



Proposal: NCP Amendment from Business Park to Institutional.
Rezoning from A-1 (By-law No. 5942) and A-1 (By-law No. 12000) to CD to allow private schools and ancillary uses.
DVP to relax the minimum lot size of the A-1 Zone.

Recommendation: Approval to Proceed

Location: Portion of 12389 - 104 Ave & 12380 Old Yale Road **Zoning:** A-1 (By-law No. 5942) & A-1 (By-law No. 12000)

OCP Designation: Industrial

NCP Designation: Business Park **Owner:** 503583 B.C. Ltd.



PROJECT TIMELINE

Application Submission Date:	January 30, 2006
Initial Planning Report Date:	February 20, 2006
Completed Application Submission Date:	May 2, 2006
Additional Planning Comments Date:	May 8, 2006

PROPOSAL

The applicant is proposing:

- an NCP amendment from Business Park to Institutional and an amendment to the road network identified in the NCP;
- a rezoning from A-1 (By-law No. 5942) and A-1 (By-law No. 12000) to CD (By-law No. 12000); and
- a Development Variance Permit to relax the following by-law regulation:
 - to reduce the minimum lot size of the A-1 Zone (By-law No. 5942) from 20,000 square metres (5 acres) to 12,560 square metres (3.1 acres).

in order to allow the construction of one elementary school and one high school, a child care facility, assembly uses and associated track and playing fields.

RECOMMENDATION

To implement Council's previous decision that Application No. 7906-0035-00 be referred to staff to work with the applicant in developing and bringing forward conditions that will allow the applicant to proceed to Public Hearing, the Planning & Development Department recommends that:

1. a By-law be introduced to rezone portions from "Agricultural Zone One (A-1)" (By-law No. 5942) (Block A on attached Survey Plan) and "General Agriculture Zone (A-1)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing (Appendix I).
2. Council approve Development Variance Permit No. 7906-0035-00, (Appendix VIII) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum lot size of the A-1 Zone (By-law No. 5942) from 20,000 square metres (5 acres) to 12,560 square metres (3.1 acres).
3. 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 final design and landscaping drawings for the proposed schools to the satisfaction of the City Architect and City Landscape Architect;
 - (d) registration of a Section 219 Restrictive Covenant to prohibit any development on the site other than as generally indicated on the drawings attached as Appendix III;
 - (e) submission of a Parking Management Plan to the satisfaction of the General Manager, Engineering;
 - (f) submission of a landscaping cost estimate and security to the specifications and satisfaction of the City Landscape Architect;
 - (g) registration of a Section 219 Restrictive Covenant to protect the setback area of the creek as determined by the Department of Fisheries and Oceans (DFO);
 - (h) registration of a Section 219 Restrictive Covenant for "no build" on the west portion of the lot adjacent to 12320 Old Yale Road until future consolidation and development;
 - (i) registration of a Section 219 Restrictive Covenant to require a minimum building elevation of 4.4 metres (14.4 ft.) geodetic;
 - (j) registration of a Section 219 Restrictive Covenant prohibiting the use of the secondary school gurdwara and auditorium by the general community unless additional parking is provided; and
 - (k) approval of Development Variance Permit No. 7905-0035-00.
4. Council pass a resolution to amend the South Westminster NCP to redesignate the portion of land from Business Park to Institutional and to amend the road network plan 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 identified in the attached (Appendix IV).

DEVELOPMENT CONSIDERATIONS

Background

- On February 20, 2006, Council considered a preliminary Planning Report from the Planning & Development Department concerning the proposed rezoning and development of properties located at 12389 – 104 Avenue and 12380 Old Yale Road to allow the construction of an elementary school, a high school, a child care facility, assembly uses, caretaker's and priest's residences and associated track and playing fields (Appendix XI).
- The initial Planning Report outlined the pros and cons of the proposal and sought direction from Council on the further processing of the subject application.
- Council considered the Report, posed questions to staff and to the applicant and subsequently passed the following resolution:

"That Application No. 7906-0035-00 be referred to staff to work with the applicant in developing and bringing forward conditions that will allow the applicant to proceed to public hearing."
[RES. R06-48]

- The conditions for approval included the following:
 - Submission of additional fees associated with the rezoning application;
 - Detailed site planning and design review through the rezoning process;
 - Draft CD Zone to accommodate the proposed uses;
 - Completion of processes associated with addressing an NCP amendment as documented in the OCP; and
 - Completion of a Traffic Impact Study relative to the proposal to amend the approved road network in South Westminster NCP, the results of a Public Information Meeting and detailed engineering servicing plan and other studies that may be necessary in relation to fully detailing the site plan and related impacts.

Current Application

- The applicant, the Satnam Education Society of B.C. is requesting an amendment to the South Westminster Neighbourhood Concept Plan (NCP) to redesignate a portion of the subject site from Business Park to Institutional and to rezone a portion of the site from A-1 (By-law No. 5942) and A-1 (By-law No. 12000) to CD to permit the development of independent elementary and secondary schools with associated outdoor recreation facilities including a soccer field, track and field area, basketball and volleyball courts, and an elementary school playing field. Accessory places of worship (gurdwara) one in each of the proposed elementary school and high school, with associated cafeterias (langars) are also proposed. The high school is also planned to include a 400-seat auditorium.

- Associated with the educational uses, the applicant is also requesting a caretaker suite and a priest's residence (in the form of a duplex) and a child care centre.
- The proposed development is intended to be constructed in two phases, as follows:

Phase 1: Elementary school containing gymnasium, gurdwara and langar, child care centre and duplex for the caretaker and priest and elementary school playing field.

Phase 2: Secondary school containing 2 gymnasiums, gurdwara, langar and auditorium and playing field.
- The applicant anticipates opening the elementary school in September 2007 and the secondary school in September 2008.
- The proposal is to develop the following buildings with the following floor areas:

Use	Floor Area	No. of Class Rooms	No. of Students
Elementary School	10,126 square metres (109,000 sq. ft.)	42	1,000
Secondary School	8,732 square metres (94,000 sq. ft.)	32	600
Child Care Centre	636 square metres (6,850 sq. ft.)	N/A	50 per class
Caretaker/Priest Duplex	279 square metres (3,000 sq. ft.)	N/A	N/A

- This translates into a total floor area of 19,773 square metres (212,850 sq. ft.). This represents a floor area ratio (FAR) of 0.34 and lot coverage of 20% based on a site area of 5.95 ha (14.7 ac.). This is consistent with the maximum FAR of 0.5 and 40% lot coverage permitted in the Assembly Hall 2 Zone (PA-2) which forms the basis of the proposed CD By-law.

Proposed CD By-law

- The applicant has requested rezoning to a Comprehensive Development Zone (CD) to accommodate the proposed uses, density and setbacks on the site. The south portion of the site, south of the proposed road, is to remain undeveloped at this time. As such, only the portion of the site being proposed for development at this time will be rezoned, with the southern portion remaining zoned A-1 (By-law No. 5942).
- The proposed southern lot, to remain zoned A-1 (By-law No. 5942), does not meet the minimum lot requirement of the zone, therefore, a Development Variance Permit is required to reduce the minimum lot size created under a subdivision (see By-law Variance Section).

- The proposed Comprehensive Development Zone (CD) is based on the Assembly Hall 2 Zone (PA-2). A comparison between the two zones is as follows:

	PA-2 Zone	Proposed CD Zone
Height (including the architectural element)	9.0 metres (29.5 ft.)	13.6 metres (44.6 ft.)
Building Setbacks:		
West Side Yard	13.6 metres (45.27 ft.) (Height of the building)	7.5 metres (25 ft.)
East Side Yard (124 Street)	13.8 metres (45.27 ft.) (Height of the building)	7.5 metres (25 ft.)
Accessory Residential Floor Area (Priest and Caretaker Duplex)	260 square metres (2,800 sq. ft.)	287.7 square metres (3,097 sq. ft.)
Parking	472 spaces	238 spaces

- The height of the gymnasium is 10.8 metres (35.6 ft) which is only 1.8 metres (6 ft) higher than the maximum height of a principal building in the PA-2 Zone. The additional height is requested to allow for a dome element on the elementary school gurdwara, which requires an additional 3.6 metres (11.8 ft.) above the maximum height permitted in the PA-1 zone.
- The PA-2 Zone requires that all setbacks be the greater of 7.5 metres (24 ft.) or the height of the tallest structure on the property. Based on this requirement, all setbacks would be required to be a minimum of 13.6 metres (44.6 ft.) from all property lines. The site is constrained by the road network to the west and south, a yellow coded drainage channel along the west property line, and some privately owned properties along the northwest property line. Because of these site constraints, the applicant has requested to decrease the setbacks to the 7.5 metres (25 ft.), which has been incorporated into the proposed CD By-law.
- Surrey Zoning By-law requires a total of 472 spaces for the combined uses on the site. The proposed CD By-law requires a total of 238 spaces.
- This parking relaxation is justifiable based on the applicant's experience with their existing school at 6933 - 124 Street in West Newton, a technical parking memorandum prepared by the applicant's traffic engineer, a review of the Institute of Traffic Engineers (ITE) Parking Generation Manual, and staff's experience with other elementary and high schools in Surrey. The rationale for the proposed parking is further discussed later in the report.
- The site is located within an existing floodplain, which requires a minimum building elevation of 4.4 metres (14.4 ft.) geodetic. Prior to adoption of the rezoning by-law, the applicant will be required to register a Section 219 Restrictive Covenant to limit the minimum building elevation.

Road Network and Traffic

- The South Westminster NCP road network was designed to move vehicles, people and goods and services throughout the South Westminster Area. A system of secondary collector and local roads was designed to collect traffic and distribute it to the various arterial roads in the area (Appendix V).
- The NCP shows 124 Street to be opened south from Old Yale Road and then curve to intersect with 122 Street which is planned to run parallel to Scott Road. This road is intended to provide for the dispersment of traffic flows in this area and to provide efficient access to the future business park uses east of Scott Road. As well, this road will accommodate the required engineering services to allow this area to develop.
- The original proposal presented to Council on February 20, 2006 proposed the extension of 124 Street through to 104 Avenue (through two adjoining properties) rather than connecting 124 Street to the future 122 Street. From the applicant's perspective, this would reduce the potential for school-related traffic to mix with business-related traffic, which is not particularly desirable (Appendix XI).
- A traffic impact analysis on the impact of eliminating the link between 122 Street and 124 Street on the overall road network was undertaken. This analysis confirmed this road connection is vital to the overall transportation requirements of both the school and the surrounding lands.
- In order to accommodate the proposed schools, the alignment of this link has been shifted to the south of its present location as shown in the NCP. The Engineering Department supports the realignment (Appendix VI).
- In the short term, vehicular access to the subject site will be limited to 124 Street from Old Yale Road. At the time that the adjoining westerly properties develop, and the road network is complete, the new road will provide an additional access to the schools.

Parking

- The Zoning By-law specifies the number of required parking for all the proposed uses. Based on the By-law requirements for the uses and sizes of uses proposed, the required parking for the site is 472 spaces.
- The applicant has advised that the components of the proposed school (i.e. elementary schools and accessory uses, including gurdwara and gymnasium, secondary school and accessory uses including gymnasium, gurdwara and auditorium and child care centre) constitute one facility run by the same organization and the parking requirements overlap between the uses. The gymnasium and gurdwara are mainly used by the student body and will not attract additional parking requirements during the school hours.

- Similar to the existing Khalsa School in Newton, parking at the proposed school will be managed through a Parking Management Plan. The parking management plan will include the following elements:
 - Adult traffic/parking control persons on duty in the mornings and afternoons to act as crossing guards and traffic control guards;
 - The school will have a "drop-off and go" and "pick-up and go" policy during pick-up and drop-off times;
 - The Khalsa School owns a fleet of private buses to bus the students and some teachers in the mornings and afternoons to and from their homes;
 - Car pooling;
 - For Special Events such as the Science Fair, Religion Fair and Book Fair, meetings are held to plan the traffic and parking of the event; and
 - The gurdwaras and the gymnasiums are not open to the public during school class hours.
- The applicant has agreed to the preparation of a Parking Management Plan for the proposed school as a condition of rezoning. The framework for the Parking Management Plan is attached as Appendix X.
- The applicant has also agreed to register a Section 219 Restrictive Covenant to not permit the use of the secondary school gurdwara and auditorium by the general community.
- The applicant originally suggested that 171 parking spaces would be adequate for the uses on both sites.
- In light of the parking situation at the existing Khalsa School and the proposed Parking Management Plan, Planning and Engineering staff have reviewed the parking requirements and have included that to accommodate all the proposed uses, the applicant provide a minimum of 238 spaces plus 4 spaces for the loading and unloading of buses.
- The total of 238 parking spaces is based on the highest uses within the proposed schools, as follows:

Use	Parking Calculation	Required Parking
Phase I		
Elementary School	0.05 space per student (1,000 students)	38
Elementary Gurdwara	11 parking spaces per 100 square metres of gross floor area	40
Child Care	1 parking space per employee	22
Residence	2 parking spaces per dwelling unit	4
Subtotal		104
Phase II		
Secondary School	3 parking spaces per classroom	74
Auditorium	1 parking space for every 5 seats	60
Subtotal		134
Total Required Parking		238

- Part 5, Off-Street Parking and Loading, allows for shared parking of up to 75% of the total required parking spaces on the site.

Environmental/Drainage:

- There is a yellow-coded watercourse which runs parallel to the west property line of the subject property. Based on the site plan prepared by the applicant, the applicant has provided a 15-metre (49.2 ft.) setback from the east property line with the exception of a small paved parking area.
- The applicant is to survey this watercourse to determine its exact location and to ensure that there are no encroachments into the setback area.
- The applicant may have to amend the site plan, or retain the services of an environmental consultant to evaluate the watercourse and obtain approval of the Department of Fisheries and Oceans for the proposed parking encroachment.
- A Section 219 Restrictive Covenant may be required to protect the habitat setback area.

School Plan

- At the February 20, 2006 Regular Council – Land Use meeting, Council requested information on the current and future plans for the existing and proposed Khalsa Schools.
- The Khalsa School principal has completed a forecast of the existing and proposed school occupancies and has provided Planning staff with the following information:

1. Proposed Khalsa Schools

Elementary School

- The new elementary school is proposed to be opened in September 2007.
- First Year of Operation: 16 classrooms out of 42 will be operating. The total enrollment will be 400 with 180 students from the existing Khalsa School and 220 new admissions.
- There is an expected growth rate of 50-75 students per year – therefore filling 2 to 3 classrooms per year.
- In 2016 it is anticipated that the school will be at full capacity of 1,000 students.

High School

- The new high school is proposed to be opened in September 2008
- First Year of Operation: 8 classrooms out of 32 will be operating.
- There is an anticipated growth rate of 30-60 new students per year therefore filling 1 to 2 classrooms per year.
- In 2024 it is anticipated that the school will be at full capacity with 600 students
- The existing Khalsa School has grades 8-10. These classrooms will be closed at the current Khalsa School and they will be relocated to the new school. This will result in 100 of the current students and 100 new students attending the proposed school.

Child Care

- The new child care centre is proposed to be opened in September 2007.
- First Year of Operation: 100 students.
- Expected enrollment increase every year will be 25 students.
- The child care centre will be at full capacity by 2012.

2. Present Khalsa School (Newton, Surrey)

- The present enrollment at the Newton Khalsa school is 1,000 students. It is anticipated that there will be a decrease in enrollment by 10% in September 2007 – from 1,000 students to approximately 900. This is due to the enrollment of the students from the existing facility to the new elementary school.
- When high school starts in 2008, there may be a further decline in enrollment by another 100 – from 900 to 800 students.

PUBLIC INFORMATION MEETING

The applicant held a Public Information Meeting (PIM) on April 12, 2006 at the Bridgeview Community Hall. Approximately 90 people from the neighbourhood, including owners of several businesses attended the meeting. A representative of the Planning & Development Department attended as an observer. The observations from the meeting are as follows:

- Many of the residents had little concerns with respect to the proposal and felt it would clean up the neighbourhood.
- Most of the concerns raised pertained to traffic, however, many believed that if the City improved both Old Yale Road and 104 Avenue and enforced the speed on these streets, it would solve the problems.

(This was passed on through By-law Enforcement and Licensing with a request to monitor the commercial truck traffic on both Old Yale Road and 104 Avenue and to request that the RCMP monitor the speed along both of these roads.)

The upgrading of both 104 Avenue and Old Yale Roads are not currently in the 10-year capital plan for upgrading.

Due to existing grade of 104 Avenue and the grade of the south portion of the lot, access to the proposed schools from 104 Avenue is not possible.)

- Some residents requested sidewalks along Old Yale Road from Scott Road.

(This request was referred to Engineering, however, the upgrading of Old Yale Road is not currently in the 10-year capital plan.)

- The applicant's summary of the Public Information Meeting is attached as Appendix XII.
- The applicant has also submitted 57 letters representing 41 properties from the surrounding residences indicating support for the proposed development. The property owners who responded are indicated on a map attached as Appendix VII.

DESIGN PROPOSAL AND REVIEW

- The proposed buildings are to be constructed using concrete block, with brick veneers. The gurdwara and langars are proposed to be finished with limestone cladding. A symbolic metal decorative dome is proposed on top of both the elementary and secondary school gurdwaras.
- The gymnasiums are larger dominant structures and are proposed to be placed away from the road frontages.
- The north and east elevations of the elementary school which are most prominent along the Old Yale Road and 124 Street frontages provide glazing and interest.
- Preliminary landscaping drawings have been provided. The landscaping plans propose the use of autumn ash trees along the Old Yale Road and 124 Street road frontages. Along side of the internal drive aisles and in the landscaping islands, the applicant has proposed red maple trees, with low-level flowering and non-flowering shrub plants.
- Paralleling the setback area of the yellow-coded creek, the applicant has proposed the reintroduction of native trees such as Douglas firs, western red cedar and paper birches to re-foliate this area.

ADVISORY DESIGN PANEL

ADP Meeting Date: April 12, 2006

The Panel undertook a preliminary review of the plans. The Panel noted that the schematic design vocabulary is intriguing, but needs further development to achieve a cohesive theme appropriate to Old Yale Road and the area in general (Appendix XIII).

The applicant has agreed to address all of the concerns of the ADP prior to final approval, to the satisfaction of the City Architect.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To relax the minimum lot size of the A-1 Zone (By-law No. 5942) from 20,000 square metres (5 acres) to 12,560 square metres (3.1 acres).

Applicant's Reasons:

- The southern portion of the site is not intended for school purposes and there are no plans to develop this portion at this time.

Staff Comments:

- The CD Zone is customized to address the actual school site. The applicant has no plans to develop the southerly portion of the site at this time. Rather than create a split-zoned lot, the southerly portion is intended to be subdivided off from the main school site.
- The proposed lot does not satisfy the minimum lot area of the A-1 Zone (By-law No. 5942) and therefore a Development Variance Permit is required.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary, Project Data Sheets and Survey Plan
Appendix II.	Contour Map
Appendix III.	Proposed Site Plan, Typical Floor Plans and Elevations, Landscape Plans and Perspective
Appendix IV.	Engineering Summary
Appendix V.	Existing NCP Road Network
Appendix VI.	Proposed NCP Road Network
Appendix VII.	Map of Support for the School
Appendix VIII.	Development Variance Permit No. 7906-0035-00
Appendix IX.	Proposed CD By-law
Appendix X.	Parking Management Study
Appendix XI.	Initial Planning Report Dated February 20, 2006
Appendix XII.	Summary of Public Information Meeting
Appendix XIII.	Summary of ADP Comments
Appendix XIV.	Proposed NCP Amendment Map

INFORMATION AVAILABLE ON FILE

- Survey Plan, 3 copies
- Detailed Engineering Comments dated May 4, 2006.
- Traffic Study prepared by N.D. Lea dated April 18, 2006.
- Parking Management Plan prepared by N.D. Lea dated May 2006.
- Soil Contamination Review Questionnaire prepared by Jasbiv Bhatia dated January 30, 2006.

How Yin Leung
Acting General Manager
Planning and Development

LAP/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: M. Saar Architecture
 Address: #150 - 1450 Creekside Drive
 Vancouver, B.C. V6J 5B3
 Tel: 604-685-2253

2. Properties involved in the Application

(a) Civic Address: 12380 Old Yale Road and Portion of 12389 - 104
 Avenue

(b) Civic Address: 12380 Old Yale Road
 Owner: 504563 B.C. Ltd.
 PID: 000-971-740
 Parcel K (Reference Plan 9315) Block 5 North Range 2 West Except Firstly
 Part Subdivided by Plan 72805 and Secondly, Parcel 1 (By-law Plan LMP
 2029) New Westminster District

(c) Civic Address: Portion of 12389 - 104 Avenue
 Owner: 504563 B.C. Ltd.
 PID: 011-314-478
 Lot 2 Section 19 Block 5 North Range 2 West New Westminster District Plan
 8305

3. Summary

(a) Introduce a By-law to rezone a portion of the property.

(b) Proceed with Public Notification for Development Variance Permit No. 7906-0035-00.

DEVELOPMENT DATA SHEET

Proposed Zoning: CD

Required Development Data	Minimum Required / Maximum Allowed in the PA-2 Zone	Proposed
LOT AREA* (in square metres)		
Gross Total		
Road Widening area		
Undevelopable area		
Net Total	14.7 acres	5.95 ha
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	40%	20%
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres minimum)		
Front	13.8 m	14.6 m
Rear	13.8 m	14.6 m
Side #1 (West)	13.8 m	7.5 m
Side #2 (East)	13.8 m	7.5 m
BUILDING HEIGHT (in metres/storeys)		
Principal	9.0 m	13.8 m
Accessory	4.0 m	9.0 m
NUMBER OF RESIDENTIAL UNITS	2	2
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential	260 m ²	287.7 m ²
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional	29,490 m ²	19,484.85 m ²
TOTAL BUILDING FLOOR AREA	29,850 m ²	19,772.75 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)		
# of units/ha /# units/acre (net)		
FAR (gross)		
FAR (net)	0.5	0.34
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
School		
Buses		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces	238	238
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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CONTOUR MAP FOR SUBJECT SITE

