



Committee of the Whole Report For the Meeting of December 14, 2023

To: Committee of the Whole **Date:** December 12, 2023

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

Subject: **Update to Development Permit with Variances Application No. 00259 for 448 Wilson Street and 422 Edward Street**

RECOMMENDATION

That Council, after giving notice, posting signage, and inviting written comments from the public for Council's consideration, consider the following motion:

- "1. That Council authorize the issuance of Development Permit with Variances No. 00259 for 448 Wilson Street and 422 Edward Street, in accordance with plans submitted to the Planning department and date stamped by Planning on October 27, 2023, subject to:
- a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. reduce the side yard setback from 5.0m to 3.8m to the building and 2.85m to the balcony
 - ii. increase the number of dwelling units from 12 to 20
 - iii. increase the combined floor area from 1410m² to 1789.17m²
 - iv. decrease the open site space from 45% to 43%
 - v. eliminate the landscaped single space
 - vi. allow for accessory buildings in the side yard
 - vii. decrease the rear yard setback for an accessory building from 0.60m to 0m
 - viii. decrease the side yard setback for an accessory building from 0.60m to 0m
 - ix. decrease separation space between the main building and an accessory building from 2.4m to 0.3m.
 - b. Registration of the following legal agreements on the property's title, with contents satisfactory to the Director of Engineering and Public Works and form satisfactory to the City Solicitor:
 - i. Secure the provision of the following public realm improvements:
 - a. design and installation of the Russell Street pedestrian pathway connecting Edward Street and Wilson Street in accordance with plans date stamped October 27, 2023.
 - b. design and installation of the public parklet on Wilson Street in accordance with plans date stamped October 27, 2023.

- ii. Secure the provision of one car share vehicle, one dedicated parking space for the car share vehicle through a Statutory Right-of-Way and one membership and \$100 usage credits for each of the units.
- c. Revised plans incorporating a design feature on the north and south facades facing onto the public street to add visual interest, meeting the short-term bicycle requirements, inclusion of a van accessible parking stall, changing the material of the parking lot to permeable, verifying the average grade through additional cross sections, and adjusting the variances to accommodate these changes, to the satisfaction of the Director of Sustainable Planning and Community Development.
- d. Revised plans providing a pathway and staircase entry to the house at 740 Russell Street and showing required landings along the public pathway as required, to the satisfaction of the Director of Engineering and Public Works.
- e. Revised plans and documents addressing comments sent to the applicant on November 28, 2023, which include confirming acceptable tree species, addition of a municipal tree and clarification of bylaw replacement trees, to the satisfaction of the Director of Parks, Recreation & Facilities
- f. Provision of a sanitary attenuation report to the satisfaction of the Director of Engineering and Public Works.

2. That the Development Permit with Variances, if issued, lapses two years from the date of issuance.”

BACKGROUND

The purpose of this report is to present Council with updated information and recommendations for a Development Permit with Variance Application for the property located at 448 Wilson Street and 422 Edward Street.

The original proposal was to rezone from the R-2 Zone, Two Family District to a new zone in order to construct an approximately 20-unit ground-oriented multiple dwelling. However, on December 7, 2023 Council adopted changes to the Missing Middle Regulations that now allow this application to fall under the streamlined Missing Middle process. As such, a rezoning is no longer required, and the application is solely for a Development Permit with Variances.

Five variances are no longer applicable from the previous staff report:

- There are no longer variances to the front yard, rear yard and flanking street setbacks.
- The applicant is willing to provide a car share vehicle and memberships for each unit, which eliminates the variance to both resident and visitor vehicle parking.

Eight new variances are required:

- A variance is required to increase the number of dwelling units from 12 to 20, which is supportable as the site is split into two corner properties now that would allow for 24 units under current zoning. However, consolidation is occurring for the betterment of site planning.
- A variance is required to increase the combined floor area from 1410m² to 1789.17m², which is supportable as it provides for liveable units while maintaining landscaped outdoor space.

- Two variances are required to decrease the open site space from 45% to 43% and eliminate the landscaped single space, which are supportable as the open site space reduction is minimal in nature and many existing trees are still being preserved on site.
- Four variances are required to allow for accessory buildings, which in this application are the bicycle depots for long-term bicycle storage:
 - permit accessory buildings within the side yard
 - decrease the rear yard setback for an accessory building from 0.60m to 0m
 - decrease the side yard setback for an accessory building from 0.60m to 0m
 - decrease separation space between the main building and an accessory building from 2.4m to 0.3m.

These variances will be much less impactful after the applicant changes the northeast bicycle depot into a short-term bicycle rack to meet the bicycle requirements. The two bicycle depots in the east side yard will still require variances but will be more minimal in nature and support active transportation. Updated numbers will be provided prior to Council’s final decision.

The Statutory Right-of-Way to secure the public pathway has now become a dedication as required by the density bonusing in the Missing Middle Regulations.

CONCLUSIONS

The application itself remains unchanged from the previous staff report received by Council. Rather, the underlying City processes have changed and allow for a more streamlined process. It is therefore recommended that Council consider the updated Development Permit with Variances as outlined in the recommended motion.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00259 for the property located at 448 Wilson Street and 422 Edward Street.

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.