

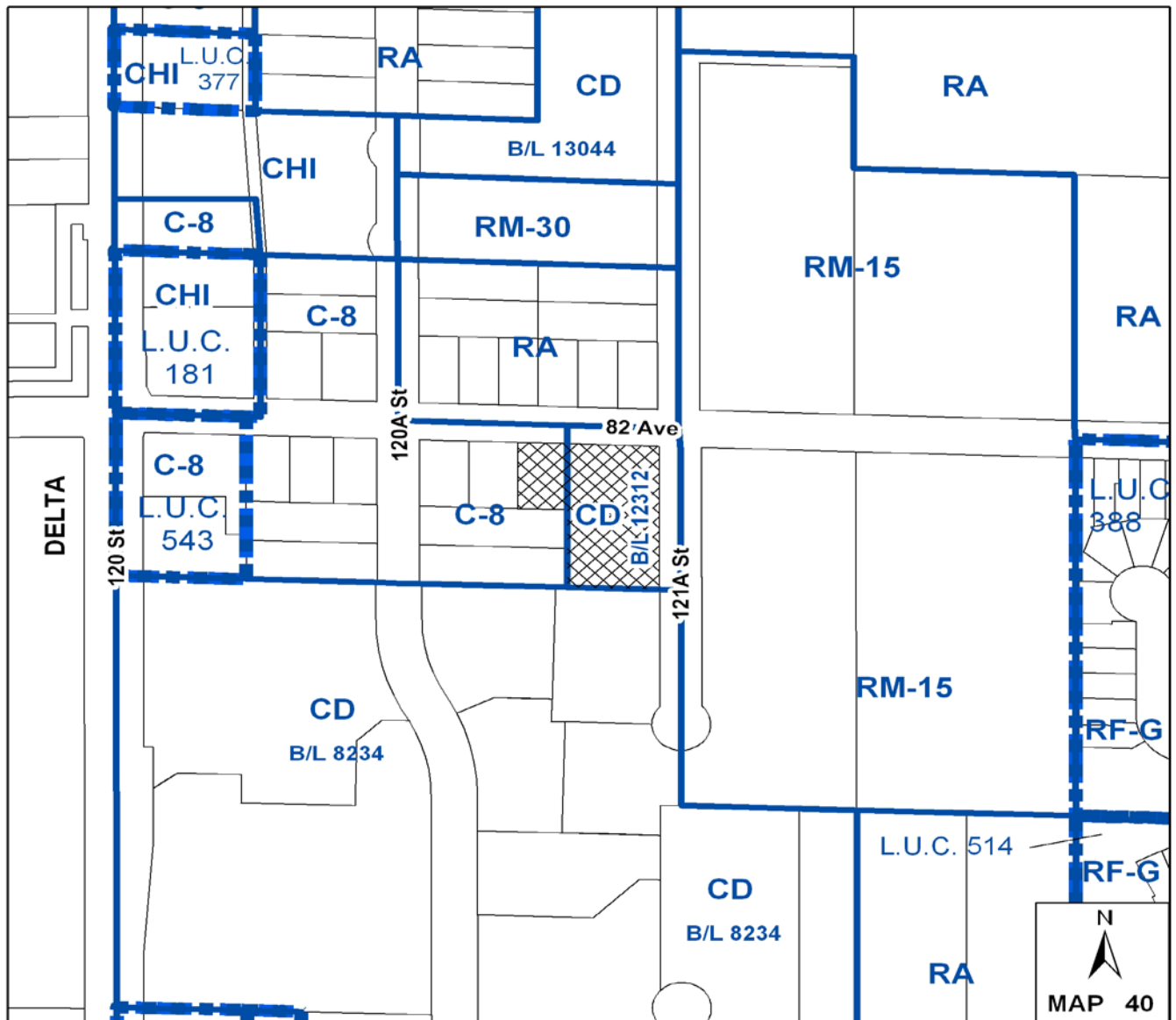
Proposal: OCP Amendment from Commercial to Residential. Rezone from CD (By-law No. 12312) and C-8 to CD and DP to permit development of a four-storey apartment building.

Recommendation: Approval to Proceed

Location: 12120/12098 - 82 Ave **Zoning:** CD (By-law No. 12312) and C-8

OCP Designation: Multiple Residential and Commercial

LAP Designation: Multiple Res. & Commercial **Owner:** Scott Central Developments Ltd.



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PROJECT TIMELINE

Completed Application Submission Date: April 17, 2006
Application Revision & Re-submission Date: August 14, 2006
Planning Report Date: December 4, 2006

PROPOSAL

The applicant is proposing:

- a partial OCP amendment from Commercial to Multiple Residential;
- a rezoning from CD (By-law No. 12312) and C-8 to CD; and
- a Development Permit

in order to permit the development of a four-storey apartment building.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to amend the OCP by redesignating the property at 12098 - 82 Avenue from Commercial to Multiple Residential and a date for Public Hearing be set (Appendix X).
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 the property from "Comprehensive Development Zone (CD)" (By-law No. 12312) and "Community Commercial Zone (C-8)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
4. Council authorize staff to draft Development Permit No. 7906-0162-00 in accordance with the attached drawings (Appendix III).
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) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (d) submission of a finalized landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (e) registration of a Section 219 Restrictive Covenant and reciprocal access agreement with the neighbouring properties at 8172 and 8164 - 120A Street to ensure a minimum 15 metre (50 ft.) building separation and enable a shared use of common outdoor amenity areas (courtyard); and
 - (f) the applicant adequately address concerns about the pressure this project will place on existing Parks, Recreation and Culture facilities in the neighbourhood to the satisfaction of the Parks, Recreation and Culture Department.
6. Council pass a resolution to amend the Newton Local Area Plan to redesignate the property at 12098 - 82 Avenue from Retail Commercial to Multiple Residential (Medium-Rise) 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 IV).
- Parks: Support. Parks has some concerns about the pressure this project will place on existing Parks, Recreation and Culture Facilities in the neighbourhood. The applicant will be required to address these concerns prior to final adoption of the Rezoning By-law (Appendix V).
- School District: **School Impacts:**

Projected number of students from this development:

Elementary students = 11 students
 Secondary students = 6 students
 Total new students = 17 students

School Catchment Area/Current Enrollment/School Capacity:

Kennedy Trail Elementary School = 308 enrolled/355 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.

(Appendix VI)

SITE CHARACTERISTICS

- **Existing Land Use** Single family dwelling to be demolished.
- **East:** Across 121A Street, townhouses, zoned RM-15, designated Multiple Residential in the OCP.
- **South:** Four-storey apartment buildings, zoned CD (By-law No. 8234), designated Multiple Residential in the OCP.
- **West:** Four properties currently zoned C-8 and designated Commercial in the OCP, two of which are under Development Application No. 7906-0367-00 which proposes an OCP amendment from Commercial to Multiple Residential, rezoning from C-8 to CD, and a Development Permit to permit development of a 4-storey residential apartment building.
- **North:** Across 82 Avenue, single family dwellings, zoned RA, designated Multiple Residential in the OCP.

PLAN AND POLICY COMPLIANCE

- OCP Designation: Partially complies. Needs a partial amendment from Commercial to Multiple Residential.
- LAP Designation: Partially complies. Needs a partial amendment from Retail Commercial to Multiple Residential (Medium Rise) in the Newton LAP.

JUSTIFICATION FOR PLAN AMENDMENT

- The subject development application includes 2 of 6 properties bounded by 82 Avenue to the north, 120A Street to the west, 121A Street to the east, and 2 existing 4-storey apartment buildings to the south. The largest and easternmost of the 6 properties (12120 – 82 Avenue) is designated Multiple Residential in the OCP. The remaining 5 properties are designated Commercial in the OCP.

- The applicant proposes to redesignate 1 of the 5 Commercial designated properties (12098 – 82 Avenue) from Commercial to Multiple Residential and to consolidate it with the existing Multiple Residential designated property. The purpose of the redesignation is to permit development of a multiple residential building on the consolidated site.
- Two (2) of the other 5 neighbouring Commercial designated properties (8164 & 8172 – 120A Street) are currently under Development Application #7906-0367-00. That application proposes a similar OCP amendment from Commercial to Multiple Residential, a consolidation of the 2 lots, a Rezoning from C-8 to CD, and a Development Permit to permit development of a 4-storey apartment building. That application has not yet been presented to Council.
- The remaining 2 Commercial designated properties located on the corner of 82 Avenue and 120A Street are not proposed for redevelopment at this time. The applicant has provided a conceptual plan demonstrating that these remaining properties can be redeveloped under either a Commercial or Multiple Residential Designation (Appendix XI).
- Although the proposed OCP amendment will result in a reduction in the amount of Commercial-designated land in the area, it can be considered for the following reasons:
 - The Commercial designated area along Scott Road (120 Street) between 80 Avenue and 84 Avenue terminates at 120A Street, except at the subject location. 120A Street forms a natural division between Commercial and Multiple Residential land-uses. The neighbouring sites to the north, east, and west of the subject site are all designated Multiple Residential;
 - The viability of Commercial uses at the subject location is limited by the fact that it does not have visibility or exposure from Scott Road (120 Street). Commercial uses that could be anticipated at the subject location are better served in the Commercial designated lands along Scott Road (120 Street); and
 - A portion of the lands at the corner off 120A Street and 82 Avenue will remain designated commercial, and can be developed for commercial uses in the future.

DEVELOPMENT CONSIDERATIONS

- The smaller of the two subject properties is currently zoned "Community Commercial Zone" (C-8); the larger property is currently zoned "Comprehensive Development Zone" (CD) (By-law No. 12312). The CD Zone permits medium density, medium rise, multiple unit residential buildings. The C-8 Zone property contains an old single-family dwelling and has never been proposed for redevelopment. In 1994, a Development Permit was approved (No. 7992-0381-00) to permit development of a 3-storey, 37-unit apartment building on the CD Zoned property. That apartment building was never constructed and the property is vacant.

Proposed CD Zone

- The applicant proposes to rezone the properties to a Comprehensive Development (CD) Zone, based on the RM-45 Zone, to accommodate the proposed 4-storey apartment building on the consolidated site.

- The following table summarizes the differences between the proposed Comprehensive Development (CD) Zone, the RM-45 Zone, and the existing CD By-law (By-law No. 12312) on the larger lot:

	Existing CD Zone (By-law No. 12312)	RM-45 Zone	Proposed CD Zone
Use	Medium Rise	Medium Rise	Medium Rise
Max. Height	15m (50 ft.) (4 storeys)	15m (50 ft.) (4 storeys)	15 m (50 ft.) (4 storeys)
Max Unit Density (u.p.a)	45 u.p.a (111.2 u.p.h)	33 u.p.a. (82 u.p.h)	74 u.p.a (184 u.p.h)
Max. Density (FAR)	1.20	1.00	1.50
Max. Lot Coverage	45%	45%	45%
Minimum Setbacks	Front Yard– 7.5 m (25 ft.) East Side Yard – 3.96 m (13 ft.) West Side Yard – 7.5m (25 ft.) Rear Yard – 7.5m (25 ft.)	7.5m (25 ft.) from all property lines	Front Yard– 7.5 m (25 ft.) East Side Yard – 7.5 m (25 ft.) West Side Yard – 7.5m (25 ft.) South West Side Yard – 6.6 m (22 ft.) – 7.5m (25 ft.)
Parking	Must be fully underground	Combination above-grade or underground	Fully underground

- The proposed CD Zone is identical to the RM-45 Zone with the exception of density and setbacks.
- The proposed unit density of 74 u.p.a (184 u.p.h) and floor area ratio (FAR) of 1.5 is higher than the unit density of 33 u.p.a (82 u.p.h) and floor area ratio (FAR) of 1.0 permitted under the RM-45 Zone for a site of this size. Although the proposed density is higher than permitted under the RM-45 Zone, it can be considered at this location because it is comparable to the density of the neighbouring apartment buildings to the south, under CD By-law No. 8234, which have a density range of 74 - 88 u.p.a (184 – 217 u.p.h.) and 1.64 – 1.97 Floor Area Ratio (FAR).
- The neighbouring apartment buildings to the south are part of a group of properties from Scott Road to 122 Street and from 80 Avenue to 81A Avenue, which were rezoned to CD (By-law No. 8234) in 1985 in order to create commercial development along Scott Road and a node of multiple residential development along 120A Street. The buildings constructed under this zone are all 4-storey apartment buildings.
- The proposed building setback of 7.5 metres (25 ft.) from the north, east, and west property lines is the same as the minimum setback required under the RM-45 Zone. The setback has been reduced along a portion of the southwest property line to 6.6 metres (22 ft.) to accommodate the building design. The impact of this reduced setback will be negligible because this setback area will make up a portion of a large open courtyard that is proposed to be shared with the neighbouring apartment building proposed to the west (File #7906-0367-00). A reciprocal access agreement will be registered between these 2 sites to provide access to residents from both

projects. There will be no fence along this property line. The minimum required setback between these future buildings will be 15 metres (50 ft.), which complies with the zoning requirements.

PRE-NOTIFICATION

Pre-notification letters were sent on May 11, 2006 and August 18, 2006 and staff received the following comments:

- Staff received 1 letter from a resident who was concerned about tree preservation on the subject site.

(The tree survey conducted on subject site identified 42 mature trees and the arborist report concluded that all 42 trees were required to be removed for the underground parking lot. The applicant is proposing 36 replacement tree as part of the landscaping for the apartment building. The applicant has also volunteered a cash-in-lieu contribution of \$14,400 to the City's Green Fund, which complies with the tree protection By-law requirements).

- Staff received 1 phone call from a resident who was concerned about screening of the access ramp to the underground parking lot.

(The access ramp to the underground parking lot is proposed to be screened by trellising and a 1.5 metre landscaped buffer along the south property line)

The applicants held a Public Information Meeting for the proposed project on November 9, 2006. Invitations were sent to approximately 600 neighbouring property owners. Six (6) residents attended the meeting, most of whom expressed support for the project. Comment sheets were made available at the meeting but no completed comment sheets were received over the course of the evening. Some concerns were raised at the meeting about traffic and safety for school children along 82 Avenue.

(All required resident and visitor parking will be provided in an underground parkade that will be accessed from 121A Street. The impact on vehicular traffic along 82 Avenue is therefore expected to be minimal. There is a pedestrian crosswalk at 82 Avenue and 122A Street providing crossing access for school children and parents to Kennedy Trail Elementary school. This intersection was upgraded 2 or 3 years ago under the Pedestrian Improvement Program by adding curb bulges to reduce the width of pavement on 82 Avenue and thus minimizing the pedestrian crossing/exposure time).

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.

DESIGN PROPOSAL AND REVIEW

Architectural Design

- The building design takes into consideration the various interfacing conditions associated with the development site. The building tapers down to 3-storey along portions of the north and west elevations to improve the interface with existing single family dwellings to the north and west of the subject site. The design and massing of the building is consistent with the existing apartment buildings to the south and will complement the streetscape along 121A Street.
- The building features a combination of 1 and 2 bedroom units in a variety of floor plans. All units are accessed from internal corridors and will feature either patios (ground floor units) or balconies (upper floor units).
- Vehicular access to 121A Street will be provided at the south end of the site into an underground parkade. All required resident and visitor parking will be provided underground (109 resident stalls, 15 visitor stalls).
- The proposed apartment building is L-shaped, matching the profile of the site, and creating a large open courtyard facing towards the southwest. The proposed outdoor amenity space of 233 sq.m (2,531 sq.ft.) exceeds the 231 sq.m (2,487 sq.ft.) required under the RM-45 Zone. This outdoor amenity area will be combined with the outdoor.

Tree Preservation and Landscaping

- The applicant's retained Randy Greenizan (C. Kavolinas & Associates Inc.) to prepare a tree survey and arborist report for the subject site. The arborist report identifies 43 mature trees and concludes that, due to excavation required for the underground parking lot, all 43 trees will have to be removed. The trees to be removed consist of a variety of species but are predominantly cedars and firs, and the majority are in good condition. The applicant's landscape architect proposes 92 replacement trees as part of the landscaping plan.
- Along with replacement trees, the proposed landscaping plan features a generous combination of shrubs along all property lines and within the development. The outdoor amenity area courtyard, consists of a large outdoor patio with ponds. The access ramp to the underground parkade will be screened with trellising and a 1.5 metre landscaped buffer from the neighbouring apartment building to the south.

ADVISORY DESIGN PANEL

ADP Meeting Date: October 19, 2006

Some of the ADP suggestions have been satisfactorily addressed except the following which will be addressed before final approval:

- minor architectural and design changes;
- CPTED improvements; and
- landscaping

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.	Site Plan, Typical Floor Plans and Elevations, Landscape Plans and Perspective
Appendix IV.	Engineering Summary
Appendix V.	Parks Comments
Appendix VI	School District Comments
Appendix VII.	Summary of Tree Survey and Tree Preservation
Appendix VIII.	ADP Comments and Applicant's Response
Appendix IX.	CD By-law
Appendix X.	OCP Amendment Plan
Appendix XI.	Applicant's Conceptual Plan for Neighbouring Properties

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated October 12, 2006.
- Tree Survey Plan dated November 2006.
- Arborist Report dated November 28, 2006.
- Soil Contamination Review Questionnaire prepared by Rachhpal Lalri dated April 12, 2006.

How Yin Leung
Acting General Manager
Planning and Development

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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: Maciej Dembek (Barnett Dembek Architects Inc.)
 Address: #202 - 12448 - 82 Avenue
 Surrey, B.C.
 V3W 3E9
 Tel: 604-597-7100

2. Properties involved in the Application

(a) Civic Addresses: 12120 and 12098 - 82 Avenue

(b) Civic Address: 12120 - 82 Avenue
 Owner: Scott Central Developments Ltd., Inc. No. 0749932
 PID: 000-818-178
 Parcel "A" (Explanatory Plan 13542) Lot 6 Section 30 Township 2 New
 Westminster District Plan 456

(c) Civic Address: 12098 - 82 Avenue
 Owner: Scott Central Developments Ltd., Inc. No. 0749932
 PID: 010-264-523
 Lot 1 Section 30 Township 2 New Westminster District Plan 17353

3. Summary of Actions for City Clerks Office

- (a) Introduce a By-law to amend the Official Community Plan to redesignate the property at 12098 - 82 Avenue.
- (b) Introduce a By-law to rezone the property.

DEVELOPMENT DATA SHEET

Proposed Zoning: CD

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total	4,260 m ²	
Road Widening area		
Undevelopable area		
Net Total	4,190 m ²	
LOT COVERAGE (in % of net lot area)	45%	43%
Buildings & Structures		
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
North Yard	7.5 m	7.5 m
East Yard	7.5 m	7.5 m
South Yard	6.6 m - 7.5 m	6.6 m - 7.5 m
West Yard	7.5 m	7.5 m
BUILDING HEIGHT (in metres/storeys)		
Principal	15 m	4-storeys <15 m
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		34
Two Bedroom		43
Three Bedroom +		
Total		77
FLOOR AREA: Residential	6,285 m ²	5,550 m ²
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA	6,285 m ²	5,550 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)	184 uph/74 upa	180 uph/73 upa
FAR (gross)		
FAR (net)	1.5	1.5
AMENITY SPACE (area in square metres)		
Indoor	231 m ²	235 m ²
Outdoor	231 m ²	235 m ²
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom	44	44
2-Bed	65	65
3-Bed		
Residential Visitors	15	15
Institutional		
Total Number of Parking Spaces	124	124
Number of disabled stalls		
Number of small cars		28
Tandem Parking Spaces: Number / % of Total Number of Units		
Size of Tandem Parking Spaces width/length		

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

