

City of Surrey
PLANNING & DEVELOPMENT REPORT

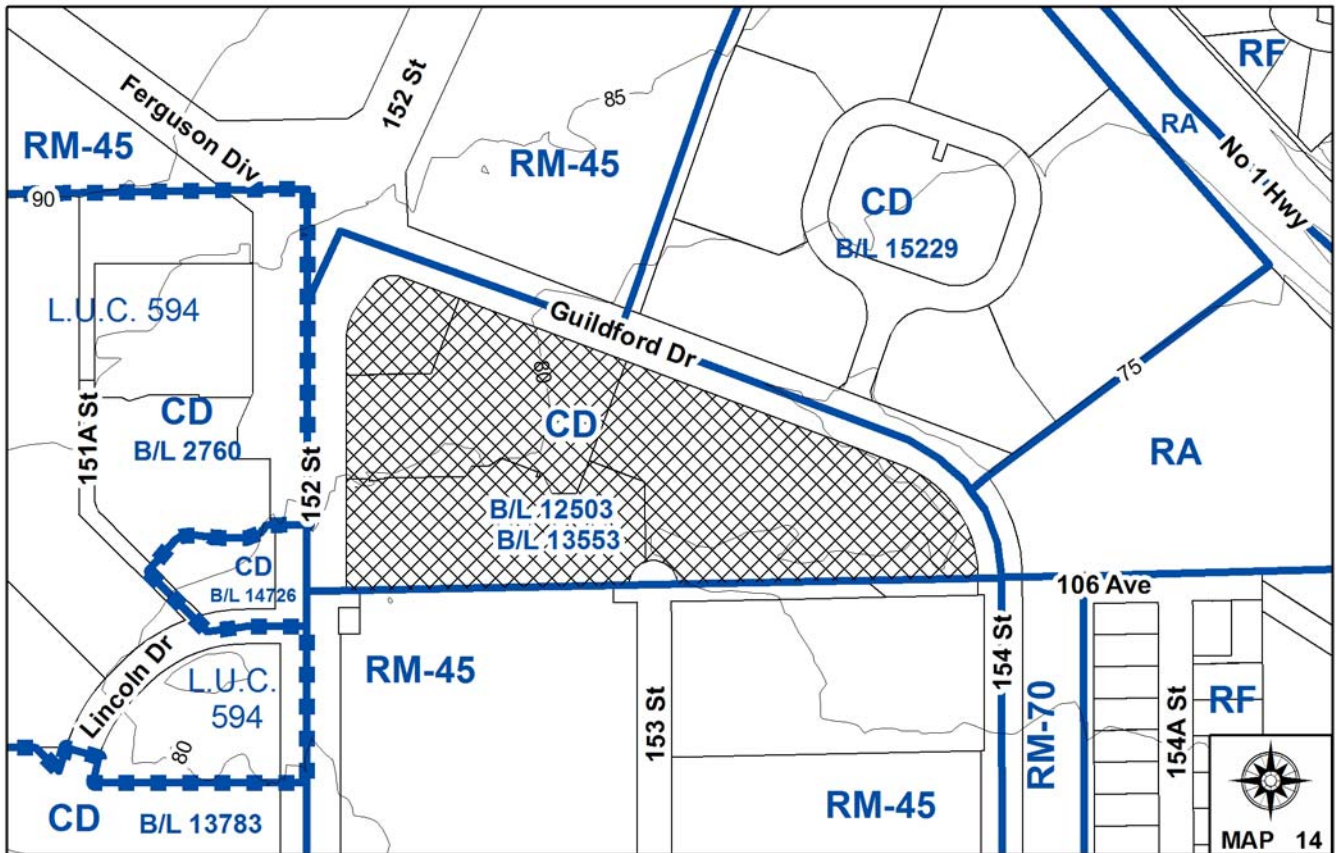
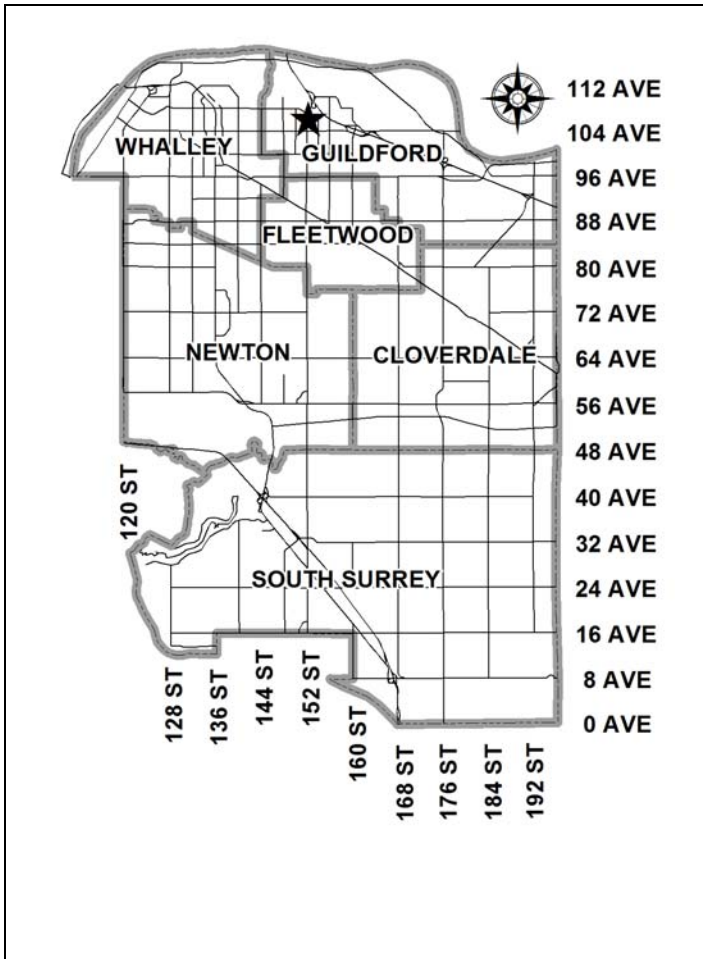
File: 7909-0060-00

Planning Report Date: October 19, 2009

PROPOSAL:

- **Rezoning** from CD (By-law No. 12503, as amended by By-law No. 13553) to CD (based on RM-70)
 in order to allow subdivision from 3 lots into 4 lots and to permit future multiple residential developments.

LOCATION: 15200, 15210, 15220, 15230 and 15340 to 15370 Guildford Drive
OWNER: Cardiff Properties Ltd., and Owners, Strata Plan LMS2768
ZONING: CD (By-law No. 12503 as amended by By-law No. 13553)
OCP DESIGNATION: Multiple Residential



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Rezoning.
- Approval to eliminate indoor amenity space for the two constructed and occupied apartment buildings.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.

RATIONALE OF RECOMMENDATION

- Complies with Multiple Residential designation in the OCP.
- The proposed new CD By-law will allow for the creation of a separate fee simple lot for the two existing apartment buildings on the site, as well as to update the existing zoning by bringing it into conformity with new standards.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the site from "Comprehensive Development Zone (CD)" (By-law No. 12503) to "Comprehensive Development Zone (CD)" (By-law No. 12000), and a date be set for Public Hearing; and
2. Council approve the applicant's request to eliminate the required indoor amenity space in the two completed apartment buildings, from 411 square metres (4,424 sq.ft.) to 0.0 square metres (0.0 sq.ft.).
3. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) amendment of encroachment easement BK107724/Covenant BK107727 and discharge of Statutory Building Scheme BL137138; and
 - (c) the applicant adequately address the impact of not providing indoor amenity space for the two completed apartment buildings.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Existing multiple residential development consisting of two, 4-storey apartment buildings and a former temporary presentation centre building with the remainder of the site vacant of buildings, but treed.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across Guildford Drive):	Existing townhouse development and North Surrey Auto Mall.	Multiple Residential and Commercial	RM-45 and CD (By-law No. 15229)

Direction	Existing Use	OCP Designation	Existing Zone
East (Across Guildford Drive/154 Street):	Proposed 128 townhouse units under Application No. 7908-0019-00 (Third Reading granted September 14, 2009).	Multiple Residential	RA (proposed RM-30)
South:	Existing townhouse developments.	Multiple Residential	RM-45
West (Across 152 Street):	Existing multiple residential development and hotel.	Multiple Residential	LUC No. 594 and CD (By-law No. 14726)

DEVELOPMENT CONSIDERATIONS

Background

- The application encompasses three (3) properties within the Guildford area. The three properties are located at 15200, 15210/20/30, and 15340 to 15370 Guildford Drive.
- The properties are all regulated under Comprehensive Development Zone (By-law No. 12503 as amended by By-law No. 13553) to permit multiple residential development consisting of high-rise and low rise buildings, with a maximum floor area ratio (FAR) of 1.5. The properties are designated Multiple Residential in the Official Community Plan (OCP).
- The site was originally approved under Application Nos. 5694-0138-00 (Rezoning) and 6794-0138-00 (Development Permit) in January 1996, as part of the Boulevard Club development developed by Townsgate Development Corporation.
- The original Development Permit No. 6794-0138-00 allowed for an 8-phase multiple residential development consisting of one high-rise apartment building at the corner of 152 Street and Guildford Drive on Lot C (Appendix II), three (3) 4-storey apartment buildings and one separate indoor amenity building on Remnant Lot A and four (4) 4-storey buildings on Lot B. At the location of where the high-rise building is proposed, a presentation centre was constructed for the sale of the residential units at the Boulevard Club.
- However due to the downturn in the economy in the 1990s, only two (2) four-storey apartment buildings were constructed on the northern portion of Remnant Lot A (under Application Nos. 5694-0138-00 and 6794-0138-00), with the southerly remainder of Remnant Lot A, Lot B and Lot C undeveloped.
- In 1998, an application was submitted to amend CD By-law No. 12503 (under Application No. 5698-0184-00) to allow for changes to the Density section. On November 2, 1998, By-law No. 13553 was approved, which varied the maximum permitted number of units per lot. The floor area ratio (FAR) for each parcel remained the same as prescribed under the original CD By-law No. 12503: 1.2 FAR for Remnant Lot A, 1.4 FAR for Lot B and 4.5 FAR for Lot C.
- No further construction has occurred on the site.

Current Proposal

- The applicant has now submitted an application for a rezoning from Comprehensive Development Zone (By-law No. 12503 as amended by By-law No. 13553) to a new Comprehensive Development Zone, to allow for a number of changes, in order to facilitate a legal subdivision of Remnant Lot A into two separate lots. The current zoning currently permits only three lots. The applicant is proposing the creation of 4 lots.
- 15210/20/30 Guildford Drive is currently a stratified portion of Remnant Lot A, with Phases I and II of the Boulevard Club situated on 15210/20 Guildford Drive (Block A as shown on Appendix III). 15230 Guildford is currently the vacant portion of this lot, but is treed with Alders (Block D). The proposed subdivision is to take place along the south strata plan line, which separates 15210/20 Guildford Drive (Block A) from 15230 Guildford Drive (Block D).
- This application has added complexities due to the two completed 4-storey apartment buildings being stratified and further construction not proceeding as originally intended. As a result, this application required approval from all the strata owners to pursue the proposed changes, as well as the BC Supreme Court to vary the intended construction schedule.
- The applicant has applied and obtained consent from all owners and approval from the BC Supreme Court to have the strata plan cancelled, as the original developer of the Boulevard Club (Townsgate Development Corporation) has reached a legal agreement with the strata corporation of the Boulevard Club, electing not to proceed with subsequent phases of the original 8-phase development approved under Application Nos. 5694-0138-00 and 6794-0138-00.
- As part of the initial application approved in 1996 (Application Nos. 5694-0138-00 and 6794-0138-00), a separate indoor amenity building was to be constructed under Phase 3 on Remnant Lot A. However, since the developer is not proceeding with additional phases of the Boulevard Club development at this time, an agreement has been reached between the developer and the Strata Council for compensation in lieu of providing the indoor amenity. The developer has also agreed to provide cash-in-lieu of indoor amenity based upon the existing 137 units already constructed under Phases I and II in accordance with City policy. The applicant would be required to provide 411 square metres (4,424 sq.ft.) of indoor amenity space based upon 137 existing residential units.
- The cash-in-lieu of indoor amenity is supportable, as there are nearby amenities located within walking distance to the subject site. The Guildford Recreation Centre and Guildford Library are located at 15105-105 Avenue, just west of 152 Street. The applicant is required to provide **\$143,850.00** based upon a requirement of \$1,050 per unit of indoor amenity multiplied by the existing 137 residential units.
- As per the British Columbia Strata Property Act, the subdivision will be completed through the registration of a reference plan at the Land Title Office. Therefore, not requiring signing approval by the Approving Officer.
- Once Remnant Lot A (15210/15220/15230 Guildford Drive) is subdivided into two (Blocks A and D), Block D would be subject to a new Development Permit application for any future multiple residential development.

Proposed CD By-law (Appendix V)

In the new CD Zone, the following changes are proposed, which will differ from the existing CD By-law No. 12503 as amended by By-law No. 13553 (City staff comments are in italics):

- Senior citizens' housing is eliminated as a permitted use.

If seniors housing is proposed in the future, such a use will be permitted under the term "multiple unit residential building", subject to a Housing Agreement being registered.

- Lot areas will not be applicable under the Lot Area section of the proposed CD By-law.

The minimum lot size will be identified under the subdivision section of the new CD By-law.

- Density will differ in that only Floor Area Ratio (FAR) will regulate each block with no reference to unit density or maximum number of units.

The applicant has requested this change to allow for more flexibility in future development by utilizing the floor area ratio measurement only.

- Lot coverage is to be increased from 36% to 40%.

The proposed increase to 40% is less than the maximum 45% permitted under the Multiple Residential 45 Zone (RM-45) and would permit the applicant slightly more flexibility in future multiple residential developments of the remaining lots.

- Clarification of the building setbacks for all blocks. All setbacks shall be a minimum of 7.5 metres (25 ft.), except for the setback along the south lot line of Block A, which will be established at 0.0 metre (0.0 ft.). All internal side yard setbacks shall be at 1.52 metres (5 ft.).

The proposed reduced setback from 7.5 metres (25 ft.) to 0.0 metre along the south lot line of Block A is to allow for the siting of the 4-storey apartment building already constructed (Phase II of the Boulevard Club at 15220 Guildford Drive). The proposed 7.5-metre (25 ft.) building setbacks, along all other property lines are consistent with those prescribed under CD By-law No. 12503 as amended by By-law No. 13553.

- Building height is to be increased from 16 metres (52 ft.) to 18.3 metres (60 ft.) on Blocks A, B and D and the height of accessory structures is to be set at 4.5 metres (15 ft.).

The applicant has requested this change to allow for the typical 2.7-metre (9 ft.) ceiling height of today's multiple residential design to accommodate future 4-storey apartment developments. The current zoning permits accessory structures to be as high as the principal building and therefore is proposed to be restricted to 4.5 metres (15 ft.). The maximum building height for the principal building in Block C will remain at 61 metres (200 ft.).

- The Off-Street Parking requirements of Surrey Zoning By-law, No. 12000 to apply.

This change ties parking requirements to those for a multiple residential zone under Zoning By-law No. 12000, which are the most current.

- The Subdivision section of the proposed CD By-law will allow for four lots and their corresponding lot areas.

The proposed change identifies the most updated lot areas based upon the development which has already been constructed on the land, as well as incorporating changes with respect to road dedication along Guildford Drive and a land exchange (from a portion of 106 Avenue) which occurred in 1995. The minimum lot size for each block has been identified as follows:

<i>Block A (includes Phases I and II of the Boulevard Club development)</i>	<i>1.1 hectare (2.7 acres)</i>
<i>Block B</i>	<i>1.8 hectare (4.4 acres)</i>
<i>Block C</i>	<i>0.2 hectare (0.5 acre)</i>
<i>Block D</i>	<i>1.1 hectare (2.7 acres)</i>

- A new schedule reflecting the proposed four (4) lots will be attached to the proposed CD By-law, thereby reflecting the new development proposal.
- In summary, the changes to CD By-law No. 12503, as amended by By-law No. 13553 which will be incorporated into the new proposed CD By-law are as indicated in the table below:

	CD By-law No. 12503	New CD By-law
Section 2.C Lot Area	<i>3 lot areas: Parcel A – 2.3 hectares (5.68 acres) Parcel B – 1.79 hectares (4.4 acres) Parcel C – 0.30 hectares (0.72 acres)</i>	<i>Not applicable. The minimum lot size for each block will be identified in the subdivision section.</i>
Section 2.D Density	<i>Density for each lot to be based upon maximum unit allotment and floor area ratio: Parcel A: 252 units and common facility, maximum FAR -1.2 Parcel B: 249 units, maximum FAR – 1.40 Parcel C: 110 units, maximum FAR – 4.5</i>	<i>Density for each lot will be based upon floor area ratio for each block: Block A: 1.29 FAR Block B: 1.4 FAR Block C: 4.5 FAR Block D: 1.12 FAR</i>
Section 2.E Lot Coverage	<i>36% for each lot</i>	<i>40% for each lot</i>
Section 2.F Yard and Setbacks	<i>(a) From Guildford Drive – 7.5 metres (25 ft.) (b) From 152 Street – 7.5 metres (25 ft.) (c) From 153 Street – 7.5 metres (25 ft.) (d) Internal side yard setbacks between lots A, B and C – 1.52 metres (5 ft.) (e) From the south property line of Lots A and B – 7.5 metres (25 ft.)</i>	<i>(a) Unchanged (b) Unchanged (c) Unchanged (d) To reflect an internal side yard of 1.52 metres (5 ft.) between all 4 lots (e) From the south property line of Block A – 0.0 metre (0 ft.) and from the south property lines of Blocks B and D – 7.5 metres (25 ft.)</i>
Section 2.G Height of Buildings	<i>Building height not to exceed 16.0 metres (52 ft.) on Lots A and B.</i>	<i>Building height not to exceed 18.3 metres (60 ft.) for Blocks A, B and D. Accessory structures not to exceed 4.5 metres (15 ft.).</i>

	CD By-law No. 12503	New CD By-law
Section 2.H Off-Street Parking	<u>Residential:</u> 1-bedroom or less units – 1.5 stall/unit 2-bedroom units– 1.75 stall/unit 3-bedrooms or more units – 2 stalls/unit <u>Visitor parking:</u> 0.2 stall/unit	Parking requirements to be based upon Zoning By-law No. 12000 <u>Residential:</u> 1-bedroom units or less – 1.3 stall/unit 2-bedrooms or more units - 1.5 stalls/unit <u>Visitor parking:</u> -0.2 stall/unit
Section 2.K. Subdivision	3 lot areas: Parcel A – 2.3 hectares (5.68 acres) Parcel B – 1.79 hectares (4.4 acres) Parcel C – 0.30 hectares (0.72 acres)	4 lot areas: Block A: 1.1 hectare (2.7 acres) Block B: 1.8 hectare (4.4 acres) Block C: 0.2 hectare (0.5 acre) Block D: 1.1 hectare (2.7 acres)

- In general, the new CD By-law is required due to the numerous revisions required to bring CD By-law No. 12503 as amended by By-law No. 13553 into conformity with new standards and to permit the four (4) lots as proposed by the applicant.

PRE-NOTIFICATION

A pre-notification letter was sent on August 11, 2009 to surrounding property owners within a 100-metre radius from the subject site. Staff received 2 e-mails, 1 letter and 5 phone calls from residents in the surrounding neighbourhood seeking additional information, but no one indicated concerns regarding the development proposal.

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.	Aerial Photo
Appendix III.	Proposed Block Plan
Appendix IV.	Engineering Summary
Appendix V.	Proposed CD By-law

Jean Lamontagne
General Manager
Planning and Development

PL/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: Jim Ellis
 Address: #201 - 4695 Hastings Street
 Burnaby, BC
 V5C 2K6
 Tel: 604-299-3443

2. Properties involved in the Application
 - (a) Civic Addresses: 15200, 15210, 15220, 15230 and 15340 to 15370 Guildford Drive

 - (b) Civic Address: 15200 Guildford Drive
 Owner: Cardiff Properties Ltd., Inc. 71646
 PID: 023-420-201
 Lot C Section 21 Block 5 North Range 1 West New Westminister District Plan LMP27911

 - (c) Civic Address: 15210 Guildford Drive
 Owner: Owners of Strata Corporation LMS2768 Phase I
 Strata Lots 1 to 80 Section 21 Block 5 North Range 1 West New Westminister District Strata Plan LMS2768 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1

 - (d) Civic Address: 15220 Guildford Drive
 Owner: Owners of Strata Corporation LMS2768 Phase II
 Strata Lots 81 to 137 Section 21 Block 5 North Range 1 West New Westminister District Strata Plan LMS2768 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1

 - (e) Civic Address: 15230 Guildford Drive
 Owner: Cardiff Properties Ltd., Inc. No. 71646
 PID: 023-420-189
 Lot A Except: Firstly: Phase One Strata Plan LMS2768 Secondly: Phase Two Strata Plan LMS2768 Section 21 Block 5 North Range 1 West New Westminister District Plan LMP27911

 - (f) Civic Address: 15340 to 15370 Guildford Drive
 Owner: Cardiff Properties Ltd., Inc. No. 71646
 PID: 023-420-197
 Lot B Section 21 Block 5 North Range 1 West New Westminister District Plan LMP27911

3. Summary of Actions for City Clerk's Office
 - (a) Introduce a By-law to rezone the site.

SUBDIVISION DATA SHEET

Proposed Zoning: CD (based on RM-70)

Requires Project Data	Proposed			
GROSS SITE AREA				
Acres	10.92 acres			
Hectares	4.421 ha			
NUMBER OF LOTS				
Existing	3			
Proposed	4			
SIZE OF LOTS				
Range of lot widths (metres)				
Range of lot areas (square metres)				
DENSITY				
	Block A	Block B	Block C	Block D
Lots/Hectare & Lots/Acre (Gross)				
Lots/Hectare & Lots/Acre (Net)	1.68 ha	1.834 ha	0.289 ha	1.130 ha
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)	n/a			
% of Gross Site				
Required				
PARKLAND				
5% money in lieu	NO			
TREE SURVEY/ASSESSMENT				
	NO			
MODEL BUILDING SCHEME				
	N/A			
HERITAGE SITE Retention				
	NO			
BOUNDARY HEALTH Approval				
	NO			
DEV. VARIANCE PERMIT required				
Road Length/Standards	NO			
Works and Services	NO			
Building Retention	NO			
Others	NO			