

# Rezoning Application (Text Amendment) for 2180 Kelly Avenue

## RECOMMENDATION:

*That Committee of Council recommend that Council approve amendments to “Zoning Bylaw, 2008, No. 3630” for Comprehensive Development Zone 35, as described in the May 20, 2025, Report to Committee.*

## PREVIOUS COUNCIL/COMMITTEE ACTION

May 30, 2017 – Council adopted Zoning Bylaw, 2008, No. 3630, Amendment Bylaw, 2017, No. 4015 creating Comprehensive Development Zone 35, a zone that includes 2180 Kelly Avenue (Montrose Square).

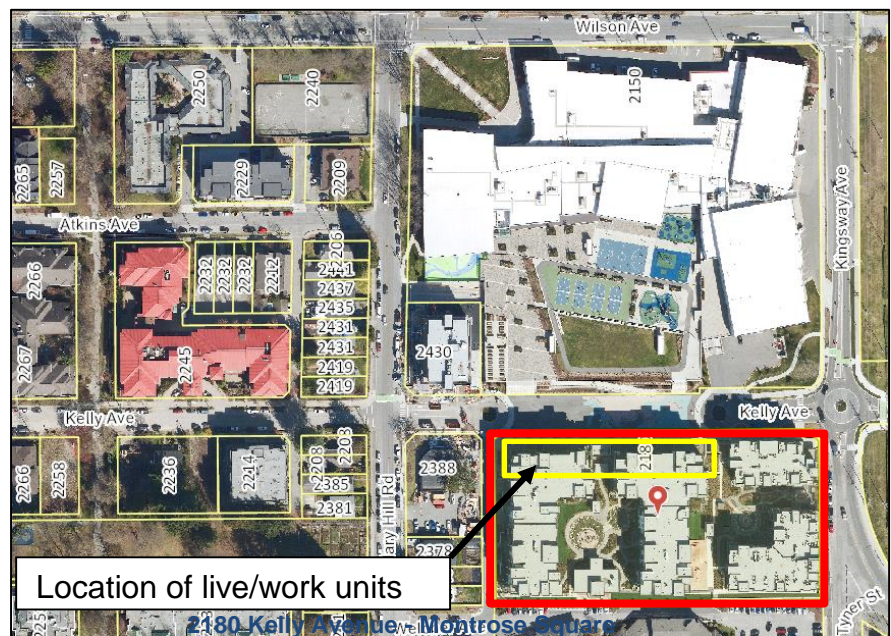
## REPORT SUMMARY

This report describes a rezoning application to amend the text of Comprehensive Development Zone 35 (CD 35) to remove a regulation requiring the residential and commercial spaces within a live-work unit to have an internal connection (stairs). The change would provide greater flexibility to the unit owners to either retain the stairs or repurpose the space to support commercial uses.

## BACKGROUND

**Proposal:** The applicants, with the support of the Montrose Square Strata Corporation, have proposed to amend Comprehensive Development Zone 35 (CD35) to remove the requirement for live/work strata units to have an internal connection (via stairs) between the commercial and residential portions. The applicants intend to open an ice cream shop on the ground floor commercial of one such unit. The applicants note the connecting stairs will not be used by the residential tenants and the space could be better used to support a more functional commercial space.

**History and Context:** Montrose Square, located at 2180 Kelly Avenue is a 364-unit apartment complex development located directly to the south of the Port Coquitlam Community Complex (PC3). The site, originally owned by the City, was sold as part of a comprehensive



## Rezoning Application (Text Amendment) for 2180 Kelly Avenue

development proposal that also included 2430 and 2388 Mary Hill Road, and was intended to be coordinated and synergetic with PC3 and the adjacent Terry Fox Hometown Square. The three properties are regulated by CD Zone 35 which allows for a unique and site-specific mix of commercial and residential uses.

The development includes four residential buildings constructed over a single common parkade. In keeping with the original development concept, two buildings (Buildings A and B) contain a total of 11 live-work strata units. Each unit contains a small commercial space ranging in size from 48.4 m<sup>2</sup> (520 ft<sup>2</sup>) to 89.46 m<sup>2</sup> (963 ft<sup>2</sup>) on the ground floor; the commercial space has access from internal service corridor and facing north towards the square with prominent covered customer entries. Residential space is provided on the second floor of the unit; the residential space has primary access from the internal residential corridors.

The intended vision of these units was to provide for a resident to have space to both live and work in their strata unit; therefore, the bylaw includes a provision that requires the unit to include an internal connection between the commercial and residential portions to allow easy access between home and work. The eleven units were constructed with stairs in order to comply with this requirement.

**Project Description:** The applicant has requested an amendment to the CD zone to remove the requirement for the internal connection, allowing removal of the stairs between the two spaces in their unit and repurpose the resulting approximately 8' by 10' (80 ft<sup>2</sup>/7.4 m<sup>2</sup>) area for storage. The applicant advises the staircase connecting the residential and commercial portions of this unit does not get used as the two spaces are occupied by different tenants and each have their own separate entrances. The Strata Corporation has provided a letter of support and gives permission for the amendment to apply to all the live/work units.

### **DISCUSSION**

While the intent for the commercial and residential portions of the live-work units was to be occupied by the same occupant, this has proved to be an impractical expectation; staff understand there are limited, if any, instances where the live/work units have been occupied in this manner since the development completed. Subsequently, the connecting staircases have served limited functional use and are often repurposed for informal storage uses or blocked off.

The proposed bylaw amendment is not expected to adversely impact the form, character or function of the Montrose Square development and, in staff's opinion will support the vitality and viability of the commercial spaces by providing greater flexibility for the utilization of space. Staff note the proposed zoning bylaw text amendment would only remove the regulation that *requires* an internal connection, providing the option for stair removal at the unit owners discretion. A building permit would be required to facilitate the staircase removal and ensure code compliance.

## Rezoning Application (Text Amendment) for 2180 Kelly Avenue


The proposed alteration will not impact the size of the strata lots as this calculation includes all area within the units. The change will result in a minor increase in Floor Area Ratio (FAR) as staircases are excluded from this calculation. Staff have reviewed building statistics and note the combined change - if all the live-work units eventually remove the stairs - would have a nominal impact on total floor area and the project would still be well below the maximum 2.5 FAR.

Staff support the request and recommend approval of the amendment to CD35.

### **FINANCIAL IMPLICATIONS**

An increase in floor area may result in a higher assessed property values and correspondingly higher property tax for the unit or building.

### **OPTIONS** (✓ = Staff Recommendation)

	#	Description
	1	Recommend the Zoning Bylaw amendment to Council.
	2	Request additional information (to be specified) prior to making a decision.
	3	Deny the application, which will retain the existing Bylaw.

### **ATTACHMENTS**

Attachment 1: Draft Zoning Bylaw Amendment

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