

CITY OF VANCOUVER

ADMINISTRATIVE REPORT

Supports Item No. 3
P&E Committee Agenda
March 11, 2003

Date: December 13, 2005
Author: Annetta Guichon
Phone No.: 604.871.6627
RTS No.: 05571
CC File No.: 11-3400-04
Meeting Date: January 19, 2005

TO: Standing Committee on Planning and Environment

FROM: Subdivision Approving Officer

SUBJECT: Proposed Amendment to Subdivision By-law No. 5208 - Reclassification of the Properties at 3111, 3137, 3161 and 3187 West 43rd Avenue

RECOMMENDATION

- A. THAT Council approve the application to reclassify the properties at 3111, 3137, 3161 and 3187 West 43rd Avenue from Category D to Category A of Schedule A, Table 1, of Subdivision By-law No. 5208.
- B. 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 changes.

GENERAL MANAGER'S COMMENTS

The General Manager of Community Services RECOMMENDS approval of the foregoing.

COUNCIL POLICY

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.

PURPOSE

This report addresses a proposal to reclassify the properties at 3111, 3137, 3161 and 3187 West 43rd Avenue (Lots 45, 46, 47 and 48) from Category D to Category A for the purpose of subdivision in accordance with the minimum parcel size requirements of Schedule A, Table 1, of the Subdivision By-law.

BACKGROUND AND SUBDIVISION HISTORY

On January 19, 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 lands zoned RS-1. Subsequently, lands 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.

As shown in Appendix A, the parcels on both sides of West 43rd Avenue, between Balaclava Street and Carnarvon 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. Under the current subdivision category, there is no subdivision potential for these properties, either individually, or by combining with an adjacent parcel.

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

Subdivision Category	Minimum Width	Minimum Area
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.

Originally, West 42nd and West 43rd Avenue between Balaclava and Carnarvon Streets were subdivided into 74 ft. parcels by way of subdivision Plan 1987, registered in 1905. Prior to the introduction of the subdivision categories in 1988, several of these 74 ft. parcels had been subdivided into 37 ft. parcels.

During the city-wide process to assign subdivision categories to individual blocks in 1988, Category D was proposed for both West 42nd Avenue and West 43rd Avenue between Balaclava Street and Carnarvon Street. At that time, owners were given the opportunity to petition the Approving Officer of the day if they did not agree with the proposed classification of their block. A majority of the owners of the parcels on the south side of West 42nd Avenue petitioned the Approving Officer to have their properties classified as Category A instead of Category D. The Approving Officer noted in the report to Council that there had been some subdivisions of the large 74 ft. parcels in the block recently approved, and recommended that

Council allow that portion of the block to be classified as Category A. Council approved the recommendation. Many of the original 74 ft. parcels on the south side of West 42nd Avenue were subsequently subdivided, and three remain today which would qualify for subdivision. At present, no lane exists in the subject block, although 50% of the required lane dedications have occurred through subdivision or development applications through the years.

NEIGHBOURHOOD NOTIFICATION

Thirty-two property owners in the immediate area were notified in writing of this application and asked to comment. Twenty-one responses were received, with the following results:

Support reclassification:	13
Oppose reclassification:	8
Did not respond:	<u>11</u>
Total:	32

It should be noted that of the eight owners who stated that they were in opposition, two of these actually supported the reclassification, but objected to the construction of a lane. The majority of the respondents, both in support and opposed, were in strong opposition to the possibility of the construction of a rear lane between West 42nd Avenue and West 43rd Avenue. Some residents believed that the approval of the reclassification would lead to immediate construction of a full rear lane.

Thirteen unsolicited form letters opposing the construction of a lane and/or a partial lane were also received. The form letters did not speak to the reclassification. Owners in objection to the reclassification expressed concern regarding increased traffic, the loss of street parking, the change in street character, and the opening of the lane. One owner in support stated that smaller properties would be in keeping with the smaller parcels already existing in the block.

ANALYSIS

The owners of the subject properties at 3111, 3137, 3161 and 3187 West 43rd Avenue (Lots 45, 46, 47 and 48) have submitted this application for reclassification from Category D to Category A. The blocks immediately to the north of the subject properties are in Category A. The properties to the south and east are in Category D. If the reclassification is approved, the owners of the large parcels would have the opportunity to apply to subdivide their parcels into 37 ft. parcels which meet Category A standards. Subdivision of the large parcels would likely occur fairly slowly over time, as one house is fairly new, and at least one other has undergone substantial renovations. Demolition of these existing homes would be a condition of subdivision approval, so subdivision might not be economically feasible in the short term for all the owners of the subject parcels. The approval of this reclassification request would permit consideration of future subdivision, but would not necessitate it.

The subject block includes those parcels on the south side of West 43rd Avenue and north side of West 42nd Avenue. The average parcel width in the block is approximately 49.35 ft, and the average parcel area is approximately 6,682 sq. ft. The average of the parcel widths is below

the Category D width standard of 60 ft. At present, each 74 ft. parcel is 50% larger in width than the average parcel in the block, and 61% larger in area. If this reclassification is approved, and the sites are subsequently subdivided, the resulting parcels would be 25% smaller than the average parcel in width and 20% smaller in area. The resulting subdivision pattern would be more consistent with the parcel sizes currently in the block.

The north side of West 43rd Avenue does not maintain a uniform or pristine subdivision pattern and the properties to the east of the subject properties have varying widths and areas, all far less than Category D standards.

With regard to previous reclassification applications which involved several properties or an entire block of properties, Council has consistently approved those applications which had a strong measure of neighbourhood support, and refused those which showed strong opposition or were evenly divided. In this circumstance, 15 of the 21 respondents supported the reclassification, indicating strong neighbourhood support.

Lane

As stated, most of the respondents were strongly opposed to the construction of a rear lane. The reasons given for the opposition to construction of the lane were concern over the loss of many mature trees planted on the potential lane dedication area, the loss of privacy and security, and the destruction of existing landscaping and fences. The respondents were also opposed to the construction of a partial lane.

Approval of this reclassification will not trigger either dedication of land for lane, or the construction of the lane. However, the City Engineer advises that the dedication of land for lane will certainly be sought at the time of each subsequent subdivision, with the objective to ultimately achieve a standard 20 ft. wide lane in this block. This would be consistent with longstanding City policy seeking lanes for secondary rear access, for the reduction of sidewalk crossings for vehicular access from the street, and for garbage pick-up and servicing to homes. There are five immediately surrounding blocks which all contain fully dedicated standard lanes. The opening of the lane in this block would help achieve a continuous lane corridor in this area.

However, the City Engineer further advises that there are no current plans to open a lane in this block, although 50% of the number of dedications required to achieve a full lane have been acquired. The value of the mature trees and landscaping within the dedication area is acknowledged. There are presently ten existing driveway crossings for street access on the north side of West 43rd Avenue. In keeping with general policy on crossings where there is no rear access, if 50% of the homes on the block have crossings, new future crossings could be supported. In this circumstance, there are sufficient existing crossings to permit additional new crossings, thereby allowing for the continued retention of the trees and landscaping on the unopened lane dedication area.

Notwithstanding the above, should an owner of a key end block parcel seek to construct a partial lane as part of the redevelopment of a parcel in this block, the City Engineer would likely support this opening. All costs to construct the partial lane would be borne by the owner/developer. However, the opening of the lane, even partially into the block, would be considered as part of the development application process, and property owners in the block

would have an opportunity to voice their opinions. The views of local owners are given great weight with respect to potential lane openings.

The owner of Lot 48 initially intended to construct a partial lane at time of subdivision, should this reclassification be approved. After receiving feedback from neighbouring property owners, this owner has decided not to construct a partial lane.

Community Visioning

In the recently completed Community Visioning process for Arbutus Ridge /Kerrisdale /Shaughnessy (ARKS), staff surveyed residents on, among other things, their preference for various forms of and locations for housing. The results of the survey indicated that residents of ARKS wished to maintain much of their single-family area, while exploring alternative forms of ground-oriented housing at certain locations, including along or near arterial streets, or on large lots. They also supported converting character housing on large lots to multiple conversion dwellings. There will need to be further, more detailed planning with public consultation before these approved housing directions lead to any rezonings in ARKS; realizing any further development potential on the subject sites would be contingent on this work.

CityPlan did not address nor did the public process in the ARKS Vision identify subdivision and reclassification of subdivision categories as an issue.

CONCLUSION

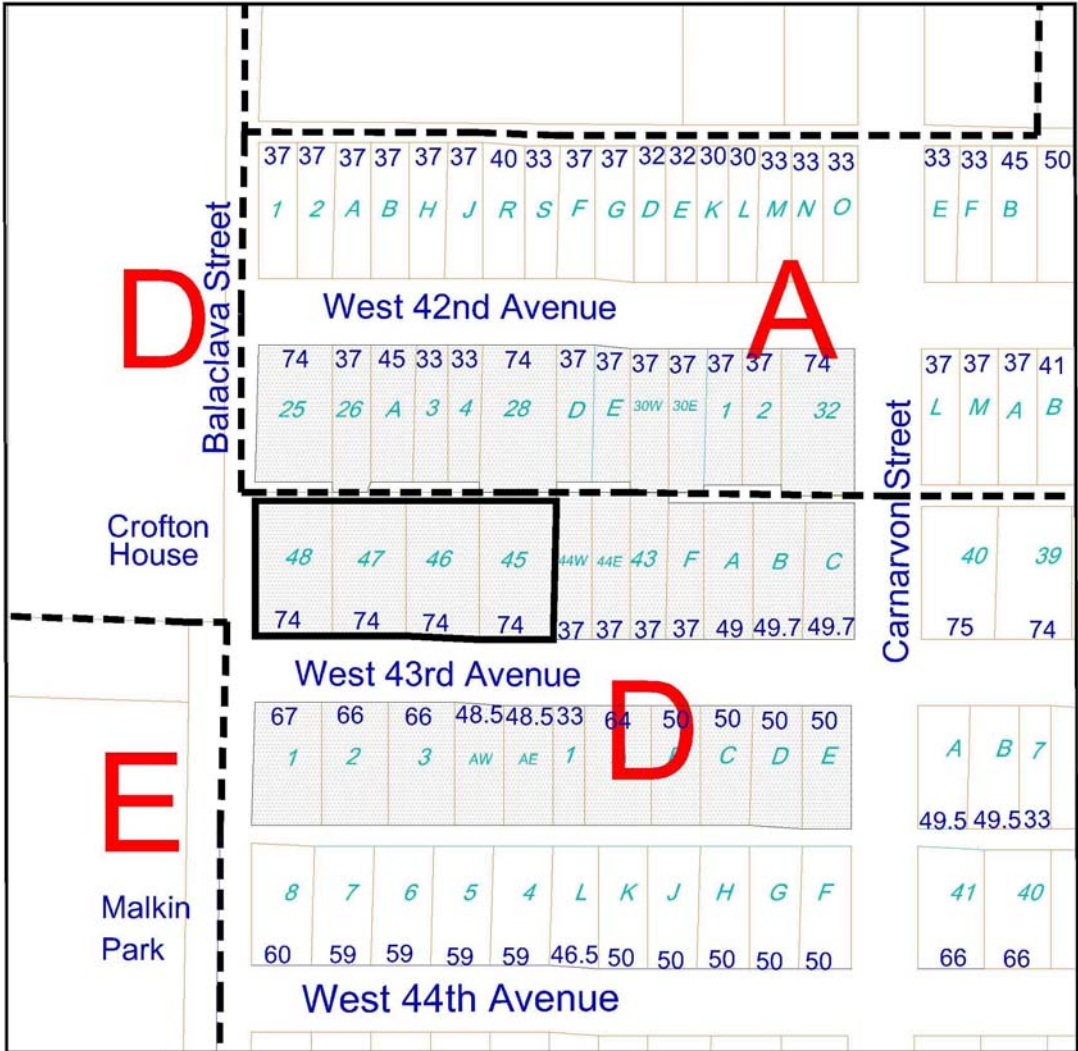
The reclassification process was established to allow property owners the opportunity to pursue a change in the classification of their properties, especially in situations where there is neighbourhood support for such a change.




In this circumstance, a clear majority of respondents support the reclassification. In addition, this block does not maintain a uniform pattern of subdivision, and the resulting parcels following subdivision would be more consistent with parcels in the subject block.

For these reasons, the Subdivision Approving Officer recommends approval of the reclassification.

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Appendix A



-  Subject of Reclassification Application
3111, 3137, 3161 and 3187 West 43rd Avenue (Lots 45, 46, 47 and 48)
-  Subdivision Category Boundary
-  Notification Area
- D** Category D - minimum width 60 ft.; minimum area 5,400 sq. ft.
- A** Category A - minimum width 30 ft.; minimum area 3,000 sq. ft.

**PROPOSED SUBDIVISION RECLASSIFICATION:
3111, 3137, 3161 and 3187 West 43rd Avenue**

City of Vancouver - Development Services