



ADMINISTRATIVE REPORT

Report Date: March 18, 2015
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VanRIMS No.: 08-2000-20
Meeting Date: April 15, 2015

TO: Standing Committee on City Finance and Services
FROM: Subdivision Approving Officer
SUBJECT: Proposed Amendment to Subdivision By-law 5208 - Reclassification of 417 N. Kootenay Street and 3586 Trinity Street

RECOMMENDATION

THAT Council refuse the application to reclassify the properties at 417 N. Kootenay Street and 3586 Trinity Street from Category C to Category A of Schedule A, Table 1, of Subdivision By-law No. 5208

REPORT SUMMARY

This report addresses an application to reclassify the properties at 417 N. Kootenay Street and 3586 Trinity Street from Category C 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 and Development Services RECOMMENDS refusal of the application.

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.

Two property owners have collaborated to make this reclassification application. The application requests that City Council amend the Subdivision By-law to change the classification of their properties from Category C to Category A.

As shown on Appendix A, the subject block is classified as Category C and it contains a total of nine properties, all of which have a minimum width of 50 feet. Currently, under Category C requirements, there is no potential to subdivide any of the properties on this block as each new parcel created by subdivision must maintain a minimum width of 50 ft. and a minimum area of 5,000 sq. ft.

The majority of the properties south of McGill Street are 33 ft. in width, created primarily by the registration of subdivision Plan 100 well over a century ago. As a result, McGill Street is currently considered the subdivision classification boundary, with predominately larger properties located to the north having a width 50 ft. or more, while properties to the south consist of smaller parcels, mainly 33 ft. in width.

If the reclassification is approved, the two owners would have the potential to combine and subdivide their properties into a total of three smaller lots, each having width and area that exceeds the minimum standards of Category A. The owners have indicated their intention is to create three equal parcels having a width of approximately 38 feet.

Neighbourhood Notification

The owners of twenty properties in the immediate area were notified in writing of this application and asked to comment. Twelve responses were received, two of which were from the applicants, with the following results:

Support reclassification:	6
Oppose reclassification:	6
Undecided:	0
Did not respond:	8

Out of those who had shown support, only one property owner provided comments, stating the reclassification and subsequent redevelopment would likely alleviate drainage and rainwater runoff issues around the subject site.

Residents who opposed the reclassification were concerned this proposal would set a precedent in the area and trigger other properties to be subdivided and redeveloped, ultimately disturbing the character of the neighbourhood. Some residents expressed concern over construction noise, impacts on views and additional traffic in the area if the reclassification is supported and the existing two lots are subdivided into three smaller lots.

RECLASSIFICATION ASSESSMENT CRITERIA

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;
- The parcel was in close proximity to higher density developments; and
- The reclassification would promote the ability to create new housing forms appropriate in context.

In addition, the Subdivision 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.

In the past, the age of existing buildings was not considered in subdivision reclassification proposals. However, with the introduction of the Heritage Action Plan

in late 2013, which established an age criterion for character homes, buildings constructed prior to 1940 are now considered to have potential character merits. As part of the reclassification review process, Planning and Development Services is now involved with assessing properties containing pre-1940 to determine if it qualifies as a character home.

Strategic Analysis

Over the past decade, City Council has approved two separate reclassifications which involved 66ft.-wide lots from Category C to Category A, both located along the south side of McGill Street. These previous reclassifications gained Council support as the proposals consisted of relatively large lots located on a block containing several smaller existing parcels measuring 33 ft. to 44 ft. in width. The subdivision of these larger lots allowed for a more harmonious lot pattern within that block and a more consistent streetscape.

The current proposal consists of two properties located on a block containing similar sized parcels, all having a width of 50 feet or more. Properties located north of McGill Street, between Fellows Street and Boundary Road are all 50 ft.-wide or more. It is feared that any deviation from this 50 ft.-wide pattern would potentially cause a ripple effect through to all properties in this corner of the Hastings-Sunrise neighbourhood.

The previous reclassification approvals did not drastically alter the prevalent pattern of that block but reinforce McGill Street as the subdivision category boundary. As a result, the past reclassification approvals along McGill Street are not considered a precedent for this proposal since the two respective blocks contain fundamentally distinctive historic subdivision patterns.

Both of the subject properties involved in this reclassification proposal were constructed prior to the 1940's and triggered a character home evaluation. Through the assessment process it was determined the property at 417 N. Kootenay St. did not qualify as a character home, while the property 3586 Trinity St. was inconclusive due to tall vegetation blocking the building's façade.

Implications/Related Issues/Risk (if applicable)

Financial

There are no financial implications.

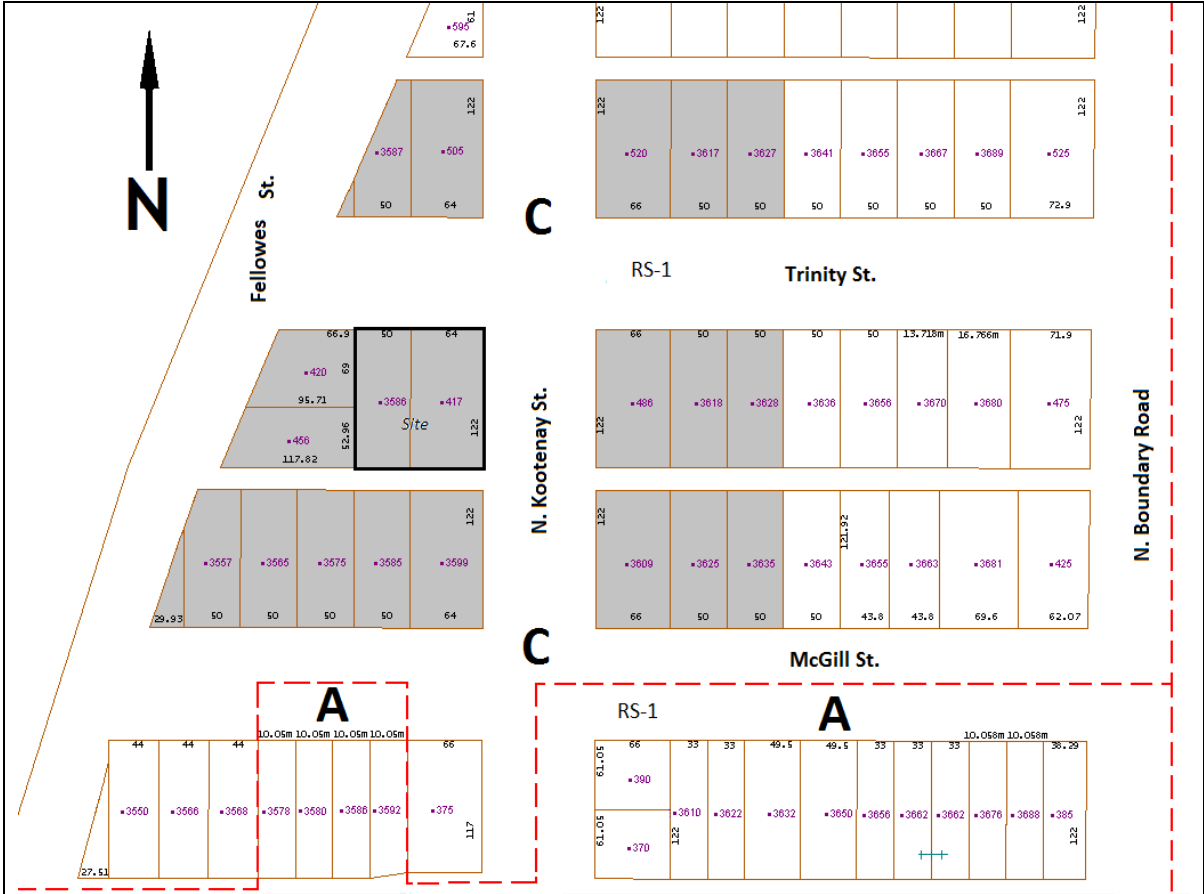
CONCLUSION

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 strong neighbourhood support for such a change. In this circumstance, the property owners in the notification area are almost equally divided between those who support and those in opposition.




With regard to previous reclassification applications which involved several properties and/or an entire block of properties or more, Council has consistently refused those applications which lacked a strong measure of neighbourhood support, particularly for cases that could potentially cause a precedent in the neighbourhood.

On the basis of the established pattern of subdivision and the lack of a clear majority of support for this application, the Subdivision Approving Officer recommends refusal of the reclassification application.

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Map of Proposed Reclassification Area

-  Subject properties included in reclassification proposal outlined in bold
-  Notification Area
-  Subdivision Category Boundary Line
- A** Category A (requires minimum width of 30 ft. & minimum area of 3,000 sq. ft.)
- C** Category C (requires minimum width of 50 ft. & minimum area of 5,000 sq. ft.)