

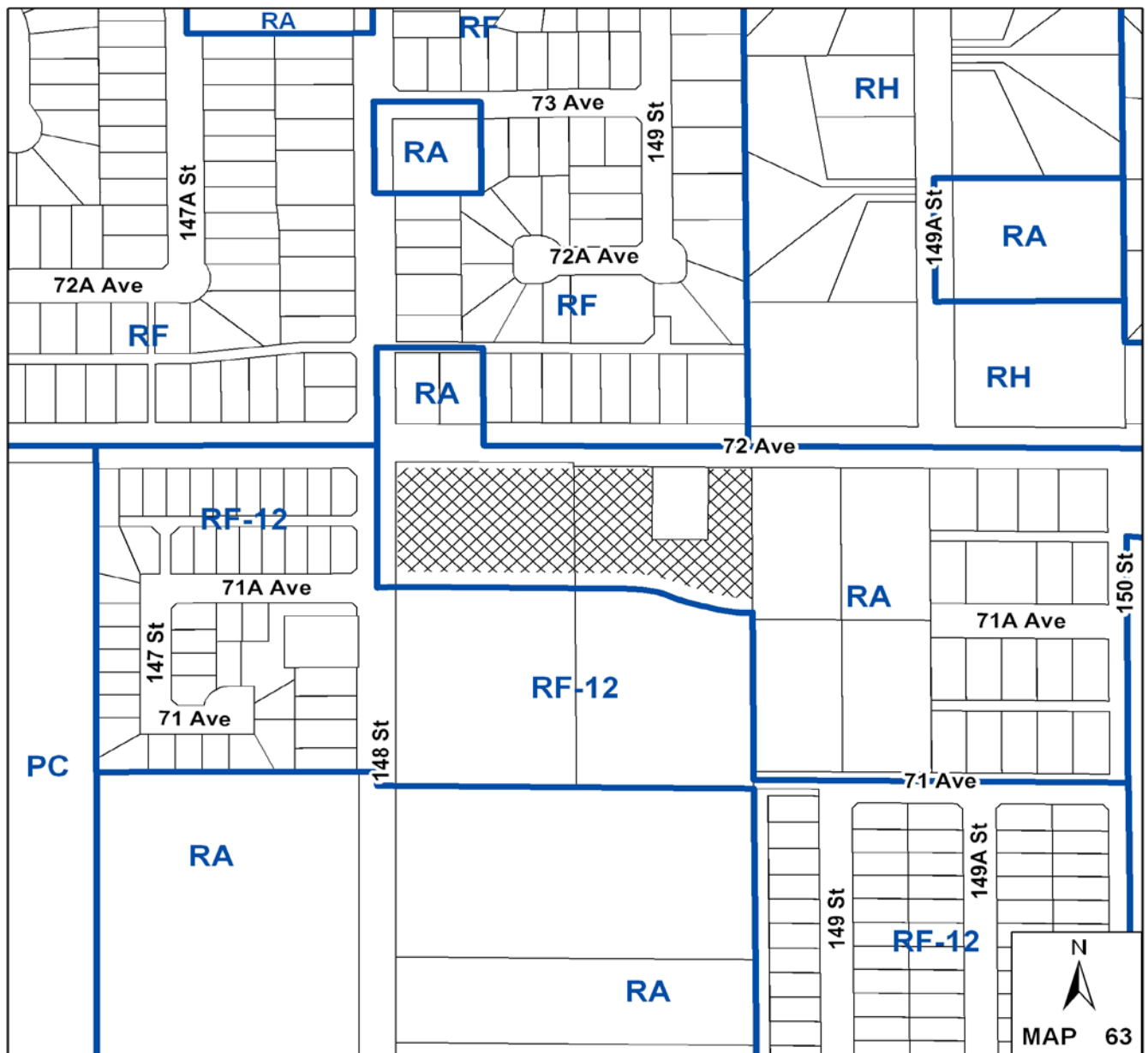
**Proposal:** NCP Amendment from Single Family to Single Family Small Lots and rezoning from RA to RF-9 and RF-12 in order to permit subdivision into 32 single family small lots. DVP to vary the maximum number of Type II Interior RF-9 lots from 33% to 39%.

**Recommendation:** Approval to Proceed

**Location:** 14822/14854 - 72 Ave      **Zoning:** RA

**OCP Designation:** Urban

**NCP Designation:** Urban SFR      **Owners:** Makhan & Parmamjit Pooni et al



## PROJECT TIMELINE

Completed Application Submission Date: April 28, 2006  
Layout Revised & Re-submitted Date: August 21, 2006  
Planning Report Date: October 30, 2006

## PROPOSAL

The applicant is proposing:

- an NCP amendment from "Urban Single Family Residential" to "Single Family Small Lots";
- a rezoning from RA to RF-9 and RF-12; and
- a Development Variance Permit to vary the following by-law regulations
  - to increase the maximum number of Type II Interior RF-9 lots permitted in a subdivision of RF-9 lots from 33% to 39%

in order to allow subdivision into 32 single family residential small lots.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone Block A on Appendix XI from "One-Acre Residential Zone (RA)" (By-law No. 12000) and to rezone Block B on Appendix XI from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (9) Zone (RF-9)" (By-law No. 12000) and "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve Development Variance Permit No. 7906-0184-00 (Appendix XII) varying the following to proceed to Public Notification:
  - (a) to increase the maximum number of Type II Interior RF-9 lots permitted in a subdivision of RF-9 lots from 33% to 39%.
3. Council instruct staff to resolve the following issue final adoption 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 statement regarding tree preservation to the satisfaction of the City Landscape Architect;
  - (d) address the shortfall of tree replacement; and
  - (e) submission of a final landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect.
4. Council pass a resolution to amend East Newton South NCP/Local Area Plan to redesignate the land from "Urban Single Family Residential" to "Single Family Small Lots" 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 VI).

Parks: The Parks, Recreation & Culture Department has no concerns with the proposed development. The applicant is required to pay cash-in-lieu of open space dedication (Appendix VII).

School District: **School Impacts:**

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

Elementary students = 12 students  
 Secondary students = 6 students  
 Total new students = 18 students

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

T.E. Scott Elementary School = 294 enrolled/275 capacity  
 Frank Hurt Secondary School = 1,151 enrolled/1,250 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 = 118 students  
 Secondary students = 69 students  
 Total new students = 187 students

### Approved Capacity Projects and Future Space Considerations

*It is noted that when Chimney Hill Elementary School opened in 2001 there was a major enrollment move, leaving surplus capacity available at T.E. Scott for future growth. Enrollment has slowly increased with new housing over the last few years, and this trend is expected to continue until the ultimate residential build out for the NCP is achieved. A proposed 2007 boundary change from T.E. Scott to George Vanier is being considered. An addition to T.E. Scott is identified in the 2007 - 2011 Five Year Capital Plan for funding approval in 2010/2011.*

*There are no capital projects identified for Frank Hurt Secondary.*

(Appendix VIII)

### SITE CHARACTERISTICS

- **Existing Land Use** One single family dwelling on each lot, to be removed prior to subdivision approval.
- **Significant Site Attributes** There are several mature trees throughout the subject site, particularly near 148 Street in the eastern portion of the site.
- **East:** Proposed development (No. 7904-0253-00) by the same developer. This proposal also includes an NCP amendment to create single family small lots, zoned RA, designated Urban Single Family Residential in the East Newton South NCP. This application is proceeding to Public Hearing on October 30, 2006.
- **South:** Single family residential small lots and park approved by Council on January 30, 2006 through File No. 7904-0132-00, zoned RF-12, designated Low Density Compact Housing (max. 10 upa) in the NCP.
- **West:** Across 148 Street, single family residential small lots approved by Council on July 26, 2004 through File No. 7903-0184-00, zoned RF-12, designated Low Density Compact housing (max. 10 upa) in the NCP.
- **North:** Across 72 Avenue, single family residential dwellings, zoned RF, designated Urban Residential in the East Newton North NCP.

### PLAN AND POLICY COMPLIANCE

- OCP Designation: Complies.
- NCP Designation: East Newton South NCP needs amendment to Single Family Small Lots.

### JUSTIFICATION FOR PLAN AMENDMENT

- The applicant proposes to re-designate the subject properties, at 14822 and 14854 – 72 Avenue, located within the East Newton South Neighborhood Concept Plan (NCP), from Urban Single Family Residential to Single Family Small Lots, and to rezone these properties from One-Acre Residential Zone (RA) to Single Family Residential (12) Zone (RF-12) and Single Family Residential (9) Zone (RF-9) in order to permit the development of 32 single family residential small lots (Appendix III).
- The proposed development is consistent with the "Urban" designation in the Official Community Plan (OCP). In addition, the proposal for small lots complies with the City location policy for small lots, and it will create family-oriented housing in close proximity to school and park facilities, public transit and local retail and services, and will compliment the range of housing intended in the NCP. Therefore, from a land use perspective, the proposal for small lots is acceptable.
- The proposed amendment to Small Lots, zoned RF-12 and RF-9, is consistent with adjacent development proposals, by the same developer (Appendix V), and small lots that have been approved west of 148 Street and south of 71 Avenue.
- The pattern of small lots along 72 Avenue can be continued through the property at 14880/14884 – 72 Avenue (Parcel A), which is not part of the subject site, through a future development application. A development concept has been prepared showing the future development on this site (Appendix III).
- The addition of RF-12 and RF-9 lots will also increase the housing choice in this neighborhood, which has been developed predominantly as RF lots.
- The proposed lots meet or exceed the zoning requirements, including very deep RF-9 lots along 72 Avenue (depth ranges from 31.1 m / 102 ft to 35.3 m / 116 ft), which will result in oversized small lots and provide ample depth for the siting of garages in the rear yards to access the proposed rear lane.

### Public Information Meeting

- As part of the NCP Amendment process, a Public Information Meeting was held July 6, 2006, between 6 pm and 8 pm at the Newton Fellowship Church to present multiple development proposals, by the same developer, along 72 Avenue (7905-0180-00, 7906-0184-00, 7904-0253-00 and 7906-0290-00). A total of 17 residents recorded their attendance, and 3 of the 10 comments sheets returned were within the mail-out radius of the proposed development (No. 7904-0253-00).
- No concerns were expressed regarding this particular project, and all of the comments were supportive of the proposed amendment to Small Lots.

## DEVELOPMENT CONSIDERATIONS

### Proposed Land Use & Density

- The applicant proposes to rezone the subject properties (2.7 acre) from One-Acre Residential Zone (RA) to Single Family Residential (12) Zone (RF-12) (Lots 1 – 14) and Single Family Residential (9) Zone (RF-9) (Lots 15 – 32) to permit subdivision into thirty-two (32) single family small lots. The existing single family dwellings will be removed prior to subdivision approval.
- The development will achieve a density of 12 units per acre (29 units per hectare), and the lot width, depth and area of the proposed lots meet or exceed the minimum requirements of the RF-12 Zone and RF-9 Zone:

<i>Lot Type</i>	<i>Required Lot Width</i>	<i>Proposed Lot Width</i>	<i>Required Lot Depth</i>	<i>Proposed Lot Depth</i>	<i>Required Lot Area</i>	<i>Proposed Lot Area</i>
RF-9 Type I Interior (Lots 18-20, 23,24,27,29-32)	9 m (30 ft)	9 m (30 ft) to 11.15 m (36.6 ft)	28 m (30 ft)	31.1 m (102 ft) to 35.36 m (119 ft)	250 m <sup>2</sup> (2,690 ft <sup>2</sup> )	276.2 m <sup>2</sup> (2,973 ft <sup>2</sup> ) to 390.3 m <sup>2</sup> (4,201 ft <sup>2</sup> )
RF-9 Type I Corner (Lot 15)	10.5 m (35 ft)	10.5 m (35 ft)	28 m (90 ft)	31.1 m (102 ft)	275 m <sup>2</sup> (2,960 ft <sup>2</sup> )	314.5 m <sup>2</sup> (3,385 ft <sup>2</sup> )
RF-9 Type II* (Lots 16,17,21,22,25,26,28)	7.9 m (26 ft)	7.9 m (26 ft)	28 m (90 ft)	31.1 m (102 ft)	220 m <sup>2</sup> (2,368 ft <sup>2</sup> )	246 m <sup>2</sup> (2,648 ft <sup>2</sup> ) to 251m <sup>2</sup> (2,702 ft <sup>2</sup> )
RF-12 Type II Interior (Lots 1-13)	13.4 m (44 ft)	13.4 m (44 ft) to 14.64 m (48 ft)	22 m (72 ft)	22 m (72 ft) to 34.6 m (114 ft)	320 m <sup>2</sup> (3,445 ft <sup>2</sup> )	321.1 m <sup>2</sup> (3,456 ft <sup>2</sup> ) to 441.9 m <sup>2</sup> (4,757 ft <sup>2</sup> )
RF-12 Type II Corner (Lot 14)	15.4 m (51 ft)	15.8 m (52 ft)	22 m (72 ft)	24 m (79 ft)	375 m <sup>2</sup> (4,037 ft <sup>2</sup> )	375 m <sup>2</sup> (4,037 ft <sup>2</sup> )

- \* The proposed number of Type II RF-9 lots is 21% of the total subdivision which complies the maximum allowance of 33% of the subdivision for this type of lot in the RF-9 Zone. As a result, the applicant is also applying for a Development Variance Permit to increase the maximum number of Type II Interior RF-9 lots permitted in this development from 33% to 39%, in order to maximize the efficiency of the subdivision pattern.

### Building Design

- The applicant has retained Carolyn Stewart as the Design Consultant. The Design Consultant conducted a character study of the surrounding homes and based on the findings of the study, proposed a set of building design guidelines (Appendix IX). A Building Scheme shall be registered on the title of each lot in order to ensure that the homes are compatible with the emerging character of the surrounding neighborhood.

- The new homes will be consistent in design with the emerging residential character of the neighborhood. Design styles proposed include Neo-Traditional and Neo-Heritage, and will incorporate the following key elements:
  - balanced massing, particularly on the front facades;
  - high trim and detailing standard;
  - earth/grey tones, off-white, black and complimentary colors on the exterior;
  - combination of materials such as stucco, cedar, vinyl, cementitious siding (woodgrain look), cultured brick and stone;
  - minimum roof pitch of 6:12; and
  - roof materials consisting of either cedar, concrete or duroid roof tiles in shake profile.
- Secondary suites and Basement-Entry style homes are prohibited in this development.
- Access to all of the lots will be from the proposed rear lane.

### Lot Grading

- A preliminary Lot Grading Plan submitted by the applicant's consultant has been reviewed by staff and is considered satisfactory. The Plan indicates minimal fill (less than 0.5 m / 1 ft 8 in) for the majority of the site, with some fill in the western portion of the site exceeding 0.5 m / 1 ft 8 in. This fill is required to meet the existing road grades in 148 Street, and to achieve proper drainage, however, no retaining walls will be required.
- In-ground basements are feasible and proposed on all of the lots.

### Tree Preservation

- Randy Greenizan prepared the Arborist Report and Tree Preservation/Replacement Plans for this development. This information has been reviewed by the City's Landscape Architect and deemed acceptable.
- The Arborist Report identifies 41 mature sized trees on the subject property, including 12 Cottonwood trees and 29 Cedar trees (Appendix X). The Cottonwood trees are surrounded by undersized trees and inundated with blackberry bushes, and they have no retentive value for this development.
- The Cedar trees are predominantly located within a large, open-grown cluster in the western portion of the site. Staff reviewed opportunities to retain this cluster, however, it was determined that these trees are not feasible to be retained for the following reasons:
  - the trees are growing within the location of the required lane access to 148 Street and construction of the lane is necessary to provide alternative access to 72 Avenue, which is mandatory, and will require removal of the majority of these trees;
  - the trees are growing in a dense group with intermingled root systems and will not survive if retained individually; and
  - the trees are also growing in close proximity to the existing house and accessory structures to be removed, thus the removal of existing foundations could negatively impact the trees condition.

- As a result, this grouping of trees on site cannot be retained. The Arborist recommends 46 replacement trees to be planted throughout the development site. In addition, approximately one boulevard tree per lot will be planted for a maximum of thirty-two (32) trees. Additional trees and landscaping will be provided within the frontages of lots abutting 72 Avenue (Appendix XI).
- Given the 2:1 tree replacement ratio, there is substantial deficiency in the number of replacement trees proposed. This deficiency will need to be addressed through measures such as upsized replacement trees, additional planting, and/or financial contribution to the City's Green Fund.
- Staff has asked the applicant to provide a voluntary financial contribution to this Fund, however, the applicant proposes to provide additional planting instead of a cash-in-lieu contribution.
- The potential for accommodating additional planting within the proposed lots and landscape buffer is to be reviewed by the Arborist and the City's Landscape Architect to ensure the shortfall in tree replacement is adequately addressed. Resolution of this shortfall will be a condition of final approval.

#### PRE-NOTIFICATION

Pre-notification letters were sent on September 25, 2006, and staff received no comments.

#### BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To increase the number of Type II Interior RF-9 lots permitted in a subdivision, of RF-9 lots, from 33% to 39% (Appendix XII).

Applicant's Reasons:

- To maximize the efficiency of the subdivision pattern along 72 Avenue, an arterial road.

Staff Comments:

- The increased provision from 33% to 39% allows only one additional RF-9 lot to be configured as a Type II Interior lot, thus the increase does not significantly change the subdivision pattern of RF-9 lots, which will still consist primarily of the standard Type I Interior or Corner RF-9 lot;



- The proposed lots meet or exceed the minimum dimensions required for this type of lot as summarized in the table below;

<i>Type II Interior RF-9 Lots</i>	<i>Proposed</i>	<i>Required</i>
Lot Width	7.9 m (26 ft)	7.9 m (26 ft)
Lot Depth	31.1 m (102 ft)	28 m (90 ft)
Lot Area	246 m <sup>2</sup> (2,648 ft <sup>2</sup> ) to 251 m <sup>2</sup> (2,702 ft <sup>2</sup> )	220 m <sup>2</sup> (2,368 ft <sup>2</sup> )

- If the subdivision pattern of RF-9 lots along 72 Avenue included Parcel A (Appendix III), which is not part of the development, the proposed number of Type II Interior RF-9 lots would comply with the 33% maximum allowance of the Zone; and
- The proposed mix of lot frontages enables an efficient subdivision pattern and the provision of a lane access to 72 Avenue at the eastern boundary of the site. This access is supported by the Transportation Division because it will provide additional opportunities for traffic circulation in this area, with a right in/right out only movement, onto 72 Avenue.

### 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.	East Newton South NCP
Appendix V.	Adjacent Development Proposals
Appendix VI.	Engineering Summary
Appendix VII.	Parks Comments
Appendix VIII.	School District Comments
Appendix IX.	Building Design Guidelines Summary
Appendix X.	Summary of Tree Survey and Tree Preservation
Appendix XI.	Landscape Buffer Plan
Appendix XII.	Survey Plan of Proposed Zones
Appendix XIII.	Development Variance Permit No. 7906-0184-00

### INFORMATION AVAILABLE ON FILE

- Survey Plan, 3 copies
- Detailed Engineering Comments dated October 20, 2006.
- Building Scheme dated August 29, 2006.
- Neighbourhood Character Study dated August 29, 2006.

- Tree Survey Plan dated September 14, 2006.
- Arborist Report dated September 14, 2006.
- Tree Preservation and Replacement Plan dated September 14, 2006.
- Lot Grading Plan dated September 2006.
- Soil Contamination Review Questionnaire prepared by Makhan Pooni.

How Yin Leung  
Acting General Manager  
Planning and Development

LCR/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:                    #300 - 65 Richmond Street  
                                                            New Westminster, B.C.  
                                                            V3L 5P5  
                         Tel:                                    604-525-4651

2.      Properties involved in the Application

- (a)      Civic Address:                    14822 and 14854 - 72 Avenue
- (b)      Civic Address:                    14822 - 72 Avenue  
            Owners:                            Makhan and Parmajit Pooni, Tarlochan and Narinder Pooni  
            PID:                                    002-241-633  
            Lot 1 Except: Part Subdivided by Plan BCP22619 Section 15 Township 2 New Westminster District Plan 1360
- (c)      Civic Address:                    14854 - 72 Avenue  
            Owners:                            Makhan and Parmajit Pooni, Tarlochan and Narinder Pooni  
            PID:                                    004-195-345  
            Lot 2, Except: Firstly: Parcel "A" and Road (Explanatory Plan 16050),  
            Secondly: Part Subdivided by Plan BCP22619

3.      Summary

- (a)      Introduce a By-law to rezone the property.
- (b)      Proceed with Public Notification for Development Variance Permit No. 7906-0184-00.

## SUBDIVISION DATA SHEET

**Proposed Zoning: RF-9 and RF-12**

Requires Project Data	Proposed	
<b>GROSS SITE AREA</b>		
Acres	2.7 ac	
Hectares	1.1 ha	
<b>NUMBER OF LOTS</b>		
Existing	1	
Proposed	32	
<b>SIZE OF LOTS</b>		
Range of lot widths (metres)	7.9 m (26 ft.) - 15.9 m (52 ft.)	
Range of lot areas (square metres)	246 m <sup>2</sup> (2,648 sq.ft.) - 442 m <sup>2</sup> (4,757 sq.ft.)	
<b>DENSITY</b>		
Lots/Hectare & Lots/Acre (Gross)	12 upa	29 upha
Lots/Hectare & Lots/Acre (Net)		
<b>SITE COVERAGE (in % of gross site area)</b>	RF-9	RF-12
Maximum Coverage of Principal & Accessory Building	52%	50%
Estimated Road, Lane & Driveway Coverage	6%	7%
Total Site Coverage	58%	59%
<b>PARKLAND</b>	n/a	
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>	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

