

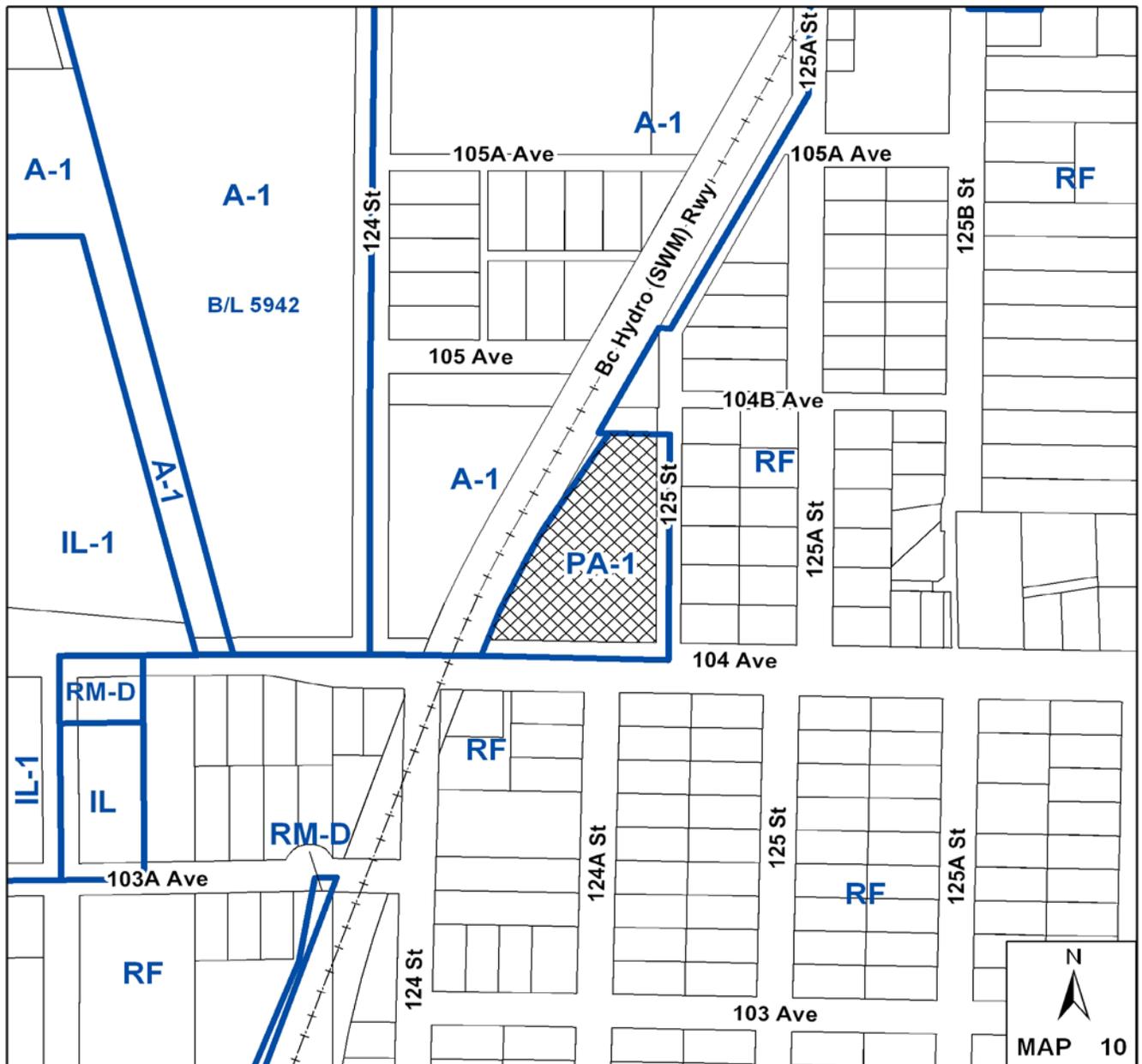
Proposal: Rezone the eastern portion of the property from PA-1 to RF and RF-12 to allow subdivision into 6 standard single family lots and 2 small single family lots, and Heritage Revitalization Agreement to retain the South Westminster School.

Recommendation: Approval to Proceed

Location: 12469 - 104 Avenue **Zoning:** PA-1

OCP Designation: Urban

Owners: 388 Construction Ltd.,
 Inc. No. 698558 et al



PROJECT TIMELINE

Completed Application Submission Date: April 15, 2006
Application Revision & Re-submission Date: June 30, 2006
Planning Report Date: July 24, 2006

PROPOSAL

The applicant is proposing:

- a rezoning of the eastern portion of the site from PA-1 to RF and RF-12; and
- a Heritage Revitalization By-law

in order to allow subdivision into six standard single family lots and two small single family lots, and retain the existing South Westminster School.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the property from "Assembly Hall 1 Zone (PA-1)" (By-law No. 12000) to "Single Family Residential Zone (RF)" (By-law No. 12000) (Block B) and "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) (Block C) as shown on the attached survey (Appendix I) and a date be set for Public Hearing.
2. a By-law be introduced to allow for a Heritage Revitalization Agreement for the South Westminster School on proposed Lot 9 (Appendix IX) and a date be set for Public Hearing.
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 a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (d) the applicant adequately address Parks, Recreation & Culture concerns about the pressure this project will place on existing parks, recreation and cultural facilities in the neighbourhood; and
 - (e) submission of written confirmation by the applicant's transportation engineer that the right-in only access on 104 Avenue is safe.

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).

Parks: The proposed development will put pressure on existing Parks, Recreation and Culture facilities in the neighbourhood. The applicant should meet with Parks staff to determine how to best resolve these concerns (Appendix V).

School District: **School Impacts:**

Projected number of students from this development:

Elementary students = 3 students
 Secondary students = 1 student
 Total new students = 4 students

School Catchment Area/Current Enrollment/School Capacity:

Prince Charles Elementary School = 351 enrolled/480 capacity
 L.A. Matheson Secondary School = 1,252 enrolled/1,400 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 = 0 students
 Secondary students = 2 students
 Total new students = 2 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. Space utilization options are being considered to reduce capacity shortfall at Kwantlen Park Secondary.

(Appendix VI)

Heritage Advisory Commission: Support. The HAC was encouraged that the applicant would like to retain the school and supports the proposed Heritage Revitalization Agreement subject to the inclusion of an appropriate compensation clause within the agreement (Appendix IX).

SITE CHARACTERISTICS

- **Existing Land Use** Heritage building known as South Westminster School, which is to be retained under a Heritage Revitalization Agreement.
- **Significant Site Attributes** The eastern portion of the site slopes from east to west.
- **East:** Across 125 Street, single family dwellings, zoned RF, designated Urban.
- **South:** Across 104 Avenue, single family dwellings, zoned RF, designated Urban.
- **West:** Across BC Hydro and former B.C. Electric Rail right-of-way, single family dwelling on acreage parcel, zoned A-1, designated Urban.
- **North:** Single family dwellings, zoned RF, designated Urban.

PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

DEVELOPMENT CONSIDERATIONS

Background

- The 1.9-acre (0.78-hectare) subject site is located on the north side of 104 Avenue, between 124 and 125 Streets and is designated Urban in the Official Community Plan (OCP).
- The original application (received April 15, 2006), proposed a rezoning of the eastern portion of the subject site from "Assembly Hall 1 Zone (PA-1)" to "Single Family Residential Zone (RF)" to allow for 8 RF lots fronting 125 Street.
- The layout submitted with the original application proposed to maintain the existing "right-in and right-out" driveway to the former South Westminster School with no alternate access.
- Given the location of this access on a steep slope on a busy arterial road, the applicant revised his proposal to provide an alternate access to the school site via a 6.0-metre (20 ft.) lane day-lighting onto 125 Street and to restrict the 104 Avenue access to a right-in only.
- The introduction of the lane resulted in 2 of the 8 proposed RF lots being amended to RF-12 lots.
- The application was amended on June 30, 2006 to reflect this change.

Current Proposal and Revised Application

- The applicant proposes to rezone the property to "Single Family Residential Zone (RF)" (Block B) and "Single Family Residential (12) Zone (RF-12)" (Block C) to allow subdivision into six (6) standard single family lots and two (2) small single family lots. The South Westminster School will be retained on proposed Lot 9 in its existing location (Block A). The applicant is proposing a Heritage Revitalization Agreement as a way to ensure the ultimate preservation of this historical building and to enable an appropriate re-use.
- Based on the above-mentioned revised proposal, a revised pre-notification letter was mailed out on July 10, 2006 and the development sign already erected on the site was revised.

Proposed RF Component (Block B)

- Proposed Lots 1-5 all conform to the minimum requirements of the RF Zone. The proposed lots are all approximately 560 square metres (6,027 sq. ft.) in area with a lot width of 15 metres (50 ft.) and a lot depth of 37 metres (121 ft.).
- Proposed Lot 8 conforms to the minimum width and depth requirements of the RF Zone. However, a 7% area reduction is required from the Approving Officer to allow a minimum area of 520 square metres (5,597 sq. ft.).

Proposed RF-12 Component (Block C)

- Two RF-12 lots are proposed along the 125 Street frontage of the subject property.
- Proposed Lots 6 and 7 conform to the minimum requirements of Type I interior lots with an area of 449 square metres (4,833 sq. ft.), lot width of 12 metres (39 ft.) and lot depth of 37 metres (121 ft.).
- All of the proposed single family lots will gain driveway access from 125 Street.

Transportation, Building Design Guidelines, Lot Grading and Tree Preservation

- Since 104 Avenue is a designated arterial road, the applicant will be required to construct an eastbound left turn bay on 104 Avenue at 125 Street. The applicant will also construct a deceleration lane on 104 Avenue for right-in only access to the existing school site.
- The applicant will dedicate and construct a 6-metre wide lane, to be located between proposed Lots 6 and 7, which will provide alternate access via 125 Street to the existing school site on proposed Lot 9.
- The applicant for the subject site has retained Tynan Consulting Ltd. as the Design Consultant. The Design Consultant conducted a character study of the surrounding homes and based on the findings of the study, proposed a set of building design guidelines for all lots (Appendix VII).

- The Design Consultant has included specific design details to be incorporated into the west facing side of the proposed dwellings to architecturally address the public space at the South Westminster School site and to reduce truss spans at the upper floor and to the use of reduced roof slopes on future homes, in efforts to preserve views from homes located on the east side of the 10400 block of 125 Street.
- Basement-entry homes and secondary suites are not permitted.
- The applicant proposes to have in-ground basements on all lots. The southeast corner of proposed Lot 1 will have approximately 1.5 metres to 2.0 metres of fill with approximately 0.5 metre (1.6 ft.) to 1.5 metres (4.9 ft.) of fill on the remainder of the eastern portion of the lot. The eastern portion of proposed Lots 2 and 3 will have approximately 0.5 metre (1.6 ft.) to 1.5 metres (4.9 ft.) of fill.
- Proposed Lots 4- 6 will have fill ranging from 0.5 metre (1.6 ft.) to 3.0 metres (9.8 ft.) on the eastern portion of Lots 5 and 6. The applicant is proposing fill to achieve the existing road grade.
- A preliminary lot grading plan and cross sections were submitted and reviewed by staff and found to be generally acceptable.
- C. Kavolinas & Associates Inc. prepared the Arborist Report and Tree Preservation/Replacement Plans. They have been reviewed by the City's Landscape Architect and deemed acceptable (Appendix VIII).
- A total of 19 mature trees have been identified on the subject site. These trees consist mainly of Maple and Cottonwood. Of this total, 7 will be retained on proposed Lot 9 along the BC Hydro right-of-way.
- There will be 12 trees removed as they are in poor condition and have no retentive value for the site. A total of 24 replacement trees consisting of Green Japanese Maple, Bloodgood Japanese Maple, Douglas Fir and Western Red Cedar are being proposed. There will be a minimum of 3 trees per single family lot.

Existing Heritage Building- South Westminster School Site (Block A) and Proposed Heritage Revitalization Agreement

- Block A (proposed Lot 9) is approximately 2,879 square metres (0.7 acre) in size. The applicant proposes to retain the South Westminster School in its existing location on the remainder parcel, proposed Lot 9. South Westminster School is listed on Surrey's Heritage Register and will be retained under a Heritage Revitalization Agreement (HRA).
- A Heritage Revitalization Agreement (HRA) is a form of long-term heritage protection that will define the terms and conditions of continuing protection for the heritage value and heritage character of the South Westminster School and its environs. The HRA contains a detailed conservation plan that outlines the changes that can be made to elements including the foundation, roof structure, roof cladding, building envelope, wood detailing and trims, interior features, site features and landscaping.

- The South Westminster School is a two-storey building and is approximately 539 square metres (5,800 sq. ft.) in size. This design is typical of schools built in British Columbia from about 1901. South Westminster School is one of the only schools retained in Surrey with this design and has the distinction of being one of the few heritage buildings in the City that has not been significantly altered, added to or moved since its construction.
- The intent is to protect properties on the register as part of development to ensure the long-term conservation of the City's heritage stock. The applicant intends to retain, restore and to adapt and reuse the existing building for an institutional use.
- The proposed HRA includes a compensation requirement in the amount of \$50,000 for the loss in heritage value in the event that the existing structure is demolished in the future, which is in accordance with recent discussions at the Heritage Advisory Commission.
- While the school site will retain its existing PA-1 zoning. A number of variations to this zone are proposed under the Heritage Revitalization Agreement (HRA).
- Under its current PA-1 zoning, an assembly hall use is limited to a maximum of 300 seats. To address staff's concerns about adequate parking, the applicant has agreed to limit any assembly use to one floor of the building, i.e. to 269 square metres, (2,900 sq ft.). In addition, private schools are restricted to an elementary school.
- While the PA-1 Zone limits the number of children in a child care facility to 50, the proposed HRA will permit a maximum of 100 children, for a child care facility or private elementary school, subject to licensing requirements by Fraser Health and compliance with the BC Building Code. The applicant has demonstrated that on-site parking requirements can be met in both instances.
- Due to the HRA, proposing modifications to the uses permitted in the PA-1 Zone, a Public Hearing is required.
- After a Heritage Revitalization Agreement by-law is approved by Council, a notice (not the by-law) is registered on the title of the land in the Land Title Office.
- The Heritage Revitalization Agreement may be amended by Council-approved by-law, with the consent of the owner. Agreements may also be amended or supplemented through Council-approved heritage alteration permits, provided use or density are not varied.

PRE-NOTIFICATION

Pre-notification letters were sent on May 19, 2006 and July 10, 2006, and staff received the following comments:

- Seven responses from property owners within the Pre-notification area expressed their concerns with access off of 104 Avenue to the existing school site as a result of high traffic volume and speed on 104 Avenue combined with the existing steep topography and reduced visibility at this location.

(The applicant will be required to construct an eastbound left turn bay on 104 Avenue at 125 Street, upgrade the intersection, and construct a deceleration lane on 104 Avenue for right-in only access to the existing school site, subject to written confirmation by the applicant's transportation engineer that this access is safe.)

A Restrictive Covenant must be registered on title limiting this access to right-in only. A separate Restrictive Covenant is required for removal of this access if, through monitoring the City deems this access unsafe. Alternatively, access to the school will be provided only via the proposed lane connecting to 125 Street.)

- Three of the above-noted callers also expressed their concerns with the proposed size and height of homes and the impact of view corridors to existing homes on the east side of 125 Street between 104 Avenue and 104B Avenue.

(The proposed zoning of proposed Lots 1-5 is "Single Family Residential (RF)", each with a lot area greater than 560 square metres (6,000 sq. ft.). The floor area ratio (FAR) is not permitted to exceed 0.48 with a maximum allowable floor area of 330 square metres (3,550 sq. ft.).

The proposed zoning of Lot 8 is also RF, however it is less than 560 square metres (6,000 sq. ft.). Therefore, the floor area ratio (FAR) is not permitted to exceed 0.52 with a maximum allowable floor area of 270 square metres (2,900 sq. ft.)

Due to existing topography of the subject site, the height of homes on proposed Lots 1-8 will be considerably lower than the existing homes on the east side of 125 Street.)

- One of the above-noted callers questioned the number of lots being proposed on the west side of 125 Street in comparison to the number of existing homes on the east side of 125 Street between 104 Avenue and 104B Avenue. The caller indicated that although there are five homes across from the subject property, the applicant is proposing to create eight new single family lots.

(Staff informed the caller that the lot widths of the existing homes range from 23 metres (75 ft.) to 25 metres (82 ft.) and the applicant is proposing lots that range in width from 12 metres (39 ft.) to 15 metres (49 ft.).

The proposed lots provide a reasonable transition from the South Westminster School site to the existing lots on the east side of 125 Street. As well, the applicant through the proposed Heritage Revitalization Agreement (HRA), intends to retain, restore and to adapt and reuse the existing building which is listed on the City's Heritage Register, for an institutional use.)

- One of the above-noted callers expressed that they would like to see the retention of the existing concrete staircase located on the school site on proposed Lot 9 as well as the existing basketball area.

(Staff indicated that the Heritage Revitalization Agreement (HRA) includes the following clause "the concrete stairs to the former school annex building shall be retained, to the extent possible".

Since the school site, proposed Lot 9, is not being rezoned, an institutional use will occupy the building in the future. The applicant advises that the basketball play area will remain as a recreation area for the facility.)

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 Subdivision Layout
Appendix IV.	Engineering Summary
Appendix V.	Parks Comments
Appendix VI.	School District Comments
Appendix VII.	Building Design Guidelines Summary
Appendix VIII.	Summary of Tree Survey and Tree Preservation
Appendix IX.	Heritage Revitalization Agreement By-law
Appendix X.	Heritage Advisory Commission Minutes

INFORMATION AVAILABLE ON FILE

- Survey Plan, 3 copies
- Detailed Engineering Comments dated July 4, 2006.
- Tree Preservation and Replacement Plan dated June 5, 2006

How Yin Leung
Acting General Manager
Planning and Development

JJ/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: Andy Aadmi, 388 Construction Ltd.
 Address: 2450 East 51 Avenue
 Vancouver, B.C.
 V5S 1P6
 Tel: 604-644-1774

2. Properties involved in the Application

- (a) Civic Address: 12469 - 104 Avenue
- (b) Civic Address: 12469 - 104 Avenue
 Owner: 388 Construction Ltd., Inc. No. 698558

Director Information:

Amarjit K. Aadmi
Andy Aadmi
(as at June 26, 2004)

Owner: JPSH Enterprises Inc., Inc. No. 712536

Director Information:

Joginder P.S. Hans
Surinder Kaur Hans
(as at December 31, 2004)

PID: 014-665-204
Parcel A (Reference Plan 1319) Except: Part on SRW Plan 32554 Block C
Section 20 Block 5 North Range 2 West New Westminster District

3. Summary

- (a) Introduce a By-law to rezone the property.
- (b) Introduce a By-law to allow for a Heritage Revitalization Agreement for the South
 Westminster School.

SUBDIVISION DATA SHEET

Proposed Zoning for Eastern Portion: RF and RF-12

Requires Project Data	Proposed	
GROSS SITE AREA		
Acres	1.9 acres	
Hectares	0.79 ha	
NUMBER OF LOTS		
Existing	1	
Proposed	1 PA-1, 6 RF and 2 RF-12	
SIZE OF LOTS		
Range of lot widths (metres)	12.0 - 51.9 m	
Range of lot areas (square metres)	449.7 m ² - 0.28 ha	
DENSITY		
Lots/Hectare & Lots/Acre (Gross)	4.7 lots/ac	11.3 lots/ha
Lots/Hectare & Lots/Acre (Net)		
SITE COVERAGE (in % of gross site area)		
Maximum Coverage of Principal & Accessory Building		
Estimated Road, Lane & Driveway Coverage		
Total Site Coverage		
PARKLAND	n/a	
Area (square metres)		
% of Gross Site		
	Required	
PARKLAND		
5% money in lieu	YES	
TREE SURVEY/ASSESSMENT	YES	
MODEL BUILDING SCHEME	YES	
HERITAGE SITE Retention	YES	
BOUNDARY HEALTH Approval	NO	
DEV. VARIANCE PERMIT required		
Road Length/Standards	NO	
Works and Services	NO	
Building Retention	NO	
Others	NO	

CONTOUR MAP FOR SUBJECT SITE

