



Committee of the Whole Report For the Meeting of November 9, 2017

To: Committee of the Whole **Date:** October 27, 2017
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Update Report – Rezoning Application No. 00516 and Development Permit with Variances Application No. 000462 for 1120, 1124 and 1128 Burdett Avenue

RECOMMENDATION

That Council authorise the following in relation to the proposed bylaws and set a Public Hearing date for Rezoning Application No. 00516 for 1120, 1124 and 1128 Burdett Avenue:

1. Amend Schedule 1 of the Zoning Regulation Bylaw Amendment No. 17-047.
2. Give third reading to Zoning Regulation Bylaw Amendment No. 17-047 as amended.
3. Rescind third reading of the Housing Agreement Bylaw No. 17-048.
4. Amend Schedule A of the Housing Agreement Bylaw No. 17-048.
5. Give third reading to Housing Agreement Bylaw No. 17-048 as amended.

Following consideration of Rezoning Application No. 00516, if it is approved, that Council consider this updated motion with respect to Development Permit with Variances No. 000462:

"That Council authorize the issuance of Development Permit with Variances Application No. 000462 for 1120, 1124 and 1128 Burdett Avenue, in accordance with:

1. Plans date stamped August 11, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. increase the height from 12m to 13.53m (previously 13.55m)
 - ii. increase the site coverage from 40% to 51.42% (previously 57.06%)
 - iii. reduce the open site space from 50% to 46.58% (previously 42.16%)
 - iv. reduce the minimum required front yard setback from 10.5m to 5.11m for the building (previously 4.51m)
 - v. reduce the east side yard setback from 6.77m to 3.75m for the building, and 2.82m for the parkade stairs
 - vi. reduce the west side yard setback from 6.77m to 4.22m for the building face, 2.22m for the balconies, and nil for the parkade
 - vii. reduce the required residential parking from 1.2 spaces per dwelling unit to 0.8 spaces per dwelling unit (previously 1.02 spaces per dwelling unit).

3. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
4. That Council authorize the City Solicitor to execute an Encroachment Agreement for a fee of \$750, plus \$25 per m² of exposed shored face during construction in a form satisfactory to staff. This is to accommodate shoring for construction of the underground parking structure if the method of construction involves anchor pinning into the public Right-of-Way.
5. The Development Permit lapsing two years from the date of this resolution.”

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with an update on the changes to the proposal initiated by the applicant since the last meeting of Council of May 25, 2017.

The necessary Zoning Regulation Bylaw Amendment that would authorize Rezoning Application No. 00516 (and concurrent Development Permit with Variance Application No. 000462) for the property located at 1120, 1124 and 1128 Burdett Avenue received first and second readings at the Council meeting of May 25, 2017 (minutes attached). Based on the applicant's recent revisions, an amendment to the Zoning Regulation Bylaw is required to accommodate the reduced density and amenity contributions. To this effect, a new Zoning Regulation Bylaw No. 17-047 has been prepared and replaces Schedule 1, attached for Council's consideration.

A Housing Agreement had previously been completed to ensure that future strata bylaws cannot prohibit owners from renting residential strata units or restrict the age of occupants. First, second and third reading of the Housing Agreement Bylaw No. 17-048 were given at the Council meeting of May 25, 2017. Since this meeting, the applicant has applied to the CMHC Rental Construction Financing Program and is now volunteering to provide rental housing for a minimum period of 20 years. Therefore, a new Housing Agreement has been prepared and replaces the attached Schedule A of Housing Agreement Bylaw No. 17-048. The Housing Agreement maintains the no restriction on occupant age; and in addition, the no restriction on long-term rental clause will take effect after the expiration of the 20 year rental period.

With regard to the preconditions that Council set in relation to these applications, staff can report that a section 219 covenant for achieving a minimum BUILT GREEN® “Bronze” certification has been executed and registered on title.

Design Revisions

In the shift from strata condominiums to rental units, a number of design revisions have been incorporated into the proposal, which include:

- an increase in residential units from 36 to 44
- reduction in the total floor space to 2764m², resulting in an overall reduced density from 1.83:1 FSR in the previous proposal to 1.66:1 FSR
- a recess of approximately 2m for the central portion of the north elevation (rear) and an increase in the rear setback by approximately 30cm
- reconfiguration of the parkade stairs and exhaust shaft on the east elevation and east stair exit
- consolidation of bedroom windows on the rear portion of the east elevation
- overall reduction in glazing for the north (rear) elevation
- increased setbacks by approximately 0.6m on the south (front) elevation

- reconfiguration of units on the west elevation and removal of a balcony for unit C1 on the ground level
- greater articulation of the west elevation and south-west corner through materials and massing
- reconfiguration of storage lockers, bicycle storage and the elevator shaft in the parkade to accommodate the increased number of units
- updates to the window and material placement, and panel reveal lines as a result of the unit reconfiguration
- elimination of one tree (resulting in a total of 11 trees) for the rear landscaped patios
- revisions to landscaping to reflect the footprint and unit reconfiguration.

A comparison of the previous and current proposal has been included in the following data table, which compares the proposal with the R3-AM-1 Zone, which applies to a portion of the lot at 1128 Burdett Avenue and is the predominant zoning surrounding the subject property. For the purpose of parking regulations, the current zoning requirement has been calculated according to the current proposal. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Previous Proposal Plans dated April 10, 2017	Current Proposal Plans dated August 11, 2017	Zone Standard R3-AM-1
No. units	36	44	N/A
Site area (m ²) - minimum	1673.70	1673.70	920.00
Site area per unit (m ²) - minimum	49.49	35.43	33.00
Density (Floor Space Ratio) - maximum	1.83:1*	1.66:1*	1.2:1
Total floor area (m ²) - maximum	3054.96	2764.40	N/A
Height (m) - maximum	13.54*	13.53*	12.00
Storeys - maximum	4	4	4
Site coverage % - maximum	57.06*	51.42*	40.00
Open site space % - minimum	42.16*	46.58*	50.00

Zoning Criteria	Previous Proposal Plans dated April 10, 2017	Current Proposal Plans dated August 11, 2017	Zone Standard R3-AM-1
Setbacks (m) - minimum Front (Burdett Avenue)	4.51* 3.00* (steps/canopy)	5.11* 5.11 (steps/canopy)	10.50 4.50
Rear	4.77* (balcony) 6.77 (building)	4.80* (balcony) 6.77 (building)	6.77
Side (east)	3.75*	3.75* 2.82* (stair)	6.77
Side (west)	0.00* (parkade) 2.22* (balcony) 4.22* (building)	0.00* (parkade) 2.22* (balcony) 4.22* (building)	6.77
Open site space setback from a street (m) - minimum	1.00*	1.00*	6.77
Parking - minimum	37*	36*	53
Visitor parking (minimum) included in the overall units	3*	3*	4
Bicycle parking Class 1 (minimum)	37*	47	44
Bicycle parking Class 2 (minimum)	6	6	6

A number of the requested variances have changed as a result of the new design which are summarized as follows:

- increase the height from 12m to 13.53m (previously 13.55m)
- increase the site coverage from 40% to 51.42 (previously 57.06%)
- reduce the open site space from 50% to 46.58 (previously 42.16%)
- reduce the minimum required front yard setback from 10.5m to 5.11m for the building (previously 4.51m)
- reduce the required residential parking from 1.2 spaces per dwelling unit to 0.8 spaces per dwelling unit (previously 1.02 spaces per dwelling unit)
- reduce the east side yard setback to 2.82m for the stair access to the parkade (not identified in the previous staff report).

Additionally, a variance for the canopy is no longer required as it has been revised to conform with the minimum setback requirements. Overall the design changes are an improvement to the proposal with the magnitude of the majority of the requested variances being reduced. Although the parking variance has been increased with a request to reduce the required parking from 1.02 stalls per dwelling unit in the previous proposal, to 0.8 stalls per unit (for a total shortfall of 5 stalls under the draft Schedule C – Off-Street Parking Regulations for rental units), staff believe there would be a marginal impact on the surrounding streets. The proposal includes a surplus provision of secure bicycle stalls (for a total of three stalls) and the subject property is located close to the downtown core, with good access to transit facilities. For this reason, staff recommend for Council's consideration that the proposed design is supported.


Third Party Economic Analysis


The applicant proposes a FSR of 1.66:1, which is a reduction from 1.83:1 FSR in the previous proposal. The contribution of a public amenity may justify extra density above the base density of 1.2:1 FSR, and the proposal is eligible for the fixed-rate amenity contribution under the Council approved density bonus policy. This would result in a bonus density of 769.90m² which equates to a fixed rate community amenity contribution of \$41,436.02 (compared to the previous proposal which allowed for a bonus of \$56,656.85). The applicant also has the option of conducting an independent third-party economic analysis but has opted for the fixed rate amount. The community amenity contribution would be payable at the time of building permit issuance and would be allocated for future community amenities in the Fairfield neighbourhood.

Conclusions

The preconditions that Council set in relation to these applications have been met and the proposed design changes are supportable. Staff recommend for Council's consideration that the application proceed for consideration at a Public Hearing.

Respectfully submitted,


Charlotte Wain
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Development Services Division


Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:

Nov. 1, 2017

List of Attachments:

- Attachment A: Aerial map
- Attachment B: Zoning map
- Attachment C: Council minutes dated May 25, 2017
- Attachment D: Updated letter to Mayor and Council date stamped October 12, 2017
- Attachment E: Letter summarizing design revisions date stamped October 12, 2017
- Attachment F: Revised plans dated August 11, 2017
- Attachment G: Zoning Regulation Bylaw No. 17-047 with revised Schedule 1
- Attachment H: Housing Agreement Bylaw No. 17-048 with revised Schedule A