
COMMUNITY DEVELOPMENT COMMITTEE

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

**SUBJECT: REQUEST FOR AREA REZONING TO THE R12S DISTRICT
4448 TO 4476 HURST STREET, 7029 TO 7157 DOW AVENUE
4421 TO 4491 VICTORY STREET, 7010 TO 7168 SUSSEX AVENUE**

RECOMMENDATIONS:

1. **THAT** Council authorize initiation of a consultation process to explore the desirability of an area rezoning of 4448 to 4476 Hurst, 7029 to 7157 Dow, 4421 to 4491 Victory, and 7010 to 7168 Sussex to the R12S Residential District zoning category.
2. **THAT** a copy of this report be sent to Ms. Winnie Huang, the petition organizer.

REPORT

The Community Development Committee, at its 'Open' meeting held on 2011 May 31, received and adopted the *attached* report to seek Council's concurrence to initiate a consultation process to explore the desirability of an area rezoning of the subject properties to the R12s Residential District.

At the Council meeting held on 2010 December 6th, a previous consultation process for the subject properties was completed but was not advanced because it did not meet the Council adopted criteria for adequate property owner support.

A second petition has been submitted for consideration of a R12s rezoning process. The Council adopted guidelines for area rezonings require that a rejected proposal not be reconsidered for three years although another process can be considered in instances where a substantially different proposal is being put forward (e.g. different zoning district) and/or a substantially different area is being proposed. Given that the new request is for the R12S District is substantially different than the previous R12 District and that the potential unit build-out under

To: His Worship, the Mayor and Councillors
From: Community Development Committee
Re: Request for Area Rezoning to the R12s District
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the R12S zoning is much less than that under the previous R12 zoning proposal, it is recommended that Council authorize the requested consultation process for the R12S District rezoning.

Respectfully submitted,

Councillor C. Jordan
Chair

Councillor D. Johnston
Vice Chair

Councillor P. Calendino
Member

Copied to:	City Manager Deputy City Managers Dir. Engineering Dir. Plng. & Bldg. Dir. Parks, Rec. & Cultural Services
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TO: CHAIR AND MEMBERS
COMMUNITY DEVELOPMENT
COMMITTEE

DATE: 2011 May 27

FROM: DIRECTOR PLANNING AND BUILDING

FILE: 49500 10
Reference: Hurst Dow Victory Sussex
R12S

SUBJECT: **REQUEST FOR AREA REZONING TO THE R12S DISTRICT – 4448 TO 4476 HURST, 7029 TO 7157 DOW, 4421 TO 4491 VICTORY, 7010 TO 7168 SUSSEX**

PURPOSE: To seek Council’s concurrence to initiate a consultation process to explore the desirability of an area rezoning of the subject properties to the R12S Residential District.

RECOMMENDATIONS:

1. **THAT** Council be requested to authorize initiation of a consultation process to explore the desirability of an area rezoning of 4448 to 4476 Hurst, 7029 to 7157 Dow, 4421 to 4491 Victory, and 7010 to 7168 Sussex to the R12S Residential District zoning category.
2. **THAT** a copy of this report be sent to Ms. Winnie Huang, the petition organizer.

REPORT

1.0 BACKGROUND

A petition requesting the rezoning of 4448 to 4476 Hurst, 7029 to 7157 Dow, 4421 to 4491 Victory, and 7010 to 7168 Sussex to the R12S Residential District has been received in the Planning Department (*see Attachment #1*). The petition was signed by 15 of the 30 owners in the area. This report discusses the request and recommends that the proposal be supported as a basis for further neighbourhood consultation.

By way of background, on 2010 November 23, the Community Development Committee considered a report on the public consultation results for an R12 area rezoning process for the subject properties. The Committee adopted a staff recommendation that the rezoning not go forward because it did not meet the Council adopted criteria to demonstrate adequate property owner support in the subject area. Council subsequently adopted the Committee’s recommendation to not advance the rezoning at its meeting on 2010 December 6. The current proposal is for an alternate R12S area rezoning.

2.0 DISCUSSION

2.1 Subject Area

The proposed rezoning area is bounded by Hurst Street, Dow Avenue, Victory Street, and Sussex Avenue. The subject properties are located in the Sussex Nelson neighbourhood. The surrounding area is comprised of single and two family dwellings zoned R4, R5, and R9 Residential District. The area is designated in the Official Community Plan for Single and Two Family Residential Urban development.

There are 24 lots in the proposed rezoning area composed of 15 single family dwelling lots and eight two family dwelling lots (six of which are strata titled) and one vacant lot with potential for a two family dwelling. There are 31 dwelling units and 30 property owners. All the lots are zoned R5 Residential District with the exception of 7065 and 7077 Dow which are zoned R9 Residential District. The properties range in width from 10.06 m (33 ft) to 22.97 m (75.36 ft). The block is bisected by a lane which serves all but eight of the properties. The housing is of mixed age – half the structures were built before 1980. 22 of the dwelling units are owner occupied and most are well maintained.

2.2 District Provisions and Development Potential

- *Existing R5 and R9 Districts*

Under the existing R5 and R9 zoning, the area has a total build-out potential of 40 units. For the lots currently zoned to the R5 District the development potential is mixed. Eight properties currently contain and are eligible for single family dwellings. Seven properties currently contain single family dwellings but are eligible for two family dwellings. Eight properties currently contain and are eligible for two family dwellings. One lot is vacant but is eligible for a two family dwelling.

- *Previously Proposed R12 District*

As noted, a previous proposal was considered for an R12 area rezoning. Under the R12 District zoning category, each new lot would have required an area of not less than 306.57 m² (3,300 ft²) and a width of not less than 9.15 m (30 ft). Single family dwellings would have been permitted on all legal lots. Two family dwellings would have been permitted on lots with widths not less than 9.15 m (30 ft) where there is a lane present. Where there is no lane, two family dwellings would have been permitted on lots with a minimum width of 13.7 m (45 ft). Under the R12 District zoning, five lots would have been eligible for subdivision with single family dwellings permitted on each new lot, eight lots would have been eligible for subdivision with two family dwellings permitted on each new lot, and four lots would have been eligible for

subdivision with a single family dwelling and a two family dwelling¹. The other seven existing lots would have been eligible for two family dwellings. Under R12 zoning, the build-out potential would have been 68 units.

▪ *Proposed R12S District*

Under the requested R12S District zoning category, each lot shall have an area of not less than 306.57 m² (3,300 ft²) and a width of not less than 9.15 m (30 ft). Single family dwellings are permitted on all legal lots. Two family dwellings are permitted on lots with a minimum width of 13.7 m (45 ft). The key difference between the R12 and R12S is that, under R12 zoning, two family dwellings are permitted on 9.15 m (30 ft lots) if there is a lane whereas under R12S zoning only single family dwellings are permitted on lots of similar width. Under the proposed R12S District zoning category, 17 lots would be eligible for subdivision with single family dwellings permitted on each new lot, three existing lots would be eligible for two family dwellings and four existing lots would be eligible for single family dwellings. The build-out potential under the requested R12S zoning is 44 units.

2.3 Revised R12S Proposal and Area Rezoning Guidelines

The Council adopted guidelines for area rezonings state that, if an area rezoning process does not proceed due to lack of majority support, either through the questionnaire process or through a Public Hearing, a new process cannot commence for at least a period of three years after the proposal is rejected. However, in instances where a substantially different proposal is being put forward (e.g. different zoning district) and/or a substantially different area is being proposed, the rejected area can be re-submitted for consideration.

In the case of the subject proposal, the R12S rather than the R12 District is being proposed. While the R12S District is a sub-zone of the R12 District, it is considered that the zoning proposal is substantially different as the potential unit build-out under the new option is significantly reduced from 68 units under the R12 District to 44 units under the R12S District.

Given that the difference in build-out between the existing R5/R9 and proposed R12S zoning is only four units, it is considered that the proposal may receive greater owner support given that many of the submissions during the previous consultation process expressed concern about the potential the large increase in density under the R12 District.

¹ The four lots eligible for subdivision with a single family dwelling and a two family dwelling would each had one interior lot without lane access and one lot with lane access. The interior lot without lane access would not have been permitted to have a two family dwelling.

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From: Director Planning and Building
Re: R12S Area Rezoning Request
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2.4 Proposed Consultation Process

The R12S area rezoning consultation process will be the same as that required for the previous R12 process. A brochure and questionnaire will be mailed owners and residents in the petition area and surrounding neighbourhood, an open house will be held and the consultation results will be reported to Committee and Council along with a recommendation to advance or deny the rezoning.

3.0 CONCLUSION

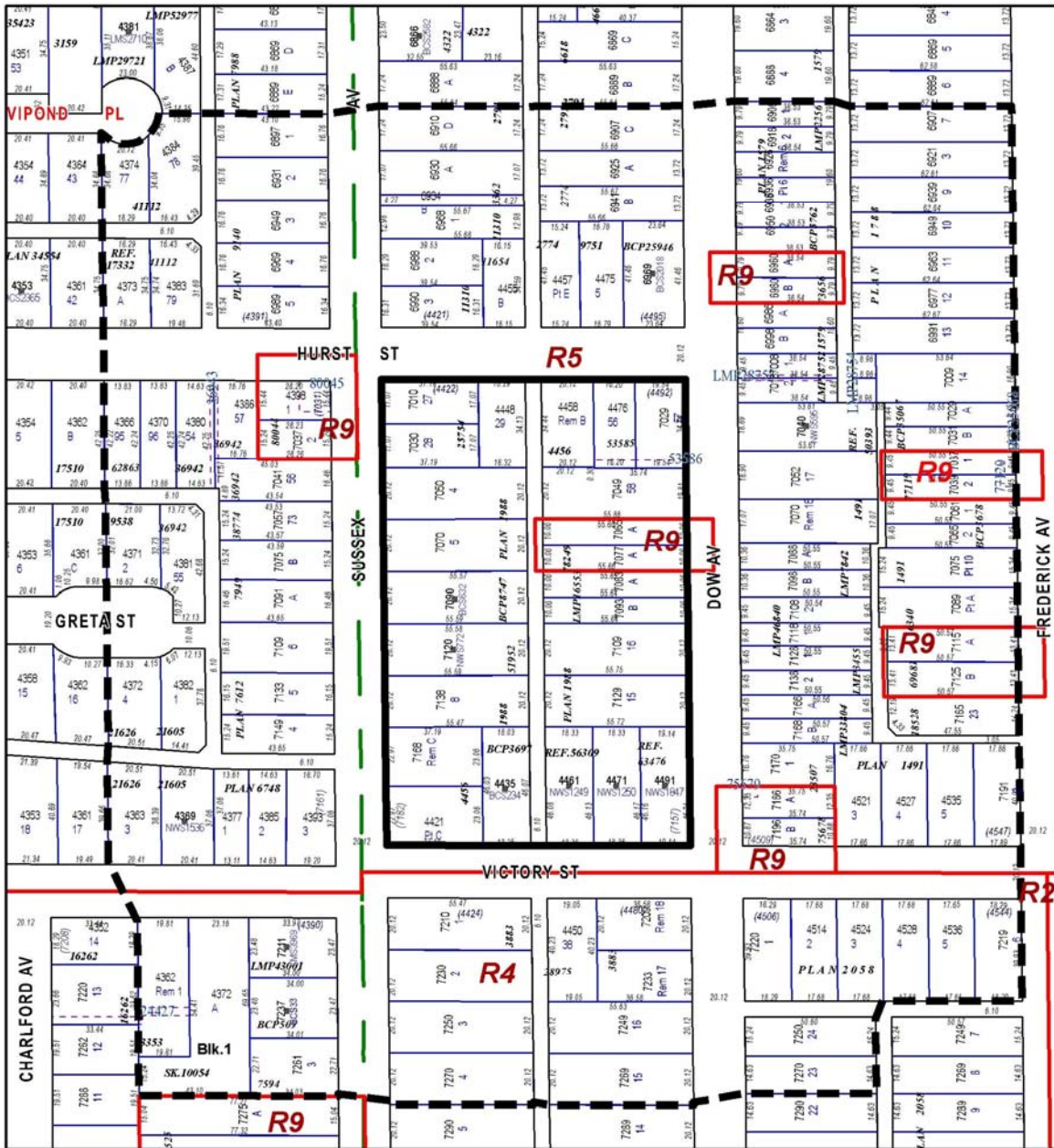
A consultation process for an R12 area rezoning for properties at 4448 to 4476 Hurst, 7029 to 7157 Dow, 4421 to 4491 Victory, and 7010 to 7168 Sussex was completed but was not advanced because it did not meet the Council adopted criteria for adequate property owner support. Council subsequently adopted the Committee's recommendation to not advance the area rezoning at its meeting on 2010 December 6.

The organizer of the previous process has now submitted a petition and requested consideration for an R12S area rezoning process. The Council adopted guidelines for area rezonings require that a rejected proposal not be reconsidered for three years although another process can be considered in instances where a substantially different proposal is being put forward (e.g. different zoning district) and/or a substantially different area is being proposed. Given that the new request is for the R12S District is substantially different than the previous R12 District and that the potential unit build-out under the R12S zoning is much less than that under the previous R12 zoning proposal, it is recommended that Council authorize the requested consultation process for the R12S District rezoning.

B. Luksun, Director
PLANNING AND BUILDING

SF/jc/sa
Attachment

Copied to: City Manager
Director Engineering
Director Parks, Recreation & Cultural Services
City Clerk



		PLANNING & BUILDING DEPARTMENT	
DATE: Apr 27 2011		R12S REZONING AND CONSULTATION AREA	
SCALE: 1:2,500			
DRAWN BY: DJ			