

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7909-0062-00

Planning Report Date: June 15, 2009

PROPOSAL:

- Amend **CD By-law** No. 16246

in order to allow subdivision into an airspace parcel and a remainder lot.

LOCATION:

2970 King George Highway

OWNER:

The Watermark at Southpointe Holdings Corp.

ZONING:

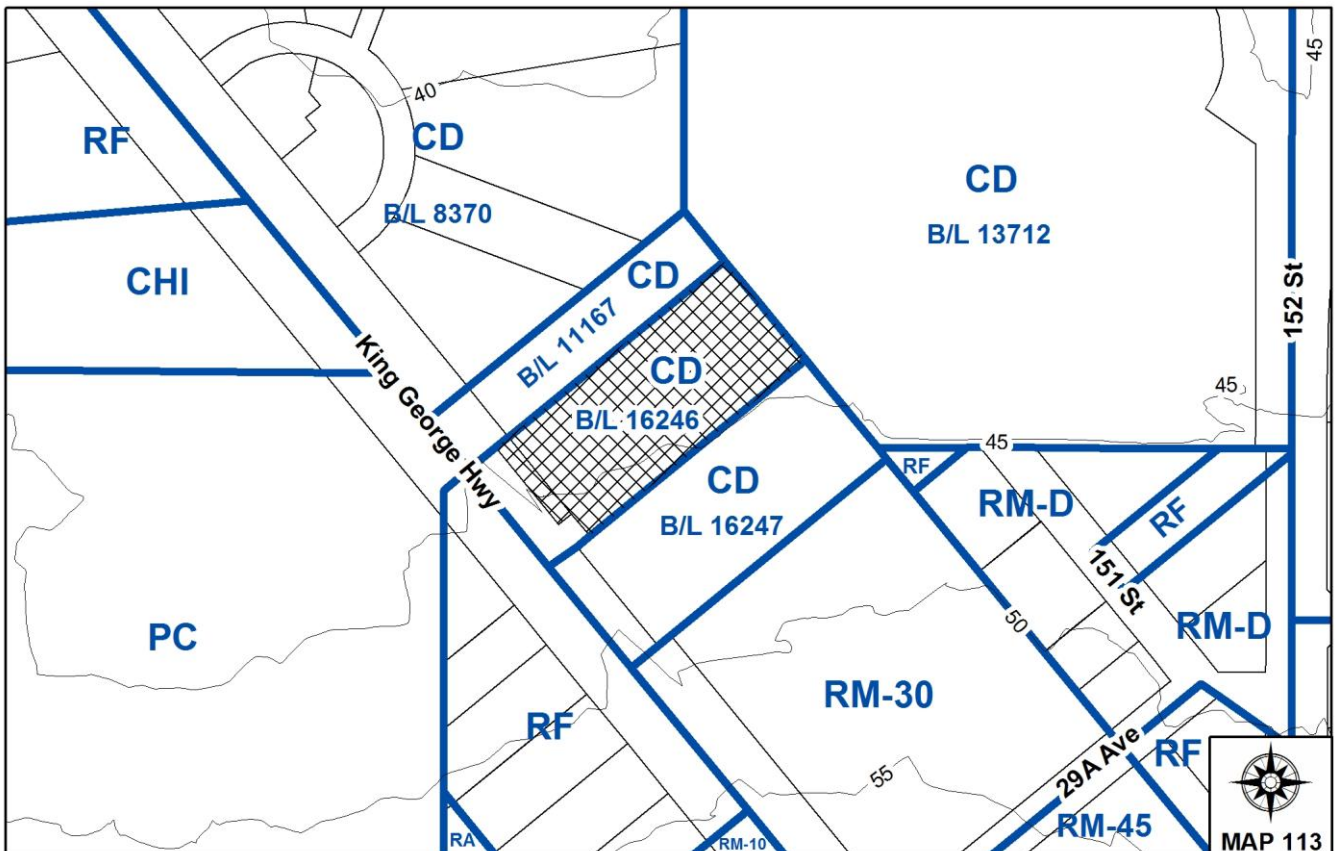
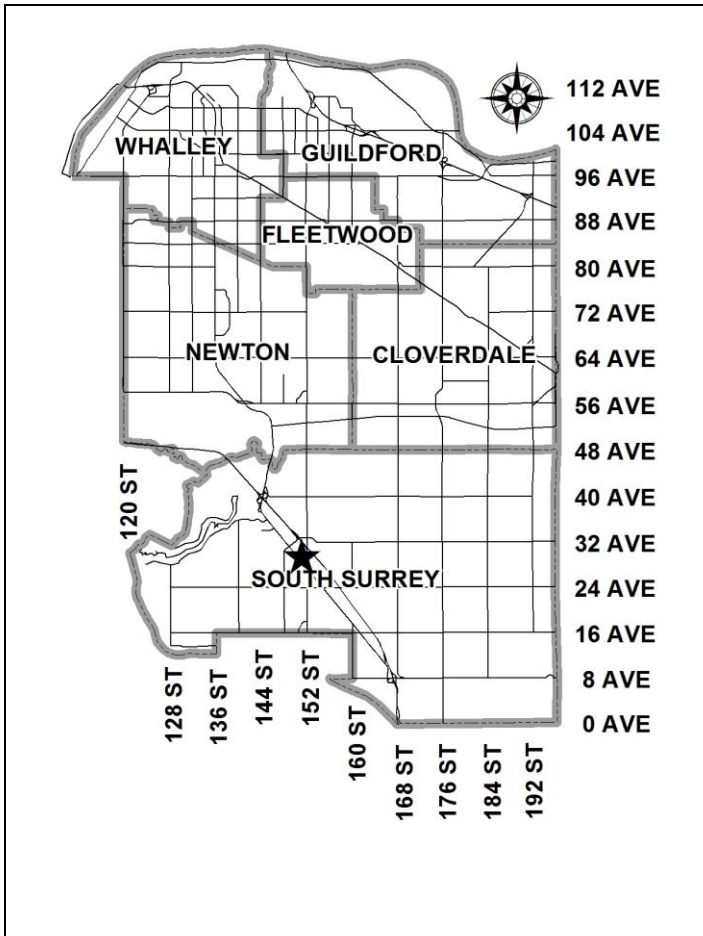
CD (By-law No. 16246)

OCP DESIGNATION:

Multiple Residential

LAP DESIGNATION:

Commercial/Residential



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for amendment to CD By-law No. 16246.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The subject site is presently under development for a mixed commercial/residential building, which is near completion. The owner seeks to create an airspace parcel comprising the ground floor commercial area in order to sell off that portion of the site. The CD By-law did not anticipate this subdivision, therefore, the creation of the airspace parcel will necessitate amendment of the density, lot coverage and setback provisions of the CD By-law (No. 16246) in order to conform to the proposal.

RATIONALE OF RECOMMENDATION

- The proposed amendment will not affect the intended use or anticipated site development as approved under the CD By-law (No. 16246). The proposed amendment will not result in the alteration of the character of the building; hence not have a negative impact on the character of the nearby area.
- All physical aspects of the building remain unchanged.
- The applicant will be required to complete the necessary agreements, easements, and covenants to ensure that the airspace parcel and the remainder lot are operated as one building for the purpose of life and safety systems, structural requirements and building support, access, maintenance, emergency response, amenity space, common utilities and services and encroachment of a heritage Oak tree canopy into the airspace parcel.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to amend Comprehensive Development By-law No. 16246 and a date be set for Public Hearing.

REFERRALS

Engineering: Subject to the completion of Project No. 7806-0329-00, and the registration of a Section 219 Restrictive covenant and blanket easement (for access, utilities, building support, etc.), there are no engineering requirements relative to the Rezoning and/or Airspace Subdivision applications.

SITE CHARACTERISTICS

Existing Land Use: A mixed-use building under construction.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
Northeast:	Shopping centre.	Commercial	CD (By-law No. 13712)
Southwest (Across King George Highway):	Single family dwellings.	Urban	RF
Northwest:	Auto mall.	Commercial	CD (By-law Nos. 12888, 8370 and 11167)
Southeast:	A mixed-use building under construction.	Multiple Residential	CD (By-law No. 16247)

DEVELOPMENT CONSIDERATIONSBackground & Land Use Rationale

- The subject site and the properties to the south are designated "Multiple Residential" in the OCP and "Commercial Residential" in the King George Highway Land Use/Development Concept Plan.
- The subject site and the properties to the south were rezoned in 2007, to allow the construction of mixed-use, residential-commercial complexes, including ground-floor commercial and 3 levels of residential units above.

- The mixed-use building is on the property nearing completion.
- The applicant has submitted an Airspace subdivision application to create a fee simple parcel incorporating the commercial ground-floor portion of the building, to facilitate the sale of that portion of the building and stratify the remainder (residential portion).
- At grade, the airspace parcel (commercial portion) is 4,487.58 m² (1.1 Acre) in area and the remainder (residential portion) is 3,972.08 m² (1 Acre) in area.
- Since an airspace subdivision was not anticipated during the rezoning process, the CD By-law No. 16246 was not written to accommodate an airspace subdivision. In order to facilitate airspace subdivision and meet the density, lot coverage, and setback provisions of the CD Zone, an amendment to the CD is needed. The amendment will adjust the By-law to reflect the setback distance between the two lots within the buildings and to treat the density (FAR) and site coverage as though a subdivision had not occurred (i.e. treat the lots as a single site).
- The proposed amendment will not affect the total intended use, density, lot coverage and setback intent of the CD By-law No. 16246 over both sites collectively.
- The proposed amendment will not result in the alteration of the character of the building; hence not have a negative impact on the character of the nearby area.
- All physical aspects of the building remain unchanged.
- Easements and covenants to ensure that the airspace parcel and the remainder lot are operated as one building for the purpose of life and safety systems, building support and access for the purpose of maintenance and emergency responses are required as a condition of approval of the final adoption of approval of subdivision.
- There is an Oak tree on King George Highway, adjacent to the proposed airspace parcel. The canopy of the Oak tree is expected to encroach on the proposed airspace parcel, therefore, an easement is required to enable the encroachment.

PRE-NOTIFICATION AND DEVELOPMENT SIGN

- The proposed amendment does not alter the overall intent of the CD Zone, therefore, pre-notification letters were not sent to the nearby residents or community associations in the nearby area, and the Development Sign only advertised the proposed airspace subdivision.

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 Airspace Subdivision Layout
- Appendix III. Proposed CD Amendment By-law

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: Miles Alperstein
 Address: #1700 - 1075 Georgia Street
 Vancouver, BC
 V6E 3C9
 Tel: 604-642-4558

2. Properties involved in the Application
 - (a) Civic Address: 2970 King George Highway

 - (b) Civic Address: 2970 King George Highway
 Owner: The Watermark at Southpointe Holdings Corp., Inc. No.
 754740
 PID: 027-162-036
 Parcel 1 Section 22 Township 1 New Westminster District Plan BCP31632

3. Summary of Actions for City Clerk's Office
 - (a) Introduce a By-law to amend CD By-law No. 16246

SUBDIVISION DATA SHEET

Existing Zoning: CD (By-law No. 16246)

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	2 ac
Hectares	0.85 ha
NUMBER OF LOTS	
Existing	1
Proposed	2 (one airspace & remainder)
SIZE OF LOTS	
Range of lot widths (metres)	30 m to 55 m
Range of lot areas (square metres)	3,972.08 m & 4,487.58 m ²
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	1 lot/acre
Lots/Hectare & Lots/Acre (Net)	2.4 lots/ha
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	38.15%
Estimated Road, Lane & Driveway Coverage	45.83%
Total Site Coverage	84%
PARKLAND	
Area (square metres)	n/a
% of Gross Site	
	Required
PARKLAND	
5% money in lieu	NO
TREE SURVEY/ASSESSMENT	
	NO
MODEL BUILDING SCHEME	
	NO
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

DEVELOPMENT DATA SHEET

Existing Zoning: CD (By-law No. 16246)

Required Development Data	Minimum Required / Maximum Allowed	Proposed Residential	Proposed Commercial (Airspace)
LOT AREA* (in square metres)			
Gross Total			
Road Widening area			
Undevelopable area			
Net Total	n/a	3,972.08 m ²	4,487.58 m ²
LOT COVERAGE (in % of net lot area)			
Buildings & Structures	45%	36.02%	40.28%
Paved & Hard Surfaced Areas		37.18%	54.49%
Total Site Coverage		73.20%	94.77%
SETBACKS (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)			
Principal	18.30 m	18.28%	6.85 m
Accessory			
NUMBER OF RESIDENTIAL UNITS			
Bachelor			
One Bed			
Two Bedroom			
Three Bedroom +			
Total			
FLOOR AREA: Residential	5,163.70 m ²	8,732.01 m ²	
FLOOR AREA: Commercial			
Retail			
Office			
Total	1,458.46 m ²		1,807.43 m ²
FLOOR AREA: Industrial			
FLOOR AREA: Institutional			
TOTAL BUILDING FLOOR AREA	1,458.46 m ²	8,732.01 m ²	1,807.43 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 Residential	Proposed Residential (Airspace)
DENSITY			
# of units/ha /# units/acre (gross)			
# of units/ha /# units/acre (net)			
FAR (gross)			
FAR (net)	1.3	2.2	0.40
AMENITY SPACE (area in square metres)			
Indoor			
Outdoor			
PARKING (number of stalls)			
Commercial	55 stalls	144 stall	55 stalls
Industrial			
Residential Bachelor + 1 Bedroom			
2-Bed	39 stalls	39 stalls	
3-Bed	86 stalls	86 stalls	
Residential Visitors	19 stalls	19 stalls	
Institutional			
Total Number of Parking Spaces	99 stalls	144 stalls	55 stalls
Number of disabled stalls			
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	NO
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