



Proposal: Rezone from CHI to RM-30. OCP Amendment from Commercial to Multiple Residential. DP to permit the development of an 18-unit multiple residential townhouse complex. DVP to vary the front yard setback.

Recommendation: Approval to Proceed

Location: 8273 - 120A Street **Zoning:** CHI

OCP Designation: Commercial

LAP Designation: Commercial **Owner:** 671648 B.C. Ltd. (Inc. No. 671648)

PROJECT TIMELINE

Completed Application Submission Date: June 6, 2004
Planning Report Date: October 18, 2004

The applicant is proposing:

- an OCP amendment from Commercial to Multiple Residential;
- a rezoning from CHI to RM-30;
- a Development Permit; and
- a Development Variance Permit to vary the following by-law regulations:
 - reduce the minimum front yard setback from 7.5 metres (25 ft.) to 3.5 metres (11.5 ft.)

in order to permit the development of an 18-unit multiple residential townhouse complex.

The Planning & Development Department recommends that:

1. a By-law be introduced to redesignate the property in the OCP from Commercial to Multiple Residential and a date for Public Hearing be set.
2. a By-law be introduced to rezone the property from "Highway Commercial Industrial Zone (CHI)" (By-law No. 12000) to "Multiple Residential 30 Zone (RM-30)" (By-law No. 12000) and a date be set for Public Hearing.
3. Council determine the opportunities for consultation with persons, organizations and authorities that are considered to be affected by the proposed amendment to the Official Community Plan, as described in the Report, to be appropriate to meet the requirement of Section 879 of the *Local Government Act*.
4. Council approve the applicant's request to eliminate the required indoor amenity space.
5. Council authorize staff to draft Development Permit No. 7903-0233-00 in accordance with the attached drawings (Appendix II).
6. Council approve Development Variance Permit No. 7903-0233-00 (Appendix VI), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front yard setback of the RM-30 Zone from 7.5 metres (25 ft.) to 3.5 metres (11.5 ft.).
7. 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 landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (c) registration of a Section 219 Restrictive Covenant to specifically prohibit the conversion of the tandem parking spaces into livable space; and
 - (d) the applicant adequately address the impact of the elimination of indoor amenity space.
8. Council pass a resolution to amend the Newton Local Area Plan to redesignate the land from Commercial to Multiple 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 III).

Parks, Recreation & Culture: The Parks, Recreation & Culture Department has expressed concerns regarding the following:

- (a) The applicant is to address the concerns on the pressure this project will create on the existing park facilities in the area; and
- (b) The proposed landscaping and other works in the area between the two cul-de-sacs, which is a road right-of-way, must conform to the City of Surrey Parks, Recreation & Culture standards. A letter of credit is required to ensure installation and maintenance of landscaping and any other works in this area (Appendix IV).

School District:

School Impacts:

Projected number of students from this development:

Elementary students = 4 students

Secondary students = 2 students

Total new students = 6 students

School Catchment Area/Current Enrollment/School Capacity:

Name of Elementary School = Kennedy Trail

Enrolled/K/1-7: 45K + 300

Capacity: (K/1-7: 80K + 275)

Name of Secondary School = Kwantlen Park

Enrolled (8-12): 1,375

Capacity (8-12): 1,200

Projected number of students from development approvals in the last 12 months (not including subject project) in the subject school catchment areas:

Elementary students = 1 student

Secondary students = 0 student

Total new students = 1 student

Approved Capacity Projects and Future Space Considerations

There are no new capital projects proposed at the elementary school and no new capital projects identified for the secondary school. Space utilization options are being considered to reduce capacity shortfall at Kwantlen Park Secondary.

SITE CHARACTERISTICS

- **Existing Land Use** A large, vacant and undeveloped lot.
- **East:** Across 120A Street are existing multiple residential townhouse projects on large lots, zoned RM-30 and CD (By-law No. 13044), designated Multiple Residential in the OCP.

- **South:** Existing large single family residential lots, zoned C-8, designated Commercial in the OCP.
- **West:** Across the adjacent lane are existing developed commercial lots fronting onto 120 Street (Scott Road), zoned C-8 and CHI, designated Commercial in the OCP.
- **North:** Existing large single family residential lots, zoned RA, designated Multiple Residential in the OCP.

PLAN AND POLICY COMPLIANCE

- OCP Designation: Needs amendment from Commercial to Multiple Residential.
- LAP Designation: Needs amendment from Commercial to Multiple Residential.

JUSTIFICATION FOR PLAN AMENDMENT

- The applicant proposes to amend the Official Community Plan from Commercial to Multiple Residential in order to develop an 18 unit multiple residential townhouse project on the subject site.
- The proposed amendment is supportable for the following reasons:
 - (a) The subject site is situated one block east of 120 Street (Scott Road) and for the purposes of future commercial development is considered isolated and has poor exposure.
 - (b) At the present time 120A Street is not a through road and the Engineering Department has indicated that this situation will not change and require that two cul-de-sac bulbs be constructed on 120A Street. Because of this existing/future road configuration, access to any proposed commercial development on the subject site would be severely limited.
 - (c) The OCP designation for the lands to the immediate north and east of the subject site is for Multiple Residential and an existing townhouse development faces the site on the east side of 120A Street. Encouraging commercial development on the subject site would be considered as an intrusion into an otherwise residential area.
 - (d) The previous commercial application (7996-0029-00) did not proceed and was closed largely because of lack of commercial exposure for the subject site.
- Given the predominant residential land use in the surrounding area and the lack of commercial exposure for the subject site the Planning & Development Department consider the proposed multiple residential use as appropriate and support the proposed minor OCP amendment from Commercial to Multiple Residential (Appendix VII).
- The proposed OCP amendment is considered a (Type 1) Minor OCP Amendment because it can be evaluated based on available information, has minimum community impact and is not precedent setting. It can be reviewed concurrently with a rezoning application.

DEVELOPMENT CONSIDERATIONS

- The subject site is located at 8273-120A Street in West Newton and is designated Commercial on the Official

Community Plan Land Use Designation Map. The site is bounded by 120A Street on the east, a lane on the west that acts as a service route for the existing commercial properties that front 120 Street (Scott Road) and large residential lots to the north and south.

- Application No. 7996-0029-00 to rezone the subject site from CH (By-law No. 5942) to CD (By law No. 12000) to allow for the development of a two-storey office building went to Council in July 1996 and received Third Reading in September 1996. The application was subsequently inactive for 4 years and the By-law was filed in March 2000.
- The present application is to rezone the subject site from CHI to RM-30 to allow the development of an 18-unit townhouse project at a density of 18 upa (44.65 uph). This proposed density is compatible with the densities of the existing multiple residential developments in the immediate area between 120A Street and 121A Street which are zoned RM-15 and RM-30 (Appendix VIII).

PRE-NOTIFICATION

Pre-notification letters were sent out on August 26,2003 and staff have received 1 letter, 1 petition signed by 12 residents, 1 fax and 1 phone call. The following information was provided in order to address the concerns that were raised:

- The 12 residents who signed the petition, reside on 120A Street which is not a through road. They are opposed to any plan that might link the two dead-end sections of the road and make 120A Street a through road to traffic.

(The City Engineering Department have indicated that 120A Street will be constructed to limited local standards and the applicant is also required to complete two cul-de-sac bulbs ensuring that 120A Street will not become a through road in the future.)

- The owners of commercial properties at 8220 and 8232 - 120 Street have an existing Restrictive Covenant located on the southwest corner of the subject site adjacent to the lane to ensure the location and use of 7 parking spaces and are opposed to any proposed relocation of the parking spaces.

(The site plan prepared by the applicants architect shows that the 7 commercial parking spaces will remain at the southwest corner of the subject site and will not be moved. The Restrictive Covenant has been modified with the agreement of the owners of the commercial properties to allow minor re-configuration of the parking spaces. The parking covenant area will be buffered from the proposed development by landscaping and fencing provided on the southwest side of the proposed outdoor amenity area.)

PUBLIC CONSULTATION PROCESS FOR OCP AMENDMENT

Pursuant to Section 879 of the *Local Government Act*, it was determined that it was not necessary to consult with any persons, organizations or authorities with respect to the proposed OCP amendment, other than those contacted as part of the pre-notification and circulation process.

DESIGN PROPOSAL AND REVIEW

- The proposed layout provides for a short internal cul-de-sac with the access point off the southerly section of 120 A Street. A vehicle turnaround is provided midway along the cul-de-sac on the west side. The proposed 18 stacked townhouses are configured in three blocks, two blocks containing 5 units each and one block containing 8 units.

- The block fronting onto 120A Street contains 5 units and is 2-storeys in height. The remaining blocks, containing 5 and 8 units are 3 storeys in height. The 2-storey units contain the garages and kitchen and living areas on the main (ground) floor and the bedrooms on the upper floor. The 3-storey units have enclosed tandem garages at basement (ground) level, kitchen and living areas on the main floor and bedrooms on the upper floor.
- The proposed development is contemporary west coast in design with the predominant roof form being hip roofs with smaller shed roofs on both the front and rear elevations to provide design variety. Covered decks are provided at the rear main floor level, and patios at the rear basement (ground) level. Finishing for the units will include a mixture of vertical and horizontal hardi-plank siding. Painted wood posts are to be provided on the decks and cedar shingle siding around the windows. The roofs will be finished in asphalt shingles.
- The applicant is providing 40 parking spaces which meet the By-law requirement. The 2-storey units contain 5 double garages and the 3-storey units contain 13 enclosed tandem garages. A Section 219 Restrictive Covenant is to be provided to prohibit the conversion of the tandem parking spaces into livable spaces. Visitor parking (4 spaces) is provided off the internal road adjacent to the block that fronts 120A Street. The commercial parking at the southwest corner of the subject site is not a component of the on-site parking and is separated from the proposed development.
- The subject site has been cleared of trees/vegetation at a previous date. The landscaping proposed for the development is to be provided in two components. The landscaping for the area between the two cul-de-sacs on 120A Street will include trees and grass together with a connecting walkway. The landscaping for the internal subject site will be placed mainly in the surrounding 7.5 metre(25 feet) setback areas and will include trees, shrubs and grassed areas. At the north side of the site a decorative paving walkway with a gated arbour is provided as a link between the end of the internal road and the sidewalk on 120A Street.
- A large outdoor amenity area is to be provided at the southwest corner of the subject site between the two internal 3-storey blocks, and adjacent to the commercial parking spaces that access the lane on the west side of the site. The amenity area will be provided with play equipment for children and is to be screened from the commercial parking with a hedge and fence.
- Because of the small scale and the limited impact of the proposed development the project was not submitted to the Advisory Design Panel. The architectural and landscaping plans for the proposed development have been reviewed by the Planning & Development Department in conjunction with the Architect for the project, and the following concerns have been successfully addressed:
 - (a) In order to provide an overview of the outdoor amenity area and improve CPTED safety conditions, the units that abut the outdoor amenity area will have the decks wrapped around onto the side elevations.
 - (b) In order to re-enforce the street connection and massing of Building No. 1, large scale windows and French doors have been added to the street facing units. In addition the upper floor gable is increased to break up the roofline.
 - (c) In order to address security issues additional shrub planting and lighting are to be provided on the east and north sides of the commercial parking along the interface with the outdoor amenity area.
 - (d) The plans have been modified to specify the types of hard surface and fencing that is being provided.
 - (e) The landscaping for the area between the two proposed cul-de-sacs is to be limited to the provision of grass and trees, together with the continuation of the proposed sidewalk on the west side of 120A Street connecting the cul-de-sacs.
- The approved architectural and landscaping plans for the project, which have been amended to include the above, are attached to this report as Appendix II.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To vary the minimum front yard setback for the proposed townhouse block that fronts onto 120A Street from a minimum of 7.5 metres (25 feet) to a minimum of 3.5 metres (11.5 feet).

Applicant's Reasons

- The front yard setback for the proposed townhouse block fronting onto 120A Street is negatively impacted by the existing cul-de-sac bulb property line ,which projects into the setback area.

Staff Comments:

- Staff support the proposed reduced front yard setback for the townhouse block that fronts onto 120A Street because other than at the location of the cul-de-sac bulb the proposed building meets the minimum required setback of 7.5 metres (25 feet).

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.	Proposed Site Plan, Typical Floor Plans and Elevations and Landscape Plans
Appendix III.	Engineering Summary
Appendix IV.	Parks, Recreation & Culture Comments
Appendix V	School District Comments
Appendix VI.	Development Variance Permit No. 7903-0233-00
Appendix VII.	Proposed OCP Amendment Map
Appendix VIII.	Existing Area Zoning Map

Murray Dinwoodie
General Manager
Planning and Development

DH/kms

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APPENDIX IInformation for City Clerk

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

- (a) Agent: Name: Barnett Dembek Architects Inc.

Address: Unit 202, 12448 - 82 Avenue
Surrey, B.C. V3W 3E9
Tel: 604-597-7100

2. Properties involved in the Application

- (a) Civic Address: 8273 - 120A Street
- (b) Civic Address: 8273 - 120A Street
Owner: 671648 B.C. Ltd. (Inc. No. 671648)
PID: 005-699-622
Lot 2 Section 30 Township 2 New Westminster District Plan 58453

3.

- (a) Introduce a By-law to amend the Official Community Plan to redesignate the property.
- (b) Introduce a By-law to rezone the property.
- (c) Proceed with Public Notification for Development Variance Permit No. 7903-0233-00.

DEVELOPMENT DATA SHEET

Proposed Zoning: RM-30

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total	4,168 m ²	
Road Widening area		
Undevelopable area	225 m ² (R/C area)	
Net Total	3,943 m ²	
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	30%	31.2%
Paved & Hard Surfaced Areas		23.9%
Total Site Coverage		55.1%
SETBACKS (in metres)		
Front	7.5 m	3.5 m
Rear	7.5 m	7.5 m
Side #1 (North)	7.5 m	7.5 m
Side #2 (South)	7.5 m	7.5 m
BUILDING HEIGHT (in metres/storeys)		

Principal	13 m.	11.9 m/3 storey
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		3
Three Bedroom +		15
Total		18
FLOOR AREA: Residential		
		2,208 m ²
FLOOR AREA: Commercial		
Retail		n/a
Office		
Total		
FLOOR AREA: Industrial		
		n/a
FLOOR AREA: Institutional		
		n/a
TOTAL BUILDING FLOOR AREA		
		2,208 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)	45.25 uph (18 upa)	44.46 uph (18 upa)
FAR (gross)		
FAR (net)	0.5728	0.5727
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor	54 m ²	199 m ²
PARKING (number of stalls)		
Commercial		n/a
Industrial		n/a
Residential Bachelor + 1 Bedroom		
2-Bed		6
3-Bed		30
Residential Visitors		4
Institutional		n/a

Total Number of Parking Spaces		40
Number of disabled stalls		
Number of small cars		
Tandem Parking Spaces: Number / % of Total Number of Units		13
Size of Tandem Parking Spaces width/length		

Heritage Site	NO	Tree Survey/Assessment Provided	NO
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MULTIPLE BUILDINGS DATA SHEET

Proposed Zoning: RM-30

Required Development Data	Building #1	Building #2	Building #3
SETBACK (in metres)			
Front	3.5 m	32.6 m	7.5 m
Rear	29.8 m	7.5 m	23.2 m
Side #1 (North)	7.5 m	7.5 m	58.1 m
Side #2 (South)	33.8 m	30.9 m	7.5 m
Building Height (in metres/storeys)	2 storeys	3 storeys	3 storeys
NUMBER OF RESIDENTIAL UNITS/ SIZE RANGE			
Bachelor			
One Bedroom			
Two Bedroom		2	1
Three Bedroom +	5	6	4
TOTAL FLOOR AREA	488 m ²	474 m ²	297 m ²