

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7909-0142-00

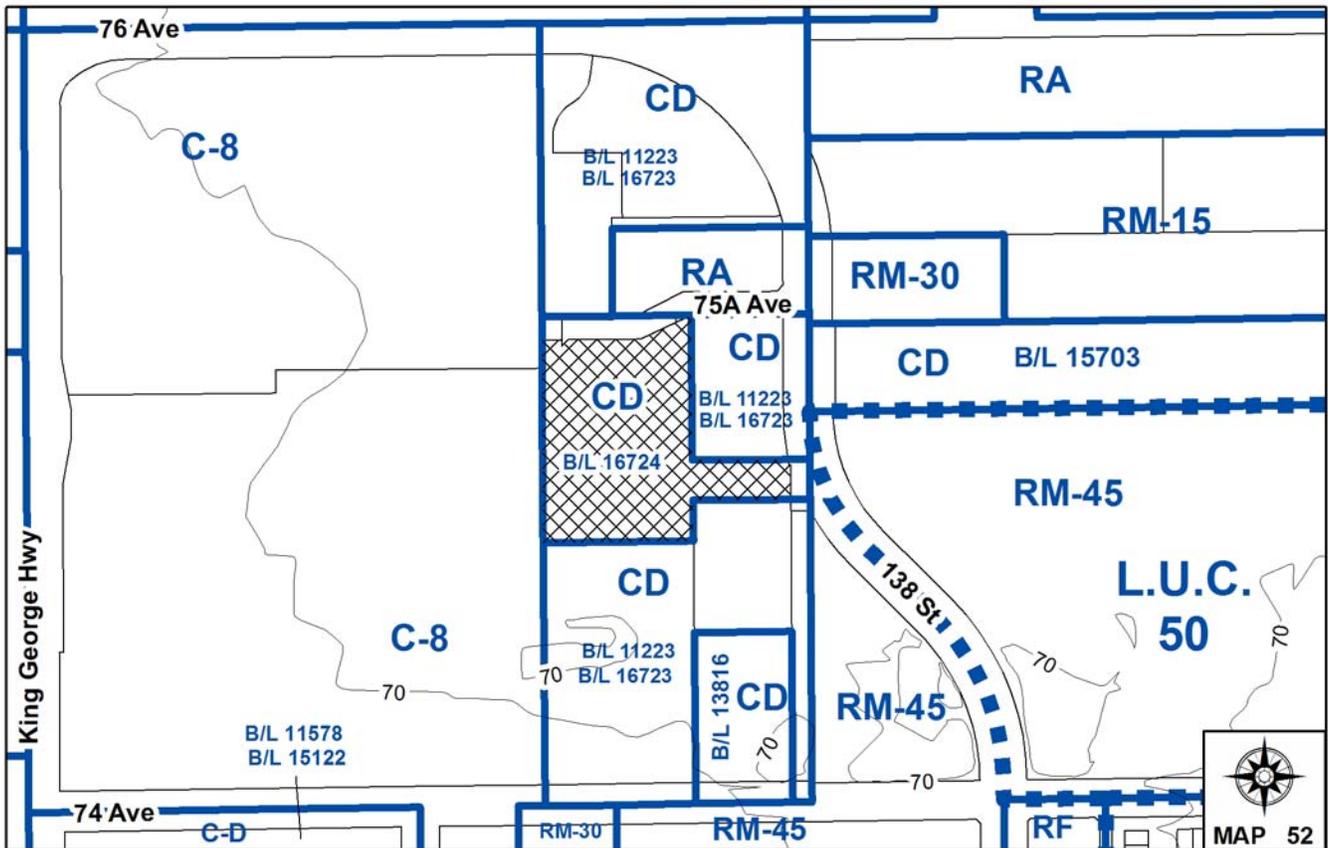
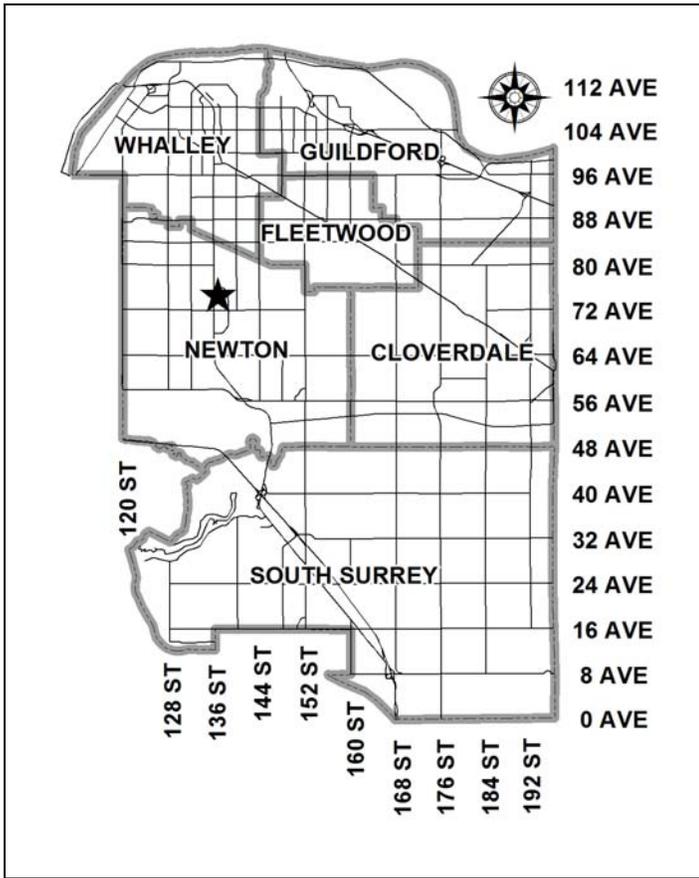
Planning Report Date: October 19, 2009

**PROPOSAL:**

- **Development Permit**
- **Development Variance Permit**

in order to permit the development of two (2) 4-storey apartment buildings.

**LOCATION:** 7489 - 138 Street  
**OWNER:** Wanson (Peninsula) Development  
**ZONING:** CD (By-law No. 16724)  
**OCP DESIGNATION:** Multiple Residential  
**LAP DESIGNATION:** High Density Residential



### RECOMMENDATION SUMMARY

- Approval to draft Development Permit.
- Approval for Development Variance Permit to proceed to Public Notification.
- Approval to rescind the Council resolution for Development Permit No. 7907-0359-00 and discharge it from the property.

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Development Permit No. 7907-0359-00 was issued by Council on July 13, 2009, and allows construction of a 4-storey apartment building on the subject property, which is located at the north end of the Newton Town Centre.
- The applicant has since reassessed the overall site economics and building layout, and proposed to modify the proposal by subdividing the site into two (2) lots and constructing 2 smaller apartment buildings.
- The CD Zone permits subdivision of the site. However, the subdivision of the site was not anticipated, therefore, the proposed buildings will not meet the rear and side yard setback requirements of the CD zone (By-law No. 16724). A Development Variance Permit (DVP) is therefore required to reduce the minimum rear yard (south) setback for proposed Lot A, from 7.5 metres (25 ft.) to 5.3 metres (17.4 ft.) and the side yard(north) setback for proposed Lot B, from 7.5 metres(25 ft.) to 2 metres (6.6 ft.).

### RATIONALE OF RECOMMENDATION

- The amendment from 1 large building to 2 smaller apartment buildings will retain the key architectural and site features of the previous proposal, and provide additional benefits due to the creation of smaller building mass and a new open corridor between the buildings.
- Access to both buildings is now from the lane, creating a better streetscape on the south side of 75A Avenue. The building massing providing two double-loaded wings each flanking an internal courtyard.
- The proposed setback relaxation affects only the internal lot lines between the two new buildings and will not have a negative impact on the character of the surrounding area.
- A new Development Permit is required to modify the site design. The existing DP is required to be discharged from the property title.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. Council rescind Resolution No. RES. R09-1249 for Development Permit No. 7907-0359-00 and discharge it from the title of the property at 7489 – 138 Street.
2. Council authorize staff to draft Development Permit No. 7909-0142-00 in accordance with the attached drawings (Appendix III).
3. Council approve Development Variance Permit No. 7909-0142-00, (Appendix IV) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum rear yard (southerly) setback of the CD Zone (By-law No. 16724) from 7.5 metres (25 ft.) to 5.3 metres (17.4 ft.) for Lot A; and
  - (b) to reduce the minimum north yard (northerly) setback of the CD Zone (By-law No. 16724) from 7.5 metres (25 ft.) to 2.0 metres (6.6 ft.) for Lot B.
4. Council instruct staff to resolve the following issues prior to approval:
  - (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 landscaping plan and landscaping cost estimate to the specifications and satisfaction of the Planning and Development Department;
  - (d) resolution of all urban design issues to the satisfaction of the Planning and Development Department; and
  - (e) registration of an easement with a Section 219 Restrictive Covenant, allowing access to the outdoor amenity space and walkways on Lot A by owners of Lot B.

## REFERRALS

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

## SITE CHARACTERISTICS

Existing Land Use: Vacant lot. Approved for a 4-storey apartment building under Development Permit No. 7907-0359-00.

Adjacent Area:

Direction	Existing Use	OCP/LAP Designation	Existing Zone
North (Across 75A Avenue):	A vacant acreage lot and an apartment building.	Multiple Residential/ High Density Residential	RA and CD (By-law No. 11223) respectively
East:	Apartments	Multiple Residential/ High Density Residential	CD (By-law No. 11223)
South:	Apartments	Multiple Residential/ High Density Residential	CD (By-law No. 11223)
West:	Shopping centre.	Commercial/ Mass Merchandizing	C-8

DEVELOPMENT CONSIDERATIONSBackground

- The subject site, located at the northeast edge of the Newton Town Centre, is designated Multiple Residential in the OCP, and along with adjacent properties, is designated for High Density Residential development, with densities up to 175 units per hectare (70 upa) in the Newton Town Centre Local Area Plan (LAP).
- The site was recently rezoned from CD By-law No. 11223 to CD (By-law No. 16724 based on the RM-45 Zone) under Project No. 7907-0359-00, and a Development Permit No. 7907-0359-00 was issued to allow the construction of a four(4)-storey 156-unit apartment building (Appendix II). The apartment building has not yet been developed.

Proposal

- The applicant has undertaken a new market study for the project, which has determined that, due to market constraint, this large site needs to be developed in phases. As a result, the applicant is seeking to phase the development by subdividing the land into two lots (Lot A - the north parcel and Lot B - the south parcel, as shown in Appendix III). A new Development Permit is required to replace Development Permit No. 7907-0359-00, which needs to be discharged from the title of the property.
- The proposed subdivision will result in two separate buildings that are separated by 8 metres (26 ft.) from wall to wall. The setbacks to the new common property line do not comply to the setback requirement of the CD Zone (By-law No. 16724), as the subdivision was not anticipated. Therefore, the applicant is seeking a variance to the setback requirements, as detailed later in this report.
- A total of 157 units are proposed in the two(2) buildings (86 units in the north building and 71 units in the south building), and the floor area ratios of 1.09 and 1.03 respectively, meet the maximum FAR allowed in the CD Zone (By-law No. 16724).

- The table below provides the comparison of number of units and FAR between the approved single-building development (Project No. 7907-0359-00) and the proposed two-building development.

	<b>Approved one-building project (7907-0359-00)</b>	<b>Proposed two-building Project</b>	
		<i>North Building</i>	<i>South Building</i>
No. of Units	156 units	86 units	71 units
FAR	1.1	1.09	1.03

## DESIGN PROPOSAL AND REVIEW

### Development Concept, Site Layout and Building Design

- The new development concept divides the site into two (north parcel and south parcel) by removing an 8-metre (26 ft.) section of the U-shaped building (approved under project No. 7907-0359-00) to create two(2) L-shaped four-storey buildings on separate lots.
- The site planning of the general area includes the retention of the pedestrian linkage between the subject site and the future development on the north side of the new 75A Avenue dedicated under project No. 7907-0359-00. The interior courtyard(outdoor amenity area) is split, with the majority of it located within the north property. A special easement agreement will be entered into to allow the shared use of the amenity areas between the two developments.
- The main features and advantages of the previously approved development have been retained in the proposed 2-building proposal as follows:
  - Few units close to the lane and oriented west to the shopping centre;
  - A highly articulated façade along the walkway to the east of the buildings;
  - Location of the main entrance lobby at the northeast corner of the north building, adjacent to the new 75A Avenue and central area of the south building fronting the perimeter walkway;
  - Incorporation of ground level patios with gated access to the perimeter walkways; and
  - A single access to the underground parking for all units.
- The single access ramp on the lane creates a better streetscape on the south side of 75A Avenue.
- The proposed building massing creates two double-loaded wings, each flanking an internal courtyard on both buildings. Protruding elements on the east elevation provide additional massing articulation as a transition to the apartments to the east.

### Architectural Character and Materials

- The buildings have been designed to present a vertical expression, to break up each building mass into many smaller parts, by utilizing a more contemporary west coast design, including cantilevered flat dormers, strategically located chimneys, contemporary horizontal guardrails and proportioned windows.
- The building bases utilize a combination of flat roof canopies, decorative columns, shingle clad portals, belt courses and darker more rustic siding.

### Vehicular Access & Underground Parking

- As noted above, the access to the two parkades is via single ramp located from the lane on the south property (which will be the first phase of this development). An access easement will be registered on the south lot to facilitate the shared access.
- The parking design includes parking at a ratio of 1.3 stalls for 1-bedroom units and 1.5 stalls for a 2-bedroom units and 0.2 stalls per unit for visitor parking, all provided in an underground parkade. Additional visitor parking was created for the south building, which is accessed from 138 Street (the legal frontage for that property). This provides more flexibility for visitors coming to that property, either to use the lane or enter via 138 Street.
- For crime prevention and the challenge to create a secure parking environment, security cameras will be installed at strategic locations. The parkades will be adequately lit and the visitor parking separated from the resident parking by a fence.

### Indoor Amenity

- This development requires 471 square metres (5,070 sq.ft.) of indoor amenity (258 m<sup>2</sup>/2,777 sq.ft. for the north building and 213 m<sup>2</sup>/2,293 sq.ft. for the south building) based on 3 square metres (32 sq ft.) per unit. The applicant is providing 485.5 square metres (5,226 sq.ft.).

### Outdoor Amenity and Landscaping

- This development requires 471 square metres (5,070 sq.ft.) of outdoor amenity. The applicant has provided 1,222.1 square metres (13,154.6 sq.ft.) of outdoor amenity space (950 for the north building and 270 for the south building). Although the outdoor amenity space proposed for the south building meeting the requirements of the CD By-law (No. 16724), the applicant has agreed to register an easement on the outdoor amenity area for the north building to be accessed by the south building residents.
- Because this development is situated within Newton Town Centre, the landscaping has been designed with a strong focus on urban character and emphasis pedestrian connections and interactions. The new road that links 138 Street to the Kings Cross Shopping Centre is lined with oak trees leading into the development. Each building entry is open, with a plaza and seating area, to allow the residents the opportunity to interact with their neighbours.
- All ground level homes facing the adjacent road and walkway systems around the buildings have been designed to generate a "front door" effect, defined with gates, low fences and ornamental planting. This provides for "eyes onto the street" and continuous outdoor pedestrian movement within these systems.
- The ground level units facing the courtyard also have privatized yards. This allows all of the ground level units the ability to have a private yard aside from the common outdoor amenity within the courtyard.
- The courtyard area outside of the private yards is finished with an active play area, passive seating area and overlook. The orientation of this space allows for good sunlight exposure to allow for use all year round.

- Two walkways connect the courtyard area on Proposed Lot ; one(1) to the public walkway on the east side of the buildings and the other to the sidewalk along the lane on the west side of the buildings.
- The plant material selected for this development is very generous with a strong focus on colours and seasons. There are a wide variety of trees, shrubs, groundcover and perennials to generate the landscaping to feel like gardens. Some tree varieties selected include Maples, Dogwoods, Magnolias, Pines and Yews while some of the understory include Rhododendrons, Shrub Roses, Lilies and Heather.

### Green Buildings Initiatives

- The applicant proposes a variety of Green building elements, which are described in Appendix V.
- The project was not reviewed by the ADP because the design did not change significantly from the one reviewed by the ADP on June 19, 2008, of which all the ADP suggestions were satisfactorily addressed. The proposed design was reviewed by the City Architect and City Landscape Architect.

### BY-LAW VARIANCE AND JUSTIFICATION

#### (a) Requested Variance:

- To vary Section 2. F. Yards and Setbacks of the CD Zone (By-law No. 16742) to reduce the minimum rear yard setback for Proposed Lot A from 7.5 metres (25 ft.) to 5.3 metres (17.4 ft.) and the side yard(north) setback for proposed Lot B from 7.5 metres (25 ft.) to 2 metres (6.6 ft.).

#### Applicant's Reasons:

- The applicant is seeking to phase the development on the subject site, by subdividing the property into two lots. Consequently the then one building will be split into two. To retain the number of units approved under project No. 7907-0359-00, a setback relaxation is necessary. This will not impact the character the surrounding area aesthetically and of the proposed buildings from a Building Code point of view.

#### Staff Comments:

- The proposed setbacks are for internal property lines only.
- The proposed phasing is necessary to allow the applicant to attain the necessary financing for the project.
- Staff concur with the applicant reasons and support the proposed setback relaxation.

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.	Approved Apartment Building Site Plan and Elevations (No. 7907-0359-00)
Appendix III.	Proposed 2-Building Plans: Subdivision Layout, Site Plan, Building Elevations Landscape Plans and Perspective
Appendix IV.	Engineering Summary
Appendix V.	Development Variance Permit No. 7909-0142-00
Appendix VI.	Green Building/Sustainability Elements

INFORMATION AVAILABLE ON FILE

- Complete Set of Architectural and Landscape Plans prepared by Burrowes Huggins Architects and DMG Landscape Architects, respectively, dated October 7, 2009.

Jean Lamontagne  
General Manager  
Planning and Development

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## SUBDIVISION DATA SHEET

Existing Zoning: CD (By-law No. 16724)

Requires Project Data	Proposed
<b>GROSS SITE AREA</b>	
Acres	2.3 acres
Hectares	0.94 ha
<b>NUMBER OF LOTS</b>	
Existing	1
Proposed	2
<b>SIZE OF LOTS</b>	
Range of lot widths (metres)	46 m to 77 m
Range of lot areas (square metres)	0.46 ha to 0.47 ha
<b>DENSITY</b>	
Lots/Hectare & Lots/Acre (Gross)	1.1 lots/ha - 0.87 lots/ac
Lots/Hectare & Lots/Acre (Net)	1.1 lots/ha - 0.87 lots/ac
<b>SITE COVERAGE (in % of gross site area)</b>	
Maximum Coverage of Principal & Accessory Building	28%
Estimated Road, Lane & Driveway Coverage	13.5%
Total Site Coverage	41.5%
<b>PARKLAND</b>	
Area (square metres)	0
% of Gross Site	
	<b>Required</b>
<b>PARKLAND</b>	
5% money in lieu	NO
<b>TREE SURVEY/ASSESSMENT</b>	NO
<b>MODEL BUILDING SCHEME</b>	NO
<b>HERITAGE SITE Retention</b>	NO
<b>BOUNDARY HEALTH Approval</b>	NO
<b>DEV. VARIANCE PERMIT required</b>	
Road Length/Standards	NO
Works and Services	NO
Building Retention	NO
Setbacks	YES

## DEVELOPMENT DATA SHEET

Existing Zoning: CD (By-law No. 16724)

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		
Road Widening area		
Undevelopable area		
Net Total		9,360.6 m <sup>2</sup>
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	45%	28%
Paved & Hard Surfaced Areas		13.5%
Total Site Coverage		41.5%
SETBACKS ( in metres)		
Front	}	See Multiple Building Data Sheet
Rear		
Side #1 (N,S,E, or W)		
Side #2 (N,S,E, or W)		
BUILDING HEIGHT (in metres/storeys)		
Principal		
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor	}	See Multiple Building Data Sheet
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential	} See Multiple Building Data Sheet	
FLOOR AREA: Commercial	n/a	
Retail		
Office		
Total		
FLOOR AREA: Industrial	n/a	
FLOOR AREA: Institutional	n/a	
TOTAL BUILDING FLOOR AREA	} See Multiple Building Data Sheet	

*\* 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	
	North Bld	South Bld	North Bld	South Bld
DENSITY				
# of units/ha /# units/acre (gross)				
# of units/ha /# units/acre (net)				
FAR (gross)				
FAR (net)	1.3		1.09	1.03
AMENITY SPACE (area in square metres)				
Indoor	258 m <sup>2</sup>	213 m <sup>2</sup>	267 m <sup>2</sup>	218 m <sup>2</sup>
Outdoor	258 m <sup>2</sup>	213 m <sup>2</sup>	950 m <sup>2</sup>	270 m <sup>2</sup>
PARKING (number of stalls)				
Commercial				
Industrial				
Residential Bachelor + 1 Bedroom	98	83	123	100
2-Bed	17	11		
3-Bed				
Residential Visitors	17	14	18	16
Institutional				
Total Number of Parking Spaces	132	108	131	116
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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**MULTIPLE BUILDINGS DATA SHEET**

**Existing Zoning: CD (By-law No. 16724)**

<b>Required Development Data</b>	<b>North Building</b>	<b>South Building</b>
<b>SETBACK (in metres)</b>		
Front	5 m	8 m
Rear	5.3 m (variance required)	13 m
Side #1	8 m (East)	2 m (north) (variance required)
Side #2	13 m (West)	8 m (south)
<b>BUILDING HEIGHT (in metres/storeys)</b>	15 m	15 m
<b>NUMBER OF RESIDENTIAL UNITS/ SIZE RANGE</b>	86 units	71 units
Bachelor		
One Bedroom	71 units	56 units
Two Bedroom	11 units	15 units
Three Bedroom +		
<b>TOTAL FLOOR AREA</b>	5,770 m <sup>2</sup>	4,791 m <sup>2</sup>