



Staff Report to Council

DATE: Monday, March 4, 2024

DEPARTMENT: Planning

APPLICATION NO.: Z22-0038

SUBJECT: Bylaw 2139 - Application to Rezone 2703, 2707, and 2711 Claude Road and 726 Percy Place from R2 (One-and Two-Family Residential) Zone to CC1 (City Centre 1) Zone to allow a six-storey apartment.

BACKGROUND:

Note: This item has been the subject of a Public Hearing.

On July 24, 2023, Council passed the following resolution with respect to this application:

That Council:

1. *Proceed with consideration of First Reading of Bylaw No. 2139 to amend the zoning designation of the properties located at 2703, 2707, and 2711 Claude Road and 726 Percy Place from One-and Two-Family Residential (R2) to City Centre (CC1) subject to the following terms and conditions:*
 - a. *That the applicant provides, **as a bonus for increased density**, the following contributions per dwelling unit, **prior to the issuance of a building permit: (Secured in Bylaw)***
 - i. *\$750 towards the Affordable Housing Reserve Fund; and*
 - ii. *\$2,850 towards the General Amenity Reserve Fund;*

Subject to reductions in accordance with the Affordable Housing and Amenity Contribution Policy and the Attainable Housing Policy depending on use and height.
 - b. *That the applicant registers, **prior to Bylaw Adoption**, a road dedication plan for the connection of Percy Place to Claude Road, to the satisfaction of the Director of Engineering; **(Secured)***
 - c. *That the applicant provides, **prior to Bylaw Adoption**, a Section 219 covenant, registered in priority of all other charges on title, that agrees to the following: **(Completed)***
 - i. *That the following will be provided and implemented to Bylaw No. 1000 standards to the satisfaction of the Director of Engineering prior to the issuance of a building permit:*

1. *Full frontage improvements, inclusive of a 1.8 m wide concrete sidewalk, scallop parallel parking, boulevard with grass and street trees, streetlights, and a 1.5 m wide bike lane on Claude Road;*
 2. *A storm water management plan; and*
 3. *A construction parking and delivery management plan.*
- ii. *That the properties be consolidated prior to issuance of a Development Permit for Form and Character;*
 - iii. *That a separate covenant be registered prior to issuance of a building permit for the proposed development that ensures residential parking is not provided in exchange for compensation separate from that of a residential unit;*
 - iv. *That all concrete used on-site will utilize ready-mix concrete that meets or exceeds the weighted average Global Warming Potential targets based on Concrete BC Baseline (average) mix data, and that prior to the issuance of a Building Permit the applicant shall provide a Type III Environmental Product Declaration that is 3rd party verified specifying the total Global Warming Potential value;*
 - v. *That the building will, at a minimum, be designed to and meet the performance standards of Step 3 of the BC Energy Step Code;*
 - vi. *That, prior to the issuance of a Building Permit, the developer enters into a Housing Agreement with the City that requires either a minimum 10% of units constructed be rented for at least 10% below the benchmark rent for the unit type for a term not less than 25 years or that a minimum of 5% of the units constructed be directed to and sold in accordance with the terms of the Attainable Home Ownership Program Policy (POL-0166-PLAN). The developer shall identify the Attainable Units on the plans submitted for the required Development Permit application;*
 - vii. *That legal public access be provided to the on-site carshare vehicles, prior to the issuance of a building permit, to the satisfaction of the Director of Planning and Subdivision.*

AND

2. *Direct staff to proceed with a road closure bylaw for a portion of the Percy Place cul de sac abutting 726 Percy Place, subject to the dedication of a 7.5 m width half road connecting Percy Place to Claude Road. **(Road Closure Bylaw No. 2029 was adopted on January 15, 2024)***

AND

3. *Authorize the Director of Planning and Subdivision to grant the following variances within the future development permit: **(to be addressed as part of the future DP Process)***
 - a. *That Section 6.57.07(1)(b) be varied to reduce the interior side lot line setback from the required 3 m to 2.23 m;*
 - b. *That Section 6.57.07(2)(a) be varied to reduce the front lot line setback on the third storey and higher from the required 4 m to 3.02 m;*
 - c. *That Section 6.57.07(2)(b) be varied to reduce the exterior side lot line setback on the third storey and higher from the required 4 m to 2.19 m; and*

- d. *That Section 4.01.01 be varied to reduce the required parking from the required 1.25 spaces per residential unit to 1.07 spaces per residential unit, subject to the following:*
- i. *Providing at least 2 bike parking stalls per residential unit;*
 - ii. *Providing a bike repair area and wash station;*
 - iii. *That at least 5 bike parking stalls can accommodate cargo-bikes;*
 - iv. *That 110v e-bike charging is available in bike storage rooms.*

Motion CARRIED.

COMMENTARY:

The Public Hearing for Bylaw No. 2139 was held on August 21, 2023. Following the close of the Public Hearing, Council passed 2nd and 3rd readings of the Bylaw. The information considered as part of the Public Hearing as well as the video recording of the Public Hearing can be found at the following link on the City's website: [Council Meeting - August 21, 2023 \(escribemeetings.com\)](https://www.escribemeetings.com)

The applicant has registered a Section 219 Covenant against the title of the subject properties that agrees to item 1(c) in Council's resolution dated July 24, 2023. Furthermore, the applicant's solicitor has provided a letter of undertaking to register the road dedication plan required by item 1(b) of Council's resolution upon receipt of the City's signatures; all other signatures have been obtained.

Bylaw No. 2139 was signed by the Minister of Transportation and Infrastructure on August 31th, 2023.

As there are no outstanding conditions required at this time, Council may wish to proceed with bylaw adoption.

OPTIONS:

Option 1

THAT Council adopt Bylaw No. 2139.

OR Option 2

THAT Council reject the application associated with Bylaw No. 2139.

SUBMITTED BY: Leah Stohmann, MCIP, RPP, Deputy Director of Planning and Subdivision

Concurrence: Donna Petrie, Senior Manager of Communications & Economic Development

Concurrence: Yari Nielsen, Director of Parks, Recreation and Facilities

Concurrence: Matthew Baldwin, MCIP, RPP, Director of Planning and Subdivision

Concurrence: Katelyn Balzer, P.Eng., Director of Engineering and Public Works

Concurrence: Michael Dillabaugh, CPA, CA, Director of Finance

Concurrence: Marie Watmough, Deputy Director of Corporate Services

Concurrence: Braden Hutchins, Director of Corporate Services
Concurrence: Darren Kiedyk, Chief Administrative Officer