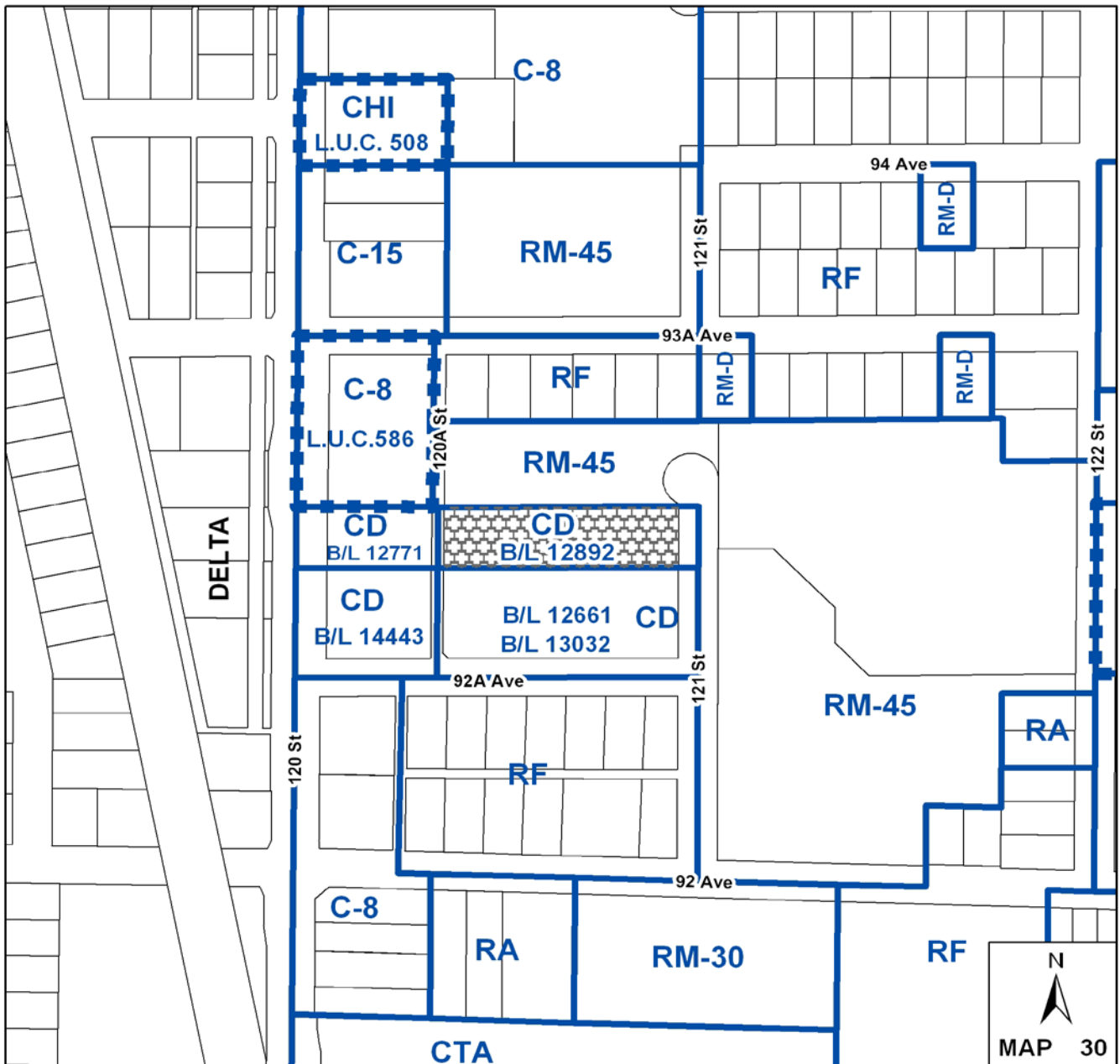


Proposal: Rezone from CD (By-law No. 12892) to a new CD Zone. Development Permit to allow for the development of 26 townhouse units.

Recommendation: Approval to Proceed

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
Original Planning Report Date:	January 30, 2006
Revised Submission Date:	May 1, 2006
Second Planning Report Date:	June 12, 2006
Second Revised Submission Date:	June 20, 2006
Third Planning Report Date:	June 26, 2006

PROPOSAL

The applicant is proposing:

- a rezoning from CD (By-law No. 12892) to a new CD; and
- a Development Permit

in order to permit the development of 26 townhouse units.

RECOMMENDATION

To implement Council's previous decision granting approval to proceed to this project, the Planning & Development Department recommends that:

1. a By-law be introduced to rezone the property from "Comprehensive Development Zone (CD)" (By-law No. 12892) to a new "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve the applicant's request to eliminate the required indoor amenity space.
3. Council authorize staff to draft Development Permit No. 7905-0383-00 in accordance with the attached drawings (Appendix III).
4. 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 finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (c) submission of a landscaping plan and landscaping cost estimate to the satisfaction of the City Landscape Architect;
 - (d) the applicant adequately addressing the impact of no indoor amenity space;

- (e) the applicant adequately addressing the concerns of the Parks, Recreation and Culture Department with respect to the impact of the project on neighbourhood community facilities;
- (f) resolution of all grading interface issues with adjacent properties, to the satisfaction of the General Manager Planning and Development and
- (g) registration of a Section 219 Restrictive Covenant to specifically identify the allowable tandem parking arrangement and into prohibit the conversion of the tandem parking spaces into livable space.

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, Recreation & Culture: Support is conditional on applicant providing money-in-lieu of indoor amenity space and adequately addressing concerns that the project will place pressure on existing Parks and Recreation facilities in the area (Appendix V).

School District: **School Impacts:**

Projected number of students from this development:

Elementary students = 7 students
 Secondary students = 3 students
 Total new students = 10 students

School Catchment Area/Current Enrollment/School Capacity:

Kirkbride Elementary School = 430 enrolled/530 capacity
 L.A. Matheson Secondary School = 1,252 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 = 2 students
 Total new students = 2 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 and space surplus at LA Matheson Secondary.

The proposed development will not have an impact on these projections.

(Appendix VI)

DEVELOPMENT CONSIDERATIONS

Background

- The subject property located at 9277-121 Street in Kennedy Heights is designated Multiple Residential in the Official Community Plan and is currently zoned Comprehensive Development Zone (CD) (By-law No. 12892).
- On April 28, 1997, under Application No. 7996-0115-00, Council approved a rezoning of the subject property from Multiple Residential 45 Zone (RM-45) to CD Zone (By-law No. 12892) and issued Development Permit No. 7996-0115-00 in order to permit development of a 4-storey, 55-unit apartment building.
- CD By-law No. 12892 permits the development of multiple unit residential buildings, with a maximum density of 142 units per hectare (58 units per acre) and a maximum floor area ratio (FAR) of 1.3.
- Development Permit No. 7996-0115-00 expired on April 28, 1999, but a new Development Permit (No. 7999-0089-00), to allow the same 55-unit apartment building that was permitted under Development Permit No. 7996-0115-00, 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.
- In 2005, the applicant submitted a rezoning application to rezone the site from the current CD Zone (By-law No. 12892) to a new CD Zone that would permit townhouses.
- The applicant initially proposed to construct 29 townhouse units, in a total of 6 buildings. Four of the buildings were four-storeys in height and two of the buildings (one fronting 121 Street and one fronting the lane/120A Street) were three storeys in height.
- The Planning Report with respect to the application was reviewed by Council at the January 30, 2006 Regular Council – Land Use meeting.

- In the January 30, 2006 Planning Report, the Planning & Development Department recommended that the application be denied as the density/building form combination proposed by the developer was inappropriate.
- However, rather than deny the application, after considering the comments made by the applicant and by staff, City Council passed the following resolution (No. R06-160):

"That application 7905-0383-00 be referred back to staff to meet with the applicant to work out a suitable development in keeping with the area."

- In response to Council's resolution, the applicant met with Planning & Development Department staff to address issues and concerns and submitted revised site, architectural and landscaping plans, which included the removal of two units.
- A second Planning Report with respect to the revised application was reviewed by Council at the June 12, 2006 Regular Council - Land Use meeting.
- As the Planning & Development Department did not feel that the revisions proposed by the applicant adequately addressed the issues and concerns outlined in the first Planning Report, the June 12, 2006 Planning Report recommended that Council deny the application.
- However, rather than deny the application, Council passed the following resolution (R06-1409):

"That Application 7905-0383-00 be brought forward for a by-law with the applicant's consideration of the removal of one unit and the incorporation of a larger children's play area and that the application move forward to public hearing."

- In response to Council's direction, the applicant has revised the plans by eliminating one more unit to reduce the total number of units to 26 and by adding a useable and functional outdoor amenity area.

Revised Proposal

- As with the original proposal, the current proposal consists of 6 individual buildings containing from 3 to 6 townhouse units.
- In accordance with direction from Council, the applicant has eliminated another unit, reducing the total number of townhouse units to 26 from the 29 townhouse units that were originally proposed (Appendix III).
- With the revised proposal the applicant has removed the four units from the western end of the site facing the rear lane, thereby addressing Planning & Development's concern that having units face the rear lane is inappropriate.
- One three-storey building, containing four townhouse units, still faces 121 Street and two four-storey buildings containing a total of 12 townhouse units are still located along the southern side of the property.

- However, the applicant is now proposing to place three buildings, rather than 2 buildings as originally proposed, along the northern property line. These buildings will each be four storeys.
- Eliminating one unit, relocating the four units from the western edge of the site and placing these units along the northern property line, has opened up the southwest corner of the site, creating space for visitor parking and for usable outdoor amenity space.
- The applicant is now proposing 175 square metres (1,880 sq.ft.) of outdoor amenity space, none of which is located within the required setback area, which is 97 square metres (1,040 sq.ft.) more than the 78 square metres (840 sq.ft.) required under the proposed CD By-law for the site and the standard Zoning By-law requirement of 3 square metres (32 sq. ft.) per dwelling unit.
- All the proposed buildings fronting the internal driveway will still be four storeys in height, while the buildings fronting 121 Street will be three storeys in height.
- The buildings along the north and south property lines will be set back 1.1 metres (3.6 ft) from the central driveway, which will result in a separation of 8.2 metres (27 ft.) between the townhouse units that face the central driveway.
- As with the original application, the ground-level of the four-storey units will consist of enclosed parking for residents, in either a tandem or side-by-site arrangement. Living areas such as living rooms and kitchens will occupy the second floor of each building while bedrooms will be located on the third and fourth floors of each building.
- The three-storey units fronting 121 Street will consist of enclosed parking, in a tandem arrangement, on the ground floor, main living area on the second floor and bedrooms on the upper floor.

Proposed CD By-law

- The proposed CD By-law for the site is similar to the RM-30 Zone except that the maximum floor area ratio has been increased from 0.56 to 1.01 and the setbacks have been reduced from 7.5 metres (25 ft.) to 4.2 metres (14 ft.). The northern side yard for the building fronting 121 Street may be reduced to 2.7 metres (9 ft.).
- The landscaping strip along the driveway entry from 121 Street will be reduced from 1.5 metres (5 ft.) to 1.0 metres (3 ft.) in width.

Design Proposal and Review

- The buildings will be clad in horizontal vinyl siding.
- The base of the buildings will be dark blue, with the upper levels being a combination of light and dark grey.
- As the buildings have a Tudor look to them, the gables and gable ends will be painted dark red to provide additional contrast.

- The doors to each unit will be painted orange or dark red to accentuate the doorways and to provide extra punch to enliven the pedestrian level of the complex.
- The roofs will be clad in black asphalt shingles.
- Each unit will continue to have two parking spaces within either side-by-side or tandem garages, for a total of 52 resident parking spaces.
- The 121 Street entry area consists of dense landscaping, stone walls and seating.
- The asphalt central drive aisle will be broken-up through the use of decorative paving across the driveway entries and across the drive aisle in the centre of the site.
- The applicant is not proposing to provide any indoor amenity space.
- The applicant will be required to mitigate the absence of indoor amenity space by providing money-in-lieu in accordance with Council policy.
- The outdoor amenity space comprises a "u-shaped" area surrounding two visitor parking spaces.
- The outdoor amenity space will be grassed and planted with 5 cherry trees and two magnolia trees.
- The outdoor amenity space will contain three benches.
- The focus of the outdoor amenity area, however, will be a circular area containing a children's play structure. The play structure will consist of a slide, the top of which can double as a "fort" and a climbing net.

ADVISORY DESIGN PANEL

The application was not referred to the ADP but was reviewed by staff and found generally satisfactory. However, there remain a number of lot grading and landscaping issues which need to be resolved prior to final approval.

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, Building Elevations and Floor Plans
Appendix IV.	Engineering Summary
Appendix V.	Parks, Recreation & Culture Comments
Appendix VI.	School District Comments
Appendix VII.	Proposed Site Plan from June 12, 2006 Planning Report
Appendix VIII.	Proposed CD By-law

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

How Yin Leung
Acting General Manager
Planning and Development

GAG/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: Joe Dhaliwal c/o Doon Developments Ltd.
 Address: #305 - 9288 - 120 Street
 Surrey, B.C.
 V3V 4B8
 Tel: 604-503-0505

2. Properties involved in the Application

- (a) Civic Address: 9277 - 121 Street
- (b) Civic Address: 9277 - 121 Street
 Owner: Doon Developments Ltd., Inc. No. 469310
 PID: 023-202-386
 Lot B Section 31 Township 2 New Westminster District Plan LMP24981

3. Summary of Actions for City Clerk's Office

Introduce a by-law to rezone the property from CD Zone (By-law No. 12892) to a new CD Zone.

DEVELOPMENT DATA SHEET

Proposed Zoning: CD

Required Development Data	RM-30	Proposed
LOT AREA* (in square metres)		
Gross Total		
Road Widening area		
Undevelopable area		
Net Total	n/a	3,863 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	38%	34%
Paved & Hard Surfaced Areas		38%
Total Site Coverage		72%
SETBACKS (in metres)		
Front (East) 121 Street	7.5 m	4.2 m
Front (West) 120A Street	7.5 m	4.2 m
Side #1 (North)	7.5 m	2.7 m
Side #2 (South)	7.5 m	4.2 m
BUILDING HEIGHT (in metres/storeys)		
Principal	13.0 m	14.0 m
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		26
Total		26
FLOOR AREA: Residential		3,864 m ²
FLOOR AREA: Commercial		n/a
Retail		
Office		
Total		
FLOOR AREA: Industrial		n/a
FLOOR AREA: Institutional		n/a
TOTAL BUILDING FLOOR AREA	2,163 m ²	3,864 m ²

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)	44 uph/18 upa	67 uph/27 upa
FAR (gross)		
FAR (net)	0.56	1.01
AMENITY SPACE (area in square metres)		
Indoor	81 m ²	zero
Outdoor	81 m ²	175 m ²
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed	52	52
Residential Visitors	5	5
Institutional		
Total Number of Parking Spaces		57
Number of disabled stalls		
Number of small cars		
Tandem Parking Spaces: Number / % of Total Number of Units		32/56%
Size of Tandem Parking Spaces width/length		3.4 m x 13.5 m

Heritage Site	NO	Tree Survey/Assessment Provided	NO
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CONTOUR MAP FOR SUBJECT SITE

