

## **ADMINISTRATIVE REPORT**

<b>TO:</b> Planning Committee
<b>FROM:</b> Administration
<b>DATE:</b> July 6, 2020
<b>RE:</b> Zoning Amendment – Allow Living Suite in 14 <sup>th</sup> Avenue RR Zone

### **ISSUE**

Application for a zoning amendment at 39 – 14<sup>th</sup> Avenue to allow for the development of a living suite in the RR – Restricted Residential Detached (RR) zone.

### **REFERENCE**

2010 Official Community Plan

Zoning Bylaw 2012-20

### **HISTORY**

The owners of the property located at 39 – 14<sup>th</sup> Avenue would like to build a living suite in their single detached home. A living suite is a separate, self-contained dwelling unit within a house. The applicant has requested a zoning amendment that would allow living suites as a secondary use.

Along with three adjacent lots, the subject property was created as part of a broader City-led infill project in 2011. These four lots are located beside the Guild Hall on 14<sup>th</sup> Avenue in Porter Creek. RR zoning was chosen for some of the infill lots created at that time.

In 2016, in response to multiple inquiries, Administration issued an online survey to all RR property owners regarding the possible allowance of suites in the zone. This was done to investigate the feasibility of a future zoning amendment that would allow living suites for all properties in the RR zone. Approximately 25% of property owners completed the survey and of those that responded, approximately 55% supported the initiative to allow suites in the RR zone. Administration did not pursue any comprehensive changes to the RR zone at the time.

On June 3<sup>rd</sup>, 2020 the application was reviewed by the City's Development Review Committee and all issues raised have been addressed.

### **ALTERNATIVES**

1. Proceed with the amendment under the bylaw process.
2. Do not proceed with the amendment.

### **ANALYSIS**

#### **Official Community Plan (OCP)**

The OCP land use designation for this area is Residential – Urban, which allows for a variety of serviced residential development in close proximity to services and amenities. Residential – Urban areas can be used to accommodate all types of residential development, and secondary suites may be considered in single-detached dwellings.

Several other OCP policies provide support for allowing living suites, including:

- Policy 5.1.3 calls for a city-wide compact development pattern to ensure existing infrastructure is used most efficiently.
- Policy 20.2.3 states that the City shall create inclusive neighbourhoods by working to provide a diversity of housing types that are accessible to a wide range of people.

## **Zoning**

The subject area is zoned as RR – Restricted Residential Detached. The purpose of this zone is to provide single-detached housing on larger lots with a restricted range of housing forms and uses.

The RR zone has been in place since 1991 and applies to approximately 200 lots in Copper Ridge, Logan, Porter Creek, and Whistle Bend. This zone places emphasis on larger, more exclusive “estate” lots and was created before the promotion of dense, compact development became considered a planning best practice.

Houses in the RR zone must be a minimum of six metres wide, which means that houses built in this zone are required to be larger and typically have sufficient floor area to accommodate living suites.

The RR zone has a limited range of uses. It only permits single-detached housing and parks as principal uses and accessory buildings and minor home based businesses as secondary uses. The three lots adjacent to the subject property are also zoned RR.

There are approximately 1,300 single detached lots in Porter Creek, 95% are zoned RS – Residential Single Detached. In comparison to the RR zone, RS does not have a minimum building width and allows a wider range of uses and dwelling types such as duplexes, triplexes, secondary suites, B&Bs, residential care homes, etc.

In 2014, the owner of 37 – 14<sup>th</sup> Avenue applied for a zoning amendment to allow living suites as a secondary use. Administration recommended that the bylaw be defeated at second reading because it was considered to contravene the 2011 planning process led by the City when the infill lots were created. Allowing this rezoning so soon after the infill process could have created mistrust during future infill projects and make it difficult to use this planning tool to promote density and provide housing in the future. Council voted to defeat the bylaw at second reading.

In 2018, the City approved a zoning amendment for 112 and 114 North Star Drive in Copper Ridge to allow living suites on these two adjacent RR zoned properties.

The Zoning Bylaw specifies that the floor area of living suites is limited to 100m<sup>2</sup> (1,076 ft<sup>2</sup>) and requires a designated off-street parking space. These regulations are meant to ensure that living suites remain secondary to the principal residence and have a low impact on the surrounding neighbourhood. Allowing a living suite on the subject property would likely have little impact to the surrounding neighbourhood from a traffic, parking, or privacy perspective.

In the 2016 survey, the City received a variety of concerns and support from owners including:

<b>Concerns</b>	<b>Support</b>
Bought a home in the RR zone because of restrictions prohibiting living suites.	The lots and buildings are large which makes them ideal locations for suites.
Made a large investment on my RR property and do not want this changed.	With rising housing costs, RR zone suites would help address affordable housing.
Will result in more traffic and parking issues and negatively impact property values.	Secondary suites should be allowed in all residential zones to promote higher density.

### **Affordable Housing**

Housing affordability is a function of housing costs and incomes. Similar to most places in Canada, in Whitehorse housing costs have been increasing more quickly than incomes for the last decade and as a result housing affordability has worsened since 2011 when these infill lots were created.

Living suites allow for additional dwelling units in areas where there are existing municipal services such as sewer, water, and garbage/compost collection. Living suites are an important aspect of housing affordability, as they provide rental housing options for tenants and assist owners through rental income.

In 2011 RR zoning was chosen for the subject property and the three adjacent lots due to concerns from the public about consistency with the existing low-density neighbourhood. In the nine years that have passed since this decision, public opinion may have changed.

### **Schedule**

The proposed schedule for the amendment is as follows:

Planning Committee	July 6, 2020
1 <sup>st</sup> Reading	July 13
Newspaper Ads	July 17 and 24
Public Hearing	August 10
Report to Committee	September 8
2 <sup>nd</sup> and 3 <sup>rd</sup> Reading	September 14

### **ADMINISTRATIVE RECOMMENDATION**

THAT Council direct that Bylaw 2020-25, a bylaw to amend the zoning of 39 – 14<sup>th</sup> Avenue to allow living suites as a secondary use, be brought forward for consideration under the bylaw process.