

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7907-0173-00

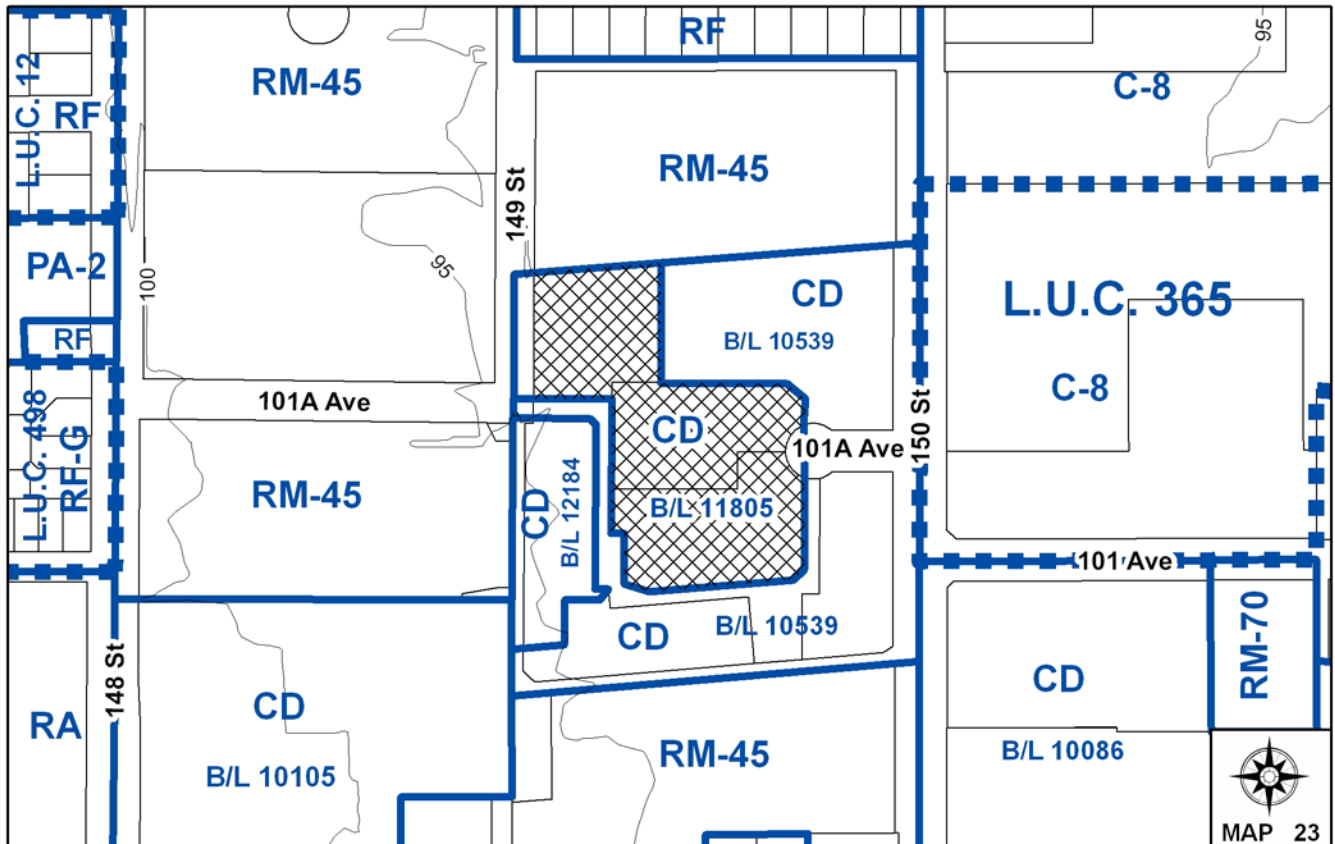
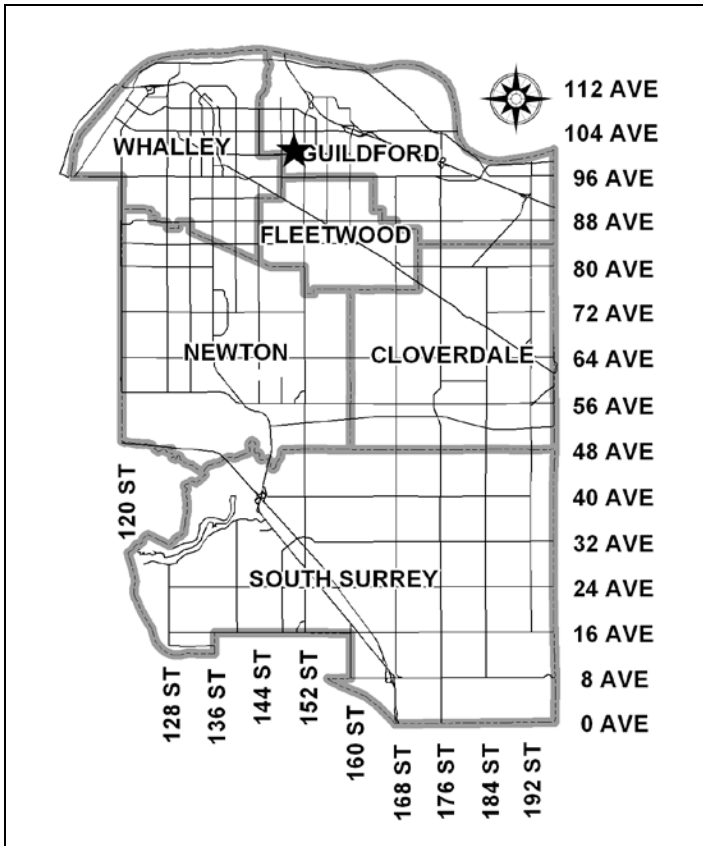
Planning Report Date: September 29, 2008

PROPOSAL:

- **Rezoning** from CD (By-law No. 11805) to CD (based on RM-135)
- **Development Permit**

in order to permit the development of 637 apartment units within 3 high-rise buildings in Guildford.

LOCATION: 14970/14975 - 101A Avenue and 10160 - 149 Street
OWNER: Cartier Place Developments Inc.
ZONING: CD (By-law No. 11805)
OCP DESIGNATION: Multiple Residential



RECOMMENDATION SUMMARY

- File Rezoning By-law No. 16557.
- By-law introduction and set a date for Public Hearing for the Rezoning By-law.
- Rescind Council Resolution R08-31 adopting recommendations and conditions for approval for the project.
- Approval to draft Development Permit.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The proposed development does not comply with the multiple residential parking requirements in the Zoning By-law.

RATIONALE OF RECOMMENDATION

- The proposed development complies with the key policies of Smart Growth, Metro Vancouver's Liveable Region Strategic Plan and policies in Surrey's OCP.
- The proposed development conforms to the goal of achieving higher density development within town centre areas.
- The application satisfies the revised Interim Bonus Density Policy (Council Policy O-54 modified on February 28, 2008) to justify the increase in density currently permitted under the existing Comprehensive Development Zone (By-law No. 11805), which is equivalent to a 2.95 FAR.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council file Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2008, No. 16557.
2. Council rescind Resolution No. R08-31 of the January 14, 2008 Regular Council – Land Use meeting adopting the recommendations and conditions of approval for Application No. 7907-0173-00.
3. a By-law be introduced to rezone the subject site from "Comprehensive Development Zone (CD)" (By-law No. 11805) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for a new Public Hearing for the new By-law.
4. the notification area for the Public Hearing be increased from 100 metres (300 ft.) to 500 metres (0.3 mile).
5. Council authorize staff to draft Development Permit No. 7907-0173-00 in accordance with the attached drawings (Appendix II).
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 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 Planning and Development Department;
 - (d) resolution of all urban design issues to the satisfaction of the Planning and Development Department;
 - (e) registration of a Statutory Right-of-Way for right of pedestrian passage on the 2.4-metre (8 ft.) wide east-west walkway;
 - (f) discharge of Restrictive Covenant BG327892, which regulates the design of a 20-storey high-rise apartment tower with a maximum of 115 dwelling units on Lot 3 (14970-101A Avenue);
 - (g) discharge of Restrictive Covenant BG327894, which regulates the design of a 22-storey high-rise apartment tower, with a maximum 127 units on Lot 4 (14975-101A Avenue);
 - (h) discharge of Restrictive Covenant BG327896, which regulates the design of one 18-storey high-rise apartment building, with a maximum of 103 dwelling units on Lot 5 (10160-149 Street);

- (i) the applicant to register reciprocal access easements between proposed Lots A, B and C to allow for reciprocal pedestrian and vehicular access for residents and visitors of the development;
- (j) registration of a Restrictive Covenant to ensure that any landscaping, including fencing on the property line, which is planted within the existing east-west statutory right-of-way for the watermain is reinstated if maintenance is required and which would be the responsibility of the owners; and
- (k) the applicant to ensure that agreement with Cartier Place residents is finalized regarding the security gate system.

SITE CHARACTERISTICS

Existing Land Use: Vacant of buildings, grassed site.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Rental apartment building and existing 3-storey apartment in Cartier Place development.	Multiple Residential	RM-45 and CD (By-law No. 10539)
East:	Existing 3-storey apartment buildings within Cartier Place development.	Multiple Residential	CD (By-law No. 10539)
Further East (Across 150 Street):	Wal-Mart within Guildford Town Centre.	Commercial	LUC No. 365 (underlying C-8)
South:	Existing 3-storey apartment building within Cartier Place.	Multiple Residential	CD (By-law No. 10539).
West (Across 149 Street):	Existing 3-storey apartment building within Cartier Place.	Multiple Residential.	CD (By-law No. 12184) and RM-45

DEVELOPMENT CONSIDERATIONS

Background

- On June 22, 2007, IG Real Estate Advisors (formerly Giffels) submitted a development application to rezone the subject site from CD By-law No. 11805 to Comprehensive Development Zone (CD) and subdivide into 3 lots to allow for the development of three high-rises consisting of a total of 637 apartment units.

- On October 15, 2007, City Council adopted an Interim Bonus Density Policy No. O-54 that was to apply to all applications in City Centre and Guildford where the proposed density exceeded the maximum density allowed within the Official Community Plan (OCP) designation in which the proposal was located.
- As the proposed development, with a floor area ratio (FAR) of 4.0, exceeded the maximum FAR of 2.95 permitted under the existing CD By-law No. 11805, the applicant agreed to provide community benefits equivalent to 75% in the lift in value of land from the maximum density permitted under the CD By-law and what is now proposed, in order to fulfill the requirements of the Interim Bonus Density Policy to facilitate the proposed 4.0 FAR.
- The applicant proposed to provide contributions to the City's Affordable Housing Fund and capital funding for the Parks, Recreation and Culture Department.
- The Planning Report with respect to the proposed development was forwarded to Council on January 14, 2008 (Appendix II) and was granted approval to proceed. Staff were supportive of the proposal, in part because it fulfilled the Interim Bonus Density Policy.
- The Public Hearing with respect to Rezoning By-law No. 16557 was held on January 28, 2008. Council subsequently granted Third Reading to Rezoning By-law No. 16557.

Amendments to Interim Bonus Density Policy

- On February 25, 2008, Council endorsed a number of amendments to the Interim Bonus Density Policy (Corporate Report No. R027). Some of these amendments were intended to allow for the "phasing-in" of Bonus Density requirements.
- Amendments to the Interim Bonus Density Policy state that applications submitted prior to October 15, 2007, when the original Interim Bonus Density Policy was adopted by Council, are exempt from any Bonus Density requirements, provided that Building Permits associated with these applications are issued by April 1, 2009.
- As the application for this project was submitted on June 22, 2007, the subject application qualifies for being exempt from any Bonus Density requirements, provided the Building Permit associated with the application is issued by April 1, 2009.
- Should the building permit for this application be issued after April 1, 2009, the application will be subject to the phase-in of contributions in accordance with the interim Bonus Density Policy O-54 ranging from 25% to 75% lift in land value.
- As previously described, this application is for the development of three high-rise buildings. It is anticipated that the developer will be undertaking construction of this project in three phases with individual building permit applications for each of the three phases. It is noted that the phase-in provision of Policy O-54 will apply on an individual building permit basis such that the issuance of the building permit for Phase 1 will not exempt subsequent building permits from this policy.

- At the time proposed CD By-law No. 16557 was drafted, the application was subject to the provision of community amenities and as a result, the proposed CD By-law for the project was worded to require the applicant to provide community amenities in accordance with the Interim Bonus Density Policy adopted by Council on October 15, 2007 for any density above 2.95 FAR that the applicant wished to construct on the site.
- Therefore, the wording of CD By-law No. 16557 (currently sitting at Third Reading) needs to be amended in order to allow the applicant to proceed in accordance with the amended Interim Bonus Density Policy No. O-54, rather than in accordance with the original October 15, 2007 Interim Bonus Density Policy. Since this requirement is located in the Density Section of CD By-law No. 16557 any amendment is subject to a new Public Hearing.

New CD By-law

- Due to the number of amendments to CD By-law No. 16557 that would be required to reflect the changes in the Interim Density Bonus Policy, it was deemed appropriate to request that Council file CD By-law No. 16557 and introduce a new CD By-law, rather than amending existing CD By-law No. 16557 and to set a date for Public Hearing for the new CD By-law (Appendix IV).
- All other aspects of CD By-law No. 16557 will remain unchanged in the proposed new CD By-law.

Design Proposal and Review

- Since the application proceeded to Council originally on January 14, 2008, further refinements to the landscape plan have occurred, particularly around the internal looped driveway, underground parking ramp closest to proposed Tower C and interface along the northern property line with the existing Cartier Place (Appendix V).
- The median which originally separated the driveway leading into the development from 149 Street has been removed to allow for a reconfiguration of parking stalls. The looped driveway has been shifted slightly and the area of the seating mound has been reduced to allow for more of a landscape buffer between the looped driveway and the underground parking ramp. This assists in reducing the level of potential conflict for vehicles on the driveway and those attempting to access the underground parking.
- It has been determined that since the proposed landscaping and a partial pedestrian walkway will encroach into an existing statutory right-of-way for a water main (located just south of Tower C and running just north of Tower B), the City has granted permission to the developer to plant low lying landscaping and place the public walkway within this right-of-way, but only on the condition that a Restrictive Covenant be registered on the subject site to ensure that in case of water main failure and the need for the reinstatement of the landscaping, that the future owners will be responsible for the landscaping.
- The proposed design of the project has also been redesigned to provide the full indoor amenity space requirement of 1,911 square metres (22, 575 sq.ft.). The applicant had previously requested that Council consider allowing a reduction to the indoor amenity space requirements.
- All other design features of the proposed development remain unchanged.

Proposed Security Gates on Internal Driveway

- At the Public Hearing on January 28, 2008, residents of the Cartier Place development raised concerns of non-residents using their private road which is situated to the south of the subject site, as a short cut from 148 Street to Guildford Town Centre at 150 Street.
- In order to mitigate this traffic, the residents requested that Council consider allowing security gates to be erected at their driveway to prevent individuals who do not live within the Cartier Place development or who are not guests of the Cartier Place residents from trespassing onto private property.
- Council subsequently directed staff to work with the developer to come up with an appropriate system.
- The applicant has agreed that as part of the completion of their development application that they will provide a monetary amount to the stratas of Cartier Place, so that the residents may implement these security gates on their own, subject to Council's approval.
- The developer provided five (5) options for review by the residents. The residents settled on an option, which allow for gates to be situated at both ends of the driveway (101A Avenue and at 149 Street).
- The proposal was reviewed by the City's Transportation Engineering and Fire Department staff. It was determined that the proposed option could work with some modification to ensure that the residents' vehicles would not back up public roads. Furthermore, Fire Department staff recommend an "Opticom" system compatible with the system that the City currently uses for traffic operations and which could be remotely disarmed when responding to emergency incidents.
- The developer has indicated that they are willing to provide \$29,140.00 for the implementation of two gates which operate on an "Opticom" system.
- As a condition of Final Adoption, the developer will be required to finalize an agreement with the residents of Cartier Place.

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. Copy of January 14, 2008 Planning Report (no attachments)
- Appendix III. Revised Interim Bonus Density Policy No. O-54
- Appendix IV. Proposed Revised CD By-law
- Appendix V. Revised Site Plan and Landscape Plans

Jean Lamontagne
General Manager
Planning and Development

PL/kms

v:\wp-docs\planning\plncom08\08261511.pl.doc
KMS 8/27/08 8:55 AM

Information for City Clerk

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

1. (a) Agent: Name: Foad Rafii, Rafii Architects Inc.
 Address: #1, 1600 Howe Street
 Vancouver, BC
 V6Z 2L9
 Tel: 604-688-3655

2. Properties involved in the Application
 - (a) Civic Addresses: 14970 and 14975 - 101A Avenue and 10160 - 149 Street

 - (b) Civic Address: 14970 - 101A Avenue
 Owner: Cartier Place Developments Inc.
 PID: 017-768-667
 Lot 3 Section 29 Block 5 North Range 1 West New Westminster District Plan
 LMP4420

 - (c) Civic Address: 14975 - 101A Avenue
 Owner: Cartier Place Developments Inc.
 PID: 017-768-675
 Lot 4 Section 29 Block 5 North Range 1 West New Westminster District Plan
 LMP4420

 - (d) Civic Address: 10160 - 149 Street
 Owner: Cartier Place Developments Inc.
 PID: 017-768-683
 Lot 5 Section 29 Block 5 North Range 1 West New Westminster District Plan
 LMP4420

3. Summary of Actions for City Clerk's Office
 - (a) File Rezoning By-law No. 16557.

 - (b) Rescind Council Resolution R08-31.

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

DEVELOPMENT DATA SHEET

Proposed Zoning: CD (based on RM-135)

Required Development Data	Minimum Required / Maximum Allowed	Proposed		
LOT AREA* (in square metres)				
Gross Total				
Road Widening area				
Undevelopable area				
Net Total	13,537.57 m ²	13,537.57 m ²		
LOT COVERAGE (in % of net lot area)		Tower A	Tower B	Tower C
Buildings & Structures	60%	11%	15%	17%
Paved & Hard Surfaced Areas				
Total Site Coverage				
SETBACKS (in metres)				
Front		See Multiple Buildings Data Sheet		
Rear				
Side #1 (N,S,E, or W)				
Side #2 (N,S,E, or W)				
BUILDING HEIGHT (in metres/storeys)		See Multiple Buildings Data Sheet		
Principal				
Accessory				
NUMBER OF RESIDENTIAL UNITS				
One Bed	3	239		
One Bed + Den	342	170		
Two Bedroom	-	170		
Two Bedroom + Den	-	52		
Four Bedroom + Den	-	6		
Total	345	637		
FLOOR AREA: Residential				
FLOOR AREA: Commercial				n/a
Retail				
Office				
Total				
FLOOR AREA: Industrial				n/a
FLOOR AREA: Institutional				n/a
TOTAL BUILDING FLOOR AREA	39,953 m ²	54,080 m ²		

*** If the development site consists of more than one lot, lot dimensions pertain to the entire site.**

Development Data Sheet cont'd

Required Development Data	Minimum Required / Maximum Allowed	Proposed		
DENSITY				
# of units/ha /# units/acre (gross)				
# of units/ha /# units/acre (net)				
FAR (gross)				
FAR (net)	2.95		4.0	
AMENITY SPACE (area in square metres)				
Indoor	1,911 m ²		1,911 m ²	
Outdoor	1,911 m ²		3,874 m ²	
PARKING (number of stalls)				
Commercial			n/a	
Industrial			n/a	
		Tower A	Tower B	Tower C
Residential		276	229	293
Residential Visitors		45	37	47
Institutional				
Total Number of Parking Spaces		321	266	340
Number of Co-op Stalls		1	1	1
Number of disabled stalls		3	3	3
Number of small cars		77	51	34
Tandem Parking Spaces: Number / % of Total Number of Units		n/a	n/a	n/a
Size of Tandem Parking Spaces width/length		n/a	n/a	n/a

Heritage Site	NO	Tree Survey/Assessment Provided	YES
---------------	----	---------------------------------	-----

MULTIPLE BUILDINGS DATA SHEET

Proposed Zoning : CD (RM-135)

Required Development Data	Tower A	Tower B	Tower C
SETBACK (in metres)			
Side #1 (West)	5.8 m	3.9 m	21.2 m
Side #2 (South)	24.7 m	49.2 m	14.5 m
Side #3 (East)	20.7 m	4.3 m	16.3 m
Side #4 (North)	47.1 m	19.9 m	12.6 m
Building Height (in metres/storeys)	103/32	90/27	112/35
NUMBER OF RESIDENTIAL UNITS/ SIZE RANGE	221	183	233
One Bedroom	89	73	77
One Bedroom + Den	58	48	64
Two Bedroom	58	48	64
Two Bedroom + Den	14	12	26
Four Bedroom + Den	2	2	2
TOTAL FLOOR AREA	18,858 m ²	15,448 m ²	20,034 m ²