



Council Report

For the Meeting of December 9, 2021

To: Council **Date:** November 25, 2021
From: Karen Hoese, Director, Sustainable Planning and Community Development
Subject: Update for Rezoning Application No. 00683 and Development Permit with Variances Application No. 000543 for 975 and 983 Pandora Avenue

RECOMMENDATION

That the following bylaws be given introductory readings:

- Zoning Regulation Bylaw, Amendment Bylaw (No. 1263) No. 21-102
- Housing Agreement Bylaw No. 21-103.

and 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. 00683, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 000543 for 975 and 983 Pandora Avenue in accordance with:

1. Plans date stamped November 24, 2021.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Increase the height from 45m to 47.68m.
3. Final plans to be generally in accordance with plans date stamped November 16, 2021.
4. The Development Permit lapsing two years from the date of this resolution.”

EXECUTIVE SUMMARY

The purpose of this report is to present Council with an update regarding the Rezoning and Development Permit with Variance Applications for the properties located at 975 and 983 Pandora Avenue. The proposal is to rezone from the CA-43 Zone to a site-specific zone in order to construct a 16-storey mixed use building containing ground level commercial and purpose built rental residential uses above. Attached for Council's initial consideration is a copy of the proposed Zoning Regulation Bylaw No. 21-102 and Housing agreement Bylaw No. 21-103.

BACKGROUND

The Rezoning and Development Permit with Variance Applications came before Council at a Committee of the Whole meeting on May 13, 2021, and was ratified at a Council meeting on May 20, 2021 where the following resolution was approved:

Rezoning Application No. 00683

“That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00683 for 975 and 983 Pandora Avenue and that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

- 1. Minor plan revisions as detailed in concurrent Development Permit with Variances Application No. 000543.*
- 2. Preparation and execution of legal agreements, in a form satisfactory to the City Solicitor, to:*
 - i. Secure all of the dwelling units in the building as rental for the greater of 60 years or the life of the building and that rental periods are 30 days or more, to the satisfaction of the Director of Sustainable Planning and Community Development.*
 - ii. Secure the two-bedroom, two-bedroom plus den, three-bedroom, four-bedroom and five-bedroom units generally in accordance with the Plans dated February 16, 2021, to the satisfaction of the Director of Sustainable Planning and Community Development.*
 - iii. Restrict strata titling of the building, to the satisfaction of the Director of Sustainable Planning and Community Development.*
 - iv. Secure the design, supply and installation of the City’s Downtown Public Realm Plan and Streetscape Standards (DPRP) (specifically, the ‘New Town District’), including furnishings, materials and pedestrian lights along the Vancouver Street and Pandora Avenue frontages, to the satisfaction of the Director of Engineering and Public Works.*
 - v. Secure the installation of the protected bike lane improvements adjacent the Vancouver Street frontage, as per the City’s Bicycle Master Plan to the satisfaction of the Director of Engineering and Public Work.*
 - vi. Secure the design, supply and installation of a stormwater management soil cell infiltration system in the boulevard on Vancouver Street for treatment of road runoff, to the satisfaction of the Director of Engineering and Public Works.*
 - vii. Secure soil cells for all municipal street trees on Vancouver Street, to specifications (including soil volume and depth) to the satisfaction of the Director of Parks, Recreation and Facilities.*
- 3. That Council request that the applicant provide more information on the co-living model and information regarding affordability.*

Development Permit with Variances Application No. 000543

That, subject to minor plan revisions to address the following:

1. *Corrections to the paving patterns and street furnishings consistent with the Downtown Public Realm and Streetscape Plan to the satisfaction of the Director of Engineering and Public Works.*
2. *Clarification of the details on the preliminary Utilities Plan to the satisfaction of the Director of Engineering and Public Works.*
3. *Further details regarding the double vehicle access gate system and staging area for garbage and waste collection to the satisfaction of the Director of Engineering and Public Works.*
4. *Corrections to irrigation system, street trees and planting schedules, to the satisfaction of the Director of Parks, Recreation and Culture.*
5. *Further consideration of the fence design and application of building materials at the street level along Pandora Avenue to ensure a positive pedestrian experience, to the satisfaction of the Director of Sustainable Planning and Community Development.*
6. *Incorporation of perimeter wind screens on the south side of the lower level amenity spaces and on the terraces of level 14 as recommended in the Pedestrian Wind Assessment.*
7. *Confirmation of whether CREST would be required to occupy equipment on the roof level for a new communication transmission site, to the satisfaction of the Fire Chief.*
8. *Corrections to plans to ensure the compliance with the BC Building Code.*

And 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. 00683, if it is approved, consider the following motion:

“That subject to receipt of a letter from the Ministry of Environment confirming that the landowner has met the requirements of Section 557(2) of the Local Government Act with respect to contaminated sites that Council authorize the issuance of Development Permit with Variances Application No. 000543 for 975 and 983 Pandora Avenue in accordance with:

1. *Plans date stamped February 12, 2021.*
2. *Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:*
 - i. *Increase the height from 45m to 47.68m*
 - ii. *Increase the number of storeys from 15 storeys to 16 storeys*
 - iii. *Increase the height of the proposed breezeway fence from 1.22m to 3.12m.*
3. *Final plans to be generally in accordance with plans date stamped February 12, 2021.*
4. *The Development Permit lapsing two years from the date of this resolution.”*

Plan Updates

The applicant has submitted revised plans (attached) to address minor corrections to the public realm streetscape, including paving patterns, street furnishings, street trees, irrigation system and utilities. The design of the breezeway fence has been lowered in height (and no longer requires a

variance), which improves the pedestrian experience along Pandora Avenue. The applicant has retained the painted architectural concrete along the ground floor, due to the fact that this material is practical to maintain over time. Perimeter wind screens have been added on the upper level terraces and the south side of the lower level amenity spaces as recommended in the Pedestrian Wind Assessment and provision has been made for CREST communication equipment within the roof top mechanical room.

Staff are satisfied that the minor revisions as detailed in the Council resolution from May 20, 2021 have been addressed.

Variance Updates

The Zoning Regulation Bylaw amendment has been based on the standard Downtown (CBD) zones, which utilize building height as the regulatory tool. The variance for one storey has therefore been removed from the Development Permit application.

As noted above, the design of the fence and gate in the breezeway has been redesigned and no longer requires a variance so this variance has been removed from the recommended Council motion.

The applicant has also worked with staff to address the functionality of the waste and loading area and is now proposing to use the single stall located on the main floor, accessed off Pandora Avenue, as the staging area for bins. This replaces an accessible stall which has now been relocated to parking level one within close proximity to the access to the elevators.

Co-Living Model Information

The applicant has provided more information on the co-living model (attached) which was also circulated to Mayor and Council in an email dated May 25, 2021. All the necessary plan revisions have been made to the satisfaction of staff and the necessary legal agreements have been executed.

CONCLUSIONS

The applicant has executed the required legal agreements and have satisfied staff with the further information requested by Council. As such, this application is now ready to advance to a public hearing.

Respectfully submitted,

Charlotte Wain
Senior Planner – 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: Zoning Regulation Bylaw, Amendment Bylaw (No. 1263) No. 21-102
- Attachment B: Housing Agreement Bylaw No. 21-103
- Attachment C: Letter from Applicant dated May 25, 2021
- Attachment D: Co-Living Presentation dated May 25, 2021
- Attachment E: Updated Plans dated November 24, 2021