

RE: AREA BOUNDED BY DELTA AVENUE SOUTH, PANDORA STREET AND CAPITOL DRIVE

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendations of the Director Planning & Building Inspection be adopted.

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TO: MUNICIPAL MANAGER 1986 DECEMBER 08

FROM: DIRECTOR PLANNING &
BUILDING INSPECTION

SUBJECT: AREA BOUNDED BY DELTA AVENUE SOUTH,
PANDORA STREET AND CAPITOL DRIVE

RECOMMENDATIONS:

1. THAT Council approve in principle the advancing of a rezoning application for the subject area (excluding the properties at 244 and 254 S. Howard Avenue, 201 and 215 S. Ellesmere Avenue and 380 S. Hythe Avenue) from R4 Residential District to R2 Residential District and request that a formal rezoning application be initiated to be considered along with the next series of rezoning applications for referral to a Public Hearing.
2. THAT a copy of this report be sent to those property owners whose names appeared on the petition presented to Council on 1986 November 17.

REPORT

1.0 BACKGROUND INFORMATION:

- 1.1 At the Public Hearing of 1986 October 21, an application to rezone the property at 304 S. Glynde Avenue from the R4 Residential District to the R9 Residential District (RZ#85/86) was considered (see attached sketch #1). Considerable opposition was voiced by local residents and the question of the zoning of the general area was raised by Council.
- 1.2 On 1986 October 27 Council postponed the aforementioned Zoning Bylaw amendment pending a staff report addressing the appropriateness of the zoning of the area.

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1.3 The recommendations contained in this report arise from staff's review of the area and the concerns of area residents regarding their desire to retain the single family residential character of their neighbourhood.

2.0 SITE OBSERVATIONS:

The subject area is predominantly occupied by single family dwellings with the majority being between 20 and 40 years of age. The individual residential properties possess lot widths that range between 9.88 m (32.4 ft.) and 40.23 m (139 ft.), with most being in the 17 m (55 ft.) to 25 m (82 ft.) range. The subject area slopes quite steeply to the south towards Hastings Street. The area to the north and west of the subject area is zoned R5 Residential District and is dominated by small lot development. Apartment Study Area B is located to the immediate south of the area, with multiple family residential dwellings to the east and south. Roads within the subject area are generally constructed to an interim standard.

3.0 GENERAL DISCUSSION:

3.1 The subject area represents the entire R4 zoned enclave situated on the south side of Capitol Hill (refer to Sketch #2). This zoning district permits both single family and two family dwelling development.

3.2 The R4 Residential District is intended to provide for the use and development of single and two family dwellings on larger lots in medium density residential areas in the Municipality. Rest homes and boarding houses (limited to not more than five patients or boarders, and provided that such facilities occupy a single family dwelling) are also permitted in this district. The following lot area and width requirements apply to single family and two family dwellings in the R4 district:

- 1) Each lot for a two family dwelling shall have an area of not less than 800 m² (8,611.41 sq. ft.) and a width of not less than 22 m (72.18 ft.).
- 2) Each lot for a single family dwelling shall have an area of not less than 670 m² (7,212.06 sq. ft.) and a width of not less than 18.5 m (60.7 ft.).

3.3 A total of 118 R4-zoned properties are located within the subject area. This excludes the properties at 244 and 254 S. Howard Avenue and 201 and 215 S. Ellesmere Avenue, which are currently zoned R9 Residential District, as well as the property at 380 S. Hythe Avenue which is the location of the Maranatha Tabernacle and is zoned P1 Neighbourhood Institutional District. Of the 118 residential properties, 14 lots or 11.8% of the properties are considered to have two family dwelling development potential and could be considered under Category "C" if an application was made to rezone to the R9 District (refer to Sketches #3 & #4). There are currently 7 two-family dwellings in the subject area, including 3 which are legally non-conforming.

3.4 Consistent with the policy of Council as implemented through the Zoning Bylaw, residential accommodation of varying types and densities is to be provided in the Municipality and located in areas where complementary services and amenities required by its residents may be readily available. While effectively achieving these goals it is essential at the same time to maintain the stability and preserve the character of established single family neighbourhoods wherever possible. This goal has become more vital in view of the number of rezoning applications to the R9 district that have been received in areas where the prevailing single family residential character is potentially threatened through the introduction of small lots.

3.5 One factor that should be noted in consideration of any future development policy for the subject area is the steep grade of the area, with elevation drops from Pandora Street south to Capitol Drive up to 16 m (55 ft.). The steep grade of the area has 2 effects. It provides the residents of the south side of Capitol Hill with a panoramic southerly view, but it presents somewhat difficult traffic circulation and parking conditions. It should be noted that increased residential density in the subject area, which is more likely under the current R4 zoning, could have a detrimental effect on traffic safety in the area and the residents' views. However, it is also recognized that the affected views in the subject area would not be detrimentally affected with the development of semi-detached dwellings, which are permitted in the R4 District and have a height restriction of 5.5 m (18 ft.), as opposed to the development of single family dwellings in the R2 District, which have a height restriction of 9.8 m (32.12 ft.).

3.6 At the regular Council meeting of 1986 November 17 a petition was received from area residents requesting that Council consider rezoning the following area from the R4 Residential District to the R3 Residential District:

The south side of Pandora on the north to the north side of Capitol Drive on the south; between the west side of Glynde Avenue and the southerly side of Sunningdale Road on the east.

There are 62 properties within these boundaries. Within this area, 47 property owners or 75% of the owners in the above area indicated their support for rezoning the area to the R3 Residential District.

This Department is of the opinion that it is more appropriate for Council to consider rezoning the larger subject area, bounded by S. Delta Avenue, Pandora Street and Capitol Drive, in light of the residential character of this entire R4 zoned enclave, which is essentially single family with only minor evidence of two family dwellings and small lot development. This Department also advises that rezoning the subject area to the R2 Residential District would be more appropriate as the R2 zone provides the same minimum single-family lot size characteristics as are provided by the current R4 zoning, and as it does not result in a downgrading of minimum single-family lot sizes as would be the case under R3 zoning. The R2 Residential District permits a minimum lot area of 670 m² (7,212.06 sq. ft.) and a minimum lot width of 18.5 m (60.7 ft.), while the R3 Residential District permits a minimum lot area of only 560 m² (6,027.99 sq. ft.) and a minimum lot width of 15 m (49.21 ft.).

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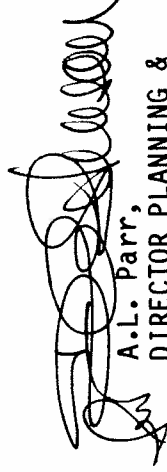
3.7 At the present time, the subject area can be characterized as a single family neighbourhood notwithstanding its prevailing zoning which permits both single family and two family residential uses. It is the opinion of the Planning and Building Inspection Department that the development of two family dwellings or rezoning to the R9 district would not be compatible with the existing neighbourhood character of the subject area and would pose a threat to the unique attributes of the south side of Capitol Hill.

3.8 Council is advised that the R2 Residential District regulations for single family development are identical with those of the R4 Residential District, such that no new non-conformity would be incurred on the existing lots that are proposed to be rezoned. Rezoning would, however, remove the possibility for future two family development on those properties that presently possess such development potential. In addition, these lots would no longer satisfy the technical eligibility requirements to be considered for R9 zoning. Furthermore, the establishment of rest homes or group homes on lots with a minimum area of 800 m² (8,611.41 sq. ft.) would no longer be permitted under the proposed R2 zoning.

4.0 CONCLUSION:

The subject area is considered to be a relatively homogeneous residential neighbourhood, predominantly single family in character, with only minor evidence of two family dwellings and small lot development.

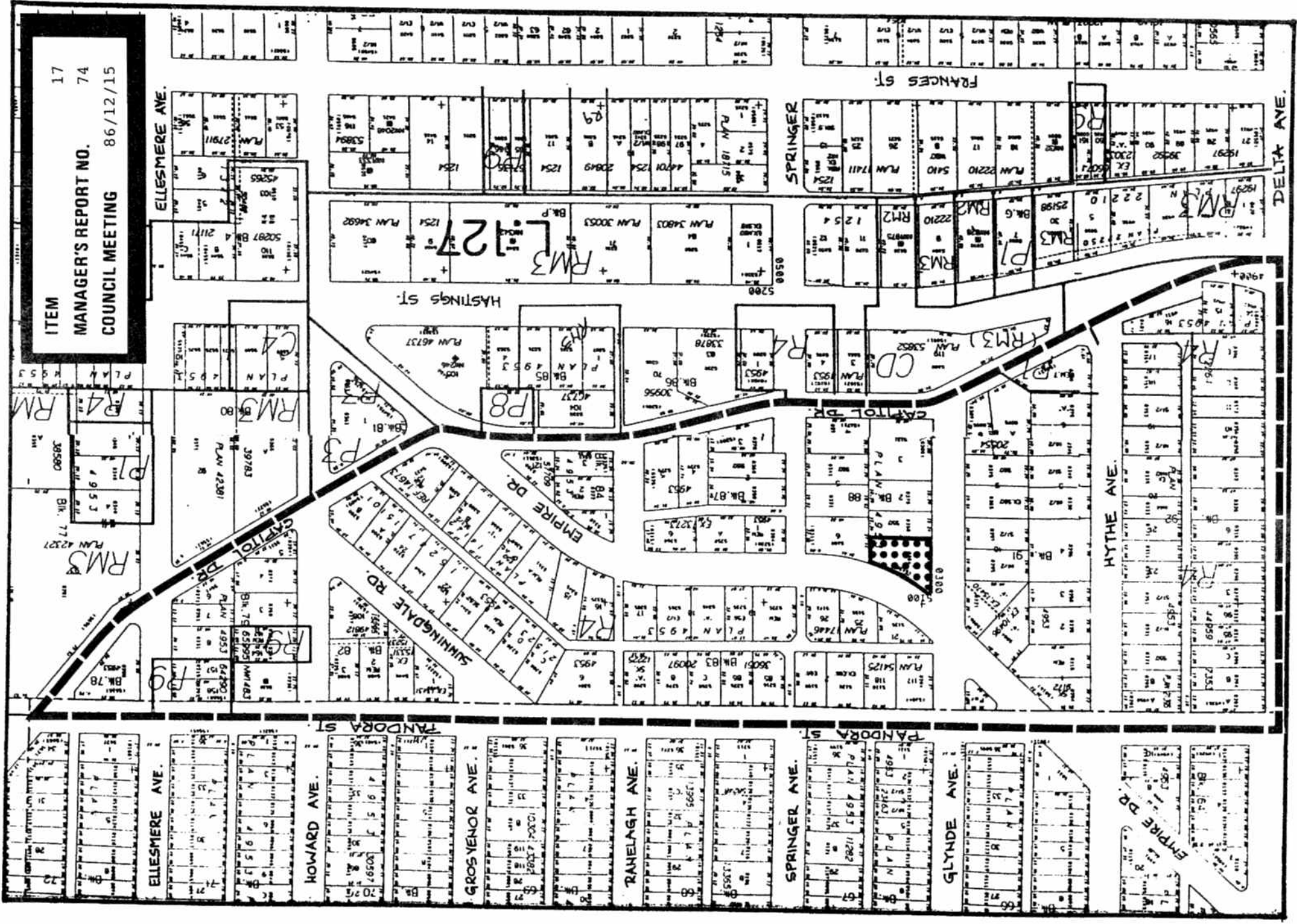
In view of the foregoing analysis, the Planning Department is of the opinion that rezoning the subject area to the R2 District would be an appropriate course of action to take towards preserving the neighbourhood's stability and character. Rezoning would remove the potential for two family development as well as create a situation in which the lots would fail to satisfy the technical eligibility requirements to be considered for R9 small lot development. This Department is also of the opinion that the R2 district would be more appropriate than the current R4 zoning for recognizing the unique attributes of this residential enclave on the south side of Capitol Hill.



A.L. Parr,
DIRECTOR PLANNING &
BUILDING INSPECTION

BW/js

Attachments



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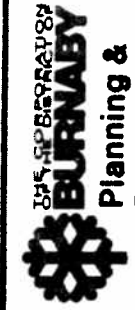
Date

1986 December

Scale

1:3000

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R-9 Rezoning Application

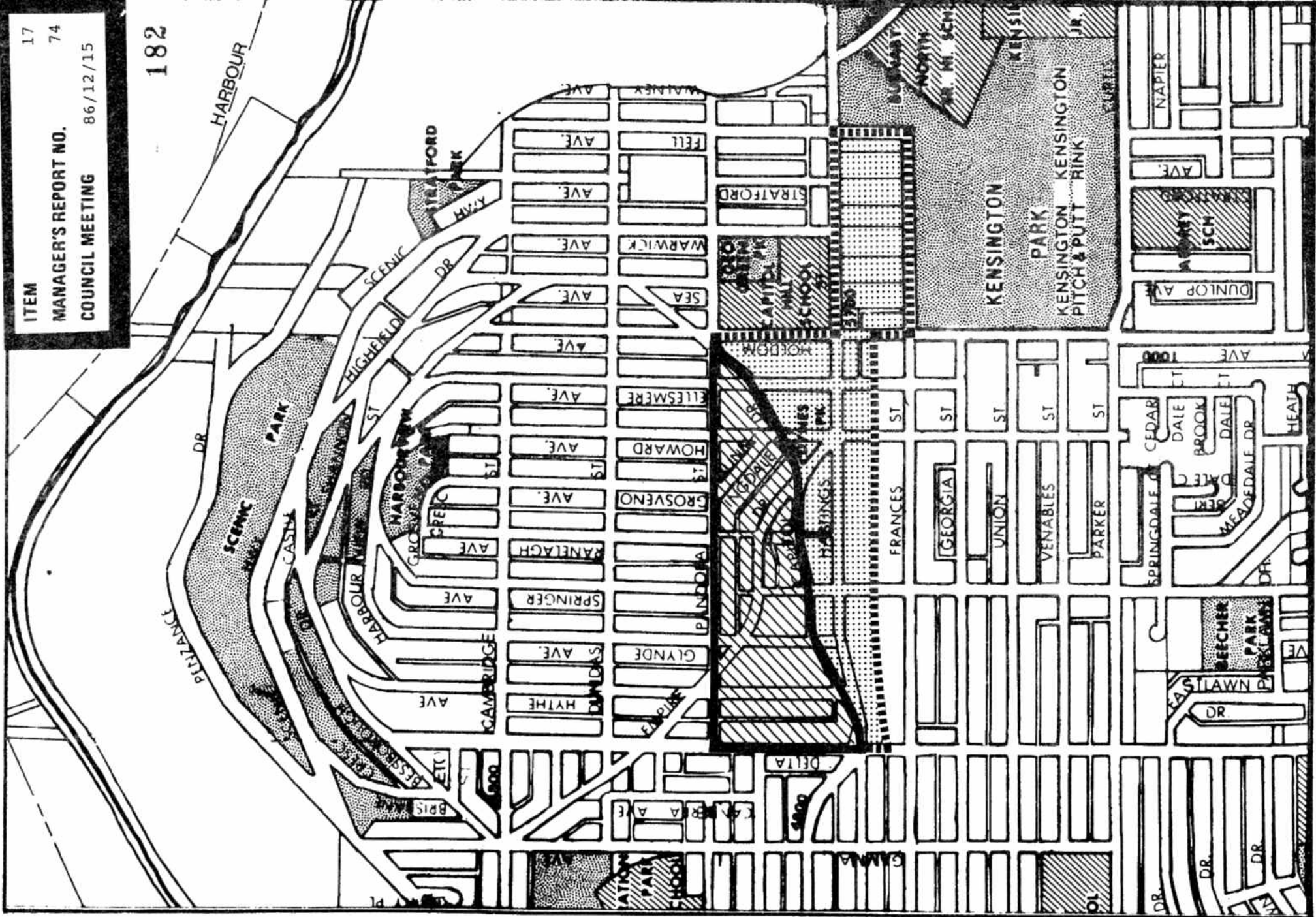
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Sketch # 1



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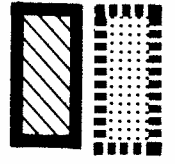
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Date
 1986 December

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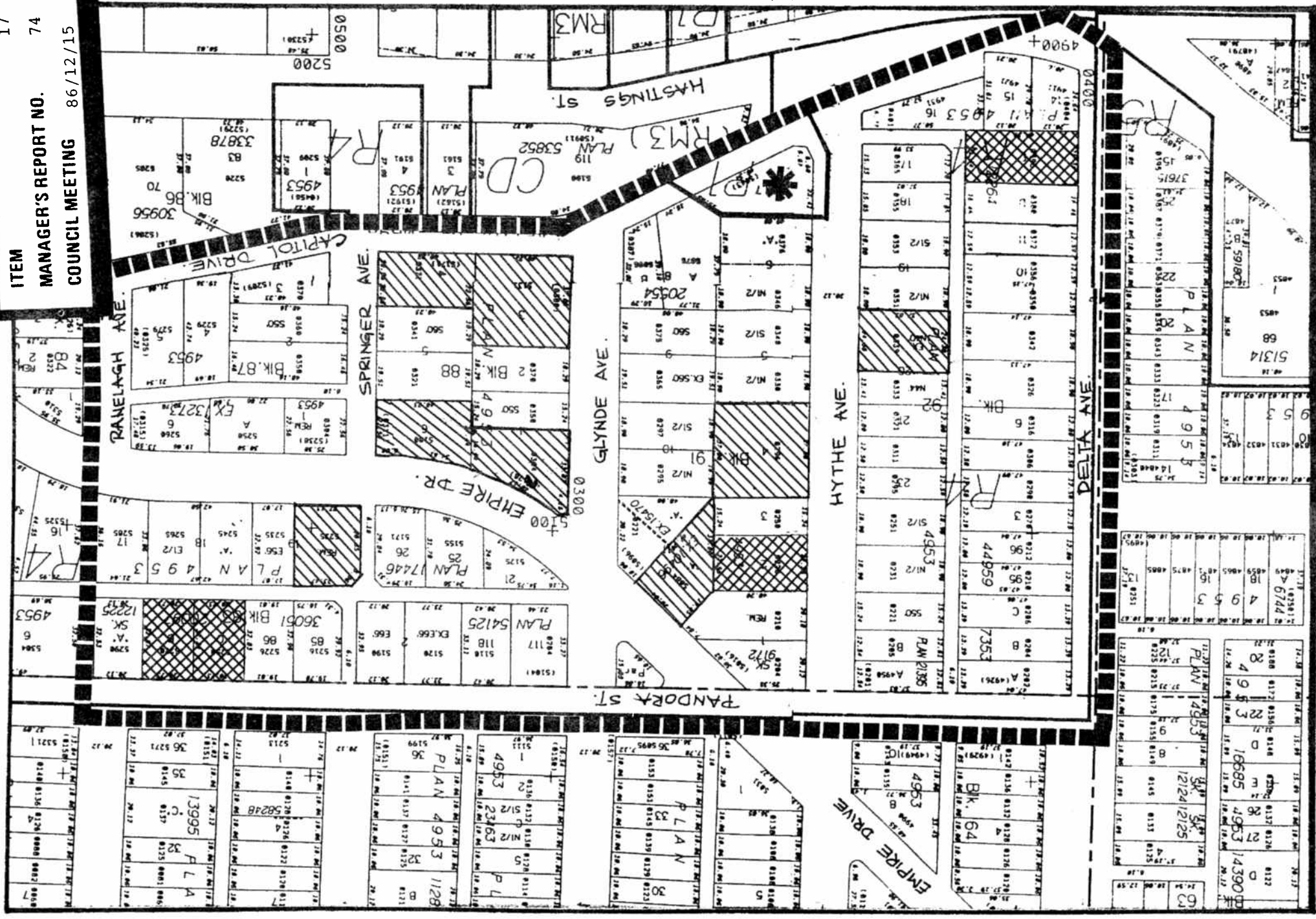
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Subject Area
 Apartment Study Area "B"

Sketch # 2

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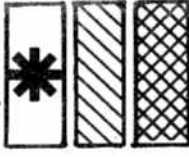
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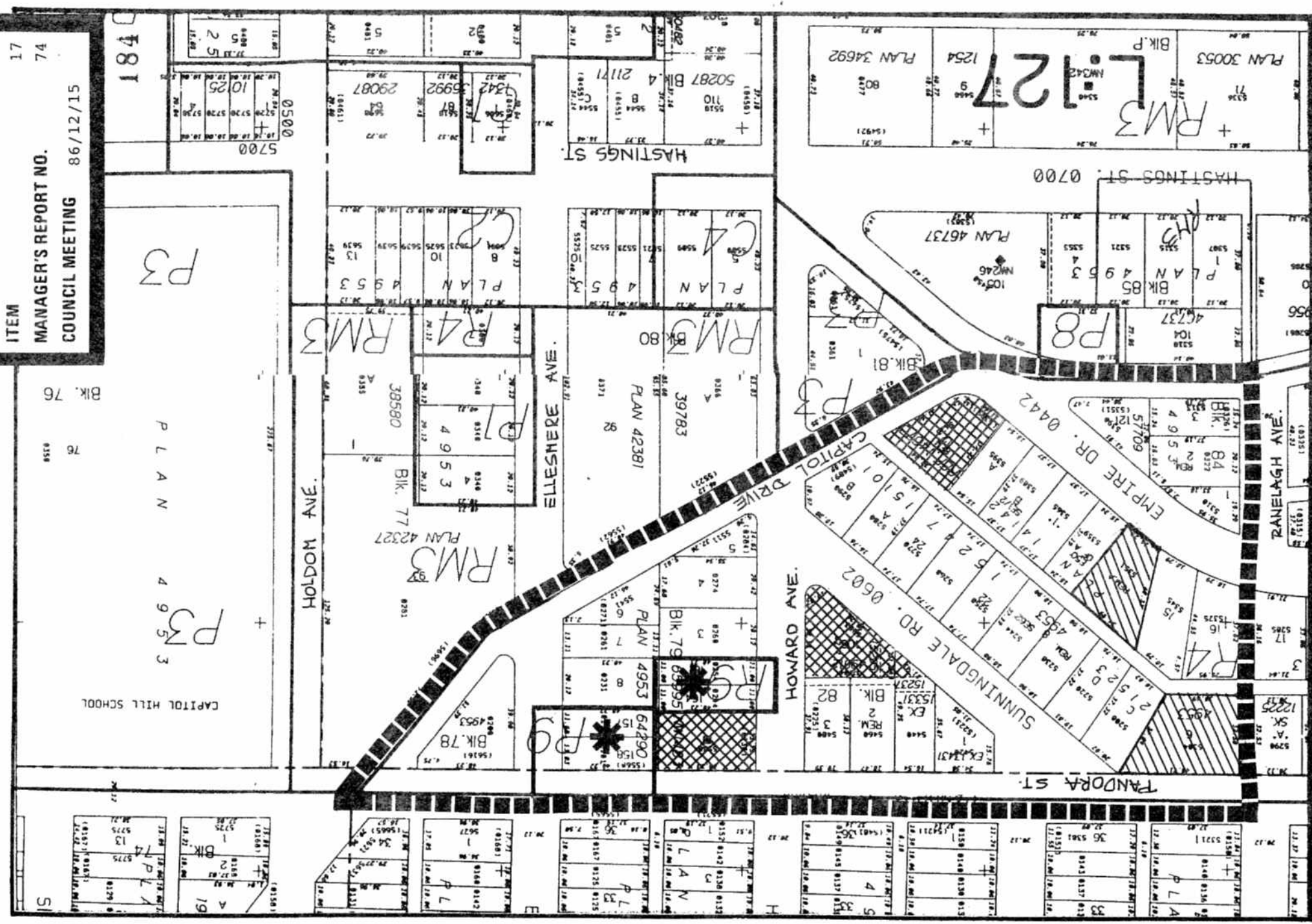
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* Properties Excluded From Subject Area
 Residential Two Family Dwelling Potential
 Existing Two Family Dwelling

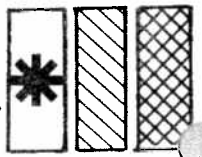
Sketch # 3

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Properties Excluded From Subject Area
 Residential Two Family Dwelling Potential
 Existing Two Family Dwelling