



## ADMINISTRATIVE REPORT

Report Date: August 26, 2013  
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Meeting Date: September 25, 2013

TO: Standing Committee on City Finance and Services  
FROM: Subdivision Approving Officer  
SUBJECT: Proposed Amendment to Subdivision By-law Number 5208 - Reclassification of 2061 and 2075 West 53<sup>rd</sup> Avenue

### **RECOMMENDATION**

THAT Council refuse the application to reclassify the property at 2061 and 2075 West 53<sup>rd</sup> Avenue from Category D to Category B of Schedule A, Table 1, of Subdivision By-law Number 5208.

### **REPORT SUMMARY**

This report addresses an application to reclassify the property 2061 and 2075 West 53<sup>rd</sup> Avenue from Category D to Category B of Schedule A for the purpose of subdivision, in accordance with the minimum parcel size requirements of Schedule A, Table 1, of the Subdivision By-law.

### **COUNCIL AUTHORITY/PREVIOUS DECISIONS**

Council Policy regarding amendments to the subdivision categories in the RS-1, RS-3, RS-3A, RS-5 and RS-6 Zoning Districts is reflected in the Manager's Report as approved by Council on October 28, 1987. As well as establishing seven parcel size categories for subdivision in the RS Districts, the report provided for possible future changes in the categories in cases where property owners seek to classify their parcel category either up or down, to either facilitate or prevent subdivision.

### **CITY MANAGER'S/GENERAL MANAGER'S COMMENTS**

The General Manager of Planning & Development Services and the City Manager concur with the RECOMMENDATION of refusal.

## REPORT

### Background/Context

In 1988, Council enacted an amendment to the Subdivision By-law by introducing seven categories of minimum parcel width and area to govern the subdivision of parcels zoned RS-1. Subsequently, parcels zoned RS-3, RS-3A, RS-5 and RS-6 have been included as well. All lands in these zoning districts are classified on a block-by-block basis, as shown on 279 sectional maps which are on file with the City Clerk and which form part of Schedule A of the Subdivision By-law.

The minimum standard for each of the seven subdivision categories is shown in the table below.

<u>Subdivision Category</u>	<u>Minimum Width</u>	<u>Minimum Area</u>
A	30 ft.	3,000 sq. ft.
B	40 ft.	3,600 sq. ft.
C	50 ft.	5,000 sq. ft.
D	60 ft.	5,400 sq. ft.
E	75 ft.	6,750 sq. ft.
F	100 ft.	12,000 sq. ft.
G	150 ft.	18,000 sq. ft.

As shown on Appendix A, the property owners of 2061 and 2075 W 53<sup>rd</sup> Avenue are currently classified as Category D, which requires that each newly created lot provide a minimum width of 60 ft. and a minimum area of 5,400 sq. ft. The property at 2061 West 53<sup>rd</sup> has a width of 75 ft., while the property at 2075 West 53<sup>rd</sup> Avenue has a width of 50 ft. As a result, neither of the two properties have potential to subdivide as it would not meet the minimum parcel width standards for Category D.

Currently, this portion of the blockface, which includes lots north of West 53rd Avenue, are somewhat inconsistent as it contains a mixture of lot sizes ranging from 45 ft. to 75 ft. in width. However, the majority of the properties along this street here have a width which is greater than 60 feet, and all of the neighbouring blocks, also in Category D, have lots which have an average width greater than 60 feet.

If the classification is changed, both property owners would need to consolidate their lots in order to gain the potential for subdivision and achieve three lots which meet the minimum requirements for Category B.

### Reclassification Assessment Criteria

Since 1987, staff have based recommendations for reclassification applications on criteria identified in the original Council policy. More recently, Council directed staff to also look at other criteria that contribute to the City's sustainability policies, especially as they pertain to densification. Reclassifications have tended to be supported if:

- Whole blocks came forward together for reclassifications, and 60% of the block was in support;
- The parcel was considerably larger than other parcels on the block, had no opportunity for subdivision even if consolidated with adjacent parcels, and if the

- resulting parcels would be more, rather than less, consistent with parcels on the rest of the block;
- A precedent had been established by the approval of other reclassifications since 1988;
  - The parcel was in close proximity to higher density developments; and
  - The reclassification would promote the ability to create new housing forms appropriate to the context.

### ***Neighbourhood Notification***

Twenty property owners in the immediate area were notified in writing of this application and asked to comment. A total of nine responses were received, with the following results:

Support reclassification:	7
Oppose reclassification:	2
Did not respond:	11

Out of the two respondents who opposed this reclassification, only one provided comments. Concerns were expressed regarding the anticipated size of the potential subdivision as the lots would be the smallest on the subject blockface. It was also noted that this reclassification may create a precedent in the block and could potentially change the character of the neighbourhood.

Those who supported the reclassification welcomed the idea of smaller lots as it would allow for greater density and better use of the land, along with improving liveability for the current property owner. Two property owners who supported the application also expressed concerns regarding tree retention.

It is important to note that the original reclassification application only included the property at 2061 West 53<sup>rd</sup> Avenue, which was intended to be reclassified into Category A. After the notification period completed, the applicant requested that they revise their original proposal and include the neighbouring lot to the west (2075 West 53<sup>rd</sup> Avenue) and reclassify into Category B, which has a larger parcel size standard than Category A. All comments received from notification were in response to the original reclassification proposal.

### ***Strategic Analysis***

If the reclassification to Category B is approved, which prescribes a minimum parcel width of 40 ft. and a minimum parcel area of 3,600 sq. ft., the subject parcels could be subdivided into three 41.7 ft. -wide lots which would meet Category B standards.

This application does not meet the criteria set out above in several respects:

- The current lots are within the average size of lots in the blockface, and the proposed reclassification would allow creation of lots which would be substantially smaller in size than the subject block;
- The majority of lots in the block are much larger than the prescribed minimum standards (Category D) and there have been no similar precedents established of other reclassifications in this area;

- The parcels are not in close proximity to any higher density development; and
- This reclassification would not promote the ability to create new housing forms.

It should be noted that many of the parcels on the subject block do not qualify for a laneway house as the regulations require a lane be present at the rear of the site. However, the RS-5 zone would allow for a one-family dwelling with a secondary suite.

***Implications/Related Issues/Risk (if applicable)***

***Financial***

There are no financial implications.

***Human Resources/Labour Relations***

There are no human resource related issues.

***Environmental***

There are no human resource related issues

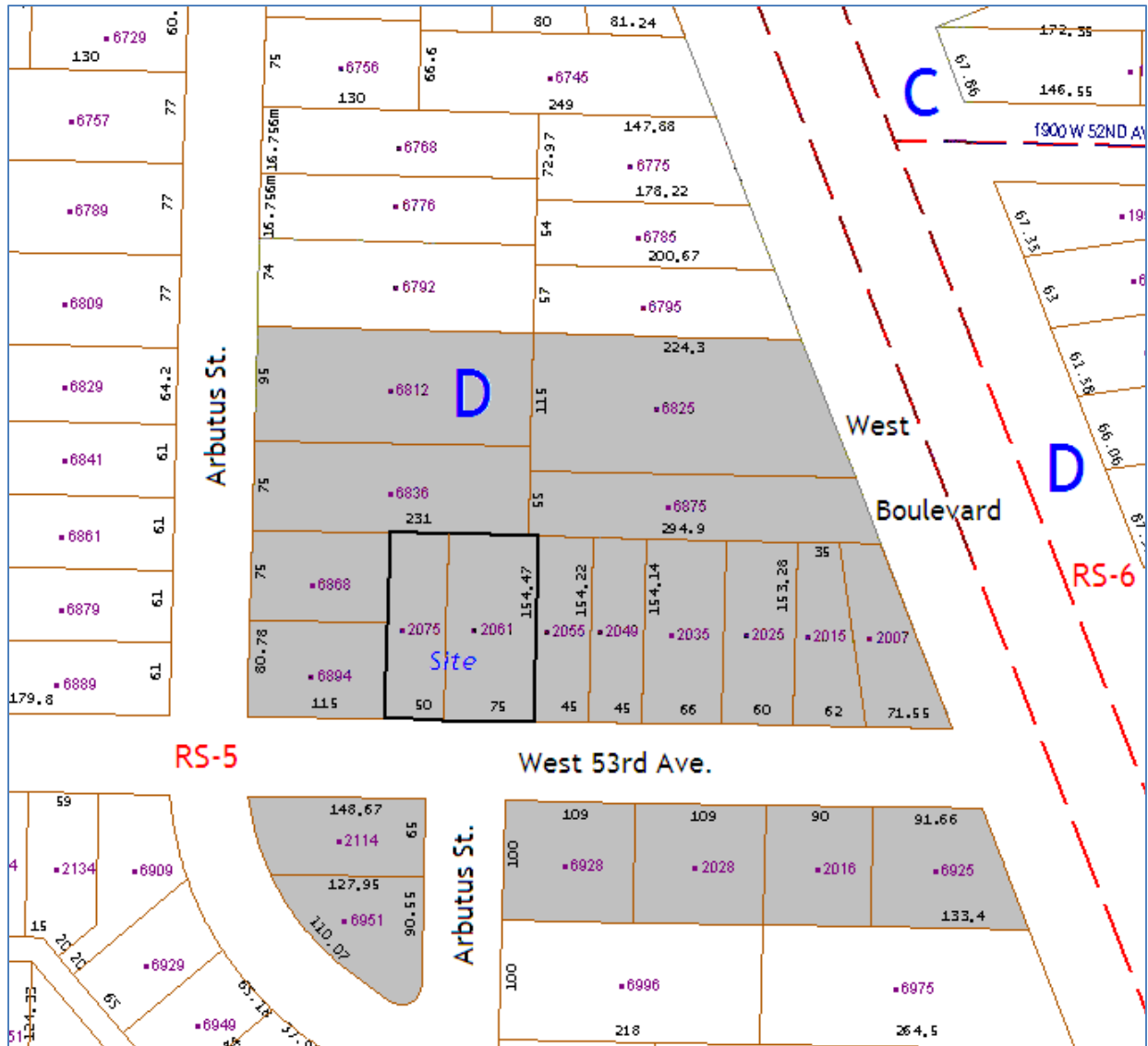
***Legal***

There are no legal issues


***CONCLUSION***

On the basis that the approval of this reclassification request would create a precedent in this vicinity, which currently contains properties much larger in size, there is no convincing rational for changing the subdivision category of these lots. Therefore, the Subdivision Approving Officer recommends refusal of this application.

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Proposed Reclassification: 2061 and 2075 West 53<sup>rd</sup> Avenue (shown in heavy outline) from Category D to Category B.

	Notification Area
- - - - -	Subdivision Category Boundary Line
<b>B</b>	Category B (requires minimum width of 40 ft. minimum area of 3,600 sq. ft.)
<b>C</b>	Category C (requires minimum width of 50 ft. minimum area of 5,000 sq. ft.)
<b>D</b>	Category D (requires minimum width of 60 ft. minimum area of 5,400 sq. ft.)