

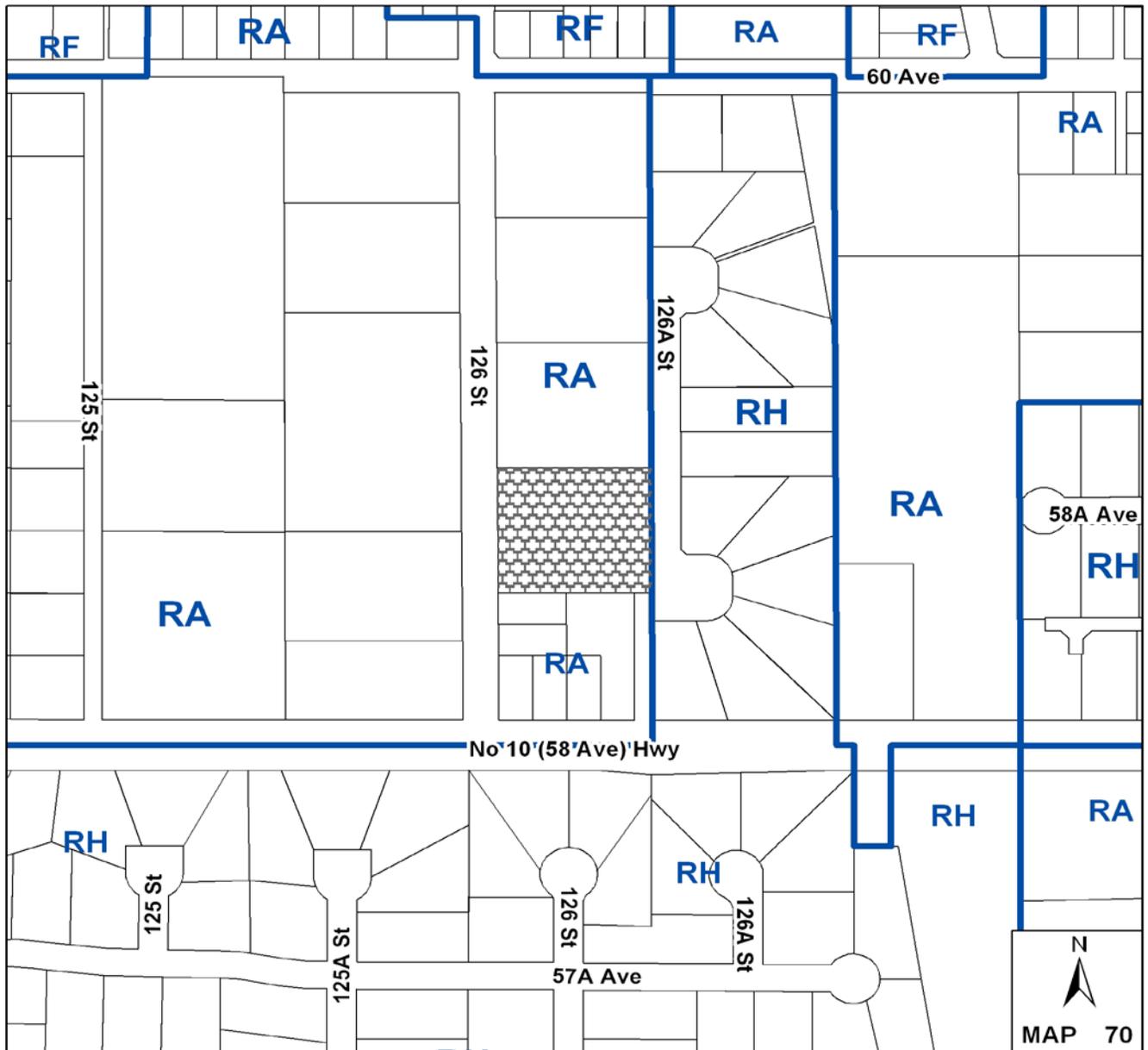
**Proposal:** OCP Amendment from Suburban to Urban. Rezone from RA to RF and CD to permit subdivision into 8 lots.

**Recommendation:** Approval to Proceed

**Location:** 5872 - 126 Street      **Zoning:** RA

**OCP Designation:** Suburban

**NCP Designation:** SF & Sub.      **Owners:** Bhupinder Toor et al  
 Transitional Lots



## PROJECT TIMELINE

Completed Application Submission Date: June 23, 2005  
Planning Report Date: February 20, 2006

## PROPOSAL

The applicant is proposing:

- an OCP amendment from Suburban to Urban; and
- a rezoning from RA to RF and CD

in order to allow subdivision into five (5) urban sized lots and three (3) suburban type transition lots.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to redesignate the property from Suburban to Urban and a date for Public Hearing be set (Appendix XII).
2. 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*.
3. a By-law be introduced to rezone Block A shown on Appendix XI attached from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
4. a By-law be introduced to rezone Block B shown on Appendix XI attached from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential Zone (RF)" (By-law No. 12000) and a date be set for Public Hearing.
5. 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) approval from the Ministry of Transportation;

- (d) submission of an acceptable finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect; and
- (e) registration of a Section 219 Restrictive Covenant on proposed Lots 4, 5, 6, 7 and 8 to ensure tree retention.

## 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 (Appendix VI).

School District: **School Impacts:**

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

Elementary students = 3 students  
 Secondary students = 2 students  
 Total new students = 5 students

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

J.T. Brown Elementary School = 249 enrolled/315 capacity  
 Tamanawis Secondary School = 1,379 enrolled/1,125 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 = 3 students  
 Secondary students = 8 students  
 Total new students = 11 students

### **Approved Capacity Projects and Future Space Considerations**

*A renovation is proposed in the Five Year Capital Plan for J.T. Brown Elementary. A major enrollment move to the new Newton Area secondary when it opens in 2006-2007 is expected to eliminate overcrowding at Tamanawis Secondary.*

(Appendix VII).

Ministry of Transportation (MOT): No concerns (Appendix VIII).

### SITE CHARACTERISTICS

- **Existing Land Use** A single family dwelling to be removed.
- **Significant Site Attributes** There are 106 mature trees on the site. Thirty (30) trees are proposed to be retained.
- **East:** Across 126A Street, single family residences, zoned RH, designated "Suburban" in the OCP, and "Existing Half-Acre Lots" in the West Newton/Highway 10 NCP.
- **North:** Single family residence, zoned RA, designated Suburban in the OCP. The site is split designated "Proposed Single Family" and "Suburban Transition Lots" in the West Newton/Highway 10 NCP, identical to the subject site.
- **West:** Across 126 Street, large single family lots, zoned RA, designated Suburban in the OCP and "Small Lot (10 upa)" in the West Newton/Highway 10 NCP. One of these lots (5863 - 126 Street) is presently under application (No. 7904-0058-00) for rezoning and subdivision into 12 RF-12 lots (Third Reading).
- **South:** Two (2) single family lots, zoned RA, designated Suburban in the OCP. The property fronting 126 Street is an existing urban size lot. The property to the south at 12647 - 58 Avenue is designated "Suburban Transition Lots" in the West Newton/Highway 10 NCP.

### PLAN AND POLICY COMPLIANCE

OCP Designation: Needs amendment to Urban.

NCP Designation: Complies.

### JUSTIFICATION FOR PLAN AMENDMENT

- The West Newton/Highway 10 Neighbourhood Concept Plan (Stage 2) was approved by Council on July 26, 2004 (Appendix XIII). As part of the adoption of the NCP, Council directed that the OCP amendments be brought forward in conjunction with individual rezoning applications on a site-by-site basis.
- The subject site is designated "Proposed Single Family" along 126 Street and "Suburban Transition Lots" along 126A Street in the West Newton/Highway 10 NCP. The proposed development complies with the Neighbourhood Concept Plan (NCP). An amendment to the Official Community Plan (OCP) from "Suburban" to "Urban" is required to achieve consistency between the OCP and the West Newton/Highway 10 NCP (Appendix XII).

### Background

- The site is located between 126 Street and 126A Street in West Newton and is one of several large properties that form the transition between the existing Half-Acre Residential (RH) subdivision on 126A Street and new development sites west of 126 Street.
- The existing RH lots on the east side of 126A Street were developed in 1991 under the Suburban designation prior to the adoption of the West Newton/Highway 10 NCP.
- This subdivision is currently accessed via a temporary right-of-way to 60 Avenue over the properties at 12668 – 60 Avenue and 5968 - 126A Street until such time as a new road access to 126 Street is achieved through development. The proposed new road is expected to be dedicated and built as part of the development of the properties at 5916 and 5928 – 126 Street, immediately north of the subject lot, as shown on the West Newton/Highway 10 NCP (Appendix XIII).
- The dwellings in this RH subdivision are large, ranging in size from 478 sq.m. (5,140 sq.ft.) to 709 sq.m. (7,631 sq.ft.). The dwellings are "Modern California Stucco" and "West Coast Modern" style basement-entry homes.
- The West Newton/Highway 10 NCP proposes "Suburban Transition Lots" on the west side of 126A Street to interface with the RH lots on the east side of 126A Street. Area residents were consulted during the NCP process and this "Suburban Transition" zone was proposed as a way to buffer the Suburban RH lots from urban-sized and small-lot developments to the west. Lots proposed along 126 Street are proposed to be urban lots (6 units per acre), to ensure a reasonable interface with the proposed Suburban Transitional Lots along 126A Street.

### Subdivision Layout

- The subject site at 5872 – 126 Street is designated "Proposed Single Family" along 126 Street and "Suburban Transition Lots" along 126A Street in the West Newton/Highway 10 NCP. To achieve these designations, the applicant is proposing to rezone the portion along 126 Street from One-Acre Residential (RA) Zone to Single Family Residential (RF) Zone and the portion along 126A Street from RA Zone to a Comprehensive Development (CD) Zone based on Half-Acre Residential Gross Density (RH-G) Zone.
- The West Newton/Highway 10 NCP proposes that a future road be dedicated and constructed on the parcels to the north to complete the permanent access to this neighbourhood, and facilitate the closure of the existing temporary access to 60 Avenue (currently on 5968 – 126A Street and 12668 – 60 Avenue).

### Proposed Single Family Lots (126 Street)

- The West Newton/Highway 10 NCP designates lands fronting 126 Street for "Proposed Single Family" lots at a density of 14.8 units per hectare (6 units per acre).
- Five (5) conventional RF lots are proposed to front 126 Street in keeping with this designation. These lots are identical to each other; the proposed lot area is 560 sq.m. (6,000 sq.ft.), the lot width is 15.1 metres (50 feet) and the lot depth is 37.0 metres (120 feet). The proposed lots are fully compliant with the RF Zone.

### Proposed Suburban Transition Lots (126A Street)

- The West Newton/Highway 10 NCP designates the land fronting 126A Street for "Suburban Transition Lots" to ensure an appropriate interface with the existing Half-Acre Residential (RH) lots on the east side of 126A Street.
- To achieve the "Suburban Transition Lots", a CD Zone is proposed, based on the Half-Acre Gross Density (RH-G) Zone. A comparison of the proposed CD Zone to the RH-G and RH Zones is provided below:

	<b>RH Zone (126A Street Existing Lots)</b>	<b>RH-G Zone</b>	<b>Proposed Transitional Lots (CD)</b>
Minimum Lot Size	1,858 sq.m.	1,300 sq.m. (regular) 1,120 sq.m. (reduced)	1,150 sq.m.
Min. Lot Width	30 metres	30 metres (regular) 24 metres (reduced)	24 metres
Min. Lot Depth	30 metres	30 metres (regular) 30 metres (reduced)	35 metres
Floor Area Ratio	0.25	0.32	0.32
Lot Coverage	25%	25%	25%

- Overall, the proposed Transition Lots will achieve an appropriate interface with the existing RH lots on the east side of 126A Street, and a logical completion of this neighbourhood.
- The maximum floor area ratio (FAR) for the Transition Lots will be 0.32, which would allow a house size of 373 sq.m. (4,000 sq.ft.) on a 1,160 sq.m. (12,500 sq. ft.) lot. This is an appropriate transitional house size and will result in dwellings which are smaller than the RH zoned dwellings across 126A Street which range from 478 sq.m. (5,140 sq.ft.) to 709 sq.m. (7,631 sq.ft.).
- There has been discussion with residents in the existing RH lots on 126A Street regarding the proposed transition lots, completion of the neighbourhood and the size of the proposed dwellings. This discussion is provided later in this report.

### Building Design

- The proposed Building Scheme was prepared by Tynan Consulting Ltd. and is based on a character study of the area (Appendix IX). The subject development will create two (2) types of lots, urban lots on 126 Street and "Suburban Transition" lots on 126A Street. There are significantly different characters associated with each of these two streets.
- Dwellings on 126 Street are smaller bungalows or basement-entry homes, are 40-60 years old and do not provide an appropriate context for the proposed RF lots along 126 Street. The RF homes are proposed to follow the context provided by the 19-lot RF-12 subdivision across 126 Street (Surrey File No. 7904-0058-00), currently at Third Reading. For these homes, the design consultant recommends that five specific styles of homes be permitted, namely, "a subset of West Coast Modern designs which blend with neo-classical style homes", "Neo-Traditional", "Neo-Heritage", "Craftsman-Heritage" and "Rural Heritage".

- Homes along 126A Street are approximately 15 years old, range in size from 478 sq.m. (5,140 sq.ft.) to 709 sq.m. (7,631 sq.ft.) and are "Modern California Stucco" and "West Coast Modern" style basement-entry homes. These homes are not substantially detailed in appearance and have box-like massing characteristics, and thus do not reflect recent development standards which are often employed to provide a greater articulation, detailing, and variation of massing and building scale. The proposed CD zones homes will meet recent design standards, while achieving a degree of compatibility with the existing homes on 126A Street.
- For the proposed CD zoned homes along 126A Street (proposed Lots 6 to 8), the design consultant recommends that four specific styles be permitted, namely, "Neo-Traditional", "Neo-Heritage", or a conservative subset of "West Coast Modern" or "Modern California Stucco" style homes that are reasonably compatible with "Neo-Traditional" or "Neo-Heritage" style homes.
- The Design Consultant proposes the dwelling types be limited to two-storey dwellings, split level dwellings and bungalow dwellings. Basement-entry homes are not permitted, except on proposed Lot 7. Allowing one basement-entry home is consistent with Council's 1996 directive to limit this house style to 20% of all homes in a new subdivision.
- Exterior building materials include stucco, cedar, vinyl, hardiplank, brick and stone. The minimum roof pitch is 7:12 with the permitted roofing materials being cedar shingles, shake profile concrete roof tiles and shake profile asphalt shingles with a raised edge cap, with the exception that no asphalt shingles be permitted on proposed Lots 6 to 8.
- Proposed Lots 6 to 8 are permitted to have a three-car garage, to match the homes across 126A Street.
- The Building Scheme prohibits secondary suites. Restrictions on the inclusion of multiple food preparation areas, internal main floor configuration requirements and limitations on basement access are provided in order to limit the potential for secondary suites.

### Lot Grading

- The applicant has indicated that they intend to design the site services at an adequate depth to provide for in-ground basements. Approximately 0.7 metre (2 ft.) of fill is proposed for the front areas of portions of proposed Lots 6, 7 and 8. Portions of proposed Lots 1, 3, 4, 5 and 6 are proposed to receive approximately 0.5 to 0.7 metre (1.6 to 2 ft.) of fill. The Building Division has reviewed the lot grading information and has found it acceptable to allow the project to proceed to the next stage. A final lot grading plan will be required prior to final adoption.

### Tree Preservation

- An Arborist Report dated January 31, 2006 was prepared by Randy Greenizan to examine the impact of the proposed development on the existing trees on the site. There are 106 mature (by-law protected) trees on site and 30 are proposed to be retained. Six (6) trees are proposed to be removed because they are hazardous. Seventy (70) trees are proposed to be removed because they will be negatively impacted by proposed construction. Fifteen (15) of these trees are deciduous trees and have no retentive value. Fourteen replacement trees are proposed and this will provide an average of 5.5 trees per lot (Appendix X).

- A Restrictive Covenant will be placed on proposed Lots 4, 5, 6, 7 and 8 to establish building envelopes that will allow the retained trees to be protected during construction. This Restrictive Covenant will specify the location of building envelopes so that trees proposed to be retained will not be negatively impacted by dwelling construction.

### PRE-NOTIFICATION

Pre-notification letters were sent on April 28, 2005 and staff received the following comments:

- Staff received a phone call from an area resident inquiring about the size of the proposed dwellings. He had no concerns about the development.

*(Staff informed the caller that there are two (2) types of lots proposed. In regards to the "Suburban Transition" lots (on 126A Street), these lots would accommodate suburban-sized dwellings, although smaller than the existing RH zoned lots on 126A Street, and thus would be generally in keeping with the suburban character of the enclave.)*

- Staff received 2 phone calls from area residents who were concerned about the size of the proposed CD zoned lots. They did not want to see any lots on 126A Street smaller than half an acre in size.

*(Staff informed the callers that the proposed CD lots along 126A Street were of substantial size (minimum 1,166 sq.m./12,550 sq.ft.) and will conform to the West Newton/Highway 10 NCP. These proposed lots will act as a transition between urban-sized single family lots to the west and the RH lots to the east.)*

- Staff received a petition signed by residents living on 14 properties to the east of 126A Street. The petition states that the residents are against rezoning to RF and prefer the rezoning to allow for half-acre lots only. Concerns over parking, congestion and property value decline are also mentioned.

*(Staff have communicated with some of those who signed the petition and highlighted the fact that the RF-zoned lots will be on 126 Street, and will not result in RF lots fronting 126A Street. The proposed subdivision is in conformity with the land use and designation approved by Council in the West Newton/Highway 10 NCP.)*

### 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 process.

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
Appendix IV.	Engineering Summary
Appendix V.	Proposed CD By-law
Appendix VI.	Parks Comments
Appendix VII.	School District Comments
Appendix VIII.	Ministry of Transportation
Appendix IX.	Building Design Guidelines Summary
Appendix X.	Summary of Tree Survey and Tree Preservation
Appendix XI.	Zoning Block Plan
Appendix XII.	OCP Amendment Map
Appendix XIII.	West Newton/Highway No. 10 NCP

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated August 2, 2005.
- Building Scheme dated November 19, 2005.
- Neighbourhood Character Study dated November 19, 2005.
- Tree Survey Plan dated July 11, 2005.
- Arborist Report dated January 31, 2006.
- Tree Preservation and Replacement Plan dated July 11, 2005.
- Soil Contamination Review Questionnaire prepared by Bhupinder Toor dated February 21, 2005.

Murray Dinwoodie  
General Manager  
Planning and Development

KB/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:                    Clarence Arychuk, Hunter Laird Engineering Ltd.  
                         Address:                    #00 - 65 Richmond Street  
                                                            New Westminster, B.C.  
                                                            V3L 5P5  
                         Tel:                                    604-525-4651
  
2.      Properties involved in the Application
  - (a)      Civic Address:                    5872 - 126 Street
  
  - (b)      Civic Address:                    5872 - 126 Street  
                         Owners:                                    Bhupinder Toor, Rabinder Toor, Gurjit Brar and  
                                                            Jagroop Brar  
                         PID:                                        009-884-084  
                         Lot D Block 12 Section 7 Township 2 New Westminster District Plan 14035
  
3.      Summary of Actions for City Clerk's Office
  - (a)      Introduce a By-law to amend the Official Community Plan to redesignate the property from Suburban to Urban.
  
  - (b)      Introduce two By-laws to rezone the property.
  
  - (c)      Application is under the jurisdiction of MOT.

File No. 01-006-22286

## SUBDIVISION DATA SHEET

**Proposed Zoning: CD/RF**

Requires Project Data	Proposed	
<b>GROSS SITE AREA</b>		
Acres	1.6 ac	
Hectares	0.647 ha	
<b>NUMBER OF LOTS</b>		
Existing	1	
Proposed	8	
<b>SIZE OF LOTS</b>		
Range of lot widths (metres)	15.13 m to 27.68 m	
Range of lot areas (square metres)	560 sq.m. to 1,205 sq.m.	
<b>DENSITY</b>	Block A (RF)	Block B (CD)
Lots/Hectare & Lots/Acre (Gross)	7.23 upa/17.86 upha	3.3 upa/8.15 upha
Lots/Hectare & Lots/Acre (Net)	7.23 upa/17.86 upha	3.43 upa/8.47 upha
<b>SITE COVERAGE (in % of gross site area)</b>		
Maximum Coverage of Principal & Accessory Building		
Estimated Road, Lane & Driveway Coverage		
Total Site Coverage		
<b>PARKLAND</b>		
Area (square metres)	n/a	
% 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>	YES	
<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

