

PLANNING AND DEVELOPMENT COMMITTEE

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

**SUBJECT: REQUEST FOR AREA REZONING TO THE R12S DISTRICT –
4036 to 4098 KINCAID STREET (SOUTH SIDE)**

RECOMMENDATIONS:

1. THAT Council authorize initiation of a consultation process to explore the desirability of an R12S area rezoning of 4036 to 4098 Kincaid Street (south side).
2. THAT a copy of this report be sent to Mr. Nitin and Mrs. Neeta Datar, the petition organizers, at 4080 Kincaid Street, Burnaby, BC, V5G 1V8.

REPORT

The Planning and Development Committee, at its meeting held on 2016 June 28, received and adopted the attached report seeking authorization to initiate a consultation process to explore the desirability of an area rezoning of the subject properties to the R12S Residential District.

Respectfully submitted,

Councillor C. Jordan
Chair

Councillor D. Johnston
Vice Chair

Councillor S. Dhaliwal
Member

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

DATE: 2016 June 23

FROM: DIRECTOR PLANNING AND BUILDING

FILE: 49500 10
Reference: 4036 to 4098 Kincaid Street

SUBJECT: REQUEST FOR AREA REZONING TO THE R12S DISTRICT – 4036 TO 4098 KINCAID STREET (SOUTH SIDE)

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.

RECOMMENDATIONS:

1. **THAT** Council be requested to authorize initiation of a consultation process to explore the desirability of an R12S area rezoning of 4036 to 4098 Kincaid Street (south side).
2. **THAT** a copy of this report be sent to Mr. Nitin and Mrs. Neeta Datar, the petition organizers, at 4080 Kincaid Street, Burnaby, BC, V5G 1V8

REPORT

1.0 BACKGROUND

A petition requesting the rezoning of the south side of 4036 to 4098 Kincaid Street (south side) to the R12S Residential District has been received in the Planning Department. The petition represents an area consisting of ten legal lots containing eight single family dwellings and one strata two family dwelling (two legal lots) (see attached *Sketch #1*). The petition was signed by six (60%) of the ten 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.

2.0 DISCUSSION

2.1 Subject Area

The area represented on the petition consists of 4036 to 4098 Kincaid Street (south side), between a lane on the west and Carleton Avenue on the east. The proposed rezoning area, currently zoned R5 District, is located in the Cascades-Schou neighbourhood. The area to the

west and south is comprised of single and two family dwellings and is primarily zoned R5, with some properties zoned R9. A landscaped strip and Burnaby General Hospital located across Kincaid Street to the north are both zoned P6 Regional Institutional District. The City-owned property to the east, across an urban trail located on the Carleton Avenue right-of-way, is comprised of the Discovery Place Conservation Area, beyond which is the Discovery Place Business Park. 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 10 legal lots containing eight single family dwellings and one strata two family dwelling (two legal lots). Lot widths range from 15.24 m (50 ft.) to 20.12 m (66.01 ft.); lot areas range from 566.71 m² (6100.01 sq.ft.) to 748.06 m² (8,052.05 sq.ft.). The lots are served by constructed lanes which provide rear access to all of the properties. Housing is of mixed age – six of the dwellings were built before the establishment of the Zoning Bylaw in 1965 and three were built after 1998. Eight 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 R5 District development potential of the ten lots is for seven single family dwellings and two (2) two 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 m² (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. The remaining lots would be eligible for a two family dwelling. Development potential is subject to meeting all City bylaw requirements.

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 is located just north of existing small lot development, including R9 development,

consisting of several 10.06 m (33 ft.) wide lots. 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 60% of the owners having signed the petition. Given the general support for the circulated petition, the block configuration, and existing small lot character to the south and southwest, 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 Cascade Heights 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 six (60%) of the ten property owners in the subject block, requesting an area rezoning to the R12S Residential District. The rezoning would 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, the configuration of the proposed rezoning area, the support of the property owners to pursue the area rezoning process, and the existence of small lot character to the south and southwest, 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.

To: Planning and Development Committee
From: Director Planning and Building
Re: Request for Area Rezoning to the R12S District –
4036 to 4098 Kincaid Street (south side)
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It is also recommended that a copy of this report be provided to Mr. Nitin and Mrs. Neeta Datar, the organizers 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

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