

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7907-0318-00

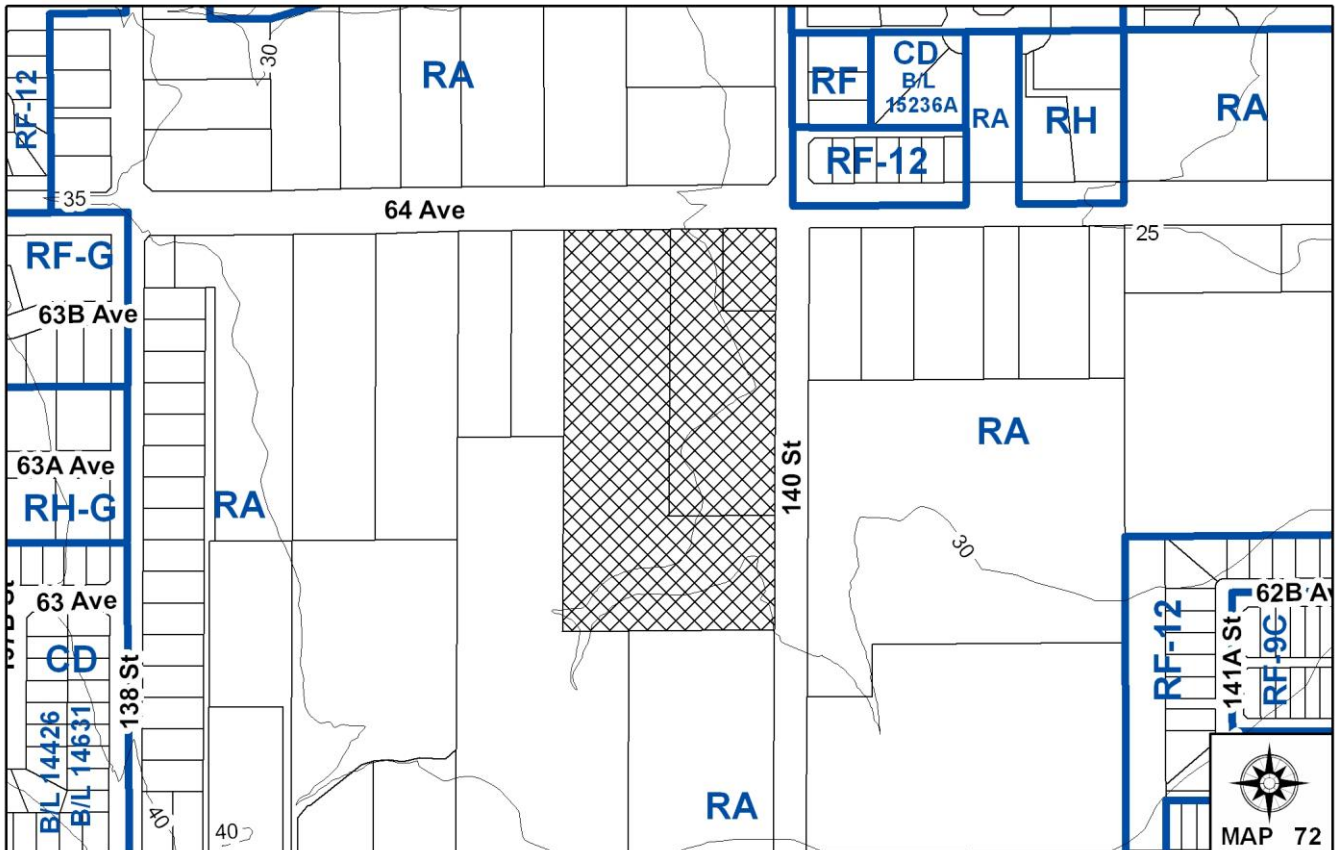
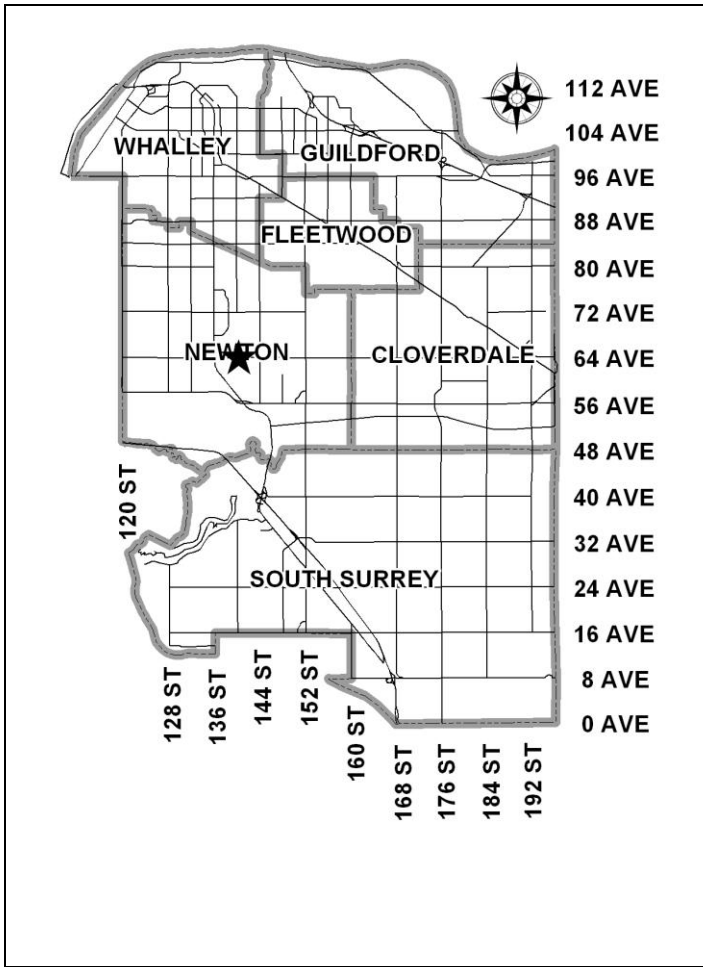
Planning Report Date: October 5, 2009

PROPOSAL:

- **NCP Amendment** from Buffer and Townhouses (15 upa max.) to Townhouses (25 upa max.)
- **Rezoning** from RA to CD (based on RM-30)
- **Development Permit**

in order to permit the development of a 90-unit townhouse complex and protection of 1.6 ha (4 acre) riparian setback area.

LOCATION: 13936/13974/13984 - 64 Avenue
OWNERS: o805226 BC Ltd.o805226 BC Ltd.
ZONING: RA
OCP DESIGNATION: Urban
NCP DESIGNATION: Buffer and Townhouses (15 upa max)



RECOMMENDATION SUMMARY

- File By-law No. 15833.
- By-law Introduction and set date for Public Hearing for Rezoning.
- Approval to reduce indoor amenity space.
- Approval to draft Development Permit.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Does not comply with South Newton NCP Designation. Needs amendment from “Buffer’ and “Townhouses (15 upa max.)” to “Townhouses (25 upa max.)”.

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- The proposed NCP amendment from “Buffer” and “Townhouses (15 upa max)” to “Townhouses (25 upa max)” is considered appropriate for the site based on the unit types proposed and site conditions. The proposal retains the ground-oriented housing form and thus retains the housing diversity planned for this neighbourhood. The proposed density of 59 upHa (24 upa) is an efficient use of the land and the built form will integrate well with development in the area.
- The site is located on a busy arterial road in close proximity to an elementary school and park. Other townhouse projects of similar density, character and form, have been approved in this corner of the South Newton NCP area.
- The South Newton NCP was a subject of other amendment from “Townhouses (15 upa max)” to “Townhouses (20 upa max)” and “Townhouses (25 upa max)”. This amendment proposal and others approved in the area, compensates the loss in density as a result of earlier amendments of numerous projects from townhouses to small lots.
- The applicant is dedicating 1.6 ha (4 Acres) of riparian setback area on the south side of the site, which is considered a public benefit for this project and project No. 7907-0319-00, which is proceeding in conjunction with the subject application. Although the two companion projects are separate files, staff have processed them both as a single unit. On this basis, the two applications together result in a gross unit density of 42 upHa (17 upa) and a net unit density of 57 upHa(23 upa) and corresponding Floor Area Ratio(FAR) of 0.7 (gross) and 0.9 (net).
- The applicant is proposing a 139.16 square-metre (1,498 sq.ft.) indoor amenity building instead of 270 square metres(1906.2 sq.ft.) required in the zone. The remainder to be provided as cash-in-lieu. The proposed amenity building is adequate for the intended function in a development of the proposed size.
- Staff received no concerns regarding the proposed increased density through the pre-notification process or from the Public Information Meeting for the NCP amendment.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council File By-law No. 15833.
2. a By-law be introduced to rezone the subject site 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.
3. Council approve the applicant's request to reduce the amount of required indoor amenity space from 270 square metres (2,906 sq.ft.) to 139 square metres (1,496 sq.ft.).
4. Council authorize staff to draft Development Permit No. 7907-0318-00 in accordance with the attached drawings (Appendix II).
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 subdivision layout (lot consolidation plan) 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 finalized landscaping plan and 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) input from Senior Government Environmental Agencies;
 - (g) registration of an access easement with a Section 219 Restrictive Covenant to provide access to the properties to the west (located at 13906 and 13928 - 64 Avenue); 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.
6. Council pass a resolution to amend South Newton NCP to redesignate the northerly portion of the site, from "Buffer" and "Townhouses (15 upa max.)" to "Townhouses (25 upa max.)" and the southerly portion from "Townhouses (15 upa max.)" to "Creeks and Riparian Setback" as shown in Appendix VI, 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 outlined in Appendix III.

School District: **Projected number of students from this development:**

14 Elementary students at McLeod Road Elementary School
7 Secondary students at Sullivan Heights Secondary School

(Appendix IV)

Parks, Recreation & Culture: No concerns.

Department of Fisheries and Oceans (DFO): Two (2) tributaries of the Archibald Creek), transverse the site (one Class A and the other Class B).
DFO riparian setbacks are met. The site plan showing the creek setbacks should be refined to meet City and DFO requirements at Servicing stage.

SITE CHARACTERISTICS

Existing Land Use: Vacant land, with two creeks (tributaries of Archibald Creek), which traverses the site.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North (Across 64 Avenue):	Single family dwellings and newly created RM-23 and RF-SD lots	Urban/Townhouses (15 upa max) and small lots	RA, RM-23 and RF-SD
East (Across 140 Street):	72B Neighbourhood park and single family dwelling	Urban/Existing and Future Park and Townhouses (15 upa max.) respect	RA
South:	Single family dwelling	Urban/Detention Pond, Creek Setback Area and Single Family Residential Flex	RA
West:	Single family dwelling and a vacant lot	Urban/Townhouses (15 upa max.)	RA

JUSTIFICATION FOR PLAN AMENDMENT

- The subject site (the east site), located on the west side of 140 Street south of 64 Avenue, and the properties located at 13812, 13856 and 13890-64 Avenue (the west site), to the west of it, are being developed by the same developer under two separate applications (7907-0318-00; the subject application and 7907-0319-00). Two applications are required because the sites are not contiguous.
- The subject site is designated “Buffer”, “Creeks and Riparian Set-back” and “Townhouses (15 upa max)” in the South Newton Neighborhood Concept Plan (NCP), and surrounded by the same designation, in the NCP and OCP.
- The applicant is proposing a townhouse project with a unit density of 59 upHa (24 upa) and floor area ratio of 0.9 on the northerly portion of the site that is designated “Buffer” and “Townhouses (15 upa max)”. Since this proposed unit density is higher than the 37 upHa (15 upa) maximum permitted on that portion of the site in the South Newton NCP, an NCP amendment to redesignate the site to “Townhouses 25 upa max” is necessary.
- The proposed NCP amendment from 37 upHa (15upa) max to 62 upHa (25 upa) max is supportable at this location for the following reasons:
 - The proposal retains the ground-oriented townhouse use and the 24 upa density is an efficient use of the land. The built form will integrate well in the emerging development in the northwest corner of the South Newton NCP area, and recognizes the general intent of the NCP.
 - The South Newton NCP was a subject of other amendment from “Townhouses (15 upa max)” to “Townhouses (20 upa max)” and “Townhouses (25 upa max)”. The increased density compensates for the loss of density in the NCP, as a result of earlier amendments from townhouses to small lots.
 - The increased density also contributes to a larger inventory of affordable units in the area provides a variety of housing types and increases the amenity contribution and residential tax base.
 - The applicant is dedicating 1.6 ha (4 Acres) of riparian setback area on the south side of the site, which is considered a public amenity. This constitutes a significant impact on the development potential for the site, which was not anticipated earlier in the process. The increased density allows for transfer of density from the portion of land within the riparian area, which is not deemed undevelopable according to the Zoning By-law, to be concentrated within the northerly portion of the site which is not impacted by the creeks. The average gross density on the combined area of the two sites is 42 upHa (17 upa) and the FAR is 0.7, and the corresponding net unit density is 57 upHa (23 upa) and FAR of 0.9.
 - The buffer along 64 Avenue is being eliminated, because the design calls for street oriented townhouses along 64 Avenue, which is a better streetscape presentation than a buffer. The residents will be able to interact with activity on the south side sidewalk along 64 Avenue.
 - The proposed townhouse project has a lot coverage of 40%, which is lower than the lot coverage of 45% permitted under a typical RM-15 zoned townhouse project; and

- Staff received no concerns regarding the proposed increased density through the pre-notification process or from the Public Information Meeting for the NCP amendment.

DEVELOPMENT CONSIDERATIONS

- The subject site, which is approximately 3.15 hectares (7.77 acres) in size, is encumbered by two watercourses (tributaries of the Archibald Creek), which transverse the centre of the site (one Class A and the other Class B). The environmental consultant for the project prepared a Stream Identification and Setback Determination report for the site, based on detailed Riparian Area Regulation (RAR). The report identified a Streamside Protection and Enhancement Area edge of 10 metres (30 ft) from the centre of the northerly creek, which marks the boundary of the developable area. The Department of Fisheries and Oceans (DFO) has agreed to the approach taken by the consultant and endorsed the RAR report, subject to refinement of the site plan to meet City and DFO requirements, and dedication of the all the southerly 1.6 hectares (4 acres) as (south of the 10-metre (30 ft.) boundary), as open space for creek protection.
- The site is currently zoned "One-Acre Residential Zone (RA)" and designated "Urban" in the OCP. To achieve the unit density and FAR discussed earlier in this report, the applicant proposes a rezoning to a "Comprehensive Development Zone (CD)" based on the RM-30 zone, to accommodate the townhouse development. A Development Permit is also required.
- The subject application replaces Project No. 7905-0117-00, therefore, the CD By-law No. 15833, introduced under Project No. 7905-0117-00, needs to be filed.
- The proposed CD Zone is compared to the RM-30 Zone, in the table below:

	RM-30 Zone	Proposed CD Zone
Density	75 upHa (30 upa)/ 0.90 FAR	62 upHa (25 upa)/ 0.9 FAR
Lot Coverage	45%	45 %
Building Setbacks	7.5 metres from all lot lines	Setbacks is reduced to 6.2m (20.3 ft.) on the front (64 Avenue frontage); 6 m (20 ft.) on the west property line; 3.75 m (12.3 ft.) on the east around the cul-de-sac; and 2.5 m (8.2 ft.) on the south.
Principal Building Height	13 m (43 ft.)	13 m (43 ft.)

- The proposed CD Zone meets or exceeds the requirements of the RM-30 Zone, except setbacks which are relaxed.
- The proposed minimum setbacks for principal buildings are relaxed on all sides for the followings reasons:
 - North and West*
 - The front yard (north) and side yard (west) are reduced from 7.5 m (25 ft.) to 6.2 m (20.3 ft) and 6 m (20 ft.) respectively to facilitate turning radii for fire trucks.
 - East*
 - The reduction on the east from 7.5 m (25 ft.) to 3.75 m (12.3 ft.) is to accommodate the dedication of a cul-de-sac bulb.

South

- The southerly setback reduction is to accommodate the new property line created along the riparian setback boundary.
- All the reductions will not have a negative impact on the character of the development or the nearby future developments, therefore, are supportable.

PRE-NOTIFICATION AND PUBLIC CONSULTATION FOR NCP AMENDMENT

- Pre-notification letters were sent on May 5, 2007 and staff received no comments.
- The applicants also held a Public Information Meeting on September 2, 2008, for the subject project, together with the project No. 7907-0319-00 (the west site), which they also own, and is being presented to Council under a separate report on this Council Agenda.
- Invitations to this meeting were sent to 45 neighbouring property owners. Three (3) people attended the meeting and two (2) comment sheets were received over the course of the evening. Both comment sheets indicated support for the proposal. The meeting was also attended by the applicant, the consultants for the project and a City staff member.

DESIGN PROPOSAL AND REVIEWContext

- The proposed development's total gross area is 3.15 hectares (7.77 acres), including all road widening and environmentally sensitive creek area. It is part of a "Townhouse" designated area in the South Newton NCP, bounded by 64 Avenue to the north, park and a small parcel designated Townhouses in the NCP to the east, across 140 Street (an un-open road), acreage to the west (also designated Townhouses in the NCP) and protected areas of creeks and riparian setbacks and detention pond to the south.

Vehicle and Pedestrian Circulation

- The development will be accessed through two main entries. One via an easement through the properties to the west (located at 13906 and 13928 - 64 Avenue) and the other at the south end of the proposed 140 Street cul-de-sac. This arrangement allows an east-west vehicular movement on the south side of 64 Avenue, to avoid unnecessary access points onto 64 Avenue, which is a busy arterial road. On-site internal roads loop around and converge to the two main entry points.

Form and Character

- The site relatively flat and any topographic elevation variance has not posed any design challenges.
- The proposed 90-unit townhouse project consists of 15 building blocks. Seven(7) eight-unit blocks, two(2) five-unit blocks, four(4), four-unit blocks, one(1), six-unit block and one(1) duplex, with similar floor plan arrangements, in each block type. All the units feature outdoor decks on both ends of the second level.

- The siting of proposed buildings are linear, following a north-south and east-west oriented internal road system. The massing of the buildings is kept to modest scales - never more than 8 townhouse units per building. The residential form and character is largely expressed through both horizontal and vertical articulations. These include 6/12 roof slope for all buildings; abundant gables for building elevations to further maximize its residential character; and ample skirt roofs to break down the building height to individual stories. The exterior finish material consist of a palette of four materials: horizontal siding; vertical siding; simulated shingles and cultured stone. This provides additional features to enforce the residential form and character of the buildings and keeps the scale down.
- In addition, street oriented entrances to 64 Avenue provide a friendly and neighbourly character to the street.
- A one-storey, 139.16-square metre (1,498 sq.ft.) amenity building is proposed, which will house an event room with a kitchen and washroom facilities.

Trees and Landscaping

- The applicant retained Mike Fadum (MGF Horticultural Inc.) to conduct a site inspection and prepare an arborist report for the site. The arborist report identified 157 trees with 30 cm (12 in.) diameter within the riparian protected area to be retained. The main focus of the assessment was within the developable area outside the riparian area, in which 89 trees were identified; four(4) off site, 36 within the 140 Street road allowance and 48 within the site itself. Only one(1) tree can be retained on site, because the rest are either on road ways, building envelopes or not worthy of retention due to poor health. Further assessment is required for the trees that are off-site and those located within the 140 Street road way.
- The below chart provides a summary of the tree retention and removal on the subject site:

Tree Species	Riparian Area	Outside the Riparian Area				
	Total Proposed for Retention	Onsite		Offsite	Road	Total
		Total No. of Protected Trees removed	Total Proposed for Retention	To be Removed	To be removed	
Alder and cottonwood		28	0	1	21	50
Douglas Fir		5	0	0	0	5
Red Cedar		9	1	2	9	21
Chestnut		3	0	0	0	3
Maple	3	1	0	0	3	7
Birch		0	0	1	1	2
Ash		0	0	0	2	2
Oak		2	0	0	0	2
Western Hemlock	17					17
Other deciduous	137					137
TOTAL	157	48	1	4	36	246

- To compensate for the removed trees on the site, the applicant proposes substantial landscaping. The preliminary landscaping plan includes a generous combination of trees (174 replacement trees) and shrubs in a variety of species.
- The riparian area, which is currently treed will be dedicated and 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 northern edge.
- Feature entry walls with signage and associated landscape clearly identify entry points. The internal roads are defined by strong columnar forms of deciduous trees and flowering streets. This continuous rhythm of trees and associated low shrubs give a sense of scale and cohesiveness to the project.
- Shrub beds define an approximately one(1) metre (3.3 ft.) high open rail fence, with stone pillars and gates that are setback at the road frontage yards along 64th Avenue and the cul-de-sac. These connect to the public sidewalk, creating a sense of neighbourhood while defining privacy boundaries. Each unit yard is also defined by a shrub bed and an open rail fence.
- Privacy interface with neighbouring properties is created by a 6 foot high solid fence, hedge and tree configuration along property lines.
- Internal rear yard lawns are defined by shrub beds fronting one(1) metre (3.3 ft.) high picket fence with access gate. Small to medium trees further enhance privacy and set a sense of scale.
- The amenity building is accessed by a system of internal sidewalks and associated landscape, and connected to the outdoor amenity area by paved patios and seating, that transition into a children's play area and lawns.
- The whole landscape is designed as a drought tolerant landscape through the use of selected drought tolerant plants, mulches and compost materials, requiring minimum irrigation after the establishment period.

Crime Prevention Through Environment Design (CPTED)

- The following CPTED measures have been incorporated in the design of this townhouse development:
 - The development's security and territoriality would be clearly achieved by the two entry points;
 - Visibility to parking areas from the internal roads is created to allow cars and pedestrians a good level of surveillance from traffic;
 - Pathways will have low plantings at the edges to provide a secure, visible corridor with no unusual areas of concealment;
 - Lighting levels will be appropriate (balance between light pollution and security);
 - Natural surveillance will be maximized as internal road activities take place since most vehicular parking and building entries are mirrored along the internal roads; and

- Hidden corners are avoided or minimized.

Sustainability

- The following sustainable design features have been considered in the development:
 - A considerable effort has gone into the development's design to identify and preserve existing environmentally sensitive areas (the creek riparian area);
 - The general site engineering is done to encourage storm water infiltration into natural water courses;
 - The landscape is designed as a drought tolerant landscape through the use of selected drought tolerant plants, mulches and compost materials, and that will require minimal irrigation after the establishment period;
 - The development will encourage sub-trades to use recycled materials, including recycled steel, concrete, window frames etc., wherever feasible;
 - A central recycle bin will be provided during the construction phase and construction waste will be grouped into wood, plastic, metal, drywall, etc, & will be delivered to an appropriate transfer station for recycling; and
 - Lighting level will be appropriate to create no light pollution to surrounding areas.
- The project was not referred to the ADP for review, because the proposed unit density is less than 75 upHa (30 upa). However, it was reviewed by staff and found acceptable. Minor outstanding design and landscaping issues will be resolved prior to final adoption of the rezoning By-law.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets and Survey Plan
Appendix II.	Proposed 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.	NCP Amendment Plan
Appendix VII.	Proposed CD By-law
Appendix VIII	South Newton NCP

INFORMATION AVAILABLE ON FILE

- Environmental Report prepared by Tera Planning Ltd. dated September 24, 2007.
- Complete Set of Architectural and Landscape Plans prepared by Matthew Cheng Architects Inc. and DMG Landscape Architects, respectively, dated September 10, 2009.

Jean Lamontagne
General Manager
Planning and Development

AGA/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: Matthew Cheng
 Address: #202 - 670 Evans Avenue
 Vancouver, BC
 V6A 2K9
 Tel: 604-731-3012

2. Properties involved in the Application
 - (a) Civic Addresses: 13936, 13974 and 13984 - 64 Avenue

 - (b) Civic Address: 13936 - 64 Avenue
 Owner: o805226 B.C. Ltd., Inc. No. BCo805226
 Director Information:
 Harjit S. Atwal
 Parmjit Singh Randhawa

 Officer Information: (as at August 29, 2009)
 Harjit S. Atwal (President)
 Parmjit Singh Randhawa (Secretary)

 PID: 009-297-154
 Lot 7, Except Part Dedicated Road on Plan BCP15734 Section 9 Township 2 New
 Westminster District Plan 23829

 - (c) Civic Address: 13974 - 64 Avenue
 Owner: o805226 B.C. Ltd., Inc. No. BCo805226
 Director Information:
 Harjit S. Atwal
 Parmjit Singh Randhawa

 Officer Information: (as at August 29, 2009)
 Harjit S. Atwal (President)
 Parmjit Singh Randhawa (Secretary)

 PID: 013-212-877
 Parcel "A" (Explanatory Plan 13706), Except Part Dedicated Road on Plan
 BCP15734 East Half of the North Half of the North West Quarter Section 9
 Township 2 New Westminster District

(d) Civic Address: 13984 - 64 Avenue
Owners: 0805226 B.C. Ltd., Inc. No. BCo805226
Director Information:
Harjit S. Atwal
Parmjit Singh Randhawa

Officer Information: (as at August 29, 2009)
Harjit S. Atwal (President)
Parmjit Singh Randhawa (Secretary)

PID: 004-872-517
Lot 1 Except: First: Part Included in Parcel "A" (Explanatory Plan 13706),
Secondly: Part on Plan BCP16615 Section 9 Township 2 New Westminster
District Plan 12452

3. Summary of Actions for City Clerk's 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		31,450.31 m ²
Road Widening area		72.04 m ²
Undevelopable area(dedicated area)		16,310.65 m ²
Net Total		15,066.99 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	45%	40%
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front	7.5 m	7.65 m
Rear	7.5 m	1.5 m
Side #1 (East)	7.5 m	7.5 m
Side #2 (West)	7.5 m	6.1 m
BUILDING HEIGHT (in metres/storeys)		
Principal	13 m	11.53 m (3 storeys)
Amenity buildings	11 m	18.5 m
Other accessory buildings	4.5 m	4.5 m
NUMBER OF RESIDENTIAL UNITS	93 units	90 units
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +	n/a	90 units
Total	93 units	90 units
FLOOR AREA: Residential	13,604.95m ²	13,604.95m ²
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA	13,604.95m ²	13,604.95m 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)	37 upha/25 upa	42.8 upha/17.4 upa
FAR (gross)		
FAR (net)	0.6	0.79
AMENITY SPACE (area in square metres)		
Indoor	336 m ²	336.89 m ²
Outdoor	339 m ²	1,389 m ²
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed	226	226
Residential Visitors	23	23
Institutional		
Total Number of Parking Spaces	249	249
Number of disabled stalls	3	3
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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