

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7905-0123-00

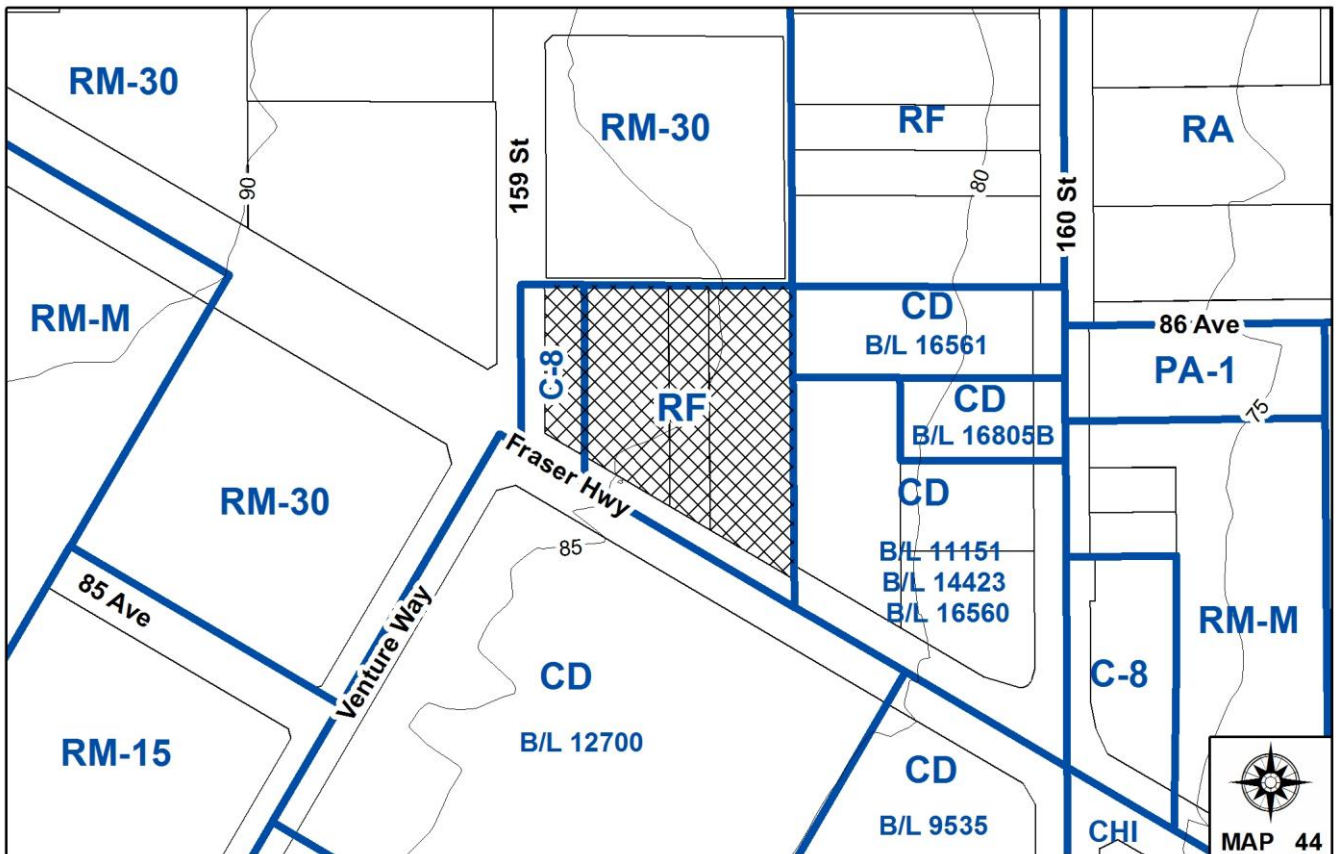
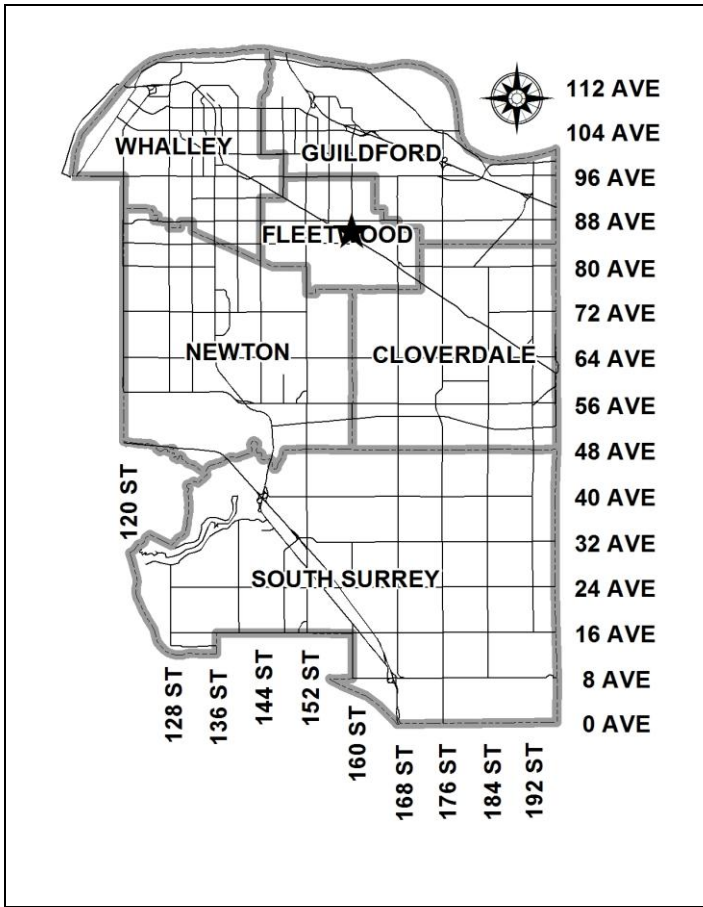
Planning Report Date: April 20, 2009

**PROPOSAL:**

- **Rezoning** from C-8 and RF to CD (based on C-8)
- **Development Permit**
- **Development Variance Permit**

in order to permit the development of a retail shopping centre.

**LOCATION:** 15903/13/29/37 Fraser Highway  
**OWNER:** 581947 B.C. Ltd.  
**ZONING:** C-8 and RF  
**OCP DESIGNATION:** Commercial  
**TCP DESIGNATION:** Highway Commercial



### 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

- None.

### RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Complies with the Fleetwood Town Centre Land Use Plan.
- The proposed density and building form are appropriate for this part of Fleetwood.
- Proposed setbacks achieve a more urban and pedestrian streetscape, without compromising road widening requirements.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the subject site from "Community Commercial Zone (C-8)" (By-law No. 12000) and "Single Family Residential Zone (RF)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7905-0123-00 in accordance with the attached drawings (Appendix II).
3. Council approve Development Variance Permit No. 7905-0123-00, (Appendix VII) varying the following, to proceed to Public Notification:
  - (a) to vary Surrey Sign By-law, 1999, No. 13656, to increase the number of fascia signs from 2 to 3 for 1 unit on each of Buildings A, C and D.
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; and
  - (e) resolution of all urban design issues to the satisfaction of the Planning and Development Department.

## REFERRALS

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

## SITE CHARACTERISTICS

Existing Land Use: Vacant site.

Adjacent Area:

<b>Direction</b>	<b>Existing Use</b>	<b>Fleetwood Town Centre Plan</b>	<b>Existing Zone</b>
North (Across Lane):	Townhouses.	Apartments and/or High Density Townhouses	RM-30
East:	Retail shopping centre.	Community Commercial	CD (By-law No. 16561), CD (By-law No. 16805B) CD (By-law No., 11151 as amended by 14423 and 16560
South (Across Fraser Highway):	Retail shopping centre.	Highway Commercial	CD (By-law No. 12700)
West (Across 159 Street):	Townhouses.	Apartments and/or High Density Townhouses	RM-30

DEVELOPMENT CONSIDERATIONS

- The subject 0.98-hectare (2.42-acre) site is located at the northeast corner of 159 Street and Fraser Highway, within the Fleetwood Town Centre. The site is designated Commercial in the Official Community Plan (OCP), Highway Commercial in the Fleetwood Town Centre Land Use Plan, and is split-zoned "Single Family Residential Zone (RF)" and "Community Commercial Zone (C-8)".
- The application proposes to rezone the subject site from C-8 and RF to Comprehensive Development Zone (CD) in order to permit the development of a community shopping centre containing seven buildings. While not all of the tenants are known at this time, Bank of Montreal (BMO), Fruiticana and Starbucks are confirmed as future tenants for the development.
- The proposal requires that the four existing parcels be consolidated, and indicates a total floor area of 2,390.5 square metres (25,731 sq. ft.). This represents a total net floor area ratio (FAR) of 0.30, which is within the 0.8 FAR permitted in the C-8 Zone.
- 115 surface parking spaces are proposed, which exceeds the 72 required spaces under the Zoning By-law. The applicant has indicated that the extra parking is a requirement for any future tenants which are considering this site, including both BMO and Fruiticana.

Proposed CD By-law

- The proposed CD Zone is based on the Community Commercial Zone (C-8) with some modifications to the permitted uses and building setbacks.
- The proposed CD Zone allows a drive-through bank as a permitted use to meet the applicant's leasing program. While the C-8 Zone does not permit drive-through uses, the inclusion of a drive-through bank is supportable as the subject site is designated Highway Commercial in the Fleetwood Town Centre Plan.

- The following uses permitted in the C-8 Zone are not permitted in the proposed CD Zone as they are incompatible with either the adjacent community or a shopping centre:
  - Parking facilities;
  - Automotive service uses of vehicles less than 5,000 kilograms [11, 023 lbs] G.V.W.;
  - Assembly halls; and
  - One dwelling unit per lot.
- All other uses listed in the C-8 Zone will be permitted in the CD Zone.
- The C-8 Zone requires that buildings and structures be sited a minimum of 7.5 metres (25 ft.) from all property lines. To create a more pedestrian environment and to better engage retail units to City streets, the CD By-law proposes reduced setbacks for all property lines, as shown in the following table. These setbacks will create a more urban edge while also responding appropriately to adjacent residential and commercial uses.

Yard	Proposed CD By-law	C-8 Zone
Front Yard	0.9 metre (3 ft.)	7.5 metre (25 ft.)
Rear Yard	3.9 metre (13 ft.)	7.5 metre (25 ft.)
Side Yard	3.3 metre (11 ft.)	7.5 metre (25 ft.)
Side Yard (on a Flanking Street)	0.9 metre (3 ft.)	7.5 metre (25 ft.)

- The proposed setback along Fraser Highway also responds to the additional road dedication requirement for Fraser Highway since the application was originally submitted. Whereas in 2005 a 36.0-metre (118 ft.) right of way was required, the current standard along Fraser Highway is 39.0-metres (128 ft.). This additional dedication impacts the developable portion of the site by having less land available for development. In reducing the front yard setback, the applicant is able retain their specified built area while allowing the public objective of widening Fraser Highway to be met.

#### Arborist Report and Tree Location/Retention Plan

- The Arborist Report, prepared by Diamond Head Consulting Ltd. and dated April 10, 2009, identifies 33 mature trees on the developable portion of the site, all of which are proposed to be removed. All but 5 trees are proposed to be removed due to their condition, with the remainder proposed to be removed as they conflict with the proposed development.
- The table below provides a summary of the proposed tree removal by species:

Tree Species	Number of Trees	Number to be Retained	Number to be Removed
Beaked Hazelnut	1	0	1
Big Leaf Maple	2	0	2
Black Cottonwood	4	0	4
Black Walnut	1	0	1

Tree Species	Number of Trees	Number to be Retained	Number to be Removed
Cherry	10	0	10
Holly	1	0	1
Horse Chestnut	1	0	1
Pine	2	0	2
Red Alder	11	0	11
<b>Total</b>	<b>33</b>	<b>0</b>	<b>33</b>

- Surrey's Tree Protection By-law requires that all trees be replaced at a 2:1 ratio, excluding Red Alder and Black Cottonwood (to be replaced at a 1:1 ratio). The application proposes 26 replacement trees to be provided, which is 25 trees less than the 51 required under the Tree Protection By-law. The applicant will be required to provide cash-in-lieu of these trees.
- An updated Arborist report, which includes the Tree Location / Retention Plan and which confirms all of the aforementioned information will be required to be submitted and approved to the satisfaction of the City Landscape Architect before Final Adoption of this application.

### PRE-NOTIFICATION

Pre-notification letters were sent on April 2<sup>nd</sup>, 2009. To date, there have been no responses.

### DESIGN PROPOSAL AND REVIEW

#### Overall Design Considerations

- The development proposes six single-storey commercial buildings which are primarily oriented in groupings of two and oriented towards Fraser Highway, 159<sup>th</sup> Street and the rear lane. An additional building is located independently at the southeast corner of the site adjacent Fraser Highway. The individual buildings range in size from 162 square metres (1,744 sq. ft.) to 573 square metres (6,168 sq. ft.).
- Building materials include the extensive use of stucco (two shades of grey), opaque glass (spandrel panel in a blue colour) and brick masonry ('grayburn smooth'). The brick masonry is primarily used to provide individual unit identity by creating a vertical design feature which defines the units within the buildings. Building D which is the future home of BMO has additional complementary design features which will be discussed further in a following section.
- Individual unit entries are principally oriented internally; however, effort has been made to have some entries oriented to City streets. Building facades that front City streets have been articulated utilizing increased glazing and with glass awnings which provide weather protection.

### Access and Parking

- Two vehicular access driveways serve the proposed development. The principal access is a west-bound right-in right-out access from Fraser Highway. A secondary access is provided from the rear lane by way of 159 Street.
- A statutory right-of-way (R-O-W) for public rights of passage along the northeast corner of the subject site will provide access from the lane to the neighbouring commercial project to the east (15955 Fraser Highway). It should be noted, however, that direct access from 15955 Fraser Highway will not be achieved for the subject site due to existing grade conditions; access will be gained by the R-O-W and lane.
- The result of the R-O-W in coordination with the local lane system (both existing and proposed) will be increased connectivity in the area. In the future east-west connection will be available from 160 Street by way of 15955 Fraser Highway and the proposed lane. This will also be supported by a future lane running northward from the R-O-W.
- The proposed development provides 115 surface parking spaces, which exceeds the 72 spaces required under the Zoning By-law.

### Buildings A & H

- Buildings A & H are located at the northeast corner of the site. Building A, which will be home to a future Fruiticana, will be 573 square metres (6,168 sq. ft.) in size while Building H will have a floor area of 468 square metres (5,038 sq. ft.). The buildings together contain 5 units.
- All of the unit entries for Buildings A and H are oriented towards the internal portion of the shopping centre as the buildings are adjacent the lane.
- Buildings A and H are proposed in an L-shape, with Building A extending beyond Building H. By returning Building A in this manner, a sense of enclosure is formed. This has an added benefit of reducing the building's linear feeling.
- While both buildings are only one-storey in height, Building A is approximately 1.7 metres (5 ft.) higher than Building H. It is expected that the additional height will help support the functioning of the Fruiticana.
- To mitigate potential impacts to the existing townhouse development north of the lane, a series of significant trees and shrubs are proposed. Seven of the trees are specific to the rear of Buildings A and H, with the remainder spread across the rear of the site to more generally define the development and to provide screening.

### Buildings B & C

- Buildings B & C are located along the west boundary of the site, adjacent to 159<sup>th</sup> Street. Building B will be 162 square metres (1,744 sq. ft.) in size while Building C will be 173 square metres (1,862 sq. ft.). The buildings together contain 4 units.

- Unit entries are oriented in differing directions: internally, towards the plaza area; and with one oriented towards 159<sup>th</sup> Street. The units engaging 159<sup>th</sup> Street and the plaza area are intended to enliven the public space by providing opportunities for pedestrian activity.

### Buildings D & E

- Buildings D & E are located along the southern boundary of the site, directly adjacent the corner plaza area and Fraser Highway. Building D, which will be home to BMO, will be 464.5 square metres (5,000 sq. ft.) in size while Building E will have a floor area of 387 square metres (4,165 sq. ft.). While BMO is the sole tenant of Building D, Building E will contain up to 5 individual units.
- Unit entries are oriented in differing directions: internally, towards the plaza area; eastward towards Building F; and two oriented towards Fraser Highway. The units engaging Fraser Highway and the plaza area are intended to enliven the public space by providing opportunities for pedestrian activity.
- Building D (BMO) will utilize enhanced materials to help brand it within the development. This is achieved through the use of increased glazing, particularly on the northwest and southwest elevations and aluminum composite panels (blue colour). The panels are utilized in place of the stucco found on the remainder of the development. The stark colour and glazing reinforces the uniqueness of this portion of the development.
- A drive-through banking area is proposed adjacent Building D. To help define its presence and to provide weather protection for users, a covered structure extending from the building will be provided. No signage will be associated with this structure.

### Building F

- Building F is located along the southeast boundary of the site, directly adjacent to Fraser Highway. It has only one unit and is proposed to be a future Starbucks coffee shop and encompasses a floor area of 163 square metres (1,755 sq. ft.).
- The unit entry is oriented to the side of the building and will enter into an adjacent patio area. Combined with the side entry and the patio space, a positive pedestrian interface can be achieved.

### Signage

- Two free-standing signs are proposed along Fraser Highway, one of which is located adjacent the plaza area at the south-west corner of the site, and the other located at the Fraser Highway entry towards the south-east corner of the site. Both signs respect the Sign By-law's special height restrictions (maximum 12 ft.) for this portion of Fraser Highway.
- While the majority of the proposed fascia signs comply with the Sign By-law, the applicant has requested that additional fascia signs in the form of individual channel letters be permitted on Buildings A, C, and D as illustrated in the following table.



Building	Allowed	Proposed
A	1 premise fascia sign and 1 lot frontage fascia sign per unit	1 <i>additional</i> premise frontage fascia sign (Fruiticana) on south elevation above entry
B	1 premise fascia sign and 1 lot frontage fascia sign per unit	1 <i>additional</i> fascia sign (BMO) on northeast elevation above upper right hand windows (this qualifies as neither a lot frontage or a premise frontage)
C	1 premise fascia sign and 1 lot frontage fascia sign per unit	1 <i>additional</i> premise frontage fascia sign on south elevation above entry.

- The proposed fascia signage will require Council approval of a development variance permit (see By-law Variance section of the report).

### Landscaping

- A corner plaza is proposed at the corner of 159 Street and Fraser Highway. The plaza area will be defined by special paving, and will have a significant tree at its core. The plaza will also be pedestrian focused with no raised planters or similar feature that can limit movement or use.
- The interface of the buildings fronting Fraser Highway and 159<sup>th</sup> Street is landscaped with shrubs. Additional paving instead of shrubbery will be provided to better integrate the development with the adjacent sidewalk and boulevard and increased weather protection.
- A treed boulevard is provided along the driveway from Fraser Highway. This boulevard will see additional planting and will be coordinated with an increase in the number of landscape strips that are provided within the parking area.

### ADVISORY DESIGN PANEL

ADP Date: April 2, 2009

The recommendations provided by ADP have not been resolved as the timing for moving this application forward is vital for the applicant. However, the applicant has agreed to resolve all ADP recommendations prior to Final Adoption (see Appendix V), to the satisfaction of the Planning and Development Department.

### BY-LAW VARIANCE AND JUSTIFICATION

#### (a) Requested Variance

- The applicant seeks to vary Section 27 (2) of the Surrey Sign By-law, 1999, No. 13656 to increase the number of fascia signs from 2 to 3 for 1 unit on each of Buildings A, C and D. The Surrey Sign By-law allows 1 fascia sign to be permitted for each premise or lot frontage.

### Applicant's Reasons

- The applicant seeks three additional fascia signs to increase the visibility of their tenants on facades which otherwise would not be permitted.

### Staff Comments

- Two of the signs are specific to anchor tenants (BMO and Fruiticana) and will provide identification from the internal section of the development. Specifically these are proposed above the unit entry on the south elevation of Building A (Fruiticana) and above the right hand glass windows on the north east elevation of Building D (BMO).
- The final fascia sign is specific to the corner unit for Building C. By not allowing a second fascia sign on the south elevation, the applicant will miss the opportunity to engage the adjacent plaza spaces.

### 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.	Proposed Site Plan, Building Elevations, Landscape Plans and Perspective
Appendix III.	Engineering Summary
Appendix IV.	Summary of Tree Survey and Tree Preservation
Appendix V.	ADP Comments and Applicant's Responses
Appendix VI.	Proposed CD By-law
Appendix VII.	Development Variance Permit No. 7905-0123-00

### INFORMATION AVAILABLE ON FILE

- Complete Set of Architectural and Landscape Plans prepared by Graham Hoffart Mathiasen Architecture and C. Kavolinas & Associates Inc., respectively, dated April 13, 2009.

Jean Lamontagne  
General Manager  
Planning and Development

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APPENDIX IInformation for City Clerk

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

1. (a) Agent:      Name:                 Raghbir Ray Mand  
                          Address:                 #210 - 12899 - 76 Avenue  
    Surrey, BC  
    V3W 1E6  
                          Tel:                         604-599-8333

2.      Properties involved in the Application

(a)      Civic Addresses:      15903, 15913, 15929 and 15937 Fraser Highway

(b)      Civic Address:      15903 Fraser Highway  
                          Owner:                         581947 B.C. Ltd., Inc. No. 581947  
    Director Information:  
    Sukhwinder Singh  
    Amrik Singh

Officer Information: (as at March 19, 2008)  
 Sukhwinder Singh (Secretary)  
 Amrik Singh (President)

PID:                                 005-650-178  
 Lot 37 Except: Parcel "A" (Explanatory Plan 11086), Section 26 Township 2  
 New Westminster District Plan 2824

(c)      Civic Address:      15913 Fraser Highway  
                          Owner:                         581947 B.C. Ltd., Inc. No. 581947  
    Director Information:  
    Sukhwinder Singh  
    Amrik Singh

Officer Information: (as at March 19, 2008)  
 Sukhwinder Singh (Secretary)  
 Amrik Singh (President)

PID:                                 002-079-569  
 Parcel "A" (Explanatory Plan 11086) of Lot 37 Section 26 Township 2 New  
 Westminster District Plan 2824

- (d) Civic Address: 15929 Fraser Highway  
Owner: 581947 B.C. Ltd., Inc. No. 581947  
Director Information:  
Sukhwinder Singh  
Amrik Singh
- Officer Information: (as at March 19, 2008)  
Sukhwinder Singh (Secretary)  
Amrik Singh (President)
- PID: 010-765-484  
Lot 38 Except: Parcel "A" (Explanatory Plan 11680), Section 26 Township 2  
New Westminster District Plan 2824

- (e) Civic Address: 15937 Fraser Highway  
Owner: 581947 B.C. Ltd., Inc. No. 581947  
Director Information:  
Sukhwinder Singh  
Amrik Singh
- Officer Information: (as at March 19, 2008)  
Sukhwinder Singh (Secretary)  
Amrik Singh (President)
- PID: 010-765-433  
Parcel "A" (Explanatory Plan 11680) Lot 38 Section 26 Township 2 New  
Westminster District Plan 2824

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. 7905-0123-00.

## DEVELOPMENT DATA SHEET

**Proposed Zoning: CD (based on C-8)**

Required Development Data	Minimum Required /Maximum Allowed	Buildings A and H	Buildings B and C	Buildings D & E	Building F	Total
LOT AREA* (in square metres)						
Gross Total						9,805 m <sup>2</sup>
Road Widening area						1,713.25 m <sup>2</sup>
Undevelopable area						
Net Total						8,091.75 m <sup>2</sup>
LOT COVERAGE (in % of net lot area)						
Buildings & Structures	50%					29.5%
Paved & Hard Surfaced Areas						57%
Total Site Coverage						86.5%
SETBACKS ( in metres)						
Front (west)	.9 m	48.78 m	1.0 m	21.3 m	7.83 m	
Rear (east)	3.9 m	6.0 m	88.2 m	40.2 m	4.1 m	
Side #1 (north)	3.3 m	3.42 m	3.7 m	40.4 m	88.0 m	
Side #2 (south)	.9 m	53.3 m	18.0 m	1.1 m	1.1 m	
BUILDING HEIGHT (in metres/storeys)						
Principal	12.0 m	6.95 m	5.35 m	5.95 m	5.35 m	
Accessory						
FLOOR AREA: Residential						
FLOOR AREA: Commercial						
Retail		1,041 m <sup>2</sup>	335 m <sup>2</sup>	851.5 m <sup>2</sup>	163 m <sup>2</sup>	2,390.5 m <sup>2</sup>
Office						
Total						2,390.5 m <sup>2</sup>
FLOOR AREA: Industrial						
FLOOR AREA: Institutional						
TOTAL BUILDING FLOOR AREA		1,041 m <sup>2</sup>	335 m <sup>2</sup>	851.5 m <sup>2</sup>	163 m <sup>2</sup>	2,390.5 m <sup>2</sup>

*\* If the development site consists of more than one lot, lot dimensions pertain to the entire site.*

**Development Data Sheet cont'd**

<b>Required Development Data</b>	<b>Minimum Required /Maximum Allowed</b>	<b>Buildings A and H</b>	<b>Buildings B and C</b>	<b>Buildings D &amp; E</b>	<b>Building F</b>	<b>Total</b>
FAR (gross)						.24
FAR (net)	.8					.30
PARKING (number of stalls)						
Commercial	72					115
Industrial						
Total Number of Parking Spaces	72					115
Number of disabled stalls	2					
Number of small cars	18					5
Tandem Parking Spaces: Number/% of Total Number of Units						14

Heritage Site	NO	Tree Survey/Assessment Provided	YES
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