

3. **Committee of the Whole – June 22, 2017**

8. **Rezoning Application No. 00554 and Development Permit Application No. 00491 for 345 Quebec Street (James Bay)**

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto:

Rezoning Application No. 00554

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00554 for 345 Quebec Street; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council; and a Public Hearing date be set after the execution of a Housing Agreement, to the satisfaction of City staff, to secure 219 residential rental units for a minimum of 20 years and to ensure that future strata bylaws cannot prohibit strata owners from renting residential strata units, *and that the transient use be removed from the zone.*

Development Permit Application No. 00491

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. 00554, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000491 for 345 Quebec Street, subject to the applicant revising the ground floor units to address privacy and street relationship issues to the satisfaction of the Director of Sustainable Planning and Community Development and in accordance with:

1. Plans dated June 5, 2017 (as amended to address privacy and street relationship issues)
2. Development meeting all Zoning Regulation Bylaw requirements;
3. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously

5. LAND USE MATTERS

5.1 Rezoning Application No. 00554 for 345 Quebec Street (James Bay)

Committee received a report dated June 8, 2017 from the Director of Sustainable Planning and Community Development regarding the proposal to rezone the property located at 345 Quebec Street from its current T-1 Zone to a site specific zone to a site specific zone to add residential uses as its permitted use.

Committee discussed:

- How taking this hotel use out of the market affects the vacancy rate.
- Staff discussing with the applicant a longer time frame for the Housing Agreement.
- The site maintaining the transient zoning as well as the residential use zoning.

Councillor Coleman withdrew from the meeting at 11:17 a.m.

Committee discussed:

- The size of the units being below 33m²

Councillor Loveday withdrew from the meeting at 11:18 a.m.

Committee discussed:

- Whether a land lift analysis was completed

Councillor Loveday returned to the meeting at 11:19 a.m.

Committee discussed:

- Cost to the applicant to implement a 10 year Housing Agreement versus in perpetuity.

Motion: It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00554 for 345 Quebec Street; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council; and a Public Hearing date be set after the execution of a Housing Agreement, to the satisfaction of City staff, to secure 219 residential rental units for a minimum of 10 years and to ensure that future strata bylaws cannot prohibit strata owners from renting residential strata units.

Amendment: It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that the motion be amended as follows:

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00554 for 345 Quebec Street; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council; and a Public Hearing date be set after the execution of a Housing Agreement, to the satisfaction of City staff, to secure 219 residential rental units for a

minimum of ~~40~~ **20** years and to ensure that future strata bylaws cannot prohibit strata owners from renting residential strata units.

Amendment to the amendment:

It was moved by Councillor Isitt, councillor Loveday, that the motion be further amended as follows:

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00554 for 345 Quebec Street; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council; and a Public Hearing date be set after the execution of a Housing Agreement, to the satisfaction of City staff, to secure 219 residential rental units for a minimum of ~~40~~ **20 60** years **or the life of the building** and to ensure that future strata bylaws cannot prohibit strata owners from renting residential strata units.

Committee discussed:

- Concerns with placing unreasonable requirements on the applicant.

On the amendment to the amendment:
DEFEATED 14/COTW

| | |
|-----------------|--|
| <u>For:</u> | Councillor Isitt |
| <u>Against:</u> | Mayor Helps, Councillors Alto, Loveday, Lucas, Madoff, Thornton-Joe, and Young |

Committee discussed:

- The possibility of the building being used for short-term vacation rentals instead of rental.

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Amendment: It was moved by Councillor Madoff, seconded by Councillor Isitt, that the motion be amended as follows:

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00554 for 345 Quebec Street; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council; and a Public Hearing date be set after the execution of a Housing Agreement, to the satisfaction of City staff, to secure 219 residential rental units for a minimum of 20 years and to ensure that future strata bylaws cannot prohibit strata owners from renting residential strata units, **and that the transient use be removed from the zone.**

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

On the main motion as amended:

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in

Rezoning Application No. 00554 for 345 Quebec Street; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council; and a Public Hearing date be set after the execution of a Housing Agreement, to the satisfaction of City staff, to secure 219 residential rental units for a minimum of 20 years and to ensure that future strata bylaws cannot prohibit strata owners from renting residential strata units, and that the transient use be removed from the zone.

On the main motion as amended:
CARRIED UNANIMOUSLY 17/COTW



Committee of the Whole Report For the Meeting of June 22, 2017

To: Committee of the Whole **Date:** June 8, 2017
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Development Permit Application No. 000491 for 345 Quebec 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 Rezoning Application No. 00554, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000491 for 345 Quebec Street, subject to the applicant revising the ground floor units to address privacy and street relationship issues to the satisfaction of the Director of Sustainable Planning and Community Development and in accordance with:

1. Plans dated June 5, 2017 (as amended to address privacy and street relationship issues)
2. Development meeting all *Zoning Regulation Bylaw* requirements
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 *Official 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 Application for the property located at 345 Quebec Street. The proposal is to convert an existing 13-storey hotel into residential apartments. The conversion includes the demolition of a section of the lower two floors to create an interior courtyard.

The following points were considered in assessing this application:

- the proposal includes a rezoning application to add a residential land-use to the existing T-1 Zone, Limited Transient Accommodation District
- the proposal is within an existing non-conforming building
- the proposal is generally consistent with the Multi-Unit Residential, Commercial and

Industrial Design Guidelines contained in Development Permit Area 16: General Form and Character, to the extent that these guidelines can guide existing, legal non-conforming buildings

BACKGROUND

Description of Proposal

The proposal is for the conversion of an existing 13-storey hotel into residential apartments. The conversion will involve the demolition of a section of the lower two-story podium portion of the building to create an interior courtyard with entrances off Quebec and Oswego Streets.

Specific details include:

- internal path and courtyard for access and natural light to the lower interior residential units
- new building façades (materials and windows) on the lower two floors of the building, along Quebec and Oswego Streets
- exterior cladding, staining and repair on the tower portion of the building (floors 3 to 13) and exterior envelope changes including new double glazed windows and new modern guardrails on all balconies
- updated arches at the top of the building
- 219 Class 1 (secure and enclosed) bicycle parking stalls
- 179 off-street parking stalls
- removal of the lower level roof mounted mechanical units.

Sustainability Features

As indicated in the applicant's letter dated February 15, 2017 the following sustainability features are associated with this application:

- energy efficient LED lighting
- low flow plumbing fixtures.

Active Transportation Impacts

The application proposes the following features which support active transportation:

- 219 secure class 1 bike stalls
- interior bicycle repair station for residents.

Public Realm Improvements

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

Existing Site Development and Development Potential

The site is presently a 13-storey hotel with both underground and surface parking. The development potential of the site, if the existing building were to be demolished, would result in less density and height, and greater setbacks than what currently exists. The OCP Urban place designation is Urban Residential which would envision buildings up to six storeys with a floor space ratio up to 2.0 to 1.

Data Table

The following data table compares the proposal with the existing T-1 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone. Two asterisks are used to identify where the building is legally non-conforming with regard to the existing zone.

| Zoning Criteria | Proposal | Zone Standard T-1, Limited Transient Accommodation |
|--|-------------------------|---|
| Multi-family residential use | 219 units* | Use not permitted |
| Site area (m ²) - minimum | 3993.80 | 1850 |
| Density (Floor Space Ratio) - maximum | 4.12** | 1.2 |
| Total floor area (m ²) - maximum | 16450.87** | 4792.56 |
| Height (m) - maximum | 36.60** | 21.50 |
| Storeys - maximum | 13 | N/A |
| Site coverage % - maximum | 69.2** | 20 |
| Open site space % - minimum | 14.9** | 30 |
| Setbacks (m) – minimum: | | |
| Front | 0.02** | 7.5 |
| Rear | 0.1** | 7.5 |
| Side (SE) | 0.01** | 7.5 |
| Side (NW) | 0.3** | 7.5 |
| Parking - minimum | 179* | 307 |
| Bicycle parking stalls (minimum) | 219 Class 1, 18 Class 2 | 18 Class 2 |

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the James Bay CALUC at a Community Meeting held on September 14th, 2016. A letter dated September 19th, 2016 is attached to this report.

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan (OCP)* Urban Place Designation for the subject property is Urban Residential. This designation typically envisions buildings up to six storeys in this location and a maximum floor space ratio of 2:1. The existing legal non-conforming attributes of the building are not changing as part of this proposal and will remain as existing, legal non-conforming.

These include significant height and density inconsistencies between what is existing on-site, the T-1 Zone and the OCP policy.

The *Official Community Plan* (OCP) identifies this property within DPA 16, General Form and Character. Key objectives of this designation are to achieve more livable environments by promoting high quality architecture and considering privacy while supporting higher density development. The Multi-Unit Residential, Commercial and Industrial Design Guidelines within this DPA provide guidance for these goals and mainly relate to the alterations made at street level to the existing podium of the building. While much of the density, height and siting considerations within these guidelines are difficult to apply in this circumstance due to the existing, legal non-conforming building, they have been analysed with regard to the proposed podium alterations.

Residential units are proposed along Quebec and Oswego Streets on the property line and, in some cases, below the sidewalk grade. To address privacy concerns related to this arrangement, the Design Guidelines promote well designed public/private transitions, noting that "buildings should be located to address privacy impacts..." and "porches, steps, alcoves or other design features and encouraged to make transitions from the public realm of the street and sidewalk, to the private realm of residences". Guidelines for Crime Prevention Through Environmental Design (CPTED) are also included in the DPA, providing guidance related to the importance of ensuring casual surveillance. As discussed earlier, given that the building already exists, fully achieving these goals is somewhat challenging. The proposal includes individual entrances along Quebec Street that step down from the sidewalk grade. This relationship can reduce opportunities for casual surveillance due to privacy issues. For instance, passerby can more easily look into units compared to occupants looking out. By re-orienting the layouts and windows of some of the ground floor units, these potential privacy and livability issues can be more fully addressed. The applicant has indicated that they are willing to work with staff to address privacy and CPTED concerns with revisions to the layout of the ground floor units prior to the issuance of the Development Permit.

The proposal to convert the existing hotel includes a complete façade rebuild of the two-storey podium level and interior reconfiguration of these floors into residential units. As the structural elements of the podium will remain, apart from the demolition required to create the interior courtyard, the legal-non-conforming status of the building is maintained. Unlike the tower portion of the building where all former hotel units are easily converted to residential, the interior courtyard is proposed to provide natural light to the new residential units created within the first two floors.

The tower portion of the building only receives minor upgrades as part of this proposal with new double glazed windows, repaired and tinted exterior cladding, and contemporary cosmetic changes to the top floor arches.

CONCLUSIONS

The proposed conversion of the existing 13-storey hotel to include residential land uses is consistent with the housing goals in the OCP. The existing, legal non-forming aspects of the building do not fundamentally change with this proposal, resulting in inconsistencies with the Multi-Unit Residential, Commercial and Industrial Design Guidelines. To the extent that these guidelines are applicable, the proposal satisfies a minimum form and character criteria to be supportable. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

That Council decline Development Permit Application No. 000491 for the property located at 345 Quebec Street.

Respectfully submitted,



Miko Betanzo, Senior Planner - Urban Design
Development Services



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date: _____

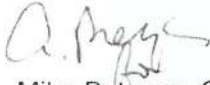
List of Attachments

- Subject Map
- Aerial Map
- Plans, dated June 5th, 2017
- Letter from applicant to Mayor and Council, dated February 9, 2017
- Community Association Land Use Committee Comments, dated September 19, 2016
- Parking Demand Study, dated August 17, 2016
- Sewage Flow Calculation report, dated April 3, 2017.

ALTERNATE MOTION

That Council decline Development Permit Application No. 000491 for the property located at 345 Quebec Street.

Respectfully submitted,



Miko Betanzo, Senior Planner - Urban Design
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Jonathan Tinney, Director
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Report accepted and recommended by the City Manager:

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