



## **THE CORPORATION OF THE CITY OF ROSSLAND**

### **AGENDA**

**COMMITTEE-OF-THE-WHOLE MEETING OF COUNCIL  
CITY HALL COUNCIL CHAMBER  
MONDAY, NOVEMBER 4, 2013  
7:00 P.M.**

- (1) CALL TO ORDER**
- (2) ADOPTION OF AGENDA**
- (3) PUBLIC INPUT PERIOD**
- (4) BUSINESS**
  - a) Zoning Amendment - Cooke Avenue (Former School Site)**

Review and consideration of the neighbourhood concerns regarding the proposed Zoning Amendment Bylaw No. 2547, 2013(2) to rezone the Old Cooke Avenue School Site to allow a change in zoning from P1-Public Institutional to CD6-Mixed Residential.

- (5) CLOSE OF MEETING**

**RESOLVED THAT** the November 4, 2013 Committee-of-the-Whole Meeting be adjourned.



## THE CORPORATION OF THE CITY OF ROSSLAND

**DATE:** October 31, 2013

**FILE:** 3360.20/04-2011

**SUBMITTED BY:** Stacey Lightbourne

**SUBJECT: ZONING AMENDMENT – Cooke Ave (former School site)**

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### **PURPOSE:**

To report on issues noted at the Public Hearing on September 23, 2013 for the re-zoning application at the Cooke Ave former school site.

### **SUMMARY**

The following report summarizes the issues raised at the Public Hearing, and outlines some options for addressing these issues. Options highlighted in yellow are staff recommendations.

#### **1) DENSITY**

##### **Issues raised:**

- **Should be single family homes in order to fit with the neighbourhood.**
- **Density proposed is 4x that of surrounding neighbourhood.**
- **Density is too much and doesn't fit with the area.**

##### **Staff Discussion:**

Bylaw # 2547 sets a residential density as:

- a) 10 Equivalent Units for each lot.
- b) 14 Dwelling Units for each lot.
- c) A maximum of 6 Dwelling Units within any Multiple Family Dwelling on either lot.

This ensures that the density of 20 Equivalent Units (EUs) is equally distributed between the two large lots, but still supports the proponent's proposal while defining the development yield potential. The proposed density limit would still facilitate nearly a tripling of dwelling unit density on the site when compared to the surrounding neighbourhood. Rossland has several multi-family zones which feature density caps and which have been well managed.

If the full-block property were to be zoned as R-1 Detached Infill Residential, then the minimum lot size could allow for up to 20 one-family detached dwellings. The proposal achieves a compatible density fit by setting the density at 20 Equivalent units.

It should also be noted that in the initial proposal for this site, the density desired was 16 Equivalent Units.

**Options for Council to Consider:**

- Reduce the density – The density could be reduced in a number of ways.
  - The overall density could be reduced. (Currently a total of 28 dwelling units-14 on each parcel)
  - The number of dwelling units per multiple family dwelling could be reduced. (Currently a maximum of 6 dwelling units per multiple family dwelling)
  - The permitted uses on the site could be restricted to One and Two family dwellings.

While all of the above restrictions would still comply with OCP guidelines for infill development and will reduce the impact on the neighbourhood, it may reduce the return on investment for the developer and/or may make the site unfeasible to develop.

- Retain the density suggested in Bylaw #2547 (10 Equivalent Units for each lot, 14 Dwelling Units for each lot, maximum of 6 Dwelling Units within any Multiple Family Dwelling on either lot.)

**2) GRADE/HEIGHT**

**Issues raised:**

- Height is not compatible with neighbourhood-too high
- Concern with blocked views
- Concerned with added fill on the site and how that will affect the measurement of height.
- Wondering how storm water will be managed if fill is added to the site.

**Staff discussion:**

According to the zoning bylaw, height is measured from finished grade which is defined as:

*GRADE, FINISHED*

*means:*

*a. the grading elevation as identified on a lot grading plan , where such a plan has been approved by the City; or*

*b. where there is no approved lot grading plan, the lowest natural grade elevation existing prior to construction, such grade elevation to include fill materials placed on the lot to raise the grade elevation up to but not above the Natural Grade elevation of adjacent lots.*

**Options for Council to consider:**

- Direct the developer to do a shadow/viewscape analysis of the site. The result may allay neighbourhood concerns but could be costly for the developer.
- Reduce the height to 10 metres. This will match the height limit of the existing neighbourhood. While multiple family developments can be designed with a 10 metre height limit, it will restrict the design alternatives.

- Ensure that building height is measured from existing grade, not from fill, and retain the bylaw's 12 metre height. This can be done by specifically stating that in the bylaw. The applicant is agreeable to this.

### 3) TRAFFIC/ACCESS

#### Issues raised:

- Require only 2 accesses on Cooke Ave as recommended by Engineering Report.
- Require only 2 accesses on Cooke to allay traffic concerns in the neighbourhood.
- Increased density will exacerbate traffic issues in the neighbourhood.
- Concerned with traffic safety and speed.

#### Staff Discussion:

Restricting access to no more than two points on Cooke between the Monita and Cliff St RoWs implements OCP policies on traffic calming, on addressing the impacts of higher densities within settled neighbourhoods, and on establishing servicing efficiencies. Registering a 219 restrictive covenant is the appropriate legal tool to require that the owner must not use any part of their land as a driveway or other means of vehicular access to Thompson Ave, Cliff St. and Monita St.

Site topography remains largely unaffected with access restriction. An allowance for access to Thompson introduces the likelihood that structural fill will need to be placed on-site and on the Thompson Ave boulevard (requiring a Development Variance Permit to the Cut-and-Fill bylaw).

#### Options for Council to consider:

- Ensure only 2 accesses on Cooke Ave by changing the bylaw to include this restriction. This will allay some traffic impact concerns. The developer is agreeable to this restriction.

### 4) DESIGN

#### Issues raised:

- Design does not fit with the neighbourhood
- The building design is boxy.
- Developer has built very boxy buildings that don't sell.
- Are there design guidelines?

#### Staff Discussion:

This area is within a Development Permit Area for form and character, however, the guidelines are very limited (see below). The developer will have to apply for a Development Permit before building construction but in the absence of specific guidelines, Council cannot require particular building forms even if a professional architect recommends alternatives.

- a) *Until such time that design guidelines for all commercial and multi-family development are adopted by Council, the City of Rossland may retain the services of*

*a professional architect or urban designer to evaluate the proposed developments in terms of built form, finishing materials and landscaping.*

- b) *Proposed developments in these areas must be compatible with surrounding land uses and take advantage of site opportunities such as existing topography and vegetation and passive solar orientation.*

**Options for Council to consider:**

- Refrain from amending the zone until new Design Guidelines are adopted by Council. This will ensure the development conforms to the guidelines adopted but will delay development on the site.
- Amend the zone and retain existing guidelines.
- Amend the zone but direct staff (with appropriate budget ~\$10,000) to create more specific guidelines for multifamily developments within the City of Rossland as recommended in the OCP Section 18.15: *Consider updating the DP Area guidelines for form and character for multi-family developments.* It is possible that the guidelines may be adopted by Council prior to the submission of a building permit for this site.

**5) ECONOMICS**

**Issues raised:**

- **Will this development actually attract residents? Most people move to Rossland to get away from “City” type developments.**
- **The developers estimated price for housing is not affordable.**
- **What is the timetable for development? Is the neighbourhood to be subjected to decade long construction?**
- **Just because you can build it, doesn’t mean you should.**
- **Developer built duplex on Kootenay over a year ago and it is not affordable nor has it sold.**
- **Is this type of housing actually needed/wanted?**

**Staff Discussion:**

The mildest approach to creating affordable housing would be requiring a smaller unit (generally more affordable) within each multiple family dwelling. This offers a market based solution rather than what would be required under a Housing Authority. The proponent receives an additional dwelling unit to sell at market price.

Development economics are difficult to comment on prior to development. As a zoning amendment is discretionary, Council may consider the economics of the development when evaluating the merits of a proposed development.

**Options for Council to consider:**

- Require a minimum of 1 dwelling unit less than 50 sq. m. per large lot within a multiple-family dwelling (with 3 or more dwelling units) but remove that smaller dwelling unit from the density calculation. The developer does not want this as he believes this unit is not marketable.

## **CONCLUSION**

The developer has previously agreed to planting 12 trees on the Cliff Street Right of Way and improving the area following installation of a water main and providing snow storage right of ways along Monita, Cooke and Thompson at the time of development. This will be included in a development agreement.


Staff and the developer have also discussed laneway land swap opportunities to allow for more creative development of the site. The developer is open to this option so staff will continue to explore this possibility.

The OCP directs Council to consider higher density developments anywhere in Rossland on a project by project basis. When reviewing rezoning proposals for multi-family residential development, the City shall consider the following criteria in determining the appropriateness of the development:

- Walking distance to commercial, recreational, public/institutional centres, or parks;
- Proximity to major collectors or arterial roads in order to reduce traffic impacts on local roads and facilitate transit service;
- Adequacy of existing services;
- Potential of the proposed development to provide a range of housing types and tenures that are suitable for seniors, households with low and moderate incomes, and persons with special needs;
- An appropriate transition between lower density housing, and compatibility with adjacent land uses;
- The range of densities and housing forms in the residential neighbourhood;
- Aesthetic quality including massing, scale, building form, view and shadow impacts;
- Protection of the proposed development from natural hazards;

Prepared by:

Approved for submission to Council:

  
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 Stacey Lightbourne

  
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 Deputy CAO/CO