



Committee of the Whole Report For the Meeting of February 6, 2020

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

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

Subject: Development Permit with Variances Application No. 00101 for 334 Dallas Road

RECOMMENDATION

That subject to revisions to the landscape plan to include permeable paving in the rear yard, installation of a six stall bike rack, inclusion of more plant materials (including native, pollinator and edible plants), details of fencing and opportunities to include plantings along the fence 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. 00674, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00101 for 334 Dallas Road, in accordance with:

1. Plans date stamped August 26, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. increase the maximum height for a dwelling to 7.92 m
 - ii. increase the maximum height for an accessory building to 3.96 m
 - iii. reduce the vehicular parking requirements from 4 stalls to 3 stalls
 - iv. reduce the rear yard open site space from 33% to 13%.
3. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for the property located at 334 Dallas Road. The proposal is to rezone from the R-2 Zone, Two Family Dwelling District, to a site specific zone in order to permit construction of a three unit dwelling. The variances are related to increasing the height

of the principal dwelling and the accessory building, decreasing the required number of off-street vehicle parking stalls from four to three stalls and decreasing the amount of rear yard open space from 33% to approximately 13%.

The following points were considered in assessing this application:

- The project is generally consistent with the applicable design guidelines, as the proposed building creates visual interest and adds variety to the streetscape, and at the same time fits within the local context
- The height variances for the dwelling and accessory building are minor in nature and considered supportable
- The parking variance for one fewer vehicle stall is supportable as bicycle parking is provided
- The variance for rear yard open site space is acceptable provided landscaping enhancements are incorporated into the site planning.

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 as market rental for a period of 10 years.

The existing R-2 Zone allows for a two family dwelling on the subject property. The following differences from the standard Zone are:

- permitting a third unit
- exceeding the maximum density (floor space ratio)
- increasing the height of the dwelling and accessory building (variances required)
- decreasing the required number of off-street vehicular parking stalls from four stalls to three stalls (variance required)
- decreasing the amount of rear yard open space from 33% to 13% (variance required).

Design details include:

- a two-storey flat roof building form, with full windows across the front of the upper storey
- cladding materials include metal siding, cedar siding and stucco
- two vehicle parking stalls are provided in the proposed garage plus a surface stall is provided for a third vehicle
- a storage area is proposed under the garage, which is accessed by stairs adjacent to the rear property line
- the landscape plan includes an amenity area in the north-west corner of the property and front yard lawn and shrubs.

Sustainability Features

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

Active Transportation Impacts

The application proposes bike racks for the use of the occupants. The number of short term bike parking stalls, as shown on the landscape plan, will be corrected to show a six space rack.

Public Realm Improvements

No public realm improvements, beyond the City's standard requirements, are proposed in association with this Development Permit 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 provide access to the elevator for the main unit.

Existing Site Development and Development Potential

The site is presently zoned R-2 Zone, Two Family Dwelling District. Under the current R-2 Zone, the property could be redeveloped with a duplex.

Data Tables

The following data table compares the proposal with the R-2 Zone and identifies variances only. The full data table is provided in the Rezoning Application Report. An asterisk is used to identify where the proposal varies from the existing zone.

Zoning Criteria	Proposal	Existing Zone R-2	Comments
Height (m) – maximum	7.92 *	7.6	
Open site space % – minimum Rear yard	13.54 *	33.00	Open site space does not include drive aisle or parking surfaces
Parking – minimum	3 *	4	Based on unit size
Accessory building height	3.96 *	3.5	

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. This application required a second Community Meeting as there was an increase in the floor space ratio from the earlier submission, and in accordance with the *CALUC Procedures for Processing Rezoning and Variance Applications* a second Community Meeting was triggered. The letters from the James Bay Neighbour Neighbourhood Association are attached to the Rezoning Application 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 DPA 16, General Form and Character. As this proposal is for three units (multi-unit residential) the applicable guidelines are *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development*.

The guidelines encourage new developments to be compatible with and improve the character of the established area through design. The guidelines applicable to this development can be summarized as follows:

- create a transition in form and massing to lower-density buildings and respect the character of established areas and building variety through the form and massing
- add visual interest to the streetscape through variations in building height, rooflines and massing
- protect the privacy of adjacent single-family dwellings
- establish a positive street relationship.

In the immediate context, the proposed dwelling relates in building mass and height to the adjacent duplex to the east (338 Dallas Road). Although the proposal is slightly higher than the adjacent building, the height variance is minor. However, the proposal appears more massive due to the lack of articulation. Arising from comments from staff and the public as expressed at the community meeting, the applicant has adjusted the design with a curved frontage to lessen the box-like appearance of the structure. As a transition to the house to the west (332 Dallas Road), the proposal is less sympathetic. However, in terms of privacy impacts, there are minimal windows on the west elevation, and the proposed second floor deck will overlook the rear yard of this house but not directly into the dwelling. Overall on this block of Dallas Road, the proposal represents an appropriate fit. In the wider context of Dallas Road, the newer homes have a more modern expression, generally with flat roofs or non-traditional roof forms.

In terms of street relationship, the applicant has adjusted the front elevation to create a more prominent entry with a porch, and the material will create visual interest. The entrances to the lower units are on the sides of the building and, as such, do not directly relate to the street.

The James Bay Neighbourhood Plan (1993)

The James Bay Neighbourhood Plan, in the Goals and Objectives on Housing, encourages the following:

- visual harmony of form and scale between new buildings and adjacent residential units
- high standard of design for new residential developments
- respect for the existing streetscape character.

As noted above, in the context of this block of Dallas Road, this dwelling fits as the building massing and its flat roof is compatible with the apartment building. The adjacent building to the east complements the single family dwellings in the block forming a cohesive streetscape.

Regulatory Considerations

Height of Dwelling Unit

At the James Bay Neighbourhood Association meeting (letter dated October 23, 2019) the applicants noted that the height of the house would be adjusted and a variance would not be

required. Staff have also discussed the option of reducing the floor to ceiling height with the applicant.

From follow-up with the applicant, it has been clarified that the building height would not be reduced, as the applicant wished to retain the proposed floor to ceiling heights (8 feet floor to ceiling for the basement, 9 feet for the ground floor and 10 feet for the upper storey).

At the community meetings, there was considerable discussion of the height of this building in relation to the adjacent building to the east (338 Dallas Road). According to the building plans for the dwelling at 338 Dallas Road, constructed in 2004, the height is 7.57m (height limit is 7.6m) and did not require a variance. The total height of the proposed house at 334 Dallas Road is 7.92m, which requires a variance to allow the extra 32cm (12 inches). This minor variance is supportable as the additional height will have limited additional visual impact.

It is noted that the Official Community Plan envisions buildings up to three storeys on secondary arterials within the Traditional Residential designation, making this building height anticipated within OCP policy.

Height of the Accessory Building

The height variance for the garage is required due to grade issues and the inclusion of a storage basement under the garage and access stairs. The maximum height for accessory buildings is 3.5m and the request is for 3.96 m (approximately 18 inch variance). While this is not an ideal situation, it is required to accommodate the storage solution, which will serve three residential units.

Schedule C – Off-Street Parking Regulations

The vehicular parking standards are determined by the size of the units and locational factors (outside of the core area or village centre). The parking requirements for the proposal are as follows:

- main unit (floor area exceeds 70m²) – 1.45 vehicular parking stalls required
- two rental suites (floor area exceeds 70m²) 1.3 per unit – 2.6 vehicular stalls required
- no visitor stalls are required.

Therefore, a total of four stalls are required but only three stalls are provided. The shortfall in vehicular parking will be offset by the provision of short and long term bicycle parking. It is noted that the landscape plan will be corrected to show a six-space bicycle rack.

Rear Yard Open Site Space

The entire lot will be excavated for the new construction and, as such, all of the existing vegetation will be removed, including an apple tree in the rear yard. Due to the requirements for vehicular parking, most of the rear yard is hard surface to accommodate parking and access. The standard for open site space in the rear yard is 33% intended to provide private outdoor space for the residents. The applicants have shown an amenity area in the northwest corner for this purpose.

To offset the amount of hard paved surface in the rear yard, to improve the storm water management and to generally soften the hardscape, staff are recommending the following changes to the landscaping:

- replace the concrete in the rear yard with permeable pavers

- include more plant materials on the property (including native, pollinator and edible plants)
- improve fencing and add plantings along fence to add visual interest and privacy.

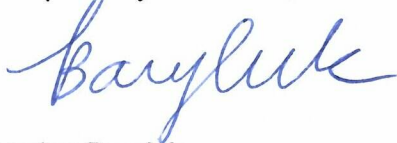
CONCLUSIONS

The variances are minor in nature and supportable. The proposal is generally in consistency with the applicable guidelines and in order to improve compliance with the guidelines and lessen the impact of the variances, staff are recommending further enhancements to the landscaping; the staff recommendation includes the necessary wording to facilitate these changes.

ALTERNATE MOTION

That Council decline Development Application No. 00101 for the property located at 334 Dallas Road.

Respectfully submitted,



Lucina Baryluk
Senior Planner
Development Services



Karen Hoes, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



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.