

CITY OF VANCOUVER

ADMINISTRATIVE REPORT

Report Date: December 17, 2007
Author: Annetta Guichon
Phone No.: 604.871.6627
RTS No.: 07100
VanRIMS No.: 08-4000-11
Meeting Date: January 17, 2008

TO: Standing Committee on Planning and Environment

FROM: Subdivision Approving Officer

SUBJECT: Proposed Amendment to Subdivision By-law 5208 - Reclassification of Properties in the 3000-Block West 43rd Avenue

RECOMMENDATION

THAT Council refuse both options of the application to reclassify properties in the 3000-Block West 43rd Avenue from Category D to Category A of Schedule A, Table 1, of Subdivision By-law No. 5208.

GENERAL MANAGER'S COMMENTS

The General Manager of Community Services RECOMMENDS approval.

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 two-option proposal to either reclassify all the properties on the south side of the 3000-Block West 43rd Avenue from Category D to Category A for the purpose of subdivision; or to reclassify three properties at 3070, 3180 and 3190 West 43rd Avenue (Lots 1, 2, and A) from Category D to Category A, in accordance with the minimum parcel size requirements of Schedule A, Table 1, of the Subdivision By-law.

BACKGROUND

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 subject parcels on West 43rd Avenue, and the parcels to the south, 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 West 43rd Avenue, and the parcels on the north portion of the street are in Category A, while the parcels to the south and east of the subject block are in Category D. Under the current subdivision category, there is no subdivision potential for the subject parcels, 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.

The owners of the properties at 3070, 3180 and 3190 West 43rd Avenue have submitted this application for reclassification of their properties from Category D to Category A. Their application consists of two options. Appendix A shows Option 1, an application to reclassify the entire south side of the 3000-3100 block of West 43rd Avenue (Subject Block). Appendix B shows Option 2, an application to reclassify only their own three parcels.

NEIGHBOURHOOD NOTIFICATION

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

Prefer Option 1:	3
Prefer Option 2:	4
Support Both Options:	5
Total Owners in Support:	12
Object to Both Options:	14
Total Owners in Objection:	14
Did not respond:	8
Total:	34

It should be noted that three of the twelve who offered support are owners of the subject parcels included in this application. A map showing the location of the respondents has been made available to Council.

Owners in support stated that smaller properties would allow for more affordable housing for families, and that subdivisions resulting from the approval of this reclassification could occur slowly over time. Owners also felt that replacement of existing older homes with two smaller homes would be preferable to redeveloping the large lots with very large homes. In addition, some owners in support felt that there were already many smaller lots in the neighbourhood, including some directly across the street.

Owners objecting to the reclassification expressed concern regarding increased density, change of neighbourhood character, the loss of street parking and the potential loss of trees should subdivisions occur. Other owners in opposition felt the current positive real estate market was driving the submission of reclassification applications in their neighbourhood and the approval of these applications will set precedents for future approvals at the expense of those owners who wish to see the larger lots preserved, especially those who purchased their homes specifically to reside in a larger-lot area.

FINANCIAL IMPLICATIONS

There are no financial implications.

RECENT RECLASSIFICATION APPROVALS

Appendix C shows two reclassifications recently approved by Council, both in 2006. Reclass 1, 3111 to 3193 West 43rd Avenue, received support from the notified neighbours (13 in support, 7 opposed), although the owners in the block were very concerned that the existing unopened lane would be opened in the future if subdivisions occurred. Reclass 2, 2955 to 2979 West 43rd Avenue and 5896 Carnarvon Street, received less support from the neighbourhood (7 in support, 11 in opposition). The Approving Officer, however, recommended approval of Reclass 2, based on the precedent established by the approval of Reclass 1, and the fact that

the resulting 37 ft. parcels, when subdivided, would be much more consistent with neighbouring lots to the east than the predominately smaller 4 existing 74 ft. parcels.

In addition, the Approving Officer felt, with respect to both Reclass 1 and Reclass 2, the remaining existing smaller parcels on the north side of the 3000-block West 43rd Avenue, already much smaller than the Category D standard, should also be assigned to Category A, as there would be no rationale for keeping them in such a large subdivision category. Further, a consistent and logical boundary between the two categories would run straight down West 43rd Avenue to separate the smaller parcels to the north from the larger parcels to the south.

As a result of the approval of these two reclassifications, each of the eight large 74 ft. parcels on the north side of the 2900 and 3000-blocks of West 43rd Avenue can be subdivided individually into two parcels and the two 49.5 parcels could combine to subdivide into three parcels, allowing for the potential creation of 9 additional parcels in the future. Two subdivisions have subsequently been approved (3193 West 43rd Avenue and 5896 Carnarvon Street).

DISCUSSION

Categories A-G were assigned to properties in 1988 on a block-by-block basis to reflect the predominant parcel size in RS-zoned blocks throughout the city. The intent was to maintain predominant patterns and the diversity of choice they offered, while offering modest opportunities for subdivision that would reinforce the prevailing pattern. A process was also established at that time to provide for possible future changes in the categories in cases where property owners might seek to reclassify their parcel category either up or down, to either facilitate or prevent subdivision. Reclassification of a parcel or block does not necessitate subdivision, but allows for potential future subdivision.

On the south side of West 43rd Avenue, from Balaclava Street to MacKenzie Street and from West 43rd Avenue to West 45th Avenue, all the parcels are in Category D, which reflects the pattern of predominantly larger lots. Although there are smaller lots within this area, the majority of parcels in this area are close to or over 60 ft. On the north side of West 43rd Avenue, from Balaclava Street to Elm Street and from West 43rd Avenue to West 41st Avenue, all the parcels are in Category A. Within the subject block there are four parcels over 60 ft., two 48.5 ft. parcels, four 50 ft. parcels and a 33 ft. parcel.

There have been several subdivisions in the subject block since the original subdivision plan was registered in 1903. In 1911, a plan was registered which generally created 66 ft. parcels within the subject block and the surrounding blocks to the east and south. Various further subdivisions have resulted in the parcel configuration that exists today. There have been no subdivisions in this block since 1941.

It should be noted that although the two previous reclassifications on the north side of West 43rd Avenue were approved, there are differences between those and this application. The eight large 74 ft. parcels that were the subject of the approved reclassifications were notably inconsistent in size when compared to the predominately smaller parcels surrounding them to the north and east. In addition, the 3000-Block of West 42nd had originally consisted of the same 74 ft. parcels, which had not been assigned to Category D and were allowed to subdivide over the years. The original 1988 Council report establishing the categories did reference these eight large properties and noted that it may appear unfair to the owners of

the parcels that they were restricted from subdivision when the rest of the 74 ft. parcels around them had or could achieve subdivision.

Even though there are varying parcel sizes in the subject block, the existing category boundary quite accurately reflects the division between the smaller parcels to the north and the larger parcels to the south. Should the entire block be reclassified (Option 1), each of the four parcels over 60 ft. could subdivide individually, and the four 50 ft. parcels could combine to make six 33.33 ft. parcels. This resulting pattern of subdivision would not be consistent with the pattern to the south or the east of the subject block. If the three subject properties were reclassified individually (Option 2), such a reclassification could set precedence for individual 'spot' reclassification applications which would be counter to the original intent of the establishment of the subdivision categories, which were based on the existing block pattern and historic subdivision pattern.

COMMUNITY VISIONING

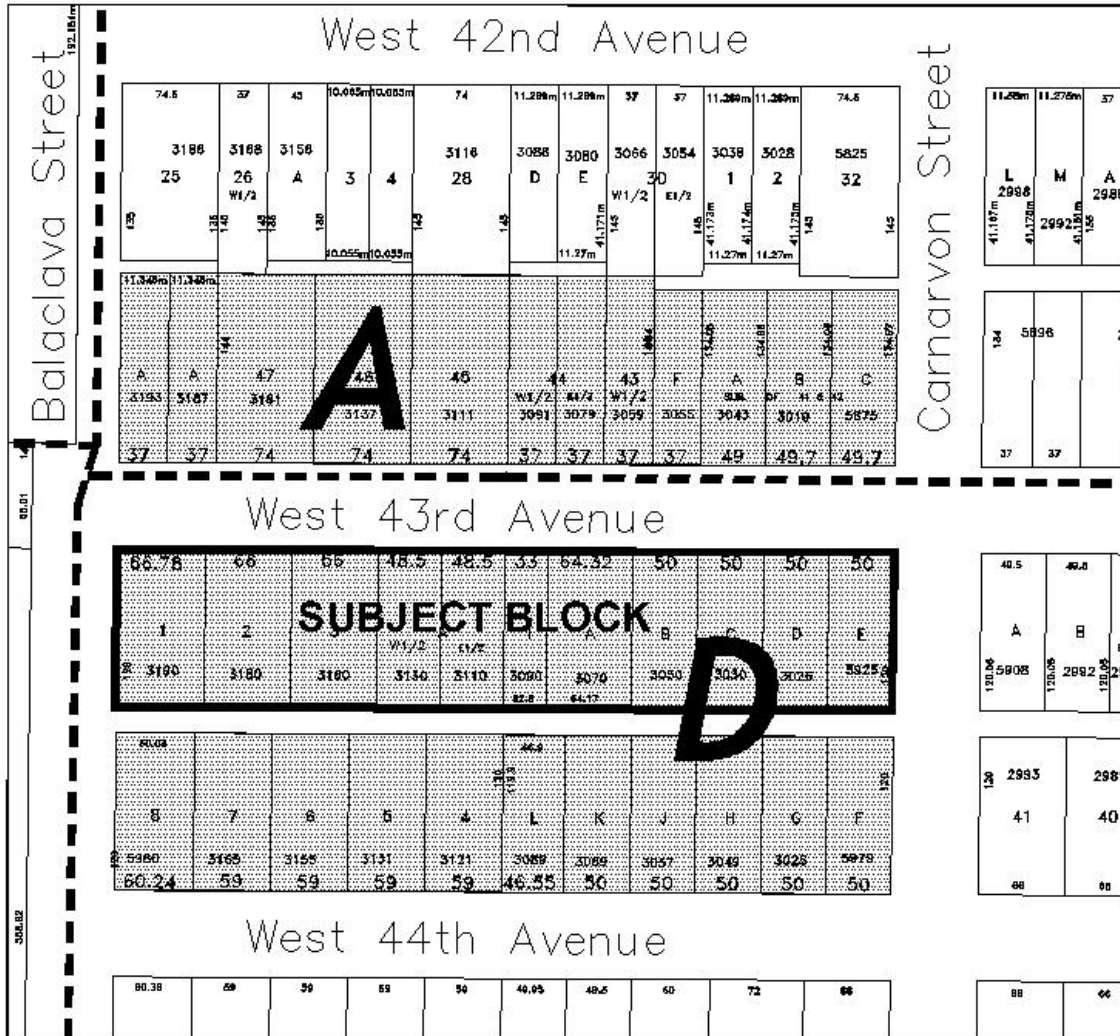
In the recently completed Community Visioning process for Arbutus Ridge/Kerrisdale/Shaugnessy (ARKS), CityPlan staff surveyed residents on, among other things, their preference for various forms of and locations for housing. The results of the survey indicated that residents of ARKS wished to maintain 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. CityPlan did not address nor did the public process in the ARKS Vision identify subdivision and reclassification of subdivision categories as an issue.

CONCLUSION

Council has tended to approve those reclassification applications which had neighbourhood support and has generally refused those which were opposed by the neighbourhood or showed a divided response. Although Council has supported some applications which did not have strong neighbourhood support, other criteria rendered these applications supportable. In this circumstance, a majority of the neighbourhood did not support the proposal, and based on the established pattern of larger parcels to the south and smaller parcels to the north and the clear logical subdivision category boundary dividing those parcels, there is insufficient rationale to approve this reclassification request.

* * * * *

APPENDIX A



Option 1: Reclassification of the south side of West 43rd Avenue (shown in heavy outline) from Category D to Category A

----- Subdivision Category Boundary

 Notification Area

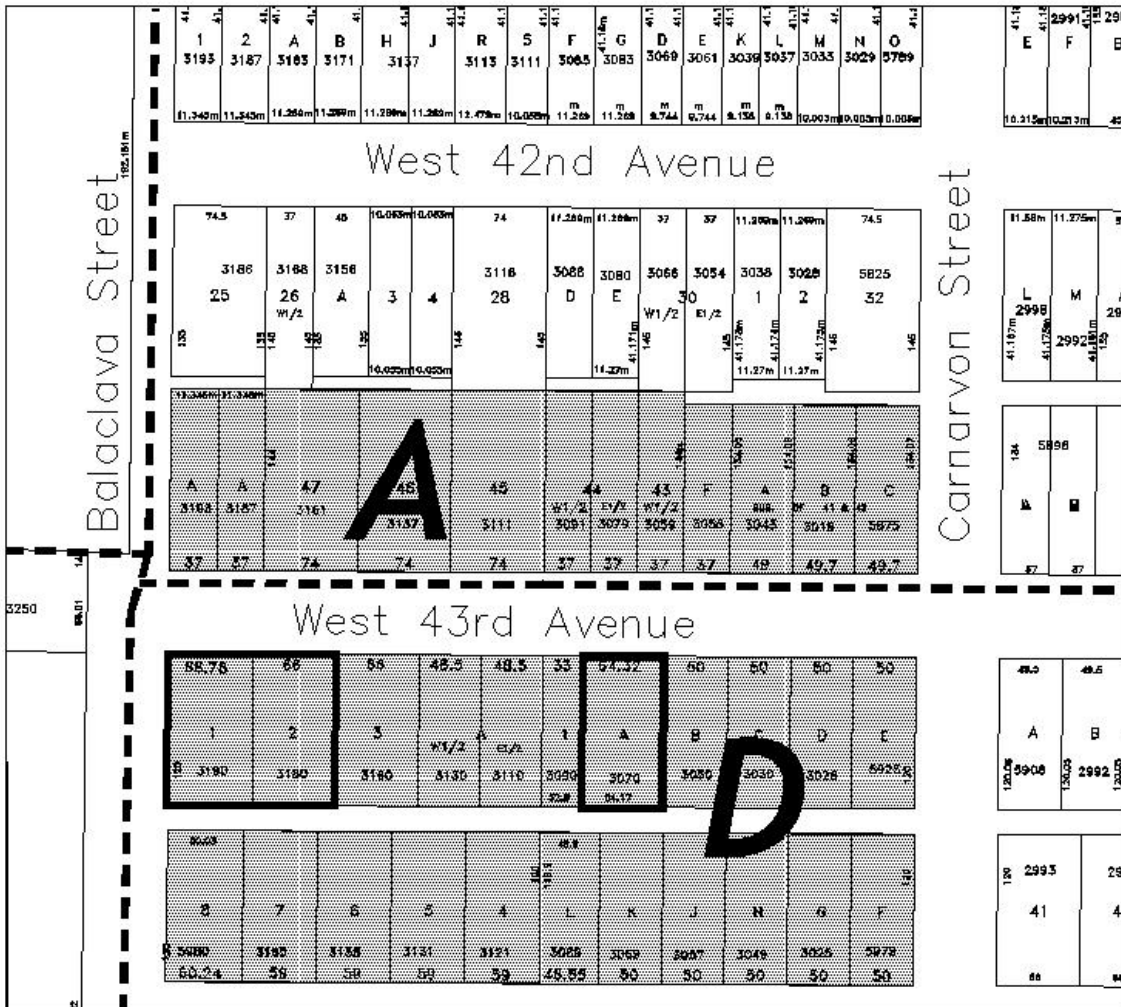
D Category D: minimum width 60 ft. minimum area 5,400 sq. ft.

A Category A: minimum width 30 ft. minimum area 3,000 sq. ft.

PROPOSED SUBDIVISION RECLASSIFICATION:
South Side of West 43rd Avenue between Balaclava Street and Carnarvon Street

City of Vancouver - Development Services

APPENDIX B



Option 2: Reclassification of 3070, 3180 and 3190 West 43rd Avenue (shown in heavy outline) from Category D to Category A

----- 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:
South Side of West 43rd Avenue between Balalaava Street and Carnarvon Street

City of Vancouver - Development Services



