

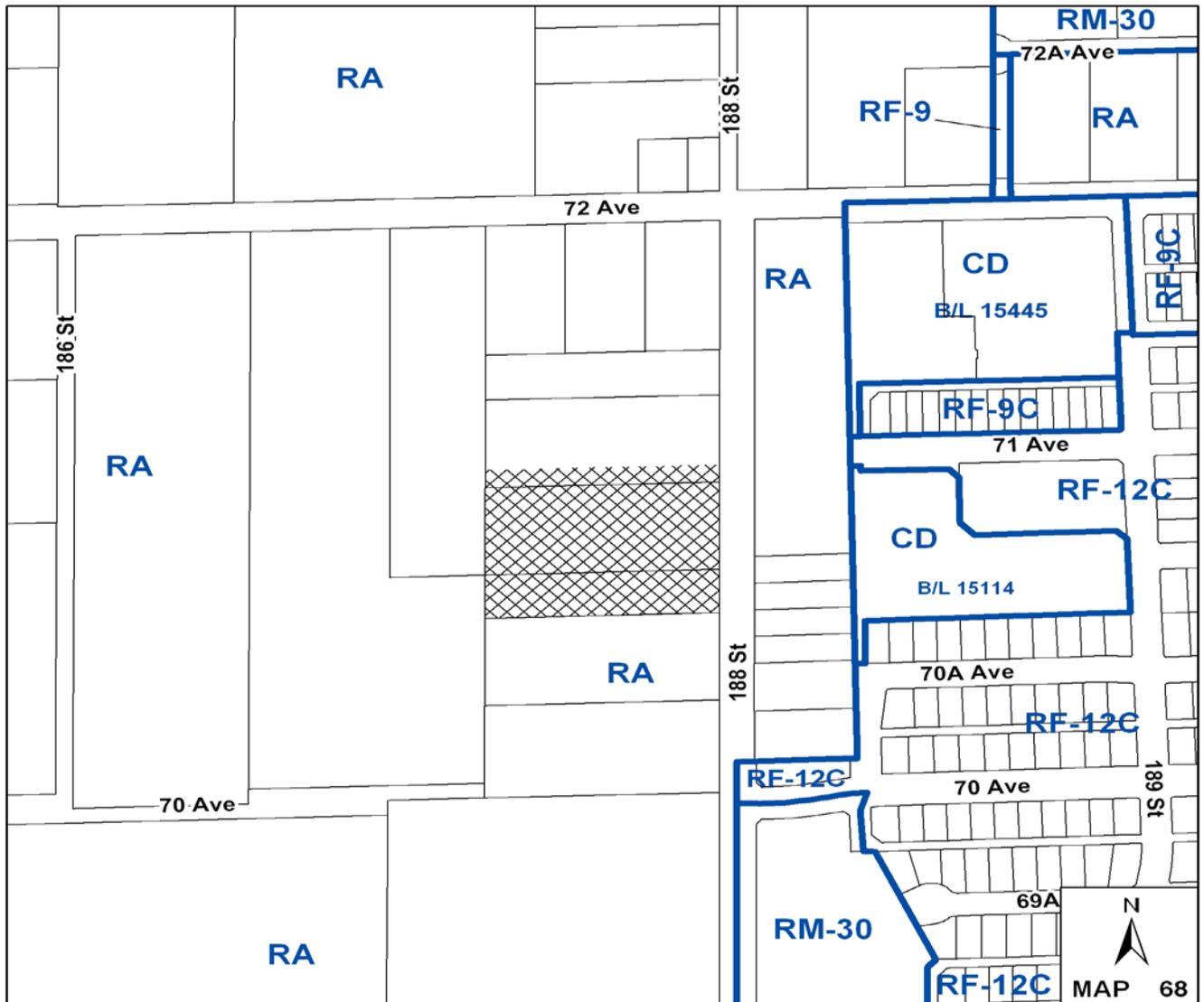
Proposal: Amend OCP from Suburban to Urban. Amend East Clayton NCP to include site under Institutional designation. Rezone from RA to RMS-2 and DP to allow a 2-storey, 149-bed care facility in East Clayton. DVP to allow reduced parking spaces.

Recommendation: Approval to Proceed

Location: Portion of 7129 - 188 St., 7083/7069 - 188 St. **Zoning:** RA

OCP Designation: Suburban

LAP Designation: Commercial & Institutional **Owner:** 758819 B.C. Ltd.



PROJECT TIMELINE

Original Application Submission Date:	March 14, 2006
Revised Plans Submission Date:	February 22, 2007
Revised Application Submission Date:	June 28, 2007
Planning Report Date:	July 9, 2007

PROPOSAL

The applicant is proposing:

- an OCP amendment from Suburban to Urban;
- an amendment of the East Clayton NCP to allow inclusion of the subject site based on the Institutional designation;
- a rezoning of portions from RA to RMS-2;
- a Development Permit; and
- a Development Variance Permit to allow the following Zoning By-law variances:
 - reduction in off-street parking from 90 spaces to 68 spaces

in order to facilitate the construction of a 2-storey, 149-bed care facility in Clayton.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to redesignate Block A as shown on the Survey Plan from Suburban to Urban and a date for Public Hearing be set (Appendices I and III).
2. Council determine the opportunities for consultation with persons, organizations, and authorities that are considered to be affected by the proposed amendment to the Official Community Plan, as described in the Report, to be appropriate to meet the requirement of Section 879 of the Local Government Act.
3. a By-law be introduced to rezone Block A as shown on the Survey Plan from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Special Care Housing 2 Zone (RMS-2)" (By-law No. 12000) and a date be set for Public Hearing (Appendix I).
4. Council authorize staff to draft Development Permit No. 7906-0103-00 generally in accordance with the attached drawings (Appendix IV).
5. Council approve Development Variance Permit No. 7906-0103-00 (Appendix V), varying the following, to proceed to Public Notification:

- (a) to vary Table C.4: Parking Requirements for Institutional Use (Care Facilities) of Part 5 of the Zoning By-law from 90 parking spaces to 68 parking spaces.
6. Council instruct staff to resolve the following issues prior to final adoption:
- (a) ensure that all engineering issues and requirements, including restrictive covenants and rights-of-way, where necessary, are addressed to the satisfaction of the General Manager, Engineering;
- (b) submission of a subdivision plan to the satisfaction of the Approving Officer;
- (c) registration of a Section 219 Restrictive Covenant prohibiting further development on the proposed Lot 1 to ensure road dedication involving north half of 71 Avenue and consolidation with the adjacent parcels to the north;
- (d) resolution of design issues to the satisfaction of the General Manager, Planning & Development;
- (e) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
- (f) address amenity contributions based on the East Clayton NCP Amenity Schedule; and
- (g) demolition of existing structures to the satisfaction of the Building Division.
7. Council pass a resolution to amend the East Clayton Neighbourhood Concept Plan to include portions of the subject site and designate the same as Institutional 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 VI).

SITE CHARACTERISTICS

- **Existing Land Use** The site is being used for acreage residential purposes.
- **Significant Site Attributes** There are a number of coniferous trees on the site that are worth preserving.
- **East:** Across 188 Street, vacant lands with in-stream development application (File No. 7905-0359-00), seeking a rezoning from RA to RM-30 and CD to allow multiple residential and commercial uses, designated Commercial/Residential and 22-45 upa (High Density) in the East Clayton NCP.
- **South:** Acreage parcels zoned RA, designated Suburban.

- **West:** Vacant lands zoned RA, designated Suburban.
- **North:** Acreage parcels zoned RA, designated Suburban.

PLAN AND POLICY COMPLIANCE

OCP Designation: Needs amendment.

NCP Designation: Not part of East Clayton NCP and needs amendment to Institutional.

PROJECT BACKGROUND

- In early 2006, staff received an inquiry on the possibility of developing the subject site for a care facility. Staff raised a number of concerns at that time, including the following:
 - the subject site is outside of any of the approved NCPs in Clayton;
 - the development of the subject site should take into account the surrounding lands, however, this will require the undertaking of a new neighbourhood concept planning process, which is not in the work program;
 - a new NCP process involving just the subject site is considered a piece-meal approach and will not address the development needs of adjacent properties; and
 - there are a number of servicing constraints, foremost of which is the need to address fire flow capacity given the current capacity of the existing pump station.
- However, considering the following factors, staff concluded there is merit in supporting the proposal at this time:
 - the two southerly subject lots at 7069 and 7083 are designated Institutional in the Clayton General Land Use Plan;
 - a new pump station is scheduled to be constructed and is expected to be operational by the end of 2007, which will address the fire flow capacity issue;
 - Fraser Health Authority has agreed to provide funding for approximately 88 beds on the subject site, with the possibility that more beds can qualify for additional funding; and
 - the proposed facility is intended to accommodate the residents of Highland Lodge Care Facility in Langley, which is planned for closure.
- In response, the applicant amended the proposal, excluding the northerly most parcel, which is designated Commercial in the Clayton General Land Use Plan. However, staff further determined that 71 Avenue should be extended west of 188 Street, with the new road providing driveway access to the proposed facility.
- While 71 Avenue was initially indicated along the northerly edge of revised subject site, the proposed configuration was not acceptable as it did not result in a straight road alignment. A straight road alignment is considered safer and more appropriate. However, it can only be achieved with the inclusion of the northerly most parcel. The applicant agreed to include the northerly-most parcel, mainly for road dedication purposes.

- Further negotiations were pursued in the summer of 2006 to secure the applicant's agreement to register a statutory right-of-way for the future 187 Street along the westerly edge of the subject site. The right-of-way protects access needs of the adjacent parcels south and west of the subject site.
- While the applicant has raised concerns with the additional requirements, it should be noted that these are triggered by the absence of specific servicing plans that would have otherwise identified and confirmed road requirements, among other things, had the subject site been part of an approved NCP.
- Sometime in February 2007, the applicant submitted a revised proposal, showing the new alignment of 71 Avenue and the proposed right-of-way along the westerly edge of the subject site. The revised proposal also indicates additional beds from 112 to 149.

JUSTIFICATION FOR OCP AND NCP AMENDMENTS

Proposed Official Community Plan (OCP) Amendment

- The subject site is designated Suburban in the OCP. To accommodate the proposed 149-bed care facility, the applicant is proposing a rezoning from RA to RMS-2. A care facility of this scope and size can only be accommodated in Urban-designated lands.
- The proposed amendment from Suburban to Urban will facilitate the establishment of the proposed 149-bed care facility, which has funding support for approximately 88 beds from the Fraser Health Authority.
- Care facilities are deemed more appropriate in dealing with long term care (care support that requires 24-hour supervision), the shortage of which has put a lot of pressure on the services being provided by existing hospitals. Recognizing this situation, the provincial government is committed to creating additional beds, as well as replacing outdated facilities. The proposal is in line with this objective.
- Therefore, the proposed OCP amendment responds to a community need and is considered appropriate.

Proposed NCP Amendment

The Subject Site in the Context of the Clayton General Land Use Plan and the Corresponding NCPs

- The subject site, while forming part of the Clayton General Land Use Plan, is outside the East Clayton Neighbourhood Concept Plan. The Clayton General Land Use Plan, which was approved on January 25, 1999, (Appendix VII) generally includes all the lands within the East Clayton NCP as well as the lands north of Fraser Highway, east and west of 188 Street, and south of 72 Avenue. The General Land Use Plan served as the general basis for the subsequent NCP process in East Clayton, with the resulting East Clayton NCP approved in 2003.
- However, due to servicing constraints, the East Clayton NCP designates 188 Street as its westerly boundary, thus excluding all the lands west of 188 Street and north of 72 Avenue (VIII).

- In response to the joint property owners' requests to consider the lands outside of the East Clayton NCP for development, Council authorized commencement of two separate planning processes and subsequently approved the following East Clayton NCP extension areas:
 - North of 72 Avenue that generally includes the lands between 188 and 196 Street and south of the Terasen Gas Right-of-Way (approved in 2004, see Appendix IX); and
 - West of 188 Street that includes the lands at the northwest corner of 68 Avenue and 188 Street (approved in 2005, see Appendix X).
- The subject site, due to its relative location to the approved NCP extension areas, has been intentionally excluded from the approved NCP extension areas.

Proposed Inclusion of the Subject Site within the East Clayton NCP

- The subject site is currently split-designated Commercial and Institutional in the Clayton General Land Use Plan. The applicants are seeking Council approval to include the subject site in the East Clayton NCP and designating the same as Institutional, with the northerly portion (proposed Lot 1) retaining its current Commercial designation in the General Clayton Land Use Plan (Appendix XI).
- Except for the existing church at 64 Avenue, east of 194 Street, the East Clayton NCP indicates no other institutional use. The inclusion of the subject site in the East Clayton NCP, under an Institutional designation, affirms the City's intent of creating a complete community.
- While East Clayton is largely a residential community, the current model in providing care for target clients (mostly elderly with complex health-related needs) calls for the integration of such facilities within established neighbourhoods. Therefore, staff support the proposed NCP amendment.

DEVELOPMENT CONSIDERATIONS

Proposed Rezoning from RA to RMS-2 (Block A in Survey Plan, see Appendix 1)

- The proposed care facility will be sited within the area defined in the Survey Plan, consisting of approximately 1.2 hectares (3 acres) of lands. The 149-bed, 2-storey proposal indicates a total floor area of approximately 9,533 sq. m. (102,612 sq. ft.), excluding the basement area.
- The proposed care facility will handle clients who, due to their health conditions, require 24-hour care and supervision. The facility will also set aside seven (7), 2-bed units where a husband and wife can stay together while receiving care support, ensuring that couples are not separated in the later stages of their lives, thus reducing the stress levels that confront the clients and the families alike.

- Except for parking requirements, the proposed development meets all the provisions of the RMS-2 Zone as indicated in the following table:

	RMS-2 Zone	Proposal
Floor Area Ratio (FAR)	1.0	0.78
Lot Coverage	45%	39%
Building Height	13 m (42 ft.)	10.2 m (33 ft.)
Building Setbacks	7.5 m (25 ft.) from all lot lines	Varies from 7.5 m (25 ft.) to 16 m. (52 ft.)

- Based on the Zoning By-law, the proposed 149-bed facility will generate off-street parking requirements as follows, translating to a ratio of 0.60 parking space per bed.

Users	Parking Space Requirements
Employees	50
Doctors	1
Visitors	37
Drop-off	2
TOTAL SPACES	90

- However, the applicants are proposing to provide 0.45 parking space per bed, which translates to 68 parking spaces based on the proposed 149 beds. The 0.45 parking space/bed ratio is based on the current parking space provision that has been approved in care facilities in Surrey (e.g., Fleetwood Villa at 83 Avenue and 160 Street; Morgan Place at 32 Avenue and 156 Street and Laurel Place Care Facility at 96 Avenue and 137B Street). A Development Variance Permit is required to address the parking shortfall (see section on By-law Variances and Justification).
- The proposal includes the dedication and construction of 71 Avenue west of 188 Street, to be provided by the northerly-most parcel. The proposed 11.5-metre (38-ft.) wide dedication will create approximately a 5,400-sq.m. (1.3-acre) remainder parcel (proposed Lot 1), conforming to the RA Zone. However, proposed Lot 1 is indicating an ultimate width of approximately 40 metres (131 ft.), which is less than the minimum lot width requirement (50 metres or 164 ft.) that is prescribed under the RA Zone, however, within the Approving Officer's discretion.
- The future widening of 71 Avenue will be achieved through road dedication from proposed Lot 1. This will take place when it is eventually developed in the future, in conjunction with the adjacent parcel to the north.
- To ensure completion of the 71 Avenue road dedication, the applicant will be required to register a no build Section 219 Restrictive Covenant on proposed Lot 1 at subdivision stage.
- The registration of the Covenant is a subject condition of rezoning and can only be discharged when the conditions of the Covenant are satisfied.

PUBLIC CONSULTATION PROCESS FOR OCP AMENDMENT

Pursuant to Section 879 of the Local Government Act, it was determined that no further consultation was necessary with any persons, organizations or authorities with respect to the proposed OCP amendment, other than those contacted as part of the pre-notification process.

DESIGN PROPOSAL AND REVIEW

- The proposed 2-storey building will be located at the southwest corner of the new 71 Avenue and 188 Street, with a driveway access off 71 Avenue. Special pavers will be installed to define the proposed driveway.
- The applicant is dedicating and constructing the south half of 71 Avenue, with the remainder north portion to be secured and built when the lands to the north are developed in the future.
- The applicant is also providing a 10-metre (30-ft.) wide right-of-way along the westerly edge of the subject site to protect future access for the adjacent parcels south and west of the subject site. Existing vegetation within the right-of-way will remain unless access is required.
- The design of the proposed building follows the contemporary Craftsman style where the dominant architectural features include gables with ornamental wood trims.
- The proposed main entrance will be located mid-point of the building facing the proposed parking lot. The proposed loading bay (for deliveries) will be located at the northwest corner of the proposed building
- The proposed building floor plan indicates 4 separate pods for each floor, each pod accommodating beds for residents and the corresponding functional rooms (kitchenette, dining area, lounge area, laundry). Each pod is self-contained with dedicated staffing, thereby ensuring quick response by caregivers.
- The proposed building materials include vinyl siding (in darker beige) and hardi plank (in sage and lighter brown). High profile fiberglass shingles will be used for roofing (weathered wood). Stone will be installed as accent material.
- Two separate (enclosed for safety reasons) landscaped courtyards are proposed, each with a seating area, community garden, and pathways for the enjoyment of the future residents, visitors and staff. The proposed courtyards will feature decorative pavers and trellises.
- The Arborist Report indicates that there are approximately 65 trees on the site, 47 of which have to be removed as they are within the building envelope, in conflict with the proposed parking lot or will be impacted by the proposed site grading.

- The subsequent loss of trees will be addressed by the applicant's proposal to install approximately 118 trees of different varieties as part of the proposed landscaping. Specifically, flowering Cherry and Dogwood in combination with Japanese Maple as well as Austrian Pine and Scarlet Oak will be installed in designated landscaped areas. The proposed parking area west of the proposed building will accommodate different varieties of trees to mitigate the impact of concrete pavement.

ADVISORY DESIGN PANEL

- ADP Meeting Date: May 24, 2007.
- The following issues have remained outstanding but the applicant has agreed in writing to address the same prior to Final Adoption:
 - Revise proposed railings to improve appearance.
 - Introduce additional cultured stone at the ends of the building facing 188 Street to emphasize its base and define the corners.
 - Update site plan by adding notes that refer to the provision of security cameras at key locations.
 - Incorporate appropriate light fixtures at specific locations/provide catalogue cut for reference.
 - Install a minimum of 1.5-metre (5-ft.) landscaped strip west of the parking stalls.
 - Submit lot grading plan that will address drainage and tree retention.
 - Revise fence/retaining wall combination to achieve a maximum height of 1.2 metres (4 ft.).
 - Limit the extent of the proposed basement to reduce impact on existing trees along the south property line that are intended for retention.
 - Revise landscape plan to incorporate double row of trees at parking stalls 1 to 7.
 - Provide details on the proposed water feature, planters, and tree grates.

PRE-NOTIFICATION AND PUBLIC INFORMATION MEETING

Pre-notification letters were sent twice, on June 8, 2006 and on May 23, 2007. The original letter generated 3 separate telephone calls from the residents in the neighbourhood who raised the following concerns (*staff's comments in italics*):

- That the proposed facility will cater to those who may not require 24-hour care. If it is indeed intended for seniors, then the proposal is considered acceptable.

(Staff advised the callers that the proposed facility would accommodate seniors who, due to their complex health issues, require 24-hour care and support.)

Staff sent the second letter in response to the applicant's revised application where additional beds are being proposed, i.e., from 112 to approximately 150 beds. The revised application generated a telephone call from a representative of the property owner directly north of the subject site raising the following concern:

- That the proposal may compromise the development potential of the adjacent parcel to the north.

(The proposed amendment to the NCP is restricted to the larger portion of the subject site where the proposed care facility will be located. The property at 7129 – 188 Street (currently designated Commercial in the Clayton General Land Use Plan) is part of the application primarily to secure the dedication and construction of the south portion of 71 Avenue, which, at the request of the Engineering Department has to align with the newly constructed 71 Avenue east of 188 Street.

The remainder portion of this particular lot (proposed Lot 2) will retain the current Commercial designation with the expectation that it will be developed with the adjacent parcel to the north, with the southerly portion to be dedicated for the widening of the new 71 Avenue, providing frontage for the future commercial development.

The applicant is required to register on title a Section 219 no build Restrictive Covenant to secure the above-noted conditions as a subject condition of the rezoning.)

- The applicant and his consultants conducted a Public Information Meeting on June 27, 2006 at Clayton Elementary School. There were 11 attendees, with one person completing up the questionnaire, indicating support to the proposal.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the number of off-street parking spaces from 90 to 68 spaces.

Applicant's Reasons:

- Based on separate parking studies conducted for similar development applications in the past, existing care facilities are able to address actual on-site parking demand based on a 0.45 parking space per bed ratio. The same studies have confirmed that the City's parking requirements for care facilities as stipulated in the Zoning By-law are significantly higher than what is required.
- On-street parking on the new 71 Avenue will be allowed and will accommodate any overflow parking.

Staff Comments:

- The Zoning By-law requires the following parking spaces for care facilities:
 - 1 space per 3 beds for employees
 - 1 space for every 2 doctors
 - 1 space per 4 beds for visitors
 - 2 spaces for drop-off
- Applying these standards on the proposed 149 beds, a total of 90 parking spaces (or 0.6 parking space per bed) are required as shown below:

Users	Parking Space Requirements
Employees	50
Doctors*	1
Visitors	37
Drop-off	2
TOTAL SPACES	90

* assume 2 doctors

- However, staff recognize the prevailing practice by similar establishments where a lower parking ratio of 0.45 appears to be the norm. The applicant is proposing the same ratio of 0.45.
- The Engineering Department has confirmed that on-street parking will be allowed on the new 71 Avenue, therefore, any overflow parking can be accommodated on the new road.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary, Project Data Sheets, and Survey Plan
Appendix II.	Contour Map
Appendix III.	Proposed OCP Amendment
Appendix IV.	Proposed Architectural and Landscape Plans
Appendix V.	Development Variance Permit No. 7906-0103-00
Appendix VI.	Engineering Comments
Appendix VII.	Clayton General Land Use Plan
Appendix VIII.	East Clayton NCP
Appendix IX.	East Clayton NCP – North of 72 Avenue Extension
Appendix X.	East Clayton NCP – West of 188 Street Extension
Appendix XI.	Proposed NCP Amendment
Appendix XII.	ADP Minutes and Applicant's Responses

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated July 3, 2007.
- Tree Survey and Arborist Report prepared by Van der Zalm & Associates and dated June 15, 2006.
- Soil Contamination Review Questionnaires prepared by S. Samra and dated March 18, 2006.

How Yin Leung
Acting General Manager
Planning and Development

JDM/kms

v:\planning\plncom07\07031444.jdm.doc
SEH 7/12/10 3:28 PM

Information for City Clerk

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

1. (a) Agent: Name: Jody Shields
 Address: 4435 Grange Street
 Burnaby, B.C. V5H 1P4
 Tel: 604-318-3000

2. Properties involved in the Application
 - (a) Civic Addresses: 7069 and 7083 - 188 Street and Portion of 7129 - 188 Street

 - (b) Civic Address: 7069 - 188 Street
 Owner: 758819 B.C. Ltd.
 Director Information:
 Crystal Shields
 Todd Simmons

 No Officer Information Filed

 PID: 001-014-234
 Lot

 - (c) Civic Address: 7083 - 188 Street
 Owner: 758819 B.C. Ltd.
 Director Information:
 Crystal Shields
 Todd Simmons

 No Officer Information Filed

 PID: 009-441-611
 South 196 Feet Lot 3 Section 16 Township 8 New Westminster District Plan 11037

 - (d) Civic Address: Portion of 7129 - 188 Street
 Owner: 758819 B.C. Ltd.
 Director Information:
 Crystal Shields
 Todd Simmons

 No Officer Information Filed

 PID: 009-871-349
 Lot 4 Section 16 Township 8 New Westminster District Plan 13768

3. Summary of Actions for City Clerk's Office

- (a) Introduce a By-law to amend the OCP as per the Survey Plan.
- (b) Introduce a By-law to rezone portions of the site as per the Survey Plan.
- (c) Proceed with Public Notification for Development Variance Permit No. 7906-0103-00.

DEVELOPMENT DATA SHEET

Proposed Zoning: RA to RMS-2

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		13,269 sq.m.
Road Widening area		1,084 sq.m.
Undevelopable area		
Net Total		12,185 sq.m.
LOT COVERAGE (in % of net lot area)	45%	39%
Buildings & Structures		
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front (North)	7.5 m	12.6 m
Rear (South)	7.5 m	7.5 m
Side #1 (East)	7.5 m	8.2 m
Side #2 (West)	7.5 m	16.9 m
BUILDING HEIGHT (in metres/storeys)		
Principal	13 m	10.2 (2 storeys)
Accessory	4.5 m	n/a
NUMBER OF RESIDENTIAL UNITS		
Bachelor (Care Facility)		149
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential		n/a
FLOOR AREA: Commercial		n/a
Retail		
Office		
Total		
FLOOR AREA: Industrial		n/a
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA		95,331.1 sq.m.

** 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)	1.0	.78
FAR (net)		
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional	8.9	.45/bed
Total Number of Parking Spaces	90	68
Number of disabled stalls		
Number of small cars		15
Tandem Parking Spaces: Number / % of Total Number of Units		
Size of Tandem Parking Spaces width/length		

Heritage Site	NO	Tree Survey/Assessment Provided	YES
---------------	----	---------------------------------	-----

CONTOUR MAP FOR SUBJECT SITE

