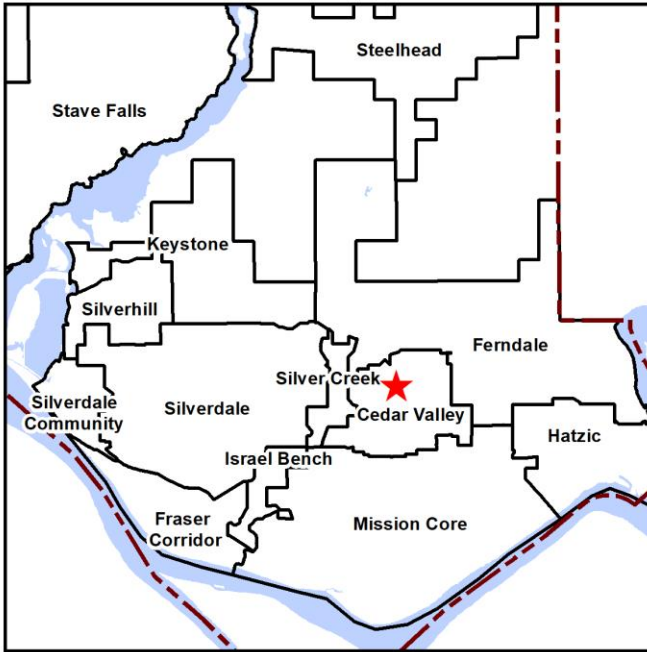


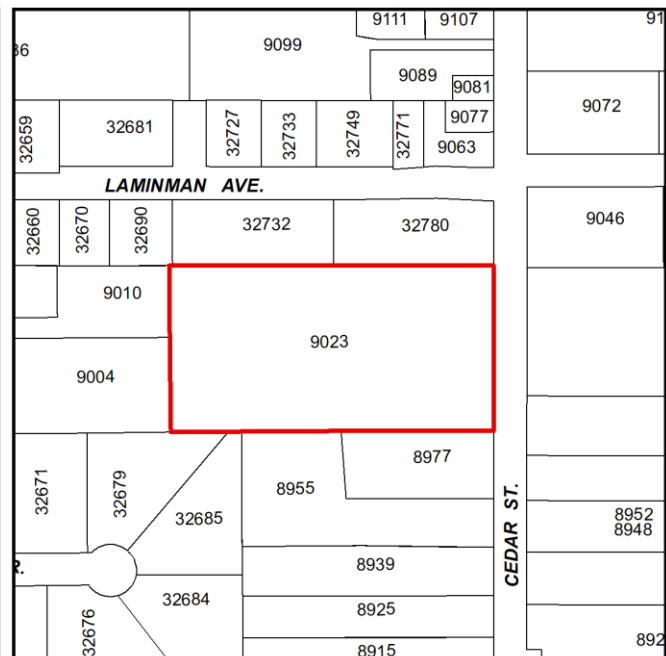
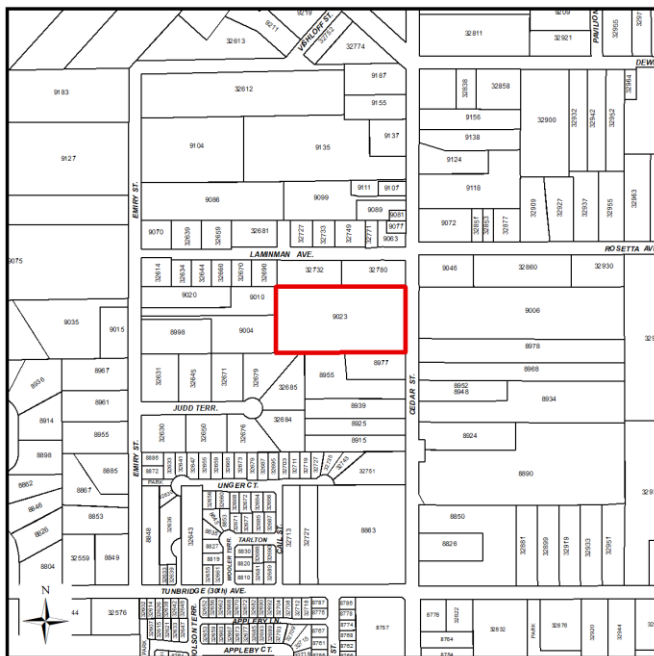
Project: P2020-100
 Application Numbers: OCP23-008 R20-032 DP20-106

Subject: Development Application – 9023 Cedar Street – Rezoning and OCP Amendments



DATE: November 18, 2024
BYLAW / PERMIT #: 6275-2024-5670(48) (OCP)
 6276-2024-5949(153) (Rezone)
PROPERTY ADDRESS: **9023 Cedar Street**
LOCATION: Cedar Valley
CURRENT ZONING: Suburban 20 Zone (S20)
PROPOSED ZONING: Neighbourhood Centre One Zone (NC1) and Institutional Parks, Recreation and Civic Zone (IPRC)
CURRENT OCP: Attached Multi-unit Residential and Protected Natural Assets
PROPOSED OCP: Neighbourhood Centre and Protected Natural Assets

PROPOSAL:
 To redesignate and rezone a portion of the site to permit a mixed-use building containing 159 residential units and approximately 12 commercial units.



Recommendation(s)

1. That OCP Bylaw 6275-2024-5670(48) receive second reading.
2. That OCP Bylaw 6275-2024-5670(48) is considered in conjunction with the City's Financial Plan and Waste Management Plan.
3. That draft bylaw 6276-2024-5949(153) to rezone 9023 Cedar Street from Suburban 20 (S20) Zone to Neighbourhood Centre One (NC1) Zone and Institutional Parks, Recreation and Civic (IPRC) Zone be considered for first and second reading.
4. That, subject to OCP Bylaw receiving second reading, and the rezoning Bylaw receiving first and second reading, a Public Hearing be scheduled on a date to be determined.
5. That prior to the adoption of Zoning Amending Bylaw 6276-2024-5949(153), the following conditions be met to the satisfaction of the Director of Development Services:
 - a. Collection of any volunteered contributions to the City's community amenity reserve.
 - b. Completion of the Engineering requirements, as in **Attachment A**.
 - c. Completion of any other requirements resulting from Council's consideration of the Bylaw, including Public Hearing.
6. That Development Permit DP20-106 and the future Housing Agreement be considered for approval at the same time as zoning amending bylaw 6276-2024-5949(153) is considered for adoption.

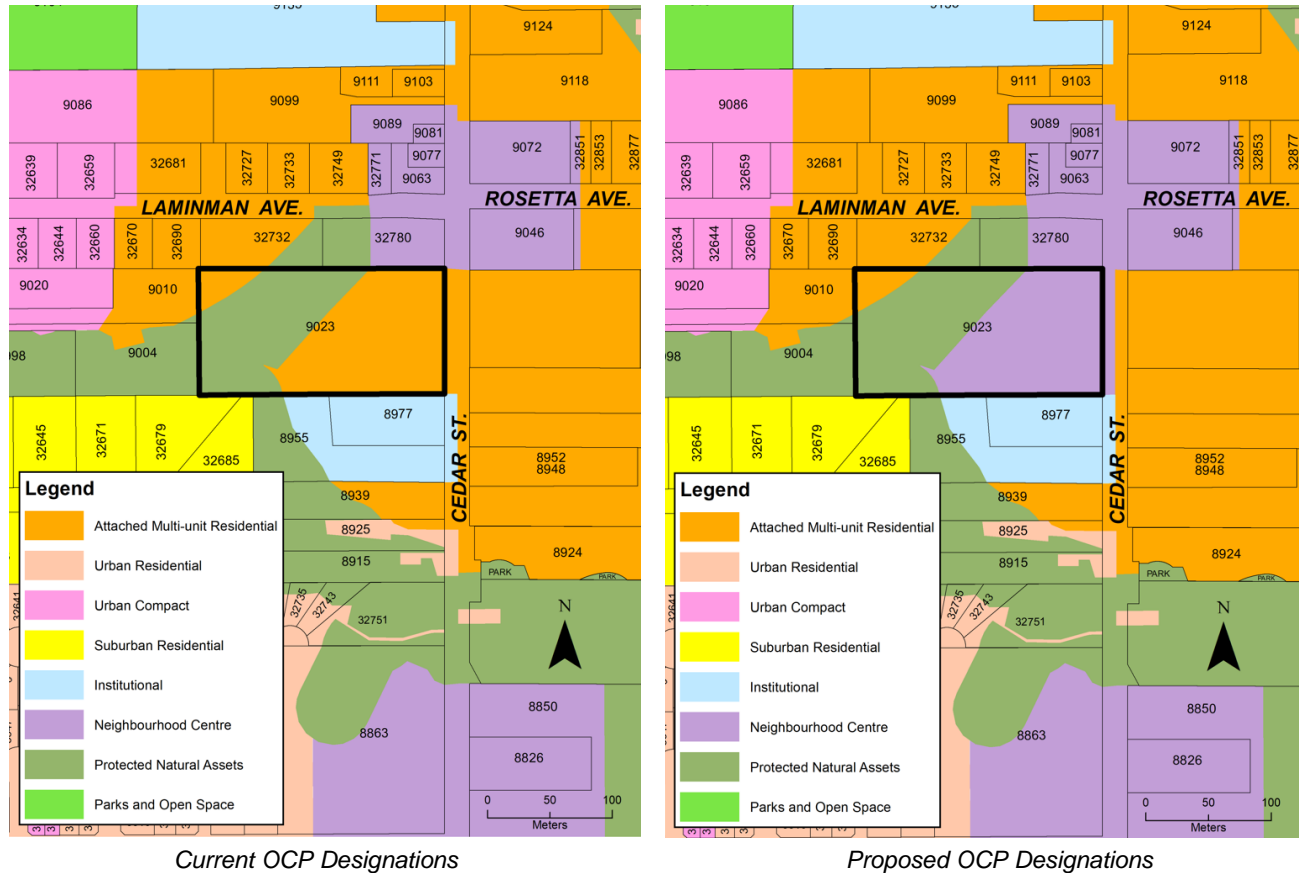
Rationale of Recommendation(s)

- Amending the Official Community Plan (OCP) designation to Neighbourhood Centre and the zoning to the NC1 Zone will allow for a different set of permitted uses on the site. Primarily, it will allow for the construction of a significant commercial component. The Cedar Valley neighborhood is currently lacking in commercial uses and this development could serve the community in this regard. While the amendments will increase the maximum permitted density from 1.5 floor space ratio (FSR) to 2.0 FSR, the density proposed is only 1.34 FSR. Overall, the amendments will allow for the creation of more housing units that will add to the community's housing supply.
- The proposal aligns with Council's Strategic Plan by furthering commercial expansion. One of the goals of Council's Strategic Plan is to "increase the total number of local jobs within the office, retail, and industrial categories by 6.6%". Redesignating a portion of the site to the Neighbourhood Centre designation will allow commercial uses previously unavailable. The project proposes approximately 12 new commercial units which will add a total of 2,096 sq m (22,567 sq ft) of new commercial space to the City. A childcare centre has been proposed as part of this space.
- The developer has agreed to provide affordable rental units through a Housing Agreement in exchange for allowances of increased height and a reduced parking standard. A density increase is not being sought. 10% of the 159 residential units, or 16 units, will be guaranteed at affordable rental rates. OCP policy 8.1.2 suggests that "*significant community benefits received through the density bonus policies of the OCP and regulations within the Zoning Bylaw shall further the goals and objectives of this plan*".
- This project proposes no development within the PNA designated area. Rezoning the areas designated as Protected Natural Assets (PNA) to the IPRC Zone will strengthen the protection of these environmental areas.

Purpose

The purpose of this report is to recommend second reading to OCP Amending Bylaw 6275-2024-5670(48) and first and second readings to Zoning Amending Bylaw 6276-2024-5949(153). These amendments are to accommodate a proposed mixed-use building containing 159 residential units and approximately 12 commercial units. A site plan is included as **Attachment B**.

The OCP amendment will change a portion of the site from the Attached Multi-unit Residential designation to the Neighbourhood Centre designation. This change will allow for commercial uses on the site as well as a higher maximum density. The maps below illustrate the proposed amendment. The OCP bylaw map is included as **Attachment C**.



The zoning amendment proposes to rezone portions of the site from S20 Zone to NC1 Zone and IPRC Zone. The NC1 Zone is requested to allow construction of the proposed mixed-use development and the IPRC Zone is used to delineate where undevelopable and protected areas are located. See **Attachment D** for the zoning bylaw map.

Site Characteristics and Context

Applicant

- Trio Architecture Inc.

Property Size

- The property is approximately 2 ha (4.97 ac).
- The property is currently developed with a single-family dwelling and an accessory building. The site

is fairly flat and a watercourse crosses the property.

Neighbourhood Character

- The subject property is located within the Cedar Valley neighbourhood. The property to the north, as well as all the properties surrounding the Laminman Avenue and Cedar Street intersection, are designated as Neighbourhood Centre. They have yet to develop to the potential prescribed by the Neighbourhood Centre designation.
- The properties immediately to the south contain Valley Christian School and are designated as Institutional.
- To the southwest of the site sits a pocket of properties designated as Suburban Residential along Judd Terrace.
- The other properties surrounding the site are generally designated as either Attached Multi-unit Residential or PNA.

Environmental Protection

- Development Permit Area E1 and E2 (DPA E1 and E2) are applicable to the site. A preliminary bio-inventory and riparian area protection regulation (RAPR) assessment have been prepared. DPA E1 and E2 have been delegated to staff for approval.
- The property contains a large area designated as PNA. No development is proposed or permitted within the PNA area.

Geotechnical Protection

- Development Permit Area G (DPA G) is applicable to the site. As such, the applicant has provided an acceptable geotechnical report. No further action is required.

Parks and Trails

- An area designated for a future neighbourhood park is located approximately 300 m away across Cedar Street and along Future Road 2E as outlined in the Cedar Valley Engineering Plan (CVEP). Another future neighbourhood park is located to the northwest off of Emiry Street, approximately 500 m away.

Servicing

- Development of this area will require servicing, as outlined under "Referrals".

Referrals

Engineering Department:	The Engineering Department has noted that the application is out of sequence from a CVEP servicing perspective. The application will be subject to the conditions and completion of Engineering Servicing requirements, as outlined in Attachment A .
Building Division:	No concerns provided that the project conforms to all building bylaws and associated regulations.
Bylaw Enforcement Division:	No concerns provided that the project conforms to all parking requirements.

- Finance Department: The Finance Department has noted that a portion of a planned DCC project may need to be advanced in order to accommodate the project. See the Financial Implications section below.
- Mission Fire Rescue Service: No concerns provided that the project conforms to all bylaw and regulatory requirements.
- School District 75: No concerns provided that adequate and safe pedestrian networks are provided for students to access their school.
- BC Transit: BC Transit has no objection to the application but is unable to support it. They cite the lack of accessible pedestrian connections along Cedar Street between Laminman Avenue and Tunbridge Avenue for their lack of support and recommend improvements be made. See the Engineering Road Work Upgrades section below for more detail on the future road build-out.
- Sumas First Nation: No concerns, but they have highlighted a recommendation for an archaeological assessment of the site.

Development Considerations

Development Permit

- DP20-106 – Mixed Use and Commercial Development Permit
- The site is located within the DP Area C: Mixed Use and Commercial Development Permit Area. The intent of the Area C Development Permit Design Guidelines is to ensure a higher standard of building design, housing alternatives, site compatibility, and site aesthetics that are consistent with community nodes and commercial areas. Development Permit DP20-106 is included as **Attachment E**.
- The following table provides a summary of the design guidelines and identifies how the development proposal is meeting them. These design aspects are performance-based and do not include the requirements stipulated by the Zoning Bylaw which are more prescriptive in nature.

Development Permit Area C Design Guidelines	Meets Requirements	Does Not Meet Requirements
Orient building frontages and main entrances to the dominant street frontage with well-defined entries and with walkways and bicycle access to the street.	X	
Consider appropriate safety and natural surveillance measures (such as substantial lighting, visual access, and sight lines) per CPTED principles.	X	
Situate buildings so that they front and frame a street or highway with architectural interest, using design features such as varying rooflines, extensive glazing, well-defined entrances, and a variety of façade materials and colours.	X	
Design in a contemporary style that offers visual interest with varied facades and articulated rooflines.	X	
Balconies should be designed with attention to the usability of space, including the inclusion of recessed balcony alcoves.	X	
Require commercial uses on the ground floor, with generous amounts of clear glass to provide interest along the street and connections between indoor and outdoor activities.	X	

Development Permit Area C Design Guidelines	Meets Requirements	Does Not Meet Requirements
Provide underground parking for mixed-use sites. Overhead gates to secure residential parking from commercial/visitor parking should be provided.	X	
Above-ground parking should be wrapped with active land uses and visually separated from the street.	X	
Locate wheelchair-accessible parking spaces close to main building entrances, and in parkades, close to and directly accessible to elevator foyers.	X	
Encourage the provision of secure bicycle parking facilities accessible from parking structures/parkades. Short-term bike parking should be located near building entrances in a highly visible, illuminated location.	X	
Terrace retaining walls when larger retaining walls are required.		X
Respect the form and character of surrounding developments by providing physical separation and visual and acoustic privacy.		X
Locate outdoor amenity areas in locations of high visibility and optimal access, ideally in central locations near entrances or indoor amenity areas.		X
Upper storeys should be stepped back and scaled down as the height increases.		X
In parking areas in excess of 20 stalls, intersperse extensively landscaped islands planted with hardy vegetation and shade trees.		X

- The development contains two five-storey towers connected by a large parking area. The development will appear six-storeys as seen from Cedar Street, with the ground floor comprised of commercial units and underground parking.
- The buildings are designed with a contemporary style that incorporates visual interest. A varied façade, articulated roofline, and well-defined entranceway enhance the architectural detail of the project. The layout of the development allows natural daylight between the buildings and allows good visibility of the above-ground site.
- Significant commercial space is accessible along the ground floor fronting Cedar Street and on the second floor of Building 1 off of the upper parking level. Generous amounts of clear glass provide interest and an interface for the public. A daycare is proposed within the commercial space.
- The majority of parking is provided in a secure underground parkade, as is preferred. An aboveground parking area is also provided on the second floor and is screened from Cedar Street by Building 1. Sufficient commercial access is available from both parking areas. Bike parking is also provided, with long-term bike parking offered in secure locations in the underground parkade.
- There are several aspects of the design guidelines that are not being achieved:
 - Large, exposed retaining walls (approximately 3.6 m in height) surround the development on its north, west, and south sides. The City’s design guidelines suggest that these should be terraced, decorated, and/or screened in order to reduce the visual impact on the neighbourhood.
 - Very little physical separation and visual privacy is provided between the development and its northern and southern neighbours. Particularly, the interface between the neighbouring two-storey Valley Christian School and this six-storey mixed-use building may appear jarring.

- While an outdoor amenity space is provided, it is not in an ideal location. The guidelines ask for a high visibility location with optimal access, preferably near an entranceway or indoor amenity room. The proposed outdoor amenity space is located at the rear of the site, adjacent to a parking area.
- The design guidelines suggest that upper storeys should be stepped back after the third storey and that the upper storeys should be scaled down and generally smaller in size. The proposed buildings do not step back or scale down their upper storeys.
- Stronger landscaping could be provided on the upper parking level. The guidelines suggest that areas in excess of 20 parking stalls should include landscaped islands to increase human comfort, provide visual relief, and increase infiltration of rainwater.
- In a mixed-use development such as this, the intent of the Development Permit design guidelines are to achieve the highest quality development given the product and location of the development. Staff are able to support the proposal given that many of the objectives of the guidelines are being met, but there are areas where the design would be improved if more guidelines were followed.

VariANCES

The developer has requested eight variances to facilitate their design. Staff support the requested variances and have incorporated them into Development Permit DP20-106. The variances and their associated rationale are as follows:

1. *Increase maximum building height from 19.1 m to 23 m (Zoning Bylaw Section 401.G.1)*

The proposed Neighbourhood Centre OCP designation envisions mid-rise buildings of up to six-storeys with density bonusing. Traditionally, our density bonusing program would permit heights of up to 19.1 m (62.7 ft) when affordable rental housing is offered. The applicant is following the vision of the OCP by providing a mid-rise building of six-storey with affordable rental housing but is requesting additional height to allow a building of 23 m (75.5 m). This extra height will help accommodate the site's high water table, design articulation, and a taller commercial space and parking garage.

2. *Reduce the front setback from 6 m to 5 m (Zoning Bylaw Section 401.D.1)*

In order to maximize use of the site, the applicant is requesting that the front setback be reduced from 6 m (19.7 ft) to 5 m (16.4 ft). In addition to making better use of the site, this reduction will allow the commercial space to be situated closer to the streetscape and provide a better pedestrian interface between the commercial and public realms.

3. *Increase maximum lot coverage from 60% to 70% (Zoning Bylaw Section 401.E.1)*

An increase in the maximum lot coverage is requested due to the challenges presented by the site's high water table. In a typical development, the underground parkade would be constructed below grade and would be exempt from lot coverage calculations. The high water table of the site limits the opportunity to construct parking below grade, and therefore all parking structures must be counted towards lot coverage. This variance is requested in an effort to supply sufficient parking.

4. *Increase the permitted floor space for apartment use from 65% to 88% (Zoning Bylaw Section 401.F.2)*

The NC1 Zone traditionally allows no more than 65% of the FSR to be used for apartment uses in an effort to ensure that sufficient commercial space is being provided. The applicant is requesting this number to be increased in order to allow for more residential units on the site. A significant amount of commercial space is being provided, with 2,097 sq m (22,567 sq ft) of floor

space proposed. This amounts to approximately 12 commercial units including a daycare.

5. *Increase the maximum distance from the off-street loading space to the commercial units from 12 m to 80 m (Zoning Bylaw Section 111.F.3)*

Given the layout of the site, the applicant could not realistically provide an off-street loading space situated within 12 m of each commercial unit. This would require approximately eight different loading spaces and would add many inefficiencies to the site. Instead, the applicant is requesting that the maximum permitted distance be increased from 12 m (39.4 ft) to 80 m (262.5 ft).

6. *Allow off street loading spaces to be used alongside other uses (Zoning Bylaw Section 111.C.1)*

The applicant is proposing to share the waste collection space with one of the required Off Street Loading Spaces. This will allow a loading space on both the ground level and the upper parking level. The applicant has stated that using the space as a commercial loading space will not impede waste collection as the waste collection vehicles would only use the space for a limited amount of time per week.

7. *Reduce the minimum width of the waste collection/loading area from 6 m to 5 m (Development and Subdivision Control Bylaw, Schedule L – Waste Management Design Guidelines)*

The applicant is proposing a reduction in the minimum width of the waste collection space in order to maximize efficiency within the site's layout. The applicant has stated that waste collection vehicles will still be able to maneuver into the collection space safely. The Environmental Services Department has deemed the request acceptable.

8. *Amend the requirement for two separate waste collection enclosures to one communal waste collection enclosure (Development and Subdivision Control Bylaw, Schedule L – Waste Management Design Guidelines)*

The applicant is seeking to amend the requirement for two separate waste collection enclosures to one large communal waste collection area. Typically, the two waste collection enclosures would separately accommodate commercial and residential waste. The intention of the request is that it will free up more space for parking and access. The Environmental Services Department has deemed the request acceptable.

The eight variances are summarized in the table below.

Request		Required	Proposed
1.	Increase maximum building height	19.1 m	23 m
2.	Reduce front setback from property line	6 m	5 m
3.	Increase maximum lot coverage	60%	70%
4.	Increase permitted floor space for apartment use	65%	88%
5.	Increase the maximum distance from off-street loading spaces to commercial units	12 m	80 m
6.	Allow off street loading spaces to be used alongside other uses	No other uses	Other uses permitted
7.	Reduce the minimum width of the waste collection/loading area	6 m	5 m
8.	Reduce the number of waste collection enclosures	Two waste collection enclosures	One waste collection enclosure

A site plan detailing these variances is included within **Attachment E**.

Housing Agreement

The developer has proposed a Housing Agreement in which they would be permitted bonus height allowances, reduced parking standards, and a reduction in community amenity contributions (CACs) in exchange for offering 10% of residential units (16 units) at affordable rental rates.

By guaranteeing 16 residential units at affordable rental rates, the applicant will receive an increased maximum height of up to 23 m, up from 13 m. The traditional height allowance of the density bonus program is 19.1 m, but an additional variance request would bring the maximum permitted height to 23 m.

Additionally, the project will receive reduced parking standards for the affordable rental units. The developer will be required to provide 0.7 parking spaces per affordable rental unit, as opposed to the standard rate of 1.2 or 1.7 parking spaces per market strata unit. This will reduce the project's parking requirements by 20 parking spaces.

As per LAN.40(C), the applicant is not required to pay CACs on these 16 units if secured as affordable housing.

Of the 16 units, 15 one-bedroom units and one two-bedroom unit are proposed. All 16 units will be located on the 3rd floor of Building 1. A table breaking down the unit mix is provided below:

	One-Bedroom Unit	Two-Bedroom Unit
Number of Affordable Rental Units	15	1

The affordable rental rate for the 16 units will be based on the Canadian Mortgage and Housing Commission (CMHC) Housing Income Limits (HILs). The HILs are intended to reflect the minimum income required to afford appropriate accommodation in the private market. The applicant has agreed to applying a 30% factor to the maximum household income to determine the maximum monthly rent. This rate will scale over time in accordance with the HILs rates.

The term for this agreement is the life of the building and it is required that the 16 units will remain as affordable rental units in perpetuity. The developer has stated that they plan to have a property management company professionally manage these units but have not yet confirmed a company for this role.

The proposed housing agreement bylaw will be presented to Council should this proposal receive third reading.

Community Amenity Contribution

The applicant has volunteered to contribute \$7,200 per new unit in accordance with Council Policy LAN.40(C). The 16 affordable rental units are exempt from this contribution.

Parking Requirements

The number of off-street vehicle parking spaces provided is compliant with the Zoning Bylaw. A table outlining the parking space data is displayed below:

	Bylaw Requirement	Stalls Required	Stalls Provided
Apartment (Market Strata) – Studio or One-Bedroom	1 space per unit	78	79
Apartment (Market Strata) – Two-Bedroom or Greater	1.5 spaces per unit	98	98

	Bylaw Requirement	Stalls Required	Stalls Provided
Apartment (Affordable Rental)	0.5 space per unit	8	8
Visitor Parking	0.2 space per unit	32	32
Commercial (Retail)	2 spaces per 100 sq m	42	42
Child Care Centre	1 space per employee, plus 2 spaces for drop-off	6	6
Commercial Loading Space	2 spaces where Floor Space is 2,000 sq m or more	2	2
Total		266	267

Engineering Road Work Upgrades

Upgrades to Cedar Street will be required as a condition of rezoning and development. Road dedication will be 4 m along Cedar Street in general accordance with the developer's Conceptual Servicing Plan, which is included as **Attachment F**. Road and frontage improvements on Cedar Street to an alternate, urban arterial standard complete with piped road drainage, underground & overhead hydro and telephone, street & pedestrian lighting, multi-use pathway and boulevard tree planting will be required at the development permit stage.

This section of Cedar Street is identified in the Transportation Master Plan as a DCC project C7 with a value of \$2.6 million. The DCC Background Report notes project C7 being planned for 2029 – 2034 (5 – 10 years away). The DCC Road Widening project is planned during this timeframe, subject to budget approval.

Traffic Impacts

A draft traffic impact assessment (TIA) was prepared by the applicant and reviewed by the City's Engineering Department. The TIA examines the impact on local traffic patterns and will be considered when utilities and access are designed. The City is working with the applicant's team to finalize the TIA and have noted that it is largely acceptable.

All upgrades and/or deficiencies identified in the TIA which can be attributed to the proposed rezoning and development shall be completed/corrected at the developer's cost and will be a condition of rezoning and development, as per the Engineering Department Comments in **Attachment A**.

Neighbourhood Context and Other Applications

Council requested more context on the project's location within the surrounding neighbourhood. A map of the nearby vicinity showing current OCP designations is included as **Attachment G**.

Council also requested information on other development activity in the nearby area. A map of the neighbourhood showing nearby development applications is included as **Attachment H**. The map breaks down nearby applications based on whether they are proposing townhomes, mixed-used residential/commercial, or subdivision. The majority of applications in the immediate vicinity are for townhouse projects, with a few mixed-use developments located to the south near Cedar Street and Tunbridge Avenue.

Commercial Units

Council requested more information on what type of commercial units are proposed as part of the development. While it is unknown what businesses will decide to operate out of this space, the developer has stated that he envisions them servicing the needs of the local Cedar Valley community. These could include doctor or dentist offices, a grocery or convenience store, restaurants, cafés, ice cream shops, etc. The infrastructure to accommodate a daycare is being proposed and an outdoor play area for children is included. The developer hopes to promote community interaction and limit the need for vehicle use to purchase everyday essentials.

Housing Needs Projections

If the development is approved, it will add 143 market strata apartment units and 16 affordable rental apartment units to the City's housing stock.

Northwest Area of the Property

There is a small portion of land in the northwest corner of the property that is designated as Attached Multi-unit Residential and zoned S20 that the applicant does not want to develop at this time. It is landlocked by several neighbouring properties and separated from the development site by a substantial PNA area. The owners may sell or develop it in the future. The developer does not wish to redesignate or rezone it at this time and so it is excluded from these amendments.

Transit

The proposed development is not within walking distance of a transit stop. Walking distance is generally considered to be 400 m or less.

Financial Implications

When an application is made to amend the OCP, Section 477 of the *Local Government Act* requires that Council consider the amendment in conjunction with the City's financial plan.

This application may require a portion of a planned Development Cost Charge (DCC) project on Cedar Street to be advanced a few years. Improvements will include a requirement to dedicate 4.0 m of property across the entire Cedar Street frontage, construct half road improvements to an arterial road standard, and modify the travel lanes with interim paint to create an opposing left turn lane.

The applicant has committed to dedicate the required 4.0 m of property across the frontage and to construct the improvements requested by the City in exchange for the OCP amendment.

Although the planned improvements on the subject property will increase the demand for services, it will also increase the taxable value of the property, therefore; no negative impact to the operating budget as a result of this OCP Amendment is anticipated.

Communication

Neighbourhood Engagement

A neighbourhood engagement session was held for this project on January 24, 2024, at Valley Christian School. While staff was not in attendance, the applicant stated that 22 people attended and that everyone present "was very happy that a substantial amount of commercial space was finally coming to Cedar Valley". Questions were raised about traffic, pedestrian safety, and being neighbours with the school. Overall, the developers believe it was a successful event. The developer's summary of the event is included as **Attachment I**.

Notifications

Communication action, as listed below, is in accordance with Policy LAN.03 Development Notification Signs, Land Use Application Procedures and Fees Bylaw 3612-2003, and the *Local Government Act*.

- The applicant has posted a development notification sign.
- Public Hearing Notifications will be sent to all occupiers and owners of properties within 152 m of the development site notifying them of the public hearing details.

Attachments

Attachment A:	Engineering Department Comments
Attachment B:	Site Plan
Attachment C:	OCP Bylaw Map
Attachment D:	Zoning Bylaw Map
Attachment E:	Draft Development Permit (DP20-106)
Attachment F:	Conceptual Servicing Plan
Attachment G:	OCP Context Map
Attachment H:	Development Application Map
Attachment I:	Developer's Neighbourhood Engagement Summary

Sign-Offs

Marcy Bond

Marcy Bond, A/Manager of Planning

JH /

Approved for Inclusion: Mike Younie, Chief Administrative Officer