



Committee of the Whole Report

For the Meeting of May 23, 2019

To: Committee of the Whole **Date:** May 9, 2019

From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development

Subject: Development Permit with Variance Application No. 000542 for 3020 Douglas Street and 584 Burnside Road East

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. 00676, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 000542 for 3020 Douglas Street and 584 Burnside Road East in accordance with:

1. Plans date stamped March 8, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - i. increase the height of the building from 17m to 24.24m.
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.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variance Application for the properties located at 3020 Douglas Street and 584 Burnside Road East. The proposal is to construct a six-storey, mixed-use building consisting of residential and commercial uses.

The following points were considered in assessing this application:

- the subject properties are within Development Permit Area 7A: Corridors – Burnside Road, which supports the revitalization of corridors with commercial uses through high

quality architecture, landscape and urban design, strengthen commercial viability and encourage pedestrian use

- the *Design Guidelines for Multi-Unit Residential, Commercial and Industrial* (2012), *Revitalization Guidelines for Corridors, Villages and Town Centres* (2017), *Guidelines for Fences, Gates and Shutters* (2010) and *Advisory Design Guidelines for Buildings, Signs and awnings* (2006) apply to the development proposal. The proposal is consistent with the design guidelines
- the proposed height of the Phase 1 building would be treated as a variance given the policy direction in the *Official Community Plan* (OCP, 2012) that states buildings up to five storeys are supported on the subject properties. However, the proposal for a six-storey building at this location is supportable given the proposed building design and generous floor-to-ceiling heights, the *Burnside Gorge Neighbourhood Plan's* support for six-storey buildings at this location, and the proposal's further advancement of other urban design and housing policies outlined in the OCP.

BACKGROUND

Description of Proposal

The proposal is to construct a six-storey, mixed-use building consisting of commercial and residential uses. Specific details include:

- mid-rise building form consisting of contemporary architectural features including a flat roof and contemporary-style windows and materials
- glazed commercial ground floor
- three distinct building sections including a five-storey street front and a six-storey, L-shaped mid-block
- recessed windows with inverted bays, typically angled to one side
- exterior building materials consisting of cementitious panel, vertical metal panel with wood print, metal cladding, vinyl windows or curtain wall glazing
- large community-oriented, south-facing plaza
- two residential rooftop patio spaces (at levels two and five) and a daycare outdoor play space at level two
- children's play structures in plaza and on rooftop patios
- large private outdoor patio spaces for the live-work units
- a public pathway linking Burnside Road East and Douglas Street
- 56 new trees planted on-site
- a large rain garden to gather runoff from the roof of building
- 186 long-term bicycle parking spaces located in the first level of the underground parkade
- 14 surface parking spaces that blend in with the common plaza area
- two levels of underground parking for all commercial and residential uses
- driveway to the underground parkade on the north side of the building, accessed from Douglas Street or Burnside Road East
- underground garbage and recycling room
- loading bay on the north side of the building.

The proposed variance is related to increasing the building height from 20m to 24.44m.

Sustainability Features

The following sustainability features are associated with this application:

- Step 3 of the BC Energy Step Code
- exterior insulation and reduction in thermal bridging
- high performance double-glazed window system
- high efficiency mechanical heating and cooling systems including heat recovery technologies
- energy star appliances and low-flow fixtures
- a green plaza with on-site, slow release storm water retention.

Active Transportation Impacts

The applicant is providing 186 long-term and 30 short-term bicycle parking spaces for each building, which exceeds the bicycle parking requirements in Schedule C: Off-street Parking Regulations.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings. The design guidelines encourage a high standard of accessibility on-site, including buildings and landscape design. The applicant is proposing 34 accessible dwelling units, including nine studios and 25 one-bedroom units, in the proposed building and a large accessible plaza area.

Land Use Context

The area is characterized by mix of residential and commercial uses.

Existing Site Development and Development Potential

The site is presently a two-storey building consisting of residential uses and a parking lot.

Under the current C-1 Zone, the property could be developed as a four-storey, mixed-used building consisting of ground floor commercial and residential above and a density of 1.4:1 FSR.

Data Table

The following data table compares the proposal with the existing C-1 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone. Not applicable (n/a) is used to identify where the information for the Phase 2 proposal has not been provided at this time but would be provided at a later date when a proposal for that site is advanced through a Development Permit process.

Zoning Criteria	Proposal – Phase 1	Proposal – Phase 2	Existing Zone C-1
Site area (m ²) – minimum	5752.60	3327	n/a

Zoning Criteria	Proposal – Phase 1	Proposal – Phase 2	Existing Zone C-1
Density (Floor Space Ratio) – maximum	2.02:1 *	2:1 *	1.40:1
Height (m) – maximum	24.24 *	28.48 *	12
Storeys – maximum	6	6	n/a
Site coverage (%) – maximum	69.97 *	n/a	40
Setbacks (m) – minimum			
Front	3.95 * (Burnside Road East)	4* (Douglas Street)	6
Rear	4.21 * – building / 0 – parkade	20	12.12 (Phase 1) / 14.24 (Phase 2)
Side (N)	0	2.40	0
Side (S)	3.50	11	0
Vehicle parking – minimum			
Residential	52	n/a	51
Commercial	77		76
Visitor vehicle parking included in the overall units – minimum	15	n/a	15
Bicycle parking stalls – minimum			
Long-term	186	n/a	181
Short-term	30		30

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Burnside Gorge CALUC at a Community Meeting held on August 13, 2018. A letter dated August 14, 2018 is 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 identifies the subject properties in Development Permit Area 7A: Corridors – Burnside Road. The objectives of this DPA encourage the revitalization of corridors with commercial uses through high quality architecture, landscape and urban design with an aim to strengthen commercial viability and encourage pedestrian use. The design guidelines also encourage new buildings to be well-designed and articulated with human-scale architectural features that create visual interest for pedestrians and encourage buildings with commercial uses at grade to be designed with a series of modulated storefronts and entrances, with transparent glazing and floor-to-ceiling height of at least 4m. The applicant achieves all the above with this proposal by introducing substantial commercial space and a floor-to-ceiling height of 4.5m at ground level with transparent glazing, as well as designing the space to encourage active retail uses along Burnside Road East. A large, south-facing plaza, landscaped pathway on the south side, rain gardens and substantial tree planting are also being proposed to enhance and revitalize the site and increase the tree canopy.

The DPA and the design guidelines encourage new development to be compatible with adjacent and nearby lower-density residential neighbourhoods through human-scaled urban design and a sensitive transition in building form and place character. The neighbouring properties to the east presently occupied by single family dwellings are designated Urban Residential in the OCP, which supports multi-unit residential and mixed-use buildings up to six storeys and densities up to approximately 2:1 floor space ratio. The applicant is proposing five-storeys along the Burnside Road East with the fifth storey setback approximately two metres from the fourth storey. The building increases to six-storeys at the L-shaped, mid-block section of the building. The height variations provide a sensitive transition between the distinct building parts (street front, connecting ribbon and L-shaped mid-block).

The applicant has selected a contemporary design approach in its form, detail and materiality, which complies with the applicable design guidelines. The applicant has designed the building in three distinct parts, which breaks up the perceived mass of the building and allows for a large south-facing plaza area, enhances the skyline articulation of the development, maximizes southern exposure and provides for privacy and access to views and landscapes. The proposed exterior materials are high quality and durable in accordance with the design guidelines.

In accordance with the design guidelines, the applicant is proposing landscaped features throughout the site that encourage social interaction, including:

- play equipment and outdoor seating in the plaza
- amenity furniture, garden planters and play equipment on the rooftop patio areas located on the second and fifth levels
- a large south-facing outdoor play area for the daycare on the second level.

All residential parking and the majority of commercial parking will be provided underground. The applicant is proposing to locate 14 commercial surface parking spaces along the south side, which would be integrated into the larger paving patterns to minimize the visual impacts

and extend the functionality of the plaza. Even though the design guidelines encourage parking underground or to the rear of buildings, the limited surface parking in relation to the size of building would not compromise the overall human scale pedestrian environment on-site.

Burnside Gorge Neighbourhood Plan

The *Burnside Gorge Neighbourhood Plan* (2017) supports commercial or mixed-use buildings where the ground floor is built up to the street and consists of commercial or light industrial uses with parking generally located to the rear or underground. The proposal is consistent with the Plan.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no existing public boulevard trees on Burnside Road East. Four Northern oak trees are proposed in two rain gardens in the public realm along Burnside Road East. Frontage improvements along Douglas Street were recently completed with the BC Transit project and as a result no additional landscaping will take place on the Douglas Street boulevard at this time.

There are currently no existing trees on the subject site. The applicant is proposing 39 new trees at grade and 14 additional trees on Levels two and three in the amenity areas.

Regulatory Considerations

Height Variance

The proposed building height is recommended to be treated as a variance given the policy direction in the *Official Community Plan* (OCP, 2012) that states buildings up to five storeys are supported on the subject properties. A five-storey, mixed-use building generally has a metric height of approximately 17m when taking into account the design guidelines encouraging a minimum floor-to-ceiling height of 4m for the ground level; therefore, the variance would increase the height of the building from 17m to 24.24m. The proposed height variance is supportable for the following reasons:

- the building is five storeys at Burnside Road East and increases to six storeys at the L-shaped, mid-block section of the building
- it has been designed to encourage a sensitive transition to neighbouring properties
- a 4.5m floor-to-ceiling height at the ground level and a 3.9m floor-to-ceiling height at the second level to accommodate the proposed commercial and daycare uses, and increase the liveability of the dwelling units
- the Burnside Gorge Neighbourhood Plan supports six-storey buildings at this location
- the proposal is consistent with the design guidelines and other housing policies outlined in the Official Community Plan.

Other Considerations

The Advisory Design Panel (ADP) reviewed the proposal at the meeting of April 24, 2019. The minutes from the meeting are attached for reference and the following motion was carried:

"It was moved that the Advisory Design Panel recommend to Council that Development Permit Application No. 000542 for 3020 Douglas Street and 584 Burnside Road East be approved as presented."

CONCLUSIONS

The proposal to construct a six-storey, mixed-use building is consistent with DPA 7A - Corridors and the applicable design guidelines. The height variance is supportable given the proposed human-scale urban design and built form, the building's sensitive transition to neighbouring properties and the land use policies related to height in the Burnside Gorge Neighbourhood Plan. Staff recommend for Council's consideration that the application proceed to an Opportunity for Public Comment.

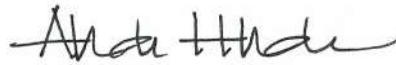
ALTERNATE MOTION

That Council decline Development Permit with Variance Application No. 000542 for the properties located at 3020 Douglas Street and 584 Burnside Road East.

Respectfully submitted,



Leanne Taylor
Senior Planner
Development Services Division



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date: _____

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated/date stamped May 8, 2019
- Attachment D: Letter from applicant to Mayor and Council dated March 12, 2019
- Attachment E: Letter from applicant to Mayor and Council dated November 29, 2018
- Attachment F: Community Association Land Use Committee Comments dated August 14, 2018
- Attachment G: ADP report dated April 17, 2019
- Attachment H: Draft ADP minutes dated April 24, 2019
- Attachment I: Council Minutes from November 23, 2019 regarding the existing Temporary Use Permit.