



# COUNCIL REPORT

Council Report No. PDS 044-2025  
Date: February 25, 2025  
File No. 3100-05/PRJ21-145

To: Mayor and Council  
From: Christine Batchelar, Senior Manager  
Subject: Development Variance Permit application (33719 and 33709 McDougal Avenue, 2418, 2422 and 2426 Pauline Street, 2407 and 2427 Montrose Avenue)

## RECOMMENDATION

1. That Development Variance Permit No. 2479 be approved in principle; and
2. That prior to issuance of Development Variance Permit No. 2479, the following conditions be satisfied:
  - a. providing a Community Amenity Contribution of \$736,000 to be directed towards City owned parking infrastructure improvements;
  - b. owners providing written acknowledgement of the terms and conditions of the permit; and
  - c. providing three sets of signed, sealed development permit plans and documents.

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

## PURPOSE

To issue a Development Variance Permit to the Zoning Bylaw as follows:

- To reduce the required number of parking spaces from 184 spaces to 148 spaces;
- To reduce the minimum underground parkade setback from an exterior lot line from 1.0 m to 0.2 m;
- To reduce the minimum unit size from 56 m<sup>2</sup> to 38.9 m<sup>2</sup>; and
- To increase the maximum building height from four storey (15.0 m) to six storey (22.5 m – Building A and 21.5 m – Building B).

## SUMMARY OF THE ISSUE

To issue a Development Variances Permit to reduce the provisions of the Abbotsford Zoning Bylaw as follows:

- Section 150.3 - the number of required parking spaces from 184 spaces to 148 spaces;

- Section 150.8 - to reduce the minimum underground parkade setback from an exterior lot line from 1.0 m to 0.2 m;
- Section 570.3.6 - to increase the maximum height from four storey (15.0 m) to six storey (22.5 m – Building A and 21.5 m – Building B); and
- Section 570.5.2 - to reduce the minimum unit size from 56 m<sup>2</sup> to 38.9 m<sup>2</sup>.

The proposed variances are to facilitate the issuance of a future Form and Character Development Permit to be issued separately by the Director, Development Planning. The applicant is proposing to construct two six storey apartment buildings, consisting of 132 residential units with ground floor commercial along Montrose Avenue.

Staff supports the proposed variances and issuance of a Development Variance Permit.

## BACKGROUND

Applicant: Douglas R Johnson Architect Ltd. (Douglas Johnson)

Owners: Montrose Venture Ltd.

For directors information please see corporate summary (attachment C)

Legal Descriptions: 33719 McDougall Ave – Lot A Section 22 Township 16 Plan Nwp08717 Nwd Part Sw 1/4, Except Plan Part Road Lmp52429, Except: Pt Dedicated Rd On PI Lmp52429.

33709 McDougall Ave – Lot 14 Section 22 Township 16 Plan Nwp01076 Nwd Exc: Pt Dedicated Rd On PI Lmp426, Lot 15, Plan Nwp01076, Section 22, Township 16, New Westminster Land District.

33709 McDougall Ave – Lot 14 Section 22 Township 16 Plan Nwp01076 Nwd Except Plan Lmp426, Lot 15, Plan Nwp01076, Section 22, Township 16, New Westminster Land District.

2418 Pauline St – Lot 17 Section 22 Township 16 Plan Nwp01076 Nwd Lot 16, Plan Nwp01076, Section 22, Township 16, New Westminster Land District.

2422 Pauline St – Lot 17 Section 22 Township 16 Plan Nwp01076 Nwd Lot 16, Plan Nwp01076, Section 22, Township 16, New Westminster Land District.

2426 Pauline St – Lot 1 Section 22 Township 16 Plan Nwp78505 Nwd Part Sw1/4.

2407 Montrose Ave – Lot F Section 22 Township 16 Plan Nwp73837 Nwd Part Sw1/4.

2427 Montrose Ave – Lot B Section 22 Township 16 Plan Nwp01076 Nwd (P109584).

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OCP Designation:	Urban Centre – Mixed Use and Commercial Streets, Historic Downtown Neighbourhood Plan
Existing and Proposed Zoning:	Historic Downtown Commercial Zone (C7)
Site Area:	Approximately 4,871 m <sup>2</sup> (1.20 acres)
Site Description:	The site is located in the Historic Downtown Neighbourhood Plan and currently abuts McDougal Avenue, Pauline Street, and Montrose Avenue. The site is vacant except for a small abandoned commercial building.
Surrounding Uses:	N: Brewery Restaurant (zoned C7) and Laurel Street beyond; S: McDougal Avenue, and Church (zoned P3), single detached lots and apartment (zoned RM-30) beyond; E: Montrose Avenue and institutional (zoned P1) beyond; and W: Pauline Street and vacant lot (zoned RML), commercial (zoned C7) beyond.

## DISCUSSION

### Context

1. The subject properties are located at the south end of Pauline Street and Montrose Avenue, north of McDougall Avenue. The surrounding Historic Downtown is a walkable mixed use neighbourhood offering numerous services and amenities that include the Christmas Tree and Jubilee Park which hosts the Farmers Market (see Figure 2).

### Official Community Plan – Historic Downtown Neighbourhood Plan

2. The Official Community Plan (OCP) designates the subject properties as Urban Centre – Mixed Use through the Historic Downtown Neighbourhood Plan (see Figure 3). This land use designation is intended to enable a mix of uses to support the Historic Centre with higher residential density and commercial uses. Buildings in the Urban Centre – Mixed Use designation are permitted a maximum height of 6 storeys and density ranges from 1.0 to 2.5 Floor Space Ratio (FSR) with an additional 0.5 FSR being available where 6 storeys cannot be achieved at 2.5 FSR.

The subject properties have a Commercial Street designation along Montrose Avenue which requires active ground floor commercial uses in order to ensure a vibrant main street retail character. The proposed development is consistent with the Historic Downtown Neighbourhood Plan.

3. The proposed development is in keeping with the broad objectives the OCP incorporating retail, office and residential uses that together create a mix of uses that functions as a distinct neighbourhood. This includes focusing the highest densities and greatest mix of uses in the Urban and Neighbourhood Centres within individual neighbourhoods.

### Affordable Housing Strategy

4. On May 25, 2020 the City adopted an updated Affordable Housing Strategy (AHS). This strategy contains two overarching policy topics; Housing Supply and Partnerships and

Coordination. Under the category of Housing Supply, similar to the OCP objectives and policies, the AHS encourages the development of diverse housing options for all stages of life across the housing continuum. The applicant's proposal is consistent with this policy objective.

## Zoning

5. The subject properties are currently zoned Historic Downtown Commercial Zone (C7) which accommodates commercial and mixed-use developments up to four storeys in height within the Historic Downtown (see Figure 4). The C7 Zone permits a Floor Space Ratio (FSR) of 1.75 with an additional 1.0 FSR permitted when the required off-street parking is provided in an underground parkade. Height is limited to 15.0 m or 4 storeys, whichever is less. The proposed development complies with the density and permitted uses of the C7 Zone.

## Variance Requests

6. The following variances are requested in conjunction with the proposed six storey residential and mixed-use development.

### 6.1 Reduce Required Off-Street Parking Requirements (see Figures 5 and 6)

The applicant is proposing to reduce the required off-street parking requirements from 184 parking stalls to 148 parking stalls.

The applicant's proposal for 132 residential units and eight retail units (approximately 915 m<sup>2</sup>) requires 184 parking stalls after providing a 20% reduction as permitted by the Zoning Bylaw.

During geotechnical reviews of soil conditions, the applicant encountered a high-water table and what is most likely a site specific artesian well as per the applicant's Geotechnical Engineer. This prohibited the applicant from constructing a two-level underground parkade which is typical for a project of this size. As a result, future development will be limited to one tray of underground parking with a partial tray of parking surrounded by the buildings.

The subject properties front the new Montrose Avenue Transit Exchange which was recently constructed along Montrose Avenue. Furthermore, Historic Downtown is a high amenity area, with many opportunities for residents to enjoy boutique retail, restaurants and cafes and other leisure and employment activities in a pedestrian oriented and walkable neighbourhood.

The provision of 148 parking stalls allows for one parking space per residential unit, one parking space per commercial unit and eight parking spaces for visitors that come to the site. As the development will be well serviced by the Montrose Transit Exchange and the amenities of Historic Downtown staff do not have a concern with the proposed variance.

### 6.2 Reduce the Underground Parkade Exterior Setback Requirement (see Figure 6)

The applicant is proposing to reduce the minimum underground parkade exterior lot line setback as follows:

- from 1.0 m to 0.85 m along Montrose Avenue;
- from 1.0 m to 0.40 m along the corner truncation at Montrose Avenue and McDougal Avenue;
- from 1.0 m to 0.2 m along McDougal Avenue;

- from 1.0 m to 0.40 m along the corner truncation at McDougal Avenue and Pauline Street; and
- from 1.0 m to 0.95 m along Pauline Street.

Staff believe that the proposed reductions to the required underground parkade exterior setback is reasonable as the proposed variances apply only to portions of the underground parkade (the properties are not square) and do not interfere with any underground infrastructure or the bus exchange.

### 6.3 Increase the Maximum Height (see Figures 7)

The applicant is proposing to increase the maximum height from 15.0 m or four storeys to six storeys (22.5 m – Mixed Use Building A and 21.5 m – Apartment Building B). Under the Urban Centre – Mixed land use designation in the Historic Downtown Neighbourhood Plan higher residential density with a maximum height of six storeys is encouraged. Furthermore, the proposed variance is consistent with several similar variances recently considered and approved by Council within Historic Downtown. As such, staff support the proposed increase to the maximum height to align with the neighborhood plan.

### 6.4 Decrease the minimum apartment size from 56 m<sup>2</sup> to 38.9m<sup>2</sup>

The applicant is proposing to reduce the minimum residential unit size to 38.9 m<sup>2</sup>. Staff have no concerns with the proposed variance as it is considered reasonable as the C7 Zone is the only zone in the Abbotsford Zoning Bylaw that requires a minimum residential unit size and the proposed variance is consistent with previous variance requests approved within Historic Downtown.

## **Amenity Contribution**

7. 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 as described in Section 6 above, to allow for the development of the proposed buildings and associated parking. In this case the developer has agreed to contribute \$736,000.00 towards parking infrastructure.

Due to site conditions, as described in more detail in paragraph No. 11 below, the parkade was raised to become exposed on all three frontages (Montrose Avenue, McDougal Avenue and Pauline Street) with the biggest exposure along Montrose Avenue. To address the public interface staff directed the applicant to provide commercial units along Montrose Avenue, where the greatest exposure was. The two additional commercial units that the applicant provided, required an additional four parking spaces and furthermore took away from parking provided within the parkade. The applicant is proposing a parking variance of 36 stalls in total. The \$759,000 contribution is broken down as \$23,000 per reduced stall, to a max of 32 stalls, as staff did not recommend providing a Community Amenity Contribution for the four additional stalls that resulted as per staff's direction on addressing the public interface.

Engineering and Regional Utilities is supportive of this proposed Community Amenity Contribution to be directed towards parking initiatives within Historic Downtown.

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## Development Permit

8. The proposed development is subject to the Historic Influence and the Historic Core Development Permit guidelines contained within the Historic Downtown Neighbourhood Plan (HDNP). As the subject site fronts a designated Commercial Street along Montrose Avenue, the Historic Core Development Permit guidelines are applicable to that portion of façade facing Montrose Avenue. The rest of the building is subject to the Historic Influence Development Permit guidelines.

The objective of these guidelines is to protect and elevate the historic character of Historic Downtown, and the creation of authentic, memorable, walkable, and animated shopping streets, as well as attractive and walkable residential streets. All development should enhance the public realm and provide ample opportunities for residents and visitors alike to gather and socialize.

9. The proposed apartment and mixed-use buildings generally meet the Historic Core and Historic Influence Development Permit guidelines as outlined below:
  - Gateways – the building is designed to distinguish a sense of arrival to the Historic Downtown at the south end of Montrose Avenue, the Historic Downtown’s Primary Transit Corridor;
  - Parking and Limited Access – all parking is provided within an underground parkade or is fully screened by buildings;
  - Traditional Architecture – the buildings façade is designed with distinguishable treatments for the ‘base’, ‘middle’, and ‘cap’;
  - Architectural Interest – building materials and colours are varied and incorporates design elements that contribute to a vertical emphasis, depth and variety;
  - Corner Buildings – the building has been strongly massed along both Montrose Avenue and McDougall Avenue to exhibit a visually prominent presence; and
  - Retail and Transparent Fronts – ground level storefronts have high visibility with large amounts of transparent glazing.
10. The Historic Downtown Neighbourhood Plan identifies a requirement for a public plaza and public washroom along Montrose Avenue to compliment the Montrose Bus Exchange. The applicant has provided an approximate 8.0 m wide linear plaza and a public washroom facility along the Montrose Avenue frontage. Staff will be securing public access for these items through the Form and Character Development Permit.
11. During the planning review of this application, a significant ground water challenge arose, limiting the applicant’s ability to construct a two-storey underground parkade. This resulted in a significant design change with the elimination of one level of underground parking and with the other level being exposed along all lot lines. The applicant has made significant efforts to screen the exposed parkade to meet the Historic Core and Historic Influence guidelines of the OCP. However, this has resulted in the public plaza being raised up as it sits above the parkade. To address the streetscape along Montrose Avenue the applicant has provided two small commercial units along with the public washroom at grade. At this time the Form and Character Development Permit is not yet ready for approval as several detailed design items are still under review by staff including:

- The provision of a landscape plan that provides general landscaping details on the proposed plantings and outdoor amenity areas.
  - Additional façade improvements along the north interior lot line, and submission of conceptual plans demonstrating the ability of the public plaza to continue to adjacent lands based on final detailed grading.
  - Additional review by a BC Code Consultant to ensure that Building A complies with the BC Building Code as a six-storey building.
12. 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 variances separate from a finalized form and character development permit. Through the subsequent Development Permit, the item above would be resolved and upon 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.

### **Landscaping/Tree Removal and Replacement**

13. Street trees shall be provided along the full frontage of Pauline Street, McDougall Avenue and Montrose Avenue in accordance with the Development Bylaw.
14. The applicant provided a Tree Management Plan that assessed three existing on-site trees, and one off-site City owned boulevard tree. The three on-site trees will be impacted by this proposal, and the City owned tree will be retained. The three impacted trees are identified to be removed and will require nine replacement trees, consistent with the Tree Protection Bylaw, 2010. The proposed tree removal will be reviewed in detail under the Form and Character Development Permit.

### **Abbotsford Downtown Business Association (ADBA)**

15. This application was reviewed by the ADBA who provided a letter dated March 11, 2020 (see Attachment B) for the proposed development. Despite the general support for the proposal, the ADBA expressed concerns over the original proposal. The applicant has made significant changes to the proposal and the ADBA will be forwarded revised drawings for comment during the subsequent review of the Form and Character Development Permit.

### **Access and Parking**

16. Vehicle access to the proposed development will be from Pauline Street. The proposed development requires 184 parking spaces. Under the Zoning Bylaw, properties located in Historic Downtown qualify for a 20% parking reduction which has been credited in the required parking calculation. The applicant is proposing 132 residential units and providing 14 parking spaces. It is anticipated the visitors and commercial users will utilize the existing on-street within Historic Downtown. Additionally, several parking lots are within walking distance to the proposed development, including parking lots at Jubilee Park and a City owned lot along West Railway Street (approximately 150 m from the subject properties).

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17. As per the Abbotsford Zoning Bylaw 132 bike parking spaces are required. The applicant has proposed 28 spaces in the underground with the remaining spaces located on the second floor.

### **Communication Plan**

On December 11, 2023, Council adopted amendments to the Development Application Procedures Bylaw, which removed the requirement for a council Hearing for Development Variance Permits. The City has notified, in writing, the adjacent property owners and occupiers advising of Council's consideration of the subject Development Variance Permit.

### **FINANCIAL PLAN IMPLICATION**

No financial plan implications are anticipated.

### **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**

Staff supports the proposed Development Variance Permit, which requests variances to the Abbotsford Zoning Bylaw for parking, parkade setbacks, residential unit size and height. The proposed variances help to facilitate the development of the lands into two residential apartments with ground floor commercial along Montrose Avenue consistent with the goals and objectives of the Historic Downtown Neighborhood Plan.

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### **APPROVALS**

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

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### **ATTACHMENTS**

Council Figures 0-7  
Attachment A – Draft Development Variance Permit  
Attachment B – Abbotsford Downtown Business Association Letter  
Attachment C – Corporate Summary