



Item
Meeting 2018 May 28

COUNCIL REPORT

TO: CITY MANAGER 2018 May 23

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #18-14**
R2 Residential District zoning

ADDRESS: 7038 Broadway (Sketch #1 *attached*)

LEGAL: Lot 2 Except Part Subdivided by Plan BCP12874, District Lot 136, Group 1, NWD Plan 11017

FROM: R2a Residential District

TO: R2 Residential District

APPLICANT: Rakesh Kumar Gupta
3737 Moscrop Street
Burnaby, BC V5G 2C7

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2018 June 26.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2018 June 11 and to a Public Hearing on 2018 June 26 at 7:00 p.m.
2. **THAT** the following be established as prerequisites to the completion of the rezoning:
 - a) The discharge of the existing Section 219 Covenant certifying that the land shall be developed only in accordance with the building and landscape plans.
 - b) The granting of a Section 219 Covenant regarding protection of the Streamside Protection and Enhancement Area (SPEA).

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REPORT

1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit the construction of a new single-family dwelling under R2 Residential District zoning.

2.0 BACKGROUND

- 2.1 The subject site is located in the Sperling-Broadway neighbourhood on the south side of Broadway between Cliff Avenue and Ellerslie Avenue (Sketch #1 *attached*), and is designated within the Official Community Plan for Single Family Suburban use. The properties to the west, across Pollywog Creek Tributary, are zoned R9 Residential District and are occupied by newer two-storey single-family dwellings, while the properties to the north, across Broadway, are zoned R2 District and are occupied by older single-family dwellings. The properties to the south, zoned R9 District, and southeast and east, zoned CD Comprehensive Development District (based on the R2 District), are occupied by two-storey single-family dwellings of various ages.
- 2.2 The subject site, which slopes down significantly from Broadway, contains a large single-family dwelling that was constructed in 1978. Vehicular access to the site is currently from Broadway.
- 2.3 On 2004 August 09, Council granted Final Adoption to Rezoning Reference #03-28, which rezoned the subject site and the two properties to the south from the A2 Small Holdings District to the R2 and R2a District in order to permit the subdivision of the southern portion into two single-family lots and the retention, on the northern portion, of the existing single-family dwelling with a gross floor area greater than the maximum permitted under the R2 District. In association with the rezoning, a Section 219 Covenant was registered on the subject site to ensure that it could only be developed in accordance with the submitted building and landscape plans for the existing dwelling.

3.0 GENERAL INFORMATION

- 3.1 The applicant, who has owned the property since 2016, is proposing to rezone the subject site to the R2 Residential District in order to allow for the development of a new dwelling other than that which is currently permitted under the existing R2a District and the Section 219 Covenant described above. Under the R2 District, each lot shall have an area of not less than 668.88 m² (7,200 sq. ft.) and a width of not less than 18.28 m (60 ft.). The subject site has an area of approximately 1,470 m² (15,822.95 sq. ft.) and a width of approximately 27.89 m (91.5 ft.), and as such meets the lot area and width requirements of the R2 District. With regards to development density, while the maximum permitted gross floor area (GFA) associated with Rezoning Reference #03-28 is 669 m² (7,201 sq.

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ft.), the maximum permitted GFA under the R2 District would be 440 m² (4,736.3 sq. ft.), resulting in a dwelling with lower square footage in line with the R2 District. The applicant has indicated that he wishes to build a new single-family dwelling under R2 District zoning.

- 3.2 In addition to the provision of any necessary covenants, easements, and/or statutory rights-of-way, the owner will be required to discharge the existing Section 219 Covenant on the property in order to allow for the development of a dwelling under the R2 District.
- 3.3 It is noted that the subject site is within close proximity to Pollywog Creek. Development of a new single-family dwelling would therefore be subject to the streamside protection provisions in Section 6.23 of the Zoning Bylaw, which require a 15 m (49.21 ft.) Streamside Protection and Enhancement Area (SPEA). A survey plan showing top-of-bank and the 15 m (49.21 ft.) SPEA will be required, in addition to a guide plan which shows how the lot could be redeveloped in accordance with the R2 District guidelines, including permanent protection and enhancement of the 15 m SPEA (49.21 ft.). The provision of a Section 219 Covenant with regards to the SPEA will also be required, and if development is not feasible under the requested zoning, an application to the Environmental Review Committee (ERC) may be required.
- 3.4 A tree survey will be required.
- 3.5 The Director Engineering will be required to provide an estimate for all site servicing. Servicing requirements may include, but are not necessarily limited to:
- vehicular access from a single driveway closest to the eastern property line;
 - removal of existing western driveway access; and,
 - cash-in-lieu for future works related to constructing Broadway to its final standard.

4.0 DEVELOPMENT PROPOSAL

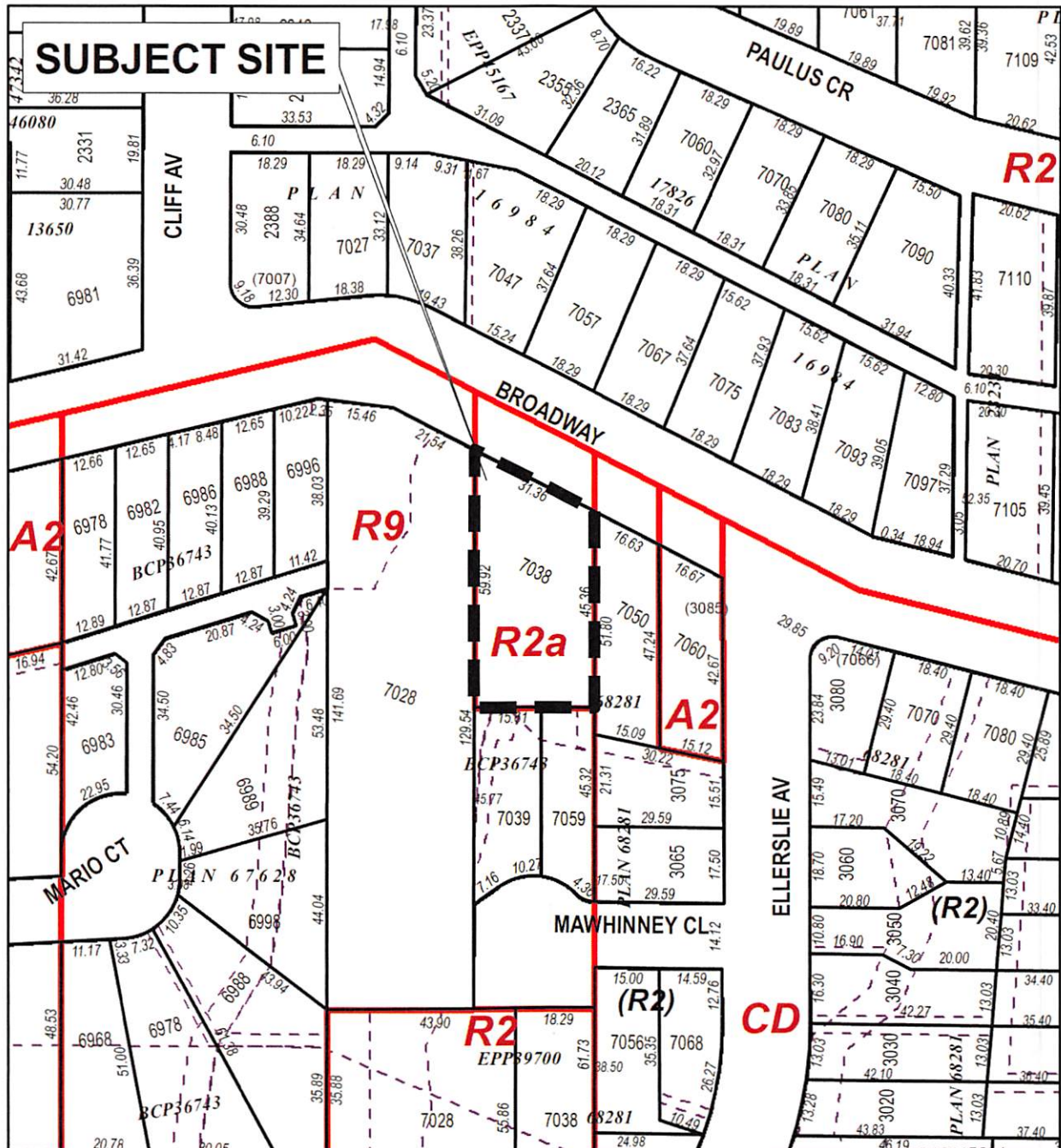
- 4.1 Site Area (no change) - 1,470 m² (15,822.95 sq. ft.).


Lou Pelletier, Director
PLANNING AND BUILDING

LS:eb

Attachment

cc: Director Engineering City Solicitor City Clerk



PLANNING & BUILDING DEPARTMENT




DATE:
MAY 14 2018

SCALE:
1:1,500

DRAWN BY:
AY

REZONING REFERENCE #18-14
7038 BROADWAY

 Subject Site

Sketch #1

March 14, 2018

City of Burnaby
Planning Department
4949 Canada Way
Burnaby, BC

Letter of intent: 7038 Broadway, Burnaby

To Whom It May Concern:

We, Rakesh Kumar Gupta and Monika Gupta, the registered owners of the property stated above, hereby request the city of Burnaby to rezone our property, 7038 Broadway, Burnaby; Currently R2a zoning to R2 zoning.

We request the City of Burnaby to release the covenant registration number, BW380112, from our property.

If you have any questions, please feel free to call us at 604-897-0206

Sincerely,

Rakesh Kumar Gupta.....

Monika Gupta.....