



Committee of the Whole Report For the Meeting of September 14, 2017

To: Committee of the Whole **Date:** August 31, 2017
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Rezoning Application No. 00556 for 1417 May 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. 00556 for 1417 May 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 of the following legal agreements to the satisfaction of the City Solicitor:
 - a. Housing Agreement to ensure a future strata cannot restrict the rental of units;
 - b. A Section 219 Covenant ensuring the building is constructed to Passive House standards, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. Preparation of a technical report to the satisfaction of the Director of Engineering and Public Works, identifying how the site will manage all storm water generated on site and, if necessary, preparation of legal agreements for the design, inspection and long term maintenance requirements of the storm water system to the satisfaction of the City Solicitor and the Director of Engineering and Public Works.

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 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 1417 May Street. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District, to a new site-specific zone in order to construct a two-storey residential building with four ground-oriented self-contained dwelling units.

The following points were considered in assessing this Application:

- the property is designated as Traditional Residential in the *Official Community Plan, 2012* (OCP). The proposed ground-oriented housing and density is consistent with the land designation and OCP policies related to sensitive infill in the Fairfield neighbourhood
- the proposal is consistent with the policies specified in *Suburban Neighbourhoods, 1984*
- one bylaw-protected tree is proposed for removal with this Application and the applicant has provided an arborist report outlining measures to mitigate the impact of development on the nearby trees
- the applicant is proposing Passive House certification with this proposal, which will be secured through a Section 219 Covenant.

BACKGROUND

Description of Proposal

This Application is to rezone the subject site from the R1-B Zone to a new site-specific zone in order to construct a two-storey ground-oriented residential building with four self-contained dwelling units at a floor space ratio of 0.33:1. The nearby property located at 1461 May Street is in the R-55 Zone, May Street Multiple Dwelling District, and is comparable in terms of density and height. The new zone would be similar to the R-55 Zone, but with the following differences:

- maximum floor space ratio (FSR) reduced from 0.5:1 to 0.33:1
- maximum of number of storeys reduced from three to two
- minimum side yard (west) reduced from 3.00m to 2.70m.

Variances related to parking are also being proposed and will be discussed in relation to the concurrent Development Permit with Variances Application:

- reduced vehicle parking from six stalls to four stalls
- reduced visitor parking from one stall to zero stalls.

The design aspects of this proposal are also reviewed in the concurrent Development Permit with Variances Application report.

Affordable Housing Impacts

The applicant proposes the creation of four new residential units which would increase the overall supply of housing in the area. A Housing Agreement is also being proposed which would ensure that future Strata Bylaws could not prohibit the rental of units to non-owners.

Sustainability Features

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

Active Transportation Impacts

The Application proposes four Class 1 bicycle parking stalls and one six-space Class 2 bicycle rack which supports active transportation.

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 by single family dwellings, duplexes and multiple dwelling unit house conversions. Moss Rocks Park is located north of the property on the opposite side of May Street.

Existing Site Development and Development Potential

The site is presently developed as a single family dwelling.

Under the current R1-B Zone, the property could be developed as a single family dwelling with either a secondary suite or a garden suite, or converted to multiple dwelling units subject to the house conversion regulations under Schedule G of the *Zoning Regulation Bylaw*.

Data Table

The following data table compares the proposal with the existing R1-B Zone and the R-55 Zone, May Street Multiple Dwelling District. An asterisk is used to identify where the proposal is less stringent than the R-55 zone.

Zoning Criteria	Proposal	Zone Standard R-55	Existing Zone R1-B
Site area (m ²) - minimum	926.85	555.00	460.00
Number of units in an attached dwelling - maximum	4	4	1
Density (Floor Space Ratio) - maximum	0.33:1	0.55:1	N/A
Floor area of all floors (m ²) - maximum	445.76	N/A	420.00
Lot width (m) - minimum	15.22	15.00	15.00

Zoning Criteria	Proposal	Zone Standard R-55	Existing Zone R1-B
Height (m) - maximum	8.28	8.50	7.60
Storeys - maximum	2	3	2
Site coverage % - maximum	31.00	40.00	40.00
Open site space % - minimum	47.60	30.00	N/A
Rear yard open site space % - minimum	61.00	33.00	N/A
Setbacks (m) - minimum:			
Front	6.00	6.00	7.50
Rear	31.19	19.00	15.12
Side (east)	3.00	3.00	3.00
Side (west)	2.7*	3.00	1.52
Parking - minimum	4*	6	1
Visitor parking (minimum) included in the overall units	0*	1	N/A
Bicycle parking stalls (minimum)			
Class 1	4	4	N/A
Class 2	6	6	N/A

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Fairfield Gonzales CALUC at a Community Meeting held on December 19, 2017. A summary of the meeting is attached to this report.

ANALYSIS

Official Community Plan

The *Official Community Plan, 2012* (OCP) Urban Place Designation for the subject property is Traditional Residential, which supports ground-oriented residential uses. The OCP states that new development may have a density of generally up to 1:1 floor space ratio (FSR) and up to two storeys in height. The Application meets the place character features of the Traditional Residential urban place guidelines and housing policy in the OCP which supports a diversity of housing types to create more home ownership options such as ground-oriented multi-unit residential developments.

Local Area Plans

The land use policies of *Suburban Neighbourhoods, 1984* that relate to Fairfield identify the subject lands as suitable for residential development and encourages infill development of small scale townhouses, small lot houses and duplexes. The proposal for a ground-oriented multi-unit residential building is consistent with this policy.

Housing Agreement

The applicant is amenable to entering into a Housing Agreement with the City to ensure that a future strata corporation could not pass any bylaws that would prohibit or restrict the rental of units to non-owners.

Tree Preservation Bylaw and Urban Forest Master Plan

There is an existing Bylaw protected Maple tree on the subject property. The tree was reviewed by an ISA consulting arborist and it was determined that the tree is unhealthy and would not survive the amount of excavation work for the proposed landscape plan and as such the tree will be removed. As per the Bylaw, two replacement trees will be planted by the applicant on site. There is an existing large Maple tree on the property to the east which will be negatively affected by the proposed driveway. This tree will be explored further by the consulting arborist prior to construction and tree protection measures will be put in place. There is an existing boulevard tree in poor health that will be removed and replaced on the city boulevard.

CONCLUSIONS

The Application is consistent with the place character features of the Traditional Residential urban place guidelines, and housing policy in the OCP which supports the diversity of housing types to create more home ownership options such as ground-oriented multi-unit residential developments. Staff recommend that Council consider supporting the Application.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00556 for the property located at 1417 May Street.

Respectfully submitted,



Alec Johnston
Senior Planner
Development Services

for



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:


Date: Sept 7, 2017

List of Attachments

- Attachment A - Subject Map
- Attachment B - Aerial Map
- Attachment C - Plans date stamped July 12, 2017
- Attachment D - Letters from applicant to Mayor and Council dated May 18, 2017 and December 26, 2016
- Attachment E - Community Association Land Use Committee Summary of December 19, 2016 Meeting
- Attachment F - Arborist Report dated August 20, 2017
- Attachment G - Neighbourhood Correspondence.