

THE CORPORATION OF THE
CITY OF WHITE ROCK
CORPORATE REPORT



DATE: June 28, 2021

TO: Land Use and Planning Committee

FROM: Carl Isaak, Director of Planning and Development Services

SUBJECT: Major Development Permit Application - 1454 Oxford Street (14-009)

RECOMMENDATION

THAT the Land Use and Planning Committee recommend that Council authorize the issuance of Development Permit No. 400 for 1454 Oxford Street.

EXECUTIVE SUMMARY

In 2014, the City received concurrent applications for an official community plan (OCP) amendment, a zoning bylaw amendment and a major development permit (DP) tied to a proposal at 1454 Oxford Street. The proposal was for a 121 unit multi-family development including two residential towers (i.e., 21 and 24 storeys) and a shared two-storey podium. The development would include 409 underground parking spaces. The noted OCP and zoning amendment bylaws were adopted by Council in 2017 following two public hearings, presentations to the Advisory Design Panel, and a technical review by City staff. As part of the approvals process, Council also entered into a Phased Development Agreement (PDA) with the proponent and adopted a PDA Bylaw. The PDA was used to secure a community amenity contribution of \$3.6M and the dedication of a 0.92 acre parcel of wooded lands, which were required before the consideration of issuance of a DP; both contributions have now been provided to the City. This PDA also prevents future changes to the zoning or subdivision bylaw from impacting the development for a period of ten years after the date of the adoption of the PDA Bylaw (June 12, 2017).

Now that the required contributions have been provided, the DP is being brought forward for consideration of issuance. It is important to note that the approved, property-specific zoning, requires that development substantially conform to the architectural designs as referenced in the CD-46 Zone. Staff have undertaken a comprehensive review of the project and have concluded that the designs are compliant with the CD-46 Zone provisions. Further, staff believe that the DPA guidelines applicable to the project have been satisfied. As such, staff are recommending that Council authorize the issuance of Development Permit No. 400, following which, applications for building permits could be made to the City.

PREVIOUS COUNCIL DIRECTION

Motion # & Meeting Date	Motion Details
Motion 2017-274 June 12, 2017	THAT Council gives final reading to “Official Community Plan Bylaw 1837, 2008, Amendment No. 23 (Oxford/Overall), 2015, No. 2123” [CARRIED]
Motion 2017-275 June 12, 2017	THAT Council gives final reading to “White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CD-46 – 1454 Oxford Street) Bylaw, 2015, No. 2056”. [CARRIED]
Motion 2017-275 June 12, 2017	THAT Council gives final reading to “Phased Development Agreement (1454 Oxford Street) Bylaw, 2016, No. 2158”. [CARRIED]

INTRODUCTION/BACKGROUND

Previous Council Consideration

In 2014, the City of White Rock received concurrent applications for an official community plan (OCP) amendment, a zoning bylaw amendment and a major development permit tied to 1454 Oxford Street (see Location and Orthographic Maps in Appendix A). The project proposes a 121 unit multi-family development including two residential towers (i.e., 21 and 24 storeys) with a shared two-storey podium. The development would include 409 parking spaces (i.e., 49 visitor and 360 resident) designed within a three-storey below ground parkade (see Figure 1 below).



Figure 1: Rendering of Multi-Family Development at 1454 Oxford Street

Bylaws related to the official community plan amendment and the zoning bylaw amendment received first and second reading in November 2015, following which there was a statutory public hearing, held December 7, 2015. Subsequent to the hearing, Council gave third reading to the bylaws and accepted a negotiated community amenity contribution of \$3.4M plus the transfer of approximately 0.96 acres of land to the City; it was later clarified by the Applicant that the area to be conveyed to the City was 0.92 acres therefore an adjustment to the amenity contribution, to \$3.6M, was made.

On September 19, 2016 Council rescinded the readings given to the OCP amendment bylaw and the zoning amendment bylaw so that a Phased Development Agreement (PDA) could be created to secure the amenity and land contributions while setting out the project construction phasing and servicing requirements. The PDA was given first and second reading on September 19, 2016 along with renewed readings given to the zoning and OCP amendment bylaws. A second public hearing was held on November 22, 2016 to receive feedback on the three bylaws for which third readings were given on December 5, 2016. On June 12, 2017 Council gave final readings to the OCP and zoning amendment bylaws and the PDA bylaw thereby establishing the principles of development for the project. The community amenity contribution of \$3.6M and the dedication of 0.92 acres of land have been received by the City as stipulated in the executed PDA.

Scope of Current Application

At this time, the Applicants are seeking the issuance of a major development permit (DP), now that the contributions required by the PDA have been provided to the City. Generally, such applications would be reviewed primarily against applicable development permit area (DPA) guidelines for the form and character for the building, found in the OCP. In this case, the property has been rezoned to a property-specific Comprehensive Development No. 46 (CD-46) Zone. The CD-46 Zone, attached as Appendix B, provides site-specific regulations for permitted use, lot coverage, density, building height, building siting (setbacks), resident and visitor parking, loading, and bicycle parking. The CD-46 Zone further dictates the form of the building in detail by requiring that development “substantially conform to the Plans prepared by Chris Dikeakos Architects Inc. and dated October 27, 2015, that are attached hereto and on file at the City of White Rock”. The incorporation of these designs into the property-specific zoning is important as it relates to the City’s application of DPA guidelines to the project.

The *Local Government Act*, in Section 516 (7), provides that when a zoning bylaw is “frozen” via a Phased Development Agreement, a development permit which would vary the siting, size or dimensions of building, structures, or uses in the zoning bylaw does not apply to the development unless the developer agrees in writing. This limits the ability of the development permit to adjust the form of the building from that which is specified in the zoning bylaw.

Staff have undertaken a comprehensive review of the project and have concluded that the designs are compliant with the CD-46 Zone provisions, including the referenced architectural and landscape designs. Further, staff believe that the DPA guidelines applicable to the project, being those that do not present a conflict with the approved zoning of the property, have been satisfied. As such, staff are recommending that Council authorize the issuance of DP No. 400, attached to this report as Appendix C.

ANALYSIS

Site Context

The subject property is vacant and approximately 0.709 hectares (1.75 acres) in area. As noted, the former easternmost portion of the property, referred to in the Phased Development Agreement as the “Treed Area”, has now been dedicated to the City by adjusting the lot line with the City-owned parcel at 1487 Everall Street. The mature stand of trees within these lands are considered a defining characteristic of the “Everall Neighbourhood” recognized in Policy 8.2.5 of the OCP as the area bounded by North Bluff Road, Thrift Avenue, Oxford Street, and Vidal Street.

Figure 2 identifies the subject property in addition to recent developments within 200 metres of the site. As illustrated, the Evergreen Baptist Campus of Care, immediately north of the property, is a multi-building facility within which assisted living and care facility services are offered in buildings ranging in height from two (2) to eight (8) storeys. The lands south of the property are owned by the City of White Rock and house the Oxford Water Utility Station and Treatment Plant. Recent developments in the area include the Fantom (10 storeys), the Royce (5 storeys), and the Beverley (12 storeys) projects. Lands opposite Oxford Street fall within the City’s “Mature Neighbourhood” designation, as set out in the OCP, and are largely comprised of single family dwellings being two to three storeys in height; a similarly low density use of land can be seen south of Thrift Avenue.



Figure 2: Context image showing composition of subject property, dedicated lands and Everall Neighbourhood

Official Community Plan – Policy Framework

The former OCP land use designation of the property (prior to adoption of the current OCP in 2017), was “Multi-Unit Residential (High Density)”. This designation supported multi-unit

buildings typically being more than four storeys in height and having a density of between 51 and 120 units per acre.

The current designation of the property, under OCP Bylaw No. 2220, adopted in 2017, is “Town Centre Transition”. Within this designation the OCP (prior to amendment by Bylaw No. 2387) contemplates multi-unit residential uses ranging from low-rise to high-rise buildings. In the context of the Everall Neighbourhood, Policy 8.2.5 of the Plan recognizes potential increases in height where doing so would respect allowable densities while enabling greater tree retention.

OCP Height and Density – Prior to Amendment by OCP Amendment Bylaw No. 2387

In OCP Bylaw No. 2200, the maximum density, now measured on a “gross floor area ratio” (FAR), and conceptual height are recognized in Figures 9 and 10 of the Plan, respectively.

Prior to potential amendment by Bylaw No. 2387 (public hearing held June 21, 2021) the maximum density tied to the property was set at 2.0 times the area of the lot (2.0 FAR), plus 40% increase (up to 2.8 FAR) if market rental housing is provided. The FAR density already approved by the CD-46 Zone for this property is approximately 4.5 FAR. The heights contemplated in Figure 10, as they apply to the lands on the east side of Oxford Street, range from 12 storeys along North Bluff Road down to four storeys at Thrift Avenue. As noted, the height proposed in this project includes one 21 storey tower and one 24 storey tower, which was already approved in the CD-46 zone.

In light of the potential for policy changes over time, the OCP recognizes the need “to ensure that development applications are reviewed and processed in a consistent manner”. To this end, Policy 8.13.1 of the OCP provides that the maximum density established in previously approved developments, where the zoning allows for FAR beyond the maximums outlined in the Plan, will be recognized. The OCP also provides that exceeding the conceptual height guidelines in the OCP will not necessitate OCP amendment.

OCP Height and Density – Following Amendment by OCP Amendment Bylaw No. 2387

OCP Amendment Bylaw No. 2387 would change the OCP heights in Figure 10 to “maximums” instead of “conceptual height guidelines”, however these maximum heights would still only be applied when a new rezoning proposal is received.

Under the new OCP provisions as amended by Bylaw No. 2387 (public hearing held June 21, 2021), the maximum height and density of buildings would be four storeys and 1.5 FAR, or six storeys and 2.5 FAR with an affordable housing component. In the context of the Everall Neighbourhood, Policy 8.2.5 of the Plan that would support increased height has been removed as no longer applicable in the new height policy approach.

In both versions of the OCP (pre- and post-Bylaw No. 2387), the existing CD-46 zoning allows greater height and density than allowed by the OCP if a new rezoning application were received. The existing CD-46 zoning of the property continues to determine the uses and scale of development can be built on the property.

Bylaw No. 2387 also includes an additional policy (8.13.7) that notes, for clarification, “to the extent that existing site-specific (Comprehensive Development) zoning on a property inhibits the ability of buildings to fully achieve Development Permit Area guidelines in Section 22, the guidelines shall not prevent the issuance or amendment of a Development Permit in that zone.”

Zoning Bylaw – Comprehensive Development Zone No. 46

As noted, the property-specific CD-46 Zone establishes standards related to permitted use, lot coverage, density, building height, building siting (setbacks), resident and visitor parking, loading, and bicycle parking (see Appendix B). The CD-46 Zone permits a multi-unit residential use with a maximum gross floor area (GFA) of 32,522 square metres and a maximum residential floor area of 27,607 square metres; the differences between the two reflects the area of the common spaces such as circulation, storage, and amenity spaces. The CD-46 Zone establishes a maximum number of dwelling units at 121 units. The composition of units as presented in the architectural designs, incorporated into draft DP No. 400, are as follows:

Table 1: Breakdown of dwelling units by size (no. of bedrooms)

	2 Bedroom + Den	3 Bedroom	3 Bedroom + Den	Total
North Tower (Phase 1)	48 (62%)	1 (<1%)	29 (37%)	78 (100%)
South Tower (Phase 2)	0 (0%)	0 (0%)	43 (100%)	43 (100%)
Total	48 (40%)	1 (<1%)	72 (60%)	121 (100%)

It is noted that Policy 11.1.1 of the City’s Official Community Plan encourages “family-friendly” housing within multi-unit residential developments by seeking a minimum of 10 percent of the units as three bedroom units and a minimum of 35 percent of the units as either two or three bedroom units. The subject proposal would uphold this policy objective by providing 100 percent of the units as a mix of two (40%) and three (60%) bedroom units.

As it relates to parking, the CD-46 Zone requires a minimum of 400 spaces with 360 of these being dedicated for residents and 40 spaces made available for visitors. This supply works out to a rate of approximately three (3.0) spaces per dwelling unit for residents and 0.33 spaces per unit for visitors, whereas the general standards of the zoning bylaw would require 1.2 spaces per apartment unit (for residents) and 0.3 per unit for visitors. Applying the standard parking rates to the project would have necessitated 182 parking spaces (total). The Phased Development Agreement stipulates that ten (10) percent of all parking spaces must be equipped with a Level 2 electric vehicle charging station, which is with the same requirement for electric vehicle charging in Section 4.17.1 of the zoning bylaw. All parking will be provided within a three-level underground parkade. The parkade will also include space for bicycle parking (minimum 122 spaces), storage, and garbage/recycling. 26 Class II (outdoor) bicycle parking stalls have been incorporated into the design of the project and are included in front of the main (east) entrance to the building as well as in spaces along Oxford Street and in front of the ramp to the parkade.

The property-specific CD zoning also establishes a minimum requirement of six (6) accessible parking spaces, whereas the newly-introduced rates for accessible parking would have necessitated a supply of two van-accessible spaces and two standard accessible spaces. City staff have confirmed with the Applicant that two-van accessible stalls can be incorporated into the parkade without changes to the zoning and the dimensioning of the standard accessible stalls, including the provision of a 1.5 metre access aisle, will be satisfied as required by the zoning. The van-accessible spaces are provided by the Applicant but would not have been mandatory, as the van-accessible parking provisions in the zoning bylaw came into effect after the Phased Development Agreement “froze” the zoning for the property.

Two loading spaces have been provided within the central, off-street, access (round-about). This design is considered advantageous as it will lessen the potential for disturbance to the flow of

vehicle traffic along Oxford Street. The loading spaces are situated outside of the parkade, allowing for improved maneuverability / access. A porte-cochere is also incorporated into the design to provide some refuge from the elements when accessing the central foyer serving both of the residential towers (see Figure 3).



Figure 3: Porte-Cochere on the eastern side of the development; public pathway illustrated in foreground

Development Permit Area Guidelines & Advisory Design Panel (ADP) Review

The subject property falls within the “Multi-Family Development Permit Area” as illustrated in Schedule B to the Official Community Plan. Guidelines pertaining to the form and character of development within this DPA are set out in Section 22.6 of the Plan. The Applicant has submitted a summary of the project’s adherence to the Multi-Family Development Permit Area Guidelines (see Appendix D). Staff consider the submitted response to be in conformance with the applicable DPA Guidelines and the related design requirements established in the CD-46 Zone.

The development maximizes open space and preserves natural habitat that is emblematic of the Everall Neighbourhood area, namely, the existing stand of mature Douglas Firs on the eastern portion of the site. The provision of substantial landscaping improvements and outdoor amenity areas across the southwestern portion of the development softens its interface with the public

realm along Oxford Street, improving the transitional relationship with the single-family residential neighbourhoods to the west (see Figure 4).



Figure 4: Rendered view looking northeast from Oxford Street

The slight terracing, southeasterly orientation, and curved massing of the development also reduces view impacts to the Belaire and the Evergreen Baptist Campus of Care complex to the north. Through its extensive use of high-performance glazing, strong horizontality, natural materials (e.g. wood, stone veneer, etc.) and its warm colour palette, the form and character of the development reflects a west coast contemporary design. The emphasis placed upon multiple bedroom dwelling units, along with the ample provision of private (i.e., open balconies) and shared amenity spaces (i.e., indoor and outdoor amenity areas, swimming pool, fitness room, lounge/media room, outdoor patios, and a children's play area) promotes family-friendly living. The location of utility and mechanical areas, including vehicular access and loading space, are adequately screened from public view through the design and landscaping regime.

The proposal further promotes green development within the community. The use of large sunken balconies promotes low-angle wintertime sunlight solar exposure, while providing shade for residents in the summer. By minimizing the amount of lot coverage (i.e., 36%), the project is able to promote an ecologically-friendly approach to stormwater management. The dedication of the wooded area east of the development further contributes to the opportunity for the long term conservation of these naturalized lands.

Finally, the project offers a unique opportunity to contribute to the City's ongoing efforts to establish an 'east-west green spine' identified in OCP Policy 15.2.2 as a means of connecting the Town Centre to Centennial Park. To this end, the PDA requires the installation of a 6.096 metre (20 foot) public pathway along the northern boundary of the property. This pathway will connect Oxford Street to the recently-enlarged public lands abutting Everall Street, enabling pedestrian

access through the block. A statutory right-of-way has been provided along the northern property line to secure the public's access across the pathway. A diagram of this trail is included below, with the portion applicable to this project noted as section 6.



Advisory Design Panel Review

The Advisory Design Panel first reviewed the application on July 21, 2015 and requested a subsequent review pending the receipt of a response to the items summarized in Table 2 below; the table includes the Applicant's response to the items raised by the Panel. The Application returned to the ADP on October 6, 2015, at which time the Panel approval of the project proceeding to Council.

Table 2: Summary of Applicants' Response to ADP Comments

ADP Comment	Applicant Response
Exploration of ground level design improvements	Introduction of: <ul style="list-style-type: none"> - Outdoor patio/kitchen area - Bocce court and play area - Indoor/outdoor fitness areas
Improving the project's connection to the street and to the neighbourhood	Public Pathway (SROW) widened to 20 feet
Addressing the location of the buildings relative to one another (e.g. further spacing)	Towers shifted further south Building separation increased
Exploration of other built forms (e.g. three smaller buildings)	Not pursued, as alternative configurations would impact park space and view potential
Retention of treed area and overall density	Density allows the 'treed area' to be retain in public ownership
Location of pool and hot tub (indoor vs. outdoor)	Pool and hot tub moved indoors
Addressing scale and massing to minimize visual impacts (e.g. reduce massiveness of buildings)	The building orientation was revised, but the original scale and massing maintained

Improving accessibility in approach to the building	Ramps proposed along the pathway
Need for accessible units and accessibility to amenities	5% of units will not be accessible Amenity spaces now accessible
Positioning of the project relative to street access and in context with other proposals	Majority of the views are southwest Vehicular access is located near the north

Environmental (Ravine Lands and Significant Trees) DPA Guidelines

In addition to being subject to the Multi-Family Development Permit Area guidelines, which apply to the form and character of development, the Application is also subject to the “Environmental (Ravine Lands and Significant Trees)” DPA guidelines set out in Section 23.4 of the OCP. The purpose of this DPA is to ensure the protection of healthy, mature stands of trees which are recognized for the important function they serve for the local ecosystem.

The previous approval of the OCP amendment and rezoning applications for this project enabled the City to require the execution of a Phased Development Agreement and the transfer of a 0.92 acre “Treed Area” to the municipality. This “Treed Area” is comprised of a mature stand of Douglas Firs, some of which are upwards of 120 years old and 40 metres (131 feet) in height. This ecological asset can now be managed, and maintained, by the City for the benefit of current and future generations.

Phasing of Development & Construction Management

Per the terms of the Phased Development Agreement, Phase 1 will involve the construction of the entire underground parking structure, including the core and structure for both towers within the underground building structure. Phase 1 will also include the construction of ‘Tower A’ (the 21-storey building located on the northwest portion of the site), which will include a mixture of 78 dwelling units that vary in bedroom composition from two bedroom to three bedroom and den units. These units will range in size from approximately 119.4 square metres (1,290 square feet) to approximately 360.9 square metres (3,885 square feet) in area.

Phase 2 of the development will involve the construction of ‘Tower B’, the 24-storey building located on the southwest corner of the site. This building will be entirely composed of 43 three bedroom and den dwelling units, ranging from approximately 275 square metres (2,960 square feet) to 485.9 square metres (5,230 square feet) in size.

The Applicant is aware that a Construction Management Plan is required and must ensure that appropriate construction parking areas are identified and secured, and that staging must have a minimal impact on public roads. A finalized construction management plan will be completed and submitted as part of the Phase 1 and 2 Building Permit applications. The Applicant has indicated they will seek to use leased parking spaces in the Town Centre and permit spaces at Centennial Area, as well as the underground on-site parkade once completed.

FINANCIAL IMPLICATIONS

The Phased Development Agreement was used by the City to require the payment of a \$3.6M community amenity contribution (CAC) prior to the issuance of a development permit. The value of this CAC contribution was determined in accordance with Council’s Density Bonus / Amenity Contribution Policy, No. 511. The \$3.6M CAC contribution has now been received by the City.

Table 3 below summarizes the Development Cost Charges (DCCs) and related fees to be provided to the City prior to the issuance of a building permit for the development. These fees are directed towards the incremental costs of supporting infrastructure improvements necessary to support growth attributed to residential development. Payment of DCCs would be phased in accordance with the phasing of construction.

Table 3: Development Cost Charge (DCC) Summary

	Fee (per Unit)	Units Subject to Fee	Sub-Total
City of White Rock DCCs	\$11,253.30	121	\$1,361,649.30
TransLink DCCs (<i>rate effective Jan 1, 2021</i>)	\$1,545	121	\$186,945
Metro Vancouver (Regional) DCCs	\$3,530	121	\$427,130
Surrey School District SSACs (<i>“medium high” rate</i>)	\$700	121	\$84,700
Total			\$2,060,424.30

LEGAL IMPLICATIONS

Not applicable.

COMMUNICATION AND COMMUNITY ENGAGEMENT IMPLICATIONS

As outlined in the Previous Council Direction section of this report, now-approved applications for an OCP amendment and a zoning bylaw amendment followed the procedural and legislative requirements established by the City’s Planning Procedures Bylaw and the *Local Government Act*, respectively. A Public Information Meeting (PIM) was held on April 9, 2014 at the First United Church; 133 people signed into the PIM. Further, statutory public hearings were held on December 7, 2015 and November 22, 2016. The development permit review process does not include a formal presentation of the project to the public, as the basis for the review is limited to evaluating the form and character of the proposal against applicable zoning standards and, more specifically, applicable DPA guidelines, as set out in the Official Community Plan.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS

The development permit application was circulated internally to several City departments. Minor adjustments to the site plan, specifically including the introduction of a walkway along the southern perimeter of the property and a small ancillary building / enclosure adjacent to the southern parkade stairwell, were made to support the needs of the City’s Fire Department. Additional details (e.g., identification of barrier free parking spaces, bicycle parking spaces, garbage/refuse storage areas, etc.) were added to the site plan to demonstrate compliance with the requirements of the CD-46 Zone and applicable general provisions of the Zoning Bylaw.

CLIMATE CHANGE IMPLICATIONS

As noted in the Applicant’s submission, the buildings have been designed to meet high sustainability standards as well as the 2010 ASHRAE energy performance requirements. The transfer of the wooded lands to the City will enable the long term retention of a mature stand of Douglas Fir trees which will help with the sequestering of carbon dioxide, a known contributor to climate change. Finally, more intensive use of urban, serviced, lands lessens the need for sprawl into the periphery while also lessening the need for private automobile use.

ALIGNMENT WITH STRATEGIC PRIORITIES

Not applicable.

OPTIONS / RISKS / ALTERNATIVES

The Land Use and Planning Committee can recommend that Council:

1. Consider authorizing issuance of Development Permit No. 400;
2. Reject Development Permit No. 400, and provide the Applicant with guidance on what revisions, unrelated to the zoning bylaw regulations for the property, would be necessary to support the issuance of a development permit; or
3. Defer consideration of Development Permit No. 400 and refer it back to staff with specific direction from Council on additional required information or revisions.

Staff recommends Option 1, under the recommendations of this corporate report.

CONCLUSION

The subject development proposal was considered by the City upon receipt of OCP and zoning amendment applications in 2014. These applications, in addition to a Phased Development Agreement, were approved by the City in 2017. The current development permit application pertains to the appropriateness of the form and character of the development as considered against applicable DPA guidelines. Further, there is an environmental development permit tied to the project as it relates to the potential impact of development on significant trees; a large area of the most heavily-wooded lands has now been dedicated to the City of White Rock allowing for the long term conservation of this natural resource. Given the site-specific (CD-46) zoning bylaw provisions that apply to the property and largely dictate the form of the building, City staff believe the application satisfies the applicable DPA Guidelines as set out in the Official Community Plan and recommends that DP No. 400 be approved.

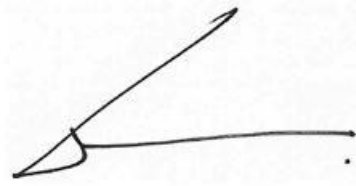
Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Carl Isaak', is positioned above the printed name.

Carl Isaak, RPP, MCIP
Director of Planning and Development Services

Comments from the Chief Administrative Officer

I concur with the recommendation of this corporate report.

A handwritten signature in black ink, consisting of a stylized 'G' followed by a series of loops and a horizontal stroke ending in a dot.

Guillermo Ferrero
Chief Administrative Officer

Appendix A: Location and Orthophoto Maps

Appendix B: Comprehensive Development Zone No. 46 (CD-46)

Appendix C: Draft Development Permit No. 400

Appendix D: Multi-Family Development Permit Area Guidelines – Response Table