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|---------------------------|
| Item .....                |
| Meeting ..... 2017 May 29 |

COUNCIL REPORT

**TO:** CITY MANAGER 2017 May 24

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT: REZONING REFERENCE # 16-19**  
Proposed single-family residence

**ADDRESS:** 4095 Edinburgh Street (see *attached* Sketch #1)

**LEGAL:** Lot 19, Block 40, DL 186, Group 1, NWD Plan 3755

**FROM:** R3 Residential District

**TO:** R3a Residential District

**APPLICANT:** Sean Ungemach  
4005 Triumph Street  
Burnaby, BC V5C 1Z1

**PURPOSE:** To seek Council authorization to forward this application to a Public Hearing on 2017 June 27.

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**RECOMMENDATIONS:**

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2017 June 12 and to a Public Hearing on 2017 June 27 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 dedication of any rights-of-way deemed requisite.

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- d) The registration of a Section 219 Covenant requiring the land to be developed in accordance with the approved building and landscape plans.

## **REPORT**

### **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 4095 Edinburgh Street is located in an R3 District neighbourhood in the Burnaby Heights area and is designated in the Official Community Plan as Single-Family Suburban. With the exception of the newer two-storey single-family dwelling located directly to the west, the R3 District-zoned properties on the north side of Edinburgh Street to Macdonald Avenue North are generally occupied by older one-storey single-family dwellings. It is noted that due to the topography sloping down to the north, the one-storey dwellings on the subject block have a two-storey appearance at the rear of the properties, and the two-storey dwellings have a three-storey appearance at the rear.

The R3 District-zoned properties to the south across Edinburgh Street are of mixed age, with the majority being two-storeys in height and built since 1980. The four R5 District-zoned properties to the southeast are generally two storeys in height and were built between 1947 and 1991.

The City-owned properties directly to the east across Gilmore Avenue North are zoned P3 Park and Public Use District and are designated as park and public use in the Chevron Buffer Zone Conservation Area. Further to the east of the subject site is the industrially-zoned Chevron oil storage and distribution facility. Second Narrows Park, which is also zoned P3 District, is located directly across the lane to the north of the subject site. It is noted that the TransCanada Trail, which runs through both Second Narrows Park and the Chevron Buffer Zone, is located north and northeast of the subject site.

- 2.2 The subject lot contains an older single-family dwelling constructed in 1950. The dwelling has a one-storey appearance on the Edinburgh Street frontage and a two-storey appearance from the rear. Vehicular access to the site is currently from both Edinburgh Street and Gilmore Avenue North.
- 2.3 On 2016 May 30, Council received the report of the Planning and Building Department regarding the rezoning of the subject site and authorized the Department to continue to work with the applicant in preparing a suitable plan of development with the

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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.

It is noted that the applicant applied for the subject rezoning and submitted architectural plans prior to the 2016 December 12 Council meeting, when rezoning application REZ# 15-27 raised concerns regarding the size of proposed developments in R “a” Districts, with a motion that the R “a” bylaw provisions and R “a” design guidelines be referred to the Planning and Development Committee (PDC) for review. This review of the R “a” Districts is ongoing. Any new applications for the R “a” District will be recommended to be held in abeyance until such time as the review is completed.

### 3.0 GENERAL COMMENTS

- 3.1 The applicant proposes to rezone the subject property to the R3a District to allow for construction of a new single-family dwelling with attached and detached garage on a 1,051.35 m<sup>2</sup> (11,316.6 sq. ft.) lot. Specific development plans include:
- a two-storey 630.8 m<sup>2</sup> (6,789.8 sq. ft.) single-family dwelling with a sloped roof and primarily a two-storey appearance (see *attached* Sketch #2 for rendering);
  - an attached two-car garage, measuring 62.67 m<sup>2</sup> (674.6 sq. ft.), located at cellar level below the covered deck and with vehicular access from the lane;
  - a detached two-car garage, measuring 47.47 m<sup>2</sup> (511 sq. ft.), located below the raised back yard and with vehicular access from the lane;
  - three bedrooms and a study area on the second floor; main living functions including an office/den and covered deck on the main floor; and storage, a recreation room, office, and aforementioned attached garage in the cellar; and,
  - a landscaped front yard and a rear yard which includes a swimming pool and hot tub.
- 3.2 Under the prevailing R3 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 R3a 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 1,051.35 m<sup>2</sup> (11,316.6 sq. ft.), after dedication for corner truncation, and an average width of approximately 28.37 m (93.08 ft.), and, as such, exceeds the minimum lot area and width requirements for rezoning to the R3a District.
- 3.3 With regard to development density, the R3 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 R3a District permits 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

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subject property, after dedication for corner truncation, the 0.60 FAR would permit a dwelling with a maximum gross floor area of 630.81 m<sup>2</sup> (6,789.96 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.*

All elevations of the proposed development have primarily a two-storey appearance and are considered to have minimal impact on the surrounding residential area (see Sketch #2 *attached* for renderings of the south [front] elevation and portion of the east [side] elevation). While the proposed attached garage in the cellar with two stories above is visible on the rear elevation, the garage only covers a smaller portion of the elevation. In addition, the rear elevations of other properties on the subject block also have, as a result of grade change, an appearance that is one storey greater than that of the front elevation. The height of the dwelling is 9.0 m (29.5 ft.) as measured from the average front elevation to the highest point of the structure, which is equal to the maximum permitted height for buildings with a sloping roof in the R3 and R3a Districts.

Though there are older one-storey dwellings on the subject block, the newer dwellings in the area are generally two storeys. Therefore, the proposed dwelling is considered to be in line with the scale and character of the current and future 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 front yard setback of the proposed dwelling is 6.0 m (19.7 ft.) and is consistent with the front yard setback required under the bylaw and the prevailing setback pattern of the two properties located to the west. There is no development immediately to the east.

- 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 13.23 m (43.41 ft.) rear yard setback, which constitutes approximately 35.5% of the lot depth and is significantly more than the minimum R3 rear yard requirement of 7.5 m (24.6 ft.).

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The depth of the proposed dwelling is 17.98 m (59 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 R3 District requires a minimum side yard setback of 1.5 m (4.9 ft.). Development under the R3a District zoning requires a minimum side yard setback of 3 m (9.8 ft.). The west and east side yard setbacks for the proposed dwelling are 3 m (9.8 ft.), which meet the recommended side yard setback requirements. A portion of the proposed sunken patio on the east elevation encroaches approximately 0.76 m (2.5 ft.) into the side yard. The patio is proposed to be separated from the adjacent street (proposed to be a future lane) by landscaping and there are no residences on the east side of the street (future lane). The rest of the east elevation is well within the recommended side yard setback requirements.

- 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 proposed to be constructed with varied setbacks, a bay window, a covered/open to above porch entry, and variation in both roof lines and materials.

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

The proposed dwelling’s rear elevation features a number of large windows and two sets of sliding doors which lead to an approximate 61.95 m<sup>2</sup> (666.8 sq. ft.) covered deck area and to a raised back yard which includes a swimming pool, hot tub, and open hard landscaped area supplemented with soft landscaping. While the windows and doors overlooking the covered deck and raised back yard area are relatively large, they do not pose significant privacy concerns due to their orientation directly to the City-owned park land to the north. The side west and east elevations respectively have nine and eight windows of various sizes. Most of these windows are relatively small, are obscured from neighbouring properties by landscaping, or are located so as not to pose significant privacy concerns.

In addition, the covered deck, though adjacent the neighbouring property to the west, is proposed to be screened by landscaping located within the required double side yard setback area. The raised back yard, including swimming pool, hot tub, and open hard landscaped area, is also not expected to pose significant

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privacy concerns due to its separation from the neighbouring property to the west by a driveway, location of parkland/open space to the north and east, and the location of proposed trees in the back yard.

- 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 landscape plans show extensive new landscaping, including numerous shrubs and other soft landscaping in the front yard, side yard, and portions of the back yard; landscaped front courtyard areas; deck planting; and a total of 28 trees, nine of which are in the front portion of the property. The City's Landscape Technician has determined that none of the few existing trees on site are suitable for retention. Therefore, the existing trees may be removed, subject to the requirements of the Burnaby Tree Bylaw.

Overall, the proposed development is consistent with the guidelines for assessing single-family dwellings in the R3a District, as maximum height, minimum setback, building depth, building massing, privacy, and landscape provisions have been met or exceeded. In addition, while it is noted that the GFA for the proposed dwelling is at the maximum permitted GFA under the R3a District, the proposed above grade floor area (AGFA) of 382.88 m<sup>2</sup> (4,121.3 sq. ft.) is significantly less than the maximum permitted AGFA of 420.54 m<sup>2</sup> (4,526.64 sq. ft.), with approximately 39% of the permitted GFA located below grade and generally not visible.

- 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:
- Vehicular access off the rear lane;
  - Removal of driveway accesses from Edinburgh Street and Gilmore Avenue;
  - Construction of separated sidewalk on Edinburgh Street;
  - Extension of the rear lane to Edinburgh Street; and
  - 3.0 m (9.84 ft.) by 3.0 m (9.84 ft.) corner truncation at northeast corner of the property.
- 3.6 In order to protect the City park property during construction and the initial demolition, protective fencing is required to be installed at the south property line of Second Narrows Park and extend along the entire width of the subject property plus 8 m (26.25 ft.) to the west.
- 3.7 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.

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- 3.8 The applicant has advised the Planning Department that he approached the owners of 10 neighbouring properties regarding the proposed rezoning application and that there were no objections.

#### 4.0 DEVELOPMENT PROPOSAL

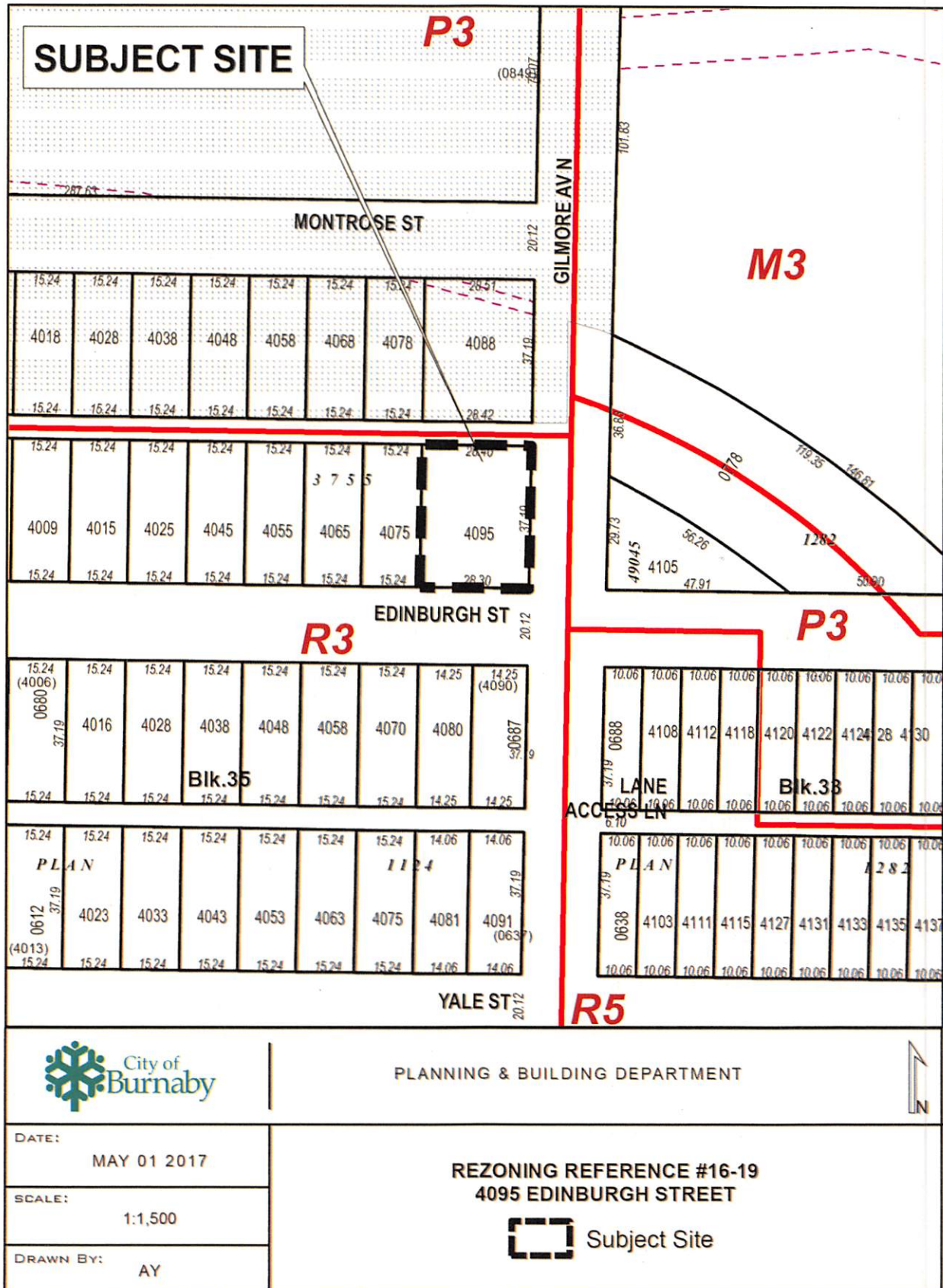
- |     |                               |   |  |
|-----|-------------------------------|---|--|
| 4.1 | <u>Site Area</u>              | - | 1,051.35 m <sup>2</sup> (11,316.6 sq. ft.) |
| 4.2 | <u>Lot Coverage</u>           |   |  |
|     | Permitted                     | - | 40 %                                       |
|     | Proposed                      | - | 29.5 %                                     |
| 4.3 | <u>Floor Area Ratio</u>       |   |  |
|     | Permitted                     | - | 0.60 FAR                                   |
|     | Proposed                      | - | 0.60 FAR                                   |
| 4.4 | <u>Gross Floor Area</u>       |   |  |
|     | Permitted                     | - | 630.81 m <sup>2</sup> (6,789.96 sq. ft.)   |
|     | Proposed                      | - | 630.8 m <sup>2</sup> (6,789.8 sq. ft.)     |
| 4.5 | <u>Above Grade Floor Area</u> |   |  |
|     | Permitted                     | - | 420.54 m <sup>2</sup> (4,526.64 sq. ft.)   |
|     | Proposed                      | - | 382.88 m <sup>2</sup> (4,121.3 sq. ft.)    |
| 4.6 | <u>Building Height</u>        |   |  |
|     | Permitted                     | - | 2 storeys                                  |
|     |                               | - | 9.0 m (29.5 ft.)                           |
|     | Proposed                      | - | 2 storeys                                  |
|     |                               | - | 9.0 m (29.5 ft.)                           |

  
Lou Pelletier, Director  
PLANNING AND BUILDING

LS:tn

#### **Attachments**

cc: Director Engineering  
City Solicitor  
City Clerk







3D Street View C



3D Street View A



10 Street View 0



3D Street View B

## Sketch #2

This drawing is an instrument of attack to the capacity of the 4  
Learners within a group and they had no regard for  
without the learner's permission.  
The information shown in this drawing is for use in the group  
project only and shall not be used otherwise without the explicit  
permission of the learner.  
Learners in their early and late stages like all learners in the  
group and this course shall be informed of any discrepancies and  
consequences of the drawing.

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**PRIVATE RESIDENCE**  
**4095 EDINBURGH ST.**  
**BURNABY, BC**

DATE  
06/APR/17  
SCALE  
1" = 1/4"

Contracted as  
**BL**

06/APR/17  
MM, JL

**3D Views**

01102

**A5.0**