

**TO:** Council **MEETING DATE:** May 3, 2023

**FROM:** Ian Holl, Development Planning Manager

**SUBJECT:** Rezoning Application for 109 apartment units in two buildings at 5535 Shorncliffe Avenue (Genaris)

**FILE NO:** 3360-2022-06

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## RECOMMENDATIONS

1. That Council give first reading to Official Community Plan Amendment Bylaw No. 492-33, 2023 (5535 Shorncliffe Ave).
  2. That Council consider Official Community Plan Amendment Bylaw No. 492-33, 2023 (5535 Shorncliffe Ave) in conjunction with the District of Sechelt Financial Plan and Waste Management Plan, pursuant to Section 477 of the *Local Government Act*.
  3. That Council give first reading to Zoning Amendment Bylaw No. 580-6, 2023 (5535 Shorncliffe Ave).
  4. That Council refer the official community plan amendment bylaw to relevant stakeholders, agencies for comment as part of early and on-going engagement, pursuant to Section 475 of the *Local Government Act* and Council Policy 3.3.7.
  5. That prior to consideration of second reading the applicant shall investigate water conservation measures to be implemented including:
    - a. rainwater harvesting for outdoor irrigation of landscaping, and
    - b. greywater re-use within dwelling units.
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## PURPOSE

The purpose of this report is to present for Council consideration a rezoning application for 5535 Shorncliffe Avenue. The OCP and Zoning Amendment Bylaws associated with the proposed 109-unit apartment development are presented for First Reading.

Following First Reading, the referral process will be initiated. The applicants have already hosted a public information meeting as a requirement from the initial permission to proceed report.

## OPTIONS

1. Defer the application pending additional information as directed.

2. Reject the application.

## DISCUSSION

### Context/Background

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. Permission to Proceed was granted at the September 7, 2022 Council meeting. An early referral to the Advisory Planning Commission was done at the November 1, 2022 APC meeting. The applicants hosted their public information meeting on December 15, 2022. The applicants provided updated information regarding the proposal and community amenity contributions in March 2023.

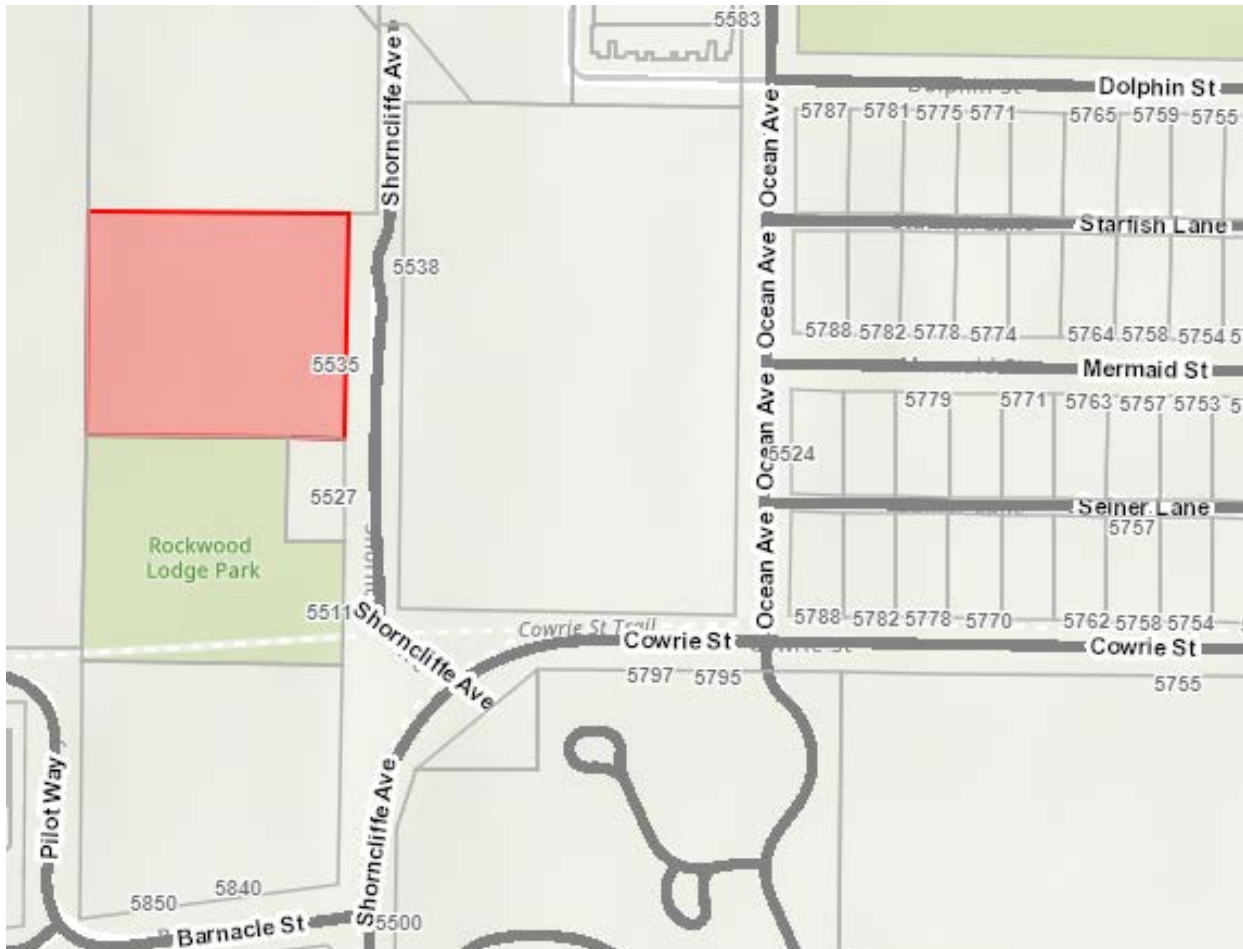


Figure 1 Location Map

## ANALYSIS

### Official Community Plan (OCP)

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 proposed development fits within the land use parameters but exceeds the density parameters of the land use designation.

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, reviewed by Council, that the density suggestions contained within the OCP are low and not conducive to financially viable development. A future OCP review will address the density consideration in the downtown area.

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.

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. Staff consider this application generally meets the intent of Policy 6.14. The proposed buildings are in a location where a height of up to five-storeys is appropriate.

#### 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.*

Subject to further servicing review, staff suggest that the proposal generally meets the criteria for evaluating OCP amendments.

## 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 (CAC).

The developer has proposed a CAC involving 10% of the 109 units (11 units) to be rented at 30% of median rental income for 15 years. This would be secured through a housing agreement and covenant. The 90% of the units would be rented at market rates and after the 15-year period, the 10% of the units would become market rental. The District can ensure that all apartment units remain rental in perpetuity through the use of the residential rental tenure zoning powers granted to local governments. This would be employed as a regulation in the RM1 zone for this particular property.

The applicants have enquired about the opportunity to have a revitalization tax exemption bylaw created for this development in order to support rental development. Staff note that a revitalization tax exemption bylaw is not an appropriate mechanism for this site as it is outside the Downtown Centre designation of the OCP and only for residential development. The revitalization tax exemption concept is best suited for commercial and mixed-use development.

A permissive tax exemption bylaw would only be an option for a non-profit organization and where it would apply to below market rental units. In order to be considered by Council, the below market rental units would need to be transferred to a non-profit housing society for ownership and operation. Then a permissive tax exemption might be considered for that non-profit organization for those specific units.

## **Zoning Bylaw**

The proposed development area is presently zoned R4. The applicant proposes to use the RM1 zones to allow for two rental apartment buildings. The zoning amendment would require two site specific changes to the RM1 zone respecting the proposed building heights that exceed the maximum 12 m for apartments. The modified RM1 zone would include the following site-specific height regulations:

- A maximum height of 20 m for the upper five storey building.
- A maximum height of 17.5 m for the lower four storey building.

## **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.

## **POLICY IMPLICATIONS**

### **Official Community Plan**

The application requires an amendment to the OCP regarding density and height limits.

### **Housing Needs Report**

The 2020 Sunshine Coast Housing Needs Report noted the need for diversified housing options including townhomes and apartments. This includes a variety of unit sizes from studio to three-bedroom units to accommodate both smaller households and families. It also 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**

Further review of the proposed development in the context of goals and policies will be undertaken should Council provide permission to proceed.

### **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 <sup>2</sup> 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**

Should Council give first reading to the zoning bylaw amendment, further review of the application will be undertaken. Referrals will be sent to all relevant agencies and groups including, but not limited to, the shíshálh Nation, SCRD, MOTI, Downtown Village Community Association, and Sechelt Fire Department.

Respectfully submitted,

Ian Holl  
Development Planning Manager

Attachments:

Associated Bylaws:

1. Official Community Plan Bylaw No. 492-33, 2023
2. Zoning Amendment Bylaw No. 580-6, 2023

REVIEWED			
D. Douglas, Director of Financial Services & IT	X	L. Vickers, Communications Manager	X
A. Allen, Director of Planning & Development	X	K. Poulsen, Corporate Officer	X
K. Dhillon, Director of Engineering & Operations	X	A. Yeates, Chief Administrative Officer	X
L. Roberts, Director of Corporate & Community Services	X		