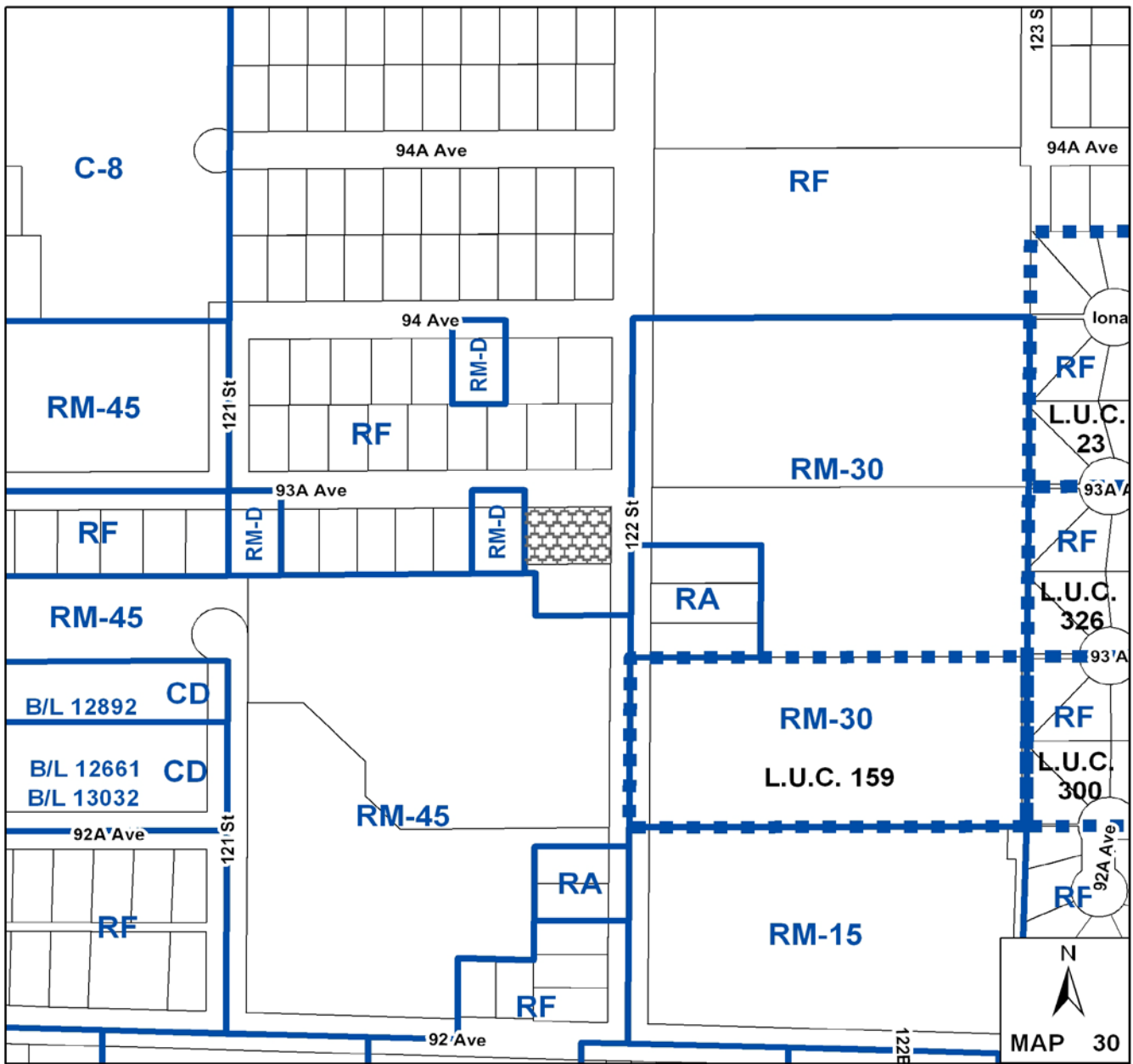


**Proposal:** Rezone from RF to RM-23. Development Permit to permit 4 attached dwelling units in a rowhouse building on separate fee simple lots.

**Recommendation:** Approval to Proceed

**Location:** 9339 - 122 Street      **Zoning:** RF

**OCP Designation:** Multiple Residential      **Owner:** Angrez Shergill



## PROJECT TIMELINE

Completed Application Submission Date: October 26, 2004  
Application Revision & Re-submission Date: August 31, 2005  
Planning Report Date: January 30, 2006

## PROPOSAL

The applicant is proposing:

- a rezoning from RF to RM-23; and
- a Development Permit

in order to permit the construction of 4 attached dwelling units contained within a rowhouse building on separate fee simple lots.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the property from "Single Family Residential Zone (RF)" (By-law No. 12000) to "Multiple Residential 23 Zone (RM-23)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7904-0373-00 in accordance with the attached drawings (Appendix III).
3. 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 subdivision layout to the satisfaction of the Approving Officer;
  - (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
  - (d) submission of a revised landscape plan to the satisfaction of the City Landscape Architect;
  - (e) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and

- (f) registration of access easements and Section 219 Restrictive Covenants to secure building maintenance and party wall agreements.

## 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 IV).

**Parks:** No concerns. The applicant is required to pay cash-in-lieu of parkland dedication.

**School District:** **School Impacts:**

### **Projected number of students from this development:**

Elementary students = 2 students  
 Secondary students = 1 students  
 Total new students = 3 students

### **School Catchment Area/Current Enrollment/School Capacity:**

Kirkbride Elementary School = 413 enrolled/530 capacity  
 LA Matheson Secondary School = 1,268 enrolled/1,400 capacity

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

Elementary students = 0 students  
 Secondary students = 6 students  
 Total new students = 6 students

### **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.*

(Appendix V).

## SITE CHARACTERISTICS

- **Existing Land Use** Single family dwelling to be demolished.
- **Significant Site Attributes** The site slopes significantly eastward towards 122 Street.

- **East:** Across 122 Street, single family dwellings, zoned RA and townhouses, zoned RM-30, designated Urban .
- **South:** Single family dwelling, zoned RF and townhouses, zoned RM-45, designated Multiple Residential.
- **West:** Duplex, zoned RM-D and single family dwellings, zoned RF, designated Multiple Residential.
- **North:** Across 93A Avenue, single family dwellings, zoned RF, designated Multiple Residential.

### PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

### DEVELOPMENT CONSIDERATIONS

- The subject 1,300-square metre (13,994 sq. ft.) site is located at 9339 – 122 Street, and is designated Multiple Residential in the Official Community Plan (OCP) and zoned "Single Family Residential (RF)".
- The original development application, submitted in October 2004, proposed to rezone the subject site to "Semi-Detached Residential (RF-SD)" to create four lots with two side by side duplex buildings.
- The RF-SD Zone, however, is not permitted in the Multiple Residential designation. The applicant did not apply for an Official Community Plan amendment, but chose to explore a 6-unit townhouse design for the site under a zone that would be consistent with the Multiple Residential designation. However, the proposed scale and massing of the townhouse buildings were too large for the subject site.
- The applicant revised the application to rezone the subject property from Single Family Residential (RF) to Multiple Residential 23 (RM-23) and applied for a Development Permit to permit the construction of 4 attached dwelling units in a rowhouse building on separate fee simple lots.

### Current Proposal

- The RM-23 is intended for attached row housing units on fee simple lots, allowing full ownership of the both the lot and the dwelling unit as well as private yards and individual vehicle access to each unit.
- The RM-23 Zone was adopted by Council in October, 2003. Although few RM-23 development applications have been initiated to-date, the zone allows for unique affordable home ownership.
- The west side of 122 Street from 92 Avenue to 96 Avenue is designated Multiple Residential and the east side of 122 Street is designated Urban. Within the Urban designation to the east of the subject site are several townhouse developments and three remnant residential lots zoned RA.

Within the Multiple Residential designation, directly south of the site is a large home completed in 2005, and to the southwest is a townhouse and apartment development. To the west and north of the site are single family and duplex dwellings. Under the Multiple Residential designation, future development of these properties is possible through lot consolidation and/or the implementation of rear lanes to accommodate the RM-23 Zone.

- The subject site is 0.13 hectares (0.32 acres). The maximum density permitted under the RM-23 Zone is 57 units per hectare (23 upa). The proposed density is 30.5 uph (12.5 upa). The dwelling units are 144.5 square metres (1,555 sq. ft.) which complies with the maximum allowable floor area of 169 square metres where at least 25 square metres (269 sq. ft.) is reserved for floor area within an attic.
- The following table illustrates the proposed development's compliance with the RM-23 Zone lot coverage, area and dimensions, and setback regulations:

RM-23 Zone	Corner Lot		Internal Lot		End Lot	
Proposed Lots:	Lot 1		Lots 2 & 3		Lot 4	
	Required	Proposed	Required	Proposed	Required	Proposed
<b>Lot Coverage:</b>	50% (max)	37%	60% (max)	45%	50% (max)	38%
<b>Lot Area:</b>	226 sq m (min)	328 sq m	165 sq m (min)	240 sq m	200 sq m (min)	283 sq m
<b>Lot Width:</b>	8.7 m (min)	9.3 m	6.0 m (min)	6.61 m	7.2 m (min)	7.81 m
<b>Lot Depth:</b>	28 m (min)	36.28 m	28 m (min)	36.28 m	28 m (min)	36.28 m
<b>Front Yard Setback:</b>	3.5 m (min)	10.2 m	3.5 m (min)	10.2 m	3.5 m (min)	10.2 m
<b>Porch:</b>	2.0 m (min)	8.64 m	2.0 m (min)	8.64 m	2.0 m (min)	8.64 m
<b>Side Yard Setback:</b>	0.0 m (min)	0.0 m (south side)	0.0 m (min)	0.0 m	1.2 m (min)	1.23 m (north side)
<b>Accessory Buildings:</b>	0.0 m (min)	0.0 m	0.0 m (min)	0.0 m (south side)	0.0 m (min)	1.23 m
<b>Flanking Yard Setback:</b>	2.7 m (min)	2.73 m (north side)	n/a	n/a	n/a	n/a
<b>Porch:</b>	1.2 m (min)	1.2 m				
<b>Accessory Buildings:</b>	1.2 m (min)	6.0 m				
<b>Rear Yard Setback:</b>	12.5 m (min)	12.5 m	12.5 m (min)	12.5 m	12.5 m (min)	12.5 m
<b>Accessory Buildings:</b>	0.5 m (min)	0.98 m	0.5 m (min)	0.98 m	0.5 m (min)	0.98 m

- The development proposes two parking spaces per unit. Each unit will have a detached single car garage and an adjacent parking pad accessed from a rear lane, which will be dedicated and constructed along the west property line.
- Although the units and lots are fee simple, mutual agreements are required between the future lot owners to protect the respective interests of all owners such as roof maintenance, party wall agreements and to exercise some control over exterior changes after the building is constructed.

- MGF Horticultural Inc prepared the Arborist Report and Trees Preservation/Replacement Plans. They have been reviewed by the City's Landscape Architect and deemed acceptable.
- The Arborist Report indicates there are 11 mature trees on the subject site. The report proposes the removal of 9 trees because they are located either within the building envelopes, within the footprint of proposed driveways or underground services, or are assessed as hazardous. The Report proposes 2 trees be retained; 1 on proposed Lot 1, and 1 on City property along 93A Avenue.
- In-ground basements are proposed for each unit. The basements can be achieved using the natural slope of the site with minimal fill.

### PRE-NOTIFICATION

- Five calls were received for the initial application pre-notification to construct two side by side duplexes:
  - Two calls were for additional information on the application.
  - Two of the callers expressed concerns regarding the potential size of the proposed homes and secondary suite conversions.

*The requested RF-SD Zone limits the size of each dwelling to a maximum of 181 square metres (1948 sq. ft.) and secondary suites are not permitted.*

- One caller was concerned with the current volume of traffic on 122 Street and traffic safety concerns relating to the location of Kirkbride Elementary School at the intersection of 92 Avenue and 122 Street and LA Matheson Secondary School at 9484-122 Street.

*(The Transportation Division was advised of the concerns pertaining to the existing volume of traffic and safety concerns relating to the two area schools. The Transportation Division advised that a traffic count was conducted in this area in May 2004, and that the traffic volumes are low except for heavy volumes occurring during 20-minute intervals consistent with school drop-off and pick-up times.)*

- One caller was opposed to the proposed change stating that the subject site cannot accommodate 4 individual lots and that the proposed development will create parking problems in the area.

*(Each unit will provide two on-site parking spaces as required for single family dwelling units in the Zoning By-law. Although the lots are smaller than the average RF Zone, the building form is consistent with the townhouse units to the east, across 122 Street, and southeast of the site.)*

Revised pre-notification letters based on the proposed 4-unit rowhouse on individual lots were sent on September 19, 2005 and staff received no comments.

## DESIGN PROPOSAL AND REVIEW

- The proposed 4-unit rowhouse building is 2 ½ storeys high (7.4 m/24.3 ft.), although the building will appear to be two storeys from the flanking side yard (i.e. 93A Avenue) and rear yard as the site slopes significantly eastward towards 122 Street.
- Although similar in form to a townhouse, effort has been made to distinguish the rowhouse units through individual front yard entry gates, the separation of front entry doors and stairways, and the use of the front entry roof gables.
- The finishing material will consist of a combination of vinyl siding in a dark sage green and vinyl shake siding, entry doors in a dark brown, black metal guard rails on the front porch and front entry stairs, and window and door trim in off-white. The roof trim will consist of black asphalt shingles.
- Vehicular access to the units will be from a rear lane off of 93A Avenue. Each of the units has a single car garage and adjacent parking pad accessible from the rear lane.
- To accommodate the transition in grade from 122 Street and 93A Avenue, three undulating retaining walls are proposed to soften the visual appearance from the front and flanking streets. The first retaining wall is in line with the individual front entry gates and is a maximum of 0.6 metres (2 ft.) high. The second wall, located approximately 1.7 metres (5.6 ft.) from the first is between 0.6 to 0.8 metres (2 to 2.6 ft.) high. The third wall is located approximately 4.8 metres (16 ft.) from the second wall and is 0.8 metres (2.6 ft.) high.
- Also to accommodate the natural slope of the site, retaining walls approximately 0.8 metres (2.6 ft.) high are also proposed in the rear yard of each unit between the rear yard and the parking area.
- A retaining wall 0.85 metres (2.8 ft.) in height is also proposed adjacent to the parking area on the flanking street, and along the south property line a retaining wall is proposed ranging in height from 0.3 metres (1 ft.) to 1 metre (3.3 ft.) in the rear yard.
- All retaining walls will be constructed of Keystone concrete blocks in a "Country Manor" pattern with significant landscaping in the planting beds in the front of each wall.
- The landscape plan features a wide variety of trees and shrubs for the front, side and rear yards. The retaining walls in the front yard create a series of planting beds that will contain trees, shrubs and vines. Front yard and rear yard walkways will be finished in a stamped concrete pattern, and the parking pad will be finished with lock pavers.

ADVISORY DESIGN PANEL

This application was not referred to the ADP but was reviewed by staff and is generally acceptable.

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.	Contour Map
Appendix III.	Proposed Subdivision Layout, Site Plan, Typical Floor Plans and Elevations, Landscape Plans and Perspective
Appendix IV.	Engineering Summary
Appendix V.	School District Comments
Appendix VI.	Summary of Tree Survey and Tree Preservation
Appendix VII.	Tree Preservation Plan

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated September 26, 2005.
- Tree Survey Plan dated October 25, 2005.
- Tree Preservation and Replacement Plan dated November 3, 2005.
- Soil Contamination Review Questionnaire prepared by Angrez Sherfill dated October 5, 2004.

Murray Dinwoodie  
General Manager  
Planning and Development

TM/kms

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Information for City Clerk

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

1. (a) Agent:      Name:                      Eric Aderneck, Aplin & Martin Consultants Ltd.  
                         Address:                      #201 - 12448 - 82 Avenue  
                                                              Surrey, B.C.  
                                                              V3W 3E9  
                         Tel:                                      604-597-9058

2.      Properties involved in the Application

(a)      Civic Address:                      9339 - 122 Street

(b)      Civic Address:                      9339 - 122 Street  
                         Owner:                                      Angrez Singh Shergill  
                         PID:    005-037-069  
                         Lot 150 Section 31 Township 2 New Westminster District Plan 52492

3.      Summary of Actions for City Clerk's Office

(a)      Introduce a By-law to rezone the property.

## SUBDIVISION DATA SHEET

**Proposed Zoning: RM-23**

Requires Project Data	Proposed
<b>GROSS SITE AREA</b>	
Acres	0.32 ac
Hectares	0.13 ha
<b>NUMBER OF LOTS</b>	
Existing	1
Proposed	4
<b>SIZE OF LOTS</b>	
Range of lot widths (metres)	6.61 m - 9.04
Range of lot areas (square metres)	239.8 sq.m. - 328.9 sq.m.
<b>DENSITY</b>	
Lots/Hectare & Lots/Acre (Gross)	30.5 uph/17.3 upa
Lots/Hectare & Lots/Acre (Net)	37 uph/14.8 upa
<b>SITE COVERAGE (in % of gross site area)</b>	
Maximum Coverage of Principal & Accessory Building	39.29%
Estimated Road, Lane & Driveway Coverage	9.4%
Total Site Coverage	48.69%
<b>PARKLAND</b>	
Area (square metres)	
% of Gross Site	
	<b>Required</b>
<b>PARKLAND</b>	
5% money in lieu	YES
<b>TREE SURVEY/ASSESSMENT</b>	
	YES
<b>MODEL BUILDING SCHEME</b>	
	NO
<b>HERITAGE SITE Retention</b>	
	NO
<b>BOUNDARY HEALTH Approval</b>	
	NO
<b>DEV. VARIANCE PERMIT required</b>	
Road Length/Standards	NO
Works and Services	NO
Building Retention	NO
Others	NO

CONTOUR MAP FOR SUBJECT SITE

