Committee of the Whole Report
For the Meeting of April 12, 2018

To: Committee of the Whole

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: Rezoning Application No. 00599 for 2910 Shelbourne Street

RECOMMENDATION

That Council decline Rezoning Application No. 00599 for the property located at 2910 Shelbourne Street.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the Local Government Act, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures as well as the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 2910 Shelbourne Street. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District, to the RT Zone, Traditional Residential Attached Dwelling District, in order to permit the construction of a six-unit townhouse.

The following points were considered in assessing this Application:

- the proposal is consistent with the “Traditional Residential” designation in the Official Community Plan (OCP), which envisions ground-oriented attached dwellings
- the proposal is inconsistent with the General Development Guidance section of the OCP, which encourages the logical assembly of land
- the proposal is inconsistent with the “Townhouses up to 18 Units per Acre - 2.5 Storey Limit” designation in the Oaklands Neighbourhood Plan.

BACKGROUND

Description of Proposal

This Rezoning Application is to permit the construction of a six-unit townhouse development.
The following differences from the standard RT Zone, Traditional Residential District, are being proposed and will be discussed in relation to the concurrent Development Permit with Variances Application report:

- reduce the lot width from 20.0m to 19.72m
- increase the number of units in an attached dwelling from 4 to 6
- allow a roof deck
- reduce the setback to Shelbourne Street from 10.7m to 7.52m
- reduce the north side setback from 4.0m to 1.38m
- reduce the south side setback from 4.0m to 1.58m
- reduce the required parking from 9 vehicle stalls with 1 visitor stall to 6 stalls with no visitor stalls.

Affordable Housing Impacts

The applicant proposes the creation of six new residential units which would increase the overall supply of housing in the area.

Sustainability Features

The applicant has not identified any sustainability features associated with this proposal.

Active Transportation Impacts

The Application proposes a six-stall bicycle rack located at the entrance to the development.

Public Realm Improvements

No public realm improvements are proposed in association with this Rezoning Application.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings.

Land Use Context

The area is characterized by ground oriented residential land uses, ranging from single family dwellings to townhouses.

Existing Site Development and Development Potential

The site is presently a vacant lot. Under the current R1-B Zone, Single Family Dwelling District, the property could be developed as a single family dwelling with the inclusion of either a secondary suite or a garden suite.

Community Consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications, the applicant has consulted the Oaklands CALUC at a Community Meeting held on March 20, 2017. The minutes from this meeting are attached to this report.
ANALYSIS

Official Community Plan

The OCP designates the property within the Traditional Residential urban place designation. Within this designation multi-unit buildings up to three storeys, including attached dwellings, are envisioned along arterial and secondary arterial roads. Shelbourne Street is classified as a secondary arterial road. The envisioned floor space ratio is up to approximately 1 to 1 compared to the proposed floor space ratio which is 0.76 to 1.

However, the proposal is inconsistent with General Development Guidance Objective 6.8, which encourages the logical assembly of development sites that enable the best realization of permitted development potential for the area. In this instance, the logical assembly of land would include the two sites located to the south of the subject property (1650 and 1658 Pearl Street) as this would form a rectangular site and provide for more opportunity to design a more traditional building form. The applicant previously indicated to staff that the owners of these properties were unwilling to sell at this time.

Local Area Plans

The Oaklands Neighbourhood Plan Residential Development Potential map identifies this property for townhouses generally up to 18 units per acre with a 2.5 storey limit. This proposal is for 24.5 units per acre and three storeys, which is inconsistent with the plan. The plan also notes slight reductions in parking requirements can be considered in light of the location on existing major bus routes. Finally, the plan notes that building setbacks for new townhouses be at least 10.7 metres from Shelbourne Street.

Regulatory Considerations

Should Council consider approving the Rezoning Application, staff recommend that a 7.0m Statutory Right-of-Way (SRW) on Shelbourne Street be secured. This is a standard recommendation for rezonings on the western side of Shelbourne Street. Appendix 3 of the Oaklands Neighbourhood Plan notes that on October 14, 1993, Council approved a motion to permit a future highway widening of 7 metres. This can constrain the development potential of sites, and as such, staff take this into account when reviewing proposals. This Application proposes a variance from the 10.7m front yard setback to 7.53m, which could negatively affect the interface between the public and private realms when the road is widened.

CONCLUSIONS

The OCP and the Oaklands Neighbourhood Plan both envision townhouses on this property. While the Oaklands Neighbourhood Plan recommends a lower number of units as a general principle, the proposal is below the OCP’s contemplated density of 1 to 1 floor space ratio. The proposal has a number of differences from the standard RT Zone, Traditional Residential District, including a variance to the 10.7m setback from Shelbourne Street, which could negatively affect the development’s street relationship if road improvements are completed in the future. In addition, the logical assembly of land would include the two parcels of land to the south. Staff therefore recommend Council consider declining this Application.
ALTERNATE MOTIONS

Option 1 (revised plans)

That Council refer Rezoning Application No. 00599 for 2910 Shelbourne Street back to staff to work with the applicant to address the following:

1. Increasing the south side yard and east front yard setbacks to provide for an improved street relationship
2. Revising the design to take cues from the existing traditional context of the neighbourhood.

That Council direct staff to bring the Application back to the Committee of the Whole once these issues have been addressed to the satisfaction of the Director of Sustainable Planning and Community Development.

Option 2 (approve)

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00599 for 2910 Shelbourne Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Receipt of an executed 7.0m Statutory Right-of-Way off Shelbourne Street to the satisfaction of the City Solicitor.
2. Receipt of a letter from Modo indicating willingness to partner with the Applicant in providing a car share vehicle and car share memberships for each unit.
3. Receipt of a car share agreement that includes the purchase of one car share vehicle and car share memberships for all units (six in total) to the satisfaction of the Director of Engineering and Public Works.

Respectfully submitted,

Michael Angrove
Planner
Development Services

Jonathan Tinney, Director
Sustainable Planning and Community Development

Report accepted and recommended by the City Manager:

Date: April 3, 2018
List of Attachments

- Attachment A – Subject Map
- Attachment B – Aerial Map
- Attachment C – Plans dated/date stamped February 23, 2018
- Attachment D – Letter from applicant to Mayor and Council dated October 27, 2017