

3. **Rezoning Application No. 00519 and Development Permit Application No. 000495 for 71 and 75 Montreal Street (James Bay)**

**Motion:**

It was moved by Councillor Alto, seconded by Councillor Lucas:

**Rezoning Application No. 00519**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00519 for 71 and 75 Montreal Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council, and a Public Hearing date be set by staff once the following conditions are met:

1. Preparation and execution by the applicant of a Housing Agreement to ensure that a future strata corporation could not pass bylaws that would prohibit or restrict the rental of units to non-owners to the satisfaction of City Staff.
2. Preparation and execution by the applicant of a section 219 covenant for sewerage attenuation to mitigate the impact of increased density, as required, to the satisfaction of City Staff.

**Development Permit Application No. 000495**

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000495 for 71-75 Montreal Street in accordance with:

1. Plans dated stamped August 16, 2017
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution."

**For:**

**Opposed:**

**Mayor Helps, Councillors Alto, Coleman, Lucas, Thornton-Joe, and Young  
Councillor Isitt**

**Carried**

#### **4.2 Rezoning Application No. 00519 for 71 and 75 Montreal Street (James Bay)**

*Councillor Alto returned to the meeting at 11:58 am*

Committee received a report dated October 16, 2017, from the Director of Sustainable Planning and Community Development providing information and recommendations regarding the proposal to rezone the property located at 71 and 75 Montreal Street to a site specific zone to permit increased density and construction of 12 residential units.

*Councillor Loveday withdrew from the meeting via electronic participation at 12:07 pm*

Committee discussed:

- Ways to ensure that short-term vacation rentals will not be permitted.

**Motion:**

It was moved by Councillor Alto, seconded by Councillor Coleman, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00519 for 71 and 75 Montreal Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council, and a Public Hearing date be set by staff once the following conditions are met:

1. Preparation and execution by the applicant of a Housing Agreement to ensure that a future strata corporation could not pass bylaws that would prohibit or restrict the rental of units to non-owners to the satisfaction of City Staff.
2. Preparation and execution by the applicant of a section 219 covenant for sewerage attenuation to mitigate the impact of increased density, as required, to the satisfaction of City Staff.

Committee discussed:

- Looking at the vision for James Bay as a whole within a local area plan.
- Concerns of the community with parking and the number of units in the proposal.

*Councillor Isitt withdrew from the meeting at 12:13 pm*

Committee discussed:

- The development being more supportable with the reduction of units.

For: Mayor Helps, Councillors Alto, Coleman, Lucas, Thornton-Joe, and Young  
Against: Councillor Madoff

CARRIED 17/COTW



## **Committee of the Whole Report**

### **For the Meeting of October 26, 2017**

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**To:** Committee of the Whole **Date:** October 19, 2017

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

**Subject:** Development Permit Application No. 000495 for 71 and 75 Montreal Street

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### **RECOMMENDATION**

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000495 for 71-75 Montreal Street in accordance with:

1. Plans date stamped August 16, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution."

### **LEGISLATIVE AUTHORITY**

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the establishment of objectives for the form and character of intensive residential development, a Development Permit may include requirements respecting the character of the development including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

### **EXECUTIVE SUMMARY**

The purpose of this report is to present Council with updated information, analysis and recommendations for a revised Development Permit Application for the properties located at 71 and 75 Montreal Street. The proposal is to construct a 12-unit, ground-oriented residential building. The subject lands are located in Development Permit Area 16 and staff have reviewed the application against the Multi-Unit Residential Design Guidelines. The application is generally consistent with these guidelines.

## **BACKGROUND**

### **Description of Proposal**

The applicant proposes a two-storey, ground-oriented, 12-unit residential building with 12 underground parking stalls. Exterior building materials include:

- metal cladding
- white cementous panels
- cedar tongue and groove siding
- thermal windows.

Landscaping materials in common open space areas include:

- concrete pavers
- cast in place concrete low walls and metal railings
- various tree and shrub species (noted on landscape plan).

### **Sustainability Features**

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

### **Active Transportation Impacts**

The applicant is proposing 14 Class 1 bicycle parking stalls, two more than required per Schedule C of the *Zoning Regulation Bylaw*, which supports active transportation.

### **Public Realm Improvements**

The applicant has agreed to provide a 1.1m Statutory Right-of-Way for sidewalk improvements on the Niagara Street frontage.

### **Existing Site Development and Development Potential**

The properties are currently in the R-2 Zone, Two Family Dwelling District. Under the current R-2 Zone, the properties could each be developed as a single-family dwelling, single-family dwelling with a secondary suite, or duplex dwellings.

### **Community Consultation**

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the James Bay CALUC at a Community Meeting held on May 11, 2016. A letter dated May 20, 2016 is attached to this report. The applicant also subsequently met with the James Bay CALUC on May 10<sup>th</sup>, 2017; however, feedback from this meeting was not received at the time of writing this report.

## **ANALYSIS**

The *Official Community Plan*, (2012), includes these properties in Development Permit Area (DPA) 16, General Form and Character where the *Design Guidelines for Multi-Unit Residential, Commercial and Industrial*, (2012), are applicable.

The area around the subject properties is defined by multi-family dwellings, public tennis courts, a playing field, a cultural facility; and predominantly, surface parking. While the immediate area also contains single-family dwellings, the area is largely devoted to three-storey multi-family dwellings with surface parking. The single-family dwelling to the south of the subject property is at a similar scale and site coverage to this proposal, with the exception of a greater front yard set-back, notably used for surface parking. The two single-family dwellings to the north of the subject property reflect a traditional residential character more common to the blocks west of the subject property and not in the immediate area. Given this context, the density and height of the proposal achieves the Guideline objectives for compatible and unifying design that improves the character of the established area. The distinctive characteristics of the context that make the proposal suitable to the subject properties are the corner lot location, the rear laneway access, the multi-family predominance in the neighbourhood, and the adjacent open space amenity. These characteristics are relatively unique to this location within James Bay and provide an amenable context for a proposal of this nature.

The proposal further complies with the Guidelines as follows:

- entrances to the units are oriented to the street. Entryways include steps and many include entry canopies which provides a transition from the public realm of the street and sidewalk to the private realm of the proposed residences
- landscaped planting areas are proposed along the street frontages
- parking is accessed from the lane and located in an enclosed underground parking garage.

## CONCLUSIONS

The applicant has proposed a design approach that is consistent with the design guidelines prescribed in Development Permit Area 16, General Form and Character. Staff recommend that Council consider supporting the application.

## ALTERNATE MOTION

That Council decline Development Permit Application No. 000495 for the property located at 71-75 Montreal Street.

Respectfully submitted,




Miko Betanzo, Senior Planner – Urban Design  
Sustainable Planning and Community  
Development Department



Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:

Date:

  
Oct. 17, 2017

**List of Attachments:**

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped August 16, 2017