

REPORT

Climate Action, Planning and Development

To: Mayor Johnstone and Members of Council **Date:** August 28, 2023

From: Serena Trachta,
Acting Director of Climate Action, Planning
and Development **File:** REZ00224

Item #: 2023-541

Subject: Rezoning Application for Duplex: 376 Keary Street – Comprehensive Report

RECOMMENDATION

THAT the application to rezone 376 Keary Street be considered and no Public Hearing held, in accordance with the *Local Government Act*.

THAT notification be circulated in accordance with the *Local Government Act*.

PURPOSE

This report provides Council with information on the development proposal for 376 Keary Street, and requests that the rezoning application be considered, and that no Public Hearing be held following circulation of notice in accordance with the Local Government Act.

EXECUTIVE SUMMARY

A rezoning application has been received to allow construction of a duplex at 376 Keary Street. Drawings indicate a proposed Floor Space Ratio (FSR) of 0.61 and both of the proposed units would be family-friendly. Secondary suites and/or a laneway house would not be permitted. Two resident off-street parking spaces are proposed at the rear of the site, accessed via the lane. The proposed rezoning of the property from Single Detached Residential Districts (RS-1) to Comprehensive Development District (CD-102) to allow for a duplex is consistent with the subject property's Official Community Plan (OCP) land use designation and with the *Duplex, Triplex, Quadraplex: Interim Development Review Policy*.

City-led public consultation has been undertaken for the project and the applicant has responded to key community feedback. Staff recommend that the application to rezone the property be considered, and that a Public Hearing not be held in accordance with the *Local Government Act*.

BACKGROUND

Policy and Regulations

The OCP land use designation for the subject property is Residential – Detached and Semi-Detached Housing (RD), which allows for duplexes. The property is currently zoned single-detached residential (RS-1), which does not allow for duplexes. Therefore, the property requires rezoning to allow for a duplex development. A summary of relevant City policies and regulations is included in Attachment 2.

Site Context

The subject site is located in the Sapperton neighbourhood in an area composed primarily of single detached dwellings. The property is one block southeast of Skwo:wech Elementary School, one block southwest of Sapperton Park, and is 460 m (approx. 6 minute walk) from Royal Columbian Hospital. The site is also within walking distance from shops and services along East Columbia Street. A site context map and further site context information are included in Attachment 3.

PROJECT PROPOSAL

The proposed development consists of a stratified, side-by-side, ground-oriented duplex, consistent with the form anticipated by the *Duplex, Triplex and Quadraplex: Interim Development Review Policy*. Both units would be oriented to Keary Street. The plans indicate an overall density of 0.61 FSR. Each unit is proposed to be 185.25 sq. m. (1,994.01 sq. ft.) and family-friendly, containing three bedrooms located on the upper storey and an office/den on the main floor. Each unit would have access to outdoor space in the form of ground level open space, as well as rear decks and front porches. The duplex would be built to Step 3 of the BC Energy Step Code, as required by City bylaw.

The applicant has proposed a total of two off-street parking spaces accommodated on parking pads, meeting Zoning Bylaw requirements for duplexes. The two resident parking spaces would be equipped with electric vehicle (EV) chargers, meeting Zoning Bylaw requirements. Access would be taken from the rear lane. Secured weather protected bike parking is also proposed, with one space for each unit. Project statistics are included in Attachment 4. Applicant Submission Materials, including architectural drawings and design rationale, are included in Attachment 5.

Overall Evaluation

The proposed duplex would help increase opportunities for family-friendly, ground-oriented infill housing, which is a key objective of the Official Community Plan. As the proposed project also satisfies the interim requirements for duplex developments with regard to density, parcel size, design form, parking, and access, staff consider this to be an appropriate pilot project for consideration under the *Duplex, Triplex and Quadraplex: Interim Development Review Policy*.

Building Design and Massing

The applicant has proposed a form reflective of the architectural character of adjacent houses. The proposed design has asymmetrical elements on the front elevation, with massing oriented towards the centre of the lot and all entries visible from the street. Elements such as the front gable entry, porch posts, and vertically oriented windows have been included to sensitively integrate the duplex into the existing streetscape. The asymmetrical roof features give diversity within a unified massing of the building. Staff consider the proposed design to be consistent with the guidelines contained in the *Interim Development Review Policy*.

Trees

As part of this rezoning application, the applicant has submitted a Tree Permit application (TRE01830). One on-site, and two off-site (City) trees are relevant to the development. The application proposes retention of both City trees and the on-site tree, which would be protected during construction. Additionally, nine replacement trees are required to be provided based on an active Tree Permit (TRE01249) that was issued in 2020, before this rezoning application was received. Due to site restrictions, the City Arborist has agreed to a portion of the required replacement trees to be provided as cash-in-lieu. Six replacement trees are proposed, and the City would collect cash-in-lieu for the remaining three.

Lane Width

The *Interim Development Review Policy* requires that duplex pilot projects be located on properties that have a minimum 4.9 m (16.1 ft.) lane, with some exceptions. The subject site satisfies this requirement. As part of Engineering requirements, a 0.4 m (1.3 ft.) dedication along the lane frontage will be required to facilitate future lane widening to the City’s standard lane width of 6.0 m (19.7 ft.), which has been incorporated into the site plan.

PUBLIC CONSULTATION

City-led Consultation

City-led consultation included a project website and online survey, published on Be Heard New West. Residents within 100 metres of the project were notified of the online survey. 15 survey responses were received, and one question was submitted through Be Heard New West. Feedback was generally supportive, with several respondents expressing support of infill density. Some respondents provided feedback on shadowing, views, excess visitor parking, and ongoing construction in the neighbourhood. All feedback received through the City-led consultation process is included in Attachment 6.

Applicant Response and Revisions

The applicant has addressed consultation and staff feedback in the following ways:

- Asymmetrical elements added to the front elevation to mimic the feel of a single-detached dwelling, consistent with the *Interim Development Review Policy*;
- Added permeable pavers and grass pavers in the rear parking area;
- Trees added between parking pads to add shade;
- Provided each unit with individual bike storage and waste storage areas.

The full applicant response to City-led consultation comments is included in Attachment 6.

REVIEW PROCESS

Staff considers that the applicant has reasonably addressed public feedback, and that the application meets the requirements for a Public Hearing not to be held. Given this, the development application review process is as follows:

1. Preliminary Report to Council (September 26, 2022);
2. City-led public consultation, including the creation of a Be Heard New West webpage and survey (June 2023);
3. Comprehensive Report to Council (**WE ARE HERE**);

Anticipated Next Steps:

4. Issuance of notice that no Public Hearing be held;
5. Council consideration of First, Second, and Third Reading (September 25, 2023);
6. Completion of adoption requirements;
7. Council consideration of adoption of the Zoning Amendment Bylaw.

Staff recommend that Council consider not holding a Public Hearing as the proposal is consistent with the City’s principles for determining when a project does not require a Public Hearing, as follows:

- The application is largely consistent with City policy and/or Council Strategic Priorities, and/or exceeds City policy in support of Council Strategic Priorities;
- The application responds to public and staff feedback, even if significant, to the satisfaction of the Director of Climate Action, Planning and Development; and,
- The application is consistent with the OCP, per provincially legislated requirements.

Given the small scale of the proposed development and the fact that the form of development is consistent with the OCP, the application was not forwarded to the New Westminster Design Panel nor the Advisory Planning Commission for review or comment.

FINAL ADOPTION REQUIREMENTS

The following items will need to be addressed to the satisfaction of staff prior to the adoption of the proposed Zoning Amendment Bylaw:

- Payment of landscape securities deposit (\$7,500)

FINANCIAL CONSIDERATIONS

It is expected that there would be limited financial implications for this project. Voluntary Amenity Contributions (VACs) are not collected for duplexes. Development Cost Charges (DCCs) would be calculated and collected prior to Building Permit issuance to assist in funding the cost of upgrading transportation, drainage, water and sanitary infrastructure, as well as parks. Estimated DCCs that would be collected are as follows:

	Rate per Sq. M. of Gross Floor Area	Total Estimated DCCs
Transportation	\$15.00	\$5,555.40
Water	\$4.77	\$1,766.62
Drainage	\$6.51	\$2,411.04
Sanitary Sewer	\$6.86	\$2,540.67
Parks	\$40.78	\$15,103.28
TOTAL	\$73.92	\$27,377.01

INTERDEPARTMENTAL LIAISON

The City has a project-based team approach for reviewing development applications. A staff-led project team was assigned for reviewing this project consisting of staff from Engineering (Servicing and Transportation), Fire, Electrical, Parks and Recreation, and

Climate Action, Planning and Development (Building, Planning, Trees, and Heritage) Departments who provided comments throughout the development review process.

OPTIONS

The following options are available for Council's consideration:

1. That Council consider Zoning Amendment Bylaw (376 Keary Street) No. 8404, 2023 and no Public Hearing be held, in accordance with the *Local Government Act*.
2. That notification be circulated in accordance with the *Local Government Act*.
3. That Council provide staff with alternative direction.

Staff recommend Options 1 and 2.

ATTACHMENTS

Attachment 1: Zoning Amendment Bylaw No. 8404, 2023
Attachment 2: Policy and Regulations Summary
Attachment 3: Site Characteristics and Context
Attachment 4: Project Statistics Table
Attachment 5: Applicant Submission Materials
Attachment 6: City-led Consultation Summary and Applicant Response
Attachment 7: Engineering Servicing Memo

APPROVALS

This report was prepared by:
Hanna Jarrett, Development Planner

This report was reviewed by:
Mike Watson, Acting Manager of Development Planning
Demian Rueter, Acting Senior Manager of Climate Action, Planning and Development

This report was approved by:
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Lisa Spitale, Chief Administrative Officer