

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7907-0063-00

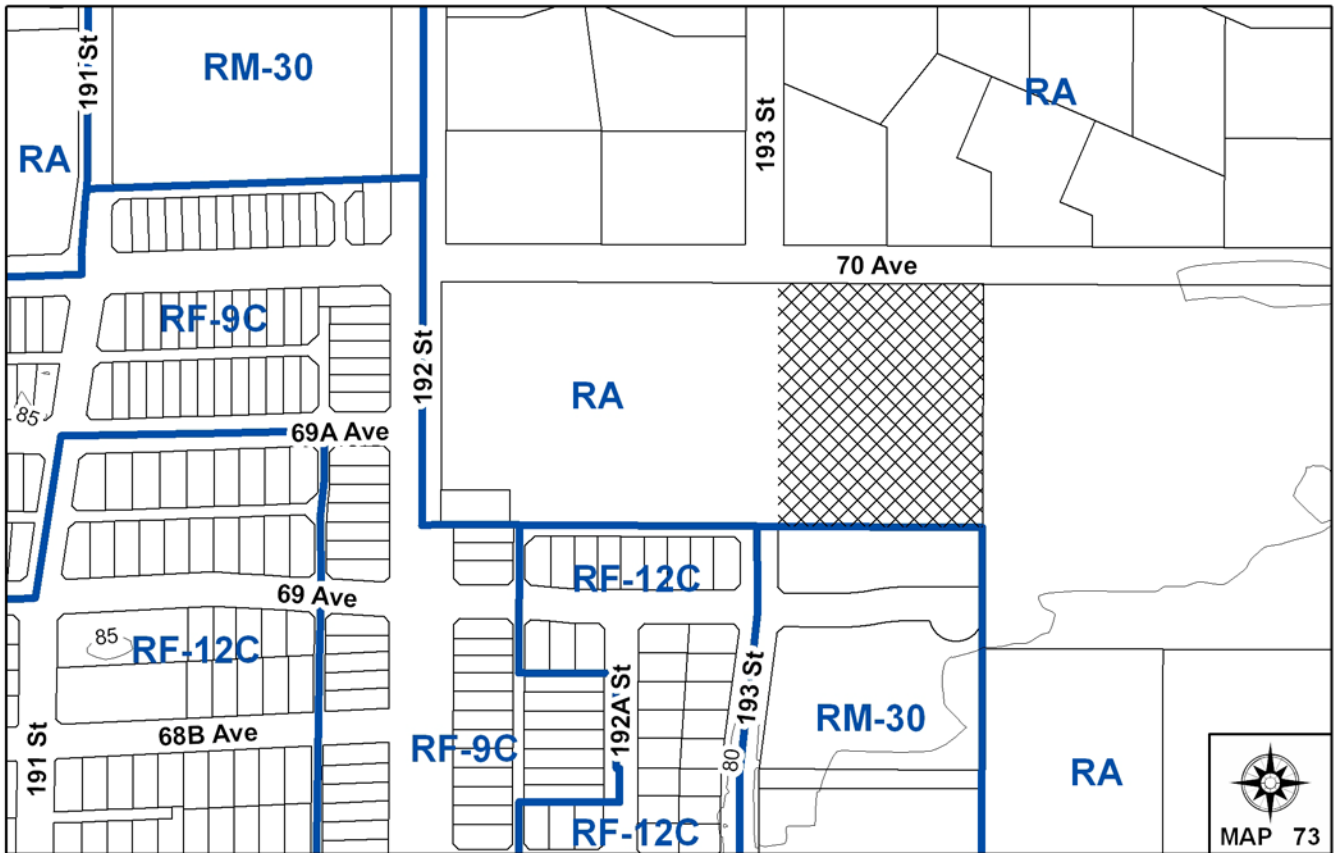
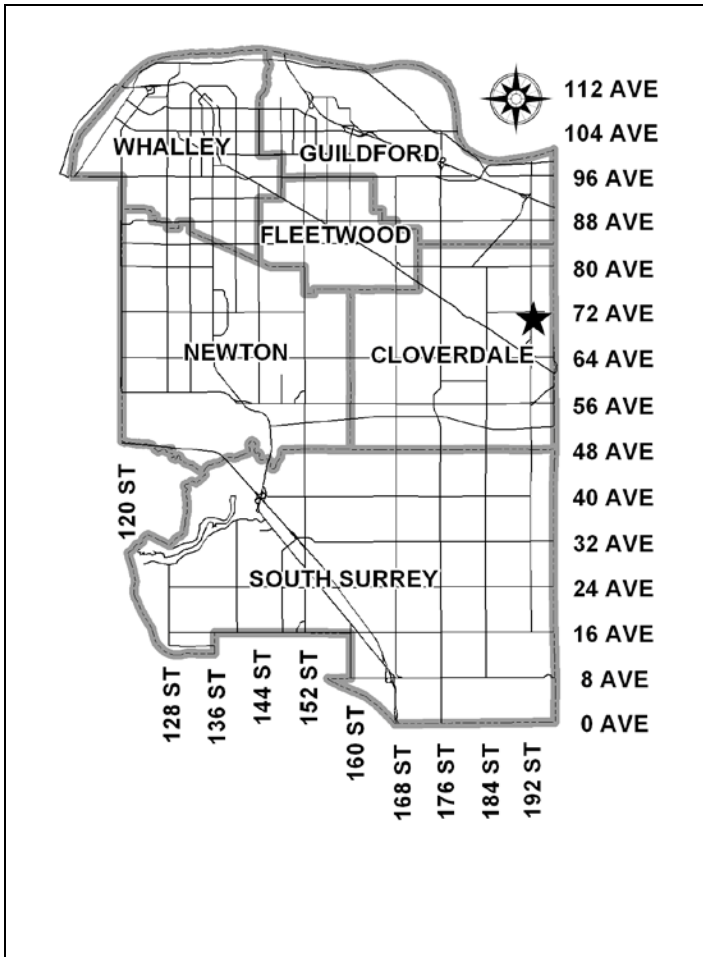
Planning Report Date: July 14, 2008

PROPOSAL:

- **NCP Amendment** for a portion from Low Density (6-10 upa) to Medium-High Density (15-25 upa)
- **Rezoning** from RA to RM-30
- **Development Permit**
- **Development Variance Permit**

in order to allow construction of approximately 74 townhouse units.

LOCATION: Portion of 6970 - 192 Street
OWNER: Lakewood Enterprises Ltd.
ZONING: RA
OCP DESIGNATION: Urban
NCP DESIGNATION: Low Density (6-10 upa) and Medium-High Density (15-25 upa)



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Rezoning.
- Approval to draft Development Permit.
- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Requires an NCP amendment on the northeast portion of the subject property from Low Density (6-10 upa) to Medium-High Density (15-25 upa).
- The building setbacks along all of the property lines do not comply with the minimum 7.5 metres (25 ft.) required under the RM-30 Zone and require a Development Variance Permit.

RATIONALE OF RECOMMENDATION

- Partially complies with NCP Designation.
- The proposed density and building form are appropriate for this part of East Clayton.
- Proposed setbacks achieve a more urban, pedestrian streetscape and are compatible with the proposed RF-9C development to the west (Application No. 7907-0054-00 at Third Reading).

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the easterly portion of the subject site from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Multiple Residential 30 Zone (RM-30)" (By-law No. 12000) shown as Block B on the attached Survey Plan (Appendix II) and a date be set for Public Hearing.
2. Council approve the applicant's request to eliminate the required indoor amenity space.
3. Council authorize staff to draft Development Permit No. 7907-0063-00 in accordance with the attached drawings (Appendix II).
4. Council approve Development Variance Permit No. 7907-0063-00, (Appendix IX) varying the following, to proceed to Public Notification:
 - (a) to vary the minimum north front yard setback of the RM-30 Zone from 7.5 metres (25 ft.) to 5.0 metres (16 ft.) to the porch and 6.8 metres (22 ft.) to the building face;
 - (b) to vary the minimum west flanking street side yard setback of the RM-30 Zone from 7.5 metres (25 ft.) to 4.5 metres (15 ft.) to the porch and 4.8 metres (15.5 ft.) to the building face;
 - (c) to vary the minimum east side yard setback of the RM-30 Zone from 7.5 metres (25 ft.) to 4.3 metres (14 ft.) to the deck and 4.5 metres (15 ft.) to the building face;
 - (d) to vary the minimum south rear yard setback of the RM-30 Zone from 7.5 metres (25 ft.) to 4.5 metres (14.5 ft.) to the deck and to the building face; and
 - (e) to vary the Zoning By-law to allow a maximum of six (6) risers to encroach within the building setback.
5. 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 plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (d) resolution of all urban design issues to the satisfaction of the Planning and Development Department;

- (e) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department;
 - (f) the applicant adequately address the impact of no indoor amenity space;
 - (g) registration of a Section 219 Restrictive Covenant to prohibit the conversion of the tandem parking spaces into livable space; and
 - (h) approval of Development Variance Permit No. 7907-0063-00.
6. Council pass a resolution to amend the East Clayton NCP to redesignate a portion of the land from Low Density (6-10 upa) to Medium-High Density (15-25 upa) 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 of the adjacent project (Application No. 7907-0054-00) as outlined in Appendix III.

School District: **Projected number of students from this development:**
 12 Elementary students at Clayton East Clayton Elementary School
 6 Secondary students at Clayton Heights Secondary School
 (Appendix IV)

Parks, Recreation & Culture: The Parks Department supports the proposed development application. The applicant should provide park amenity contributions on a per unit basis as per Stage II NCP. The Clayton Multi-Use Pathway along 70 Avenue is to be secured through road dedication. Units adjacent to the park should have low, hard permanent fencing.

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling and accessory structures to be removed.

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North (Across 70 Avenue):	Acreage residential lots.	Suburban Half-Acre Residential	RA

Direction	Existing Use	NCP Designation	Existing Zone
East:	Large 9-acre parcel owned by Surrey School District.	Proposed School and Park	RA
South:	Townhouses.	Medium-High Density (15 - 25 upa)	RM-30
West (Across Future 193 Street):	Acreage residential lot under application no. 7907-0054-00 to RF-9C to permit small residential lots (Third Reading).	Medium Density	RA

JUSTIFICATION FOR PLAN AMENDMENT

- The proposed Neighbourhood Concept Plan (NCP) amendment on the northeast portion of the subject property is supportable, as the development will continue the multi-family development that currently exists to the south.
- The current application proposes eleven (11) townhouse units to face north along 70 Avenue. The existing land use (6 – 10 upa) under the East Clayton Land Use Plan allows for small lots, which could result in twelve (12) RF-9C single family homes with a coach house or secondary suite permitted for each. The townhouse units will provide greater separation between the units compared to the single family homes, and thus will create a better interface with the suburban properties directly to the north.
- Vehicle access to the garages will be via an internal driveway accessed off the proposed extension of 193 Street. The NCP amendment to higher density (15 – 25 upa) on this portion of the subject property may, in fact, reduce the potential vehicle traffic since there will be one less unit and no coach houses.

DEVELOPMENT CONSIDERATIONS

Background

- The subject property is located at 6970 – 192 Street and is zoned One-Acre Residential (RA) and designated Urban in the Official Community Plan (OCP). The current application proposes development on the eastern portion of the subject property only, which is approximately 1.37 hectares (3.39 acres) in size. There is an in-stream development application (No. 7907-0054-00) on the western portion of the subject property, which received Third Reading on October 1, 2007, to allow for 45 single family small lots under the RF-9C Zone.
- According to the East Clayton NCP, the eastern portion of the subject property is designated Low Density (6 - 10 upa) along 70 Avenue and Medium – High Density (15 – 25 upa) on the remaining area to the south. This eastern portion of the subject property is devoid of any buildings or structures, however, there are a number of cottonwood trees on the site. The adjacent property to the east is designated for a school and park under the NCP.

Current Proposal

- The development application for the subject site proposes 74 townhouse units in sixteen (16) buildings. The applicant is proposing:
 - NCP amendment from Low Density (6 - 10 upa) to Medium – High Density (15 – 25 upa) on the north portion of the subject site;
 - Rezoning from One-Acre Residential (RA) to Multiple Residential (30) Zone (RM-30);
 - Development Permit to allow for a townhouse development; and
 - Development Variance Permit to reduce setbacks.
- The application proposes a unit density of 22 units per acre (upa) and a floor area ratio (FAR) of 0.82, both of which are within the maximum 30 upa and 0.90 FAR permitted in the RM-30 Zone.
- The amount of outdoor amenity space proposed is 265 m² (2,843 ft²), which exceeds the minimum 222 m² (2,390 ft²) required under the RM-30 Zone based on 3.0 m² (32 ft²) per dwelling unit. The proposed outdoor amenity space includes a children’s play area, lawn and seating areas with benches.
- No indoor amenity space is proposed. The applicant has agreed to provide a monetary contribution of \$77,700 (based on \$1,050 per unit) in accordance with City policy, to address the shortfall in required indoor amenity space.
- In accordance with the East Clayton NCP, a multi-use pathway is proposed along 70 Avenue in this location. The multi-use pathway will be secured through road dedication and will be constructed through the land development process as per the guidelines in the NCP. A second multi-use path (running north – south) will be constructed on the abutting lot to the east, which is designated for a school and park under the NCP.
- The applicant submitted an arboricultural assessment report prepared by Michael J. Mills Consulting. The report identifies 41 small and moderate sized Cottonwoods, primarily clustered in the northeast corner of the subject site. None of the existing trees are proposed for retention, given the density of the proposal. The landscape plan indicates that 128 trees will be planted on site, which well exceeds the 41 replacement trees required under the Tree Protection By-law (No. 16100). The substantial planting of shrubs and ground cover is also proposed.
- Proposed internal walkways will provide connections for pedestrians to the multi-use path on the abutting School District property to the east and 193 Street to the west.
- Developments within the East Clayton NCP require stormwater filtration measures. The applicant has proposed the following:
 - Grass swales along the south and east property line, and within the middle of the development to capture surface run-off;
 - All visitor parking spaces are to be (SF Rima) permeable pavers;
 - All ground-level exterior patios are to be (SF Rima) permeable pavers; and
 - The entrance road and intersections are to be permeable paver stone.

PRE-NOTIFICATION

A pre-notification letter was sent out on August 28, 2007, and staff received two (2) letters of concern. The comments and concerns were as follows:

- The proposed development will increase density and not reflect the design and nature of the existing dwellings to the north, which are properties designated Suburban.

(The current application proposes eleven (11) townhouse units in five (5) buildings to face north along 70 Avenue. The East Clayton Land Use Plan allows for small lots on this portion of the subject property, which could result in twelve (12) single family homes fronting 70 Avenue, all of which would permit a coach house or secondary suite. As well, the street-fronting portion of the units along 70 Avenue are 2.5 storeys in height.)

- A greenbelt should be established on the south side of 70 Avenue.

(A greenbelt is not proposed on this portion of the subject property under the East Clayton NCP. A multi-use pathway is proposed on the southern portion of 70 Avenue, while an extended greenbelt is proposed east of the subject property.)

- Concerns of noise, parking and traffic congestion.

(An NCP amendment to higher density on this portion of the subject property would likely reduce the potential vehicle traffic since there will be no coach houses or secondary suites. The NCP for the southern portion of the subject site already permits a higher density of 15 – 25 UPA. The proposed development includes 163 parking spaces, which complies with the requirement of the Zoning By-law.)

Public Information Meeting

As part of the application process, the applicant held a Public Information Meeting (PIM) on October 17, 2007 at the Ramada Inn Hotel at 19225 Highway #10 between 6:00 p.m. and 8:00 p.m. The PIM was to inform local residents about the details of the proposed townhouse development, and to allow the public an opportunity to voice any concerns. A total of six (6) residents attended the meeting.

As a result of the PIM, three (3) comment sheets were submitted. The comments were as follows:

- A greenbelt should be established along the north side of 70 Avenue to act as a buffer between the proposed development and the existing suburban lots to the north.

(A greenbelt is not proposed at this location, however, a right-of-way for a multi-use pathway on the south side of 70 Avenue will be secured as part of the application. The applicant has worked with staff on the design and layout of the townhouse units along 70 Avenue to ensure an appropriate interface with the existing houses to the north.)

- There should be adequate parking within the development site, as little or no street parking should be offered along 70 Avenue for the townhouse units.

(The applicant has satisfied the parking requirements for on-site parking, based on the Zoning By-law, including double-car garages for all units and 15 visitor parking spaces.)

- Lack of urban amenities is appalling

(The NCP proposes a commercial node at 72 Avenue and 188 Street. According to the NCP, two elementary schools are proposed in the area. One is proposed on the abutting property to the east, and one at the corner of 70 Avenue and 190 Street, both of which will include significant park space and all lands have been secured by the City or the School District.)

DESIGN PROPOSAL AND REVIEW

- The proposal includes four (4) 2-bedroom units and seventy (70) 3-bedroom units, ranging in size from 121 m² (1,308 ft²) to 179 m² (1,926 ft²). Twenty-eight (28) of the units will have side-by-side double garages, while the remaining forty-six (46) will have tandem parking garages. The proposed townhouse project consists of nine (9) different unit types. The specifications for each unit type is summarized in the table below:

Unit Type	Floor Area	Total #	No. of Bedrooms	Parking Design
A	179 m ² (1,926 ft ²)	13	3	Double car garage
A1	179 m ² (1,926 ft ²)	15	3	Double car garage
B	135 m ² (1,452 ft ²)	16	3	Tandem
B1	135 m ² (1,452 ft ²)	1	3	Tandem
C	134 m ² (1,445 ft ²)	16	3	Tandem
C1	134 m ² (1,445 ft ²)	1	3	Tandem
D	122 m ² (1,308 ft ²)	4	2	Tandem
E	147 m ² (1,582 ft ²)	4	3	Tandem (one exterior)
F	145 m ² (1,561 ft ²)	4	3	Tandem (one exterior)

- The proposal indicates 3-storey buildings with garages accessed internally at grade. The units fronting 70 Avenue and 193 Street are 2.5 storeys along the street and will have in-ground basements given the grade change. As such, the front of these units will appear lower and less imposing from street-level, and provide a better interface with the suburban properties on the north side of 70 Avenue.
- Proposed Buildings 10 and 12, which comprise of fifteen (15) units, will back onto the abutting property to the east, which is designated for a school and park and owned by the School District. All fifteen units include a family room, an exterior deck, a basement patio and additional glazing which overlook the future multi-use path, school and park, and will help address CPTED issues.
- The proposed building materials include weathered wood duroid asphalt shingles (high profile with ridge caps) for the roofing. Vinyl shake siding will be installed for the base of the front porches for all units fronting 70 Avenue and 193 Street. The unit doors, posts, stairs and railings are to be black in colour, while the garage doors and gutters will be an earth clay tone.

- There are two (2) proposed colour schemes, both of which propose deep, muted colours. Colour Scheme 1 includes cladding material mainly of horizontal vinyl siding in aspen grey with white wood trim. The vertical board and batten (lakeshore blue grey) will be used for the gables and along the sides of each unit. Colour Scheme 2 also proposes horizontal vinyl siding in a sandy linen colour with white wood trim. A deep red is proposed for the vertical board and batten.
- The gables, changes in roofline, additional glazing, porches and sundecks provide better articulation and design variation in the building.
- One vehicular entry to the site is proposed via 193 Street. The proposed driveway and internal intersections will be defined by decorative paver stones.
- A 1.1-metre (3.5 ft) high cedar picket fence will surround the proposed townhouse units along 70 Avenue and 193 Street, as well as the east property line. The south property line is bordered by a 1.8-metre (6 ft) high cedar fence, which tapers to 1.1 metres (3.5 ft) towards 193 Street. Two coats of exterior stain will be applied to the proposed fences, while all fence posts will be pressure treated, giving the fence a natural finish. Three (3) pedestrian pathways connecting the townhouse development with the sidewalk along 193 Street and the multi-use path on the property to the east will be gated and decorated with a trellis.
- The proposed development includes a total of 163 parking spaces, consisting of 148 resident spaces and 16 visitor spaces. This complies with the requirements within the Surrey Zoning By-law. To ensure that the tandem parking spaces are not converted into liveable spaces, the applicant is required to register a Section 219 Restrictive Covenant as a condition of Final Approval.
- The landscape plan indicates the planting of a significant number of trees and shrubs as part of the proposed development. A total of 128 trees are proposed throughout the subject site including red maple, Japanese cedar, Serbian spruce and dogwood. Shrubs and ground cover species include rhododendrons, firethorn, azaleas, and ferns.

ADVISORY DESIGN PANEL

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

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To vary the RM-30 Zone to allow a reduction in the minimum north front yard setback from 7.5 metres (25 ft) to 5.0 metres (16 ft) to the porch and 6.8 metres (22 ft.) to the building face.

Applicant's Reason:

- The reduced setbacks will provide a reasonable interface with the street and is in keeping with the guidelines of the East Clayton NCP.

Staff Comments:

- The reduced setback will reinforce the urban character of the neighbourhood and promote a friendlier streetscape along 70th Avenue. The porches will increase front yard activity and help to mitigate CPTED concerns.
- A similar variance (DVP No. 7905-0282-00) was granted by Council on January 9, 2006 for the townhouse project on the abutting property to the south. The front yard setback was reduced to 3.0 metres (10 ft) to the porch.
- Significant landscaping, including both trees and low ground cover, will soften the interface between the public and private spaces.
- Planning staff support the proposed variance.

(b) Requested Variance:

- To vary the RM-30 Zone to allow a reduction in the minimum west flanking street side yard setback from 7.5 metres (25 ft) to 4.5 metres (15 ft) to the porch and 4.8 metres (22 ft.) to the building face.

Applicant's Reason:

- The units are closer to the street and will help promote social interaction and an improved streetscape.

Staff Comments:

- The reduced setback along the west property line (along 193 Street) will also reinforce the urban character of the streetscape, as townhouse units will front the street.
- The same variance (DVP No. 7905-0282-00) granted by Council for the townhouse project on the property to the south allowed a reduction in the side yard setback to 3.0 metres (10 ft) to the porch, which is less than the requested variance for the current proposal.
- Planning staff can support the proposed variance.

(c) Requested Variance:

- To vary the RM-30 Zone to allow a reduction in the minimum east side yard setback from 7.5 metres (25 ft) to 4.3 metres (14 ft) to the deck and 4.5 metres (15 ft) to the building face.

Applicant's Reason:

- The proposed setback will offer casual surveillance of the future multi-use path, school and park, without being imposing.

Staff Comments:

- The reduced setback along the east property line (adjacent to the future school and park) is supportable, as it addresses CPTED concerns.
- Additional landscaping and fencing will soften the interface and define the public and private spaces.
- Planning staff support the proposed variance.

(d) Requested Variance:

- To vary the RM-30 Zone to allow a reduction in the minimum south rear yard setback from 7.5 metres (25 ft) to 4.5 metres (14.5 ft) to the deck and to the building face.

Applicant's Reason:

- The proposed setback will not greatly impact the adjacent property to the south.

Staff Comments:

- The south property line is bordered by a 1.8-metre (6 ft) high picket fence and significant landscaping, thus offering a reasonable interface with the abutting property.
- The proposed townhouse units on the southern portion of the subject site will overlook an internal driveway that provides vehicle access to the existing townhouse units on the south adjacent property. Therefore, the requested setback relaxation will not negatively impact the residents in the existing units to the south.
- Planning staff support the proposed variance.

(e) Requested Variance:

- To vary the Zoning By-law to allow a maximum of six (6) risers to encroach within the building setback.

Applicant's Reason:

- The risers will not impact the streetscape and provide reasonable access to the front porches.

Staff Comment:

- The Zoning By-law permits a maximum encroachment of three (3) risers into the building setback area. However, the applicant proposes six (6) risers for all of the proposed units fronting 70 Avenue and 193 Street. The proposed variance can be supported due to the following reasons:
 - Staff have worked with the applicant to ensure that the building setbacks are appropriate, given the necessity of the risers.
 - The risers are required due to the grade change. They also provide access to the front porches, which promote activity along the street.
 - Significant landscaping will help to buffer the impact of the risers.

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.	Survey Plan, Site Plan, Building Elevations and Landscape Plans
Appendix III.	Engineering Summary
Appendix IV.	School District Comments
Appendix V.	Proposed NCP Amendment
Appendix VI.	Development Variance Permit No. 7907-0063-00

INFORMATION AVAILABLE ON FILE

- Complete Set of Architectural and Landscape Plans prepared by Barnett Dembek Architects Inc. and DMG Landscape Architects, respectively, dated May 28, 2008 and May 20, 2008.

Jean Lamontagne
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: Harald Trepke, Lakewood Enterprises Ltd.
 Address: Unit 201, 7795 - 128 Street
 Surrey, BC
 V3W 4E6
 Tel: 604-590-8444

2. Properties involved in the Application
 - (a) Civic Address: Easterly Portion of 6970 - 192 Street

 - (b) Civic Address: Easterly Portion of 6970 - 192 Street
 Owner: Lakewood Enterprises Ltd., Inc. No. 661713
 PID: 012-386-880
 Lot 1 Except: Parcel "D" (Explanatory Plan 13056), Section 15 Township 8
 New Westminster District Plan 1809

3. Summary of Actions for City Clerk's Office
 - (a) Introduce a By-law to rezone the property.

 - (b) Proceed with Public Notification for Development Variance Permit No. 7907-0063-00.

DEVELOPMENT DATA SHEET

Proposed Zoning: RM-30

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA (in square metres)		
Gross Total		
Road Widening area		
Undevelopable area		
Net Total		1.37 ha (3.38 ac)
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	45%	37%
Paved & Hard Surfaced Areas		12%
Total Site Coverage		49%
SETBACKS (in metres)		
Front	7.5 m (25 ft.)	5.0 m (16 ft.)*
Rear	7.5 m (25 ft.)	4.5 m (14.7 ft.)**
Side #1 (East)	7.5 m (25 ft.)	4.3 m (14.1 ft.)**
Side #2 (West)	7.5 m (25 ft.)	5.0 m (16 ft.)*
BUILDING HEIGHT (in metres/storeys)		
Principal	13 m (42.5 ft.)	11 m (36 ft.)
Accessory	4.5 m (15 ft.)	3.5 m (11.5 ft.)
NUMBER OF RESIDENTIAL UNITS		
Two Bedroom		4
Three Bedroom +		70
Total	102	74
FLOOR AREA: Residential	12,330 m ² (132,715 sq.ft.)	11,239.50 m ² (120,981 sq.ft.)
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA	12,330 m ² (132,715 sq.ft.)	11,239.50 m ² (120,981 sq.ft.)

* *To the porch.*

** *To the deck.*

Development Data Sheet cont'd

Required Development Data	Minimum Required / Maximum Allowed	Proposed
DENSITY		
# of units/ha /# units/acre (gross)	74 uph/3 upa	54 uph/22 upa
# of units/ha /# units/acre (net)		
FAR (gross)		
FAR (net)	0.90	0.82
AMENITY SPACE (area in square metres)		
Indoor	222.06 m ² (2,390 sq.ft.)	0.0
Outdoor	222.06 m ² (2,390 sq.ft.)	264.14 m ² (2,843.23 sq.ft.)
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed	8	8
3-Bed	140	140
Residential Visitors	15	15
Institutional		
Total Number of Parking Spaces	163	163
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
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