



Committee of the Whole Report

For the Meeting of September 6, 2018

To: Committee of the Whole **Date:** August 23, 2018

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

Subject: Development Permit with Variances Application No. 00076 for 210 Gorge Road

RECOMMENDATION

That Council, after giving notice and allowing for an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00620, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00076 for 210 Gorge Road East, in accordance with:

1. Plans date stamped August 17, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the required number of visitor parking spaces from 8 to 4
 - ii. locate a gazebo in the front yard
 - iii. reduce the separation space between the gazebo and the principal building from 2.40m to 1.55m.
3. The Development Permit lapsing two years from the date of this resolution.
4. The applicant entering into an agreement with a local car share company to secure 20 car share memberships to the satisfaction of City Staff.
5. The applicant providing two bikes and bike share parking spaces on-site, to the satisfaction of City Staff."

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 *Official 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.

In accordance with Section 498 of the *Local Government Act*, Council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw* provided the permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with an update on the Development Permit with Variances application for the property located at 210 Gorge Road. The proposal is to construct a six-storey, multi-unit residential building. The variances are related to reducing the required number of parking spaces and the location and separation distance of a proposed gazebo.

Council considered the Development Permit with Variances application at a Committee of the Whole (COTW) meeting held on June 14, 2018, and passed the following motion:

"That Council authorize the issuance of Development Permit Application No. 00076 for 210 Gorge Road East, in accordance with:

- 1. Plans date stamped February 14, 2018.*
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:*
 - i. reduce the required number of parking spaces from 90 to 24.*
- 3. The Development Permit lapsing two years from the date of this resolution.*
- 4. The applicant entering into an agreement with a local car share company to secure 20 car share memberships to the satisfaction of City Staff.*
- 5. The applicant provide two bikes and bike share parking spaces onsite to the satisfaction of City Staff.*

With the adoption of new Schedule C: Off-street Parking, the required number of residential parking spaces has been reduced from 90 (previous Schedule C) to 20 parking spaces and as a result, the proposal no longer requires a parking variance for residential uses. A variance for visitor parking is still required.

Following the COTW meeting, staff discovered that two variances associated with a proposed gazebo were overlooked and excluded from the original COTW report, although the gazebo was shown on the plans. The proposed variances are as follows:

- locate the proposed gazebo in the front yard
- reduce the separation distance between the proposed gazebo and principal building from 2.40m to 1.55m.

The proposed gazebo would be located close to the south-west corner of the building facing Carroll Street, and it would form part of the outdoor landscaping and patio area for the residents. Given the proposed location of the gazebo, it would likely have no impacts on the immediate neighbours and therefore, staff support the proposed variances.

COMMENTS

The applicant is proposing to construct a gazebo in the outdoor patio area on the south-west corner of the building facing Carroll Street. The gazebo was shown on the original plans presented to Council at the COTW meeting of June 14, 2018; however, staff discovered after this meeting that the proposed variances to facilitate the construction of this gazebo were excluded from Council's motion. The revised motion above includes these two additional variances.

A parking variance is no longer required for the residential uses. Under the previous Schedule C, the parking requirement for this proposal was 90 parking spaces. The new Schedule C only requires 20 residential parking spaces and eight visitor parking spaces (a total of 28 parking spaces), provided that the applicant is willing to register a legal agreement on title to ensure that

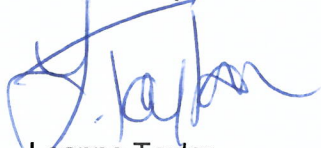
the residential dwelling units remain rental in perpetuity. The applicant is proposing 20 parking spaces for the residential uses and four visitor parking spaces and a Housing Agreement has been drafted to ensure that the residential dwelling units would remain rental in perpetuity. There would be a shortfall of four visitor parking spaces for this development.

To conclude, staff recommend for Council's consideration that the application proceed to an Opportunity for Public Comment.

ALTERNATE MOTIONS

That Council decline Development Permit with Variances Application No. 00065 for the property located at 210 Gorge Road.

Respectfully submitted,




Leanne Taylor
Senior Planner
Development Services Division

JH .



For
Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.


Date: Aug 28, 2018

List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated/date stamped August 17, 2018
- Attachment D: Letter from applicant to Mayor and Council dated March 8, 2018.