

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7910-0064-00

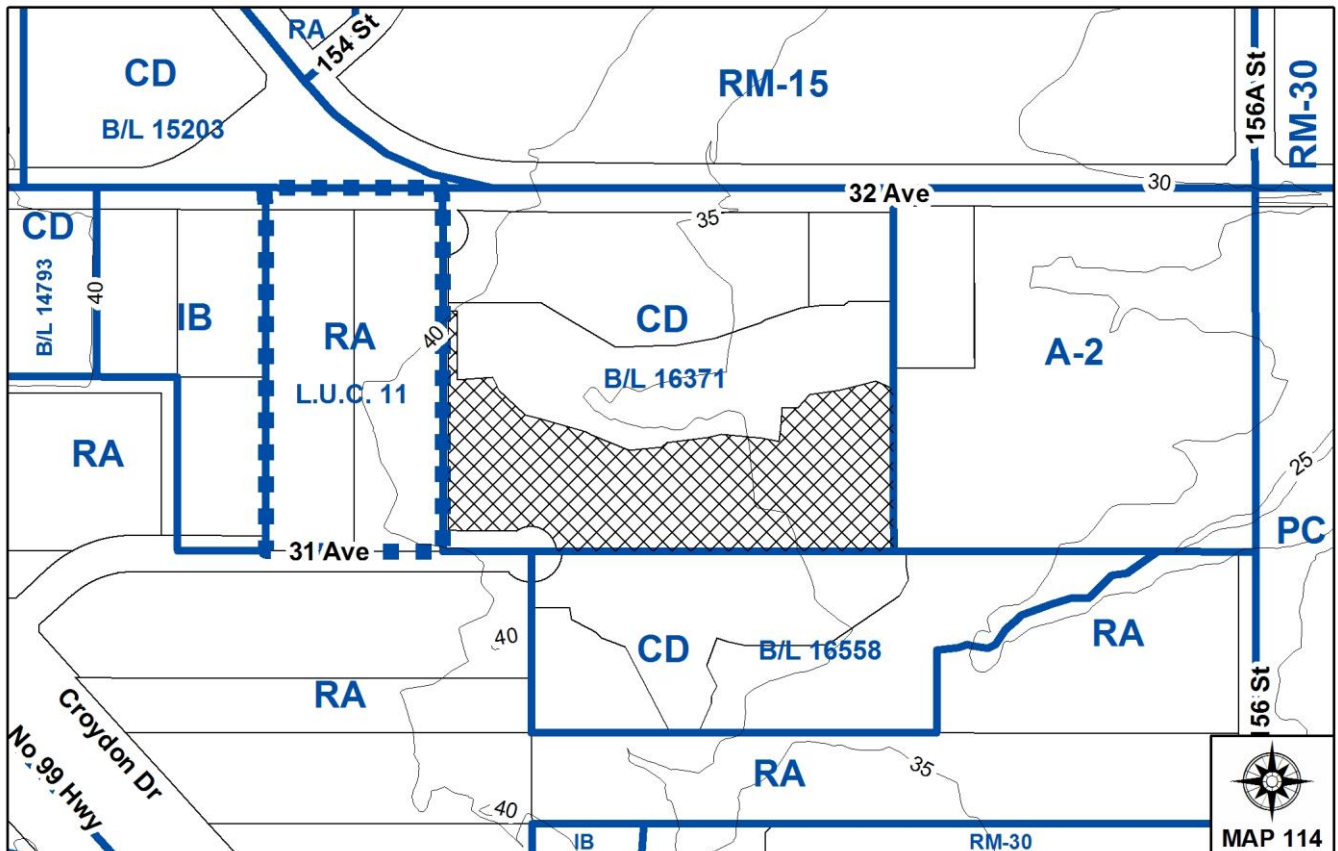
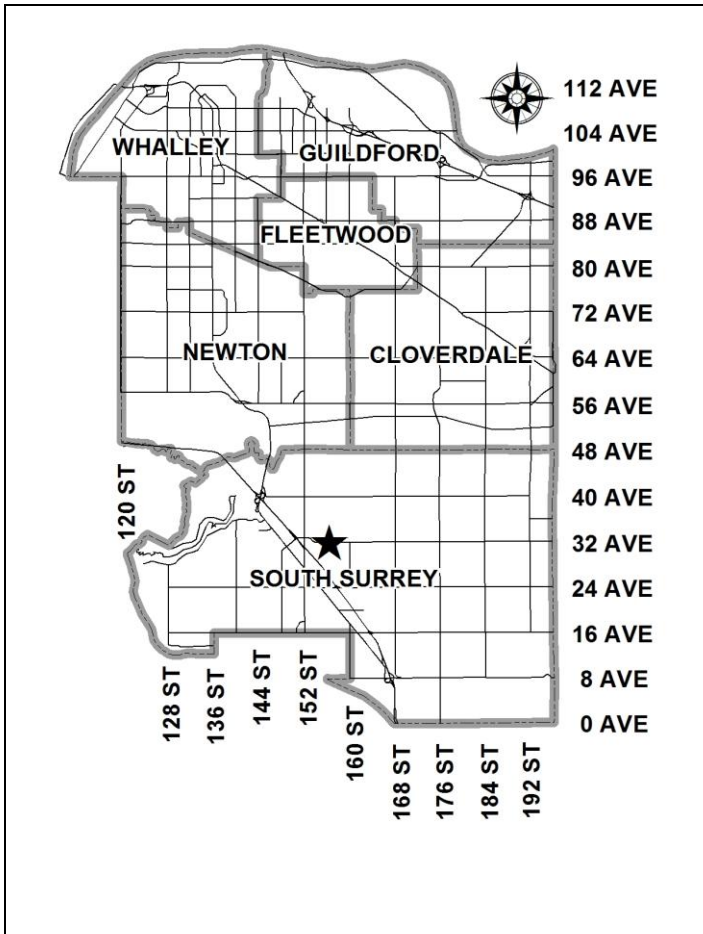
Planning Report Date: May 17, 2010

PROPOSAL:

- Amend CD By-law No. 16371
- Development Permit

in order to permit the development of 75 live/work townhouse units.

LOCATION: 15405 - 31 Avenue
OWNER: Nuvo Living Inc., Inc. No. 0719523
ZONING: CD (By-law No. 16371)
OCP DESIGNATION: Industrial
NCP DESIGNATION: Work/Live or Business Park



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Rezoning.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- An amendment to the existing CD Zone (By-law No. 16371) is required to increase the allowable density for ground-oriented work-live units from 0.6 FAR and ~~15~~ **11** upa to 0.66 FAR and ~~17~~ **18** upa.

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Complies with NCP Designation.
- The proposed increase in density is the result of previous dedication of a large portion of the site for riparian purposes, as well as the completion of a detailed site design that was not available when the base zoning was adopted as part of the original rezoning application.
- The proposed design maintains the work/live development concept, but also reflects a greater understanding of the work/live market and consumer demand, based on the developer's experiences as Phase I of this project.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to amend CD By-law No. 16371, as outlined in the proposed amendment (Appendix VIII) and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7910-0064-00 in accordance with the attached drawings (Appendix VII).
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) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (c) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (d) resolution of all urban design issues to the satisfaction of the Planning and Development Department;
 - (e) 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;
 - (f) registration of a Section 219 Restrictive Covenant to ensure that the floor area for the "work" use will not be occupied as a secondary suite;
 - (g) registration of a Section 219 Restrictive Covenant providing notice to future owners of the live/work use on site;
 - (h) the applicant demonstrate Building Code review to ensure compliance for the "work" use on-site; and
 - (i) the applicant address the shortage in tree replacement.

REFERRALS

Engineering: The Engineering Department has no objection to the project as outlined in Appendix III.

School District: Projected number of students from this development:

12 Elementary students at Morgan Elementary School
6 Secondary students at Earl Marriot Secondary School

(Appendix IV)

Parks, Recreation & Culture: No concerns. Ensure appropriate interface and pedestrian connectivity.

SITE CHARACTERISTICS

Existing Land Use: Undeveloped land and Phase II of Nuvo Living Live/Work development.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North:	Dedicated greenspace and live/work development.	Industrial/ Live/Work Business Park	CD
East:	Single family home.	Industrial/ Live/Work Business Park	A-2
South:	Four-storey apartment live/work project under construction.	Industrial/ Live/Work Business Park	CD
West:	Single family house.	Industrial/Industrial	RA

DEVELOPMENT CONSIDERATIONSBackground

- The subject site was rezoned and subdivided under development application No. 7906-0087-00 to a live/work townhouse project which received final adoption in June 2007. A detailed development permit was issued for Phase I of this project. A general development permit was issued for the remainder (subject) site, which was intended to guide the future design of this phase.
- The site is designated "Industrial" in the Official Community Plan (OCP) and "Live/Work and Business Park" in the Rosemary Heights Business Park Neighbourhood Concept Plan (NCP).
- Phase I is nearly complete with most units constructed and occupied. The live/work townhouse concept is intended to create opportunities for residents to operate home based businesses. The units include designated area for work uses on the ground floor, which has its own entrance separate from the residential entrance, and is designed to commercial code standards.
- The development is identified as a live-work community through the use of comprehensively developed signage and an amenity building that is purpose designed to support work uses.

- The original application rezoned the site to CD, based on a combination of the RM-15, RM-45 and IB Zones. The CD Zone is organized into three (3) land areas: Blocks A, B and C. Block A is Phase I, which is based on RM-15, with an increase in floor area ratio of 0.67, and IB uses. Block B was dedicated to the City as per the Department of Fisheries and Oceans (DFO) requirement for riparian protection. Block C, the current subject site, was based on a combination of RM-15, RM-45 and IB uses. The zone allows for either of two (2) options: ground-oriented live/work townhouse units, similar to Phase I, or higher density four (4) storey live/work apartment buildings.

Proposed By-law Amendment

- The current proposal is to develop live/work ground oriented type units, similar to Phase I. However, an amendment to the CD Zone is also required to allow for an increase in floor area ratio from 0.60 to 0.66 and an increase in unit density from ~~15~~ **11** u.p.a to ~~17~~ **18** u.p.a. The option of a four (4) storey apartment building, based on RM -45, is being deleted from the CD Zone. A detailed Development Permit is also proposed.
- The project proposes a floor area ratio of 0.66 and a unit density of ~~17~~ **18** u.p.a. This increase in density is supportable for a number of reasons. The floor area ratio in Phase I is 0.66, which is consistent with the density proposed. The multiple unit residential option, for a four(4) storey apartment, allows a floor area ratio of 1.0 and a unit density of 49 u.p.a.
- The proposed increase in density is minor in comparison with the permitted density on the site.

Proposal

- The live/work concept is similar to Phase I with each unit having one (1) room as dedicated work space with a separate entrance from the residential unit.
- Type of permitted work uses are also similar to Phase I and include office and commercial type uses including financial services, medical, insurance, beauty salons, etc.
- In order to accommodate this type of use the units are required to be constructed in accordance with BC Building Code requirements for commercial uses, as was the requirement in Phase I.

Access

- Access was determined as part of the original project and in conjunction with the Department of Fisheries and Oceans (DFO). A statutory right of way is registered for the internal north-south road which connects Phases I and II and also provides right in and out access to 32 Avenue for the entire site. This north -south alignment was established during the original rezoning and development permit application, in consultation with the Department of Fisheries and Oceans. The principal access to the site is from 31 Avenue, which terminates as a cul-de-sac bulb. An internal strata road provides continued access and parking for this project, and the "Headwaters" live/work project to the south. A statutory right of way for access is a registered along this internal road to provide for future access and development for the lands to the east, also designated "Live/Work or Business Park Area and Creek Preservation" in the NCP.

Design Review

- The site plan is generally consistent with the generalized Development Permit, in terms of internal roads, accesses and setbacks.
- The number of units proposed is 75, including 41 units with tandem parking stalls and 34 units with double side by side parking stalls. This number is greater than outlined in the concept plans.
- The size of unit blocks range in number from two (2) to five (5) which is different than the duplex type unit blocks throughout Phase I. The individual units are also smaller than the units in Phase I and range in floor area from 142 sq. m (1,535 sq. ft) to 178 sq. m (1,922 sq. ft).
- This change in the project reflects the experience learned from Phase I in relation to the market demand for live/work units.
- The work area of the units have direct access from either the front or side of the units.
- Units fronting the internal strata road are "street" oriented with direct access to the work portion of the unit. The units are setback at 7.5 m (25 ft.) and leave a useable yard area.
- The units that back onto the riparian area are setback 6.0 metres, which is consistent with the original zoning and DFO setback requirements.
- The site plan includes a continuous pathway along these units that back onto the riparian area, which allows direct access to the work portion of these units and provides an amenity feature within the site and pedestrian connectivity.
- The north-south walkway, located along the western property and shown in the NCP, has been well integrated in the plan. The units front the walkway which provides for a distinct entrance point to the work portion of these units.
- Signage has been identified in the landscaping plan and will be similar to that used in Phase I, with more emphasis on the individual trellises to the unit entrances.
- Amenity building is purpose built and includes small and larger rooms for meetings as well as social activities.
- Outdoor amenity area has been provided which includes a children's play area near the riparian area, separated from the work area of the amenity building.
- Landscaping plans have been reviewed in principal and are subject to detailed review.

Tree Retention

- Titman Creek is located north of the current subject site (Block B), comprising part of the original development application and dedicated to the City for riparian preservation purposes. A large number of trees were retained and planted within these lands, and as per DFO requirements.

- An updated arborist report was prepared and submitted by Michael J Mills Consulting on May 10, 2010. The report outlines that some clearing of the site has been completed, as part of Phase I, including the north-south storm sewer, walkway and strata road extension.
- There are forty-one (41) significant trees currently located on the subject site. Two(2) trees are proposed for retention and significant efforts have been made to preserve a large, good quality Austrian pine on the northern portion of site.
- Many of the trees located on the subject site have suffered crowding and are not in good health or worthy of retention. Many trees are in poor condition, or located within internal roadways or building envelopes.

Tree Species	No. of Trees	No. to be Retained	No. to be Removed
Paper Birch	11	0	11
Douglas Fir	3	1	1
Alder	1	0	1
Cottonwood	17	0	17
Shore Pine	7	0	7
Austrian Pine	1	1	1
Big Leaf Maple	1	0	1
Total	41	2	39

- The tree bonding security is \$6,000.00. The landscaping plan proposes 185 replacement trees.

PRE-NOTIFICATION:

Pre-notification letters were mailed out by the City on April 6, 2010 and staff received one response in regards to tree preservation in the riparian area.

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.	Site Plan
Appendix III.	Engineering Summary
Appendix IV.	School District Comments
Appendix V.	Summary of Tree Survey and Tree Preservation
Appendix VI.	NCP Plan
Appendix VII.	Draft Development Permit No. 7910-0064-00
Appendix VIII.	Proposed CD By-law Amendment

INFORMATION AVAILABLE ON FILE

- Complete Set of Architectural and Landscape Plans prepared by GBL Architects Inc. and DMG Landscape Architects, respectively, dated May 2010.

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: Hugh Carter, Nuvo Living Inc.
 Address: 5620 – 152 Street
 Surrey, BC
 V3S 3K2
 Tel: 778-571-2111

2. Properties involved in the Application

- (a) Civic Address: 15405 – 31 Avenue
- (b) Civic Address: 15405 – 31 Avenue
 Owner: Nuvo Living Inc., Inc. No. 0719523
 PID: 027-242-973
 Lot 3 Section 23 Township 1 New Westminster District Plan BCP32580

3. Summary of Actions for City Clerk's Office

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

DEVELOPMENT DATA SHEET

Existing Zoning: CD

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total	18,000 m ²	18,000 m ²
Road Widening area		
Undevelopable area		
Net Total	18,000 m ²	18,000 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	0.45	0.27%
Paved & Hard Surfaced Areas		0.25%
Total Site Coverage		
SETBACKS (in metres)		
Front (South)	7.5 m	7.5 m
Rear (North)	7.5 m	6 m + 20 m enviro setbacks
Side #1 (West)	7.5 m	6.0 m
Side #2 (East)		
BUILDING HEIGHT (in metres/storeys)		
Principal	11	11
Accessory		
NUMBER OF RESIDENTIAL UNITS	15 upa	
Bachelor		
One Bed		
Two Bedroom		41
Three Bedroom +		34
Total		75
FLOOR AREA: Residential		11,917 m ²
FLOOR AREA: Commercial		
Retail		
Office		
Total	960 m ²	960 m ²
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA		11,917 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)		
AMENITY SPACE (area in square metres)		
Indoor	225 m ²	201.4 m ²
Outdoor	225 m ²	230.3 m ²
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed	82	82
3-Bed	68	68
Residential Visitors	15	21
	172	178
Institutional		
Total Number of Parking Spaces	172	178
Number of disabled stalls		
Number of small cars		
Tandem Parking Spaces: Number / % of Total Number of Units	41 units (54%)	41 units (54%)
Size of Tandem Parking Spaces width/length	3.2 m x 6.0 m	3.2 m x 6.0 m

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