

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7907-0123-00

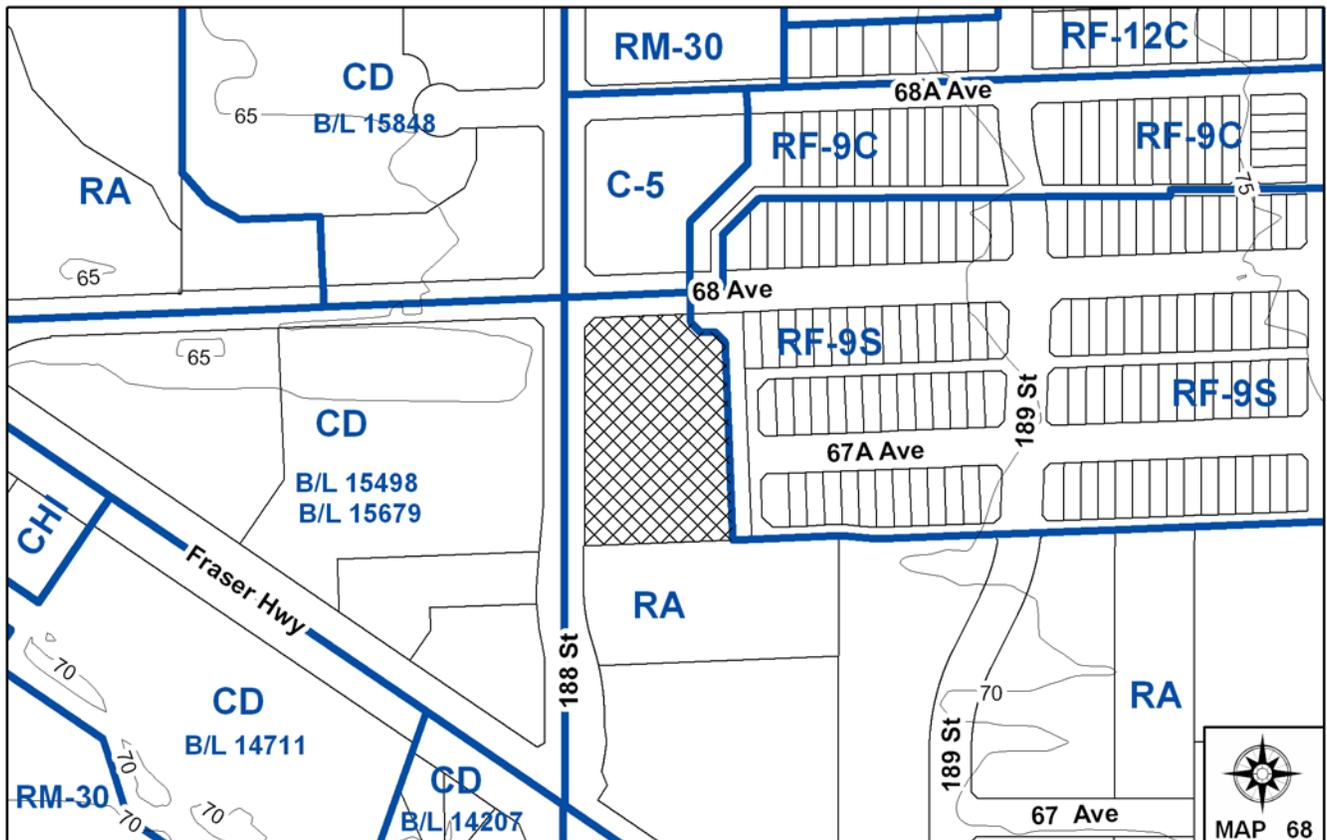
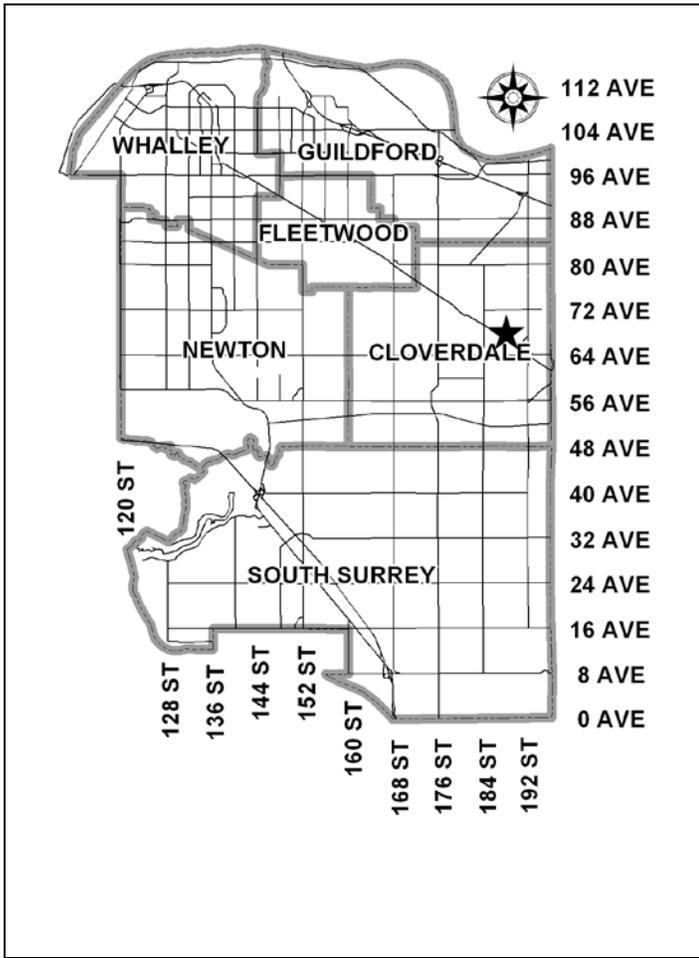
Planning Report Date: December 17, 2007

PROPOSAL:

- **OCP Amendment** from Urban to Multiple Residential
- **NCP Amendment** from Neighbourhood Commercial to Commercial/Residential
- **Rezoning** from RA to CD
- **Development Permit**

in order to permit the development of two, 3- and 4-storey buildings accommodating approximately 153 dwelling units and 1,261 square metres (13,574 sq.ft.) of commercial space in East Clayton.

LOCATION: 6758 - 188 Street
OWNERS: Progressive Construction Ltd. and Benchmark Management Ltd.
ZONING: RA
OCP DESIGNATION: Urban
NCP DESIGNATION: Neighbourhood Commercial



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for:
 - OCP Amendment; and
 - Rezoning
- Approval to reduce indoor amenity space.
- Approval to draft Development Permit.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The proposal does not conform to the following:
 - OCP designation; and
 - NCP designation

and therefore, requires corresponding amendments.

- Indoor amenity space is reduced.

RATIONALE OF RECOMMENDATION

- The immediate neighbourhood is already adequately served by two large shopping centres located north and south of Fraser Highway.
- The proposed mixed-use (high density residential and limited commercial) is appropriate at this location as it assists in creating urban character in the neighbourhood.
- High density residential development supports the existing commercial uses located adjacent to the site.
- Council approval on the proposed use would reinforce the need to retain the current commercial designation at the corner of 72 Avenue and 188 Street.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to amend the OCP by redesignating the subject site from Urban to Multiple Residential and a date for Public Hearing be set (Appendix II).
2. Council determine the opportunities for consultation with persons, organizations and authorities that are considered to be affected by the proposed amendment to the Official Community Plan, as described in the Report, to be appropriate to meet the requirement of Section 879 of the Local Government Act.
3. a By-law be introduced to rezone the subject site from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing (Appendix III).
4. Council approve the applicant's request to reduce the amount of required indoor amenity space from 459 square metres (4,940 sq.ft.) to 194 square metres (2,090 sq.ft.).
5. Council authorize staff to draft Development Permit No. 7907-0123-00 generally in accordance with the attached drawings (Appendix IV).
6. 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 landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (c) registration of a right-of-way for public rights of passage within the setback areas along the street edges;
 - (d) resolution of all urban design issues to the satisfaction of the Planning and Development Department;
 - (e) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department; and
 - (f) the applicant adequately address the impact of reduced amenity space.
7. Council pass a resolution to amend the East Clayton NCP to redesignate the land from Commercial to Commercial/Residential 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 outlined in Appendix V.

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

8 Elementary students at Clayton East/Clayton Elementary School
5 Secondary students at Clayton Heights Secondary School

(Appendix VI)

SITE CHARACTERISTICS

Existing Land Use: The site is being used for acreage residential purposes.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North (Across 68 Avenue):	Newly approved commercial site (File No. 7906-0256-00).	Neighbourhood/Commercial in NCP	C-5
West (Across 188 Street):	Shopping centre.	Commercial in the OCP	CD (By-law No. 15498 amended by By-law No. 15679)
South:	Vacant acreage parcels.	Neighbourhood/Commercial in NCP	RA
East:	Newly dedicated greenway and newly created single family lots (No. 7905-0137-00)	10 - 15 upa Special Residential in NCP	RF-9S

JUSTIFICATION FOR PLAN AMENDMENTBackground

- The subject site forms part of the original development application (File No. 7905-0137-00) (Appendix VII), involving the following:
 - An NCP amendment for a portion from Business Park to Special Residential;
 - A rezoning of portions from RA to RF-9S; and
 - A subdivision to create the following:
 - 52 RF-9S lots;
 - 4 remainder RA lots; and
 - a 1,370 sq. m. (14,746 sq. ft.) park as per East Clayton NCP.

- Three of the 4 remainder RA lots are designated Business Park in the NCP. Lot 53, the subject site, is designated Neighbourhood Commercial.
- Council, on June 25, 2007 gave Final Adoption to the associated Rezoning By-law No. 16183. Land clearing on the single family portion of the original site is currently in progress in preparation for the installation of services and house construction.
- The existing house on Lot 53, the subject site, still remains on the subject site at the request of the original owners. The house and its location are permitted under the RA Zone.

Proposed OCP Amendment

- The 8,830-sq. m. (2.18-acre) site (Lot 53) is located at the south-east corner of 68 Avenue and 188 Street in East Clayton. It is designated Urban in the OCP.
- The applicant is requesting an amendment of the OCP from Urban to Multiple Residential (RM) to allow a mixed used development consisting of residential and commercial uses, with a maximum floor area ratio (FAR) of 1.5.
- The proposed commercial component (generally based on uses permitted under the C-5 Zone) is allowed under the RM designation in the OCP.
- The Multiple Residential designation is evident on sites north-west of 68 Avenue and 188 Street and north-east of 68A Avenue and 188 Street. These RM-designated sites are within the vicinity of the subject site.
- Given the Commercial designation of the adjacent commercial site west of the subject site, the proposed mixed use development is considered appropriate in this neighbourhood. It will reinforce the objective, as defined in the East Clayton NCP, of creating an urban environment in this area.
- Therefore, staff support the proposed OCP amendment.

Proposed NCP Amendment

- The subject site is designated Neighbourhood Commercial in the East Clayton NCP. The proposed NCP amendment involves redesignating the subject site from Neighbourhood Commercial to Commercial/Residential (Appendix VIII).
- The applicant is concerned that the existing Neighbourhood Commercial designation in the NCP has become redundant in light of the existing shopping centres (north and south and Fraser Highway/west of 188 Street), one of which is located immediately west of the subject site outside of the NCP area. Both of these shopping centres were approved after the approval of the East Clayton NCP, which was approved on March 10, 2003.

- These large shopping centres, along with the Neighbourhood Commercial designation directly south of the subject site (Appendix IX), are considered adequate to serve the commercial needs of the East Clayton neighbourhood. This will be further enhanced with the future development of the Village Centre at the corner of 188 Street and 72 Avenue as indicated in the East Clayton NCP and the East Clayton Neighbourhood Concept Plan Extension – North of 72 Avenue (Appendix X).
- The proposed new designation to Commercial/Residential on the subject site would limit the amount of commercial space on the subject site, with the majority of the subject site being considered for higher density residential development.
- The proposed amendment, while limiting the scope of commercial uses, does not totally eliminate the commercial component and therefore, staff support the proposed NCP amendment.

DEVELOPMENT CONSIDERATIONS

Proposed Rezoning

Proposed Residential Component

- In response to staff's strong recommendation to incorporate some commercial uses, the applicant is proposing a CD Zone (Appendix III) that incorporates both residential and commercial uses.
- The applicant is proposing to rezone the subject site from RA to CD in order to allow the construction of two 3- and 4-storey buildings accommodating approximately 153 dwelling units and 1,260 sq. m. (13,562 sq, ft,) of commercial floor space.
- Two types of multiple residential units are indicated: ground-oriented (16 townhouse units) and non-ground oriented (137 apartment units).
- The subject site is less than a hectare in size. The RM-45 Zone prescribes density (unit density and floor area ratio) calculation based on a sliding scale where the development site is less than a hectare in size.
- In order to accommodate the combined residential and commercial uses in a well-designed development site, staff agreed to forego the sliding scale calculation, subject to overall FAR being limited to 1.5. The following table presents a profile of the proposed CD Zone, in comparison with the RM-45 Zone:

	Proposed CD Zone	RM-45 Zone (based on a Sliding Scale)
Net Site Area	8,830m ² (2.18 acres)	
Permitted Uses	Multiple unit residential, ground-oriented multiple unit residential and limited commercial uses	Strictly Multiple unit residential
No. of Units	Maximum of 153	90
Floor Area Ratio	1.5, includes commercial floor space	1.2, strictly residential
Unit Per Acre	70 units per acre	43 units per acre
Lot Coverage	55%	45%
Building Height (Principal Building)	12 m. (40 ft.) and 17 m. (56 ft.)	15m
Building Setbacks	Vary from 3.0 m. (10 ft.) to 7.5 m. (25 ft.)	7.5 m. (25 ft.) from all lot lines

- The proposal is indicating density (units per acre) and floor area ratio in excess of what are permitted in the RM-45 Zone. However, all the proposed units are comparatively smaller than what has been traditionally built in apartment complexes in the City, especially in new urban centres.
- For instance, approximately 40% of the proposed dwelling units are one-bedroom units with some units having a floor area of approximately 50 sq. m. (538 sq. ft.) ranging up to 87 sq.m. (940 sq.ft.) The maximum floor area for the proposed 2-bedroom units is approximately 87 sq. m. (940 sq. ft.), which compares well with the approved apartment building located northwest of 68 Avenue and 188 Street (File No. 7904-0317-00).
- The emerging trend of building smaller dwelling units recognizes the need to create affordable units, which can be achieved by allowing higher densities.
- The proposal is indicating reduced building setbacks, which vary from 3 metres (10 ft.) from the property line along 188 Street and 4.5 metres (15 ft.) along 68 Avenue. The proposed reduced setbacks are considered appropriate in light of the desire to create a more urban streetscape.
- The proposed reduced setback of 4.5 metres (15 ft.) along the east property line adjacent to the newly acquired park allows "eyes on the park", reinforcing safety in public places.
- Wider setbacks along the south property line (7.5 and 10 metres or 25 and 30 ft.) are indicated to accommodate a planned 4-metre (16 ft.) wide pedestrian walkway connecting 188 Street and the recently acquired open space directly east of the subject site.
- The proposed 153-unit development requires 459 sq. m. (4,940 sq. ft.) of indoor amenity space based on the standard 3.0 sq. m. (32 sq. ft.) per dwelling unit requirement. However, the proposal is indicating a reduced area (194 sq. m. or 2,088 sq. ft.) of indoor amenity space, representing approximately 65 units. The applicant has confirmed in writing that the shortfall covering the remaining 88 units will be addressed by providing cash-in-lieu contributions in the amount of \$1,050 per unit in accordance with Council policy. Resolution of this issue is a subject condition of rezoning.

Proposed Commercial Component

- The proposed commercial component will allow uses that are based on C-5 Zone, but excluding the neighbourhood pub, which the adjacent shopping centre currently accommodates at the north west corner of Fraser Highway and 188 Street. Such uses include personal service uses, retail, eating establishments (except drive-through restaurants), and offices, supporting the commercial needs of the residents and the very immediate neighbourhood to the east.
- The proposal is indicating a commercial floor area of approximately 1,260 sq. m. (13,562 sq. ft.). The proposed commercial spaces will be leased to potential tenants, who may or may not reside in the same complex.
- While the C-5 Zone (which is the basis for the proposed CD Zone) requires the floor area of a business unit not to exceed 370 sq. m. (4,000 sq. ft.), the proposed CD Zone does not put a cap on the floor area as the applicant has no specific business tenant lined up at this time. As such, the proposed floor plan indicates three large commercial retail units (CRUs), which may or may not be further broken down into smaller CRUs once occupancy leases are firmed up with potential business tenants.

PRE-NOTIFICATION AND PUBLIC INFORMATION MEETING

Staff sent pre-notification letters to the neighbourhood on August 23, 2007. Staff received a telephone call from a property owner from the vicinity of the site who raised the following concerns:

- Additional traffic

(Traffic originating from the proposed development is not expected to spill onto the existing local roads but most likely would be concentrated within the immediate vicinity of the shopping centre and its environs, i.e., around the corner of 68 Avenue and 188 Street, as well as Fraser Highway. By their classification, these arterial roads are capable of handling significant traffic volume. As well, the proposed round-about at the 68 Avenue and 188 Street intersection is expected to reduce traffic generated by non-residents of East Clayton.)

- Lack of parking spaces in the neighbourhood resulting from proliferation of secondary suites

(The proposed development will provide a total of 302 off-street parking spaces which is 15 spaces more than that required by the Zoning By-law. As well, on-street parking on selected streets is permitted and once the planned roads in the neighbourhood are built (which will happen when development occurs), more on-street parking spaces will be available for use by the residents and visitors alike.)

- Proposed building is too tall

(Buildings facing east indicate 3-storey building elevations. The full 4-storey elements are evident along 68 Avenue (fronting a newly approved commercial project and the park); 188 Street (fronting the existing commercial site); and the south property line (designated Neighbourhood Commercial in the NCP). Therefore, any visual impact on the residential neighbourhood to the east should be minimal.)

In light of the proposed OCP and NCP amendments, as well as the issues raised by the neighbour as noted above, the applicant conducted a Public Information Meeting on October 16, 2007, with 4 attendees. Three attendees completed the questionnaires, all indicating positive responses to the proposed mixed-use development. One attendee indicated agreement to the proposed high density creating small units, while another attendee noted the need for more brick and stone on the façades so as to improve the appearance of the proposed buildings.

DESIGN PROPOSAL AND REVIEW

Architectural Design

- The proposed development consists of "U" shaped buildings that enclose a parkade at the ground level and a large landscaped courtyard at the second level.
- The proposed mixed-use development consists of 2 buildings, where the residential component will be accommodated as follows:

Location of Units	Building A (fronting 188 Street) No. of Units/Floor	Building B (fronting 68 Avenue) No. of Units/Floor
Ground Floor	9	7
Second Floor	24	28
Third Floor	24	28
Fourth Floor	16	17
Total # of Units	73	80

- The proposed parkade at the ground level is enclosed by the proposed residential units and the proposed commercial spaces, effectively concealing the parking lot from the public view.
- Craftsman design characterizes the buildings' architecture, which is defined by gables and symmetrical windows. Three-storey elements create distinct entrances at 68 Avenue and 188 Street, providing a visual connection to the streets. Balconies are proposed to further articulate the building façades. Unit sizes range from 50 sq.m. (538 sq.ft.) to 87 sq.m. (940 sq.ft.).
- Proposed building materials include hardiplank for cladding using a mix of colours such as beige, muted brown and subdued blue; and "weathered wood" asphalt shingles for roofing. Brick, cultured stone and stained wood will be used as accent materials.
- The proposed commercial component will have glazing material for cladding.
- In response to staff concerns pertaining to interfacing with the newly approved single family subdivision east of the subject site, both buildings will be stepped down along the east portions such that a 3-storey elevation will be maintained when viewed from the east.

Proposed Circulation and Parking

- Parking will be provided both underground and in an above-ground parkade. One level of underground parking and one level of above-ground parking will be provided.
- Vehicular access to the parkade will be from 68 Avenue. Driveway access is not indicated off 188 Street.
- There is no direct access to the underground parking off 68 Avenue. Instead, vehicles heading towards the underground parking will drive within the covered parkade area where directional signs to a ramp will be installed to guide future residents.
- Drop-off areas will be on-site, i.e., at the proposed parkade.
- The proposed 1,260-sq. m. (13,562 sq. ft.) commercial component is located within the ground floor areas of Buildings A and B and fronting 188 Street and 68 Avenue. Each proposed retail unit will have individual access off 188 Street and 68 Avenue. Where access is available from the parkade, paths leading to the commercial spaces are well defined to separate residential and commercial traffic.
- The proposed development shows an excess in the number of required parking spaces as shown below:

Parking Requirements as per Zoning By-law	Required Parking Spaces	Proposed Parking Spaces
1.3 spaces/one bedroom (60 units)	78	78
1.5 spaces/2 bedrooms or more (93 units)	140	155
0.2 space/unit for visitors (153 units)	31	31
Parking Spaces for Persons with Disabilities Out of Total Spaces	(3)	(3)
Commercial Uses at 3 spaces/100 sq. m.	38	38
Total Parking Spaces	287	302

- Ninety-four (94) parking spaces for residents of the 16 units located at the ground floor as well as for visitors and customers/tenants of the commercial spaces will be provided in the above-grade parkade. A locked gate will control access to resident parking spaces that are located in the above-grade parkade. Visitor and tenant/customer parking spaces located above grade in the parkade will be properly marked.
- The underground parkade will accommodate 208 spaces, all of which are for the use of the future residents.

- The proposed development will facilitate the construction of a 3-metre (10-ft) wide pedestrian pathway that will be accommodated within the required 4-metre (16 ft.) wide right-of-way along the south property line in keeping with the NCP requirements. The proposed pedestrian pathway will connect 188 Street and the recently acquired park directly east of the subject site. The construction requirements and specifications will be coordinated with Parks, Recreation and Culture Department staff.
- To ensure compliance, the following are required to be addressed in the Servicing Agreement as per the Engineering Department:
 - registration of a statutory right-of-way over the 4-metre (16-ft) wide right-of-way to secure public rights of passage without vehicles and strata maintenance of the right-of-way area; and
 - provision of security deposits based on approved cost estimates for the construction of the required pedestrian pathway, including fencing.
- In light of the need to secure the driveway off 188 Street for the benefit of the adjacent parcel to the south, which has been designed and installed to align with the existing driveway serving the shopping centre west of 188 Street, and at the same time not compromise the alignment of the proposed pedestrian walkway, the Engineering Department has agreed to locate a portion of the driveway within the right-of-way as shown in Appendix XI. The applicant is required to register an easement agreement, to be secured at the Servicing Agreement stage.

Proposed Outdoor and Indoor Amenity Space

- The proposal is indicating a courtyard at the 2nd level, which constitutes the project's proposed 1,076-sq. m. (11,581 sq. ft.) outdoor amenity space, exceeding the 459-sq. m (4,940-sq. ft.) requirement. This facility will accommodate a formal garden defined by low hedges, decorative walls and decorative pavers. An outdoor patio linking the formal garden and the proposed 194-sq. m. (2,088 sq. ft.) indoor amenity space is also indicated.
- The outdoor patio will be equipped with garden furniture such as tables and benches. Access to the outdoor amenity space can be achieved via the indoor amenity area and a pathway that will be connected to the gated corridors at the 2nd level. Proposed units fronting the proposed courtyard will also have direct connections to the landscaped courtyard.
- The proposed indoor amenity space will be equipped with a kitchen, washrooms, an entertainment area and a meeting room for the exclusive use of the future residents.

Proposed Landscaping & Fencing

- A variety of flowering deciduous trees (Maple, Katsura, Honey Locust and Magnolia) will be installed within the proposed courtyard and along the perimeter of the site. Proposed landscaping will also consist of flowering and evergreen shrubs, to be installed at patio areas and on planting beds along 68 Avenue and 188 Street. Street trees will be installed to complement the proposed shrubs (Azalea, Roses, Boxwood).

- Proposed fencing along the east property line will consist of a combination of cast iron railing and concrete wall with a combined height not exceeding 1.2 metres (4 ft.).
- Proposed fencing separating the proposed walkway to the south from the private patios will be a decorative type, though ensuring future owners privacy and safety.

ADVISORY DESIGN PANEL

The Advisory Design Panel reviewed the proposed development at its September 20, 2007 ADP meeting (Appendix XII). Minor issues pertaining to landscaping are still outstanding as well as the following design issues, which the applicant is expected to address prior to Final Adoption:

- South elevation to incorporate brick cladding;
- Bollard details to be incorporated in the plans;
- Additional trees have to be installed along the west property line in combination with shrubs; and
- Pedestrian scale lighting to be installed along the south property line.

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.	Proposed CD By-law
Appendix IV.	Site Plan, Building Elevations Landscape Plans and Perspective
Appendix V.	Engineering Summary
Appendix VI.	School District Comments
Appendix VII.	Subject Site as Part of Original Application
Appendix VIII.	Proposed NCP Amendment
Appendix IX.	Existing NCP Designation - East Clayton
Appendix X.	Existing Commercial Designations - East Clayton NCP Extension - North of 72 Avenue
Appendix XI.	Proposed Driveway within the Designated Right-of-Way
Appendix XII.	ADP Minutes and Applicant's Response

Jean Lamontagne
General Manager
Planning and Development

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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: Julio Gomberoff, GBL Architects Group Inc.
 Address: 140 - 2034 West 11th Avenue
 Vancouver, B.C.
 V6J 2C9
 Tel: 604-736-1156

2. Property involved in the Application
 - (a) Civic Address: 6758 - 188 Street

 - (b) Civic Address: 6758 - 188 Street
 Owners: Progressive Construction Ltd. and Benchmark
 Management Ltd.
 PID: 027-191-362
 Lot 53 Section 16 Township 8 BCP Plan 32058

3. Summary of Actions for City Clerk's Office
 - (a) Introduce a By-law to amend the Official Community Plan to redesignate the property.

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

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		n/a
Undevelopable area		n/a
Net Total		8,830 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures		55%
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front (north @ 68 Avenue)	4.5 m	4.57 m
Rear (South)	7.5 m	7.5 m
Side #1 (West)	3.0 m	3.0 m
Side #2 (East)	4.5 m	4.57 m
BUILDING HEIGHT (in metres/storeys)		
Principal	17 m	16.7 m
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		60
Two Bedroom		93
Three Bedroom +		-
Total		153
FLOOR AREA: Residential	13,245 m ²	11,983.72 m ²
FLOOR AREA: Commercial	n/a	
Retail		1,261 m ²
Office		
Total	n/a	1,261 m ²
FLOOR AREA: Industrial	n/a	
FLOOR AREA: Institutional	n/a	
TOTAL BUILDING FLOOR AREA	13,245 m ²	13,244.7 m ²

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)	43	70
FAR (gross)		
FAR (net)	1.2	1.5*
AMENITY SPACE (area in square metres)		
Indoor	459 m ²	194 m ²
Outdoor	459 m ²	1,076 m ²
PARKING (number of stalls)		
Commercial	38	38
Industrial		
Residential Bachelor + 1 Bedroom	78	78
2-Bed	140	155
3-Bed		
Residential Visitors	31	31
Institutional		
Total Number of Parking Spaces	287	302
Number of disabled stalls	(3)	(3)
Number of small cars		
Tandem Parking Spaces: Number / % of Total Number of Units	n/a	n/a
Size of Tandem Parking Spaces width/length	n/a	n/a

Heritage Site	NO	Tree Survey/Assessment Provided	YES
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** Including Commercial Component*