



Committee of the Whole Report

For the Meeting of December 7, 2017

To: Committee of the Whole **Date:** November 23, 2017

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: Rezoning Application No. 00573 for 2816 Shelbourne 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. 00573 for 2816 Shelbourne Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once:

1. Staff are provided with a legal agreement securing the provision of one electric vehicle charging station per unit and one electric-assisted bicycle per initial purchaser for each of the five units as offered by the applicant to the satisfaction of the City Solicitor.
2. Staff receive proof of registration at the Land Titles Survey Authority of an executed Statutory Right-of-Way (SRW) of 7.0m on Shelbourne Street.
3. The applicant works with Staff to mitigate the impact of the requested variance for the rear (west) setback.

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.

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 2816 Shelbourne Street. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District, to a site specific zone in order to permit the construction of a five unit townhouse development.

The following points were considered in assessing this application:

- the proposal is consistent with the Traditional Residential designation in the *Official Community Plan*, 2012
- the proposal is inconsistent with the recommended density and height found in the *Oaklands Neighbourhood Plan*, 1993.

BACKGROUND

Description of Proposal

This Rezoning Application is to permit the construction of a five unit townhouse development. The following differences from the standard RT Zone, Traditional Residential District, are being proposed and would be accommodated in a new site-specific zone:

- reduce the site area from 920.0m² to 741.05m²
- permit an attached dwelling on a property with a lot area less than 920.0m²
- reduce the lot width from 20.0m to 19.72m

Additionally, the following variances are being requested which, along with the design of the building, would be discussed in the concurrent Development Permit Application report:

- reduce the front setback from 10.7m to 8.38m
- reduce the rear setback from 4.0m to 2.25m
- reduce the north side yard setback from 4.0m to 3.77m
- reduce the south side yard setback from 4.0m to 3.35m
- reduce the parking from 8 stalls with one visitor stall to 5 stalls with no visitor stalls.

Affordable Housing Impacts

The applicant proposes the creation of four new residential units which would increase the overall supply of housing in the area.

Sustainability Features

The applicant has identified a number of sustainability features which will be reviewed in association with the concurrent Development Permit Application for this property.

Active Transportation Impacts

As indicated in the applicant's letter dated November 6, 2017, electric-assisted bicycles will be provided to the initial purchasers of each of the five units. In addition, one six-stall bicycle rack will be installed near the front of the property.

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.

Land Use Context

The area is characterized mainly by single-family dwellings and townhouses, with some commercial and institutional uses located south of the subject site.

Existing Site Development and Development Potential

The site is presently a one-storey single-family dwelling. Under the current R1-B Zone, Single Family Dwelling District, the property could be developed as a two-storey single-family dwelling

with either a secondary suite or a garden suite.

Data Table

The following data table compares the proposal with the existing R1-B Zone, Single Family Dwelling District, and the RT Zone, Traditional Residential District. An asterisk is used to identify where the proposal is less stringent than the RT Zone, Traditional Residential District.

Zoning Criteria	Proposal – Site Specific	Existing R1-B Zone, Single Family Dwelling District	Zone Standard RT Zone, Traditional Residential District
Site area (m ²) - minimum	741.05m²*	460m ²	920m ²
Site area per unit (m ²) - minimum	>100m ²	n/a	100m ²
Density (Floor Space Ratio) - maximum	0.93	n/a	1.0:1
Total floor area (m ²) - maximum	691.50m ²	420m ²	741.05m ²
Lot width (m) - minimum	19.71m*	15m	20.0m
Height (m) - maximum	9.70m	7.6m	10.5m
Storeys - maximum	3.0	2.0	3.0
Site coverage % - maximum	43.22%	40%	50%
Open site space % - minimum	35.68%	n/a	30%
Number of dwellings units in an attached dwelling	5*	n/a	4
Setbacks (m) – minimum:			
Front	8.38m*	7.5m	10.7m
Rear	2.25m*	7.5m or 25% lot depth	4.0m
Side (north)	3.77m (balcony)* 4.38m (wall)	1.5m or 10% lot width	4.0m
Side (south)	3.35m*	3.0 for one side yard	4.0m
Combined side yards	n/a	4.5m	n/a
Parking - minimum	5*	1	8
Visitor parking (minimum) included in the overall units	0*	n/a	1
Class 1 – Bicycle Storage	10	n/a	5
Class 2- Bicycle Racks	6 space rack	n/a	6 space rack

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Oaklands CALUC at a Community Meeting held on February 28, 2017. The minutes from this 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. Shelbourne Street is classified as a secondary arterial road. The envisioned floor space ratio is up to approximately 1 to 1. The proposed floor space ratio is 0.93 to 1.

Local Area Plans

The *Oaklands Neighbourhood Plan* Residential Development Potential map identifies this property for townhouses generally up to 18 units per acre with a 2.5 storey limit. This proposal is for 27.3 units per acre and three storeys. The plan also notes that slight reductions in parking requirements can be considered in light of the location on existing major bus routes. Finally, the plan notes that building setbacks for new townhouses be at least 10.7 metres from Shelbourne Street.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts with this application. A City-owned mature boulevard tree (London Plane) will require protective fencing during construction. An arborist review may be required prior to Building Permit approval to comment on the construction impacts to the tree's critical root zone.

CONCLUSIONS

The *Official Community Plan* and the *Oaklands Neighbourhood Plan* both support townhouses on this property. While the *Oaklands Neighbourhood Plan* recommends a lower number of units, the proposal does meet the *Official Community Plan*'s recommended density of 1 to 1 floor space ratio. The proposal has a number of differences from the standard RT Zone, Traditional Residential District; however, the proposal does meet the overarching land use policies for the area. Staff, therefore, recommend Council consider moving this application forward for consideration at a Public Hearing.

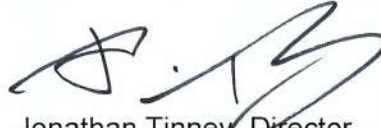
ALTERNATE MOTION

That Council decline Rezoning Application No. 00573 for the property located at 2816 Shelbourne Street.

Respectfully submitted,



Michael Angrove
Planner
Development Services



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:

November 30, 2017

List of Attachments:

- Attachment A – Subject Map
- Attachment B – Aerial Map
- Attachment C – Plans date stamped August 22, 2017
- Attachment D – Letter from applicant to Mayor and Council dated November 6, 2017
- Attachment E – Green initiatives letter from applicant dated March 22, 2017
- Attachment F – Community Association Land Use Committee Minutes dated February 28, 2017
- Attachment G – Correspondence (Letters received from residents)