

## Attachment 1

*Report to LUPC Dated July 12, 2021*



Corporation of the City of  
**NEW WESTMINSTER**

## **REPORT**

### *Development Services*

**To:** Land Use and Planning Committee      **Date:** 7/12/2021

**From:** Emilie K Adin, MCIP      **File:** PAR01411  
Director of Development Services

**Item #:** 15/2021

**Subject:** **1084 Tanaka Court: Official Community Plan Amendment for a 99 Unit Rental Building and Childcare - Director's Memo**

### **RECOMMENDATION**

***THAT** the Land Use and Planning Committee direct staff to discourage the applicant's further consideration of submitting an OCP amendment application on this site.*

### **1.0 PURPOSE**

The purpose of this memo is to elicit preliminary feedback from the Land Use and Planning Committee on proposed amendments to the Official Community Plan and zoning for the property at 1084 Tanaka Court.

### **2.0 REVIEW PROCESS**

This is Stage One of a two-stage preliminary application review (PAR) opportunity that is available to applicants at the Director's discretion. The two-stage PAR process was implemented in 2018, to allow for early political input on exceptional development application inquiries that fall outside the lines of existing City policy.

Stage One:

- PAR application form is submitted with full fee payment
- Director's memo to the Land Use and Planning Committee (LUPC), with a simple land use question, prior to fulsome staff review

Stage Two:

- Completion of PAR application with all required drawings and submission items
- Application is circulated inter-departmentally to all development review staff
- Typical PAR process proceeds (including staff report to the LUPC)

As the current proposal for a mixed-use development includes 99 residential rental units, which is not an anticipated land use in the OCP, the inquiry is presented to the LUPC in the form of a Director's Memo as an early check-in.

### 3.0 **BACKGROUND**

The subject property is located directly adjacent to Southern Railway, Boyd Street, and Westminster Highway mid-block on Tanaka Court close to Gifford Street. The site is currently vacant and was rezoned in 2018 from M-2 (Heavy Industrial District) to CD-82 (Comprehensive Development District) to allow for a banquet hall and commercial office use. The intent of the **Comprehensive Development District (CD-82)** zone is intended to allow a banquet hall, together with a range of commercial and educational uses. The proposal does not meet the site's CD-82 zone, and as such a Zoning Bylaw amendment would be required.

The site is designated **QC (Queensborough Commercial)** in the Official Community Plan (OCP) which is defined below:

***Purpose:*** To allow retail, service and office commercial uses at ground level and may include commercial or office above the ground level.

***Principal Forms and Uses:*** Retail, service and office commercial uses.

***Complementary Uses:*** Utilities, transportation corridors, parks, open space, and community facilities. Residential uses which are ancillary to a business on these properties (e.g. caretaker units).

***Maximum Density:*** Low to medium density commercial.

The **Queensborough Commercial Development Permit Area #2 (QA2)** guidelines are designed to provide a framework for commercial development without a residential component.

As the proposal incorporates residential uses that are not consistent with the intent of the QC land use designation, or the Development Permit Area, an Official Community Plan amendment would be required in addition to a rezoning.

#### 4.0 **PROPOSAL**

The applicant is proposing an OCP amendment to change the designation of the property from QC (Queensborough Commercial) to ML (Mixed Use – Low Rise), in order to allow a concurrent rezoning which would permit the construction of a mixed-use 6-storey development with a 2.1 floor space ratio (FSR). A five or six storey building may only be considered under the ML designation in circumstances where the Development Permit Area guidelines can be met, a compelling case can be made, and appropriate amenities are provided.

The development would incorporate commercial floor space, rental housing, and approximately 136 childcare spaces. The prospective applicant for the OCP amendment has submitted a letter explaining the request and rationale (see Attachment 1). The applicant proposes that 100% (99) of the residential units would be provided as rental housing. The market rental units would be secured for 60 years or the life of the building, whichever is longer. The applicant has confirmed that there would be approximately 136 childcare spaces provided with the development. The spaces would provide 72 infant and 64 preschool aged spaces.

This proposal falls outside of current City policy. Thus, in order to enable special consideration, a 2-stage PAR process has been made available for this development application.

#### **Considerations in Favour of the Proposal**

- The development would add 99 new secured market rental units to the City's rental housing supply, in line with the Secured Market Rental Housing Policy. The site at 1084 Tanaka Court is currently vacant and there would be no loss of existing rental units.
- The development would add 136 new childcare spaces in 10 classrooms to the Queensborough Neighbourhood, where child care spaces are difficult to locate. The neighbourhood with the greatest child care needs is Queensborough, particularly related to infant/toddler (0 to 36 months) and school age care (5 to 12 years). While the demand for child care has been negatively impacted by the COVID-19 pandemic, this is likely temporary, and within a few years demand will far outstrip supply.
- Child care is difficult to successfully locate in the city, due to the fact that many existing commercial buildings do not meet the current off-street parking requirements or outdoor play space requirements. This is despite the City having reduced zoning regulations governing child care, and no restrictions regarding their siting (e.g., distance from major arterials, rail lines, etc.)

- The development would result in the creation of approximately 10,000 sq.ft. of commercial space to service the area.
- Shopping and commercial uses for tenants are in close proximity to the site.

### **Considerations counter to the proposal**

- The Official Community Plan dates from 2017. While amendments may be considered, staff generally recommends those which are either: 1) minor and resulting in development that is relatively in alignment with the intent of the OCP; or, 2) providing benefits that are significantly over-and-above in relation to other Council priority areas. This application is considered to be a significant amendment, and it is not in close alignment with the intent of the current OCP. While the proposal provides childcare and residential market-rental units which are a need in this neighbourhood, it does not include affordable housing units or other benefits which would be considered to go over-and-above in relation to Council priority areas.
- The OCP locates industrial, mixed employment, and commercial entertainment uses north of Boyd Street, except at the easternmost end of Queensborough. The intent of this is to clearly separate these uses from residential uses in the neighbourhood, to minimize the impacts of each use on the other. For example, residential uses often complain of noise, light intrusion, and air quality issues when located next to industrial sites. Industrial businesses find it challenging to address the complaints of residential uses located nearby, as solutions are often not viable, or if implemented would unduly constrain effective operations. The City regularly receives complaints about noise from adjacent properties, especially in regards to the railway and existing industrial/commercial sites. The proposed project would locate residential uses north of Boyd Street on a site surrounded by properties designated and zoned for industrial, mixed employment, and commercial entertainment uses.
- The City's Economic Development Plan identifies that retail, office, and institutional floor space will correspond with an estimated 21,000 jobs by 2041. It is therefore important to ensure that the supply of suitable industrial, office and retail floor space throughout the city is available to support this growth. Re-designating and rezoning the site for a residential-use in the context of surrounding heavy industrial uses would not be in keeping with the City's Economic Development Plan and policies. As per current land-use trends, it is likely that there will be high demand for industrial/commercial land-uses in the future that are limited within the City of New Westminster.

- Locating residential uses on this site would not be consistent with the City's Bold Steps for Climate Action. While tenants would be living in close proximity to shopping, the building would be situated in a predominately highway-oriented commercial area. This location is disconnected from the rest of the Queensborough community in terms of residents having to cross a rail lines and a major highway to access amenities such as schools, parks, the community centre, and to visit neighbours. Staff expects that a development in this location would require residents to depend primarily on private vehicles for transportation.
- The site is located directly adjacent to the Southern Railway spur line, which poses safety, vibration, and noise concerns, particularly to the child care and residential uses. The site is also adjacent to a major highway which could result in additional considerations for noise impact. Both the Queensborough Community plan and the Railing Association of Canada (RAC) Guidelines for New Development in Proximity to Railway Operations prioritize designing housing that is livable by reducing the impacts from noise, vibration, and air pollution related to transportation and goods movement. The RAC Guidelines recommend setbacks between 15-30 metres to the occupied portions of this type of proposed development. The rooftop outdoor play space has a proposed setback of 0.4 metres and the residential portion of the development has a setback of 17 metres. As the building would be wood frame, it is unlikely that noise issues could be mitigated significantly through building design, and the overall proximity of these uses may significantly impact livability.

Should the LUPC not support the proposed residential land-use (i.e., the aspects of the proposal requiring an OCP amendment be approved by Council), staff would work with the applicant to bring forward a proposal for the stage 2 PAR which is in keeping with the OCP QC land use designation.

## 5.0 OPTIONS

1. That LUPC direct staff to support the applicant in proceeding to Stage Two of the Preliminary Application Review process.

*This option would reflect LUPC's desire to more fully review a preliminary application before offering specific feedback regarding pursuing this development application any further.*

2. That LUPC direct staff to discourage the applicant's further consideration of submitting an OCP amendment application on this site.

*This option would reflect LUPC's position that, given the relative newness of the OCP and significant diversion from the intended land-use in exchange for services and amenities that do not significantly go above-and-beyond City policy expectations, an*

*amendment process would not likely be supported at this time. Staff would work with the applicant to explore other development options for the site that are in keeping with the existing OCP QC land use designation.*

3. That LUPC provide other feedback to staff.

Staff recommends Option 2.

### **ATTACHMENTS**

Appendix A: Applicant's Project Summary Letter

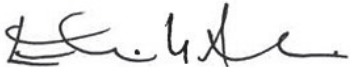
Appendix B: Conceptual Architectural Drawings/Renderings

This report has been prepared by:

Athena von Hausen, Development Planner

This report was reviewed by:

Jackie Teed, Senior Manager of Development Services



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Emilie K Adin, MCIP

Director of Development Services



Appendix A:  
*Applicant's Project Summary Letter*



1035668 BC Ltd.  
210 Phillips Street  
New Westminster, BC  
dbsra@telus.net

April 20, 2021

Emilie Adin  
Director of Development Services  
511 Royal Avenue

City of New Westminster, BC, V3L 1H9

Subject: Rezoning of 1084 Tanaka Court Properties

Dear Ms. Emilie,

We 1035668 BC Ltd owns 1084 Tanaka Court and we like to develop this property as 100-unit six floor Residential Rental property approximately 72,000 Sqft. on upper 4-5 floors. In addition, about 20,000 Sqft commercial on main floor including 10,000 Sqft Day care facility which is much in need in this area. Currently, we have CD zoning for Banquet Hall, Unfortunately, due to high-cost parking, this project is not feasible, and we want to re-zone this from current CD Zoning for Banquet hall to mixed Zoning for commercial and rental residential.

We have submitted architectural design for this project for your review as well. As there is high demand of rental properties in BC. The provincial government is very supportive for the rental property developments and in talks with rental development professionals.

We hope, City will consider supporting this project to provide more rental units in the central location of lower mainland with much needed large day care facility run by reputable Day Care Management.

Please let me know if you need any additional information for clarification

Sincerely yours,

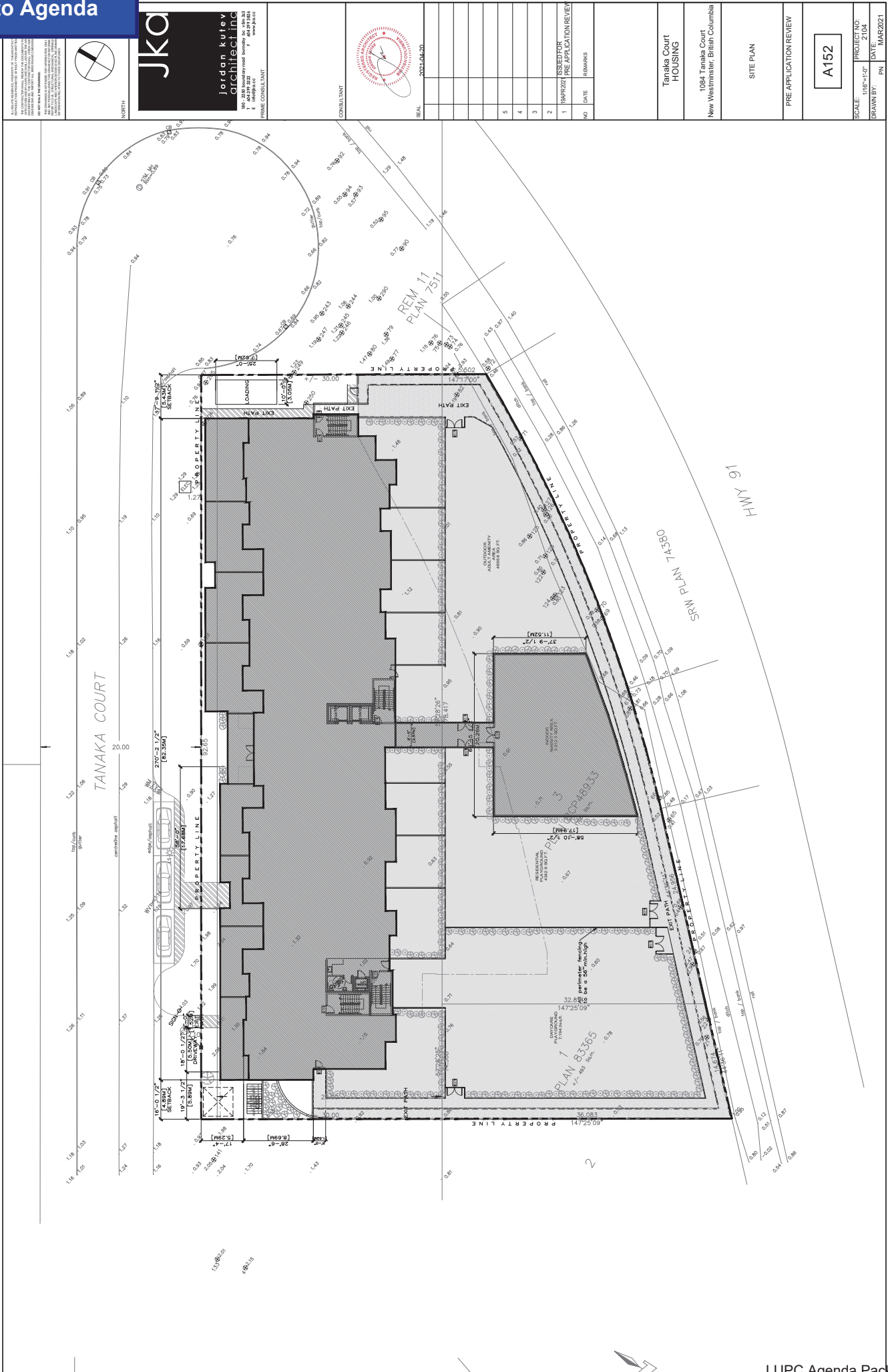


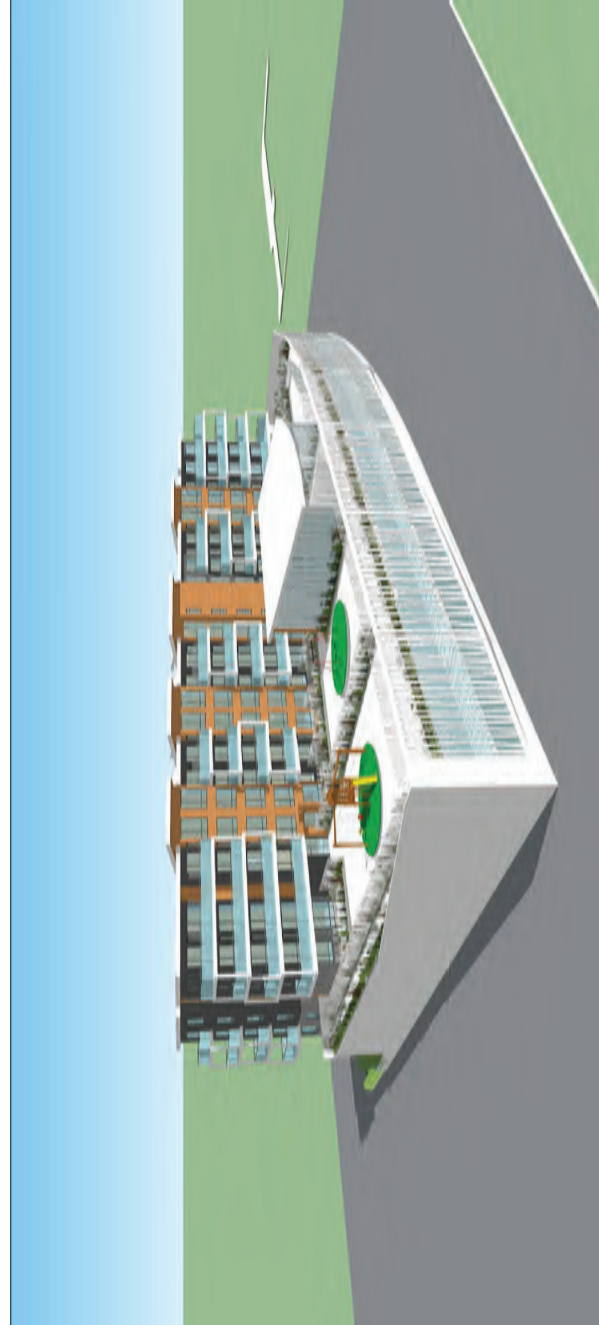
Dharam Singh Sra



## Appendix B:

### *Conceptual Architectural Drawings/Renderings*






o Agenda


ALTERNATIVE PRELIMINARY PREL

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NORTH



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PRIME CONSULTANT

CONSULTANT



2021-04-20

NO.	DATE	REVISIONS
1	10/04/2021	ISSUED FOR PRE APPLICATION REVIEW
2		
3		
4		
5		

Tanaka Court  
HOUSING

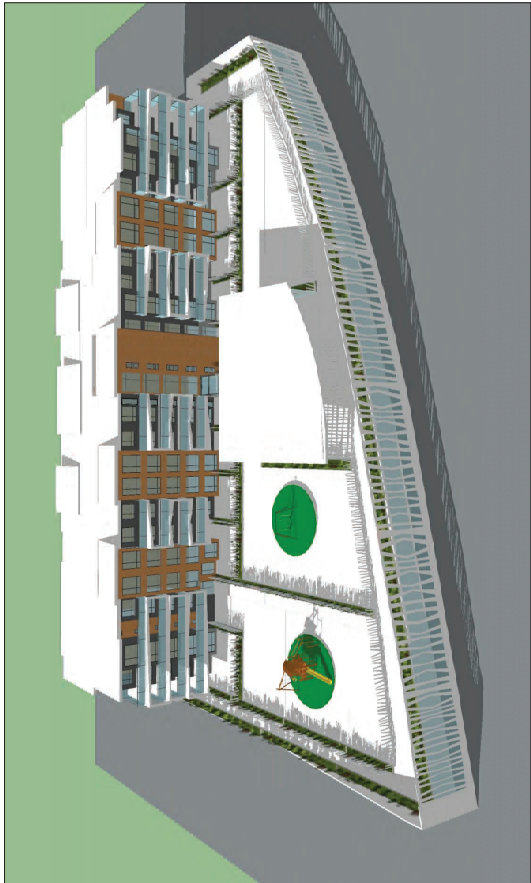

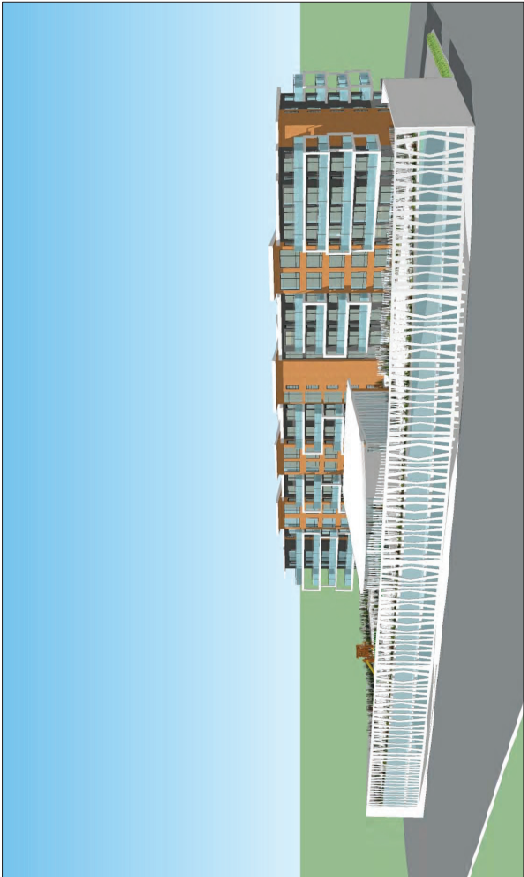
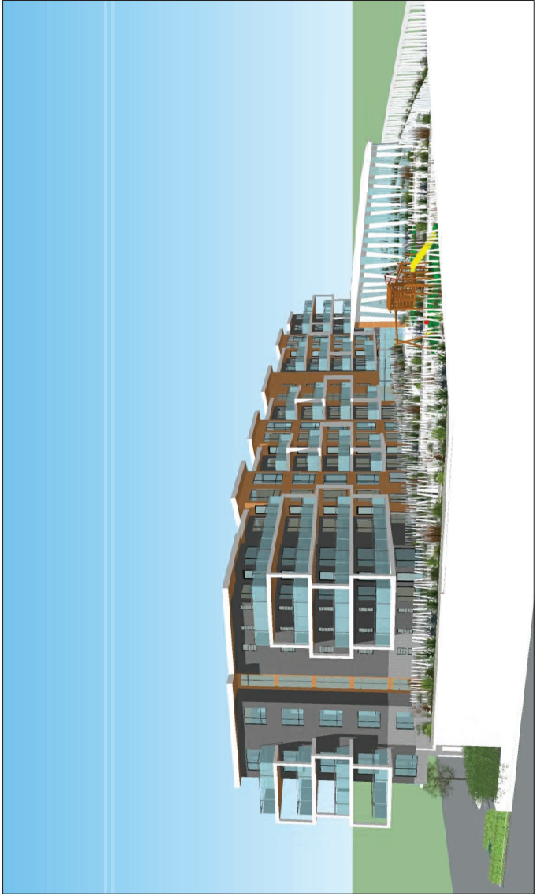
1084 Tanaka Court  
New Westminster, British Columbia

3D RENDERERS

PRE APPLICATION REVIEW

A802

PROJECT NO: 2104  
SCALE: N.T.S.  
DATE: MAR2021  
DRAWN BY: PN



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