



Committee of the Whole Report For the Meeting of September 9, 2021

To: Committee of the Whole **Date:** August 27, 2021
From: Karen Hoese, Director, Sustainable Planning and Community Development
Subject: **Development Permit with Variances Application No. 00133 for 1124 Vancouver Street, 941 and 953 View Street**

RECOMMENDATION

That, subject to plan revisions to address the following:

- a. Revisions to the residential entrances to better meet the design guidelines for durable materials, to the satisfaction of the Director of Sustainable Planning and Community Development.
- b. Further consideration to the programming of the rooftop amenity space to provide appropriate weather and sun protection, to the satisfaction of the Director of Sustainable Planning and Community Development.
- c. Allocating two underground parking stalls for car share use, to the satisfaction of the Director of Sustainable Planning and Community Development.
- d. Minor corrections to the technical specifications of the curbside charging station on View Street and accurate reflection of the as-built bike lane along Vancouver Street, to the satisfaction of the Director of Engineering and Public Works.
- e. Confirmation that BC Hydro has approved the proposed power supply to the development, to the satisfaction of the Director of Engineering and Public Works.
- f. Correction to planting list to reflect the landscape plan, to the satisfaction of the Director of Parks, Recreation and Facilities.
- g. Corrections to the Preliminary Servicing Plan, to the satisfaction of the Director of Engineering and Public Works.

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and concurrent with consideration of Rezoning Application No. 00718, if it is approved, that Council consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 00133 for 1124 Vancouver Street, 941 and 953 View Street in accordance with:

1. Plans date stamped August 16, 2021.

2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reducing the required residential vehicle parking from 85 to 30;
 - ii. reducing the required visitor stalls from 16 to 14.
3. Final plans to be generally in accordance with plans date stamped August 16, 2021.
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 *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.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the revitalization of an area in which a commercial use is permitted, a Development Permit may include requirements respecting the character of the development, including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

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 1124 Vancouver Street, 941 and 953 View Street. The proposal is for a six-storey purpose built rental building at a density of 3.62:1 floor space ratio (FSR) and a maximum height of 19.4m. Concurrent with the application is Rezoning Application No. 00718, which is required to increase the density and add multi-unit residential uses to portions of the property. A parking variance for residential stalls is associated with the application. The matters under consideration for Council are the supportability of the variance and the consistency with the relevant design guidelines.

The following points were considered in assessing this application.

- The proposed building is subject to regulation under Development Permit Area 3 (HC) and is generally consistent with the applicable Design Guidelines in the *Official Community Plan, 2012* (OCP) and the *Downtown Core Area Plan* (DCAP).
- The proposed shortfall of 55 residential vehicle parking stalls is considered supportable as a range of transportation demand management measures are being offered and because of the subject site’s central location in close proximity to transit and a variety of active transportation facilities.

BACKGROUND

Description of Proposal

The proposal is to construct a six-storey purpose-built rental building with a total of 162 residential units. The proposed density of the development is 3.62:1 FSR. The proposed height is 19.4m.

The proposal includes the following major design components:

- a perimeter block configuration
- a mixture of unit sizes ranging from 22m² (242 ft²) for a studio to 75m² (805 ft²) for a three-bedroom unit
- residential lobby entrance accessed at the corner of View Street and Vancouver Street
- a residential amenity room located adjacent to the lobby
- seven street-facing garden level units accessed via raised terraces on View Street and Vancouver Street
- a shared landscaped central courtyard with interior facing ground level patios for eight units
- vehicle parking for a total of 46 stalls (30 residential, 14 visitor and two car share) located underground and accessed off View Street.

The proposed variances are related to:

- a reduction in the required number of residential vehicle parking stalls from 85 to 30
- a reduction in the required number of visitor stalls from 16 to 14 to ensure two stalls are dedicated for car share vehicles.

Sustainability

The applicant has not identified any sustainability features. However, the proposal includes the provision of raingardens in the municipal boulevard along View Street, passive building envelope strategies for improved building performance as well as two car share vehicles, car share memberships and electric vehicle charging stations to reduce CO² emissions.

Accessibility

No accessibility improvements are proposed beyond what is required through the *British Columbia Building Code*. The proposed interior courtyard, interior amenity space and roof deck are designed to be accessible.

Existing Site Development and Development Potential

The site is presently occupied by two commercial buildings (at one and two storeys) and surface parking. Under the current S-1 Zone (Limited Service District), the property could be developed up to 1.5:1 FSR with a maximum height of 15m. The range of uses permitted in the Zone includes but is not limited to restaurants, clubs, garages, automobile rental and retail sales. Under the R3-C-P Central Area Multiple Dwelling and Parking District and R3-C-T Central Area Multiple Dwelling and Technology District, the property could be developed to contain a range of uses including mixed-use residential up to 10 storeys high.

Data Table

The following data table compares the proposal with the existing zones, as well as the *Downtown Core Area Plan* policies. An asterisk is used to identify where the proposal is less stringent than the existing zones.

Zoning Criteria	Proposal	R3-C-P / R3-C-T (R-48)	S-1	DCAP Guidelines
Site area (m ²) – minimum	2023.48	N/A	N/A	-
Density (Floor Space Ratio) – maximum	3.62:1*	N/A	1.5:1	3:1 (base) 5.5:1 (max.)
Total floor area (m ²) – maximum	7225.10*	N/A	3035.22*	11,129.14
Height (m) – maximum	19.40	27	15	45
Storeys – maximum	6	9	N/A	15
Site coverage (%) – maximum	91.26*	N/A	60	-
Open site space (%) – minimum	39	N/A	N/A	-
Setbacks (m) – minimum				
Front (Vancouver Street)	1.50* (building) 0.60* (parkade)	3.50	0.00	0 - 3
Rear (west)	3.00 (building) 0.60* (parkade)	0.00	0 - 3	3.00
Side (north, View Street)	3.00 (building) 0.60 (parkade)	0.00	0.00	0 - 3
Side (south)	3.00 (building) 0.60* (parkade)	0.00	0 - 3	3.00
Vehicle parking residential – minimum (rental in perpetuity)	30*	87	87	-
Vehicle parking visitor – minimum	14*	16	16	-
Vehicle parking car share stalls (included in total)	2	N/A	N/A	-
Bicycle parking stalls long term – minimum	186	170	170	-
Bicycle parking stalls short term – minimum	16	16	16	-

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Downtown Residents Association (DRA) CALUC at a Community Meeting held on August 28, 2019 and November 6, 2019. Two letters dated January 10, 2020 and January 14, 2020 are attached to this report.

Through the design revision process, a third CALUC meeting was triggered by an increase in density. A 30-day online consultation period was conducted, and the comments received during this process are attached to this staff report. A total of four online responses were received. Concerns were expressed related to parking and lack of sustainability features.

Since the proposal was referred to the CALUC, a minor increase to the FSR has resulted from the excess long-term bike parking (an extra 16 stalls are provided while only the required bike parking is exempt from floor area) and a technicality associated with the inclusion of the elevator shaft in floor area calculations. This amounts to 0.05 FSR (approximately 100m²). Staff do not recommend a further online consultation period because of the small degree of change as well as the reality that the overage is driven largely by regulatory technicalities. Staff have reached out to the CALUC to ensure they are aware of this change, and they have concurred that an additional consultation period is not necessary.

If further correspondence from the CALUC is received it will be forwarded to Council for consideration.

ANALYSIS

The property is situated in Development Permit Area 3 (HC): Core Mixed-Use Residential and the following documents were considered in assessing this application:

- *Official Community Plan, 2012 (OCP)*
- *Downtown Core Area Plan (2011)*
- *Advisory Design Guidelines for Buildings, Signs and Awnings (2006)*
- *Guidelines for Fences, Gates and Shutters (2010).*

The matters under consideration are the supportability of the variances and the consistency with the relevant design guidelines.

Official Community Plan

The subject site is designated Core Residential in the *Official Community Plan, 2012 (OCP)*, which envisions multi-unit residential, commercial and mixed-use buildings from three storeys up to approximately 20 storeys. In terms of place character features, the OCP envisions three- to five-storey building façades that define the street wall, with upper storeys set back above. The proposal is for a six-storey street wall which is inconsistent with the policy. However, the proposal is modest in scale and height, therefore the proposed impacts of this one storey increase are considered to be minimal.

Downtown Core Area Plan

The subject site is designated Residential Mixed-Use District in the *Downtown Core Area Plan (DCAP, 2011)*, which envisions multi-residential development up to a height of 45m. The base

density for a mixed-use development is a floor space ratio of 3:1 and a maximum of 5.5:1. The proposed height is 19.4m and the density is 3.62:1 FSR.

With respect to local area plans, the *Downtown Core Area Plan, 2011* (DCAP) and the Residential Mixed-Use District (RMD) apply to the subject site. The RMD encourages multi-residential development appropriate to the context, respecting the allowable building heights in the neighbourhood. Active commercial street-level uses are encouraged to help increase pedestrian activity. However, View Street is identified as a Local Street, with commercial or residential considered as acceptable uses. Although the proposal does not include commercial use at the ground floor, it does include a shared amenity room adjacent to the lobby, as well as individual entrances to ground level units, accessed via stairs. For these reasons, the proposal is considered to be consistent with the policy as it contributes to increased pedestrian activity and interest at the street level.

The DCAP provides both broad urban design objectives for the Downtown Core and more detailed design guidelines for specific districts. The DCAP also includes policies related to the design of buildings. Overall, staff consider that the proposal is generally consistent with these policies.

Built Form and Massing

The proposed density is 3.62:1 FSR, which is consistent with the OCP and DCAP. The proposed building height of 19.40m is modest when compared to the heights supported in the guidelines (45m). The guidelines require a minimum clearance of 3m from all side and rear property lines, with additional clearances (where feasible) to enhance livability for residential uses. Staff originally expressed concern with the south and west elevations, which had the potential to impact the livability of the units within the subject site and adjacent sites coming forward for redevelopment. Through the design revision process, the proposal now meets or exceeds the requirements in the guidelines for minimum clearances from rear and side property lines.

The guidelines provide a number of policies relating to the public realm. Generally, these focus on the provision of a comfortable, safe and animated pedestrian area with wide sidewalks and a positive, engaging relationship with proposed adjacent buildings. Specifically, the guidelines categorize Vancouver Street as a “wide street” and View Street as a “narrow street”. Each street type has specific policies to encourage positive building-to-street relationships and a human scale of development. Since View Street is defined as a narrow street, the guidelines limit the primary building street wall height to 15m, and the proposal exceeds this by 4.4m. The intent of this criteria is to create an animated and interesting pedestrian area by breaking up the mass of the building. Given the overall lower scale of the building, staff are of the opinion that this deviation from the guideline is acceptable, and that a setback on the sixth floor would undermine the intent of the design.

Pedestrian Experience

The guidelines encourage well design and articulated building bases, especially on those facades that are adjacent to a street. The proposal includes one level of underground parking that projects above grade on all elevations at the property line. Staff are satisfied that appropriate measures have been taken to provide sufficient visual interest along the street frontages, including planters, lighting and raised residential entrances with patios overlooking the street. The guidelines also encourage the use of high-quality finishes and materials and while the residential entrances include glazing for the street level gates, there is a concern that

over time they will not weather well and be difficult to maintain; therefore, an alternative more durable material would be more appropriate for this high traffic location. Appropriate wording is included in the staff recommendation to refine this aspect of the proposal.

Open Space

The guidelines encourage the provision of well-designed on-site open space for high density developments. This is particularly important in proposals that contain small residential units. While the smallest units being proposed are only 22 m² (242 ft²) for a studio, the majority of units (60%) are one-bedroom and range in size from 25 m² (272 ft²) to 52 m² (555 ft²). Throughout the design revision process, the proposal has increased the on-site amenity space and this now includes an interior courtyard with planting and seating, an interior games room located adjacent to the lobby, and an extensive roof patio with outdoor seating, BBQs, raised planters for urban agriculture, children's play area, table tennis and a putting green. Although comprehensive in its programming, the roof top amenity space would benefit from further refinement through weather protection of the outdoor cooking facilities and shading of the children's play area. Appropriate wording is included in the staff recommendation to refine this aspect of the proposal.

Advisory Design Panel

The application was referred to the Advisory Design Panel (ADP) on February 26, 2021 (minutes attached) where the following motion was carried:

"It was moved by Pamela Madoff, seconded by Jason Niles, that the Development Permit with Variances Application No. 00133 for 1124 Vancouver Street, 941 and 953 View Street does not sufficiently meet the applicable design guidelines and polices and should be declined as presented with consideration for:

- *built form, massing and building separation*
- *façade articulation and finishes*
- *the raised residential entrances and activation of the public realm*
- *livability of units*
- *the overall programing of the amenity space, with a need for quality spaces".*

The applicant has submitted revised plans that incorporate the design changes requested by the Panel and staff are satisfied that these recommendations have been addressed. A brief summary of the changes that have been made include:

- increasing the west setback from 2.88m to 5.05m for the majority of the elevation (a short section, roughly 8m in length is setback 3m from the property line, consistent with the minimum requirements in the guidelines)
- increasing the south setback for the portion of the building closest to Vancouver Street from 1.5m to 3m
- provision of a shared amenity room at the ground level fronting View Street
- introducing spandrel glazing and balconies at the corner (intersection of View and Vancouver Streets) to provide more visual interest
- replacing architectural concrete with board form concrete on the ground floor and replacing the black metal residential entry detail with corten steel
- removal of the bike parking pavilion by relocating the secure bike parking underground and introducing a landscaped courtyard with planting and seating at the ground level

- provision of a roof top amenity space, with outdoor seating, BBQs, raised planters for urban agriculture, children’s play area, table tennis and a putting green.

A letter from the architect dated August 23, 2021 provides further detail on the design changes.

Regulatory Considerations

Parking Variance

A variance is requested to reduce the required number of residential parking stalls from 85 to 30 and to reduce the required visitor stalls from 16 to 14. A two-stall variance is being proposed to account for two dedicated car share stalls which are proposed to be located within the parkade. To help mitigate some of the anticipated parking shortfall associated with the development, the applicant is proposing two car share vehicle parking stalls, two car share vehicles, 162 car share memberships and usage credits, all of which will be secured by legal agreement as part of the concurrent rezoning application. An on-street electric vehicle charging station capable of charging two vehicles is also proposed as well as 16 parking stalls in the parkade will be electric vehicle ready. In addition, the proposal exceeds the minimum requirements for bicycle stalls (by 16 stalls for long term), and since these provisions are in excess of the bylaw requirements that applied at the time the application was submitted, it is recommended to secure these through a legal agreement. Although staff consider the variance supportable, there will likely be some impact to availability of on-street parking in the area.

Minor revisions to the plans are required to correct the labelling of the car share stalls, as well as the technical specifications of the curbside charging station and as-built bike lane along Vancouver Street. Appropriate wording has been included in the staff recommendation to ensure these are resolved prior to a Public Hearing.

CONCLUSIONS

The proposed purpose built rental residential development at 1124 Vancouver Street, 941 and 953 View Street would support the planning objectives for the Downtown found in the OCP and the DCAP. The proposal is generally consistent with the design guidelines contained within the DCAP and includes high-quality building materials and landscape finishes. The design revisions that have been incorporated since the application was reviewed by the ADP are positive and staff recommend the application be supported.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00133 for the property located at 1124 Vancouver Street, 941 and 953 View Street.

Respectfully submitted,

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Senior Planner – Urban Design
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 dated August 16, 2021
- Attachment D: Letter from applicant to Mayor and Council dated August 23, 2021
- Attachment E: ADP staff report dated February 12, 2021
- Attachment F: ADP minutes from the meeting of February 26, 2021
- Attachment G: Community Association Land Use Committee Comments dated January 10, 2020 and January 14, 2020
- Attachment H: Consultation Comments from Online Feedback Form
- Attachment I: Arborist Report, dated August 18, 2021 (as amended)
- Attachment J: Letter from MODO in support of the application dated August 16, 2021
- Attachment K: Correspondence (Letters received from residents).