

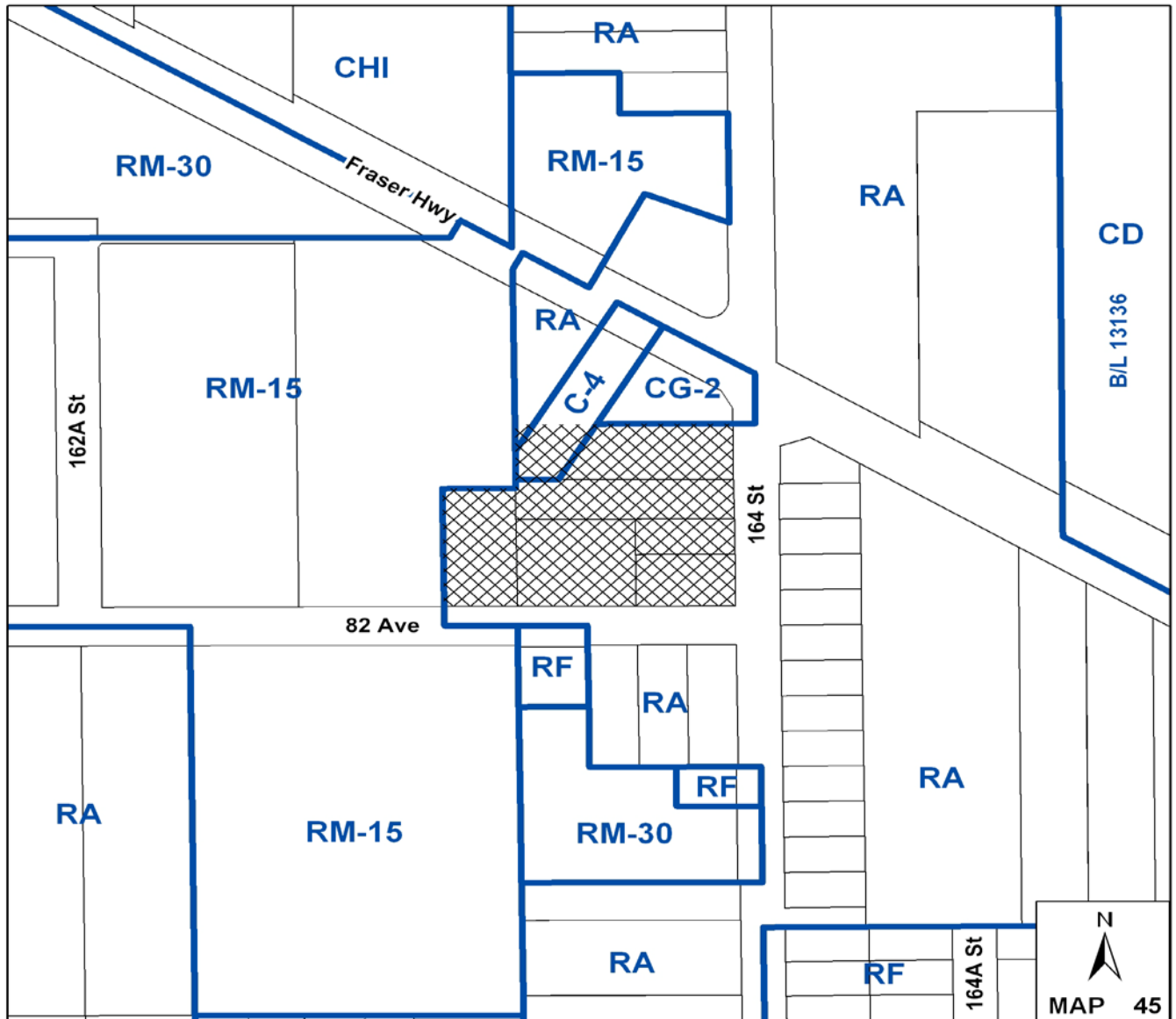
Proposal: Amend OCP from Urban to Multiple Residential. Amend NCP for a portion from Low Density Townhouses to Medium Density Townhouses. Rezone from RA and C-4 to RM-30 and DP to allow the development of approximately 70 townhouse units. DVP to relax setbacks.

Recommendation: Approval to Proceed

Location: 164 Street & 82 Avenue **Zoning:** RA and C-4

OCP Designation: Urban

NCP Designation: Low & Med. Density Townhouses **Owner:** Legendary Developments Ltd. et al



PROJECT TIMELINE

Completed Application Submission Date: August 11, 2006
Application Revision & Re-submission Date: February 2, 2007
Planning Report Date: April 16, 2007

PROPOSAL

The applicant is proposing:

- an OCP amendment from Urban to Multiple Residential;
- an NCP amendment for a portion of the subject site from "Low Density Townhouses" to "Medium Density Townhouses";
- a rezoning from RA and C-4 to RM-30;
- a Development Permit; and
- a Development Variance Permit to vary the following Zoning By-law regulations:
 - reduce the minimum south side yard setback of the RM-30 Zone along 82 Avenue, from 7.5 metres (25 ft.) to 6.1 metres (20 ft.) to the building face; and to 4.6 metres (15 ft.) to the porch; and
 - reduce the minimum front (east) yard setback of the RM-30 Zone along 164 Street from 7.5 metres (25 ft.) to 5.5 metres (18 ft.) to the building face; and to 4 metres (13 ft.) to the porch

in order to permit the development of 70 townhouse units.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to redesignate the site (Block A on Survey Plan) from Urban to Multiple Residential and a date for Public Hearing be set (Appendix I).
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 site from "One-Acre Residential Zone (RA)" and "Local Commercial Zone (C-4)" (By-law No. 12000) to "Multiple Residential 30 Zone (RM-30)" (By-law No. 12000) and a date be set for Public Hearing (Appendix I).

4. Council approve the applicant's request to eliminate the required indoor amenity space.
5. Council authorize staff to draft Development Permit No. 7906-0371-00 in accordance with the attached drawings (Appendix III).
6. Council approve Development Variance Permit No. 7906-0371-00, (Appendix VIII) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum south side yard setback of the RM-30 Zone along 82 Avenue, from 7.5 metres (25 ft.) to 6.1 metres (20 ft.) to the building face; and to 4.6 metres (15 ft.) to the porch; and
 - (b) to reduce the minimum front (east) yard setback of the RM-30 Zone along 164 Street, from 7.5 metres (25 ft.) to 5.5 metres (18 ft.) to the building face; and to 4 metres (13 ft.) to the porch.
7. 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 no indoor amenity space;
 - (f) demolition of all existing buildings and structures to the satisfaction of the Building Division;
 - (g) resolution of minor building design and landscaping issues to the satisfaction of the City Architect and City Landscape Architect; and
 - (h) registration of a Section 219 Restrictive Covenant to specifically identify the allowable tandem parking arrangement and to prohibit the conversion of the tandem parking spaces into livable space.
8. Council pass a resolution to amend the Fleetwood Town Centre NCP to redesignate portions of the site from Low Density Townhouses to Medium Density Townhouses 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: The applicant should provide park amenity contributions in accordance with the NCP for Fleetwood Town Centre (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:

Walnut Road Elementary School = 532 enrolled/580 capacity
 Fleetwood Park Secondary School = 1,390 enrolled/1,200 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 = 2 students
 Secondary students = 11 students
 Total new students = 13 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. The proposed development will not have an impact on these projections.

(Appendix IV)

SITE CHARACTERISTICS

- **Existing Land Use** Existing single family dwellings proposed to be demolished.
- **East:** Across 164 Street, single family dwellings, zoned RA, designated Medium Density Townhouses in the Fleetwood Town Centre Land Use Plan.

- **South:** Across 82 Avenue, single family dwellings, zoned RA and RF, and townhouses, zoned RM-15, designated Medium Density Townhouses and Low Density Townhouses in the Fleetwood Town Centre Land Use Plan.
- **West:** Existing townhouses, zoned RM-15, designated Low Density Townhouses in the Fleetwood Town Centre Land Use Plan.
- **North:** Existing gas station and vacant lots, zoned CG-2, C-4, and RA, designated Medium Density Townhouses in the Fleetwood Town Centre Land Use Plan.

PLAN AND POLICY COMPLIANCE

OCP Designation: Needs amendment to Multiple Residential.

NCP Designation: Partially Complies. The Fleetwood Town Centre NCP requires an amendment for the southern portion of the site from Low Density Townhouses to Medium Density Townhouses.

JUSTIFICATION FOR PLAN AMENDMENT

- The 1.13-hectare (2.8-acres) site is designated Urban in the Official Community Plan (OCP) and Medium Density Townhouses and Low Density Townhouses in the Fleetwood Town Centre NCP. The applicant is proposing to redesignate a portion of the site from Low Density Townhouses to Medium Density Townhouses in the NCP and to redesignate the whole site from Urban to Multiple Residential in the OCP.
- The proposal is to rezone the site to RM-30 to allow the development of 70 townhouse units. The majority of the site is designated Medium Density Townhouses in the NCP which permits a density of 30 units per acre. One of the subject properties, 16345 - 82 Avenue, is designated Low Density Townhouses therefore the applicant is proposing an NCP Amendment to Medium Density Townhouses for this property.
- Although the property that is currently designated Low Density Townhouses will be rezoned to RM-30, as part of this proposal, the proposed density for the property would be approximately 16 units per acre therefore similar to the current Low Density Townhouses designation. The proposed townhouses on this property will have a 7.5-metre (25 ft.) setback to the west property line to allow for an adequate interface with the existing townhouses to the immediate west, which are zoned RM-15. The adjacent townhouses have existing landscaping that provides a natural buffer to the subject proposal, which will be supplemented by proposed trees and shrubs along the west property line of the subject site.
- The proposed OCP amendment from Urban to Multiple Residential is consistent with the Medium Density Townhouses designation in the NCP.

DEVELOPMENT CONSIDERATIONS

- The applicant is proposing to rezone the site from “One-Acre Residential (RA) Zone” and “Local Commercial (C-4) Zone” to “Multiple Residential (RM-30) Zone” and is requesting a Development Permit to permit the development of 70 townhouse units.
- The proposed density and lot coverage calculations meet the requirements of the RM-30 Zone, as indicated in the following table:

| | Permitted Under RM-30 Zone | Current Proposal |
|------------------|-----------------------------------|--------------------------|
| Net Site Area | | 1.13 hectare (2.8 acres) |
| Floor Area Ratio | 0.90 | 0.81 |
| Unit Density | 30 units per acre | 25 units per acre |
| Lot Coverage | 45% | 38% |

- The proposed 70-unit complex consists of 14, 3-storey buildings with a maximum height of 10 metres (32.8 ft.), conforming to the 13-metre (43-ft.) maximum building height of the RM-30 Zone.
- The subject proposal consists of six (6) two-bedroom units and 64 three-bedroom units.
- Off-street residential parking is to be provided in double garages for eight (8) units and tandem garages for the remaining sixty-two (62) units. A total of 140 parking stalls and 14 off-street visitor parking spaces are to be provided on-site. The proposed residential and visitor parking stalls meet the parking provisions of Surrey Zoning By-law No. 12000.
- No indoor amenity is proposed for the townhouse site. Instead, the applicant is proposing to provide cash-in-lieu of indoor amenity space in the amount of \$1,050/unit, conforming to Council policy. The resolution of the cash-in-lieu payment is a subject condition of rezoning and Development Permit approval.
- The amount of outdoor amenity space proposed is 245.7 square metres (2,645 sq.ft.), which exceeds the 210-square metre (2,260 sq.ft.) requirement of the RM-30 Zone (based on 3 square metres/32 sq.ft. per unit).
- Meredith Mitchell, of DMG Landscape Architects, prepared the Arborist Report and Tree Preservation/Replacement Plan. The Arborist Report indicates there are 104 mature trees on the subject site. The report proposes the removal of 97 trees because they are located within the building envelope or proposed drive aisles, are deemed in poor condition, or are assessed as hazardous. The Report proposes seven (7) trees be retained, and 159 replacement trees.

PRE-NOTIFICATION

Pre-notification letters were sent on February 6, 2007, and staff received five (5) responses regarding the following issues:

Density

- Comments were received regarding concerns about the proposed density.

(The proposed density reflects the designation for the majority of the site as outlined in the Fleetwood Town Centre NCP. The proposed townhouses will allow for a diversity of housing types in the neighbourhood and provide for additional residential units in close proximity to parks, schools and commercial areas along Fraser Highway.)

Traffic and Access

- Comments were received regarding concerns about traffic congestion along 82 Avenue and about the proposed vehicular access off 82 Avenue.

(The existing and proposed road network is designed to accommodate potential traffic generated by this proposal. 82 Avenue is a major collector and therefore handles east-west traffic in the neighbourhood; 83 Avenue will be opening up to the west to 160 Street as developments proceed which should alleviate traffic congestion along 82 Avenue. Access off 82 Avenue is preferable since 164 Street access would be limited to right-in/right out due to the left turn bays along 164 Street.)

DESIGN PROPOSAL AND REVIEW

- The proposed 70-unit townhouse site consists of 14 clusters ranging from 4 to 7 units, with the floor area per dwelling unit ranging from 126 square metres (1,355 sq. ft.) to 166.3 square metres (1,790 sq.ft.).
- The proposed building materials include asphalt shingles in a dark grey tone for roofing. Horizontal siding materials consist of a combination of cedar shingles in beige and hardiplank siding in brown.
- The main vehicular entry to the site will be off 82 Avenue, which will be defined by special paving (stamped concrete) and an entry arbour.
- A combination of open rail aluminum fencing and landscaping will be installed along the property lines fronting the public roads (164 Street and 82 Avenue) to mitigate the reduced setbacks.
- Furthermore, street trees will be planted along the public roads in conjunction with the proposal to complement the on-site landscaping, allowing for an attractive streetscape.
- The outdoor amenity space is proposed between Buildings 7 and 8, and will include landscaping and an asphalt pathway, a seating area with benches and play structures.

ADVISORY DESIGN PANEL

- This application was not referred to the ADP but was reviewed by staff. The design is considered acceptable with the exception of the following which the applicant has agreed to address prior to final adoption:
 - Clarifying gate details at unit entries and details for privacy screens between units;
 - Including accent colours at dormer, gable end and entry doors;
 - Incorporating decorative paving at the emergency vehicle access point; and
 - Clarifying fence details and ensuring fence is setback 0.9 metre (13 ft.) from the property lines along 82 Avenue and 164 Street to allow shrub planting.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To vary the minimum side yard (south) setback of the RM-30 Zone from 7.5 metres (25 ft.) to 6.1 metres (20 ft.) to the building face; and to 4.6 metres (15 ft.) to the porch.

Applicant's Reasons:

- The reduced setback is along 82 Avenue and therefore will allow for a strong street-oriented character.
- The reduced setbacks, particularly as a result of introducing porches, are mitigated with a combination of trees, shrubs and decorative metal fencing which help in achieving a more urban character

Staff Comments:

- The Fleetwood Town Centre NCP provides urban design guidelines that specify a minimum 4- to 5-metre (13 ft. to 16.4 ft.) setback along street frontages to allow for a street oriented character. The proposed setback conforms to these guidelines.
- Staff therefore support the proposed variance.

(b) Requested Variance:

- To vary the minimum front yard (east) setback of the RM-30 Zone from 7.5 metres (25 ft.) to 5.5 metres (18 ft.) to the building face; and to 4 metres (13 ft.) to the porch.

Applicant's Reasons:

- The reduced setbacks will allow for a street-oriented character along 164 Street; the proposed landscaping and decorative fencing will enhance the appearance of the units.

Staff Comments:

- The Fleetwood Town Centre NCP provides urban design guidelines that specify a minimum 4- to 5-metre (13 ft. to 16.4 ft.) setback along street frontages to allow for a street oriented character. The proposed setback conforms to these guidelines.
- Staff therefore support the proposed variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

| | |
|----------------|---|
| Appendix I. | Lot Owners, Action Summary, Project Data Sheets and Survey Plan |
| Appendix II. | Contour Map |
| Appendix III. | OCP Amendment Map |
| Appendix IV. | Proposed Subdivision Layout, Site Plan, Typical Floor Plans and Elevations, Landscape Plans and Perspective |
| Appendix V. | Engineering Summary |
| Appendix VI. | Parks Comments |
| Appendix VII. | School District Comments |
| Appendix VIII. | Summary of Tree Survey and Tree Preservation |
| Appendix IX. | Development Variance Permit No. 7906-0371-00 |
| Appendix X. | Proposed Fleetwood Town Centre NCP Amendment |

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated April 11, 2007.
- Arborist Report dated February 7, 2007.
- Soil Contamination Review Questionnaire prepared by Kevin Dhaliwal dated August 14, 2006 and December 14, 2006.

How Yin Leung
Acting General Manager
Planning and Development

SR/kms

v:\planning\plncom07\04031533.sr.doc
SEH 7/12/10 11:29 AM

Information for City Clerk

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

1. (a) Agent: Name: Kevin Dhaliwal
 Address: 7740 - 146A Street
 Surrey, B.C.
 V3S 2T4
 Tel: 604-518-1499

2. Properties involved in the Application
 - (a) Civic Addresses: 8217,8225, 8233, 8243 - 164 Street; 16345 and 16365 - 82 Avenue; Portion of 16376 Fraser Highway and Portion of 16366 Fraser Highway

 - (b) Civic Address: 8217 - 164 Street
 Owner: Legendary Developments Ltd., Inc. No. 659980
 PID: 004-014-308
 Lot "A" Except: North 60 Feet (Explanatory Plan 16561) Section 25 Township 2 New Westminster District Plan 12650

 - (c) Civic Address: 8225 - 164 Street
 Owner: Nikki Baljit Dhaliwal and Kamaljit Singh Bassi
 PID: 009-748-962
 North 60 Feet (Explanatory Plan 16561) Lot "A" Section 25 Township 2 New Westminster District Plan 12650

 - (d) Civic Address: 8233 - 164 Street
 Owner: Amardeep Singh Dhaliwal, Sadhu Singh Dhaliwal and Surjit Singh Rai
 PID: 004-433-971
 Lot "H" Section 25 Township 2 New Westminster District Plan 13910

 - (e) Civic Address: 8243 - 164 Street
 Owner: Valley Custom Homes Ltd., Inc. No. 0684666
 PID: 001-259-504
 Lot "G" Section 25 Township 2 New Westminster District Plan 13910

 - (f) Civic Address: 16345 - 82 Avenue
 Owners: Amardeep Singh Dhaliwal, Sadhu Singh Dhaliwal and Surjit Singh Rai
 PID: 012-703-389
 South East 109 Feet by 200 Feet Lot 10 Section 25 Township 2 New Westminster District Plan 2425 having a frontage of 109 feet on the south boundary of lot and a uniform depth of 200 feet and adjoining Lot 9

- (g) Civic Address: 16365 - 82 Avenue
Owner: Baldev Singh Nijjer and Rajinder Pal Kaur Nijjer
PID: 009-748-997
Lot "B" Section 25 Township 2 New Westminster District Plan 12650
- (h) Civic Address: Portion of 16376 Fraser Highway
Owner: Somal Properties Ltd., Inc. No. 636609
PID: 010-026-983
Lot 1 Section 25 Township 2 New Westminster District Plan 76911
- (i) Civic Address: Portion of 16366 Fraser Highway
Owner: Amardeep Kevin Dhaliwal
PID: 009-864-717
Lot "D" Except: Part Dedicated Road on Plan BCP9926; Section 25 Township 2 New Westminster District Plan 13910

3. Summary of Actions for City Clerk's Office

- (a) Introduce a By-law to amend the OCP to redesignate the site from Urban to Multiple Residential.
- (b) Introduce a By-law to rezone the property.
- (c) Proceed with Public Notification for Development Variance Permit No. 7906-0371-00.

DEVELOPMENT DATA SHEET

Proposed Zoning: RM-30

| Required Development Data | Minimum Required / Maximum Allowed | Proposed |
|--|---------------------------------------|---|
| LOT AREA* (in square metres) | | |
| Gross Total | n/a | 11,308 m ² |
| Road Widening area | | 180.50 m ² |
| Undevelopable area | | n/a |
| Net Total | n/a | 11,128 m ² |
| | | |
| LOT COVERAGE (in % of net lot area) | | |
| Buildings & Structures | 45% | 37.9% |
| Paved & Hard Surfaced Areas | | 17.8% |
| Total Site Coverage | | 55.7% |
| | | |
| SETBACKS (in metres) | | |
| Front (East) | 7.5 m | 5.5 m to building face and 4 metres to porch |
| Rear (West) | 7.5 m | 7.5 m |
| Side #1 (North) | 7.5 m | 7.5 m |
| Side #2 (South) | 7.5 m | 6.1 m to building face and 4.6 m to porch |
| | | |
| BUILDING HEIGHT (in metres/storeys) | | |
| Principal | 13 m | 9.9 m |
| Accessory | n/a | n/a |
| | | |
| NUMBER OF RESIDENTIAL UNITS | | |
| Bachelor | | |
| One Bed | | |
| Two Bedroom | | 6 |
| Three Bedroom + | | 64 |
| Total | | 70 |
| | | |
| FLOOR AREA: Residential | 10,015 m ² | 9,212.7 m ² |
| | | |
| FLOOR AREA: Commercial | n/a | n/a |
| Retail | | |
| Office | | |
| Total | | |
| | | |
| FLOOR AREA: Industrial | n/a | n/a |
| | | |
| FLOOR AREA: Institutional | n/a | n/a |
| | | |
| TOTAL BUILDING FLOOR AREA | n/a | 9,212.7 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) | 30 upa | 25 upa/61.8 upha |
| # of units/ha /# units/acre (net) | | 25 upa/63 upha |
| FAR (gross) | 0.90 | 0.81 |
| FAR (net) | | 0.83 |
| AMENITY SPACE (area in square metres) | | |
| Indoor | n/a | n/a |
| Outdoor | 210 m ² | 246 m ² |
| PARKING (number of stalls) | | |
| Commercial | n/a | n/a |
| Industrial | n/a | n/a |
| Residential Bachelor + 1 Bedroom | n/a | n/a |
| 2-Bed | 12 | 12 |
| 3-Bed | 128 | 128 |
| Residential Visitors | 14 | 14 |
| Institutional | n/a | n/a |
| Total Number of Parking Spaces | 154 | 154 |
| Number of disabled stalls | | |
| 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 |
|---------------|----|---------------------------------|-----|

CONTOUR MAP FOR SUBJECT SITE

