



Committee of the Whole Report For the Meeting of November 5, 2020

To: Committee of the Whole **Date:** October 22, 2020
From: Karen Hoese, Director, Sustainable Planning and Community Development
Subject: Development Permit with Variances Application No. 00138 for 1628 Edgeware Road

RECOMMENDATION

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. 00726, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00138 for 1628 Edgeware Road, in accordance with:

1. Plans date stamped October 5, 2020.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the front yard setback from 7.5m to 6.75m
 - ii. reduce the rear yard setback from 9.14m to 8.3m
 - iii. reduce the combined side yard setbacks from 4.5m to 3.04m
 - iv. increase the site coverage from 40% to 41.4%
 - v. reduce the required vehicle parking from 6 stalls to 1 stall.
3. Registration of legal agreements on the property’s title to secure the operation of the rest home facility, to the satisfaction of the Director of Sustainable Planning and Community Development.
4. Final plans to be generally in accordance with plans date stamped October 5, 2020.
5. 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 with Variance Application for the property located at 1628 Edgeware Road. The proposal is to construct a rest home – Class B with seven rooms and communal facilities including offices, kitchen and living areas. The variances are related to reduced setbacks and parking and increased site coverage.

The following points were considered in assessing this application:

- the proposal is generally consistent with the Design Guidelines for Development Permit Area 16: General Form and Character, which encourage human-scaled architecture that contributes to the place character of an area
- the proposal is generally consistent with the Oaklands Neighbourhood Plan which supports a range of housing types while maintaining the low-scale family-oriented housing character of the neighbourhood
- the proposed parking variance is considered supportable given the oversupply of long-term bicycle parking; however, the vehicle parking shortfall will likely impact the availability of on-street parking in the area
- due to the size of the building, there are variances proposed for setbacks and site coverage, which have been mitigated by enhanced landscaping and building design and are considered supportable.

BACKGROUND

Description of Proposal

The proposal is to construct a rest home – Class B with seven rooms and communal facilities including offices, kitchen and living areas. The variances are related to reduced setbacks and parking and increased site coverage. Specific details include:

- low-rise contemporary design
- at-grade parking for one vehicle accessed off the rear lane
- accessory building containing an office and long-term secure bicycle storage located in the rear yard
- exterior materials to include exposed concrete (textured board form concrete for the front elevation), stained tongue and groove wood siding, stained cedar shingles, smooth wood panels, grey stucco, metal flashing, beige metal windows.

Landscape elements include:

- outdoor amenity space in a shared courtyard garden with seating and raised planter beds
- extensive front yard and perimeter planting with a mix of native, drought tolerant and pollinator plants
- picket wooden fencing around the perimeter of the property.

The variances are to:

- reduce the front yard setback from 7.5m to 6.75m
- reduce the rear yard setback from 9.14m (25% of the lot depth) to 8.3m
- reduce the combined side yard setbacks from 4.5m to 3.04m
- increase the site coverage from 40% to 41.4%
- reduce the required vehicle parking from 6 stalls to 1 stall.

Sustainability

As indicated in the applicant's letter dated October 19, 2020 the proposal will meet the most current energy BC Building Code Step Code requirements.

Active Transportation

The application proposes a two stall publicly accessible bicycle rack in the front yard and secure bike parking for eight bicycles (seven above the minimum requirement) in the accessory building located in the rear yard, which supports active transportation.

Public Realm

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

Accessibility

The *British Columbia Building Code* regulates accessibility as it pertains to buildings. One of the rooms will be accessible and the proposed communal garden and pathways surrounding the proposed building are designed to be accessible.

Existing Site Development and Development Potential

The site is presently a single-family dwelling. Under the current R1-B Zone, Single Family Dwelling Zone, the property could be developed as a single-family dwelling with either a secondary suite or a garden suite.

Data Table

The following data table compares the proposal with the existing R1-B Zone, Single Family Dwelling District. An asterisk is used to identify where the proposal varies from the existing zone.

Zoning Criteria	Proposal	R1-B Zone
Site area (m ²) – minimum	539.90	230.0
Density (Floor Space Ratio) – maximum	0.65	N/A
1 st and 2 nd storey floor area (m ²) – maximum	349.04*	280.0
Combined floor area (m ²) – maximum	452.26*	300.0
Lot width (m) – minimum	14.76	7.50
Height (m) – maximum	7.18	7.60
Storeys – maximum	2	2

Zoning Criteria	Proposal	R1-B Zone
Site coverage (%) – maximum	41.40	40.0
Open site space (%) – minimum	57.40	N/A
Setbacks (m) – minimum		
Front	6.75*	7.50
Rear	8.30*	9.14
Side (east)	1.52	1.50
Side (west)	1.52	1.50
Combined side yards	3.04*	4.50
Parking – minimum	1	6
Bicycle parking stalls — minimum		
Short term	2	2
Long term	8	1

Community Consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications, the Oaklands CALUC waived the requirement for a community meeting as detailed in the email dated August 1, 2019 (attached). The applicant has however reached out to the community, and the details of their consultation efforts are listed in the applicant’s letter dated October 19, 2020.

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 subject site is designated as Traditional Residential in the *Official Community Plan, 2012* (OCP), which envisions ground-oriented buildings up to two storeys. The OCP also identifies the site within Development Permit Area 16: General Form and Character, which supports new development that is compatible with and improves the character of established areas through design that is unifying, sensitive and innovative. Enhancing the character of the streetscape through high quality, human-scaled architecture, landscape and urban design is also a key objective of this DPA. Design Guidelines that apply to DPA 16 are the *Multi-Unit Residential, Commercial and Industrial Design Guidelines, 2012*, *Advisory Design Guidelines for Buildings, Signs and Awnings, 2006*, and *Guidelines for Fences, Gates and Shutters, 2010*.

The proposed development is generally consistent with the objectives for DPA 16 and complies with the guidelines as follows:

- scale, massing and building design that provides a contemporary interpretation of the existing character of the area, incorporating natural, warm exterior materials that are durable and will weather gracefully
- a prominent front entry that provides a focal point for pedestrians
- usable open space that is, attractive and well-integrated with the design of the building
- enhanced front yard planting that incorporates a mix of native, pollinator and drought resistant plants and trees which complement streetscape
- parking for one vehicle stall accessed off the rear lane that does not detract from the streetscape along Edgeware Road.

The design guidelines state that new development should contribute to cohesion, visual identity and the quality of streetscapes, particularly when adjacent and nearby buildings are similar in scale, proportion, rhythm, and pattern. The site is situated opposite a large blank wall (the rear of Hillside Mall) and is flanked by single storey buildings on either side, with larger two-storey buildings further along Edgeware Road. The proposal is within the height limits of the existing zone and it is anticipated that the streetscape pattern will evolve over time, so the scale of the proposal is considered acceptable for the context.

The design guidelines state that new development should have a strong relationship to the street and that buildings should be designed with sensitivity to context, without replication or mimicry. However, the nature of the proposed use (rest home) requires privacy for future residents which has resulted in an inward-looking building, somewhat exacerbated by the mansard roof form and small bay windows. Staff have worked with the applicant to encourage a more friendly street presence and although the contemporary response is welcomed, more significant design revisions may have resulted in a building that had a more positive street relationship. On balance, the proposal is considered an acceptable response to the context.

Oaklands Neighbourhood Plan

The subject property is designated as an area of greatest stability within the *Oaklands Neighbourhood Plan*, 1993. While there are no policies specifically addressing rest homes, the plan envisions maintaining the family character of the neighbourhood within this designation. The provision of a rest home for seven rooms is generally in line with the intent of maintaining the single-family character of the neighbourhood.

Advisory Design Panel

The application was referred to the Advisory Design Panel (ADP) on June 3, 2020 (minutes attached) where the following motion was carried:

It was moved by Pamela Madoff, seconded by Brad Forth, that the Development Permit with Variances Application No. 00138 for 1628 Edgeware Road be approved with the following changes:

- *Reconsideration of the placement of shingles on the ground floor and consideration to incorporate an element visually linking the building to the garden along the Edgeware Road frontage*
- *Consideration of the creation of a shadow line between the upper and lower levels*
- *Reconsideration of the inverted bay on the front façade to improve the functionality of the accessible room*

- *Reconsider the use of hedge species to be more consistent with the edible garden concept*
- *Reconsideration of the accessory building and materiality as it relates to the main building and incorporate additional landscape features to soften its appearance.*

The applicant has submitted revised plans that incorporate the design changes requested by the panel, and overall staff are satisfied that these recommendations have been addressed.

Tree Preservation Bylaw and Urban Forest Master Plan

There are three multi-stemmed trees protected by the Tree Preservation Bylaw on the neighbouring properties, which are identified on the tree removal and retention plan. A 48 cm diameter at breast height (DBH) cherry tree and a 62 cm DBH apple tree are located on the property to the east and a 32 cm DBH fig tree is located on the property to the west. All three bylaw protected trees, in fair health with fair structure, are proposed to be retained as part of the proposed development. The applicant will be required to obtain a Tree Permit at the construction phase to ensure there is arborist supervision when working in the critical root zones of trees to be retained.

There is one 25cm DBH municipal red horsechestnut on Edgeware Road that will be retained. Servicing to the property will need to be carefully planned to reduce potential impacts to the tree.

The applicant is proposing to plant two trees on the subject lot. In addition, a second boulevard tree will be added on the Edgeware frontage.

Tree Impact Summary

Tree Status	Total # of Trees	Trees to be REMOVED	NEW Trees	NET CHANGE (new trees minus total to be removed)
Subject property trees, protected	0	0	0	0
Subject property trees, unprotected	1	1	2	+1
City trees	1	0	1	+1
Neighbouring trees, protected	3	0	0	0
Neighbouring trees, unprotected	0	0	0	0
Total	5	1	3	+2

Regulatory Considerations

Although the proposal will result in a site-specific zone to allow for the proposed rest home, to avoid siting reductions from being entrenched in the zone, a number of variances are required to facilitate the development:

- reduce the front yard setback from 7.5m to 6.75m
- reduce the rear yard setback from 9.14m (25% of the lot depth) to 8.3m

- reduce the combined side yard setbacks from 4.5m to 3.04m
- increase the site coverage from 40% to 41.4%
- reduce the required vehicle parking from 6 stalls to 1 stall.

Setbacks and Site Coverage

Front and rear yard setbacks are required. However, this only relates to the projecting portions of the bay windows. Since the building face is within the minimum zoning requirements these setbacks are considered supportable. The design guidelines state that new buildings should be located and oriented to address privacy impacts of adjacent residential units and private outdoor space. The proposed building is located 1.52m from the east and west property lines, which is in excess of the minimum 1.5m requirement. However, a reduction in combined side yard setbacks from 4.5m to 3.04m is required. The proposed design has incorporated angled windows that direct views away from the windows on neighbouring buildings which helps to mitigate the impacts on adjacent neighbours.

Site Coverage

A small site coverage increase from 40% to 41.4% is being requested; however, other than the rear parking stall, entry path and accessory building, the front and rear yards would be extensively landscaped using a mix of native, pollinator and drought resistant plants and trees as well as raised garden beds. These areas would be available for use by residents. Given the extensive planting, the relatively small variance being requested is considered supportable.

Parking

A variance is requested to reduce the required number of parking stalls from six to one. The parking demand is anticipated to be largely a product of support staff, which is estimated to be one person on the average day, along with visitors. To help offset some of the impacts from this parking variance, the applicant is proposing long-term bicycle parking in excess of the minimum requirements (by seven bicycle stalls). The proposed removal of the driveway from Edgeware Road will provide additional on-street parking capacity, which would total three vehicles fronting the subject site. Although staff consider the variance supportable, there will likely be some impact to on-street parking availability in the area.

Resource Impacts

Parks has noted the following resource impacts associated with the new municipal tree that would be provided with this application:

Increased Inventory	Annual Maintenance Cost
Street Trees – 1 net new	\$60

CONCLUSIONS

The proposal to construct a two-storey rest home – Class B with seven rooms is considered consistent with the Design Guidelines for Development Permit Area 16: General Form and Character. Although a contemporary interpretation of a traditional single-family dwelling, the high-quality materials and the extensive landscaping would help the building integrate with the

existing neighbourhood. Overall, the impacts of the proposed variances are considered to be minimal.


ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00138 for the property located at 1628 Edgeware Road.

Respectfully submitted,



Charlotte Wain
Senior Planner – Urban Design
Development Services Division



Karen Hoese, 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 October 5, 2020
- Attachment D: Letter from applicant to Mayor and Council dated October 19, 2020
- Attachment E: Community Association Land Use Committee email waiving the requirement for a meeting dated August 1, 2019
- Attachment F: Advisory Design Panel meeting minutes dated June 3, 2020
- Attachment G: Correspondence (Letters received from residents).