



Committee of the Whole Report

For the Meeting of May 6, 2021

To: Committee of the Whole **Date:** April 22, 2021

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

Subject: Development Permit with Variance No. 00169 for 819-823 and 825/827 Fort Street

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 Permit with Variance Application No. 00169 for 819-823 and 825/827 Fort Street, in accordance with:

1. Plans date stamped March 9, 2021.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - i. reduce the vehicle parking from 80 stalls to 57 stalls.
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 with Variance Application for the property located at 819-823 and 825/827 Fort Street. The proposal is to make minor changes to the exterior of the building and increase the number of residential units from 103 to 105 through the conversion of second floor commercial space. The additional rental units increase the parking requirement by one stall which triggers a parking variance.

The following points were considered in assessing this application:

- The proposed changes to the exterior of the building are minor in nature and considered consistent with the Design Guidelines for Development Permit Area 7B (HC) – Corridors Heritage and the *Downtown Core Area Plan*
- The proposed parking variance (an increase of one stall over the previously approved variance) is considered supportable because the applicant has committed to providing 45 car share memberships with MODO, an on-site car share parking space registered on the title of the property, and 33 additional long term bicycle parking stalls above the 119 stalls required under Schedule C of the *Zoning Regulations Bylaw* to help mitigate the impacts of the anticipated parking shortfall.

BACKGROUND

Description of Proposal

The proposal is for minor exterior changes to the previously approved building design, interior layout changes that result in additional rental dwelling units and an associated parking variance to reduce the vehicle parking from 80 stalls to 57 stalls. The exterior alterations are limited to minor changes at the residential entrance to accommodate a gas meter enclosure and a slight shift in the location of the parkade entrance gate.

A parking variance was previously approved to reduce the vehicle parking from 79 stalls to 57 stalls. This application would increase the parking variance by one additional stall.

Affordable Housing

The applicant proposes the creation of 105 new residential rental units which would increase the overall supply of housing in the area. This application proposes to add two additional rental units (one two-bedroom unit and one one-bedroom unit) through the conversion of approximately 135m² (1450sqft) of second floor commercial space. All of the residential units are secured as rental in perpetuity through an existing housing agreement. With these additional units, the total unit break down would be:

- four studio units
- 59 one-bedroom units
- 36 two-bedroom units
- six three-bedroom units.

Sustainability

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

Active Transportation

The application proposes one additional bicycle parking stall in addition to the previously approved 151 bicycle parking stalls, bicycle wash area and two bicycle repair stations which support active transportation.

Public Realm

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

Accessibility

Accessibility measures beyond those contained in the *British Columbia Building Code* are not proposed.

Existing Site Development and Development Potential

The site is presently occupied by three buildings. The facades of two of the buildings (819-823 and 825 Fort Street) are heritage-designated and proposed to be retained with the construction of a ten-storey mixed-use building under the existing RMD-2 Zone, Residential Mixed Use Fort Street District.

Data Table

The following data table compares the proposal with the existing RMD-2 Zone. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone.

Zoning Criteria	Proposal	Approved	RMD-2 Zone
Density (Floor Space Ratio) – maximum	5.98:1	6.14:1	6.17:1
Number of dwelling units	105	103	-
Parking – minimum	57* (57 residential and 0 commercial)	57* (57 residential and 0 commercial)	80 (74 residential and 6 commercial)
Visitor parking included in the overall units – minimum	10*	10*	11
Bicycle parking stalls – minimums			
Long term	152	151	119
Short term	0*	0*	12

Relevant History

A parking variance was previously approved to reduce the vehicle parking from 79 stalls to 57 stalls. This application would increase the parking variance by one additional stall.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, on January 7, 2021 the application was referred for a 30-day comment period to the Fairfield Gonzales CALUC. At the time of writing this report, a letter from the CALUC had not been received.

This application proposes a variance, therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variance.

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan* (OCP) identifies this property within Development Permit Area 7B(HC) – Corridors Heritage. The applicable Design Guidelines are the *Downtown Core Area Plan* (2011), *Advisory Design Guidelines for Buildings, Signs and Awnings* (1981) and the *Guidelines for Fences, Gates and Shutters* (2010).

Minor exterior changes are proposed to accommodate a gas meter enclosure near the main residential entrance and to relocate the parkade entrance gate closer to Fort Street. These changes are considered supportable as the gas meter would be screened from view and neither change would detract from the pedestrian experience along Fort Street.

Regulatory Considerations

The increase in the number of residential dwelling units increases the parking requirement from 79 stalls to 80 stalls. The proposed 23 stall parking variance (an increase of one stall over the previously approved variance) is considered supportable because the applicant has committed to providing 45 car share memberships with MODO, an on-site car share parking space registered on the title of the property, and 32 additional long term bicycle parking stalls above the 119 stalls required under the *Zoning Regulations Bylaw* to help mitigate the impacts of the anticipated parking shortfall.

As on-street parking in the area is metered, the impacts on parking availability for surrounding properties resulting from this variance is expected to be minimal.

CONCLUSIONS

This application is considered supportable because the addition of two residential rental units adds to the diversity of housing in the Urban Core; the exterior changes to the building are minor in nature and would not detract from the pedestrian experience along Fort Street; and the applicant has provided sufficient transportation demand management measures to mitigate the proposed parking shortfall. Therefore, staff recommend that Council consider advancing this application to an opportunity for public comment.

ALTERNATE MOTION

That Council decline Development Permit with Variance Application No. 00169 for the property located at 819-823 and 825/827 Fort Street.

Respectfully submitted,

Alec Johnston
Senior Planner
Development Services Division

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped March 9, 2021
- Attachment D: Letter from applicant to Mayor and Council dated December 19, 2020.