



REPORT TO COUNCIL

To: **Mayor and Councillors**

Subject: **Development Variance Permit Application
DVP 02-22 (5525 209 Street)**

File #: 6630.00

Doc #:

From: Anton Metalnikov, RPP, MCIP
Planner

Date: November 7, 2022

RECOMMENDATION:

1. THAT the November 7, 2022 report entitled Development Variance Permit Application DVP 02-22 (5525 209 Street) be received for information; and
2. THAT Council approve Development Variance Permit application DVP 02-22 to allow front and exterior accessory building setbacks of 1.0 metres and the provision of 84 parking spaces.

PURPOSE:

To consider a Development Variance Permit (DVP) application by Leslie Geddes of the BC Kinsmen Housing Society to allow the construction of a refuse bin enclosure with front and exterior lot line setbacks of 1.0 metres and the provision of 84 parking spaces on the subject property.

POLICY:

The subject property is zoned RM1 Multiple Residential Low Density, which accommodates the existing residential development and regulates the size and siting of any buildings on site, including setting minimum front and exterior (road-fronting) lot line setbacks of 7.5 metres for accessory buildings and structures.

As a development completed in 1989, prior to the adoption of the current Zoning Bylaw, parking for the property is regulated by sub-clause IE.1.(b)i) of the Zoning Bylaw which sets the number of parking spaces existing at the time of the Zoning Bylaw's adoption as the minimum requirement. There are currently 90 parking spaces on site.

A Development Variance Permit (DVP) application for setback and parking variances is necessary to accommodate the proposed refuse bin enclosure due to its location on the property, as the applicant wishes to site it on its southeast corner set back 1.0 metres from the front/exterior property lines in the place of six parking spaces.

Official Community Plan (OCP) policies relevant to the subject application include:

- **1.8 Incentives for Affordable Housing**
Provide incentives for projects with significant components of purpose-built rental and non-market housing. This could include parking reductions and other incentives.
- **1.9 Support Subsidized Housing**
Support subsidized housing, supportive housing, and non-market rental housing for vulnerable populations, such as seniors, low-income families with children, and individuals with special needs.

COMMENTS/ANALYSIS:

The subject property hosts a 62-unit non-market housing complex, named Kinsmen Garden Estates, composed of 2, 3, and 4-bedroom units, developed in 1989. The property is owned by BC Housing and managed by the non-profit BC Kinsmen Housing Society. It is located east of Downtown, with the Langley Bypass forming the property's longest frontage on the east. Primary vehicle access is provided from 209 Street, which abuts the property to its south, with additional access from a lane flanking the property on its north. Several older single-detached homes sit across this lane, which connects further to 56 Avenue. The property shares a lot line to the southeast with the Fraser Crossing shopping centre and is bounded to the west by Rotary Centennial Park.

The applicant is proposing to construct a standalone refuse bin enclosure on the southeast corner of the property, near the intersection of 209 Street and the Langley Bypass. Under the property's RM1 zoning, this would be considered an accessory structure and would be required to be sited a minimum of 7.5 metres from these road-fronting property lines. The proposed construction requires the subject variances as it would reduce these setbacks to 1.0 metres and reduce the number of parking spaces on the property from the current 90 to a total of 84, representing a 6 space or 6.7% reduction, as the enclosure's proposed location is currently used for parking.

The BC Kinsmen Housing Society has already been informally using this southeast area for refuse bin staging; new requirements that have come into place since the complex was first developed (namely the addition of recycling and organics bins) have made the garbage bin holding areas, as originally provided as part of the initial development, too small to hold the increased number of required bins. The applicant now proposes to make this arrangement permanent through the construction of an enclosure for these bins in this same location. This enclosure is necessary to secure the bins, as the property has been experiencing dumping due to the bins being

exposed, resulting in cleanup and labour costs for the Society. The proposed construction plans, including drawings of the enclosure and its location on the site, are attached to this report.



Site context

Staff support the setback variance, given the context of the roadways the proposed enclosure would abut. 209 Street, in this location, has a lane character given its short length and function as an accessway to the subject property and Fraser Crossing shopping centre, with the rear of the adjacent Safeway set back from it by approximately 3 metres. The Langley Bypass is a major arterial road and will have an 8.5-metre separation between the proposed enclosure and the curb, which will maintain the necessary sightlines at the intersection with 209 Street. The enclosure's design will create an improved appearance compared to the existing exposed refuse bins, mirroring the concrete block wall of the Safeway across the street to the south and providing a limited short-side frontage with the Langley Bypass. Alternative locations for the proposed enclosure are not considered feasible, as there are no other open spaces, including parking rows, that would have the necessary area.

The construction of the enclosure in this location would take up six parking spaces (which are already being used by the property for refuse bin staging) on a permanent basis. This represents a 6.7% reduction, from 90 current spaces to 84 total spaces, serving 62 units. Staff support the parking variance based on the following rationale:

- The subject property is a subsidized housing complex for tenants meeting a maximum annual household income limit set by BC Housing. Rents charged to tenants are geared to income, set at 30% of the gross household total. The Metro Vancouver 2018 Regional Parking Study found that residents of non-market units hold, on average, fewer vehicles than those in market units, with an average of 0.54 vehicles per non-market unit. A lower vehicle ownership rate allows for a reduced parking supply to remain sufficient for resident needs.
- The housing complex is centrally managed by a non-profit housing society. In the society's experience operating the complex, the proposed 84 parking spaces would be adequate for their tenants.
- The housing complex is well located to amenities and transit service which supports a reduced need for car ownership. These include a grocery store and park directly adjacent to the property, Downtown and the Timms Community Centre within a 10-to-15-minute walk, and three bus routes within a 5-minute walk, including the 503 Fraser Highway Express. The future 203 Street SkyTrain station will also be located within a 15-minute walk.
 - The adjacent Fraser Crossing property is also located in the OCP's 'Shoulder' area of the City (10-15 minute walk to future SkyTrain stations); recent nearby market residential development applications in the Shoulder have had their required parking reduced by 4.7% from the current Zoning Bylaw requirements. Other market residential applications in the OCP Shoulder have had their parking reduced by as much as 14.5%, consistent with new reduced parking rates being considered for the new Zoning Bylaw.
- Staff have reviewed Calls for Service to see if there are any spillover parking impacts from the Kinsmen site on adjacent properties, including the Fraser Crossing shopping centre and Rotary Centennial Park. No parking-related complaints were found on record, which suggests it is unlikely there are spillover parking impacts from the subject property.

BUDGET IMPLICATIONS:

None.

SUMMARY:

The subject property is developed as a non-market rental housing complex, with the operator applying to construct an enclosure to secure the complex's refuse bins and address the dumping issues the property has been experiencing. Due the enclosure's space requirements, it is proposed to be located in a location that would require

variances for front and exterior setbacks, as well as parking supply. Staff support these variances as they will result in minimal visual impacts, the resultant number of parking spaces is considered to be sufficient, and the variances will support the ongoing operations of this non-market housing complex in accordance with OCP policy.

ALTERNATIVES:

1. Deny the subject variances.

Respectfully Submitted,



Anton Metalnikov, RPP, MCIP
Planner

Concurrence:



Roy M. Beddow, RPP, MCIP
Deputy Director of Development Services

Concurrence:



Carl Johannsen, RPP, MCIP
Director of Development Services

Attachment:

1. Architectural Plans_DVP 02-22_5525 209 Street

CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:

I support the recommendation.

Francis Cheung, P. Eng.
Chief Administrative Officer

CITY OF
LANGLEY



DEVELOPMENT VARIANCE PERMIT APPLICATION DVP 02-22

Civic Address: 5525 - 209 Street
Legal Description: Lot 1, District Lot 36, Group 2, New Westminster District Plan 77064
Applicant: B.C. Kinsmen Housing Society
Owner: Provincial Rental Housing Corporation

