

**TO:** CHAIR AND MEMBERS  
PLANNING AND DEVELOPMENT  
COMMITTEE

**DATE:** 2016 February 18

**FROM:** DIRECTOR PLANNING AND BUILDING

**FILE:** 49500 10  
*Reference: R12S North Side of 5100  
Block McKee Street*

**SUBJECT: REQUEST FOR AREA REZONING TO THE R12S DISTRICT – NORTH  
SIDE OF 5100 BLOCK MCKEE STREET**

**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.

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**RECOMMENDATIONS:**

1. **THAT** Council be requested to authorize initiation of a consultation process to explore the desirability of an R12S area rezoning of the north side of the 5100 block of McKee Street.
2. **THAT** a copy of this report be sent to Ms. Doris Poon, the petition organizer, at 5127 McKee Street, Burnaby, BC, V5J 2T5.

**REPORT**

**1.0 BACKGROUND**

A petition requesting the rezoning of the north side of the 5100 block of McKee Street to the R12S Residential District has been received in the Planning Department. The petition represents an area consisting of eight legal lots containing eight single family dwellings (see attached *Sketch #1*). The petition was signed by four (50%) of the 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 in response to the petitioners' request.

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## **2.0 DISCUSSION**

### **2.1 Subject Area**

The area represented on the petition consists of the north side of the 5100 block of McKee Street, located between Royal Oak Avenue and McGregor Avenue. The proposed rezoning area, currently zoned R4 District, is located in the Sussex-Nelson neighbourhood. The properties to the west across McGregor Avenue are also zoned R4 District, beyond which is Frogger's Creek Ravine Park. The block front immediately north of the proposed rezoning area is zoned R4 District, while the area across Portland Street area to the north is zoned R5 District. The area to the east across Royal Oak Avenue is zoned R2 District. To the south across McKee Street are properties zoned R12S District under Rezoning Reference #13-38, and two City-owned lots that are zoned R4 District and contain a city water reservoir and small playground. The proposed rezoning area is designated in the Official Community Plan (OCP) for 'Single and Two Family Residential Urban' development under the Residential Framework, and as such the proposal is consistent with the OCP framework for this area.

The area is comprised of eight legal lots developed with eight single family dwellings. Lot widths range from 11.59 m (38.02 ft.) to 19.22 m (63.06 ft.); lot areas range from 449.53 m<sup>2</sup> (4,836.22 sq.ft.) to 746.54 m<sup>2</sup> (8,033.86 sq.ft.). The lots are served by constructed lanes which provide rear access to all of the properties. Housing is of mixed age – four of the homes were built before 1965 and four of the properties contain homes built after 1980. Seven of the homes are owner-occupied and most are generally well maintained and in good condition.

### **2.2 Current and Proposed Development Potential**

The current R4 District development potential of the eight lots is for eight single family dwellings.

The R12S District zoning category was established to allow for single family dwellings on small lots. 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 larger 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 smaller 9.15 m (30 ft.) wide lots where there is lane access.

With respect to the subject proposal under the R12S District, two lots would be eligible for a two lot subdivision with a single family dwelling permitted on each new lot. Two additional lots would be eligible for a two family dwelling. The remaining lots would retain their single family dwelling development potential. Development potential is subject to meeting all City bylaw requirements.

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## **2.3 Area Rezoning Assessment**

R12S District area rezoning requests are evaluated based on a number of factors including existing housing character, the appropriateness of the proposed boundaries, and the Official Community Plan (OCP) designation.

In this case, the subject block is appropriately designated in the OCP for 'Single and Two Family Residential Urban' development which would allow for the requested R12S District rezoning. The area includes small lot development, with half the lots in the subject block front being 11.59 m (38.02 ft.) wide. The petition area represents one block front which is 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 the petition. Given the general support for the circulated petition, the block configuration, and the existing small lot character of the area, it is recommended that a formal City 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 front 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 attached *Sketch #1*). An open house with displays and opportunities for questions and comments will be scheduled at the nearby Clinton Elementary School or Nelson Elementary School.

The results of the public consultation will be assessed to determine if there is adequate support for 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% of those support the area rezoning.

## **3.0 CONCLUSION**

A petition was received from four (50%) of the eight property owners in the subject block, requesting an area rezoning to the R12S Residential District. The rezoning would

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permit single family dwellings on 9.15 m (30.02 ft.) wide lots and two family dwellings on 13.7 m (44.95 ft.) wide lots.

Given the area's OCP designation, general 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 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. Doris Poon, the organizer of the area rezoning petition process.

  
Lou Pelletier, Director  
PLANNING AND BUILDING

LS:spf  
**Attachment**

cc: City Manager  
Director Engineering  
Chief Building Inspector  
City Clerk

