

**Supports Item No. 9
CF&S Committee Agenda
May 16, 2013**



ADMINISTRATIVE REPORT

Report Date: April 5, 2013
Contact: Vicki Potter
Contact No.: 604.871.6033
RTS No.: 10087
VanRIMS No.: 08-2000-20
Meeting Date: May 16, 2013

TO: Standing Committee on City Finance and Services
FROM: Subdivision Approving Officer
SUBJECT: Proposed Amendment to Subdivision By-law Number 5208 - Reclassification of 2732 - 2738 East 51st Avenue

RECOMMENDATION

THAT Council refuse the application to reclassify properties at 2732 - 2738 East 51st Avenue from Category B to Category A of Schedule A, Table 1, of Subdivision Bylaw No. 5208.

REPORT SUMMARY

This report addresses an application to reclassify the properties at 2732 - 2738 East 51st Avenue from Category B to Category A 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 two properties which are the subject of this reclassification application are currently classified as Category B, which requires that each newly created lot maintain a minimum width of 40 ft. and a minimum area of 3,600 sq. ft. The two subject properties each have a width of 54 ft. and an area of 6,080 sq. ft. and currently cannot be combined to create a total of three lots, as the resultant lots would be deficient with respect to the minimum width requirement. Although the Subdivision By-law contains provisions which allow the Approving Officer to apply discretion for certain subdivision proposals and relax the minimum parcel size requirements, these provisions are not applicable for this particular site for reasons described below.

Currently, the subject block is classified as Category B but contains a variety of lot sizes ranging from 40 feet to 57 feet in width, with the majority of the properties having a width that is larger than 50 feet.

If this application for reclassification is approved, it would allow for consideration of a subdivision proposal to create three new parcels each measuring 36 ft. in width.

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:

- A precedent had been established by the approval of other reclassifications since 1988;
- The parcel(s) were 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;
- Whole blocks came forward together for reclassifications, and 60% of the block was in support;
 - 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-one property owners in the immediate area were notified in writing of this application and asked to comment. A total of thirteen responses were received, with the following results:

Support reclassification:	5
Oppose reclassification:	8
Undecided:	0
Did not respond:	8

The five responses in support of the application include the two owners of the subject properties and one from a property agent representing the owners as applicant. Of the eight owners who oppose the application, six provided additional comments. One additional response in opposition was also received from a neighbour that was not within the notification area but still in proximity to the application, which is not included in the above totals. Concerns were expressed regarding impact to the character of the neighbourhood and streetscape if this reclassification were approved, as there are currently no lots below 40 ft. in width in the surrounding area. In support, the applicant maintains that the current lot size allows for too large a home (4,300 sq. ft.) on each lot and that creation of 36 ft. wide lots will not negatively affect house values in the area.

Strategic Analysis

If the reclassification to Category A is approved, which prescribes a minimum parcel width of 30 ft. and a minimum parcel area of 3,000 sq. ft., the subject parcels could be combined and subdivided into three 36 ft. -wide lots which would meet Category A standards. It would also be possible to construct a laneway house on each of the proposed lots.

This application does not meet the assessment criteria outlined above in several respects:

- The majority of the Victoria-Fraserview area is in Subdivision Category B (40 ft. minimum width) and there have been no similar precedents to reclassify to smaller lots in the immediate vicinity since 1988;
- The current lots are consistent with the established block pattern and are not larger than typical lots in the block; i.e. the proposed lots are less consistent with the block pattern;
- There is little neighbourhood support for the reclassification, with 5 of the 8 responses in opposition coming from owners of similar sized lots in the subject block; and
- The parcels are not in close proximity to any higher density development.

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 environmental impacts.

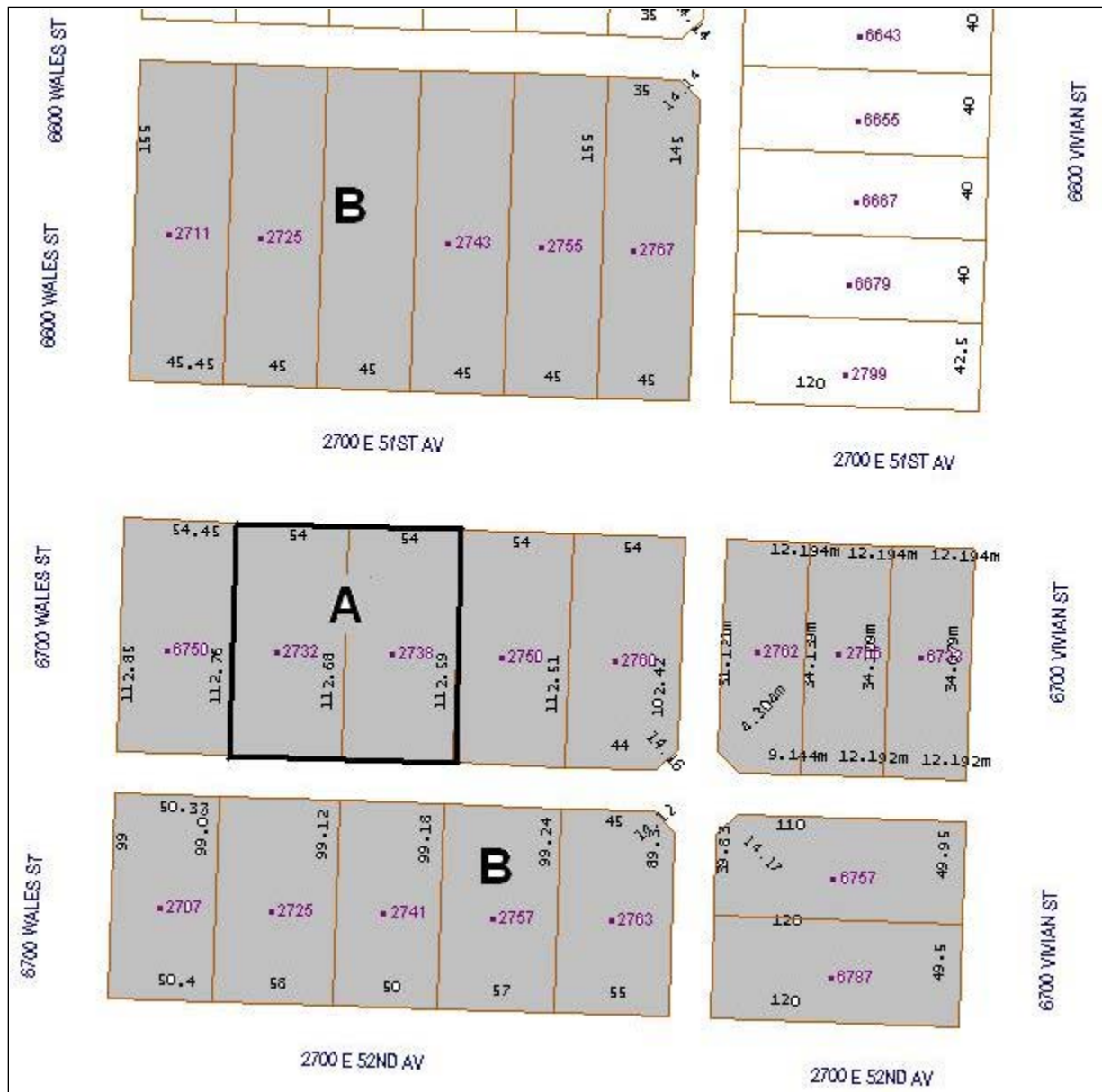
Legal

There are no legal issues.

CONCLUSION

On the basis of the established pattern of subdivision, and that the approval of this reclassification request would create a precedent in this and other areas of the city, there is no convincing rationale for changing the category of the subject site. Therefore, the Subdivision Approving Officer recommends refusal of this application.

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Proposed Reclassification: 2732 - 2738 East 51st Avenue (shown in heavy outline) from Category B to Category A

	Notification Area
A	Category A (requires minimum width of 30 ft. minimum area of 3,000 sq. ft.)
B	Category B (requires minimum width of 40 ft. minimum area of 3,600 sq. ft.)