

PLANNING AND DEVELOPMENT COMMITTEE

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

**SUBJECT: REQUEST FOR AREA REZONING TO THE R12S DISTRICT –
BOUNDED BY BRYANT STREET, ST. CHARLES PLACE, HAMBRY
STREET, AND WALTHAM AVENUE**

RECOMMENDATIONS:

1. THAT Council authorize initiation of a consultation process to explore the desirability of an R12S area rezoning of the area bounded by Bryant Street, St. Charles Place, Hambry Street, and Waltham Avenue.
2. THAT a copy of this report be sent to Mr. Jose and Mrs. Rosa Aguiar, the petition organizers, at 6257 Bryant Street, Burnaby, BC, V5H 1X8.

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: R12S Bryant St. Charles
Hambry Waltham*

**SUBJECT: REQUEST FOR AREA REZONING TO THE R12S DISTRICT – AREA
BOUNDED BY BRYANT STREET, ST. CHARLES PLACE, HAMBRY
STREET, AND WALTHAM AVENUE**

PURPOSE: To seek the Planning and Development Committee's concurrence to recommend that Council initiate a consultation process to explore the desirability of an area rezoning of the subject properties to the R12S Residential District.

RECOMMENDATIONS:

1. **THAT** the Planning and Development Committee recommend that Council authorize initiation of a consultation process to explore the desirability of an R12S area rezoning of the area bounded by Bryant Street, St. Charles Place, Hambry Street, and Waltham Avenue.
2. **THAT** a copy of this report be sent to Mr. Jose and Mrs. Rosa Aguiar, the petition organizers, at 6257 Bryant Street, Burnaby, BC, V5H 1X8.

REPORT

1.0 BACKGROUND

On 2015 February 24, a delegation was received by the Planning and Development Committee. Mr. Jose, Mr. Jimmy, and Mrs. Rosa Aguiar appeared before the Committee requesting consideration for the rezoning of their property at 6062-64 Bryant Street from the R5 Residential District to the R9 Residential District in order to subdivide the property. Staff advised that rezoning to the R9 District was not possible as the Zoning Bylaw limits R9 rezonings to properties that are 2 acres in size or larger. Staff also informed the delegation that an area rezoning process is available for property owners in single and two family residential areas to propose and initiate changes to the zoning of their neighbourhoods.

Since that time, a petition requesting the rezoning of the area bounded by Bryant Street, St. Charles Place, Hambry Street, and Waltham Avenue to the R12S Residential District has been received in the Planning Department. The petition represents an area consisting of 16 lots containing 13 single family dwellings and three two family dwellings (one of which is strata

To: Planning and Development Committee
From: Director Planning and Building
Re: Request for Area Rezoning to the R12S District –
Area bounded by Bryant Street, St. Charles Place, Hambry Street, and
Waltham Avenue
2016 June 23 Page 2

titled) (see attached *Sketch #1*). The petition was signed by 10 (59%) of the 17 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 the area bounded by Bryant Street, St. Charles Place, Hambry Street, and Waltham Avenue. The proposed rezoning area currently zoned R5 District, is located in the Royal Oak Community Plan. The area to the east, south, and west is comprised of single and two family dwellings and is primarily zoned R5, with some properties zoned R9, while the area to the north across Bryant Street is zoned R4 District. 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 which states that R4 and R5 zoned properties can permit small lot development such as that which would be provided under the R12 zoning district.

As noted, the proposed rezoning area is located within Sub-Area 10 of the Royal Oak Community Plan, which designates the subject block for single and two family residential use, in line with its existing use at the time of the Plan's development. The Plan also notes that the retention and protection of Sub-Area 10 as a continuing R5 zoned residential neighbourhood is indicated. Like other single and two family urban areas in Burnaby zoned R4 or R5, the subject block allows for the development of single and two family development, depending on lot size. In addition, the area rezoning process is available to provide property owners with the opportunity to initiate changes to the land use zoning of their neighbourhoods through a community consultation process. In this case, the OCP provides a policy context for R4 and R5 zoned areas to undergo an area rezoning process, for example to the R12 District, in order to permit small lot development. In addition to being initiated by the local neighbourhood, it is noted that area rezonings always involve the use of a local area consultation process. As the Royal Oak Plan notes that Sub-Area 10 is indicated for the retention and protection of the area as a continuing R5 zoned area, a minor amendment to the Royal Oak Plan would arise should the proposed area rezoning be supported through the consultation process, and through to rezoning with a Public Hearing.

The area is comprised of 16 lots containing 13 single family dwellings and three two family dwelling (one of which is strata titled). Lot widths range from 15.24 m (50 ft.) to 27.94 m (91.67 ft.); lot areas range from 559.37 m² (6,021.01 sq.ft.) to 1,026.46 m² (11,048.72 sq.ft.). All but one lot is served by a constructed lane which provides alternate access to the properties. Housing is of mixed age – nine of the dwellings were built before 1980 and seven were built after 1980. All but two of the homes are owner-occupied and most are generally well maintained and in good condition.

To: Planning and Development Committee
From: Director Planning and Building
Re: Request for Area Rezoning to the R12S District –
Area bounded by Bryant Street, St. Charles Place, Hambry Street, and
Waltham Avenue
2016 June 23Page 3

2.2 Current and Proposed Development Potential

The current R5 District development potential of the 16 lots is for thirteen single family dwellings and three 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.

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, and one lot would be eligible for a three 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 and Royal Oak Community Plan for 'Single and Two Family Residential Urban' development which would allow for the requested R12S District rezoning. The area is located approximately 120 m (393.7 ft.) from existing R9 District small lot development to the east. The petition area represents one block 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 the majority (59%) 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 some properties in the surrounding 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 proposed for rezoning. In accordance with Council policy, residential properties within 100 m (328 ft.) of the proposed rezoning area are included in the consultation area. However, given that the proposed block for area rezoning is located within Sub-Area 10 of the Royal Oak Community Plan, it is recommended that the consultation area also include the single and two family properties located in Sub-Area 10 (see attached *Sketch #1*). An open house

To: Planning and Development Committee
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Re: Request for Area Rezoning to the R12S District –
Area bounded by Bryant Street, St. Charles Place, Hambry Street, and
Waltham Avenue
2016 June 23 Page 4

with displays and opportunities for questions and comments will be scheduled at nearby Windsor 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 10 (59%) of the 17 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 and Royal Oak Community Plan designation, the configuration of the proposed rezoning area, the support of the property owners to pursue the area rezoning process, and the existence of nearby small lot character, 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.

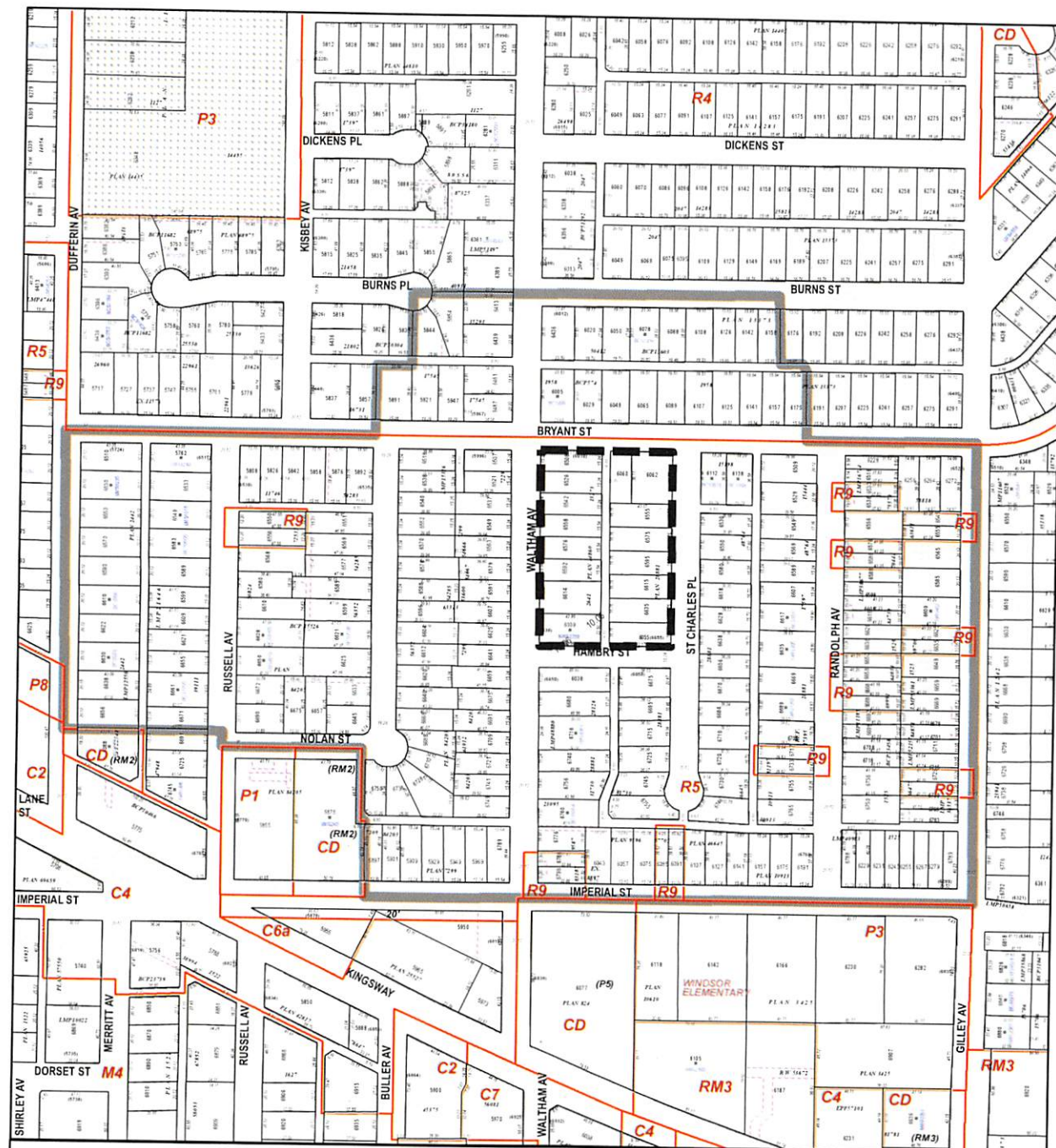
It is also recommended that a copy of this report be provided to Mr. Jose and Mrs. Rosa Aguiar, the organizers of the area rezoning petition process.


Lou Pelletier, Director
PLANNING AND BUILDING

LS:spf
Attachment

cc: City Manager
Chief Building Inspector

Director Engineering
City Clerk



PLANNING & BUILDING DEPARTMENT



DATE:

JUN 22 2016

SCALE:

1:4,500

DRAWN BY:

AY

BRYANT, WALTHAM, HAMBRY, ST. CHARLES R12S



Rezoning Area



Consultation Area

Sketch #1