



# Staff Report to Council

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**DATE:** Monday, June 16, 2025

**DEPARTMENT:** Planning

**APPLICATION NO.:** Z23-0017

**SUBJECT:** Adoption of Bylaw No. 2203 – Application to Rezone 646 Atkins Avenue from One- and Two-Family Residential (R2) to Residential Small Lot 1 (RS1) to allow for the creation of 7 lots.

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## BACKGROUND:

At their Regular meeting of September 23, 2024, Council passed the following resolution with respect to 646 Atkins Avenue:

*That Council:*

1. *Proceed with consideration of First, Second, and Third Reading of Bylaw No. 2203, following public notification, to amend the zoning designation of the properties located at 646 Atkins Avenue from the R2 Zone to the RS1 Zone subject to the following terms and conditions:*
  - a. *That the applicant provides, **as a bonus for increased density**, the following contributions per lot, **prior to the subdivision approval**: (secured in Bylaw No. 2203)*
    - i. *\$610 per townhouse unit towards the Affordable Housing Reserve Fund*
    - ii. *\$660 per single family home or half duplex towards the Affordable Housing Reserve Fund;*
    - iii. *\$3,660 per townhouse unit towards the General Amenity Reserve Fund; and*
    - iv. *\$3960 per single family home or half duplex towards the General Amenity Reserve Fund.*
  - b. *That the applicant registers, **prior to Bylaw Adoption**, a road dedication plan, to the satisfaction of the Director of Engineering; (complete)*
  - c. *That the applicant, **prior to Bylaw Adoption**, registers a Section 219 covenant in priority of all other charges on title, that agrees to the following: (complete)*
    - i. *That the following will be provided and implemented to Bylaw No. 1000 standards to the satisfaction of the Director of Engineering, prior to the issuance of a building*

*permit:*

1. *Full frontage improvements; and*
  2. *A storm water management plan.*
- ii. *That the following will be provided and implemented to Bylaw No. 1000 standards to the satisfaction of the Director of Engineering prior to any land alteration:*
  1. *A construction parking management plan; and*
  2. *A mitigation plan.*
- iii. *That the applicant shall apply for subdivision utilizing the plan demonstrated to Council during the rezoning process, or one that is substantially similar demonstrating that all new lots created are below 280 m<sup>2</sup> in size;*
- iv. *Tree protection fencing shall be installed by the project arborist for all trees identified for retention in the arborist report prepared by SouthShore Forest Consultants dated July 19<sup>th</sup>, 2024, prior to the commencement of any work on site, and shall be maintained throughout the construction period;*
- v. *Acknowledgement that the site is in proximity to an existing rail corridor that may be utilized for transportation uses in the future such as, but not limited to rail, bus, or other, that these uses may result in general nuisances, and that the owner and all future owners assume all risk and annoyance of such nuisances;*
- vi. *That all concrete used on-site will utilize ready-mix concrete that meets or exceeds the weighted average Global Warming Potential targets based on Concrete BC Baseline (average) mix data, and that prior to the issuance of a Building Permit the applicant shall provide a Type III Environmental Product Declaration that is 3<sup>rd</sup> party verified specifying the total Global Warming Potential value and confirming that the proposed development meets the requirements of Low Carbon Concrete Policy POL-0167-PLAN;*
- vii. *That the applicant, prior to subdivision approval, upgrade the facade of the existing dwelling that is remaining in order to better comply with City Design Guidelines, to the satisfaction of the Director of Development Services;*
- viii. *That electric heat pumps be installed in all future units.*

AND

2. *Proceed with consideration of First, Second, and Third Reading of Bylaw No. 2203, following public notification, to amend the required parking for residential uses in Restricted Zones specified in Part 4 of Zoning Bylaw No. 300 as follows: (secured in Bylaw No. 2203)*

<i>Residential uses on <b>Lots</b> within a <b>Restricted Zone</b> and shown on Schedule AA that have a <b>lot area</b> of 281 m<sup>2</sup> or greater</i>	<i>0 spaces <b>per dwelling unit</b></i>
<i>Residential uses on <b>Lots</b> within a <b>Restricted Zone</b> that have a <b>lot area</b> of less than 281 m<sup>2</sup> developed</i>	<i>1 space <b>per dwelling unit</b></i>

AND

3. Authorize the Director of Development Services to issue a setback variance to the exterior side lot line of the existing dwelling unit only to 1.59 m instead of the required 3m. **(to be dealt with in future development permit)**

**COMMENTARY:**

This application was prohibited from being the subject of a Public Hearing, as per the changes made by the Province to the *Local Government Act* through *The Housing Statutes (Residential Development) Amendment Act, 2023*.

Council gave first, second, and third readings of Bylaw No. 2203 on October 21, 2024. The information considered in relation to this Bylaw as well as the video recording of the Meeting can be found at the following link of the City's website: [Council Meeting - October 21, 2024](#)

The applicant's lawyer has provided a legal undertaking that they have obtained all required signatures, and they will ensure the covenant is registered against the subject property. The covenant agrees to items in 1. c. i-viii in Council's resolution dated September 23, 2024, noted above.

Bylaw No. 2203 was signed by the Minister of Transportation and Infrastructure on October 22, 2024.

As there are no outstanding conditions required at this time, Council may wish to proceed with bylaw adoption.

**OPTIONS:**

**Option 1**

That Council adopt Bylaw No. 2203 as presented.

**OR Option 2**

That Council take no action with respect to adopting Bylaw No. 2203

**SUBMITTED BY: Julia Buckingham, Planner II**

**Concurrence:** Matthew Baldwin, RPP, MCIP, Director of Development Services  
**Concurrence:** Melisa Miles, Manager of Legislative Services  
**Concurrence:** Donna Petrie, Senior Manager of Communications & Economic Development  
**Concurrence:** Yari Nielsen, Director of Parks, Recreation and Facilities  
**Concurrence:** Leah Stohmann, RPP, MCIP, Director of Community Planning and Climate Change  
**Concurrence:** Katelyn Balzer, P.Eng., Director of Engineering and Public Works  
**Concurrence:** Michael Dillabaugh, CPA, CA, Director of Finance  
**Concurrence:** Marie Watmough, Director of Legislative & Protective Services  
**Concurrence:** Braden Hutchins, Deputy Chief Administrative Officer  
**Concurrence:** Darren Kiedyk, Chief Administrative Officer

Attachments:

Bylaw No. 2203