

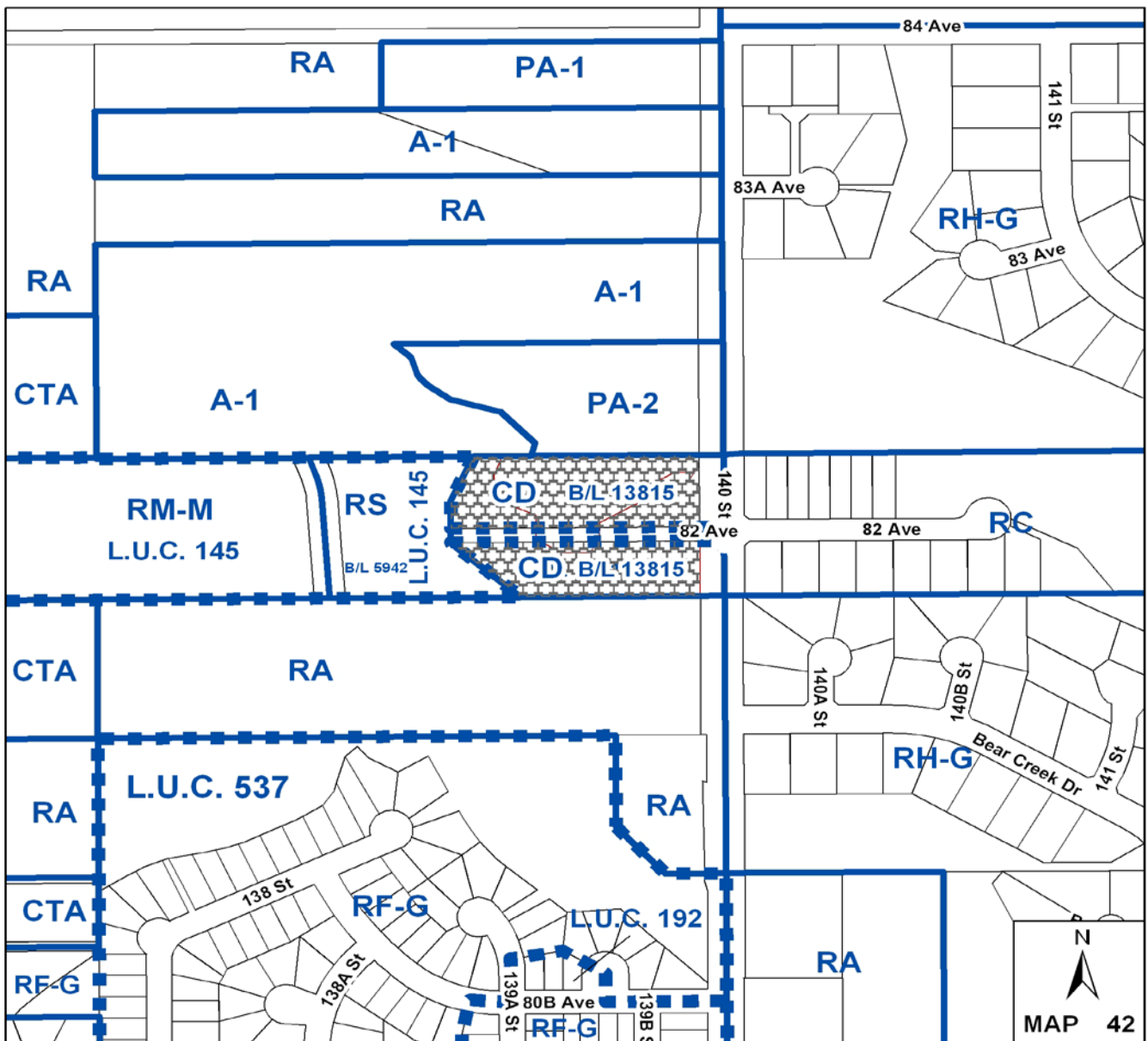
Proposal: Partial discharge LUC No. 145, amend CD By-law No. 13815 to increase the unit density and reduce parking requirements; and DP to permit the development of a 131-unit seniors assisted living multiple residential building.

Recommendation: Approval to Proceed

Location: 8213/39 - 140 Street and Portion of Road **Zoning:** CD (By-law No. 13815) LUC No. 145

OCP Designation: Multiple Residential

LAP Designation: Multiple Res. **Owner:** 656166 B.C. Ltd.



PROJECT TIMELINE

Completed Application Submission Date: September 30, 2005
Planning Report Date: January 9, 2006

PROPOSAL

The applicant is proposing:

- a discharge of Land Use Contract No. 145;
- an amendment to CD By-law No. 13815; and
- a Development Permit

in order to permit the development of a 131-unit seniors assisted living multiple residential development.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to partially discharge Land Use Contract No. 145 and a date for Public Hearing be set.
2. a By-law be introduced to amend Comprehensive Development By-law No. 13815 (Appendix VII) and a date be set for Public Hearing.
3. Council authorize staff to draft Development Permit No. 7905-0313-00 in accordance with the attached drawings (Appendix III).
4. 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 subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of an updated landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and
 - (d) completion of a road closure for the portion of 82 Avenue dedicated by Plan 48828 and consolidation with the site.

REFERRALS

Engineering:	The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as identified in the attached. All of the servicing requirements on the Servicing Agreement were completed under Project No. 7998-0190-00 (Appendix IV).
Parks:	No concerns (Appendix V).
School District:	The school District does not have an impact on school's report on this application as the proposal is for an adult only apartment building oriented toward Senior's. No school age children would be projected from this development (Appendix VI).

SITE CHARACTERISTICS

- **Existing Land Use** Two vacant lots and portion of a road which are undergoing resubdivision as shown on the layout attached as Appendix VIII. The building will be located on proposed Lot 1.
- **Significant Site Attributes** A mix of deciduous and coniferous trees are located throughout the site. Some of the trees on proposed Lot 1 will be retained and incorporated into the landscape plan. The site is at a confluence of two creeks. Proposed Lot 2 will be set aside and protected as open space for creek protection and all vegetation retained (Appendix VIII).
- **East:** Across 140 Street are single family dwellings on lots, zoned RC, designated Suburban in the OCP.
- **South:** City parkland, zoned RA, designated Suburban in the OCP.
- **West:** City parkland under Land Use Contract No. 145, zoned RS (By-law No. 5942), designated Suburban in the OCP.
- **North:** Verdic Temple on a lot, zoned PA-2, designated Suburban in the OCP.

PLAN AND POLICY COMPLIANCE

OCP Designation:	Complies.
LAP Designation:	Complies.

DEVELOPMENT CONSIDERATIONS

Background

- The subject site is located at 8213 and 8239-140 Street. The site was rezoned in 1993 from "Suburban Residential Zone (RS)" (By-law No. 5942) to "Comprehensive Development Zone (CD)" (By-law No. 13815) under project No. 7998-0190-00 for development of an Assisted Living Seniors housing development including 80 residential units and 15 care beds. A Housing Agreement was required at that time and was registered on title, to ensure occupants are a minimum of 75 years of age, and a corresponding parking reduction was approved in the CD Zone consistent with seniors housing. The Development Permit (No. 7998-0190-00), was issued on July 24, 2003.
- As part of the original rezoning application, a road exchange for the closure of the dedicated portion of 82 Avenue through the site was approved. However, the agreement for this closure lapsed and a new road closure process is required to be initiated. The consolidation and resubdivision of the site into 2 lots have been held pending the completion of a new road closure process (Appendix VIII).
- The site is governed by a Land Use Contract No. 145. This LUC should have been discharged as part of the previous rezoning application. However, due to an administrative oversight, the LUC discharge was never completed. Therefore, a LUC discharge application has been submitted.

2003 Amendment (Project No. 7903-0273-00)

- Due to the changes in the Independent Living B.C. Program guidelines, the applicant amended the proposal in 2003 (File No. 7903-0273-00) by increasing the total number of units from 95 to 128 dwelling units, while maintaining the same building footprint and total floor area. The unit increase resulted in internal building changes and some changes to the exterior of the building. To institute these changes, a new Development Permit (No. 7903-0273-00) was issued on September 29, 2003. In conjunction with Development Permit No. 7903-0273-00, Council approved a Development Variance Permit (7903-0273-00) to relax the minimum number of Residence Parking stalls from 98 stalls to 79 stalls. The Development Permit No. 7903-0273-00 and the Development Variance Permit No. 7903-0273-00 have both expired.

Latest Proposal

- With further reorganization of the interior layout of the building the applicant now proposes to increase the number of assisted living units from 128 to 131, without any changes to the building footprint and floor area ratio. This number translates into a unit density which is higher than the maximum permitted under the CD By-law No. 13815, therefore, a CD By-law Amendment is required.
- The proposal is to amend the CD By-law No. 13815 to increase the unit density from 84 units per hectare (34 upa) to 87 units per hectare (39 upa), and to reduce the ratio of resident parking per unit from 0.5 stalls per unit to 0.36 stalls per unit and the visitor parking from 0.25 stalls per unit to 0.24 stalls per unit. A Development Permit to allow the development of a 131-unit assisted living complex is also required.

- The registered Housing Agreement is still valid, therefore, a new agreement is not required.

Proposed CD By-law Amendments (Appendix VII)

(a) Unit Density

The increase in the unit density from 84 upha to 87 upha amounts to a net increase of 3 units. This increase is achieved by reducing the size of the units, without affecting the total floor area. The project includes a substantial amount of both indoor and outdoor amenity area to serve the increased number of units.

The increase will not have any impact on the character of the nearby area or the intended land use, therefore, it is supportable.

(b) Parking

79 stalls are provided for this development; 48 resident parking and 31 visitor parking. This translates into a ratio of 0.36 stalls per unit for resident parking and 0.24 stalls per unit for visitor parking. Instead of seeking a Development Variance Permit for this reduction, as was done under 7903-0273-00, an amendment to the CD By-law is proposed.

A reduced resident parking from 66 resident parking and 33 visitor parking to 48 resident parking and 31 visitor parking is proposed.

A Housing Agreement to ensure occupancy by residents a minimum of 75 years old has been registered on site, and provides a strong justification for the parking reduction. Not many residents of the proposed development are expected to drive cars. Ward Consulting Group Inc. conducted a study on the parking requirements for the subject assisted living residence and concluded that based on the 75-year age restriction for the occupants of this residence, 72 stalls will be adequate for a 136-unit "independent living" development.

The Planning and Development Department and the Engineering Department staff reviewed the consultant's report and concur with the findings of the report. Therefore, the proposed parking reduction is supportable.

PRE-NOTIFICATION

Pre-notification letters were sent on October 18, 2005, and staff received no comments.

DESIGN PROPOSAL AND REVIEW

- The same design drawing, approved by Council under project No. 7903-0272-00, will be used for this proposed Development Permit.
- The main access to the site is retained along 140 Street. The building footprint is entirely on the proposed Lot 1. A pathway connects the outdoor amenity area to the public walkway to be constructed on Lot 2. Lot 2 will be transferred to the City as open space.

- The four-storey building consists of three wings (east wing, west wing and central wing). The design reflects the suburban character of the area. The strong roof form, a combination of hipped and gable roof style with dormers and chimneys at the top of the roof, gives it a residential character. The roofing material consists of high profile asphalt shingles (midnight black in colour). The siding consists of a combination of vinyl shake (natural cedar look), vinyl board and batten vertical siding (sand colour), stone cladding (Chardonnay dressed), and wood trim, fascia boards and trellis at the ground level (neutral colours), which are laid either horizontally or vertically.
- To respond to CPTED principles, hardwired video surveillance equipment will be installed in the underground parking area. A security gate at the entrance to the parking area and a convex mirror centrally located within the parking area for extended vision within the parking area, provide extra security.
- DMG Group Ltd. prepared the landscaping plan comprising of shrubbery, trees and ground cover. This blends with the riparian planting required within Lot 2. A decorative wooden fence anchored by concrete columns, which are capped with cultured stone to match the columns on the wall, will be erected around the building. The main vehicular entrance to the site is treated with stamped asphalt. Trellis are placed on both sides of the gate on top of the stone-faced concrete piers. Next to the vehicular entrance are two pedestrian entrances with wooden gates.
- A channel-lettered sign at the gate adds to the impressive entrance.
- This application was not referred to the ADP and was reviewed by the City Architect and City Landscape Architect, and was found acceptable.

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.	CD By-law Amendment By-law
Appendix VIII.	Proposed Subdivision Layout

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated December 19, 2005.
- Parking Study prepared by Ward Consulting Group Inc. dated April 24, 2003.
- Soil Contamination Review Questionnaire prepared by Henry Yong dated October 1, 2005.

Murray Dinwoodie
General Manager
Planning and Development

AGA/kms

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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: Ben Bialek, PJ Lovick Architect Ltd.
 Address: 3707 - 1st Avenue
 Burnaby, B.C. V5C 3T6
 Tel: 604-298-3700

2. Properties involved in the Application

- (a) Civic Address: 8213 and 8239 - 140 Street and Portion of Road
- (b) Civic Address: 8213 - 140 Street
 Owner: 656166 B.C. Ltd.
 PID: 006-314-791
 Lot 17 Section 28 Township 2 New Westminster District Plan 48828
- (c) Civic Address: 8239 - 140 Street
 Owner: 656166 B.C. Ltd.
 PID: 006-314-660
 Lot 16 Section 28 Township 2 New Westminster District Plan 48828
- (d) Civic Address: Portion of Road Dedicated by Plan 48828

3. Summary of Actions for City Clerk's Office

- (a) Introduce a By-law to partially discharge Land Use Contract No. 145.
- (b) Introduce a By-law to amend CD By-law No. 13815.

DEVELOPMENT DATA SHEET

Existing Zoning: CD (By-law No. 13815)

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total	n/a	15,080 m ²
Road Widening area		
Undevelopable area		9,720 m ²
Net Total		5,360 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	22%	21%
Paved & Hard Surfaced Areas	n/a	10%
Total Site Coverage		30%
SETBACKS (in metres)		
Front		
Rear		
Side #1 (N,S,E, or W)		
Side #2 (N,S,E, or W)		
Side #3 (N, S, E or W)		
BUILDING HEIGHT (in metres/storeys)		
Principal	13.63 m	11.2 m
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		61
One Bed		65
Two Bedroom		5
Three Bedroom +		
Total		131
FLOOR AREA: Residential	13,572 m ²	8,606.6 m ²
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA	13,572 m ²	8,606.6 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)		
# of units/ha /# units/acre (net)		
FAR (gross)	87 upha/38.83 upa	87 upha/38.83 upa
FAR (net)	n/a	244.4 upha/98.9 upa
AMENITY SPACE (area in square metres)		
Indoor	393 m ²	752 m ²
Outdoor	393 m ²	400 m ²
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom	48	
2-Bed		
3-Bed		
Residential Visitors	31	
Institutional		
Total Number of Parking Spaces	79	79
Number of disabled stalls	2	9
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

