

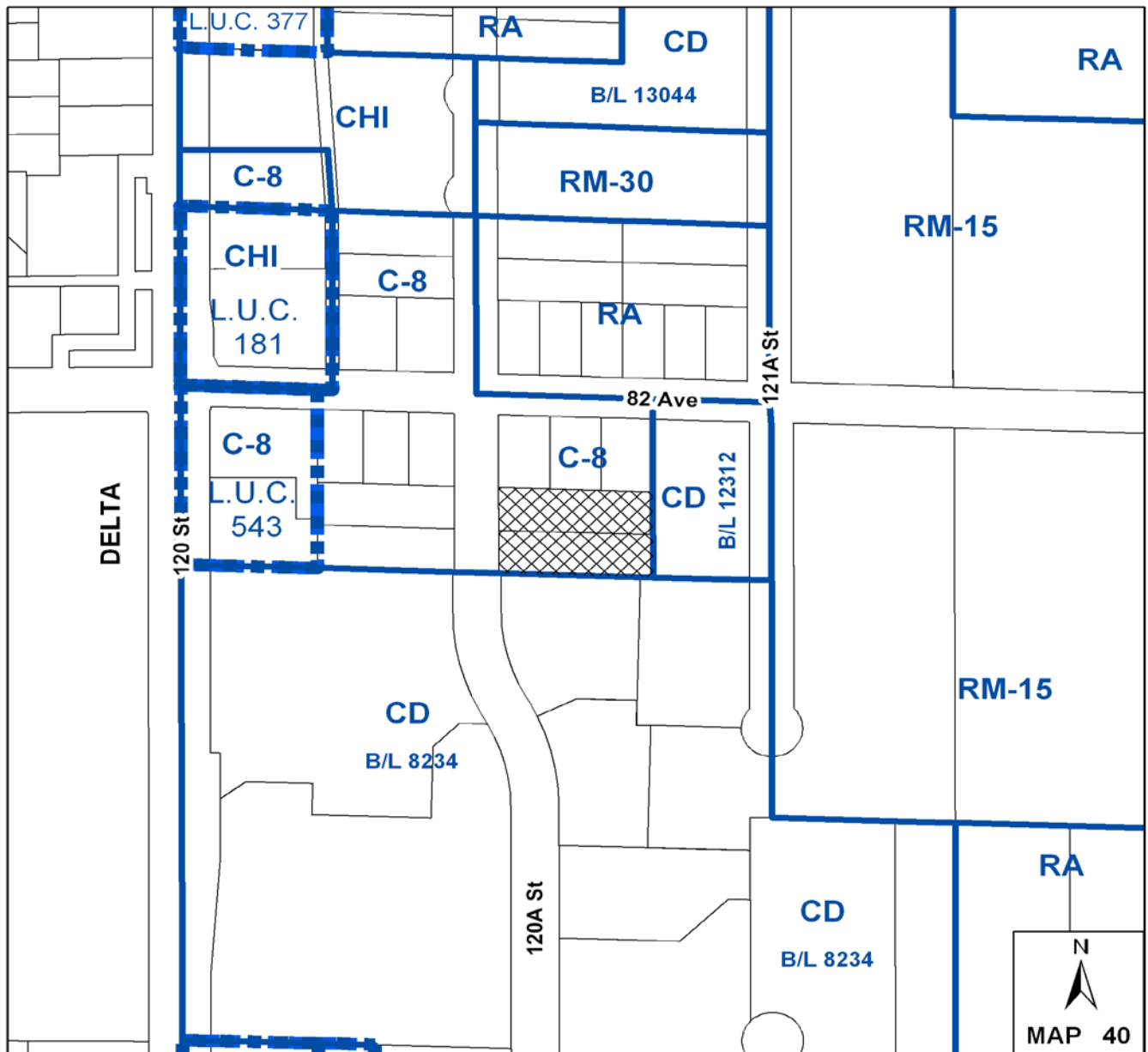
Proposal: OCP Amendment from Commercial to Multiple Residential. Rezone from C-8 to CD and a Development Permit to permit development of a 4-storey apartment building.

Recommendation: Approval to Proceed

Location: 8164/8172 - 120A Street **Zoning:** C-8

OCP Designation: Commercial

LAP Designation: Retail **Owners:** Scott Blvd. Homes Ltd.
 Commercial Inc. No. 0764207



PROJECT TIMELINE

Completed Application Submission Date: August 10, 2006
Planning Report Date: December 18, 2006

PROPOSAL

The applicant is proposing:

- an OCP amendment from Commercial to Multiple Residential;
- a rezoning from 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 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 "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 approve the applicant's request to reduce the amount of required indoor amenity space from 159 square metres (1,712 sq.ft.) to 155 square metres (1,670 sq.ft.).
5. Council authorize staff to draft Development Permit No. 7906-0367-00 in accordance with the attached drawings (Appendix III).
6. 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 landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (e) the applicant adequately address the impact of reduced indoor amenity space;
 - (f) registration of a Section 219 Restrictive Covenant and reciprocal access agreement with the neighbouring properties at 12098 and 12120 - 82 Avenue to ensure a minimum 15 metre (50 ft.) building separation and enable a shared use of common outdoor amenity areas (courtyard); and
 - (g) 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.
7. Council pass a resolution to amend the Newton Local Area Plan to redesignate the property 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 & 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 = 5 students
 Secondary students = 2 students
 Total new students = 7 students

School Catchment Area/Current Enrollment/School Capacity:

Kennedy Trail Elementary School = 288 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 dwellings to be demolished.
- **East:** Property under Development Application No. 7906-0162-00 (First, Second Reading) which proposes a partial OCP amendment from Commercial to Multiple Residential, rezoning from C-8 and CD (By-law No. 12312) to CD and a Development Permit to permit development of a four-storey apartment building.
- **South:** Four-storey apartment buildings, zoned CD (By-law No. 8234), designated Multiple Residential in the OCP.
- **West:** Across 120A Street, two-storey office building and single family dwelling, zoned C-8, designated Commercial in the OCP.
- **North:** Two properties with single family dwellings, zoned C-8, designated Commercial in the OCP, and one property that is part of Development Application No. 7906-0162-00 (First, Second Reading) which proposes an OCP Amendment, Rezoning and Development Permit to permit development of a four-storey apartment building.

PLAN AND POLICY COMPLIANCE

OCP Designation: Commercial. Needs amendment to Multiple Residential.

LAP Designation: Retail commercial. Needs amendment 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 5 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 2 of the 5 Commercial designated properties (8164 & 8172 – 120A Street) from Commercial to Multiple Residential and to consolidate them into 1 lot. The purpose of the redesignation is to permit development of a multiple residential building on the consolidated lot.
- One (1) of the other 3 neighbouring Commercial designated properties (12098 – 82 Avenue) is currently under Development Application #7906-0162-00. That application proposes a partial OCP amendment from Commercial to Multiple Residential, a consolidation with the neighbouring property at 12120 -82 Avenue (currently designated Multiple Residential in the OCP), a Rezoning from C-8 to CD, and a Development Permit to permit development of a 4-storey apartment building. That application received first and second reading of the Rezoning By-law by Council on December 4, 2006. A Public Hearing for that application is scheduled for December 18, 2006
- 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 south and west of the subject site are 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 of 120A Street and 82 Avenue will remain designated commercial, and can be developed for commercial uses in the future.

DEVELOPMENT CONSIDERATIONS

- The two subject properties are currently zoned "Community Commercial Zone" (C-8) and contain old single-family dwellings proposed to be demolished.

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, and the RM-45 Zone.

	Adjacent CD By-law No. 8234 (Residential Component)	Proposed CD Zone	RM-45 Zone
Use	Medium Rise/ High Rise	Medium Rise	Medium Rise
Max. Height	up to 10 storeys	15m (50 ft.) (4 storeys)	15m (50 ft.) (4 storeys)
Max Unit Density (u.p.a)	74 - 88 u.p.a. (184 - 217 u.p.h)	74 u.p.a (184 u.p.h)	31 u.p.a. (76 u.p.h)
Max Density (FAR)	1.64 - 1.97	1.50	0.88
Lot Coverage	max. 45%	45%	45%
Minimum Setbacks	6.0 m (20 ft.) - 7.5 m (25 ft.)	7.5 m (25 ft.) from all property lines	7.5 m (25 ft.) from all property lines
Parking	Combination of above grade or underground.	Fully underground	Combination above-grade or underground

- The proposed CD Zone is identical to the RM-45 Zone with the exception of density.
- 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 31 u.p.a (76 u.p.h) and floor area ratio (FAR) of 0.88 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). Similarly, the CD Zone drafted for the apartment building to the east of the subject site, proposed under Development Application No. 7906-0162-00 which is to be considered at the December 18, 2006 Public Hearing, has a maximum unit density of 74 u.p.a (184 u.p.h) and Floor Area Ratio (FAR) of 1.50.
- The project has full underground parking, which provides a substantial on-site benefit by creating more open space.
- 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.

- On the basis of the above, the proposed CD Zone is expected to result in a development that fits the surrounding area.

PRE-NOTIFICATION

Pre-notification letters were sent on September 1, 2006 and staff received the following comments:

- Staff received 1 letter from a resident who was concerned about the amount of tree being cut down in the area and the impact on wildlife and the environment.

(The tree survey conducted on subject site identified only 4 mature trees. The arborist report concluded that all 4 trees are required to be removed for the underground parking lot. The applicant is proposing 63 replacement trees as part of the landscaping for the apartment building which more than adequately compensates for tree replacement).

- Staff received 1 phone call from a resident who was concerned about parking in the area.

(The applicant proposes 86 parking stalls, which meets the By-law requirement for the number and type of dwelling units proposed. All of these parking stalls will be provided in the underground parkade).

- Staff received 1 phone call from a resident who did not want an apartment building constructed on the site.

(All of the properties on the east side of 120A Street, between the subject site and 80 Avenue are designated Multiple Residential in the OCP and contain 4-storey apartment buildings. The proposed 4-storey building on the subject site is therefore in keeping with the character of the area).

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 120A 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 design and massing of the building is consistent with the existing apartment buildings to the south of the subject site and will complement the streetscape along 120A 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 120A 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 (76 resident stalls, 10 visitor stalls).
- The proposed apartment building is predominantly rectangular in shape, matching the profile of the site, with the exception that the northeast corner has been tailored to create an open courtyard facing towards the northeast. This outdoor amenity area will be combined with the outdoor amenity area of the proposed apartment building to the east of the subject site creating a large shared courtyard fully connected and accessible to the residents and visitors of both projects. A reciprocal access agreement between these sites will be required to be registered to provide access to the courtyard for residents of both projects. There is a second outdoor amenity area located on the south side of the building. The proposed outdoor amenity space of 162 sq.m (1,749 sq.ft.) exceeds the 155 sq.m (1,712 sq.ft.) required under the RM-45 Zone.
- The exterior building materials consist primarily of Hardie Plank or Vinyl Vertical Board and Batten Siding, with Cultured Stone Veneer, and Cedar Shingle Vinyl Siding. The colour scheme consists of "Sage", "Red Oxide", grey shades and white. The building also features an asphalt shingle roof. The proposed exterior materials and building treatment are consistent with the quality of materials used in the surrounding developments.
- The building features an indoor amenity room on the ground floor, which is integrated with the outdoor amenity courtyard area. The total proposed indoor amenity space of 155 sq.m (1,670 sq.ft) has been sized to reflect the expected usage and needs of the total units being serviced, and is slightly less than the 159 sq.m (1,712 sq.ft.) required under the RM-45 Zone, and the proposed CD Zone, calculated at 3 sq.m (32 sq.ft.) per dwelling unit. The applicant has agreed to provide a monetary contribution of \$1,400 in accordance with the City policy to address this very minor shortfall in required indoor amenity space.

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 4 mature trees and concludes that, due to excavation required for the underground parking lot, all 4 trees will have to be removed. The trees to be removed consist of 3 Fir trees, and 1 Alder tree, all of which are in good condition. The applicant's landscape architect proposes 63 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 (5 ft.) landscaped buffer from the neighbouring apartment building to the south.

ADVISORY DESIGN PANEL

ADP Meeting Date: December 5, 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 10, 2006.
- Tree Survey Plan dated November 2006.
- Arborist Report dated November 28, 2006.
- Soil Contamination Review Questionnaire prepared by Maciej Dembek dated August 3, 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: 8164 and 8172 - 120A Street

(b) Civic Address: 8164 - 120A Street
 Owner: Scott Blvd. Homes Ltd., Inc. No. 0764207
 PID: 002-345-943
 Lot 8 Section 30 Township 2 New Westminster District Plan 17353

(c) Civic Address: 8172 - 120A Street
 Owner: Scott Blvd. Homes Ltd., Inc. No. 0764207
 PID: 001-510-321
 Lot 7 Section 30 Township 2 New Westminster District Plan 17353

3. Summary of Actions for City Clerks Office

(a) 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		
Road Widening area		
Undevelopable area		
Net Total		2,921 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	45%	37.6%
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front	7.5 m	7.5 m
Rear	7.5 m	7.5 m
Side #1 (North)	7.5 m	7.5 m
Side #2 (South)	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		22
Two Bedroom		31
Three Bedroom +		
Total		53
FLOOR AREA: Residential	4,328 m ²	4,235 m ²
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA	4,382 m ²	4,235 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	182 uph/73 upa
FAR (gross)		
FAR (net)	1.5	1.45
AMENITY SPACE (area in square metres)		
Indoor	159 m ²	155 m ²
Outdoor	159 m ²	162 m ²
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom	29	29
2-Bed	47	47
3-Bed		
Residential Visitors	10	10
Institutional		
Total Number of Parking Spaces	86	86
Number of disabled stalls		
Number of small cars		20
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

