

COMMITTEE REPORT

TO: CHAIR AND MEMBERS
PLANNING AND DEVELOPMENT
COMMITTEE

DATE: 2017 January 26

FROM: DIRECTOR PLANNING AND BUILDING

FILE: 49500 10
*Reference: R12S 4036 to 4098 Kincaid
Street (south side)*

**SUBJECT: R12S DISTRICT AREA REZONING PUBLIC CONSULTATION
RESULTS – 4036 TO 4098 KINCAID STREET (SOUTH SIDE)**

PURPOSE: To review the results of the consultation process regarding a request for an area rezoning from the R5 to the R12S District and to recommend that the subject area not be advanced through the rezoning process.

RECOMMENDATIONS:

1. **THAT** the Planning and Development Committee recommend that Council not advance the request for the R5 to R12S area rezoning for 4036 to 4098 Kincaid Street (south side).
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 south side of 4036 to 4098 Kincaid Street from the R5 Residential District to the R12S Residential District was received in the Planning Department. The petition represents an area consisting of ten legal lots containing eight single family dwellings and one strata two family dwelling (two legal lots) (see attached *Sketch #1*). The petition was signed by six (60%) of the ten property owners in the proposed rezoning area.

On the recommendation of the Planning and Development Committee, Council at its regular meeting of 2016 July 11 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 not be advanced.

2.0 CONSULTATION PROCESS

The approved consultation process for the subject area rezoning involved the distribution of a brochure and questionnaire to the property owners and residents of the ten properties in the proposed rezoning area and to 65 owners and residents in the consultation area. In addition, a community open house was held on 2016 November 17 at Cascade Heights Elementary School and was attended by approximately five residents.

2.1 Responses in the Rezoning Area

There were eight responses to the questionnaire from the property owners of the ten properties in the rezoning area, which is an 80% 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	2	2	1	2
Absentee Owner	3	0	0	0
Total	5	2	1	2

This return shows that five of the owners favour the proposed area rezoning while two are opposed and one is undecided. The five positive responses represent 50% of the total number of properties in the subject area.

There were no responses from tenants in the rezoning area.

2.2 Responses in the Consultation Area

There were three questionnaires returned from the 65 residents and property owners in the broader consultation area. Two respondents supported the proposed rezoning and one respondent, who indicated they would also like to have their property rezoned, did not express either support or opposition to the proposed 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 property owners have indicated that they support an area rezoning; or,
2. Where the response rate is less than 100%, at least 50% of the properties have responded and at least 70% of those who responded support the area rezoning.

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The response rate for the subject area rezoning does not meet the first criteria because less than 100% of the properties within the rezoning area responded. However the response rate does meet the second criteria as 80% (eight) of the property owners in the rezoning area responded. Of these respondents, five supported the area rezoning proposal which represents 62.5% of the respondents. This result does not meet the 70% support requirement. There were two property owners opposed, representing 25% of the respondents, and one property owner undecided, representing 12.5% of the respondents. Two property owners did not respond.

As such, the proposal does not meet the Council adopted guidelines for area rezoning as there is not adequate support among the owners within the rezoning area. Therefore it is recommended that this proposal not be advanced through the rezoning process.

4.0 CONCLUSION

The results of the public consultation process for the south side of 4036 to 4098 Kincaid Street have been reviewed and are included in this report. Of the ten property owners in the rezoning area, five indicated support, two objected, and one was undecided. As such, the proposal has failed to reach the required percentage of support under the City's adopted guidelines for the Area Rezoning program.

Therefore, it is recommended that the Planning and Development Committee advance this report to Council recommending that the proposed R12S area rezoning process not 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

LS:spf
Attachment

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



PLANNING & BUILDING DEPARTMENT



DATE:
JUN 13 2016

SCALE:
1:5,919

DRAWN BY:
AY

SOUTH SIDE OF 4000 BLOCK KINCAID STREET R12S



Rezoning Area



Consultation Area

Sketch #1