



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

To: Committee of the Whole **Date:** August 26, 2021
From: Karen Hoese, Director, Sustainable Planning and Community Development
Subject: Development Permit with Variances Application No. 00181 for 137
Robertson Street and 1848 Hollywood Crescent

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.00723, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 00181 for 137 Robertson Street and 1848 Hollywood Crescent, in accordance with:

1. Plans date stamped May 18, 2021.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the vehicle parking from three stalls to two stalls;
 - ii. increase the number of storeys from two and a half to three;
 - iii. increase the height from 7.6m to 8.03m;
 - iv. allow for roof decks;
 - v. reduce the front yard setback from 7.5m to 3.22m;
 - vi. reduce the rear yard setback from 7.5m to 3.20m
 - vii. permit an accessory building to be located in the side yard rather than the rear yard;
 - viii. reduce the side yard setback for an accessory building from 0.6m to 0.2m;
 - ix. reduce the building separation distance between an accessory building and the principal building from 2.4m to 0.3m.
3. Registration of legal agreements on the property’s title to secure the provision of one carshare membership per dwelling unit, to the satisfaction of the Director of Sustainable Planning and Community Development.
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.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the establishment of objectives for the form and character of intensive residential development, 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 137 Robertson Street and 1848 Hollywood Crescent. The proposal is to demolish a four-unit house conversion and construct a duplex with secondary suites. The variances are related to parking, number of storeys, height, roof decks, setbacks and the location of accessory storage structures.

The following points were considered in assessing this application:

- The proposed duplex building is generally consistent with the *Design Guidelines* for Development Permit Area 16: General Form and Character in terms of integrating new development in a manner that compliments and enhances the established place character of an area.
- The front and back duplex orientation provides units directly oriented to the street, consistent with the *Gonzales Neighbourhood Plan* which encourages new development that compliments the existing detached character of the neighbourhood.
- The proposed one stall parking variance is considered supportable as the applicant is providing short and long-term bicycle parking, as well as carshare memberships for each unit.
- The proposed increase in number of storeys and height and proposed roof deck are considered supportable as the building generally fits the existing context and the variances are attributable to the provision of sunken patios for the lower suites, which increases the liveability of the suites but also lowers the average grade thus increasing the technical measurement of building height.
- The proposed front and rear setback variances are supportable as the proposed setback is generally consistent with the established setbacks on both streets and provides room for front yard landscaping.
- The variances associated with the proposed accessory buildings are considered supportable as the buildings would have minimal impact on the adjacent properties or the public realm and provides storage space which can accommodate bicycle parking.

BACKGROUND

Description of Proposal

The proposal is to demolish a four-unit house conversion and construct a duplex with secondary suites. The variances are related to parking, number of storeys, height, roof decks, setbacks and the location of accessory storage structures. The property fronts onto both Robertson Street and Hollywood Crescent. The proposed duplex is oriented front to back with prominent front entries facing both streets. Each unit would have a basement rental suite with direct access from the nearest street.

Exterior materials include:

- cementitious panels and trim
- stucco siding
- vinyl windows.

Landscape elements include:

- increased open site space and planting areas
- permeable pavers for driveways and paths
- sunken patios for the rental suites
- retention of two bylaw protected trees and addition of four new bylaw replacement trees.

The proposed variances are related to:

- reducing the vehicle parking from three stalls to two stalls
- increasing the number of storeys from two and a half to three
- increase the height from 7.6m to 8.03m
- allow for roof decks
- reduce the front yard setback (Robertson Street) from 7.5m to 3.22m
- reduce the rear yard setback (Hollywood Crescent) from 7.5m to 3.20m
- permit an accessory building to be located in the side yard rather than the rear yard
- reduce the side yard setback for an accessory building from 0.6m to 0.2m
- reduce the building separation distance between an accessory building and the principal building from 2.4m to 0.3m.

Data Table

The following data table compares the proposal with the existing R1-G Zone, Gonzales Single Family Dwelling District and the standard R-2 Zone, Two Family Dwelling District. An asterisk is used to identify where the proposal does not meet the requirements of the standard Zone.

Zoning Criteria	Proposal	Existing R1-G Zone	Standard R-2 Zone
Site area (m ²) – minimum	447*	460	555
Number of units – maximum			
Principal	2	1	2
Secondary Suite	2*	1	0
Density (Floor Space Ratio) – maximum	0.6:1*	0.5:1	0.5:1
Lot width (m) – minimum	14.94*	15	15
Height (m) – maximum	8.03*	7.6	7.6
Storeys – maximum	3*	1.5 (with basement)	1.5 (with basement)

Zoning Criteria	Proposal	Existing R1-G Zone	Standard R-2 Zone
Site coverage (%) – maximum	38.50	30	40
Open site space (%) – minimum	50.60	50	30
Roof deck	Yes*	No	No
Setbacks (m) – minimum			
Front (Robertson Street)	3.22*	7.50	7.50
Rear (Hollywood Crescent)	3.20*	9.10	10.70
Side (north)	3.01	2.24	1.50
Side (south)	2.83	2.24	1.50
Combined side yards	5.84	5.40	4.50
Parking – minimum	2*	3	3
Bicycle parking stalls – minimum			
Short term	4	0	0
Long term	4	0	0

ANALYSIS

Official Community Plan

The subject site is designated as Traditional Residential in the *Official Community Plan, 2012* (OCP) which supports ground-oriented residential buildings with front and rear yards, variable landscaping and units oriented to face the street.

Gonzales Neighbourhood Community Plan

The proposed duplex with suites supports the objectives articulated in the *Gonzales Neighbourhood Community Plan*, which aim to reduce the amount of site area currently devoted to vehicle parking. The proposal would increase the amount of permeable surface, which currently exists on site and is consistent with the Plan's direction to preserve and enhance private greenspace during redevelopment. The recommendation for the concurrent Rezoning Application includes a plan revision as a pre-condition of setting a public hearing to increase the amount of soft landscaping around the building to enhance the building's fit with the green character of the neighbourhood.

Lastly, when viewed from Robertson Street or Hollywood Crescent, the building presents as a single family dwelling with a secondary suite, which supports the Plan's objective of maintaining the existing detached character of the area.

Development Permit Area and Design Guidelines

The OCP identifies the site within Development Permit Area 16: General Form and Character. The objectives of this DPA are to integrate new developments in a manner that compliments and enhances the established place character of an area through high quality architecture, landscape and urban design. Other objectives include providing sensitive transitions to adjacent properties with built form of three storeys or lower, and to achieve more liveable environments through considerations for human-scaled design, quality of open spaces, privacy impacts and safety and accessibility. Design Guidelines that apply to DPA 16 are the *Multi-Unit Residential, Commercial and Industrial Design Guidelines* (2012), *Advisory Design Guidelines for Buildings, Signs and Awnings* (2006), and *Guidelines for Fences, Gates and Shutters* (2010).

The proposal complies with the guidelines as follows:

- the form and character of the building respects the traditional residential character of the area and incorporates durable exterior materials
- street-oriented entrances are prominent and include entry canopies and porches that provide a transition from the public realm of the street and sidewalk to the private realm of the proposed residences
- window placement, building articulation and setbacks limit privacy and shadowing impacts on neighbouring properties.
- landscaped planting areas and permeable surfaces contribute to the green character of the area
- sunken patios provide private outdoor space for the lower basement suites, which enhances the liveability of the dwelling units.

Regulatory Considerations

A number of variances related to parking, number of storeys, height, roof decks, setbacks and siting of accessory structures are proposed as part of this application. This approach is recommended to ensure that less stringent requirements are not entrenched in a new custom zone and that any future alternative development proposals would need to apply to Council to achieve these, or different variances.

Parking

A variance is requested to reduce the required number of parking stalls from a total of three to two. To mitigate some of the potential impacts from this variance the applicant is proposing carshare memberships for each unit, which would be secured by legal agreement as a condition of the concurrent Rezoning Application. In addition, the applicant is proposing modest size storage sheds on the south side of the building to accommodate long-term bicycle parking for the rental suites. Similar storage sheds are proposed on the north side of the building, however these would not be considered as dedicated long-term bicycle parking because the access is somewhat restricted by vehicle parking. Short-term bicycle parking for visitors is also proposed on the east and west side of the building near the unit entrances. Given these transportation demand management (TDM) measures, staff consider the parking variance as supportable.

Height and Number of Storeys

In terms of height, the OCP envisions buildings up to approximately two storeys in most areas designated as Traditional Residential, with taller buildings up to approximately three storeys

along arterial or secondary arterial roads. Generally consistent with this policy direction, the new zone would establish a maximum height of 7.6m and 2.5 storeys. The proposed buildings appear as two-storey buildings with a raised basement; however, the *Zoning Regulation Bylaw* considers the lower basement level as the first storey due to the ceiling height relative to average grade (the average grade is lowered by the sunken patios for the basement units). Therefore, the proposed buildings are technically three storeys in height. Staff consider the increase in number of storeys from 2.5 storeys to three, and increase in building height from 7.6m to 8.03m, as supportable because the building appears as a two storey building with partially above grade basement and the sunken patios contribute to the livability of the lower units, consistent with the Design Guidelines.

Roof Decks

Consistent with the existing R1-G Zone, the new zone would not permit roof decks as a right. The proposed upper storey balconies, which are a typical design feature of traditional buildings in the area, are technically roof decks as they are located above the second storey of the building. However, these balconies are small in size and are oriented to the east and west and not towards the rear yards of adjacent properties. Staff therefore consider these roof decks supportable as they are consistent with the character of the area, provide private outdoor space for the principal units and would have minimal impact on adjacent properties.

Setbacks

Given the property has frontage on two streets, the new zone would establish a setback to a street instead of separate front and rear yard setback requirements. The proposal includes a setback variance to reduce the setback from 7.5m to 3.22m on the Robertson Street side. This reduction would accommodate the projecting verandah and lower storey living space below. The main and upper floors are set back further at 5.06m at the north end and 6.12m at the south end. The 3.22m setback closely aligns with the setback of the neighbouring building to the north and the 6.12m setback aligns with the setback of the building to the south. This articulation in the façade ensures the building fits the streetscape context along Robertson Street. This same articulation technique is used on the Hollywood Crescent side where the proposal is seeking a setback variance from 7.5m to 3.20m. This variance is also considered supportable as the building is setback further than either property to the east and west. In both cases the proposed setbacks provide space for front yard landscaping and the prominent entries and front verandah contribute to a pedestrian friendly streetscape.

Accessory Structures

This proposal includes several variances associated with the siting of four small (1.5m² or 16 sq. ft) accessory storage structures located on the north and south side of the building. The structures on the south side of the building are intended to provide long-term bicycle storage for the rental suites, whereas the structures on the north side are proposed as general storage for the strata duplex units, which could also potentially accommodate bicycle storage. The variances are related to location in a side yard, setbacks and separation distance from the main building. Given the minimal impact of these structures, these variances are considered supportable subject to minor revisions to improve the layout and accessibility of the structures as noted in the concurrent Rezoning Application.

CONCLUSIONS

The proposal to construct a duplex with suites is considered consistent with the Design Guidelines for Development Permit Area 16: General Form and Character. The building and associated landscaping would integrate with the character of the area and the associated variances have been mitigated through design and appropriate TDM measures. Therefore, staff recommend that Council consider approving the application.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00181 for the property located at 137 Robertson Street and 1848 Hollywood Crescent.

Respectfully submitted,

Alec Johnston
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Development Services Division

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 May 18, 2021
- Attachment D: Letter from applicant to Mayor and Council dated May 18, 2021
- Attachment E: Community Association Land Use Committee Comments dated January 18, 2018 and October 3, 2019
- Attachment F: Tenant Assistance Plan
- Attachment G: Arborist Report dated May 12, 2021
- Attachment H: Correspondence (Letters received from residents).