

TO: MAYOR & COUNCILLORS

FROM: GENERAL MANAGER PLANNING AND DEVELOPMENT

SUBJECT: **DVP #24-19 – 4370 NAPIER STREET – DEVELOPMENT VARIANCE FOR BUILDING SEPARATION IN R1 FROM 6.0 METRES TO 2.4 METRES**

PURPOSE: To seek Council approval for Development Variance Permit (DVP) #24-19.

REFERENCES

Address: 4370 Napier Street
Legal: 003-116-999
Lot 9 Block 6 District Lot 120 Group 1 Plan NWP9210
Applicant: Luis Construction Designs Inc.
Current Zoning: R1

RECOMMENDATION

THAT Development Variance Permit #24-19, included as Attachment 2 in the report titled “DVP #24-19 – 4370 Napier Street – Building Separation in R1 from 6.0 metres to 2.4 metres,” dated July 22, 2025, be approved; and,

THAT the City Solicitor be directed to register notice of Development Variance Permit #24-19 with the Land Title Office.

EXECUTIVE SUMMARY

The applicant is pursuing the construction of a two storey laneway (rear principal) home, located at 4370 Napier Street. Section 101.4 of the Zoning Bylaw requires a 6.0 metre separation between front and rear principal buildings. With respect to the subject site, the applicant has requested a variance to 2.4 metres.

1.0 POLICY SECTION

The subject Development Variance Permit (DVP) aligns with the following policies and plans adopted by Council: Corporate Strategic Plan (2022), Official Community Plan (1998), Big Bend Community Plan (1972), Economic Development Strategy (2007), Social Sustainability Strategy (2011), Regional Context Statement (2013), Environmental Sustainability Strategy (2016) and Transportation Plan (2021).

Under Section 498 of the *Local Government Act* (LGA), a local government may, by Council resolution, issue a DVP to vary specific provisions of the Zoning Bylaw. The public notification process for the subject Development Variance Permit (DVP) application, as outlined in Section 4.0, has been completed.

2.0 BACKGROUND

The development is located midblock on Napier Street and Rosser Avenue between the Heights Urban Village and Brentwood Town Centre, in a Frequent Transit Network Area which permits up to six dwelling units. The proposed land use designation in the draft OCP 2050 land use map is “Low-Rise Apartment 1 - 4 Storeys.”

The applicant intends to build a laneway home however the current building envelope is compromised due to the current R1 setback requirements. As such, the applicant is requesting a variance to allow the existing building to remain and construct a new laneway home.

3.0 GENERAL INFORMATION

3.1 The applicant is requesting a variance to the Small-Scale Multi-Unit Housing District (R1), Section 101.4 Development Regulations to reduce the required separation between front and rear principal buildings from 6.0 metres to 2.4 metres which matches the previous zoning district. Supporting this variance allows the applicant to provide additional forms of housing within the neighbourhood.

3.2 The requested variances are supported by the following rationale:

Minimum Separation of Buildings on the Same Lot (s.101.4)

Reducing the minimum separation between the front and rear principal buildings allows better utilization of the development potential of the site and given the two storey height of the proposed rear principal building where up to four storeys would otherwise be permitted, this reduced separation is considered reasonable.

3.3 For the reasons outlined above, staff support the requested variance to facilitate the construction of the proposed rear principal dwelling. A copy of the permit approving the requested variance is attached as **Attachment 2** to this report. If Council approves the issuance of the DVP, notice of the DVP will be deposited in the Land Title Office on title to the subject property.

4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

In accordance with the requirements set out in the *Local Government Act* and the Burnaby Development Procedures Bylaw, public notice of the subject DVP application was delivered to adjacent property owners and occupants (within 30 metres of the subject

property) at least ten (10) days before Council considered the application for approval. A sign was also posted along the subject site's Napier Street frontage.

5.0 FINANCIAL CONSIDERATIONS

There are no financial considerations related to this proposal.

Respectfully submitted,

E. W. Kozak, General Manager Planning and Development

ATTACHMENTS

Attachment 1 – Sketch

Attachment 2 – Permit

REPORT CONTRIBUTORS

This report was prepared by Jenna Singh, Planning Assistant 3, and reviewed by Carl Isaak, Director Neighbourhood Planning and Urban Design and Jennifer Wong, Assistant City Solicitor.