



ADVISORY PLANNING COMMISSION REPORT

To: Advisory Planning Commission Members

Date: May 15, 2024

From: Yvonne Mitchell, Planner III

File No: Z 23-05

Subject: **Z 23-05; Zoning Bylaw Amendment and Official Community Plan Amendment; 3900 Gellatly Road**

BACKGROUND

The subject property is in the Goats Peak/Gellatly Neighbourhood. The property is triangular in shape and slopes down to the west at approximately 29%. The property is currently developed with a driveway and a single detached dwelling in the upper northeast corner of the site.

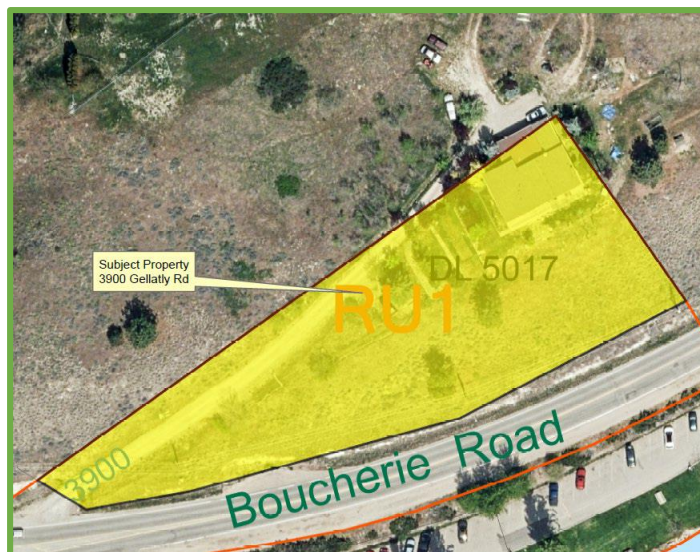
PROPERTY DETAILS			
Address		3900 Gellatly Road	
PID		011-646-551	
Folio		36415416.000	
Lot Size		1.12 acres (4532.48 sqm)	
Owner	Ruy Cabrita	Agent	Mark Takanen, Talo Build
Current Zoning	Country Residential Zone (RU1)	Proposed Zoning	Comprehensive Development Zone (CD)
Current OCP	Rural Residential	Proposed OCP	Commercial
Current Use	Single Detached Dwelling	Proposed Use	4 storey mixed-use building
Development Permit Areas	Aquatic, Hillside, Sensitive Terrestrial		
Hazards	Hillside		
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES			
North	^	Agricultural Zone (A1)/ALR	
East	>	Agricultural Zone (A1)/ ALR	
West	<	Single Detached Residential (R1)	
South	v	Parks and Open Space Zone (P1)	

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

Proposal

The application is a Zoning Bylaw amendment from the Country Residential Zone (RU1) to a Comprehensive Development Zone (CD), and an Official Community Plan amendment from the Rural Residential Land Use Designation to Commercial.

Applicant's Rationale

The applicant has indicated they have applied for these amendments to facilitate the construction of a four-storey mixed-use building on the subject property. The building would include a maximum of 614m² of commercial space at grade, and a maximum of 23 apartment units in the storeys above.

Zoning and Policy Review

Official Community Plan Bylaw No. 0300

Rural Residential Land Use Designation

The existing Land Use Designation of the subject property in the Official Community Plan is Rural Residential. The purpose of this designation is to support agricultural production, other land intensive uses and home based business consistent with rural lands, as well as residential use. Permitted uses in this designation include single detached dwellings (including suites and carriage houses), agricultural activities, and home industry uses. Uses are to be at a low density, low rise, and a maximum of three storeys. The proposed rezoning is not consistent with the Rural Residential Land Use Designation.

Commercial Land Use Designation

The application proposes to change the Land Use Designation of the property to Commercial. The purpose of this designation is to allow for a variety of commercial and mixed-uses including retail/services, office, and residential in low- and mid-rise forms. Permitted uses in this designation include commercial uses, mixed-use buildings, intuitional uses, and live-work units. The density is to be low, and maximum building heights low-rise to mid-rise up to four storeys.

Development Permit Areas

If the applicant wishes to construct the 4 storey mixed-use building a Multi-Family Development Permit and Commercial Development Permit will be required. The site is within the Hillside, Sensitive Terrestrial Ecosystem, and Aquatic Ecosystem Development Permit Areas. These development permits would also be required unless exemptions in the Official Community Plan can be met.

Zoning Bylaw No. 0265

The purpose of the Country Residential Zone (RU1) is to accommodate rural, agricultural, and residential uses on parcels of land that are 0.5 ha or greater. Principal uses include, but are not limited to, agriculture, greenhouse or plant nursery, and single detached dwelling. The City's Neighbourhood Centre Commercial Zone (C2) does permit a mixed-use building, but not this specific proposal (exceeds floor area ratio, height etc. regulations) (Attachment 2). A new zone, Comprehensive Development Zone (CD), is therefore proposed to accommodate the development (Attachment 3).

TECHNICAL REVIEW

Geotechnical Considerations

The applicant has provided a geotechnical report. The report confirms, from a geotechnical point of view, that the proposed development is feasible, provided the

recommendations outlined in the report are incorporated into the overall design. Further geotechnical analysis will be required.

Environmental/Aquatic Considerations

The applicant has provided an environmental report. The report states the property is within Environmental Sensitivity Area (ESA) 4 - Not Sensitive, and ESA 3 – Low. As per the report it is expected 97% of totals ESAs (Low and Not Sensitive) will be directly impacted (lost) to the proposed development.

KEY CONSIDERATIONS

In providing recommendations to City staff and Council, the APC may wish to consider the following:

- The existing Country Residential Zone (RU1) does not permit a 4 storey mixed-use building. A new comprehensive development zone is proposed to accommodate the development.
- The proposal is not consistent with the Rural Residential Land Use Designation in the Official Community Plan. An OCP amendment to the Commercial Land Use Designation is proposed.

Specific comments would be appreciated should the APC have any concerns with the proposed Zoning Bylaw and Official Community Plan amendments, so that they may be further investigated or considered prior to staff providing a recommendation to Council as part of consideration of the application.

Respectfully submitted,

Yvonne Mitchell, Planner III

Powerpoint: Yes ☒ No ☐

Attachments:

1. Draft Architectural Drawings
2. Relevant Zoning Bylaw Sections
3. Proposed CD Zone