

City of Surrey  
**ADDITIONAL PLANNING COMMENTS**

File: 7917-0205-00

Planning Report Date: July 23, 2018

**PROPOSAL:**

- **Rezoning** from RF to CD (based on RM-70)
- **Development Permit**

to permit the development of a 6-storey apartment building consisting of approximately 60 dwelling units.

**LOCATION:**

9459 - 135 Street  
 9445 - 135 Street  
 13491 - 94A Avenue

**ZONING:**

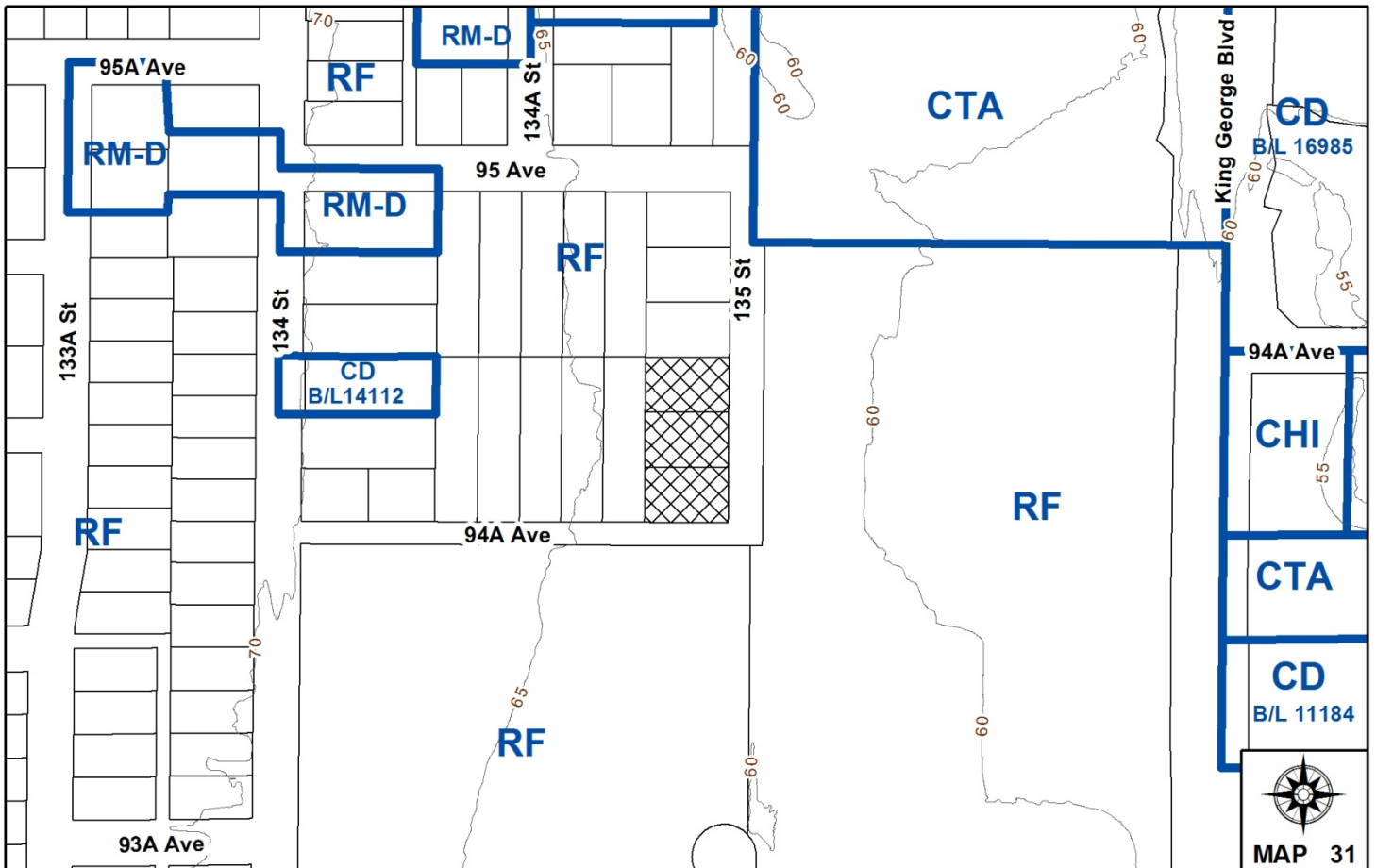
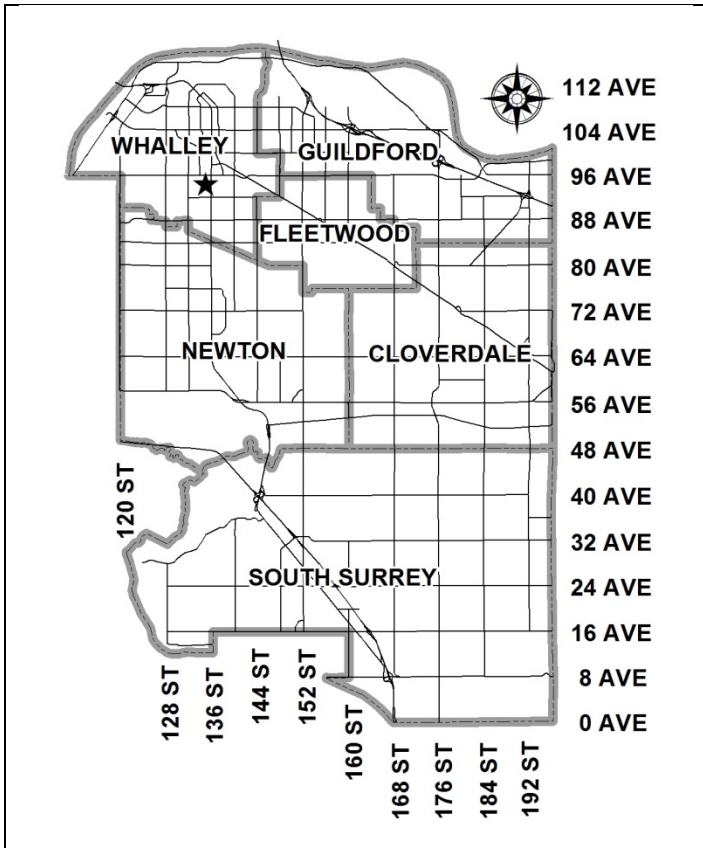
RF

**OCP DESIGNATION:**

Multiple Residential

**CCP DESIGNATION:**

Residential Low to Mid Rise up to 2.5 FAR



### RECOMMENDATION SUMMARY

- Council rescind Resolution R18-996 granting Third Reading to Rezoning By-law No. 19585;
- Council amend Rezoning By-law No. 19585 by replacing page 2 of the CD By-law with the attached revision (Appendix II); and
- A date for Public Hearing be set for the amended Rezoning By-law No. 19585.

### RATIONALE OF RECOMMENDATION

- The subject development application was considered by Council at the Regular Council-Land-Use Meeting on April 23, 2018 where First and Second readings were granted to the proposed Rezoning By-law (No. 19585). The proposed Rezoning By-law (No. 19585) was then granted Third Reading following a Public Hearing on May 7, 2018.
- The applicant has subsequently advised staff that an oversight has resulted in a miscalculation of the proposed Floor Area Ratio (FAR) specified in the CD Zone. The applicant's architect provided the FAR calculation based on the gross site area, as opposed to the net site area, as necessary for the purposes of a CD Zone, as prescribed under the Zoning By-law No. 12000.
- The CD Zone (By-law No. 19585) currently specifies a maximum net FAR of 2.0. However, the proposed development has an actual net FAR of 2.7. Although higher than the maximum FAR currently allowed in the CD Zone, the proposed development is still compliant with the maximum gross FAR of 2.5 permitted within the City Centre Plan. The City Centre Plan allows for density to be calculated on the basis of the gross site area (i.e. before road dedication).
- No changes to the form and character of the development previously supported by Council are proposed.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. Council rescind Resolution R18-996 granting Third Reading to Rezoning By-law No. 19585.
2. Council amend Rezoning By-law No. 19585 by replacing Page 2 of the CD By-law with the attached revision (Appendix II).
3. A date for Public Hearing be set for the amended Rezoning By-law No. 19585.

## DEVELOPMENT CONSIDERATIONS

### Background

- The proposed development, located at 9445/9459 – 135 Street and 13491 – 94A Avenue, involves a rezoning, subdivision and development permit application to allow a 6-storey apartment building on a consolidated site.
- The development application was considered by Council at the Regular Council – Land-use Meeting on April 23, 2018 where First and Second readings were granted to the proposed Rezoning By-law No. 19585. The Rezoning By-law (No. 19585) was then granted Third Reading following a Public Hearing on May 7, 2018.

## DISCUSSION

- The applicant and City staff have subsequently discovered an error in the density calculations for the proposed development. Due to an oversight, the applicant's architect provided the floor area ratio calculations based on the gross site area (i.e. before road dedication), whereas the Zoning By-law No. 12000 requires floor area ratio to be calculated on the net site area (i.e. after road dedication) for multi-family development.
- The CD Zone (By-law No. 19585) therefore incorrectly specifies a maximum net FAR of 2.0. The proposed development has an actual net FAR of 2.7. Although higher than the maximum FAR allowed in the CD Zone currently at Third Reading, the proposed FAR still is less than the maximum gross FAR of 2.5 allowed under the "Residential Low to Mid Rise up to 2.5 FAR" designation in the Surrey City Centre Plan which was approved by Council on January 16, 2017 (Corporate Report No. R014:2017). The City Centre Plan allows density (FAR) to be calculated on the gross site area.
- The built form and massing of the proposed 6-storey apartment building is unchanged.

- In order to correct the oversight which resulted in the applicant miscalculating the Floor Area Ratio (FAR) currently specified in the CD Zone at Third Reading, staff recommend that Council rescind Third Reading of Rezoning By-law No. 19585, amend the CD Zone by inserting the attached replacement page (Appendix II) which reflects the correct net FAR of 2.7 and set a date for a new Public Hearing for the amended Rezoning By-law No. 19585.

#### INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners and Action Summary (Confidential)
- Appendix II. CD By-law replacement page (Page 2)
- Appendix III. Planning Report No. 7917-0205-00, dated April 23, 2018

*original signed by Ron Gill*

Jean Lamontagne  
General Manager  
Planning and Development

MRJ/cm

APPENDIX I HAS BEEN  
REMOVED AS IT CONTAINS  
CONFIDENTIAL INFORMATION

**B. Permitted Uses**

The *Lands and structures* shall be used for *multiple unit residential buildings and ground-oriented multiple unit residential buildings*.

**C. Lot Area**

Not applicable to this Zone.

**D. Density**

1. For the purpose of *building* construction, the maximum *density* shall not exceed a *floor area ratio* of 0.1 or *building area* of 300 square metres [3,230 sq. ft.] whichever is smaller. The maximum *density* of development may be increased to that prescribed in Section D.2 and D.3 of this Zone if amenities are provided in accordance with Schedule G of Surrey Zoning Bylaw, 1993, No. 12000, as amended.
2. The *floor area ratio* shall not exceed 2.7.
3. The indoor *amenity space* required in Sub-section J.1(b) of this Zone is excluded from the calculation of *floor area ratio*.

**E. Lot Coverage**

The *lot coverage* shall not exceed 51%.

**F. Yards and Setbacks**

1. *Buildings and structures* shall be sited in accordance with the following minimum *setbacks*:

<b>Use</b>	<b>Setback</b>	South <i>Yard</i>	North <i>Yard</i>	West <i>Yard</i>	East <i>Yard</i>
<i>Principal Buildings</i>		4.5 m	4.5 m	3.0 m	4.5 m
<i>Accessory Buildings and Structures</i>		[15 ft.]	[15 ft.]	[10 ft.]	[15 ft.]

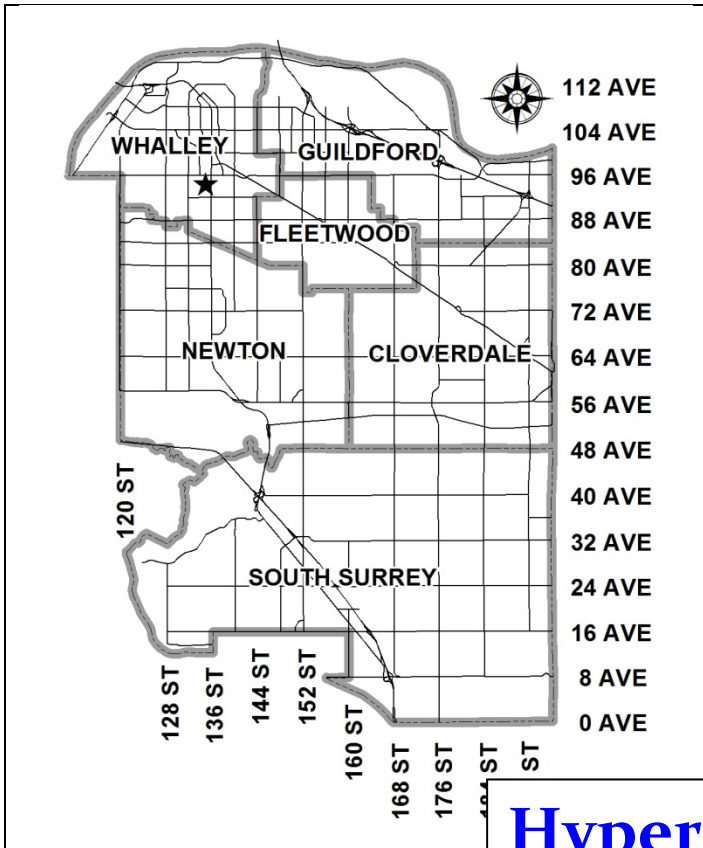
Measurements to be determined as per Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended.

2. Notwithstanding Sub-section E.17(b) of Part 4 General Provision of Surrey Zoning By-law, 1993, No. 12000, as amended, stairs with more than three risers may encroach into the *setbacks*.

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

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[Hyperlink to Report  
 7917-0205-00 dated  
 April 23, 2018 \(click\)](#)

