



ADVISORY DESIGN PANEL REPORT

To: **Advisory Design Panel**

Subject: **Development Permit Application DP 03-22
Rezoning Application RZ 02-22
Land Use Contract Application LUC 01-22
(5360 204 Street)**

From: **Anton Metalnikov, RPP, MCIP
Planner**

File #: 6620.00
Bylaw #: 3237,3238

Doc #:

Date: March 22, 2023

RECOMMENDATION:

THAT this report be received for information.

PURPOSE OF REPORT:

To consider Development Permit, Zoning Bylaw amendment, and Land Use Contract discharge applications by 1337204 BC Ltd. for a 12-storey, 370-unit apartment development at 5360 204 Street.

POLICY:

The subject property is currently zoned RM2 Multiple Residential Medium Density in Zoning Bylaw No. 2100 and designated "Mid Rise Residential" in the Official Community Plan Land Use map. All lands designated for multi-unit residential use are subject to a Development Permit (DP) to address building form and character. The property is also affected by a Land Use Contract (LUC 25-76) which generally limits the property to its current development form.

The proposed development complies with the Official Community Plan but is inconsistent with the subject Land Use Contract and existing zones in the Zoning Bylaw. As such, a Comprehensive Development Zone and Land Use Contract discharge are proposed to accommodate it.

COMMENTS/ANALYSIS:

Background Information:

Applicant:	1337204 BC Ltd.
Owner:	1337204 BC Ltd.
Civic Address:	5360 204 Street
Legal Description:	Lot 178, District Lot 36, Group 2, New Westminster District, Plan 53282
Site Area:	7,151.85 m ² (1.77 acres)
Number of Units:	370 apartments
Gross Floor Area:	24,901 m ² (268,032 ft ²)
Floor Area Ratio:	3.482
Lot Coverage:	34.3%
Total Parking Required:	527 spaces (including 27 h/c spaces) <i>*RM3 requirement</i>
Parking Provided:	
Resident	393 spaces
<u>Visitor</u>	<u>56 spaces</u>
Total	449 spaces (including 23 h/c spaces)
OCP Designation:	Mid Rise Residential
Existing Zoning:	RM2 Multiple Residential Medium Density
Proposed Zoning:	CD87 Comprehensive Development
Variances Requested:	5.5 m long accessible parking stalls (5.8 m min.) Visitor parking located underground (required to be at surface) 45% small car space share (40% max.) 56 visitor parking spaces (74 required) <i>Note a parking variance is not required due to the use of CD Zone – see staff commentary in Variances section of this report for further details and rationale</i>
Development Cost Charges:	\$5,198,072.00 (City - \$3,112,974.00, GVS&DD - \$1,391,694.00, SD35 - \$186,800.00, TransLink - \$506,604.00)
Community Amenity Contributions (CACs):	\$740,000.00

Discussion:

1. Context

The applicant is proposing to develop a 12-storey, 370-unit apartment building on a site consisting of a single property currently hosting a 3-storey, 44-unit apartment building. The site is located in a residential area composed primarily of low-rise apartment buildings of various ages.

The site's sole frontage is formed on the west by 204 Street, a collector road across from which sit the 4-storey Brighton Apartments building and the McMillan Place townhouse complex. The Countryside Estates apartment complex, composed of three separate 4-storey buildings, is buffered from the subject property by a private drive lane on the south and shares a treed property line with it to the east. On the north, the site is bounded by two 3-storey apartment buildings: Ridgewood Manor and Wheatcroft Manor.



Site context

The site is well positioned with connections to retail and service areas, with Downtown located within a 5-minute walk. It also benefits from proximity to key neighbourhood amenities, including:

- Portage Park (5-minute walk);
- Douglas Park Community School (5-minute walk); and
- Timms Community Centre (5-to-10-minute walk).

The site is also located near several transportation services, including:

- Local transit lines (directly adjacent);
- The Langley Centre transit exchange and the fifteen bus routes it serves, including the frequent 503 Fraser Highway Express (10-minute walk); and
- The planned 203 Street SkyTrain station and its associated transit exchange (10-minute walk).

2. Proposed Rezoning, Land Use Contract Discharge, and the Official Community Plan (OCP)

The subject site is designated Mid Rise Residential in the City's OCP, which allows for apartment development of up to 12 storeys in height and a Floor Area Ratio (FAR) of up to 3.5.

The property is proposed to be rezoned to a site-specific Comprehensive Development (CD) Zone as no existing zones adequately accommodate the Mid Rise Residential designation. A new Zoning Bylaw is currently in development, and the project was designed to conform to the preliminary draft zoning regulations associated with this designation. Should the CD rezoning be adopted it is anticipated that, as part of adopting the new Zoning Bylaw, the City will rezone this site from its CD Zone to the new zone created to implement the Mid Rise Residential designation.

The current building on site consists of 44 purpose-built rental units. Under Policy 1.16.1. of the City's OCP, the proposed new development must replace any existing rental units at a minimum one-to-one ratio, with these replacement units secured by a Housing Agreement. The applicant has proposed to meet this requirement by including 53 rental units in the new development, with the Housing Agreement to secure the replacement units to be executed prior to the application proceeding to consideration of Final Reading by Council. The other 317 units will be sold as condominiums. This approach supports OCP Policy 1.16.2., which encourages mixed tenure (rental and strata) developments.

The site is also affected by a Land Use Contract (LUC 25-76) which supersedes Zoning Bylaw regulations and generally limits the property's use and development to the building form it currently hosts. As such, a Land Use Contract

discharge is required to enable the proposed rezoning and align the property's development potential with the Mid Rise Residential OCP designation. It is anticipated that all Land Use Contracts in the City will be discharged as part of the future adoption of the new Zoning Bylaw, as enabled in the *Local Government Act*. The same Act will eliminate any Land Use Contracts remaining in the province at the end of June 2024.

3. Tenant Relocation Plan

As the current building on site contains purpose-built rental units, the applicant is undertaking a Tenant Relocation Plan, as required by Policy 1.18 (*Tenant Relocation Plans*) of the City's OCP and Council Policy CO-81 (*Tenant Relocation Plans*). A separate explanatory memo detailing the applicant's efforts and communications with existing tenants to date will be provided when the application is considered by Council. The Provincial *Residential Tenancy Act* legislation also applies.

4. Design

The applicant is proposing a U-shaped building that responds to this large square site near existing transit, the planned 203 Street SkyTrain station, and the Historic Downtown, helping maximize density supporting these destinations. The building sits atop an underground parkade, partially extruded above ground due to geotechnical conditions, which is tiered with a step along the streetfront, clad with brick, and screened by landscaping to reduce the wall's height and massing and soften its interface with the public realm. Staff note this ground-floor street frontage, including the stairs, accessible ramp, and planters, is currently under review, and may be shifted east into the site by 1.2 metres by reducing the depth of the ground floor patios in order to accommodate the construction of a multi-use path on 204 Street. On the remaining three sides, the extruded parkade is painted to match the building's colour scheme, and is also tiered, landscaped, and indented along various points on the south and east sides to enable the preservation of existing trees on the neighbouring properties.

The building wraps a courtyard with its opening oriented to the north to accommodate vehicle and pedestrian access to each building wing and parking area, as well as to reduce shadowing on the neighbouring properties. To further support sensitive integration with its surroundings, the building uses an 8-metre setback to the east, which is larger than the typical 6-metre side setback, and a tiered building form, featuring an 8-storey podium, set back single-loaded corridor portions for the 9th and 10th storeys on the south and east, and a 12-storey tower oriented to 204 Street to the west. This shaping of density shifts height and massing away from neighbouring properties to the north, east, and south and toward the 204 Street frontage on the west while forming a transition between

the future 15-storey buildings in the approved Langley Lions master plan to the north and the lower building forms envisioned in the OCP moving south toward the Nicomekl River. This allows the taller building portions to be less or not visible from adjacent properties and the building's podium portion to exceed the 12-metre building-to-building separation requirement in the OCP, with separation distances of 14 metres to the east, 21 metres to the south, and 26 metres to the north provided at the shortest points.

The applicant has chosen to accommodate the rental-unit replacement requirement by separating the development into a strata wing, with its entrance facing 204 Street, and a rental wing, with its entrance on the interior courtyard and access to the street provided through a wide, accessible, and landscaped walkway. The architecture treats the development as a cohesive building form, with a brick base and fibre cement panelling above establishing a "base-middle-top" effect capped off with a light blue aluminum cornice. Light blue aluminum curved decorative features have also been added to the building's façades.

The development's shape, orientation, and massing approach create several landscaping opportunities. In addition to street-fronting trees, and shrub plantings lining the parkade walls and private patios, the surface level hosts a large courtyard, open to both the strata and rental wings, with two grass areas supporting play structures flanking a central lounge area. Upper-floor step backs at the 9th and 11th floors create additional rooftop outdoor amenity areas and landscaping opportunities for the roof levels of both building wings, accommodating features such as grass and hardscaped areas, lounge spaces and communal garden plots, and additional shrubs and trees. A total of 31 trees are proposed as part of the project. These rooftop spaces are also designed to set the usable space back from the roof edge, using planters placed along the perimeter, to ensure safety and prevent overlook to the neighbouring properties.

Within the building, unit sizes range from 28 m² to 78 m² (307 ft² to 840 ft²). The unit type distribution provides 42 studios, 244 one-bedroom unit types (1-bedroom or 1-bedroom + flex room), and 84 two-bedroom units. 84 of the units are adaptable. Average unit sizes and the proportion of different unit types are similar in both the strata and rental wings. Tenant storage facilities are provided in storage rooms located on all residential floors.

2,872 m² (30,914 ft²) of total amenity space is provided in the development. For the strata wing, this includes 728 m² (7,836 ft²) of indoor amenity space and 951 m² (10,237 ft²) of outdoor amenity space, programmed with communal garden boxes and lounge areas. For the rental wing, this includes 138 m² (1,485 ft²) of indoor amenity space and 268 m² (2,885 ft²) of outdoor amenity space, programmed with grass and a lounge area. In addition, both wings share the 787 m² (8,471 ft²) courtyard outdoor amenity. The amenity area provided exceeds

the minimum requirements for both the strata and rental wings separately, with the rental wing having slightly more amenity space on a per-unit basis. Three separate elevator cores serve the overall building.

5. Sustainability

The proposal incorporates several sustainable development features, including:

- Using construction techniques that minimize site disturbance and protect air quality;
- Using lighting systems meeting ground-level and dark skies light pollution reduction principles;
- Reducing the heat island effect by use of landscaped and treed courtyard and rooftop amenity areas;
- Using non-water dependent materials in the landscape design;
- Incorporating an irrigation system with central control and rain sensors;
- Using water-conserving toilets; and
- Providing 40 parking stalls with Level II electric vehicle (EV) chargers, with the remaining spaces pre-ducted for future installation.

6. CPTED

The applicant's proposal benefited from a comprehensive Crime Prevention Through Environmental Design (CPTED) review by a qualified consultant whose recommendations were incorporated into the plans.

7. Variances

As noted above, the applicant's proposed development is generally consistent with the draft 6-12 storey apartment building zoning regulations that are being considered for the new Zoning Bylaw to implement the Official Community Plan's Mid Rise Residential land use designation. However, given the proponent has applied to redevelop the site prior to the adoption of the new Zoning Bylaw, a site-specific Comprehensive Development (CD) Zone is proposed to be created to accommodate the redevelopment.

Despite the use of a CD Zone, the proposal requires variances from general Zoning Bylaw provisions to allow underground visitor parking, reduce the length of accessible parking spaces, and increase the share of small car spaces. Staff support these variances per the rationales below.

Underground visitor parking has become a common practice and staff will be proposing to allow it outright in the City's new Zoning Bylaw currently under

development. Additionally, the underground parkade has been designed in a way to fully secure the visitor and residential parking separately.

The accessible parking space variance requested is to reduce their length from 5.8 metres to 5.5 metres. The 5.5 metre length is consistent with the City's standard parking stall dimension requirements and, in a review of nearby municipalities (Langley Township, Surrey, Maple Ridge, and Abbotsford), found that all used the same stall length for both standard and accessible parking spaces. Staff are also considering making standard and accessible parking stall lengths consistent in the City's upcoming new Zoning Bylaw.

The share of small car parking spaces is proposed as 48% of resident stalls and 34% of visitor stalls, with a blended rate of 46%. The current Zoning Bylaw allows a maximum of 40% small car spaces, but staff are considering increasing this to a maximum of 60% for properties within the OCP's "Shoulder" area, in which this site is located, in the new Zoning Bylaw. This approach can significantly improve parkade space efficiency, as the use of slightly smaller individual spaces often results in the creation of additional stalls on the same amount of land without needing to further reduce parking rates. This in turn allows additional site density while maintaining reasonable parking supply.

Proposed Parking

If the current Zoning Bylaw requirement for a similar type of building (i.e. RM3 Zone) was applied to this application, the applicant's proposed overall parking amount is 14.8% less than what would be required. Given that a CD zone is being proposed to accommodate this development, technically a variance is only required for visitor parking, along with those previously outlined. However, it is important to note that staff support the applicant's overall parking approach, as the proposal (less 78 spaces or 14.8%) exceeds the standard rates under preliminary consideration for the new Zoning Bylaw. These rates are being contemplated based on research work conducted by the City's Zoning Bylaw update consultant and staff to date, what has included a review of the Metro Vancouver Parking Study as well as of parking rate requirements in other municipalities within the Lower Mainland.

If the preliminary rates being considered were applied to this application, 447 parking spaces would be required, based on rates of 1.0 spaces per studio and 1-bedroom unit, 1.25 spaces per 2-bedroom unit (=391 resident spaces), and 0.15 visitor spaces per unit (=56 visitor spaces). This total is 0.5% less than the applicant's proposed parking amount of 449 spaces, and is 15.2% less than the current RM3 Zone requirement of 527 spaces, which is based on rates of 1.2 spaces per studio and 1-bedroom units, 1.3 spaces per 2-bedroom unit (=453 spaces) and 0.2 visitor spaces per unit (=74 spaces). Similar variances have

recently been approved by Council at 20230 Logan Avenue (10% reduction), 20191 53A Avenue (13% reduction), and 20230 56 Avenue (15% reduction).

Based on the above commentary and analysis, staff support these variances.

8. Summary

The proposed development is consistent with the City's OCP and Development Permit Area guidelines for the area and presents a transit-supportive and efficient design providing housing in close proximity to parks, transit, and Downtown.

Engineering Requirements:

Additional design changes may be required upon further investigation, site inspections and receipt of other supporting reports and documents.

All work to be done to the City of Langley's Design Criteria Manual (DCM), and the City's Subdivision and Development Servicing Bylaw (SDSB).

Per the City's DCM requirement, the developer and their consulting engineer shall submit to the City Engineer a signed and sealed copy of Form F-1 (Commitment by Owner and Consulting Engineer) prior to starting their design works.

Per the City's Watercourse Protection Bylaw No. 3152, the developer's consulting engineer shall submit to the City Engineer a signed and sealed copy of Form F-1 (Confirmation of Commitment by Qualified Environmental Professional - QEP) prior to starting their site monitoring works.

These requirements have been issued to reflect the application for development for a proposed **370 Unit Apartment Development located at 5360 204 St.** *These requirements may be subject to change upon receipt of a development application.*

The City's Zoning Bylaw, 1996, #2100 has requirements concerning landscaping for buffer zonings, parking and loading areas, and garbage and recycling containers, all of which applies to this design.

A) The Developer is responsible for the following work which shall be designed by a Professional Engineer:

- I. A Qualified Environmental Professional (QEP) must be engaged to implement erosion and sediment control in accordance with the City of Langley Watercourse Protection Bylaw #3152, as amended.

- II. As this project is located within the new designated floodplain for the Nicomekl River, the Flood Construction Level shall be calculated as per the City of Langley Floodplain Elevation Bylaw No. 2768
- III. A storm water management plan for the site is required. Rainwater management measures used on site shall limit the release rate to pre-development levels to mitigate flooding and environmental impacts as detailed in the City's DCM. All calculations shall be based the City' DCM with 20% added to the *tabulated readings* to account for climate change. A safety factor of 20% shall be added to the calculated storage volume. *Pre-development release rates shall not include climate change effect.*
- IV. All existing services shall be capped at the main by the City, at the Developer's expense prior to applying for a demolition permit.
- V. New water, sanitary and storm sewer service connections are required. All pertinent pipe design calculations shall be submitted in spreadsheet format and shall include all formulas for review by the City. The Developer's engineer will determine the appropriate main tie-in locations and size the connections for the necessary capacity.
- VI. The capacity of the existing water and sanitary sewer mains shall be assessed through hydraulic modeling performed by the City's hydraulic modeling consultant at the Developer's expense.
 - a. Any upgrade requirement for either sanitary or water mains not covered under the City's DCC bylaw shall be designed and installed by the Developer at the Developer's expense.
 - b. At the Developer's expense, the City's hydraulic modeling consultant shall conduct a fire hydrant flow test to be used in the City's water modeling to determine if the existing water network is adequate for fire flows (based on architectural data supplied by the Developer's Architect). Upgrading of the existing watermain(s) may be necessary to achieve the necessary pressure and flows to conform to Fire Underwriters Survey (FUS) "Water Supply for a Public Fire Protection, a Guide to Recommended Practice, 1995."
- VII. Additional C71P fire hydrants may be required to meet bylaw and firefighting requirements. Hydrant locations must be approved by the City of Langley Fire Rescue Service.
- VIII. A 1.2m wide easement is required along the 204 Street frontage.
- IX. New sidewalk, bike path, barrier curb, gutter will be required along the entire project frontage, complete with boulevard trees and a planting strip, and appropriate curb bulges as per the City's DCM x-section SS-R06 standard and section 11.0 - Specifications and Standards for Landscaping.
- X. A traffic impact assessment will be required as per the City's DCM.
- XI. The condition of the existing pavement along the proposed project's frontages shall be assessed by a geotechnical engineer. Pavements shall be adequate for an expected road life of 20 years under the expected traffic conditions for the class of road. Road construction and asphalt overlay

- designs shall be based on the analysis of the results of Benkelman Beam tests and test holes carried out on the existing road which is to be upgraded. If the pavement is inadequate, it shall be remediated at the Developer's expense.
- XII. The site layout shall be designed by a civil engineer to ensure that the parking and access layout meets minimum design standards, including setbacks from property lines. Appropriate turning templates should be used to prove parking stalls and drive-aisles are accessible by the design vehicle.
 - XIII. Existing and proposed street lighting along the entire project frontage shall be reviewed by a qualified lighting consultant to ensure street lighting and lighting levels meet the City's DCM standards (SS-E03 in the updated DCM – DEC 2022).
 - XIV. Eliminate the existing overhead BC Hydro/telecommunication infrastructure along the development's 204th St. frontage by replacing with underground infrastructure.
 - XV. A dedicated on-site loading zone shall be provided by the developer.

B) The Developer is required to deposit the following bonding and fees:

- I. The City will require a Security Deposit based on the estimated construction costs of installing civil works, as approved by the City Engineer.
- II. The City will require inspection and administration fees in accordance to the Subdivision Bylaw based on a percentage of the estimated construction costs, as per the City's Subdivision and Development Servicing Bylaw 2021 #3126.
- III. A deposit for a storm, sanitary and water services is required, which will be determined by City staff after detailed civil engineering drawings are submitted, sealed by a Professional Engineer.
- IV. The City will require a \$40,000 bond for the installation of a water meter to current City standards as per the DCM.
- V. A signed and sealed pavement cut form (Form F-2 of the City's DCM) shall be completed by the developer's consulting engineer. Upon the review and approval of the City Engineer of the submitted form, the corresponding Permanent pavement cut reinstatement and degradation fees shall be paid by the Developer.

NOTE: Deposits for utility services or connections are estimates only. The actual cost incurred for the work will be charged. The City will provide the developer with an estimate of connections costs, and the Developer will declare in writing that the estimate is acceptable.

C) The Developer is required to adhere to the following conditions:

- I. Unless otherwise specified by the City Engineer, all engineering works shall be designed based on the City's DCM specifications in accordance with the City's Subdivision and Development Servicing Bylaw 2021, No. 3126 (updates coming – Dec. 2022)
- II. Undergrounding of hydro, telecommunication to the development site is required, complete with underground or at-grade transformer
- III. Transformers servicing developments are to be located on private property with maintenance access located on private property. All transformers to be wrapped upon installation by the Developer.
- IV. All survey costs and registration of documents with the Land Titles Office are the responsibility of the developer/owner. Please refer to the City's Subdivision and Development Servicing Bylaw 2021, No. 3126 for more details.
- V. A water meter is required to be installed on private property, preferably in the mechanical room, in accordance to the City's DCM standards at the Developer's cost.
- VI. An approved backflow prevention assembly must be installed on the domestic water connection immediately upon entering the building to provide premise isolation.
- VII. A *Stormceptor* or equivalent oil separator is required to treat site surface drainage.
- VIII. A complete set of record drawings (as-built) of off-site works, service record cards and a completed tangible capital asset form (TCA) all sealed by a Professional Engineer shall be submitted to the City within 60 days of the substantial completion date. Digital drawing files in .pdf and .dwg formats shall also be submitted. All the drawing submissions shall:
 - a. Use City's General Note Sheet and Title Block; and
 - b. Closely follow the format and sequence outlined in the City's DCM that will be provided to the Developer's Consulting Engineer.
- IX. The selection, location and spacing of street trees and landscaping are subject to the approval of the City Engineer. Please refer to the City's DCM for more details.
- X. Stormwater run-off generated on the site shall not impact adjacent properties, or roadways.
- XI. Garbage and recycling enclosures shall accommodate on the site and be designed to meet Metro Vancouver's "Technical Specifications for Recycling and Garbage Amenities in Multi-family and Commercial Developments - June 2015 Update." Please refer to the City's Subdivision and Development Servicing Bylaw 2021, No. 3126 for more details.

Fire Department Comments:

Fire department access for the whole project was reviewed to ensure adequate access was in place. A construction fire safety plan shall be completed, complete with crane inspection records. A progressive standpipe installation will be required as construction rises. Standpipes will be located at both end of the outdoor amenity areas, in the parkade vestibule, and at the vehicle entrance to the parkade. Rescue rated anchors will need to be installed, location to be determined as per building design. All garbage/recycling rooms to be of adequate size to prevent spillover into parkade area. Stairwells must be constructed to accommodate shelter in place applications. A Fire Safety plan and FD lock box will be required before occupancy. The final locations of multiple 4" FDCs will be discussed with the Fire Department at a later date. A firefighter communication system will be required to be installed, as well as additional fire fighting equipment and storage areas. Locations to be determined at a later date.

Advisory Design Panel:

In accordance with Development Application Procedures Bylaw No. 2488, the subject Zoning Bylaw amendment, Land Use Contract discharge, and Development Permit application will be reviewed by the Advisory Design Panel (ADP) at the March 29, 2023 meeting.

According to the Council-approved ADP Terms of Reference, the ADP is to provide form and character and urban design-related advice and recommendations for Council's consideration. ADP recommendations will be presented to Council through the ADP meeting minutes and, if applicable, through an additional City staff report, prior to Council consideration of the proposed Zoning Bylaw amendment and Development Permit Applications.

A copy of the ADP minutes will be presented to Langley City Council at a future Regular Council meeting.

BUDGET IMPLICATIONS:

In accordance with Bylaw No. 2482, the proposed development would contribute \$3,112,974.00 to City Development Cost Charge accounts and \$740,000.00 in Community Amenity Contributions.

To: Advisory Design Panel

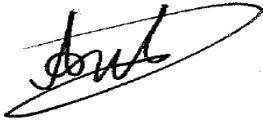
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Contract Application LUC 01-22

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Prepared by:



Anton Metalnikov, RPP, MCIP
Planner

Concurrence:



Roy M. Beddow, RPP, MCIP
Deputy Director of Development Services

Concurrence:



Carl Johannsen, RPP, MCIP
Director of Development Services

Concurrence:



Rick Bomhof, P.Eng.
Director of Engineering, Parks &
Environment

Concurrence:



Scott Kennedy, Fire Chief

Attachments

To: Advisory Design Panel

Date: March 22, 2023

Subject: Development Permit Application DP 03-22, Rezoning Application RZ 02-22, & Land Use Contract Application LUC 01-22

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DEVELOPMENT PERMIT APPLICATION DP 03-22 REZONING APPLICATION RZ 02-22 LAND USE CONTRACT APPLICATION LUC 01-22

Civic Address: 5360 204 Street
Legal Description: Lot 178, District Lot 36, Group 2, New Westminster District, Plan 53282
Applicant: 1337204 BC Ltd.
Owner: 1337204 BC Ltd.

