



Committee of the Whole Report For the Meeting of June 3, 2021

To: Committee of the Whole **Date:** May 20, 2021

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

Subject: Development Permit with Variances Application No. 00127 for 931 McClure Street

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. 00669, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 00127 for 931 McClure Street, in accordance with:

1. Plans date stamped April 15, 2021.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. increase the maximum site coverage from 60% to 72%;
 - ii. reduce the minimum parking requirement from 19 stalls to ten stalls;
 - iii. reduce the minimum rear yard setback from 4.0m to 1.12m (first storey and balconies) and 3.0m (above the first storey);
 - iv. reduce the front setback from 5.0m to 0m for the front stairs and 2.25m for balconies;
 - v. increase the building height from 15.5m to 16.0 (main roof) and to 18.87m (roof access).
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 *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 931 McClure Street. The proposal is to construct a five-storey building with approximately 15 dwelling units. The variances are related to reducing vehicle parking, increasing site coverage and height, and reducing front and rear setbacks.

The following points were considered in assessing this application:

- the application is consistent with the design guidelines for Development Permit Area 16: General Form and Character with regard to providing human-scaled architecture that addresses the street, supplying parking hidden from the public realm and utilizing high-quality, durable exterior materials
- the variance to reduce the required number of vehicle parking stalls is supportable on the basis of providing transportation demand management measures, including extra bicycle parking and bike room facilities, car-share memberships and credits to reduce the on-site parking demand
- the variances for setbacks, height and site coverage are supportable as a contextual response to the existing site conditions and adjacent buildings.

BACKGROUND

Description of Proposal

The proposal is for a five-storey building divided into two building masses above an at-grade parking level. Specific details include:

- 15 dwelling units arranged in two building masses (four- and five-storey) atop a common at-grade parking structure
- ten at-grade parking stalls, garbage/recycling area and bicycle room with 24 long-term parking stalls and a bike wash area enclosed within the building
- an internal courtyard located between the two building masses, which includes a landscaped area, elevator and exterior stair accesses
- main stair and entrance to the building facing McClure Street
- reduced front setback relative to the adjacent properties but similar to approved development on the opposite side of McClure Street (Mount Saint Angela site)
- north/south oriented units with access to natural light and individual balconies
- rooftop decks for the upper units on both building masses oriented to prevent privacy impacts.

Exterior building materials include:

- sandblasted concrete on the first storey
- white stucco as the predominant material on the east and west facades of the second through fifth storeys
- charcoal grey metal panels and flashing as the predominant material for the north and south exterior and interior elevations
- steel slat guardrails.

Landscaping elements include:

- front yard landscaping including space for shrubs, perennial grasses and a seating bench

- short term bicycle parking located next to the main entrance
- street fronting planters on the second and third storeys containing shrubs and cascading vines
- extensive plantings within the side and rear yards including six new trees, perennials, grasses and shrubs
- interior courtyard planting including two trees
- rooftop deck planting including five small trees.

The proposed variances are related to:

- increase the maximum site coverage from 60% to 72%;
- reduce the minimum parking requirement from 19 stalls to ten stalls;
- reduce the minimum rear yard setback from 4.0m to 1.12m (first storey and balconies) and 3.0m (above the first storey);
- reduce the front setback from 5.0m to 0m for the front stairs and 2.25m for balconies;
- increase the building height from 15.5m to 16.0 (main roof) and to 18.87m (roof access).

Data Table

The following data table compares the proposal with the existing RK Zone, Medium Density Attached Residential District and the URMD Zone, Urban Residential Multiple Dwelling District. The relevant OCP and Neighbourhood Plan policies are included for reference. An asterisk is used to identify where the proposal does not meet the requirements of the URMD Zone.

Zoning Criteria	Proposal	Existing RK Zone	Zone Standard URMD Zone	OCP & Fairfield Neighbourhood Plan Policy
Site area (m ²) – minimum	693.40*	2775 (185 per dwelling)	1840	Encourages lot consolidation
Number of units – maximum	15	3	-	-
Density (Floor Space Ratio) – maximum	1.51:1	0.6:1	2:1	1.2 – 2.5:1
Lot width (m) – minimum	17.28	18	-	-
Height (m) – maximum	18.87* (roof access) 16.0 (main roof)	8.5 (measured to ceiling)	18.5	20 (Fairfield Plan)
Storeys – maximum	5 (four residential levels above parking)	2.5	6	3 - 6 storey (OCP) 6 storeys (Fairfield Plan)
Site coverage (%) – maximum	71.90*	33	40	-

Zoning Criteria	Proposal	Existing RK Zone	Zone Standard URMD Zone	OCP & Fairfield Neighbourhood Plan Policy
Open site space (%) – minimum	26.50*	45	50	-
Setbacks (m) – minimum				
Front Yard	0* (stairs) 2.25* (balcony) 5.73 (building)	7.5 (average)	4.00	Variable
Rear Yard	1.12* (first storey) 3.00* (above the first storey)	2.50 (blank wall) 4.00 (habitable room) 7.5 (living room)	10.00	-
Side Yards	2.00*	2.50 (blank wall) 4.00 (habitable room) 7.5 (living room)	6.00	-
Parking – minimum	10*	19	19	-
Visitor parking included in the overall units – minimum	2	1	1	-
Bicycle parking stalls – minimum				
Long term	24	19	19	-
Short term	6	6	6	-

ANALYSIS

Development Permit Area and Design Guidelines

The subject site is designated as Urban Residential in the *Official Community Plan* (OCP), 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 stepped building massing provides a transitional form between the larger multi-unit residential buildings to the south and east and the lower scale residential buildings to the west
- the separation of the building into two masses effectively limits the shadowing impacts on the buildings to the east and west when compared to a three-storey building developed under the existing zoning
- limited openings on the side elevations and north/south unit orientation minimizes privacy impacts on adjacent buildings
- the building entrance is prominent and dwelling units are oriented to face the street with larger, operable windows and balconies on the front façade, which add to a pedestrian friendly streetscape
- parking is enclosed within the building and screened from view
- the majority of the landscaped area would be planted with pollinators and native species
- exterior finishes incorporate high-quality, durable materials that provide unity and coherence in relation to existing buildings in the area.

Fairfield Neighbourhood Plan

The *Fairfield Neighbourhood Plan (2019)* provides guiding policy for land development in the northwest area of the neighbourhood consistent with the OCP. The northwest area lies to the south of the Fort Street Corridor and is characterized by residential streets with green frontages and a high concentration of heritage buildings. The Plan envisions residential buildings up to six storeys with pedestrian friendly features fronted by greenspace. Building massing should be distributed to reduce building bulk and minimize shadowing and privacy impacts on adjacent properties. The proposed development is generally consistent with these policies.

Advisory Design Panel

The application was presented to the Advisory Design Panel (ADP) on October 23, 2019 (minutes attached). The ADP passed a motion to recommend to Council to approve the application with consideration of the following:

- *provision of a detailed lighting plan for the stair and internal courtyard to minimize impacts on neighbours and the public realm*
- *consideration of the addition of features that augment the proposal's residential character*
- *provision of sufficient detail to ensure accessibility issues have been considered throughout the site*
- *further exploration of on-site rainwater management.*

The applicant has made the following revisions to address the ADP recommendation:

- a detailed lighting plan was added to the submission – focused LED downlighting with shields is used in the internal courtyard to minimize the impacts on neighbours and the public realm
- the main entrance was moved to the front of the building to improve the residential character of the building
- all courtyard grading steps have been removed, the elevator provides accessible access and the interior and exterior hallways are wide enough to accommodate mobility aids.

No on-site stormwater management features are proposed with this application.

Regulatory Considerations

Variances related to parking, site coverage, setbacks and building height 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.

Parking

A variance is requested to reduce the vehicle parking requirement from 19 stalls to ten stalls.

Zoning Criteria	Proposal	Schedule C
Vehicle parking stalls – minimum		
Parking	10*	19
Visitor Parking (included in total)	3	2
Bicycle parking stalls – minimum		
Long Term	24	19
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)
- five hundred dollar car share credit per membership
- additional long-term bike parking beyond what is required in the *Zoning Regulation Bylaw*.

These TDM measures would be secured by legal agreement as a condition of the concurrent rezoning application. It is also worth noting that the location of the site is near services in the Downtown, 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.

Siting Variances

The requested front yard setback reduction for the front stairs and balconies is considered supportable as the wide staircase and balconies would include planters that can accommodate substantial plantings, including an ornamental tree, which would add to the landscaped character of the street. It is also worth noting that the front setback for the building is generally consistent with the approved setback for the proposed building on the opposite side of McClure Street and exceeds the requirements of the standard URMD Zone.

The proposed building is divided into two masses separated by an internal courtyard, which leads to increase site coverage and a reduced rear yard setback. These variances are considered supportable because the divided massing helps to reduce the shadowing impacts on the adjacent buildings, providing better access to light for neighbours as well as the future residents in the proposed building.

The proposal also includes a height variance to increase the building height from 15.5m to 16.0m (main roof) and 18.87m (roof access). The variance is considered supportable as the four-storey massing is generally consistent in height with other four-storey multi-unit buildings in the area and the five-storey portion is setback from the street to reduce any visible impact. The variance for the roof access is considered supportable as the access stairs are set back from the edge of the building and would have minimal impact on adjacent properties in terms of shadowing. There are potential privacy concerns associated with the proposed roof decks; therefore, a plan revision is recommended as a condition of setting the public hearing date for the concurrent rezoning application.

CONCLUSIONS

The proposal to construct a four- and 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 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. 00147 for the property located at 931 McClure Street.

Respectfully submitted,

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Senior Planner
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Karen Hoese, 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 April 15, 2021
- Attachment D: Letter from applicant to Mayor and Council dated December 2, 2020
- Attachment E: Community Association Land Use Committee Comments dated September 27, 2018 and November 7, 2019
- Attachment F: Advisory Design Panel meeting minutes dated October 23, 2019
- Attachment G: Tenant Assistance Plan
- Attachment H: Correspondence (Letters received from residents).