

AGENDA ITEM NO: 11.4.1

MEETING DATE: April 4, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Precision Building Design Ltd.
Development Variance Permit &
Development Permit / 9540 Woodbine
Street DATE: March 24, 2023

DEPARTMENT: Planning
DVP01295 & DP001548 PREPARED BY: Adam Roberts/sw

1. SUMMARY OF ISSUE:

The applicant is seeking to vary the following Zoning Bylaw standards to facilitate the construction of a new apartment building on the subject property:

- reduce the minimum interior side lot line setback from 6.75m to 6.0m for the 4th storey;
- reduce the minimum interior side lot line setback from 7.5m to 6.0m for the 5th storey; and,
- permit 3 storage lockers to be provided within individual apartment units rather than in a centralized location.

The applicant is seeking approval of the 'form and character' of a new apartment development within the subject property. As the property is within Development Permit Area No. 6 (Infill Development), a Development Permit is required.


2. RECOMMENDATION:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01295 with respect to property located at 9540 Woodbine Street, subject to the recommendations as stipulated within the draft Development Variance Permit.

Recommendation that Council approve the issuance of Development Permit DP001548 with respect to property located at 9540 Woodbine Street, subject to the recommendations of the Design Review Advisory Committee and the conditions as stipulated within the draft Development Permit.

**3. CHIEF ADMINISTRATIVE OFFICER'S
RECOMMENDATION/COMMENTS:**

Supports recommendation.


Gillian Villeneuve
Director of Planning


Chris Crosman
Chief Administrative Officer

**STAFF REPORT ON DEVELOPMENT VARIANCE PERMIT DVP01295 &
DEVELOPMENT PERMIT DP001548**

PREPARED BY: Adam Roberts DATE: March 24, 2023

POSITION: Planner II DEPARTMENT: Planning Department

1. DEFINITION OF ISSUE:

The applicant is seeking to vary the following Zoning Bylaw standards to facilitate the construction of a new apartment building on the subject property:

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- reduce the minimum interior side lot line setback from 7.5m to 6.0m for the 5th storey; and,
- permit 3 storage lockers to be provided within individual apartment units rather than in a centralized location.

The applicant is seeking approval of the 'form and character' of a new apartment development within the subject property. As the property is within Development Permit Area No. 6 (Infill Development), a Development Permit is required.

2. PROPOSAL:

In summary the proposal includes:

- 5-storey apartment building (2-storey parkade with 1 storey underground and 4 residential storeys);
- 72 units (48 small unit apartments and 24 apartment units);
- 88 off-street parking spaces including 16 visitor parking spaces (86 are required);
- 90 bicycle parking spaces (90 are required); and,
- 22 trees (17 trees are required as per Tree Management Bylaw).

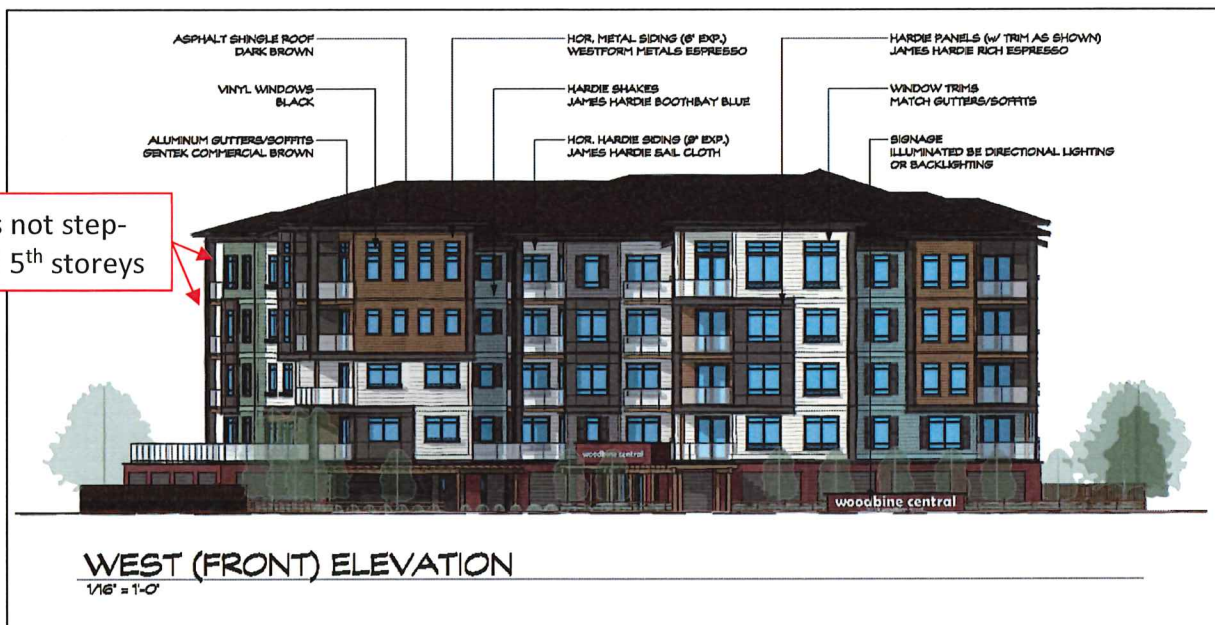
A separate Development Variance Permit (DVP01295) application has been submitted to be reviewed concurrently with the subject Development Permit application as detailed below.

3. DISCUSSION REGARDING PROPOSED VARIANCES:

Interior Side Lot Line Setbacks

The applicant requests a reduction to the minimum interior side lot line (ISLL) setbacks along the north and south property lines for both the 4th and 5th storeys. The R5 (Low Rise Apartment) Zone requires an ISLL setback to increase by 0.75m per storey beyond the third storey to a maximum of 9m. Considering this, an ISLL setback of 6.75m is required for the 4th storey and 7.5m for the 5th

storey. As shown below, the applicant requests to reduce these setbacks to 6m to maintain a consistent setback from the 1st through 5th storeys.



To mitigate the impact of the requested variances, the applicant has provided significant articulation in the building's façades, both vertically and horizontally, in combination with the use of various materials and colours. This results in a building form that appears as a series of modules thereby reducing the impact of the overall massing of the building. The private amenity areas of each unit are recessed into the building face, which limits any overlooking into neighbouring properties and further breaks up the massing of the building by providing variety in depth. In addition, the surface parking area is sited in the north-west corner of the subject property limiting the number of balconies that are sited within 6m of the adjacent property and reducing the impact of shadowing which may be caused by the proposed apartment. For these reasons, the requested variances are deemed supportable in this instance.

Storage Lockers

The applicant requests to permit three storage lockers to be provided within individual apartment units rather than within a centralized storage area. The proposed parkade includes 65 storage lockers located at the end of parking spaces. In addition, 1 storage locker is provided on each floor next to the elevator. The applicant has provided lockers within 4 apartment units for a total of 73 lockers (an excess of 1). The provision of storage within a unit is anticipated to provide greater security and accessibility for future residents. As the proposed variance applies to a small portion of the units within the building, it is considered minor in nature with a minimal potential impact on future residents.

4. DEVELOPMENT PERMIT CONSIDERATIONS:

Overall, the design of the building and site is visually appealing and constitutes a high-quality addition to the area. As demonstrated by the attached checklist evaluation for DPA 6, the proposed development substantially complies with the Infill Development Design Guidelines. A copy of the proposed site plan, landscape plan and colour elevations are attached.

Summary and CPTED Review

In support of the application, the applicant has submitted a CPTED (Crime Prevention Through Environmental Design) report prepared by *AMR Systems*. The report concluded that the proposed development will be a positive activity generator for the area and will be compatible with surrounding development. A summary of the CPTED assessment is shown in the table below:

CPTED Elements	Recommendations	
	✓ included in the design	✗ not included in the design
Natural Access Control	✓ The building has one main entrance accessed from the surface parking area fronting Woodbine Street. It will be clear to users where they are located on the site and where the entrance to the building is, which shall decrease loitering and unwanted pedestrian travel through the development.	
Natural Surveillance	✓ The proposed building has windows and decks on all elevations which will promote natural surveillance. The subject site is located in a predominantly residential area which will have people coming and going throughout the day. This will provide additional eyes-on-the-street to persuade unwanted users to avoid loitering around the subject site.	
Territoriality	✓ The proposed building and future residents will provide an immediate sense of ownership of the space. Territoriality is further enhanced by utilizing the sidewalk and landscaping to direct users from the street to the building.	
Maintenance	✓ The fencing and vegetation on the site should be maintained to provide long sightlines from the street and ensure public and private spaces are well defined. Any trees should be regularly trimmed to ensure sightlines of 6ft are maintained under the canopies. Any damage or vandalism should be repaired within a timely manner.	

5. DESIGN REVIEW AND ADVISORY COMMITTEE:

The application was reviewed by the Design Review Advisory Committee (DRAC) on March 14, 2023. Based on this, the following recommendation was made:

That the Design Review Advisory Committee supports DP001548 and recommends Council approve the application subject to the following conditions:

- 1. That non-combustible siding and soffits be provided within the balcony areas;*
- 2. That an irrigation system be incorporated throughout the landscape areas within the property;*
- 3. That a rubber play surface be incorporated into the playground area to ensure a continuous pathway can be provided along the perimeter of the site;*
- 4. That the applicant explores options to relocate the playground area closer to the main entrance to the building to ensure easy access for future residents;*
- 5. That the pedestrian pathway located along the perimeter of the property be relocated in such a manner as to consolidate all of the grassed area onto a single side to ensure long term maintenance and health of these areas can be achieved;*
- 6. That a detailed lighting plan be submitted, prior to the issuance of a Building Permit, to ensure adequate lighting is provided for all walkways, parking areas, mailboxes, the parkade entrance and any address/complex signage;*
- 7. That glazing, in the form of side lights or glazed doors, be provided for all entrances into stairwells, exits and communal spaces; and,*
- 8. That all utility equipment be screened from public view through installation of landscaping fencing, or vinyl wrapping.*

The applicant was present at the meeting and agreed to the above-noted conditions.

For condition 4, the applicant has confirmed the proposed playground location is approximately 30ft closer to the main entrance than the alternative location to the south of the building. In addition, given the configuration of the lot, there is additional width at the current proposed location for the play area. As such, the applicant intends to retain the play area in the original location.

For condition 5, the architectural site plan has been updated to reflect the requested re-alignment of the pedestrian pathway. The landscape plan will be updated to reflect this change at time of Building Permit application.

In light of the applicant's responses provided above, the draft Development Permit prepared for Council's consideration does not include conditions 4 and 5.

6. FACTORS:

6.1 2040 Official Community Plan (OCP) / Land Use / Public Engagement

OCP:	"Residential 2 – Medium Density Town Houses" as designated within the Downtown Land Use and Development Plan within the 2040 Official Community Plan.
Land Use:	Bare land.
Public Engagement:	The applicant contacted adjacent neighbours to inform them of the proposal and requested variances. At the time this report was written, the applicant

had not been contacted by any of the neighbours regarding the proposal. A copy of the engagement package has been included within the public record.

6.2 Neighbourhood Character

The subject property is located in an established area within the downtown neighbourhood that is surrounded by properties within a variety of residential zones. The properties immediately surrounding the subject property contain single detached dwellings within the R1-A (Urban Residential) Zone. Despite this, there are multi-family developments on Woodbine Street and adjacent streets that are within the R4 (Low Density Multi-Unit Residential) Zone, R4-A (Medium Density Multi-Unit) Zone and R5 Zone.

6.3 Technical Issues

Floodplain: The subject property is located within the protected floodplain and subject to the Floodplain Regulation Bylaw.

Watercourses: There are no known watercourses within or in the immediate vicinity of the subject property.

Geotechnical Issues: The property is not subject to any known geotechnical hazards or earthquake related risks.

6.4 Conditions of Issuance

Staff support the requested variance as proposed by the applicant and recommend approval of the draft DVP and DP, subject to the recommendations of the Design Review Advisory Committee and the conditions as stipulated within the draft Development Variance Permit and Development Permit.

7. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01295 with respect to property located at 9540 Woodbine Street, subject to the recommendations as stipulated within the draft Development Variance Permit.

Recommendation that Council approve the issuance of Development Permit DP001548 with respect to property located at 9540 Woodbine Street, subject to the recommendations of the Design Review Advisory Committee and the conditions as stipulated within the draft Development Permit.

Substantiation:

The requested variances are supportable as they are minor in nature and not anticipated to significantly impact neighbouring properties or the neighbourhood as a whole. It is anticipated that

the proposed siting and articulation of the building's façade will mitigate potential impacts to neighbouring properties.

The proposed apartment development meets the intent of the Design Guidelines for Development Permit Area No. 6 through the use of extensive landscaping, building articulation and varied design features that are expected to create an appealing streetscape.

8. DEVELOPMENT PERMIT AREA NO. 6 DESIGN GUIDELINE CHECKLIST:

Design Guidelines		Yes/No	Comments
1.1	Landscaping & building materials		
	Preserve existing trees where possible	No	<ul style="list-style-type: none"> No existing trees are retained.
	Utilize tree species & vegetation common to area	Yes	<ul style="list-style-type: none"> Tree species are consistent with the Tree Management Bylaw.
	Use varied building materials (i.e. combinations of wood, brick, rock, etc.)	Yes	<ul style="list-style-type: none"> The proposed exterior finishes for the building include materials such as: asphalt shingles (dark brown), horizontal hardie siding (sail cloth, rich espresso, boothbay blue, mountain sage and timber bark), horizontal metal siding (espresso), cultured brick stone (antique red), aluminum gutters and soffits (commercial brown), concrete parkade painted rich espresso and wood trellis over pedestrian walkway.
2.1	Building shape & form		
	Provide visual variety in building form, shape & character	Yes	<ul style="list-style-type: none"> Roof articulation, building projections, recesses, balconies, and the incorporation of a variety of materials and modern detailing create a visually appealing design.
	Avoid large expanses of blank façade	Yes	<ul style="list-style-type: none"> The apartment design avoids large expanses of blank façade by using a variety of materials, colours and building articulation.
	Use a variety of complementary colors	Yes	<ul style="list-style-type: none"> The proposed exterior finishes include a variety of colours that complement each other. A copy of the colour and material list is attached.
3.1	Physically integrate development with adjacent development		
	Shared access, consolidate open space, etc.	N/A	<ul style="list-style-type: none"> As the property is adjacent to single detached homes, shared access or open space is not possible.
3.2	Scale, mass & form is sensitive to adjacent properties		
	Height not to exceed more than 8m above adjacent historically significant home	N/A	<ul style="list-style-type: none"> There are no significant historical buildings adjacent to the site.
	Use articulation, vary materials and colors to provide visual relief	Yes	<ul style="list-style-type: none"> A complementary colour scheme with diverse building materials, and building articulation, serves to create a visually appealing development.
	Series of modules fit together	Yes	<ul style="list-style-type: none"> Roof articulation and varying architectural treatments create a design where the building appears as a series of units or modules that fit together.
	Differentiate between pedestrian-level commercial/upper level residential development	N/A	<ul style="list-style-type: none"> No commercial development proposed.

	Complement existing size, mass, and scale of surrounding development	Yes	<ul style="list-style-type: none"> The proposed building has been designed in a comprehensive manner and respects the existing character of the area by using articulation and a variety of materials along the north and south elevations where adjacent to single detached dwellings. The proposed development will relate well to the surrounding neighbourhood as it transitions from a single-detached to multi-unit neighbourhood along Woodbine Street in accordance with the OCP designation of the area.
	Consideration of views from adjacent developments	Partial	<ul style="list-style-type: none"> Given the proposed building height of 17.4m, views that are currently experienced by adjacent properties will inevitably be impacted. To mitigate this as much as possible, the proposal includes articulation in the building's façade. In addition, the siting of the surface parking area in the north-west corner of the property minimizes impact to the neighbour to the north by creating a greater separation between the existing home and proposed apartment building.
4.1	Maximize a positive impact on the street		
	Preserve & integrate existing natural features where possible	N/A	<ul style="list-style-type: none"> No existing natural features to be preserved.
	Orient development towards street	Partial	<ul style="list-style-type: none"> Although the front entrance of the building is not located close to Woodbine Street, the pedestrian pathway and trellis features along the street provide a strong connection and clear sightlines from the front entrance to the City sidewalk.
	Locate development close to & parallel to street	Partial	<ul style="list-style-type: none"> Same as above.
	Consider impact of sun, wind & shadows on site	Yes	<ul style="list-style-type: none"> The proposed development includes a linear common amenity area along the south and east property lines. This design will ensure the area receives sunlight year-round. The proposed landscaping on the site and surrounding the amenity area will ensure the space is protected from high winds. Given the orientation of the building, a large portion of private amenity areas also face south and east to ensure sunlight is provided to units year-round.
4.2	Locate mechanical equipment and service areas out of public view		
	Locate or screen mechanical and operational equipment from the view of tenants and from the street	Yes	<ul style="list-style-type: none"> It is recommended that all utility equipment be screened from public view through a combination of landscaping and fencing. In addition, any hydro boxes should be screened from view or vinyl wrapped.
5.1	Entrances into the development must be highly visible, easy to find and logical in location.		
	Emphasize vehicle entrance through additional landscaping, tree planting, appropriate signage & lighting	Yes	<ul style="list-style-type: none"> The vehicle and pedestrian entrances are clearly defined through landscaping, pathways, pavement details, and signage. It is recommended that a lighting plan be submitted prior to the issuance of a Building Permit to ensure adequate lighting is provided throughout the development.
	Define pedestrian & vehicle corridors	Yes	<ul style="list-style-type: none"> The proposal includes pedestrian and vehicle access that is clearly marked/defined.
5.2	Parking areas must be adequate in size, efficient in layout and safe in location & design		
	Parking areas are visually secured all day	Yes	<ul style="list-style-type: none"> All parking is located within the front of the building or within the proposed parkade.

	Provide parking areas that are easily accessible but do not dominate the user's first impression of the site	Yes	<ul style="list-style-type: none"> Easily accessible surface visitor parking is provided along each side of the maneuvering aisle. Given the siting of a portion of the building along Woodbine Street and extensive landscaping within the front setback, this parking area does not dominate the user's first impression of the site.
	Avoid the provision of parking in the front yard	Partial	<ul style="list-style-type: none"> Although parking is located within the front setback, the siting of the building, pedestrian pathway and landscaping serve to lessen the impact of this parking area.
	Adequate concealed underground parking	Partial	<ul style="list-style-type: none"> Although the upper façade treatment is not brought down to the ground floor, the parkade wall includes concrete that is painted in the same colour as the upper façade and includes the use of brick to break up the wall. Landscaping and fencing serve to screen the parkade wall from view from the street and neighbouring properties.
	Avoid large expanses of contiguous parking	Yes	<ul style="list-style-type: none"> Large expanses of parking are avoided as the majority of the spaces are within the parkade. There are only 16 outdoor parking spaces which are provided on each side of the maneuvering aisle and surrounded by landscaping.
	Use landscaping to soften the impact of parking area	Yes	<ul style="list-style-type: none"> Substantial landscaping is proposed throughout the development, specifically within the front setback area which softens the visual impact of vehicle parking areas.
6.1	Building entrances must be highly visible, attractive and inviting to the pedestrian		
	Clearly identify and orient the primary pedestrian entrance to the street	Yes	<ul style="list-style-type: none"> The main entrance to the building is clearly defined through the use of signage, landscaping, gateway trellis, and pathway.
	Provide separate ground-level entrances for commercial and residential developments	N/A	<ul style="list-style-type: none"> Commercial uses are not proposed.
	Provide a suitable transition from public (street) to semi-private to private (entrance) through scale, detail, and sense of enclosure	Yes	<ul style="list-style-type: none"> The proposed front landscaping area provides a suitable transition between public, semi-private and private space. The entrance to the complex along the 2.1m wide pedestrian sidewalk through the gateway trellis and pergola structures clearly delineates the transition from public to private space.
6.2	Enhance the pedestrian experience by providing interest at the street level		
	Set back building facades to create amenity areas that interact with the street	Yes	<ul style="list-style-type: none"> The building is setback 6m from the street where substantial landscaping and pedestrian pathways are provided to interact with the City sidewalk.
	Use various materials and design techniques to create through-visibility or transparency, (e.g. windows, see-through landscaping and fencing, etc.) at ground level	Yes	<ul style="list-style-type: none"> Low level landscaping and glazing within the first residential storey is proposed.
	Have a pedestrian oriented building base of 1 to 3 storeys that is distinct from upper storey developments	Partial	<ul style="list-style-type: none"> The first storey parkade is clearly defined from the four residential storeys above through the use of varied building materials and colours. The four residential storeys are differentiated through the use of separate modules and articulation of the building façade.

	Provide architectural detail to capture pedestrian attention	Yes	<ul style="list-style-type: none"> The building articulation, glazing, variety of building materials/colours, and the incorporation of landscaping serve to capture pedestrian attention.
6.3	Design outdoor spaces to provide a sanctuary for its occupants		
	Create useable, accessible & highly visible on-site people places & amenity areas (i.e. paths, courtyards, upper level decks, playgrounds, etc.)	Yes	<ul style="list-style-type: none"> The development includes a 700m² (in excess of 510m² minimum) linear amenity area complete with a walking loop, playground, multiple benches, picnic area and community garden. The amenity area is easily accessible to residents and secured by gates at the two access points.
	Accommodate the year-round use of outdoor spaces by considering environmental conditions (e.g. sun angles and prevailing winds)	Yes	<ul style="list-style-type: none"> Private amenity areas include balconies that may be used on a year-round basis. A large portion of the private amenity areas benefit from south/east sun exposure to ensure year-round sunlight and limited shadowing. The proposed development includes a linear common amenity area along the south and east property lines. This design will ensure the area receives sunlight year-round. The proposed community garden will benefit from this sun exposure.

9. SOURCES OF INFORMATION:

- Development Permit Application (DP001548) – March 17, 2022
- Development Variance Permit Application (DVP01295) – August 29, 2022
- Development Application Review Team (DART) Minutes – May 26, 2022
- CPTED Report, prepared by *AMR Systems* – March 16, 2022

Location Map



Ortho Photo

