

RE: REZONING REFERENCE NO. 81/88
3276 BAINBRIDGE AVENUE

MUNICIPAL MANAGER'S RECOMMENDATION:

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

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TO: MUNICIPAL MANAGER DATE: 1988 NOVEMBER 21

FROM: DIRECTOR PLANNING & BUILDING INSPECTION

RE: **REZONING REFERENCE #81/88**
LOT 68, D.L. 44, GP. 1, PLAN 38654, N.W.D.
3276 BAINBRIDGE AVENUE

From: R1 Residential District
To: R2 Residential District

PURPOSE: TO FORWARD THIS REZONING APPLICATION TO A PUBLIC HEARING ON 1988 DECEMBER 13

RECOMMENDATION:

1. **THAT** a rezoning bylaw be prepared and advanced to First Reading on 1988 November 28 and to a Public Hearing on 1988 December 13 at 7:30 p.m., and that the following be established as prerequisites to the rezoning:
- (a) The satisfaction of all necessary subdivision requirements.
 - (b) The submission of a \$933.00 per unit Neighbourhood Parkland Acquisition Charge.
 - (c) The submission of a surveyor's plot plan prior to Third Reading to confirm that any structures on the site are in conformance with the regulations of the R2 zoning category in relation to the proposed new lots. Any removal or relocation work must be completed prior to Final Adoption but should not be undertaken prior to Third Reading of the Bylaw.
 - (d) The approval of the Ministry of Transportation and Highways to the rezoning application.

REPORT

1.0 BACKGROUND INFORMATION:

Council, on 1988 November 14, referred Manager's Report No. 20 back to staff for a report on the history of the previous subdivision of the subject property.

2.0

GENERAL DISCUSSION:

An application for subdivision under the R1 Residential District zoning was received on 1970 April 14. The subdivision included the subject property and three abutting properties. These four properties all fronted on Bainbridge Avenue and had a depth of 781 feet. A preliminary subdivision layout was prepared showing the creation of 44 lots from all four properties.

After receiving all pertinent information from other departments and agencies, Tentative Approval of the subdivision was issued on 1970 June 02. Because of the historical width of the subject property and the adjacent property to the north, and because it was believed at that time that discretion was available to the Approving Officer with respect to lot size, this included preliminary approval for the creation of four lots fronting on Bainbridge Avenue having a width of 75.24 feet and a depth of 120 feet. The majority of the proposed lots within the subdivision met the lot size requirements of the R1 zone.

Subsequently, the owner of the subject property chose not to subdivide the front 120 foot depth portion of his site into two lots. However, two storm sewer and sanitary sewer connections were installed preparatory to an eventual subdivision. The rear portion of his lot was subdivided along with the overall subdivision (Final Approval of subdivision was given on 1971 January 27) and the remaining 150.48 foot x 120 foot lot was left.

3.0

CONCLUSION:

In light of a previous preliminary approval given for the creation of two 75.24 foot x 120 foot lots from the subject property and in view of the similar size of the adjacent lots to the north, it is considered appropriate to recommend that this rezoning application be forwarded to a Public Hearing. If the property is successfully rezoned to the R2 Residential District, the subdivision, as proposed, can comply with the Bylaw requirements.

As was previously mentioned, it is this Department's general position that it is inappropriate to support the rezoning of individual lots in stable residential districts on a spot-zoning basis in order to defeat the lot area and width requirements within a geographically-defined homogeneous residential neighbourhood. However, in view of the unique and unusual circumstances associated with this site, we believe this would not set a precedent for other potential spot zonings.

It is, therefore, recommended that this rezoning be given First Reading on the same agenda, which has been so scheduled, and then sent to a Public Hearing on 1988 December 13, along with the other applications in this rezoning series.


M. A. L. PARR
DIRECTOR PLANNING &
BUILDING INSPECTION


CMM:jh