



# P1

POLICY REPORT  
DEVELOPMENT AND BUILDING

Report Date: October 2, 2012  
Contact: Kent Munro  
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VanRIMS No.: 08-2000-20  
Meeting Date: October 16, 2012

TO: Vancouver City Council  
FROM: General Manager of Planning and Development Services  
SUBJECT: CD-1 Text Amendment - 5731 St. George Street

**RECOMMENDATION**

A. THAT, subject to enactment of the CD-1 (Comprehensive Development) District By-law for 5731 St. George Street [*PID: 028-916-832; Lot A, District Lot 642, Group 1, New Westminster District Plan EPP22092*], the application, by Silk St. George Development Ltd. to amend the by-law to decrease setback provisions, be referred to a public hearing together with:

- (i) drawings received September 11, 2012;
- (ii) draft by-law amendments, generally as presented in Appendix A;
- (iii) the recommendation of the General Manager of Planning and Development Services to approve;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-law generally in accordance with Appendix A for consideration at the public hearing.

B. THAT Recommendations A and B be adopted on the following conditions:

- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
- (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and

- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

### ***REPORT SUMMARY***

This application for a CD-1 text amendment proposes minor decreases to the setback provisions established within the CD-1 By-law for 5731 St. George Street, to accommodate full-height bay windows and thicker wall assemblies that will help the project achieve a high standard of sustainability.

### ***COUNCIL AUTHORITY/PREVIOUS DECISIONS***

- CD-1 By-law for 5731 St. George Street, approved in principle at the Public Hearing of May 14, 2012 and anticipated to be put forward for enactment at the Regular Council meeting of October 16, 2012.

### ***REPORT***

#### ***Background/Context***

On May 14, 2012, Council approved in principle a rezoning application and a draft CD-1 by-law for the property located at 5731 St. George Street (formerly 5761-5775 St. George Street) to permit the development of a Housing Demonstration Project consisting of 16 strata-titled, ground-oriented rowhouses.

This report provides the staff assessment of an application by Silk St. George Development Ltd. to amend the setback provisions within the CD-1 By-law in order to accommodate the depth of full-height bay windows, as well as to accommodate a wall assembly that is thicker than had been anticipated but would allow the project to achieve an EnerGuide 84 rating.

#### ***Strategic Analysis***

##### ***Site and Context***

The site is located on the west side of St. George Street, south of East 41st Avenue, with a total site area of 2 030 m<sup>2</sup> (21,834 sq. ft.), as shown in Figure 1. Although the site is located in a predominantly single family area, there are unique east and west adjacencies. The site shares a property boundary with the Mountain View Cemetery to the west, and faces John Oliver Secondary School to the east. Detached homes are located to the north and south, with lot depths of roughly 43 m (140 ft.) to the north and 67 m (220 ft.) to the south.

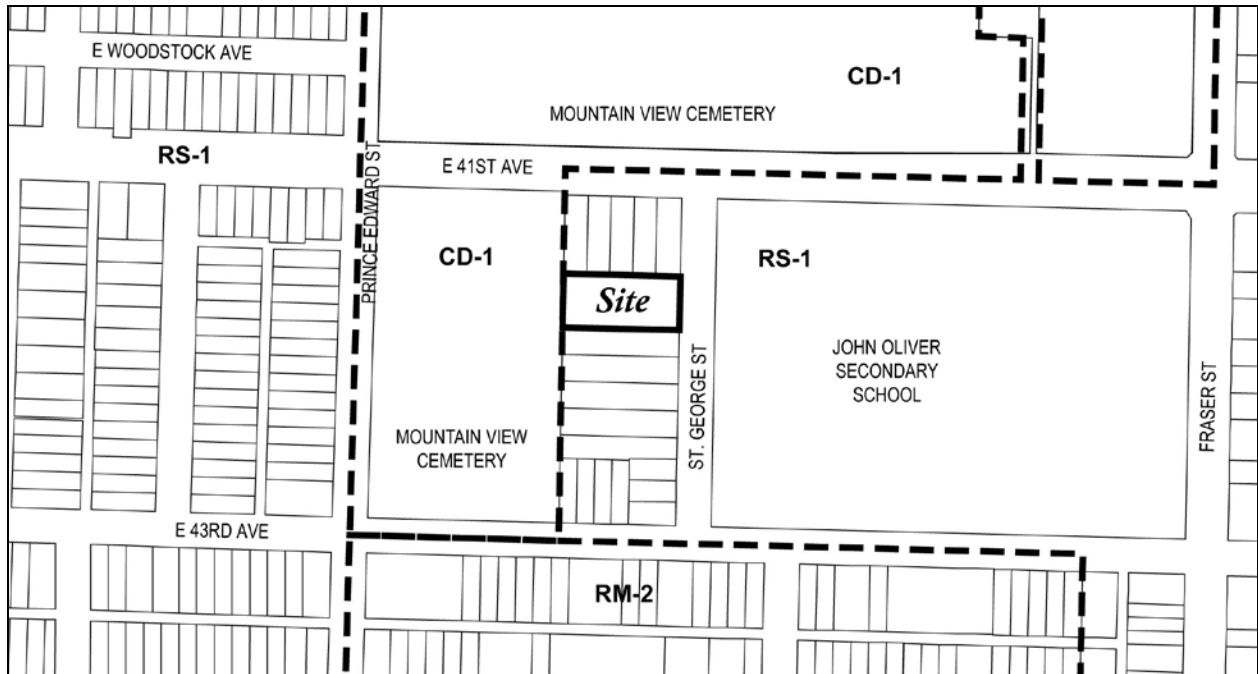


Figure 1: Rezoning Site and Surrounding Zoning

Proposal (Refer to Figure 2 and Appendix B)

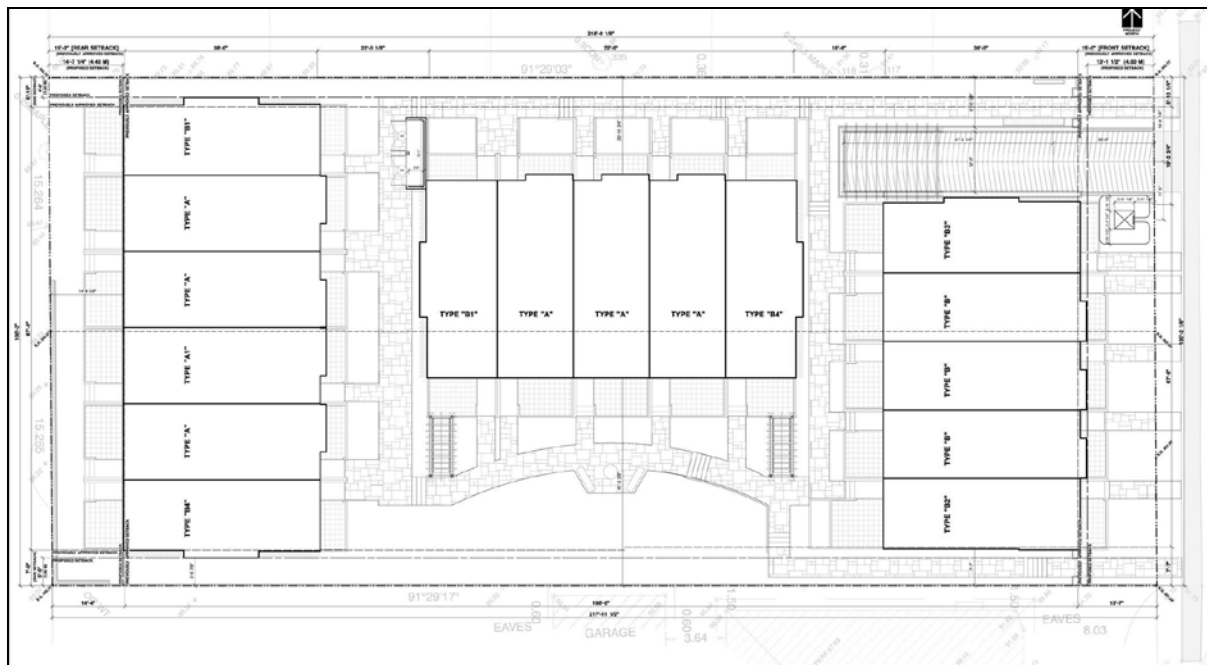


Figure 2: Site Plan

The setback provisions contained in the draft by-law approved on May 14, 2012 assumed that the bay windows as proposed in the rezoning application would be permitted to extend into the setback areas, in accordance with Section 10.7.1 of the Zoning and Development By-law. This section stipulates that bay windows shall be permitted in any required yard, provided the

bottom outside edge of the bay is not less than 300 mm above the floor level and the area contained within the bay window projection is not used for any purpose other than to provide light and ventilation.

The bay windows proposed for the kitchens in eight of the sixteen units extend to the floor level, as they are meant to provide additional space for the occupants without significantly impacting the form of development. As proposed, they do not meet the requirements of section 10.7.1. Of these eight units, the design of two units (one at the northwest and one at the southwest corner of the site) includes bay windows that extend into the minimum setback as contained in the CD-1 By-law. Amendments to the setback provisions are proposed to allow for the bay windows as proposed.

As a condition of the original rezoning, the applicant is required to ensure that each unit within the project meet an EnerGuide rating of 82. If the City's building code was updated to require a higher rating prior to the issuance of a building permit, the project would be required to meet the higher value. Although the building code has not changed, the applicant has expressed a desire to achieve an EnerGuide 84 rating at this time, thereby creating a more energy efficient building. To achieve this higher standard, a thicker wall assembly than what was originally anticipated would be necessary. To accommodate roughly 0.13 m (5.1 in.) of additional depth for each wall, without reducing the amount of livable space within the development, the buildings will need to extend slightly into the front, rear and side required setbacks as set in the CD-1 By-law. The proposed amendments to the setback provisions will allow for the thicker walls to be provided (refer to Figure 2, Appendix B).

The application does not propose any changes to the height or density provisions of the CD-1 By-law for the site.

## Analysis

Staff support the changes proposed for the CD-1 By-law as they will allow for a greater degree of useable interior space without altering the approved form of development, in addition to ensuring that the development achieves a higher degree of sustainability through improved energy efficiency.

The impacts of the reduced setbacks are considered relatively minor. Reducing the west setback by approximately 0.12 m (4.7 in.) will have a negligible impact on surrounding residents as the west property line is shared with Mountain View Cemetery. Decreasing the east setback by 0.57 m (1.87 ft.) will result in the building being slightly closer to St. George Street, facing the John Oliver Secondary School parking lot. Reduction of the north setback will locate the building 0.26 m (10.2 in.) closer to the adjacent rear lot line of the detached residences that front onto 41st Avenue. These homes are situated on parcels that are roughly 140 ft. deep and this change is not expected to create an impact on privacy, overlook or shadowing that would be significantly greater than what was originally proposed. The proposed change to the south setback will enable the bay window on the unit at the southwest corner of the site to extend 0.35 m (1.2 ft.) closer to the south property line, adjacent to the rear yard of the neighbouring property. The change will also accommodate the increase in wall thickness, resulting in the unit at the northeast corner of the site locating 0.11 m (4.5 in.) closer to the single-family home adjacent to the site. As the by-law provisions will still maintain an overall setback of 1.65 m (5.4 ft.) between the new development and

the property line, staff feel that the livability of the adjacent property will not be compromised and any additional impact of the proposed change will be negligible.

### **Public Input**

**Notification** – A rezoning information letter, dated September 19, 2012 was sent to neighbours immediately adjacent to the site. Staff have not received any comments from members of the public in relation to this application.

### **Public Benefits**

With this amendment to the setbacks, there is no increase in floor area or in land value, so there is no Community Amenity Contribution (CAC) or change to the Development Cost Levy (DCL).

### ***Financial***

As noted in the section on Public Benefits, there is no Community Amenity Contribution (CAC) or Development Cost Levy (DCL) associated with this text amendment.

### ***CONCLUSION***

Staff support the application to amend the CD-1 By-law to decrease setback provisions for 5731 St. George Street. Staff recommend that the application be referred to a public hearing, together with draft by-law provisions as shown in Appendix A and with the recommendation of the General Manager of Planning and Development Services that, subject to public hearing, these be approved.

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5731 St. George Street  
PROPOSED AMENDMENTS TO CD-1 BY-LAW

Note: An amending by-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

*Deleted text is struck-through, added text is bold-Italic.*

- Amend the section titled "Setbacks" a follows:
  - A minimum setback of ~~4.57 m~~ **4.45 m** from the west property line.
  - A minimum setback of ~~4.57 m~~ **4.00 m** from the east property line.
  - A minimum setback of ~~1.47 m~~ **1.21 m** from the north property line.
  - A minimum setback of ~~2.00 m~~ **1.65 m** from the south property line.

\* \* \* \* \*

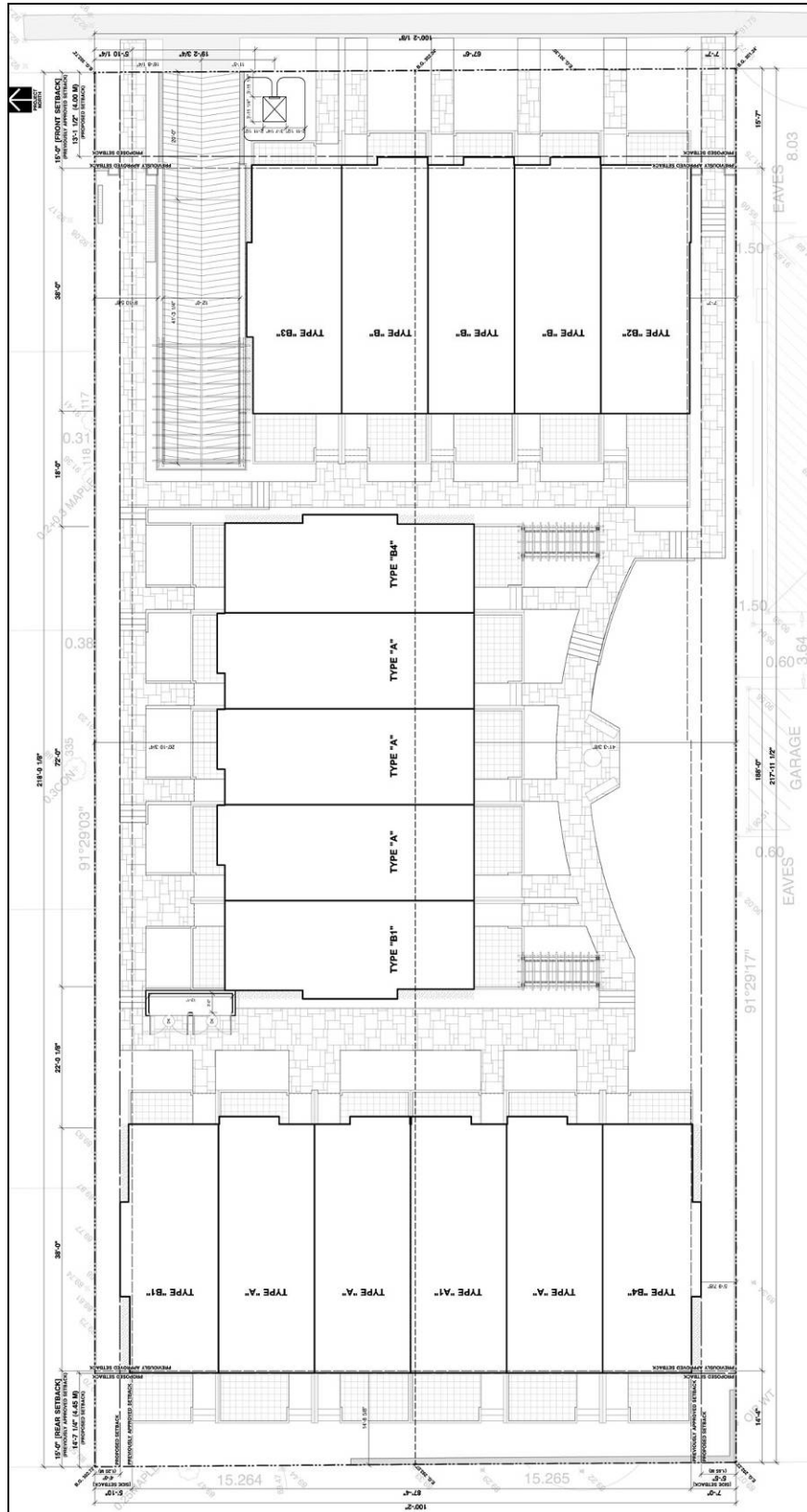


Figure 1: Site Plan

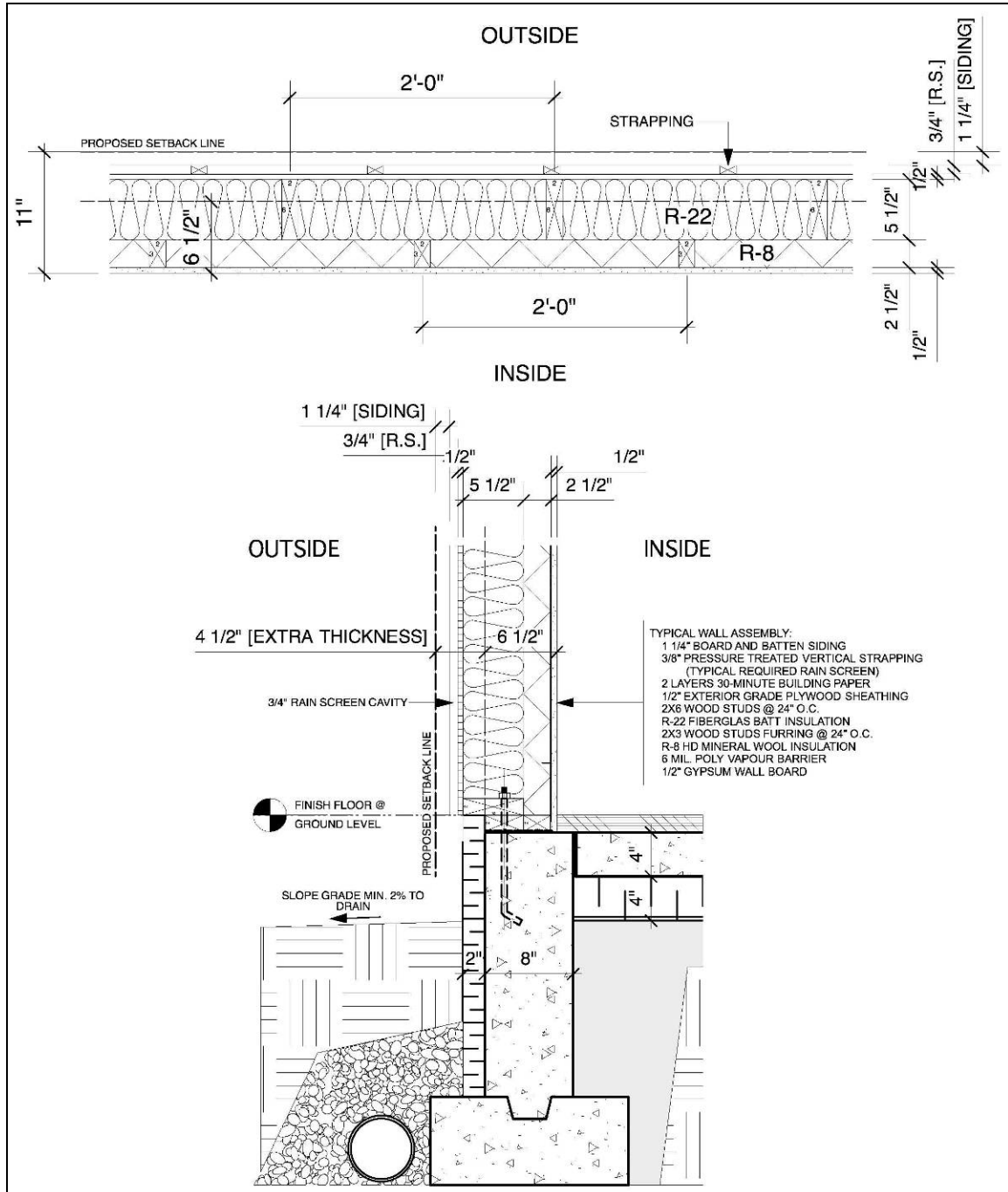


Figure 2: Proposed Wall Assembly



5731 St. George Street  
APPLICANT, PROPERTY AND DEVELOPMENT PROPOSAL INFORMATION

APPLICANT AND PROPERTY INFORMATION

Street Address	5731 St. George Street
Legal Description	028-916-832; Lot A, District Lot 642, Group 1, New Westminster District Plan EPP22092
Applicant/Architect	Silk St. George Development Ltd.
Property Owner/Developer	Silk St. George Development Ltd.

SITE STATISTICS

Site Area	2 030.1 m <sup>2</sup> (21,852 sq. ft.)
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DEVELOPMENT STATISTICS

	Permitted Under Existing Zoning	Proposed
Zoning	CD-1	no change
Uses	Multiple Dwelling	no change
Max. Floor Space Ratio (FSR)	1.003 FSR	no change
Floor Area	2 052.61 m <sup>2</sup> (22,094 sq. ft.)	no change
Maximum Height	10.7 m (35 ft.)	no change
Setbacks	(a) West: 4.57 m (b) East: 4.57 m (c) North: 1.47 m (d) South: 2.00 m	(a) West: 4.45 m (b) East: 4.00 m (c) North: 1.21 m (d) South: 1.65 m

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