



City of PARKSVILLE

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SPECIAL COMMITTEE OF THE WHOLE MEETING AGENDA

WEDNESDAY, JUNE 18, 2008 – 6:00 P.M.

A special meeting of Committee of the Whole will be held in the Civic and Technology Centre, 100 E. Jensen Avenue, Parksville, BC, on Wednesday, June 18, 2008 at 6:00 p.m. to consider the following item of business:

1. **TO REDUCE OR ELIMINATE NEW SINGLE FAMILY SUBDIVISIONS** - Pages 1 to 8

2. **ADJOURNMENT**

LAURIE TAYLOR
Director of Administrative Services

June 13, 2008
1:00 p.m.

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8. REPORTS

a) Committee of the Whole – April 14, 2008, 2008

08-089 THAT the report of the Committee of the Whole meeting held April 14, 2008 be received and the following recommendations considered:

(7) **Director of Community Planning – Consideration of Options to Reduce or Eliminate New Single Family Subdivisions**

Main Motion

Lefebvre - Johnston

THAT the report from the Director of Community Planning dated July 25, 2007 entitled "Consideration of Options to Reduce or Eliminate New Single Family Subdivisions", be referred to the Committee of the Whole on April 28, 2008.

Amendment:

Lefebvre - Johnston

THAT the motion regarding the referral of the report entitled "Consideration of Options to Reduce or Eliminate New Single Family Subdivisions" be amended to refer the report to a special meeting at the earliest date in June 2008. CARRIED.

Main Motion as Amended

Lefebvre - Johnston

THAT the report from the Director of Community Planning dated July 25, 2007 entitled "Consideration of Options to Reduce or Eliminate New Single Family Subdivisions", be referred to a Special Committee of the Whole at the earliest date in June 2008. CARRIED.

PLANNING COMMITTEE REPORT

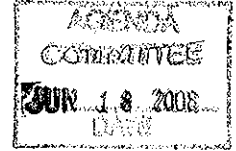


July 25, 2007



REPORT TO: F. C. MANSON, C.G.A., CHIEF ADMINISTRATIVE OFFICER

FROM: G. A. JACKSON, DIRECTOR OF COMMUNITY PLANNING



SUBJECT: CONSIDERATION OF OPTIONS TO REDUCE OR ELIMINATE NEW SINGLE FAMILY SUBDIVISIONS

Issue:

Consideration of options to reduce or eliminate new single family subdivisions.

Background:

On July 16th Council passed a motion which directed Staff to bring forward options for the elimination or reduction of new single family subdivisions. There are essentially two primary options, should Council opt to eliminate or reduce new single family subdivisions:

- Rezone the remaining vacant [single family zoned] land (and land with low value improvements) to a zone which permits a higher density; or,
- amend the existing minimum lot size in the single family zones to a larger size so as to preclude conventional single family sized lots, and, as a related action;
- Remove the option of subdividing to a single family lot size in all other types of zones.

Rezoning generally and down-zoning in particular, are bona fide and lawful planning tools provided that they are used in a procedurally correct manner, are used in good faith, and provided that some development rights remain. It is most commonly used during or following an OCP review process or the adoption of a new zoning bylaw.

It should be noted that the effects of such a zoning amendment initiated by the City would not necessarily be immediate. Section 943 of the *Local Government Act* protects "in stream" applications for a period of one year from the adoption date of a bylaw change. The Section reads as follows:

"943. If, after

- (a) an application for a subdivision of land located outside a municipality has been submitted to a district highway manager in a form satisfactory to that official, or
- (b) an application for a subdivision of land within a municipality has been submitted to an approving officer and the applicable subdivision fee has been paid,

a local government adopts a bylaw under this Part that would otherwise be applicable to that subdivision, the bylaw has no effect with respect to that subdivision for a period of 12 months after it was adopted unless the applicant agrees in writing that it should have effect."

This means that the act of down zoning [or 'up zoning'] does not immediately or even necessarily prevent the specified use from occurring. An "in stream" applicant would typically work with haste to complete their development within the prescribed year when they are protected from the bylaw change. If they are agreeable to the change they can voluntarily comply with the new regulation/zoning immediately.

Staff understands that Council's motion was advanced as a result of 'sustainability concerns'. In this context "single family land use", based on the current state of knowledge is generally considered "unsustainable" because of its low density and large eco footprint. However, in the absence of specific and broadly accepted criteria, it is possible for some to argue that appropriately designated single family subdivisions can incorporate elements of sustainability.

The City of Parksville has approximately 300 parcels which are sufficiently large and have sufficiently low improvement values [so as not to be a disincentive to redevelopment] that some single family subdivision is possible. The zoning and OCP circumstances may vary. A generalized description of the general categories into which the 300 parcels can be classified follows:

1. There are approximately 61 parcels which are zoned residential (RS-1), but have a different, predominantly multiple family, OCP designation. It is possible [but certainly not guaranteed] that the owners may perceive the development value to be in a higher density land use and never pursue a single family subdivision application. However, if market conditions are 'right' for single family development this option may be chosen. The fact that a rezoning is necessary to achieve the 'multiple family use' may also be a factor which tips the balance towards single family. (In the past few years there have been a number of developments done at a lower density than originally envisioned, i.e. part of Maple Glen, Bridgewater, and, Corfield Glades.)
2. There are approximately 15 parcels which are zoned A-1, which permits the possibility of single family subdivision. At this time virtually all of these properties are either in the ALR or have servicing constraints. Should this situation change, conventional subdivision could occur without the need for a zoning amendment process.
3. There are approximately 15 parcels zoned for a higher density (RS-2 or RS-3), but which have the option to develop as single family given the way the zone category is written.
4. There are several properties which were amalgamated into the City from the RDN, and which brought with them their RDN zoning, which facilitates single family subdivision, albeit under slightly different regulations than the City's RS-1 zone.

5. There are approximately 236 parcels which are zoned for single family development (RS-1) and which could be subject of a subdivision application at any time. Most of these parcels are imbedded in residential areas and are smaller in size. Approximately 13 of the parcels are notably larger than the others. At least 2 in this 'large' category are 'in stream' at this time.

Options:

Council may:

1. Direct Staff to prepare a Bylaw and commence the statutory process to initiate the down zoning process [i.e. increasing minimum lot size] for all lands which could be subdivided to create one or more single family lots.
2. Direct Staff to prepare a Bylaw and commence the statutory process to initiate the down zoning process [i.e. increasing minimum lot size] for all lands which could be subdivided to create ten or more single family lots.
- 2.(a.) Direct Staff to create a policy which would encourage potential sites for single family lots to consolidate to create sites for "higher" sustainable appropriate density.
3. Await the OCP review and advance the topic of down zoning potential single family subdivision lands as an OCP consideration.
4. Direct Staff to prepare a Bylaw and commence the statutory process to change all higher density zones that permit single family as an option by removing the option of developing single family lots.
5. Rezone ["up zone"] lands which have RS-1 zoning and a different OCP designation, to a zone that would enact the OCP designation.
6. Maintain the status quo at this time, and consider "sustainability" as part of an OCP review.
7. Select one of the above options and request a more detailed analysis.

Analysis:

The 'objective' of reducing or eliminating future single family subdivisions has not been sufficiently established. It is anticipated that there are 5 possible objectives:

- A. Status-quo single family [subdivision] may be considered to be unsustainable because it sets up a housing form which has a larger eco-footprint than other housing forms, such as multiple family. It utilizes more land, tends to embody fewer sustainability practices in building and servicing design than does multi family or mixed use developments.
 - i. From a sustainability perspective it may be considered best to leave the land in a large holding at this time.

- ii. From a sustainability perspective it may be considered best to increase the permissible density to make it eco-friendly and more capable of meeting higher sustainability standards.
- B. There is a desire to prevent new, land intensive development generally out of a concern for the City's capacity to provide servicing upgrades.
- C. There is a desire to slow the pace of new development so as to have time to revise development standards generally and/or deal with development on a one-off basis so as to be able to evaluate and apply sustainability standards.
- D. There is a desire to set a population limit.
- E. It is known that taxes received do not offset on-going costs to the municipality.

If #A is the primary objective, then Options 1, 2, 3, 4, and 5 are possible options.

If #B is the primary objective, then Options 1 and/or 3 are the logical options.

If #C is the primary objective, then Options 1 and/or 3 are the logical options.

If #D is the objective, then Options 1 and 3 are the logical options.

If #E is the objective, then Options 1 and 4 are the logical options.

1. Down zoning always prompts a reaction. This type of initiative requires strong and cohesive support as it tends to attract opposition and controversy.

It is perceived by land owners as an affront on their investment. Depending on the messaging context, it may also receive a reaction by neighbouring property owners. It is likely that neighbouring property owners would approve of the concept of down zoning as a means to slow or stop development, but, would not support the eventual rezoning to a higher density, if that is the goal. It is also probable that the development community would have a reaction. Conversely, down zoning would demonstrate leadership and "cutting edge" innovation to a public who is informed about and committed to sustainability principals.

Down zoning will not necessarily stop "in stream" subdivisions. Therefore the impact of the initiative may be limited. Down zoning is one half of the sustainability equation; ensuring higher density may be the other. Development property owners would expect approval of a more sustainable higher density model of development. This could lessen the ability to negotiate on a development specific basis in the future.

Different life stages require different housing needs. Young families are attached to smaller urban cities like Parksville because of the ability to occupy detached freehold houses with their own lots, the proximity of services, and a private garden or play space. The removal of single family development may create a socially unsustainable demographic, potentially leading to a reduction of those services catering to young families.

The exclusion of this housing form precludes the application of future secondary suites or accessory dwelling units on single family lots. Small lot single family subdivisions which generate higher densities and respect families desire to reside in a detached dwelling, would also be lost as an infill option. These infill techniques have been in practice for some time and are considered part of a **logical and incremental pattern of growth**. Contained suites and or ADU's could be used as "granny flats" for caregivers. These infill options allow children to care for their parents or relatives in the family home.

Down zoning of all parcels with potential subdivision would take away "infill" opportunities within existing single family neighbours and, if up zoning is ultimately contemplated, would require those same neighbourhoods to be accepting of higher density developments.

Rezoning by the City [up zoning] to a use that is considered appropriate will take away the ability to negotiate for amenities including servicing upgrades. This is because the legislation restricts what the City can require once a property is zoned. It would mean that off-site servicing deficiencies would be paid for by the City rather than the developer. (An amendment and rethinking of the approach to DCC's could address this to some degree.) It would also garner public reaction particularly where the neighbouring property owners believe that the compatibility of uses in single family neighbourhoods is more important than sustainability principals. The 'up-zoned' land would sell at an 'up-zoned' price; making it difficult to provide any requirements after the fact. Purchasers of 'zoned' land expect it to be readily developable for the uses indicated under the zoning.

2. 'Down zoning' of only larger parcels of development land, would permit development in established neighbourhoods to continue in accordance with the status quo. It may mean that larger land owners or developers perceive themselves or their plans to be discriminated against.
3. As an OCP topic, a more solid policy basis may emerge for substantiating down zoning and selecting one candidate from another. There are many peripheral considerations which could also be considered, such as:

What would the impact be to affordability of housing?
Servicing capacity?
The ability to negotiate for amenities in cases of "up zoning"?
How are Regional Growth Management principals impacted?

However, leaving such an impactful topic on the tables, without quick resolution could create some uncertainty in both the development and the overall community. It is also possible that such a controversial topic could become the paramount focus of an OCP review making it challenging to address other issues.

4. Removal of the option in higher density zones of having a choice to construct single family development is possible and appropriate. There may be some negative reaction from some impacted property owners who wish to have the range of choice.

5. Rezoning [up-zoning] of sites which are zoned RS-1 yet have a different [higher] OCP designation is possible and would likely not receive significant property owner opposition. It may receive neighbourhood opposition. This approach however takes away the ability to compel the applicant to address and supply servicing at the time of rezoning. This means that when the property is to be developed the City would be required to provide servicing to the sites, as subsequent processes do not offer this option. The 'up-zoned' land would sell at an 'up-zoned' price; making it difficult to provide any requirements after the fact. Purchasers of 'zoned' land expect it to be readily developable for the uses indicated under the zoning.
6. Maintaining the status quo will mean the continuation of an "unsustainable" development model and loss of land which could be put to a more sustainable use.

It is a very bold initiative to attempt to force and 'jump start' a new way of thinking ahead of it receiving widespread acceptance by the population. If initiatives too drastically precede common acceptance, a backlash can be expected. The result of this may be to go backwards from a policy perspective. It is arguable that this has happened previously with some of the City's 'cutting edge' planning initiatives, such as the imposition of Comprehensive Development designations and zones throughout. It may be more effective to work gradually towards sustainability goals.
7. These topics are complicated. This report is general in nature. If a commitment to a particular objective (see A to D above) can be established and a preferred Option selected (#1 to 6) a more specific analysis could be provided.

Financial Implications:

This topic is too complex for a detailed analysis in this context. Each of the above options will have some financial implications in the following general categories; impact on assessments/tax base, impact on housing cost, impact on cost of servicing and ability to pay for servicing.

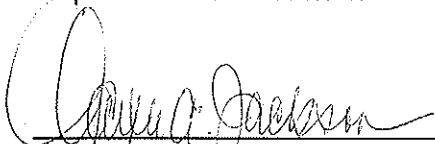
A more meaningful assessment could and should be provided once the range of goals and options are narrowed.

Sustainability/Environmental Analysis:

As with financial implications, a meaningful assessment could be provided once the goal and options are narrowed. Each of the above choices offers some element of sustainability.

Recommendation:

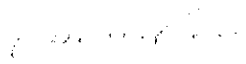
That Council maintain the status quo at this time, and consider the general topic "sustainability" as part of an OCP review.



GAYLE A. JACKSON

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ECONOMIC DEVELOPMENT OFFICER'S COMMENTS:



C. GROVER

CORPORATE ADMINISTRATOR'S COMMENTS:



L. TAYLOR

DIRECTOR OF FINANCE COMMENTS:

L. BUTTERWORTH

DIRECTOR OF ENGINEERING AND OPERATIONS COMMENTS:


From a technical perspective single family (lower density) development generally costs more to service per unit, including on-going operating and maintenance costs, as compared to a higher density zone. Creating higher densities would lower these basic servicing costs, however it would increase 'demands' (i.e. the need for more water, sewer capacity, etc.), and may result in the need for increased costs in the shorter term, to expand required infrastructure.

The financial (and other) impacts of any change to current zoning, on the City's ability to require servicing as a condition of such process, should be assessed as part of any detailed review of options. These changes may affect DCC rates and the City's Long Term Capital Plan.

Increasing demands on the local water supply and other resources could be perceived by some as creating a less sustainable situation from an environmental perspective (there are three generally accepted aspects to sustainability i.e.; economic, social and environmental).

G. O'ROURKE, P. ENG.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:



F. MANSON, C.G.A.