

City of Surrey
ADDITIONAL PLANNING COMMENTS

File: 7907-0115-00

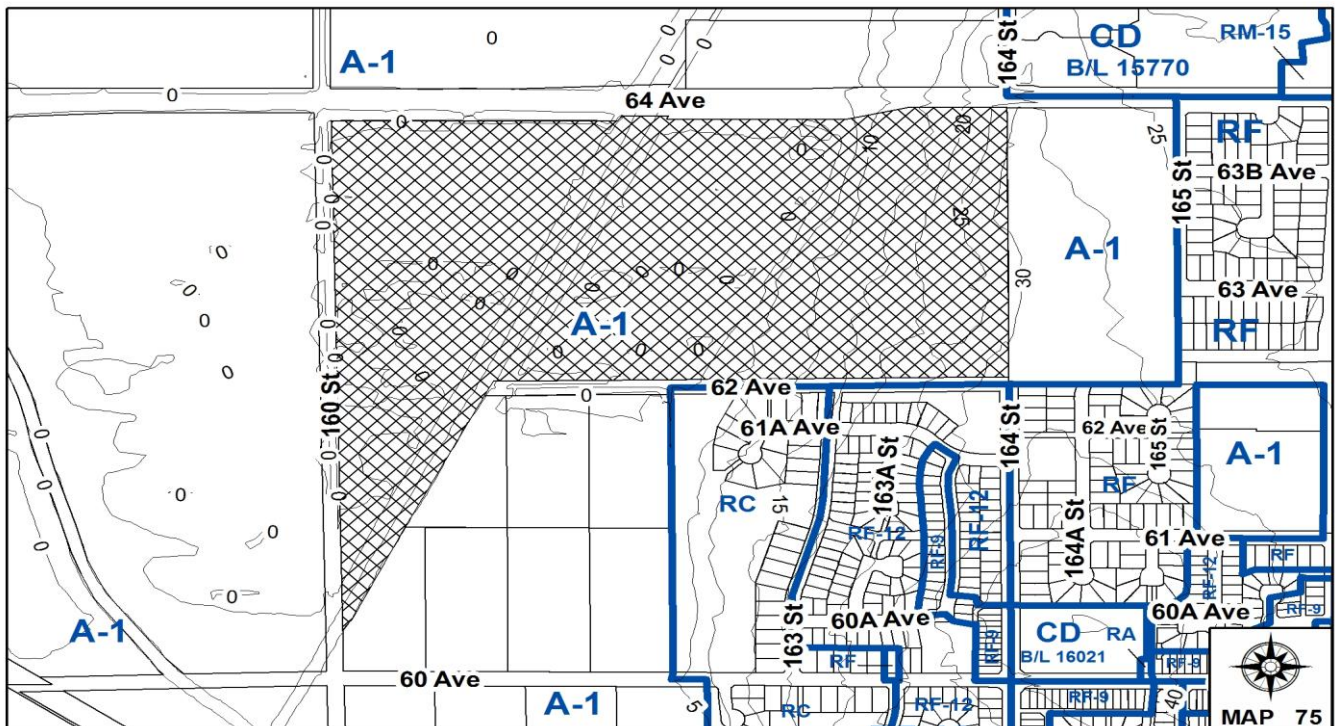
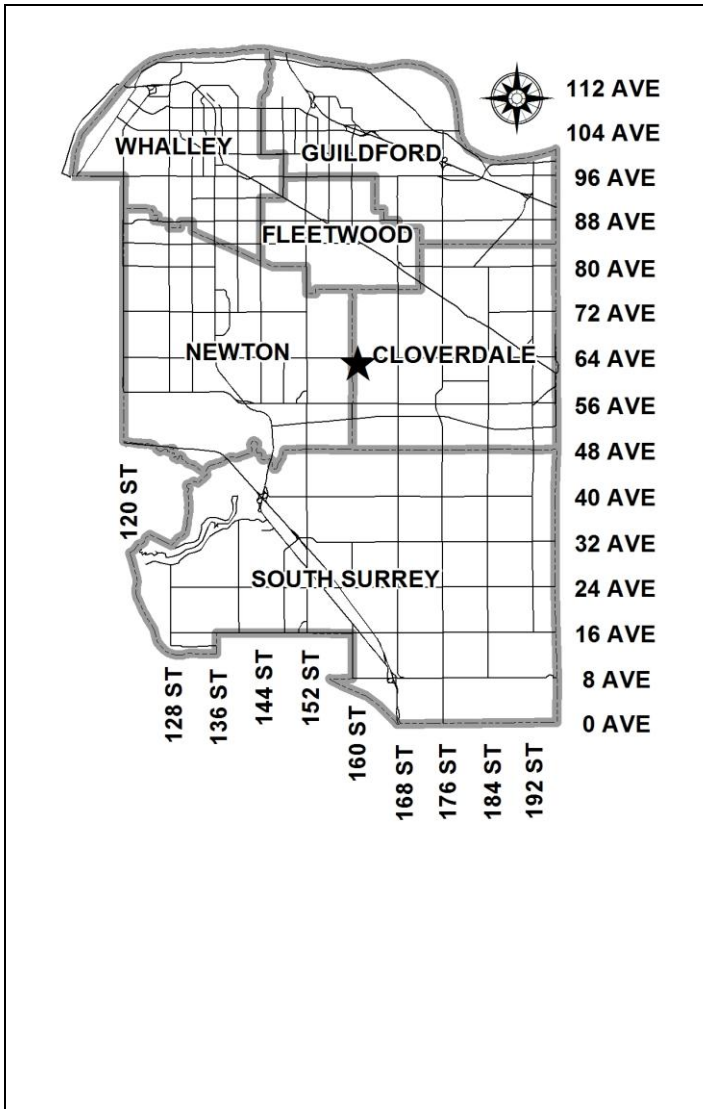
Planning Report Date: January 11, 2010

PROPOSAL:

- **OCP Amendment** of portions from Suburban to Multiple Residential and from Suburban to Agricultural
- **NCP Amendment** of a portion from Suburban Residential Cluster 2 upa to Townhouse/ Apartments 35 upa
- **Rezoning** of a portion from A-1 to CD (based on RM-45)
- **Development Permit**
- **Non-farm use and subdivision within ALR**
- **Heritage Revitalization Agreement**

in order to permit the development of approximately 253 units in 4 apartment buildings with retention and restoration of the existing heritage farm structures.

LOCATION: 16390 – 64 Avenue
OWNER: 452323 B.C. Ltd.
ZONING: A-1
OCP DESIGNATION: Agricultural and Suburban
NCP DESIGNATION: Suburban Residential Cluster 2 upa



RECOMMENDATION SUMMARY

- Rescind Resolution R09-1356 of the July 27, 2009 Regular Council-Land Use meeting.
- Rescind Second Reading, amend by-laws, and consider Second Reading as amended for OCP Amendment By-law No. 16997 and Rezone By-law No. 16698.
- Set a date for Public Hearing for:
 - OCP Amendment; and
 - Rezoning.
- Rescind Third Reading, amend by-law and consider, Third Reading as amended for Heritage Revitalization Agreement By-law No. 16999.
- Approval to draft Development Permit.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Requires an OCP amendment of portions from Suburban to Multiple Residential and from Suburban to Agricultural.
- Requires an NCP amendment of a portion from Suburban Residential Cluster 2 upa to Townhouse/Apartments 35 upa.
- Does not fulfill Policy O-23 regarding density gradient towards the ALR and the 37.5 metres (123 ft.) of buffering on the developable side of the ALR boundary.

RATIONALE OF RECOMMENDATION

- The applicant has offered to transfer to the City, at no cost, approximately 4.768 hectares (11.781 acres) of the subject site, known as the "Bose Heritage Forest".
- The applicant will be restoring and adaptively re-using the Bose Farmhouse, barn and dairy building (the latter two in their current location).
- The ALC has approved the proposed development in principle, subject to the proposed Hook Greenway to be located on non-ALR land at the southern portion of the development site and along the forest.
- At the ALC's request, a 3.0-metre (10 ft.) wide landscape screen and fence will be provided on the development site, to buffer the proposed residential use from any active farming, along with a Restrictive Covenant, which ensures that the landscaping will be maintained by the future strata in perpetuity. The landscape screen situated adjacent the forest will be maintained by the City.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council rescind Resolution R09-1356 of the July 27, 2009 Regular Council-Land Use meeting.
2. Council is requested to rescind Resolution R09-1358 of the July 27, 2009 Regular Council-Land Use meeting passing Second Reading of Surrey Official Community Plan By-law, 1996, No. 12900, No. 245 Amendment By-law, 2009, No. 16997.
3. Council is requested to amend By-law 16997 to reflect the revised OCP Amendment Map (Appendix II).
4. Council is requested to consider Second Reading of By-law 16997, as amended.
5. a date for Public Hearing be set for By-law 16997.
6. Council is requested to rescind Resolution R09-1360 of the July 27, 2009 Regular Council-Land Use meeting passing Second Reading of Surrey Zoning By-law, 1993, No. 12000, Amendment By-law 2009, No. 16998.
7. Council is requested to amend By-law 16998 as shown in the revised By-law (Appendix IX).
8. Council is requested to consider Second Reading of By-law 16998, as amended.
9. a date for Public Hearing be set for By-law 16998;
10. Council is requested to rescind Resolution R09-1363 of the July 27, 2009 Regular Council-Land Use meeting passing Third Reading of City of Surrey Heritage Revitalization Agreement By-law, 2009, No. 16999.
11. Council is requested to amend By-law 16999 as shown in the revised By-law (Appendix X).
12. Council is requested to consider Third Reading of By-law 16999, as amended.
13. Council authorize staff to draft Development Permit No. 7907-0115-00 in accordance with the attached drawings (Appendix IV).
14. 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;
 - (e) resolution of habitat compensation to deal with stream protection setback relaxation to the satisfaction of the Department of Fisheries and Oceans (DFO);
 - (f) resolution of all parks and public walkway issues to the satisfaction of the Parks, Recreation & Culture Department;
 - (g) resolution of the alignment of the Hook Greenway (adjacent the ALR boundary) to the satisfaction of Parks, Recreation and Culture Department, Engineering Department and the Agricultural Land Commission (ALC);
 - (h) resolution of all urban design issues to the satisfaction of the Planning and Development Department;
 - (i) resolution of all heritage issues, including heritage proposal and interpretative signage, to the satisfaction of the General Manager, Planning and Development;
 - (j) registration of a Section 219 Restrictive Covenant on the title of proposed Lot 1 which acknowledges that the development is located in close proximity to an active agricultural area and that there is potential for noise, smell, dust and/or other nuisances arising from agricultural activities in the area;
 - (k) registration of a Restrictive Covenant in favour of the ALC ensuring that the fence and 3.0 metre wide landscape screen adjacent the ALR boundary on the development site will be maintained in good condition in perpetuity;
 - (l) registration of statutory rights-of-way for public access for the three (3) public walkways on the site; and
 - (m) conveyance of the Bose Heritage Forest to the City.
15. Council pass a resolution to amend the West Cloverdale North NCP to redesignate Block A of the subject site from "Suburban Residential Cluster 2 upa" to "Townhouse/Apartments 35 upa" should the project be considered for final approval (Appendix V).

REFERRALS

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

School District: **Projected number of students from this development:**

13 Elementary students at A.J. McLellan Elementary School
8 Secondary students at Lord Tweedsmuir Secondary School

(Appendix VII)

Parks, Recreation &
Culture:

The Parks Department finds the development proposal to be acceptable, subject to the applicant providing NCP amenity contributions for park development and finalizing the details of the Hook Greenway on non-ALR land at the southern portion of the development site, to the satisfaction of the Parks Department, in conjunction with the Engineering Department and the ALC.

Heritage Advisory
Committee (HAC):

The original Heritage Revitalization Agreement proceeded to the July 23, 2009 HAC meeting. At this meeting, the HAC passed a recommendation that Council approve the Heritage Revitalization Agreement (HRA) for the Bose Farm, barn, dairy and farmhouse provided that any outstanding revisions are acceptable to the General Manager, Planning & Development, and that a temporary coroplast "heritage proposal" sign be placed at the site as soon as possible and a permanent interpretative heritage sign at completion of the renovation project.

At the most recent HAC meeting on December 16, 2009, the applicant's heritage consultant presented a request that the HAC consider a change to the restoration process of the barn. Previously an insitu restoration process was proposed. Now after a structural engineering assessment, it was determined that the trusses and arches of the barn would have to be disassembled and reassembled on ground. The HAC supported this request, subject to a sign being placed on site to advise of this process and that the work proceed as quickly as possible.

Agricultural Advisory
Committee (AAC):

A proposal to exclude approximately 1.6 hectares (4.1 acres) from the ALR was considered at the July 9, 2009 AAC meeting. The AAC recommended that the exclusion be denied due to the loss of agricultural land, it is contrary to the Residential Buffering Adjacent to the ALR/Agricultural Boundary (Policy O-23) and there is a lack of a treed vegetation buffer. The application has since been modified to not propose any exclusions, but instead proposes non-farm use and subdivision within the ALR.

Environment Review
Committee (ERC):

The application proceeded to the ERC on May 20, 2009 and was granted a relaxation from a 30-metre (100 ft.) to a 20-metre (66 ft.) stream protection setback for the existing Class B watercourse located immediately north of the forest, on the condition that habitat compensation be provided elsewhere on site.

**Agricultural Land
Commission (ALC):**

The proposal for a non-farm use and subdivision within the ALR was considered at the November 2, 2009 meeting of the ALC. The ALC is supportive of allowing the proposed development to proceed subject to the proposed public walkway (Hook Greenway) being relocated outside of the ALR at the southern portion of the development site, that a minimum 3.0 metre (10 ft.) wide landscaped screen with a fence be installed along the west side of the proposed Hook Greenway, that a Restrictive Covenant be registered in favour of the ALC ensuring that the fence and landscaped screen will be maintained in good condition in perpetuity and that the subdivision must be completed within 3 years from the date of the ALC's decision (November 2, 2009).

SITE CHARACTERISTICS

Existing Land Use: Existing unoccupied farm buildings which are part of the historic Bose Farm and significant forest area. The barn, dairy building and farmhouse are on the City's Heritage Registry.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North (Across 64 Avenue):	Existing single family house on a large multi-acreage property.	Agricultural in the OCP	A-1
East:	Agriculture	OCP: Suburban and Urban NCP: Suburban Residential Cluster 2 upa and Urban Residential	A-1 and RF
South (across 62 Avenue):	Single family residential lots approved under Application No. 7906-0228-00 and forested land.	OCP: Agricultural, Suburban and Urban NCP: Public Open Space and Park, Single Family Residential Cluster 7.5 upa and Suburban Residential	RF-12 and RF-9
West (across 160 Street):	Agricultural land within the ALR	OCP: Agriculture	A-1

DEVELOPMENT CONSIDERATIONS**Background**

- The subject property is located at 16390-64 Avenue and encompasses a total site area of approximately 33.2 hectares (82 acres). The majority of the subject property 25.5 hectares (62.9 acres) is within the Agricultural Land Reserve (ALR) except for the eastern 7.79 hectares (19.2 acres) which is designated Suburban Residential Cluster 2 upa in the West Cloverdale North Neighbourhood Concept Plan (NCP).

- The applicant is seeking an OCP amendment for portions of the development site, as follows (Appendix II):
 - Block A – from Suburban to Multiple Residential;
 - Block B – from Suburban to Agricultural.
- Through City staff's preparation of mapping of this subject site, it was discovered that there is a discrepancy in the City's mapping and therefore an additional redesignation of an area to the west of Block B is also being requested, from Suburban to Agricultural, as this area already is located within the ALR.
- The applicant is proposing an NCP amendment on a portion of the subject site (Blocks A and B) from Suburban Residential Cluster 2 upa to Townhouse/Apartments 35 upa, which is a new designation for the West Cloverdale North Neighbourhood Concept Plan (NCP) (Appendix V).
- The applicant is proposing to subdivide the subject property into three (3) lots, with one lot to remain within the Agricultural Land Reserve (ALR), one lot (Lot 1) to be developed as a multiple residential development and one lot (Lot 2) to be dedicated to the City for the retention of the Bose Forest (Appendix IV).
- At the July 27, 2009 Regular Council – Land Use meeting, Council considered a Planning Report on this application and granted First and Second Readings to the OCP Amendment By-law (No. 16997) and Rezoning By-law (No. 16998) and approved staff's recommendation that the proposed non-farm use and subdivision within the ALR be referred to the ALC for their consideration (Appendix VIII).
- The ALC has now considered this application as documented in the following section of this report.

Agricultural Land Commission Decision

- The applicant's proposal for a non-farm use and subdivision within the ALR was considered at the November 2, 2009 ALC meeting with the ALC supporting the development and non-farm use of the heritage buildings, subject to the following conditions:
 - The proposed west lot line of the proposed apartment site (Block A) be moved further up the escarpment as shown in Appendix IV.
 - The proposed Hook Greenway at the west of the proposed apartments is to be relocated at the southern portion of the development site (Blocks A and B) onto non-ALR land, with the proposed Hook Greenway to continue along the ALR boundary adjacent the forest.
 - A 3.0-metre (10 ft.) wide landscape screen with fencing has been requested by the ALC to be situated between the Hook Greenway (at the west) and the multiple residential development (at the east), with the landscape buffer to continue along the west side of the Hook Greenway adjacent the forest.

- In addition, the ALC has requested that a Restrictive Covenant be registered in favour of the ALC to ensure that the landscape buffer and fence will be maintained in perpetuity by the Strata of the proposed multiple residential development and the City for the portion of the Hook Greenway proposed to be located adjacent the forest.
- The ALC's conditions of approval require some changes to the site plan, landscape plan and subdivision layout.

Changes to the Site Plan and Subdivision Layout

- Due to the ALC's decision to not support the subdivision down slope at the end of the escarpment, as previously proposed, the site plan and proposed subdivision layout have had to change to reflect slightly smaller area calculations for both the development site consisting of the proposed multiple residential development (Block A) and the area encompassing the Bose Farm buildings (Block B) (Appendix IV).
- The development site (multiple residential development and heritage buildings) has decreased in size from 3.905 hectares (9.649 acres) to 3.372 hectares (8.332 acres).
- The lot which includes the Bose Forest to be conveyed to the City of Surrey has been reduced from 5.6 hectares (13.8 acres) to 4.768 hectares (11,781 acres), as the subdivision will occur along the existing ALR boundary.
- As a result of these area changes, the Second Readings granted to the OCP Amendment By-law (No. 16997) and the By-law (No. 16998) need to be rescinded and amended by-laws need to be introduced in order to ensure consistency with the ALC's decision.

Changes to the CD By-law (Appendix IX)

- As per the previous CD By-law (No. 16998) introduced on July 27, 2009, the density will be calculated on the area of Block A only, as Block B includes an area within the ALR and is considered to be non-developable land.
- The maximum floor area ratio (FAR) permitted will remain at a maximum of 0.80, with the maximum number of dwelling units at 253.
- The lot coverage will be calculated on the basis of Block A only and will be as previous, at 30%.
- The building setbacks will be calculated on the development area including Blocks A and B.
- However, the following changes will be required of the proposed new CD By-law:
 - The minimum west side building setback is decreased from 30.0 metres (98 ft.) to 17.0 metres (56 ft.), as per the change to the proposed west lot line.
 - The lot size and lot width under the Subdivision section is changed to reflect the revised size of the development of 3.042 hectares (7.517 acres) and the lot width of 155 metres (509 ft.).
- These proposed changes are required to ensure consistency with the ALC's ruling of the proposed development.

- In addition to the uses in the previously proposed CD By-law (No. 16998), the permitted uses will be separated as per Block A and B. Block A will permit multiple unit residential buildings or ground-oriented multiple unit residential buildings and child care centres. Block B will permit amenity space and open space only.

Changes to the Conservation Plan (Appendix X)

- As a part of the original Planning Report which proceeded to Council on July 27, 2009, the Heritage Revitalization Agreement By-law No. 16999 received First and Second Readings. The Heritage Revitalization Agreement included a process as to how the Bose farm buildings will be restored and maintained.
- After an October 2009 site investigation of the barn, a revision to the construction process is being proposed as an amendment to the Conservation Plan. The application proceeded to the Heritage Advisory Commission (HAC) on December 16, 2009, to provide the HAC with an update on the status of the assessment as well as to advise the HAC that the process of restoring the barn would need to be modified. Instead of the restoration taking place insitu, the trusses and arches of the barn will have to be disassembled and reassembled on ground within the site.
- Given the existing frame, cladding and roof board material condition, the Dairy and Calving Barns will be carefully deconstructed to allow the maximum salvage of all usable lumber and to allow the arch trusses to be removed to an on-site shelter for rehabilitation and re-erection on new foundations. The Potato and Machinery Barn will be shored in place for insitu repair and structural upgrading of the existing framing, the intent being the retention and expression of as much of the original framing as possible.
- This will give the impression that the applicant is demolishing the structure, but in reality, this process is required to be able to adequately secure the structure, before reassembling the structure back into place.
- Therefore Third Reading for the Heritage Revitalization Agreement By-law No. 16999 will need to be rescinded, the by-law amended by attaching the new conservation plan with the amendments to the construction process and the HRA By-law, as amended, will be in order for consideration of Third Reading.

PUBLIC CONSULTATION PROCESS FOR OCP AMENDMENT

Pursuant to Section 879 of the Local Government Act, it was determined that it was not necessary to consult with any persons, organizations or authorities with respect to the proposed OCP amendment, other than those contacted as part of the pre-notification process.

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.	OCP Redesignation Map
Appendix III.	Rezoning Block Plan
Appendix IV.	Proposed Subdivision Layout, Site Plan, Building Elevations, Landscape Plans and Perspective
Appendix V.	NCP Plan
Appendix VI.	Engineering Summary
Appendix VII.	School District Comments
Appendix VIII.	Initial Planning Report dated July 27, 2009
Appendix IX.	Proposed CD By-law
Appendix X.	Revised Heritage Revitalization Agreement By-law

INFORMATION AVAILABLE ON FILE

- Traffic Assessments prepared by Ward Consulting Group dated February 23, 2009 and May 20, 2009.
- Complete Set of Architectural and Landscape Plans prepared by Focus Architecture Inc. and Sharp and Diamond Landscape Architect Inc., respectively, latest dated January 5, 2010.
- Conservation Plan prepared by McGinn Engineering and Preservation Ltd., dated July 23, 2009 and January 2010.

Jean Lamontagne
General Manager
Planning and Development

PL/kms

v:\wp-docs\planning\plncom09\12231447pl.doc
. 12/23/09 3:59 PM

Information for City Clerk

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

1. (a) Agent: Name: Focus Architecture Inc.
 Address: #109, 1528 McCallum Road
 Abbotsford, BC
 V2S 8A3
 Tel: 1-604-853-5222

2. Properties involved in the Application
 - (a) Civic Address: 16390 – 64 Avenue

 - (b) Civic Address: 16390 – 64 Avenue
 Owner: 452323 B.C. Ltd.
 Director Information:
 Henry Rempel
 John Rempel

 Officer Information: (as at August 6, 2008)
 Henry Rempel (Secretary)

 - PID: 007-907-541
North West Quarter Section 12 Township 2 New Westminster District Except
Portions in Plans 1435 and LMP36235 and Parcel 2 (Bylaw Plan 68893)

3. Summary of Actions for City Clerk's Office
 - (a) That a date be set for a Public Hearing to amend the Official Community Plan to
 redesignate portions of the property.

 - (b) That a date be set for a Public Hearing to rezone Blocks A and B from A-1 to CD.

 - (c) Introduce a Heritage Revitalization Agreement By-law.

SUBDIVISION DATA SHEET

Proposed Zoning: CD (based on RM-45)

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	
Hectares	
NUMBER OF LOTS	
Existing	1
Proposed	2 (+ forest lot) = 3
SIZE OF LOTS	
Range of lot widths (metres)	
Range of lot areas (square metres)	3.335 ha to 25.148 ha
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	
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	
Area (square metres)	4.768 ha (11.781 acres)
% of Gross Site	
	Required
PARKLAND	
5% money in lieu	NO
TREE SURVEY/ASSESSMENT	YES
MODEL BUILDING SCHEME	NO
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

DEVELOPMENT DATA SHEET

Proposed Zoning: CD (based on RM-45)

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		
Road Widening area		
Undevelopable area		
Net Total		33,720 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	45%	28.2%
Paved & Hard Surfaced Areas		26.1%
Total Site Coverage		54.3%
SETBACKS (in metres)		
Front (64 Avenue)	7.5 m	16.57 m
Rear (South)	7.5 m	8.01 m
Side #1 (West)	7.5 m	14.49 m
Side #2 (East)	7.5 m	17.39 m
BUILDING HEIGHT (in metres/storeys)		
Principal	15 m/4 storeys	16.68 m/4 storeys
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		-
One Bed		79
Two Bedroom		132
Three Bedroom +		42
Total		253
FLOOR AREA: Residential	49,501 sq.m.	23,563 sq.m.
FLOOR AREA: Commercial		n/a
Retail		
Office		
Total		
FLOOR AREA: Industrial		n/a
FLOOR AREA: Institutional		n/a
TOTAL BUILDING FLOOR AREA	49,501 sq.m.	23,563.sq.m.

** 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)		83 uph/33.7 upa
FAR (gross)		
FAR (net)		0.77
AMENITY SPACE (area in square metres)		
Indoor	759 sq.m.	890 sq.m.
Outdoor	759 sq.m.	2,109 sq.m.
PARKING (number of stalls)		
Commercial		n/a
Industrial		n/a
Residential Bachelor + 1 Bedroom	102	120
2-Bed	261	280
3-Bed		
Residential Visitors	51	58
Institutional		n/a
Total Number of Parking Spaces	415	458
Number of disabled stalls	5	15
Number of small cars		13
Tandem Parking Spaces: Number / % of Total Number of Units		n/a
Size of Tandem Parking Spaces width/length		n/a

Heritage Site	YES	Tree Survey/Assessment Provided	YES
---------------	-----	---------------------------------	-----

MULTIPLE BUILDINGS DATA SHEET

Proposed Zoning: CD (based on RM-45)

Required Development Data	Building #1	Building #2	Building #3	Building #4	Building #5
SETBACK (in metres)					
Front					
Rear					
Side #1 (N,S,E, or W)					
Side #2 (N,S,E, or W)					
Side #3 (N,S,E, or W)					
Building Height (in metres/storeys)					
NUMBER OF RESIDENTIAL UNITS/ SIZE RANGE					
Bachelor	n/a	n/a	n/a	n/a	n/a
One Bedroom	39	16	8	16	
Two Bedroom	27	21	46	36	2
Two Bedroom + Den	12	6	6	18	
TOTAL FLOOR AREA					