



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: Rezoning Application No. 00684 for 2220 Cook Street

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00684 for 2220 Cook Street, 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. Preparation and execution of a Statutory Right-of-Way of 4.91m off Cook Street, to the satisfaction of the City Solicitor.
2. Preparation and execution of a Statutory Right-of-Way and Section 219 Covenant, which secures the northern-most parking stall as a car share stall and provides free access to this stall for public use, to the satisfaction of the City Solicitor.
3. Preparation and execution of an easement that permits shared use between the two lots of the driveway, to the satisfaction of the City Solicitor.
4. Proof of an agreement with a car share organization, to the satisfaction of the Director of Sustainable Planning and Community Development, ensuring eleven lifetime car share memberships (three on the southern lot and eight on the northern lot) that run with the individual units.
5. Preparation of a Housing Agreement to secure the northern property as rental in perpetuity and to ensure that any stratas on the southern property cannot prohibit rental of the units, executed by the applicant to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures as well as the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

In accordance with Section 482 of the *Local Government Act*, a zoning bylaw may establish different density regulations for a zone, one generally applicable for the zone and the others to apply if certain conditions are met.

In accordance with Section 483 of the *Local Government Act*, Council may enter into a Housing Agreement which may include terms agreed to by the owner regarding the occupancy of the

housing units and provided such agreement does not vary the use of the density of the land from that permitted under the zoning bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 2220 Cook Street. The proposal is to rezone from the R-2 Zone, Two Family Dwelling District, to a site-specific zone in order to subdivide the existing lot, retain the existing apartment building on the northerly lot and construct a triplex on the southerly lot.

The following points were considered in assessing this application:

- the proposal is consistent with the Traditional Residential designation in the *Official Community Plan* (2012), which envisions ground-oriented multi-unit residential buildings up to three storeys along arterial roads
- the proposal is generally consistent with the *North Park Local Plan* (1996), which envisions house conversions and limited townhouses.

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone from the R-2 Zone, Two Family Dwelling District, to a site-specific zone in order to subdivide the existing lot, retain the existing apartment building on the northerly lot and construct a triplex on the southerly lot.

Two site-specific zones would be created to accommodate the proposal, should it proceed to a Public Hearing. The zone for the northern lot would secure the rental tenancy in addition to a proposed Housing Agreement. The following criteria would be captured as variances and will be discussed in relation to the concurrent Development Permit with Variances Application:

- reduce the required vehicle parking stalls on both lots
- reduce the landscaped areas adjacent to parking areas on both lots.

Affordable Housing Impacts

The applicant proposes the creation of three new residential units which would increase the overall supply of housing in the area. A Housing Agreement is also being proposed, which would secure the existing building as rental in perpetuity. A Housing Agreement is also being proposed to ensure future Strata Bylaws could not prohibit the rental of units within the new triplex.

Tenant Assistance Policy

The proposal retains an existing rental building and therefore a Tenant Assistance Policy is not required.

Sustainability Features

The applicant has not identified any sustainability features associated with this proposal.

Active Transportation Impacts

The application proposes the following features which support active transportation:

- a six-stall short term bicycle rack is proposed for each of the lots (twelve stalls in total)
- the new building would have ten long term bicycle stalls; an excess of four stalls
- both buildings will be enrolled in car share programs, and a parking stall with electric charging station hookups will be secured by legal agreement for use by a car share company.

Public Realm Improvements

No public realm improvements are proposed in association with this Rezoning Application.

Land Use Context

The immediate area has a wide variety of land uses and built forms, including single family dwellings, duplexes, multi-unit residential, commercial, and institutional uses. George Jay Elementary School is located directly across the street to the east, Central Park and Crystal Pool are located one block west of the property and Royal Athletic Park is located one block south of the property.

Existing Site Development and Development Potential

The site is presently occupied by a single family dwelling that has been converted into an eight-unit rental building. Under the current R-2 Zone, Two Family Dwelling District, the property could be developed as a duplex.

Data Table

The following data table compares the proposal with the R-2 Zone, Two Family Dwelling District. An asterisk is used to identify where the proposal is less stringent than the existing zone and two asterisks is used to identify a legally non-conforming scenario.

Zoning Criteria	Proposal Building A - New	Proposal Building B - Existing	Existing R-2 Zone
Site area (m ²) – minimum	329.54 *	455.91 *	555.00
Density (Floor Space Ratio) – maximum	0.74 *	0.83 *	0.50
Total floor area (m ²) – maximum	251.50 *	380.39 *	164.77 (Building A) 227.96 (Building B)
Lot width (m) – minimum	15.36	21.24	15.00
Height (m) – maximum	9.17 *	9.12 **	7.60

Zoning Criteria	Proposal Building A - New	Proposal Building B - Existing	Existing R-2 Zone
Storeys – maximum	3 *	3 **	2
Site coverage (%) – maximum	34	40	40
Open site space (%) – minimum	46	33	30
Open site space in rear yard (%) – minimum	4 *	3 *	33
Setbacks (m) – minimum			
Front	7.00 *	0.94 **	7.50
Rear	3.00 *	3.94 **	10.70
Side (north)	3.00 (building) 2.81 * (steps)	n/a	3.00
Side (south)	2.25 (building) 2.01 (steps)	3.00	1.54
Side on flanking street (Queens Ave)	n/a	6.24	3.50
Combined side yards	4.82	9.24	4.50
Parking – minimum	2 *	3 *	4 (Building A) 6 (Building B)
Visitor parking included in the overall units – minimum	0	1	0 (Building A) 1 (Building B)
Landscape area adjacent to street boundary (m) – minimum width	n/a	0.60 *	1.00
Landscape area adjacent to residential boundary (m) – minimum width	0.00 *	0.00 *	1.00
Landscape screen adjacent to residential boundary (m) – minimum width	None *	None *	Visual barrier
Long term bicycle parking stalls – minimum	6	0 **	4 (Building A) 8 (Building B)
Short term bicycle parking stalls – minimum	6	6	6 (Building A) 6 (Building B)

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the North Park CALUC at a Community Meeting held on November 22, 2018. The minutes from that meeting are attached to this report.

ANALYSIS

Official Community Plan

The Official Community Plan (OCP, 2012) designates the property within the Traditional Residential urban place designation. Within this designation multi-unit buildings up to three storeys, including attached dwellings, are envisioned along arterial and secondary arterial roads. Cook Street is classified as an arterial road. The envisioned floor space ratio is up to approximately 1 to 1, compared to the proposed floor space ratio which is 0.74 to 1 for the proposed building and 0.88 to 1 for the existing building.

Local Area Plans

The *North Park Local Plan* identifies the property within Area 1, which envisions single family dwelling, duplexes, and the conversion of houses to suites. Townhouses are to be considered based on their merit. The proposal is for a triplex, which from the street reads as a duplex with a basement suite. Staff therefore consider the application consistent with the intent of the Plan.

Tree Preservation Bylaw and Urban Forest Master Plan

There are two existing public trees on the subject property boulevards, one European Beech at 2cm diameter at breast height (DBH) size and a Hawthorn 16cm DBH on Queens Avenue. All will be retained with this application. The small Beech tree will be transplanted to allow for the proposed driveway and site servicing off Queens Avenue. Two new public trees are proposed on Cook Street, where there are currently no public trees on the boulevard. Tree species will be determined by Parks at the building permit stage.

There is a multi-stem 93cm DBH protected Lawson cypress and a non-protected multi-stem English yew tree on the subject site, both of which will be retained. An exploratory dig was conducted by the project arborist and it was determined that the trees' roots would not be adversely affected by the proposed parking area for Building B.

There are several neighbours' trees to the south that could potentially be affected by the driveway and patio construction for Building A – a 60cm DBH Douglas fir, 45cm DBH flowering cherry, and a Leyland cypress hedge to the west. The project Arborist will be in attendance supervising the patio and driveway construction to ensure protection of these neighbours' trees.

Regulatory Considerations

Should Council consider forwarding the Rezoning Application to a Public Hearing, staff recommend that a 4.91m Statutory Right-of-Way (SRW) on Cook Street be secured to help fulfill Council-approved OCP objectives such as enhanced facilities for walking, cycling, public transit and boulevards, which support the long-term viability of large canopy trees.

CONCLUSIONS

The three-storey, ground-oriented building form is consistent with the Traditional Residential designation in the OCP, which envisions multi-unit buildings up to three storeys and densities of approximately 1:1 FSR. The triplex form is consistent with the *North Park Local Plan* and is sensitive to the existing context in the immediate area. Staff recommend that Council consider forwarding this application to a Public Hearing.


ALTERNATE MOTION

That Council decline Rezoning Application No. 00684 for the property located at 2220 Cook Street.

Respectfully submitted,



Michael Angrove
Planner
Development Services Division



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:

May 17, 2019

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped April 18, 2019
- Attachment D: Letter from applicant to Mayor and Council dated January 1, 2019
- Attachment E: Community Association Land Use Committee Minutes from the November 22, 2018 Meeting
- Attachment F: Tree Preservation Plan.