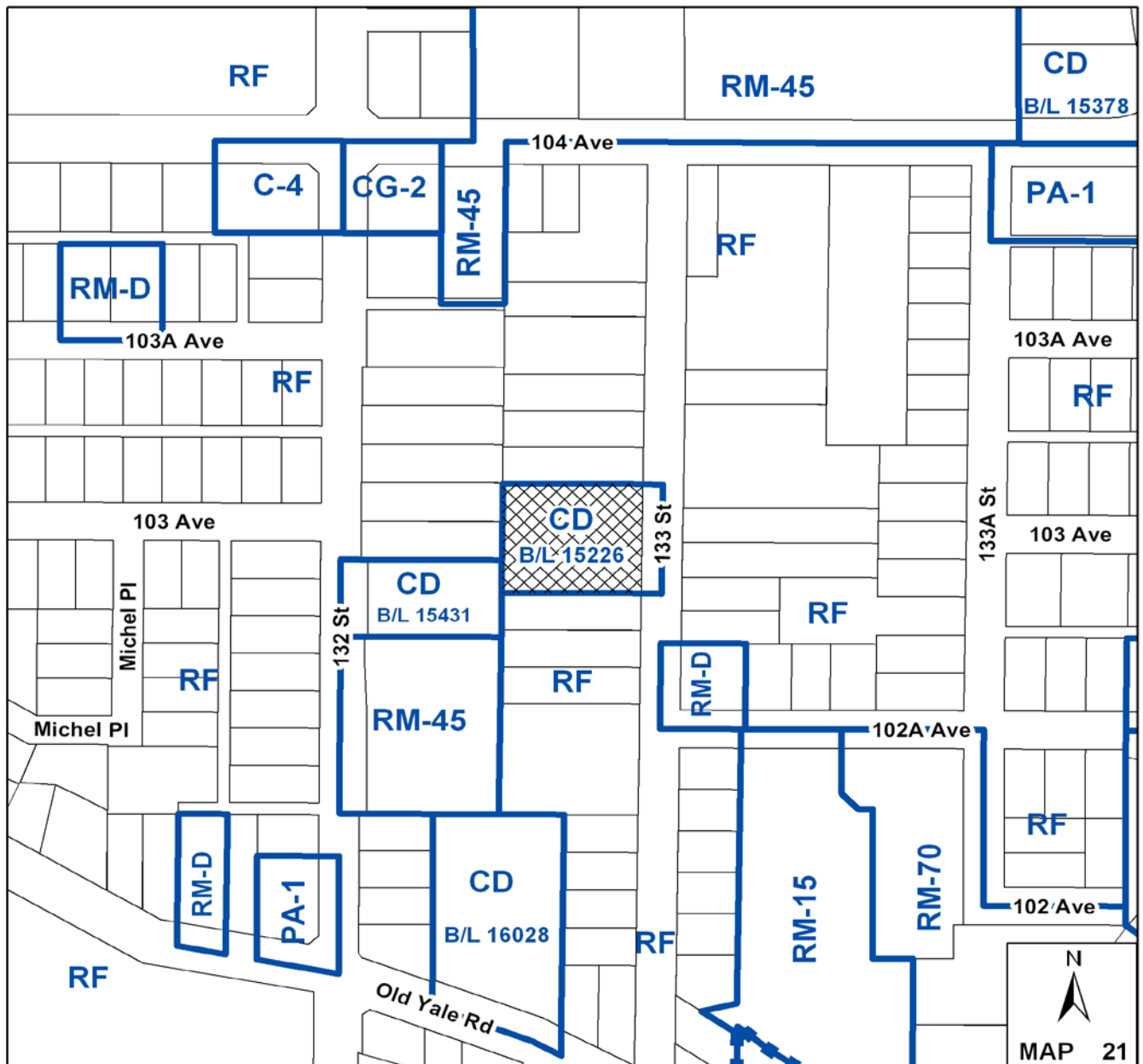


**Proposal:** Development Variance Permit to permit a reduction in indoor amenity space.

**Recommendation:** Approval to Proceed

**Location:** 10289 - 133 Street      **Zoning:** CD (By-law No. 15226)

**OCP Designation:** Multiple Residential      **Owner:** 677401 BC Ltd.



## PROJECT TIMELINE

Completed Application Submission Date: November 6, 2006  
Planning Report Date: December 4, 2006

## PROPOSAL

The applicant is proposing:

- a Development Variance Permit to vary the following Zoning By-law regulations:
  - to reduce the amount of indoor amenity space from 156 square metres (1,679 sq.ft.) to 64 square metres (689 sq.ft.)

in order to permit the development of one additional residential unit within an apartment building currently under construction in City Centre.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7906-0470-00, (Appendix IV ) varying the following section of CD By-law No. 15226, to proceed to Public Notification:
  - (a) to vary Section J.1(b) to reduce the amount of indoor amenity space from 156 square metres (1,679 sq.ft.) to 64 square metres (689 sq.ft.).
2. Council instruct staff to resolve the following issue prior to approval:
  - (a) the applicant adequately address the impact of reduced indoor amenity space.

## SITE CHARACTERISTICS

- **Existing Land Use** Four-storey apartment building under construction.
- **East:** Across 133 Street, older single family dwellings, zoned RF, designated Multiple Residential. Proposed 4-storey apartment building (Application No. 7906-0321-00). The rezoning by-law (proposed CD By-law No. 16146) is at Third Reading.
- **South:** Older single family dwellings, zoned RF, designated Multiple Residential.
- **West:** Two new single family dwellings, zoned RF, designated Multiple Residential.  
Approved 16-unit townhouse project, zoned CD (By-law No. 15431), designated Multiple Residential.
- **North:** Older single family dwellings, zoned RF, designated Multiple Residential.

## PLAN AND POLICY COMPLIANCE

OCP Designation:                      Complies.

## DEVELOPMENT CONSIDERATIONS

### Background

- On August 23, 2003, the applicant submitted an application (7903-0313-00) on the lots at 10287/10303-133 Street to consolidate the two lots and to rezone the site from Single Family Residential Zone (RF) to Comprehensive Development Zone (CD) in order to permit the development of a four-storey apartment building containing 50 residential units.
- On April 4, 2005, City Council gave final reading to CD By-law No. 15226 and issued Development Permit No. 7903-0313-00 for the subject site to permit the development.
- In late 2005, the applicant commenced construction of the four-storey building, which is now approaching completion.
- After construction of the building commenced, the applicant requested that the space that had been designated as a building manager's office be permitted to be converted into a one-bedroom dwelling unit.
- The conversion of the proposed building manager's office could be accommodated within all of the regulations of CD By-law No. 15226, including the density. Compensation in accordance with City Policy 0-48, which allows a voluntary cash contribution of \$1,050/unit for any reduction in the required amount of amenity space, was adequately addressed.
- The Planning & Development Department, therefore, had no objection to the proposed conversion, which was approved administratively, as no external changes were required to the building.
- As a result, the current apartment building now contains 51 units, rather than the 50 units originally proposed.

### Current Application

- Under the original application, the applicant proposed to provide two indoor amenity rooms.
- One of these amenity rooms was to be located on the ground floor on the south side of the building facing the internal parking courtyard and was to contain a floor area of 86 square metres (926 sq. ft.).

- The other indoor amenity room was to be located on the ground floor on the west side of the building, adjacent to the proposed outdoor amenity space, and was to contain an area of 64 square metres (690 sq. ft.).
- At the time of rezoning and Development Permit approval, the total amount of indoor amenity space proposed, 150 sq. m. (1,614 sq. ft.), was in accordance with the requirements of the CD By-law No. 15226 (3.0 square metres/32 sq. ft. per dwelling unit).
- The applicant is now proposing to convert the indoor amenity room on the south side of the building into a two-bedroom apartment unit.
- The conversion can be accommodated within the requirements of CD By-law No. 15226 with the exception of the amount of required indoor amenity space.
- Although the 64-square metre (690 sq. ft.) indoor amenity room on the west side of the building will remain, the amount of indoor amenity space will be reduced to below what is required under CD By-law No. 15226.
- The applicant is retaining the amenity room on the west side of the building as it is adjacent to the outdoor amenity area that consists of a large patio, bench seating and decorative landscaping.
- With a total of 52 dwelling units proposed, 156 square metres (1,679 sq.ft.) is required under the CD By-law No. 15226 (3.0 square metres/32 sq.ft. per dwelling unit).
- Once the amenity room on the south side of the building is converted, the indoor amenity space will total 64 square metres (689 sq. ft.), which is 91 square metres (979 sq. ft.) less than the 156 square metres (1,680 sq. ft.) required.
- The applicant, however, has agreed to provide compensation to mitigate this reduction of indoor amenity space in accordance with City policy

#### BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the amount of indoor amenity space from 156 square metres (1,679 sq. ft.) to 64 square metres (689 sq. ft.).

Applicant's Reasons:

- The applicant wishes to create another residential unit that can be sold.

Staff Comments:

- The Official Community Plan and City policy permit developers the choice of providing required indoor amenity space or providing monetary compensation to mitigate the reduction or elimination of indoor amenity space.

- The applicant has agreed to provide compensation in accordance with City policy.
- The applicant is still retaining one indoor amenity room located adjacent to the outdoor amenity space.
- With the conversion of a portion of the indoor amenity area to a residential unit, the project still conforms to all the requirements of the CD Zone (By-law No. 15526) including the floor area ratio, parking requirements, and outdoor amenity space, with the exception of required indoor amenity space as outlined in Appendix I.
- Conversion of a portion of the indoor amenity space will not result in any changes to the exterior of the building.
- As a result, the Planning & Development Department can support the requested variance.

### 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.	Approved Site Plan, Typical Floor Plans, Elevations and Landscape Plans
Appendix IV.	Indoor Amenity room to be Converted
Appendix V.	Development Variance Permit No. 7906-0470-00

How Yin Leung  
Acting General Manager  
Planning and Development

GAG/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:                      Gurcharan Budwal  
                         Address:                      8015 Dominion Place  
                                                              Surrey, B.C.  
                                                              V3V 6B2  
                         Tel:                                      604-339-2464

2.      Properties involved in the Application

(a)      Civic Address:                      10289 - 133 Street

(b)      Civic Address:                      10289 - 133 Street  
                         Owner:                                      677401 BC Ltd.  
                                                              Director Information:  
                                                              Gurcharanjit S. Budwal  
                                                              Paramjit Kaur Budwal  
                                                              Daljeet Kaur Hans  
                                                              Manjeet Singh Hans

No Officer Information Filed as at September 19, 2005

PID:                                      026-261-898  
Lot 1 Section 27 Block 5 North Range 2 West New Westminster District Plan  
BCP17156

3.      Summary of Actions for City Clerks Office

(a)      Proceed with Public Notification for Development Variance Permit No. 7906-0470-00.

## DEVELOPMENT DATA SHEET

**Existing Zoning: CD (By-law No. 15226)**

Required Development Data	Minimum Required / Maximum Allowed	Proposed
<b>LOT AREA*</b> (in square metres)		
Gross Total		
Road Widening area		
Undevelopable area		
Net Total		4,034 m <sup>2</sup>
<b>LOT COVERAGE</b> (in % of net lot area)		
Buildings & Structures	40%	37%
Paved & Hard Surfaced Areas		28%
Total Site Coverage		68%
<b>SETBACKS</b> ( in metres)		
Front	4.0 m	4.4 m
Rear	7.5 m	7.6 m
Side #1 (North)	6.0 m	6.0 m
Side #2 (South)	7.5 m	8.0 m
<b>BUILDING HEIGHT</b> (in metres/storeys)		
Principal	15.0 m	13.6 m/4 storey
Accessory	4.5 m	4.5 m
<b>NUMBER OF RESIDENTIAL UNITS</b>		
Bachelor		
One Bed		2
Two Bedroom		46
Three Bedroom +		4
Total		52
<b>FLOOR AREA: Residential</b>	6,051 m <sup>2</sup>	5,859 m <sup>2</sup>
<b>FLOOR AREA: Commercial</b>		
Retail		
Office		
Total		
<b>FLOOR AREA: Industrial</b>		
<b>FLOOR AREA: Institutional</b>		
<b>TOTAL BUILDING FLOOR AREA</b>	6,051 m <sup>2</sup>	5,859 m <sup>2</sup>

*\* 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)		129 uph/52 upa
FAR (gross)		
FAR (net)	1.50	1.45
AMENITY SPACE (area in square metres)		
Indoor	156 m <sup>2</sup>	64 m <sup>2</sup>
Outdoor	156 m <sup>2</sup>	209 m <sup>2</sup>
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom	2	2
2-Bed	55	56
3-Bed	5	5
Residential Visitors	8	8
Institutional		
Total Number of Parking Spaces	70	71
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	NO
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CONTOUR MAP FOR SUBJECT SITE

