

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7907-0200-00

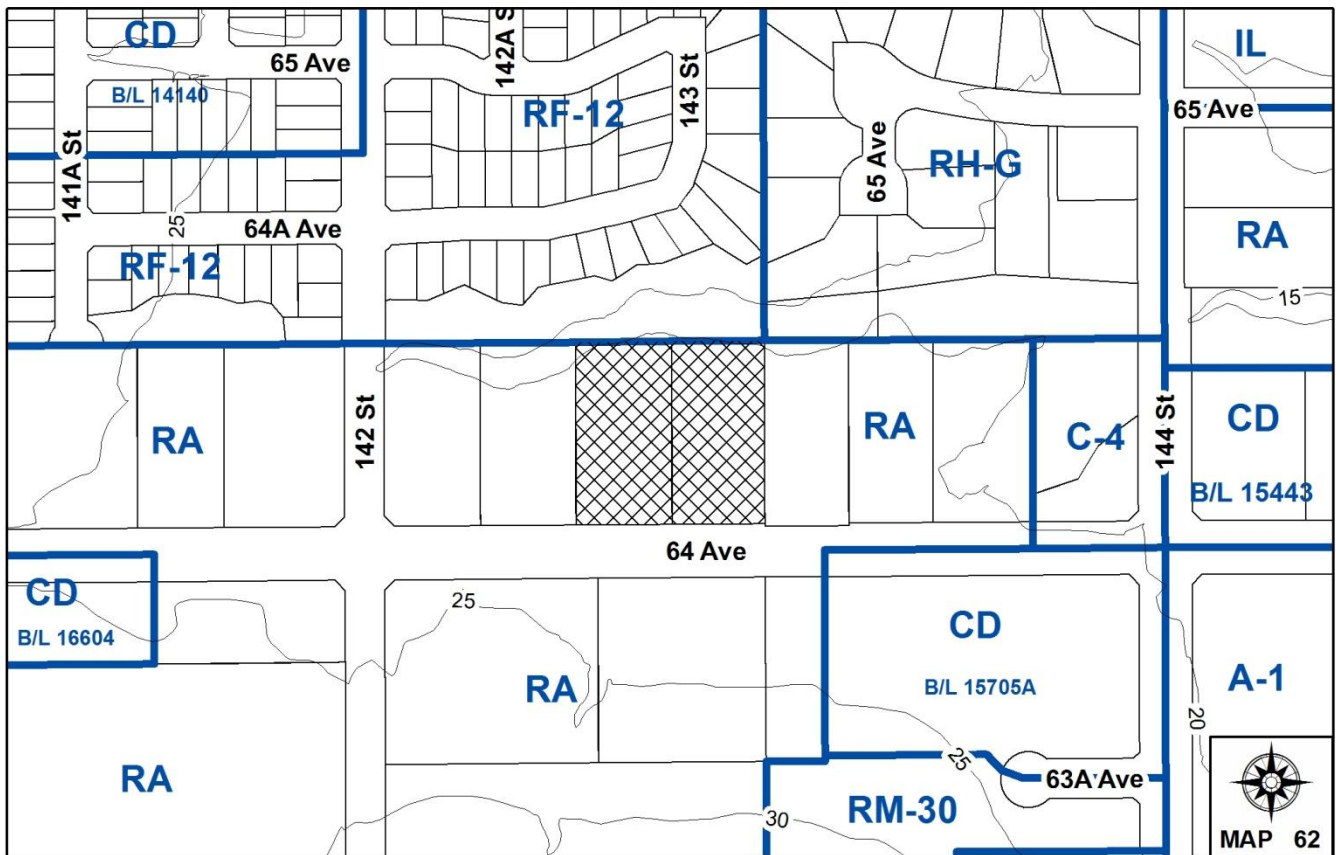
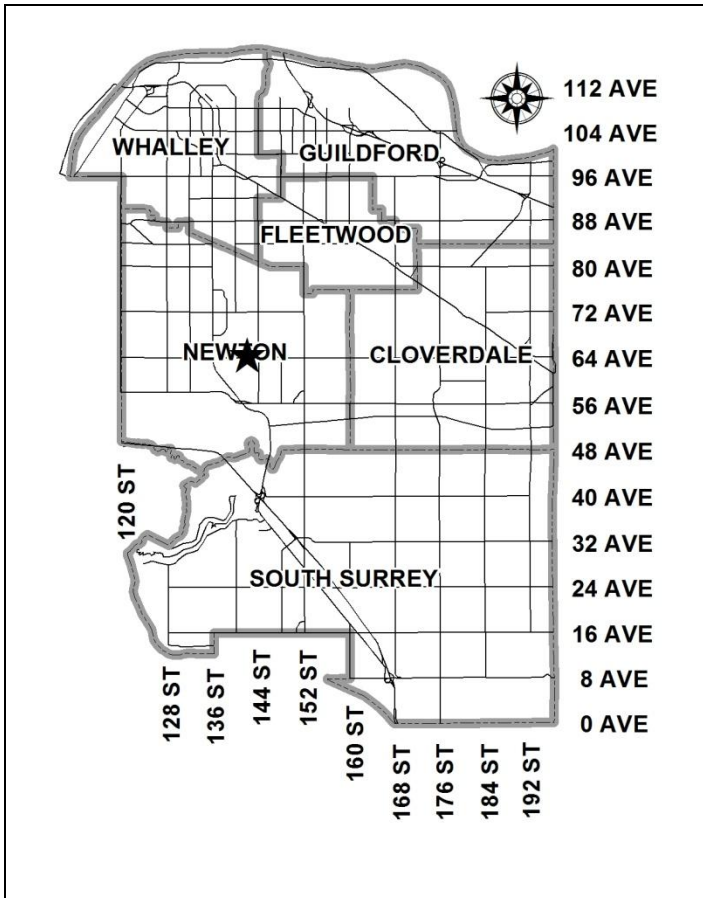
Planning Report Date: April 12, 2010

PROPOSAL:

- **Rezoning** from RA to CD (based on RM-15)
- **Development Permit**

in order to permit the development of a 32-unit townhouse complex.

LOCATION: Portions of 14257/87 - 64 Avenue
OWNERS: Inderpal S. Sidhu & Ashish Mittal
ZONING: RA
OCP DESIGNATION: Urban
NCP DESIGNATION: Townhouses (15 upa max)



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Rezoning.
- Approval to reduce the indoor amenity space.
- Approval to draft Development Permit

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The proposed development does not have the minimum site area to achieve the maximum density in the RM-15 Zone, therefore, a CD By-law based on the RM-15 Zone is proposed to govern the development. In addition, adjustments to the required density, lot coverage and setbacks are also required to address environmental constraints.
- The applicant is proposing to provide 73 sq.m. (786 sq.ft.) of indoor amenity space. As 96 sq.m. (1,033 sq.m.) of amenity space is required, there is a proposed shortfall of 23 sq.m. (248 sq.ft.).

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Complies with the NCP Designation.
- Other townhouse projects of similar density, character and form, have been approved in the South Newton NCP area.
- The applicant is dedicating 2,288 sq.m. (0.57 acres) of riparian setback area on the north side of the site, which is considered a public benefit.
- The proposed, 5.5-metre (18 feet) setback along 64 Avenue and 5.0-metre (16 feet) at the rear of the site allows for wider the internal drive aisle, with room for a pedestrian sidewalk on one side of the drive aisle, making the drive aisle more pedestrian friendly. A storm water retention feature is also incorporated into this internal space.
- The reduced side yard (west) allows for the building blocks along 64 Avenue to be evenly spaced and to provide walkways between the blocks.
- Adjustments to the density, lot coverage and setback provisions of the CD Zone relative to the RM-15 Zone are supportable to address specific site conditions and constraints related to the riparian area.
- The proposed indoor amenity space shortfall of 23 sq.m. (250 sq.ft.) is supportable because the applicant is providing 73 sq.m. (786 sq.ft.) of indoor amenity space, which is sufficient given the relatively small number of units proposed (32) and the average individual unit size is quite large at 139 sq.m./1,500 sq.ft.. The applicant is required to provide cash-in-lieu to compensate for the shortfall in indoor amenity space.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the portion of the site identified as Block A on the plan attached as Appendix I from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve the applicant's request to reduce the amount of required indoor amenity space from 96 sq.m. (1,033 sq.ft.) to 73 sq.m. (786 sq.ft.).
3. Council authorize staff to draft Development Permit No. 7907-0200-00 in accordance with the attached drawings (Appendix II).
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 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 plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (e) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department;
 - (f) registration of statutory Right-of-Way over the east-west drive aisle and on the entry leg from 64 Avenue to facilitate a future joint/integrated vehicle and pedestrian access system with adjacent properties to the east and west;
 - (g) the applicant adequately address the impact of reduced indoor amenity space;
 - (h) endorsement from the Department of Fisheries & Oceans (DFO); and
 - (i) the applicant enter into a Habitat License Agreement with the City to ensure completion and satisfactory maintenance of habitat restoration/compensation works for the riparian area, in accordance with the approval from DFO.

REFERRALS

Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix III.

School District: Projected number of students from this development:

5 Elementary students at Hyland Elementary School
 3 Secondary students at Sullivan Heights Secondary School

(Appendix IV)

Parks, Recreation & Culture: No concerns. The applicant is required to dedicate the riparian area to the City and to pay the community amenity fees in keeping with the South Newton NCP. The applicant is also required to enter into a Habitat License Agreement for the enhancement and maintenance of the riparian area.

Department of Fisheries and Oceans (DFO): The Department of Fisheries and Oceans supports the proposed relaxation to the riparian setback from 30 metres to 20 metres, subject to the area being dedicated as open space, and completion of habitat restoration/compensation works, including a maintenance agreement with the City.

SITE CHARACTERISTICS

Existing Land Use: Two (2) single family dwelling and accessory structures, which will be removed. A Class A (red coded) creek is located on the north side of the property within a protected riparian area.

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North:	Ravine and red-coded creek to the north. Further north are newer single family dwellings.	Urban/Creeks and Riparian Setback and Single Family Small Lot	RF-12
East and West:	Single family dwellings on large acreage properties.	Urban/Townhouses (15 upa max)	RA
South (Across 64 Avenue):	Vacant lot.	Urban/Detention Pond	RA

DEVELOPMENT CONSIDERATIONS

Background

- The site comprises two (2) properties, currently containing single family dwellings, located on the north side of 64 Avenue, east of 142 Street. The total area of the two (2) properties is 8,710 sq.m. (2.15 acres). The properties are zoned "One-Acre Residential Zone (RA)" and are designated "Urban" in the OCP and "Townhouses (15 upa max)" in the South Newton NCP.

- The two (2) properties front on the north side of 64 Avenue between 142 and 144 Streets, an area that is designated for ground-oriented townhouses in the NCP. Archibald Creek, a red-coded watercourse, runs through the northwest corner of the site. The site is bordered on the north by a City-owned greenbelt.

Proposal

- The applicant is proposing a rezoning from RA to "Comprehensive Development Zone (CD)" (based on "Multiple Residential 15 Zone [RM-15]") and a Development Permit to allow for development of a 32-unit townhouse complex.
- The applicant is proposing to dedicate a 2,288 sq.m. (0.57 acres) riparian area to the City on the northerly portion of the site. The net developable site area is 6,422 sq.m. (1.59 acres).
- The proposed unit density, based on the gross site area, is 36.7 units per hectare (uph) [14.9 units per acre (upa)] and the proposed floor area ratio (FAR), based on the net site area, is 0.70.

Comprehensive Development (CD) Zone

- The applicant is proposing a CD Zone based on the RM-15 Zone. The following is a table outlining the differences between the RM-15 Zone and the proposed CD Zone:

	RM-15 Zone	Proposed CD Zone			
FAR	0.53 (based on sliding scale on net site area)	0.70 (based on net site area)			
<i>Unit density (uph/upa)</i>	35.5 uph/14.4 upa (based sliding scale on gross site area)	37 uph/15 upa (based on gross site area)			
<i>Building Setbacks</i>	7.5 metres (25 ft.)	<i>Front</i> 5.5 m (18 ft.)	<i>Rear</i> 5 m (16.4 ft.)	<i>Side (west)</i> 4.6 m (15 ft.)	<i>Side (east)</i> 7.5 m (25 ft.)
<i>Parking within setbacks</i>	Not allowed	Two (2) stalls allowed within the west side yard setback area			
<i>Patios and stairs</i>	Patios not to encroach into setbacks and only 3 raisers allowed to encroach setbacks.	Patios and stairs allowed to encroach the front, side and rear setbacks.			
<i>Lot Coverage</i>	Sliding scale lot coverage for this site would permit 43.9%.	Lot Coverage is limited to a maximum of 35%.			

- The permitted maximum FAR for this lot under the RM-15 Zone would be 0.53 based on the sliding scale. The applicant is proposing a total FAR of 0.70. This FAR includes the garage areas, as per the RM-15 Zone. The dedication of the riparian setback area results in an increase in the FAR to 0.70, as this undevelopable area (2,288 sq.m./0.57 acres) is removed from the FAR calculation.
- The proposed maximum unit density for this site under the RM-15 Zone would be 35.5 uph (14.4 upa) based on the sliding scale. The CD Zone is proposing a maximum unit density of 37 uph (15 upa). The proposed density is deemed appropriate, considering the reduced lot coverage and the existing site constraints.

- The CD Zone includes a maximum lot coverage of 35%. The maximum lot coverage in the RM-15 Zone for this site would be 43.9%.
- Other regulations of the RM-15 Zone that are not met by the proposal are: reduced front, side and rear yard setbacks, two (2) visitor parking stalls allowed within the west setback area, and some patios and stairs encroach into setback areas.
- The proposed deviation of the CD Zone from the RM-15 Zone is supportable for the following reasons:
 - The proposed development meets the intent of the NCP designation (Townhouse 15 upa max) if the riparian setback area is included in the unit density calculation. However, the dedication of the riparian setback area as open space for creek protection results in an increase in the FAR to 0.70. The applicant is therefore seeking a CD Zone to address this issue, as well as other adjustments needed to address the environmental site constraints.
 - The dedication of the riparian area left a constrained net site area. To create a livable complex with greenery, wide drive aisles and a side walk on one side, relaxations are required to the front, rear and westerly side yard setback. The front, rear and west side yards are proposed to be reduced to 5.5 metres (18 feet), 5 metres (16 feet) and 6.8 metres (22 feet) respectively, and two parking stalls are allowed on the west side yard.
 - The proposed rear yard setback of 5 metres (16 feet) creates a sufficient yard at the rear of the site for the units abutting the creek. The remainder of the site will be set aside as a riparian protection area and therefore the reduced rear yard setback does not affect adjacent properties.
 - Both the proposed front and rear yard relaxations allow for a wider internal drive aisle, with room for a pedestrian sidewalk on one side of the drive aisle, making the drive aisle more pedestrian friendly. A stormwater retention pond is also incorporated into this internal space, as a sustainability feature.
 - The proposed reduced west side yard setback of 5.5 metres (18 feet) is considered an interim condition and will not have an impact on the adjacent lot when this lot is redeveloped to townhouses in the future. The relaxation allows for the building blocks along 64 Avenue to be evenly spaced and the additional space gained allows walkways to be placed between the blocks.
 - Two (2) visitor parking stalls are allowed within the westerly setback area and that arrangement will not impact the character of the streetscape along 64 Avenue. Additional landscaping is provided to further screen the stalls from 64 Avenue.
 - Some patios and stairs are allowed to encroach into the required setbacks. The unique architecture effectively utilizes the natural grades to create three-level structures with a two-level massing feel. The encroachment does not have a negative impact on the streetscape.

PRE-NOTIFICATION

Pre-notification letters were sent out on November 17, 2009. Staff did not receive any phone calls or letters voicing any concerns regarding the proposal.

DESIGN PROPOSAL AND REVIEW

Form and Character

- The massing of the buildings is higher along 64 Avenue and lower in the back (northerly) portion of the site. Along 64 Avenue, townhouse units are arranged more densely into three buildings separated by two access paths. Along the northern edge of the site, duplex units separated by planted areas and face the park-like setting of the greenbelt. At the centre are two blocks of four (4) townhouses with reversed frontages in order not to expose the garage openings to one drive-aisle only. The two (2) blocks are separated by the indoor amenity building, which is connected to the rest of the complex by walkways.
- The general character of the project is modern while remaining conscious of the context. This is achieved by incorporating residential design elements such as pitched roofs, generous patios and balconies.
- The site is relatively flat. The slight grade difference has been utilized to enhance the unique architecture and effectively created three-level structures with two-level massing feel.
- To decrease the two-car garage doors from visually dominating the internal drive aisles, the buildings on the central island are oriented in alternating directions.
- In addition, street-oriented dwelling unit entrances to 64 Avenue provide a friendly and neighbourly interface to the street.

Materials

- The roofing material is predominantly asphalt shingles, and the cladding is a combination of gray and maple fibre cement boards, accentuated by brick around window openings. Some units have concrete skirts at the base. The elevations are further enhanced by metal and glass spandrel at the parapet level and horizontal cedar guard railings on the second-level balconies.

Vehicle and Pedestrian Circulation

- Vehicular access to the site is from 64 Avenue, at the southeast end of the site. The circulation is designed to allow for future vehicle access to the two adjacent sites (east and west), when they redevelop. A statutory right-of-way will be registered over this drive aisle to allow for public rights-of-passage.
- An internal sidewalk and pathway system is proposed to facilitate pedestrian movement on the site.

Amenity Space

- The Zoning By-law requires that 96 sq.m. (1,033 sq. ft.) of indoor amenity area and 96 sq.m. (1,033 sq. ft.) outdoor amenity area be provided for this project, based on 3 sq.m. (32 sq. ft.) per dwelling unit.
- The applicant has provided 73 sq.m. (786 sq.ft.) of indoor amenity space at the centre of the site. The indoor amenity building is proposed to be a two-storey structure with a bathroom and a kitchen area.
- The applicant is proposing to provide cash-in-lieu to compensate for the shortfall in indoor amenity space. The proposed indoor amenity space shortfall of 23 sq.m. (250 sq.ft.) is supportable given the relatively small number of units proposed (32) and the average individual unit size is quite large at 139 sq.m./1,500 sq.ft..
- The applicant has provided 235 sq.m. (2,530 sq.ft.) of outdoor amenity space, most of which is centrally located adjacent to the indoor amenity building. The outdoor amenity area includes a patio with a bench and a landscaped storm water retention feature. The applicant is providing a landscaped pathway with a sitting area along the riparian corridor, and a playhouse area along the westerly side of the property.

Trees and Landscaping

- The applicant retained Lesley Gifford of Diamond Head Consulting Ltd to conduct a site inspection and prepare an Arborist report for the site. The site inventory identified 22 trees on the site that are by-law sized. Thirteen (13) trees are proposed to be retained. Nine (9) trees are proposed to be removed as the trees are either in poor condition or located within the proposed building envelopes.
- All of the trees in the proposed riparian dedication area are proposed to be retained.
- The below chart provides a summary of the tree retention and removal on the subject site (including the riparian area):

Species	Total On-site Trees	To be Removed	To be Retained
Red Alder	2	0	2
Douglas Fir	1	1	0
Maple	1	0	1
Dog wood	1	0	1
Cedar Hedging	6	6	0
Western Red Cedar	11	2	9
Total	22	9	13

- A total of 18 replacement trees are required and the applicant is proposing to plant 62 replacement trees on the site, which adequately compensates for the removed trees on the site.
- In addition to the trees identified on the property, 16 other trees are identified on adjacent lands and 9 trees are identified on City property. These are all proposed for retention.

Riparian Setback Area

- The project was presented to the Environmental Review Committee (ERC) on November 19, 2008. The Department of Fisheries & Oceans (DFO) approved a 20 metre (82 feet) setback from the top-of-bank of Archibald Creek, with the exception that stairs and patio decks are allowed to encroach into the setback area, as shown in Appendix II. The building structures are to be set back a further 5 metres (16 feet) from the 20 metre (82 feet) setback line.
- The applicant is proposing to dedicate a 2,288 sq.m. (0.57 acres) riparian area to the City on the northerly portion of the site. The riparian area, which is currently treed, will be conveyed to the City as open space for creek protection. Individual trees, clusters of trees and associated understory within the protected area will be preserved and protected from the proposed development area by a vegetated barrier (or living fence) and a chain-link fence along its southern edge. Patches of open spaces within this area will be re-planted.
- The applicant is required to enter into a License Agreement with the City to ensure completion and satisfactory maintenance of habitation/compensation works, in accordance with the approval from DFO.

Crime Prevention Through Environment Design (CPTED)

- The following CPTED measures have been incorporated into the design of this townhouse development:

Natural Surveillance

- windows are placed overlooking sidewalks and parking lots;
- the shortest, least sight-limiting fences are used;
- lighting along pathways and other pedestrian areas are placed at proper heights;
- closed-circuit television cameras can be added in areas where window surveillance is unavailable; and
- the mailbox and kiosk has been placed to where residents of the building can watch it.

Natural Access Control

- use of a locking gate between front and public space and backyards;
- use of low, thorny bushes beneath ground level windows; and
- use of a single clearly identifiable entry way.

Natural Territorial Reinforcement

- fences and pavements are used to express ownership and define public and private space; and
- security system signage are displayed at access points.

Sustainability

- The following sustainable design features have been considered in the development:
 - Based in the larger community plan, the preservation of the riparian setback area along Archibald Creek is an important component. This area will be improved by planting at one (1) plant/square metre. The project itself will be overseen by an environmental consultant who has set the standards for preservation of the setback as well as mitigation strategies for creek contamination, both during and after construction.
 - Pedestrian access is made comfortable and safe by means of separating the drive aisle from the main walkways. The borders of the walkway are planted and hard-surfaces are minimized. A storm retention pond is also incorporated within the site, as a sustainability feature.
 - Decreased building depth and open interior plans allows for effective natural ventilation and ample natural lighting, thereby reducing energy consumption. 75% of the units have windows on three sides which further improves both ventilation and natural lighting.
 - The construction process is managed in such a way to minimize disruptions to the building site, reduce waste, and prevent pollution of air, soil and waterways.
 - Fire-safe landscaping and high-efficiency irrigation systems are utilized where possible, and excessive outdoor lighting is to be reduced.

ADVISORY DESIGN PANEL

- The project was not referred to the ADP for review, because the proposed unit density is less than 75 uph (30 upa). However, it was reviewed by the City Architect and City Landscape Architect and found acceptable.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets and Zoning Block Plan
Appendix II.	Site Plan, Building Elevations Landscape Plans and Perspective
Appendix III.	Engineering Summary
Appendix IV.	School District Comments
Appendix V.	Summary of Tree Survey and Tree Preservation
Appendix VI.	South Newton NCP Plan
Appendix VII.	Proposed CD By-law

Jean Lamontagne
General Manager
Planning and Development

Information for City Clerk

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

1. (a) Agent: Name: Wilson Chang
 Address: 288 West 46 Avenue
 Vancouver, BC V5Y 1N5
 Tel: 604-630-9488
 Fax: 604-630-9487

2. Properties involved in the Application
 - (a) Civic Addresses: Portions of 14257 and 14287 – 64 Avenue

 - (b) Civic Address: Portion of 14257 – 64 Avenue
 Owner: Ashish Mittal
 Portion of PID: 007-571-526
 Lot 70, Except: Part on Plan BCP16004 Section 16 Township 2 New Westminster
 District Plan 44600

 - (c) Civic Address: Portion of 14287 – 64 Avenue
 Owner: Inderpal Singh Sidhu
 Portion of PID: 011-361-212
 East 153 Feet Lot 2 Except: Part Dedicated Road on Plan BCP16016; Section 16
 Township 2 New Westminster District Plan 2163

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

DEVELOPMENT DATA SHEET

Proposed Zoning: CD (based on RM-15)

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total	n/a	8,710 m ²
Road Widening area	n/a	
Riparian Setback Area	n/a	3,311 m ²
Net Total		5,399 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	35%	33%
Paved & Hard Surfaced Areas	n/a	
Total Site Coverage	n/a	
SETBACKS (in metres)		
Front (South)	5.5 m	5.5 m
Rear (North)	5 m	5.0 m
Side #1 (West)	6.3 m	6.3 m
Side #2 (East)	7.5 m	8.0 m
BUILDING HEIGHT (in metres/storeys)		
Principal	11 m	9.58 m
Accessory	4.5 m	n/a
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom	n/a	22 units
Three Bedroom +	n/a	10 units
Total		32 units
FLOOR AREA: Residential		4,462 m ²
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA		4,462.32 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)		37 uph/15 upa
# of units/ha /# units/acre (net)		
FAR (gross)		
FAR (net)		0.83
AMENITY SPACE (area in square metres)		
Indoor	96 m ²	73 m ²
Outdoor	96 m ²	102 m ²
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed	44 stalls	44 stalls
3-Bed	20 stalls	20 stalls
Residential Visitors	6 stalls	6 stalls
Institutional		
Total Number of Parking Spaces	70 stalls	70 stalls
Number of disabled stalls	1	1 stall
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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