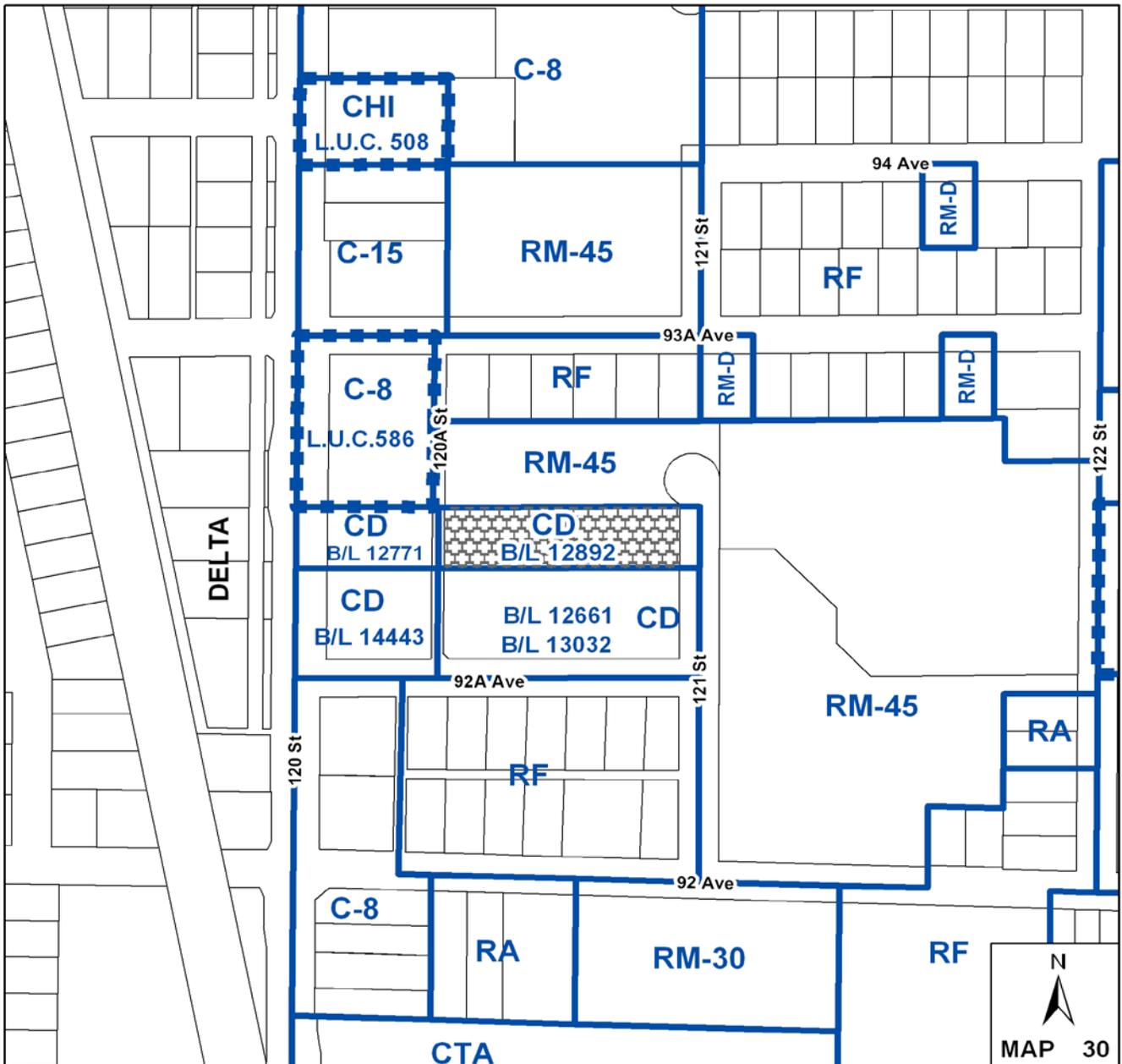


Proposal: Rezone from CD (By-law No. 12892) to a new CD to allow for the development of 29 townhouse units.

Recommendation: Denial

Location: 9277 - 121 Street **Zoning:** CD (By-law No. 12892)

OCP Designation: Multiple Residential **Owner:** Doon Developments Ltd., Inc. No. 469310



PROJECT TIMELINE

Completed Application Submission Date: December 6, 2005
Planning Report Date: January 30, 2006

PROPOSAL

The applicant is proposing:

- a rezoning from CD (By-law No. 12892) to a new CD

in order to permit the development of 29 townhouse units.

RECOMMENDATION

The Planning & Development Department recommends that this application be denied.

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).

SITE CHARACTERISTICS

- **Existing Land Use** Currently vacant site.
- **East:** Across 121 Street, existing 4-storey apartment buildings and 2-storey townhouses, zoned RM-45, designated Multiple Residential.
- **South:** Existing 4-storey apartment building, zoned CD (By-law No. 12661) amended by By-law No. 13032, designated Multiple Residential.
- **West:** Across 120A Street, existing commercial building, zoned CD (By-law No. 12771), designated Commercial.
- **North:** Existing 4-storey apartment building, zoned RM-45, designated Multiple Residential.

PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

DEVELOPMENT CONSIDERATIONS

Background

- The subject property is located at 9277-121 Street in Kennedy Heights. It comprises a site area of 0.39 hectare (0.96 acre) and is designated Multiple Residential in the Official Community Plan.
- Council approved a rezoning of the subject property from Multiple Residential 45 Zone (RM-45) to a Comprehensive Development Zone (CD) (By-law No. 12892) on April 28, 1997 under Application No. 7996-0115-00. Development Permit No. 7996-0115-00 to permit development of a 4-storey, 55-unit apartment building was also approved by Council on the same date.
- Development Permit No. 7996-0115-00 expired on April 28, 1999, but an identical Development Permit was issued by Council for another two years on July 19, 1999. This second Development Permit (No. 7999-0089-00) expired on July 19, 2001.

Current Application

- The site is currently zoned CD By-law No. 12892, which permits the development of a 4 storey apartment building, with a maximum density of 142 units per hectare (58 units per acre) and a maximum floor area ratio (FAR) of 1.3. The subject property is designated Multiple Residential in the Official Community Plan.
- CD By-law No. 12892 permits multiple unit residential buildings in the form of an apartment building, but does not permit ground-oriented multiple unit residential buildings in the form of townhouses. "Ground-oriented" is defined in the Zoning By-law No. 12000 as "a *dwelling unit* having an exclusive and direct access to a private *open space* area, other than a *balcony* or *sun deck*, with such private *open space* area abutting a communal *open space* area." Therefore, the applicant is proposing a new CD By-law to allow for ground-oriented multiple residential buildings under the Permitted Uses section.
- More specifically, the applicant is proposing 29 townhouse units, in a total of 6 buildings. Each of the buildings is 4 storeys in height. Parking is provided in a combination of tandem and side-by-side garages at the ground level. The units will generally consist of 3-bedrooms. Some of the units will also include dens.
- The applicant is also proposing reduced building setbacks along all property lines, i.e., setbacks that are less than the standard 7.5 metres (25 ft.) required for townhouses.
- The proposed development is providing a total of 64 parking stalls, with 42 stalls in a tandem parking arrangement, 16 stalls in a side-by-side arrangement and 6 visitor stalls dispersed throughout the site, within the setback areas.
- The proposed development does not include any indoor amenity space. The applicant is amendable to provide cash-in-lieu of indoor amenity space, as per Council-approved policy.

- The applicant is proposing an outdoor amenity space area near the entrance to the site from 121 Street. The proposed outdoor amenity area is 87 square metres (936 sq.ft.) in size, which meets the minimum requirement based upon a rate of 3.0 square metres (32 sq.ft.) per dwelling unit. Details as to the improvements proposed for the outdoor amenity area have not been provided, and have not been requested to date.
- The applicant is aware of the concerns of staff pertaining to this proposal. To avoid the expense of a complete design submission, staff have accepted a preliminary set of plans at this time. Should Council decide to advance this application, a more detailed submission will be required.
- Staff understand that the applicant's justification to proceed with this proposal is that he wants to proceed with development and that he believes townhouses are more marketable than apartments at this time.

PRE-NOTIFICATION

Pre-notification letters were sent on January 5, 2006 and staff received no comments regarding the development proposal.

PROJECT EVALUATION

The advantages and community benefits of the proposed development are:

- The proposed townhouse development would utilize the currently vacant property.
- The proposed townhouse development could be considered as providing another housing choice, with existing 4-storey apartment buildings, 2-storey townhouses and single-family development in the area.
- The proposed townhouse development would support existing commercial uses located at 120 Street, within easy walking distance of the subject site.
- The subject site is already designated for Multiple Residential in the Official Community Plan and the present zoning on site does permit multiple residential development at a higher density. The proposed density of 74 units per hectare (30 units per acre) and a floor area ratio (FAR) of 1.1. is less than what is permitted under CD By-law No. 12892, which currently permits a maximum density of 142 units per hectare (58 units per acre) and an FAR of 1.3.
- The subject site is already serviced for multiple residential development, which was completed under the previous development application (Application No. 7996-0115-00) on June 28, 1997.

The disadvantages and problems likely to result from this development project are:

- The proposed townhouse development would be located within a cluster of apartment complexes, and therefore would differ from the existing building form in the immediate vicinity. The surrounding lots contain a single apartment building with ground floor and/or underground parking, whereas the development, as proposed, contains six (6) separate townhouse buildings.

- Many of the higher density townhouse projects in Surrey have been developed under the RM-30 Zone. If the subject property were zoned RM-30, which is the "townhouse" zone, the maximum allowable density for this lot would be 44.3 units per hectare or a total of 17 units based on the area of the lot. The current proposal calls for 29 dwelling units to be constructed on the site.
- The width of the subject site at 32.6 metres (107 ft.) is too narrow to accommodate a "double-loaded" (i.e. buildings on either side of a central drive aisle) configuration without significant relaxations to typical townhouse building setbacks, and outdoor amenity space requirements.
- Townhouses or ground-oriented multiple unit residential buildings are a permitted use in the RM-15 and RM-30 Zones. While both these zones require that all buildings and structures be located a minimum of 7.5 metres (25 ft.) from all lot lines, the applicant is proposing the following setbacks: the proposed setbacks of the buildings at the north, south, west (120A Street) and east (121 Street) property lines reflect a proposed 4.3-metre (14 ft.) setback, with the building setbacks for the end units further reduced at the north and south, to a minimal 1.4 metres (4 ft.). It is common to allow for some setback relaxations in townhouse developments, but the relaxations as proposed are considered to be less than adequate given the form of the surrounding development.
- The applicant has not sufficiently demonstrated how the severely reduced side yard (north and south) building setbacks will allow for the provision of useable private rear yards.
- The proposed 4.5-metre (13 ft.) setback from 120A Street will also compromise the livability of the proposed units backing onto this street. 120A Street is essentially a commercial lane providing rear access to the commercial properties fronting onto 120 Street.
- Although existing CD By-law No. 12892 allows a minimum side yard of 4.5 metres (14 ft.), there were no other relaxations as to indoor and outdoor amenity space and building setbacks from all other property lines.
- Due to the proposed reduced side yard setbacks, the applicant is only able to provide a 6.0-metre (20 ft.) separation between the units fronting onto the central drive aisle. This minimal separation could also compromise the privacy and livability of these units. Also, with the proposed 4-storey building height, the space between the units will create a "canyon-effect" further compromising livability.
- The location of the proposed outdoor amenity space near the entrance to the site at 121 Street does not provide for a pleasant or secure area for a children's play area. The quality of this proposed space is substandard. The open space is proposed to be partially within the setback area, which is typically not permitted.
- In summary, the applicant proposes to develop a townhouse project based in a Zone, which is more suited to an apartment building form. While a townhouse project with fewer dwelling units than the current proposal may have some merit at this location, the subject site is more suited to an apartment form both in terms of the surrounding neighbourhood and characteristics of the site itself.

On balance, the Planning and Development Department considers the negative impacts of this project to outweigh its advantages and, therefore, recommends that this application be denied.

However, if Council decides that the application has sufficient merit to proceed, the application should be referred back to staff to work with the applicant in completing the application as follows:

- Submission of additional fees associated with the rezoning application (only base fees have been submitted to date);
- Submission of a Development Permit application, with applicable fees; and
- Subdivision of a detailed design package, including complete building elevations, floor plans, streetscape sections, lot grading information, colours/material scheme, a landscape plan and an arborist assessment (if necessary).

If Council decides to follow this course of action, a second Planning Report will be forwarded to Council once the completed application has been received and reviewed by staff.

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 Site Plan, Typical Floor Plans and Perspective
Appendix IV.	Engineering Summary
Appendix V.	Plans from Previously Approved Development Permit No. 7999-0089-00

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated January 27, 2006.
- Soil Contamination Review Questionnaire prepared by Joe Dhaliwal dated December 6, 2005.
- CD By-law No. 12892

Murray Dinwoodie
General Manager
Planning and Development

PL/kms

v:\planning\plncom06\01231032.pl.doc
SEH 7/13/10 12:46 PM

DEVELOPMENT DATA SHEET

Proposed Zoning: CD

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		
Road Widening area		
Undevelopable area		
Net Total		0.39 ha
LOT COVERAGE (in % of net lot area)		
Buildings & Structures		39%
Paved & Hard Surfaced Areas		27%
Total Site Coverage		66%
SETBACKS (in metres)		
West (120A Street)		4.3 m
Rear		4.3 m
Side #1 (North)		4.3 m*
Side #2 (South)		4.3 m**
BUILDING HEIGHT (in metres/storeys)		
Principal		11 m
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		29
Total		29
FLOOR AREA: Residential		
FLOOR AREA: Commercial		n/a
Retail		
Office		
Total		
FLOOR AREA: Industrial		n/a
FLOOR AREA: Institutional		n/a
TOTAL BUILDING FLOOR AREA		

* *The north side yard setback is reduced further to 1.4 metres for the end unit of buildings fronting 121 Street*

** *The south side yard setback is reduced further to 1.4 metres for the end unit of buildings fronting 120A Street*

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)		74 uph/30 upa
FAR (gross)		
FAR (net)		1.1
AMENITY SPACE (area in square metres)		
Indoor		cash-in-lieu
Outdoor		87 m ²
PARKING (number of stalls)		
Commercial		n/a
Industrial		n/a
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		59
Residential Visitors		6
Institutional		n/a
Total Number of Parking Spaces		64
Number of disabled stalls		1
Number of small cars		2
Tandem Parking Spaces: Number / % of Total Number of Units		42/72%
Size of Tandem Parking Spaces width/length		3.96 m x 6.7 m

Heritage Site	NO	Tree Survey/Assessment Provided	NO
---------------	----	---------------------------------	----

CONTOUR MAP FOR SUBJECT SITE

