



## Committee of the Whole Report For the Meeting of September 17, 2020

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**To:** Committee of the Whole **Date:** September 3, 2020

**From:** Karen Hoesel, Director, Sustainable Planning and Community Development

**Subject:** Development Variance Permit No. 00244 for 2639 Fifth Street

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### RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00244 for 2639 Fifth Street, in accordance with:

1. Plans date stamped June 8, 2020.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. reduce the residential vehicle parking requirement from 61 stalls to 50 stalls.
3. The Development Permit lapsing two years from the date of this resolution."

### LEGISLATIVE AUTHORITY

In accordance with Section 498 of the *Local Government Act*, council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw* provided the permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Variance Permit Application for the property located at 2639 Fifth Street. The proposal is to remove two covered vehicle parking stalls to construct one new residential unit. The current number of parking stalls is 52, which is legally non-conforming from the required 61 stalls. The variance is therefore to reduce the residential vehicle parking from 61 stalls to 50 stalls.

The following points were considered in assessing this application:

- The proposal is consistent with the *Official Community Plan* as it adds to the existing rental housing stock.
- The proposal is consistent with the *Hillside-Quadra Neighbourhood Plan* as it appropriately balances the needs of the various modes of transportation.

- This vehicle parking variance, from 61 to 50 resident stalls, is considered supportable. Since the current parking configuration is for 52 stalls, it is technically only a reduction in two stalls, and the applicant has provided a rent roll that shows that the current parking is underutilized.

## **BACKGROUND**

### **Description of Proposal**

The proposal is to remove two covered vehicle parking stalls and 12 storage lockers to construct one new residential unit. The current number of parking stalls is 52, which is legally non-conforming from the required 61 stalls. The variance is therefore to reduce the residential vehicle parking from 61 stalls to 50 stalls.

The applicant has indicated that the storage lockers proposed for removal have already been consolidated in two other areas on the main floor.

### **Affordable Housing**

The applicant proposes the creation of one new one-bedroom residential unit which would increase the overall supply of rental housing in the area.

### **Tenant Assistance Policy**

The proposal is to create a new unit out of a parking stall and storage lockers and would not result in a loss of any existing residential rental units.

### **Sustainability**

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

### **Active Transportation**

The application proposes a new 6-stall bicycle rack at the front of the building, which supports active transportation.

### **Public Realm**

No public realm improvements beyond City standard requirements are proposed in association with this Development Variance Permit Application.

### **Accessibility**

The *British Columbia Building Code* regulates accessibility as it pertains to buildings. The new unit would be a ground floor unit that could be accessed without the use of stairs.

### **Existing Site Development and Development Potential**

The site is presently a four-storey rental apartment building. Under the current R3-2ihnkln Zone, Multiple Dwelling District, the property could be developed as multi-unit residential building at a maximum density of 1.6 to 1 floor space ratio (FSR) and a maximum height of 22m.

## Data Table

The following data table compares the proposal with the existing R3-2 Zone. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone. Two asterisks are used to identify where the proposal is legally non-conforming.

Zoning Criteria	Proposal	Existing R3-2 Zone
Site area (m <sup>2</sup> ) – minimum	3483.90	920.00
Density (Floor Space Ratio) – maximum	1.17	1.20
Total floor area (m <sup>2</sup> ) – maximum	4085.70	4180.68
Height (m) – maximum	11.3	18.5
Storeys – maximum	4	N/A
Site coverage (%) – maximum	30	30
Open site space (%) – minimum	<b>24 **</b>	30
Parking – minimum	<b>50 *</b>	61
Long term bicycle parking stalls – minimums	1	1
Short term bicycle parking stalls – minimums	6	6

## Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, on July 7, 2020 the application was referred for a 30-day comment period to the Hillside-Quadra CALUC. At the time of writing this report, a letter from the CALUC had not been received.

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

### Official Community Plan

The proposal for an additional rental unit within the existing rental apartment building is consistent with the *Official Community Plan* (OCP, 2012), which supports housing diversity,

rental housing choice and the ongoing upgrade and regeneration of the City's rental housing stock.

### **Local Area Plans – Hillside-Quadra Neighbourhood Plan**

The *Hillside-Quadra Neighbourhood Plan* notes that “measures that balance the needs of pedestrians, cyclists, transit users and motorists should be considered and, where appropriate, priority should be given to non-auto modes of travel”. Staff believe the reduction of two vehicle stalls and the addition of six bicycle stalls appropriately balances the needs of the various modes of transportation.

### **Tree Preservation Bylaw and Urban Forest Master Plan**

There are no *Tree Preservation Bylaw* impacts and no impacts to public trees with this Application.

### **Regulatory Considerations**

The existing property operates with a legal non-conforming parking shortfall as 52 vehicle parking stalls are provided on site and the *Zoning Regulation Bylaw* requires a total of 61 stalls. The proposal to add one unit and remove two parking stalls necessitates a parking variance from the required 61 stalls to the resulting 50 stalls. The applicant is proposing the addition of a six-stall bicycle rack at the front of the building to offset any potential negative parking impacts associated with the variance.

To further support the proposed variance, the applicant has provided staff with a current rent roll, which indicates only 29 of the 52 available parking stalls are currently being rented. Staff believe the removal of two parking stalls is supportable, as the reduction is minimal in nature, a new bicycle rack is being installed and the location of the property adjacent Quadra Village is easily accessible by foot, bicycle and transit.

### **CONCLUSIONS**

The subject site has been functioning with reduced parking, below the requirements of the *Zoning Regulation Bylaw*, for a number of years, and the current parking is underutilized. The property is located immediately adjacent to Quadra Village, which is a walkable area, with easy access to frequent transit and bicycle infrastructure. In addition, the applicant is providing a six-stall bicycle rack on-site to further reduce vehicle demand and to minimize any potential negative parking impacts resulting from the proposal. Therefore, staff recommend that Council consider supporting the proposed parking variance.

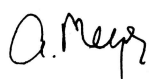
### **ALTERNATE MOTION**

That Council decline Development Variance Permit Application No. 00244 for the property located at 2639 Fifth Street.

Respectfully submitted,



Mike Angrove  
Senior Planner  
Development Services Division



Karen Hoes, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:



Date: September 11, 2020

**List of Attachments**

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped June 8, 2020
- Attachment D: Letter from applicant to Mayor and Council dated April 21, 2020