

NO: **R101**

COUNCIL DATE: **May 27, 2013**

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **May 27, 2013**

FROM: **General Manager, Planning and Development**

FILE: **6520-20**
(Al Cleaver/Tom Hopkins)

SUBJECT: **Al Cleaver Park & Tom Hopkins Ravine Park Neighbourhood -
Request for Zoning Changes**

RECOMMENDATION

The Planning and Development Department recommends that Council:

1. Receive this report as information;
2. Endorse the neighbourhood consultation process outlined in this report as the basis for determining the level of support in the Al Cleaver Park/Tom Hopkins Ravine Park neighbourhood for revisions to the zoning provisions that apply to the lots in the neighbourhood;
3. Request that staff provide a report complete with recommendations to Council upon completion of the neighbourhood consultation process; and
4. Instruct the City Clerk to forward a copy of this report and the related Council resolution to representatives of the Al Cleaver Park and Tom Hopkins Ravine Park Neighbourhood Group.

INTENT

The purpose of this report is to:

- advise of a rezoning request that has been received by way of a petition from the Al Cleaver Park and Tom Hopkins Ravine Park Neighbourhood Group (the "Neighbourhood Group"); and
- seek endorsement for a process to determine the level of neighbourhood support for the requested rezoning.

BACKGROUND

The Planning and Development Department received a petition, dated March 16, 2013, from residents in the Al Cleaver Park and Tom Hopkins Ravine Park neighbourhood that requests that the neighbourhood be rezoned by Council initiative from Single Family Residential Zone (RF) to Comprehensive Development Zone (CD) to preserve the existing residential character of the

neighbourhood. Appendix I illustrates the boundaries of the area within which such a rezoning is proposed. Appendix II illustrates the location of Al Cleaver Park and Tom Hopkins Ravine Park in relation to the defined neighbourhood area.

The proposed zoning is identical to the rezoning that was adopted in the St. Helen's Park Neighbourhood in 2006 and the Royal Heights Park Neighbourhood in 2007, as amended by Council in 2011. The CD Zone as proposed would permit smaller houses, with a lower building height than is permitted under the current RF Zone. In support of their request, the Neighbourhood Group presented a 48-signature petition from the owners of 47 lots of the 73 lots within the defined neighbourhood area (Appendix I). Based on the petition, it appears that the owners of approximately 64% of the 73 lots are in favour of the requested rezoning and the remaining 36% are either opposed or have not responded.

DISCUSSION

The subject neighbourhood is approximately 8.7 hectares (21.5 acres) in area. The area, shown on the map attached as Appendix I to this report, is bounded by 99 Avenue, Tom Hopkins Ravine Park, the northerly property lines of the lots to the north of 100 Avenue, and Al Cleaver Park. The area contains 73 residential lots, all of which are zoned Single Family Residential (RF) Zone. The land slopes down to the north providing views over South Westminster, the Fraser River, and the North Shore mountains. At the easterly edge of the neighbourhood, Al Cleaver Park is mostly a forested area with a Class A watercourse (Scott Creek) that runs through it and trails in the west section of the park. A greenbelt exists to the south of the park. Adjacent to the southerly boundary of the neighbourhood is a lot that is zoned Special Care Housing 1 Zone (RMS-1). To the west of the neighbourhood, Tom Hopkins Ravine Park has a very similar character to Al Cleaver Park as it also has a Class A watercourse (Delta Creek) that runs through it and trails on the west side of the Park.

The subject neighbourhood and the surrounding area are designated Urban in the Official Community Plan. Most of the lots in the surrounding area are zoned RF with a few lots zoned Duplex Residential Zone (RM-D), Single Family Residential Secondary Suite Zone (RF-SS), Special Care Housing 1 Zone (RMS-1), or Comprehensive Development Zone (CD). Adjacent to the northerly boundary of the subject neighbourhood is a four-acre townhouse development that is zoned Multiple Residential 15 Zone (RM-15). Within the neighbourhood, most of the lots (59%) were created by subdivision in 1959 and another 23% of lots created in the 1980s. These lots were created under the Restricted Single Family Residential Zone (R-F(R)), the predecessor of the current RF Zone. The R-F(R) Zone stipulated that lots within the Zone must have:

- a minimum lot area of 660 square metres (7,100 square feet);
- a minimum lot width of 18 metres (60 feet); and
- a minimum lot depth of 28 metres (90 feet).

In comparison, the current RF Zone stipulates that lots must:

- have a minimum lot area of 560 square metres (6,000 square feet);
- have a minimum lot width of 15 metres (50 feet); and
- have a minimum lot depth of 28 metres (90 feet).

The majority of the houses in the neighbourhood:

- were built between the late 1950s and the 1980s (the most common building years being 1959, 1966/67, and 1987);
- are of moderate size (2000 – 3000 square feet);
- are either one storey with a large basement or two storey with a basement; and
- have low pitched roofs.

Approximately 15% of the houses in the neighbourhood have been constructed over the last 20 years and typically have a floor area over 3000 square feet. The RF Zone permits a maximum floor area of 3,550 square feet on each lot. The Zoning By-law permits an in-ground basement, which is not counted toward the floor area on the lot.

The intention of the Neighbourhood Group is to preserve the existing residential character of the neighbourhood. The Group would like to have changes to the zoning in the neighbourhood related to house size, building height, roof pitch, and building setback that are more restrictive than the current provisions in the RF Zone. Similar to the provisions of the CD Zone adopted for the Royal Heights Park Neighbourhood, the petitioners have requested that a CD Zone be adopted for their neighbourhood that contains the following restrictions:

1. The maximum floor area to be reduced from 3,550 square feet (330 square metres) as allowed under the RF Zone (including the garage or carport, but not including in-ground basement and any accessory building up to a maximum of 105 square feet) to 3,200 square feet (298 square metres) including any in-ground basement, garage/carport and all accessory buildings and structures;
2. The maximum height of the house to be reduced from 30 feet (9 metres) as allowed under the RF Zone to 22 feet (6.7 metres) in the CD Zone;
3. The side yard setback to be a minimum of 6 feet (1.8 metres) in the CD Zone as opposed to 4 feet (1.2 metres) as is permitted under certain circumstances in the RF Zone; and
4. The minimum roof pitch to be 2:12 and the maximum roof pitch to be 6:12 in the CD Zone in comparison to the RF Zone that has no restrictions on the roof pitch.

These provisions are similar to those that were adopted for the St. Helen's Park and Royal Heights neighbourhoods. If the requested rezoning is adopted, any new houses in the neighbourhood would generally be limited to two-storeys with each storey having a ceiling height of no more than 2.44 metres (8 feet) and a relatively shallow roof pitch. If a steeper roof were incorporated into the design, the house would then be limited to a single storey with the main floor on grade and an in-ground basement.

Proposed Neighbourhood Consultation Process

Subject to Council approval, staff is proposing that the public consultation process described in the following section of this report be undertaken to determine the level of neighbourhood support for the rezoning that has been proposed by the Group. This process will accurately determine the level of support in the neighbourhood for the requested rezoning and related zoning provisions. While acknowledging that the Neighbourhood Group has submitted a petition that shows that approximately 64% of the owners of lots in the neighbourhood support a

rezoning, it is important that the City undertake due diligence to ensure that the owners who support the rezoning clearly understand the implications and that the degree of support within the neighbourhood is verified. While the owners in favour of the proposed rezoning take pride in their neighbourhood and wish to maintain its character, the rezoning proposal does have implications that may be of concern to other owners who bought their lots on the basis of the development potential that is available under the RF Zone.

The following is a description of the proposed neighbourhood consultation process:

1. The Neighbourhood Group will hold a neighbourhood open house/meeting to gauge the level of support for the proposed zoning provisions. City staff will attend the meeting as a resource to answer any technical questions about the draft zoning provisions and respond to any questions about the rezoning process;
2. On the basis of the comments received at the open house, the Neighbourhood Group, in consultation with City staff will revise or fine-tune the proposed zoning provisions. Staff will work with the Neighbourhood Group representatives to prepare a draft CD Zone;
3. Staff will send a survey by registered mail to each lot owner whose property is proposed to be included in the rezoning. The mail out will contain detailed information on the provisions of the draft CD Zone and a questionnaire by which each owner will be requested to respond. This survey will be used to determine the extent of support or opposition on the part of the owners of lots that will be directly involved in the rezoning; and
4. Staff will provide a report to Council for consideration that includes the results of the consultation process and the related survey and provides recommendations in relation to whether or not the rezoning process should be formally commenced.

The above-described process is similar to the process that was undertaken for each of the St. Helen's Park and Royal Heights neighbourhoods, respectively.

CONCLUSION

Based on the above discussion, it is recommended that Council:

- endorse the neighbourhood consultation process outlined in this report as the basis for determining the level of support in the Al Cleaver Park/Tom Hopkins Ravine Park neighbourhood for revisions to the zoning provisions that apply to the lots in the neighbourhood;
- request that staff provide a report complete with recommendations to Council upon completion of the neighbourhood consultation process; and

- instruct the City Clerk to forward a copy of this report and the related Council resolution to representatives of the Al Cleaver Park and Tom Hopkins Ravine Park Neighbourhood Group.

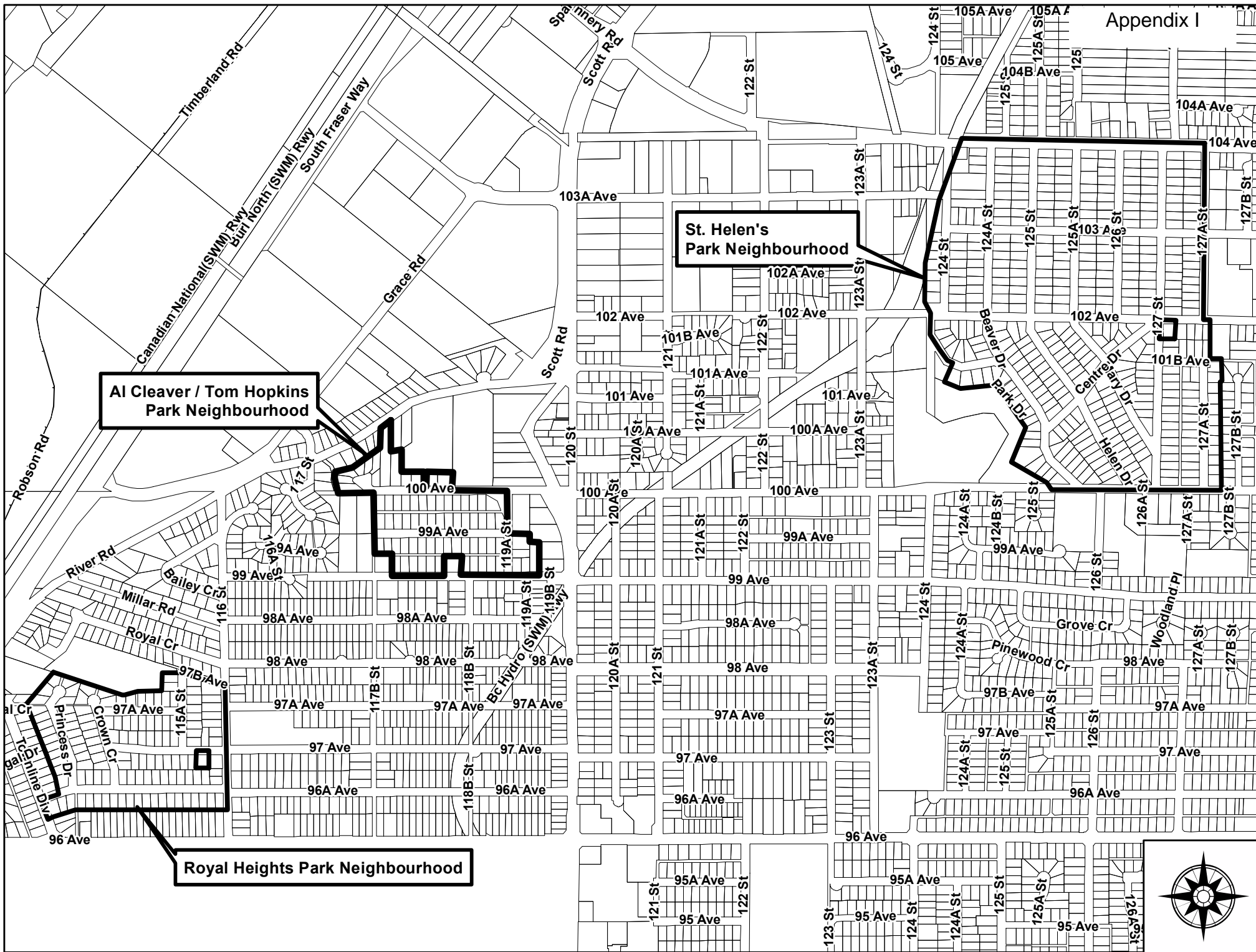
Original signed by
Jean Lamontagne
General Manager,
Planning and Development

FKW:saw

Attachments:

Appendix I Map of Al Cleaver Park and Tom Hopkins Ravine Park Neighbourhood

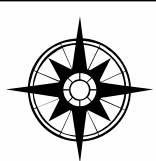
Appendix II Map showing the location of Al Cleaver Park and Tom Hopkins Park

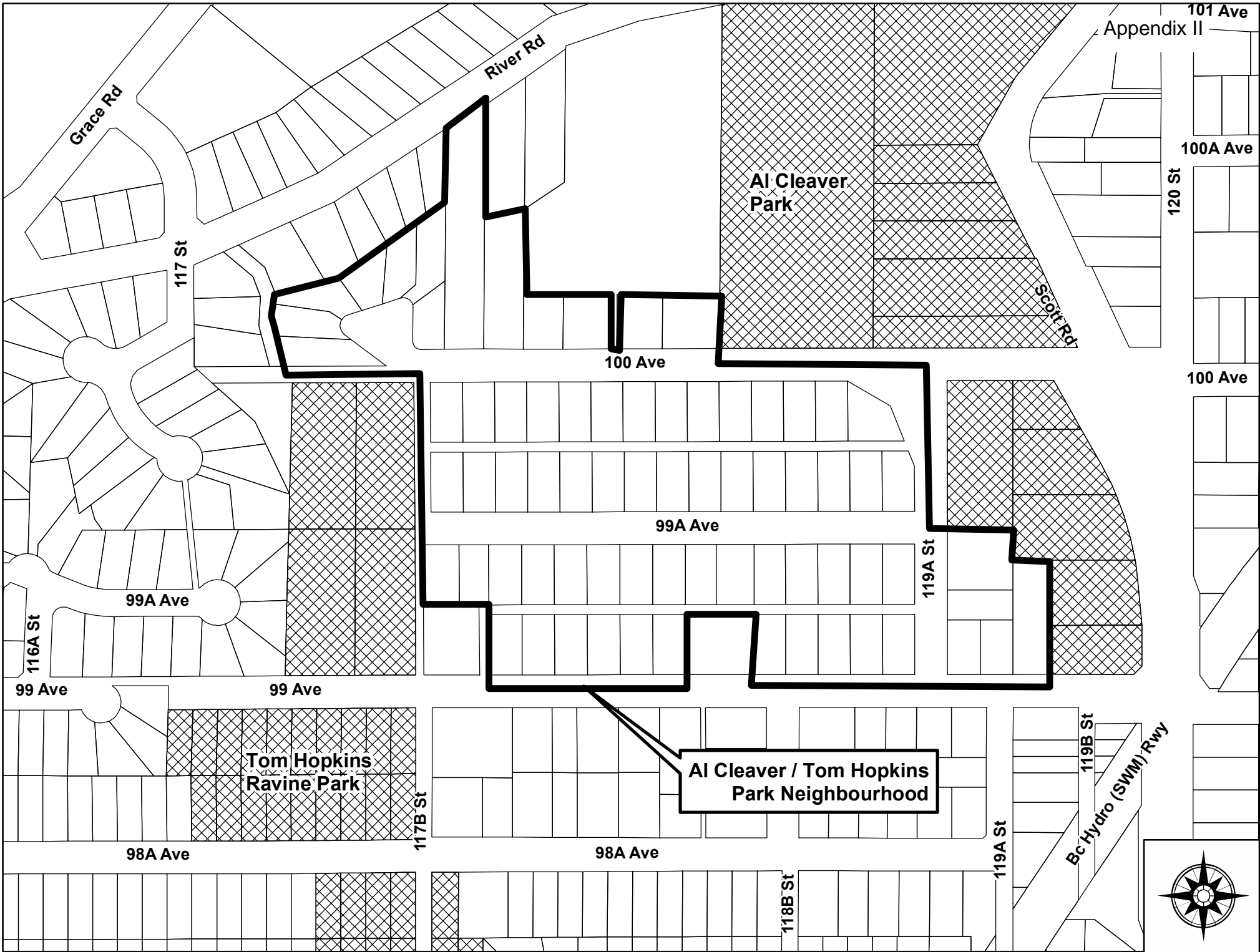


**AI Cleaver / Tom Hopkins
Park Neighbourhood**

**St. Helen's
Park Neighbourhood**

Royal Heights Park Neighbourhood





101 Ave
Appendix II

100A Ave

120 St

100 Ave

Al Cleaver
Park

Scott Rd

100 Ave

99A Ave

119A St

99A Ave

116A St

99 Ave

99 Ave

Tom Hopkins
Ravine Park

117B St

98A Ave

98A Ave

118B St

119A St

119B St

Bc Hydro (SWM) Rwy

AI Cleaver / Tom Hopkins
Park Neighbourhood

