



Administration Report

Report Date: October 5, 2015

Meeting Date: October 19, 2015

To: City Manager

From: Director of Development Services

Subject: Application to amend land use bylaws to permit a 30 unit apartment on a vacant parcel on the corner of McNaughton Avenue and Reid Street.

PURPOSE

Consideration of amendments to the Official Community Plan and Zoning Bylaw to permit a high density development currently beyond the density allowances of the City's land use designations and zones.

SUMMARY

- The applicant would like to amend the land use regulations to:
 - Permit additional density to a maximum of 201 dwelling units/ha,
 - Permit a maximum coverage of approx. 79%,
 - Allow a front yard setback of 3.0 metres,
 - Change the number of off-street parking spaces required to 11 spaces including one handicap accessible stall (1 stall for every 2.7 units) where 50 would be required.
- The proponent has supplied a report that makes a case for reduced parking requirements for similar facilities.
- Impacts on the surrounding neighbourhood may be anticipated and Staff recommends that the Applicant host a community meeting prior to second reading of the bylaws.

STATUTORY REQUIREMENTS

Local Government Act

COUNCIL POLICY

- Zoning Bylaw
- Official Community Plan
- Development Applications Procedures Bylaw
- Affordable Housing Strategy

STRATEGIC OBJECTIVE

None

FINANCIAL IMPLICATIONS

Currently unknown – there have been requests for relief from a variety City development charges.

BACKGROUND

The Quesnel Lions Housing Society has applied to amend the Official Community Plan and Zoning Bylaw to allow for a fully independent seniors' housing complex on the corner of McNaughton Avenue and Reid Street.

The property is surrounded by a mix of single-family residential, multi-family residential, and commercial uses. The land use policy in this area is to move towards higher density residential development. The applicant chose the subject location due to its proximity as it is within walking and scooter distance to all key services that tenants will need. The Official Community Plan provides criteria to guide this move so as to minimize impacts on surrounding properties by way of noise, traffic generation, and invasion of privacy.

The proposal is for a four storey building containing 30 (one bedroom) independent living apartments for seniors 65 and over requiring affordable housing. At this time staff does not have specifics regarding what level of affordability are being provided and what number of units will be considered market versus non-market. It is Staff's understanding that the Society is still working these details out.

Policy Review and Analysis

Official Community Plan

The following Official Community Plan policies provide direction for the recommendations of this report.

16.3.5 Work with seniors groups and citizens, as well as government agencies and community groups in order to help plan for the housing services and facilities that will be needed to meet the needs of an aging society.

16.3.20 Encourage the provision and maintenance of affordable housing.

The Official Community Plan Land Use Designation is MR (Medium Density Residential). Policy for this zone permits a maximum density ranging from 40 to 90 dwelling units per net hectare. The proposal requires an amendment to the Official Community Plan to permit a higher density. Official Community Plan policy 3.3.6.1 directs Council to establish maximum densities ranging from 90 to 198 dwelling units per net hectare in the High Density Residential (HDR) designation. The proposal requires a density of 201 dwelling units per hectare.

The Official Community Plan provides the following criteria for Council in considering an application to amend the allow densities that would fall into the HDR designation:

- *Must be within a 5 minute walk (about 250 metres) of the Downtown Core or the West Quesnel commercial area; -meets this criteria*
- *Must provide amenities that may include public gardens, public plazas, playground equipment, public art, pedestrian and bicycle facilities, and other amenities; -affordable housing agreement discussed below*
- *Primary vehicular access to the development if from a major road that does not require travel through adjacent Low Density Residential areas; -meets this criteria*
- *Provision of screened at-grade parking, under-building parking or underground parking; -to be addressed at development permit phase*
- *Provides a maximum of 4 storeys (or 16 metres in height) of residential use; - meets this criteria*
- *The area is designated as a Development Permit Area for Multiple Family Residential. – meets this criteria*

Proposed Official Community Plan Amendment

It is Staff's recommendation to amend the designation to permit densities up to 201 dwelling units rather than creating a new designation. There are currently only two properties designated HDR: Maeford Place and Creekview Apartments at 309 Lewis. A new development will require a bylaw amendment to obtain this higher density and therefore this amendment will not impact other properties without public review.

Official Community Plan Amendment Consultation Requirements

As per Section 879 of the Local Government Consultation during OCP development or amendment the proposing local government must provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected and whether the opportunities for consultation with one or more of the persons, organizations and authorities should be early and ongoing. Specifically consultation with the following organizations must be considered:

- (i) the board of the regional district in which the area covered by the plan is located, in the case of a municipal official community plan,
- (ii) the board of any regional district that is adjacent to the area covered by the plan,
- (iii) the council of any municipality that is adjacent to the area covered by the plan,
- (iv) first nations,
- (v) school district boards, greater boards and improvement district boards, and
- (vi) the Provincial and federal governments and their agencies.

Staff is recommending consultation with BC Housing and directing the proponent to host an open house regarding the project. Council may choose to require additional consultation from staff or from the proponent.

Affordable Housing Agreement

The development of an Affordable Housing Agreement under Section 905 of the Local Government Act is recommended which will provide long term retention of affordable housing units in the community and will assist discussions in the type of development cost relief that ought to be considered. The City's Affordable Housing Strategy encourages the development of policies to encourage and assist the development of affordable housing and can be utilized to guide discussions with the proponent on this project as well as provide additional assurance regarding the parking variance discussed below.

A housing agreement may include terms and conditions agreed to by the local government and the owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions respecting one or more of the following:

- (a) the form of tenure of the housing units;
- (b) the availability of the housing units to classes of persons identified in the agreement or the bylaw under subsection (1) for the agreement;
- (c) the administration and management of the housing units, including the manner in which the housing units will be made available to persons within a class referred to in paragraph (b);
- (d) rents and lease, sale or share prices that may be charged, and the rates at which these may be increased over time, as specified in the agreement or as determined in accordance with a formula specified in the agreement.

Zoning Bylaw

The current zoning for the subject property is RM-3 (High Density Residential). This zone permits a maximum density of 120 dwellings per hectare. Based on the small lot size, only 18 units are permitted under the Zoning Bylaw. Presently, there is no residential zone that permits a higher density. In addition, the lot coverage of 79% exceeds the maximum combined coverage of 70% permitted in multi-family zones. Lot coverage includes the total space occupied by buildings, driveways, and parking areas.

Setbacks

To permit a substantially higher density on the subject property, the applicant will also require two additional variances. The proposed front yard setback of 3.0 metres would require a variance as a minimum of 7.5 metres is required in the RM-3 zone.

Parking

Based on the development type and proposed density of 30 units, 50 off-street parking spaces would be required. The Quesnel Lions Housing Society proposes to reduce this requirement to 11 spaces including one handicap accessible stall (1 stall per 2.7 units).

The proposed parking variance has been Staff's main concern with this application and a request for professional review was requested. A qualified engineer's report was not obtained but a report from the applicant (Appendix IV) and follow up discussions with other municipalities and similar developments in town, some of the concerns were addressed. Staff's findings are summarized below:

- The City of Kelowna's "1 parking spot/3 units for supportive housing (including non-market housing for seniors)" mandate has been proven successful. "Supportive housing" could entail independent living with collective amenities such as laundry services and counselling;
- Three important considerations Kelowna looks at when analyzing parking variances for seniors' housing include: availability of on-site collective transportation services, age restrictions of residents, and close proximity to an urban centre (400 metres to common amenities such as a grocery store or pharmacy);
- Alward Place in Prince George (120 unit independent living, non-market apartment building for seniors) has 47 parking stalls: 2.55 apartment units/stall) and there have been no concerns or complaints to Bylaw services regarding lack of parking, to date;
- Maeford Place (36 units with about 30 parking stalls for workers, visitors, and patients) in Quesnel is usually quite empty; however, this development is a fully assisted living facility and is therefore, not ideal for comparison;
- Fraser Village (fully independent living facility with zero officially designated stalls) in Quesnel has hardly any parking and visitors often utilize the Safeway parking.

The close proximity to downtown ensures that tenants have walking/scootering access to essential goods and services such as retail stores, grocery stores, pharmacies, doctor and dental offices, and financial services. There are also numerous bus routes that run through downtown that could be utilized to get to further destinations. However, the main concern to consider is the age restriction of residents. The applicant states that all units will be subject to age restrictions (65 years or older). However, this may be difficult or unwise to enforce, especially if the market demand shifts to younger seniors requiring affordable housing. Moreover, even seniors in their late sixties, seventies, and potentially older are still able to drive and if so, will likely still own a vehicle. On-site parking will need to adequately meet the demands of both tenants, as well as visitors so as to not put too much pressure on the local road network, including on-street parking. These factors are important to consider as this application moves forward.

Staff feel that a housing agreement that maintains the units as 'affordable' will provide additional assurance on the future demand for off-street parking and investigate inclusions of provisions regarding the number of units that will have access to an off-street parking space in the associated covenant.

Proposed Zoning Bylaw Amendment

Due to the density provisions being beyond that anticipated in current land use policy Staff recommend amending the zoning of the parcel to highest density zone currently available (RM-4) and providing text amendments to allow the additional density and variances required if that is Council's will instead of creating a new zone. The intention is to have developers design towards the less intensive density for future developments while allowing this development as a spot zone. Alternatively Council can direct staff to create a proposed new zone (ie. RM-5) which would include the required regulations.

The anticipated schedule for consideration of this Zoning/Official Community Plan Amendment process is:

October 19th: Council Consideration

November 2nd Regular Council Meeting: 1st

October 26th – November 10th Public Consultation

November 16th – Public Consultation report to Council and 2nd Reading

November 23rd Public Hearing, 3rd Reading

November 30th Provide notice Development Permit Ready for Council consideration; MOTI Approval

December – Final Readings

This is a projected time frame only consultation may require a longer time frame.

Following second reading notice of the proposed bylaw and associated public hearing will be in the form of 1) a development notice sign on the property; 2) a mail out to all properties within 100 metres of the property; and 3) two consecutive advertisements in the Quesnel-Cariboo Observer as required by the Development Applications Procedures Guidelines.

ATTACHMENTS

- Appendix I Fact Sheet
- Appendix II Location Map
- Appendix III Site Plan
- Appendix IV Quesnel Lions Club Parking Proposal

OPTIONS

1. Approve recommendation draft amendments to the Official Community Plan and Zoning Bylaw.
2. Approve amendment recommendation for Official Community Plan and direct staff to prepare a new zone to allow for additional applications for the higher densities.
3. Deny the application.

RECOMMENDATION

THAT Council considers this Zoning and Official Community Plan amendment to allow for a higher density independent living seniors' facility;

AND THAT Council directs staff to prepare a draft Official Community Plan Amendment to increase the density range for the High Density Residential designation to 201 units per hectare and amend the subject lot to be designated High Density Residential;

AND THAT Council considers consultation with organizations as identified in the Local Government Act and requests consultation with BC Housing and requests the developer host a public consultation event prior to second reading of the proposed bylaws utilizing the same notification process as required for the public hearings;

AND THAT Council directs Staff to work with the proponent in the development of an affordable housing covenant under Section 905 and 219 of the Local Government Act to define and retain the affordable housing units being offered;

AND THAT Council directs staff to prepare a bylaw amendment the changes the zoning of the property to Multi-Family Residential High Density- Four Storeys (RM-4) and add a text amendment to spot zone the subject property permitting four story buildings, maximum 80% coverage, and densities up to 201 units per hectare, front lot set back of 3 metres, and off-street parking provision of 11 spaces.