

City of Surrey PLANNING & DEVELOPMENT REPORT File: 7911-0044-00

Planning Report Date: July 23, 2012

PROPOSAL:

- NCP amendment from 'Townhouse 15 upa max' to 'Townhouse 20 upa max', 'Single Family Residential' to 'Single Family Residential Flex 6 to 14.5'
- Rezoning from RA and RM-D to CD (based on RM-30) and RF-12
- Development Permit

to permit the development of 144 townhouse units and one RF-12 lot

LOCATION: 5800 Block of 144 Street

OWNER: Joga Singh Somal, Avtar Singh

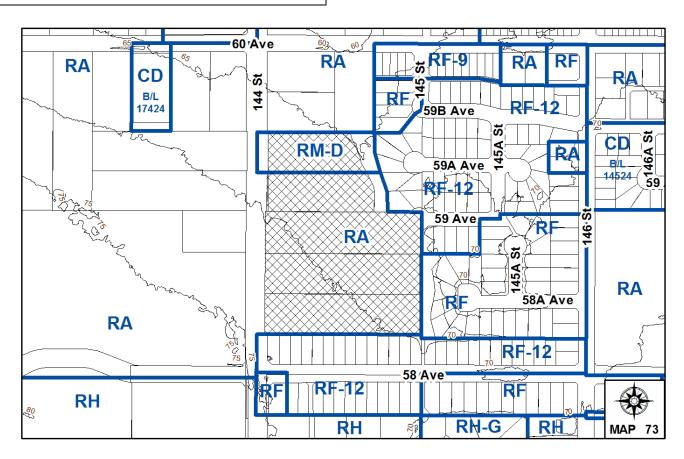
Gill et al

ZONING: RA
OCP DESIGNATION: Urban

NCP DESIGNATION: Townhouse 15 upa, Creeks and

Riparian Setback and Single

Family Residential.



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Rezoning.
- Approval to draft Development Permit.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- An amendment to the South Newton NCP is required to re-designate the site from 'Townhouse 15 upa max' to 'Townhouse 20 upa max' and from 'Single Family Residential' to 'Single Family Residential Flex 6 to 14.5'.
- An adjustment to the NCP designation, 'Creeks and Riparian Setbacks', is also required to
 delineate the riparian area cooridor to be conveyed to the City for ongoing stewardship and
 protection.

RATIONALE OF RECOMMENDATION

- The proposal complies with Official Community Plan (OCP) designation.
- The proposed land use is consistent with the existing and planned land use patterns in the South Newton area. The proposed designation and density correspond with recently approved developments in the area.
- The application also includes a significant assembly of 5 properties with a total area of 4 ha (10 acres), resulting in a comprehensive development plan; and provides a number of community benefits, including procurement of a riparian area corridor, a public path and reasonable onsite tree retention.
- In total, 8,970 sq.m. (2.2 acres) of riparian area or 22% of the site's area will be conveyed to the City for riparian protection, without compensation. The applicant will also be required to provide a 4.0 m SROW and construct a north–south public path along the new property line at the west edge of the riparian area.
- As part of the NCP amendment, the applicant will also be required to make an infrastructure contribution to fund and construct an ultimate arterial sidewalk along 144 Street, which is not a typically an Engineering requirement.

RECOMMENDATION

The Planning & Development Department recommends that:

- 1. A By-law be introduced to rezone the property shown on the Survey Plan (Appendix II) as follows:
 - (a) <u>Block A from "One-Acre Residential Zone (RA)" and "Duplex Residential Zone (RM-D)" to "Comprehensive Development Zone (CD)";</u>
 - (b) <u>Block C from "One Acre Residential Zone (RA)"</u> to "Single Family Residential (12) Zone (RF-12)"

and a date be set for Public Hearing.

- 2. Council authorize staff to draft Development Permit No. 7911-0044-00 generally in accordance with the attached drawings (Appendix II).
- 3. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including the applicant funding the construction of the ultimate sidewalk along 144 Street, restrictive covenants, dedications, 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 Transportation & Infrastructure;
 - (d) completion of all the requirements and conditions of the Senior Government Environmental Agencies;
 - (e) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (f) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the Planning and Development Department;
 - (g) resolution of all urban design issues, including roof treatment and materials, to the satisfaction of the Planning and Development Department;
 - (h) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department;
 - (i) registration of a Section 219 Restrictive Covenant to prohibit the conversion of the tandem parking spaces into livable space;
 - (j) discharge of no-build, no disturb covenants on Lots 5 and 28 (5926 and 5904 144 Street);

(k) completion of a P-15 agreement with the City for maintenance and planting of riparian area;

- (l) registration of a no-build covenant on the triangular southeast portion of the development site; and
- (m) registration of a no-build covenant on the proposed new RF-12 lot.
- 4. Council pass a resolution to amend the South Newton NCP to re-designate the land from 'Townhouse 15 upa max' to 'Townhouse 20 upa max', 'Single Family Residential' to "Single Family Residential Flex 6 to 14.5' and to adjust the 'Creeks and Riparian Set-back' designation when the project is considered for final adoption.

REFERRALS

Engineering: The Engineering Department has no objection to the project

subject to the completion of Engineering servicing requirements as

outlined in Appendix III.

School District: **Projected number of students from this development:**

23 Elementary students at Cambridge School 12 Secondary students at Sullivan Heights School

The applicant has advised that the dwelling units in this project are expected to be constructed and ready for occupancy in early 2014. (Appendix IV)

Parks, Recreation &

Culture:

Parks supports conveyance of the riparian area to the City and has requested a 4.0 metre SROW be provided to complete a path along the environmental area. A no-build covenant is requested on the south east portion of the site to preserve sight lines and open space near the public path.

Department of Fisheries and Oceans (DFO):

Sullivan Heights Creek, a yellow-coded, Class B watercourse runs north-south on all five properties. On March 21, 2012, DFO approved a variance to the 30 metre setback on the west side of the creek, provided the riparian area was conveyed to the City for ongoing protection. Further details of DFO's decision are included in this report.

Ministry of Transportation & Infrastructure (MOTI):

Preliminary Approval is granted for 1 year.

SITE CHARACTERISTICS

Existing Land Use: There are currently five older dwelling units (four houses and one duplex)

on the site.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North:	Larger older homes on larger properties	Urban/Townhouses 15 upa max, Creeks and Riparian Setbacks	RA
East:	Residential houses	Urban/Single Family Residential Flex 6-14.5 upa, Single Family Residential	RF-12. RF
South:	Residential Houses	Urban/ Single Family Small Lots	RF-12
West (Across 144 Street):	Single Family Houses and RCMP Civic Parking Lot	Urban/Mixed Commercial Residential Apartments, Apartments, Existing and Future Parks	RA

JUSTIFICATION FOR PLAN AMENDMENT

- The development site currently falls under three separate designations: 'Townhouses 15 upa max', 'Creeks and Riparian Set-backs' and 'Single Family Residential' under the South Newton Neighbourhood Concept Plan (NCP).
- An NCP amendment is necessary to re-designate the majority of the site from 'Townhouses 15 upa max' to "Townhouse 20 upa max' to permit a 144 unit townhouse development, west of Sullivan Heights Creek, at a proposed net density of 20 townhouse units per acre.
- A second NCP amendment is required to re-designate the remnant residential lot at the west terminus of 59 Avenue, east of the creek, from 'Single Family Residential' to "Single Family Residential Flex 6 to 14.5' in order to rezone the lot for future RF-12 use.
- Finally, an adjustment to the 'Creeks and Riparian Set-back' designation will be required at final adoption. The amendment, which is in part housekeeping measure, will reflect the actual location of the creek and the approved riparian setbacks from the top of bank.
- Overall the proposal is in keeping with the OCP and is consistent with the patterns of development, land uses and densities recently approved in the area. Similar NCP amendments have recently been approved in nearby locations within South Newton.
- The applicant has also achieved a significant assembly of 5 properties with a total area of 4 ha (10 acres) in keeping with the NCP policy which recognizes the significance of the creek and calls for the properties to be developed comprehensively.

• The project also provides for a number of significant community benefits, including conveyance of 8,970 sq.m. (2.2 acres) of riparian area to the City for riparian protection, reasonable tree retention and construction of a 3.0 public path with landscaping along the western edge of the townhouse site adjacent to the riparian area.

As part of the NCP amendment, the applicant will also be required to make an infrastructure
contribution consisting of the funding and construction of the ultimate arterial sidewalk along
144 Street. While this is not a typical Engineering requirement, it will create a superior
pedestrian environment by providing access to transit, schools and parks located within close
walking distance of the site.

DEVELOPMENT CONSIDERATIONS

- The development site consists of five parcels located on the east side of 144 Street between 58 and 60 Avenue. The site, approximately 4.045 hectares (10 acres) in area, is designated "Urban" in the Official Community Plan (OCP). Four of the five properties are currently zoned for "One-Acre Residential (RA)" development, while a fifth property is zoned as a 'Duplex Residential (RM-D) use. A Class B, yellow-coded watercourse, named Sullivan Heights Creek runs north to south and traverses all five properties.
- Under the South Newton Neighbourhood Concept Plan (NCP), the majority of the site is designated for "Townhouse 15 upa" development, while a small portion of the site, east of the creek, at 5882 144 Street is designated in the NCP for 'Single family Residential' development.
- The portion designated single family residential is naturally cut off from the townhouse site by the creek and will ultimately provide for the completion of the residential cul de sac at the west end of 59 Avenue. The remainder of the site, containing Sullivan Heights Creek is designated "Creek and Riparian Set-backs".

The Proposal

- The applicant is proposing to re-designate and rezone the site to permit a 144 townhouse unit development and one large RF-12 lot.
- The applicant is proposing to amend the South Newton NCP by re-designating the majority of the site from 'Townhouse 15 upa max' to 'Townhouse 20 upa max'. An amendment from 'Single Family Residential' to 'Single Family Residential Flex 6 to 14.5' on the small eastern portion of the property at 5882 144 Street will be required to accommodate the proposed RF-12 lot.
- The proposal will adjust the boundaries of the 'Creek and Riparian Setbacks' NCP designation to reflect the actual ground truthed location of Sullivan Heights Creek and the riparian area to be conveyed to the City.
- At present, the NCP includes a riparian area of 11,371 sq.m. (2.81 acres). The riparian area is based on the approximate known location of the creek at the time of the NCP's adoption and a 30 metre (west) and 15 metre (east) setback from the top of bank of the creek.

• Based on the endorsement from DFO/ERC, the applicant is to convey an area of 8,970 sq.m. (2.21 acres) to the City for riparian protection based on an average 21 metre setback on the west side of the creek and the full 15 metre setback on the east side of the creek. As a result, the NCP 'Creek and Riparian set-back' boundaries shift and adjust on both sides of the creek.

- The applicant is also proposing to rezone the townhouse portion of the site from "One Acre Residential" (RA) and "Duplex Residential" (RM-D) to a "Comprehensive Development" (CD) Zone based on the RM-30 zone. The remaining single family parcel at the west end of 59 Avenue will be rezoned from 'One Acre Residential" (RA) to "Single Family Residential (12)" (RF-12).
- As part of the application, the applicant will be asked to dedicate the cul-de-sac bulb at the end of 59 Avenue. A no-build covenant will also be placed on the RF-12 lot until the lot is further subdivided and developed.
- The townhouse site itself will have two access points. The northerly access will ultimately align with a potential 59 Avenue and accommodate greater consideration for fewer access restrictions with ultimate widening of 144 Street. The southerly vehicular access will provide secondary access to the site. Due to its proximity to 58 Avenue, the secondary access will ultimately be restricted to right-in right-out turn movements in the future. The site will also provide for a reciprocal access easement to the properties to the north, which will provide for improved access for the entire block.

Townhouse CD By-law

- The proposed CD By-law for the townhouse portion of the site (Appendix VII) is based on the RM-30 multiple residential zone and includes reductions to the maximum allowable density e.g., units per hectare/acre and floor area ratio (FAR) and two yard setbacks (See Table 1 below).
- In all, the applicant is proposing a density of 50 units per hectare (or 20 units per acre) and Floor Area Ratio (FAR) of 0.72 based on the net area of the townhouse site after riparian dedication. The proposed site coverage is calculated at 34%.

Table 1: RM vs CD Zone

	RM-15	RM-30	CD Zone
Density			
#units per hectare (u.p.h.)	37	75	50
# units per acre (u.p.a.)	15	30	20
Floor Area Ratio	.60	.90	.72
Site Coverage	45%	45%	34%
Setbacks			
Front	7.5 m	7.5 m	6.o m
Rear	7.5 m	7.5 m	9.0 m
Interior Side Yard (N)	7.5 m	7.5 m	4.5 m
Interior Side Yard (S)	7.5 m	7.5 m	7.5 m
Height	11 m	13 m	10.4 m

• While the proposed density of the CD will provide for a larger number of units per acre/hectare and FAR, the proposed site coverage of 34% is significantly less than the 45 % permitted under both the RM-15 and the RM-30 zones. Overall the effect of the reduced site coverage will result in greater tree retention, larger open green amenity spaces and more space, less overlook between buildings.

- In addition, some of the CD zone setbacks are less than what is permitted under the RM-30 zone. While the applicant is providing a full 7.5 metre setback at the south yard to provide reasonable distance separation to the adjacent residential homes; along with a 5.0 metre setback to the City's 4.0 SROW bordering the new property line (riparian area), the applicant is requesting variances to the 7.5 metre front and northern side yard setbacks.
- The CD zone therefore includes provisions to reduce the front yard setback along 144 Street to 6.0 metres and the northern interior side yard to 4.5 metres. Both of these setbacks are supportable given the nature of the landscaping, the proposed streetscape and the amount of open space proposed between buildings along 144 Street. It should also be noted at the northern property line, the 4.5 setback is taken, in keeping with the By-law definition from the deck post and not the building face. This will provide even more space between these units any proposed to the north.

Watercourses/Environment Management System (EMS)

- On November 16, 2011, DFO and the ERC reviewed the site plan and approved a variance to the required 30 metre (98.5 ft) setback on the west side of Sullivan Heights Creek. The variance was approved subject to the applicant enhancing and conveying the entire riparian area (east and west sides of the creek) to the City without compensation for ongoing environmental protection and management.
- In all, the applicant will convey 8,970 sq.m (2.21 acres) or 22% of the site to the City for riparian protection. The applicant will also be required to enter a P-15 agreement with the City to restore and replant the area along the creek, which has been compromised by lawn and garden. The P-15 agreement will monitor and maintain replanting of the riparian area for 5 years.
- Through the application, the applicant will provide an average 21 metre (69 ft.) setback on the west side of the watercourse, varying from 18 metres (59 ft.) to 28 metres (92ft.). The full required 15 metre (49 ft.) setback along the east side of the creek adjacent to the proposed single family residential area will also be provided. The exception is the minor seasonal ditch on the site (represented as a finger) which was approved with lesser setbacks.
- The conveyance of the riparian area around Sullivan Heights Creek will help conserve 8,377 sq.m. (2.07 acres) of the terrestrial site area identified by the City's Ecosystem Management Study (EMS).

Tree Retention

• On July 4, 2012, the applicant's arborist submitted a preliminary report and tree preservation/ replacement plan for the site. The report states that of the 204 mature trees identified on site to be preserved, 57 trees will be retained, while 147 trees are to be removed. All of the mature protected trees in riparian area will be preserved. The following is a breakdown of the protected trees on the townhouse site by species:

Tree Species	Total No. of Trees*	Trees Proposed	Trees Proposed
		to be Retained	to be Removed
Western Red Cedar	95	47	48
Douglas Fir	20	6	14
Alder	25	0	25
Big Leaf Maple	19	0	19
Cottonwood	10	0	10
Paper Birch	8	0	8
Shore Pine	5	0	5
Scotts Pine	1	1	0
Cherry	5	0	5
Red Maple	1	0	1
Walnut	2	1	1
Sitka Spruce	1	0	1
Apple	2	0	2
Western Hemlock	2	0	2
Purple Leaf Plum	1	0	1
Plum (fruiting)	1	0	1
Grand Fir	1	1	0
Norway Spruce	2	0	2
English Oak	1	0	1
Black Locust	1	0	1
Cedrus deodara	1	1	0
TOTAL	204	57	147

^{*} Trees in the riparian zone to be conveyed to the City for preservation are not included.

- At this time no trees are to be removed on the proposed RF-12 lot, which will have a no build covenant registered against it until it is developed and subdivided.
- Of the 147 on-site trees to be removed, 35 trees are to be replaced on a 1:1 basis and 112 trees are to be replaced on a 2:1 basis for a total of 259 replacement trees. In lieu of this, the applicant is proposing to plant a total of 312 trees on-site. The arborist report, tree preservation and replacement plan will be subject to final review and approval prior to Bylaw adoption.

PRE-NOTIFICATION

• On May 30, 2012, pre-notification letters were sent out for this application and a development sign was posted on-site. In response, the Planning and Development Department received two calls asking about the extent of the proposal (proposed density, site size, number of properties and units) and whether there were any plans to extend 59A Avenue through to 144 Street.

- On June 21, 2012, the applicant also held a Public Information Meeting (PIM) at the Bethany United Church. Approximately 11+ local residents attended that meeting and most expressed concern in relation to the project's density, the creek/riparian setbacks, traffic impacts, on-site tree retention, south side yard setback and overall aesthetics.
- In particular, several residents were concerned with amending the NCP to allow for 20 or 22 townhouse upa versus the 15 upa called for under the NCP. Amending the plan to allow for 20 upa will create an additional 37 units on site.
- Residents were similarly concerned about the average 21 metre (69 ft.) setback from the west bank of Sullivan Heights Creek supported by DFO and the ERC. The area is seen as an important local environmental green space, providing habitat to local wildlife.
- The quality and look of the development and the 6.0 m (20 ft.) setback originally proposed at the southern property line near the back of the single family homes along 58 Avenue was also discussed and there was some confusion about on-site tree retention and which trees were to be removed.

(In response to these concerns, staff discussed the DFO/ERC decision, particularly the conditions associated with approving the setback variance i.e., the planting, enhancement and conveyance of the riparian lands to the City, the provision and construction of the public path. Staff also discussed the fact that most Townhouse 15 upa lands are now re-designated to densities of 20 upa or higher, given market realities, and the fact the arborist report and tree retention plan had not yet been finalized or approved by the City.

In addition, staff confirmed that the project was still under review and that changes to the urban design of the project (roof line, form, character and massing) would likely be requested.

Later, in response to the concerns brought forward at the meeting, the applicant revised the site plan and increased the south side yard setback from 6.0 metres (20 ft) to 7.5 metres (25 ft.))

Community Petition

• Following the PIM, the City received a petition with 145 signatures opposing the development. The petition asks the City to honor the original NCP designation (Townhouse 15 upa) as nearby schools and infrastructure are not able to cope with any more additional density.

• The petition points to the fact the NCP changes frequently and "there are already numerous townhome developments around 60th Ave between 148th and 152nd Street". Further the NCP has changed from RF lots to RF-12, RF-9 and RF-9C lots. Cambridge Elementary and Sullivan Secondary are also "bursting at the seams". Since it was built in 2006, the number of portables at Cambridge Elementary has increased steadily and Sullivan Heights is on an 'extended day program' due to student overcrowding.

- The petition also asks that the setback around Sullivan Heights Creek remain at 30 metres (98 ft.) so that the stream can continue to provide a source of water, natural shelter and a refuge for local animals including deer, frogs, owls, countless humming birds.
- On July 11, 2012, staff met with the petition's organizers to discuss the issues raised by the PIM and the petition. The organizers confirmed the petition was largely circulated at the local school. As such, the majority of petitioners do not live in the immediate radius of the development site. Instead the distribution of households is spread throughout South Newton (Appendix IX). The petition organizers also confirmed that the concerns raised are not just site specific, but reflect more global planning concerns within the South Newton area. The petition organizers asked what it would take to re-visit, revise and reopen the NCP with community involvement.

(In response, staff explained the rationale behind the DFO/ERC decision, the public benefits of the project, the fact the proposed density is reflective of many approved townhouse developments, and the south yard setback has been increased from 6.0 to 7.5 metres. Staff also reiterated the aesthetic design of the clusters was under review.

The School District Summary was also shared at the meeting with the petition organizers (Appendix IV). The summary estimates the new development will likely result in 23 new elementary students at Cambridge Elementary and 12 secondary students at Sullivan Secondary. It also states that while enrollment at the Cambridge Elementary has grown rapidly, resulting in portables on the site, the construction of a new school – Goldstone Park Elementary - in the 6200 block of 146 Street is expected to be complete in 2013/2014. Enrolment moves or other measures may, however, be required at Sullivan Heights.

The School District summary confirms the proposed development is consistent with the NCP residential build out estimates (including secondary suites) and will not have an immediate impact on these projections. Staff also shared the fact the School District estimated the proposed increase in density (the additional 5 upa over the Townhouse 15 upa max) would likely result in 8 more local elementary school students and 3 more secondary school students. This number of additional students is considered relatively small, given that a new school will be completed within the next few years).

• Since the meeting, the School District has reconfirmed that the present application, on its own, will have little impact on school enrollment projections. The District is, however, concerned about setting a precedent for similar initiatives on remaining build out lands in the area. As a result, the District would like to determine the cumulative impact of future densification initiatives in the NCP which may impact projected space requirements for the South Newton Family of schools.

• In light of this, staff will work further with the School District and the Parks Department to review this issue and to use this work as a basis for the future review of NCP amendments.

DESIGN PROPOSAL AND REVIEW

Site Design and Layout

- The development will be comprised of 22 buildings or 3 storey townhouse clusters, containing 2 to 8 units arranged around an internal road system. The units along 144 Street will be street oriented and have direct pedestrian access to the street.
- In all, the townhouse development will provide 144 units family oriented units ranging in size from 148 -208 sq.m. (1,600- 2,245 sq.ft.). The mix of townhouse units includes 35 two bedroom and den, 8 three bedroom, 82 three bedroom and den, and 19 four bedroom units. The overall mix of unit types, variances in building size, mass and orientation will provide additional onsite diversity and identity to each building.
- Two enclosed parking stalls will be provided by each townhouse unit, along with 29 visitor spaces, for a total of 317 on-site parking spaces. Nineteen units will offer side by side parking, while 125 units will provide traditional tandem parking. A Section 219 Restrictive Covenant prohibiting the conversion of tandem and side by side parking stalls into habitable space will be registered on title.
- The townhouse clusters will be built in a modernized urban townhouse style. The materials for the project will include horizontal and vertical vinyl siding, trim boards at window and door openings, corner boards, and stone veneer finishing. The project will be finished in two colour schemes using complementary palette of gray greens, warm browns and cream shades.
- It should be noted that the final design of the project has yet to be approved by the City Architect and a condition of approval will be the resolution of urban design issues. In particular, staff are concerned with the look of roof lines and would like to see an attractive façade of higher quality finishes (hardiplank, wood trim) along 144 Street.

Public Path/Amenity Areas

- The applicant's architect has suggested that an important site design concept was provision of internal green space so that all units might either have a front door or backyard adjacent to one of the sites' green spaces. In particular the architect has made use of the riparian area, the public path system, as requested by Parks, and several significant trees on site. In particular the public path on the City's 4.0 m SROW, will border the riparian area and link up with the established pedestrian connection to the south and 58 Avenue. It will ultimately provide a pedestrian connection north to 60 Avenue.
- In addition to providing internal pedestrian linkages between townhouse units to the City's public path, the project will provide two main outdoor amenity areas. In total 2,488 sq.m. (26,784 sq.ft.) of open green and planned programmed space will be set aside in the centre of the development for the enjoyment of residents.

• The amenity space to the north near buildings 17- 20 will include two large grassed lawns and a children's play area with sand pit, driftwood logs and benches. It also contains the project's two storey 452 sq.m. (48,673 sq.ft.) amenity building, which will include a multi-purpose lounge for 80 occupants, a large great room, a TV- multi-media lounge, a meeting room and fitness, storage, kitchen and bathroom facilities. The indoor amenity building will also provide a large deck facing east.

• In contrast, the amenity space near buildings 21 and 22 will provide a passive recreational space with a lawn, grassed seating areas and a trellis. Both the indoor and outdoor amenity areas exceed the City's Zoning Bylaw requirements. In particular, the project's outdoor amenity space is nearly six times what would typically be required for a project of this size. Both outdoor areas have been designed to optimize tree preservation on site.

Landscaping

- In addition to the 57 trees being retained, the landscaping plan calls for 312 replacement trees to be planted on-site including Japanese Maple, emerald green cedars, magnolia and other maples and spruces. Soft landscaping on the site will include shrubs, grasses and groundcover at the entrances and perimeters of townhouse clusters, along the public path, and the common areas of the development.
- The developer has also provided a cross section of the treatment along the City's 4.0 SROW which will provide public passage on the lands. The cross section includes 1.0 metre of low growing shrubbery on the west side of the path, a 3.0 m (10 ft) asphalt walkway. A 1.21 m (4 ft) permeable black vinyl chain link fence installed along the new property line will help protect the riparian area and prevent dumping, dogs and garbage from entering the area.
- Additional 1.0 m (3 ft.) additional metre of landscaping and privacy fences, will be provided between individual yards and units to create a sense of space and a boundary between units and the path. The public path will be built and maintained by the developer and the future strata. The design of the path will make it look and feel like public space. The City has also worked with the applicant to ensure CPTED design principles such as clear site lines, active rooms and windows facing the path and riparian area are applied.
- In addition, to maintain the site line and aesthetics of the development, the City's Parks Department has requested a no-build restrictive covenant be placed on the small triangle of land near the path on the development site (SE corner of 5834 144 Street). The covenant will assist in maintaining adequate drainage for the adjacent riparian creek to the east.

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 Subdivision Layout, Site Plan, Building Elevations, Landscape Plans

and Perspective

Appendix III Engineering Summary
Appendix IV School District Comments

Appendix V Summary of Tree Survey and Tree Preservation

Appendix VI NCP Plan

Appendix VIII Proposed CD By-law Appendix IX Map of Petition Addresses

original signed by Nicholas Lai

Jean Lamontagne General Manager Planning and Development

HP/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: Ross Yamaguchi

Vesta Properties Ltd.

Address: 9770 - 196A Street, Unit 101A

Langley, BC V1M 2X5

Tel: 604-888-7869 (212)

2. Properties involved in the Application

(a) Civic Addresses: 5858, 5834,5904, 5882 and 5926 - 144 Street

(b) Civic Address: 5858 - 144 Street Owners: Joga S Somal

Avtar S Gill

PID: 012-291-871

South Half Lot 13 Section 10 Township 2 New Westminster District Plan 1673

(c) Civic Address: 5834 - 144 Street

Owners: Jagdish Duhra

Manjit Sandhar Ajit Singh Bajwa Parmjit Kaur Bajwa Harjit Kooner Surinder Kooner Baljit Kaur Duhra

Rajinder Kaur Duhra

Karnail Duhra

PID: 012-291-935

North Half Lot 14 Section 10 Township 2 New Westminster District Plan 1673

(d) Civic Address: 5904 - 144 Street

Owner: 0749813 BC Ltd., Inc. No. BC0749813

Director Information:

Parmjit Bal

Bhupinder Singh Bal

Officer Information as at February 23, 2012

Bhupinder Bal (President)

PID: 006-538-738

Lot 28 Section 10 Township 2 New Westminster District Plan 30302

(e) Civic Address: 5882 - 144 Street Owner: Michael B Rawlins

PID: 012-291-757

Parcel "A" (Explanatory Plan 11650) Lots 12 and 13 Section 10 Township 2 New Westminster District Plan 1673

(f) Civic Address: 5926 - 144 Street

Owner: Vesta Properties (Sullivan Hills) Ltd., Inc. No. BC0930545

PID: 027-162-761

Lot 5 Section 10 Township 2 New Westminster District Plan BCP31770

- 3. Summary of Actions for City Clerk's Office
 - (a) Introduce a By-law to rezone the property.
 - (b) Application is under the jurisdiction of MOTI. MOTI File No. 2012-02698

DEVELOPMENT DATA SHEET

Proposed Zoning: CD (Based on RM-30)

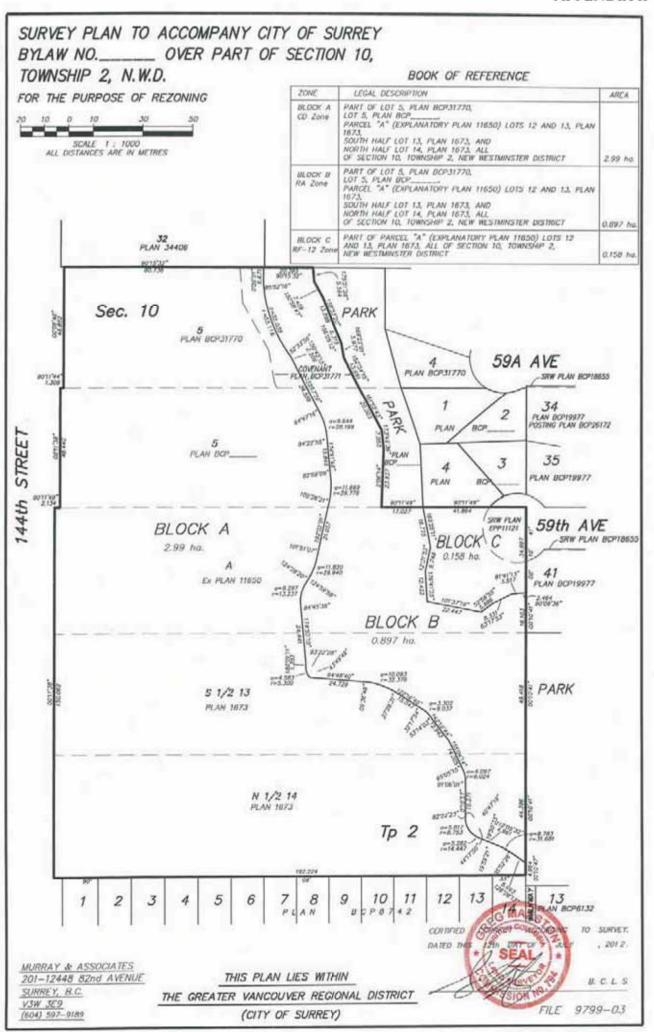
Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total	2.99 ha/7.38 acres	2.99 ha/7.38 acres
Road Widening area	.09 ha/.21 acres	.09 ha/.21 acres
Undevelopable area	n/a	n/a
Net Total	2.90 ha/7.17 acres	2.90 ha/7.17 acres
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	34%	34%
Paved & Hard Surfaced Areas	3470	3470
Total Site Coverage		
Total Site Coverage		
SETBACKS (in metres)		
Front	6.o m	6.o m
Rear	9.om	9.om
Side #1 (N)	4.5 m	4.5 m
Side #2 (S)	7.0 m	7.0 m
BUILDING HEIGHT (in metres/storeys)		
Principal	11 m	11 M
Accessory	11 M	11 M
NUMBER OF RESIDENTIAL UNITS		
Bachelor	-	-
One Bed	-	-
Two Bedroom	35	35
Three Bedroom +	109	109
Total	144	144
FLOOR AREA: Residential	20,954.7 sq.m./	20,954.7 sq.m./
	225,554.8 sq.ft	225,554.8 sq.ft
FLOOR AREA: Commercial	-	
ELOOP AREA I. I		
FLOOR AREA: Industrial	-	-
FLOOR AREA: Institutional	-	-
TOTAL BUILDING FLOOR AREA		
TOTAL BUILDING FLOOR AREA		

^{*} Pertaining to Proposed Townhouse Site.

Development Data Sheet cont'd

Required Development Data	Minimum Required / Maximum Allowed	Proposed	
DENSITY			
# of units/ha /# units/acre (net)	50 upa/20 upa	50 upa/20 upa	
FAR (net)	.72	.72	
AMENITY SPACE (area in square metres)			
Indoor			
Outdoor			
PARKING (number of stalls)			
Commercial	-	-	
Industrial	-	-	
Residential	288	288	
Residential Visitors	29	29	
Institutional	-	-	
Total Number of Parking Spaces	317	317	
Number of disabled stalls	1	1	
Number of small cars	4	4	
Tandem Parking Spaces: Number / % of Total Number of Units	87%	87%	
Size of Tandem Parking Spaces width/length	3.2 x 6.1 m	3.2 x 6.1 m	

Heritage Site	NO	Tree Survey/Assessment Provided	YES



PROPOSED SUBDIVISION OF
LOT 5, PLAN BCP31770, AND
LOT 5, PLAN BCP31770, AND
PARCEL "A" (EXPLANATORY PLAN 11650) LOTS 12
AND 13, PLAN 1673, AND
SOUTH HALF LOT 13, PLAN 1673, AND
NORTH HALF LOT 11, PLAN 1673, ALD
OF SECTION 10, TOWNSHIP 2, NEW WESTMINSTER
DISTRICT
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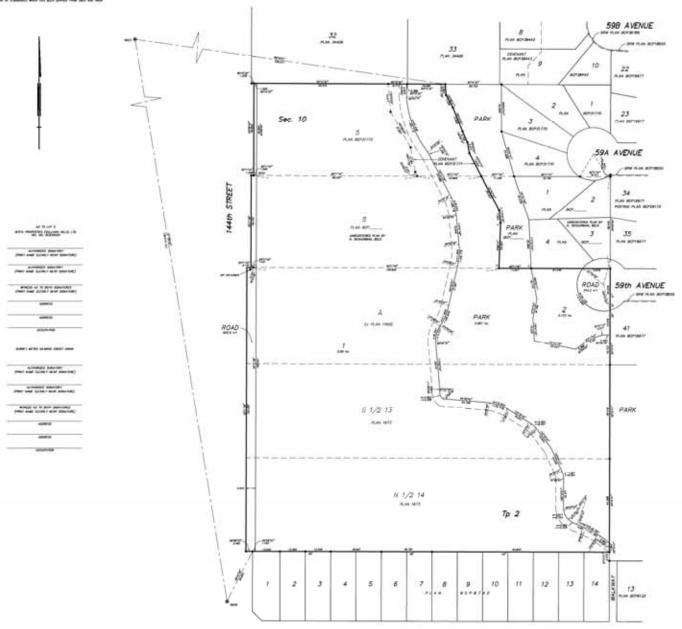
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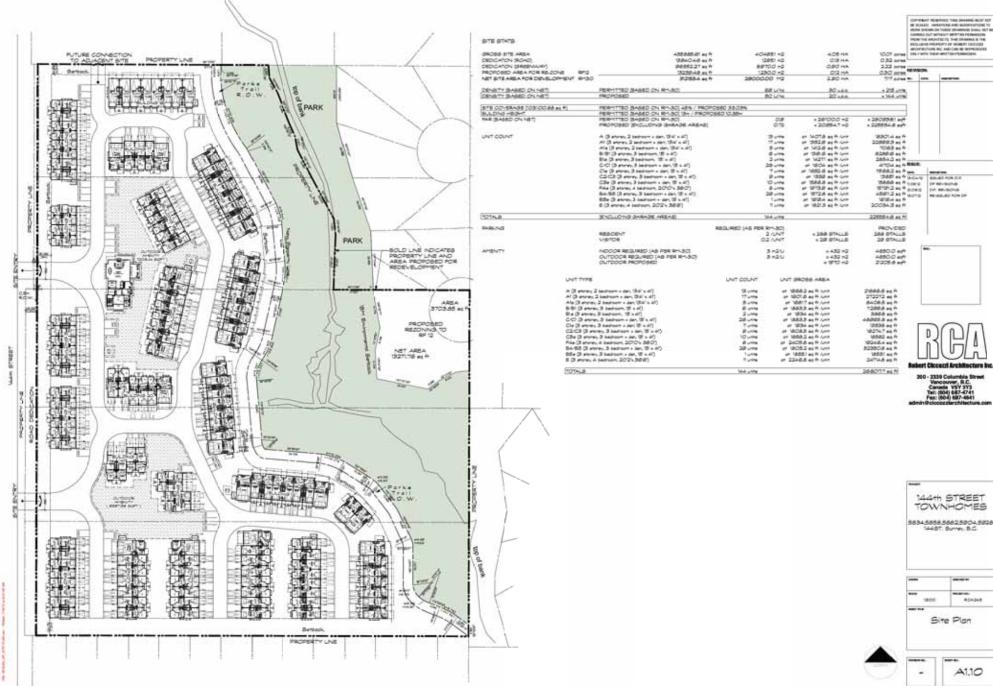


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200 - 2339 Columbia Street Vancouver, B.C. Canada VSV 3Y3 Tel: (804) 687-4741 Fex: (804) 687-4641

144th STREET TOWNHOMES

144ST Surrey B.C.

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SIDE ELEVATION



200 - 2339 Columbia Street Vancouver, S.C. Cenada V6V 3V3 Tal: (604) 667-6741 Fax: (604) 687-6841

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144th STREET TOWNHOMES 5834,5858,5862,5804,5828 1448T, Surrey, B.G.

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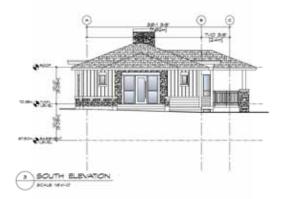
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200 - 2309 Columnto Ethreet
Consolis VSV 372
Tel: (004) 607-4741
Fex: (004) 607-4641

144th STREET TOWNHOMES

5634,5656,5662,5904,5928 14467, Surrey, SC

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Little Co.	Section South

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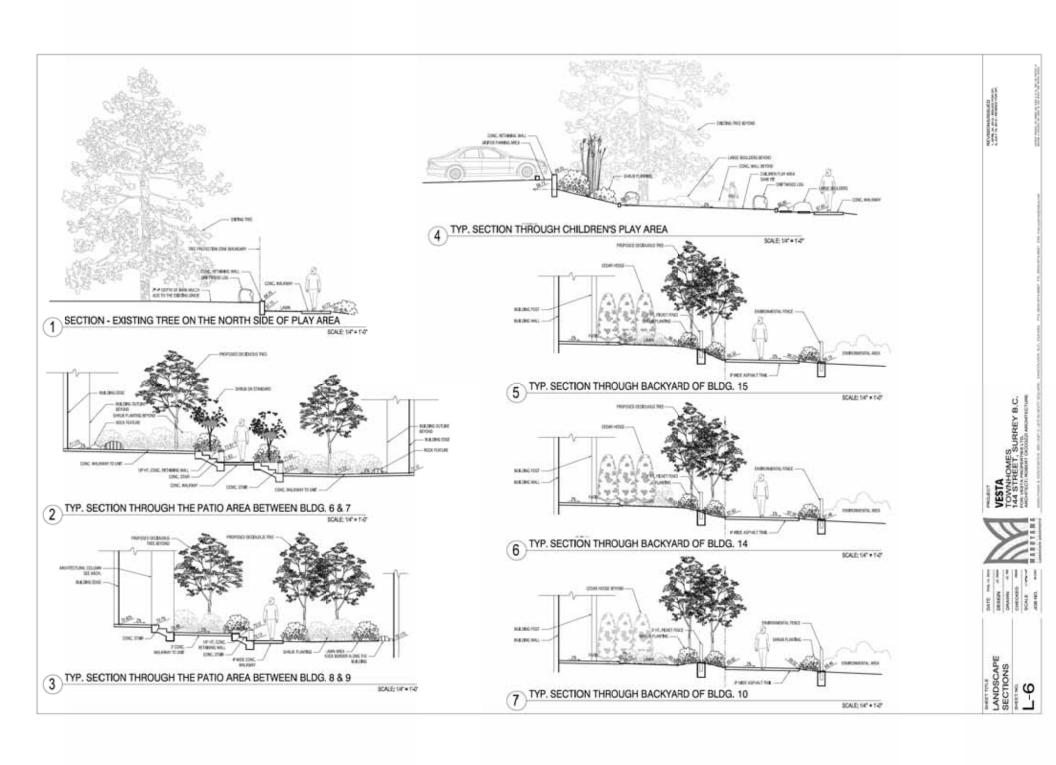


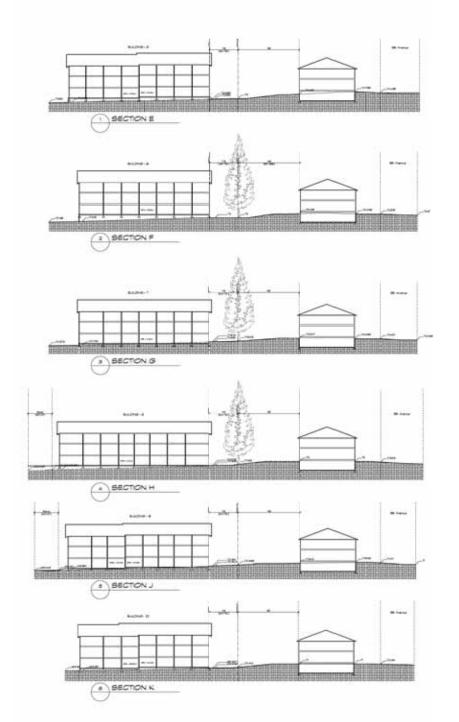
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200 - 2009 Columbia Street Vancouver, B.C. Canada V5Y 3Y3 Tel: (804) 687-4741 Fex: (804) 687-4641 admin/8-clocozziarch/fecture.c

144TH STREET TOWNHOMES

5834,5858,5862,5926 14487, Surrey, S.C.



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INTER-OFFICE MEMO

TO:

Manager, Area Planning & Development

- South Surrey Division

Planning and Development Department

FROM:

Development Project Engineer, Engineering Department

DATE:

July 12, 2012

PROJECT FILE:

7811-0044-00

RE:

Engineering Requirements

Location: 5882 144 St

NCP AMENDMENT

There are no engineering requirements relative to the NCP Amendment.

REZONE/SUBDIVISION

Property and Right-of-Way Requirements

- Dedicate 4.942 metres along 144 Street from properties at 5834/5858/5882 144 Street for
- Dedicate 2.808 metres along 144 Street from 5904 144 Street for a total of 30 metres;
- Dedicate 1.500 metres along 144 Street from 5926/28 144 Street for a total of 30 metres;
- Dedicate 14.0 metre radius cul-de-sac for 59 Avenue;
- Dedicate 14.0 metre radius cul-de-sac for 59A Avenue, if not done under 7808-0091-00;
- Provide 0.500 metre wide SROW along 144 Street at new property line; and
- Provide 4.000 metre wide SROW for walkway along east property line of townhouse site.

Works and Services

- Construct concrete and asphalt sidewalk on 144 Street fronting the site;
- Construct concrete sidewalk from the site to 58 Avenue along 144 Street;
- Construct and complete 59 Avenue and 59A Avenue cul-de-sac roadwork's;
- Construct sanitary sewer main on 144 Street and resolve downstream constraints, if
- Construct sanitary sewer main, storm sewer main and watermain on 59 Avenue; and
- Provide restrictive covenant for access easements and right-in/right-out at 144 Street.

A Servicing Agreement is required prior to Rezone/Subdivision.

DEVELOPMENT PERMIT

There are no engineering requirements relative to issuance of the Development Permit.

Rémi Dubé, P.Eng.

Development Services Manager

HB

NOTE: Detailed Land Development Engineering Review available on file



Friday, May 11, 2012 Planning

THE IMPACT ON SCHOOLS

APPLICATION #:

11 0044 00

SUMMARY

The proposed 144 townhouse units are estimated to have the following impact on the following schools:

Projected # of students for this development:

Elementary Students:	23
Secondary Students:	12

September 2011 Enrolment/School Capacity

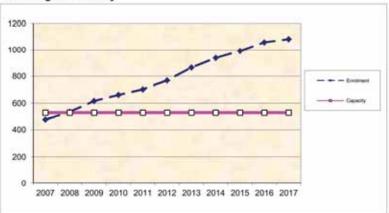
Cambridge Elementary	
Enrolment (K/1-7):	105 K + 598
Capacity (K/1-7):	80 K + 450
Sullivan Heights Secondary	
Enrolment (8-12):	1226
Nominal Capacity (8-12):	1000
Functional Capacity*(8-12);	1080

School Enrolment Projections and Planning Update:

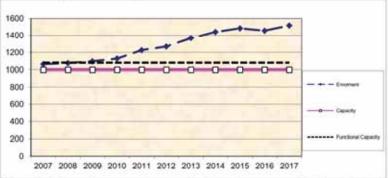
The following tables illustrate the enrolment projections (with current/approved ministry capacity) for the elementary and secondary schools serving the proposed development.

Cambridge Elementary opened in September 2006 and enrolment has grown rapidly resulting in portables on site. The Ministry has approved construction of a new elementary school on Site #211 located in the 6200 block of 146th Street. The Cambridge Elementary projection in the table below does not show an enrolment move to the new school (likely opening 2013-2014 school year or after if there are construction delays). The capacity line in the table includes a four classroom addition to Cambridge Elementary recently completed to help accommodate full day Kindergarten implementation. Enrolment moves or other measures may be needed to reduce future overcrowding at Sullivan Heights Secondary. The proposed development is consistent with the NCP residential buildout estimates and will not have an impact on these projections.

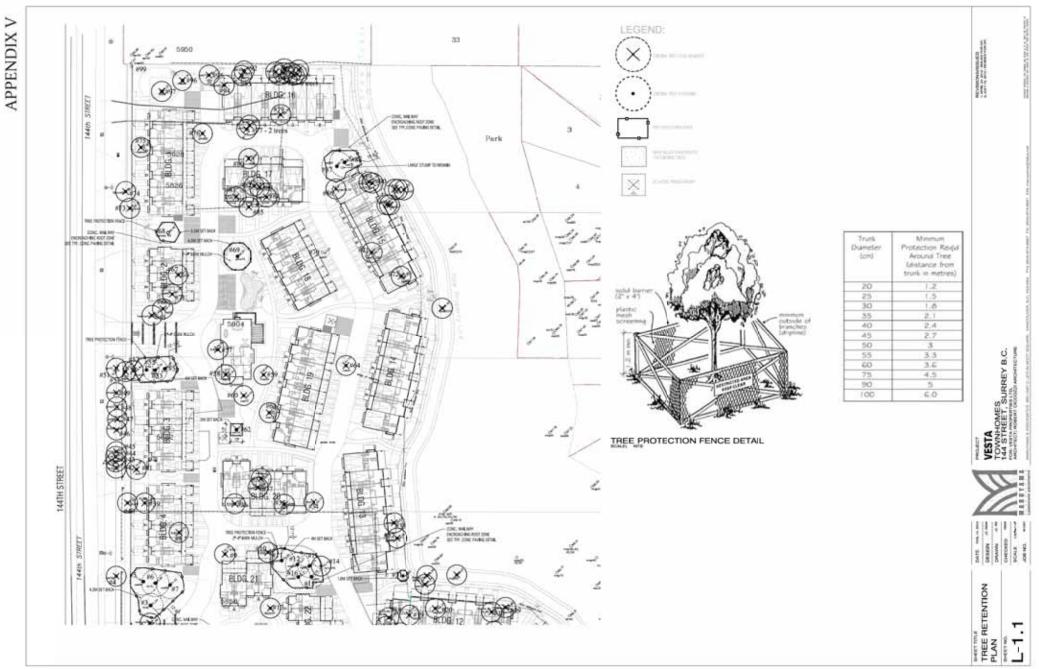
Cambridge Elementary

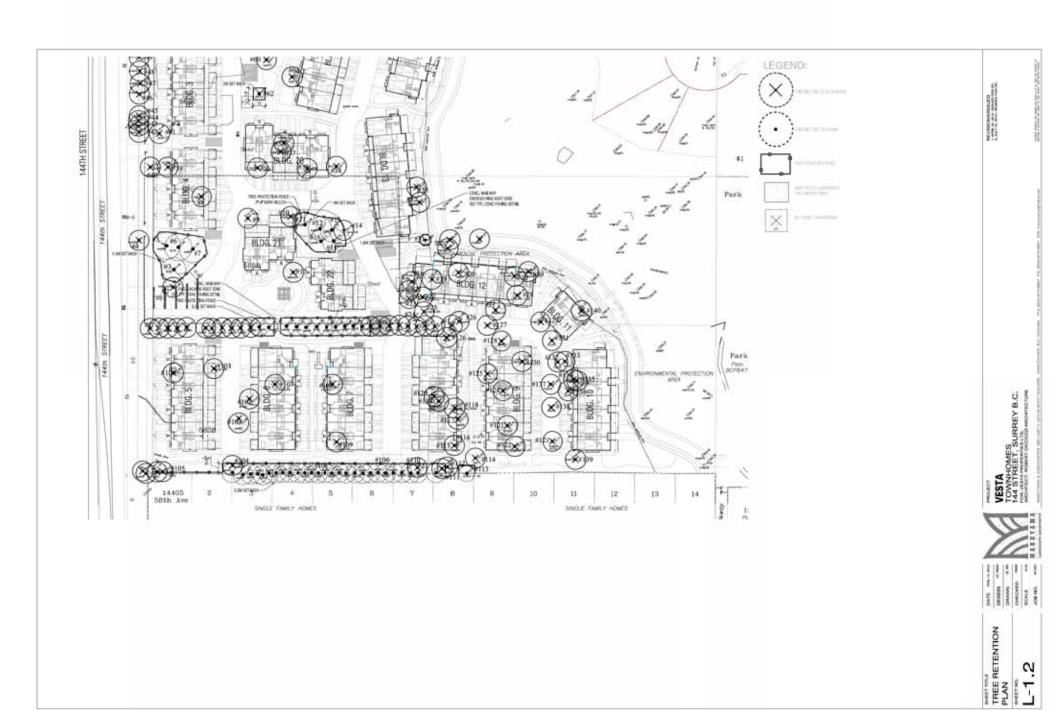


Sullivan Heights Secondary



*Functional Capacity at secondary schools is based on space utilization estimate of 27 students per instructional space. The number of instructional spaces is estimated by dividing nominal facility capacity (Ministry capacity) by 25.





CITY OF SURREY

BY-LAW NO.	
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A by-law to amend Su	rrey Zoning By-law	, 1993, No. 12000	, as amended

THE CITY COUNCIL of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

- Surrey Zoning By-law, 1993, No. 12000, as amended, is hereby further amended, pursuant to the provisions of Section 903 of the <u>Local Government Act</u>, R.S.B.C. 1996 c. 323, as amended by changing the classification of the following parcels of land, presently shown upon the maps designated as the Zoning Maps and marked as Schedule "A" of Surrey Zoning By-law, 1993, No. 12000, as amended as follows:
 - (a) FROM: DUPLEX RESIDENTIAL ZONE (RM-D)
 - TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Portion of Parcel Identifier: 027-162-761 Lot 5 Section 10 Township 2 New Westminster District Plan BCP31770

Portion of 5926 - 144 Street

As shown on the Survey Plan attached hereto and forming part of this By-law as Schedule A, certified correct by Greg Marston, B.C.L.S. on the 12th day of July, 2012, containing 4,240 square metres, called Block A-1.

(b) FROM: ONE ACRE RESIDENTIAL ZONE (RA)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Portion of Parcel Identifier: 006-538-738 Lot 28 Section 10 Township 2 New Westminster District Plan 30302

Portion of 5904 - 144 Street

As shown on the Survey Plan attached hereto and forming part of this By-law as Schedule A, certified correct by Greg Marston, B.C.L.S. on the 12th day of July, 2012, containing 5,210 square metres, called Block A-2.

Portion of Parcel Identifier: 012-291-757
Parcel "A" (Explanatory Plan 11650) Lots 12 and 13 Section 10 Township 2 New Westminster
District Plan 1673

Portion of 5882 - 144 Street

As shown on the Survey Plan attached hereto and forming part of this By-law as Schedule A, certified correct by Greg Marston, B.C.L.S. on the 12th day of July, 2012, containing 5,350 square metres, called Block A-3.

Portion of Parcel Identifier: 012-291-871 South Half Lot 13 Section 10 Township 2 New Westminster District Plan 1673

Portion of 5858 - 144 Street

As shown on the Survey Plan attached hereto and forming part of this By-law as Schedule A, certified correct by Greg Marston, B.C.L.S. on the 12th day of July, 2012, containing 6,350 square metres, called Block A-4.

Portion of Parcel Identifier: 012-291-935 North Half Lot 14 Section 10 Township 2 New Westminster District Plan 1673

Portion of 5834 - 144 Street

As shown on the Survey Plan attached hereto and forming part of this By-law as Schedule A, certified correct by Greg Marston, B.C.L.S. on the 12th day of July, 2012, containing 8,580 square metres, called Block A-5.

(hereinafter both (a) and (b) shall be referred to as the "Lands")

The following regulations shall apply to the Lands:

A. Intent

This Comprehensive Development Zone is intended to accommodate and regulate the development of family-oriented, low density, ground-oriented multiple unit residential buildings and related amenity spaces, which are to be developed in accordance with a comprehensive design where density bonus is provided.

B. Permitted Uses

The Lands and structures shall be used for the following uses only, or for a combination of such uses:

- Ground-oriented multiple unit residential buildings.
- Child care centres, provided that such centres:
 - (a) Do not constitute a singular use on the lot; and

(b) Do not exceed a total area of 3.0 square metres [32 sq.ft.] per dwelling unit.

C. Lot Area

Not applicable to this Zone.

D. Density

- The maximum density shall not exceed a floor area ratio of 0.1 or a floor area of 300 square metres [3,230 sq.ft.] whichever is smaller, and the maximum unit density shall not exceed a 2.5 dwelling units per hectare [1 u.p.a.]. The maximum density may be increased to that prescribed in Section D.2 of this Zone if amenities are provided in accordance with Schedule G of Surrey Zoning By-law, 1993, No. 12000, as amended.
- The floor area ratio shall not exceed 0.72 and the maximum unit density shall not exceed 50 dwelling units per hectare [20 u.p.a.] if amentities are provided in accordance with Schedule G of Surrey Zoning By-law, 1993, No. 12000, as amended".
- 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 34%.

F. Yards and Setbacks

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

Setback	Front Yard	Rear Yard	Side Yard (North)	Side Yard (South)
Use				200000000000000000000000000000000000
Principal Buildings and	6.0 m	9.0 m	4.5m	7.5 m
Accessory Buildings and Structures	[20 ft.]	[30 ft.]	[15 ft.]	[25 ft.]

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

G. Height of Buildings

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

 Principal buildings: The building height shall not exceed 11 metres [39 feet].

Accessory buildings and structures:

- (a) Indoor amenity space buildings: The building height shall not exceed 11 metres [36 feet]; and
- (b) Other accessory buildings and structures: The building height shall not exceed 4.5 metres [15 ft.].

H. Off-Street Parking

- Resident and visitor parking spaces shall be provided as stated in Table C.6. of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.
- All required resident parking spaces shall be provided as underground parking or as parking within building envelope.
- Tandem parking is permitted, subject to the following:
 - (a) Dwelling units with parking spaces provided as tandem parking are permitted directly adjacent to an arterial roadway only if there is an internal access to the parking area;
 - (b) Parking spaces provided as tandem parking must be enclosed and attached to each dwelling unit;
 - Parking spaces provided as tandem parking must be held by the same owner; and
 - (d) Access to parking spaces provided as tandem parking is not permitted within 6 metres [20 ft.] from lot entrances/exits.

I. Landscaping

- All developed portions of the lot not covered by buildings, structures or paved areas shall be landscaped including the retention of mature trees. This landscaping shall be maintained.
- Along the developed sides of the lot which abut a highway, a continuous landscaping strip of not less than 1.5 metres [5 ft.] in width shall be provided within the lot.

- The boulevard areas of highways abutting a lot shall be seeded or sodded with grass on the side of the highway abutting the lot, except at driveways.
- Garbage containers and passive recycling containers shall be screened to a height of at least 2.5 metres [8 ft.] by buildings, a landscaping screen, a solid decorative fence, or a combination thereof.

J. Special Regulations

- Amenity space shall be provided on the lot as follows:
 - (a) Outdoor amenity space, in the amount of 3.0 square metres
 [32 sq.ft.] per dwelling unit and shall not be located within the required setbacks; and
 - (b) Indoor amenity space, in the amount of 3.0 square metres [32 sq.ft.] per dwelling unit.
- 2. Child care centres shall be located on the lot such that these centres:
 - (a) Are accessed from a highway, independent from the access to the residential uses permitted in Section B of this Zone; and
 - (b) Have direct access to an open space and play area within the lot.

K. Subdivision

Lots created through subdivision in this Zone shall conform to the following minimum standards:

Lot Size	Lot Width	Lot Depth	
29,000 sq. m.	240 metres	70 metres	
[7.1 acres]	[785 ft.]	[230 ft.]	

Dimensions shall be measured in accordance with Section E.21 of Part 4 General Provisions of Surrey Zoning By-law, 1993, No. 12000 as amended.

L. Other Regulations

In addition to all statutes, by-laws, orders, regulations or agreements, the following are applicable, however, in the event that there is a conflict with the provisions in this Comprehensive Development Zone and other provisions in Surrey Zoning By-law, 1993, No. 12000, as amended, the provisions in this Comprehensive Development Zone shall take precedence:

 Definitions are as set out in Part 1 Definitions, of Surrey Zoning By-law, 1993, No. 12000, as amended.

- Prior to any use, the Lands must be serviced as set out in Part 2 Uses Limited, of Surrey Zoning By-law, 1993, No. 12000, as amended and in accordance with the servicing requirements for the RM-30 Zone as set forth in the Surrey Subdivision and Development By-law, 1986, No. 8830, as amended.
- General provisions are as set out in Part 4 General Provisions of Surrey Zoning By-law, 1993, No. 12000, as amended.
- Additional off-street parking requirements are as set out in Part 5
 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993,
 No. 12000, as amended.
- Sign regulations are as set out in Surrey Sign By-law, 1999, No. 13656, as amended.
- Special building setbacks are as set out in Part 7 Special Building Setbacks, of Surrey Zoning By-law, 1993, No. 12000, as amended.
- Building permits shall be subject to the Surrey Building By-law, 1987, No. 9011, as amended.
- Building permits shall be subject to Surrey Development Cost Charge By-law, 2012, No. 17539, as may be amended or replaced from time to time, and the development cost charges shall be based on the RM-30 Zone.
- Tree regulations are set out in Surrey Tree Protection By-law, 2006, No. 16100, as amended.
- Development permits may be required in accordance with the Surrey Official Community Plan, 1996, By-law No. 12900, as amended.
- Provincial licensing of child care centres is regulated by the <u>Community</u> <u>Care and Assisted Living Act</u> R.S.B.C. 2002. c. 75, as amended, and the Regulations pursuant thereto including without limitation B.C. Reg 319/89/213.

3.	Amendment By-lav		poses as "Surrey Zon ."	ing By-law, 1993, No.	. 12000,
REAI	A FIRST AND SECO	OND TIME on the	th day of	, 20 .	
PUBI	IC HEARING HELD	thereon on the	th day of	, 20 .	
REAL	A THIRD TIME ON	THE th	day of	, 20 .	
	ONSIDERED AND FII orate Seal on the	NALLY ADOPTED th day of	O, signed by the Mayo	or and Clerk, and sea	aled with the
		_			MAYOR
		_			_ CLERK
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