

Supports Item No. 1
P&E Committee Agenda
March 3, 2011



ADMINISTRATIVE REPORT

Report Date: February 10, 2011
Contact: Vicki Potter
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VanRIMS No.: 08-2000-20
Meeting Date: March 3, 2011

TO: Standing Committee on Planning and Environment
FROM: Subdivision Approving Officer
SUBJECT: Proposed Amendment to Subdivision By-law No. 5208 - Reclassification of 4888 Pine Crescent

RECOMMENDATION

THAT Council refuse the application to reclassify the property at 4888 Pine Crescent from Category E to Category B of Schedule A, Table 1, of Subdivision By-law No. 5208

GENERAL MANAGER'S COMMENTS

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

CITY MANAGER'S COMMENTS

The City Manager 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 an application to reclassify the property at 4888 Pine Crescent from Category E 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.

BACKGROUND AND SUBDIVISION HISTORY

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.

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.

As shown in Appendix A, the parcel which is the subject of this reclassification request is classified as Category E, which prescribes a minimum width of 75 ft. and a minimum area of 6,750 sq. ft. for each parcel created by subdivision.

This block and the surrounding area, commonly referred to as Shaughnessy Heights, were subdivided in 1921 through registration of Plan 6011. Category E was assigned to a large area from Connaught Drive west to Pine Crescent, and from West King Edward Avenue south to West 33rd Avenue, to reflect the pattern of predominantly larger parcels in this area. Parcels to the south of West 33rd Avenue in this area are in Category C, which prescribes a minimum width of 50 ft. and minimum area of 5,000 sq. ft. for parcels created by subdivision.

NEIGHBOURHOOD NOTIFICATION

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

Support reclassification: 3
Oppose reclassification: 9
Undecided: 0
Did not respond: 10

An additional 13 responses were received from outside the notification area, of which 11 were opposed, and 2 were in support. A letter was also received from the Shaughnessy Heights Property Owners Association (SHPOA) indicating their opposition to the proposal. Most residents who stated their opposition were concerned that smaller lots would negatively impact the streetscape and character of the area, and set a precedent for the other large corner lots in this block.

RECLASSIFICATION ASSESSMENT CRITERIA

The property owner of 4888 Pine Crescent is requesting that City Council amend the Subdivision By-law to change the classification of the subject parcel from Category E to Category B. Currently, under Category E standards, there is no individual subdivision potential for this parcel.

Since 1987, staff have based recommendations for reclassification applications on criteria identified in the original Council policy. 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; and
- The parcel was in close proximity to higher density developments.

In addition, the Approving Officer gives consideration to 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 proposed parcels on adjacent lands. Staff have recently started looking at other criteria that contribute to the City's sustainability policies, especially as they pertain to densification. These include the ability of the reclassification and subsequent subdivision to promote new housing forms, provided such forms are appropriate to the context.

ANALYSIS OF THIS APPLICATION

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

- There is significant opposition to the proposal within the block and surrounding area.
- The subject parcel is not considerably larger than other parcels in the block and is actually the smallest of the four corner parcels that bookend this block.
- The resultant parcels will be less consistent with the established pattern within the subject block than is the current parcel.
- The parcel is not in close proximity to higher density development.

In terms of precedent, Council did approve a reclassification from Category E to Category B in 2005 for a property at 4838 Marguerite Street, two blocks to the east of this site. However, in that particular block of Marguerite, there were already existing small lots in the block, including a 33 ft., 44 ft. and 50 ft. wide lot, so the subdivision pattern was already inconsistent in that block. There was also little opposition to the proposal, as only 4 responses were received from the 19 property owners notified, with two in support and two opposed.

The existing property at 4888 Pine Crescent, currently zoned RS-5, would qualify for a one-family dwelling with secondary suite and a laneway house if redeveloped. If it was subdivided, each lot would also qualify for a one-family dwelling with secondary suite and a laneway house.

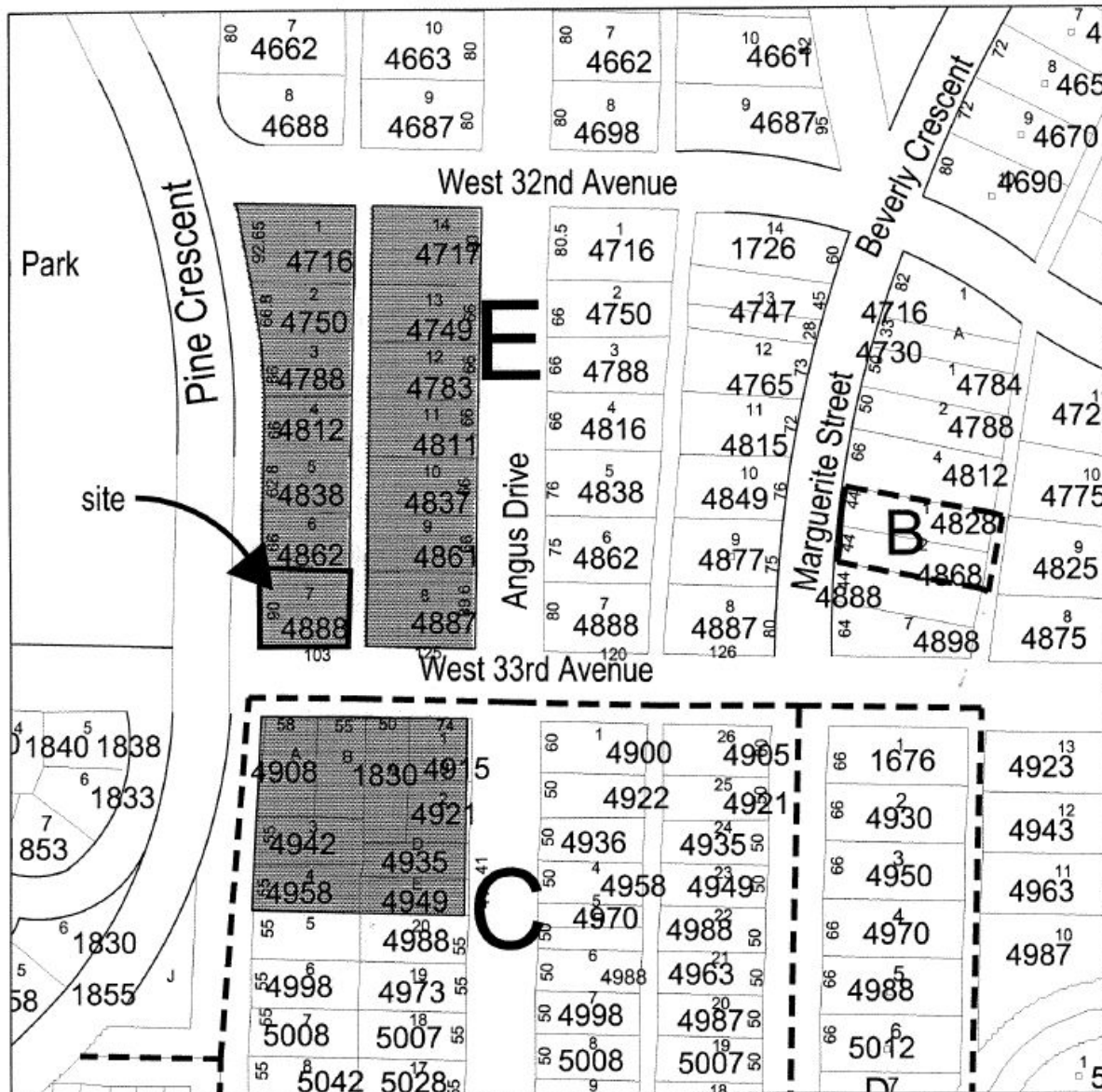
FINANCIAL IMPLICATIONS

There are no financial implications to the City.

CONCLUSION

Approval of this proposal would establish a precedent for the other three corner parcels on this block. If reclassifications occurred over time, it is conceivable that the owners of the 66 ft. wide parcels in the remainder of the block would also seek to reclassify to Category B, which would allow pairs of 66 ft. lots to be subdivided into 44 ft. wide lots, which would substantially alter the character of this area. On the basis of the precedent that would be established, as well as a review of the established pattern of subdivision in the subject block, the Subdivision Approving Officer recommends refusal of this application.

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*Proposed Reclassification: 4888 Pine Crescent
(shown in heavy outline) from Category E to Category B*



Notification Area



Subdivision Category Boundary

B Category B: minimum width 40 ft. minimum area 3,600 sq. ft.

C Category C: minimum width 50 ft. minimum area 5,000 sq. ft.

E Category D: minimum width 75 ft. minimum area 6,750 sq. ft.