

Council Report No. PDS 080-2025

Date: May 6, 2025

File No. 3100-05/PRJ24-024

To: Mayor and Council
From: Daniel Graham, Planner
Subject: Rezoning and Development Variance Permit applications (2736 and 2754 Garden Street)

RECOMMENDATION

1. That Bylaw No. 3627-2025, “Abbotsford Zoning Bylaw, 2014, Amendment Bylaw No. 678”, be given first, second and third readings;
2. That prior to adoption of Bylaw No. 3627-2025, “Abbotsford Zoning Bylaw, 2014, Amendment Bylaw No. 678”, the following conditions be satisfied:
 - a. obtaining Ministry of Transportation and Transit approval of Bylaw No. 3627-2025, “Abbotsford Zoning Bylaw, 2014, Amendment Bylaw No. 678;
3. That Bylaw No. 3626-2025, “Abbotsford Zoning Bylaw, 2014, Amendment Bylaw No. 677”, be given first, second and third readings;
4. That prior to adoption of Bylaw No. 3626-2025, “Abbotsford Zoning Bylaw, 2014, Amendment Bylaw No. 677”, the following conditions be satisfied:
 - a. entering into a Development Agreement to secure the required road and utility upgrades and extensions, in accordance with Development Bylaw, 2022, as detailed in the Works and Services Report;
 - b. providing a combination of statutory right of way and/or road widening dedication of approximately 1.2 m along the full frontage of Garden Street, to the acceptance of the General Manager of Engineering and Regional Utilities, in accordance with Development Bylaw, 2022;
 - c. consolidating the two properties into one legal lot;
 - d. providing \$86,500 cash-in-lieu for future median upgrades on the South Fraser Way signature corridor in this area;
 - e. providing a Community Amenity Contribution of \$206,889.91;
 - f. registering with priority, a 4.5 m wide statutory right of way along the northern property line for a public pathway connection in accordance with the City Centre Neighbourhood Plan; and
 - g. resolving all issues of funding for items not budgeted by the City.
5. That Development Variance Permit Nos. 2534, 2540, and 2541 be Approved in Principle;
6. That prior to issuance of Development Variance Permit No. 2534, the following conditions be satisfied:

- a. adopting of Bylaw No. 3626-2025, “Abbotsford Zoning Bylaw 2014, Amendment Bylaw No. 677”;
 - b. providing an amenity contribution of \$333,198 for a reduction to the common outdoor amenity space to be directed towards future park improvements;
 - c. owners providing written acknowledgement of the terms and conditions of the permit; and
 - d. providing three sets of final signed, sealed development permit plans and documents.
7. That prior to issuance of Development Variance Permit No. 2540, the following conditions be satisfied:
- a. adopting of Bylaw No. 3626-2025, “Abbotsford Zoning Bylaw 2014, Amendment Bylaw No. 677”;
 - b. providing a cash-in-lieu contribution of \$506,000 for a 22 stall reduction in required parking spaces to be directed toward City wide parking infrastructure;
 - c. owners providing written acknowledgement of the terms and conditions of the permit; and
 - d. providing three sets of final signed, sealed development permit plans and documents.
8. That prior to issuance of Development Variance Permit No. 2541, the following conditions be satisfied:
- a. adopting of Bylaw No. 3626-2025, “Abbotsford Zoning Bylaw 2014, Amendment Bylaw No. 677”;
 - b. providing a cash-in-lieu contribution of \$122,500 for a reduced width drive aisle to be directed toward City wide parking infrastructure;
 - c. owners providing written acknowledgement of the terms and conditions of the permit; and
 - d. providing three sets of final signed, sealed development permit plans and documents.

REPORT CONCURRENCE	
<p>GENERAL MANAGER</p> <p>The General Manager concurs with the recommendation of this report.</p>	<p>CITY MANAGER</p> <p>The City Manager concurs with the recommendation of this report.</p>

PURPOSE

To consider rezoning the subject properties from Service Commercial Zone (C4) to City Centre Mixed Use Zone (CCM) with site specific text amendment to limit future residential uses to residential rental tenure and to consider issuance of three Development Variance Permits to accommodate a future 346-unit mixed use, 30-storey high rise tower on the subject lands, including the following requested variances:

- to reduce the minimum required number of visitor parking spaces from 55 to a minimum of 33 (maximum 22 space reduction);
- to reduce the minimum exterior setbacks for an underground parkade from 1.0 m to 0.0 m;
- to reduce the minimum maneuvering aisle width providing access to a small car parking space from 7.1 m to 6.5 m; and
- to reduce the common outdoor amenity area requirement from 1,038 m² to 413 m², as generally shown in the attached schedules.

A City initiated Zoning Bylaw amendment is also proposed concurrent with this application to update select definitions in the Zoning Bylaw relating to Floor Space Ratio in order to allow greater flexibility and better alignment of the City's regulation with other comparable municipalities.

SUMMARY OF THE ISSUE

The applicant is proposing to rezone the subject properties from Service Commercial Zone (C4) to City Centre Mixed Use Zone (CCM) to facilitate the construction of a 30-storey mixed use building composed of 346 residential units with approximately 569 m² of commercial retail space and a four-level underground parkade with approximately 392 parking spaces (see Figures 0 - 10).

The proposed City Centre Mixed Use Zone (CCM) aligns with the City Centre Core land use designation in the City Centre Neighbourhood Plan. The intent of this designation is to provide the most flexibility in land uses and the highest densities in the City. The proponent also requests the issuance of three Development Variance Permits to accommodate reductions in the following: visitor parking; small car drive aisle width; parkade siting; and common outdoor amenity area. The variances have been administered and presented separately in three permits to allow the applicant flexibility to elect not to proceed with each variance if determined not to be required as the building design becomes more detailed in an effort to comply as closely as possible with the Zoning Bylaw. The proposed variances are required to facilitate the future issuance of a Form and Character Development Permit to be issued separately by the Director, Development Planning. The proposal is consistent with the Official Community Plan and staff support the rezoning and issuance of a permit to allow the variances requested.

The current Zoning Bylaw definitions in relation to Floor Space Ratio (a method of calculating site density) present challenges with achieving the maximum densities prescribed by the Official Community Plan, in particular with residential and mixed-use developments. Staff have reviewed the Zoning Bylaws of other neighbouring jurisdictions for consistency and established best practice and recommend Council consider the proposed updated definitions to the Zoning Bylaw in order to better align the City of Abbotsford with other local government in the lower mainland.

BACKGROUND

Applicant:	1446043 BC Ltd (Contact: Jerry Pol)
Owners:	1446043 BC Ltd (Director: Gursharan Sidhu) Refer to Corporate Summary in Attachment J
Legal Descriptions:	Lot A Section 20 Township 16 New Westminster District Plan 72720 Lot 28 Section 20 Township 16 New Westminster District Plan 28992
City Centre Neighbourhood Plan Designation:	City Centre Core
Existing Zoning:	Service Commercial Zone (C4)
Proposed Zoning:	City Centre Mixed Use Zone (CCM)
Site Area:	3,419 m ²

Site Description:	The site consists of two commercial properties on Garden Street each accommodating single storey commercial buildings, presently being used for automotive repair. Based on the air photos, there are no trees on the site.		
Surrounding Uses:	N:	Commercial (zoned Service Commercial Zone C4) with Simon Avenue beyond;	
	S:	Commercial (zoned Service Commercial Zone C4) with South Fraser Way beyond;	
	E:	Commercial (zoned City Commercial Zone C5 and Service Commercial Zone C4) with Allwood Street beyond; and	
	W:	Garden Street with commercial (zoned: Community Commercial Zone C5) beyond.	

DISCUSSION

Context

1. The subject property is located near the intersection of Garden Street and South Fraser Way. To the south, east and west are properties designated City Centre Core and to the north is a property designated City Centre Residential in the City Centre Neighbourhood Plan. The current context of the immediate area is low density commercial uses, large format retail stores and extensive surface parking (Refer to Figure 2).

Official Community Plan / City Centre Neighbourhood Plan

2. The OCP identifies the City Centre as a major employment and housing hub in order to accommodate future growth in the city. The subject site is located just north of South Fraser Way, which the OCP recognizes as an urban boulevard supporting a vibrant city core. The proposed development generally aligns with the broader objectives of the OCP.
3. The Official Community Plan (OCP) designates the site City Centre Core within the City Centre Neighbourhood Plan, refer to Figure 3. This land use designation provides for the most flexibility of uses at the highest permitted densities of the City and is intended to enable high-density mixed-use development in order to create an active city core by adding housing close to jobs, shopping, entertainment and services.

This land use designation allows for multi-storey buildings at the highest density in the City with a three storey minimum height.

The base density range is from a minimum of 1.5 Floor Space Ratio to a maximum of 2.75 Floor Space Ratio (FSR) with the opportunity to increase the permitted density to 5.0 FSR through a bonus density program.

The proposal to develop the property into a 30-storey mixed use building at 5.0 FSR with ground floor commercial uses complies with the land use designation of City Centre Core.

The bonus density policy framework requires payment at time of Building Permit based on the final additional residential floor area.

4. The City Centre Neighbour Plan Policies identify goals of architectural excellence, landmark building design. It encourages opportunities for reduction in parking requirements while ensuring that developments meet their own needs.
5. The CCNP identifies new connections to be established to move more than just cars and further enhance the street network. Map 13 identifies a pedestrian connection through the subject site to connect Allwood Street and Garden Street. This is anticipated to shorten walking trips and promote non-vehicular movements through the neighbourhood. A rezoning condition has been included in the recommendation to satisfy this requirement.

Zoning

6. The subject properties are currently zoned Service Commercial Zone (C4) (see Figure 4). The existing zoning does not align with the OCP land use designation of City Centre Core. The applicant proposes to rezone the subject properties to City Centre Mixed Use Zone (CCM) to accommodate the development of a 346-unit apartment tower wrapped with a podium accommodating single storey ground floor commercial uses. The CCM Zone permits apartment uses with a base density of up to a maximum of 2.75 Floor Space Ratio and a minimum building height of 3-storeys. Unlimited height and up to 5.0 FSR can be accommodated through a bonus density provision. The CCM Zone corresponds with the City Centre Core designation of the CCNP. To date, there are no properties currently zoned CCM, if supported by Council, this will be the first site to rezone to CCM in the City Centre.
7. Bonus Density provisions are applicable in the CCM Zone and the City Centre Core land use designation allowing the applicant to acquire up to an additional 2.25 FSR of residential floor area to accommodate the proposed development. The current policy framework requires payment of \$44 per m² of additional residential floor area up to the 5.0 FSR cap. In the context of the subject application, this is presently estimated to equate to 7,693 m² of additional floor space for a contribution of \$338,481 to be provided prior to issuance of a Building Permit.

City Initiated Zoning Bylaw Amendment

8. Floor Space Ratio (FSR) calculations are used to determine the amount of allowable built space on a parcel of land. These calculations often present challenges for both developers and regulators. One primary issue with using this tool to regulate density is the complexity and variability of the regulations governing FSR, which can differ significantly across municipalities and land uses. The varied approaches can lead to confusion and inconsistent interpretations, making it difficult for developers to accurately capture the density of their projects. Additionally, the calculation methodology itself may not always align with modern development practices or the specific needs of the community, potentially resulting in outcomes that do not reflect the intended urban design goals established in the Zoning Bylaw and Development Permit Area Guidelines.
9. Through a detailed review of the zoning bylaws utilized in 12 other cities in British Columbia, staff have prepared updated definitions of “Floor Area, Net” and “Floor Area, Gross” and “Lot Coverage”, to provide a more modern and standardized approach to FSR that align better with industry standards and support broader urban planning objectives.
10. Staff reviewed the Zoning Bylaw regulations of the following other Local Governments:

Township of Langley	Surrey	Coquitlam	New Westminster
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Burnaby	Chilliwack	West Vancouver	Richmond
Colwood	Saanich	Nanaimo	Kelowna

11. The Zoning Bylaw presently provides two methods for calculating Floor Space Ratio depending upon whether the subject development is a single detached/duplex use or any other type of building/structure. The focus of this update deals with the latter, primarily concerning multifamily residential and mixed-use developments. The Zoning Bylaw defines FSR as follows:

“Floor Space Ratio (FSR)” means:

- (1) for Single Detached Dwellings and Duplexes, the figure obtained by dividing the Gross Floor Area by the Lot Area as illustrated in Figure 2; or*
- (2) for all other uses, the figure obtained by dividing the Net Floor Area of all Buildings and Structures on a Lot by the Gross Lot Area*

12. The FSR is determined by measuring the Gross Floor Area and the Net Floor Area of the subject buildings/structures and then dividing that figure by the Gross Lot Area. The Gross Floor Area is merely the tally of all floor space within the exterior walls of a Building while Net Floor Area is determined from the Gross Floor Area by subtracting some non-habitable areas, as detailed below. The aim of this update is to clarify and expand on the applicable exclusions to Net Floor Area. By removing some of these non-habitable spaces from Net Floor Area, the potential building efficiency increases, which is favorable for project feasibility. The current and proposed Net Floor Area exclusions are as follows:

Net Floor Area (current):

The Zoning Bylaw provides for the following floor area exclusions currently:

- Underground parking;
- Bike parking;
- Loading areas;
- Parking areas within the building envelope;
- Crawl spaces and mezzanines; and
- Indoor amenity space up to 100 m².

Additional Exclusions (proposed):

The following additional spaces within a building are also proposed to be excluded from Net Floor Area:

- Indoor amenity space up to 3 m² per residential unit;
- Access areas:
 - Corridors;
 - Hallways;
 - Landings;
 - Foyers;
 - Elevators;
 - Staircases and stairwells; and
- Common property areas used for mechanical, maintenance, electrical.

13. Of the 12 other jurisdictions staff reviewed, all of them provided for an intent to exclude non-habitable space from the definition of Net Floor Area, though the specific language and terminology varied to a certain degree. By excluding these additional areas in the City of Abbotsford Zoning Bylaw, it brings the City closer to alignment with other cities in the region and helps maintain clear and consistent expectations in the development industry.

Gross Floor Area:

14. The measurement for FSR typically either measures to the inside or outside face of the exterior walls of any given building. With improvements in the BC Building Code and more specifically the implementation of the Step Code, buildings are often required to provide thicker walls to achieve energy requirements. In reviewing the regulations of other comparable cities, staff found definitions typically accommodate exclusions that apply beyond a certain wall thickness provided that the additional space is utilized for insulation. Another approach utilized is to measure to the interior face of wall rather than the exterior face of the outer walls.
15. To incentivize green building designs and to promote energy efficiency, staff believe the latter approach (measuring to the inside of exterior walls) provides for a simple and transparent methodology to calculate FSR that is well understood in industry and aligns with the practices of many local governments in the lower mainland.

Lot Coverage:

16. The current definition of Lot Coverage excludes an underground parkade structure, noting that Underground Parking is a defined term separate from Building. As such, in the Zoning Bylaw, Lot Coverage (ratio of building envelope to lot area) does not specifically include an underground parkade.
17. To provide greater certainty, staff recommend an updated definition of Lot Coverage to specifically list Underground Parking as being excluded. One issue that has arisen is differentiating between a building and underground parking where an underground parking structure protrudes from the ground due to site grading.
18. The Development Permit Area Guidelines encourage parking structures to be located underground, which is promoted further through a reduced setback (zero lot line vs. 6 m typical). The recommended update to the definition will provide clarity for future developments with underground parking proposed.

Proposed Definitions:

	Current Definition	Proposed Definition
Floor Area, Gross	means the total area of all Storeys in all Buildings on a Lot measured to the outside of the exterior walls of the Building. For Single Detached Dwellings and Duplexes, this shall exclude an Accessory Building, with a maximum size of 10 m ² .	means the total area of all Storeys in all Buildings on a Lot measured to the inside face of the exterior walls of the Building. For Single Detached Dwellings and Duplexes, this shall exclude an Accessory Building, with a maximum size of 10 m ² .
Floor Area, Net	means Gross Floor Area, less any of the following:	means Gross Floor Area, less any of the following:

	<p>(1) Underground Parking, long term bicycle parking and at-grade areas used for offstreet loading;</p> <p>(2) areas for off-street parking that are entirely separated from public streets by usable Building floor area;</p> <p>(3) Building areas with a ceiling less than 1.2 m in height; and/or</p> <p>(4) common indoor amenity areas up to 100 m² in area for multi-unit residential Uses only. (B/L 3249-2022)</p>	<p>(1) Underground Parking and concealed parking areas, unless such parking is a principal use, long term bicycle parking and at-grade areas used for off street loading;</p> <p>(2) corridors, hallways, landings, foyers, elevators, staircases and stairwells;</p> <p>(3) areas used for maintenance, mechanical, or electrical purposes;</p> <p>(4) Building areas with a ceiling less than 1.2 m in height; and/or</p> <p>(5) for multi-unit residential Uses only: common indoor amenity areas up to 3 m² per unit or 300 m², whichever is less.</p>
Lot Coverage	means the horizontal area of all Buildings and outdoor covered areas on a Lot, excluding swimming pools, expressed as a percentage of the Lot Area.	means the horizontal area of all Buildings and outdoor covered areas on a Lot, excluding swimming pools and Underground Parking, expressed as a percentage of the Lot Area.

Summary:

19. By adding the above additional exclusions to Net Floor Area, the Zoning Bylaw will offer greater flexibility in building design and floor space layout to improve building efficiency within the existing prescribed density parameters of the OCP. The proposed update brings the City of Abbotsford Zoning Bylaw closer to alignment with other cities in the region and assists the development community with achieving the densities envisioned in the City Centre Neighbourhood Plan.

Residential Rental Tenure Zoning

20. The applicant is proposing to construct a new apartment building consisting of 346 rental units. The Zoning Bylaw accommodates a 10% parking relaxation where rental units are limited to residential rental tenure.

21. On similar multifamily projects where an applicant is proposing to rezone the site, the City has utilized the residential rental tenure zoning approach in order to ensure the proposed development is maintained as rental housing in perpetuity as it is the most robust tool available to secure the 10% parking reduction permitted for rental developments.

22. Rezoning Bylaw No. 3626-2025 includes a site-specific text amendment to limit apartment use on the subject site to residential rental tenure, which aligns with the provisions of the Zoning Bylaw and the applicant has agreed to this approach.

Access and Parking

23. The proposed development will be accessed via a driveway on Garden Street with the parkade ramp being located behind the proposed building which will provide access to a four-level underground parkade with an estimated 392 parking spaces (see Figures 5 – 7). The site is located near the Primary Transit Corridor and therefore is eligible for a 10% parking relaxation and a further 10% relaxation for providing purpose built rental units secured by zoning. The total required parking onsite after calculating the permitted reductions as per the Zoning Bylaw is 414 spaces. The parking requirements are summarized in the below table:

Parking Type	Quantity	Calculation	Required Parking (after 20% permitted reduction)	Provided Parking
Commercial	569 m ²	1 space per 35m ²	13	13
Apartment – studio	114 units	1.0 space per unit	91	91
Apartment – 1 bed	116 units	1.25 space per unit	116	116
Apartment – 2 bed	116 units	1.5 space per unit	139	139
Apartment – Visitor Spaces	346 units	0.2 stalls per unit	55	33
Total			414	392

24. Section 150.4(a)(ii): “notwithstanding the maximum reductions prescribed in Section 150, an additional 5% reduction is permitted when it is located directly along the Primary Transit Corridor, designated by the Official Community Plan, or within the Reductions Area of Historic Downtown as shown in Figure 1”. Staff note that the site is located 36.75 m to the north of the Primary Transit Corridor (South Fraser Way) and consistently applied the interpretation that a proposed building must be directly fronting the PCT to be eligible for the additional 5% relaxation.
25. Based on the above information, the proposed development does not meet the minimum parking provisions after utilizing the current 20% parking relaxation available in the Zoning Bylaw. The applicant has applied for a Development Variance Permit to further reduce the required parking provisions by up to a maximum of 22 parking spaces. See paragraph 32a below for further information with respect to this request.
26. The proponent indicates that with a residential project of this scale, that the anticipated demand on visitor parking spaces is typically lower than smaller projects due to the relative number of studio units proposed and the opportunities to share commercial parking spaces during evening hours. Staff generally have no concerns with the proponent’s rationale.

Walkway connection

27. The City Centre Neighbourhood Plan requires a pedestrian link east-west through the subject site in an effort to break up larger blocks and encourage multi modal transportation as illustrated in the below excerpt:

The Neighbourhood Plan intends to make moving around the City Centre more efficient and delightful. It focuses on breaking up existing large blocks and providing

a fine-grained street network with redundancies to improve connections for all users. The new street grid serves as the foundation for increasing connectivity and creating vibrant, human-scaled environments. It will be part of a new hierarchy of connections which are intended to help shorten travel distances between destinations and encourage active modes of transportation

28. The site plan provided by the applicant identifies a 4.5 m wide SRW along the northerly lot line, which is consistent with the requirement of Map 13 in the CCNP (see Figure 3b). Registration of the SRW (with priority over other charges on title) has been included as a condition of rezoning.

Traffic Impact Analysis

29. The applicant submitted a draft Traffic Impact Analysis prepared by MJL Engineering Ltd. dated March 11, 2025 (see Attachment H). The study reviewed the existing and future traffic conditions at five nearby intersections in consideration of the increased traffic conditions resulting from the subject development. Some key recommendations of the study included an extension of the left turn bay on Garden Street southbound at South Fraser Way (in front of the subject site). The study further indicated that there are potential storage length constraints at the intersections of South Fraser Way at Garden Street, Allwood Street and Emerson Street. The study recommends adjusting signal timing to optimize through traffic and potentially extend left turn storage, if necessary, with future monitoring. The Works and Services required to support this application have been updated to include the mitigation measures needed to offset the traffic anticipated as a result of this development.

Site Development Considerations

30. A staff review of the Works and Services Requirements necessary to support this application has been completed, the details of which will be incorporated into the Development Agreement, a prerequisite for adoption of the rezoning bylaw (see Attachment I). Some notable requirements of the attached Works and Services Requirements are:
- Providing a 1.2 m road widening dedication along the full frontage of Garden Street from the north to the south of property frontage is required to accommodate a 22.5 m Urban Minor Collector road standard;
 - Constructing a new 1.5 m wide sidewalk and bike path along the full frontage of Garden Street; and
 - Providing a \$86,500 contribution towards future median upgrades on the South Fraser Way signature corridor in this area.
31. In addition to the above comments, the developer is responsible to adhere to all other legislation, which may apply to the land, including:
- (a) complying with all applicable City bylaws, such as Official Community Plan, Development Bylaw, Building Bylaw, Sign Bylaw, Erosion and Sediment Control Bylaw, and Development Cost Charges Imposition Bylaw administered by the City; and
 - (b) obtaining all other necessary approvals and permits on such terms as they may be issued, including but not limited to a development permit, tree removal permit, subdivision approval, building permit, soil removal/deposit permit, Ministry of Health permit, Ministry of Transportation and Infrastructure approval and Ministry of Environment approval.

Development Variance Permit / Amenity Contributions

32. In accordance with a 2008 Council resolution E008-2008, staff is negotiating public amenities for development variance requests on a case-by-case basis. In conjunction with this proposal, the developer is requesting variances to the Abbotsford Zoning Bylaw as described below, to allow for the development of the proposed building and associated parking. As the building design is still preliminary, the applicant has requested the variances be aggregated into three separate Development Variance Permits for administrative flexibility as the design advances to issuance stage.

- a) Reduce the minimum required residential visitors parking spaces from 55 spaces to 33 spaces;

The applicant is requesting Council consider a variance to reduce the minimum requirement for visitor parking from 16% to 9.5% (a reduction of 22 stalls in total). The building design has not advanced far enough along at this time to provide certainty on the final parking layout. Accordingly, the applicant is requesting that Council consider a maximum 22 stall reduction, with a cash-in-lieu contribution of \$23,000 per stall being provided prior to issuance to permit issuance for a total of \$506,000. The applicant indicates that ongoing discussions with funding partners, such as CMHC, may influence the size and composition of units (ie. accessibility) and the final parking provision. In addition, the proponent has a desire to provide as much parking as is possible in the final design.

- i) In support of this request, the applicant has supplied a memorandum from MJL Engineering indicating that the number of required residential parking spaces on the subject development based on the Institute of Transportation Engineers Parking Generation Manual is 207 parking spaces (see Attachment G).
- ii) The applicant further indicates that *“Given the scale of the proposed development, the standard visitor parking ratio is disproportionate to actual demand. Smaller buildings (50- 100 units) typically require higher visitor parking ratios.”*

For comparison, staff reviewed the residential apartment parking requirements of two neighbouring municipalities, the Township of Langley and the City of Coquitlam. Staff noted that the TOL requires 1.0 to 1.5 parking spaces per residential unit with 10% of that same requirement being allocated toward visitor use (no additional spaces required). In the “shoulder areas” of the Evergreen Sky Train line, the City of Coquitlam requires 0.75 parking spaces per unit and 0.15 spaces per unit for visitor parking for purpose built rental apartment developments. By comparison, the City of Abbotsford Zoning Bylaw requires 0.8 to 1.2 parking spaces per unit plus 0.16 visitor spaces per unit factoring in the 20% transit reductions provided for.

In addition, the Zoning Bylaw has provisions for shared parking spaces for two or more commercial uses where the peak demand occurs at different periods of the day. The Zoning Bylaw requires provision of a parking demand study completed by a professional engineer to confirm. As the proposed commercial tenants are unknown at this time, it is expected that there may be future opportunities to reduce the proposed variance as a result of this shared parking space provisions.

Based on the rationale provided by the applicant, staff recommend that Council consider the variance request to reduce the proposed visitor parking space by 22 stalls. The applicant proposes to offset the proposed variance request with an amenity contribution of \$23,000 per space to be directed toward the provision of parking infrastructure for a total contribution of \$506,000.

b) Reduce the minimum exterior setbacks for an underground parkade from 1.0 m to 0.0 m;

The applicant indicates that the site size, parkade dimensions and required number of parking spaces necessitate constructing the parkade up to the existing property line along Garden Street prior to providing the required 1.2 m road dedication / right-of-way. The applicant indicates the proposed parkade siting at zero lot line prior to road dedication is necessary to maximize the number of parking spaces available onsite (see Figure 6).

The Zoning Bylaw requires a 1.0 m parkade setback from the front property line, which is intended to minimize construction conflicts with infrastructure within the road ROW. The applicant has satisfactorily reviewed and confirmed with their Civil Engineer that there are no known conflicts. Further confirmation from the applicant's engineer is required to confirm there are no conflicts with third party franchise utilities. Based on the accompanying Development Permit Application drawings provided to date, the proposed parkade will be constructed at the front lot line and a portion of the required road widening may be provided as a combination of dedication and a statutory right of way. The exact details are subject to acceptance by the City prior to final reading of the proposed rezoning bylaw. As such, staff have no concerns with the siting variance request and suggest a CAC not be required.

c) Reduce the minimum maneuvering aisle width providing access to a small car parking space from 7.1 m to 6.5 m; and

The significant amount of parking required in order to service the proposed development on a relatively small site have necessitated the use of small car parking spaces. The Zoning Bylaw allows up to 25% of required parking spaces to be provided as 'small car spaces', where small car parking spaces are provided, the maneuvering aisle width is increased from 6.5 m to 7.1 m. The requested variance would enable a viable parkade design and the applicant has provided a technical memo from a traffic engineer overlaying vehicle turning templates showing no impacts for a standard car as result of the request. The proposed parkade layout is shown on Figure 6a.

A reduction of this nature has been supported on other multifamily projects in the City, most recently with PRJ24-056 on Horizon St, where the applicant has proposed to provide a cash-in-lieu CAC of \$1,250 per small car space fronting on the reduce drive aisle. The applicant has agreed to provide the same contribution. Based on the drawings provided with the Development Permit Application, 392 parking spaces are required (after factoring in all reductions) and 25% (98 spaces) may be provided as small car parking which equates to a contribution of \$122,500 total.

d) To reduce the common outdoor amenity space from 1,038 m² to 413 m².

The Zoning Bylaw requires provision of 3.0 m² / dwelling unit as common outdoor amenity area with all multi-family developments. For the 346 unit project, this amounts to a total requirement of 1,038 m². The applicant has proposed 413 m² of common outdoor amenity

space on top of the one storey podium. The applicant is requesting Council consider a variance to reduce the amount of required common outdoor amenity space by 625 m² as shown on the included site plan (see Figures 6 and 10). In support of this request, the applicant indicates there will be approximately 60 m² of common indoor amenity space on level two, included within the proposed building to provide future renters with additional amenity opportunities such as: “socializing, eating and cooking components, games area, common laundry facilities, and/or a small guest suite....”. Provision of indoor amenity space has been included as a condition of permit.

Staff note there are existing park spaces to provide outdoor recreational opportunities near the subject site such as International Friendship Garden near the Court House and Inspiration Park near Emerson Street and Simon Avenue. Mill Lake Park is also within 1.2 km of the subject site. The City Centre Neighbourhood Plan also anticipates redevelopment of Commercial Street into a linear park across South Fraser Way from the subject site.

Staff support the requested variance given the combination of proposed indoor amenity space with existing public outdoor recreational opportunities. In addition, the applicant has agreed to provide a \$333,198 (\$321 per m² of required space) offsetting amenity contribution in support of the variance request, which will be directed towards future park improvements.

Development Permit

33. The proposed development is subject to the Development Permit Guidelines contained within the City Centre Neighbourhood Plan. The objectives of these guidelines are to encourage the construction of human scaled buildings in the City Centre that respect adjacent buildings and properties. All City Centre developments should seek to create livable, connected, and green environments for residents and visitors to enjoy.
34. At this time the Form and Character Development Permit is not yet ready for consideration as several detailed design items are still under review by staff, including:
 - Alignment with the City Centre Neighbourhood Plan Development Permit Guidelines;
 - Parking count and parkade design being finalized; and
 - Unit count being finalized.
35. As the above requirements could result in revisions to the overall form and character of the project and to support this project continuing to move through the approvals process, staff are presenting Council with the variance requests separate from a finalized form and character development permit. Through the subsequent Development Permit, the items above would be resolved and upon rezoning and authorization of the variances by Council, the Director, Development Planning would have the ability to issue the Development Permit through the authority contained in the Development Application Procedures Bylaw.
36. The proposed mixed use building consists of residential apartments with a range of unit types and unit sizes. The proposal includes 346 units with:
 - 114 studio units
 - 116 one bedroom units; and

- 116 two bedroom units.

The proposed units range in size from 29 m² (312 ft²) to 72 m² (776 ft²).

37. The ground floor level along Garden Street accommodates seven commercial units that are an average of 81 m² (875 ft²) in size with direct pedestrian access.

Landscaping/Tree Removal and Replacement

38. Street trees will be provided along the full frontage of Garden Street in accordance with the Development Bylaw.
39. Based on the information provided by the applicant, there are no trees on the subject property therefore no tree removal is proposed.

Lot Consolidation

40. Consolidating the two subject properties into one lot is required as a condition of the completion of the rezoning. Once the lots are consolidated the new legal property will receive a new civic address.

Building Demolition

41. In order to avoid the buildings sitting vacant for an indeterminant period of time, demolition of the existing buildings will be required in conjunction with the Form and Character Development Permit subsequent to zoning, which is consistent with past practice on other multifamily projects. Should the rezoning be adopted, the existing structures will become legal non-conforming in accordance with the provisions of the Local Government Act.

Community Amenity Contributions

42. On September 11, 2023, Council adopted Policy C007-11 which establishes and describes a Community Amenity Contributions (CAC) program for residential development applications that require rezoning. Under this policy, CAC's are defined as voluntary amenity contributions made by the developer as part of their rezoning proposal and are intended to offset the cost of providing community amenities associated with new residential development. With respect to apartment developments, the voluntary cash-in-lieu contribution is \$22 per m² of Net Floor Area, with the funds being directed to the Affordable Housing Opportunities Reserve Fund (Affordable Housing), and a Community Amenities Reserve Fund (Recreation Amenities and Green Space, Cultural Amenities and Emergency Service Amenities). The policy applies to all new rezoning applications made after September 11, 2023. As the subject application was made after September 11, 2023, the applicant has proposed a community contribution under the current Community Amenity Contribution (CAC) program. The recommended CAC for this application is \$206,889.91.

Ministry of Transportation and Transit

43. The City's Zoning Bylaw Amendment requires the approval of the Ministry of Transportation and Transit as it could potentially affect properties located within 800m of a controlled access highway. Proposed Bylaw No. 3627-2025 has been forwarded to MOTT for review and stated no concerns with the proposed bylaw.

Communication Plan

44. On December 11, 2023, Council adopted amendments to the Development Application Procedures Bylaw which removed the requirement for a Public Hearing for rezoning bylaws, and Council Hearings for Development Variance Permits. Two advertisements have been published in the City Page of the local newspaper and the City has notified, in writing, the owners and occupiers of land within a 100 meter radius of the subject properties, that Bylaw Nos. 3626-2025 and 3627-2025 “Abbotsford Zoning Bylaw, 2014, Amendment Bylaw No. 677 and 678”, will be considered for 1st, 2nd and 3rd reading.
45. City initiated Bylaw No. 3627-2025 can be considered for 1st, 2nd, and 3rd reading as the proposed bylaw concerns more than 10 properties, development notification signage and a mailout are not required, in accordance with the Development Application and Procedures Bylaw. If readings are granted, Bylaw No. 3627-2025 will be placed on a subsequent agenda separately from the subject application for consideration of final reading.
46. The City received confirmation on January 23, 2025, that the applicant installed the required Development Notification Signs in accordance with the Development Application Procedures Bylaw, which requires the sign to be installed a minimum of four weeks in advance of Council's consideration of the application.

FINANCIAL PLAN IMPLICATION

No financial plan implications are anticipated. Any capital works implications arising from this application have been addressed through the rezoning process.

Any fees and charges collected, as mentioned in the recommendation section, will be credited to City's various revenue and/or deposit accounts.

IMPACTS ON COUNCIL POLICIES, STRATEGIC PLAN AND/OR COUNCIL DIRECTION

The proposal aligns with the goals and objectives identified in the 2016 Official Community Plan, the Affordable Housing Strategy and Council's 2022-2026 Strategic Plan which identifies four Guiding Principles: Inclusive and Connected Community, Sustainable and Safe City, Vibrant and Growing Economy and Organizational Excellence and Integrity.

SUBSTANTIATION OF RECOMMENDATION

The proposed rezoning to City Centre Mixed Use Zone (CCM) is consistent with the CCNP land use designation of City Centre Core. The proposed rezoning, if supported, will enable future high-density mixed use on the subject site within the City Centre. Staff supports the proposed rezoning.

The accompanying Development Variance Permit requests variances to the Abbotsford Zoning Bylaw for reductions in visitor parking, parkade setback, maneuvering aisle width and a reduction in common outdoor amenity space. Staff recommend that Council consider granting Approval in Principle to the proposed variances.

A Form and Character Development Permit Application has been submitted concurrently and proposes a new 30 storey mixed use tower and single storey podium containing 346 residential units and seven commercial retail units. If Council supports the proposed Rezoning and DVP

applications, this will be the first site in the City Centre Neighbourhood Plan area to propose a high-rise development since adoption of the neighbourhood plan. The Form and Character Development Permit will be reviewed for issuance by the Director, Development Planning in accordance with the delegation of powers contained within the Development Application Procedures Bylaw.

The proposed Zoning Bylaw definition updates are necessary to support the subject high-rise proposal and will also improve clarity, consistency and application of the City's Zoning Bylaw with greater alignment with industry expectations.

APPROVALS

Mark Neill, General Manager of Planning and Development Services
Komal Basatia, Chief Financial Officer
Peter Sparanese, City Manager

ATTACHMENTS

Council Figures 0-10

Attachment A – Draft Bylaw No. 3626-2025, “Abbotsford Zoning Bylaw, 2014, Amendment Bylaw No. 677”

Attachment B – Draft Bylaw No. 3627-2025, “Abbotsford Zoning Bylaw, 2014, Amendment Bylaw No. 678”

Attachment C – Draft Development Variance Permit No. 2534

Attachment D – Draft Development Variance Permit No. 2540

Attachment E – Draft Development Variance Permit No. 2541

Attachment F – Applicant letter of Intent dated February 25, 2025

Attachment G – Applicant rationale provided by MJL Engineering Ltd.

Attachment H – Draft Traffic Impact Analysis prepared by MJL Engineering Ltd.

Attachment I – Works and Services Report

Attachment J – Corporate Summary