
COMMUNITY DEVELOPMENT COMMITTEE

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

**SUBJECT: REQUEST FOR AREA REZONING TO THE R12S DISTRICT – AREA
BOUNDED BY MCGREGOR AVENUE, ROYAL OAK AVENUE,
CARSON STREET, AND MCKEE STREET**

RECOMMENDATIONS:

1. **THAT** Council authorize that a Rezoning Bylaw for the area bounded by McGregor Avenue, Royal Oak Avenue, Carson Street, and McKee Street as referenced in *Schedule A*, be prepared and advanced to First Reading on 2014 January 13 and to Public Hearing on 2014 January 28 at 7:00 p.m. to rezone the subject properties from the R4 and R9 Residential Districts to the R12S Residential District.
2. **THAT** a copy of this report be sent to the property owners and residents in the petition and consultation areas.

REPORT

The Community Development Committee, at its meeting held on 2013 November 27, received and adopted the *attached* report reviewing the results of the consultation process regarding a request for an area rezoning from the R4 and R9 Residential Districts to the R12S Residential District and to recommend that the subject area be advanced through the rezoning process.

Respectfully submitted,

Councillor C. Jordan
Chair

Councillor D. Johnston
Vice Chair

Councillor P. Calendino
Member

Copied to:	City Manager
	Director Planning & Building
	Director Engineering
	Director Finance
	City Solicitor
	Chief Building Inspector

TO: CHAIR AND MEMBERS
COMMUNITY DEVELOPMENT COMMITTEE

DATE: 2013 November 20

FROM: DIRECTOR PLANNING AND BUILDING

FILE: 49500 01
*Reference: R12S McKee Royal Oak
Carson McGregor*

**SUBJECT: R12S DISTRICT AREA REZONING PUBLIC CONSULTATION RESULTS
– AREA BOUNDED BY MCGREGOR AVENUE, ROYAL OAK AVENUE,
CARSON STREET, AND MCKEE STREET**

PURPOSE: To review the results of the consultation process regarding a request for an area rezoning from the R4 and R9 Residential Districts to the R12S Residential District and to recommend that the subject area be advanced through the rezoning process.

RECOMMENDATIONS:

1. **THAT** the Community Development Committee recommend that Council authorize that a Rezoning Bylaw for the area bounded by McGregor Avenue, Royal Oak Avenue, Carson Street, and McKee Street as referenced in *Schedule A*, be prepared and advanced to First Reading on 2014 January 13 and to Public Hearing on 2014 January 28 at 7:00 p.m. to rezone the subject properties from the R4 and R9 Residential Districts to the R12S Residential District.
2. **THAT** a copy of this report be sent to the property owners and residents in the petition and consultation areas.

REPORT

1.0 BACKGROUND

A petition requesting the rezoning of the area bounded by McGregor Avenue, Royal Oak Avenue, Carson Street, and McKee Street from the R4 and R9 Districts to the R12S Residential District was received in the Planning Department. The petition represents an area consisting of 30 legal lots (see *Attachment #1*). The petition was signed by 15 (50%) of the 30 property owners.

On the recommendation of the Community Development Committee, Council at its regular meeting of 2013 June 10 authorized staff to initiate a consultation process to determine the level of support for the proposed area rezoning. This report reviews the results of the consultation process and recommends that the area rezoning be advanced.

2.0 CONSULTATION PROCESS

The approved consultation process for the subject area rezoning, involved distribution by the City of a brochure, questionnaire and the holding of an open house hosted by Planning Department staff. The brochure and questionnaire were distributed to the property owners and residents of the 30 properties in the proposed rezoning area and to 104 owners and residents in the consultation area, within 100 metres of the rezoning area.

A community open house was held on 2013 November 07 at Nelson Elementary School and was attended by 22 residents.

2.1 Responses in the Rezoning Area

There were 22 responses to the questionnaire from the property owners of the 30 lots in the rezoning area, which is a 73% response rate. The table below contains the questionnaire results for owners in the rezoning area.

Questionnaire Results – Owners in the Rezoning Area

	Support	Oppose	Undecided	Did Not Respond
Resident Owner	14	5	0	7
Absentee Owner	3	0	0	1
Total	17	5	0	8

This return shows that 17 of the owners favour the proposed area rezoning while five are opposed. The 17 positive responses represent 57% of the total number of lots in the subject area.

There were two responses in support from tenants in the rezoning area.

2.2 Responses in the Consultation Area

Twenty-four questionnaires were returned from residents and property owners in the broader consultation area. Fourteen supported the rezoning. Ten objected to the rezoning.

3.0 DISCUSSION

The key factor in recommending whether an area rezoning should proceed through the rezoning process is evidence of majority opinion in support of the rezoning within the proposed rezoning area. The adopted guidelines for area rezonings state that a proposal should meet the following criteria, in terms of responses to the questionnaire in order to be forwarded to Public Hearing:

1. Where the response rate is 100%, at least 50% of the properties have indicated that they support an area rezoning; or

To: Community Development Committee
From: Director Planning and Building
Re: R12S District Area Rezoning Public Consultation Results
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2. Where the response rate is less than 100%, at least 50% of the properties have responded and 70% of those who responded support the area rezoning.

The response rate for the subject area rezoning does not meet the first criteria because 100% of the properties within the rezoning area did not respond. However, the response rate does meet the second criteria as 73% (22) of the property owners in the rezoning area responded. Of these respondents, 17 support the area rezoning proposal which represents 77% of the respondents. This result meets the 70% support requirement. There were five property owners opposed representing 23% of the respondents. Eight property owners did not respond.

As such, the proposal meets the Council adopted guidelines for area rezoning as there is majority support among the property owners within the rezoning area. Therefore it is recommended that this proposal be advanced through the rezoning process.

Should the rezoning process conclude to establish the R12S District, nine lots would be eligible for a two lot subdivision with a single family dwelling permitted on each new lot. Two lots would be eligible for a two family dwelling. The remaining lots would retain their single family dwelling potential. Development potential is subject to meeting all City bylaw requirements.

4.0 CONCLUSION

The results of the public consultation process for the proposed R12S area rezoning of of the area bounded by McGregor Avenue, Royal Oak Avenue, Carson Street, and McKee Street has been reviewed and is included in this report. Of the 30 property owners in the rezoning area, 17 indicated support, five objected, and eight did not respond. As such, the proposal has reached the required percentage of support under the City's adopted guidelines for the Area Rezoning program.

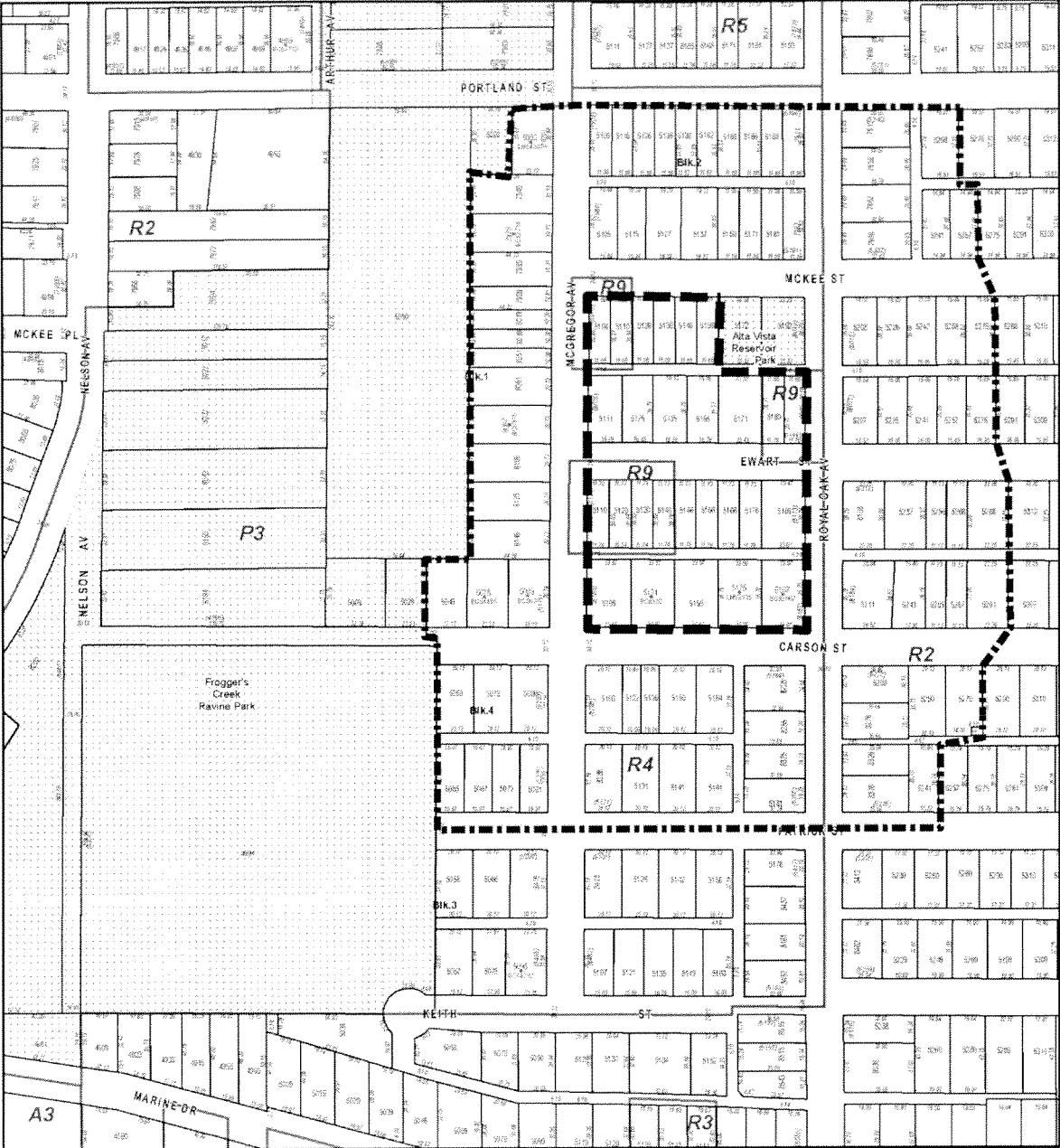
It is recommended that the Community Development Committee advance this report to Council recommending that the proposed R12S area rezoning process be advanced and that a copy of this report be sent to the property owners and residents for their information.







Lou Pelletier, Director
PLANNING AND BUILDING

SF/sa
Attachments

- cc: City Manager
Director Finance
Director Engineering
City Solicitor
Chief Building Inspector
City Clerk



	<p>PLANNING & BUILDING DEPARTMENT</p>	
<p>DATE: MAY 15 2013</p>	<p>MCKEE ROYAL OAK CARSON MCGREGOR R12S</p>	
<p>SCALE: 1:3,500</p>	<p>  Rezoning Area  Consultation Area </p>	
<p>DRAWN BY: AY</p>		

Schedule A

Address	Legal Description	Zoning District
5104 McKee Street	Lot A, DL 158, Grp 1, NWD Plan 72643	R9
5110 McKee Street	Lot B, DL 158, Grp 1, NWD Plan 72643	R9
5126 McKee Street	West Half Lot 2, Blk 4, DL 158, Grp 1, NWD Plan 1882	R4
5136 McKee Street	East Half Lot 2, Blk 4, DL 158, Grp 1, NWD Plan 1882	R4
5146 McKee Street	West Half Lot 3, Blk 4, DL 158, Grp 1, NWD Plan 1882	R4
5156 McKee Street	East Half Lot 3, Blk 4, DL 158, Grp 1, NWD Plan 1882	R4
5110 Ewart Street	Lot A, DL 158, Grp 1, NWD Plan 76773	R9
5111 Ewart Street	Lot A, DL 158, Grp 1, NWD Plan 21634	R4
5120 Ewart Street	Lot B, DL 158, Grp 1, NWD Plan 76773	R9
5125 Ewart Street	Lot B, DL 158, Grp 1, NWD Plan 21634	R4
5130 Ewart Street	Lot 98, DL 158, Grp 1, NWD Plan 65453	R9
5135 Ewart Street	Lot 1, DL 158, Grp 1, NWD Plan 23317	R4
5140 Ewart Street	Lot 99, DL 158, Grp 1, NWD Plan 65453	R9
5146 Ewart Street	West Half Lot 3, Blk 6, DL 158, Grp 1, NWD Plan 1882	R4
5155 Ewart Street	Lot 2, DL 158, Grp 1, NWD Plan 23317	R4
5156 Ewart Street	East Half Lot 3, Blk 6, DL 158, Grp 1, NWD Plan 1882	R4
5166 Ewart Street	West Half Lot 4, Blk 6, DL 158, Grp 1, NWD Plan 1882	R4
5171 Ewart Street	Lot 7, Blk 4, DL 158, Grp 1, NWD Plan 1882	R4
5176 Ewart Street	East Half Lot 4, Blk 6, DL 158, Grp 1, NWD Plan 1882	R4
5186 Ewart Street	Lot 5, Blk 6, DL 158, Grp 1, NWD Plan 1882	R4
5189 Ewart Street	Lot 101, DL 158, Grp 1, NWD Plan 67947	R9
8087 Royal Oak Avenue	Lot 102, DL 158, Grp 1, NWD Plan 67947	R9
5105 Carson Street	Lot 10, Blk 6, DL 158, Grp 1, NWD Plan 1882	R4
5131 Carson Street	Strata Lot 1, DL 158, Grp 1, NWD Strata Plan BCS332 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V	R4
5133 Carson Street	Strata Lot 2, DL 158, Grp 1, NWD Strata Plan BCS332 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V	R4
5155 Carson Street	Lot 8, Blk 6, DL 158, Grp 1, NWD Plan 1882	R4
5175 Carson Street	Strata Lot 1, DL 158, Grp 1, NWD Strata Plan LMS2825 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1	R4
5177 Carson Street	Strata Lot 2, DL 158, Grp 1, NWD Strata Plan LMS2825 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1	R4

5187 Carson Street	Strata Lot 1, DL 158, Grp 1, NWD Strata Plan BCS2067 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V	R4
5189 Carson Street	Strata Lot 2, DL 158, Grp 1, NWD Strata Plan BCS2067 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V	R4