



<b>Proposal:</b>	Redesignate from Multiple Residential to Commercial. Rezone from R-F to CD to permit surface parking lots and a building lot for non-profit society offices.		
<b>Recommendation:</b>	Approval to Proceed		
<b>Location:</b>	13845 - 96 Avenue	<b>Zoning:</b>	R-F (By-law No. 5942)
<b>OCP Designation:</b>	Multiple Residential		
<b>Owner:</b>	Surrey Healthwise Development Group Ltd.		

## PROJECT TIMELINE

Completed Application Submission Date:	July 4, 2003
Confirmation of EWRR Alignment:	January 12, 2005
Planning Report Date:	January 24, 2005

The applicant is proposing:

- an OCP amendment from Multiple Residential to Commercial; and
- a rezoning from R-F (By-law No. 5942) to CD

in order to permit the development of surface parking lots, a building site for future non-profit society offices, and open space.

The Planning & Development Department recommends that:

1. a By-law be introduced to redesignate a portion of the property from "Multiple Residential" to "Commercial" and a date for Public Hearing be set.
2. Council determine the opportunities for consultation with persons, organizations and authorities that are considered to be affected by the proposed amendment to the Official Community Plan, as described in the Report, to be appropriate to meet the requirement of Section 879 of the *Local Government Act*.
3. a By-law be introduced to rezone the property from "Family Residential Zone (R-F)" (By-law No. 5942) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
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) submission of a subdivision layout to the satisfaction of the Approving Officer;
  - (c) approval from the Ministry of Water, Land and Air Protection, Contaminated Sites Branch;
  - (d) approval from B.C. Hydro;
  - (e) approval from Terasen Gas;
  - (f) registration of a Section 219 Restrictive Covenant for stream setback protection on proposed Block 3 or transfer of Block 3 to the City of Surrey; and
  - (g) registration of a "no-build" Restrictive Covenant on proposed Block 2 to prohibit construction until such time as adjoining City roads are completed and servicing is provided and a Development Permit is approved by Council.

## REFERRALS

Engineering:	The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as identified in the attached (Appendix III).
Parks:	No concerns provided a 4.0 m (13 ft.) wide multi-use pathway is constructed as part of the East Whalley Ring Road construction (Appendix IV).
B.C. Hydro:	Parking is generally acceptable subject to proper grading of the site. The high voltage transmission line may restrict the size and use of any proposed building on Block 2.
Terasen Gas:	Parking is generally an acceptable use provided the parking lot layout is in compliance with Terasen Gas guidelines.

## SITE CHARACTERISTICS

- **Existing Land Use**                      Vacant

- **Significant Site Attributes** Lay Creek (Quibble Creek) watercourse and ravine runs along the east side of the property. The eastern 30 metres (100 ft.) of the lot is heavily forested with native vegetation.
- **East:** Lay Creek (Quibble Creek) ravine and compact single family dwellings, regulated by LUC 429, underlying zoning RF-G, designated Multiple Residential.
- **South:** Across 96 Avenue, proposed medical office building, zoned CD (By-law No. 11804), designated Commercial; and Surrey Memorial Hospital, zoned CD By-law 12536; designated Urban.
- **West:** Older Single Family Dwellings, zoned RF, designated Multiple Residential & Commercial.
- **North:** Vacant Lot, zoned RM-D, designated Multiple Residential.

## PLAN AND POLICY COMPLIANCE

OCP Designation: Partially complies. Needs redesignation of the western portion of the site from Multiple Residential to Commercial.

## JUSTIFICATION FOR PLAN AMENDMENT

- As the proposed surface parking lots are intended to be pay parking lots, they constitute a commercial use and, as a result, the portion of the subject site proposed for parking lot use requires redesignation from Multiple Residential to Commercial.
- The proposed Commercial designation is an extension of the Commercial designation already in place along the north side of 96th Avenue from King George Highway to East Whalley Ring Road.
- As the area of the lot proposed for redesignation to Commercial is totally encumbered by utility rights-of-way which prohibit the construction of any type of permanent construction, redesignation of this land to Commercial will not preclude the Multiple Residentially designated lands to the west consolidating and redeveloping for multiple residential purposes in accordance with the long term vision for this area.

## DEVELOPMENT CONSIDERATIONS

- Surrey Healthwise Development Group has purchased the property at 13845-96 Avenue in Surrey City Centre and plans to develop the site in partnership with the Surrey Rotary Club and the Surrey Hospice Society.
- The subject site is currently designated Multiple Residential under the Official Community Plan and is currently zoned Single Family Residential Zone R-F, under Zoning By-law No. 5942.
- The future alignment of East Whalley Ring Road runs north-south through the centre of the site splitting the subject lot (Appendix V).
- Lay Creek (commonly referred to as Quibble Creek) runs along the eastern boundary of the subject lot. As a result, the eastern half of the lot falls within the 30-metre (100 ft.) stream protection setback area (Appendix VI).
- Two major BC Hydro transmission lines and a major Terasen Gas pipeline are located on the western half of the lot.

- The entire lot, therefore, is impacted by either the 30-metre (100 ft.) stream setback protection area and the utility rights-of-way.

### Hospice Society Proposal and Stream Protection Area

- Although the entire site is impacted by the stream setback protection area and the utility rights-of-way, there is a small area along the eastern side of the subject that lies outside of the utility rights-of-way and which may be suitable for the construction of a building if the Department of Fisheries and Oceans (DFO) agrees to relax the 30-metre (100 ft.) stream protection setback area.
- The Rotary Club has worked with DFO and has undertaken significant remediation of Lay Creek on the subject site and on adjoining City-owned land, including the construction of two large detention ponds, in exchange for a relaxation of the stream setback area.
- As a result of the relaxation given by DFO of the stream protection setback, there is an area of approximately 1,060 square metres (11,400 sq. ft) on which a building can be constructed (Appendix VIII).
- It is the intention of the applicant to subdivide off this buildable area, as well as some additional area that lies within the BC Hydro right-of-way, and to transfer this parcel (Lot 2 on Appendix VII) to the Surrey Hospice Society, the Surrey Rotary Club, or other non-profit society, although at this stage, the Surrey Hospice Society is the most likely non-profit organization to be transferred this parcel.
- Assuming this parcel is transferred to the Surrey Hospice Society, the Hospice Society intends be able to commence fund raising to assist in the construction of a building on this lot.
- It is currently the intention of the Surrey Hospice Society to construct a building to house their offices, resource centre and meeting rooms, depending on their needs at the time of development and subject to successful fund raising.
- Any proposed building on Block 2 will be subject to a separate Development Permit application.
- Once the DFO-imposed two-year maintenance period on the stream remediation and detention pond construction is completed, it is the intention of the applicant to transfer the stream protection setback area (Lot 3 on Appendix II) to the City. In the interim, the applicant will be required to register a Restrictive Covenant on Lot 3 for stream protection.

### Surface Parking Lots

- The western side of the lot, which lies primarily to the west of the future East Whalley Ring Road alignment, is completely impacted by the BC Hydro and Terasen Gas rights-of-way and, therefore, is unsuitable for the construction of permanent buildings.
- The applicant, therefore, is proposing to construct surface parking lots on the western side of the lot.
- These pay parking lots will offer additional parking to employees of Surrey Memorial Hospital as well as to hospital visitors and outpatients using the medical facilities.
- As there is a lack of parking in the area of Surrey Memorial Hospital, these surface parking lots are intended to assist in alleviating this situation as well as to help to off-set the anticipated loss of existing parking spaces on a lot on 94A Avenue due to the construction of a Withdrawal Management Centre and office building (application no. 7904-0103-00) that received Third Reading on September 27, 2004.
- Detailed planning of the layout and landscaping of these surface parking lots cannot commence until

construction begins on the adjacent portions of East Whalley Ring Road, as the final elevation and grading of these sites are dependent on the final grade of East Whalley Ring Road.

- As a result, the surface parking lots will be subject to a separate Development Permit, or Development Permits, in the future.

### Proposed CD Zone

- The proposed CD By-law will limit the permitted uses on Block 1 (proposed Lot 1, Appendix II) to surface parking lots and will limit the permitted use on Block 3 (proposed Lot 3, Appendix II) the stream protection setback area, to open space.
- The proposed CD By-law will limit the permitted uses on Block 2 (proposed Lot 2, Appendix II) to offices for non-profit societies. The CD By-law will specifically prohibit Block 2 for being used for such uses as homeless shelters, methadone clinics and dispensaries and the dispensing of aid in the form of clothing and food, as these uses are not the intent of the applicant and are inappropriate for the site.
- The proposed density (FAR of 0.5), height of buildings (9 metres [30 ft]), and building setbacks (7.5 metres [25 ft.]) for Block 2 (proposed Lot 2, Appendix II), are based on the C-5 Zone.

### East Whalley Ring Road and 96A Avenue

- As part of the application, the applicant will be required to dedicate the alignment of East Whalley Ring Road through the site (Appendix V).
- The alignment being dedicated contains not only the usual cross-section of a 4-lane arterial road, but also contains sufficient area to accommodate a 4.0-metre (13 ft.) wide multi-use pathway that will connect the already completed pathway network south of 96<sup>th</sup> Avenue with the multi-use pathway network north of Fraser Highway (Appendix V).
- It is the intention of Engineering Department to commence construction of East Whalley Ring Road from 96 Avenue to 96A Avenue in 2005.
- The applicant will also be required to dedicate an alignment for 96A Avenue.
- The proposed 96A Avenue will not only provide access to the proposed surface parking lots but will also provide access to proposed developments to the west outlined in the following section.

### Future Area Development

- The applicant, Surrey Healthwise Development Group, has also purchased, or is in the process of negotiating the purchase of, a large number of properties on the north side of 96<sup>th</sup> Avenue, across from Surrey Memorial Hospital.
- Surrey Healthwise Development Group proposes to redevelop these lands, in partnership with other area landowners and other development companies, with a number of high density buildings containing commercial, medical office and residential uses (Appendix VIII).
- The proposed rezoning and development of the subject site is the first phase of this larger development concept.
- Land development applications for the other phases of the larger development will be submitted at some time in the future.

## Referral to Contaminated Sites Branch

- As the subject site is impacted by a high-pressure Terasen Gas pipeline, the application has been referred to the Ministry of Water, Land and Air Protection, Contaminated Sites Branch for their review.

## PRE-NOTIFICATION

Pre-notification letters were sent on July 28, 2003 and staff received one telephone call requesting additional information on the proposal and one telephone call indicating support for the proposal provided that no trees were cut down in the creek area.

- The original application proposed the construction of a Surrey Hospice Society resource centre at the southeast corner of the site adjacent to 96<sup>th</sup> Avenue, proposed a Rotary Club built and operated Environmental Interpretation Centre directly north of the Hospice resource centre and proposed surface parking lots on the southwest quadrant of the site.
- The southeast corner of the site, adjacent to 96<sup>th</sup> Avenue falls within the stream protection area which prohibits the construction of any permanent buildings.

Since the initial application, the project has evolved. The proposed Environmental Interpretation Centre has been eliminated, the Hospice Society building has been relocated to the former site of the Environmental Interpretation Centre and surface parking lots are now proposed for the entire west side of the subject lot. As a result of these changes, a revised Preliminary Notice of Proposed Development was sent to land owners within 100 metres of the subject site on January 7, 2005.

- Staff have received two phone calls and no correspondence in response to the revised Preliminary Notice of Proposed Development.
- Both telephone calls requested further information about the application.
- One telephone call also expressed concern about the height and setbacks of any building that is to be constructed on Block 2.

*(The proposed CD By-law limits the height of buildings on Block 2 to 9 metres (30 ft.) which the same as the maximum building height allowed for single family dwellings in the RF Zone. The proposed CD By-law requires buildings on Block 2 to be set a minimum of 7.5 metres (25 ft.) from all property lines; which is the standard setback from most commercial and multiple residential zones. As noted previously, no portion of Block 2 will be encumbered by a stream protection Restrictive Covenant due to the relaxation granted by DFO.)*

## PUBLIC CONSULTATION PROCESS FOR OCP AMENDMENT

- Pursuant to Section 879 of the *Local Government Act*, it was determined that it was not necessary to consult with any persons, organizations or authorities with respect to the proposed OCP amendment, other than those contacted as part of the pre-notification process.

## 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.	Proposed Subdivision Layout
Appendix III.	Engineering Summary
Appendix IV.	Parks Comments
Appendix V.	Proposed East Whalley Ring Road Alignment and Multi Use Pathway
Appendix VI.	Lay Creek (Quibble Creek) Stream Protection Area
Appendix VII.	Proposed Buildable Area, Block 2
Appendix VIII.	Area of Proposed Future Surrey Healthwise Development
Appendix IX.	Proposed OCP Amendment
Appendix X.	Proposed CD By-law

### INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated January 18, 2004.
- Site Profile dated January 13, 2005 and signed by John Koropatnisky.

Murray Dinwoodie  
General Manager  
Planning and Development

GAG/kms

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### APPENDIX I

#### Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

- (a) Agent:      Name:                      Robin Hill, Carewest Properties Ltd.  
                         Address:                      1628 Stephens Street, Vancouver, B.C. V6K 3V3  
                         Tel:                              604-682-3369
- Properties involved in the Application

  - Civic Address:                      13845 - 96 Avenue
  - Civic Address:                      13845 - 96 Avenue  
Owner:                              Surrey Healthwise Development Group Ltd.  
PID:                                      008-781-141  
Lot 3, Section 35, Block 5 North, Range 2 West, Plan New Westminster District  
Plan 17876
- Introduce a By-law to amend the Official Community Plan to redesignate a portion of the property.
  - Introduce a By-law to rezone the property.



**CONTOUR MAP FOR SUBJECT SITE**