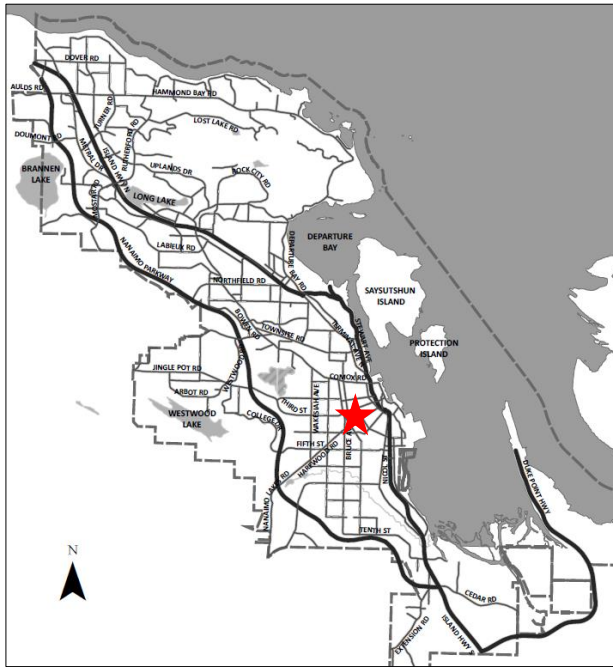


DATE OF MEETING February 6, 2023

AUTHORED BY KRISTINE MAYES, PLANNER, CURRENT PLANNING

**SUBJECT DEVELOPMENT PERMIT APPLICATION NO. DP1242 – 540
KENNEDY STREET**



Proposal:

A mixed-use development.

Zoning:

DT11 – Old City Infill Service
Commercial

City Plan Land Use Designation:

Old City Neighbourhood

Development Permit Areas:

DPA8 – Form and Character

Lot Area:

808m²

DP



City Aerial Photo 2020

OVERVIEW

Purpose of Report

To present for Council's consideration a development permit application for a mixed-use development at 540 Kennedy Street.

Recommendation

That Council issue Development Permit No. DP1242 for a mixed-use development at 540 Kennedy Street with variances as outlined in the "Proposed Variances" section of the staff report dated 2023-FEB-06.

BACKGROUND

A development permit application, DP1242, was received from Sun Porch Homes Ltd. for a four unit mixed-use development at 540 Kennedy Street.

Subject Property & Site Context

The subject property is located south of the downtown area in the Nob Hill neighbourhood, on the south side of Kennedy Street, between Albert Street and Hecate Street. Established single residential dwellings, multi-family dwellings, and mixed-use development predominantly characterize the surrounding area. The lot abuts a lane to the west and there is a grade change of approximately 4m sloping down from Kennedy Street to the rear of the property.

DISCUSSION

The applicant proposes to construct a four unit ground-oriented mixed-use development, which includes two residential units and two live/work units. The proposed site coverage is 48.6%, which is below the maximum permitted lot coverage of 50%. The proposed Floor Area Ratio (FAR) is 0.84, which is below the maximum permitted FAR of 0.85 in the DT11 zone.

Site Design

Proposed Units 1 and 2 (live/work units) face Kennedy Street, and Proposed Units 3 and 4 (duplex) are located at the rear of the lot facing northeast. An internal pedestrian walkway connects Kennedy Street to each unit as well as two external staircases leading to a common under-building parking area with nine stalls. Long-term bicycle storage and three-stream waste management containers are provided in rooms accessed from the under-building parking area and a short-term bicycle rack is located between Unit 1 and 3.

Registration of a 1.67m statutory right-of-way for future widening of the lane will be required as condition of the development permit.

Building Design

The proposed buildings are two storeys with varying gable rooflines consistent with the massing of adjacent dwellings. Units 1 and 2 are accessed directly from Kennedy Street and comprise of a 43m² commercial live/work space on the first floor and a 120m² two-bedroom and den living

area with private balcony on the second floor. Units 3 and 4 are accessed from the internal pedestrian walkway and are 173m² in floor area composed of three-bedrooms and a den with stacked private balconies on both floors. The exterior finishes of the buildings are comprised of vinyl horizontal lap siding, vinyl shingle siding, trim, glass railings, and, corbel and timber detailing. A covered porch and bay windows on Units 1 and 2 emphasize the live/work units, in accordance with the Old City Multiple Family Residential Design Guidelines.

Landscape Design

Landscaping is proposed throughout the site and between units, incorporating a front yard landscape buffer with large deciduous shade trees and shrubs. A permeable paver walkway, which includes trellis features for wayfinding and bench seating, provides pedestrian access from Kennedy Street through the site to the units, each with paver or concrete entries. Picket fencing along Kennedy Street as well as perimeter fencing (partly atop retaining walls) is proposed along the side and rear lot lines, and a raingarden for storm water management is proposed in the northeast corner of the lot. Site lighting consists of bollard lighting along the pedestrian walkway through the site, exterior wall lights on the buildings, and step lights on the staircases leading to the parking area.

Design Advisory Panel

The Design Advisory Panel (DAP), at its meeting held on 2021-OCT-28 accepted DP1242 as presented, with support for the proposed variances. The following recommendations were provided:

- Consider revisiting the fence detailing to adhere to the Old City Guidelines; and,
- Consider including a central bench/seating area.

The applicant subsequently submitted revised plans to address the DAP recommendations, which include the following key design revisions:

- The addition of a bench along the walkway in front of Units 3 and 4; and,
- Amending the fence detailing from a solid perimeter fence to a decorative picket fence.

PROPOSED VARIANCES

Maximum Fence Height

The maximum permitted combined height of a fence and retaining wall in the DT11 zone within a side yard setback is 1.8m. The proposed fence height is up to 3.2m, a proposed variance of 1.4m. Staff support the proposed variance as the fencing increases privacy and functions as a safety barrier between the subject property and neighbouring properties.

Minimum Required Side Yard Setback

The minimum required side yard setback for principal buildings in the DT11 zone is 4.5m where a lot abuts a residential zone. The proposed side yard setback is 3.0m, a requested variance of 1.5m. Staff support the proposed variance as the west side yard lot line is adjacent to a lane, which buffers the subject property and nearest R15 (Old City Medium Density Residential) zoned property. The proposed live/work use is compatible with a reduced setback as a 4.5m setback is intended to buffer residential from more impactful commercial uses in this zone.

Landscape Buffer & Minimum Landscape Treatment Level

The minimum required landscape buffer width is 1.8m, and the minimum required landscape treatment level is 1(d) as per Section 17.11 and 17.12 for a side yard in the DT11 zone. A variance is proposed to reduce the landscape buffer width along the west side lot line from 1.8m to between 1.3m and 0.0m, a requested variance between 0.5m and 1.8m. A variance is also proposed to reduce the minimum landscape treatment level within the west side yard to permit an average on centre spacing for trees from 6.0m to 13.5m. The variances are requested to accommodate a staircase and an internal pedestrian walkway, as well as a 1.67m statutory right-of-way for future widening of the lane. Staff support the proposed variance as the portion of the development with the 0.0m landscape buffer is residential with robust internal plantings, and the 1.3m landscape buffer provides adequate screening for the live/work use.

Staff note the applicant is proposing additional soft landscaping within the statutory right-of-way until such time that the lane is widened.

SUMMARY POINTS

- Development Permit application No. DP1242 proposes a new four-unit mixed-use development at 540 Kennedy Street.
- Variances are requested to:
 - increase the maximum fence height in a side yard setback from 1.8m to 3.2m;
 - reduce the west side yard setback from 4.5m to 3.0m; and,
 - reduce the minimum landscape buffer width from 1.8m to between 1.3m and 0.0m and vary minimum landscape treatment level 1(d) as per Section 17.11 and 17.12 within the west side yard.
- Staff support the proposed variances.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Subject Property Map
ATTACHMENT C: Site and Parking Plans
ATTACHMENT D: Building Elevations and Details
ATTACHMENT E: Building Perspectives
ATTACHMENT F: Landscape Plan and Details

Submitted by:

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/ Deputy CAO