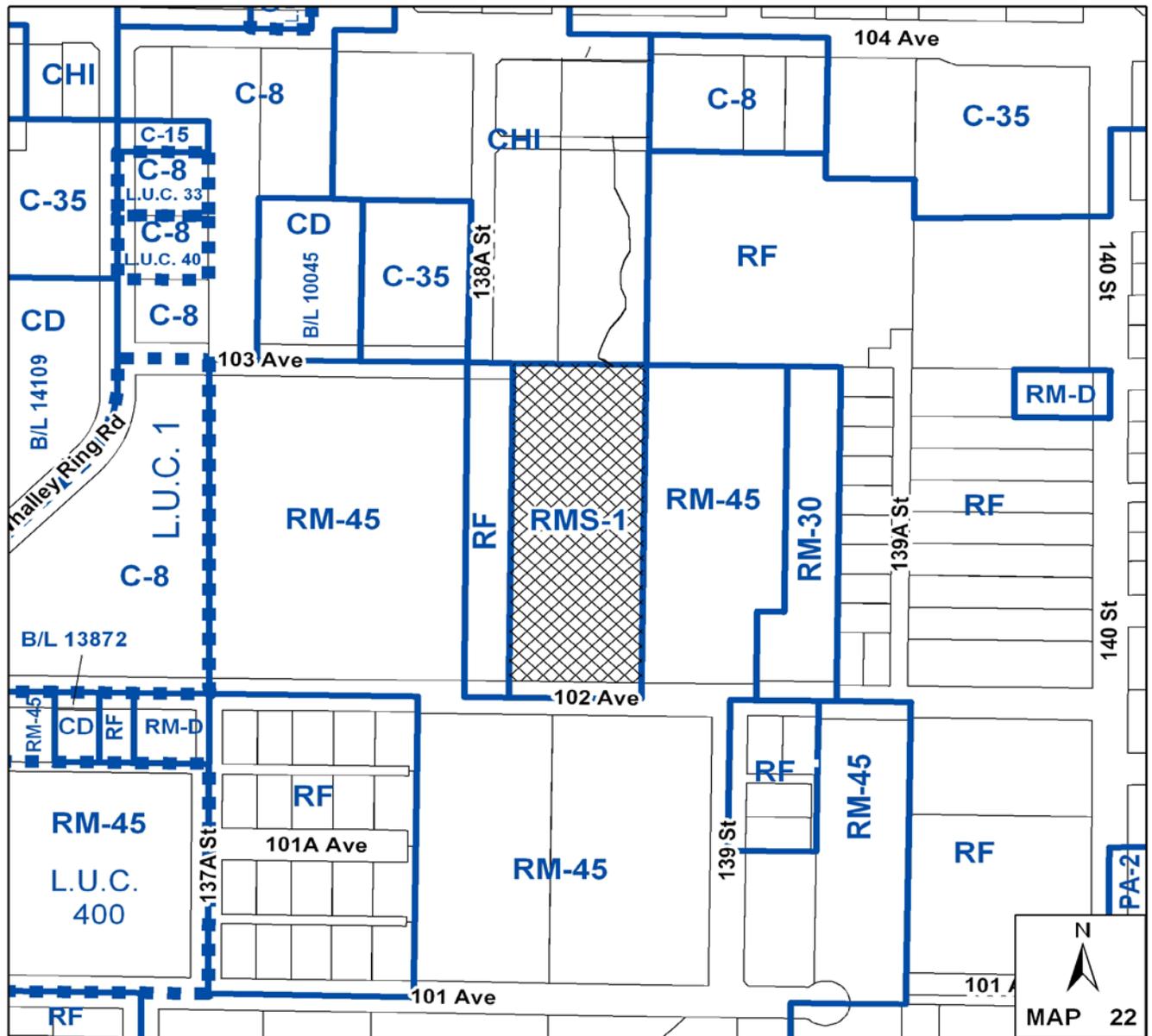


**Proposal:** Rezone from RMS-1 to CD to make conforming the existing seniors' independent living facility and to allow for future expansion.

**Recommendation:** Approval to Proceed

**Location:** 13853 - 102 Avenue      **Zoning:** RMS-1

**OCP Designation:** Multiple Residential      **Owner:** Residence Place Imperiale Inc.



## PROJECT TIMELINE

Completed Application Submission Date: June 2, 2006  
Application Revision & Re-submission Date: January 30, 2007  
Planning Report Date: February 12, 2007

## PROPOSAL

The applicant is proposing:

- a rezoning from RMS-1 to CD

in order to make conforming the existing seniors' independent living facility in Surrey City Centre and to permit future expansion.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the property from "Special Care Housing 1 Zone (RMS-1)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
2. a By-law be introduced to establish a Housing Agreement (Appendix V).
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; and
  - (b) final adoption of the Housing Agreement By-law.

## 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).

## SITE CHARACTERISTICS

- **Existing Land Use** Existing independent living facility for seniors.
- **East:** Two-storey garden apartments, zoned RM-45, designated Multiple Residential.
- **South:** Across 102 Avenue, apartment buildings, zoned RM-45, designated Multiple Residential.
- **West:** Townhouse development, zoned RM-45, designated Multiple Residential.
- **North:** Mini-storage warehouses, zoned CHI, designated Commercial.

## PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

## DEVELOPMENT CONSIDERATIONS

### Background

- On May 4, 1987, City Council gave final reading to rezone the subject site at 13853-102 Avenue from Family Residential Zone (R-F) to Personal Care Institutional Zone (P-P), under Zoning By-law No. 5942 to permit the development of a three-storey residence for the elderly.
- Under Provincial legislation in place at the time the site was rezoned, a Development Permit was not required.
- The principal building was to contain 102 studio and one-bedroom units, as well as two managers' suites.
- The project was designed to provide a housing alternative designed for the elderly who were ambulatory, but in need of some support.
- Units were not designed to have full kitchens, but were designed to accommodate small food preparation areas that contained a sink and small refrigerator where beverages and light snacks or meals could be prepared. It was envisioned that most residents would take their meals in the communal dining room, located on the ground floor.
- The facility has operated as an assisted living facility for seniors, in accordance with the original plan for the site, since 1987.
- In 1993, with the adoption of Zoning By-law No. 12000, the zoning for the subject site was converted to the closest equivalent zone, Special Care Housing 1 Zone (RMS-1).

### Current Proposal

- The subject site is currently designated Multiple Residential under the Official Community Plan (OCP) and is currently zoned Special Care Housing 1 Zone (RMS-1).
- Under the RMS-1 Zone, *care facilities* is a permitted use.
- However, since 1986, Provincial legislation with respect to “care facilities” has changed and subsequent changes were made to Surrey Zoning By-law No. 12000 to reflect these changes.
- As a result, Surrey Zoning By-law, 1993, No.12000 currently defines *care facilities* as “a building for persons receiving care or assistance and which is licensed or funded by provincial or federal agencies and which is defined and regulated under the *Community Care Facility Act*”.
- From the outset of the project, the retirement residence on the subject site was conceived and operated as an assisted living facility and, as a result, has never been subject to licensing under the *Community Care Facility Act*.
- The assisted living facility on the subject site, therefore, is an existing non-conforming use as it does not meet the definition of a care facility as permitted in the RMS-1 Zone.
- The new owners of the facility have applied to rezone the site from RMS-1 to a Comprehensive Development Zone (CD) to make the existing facility conforming.
- The proposed CD By-law will also reflect that on-site management units are no longer required and that the two suites originally designed for management will now be converted to residential units, bringing the total number of units to 104.
- At the same time, the applicant is requesting that the CD By-law be structured to permit the development of an additional four single-storey detached garden-suite buildings containing a total of 11 one and two-bedroom units.
- These 4 garden-suite buildings were part of the original concept of the subject site but did not form part of the 1986 rezoning application and, as a result, were never built.
- Should the subject site be rezoned to a CD Zone as proposed, the applicant will submit a separate Development Permit to permit the construction of the garden-suites at some time in the future, when the applicant decides to proceed with construction of these buildings.

### Proposed CD Zone

- Although the project could be accommodated by a RM-45 Zone, which is consistent with other multiple residential developments in the area, the applicant is asking for a reduction in the amount of off-street parking based on the fact that the residents in the facility are elderly and, as a result, are less likely to own vehicles.
- In order for the proposed reduction in parking to be supported, the applicant will be required to enter into a Housing Agreement with the City to ensure that only individuals over 65 years of age occupy the building (Appendix V).

- Such Housing Agreements can be accommodated only in a CD Zone.
- Under the provisions of the Parking Section of Surrey Zoning By-law, No. 12000 the existing facility, as an apartment building allowed under the RM-45 Zone, would require 126 on-site parking spaces to accommodate residents and visitors.
- Adding 11 dwelling units in the future would raise the requirement to 140 parking spaces.
- Currently 73 parking spaces are provided on site.
- The applicant is requesting that a parking ratio of 0.6 parking spaces per unit be applied to the site which would result in a requirement of 62 parking spaces for residents and visitors for the existing 104-unit facility.
- With the addition of the 11 garden-suites, the total number of required on-site parking spaces would rise to 69.
- A parking requirement of 0.6 parking spaces per unit is higher than the 0.4 parking spaces per unit applied to similar assisted living facilities in the area, such as at the 4-storey, 60-unit building at 13899 - 100 Avenue that was approved by City Council in 2003 (Application 7903-0168-00).
- Moreover, the proposal to provide 0.6 parking spaces per assisted living unit exceeds the recommended parking requirement for assisted living units in City Centre of 0.45 spaces per dwelling unit in the recently completed Review of Parking Generation Rates – Part 1: Seniors Housing, prepared by Opus Hamilton for the City of Surrey.
- Unlike the RM-45 Zone that permits only 50% of the required parking to be surface parking, the proposed CD By-law will permit all required parking to be provided on the surface to reflect the current parking arrangement.
- The CD By-law will permit a front yard setback of 6.0 metres (20 ft.), rather than the 7.5-metre (25 ft.) front yard setback in the RM-45 Zone to reflect the 1.0 metre (3 ft.) dedication for future road widening along the 102 Avenue frontage of the site.
- The CD By-law will permit an eastern side yard setback of 3.5 metres (12 ft.), rather than the 7.5-metre (25 ft.) side yard setback in the RM-45 Zone to accommodate the existing building that is located 4.5 metres (15 ft.) from the eastern property line and to accommodate one of the proposed garden apartments, a small portion of which will be located 3.5 metres (12 ft.) from the property line.
- Balconies will not be required under the proposed CD Zone as only a few of the existing units have balconies.
- Other regulations of the proposed CD Zone will be the same as those of the RM-45 Zone.

## PRE-NOTIFICATION

Pre-notification letters were sent on August 18, 2006. Staff received three telephone calls in response.

- Two of the telephone calls requested additional information about the project.
- One individual who lives in the adjacent two-storey garden apartment complex to the east expressed concern that his view into the “garden” area of the existing care facility would be blocked by the construction of the garden suites.

*(Some of the landscaped area around the existing care facility will be removed and replaced by the garden suites, should they ever be built. Currently the garden suites are designed to be only one-storey in height, which should not block the view from the adjoining garden apartments to the east. Adjoining land owners will have an opportunity to comment on the siting and design of the garden suites should a Development Permit application be submitted some time in the future for the construction of these units.)*

## 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, Elevations and Landscape Plans
Appendix IV.	Engineering Summary
Appendix V.	Proposed Housing Agreement
Appendix VI.	Proposed CD By-law

## INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated September 19, 2006.
- Soil Contamination Review Questionnaire prepared by Gillian Fullerton dated June 2, 2006.

How Yin Leung  
Acting General Manager  
Planning and Development

GAG/kms:rdd

Information for City Clerk

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

1. (a) Agent:      Name:                      Parham Mahboubi, Brook & Associates  
                         Address:                      410 - 535 Thurlow Street  
                                                              Vancouver, B.C.  
                                                              V6E 3L2  
                         Tel:                                      604-731-9053

2.      Properties involved in the Application

- (a)      Civic Address:                      13853 - 102 Avenue
- (b)      Civic Address:                      13853 - 102 Avenue  
                         Owner:                                      Residence Place Imperiale Inc./Imperial Place Residence  
                            Inc.  
                         PID:    007-905-831  
                         Lot 1 Section 26 Block 5 North Range 2 West New Westminster District  
                         Reference Plan 74234

3.      Summary of Actions for City Clerks Office

- (a)      Introduce a By-law to rezone the property.
- (b)      Introduce a By-law to establish a Housing Agreement.

## DEVELOPMENT DATA SHEET

**Proposed Zoning: CD**

Required Development Data	Minimum Required / Maximum Allowed	Existing
<b>LOT AREA*</b> (in square metres)		
Gross Total		15,169 m <sup>2</sup>
Road Widening area		71 m <sup>2</sup>
Undevelopable area		
Net Total		15,152 m <sup>2</sup>
<b>LOT COVERAGE</b> (in % of net lot area)		
Buildings & Structures	45%	27%
Paved & Hard Surfaced Areas		20%
Total Site Coverage		47%
<b>SETBACKS</b> ( in metres)		
Front	6.0 m	6.6 m
Rear	7.5 m	13.7 m
Side #1 (West)	7.5 m	9.0 m
Side #2 (East)	3.5 m	3.6 m
<b>BUILDING HEIGHT</b> (in metres/storeys)		
Principal	15.0 m	12.6 m
Accessory	4.5 m	
<b>NUMBER OF RESIDENTIAL UNITS</b>		
Bachelor	36	36
One Bed	66	62
Two Bedroom	13	6
Three Bedroom +		
Total	115	104
<b>FLOOR AREA: Residential</b>		
<b>FLOOR AREA: Commercial</b>		
Retail		
Office		
Total		
<b>FLOOR AREA: Industrial</b>		
<b>FLOOR AREA: Institutional</b>		
<b>TOTAL BUILDING FLOOR AREA</b>	9,091 m <sup>2</sup>	7,595 m <sup>2</sup>

*\* 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	Existing
DENSITY		
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)		
FAR (gross)		
FAR (net)	0.6	0.5
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial		
Industrial		
Residential and Visitors (rate per unit)	0.6	0.63
	69	73
Total Number of Parking Spaces Required	69	73
Number of disabled stalls		2
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

