



Committee of the Whole Report

For the Meeting of February 6, 2020

To: Committee of the Whole **Date:** January 23, 2020

From: Karen Hoese, Director, Sustainable Planning and Community Development

Subject: Rezoning Application No. 00674 for 334 Dallas Road

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00674 for 334 Dallas Road, 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. Landscape plan be amended to provide more detail as described in the Development Permit Application Report.
2. Preparation and execution of legal agreements to require a 10-year rental period (market rental), for the two basement units to the satisfaction of the Director of Sustainable Planning and Community Development.

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 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 property located at 334 Dallas Road. The proposal is to rezone from the Two Family Dwelling District, R-2 Zone, to a site-specific zone in order to permit construction of a three unit dwelling.

The following points were considered in assessing this application:

- the proposal is consistent with the density and uses established for this area, which is designated Traditional Residential in the Official Community Plan (OCP)
- the proposal is consistent with the James Bay Neighbourhood Plan which encourages a range of housing opportunities
- the provision of two rental units supports housing diversity and market rental housing policies.

BACKGROUND

Description of Proposal

This proposal is to rezone from the R-2 Zone, Two Family Dwelling District, to a site-specific zone in order to:

- demolish the existing single family dwelling and garage
- construct a new three unit residential building
- secure the two lower units (ground floor units) as market rental for a period of 10 years.

The applicant and the James Bay Neighbourhood Association reference the term 'houseplex' for the type of housing form proposed. However, as a definition and standards for this terminology have not been developed through the local area planning for James Bay, at this time it is more appropriate to consider the proposed building as a triplex.

The following list details the differences from the standard R-2 Zone:

- permitting a third unit
- exceeding the maximum density (floor space ratio)
- increasing the height of the dwelling and the accessory building (variances required)
- decreasing the required number of off-street vehicular parking stalls (variance required)
- decreasing the amount of rear yard open space (variance required).

Affordable Housing Impacts

The Rezoning would permit the creation of two new residential units (for a total of three units on the property) which would increase the overall supply of housing in the area. The applicant has indicated that two of the units would remain market rental for a period of 10 years. This would be secured by a Housing Agreement, which would include provisions to restrict strata conversion in that time period.

Tenant Assistance Policy

The proposal is to demolish an existing building which would result in a loss of one existing residential unit. The tenant is not eligible for tenant assistance due to their length of occupancy. The Tenant Assistance Plan is provided with this report.

Sustainability Features

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

Active Transportation Impacts

The applicant proposes bicycle parking which supports active transportation.

Public Realm Improvements

No public realm improvements beyond the City's standard requirements are proposed in association with this Rezoning Application.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings. The proposed pathway surrounding the building is designed to be accessible and provides access to the elevator for the main unit.

Land Use Context

This portion of Dallas Road (between Boyd Street and San Jose Avenue) has seen little change over the last two decades. The most recent change to this block has been the construction of the duplex at 338 Dallas Road in 2004. The 28 unit condominium building at 360 Dallas Road was constructed in 1971. All other houses in the immediate area are single family dwellings. While the zoning in the immediate area is R-2, Two Family Dwelling District, many of the lots in the immediate area would not have sufficient site area for a duplex.

Existing Site Development and Development Potential

Under the current zone the property could be redeveloped for a duplex.

Data Table

The following data table compares the proposal with the existing R-2 Zone. An asterisk is used to identify where the proposal varies from the than the existing Zone. The concurrent Development Permit Application Report analyses the variances in detail.

Zoning Criteria	Proposal	Existing Zone R-2	Comments
Site area (m ²) – minimum	665.46	555	Based on two units – see site area per unit
Site area per unit (m ²) – minimum	221.82 *	277.5	Requires a new zone – not a variance
Number of units – maximum	3 *	1 duplex (2 units)	Zone does not permit a 3 rd unit
Density (Floor Space Ratio) – maximum	0.51:1 *	0.5:1	Floor area does not include basement area. Requires a new zone - not a variance
Total floor area (m ²) – maximum	491.80 *	380.00	For all units and includes basement
First & Second Storey floor area (m ²) – maximum	338.6 * (upper unit only)	280.00	1 st and 2 nd storey floor area is for combined floor area of duplex

Zoning Criteria	Proposal	Existing Zone R-2	Comments
Lot width (m) – minimum	18.02	15.00	
Height (m) – maximum	7.92 *	7.6	
Storeys – maximum	2	2	
Site coverage (%) – maximum	34.7	40.0	
Open site space (%) – minimum	52	30.0	
Open site space (%) - minimum Rear yard	13.54 *	33.00	
Separation space between buildings (within the site) (m) – minimum	5.41	2.40	
Setbacks (m) – minimum			
Front	7.50	7.50	
Rear	13.3	12.92	
Side (east)	1.80	1.80	
Side (west)	3.30	3.00	
Combined side yards	5.10	4.50	
Parking – minimum	3*	4	Based on the unit size
Visitor parking included in the overall units – minimum	0	0	
Bicycle parking stalls – minimum			
Short term	6 space rack	n/a	Bicycle parking is not required for two family dwellings, but is required for multiple dwellings
Long term	4 spaces within accessory building	n/a	

Zoning Criteria Accessory Building	Proposal	Existing Zone R-2	Comments
Location	Rear yard	Rear yard	
Above ground floor area – (m ²) - maximum	36.59	37.00	

Zoning Criteria Accessory Building	Proposal	Existing Zone R-2	Comments
Basement floor area	87.05	n/a	
Height (m) – maximum	3.96*	3.5	
Setbacks (m) – minimum			
Rear	1.21	0.60	
Side (east)	7.1	0.60	
Side (west)	4.82	0.60	

Relevant History

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the James Bay Neighbourhood Association at a Community Meeting on May 9, 2018 and another meeting on October 9, 2019. According to the *CALUC Procedures for Processing Rezoning and Variance Applications*, a second meeting was triggered due to an increase in the floor space ratio from the earlier submission. In addition, as the submission plans were refined over time, it was also noted that a height variance for the garage would be required due to the inclusion of a storage area under the garage.

The letters from the James Bay Neighbour Neighbourhood Association (attached) are dated as follows:

- May 23, 2018
- November 21, 2018
- October 23, 2019.

ANALYSIS

Official Community Plan

The Official Community Plan (OCP) designates the subject property as Traditional Residential. The maximum density envisioned within Traditional Residential areas is 1:1 FSR, and this project is below the maximum envisioned. Dallas Road in this location has a functional street classification of a Secondary Arterial. The Traditional Residential Designation envisions low rise multi-unit residential buildings up to three storeys on arterial and secondary arterial roads; therefore, the proposal is consistent with the OCP.

Local Area Plans

The James Bay Neighbourhood Plan (1993)

The James Bay Neighbourhood Plan, in the Goals and Objectives on Housing, encourages a range of housing opportunities, with many references to family housing. One ground floor unit has two bedrooms, and the main dwelling unit has four bedrooms.

Tree Preservation Bylaw and Urban Forest Master Plan

There are a number of smaller, non-bylaw protected trees on the property, all of which will be removed. Due to the presence of underground services on Dallas Road, there is no requirement for trees within the public realm.

Regulatory Considerations

The proposed density is in excess of what is permitted in the R-2 Zone, which is intended for two units, so to achieve a redevelopment with three units, an increase in density would be expected. The proposed density at 0.51:1 floor space ratio (FSR) is marginally above the established ratio of 0.5:1 FSR for the R-2 Zone. However, it is noted that the calculation for FSR does not include the floor area of the two lower units as they are considered basement space and, as such, are exempt from the floor area calculation for a two family dwelling. As defined by the *Zoning Regulation Bylaw*, the finished ceiling height of the lower units project no more than 1.2m above grade, and are therefore exempt from floor space calculations.

The density on the subject parcel is a result of the large main unit, which occupies the total building footprint on two floors (338.6m² total floor area) exceeding the maximum floor area permitted for a two-family dwelling unit as well as what would be allowed for a single family house in the (R1-B) for a lot of this size. If all floor areas of all units (including the basement) are used in the calculation of the floor area, the overall FSR would be 0.74:1, which remains below the limit of 1:1 FSR established by the Official Community Plan within the Traditional Residential designation.

CONCLUSIONS

The proposal will contribute to the housing options within James Bay, and two market rental units will be secured for a period of ten years. The building form is in compliance with the Traditional Residential Designation, which envisions low rise multi-unit residential buildings up to three storeys on arterial and secondary arterial roads. Three residential units are considered a multi-unit development. The proposed density is within the limit of 1:1 FSR identified for this designation. Therefore, in terms of use, density and building form, this proposal is consistent with the policies and objections of the Official Community Plan as stated within the Traditional Residential designation.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00674 for the property located at 334 Dallas Road.

Respectfully submitted,



Lucina Baryluk
Senior Planner
Development Services



Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Jocelyn Jenkins

Date: *Jan 29, 2020*

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped August 26, 2019
- Attachment D: Letter from applicant to Mayor and Council dated November 19, 2019
- Attachment E: Community Association Land Use Committee Comments dated May 23, 2018, November 21, 2018, June 7, 2019 and October 23, 2019
- Attachment F: Tenant Assistance Plan
- Attachment G: Correspondence.