



Committee of the Whole Report For the Meeting of September 29, 2022

To: Committee of the Whole **Date:** September 15, 2022

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

Subject: Development Variance Permit No. 00270 for 805 Cook Street

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

1. That Council authorize the issuance of Development Variance Permit Application No.00270 for 805 Cook Street, in accordance with:
 - a. Plans date stamped April 11, 2022.
 - b. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the vehicle parking from 28 stalls to 11 stalls
 - ii. reduce the minimum dwelling unit size of the proposed three additional units from the required 33m² to 21.2m², 26.7m² and 27.5m².
 - c. Registration of a legal agreement on the property's title to secure the provision of thirteen car share memberships for the building to the satisfaction of the Director of Engineering and Public Works and the City Solicitor.
2. That the Development Permit, if issued, lapses in two years from the date of this resolution.

LEGISLATIVE AUTHORITY

Relevant Development Variance Permit considerations relate to the impact of the proposed variances.

Enabling Legislation

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Variance 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 Variance Permit Application for the property located at 805 Cook Street. The applicant proposes to increase the total number of suites from 21 to 24 in an existing rental apartment building. Current zoning regulations require 26 motor vehicle parking stalls plus two visitor parking stalls for a total of 28 stalls to serve the 24 suites, including the three new proposed units. The proposal is to reduce the vehicle parking requirement from 28 stalls to 11 stalls to support the addition of three suites.

Additionally, the applicant is seeking a variance to reduce the minimum dwelling unit size of the proposed three additional units. Current zoning regulations require each dwelling unit in a multiple dwelling to have a floor area of at least 33m². The proposal is to reduce the minimum dwelling unit size from 33m² to 21.2m², 26.7m² and 27.5m².

The following points were considered in assessing this application:

- The Urban Place designation for this area is Urban Residential and the proposal is consistent with the *Official Community Plan (OCP)* as it adds to the existing rental housing stock.
- The proposal is consistent with the *Fairfield Neighbourhood Plan (2019)*, which identifies the retention, replacement or enhancement of on-site rental housing units as a priority.
- The conversion of existing underutilized space into three rental dwelling units meets the *Zoning Regulation Bylaw*, with the exception of the motor vehicle parking requirement and minimum unit size.
- To help offset the requested parking variance and to help achieve OCP transportation and greenhouse gas reduction targets, the applicant has included 26 long-term, weather protected, secure bicycle parking spaces and six short-term bicycle parking spaces and is willing to secure 13 car share memberships for the building.
- To compensate for the lack of private outdoor space of the new units, the applicant intends to provide a bocce court in front of the building as a common outdoor amenity space.

BACKGROUND

Description of Proposal

The subject property is located in the R3-A1 Zone, Low Profile Multiple Dwelling District. Originally, the existing rental apartment building had one laundry room and two storage rooms on the ground floor. However, these spaces are currently underutilized and no longer required as in-suite laundry was added to the building. The proposal is to convert this space into three rental suites and increase the total number of suites in the building from 21 to 24.

Current zoning regulations require each dwelling unit in a multiple dwelling to have a floor area of at least 33 m². The applicant is seeking a variance to reduce the minimum dwelling unit size of the proposed three additional suites as the space that will be utilized already exists as three distinct rooms within in the building with floor areas of 21.2m², 26.7m² and 27.5m².

The applicant is also seeking a parking variance from 28 parking stalls to 11 parking stalls, including two visitor stalls and one accessible stall. Historically, the building has been served by 14 parking stalls. The parking is being reduced to 11 parking stalls due to the closure of the

driveway off Cook Street and the conversion of vehicular parking into long-term bike parking. As the site is constrained by an existing building, there is no opportunity to increase the number of stalls beyond this. To help mitigate the impact of reduced parking, the applicant is offering to install long-term bicycle parking and is providing 13 car share memberships for the building. In addition, a redundant portion of driveway off Cook Street will be landscaped to help offset the lack of landscaping along the perimeter of the parking area contributing to communal outdoor amenity space.

Land Use Context

The area surrounding the subject property is characterized by apartment buildings at the intersection of McClure Street and Cook Street as well as surrounding single-family uses.



Existing Site Development and Development Potential

The site is presently developed with a three-storey rental apartment building.

Under the R3-A1 Zone, Low Profile Multiple Dwelling District, the property could be developed for a variety of residential uses, including college fraternity buildings and rest homes.

Data Table

The following data table compares the proposal with the existing R3-A1 Zone, Fairfield Low Profile Multiple Dwelling District. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone. A double asterisk is used to identify where the proposal is legal non-conforming.

Zoning Criteria	Proposal	R3-A1 Zone
Site area (m ²) – minimum	1343.00	920.00
Density (Floor Space Ratio) – maximum	1.04**	1.00
Total floor area (m ²) – maximum	1401.00	
Lot width (m) – minimum	36.58	n/a
Height (m) – maximum	Existing	10.70
Storeys – maximum	3	3
Site coverage (%) – maximum	44.00	33.33
Open site space (%) – minimum	27.50	30
Dwelling unit size (m ²) – minimum	21.2, 26.7 and 27.5*	33
Setbacks (m) – minimum		
Front	7.50	7.50
Rear	11.40	10.5 (for building height > 7.0m)
Side (west)	3.67	4.2 (1/2 of building height)
Side (east)	3.90	4.2 (1/2 of building height)
Parking – minimum	11* – including 2 visitor	28 – including 2 visitor
Bicycle parking stalls – minimum		
Long term	26	Existing building - N/A
Short term	6	Existing building - N/A

Active Transportation

The application proposes long-term bicycle parking, which supports active transportation.

Public Realm

No public realm improvements beyond City standard requirements are proposed in association with this Development Variance Permit Application.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, on May 27, 2021, the application was referred for a 30-day comment period to the Fairfield CALUC. At the time of writing this report, a letter from the CALUC has not been received.

The associated application proposes a variance, 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

Official Community Plan

The Urban Place designation for this area is Urban Residential and the proposal is consistent with the *Official Community Plan (OCP)* as it adds to the existing rental housing stock.

Fairfield Neighborhood Community Plan

By providing transportation alternatives and removing the redundant portion of the driveway on Cook Street, the proposal is consistent with the *Fairfield Neighbourhood Plan's* objective of moving away from being a car-centred neighbourhood. The proposal to add three rental suites supports enhancing the supply of rental apartments in Fairfield.

VARIANCES

Parking

The *Zoning Regulation Bylaw* requires 1.1 motor vehicle parking stalls per dwelling unit in the R3-A1 Zone plus 0.1 stalls of visitor parking per dwelling unit; therefore, for the 24 units on site a total of 28 parking stalls are required. 14 stalls currently exist on site; however, the applicant is proposing to convert three of the stalls located within an existing carport to long-term bicycle storage. The proposed variance to 11 stalls is considered supportable because there is no practical way to add additional parking on the lot and the applicant is also providing both long- and short-term bicycle, as well as 13 car share memberships for the building, to help mitigate potential on-street parking impacts.

Dwelling Unit Size

The zoning regulations require each dwelling unit in a multiple dwelling to have a floor area of at least 33m². The proposed variance to reduce the minimum dwelling unit size is considered supportable because the rooms currently exist with sizes of 21.2m², 26.7m² and 27.5m², and the proposal contributes to increased rental housing stock. To provide additional outdoor amenity space for the residents of the building, the applicant is providing a bocce court in front of the building with additional landscaping added between the court and the building to enhance the privacy of the ground floor units.

Accessibility

No accessibility improvements are proposed beyond what is required through the *British Columbia Building Code*.

Sustainability

The applicant has not identified any building sustainability features associated with this proposal; however, it is noted that increased emphasis on bike infrastructure and car sharing supports sustainability initiatives.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no *Tree Preservation Bylaw* impacts with this application. The removal of the driveway and boulevard restoration provides a location for future tree planting on Cook Street.

CONCLUSIONS

This application to reduce the minimum dwelling unit size from 33m² to 21.2m², 26.7m² and 27.5m² and the vehicle parking from 28 stalls to 11 stalls is considered supportable. The applicant is proposing long-term bicycle parking to promote cycling as an alternative to vehicle ownership as well as 13 car share memberships for the building. Furthermore, the parking and minimum dwelling unit size variances support the addition of three rental apartments to the existing building. Therefore, it is recommended that Council consider advancing the application to an opportunity for public comment.

ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 00270 for the property located at 805 Cook Street.

Respectfully submitted,

Manasvini Thiagarajan
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: Subject Map
- Attachment B: Plans date stamped April 11, 2022
- Attachment C: Letter from Applicant to Mayor and Council dated September 14, 2022.