

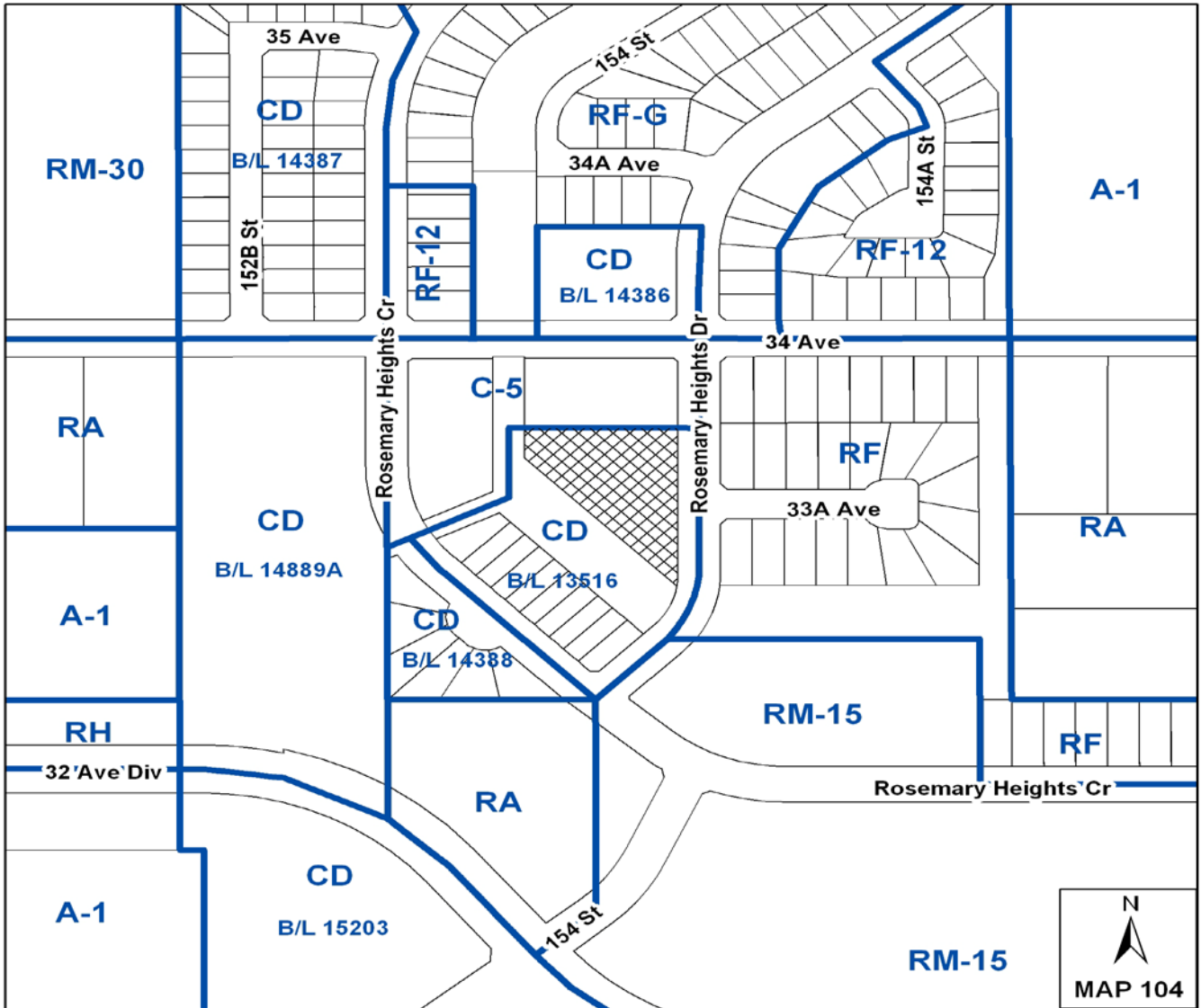
Proposal: NCP amendment from Institutional Residential to Garden Apartments. Rezone from CD to CD and Development Permit to allow for a 37-unit apartment building.

Recommendation: Approval to Proceed

Location: 3355 Rosemary Heights Drive **Zoning:** CD (By-law No. 13516)

OCP Designation: Urban

NCP Designation: Institutional Residential **Owner:** Rosemary Developments Ltd.



PROJECT TIMELINE

Completed Application Submission Date: June 11, 2005
Application Revision & Re-submission Date: June 29, 2006
Planning Report Date: September 11, 2006

PROPOSAL

The applicant is proposing:

- an NCP amendment from Institutional Residential to Garden Apartments;
- a rezoning from CD (By-law No. 13516) to CD; and
- a Development Permit

in order to permit the development of a 37-unit apartment building.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the property from "Comprehensive Development Zone (CD)" (By-law No. 13516) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7905-0185-00 in accordance with the attached drawings (Appendix III).
3. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a landscaping plan and cost estimate to the specifications and satisfaction of the City Landscape Architect; and
 - (c) resolution of outstanding design issues to the satisfaction of the City Architect.
4. Council pass a resolution to amend Rosemary Heights Central Neighbourhood Concept Plan to redesignate the land from Institutional Residential to Garden Apartments when the project is considered for final adoption.

REFERRALS

Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as identified in the attached (Appendix IV).

Parks: No concerns (Appendix V).

School District: **School Impacts:**

Projected number of students from this development:

Elementary students = 2 students
 Secondary students = 1 student
 Total new students = 3 students

School Catchment Area/Current Enrollment/School Capacity:

Morgan Elementary School = 500 enrolled/355 capacity
 Earl Marriot Secondary School = 1,556 enrolled/1,500 capacity

Projected number of students from development approvals in the last 12 months (not including subject project) in the subject school catchment areas:

Elementary students = 14 students
 Secondary students = 255 students
 Total new students = 269 students

Approved Capacity Projects and Future Space Considerations

An addition to Morgan Elementary has received capital plan approval (subject to feasibility study). A new elementary school is included in the Five Year Capital Plan and the site has been acquired.

(Appendix VI)

SITE CHARACTERISTICS

- **Existing Land Use** Vacant site.
- **East:** Across Rosemary Heights Drive, single family homes, zoned RF, designated Single Family Residential in the NCP
- **South:** City-owned linear park. Single family small lots, based on RF-9 zoning, zoned CD, designated Compact Single Family Residential in the NCP.
- **North and West:** Neighbourhood commercial building, zoned C-5, designated Neighbourhood Commercial in the NCP.

PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

NCP Designation: Institutional Residential needs amendment to Garden Apartment.

JUSTIFICATION FOR PLAN AMENDMENT

- The subject property is designated "Institutional Residential" in the Rosemary Heights Central Neighbourhood Concept Plan (NCP) (Appendix VIII).
- The site is currently zoned CD (By-law No. 13516), which permits a care facility with a floor area ratio (FAR) of 1.00 and a maximum building height of 9.0 metres (30 ft.).
- The applicant proposes to amend the Rosemary Heights Central NCP to redesignate the subject site to "Garden Apartments" in order to construct a 2-3-storey, 37-unit apartment building at a FAR of 1.15 .
- The proposed apartment building is similar in floor area ratio, height, setbacks, and lot coverage to what is outlined in the existing CD Zone for the care facility.
- The applicant's rationale for the NCP amendment is that there is another site already approved for seniors housing in the area. Development Application No. 7905-0246-00, located at 3372 – 152 Street, proposes an amendment to the Rosemary Heights Central NCP from "Garden Apartment" to "Institutional Residential". The proposal is to construct a care facility with 90 complex care beds and 61 assisted living beds. This project was granted Third Reading by Council on March 6, 2006.
- There is also an existing care facility located at 32 Avenue and 156A Street that was developed several years ago. The site was redesignated from Garden Apartments to Institutional Residential.
- These nearby land use amendments to "Institutional Residential" are sufficient to serve the area care facility needs and to provide a mixture of housing types. Therefore, the proposed amendment of the subject site to "Garden Apartments" is supportable.
- Furthermore, the proposed apartment form remains the same as would result from a seniors housing project, and is located in the highest density area in this neighbourhood, and adjacent to commercial uses and a linear park.

DEVELOPMENT CONSIDERATIONS

- The subject site was zoned to the current CD zone under Development Application No. 7996-0164-00, which was approved by Council in July, 2000. Under this previous application, the original parent site was subdivided to create the subject site and the surrounding commercial sites.
- The Rosemary Heights neighbourhood commercial centre is located directly to the north and west of the site. A linear parkway abuts the property to the south and southwest, and existing single family homes are located across Rosemary Heights Drive.
- This area forms the central node of the Rosemary Heights Central NCP and is where the greatest concentration of density has been planned.
- The existing CD Zone permits a care facility with a floor area ratio of 1.00, a maximum building height of 9.0 metres (30 ft.), maximum lot coverage of 45% and building setbacks ranging from 7.5 metres (25 ft.) to 1.8 metres (6 ft.).
- The current proposal is to rezone to the subject site to CD in order to construct a 37 unit, two (2) and three (3) storey apartment building. The southeast wing has been dropped to 2-storeys.
- The proposed apartment building has a floor area ratio of 1.15, building height of 9.53 metres (31 ft.), lot coverage of 40%, and building setbacks that range from 5.0 metres (16.5 ft.) to 7.0 metres (23 ft.).
- Adequate indoor and outdoor amenity space is being provided in order to satisfy the by-law requirements.
- The proposed building is very similar to the building permitted under the existing CD Zone.

Traffic and Parking

- A traffic impact study and parking analysis was prepared by a Transportation Analyst (Bunt & Associates Engineering B.C. Ltd.) and was reviewed by the City (Appendix XIII)
- The traffic impact study estimated that a care facility developed under the current zoning parameters would generate 13 trips during the AM peak hour and 25 trips during the PM peak hour. In comparison, the proposed apartment building would generate 16 trips during the AM peak hour, and 19 trips during the PM peak hour. This represents an increase of 3 trips during the morning peak hour and a reduction of 6 trips during the afternoon peak hour. The traffic impact study concludes that the proposed rezoning will therefore have very little impact to traffic generation for the site, and will in fact result in a reduction of traffic during the busy PM peak hour period.
- The parking analysis determined that the proposed 37-unit apartment building requires a minimum of 63 parking stalls, including 56 for residents and 7 for visitors. The study suggested that, in the opinion of the Transportation Analysts, the 63 parking stall supply, which is as per the City's by-law requirements, would provided adequate parking supply capable of meeting the anticipated demands. The applicant is proposing a total of 68 parking stalls, including 61 for

residents and 7 visitors, which is more than required.

- City staff reviewed the traffic impact study and parking analysis and found it acceptable. City staff concluded that the proposed land use would not have an increased traffic or parking impact beyond that projected in the NCP.
- All of the proposed parking is provided as underground parking, which is accessed from Rosemary Heights Drive. The proposed resident and visitor parking exceeds the by-law requirements for a 37 unit non-ground-oriented multiple unit residential building (apartment).

Proposed CD Zone

- The CD Zone is based on the Multiple Residential Density Zone (RM-45).
- There are two (4) main differences in the proposed CD Zone from that of the RM-45 Zone:
 1. The sliding scale density outlined in the RM-45 Zone applied to the parcel size of 0.382 hectares (0.943 acres) permits a maximum floor area ratio of 0.93. The proposed floor area ratio in the CD Zone is 1.15. This is below the maximum floor area ratio of 1.30 outlined in the RM-45 Zone, and is considered acceptable given the existing maximum floor area ratio of 1.0 in the existing CD Zone, and the location of the site adjacent to the park and neighbourhood centre.
 2. The required setbacks under the RM-45 Zone are 7.5 metres (25 ft.) from all property lines. The proposed setbacks range between 5.0 metres (16.5 ft.) and 7.0 metres (23 ft.). The reduced setback of 5.0 metres (16.5 ft.) is along the property line that abuts the linear parkway and is measured to the balcony posts. The reduced setbacks of 6.0 metres (20 ft.) are located along the east and west property lines and measured to the balcony posts. The reduced setback of 7.0 metres (23 ft.) is located along the north property line and measured from the balcony posts. All of these interfaces are acceptable from an urban design perspective and the setbacks proposed are greater on average than those outlined in the existing CD Zone.
 3. The proposed lot coverage of 40% is less than the 45% lot coverage permitted in both the RM-45 Zone and the existing CD Zone.
 4. The proposed building height of 10 metres (33 ft.) is less than the 15 metres (50 ft.) permitted under the RM-45 Zone and is comparable to the 9 metres (30 ft.) permitted under the existing CD Zone.
- The following table summarizes the, floor area ratio, lot coverage, setbacks, and building height permitted under the existing CD Zone, the RM-45 Zone, and the proposed CD Zone.

	Existing CD Zone	RM-45 Zone	Proposed CD Zone
Floor Area Ratio	1.00	1.30	1.15
Lot Coverage	45%	45%	40%
Setbacks	1.8 m (6 ft.) to 7.5 m (25 ft.)	7.5 m (25 ft.)	5.0 m (16.5 ft.) to 7.0 m (23 ft.)
Building Height	9 m (30 ft.)	15 m (50 ft.)	10 m (33 ft.)

- The proposed CD By-law requires 3.0 square metres (32 sq.ft.) of outdoor amenity space, and 3.0 square metres (32 sq.ft.) of indoor amenity space per dwelling unit, which is the same as required under the RM-45 Zone. The indoor and outdoor amenity space to be provided on the site exceeds the by-law requirements. The proposed CD Zone requires 111 square metres (1,195 sq.ft.) of indoor amenity space and 111 square metres (1,195 sq.ft.) of outdoor amenity space. The proposed apartment building incorporates 184 square metres (1,981 sq.ft.) of indoor amenity space and 131 square metres (1,416 sq.ft.) of outdoor amenity space. The proposed outdoor amenity space is located on the south portion of the building and has been integrated with the linear public park.

PUBLIC INFORMATION MEETINGS

- The applicant held two (2) Public Information Meetings to discuss the proposed NCP amendment from "Institutional Residential" to "Garden Apartments", and the proposed rezoning.
- The first Public Information Meeting was held on February 15, 2005 and presented a 43 unit residential apartment building to the neighbourhood. Invitations to the meeting were sent to 156 households in the immediate area and two advertisements were placed in the local newspaper (Peace Arch News). Fifty-five (55) people attended the meeting. Concerns that were raised at the meeting included traffic and parking. Some residents indicated that the site should be acquired by the City for a park.
- The second Public Information Meeting was held on May 9, 2006. Information regarding the proposed NCP amendment, rezoning, as well as the details of the proposed 37-unit apartment building including the design, landscaping, and parking, was provided.
- Thirty-two (32) people attended the meeting and thirty-five (35) comment sheets were received by the applicant.
- Ten (10) of the households that responded were opposed to the development proposal. These concerns were largely due to the impact on traffic and parking in the area as well as the three-storey height of the proposed building. Traffic issues are discussed below in the pre-notification section.
- Twenty-five (25) households did not express opposition to the development proposal and some expressed support.

PRE-NOTIFICATION

Pre-notification letters were sent out on May 24, 2006 and staff received the following comments:

- Staff received a petition in opposition, signed by 77 area residents representing 33 lots in the surrounding area. A map of petition respondent locations is provided in Appendix X. The petition outlined four (4) main concerns with the development proposal:

1. The proposed development will not conform to the existing design of single family homes and townhouses in the area.

(The built form of the proposed apartment building is similar to the care facility proposed for the site in 2000 that was in conformance with the Rosemary Heights Central NCP. The proposed apartment building is also designed to reflect and complement the existing high quality commercial buildings to the north and northwest of the site. These existing commercial buildings are constructed with high quality materials including cultured stone/ledgestone, wood and copper trim, and asphalt shingles. The design of the proposed building is very similar to these commercial buildings and many of the same exterior materials are used, including ledgestone, hardiplank siding, wood trim, and concrete tile roofing. These buildings are generally consistent with the design guidelines outlined in the Rosemary Heights Central NCP as well as the existing townhouse developments in the immediate area. The design of the project was reviewed by City staff, as well as by the Advisory Design Panel.)

2. The property values will be negatively impacted because of the multi-family building in the middle of the neighbourhood.

(The subject site is currently zoned for a care facility with a floor area ratio of 1.00 and a building height of 9.0 metres (30 ft.) or 3 storeys. This density could accommodate a greater number of care units than the proposed 37 apartment units. The Residential/Institutional land use was originally outlined in the NCP, however the floor area ratio was increased from 0.50 to 1.00 in conjunction with development application No. 7996-0164-00), which was approved by Council in July, 2000. The scale and design of the proposed apartment building is generally consistent with the Residential/Institutional use and is appropriate given the adjacent commercial buildings and park.)

3. The development will increase the traffic congestion and parking problems in the area.

(A parking and traffic study, conducted by Bunt & Associates, was submitted to the City for review. The study compared the proposed 37-unit apartment project with the previous 72-unit care facility, and indicated that there will be little to no additional impact on the traffic in the area. Specifically, the study indicated that the proposed apartment building would generate only 3 more trips during the AM peak hour than the care facility, and would actually generate 6 fewer trips during the PM peak period than the care facility. The study also concludes that 63 parking stalls, which satisfies the by-law requirement for the proposed building, are adequate to accommodate the required parking on the site. The proposed 68 parking stalls exceed this required number, so there should be no additional parking impact. All of the proposed parking stalls are below grade.)

4. Increased traffic will result in a safety concern for children.

(Access to the site is located directly adjacent to the commercial development to the north. This location provides a safe distance between 32 Avenue and the development. Because there is no additional traffic anticipated as a result of this development application, there should not be any additional safety concerns for children.)

- Staff received a letter from the Rosemary Heights Residents Committee documenting their support of the proposed apartment project (Appendix XIV).

DESIGN PROPOSAL AND REVIEW

Building Design

- The application was reviewed by staff and was found to reflect the quality, design, and architecture of the surrounding commercial buildings, townhouses, and single-family dwellings in the neighbourhood.
- The existing neighbouring commercial buildings are of a high quality with exterior materials that include cultured stone/ledgestone, wood and copper trim, and asphalt shingles. The design of the proposed apartment building is very similar to these existing commercial buildings and many of the same exterior materials are used including ledgestone, hardiplank siding, wood trim, and concrete roof tiling.
- The southernmost portion of the apartment building steps down from 3 storeys to 2 storeys to create a better interface with the existing single family dwellings to the south.

Landscaping and CPTED Considerations

- The landscaping plan for the site includes a combination of trees and shrubs in a variety of coniferous and deciduous species. Landscaping features include decorative 'Frank Lloyd Wright' entry planters for seasonal displays, which will mark the front entry to the building, as well as a patio with arbour and 4 benches in the outdoor amenity area. A pathway will connect the private outdoor amenity space with the linear public park to the south.
- The proposed building provides adequate separation and integration from public space and is acceptable from a Crime Prevention Through Environmental Design (CPTED) perspective. The landscaping along the south property line has been specifically designed to distinguish public and private spaces but also allows for natural surveillance.

ADVISORY DESIGN PANEL

ADP Meeting Date: July 25, 2006

Some of the ADP suggestions have been satisfactorily addressed except the following which the applicant has agreed to address before final approval:

- Minor landscaping suggestions including landscaping and screening around the vehicular ramp to the underground parking;
- Minor architectural and design elements.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets
Appendix II.	Contour Map
Appendix III.	Site Plan, Typical Floor Plans and Elevations, Landscape Plans and Perspective
Appendix IV.	Engineering Summary
Appendix V.	Parks Comments
Appendix VI.	School District Comments
Appendix VII.	ADP Comments and Applicant's Response
Appendix VIII.	Rosemary Heights Central Neighbourhood Concept Plan
Appendix IX.	Proposed CD By-law
Appendix X.	Map of Neighbourhood Petition
Appendix XI.	Previous CD By-law (No. 13516)
Appendix XII.	Approved Seniors Housing Project (Concept Layout)
Appendix XIII.	Transportation Analysis
Appendix XIV.	Letter from Rosemary Heights Residents Committee

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated June 5, 2006.
- Soil Contamination Review Questionnaire prepared by Dave Balsor dated June 16, 2005

How Yin Leung
Acting General Manager
Planning and Development

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Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent: Name: Hunter Laird Engineering Ltd.
 Address: #300 - 65 Richmond Street
 New Westminster, B.C. V3L 5P5
 Tel: 604-525-4651

- (b) Agent: Name: Dan Dawson, Dawson Pacific Holdings
 Address: 856 Jackson Way
 Delta, B.C.
 Tel: 604-943-0585

2. Properties involved in the Application

- (a) Civic Address: 3355 Rosemary Heights Drive

- (b) Civic Address: 3355 Rosemary Heights Drive
 Owner: Rosemary Developments Ltd., Inc. No. 410635
 PID: 025-560-361
 Lot 2 Section 26 Township 1 New Westminster District Plan BCP3190

3. Summary

- (a) Introduce a By-law to rezone the property.

DEVELOPMENT DATA SHEET

Proposed Zoning: CD

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total	3,815 m ²	
Road Widening area		
Undevelopable area		
Net Total		
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	40%	40%
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front	6.0 m	6.1 m
Rear	6.0 m	6.0 m
Side #1 (South)	5.0 m	5.1 m
Side #2 (North)	7.0 m	7.0 m
BUILDING HEIGHT (in metres/storeys)		
Principal	10 m	9.53 m
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom	37	37
Three Bedroom +		
Total	37	37
FLOOR AREA: Residential	4,392 m ²	4,392 m ²
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA	4,392 m ²	4,392 m ²

** If the development site consists of more than one lot, lot dimensions pertain to the entire site.*

Development Data Sheet cont'd

Required Development Data	Minimum Required / Maximum Allowed	Proposed
DENSITY		
# of units/ha /# units/acre (gross)	97 uph/39 upa	97 uph/39 upa
# of units/ha /# units/acre (net)		
FAR (gross)		
FAR (net)	1.15	1.15
AMENITY SPACE (area in square metres)		
Indoor	111 m ²	184 m ²
Outdoor	111 m ²	132 m ²
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed	56	61
3-Bed		
Residential Visitors	7	7
Institutional		
Total Number of Parking Spaces	63	68
Number of disabled stalls		
Number of small cars		
Tandem Parking Spaces: Number / % of Total Number of Units		
Size of Tandem Parking Spaces width/length		

Heritage Site	NO	Tree Survey/Assessment Provided	NO
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CONTOUR MAP FOR SUBJECT SITE

