and south side yard setbacks of the proposed dwelling are 3.66 m (12 ft.), which meet the recommended side yard setback requirement.

- v) *Encourage modeling and faceting by means such as indentations or additional setbacks, bay windows, balconies, porches and some variation in roof lines – particularly for any building face adjacent to a street.*

The proposed dwelling meets this guideline as it is to be constructed with varied sloping roof elements, some building articulation, a covered porch entry, and balconies to accent the front elevation.

- vi) *Eliminate large and excessive numbers of windows or active deck areas which are in close proximity to neighbouring dwellings.*

The proposed dwelling features six windows on the west (rear) elevation and an approximate 22.04 m<sup>2</sup> (237.14 sq. ft.) covered deck. While the two windows overlooking the covered deck area are relatively large, those windows and the deck do not pose significant privacy concerns due to the depth of the lot and the location of proposed trees. The side north and south elevations have a minimal number of relatively smaller sized windows.

- vii) *Encourage the preservation of as much existing landscaping and mature trees as possible and the provision of appropriate new soft landscaping while avoiding an excessively hard, urban look to the site.*

The proposed development provides appropriate new soft landscaping, including hedging along the front of the property, two trees in the front yard, and six trees in the rear yard, for a total of eight trees. The City's Landscape Technician has determined that none of the existing eight trees on site are suitable for retention; the trees are to be removed, and all requirements of the Burnaby Tree Bylaw are to be met.

Overall, the proposed development is consistent with the guidelines for assessing single family dwellings in the R5a District.

- 3.5 The Director Engineering will be requested to provide an estimate for any required services to serve the site, including but not limited to the removal of driveway access from Jubilee Avenue and the construction of necessary curb and separated sidewalk works.
- 3.6 The owner will be required to register a Section 219 Covenant to restrict the development of the property to that presented at the Public Hearing.
- 3.7 The Planning Department has been advised that the owner has approached the residents in the neighbourhood regarding the proposed rezoning of the subject property, and has received no opposition to the proposed development.

#### 4.0 DEVELOPMENT PROPOSAL

4.1	<u>Site Area</u>		- 1,154.69 m <sup>2</sup> (12,429 sq. ft.)
4.2	<u>Lot Coverage</u>		
	Permitted	40 %	- 461.88 m <sup>2</sup> (4,971.6 sq. ft.)
	Proposed	27 %	- 311.97 m <sup>2</sup> (3,358 sq. ft.)
4.3	<u>Floor Area Ratio</u>		
	Permitted		- 0.60 FAR
	Proposed		- 0.60 FAR
4.4	<u>Gross Floor Area</u>		
	Permitted		- 692.82 m <sup>2</sup> (7,457.4 sq. ft.).
	Proposed		- 690.82 m <sup>2</sup> (7,435.9 sq. ft.)

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- 4.5 Above Grade Floor Area
- |           |   |
|-----------|---|
| Permitted | - 461.88 m <sup>2</sup> (4,971.6 sq. ft.) |
| Proposed  | - 454.38 m <sup>2</sup> (4,890.9 sq. ft.) |
- 4.6 Building Height (permitted and proposed)
- |  |                    |
|--|--------------------|
|  | - 2 storeys        |
|  | - 9.0 m (29.5 ft.) |

  
Lou Pelletier, Director  
PLANNING AND BUILDING

LS:spf  
**Attachment**

cc: Director Engineering  
City Solicitor  
City Clerk

### Sketch #1