



Corporate Report

NO: L001

COUNCIL DATE: March 6, 2006

REGULAR COUNCIL- LAND USE

TO: **Mayor & Council** DATE: **March 3, 2006**
FROM: **General Manager, Planning and Development** FILE: **7905-0246-00**
SUBJECT: **Results of Additional Consultation with Residents of 3363 Rosemary Heights Crescent (Rockwell Ventures; Strata No. 591) Regarding Proposed Seniors Housing Development at 3372- 152 Street & 15266- 34 Avenue (Project No. 7905-0246-00; Rosemary Heights Seniors Village Holdings)**

RECOMMENDATION

It is recommended that Council:

1. Receive this report as information;
2. Amend Part 2. Section F. Yards and Setbacks of Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2006, No. 15950 (the "By-law No. 15950"), as follows:
 - By reducing the minimum required setback for buildings along a Side Yard on a Flanking Street (152 Street) from 12 metres (39 feet) to 8 metres (26 feet); and
 - By increasing the minimum required setback for buildings along a Side Yard (east property line) from 7.5 metres (25 feet) to 14.8 metres (48.5 feet);
3. Authorize staff to draft Development Permit No. 7905-0246-00 in accordance with the revised site and landscaping plans, as illustrated in Appendix "A", subject to refinement of design details, as documented in this report, in consultation with Rockwell representatives; and
4. Require, as a condition of final adoption of By-law No. 15950, the registration of a Section 219 Restrictive Covenant and completion of a corresponding amendment to the Rockwell Strata Easement (BV281035) to prohibit the use of the Rockwell Strata driveway by staff and service vehicles of the seniors housing development;

5. Confirm that the Rockwell driveway is to remain available for traffic from the seniors project, except for the traffic that will be affected by the Restrictive Covenant described in 4 above; and
6. Grant third reading to By-law No. 15950 (Appendix "B").

INTENT

The purpose of this report is to advise Council of the results of additional consultation with the residents of 3363 Rosemary Heights Crescent undertaken by the applicant and City staff, regarding the proposed seniors housing development at 3372 - 152 Street and 15266 - 34 Avenue and to recommend a course of action for Council's consideration.

BACKGROUND

In 2005, Rosemary Heights Seniors Village Holdings Ltd. submitted an application to rezone the properties at 3372 - 152 Street and 15266 - 34 Avenue from "One Acre Residential (RA) Zone" to a "Comprehensive Development (CD) Zone" to accommodate a seniors housing development comprised of 90 residential care housing beds and 61 assisted living units. The Planning report (Appendix "C") related to the rezoning application was considered by Council at the January 30, 2006 Regular Council - Land Use Meeting. At that meeting, Council granted first and second reading to By-law No. 15950 and scheduled the Public Hearing for February 20, 2006. Council also granted first, second, and third reading to By-law No. 15951, to authorize Council to enter into a Housing Agreement that, if adopted, will require that the project be occupied by seniors.

At the Public Hearing on February 20, 2006, residents from the adjacent residential strata development, known as Rockwell, located at 3363 Rosemary Heights Crescent, immediately east of the subject site, expressed concerns regarding the proposed seniors housing project, including the requirement for joint use of the existing access driveway through the Rockwell development, the location of the principal access lane and the impacts of proposed buildings along the interface with the Rockwell development, the amount of parking being provided, and the uncertainty regarding the future development of the property at 3336- 152 Street, to the immediate south of the subject site (Appendix "D").

Subsequent to the Public Hearing, Council referred the application to staff to facilitate discussions between the applicant and representatives of the Rockwell development to address the concerns raised at the Public Hearing. Council did not grant third reading to By-law No. 15950, related to the subject proposal.

DISCUSSION

Following the Public Hearing, Planning staff met with the applicants and their consultants and dialogued with representatives of the Rockwell development. The applicant's consultants also held separate discussions with representatives of the Rockwell development. These meetings and discussions resulted in the following.

Proposed Lane Relocation and Landscape Buffer

- The applicants have considered possible changes to the site layout, driveway location, and project design, as requested by the strata residents. Due to vehicular access and traffic movement requirements at this location, major changes to the development concept and site layout are not possible without seriously impacting the unit yield, operational requirements and overall economic viability of the project. Rockwell representatives have conceded that a major change to the proposed site layout is not viable. However, they have requested that the developer shift the project somewhat to the west to increase the separation distance between the lane serving the seniors project and the west property line of the Rockwell development. They have also requested that a landscape buffer/berm be installed along the Rockwell property line (Appendix "A"). Further, they have requested that the sidewalk be located along the west side of the lane and that speed humps be installed along the lane to reduce traffic speed and related noise impacts on the Rockwell development.
- The applicants have agreed to the above-stated requests by shifting the proposed buildings and lane to the west, such that there is a 6.1 metre (20 foot) landscaped buffer/berm area between the lane and the Rockwell property line. This change also increases the proposed building setback from the Rockwell property line from a minimum of 10.6 metres (34.7 feet) as originally proposed, to 16.7 metres (55 feet) for the assisted housing (three storey) component and to 14.8 metres (48.5 feet) for the residential care (two storey) component.
- The Rockwell representatives have also requested further input on the final design of the landscape buffer/berm and lighting along the buffer and lane to maximize privacy for the adjacent strata units. The applicant has agreed to undertake further consultation with the strata in this regard, prior to finalizing the project design.
- The proposed site layout adjustments will require an amendment to the minimum building setbacks in the proposed CD By-law (Appendix "B") and a slight relaxation to the width of the 152 Street landscaped greenway (Appendix "E") as discussed below.

152 Street Greenway

- The above-referenced revision to the site plan for the seniors housing project will require a reduction in the width of the 152 Street Landscaped Buffer and Multi-Use Greenway. Council adopted the Greenway design as part of the Rosemary Heights Central Neighbourhood Concept Plan (NCP) (Appendix "E"). This Greenway has been secured by means of a Statutory Right-of-Way along other sections of 152 Street, including to the immediate north of 34 Avenue, which is north of the subject site. The Greenway design calls for a 12 metre (40 foot) cross-section, comprised of an 8 metre (26 foot) landscape buffer area and a 4 metre (13 foot) building setback. To achieve the increased landscaped berm/buffer along the easterly property line of the subject development adjacent to the Rockwell project, the applicants propose to reduce the proposed building setback and corresponding greenway width from 12 metres (40 feet) to 8 metres (26 feet).

- Staff support the proposed reduction in the 152 Street Greenway width in this instance in view of the existing site constraints and interface issues. The 8 metre (26 foot) setback will accommodate the standard landscape buffer along 152 Street and will still allow for effective integration of this portion of the Greenway with other sections along 152 Street (Appendix "E"). Staff of each of the Parks, Recreation and Culture Department and the Engineering Department has reviewed the revised greenway and support the proposal.

Site Access Issues

- The Rockwell residents raised a concern regarding the existing Easement (BV281035) registered over the driveway that runs in an east/west direction through their development and which provides joint access for the site on which the seniors project is proposed. The Rockwell residents are concerned that introducing new traffic through their development will impact the safety and enjoyment of their development (Appendix "F"). Rockwell residents continue to request that:
 - The applicant register a Restrictive Covenant on the seniors development to ensure service vehicles and staff of the seniors housing project only utilize the lane within that project to access 34 Avenue and do not access the seniors project through the Rockwell site; and
 - The City require the installation of physical barriers at the westerly end of the Rockwell driveway, adjacent to the proposed lane on the seniors project that restricts all traffic from the seniors project from using of the Rockwell driveway except for emergency use only.
- The applicants have agreed to register a Section 219 Restrictive Covenant on their property to require that all staff and service vehicles and deliveries associated with the seniors development utilize the driveway off 34 Avenue and the lane on that property to access the seniors development and not use the Rockwell driveway. In addition, the applicants have agreed to facilitate a corresponding amendment to the access Easement (No. BV281035) registered on the Rockwell development to ensure the strata driveway is not utilized by staff and service vehicles of the seniors project. City staff support these steps, and also have agreed that the applicant will install speed humps on the lane within the seniors project.
- With respect to the request by Rockwell residents for the City to permit the installation of barriers at the westerly end of the Rockwell driveway, the Engineering Department advises that they cannot support this request. The proposal contravenes the original intent and conditions established in the Easement document on the Rockwell site and is contrary to the road network requirements adopted by Council in the Rosemary Heights NCP. The proposed restrictions would effectively limit the access and egress for all vehicles to and from the subject site, as well as the future development at 3336 - 152 Street to the south, to a single, right-in, right-out restricted movement driveway on 34 Avenue. The Engineering Transportation Division considers this to be insufficient in relation to reasonable design of development in the context of the overall road network. The applicant is not opposed to the Rockwell

proposal, but acknowledges that this is a broader City issue.

- The Engineering Department is of the view that the availability of the Rockwell driveway for joint use with the proposed seniors project, as per the conditions established under the registered Easement (No. BV281035) on the Rockwell site, is necessary. Staff has advised the Rockwell residents that the potential impact of the joint driveway use will be mitigated by the following:
 - The driveway Easement allows use only by the owners, residents and visitors of the seniors housing project, and is not to be used by the general public;
 - Due to the circuitous route to the Rockwell driveway, the majority of visitors and residents will probably utilize the driveway and lane off 34 Avenue as the principal access to the seniors site and, therefore, the use of the Rockwell driveway will be secondary in nature; and
 - The staff and service vehicles related to the seniors housing project will be prohibited from using the Rockwell driveway, which will further decrease the potential use of that driveway.

Parking

- Rockwell residents raised a concern about the number of parking spaces being provided on the seniors development site, which they consider insufficient. The applicant proposes to provide a total of 92 parking stalls, all of which will be provided in an underground parkade. This number of stalls represents a ratio of 0.61 parking stalls per unit/bed.
- The parking spaces provided for the residential care component complies with the requirements of the Zoning By-law. However, the Zoning By-law does not include a specific parking rate for seniors assisted housing. The applicant conducted a parking analysis to determine the total parking demand for this component of the project. The parking analysis established that a total parking ratio of 0.49 stalls per unit/bed would be sufficient to serve the entire project, which would amount to approximately 74 stalls. However, the Engineering Department requested that the parking ratio be increased to 0.61 parking stalls per unit, resulting in a total of 92 parking stalls. The higher ratio was requested to reflect the lack of on-street parking in the immediate area, and will assist in preventing parking overflow problems in the area. A Housing Agreement is being registered to ensure that the occupancy of the assisted housing units will be limited to residents 65 years or older in age.
- Although the applicant previously agreed to the requirement of 92 parking stalls and staff prepared the CD By-law for the development on this basis, the applicant has again requested that staff consider reducing the parking ratio for the development to 0.49 parking stalls per unit/bed, as per the findings of the parking demand analysis. Staff cannot support this request in view of the concerns of the Rockwell residents and the lack of on-street parking opportunities in the immediate area.

Future Development Potential of 3336- 152 Street

- Rockwell residents raised a concern about the uncertainty of the future development of the site at 3336 - 152 Street, immediately to the south of the current seniors project. The site at 3336 – 152 Street is designated "Garden Apartments (three storeys)" in the Rosemary Heights Central NCP, which is the same designation as the subject property. The applicants confirm that they have secured an option to purchase this other property and intend to pursue a similar seniors housing development upon successful completion of the subject project. Should the applicant not proceed with the proposal, any development proposal on this southerly site would be considered on its merits, but would need to be consistent with the NCP designation and be in keeping with the residential development pattern of surrounding lands.

Proposed Project Revision

All parties have agreed upon the following project revisions (Appendix "I"):

- A minimum 14.8 metre (48.5 foot) setback for all buildings from the easterly property line, which is the westerly property line of the Rockwell development. Further, the assisted housing (three storey) component will be sited approximately 16.7 metres (55 feet) from the easterly property line.
- Installation of a 6.1 metre (20 foot) landscaped berm/buffer along the easterly boundary of the seniors project adjacent to the Rockwell development (Appendix "G");
- An 8 metre (26 feet) multi-use Greenway will be installed along 152 Street (Appendix "E");
- Registration of a Restrictive Covenant on the subject site and a corresponding amendment to the Rockwell Easement (BV281035) to ensure that service vehicles and staff of the seniors housing project are prohibited from using the Rockwell driveway;
- Installation of speed humps on the north/south lane serving the seniors project; and
- The applicant will work co-operatively with the Rockwell residents to refine the details of the landscape berm/buffer, drainage issues, sidewalk location, and lighting prior to final adoption of By-law No. 15950.

Unresolved Issues

- Rockwell representatives have provided a formal response to the proposed compromise solution (Appendix "H"). They advise that the strata development is in agreement with the above-described solution, but continue to object strongly to the joint use of the strata driveway by the residents and visitors of the seniors housing project. Rockwell residents continue to request the installation of barriers at the westerly terminus of the Rockwell driveway to limit use of the driveway for

emergency use only.

- The applicants are prepared to comply with that request by the Rockwell representatives in respect to using the Rockwell driveway for emergency use only, but acknowledge that this is a City issue.
- Engineering Department staff has advised the Rockwell residents that the registered Easement (BV281035) remains in force, and that the use of the Rockwell driveway as part of the access system for the seniors housing project in accordance with the Easement is important. Motorists leaving the seniors project wishing to proceed north or south on 152 Street will ultimately not be able to turn left onto 34 Avenue at the lane and will need to use the Rockwell driveway to access Rosemary Heights Crescent from which they can turn left onto 34 Avenue and then turn right or left onto 152 Street from 34 Avenue. The installation of physical barriers at the westerly end of the Rockwell driveway is not supported by the Engineering Department.
- With respect to the parking ratio on the site, the Engineering Department staff cannot support a reduction in parking on the site as requested by the applicant, due to the limited availability of on street parking in the area and the potential impacts of overflow parking on surrounding streets.

CONCLUSION

Based on the above discussion, it is recommended that Council:

- Amend Part 2. Section F. Yards and Setbacks of Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2006, No. 15950, as follows:
 - By reducing the minimum required setback for buildings along a Side Yard on a Flanking Street (152 Street) from 12 metres (39 feet) to 8 metres (26 feet); and
 - By increasing the minimum required setback for buildings along a Side Yard (east property line) from 7.5 metres (25 feet) to 14.8 metres (48.5 feet);
- Authorize staff to draft Development Permit No. 7905-0246-00 in accordance with the revised site and landscaping plans as illustrated in Appendix "A", subject to refinement of design details, as documented in this report in consultation with Rockwell representatives; and
- Require, as a condition of final adoption of By-law No. 15950, the registration of a Section 219 Restrictive Covenant and completion of a corresponding amendment to the Rockwell Strata Easement (BV281035) to prohibit the use of the Rockwell Strata driveway by staff and service vehicles of the seniors housing development;

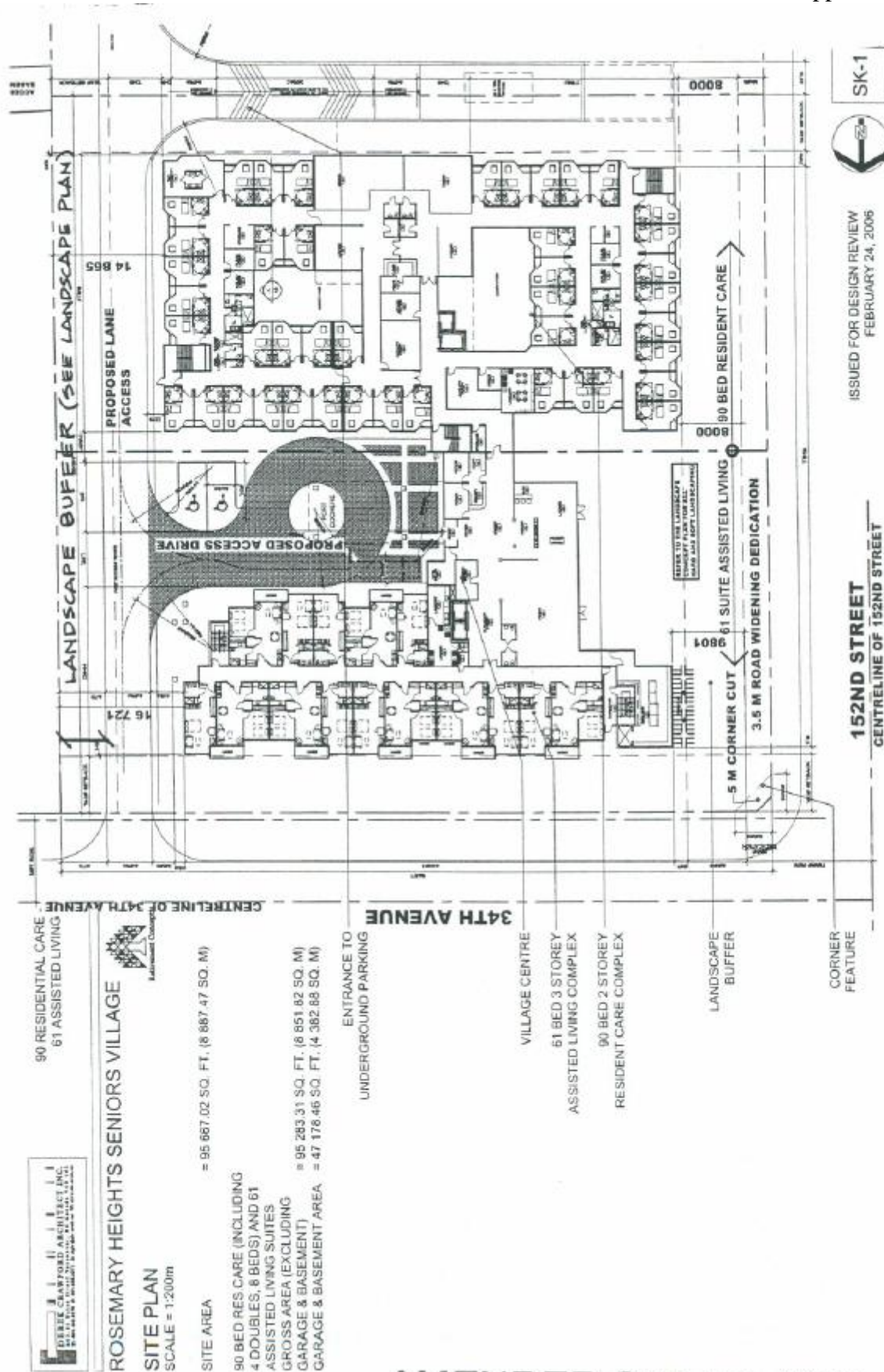
- Confirm that the Rockwell driveway is to remain available for traffic from the seniors project except for the traffic that will be affected by the Restrictive Covenant described above; and
- Grant third reading to the amended By-law 15950 (Appendix "B").

Murray Dinwoodie
General Manager
Planning and Development

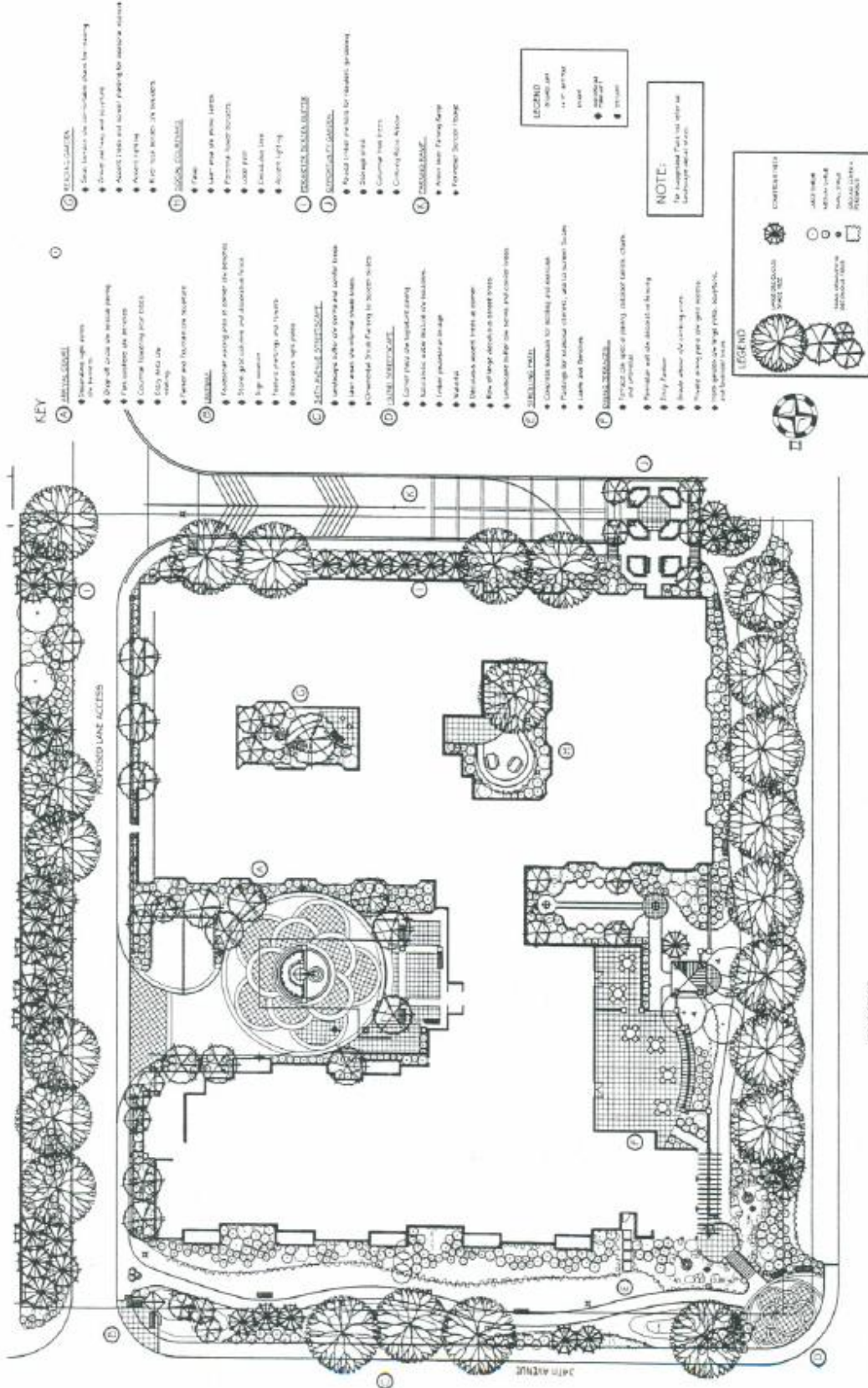
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Attachments:

- Appendix "A" - Revised Site Plans and Landscaping Plans
- Appendix "B" - Proposed Amendments to CD By-law (No. 15950)
- Appendix "C" - January 30, 2006 Planning Report (Project No. 7905-0246-00)
- Appendix "D" - Illustration of Rockwell Strata Issues and Concerns
- Appendix "E" - Standard and Alternate 152 Street Greenway
- Appendix "F" - Rockwell Strata Easement (BV281035) Plan
- Appendix "G" - Proposed Landscaped Berm/Buffer
- Appendix "H" - Response by Strata Residents to Revised Layout
- Appendix "I" - Illustration of Proposed Compromise Solution



AMENDED SITE PLANS



15000-5-0001

ROSEMARY HEIGHTS SENIORS FACILITY

LANDSCAPE CONCEPT PLAN

SCALE: 1/16" = 1'-0"

NOVEMBER, 2005



CITY OF SURREY

BY-LAW NO. _____

A by-law to amend Surrey Zoning By-law, 1993, No. 12000, as amended
.....

THE CITY COUNCIL of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

- 1. Surrey Zoning By-law, 1993, No. 12000, as amended, is hereby further amended, pursuant to the provisions of Section 903 of the Local Government Act, R.S.B.C. 1996 c. 323, as amended by changing the classification of the following parcels of land, presently shown upon the maps designated as the Zoning Maps and marked as Schedule "A" of Surrey Zoning By-law, 1993, No. 12000, as amended as follows:

FROM: ONE-ACRE RESIDENTIAL ZONE (RA)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 017-475-848
 Lot 1 Section 26 Township 1 New Westminster District LMP 1524
 3372 - 152 Street

Portion of Parcel Identifier: 017-475-856
 Lot 2 Section 26 Township 1 New Westminster District Plan LMP1524
 15266 - 34 Avenue

(hereinafter referred to as the "*Lands*")

- 2. The following regulations shall apply to the *Lands*:

A. Intent

This Comprehensive Development Zone is intended to accommodate and regulate the development of a *care facility*, which shall be subject to the Community Care and Assisted Living Act, S.B.C. 2002, c.75 and a *multiple unit residential building* for senior citizens, subject to a Housing Agreement entered into between the owner and the City.

The *Lands* are divided into Parcel A and Parcel B as shown on the Survey Plan prepared by Gary Rowbotham B.C.L.S. on the 7th day of December 2005, which is identified as Schedule A and is attached hereto and forms part of this By-law.

B. Permitted Uses

The *Lands* and *structures* shall be used for the following uses only or for a combination of such uses:

1. Parcel A

- (a) *Multiple unit residential buildings*, provided that all *multiple unit residential buildings* shall be occupied exclusively by senior citizens and shall be subject to a Housing Agreement pursuant to Section 904 of the Local Government Act, R.S.B.C. 1996, c.323 on terms acceptable to the City, but specifically excluding a *care facility* regulated under the Community Care and Assisted Living Act, S.B.C. 2002, c.75 as amended, and the Hospital Act, R.S.B.C. 1996, c.200, as amended.
- (b) *Accessory uses* including the following:
 - i. *Personal service uses*, limited to barbershops and hair salons;
 - ii. *Child care centres*;
 - iii. Office uses limited to physical and mental health services on an out-patient basis, medical and dental offices, health clinics and counselling services, but excluding *methadone clinics*;
 - iv. *Eating establishment* provided that the seating capacity shall not exceed 35 and the said *eating establishment* is not licensed by the Liquor Control and Licensing Act, R.S.B.C. 1996, chapter 267, as amended; and
 - v. *Convenience store* provided that the floor area does not exceed 27 square metres [300 sq.ft.].

2. Parcel B

- (a) *Care facility*.
- (b) *Accessory uses* including the following:
 - i. *Personal service uses*, limited to barbershops and hair salons;
 - ii. *Child care centres*;
 - iii. Office uses limited to physical and mental health services on an out-patient basis, medical and dental offices, health

clinics and counselling services, but excluding *methadone clinics*;

- iv. *Eating establishment* provided that the seating capacity shall not exceed 35 and the said *eating establishment* is not licensed by the Liquor Control and Licensing Act, R.S.B.C. 1996, chapter 267, as amended; and
- v. *Convenience store* provided that the floor area does not exceed 27 square metres [300 sq.ft.].

C. Lot Area

Not applicable to this Zone.

D. Density

For the purpose of *building* construction on the *Lands*:

- 1. The maximum *density* shall not exceed a *floor area ratio* (FAR) of 0.1 or a *building* area of 300 square metres [3,230 sq.ft.] whichever is smaller. The maximum *density* of development may be increased to that prescribed in Sub-section D.2, D.3 and D.4 of this Zone if amenities are provided in accordance with Schedule G of Surrey Zoning By-law, 1993, No. 12000, as amended.
- 2. Subject to Sub-section D.1, the *floor area ratio* shall not exceed 1.00.
- 3. Subject to Sub-section D.1, Personal Service Uses, Child Care Centres, Office Uses, Eating Establishment or Convenience Store: The maximum *density* shall not exceed 20% of the permitted *density* of the *building*.
- 4. Subject to Subsection D.1, the maximum number of *dwelling units* shall not exceed 61.

E. Lot Coverage

The maximum *lot coverage* shall be 45%.

F. Yards and Setbacks

Buildings and structures shall be sited in accordance with the following minimum setbacks:

Use	Setback	Front Yard (34 Avenue)	Rear Yard	Side Yard	Side Yard on Flanking Street <u>(152 Street)</u>
<i>Principal and Accessory Buildings and Structures</i>		7.5 m. [25 ft.]	7.5 m. [25 ft.]	7.5 14.8 m. [25 48.5 ft.]	4.8 m. [39 26 ft.]

Measurements to be determined as per Part 1 Definitions, of Surrey Zoning By-law, 1993, No. 12000, as amended.

G. Height of Buildings

Measurements to be determined as per Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended.

1. *Principal buildings:* The *building height* shall not exceed 13 metres [43 feet].
2. *Accessory buildings and structures:* The *building height* shall not exceed 4.5 metres [15 feet].

H. Off-Street Parking

1. *Multiple unit residential building:* Notwithstanding Section C of Part 5 of Surrey Zoning By-law, 1993, No. 12000, as amended, a minimum of 36 *parking spaces* shall be provided.
2. *Care facility:* Refer to Table C.4, Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.

I. Landscaping

1. All developed portions of the *lot* not covered by *buildings, structures* or paved areas shall be landscaped including the retention of mature trees. This *landscaping* shall be maintained.

2. Along the developed sides of the *lot* which abut a *highway*, a continuous *landscaping* strip of not less than 1.5 metres [5 ft.] in width shall be provided within the *lot*.
3. Screen planting at least 1.5 metres [5 ft.] high in a strip at least 1.5 metres [5 ft.] wide and a solid decorative fence at least 1.5 metres [5 ft.] high shall be provided along all *lot lines* separating the developed portion of the *lot* from any *residential lot*.
4. The boulevard areas of *highways* abutting a *lot* shall be seeded or sodded with grass on the side of the *highway* abutting the *lot*, except at *driveways*.
5. Garbage containers and *passive recycling containers* shall be screened to a height of at least 2.5 metres [8 ft.] by *buildings*, a *landscaping* screen, a solid decorative fence, or a combination thereof.

J. Special Regulations

1. *Child care centres* shall be located on the *lot* such that these centres:
 - (a) Are accessed from a *highway*, independent from the access to the residential uses permitted in Section B of this Zone; and
 - (b) Have direct access to an *open space* and play area within the *lot*.

K. Subdivision

Lots created through subdivision in this Zone shall conform to the following minimum standards:

<i>Lot Size</i>	<i>Lot Width</i>	<i>Lot Depth</i>
0.9 ha [2 acres]	90 metres [295 ft.]	90 metres [295 ft.]

Dimensions shall be measured in accordance with Section E.21, Part 4 General Provisions, of Surrey Zoning By-law, 1993, No. 12000 as amended.

L. Other Regulations

In addition to all statutes, by-laws, orders, regulations or agreements, the following are applicable, however, in the event that there is a conflict with the provisions in this Comprehensive Development Zone and other provisions in Surrey Zoning By-law, 1993, No. 12000, as amended, the provisions in this Comprehensive Development Zone shall take precedence:

1. Definitions are as set out in Part 1 Definitions, of Surrey Zoning By-law, 1993, No. 12000, as amended.
2. Prior to any use, the *Lands* must be serviced as set out in Part 2 Uses Limited, of Surrey Zoning By-law, 1993, No. 12000, as amended and in accordance with the servicing requirements for the RM-45 Zone as set forth in Surrey Subdivision and Development By-law, 1986, No. 8830, as amended.
3. General provisions are as set out in Part 4 General Provisions, of Surrey Zoning By-law, 1993, No. 12000, as amended.
4. Additional off-street parking requirements are as set out in Part 5 Parking and Loading/Unloading, of Surrey Zoning By-law, 1993, No. 12000, as amended.
5. *Sign* regulations are as set out in Surrey Sign By-law, 1999, No. 13656, as amended.
6. Special *building setbacks* are as set out in Part 7 Special Building Setbacks, of Surrey Zoning By-law, 1993, No. 12000, as amended.
7. *Building* permits shall be subject to the Surrey Building By-law, 1987, No. 9011, as amended, and the Surrey Development Cost Charge By-law, 2002, No. 14650, as amended, and the development cost charges shall be based on the RM-45 Zone (Assisted Living Residences not in the City Centre) for Parcel A and RMS-2 Zone for Parcel B.
8. Surrey Tree Preservation By-law, 1996, No. 12880, as amended.
9. Development permits may be required in accordance with the Surrey *Official Community Plan*, 1996, By-law No. 12900, as amended.
10. Provincial licensing of *care facilities* is regulated by the Community Care and Assisted Living Act, S.B.C. 2002, c.7, as amended, and the Regulations pursuant thereto including without limitation B.C. Reg 319/89/213.

11. Provincial licensing of *child care centres* is regulated by the Community Care Facility Act, R.S.B.C. 1979, c.57 and the child care regulations set out under B.C. Reg. 319/89.

3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, _____, No. _____."

READ A FIRST AND SECOND TIME on the _____ th day of _____, 20 .

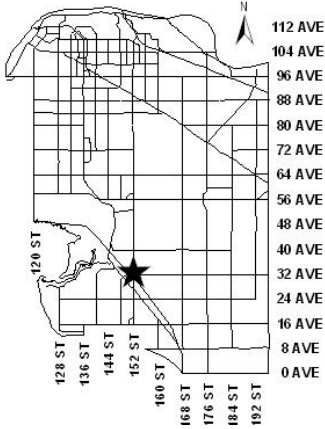
PUBLIC HEARING HELD thereon on the _____ th day of _____, 20 .

READ A THIRD TIME ON THE _____ th day of _____, 20 .

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the _____ th day of _____, 20 .

_____ MAYOR

_____ CLERK



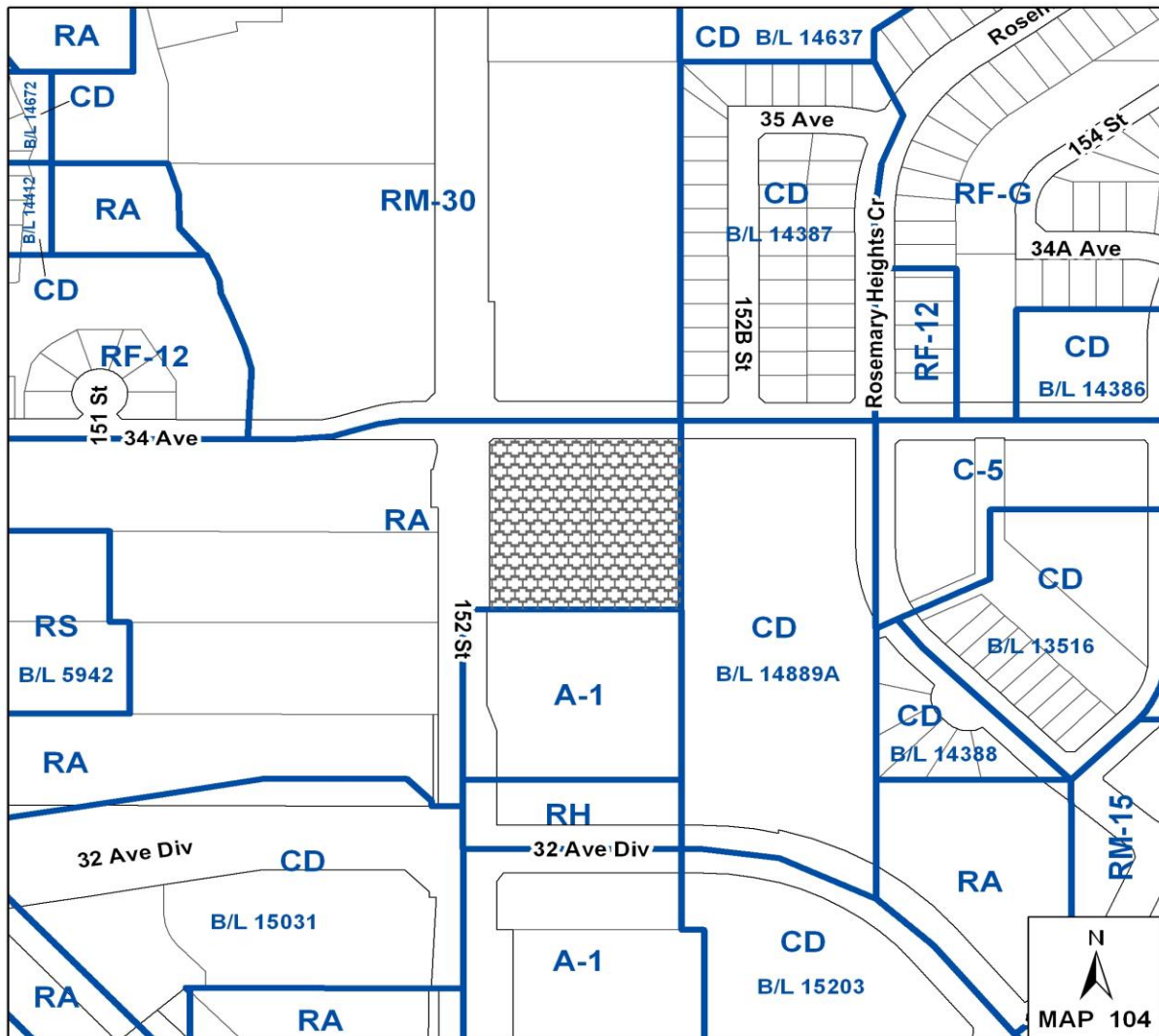
Proposal: Amend NCP from Garden Apartment to Institutional Residential. Rezone from RA to CD. Development Permit to permit a seniors assisted-living and care facility.

Recommendation: Approval to Proceed

Location: 3372 - 152 Street and 15266 - 34 Avenue **Zoning:** RA

OCP Designation: Multi-family

NCP Designation: Garden Apts. **Owner:** Rosemary Heights Seniors Village Holdings Ltd. (Inc. No. BC0721894)



PROJECT TIMELINE

Completed Application Submission Date: September 7, 2005
Planning Report Date: January 30, 2006

PROPOSAL

The applicant is proposing:

- an NCP amendment from Garden Apartments to Institutional Residential;
- a rezoning from RA to CD; and
- a Development Permit

in order to permit the development of a seniors assisted living and care facility.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (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 allow the City to enter into a Housing Agreement.
3. Council authorize staff to draft Development Permit No. 7905-0246-00 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) input from the Ministry of Transportation;
 - (d) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (e) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape architect;

- (f) registration of a Section 219 Restrictive Covenant requiring fire sprinklers to NFPA standards and to release and indemnify the City from liability;
 - (g) registration of a Section 219 Restrictive Covenant and reciprocal access easement to grant access between 3363 Rosemary Heights Crescent, 3336 - 152 Street and the subject site;
 - (h) finalization of a Housing Agreement; and
 - (i) registration of a statutory right-of-way to ensure public right-of-passage for a pathway along 152 Street.
5. Council pass a resolution to amend the Rosemary Heights NCP to redesignate the land from Garden Apartments to Institutional Residential 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).
	No concerns.
Parks:	No concerns (Appendix V).
Ministry of Transportation:	No concerns(Appendix VI).
Fraser Health Authority:	No concerns (Appendix VII).
Fire Department:	Ensure building address is clearly labelled and that fire hydrant is located closer to the building.

SITE CHARACTERISTICS

- **Existing Land Use** Two existing single family homes.
- **Significant Site Attributes** A variety of coniferous and deciduous trees.
- **East:** Recently developed townhouse development (File No. 7901-0195-00), zoned CD (By-law No. 14889A), designated townhouses.
- **South:** Vacant undeveloped parcel, designated Garden Apartment, zoned A-1.
- **West:** Across 152 Street, vacant parcel under application (File No. 7905-0279-00) to develop cluster housing and a 12-storey apartment building, zoned RA, designated cluster housing and apartments 8 - 12 storeys.

- **North:** Across 34 Avenue, recently developed multi-family homes, zoned RM-30, designated Garden Apartment.

PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

NCP Designation: Garden Apartments needs amendment to Institutional Residential.

JUSTIFICATION FOR PLAN AMENDMENT

- The subject site is designated Garden Apartments in the Rosemary Heights Central Neighbourhood Concept Plan (NCP) (Appendix X), however, the applicant is proposing a re-designation to Institutional Residential to permit the development of a seniors assisted-living and care facility.
- The uses surrounding the proposed development include a three-storey Garden Apartment multi-family development to the north; a two-storey townhouse development to the east; and a proposed 12-storey apartment use to the west (File No. 7905-0279-00). The southern parcel is presently a vacant lot that is designated Garden Apartment. The applicant has indicated that they may also propose to develop the southern parcel as a future phase of the Institutional Residential use. However, any future proposal will be subject to an application review process.
- The proposal to re-designate to Institutional Residential would allow a building type that is similar to the existing Garden Apartment designation, which allows a maximum building height of three-storeys. The proposed building is two and three-storeys with the two-storey portion on the southern half of the site, which is adjacent to the eastern two-storey homes. The three-storey component interfaces with the existing three-storey multi-family development to the north along 34 Avenue. Only the eastern corner of the three-storey portion will interface with the eastern two-storey townhomes. The applicant has addressed this interfacing condition with architectural and landscaping design solutions (see Design Proposal and Review Section).
- In light of the surrounding context of existing or proposed multi-family developments, the proposed Institutional Residential use is similar and compatible in terms of land use and building form.
- Within one block of the subject site are various neighbourhood commercial developments along 34 Avenue and on 152 Street. Linear walking trails have also been constructed throughout the Rosemary Heights Central neighbourhood. Since the subject site is centrally located near these amenities, the proposed corner of 152 Street and 34 Avenue is appropriate for an Institutional Residential use to benefit both employees and residents of the facility.

- The proposed use also adds diversity to the mix of housing in the Rosemary Heights neighbourhood. It provides an option for existing residents of Rosemary Heights to locate family members near where they live, or to "age-in-place" if they eventually need these social services and desire to stay in the same community. Presently, the Morgan Creek and Rosemary Heights Central and West neighbourhoods only have one complex care facility to service the needs of this large area. The present proposal includes an assisted-living component in addition to the residential care development, which provides more options for people needing different levels of care.
- The proposed assisted-living and care facility land use is generally acceptable and desirable at this location.

DEVELOPMENT CONSIDERATIONS

- In conjunction with the NCP amendment proposal, the applicant proposes to rezone the site from One-Acre Residential Zone (RA) to Comprehensive Development Zone (CD) based on the Special Care Housing 2 Zone (RMS-2). The proposed zone is intended to permit the development of a seniors care facility consisting of 61 beds for assisted-living, and 90 beds for residential care housing. Most of the beds are subsidized and licensed by the BC Housing and Fraser Health Authority. Only 19 assisted-living and 5 residential care beds are available as market housing.
- The assisted-living portion contains units that allow more independence in terms of providing a small kitchenette and full bathrooms for each unit. The types of services offered to assisted-living residents are daily meals, weekly housekeeping, and linen laundering.
- The residential care component is intended for residents needing more extensive care and services. This portion of the development will have secure access with common amenities such as bathing facilities, and outdoor garden areas with restricted access.

Comprehensive Development Zone (Appendix XI)

- The applicant is proposing a CD Zone to permit the two separate uses, namely, the residential care (also known as "care facility" in the Zoning By-law) and assisted-living uses. In addition, the CD Zone is needed to state the required number of parking stalls based on these two land uses. All other aspects of the CD Zone are the same as the RMS-2 Zone, which the proposed development complies with.
- The applicant proposes to build a 8,851.8 sq.m. (95,283 sq.ft.) building in keeping with the density allowed in the RMS-2 Zone.

- The applicant also proposes a setback distance of 12 m. (39 ft.) along the west property line in keeping with the Rosemary Heights Central NCP design guidelines for developments along 152 Street. The increased setback is intended to accommodate a meandering pedestrian pathway and appropriate landscaping along 152 Street to link with the linear pathway system throughout the Rosemary Heights neighbourhood. The proposed path is sited on the subject property, which will be required to have a statutory-right-of-way registered on title to ensure public right-of-passage. The remaining setbacks are a minimum of 7.5 metres (25 ft.).
- The applicant hired a certified arborist to assess the existing vegetation on the site. The existing trees on the site are generally varied with a mix of cottonwood, and some native and exotic conifers on the site. The applicant's arborist recommends that 10 out of 16 trees be removed due to their location within the building envelope. An additional two trees are situated along the southern property line, and they also may have to be removed due to their location on the proposed driveway to the underground parking. A cluster of 4 healthy conifer trees along 152 Street is proposed to be retained within a courtyard area. Since this application is subject to a Development Permit process, the applicant will be providing an extensive landscaping plan to enhance the existing vegetation for the entire site.

Parking Requirements and Lane

- The applicant is proposing to develop one-level of underground parking. In total, 92 parking stalls are proposed to meet the needs of the care facility and the assisted-living uses, which equates to a ratio of 0.61 stalls per resident. The Zoning By-law requires the care facility component provide 56 parking stalls, however, the Zoning By-law does not state a parking requirement for assisted-living type developments. The land use most similar to the assisted-living use is the non-ground-oriented multi-unit residential type of development, which would require 92 parking spaces, for a total of 148 stalls. The applicant is requesting a variance from 148 to 92 stalls.
- The applicant proposes a reduction in the number of parking stalls since the development is intended for senior citizens, most of whom will not drive especially if they live in the residential care component of the development. The applicant has committed to registering a housing agreement on title through a restrictive covenant to restrict the age requirement to a minimum of 65 years (Appendix XII). The housing agreement is also being presented to Council for by-law introduction in conjunction with the CD By-law.
- The applicant provided a parking study by an engineering consulting firm to evaluate the parking needs generated by this development. The study reviewed a variety of care facility and assisted-living type developments throughout the Lower Mainland to compare parking ratios. The applicant's proposed 0.61 parking stalls per unit ratio is significantly higher than a comparable development with the highest parking ratio of 0.49. The Engineering Department has reviewed the parking relaxation and advise that the proposed 92 parking stalls provided is acceptable.

- A "private" lane is proposed along the eastern edge of the subject site to connect with an internal "private" lane in the adjacent townhouse development to the east. This lane is in accordance with the private lane shown on the Rosemary Heights Central NCP map (Appendix X). A reciprocal access easement was registered on the title of the townhouse development when it was approved (File No. 7901-0195-00) to benefit the subject site as per the NCP. This "private" lane is intended to provide traffic circulation between the subject site, the adjacent townhomes, and the southern property at 3336-152 Street to the south when it is proposed for development.

PRE-NOTIFICATION

Public Consultation Process

- To gather public input on the NCP amendment proposal, two public information meetings were held at the Rosemary Heights Retreat Centre on September 21 and 22, 2005 from 3:30 – 7:00 pm. The meeting was attended by 30 people, and 12 comment sheets were filled out. A total of 7 comment sheets supported the proposed development; 3 were opposed; and 2 did not specify support or non-support.
- The main concerns that were raised pertained to the interfacing issue between the subject development and the existing townhouse development to the east. Most of the interfacing concerns relate to form and character, such as massing of the building, colours, and setback, which will be discussed in the Design Proposal and Review Section of this report.
- Other concerns relate to adequate parking and the "private" lane that is proposed to connect between the subject development and the adjacent townhouse development. To address the parking, the applicant provided a parking study, which was reviewed and approved by the Engineering Department. The issue of a "private" lane connecting the subject site with the adjacent townhouse site was also reviewed by the Engineering Department for their comments, which are discussed in the Pre-Notification Section of this report.

Pre-notification letters were sent on September 8, 2005, and staff received the following comments:

- Concerns that connecting the proposed "private" lane (Appendix X) to the townhouse development to the east will bring additional traffic into the townhouse development and devalue the townhomes. The townhouse residents are also concerned that they were not made fully aware of the significance of this access road when they purchased their property. The residents would prefer that the lane be moved west to gain access to the middle of the development, or that the lane along the eastern property line be a secondary access lane to the development.

(Presently, the eastern townhouse development has a lane that stops at the border to the subject site. This lane has a reciprocal access easement registered on title to allow future access between the townhouse site and the subject site.

This concern was brought to the attention of the Engineering Department for their review and consideration. The Engineering Department's rationale for requiring the "private" lane is due to the properties on the east side of 152 Street between 34 Avenue and the 32 Avenue Diversion having restricted access to these busy streets. When these properties along 152 Street are developed, road access to 32 Avenue or 152 Street would be

restricted due to the high traffic volumes and close proximity to signalized intersections. Therefore, to ensure the viability of developing these properties and to provide at least two access points, one right-in/right-out driveway is proposed along 34 Avenue, and the second access is proposed through the townhouse development to the east. The subject site will also be required to register a reciprocal access easement to grant access for the site to the east. Eventually, when the southern parcel is developed in the future, reciprocal access will be extended to the south property too.

Residents of the adjacent townhouse development were made aware of the reciprocal access easement as the document was registered on the title of their property and included in their disclosure statement. City staff have reviewed the reciprocal access agreement and property disclosure statement and confirm the same. The private lane between these sites is also shown in the approved Rosemary Heights Central NCP map.

The location of the private lane was also brought to the attention of the developer. They believe that the location of the lane along the property line is most appropriate to serve the needs of their facility. They assert that if the lane were moved west of the present proposed location to the middle of the site, then the lane would bisect the plan into two buildings. The applicant proposes to create a "community of care" concept where both the residential care and assisted-living operations are connected, thereby ensuring that a full range of services can be provided more effectively.)

- Concerns about the massing of the building being too large and "big box"-like.

(In terms of the size of the building, the proposed floor area complies with the 1.0 FAR requirement of a typical RMS-2 zoned institutional building.

Concerns about the massing of the building have been addressed through widening the driveway entryway, which creates more space along the eastern edge of the building where it interfaces with the adjacent townhouse development. The applicant is also proposing variable heights for different portions of buildings on the site (two and three-storeys), which allows the building to be articulated in the height and in the massing form. The rooflines have also been reduced to lower the visual height of the building, and the exterior building materials further enhances the residential style of the building. The proposed drawings will continue to be reviewed by the City Architect to further refine the building to complement the character of the Rosemary Heights neighbourhood.)

- Residents would like more certainty about how the property to the south of the subject site is developed.

(The property to the south is not proposed for development at this time, however, the applicant has indicated that they may propose the second phase of a retirement building in the future. In the absence of a bona-fide development application, the existing Garden Apartment designation on the southern parcel applies, and the applicant, at that time, will be required to demonstrate that a Garden Apartment site can still be developed. When the property is proposed for development in the future that requires an NCP amendment, the application will be subject to the another public consultation process and staff review.)

DESIGN PROPOSAL AND REVIEW

- The applicant is proposing a 8,851.8 sq.m. (95,283.3 sq.ft.) building with the primary lane access from 34 Avenue (Appendix III). Access to the front entrance and the underground parking is from the lane.
- The proposed building consists of a three-storey component to face 34 Avenue and the lower 2-storey portion for the southern half of the site. The eastern edge of the 3-storey building faces the 2-storey townhouses to the east. To improve the transition to the townhomes, the three-storey portion of the building is setback from the east property line by over 11 m. (36 ft.). Overall, the distance between the proposed building and the building face of the adjacent townhouse development is over 18.5 m. (61 ft.). However, additional architectural and landscape enhancements should be further pursued to improve the interface to the adjacent site (see Advisory Design Panel Section).
- The applicant is proposing to develop a residential style building with varied rooflines such as steep pitches and gables. Concrete tiles are proposed as the roofing material, and the exterior building materials are proposed to be hardi-board siding and shakes. Asphalt roofing material and vinyl siding are not proposed to be used as per the Rosemary Heights NCP design guidelines. The units along the northern elevation are proposed to have balconies to allow residents to overlook 34 Avenue. The colour scheme is proposed to be earthy green and yellow tones.

ADVISORY DESIGN PANEL

ADP Meeting Date: September 15, 2005; October 27, 2005

Some of the ADP suggestions have been satisfactorily addressed except the following which will be addressed before final approval:

1. Residential interface to existing townhouse development to the east requires tree planting appropriate to the scale of the building.
 - The eastern edge of the three-storey building interfaces with the two-storey townhouses to the east. A large roof overhang on a blank three-storey façade further gives mass to this edge of the building. Architectural enhancements and layered tree landscaping next to the building are recommended to soften the transition to the adjacent site.
2. Resolve landscaping with the Planning & Development Department, including coordination of greenway with public treatments to the south and north and across 152 Street.
 - More detailed review of the streetscape and a corner feature at 152 Street and 34 Avenue is needed to ensure that a high quality and character is maintained at this entranceway to the Rosemary Heights Central neighbourhood. Furthermore, the applicant should coordinate the proposed landscaping along 152 Street and 34 Avenue with engineering requirements to ensure that the proposed landscape plans can be implemented.

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.	Proposed Subdivision Layout, Site Plan, Typical Floor Plans and Elevations, Landscape Plans and Perspective
Appendix IV.	Engineering Summary
Appendix V.	Parks Comments
Appendix VI.	Ministry of Transportation
Appendix VII.	Fraser Health Authority
Appendix VIII.	Summary of Tree Survey and Tree Preservation
Appendix IX.	ADP Comments and Applicant's Response
Appendix X.	Rosemary Heights Central NCP Map
Appendix XI.	Comprehensive Development Zone
Appendix XII.	Housing Agreement and By-law

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated January 27, 2006.
- Tree Survey Plan dated November 3, 2005.
- Arborist Report dated November 14, 2005.
- Tree Preservation Plan dated November 3, 2005.
- Soil Contamination Review Questionnaire prepared by Cameron Maltby dated July 20, 2005.

Murray Dinwoodie
General Manager
Planning and Development

SL/kms

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S 7/14/10 10:41 AM

Information for City Clerk

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

1. (a) Agent: Name: Cameron Maltby, Derek Crawford Architect Inc.
 Address: #906, 938 Howe Street
 Vancouver, B.C.
 V6Z 1N9
 Tel: 604-688-8370

2. Properties involved in the Application
 - (a) Civic Address: 3372 - 152 Street/15266 - 34 Avenue

 - (b) Civic Address: 3372 - 152 Street
 Owner: **Rosemary Heights Seniors Village Holdings Ltd.**
 (Inc. No. BC0721894)
 PID: 017-475-848
 Lot 1 Section 26 Township 1 New Westminster District Plan LMP1524

 - (c) Civic Address: 15266 - 34 Avenue
 Owner: **Rosemary Heights Seniors Village Holdings Ltd.**
 (Inc. No. BC0721894)
 PID: 017-475-856
 Lot 2 Section 26 Township 1 New Westminster District Plan LMP1524

3. Summary of Actions for City Clerk's Office
 - (a) Introduce a By-law to rezone the property.

 - (b) Introduce a By-law to enter into a Housing Agreement.

 - (c) Application is under the jurisdiction of MOT.

File No. 1-6-23007

DEVELOPMENT DATA SHEET

Proposed Zoning: RMS-2

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		9,212.9 m ²
Road Widening area		325.4 m ²
Undevelopable area		
Net Total		8,887.5 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	45%	45%
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front	7.5 m	7.6 m
Rear	7.5 m	7.6 m
Side #1 (West)	7.5 m	12 m
Side #2 (East)	7.5 m	10.6 m
BUILDING HEIGHT (in metres/storeys)		
Principal	13 m	13 m
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		34 assisted living/ 82 residential care
One Bed		27 assisted living
Two Bedroom		8 residential care
Three Bedroom +		
Total		151
FLOOR AREA: Residential		n/a
FLOOR AREA: Commercial		
Retail		
Office		
Total		n/a
FLOOR AREA: Industrial		n/a
FLOOR AREA: Institutional	8,887.5 m ²	8,851.8 m ²
TOTAL BUILDING FLOOR AREA	8,887.5 m ²	8,851.8 m ²

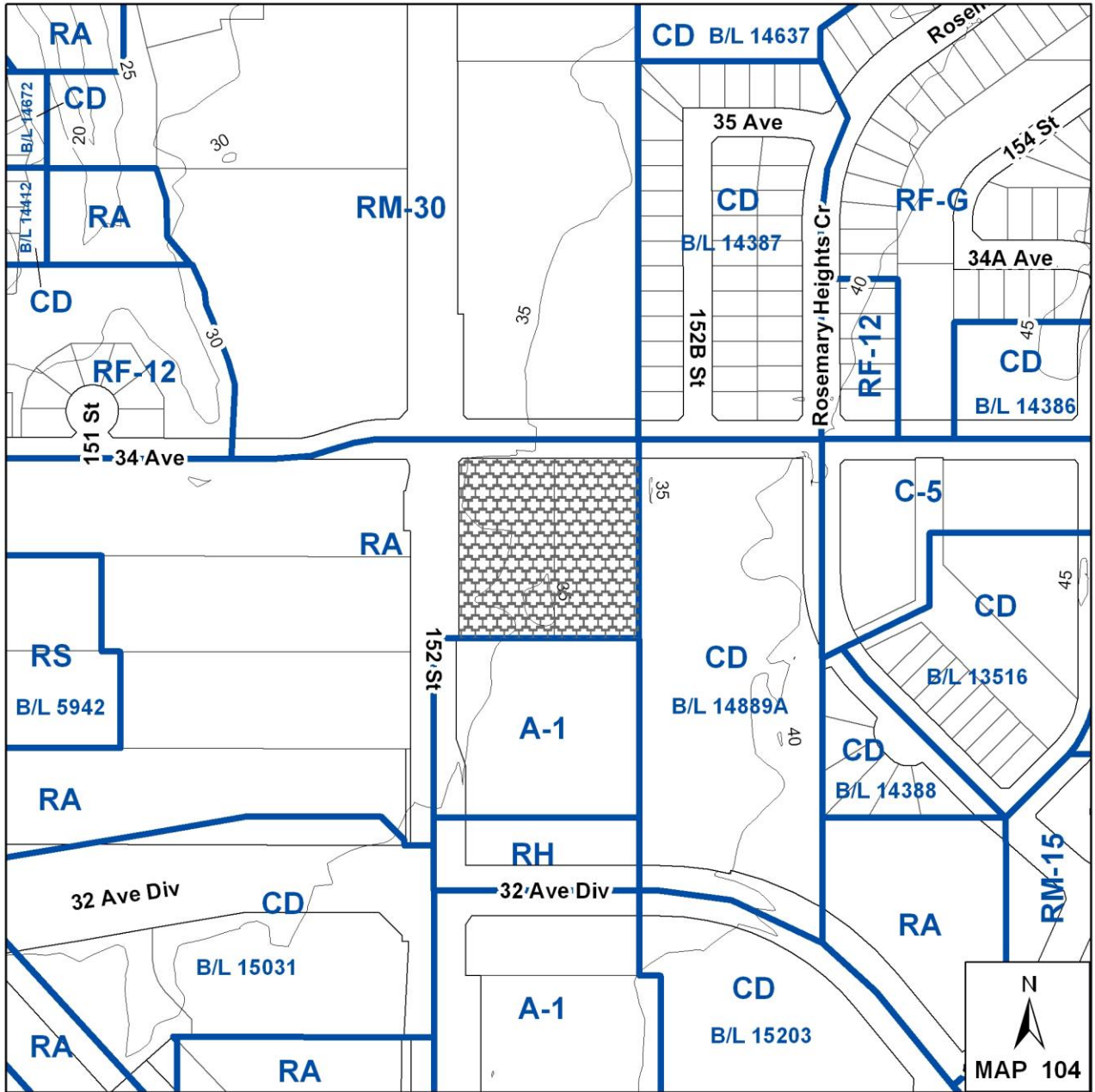
** If the development site consists of more than one lot, lot dimensions pertain to the entire site.*

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)		
FAR (net)	1.0	1.0
AMENITY SPACE (area in square metres)		1,114 m ²
Indoor		1,918 m ²
Outdoor		
PARKING (number of stalls)		
Commercial		n/a
Industrial		n/a
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		92
Total Number of Parking Spaces		92
Number of disabled stalls		3
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	YES
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CONTOUR MAP FOR SUBJECT SITE



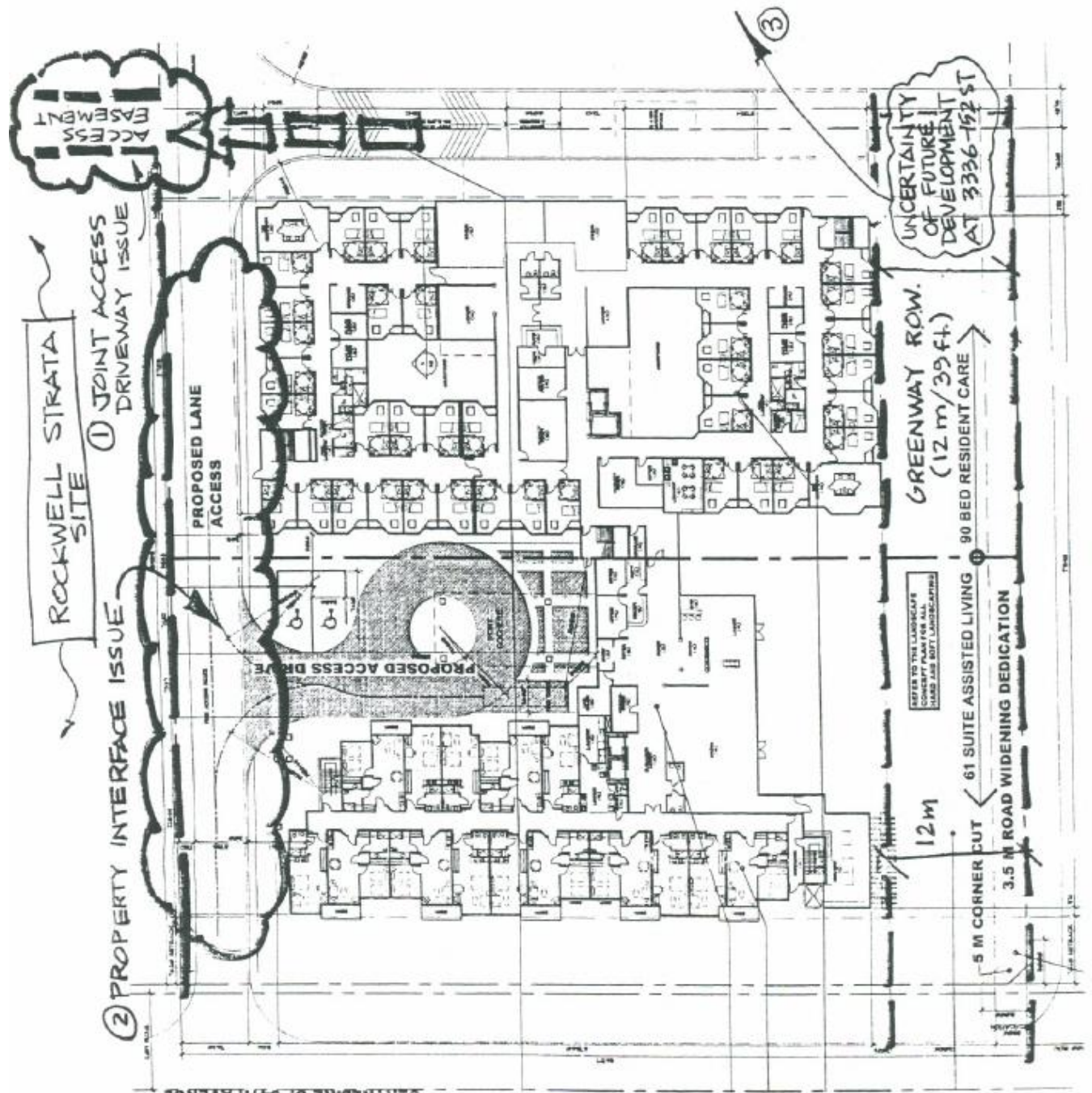
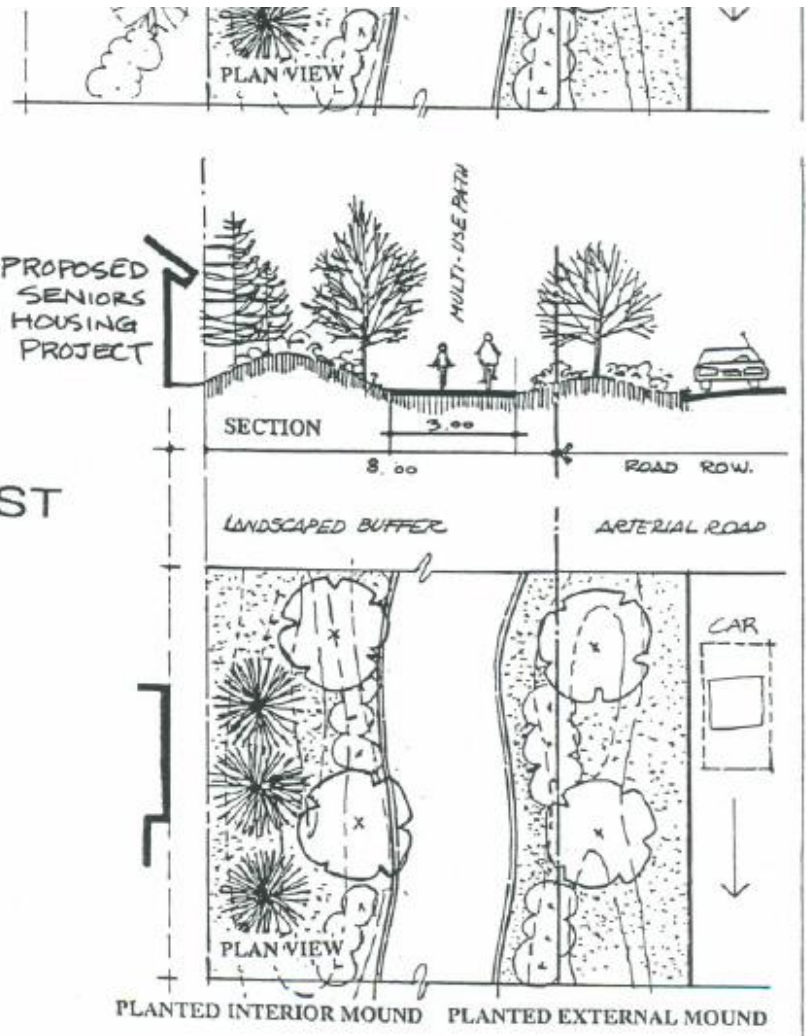


ILLUSTRATION OF ROCKWELL STRATA CONCERNS

ALTERNATE 152 ST
GREENWAY

8m (26ft.)



PLAN OF EASEMENT OVER A PORTION OF LOT 2
 6 TOWNSHIP 1 NEW WESTMINSTER DISTRICT

PLAN BCP _____

ASUANT TO SEC. 99 (1) (e) L.T.A.

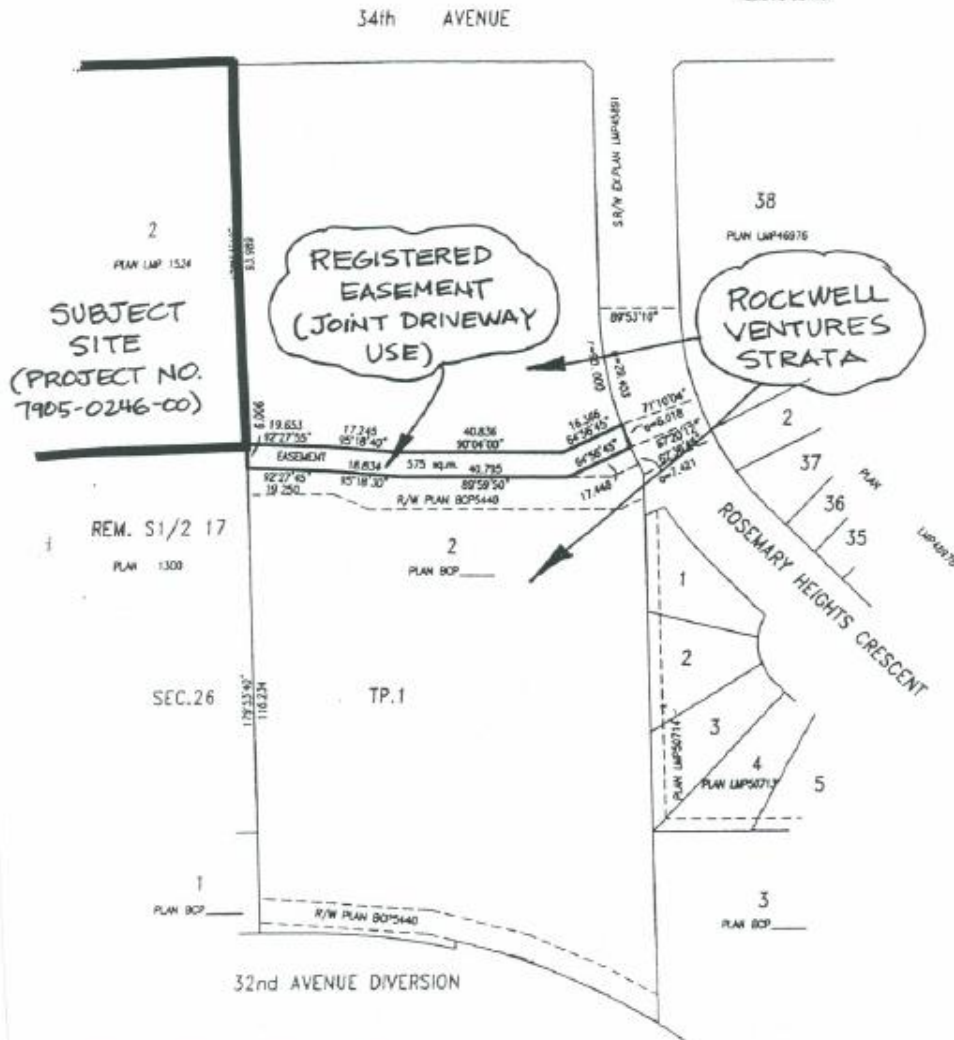
DEPOSITED IN THE LAND TITLE OFFICE AT
 NEW WESTMINSTER, B.C.
 THIS _____ DAY OF _____ 2003

SCALE - 1:1000

DEPUTY REGISTRAR



THIS PLAN LIES WITHIN THE
 GREATER VANCOUVER
 REGIONAL DISTRICT



REGISTERED DRIVEWAY EASEMENT

LEGEND

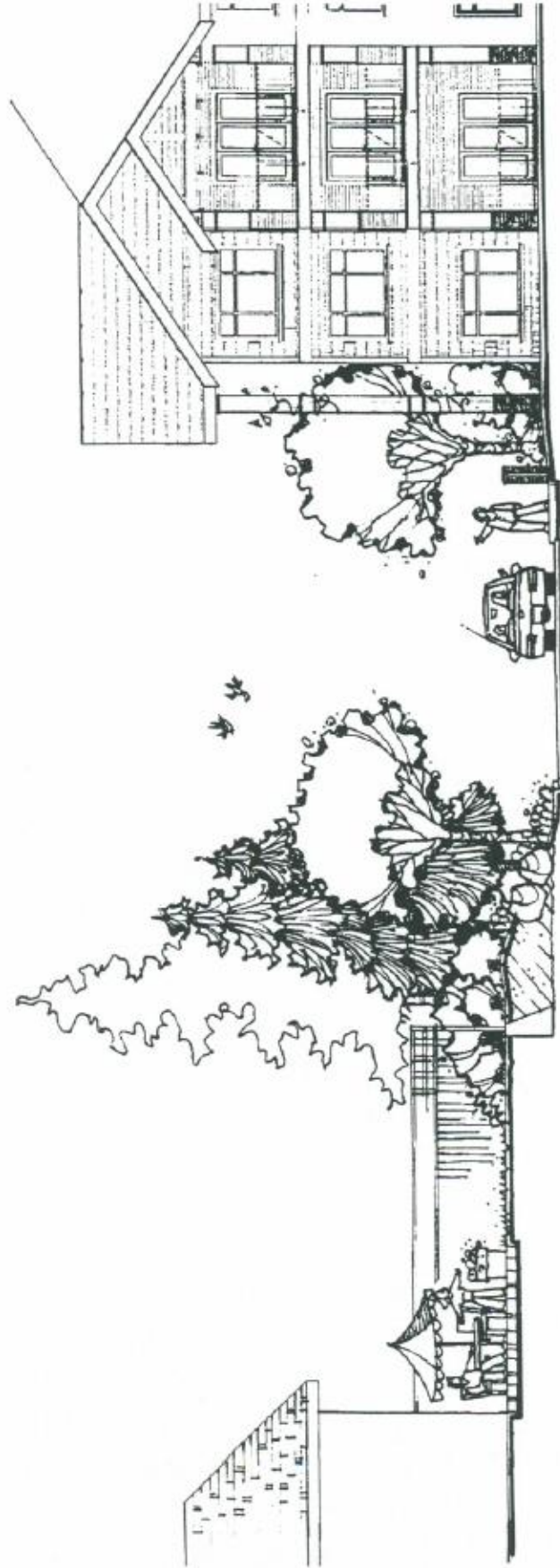
GRID BEARINGS ARE DERIVED FROM
 PLAN BCP _____
 M² INDICATES SQUARE METRES

THIS PLAN SHOWS GROUND LEVEL MEASURED DISTANCES.
 PRIOR TO COMPUTATION OF UTM COORDINATES, MULTIPLY
 BY THE COMBINED FACTOR 0.9996033.

CERTIFIED CORRECT ACCORDING TO THE LAND
 TITLE OFFICE RECORDS THIS 3rd DAY

OF JUNE 2003

Oliver Chan
 FCP # 1764 B.C.L.S.



FORTH
LAND
PLANNING
P.O. Box 316
Ft. Worth, TX 76101

FEBRUARY, 2006

ROSEMARY HEIGHTS SENIORS FACILITY
PROPOSED LANE ACCESS - LANDSCAPE SECTION
SCALE: 1/8" = 1'-0"

PROPOSED LANDSCAPE BUFFER

March 1, 2006

City of Surrey
Area Planning & Development
South Division
14245 - 56 Ave
Surrey, BC V3X 3A2

Attention: Mr. Raul Allueva

Dear Mr. Allueva:

SUBJECT: ROSEMARY HEIGHTS SENIORS VILLAGE

I am writing on behalf of the Rockwell Strata Council BCS 591 with regards to alternative requirements for the proposed Rosemary Heights Seniors Village located immediately to the west of our property. This follows a phone discussion with Mr. Derek Crawford, architect for the Developer, on Monday, Feb 27, 2006. We have 2 major concerns and a number of other important considerations.

Our first concern is the restriction of access to our private Rockwell road to emergency vehicles only by the placement of bollards on the western boundary of the east-west road, either on our property or on the Developer's property. As expressed by City Council, even not withstanding the easement, there should be no need for public access through a private, internal Rockwell road except for emergency purposes. There are liability concerns (children playing on our internal road) and maintenance issues (Strata Council BCS 591 is responsible for maintenance, including snow clearance, for residents, not the public) which would be alleviated by the bollards. The Developer should be responsible to provide adequate access to his property via public roadways, not private roads. The Developer, through the architect, has deemed this acceptable.

Our second concern is the proposed lane access for the Village parallel to the east side of the Developer's property. This places the lane immediately behind the backyards of 7 of our residents and adversely affects the quality of use of the backyards (continuous traffic noise) as well as potentially affecting their property values (immediate proximity of a roadway). Our preference would be to have the lane on the west side of the Developer's property with a greenbelt facing our backyards, especially if there is a similar development to the south thereby doubling the traffic. After discussing this issue with Mr. Crawford, the following requirements are put forward if Rockwell Strata Council BCS 591 is to accept the proposed placement of the lane access:

1. To review and have input to a design for a 6.172 meter wide landscape buffer, including a berm, proposed in a sketch submitted by Brad Forth, Landscape Architect. This must address drainage issues with regards water coming from Rockwell (we are at a higher grade) and provide adequate run-off for tree survival.
2. The landscape buffer and berm must be built and the landscaping installed prior to excavation and development of the Developer's property to minimize the dust and noise of construction.

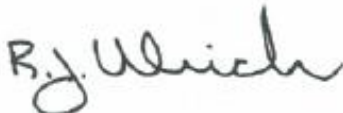
2-3363 ROSEMARY HEIGHTS CR
SURREY, BC V3S 0X8

3. To have input in the type and number and size of trees and shrubs proposed for the top of the berm. It was agreed that, after 3rd Reading, a detailed drawing would be prepared for our review and approval. Current trees on the Developer's property should be utilized to adhere to good conservation practices.
4. Speed bumps would be installed on the total length of the access lane to provide traffic calming for reduced noise.
5. The sidewalk and lighting for the access lane would be on the west side of the lane only. The lighting would be designed to deflect direct light from shining towards the Rockwell development and be as low intensity as possible.
6. The garbage bin location would be on the far western end of the ramp to the underground parking.
7. A restrictive covenant to restrict access of staff and service vehicles of the Village to the lane only (no access through Rockwell).

The acceptance of these 7 conditions by Rockwell Strata Council BCS 591 is conditional upon the installation of the bollards on the access between Rockwell and the Senior's Village. It is our opinion that the restricted access is necessary for the predicted traffic flow patterns to be acceptable to the residents of Rockwell. If this restriction is contrary to previous traffic plans, then those plans need to be re-addressed now that this area is being considered for rezoning to accommodate a different type of development than originally proposed.

I believe that Rockwell Strata Council BCS 591 has risen to the challenge and worked in good faith with the Developer to develop a workable, innovative solution.

Thank you for your consideration.



Rick Ulrich

Council Member, Rockwell Strata Council BCS 591

ILLUSTRATION OF COMPROMISE SOLUTION

