



## **INTENT**

The intent of this report is to inform Council about actions that have been taken by staff in follow-up to Council's direction after third reading of the Rezoning By-law related to Development Application No. 7907-0071-00 regarding the matter of vehicular access for proposed development and to obtain Council authorization to complete the conditions of approval for the application on the basis of all vehicular access for the development being located at the north end of the site.

## **BACKGROUND**

The applicant, Manor Care, has applied to rezone the property at 2567 King George Highway from Single Family Residential (RF) Zone to Comprehensive Development (CD) Zone to allow development of a senior's residential care and assisted living project. The proposed development involves two buildings, one residential care building with 146 beds, and one assisted living building with 78 units. These buildings are connected at the ground floor by common amenity space, and with common underground parking. The Manor Care site is situated between an established strata townhouse development ("Woodgrove") on the north and a recently completed senior's assisted and independent living development ("the Pacifica") on the south (location map attached as Appendix I).

The Manor Care application was first presented to Council for preliminary review on March 10, 2008, to obtain Council direction on the applicant's request to eliminate a planned public frontage road through the subject site along the King George Highway. Council directed at that time that staff work with the applicant to eliminate the frontage road.

With the frontage road eliminated, the applicant revised their proposal to locate the main access along with the service access/loading area at the north of the property. The location of the service access/loading area is adjacent to several Woodgrove units. The applicant had been working with representatives of the Woodgrove development through the application process and advised staff and Council that Woodgrove supported the proposal. The Pacifica representatives had some initial concerns about the Manor Care project as identified in the original staff report for this project, but ultimately held the view that if a single access was located to the north with the loading area at that end of the site and their temporary access made permanent, their main concerns would be addressed.

On the basis of general agreement achieved by Manor Care with Pacifica and Woodgrove to the proposal, including a single access at the north end of the Manor Care site, the application was presented to Council on May 12, 2008 and the related Rezoning By-law was given First and Second Readings.

### Public Hearing

The Public Hearing for the proposed Manor Care development was held on May 26, 2008. At that time, some members of Woodgrove strata council spoke against the Manor Care proposal, mainly objecting to the location of the service vehicle access and loading

area adjacent to Woodgrove. No Pacifica representatives addressed Council at the Public Hearing.

At the conclusion of the Public Hearing, Council granted Third Reading to the Rezoning By-law, and subsequently passed the following motion:

*"That staff work with the developers and owners of Manor Care to resolve the issue of (shared) access/egress to King George Highway at the south of the property." (RES.R-08-1241)*

## **DISCUSSION**

City staff has worked with Manor Care and Pacifica representatives over the last several months to evaluate the potential for shared access at the south end of the Manor Care site in accordance with Council's Resolution. This evaluation has included numerous technical reviews of driveway options, impact on trees and proposed and existing buildings. It should be noted that the working relationship between Manor Care and Pacifica has been difficult. Furthermore, the applicant refused to retain a consultant to develop alternative access arrangements for staff to review. Consequently, the City retained an independent consultant to generate alternative driveway alignments at the south end of the property for technical review.

### South Access Alignments

The City's consultant provided two alignments for a south access to the Manor Care site while providing permanent access to the Pacifica development to the south (Appendix II – Options 1A and 1B).

- 1A This driveway alignment considers the importance of the Heritage Oak tree that is located in the King George Highway boulevard and locates the access beyond the impact area of the Heritage Oak, providing access to the Manor Care service lane and the Pacifica main vehicle entry. This access arrangement requires the removal of a significant Douglas fir on the frontage of the site on King George Highway and has relatively steep driveway grades on site. In addition, this alignment would require changes to the design of the east building on the Manor Care site to accommodate the required turning radius for the service vehicles. The changes would likely result in a major reduction in floor area for the Manor Care development. Significant regrading will be needed to the driveway connecting the Manor Care and Pacifica sites.
  
- 1B This driveway alignment creates an access as far south on the Manor Care frontage as possible, locating the access within the impact area of the Heritage Oak, thus requiring the removal of the Heritage Oak. The Douglas fir referenced in 1A is potentially impacted as well. This alignment would also require modifications to the Manor Care east building resulting in a reduction in floor area. The reduction in floor area may be less than Option 1A. Significant regrading will be needed to the driveway between the Manor Care and Pacifica sites.

The southerly access alternatives (both Options 1A and 1B) have the following issues/results:

- Manor Care:

Objects to these Options as they have determined that the south access will impact their design and will result in a loss of floor area that will impact the viability of the development;

- Pacifica:

Objects to these Options as they have determined that the Manor Care service vehicles will be located in close proximity to their project, which will be exacerbated by the reduced setbacks for the Manor Care buildings on the south side and that the Manor Care loading area becomes quite visible to their upper storey units.

- Woodgrove:

Supports these Options as it will move the service access/loading area away from dwelling units on their development site that are near the service access/loading area that was proposed at the north end of the site;

- Trees:

The south access over the Manor Care property will require the removal of either a healthy mature Douglas fir, or a Heritage Oak Tree in the King George Highway boulevard. Potentially, both trees may have to be removed. A plan showing these trees has been included as information as Appendix III.

### North Access

The north access arrangement, as recommended in the Planning Report for this project, would have the following issues/results:

- Manor Care is supportive and is willing to improve the buffering at interface between the service access/loading area and the adjacent Woodgrove units that back on to the loading area.
- Pacifica is supportive. The Pacifica temporary driveway would be made permanent.
- No trees would be lost on the King George Highway frontage.
- The overall amount of traffic using the north access arrangement is less than the original plan for the area as a result of the elimination of the frontage road and the conversion of the temporary driveway on the Pacifica property to permanent status.

- Woodgrove residents will likely oppose this as they did during the Public Hearing. They have concerns about the service vehicle traffic and the proximity of the loading area to their residential units.
- Service vehicles to the Manor Care site are expected to visit the site on average at a rate of 1.5 times per day and the applicant has expressed a willingness to regulate the times of day that service vehicles will conduct deliveries.
- The loading area is designed to be below grade with sound attenuation fencing between the loading area and the adjacent Woodgrove townhouses. The applicant is prepared to provide additional screening, buffering and a cover over the loading area to further mitigate the interface with the Woodgrove development.

### **Recommended Course of Action:**

Based on the fact that the access alternatives at the south end of the property do not resolve the concerns of the occupants of the adjacent developments and from a planning perspective the "North" access layout, as shown in Appendix IV, can be designed to mitigate impacts on the Woodgrove development, staff have concluded that north access configuration as presented at the Public Hearing should be implemented. To address the concerns expressed by the representatives of Woodgrove, staff recommend that the interface area be enhanced with sound attenuation, landscaping, a cover over the loading area and the registration of a Restrictive Covenant on the title of the Manor Care property restricting the times of day that the service vehicles can make deliveries to the site and requiring that service vehicles turn off their engines when they are stopped on the site.

### **Other considerations:**

It should also be noted that an additional right-of-way from the Woodgrove development is required to ensure a fully functional intersection of the driveway serving the Woodgrove and Manor Care development sites opposite 26<sup>th</sup> Avenue on King George Highway. Negotiations with Woodgrove for this additional right-of-way from the Woodgrove site have been on going and will continue. This additional right-of-way is required regardless of the access configuration to the Manor Care development.

## **CONCLUSION**

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

- authorize staff to complete the conditions of approval for Development Application No. 7907-0071-00 (Manor Care) on the basis of all vehicular access for the proposed development being at the north end of the site (adjacent to the Woodgrove development) as was recommended in the Planning Report on this application and was presented at the Public Hearing;
- instruct staff to work with the applicant to enhance the interface treatment between service access/loading area in the subject development, which is adjacent to the Woodgrove development including sound attenuation fencing, additional

landscaping, covering the loading area and by way of a Restrictive Covenant registered on title restricting service vehicle delivery times to between 8:00 a.m. and 5:00 p.m. and requiring service vehicles at the site to turn off their engines and all non essential mechanical equipment while materials are being loaded and/or unloaded; and

- instruct City Clerk to forward a copy of this report and the related Council resolution to the Strata Council of each of the neighbouring developments, being Woodgrove to the north and Pacifica to the south.

Jean Lamontagne  
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TW/kms

Appendix I	Location Map
Appendix II	Access/Egress Alignment Options
Appendix III	Tree Plan
Appendix IV	North Access Site Layout