



Committee of the Whole Report

For the Meeting of November 12, 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. 00140 for 1114 Rockland 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. 00711, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00140 for 1114 Rockland Avenue, in accordance with:

1. Plans date stamped June 29, 2020.
2. Revisions to the plans to shift the location of the sidewalk to the property line and adjust the landscaping along the street frontage to the satisfaction of the Director of Sustainable Planning and Community Development.
3. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the vehicle parking from 17 stalls to 12 stalls;
 - ii. reduce the west side setback from 3 metres to 2 metres;
 - iii. reduce the east side setback from 3 metres to 0.35 metres (lobby only)
4. 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 *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 property located at 1114 Rockland

Avenue. The proposal is to construct a five-storey building (four levels of housing over one level of parking) with multiple dwellings. The variances are related to decreased parking and side yard setbacks.

The following points were considered in assessing this application:

- the proposal is generally consistent with the objectives and guidelines contained in Development Permit Area 16: General Form and Character of the *Official Community Plan, 2012* (OCP) and would integrate new multi-unit development in a manner that compliments and enhances the place character of the area
- the parking variance is considered supportable as the applicant is proposing Transportation Demand Management (TDM) measures to mitigate the potential impacts from this variance which would be secured by legal agreement in conjunction with the concurrent Rezoning Application
- the west side yard setback variance is considered supportable as the majority of the building would be setback three metres, which is similar or greater than side yard setbacks in the immediate context
- the east side yard setback variance is considered supportable as the 0.35m setback would only apply to the building lobby; the majority of the building would be setback three metres, maintaining a setback which is consistent with the context.

BACKGROUND

Description of Proposal

The proposal is to construct a five-storey residential building with approximately 22 dwelling units. Specific details include:

- contemporary architectural expression that incorporates durable and contextually appropriate materials
- under building parking accessed via Rockland Avenue and screened with a secure metal gate
- a common residential entryway located on the east side of the building fronting Rockland Avenue
- a common amenity room located at-grade fronting Rockland and designed as a bike repair and general workspace for residents of the building
- a basement level that accommodates storage and a bike room with 44 bike parking stalls.

Exterior materials include:

- white and grey stucco
- standing seam metal panels
- metal panels with a wood grain finish
- aluminium picket guard rails
- metal fascia, soffits, privacy screens between balconies and parking stall screens.

Landscape features include:

- private balconies for each unit
- extensive front and rear landscaping
- common rooftop amenity space
- outdoor bench seating with trellis located at the main entry

- six-stall bicycle rack located at the front of the building
- unit pavers, concrete slabs and paving with permeable aggregate joints for front yard hardscaped areas
- one new street tree and seven new trees on site
- five neighbouring trees preserved including a large Coast redwood tree located at 1126 Rockland Avenue
- replacement of a Holly hedge located at 1126 Rockland Avenue with new landscaping.

The proposed variance relates to reducing the vehicle parking from 17 stalls to 13 stalls and reducing the side yard setbacks for portions of the east and west elevations.

Sustainability

As indicated in the applicant's letter dated July 31, 2019, the following sustainability features are associated with this proposal:

- use of high performance, durable and resilient exterior materials
- building design and construction that are air-tight and minimizes thermal bridging to reduce heat loss and energy demand
- transportation demand management measures to reduce vehicle use and transportation emissions
- parking stalls with electric vehicle charging capacity.

Data Table

The following data table compares the proposal with the existing R3-A1 Zone, Low Profile Multiple Dwelling District. An asterisk is used to identify where the proposal does not meet the requirements of the existing zoning. A double asterisk indicates where the proposal is legal non-conforming in relation to the existing zoning. Additionally, the key City policy that pertains to the area has been included in this table.

Zoning Criteria	Proposal	Zone Standard	OCP and Fairfield Neighbourhood Plan Policy
Site area (m ²) – minimum	669**	920	-
Density (Floor Space Ratio) – maximum	2:1*	1:1	1.5:1 – 3:1
Height (m) – maximum	15.87*(main roof) 18.90* (roof top access)	10.70	20
Storeys – maximum	5* (plus rooftop access)	3	6
Site coverage (%) – maximum	62.40*	33.33	-
Open site space (%) – minimum	28.80*	30	-

Zoning Criteria	Proposal	Zone Standard	OCP and Fairfield Neighbourhood Plan Policy
Setbacks (m) – minimum			
Front (Rockland Avenue)	3.77*	7.50	Three to five storey buildings define the street wall Buildings with landscaped setbacks in more residential areas
Rear (S)	3.33*	9.00 (for portions of a building less than 7m in height) 10.50 (for portions of a building greater than 7m in height)	
Side (E)	0.35* (to main entry) 3.00* (to building) 1.74* (to balconies)	9.45 (half the building height)	
Side (W)	2.07* (to building) 1.77* (to balconies)	9.45 (half the building height)	
Vehicle parking – minimum	12*	17	
Visitor vehicle parking included in the overall parking – minimum	2	2	-
Bicycle parking stalls – minimum			
Long term	44	24	-
Short term	6	6	-

ANALYSIS

Development Permit Area and Design Guidelines

The subject property is located in Development Permit Area 16: General Form and Character. This DPA seeks to integrate new multi-unit residential development in a manner 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. The applicable design guidelines are the *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development* (2012), *Advisory Design Guidelines for Buildings, Signs and Awnings* (2006) and the *Guidelines for Fences, Gates and Shutters* (2010). The proposal is consistent with these Guidelines as follows:

- the building height, massing and setbacks are generally consistent with other multi-unit residential buildings in the immediate context
- building entrances and windows face the street
- the proposed building is setback from the street to allow for some landscaping and enhanced pedestrian space

- the contemporary design incorporates materials and colours that are contextually appropriate, durable, and add to the character of the street
- common outdoor space has been landscaped with a combination of native, edible and pollinator plants
- parking is located under the building and screened from view. While underground parking is typically preferable, the provision of at-grade, screened parking is supportable as it limits the depth of excavation within the critical root zone of the large Coast redwood tree located on the adjacent property.

Fairfield Neighbourhood Plan

The subject site is located within the Fort Street corridor in the northwest portion of the Fairfield Neighbourhood. The Fairfield Neighbourhood Plan (2019) provides policy for land development in this area consistent with the OCP. The area is characterized by low-rise residential buildings with mixed-use and commercial buildings fronting onto more major roads (e.g. Fort Street and Cook Street). To reinforce the existing pattern and rhythm of small-scale commercial, residential and heritage character in the area, the plan envisions a continuation of this mix of uses with increased densities, building heights up to six-storeys and front yard landscaping that provide attractive walking environment along residential streets such as Rockland Avenue. The proposed development is generally consistent with these policies.

Regulatory Considerations

A variance is requested to reduce the required number of parking stalls from a total of 17 (as per Schedule C of the *Zoning Regulation Bylaw*) to 12 (see table below).

Zoning Criteria	Proposal	Schedule C
Vehicle parking stalls – minimum		
Parking	10*	15
Visitor Parking	2	2
Bicycle parking stalls – minimum		
Long Term	44	24
Short Term	6	6

This variance is considered supportable because the applicant is proposing the following Transportation Demand Management (TDM) measures to mitigate the potential impacts from this variance:

- car share memberships (one for each dwelling unit)
- \$100 car share credit per membership
- additional long-term bike parking beyond what is required in the *Zoning Regulation Bylaw*
- a bicycle maintenance area
- a BC Transit bus pass subsidy of at least \$22,500 for future residents.

These TDM measures would be secured by legal agreement as a condition of the Rezoning Application. It is also worth noting that the location of the site is in close proximity to services in the Downtown and Cook Street Village and is close to major transit routes.

Variances are also requested to reduce the east side yard setback from 3.00m to 0.35m and the west side yard setback from 3.00m to 2.00m. The east side yard setback variance would accommodate the ground floor lobby, while the majority of the building would be setback 3.00m from the property line. To help mitigate the impact of the reduced setback, the applicant will provide landscaping on the neighbouring property at 1126 Rockland Avenue. The west side yard setback would accommodate a projection portion of the building which provides articulation that helps break up the massing as encouraged by the Design Guidelines. The heritage designated buildings to the west of the subject site front onto Cook Street and have parking located in the rear yard. Separation between the heritage buildings and the proposed building, which ranges from 12.8m (1009 Cook Street) and 13.7m (1005 Cook Street), provides sufficient breathing room with the heritage buildings, and minimizes privacy impacts and shadowing.

Advisory Design Panel

The proposal was presented to the Advisory Design Panel (ADP) at a meeting on February 26, 2020. The meeting minutes are attached to this report. The ADP motion recommended that the application be declined due to the proposed setbacks.

In response to the ADP motion the applicant has updated the application to include:

- supplementary drawings including a setback diagram and south elevation detail
- additional context renderings of the proposed building.

These updates provide a better understanding of how the proposed massing, setbacks and character are appropriate given the surrounding Core Residential context which includes several existing or recently approved multi-unit residential developments with similar or lesser setbacks.

CONCLUSIONS

The proposal to construct a five-storey multi-unit residential building is considered consistent with Development Permit Area 16: General Form and Character. The building would integrate with the existing residential context, be sympathetic to the adjacent heritage buildings and provide pedestrian interest. The proposal includes appropriate mitigation measures to off-set the proposed variances and is considered supportable. Therefore, staff recommend that council consider approving the application.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00140 for the property located at 1114 Rockland Avenue.

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:

Date: _____

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped June 29, 2020
- Attachment D: Letter from applicant to Mayor and Council dated July 31, 2019, amended April 17, 2020
- Attachment E: Community Association Land Use Committee meeting summary dated June 27, 2019
- Attachment F: Letter from the Capital Regional District regarding below-market housing dated January 27, 2020
- Attachment G: Arborist Report dated November 1, 2019
- Attachment H: Arborist Report Addendum dated August 15, 2020
- Attachment I: Advisory Design Panel meeting minutes dated February 26, 2020
- Attachment J: Correspondence (Letters received from residents).