



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

To: Committee of the Whole **Date:** November 25, 2021

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

Subject: **Development Permit with Variances Application No. 00157 for 1025 Kings Road**

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. 00752, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 00157 for 1025 Kings Road, in accordance with:

1. Plans date stamped September 7, 2021.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. increase the height from 18.5m to 21.24m;
 - ii. decrease the front yard setback from 5.0m to 1.93m;
 - iii. decrease the rear yard setback from 5.0m to 2.68m;
 - iv. decrease the south side yard setback from 5.0m to 3.98m;
 - v. decrease the north side yard setback from 5.0m 1.41m;
 - vi. increase the site coverage from 40% to 70%;
 - vii. reduce the residential vehicle parking from 20 to 19; and,
 - viii. reduce the visitor vehicle parking from 6 to 1.
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.

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 Application for the property located at 1025 Kings Road. The proposal is to construct a new six-storey residential rental building with approximately 56 housing units. The variances are related to reducing the residential and visitor vehicle parking, decreasing the setbacks, increasing the site coverage and increasing the height.

The following points were considered in assessing this application:

- the proposal is generally consistent with the place character features of the Large Urban Village designation in the *Official Community Plan, 2012 (OCP)*, which envisions six-storey buildings with one- to three-storey building façades that define the street wall, buildings located close to the street frontage and off-street parking located underground or at the rear
- the proposal is generally consistent with the *Quadra Village Design Guidelines* as the exterior form is reasonably compatible with the context and the proposal contributes to an attractive, safe and friendly environment
- the proposal is generally consistent with the *Hillside-Quadra Neighbourhood Plan*, which envisions exterior form and materials that are reasonably compatible with those of their neighbours and proposals that contribute to an attractive safe and friendly environment
- the variances to reduce the residential and visitor vehicle parking are supportable as the applicant is providing car share memberships for each of the units and a car share vehicle, and the subject site is near a frequent transit corridor
- the variances to reduce the front, rear and side yard setbacks, increase the height and increase the site coverage are considered supportable as the proposal has been designed to fit the site, maintain privacy and provide appropriate transitions to neighbouring buildings.

BACKGROUND

Description of Proposal

The proposal is to construct a new six-storey residential rental building with approximately 56 housing units. Specific details include:

- a six-storey building mass
- the main residential building lobby and 34 long term bicycle parking stalls are accessed off Kings Road
- common amenity space on the sixth storey, in the form of a south-facing patio
- one level of underground vehicle parking
- three ground floor residential units accessed off Fifth Street
- materials are primarily cementitious panel with brick and composite metal panel.

The proposed variances are related to:

- increasing the height from 18.5m to 21.24m
- decreasing the front yard setback from 5.0m to 1.93m
- decreasing the rear yard setback from 5.0m to 2.68m
- decreasing the south side yard setback from 5.0m to 3.98m
- decreasing the north side yard setback from 5.0m to 1.41m

- increasing the site coverage from 40% to 70%
- reducing the residential vehicle parking from 20 to 19
- reducing the visitor vehicle parking from 6 to 1.

Sustainability

The applicant has not identified any sustainability features beyond the City's requirement for the building to achieve BC Step Code 3.

Active Transportation

The application proposes the following features which support active transportation:

- 70 long term bicycle stalls, including eight cargo bicycle stalls
- 20% of the long term bicycle stalls will be equipped with 110V outlets for electric bicycle charging
- six short term bicycle stalls located near the main lobby entrance and with ramp access
- a bicycle repair station located in the underground parkade.

Accessibility

No accessibility improvements are proposed beyond what is required through the *British Columbia Building Code*. The proposed elevated main entrance would have a ramp in addition to the stairs to improve accessibility to the building.

Data Table

The following data table compares the proposal with the existing R3-2 Zone. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone.

Zoning Criteria	Proposal	Existing R3-2 Zone	Proposed Zone	OCP Policy
Site area (m ²) – minimum	1203	N/A	N/A	
Density (Floor Space Ratio) – maximum	2.93*	1.2 (parking variance reduces max density from 1.6)	2.94	2.5
Total floor area (m ²) – maximum	3527.38	N/A		
Height (m) – maximum	21.24*	18.5	18.5	
Storeys – maximum	6	6 or more	6	6
Site coverage (%) – maximum	70*	20	40	
Open site space (%) – minimum	39	30	39	

Zoning Criteria	Proposal	Existing R3-2 Zone	Proposed Zone	OCP Policy
Setbacks (m) – minimum				
Front (Fifth Street)	1.93*	13.5	5.0	
Rear (west)	2.68*	10.62	5.0	
Side (Kings Road)	1.41*	13.5	5.0	
Side (south)	3.98*	10.62	5.0	
Parking – minimum				
Residential	20*	37	37	
Visitor	0*	6	6	
Bicycle parking stalls – minimum				
Short Term	6	6	6	
Long Term	70	67	67	

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Hillside-Quadra CALUC at a Community Meeting held on September 17, 2020. The minutes from that meeting and the Pre-Application Consultation Comments are attached to this report. The applicant held a second Community Meeting on November 16, 2021. The 30-day Consultation Comments are also attached to this report.

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

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan (OCP)* identifies this property within DPA 5: Large Urban Villages. The objectives of DPA 5 are to revitalize areas of commercial use into complete Large Urban Villages to achieve a unique character and sense of place with consideration for potential new landmarks, and high-quality architecture, landscape and urban design to enhance the appearance of Large Urban Villages and identity villages as important neighbourhood centres.

Design Guidelines that apply to DPA 5 are the *Quadra Village Design Guidelines (1998)*,

Advisory Design Guidelines for Buildings, Signs and Awnings (2006), and Guidelines for Fences, Gates and Shutters (2010).

The proposal is generally consistent with the design policies contained within the OCP. For instance, the main entrance is given prominence through a change in grade and soft landscaping. Each of the ground floor units have individual entrances that connect to Fifth Street, which improves the interaction between the building and the street.

The proposal provides a good contextual fit within the area, which does not have a dominant architectural style. The step up from five storeys to six storeys at the south provides a sensitive transition to the existing five-storey buildings to the south. The materials have been softened from the original design to fit better within the primarily residential area.

Amenity space for the units is provided through balconies and patios, with common amenity space on a deck on the sixth level with a communal barbeque and seating.

Hillside-Quadra Neighbourhood Plan

The *Hillside-Quadra Neighbourhood Plan* notes that exterior form and materials should be reasonably compatible with those of their neighbours and that the front face of a project should contribute to making that portion of the street an attractive safe and friendly environment. The applicant has made positive materiality changes that are more in line with a residential building, and the two street frontages provide an active and interesting interface between the private and public realms.

Parking Variances

The proposal will require variances to both residential and visitor vehicle parking. Residential vehicle parking is requested to be reduced from 20 stalls to 19 stalls. Visitor vehicle parking is requested to be reduced from 6 stalls to 1 stall. The applicant proposes the following Transportation Demand Management measures to offset the vehicle parking variances:

- one car share vehicle
- car share memberships for each of the residential units.

Staff believe this Transportation Demand Management program will help offset the parking shortfall.

Setback and Site Coverage Variances

A new site-specific zone is recommended for this site, with minimum setbacks of 5.0m and maximum site coverage of 40%. While it is believed this proposal has been designed to fit the site, maintain privacy and provide appropriate transitions to neighbouring buildings, it is not recommended that the proposed setbacks and site coverage be enshrined within the zone. This is to ensure that, should this proposal not be constructed, any new proposals would either meet the setbacks or apply for variances and will need to again demonstrate that the impact on the public realm and neighbouring properties is minimal.

The proposal will therefore require the following setback and site coverage variances:

- decrease the front yard setback from 5.0m to 1.93m
- decrease the rear yard setback from 5.0m to 2.68m
- decrease the south side yard setback from 5.0m to 3.98m

- decrease the north side yard setback from 5.0m 1.41m
- increase the site coverage from 40% to 70%.

Height Variance

The proposal meets the number of storeys within the policy and existing zone but requires a variance to increase the height from 18.5m to 21.24m. Staff believe this variance is acceptable as it is relatively small and the sixth storey of the building steps down at the southern portion in order to transition to the neighbouring five-storey building.

Advisory Design Panel Review

The Advisory Design Panel (ADP) reviewed this application on January 27, 2021. A copy of the minutes from this meeting are attached. The ADP was asked to comment on the street wall and pedestrian scale, materiality and landscape and parkade screening. The ADP motion was as follows:

That Development Permit with Variance Application No. 00157 for 1025 Kings Road be approved with the following changes:

- *Addition of screen fencing to the parkade on the south and east elevations of the building*
- *Low fencing to private patios on the ground level for increased security*
- *Review the existing street trees on Fifth Street with the parks department in order to provide new trees where appropriate*
- *Consider additional landscaping on Fifth Street*
- *Maintaining the cladding reveal colour consistent with the cementitious panel wall colour and to confirm cladding details*
- *Confirm quality of the cladding details with planning department at building permit stage.*

Since ADP, the applicant has moved the parking from under-building and accessed from Fifth Street to underground and accessed from Kings Road, which staff believe has addressed many of ADP's comments. The Fifth Street frontage has now improved through additional ground floor units with improved landscaping and private patios with low fencing. Furthermore, minor changes have been made to the materiality to be more in line with a residential building.

CONCLUSIONS

The proposed development is generally consistent with the relevant Design Guidelines and represents an appropriate fit within the neighbourhood. The applicant has made revisions to address comments from staff and the Advisory Design Panel. Finally, the parking variances are mitigated through extensive TDM measures and the height, setbacks and site coverage variances are acceptable with this specific proposal. It is therefore recommended that Council consider supporting this application.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00157 for the property located at 1025 Kings Road.

Respectfully submitted,

Mike Angrove
Senior Planner – Development Agreements
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 September 7, 2021
- Attachment D: Letter from applicant to Mayor and Council dated August 31, 2021
- Attachment E: Community Association Land Use Committee Minutes from the September 17, 2020 meeting dated November 3, 2020
- Attachment F: Advisory Design Panel Minutes from the January 27, 2021 meeting
- Attachment G: Parking Variance Report dated August 31, 2021
- Attachment H: Construction Impact Assessment & Tree Preservation Plan dated August 6, 2020, and amended May 5, 2021 and August 27, 2021
- Attachment I: Pre-Application Consultation Comments from Online Feedback Form
- Attachment J: Correspondence (Letters received from residents).