

AGENDA ITEM NO: 7.10

MEETING DATE: September 26, 2023

**STAFF REPORT – COVER SHEET**

SUBJECT: 1356981 BC Ltd.  
Rezoning / 45631 & 45641 Morton Road DATE: September 15, 2023

DEPARTMENT: Planning Department  
RZ001522 & DVP01300 PREPARED BY: Adam Roberts / cc


**1. SUMMARY OF ISSUE:**

The applicant wishes to rezone the subject properties from an R1-A (Urban Residential) Zone to an R6 (Mid Rise Apartment) Zone to facilitate a future apartment development. Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw with respect to the properties located at 45631 and 45641 Morton Road.

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. 5339", which proposes to rezone properties located at 45631 and 45641 Morton Road from an R1-A (Urban Residential) Zone to an R6 (Mid Rise Apartment) Zone, be given first and second reading; and further, that a Public Hearing be called for October 10, 2023. (RZ001522)

  
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Gillian Villeneuve  
Director of Planning

**3. CHIEF ADMINISTRATIVE OFFICER'S  
RECOMMENDATION/COMMENTS:**

Supports recommendation.

  
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Chris Crosman  
Chief Administrative Officer

**STAFF REPORT ON REZONING APPLICATION RZ001522 &  
DEVELOPMENT VARIANCE PERMIT APPLICATION DVP01300**

PREPARED BY: Adam Roberts DATE: September 15, 2023

POSITION: Planner III DEPARTMENT: Planning

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**1. DEFINITION OF ISSUE:**

The applicant wishes to rezone the subject properties from an R1-A (Urban Residential) Zone to an R6 (Mid Rise Apartment) Zone to facilitate a future apartment development. Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw with respect to the properties located at 45631 and 45641 Morton Road.

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

**2. PROPOSAL:**

The proposal is to rezone the subject properties from an R1-A Zone to an R6 Zone to facilitate a future 32-unit apartment development, the maximum density permitted based on the consolidated area of the properties. A concurrent Development Variance Permit application has been submitted to vary the following Zoning Bylaw standards:

- increase the maximum ratio of small car parking spaces from 20% to 26% (from 12 to 15 spaces); and,
- waive the requirement to provide an off-street loading space.

Final lot layout must comply with City Bylaws and include lot consolidation, 2.65m road dedication and urban half road frontage improvements complete with curb, sidewalk, LED streetlighting to extend from the subject properties to Vedder Road. The requirements of the Tree Management Bylaw and Land Development Bylaw apply.

Should the rezoning be approved, the proposed apartment will be subject to a Development Permit (DP) Area No. 5 (Urban Corridor) application to address “form and character” considerations. As part of the DP approval process, the applicant will be required to demonstrate the proposal meets the DP5 Design Guidelines and the objectives of the Infill Development Policy. As such, the conceptual site plan is subject to change as part of the DP review process. At this time, the attached conceptual site plan demonstrates two variances which are discussed in further detail below. No additional variances are anticipated at time of Development Permit application.

### 3. DISCUSSION REGARDING VARIANCES:

#### Small Car Parking

The applicant requests an increase to the maximum number of small car parking spaces permitted. The Zoning Bylaw permits a maximum of 20% of the number of parking spaces provided to be designated for small cars (4.5m length and 2.5m width, versus 6m length and 2.6m width for regular spaces). Given the total number of spaces proposed (58), a maximum of 12 small car spaces are permitted. At this time, 15 small car spaces are proposed, and as such, a variance is required. Although the number of small car spaces is exceeded, the total number of spaces proposed exceeds the minimum required (a total of 54 spaces are required, and 58 have been provided). As such, the variance request to permit 3 additional small parking spaces is considered supportable by staff given that the applicant has provided 4 additional spaces above the minimum required.

#### Off-Street Loading Space

The applicant requests to waive the requirement to provide an off-street loading space in favour of an on-street loading space on Morton Road. The Engineering Department has confirmed a designated loading space on Morton Road is acceptable in this location.

### 4. FACTORS:

#### 4.1 2040 Official Community Plan (OCP) / Land Use / Public Engagement

OCP Designation: “General Commercial” as designated within the South Vedder Neighbourhood Plan (SVNP) within the 2040 Official Community Plan. Standalone apartments are consistent with this designation.

Land Use: 45631 Morton Road – Single detached dwelling (to be demolished at time of redevelopment).

45641 Morton Road – Single detached dwelling and multiple detached ancillary buildings (to be demolished at time of redevelopment).

The applicant has provided a property maintenance plan which is attached as Schedule A for information.

Public Engagement: The applicant hand-delivered and mailed an information package between August 17-19, 2023 to neighbours within 30m of the subject properties requesting submission of questions or concerns in regard to the proposed rezoning application. The applicant received support from one neighbour and no opposition at time of consultation. The applicant was contacted by one neighbour who requested further information about the construction timeline as they were interested in buying in the area. A copy of the engagement package has been included within the public record.

## 4.2 Neighbourhood Character

The subject properties are located within the South Vedder neighbourhood and are surrounded by a variety of land uses including:

North: Two commercial buildings within the C2 (Local Commercial) Zone and a 5-storey apartment within the R5 (Low Rise Apartment) Zone.

East: Parking lot for the adjacent apartment and three properties within the R1-A Zone containing single detached dwellings.

South: Apartment and townhouse development within the R5 Zone.

West: Child care facility within the P1 (Civic Assembly) Zone.

Although the neighbouring property at 5412 Vedder Road has not been included within this proposal, the applicant has provided a redevelopment scenario for this property to demonstrate that 5412 Vedder Road will retain redevelopment potential independent of the current proposal. It is expected that development that is in keeping with the current “General Commercial” designation could be possible in the future if consolidated with the neighbouring property at 5430 Vedder Road. As such, the applicant has demonstrated that the proposed development will integrate well into the surrounding area while ensure redevelopment potential of neighbouring lots is preserved.

The proposed rezoning is consistent with the “General Commercial” designation within the SVNPP which supports standalone apartment development in this location in order to support the varied needs of South Vedder residents. The required urban frontage improvements – including curb, sidewalk and LED streetlighting – will ensure a safe and inviting streetscape is achieved. As the subject properties are within an area that contains existing commercial and multi-family uses, the proposed rezoning is considered to be consistent with and complementary to the existing neighbourhood.

## 4.3 Technical Issues

Floodplain: The subject properties are not located within the floodplain.

Watercourses: There are no known watercourses within or in the immediate vicinity of the subject properties.

Geotechnical Issues: The properties are not subject to any known geotechnical hazards or earthquake-related risks.

## 4.4 Condition 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”.

**5. RECOMMENDATION & SUBSTANTIATION:****Recommendation:**

Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5339”, which proposes to rezone properties located at 45631 and 45641 Morton Road from an R1-A (Urban Residential) Zone to an R6 (Mid Rise Apartment) Zone, be given first and second reading; and further, that a Public Hearing be called for October 10, 2023. (RZ001522)

**Substantiation:**

The proposed rezoning is consistent with the “General Commercial” designation within the SVNP, which supports standalone residential development in this location. Redevelopment is anticipated to complement the existing neighbourhood, support a safe and inviting pedestrian environment, and provide additional housing options in close proximity to various everyday needs.

The requested variances are not anticipated to significantly impact adjacent properties or the neighbourhood as a whole, and are supportable as they result in a design which provides excess parking for residents and an on-street loading space.

**6. SOURCES OF INFORMATION:**

- Rezoning Application (RZ001522) – June 14, 2021
- Development Variance Permit Application (DVP01300) – September 22, 2022
- Development Application Review Team (DART) Minutes – February 9, 2023

**Attachments:**

- Schedule A – Property Maintenance Plan

Site Photos

**45631 Morton Road**



**45641 Morton Road**

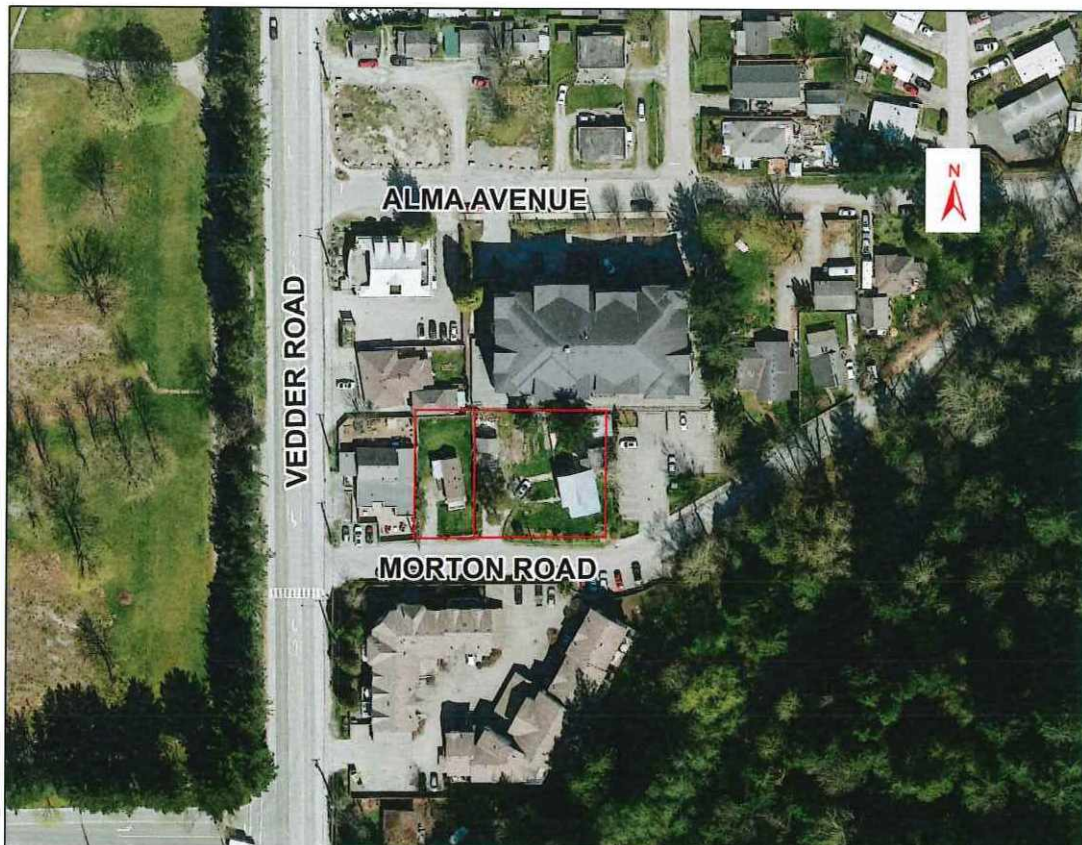




Location Map



Orthophoto



Conceptual Site Plan (as provided by the applicant)





## Schedule A

### Applicant's Property Maintenance Plan

The following was provided by the applicant on September 15, 2023:

Here is the plan to maintain the property throughout the redevelopment process:

- Both properties will continue to be rented to long term tenants on month to month basis.
- Lawn will be maintained by Jim's Mowing/owners on bi-weekly rotation.
- Owners will continue to visit the property bi-weekly to ensure no garbage, excess recreational vehicles or wood is being allowed to pile up on the property.