



## REPORT

Report Date: March 10, 2021  
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Meeting Date: April 27, 2021  
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TO: Vancouver City Council

FROM: General Manager of Development Services, Building and Licensing

SUBJECT: Proposed Amendment to Subdivision By-law 5208 – Reclassification of 375 North Kootenay Street

### **RECOMMENDATION**

- A. THAT Council approve the application to reclassify the property at 375 North Kootenay Street, from Category C to Category A of Schedule A, Table 1, of Subdivision By-law No. 5208.
- B. THAT, if Council approves Recommendation A above, 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 one RS-1 zoned property at 375 North Kootenay Street, from Category C 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 Development Services, Building and Licensing, the Acting General Manager of Planning, Urban Design and Sustainability, and the Acting City Manager recommend 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.

An application has been received requesting that City Council amend the Subdivision By-law to change the classification of the subject property, from Category C to Category A.

As shown on Appendix A, several RS-1 zoned properties in the 3500-3600 block of McGill Street and the 3500-3600 block of Eton Street are classified as Category A (less the four properties at 3550, 3566 and 3568 McGill Street, and 375 North Kootenay Street, which are classified as Category C). Category A prescribes a minimum width of 30 ft. and a minimum area of 3,000 sq. ft. for each new parcel created by subdivision. All parcels on the north side of the 3500-3600 block of McGill Street are in Category C, which prescribes a minimum width of 50 ft. and a minimum area of 5,000 sq. ft.

In the block face of which the proposed reclassification is proposed, there is a mixture of Category A and C parcels. Four parcels midblock (3578, 3580, 3586 and 3592 McGill Street) were subdivided into 33 ft. lots as a result of two separate successful reclassification applications from Category C to Category A in 2004 (previously 3570 McGill Street) and 2012 (previously 3582 McGill Street). Meanwhile, the three parcels at the westernmost end of the block (3550, 3566 and 3568 McGill Street), as well as the easternmost parcel and subject parcel (375 North Kootenay Street) exist as Category C. Currently, under Category C requirements, there is no potential for the parcel at 375 North Kootenay Street to subdivide.

If this reclassification is approved, the property owner would gain the potential to subdivide their property into two smaller lots. The parcel at 375 North Kootenay Street exists with 66 ft. in width

in this block and would qualify for subdivision into two 33 ft. wide lots, each of which could potentially be developed with a one-family dwelling with secondary suite and a small laneway house, or a two-family dwelling with potential for up to two secondary suites and/or lock-off units (which can be strata-titled into a maximum of two strata lots).

In 1999, Council refused an application to reclassify the entire south side of the 3500-block of McGill Street. Staff recommended refusal of the application based on the established pattern of subdivision in the area and on the lack of support for the proposal by neighbours both in the subject block and in the notification area. The reclassification was refused at Council.

In 2004, the parcel at 3570 McGill Street put forth a reclassification application from Category C to Category A. Twenty-two property owners within the immediate area were notified and nine responded (2 supported reclassification and 7 opposed reclassification). Staff originally recommended approval based on the following:

- Established pattern of subdivision;
- Objections of property owners residing in the notification area; and
- Insufficient rationale for changing the category of the parcel.

Additionally, it was noted that approval of the reclassification would establish a precedent to consider individual reclassifications of other larger parcels throughout residential areas in the City. Despite the recommended refusal, Council approved the reclassification via By-law Amendment No. 8942, enacted on November 2nd, 2004 – reclassifying the property at 3570 McGill Street from Category C to Category A. The 66 ft. parcel then was subdivided into two 33 ft. parcels (now addressed 3578 and 3580 McGill Street, respectively) via a minor subdivision application in 2005.

In 2012, the parcel at 3582 McGill Street put forth a reclassification application from Category C to Category A. Twenty-five property owners within the immediate area were notified and three responded (2 supported reclassification and 1 opposed reclassification). Staff recommended approval based on the following:

- Lack of opposition from the neighbourhood; and
- Issue of precedent with regards to approval of a similar reclassification on this block in 2004 (detailed above).

Council approved the reclassification via By-law Amendment No. 10492, enacted on June 12, 2012 – reclassifying the property at 3582 McGill Street from Category C to Category A. The 66 ft. parcel then was subdivided into two 33 ft. parcels (now addressed 3586 and 3592 McGill Street, respectively) via a minor subdivision application in 2012.

This application to reclassify the 375 North Kootenay Street from Category C to Category A is similar to both the successful reclassifications detailed above (at what were formerly 3570 & 3582 McGill Street).

### ***Neighbourhood Notification***

The owners of 29 properties in the immediate area were notified in writing of this application and asked to comment. A total of 7 responses from individual properties were received (24.1% response rate) with the following result:

Support reclassification:	4 (13.8%)
Oppose reclassification:	3 (10.3%)
Total Responses:	7
Did not respond:	22

Based on a total of 7 responses, 57% of responses received supported the application.

The owners of three of the four properties who have shown support are the parcels directly to the west of 375 North Kootenay Street, properties which were subdivided as a result of successful reclassifications from Category C to Category A in both 2004 & 2012.

Residents who opposed the reclassification were concerned with bringing additional density to the neighbourhood. The owners of one properties on Eton Street who opposed the application currently has a 33 ft. wide parcel across the lane from the subject property at 375 North Kootenay Street.

### **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.

- The subject parcel is considerably larger than the parcels directly adjacent to it on this block (four 33 ft. parcels exist directly to the west of 375 North Kootenay Street); has 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.

*Reclassification of this parcel would allow for subsequent subdivision into two 33 ft. parcels, which would result in the entire west half of this 3500-block of McGill Street to exist with 33 ft. parcels, creating a more uniform block context.*

- A precedent had been established by the approval of similar reclassifications in 2004 and 2012.

*Despite an unsuccessful application to reclassify the entire south side of the 3500-block of McGill Street in 1999, a successful reclassification application at 3570 McGill Street in 2004 saw the parcel reclassified from Category C to Category A (subsequently subdivided into two parcels, 3578 & 3580 McGill Street). A second successful reclassification application at 3582 McGill Street in 2012 saw the parcel reclassified from Category C to Category A (subsequently subdivided into two parcels, 3586 & 3592 McGill Street).*

### **Strategic Analysis**

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. Recent changes to the RS-1 zoning also provide potential for two-family dwellings to be developed with up to two secondary suites

and/or lock-off units (which can be strata-titled to a maximum of two strata lots). This could increase the stock of more affordable rental housing options in the area.

If Council approves this reclassification, it only provides the potential for subdivision in the future. A subsequent subdivision application would need to be submitted and the Approving Officer will take into consideration any other related policies in evaluating any future subdivision proposal.

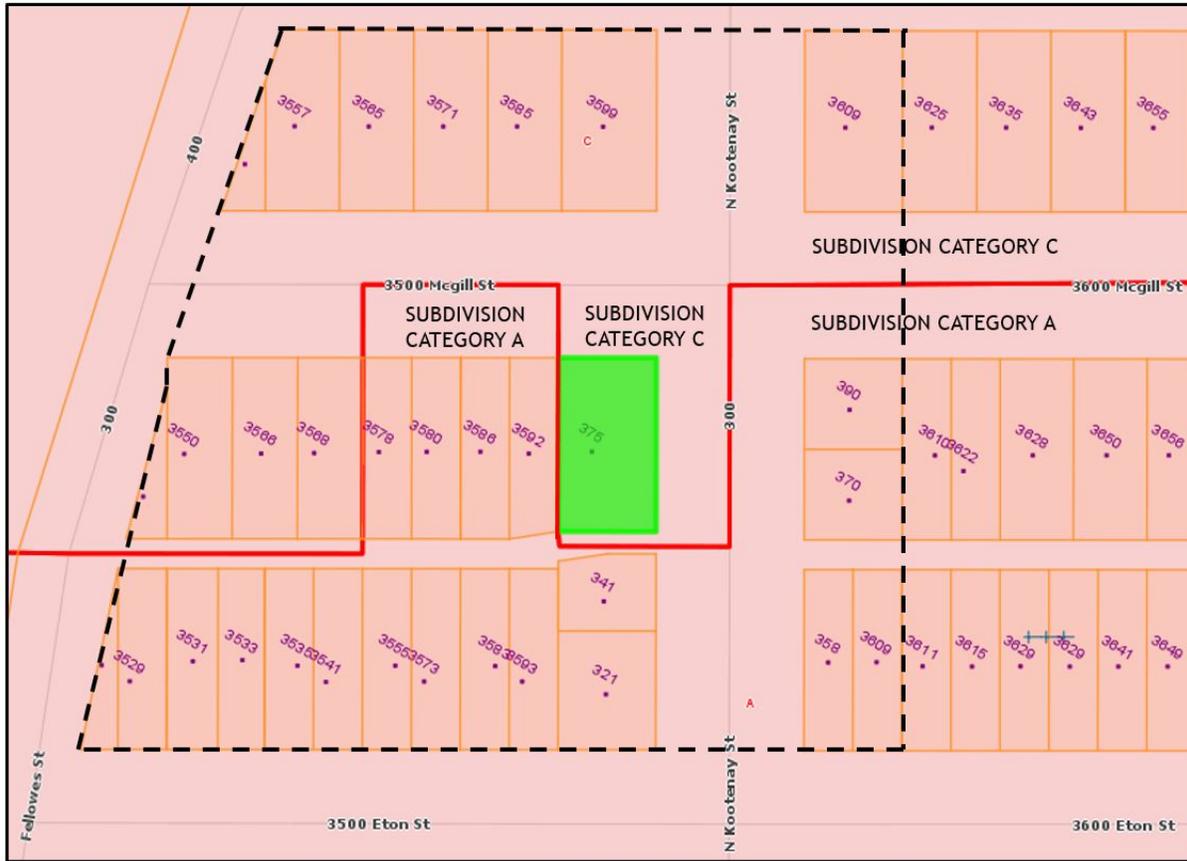
### ***CONCLUSION***

There have been two successful reclassification applications in this 3500-block of McGill Street which saw Category C parcels reclassified to Category A – having occurred at 3570 McGill Street (in 2004) and 3582 McGill Street (in 2012), respectively. These successful classifications allowed the creation of four 33 ft. parcels directly adjacent to the subject property at 375 North Kootenay Street.

Based on the precedent set via the successful reclassifications on this 3500-block of McGill Street in 2004 and 2012, the prevalence of 33 ft. parcels both on the block face and across the lane to the south, and the lack of opposition from neighbourhood notification, the Subdivision Approving Officer recommends approval of this application.

\* \* \* \* \*

 = PROPOSED RECLASSIFICATION AREA       = SUBDIVISION CATEGORY BOUNDARY       = NOTIFICATION AREA



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