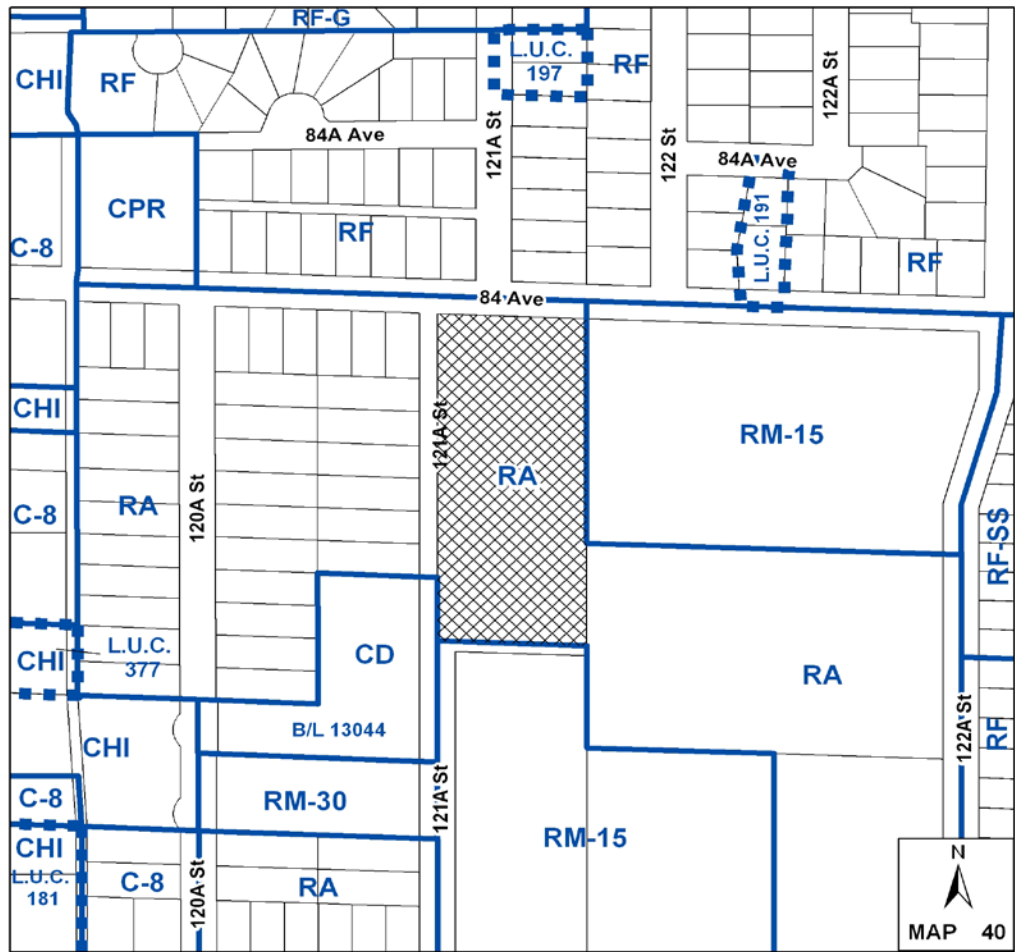


**Proposal:** Rezone from RA to RM-30 and DP to permit development of a 58-unit townhouse development. DVP to vary setbacks.

**Recommendation:** Approval to Proceed

**Location:** 12132 - 84 Avenue      **Zoning:** RA  
**OCP Designation:** Multiple Residential  
**LAP Designation:** Multiple Res. (Townhouse)      **Owner:** Kennedy Trail Ltd.



### PROJECT TIMELINE

Application Submission Date: May 16, 2006  
Revised Application Submission Date: January 12, 2007  
Planning Report Date: February 26, 2007

### PROPOSAL

The applicant is proposing:

- a rezoning from RA to RM-30;
- a Development Permit; and
- a Development Variance Permit to relax the following by-law regulations:
  - to reduce the minimum northerly front yard (84 Avenue) setback from 7.5 metres (25 feet) to 4.8 metres (16 feet) for four (4) units with the provision that the supporting posts for the second floor balconies be allowed to project 1.5 metres (5 feet) into the setback area for all units;
  - to reduce the minimum westerly side yard (121A Street) setback from 7.5 metres (25 feet) to 4.28 metres (14 feet), 3.34 metres (11 feet) and 5.7 metres (19 feet), as illustrated in the Development Variance Permit;
  - to reduce the southerly rear yard setback from 7.5 metres (25 feet) to 3.72 metres (12 feet) and 5.2 metres (17 feet), with the provision that the supporting posts for the second floor balconies be allowed to project 1.5 metres (5 feet) into the setback area for all units; and
  - to reduce the minimum easterly side yard setback from 7.5 metres (25 feet) to 6.93 metres (23 feet) and 2.79 metres (9 feet), with the provision that the supporting posts for the second floor balconies be allowed to project 1.5 metres (5 feet) into the setback area for all units;

in order to permit the development of 58 townhouse units ~~and two apartment units.~~

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### RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Multiple Residential 30 Zone (RM-30)" (By-law No. 12000) and a date be set for Public Hearing.

2. Council authorize staff to draft Development Permit No. 7906-0217-00 in accordance with the attached drawings (Appendix III).
3. Council approve Development Variance Permit No. 7906-0217-00, (Appendix V) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum northerly front yard (84 Avenue) setback from 7.5 metres (25 feet) to 4.8 metres (16 feet) for four (4) units with the provision that the supporting posts for the second floor balconies be allowed to project 1.5 metres (5 feet) into the setback area for all units;
  - (b) to reduce the minimum westerly side yard (121A Street) setback from 7.5 metres (25 feet) to 4.28 metres (14 feet), 3.34 metres (11 feet) and 5.7 metres (19 feet), as illustrated in the Development Variance Permit;
  - (c) to reduce the southerly rear yard setback from 7.5 metres (25 feet) to 3.72 metres (12 feet) and 5.2 metres (17 feet), with the provision that the supporting posts for the second floor balconies be allowed to project 1.5 metres (5 feet) into the setback area for all units; and
  - (d) to reduce the minimum easterly side yard setback from 7.5 metres (25 feet) to 6.93 metres (23 feet) and 2.79 metres (9 feet), with the provision that the supporting posts for the second floor balconies be allowed to project 1.5 metres (5 feet) into the setback area for all units.
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 cost estimate to the specifications and satisfaction of the City Landscape Architect;
  - (d) registration of a Section 219 Restrictive Covenant to specifically prohibit the conversion of the tandem parking spaces into livable space; and
  - (e) the applicant work with staff to resolve concerns over the impact of the proposed development on existing Parks, Recreation and Culture facilities in the area.

#### 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: Parks has concerns about the impact of the proposed development on existing Parks, Recreation and Culture facilities in the area and requests the applicant work with staff to resolve this issue. (Appendix VI).

School District: **School Impacts:**

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

Elementary students = 9 students  
 Secondary students = 5 students  
 Total new students = 14 students

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

Kennedy Trail Elementary School = 303 enrolled/355 capacity  
 L.A. Matheson Secondary School = 1,241 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 = 5 students  
 Secondary students = 10 students  
 Total new students = 15 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 VII)

SITE CHARACTERISTICS

- **Existing Land Use** A single family dwelling on a large remnant acreage property.
- **Significant Site Attributes** There are a number of mature trees on the site.
- **East:** A townhouse complex, zoned RM-15 and Kennedy Trail Elementary School, zoned RA, designated "Multiple Residential" in the OCP, and "School" and Multiple Residential (Townhouse) in the Newton Local Area Plan.

- **South:** A lane abuts the south property line, which has been developed as a walkway and provides access to the school further south, a townhouse development, zoned RM-15 and designated "Multiple Residential" in the OCP, and "Multiple Residential (Townhouse)" in the Newton Local Area Plan.
- **West:** Across 121A Street, single family residential, zoned RA, designated "Multiple Residential" in the OCP, and "Multiple Residential (Townhouse)" in the Newton Local Area Plan.
- **North:** Across 84 Avenue, single family residential, zoned RF, designated "Urban" in the OCP, and "Urban Residential" in the Newton Local Area Plan.

#### PLAN AND POLICY COMPLIANCE

OCP Designation: Multiple Residential. Complies.

Newton LAP Designation: Multiple Residential (Townhouse). Complies.

#### DEVELOPMENT CONSIDERATIONS

##### Background

- The subject site is located at 12132 – 84 Avenue and is 1.63 hectares (4.02 acres) in area. The site is zoned "One-Acre Residential Zone" (RA) and is designated "Multiple Residential" in the OCP and "Multiple Residential (Townhouse)" in the Newton Local Area Plan.
- The subject site is bordered to the east, south and southwest by townhouse developments. The property also abuts Kennedy Trail Elementary School to the southeast. Across 121A Street to the west are older single family dwellings on sub-standard RA-zoned properties which are also designated "Multiple Residential" in the OCP and "Multiple Residential (Townhouse)" in the Newton Local Area Plan. These lots are expected to be assembled and redeveloped over time for townhouse uses, in keeping with the plan designations. Across 84 Avenue are single family residential dwellings on RF-zoned lots. This area is designated "Urban" in the OCP and "Urban Residential" in the Newton Local Area Plan, and is a permanent single family area.

##### Proposal

- The applicant is proposing a rezoning from RA to "Multiple Residential 30 Zone" (RM-30) and a Development Permit to allow for development of a 58-unit townhouse complex. The applicant is also proposing variances to the front, rear and side yard setbacks, which are described below.
- Twenty-two (22) duplex style units, thirty-four (34) townhouse units and two (2) stacked townhouse units (above the indoor amenity space) are proposed. The proposed unit density is 41.3 units per hectare (uph) [16.7 units per acre (upa)] and the proposed floor area ratio (FAR) is approximately 0.76.

- The proposed unit density and FAR conforms to the density regulations of the RM-30 Zone, and is in keeping with the allowable range of density within the existing plan designations.
- The main access is proposed to be from 121A Street, at the centre of the site. There will be an emergency access with bollards and "grasscrete" located to the north of the main access on 121A Street.
- The site fronts on 121A Street, which is a half-road. To provide access to the site, the applicant is required to complete the road dedication and construction of the unbuilt portions of 121A Street, which currently terminates near the southern portion of the subject site, and provide the anticipated connection to the existing portion of 121A Street south of the site.
- There is an existing lane dedication along the south property line. The lane is not built but is a grassy area with a paved pathway, linking 121A Street to Kennedy Trail Elementary School. The applicant is proposing decorative fencing, consisting of brick posts and transparent metal railings (in black), and landscaping along the southern property line.
- Total parking on the site, including resident and visitor stalls, conforms with the requirements of the Zoning By-law. Resident parking spaces for all the units, except the two units above the indoor amenity space, will be provided in the form of side-by-side, two-car garages. No tandem parking is proposed for these units. The two (2) units above the indoor amenity space will have a one-car garage and a single space on the driveway in a tandem arrangement. A Restrictive Covenant will be required to be registered on the site to restrict the conversion of the garage to livable space for these two (2) units.

#### Amenity Space

- The Zoning By-law requires that indoor amenity space for this project be provided in the order of 174 sq. m. (1,872 sq. ft.), based on 3 sq. m. (32 sq. ft.) per dwelling unit. The applicant has provided 174 sq.m. (1,872 sq.ft.) of indoor amenity space in the centre of the site. The indoor amenity space is proposed to contain a kitchen, activity room, library area, washrooms and storage area.
- The proposal also includes an outdoor amenity space of approximately 174 sq. m. (1,872 sq. ft.), which meets the requirement of the Zoning By-law. The outdoor amenity space is centrally located in front of the indoor amenity space and will accommodate a play area with play equipment, a landscaped open space and a seating area.

#### Tree Preservation and Landscaping Plan

- The applicant has provided an arborist assessment from Mike Fadum and Associates. The assessment indicates fifty-six (56) mature trees on the site and none are proposed to be retained. Of the fifty-six (56) trees, thirty-four (34) are alders or cottonwoods and have no retentive value. The remaining twenty-two (22) trees were either poor quality trees, were in proposed building envelopes or would be impacted by road widening. The applicant proposes to install approximately 113 trees of various species as replacement trees.
- The applicant is proposing to plant trees along all property lines and within the development. Shrubbery and ground cover are also proposed throughout the development.

### PRE-NOTIFICATION

Pre-notification letters were sent on January 16, 2007 and staff received no comment.

### DESIGN PROPOSAL AND REVIEW

- The proposed project consists of fifty-six (56) three-bedroom units and two (2) two-bedroom units (above the amenity room).
- The majority of the units are configured in three (3) storey buildings, with garages and a recreation room at grade. The proposed kitchen, dining and living rooms are located on the second floor, with the proposed bedrooms on the third floor.
- The proposed building materials include fiberglass shingles for roofing. Cladding materials will be mainly vinyl siding, accented with wood or hardiboard trims. A decorative hardipanel will be used on the gables.
- The site entrance on 121A Street will be anchored by a decorative entry sign and landscaping. Special paving (stamped concrete), is proposed for the area extending from the main entrance and at other various locations on the site.
- The 121A Street and 84 Avenue streetscape elevations reflects proposed fencing of brick posts and transparent metal railings (in black). This treatment will also be placed along the southern property line, facing the pathway in the lane dedication area. Fencing will be articulated at the northwest and southwest corners to enhance visual appeal.

### ADVISORY DESIGN PANEL

This application was not referred to the ADP and was reviewed by staff and found satisfactory.

### BY-LAW VARIANCE AND JUSTIFICATION

Requested Variances:

- To reduce the minimum northerly front yard (84 Avenue) setback from 7.5 metres (25 feet) to 4.8 metres (16 feet) for four (4) units with the provision that the supporting posts for the second floor balconies be allowed to project 1.5 metres (5 feet) into the setback area for all units.
- To reduce the minimum westerly side yard (121A Street) setback from 7.5 metres (25 feet) to 4.28 metres (14 feet), 3.34 metres (11 feet) and 5.7 metres (19 feet).

- To reduce the southerly rear yard setback from 7.5 metres (25 feet) to 3.72 metres (12 feet) and 5.2 metres (17 feet), with the provision that the supporting posts for the second floor balconies be allowed to project 1.5 metres (5 feet) into the setback area for all units.
- To reduce the minimum easterly side yard setback from 7.5 metres (25 feet) to 6.93 metres (23 feet) and 2.79 metres (9 feet), with the provision that the supporting posts for the second floor balconies be allowed to project 1.5 metres (5 feet) into the setback area for all units.

Applicant's Reasons:

- The variances along the northerly property line (84 Avenue) will allow the proposed development to be consistent with the setbacks of the neighbouring townhouse to the east.
- The variances along the easterly property line, except for the side elevation of Unit 56, are for balconies only as the building face is set back approximately 8.1 metres (27 feet).
- The variances on the south and west side interface with a lane (that contains a pathway) and 121A Street, respectively, and five (5) metres (16 feet) of yard space is maintained.

Staff Comments:

- The reduced setbacks on the north provides a gradual transition to the existing townhouse complex east of the site. The existing townhouse complex has a setback of approximately 4 metres (13 ft.) along 84 Avenue.
- The reduced 4.28 metre (14 ft.) and 3.34 metre (11 ft.) setbacks on the west apply to the side of the townhouse units only. The front facing units maintain a 5.7 metre (19 ft.) setback.
- The reduced 3.72 metre (12 ft.) setback on the south also applies to the side of the townhouse unit only. The remaining front facing units maintain a 5.2 metre (17 ft.) setback adjacent to a walkway.
- Most of the units along the eastern property line maintain a 7.5 metre (25 ft.) setback. The two variances only apply to two side-facing townhouse units.

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.	Development Variance Permit No. 7906-0217-00
Appendix VI.	Parks Comments
Appendix VII.	School District Comments



INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated February 19, 2007.
- Arborist Report dated February 16, 2007.
- Soil Contamination Review Questionnaire prepared by Michael Helle dated May 15, 2006.

How Yin Leung  
Acting General Manager  
Planning and Development

KB/kms

Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent:     Name:             Mike Helle, Coastland Engineering & Surveying Ltd.  
                  Address:         #101, 19292 - 60 Avenue  
                                      Surrey, BC V3S 3M2  
                  Tel:             604-532-9700
  
2.     Properties involved in the Application
  - (a)    Civic Address:       12132 - 84 Avenue
  - (b)    Civic Address:       12132 - 84 Avenue  
          Owner:             Kennedy Trail Ltd.  
          PID:             007-559-551  
          Lot 30, Section 30, Township 2, New Westminster District, Plan 456
  
3.     Summary of Actions for City Clerks Office
  - (a)    Introduce a By-law to rezone the property.
  - (b)    Proceed with Public Notification for Development Variance Permit No. 7906-0217-00.

## DEVELOPMENT DATA SHEET

**Proposed Zoning: RM-30**

Required Development Data	Minimum Required / Maximum Allowed	Proposed
<b>LOT AREA</b> (in square metres)		
Gross Total		1.626 ha/4.02 ac
Road Widening area		2,208 sq.m.
Undevelopable area		
Net Total		1.405 ha/3.47 ac
<b>LOT COVERAGE</b> (in % of net lot area)		
Buildings & Structures		40%
Paved & Hard Surfaced Areas		43%
Total Site Coverage		83%
<b>SETBACKS</b> ( in metres)		
Front	7.5 m	Variances Requested: See Planning Report for Details
Rear	7.5 m	
Side #1 (East)	7.5 m	
Side #2 (West)	7.5 m	
<b>BUILDING HEIGHT</b> (in metres/storeys)		
Principal	13 m	12.2 m/3 storeys
Accessory		
<b>NUMBER OF RESIDENTIAL UNITS</b>		
Bachelor		
One Bed		
Two Bedroom		2
Three Bedroom +		56
Total		58
<b>FLOOR AREA: Residential</b>		
		10,625 sq.m.
<b>FLOOR AREA: Commercial</b>		
Retail		
Office		
Total		
<b>FLOOR AREA: Industrial</b>		
<b>FLOOR AREA: Institutional</b>		
<b>TOTAL BUILDING FLOOR AREA</b>		10,625 sq.m.

\* **Indoor amenity not included.**

## Development Data Sheet cont'd

Required Development Data	Minimum Required / Maximum Allowed	Proposed
<b>DENSITY</b>		
# of units/ha /# units/acre (gross)		35.6 uph/14.4 upa
# of units/ha /# units/acre (net)	75 uph/30 upa	41.3 uph/16.7 upa
FAR (gross)	0.90	0.76
FAR (net)		
<b>AMENITY SPACE (area in square metres)</b>		
Indoor	174 sq.m.	174 sq.m.
Outdoor	174 sq.m.	174 sq.m.
<b>PARKING (number of stalls)</b>		
Commercial		
Industrial		
<b>Residential Bachelor + 1 Bedroom</b>		
2-Bed (1.5 unit)	3	3
3-Bed (2/unit)	112	112
Residential Visitors	11.6	12
<b>Institutional</b>		
Total Number of Parking Spaces	126.7	128
Number of disabled stalls	1	1
Number of small cars		
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

