



Committee of the Whole Report

For the Meeting of May 24, 2018

To: Committee of the Whole **Date:** May 10, 2018

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

Subject: Development Permit with Variances Application No. 00063 for 3031 Jackson Street

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00627, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00063 for 3031 Jackson Street, in accordance with:

1. Plans date stamped March 29, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the lot width from 60.0m to 53.17m
 - ii. reduce the separation space between the building with units 1 & 2 and the building with units 3 & 4 from 7.50m to 4.90m
 - iii. reduce the separation space between the building with units 3 & 4 and the building with units 5, 6, 7 & 8 from 7.50m to 7.30m
 - iv. reduce the distance between the building with units 1 & 2 and the building with units 3 & 4 from 10.0m to 4.90m
 - v. reduce the distance between the building with units 3 & 4 and the building with units 5, 6, 7 & 8 from 10.0m to 6.68m.
3. Revised plans, to the satisfaction of the Director of Sustainable Planning and Community Development, that state the 7.0m distance behind visitor parking stalls 3, 12 & 13 does not exceed an 8% grade.
4. 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.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variances Application for the property located at 3031 Jackson Street. The proposal is to replace an existing house on a large lot (2910m²) with eight two-storey townhouses. The proposed units incorporate single-car garages and five visitor parking stalls are provided in three locations on the site. The units are situated to retain the majority of Garry Oak trees and trees of other species that are located across the site.

The variances are related to a reduced lot width and reduced separation spaces between townhouse buildings.

The following points were considered in assessing this Application:

- the Development Permit Application with Variances No. 00063 is generally consistent with the *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development (2012)* prescribed within Development Permit Area 16
- the separation space variances are supportable as the variances are internal to the site and sufficient distance and privacy is maintained amongst the units within the development
- the variance related to site width is supportable as the lot depth of 66.4m is significantly greater than that of a standard lot allowing buildings to be located further back on the lot, which ensures the street frontage does not become overwhelmed with structures.

BACKGROUND

Description of Proposal

The proposal is for the replacement of an existing house on a large lot (2910m²) with eight two-storey townhouses located across three buildings. The proposed units incorporate single-car garages and five visitor parking stalls are provided in three locations on the site. The units are situated to retain the majority of Garry Oak trees and trees of other species that occupy the site. A number of variances are requested for building separation spaces and site width.

Specific details include:

- traditional architectural building design with pitched roofs and gables
- two and three unit clusters of townhouses accessed by an "L"-shaped driveway
- a front yard orientation and single-family dwelling appearance to the townhouse unit closest to the street
- retention of large Garry Oaks and open space on the northern edges of the property, including along Jackson Street
- private open space in the form of a patio or deck for each unit.

Building materials include:

- HardiePlank siding
- cedar shingle siding
- cultured stone
- fibreglass laminated shingles
- concrete.

Landscaping elements include:

- concrete unit pavers
- perimeter fencing
- privacy screens
- replacement trees for trees that are removed
- lawn, planted areas and naturalized areas.

The proposed variances are related to:

- reduced site width based on width required per dwelling unit
- reduced building separation spaces.

Sustainability Features

As indicated in the applicant's letter, dated December 8, 2017, the buildings will be built to EnerGuide 80 standards to ensure energy is used efficiently.

Active Transportation Impacts

The applicant has proposed providing eight lifetime car share memberships with Modo that will be attached to each unit by covenant. In addition, one six-stall bicycle rack is located to the south of unit 3.

Public Realm Improvements

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

Accessibility Impact Statement

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

Existing Site Development and Development Potential

The large lot (2910.7m²) is currently occupied by a single-family dwelling. The existing house was built in 1942 and is in fair condition. It is not identified on the Heritage Register.

Under the current R1-B Zone, Single Family Dwelling District, the property could be subdivided for a number of single-family dwelling lots with single-family dwellings of up to 300m² in floor area and two-storeys in height. Based on the lot area, up to five lots (including panhandle lots) may be possible.

Data Table

The following data table compares the proposal with the existing R1-B Zone, Single Family Dwelling District and the zone standard R-J Zone, Low Density Attached Dwelling District. An asterisk is used to identify where the proposal is less stringent than the R-J Zone.

Zoning Criteria	Proposal	Zone Standard R-J Zone	Existing R1-B Zone
Site area (m ²) - minimum	2910.40	2220.0	460
Site area per unit (m ²) - minimum	363.80	277.50	N/A
Density (number of units on a lot) - maximum	8 (1 per 363.8m ²)	10 (1 per 277.5m ²)	N/A
Density (Floor Space Ratio) - maximum	0.34	N/A	0.6
Total floor area (m ²) - maximum	988.80	N/A	280
Lot width (m) - minimum	53.17*	60.0	15.0
Height (m) - maximum			7.6
Block 1	5.56	8.5	-
Block 2	7.89	8.5	-
Block 3	6.32	8.5	-
Storeys - maximum	2	N/A	2
Site coverage % - maximum	22.0	40.0	40.0
Open site space % - minimum	53.20	45.0	N/A
Separation space (m) - minimum	4.90 (units 1&2 and units 3&4)* 7.30 (units 3&4 and units 5,6,7&8)*	7.5	N/A
Distance between (m) - minimum	4.90 (units 1&2 and units 3&4)* 6.68 (units 3&4 and units 5,6,7&8)*	10.0	N/A
Setbacks (m) - minimum:			
Front	7.5	7.5	7.5
Rear	7.5	7.5	7.5
Side (north)	7.78	7.5	3.0/1.5
Side (south)	8.67	7.5	3.0/1.5
Parking (existing Schedule C) - minimum	13 (8 residential & 5 visitor)	12	1
Parking (proposed Schedule C) - minimum	13 (8 residential & 5 visitor)	9 (8 residential & 1 visitor)	1

Zoning Criteria	Proposal	Zone Standard R-J Zone	Existing R1-B Zone
Bicycle parking stalls (minimum)	8 Class 1 6 Class 2	8 Class 1 6 Class 2	N/A

Community Consultation

As per the attached letter, the Hillside-Quadra CALUC has waived the requirement to hold a Community Meeting due to the applicant having met individually with neighbours as well as the Application addressing most of the previous concerns expressed by neighbours. The applicant had previously attended a Community Meeting for a separate but similar application on April 25, 2016.

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan* (OCP) includes these properties in Development Permit Area (DPA) 16, General Form and Character. The objectives of this DPA include:

- *To integrate commercial, industrial and multi-unit residential buildings in a manner that is complementary to established place character in a neighbourhood or other area, including heritage character.*
- *To enhance the place character of established areas and their streetscapes through high quality of architecture, landscape and urban design that responds to each distinctive setting through sensitive and innovative interventions.*
- *To achieve more livable environments through considerations for human-scaled design, quality of open spaces, privacy impacts, safety and accessibility.*

With respect to the *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development* (2012), the siting of the townhouses mitigates the loss of Garry Oaks and other trees on the property and preserves existing vegetation where possible. The form and character of the two-storey townhouses with pitched roof and gables is in keeping with the existing character of the neighbourhood. The proposed materials including HardiePlank, cedar shingles and cultured stone are high quality and appropriate for the site with its numerous trees, rock outcroppings and varied topography. The townhouse unit closest to Jackson Street has an entrance and orientation to the street reflective of a single-family dwelling in order to complement the existing street context.

Regulatory Considerations

There are a number of variances associated with this proposal. The variance to the lot width is offset by the significant lot depth. This allows buildings to be located further back in the property and not occupy as much space along the street frontage.

Variances are also required for both the separation space and distance between buildings. Separation space refers to the minimum distance between the windows of two attached dwelling buildings, whereas distance between buildings refers to the minimum distance between two walls of attached dwelling buildings. In both cases, despite there being a variance, staff believe sufficient distance is achieved and privacy is maintained. In addition, these variances are internal to the site and therefore would not affect neighbouring properties.

Finally, there are very small portions of the 7.0m distance behind visitor stalls 3, 12 and 13 that exceed 8% grade, which would normally require a variance. However, staff have confirmed with the applicant that this can be corrected to not exceed 8% grade and avoid an unnecessary variance. The main motion addresses this future revision.

CONCLUSIONS

The Application is generally consistent with the *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development (2012)* prescribed within Development Permit Area 16. In addition, the variances are generally internal to the subject site or minimal in nature. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00063 for the property located at 3031 Jackson Street.

Respectfully submitted,

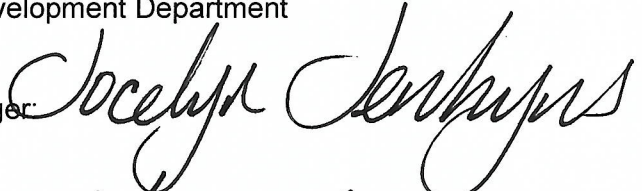


Michael Angrove
Planner
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Jonathan Tinney, Director
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Report accepted and recommended by the City Manager:



Date:

May 17, 2018