

City of Surrey PLANNING & DEVELOPMENT REPORT Application No.: 7923-0134-00

Planning Report Date: April 8, 2024

PROPOSAL:

- **OCP Amendment** for a portion of the site from Mixed Employment to Multiple Residential
- OCP Amendment to allow an FAR of 2.5 for the site within the Multiple Residential land use designation
- **OCP Amendment** to amend Figure 42: Major Employment Areas by removing the Mixed Employment designation for the subject site
- **NCP Amendment** to introduce a new land use designation: Mixed Use 4-6 Storeys
- NCP Amendment from Multiple Residential 30-45 upa, 20m Drainage Corridor and Road to Mixed Use 4-6 Storeys and 10m Drainage Corridor, and to remove the land consolidation requirement
- LAP Amendment from Buffers to Mixed Commercial Residential
- **Rezoning** from RA to CD (based on RM-70)
- **Housing Agreement**
- **Development Permit**

to permit the development of a 6 storey mixed-use building

LOCATION: 16453 18 Avenue

ZONING: RA

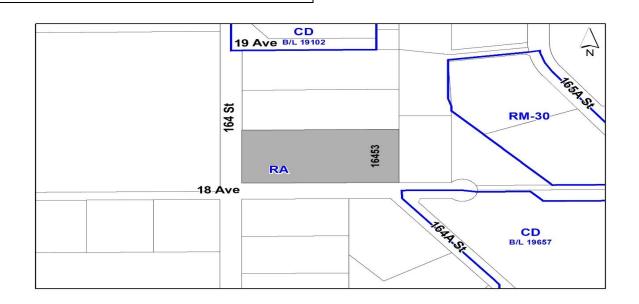
OCP DESIGNATION: Multiple Residential & Mixed

Employment

NCP/LAP Multiple Residential 30-45 upa, **DESIGNATIONS:**

Drainage Corridors, Road and

Buffers



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for:
 - OCP Amendment; and
 - Rezoning.
- Approval to draft Development Permit for Hazard Lands, Sensitive Ecosystems, and Form and Character.
- By-law Introduction, First, Second and Third Reading for a Housing Agreement.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is proposing an amendment to the Official Community Plan (OCP) to allow an FAR of 2.5 on the subject site within the Multiple Residential land use designation.
- The applicant is proposing a amendment to the OCP to redesignate the portion of the site that is designated "Mixed Employment" to "Multiple Residential (Appendix VIII).
- The applicant is proposing an Neighbourhood Concept Plan (NCP) amendment to introduce a new land use designations: "Mixed Use Residential 4-6 Storeys", and to amend the land use designation on the site from "Multiple Residential 30-45 upa" to "Mixed Use Residential 4-6 Storeys", for changes to the local road network and to reduce the drainage corridor width from 20 metres to 10 metres, and to eliminate the land consolidation requirement.

RATIONALE OF RECOMMENDATION

- The proposal meets the intent of the Multiple Residential designation in the Official Community Plan (OCP), but with increased floor area permitted should the amendment be supported.
- The proposal complies with the General Urban designation in the Metro Vancouver Regional Growth Strategy (RGS).
- The proposal complies with the Development Permit requirements in the OCP for Sensitive Ecosystems (Green Infrastructure Areas).
- The proposal generally complies with the Development Permit requirements in the OCP for Hazard Lands (Steep Slopes).
- The proposal partially complies with the Development Permit requirements in the OCP for Form and Character.
- The proposed building achieves an attractive architectural built form, which utilizes high quality, natural materials and contemporary lines. The street interface has been designed to a high quality to achieve a positive urban experience between the proposed building and the public realm.

- Over the past 14 years since the Sunnyside Heights NCP was approved, the development trend and market affordability has moved away from a lower unit density / larger unit size apartment housing product toward a denser and smaller unit type of multi-family development. The proposed 6-storey mixed-use building is consistent with the intent of the NCP designation, but an amendment is required to permit a higher unit density than 45 units per acre. The proposed new designation, "Mixed Use 4-6 Storeys" is more appropriate than increasing the permitted unit density under the current designation as it allows more flexibility in achieving the desired housing form of a low-rise apartment building.
- The proposed 65 market rental apartment units will enhance the housing variety in the community and will help achieve the policies and objectives identified in the OCP and the Affordable Housing Strategy.
- 59% of the site is encumbered by a BC Hydro right-of-way (ROW) and is considered "undevelopable" under the Zoning By-law. If this area were to be included for calculating floor area ratio (FAR), the proposed FAR would be 0.83.

RECOMMENDATION

The Planning & Development Department recommends that:

- 1. A By-law be introduced to amend the OCP Figure 3: General Land Use Designations for a portion of the subject site from Mixed Employment to Multiple Residential and a date for Public Hearing be set.
- 2. A Bylaw be introduced to amend the OCP, 'Table 7a: Land Use Designation Exceptions' to allow an FAR of 2.5 on the subject site within the Multiple Residential land use designation and a date for Public Hearing be set.

"Bylaw	Land Use	Site Specific	Site Specific
No.	Designation	Property	Permission
Bylaw #	Multiple Residential	16453 18 Avenue 006-532-128 Lot 36 Section 13 Township 1 New Westminster District Plan 42726	Density permitted up to 2.5 FAR (net calculation)

- 3. A By-law be introduced to amend OCP Figure 42: Major Employment Areas by removing the Mixed Employment designation for the subject site and a date for Public Hearing be set.
- 4. 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 475 of the Local Government Act.
- 5. A By-law be introduced to rezone the subject site from "One-Acre Residential Zone (RA)" to "Comprehensive Development Zone (CD)" and a date be set for Public Hearing.
- 6. A By-law be introduced to enter into a Housing Agreement and be given First, Second and Third Reading, to allow the property owner and the City of Surrey to enter into a Housing Agreement to secure the rental apartment units for a period of 60 years.
- 7. Council authorize staff to draft Development Permit No. 7923-0134-00 generally in accordance with the attached drawings (Appendix I) and the finalized Ecosystem Development Plan and geotechnical report.
- 8. Council instruct staff to resolve the following issues prior to final adoption:

- (a) ensure that all engineering requirements and issues including 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) approval from BC Hydro;
- (e) approval from Fisheries and Oceans Canada;
- (f) resolution of all urban design issues to the satisfaction of the Planning and Development Department;
- (g) submission of a finalized landscaping plan and landscaping cost estimate to the specifications and satisfaction of the Planning and Development Department;
- (h) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
- (i) submission of a finalized Ecosystem Development Plan to the satisfaction of City staff;
- (j) submission of a finalized Geotechnical Report to the satisfaction of City staff;
- (k) provision of cash-in-lieu contribution to satisfy the indoor amenity space requirement of the RM-70 Zone, at the rate in effect at the time of Final Adoption;
- (l) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department;
- (m) registration of a Section 219 Restrictive Covenant to ensure that the site is developed according to the recommendations contained in the finalized geotechnical report;
- (n) registration of an access easement to provide fire access to the property at 16485 18 Avenue;
- (o) registration of an access easement to provide access to the property at 1852 164 Street;
- (p) the applicant provide proportionate compensation for civil works and parks related costs, including for road, drainage corridor and Grandview Ridge Trail related land and construction costs, to the satisfaction of the Planning & Development, Engineering and Parks, Recreation and Culture Departments;
- (q) registration of a Section 219 Restrictive Covenant to ensure that, if the rental use is discontinued in the future, the City's needs with respect to Community Amenity Contributions (CAC), including Affordable Housing, Capital Projects and Tier 2

- Capital Plan Project CACs, will be adequately met, to the satisfaction of the General Manager, Planning & Development Department;
- (r) registration of a Section 219 Restrictive Covenant to adequately address the City's needs with respect to public art, to the satisfaction of the General Manager Parks, Recreation and Culture; and
- (s) Submission and acceptance of a Drainage Technical Memo to address how the drainage objectives of the NCP will be achieved.
- 9. Council pass a resolution to amend the Sunnyside Heights Neighbourhood Concept Plan (NCP) to introduce a new land use designation: Mixed Use 4-6 Storeys, and to redesignate the land from Multiple Residential 30-45 upa, Road and 20m Drainage Corridor to Mixed Use 4-6 Storeys and 10m Drainage Corridor, and to eliminate the land consolidation requirement, when the project is considered for final adoption.
- 10. Council pass a resolution to amend the Highway 99 Corridor Local Area Plan (LAP) to redesignate the land from Buffers to Mixed Commercial Residential when the project is considered for final adoption.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	NCP Designation	Existing Zone
Subject Site	Single Family	Multiple Residential 30-45 upa, Drainage Corridor and Road in the Sunnyside Heights NCP and Buffers in the Highway 99 Corridor Plan	RA
North:	Single Family	Multiple Residential 30-45 upa, Drainage Corridor and Road in the Sunnyside Heights NCP and Buffers in the Highway 99 Corridor Plan	RA

Application No.: 7923-0134-00

Direction	Existing Use	NCP Designation	Existing Zone	
East:	Existing single family, at Third Reading under Development Application No. 7920-0110-00, for the development of an 86-unit 4-storey apartment	Multiple Residential 30-45 upa, Drainage Corridor and Grandview Ridge Trail	RA	
South (Across 18 Avenue):	building Single Family and Park	Buffers and Business Park	RA	
West (Across 164 Street):	Vacant land under Development Application No. 22-0326, for the development of a retail warehouse building	Business Park / Light Industrial	RA	

Context & Background

- The subject site is 0.97 hectare in size and consists of one (1) single family acreage lot. It is designated "Multiple Residential" in the Official Community Plan (OCP), and "Multiple Residential (30-45 upa)", "Drainage Corridor", and "Road" in the Sunnyside Heights Neighbourhood Concept Plan (NCP).
- The western portion of the site is located in the Highway 99 Corridor Local Area Plan (LAP). The portion within the LAP is encumbered by the BC Hydro ROW and is proposed to be used for surface parking. It is designated "Buffers" in the LAP, and an LAP amendment is required to amend the portion of the site within the LAP to Mixed Commercial Residential.
- The "Multiple Residential (30-45 upa)" land use designation in the NCP allows for a range of housing types, from townhouses to apartment style buildings in a variety of designs. Low-rise apartment buildings were envisioned in the NCP on the western side of the plan area, adjacent to the Commercial and Business Park uses in the Highway 99 Corridor Plan.
- The NCP identified a number of land consolidation areas in order to avoid creating remnant parcels that could not develop efficiently on their own (Appendix VII). The subject site is identified in a land consolidation area, which includes five (5) other adjacent parcels, including:
 - o 16515 18 Avenue, to the east of the subject site;
 - o 16485 18 Avenue, to the east of the subject site, under Development Application No. 7920-0110-00, which is at Third Reading;
 - o 1852 164 Street, to the north of the subject site; and
 - 1870 164 Street and 1891 165A Street, to the north of the subject site, under Development Application No. 7918-0153-00, which is at the initial review stage.

- The NCP identifies a 20 metre wide Drainage Corridor bisecting the site.
- The proposed "Mixed Use 4-6 Storeys" designation in the NCP was introduced with Development Application No. 7916-0225-00. This application is currently at Third Reading. Whichever application proceeds to Final Adoption first would introduce the new designation to the Sunnyside Heights NCP.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant is proposing the following:
 - An OCP amendment to redesignate a portion of the site from "Mixed Employment" to
 "Multiple Residential", to allow an FAR of 2.5 on the subject site within the Multiple
 Residential land use designation, and to amend Figure 42: Major Employment Areas
 by removing the Mixed Employment designation for the subject site;
 - An NCP amendment to introduce a new land use designation: "Mixed Use 4-6 Storeys", and to redesignate the portion of the site designated "Multiple Residential (30-45 upa)" and "20m Drainage Corridor" to "Mixed Use 4-6 Storeys" and "10m Drainage Corridor", to eliminate the road in the NCP bisecting the site, and to eliminate the land consolidation requirement;
 - An LAP amendment to redesignate the portion of the site designated "Buffers" in the LAP to "Mixed Commercial Residential";
 - o To rezone the site from "One-Acre Residential Zone (RA)" to "Comprehensive Development Zone (CD)" (based on "Multiple Residential 70 Zone (RM-70)");
 - A Form and Character Development Permit to allow for the development of a mixeduse building with approximately 2,644.2 square metres of commercial floorspace and 65 rental apartment housing units in a 6-storey building;
 - o A Hazard Lands Development for steep slopes; and
 - o A Sensitive Ecosystem Development Permit for streamside protection.

	Proposed
Lot Area	
Gross Site Area:	9,679.66 m²
Road Dedication:	484.75 m ²
Undevelopable Area:	5,727.61 m ²
Drainage Corridor:	856.17 m ²
Net Site Area:	2,608.16 m ²

	Proposed
Number of Lots:	1
Building Height:	21.5 m
Unit Density:	69 upa
Floor Area Ratio (FAR):	2.50 FAR
Floor Area	
Residential:	3,887.2 m ²
Commercial:	2,644.2 m ²
Total:	6,531.4 m ²
Residential Units:	
Studio:	7 units
1-Bedroom:	38 units
2-Bedroom:	12 units
3-Bedroom:	8 units
Total:	65 units

Referrals

Engineering: The Engineering Department has no objection to the project

subject to the completion of Engineering servicing requirements as

outlined in Appendix II.

School District: The School District has advised that there will be

approximately 8 school-age children generated by this development, of which the School District has provided the

following expected student enrollment.

5 Elementary students at Edgewood/Ta'talu Elementary School

2 Secondary students at Earl Marriott Secondary School

(Appendix III)

Note that the number of school-age children is greater than the expected enrollment due to students attending private schools, home school or different school districts.

The applicant has advised that the dwelling units in this project are expected to be constructed and ready for occupancy by February 2027.

Parks, Recreation & Culture:

No concerns.

The closest active park with amenities including an open grassy area and a temporary playground is 125G Neighbourhood Park which is 550 metres away. Parkland will be added to 125G – Neighbourhood Park as part of the Sunnyside Heights NCP. There is no park with natural area within a reasonable walking distance from the site. Future active parkland, the Grandview Ridge Trail, is proposed within 50 metres of the subject site as part of the Sunnyside Heights Neighbourhood Concept Plan (NCP) .

Ministry of Transportation & Infrastructure (MOTI):

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the *Transportation Act*.

BC Hydro:

Further review and approval from BC Hydro will be required prior to Final Adoption of the associated By-laws. The applicant has confirmed that the proposal meets all of BC Hydro's guidelines and requirements, for items including parking and a playground within the BC Hydro ROW area, and the west side building setback. The applicant has acknowledged that changes may be required to their proposal in response to any requirements that are identified by BC Hydro.

Surrey Fire Department:

No concerns.

Advisory Design Panel:

At the Regular Council – Land Use meeting on December 18, 2023, Council endorsed Corporate Report No. R214 (2023) which amended the Terms of Reference of the City's Advisory Design Panel (ADP) which allows multi-family proposals that are 6-storeys or less, and supported by City staff, to proceed to Council for By-law introduction, without review and/or comment from the ADP.

The subject development proposal is generally supported by City staff and the applicant has agreed to resolve any outstanding items, to the satisfaction of the Planning and Development Department, prior to consideration of Final Adoption of the Rezoning By-law as well as issuance of the Development Permit.

Transportation Considerations

- The applicant is required to provide the following improvements to service the subject proposal:
 - o Dedication and construction of the east side of 164 Street; and
 - o Construction of the north side of 18 Avenue.
- The subject site is anticipated to generate approximately one to two vehicles per minute in the peak hour, based on industry standard rates. As the number of trips is below the City's requirement threshold, a site-specific transportation impact analysis ("TIA") was not required.

- Access to the site is proposed from 18 Avenue.
- The nearest transit route is Bus Route No. 531 White Rock Centre/Willowbrook, which runs along 24 Avenue approximately 1.2 kilometres from the subject site.
- The subject site is located adjacent to the Pioneer Greenway, a planned multi-use facility which will follow 164 Street. It is in close proximity to the Grandview Ridge Trail (GRT) aligned approximately 50m to the northeast, a planned multi-use pathway that will connect Sunnyside Heights to the commercial node at 24 Avenue and 160 Street (Grandview Corners).
- A total of 168 parking stalls are required to be provided on site, based on the Zoning Bylaw requirements. The applicant is proposing to provide a total of 168 parking stalls, meeting the Zoning Bylaw requirements.

Sustainability Considerations

• The applicant has met all of the typical sustainable development criteria, as indicated in the Sustainable Development Checklist.

POLICY & BY-LAW CONSIDERATIONS

Regional Growth Strategy

• The subject site is designated "General Urban" in the Regional Growth Strategy (RGS) and the proposal complies with this designation.

Official Community Plan

Land Use Designation

- The subject site is located within two (2) secondary plan areas, the Sunnyside Heights NCP and the Highway 99 Corridor LAP. The portion within the Highway 99 Corridor LAP area is designated "Mixed Employment" and the portion within the Sunnyside Heights NCP area is designated "Multiple Residential".
- The portion designated "Mixed Employment" requires an NCP amendment to "Multiple Residential" (Appendix VIII).
- An OCP amendment for increased density within the Multiple Residential designation from 1.5 FAR to 2.5 FAR is also required.

Amendment Rationale

• A large portion of the subject site is undevelopable, as it is encumbered by a BC Hydro ROW. Under the Zoning Bylaw, utility right-of-way lands are considered "undevelopable" and therefore must be excluded from the site area used to calculate density. Therefore, while the proposed density under the Zoning Bylaw exceeds what is permitted in the Multiple Residential designation, if the BC Hydro ROW lands were included in the net site area, the

proposed density would be 0.83, which is below the maximum 1.5 FAR permitted in the Multiple Residential land use designation.

- Although the density noted above is for clarification only, the requirement to exclude utility
 right-of-ways from site area for calculating density is an administrative decision, whereas the
 public will experience the site's proposed density inclusive of the BC Hydro Right-of-Way
 areas.
- The proposed residential units are all market rental residential, which will provide rental residential units in the neighbourhood.
- The portion of the site designated "Mixed Employment" is encumbered by the BC Hydro ROW. The subject site is split-designated and the OCP redesignation for a portion of the site is for housekeeping purposes, as it should not have been split designated.
- The proposed use, density, and building form are appropriate for this part of the Sunnyside Heights Neighbourhood Concept Plan.
- Pursuant to Section 475 of the <u>Local Government Act</u>, 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.

Themes/Policies

A4 Efficient New Neighbourhoods (General): Plan and develop new neighbourhoods with an
emphasis on compact forms of development that effectively utilize land, public infrastructure,
and City resources; enhance neighbourhood quality; and reduce development pressures on
agricultural and environmentally sensitive lands. Encourage the full and efficient build-out of
existing planned urban areas in order to achieve planned capacities, use infrastructure
efficiently, provide housing options, and provide amenities to residents.

The proposed development will increase the variety of housing types within this part of the Sunnyside Heights plan area.

• Affordable Housing: Encourage and support the development of new purpose-built rental apartments (OCP Policy F.3.14).

All of the apartment units are proposed to be market rental apartments secured with a 60 year Housing Agreement.

Secondary Plans

Land Use Designation

- The following amendments are proposed to the Sunnyside Heights Neighbourhood Concept Plan (NCP):
 - o Introduce a new land use designation: Mixed Use 4-6 Storeys;
 - o Eliminate the diagonal road alignment shown on the subject site;
 - o Reduce the Drainage Corridor width from 20 metres;

- Redesignate the portion of the site designated "Multiple Residential 30-45 upa" to "Mixed Use 4-6 Storeys"; and
- Remove the land consolidation requirement so that the site can develop independently.

Amendment Rationale

Rationale for Land-Use Redesignation:

- The Sunnyside Heights NCP was approved by Council in 2010. The "Multiple Residential 30-45 upa" designation was intended to provide for a range of housing types, from townhouses to apartment style buildings in a variety of forms. Low-rise apartment buildings were envisioned in the NCP on the western side of the plan area, adjacent to the Commercial and Business Park uses in the Highway 99 Corridor Plan.
- Land within the NCP area with the "Multiple Residential 30-45 upa" designation that have already developed were constructed as higher density townhouse sites, not low-rise apartment sites.
- Over the past 14 years since the NCP was approved, the development trend and market affordability has moved away from a lower unit density / larger unit size apartment housing product toward a smaller unit type of multi-family development. The proposed multiple residential development is consistent with the intent of the NCP designation, but an amendment is required to permit a higher unit density than 45 units per acre.
- The proposed new designation, "Mixed Use Residential 4-6 Storeys", rather than a Multiple Residential designation with a permitted unit density, is more appropriate than increasing the permitted unit density under the current designation, as it allows more flexibility in achieving the desired housing form of a low-rise apartment building.
- The proposed addition of the mixed use component reflects the lot's location adjacent to future Mixed Employment uses in the Highway 99 Corridor, and will provide the immediate neighbourhood with commercial, office and childcare space within walking distance, without having to travel 1.5 kilometres to Grandview Corners. In addition, it reflects the fact that a large portion of the site is encumbered by a BC Hydro ROW, making it suitable for commercial uses with some surface parking within the ROW area.
- The proposed building provides a unit mix of studio, 1-, 2-, 3-bedroom units, and all are proposed to be market rental units secured with a 60-year term housing agreement. This will assist in increasing and diversifying the housing choice in the neighbourhood.

Rationale for Elimination of the Road Alignment:

- This unconstructed road alignment in the NCP runs along the BC Hydro Corridor and was shown outside of the Hydro ROW area. The road and drainage corridor requirements would have placed a large constraint on the site and significantly reduced its developability.
- The decision to remove the road alignment was made in coordination with Land Development Engineering and Transportation Engineering staff, in a review of the land within

this land consolidation area. Given the lands within the consolidation area are serviced by 164 Street, 18 Avenue and 19 Avenue, this road was determined to be unnecessary.

Rationale for Reduction of the Drainage Corridor:

- Drainage Engineering has reviewed the subject proposal and have indicated that the proposed
 10 metre wide drainage corridor is acceptable in principle based on other similar applications
 along the BC Hydro ROW.
- A drainage technical memo is required to address how the objectives of the NCP will be achieved. This is a condition of Final Adoption.

CD By-law

- The applicant is proposing a Comprehensive Development Zone (CD) to accommodate the proposed mixed-use development on the site.
- The proposed CD By-law identifies appropriate uses, densities, and setbacks. The CD By-law will have provisions based on the "Neighbourhood Commercial Zone (C-5)" and the "Multiple Residential 70 Zone (RM-70)".
- A comparison of the density, lot coverage, setbacks, building height and permitted uses in the C-5 Zone, RM-70 Zone and the proposed CD By-law is illustrated in the following table:

Zoning	C-5 Zone (Part 35)	RM-70 Zone (Part 24)	Proposed CD Zone
Permitted	Principle Uses	Principal Uses:	Principal Use:
Uses	 Retail stores excluding adult entertainment store, secondhand stores and pawnshops. Personal service uses limited to barbershops, beauty parlours, cleaning and repair of clothing and shoe repair shops. General service uses excluding funeral parlours and drivethrough banks. Eating establishments excluding drive-through restaurants. Neighbourhood pubs. Office uses excluding social escort services and methadone clinics. Indoor recreational facilities. Community services. Child care centres. Accessory Uses: One caretaker unit per lot. 	1. Multi-unit residential buildings and ground- oriented multiple unit residential buildings. Accessory Uses: 2. Child care centres.	1. Multi-unit residential buildings. Accessory Uses: 2. Retail stores. 3. Personal services uses. 4. Office uses. 5. General services uses excluding funeral parlours, drive-through banks and vehicle rentals. 6. Indoor recreational facilities, excluding a gymnasium. 7. Community services. 8. Child care centres. 9. Eating establishments excluding drive-through restaurants.
Floor Area	0.50	1.50	2.50
Ratio:	0/	0/	6-0/
Lot Coverage:	50%	33%	65%
Yards and Setbacks	7.5 m	7.5m for the principal building.	South – 4.0 m North – 7.0 m East – 7.0 m West – 3.0 m
Principal Building Height:	9.0 m	50.0 m	22.0 M

Amenity Space							
Indoor Amenity:	n/a	3 m² per unit	3 m² per unit.				
			The proposed 159.5 m² plus				
			CIL meets the Zoning By-				
			law requirement.				
Outdoor Amenity:	n/a	3 m² per unit	3 m² per unit.				
Sucusor runeinej.		Jin per anie	The proposed 237 m ² meets				
			the Zoning By-law				
			requirement.				
Parki	ng (Part 5)	Required	Proposed				
Number of Stalls							
Commercial:		89	89				
Residential:		72	72				
Residential Visitor:		7	7				
Total:		168	168				
Bicycle Spaces	Bicycle Spaces						
Residential Secure P	arking:	78	78				
Residential Visitor:		6	6				

- The accessory commercial uses proposed in the CD Zone largely reflect the uses of the C-5 Zone with the main difference being that the neighbourhood pub use is not proposed in the CD Zone. The accessory commercial uses are permitted on the ground and second floors, reflecting the applicant's proposal to have second floor office space.
- The CD Zone proposes a higher floor area ratio (FAR) at 2.5 relative to the 1.50 FAR permitted under the RM-70 Zone. This FAR is higher because approximately 59% of the site is undevelopable given the BC Hydro ROW. If the portion of the site under the BC Hydro ROW was included for the purposes of calculating density, it would be 0.83 FAR.
- The RM-70 Zone has a maximum lot coverage of 33% which is appropriate for taller built forms with smaller building footprints. The proposed 65% lot coverage for the site reflects the proposed building.
- The building is proposed at a setback of 7.1 metres along the east and north sides, in an attempt to achieve an adequate separation between buildings on each of these edges, while also recognizing the site limitations due to the BC Hydro ROW. The 4.0 metre south yard setback to 18 Avenue is appropriate to create a more urban pedestrian environment and enhance surveillance of the public realm along the street. The 4.0 metre setback on the west side is the setback to the drainage corridor; the setback to 164 Street is significantly larger at approximately 77 metres.
- The CD Zone proposes a lower building height at 22.0 metres relative to the 50 metre building height of permitted by the RM-70 Zone. The proposed building height reflects the 6-storey proposal.

- The applicant is proposing to provide 74 resident parking spaces and 7 visitor parking spaces, for a total of 79 residential parking spaces, which satisfies the Zoning By-law requirements. In addition, the applicant is providing 89 commercial parking spaces, which satisfies the Zoning By-law requirements. The parking count includes 2 accessible residential parking spaces. The commercial parking is provided as surface parking, under the BC Hydro ROW, and the residential parking is underground.
- The applicant is also providing bike parking spaces for each apartment unit and the required 6 visitor bike parking spaces.

Housing Agreement

- Section 483 of the Local Government Act authorizes local governments to enter into Housing Agreements for terms and conditions agreed to by the owner and the local government regarding the occupancy of dwelling units.
- The attached Housing Agreement (Appendix IX) will be adopted by By-law and registered as a Notice on Title. The agreement will restrict the 65 proposed apartment units in the building to a rental tenure for a minimum period of 60 years from the date when an Occupancy Permit is issued for the building.
- The City may from time to time require that the owner of the building provide written proof of compliance with the Housing Agreement.
- The Housing Agreement By-law will be brought forward concurrently with Final Adoption, once all of the outstanding conditions associated with the Development Permit are fulfilled.

Capital Projects Community Amenity Contributions (CACs)

- On December 16, 2019, Council approved the City's Community Amenity Contribution and Density Bonus Program Update (Corporate Report No. R224; 2019). The intent of that report was to introduce a new City-wide Community Amenity Contribution (CAC) and updated Density Bonus Policy to offset the impacts of growth from development and to provide additional funding for community capital projects identified in the City's Annual Five-Year Capital Financial Plan. A fee update has been approved in April 2023, under Corporate Report No.R037;2023.
- The proposed development will not be subject to the Tier 1 or Tier 2 Capital Plan Project CACs, as the proposal includes 100% market rental residential units. A Restrictive Covenant will be registered making CAC payable if there is a future change in tenure.

Affordable Housing Strategy

• On April 9, 2018, Council approved the City's Affordable Housing Strategy (Corporate Report No. Ro66; 2018) requiring that all new rezoning applications for residential development contribute \$1,000 (now \$1,068) per new unit to support the development of new affordable housing. The funds collected through the Affordable Housing Contribution will be used to purchase land for new affordable rental housing projects.

As a rental project, the subject proposal is exempt from the provision of this policy. The
applicant will be required to register a Section 219 Restrictive Covenant, making the fees
payable if there is a future change in tenure, to address the City's needs with respect to the
City's Affordable Housing Strategy.

Public Art Policy

- The applicant will be required to provide public art or register a Restrictive Covenant agreeing to provide cash-in-lieu, at a rate of 0.5% of construction value, to adequately address the City's needs with respect to public art, in accordance with the City's Public Art Policy requirements. The applicant will be required to resolve this requirement prior to consideration of Final Adoption.
- The Public Art contribution will be required only for the commercial portion of the site and
 will be applicable to the residential portion only if there is a future change in tenure from the
 market rental residential units.

PUBLIC ENGAGEMENT

• Pre-notification letters were sent on January 30, 2024, and the Development Proposal Signs were installed on February 12, 2024. Staff received one response from a neighbouring resident, who had questions about upgrades to 164 Street and parking in the neighbourhood.

DEVELOPMENT PERMITS

Sensitive Ecosystems (Streamside Areas) Development Permit Requirement

- The subject property falls within the Sensitive Ecosystems Development Permit Area (DPA) for Streamside Areas in the OCP, given the location of an existing Class B (yellow-coded) ditch along 164 Street.
- The Class B ditch on the east side of 164 Street is proposed to be infilled at the direction of Land Development Engineering. The entire 164 Street ditch will be infilled (approximately 160 linear metres). Approximately 60 linear metres of the total 160 linear metres is located along the 164 Street frontage of the subject site.
- Infilling of the Class B ditch on 164 Street requires a Fisheries and Oceans Canada request for review to confirm that no Harmful Alteration, Disruption or Destruction (HADD) or compensation for loss of fish habitat is needed prior to the issuance of the SEDP.
- An Ecosystem Development Plan, prepared by Remi Masson, R.P. Bio., of Redcedar Environmental Consulting and dated February 22, 2024 was reviewed by staff and found to be generally acceptable, with some modifications to content and format of the report still required. The finalized report and recommendations will be incorporated into the Development Permit.

Hazard Lands (Steep Slope) Development Permit Requirement

- The subject property falls within the Hazard Lands (Steep Slope) Development Permit Area (DPA) in the OCP, given that the site is within 30 metres from the top of a slope/or 10 metres from the base of a slope in excess of 20%. The Hazard Land (Steep Slope) Development Permit is required to protect developments from hazardous conditions.
- Topography of the site slopes down to the west/southwest at an overall slope gradient of approximately 20H:1V or flatter.
- A geotechnical report, prepared by Stuart Hrysio, *P. Eng.*, of Braun Geotechnical Ltd. and dated January 22, 2024, was peer reviewed by Goran Awny, *P. Eng.*, of Pacific Geotechnical and found to be generally acceptable by the peer reviewer. The finalized geotechnical report will be incorporated into the Development Permit.
- The consultant has determined that the development is feasible provided that the
 recommendations in their report are incorporated into the overall design of the site, including
 following the excavation and shoring recommendations, using structural fill, and foundation
 design recommendations.
- Registration of a Section 219 Restrictive Covenant that requires the owner to develop the site
 in accordance with the conditions in the geotechnical report is required as a condition of final
 adoption.
- At Building Permit stage, the Building Division will require Letters of Assurance from a geotechnical engineer to ensure that the building plans comply with the recommendations in the approved geotechnical report.

Form and Character Development Permit Requirement

- The proposed development is subject to a Development Permit for Form and Character and is also subject to the urban design guidelines in the Sunnyside Heights Neighbourhood Concept Plan (NCP).
- The proposed development partially complies with the Form and Character Development Permit guidelines in the OCP and the design guidelines in the Sunnyside Heights Neighbourhood Concept Plan (NCP).
- The applicant has worked with staff to provide a building design that works with the limitations of the site taking into consideration the BC Hydro ROW and drainage corridor, and addresses the lack of consolidation by addressing the wider context and access by providing a concept plan for neighbouring properties.
- The proposed building is triangular in shape, and fronts onto 18 Avenue. The building has 6 storeys; the ground level of the building has Commercial Retail Units (CRUs) on the west side and a childcare centre at the northeast corner of the building. The second level is mostly office space with some childcare space, including outdoor play area on the second level balcony. Levels three to six contain the rental residential units.

- The separation distance between the proposed building on the subject site, and the 4-storey building proposed to the east, which is at Third Reading under Development Application No. 7920-010-00, is 12 metres at the lower levels. The OCP DP1 Form and Character guidelines indicate a minimum building separation of 20 metres. The applicant has agreed to address this issue by amending the plans to include a step back at the upper levels in a revised submission.
- Building materials include fibre cement board, brick cladding, and aluminum glass panels with black hand rails.

Landscaping

- The landscaping includes a mix of trees, shrubs and ground cover. The landscaping concept will provide a safe pedestrian environment, attractive landscaping features, and a combination of plantings that will provide visual interest throughout the year.
- The landscaping within the BC Hydro ROW area has been designed to meet BC Hydro guidelines.
- A playground structure is also proposed within the BC Hydro ROW. The Landscape Architect
 will ensure that the playground and plantings within BC Hydro's ROW will align with the BC
 Hydro guidelines.

Indoor Amenity

- There are two (2) indoor amenity areas proposed. On the third floor is a yoga room, office and multi-purpose room with a kitchen and bathroom. On the sixth floor is a gym. Both indoor amenity spaces connect directly with outdoor amenity space.
- The indoor amenity is proposed to be 158 square metres in size. The Zoning Bylaw requires 3 square metres of indoor amenity space per dwelling unit, which equals 195 square metres; however, the Zoning Bylaw also permits a reduction to the indoor amenity physical space requirement to a minimum of 74 square metres for mid-rise (3 to 6 storeys) buildings, as long as cash-in-lieu is provided to make up the difference. The applicant will be required to provide cash-in-lieu as a condition of Final Adoption.

Outdoor Amenity

- There are two (2) outdoor amenity spaces proposed, which are directly connected to the indoor amenity spaces. The third floor outdoor amenity space has a BBQ and sink, picnic table and a lounge seating area with a fire pit. The sixth floor proposes another lounge seating area and fire pit, garden boxes and a tool storage shed.
- The outdoor amenity space is 238 square metres in size, which exceeds the 195 square metre requirement in the Zoning Bylaw (based on 3 square metres per dwelling unit).

Outstanding Items

- There are a limited number of Urban Design items that remain outstanding, and which do not affect the overall character or quality of the project. These generally include amendments to improve the building separation between the proposed building for the subject site, and the one proposed for the property to the east under Development Application No. 7920-0110-00.
- The applicant has been provided a detailed list identifying these requirements and has agreed to resolve these prior to Final Approval of the Development Permit, should the application be supported by Council.

TREES

• Francis Klimo, ISA Certified Arborist of Klimo & Associates prepared an Arborist Assessment for the subject property. The table below provides a summary of the proposed tree retention and removal by tree species:

Table 1: Summary of Proposed Tree Preservation by Tree Species:

Table 1: Summary of Proposed Tree Preservation by Tree Species:							
Tree Species	Ex	isting	Remove	Retain			
Alder and Cottonwood Trees							
Alder		20	20	0			
Cottonwood		1	1	0			
(excluding	Deciduous Trees (excluding Alder and Cottonwood Trees)						
Bigleaf Maple		1	1	0			
Silver Birch		1	1	0			
Paper Birch		1	1	0			
	Conifer	rous Trees					
Douglas Fir		5	5	0			
Western Redcedar		2	2	0			
Grand Fir		1	1	0			
Colorado Spruce		1	1	0			
Total (excluding Alder and Cottonwood Trees)		12	12	o			
Total Replacement Trees Proposed (excluding Boulevard Street Trees) 59							
Total Retained and Replacement Trees		59					
Estimated Contribution to the Green City Program			N/A				

• The Arborist Assessment states that there are a total of 12 mature trees on the site, excluding Alder and Cottonwood trees. 21 existing trees, approximately 39% of the total trees on the site, are Alder and Cottonwood trees.

Page 22

- The applicant will be required to plant trees on a 1 to 1 replacement ratio for Alder and Cottonwood, and a 2 to 1 replacement ratio for all other trees. This will require a total of 44 replacement trees on the site. The applicant is proposing 59 replacement trees, exceeding City requirements.
- In addition to the replacement trees, boulevard street trees will be planted on 18 Avenue and 164 Street. This will be determined by the Engineering Department during the servicing design review process.
- The new trees on the site will consist of a variety of trees including Vine Maple, Columnar European Hornbeam, Ace of Hearts Redbud, Eddies White Wonder Dogwood, Lavalle Hawthorn, Crimson Spire Oak and Red Cascade Mountain Ash.
- In summary, a total of 59 trees are proposed to be replaced on the site and no contribution to the Green City Program is required.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Site Plan, Building Elevations, Landscape Plans and Perspective

Appendix II. Engineering Summary
Appendix III. School District Comments

Appendix IV. Summary of Tree Preservation and Tree Plan

Appendix V. Sunnyside Heights NCP Plan Appendix VI. Highway 99 Corridor LAP Plan

Appendix VII. Sunnyside Heights NCP Land Consolidation Areas

Appendix VIII. OCP Redesignation Maps

Appendix IX. Proposed Housing Agreement By-law and Housing Agreement

approved by Shawn Low

Don Luymes General Manager Planning and Development

Appendix I



6 STORY MIX USE BUILDING

A - 000 A - 001 A - 002 A - 003 A - 004 A - 005 A - 006 A - 007 A - 008 A - 009	COVER PAGE DATA SHEET CONTEXT PHOTOS CONTEXT PLAN DESIGN RATIONAL PRECEDENT IMAGES STREET SCAPE SHADOW STUDY MATERIAL BOARD SINAGE DETAILED
	BASE PLAN BC HYDRO ROW PLAN SITE PLAN FIRE PLAN
A - 201 A - 202 A - 203 A - 204 A - 205	PARKING - 1 PARKING - 2 FLOOR PLANS - LEVEL 1 FLOOR PLANS - LEVEL 2 FLOOR PLANS - LEVEL 3 FLOOR PLANS - LEVEL 4,5 FLOOR PLANS - LEVEL 6 FLOOR PLANS - ROOF PLANS
A - 302 A - 303 A - 304 A - 305 A - 306	ELEVATIONS -SOUTH/WEST ELEVATIONS - EAST ELEVATIONS - NORTH ELEVATIONS -SOUTH/Partial VIEW-1 VIEW-2 VIEW-3
A - 401 A - 402 A - 403	SECTIONS - A-A' SECTIONS - B,C SECTION DETAILED

16453 18 st. SURREY BC V3Z 9N2 CONTACT: T:- 604 763 4279 E:- harman@genaris.ca

ARCHITECTURAL:

CLIENT: Harman Dhillon

FLAT ARCHITECTURE INC. 6321 KING GEORGE BLVD. SURREY, BC. V3X 1G1 CONTACT: RAJINDER WARRAICH T: 604 503 4484 rajinder@flatarchitecture.ca

SURVEYOR:

ELEVATE LAND SURVEYING

#18249 98 Ave Surrey, BC V4N 5A9 CONTACT: ,

T: 604-385-5571

E: Info@elevatelandsurveying.com

C/V/L:

GSDM.

GurSimer Design and Management Inc. CONTACT: Nirvair Bagri

T : 778-895-6358
E : nirvair@gs-dm.com

ARBORIST:

MIKE FADUM AND ASSOCIATES LTD.

UNIT 105-8277 129 SURREY BC,

V3W 0A6

CONTACT:MIKE FADUM T: 778 593 0300

1 : 778 593 0300 MFADUM@FADUM.CA

LANDSCAPE ARCHITECT:

PMG LANDSCAPE ARCHITECTS LTD.

C100 - 4185 STILL CREEK DR, BURNABY, B.C. V5C 6G9 CONTACT: Rebecca T: 604 294 0011 EXT. 116

rebecca@pmglandscape.com

FLAT

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	TZITATZ TTIZ	TCS- PROPOSED RENTAL BUIL	DING	
	SITE STATIST	TO THOI OSED REININE BOIL	DING	
CIVIC ADDRESS:	•	16453 18 AVE Surrey BC		•
LEGAL DISCRIPTION	T			
TONING.		LLOT 36 SECTION 13 TOWNSHIP 1 PL	AN NWP42726 NWD Part SI	E 1/4
ZONING	OCP	RA to CD based on RM 45	ITIAI	
	NCP	Mixed Employment/MULTI RESIDEN MULTI RESIDENTIAL 30-45 U.P.	A SUNNYSIDE Height	
	NCT .	MOETI NEOIDEININE OO 10 O.I	TOOTHTODE Hoight	Acre
GROSS SITE AREA:		104,191.00 Sq.Ft.	9,679.66 Sq.m.	2.39
ROAD DEDICATION		5,217.80 Sq.Ft.	484.75 Sq.m.	0.12
JNDEVELOPMENTAL AREA		61,651.50 Sq.Ft.	5,727.61 Sq.m.	1.42
DRANAGE CORRIDOR:		9,215.70 Sq.Ft.	856.17 Sq.m.	0.21
NET AREA:		28,106.00 Sq.Ft.	2,611.13 Sq.m.	0.65
ONING				
		REQUIRED	PROVIDED	NO. OF STORY
	BUILDING HEIGHT	15M	21.54M	6
ETBACK				
	SETBACKS	PROVIDED		
	FRONT (SOUTH) 18TH ave	4.00 M.		
	NORTH (REAR)	7.10 M.		
	EAST (SIDE)	7.10 M.		
OT COVERACE	WEST(SIDE)	4.00 M.		
OT COVERAGE	ALLOWED	450/		
	ALLOWED	45% 65%		
	PROPOSED	65%		
DENISTY				
.c.not1	PROPOSED FSR	2.50		
	UPA AS/NCP	45 UPA / ACRE		
	PROPOSED UPA AS/NCP	69 UPA / ACRE		
BUILDING FLOOR AREA	THO OSED OF A ASTREE	03 OF A / ACILE		
OCIEDING FEOOR AIREA	LEVELS	ft2	M2	
DAYCARE	1.2	6,052.00 Sq.Ft.	562.25 Sq.m.	
Commercial	1	9,506.00 Sq.Ft.	883.14 Sq.m.	
Office	1	12,903.88 Sq.Ft.	1,198.81 Sq.m.	
lesidential	3	10,169.34 Sq.Ft.	944.76 Sq.m.	
esidential	4	11,409.03 Sq.Ft.	1,059.93 Sq.m.	
Residential	5	11,409.03 Sq.Ft.	1,059.93 Sq.m.	
Residential	6	8,854.10 Sq.Ft.	822.57 Sq.m.	
TOTAL AREA		70,303.38 Sq.Ft.	6,531.40 Sq.Ft.	
NDOOR AMENITY:				
ndoor Amenity on 3rd,6th floor		PROVIDED		
	65 X 3= 195 M2	1,704.50 Sq.Ft.	158.35 Sq.m.	
OUTDOOR AMENITY:				
Outdoor Amenity on 3rd,6th flo		PROVIDED		
	65 X 3= 195 M2	2,558.00 Sq.Ft.	237.65 Sq.m.	
PARKING CALCULATION				
			REQUIRED (MIN.)	PROVIDED
RESIDENTIAL	APARTMENT 1 BR & STUDIO	43X1.1	= 47.3 SPACES	= 48.0 SPACE
	APARTMENT 2 BR, 3BR, TH	22X1.1	= 24.2 SPACES	= 24.0 SPACE
CDII / MEDICAL LICE	3 F /100 M3		- 3F 3 CD+CFC	- 3F 0 CD4 CD
CRU / MEDICAL USE	3.5/100 M2		= 25.2 SPACES	= 25.0 SPACE
OFFICE / MEDICAL USE	3.5/100 M2		= 42.0 SPACES	= 42.0 SPACE
OFFICE / INTEDICAL USE	3.3/100 IVIZ		- 4Z.U SPACES	= 42.0 SPACE
DAYCARE	100 KIDS /9 TEACHERS	100X.15+9X.75=6.75 SPACES	= 22.0 SPACES	= 22.0 SPACE
	2.0 MOO/ 5 TENOTIENS		22.0 St MCES	- 22.0 St MCE.
/ISITOR			REQUIRED	PROVIDED
	APARTMENT	.1 % OF TOTAL UNIT	= 6.5 SPACES	= 7.0 SPACE
			2.2 377623	5 577102
	Total parking stalls		= 167.2 SPACES	= 168.0 SPACE
I/C PARKING				
	If required Parking spaces are b	etween 50 & 100, then 1 Parking space	e is required	
		etween 100 & 200, then 2 Parking spa		2 provided
SICYCLE PARKING				
		CLASS A	CLASS B	
	REQUIRED :	1.2 STALLS PER RES UNIT = 78 stalls		
		78 STALLS		İ
	PROVIDED	76 STALLS		

UNIT MIX SCHEDULE

LEVELS	1 BD	1 BD+DEN	2 BD	3 BD	STUDIO	TOTAL UNITS PER FLOOR
LVL 1	0	0	0	0	0	0
LVL 2	0	0	0	0	0	0
LVL 3	9	0	3	2	2	16
LVL 4	10	1	3	2	2	18
LVL 5	10	1	3	2	2	18
LVL 6	7	0	3	2	1	13
TOTAL	36 UNITS	2 UNITS	12 UNITS	8 UNITS	7 UNITS	65 UNITS

UNIT SCHEDULE

TYPES	ON LEVELS	AREA(SQ.FT)	AREA(SQ.M)	TOTAL UNITS
A1(1B)	3,4,5,6	500	46.46840149	24
A2(1B)	4,5,6	434	40.33457249	3
A3(1B)	3,4,5	480	44.60966543	3
A4(1B)	3,4,5	422	39.21933086	3
A5(1B)	3,4,5	541	50.27881041	3
B1(1B+D)	4,5	550	51.11524164	2
C1(2B)	3,4,5,6	681	63.28996283	4
C2(2B)	3,4,5,6	612	56.87732342	4
C3(2B)	3,4,5,6	601	55.85501859	4
D1(3B)	3,4,5,6	831	77.23048327	4
D2(3B)	3,4,5,6	768	71.37546468	4
E1(STUDIO)	3,4,5,6	338	31.41263941	4
E2(STUDIO)	3,4,5	281	26.11524164	3
				65

COMMERCIAL UNIT SCHEDULE

TYPES	ON LEVELS	AREA(SQ.FT)	AREA(SQ.M)	TOTAL UNITS
C.R.U-100	1	969.11	90.06598513	1
C.R.U-101	1	905.6	84.16356877	1
C.R.U-102	1	892.07	82.90613383	1
C.R.U-103	1	892.07	82.90613383	1
C.R.U-104	1	870.71	80.92100372	1
C.R.U-105	1	762.19	70.83550186	1
C.R.U-106	1	890.61	82.7704461	1
C.R.U-107	1	1458.27	135.5269517	1
C.R.U-201	2	905.59	84.16263941	1
C.R.U-202	2	892.05	82.90427509	1
C.R.U-203	2	892.03	82.90241636	1
C.R.U-204	2	853.96	79.36431227	1
C.R.U-205	2	798.85	74.24256506	1
C.R.U-206	2	1437.11	133.5604089	1
C.R.U-207	2	933.48	86.75464684	1
C.R.U-208	2	100.21	9.313197026	1
C.R.U-209	2	1488.1	138.2992565	1
C.R.U-210	2	927.04	86.15613383	1
C.R.U-211	2	1206.84	112.1598513	1
TOTAL C.R.U				19



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MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC

DATE

28-Oct-23
PROJECT NO:

22-218

SCALE: DRAWN BY:
1/64"=1' BS



DATA SHEET



















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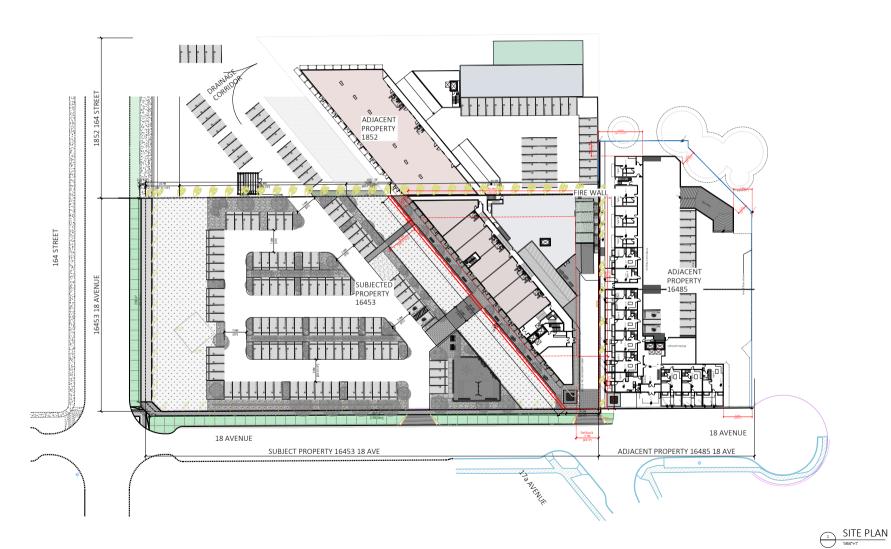
MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC

CLIENT: GENARIS PROPERTYS 28-Oct-23 PROJECT NO: 22-218

SCALE: DRAWN BY: N.T.S BS

CONTEXT PHOTOS





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28-Oct-23 PROJECT NO:

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SCALE: N.T.S DRAWN BY: BS



CONTEXT PLAN



Precedent Images

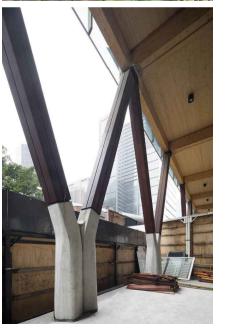
Inspirational images are used to develop the design concept are used from pinterest. These images reflect the from, materials, creator and functionality of the proposed building.













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-USE RENTAL BUILDING AT 53 18 AVE SURREY BC

DATE

28-Oct-23

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NO.Jakooso / Abi

PRECEDENT IMAGES







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DATE

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STREET SCAPE





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SHADOW STUDY

A-007











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MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC CLIENT: GENARIS PROPERTYS

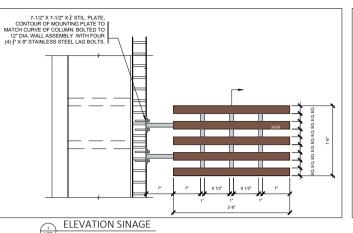
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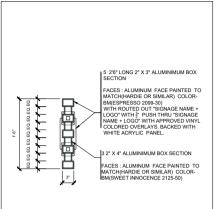
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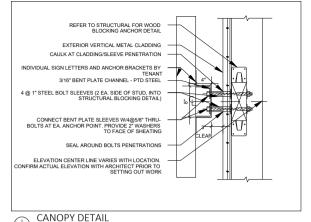
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MATERIAL BOARD





SECTIONAL ELEVATION



1 ELEVATION SINAGE

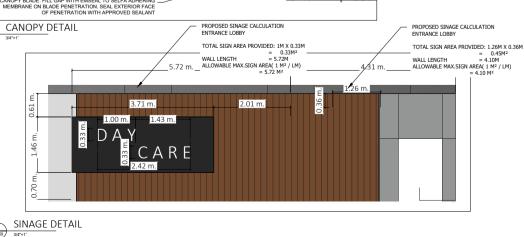
EXISTING BRICK VENEER
PREFINISHED ALUM, GLAZING CHANNELS ANGLE CLIPS FASTENED
TO STEEL CANOPY WITH STAINLESS STEEL FASTENINGS

6:0*

SLOPE @ 14" 1"-0"

ALL CANOPY STEEL STRUCTURE PAINTED

PROVIDE 1/2" PERIMETER GAP BETWEEN EXTERIOR VENEER BRICK
AND CANOPY BLADE, FILL GAP WITH EMSEAL TO SEIFA ADHERING





PROPOSED SINAGE CALCULATION STAIRCASE LOBBY

 $\begin{array}{ll} \text{TOTAL SIGN AREA PROVIDED: } 1.18\text{M X } 0.31\text{M} \\ &= 0.365\text{M}^2 \\ \text{WALL LENGTH} &= 3.12\text{M} \\ \text{ALLOWABLE MAX.SIGN AREA(} 1~\text{M}^2~\text{/ LM)} \end{array}$

= 3.12 M²

SINAGE DETAIL

Unit 209-6321 King George Blvd Surrey BC, V3X 1G1 www.flatarchitecture.ca contact@flatarchitecture.ca

> MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC

> > 28-Oct-23

PROJECT NO:

22-218

SCALE:

N.T.S

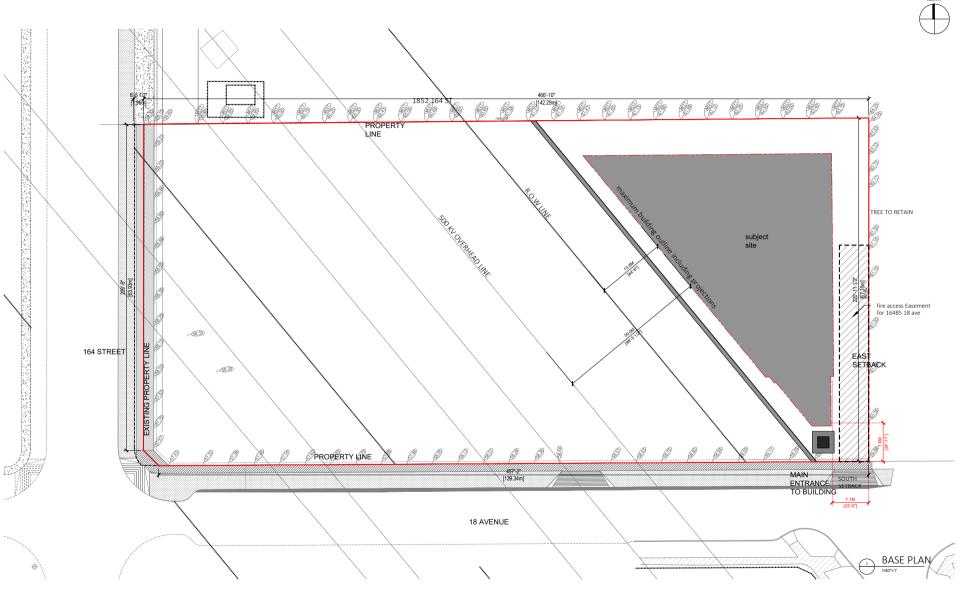
CLIENT: GENARIS PROPERTYS

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BS

A-009

SINAGE DETAIL





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MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC CLIENT: GENARIS PROPERTYS

23-Feb-24 PROJECT NO:

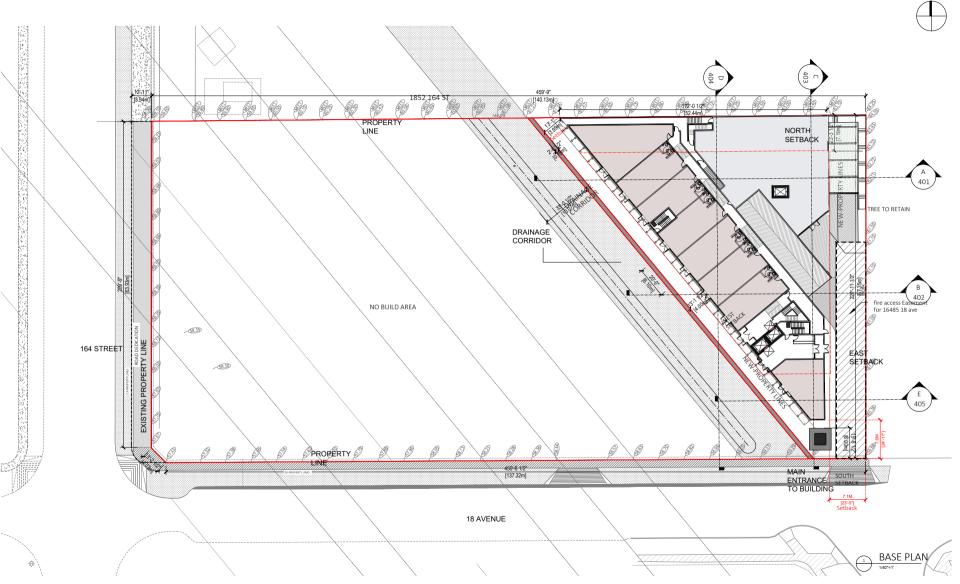
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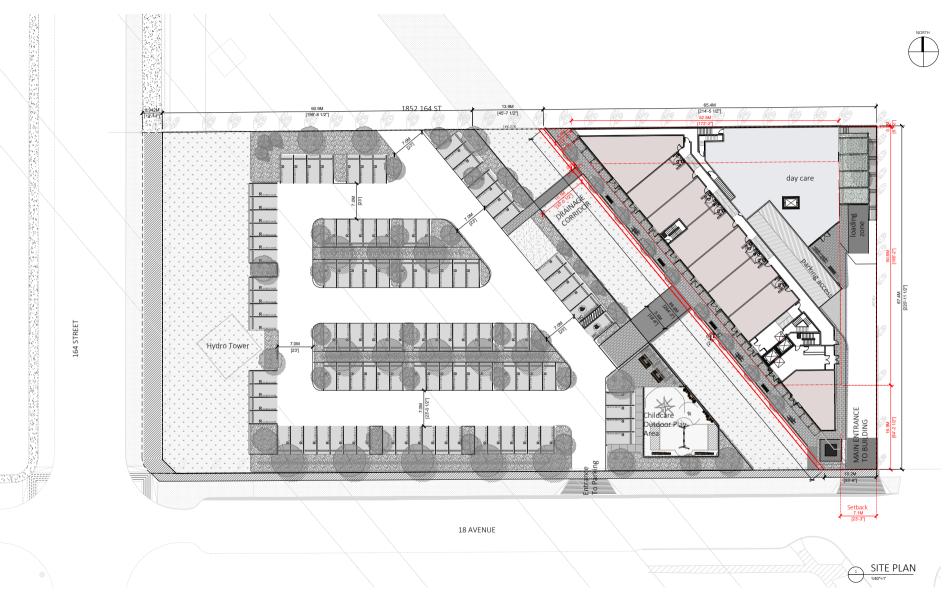
MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC CLIENT: GENARIS PROPERTYS

23-Feb-24 PROJECT NO:

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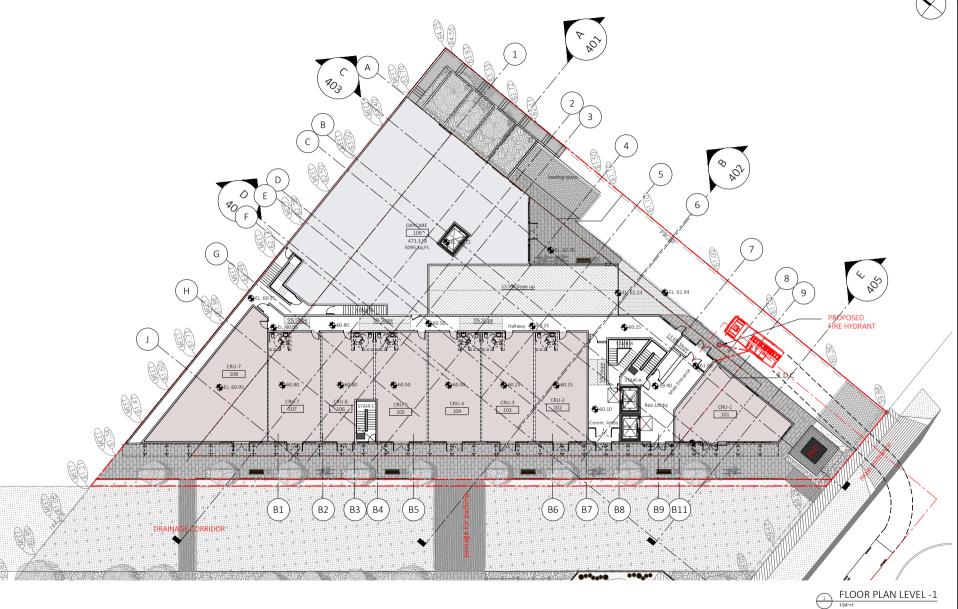
MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC CLIENT: GENARIS PROPERTYS

15-Feb-24 PROJECT NO:

22-218

SCALE: DRAWN BY: 1/40"=1'-0" BS





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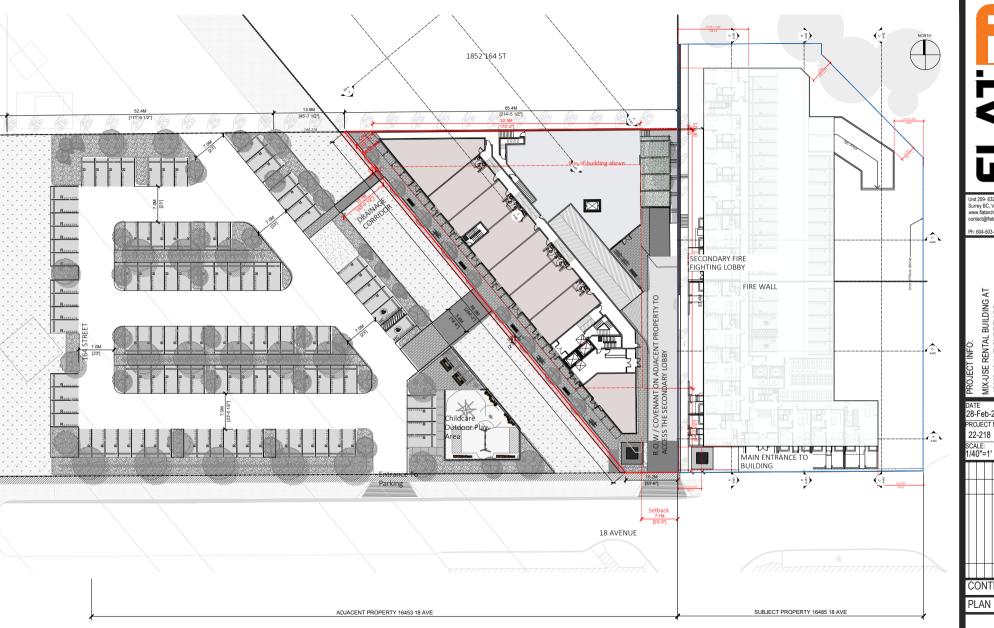
MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC CLIENT: GENARIS PROPERTYS

22-218
SCALE: DRAWN BY:
N.T.S BS

FIRE ACESS PLAN

A-102

total floor area:- 14958 sq.ft. (1389.6 m2)



CONTEXT PLAN
3/32"=1"



Unit 209- 6321 King George Blvd Surrey BC, V3X 1G1 www.flatarchitecture.ca contact@flatarchitecture.ca

Ph: 604-503-4484

CLIENT: GENARIS PROPERTYS

MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC

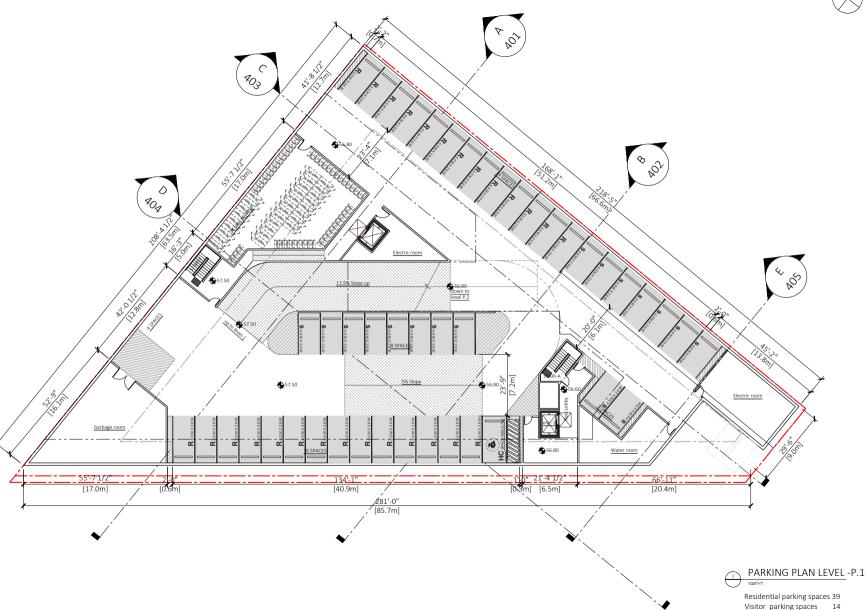
28-Feb-24

PROJECT NO:

22-218 SCALE: 1/40"=1' DRAWN BY: R.W/BS

CONTEXT





Ph: 604-503-4484

MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC CLIENT: GENARIS PROPERTYS

DATE 6-Nov-23

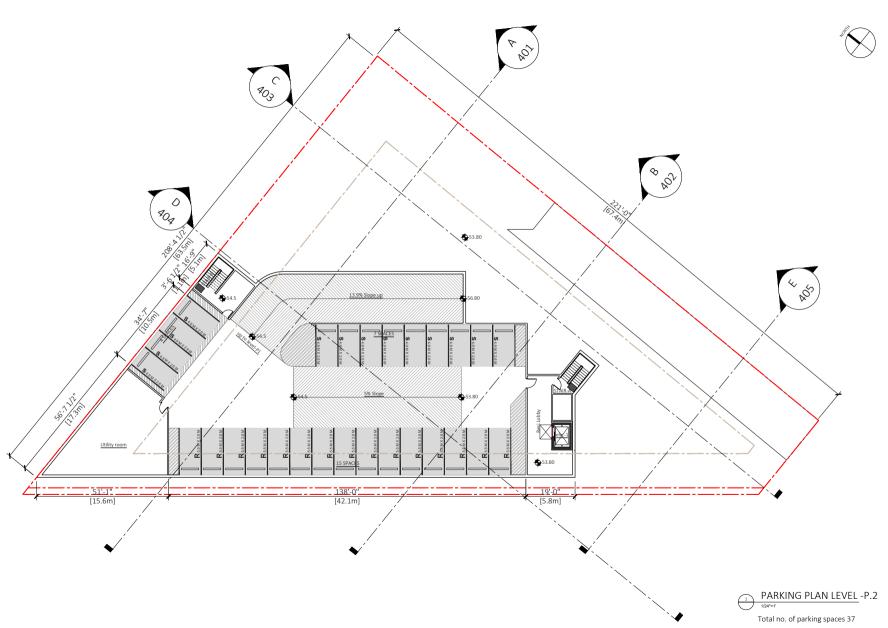
PROJECT NO:

22-218 DRAWN BY: BS

PARKING LVL-1 FLOOR PLAN

AP-201

total no. of parking spaces 53 No. of bike parking spaces 78





Ph: 604-503-4484

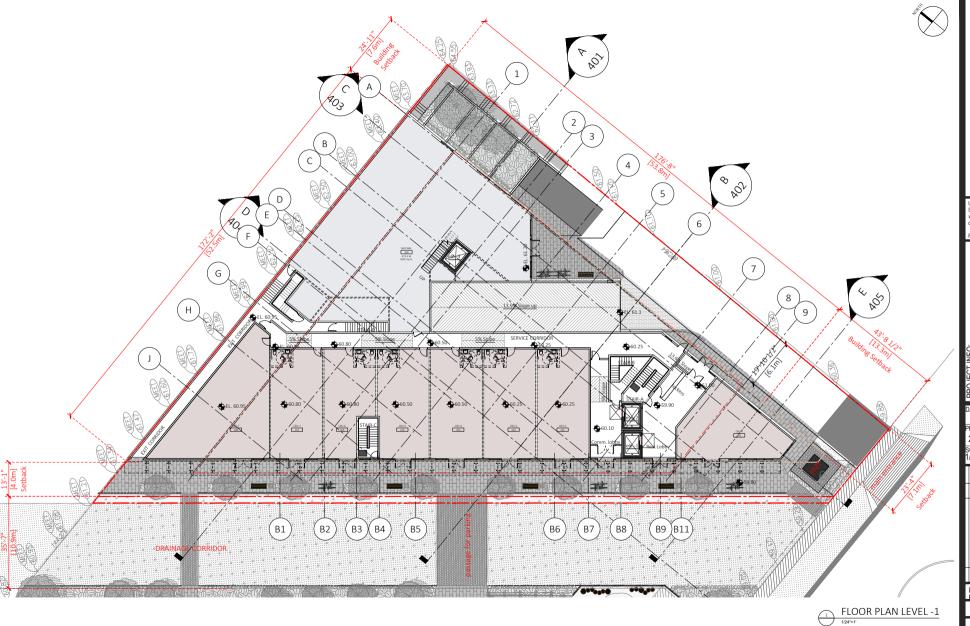
MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC CLIENT: GENARIS PROPERTYS

28-Oct-23 PROJECT NO:

22-218 DRAWN BY: BS SCALE: 1/24"=1'



AP-201



Unit 209-6321 King George Blvd Surrey BC, V3X 1G1 www.flatarchitecture.ca contact@flatarchitecture.ca Ph: 604-503-4484 MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC

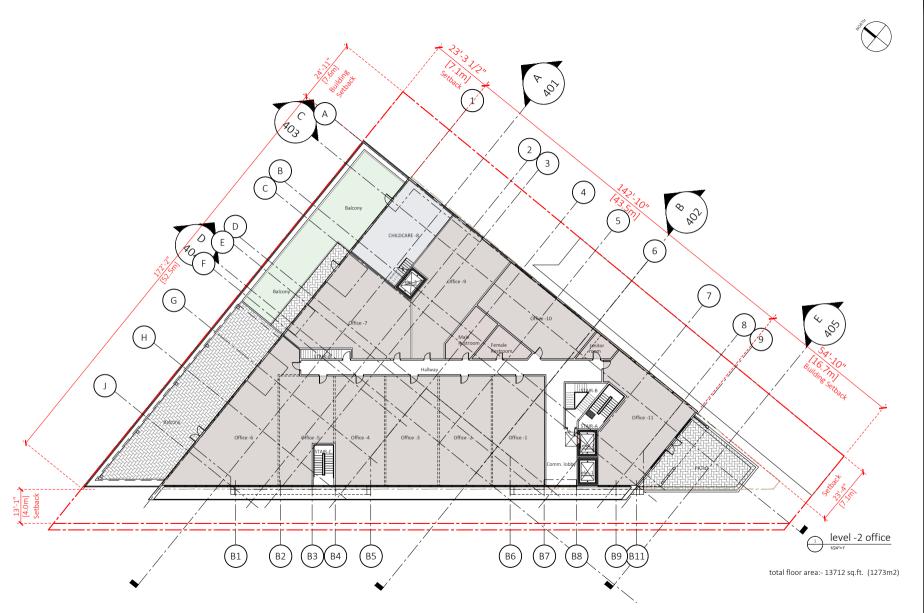
CLIENT: GENARIS PROPERTYS

28-Oct-23 PROJECT NO:

22-218 DRAWN BY: BS SCALE: 1/24"=1'



LEVEL-1 FLOOR PLAN





Ph: 604-503-4484

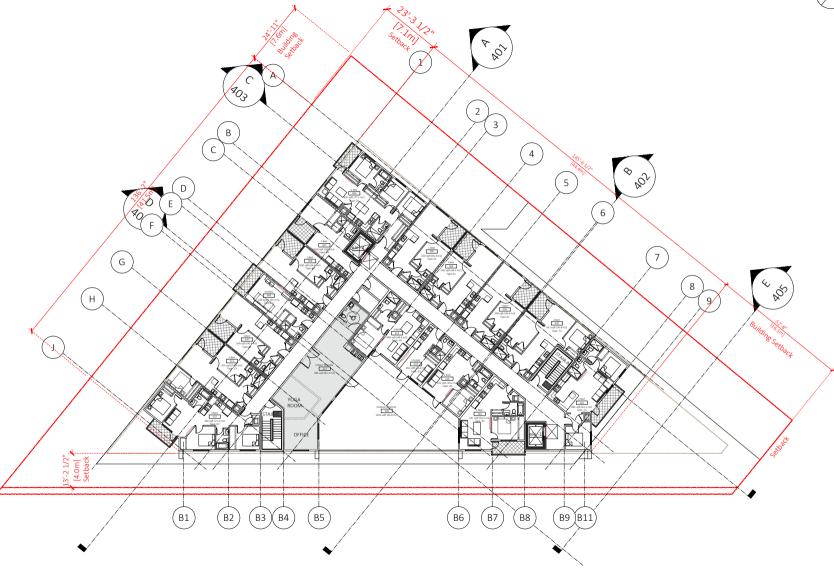
MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC CLIENT: GENARIS PROPERTYS

DATE
7-Nov-23
PROJECT NO:
22-218

SCALE: DRAWN BY: 1/24"=1' BS







ARCHITECTURE SECURITY ARCHITECTURE BING

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MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC CLIENT: GENARIS PROPERTYS

DATE
28-Oct-23
PROJECT NO:

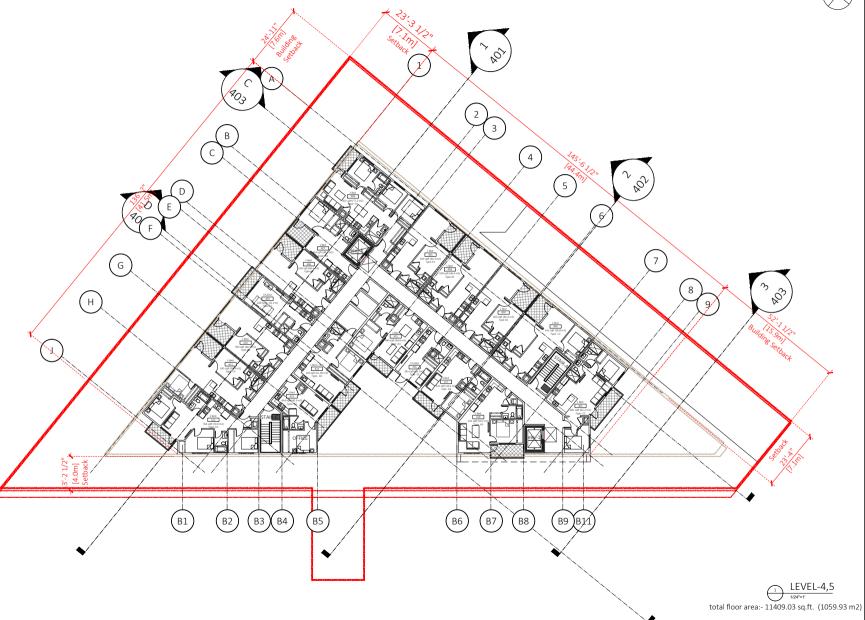
22-218 SCALE: DRAWN BY: 1/24"=1' BS



A-203

LEVEL-3







Ph: 604-503-4484

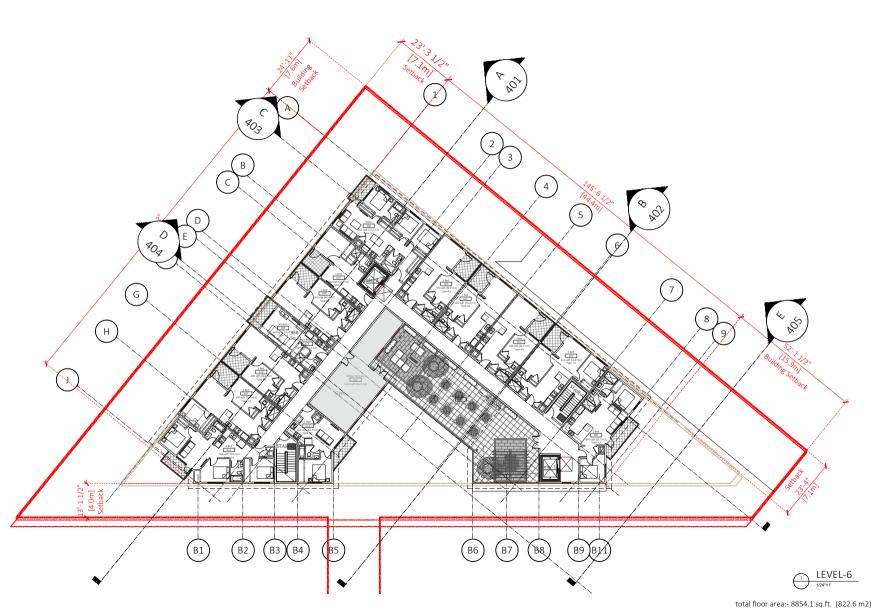
MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC CLIENT:

DATE 28-Oct-23
PROJECT NO:

22-218 SCALE: DRAWN BY: 1/24"=1' BS







FLAT

Unit 209- 6321 King George Blvd Surrey BC, V3X 1G1 www.flatarchitecture.ca contact@flatarchitecture.ca

Ph: 604-503-4484

MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC CLIENT: GENARIS PROPERTYS

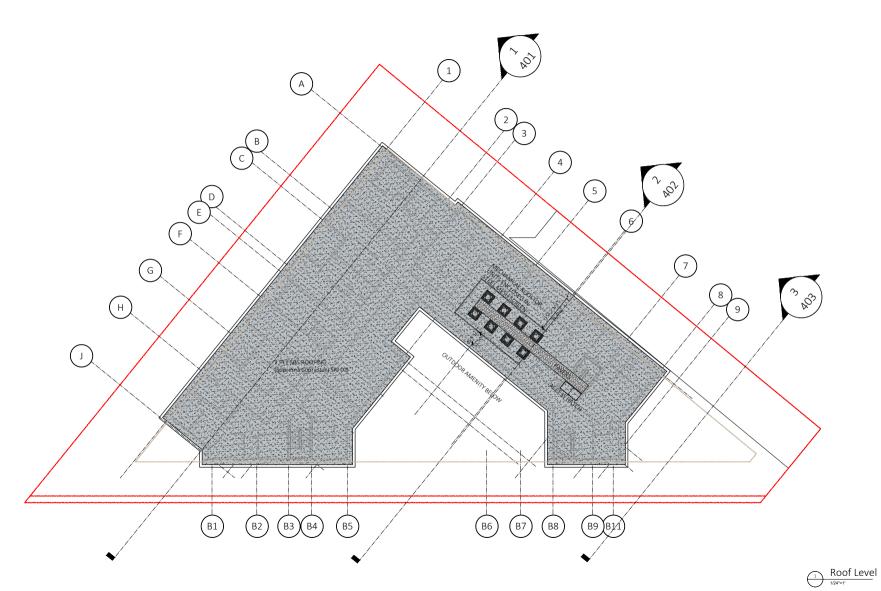
TE 1-Dec-23

PROJECT NO: 22-218

SCALE: DRAWN BY: 1/24"=1' BS









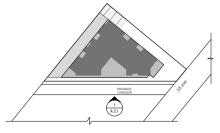
Ph: 604-503-4484

MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC CLIENT: GENARIS PROPERTYS

1-Dec-23 PROJECT NO:

22-218 DRAWN BY: BS SCALE: 1/24"=1'







Ph: 604-503-4484

MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC

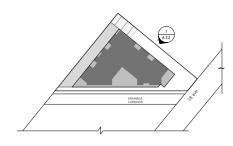
CLIENT: GENARIS PROPERTYS

19-Feb-24 ROJECT NO:

DRAWN BY: BS

SOUTH-WEST ELAVATION











Ph: 604-503-4484

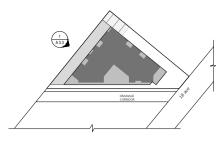
MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC CLIENT: GENARIS PROPERTYS

19-Feb-24 ROJECT NO:

22-218

DRAWN BY: BS







NORTH Elevation



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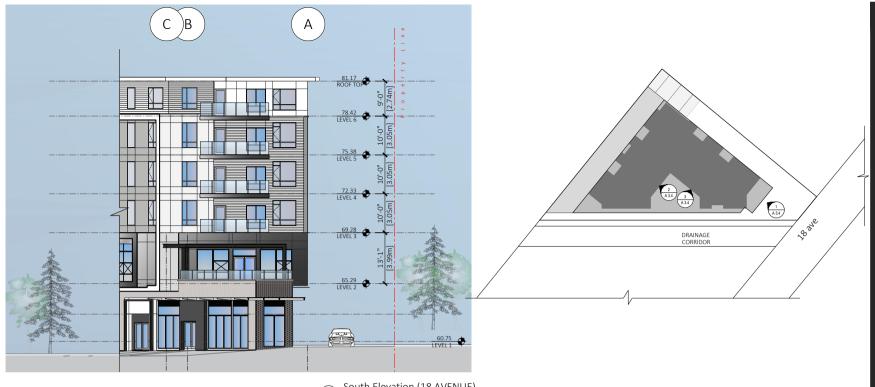
MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC CLIENT: GENARIS PROPERTYS

DATE
19-Feb-24
PROJECT NO:

22-218 SCALE: DRAWN BY: 1/16"=1' BS

1/16"=1" BS

NORTH ELEVATION



South Elevation (18 AVENUE)



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MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC

CLIENT: GENARIS PROPERTYS 19-Feb-24

PROJECT NO: 22-218

DRAWN BY: BS







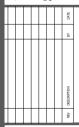
Ph: 604-503-4484

MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC

CLIENT: GENARIS PROPERTYS

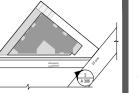
DATE 19-Feb-24

PROJECT NO: 22-218



3D VIEW-1





Ph: 604-503-4484

MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC

CLIENT: GENARIS PROPERTYS

DATE 19-Feb-24

PROJECT NO: 22-218



3D VIEW-2





Ph: 604-503-4484

MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC

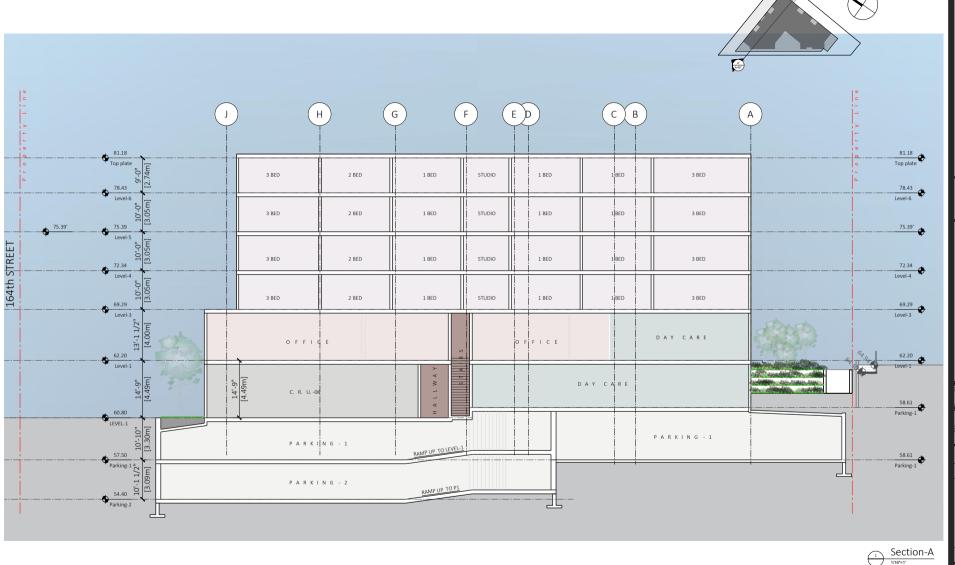
CLIENT: GENARIS PROPERTYS

DATE 19-Feb-24

PROJECT NO: 22-218



3D VIEW-3



Ph: 604-503-4484

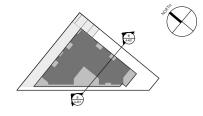
MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC CLIENT: GENARIS PROPERTYS

15-Feb-24

ROJECT NO:

22-218 DRAWN BY: BS SCALE: 1/16"=1'

A-A' SECTION





PARKING - 2

PARKING - 1

PLATING Section of the Court of

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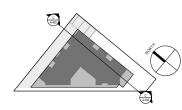
MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC CLIENT: GENARIS PROPERTYS

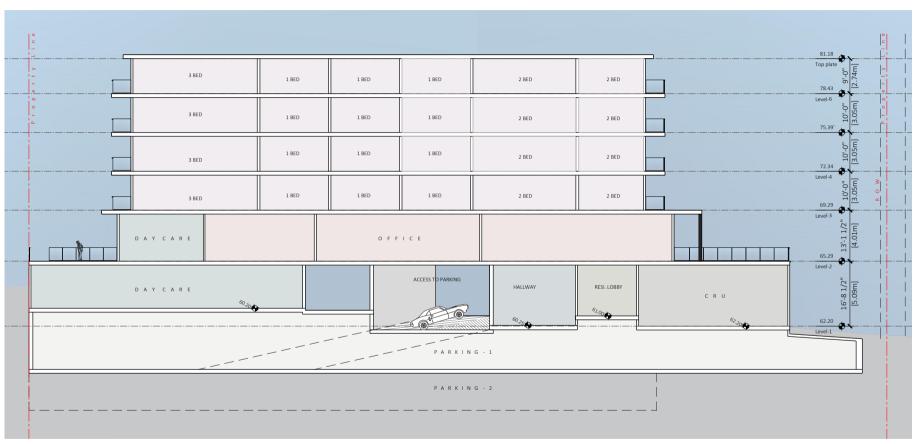
TE 15-Feb-24

PROJECT NO: 22-218

CALE: DRAWN BY: BS

DETAIL SECTION









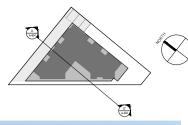
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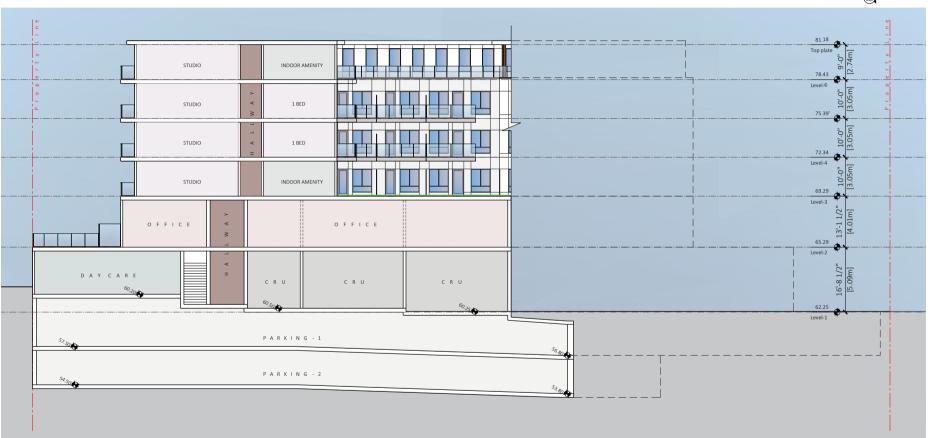
MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC CLIENT: GENARIS PROPERTYS

DATE 15-Feb-24 PROJECT NO:

22-218 SCALE: DRAWN BY: 1/16"=1' BS







Section-D-D' 1/16°=1'



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Ph: 604-503-4484

MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC CLIENT: GENARIS PROPERTYS

15-Feb-24

PROJECT NO: 22-218







Ph: 604-503-4484

004-303-4404

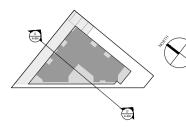
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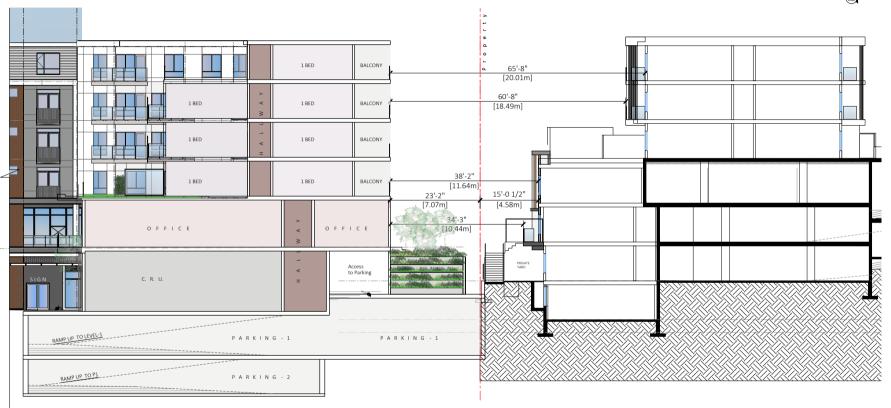
™ 15-Feb-24

PROJECT NO: 22-218

218 E: DRAWN BY: "=1' BS







Section-D-D' 1/16"=1"



Unit 209- 6321 King George Blvd Surrey BC, V3X 1G1 www.flatarchitecture.ca contact@flatarchitecture.ca

Ph: 604-503-4484

1. 001 000 1101

MIX-USE RENTAL BUILDING AT 16453 18 AVE SURREY BC CLIENT: GENARIS PROPERTYS

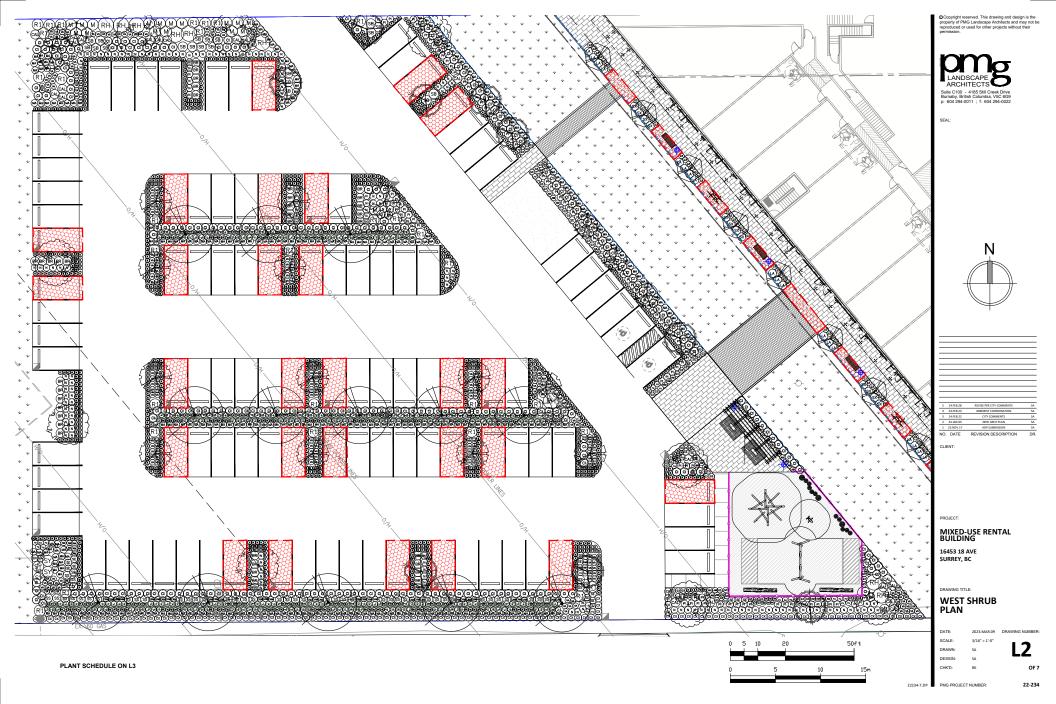
E \(\overline{\

PROJECT NO: 22-218

SCALE: DRAWN BY: 1/16"=1' BS



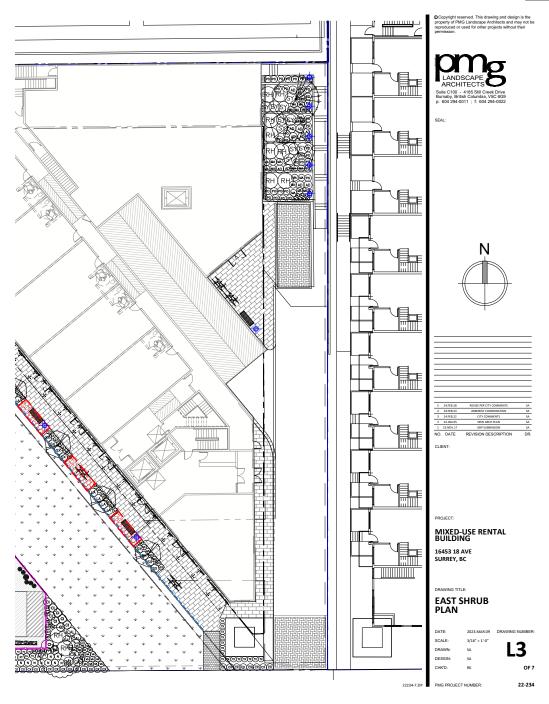




PLANT SCHEDULE				PMG PROJECT NUMBER: 22-234
KEY	QTY	BOTANICAL NAME	COMMON NAME	PLANTED SIZE / REMARKS
SHRUB				
(e)	37	BRACHYGLOTTIS GREYI	DAISY BUSH	#1 POT
I 🙈	24	CALLICARPA BODINIERI 'PROFUSION'	BEAUTYBERRY	#3 POT; 60CM
1 0	286	CORNUS SERICEA 'KELSEYI'	DWARF KELSEY DOGWOOD	#2 POT; 50CM
\$3@3@3@3@3@8@8	17	MAHONIA AQUIFOLIUM	OREGON GRAPE	#5 POT; 50CM
I @	327	MAHONIA NERVOSA	LONGLEAF MAHONIA	#1 POT; 20CM
1 🙉	154	NANDINA DOMESTICA "MOONBAY"	DWARF HEAVENLY BAMBOO	#3 POT; 50CM
I @	105	PIERIS JAPONICA 'CAVATINE'	DWARF PIERIS; WHITE BLOOMS	#2 POT; 30CM
I ⊛	17	RHODODENDRON MACROPHYLLUM	PACIFIC RHODODENDRON	#5 POT
l (R)	30	RIBES SANGUINEUM	RED FLOWERING CURRANT	#3 POT; 80CM
I @	16	SALIX PURPUREA 'NANA'	DWARF ARCTIC WILLOW	#3 POT; 60CM
I ⊛	20	SPIRAEA BETULIFOIA 'TOR'	BIRCHLEAF SPIRAEA	#3 POT; 60CM
I ത	14	SYMPHORICARPOS MOLLIS	TRAILING SNOWBERRY	#2 POT; 30CM
I ⊚	15	TAXUS X MEDIA 'HICKSII'	HICK'S YEW	1.0M HT
1 @	230	VACCINIUM OVATUM	EVERGREEN HUCKLEBERRY	#2 POT; 50CM
GRASS				
88	137	CAREX OBNUPTA	SLOUGH SEDGE	15CM POT
1 0	251	JUNCUS ENSIFOLIUS	DAGGERLEAF RUSH	#1 POT
1 @	126	PENNISETUM ALOPECUROIDES	FOUNTAIN GRASS	#1 POT
VINE				
1 0	1	WISTERIA SINENSIS 'CAROLINE'	CHINESE WISTERIA; LAVENDER	#3 POT; 75CM; STAKED
PEREN	NIAL			
I ⊛	32	ACHILLEA MILLEFOLIUM- VARS	YARROW; MIXED COLOURS	10CM POT
I ⊕	34	CAMASSIA QUAMASH	COMMON CAMAS	15CM POT
I ⊚	239	IRIS TENAX	OREGON IRIS	#1 POT
IΘ	18	LAVANDULA X INTERMEDIA 'PHENOMENAL'	LAVENDER	#1 POT
I ⊚	38	RUDBECKIA F. SULLIVANTII 'GOLDSTURM'	RUDBECKIA; YELLOW	#1 POT
I ⊚	14	SALVIA NEMOROSA 'CARADONNA'	PURPLE SAGE	#1 POT
93000000	28	SEDUM TELEPHIUM 'HERBSTFREUDE'	AUTUMN JOY STONECROP	15CM POT
I ⊚	47	SYMPHYOTRICHUM SUBSPICATUM	DOUGLAS ASTER	15CM POT
GC				
I @	11	ADIANTUM ALEUTICUM	MAIDENHAIR FERN	#2 POT; 35CM
I ®	974	ARCTOSTAPHYLOS UVA-URSI	KINNIKINNICK	#1 POT; 20CM
988	9	BLECHNUM SPICANT	DEER FERN	#1 POT; 20CM
⊚	37	POLYSTICHUM MUNITUM	WESTERN SWORD FERN	#1 POT; 25CM

WOTES: "PLANT SIZES IN THIS LIST ARE SPECIFED ACCORDING TO THE BILL LABORACE STANDARD AND CANADIAN LANGSCAPE THANDARD, LATEST EDITION. CONTAINER SIZES SPECIFED AS PER CIVAL STANDARD, BOTH PLANT SIZE AND CONTAINER SIZES ARE THE MINIMAL ACCEPTABLE SIZES: "REFER TO SPECIFICATIONS FOR DEFINED CONTAINER SIZES ARE THE MINIMAL ACCEPTABLE SIZES." REFER TO SPECIFICATIONS FOR DEFINED CONTAINER SIZES AND CONTAINER SIZES ARE THE MINIMAL ACCEPTABLE SIZES. "REFER TO SPECIFICATIONS FOR DEFINED CONTAINER SIZES AND CO





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PEAL.



CLIENT:

PROJECT:

MIXED-USE RENTAL BUILDING

16453 18 AVE SURREY, BC

DRAWING TITLE:

LEVEL 3 AMENITY

DATE: 2023.FEB.22 DRAWING NUMBER: SCALE: 1/8" = 1"0" DRAWIN: SA DESIGN: SA CHRCD: RK OF 7

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5	24.FEB.28	REVISE PER CITY COMMENTS	5
4	24.FEB.23	ARBORIST COORDINATION	5
3	24.FEB.22	CITY COMMENTS	5
2	24.JAN.05	NEW ARCH PLAN	5
1	23.NOV.17	ADP SUBMISSION	5
NO.	DATE	REVISION DESCRIPTION	Di

CLIENT:

PROJECT:

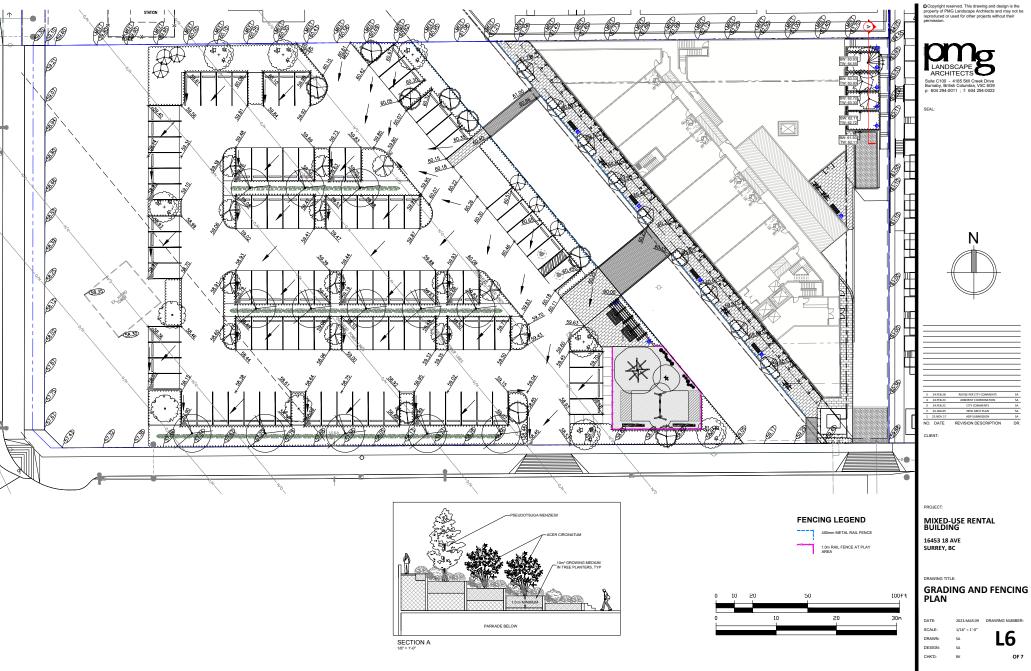
MIXED-USE RENTAL BUILDING

16453 18 AVE SURREY, BC

DRAWING TITLE:

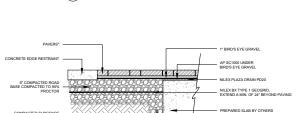
LEVEL 6 **AMENITY**

	DATE:	2023.FEB.22	DRAWING NUMBER
	SCALE:	1/8" = 1'-0"	
1	DRAWN:	SA	15
1	DESIGN:	SA	
1	CHKD:	RK	OF



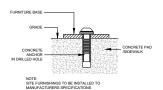
L6

FIBAR PLAYGROUND SAFETY SURFACE

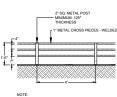


NOTE:
PAVERS TO BE INSTALLED TO MANUFACTURERS SPECIFICATIONS
PAVERS NOT TO BE CULT MORE THAN HALF SIZE
ALL PAVERS TO BE DIAMOND CUT
"*ALL PAVERS FOR PEDESTRIAN AREAS TO BE 60MM THICK

4 PAVERS ON GRADE AND SLAB



6 SITE FURNITURE MOUNTING



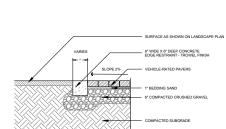
NOTE: INDUSTRIAL-GRADE METAL FENCING HEAVY DUTY HANDLE & HINGES
AAMA 2603 COMPLIANT POWDER-COATING
POWDERCOAT BLACK

18" HT. METAL RAIL 1.0 M RAIL FENCE (PLAY AREA)

□3x3 CHAMFER EDGE

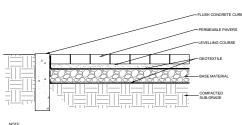
THIS SIDE FACING PLAY AREA CARRIAGE BOLT, COUNTERSUNK

2x6 RAIL 2x6 RAIL



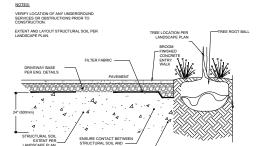
NOTE: PAVERS TO BE INSTALLED TO MANUFACTURERS SPECIFICATIONS

PAVER PARKING STALL



NOTE: REFER TO MANUFACTURER'S SPECIFICATION FOR TYPICAL RESIDENTIAL DRIVEWAY/SIDEWALK CONSTRUCTION.

PERMEABLE PAVERS, TYP



STRUCTURAL SOIL UNDER PAVING, TYP (8)

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REVISION DESCRIPTION

PROJECT:

CLIENT:

MIXED-USE RENTAL BUILDING

16453 18 AVE SURREY, BC

LANDSCAPE DETAILS

SCALE: DRAWN DESIGN: SA CHK'D: OF 7



INTER-OFFICE MEMO

TO: Director, Area Planning & Development

- South Surrey Division

Planning and Development Department

FROM: Development Review Manager, Engineering Department

DATE: April 2, 2024 PROJECT FILE: 7823-0134-00

RE: Engineering Requirements

Location: 16453 18 Ave

OCP AMENDMENT/NCP AMENDMENT

There are no engineering requirements relative to the OCP Amendment/NCP Amendment except for the requirements listed below.

The applicant is required to complete a sanitary sewer capacity analysis downstream of the subject application due to the proposed Land use plan amendment which will result in increased population and subsequent sanitary demand. The applicant will be required to resolve any downstream pipe capacity constraints.

REZONE/SUBDIVISION

Property and Right-of-Way Requirements

- Dedicate 3.942m to achieve ultimate 14.0m from centreline along 164 Street.
- Dedicate 10.0 m drainage corridor.
- Dedicate a 3.0m x 3.0m corner cut at 164 Street and 18 Avenue.
- Register o.5m SRW along all development frontages.
- Register shared access easement along eastern property line.

Works and Services

- Construct east side of 164 Street to collector road standards.
- Construct north side of 18 Avenue.
- Construct concrete letdown to 18 Avenue.
- Construct 10.0 m drainage corridor along BC Hydro right-of-way.
- Construct storm, water and sanitary main along 18 Avenue and 164 Street.
- Provide storm, water and sanitary service connections to proposed lot.
- Provide and register restrictive covenant for on-site stormwater mitigation features.

Janelle Frank, P.Eng. Development Review Manager

RH

NOTE: Detailed Land Development Engineering Review available on file



Department: Planning and Demographics

Date: January 26, 2024
Report For: City of Surrey

Development Impact Analysis on Schools For:

Application #: 23 0134 00

The proposed development of 65 Low Rise Apartment unit are estimated to have the following impact on elementary and secondary schools within the school regions.

School-aged children population projection 8

Projected Number of Students From This	Development In:	
Elementary School =	5	
Secondary School =	2	
Total Students =	7	

Current Enrolment and Capacities:				
Edgewood /Ta'talu Elementary				
Enrolment	867			
Operating Capacity	607			
# of Portables	13			
Earl Marriott Secondary				
Enrolment	1398			
Operating Capacity	1500			
# of Portables	4			

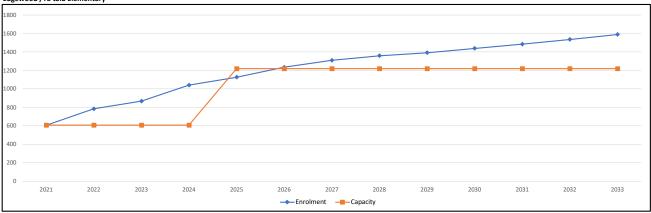
Summary of Impact and Commentary

The following tables illustrate the historical, current and future enrolment projections including current/approved ministry operating capacity for the elementary and secondary schools serving the proposed development.

The area around south Surrey has seen significant development in recent years and this development will continue based on the City's NCP. Given the development in the area, the new Edgewood Elementary opened in January 2021 but as of September 2023, the school has 13 portables on site. To support further enrolment growth in this area, a new 27- classroom Ta'talu Elementary school, located below 20th Avenue, is targeted to open January 2025. Until then, the district will rely on portables to make up the seat shortfall and possible boundary changes. Once Ta'talu opens, it will feed to Earl Marriott Secondary school.

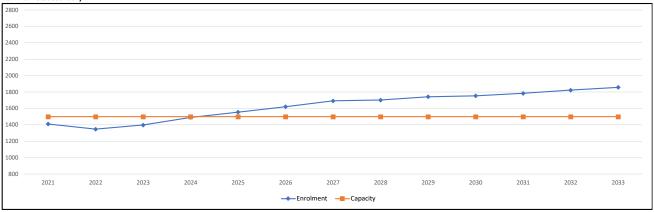
To relieve the pressure at Earl Marriot, a new 1500 capacity high school, Grandview Heights Secondary, located on 26th Ave next to the existing Pacific Heights Elementary opened September 2021. New Boundaries approved in March 2019 are now in place.

Edgewood /Ta'talu Elementary



Note: If this report is provided in the months of October, November and December, the 10-year projections are out of date and they will be updated in January of next year.

Earl Marriott Secondary



Note: If this report is provided in the months of October, November and December, the 10-year projections are out of date and they will be updated in January of next year.

Population: The projected population of children aged 0-17 impacted by the development. **Enrolment**: The number of students projected to attend the Surrey School District ONLY.

Appendix IV

9.0 TREE PRESERVATION SUMMARY

Surrey Project No: N/A

Address: 16453 18 Ave, Surrey, B.C., V3S 9N2

Registered Arborist: Francis Klimo

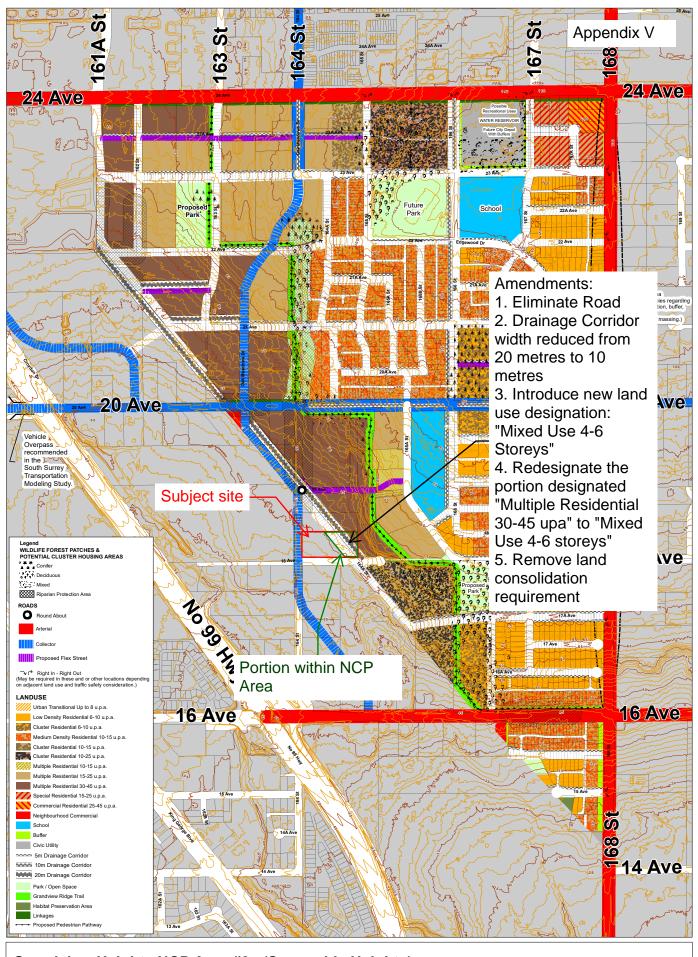
On-Site Trees	Number of Trees
Protected Trees Identified	33
(on-site and shared trees, including trees within boulevards and proposed streets and lanes,	
but excluding trees in proposed open space or riparian areas and non-bylaw protected trees)	
Protected Trees to be Removed	28
Protected Trees to be Retained.	4
(excluding trees within proposed open space or riparian areas)	
Total Replacement Trees Required:	
Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio	
17 X one (1) = 17	17
All other Trees Requiring 2 to 1 Replacement Ratio	
11 X two (2) = 22	22
Replacement Trees Proposed	59
Replacement Trees in Deficit	0
Protected Trees to be Retained in Proposed [Open Space / Riparian Areas]	N/A

Off-Site Trees	Number of Trees
Protected Off-Site Trees to be Removed	3
Total Replacement Trees Required:	
Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio 1 X one (1) = 1	1
All other Trees Requiring 2 to 1 Replacement Ratio	
2 X two (2) = 2	2
Replacement Trees Proposed	0
Replacement Trees in Deficit	0

Summary, report and plan prepared and submitted by:

Francis Kelmo	March 21, 2023
(Signature of Arborist)	Date

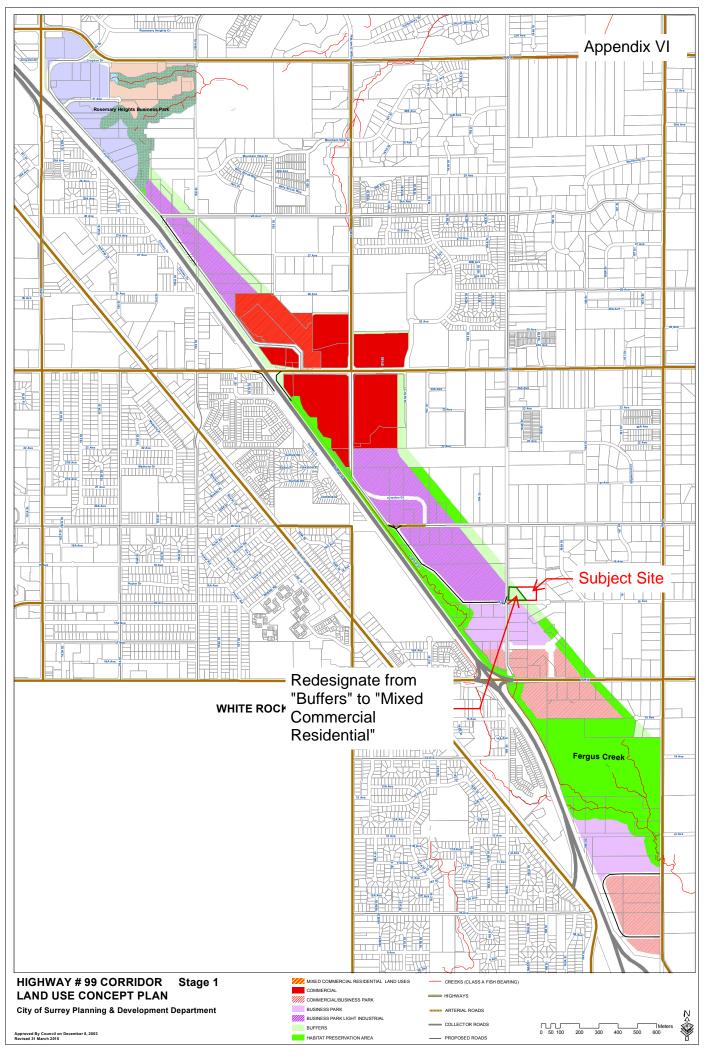
TREE MANAGEMENT PLAN 16453 18 Ave, Klimo & Project Number Surrey **Associates** Francis R. Klimo ISA Certified Arborist #PN-8149A ISA Certified Tree Risk Assessor (TRAQ) BC Wildlife Danger Tree Assessor #7193 65.4M [214'-5 1/2"] 52.4M [172\-0 1/2"] TREE #500 Remove line of building above REE #239 Remove TREE #238 Remove TREE #OS3 -TREE #OS2 TREE #246 Remove TREE #234 TREE #OS1 -TREE #233 Remove Setback



Grandview Heights NCP Area #2 (Sunnyside Heights)

City of Surrey Planning & Development Department





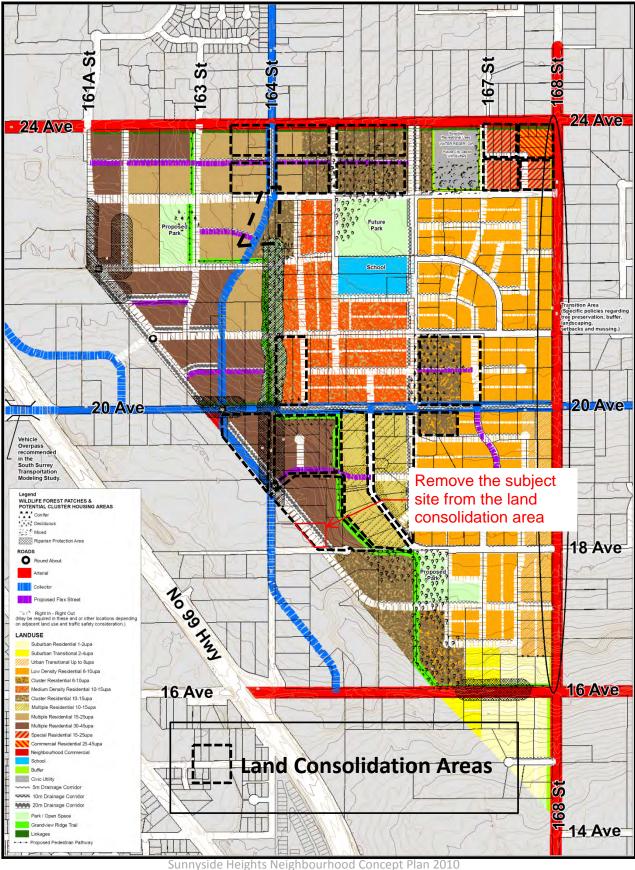
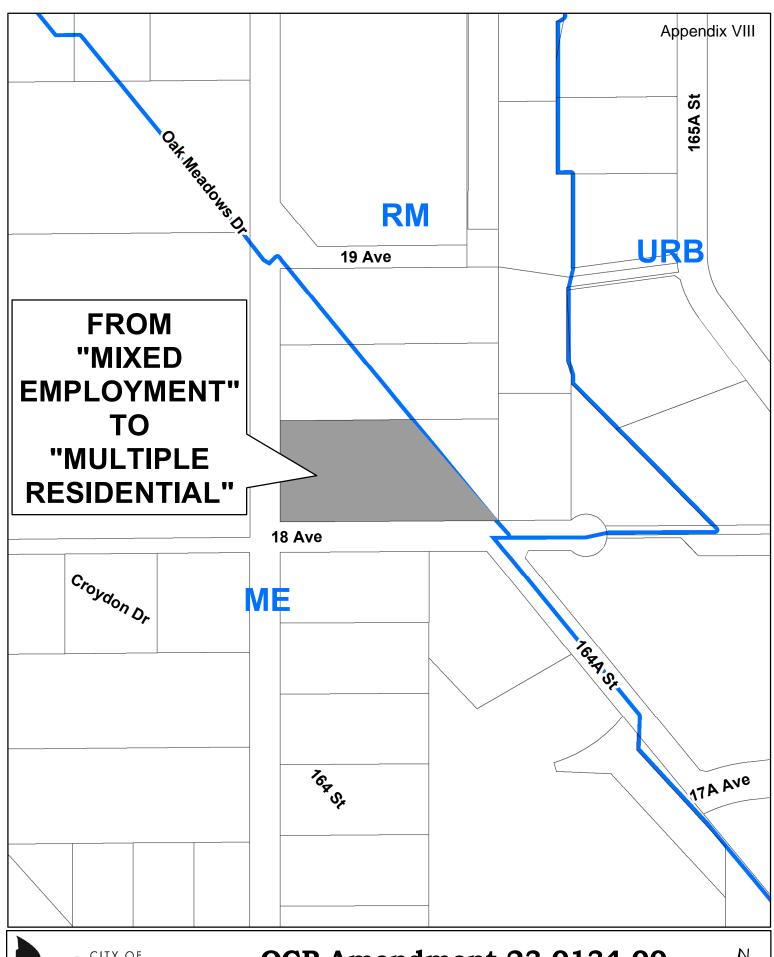


Figure 2.3 Land Consolidation Areas

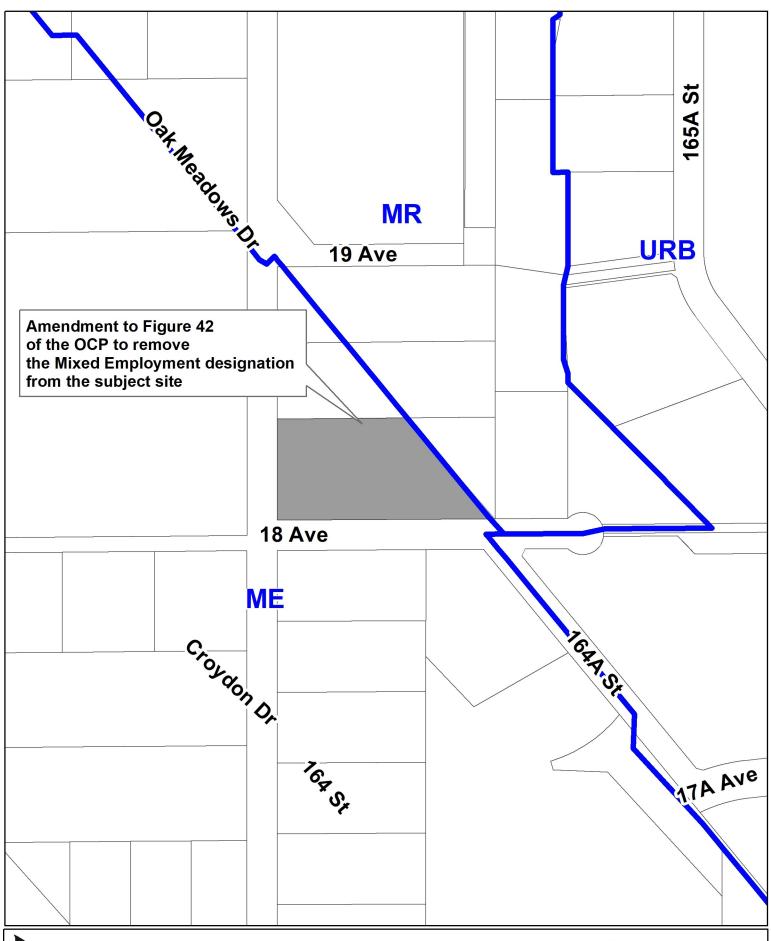




OCP Amendment 23-0134-00

Proposed amendment from "Mixed Employment" to "Multiple Residential"







OCP Amendment 23-0134-00

Amendment to Figure 42 of the OCP to remove the Mixed Employment designation from the subject site



CITY OF SURREY

HOUSING AGREEMENT Mixed-Use

THIS HOUSING AGREEMENT made the 02 day of April, 2024.

BETWEEN:

CITY OF SURREY, a municipal corporation having its offices at 13450 – 104 Avenue, Surrey, B.C. V3T 1V8

(the "City")

OF THE FIRST PART

AND:

1441472 BC LTD, a corporation having its offices at 206 – 15272 Croydon Dr, Surrey, B.C. V3S 0Z5

(the "Owner")

OF THE SECOND PART

WHEREAS:

A. The Owner is the legal and beneficial owner of those certain lands and premises located in the City of Surrey, in the Province of British Columbia, legally described as:

Parcel Identifier: 006-532-128 LOT 36, SECTION 13, TOWNSHIP 1, NEW WESTMINSTER LAND DISTRICT, PLAN 42726

(the "Lands");

- B. The Owner proposes to use the Lands for the development of a mixed-used development to be compromised of 65 rental units within one 6-storey building (the "**Development**");
- C. The Owner has voluntarily agreed to enter into a housing agreement pursuant to Section 483 of the *Local Government Act*, R.S.B.C. 2015, Chapter 1, as amended, to ensure that the Rental Units are rented in accordance with this Agreement.

NOW THEREFORE in consideration of the premises herein and of the mutual covenants and agreements hereinafter set forth and contained herein and \$1.00 now paid by the City to the Owner (the receipt of which is hereby acknowledged), the parties hereto covenant and agree each with the other as follows:

1. **DEFINED TERMS**

- 1.1 In and for the purpose of this Agreement, in addition to the definitions on the first page of this document, the following terms shall have the following meanings:
 - (a) "Agreement" means this housing agreement and any amendments to or modifications of the same;
 - (b) "City" means the City of Surrey and any person authorized by the City of Surrey, including assigns of whole or partial interest in this Agreement or of any of the rights conferred upon the City of Surrey by this Agreement;
 - (c) "City Personnel" means all of the City's elected and appointed officials, officers, employees, agents, nominees, delegates, permittees, contractors, subcontractors, invitees and the Approving Officer;
 - (d) "Claims and Expenses" means all actions, causes of actions, suits, judgments, proceedings, demands, and claims, whether at law or in equity, losses, damages, expenses and costs (including legal fees and disbursements on an indemnity basis) of any kind or nature whatsoever, at law or in equity, for any damages, losses, injuries or death;
 - (e) "Development" means as defined in Recital B;
 - (f) "**Dwelling Unit**" means each of the 65 dwelling units to be constructed within the Development;
 - (g) "Lands" means the parcel of land situated in the City of Surrey, British Columbia and legally described in Recital A, and includes any parcel into which such land is consolidated or further subdivided (including a subdivision pursuant to the Land Title Act and a subdivision pursuant to the Strata Property Act of British Columbia);
 - (h) "Owner" means the person named on the first page of this Agreement and the legal and beneficial owner at any given time and any successors in title of the Lands and, without limitation, if the Lands are subdivided by way of a strata plan under the Strata Property Act of British Columbia, then "Owner" includes the strata corporation thereby created;
 - (i) "Rental Units" means 65 Dwelling Units which must be made available by the Owner to the general public at arms' length for use as residential rental accommodation on a month-to-month or longer basis in accordance with all applicable laws including, without limitation, the Residential Tenancy Act, S.B.C. 2002, Chapter 78, as amended, and any regulations pursuant thereto; and
 - (j) "**Term**" means 60 years, commencing on the first day of the month after the City issues an occupancy permit for the Development.

2. RESTRICTION ON OCCUPANCY OF DWELLING UNITS

- 2.1 During the Term the Rental Units must be made available for rent in accordance with this Agreement.
- 2.2 The City may, from time to time, during the Term request the Owner to provide written proof of compliance with section 2.1 and the Owner agrees to provide, or cause an operator of the Lands to provide, the City with such proof in a form reasonably satisfactory to the City.
- 2.3 All of the Rental Units must be owned by the same Owner(s).
- 2.4 Throughout the Term, the Owner shall not sell or transfer the beneficial or registered title or any interest in and to the Rental Units, unless the Owner obtains from the transferee an agreement in writing from the transferee to assume and perform all of the obligations of the Owner arising under this Agreement.

3. **LIABILITY**

- Indemnity. The Owner shall indemnify and save harmless the City and City Personnel from all Claims and Expenses which the City and City Personnel may suffer, or incur, or be put to, arising out of or in connection with any breach or default of any covenants or agreements on the part of the Owner contained in this Agreement, or arising out of, or in connection with the Development or arising out of the fact that the Lands are encumbered by and affected by this Agreement.
- 3.2 **Release.** The Owner does hereby remise, release and forever discharge the City and City Personnel from all Claims and Expenses which the Owner may have against the City and City Personnel, which the Owner now has or hereafter may have with respect to or by reasons of or arising out of the fact that the Lands are encumbered by and affected by this Agreement.
- 3.3 **Obligations Continue.** The Owner covenants and agrees that the indemnity and release in Sections 3.1 and 3.2 will remain effective and survive the expiration or termination of this Agreement whether by fulfilment of the covenants contained in this Agreement or otherwise.

4. NOTICE

- 4.1 Any notices or other documents to be given or delivered pursuant to this Agreement will be addressed to the proper party as follows:
 - (a) As to the City:

City of Surrey 13450 – 104 Avenue Surrey, BC V3T 1V8 Attention: General Manager, Planning and Development Department

(b) As to the Owner:

Owner Name 1441472 BC LTD Owner Address 206 – 15272 Croydon Dr, Surrey, BC V3S 0Z5

Attention: Harman Dhillon

or such other address as such party may direct. Any notice or other documents to be given or delivered pursuant to this Agreement will be sufficiently given or delivered if delivered to the particular party as its address set out or determined in accordance with this section and shall be deemed complete two (2) days after the day of delivery.

4.2 It is specifically agreed that for any notice or document to be validly given or delivered pursuant to this Agreement, such notice or document must be delivered and not mailed.

5. **GENERAL**

- 5.1 **Joint and Several.** Where the Owner consists of more than one person, each such person will be jointly and severally liable to perform the Owner's obligations under this Agreement.
- 5.2 **Assignment by City.** This Agreement or any of the rights conferred by this Agreement upon the City may be assigned in whole or in part by the City without the consent of the Owner.
- 5.3 **City's Other Rights Unaffected.** Nothing contained or implied herein will derogate from the obligations of the Owner under any other agreement with the City or, if the City so elects, prejudice or affect the City's rights, powers, duties or obligations in the exercise of its functions pursuant to the *Local Government Act* and the *Community Charter*, as amended from time to time and the rights, powers, duties and obligations of the City under all public and private statutes, by-laws, orders and regulations, which may be, if the City so elects, as fully and effectively exercised in relation to the Lands as if this Agreement had not been executed and delivered by the Owner and the City.
- Agreement for Benefit of City. The Owner and the City hereby acknowledge, agree and declare that this Agreement is entered into for the sole purpose of benefitting the City and, in particular, acknowledge, agree and declare that this Agreement is not designed to protect or promote the interests of the Owner or any mortgagee of the Owner, or any future owner or occupier of the Lands and any improvements on the Lands or any other person and the City may, at its sole option, execute a release of this Agreement at any time without liability to any person for so doing.

- No Waiver. The Owner acknowledges and agrees that no failure on the part of the City to exercise and no delay in exercising any right under this Agreement will operate as a waiver thereof, nor will any single or partial exercise by the City of any right under this Agreement preclude any other or future exercise thereof of the exercise of any other right.
- 5.6 **City Not Required to Prosecute.** The Owner agrees that the City is not required or is under no obligation in law or equity to prosecute or enforce this Agreement in any way whatsoever.
- 5.7 **Remedies.** The remedies provided for in this Agreement will be cumulative and not exclusive of any other remedies provided by law or in equity. In addition to any remedies which are available under this Agreement or at law, the City will be entitled to all equitable remedies, including, without limitation, specific performance, injunction and declaratory relief, or any combination thereof, to enforce its rights under this Agreement. The Owner acknowledges that specific performance, injunctive relief (mandatory or otherwise) or other equitable relief may be the only adequate remedy for a default by the Owner under this Agreement.
- 5.8 **Severability.** All the obligations and covenants in this Agreement are severable, so that if any one or more of the obligations or covenants are declared by a court of competent jurisdiction to be void and unenforceable, the balance of the obligations and covenants will remain and be binding.
- 5.9 **City Court Costs.** In an action to enforce this Agreement in respect of which the court determines that the position of the City will prevail, the City will be entitled to court costs on a solicitor-client basis.
- 5.10 **Subdivision/Consolidation.** If the Lands are subdivided or consolidated at any time hereafter either under the provisions of the *Land Title Act* or under the *Strata Property Act*, then upon the deposit of a plan of subdivision, strata plan, consolidation plan or similar plan or application as the case may be the rights, benefits, burdens, obligations, and covenants contained in this Agreement will continue to charge each of the new parcels, lots, or other subdivided or consolidated parcels and areas so created.
- 5.11 **Subdivision by Strata Plan.** If the Lands, or any portion thereof, are subdivided by a strata plan, this Agreement will charge title to the strata lots and the common property comprising such strata plan and:
 - (a) this Agreement will be registered against each individual strata lot and noted on the common property sheet;
 - (b) the strata corporation or the strata corporations created will perform and observe the Owner's covenants in this Agreement, solely at the expense of the strata lot owners; and
 - (c) the liability of each strata lot owner for the performance and observance of the Owner's covenants herein will be in proportion to the unit entitlement of his, her or its strata lot as established by the strata plan.

- 5.12 **Personal Representatives and Successors**. This Agreement shall enure to the benefit of and be binding upon the parties hereto and their personal representatives, respective heirs, executors, administrators, successors, and assigns.
- 5.13 **Governing Law.** This Agreement will be governed by and construed in accordance with the laws of the Province of British Columbia and the laws of Canada applicable in British Columbia.
- Priority. The Owner shall at the sole expense of the Owner, do or cause to be done all acts reasonably necessary to grant priority to this Agreement over all charges and encumbrances which may have been registered against the title to the Lands at the Land Title Office save and except those specifically approved in writing by the City.
- 5.15 **Further Assurances.** The Owner shall do, or cause to be done, all things and execute or cause to be executed all documents and give such further and other assurances which may be reasonably necessary to give proper effect to the intent of this Agreement.
- 5.16 **Counterparts.** This Agreement may be executed in any number of counterparts and delivered via facsimile or e-mail, each of which will be deemed to be an original and all of which taken together will be deemed to constitute one and the same instrument, provided that any party delivering this Agreement via facsimile or e-mail will deliver to the other party any originally executed copy of this Agreement forthwith upon request by the other party.

5.17 **Entire Agreement.** This Agreement represents the entire agreement between the City and the Owner regarding the matters set out in this Agreement and supersedes all prior agreements, letters of intent or understandings about these matters.

IN WITNESS WHEREOF the City of Surrey and the Owner have executed this Agreement under seal of their duly authorized officers as of the references of this Agreement.

CITY	OF SURREY	
Ву:	Authorized Signatory	
	Brenda Locke, Mayor City of Surrey	
Ву:	Authorized Signatory	
	Jennifer Ficocelli, City Clerk City of Surrey	
14414	472 BC LTD	

Authorized Signatory

By:

Name: Harmunpreet Dhillon

Title: Director