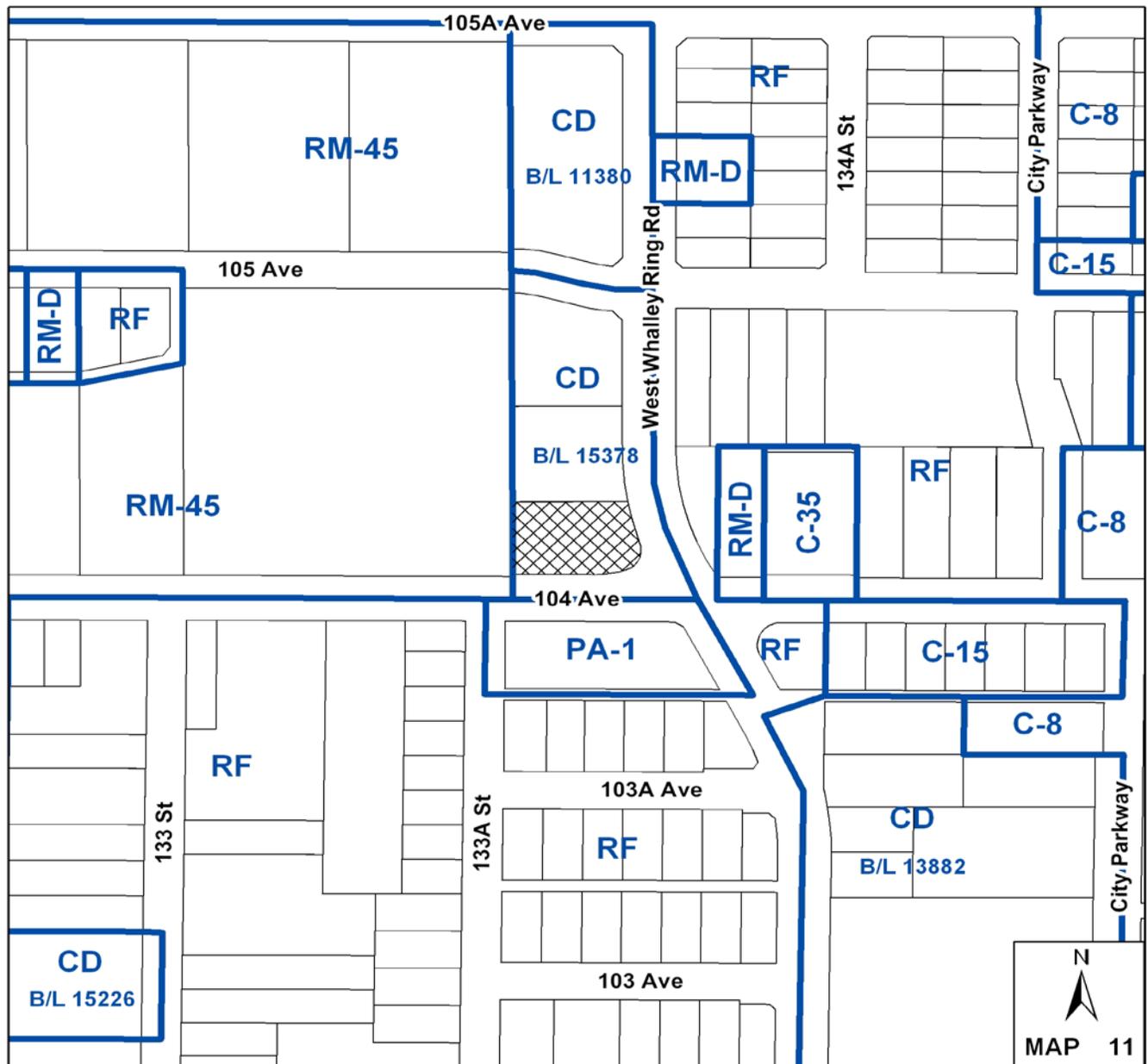


Proposal: Development Permit to permit a high-rise apartment building. Development Variance Permit to vary lot coverage, setbacks, parking and balcony requirements.

Recommendation: Approval to Proceed

Location: 10433 West Whalley Ring Road **Zoning:** CD (By-law No. 15378)

OCP Designation: City Centre **Owner:** Newgen Whalley Properties



PROJECT TIMELINE

Completed Application Submission Date: March 18, 2006
Planning Report Date: December 4, 2006

PROPOSAL

The applicant is proposing:

- a Development Permit; and
- a Development Variance Permit to vary the following Zoning By-law regulations:
 - increase the maximum lot coverage from 33% to 40%;
 - reduce the minimum northern side yard setback of the principal building from 7.5 metres (25 ft.) to 6.8 metres (22.0 ft.);
 - reduce the minimum northern side yard setback of an accessory building from 7.5 metres (25 ft.) to 3.8 metres (12.5 ft.);
 - reduce the minimum southern side yard setback of the principal building from 7.5 metres (25 ft.) to zero;
 - reduce the minimum southern side yard and rear yard of an accessory building from 7.5 metres (25 ft.) to zero;
 - reduce the number of required resident parking spaces from 196 to 180;
 - permit 44 non ground-oriented dwelling units without balconies; and
 - reduce the number of required bicycle storage spaces from 216 to 156

in order to permit the development of a 21-storey high-rise apartment building in Surrey City Centre.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve the applicant's request to reduce the amount of required indoor amenity space from 540 square metres (5,800 sq.ft.) to 458 square metres (4,900 sq.ft.).
2. Council authorize staff to draft Development Permit No. 7906-0164-00 in accordance with the attached drawings (Appendix III).
3. Council approve Development Variance Permit No. 7906-0164-00, (Appendix VIII) varying the following sections of Comprehensive Development Zone (By-law No. 15378), to proceed to Public Notification:
 - (a) in Section E.3, Lot Coverage, the maximum lot coverage is increased from 33% to 40%;
 - (b) in Section F.1 Yards and Setbacks, the minimum northern side yard setback of the principal building is reduced from 7.5 metres (25 ft.) to 6.8 metres (22.0 ft.);

- (c) in Section F.1 Yards and Setbacks, the minimum northern side yard setback of an accessory building is reduced from 7.5 metres (25 ft.) to 3.8 metres (12.5 ft.);
 - (d) in Section F.1 Yards and Setbacks, the minimum southern side yard setback of the principal building is reduced from 7.5 metres (25 ft.) to zero;
 - (e) in Section F.1 Yards and Setbacks, the minimum southern side yard and rear yard of an accessory building is reduced from 7.5 metres (25 ft.) to zero;
 - (f) In Section H.1 Off-Street Parking, the number of required resident parking spaces is reduced from 196 to 180;
 - (g) in Section J.3 Special Regulations, 44 non ground-oriented dwelling units are permitted without balconies; and
 - (h) in Section L.4 Other Regulations, the number of required bicycle storage spaces is reduced from 216 to 156.
4. Council instruct staff to resolve the following issues prior to approval:
- (a) architectural and landscape revisions to the satisfaction of the City Architect and Landscape Architect respectively; and
 - (b) the applicant adequately address the impact of reduced indoor amenity space.

REFERRALS

Engineering: The Engineering Department has no objection to the project (Appendix IV).

Parks, Recreation and Culture: No concerns (Appendix V).

School District: **School Impacts:**

Projected number of students from this development:

Elementary students = 4 students

Secondary students = 3 students

Total new students = 7 students

School Catchment Area/Current Enrollment/School Capacity:

KB Woodward Elementary School = 546 enrolled/530 capacity

Kwantlen Park Secondary School = 1,376 enrolled/1,200 capacity

Projected number of students from development approvals in the last 12 months (not including subject project) in the subject school catchment areas:

Elementary students = 7 students
 Secondary students = 5 students
 Total new students = 12 students

Approved Capacity Projects and Future Space Considerations

There are no new capital projects proposed at the elementary school and no new capital projects identified for the secondary school. The District is considering a district program move from Kwantlen Park to another secondary school site, to eliminate projected overcrowding at Kwantlen Park Secondary School.

The proposed development will not have an impact on these projections, due to the low student yield from adult-oriented units.

(Appendix VI)

SITE CHARACTERISTICS

- **Existing Land Use** Vacant.
- **East:** Across West Whalley Ring Road, vacant lot, zoned RF, designated City Centre.
- **South:** Across 104 Avenue, Christ the King Lutheran Church, zoned PA-1, designated City Centre.
- **West:** Older, 3-storey apartment buildings, zoned RM-45, designated Multiple Residential.
- **North:** Four-storey apartment building under construction, zoned CD (By-law No. 15328), designated City Centre.

PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

DEVELOPMENT CONSIDERATIONS

Background

- On July 10, 2003, the applicant applied to rezone a site, which consisted on the subject site and the lands north to 105 Avenue, from Comprehensive Development Zone (CD) (By-law No. 11380) to a new CD Zone to permit the development of two low-rise apartment buildings and one high-rise apartment building.

- Rezoning By-law No. 15378 rezoning the subject site was given final reading on December 15, 2004. A Development Permit for the two low-rise apartment buildings was issued on the same date.
- One of the two low-rise apartment buildings (adjacent to 105 Avenue) is now completed and occupied. The second low-rise apartment building (immediately adjacent to the north of the subject site) is currently under construction and is approximately 60% complete.
- The applicant has now applied for a Development Permit for the high-rise apartment building that formed the southern part of the original rezoning application.

Current Proposal

- The subject site at the northwest corner of 104 Avenue and West Whalley Ring Road in Surrey City Centre is designated City Centre under the Official Community Plan (OCP) and is zoned CD (By-law No. 15378).
- The applicant has applied for a Development Permit to construct a 21-storey high-rise apartment building on the site. Multiple-unit residential buildings are a permitted use on the site.
- The proposed floor area ratio (FAR) of the development is 5.28, which is slightly less than the maximum FAR of 5.5 permitted in the CD Zone and which is above the minimum FAR of 3.5 that is required in the CD Zone.
- The applicant has also applied for a Development Variance Permit to vary the lot coverage, building setbacks and parking requirements of the CD Zone (By-law No. 15378).

DESIGN PROPOSAL AND REVIEW

- The proposed 21-storey building, which will be located in the centre of the lot, will contain 180 apartment units that will consist of a mix of studio, one-bedroom, one-bedroom and den and, two-bedroom, units, ranging in size from 43 square metres (464 sq. ft.) to 85 square metres (912 sq. ft).
- The main pedestrian entry and lobby will be located on the south side of the building facing 104 Avenue. Vehicle access to the underground parking garage will be located at the northeast corner of the site, off West Whalley Ring Road.
- As the site slopes approximately 4.0 metres (13 ft.) from west to east, the access to the underground parking garage along West Whalley Ring Road will be a full floor below the elevation of the main entry along 104 Avenue.
- In order to address the significant grade difference on the site along the adjacent City sidewalks, the applicant is proposing to create a colonnade along the front of the building. This colonnade turns into a series of descending columns with cantilevered canopies above terraced planters as it wraps around the corner at the intersection of 104 Avenue and West Whalley Ring Road.

- The colonnade columns and planters, as well as the first four floors of the tower will be clad in dark red-coloured brick to provide weight and elegance to the tower.
- As the two low-rise buildings to the north are also clad extensively in dark red-brick, the use of dark red-coloured brick on the base of the tower is used to tie the low-rise buildings with the high-rise component of the project through the use of colour and materials.
- To achieve additional visual integration, a number of horizontal architectural elements of the low rise buildings will be carried through to the lower portions of the high-rise tower.
- The upper floors of the tower will be clad primarily in light-green tinted glass with grey-coloured painted concrete accents and panels, particularly on the west and east end walls.
- Some of the balconies on the top eight floors of the tower will be enclosed to provide further articulation and architectural interest to the tower (See By-law Variance section).
- The articulated tower roof will be clad in light grey-coloured metal.
- Art-deco inspired roof elements, consisting of horizontal metal bars, will cap the roof at the cornice line to provide a more elegant termination of the vertical lines of the building.
- The roof element along the south façade of the building will also have a tall spire to add additional height and interest to the roof line.

Landscaping

- The terraced planters at the intersection of 104 Avenue and West Whalley Ring Road will be planted with a variety of flowering plants including abelia, mock orange, heather and pieris.
- A small public plaza, backed by a low brick wall with ornamental lighting, will also be created at the corner.
- This plaza will be surfaced with stamped concrete and contain several benches for seating.
- The public plaza, combined with the brick columns and heavy landscape planting behind it, will create a significant focus at the intersection of two major arterial roads in Surrey City Centre.
- Due to the slope of the site, the north wall of the underground parking garage will be above the finished grade and, therefore, will be exposed to residents of the 4-storey apartment building currently under construction on the lot to the north.
- In order to help screen this exposed wall, soil will be bermed up against the wall and the area in front of the wall will be heavily planted with maple and cedar trees and low shrubs.
- The balance of the north side of the property will be grassed or planted in low shrubs to permit sunlight to penetrate the adjacent apartment building to the north.

Indoor and Outdoor Amenity Space

- The indoor amenity space will be located on the main floor of the building, surrounding the main entry lobby to the north, west and east.
- The indoor amenity space will consist of a lounge and recreation room on the east side of the building, a fitness room on the west side of the building and an office centre with meeting rooms on the north side of the building.
- The indoor amenity space will total 458 square metres (4,900 sq. ft.), which is 82 square metres (880 sq. ft.) less than the 540 square metres (5,800 sq. ft.) required under the Zoning By-law (3.0 square metres/32 sq. ft. per dwelling unit).
- The applicant has agreed to provide compensation to mitigate the reduction/elimination of indoor amenity space in accordance with Council policy
- The outdoor amenity space will consist of a large multi-purpose outdoor terrace along the east and north sides of the building, adjacent to the indoor amenity space which consists of a lounge and recreation room.
- A smaller outdoor patio area is also provided on the west side of the building, adjacent to the fitness room.
- The outdoor amenity space will total 1,020 square metres (11,000 sq. ft.), which is 480 square metres (5,200 sq. ft.) more than the 540 square metres (5,800 sq. ft.) required under the Zoning By-law (3.0 square metres/32 sq. ft. per dwelling unit).

Parking

- All required parking will be provided underground.
- Vehicle access to the underground parking garage will be through an exterior auto courtyard located on the northeast corner of the site and accessed by a driveway from West Whalley Ring Road.
- The auto courtyard will contain a small gate-house to provide weather protection for nighttime security envisioned for the building, a disabled parking space, two short-term drop-off parking spaces, and access for garbage vehicles and moving vans.
- The gate-house will be 12.4 square metres (134 sq. ft.) in area, will be one storey in height with a flat roof and will be clad in red brick veneer to match the red brick at the base of the building.
- The auto courtyard will be surfaced with stamped concrete to create a more pleasant physical environment.
- The underground parking garage contains a total of 209 parking spaces. Of these 209 parking spaces, 180 parking spaces are provided for resident parking, which is 16 fewer than the 196 parking spaces required under the Zoning By-law (see By-law Variance section of this report).

- A total of 29 parking spaces are provided for visitors, which is in accordance with the number of visitor parking spaces required under the Zoning By-law.

ADVISORY DESIGN PANEL

- ADP Meeting: July 13, 2006
- Most of the ADP suggestions have been satisfactorily addressed (Appendix VII) and are reflected on the attached plans in Appendix III. However, some issues remain outstanding and will need to be addressed prior to final approval. The principal issues that still need to be addressed are as follows:
 - Submission of details of the parking garage exit stair on the southwest corner of the site.
 - Refinement and details of the corner plaza, including paving materials, lighting and signage.
 - Detailed plans indicating how the proposed landscaping plan on the north side of the building can be achieved.
 - Submission of fencing details.
- The applicant has agreed to address these issues prior to consideration of the Final Reading of the Rezoning By-law and issuance of the Development Permit.

BY-LAW VARIANCES AND JUSTIFICATION

- When the subject site and the two lots to the north were rezoned to a Comprehensive Development Zone (CD By-law No. 15378) to permit two low-rise and one high-rise building, detailed plans for the high-rise building had not yet been developed. Had these designs been available, the CD Zone (By-law No. 15378) for the site would have been tailored to accommodate the proposal. As a result, the applicant is now requesting a number of variances to the existing CD Zone for the site in order to accommodate the current proposal.
- (a) Requested Variance:
- To increase the maximum lot coverage from 33% to 40%.

Staff Comments:

- The proposed building results in a lot coverage of 31%, below the maximum permitted lot coverage of 33%.
- However, due to the slope of the site, the large outdoor amenity space terrace on the east side of the building is partially cantilevered and extends above finished grade.

- Under the Definition Section of the Zoning By-law, the outdoor terrace must, therefore, be included as part of the lot coverage calculations.
- With the addition of the outdoor terrace, the lot coverage rises from 31% to 40%.
- The increase in lot coverage due to the cantilevered terrace does not impact any adjoining properties or design and livability of the development.
- As a result, the Planning & Development Department can support the requested variance.

(b) Requested Variance:

- To reduce the minimum northern side yard setback of the principal building from 7.5 metres (25 ft.) to 6.8 metres (22 ft.)

Staff Comments:

- The wall of the underground parking garage is set back 6.8 metres (22 ft.) from the northern property line which is only 0.7 metre (2 ft.) less than the 7.5 metres (25 ft.) required under the Zoning By-law.
- To screen this wall from the adjoining residential property to the north, the applicant is proposing to berm soil against this wall and to undertake heavy planting along the wall to mitigate any impact of the adjoining property.
- As the parking garage wall is only one-storey in height at most, as the applicant is proposing to screen the wall with dense vegetation and as the residential tower itself is located 7.9 metres (26 ft.) from the north lot line which is more than the 7.5 metres (25 ft.) required, the Planning & Development Department can support the requested variance.

(c) Requested Variance:

- To reduce the minimum northern side yard setback of an accessory building on from 7.5 metres (25 ft.) to 3.8 metres (12.5 ft.).

Staff Comments:

- The proposed gate-house will be quite small, only 12.5 square metres (134 sq. ft.) in area and will be only one-storey in height.
- The gate-house will be screened by a dense planting of bamboo and maple trees on the subject site, as well as by a row of cedars on the property to the north.
- Therefore, the proposed gate-house will not impact the four-storey apartment building currently under construction on the property to the north.
- As a result, the Planning & Development Department can support the proposed variance.

(d) Requested Variance:

- To reduce the minimum southern side yard setback of the principal building from 7.5 metres (25 ft.) to zero.

Staff Comments:

- Buildings in Surrey City Centre must be located closer to public sidewalks than would be the case in other parts of Surrey, in order to achieve the pedestrian-oriented environment envisioned by the Urban Design Concept.
- Therefore, in order to achieve this desired streetscape, the principal building is set back 5.5 metres (18 ft.) from the side property line along 104 Avenue.
- However, the applicant has also created a brick colonnade along the south façade of the building to provide additional architectural detail and interest and to help address the slope of the site along the sidewalk.
- This colonnade extends to the property line along 104 Avenue and, as the colonnade is attached to the apartment, it is therefore considered part of the principal building.
- As a result, due to this colonnade, the setback of the principal building along 104 Avenue must be reduced to zero.
- The proposed building and colonnade are designed to achieve the urban, pedestrian-oriented streetscape envisioned for City Centre. Further, extending the colonnade to the southern property line does not impact any adjacent properties.
- As a result, the Planning & Development Department can support the requested variance.

(e) Requested Variance:

- To reduce the minimum southern side yard setback and rear yard setback of an accessory building from 7.5 metres (25 ft.) zero.

Staff Comments:

- In order to meet Building Code requirements with respect to underground parking garages, exit stairs are often required to be located on the perimeter of sites where parking garages extend up to, or close to, property lines.
- In the case of the subject development, a set of exit stairs must be located on the extreme southwest corner of the lot, next to 104 Avenue.
- To meet CPTED guidelines and to ensure that the stairs are not used for unwanted activities, the applicant is proposing to construct a small structure to enclose the stairway.
- The structure, which is only 2.0 metres (6.5 ft.) in width and 3.0 metres (10 ft.) in length and only 2.5 metres (8 ft.) high, will consist of glass walls and with a flat metal roof.

- Architecturally, the stairway blends in with the proposed building and will add to the interest and variety along 104 Avenue.
- The proposed stair enclosure will not impact the older apartment buildings on the adjoining property to the west which are screened by large, mature, coniferous trees.
- As a result, the Planning & Development Department can support the requested variance.

(f) Requested Variance:

- To reduce the minimum number of on-site resident parking spaces from 196 to 180.

Staff Comments:

- The applicant is requesting that the number of resident parking spaces be reduced from 196 to 180 which results in one resident parking space being provided per unit.
- The proposed development is located close to SkyTrain stations and public transit and consists of mainly small units that generate fewer vehicles.
- Further, the provision of one resident parking stall per unit is consistent with the parking ratios achieved by other high-density residential developments in City Centre.
- All required visitor parking (29 spaces) is being provided in accordance with the CD By-law.
- As a result, the Planning & Development Department can support the requested variance.

(g) Requested Variance:

- To reduce the minimum number of bicycle storage spaces from 216 to 156.

Staff Comments:

- Although the applicant originally proposed to provide 180 bicycle storage spaces, or one space per unit, revisions undertaken to the design of the underground parking garage to meet ADP comments and concerns resulted in a reduction in the number of bicycle storage spaces.
- The applicant is also proposing, however, to provide 192 storage lockers, which is more than one per unit, that could also be used for the storage of bicycles.
- It would appear that the number of dedicated bicycle storage spaces, coupled with the proposed storage units, should be sufficient to serve the resident population of the building.
- As a result, the Planning & Development Department can support the requested variance.

(h) Requested Variance:

- To permit 44 non-ground oriented dwelling units to have no balconies. .

Staff Comments:

- From the 14th through to the 21st floor, the applicant has enclosed the balconies of 44 apartment units to create additional space within the apartment unit and to create a more interesting and articulated façade on the exterior of the building.
- The remaining 136 apartment units in the building have balconies that meet or exceed the minimum size required in the Zoning By-law.
- Eliminating balconies for 44 of the 180 units will not have a negative effect on the livability of these units, all of which will now have exterior walls of floor to ceiling glass that will increase the amount of light penetration into the unit.
- As a result, the Planning & Development Department can support the requested variance.

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.	Contour Map
Appendix III.	Proposed Site Plan, Floor Plans, Elevations, Landscape Plans, and Perspective
Appendix IV.	Engineering Summary
Appendix V.	Parks, Recreation and Culture Comments
Appendix VI.	School District Comments
Appendix VII.	ADP Comments and Applicant's Response
Appendix VIII.	Development Variance Permit No. 7906-0164-00
Appendix IX.	CD By-law (No. 15378)

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated June 28, 2006.
- Soil Contamination Review Questionnaire prepared by Carson Nofle dated April 13, 2006.

How Yin Leung
Acting General Manager
Planning and Development

GAG/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: Carson Nofle, Focus Architecture
 Address: #109 - 1528 McCallum Road
 Abbotsford, B.C.
 V2S 8A3
 Tel: 604-853-5222

2. Properties involved in the Application
 - (a) Civic Address: 10433 West Whalley Ring Road

 - (b) Civic Address: 10433 West Whalley Ring Road
 Owner: Newgen Whalley Properties
 PID: 026-157-373
 Lot C Section 22 Block 5 North Range 2 West New Westminster District Plan
 BCP 15163

3. Summary of Actions for City Clerks Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7906-0164-00.

DEVELOPMENT DATA SHEET

Existing Zoning: CD (By-law No. 15378)

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA (in square metres)		
Gross Total		
Road Widening area		
Undevelopable area		
Net Total		2,400 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	33%	40%*
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres) (principal building only)		
Front (West Whalley Ring Road)	7.5 m	14.0 m
Rear	7.5 m	12.8 m
Side (North)	7.5 m	6.8 m*
Side (South) (104 Avenue)	7.5 m	Zero*
BUILDING HEIGHT (in metres/storeys)		
Principal	60.0 m (min)	72 m/21 storeys
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		99
One Bed		27
Two Bedroom		54
Three Bedroom +		
Total		180
FLOOR AREA: Residential		12,718 m ²
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA	13,200 m ²	12,718 m ²

* *Variance requested*

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)	5.5	5.3
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom	131	126*
2-Bed	65	54*
3-Bed		
Residential Visitors	29	29
Institutional		
Total Number of Parking Spaces	225	209*
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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* *Variance requested*

CONTOUR MAP FOR SUBJECT SITE

