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**TO:** CITY MANAGER **DATE:** 2019 February 06

**FROM:** DIRECTOR PLANNING AND BUILDING **FILE:** 49500 20  
*Reference: Rez.#17-18*

**SUBJECT: RESPONSE TO ISSUES RAISED AT PUBLIC HEARING  
REZONING REFERENCE #17-18  
4838 HASTINGS STREET**

**PURPOSE:** To respond to issues raised at the Public Hearing For Rezoning Reference #17-18.

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**RECOMMENDATION:**

1. **THAT** a copy of this report be sent to the applicant and to those who spoke or submitted correspondence at the Public Hearing.

**REPORT**

**1.0 BACKGROUND**

On 2018 December 11, a Public Hearing was held for Rezoning Reference #17-18 (Sketches #1 and #2 *attached*). The subject rezoning application proposes a licensed child care facility for 86 children within a new four-storey mixed-use building. The proposed facility is to be located within the eastern ground level commercial retail units fronting Hastings Street, occupying approximately 461.63 m<sup>2</sup> (4,969 sq. ft.) of internal floor area, with a fully fenced and landscaped outdoor play area, approximately 327.2 m<sup>2</sup> (3,522 sq. ft.) in size, proposed to be connected to the indoor area on the east side of the building. Vehicular access to the site is currently provided via the lane, for which there is no proposed change.

At the Public Hearing, three written submissions were received from area residents – one expressing general opposition, one expressing opposition regarding parking, and one expressing concern regarding parking and traffic safety in the lane. Two individuals made oral submissions at the Public Hearing. One of the individuals spoke in support of the rezoning application, while the other individual spoke in opposition and noted that the top three floors of the building are allegedly not in compliance with the City's current zoning; expressed concerns regarding increased traffic, congestion, and parking challenges; requested that parking on Hastings Street between Gamma Avenue and Delta Avenue be restored; and requested that the City ensures sufficient parking for residents as well as for employees of the businesses in the commercial district. Arising from discussion, Council requested that staff prepare a report regarding parking and property compliance issues raised.

## 2.0 ISSUES RAISED

### *Issue #1 – Parking*

Concern was raised regarding parking related to the subject rezoning. Specifically, comments were raised regarding: inadequate on-site parking; restoration of parking along Hastings Street; and parking violations and enforcement (including potential parking in the lane).

#### *Response:*

*Inadequate on-site parking* – As indicated in the previous report to Council, a parking and access management plan has been submitted by the applicant, and the subject site provides 23 off-street underground commercial parking spaces located on the P1 level, where 22 spaces are required. It is also noted that nine of the child care facility’s 14 required parking spaces are proposed to be designated for pick-up and drop-off. Based on Zoning Bylaw requirements, there is sufficient on-site parking to accommodate both the proposed child care facility, the uses in the remaining commercial retail units, and the multiple family residential units.

*Restoration of parking along Hastings Street* – The Assistant Director Engineering - Transportation Services has indicated that, to help address concerns about the need for more parking in the area, the existing parking restrictions on the south side of the street in front of the subject property have been removed to allow parking for most of the day, except between the hours of 3:30 pm to 6:00 pm, Monday to Friday, to accommodate the existing HOV lane in the eastbound direction. Approximately 14 new parking spaces have been created.

Engineering also notes that no changes to parking restrictions are recommended on the north side of the street because they are required to ensure there are adequate sight lines for vehicles emerging from several driveways, and to accommodate the existing HOV lane in the westbound direction during the morning rush hour. On-street parking on the north side of the street would also be of limited value to the subject site due to its inconvenient access.

*Parking violations and enforcement (including potential parking in the lane)* – Engineering notes that concerns about parking violations can be dealt with through enforcement by the City’s Parking Bylaw Enforcement Officers as required. It is also noted that concerns about traffic violations can be dealt with through enforcement by the RCMP.

### *Issue #2 – Zoning Compliance*

It was noted that the top three floors of the subject building are allegedly not in compliance with the City’s current zoning.

To: City Manager  
From: Director Planning and Building  
Re: Response to Issues Raised at Public Hearing  
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*Response:*

On 2014 December 08, Council approved the rezoning of the subject property to the Comprehensive Development (CD) District based on the RM3 Multiple Family Residential District and C2 Community Commercial District. The approved CD Plans are for a four-storey

mixed-use development, including ground floor commercial units and 30 multiple family residential units. The Licence Office has received a business licence application to operate a 30 suite apartment building on the property, which would be a permitted use within the multiple family residential portion of the property. In their review of the application, the Licence Office has confirmed that the multiple family residential units are currently not being used for a rental apartment building but as a boarding, lodging, or rooming house and/or hotel for students, which is not a permitted use under the property's current zoning or approved CD Plan. The proposed business licence use is therefore not approvable, and the Licence Office will be pursuing enforcement in order to bring the property into compliance.

### **3.0 CONCLUSION AND RECOMMENDATION**

The development proposal for the subject rezoning application (Rezoning Reference #17-18) is to permit the operation of a child care facility for 86 children. The proposal is considered a supportable social benefit to the community and would contribute to the overall supply of child care space within the City.

This report presents information with regard to parking and property compliance issues raised at the Public Hearing. In summary, sufficient on-site parking has been provided for the proposed use (and for other uses in the development), on-street parking on the south side of Hastings Street in front of the subject property has been restored for most of the day, parking violations can be dealt with through enforcement by the City's Parking Bylaw Enforcement Officers as required, and property compliance issues on the top three floors of the subject building are being pursued by the Licence Office. In view of the above, the proposed child care use is considered to be supportable.

It is recommended that a copy of this report be sent to the applicant and to those who spoke or submitted correspondence at the Public Hearing for Rezoning Reference #17-18.

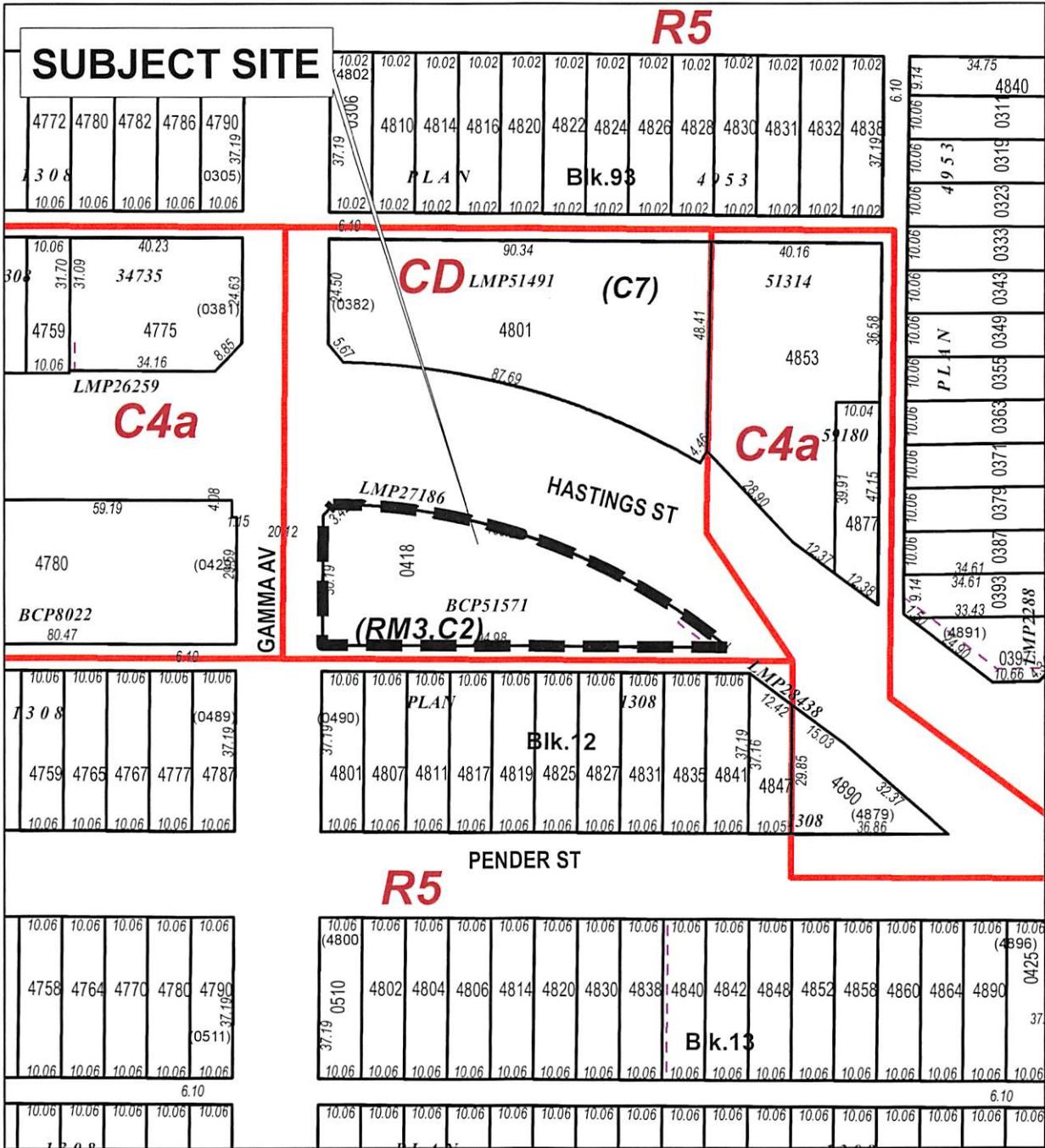
  
Lou Pelletier, Director  
PLANNING AND BUILDING

LS:rh

**Attachments**

cc: Director Engineering  
OIC-RCMP  
City Clerk

Director Public Safety and Community Services  
City Solicitor



PLANNING & BUILDING DEPARTMENT

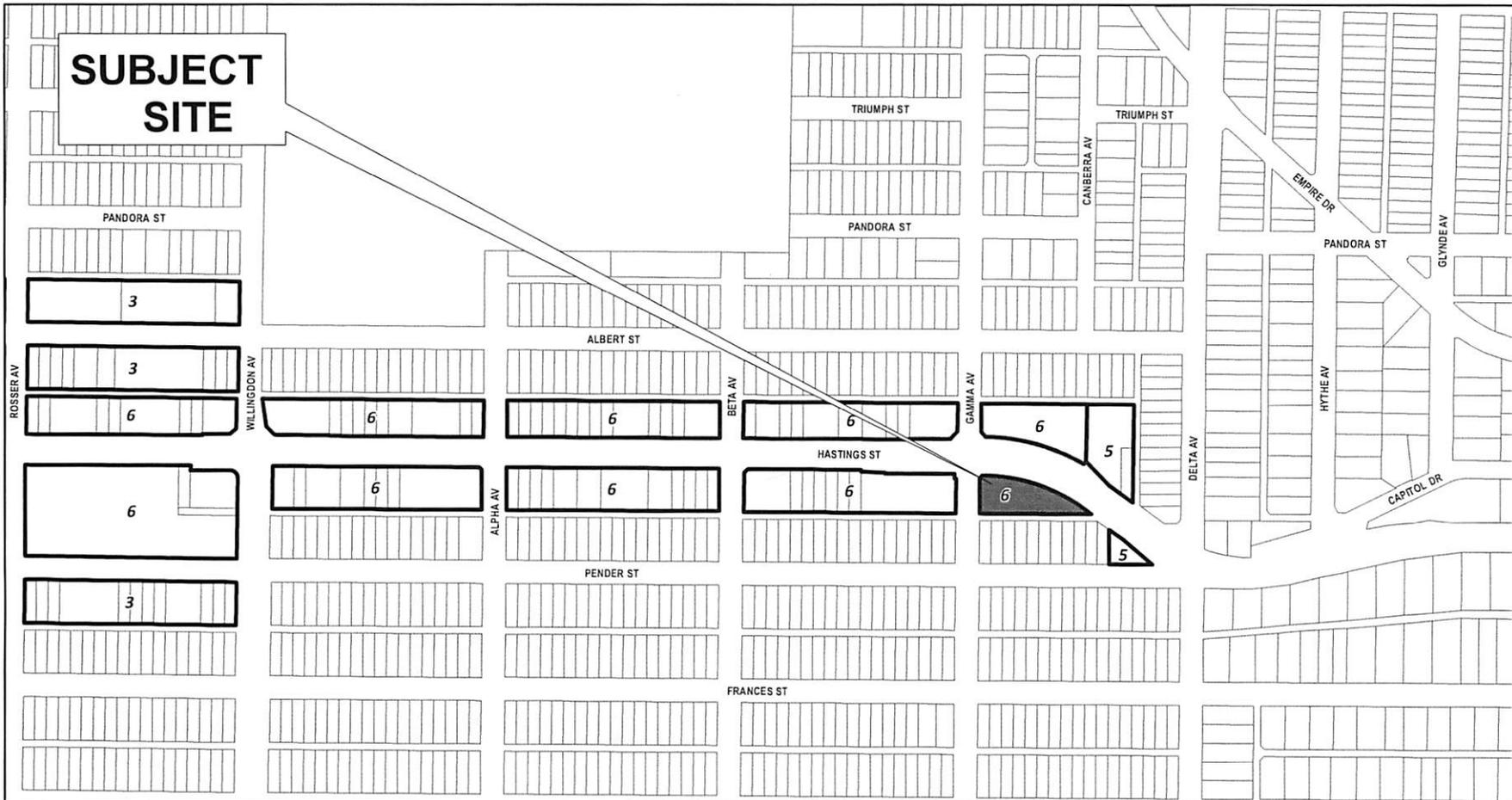


DATE:	JUNE 26 2017
SCALE:	1:1,500
DRAWN BY:	AY

**REZONING REFERENCE #17-18**  
**4824 HASTINGS STREET (418 GAMMA AVENUE)**

 Subject Site

Sketch #1



*Hastings Street Area  
Development Plan*



PLANNING & BUILDING DEPARTMENT

- |   |                                   |
|---|-----------------------------------|
| <b>1</b> Single and Two Family Residential          | <b>6</b> Medium Density Mixed Use |
| <b>3</b> Medium Density Multiple Family Residential | <b>7</b> High Density Mixed Use   |
| <b>4</b> High Density Multiple Family Residential   | <b>10</b> Institutional           |
| <b>5</b> Commercial                                 |                                   |

