

J. REPORTS OF COMMITTEES

J.1 Committee of the Whole

J.1.a Report from the September 27, 2018 COTW Meeting

**J.1.a.b 1046-1048 North Park Street - Rezoning Application No. 00632
and Development Permit with Variance Application No. 00071
(North Park)**

Moved By Councillor Coleman
Seconded By Councillor Madoff

Rezoning Application No. 00632

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00632 for 1046 and 1048 North Park Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Development Permit with Variance Application No. 00071

1. 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. 00632, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00071 for 1046 and 1048 North Park Street, in accordance with:

- a. Plans date stamped September 18, 2018.
 - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required number of parking spaces from 16 to 4.
 - c. The Development Permit lapsing two years from the date of this resolution."
2. That Council direct staff to discharge Section 219 Covenant (CA4449030) registered on the property at 1046 North Park Street to the satisfaction of City staff, which was associated with a previously approved Development Permit, if Development Permit with Variance Application No. 00071 is approved.

CARRIED UNANIMOUSLY

B. CONSENT AGENDA

Moved By Councillor Coleman
Seconded By Councillor Lucas

That the following items be approved without further debate

CARRIED UNANIMOUSLY

B.2 1046-1048 North Park Street - Rezoning Application No. 00632 and Development Permit with Variance Application No. 00071 (North Park)

Committee received a report dated September 13, 2018 from the Director of Sustainable Planning and Community Development presenting information, analysis and recommendations for a Rezoning and Development Permit Application proposing to construct a rest home for the property located at 1046 and 1048 North Park Street.

Moved By Councillor Coleman
Seconded By Councillor Lucas

Rezoning Application No. 00632

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00632 for 1046 and 1048 North Park Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Development Permit with Variance Application No. 00071

1. 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. 00632, if it is approved, consider the following motion:
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 - a. Plans date stamped September 18, 2018.
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CARRIED UNANIMOUSLY



Committee of the Whole Report For the Meeting of September 27, 2018

To: Committee of the Whole **Date:** September 13, 2018
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Development Permit with Variance Application No. 00071 for 1046 and 1048 North Park Street

RECOMMENDATION

1. 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. 00632, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00071 for 1046 and 1048 North Park Street, in accordance with:

1. Plans date stamped September 18, 2018.
 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the required number of parking spaces from 16 to 4.
 3. The Development Permit lapsing two years from the date of this resolution."
2. That Council direct staff to discharge Section 219 Covenant (CA4449030) registered on the property at 1046 North Park Street to the satisfaction of City staff, which was associated with a previously approved Development Permit, if Development Permit with Variance Application No. 00071 is approved.

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 Application for the property located at 1046 and 1048 North Park Street. The proposal is to construct a rest home, and the variances are related to parking.

The following points were considered in assessing this Application:

- the subject property is within Development Permit Area 16: General Form and Character (DPA 16). The objectives of this DPA are 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. New development in DPA 16 is encouraged to have livable environments taking into account human-scaled design, quality of open spaces, privacy impacts, safety and accessibility
- the design guidelines for *Multi-Unit Residential, Commercial and Industrial* (2012) and the *Guidelines for Fences, Gates and Shutters* (2010) apply to the proposed development. Overall, the proposal is consistent with the design guidelines
- the variance to reduce the required number of parking spaces from 16 to 4 is supportable. There would be a shortfall of 11 parking spaces and it would impact the availability of parking for nearby residents and businesses. However, this development would have a lower parking demand. To help offset this parking shortfall the applicant is proposing 12 long-term and 8 short-term bicycle parking spaces, which may encourage some staff and visitors to use bicycles. The subject property is located in a walkable neighbourhood with cycling and public transit facilities nearby. The site is also in close proximity to the downtown core and a Large Urban Village.

BACKGROUND

Description of Proposal

The proposal is for a rest home. Specific details include:

- contemporary architectural features including a flat roofline and contemporary-style windows
- exterior building materials include aluminium metal panel, cement panel, brick veneer, stucco, fir, cedar, concrete, clear glazing and spandrel panels
- seven underbuilding parking spaces screened from the street
- main residential entryway fronting North Park Street
- basement level contains secure and enclosed bicycle parking and storage space, and end-of-trip facilities
- main floor contains an office space and dining room
- the upper levels contain the rooms, common areas and shared washroom facilities
- large, private open space with outdoor seating and a mix of hard and soft landscaping, raised garden beds and rain gardens
- permeable surface treatment for driveway and pedestrian pathway.

The proposed variance is related to reducing the required number of parking spaces from 16 to 4.

Sustainability Features

As indicated in the applicant's letter, the following sustainability features are associated with this Application:

- electric charging station
- high performance wood frame system
- infiltration rain garden and permeable grass pavers
- heat recovery ventilation.

The applicant has also indicated that the proposed building is designed to the 2014 Energy Code and would be constructed to Built Green standards.

Active Transportation Impacts

The applicant is proposing to provide 12 long-term and 8 short-term bicycle parking spaces, which support active transportation and are in excess of the *Zoning Regulation Bylaw* requirements.

Public Realm Improvements

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

Accessibility Impact Statement

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

Land Use Context

The area is characterized by mix of commercial and residential land uses.

Existing Site Development and Development Potential

The property located at 1046 North Park Street is currently vacant and 1048 North Park Street is presently occupied by a single family dwelling and accessory buildings. Under the existing CR-NP Zone, North Park Commercial Residential District, the site could be redeveloped as a four-storey mixed-use development with ground floor commercial and residential above.

Data Table

The following data table compares the proposal with the existing CR-NP Zone. An asterisk is used to identify where the proposal is less stringent than the existing Zone.

Zoning Criteria	Proposal	CR-NP Zone
Site area (m ²) – minimum	654.30	n/a
Density (Floor Space Ratio) – maximum	1.91:1 *	1.50:1
Total floor area (m ²) – maximum	1257.50 *	981.45
Height (m) – maximum	12.50 *	12.00
Storeys – maximum	4.00	4.00
Site coverage (%) – maximum	59.00	n/a
Setbacks (m) – minimum		
Front (North Park Street)	0.40	0.00
Rear (north)	6.40 – building / 0.40 * - trellis	6.25

Zoning Criteria	Proposal	CR-NP Zone
Side (east)	0.00 – building / 6.90 – trellis	0.00
Side (west)	2.40 – building / 2.40 - trellis	0.00
Vehicle parking – minimum	4 *	16
Bicycle parking stalls – minimum		
Long-term	12	2
Short-term	8	6

Relevant History

In July 2015, Council approved a Development Permit with Variance Application to construct two, three-storey buildings with a total of six residential dwelling units at 1046 North Park Street. Construction had not commenced on the subject property and the Development Permit expired on July 9, 2017.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on March 16, 2018 the Application was referred for a 30-day comment period to the North Park CALUC. A letter dated December 5, 2017 was already submitted and it is attached to this report.

This Application proposes variances; therefore, in accordance with the City's *Land Use Procedures Bylaw* it requires notice, sign posting and a meeting of Council to consider the variances.

ANALYSIS

Development Permit Area and Design Guidelines

The OCP identifies these subject properties in Development Permit Area (DPA) 16: General Form and Character. The objectives of this DPA are 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. New development in DPA 16 is encouraged to have livable environments taking into account human-scaled design, quality of open spaces, privacy impacts, safety and accessibility.

The subject properties are long and narrow lots, which can create some site challenges. The applicant has incorporated some similar architectural features and defining elements of the four-storey multi-unit residential building at 1032 North Park Street (completed in 2015). However, the proposed building still has a unique character that would further enhance the streetscape appearance. The maximum building height in the current CR-NP Zone is 12.00m and the

applicant is proposing 12.50m. For comparison, the building at 1032 North Park Street is 12.00m. Staff consider that the building would fit into the neighbourhood context.

Windows are maximized on the north, south and west elevations. An outline of the windows on the adjacent two-storey building to the west at 1040 North Park Street has been provided by the applicant. To mitigate privacy impacts, the windows on the proposed building are offset from the existing windows on the adjacent building. On the north side, the proposed building would have windows that overlook a surface parking lot. The existing residential building on this property to the north is also set back over 23m from the property line. There are no windows proposed on the east elevation, as the building would be constructed at the property line. From a Crime Prevention Through Environmental Design (CPTED) perspective, the building and outdoor spaces would have controlled access and there would be windows overlooking the outdoor spaces and exterior lighting on the building.

Parking would be located in the middle of the site under the building, and would be screened from the street. The location of parking on-site allows for quality private outdoor space in the rear yard, which would include a large patio, raised garden beds and rain gardens.

Local Area Plans

The *North Park Local Plan* (1996) supports artisan trades with mixed and/or residential uses at this location. The applicant is proposing to locate the office space for the non-profit housing provider on the ground floor facing the street, so the building would have the "look and feel" of ground floor commercial space at street level. With respect to building height, the Plan also encourages the heights of new buildings to be consistent with heights of existing buildings in the neighbourhood. The proposal is consistent with the policies and objectives in the Plan.

Regulatory Considerations

Parking Variance

The applicant is proposing to reduce the required number of parking spaces from 16 to 4. There would be a shortfall of 11 parking spaces and it would impact the availability of parking for nearby residents and businesses. In the letter dated August 23, 2018, the applicant notified staff that the residents who would live in the building would not have driver's licenses and as a result the development would have a lower parking demand. To help offset some of the parking shortfall, the applicant is proposing to provide 12 long-term and 8 short-term bicycle parking spaces, which may encourage some staff and visitors to use bicycles. The subject property is located in a walkable neighbourhood with cycling and public transit facilities nearby. The site is also in close proximity to the downtown core and a Large Urban Village. Given the above, the parking variance is supportable.

Discharging a Section 219 Covenant

A Section 219 Covenant was registered on title to secure a carshare parking space on-site as part of a previously approved Development Permit Application at 1046 North Park Street. Should Council approve the current development proposal, then the Section 219 Covenant would no longer apply as it was associated with a completely different development proposal and should therefore be discharged from title. The staff recommendation provides the appropriate wording.

Other Considerations

The Advisory Design Panel (ADP) reviewed the proposal at the meeting of May 23, 2018. The minutes from the meeting are attached for reference and the following motion was carried (unanimously):

It was moved by Jesse Garlick, seconded by Sorin Birliga, that the Development Permit with Variance Application No. 00071 for 1046-1048 North Park Street be approved with the following recommendations:

- *reconsider the placement of the southeast corner pedestrian gate with respect to CPTED principles*
- *review the accessibility of the outdoor space, specifically in the rear yard, from a safety and comfort perspective*
- *consider refining the materials palette for consistency and cohesion*
- *consider removing the elevator notch on the eastern façade.*

The applicant has provided a letter dated July 24, 2018 addressing each consideration provided by the ADP, and has made the recommended changes to the proposal in order to address the ADP's motion.

CONCLUSIONS

The proposal to construct rest home is consistent with DPA 16 and the multi-family design guidelines with respect to building form, character and finishes. The parking variance to reduce the number of off-street parking spaces may increase on-street parking demand on North Park Street; however, to help offset this parking shortfall the applicant is proposing additional bicycle parking on-site and the subject property is located in a walkable, bike-friendly and transit-oriented neighbourhood. Staff recommend for Council's consideration that the Application proceed to an Opportunity for Public Comment.

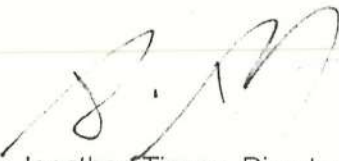
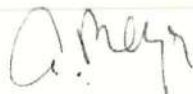
ALTERNATE MOTION

That Council decline Development Permit with Variance Application No. 00071 for the property located at 1046 and 1048 North Park Street.

Respectfully submitted,



Leanne Taylor
Senior Planner
Development Services Division



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date: _____



List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped September 18, 2018
- Attachment D: Letter from applicant to Mayor and Council dated August 23, 2018
- Attachment E: Community Association Land Use Committee Comments dated December 12, 2017
- Attachment F: Tenant Relocation Plan
- Attachment G: Correspondence (letters received from residents)
- Attachment H: Letter from Applicant re: ADP's motion dated July 24, 2018.