



## Committee of the Whole Report

For the Meeting of May 23, 2019

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

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

**Subject:** Development Permit with Variances Application No. 00107 for 2220 Cook Street

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### 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. 00684, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00107 for 2220 Cook Street, in accordance with:

1. Plans date stamped April 18, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. reduce the required number of vehicle parking stalls on the north lot from 6 to 3
  - ii. reduce the required number of vehicle parking stalls on the south lot from 4 to 2
  - iii. reduce the landscape area adjacent to a street boundary from 1.0m to 0.60m on the north lot
  - iv. reduce the landscape area adjacent to a residential boundary from 1.0m to 0m on the north and south lots
  - v. eliminate the requirement for a landscape screen adjacent to a residential boundary.
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 Variances Application for the property located at 2220 Cook Street. The proposal is to subdivide the existing lot into two lots, retain the existing building on the northern lot and construct a new triplex on the southern lot. This Development Permit with

Variances pertain primarily to the new triplex as well as landscaping changes across the whole site.

The following points were considered in assessing this application:

- the proposal is generally consistent with the *Multi-Unit Residential, Commercial and Industrial Design Guidelines* (2012)
- the proposal is consistent with the urban design goals of the *North Park Local Plan*
- the variances to reduce the vehicle parking requirements are considered supportable by staff, as the applicant is providing car share memberships for each unit and there is additional long term bicycle parking in the new building
- the variances related to the reduction in landscape areas and screening adjacent to parking stalls are considered supportable by staff, as the retention of the existing building makes it difficult to achieve the minimum standards as set by Schedule 'C'.

## **BACKGROUND**

### **Description of Proposal**

The proposal is to subdivide the existing lot into two lots, retain the existing building on the northern lot and construct a new triplex on the southern lot. Specific details related to the new building include:

- two two-storey units fronting directly onto Cook Street and a third single-storey unit accessed from the south side of the building
- traditional architectural design consistent with the existing neighbourhood context
- materials that include wood shingles, wood siding, fiber cement siding and shingles, and fiberglass shingles.

The proposed variances are related to:

- reducing the required number of vehicle parking stalls on the north lot from 6 to 3
- reducing the required number of vehicle parking stalls on the south lot from 4 to 2
- allowing parking to occur in the side yard of the north and south lots
- reducing the landscape area between a parking stall and a street boundary from 1.0m to 0.60m on the north lot
- reducing the landscape area between a parking area and a residential boundary from 1.0m to 0m on the north and south lots
- eliminating the requirement for a landscape screen between a parking area and a residential boundary.

### **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 and would ensure that 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 Development Permit Application.

## Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings.

## 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 <sup>2</sup> ) – minimum	329.54 *	455.91 *	555.00
Density (Floor Space Ratio) – maximum	0.74 *	0.83 *	0.50
Total floor area (m <sup>2</sup> ) – maximum	251.50 *	380.39 *	164.77 (Building A) 227.96 (Building B)
Lot width (m) – minimum	15.36	21.24	15.00

<b>Zoning Criteria</b>	<b>Proposal Building A - New</b>	<b>Proposal Building B - Existing</b>	<b>Existing R-2 Zone</b>
Height (m) – maximum	<b>9.17 *</b>	9.12 **	7.60
Storeys – maximum	<b>3 *</b>	3 **	2
Site coverage (%) – maximum	34	40	40
Open site space (%) – minimum	46	33	30
Open site space in rear yard (%) – minimum	<b>4 *</b>	<b>3 *</b>	33
<b>Setbacks (m) – minimum</b>			
Front	<b>7.00 *</b>	0.94 **	7.50
Rear	<b>3.00 *</b>	3.94 **	10.70
Side (north)	3.00 (building) <b>2.81 * (steps)</b>	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	<b>2 *</b>	<b>3 *</b>	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	<b>0.60 *</b>	1.00
Landscape area adjacent to residential boundary (m) – minimum width	<b>0.00 *</b>	<b>0.00 *</b>	1.00
Landscape screen adjacent to residential boundary (m) – minimum width	<b>None *</b>	<b>None *</b>	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*, on January 14, 2019 the application was referred for a 30-day comment period to the North Park CALUC. The applicant also attended a CALUC meeting on November 22, 2018. The minutes from that meeting are 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* (OCP, 2012) identifies this property within Development Permit Area 16 – General Form and Character (DPA16). Design Guidelines that apply to this DPA are the *Multi-Unit Residential, Commercial and Industrial Design Guidelines* (2012), *Advisory Design Guidelines for Buildings, Signs and Awnings* (2006), and *Guidelines for Fences, Gates and Shutters* (2010).

The design of the new building is sensitive to the existing context, both in terms of height and massing as well as in its traditional architectural style. The existing street relationship is improved through at-grade entrances, front doors of two units facing onto Cook Street, and parking access being located at the rear. Private amenity space for the new units is distinguished through the use of plantings, paving and fencing. For these reasons, staff believe the proposal is generally consistent with the key design guidelines.

### **Local Area Plans**

The *North Park Local Plan* defers the design considerations of new housing projects to the applicable design guidelines. However, the general urban design goals of the Plan note that housing design should give an articulated form to separate units and that an attractive sidewalk environment should be created. These goals are achieved in this proposal as the two units fronting onto Cook Street are distinct and the new boulevards would be an improvement to the pedestrian realm.

### **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

Two site-specific zones will be created should this application proceed to a Public Hearing. The north lot with the existing building would be zoned for rental tenure to ensure the property remains rental in perpetuity. The variances associated with this proposal are all related to parking.

The first variance is to reduce the vehicle parking from six stalls to three stalls on the north lot and from 4 stalls to 2 stalls on the south lot. These variances are supportable, as the applicant is willing to secure car share memberships for each unit and a car share stall with an electric charging station on the north lot. In addition, the triplex will have eight long term bicycle stalls, exceeding the six stall requirement.

The next variances relate to the parking and landscape screening. As per Schedule 'C', parking stalls are required to have landscaping and screening when adjacent to streets. A variance is therefore required on the north lot to reduce the landscape area adjacent to a street boundary from 1.0m to 0.60m. This variance is supported by staff, as the location of the existing building makes it impossible to achieve both two 2.70m wide stalls and a 1.0m landscape area. The existing building also creates variances to landscaped areas adjacent to the residential area to the west. A 3.0m drive aisle is required to access the three southern parking stalls, which does not leave much room for landscaping and screening. In addition, the property to the west shares a driveway crossing with the subject property, which prevents a landscape screen from being constructed in this area. Therefore, staff support the variances to reduce the landscape area adjacent to a residential boundary from 1.0m to 0m on the north and south lots, as well as the variance to eliminate the requirement for a landscape screen adjacent to a residential boundary.

### CONCLUSIONS

The proposed development is generally consistent with the relevant Design Guidelines and represents a good fit in the immediate and general context. The proposal is also consistent with the *North Park Local Plan*. Finally, the proposed variances relating to parking either reflect existing conditions or are mitigated through the promotion of car sharing and active transportation. Therefore, staff recommend that Council consider supporting this application.

### ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00107 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.

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Date:

*May 17, 2019*

**List of Attachments**

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated/date stamped April 26, 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.