

COMMUNITY DEVELOPMENT COMMITTEE

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

**SUBJECT: 45° INCLINE PLANE POLICY ADJUSTMENT TO THE C8 AND C8A
DISTRICT; HASTINGS STREET AREA PLAN**

RECOMMENDATION:

1. THAT Council approve the proposed 45° incline plane policy adjustment to the C8 and C8a Urban Village Commercial District as outlined in this report.

REPORT

The Community Development Committee, at its 'Open' meeting held on 2008 June 24, received and adopted the *attached* report seeking Council's approval of a proposed 45° incline plane policy adjustment to the C8 and C8a Urban Village Commercial District (Hastings) through CD Comprehensive Development District rezoning.

Respectfully submitted,

Councillor C. Jordan
Chair

Councillor D. Johnston
Vice Chair

Councillor G. Evans
Member

<p>Copied to: City Manager Director of Finance City Solicitor Director Planning and Building Director Parks, Recreation & Cultural Services</p>

TO: CHAIR AND MEMBERS
COMMUNITY DEVELOPMENT
COMMITTEE

DATE: 2008 June 18

FROM: DIRECTOR PLANNING AND BUILDING

FILE: RZ#08-14

SUBJECT: 45° INCLINE PLANE POLICY ADJUSTMENT TO THE C8 AND C8A
DISTRICT; HASTINGS STREET AREA PLAN

PURPOSE: To seek Committee and Council approval of a proposed 45° Incline Plane policy adjustment to the C8 and C8a Urban Village Commercial District (Hastings) through CD Comprehensive Development District rezoning.

RECOMMENDATION

1. **THAT** the Community Development Committee and Council approve the proposed 45° incline plane policy adjustment to the C8 and C8a Urban Village Commercial District as outlined in this report.

REPORT

1.0 BACKGROUND

At its regular meeting of 2008 May 26 Council received a report regarding Rezoning Reference #08-14 which proposes to rezone the properties at 4437 and 4439 Hastings Street (See attached Sketches #1 & #2) from the C8a Urban Village Commercial District (Hastings) to CD Comprehensive Development District (utilizing the C8a Urban Village Commercial District (Hastings) as guidelines. The purpose of the subject rezoning application is to amend the required 45° incline plane above the second storey as required in the C8 and C8a Districts, Section 308.4 of the Zoning Bylaw. It was noted in that report that a policy adjustment report to the 45° incline plane would be forwarded to the Community Development Committee for consideration prior to advancing the rezoning for further Council consideration. This report addresses the proposed policy adjustment.

2.0 CONTEXT

The Hastings Street Area plan was originally adopted by Council in 1991. Subsequent to the adoption of the plan, the C8 and C8a Urban Village Commercial District (Hastings) was created to provide for smaller scale mixed-use development commensurate with the existing commercial uses along the Hastings Street corridor. To facilitate redevelopment in line with the adopted plan, the corridor between Boundary Road and Willingdon Avenue was pre-zoned to the C8 and C8a Districts, therefore enabling redevelopment through a Preliminary Plan Approval

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application, not requiring further rezoning. However since that time there have only been six mixed-use development applications of which two have required rezoning applications to permit variances.

On 2007 June 26, the applicant of the Rezoning Reference #08-14 appeared as a delegation at the Community Development Committee to discuss limitations to the C8 and C8a Districts, including the required 45° incline plane, and the effect such prescriptive design guidelines have on the success of achieving the “urban village” concept for the Hastings Street area.

The reluctance by potential developers to pursue mixed-use redevelopment within the Hastings Street Area Plan has been articulated to the City, specifically noting that due to the required 45° incline plane above the second storey, applicants lose the efficiency of standardized unit sizes and aligned corridors because the third and fourth floors are required to be considerably smaller than the first and second floors. In this regard, rezoning applications in the C8 District have been received and approved that greatly set back the second to fourth floors from the street to meet the hypothetical setback line imposed by the 45° incline plane in order to align the corridors and provide standardized unit sizes. This results in a disconnection between the residential component and the ground oriented commercial component of the building, somewhat undermining the “urban village” intent of the C8 and C8a Districts. A second issue raised by developers is that due to the 45° incline plane and the consequent reduction of 3rd and 4th floor area, the ability to achieve the maximum 3.0 Floor Area Ratio (F.A.R.) permitted in the C8 and C8a Districts is further reduced.

3.0 PROPOSED POLICY ADJUSTMENT

It is proposed that the 45° incline plane and other setbacks and conditions of the C8 and C8a Districts be permitted to be varied through CD Comprehensive Development rezoning, with suitable plans of development being achieved through discussions with planning staff and presented at a Public Hearing. As a policy adjustment to the 45° incline plane, it is considered supportable to allow a stronger street wall approach with a minimum 2.0m setback for the structure at ground level, while allowing some modulated building massing with some variations in building setbacks, street fronting balconies and bay windows above the first floor. Project designs would be assessed on their own merits through the Comprehensive Development (CD) District rezoning process including presentation of a supportable building design to a Public Hearing. It should be noted, that similar amendments to the required 45° incline plane have been approved in the C9 District in the Royal Oak Community Plan area through CD Zoning and has received positive feedback from the developers and the community.

4.0 CONCLUSION

It is proposed that through CD Comprehensive Development zoning that the C8 and C8a Urban Village Commercial District (Hastings) be permitted to be amended, including the relaxation of the required 45° incline plane, provided that a suitable plan of development including a well modulated building massing with variations in setbacks and street fronting balconies be provided

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and presented at a Public Hearing. The subject rezoning application (Rezoning Reference #08-14) would incorporate the proposed design adjustments if approved by the Committee and Council. The existing C8 and C8a District zoning of the properties along Hastings Street will remain and property owners/applicants would continue to be permitted to also develop in line with the existing C8 and C8a Districts through a Preliminary Plan Approval application.

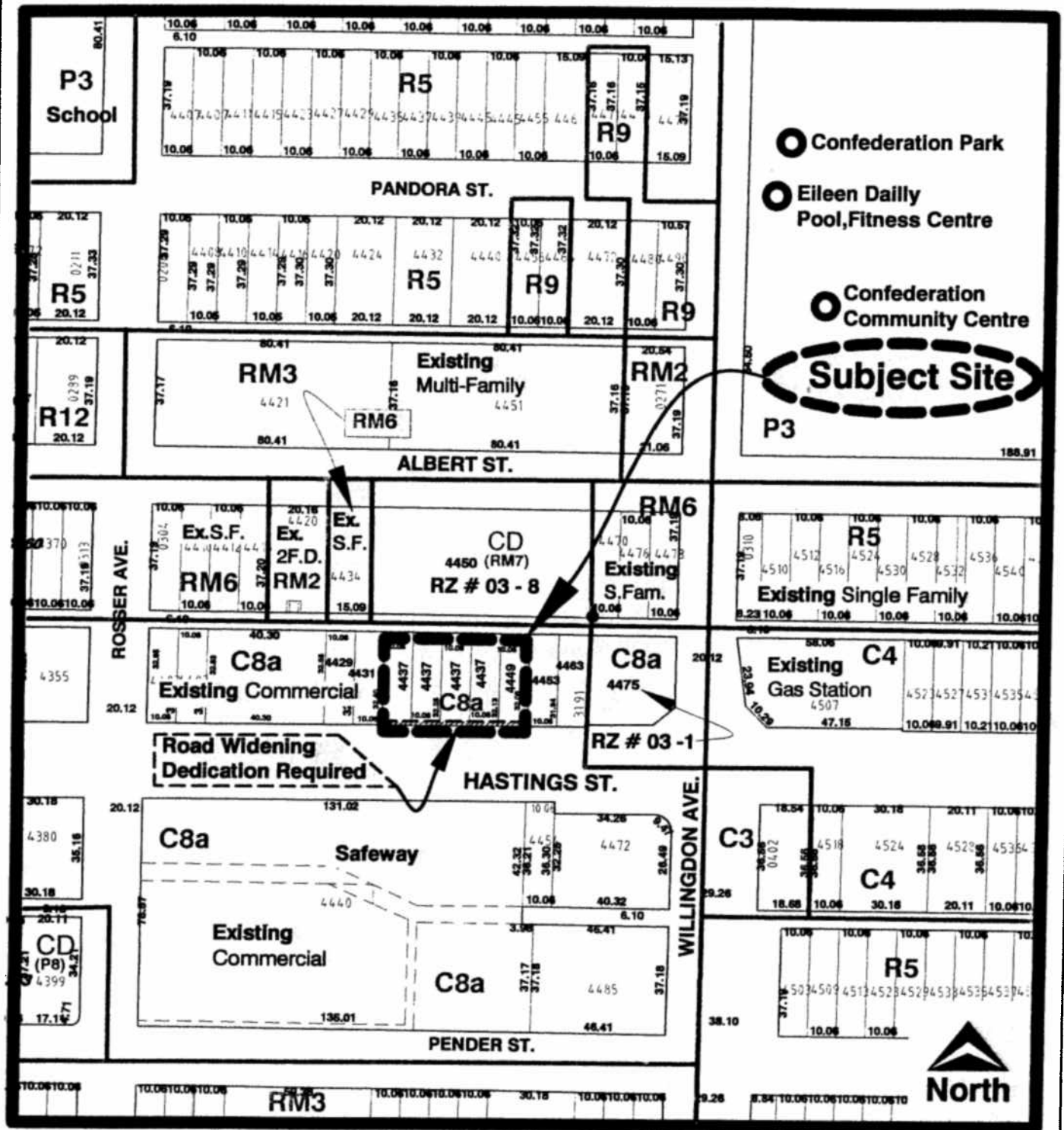
It is recommended that Committee and Council approve the proposed policy adjustment outlined in this report.


B. Luksun, Director
PLANNING AND BUILDING

JBS:tn

cc: City Manager
Chief Building Inspector
City Solicitor

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Planning and Building Department

Scale: 1 = 2000

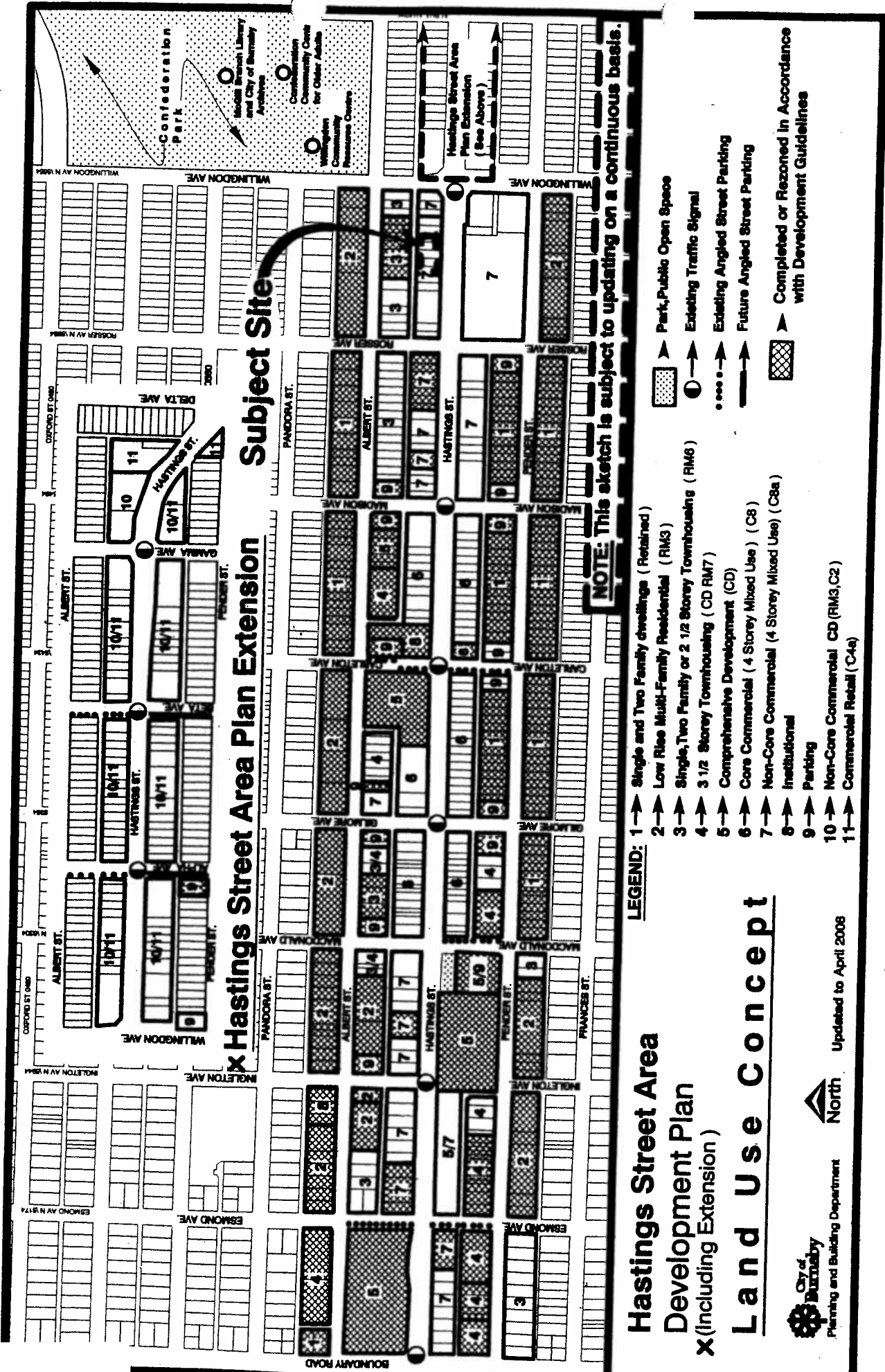
Drawn By: J.P.C.

Date: May 2008

REZONING REFERENCE #08 -- 14

4437, 4449 Hastings St.

Sketch # 1



REZONING REFERENCE #08 - 14
4437,4449 Hastings St.

Sketch # 2