

AGENDA ITEM NO: 7.14

MEETING DATE: November 7, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Station One Architects
Rezoning & Development Variance Permit
/ 45835 Spadina Avenue DATE: October 30, 2023

DEPARTMENT: Planning Department
RZ001634 & DVPO1274 PREPARED BY:  Stacy Johnson / mb

1. SUMMARY OF ISSUE:

The applicant requests to amend the text of the R9 (Affordable Rental Housing) Zone to include a "club or lodge" as a permitted use and address site specific off-street parking requirements for the subject property and to rezone the property from a C3 (Town Centre Commercial) Zone to an R9 (Affordable Rental Housing) Zone to facilitate the construction of a new mixed-use building within the subject property.

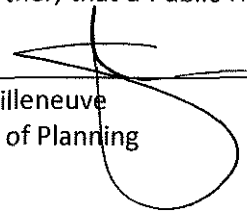
Once the Bylaw has been to Public Hearing, staff recommend that Council hold the application at 3rd reading pending the registration of a Housing Agreement and approval of an application for a Site Specific Exemption from the Floodplain Regulation Bylaw.

A concurrent Development Variance Permit application has been submitted to vary Zoning Bylaw standards as detailed within the report.

2. RECOMMENDATION:


Recommendation that "Zoning Bylaw Amendment Bylaw 2023, No. 5367", which proposes to amend the text of the R9 (Affordable Rental Housing) Zone to include a "club or lodge" as a permitted use and address off-street parking requirements for the subject property, be given first and second reading; and further, that a Public Hearing be called for November 21, 2023. (RZ001634)

Recommendation that "Zoning Bylaw Amendment Bylaw 2023, No. 5368", which proposes to rezone property located at 45835 Spadina Avenue from a C3 (Town Centre Commercial) Zone to an R9 (Affordable Rental Housing) Zone, be given first and second reading; and further, that a Public Hearing be called for November 21, 2023. (RZ001634)


Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.


Chris Crosman
Chief Administrative Officer

**STAFF REPORT ON REZONING APPLICATION RZ001634 &
DEVELOPMENT VARIANCE PERMIT APPLICATION DVP01274**

PREPARED BY: Stacy Johnson DATE: October 30, 2023
POSITION: Senior Planner DEPARTMENT: Planning

1. DEFINITION OF ISSUE:

The applicant requests to amend the text of the R9 (Affordable Rental Housing) Zone to include a "club or lodge" as a permitted use and address site specific off-street parking requirements for the subject property and to rezone the property from a C3 (Town Centre Commercial) Zone to an R9 (Affordable Rental Housing) Zone to facilitate the construction of a new mixed-use building within the subject property.

Once the Bylaw has been to Public Hearing, staff recommend that Council hold the application at 3rd reading pending the registration of a Housing Agreement and approval of an application for a Site Specific Exemption from the Floodplain Regulation Bylaw.

A concurrent Development Variance Permit application has been submitted to vary Zoning Bylaw standards as detailed within the report.

2. PROPOSAL:

The applicant requests to rezone the subject property to the R9 Zone with a concurrent text amendment to the R9 Zone to include a "club or lodge" as a permitted use and include site specific parking requirements for the proposed mixed-use development. *Mamele'awt Qweesome/To'o Housing Society* (MQHS) and *Cheam View United Church* have partnered together for this proposal to provide affordable housing and support services, primarily for Indigenous people in the Fraser Valley.

In summary the proposal includes:

- A new 6-storey mixed-use building:
 - The first storey is split into 133m² indoor common amenity area with an approximately 20m² outdoor patio and 268m² space for "club or lodge" uses;
 - The upper storeys will contain 64 residential units (20 affordable market rental units, 33 rent geared to income units and 11 deep subsidy units) and an approximately 76m² outdoor amenity area;
- The main entrance to the "club/lodge" off of Spadina Avenue with the main residential entry off of Main Street;
- An L-shaped building design for the 2nd – 6th storeys fronting both Spadina Avenue and Main Street. The portion of the building fronting Main Street partially covers a portion of the surface parking area;

- 47 surface parking stalls within two separate areas, accessed through two separate entrances;
- Sufficient bike parking and EV charging provided; and,
- Landscaping including 15 trees (14 required) and a roof top patio with planter boxes.

A separate Development Variance Permit application has been submitted to be considered concurrently to request the following variances to the minimum development standards of the Zoning Bylaw and the proposed R9 Zone:

- **Setbacks**
 - reduce the Front Lot Line setback (Spadina Avenue) for an Apartment from 3m to 1.5m for the 2nd – 6th storeys.
- **Amenity Areas**
 - reduce the minimum required common amenity area from 470m² to 229m² (an indoor amenity space of 133m² is proposed in addition to an outdoor patio of 76.3m² on the 6th storey and a 20.1m² ground floor patio);
 - reduce the minimum required dimension of a common amenity space from 6m to 2.7m for the Main Street patio area; and,
 - waive the requirements that General Commercial and School Uses shall only be permitted in floors located below apartment uses (to allow common amenity area and club/lodge space on the ground floor).
- **Storage Lockers**
 - waive the requirement to provide a separate storage locker for each unit in a centralized location in favor of storage within each unit that meets minimum size required (1m x 2m), with the exception of 5 units which have storage lockers with approximate dimensions of 1.1m x 1.3m.
- **Off-Street Parking, Loading & Maneuvering Aisles**
 - increase the maximum small car percentage from 20% to 28% (9 to 13 stalls)
 - reduce the minimum required parking stall width for institutional uses from 2.75m to 2.6m; and,
 - reduce the minimum required maneuvering aisle width for institutional uses from 7.5m to 6m.
- **Landscaping**
 - waive landscaping requirements for the interior of a parking lot area (of 20 or more spaces); and,
 - reduce the minimum required overall site landscaping from 20% to 14.5%.
- **Screening**
 - waive the requirement that parking and waste container facilities be located behind or under proposed uses, so as to be screened from public areas.

As the R9 Zone allows for a site-specific parking requirement, the applicant has proposed the following parking on site:

- 47 parking spaces to service the 64 residential units (20 affordable market rental units, 33 rent geared to income units and 11 deep subsidy units) and 268m² of club/lodge space.
 - Based on standard Zoning Bylaw parking requirements and the proposed uses there is a total shortfall of 62 parking spaces between the minimum parking requirements and the proposed number of parking stalls (a total of 109 are required).
 - As the site design includes 13 visitor parking spaces to be shared between visitors to the residential building and those utilizing the club/lodge space, residential parking standards have been utilized for the parking lot design (i.e., parking space width of 2.6m and maneuvering aisle width of 6m as opposed to parking space width of 2.75m and maneuvering aisle width of 7.5m as required within institutional developments).

The requested text amendment to permit a “club or lodge” within the subject property will allow for *Cheam View United Church* to continue to offer community-based programs within the building, with Mount Cheam Lions Club Outreach Program and Inner City Mission providing the services in addition to groups including Scouts, Girl Guides, Alcoholics Anonymous, and Narcotics Anonymous. Religious assembly uses will no longer be offered and are not permitted within the proposed zone. The amendment is supportable in this location due to the unique partnership between the owner and operator of the building and the need for these types of services to be provided in the community.

Staff have also included a housekeeping amendment to the R9 Zone to move off-street parking and loading requirements into the Special Regulations section and specify that these requirements are required instead of the parking and loading requirements within the Section 5 – Parking Requirements section of the Zoning Bylaw to create a consistent format throughout all zones within the Bylaw.

As the property is within Development Permit Area 4 (Downtown) a Development Permit (DP) application for “form and character” is required. The applicant has submitted a DP application to be considered concurrently with the rezoning and has been reviewed by the Design Review Advisory Committee; however, a Site Disclosure Statement (SDS) was required to be submitted to the Ministry of Environment and Climate Change Strategy (MOECCS), in accordance with the Environmental Management Act, which requires the Development Permit to be held until MOECCS completes a review of the property. In accordance with Section 557 of the Local Government Act, a municipality is permitted to process and approve a rezoning application as long as the SDS has been submitted for an associated Development Permit application for the same property. As such, the Rezoning and Development Variance Permit applications can be considered and the DP application will be brought forward for consideration once a response is received.

It is recommended that the rezoning application be held at 3rd reading pending the registration of a Housing Agreement and approval of a Site Specific Exemption application from the Floodplain Regulation Bylaw. In accordance with the R9 Zone, a Housing Agreement must be registered against the certificate of title to the land to ensure the development remains as below market rental housing. A Site Specific Exemption application is required to be approved to permit the proposed uses within the ground floor, as the property is located within the protected floodplain and is subject to the Floodplain Regulation Bylaw.

Final site layout must comply with City bylaws and may require frontage improvements, including LED streetlighting on Spadina Avenue and Yale Road and will required a 2.5m supplemental setback along Yale Road.

3. DISCUSSION REGARDING VARIANCES:

Setbacks

The requested reduction to the FLL setback along Spadina Avenue for the 2nd- 6th storeys of the proposed building (for the apartment) is anticipated to bring the development closer to the back of the sidewalk and allow the building and ground floor uses to interact with the street. With roof overhangs, projections over entrances and large windows provided along Spadina Avenue, the requested reduced setback is not anticipated to impact the massing of the building at the pedestrian scale. As the requested reduction is not expected to impact any adjacent neighbours along the road frontages, the request is supportable.

Amenity Areas

The applicant is requesting a reduction to the overall common amenity area required to be provided for the residents with the rationale that the proposed “club or lodge” space will be available for the use of the public as well as residents, increasing the total available amenity space up to 500m². Based on the number of units proposed, 470m² of total common amenity area is required.

Given the close proximity of the proposed development to other downtown amenities, including Salish Park, the public library and The Landing Leisure Centre, the requested variance is supportable in this location.

Storage Lockers

The applicant requests to permit the required storage lockers for each unit to be provided within the individual apartment units, rather than within a centralized storage area for all of the units and requests to reduce the minimum required storage area dimensions for 5 of the units (1 per floor) from 1m x 2m to approximately 1.1m x 1.3m. As a storage area is provided for all units and the requested reduction for 5 units is considered minor in nature, the request is supportable. Further, the development does include separate secure bicycle storage facilities located within the first storey.

Off-Street Parking and Maneuvering Aisles

An increase to the number of small car parking spaces by 8% (4 spaces) is proposed due to the unique lot layout and parking configuration. In order to provide as much parking on-site as possible and to ensure adequate turn-around for vehicles is provided, the proposed layout is requested.

The requested reduction to the minimum required parking stall width for institutional uses (customer and public access) from 2.75m to 2.6m is supportable as the proposed development is mixed-use and the requested reduction is in keeping with the parking stall requirement for residential uses. Instead of providing a mixture of customer/public access stalls and residential parking stalls, the applicant

requests that all parking stalls provided meet the minimum residential standard. As the proposed development is predominately residential in nature and the applicant has provided a Parking Supply Review (detailed below) in support of the requested parking configuration, the request is supportable.

The minimum required maneuvering aisle width of 7.5m for institutional (customer and public access) is also requested to be reduced to the minimum required residential standard of 6m. The request is supportable, as outlined above. The use of the residential maneuvering aisle width is anticipated to permit vehicle traffic to move through the two parking areas without issue given that there are two separate entrances for the parking areas proposed in this unique layout and large areas for vehicle turn-around have also been provided.

Landscaping

Given the unique shape, multiple road frontages, and constraints of the site, reductions to landscaping standards are being sought to:

- waive landscaping requirements for the interior of a parking lot area (of 20 or more spaces); and,
- reduce the minimum required overall site landscaping from 20% to 14.5%.

Despite these reductions, the proposed landscaping complements the overall design and links the public sidewalk with on-site sidewalks promoting a pedestrian scale and consistent streetscape.

Screening

The applicant requests to waive the requirement that parking and waste container facilities be located behind or under proposed uses. Given that the development is adjacent to three road frontages, screening the parking and garbage enclosure is not possible from all sides. The parking is located behind the building from the Spadina Avenue frontage and the proposed landscaping helps to screen the parking areas on the two other frontages.

The proposed garbage enclosure provides screening of the containers, but will be visible from Yale Road.

4. DESIGN REVIEW ADVISORY COMMITTEE (DRAC):

The DRAC has reviewed the proposal and has no concerns with the proposed variances and potential impact to the overall design; though, the Development Permit (DP) cannot be brought forward to Council for approval until the Ministry of Environment and Climate Change Strategy has approved a release to permit approval of the Development Permit application. Once a release has been received, the DP will be brought forward to Council for review.

The requested site plan and elevations are included within the attached draft Schedule "A" for the DVP.

5. FACTORS:

5.1 2040 Official Community Plan (OCP) / Land Use / Public Consultation

Official Community Plan: “Urban Quarter” as designated in the Downtown Land Use and Development Plan.

Land Use: *Cheam View United Church* (to be demolished).

Public Consultation: The applicant has indicated they will hold a public information meeting and forward the results to form part of the public record in advance of the Public Hearing.

5.2 Neighbourhood Character

The subject property is located within the Chilliwack Proper neighbourhood, across from the Chilliwack Museum and transit exchange and contains the *Cheam View United Church*. There are a number of amenities within the immediate area including parks, commercial businesses, a grocery store and public library.

There is ongoing residential redevelopment in the downtown area, including apartment buildings up to 6 storeys. Though the properties directly adjacent the subject property contain smaller scale commercial buildings, the proposed mixed-use building is considered to be in keeping with the development pattern of the downtown area. Given that the areas surrounding the subject property are also designated “Urban Quarter”, it is expected similar redevelopment will occur in the surrounding area in the future.

5.3 Technical Issues

Floodplain: The property is located within the protected floodplain and is subject to the Floodplain Regulation Bylaw. The applicant has submitted a Site Specific Exemption application that requests to permit “club or lodge” uses and common amenity space associated with the apartment building within the ground floor. The subject rezoning application is recommended to be held at 3rd reading pending approval of the Site Specific Exemption.

Watercourses: There are no known watercourses located within the vicinity of the subject property.

Geotechnical: The property is not subject to any known geotechnical hazards or earthquake-related risks.

Parking Study: A Parking Supply Review was completed by Bunt & Associates Engineering Ltd., August 4, 2023, and provided to the City in support of the requested parking rate for the proposed development. The report considered the proposed site layout, number of parking stalls and uses within the development and determined that the off-street parking provided will meet the demand

generated by the development. The study has been reviewed by the Engineering Department who confirmed support of the report findings.

Site Disclosure: A Site Disclosure Statement (SDS) was required to be submitted to the Ministry of Environment and Climate Change Strategy (MOECCS), in accordance with the Environmental Management Act, which requires the Development Permit to be held until MOECCS completes a review of the property. In accordance with Section 557 of the Local Government Act, a municipality is permitted to process and approve a rezoning application as long as the SDS has been submitted for an associated Development Permit application for the same property. As such, the Rezoning and Development Variance Permit applications can be considered and the DP application will be brought forward for consideration once a response is received.

Housing Agreement: A Housing Agreement is required to be registered against the certificate of title to the land to ensure the development remains as below market rental housing. The application is recommended to be held at 3rd reading pending completion of the agreement.

5.4 Conditions of Issuance

Staff support the requested variances as proposed by the applicant and recommend approval of the draft DVP, subject to the following recommended condition:

- that the development be in accordance with the plans found in Schedule “A”.

6. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5367”, which proposes to amend the text of the R9 (Affordable Rental Housing) Zone to include a “club or lodge” as a permitted use and address off-street parking requirements for the subject property, be given first and second reading; and further, that a Public Hearing be called for November 21, 2023. (RZ001634)

Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5368”, which proposes to rezone property located at 45835 Spadina Avenue from a C3 (Town Centre Commercial) Zone to an R9 (Affordable Rental Housing) Zone, be given first and second reading; and further, that a Public Hearing be called for November 21, 2023. (RZ001634)

Substantiation:

The requested text amendments and rezoning will facilitate construction of an affordable housing apartment building of a mass and scale consistent with the redevelopment trend in the surrounding area. Furthermore, the addition of apartments of a variety of sizes will encourage the use of

alternative forms of transportation in an area serviced by a frequent transit route and in close proximity to services and amenities.

The requested variances are supportable given that the proposed development includes ample amenity space, the development is brought closer to the edge of the street to improve the pedestrian experience, the proposed landscaping complements the overall site design and links the public sidewalk with on-site sidewalks promoting a pedestrian scale, and the parking supply review provided support for the requested site use and layout.

7. SOURCES OF INFORMATION:

- Development Permit Application (DP001566) – April 20, 2022
- Rezoning Application (RZ001634) – May 9, 2022
- Development Variance Permit Application (DVP01269) – May 9, 2022
- Development Application Review Team (DART) Minutes – May 5, 2022
- Parking Supply Review, Bunt & Associates Engineering Ltd. – August 4, 2023

Location Map



Orthophoto

