

Council Report For the Meeting of April 11, 2019

 To:
 Council
 Date:
 April 5, 2019

From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development

Subject: Rezoning Application No. 00605 and Development Permit with Variance Application No. 000508 for 926 and 932 Pandora Avenue

RECOMMENDATION

That Council give first and second reading of the Zoning Regulation Bylaw Amendment No. 19-003 (Amendment No. 1179) and give first, second, and third readings to Housing Agreement (926 and 932 Pandora Avenue) Bylaw No. 19-004.

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. 00605, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 000508 for 926-932 Pandora Avenue in accordance with:

- 1. Plans date stamped April 4, 2019.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. increase the height from 30m to 32.34m for a rooftop mechanical room.
- 3. The Development Permit lapsing two years from the date of this resolution."

EXECUTIVE SUMMARY

The purpose of this report is to present Council with an update regarding the Rezoning and Development Permit with Variance Applications for the properties located at 926 and 932 Pandora Avenue. The proposal is to construct an 11-storey, mixed-use building consisting of residential and commercial uses.

In accordance with Council's motion of November 22, 2018, included below, the necessary conditions that would authorize the approval of the Rezoning Application for the subject property have been fulfilled. The Committee of the Whole reports dated November 8, 2018 together with the meeting minutes, are attached. The motion from the November 22, 2018 Council meeting is as follows:

Council Motion of November 22, 2018

Rezoning Application No. 00605

"That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00605 for 926 and 932 Pandora Avenue; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:

- 1. Provide a Sewage Attenuation Report prepared by a qualified engineer to determine if the proposal would result in increased sewage flow rates, to the satisfaction of the Director of Engineering and Public Works.
- 2. Provide a Road Dedication Plan for a dedication of 1.38m on Mason Street, to the satisfaction of the Director of Engineering and Public Works.
- 3. Preparation and execution of a Housing Agreement to secure:
 - *i.* ten percent of the residential units (approximately 15 dwelling units of which seven of the units would be two and three bedroom units and suitable for families in accordance with the applicant's letter dated November 1, 2018) as affordable rental units (rents at 15% below appraised market rents) in perpetuity and in accordance with an appraisal provided to the city annually
 - *ii.* ensure that future Strata Bylaws cannot prohibit the rental of the other units in the building, to the satisfaction of the Director of Sustainable Planning and Community Development.
- 4. Secure an amenity contribution in the amount of \$614,000.00 where half goes towards the Housing Trust Fund and the other half goes towards the Downtown Core Area Public Realm Improvement Fund (75%) and the Downtown Heritage Buildings Seismic Upgrade Fund (25%) and to the satisfaction of the Director of Sustainable Planning and Community Development.
- 5. Council authorizing anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works."

Development Permit Application No.000508

"That, subject to the exploration of design revisions to soften the vertical cement panel on the north elevation of the proposed mixed-use building to the satisfaction of the Director of Sustainable Planning and Community Development, 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. 00605, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 000508 for 926-932 Pandora Avenue in accordance with:

- 1. Plans date stamped June 27, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - ii. increase the height from 30m to 32.34m for a rooftop mechanical room
 - iii. reduce the front yard setback on Pandora Avenue from 3m to 2.10m.
- 3. The Development Permit lapsing two years from the date of this resolution."

COMMENTS

Regulatory Conditions

In the Committee of the Whole reports, it was recommended that the building setback on the Pandora Avenue frontage be treated as a variance. In crafting the new CR-P Zone, Pandora Commercial Residential District, and considering the amount of proposed building articulation along the Pandora Avenue frontage and the location of adjacent buildings, it was determined that embedding all proposed setbacks in the new zone was the preferred zoning approach. The zone includes a maximum site coverage, which would ensure that the building footprint could not increase beyond the current proposal without triggering a variance in the future. The staff recommendation has been adjusted to reflect this change for Council's consideration.

Design revisions on north elevation

In response to staff's concerns regarding vertical cement panel that extends up to the eighth storey, the applicant has revised this blank façade treatment by adding coloured accent stain glass windows similar to the accent glazing at the main residential entryway off of Mason Street and on the west elevation, reminiscent of the stained-glass windows in the nearby churches, and is to the satisfaction of the Director of Sustainable Planning and Community Development. The revised plans are attached to this report.

Public Hearing Conditions

With regard to the pre-conditions that Council set in relation to these applications, staff can report that the following items have been fulfilled:

- a sewage attenuation report was provided, and it was determined that sewage attenuation is not required for this development
- the requirement for road dedication of 1.38m on Mason Street was secured in a registered Section 219 Covenant, to be provided at the building permit stage
- an executed Housing Agreement was provided to secure the 15 below-market rental units in perpetuity and to ensure future Strata Bylaws cannot prohibit the rental of units in the building
- the amenity contribution of \$614,000.00 is secured in the new CR-P Zone.

The recommendation provided for Council's consideration contains the appropriate language to advance these applications to a Public Hearing and an Opportunity for Public Comment.

Respectfully submitted,

Development Services Division

Leanne Taylor

Senior Planner

Andrea Hudson, Acting Director Sustainable Planning and Community Development Department

Report accepted and recommended by the City Manager

Date:

List of Attachments:

- Attachment A: Committee of the Whole reports dated November 8, 2018
- Attachment B: Minutes from the Council Meeting dated November 22, 2018
- Attachment C: Plans dated April 4, 2019.



Committee of the Whole Report For the Meeting of November 22, 2018

To:	Committee of the Whole	Date:	November 8, 2018
From:	Andrea Hudson, Acting Director, Sustainable Planning and Community De	evelopment	
Subject:	Rezoning Application No. 00605 for 92	26 and 932 Pand	lora Avenue

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00605 for 926 and 932 Pandora Avenue; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:

- Provide a Sewage Attenuation Report prepared by a qualified engineer to determine if the proposal would result in increased sewage flow rates, to the satisfaction of the Director of Engineering and Public Works.
- 2. Provide a Road Dedication Plan for a dedication of 1.38m on Mason Street, to the satisfaction of the Director of Engineering and Public Works.
- 3. Preparation and execution of a Housing Agreement to secure:
 - i) ten percent of the residential units (approximately 15 dwelling units of which seven of the units would be two and three bedroom units and suitable for families in accordance with the applicant's letter dated November 1, 2018) as affordable rental units (rents at 15% below appraised market rents) in perpetuity and in accordance with an appraisal provided to the city annually
 - ii) ensure that future Strata Bylaws cannot prohibit the rental of the other units in the building, to the satisfaction of the Director of Sustainable Planning and Community Development.
- 4. Secure an amenity contribution in the amount of \$614,000.00 towards the Downtown Core Area Public Realm Improvement Fund (75%) and the Downtown Heritage Buildings Seismic Upgrade Fund (25%) and to the satisfaction of the Director of Sustainable Planning and Community Development.
- 5. Council authorizing anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the Local Government Act, Council may regulate within a zone the use of land, buildings and other structures; the density of the use of the land, building

and other structures; the siting, size and dimensions of buildings and other structures; as well as, the uses that are permitted on the land, and the location of uses on the land and within buildings and other structures.

In accordance with Section 482 of the *Local Government Act*, a zoning bylaw may establish different density regulations for a zone; one generally applicable for the zone, and the others to apply if certain conditions are met.

In accordance with Section 483 of the *Local Government Act*, Council may enter into a Housing Agreement which may include terms agreed to by the owner regarding the occupancy of the housing units, and provided such agreement does not vary the use of the density of the land from that permitted under the zoning bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the properties located at 926 and 932 Pandora Avenue. The proposal is to rezone from the CA-1 Zone, Pandora Avenue Special Commercial District, to a new zone in order to increase the permitted density from 3:1 floor space ratio (FSR) to 4.55:1 FSR and to allow for an 11-storey, mixed-use building consisting of residential and commercial uses.

The following points were considered in assessing this Application:

- the subject properties are designated Core Residential in the *Official Community Plan*, 2012 (OCP), which supports mixed-use buildings from three storeys up to approximately 20 storeys, and a density of up to 5.5:1 FSR
- the subject properties are designated Residential Mixed-Use District in the *Downtown Core Area Plan*, which supports mixed-use buildings on Pandora Avenue up to approximately eight to ten storeys, and a density of up to 5.5:1 FSR
- the applicant is willing to offer ten percent of the residential dwelling units (approximately 15 dwelling units) as affordable rental units and provide rents at 15% below appraised market rents in perpetuity and in accordance with an appraisal provided to the city
- The applicant has volunteered to provide road dedication in the amount of 1.38m on Mason Street
- the proposal is subject to the City's *Density Bonus Policy* and a land lift analysis was prepared by Rollo & Associates. The economic analysis concluded that the lift from the proposed rezoning for additional density would be approximately \$818,000.00, and as a result, the City would seek a target of 75% of the increase in land value in accordance with Council's Policy. As a condition of rezoning, the applicant would be providing an amenity contribution in the amount of \$614,000.00 towards the *Downtown Core Area Public Realm Improvement Fund* (75%) and the *Downtown Heritage Buildings Seismic Upgrade Fund* (25%).

BACKGROUND

Description of Proposal

This Rezoning Application is to increase the permitted density from 3:1 floor space ratio (FSR) to 4.55:1 FSR, and to allow an 11-storey, mixed-use building consisting of residential and commercial uses. The following differences from the standard zone (CA-1 Zone, Pandora Avenue Special Commercial District) are being proposed and would be accommodated in the new zone:

- allowing a residential use on the ground floor
- increasing the FSR and total floor area
- increasing the height of building.

Affordable Housing Impacts

The applicant proposes the creation of approximately 148 new residential units which would increase the overall supply of housing in the area. Of the 148 residential units, the applicant is willing to offer ten percent of the residential units (approximately 15 dwelling units) as affordable rental units and provide rents at 15% below appraised market rents in perpetuity and in accordance with an appraisal provided to the city annually. The applicant would ensure that seven of the units would be two and three bedroom units and suitable for families. The applicant is willing to enter a Housing Agreement to ensure Housing Agreement to secure the rental units as well as to ensure that future Strata Bylaws cannot prohibit the rental of the other units in the building (letter attached).

Tenant Assistance Policy

There are currently no residential rental units on-site; therefore, the Tenant Assistance Policy would not apply to this application.

Sustainability Features

The applicant is proposing to incorporate several green roofs throughout the building to help manage stormwater and on-site runoff.

Active Transportation Impacts

The applicant is proposing to provide 178 long-term and 18 short-term bicycle parking spaces on-site, which support active transportation.

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 a mix of residential and commercial land uses.

Existing Site Development and Development Potential

The site presently contains a one and a two-storey commercial building and a paid parking lot. Under the current CA-1 Zone, the property could be developed as a five-storey, mixed-used development with ground-floor commercial and residential above.

Data Table

The following data table compares the proposal with the existing CA-1 Zone. An asterisk is

used to identify where the proposal is less stringent than the existing Zone.

Zoning Criteria	Proposal	Zone Standard (CA-1)	
Site area (m²) – minimum	2600.00	n/a	
Density (Floor Space Ratio) – maximum	4.55:1 *	2.00:1	
Total floor area (m²)_– maximum	11,840.00 *	5351.20	
Height (m) – maximum	30 * / 32.34 * (stair access to mechanical)	15.50	
Storeys – maximum	10 (building) /11 (stairs to mechanical)	n/a	
Site coverage % – maximum	76.90	n/a	
Location of residential	Mason Street ground floor *	Second storey and above	
Setbacks (m) – minimum			
Street Setback (Pandora Ave)	2.10 *	3.00	
Street Setback (Mason St)	3.00	3.00	
Side (West)	0.00	0.00	
Side (East)	0.00	0.00	
Vehicle parking – minimum			
CA-1 Zone	117	88	
Visitor parking – minimum included in the overall units	12	8	
Schedule C	105 *	154	
Schedule C - Visitor	12 *	15	
Bicycle parking – minimum			
Schedule C			
Class 1	178	149	
Class 2	18	7	

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the North Park CALUC at a Community Meeting held on July 5, 2017. A letter dated July 25, 2017 is attached to this report.

Official Community Plan

The Official Community Plan (OCP) Urban Place Designation for the subject property is Core Residential, which supports mixed-use buildings from three storeys, up to approximately 20 storeys, and a base density of 3:1 floor space ratio (FSR), up to a maximum of 5.5:1 FSR. The applicant is proposing an 11-storey building (the eleventh storey is a mechanical room), and a density of 4.55:1, which is supported in the OCP.

The OCP encourages new buildings to contribute to the sense of place in Development Permit Areas and Heritage Conservation Areas through sensitive and innovative responses to existing form and character. In the immediate neighbourhood the tallest buildings are Our Place, which is six-storeys; and the six-storey, mixed-use buildings currently under construction at the corner of Pandora Avenue and Vancouver Street. There is a heritage-registered commercial building located at 916 Pandora Avenue (three properties to the west of the subject property), a heritage-designated church located at 1611 Quadra Street (on the corner of Mason and Quadra Streets), as well as a heritage-designated Alix Goolden Performance Hall across the street on Pandora Avenue. Given the subject property's close proximity to St. John the Divine Anglican Church, Alix Goolden Performance Hall, and the First Baptist Church (heritage buildings), a small portion of the site is within the 90m heritage landmark radius identified in the OCP, and as a result, maintaining views of these heritage buildings from a public realm perspective is strongly encouraged in the OCP. The proposal has incorporated some architectural treatments that compliment these neighboring heritage buildings, which is discussed in the concurrent report associated with the Development Permit Application.

From an urban design perspective, the OCP encourages human-scale building design through consideration of form, proportions, pattern detailing and texture, particularly at street-level. Along the Pandora Avenue frontage, the applicant is proposing ground-floor commercial space in order to enhance the streetscape, public realm and pedestrian experience. Incorporating ground-floor commercial space in this building would also add additional services in the neighbourhood for the growing neighbourhood population. On the Mason Street frontage, the applicant is proposing larger townhouse units at grade level (two bedrooms plus a den, suitable for families) with large private patios fronting Mason Street, which adds to the human scale qualities of this building and enhances the streetscape, also strongly encouraged in the OCP. Lastly, all vehicle parking would be provided underground, and therefore, the site would be dominated by building and landscaping (not surface or underbuilding parking), which further advances the objectives in the OCP.

Downtown Core Area Plan

The subject properties are within the Residential Mixed-Use District in the *Downtown Core Area Plan*, 2011 (DCAP), which supports mixed-use development up to approximately ten storeys and a density up to approximately 5:1 FSR. In order to increase pedestrian activity and improve the vitality of the area, the DCAP encourages active commercial and retail uses at street-level along Pandora Avenue. The proposal complies with the policies with respect to use and density; however, the building is 11 storeys due to a mechanical room which is considered a

storey in the *Zoning Regulation Bylaw*. The mechanical room is situated in the middle of the roof and the exterior cladding would be a light coloured, pre-finished metal cladding to mitigate concerns of visual impact.

Density Bonus Policy

Council's *Density Bonus Policy* applies to this proposal. The applicant engaged Rollo & Associates to conduct a land lift analysis for the City (attached). The economic analysis concluded that the lift from the proposed zoning for the additional 1.55:1 FSR of density is approximately \$818,700.00. In accordance with Council's current policy, the City would seek a target of 75% of the increase in land value, which equals to an amenity contribution in the amount of \$614,000.00. The applicant would be providing an amenity contribution in the amount of \$614,000.00 towards the *Downtown Core Area Public Realm Improvement Fund* (75%) and the *Downtown Heritage Buildings Seismic Upgrade Fund* (25%) as a condition of rezoning and to the satisfaction of the Director of Sustainable Planning and Community Development.

Tree Preservation Bylaw and Urban Forest Master Plan

Six existing Flowering Cherry trees on city property on the Pandora Avenue frontage would be retained and three new trees would be planted in the Pandora bike lane median. There are approximately three new trees being proposed along the new Mason Street boulevard. One mature Pine tree on the south east property line may be removed due to impacts from the construction of the underground parkade. There are no bylaw protected trees affected by this Application.

Regulatory Considerations

The applicant is proposing a new zone in order to increase the density from 3:1 FSR to 4.55:1 FSR, and to allow for residential uses on the ground-floor. The new zone would allow for a height of ten storeys, which is consistent with land use policies in DCAP. The applicant is proposing an 11-storey building due to a rooftop mechanical room, and as a result, a height variance would be required. All other regulations in the new zone would be in keeping with the current CA-1 Zone.

Embedded in the standard CA-1 Zone are residential and commercial parking regulations that are different from the parking regulations outlined in Schedule C: Off-Street Parking of the *Zoning Regulation Bylaw*. The parking regulations in the standard CA-1 Zone would be applied to this proposal. In accordance with the CA-1 Zone, the residential parking requirement is 0.55 spaces per dwelling unit, and the commercial parking requirement is 50% of the requirements in current Schedule C. Based on these parking requirements, the applicant is required to provide 88 parking spaces; the applicant is proposing 117 parking spaces. If Schedule C parking ratios were applied without reference to the existing CA-1 Zone then the parking requirement for this proposal would be 169 parking spaces resulting in a parking shortfall of 52 parking spaces. The subject property is located on an All Ages and Abilities (AAA) protected bike lane and is in close proximity to a frequent transit route and walking distance to downtown.

Encroachment Agreement

With any project of this scale, that has little to no setbacks and requires significant excavation, construction methods often require a form of underpinning which can result in material being left in the Public Right-of-Way. The resulting material (typically rock anchors) presents no concerns

to the public interest and does not impact any underground infrastructure; however, an Encroachment Agreement between the City and the developer is required. The staff recommendation provided for Council's consideration includes direction to allow staff to enter into such an agreement if the Rezoning Application is approved by Council, and if it is deemed necessary to facilitate the construction of the project.

Other Considerations

Road Dedication

The applicant has volunteered to provide road dedication in the amount of 1.38m on Pandora Avenue for future pedestrian enhancements along the street.

CONCLUSIONS

The proposal to increase the permitted density from 3:1 floor space ratio (FSR) to 4.55:1 FSR and to allow for an 11-storey, mixed-use building consisting of residential and commercial uses is consistent with the land use policies outlined in the OCP and DCAP. The applicant has considered the surrounding heritage context and the need for sensitive infill development on the site. This development proposal further advances placemaking objectives in the OCP and would increase the overall supply of housing (rental and home-ownership) in the downtown core. Staff recommend for Council's consideration that the application proceed to a Public Hearing.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00605 for the property located at 926-932 Pandora Avenue.

Respectfully submitted,

Leanne Taylor Senior Planner Development Services Division

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Andrea Hudson, Acting Director Sustainable Planning and Community Development Department

Report accepted and recommended by the City Manager

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Date:

List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated/date stamped June 27, 2018
- Attachment D1: Letter from applicant to Mayor and Council dated November 1, 2018
- Attachment D: Letter from applicant to Mayor and Council dated August 11, 2017
- Attachment E: Community Association Land Use Committee Comments dated June 7, 2017
- Attachment G1: Land Lift Analysis prepared by Rollo & Associates dated September 27, 2018.



Committee of the Whole Report For the Meeting of November 22, 2018

То:	Committee of the Whole			Date	e: No	ovember 8, 2018		
From:	Andrea Develop	- 20	Acting	Director,	Sustainable	Planning	and	Community
Subject:	Development Permit Application No. 000508 for 926-932 Pandora Avenue					Avenue		

RECOMMENDATION

That, subject to the exploration of design revisions to soften the vertical cement panel on the north elevation of the proposed mixed-use building to the satisfaction of the Director of Sustainable Planning and Community Development, 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. 00605, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 000508 for 926-932 Pandora Avenue in accordance with:

- 1. Plans date stamped June 27, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. increase the height from 30m to 32.34m for a rooftop mechanical room
 - ii. reduce the front yard setback on Pandora Avenue from 3m to 2.10m.
- 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.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the revitalization of an area in which a commercial use is permitted, a Development Permit may include requirements respecting the character of the development including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

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 926-932 Pandora Avenue. The proposal is to construct an 11-storey, mixed-use building consisting of residential and commercial uses. The variances are related to height and a front yard setback.

The following points were considered in assessing this application:

- the subject properties are within Development Permit Area 3(HC): Core Mixed-Use Residential. The objectives of this DPA encourage new mid- to high-rise residential mixed-use and commercial buildings and the protection of views of heritage landmark buildings along Pandora Avenue and Quadra Street from public vantage points. Highquality architecture, landscape and urban design that reflects the function of a major residential centre on the edge of a central business district in terms of scale, massing and character, while preserving a skyline with prominent heritage landmark buildings, is also strongly encouraged in this DPA.
- the design guidelines for Downtown Core Area Plan (2011), Standards and Guidelines for the Conservation of Historic Places in Canada (2005), Guidelines for Fences, Gates and Shutters (2010), and Advisory Design Guidelines for Buildings, Signs and Awnings (2006) apply to the development proposal. Overall, the proposal is consistent with the design guidelines.
- the variance to increase the height of the building from 30m to 32.34m in order to accommodate a rooftop mechanical room is supportable and the applicant has introduced some design elements to reduce the visual impact of this element on the roof.
- the variance to reduce the front yard setback on Pandora Avenue from 3m to 2.1m is supportable and triggered by the road dedication being provided by the applicant. The applicant is proposing an active commercial street frontage, which would enhance the overall streetscape and pedestrian experience along this block of Pandora Avenue.

BACKGROUND

Description of Proposal

The proposal is for an 11-storey, mixed-use building consisting of commercial and residential uses. Specific details include:

- mid-rise building form consisting of contemporary architectural features, including a flat roofline, contemporary-style windows and materials, and substantial glazing
- exterior building materials consisting of clear vision glass; opaque glass spandrel; prefinished composite aluminium panel, brick, cedar cladding and soffit; exposed concrete with epoxy coating; wood columns; aluminium and glass guardrails; pre-finished perforated metal screens; coloured glass; translucent glass balcony dividers; vertical wood screen; glass canopy; metal cladding and fibre cement panel
- substantial glazing along the ground-floor commercial space
- building projections over the outdoor areas for weather protection
- coloured glazing to be installed on the building's west stairwell and on windows facing the courtyard on the north elevation to complement the stained-glass windows in the nearby churches
- individual private patio spaces for the townhouse units fronting Mason Street
- the main residential entryway accessed off of Mason Street through a gated, landscaped courtyard which features a timber and glass entry canopy, and a secondary gated entrance off of Pandora Avenue
- roof skylight for natural light into the residential entrance off of Pandora Avenue

- glass canopies above the balconies on the tenth floor
- ground-floor amenity space for residents with access to an interior courtyard space and an operable glass wall to allow activities to extend outdoors under the cover of the building
- green roofs on levels two to five, and an outdoor amenity area on level 10 including an outdoor kitchen and dining area as well as bench seating
- planters and built in wood benches in the outdoor area in front of the commercial space
- permeable surface treatment installed throughout the site
- eight trees to be planted onsite, as well as, new soft landscaping to be installed along the Mason Street frontage extending into the courtyard area and in between the patio spaces for the townhouse units
- the parking ramp screened with climbing vines
- two levels of underground parking with access off of Mason Street
- 178 Class 1 bicycle parking spaces to be located in bike storage areas on the ground level and in parking level 1, and 18 Class 2 bicycle parking spaces to be located near the residential entryways.

The proposed variances are related to increasing the height from 30m to 32.34m and reducing the front yard setback on Pandora Avenue from 3m to 2.10m.

Sustainability Features

The applicant is proposing to incorporate several green roofs throughout the building to help manage storm water and on-site runoff.

Active Transportation Impacts

The applicant is proposing to provide 165 long-term and 18 short-term bicycle parking spaces on-site, which support active transportation.

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 a mix of residential and commercial land uses.

Existing Site Development and Development Potential

The site presently contains a one and two-storey commercial building and a paid parking lot. Under the current CA-1 Zone, the property could be developed as a five-storey, mixed-used development with ground-floor commercial and residential above.

Data Table

The following data table compares the proposal with the existing CA-1 Zone. An asterisk is used to identify where the proposal is less stringent than the existing Zone.

Zoning Criteria	Proposal	Zone Standard (CA-1)	
Site area (m²) – minimum	2600.00	n/a	
Density (Floor Space Ratio) – maximum	4.55:1 *	2.00:1	
Total floor area (m²) – maximum	11,840.00 *	5351.20	
Height (m) – maximum	30 * / 32.34 * (stair access to mechanical)	15.50	
Storeys – maximum	10 (building) /11 (stairs to mechanical)	n/a	
Site coverage % – maximum	76.90	n/a	
Location of residential	Mason Street ground floor *	Second storey and above	
Setbacks (m) – minimum			
Street Setback (Pandora Ave)	2.10 *	3.00	
Street Setback (Mason St)	3.00	3.00	
Side (West)	0.00	0.00	
Side (East)	0.00	0.00	
Vehicle parking – minimum			
CA-1 Zone	117	88	
Visitor parking – minimum included in the overall units	12	8	
Schedule C	105 *	154	
Schedule C - Visitor	12 *	15	
Bicycle parking – minimum			
Schedule C	v		
Class 1	178	165	
Class 2	18	18	

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, on June 7, 2017 the application was referred for a 30-day comment period to the North Park CALUC. A letter dated June 7, 2017 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 Official Community Plan (OCP) identifies this property within Development Permit Area 3 (HC): Core Mixed-Use Residential. The objectives of this DPA encourage new mid- to high-rise residential mixed-use and commercial buildings and the protection of views of heritage landmark buildings along Pandora Avenue and Quadra Street from public vantage points. High-quality architecture, landscape and urban design that reflects the function of a major residential centre on the edge of a central business district in terms of scale, massing and character, while preserving a skyline with prominent heritage landmark buildings, is also strongly encouraged in this DPA.

In the immediate neighbourhood, the tallest buildings are Our Place, which is six-storeys, and a six-storey mixed-use buildings currently under construction at the corner of Pandora Avenue and Vancouver Street. An 11-storey building along this block of Pandora Avenue would be the tallest building in the vicinity; however, it is consistent with policies. There is a heritage-registered commercial building located at 916 Pandora Avenue (three properties to the west of the subject property), a heritage-designated church located at 1611 Quadra Street (on the corner of Mason and Quadra Streets), as well as a heritage-designated Alix Goolden Performance Hall across the street on Pandora Avenue. From a heritage perspective, the applicant is proposing to use brick cladding for portions of the main floor, in response to the stone and masonry structure of the historic churches. The building's west stairwell, and some of the ground floor windows visible from Mason Street, would feature coloured accent glazing reminiscent of the stained-glass windows in the nearby churches.

Overall, the development proposal is consistent with the design guidelines from an urban design, architectural and landscaping perspective. The applicant has carefully designed the building base to ensure it addresses the human scale at street level on both the Pandora Avenue and Mason Street frontages, as well as, using a variety of materials to accentuate certain architectural elements on the north, south and west elevations. The proposed building is L-shaped, which allows for a private interior courtyard, as well as, a large roof-top outdoor amenity area on the tenth floor. The townhouse units along Mason Street would have large front yard private patio space. As well, locating all the vehicle parking underground allows for the building and landscaping to serve as the focus which enhances the streetscape.

Downtown Core Area Plan

Overall, the proposal is consistent with the built form policies and design guidelines outlined in the *Downtown Core Area Plan*, 2011 (DCAP). The proposal complies with the street walls and setbacks for wide streets, including the primary and secondary street wall dimensions, as well as, the 1:5 building setback ratio.

The DCAP design guidelines encourage the use of visually lighter coloured materials, excluding reflective or mirrored finishes on upper portions of the building. On the north elevation, the applicant is proposing vertical cement panel that extends up to the eighth storey. To break up this relatively blank façade treatment, the applicant has added some horizontal fins and windows; however, staff still have concerns related to the "heaviness" of this element in relation to the other exterior materials above the second storey and note the addition of windows or other architectural elements may be one approach to break up this section of façade. The wording in staff's recommendation encourages the applicant to further explore some options to soften the vertical cement panel prior to public hearing.

Tree Preservation Bylaw and Urban Forest Master Plan

Six existing Flowering Cherry trees on city property on the Pandora Avenue frontage would be retained, and three new trees would be planted in the Pandora bike lane median. There are approximately three new trees being proposed along the new Mason Street boulevard. One mature Pine tree on the south-east property line may be removed due to impacts from the construction of the underground parkade. There are no bylaw protected trees affected by this application.

Regulatory Considerations

Height Variance

The applicant is proposing to increase the height of the building from 30m to 32.34m in order to accommodate a rooftop mechanical room. With this mechanical room, the building is also considered 11-storeys. Even though the DCAP supports a building height up of to 10 storeys, which is approximately 30m tall, the increase in height is supportable as the applicant has introduced design elements to reduce the visual impact of this element on the roof. Adding habitable floor area above 30m, in the future, would trigger another variance as the proposed height variance is strictly to accommodate a rooftop mechanical room.

Front Yard Setback Variance

The applicant is proposing to reduce the front yard setback from 3m to 2.1m on Mason Street. This variance is a result of the 1.38m road dedication being provided by the applicant instead of Statutory Right-of-Way (SRW). If a SRW was provided, then a front yard setback variance would not have been required as the building would be setback approximately 3.48m from the property line. In this context, the variance is supportable, and the applicant is proposing an active commercial frontage in order to enhance the overall streetscape and pedestrian experience along this block of Pandora Avenue.

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:

"It was moved that the Development Permit Application No. 000508 for 926 - 932 Pandora Avenue be approved:

- 1. subject to the following recommendations:
 - a) introduce non-reflective materials in lieu of spandrel panels;
 - b) revise the 9th floor continuous balcony;

- c) refine both Pandora Avenue and Mason Street streetscapes and entrances; and
- 2. with consideration to the following recommendations:
 - a) reconfigure the garbage and recycling removal route;
 - b) consider adding windows to the townhouse bedrooms;
 - c) review the design of the amenity spaces to improve functionality, privacy and serviceability; and
 - d) consider the Panel's comments as captured within the meeting minutes."

The applicant has provided a letter dated June 27, 2018 (attached) addressing each recommendation and consideration provided by the ADP. With respect to the recommendations above, the applicant has reduced the amount of spandrel glass on the building and replaced this material with fibre cement panel. To break up the continuous balcony on the ninth floor, the applicant would incorporate a horizontal fibre cement panel in additional to the metal and glass guardrail system. With respect to the streetscapes and entrances, the applicant has added planters, benches and increased the canopy size at the Mason Street entrance, incorporated different surface treatment at locations along Pandora Avenue, as well as, added a skylight at the Pandora Avenue residential entrance to allow for natural light at the lobby entry.

In addition to addressing the Panel's recommendations, the applicant also took into account the other considerations provided by the ADP. With respect to the reconfiguring the garbage and recycling removal route, the applicant has indicated to staff that locating the garbage and recycling enclosure on the ground-level, in close proximity to Pandora Street as shown on the plans, is the most suitable location for garbage pick-up. Staff have not expressed any concerns with this aspect of the proposal. The applicant has clarified that the room with no windows in each of the townhouse units is a "den" not a "bedroom." With respect to the outdoor amenity space on the tenth floor, the applicant has improved its functionality, privacy and serviceability by adding a washroom and enhancing a privacy screen between the private patio space for the residential unit adjacent the amenity space and the public outdoor space of the building.

Other changes include: the applicant has added glass canopies above the balconies on the tenth floor, provided some landscaping planters on the south-west facing green roof, and revised the west facing balconies to comply with the minimum clearance from a side property line, which is 3.5m as per the *Residential Building Separation Guidelines* in DCAP.

CONCLUSIONS

The proposal to construct an 11-storey, mixed-use building consisting of residential and commercial uses is consistent with DPA 3(HC) and the applicable design guidelines. The height variance is supportable as it is to facilitate the construction of a roof top mechanical room. The request for a front yard setback variance on Pandora Avenue is a result of the road dedication being provided by the applicant; however, the applicant is proposing to enhance the overall streetscape and pedestrian experience along this block of Pandora Avenue, and therefore, this setback variance is supportable. 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. 000508 for the property located at 926 and 932 Pandora Avenue.

Respectfully submitted,

Senior Planner

Leanne Taylor

Development Services Division

And Hude

Andrea Hudson, Acting Director Sustainable Planning and Community Development Department

Report accepted and recommended by the City Manage

Date:

List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated/date stamped June 27, 2018
- Attachment D: Letter from applicant to Mayor and Council dated August 11, 2017
- Attachment E: Community Association Land Use Committee Comments dated June 7, 2017
- Attachment F: ADP Meeting Minutes dated May 23, 2018
- Attachment G: Letter from applicant regarding revisions to the proposal following ADP dated June 27, 2018.

Councillor Potts withdrew from the meeting at 10:41 p.m. due to a pecuniary conflict of interest with the following item, as she works for Our Place Society.

I.1.b.d 926 and 932 Pandora Avenue - Rezoning Application No. 00605 and Development Permit Application No. 000508 (North Park)

> Moved By Councillor Thornton-Joe Seconded By Councillor Young

Rezoning Application No.00605

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00605 for 926 and 932 Pandora Avenue; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:

- Provide a Sewage Attenuation Report prepared by a qualified engineer to determine if the proposal would result in increased sewage flow rates, to the satisfaction of the Director of Engineering and Public Works.
- Provide a Road Dedication Plan for a dedication of 1.38m on Mason Street, to the satisfaction of the Director of Engineering and Public Works.
- Preparation and execution of a Housing Agreement to secure:
 - i. ten percent of the residential units (approximately 15 dwelling units of which seven of the units would be two and three bedroom units and suitable for families in accordance with the applicant's letter dated November 1, 2018) as affordable rental units (rents at 15% below appraised market rents) in perpetuity and in accordance with an appraisal provided to the city annually
 - ii. ensure that future Strata Bylaws cannot prohibit the rental of the other units in the building, to the satisfaction of the Director of Sustainable Planning and Community Development.
- 4. Secure an amenity contribution in the amount of \$614,000.00 where half goes towards the Housing Trust Fund and the other half goes towards the Downtown Core Area Public Realm Improvement Fund (75%) and the Downtown Heritage Buildings Seismic Upgrade Fund (25%) and to the satisfaction of the Director of Sustainable Planning and Community Development.
- Council authorizing anchor-pinning into the City Rightof-Way, provided that the applicant enters into an Encroachment Agreement, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.

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Development Permit Application No.000508

That, subject to the exploration of design revisions to soften the vertical cement panel on the north elevation of the proposed mixed-use building to the satisfaction of the Director of Sustainable Planning and Community Development, 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. 00605, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application

No. 000508 for 926-932 Pandora Avenue in accordance with:

- 1. Plans date stamped June 27, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. increase the height from 30m to 32.34m for a rooftop mechanical room
 - ii. reduce the front yard setback on Pandora Avenue from 3m to 2.10m.
- 3. The Development Permit lapsing two years from the date of this resolution."

FOR (6): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Thornton-Joe, and Councillor Young OPPOSED (2): Councillor Isitt, and Councillor Loveday

CARRIED (6 to 2)

Council Meeting Minutes November 22, 2018







MASON STREET

Average Grade Calculation 932 Pandora Grade Elevation Grade Average Of Distance Between Totals A 24.4 Points Both Points Grade Points (m) Distance B 25.16 Points & & B 25.07 10.2 25.57 C 24.98 Points C & D 25.07 2.8 70.20 D 25.16 Points C & D 25.07 2.8 70.20

25.16	Points B & C	25.07	10.2	255.71
24.98	Points C & D	25.07	2.8	70.20
25.16	Points D & E	25.07	3.3	82.73
24.98	Points E & F	25.09	3.0	75.27
25.2	Points F & G	25.38	2.4	60.91
25.56	Points G & H	25.56	20.4	521.42
25.56	Points H & I	25.56	2.2	56.23
25.56	Points I & J	25.56	10.0	255.60
25.56	Points J & K	25.56	35.0	894.60
25.56	Points K & L	25.56	10.0	255.60
25.56	Points L & M	25.56	0.5	12.78
25.56	Points M & N	25.56	18.1	462.64
25.56	Points N & O	25.51	1.5	38.27
25.46	Points O & P	25.42	13.1	333.00
25.38	Points P & Q	25.38	30.6	776.63
25.38	Points Q & R	25.29	3.8	96.08
25.19	Points K & L	25.23	10.0	252.25
25.26	Points L & M	25.23	0.5	12.61
25.19	Points M & N	25.23	45.5	1147.74
			Total	5997.28
	Grade Calculation	1	236.5	25.36



PANDORA AVENUE

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932 PANDORA AVENUE

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View Looking at Residential Entrance on Pandora Avenue





View Looking West on Mason Street

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View Looking West on Pandora Avenue



View Looking at Residential Entrance on Mason Street



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PERSPECTIVE RENDERINGS









View Looking East on Mason Street

STREET VIEWS

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NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION





The site for the proposed multi-damily residential project fails within the DPA-3. Hertage Conservation district. The deaign guidelines for this district encourage the use of building matterials that will conserve and enhance the hantage value of the significant histonic building within the district, most motably the masonry and brick churches stong Quadra st.

Cluster st. To meet the interior of the design puldelines toric desiding is proposed as the phmary clasting material for the base of the building. Cement panel clasding with sixo be incorporated as an accent material is make as the stained gates window of the outrich will enclose the window of the west stainwell for the patterns strong the building real the other matory loints of the store drurches and tail marrow windows others on the accel faced within a church spile have been incorporated as accent windows on the north deside within a building. These design stemants, in building.



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Recommended Nursery Stock

Trees				
iD .	Quantity	Botanical Name	Common Name	Size
AdPSK	5	Acer pelmatum 'Sango Kaku'	Coral Bark Maple	som cal
ACRK	3	Aper rubrum 'Kerpick'	Karpick Meple	forn cal, 2m clear
CORMIN	3	Cornus kouse var. dvinenals 140ky Way!	Milky Way Kouse Dogwood	#20 pot; 3m tri
GIBI	3	Girkgo blobe	Ginkgo	6 cm cal.
Medlum	Shrubs			
ID	Quartity	Baterical Name	Common Hame	Size
BuSY		Busin sempervisins 'Vallegata'	Variegated English Boxwood	# 5 pot
13Aq	81	liks aquifolium 'Argenteo Marginata'	Varlegated English Holly	#5 pet
PUeVV	3	Plene jeponice "Valley Valentine"	Valley Valentine Lily Of The Valley	#5 pot
PrLaNV	3	Prunus laurocerasus Mount Vernon'	Mount Vervori English Laurel	# 5 pot
RERM	3	Rhododendron 'Ross Mund'	Rose Mundi Rhododendron	#5 pet
Small S	hrubs			
10	Quantity	Botanical Name	Common Name	Size
GeSh	18	Gautheria shallon	Salal	#5 pot
LaSiDO		Levendule stoeches 'Oto Quest'	Spanish Lavender	#1 pot
PUP	10	Pieris japonica 'Prelude'	Prelude Pierle	#3 pot
Setti	100	Seroscocca hookertana ver, humilie	Dwarf Sweet Box	#2 pot
Perenni	als, Annuals	and Ferns		
10	Quantity	Botaninal Nama	Cemmon Name	Tion .
AsCa	23	Assnum canadianae	Wid Ginger, Canadian Widologar	#1 pct
CaOsE	58	Cares estémenais Everpoid	Everyoid Sedge	# 1 pol
HaSe	18	Helictotrichon sempentrene	Blue Oat Grass	#1 pot
Him	144	Heuchers spp.	Coral Balts	#1 pot
Green F	toof Level 2	and Level 10		
10	Quantity	Betanical Nema	Cemmon Name	Size
ANUN	16	Arctoelaphyles uva ural Vancouver Jade'	Vancouver Jade Kinnickinnick	
CeVu	16	Calune vulgers Firefy	Sootch Heather	#2 pot
CaDaE	14	Carex oshimensis Everyoid	Evergoid Sedge	#1pet
CeTh	3	Ceanothus thyrational Victoria'	Victoria Ceanothus (California Lilac)	#5 pot
HeSe		Halidotrichon sempervirens	Sive Cat Grass	#1 pot
NaHD	4	Nandina domestica Harbour Dwarf	Harbour Dwarf Heavanly Bamboo	#2 pot
PlaTe	12	Nesale lenuisaima	Maxican Feather Grass	#1 pot
PUP	5	Plants japonica 'Prakuda'	Pretude Plarie	#3 pot
PrLu	3	Prunus tustenica	Portugal Laural	#20 pot, tree form
RMF	16	Rhodedendron 'Nary Flaming'	dwarf yellow hybrid modedendron.	#3 pot
RIVERN	1	Rhododendron 'Rosa Mund'	Ross Mundl Rhododendron	#5 pot: 1.2m ht.
Bullf		Rosmarinus officinals Prostratus'	Rosemery	#3 put
Satt	2	Saroococca hookariana var. humilis	Dwarf Sweet Box	#2 pot
TaxH	10	Taxus a media "Hidual"	Hick's Yew	#5 pot; 1.2m M.
Vines				
iD.	Quantity	Bolarice: Name	Common Name	Size
Hylm		Hydranges integrifolie	Evergreen climbing hydranges	#5 pot
Notes:				
		000 Charles 10 Contract 10 Con		

1. All work to be completed to current BCSLA Landscape Standards 2. All soft landscape to be irrigated with an automatic irrigation system

> June 25, 2018 Revision Notes; A - Remove decorative concrete pavers/slabs from municipal propert

June 19, 2018 Revision Notes: A - Revised plantar to expand canopy and highlight entry B - Revised paving design to highlight entries C - Added paving eccent panets at building panels to add intere D - Removed banches in Chy boulevard

June 25, 2018 - Re-issued for Development Permit June 18, 2018 - Re-issued for Development Permit Jan 11, 2018 - Re-issued for Development Permit July 28, 2017 - Issued for Development Permit



LANDSCARE ARCHIN

43-864 Queens Ave. Victoria: B.C. V8T 1M5 Phone: (250) 556-0105 Fax: (250) 412-0596

932 Pandora St. | Level 1 Landscape Concept Plan



June 25, 2018 Revision Notes: B - Locate Level 10 privacy screen within planter and adjust planting as required

June 19, 2018 Revision Notes: E - Added green roof and planter, Level 2 F - Added green roof, Level 7 G - Revised and expanded planter



932 Pandora St. | Roof Terraces

Project No: 1732 Ath 21.741

LADR

43-864 Queens Ave. Victoria B.C. V87 1M5 Phone: (250) 598-0105 Fax: (250) 412-0696