

THE CORPORATION OF THE
CITY OF WHITE ROCK
CORPORATE REPORT



DATE: February 8, 2021

TO: Land Use and Planning Committee

FROM: Carl Isaak, Director, Planning and Development Services

SUBJECT: CR-1 (Town Centre) Zoning Amendment to Implement Official Community Plan Review Recommendations

RECOMMENDATIONS

THAT the Land Use and Planning Committee recommend that Council:

1. Give first and second readings to “White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CR-1 Town Centre Revisions) Bylaw, 2021, No. 2376;”
 2. Direct staff to schedule the public hearing for “White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CR-1 Town Centre Revisions) Bylaw, 2021, No. 2376;” and
 3. Direct staff, in addition to arranging the required newspaper notification of the public hearing, to mail notifications of this public hearing to the property owners of the 18 non-stratified properties in the Town Centre identified in this corporate report, despite this mailed notification not being required by the *Local Government Act* (per section 466(7)).
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EXECUTIVE SUMMARY

At the September 16, 2020 Land Use and Planning Committee (LUPC) meeting, staff were directed to prepare implementation tools for recommendations related to the Town Centre topic in the Official Community Plan (OCP) Review, including amendments to the CR-1 Town Centre Area Commercial / Residential Zone. This corporate report introduces a draft zoning amendment bylaw that would revise the CR-1 zone to reflect the recommendations presented in the September 16, 2020 corporate report, including lowering the maximum heights and density permitted in the zone. The draft bylaw is attached to this report as Appendix A.

Owners of potential redevelopment properties in the Town Centre were invited to provide written feedback on the proposed policy changes, via a letter circulated in November 2020, which offered an opportunity to discuss the policy changes with staff and provide written feedback by January 15, 2021. To date, two (2) property owners contacted provided feedback on the proposed changes. Their written comments are attached to this report as Appendix B.

Key features of the proposed zoning amendment bylaw are:

- Limiting the scale of development by lowering the overall maximum density (the top end lowered 25% to 4.0 FAR from 5.4 FAR);

- Supporting greater housing choices and employment opportunities by requiring that any development above the base density of 1.75 FAR provide either 30% market rental units, 10% of the units as 10% below average rents, or that the building be entirely non-residential uses (i.e. employment generating space);
- Encouraging rational consolidation and redevelopment of smaller properties by introducing minimum site sizes necessary to obtain higher densities;
- Providing greater space for tree planting and better water infiltration by requiring a minimum 10% area for permeable surface area on development sites larger than 0.75 acres;
- Reducing the overall height allowed and supporting a greater mix of uses by introducing a maximum height of ten (10) storeys for CR-1 properties east of Foster Street and eight (8) storeys west of Foster Street, with additional height supported in prominent locations where an on-site civic use facility such as a conference centre or City Hall is provided;
- Reinforcing the pedestrian focused “high street” experience along Johnston Road by introducing a maximum height of three (3) storeys for most properties fronting Johnston Road, with a fourth storey permitted only if the top level is set back 2.0 metres from the floors below;
- Supplying housing that better meets the needs of those with mobility needs by requiring that 50% of all homes be designed to meet the Adaptable Housing standards in the Building Code; and
- Providing for future community amenities by continuing to require a contribution to the City’s Amenity Reserve Fund for any density above the 1.75 FAR base density.

Staff recommend that the draft Zoning Amendment Bylaw proceed to Council for consideration of first and second reading, and that Council authorize staff to schedule the required Public Hearing, which would be conducted by electronic means due to the current health orders.

PREVIOUS COUNCIL DIRECTION

Motion # & Meeting Date	Motion Details
2020-LU/P-027 September 16, 2020	<i>THAT Land Use and Planning Committee recommend that Council consider the Town Centre Phase 2 Engagement Summary and Recommendations Report prepared by DIALOG Design, attached to this corporate report as Appendix A, and direct staff to proceed with preparing the proposed implementing mechanisms as described in staff’s evaluation of the DIALOG recommendations in Appendix B.</i>
2020-570 November 23, 2020	<i>THAT Council directs the scope for the Official Community Plan (OCP) review be reduced at this time to only the Town Centre building height and density and building heights around the Town Centre and height at the waterfront along Marine Drive.</i>

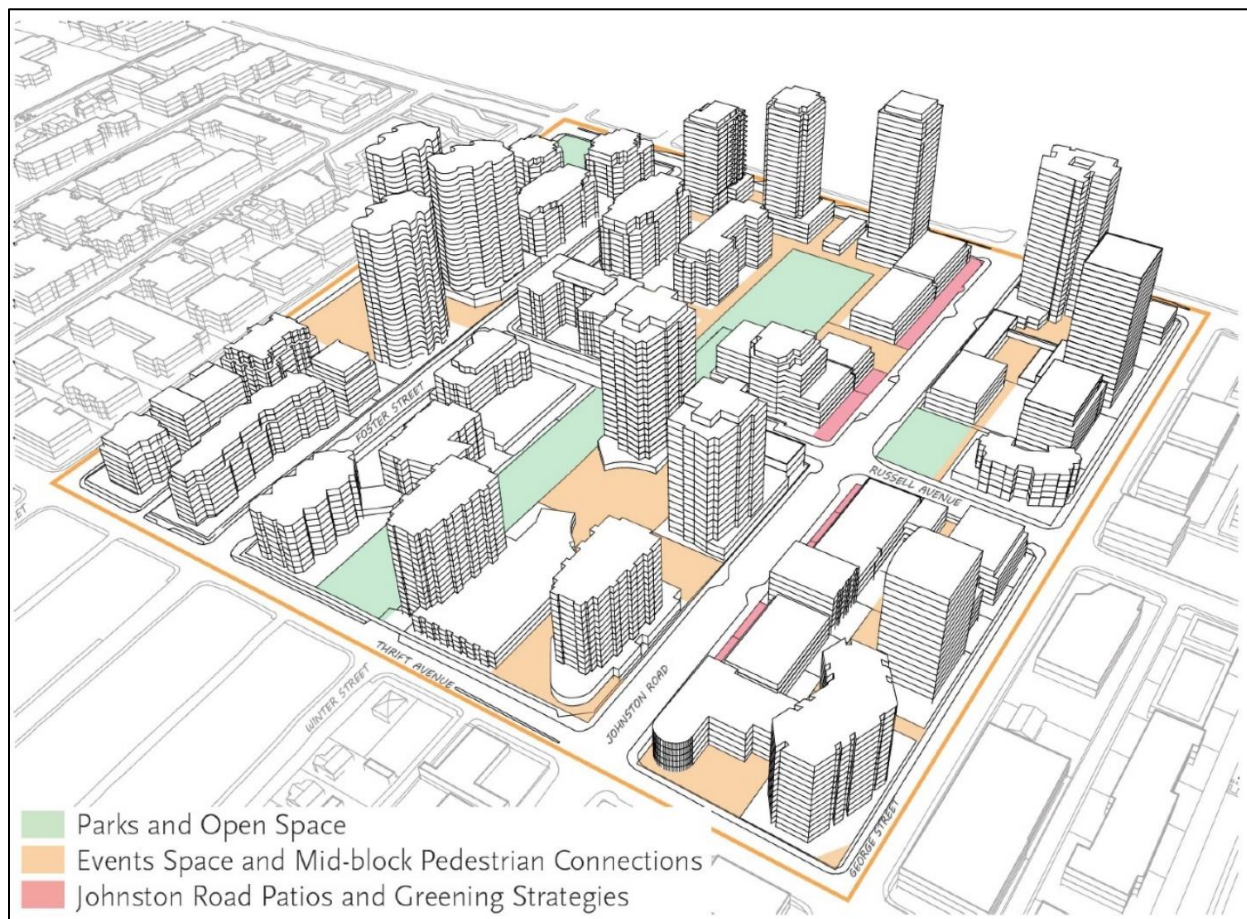
INTRODUCTION/BACKGROUND

The Official Community Plan (OCP) Review was started in 2019, with the public engagement and design work for the Town Centre Urban Design and Public Realm topic supported by a consultant team from DIALOG Design. A summary of the Phase 1 public engagement was

provided in the November 4, 2019 LUPC agenda, and a summary of the Phase 2 public engagement was provided in the September 16, 2020 LUPC agenda.

Phase 3 of the Review Process involves taking the public input and feedback on options developed through Phase 1 and Phase 2, and presenting these recommendations for policy changes to Council (as in this corporate report). In the case of the Town Centre area, in order to implement these recommendations an amendment to the Zoning Bylaw is necessary in addition to amendments to the OCP, as many of the properties are already pre-zoned for heights and density (via a density bonus system) that would exceed the recommendations coming out of the OCP Review. If amendments were made to the OCP only, a CR-1 zoned property could still apply for a Development Permit at a height or density that exceeds the new OCP policies.

The draft zoning amendment bylaw would revise the CR-1 zone to ensure that the changes to the OCP are also implemented by the zoning bylaw. Two conceptual illustration of what the future built form and public space resulting from these changes (and from the completion of existing projects under construction) may look like are included for reference below:





The draft zoning amendment bylaw is attached to this corporate report as Appendix A. Key changes to the zone are described in the sections below.

Proposed Changes to CR-1 Zone

1. Reduced Maximum Density

The revised zone would scale down the massing of development by lowering the overall maximum density (dropping the top end by 25% to 4.0 FAR from 5.4 FAR). This change responds to the sentiments broadly expressed during the OCP Review Phase 1 workshops and Phase 2 open house and survey, that indicate residents consider recently developed projects at 5.4 FAR to be overly dense and would prefer a reduced scale. In the survey conducted during Phase 2 of the Town Centre OCP Review, 61% of respondents said they support/somewhat support reducing the current maximum density to a lower density.

Further, due to proposed lot assembly requirements, most lots in the CR-1 zone would not be able to obtain the maximum 4.0 FAR on their own as they would not be large enough, and would instead be limited to 1.75 FAR (no lot area minimum), 2.3 FAR (0.75 acres minimum), or 3.5 FAR (1.25 acres minimum).

These minimum lot size requirements would encourage smaller properties to consolidate in order to access the density permitted when they are combined, helping to promote orderly development and avoid stranded undevelopable parcels.

Reducing the development potential of properties will likely slow interest in redeveloping existing properties and potentially cause property owners to delay their redevelopment plans in the expectation that policies may change in the future. The proposed maximum density levels would still enable mid-rise development within the Town Centre in an urban form but may not be sufficient to result in redevelopment in the near term.

2. Encouraging More Affordable Housing Choices and Employment Uses

Supporting greater housing choices and employment opportunities by requiring that any development above the base density of 1.75 FAR provide either 30% market rental units, 10% of the units as 10% below average rents, or that the building be entirely non-residential uses (i.e. employment generating space).

3. Green Space

Provide greater space for tree planting and better water infiltration by requiring a minimum 10% area on the site for permeable surface areas on development sites larger than 0.75 acres (i.e. those which are likely to have enough size to permit flexibility in the design of the underground parking to allow for this without adding additional parking levels). These permeable areas would have to be free of any underground parking structures and impermeable landscape materials.

4. Lower Overall Building Heights

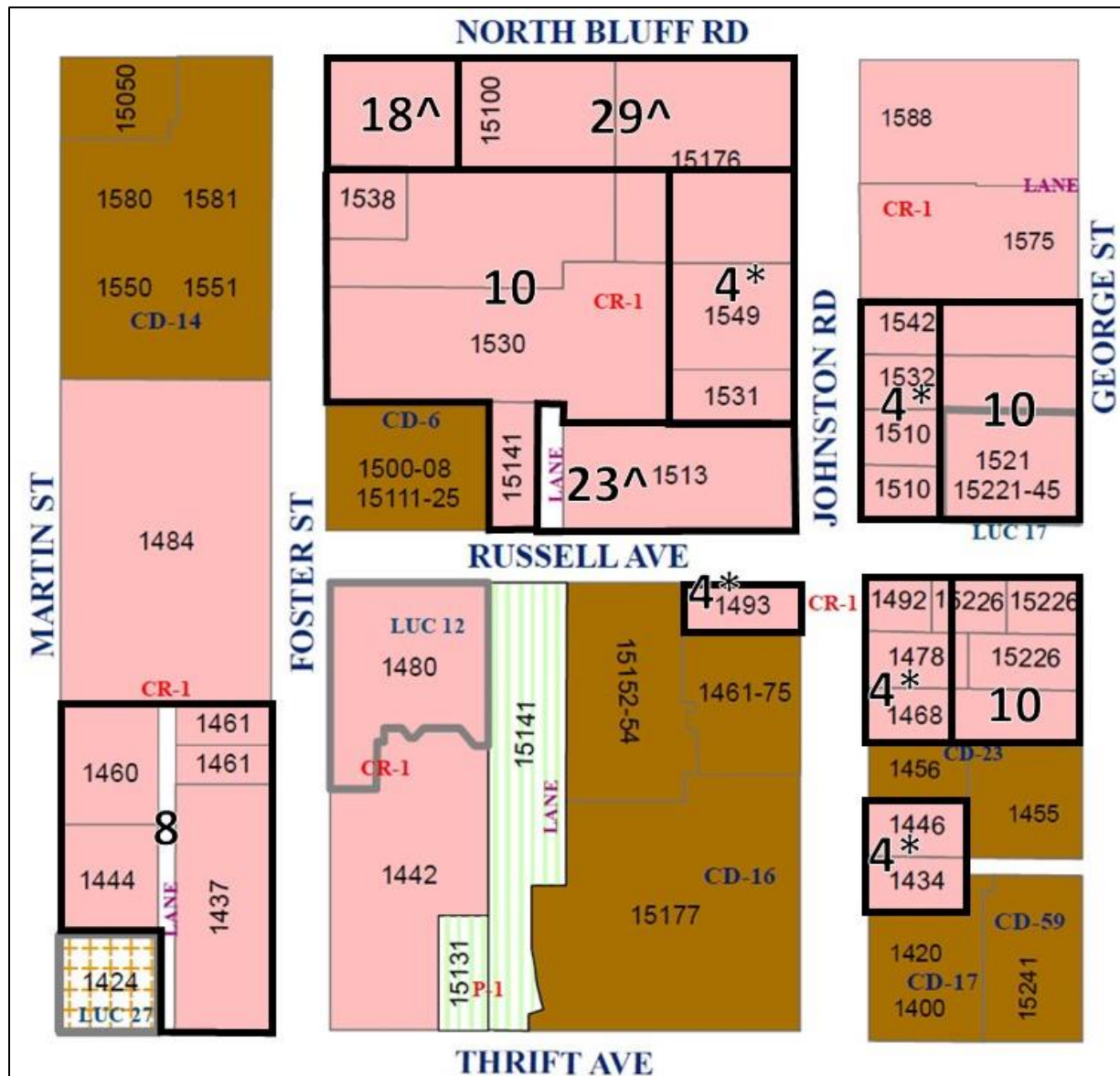
Reducing the overall height allowed and supporting a greater mix of uses by introducing a maximum height of ten (10) storeys for CR-1 properties east of Foster Street and eight (8) storeys west of Foster Street. A further height limitation would apply to portions of most properties fronting Johnston Road (as described in #5 below, relating to the “High Street Experience”).

Current height maximums in the existing CR-1 zone for buildings that provide an amenity contribution are 80.7 metres (265 feet), or approximately 25 storeys, which applies throughout the CR-1 zone. While the existing CR-1 zoning does reference the City’s 2011 Town Centre Urban Design Plan (TCUDP) as a general guide for the location and height of new buildings, and the concept plans in the TCUDP do not illustrate 25 storey buildings on every lot, this has not been an effective method for limiting height of proposed buildings in Development Permit applications given the flexibility of the existing CR-1 zone and the TCUDP.

The proposed CR-1 zoning would allow additional height (18-29 storeys) supported in prominent locations, but only where an on-site civic use facility (such as a conference centre, public art gallery or City Hall) is provided on the site, with a minimum floor area of 1,400 square metres (15,000 square feet). Additional heights in these locations are to help offset costs of providing public space by allowing more water views from units within these buildings. Encouraging space for civic uses in the Town Centre, in close proximity to the existing White Rock Community Centre at Miramar Village, helps to provide a diverse range of activities and services within walking distance for residents, and reinforces the importance of the Town Centre as a hub of community life.

The proposed locations where additional height would be contemplated are on the edges of the block, primarily on North Bluff Road, where there would be less shadow impact on the desired future public park in the middle of the block bounded by Russell Avenue, Foster Street, North Bluff Road, and Johnston Road. These locations are noted in the height diagram below (indicated with the ^ symbol beside the number of storeys).

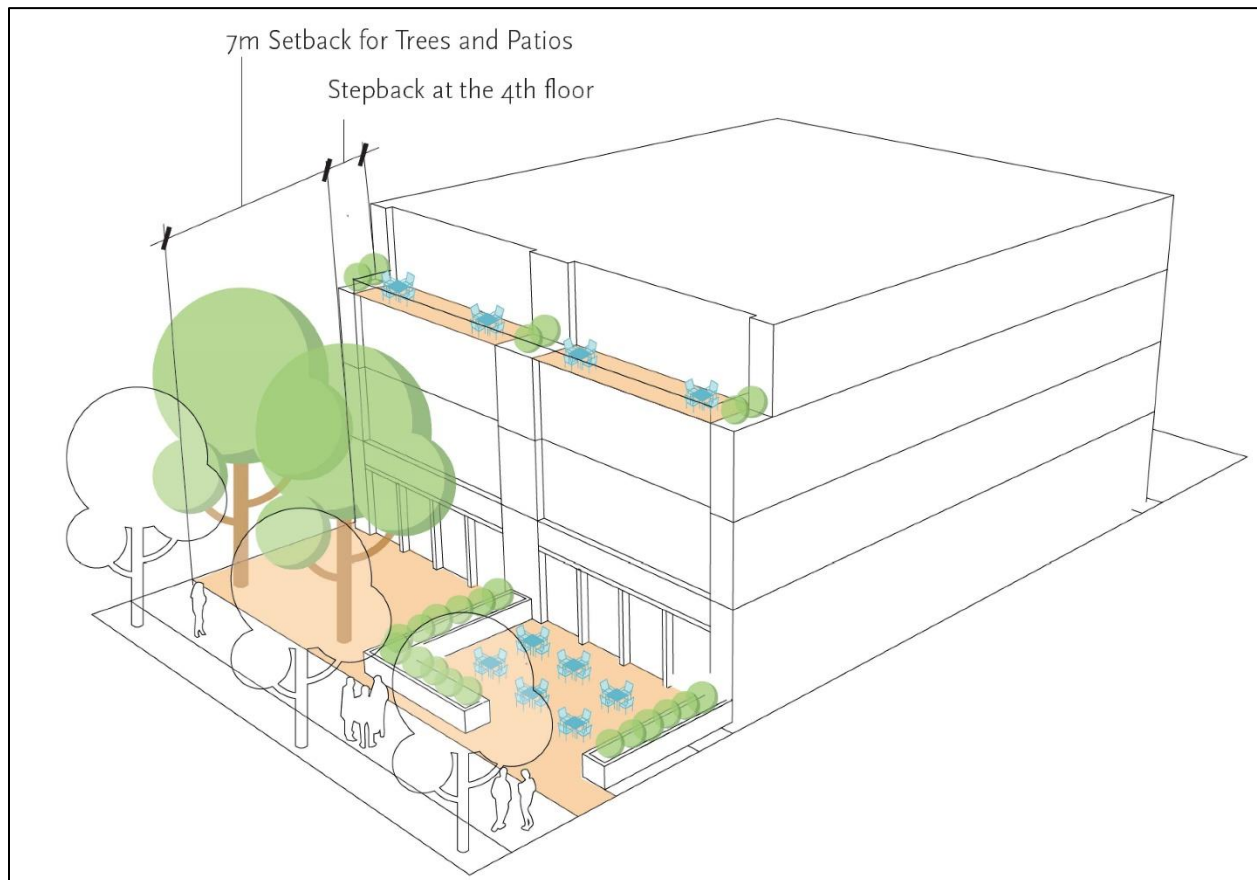
It may be that the opportunity for additional height is not sufficient to generate interest by a developer in providing community amenity space within their building, in addition to the provision of a community amenity contribution. In these circumstances, the development would be limited to a maximum height of 10 storeys.



Note: CR-1 zoned properties are coloured pink in the diagram above; the ^ symbol beside the number of storeys above identifies where additional height is permitted if an on-site community amenity space (such as a City-owned conference centre, public art gallery, or City Hall) is provided in addition to the amenity contribution, with a minimum floor area of 1,400 square metres (15,069 square feet). The maximum height in storeys on these lots without such community amenity space is ten (10) storeys.

5. High Street Experience

Reinforcing the pedestrian focused “high street” experience along Johnston Road by introducing a maximum height of three (3) storeys for most properties fronting Johnston Road, with a fourth storey permitted only if the top level is set back 2.0 metres from the floors below, and the overall building has a generous setback for planting/patio/plaza area as illustrated in the diagram below:



6. Increasing Adaptable (Accessible-Ready) Housing

Adaptable housing design makes future adjustments to enable greater accessibility easier and less costly to provide. While there are increased costs for the builder at the outset, it is far more efficient to make provisions in the original design rather than renovating the unit after construction to incorporate items such as grab bars in bathrooms and reachable electrical outlets.

By requiring that 50% of all homes be designed to meet the Adaptable Housing standards in the Building Code this will help to supply housing that can help residents stay in their own home even as their mobility needs change due to injury, illness or aging.

The Town Centre area in particular is a suitable area for adaptable and accessible housing due to the number of businesses and services within walking distance and the relatively flat terrain.

While this topic has not been explicitly discussed during the OCP Review, the update of the Town Centre zone offers an opportunity to consider including this improvement to the zone. The current OCP policy 11.1.2 (Age-Friendly Housing for People with Disabilities) identifies the City's desire to 'incorporate age-friendly measures that respond to the needs of older individuals and people with disabilities by ... developing design criteria for accessible units and establishing a minimum number of units required to be accessible in new developments.' While "adaptable units" under the BC Building Code are not fully accessible, providing a minimum number of adaptable units will allow for greater conversion to accessible in the future as residents require.

7. Continued Requirement for Amenity Contributions

The growth in population resulting from development in the Town Centre also requires that new amenities such as parks and community facilities be provided for the new and existing residents to maintain a livable community. The proposed amendment to the zoning bylaw continues to

require a contribution to the City's Amenity Reserve Fund for any density above the 1.75 FAR base density, which will help to fund future public amenities.

Consideration of Impact on Pace of Development

The City has experienced a large volume of development in the Town Centre area and beyond in the past four years, which will result in both new property tax revenues as well as increased demands for services from the new residents and businesses. The impact of construction activities simultaneously on multiple sites has included road closures affecting access to businesses as well as noise, low availability of street parking, and other impacts to residents. With the construction already underway in the Town Centre (at 1484 Martin Street, 1588 Johnston Road, and 1456 Johnston Road), there will be approximately two more years of construction activity to complete these projects in the Town Centre.

The proposed changes to the CR-1 zone would generally have the impact of lowering the development scale permitted within the zone while specifying requirements (e.g. minimum percentages of affordable units or accessible housing units) that would reduce the profitability of a proposal relative to a project that could be built without such restrictions. The overall effect is likely to be that the pace of development applications in the Town Centre under these parameters will be reduced until market conditions change to allow for enough profit from the overall development to cover the increased costs, or current land owners reduce the price at which they are willing to sell to a developer to a level that allows the builder to proceed with a financially viable project. Developers may also delay submitting new applications in anticipation of future changes that would support a greater financial return and/or develop projects in other cities.

Written Correspondence from Property Owners

As noted in the September 16, 2020 corporate report, staff sent letters to non-strata property owners in the Town Centre area (i.e. those whose properties could be redeveloped without requiring consent from other strata owners) advising them of the proposed changes and offering an opportunity to discuss with staff and provide written comments to staff, with a January 15, 2021 deadline. To date, two property owners have provided written correspondence, and one property owner's representative requested a meeting with staff. The two letters from the property owners are attached to this report as Appendix B and are opposed to the proposed changes.

Additional Public Consultation

In the September 16, 2020 corporate report, staff also indicated that an electronic Public Information Meeting (PIM) would be held to obtain further public input on the Town Centre policy changes, prior to bylaw readings and a public hearing. Council directed staff on November 23, 2020 to reduce the scope of the OCP Review to accelerate the project.

Given the desire to conclude the OCP Review, and the length of time required to advertise for, host, and report back on a PIM, staff recommend that the proposed Zoning Amendment Bylaw proceed directly to public hearing to obtain the views of residents and interested persons on the proposed bylaw, without an additional PIM.

Relationship between Zoning Bylaw change and Regional Growth Strategy

The Town Centre area is identified as an Urban Centre (classified "Municipal Town Centre") in the Metro Vancouver Regional Growth Strategy, and the City's Regional Context Statement states it is the "focus for the majority of future growth over the life of this Official Community Plan and is noted as the City's centre for cultural, civic, economic, and public life in the City."

While the proposed amendment to the CR-1 zone would have the effect of moderately reducing the overall density and therefore population growth related to new development in the Town Centre, staff consider that despite the reduction in density, the Town Centre remains the principal

area for growth and that the City's population projections contained in the Regional Context Statement can still be met at the revised development scale. Further, by encouraging more civic and employment-generating uses and non-strata housing options in the zoning, this will help to promote the area as the centre for cultural, civic, economic and public life.

Additional OCP Review Recommendations

Adoption of this proposed zoning amendment bylaw would address the majority of the 12 Town Centre OCP Review recommendations identified in the September 16, 2020 report, however there are further updates to the OCP Bylaw itself that will be brought forward in a future corporate report(s). These include:

- Heights permitted in the proposed CR-1 zone also being reflected in the Official Community Plan (this could be updated at the same time as the Town Centre Transition areas from the "Building Heights outside the Town Centre", as the height map in the OCP covers both areas);
- Minimum tree canopy targets (including rooftop planting areas as well as planting on the ground level), as well as tree species mix, through updates to the Town Centre Development Permit Area (DPA) guidelines;
- Performance targets for maximum effective impervious area (e.g. 65%), via DPA guidelines requiring applicants to demonstrate achievement through rainwater harvesting, porous paving, etc.;
- Green building strategy, which would be deferred to future years (i.e. 2023 or beyond) due to current resources and a priority for first implementing the Energy Step Code; and
- Bus exchange location – this will require further discussion with the City of Surrey and TransLink, as the immediately adjacent Semiahmoo Town Centre plan area in Surrey is also redeveloping and transit routes/service may change as a result.

FINANCIAL IMPLICATIONS

The City's 2021-2025 Draft Financial Plan includes an estimate of new taxation revenues annually from new developments. These new construction revenues help to offset increasing costs and play a part in keeping tax rates down in future years. For 2022, \$1.1M in new taxation revenue has been budgeted for the completion of developments that are currently underway. Increases for 2023 - 2025 are budgeted at approximately \$700K annually. These estimates are revised in the annual budget process to reflect actual development projects that are expected to be built.

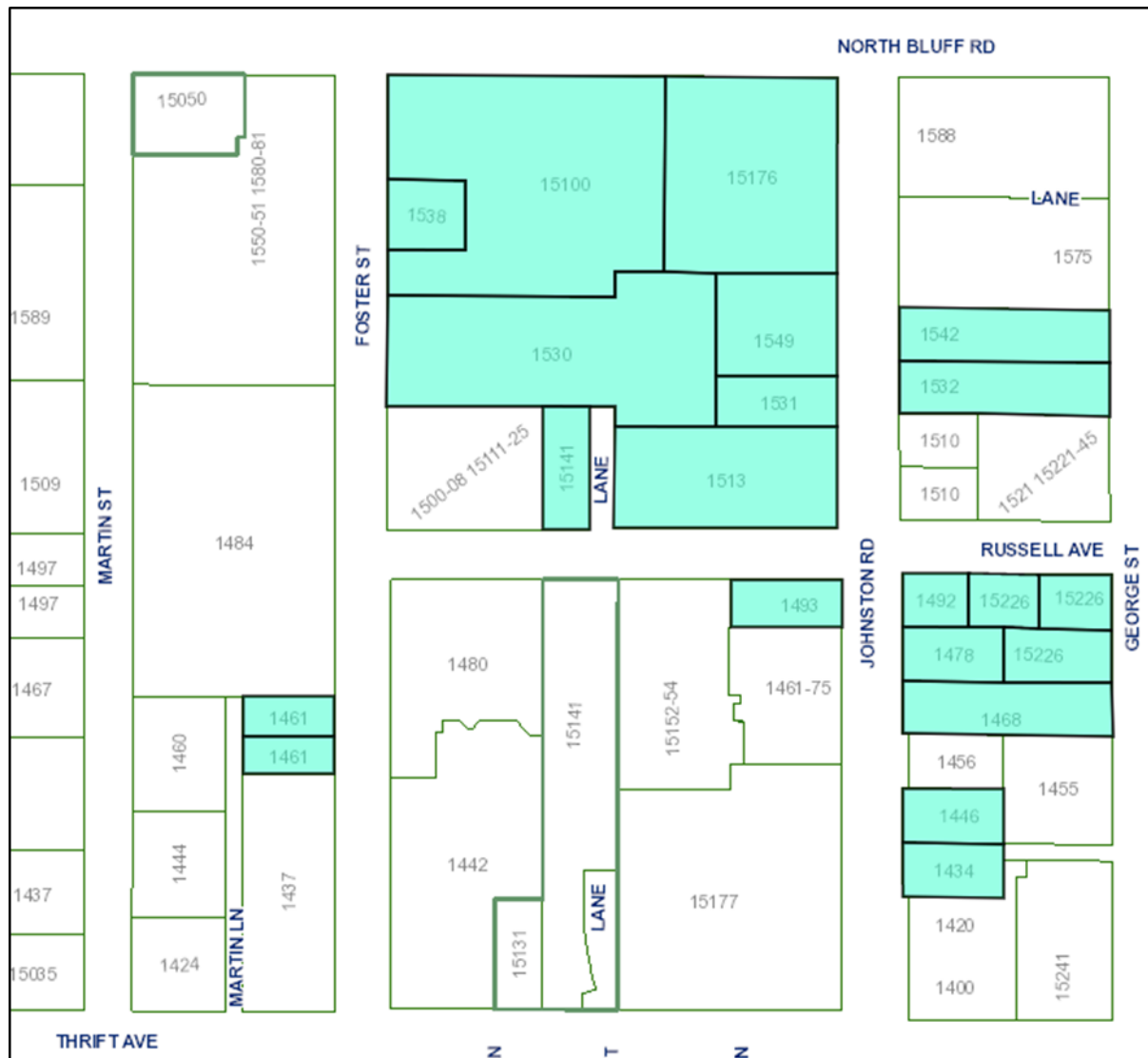
LEGAL IMPLICATIONS

Under section 458 of the *Local Government Act*, compensation is not payable to any person for any reduction in value of that person's interest in land, or for any loss or damages that result from the adoption of a Zoning Bylaw (or official community plan).

As the proposed bylaw changes may have an impact on property values, particularly those of properties which have not been developed to the potential currently allowed in the Zoning Bylaw, it is advisable to provide opportunities for affected owners to share their views on the proposed changes with Council. This was the intent of mailing notification letters to property owners with an opportunity for them to provide written comments to Council as well as meet with staff if they had questions.

While the public hearing notice requirements for the proposed Zoning Amendment Bylaw would not require mailed notification to owners and tenants in occupation, per section 466(7) of the *Local Government Act* (as it would affect more than 10 parcels owned by 10 or more persons), staff recommend that in addition to the general newspaper notification, notice of the public hearing be mailed to the owners of the following 18 non-stratified properties to provide additional awareness of the Public Hearing, as indicated in the following list and map:

- 1) 1461 Foster Street
- 2) 1538 Foster Street
- 3) 1530 Foster Street
- 4) 15100 North Bluff Road
- 5) 15176 North Bluff Road
- 6) 1549 Johnston Road
- 7) 1542 Johnston Road
- 8) 1532 Johnston Road
- 9) 1531 Johnston Road
- 10) 1513 Johnston Road
- 11) 1493 Johnston Road
- 12) 1492 Johnston Road
- 13) 15226 Russell Avenue
- 14) 15141 Russell Avenue
- 15) 1478 Johnston Road
- 16) 1468 Johnston Road
- 17) 1446 Johnston Road
- 18) 1434 Johnston Road



COMMUNICATION AND COMMUNITY ENGAGEMENT IMPLICATIONS

The September 16, 2020 corporate report to Land Use and Planning Committee summarizes the public engagement that occurred in Phase 2 of the Town Centre OCP Review.

Future opportunities for the public to share their views on the proposed bylaws (Phase 3) may be obtained through a public hearing. If directed by LUPC, staff could host an additional virtual public information meeting on this topic, however that would delay consideration of the bylaws, and it is recommended that the bylaw proceed to Public Hearing after receiving first and second readings by Council.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS

The proposed amendments to the CR-1 zone have been reviewed by staff from within the Planning and Building sections of the Planning and Development Services Department, and the overall recommendations of the Town Centre OCP Review have also been reviewed by staff within the Engineering and Municipal Operations Department. Future amendments that relate to cross-departmental issues such as surface drainage and tree canopy targets will involve consultation with departmental representatives.

CLIMATE CHANGE IMPLICATIONS

The increased requirement for permeability in the proposed changes to the CR-1 zone in the Zoning Bylaw will help with providing additional areas for plantings, thereby modestly helping in the uptake of greenhouse gas (GHG) emissions and reducing the urban height island effect. The recommendations also, however, lessen the amount of development that may be realized in the Town Centre. This, over time, could place pressure on the municipality to support growth in areas that are not as well-served by public transit facilities and the mix of uses which are known to reduce the overall need for private automobile use, being recognized as a key contributor to climate change.

ALIGNMENT WITH STRATEGIC PRIORITIES

The Town Centre Review in the Official Community Plan (OCP) Review is identified as a Top Priority action in the 2021-2022 Council Strategic Priorities.

This action supports the “Our Community” objective of guiding land use decisions of Council to reflect the vision of the community.

OPTIONS / RISKS / ALTERNATIVES

The following options are available for LUPC’s consideration. The LUPC may recommend that Council:

1. Amend the proposed Zoning Amendment Bylaw with items as directed by LUPC, give first and second readings to the bylaw as amended, and direct staff to schedule a Public Hearing;
2. Direct staff to host and report on a virtual Public Information Meeting on the topic of the proposed zoning amendment bylaw, prior to giving bylaw readings. This would delay consideration of the proposed bylaw at a Public Hearing by at least six weeks due to the need to schedule, advertise, conduct, and report back to Council with the meeting feedback;
3. Defer consideration of the proposed Zoning Amendment Bylaw pending receipt of information to be identified by the LUPC; or
4. Direct staff to undertake no further work on the proposed Zoning Amendment Bylaw and provide an alternative approach for implementing the OCP Review for the Town Centre. If Council does not amend the CR-1 zone in the Zoning Bylaw but does proceed with amendments to the OCP related to the Town Centre, a property owner may still apply for a development permit for a building under the existing CR-1 zone, which may go against the intention of policies in the amended OCP but still be legally valid.

CONCLUSION

This corporate report introduces a draft zoning amendment bylaw that would revise the CR-1 zone to reflect the recommendations of the Town Centre OCP Review Process.

Key features of the proposed zoning amendment bylaw are limiting the scale of development by lowering the overall maximum density (the top end lowered 25% to 4.0 FAR from 5.4 FAR) and reducing the overall height allowed and supporting a greater mix of uses by introducing a maximum height of ten (10) storeys for CR-1 properties east of Foster Street and eight (8) storeys west of Foster Street, with additional height (18-29 storeys) supported only in prominent locations where an on-site civic use facility (such as a conference centre, public art gallery or City Hall) is provided in the development.

Additional proposed changes to the CR-1 zone encourage: rational consolidation and redevelopment of smaller properties, greater space for tree planting and better water infiltration, reinforcement of the pedestrian focused “high street” experience along Johnston Road, and requiring that 50% of all new homes be designed to meet the Adaptable Housing standards in the Building Code.

Staff recommend that the draft Zoning Amendment Bylaw proceed to Council for consideration of first and second reading, and that Council authorize staff to schedule the required public hearing, which will be conducted by electronic means due to the current health orders.

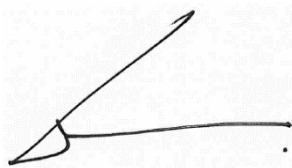
Respectfully submitted,



Carl Isaak, MCIP, RPP
Director, Planning and Development Services

Comments from the Chief Administrative Officer

I concur with the recommendations of this corporate report.



Guillermo Ferrero
Chief Administrative Officer

Appendix A: Draft Zoning Amendment (CR-1 Town Centre Revisions) Bylaw, No. 2376

Appendix B: Written Correspondence from Property Owners (2)