

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7908-0019-00

Planning Report Date: July 27, 2009

PROPOSAL:

- **Rezoning** from RA to RM-30
- **Development Permit**
- **Development Variance Permit**

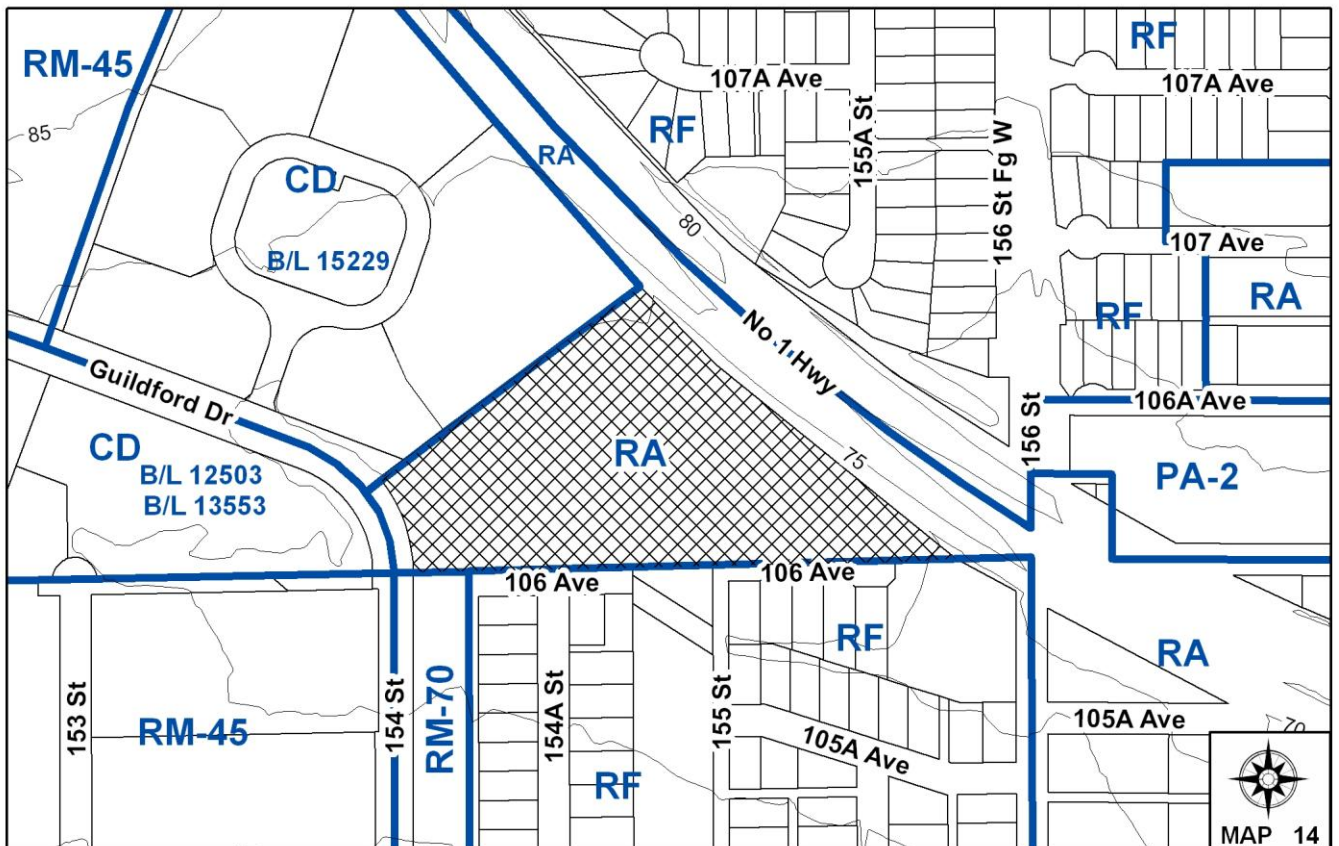
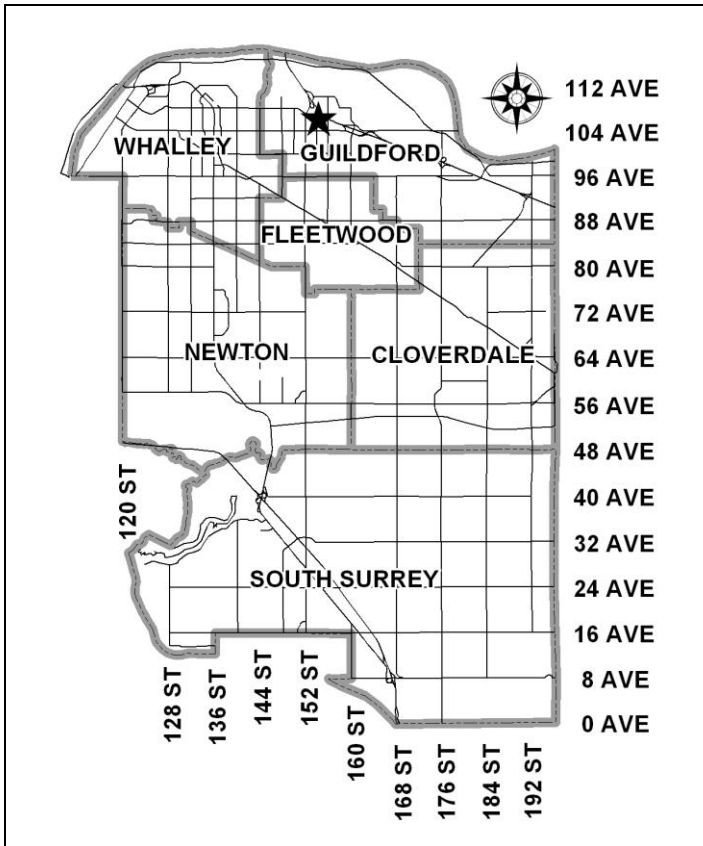
in order to permit the development of approximately 128 townhouse units.

LOCATION: 15399 Guildford Drive

OWNER: 0748093 B.C. Ltd.

ZONING: RA

OCP DESIGNATION: Multiple Residential



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Rezoning.
- Approval to draft Development Permit.
- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking reduced north west side yard, west front yard and south side yard building setbacks.

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Site is encumbered by a watercourse, which will be protected and conveyed to the City.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the subject site from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Multiple Residential 30 Zone (RM-30)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7908-0019-00 in accordance with the attached drawings (Appendix II).
3. Council approve Development Variance Permit No. 7908-0019-00, (Appendix VI) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum north-west side yard setback of the RM-30 Zone from 7.5 metres (25 ft.) to 4.0 metres (13 ft.);
 - (b) to reduce the minimum west front yard setback of the RM-30 Zone from 7.5 metres (25 ft.) to 6.12 metres (20 ft.) to the porch and 5.75 metres (18.9 ft.) to the third riser;
 - (c) to reduce the minimum south side yard setback (along the riparian area setback) of the RM-30 Zone from 7.5 metres (25 ft.) to 2.0 metres (6.6 ft.) to the side of the end units; and
 - (d) to allow parking within the required setbacks.
4. 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) approval from the Ministry of Transportation and Infrastructure;
 - (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 all urban design issues to the satisfaction of the Planning and Development Department;
 - (f) the applicant address the concern that the development will place additional pressure on existing park facilities to the satisfaction of the General Manager, Parks, Recreation and Culture;

- (g) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department;
- (h) registration of a Section 219 Restrictive Covenant to specifically identify the allowable tandem parking arrangement and to prohibit the conversion of the tandem parking spaces into livable space;
- (i) the applicant to provide habitat compensation as per City Policy No. P-15 to the satisfaction of the General Manager, Engineering and the General Manager, Parks, Recreation and Culture;
- (j) registration of a Section 219 Restrictive Covenant "no build" and future maintenance within the 7.5-metre (25 ft.) wide landscape buffer area adjacent Highway No. 1; and
- (k) registration of a Section 219 Restrictive Covenant which will acknowledge that the site is located in close proximity to Highway No. 1 and to require construction to incorporate noise mitigation measures.

REFERRALS

- Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix III.
- School District: **Projected number of students from this development:**
21 Elementary students at Harold Bishop Elementary School
11 Secondary students at Johnston Heights Secondary School
(Appendix IV)
- Parks, Recreation & Culture: The applicant will be required to meet the requirements of the Policy P-15 with conditions to be stipulated by the Realty Services Division. Parks has some concerns about the pressure this development will place on existing Parks, Recreation and Culture amenities in the area. The applicant should meet with staff to resolve these concerns.
- Department of Fisheries and Oceans (DFO): This application was reviewed at the April 16, 2008 and May 21, 2008 Environmental Review Committee (ERC) meetings. The proposed relaxation for the Class B (orange-coded) watercourse from 30 metres to an average of 20 metres (66 ft.) will be considered subject to final approval by DFO and the Parks, Recreation & Culture and Engineering Departments with respect to maintaining appropriate water supply to the Class B watercourse and receipt of an acceptable storm water management plan and suitable habitat enhancement proposal.

Ministry of Transportation & Infrastructure (MOTI): Preliminary approval has been granted subject to: no direct access from Highway No. 1; all storm water shall be directed to a municipally maintained storm drainage system; and the provision of landscaping, fencing and other noise mitigation measures.

SITE CHARACTERISTICS

Existing Land Use: Vacant site with Class B (orange-coded), watercourse flowing from west to east along the southern portion of the subject site.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
Northeast (Across Highway No. 1):	Single family dwellings.	Urban	RF
Northwest:	North Surrey Automall.	Commercial	CD (By-law No. 15229)
South:	Single family dwellings.	Multiple Residential	RF
West (Across Guildford Drive):	Two, 4-storey apartment buildings and vacant remainder.	Multiple Residential	CD (By-law No. 12503 and 13553)

DEVELOPMENT CONSIDERATIONS

- The subject site at 15399 Guildford Drive is located on the east side of Guildford Drive at 154 Street south of Highway No. 1.
- The 2.3-hectare (5.6-acre) subject property is designated Multiple Residential in the Official Community Plan (OCP) and is currently zoned One-Acre Residential Zone (RA).
- The applicant proposes to rezone the site from RA to RM-30 in order to allow the construction of approximately 128 townhouse units, with a proposed unit density of 23 units per acre (57 units per hectare) and a floor area ratio (FAR) of 0.80. The proposal conforms to the land use designation in the OCP and the RM-30 Zone, with the exception of some setbacks. A companion Development Variance Permit application to vary building setbacks has also been submitted.
- The proposed density of 23 units per acre (upa) and floor area ratio (FAR) of 0.80 conforms to the RM-30 Zone, which permits 30 upa and 0.90 FAR.
- The proposal consists of three (3) 2-bedroom units and one hundred and twenty-five (125) 3-bedroom units, ranging in floor area from 122 square metres (1,318 sq.ft.) to 171 square metres (1,843 sq.ft.), with a total floor area of 18,031 square metres (194,084 sq.ft.).

Riparian Area Setback and Open Space

- The subject site contains a Class B (orange-coded) watercourse running west to east along the southern portion of the subject site. The applicant is providing a 20-metre (66 ft.) setback from the top-of-bank of this watercourse. The Department of Fisheries and Oceans (DFO) has reviewed this proposal and finds it acceptable subject to a number of conditions being addressed (see DFO in Referral section).
- The setback area which comprises 1.3 hectares (3.21 acres) is being conveyed to the City. The area to be conveyed constitutes 36% of the gross land area of the subject site and will remain in its natural state.

Interface with Highway No. 1

- The applicant is proposing a 7.5-metre (25-ft.) wide landscape buffer off of a raised rear yard along the north east property line adjacent to Highway No. 1 for visual screening and for noise mitigation. The width of the landscape buffer tapers to 4.68 metres (15 ft.) at the southern end of the buffer.
- A 1.8-metre (6-ft.) high concrete sound attenuation fence is proposed to be located on a low berm within the landscape buffer.
- The applicant is also proposing to incorporate noise mitigation measures through best practice construction methods to mitigate noise. This could include but is not limited to triple glazed windows and additional insulation. A Section 219 Restrictive Covenant will be registered on title to incorporate these noise mitigation measures.

Tree Preservation and Replacement and Raptor Assessment

- The applicant has submitted an arborist assessment prepared by Mike Fadum, Certified Arborist of Mike Fadum and Associates Ltd. The report has identified 23 mature trees in the portion of the site proposed for development. As the development proposal reflects a multiple residential development, all of the trees within the development footprint will need to be removed. The following chart reflects the trees proposed for removal by species:

Tree Species	Number of Trees	Number to be Retained	Number to be Removed
Alder, Red	8	0	8
Black Cottonwood	15	0	15
Total	23	0	23

- The proposal indicates that 374 trees will be planted on-site which exceeds the 23 replacement trees required by the Tree Protection By-law.
- A raptor assessment was prepared by Ken Lambertson, R.P.Bio of Phoenix Environmental Services Ltd. There were no raptor nests observed on the site.

PRE-NOTIFICATION

Pre-notification letters were sent on February 3, 2009 and staff received one (1) phone call and three (3) written responses from property owners within the Pre-notification area. The property owners expressed the following comments:

- Concern with the number of units proposed and the impact on traffic and visitor parking.

(The proposed development is consistent with the Multiple Residential designation in the Official Community Plan (OCP) for the subject property. The Multiple Residential designation permits a higher density than proposed, subject to rezoning.

The development will have one access point with internal circulation and parking contained within the development site.

The applicant is providing 26 visitor parking spaces which conforms to the 26 visitor parking space requirement.)

- Concern with the preservation of the watercourse and green space.

(The proposed multiple residential development includes conveying 1.3 hectares (3.21 acres) to the City to preserve the Class B (orange-coded) watercourse. The area proposed to be conveyed constitutes 36% of the gross land area of the subject site and will remain in its natural state.)

- Concern with the impact of the proposed development on existing wildlife living on or using the subject site.

(A raptor assessment was prepared by Ken Lambertson, R.P.Bio of Phoenix Environmental Services Ltd. There were no raptor nests observed on the site.)

- Concern with the height of 3-storey townhouses on the single family dwellings to the south.

(The riparian area on the southern portion of the site, to be conveyed to the City, will provide a significant buffer to the existing single family lots south of this development. At the closest point, the proposed development is 34.6 metres (114 ft.) from properties to the south. The single family area to the south is also designated Multiple Residential in the OCP.)

DESIGN PROPOSAL AND REVIEW

Building Design

- The proposed townhouse project consists of 128, 2- and 3-bedroom units in 20 buildings, with an average floor area of 144 sq. m. (1,546 sq. ft.) per dwelling unit.
- The proposal indicates 3-storey buildings with garages at grade. The kitchen, dining and living rooms are located on the second floor, with the bedrooms on the third floor.
- One vehicular entry to the site is proposed at the corner of Guildford Drive and 154 Street and will be defined by sand/brown colour stamped concrete in a decorative pattern. A landscaped boulevard island with an identification sign separates the access and egress lanes at the site entrance.
- A pedestrian entrance is located along the south side of the vehicular entrance from Guildford Drive. The pedestrian sidewalk and boulevard parallel the main drive aisle along the northwest edge of the site.
- Building 1 which fronts Guildford Drive includes eight (8) street-oriented units with direct access from front yard patios that are separated from grade with a small flight of stairs.
- The proposed buildings are three storeys in height and have a "salt box" massing with gabled end elevations. The dominant siding material is vinyl siding in two different profiles, and three complementary colours arranged building by building: sage green, deep grey and sandalwood. All trims are white in colour with black shutters, downspouts, entry doors and railing accents provide contrast.
- Gabled bays on the top floor alternate with gable dormers in the roof to animate the upper portions of the buildings. At prominent areas on the site, facing Guildford Drive and along the entry drive up to and including the amenity building, brick has been included on the two lower storeys.

Indoor Amenity Space

- A proposed two-storey amenity building is located adjacent to the centrally located outdoor amenity space. The main floor incorporates a lounge, exercise room, women's and men's washrooms with a patio on the south west side of the building. The second floor incorporates an additional lounge, kid's playroom, sunroom/library and guest suite with a large deck above the ground floor patio. The second floor of the amenity building is accessible by an elevator.
- The indoor amenity space measures 384 square metres (4,133 sq.ft.), satisfying the minimum 384 square metres (4,133 sq.ft.) required under the RM-30 Zone based on 3 square metres (32 sq.ft.) per dwelling unit.

Landscaping and Outdoor Amenity Space

- The Guildford Drive streetscape elevation includes a cedar picket fence with landscaping planted behind. A private gate entrance defines each pedestrian entry to a front patio.
- The remaining units have a private fenced rear yard, with gate access, lawn and patio spaces, as well as foundation planting for visual interest.
- Broadleaf evergreen plants have been used throughout the site to provide visual screening and year-round visual appeal.
- The entry drive is lined on both sides with street trees, as well as evergreen and ornamental plantings for seasonal interest.
- The outdoor amenity area provides for both passive and active recreation incorporating an open lawn area, walking paths, bench seating and two children's play structures on safety tile. The outdoor amenity area is centrally located directly adjacent to the amenity building.
- The outdoor amenity space measures 772 square metres (8,312 sq.ft.), exceeding the minimum 384 square metres (4,133 sq.ft.) required under the RM-30 Zone based on 3 square metres (32 sq.ft.) per dwelling unit.

Parking

- The proposed development includes a total of 282 parking spaces, consisting of 256 resident parking spaces and 26 spaces for visitors, which complies with the Surrey Zoning By-law. Visitor parking spaces are dispersed throughout the site, two of which meet the dimensional requirements for disabled parking spaces.
- Resident parking spaces will be provided in double garages for nineteen (19) of the units and within tandem garages in one hundred and nine (109) of the units. To ensure that the tandem garage parking spaces are not converted into livable space, the applicants are required to register a Section 219 Restrictive Covenant as a condition of Final Adoption.

ADVISORY DESIGN PANEL

This application was not referred to the ADP, but was reviewed by staff and found satisfactory.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum northwest side yard setback of the RM-30 Zone, from 7.5 metres (25 ft.) to 4.0 metres (13 ft.).

Applicant's Reasons:

- To accommodate a one storey electrical room on the side yard of proposed unit number 75.
- Given the low height and minimal footprint of the electrical room, the variance will not impact the neighbouring property. Adjacent to the site at this location is a parking lot for the North Surrey Automall.
- The subject site is at least 2 metres (6.6 ft.) lower than the adjacent property along this edge making the electrical room completely invisible from the neighbouring property.

Staff Comments:

- The grade change, existing lock block wall and landscaping on the adjacent site provide screening from the subject site.
- The applicant's landscape architect has provided a section through this property line illustrating the interface and it is acceptable.
- Therefore, the Planning and Development Department can support the proposed relaxation.

(b) Requested Variance:

- To reduce the minimum west front yard setback of the RM-30 Zone, from 7.5 metres (25 ft.) to 6.12 metres (20 ft.) to the porch and 5.75 metres (18.9 ft.) to the third riser.

Applicant's Reasons:

- To accommodate porches for the interface of units with the public realm and to provide stairs to the raised porch for a better definition between public and private space.

Staff Comments:

- The reduced setbacks along the west (Guildford Drive) property line reinforce the urban character, create a strong street orientation and have direct pedestrian access from the street.
- The units are closer to the street and will present a friendly face to the street, promoting social interaction, as well as casual surveillance.
- Planning and Development Department staff can support the proposed variance.

(c) Requested Variance:

- To reduce the minimum south side yard setback (along the riparian area setback) of the RM-30 Zone, from 7.5 metres (25 ft.) to 2.0 metres (6.6 ft.) to the side of the end units.

Applicant's Reasons:

- The south portion of the site is proposed to be conveyed to the City for the retention of the existing Class B watercourse.
- This conveyed riparian area provides a buffer from the existing single family lots to the south of the subject site. The distance from the closest proposed building on the subject site to any single family dwellings to the south is a minimum of 34.6 metres (114 ft.).
- The proposed 2.0-metre (6.6-ft.) setback allows for sufficient space for construction without encroaching into the riparian area setback.

Staff Comments:

- The Department of Fisheries and Oceans (DFO) finds the proposed setbacks acceptable subject to a number of conditions being fulfilled (see DFO Referral section).
- Planning and Development Department staff can support the proposed variance.

(d) Requested Variance:

- To allow visitor parking within the required setbacks.

Applicant's Reasons:

- The subject site is 2 metres (6.6 ft.) lower than the adjacent commercial property to the northwest. There is a solid concrete fence on top of the 2-metre (6.6- ft.) embankment. Due to the difference in grade, fencing and dense shrub planting, the parking space is not visible to the neighbouring property.
- The surface of the visitor parking spaces is proposed to be finished with stamped concrete.

Staff Comments:

- The proposed parking spaces within the required setbacks are not visible by any road or adjacent property.
- Planning and Development Department staff can support the proposed variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners, Action Summary and Project Data Sheets and Survey Plan
- Appendix II. Proposed Site Plan, Building Elevations and Landscape Plans
- Appendix III. Engineering Summary
- Appendix IV. School District Comments
- Appendix V. Summary of Tree Survey and Tree Preservation
- Appendix VI. Development Variance Permit No. 7908-0019-00

Jean Lamontagne
General Manager
Planning and Development

JLM/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: Maciej Dembek, Barnett Dembek Architects Inc.
 Address: #202 - 12448 - 82 Avenue
 Surrey, BC
 Tel: 604-597-7100

2. Properties involved in the Application

(a) Civic Address: 15399 Guildford Drive

(b) Civic Address: 15399 Guildford Drive
 Owner: 0748093 B.C. Ltd., Inc. No. 0748093

Director Information:

Patrick Lee
Mary Lee
Gurdev S. Sandhu
Nand K. Sharma

Officer Information: (as at February 7, 2009)

Patrick Lee (President)
Mary Lee (Vice President)
Gurdev Sandhu (Secretary)
Nand Kishore Sharma (Treasurer)

PID: 000-835-641

Lot 2 Section 21 Block 5 North Range 1 West New Westminster District Plan
68394

3. Summary of Actions for City Clerk's Office

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

(b) Proceed with Public Notification for Development Variance Permit No. 7908-0019-00.

(c) Application is under the jurisdiction of MOTI.
 MOT File No. 2009-00974.

DEVELOPMENT DATA SHEET

Proposed Zoning: RM-30

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA (in square metres)		
Gross Total		35,917 m ²
Road Widening area		283 m ²
Undevelopable area		13,005 m ²
Net Total		22,629 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	45%	37.1%
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front (West)	7.5 m	6.12 to the porch/ 5.75 m to the third riser*
Rear (Northeast)	7.5 m	10.5 m
Side #1 (Northwest)	7.5 m	4.0 m*
Side #2 (South)	7.5 m	2.0 m to the side of end units*
BUILDING HEIGHT (in metres/storeys)		
Principal	13 m	10.5 m
Accessory	11 m	8.0 m
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		3
Three Bedroom +		125
Total		128
FLOOR AREA: Residential	20,366 m ²	18,031 m ²
FLOOR AREA: Commercial		
Retail		n/a
Office		
Total		
FLOOR AREA: Industrial		n/a
FLOOR AREA: Institutional		n/a
TOTAL BUILDING FLOOR AREA	20,366 m ²	18,031 m ²

* *Variance requested.*

Development Data Sheet cont'd

Required Development Data	Minimum Required / Maximum Allowed	Proposed
DENSITY		
# of units/ha /# units/acre (gross)		36 upha/14.4 upa
# of units/ha /# units/acre (net)	75 upha/30 upa	57 upha/22.9 upa
FAR (gross)		
FAR (net)		
	0.90	0.80
AMENITY SPACE (area in square metres)		
Indoor	384 m ²	384 m ²
Outdoor	384 m ²	772 m ²
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed	6	6
3-Bed	250	250
Residential Visitors	26	26
Institutional		
Total Number of Parking Spaces	282	282
Number of disabled stalls	1	1
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	YES
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