



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 Variances Application No. 00100 for 2566-2580 Fifth Street

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Official Community Plan Amendment and Rezoning Application No. 00673, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00100 for 2566-2580 Fifth Street, in accordance with:

1. Plans date stamped April 24, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the residential vehicle parking stalls from 45 to 18
 - ii. reduce the visitor vehicle parking stalls from 6 to 2
 - iii. reduce the commercial vehicle parking stalls from 8 to 5.
3. Council authorizing anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
4. 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 proposal is for a mixed-use apartment split into two building masses: one five-storey and one four-storey. A school use, fronting directly onto Fifth Street, connects and spans the two masses, townhouses front onto Fifth Street for the rest of the four-storey building mass, and the five-storey rear building mass proposes residential uses in addition to the school.

The following points were considered in assessing this application:

- the proposal is consistent with the *Hillside Quadra Neighbourhood Plan*, which recommends the Advisory Design Panel review and comment on the design of new multi-unit residential developments
- the proposal is generally consistent with the *Multi-Unit Residential, Commercial and Industrial Design Guidelines* (2012).

BACKGROUND

Description of Proposal

The proposal is for a five-storey apartment building with townhouses and a commercial use on the ground level fronting onto Fifth Street. Specific details include:

- two contemporary designed building masses, featuring a five-storey building in the rear and a four-storey building along the street, connected by a one-storey commercial use on the ground floor
- two-storey townhouses with individual at-grade entrances fronting onto Fifth Street
- private amenity space in the form of a central courtyard on the ground level
- underground parking accessed off Fifth Street
- exterior materials include concrete, standing seam metal, cedar siding, and steel cladding.

The proposed variances are related to:

- reducing the residential vehicle parking from 45 to 25
- reducing the visitor vehicle parking from 6 to 0
- reducing the commercial vehicle parking from 8 to 0.

Sustainability Features

The applicant is proposing a sedum-planted green roof on the commercial building that connects the two building masses. The applicant's letter to Mayor and Council indicates the possibility of installing solar panels on the five-storey building in the future.

Active Transportation Impacts

The application proposes the following features which support active transportation:

- long term and short term bicycle parking consistent with Schedule 'C' requirements
- provision of a car share vehicle and on-site space
- provision of car share memberships and \$100 in car share credits to all residents.

Public Realm Improvements

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

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings. However, the applicant has identified that BC Housing requires 20% of the building to be accessible. In

addition, the following features would be included to address accessibility:

- all units, except for the two townhouse units, are accessible without the use of stairs
- all fixtures can be installed to meet accessibility standard
- oversized doors are provided for manoeuvrability
- wheelchair turning radius has been accommodated within the kitchens.

Existing Site Development and Development Potential

There are presently three single family dwellings on the subject properties. Under the current R-2 Zone, the properties could be developed as duplexes.

Data Table

The following data table compares the proposal with the existing R-2 Zone, Two Family Dwelling District, and the standard C1-QV Zone, Quadra Village District, which is a common zone in the nearby area. An asterisk is used to identify where the proposal is less stringent than the C1-QV zone.

Zoning Criteria	Proposal	Existing R-2 Zone	Zone Standard C1-QV
Site area (m ²) – minimum	1805	555	N/A
Use on the ground storey	Residential *	Residential	Commercial
Density (Floor Space Ratio) – maximum	2.54 *	0.5	1.40
Total floor area (m ²) – maximum	4566.30 *	380.0	2527.0
Lot width (m) – minimum	43.91	15.0	N/A
Height (m) – maximum	16.16 *	7.6	15.50
Storeys – maximum	5 *	2	4
Site coverage (%) – maximum	65.40	40	N/A
Open site space (%) – minimum	34.60	30	N/A
Setbacks (m) – minimum			
Front	1.0	7.5	0.0
Rear	4.0 *	10.7	4.04
Side (north)	2.70 *	4.39 or 3.0	4.04
Side (south)	2.70 *	4.39 or 3.0	4.04

Zoning Criteria	Proposal	Existing R-2 Zone	Zone Standard C1-QV
Vehicle Parking – minimum			
Residential	18 *	2	45
Visitor	2 *	N/A	6
Commercial	5 *	N/A	8
Bicycle parking – minimum			
Long Term	71	N/A	71
Short Term	12	N/A	12

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Hillside-Quadra CALUC at three Community Meetings held on February 28, 2018, October 9, 2018 and May 1, 2019. A letter dated March 22, 2018 and a letter dated December 9, 2018 are attached to this report. However, a letter from the most recent meeting had not been received by staff at the time of writing 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 DPA 16: General Form and Character (DPA 16). Design Guidelines that apply to DPA 16 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)*.

Staff consider that the proposal is generally consistent with the above policies and design guidelines. The two distinct building masses allow light to penetrate through the site. The step-down in height towards Fifth Street and the provision of townhouses aids in transitioning to the lower density buildings to the east. The ground floor commercial entrance and the individual entrances for the townhouses would encourage interaction with the street. The Juliet balconies on the east façade further provide eyes on Fifth Street. The materials are of high quality and the colour palette provides a nod to the heritage building currently housing the Vancouver Island School of Art, which is painted with black and white stripes. Finally, the common courtyard encourages interaction amongst residents while being planted with birch trees to increase the privacy between the two building masses.

Local Area Plans

The *Hillside-Quadra Neighbourhood Plan* (1996) notes the exterior design of new multi-unit residential should be reviewed by the Advisory Design Panel (ADP). As noted below, this application has been reviewed by the ADP.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts with this application.

Three public trees would be impacted by this application - one 45cm DBH Red maple, one 5cm DBH Red maple and one 25cm DBH Silver birch. They are proposed for removal as they will be too heavily impacted by the proposed underground parkade and driveway location. A new public realm streetscape, including a new boulevard with trees, in this location will improve pedestrian mobility and safety along Fifth Street. Four new boulevard trees are proposed, and their species will be determined at building permit phase.

There are sixteen non-bylaw-protected trees on the site proposed for removal. All trees are in fair to poor, unmaintained condition. An arborist report was not required for this application, as the trees are not protected and they are all located within the building and parkade structure, which necessitates their removal.

Regulatory Considerations

The proposal requires variances to vehicle parking. The variances would reduce the residential vehicle parking from 45 to 18 stalls, reduce the visitor vehicle parking from 6 to 2 stalls, and reduce the commercial vehicle parking from 8 to 5 stalls. To offset the variance, the applicant is proposing purchasing a new car share vehicle for the area and dedicating one of the stalls on-site for this car share vehicle. The vehicle, stall and access to the stall by the public would be secured through legal agreements. Each unit would also receive a membership and \$100 in credits to the car share company. The memberships would run with the unit. In addition, the location of the proposal is in an area that is highly accessible by modes of active transportation. The applicant intends to meet the requirements for both long term and short term bicycle parking.

Encroachment Agreement

With any project of this scale that has little to no setbacks and requires significant excavation, construction methods often require a form of underpinning which can result in material being left in the public Right-of-Way. The resulting material (typically rock anchors) presents no concerns to the public interest and does not impact any underground infrastructure; however, an Encroachment Agreement between the City and the developer may be required. The recommended motion for this Development Permit with Variances Application addresses this Encroachment Agreement.

Advisory Design Panel

The Advisory Design Panel (ADP) reviewed this Application on February 27, 2019. A copy of the minutes from this meeting are attached. The ADP was asked to comment on the overall design with particular attention to the impact on neighbouring properties, materiality and the street wall and pedestrian scale.

The ADP recommended approval subject to:

- the provision of additional detail to articulate the execution of the architectural details on the façades
- resolution of the townhouse units to improve the visual break between lower and upper levels
- consideration for the wayfinding and public presence of the art school/institutional space.

Staff believe the applicant has addressed the above comments. The plans shown to the ADP originally had the school use located at the rear of the building with no street frontage. The applicant has since revised the plans to bring the school to the front, which improved its street presence. In addition, the previous design utilized brick for the townhouses; the revision to cedar siding creates a softer transition and maintains the clean and contemporary architectural styling of the building.

The ADP also supported exploring a mid-block right-of-way through the local area planning process, which would connect Fifth Street to Quadra Street on the neighbouring property. This could be explored in the future when the *Hillside-Quadra Neighbourhood Plan* is revisited.

CONCLUSIONS

The proposed development is generally consistent with the relevant Design Guidelines, represents an appropriate fit in the immediate and general context, and provides a transition from the higher-density multi-unit residential buildings to the west to the lower-density residences to the east. The applicant has generally addressed the items recommended by the Advisory Design Panel to further enhance the development. Therefore, staff recommend that Council consider supporting this Application.

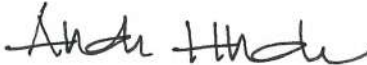
ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00100 for the property located at 2566-2580 Fifth Street.

Respectfully submitted,




Michael Angrove
Planner
Development Services



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:


Date: May 21, 2019

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map

- Attachment C: Plans date stamped April 24, 2019
- Attachment D: Letter from applicant to Mayor and Council dated April 1, 2019
- Attachment E: Community Association Land Use Committee Comments dated March 22, 2018 and December 9, 2018.
- Attachment F: Traffic Impact Assessment Study
- Attachment G: Correspondence (Letters received from residents).