



STAFF REPORT

TO: Advisory Design Panel

MEETING DATE: April 3, 2024

FROM: Planner I

FILE NOs: DVP-2024-02 & DP-2024-15

SUBJECT: Variance applications and form and character Development Permit for a mixed-use apartment residential development and daycare at 718 North Rd

REPORT FOR ADVISORY DESIGN PANEL RECOMMENDATION TO COUNCIL

The Town has received an application for a mixed-use development at 718 North Road. The image below shows an aerial perspective of the proposed development as seen from Hillcrest Road.



Figure 1 - Proposed development at 718 North Road, as seen from above the southwest corner of the property, on Hillcrest Road.

A daycare space is located at grade (as seen at lower left) over the partially exposed parkade.

Three apartment buildings set on the parkade podium have 126 apartment units including 101 rental and affordable ownership apartment units. In addition to providing needed housing, the proposal boasts funding as a *mass timber* demonstration project.

The application relies on seven variances to bylaw regulations for development in the C1 zone, and a development permit under Development Permit Area No. 4 (Multi-Family Land Uses). As the neighbourhood fit and quality of the project will be important to its success, the ADP's input is requested to inform Council's decision on both the Variances and the Form and Character Development Permit.

PURPOSE

The Town is seeking recommendations of the Advisory Design Panel to Council about the suitability of the development proposal in relation to:

- A. The proposal's conformance with the form and character guidelines of Multi-Family Land Use Development Permit Area No. 4 (DPA 4), and
- B. Proposed Variances to regulations of the Zoning Bylaw:
 - i. Reduce the North Rd (west) property line setback from 4.5 m to 4.3 m,
 - ii. Reduce the north side property line setback from 6.0 m to 2.0 m from the neighbouring residential property,
 - iii. Increase building height from 12 m to 20 m,
 - iv. Locate residential units at grade (instead of above the ground floor),
 - v. Reduce the minimum size of dwelling units from 55 m² (592 ft²) to 45 m² (484 ft²).
 - vi. Reduce the required number of onsite parking spaces.
 - vii. Relax the requirement to provide an onsite loading space and to allow provision of a loading space on Hillcrest Road.

SITE AND SURROUNDING USES

The subject property is located at 718 North Road, on the east side of the Highway 101 corridor. To the south, the property abuts Hillcrest Road. The lot has 0.53 hectares, equivalent to the area of approximately 8-10 typical single family lots.

The property currently has a non-conforming use as an RV campground, with a single small, permanent office building in the southwest corner.

Figure 2 shows the property as seen from North Road, looking downhill toward Crucil Rd, behind it to the east.



Figure 2 - (Google image, 2021) Subject property as viewed from North Road, looking east.

The property location and surrounding uses are shown below in Figure 3.



Figure 3 - Location of property at 718 North Road, outlined blue, and existing surrounding uses.

Figure 4, below, shows the site in relation to Hillcrest Road, with a neighbouring commercial property operated by Telus shown across Hillcrest Road at left.



Figure 4 - (Google image, 2021) Frontage of subject property (seen at right) on Hillcrest Road.

The property fronts a BC Hydro power station across the street on North Road. To the north and east, the property neighbours single family homes fronting on Hillcrest and Cascade Crescent, and an undeveloped residential development site fronting on North Road. The uses of neighbouring properties are summarized in Table 1, below.

Table 1 - Surrounding Uses

	Existing Land Use	OCP Designation
North	Vacant (North Rd) and single family residential (Cascade Crescent)	Low Density Residential 2
South	Commercial (Telus)	Multifamily Residential
East	Single Family residential	Mixed Use Commercial
West	Single family residential	Mixed-Use Commercial

OCP LAND USE DESIGNATIONS

The map snipped below shows the future land uses for the neighborhood in the 2015 Official Community Plan.



Figure 5 - OCP Land Use designations

The subject property has a medium density residential land use designation, supporting townhouses and 2 to 4 storey apartments with a maximum floor space ratio of 1.2. The neighbouring properties to the south toward Gibsons Way and School Road share the same land use designation, with properties north of the site having a lower density designation supporting duplexes, cluster housing and ‘multi-unit housing in a single detached building form’. The properties across the street on North Road retain commercial designations in the current plan.

The Official Community Plan and Zoning Bylaw are due to be updated in the next two years. Given current crisis level housing need in the community and province, and that major transportation corridors in upper Gibsons are typically seen by the community as an ideal location for higher density development and taller building forms, it is possible and even expected that the North Road corridor, including the subject property could have a higher planned residential density following the updates than indicated currently in the OCP and Zoning Bylaw.

PROPOSAL SUMMARY

The site development proposal is outlined in the following plans and documents enclosed with this report:

- Attachment A – Architectural Plans

- Attachment B – Landscape Plan

Uses

The proposed mixed-use residential development has three buildings:

One (1) six-storey mixed-use building, oriented to the North Road street frontage, contains:

- One (1) 338 m² / 3,640 ft² commercial daycare unit at street level, with an adjacent outdoor play area at the rear atop the parkade platform.
- 77 market rental apartment units;
- 24 affordable rental units, six (6) of which to be designed as accessible;
- 15 market ownership units;
- A common rooftop amenity space on the fifth storey

Two (2) smaller apartment buildings each containing five (5) market strata/ownership units.

The units range from one (1) to three (3) bedrooms.

The larger of the buildings is shown in the elevation rendering in Figure 6, as seen from North Road. The daycare unit can be seen at the lower right, set back behind seven of the shared visitor and daycare surface parking spaces located adjacent to the unit for convenience. The pedestrian-oriented front entrance to the apartment units is located just north of the daycare and parking, connecting with the sidewalk on North Road.



Figure 6 – Larger Mixed use Building in the proposed Development as viewed from North Road

All of the buildings and most of the common patio and landscape areas are located atop a platform enclosing the parkade. The parkade is underground relative to North Road, and exposed on the downhill side, allowing grade-level vehicle access from within the surface parking area on the east side of the site.

The two smaller residential buildings are sited behind the larger above the lowest section of the parkade as shown in Figure 7, below.



Figure 7 - Development as seen in birds eye perspective from the location of the east side residential neighbour.

The five (5) three-storey townhouse-style apartment units in each of the east side buildings are connected by a common corridor facing the interior courtyard. Without the corridor providing a common entrance, the units would be townhouse units per the Bylaw, not allowed under the property’s C1 zoning. To allow individual access at grade, a zoning and OCP amendment is required to allow townhouse use. This option was suggested by staff, however the applicant has chosen to proceed through a design modification and variances within the C1 zone as a requirement of their development financing is that the zoning for the development is in place.

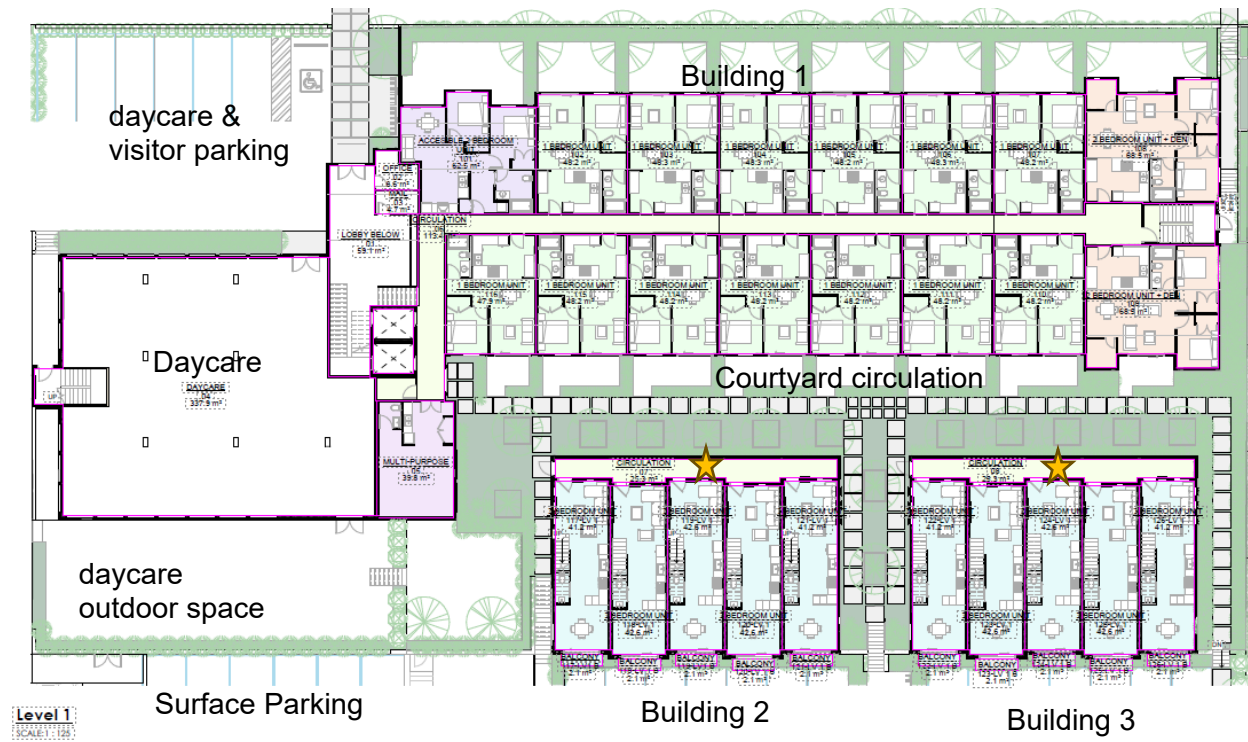


Figure 8 - Grade level plan, excluding surface parking south of the buildings.

The common corridors are shown in the grade level plan above, marked with a yellow star (Figure 8).

Figure 8 shows the development as seen from Hillcrest Road (south elevation). The building is articulated against the south frontage, with the southernmost units stepped back relative to North Road and having five stories and a common outdoor amenity space on the roof. The parkade has a 0.0 m setback, leaving no space for landscaping onsite at grade on this frontage. The units, except for the stairway, are stepped back slightly above the parkade.



Figure 9 - South Elevation (Hillcrest Road)

The Daycare space has an outdoor patio with play features and plantings, visible in this view above the parkade and rear surface parking.

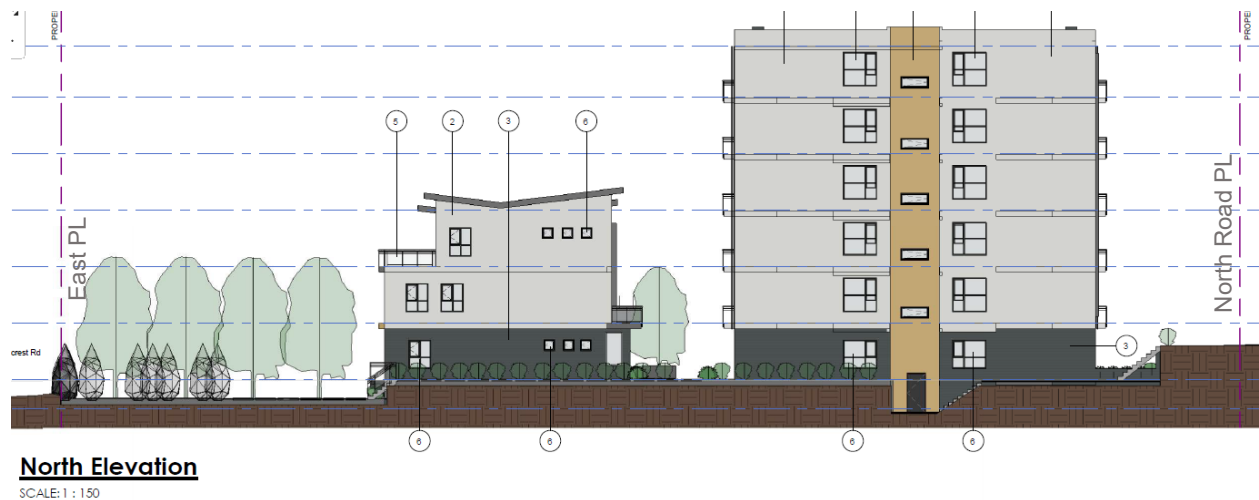


Figure 10 - North Elevation, adjacent to a vacant neighbouring property fronting North Road and a single family residential property Fronting Cascade Crescent.

Figure 9 shows the development as seen from the neighbouring residential properties to the north. No stepping of the building height is proposed for the apartment building on this frontage. A 2 m setback from the neighbouring properties is being requested (instead of the required 6 m), accommodating a walkway from the street to the sunken north side entrance of the apartment building, but very little opportunity for buffer plantings beyond a shrub hedge.

Parking

Proposed parking is located at grade and under the building, with two accesses from Hillcrest Road. These are allocated as follows, with variance requests to reduce the provided parking and to locate the loading space offsite:

<p>Parking for 121 residential units</p>	<p>The resident parking is proposed to be reduced through a variance from the 161 that would be designated for residential use per the bylaw. Proposed are:</p> <p>64 units have one parking space each</p> <p>14 units are allocated 2 spaces each, sited in tandem within the parkade</p> <p>48 units are provided no parking, presenting a potential spill-over and conflict with other onsite and surrounding uses.</p>
<p>Visitor and Daycare parking</p>	<p>28 spaces are allocated to meet the bylaw requirement for 15% visitor spaces and are proposed to be shared with the daycare parking use, given that the parking needs are expected to have different peak use times.</p>
<p>Car Share spaces</p>	<p>3 Car-share vehicles and spaces are proposed to reduce demand on site for parking and support car-free living for residents. The provision will be subject to support of the Coast Car Co-op, as the only car share provider on the Sunshine Coast.</p>
<p>Loading</p>	<p>No loading space is provided on site, and a variance is requested to allow a loading bay off-site (on the street) for larger vehicles.</p>
<p>Accessible parking spaces</p>	<p>9 accessible parking spaces are provided as part of the required visitor, commercial and resident parking spaces, meeting the bylaw requirement.</p>
<p>Street parking opportunities</p>	<p>There is no street parking available due to the location of bike travel lanes on North Road; and the Hillcrest frontage is occupied with the</p>

two vehicle accesses to the site and potentially a loading space if approved through a variance.

The parking plans can be found in the enclosed Architectural Plans (Attachment A).

Landscape

The Landscape Plan is enclosed with this report as Attachment B. While planting areas are minimized by the building and parking footprints, roof top areas are utilized to provide courtyard and amenity spaces enabling resident interaction, and a quality outdoor play area for the daycare space.

The image below (Figure 11) shows a broad overview of the grade and podium landscape levels.

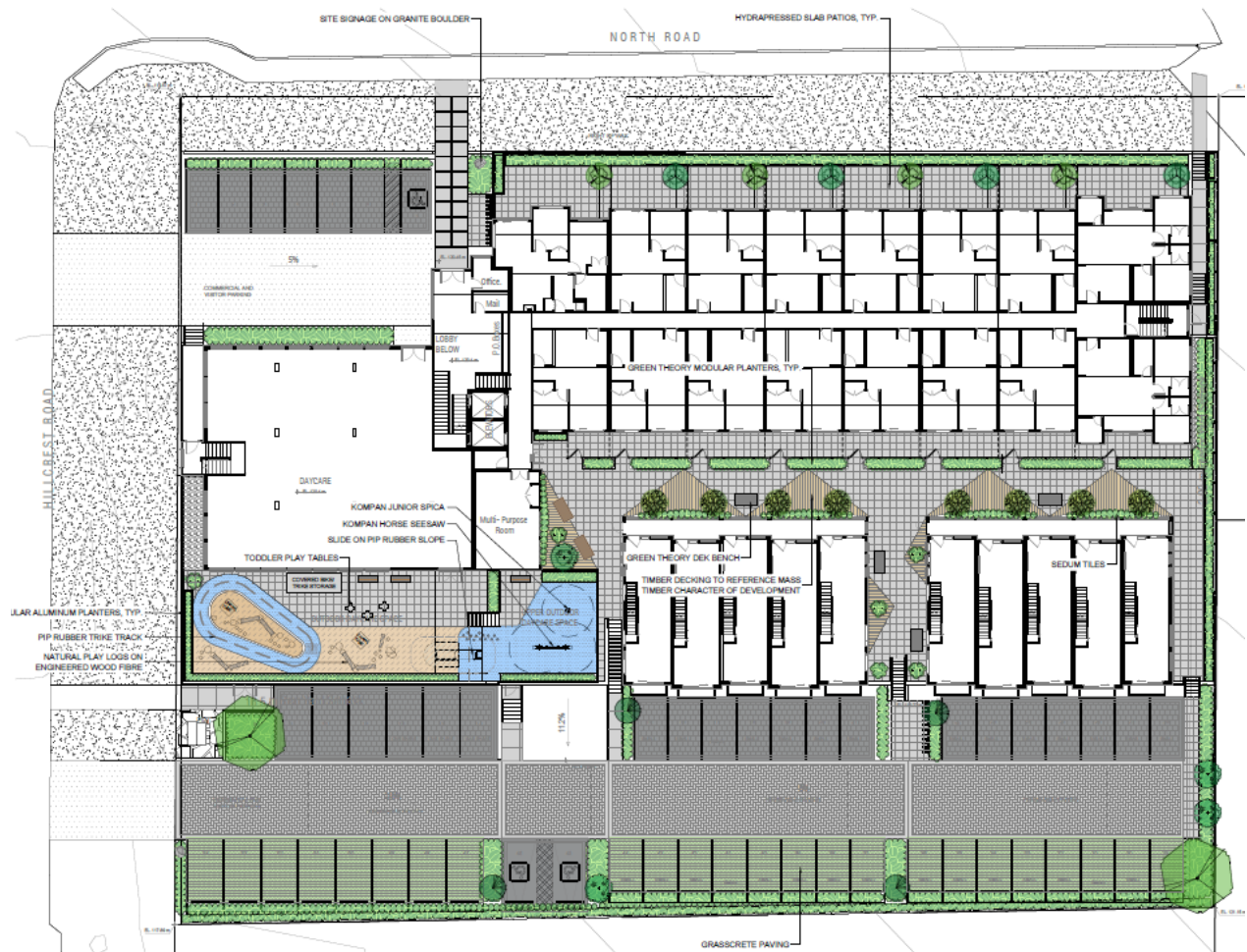


Figure 11 - Overview of landscape plan

5th Floor Common Outdoor Amenity Space

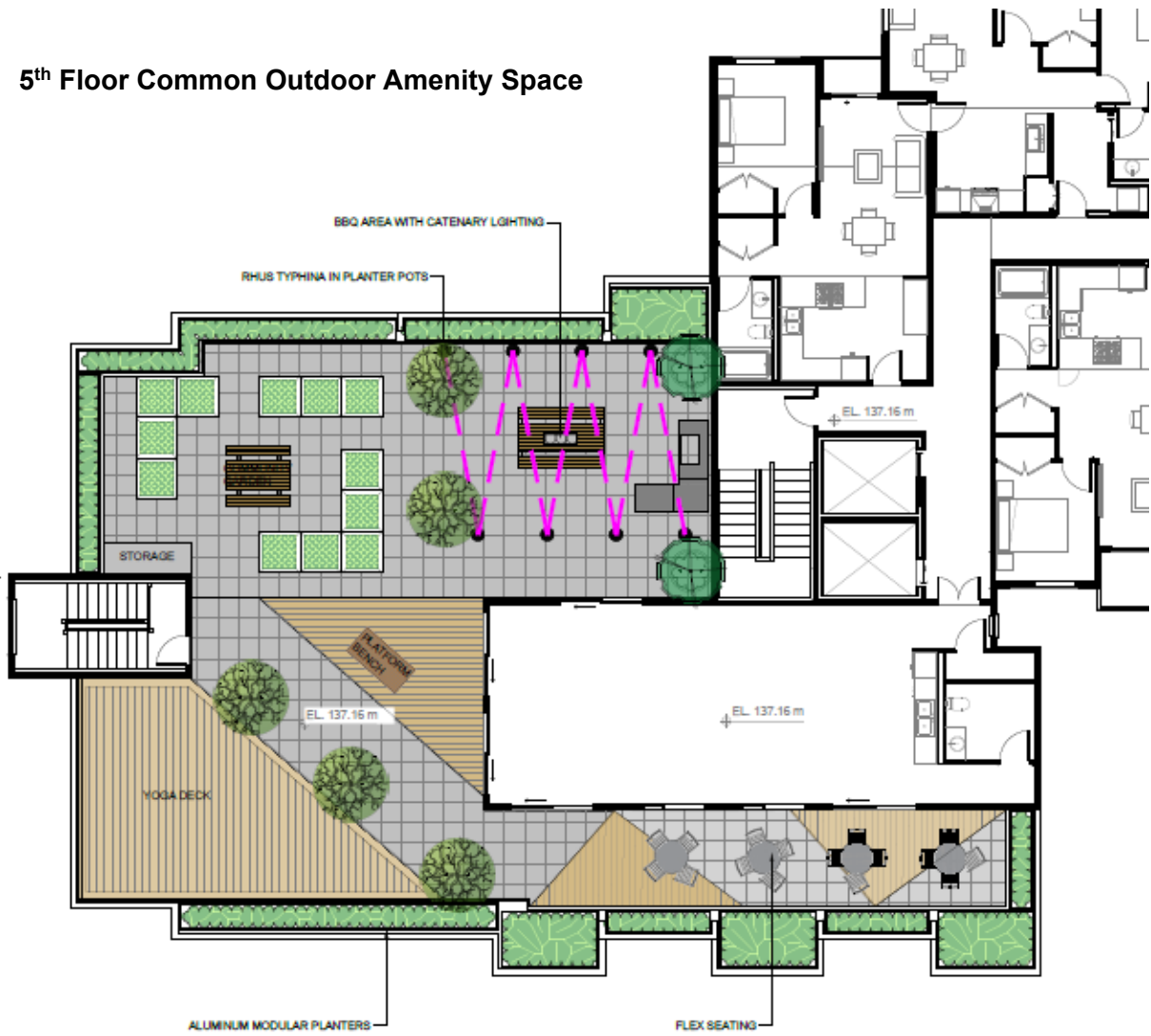


Figure 12 - Amenity space proposed on the 5th storey

The plants specified favour native plant species, including trees such as Vine Maple, Dogwood, Nootka Cypress and Staghorn Sumac as well as species adjusted to local conditions. Shrub species are not specified in the plan and are used primarily as hedges in narrow site boundary plantings and to buffer parking areas.

The referral comments provided by Vancouver Coastal Health recommend more tree plantings to provide shade, buffer vehicle pollution from parking areas and North Road and to provide climate mitigation for the development – notably over and/or around the children’s play area, which includes no proposed tree cover.

The plan specifies permeable paving materials for the hardscape areas at grade to meet site permeability requirements. Form and Character Guidelines - DPA 4

Development Permit Area No. 4 (DPA 4)

The property at 718 North Road is within Development Permit Area No. 4 (DPA 4) of the Official Community Plan. Before a building permit may be issued for the development, the proposal must be shown to address the guidelines for multi-family residential development as outlined in DPA 4 and issued a Development Permit by a decision of Council.

Per the OCP the objective of the Multi-Unit Residential Development Permit Area designation is:

“to ensure that a high standard of design, landscaping and building form is implemented for any multi-unit residential development.”

The guidelines are aimed at ensuring that new development is appropriate to its surroundings, and is compatible with surrounding uses or neighbourhood character. The Development Permit guidelines are also intended to ensure that multi-unit residential development is attractive for future residents.”

The Guidelines are enclosed with this report as Attachment D.

The Advisory Design Panel is asked to provide its advice to Council about the conformance of the proposal to the Guidelines and whether any changes should be required to address the guidelines. A table worksheet summarizing the DPA4 guidelines is provided with this report to assist members of the ADP in their review of the development application. This is enclosed as Attachment E.

Requested Variances to Zoning Bylaw Regulations

The application requests seven (7) bylaw variances to permit the development to be permitted under the existing C1 zoning.

Decisions about variance requests are made by Council and are guided by Council’s Policy for Consideration of Variances. The policy is enclosed with this report as Attachment F. The policy provides the following criteria to be considered in relation to each of the requested Variances.

Policy 3.9 - Criteria for Consideration of Variances

Council will consider variance of standards specified in the Zoning Bylaw or Subdivision & Development Bylaw, where it can be demonstrated by the applicant that:

- (1) The request is not within the jurisdiction of the Board of Variance;*
- (2) The same request has not been previously denied by the Board of Variance;*
- (3) The variance will not result in significant negative impacts on neighbouring properties.*

- (4) *There is a demonstrated need for the variance in order to permit reasonable use of the property;*
- (5) *The overall intent of the original bylaw requirement or standard is not compromised;*
- (6) *The variance does not appear to establish a precedent for other properties, but responds to a site specific situation or difficulty;*
- (7) *As per the Municipal Act provisions, does not result in a change in land use or an increase in permitted density;*
- (8) *The variance results in suitable development that is an asset and compatible in the context of surrounding uses;*

In addition to comments in relation to the Form and Character guidelines, staff invites the ADP’s comments and recommendations on the requested variance in relation to the appropriateness, quality and neighbourhood fit of the development.

Staff’s review of the requested Variances is provided in Table 2, noting that all the variances meet criteria (1) and (2) as they are not in the jurisdiction of the Board of Variance, and that none of the variances are *needed* to permit reasonable use of the property as asked in criteria (4). Rather, at least some variances or alternatively a change of zoning are required on this site to support meeting housing objectives that Council has prioritized to address current need, and so it could be considered that ‘reasonable use of the property’ includes the need to provide a maximum reasonable number of housing units without unduly and adversely impacting the neighbourhood and/or quality of housing for the future residents.

Staff looks to the ADP to review and comment on the potential impacts of each of the variances for the neighbourhood and for future residents, and if mitigations are needed to ensure the quality of the development within the neighbourhood context.

Table 2- Staff review of requested variances per Council’s Policy on Evaluating Variances.

Requested Variance	Staff Review
<p>1. HIGHWAY 101 (NORTH ROAD) SETBACK</p> <p>Reduce setback from centreline of highway 101, allowing a setback of 4.3 m from the property line fronting North Road.</p>	<p>The Zoning Bylaw requires a 16.5 m setback from the centreline of the highway, which would be approximately 4.5 m from the North Road property line and applies to structures above and underground.</p> <p>This regulation is understood to address MOTI’s requirement for a setback to enable future expansion of the highway corridor, and to accommodate infrastructure and frontage improvements required by</p>

	<p>the Town, including bike lanes, street trees, sidewalks and underground infrastructure.</p> <p>Given the intent to secure the future road right of way, staff recommends meeting the bylaw intent and MOTI’s standard request for a minimum setback of 4.5 m from the North Road property line.</p> <p>At the time of writing this report, referral comments from MOTI are still outstanding and this may be subject to change.</p>
<p>2. NORTH SIDE SETBACK</p> <p>Reduce the North property line setback (this is technically the rear of the property) from 6.0 m where abutting a residential use to 2.0 m</p>	<p>The C1 zone requires that a 6.0 m setback be provided at the rear of a property where the property abuts a single-family or multi-family residential use. The purpose of the required setback is to integrate the development with the neighbouring use, which has a typical development pattern of wider rear yards. Given that the rear yard at 718 North Road is opposite the shortest frontage, making it effectively a side yard, and that a setback is provided on the east side to this effect, we should look to the side yard setback requirement of the zone to understand the practical intent of the regulation for this site. The C1 zone has a side yard setback requirement of 3.0 m, which is also typical of many medium and high-density residential zones.</p> <p>Staff recommends, therefore, that a minimum 3.0 m setback be provided from the North (rear) property line to meet the intent of the regulation, and to accommodate additional landscape plantings.</p>
<p>3. BUILDING HEIGHT</p> <p>Increase the maximum building height from 12 m to 20 m</p>	<p>A 12 m maximum building height has guided a standard building form to date in the Upper Gibsons Commercial Zone, allowing 2-3 stories. Within the last 10-15 years, most applications for new development have requested and been granted zoning amendments or variances allowing additional building height within the commercial zone.</p> <p>In January of this year, Council passed a resolution to support amending the zone to allow for additional building height conditional on providing market rental or affordable housing units.</p> <p>Therefore, staff suggests that the height variance is supportable, with consideration of mitigating any</p>

	<p>potential neighbourhood impacts through attention to the details of the design and building siting, and with a condition of securing rental tenancy and/or affordability of the units through a housing agreement registered to the property title.</p>
<p>4. LOCATION OF RESIDENTIAL USE</p> <p>Allow residential apartment units on the ground floor</p>	<p>The intent of the regulation is to regulate commercial use as a primary use at grade, and to ensure that the street frontage is activated with commercial activity.</p> <p>The Variance request to allow residential units and a single daycare space at grade defeats the intent of the regulation and could be seen to set a precedent for other such development requests.</p> <p>However, consideration is also given to the site-specific circumstance that the land use designation for the property in the Official Community Plan is multi-unit residential, without a Commercial use. Rather, Commercial uses are envisaged to be phased out of the North Road corridor and concentrated on Gibsons Way between North Road and Payne Road.</p> <p>Staff supports the variance request in effect, with consideration to the site-specific circumstance.</p>
<p>5. MINIMUM UNIT SIZE</p> <p>Reduce the minimum permitted size of apartment units from 55 m² (592 ft²) to 45 m² (484 ft²) to allow apartment units as small as 45.32 m²</p>	<p>The minimum apartment size requirement of 55 m² was likely drafted to ensure quality of living for residents per expectations of the time. Presently, given housing demand, the high cost of living, and increasing demand for smaller one-bedroom and bachelor units for seniors, singles and workforce housing, the Town receives frequent requests to reduce the floor area requirement for such units.</p> <p>The smallest proposed units in the development, at 45.32 m² meets units size regulations of other jurisdictions reviewed by staff. Vancouver’s Housing Design and Technical Guidelines, for example, allow minimum unit sizes of 29.7/ 37.2 m² (320/ 400ft²) for bachelor/ studio units and 46 m² (500 ft²) for 1-bedroom units, excluding storage.</p> <p>Reducing unit sizes has previously been done and continuing to do so may set a precedent, however, staff does not have a concern with this and recommends that the regulation should be updated in the upcoming zoning bylaw update to better reflect</p>

	<p>current housing standards and needs. Increased need for onsite storage – notably bicycle storage for smaller units - should be considered.</p>
<p>6. PARKING REDUCTION</p> <p>Reduce the required parking spaces from 1.5 per apartment unit to reduce the resident parking to 123 spaces – 14 units allocated two (2) tandem spaces, 64 units having one space, and 48 units having no parking</p>	<p>Parking reduction requests for rental housing developments have typically had support of parking studies to reduce the per-unit parking provision in the range of 1 space per unit or as low as 0.67 spaces per unit.</p> <p>The Town typically requires available provisions for parking reduction in the zoning bylaw be employed where possible, including providing of one or more car share vehicles, and/ or shared parking for uses with parking needs at different times of day.</p> <p>Sharing of the visitor (8 spaces required) and daycare parking (28 required) is proposed and supported by staff. Three car-share vehicles and spaces are also proposed for resident and member use, as provided in the bylaw, replacing nine (9) required off-street spaces under the bylaw, and supporting lower vehicle ownership for residents.</p> <p>Nonetheless, staff is not confident that the parking allocation, leaving 48 units without onsite parking, will be sufficient to serve the needs of residents. Given no parking available surrounding the property on the street, this could be a detriment to the fit and success of the development.</p> <p>A parking study has not been provided to support this request.</p>
<p>7. NO ONSITE LOADING</p> <p>Relax on-site loading bay requirement to allow a loading space provided off-site, on Hillcrest Road.</p>	<p>A loading space is required to be provided onsite to accommodate moving and delivery vehicles, however, the development does not provide space for a loading bay.</p> <p>The applicants request a variance to allow the loading bay to be provided on the street, on Hillcrest Road.</p> <p>This would be subject to review of a design by the Infrastructure Department for viability. Use of the frontage for loading replaces any opportunity for street parking, active travel lanes, and street trees fronting the development.</p>

Staff welcomes the ADP’s additional input and recommendations on the variance requests as related to neighbourhood fit and quality of the development for Council’s consideration.

REFERRAL COMMENTS

The development application was referred to the Ministry of Transportation and Infrastructure, School District 46, Vancouver Coastal Health, Coast Car Co-op, Gibsons and District Volunteer Fire Department, and Town of Gibsons Infrastructure Services, Building and Finance Departments for comment.

Comments received to date are outlined in Table 3. Further comments will be shared with Council once received.

Table 3 – Application referral comments received to date

Agency/ Department	Comments received
Building Department	<ul style="list-style-type: none"> • Full Building Code compliance to be determined upon Building Permit Application submission. • BC Building Code Analysis required. • Construction Management Plan required. • Fire Department to confirm compliance with BC Fire Code and Local Fire Department capacities.
Vancouver Coastal Health	A letter with comments and recommendations from the Office of the Chief Medical Health Officer is enclosed with this report as Attachment G
Infrastructure Department	<p>[The following notes on required frontage upgrades are provided, with further comments pending.]</p> <ul style="list-style-type: none"> • <i>Highway 101 requires 1.8 m sidewalks, streetlights for pedestrians, street trees and a minimum width of 2.0 m for boulevards.</i> • <i>Hillcrest is classified as a Type 1 Local Road (SS-R4) which includes street trees.</i>

Conclusions

Planning staff support the requested variances to increase the permitted height in the C1 zone to allow more residential units. Staff also support the requested reduction to the minimum dwelling unit size, and subject to plan reviews, may support the location of the loading offsite.

Staff would flag concerns with the narrow setbacks proposed for the building and parking areas in relation to neighbouring properties, which limit the opportunity to provide landscape screening to buffer the development from neighbouring residential uses and to provide and tree cover for shade, air quality and climate mitigation. Additionally, the small setbacks will require removal of all onsite and many offsite mature trees located on the neighbouring property to the south and on the North Road and Hillcrest frontages (Town property).

The six (6) stories of the apartment building, with small setbacks and no stepping on the north side will also impart shadow impacts to the neighbouring property to the north.

Another concern is the potential spillover and conflicts arising from the parking reduction that would leave 48 residential units without any parking onsite.

RECOMMENDATIONS/ ALTERNATIVES

Language options to guide the ADP's recommendations to Council are provided below:

Form and Character:

Option A: *The Advisory Design Panel finds that DPA4 guidelines are well addressed and recommends that Council approve the development form and character of the mixed use development at 718 North Road as proposed;*

OR

Option B: *The Advisory Design Panel recommends that Council approve the development form and character of the mixed use development at 718 North Road subject to the following changes to better address the guidelines:*

- *[list changes]*

Variances

The Advisory Design Panel supports approval of the following variances:

(select as applicable, optionally include comments)

- Reduce the North Road (west) property line setback from 4.5 m to 4.3 m,
- Reduce the north side property line setback from 6.0 m to 2.0 m from the neighbouring residential property,
- Increase building height from 12 m to 20 m,
- Locate residential units at grade (instead of above the ground floor),
- Reduce the minimum size of dwelling units from 55 m² (592 ft²) to 45 m² (484 ft²).
- Reduce the required number of onsite parking spaces.
- Relax the requirement to provide an onsite loading space and to allow provision of a loading space on Hillcrest Road.

AND the Panel does not support approval of the following variances, with the following comments:

(select as applicable and provide comments)

- viii. Reduce the North Rd (west) property line setback from 4.5 m to 4.3 m,
- ix. Reduce the north side property line setback from 6.0 m to 2.0 m from the neighbouring residential property,
- x. Increase building height from 12 m to 20 m,
- xi. Locate residential units at grade (instead of above the ground floor),
- xii. Reduce the minimum size of dwelling units from 55 m² (592 ft²) to 45 m² (484 ft²).
- xiii. Reduce the required number of onsite parking spaces
- xiv. Relax the requirement to provide an onsite loading space and to allow provision of a loading space on Hillcrest Road.

NEXT STEPS

Once all referral comments are received, staff will notify neighbours within 50 m of the subject property for an opportunity to comment on impacts of the variance requests.

Staff will report back to Council with all comments received, including the ADP's recommendations.

Council may then approve or deny any or all of the variance and development permit applications. If approved, the applicant will be eligible to proceed with an application for a building permit.

Attachments

- A – Architectural plan package
- B – Landscape plan
- C – Tree management plan and Arborist report
- D – DPA 3 guidelines
- E – DPA 3 review form
- F – Council's Policy for Evaluating Variances
- G – VCH letter

Respectfully Submitted,

Kirsten Rawkins
Planner I

Report reviewed by:

	Chief Administrative Officer
	Director of Corporate Services
	Director of Finance
	Director of Infrastructure Services
X	Director of Planning and Development