

THE CORPORATION OF THE
CITY OF WHITE ROCK
CORPORATE REPORT



DATE: April 17, 2023

TO: Mayor and Council

FROM: Anne Berry, Director, Planning and Development Services

SUBJECT: Initial Review of 1454 Oxford Street – Building B Unit Count Change

RECOMMENDATIONS

THAT Council:

1. Receive for information the corporate report dated April 17, 2023, from the Director of Planning and Development Services, titled "Initial Review of 1454 Oxford Street – Building B Unit Count Change";
 2. Recommend Council give First and Second Reading to Zoning Bylaw, 2012, No. 2000, Amendment (CD-46 – 1454 Oxford Street) Bylaw, 2023, No. 2467" as presented;
 3. Recommend that Council direct staff to resolve the following issues before final adoption if Bylaw No. 2351 is given Third Reading after the Public Hearing;
 - a) Ensure that all engineering requirements and issues, to the satisfaction of the Director of Engineering and Municipal Operations;
 - b) Council acknowledges and accepts the negotiated community amenity contribution concerning the change in units in Building B, 43 units to 125 units at 1454 Oxford Street, in the amount of \$2,320,661.46 million.
 4. Direct staff to schedule the public hearing for "White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CD-46 – 1454 Oxford Street) Bylaw, 2023, No. 2467,".
-

EXECUTIVE SUMMARY

In 2014, the city received applications for an Official Community Plan (OCP) amendment, a Zoning Bylaw Amendment and a Major Development Permit (DP) at 1454 Oxford Street. The proposal was for a 121-unit multi-family development including two residential towers (i.e., 21 and 24 storeys) on a shared two-storey podium. In addition, 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 secured a community amenity contribution of \$3.6M and the dedication of a 0.92-acre parcel of wooded lands. Tower A is currently going through the building permit process, and this tower is 24 storeys and 78 units.

The Applicant would like to request a change in the number of units in Building B from 43 units to 125 units. They intend to reconfigure the floor plans to create smaller units. There is no change in height.

PREVIOUS COUNCIL DIRECTION

| Motion # & Meeting Date | Motion Details** |
|---|--|
| 2015-426 & 2015-427 November 23, 2015 | <p>THAT the Land Use and Planning Committee:</p> <p>It was MOVED and SECONDED THAT Council gives first and second readings to "White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CD46 – 1454 Oxford Street) Bylaw, 2015, No. 2056."</p> <p style="text-align: right;">CARRIED</p> <p>It was MOVED and SECONDED THAT Council authorizes staff to schedule the public hearings for "Official Community Plan Bylaw 1837, 2008, Amendment No. 23 (Oxford Everall), 2015, No. 2123." and "White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CD46 – 1454 Oxford Street) Bylaw, 2015, No. 2056." for December 7, 2015</p> <p style="text-align: right;">CARRIED</p> |
| 2015-436, 2015-437, Subsequent Motion 2015-438 & 2015-439 December 14, 2015 | <p>THAT Council gives third Reading to "Official Community Plan Bylaw 1837, 2008, Amendment No. 23 (Oxford / Everall), 2015, No. 2123."</p> <p style="text-align: right;">CARRIED</p> <p>THAT Council acknowledges and accepts the negotiated community amenity contribution in relation to the development at 1444 & 1454 Oxford Street and 1487 Everall Street, in the amount of \$3.4 million plus the dedication of approximately .96 acres.</p> <p style="text-align: right;">CARRIED</p> <p>It was MOVED and SECONDED THAT Council defers consideration of "White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CD-46 – 1454 Oxford Street) Bylaw, 2015, No. 2056" until the regular Council meeting of December 14, 2015.</p> <p style="text-align: right;">CARRIED</p> <p>THAT Council gives third Reading to "White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CD-46 – 1454 Oxford Street) Bylaw, 2015, No. 2056."</p> <p style="text-align: right;">CARRIED</p> |
| 2016-440, 2016-444, 2016-445, & 2016-446 September 19, 2016 | <p>THAT the Land Use and Planning Committee:</p> <ol style="list-style-type: none"> 1. Receive for information the corporate report dated September 19, 2016, from the Acting Director of Planning and Development Services, titled "Phased Development Agreement (Elegant) – 1454 Oxford Street (OCP/ZON/PDA 14-009);" 2. Recommend that Council rescind first, second and third readings for "Official Community Plan Bylaw 1837, 2008, Amendment No. 23 (Oxford / Thrift / Everall), 2015, No. 2123" and "White Rock |

| | |
|---|--|
| | <p>Zoning Bylaw, 2012, No. 2000, Amendment (CD-46 – 1454 Oxford Street) Bylaw, 2015, No. 2056;"</p> <p>3. Recommend Council give first and second Reading to "Official Community Plan Bylaw 1837, 2008, Amendment No. 23 (Oxford / Thrift / Everall), 2015, No. 2123" and "White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CD-46 – 1454 Oxford Street) Bylaw, 2015, No. 2056" as presented;</p> <p>4. Recommend that Council give first and second readings to "Phased Development Agreement (1454 Oxford Street) Bylaw, 2016, No. 2158," and</p> <p>5. Direct staff to schedule the public hearing for:</p> <ul style="list-style-type: none"> • "Official Community Plan Bylaw 1837, 2008, Amendment No. 23 (Oxford / Thrift / Everall), 2015, No. 2123," • "White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CD-46 – 1454 Oxford Street) Bylaw, 2015, No. 2056," and • "Phased Development Agreement (1454 Oxford Street) Bylaw, 2016, No. 2158." <p style="text-align: right;">CARRIED</p> |
| 2016-523, 2016-524 & 2016-525 December 5, 2016 | <p>THAT Council give third Reading to "Official Community Plan Bylaw 1837, 2008, Amendment No. 23 (Oxford / Everall), 2015, No. 2123."</p> <p style="text-align: right;">CARRIED</p> <p>THAT Council give third Reading to "White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CD-46 – 1454 Oxford Street) Bylaw, 2015, No. 2056."</p> <p style="text-align: right;">CARRIED</p> <p>THAT Council give third Reading to "Phased Development Agreement (1454 Oxford Street) Bylaw, 2016, No. 2158."</p> <p style="text-align: right;">CARRIED</p> |
| 2017-274 June 12, 2017 | <p>THAT Council gives final Reading to "Official Community Plan Bylaw 1837, 2008, Amendment No. 23 (Oxford/Everall), 2015, No. 2123"</p> <p style="text-align: right;">CARRIED</p> |
| 2017-274 June 12, 2017 | <p>THAT Council gives final Reading to "White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CD-46 – 1454 Oxford Street) Bylaw, 2015, No. 2056".</p> <p style="text-align: right;">CARRIED</p> |
| 2017-274 June 12, 2017 | <p>THAT Council gives final Reading to "Phased Development Agreement (1454 Oxford Street) Bylaw, 2016, No. 2158".</p> <p style="text-align: right;">CARRIED</p> |
| 2021-LU/P-073 June 28, 2021 | <p>It was MOVED and SECONDED THAT The Land Use and Planning Committee defer consideration regarding Development Permit No. 400 for 1454 Oxford Street pending the City obtaining a legal opinion.</p> <p style="text-align: right;">CARRIED</p> |

| | |
|--------------------------------|--|
| 2021-LU/P-077 July 26, 2021 | THAT the Land Use and Planning Committee recommend that Council authorize the issuance of Development Permit No. 400 for 1454 Oxford Street. <div>CARRIED</div> |
|--------------------------------|--|

**The above motions are related to a separate application process and are not under consideration. They are only given for contextual information.

INTRODUCTION/BACKGROUND

Original Application

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 Figure 1).



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

In 2017 Mayor and Council Approved an OCP amendment and Rezoning application for this site. In 2021, Mayor and Council approved the development permit at 1454 Oxford Street (see Figure 1). The application consisted of two buildings of 21 and 24 storeys, a 409-stall shared underground parkade with a maximum residential floor area of 297,156 ft², and 121 dwelling units.

A through a registered phased development agreement (signed May 4, 2017), the Applicant transferred an approximately 0.92-acre public space to the City of White Rock and an amenity payment of \$3.6M.

On August 3, 2021, IOM Nautilus Views Ltd. submitted a Building Permit Application for Phase 1 (complete underground and Tower A). The Applicant is working on a Shoring Agreement for building permit release with staff.

Requested Change to Unit Count

The Applicant has submitted a zoning amendment to change the number of units in tower B. CD zone 46 states that a maximum number of dwelling units shall not exceed 121. The Applicant wishes to increase the overall unit count by 78, bringing the total unit count between Tower A & B to 203 (see table below). This will require changing the CD zone because it specifies a unit count. This change is not exceeding the allowable FAR permitted through this CD zone.

Summary Table of Changes

| Current | Proposed |
|---|--|
| Building A Unit Counts (Current): 78 | None |
| Building B Unit Counts (Current): 43 | 125 |
| Building B Unit Type (Current): <ul style="list-style-type: none"> • 43 Suites - 3 Bed + Den | Building B Unit Type (Proposed): <ul style="list-style-type: none"> • 19 Suites - 2 Bed • 101 Suites - 2 Bed + Den • 4 Suites - 3 Bed + Den |
| Parking Summary | Proposed |
| Required Visitor (0.3/Unit): 61 Stalls Required Residential (1.2/Unit): 244 Stalls Total Required Stalls: 305 Stalls | Total Available Stalls: 409 Stalls |

The Applicant and staff will work together on updating the works and services agreement to ensure it reflects the requested changes if approved by Council.

Official Community Plan – Policy Framework

The former OCP 2008 Bylaw No. 1837 land use designation of the property 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.

Previously under OCP Bylaw No. 2220, adopted in 2017, this property was designated "Town Centre Transition." Within this designation, the OCP (before amendment by Bylaw No. 2387) allows multi-unit residential uses ranging from low-rise to high-rise buildings. In the context of the Everall Neighbourhood:

Policy 8.2.5 - Allow height increases to accommodate allowable densities while protecting mature, healthy, high-value trees in the area bounded by North Bluff Road, Thrift Avenue, Oxford Street, and Vidal Street.

This policy was removed by Amendment Bylaw No. 2387 when Council directed staff to undergo a review of the heights and density of the 2017 version of OCP Bylaw No. 2220.

OCP Height and Density – Before 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. The property is a yellow star on both figures.



Figure 9 Maximum FAR in the Town Centre, Town Centre Transition, and Lower Town Centre Areas (* indicates 2.0 FAR)



Figure 10 Conceptual Height Transitions in the Town Centre, Town Centre Transition, and Lower Town Centre Areas

Before 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 a 40% increase (up to 2.8 FAR) if market rental housing is provided. The FAR density approved by the existing CD-46 Zone for this property is approximately 4.5 FAR. The heights in Figure 10, applied 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.

Considering the potential for policy changes over time, Policy 8.13.1 of the current 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.

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.

OCP Height and Density – Following Amendment by OCP Amendment Bylaw No. 2387
OCP Amendment Bylaw No. 2387 changed the OCP heights in Figure 10 to "maximums" instead of "conceptual height guidelines." However, these maximum heights would only apply 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 that can be built on the property.

OCP 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 achieve Development Permit Area guidelines in Section 22 fully, the guidelines shall not prevent the issuance or amendment of a Development Permit in that zone."

Current Proposal

Through market research, the developer has identified that the ideal home for this project would be dwelling units ranging from 1,000 ft² to 1,500 ft². The target demographic for these units is the downsizer market. People selling their larger homes are looking for a living situation that allows them to age in place.



Figure 2: Site context - Surrounding buildings.

The Applicant now wishes to reformat Tower B to accommodate the demand for these units (See Appendix D). The proposal outlines a plan to redesign the majority of Tower B to units ranging from 1014 ft² (smallest unit) to 1496 ft² (largest unit) from floors 3 through 21. There will be minor changes to units on floors 1 and 2 and no changes on floors 22 to 24. There is no change in square footage or building height. The unit change impact will be limited, and there will be no changes to the currently accepted massing of the project.

Per the parking requirement set out by the City of White Rock Zoning Bylaw No. 2000 4.14.1, a standard of 1.5 parking spaces is required per dwelling unit (see table above). The new density of

203 units from 121 would require the project to supply 305 parking spaces. However, the project supplies 409 parking spaces, a surplus of 104 spaces. Therefore, the requested change in units meets the zoning bylaw requirements for parking.

In preparation for this report to Council for consideration, the staff asked the application to revise the traffic impact study (Appendix F). On August 23, 2022, the Applicant retained Bunt & Associates Transportation Planners and Engineers to update a traffic impact study commissioned by the City of White Rock in 2014. The updated report aimed to study the impact an additional 78 units would have on the local infrastructure. Per the updated report provided to staff, it was determined that "additional traffic generation is not anticipated to have a significant impact on the roadway network, and the operational analyses provided in the 2014 traffic impact analysis are anticipated to continue to be applicable.

The developer has offered to pay \$2,320,661.46 in a community amenity contribution (CAC). The developer has requested that this amount be payable upon building permit issuance of Tower B. Staff are recommending that this condition be a condition of rezoning because that is the mechanism that allows the additional density.

Also, per the City of White Rock Density Bonus/Amenity Contribution Policy Council-511, an Amenity Zoning Bylaw is triggered for an application exceeding 1.5 FAR. Therefore, this application does not request any additional FAR, which would not trigger an Amenity Zoning Bylaw. However, the Applicant is voluntarily offering an amenity contribution for the application in the amount of \$2,320,661.46. The rationale for the CACs is based on a prorated per dwelling unit rate based on the \$3.6M previously paid for an application of 121 dwelling units between towers A & B ($\$29,752.07 \times 78 \text{ additional dwelling units} = \$2,320,661.46$)

The Applicant has provided staff with a memorandum of understanding (Appendix E) outlining their intention to sell presales in the project to only City of White Rock residents for the first sixty days of its presale period.

FINANCIAL IMPLICATIONS

The Applicant has voluntarily contributed \$2,320,661.46 pending Council approval of the amendment.

COMMUNICATION AND COMMUNITY ENGAGEMENT IMPLICATIONS

A public hearing will be held for this project as per the *Local Government Act*. The past 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.

As the overall scale, and form and character of the building will not change staff is recommending that this application does not need to be reviewed by the ADP or proceed to a developer information meeting.

CLIMATE CHANGE IMPLICATIONS

As noted in the Applicant's past submission, the buildings have been designed to meet high sustainability standards and the 2010 ASHRAE energy performance requirements. In addition, 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 sequester carbon dioxide, a known contributor to climate change. Finally, more intensive use of urban, serviced lands lessens the need for sprawl into the periphery and lessens the need for private automobile use.

ALIGNMENT WITH STRATEGIC PRIORITIES

1. Community – We foster a livable city with connected residents enjoying distinctive places and activities.
2. Housing & Land Use – We advocate for diversity in housing and practice balanced land-use planning.
3. Infrastructure (Built and Natural Environment) – We plan, build, and maintain infrastructure to enhance the quality of life and civic service delivery while mitigating and adapting to environmental impacts.
4. Local Economy – We facilitate diversified economic growth and leverage partnerships

OPTIONS / RISKS / ALTERNATIVES

Alternatives to the staff recommendations include:

1. Council may direct the application to proceed to the next stage in the process and give additional direction to the Applicant and staff;
2. Council may direct staff to obtain additional project-specific information before deciding whether to advance or deny the application;
3. Council may deny the applications.

CONCLUSION

The city considered the subject development proposal upon receipt of OCP and zoning amendment applications in 2014. In addition to a Phased Development Agreement, the city approved these applications in 2017. The current application pertains to increasing the unit count in building B from 43 units to 125 units. There is no change to height, allowable FAR and minimal changes to the form and character of the building. Given the site-specific (CD-46) zoning bylaw provisions that apply to the property and largely dictate the form of the building, city staff are recommending this application for approval.

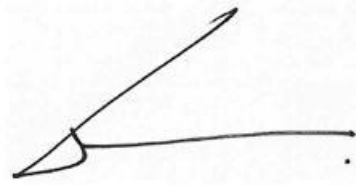
Respectfully submitted,



Anne Berry
Director, Planning and Development Services

Comments from the Chief Administrative Officer

I concur with the recommendations of this corporate report.

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

Guillermo Ferrero
Chief Administrative Officer

- Appendix A: Staff Report - November 23, 2015 - 1454 Oxford Street – Rezoning and OCP Amendment
- Appendix B: Staff Report - September 19, 2016 - 1454 Oxford Street - LUPC (OCP & ZON & PDA & MJP 14-009)
- Appendix C: Staff Report - June 28, 2021, LUPC - 1454 Oxford Street - Major Development Permit (14-009)
- Appendix D: Nautilus Tower B Applicant Memo
- Appendix E: MOU Nautilus Tower B
- Appendix F: Updated CD- 46 - 1454 Oxford Street
- Appendix F: Updated Traffic Impact Analysis