

Application 2023-255-RZ for 13285 Balsam Street
Official Community Plan Amending Bylaw No. 7963-2023
Zone Amending Bylaw No. 7962-2023

Recommendations:

THAT *Official Community Plan Amending Bylaw No. 7963-2023* be given first and second reading and be forwarded to Public Hearing;

THAT *Zone Amending Bylaw No. 7962-2023* be given second reading, as amended, and be forwarded to Public Hearing.

THAT staff be directed to work with the applicant to address the outstanding terms and conditions as set out in the September 24, 2024 report, and any other as identified by council, prior to recommending bylaw adoption.

Report Purpose and Summary Statement:	Application 2023-255-RZ proposes to rezone the subject property located at 13285 Balsam Street, from the RS-3 (Single Detached Rural Residential) zone to a proposed CD-4-23 (High Density Townhouse Residential) zone, to facilitate the future construction of a townhouse development with 42 market strata dwelling units.
Previous Council Action:	Council granted first reading to <i>Zone Amending Bylaw No. 7962-2023</i> and considered the early consultation requirements for the Official Community Plan amendment on September 5, 2023.
Proposed Variances:	Variances will likely not be required as the proposed Comprehensive Development zone has been modified to support the proposed development.
Strategic Alignment:	Liveable Community
Applicable Legislation/ Bylaw/Policy:	<i>Official Community Plan No. 7060-2014</i> <i>Zoning Bylaw No. 7600-2019</i> <i>Off-Street Parking and Loading Bylaw No. 4350-1990</i> <i>Subdivision and Development Servicing Bylaw No. 4800-1993</i> <i>Council Policy 6.31 – Community Amenity Contribution Program</i>
Development Requirements Consequences:	Terms and conditions outlined in the Council recommendations.

To: Mayor and Council

File number: 2023-255-RZ

Application 2023-255-RZ for 13285 Balsam Street
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Zone Amending Bylaw No. 7962-2023

BACKGROUND:

Applicant:	Woodlock Developments Ltd.
Property Owner:	1281824 B.C. Ltd.
Legal Description:	Lot 1 Section 28 Township 12 New Westminster District Plan 58516
OCP Designation:	
Existing:	<i>High Density Residential;</i> <i>Medium/High Density Residential;</i> <i>Neighbourhood Park;</i> <i>Conservation</i>
Proposed:	<i>High Density Residential;</i> <i>Conservation</i>
Within Urban Area Boundary:	Yes
Area Plan:	Silver Valley Area Plan
OCP Major Corridor:	Yes
Zoning:	
Existing:	RS-3 (Single Detached Rural Residential)
Proposed:	CD-4-23 (High Density Townhouse Residential)
Surrounding Uses:	
North:	Use: Balsam Creek Zone: CD-1-99 (Apartment, Group Housing, Residential and Park) Designation: <i>Conservation</i>
South:	Use: Vacant Land Zone: RS-2 (Single Detached Suburban Residential) Designation: <i>Commercial;</i> <i>High Density Residential;</i> <i>Medium/High Density Residential;</i> <i>Neighbourhood Park</i>
East:	Use: Single Detached Residential Zone: RS-3 (Single Detached Rural Residential); P-2 (Special Institutional) Designation: <i>High Density Residential;</i> <i>Medium/High Density Residential;</i>

West:	Use:	<i>Neighbourhood Park</i> Single Detached Residential; Balsam Creek
	Zone:	CS-3 (Recreation Commercial)
	Designation:	<i>Medium/High Density Residential;</i> <i>Conservation</i>

Use of Property:	
Existing:	Single Detached Residential
Proposed:	Townhouse Residential

Site Area:	
Existing:	9,435.4 m ² (2.3 acres)
Proposed:	6,955.5 m ² (1.7 acres)

Proposed Vehicular Access:	Future East-West Road (South)
Servicing Requirement:	Urban Standard
Fraser Sewer Area:	Yes
Flood Plain:	No

SITE CHARACTERISTICS:

The subject property is located on Balsam Street and has a total site area of 9,434.4 m² (2.3 acres) (see Attachments A and B). It has a few trees and slopes gradually rising from the southwestern corner to the northeastern corner, which marks its highest point. The subject property has a single detached residence and accessory structures on it with vehicular access from Balsam Street. The subject property is bounded by Balsam Creek to the north/northwest, single detached residences to the west, and vacant land to the south. To the east, there is Balsam Street with a single detached residence across the road.

PROJECT DESCRIPTION:

The proposed townhouse development involves 42 market strata dwelling units clustered into nine buildings. Each of the units are three-storey, three-bedroom units with rooftop private outdoor area in addition to private yards. The building form and façade design, which includes strong vertical elements, is inspired by the tall and thin trees in the area. The materials and colours likewise compliment and blend into the surrounding natural environment. Substantial overhangs and sunshades are utilized to offer visual interest and mark the corners of buildings. The outdoor amenity areas and common open areas are inviting and well-programmed. Vehicular access to the proposed development would be from a new east-west road to the south.

The proposed units fronting Balsam Street to the east and the future east-west road to the south are designed as urban-style townhouses with a 3-metre building face setback. These units have an additional room on the ground floor with a separate entrance from the street to accommodate a Type 1 Home Occupation / Home-Based Business. The other units in the proposed development can also accommodate a Type 1 Home Occupation / Home-Based Business use – as currently permitted under the City’s RM-1 and RM-4 zones for townhouse residential and as encouraged under Section 8.3 of the Silver Valley Area Plan.

The proposed development includes a Statutory Right-of-Way for a public trail outside of the required 15-metre watercourse setback from the top-of-bank of Balsam Creek. The area within the required watercourse setback would be transferred to the City as a fee-simple lot for conservation purposes.

After park/conservation dedication and road dedications for Balsam Street and the future east-west road, the proposed site area is 6,955.5 m² (1.7 acres). Since the development proposes a gross floor area of 6,565.8 m² (70,673.5 ft²) as calculated under the City's Zoning Bylaw, the density would be 0.95 FSR based on the proposed lot area. The proposed development utilizes the proposed CD-4-23 (High Density Townhouse Residential) zone's base allowable density of 0.6 FSR and additional density of 0.35 FSR through a density bonus contribution at a rate of \$344.46 per square metre (\$32.00 per square foot) for an estimated \$824,066.25.

PLANNING ANALYSIS:

Official Community Plan:

The subject property is located within the Silver Valley Area Plan and is currently designated *Medium/High Density Residential* (toward the west), *High Density Residential* (toward the east), *Neighbourhood Park* (toward the east, mostly within the road right-of-way for Balsam Street), and *Conservation* toward the north (toward the north, adjacent to Balsam Creek).

In the First Reading Report, staff indicated that the development's density is consistent with the *Medium/High Density Residential* designation. However, it has since been determined that the density is consistent with the *High Density Residential* designation. Considering this, for the proposed development, an Official Community Plan amendment is required to redesignate the site to *High Density Residential* and *Conservation* to allow the proposed CD-4-23 (High Density Townhouse Residential) zone (see Attachment C). This would entail the redesignation of the western part of the site from *Medium/High Density Residential* to *High Density Residential*, the redesignation of an area that is mostly within the road right-of-way for Balsam Street from *Neighbourhood Park* to *High Density Residential*, and a boundary adjustment for the *Conservation* designation based on environmental studies undertaken for the development.

The Silver Valley Area Plan indicates that residential densities are to range from 30 to 70 units per net hectare within a 5-minute walk of River Village. Furthermore, it indicates that higher densities of 70 units per net hectare are limited to Balsam Street on opposing sides of the north half of a proposed community/town green or neighbourhood park and typically associated with a maisonette type of apartment accommodation within a mansion building form. The Silver Valley Area Plan does not require maisonettes apartments (apartment units with ground-floor access), it only notes that the relevant density is typically associated with that housing form. The proposed density of approximately 60 units per net hectare, and the proposed townhouse units with ground-floor access, is consistent with the Silver Valley Area Plan.

The River Village Concept Plan in the Silver Valley Area Plan envisions a mixed-use development toward the east of the subject property. Consistent with this vision, the zone amending bylaw that received first reading included a requirement that the proposed units fronting Balsam Street be live/work units with a specific definition of Live/Work Unit (a use involving a Dwelling Unit where the occupant also uses part of the dwelling for Office use and to provide Professional Services). After further consideration, staff have removed the live/work unit requirement and definition from the zone amending bylaw to allow more flexibility. Consistent with the River Village Concept Plan's vision, the

proposed units fronting Balsam Street have an additional room on the ground floor with a separate entrance from the street to accommodate a Type 1 Home Occupation / Home-Based Business.

Zoning Bylaw:

The current application proposes to rezone the subject property, from the RS-3 (Single Detached Rural Residential) zone to the proposed CD-4-23 (High Density Townhouse Residential) zone, to facilitate the future construction of a townhouse development.

The proposed zone amending bylaw (see Attachment D) and a version with tracked changes since first reading (see Attachment E) are attached. The proposed zone amending bylaw has been modified in alignment with the latest proposed site and floor plans (see Attachment F), building elevation plans / perspectives (see Attachment G), and landscape plans (see Attachment H) which are attached.

The proposed zone amending bylaw includes the following changes since first reading:

- Use
 - Removed the Live/Work Unit use and associated definition.
 - Removed the requirement that each unit facing Balsam Street be a Live/Work Unit.
- Density
 - Increased the maximum density from 0.87 to 0.95 Floor Space Ratio.
- Setbacks
 - Reduced the minimum rear (western) lot line setback from 5.0 to 3.7 metres.
 - Increased the minimum interior (northern) lot line setback from 4.9 to 5.0 metres.
 - Maintained the minimum front (eastern) lot line setback at 3.0 metres.
 - Reduced the minimum exterior (southern) lot line setback from 4.5 to 3.0 metres.
 - Added a provision allowing the minimum setbacks required for the zone to be reduced by not more than 1.7 metres for building projections specified under Sections 403.2.2, 403.2.3, and 403.2.4 of the City’s Zoning Bylaw.
- Height
 - Increased the maximum building height from 9.5 to 10.5 metres.
- Landscaping
 - Added a provision allowing a minimum 29% of the lot area to be landscaped area with a permeable surface.
- Parking
 - Added a requirement for two (2) additional off-street parking spaces to be provided for Home Occupation use in addition to the required residential off-street parking spaces.
 - Modified a requirement so that Home Occupation use, instead of Live/Work Units, shall be provided access to five (5) residential visitor off-street parking spaces.
- Other
 - Added a provision allowing a maximum retaining wall height of 1.5 metres.
 - Removed requirements (e.g., tandem parking restrictions) that are not relevant to the proposed development.

Parking Requirements:

The required and proposed parking for the development is summarized in the table below.

<i>Category</i>	<i>Required Spaces</i>	<i>Proposed Spaces</i>
Off-Street Parking Spaces		
Residential Tenant	2.0 spaces per unit (84 spaces)	2.0 spaces per unit (84 spaces)

Residential Visitor	0.2 spaces per unit (9 spaces) <i>(Includes 5 spaces shared for Home Occupation use)</i>	0.2 spaces per unit (9 spaces) <i>(Includes 5 spaces shared for Home Occupation use)</i>
Home Occupation	2 spaces	2 spaces
Total	95 spaces	95 spaces
<i>Accessible</i>	<i>Includes 2 accessible spaces</i>	<i>Includes 2 accessible spaces</i>
Bicycle Parking Spaces		
Long-Term (Tenant)	2.0 spaces per unit (84 spaces)	2.0 spaces per unit (84 spaces)
Short-Term (Visitor)	0.15 spaces per unit (7 spaces)	0.15 spaces per unit (7 spaces)

VariANCES:

VariANCES will likely not be required as the proposed Comprehensive Development zone has been modified to support the proposed development.

Development Permits:

Multi-Family Development Permit

Pursuant to Section 8.7 of the City’s Official Community Plan, a Multi-Family Development Permit application is required to ensure the current proposal enhances existing neighbourhoods with compatible housing styles that meet diverse needs and minimize potential conflicts with neighbouring land uses.

The following is a brief description and assessment of the proposal’s compliance with the applicable Key Guideline Concepts:

1. “New development into established areas should respect private spaces, and incorporate local neighbourhood elements in building form, height, architectural features and massing.”
 - Staff Comment: The proposed townhouse development would respect the privacy of adjacent residential area to the west by including a privacy fence along the western lot line. To the north, there is Balsam Creek with single detached residences across the creek. To the east, there is Balsam Street with a single detached residence across the road. To the south, there would be a new east-west road separating the proposed townhouse development from the vacant land that is in the process of being rezoned to facilitate the construction of a 4-storey mixed-use (commercial/residential) building with ground-floor commercial and 117 market strata dwelling units. The proposed building form, massing, height, and architectural features are consistent with the emerging character of the River Village neighbourhood, especially considering the proposed 4-storey development to the south.

2. “Transitional development should be used to bridge areas of low and high densities, through means such as stepped building heights, or low rise ground oriented housing located to the periphery of higher density developments.”
 - Staff Comment: The proposed use and density for the development (and the development to the south) is consistent with what is identified for this part of River Village in the Silver Valley Area Plan. The development will create a smooth transition between the proposed 4-storey mixed-use building to the south and the single

detached residences to the west, north (across Balsam Creek), and east (across Balsam Street).

3. "Large scale developments should be clustered and given architectural separation to foster a sense of community and improve visual attractiveness."
 - Staff Comment: The proposed townhouse development is clustered into nine buildings and given architectural separation. The proposed development includes outdoor amenity area, common open area, and private outdoor area in the architectural separation to foster a sense of community and provide visual interest.
4. "Pedestrian circulation should be encouraged with attractive streetscapes attained through landscaping, architectural details, appropriate lighting and by directing parking underground where possible or away from public view through screened parking structures or surface parking located to the rear of the property."
 - Staff Comment: The proposed townhouse development encourages pedestrian circulation. To the east and the south, the units fronting the streets are designed as urban-style townhouses with a 3-metre building face setback. The units fronting the streets are also designed to accommodate a Type 1 Home Occupation / Home-Based Business on the ground floor with a separate entrance from the street. To the north, the proposed development includes a Statutory Right-of-Way for a public trail outside of the required 15-metre watercourse setback from the top-of-bank of Balsam Creek. The proposed development also includes internal pedestrian connections – including trail accesses. Off-street parking for the proposed development is concealed except for the residential visitor parking and the home occupation parking. For the residential visitor parking and home occupation parking, effort has been made to adequately screen the parking from public view.

Watercourse Protection Development Permit

Pursuant to Section 8.9 of the City's Official Community Plan, a Watercourse Protection Development Permit application is required for all developments and building permits within 50 metres of the top-of-bank of all watercourses and wetlands. The purpose of the Watercourse Protection Development Permit is to ensure the preservation, protection, restoration, and enhancement of watercourse and riparian areas.

The environmental section of the Planning Department has confirmed that the proposed development meets the required 15-metre watercourse setback from the top-of-bank of Balsam Creek. The area within the required watercourse setback would be transferred to the City as a fee-simple lot for conservation purposes.

Wildfire Development Permit

Pursuant to Section 8.12 of the City's Official Community Plan, a Wildfire Development Permit application is required for all development and subdivision activities or Building Permits to protect life and properties in the areas identified as Wildfire Risk Areas.

The applicant's forester has confirmed that the proposed development meets the City's Wildfire Development Permit Area Guidelines.

Advisory Design Panel:

The application was reviewed by the Advisory Design Panel during their meeting on July 17, 2024. The ADP's resolution and comments and the applicant's responses are attached (see Attachment I).

A detailed description of the development's form and character will be included in a future Development Permit report to Council.

Development Information Meeting:

A Development Information Meeting hosted by the applicant was held at Yennadon Elementary School on July 24, 2024. Thirteen (13) people attended the meeting. The notification requirements for the Development Information Meeting include a mail-out, newspaper advertisements, and notice on the development signs that provides the contact information for the developer and information on the development.

A summary of the main comments and discussions with the attendees at the Development Information Meeting was provided by the applicant (see Attachment J) and include the following main points:

- General support for the proposed development, especially considering the need for more housing.
- Some concern regarding traffic in the area, especially considering existing traffic on weekday mornings and weekends.
- Some concern regarding parking in the area, especially considering limited parking for Maple Ridge Park and other nearby parks.
- Concern from one resident regarding the inclusion of rooftop amenity area above the third storey, especially considering the perception of a privacy impact.

The following are provided in response to the concerns raised by the public:

- The proposed development does not trigger a Traffic Impact Assessment and is not expected to significantly impact existing traffic.
- The proposed development complies with the City's off-street parking requirements. Beyond off-street parking spaces, there will be new on-street parking spaces along Balsam Street and the future east-west road.
- Section 403.6 (Height Exceptions) of the City's Zoning Bylaw includes a height exception for stair towers – such as those utilized to access rooftop outdoor amenity area. The proposed maximum building height (excepting stair towers) is 10.1 metres. This is marginally higher than the maximum building height of 9.5 metres for townhouse dwelling units in comparable zones. The proposed building height is supported by staff as part of the Comprehensive Development zone considering the site context. Staff comments on page 6 of this report outline the relevant site context and how the proposed development is compliant with Multi-Family Development Permit Area Guidelines related to respecting private spaces.

Conditions Precedent to Adoption:

Staff have advised the applicant that adoption of the zoning amendment bylaw will not be recommended unless the following conditions, and any others that council identifies, are met:

- a) Registration of a Rezoning Servicing Agreement as a Restrictive Covenant and receipt of the deposit of a security, as outlined in the Agreement;
- b) Road dedication for Balsam Street and the future east-west road as required;

- c) Park dedication as required, and removal of all debris and garbage from park land;
- d) Registration of a Statutory Right-of-Way plan and agreement for a City trail;
- e) Registration of a Restrictive Covenant for Trail Maintenance;
- f) Registration of a Restrictive Covenant for the protection of Visitor Parking;
- g) Registration of a Restrictive Covenant for Stormwater Management;
- h) Registration of a Restrictive Covenant for the Geotechnical Report, which addresses the suitability of the subject property for the proposed development;
- i) Removal of existing buildings;
- j) In addition to the Ministry of Environment Site Disclosure Statement, a disclosure statement must be submitted by a Professional Engineer advising whether there is any evidence of underground fuel storage tanks on the subject property. If so, a Stage 1 Site Investigation Report is required to ensure that the subject property is not a contaminated site.
- k) That a voluntary contribution, in the amount of \$310,800.00 (\$7,400.00/unit), or such rate applicable at third reading of this application, be provided in keeping with the *Council Policy 6.31* with regard to Community Amenity Contributions.

INTERDEPARTMENTAL IMPLICATIONS:

Engineering Department:

The Engineering Department has indicated that the following servicing upgrades will be required through the Rezoning Servicing Agreement:

- Road dedication as required to meet the design criteria of *Subdivision and Development Bylaw No. 4800-1993*.
- Utility servicing as required to meet the design criteria of *Subdivision and Development Bylaw No. 4800-1993*.
- Frontage upgrades to the applicable road standard.

Fire Department:

The applicant was provided comments from the Fire Department about items to be addressed through the Development Permit and Building Permit processes.

Building Department:

The applicant was provided comments from the Building Department about items to be addressed through the Development Permit and Building Permit processes.

Facilities, Parks, and Properties Department:

The applicant was provided comments from the Facilities, Parks, and Properties Department about items to be addressed through the Development Permit and Building Permit processes. The 2.5-metre-wide trail to the south of the fee-simple conservation area forms part of the proposed site area. A Statutory Right-of-Way is required for the public trail, and a Restrictive Covenant is required to ensure the strata maintains and insures the public trail.

EXTERNAL STAKEHOLDER/REFERRAL:

School District No. 42:

Pursuant to Section 476 of the *Local Government Act*, consultation with School District No. 42 is required at the time of preparing or amending the Official Community Plan. Referral comments from School District No. 42, dated January 10, 2024, are attached (see Attachment K) and include the following main points:

- The proposed application would affect the student population for the catchment areas currently served by Yennadon Elementary and Garibaldi Secondary School.
- Yennadon Elementary School has an operating capacity of 628 students. For the 2023/2024 school year, the student enrolment at Yennadon Elementary School is 720 students (115% utilization) including 70 students from out of catchment.
- Garibaldi Secondary School has an operating capacity of 1050 students. For the 2023/2024 school year, the student enrolment at Garibaldi Secondary is 1006 students (96% utilization) including 267 students from out of catchment.
- Based on the density estimates for the various land uses at build out, the following applies:
 - For the construction of 42 dwelling units, the estimated number of school age residents is 18.

CONCLUSION:

It is recommended that first and second reading be given to *Official Community Plan Amending Bylaw No. 7963-2023*, that second reading, as amended, be given to *Zone Amending Bylaw No. 7962-2023*, and that application 2023-255-RZ be forwarded to Public Hearing, to facilitate the future construction of a townhouse development with 42 market strata dwelling units.

Prepared by: Daniel Rajasooriar, Planner 2

- Attachments:**
- (A) Subject Map
 - (B) Ortho Map
 - (C) Official Community Plan Amending Bylaw No. 7963-2023
 - (D) Zone Amending Bylaw No. 7962-2023
 - (E) Zone Amending Bylaw No. 7962-2023 – Tracked Changes Since First Reading
 - (F) Proposed Site and Floor Plans
 - (G) Proposed Building Elevation Plans / Perspectives
 - (H) Proposed Landscape Plans
 - (I) ADP Resolution/Comments and Applicant’s Responses
 - (J) Development Information Meeting Summary
 - (K) School District No. 42 Comments

Report Approval Details

Document Title:	2023-255-RZ, 13285 Balsam Street, RS-3 to CD-4.docx
Attachments:	Attachment A - Subject Map.pdf Attachment B - Ortho Map.pdf Attachment C - Official Community Plan Amending Bylaw No. 7963-2023.pdf Attachment D - Zone Amending Bylaw No. 7962-2023.pdf Attachment E - Zone Amending Bylaw No. 7962-2023 - Tracked Changes.pdf Attachment F - Proposed Site and Floor Plans.pdf Attachment G - Proposed Building Elevation Plans and Perspectives.pdf Attachment H - Proposed Landscape Plans.pdf Attachment I - ADP Resolution and Comments and Applicant's Responses.pdf Attachment J - Development Information Meeting Summary.pdf Attachment K - School District No. 42 Comments.pdf
Final Approval Date:	Sep 13, 2024

This report and all of its attachments were approved and signed as outlined below:

Marlene Best, Interim Director of Planning

Scott Hartman, Chief Administrative Officer