

I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

I.1.a Report from the May 17, 2018 COTW Meeting

**I.1.a.g 672 Niagara Street - Rezoning Application No. 00609 &
Development Permit with Variances Application No. 00029**

Moved By Councillor Coleman

Seconded By Councillor Thornton-Joe

Rezoning Application No. 00609

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00609 for 672 Niagara Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.
2. That final adoption of the Bylaws be considered subject to:
 - a. registration of a 2.38m Statutory Right-of-Way over the Niagara Street frontage on title of the lands

Development Permit with Variances Application No. 00029

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. 00609, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00029 for 672 Niagara Street, in accordance with:

1. Plans date stamped February 16, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce required number of parking stalls from six to four
 - ii. reduce the flanking street side yard setback from 1.5m to 0.72m
 - iii. reduce the internal side yard setback from 3.00m to 1.03
 - iv. reduce the front yard setback from 5.0m to 4.38
 - v. increase the maximum site coverage from 40% to 46%.
3. The Development Permit lapsing two years from the date of this resolution.
4. Request the applicant reconsider the use of the slate grey veneer on the lower floor of the building.

CARRIED UNANIMOUSLY

E. LAND USE MATTERS

E.1 672 Niagara Street - Rezoning Application No. 00609 & Development Permit with Variances Application No. 00029 (James Bay)

Committee received reports dated May 1, 2018, from the Director of Sustainable Planning and Community Development regarding an application to construct a three-storey, multi-family building.

Moved By Councillor Loveday

Seconded By Councillor Thornton-Joe

That Committee allow the applicant to address Council.

CARRIED UNANIMOUSLY

Moved By Councillor Lucas

Seconded By Councillor Alto

Committee discussed:

- *Plans for the tenants in the existing rental.*

Rezoning Application No. 00609

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3. The Development Permit lapsing two years from the date of this resolution.

Amendment:

Moved By Councillor Madoff

Seconded By Councillor Lucas

That the motion be amended to include the following point:

4. Request the applicant reconsider the use of the slate grey veneer on the lower floor of the building.

CARRIED UNANIMOUSLY

Main motion as amended:

Rezoning Application No. 00609

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00609 for 672 Niagara Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.
2. That final adoption of the Bylaws be considered subject to:
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Development Permit with Variances Application No. 00029

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CARRIED UNANIMOUSLY



Committee of the Whole Report For the Meeting of May 17, 2018

To: Committee of the Whole **Date:** May 1, 2018

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

Subject: Development Permit with Variances Application No. 00029 for 672 Niagara 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. 00609, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00029 for 672 Niagara Street, in accordance with:

1. Plans date stamped February 16, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
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 - v. increase the maximum site coverage from 40% to 46%.
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.

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 672 Niagara Street. The proposal is to construct a three-storey, multi-family dwelling. The variances are related to a reduction in the number of parking stalls being proposed, reducing a number of setbacks and increasing the site coverage.

The following points were considered in assessing this Application:

- the proposal is generally consistent with the *Multi-Unit Residential, Commercial and Industrial Design Guidelines* (July 2012)
- the proposal is consistent with the *Advisory Design Guidelines for Buildings, Signs and Awnings* (2006)
- the proposed reduction to the required number of parking stalls is supportable based on the provision of four co-op car memberships, the proposed additional secure bicycle parking, the proximity to frequent transit and the relative proximity to key walkable amenities.

BACKGROUND

Description of Proposal

The proposal is for a three-storey, multi-family building. Specific details include:

- reuse and repurposing of an existing single-family dwelling on site
- ground oriented access to each unit
- six secure and enclosed bicycle stalls
- one parking stall per unit
- four co-op car parking memberships to make up for the parking shortfall.

The proposed variances are related to:

- reducing required number of parking stalls from six to four
- reducing the flanking street side yard setback from 1.5m to 0.72m
- reducing the internal side yard setback from 3.00m to 1.03m
- increasing the maximum site coverage from 40% to 46%.
- reducing the front yard setback from 5.0m to 4.38m

Sustainability Features

As indicated in the applicant's letter dated February 16, 2018, the proposal includes four co-op car memberships which may result in reduced private vehicle use as a sustainability feature.

Active Transportation Impacts

The application proposes additional secure and enclosed bicycle parking which supports active transportation.

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

The site presently contains a single-family dwelling.

Data Table

The following data table compares the proposal with the current R3-2 Zone, Multiple Dwelling District. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Existing R3-2 Zone, Multiple Dwellings District
Site area (m ²) - minimum	551.00*	920.00
Density (Floor Space Ratio) - maximum	1.04*	0.9
Height (m) - maximum	10.00	18.50
Site coverage % - maximum	45.60*	30.00
Open site space % - minimum	35.75	30.00
Setbacks (m) – minimum:		
Front (Niagara St.)	4.38*	9.00
Rear	12.88	5.00
Side (west)	1.03*	5.00
Side – flanking street (Thetis)	0.72*	5.00
Parking - minimum	4*	6
Visitor parking (minimum) included in the overall units	0*	1
Bicycle parking stalls (minimum) Class 1	6	4
Bicycle parking stalls (minimum) Class 2	6	6

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 December 13, 2017 in association with the concurrent Rezoning Application (No. 00609). A letter dated January 9, 2018 is attached to this report.

ANALYSIS

The *Official Community Plan, 2012* (OCP) identifies this property within Development Permit Area (DPA) 16, General Form and Character. The applicable objectives of DPA 16 relate to supporting multi-unit residential developments that provide a sensitive transition to neighbouring areas, and enhance the character of established areas utilizing high-quality architecture, landscape and urban design approaches that respond to each distinctive setting through sensitive and innovative interventions. Applicable design guidelines include the *Design Guidelines for Multi-unit residential, Commercial and Industrial Development* (2012) and the *Advisory Design Guidelines for Buildings, Signs and awnings* (1981).

The proposal benefits from its corner location at Niagara Street and Thetis Lane. At this location, privacy and overlook concerns to the four-storey apartment at the east are ameliorated by the intervening lane. To the west, the existing setback distance is being maintained between the neighbouring four-storey apartment and the existing single-family dwelling on the subject property. These two neighbours at the east and west of the subject property are the main considerations with regard to the objectives of the DPA. An ample rear yard setback is proposed, mainly due to the awkward triangle shaped lot of the subject property. The proposal represents a smaller sized building relative to its immediate context. Potential privacy concerns between the proposed development and its western neighbour have been mitigated through the proposed floor plan layouts, which locate all of the main living areas to face the east. Additionally, glazing is restrained on the western elevation of the proposed building, further mitigating potential privacy concerns. For these reasons, combined with the constraints related to the irregular shape of the property, staff recommend that the requested variances for a reduction in the flanking street and side yard setbacks as well as the increase in site coverage are supportable.

Key recommendations within the *Design Guidelines for Multi-unit residential, Commercial and Industrial Development* (2012) further elaborate on approaches to achieve sensitive infill and include guidance to contribute to cohesion, visual identity and the quality of streetscapes. In terms of these latter three attributes, the proposal reuses an existing building on-site, maintaining its building footprint. This approach contributes to the cohesion of the streetscape, with the majority of change occurring behind the existing building. The existing single-family dwelling is proposed to be lifted approximately 0.7m; however, its location relative to the side yard setbacks is remaining the same. As part of the existing dwelling lift and reuse, a front addition is proposed. This addition puts the building 3.6m closer to the front property line than the existing dwelling. At a 3.05m setback from the front property line, the proposed building is notably closer to the street and sidewalk than its immediate neighbour to the west. However, this setback is in line with the existing heritage buildings at 652 and 648 Niagara Street, further west. From this perspective, a consistent street front set-back is achieved for lower scaled buildings along Niagara Street, maintaining the streetscape, in-line with the design guidelines. On this basis, the proposed variance related to the front yard setback is recommended as being supportable.

The proposed vehicle parking stall shortfall is supportable based on the provision of four co-op vehicle memberships as indicated in the applicant's letter.

CONCLUSIONS

Overall, the proposal is consistent with the relevant guidelines. Adequate provisions have also been made to address the vehicle parking shortfall. On this basis, staff recommend for Council's consideration that Development Permit with Variances Application No. 00029 to construct a multi-unit residential dwelling at 672 Niagara Street be supported.

ALTERNATE MOTION

That Council decline DPV Application No.00029 for the property located at 672 Niagara Street.

Respectfully submitted,



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

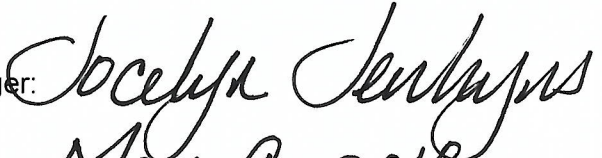


Jonathan Tinney, Director
Sustainable Planning and Community
Development Department



Report accepted and recommended by the City Manager:

Date:


May 9, 2018

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped February 16, 2018
- Attachment D: Letter from applicant to Mayor and Council dated February 16, 2018
- Attachment E: Community Association Land Use Committee Comments dated January 9, 2018