



## ADMINISTRATIVE REPORT

Report Date: March 15, 2018  
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Meeting Date: April 18, 2018

TO: Standing Committee on Policy and Strategic Priorities

FROM: Assistant Director, Development, Building and Licensing/Subdivision  
Approving Officer

SUBJECT: Proposed Amendment to Subdivision By-law No. 5208 – Reclassification of  
6141 and 6161 Alma Street

### **RECOMMENDATION**

THAT Council approve the application to reclassify the properties at 6141 and 6161 Alma Street from Category D to Category C of Schedule A, Table 1, of Subdivision By-law No. 5208;

FURTHER THAT if Council approves Recommendation A, the Director of Legal Services be instructed to prepare the necessary by-law to amend the Subdivision By-law implementing the required change.

### **REPORT SUMMARY**

This report addresses an application to reclassify the properties at 6141 and 6161 Alma Street from Category D to Category C 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 Development, Building, and Licensing and the City Manager recommend approval of the foregoing.

## **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.

The property owners at 6141 and 6161 Alma Street have requested the City Council amend the Subdivision By-law to change the classification of their properties from Category D to Category C.

As shown in Appendix A, the subject parcels and parcels on the west side of Alma Street are classified as Category D, which prescribes a minimum width of 60 ft. and a minimum area of 5,400 sq.ft. for each new parcel created by subdivision. The subdivision boundary line bisects Alma Street, and the parcels on the east side of the street are in Category C, which prescribes a minimum width of 50 ft. Under the current subdivision category, there is no subdivision potential for the subject parcels, either individually, or by combining with an adjacent parcel.

Currently, this blockface is somewhat inconsistent as it contains a mixture of lot sizes ranging from 50 ft. to 75 ft. in width on both sides of Alma Street and on the adjacent properties to the west fronting Highbury Street. Further, the block immediately to the east across Alma Street is classified as Category C, which allows the creation of smaller parcels having a minimum width of 50 ft. and a minimum area of 5,000 sq.ft.

If the classification is changed, property owners would need to combine their lot with the adjacent neighbour(s) in order to achieve the minimum requirements for Category C.

The owners of these properties originally applied to reclassify the parcels from Category D to Category A with the intention of subdividing each 75 ft. parcel into two 37.5 ft.

parcels. The Subdivision Approving Officer did not support this application, as the neighbourhood notification process revealed that 17 of the 25 property owners notified were opposed to the proposal because they strongly felt that allowing 37.5 ft. lots would negatively impact the character of the neighbourhood, and only 2 were in favour. The Subdivision Approving Officer felt that the approval of that reclassification would likely set a precedent within this block that might encourage further reclassification applications to Category A. The owners of the remaining 66 ft. wide parcels in the block could seek reclassification and subdivide into 33 ft. parcels, as owners of adjacent 49.5 ft. parcels could combine lots to subdivide into three 33 ft. lots. Such subdivisions could completely alter the character of the block.

Without staff support for their application, the applicants subsequently amended their application to reclassify their two parcels to Category C.

### **Neighbourhood Notification**

Twenty-five property owners in the immediate area were notified in writing of this application to re-class the properties from Category D to Category C and asked to comment. This time seven responses were received, with the following results:

Support reclassification:	1
Oppose reclassification:	6
Did not respond:	18

Four of the owners opposed to the application objected because they felt that the properties being in the floodplain and drainage issues would be exacerbated by the subdivision. One of the owners opposed to the application objected because they felt that the character of the street would be compromised and another owner felt that he would be impacted by resulting construction of new homes following subdivision. Additional parking demand created by a subdivision was also cited by one owner as a concern.

The owner that showed support did not express concerns with the proposed lot sizes or provide additional comments. The majority of the property owners in the notification area did not respond to the notification, which may indicate some indifference to the proposal.

### **Reclassification Assessment Criteria**

Since 1987, staff have based recommendations for reclassification applications on criteria identified in the original Council policy. The following provides an analysis of the current proposal in relation to that which was outlined in the original council policy.

- 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.

*Most lots on the block range from 50 feet to 75 feet in width. The two lots under consideration are 75 ft., with a combined width of 150 ft. While these are not substantially larger, many properties across Alma Street and to the East fronting*

*Highbury Street are 50 ft. in width. Fronting SW Marine Drive to the North are 50 ft. wide lots.*

- A precedent had been established by the approval of other reclassifications since 1988;

*No applicable precedent has been established within the general area. It is unlikely that approval of this proposal would establish a precedent for this area as there are no other adjacent 75 ft. within Category D on this block.*

- The parcel was in close proximity to higher density developments; and

*There are no high density developments nearby. The sites are within the West Southlands area of the Southland Plan which reinforces the single-family zoning for this area, however, under the Affordable Housing Choices Interim Rezoning Policy the sites could be considered for rezoning for ground-oriented housing forms up to 3.5 storeys as long as a proposal were to meet the housing affordability criteria (i.e. secured rental housing, co-housing, etc.).*

- The reclassification would promote the ability to create new housing forms appropriate to the context.

*The RS-5 District Schedule allows development of a single family home with a secondary suite and a laneway house on each parcel provided that all applicable bylaws, policies, and guidelines have been met. These parcels are partially in the floodplain, consequently habitable area, including secondary suites, would have to meet or exceed the minimum flood control level. Development of laneway houses is dependent on site access by lane, so while the Northern site has flanking lane access the Southern site(s) would not be able to construct a laneway house without opening of the rear lane. Engineering Services does not have any current interest or available capital funding to open the lane behind these sites, so if this reclassification is successful and the owners wish to have the lane open the City may look to development or to completion of a Local Improvement process for development of the lane.*

*The reclassification would promote the ability to create between one and three additional dwelling units to the current sites' potential if the two sites are subdivided into three lots, depending on how many units are developed on each site.*

### **Strategic Analysis**

In addition to the criteria identified in the original Council policy, the reclassification assessment criteria have expanded to take into consideration alignment with Council policies relating to sustainability, densification and heritage/character retention while continuing to consider the values and opinions of neighbour.

The existing single family dwellings were constructed in 1955 and 1956 and do not have any character merit.

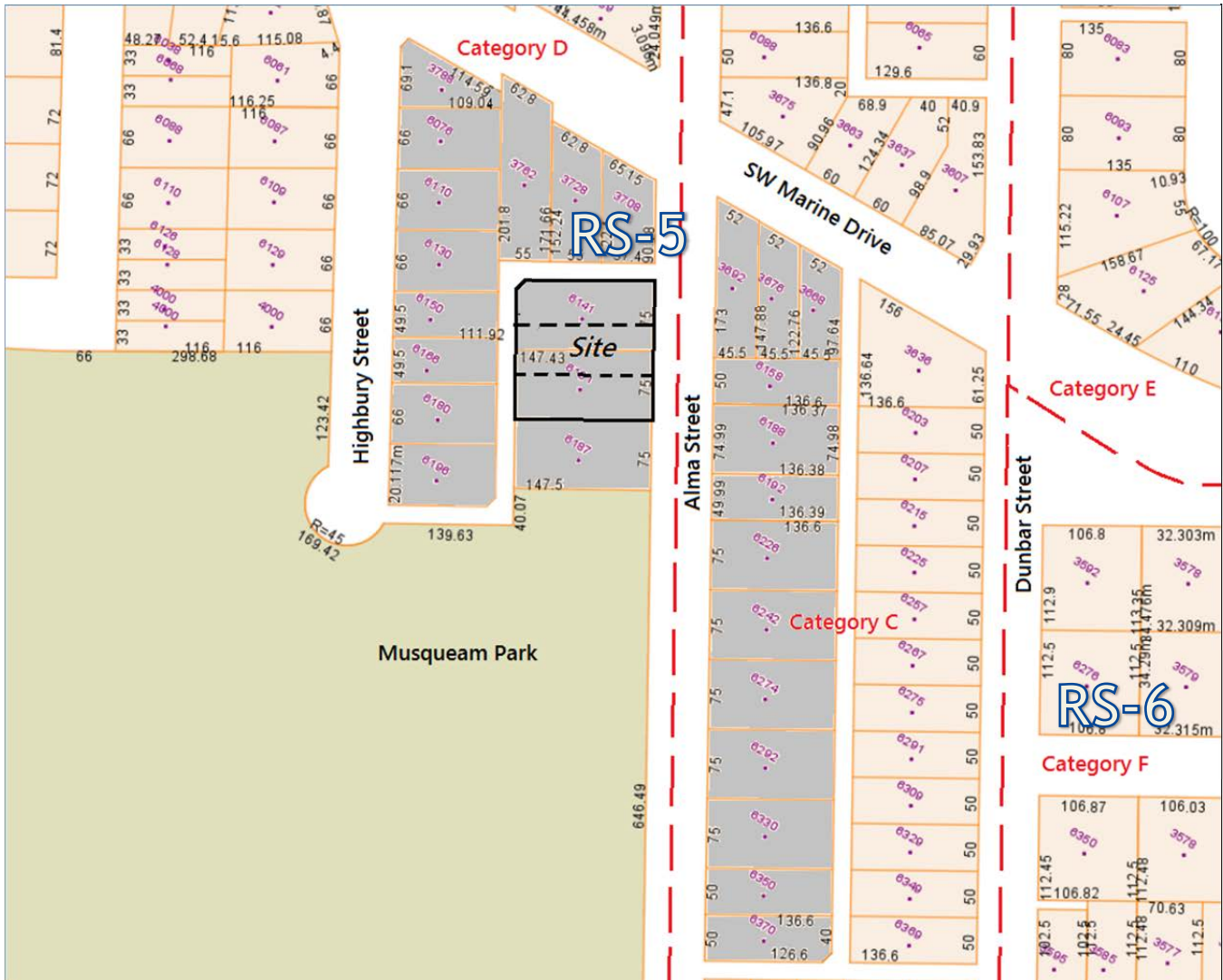
Financial considerations are not within the purview of the Approving Officer when making decisions or recommendations on land use matters. In addition, minimum parcel width and area standards are not the sole criteria by which a subdivision is assessed. The existing pattern of subdivision in the vicinity, the characteristic orientation of parcels, the proposed development and use of the parcels, and the effect of the anticipated development of the parcels on adjacent lands are also considerations.

In this particular case, the subdivision of 6141 and 6161 Alma Street into three 50 ft. wide parcels does not significantly alter the subdivision pattern in the area, as it only creates one additional lot, which is somewhat in keeping with many of the lots on the opposite side of Alma Street and to the rear of the sites fronting Highbury Street, that are between 50 ft. and 75 ft. wide. It is unlikely that other requests will come forward to reclassify from Category D to Category C. Therefore, approval of this reclassification will not establish a neighbourhood precedent.





### **CONCLUSION**

Although the purpose of the different subdivision categories is to preserve prevailing subdivision patterns within an area, this portion of Alma Street does not maintain a pristine, uniform subdivision pattern and prevailing lot widths are between 50 ft. and 75 ft. With the proposed re-classification being within this parcel size range and no opportunity for precedent to be applied to surrounding sites, the Subdivision Approving Officer recommends approval of this application.

\* \* \* \* \*



Map of Proposed Reclassification Area

	Location of properties involved in reclassification proposal outlined in bold and noted as "Site"
	Notification Area
	Subdivision Category Boundary Line
	Potential Subdivision Lines if Re-Classed to Category C (approximate 50 ft. lot width)
Category C requires a minimum of 50 ft. width and 5,000 sq. ft. area	
Category D requires a minimum of 60 ft. width and 5,400 sq. ft. area	
Category E requires a minimum of 75 ft. width and 6,750 sq. ft. area	
Category F requires a minimum of 100 ft. width and 12,000 sq. ft. area	