



## Committee of the Whole Report For the Meeting of September 20, 2018

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**To:** Committee of the Whole **Date:** September 6, 2018  
**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development  
**Subject:** Development Permit with Variances Application No. 000528 for 430 Parry Street

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### RECOMMENDATION

That, subject to receipt of a signed agreement with a car share provider to secure a car share membership for all units to the satisfaction of the Director of Sustainable Planning and Community Design, 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. 00641, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 000528 for 430 Parry Street, in accordance with:

1. Plans date stamped August 30, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. reduce the required number of parking stalls from sixteen to ten
  - ii. increase the maximum site coverage from 60% to 75%
  - iii. decrease the open site space from 20% to 10.5%
  - iv. reduce the front yard setback from 5.0m to 0m
  - v. reduce the side yard setback (north) from 2.0m to 0m.
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 *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.

### 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 430 Parry Street. The proposal is to construct a four- and five-storey multi-unit residential building. The variances are related to reducing the required number of vehicle parking stalls, setbacks, site coverage and open site space.

The following points were considered in assessing this Application:

- the Application is consistent with Design Guidelines for *Multi-Unit Residential, Commercial and Industrial Development* (2012) with regard to providing ground-oriented residential units, supplying parking hidden from the public realm and providing sensitive infill
- the variance to reduce the required number of vehicle parking stalls is supportable on the basis of providing car-share memberships to reduce the on-site parking demand
- the variances for setbacks, open site space and site coverage are supportable as a contextual response to the existing site conditions and adjacent buildings.

## BACKGROUND

### Description of Proposal

The proposal is for a four- and five-storey multi-unit residential building, divided into two separate building masses. Specific details include:

- eleven units in two separate building masses (four and five storeys)
- at-grade parking located behind the main building
- an internal courtyard, elevator and stair accesses
- at-grade, recessed unit entrances with direct ground floor access for two units
- consistent street wall and massing to the adjacent heritage property
- front and back natural light access to all units
- rooftop decks on levels two, four and five, oriented to prevent privacy.

Exterior building materials include:

- predominantly red brick cladding on the north and south elevations of levels two through five, and on the first storey frontage of the east elevation
- dark metal panels on the east and west façades
- wrought iron stairs and walkways.

Landscaping elements include:

- internal courtyard planting including Japanese maples, ferns and climbing hydrangea
- climbing clematis suspended on cables to roof height on the exterior southern brick walls
- extensive rooftop planting on the first storey roof.

The proposed variances are related to:

- reducing the required number of vehicle parking stalls from fifteen to ten
- increasing the maximum site coverage from 60% to 75%
- decreasing the open site space from 20% to 10.5%
- reducing the front yard setback from 5.0m to 0m
- reducing the side yard setback (north) from 2.0m to 0m.

### Sustainability Features

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

### Active Transportation Impacts

The Application proposes to provide all first time residents a lifetime membership to the MODO car-share program.

## **Public Realm Improvements**

Public realm improvements are discussed in the concurrent Rezoning Application report.

## **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 February 14, 2018. A letter dated March 2, 2018 is attached to this report.

## **ANALYSIS**

### **Development Permit Area and Design Guidelines**

The *Official Community Plan (OCP)* identifies this property within Development Permit Area 16: General Form and Character. The key Design Guidelines that apply to DPA 16 are the Design Guidelines for *Multi-Unit Residential, Commercial and Industrial Development* (2012). The Application aligns with the objectives of this development permit area in terms of fitting with the general form and character of the area while creating sensitive infill.

### **Massing and Fit**

The proposal is consistent with the Design Guidelines in terms of providing unity and coherence relative to the existing place character and patterns of development. The one-storey building frontage melds with the adjacent residential building to the north, respecting this unique, traditional street-to-building relationship. The building massing is similar in height to the multi-unit building to the south and the applicant has effectively demonstrated that there is little shadowing impact on the building to the north compared with a three-storey building.

Privacy has been maintained through the proposed large brick walls separating the adjacent properties, while also simultaneously providing a traditional brick element with climbing greenery that fits with the character of the area.

The proposal was amended to increase the rear yard setback, so as to accommodate anticipated future development within the James Bay Large Urban Village at its rear. Additionally, having the building massing configured as two separate buildings with a central open area provides more light access to the north properties than would be the case if the building was a single mass.

### **Residential Entrances**

The proposal provides pedestrian-oriented ground level entries for two dwellings units, with the remainder of the units being accessed via a third ground level access. The applicable Design Guidelines speak to providing strong entry features with the intent of ensuring residential entries read as residential rather than commercial. The Design Guidelines also suggest the use of porches, steps, alcoves or other design features to make transitions from the public realm of the street and sidewalk to the private realm of residences. Staff recommend for Council's consideration that the proposal meets the intent of the guidelines and effectively continues the residential street frontage from the adjacent property.

## **Advisory Design Panel**

The Application was presented to the Advisory Design Panel (ADP) on July 25, 2018 (minutes attached). The ADP passed a motion to recommend to Council to approve the Application as presented.

## **Regulatory Considerations**

### Parking Variance

Schedule C of the *Zoning Regulation Bylaw* requires fifteen parking stalls whereas this Application proposes supplying ten. To reduce the demand for parking, the applicant is proposing the provision of lifetime car-share memberships to all first-time residents. The close proximity to the James Bay Large Urban Village and the Capital Park development further support variances from the required parking supply, given that these areas are well served from public transit and provide amenities within walking distance. On this basis, staff recommend for Council's consideration that the variance be supported.

### Siting Variances

The front yard setback is recommended as supportable based on the existing street context and adjacent buildings. The building to the north is also at a zero front lot line setback and this Application responds to this condition. The existing street-to-building relationship is a unique feature of this block and provides a character defining element in James Bay that is both successful and creates a transition to the Large Urban Village and Capital Park, just next to this block.

The side yard setback to the north is also a response to the existing site context. Again, the building to the north has a zero side yard setback and the proposal is responding to this condition. On this basis, staff recommend that this variance is supportable.

Although these unique siting requirements could be built into a site specific zone, staff are recommending that they be dealt with as variances to avoid creating entitlements built into a zone, precluding a future review process if the proposal is approved but not built. Using the nearby R3-2 Zone was deemed inappropriate because this Zone was written for larger lots, with the intent of encouraging lot assemblies and a form of development which would not be appropriate within this context. Therefore a site specific Zone that requires larger setbacks than requested by the applicant is proposed, should Council advance this application to a public hearing.

In achieving a consistent street wall with the building to the north, the site coverage and open site space is reduced. The street wall is a single storey component of the proposed building designed specifically to tie into the existing character of the area. Without it, the proposal would be less successful. As such, the reduced open site space and site coverage is recommended as supportable because these two factors are unique to this site and appropriate to be consistent with the guideline objectives for form and character.

## **CONCLUSIONS**

The variances associated with the siting of the building result from achieving a consistent street frontage and existing site conditions and are therefore recommended as supportable. The proposed car-share membership is recommended as a supportable approach to make up the

parking shortfall, and overall the Application is broadly consistent with the Design Guidelines and objectives of the relevant Development Permit Area. On this basis, staff recommend for Council's consideration that the Application be supported.

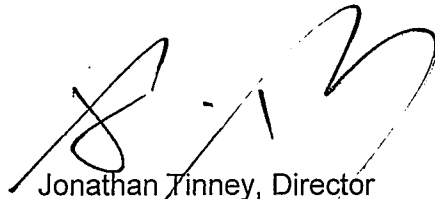
#### ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 000528 for the property located at 430 Parry Street.

Respectfully submitted,

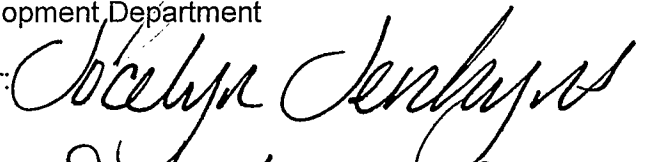


Miko Betanzo  
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Jonathan Tinney, Director  
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Report accepted and recommended by the City Manager:

  
Date: Sept. 13, 2018

#### List of Attachments:

- Attachment A: Minutes from the July 25, 2018 Advisory Design Panel meeting.