

ITEM	17
MANAGER'S REPORT NO.	31
COUNCIL MEETING	1980 04 21

RE: REZONING REFERENCE #10/80  
D.L. 33, LOT 223, PLAN 42095; D.L. 33, LOTS 82 AND 83, PLAN 20532;  
D.L. 33, REM. LOT 2, EX. SK. 1495 AND 6657, PLAN 944;  
D.L. 33, LOT 84, PLAN 25032  
4812, 4868, 4878 AND 4888 WILLINGDON AVENUE; 4551 PRICE STREET  
(ITEM 15, REPORT NO. 21, 1980 MARCH 17)  
(PUBLIC HEARING ON 1980 APRIL 15)

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Following is a report from the Director of Planning regarding Rezoning Reference #10/80.

RECOMMENDATION:

1. THAT the recommendations of the Director of Planning be adopted.

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TO: MUNICIPAL MANAGER  
FROM: DIRECTOR OF PLANNING  
SUBJECT: Rezoning Reference #10/80

Legal: D.L. 33, Lot 223, Plan 42095  
D.L. 33, Lots 82 and 83, Plan 20532  
D.L. 33, Rem. Lot 2, Ex. Sk. 1495  
and 6657, Plan 944  
D.L. 33, Lot 84, Plan 25032

From: P1 Neighbourhood Institutional District  
and R4 Residential District  
To: P5 Community Institutional District

4812, 4868, 4878 and 4888 Willingdon Avenue  
4551 Price Street

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RECOMMENDATIONS:

- 1) THAT the subject rezoning request be advanced to First and Second Reading on the basis of the P1 Neighbourhood Institutional District.
- 2) THAT Council confirm the prerequisite conditions of rezoning as outlined in the 1980 March 17 rezoning report (and which are attached for convenient reference).

REPORT

1.0 INTRODUCTION

During discussion of the subject rezoning application at the 1980 April 15 Public Hearing, residents of the immediate area expressed their concern about the potential uses that could be made of the site once the P5 zoning designation was introduced. In view of this

concern, Council requested that the Planning Department provide further information on this matter and specifically to compare the regulations of the P5 District with those of the P1 District.

## 2.0 DISCUSSION

- 2.1 As outlined in the rezoning report (a copy of which has been loosely inserted in Council's envelopes with the agenda), the applicant had requested rezoning to the P5 Community Institutional District in order to permit the expansion of the existing Church facilities. The basic reason for utilizing the P5 designation was to provide enough flexibility to accommodate the long range facility requirements of the congregation that may possibly include senior citizen housing.
- 2.2 With respect to the differences between the P5 and P1 Districts, Council will refer to the attached copies of the respective regulations as they appear in the Zoning Bylaw. To summarize, the P5 District permits a greater number of uses than in P1, namely resthomes, private hospitals, private schools, senior citizens housing and dormitory units. However, the regulations for those uses that are mutually permitted in each district regarding site coverage, building setbacks from property lines, building height limitations and parking regulations are identical in each designation.
- 2.3 In view of the foregoing information and the concerns expressed by residents regarding potential uses permitted in P5 that would be considered inappropriate, the Planning Department advises that the following alternatives could be pursued by Council on this rezoning application;
- a) Pursue rezoning on the basis of the P5 District with the registration of a Restrictive Covenant under Section 215 of the Land Titles Act to include those uses that would be considered unsuitable for the subject site.
  - b) Pursue rezoning on the basis of CD where the immediate church expansion would form the CD plan and whereby any further development on the site to include senior citizen housing or other uses would require further rezoning as an amendment to the adopted CD plan.
  - c) Pursue rezoning on the basis of the P1 District in which the immediate church expansion plans could be accommodated and where future expansion plans to accommodate senior citizen housing or uses not permitted in P1 would require a separate rezoning application.

## 3.0 CONCLUSIONS

In summary, the major difference between the P1 and P5 Zoning Districts is the additional uses that are permitted in P5 and the associated physical regulations pertaining thereto. The P1 designation will accommodate the immediate church expansion that has been requested and pursuant to alternative 2.3(c) offers the most appropriate means of pursuing the rezoning request in view of the concerns that have been expressed.

  
A. L. Parr  
DIRECTOR OF PLANNING

**501. NEIGHBOURHOOD INSTITUTIONAL DISTRICT (P1)**  
(B/L No. 5170-67-06-26)

This District provides for the accommodation of residentially-oriented institutional uses at a scale designed to serve a residential neighbourhood.

**501.1 Uses Permitted:**

- (1) Churches.
- (2) Kindergartens, nursery schools and day nurseries.
- (3) A dwelling or a dwelling unit for a minister or caretaker, provided that such dwelling unit is located on the same lot as the institution which it serves.
- (4) Accessory buildings and uses.

**501.2 Conditions of Use:**

- (1) Playgrounds or playlots shall be enclosed by fencing or screening on any side not facing the principal building on the lot. Such fencing or screening shall be so constructed that it cannot be traversed by children except at those points specifically provided for access.
- (2) All principal uses shall be oriented to pedestrian needs and be so located and designed as to avoid vehicular interference with pedestrian movement.

**501.3 Height of Buildings:**

The height of a building shall not exceed 12.0 m (39.37 feet) nor 2 storeys.

**501.4 Lot Area and Width:**

Each lot shall have an area of not less than 890 m<sup>2</sup> (9,580.19 sq. ft.) and a width of not less than 24.5 (80.38 feet), except that the lot area shall be increased by 19 m<sup>2</sup> (204.52 sq. ft.) for each child over 20 in number accommodated by a kindergarten.

**501.5 Lot Coverage:**

The maximum coverage shall be 40 percent of the lot area.

**501.6 Front Yard:**

A front yard shall be provided of not less than 7.5 m (24.61 feet) in depth, except that where a lot abuts a lot in an R1 District, a front yard of not less than 9.0 m (29.53 feet) in depth shall be provided.

**501.7 Side Yards:**

A side yard shall be provided on each side of the building of not less than 4.5 m (14.76 feet) in width.

**501.8 Rear Yard:**

A rear yard shall be provided of not less than 9.0 m (29.53 feet)

**505. COMMUNITY INSTITUTIONAL DISTRICT (P5)**  
(B/L No. 5170-67-06-26)

This District provides for the accommodation of residentially-oriented institutional uses at a scale designed to serve an area composed of a number of residential neighbourhoods.

**505.1 Uses Permitted:**

- ( 1 ) Childrens Institutions.
- ( 2 ) Churches.
- ( 3 ) Kindergartens, nursery schools and day nurseries.
- ( 4 ) Rest homes and private hospitals.
- ( 5 ) Schools, private.
- ( 6 ) Senior citizens housing projects, provided that where a project includes dwelling unit accommodation, the following minimum floor areas shall apply:
  - ( a ) Bachelor Unit — 33 m<sup>2</sup> (355.22 sq. ft.)
  - ( b ) 1 bedroom Unit — 46 m<sup>2</sup> (495.16 sq. ft.)
 (B/L No. 5527-69-06-16)
- ( 7 ) Dormitory units or groups of dormitory units, provided they are located on the same lot and serve a childrens institution, private hospital, private school, rest home or senior citizens housing project.
- ( 8 ) Dwellings or dwelling units, provided they are located on the same lot and serve a private hospital or rest home.
- ( 9 ) A dwelling or a dwelling unit for a minister, caretaker or watchman, provided that such dwelling or dwelling unit is located on the same lot as the institution which it serves.
- (10) Accessory buildings and uses.

**505.2 Conditions of Use:**

- ( 1 ) Playgrounds, playfields or playlots shall be enclosed by fencing or screening on any side not facing the principal building on the lot. Such fencing or screening shall be so constructed that it cannot be traversed by children except at those points specifically provided for access.
- ( 2 ) All principal uses shall be oriented to pedestrian needs and be so located and designed as to avoid vehicular interference with pedestrian movement.

**505.3 Height of Buildings:**

The height of a building shall not exceed 12.0 m (39.37 feet) nor 2 storeys.

**505.4 Lot Area and Width:**

- (1) Each lot shall have a minimum area of 890 m<sup>2</sup> (9,580.19 sq. ft.) except that:
- (a) Children's institutions shall have the minimum lot area increased by 93 m<sup>2</sup> (1,001.08 sq. ft.) for each child over 10 in number.
  - (b) Kindergartens shall have the minimum lot area increased by 19 m<sup>2</sup> (204.52 sq. ft.) for each child over 20 in number.
  - (c) Private elementary schools shall have a minimum lot area of 0.8 ha (1.9768 acres) plus 0.32 ha (0.7907 acre) for each 100 pupils.
  - (d) Private secondary schools shall have a minimum lot area of 1.6 ha (3.9535 acres) plus 0.32 ha (0.7907 acre) for each 100 pupils.
  - (e) Rest homes and private hospitals shall have the minimum lot area increased by 56 m<sup>2</sup> (602.80 sq. ft.) for each patient over 8 in number.
  - (f) Senior citizens housing projects shall have a minimum lot area of 0.8 ha (1.9768 acres).
- (2) Each lot shall have a minimum width of 24.5 m (80.38 feet), except private schools and senior citizens housing projects, which shall have a minimum width of 61 m (200.13 feet).

**505.5 Lot Coverage:**

The maximum coverage shall be 40 percent of the lot area, except in the case of private schools and children's institutions, where the maximum coverage shall be 30 percent of the lot area.

**505.8 Front Yard:**

A front yard shall be provided of not less than 7.5 m (24.61 feet) in depth, except that where a lot abuts a lot in an R1 District, a front yard of not less than 9.0 m (29.53 feet) in depth shall be provided.

**505.7 Side Yards:**

A side yard shall be provided on each side of the building of not less than 4.5 m (14.76 feet) in width, except that side yards for a private school shall be provided with a minimum width of 7.5 m (24.61 feet) for the least side and 23 m (75.46 feet) for the sum of both side yards.

**505.8 Rear Yard:**

A rear yard shall be provided of not less than 9.0 m (29.53 feet) in depth, except that a private school shall have a rear yard of not less than 15.0 m (49.21 feet) in depth.

**505.9 Off-Street Parking:**

Off-street parking shall be provided and maintained in accor-

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PREREQUISITES FOR COMPLETION OF RZ #10/80

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- a) The submission of a suitable plan of development.
- b) The completion of the requisite Road Exchange By-Law.
- c) The consolidation of the net project site into one legal parcel.
- d) The granting of any necessary easements.
- e) The dedication of any rights-of-way deemed requisite.
- f) The submission of an undertaking to remove all existing improvements from the site within six months of the rezoning being effected but not prior to Third Reading of the By-Law.
- g) The deposit of sufficient monies to cover the costs of all services necessary to serve the site to include the road improvements outlined in Section 4.7. All services are to be designed and constructed to the approval of the Municipal Engineer. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
- h) The installation of all electrical, telephone and cable servicing, and all other wiring underground throughout the development, and to the point of connection to the existing service where sufficient facilities are available to serve the development.