



Committee of the Whole Report

For the Meeting of May 6, 2021

To: Committee of the Whole **Date:** April 14, 2021

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

Subject: Development Permit with Variances Application No. 00146 for 1120 - 1128 Burdett Avenue

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. 00734, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 00146 for 1120, 1124 and 1128 Burdett Avenue, in accordance with:

1. Plans date stamped October 8, 2020.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. increase the site coverage from 40% to 53%
 - ii. reduce open site space from 50% to 44%
 - iii. reduce the rear yard setback from 10m to 5.87m (to building) and 5m (to balconies)
 - iv. reduce the west side yard setback from 6.0m to 3.5m (to building) and 2.5 (to balconies)
 - v. reduce the east side yard setback from 6.0m to 3.75m (to building) and 2.9m (to balconies)
 - vi. reduce the parking requirement from 47 stalls to 40 stalls.
3. The Development Permit with Variances 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 *Official 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 Variances Application for the properties located at 1120, 1124 and 1128 Burdett Avenue. The proposal is to construct a five-storey rental building with approximately 42 dwelling units at an overall density of 1.9:1 floor space ratio (FSR). The variances are related to increased site coverage and reduced open site space, setbacks and parking.

The following points were considered in assessing this application:

- the proposed building is consistent with the guidelines contained in Development Permit Area 16, General Form and Character, and with the Urban Residential Place Designation in the *Official Community Plan*
- the application is consistent with Form and Character objectives for sites designated as Urban Residential in the *Fairfield Neighbourhood Plan*
- the proposed site coverage, open site space and setback variances are considered supportable as the proposal is generally consistent with the applicable design guidelines, fits the existing context and the building design, and landscaping helps to mitigate potential negative impacts on the adjacent properties
- the proposed parking variance is considered supportable due to the provision of high-quality bicycle parking that exceeds the *Zoning Regulation Bylaw* requirements, and given the site is located in close proximity to frequent transit and the All Ages and Abilities bicycle network.

BACKGROUND

Description of Proposal

The proposal is to construct a five-storey rental building with multiple dwellings. Specific details include:

- five-storey courtyard style building with a mix of studio, one-, two- and three-bedroom units
- building massing that steps down to the south and east
- ground floor units with separate entrances onto Burdett Avenue
- 40 underground parking stalls accessed via a ramp at the southwest corner of the site
- ground floor bike parking room located at the front of the building with direct access to Burdett Avenue.

Exterior materials include:

- cementitious board and batten
- dark brick
- stucco soffits and façade bands
- aluminium picket balcony rails.

Landscape elements:

- private outdoor amenity space for each unit in the form of patios, decks and balconies
- extensive front and rear yard planting
- front courtyard that provides semi-public social space
- perimeter screen fence

- permeable surfaces and storm water retention areas.

The proposed variances are related to:

- increased site coverage
- reduced open site space
- reduced rear yard setback
- reduced side yard setbacks
- reduced parking.

Sustainability

The applicant's letter to Mayor and Council dated March 27, 2020 (revised May 15, 2020) identifies a number of sustainability measures associated with this proposal, which include:

- meeting Step 3 of the *BC Energy Step Code*
- exterior materials are highly durable, and detailing will suit life-span management of components
- solar ready conduit from electrical room to roof
- LED lighting throughout
- secure, heated bike storage at ground level
- electrical outlets for electric bicycle charging locations within bicycle storage
- rough-in electrical for future electric vehicle charging stations.

Data Table

The following data table compares the proposal with the existing R1-B Zone and standard Urban Residential Multiple Dwelling (URMD) District. An asterisk is used to identify where the proposal does not meet the requirements of the standard URMD Zone. Additionally, the key City policy that pertains to the area has been included in this table.

Zoning Criteria	Proposal	R1-B Zone	URMD Zone	OCP & Fairfield Neighbourhood Policy
Site area (m ²) – minimum	1673.70*	460	1840	Encourages lot consolidation
Density (Floor Space Ratio) – maximum	1.9:1	-	2:1	1.2 – 2:1
Height (m) – maximum	16.46	7.6	18.50	13 – 20 (Fairfield Plan)
Storeys – maximum	5	2	6	3 – 6 (OCP) 4 – 6 (Fairfield Plan)
Site coverage (%) – maximum	53*	40	40	-
Open site space (%) – minimum	44*	-	50	-

Zoning Criteria	Proposal	R1-B Zone	URMD Zone	OCP & Fairfield Neighbourhood Policy
Setbacks (m) – minimum				
Front (Burdett Avenue)	4.25	7.5	4	Variable
Rear (N)	5.87* (building) 5.03* (balcony)	9.2 (25% of lot depth)	10	-
Side (E)	3.75* (building) 2.90* (balcony)	1.5 (or 10% of lot width)	6	-
Side (W)	3.50* (building) 2.57* (balcony)	1.5 (or 10% of lot width)	6	-
Combined side yard	7.25 (building)	4.5	-	-
Vehicle parking – minimum	40*	-	47	-
Bicycle parking stalls – minimum				
Long term	56	-	49	-
Short term	6	-	6	-

ANALYSIS

Development Permit Area and Design Guidelines

The subject site is designated as Urban Residential in the *Official Community Plan* (OCP, 2012), which envisions low and mid-rise multi-unit buildings. The OCP also identifies the site within Development Permit Area (DPA) 16: General Form and Character, which supports multi-unit residential development that is complementary to the place character of the neighbourhood. 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 *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development* (2012), *Advisory Design Guidelines for Buildings, Signs and Awnings* (2006) and *Guidelines for Fences, Gates and Shutters* (2010). The proposal is consistent with these Guidelines as follows:

- the courtyard building form and massing complements other multi-unit residential buildings in the area
- building entrances and windows face the street
- the proposed building is setback from the street to align with adjacent buildings and allow for extensive front yard landscaping

- the fourth and fifth storeys are stepped back on the south and east elevations to provide a sensitive transition in scale with lower density residential development to the south and east along Burdett Avenue
- the proposed exterior materials are durable and complementary to the character of the area
- open space has been landscaped with a combination of native, pollinator and drought resistant plants.

Fairfield Neighbourhood Plan

The *Fairfield Neighbourhood Plan* (2019) identifies the site as Urban Residential, consistent with the OCP, and within the Rental Retention Sub-Area. The plan envisions new development up to six storeys and 2:1 floor space ratio in this location. The proposal complies with the specific form and character objectives for this area as follows:

- the proposal maintains the character of multi-unit buildings with street-facing facades fronted by landscaped front yards that frame the street, provide access to sunlight and create pedestrian-friendly environments
- the terraced façade and ground-oriented units are neighbourly, mitigate the visual presence of the upper storeys and transitions sensitively to nearby lower scale development
- variation in building heights and massing helps avoid uniformity in building design along the street block
- the underground parking minimizes the impacts of parking on the quality of the design and the pedestrian realm
- the proposed landscape includes several new trees, drought tolerant plantings and courtyard amenities that contribute to urban forest objectives, provide environmental benefits, and support sociability and livability.

Advisory Design Panel Referral

The application was referred to the Advisory Design Panel (ADP) on August 26, 2020. The minutes from the meeting are attached for reference and the Panel recommended that Council consider approving the application subject to changes to the courtyard features and fourth floor landscaping.

The applicant has responded to the Panel's recommendation as follows:

- the surface of the courtyard has changed from concrete to crushed granite to differentiate the amenity space from the adjacent walkways
- additional seating and tables at varying heights have been added to the courtyard to add opportunities for socializing
- planters have been added to the fourth-floor terraces.

In addition to the revisions specifically related to the ADP recommendation, the applicant has also changed some of the windows on the fourth and fifth storey east elevation to clerestory windows to reduce the potential for overlook on the neighbouring building at 1149 Rockland Avenue.

Regulatory Considerations

The URMD Zone, Urban Residential Multiple Dwelling District, which was created as a standard zone for properties designated as Urban Residential in the OCP, is proposed as a base zone to create a new zone for the proposal. As a result, a number of variances are proposed as part of this Application. This approach is recommended to ensure that reduced zoning provisions are not entrenched in the new zone, so that any future alternative development proposals for the site would need to apply to Council to achieve similar variances. The proposed variances relate to increase site coverage and reduce open site space, setbacks and parking.

Site Coverage and Open Site Space

While the zone standard allows for six-storeys with 40% site coverage and 50% open site space, the proposal would be five-storeys and is seeking variances to increase the site coverage to 53% and reduce the open site space to 44% in order to achieve a density of 1.9:1 FSR. These variances are considered supportable because the building has been positioned to maintain a generous front yard setback that is similar to the setbacks of the adjacent buildings and extensive landscaping, including the addition of new trees along the rear property line, would help to soften the appearance of the building and provide privacy screening with adjacent properties.

Setbacks

The proposal requests the following setback variances:

- reduce the rear yard setback from 10m to 5.87m (to building) and 5m (to balconies)
- reduce the west side yard setback from 6.0m to 3.5m (to building) and 2.5 (to balconies)
- reduce the east side yard setback from 6.0m to 3.75m (to building) and 2.9m (to balconies).

The rear yard setback variance is considered supportable as the building separation with the neighbouring building to the north would be approximately 12m. Additionally, the majority of the windows on the north elevation are offset from those on the adjacent building to reduce potential privacy impacts. Trees along the north property line would also help to soften the appearance of the building and further reduce potential privacy impacts for the neighbouring building.

The potential impacts of the reduced west side yard setback are considered minimal as the adjacent four-storey building is setback approximately 9.5m from the property line. The window overlay analysis demonstrates that the proposed windows on the west elevation would be offset from the neighbouring building windows to further reduce any potential privacy impacts. On the east side of the proposed building, mature trees and shrubs on the adjacent property would provide visual screening between the two buildings. The proposed building has been setback from the critical root zones of the trees and the supporting arborist report includes recommended measures to ensure the retention of these trees. As noted, the applicant has also reduced the size of the upper storey windows to minimize the potential for overlook. Given these measures, the proposed setback variances are considered supportable.

Parking

The applicant is proposing a seven-stall parking variance. The variance is considered supportable because the applicant has provided good quality bicycle parking which also

exceeds the minimum requirement for long term parking by seven stalls. The project is also located near most amenities, the Frequent Transit Network (FTN) and All Ages Abilities (AAA) bicycle network which will help future residents consider reducing the number of motor vehicles they own.

CONCLUSIONS

The proposal for a 42-unit rental development is generally consistent with the applicable guidelines and includes high-quality, durable building materials and landscape finishes. The contemporary design is supportable and complementary to the existing character along Burdett Avenue. The variances related to site coverage, open site space and setbacks are supportable because of appropriate building articulation, fenestration, and landscape screening, which mitigate any privacy impacts on adjacent buildings. The proposed parking variance is supportable based on the provision of additional bicycle parking and the proximity to transit and the bicycle network. Staff, therefore, recommend for Council's consideration that Council support this Application.

ALTERNATE MOTION

That Council decline Development Permit Application No. 00146 for the properties located at 1120, 1124 and 1128 Burdett Avenue.

Respectfully submitted,

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Karen Hoesel, Director
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Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped October 8, 2020
- Attachment D: Letter from applicant to Mayor and Council dated March 27, 2020 (revised May 15, 2020)
- Attachment E: Community Association Land Use Committee Meeting Summary dated February 27, 2020
- Attachment F: Arborist Report dated March 27, 2020
- Attachment G: Tenant Assistance Plan
- Attachment H: Advisory Design Panel minutes dated August 26, 2020