

# Development Permit and Development Variance Permit Applications for 2365 and 2371 Kelly Avenue

## RECOMMENDATION:

*That Committee of Council:*

- 1. Authorize staff to provide notice of the DVP00107 application to vary off-street parking regulations of the Parking and Development Management Bylaw; and*
- 2. Advise Council that issuance of Development Variance Permit DVP00107 and Development Permit DP000597 to facilitate construction of a non-market rental housing development at 2365 & 2371 Kelly Avenue is supported.*

## **REPORT SUMMARY**

This report describes a proposal to construct a non-market rental apartment building 2365 & 2371 Kelly Avenue. The proposed development is the result of a partnership between BC Housing, as the property owner, and New View Society, as the housing operator, to construct a 74 unit, six-storey high performance building to provide independent living for individuals with some level of intellectual or developmental disability. The proposal includes requests to vary parking and family-housing requirements and provides for registration of a Housing Agreement to secure the affordability of the units and responsible management of the building, tenants and parking in perpetuity. Staff recommend Committee authorize staff to provide public notification of the variances and advise Council that Committee supports issuance of the development permit and the development variance permit.

## **BACKGROUND**

**Proposal:** The New View Society, in partnership with BC Housing (property owner), has applied for a development permit and development variance permit to facilitate construction of a 6-storey, 74-unit non-market rental development at 2365 & 2371 Kelly Ave.

**Context:** The 1,641 m<sup>2</sup> (17,663.56 ft<sup>2</sup>) site is located midblock along the north side of Kelly Avenue and is flanked with lanes to the west and north. The surrounding neighbourhood is already largely developed with apartment residential uses of various ages and densities. Gates Park and Riverside Secondary School are located to the west and the downtown commercial area is to the north. The site is comprised of two lots; the property is generally flat, is currently vacant of structures and fenced for security.

[illegible]

**Policy and Regulations:** The Official Community Plan designates the site as High-Density Apartment Residential and allows for higher profile attached residential uses. The property is zoned RA2 (Residential Apartment 2), which accommodates multi-family residential buildings with floor area ratios of up to 2.5 and heights up to 10 stories.

- Create a sense of community in intensive residential areas by improving the relationship and connection between public and private space along intensive residential streets.
- Facilitate the orderly development of the area and to encourage coordination of the siting, form, and volume of intensive residential buildings and their areas for parking, storage, and landscaping
- Encourage sustainable development and building design, efficient use of energy, water and other resources, and the reduction of waste and pollution.

The City's Processing of Development Applications Policy provides for the City to fast-track public interest applications through the various application review processes and process the applications at the City's cost.

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**Project Description:** The proposed development is a 6-storey, non-market rental building with 74 apartment units ranging in size from 36m<sup>2</sup> (384 ft<sup>2</sup>) to 84m<sup>2</sup> (905 ft<sup>2</sup>). The applicants advise the intent of the building is to meet the special needs of individuals with some level of intellectual or developmental disability who are capable of independent living and access offsite supports; accordingly, the proposed unit sizes and mix reflect this intent with a higher number of smaller units including 59 studio units, five 1-bedroom units, and ten 2-bedroom units. All of the units have been designed to be inclusive to those with mobility challenges; five are accessible units and the rest will meet BC Building Code requirements for adaptable units.

## Project Profile:

	Bylaw Regulations <sup>1</sup>	Proposed <sup>2</sup>	Variance
Site area minimum	930 m <sup>2</sup>	1,641 m <sup>2</sup>	
Floor area ratio	Up to 2.5	2.1	
Dwelling units	n/a	74	
Accessible units	n/a	7% (5 units)	
Adaptable units	30% (22 units)	93% (69 units)	
Family-oriented units	25% (19 units)	3% (2)	17 units
Building lot coverage	60%	60%	
Building Setbacks:			
Front (Kelly Avenue)	4.0 m	4.0 m	
Interior side (east)	3.0 m	3.0 m	
Interior side (west - lane)	3.0 m	4.0 m	
Rear (lane)	7.5 m	7.5 m	
Building height	30 m	24.73 m	
Indoor amenity space	148 m <sup>2</sup> (2 m <sup>2</sup> per unit)	239 m <sup>2</sup>	
Outdoor amenity space	259 m <sup>2</sup> (3.5 m <sup>2</sup> per unit)	260 m <sup>2</sup>	
Parking (total)	74	18	56
Resident	74	12	
Visitor	-	6	
Small car	25% max (18)	3% (2)	
Accessible spaces	1	2	
Bicycle parking			
Long-term (bike room)	74 (1 per dwelling)	74	
Short-term (bike rack)	6	6	

<sup>1</sup> Refer to the Zoning, Parking and Development Management and Building and Plumbing bylaws for specific regulations

<sup>2</sup> Information provided by applicant



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Looking north along Kelly Ave



Looking northeast at the corner of Kelly Ave and the lane

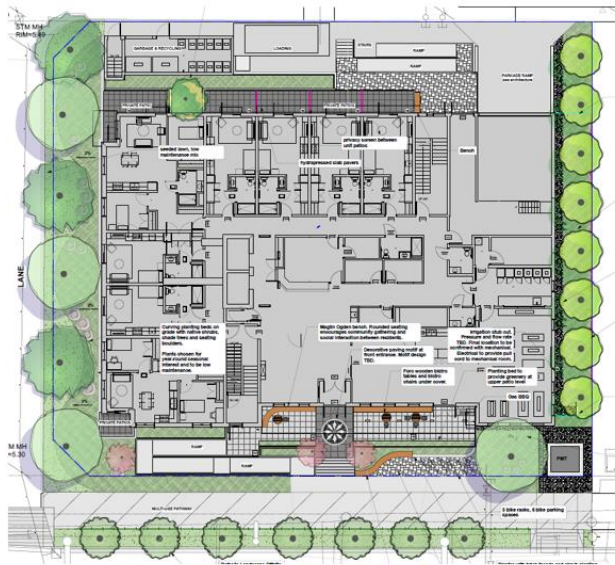
The applicant advises the design of the building and landscaping reflects development permit guidelines and has been heavily influenced by the intent to soften the height and massing of a taller building, reduce energy consumption by meeting BC Energy Step Code 4 requirements and the desire to promote community and facilitate residents' connections within the building design.

The building is oriented towards Kelly Avenue with a prominent, covered front pedestrian "porch" entrance that includes outdoor seating to encourage a sense of community. The overall character is reflective of the early 20th century time period with brick, horizontal lines and vertical windows; the overall massing and setbacks of upper floor is intended to reflect the 2-4 storey expressions of surrounding buildings, and to articulate and reduce the building's size from the street. The design also provides residents access to a south-facing rooftop deck on the 2<sup>nd</sup> storey to take advantage of the natural light. Brick masonry is used throughout, extending up to the fourth story and wrapping around the west façade. Hardie-shingle fibre-cement cladding is also provided with vertical spindle railings.

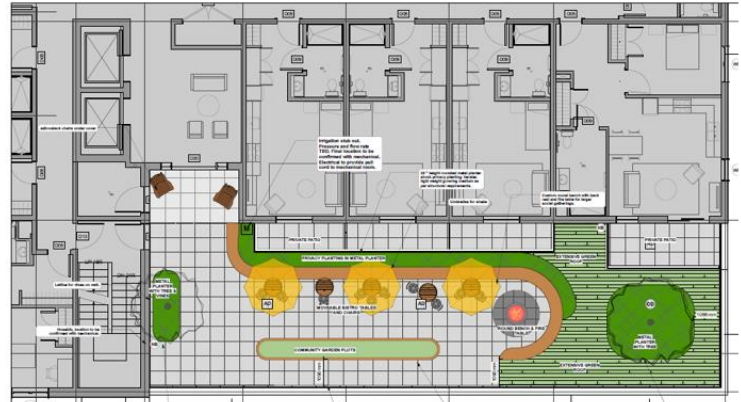
Vehicle access to the underground parking structure is to be located off the rear lane, with both visitor and residents' stalls along with a vehicle wash station. The underground structure will also include secured bike parking and a scooter parking room with short-term bike parking provided at the front of the building. The garbage and recycling facilities are located in a secured structure off the rear lane. There is also a dedicated parking space along the lane for a shuttle service, which will be provided to help meet transportation needs of residents.

The overall development is designed to encourage resident connections with ample communal spaces to gather, including a large entrance lobby and dedicated areas for seating on each upper floor, with attached balconies. The additional amenity space has been programmed with resident access to meeting rooms, a multi-purpose room, kitchen, gym and laundry facilities. The common outdoor spaces at the first and second storeys are surrounded with landscaping and a covered patio, programmed with a community garden, and additional space for residents to socialize.

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Proposed landscape at grade



Outdoor amenity space on second storey

In order to accommodate construction, fifteen trees will be removed; including one city-owned tree on the boulevard. The landscape plan proposes to plant 19 new trees, including Maples, Beeches, Snowbells and Lilacs, 1,231 native shrubs and 100 assorted perennials plants within concrete planters, evenly spaced around the edges of the site.

The project will meet environmental conservation area designation as it is being built to Step code 4 with the potentially to achieve a Net-Zero Energy performance). This designed energy performance includes ventilation using Energy Recovery Ventilators (ERVs), a high efficiency VRF-based heat pump system, high efficiency gas heaters activated during peak demand periods, plumbing fixtures with reduced flow rates to conserve potable water consumption, and a detention tank for storm collection, releasing rainwater at a controlled rate during significant rainfall events. A complete list of conservation measures is provided in Schedule A of the draft development permit.

**Offsite requirements:** The development requires typical off-site improvements including: upgrades to Kelly Avenue ( $\frac{1}{2}$  road plus one meter, curb and gutter, 3-meter wide concrete multi-use path, road drainage, landscaping and street lighting), upgrades to the lanes and 3m x 3m corner cuts to the west side of the property. Service upgrades will be required as necessary, and the undergrounding of all overhead utilities. Final off-site improvements would be determined at building permit stage.

### Requested Variances:

**Parking:** The application requires consideration of a variance which would provide for parking requirements to be reduced from 74 stalls to 18 stalls. The applicant advises the parking reflect the anticipated special needs of the intended tenants and was confirmed based on an assessment of historical parking data from existing New View Society residences/clients. The proposal provides 12

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spaces for tenants, and 6 visitor parking spaces, two of which are expected to be primarily used by staff (concierge/building manager and janitorial staff). The applicant has advised that all residents will have access to a shuttle service managed by New View Society and, along with bike parking, the building has a secure room with scooter parking and charging spaces.

In order to ensure the parking needs of residents do not exceed supply in perpetuity, the property owner, BC Housing, has proposed to register a Housing Agreement as a condition of DVP issuance which provides a commitment to responsible parking management for the site, including ensuring only 12 tenants are permitted to have a registered vehicle at any one time and providing confirmation and details of tenant vehicle registration to the City upon request.

Family Oriented Dwellings: The applicant has also requested to vary the City's requirement for family-oriented dwelling units. The applicant notes that the building provides for housing that is primarily designed to meet the needs of independent individuals with disabilities and the unit mix/configuration reflects this intent. The applicant further notes 10 of the units are two bedrooms with balconies, which does ensure availability of larger units. The proposed Housing Agreement would also secure housing affordability and detail management/operations of the building.

### **DISCUSSION**

The residential building is attractive, utilizing a variety of architectural approaches to ensure the design meets the intent of the development permit guidelines, incorporates quality materials such as brick, and integrates well into the existing neighbourhood character. The formal entrance and programmed common terrace, as well as indoor gathering spaces will provide for ample opportunities for building community and enhanced wellbeing of the intended tenants. The extraordinary energy performance measures will exceed standards and expectations of the environmental conservation development permit regulations.

The development also aligns with City OCP policies to encourage housing affordability and options to meet the needs of a diverse community, and the findings of the Housing Needs Report which identified the need for more for secure rental units at non-market rates and for varied individual needs. The requested variance to parking and family-friendly units are reasonable given the intended tenant mix of the building, and staff anticipate impacts will be mitigated through an ongoing commitment to responsible parking management and transportation support provided through shuttle services.

Approval of the development permit and requested variances is recommended. As a condition of DVP issuance, staff will finalize a Housing Agreement with the BC Housing to secure housing affordability, detail management/operations of the building and parking, and confirm City input into the selection of any future operator.

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## **FINANCIAL IMPLICATIONS**

In accordance with the Processing of Development Applications Policy, the City did not require Development Permit and Development Variance Permit application fees, which total \$13,000.

## **PUBLIC CONSULTATION**

A sign notifying residents of the development permit application was posted on the site November 29, 2024; Planning staff have not received any input specific to the building and landscaping design.

Staff conducted a site visit on June 5<sup>th</sup>, 2025, to ensure that the sign is in good standing on the subject property.



## **OPTIONS (✓ = Staff Recommendation)**

	#	Description
✓	1	Authorize notification of the development variance permit application, and recommend Council issuance of the development variance permit and development permit at a future Council meeting.
	2	Request additional information or amendments if Committee is of the opinion that such information or amendment would assist in its evaluation of how the design complies with the development permit area designation or variances to regulations.
	3	Refuse the application(s) if the Committee is of the opinion the application does not conform to the design guidelines or does not support the variances to regulations.

## **ATTACHMENTS**

Attachment 1: Draft Development Permit

Attachment 2: Draft Development Variance Permit

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