

TO: Mayor and Council **MEETING DATE:** September 7, 2022

FROM: Development Planning Manager

SUBJECT: **Permission to Proceed for Rezoning Application at 5535 Shorncliffe Ave (Genaris)**

FILE NO: 3360-2022-03

RECOMMENDATIONS

1. That the report from the Development Planning Manager regarding Permission to Proceed for Rezoning Application at 5535 Shorncliffe Ave (Genaris) be received.
 2. That Council direct staff to prepare Official Community Plan and Zoning Bylaw Amendments to facilitate the proposed development.
 3. That pursuant to Section 475 of the *Local Government Act*, during the amendment of an Official Community Plan, Council considers the following appropriate opportunities for early and on-going consultation:
 - a. General public, through public information meeting, mail delivery to owners within 100 metres and two consecutive newspaper advertisements.
 - b. Referral to the Advisory Planning Commission, Sunshine Coast Regional District, School District No. 46 and shíshálh Nation.
 4. That the applicant host a public information meeting pertaining to the proposed development.
 5. That staff negotiate Community Amenity Contributions in accordance with the policies contained within the Official Community Plan and Council Policy 3.5.8 (Community Amenity and Affordable Housing Contribution).
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PURPOSE

The purpose of this report is to present for Council consideration a rezoning application for 5535 Shorncliffe Avenue.

Prior to further review and analysis by staff, permission to proceed is being sought from Council as this proposal includes amendments to the Official Community Plan (OCP) with significant

increases in density and height from those typical of the immediate area. There are also implications for access to and through the property for local connectivity.

OPTIONS

1. Adopt the recommendations presented above.
2. Defer the application pending additional information as directed.
3. Reject the application.

DISCUSSION

Context/Background

Proposal

Flat Architecture has applied on behalf of the owner 1335711 B.C. Ltd. to rezone the subject property to facilitate two purpose built rental apartment buildings.

Table 1: Site Information		
Applicant / Owner	Rajinder Warraich, Flat Architecture / 1335711 BC Ltd.	
Civic Address	5535 Shorncliffe Avenue	
Legal Description	Block 6, District Lot 1331, Plan VAP6223, PID 010-945-091	
Size of Property	~7,486 m ²	
Development Permit Areas	Development Permit Area No. 5 (steep slopes) Development Permit Area No. 7 (multifamily)	
Zoning Designation	R-1	Proposed: Multifamily residential
OCP Designation	Multifamily Mixed Residential	Proposed: No change to land use designation Increase maximum permitted density

The development proposal requires both a Zoning Bylaw Amendment and an Official Community Plan Bylaw Amendment to facilitate the following:

OCP Amendment

- Increase the maximum permitted density from 100 units/ha to 155 units/ha to allow for up to 109 units on the ~7,478 m² site.

Zoning Bylaw Amendment

- Drafting of a multifamily residential zone – consideration will be given to proposed multifamily zoning under the new Zoning Bylaw No. 580, 2022 that is in process.
- Allow up to 109 apartment units in two 100% rental buildings (4 storey – 60 units – 3,503 m², and 5 storey – 49 units – 3,287 m²) with a total gross floor area of 6,790 m².
- Proposed building height, massing and setbacks.

Site and Surrounding Area

The development area consists of the following:

Table 2: Surrounding Land Uses			
	OCP Designation	Zoning	Current Use
North	Civic Institutional Utilities	PA-1 (ZB 25) CC-1 (ZB 580)	Community Health
South	Civic Institutional Utilities	PA-1 (ZB 25) CC-1 (ZB 580)	Civic facility
East	Civic Institutional Utilities	PA-1 (ZB 25) CC-1 (ZB 580)	School
West	Multifamily Mixed Residential	R-1/R-4 (ZB 25) R4 (ZB 580)	Vacant

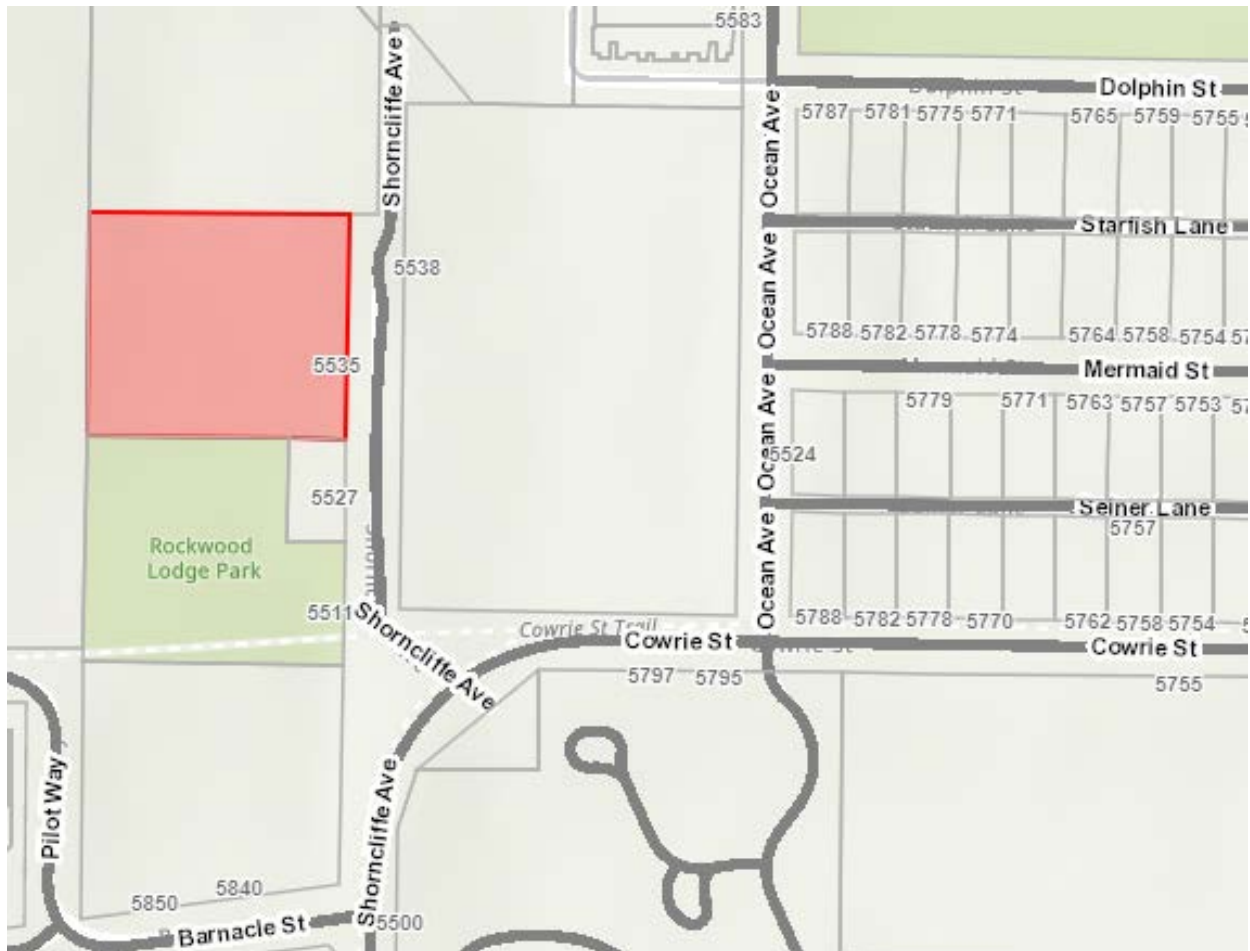


Figure 1 Location Map

Surrounding land uses are consistent with the applicable land use designations and zoning. Existing uses are a mix of vacant and undeveloped land, and educational and community civic uses.

ANALYSIS

Official Community Plan

Land Use Designation

The proposed land use is supported within the existing Multifamily Mixed Residential designation.

The Multifamily Mixed Residential designation allows a base density of 50 units/ha with a maximum density of 100 units /ha. The 109-unit proposal exceeds what can be supported in terms of units/ha density parameters. However, recent OCP amendment applications have been supported by staff and Council for downtown projects to consider higher density parameters.

Through the development review process and referral to stakeholders, higher density development proposals may be able to incorporate features to enhance the pedestrian and cyclist experience, address neighbourhood fit, and resolve outstanding issues around road access and connectivity.

A broader density review should take place, however given this proposal is for rental apartments and higher density in the downtown core and within the suitable land use designation, there is scope to move forward. At this time Council should consider the use, density, and overall massing of the proposed development. The consideration of form and character of the building is appropriate at the development permit stage.

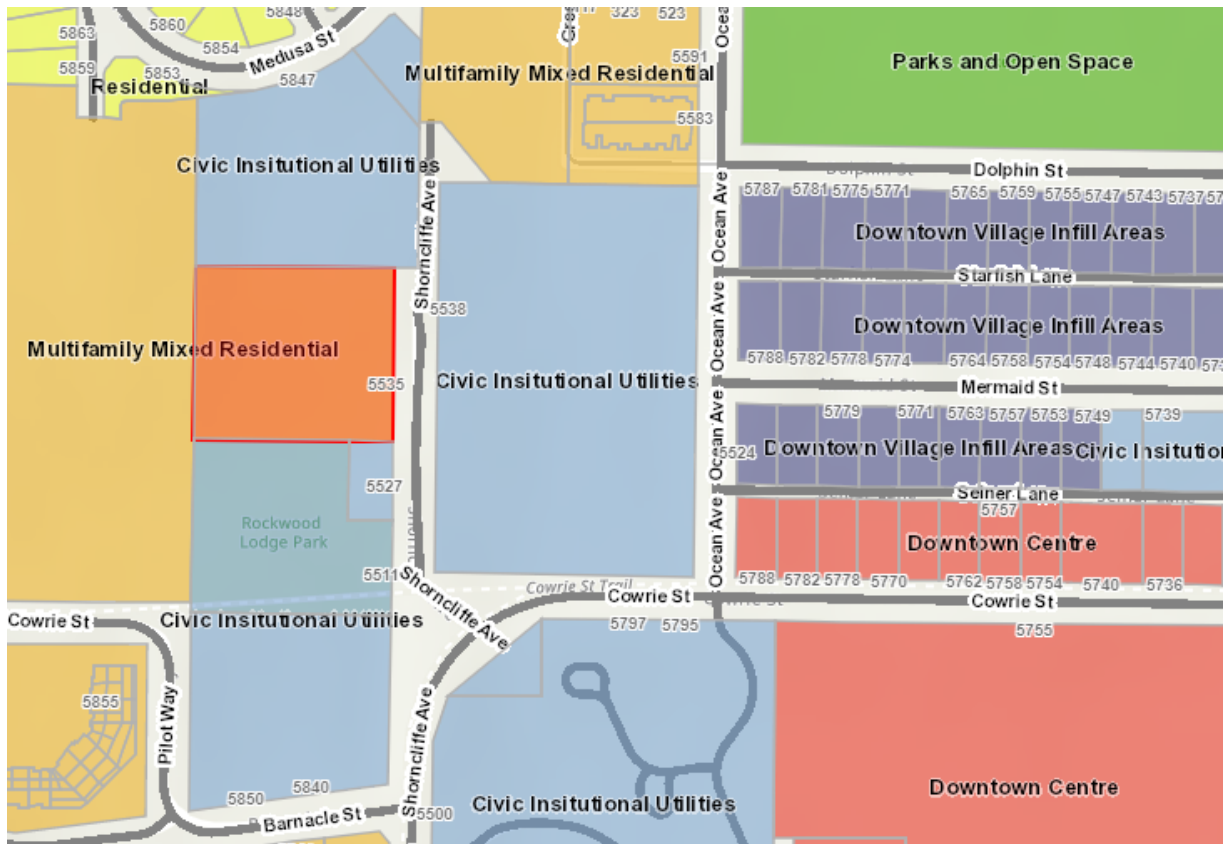


Figure 2 OCP Land Use

Density

The proposed development of 109 units reaches a density level of 155 units/ha, in excess of the 100 units/ha anticipated by the Multifamily Mixed Residential land use designation. It has been determined through other development applications that the density suggestions contained within the OCP are low and not conducive to financially viable development.

OCP Policy 5.28 provides direction for considering higher density through the provision of additional open space, affordable or special needs housing or other amenities as outlined in Policies 5.17 to 5.27. Site-specific density and building forms, amenity/affordable housing contributions and other appropriate conditions, will be determined through the rezoning process.

The property is located within the Urban Containment Boundary (UCB) and identified as a Priority Growth Area where additional density is encouraged.

Height

OCP policies consider maximum heights in the Multifamily Mixed Residential designation of 3 – 4 storeys though there is an ability to consider up to six storeys in some locations. The applicants are proposing 4 and 5 storeys.

This proposed height is supported by Official Community Plan Policy 6.14 which states that additional height, up to six-storeys in non-waterfront locations, may be considered in special circumstances where:

- The building is no more than four-storeys in waterfront locations or six-storeys in locations where views are not affected (i.e. against hillsides);

The building is not located in a waterfront location. Features to mitigate impacts to views would be integrated into the building design.

- The building can be sensitively integrated into the neighbourhood and the increased height does not significantly affect views or overshadow adjacent uses;

Impacts to the views of adjacent uses will need to be taken into account given the slope of the property and mitigated through reduced massing. Shadow analysis will need to be provided to ensure the increased height does not significantly overshadow adjacent uses. Landscaping will also be required to buffer the buildings.

- Upper storeys are terraced back from the first floor at street level and/or from the waterfront, public park or open space areas;

Architectural features and landscaping have been incorporated into the design to provide a quality street front appearance.

- Additional park or public open space is provided that creates significant benefit to the downtown. As a general guide, a minimum of 10% of the lot area should be dedicated for each additional floor above a building elevation of 12 metres (39.4 feet);

The provision of 20% (10% for each additional floor above three) as park land is likely not feasible for on-site contribution of this development. Council may consider the provision of cash-in-lieu of park land as an alternative.

- The District has the ability to provide the necessary fire protection; and

The Sechelt Fire Department will receive a formal referral for the rezoning application and development permit application. Based on precedent within the downtown village area it is anticipated that fire protection can be provided.

- The site is geotechnically suitable for the construction of the building.

The applicant provided a geotechnical assessment and hydrogeological assessment with the application package. Geotechnical, structural and civil engineering review are standard procedure for construction of multi-family buildings.

Staff consider this application could meet the intent of Policy 6.14 with additional information and analysis. The proposed buildings are in a location where a height of up to five-storeys is appropriate.

Amenity Contributions and Affordable Housing

Policy 5.17 of the OCP encourages all applicants to include community amenities in their proposals as voluntary contributions in exchange for an increase in density. Council Policy 3.5.8 (Community Amenity and Affordable Housing Contribution) also applies. It is acknowledged that development cost charges do not cover the full range of facilities and services demanded by citizens, including upgraded parks, community facilities, fire halls, affordable housing, etc. Developers may choose to provide contributions to offset the burden placed on existing taxpayers due to increased demand for community amenities.

Planning staff will negotiate with the applicant a mutually agreeable amenity contribution in accordance with the policy direction provided by the OCP and present to Council as the process develops.

Amenity contributions encouraged by the OCP include, but are not limited to:

- Affordable, Accessible and Special Needs Housing units/land or cash-in-lieu
- Youth or family-oriented amenities (i.e. facilities)
- Recreation amenities or community meeting spaces
- Contributions to library services
- Senior or special needs amenities (i.e. elder care services)
- Waterfront walkways, public plazas, piers
- Public art
- Preservation of historic structures
- Other amenities as agreed upon by Council.

There is limited space provided for onsite amenities for residents of the development. The developers proposed 100% market rental units, however, at this time the applicant has not included any proposal for community amenity and affordable housing contributions.

Given the increase in density and height of the development staff consider that an appropriate amenity contribution is needed to offset development impacts.

Staff will continue to negotiate an appropriate community amenity contribution in accordance with OCP policies.

Traffic Study

Policy 12.10 of the OCP requires that a Traffic Impact Assessment (TIA) be required for all new development generating more than 50 new vehicle trips during peak hours. The applicant will be required to submit an assessment, prepared by a qualified engineer, to determine if this threshold is being exceeded.

Criteria for Evaluating Official Community Plan Amendments

Part Six of the OCP provides criteria for the consideration of amendments to the OCP:

Official Community Plan amendments will be reviewed in accordance with the following criteria:

- a) the use is in the best long-term interests of the community as a whole;*
- b) the community has been consulted and the proposed use has a high level of support in the community;*
- c) the proposed use is consistent with the overall vision for the community and local neighbourhood;*
- d) there is a demonstrated need for the use in light of projected population and employment trends and other available sites in the community;*
- e) the proposed use is suitable for the site and compatible with adjacent land uses;*
- f) water and sewer, transportation and other community services are available and are not negatively affected;*
- g) the proposal puts forward creative, sustainable and innovative design approaches.*

Should Council direct staff to proceed with the development application process a complete analysis of the application will be presented including an assessment of the above criteria.

Zoning Bylaw

Existing Zoning

The property is currently zoned R-1 (Residential 1) under Zoning Bylaw No. 25, 1987. The proposed new Zoning Bylaw No. 580, 2022 would rezone the property to the proposed R4 (urban infill) zone.

Proposed New Zone

Staff will evaluate the applicability of a site-specific Comprehensive Development (CD) zone and consider potential regulations in the proposed Zoning Bylaw No. 580, 2022.

Table 4: Zoning Analysis			
	Existing Zoning (R-1) (ZB25)	Proposed Zoning (CD) (ZB 25)	Zoning Comparison (RM1) (ZB 580)
Permitted Uses	Single Family Dwelling	Apartment	Apartment Townhouse Two-unit dwelling
Density	1 dwelling per lot Plus 1 cottage if 2,000 m ² or larger Plus 1 dwelling if 4,000 m ² or larger	155 units/ha and FAR 0.91	50 units/ha and FAR 1.4 Density Bonus for rental housing: 100 units/ha and FAR 2.8
Lot Area for Subdivision	500 m ²	No subdivision – 100% rental buildings	350 m ²
Setbacks	5 m – Front / Rear 3 m – Exterior Side 1.5 m – Interior Side	4 m – Front 16 m – Rear 2 m – Interior Side (North) 11.6 m – Interior Side (South)	5 m – Front / Rear 1.5 m – Interior Side 4 m – Exterior Side
Lot Coverage	35%	33%	75%
Height	10.5 m	4 and 5 storeys 20 m	12 m Apartment
Floor Area Ratio (FAR)	N/A	0.91	1.4 (2.8 with density bonus)
Off-Street Parking	2 spaces per dwelling unit	1 space per dwelling unit	2 spaces per dwelling unit 0.2 spaces per dwelling unit - (visitor)

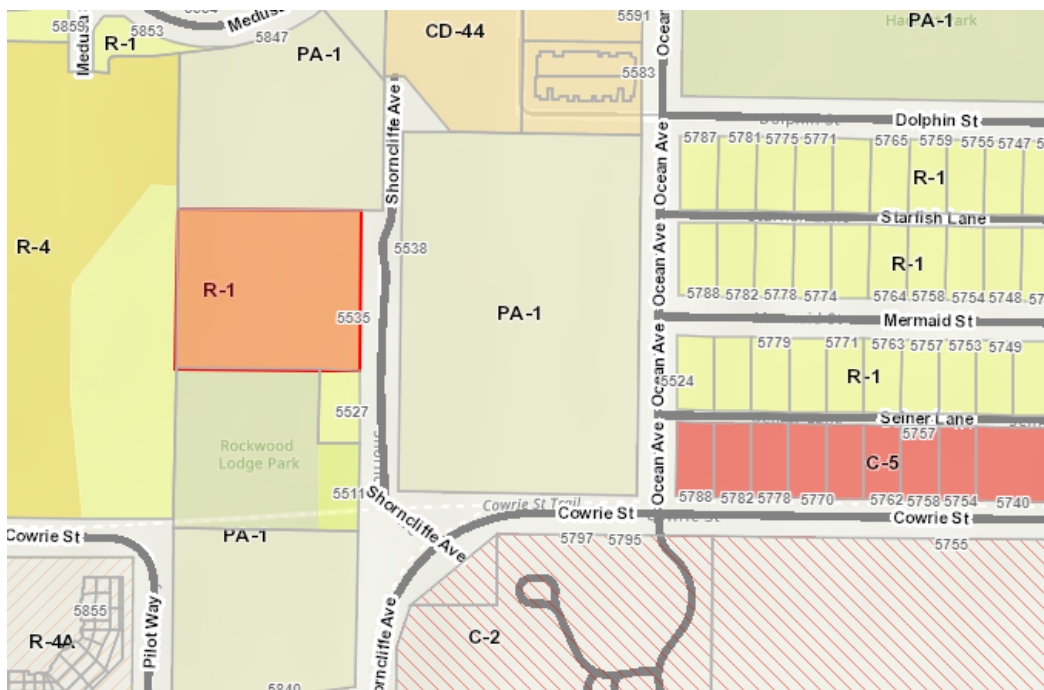


Figure 3 Zoning

Development Permit

The development is subject to Development Permit Area (DPA) 5: Steep Slopes and DPA 7: Multiple Family Residential.

DPA 5 guides development on and around steeply sloped terrain and provides guidelines to achieve the following objectives:

- *To minimize the impact of development on hillsides and steeply sloped lands.*
- *To retain the natural features of sloped lands.*
- *To support low impact and innovative development approaches to minimize long-term infrastructure costs on steeply sloped lands.*

DPA 7 guides the form and character of multifamily residential development and provides guidelines to achieve the following objectives:

- *To support a variety of housing forms that provide appropriate and affordable housing for all segments of the population.*
- *To ensure a high quality of urban design and livability for all higher-density housing.*
- *To use a distinctive design character to create identifiable neighbourhoods.*
- *To ensure that new development is compatible with surrounding uses.*

Staff recommend that approval-in-principle of the development permit be a condition of bylaw adoption. Additional analysis of form and character guidelines will be undertaken should Council direct staff to proceed with the application.

Works and Services

Subdivision and Development Control Servicing Standards Bylaw No. 430, 2003 regulates the provision of works and services required at the time of development of land. Owners are required to provide works and services on the portion of the road adjacent to the site being developed, up to the centre line.

Additional analysis on impacts and capacity of existing utilities including water and sewer will be provided should Council provide direction to proceed with the application. A high-level overview of infrastructure required for servicing is provided below.

Transportation

Further analysis will be required on the proposed road access from Shorncliffe Avenue. Preliminary analysis of local road network requirements and the existing condition of the area point to the need for upgrades to the Shorncliffe and Cowrie intersection. There may be an opportunity to provide a connection through adjacent land (private land and/or District's Rockwood Facility) to connect with the Cowrie Street/Pilot Way intersection. Further analysis is required to determine the appropriate intersection configuration as well as the exact routing of a future connection and impacts on adjacent properties.

Farmers Market

The future of the Farmers Market in its current location will need to be reviewed in light of the proposed development. Additional residential traffic will be generated from Shorncliffe through the Cowrie Street intersection and the Farmers Market location would be problematic. Shifting it further east along Cowrie Street would allow the District to close a block off to traffic on the market day and more easily divert traffic around the area.

Sewer

Sewer mains are located along Shorncliffe Avenue and Cowrie Street. Considering the anticipated growth in the catchment area and the proposed development a downstream capacity analysis will be required to ensure enough capacity in all sewer pipes between the development and the Water Resource Centre (WRC).

Water

Water mains are located on Shorncliffe Avenue, Cowrie Street, and Pilot Way. The proposal will be referred to the SCRD to determine if the development can be adequately serviced. Water conservation measures may be required as conditions of rezoning.

Drainage

Stormwater drainage infrastructure is located on Cowrie Street. Considering the anticipated peak drainage flows in the catchment area, a downstream capacity analysis will be required to ensure enough capacity in all pipes between the development, new requirements for Shorncliffe, and the eventual discharge to the Ocean. Hydrogeological assessment of the site and groundwater will be required.

Solid Waste

Solid waste collection areas must be provided in accordance with Solid Waste Collection Control and Disposal Bylaw No. 598, 2021. Proposal will be referred to Sunshine Coast Regional District to ensure solid waste disposal capacity in accordance with the SCRD Solid Waste Management Plan.

Transit

The development site is in the downtown core and in close proximity to the Sechelt transit hub (all buses) further east on Cowrie Street.

STRATEGIC PLAN

This application supports the following Council strategic priorities:

Enhancing Community Livability

The provision of rental apartment housing in the downtown directly supports priority 3.2:

Providing a mix of housing types throughout the District that provide options for a range of needs and incomes.

Managing Growth Effectively

By supporting development within Primary Growth Areas to more efficiently utilize existing infrastructure this application supports the intent of strategic priority 4:

Commit to managing growth in a way that stewards scarce resources, protects environmentally sensitive areas, and provides appropriate and sustainable housing and employment opportunities.

POLICY IMPLICATIONS

Official Community Plan

This proposal involves an OCP amendment to allow the required increase in maximum density from 100 units/ha to 155 units/ha in order to facilitate the proposed 109 units.

Housing Needs Report

The 2020 Sunshine Coast Housing Needs Report noted the high demand for rental housing. Stakeholders identified a need to support the development of market rental housing as these tend to be more affordable than secondary market units like suites, which have higher utility costs.

The report noted the need for smaller units (studio, one and two-bedrooms) to meet the needs of seniors living alone or couples without children.

SUSTAINABILITY PLAN IMPLICATIONS

Supporting higher density development near existing services promotes *Economic Sustainability and Sustainable Community Growth and Development*.

FINANCIAL IMPLICATIONS

Development Cost Charges (DCCs)

All developments are required to pay DCCs prior to building permit issuance as required by Development Cost Charges Bylaw No. 554 and Sunshine Coast Regional District Development Cost Charges Bylaw No. 693.

The following DCCs apply to the proposed development:

Table 4: Development Cost Charges					
Use	Drainage	Sewer	Roads	Parks	Water*
Apartment	\$1,019 per unit	\$565 per unit	\$5,547 per unit	\$2,878 per unit	\$30.42 per m ² Gross Floor Area

*Regional Water Service Area DCCs remitted to the SCRD.

It is estimated that the development will generate approximately \$1.3 million in DCCs.

Amenity Contributions

Additions to statutory reserves for affordable housing and amenity contributions may be realized subject to negotiation and voluntary contribution.

COMMUNICATIONS

Section 475 of the *Local Government Act* requires that Council provide an opportunity for consultation with persons, organizations, and authorities it considers will be affected by the amendment and whether the consultation should be early and ongoing.

Council must specifically consider whether consultation is required with the following:

1. The Sunshine Coast Regional District
2. School District No. 46
3. The shíshálh Nation
4. Provincial and Federal Agencies

Staff recommend that Council consider early engagement with the SCRD, School District No. 46, and the shíshálh Nation.

Should Council direct staff to proceed with drafting bylaw amendments further review of the application will be undertaken. Further referrals may be sent to all relevant agencies and groups including, but not limited to, the Advisory Planning Commission, West Sechelt Community Association, Sechelt Fire Department and Ministry of Transportation and Infrastructure.

A public information meeting will be required as the application significantly departs from established land uses and requires amendment to the OCP.

A staff report presenting the results of consultation will be presented to Council at a future date at which time First Reading can be considered.

Respectfully submitted,

Ian Holl
Development Planning Manager

Attachments:

1 - Development Proposal Package

Reviewed by: A. Allen, Director of Planning & Development	X
Reviewed by: K. Dhillon, Director of Engineering & Operations	X
Reviewed by: D. Douglas, Director of Financial Services	X
Reviewed by: L. Vickers, Communications Manager	X
Reviewed by: J. Frank, Corporate Officer	X
Approved by: A. Yeates, Chief Administrative Officer	X