

COMMUNITY DEVELOPMENT COMMITTEE

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*HIS WORSHIP, THE MAYOR
AND COUNCILLORS***SUBJECT: REQUEST FOR R12 AREA REZONING – NORTH SIDE 4200 BLOCK
ALBERT STREET**RECOMMENDATION:

1. THAT Council authorize staff to contact the property owners on the north side of the 4200 block of Albert Street to determine if there is support to initiate an R12 area rezoning process.

REPORT

The Community Development Committee, at its Open meeting held on April 25, received and adopted the *attached* report supporting a request from Mr. John Juginovich, owner of 4205 Albert Street, for assistance with initiating an R12 area rezoning process for the north side of the 4200 block of Albert Street.

Respectfully submitted,

Councillor Colleen Jordan
ChairCouncillor Dan Johnston
Vice ChairCouncillor Garth Evans
Member

COPY: CITY MANAGER DIRECTOR PLANNING & BUILDING DIRECTOR ENGINEERING
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TO: CHAIR AND MEMBERS
COMMUNITY DEVELOPMENT
COMMITTEE

DATE: 2006 April 20

FROM: DIRECTOR PLANNING AND BUILDING

FILE: 49500 01
*Reference: Rezoning in Residential
Districts*

**SUBJECT: REQUEST FOR R12 AREA REZONING - NORTH SIDE 4200 BLOCK
ALBERT STREET**

PURPOSE: To respond to a request from Mr. John Juginovich, owner of 4205 Albert Street, for assistance with initiating an R12 area rezoning process for the north side of the 4200 block of Albert Street.

RECOMMENDATION:

1. **THAT** Council be requested to authorize staff to contact the property owners on the north side of the 4200 block of Albert Street to determine if there is support to initiate an R12 area rezoning process.

REPORT**1.0 BACKGROUND**

At the Community Development Committee meeting on 2006 March 28, Mr. John Juginovich, owner of 4205 Albert Street, appeared as a delegation to request the Committee's assistance with an R12 area rezoning process for the north side of the 4200 block of Albert Street (*Attachment #1*). Mr. Juginovich had attempted to initiate the process himself, but because of apparent communication problems was unable to obtain a sufficient number of names on the petition as required under the Council endorsed process for an area rezoning. Arising from consideration of Mr. Juginovich's request, the Committee asked that staff prepare a report regarding possible City assistance in initiating an area rezoning process for the subject block, as the block also appeared to meet many of the Council adopted criteria for R12 designation. This report responds to that request.

2.0 DISCUSSION

The Council endorsed process for area rezoning starts with a petition submitted by the owners of the properties proposed for rezoning. The petition must show demonstrated support for the rezoning by including signatures of at least half the owners in the affected

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area. Requiring at least half of the owners' signatures provides some assurance to the City that there is adequate owner support before staff begin the broader consultation process for the rezoning (which includes a brochure, questionnaire and public meeting).

Mr. Juginovich indicated that he has made numerous attempts to obtain the signatures of owners on the block, but had faced difficulties in making the contacts. With a letter to the Director Planning and Building dated 2006 January 30, Mr. Juginovich submitted a petition which included the signatures of only three of the 15 owners on the block – substantially short of the minimum of eight signatures required to advance the area rezoning process.

The subject block is included in the Hastings Street Area Plan which designates the properties for Single and Two Family Dwellings. The existing zoning of the properties is R5. Twelve of the lots are 33 feet wide and three are 66 feet wide. All the lots contain a single family dwelling, with the exception of one which has a two family dwelling. The age of the houses ranges from six to 85 years, with six of the houses being built prior to 1970. The houses are all owner occupied, with the exception of the two family dwelling in which both units are rented. Under provisions of the current R5 District zoning, the three 66 foot wide lots could be subdivided into two lots, with a single family dwelling permitted on each. Alternatively, a two family dwelling would be permitted on each of the existing 66 foot wide lots.

Under the requested R12 zoning, all the lots would be eligible for a two family dwelling. The three 66 foot wide lots would also be eligible for a two lot subdivision, with a two family dwelling being permitted on each new lot. The block is appropriate for an R12 area rezoning according to the Council endorsed guidelines which include size of the existing lots, age of the houses, pace of redevelopment, appropriateness of area boundaries, and growth management context. Two R12 area rezonings have been completed nearby (i.e. south side of the 4100 block of Pandora Street and north side of the 4300 block of Albert Street).

As noted, under the process endorsed by Council, property owners are expected to make the initial contact with other affected property owners for an area rezoning. While needing to ensure that a precedent is not being established and that the City is not seen to be advocating for the rezoning, it is believed that it would be appropriate for staff to make the initial contact in the subject situation because:

1. Mr. Juginovich has made repeated efforts to obtain the required signatures for the petition but, largely because of language barriers, has faced challenges in communicating or making contact with the affected property owners; and
2. The block meets the criteria for an R12 area rezoning process (with the exception of the petition).

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If authorized to make the initial contact by Council, staff would, in turn, report back to Committee with the results and a recommendation on whether to initiate the area rezoning consultation process.

3.0 CONCLUSION

Being unable to obtain a sufficient number of signatures on the petition to start an R12 area rezoning process for the north side of the 4200 block of Albert Street, Mr. John Juginovich has requested that the City assist him with the process.

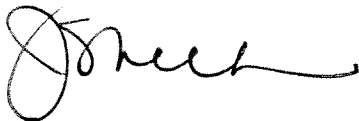
The City would not normally agree to such a request because of concerns about:

1. potential establishment of a precedent (i.e. other neighbourhoods could expect the City to play a similar role with respect to their R12 rezoning processes); and
2. potential perception that the City is advocating for the rezoning, not merely soliciting resident opinions.

Notwithstanding these concerns, it is believed that special consideration may be warranted in Mr. Juginovich's situation as:

1. despite a concerted effort, Mr. Juginovich has faced challenges (primarily language barriers) in meeting the petition requirement; and
2. the block appears to meet key Council adopted criteria for R12 designation and is flanked by an existing R12 block face immediately to the east.

Therefore, based on the above, it is recommended that staff be authorized to contact the property owners on the subject block to determine if there is support for starting the area rezoning process.

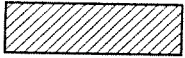
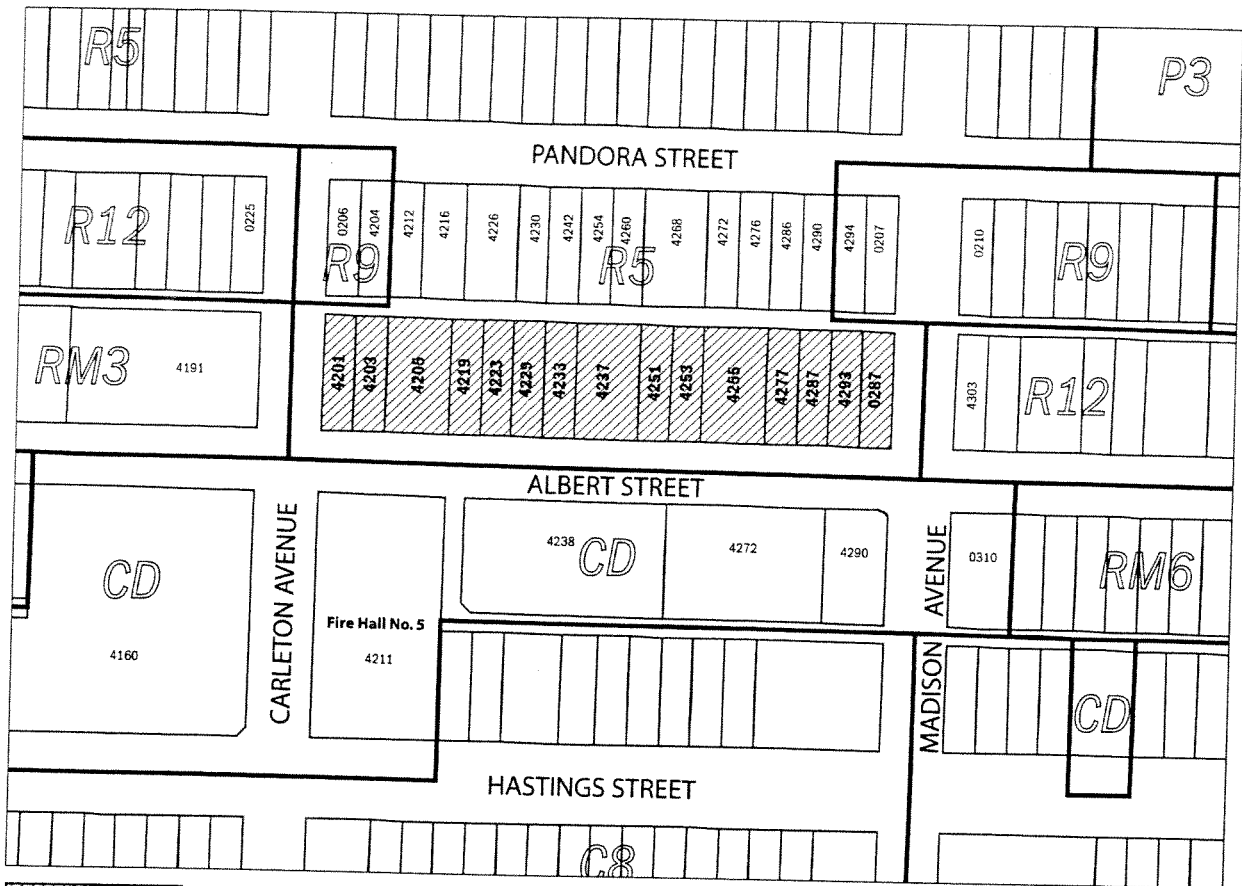


J.S. Belhouse, Director
PLANNING AND BUILDING

SF:sa
Attachment

Copied to: City Manager
Director Engineering

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North Side 4200 Block Albert Street – Subject of R12 Area Rezoning Request

Attachment #1



