



## ADMINISTRATIVE REPORT

Report Date: July 2, 2015  
Contact: George Fujii  
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Meeting Date: July 22, 2015

TO: Standing Committee on Planning, Transportation and Environment

FROM: Subdivision Approving Officer

SUBJECT: Proposed Amendment to Subdivision By-law 5208 - Reclassification of 486 E 51<sup>st</sup> Avenue, 6707 St. George Street and 400 - 600 Block of East 52<sup>nd</sup> Avenue, Exclusive of 585, 617, 639 and 659 East 52<sup>nd</sup> Avenue

### **RECOMMENDATION**

- A. THAT Council approve the application to reclassify the properties at 486 East 51<sup>st</sup> Avenue, 6707 St. George Street and 400 to 600 Block of East 52<sup>nd</sup> Avenue, exclusive of 585, 617, 639 and 659 East 52<sup>nd</sup> 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 change.

### **REPORT SUMMARY**

This report addresses an application to reclassify the RS-1 zoned properties at 486 East 51<sup>st</sup> Avenue, 6707 St. George Street and 400 to 600 Block of East 52<sup>nd</sup> Avenue, exclusive of 585, 617, 639 and 659 East 52<sup>nd</sup> Avenue (the subject properties), from Category D to Category A of Schedule A, for the purpose of gaining subdivision potential, 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 and the City Manager RECOMMENDS approval of the foregoing.

### ***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.

Ten of the properties owners have collectively made an application, requesting that City Council amend the Subdivision By-law to change the classification of the subject properties, from Category D to Category A.

As shown on Appendix A, the 400 to 600 block of East 52<sup>nd</sup> Avenue along with the south side of the 400 block of East 51<sup>st</sup> Avenue form a small pocket of properties zoned RS-1 and are classified as Category D. This category prescribes a minimum width of 60 ft. and a minimum area of 5,400 sq. ft. for each new parcel created by subdivision. The predominantly large 72.55 ft.-wide parcels were created by the registration of subdivision Plans 5466 and 6002 in the 1920's. Currently, under Category D requirements, there is no potential to subdivide any of the properties in this pocket.

The blocks immediately surrounding the proposed reclassification area are zoned as RS-1 and classified Category A or zoned RT-2. Generally, the properties to the north and east have a width of 33 feet while those located south of the lane serving East 52<sup>nd</sup> Avenue have a width of 36 feet.

If this reclassification is approved, most of the property owners would gain the potential to subdivide their properties into smaller lots, either by dividing individual

parcels into two, or by combining with adjacent parcels to create a more comprehensive subdivision layout, which meets the minimum standards described above. Each of the 72.55 ft.-wide lots could qualify for subdivision into two parcels, while the properties measuring 75.6 ft. in width may be assembled in pairs to create five new parcels.

In 2004, a similar reclassification application was made, consisting of properties along the 400 to 600 block of East 52<sup>nd</sup> Avenue. However, that proposal was ultimately refused due to a lack of majority support, both from the owners of the properties proposing the reclassification as well as owners in the immediate area.

### *Neighbourhood Notification*

The owners of 72 properties in the immediate area were notified in writing, of this application and asked to comment. The first notification took place in June 2014. A total of 29 responses were received (40% response rate) with the following result:

Support reclassification:	14 (48%)
Oppose reclassification:	15 (52%)
Total Responses:	29
Did not respond:	43

The following results were received from residents of properties being reclassified.

Support reclassification:	10 (83%)
Oppose reclassification:	2 (17%)
Total responses:	12
Did not respond:	6

Due to the number of properties involved, the complexity of the proposal and introduction of new policies regarding character homes, the review of this application required additional processing time. As a result, the Subdivision Approving Officer instructed a second notification, to allow all owners the opportunity to provide their feedback and ensure the response collected is current. The second notification took place in March 2015, with a total of 42 responses received (58% response rate), and of the 42 respondents, 29 or 69% supported the proposed reclassification.

Support reclassification:	29 (69%)
Oppose reclassification:	13 (31%)
Total responses:	42
Did not respond:	30

The following results were received from residents of properties being reclassified.

Support reclassification:	12 (80%)
Oppose reclassification:	3 (20%)
Total responses:	15
Did not respond:	3

The owners who have shown support welcomed the idea of gaining subdivision potential as they believe the area is underdeveloped. It was indicated that smaller lots would be beneficial for this neighbourhood as it would promote affordability, lower maintenance costs and reduce property taxes. A few residents were troubled by those who oppose this proposal as the surrounding neighbourhood consists of smaller sized properties, which would be comparable to what this reclassification proposal is trying to achieve.

Residents who opposed the reclassification were concerned this proposal would increase traffic and parking within the block and cause potential safety concerns due to close proximity to John Henderson Elementary. A few owners raised concerns for the increase in lack of parking for the existing church located at 659 East 52<sup>nd</sup> Avenue as it has limited number of off-street parking spaces available. It was also felt the peaceful character of the neighbourhood would be jeopardized if properties were subdivided in future.

It should be noted that the majority of those who opposed the reclassification own properties consisting of 36' -wide lots or smaller.

#### **RECLASSIFICATION ASSESSMENT CRITERIA**

Since 1987, staff have based recommendations for reclassification applications on criteria identified in the original Council policy. The following provides an analysis of the current proposal in relation to that which was outlined in the original council policy.

- Whole blocks came forward together for reclassifications, and 60% of the block was in support.

*Based on the second notification, 69% of the property owners in the notification area support the proposed reclassification.*

- The subject parcels are considerably larger than other parcels on the block; have limited or no opportunity for subdivision even if consolidated with adjacent parcels; and the resulting parcels would be more, rather than less, consistent with parcels on the rest of the block.

*The majority of the lots involved are over 70 ft. wide but do not have subdivision potential currently, while adjacent blocks contains lots that are 33 ft. to 36 ft. in width.*

- A precedent had been established by the approval of other reclassifications since 1988.

*No applicable precedent established within the general area.*

- The parcel is in close proximity to higher density developments.

*The subject property is within one block of the Fraser Street local shopping area, which includes mixed residential and commercial uses,*

*local serving shops and services, restaurants and a supermarket. Fraser Street at this location is a bus route.*

### **Strategic Analysis**

In addition to the criteria identified in the original council policy, the reclassification assessment criteria have expanded to take into consideration alignment with Council policies relating to sustainability, densification and heritage/character retention while continuing to consider the values and opinions of neighbours.

The reclassification area consists of a pocket of large, predominantly 72.55 ft.-wide single-family parcels, which is unique for this portion of Sunset Community. In the blocks bounded by East 49<sup>th</sup> Avenue, Ontario Street, S. E. Marine Drive, and Fraser Street, these are the only single-family parcels having a width over 50 feet. While there are some 44 ft. parcels within these boundaries, the vast majority of RS-zoned parcels in this area are between 33 and 36 ft. in width.

The reclassification would promote the ability to create new housing forms appropriate in context while contributing to the City's sustainability policies, especially as they pertain to densification. More specifically, the reclassification and subsequent subdivision could potentially double the current capacity of laneway houses and secondary suites. This could increase the stock of more affordable rental housing options in the area.

The subject properties are zoned RS-1. According to City records, eleven of the 18 properties located within the reclassification area were constructed before 1940. A character assessment identified six of these properties as having character merit. However, two of these houses are situated on 40 ft.-wide parcels, which are unlikely to be involved in future subdivisions due to their smaller size. All owners of the properties identified as character homes have shown support for this reclassification.

If Council approves this reclassification, it only provides the potential for subdivision in the future. Subsequent subdivision applications would need to be submitted and the Approving Officer will take into consideration heritage and related policies of the day in evaluating any future subdivision proposal.

Work to be undertaken as part of the Heritage Action Plan will include a further review of options to encourage character house retention in the RS-3, RS-3A and RS-5 zoning districts. These zones include conditional or discretionary provisions which allows for increased density, height and/or yard relaxations if a development meets design guidelines.

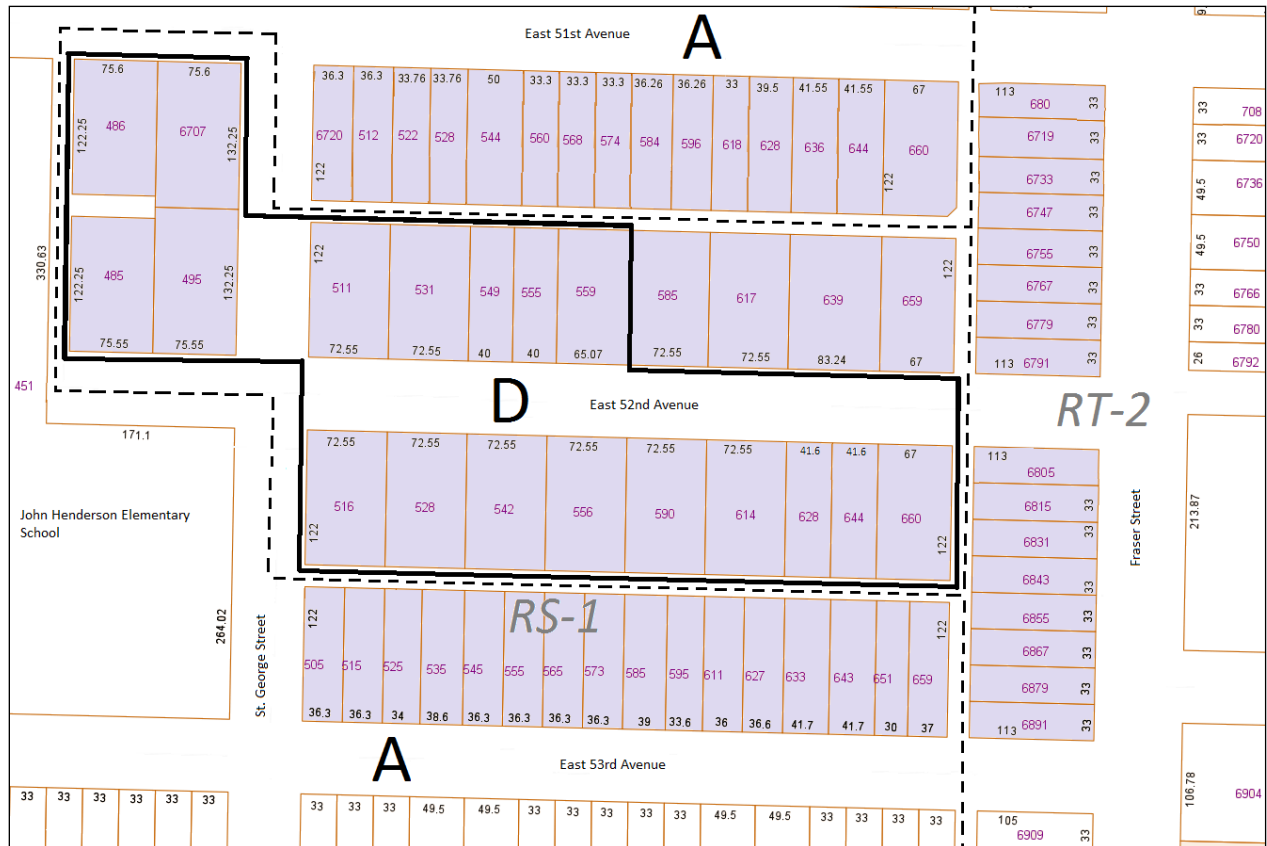
However, the RS-1 zoning of the subject properties is an outright zone with a base district zoning with no ability to gain more density or other considerations through design changes. As such, there are few tools to encourage character house retention on the RS-1 zoned properties at this time.

### *CONCLUSION*



The properties in this block were classified as Category D in the late 1980's when the subdivision categories were introduced. This classification reflected the existing pattern of predominately larger parcels. The majority of the owners have collectively made an application, seeking Council's approval to change the classification in order to be more consistent with the surrounding neighbourhood.

Based on the ability to create a more consistent subdivision pattern in this neighbourhood, proximity to higher density development along Fraser Street and the majority of respondents expressing support, the Subdivision Approving Officer recommends approval of this application.

\* \* \* \* \*



Map of Proposed Reclassification Area

	Subject properties included in reclassification proposal outlined in bold
	Notification Area
- - - - -	Subdivision Category Boundary Line
<b>A</b>	Category A (requires minimum width of 30 ft. & minimum area of 3,000 sq. ft.)
<b>D</b>	Category D (requires minimum width of 60 ft. & minimum area of 5,400 sq. ft.)