

CORPORATE REPORT

NO: R206 COUNCIL DATE: September 10, 2012

REGULAR COUNCIL

TO: Mayor & Council DATE: September 10, 2012

FROM: General Manager, Planning and Development FILE: 6793-0406-00

SUBJECT: Proposed Amendments to Development Permit No. 6793-0406-00

Related to the Property at 19576 Fraser Highway

RECOMMENDATION

The Planning and Development Department recommends that Council:

- 1. Receive this report as information;
- 2. Authorize staff to draft Development Permit No. 6793-0406-00 related to the property at 19576 Fraser Highway based on the revised site layout and building design as illustrated in Appendix "A" attached to this report;
- 3. Instruct staff to resolve the following additional issues prior to final adoption of the related rezoning by-law, in addition to the conditions of approval listed in the Planning Report for Application No. 56/6793-0406-00 attached as Appendix "B" as approved by Council on November 15, 1999:
 - (a) demolition of existing buildings and structures to the satisfaction of the General Manager of Planning and Development; and
 - (b) additional road dedication along the site's frontage on each of Fraser Highway and 196 Street to the satisfaction of the Approving Officer; and
- 4. Instruct the City Clerk to forward a copy of this report and the related Council resolution to the applicant.

INTENT

The purpose of this report is to apprise Council of changes to the design of a multi-building commercial development proposal for property that is located at the south-west corner of 196 Street and Fraser Highway in East Cloverdale and to seek Council's authorization to proceed with the project based on a revised design. The associated rezoning by-law (By-law No. 13896) received third reading on December 13, 1999. The applicant has held this application in abeyance until recently due to unfavourable economic conditions. The applicant has now secured a tenant for the site and is anxious to move forward with the project.

BACKGROUND

At the Regular Council – Land Use meeting on November 15, 1999, Council considered a Planning Report for development application no. 56/6793-0406-00 related to a site located at 19576 Fraser Highway. A copy of the planning report is attached as Appendix "B". The development application for the site included:

- a rezoning from General Agriculture (A-1) Zone to Comprehensive Development (CD) Zone (based on the Community Commercial Zone (C-8)); and
- a Development Permit to permit the development of three, two-storey commercial buildings. Two of these buildings were to have drive-through facilities on the ground floor and office space on the second floor while the third building was to have retail or office units on the ground floor and office space on the second floor.

On December 13, 1999, Council granted third reading to the related rezoning by-law following the Public Hearing for the by-law that was held on the same evening.

Since the Public Hearing, the applicant has not moved forward with the application due to unfavourable economic conditions. Recently, the applicant has advised staff that he now wishes to proceed with the application but subject to some redesign in response to current market conditions and in response to the evolving road network in the area.

DISCUSSION

Since the Public Hearing, the applicant has addressed some of the conditions of approval of the application; however, the applicant has not sought final adoption of the rezoning by-law and approval of the development permit for the site due to unfavourable market conditions. He has secured a tenant for one of the proposed buildings and is now seeking to finalize the application. The proposed tenant is a restaurant with a drive-through component. To address requirements of the tenant, the applicant is proposing a number of design changes to the project. The City has asked the applicant to make some minor site layout adjustments associated with additional road dedication requirements along each of Fraser Highway and 196 Street along the site's frontage and related to vehicular access restrictions that reflect the evolving road network in the area.

Area Road Network

The subject site is located on the south-west corner of the intersection of 196 Street and Fraser Highway, both of which are important arterial roads. Fraser Highway is being protected as a future rapid transit corridor and 196 Street is being upgraded to a four-lane median divided arterial roadway along the frontage of the subject site as part of the Roberts Bank Rail Corridor improvements that are currently under construction in Surrey.

Road Requirements

To accommodate current City arterial road cross section requirements that were adopted in 2011, which provide improved sidewalk space, adequate bicycle lane widths and additional space for street trees, and to protect the Fraser Highway Corridor for future rapid transit, additional road dedication is required from the subject property.

The applicant has agreed to convert to road allowance dedication an existing Statutory Right-of-Way along each of the Fraser Highway and 196 Street frontages of the site and to dedicate an additional 0.9 metres of road allowance along the Fraser Highway frontage of the site.

Vehicular Access

Under the original proposal, access to the site was to be provided by way of:

- a temporary "right-in only" driveway from Fraser Highway;
- a full movement driveway located approximately mid-site along the 196 Street frontage; and
- a reciprocal access driveway through the property at 6039 196 Street to the north of the site which would provide access to the Fraser Highway through the property to the north.

Under the current proposal, the temporary "right in only" access from Fraser Highway has been eliminated, and through Development Application No. 7906-0377-00 related to the property to the immediate east of this site, 62 Avenue was extended to the westerly property line of the subject site. As such, access to the site is now available from 62 Avenue, which extends through the centre of the subject property and which provides vehicular access to the site by way of a right-in/right-out driveway on 196 Street and a full movement intersection on Fraser Highway at 195A Street. A driveway located along the south edge of the site will allow for left turns into the site off 196 Street.

Revised Site Layout

As a result of the changes to the dedication of road allowance along the site's frontages a proposed building on the site is located 1.8 metres from the Fraser Highway property line whereas CD By-law No. 13896 requires a 3.2 metre setback from this property line. Therefore, the north front yard setback as contained in CD By-law No. 13896 will need to be amended, prior to final adoption, to accommodate the reduced setback of the proposed building.

A total of 96 parking spaces are proposed on the site, which exceeds the Zoning By-law requirement for parking of 36 spaces. Thirty-one (31) spaces are proposed within the north portion of the lot and sixty-five (65) spaces proposed for the south portion of the lot. As the south portion of the lot has development potential, some of the area currently shown as parking on the southerly portion of the site may be redeveloped into commercial buildings in the future (see "Future Development Potential" section below).

As the geodetic elevations of the adjacent City roads have yet to be established, minor changes to the layout and grading of the site may be required to address the interfaces with the adjacent roads.

Proposed Architectural Revisions

The original proposal for Building "A" (see Appendix "B") was for a 2-storey building with a drive-through component. The applicant is now proposing a single storey commercial building within the northerly portion of the site (see Appendix "A"). This building is proposed to be a single-tenant drive-through restaurant with a floor area of approximately 366 square metres (3,939 square feet). The principal entrance to the building will face east toward the intersection of 196 Street and Fraser Highway.

The building materials are comprised of stone, stucco and glazing. Parapets are designed to extend from the building facade above the principal entrance, the drive-through window, and the playroom. The roof is framed by a corniced element, which extends from the facade. A canopy projects from the facade of the building to provide weather protection. The garbage enclosure and the drive-through stacking lane will be located along the westerly edge of the site and will be buffered from the adjacent property by means of a hedge and fence.

Landscaping

The landscape plan includes a 1.5-metre (5 foot)-wide landscape strip along 196 Street and Fraser Highway. Additional landscaping will be provided on either side of the drive-through queuing lane to provide screening in relation to the care facility located on the adjacent property. To the east of the building will be a patio area which will be landscaped to screen the patio from the traffic on Fraser Highway. The landscape strip will be planted with a combination of trees and shrubs.

Future Development Potential

While the current proposal (Phase I) relates to the development of the northerly portion of the site (i.e., north of 62 Avenue), the development of the southerly portion of the site (i.e., south of 62 Avenue) will be subject to a separate development permit in the future. The applicant has prepared a conceptual site plan that reflects a possible future use for the southerly portion of the site (see Appendix "C"). This conceptual site plan illustrates two new commercial buildings. The development of the southerly portion of the site may require variances for parking, setbacks and/or landscaping.

CONCLUSION

Based on the above discussion, it is recommended that Council:

- Authorize staff to draft Development Permit No. 6793-0406-00 related to the property at 19576 Fraser Highway based on the revised site layout and building design as illustrated in Appendix "A" attached to this report;
- Instruct staff to resolve the following additional issues prior to final adoption of the related rezoning by-law, in addition to the conditions of approval listed in the Planning Report for Application No. 56/6793-0406-00 attached as Appendix "B" as approved by Council on November 15, 1999:
 - o demolition of existing buildings and structures to the satisfaction of the General Manager of Planning and Development; and
 - o additional road dedication along the site's frontage on each of Fraser Highway and 196 Street to the satisfaction of the Approving Officer; and

• Instruct the City Clerk to forward a copy of this report and the related Council resolution to the applicant.

Original signed by Jean Lamontagne General Manager Planning and Development

SL:saw

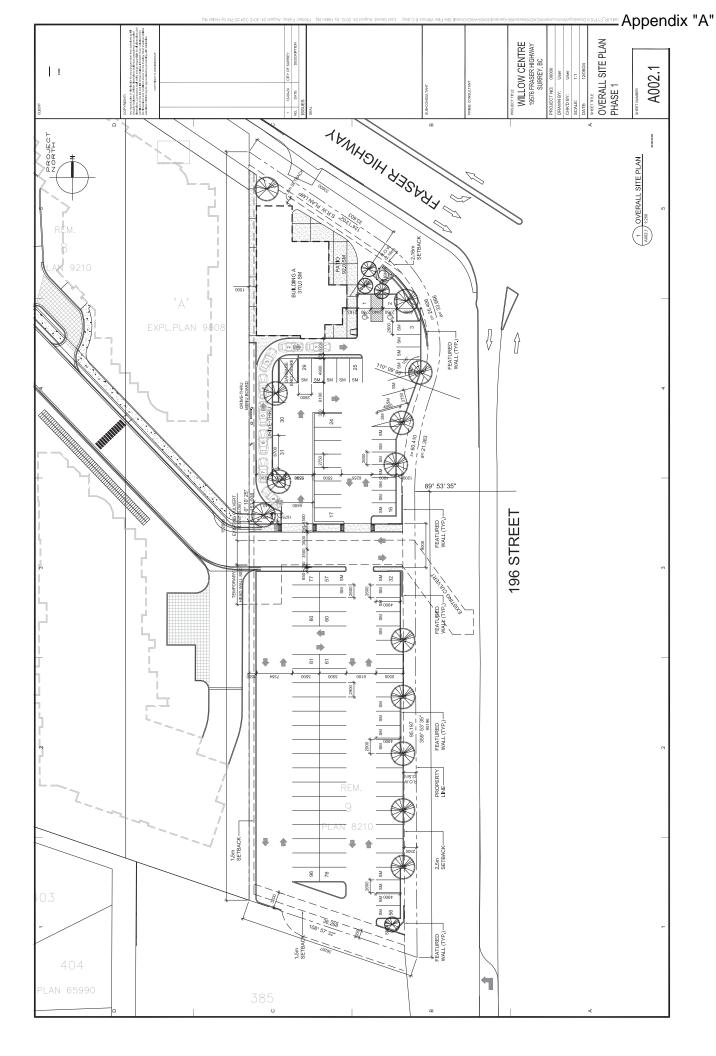
Attachments:

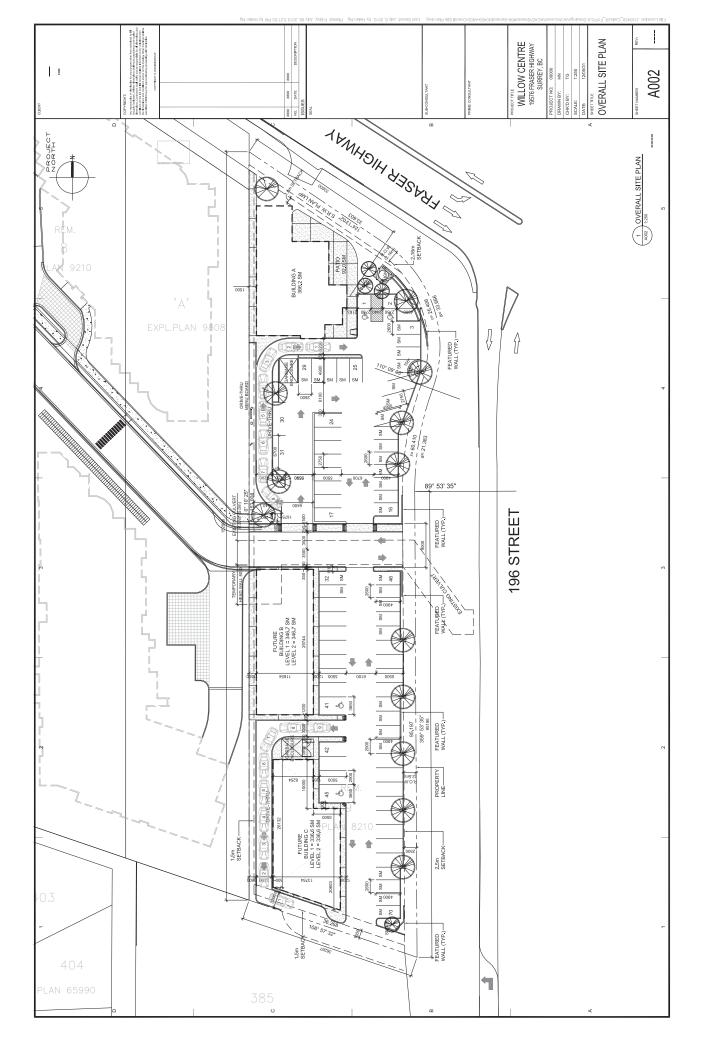
Appendix "A" Revised Site Plan and Urban Design Drawings for the Proposed Development at 19576 Fraser Highway

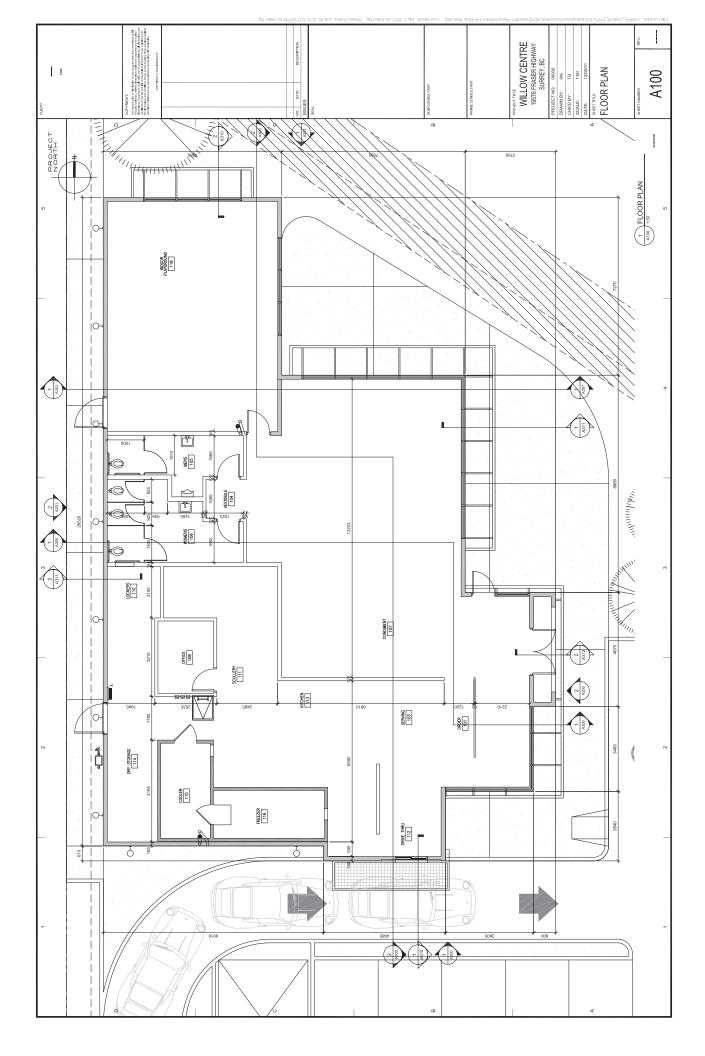
Appendix "B" Planning Report related to Development Application No. 56/6793-0406-00, dated November 15, 1999

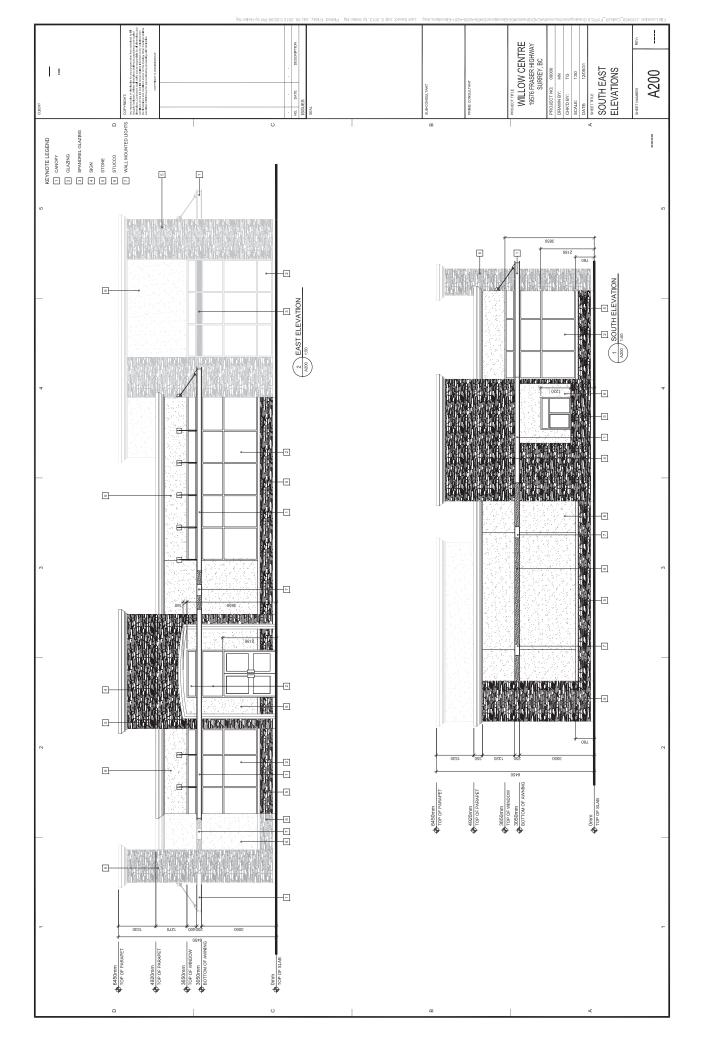
Appendix "C" Proposed Development Concept for Southerly Portion of the Site at 19576 Fraser Highway

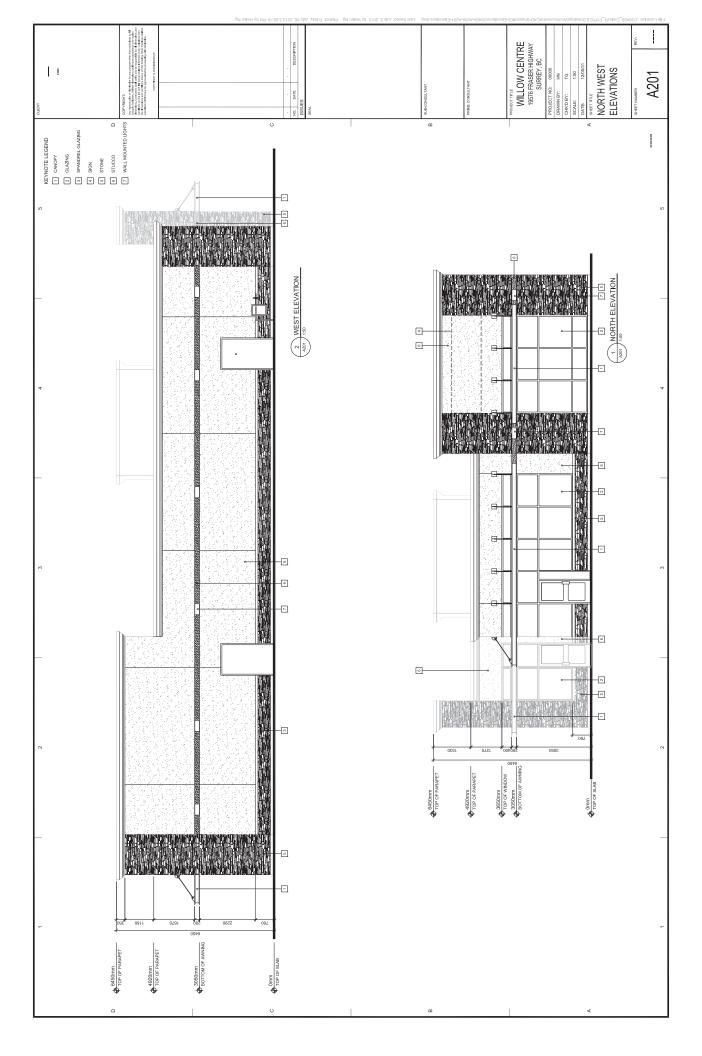
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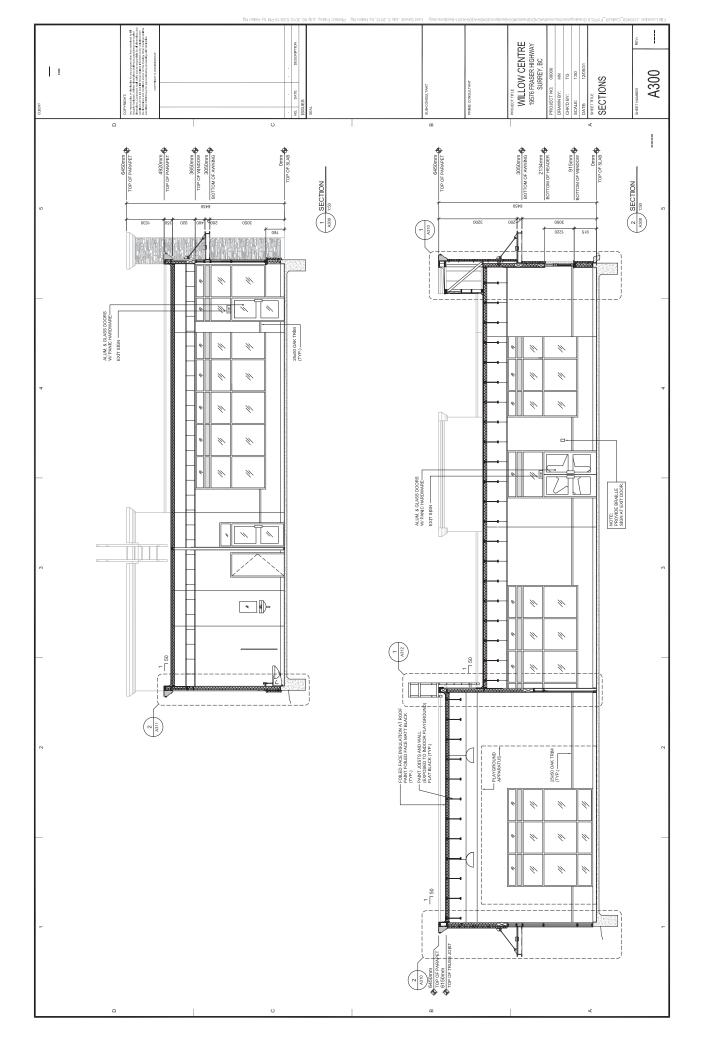


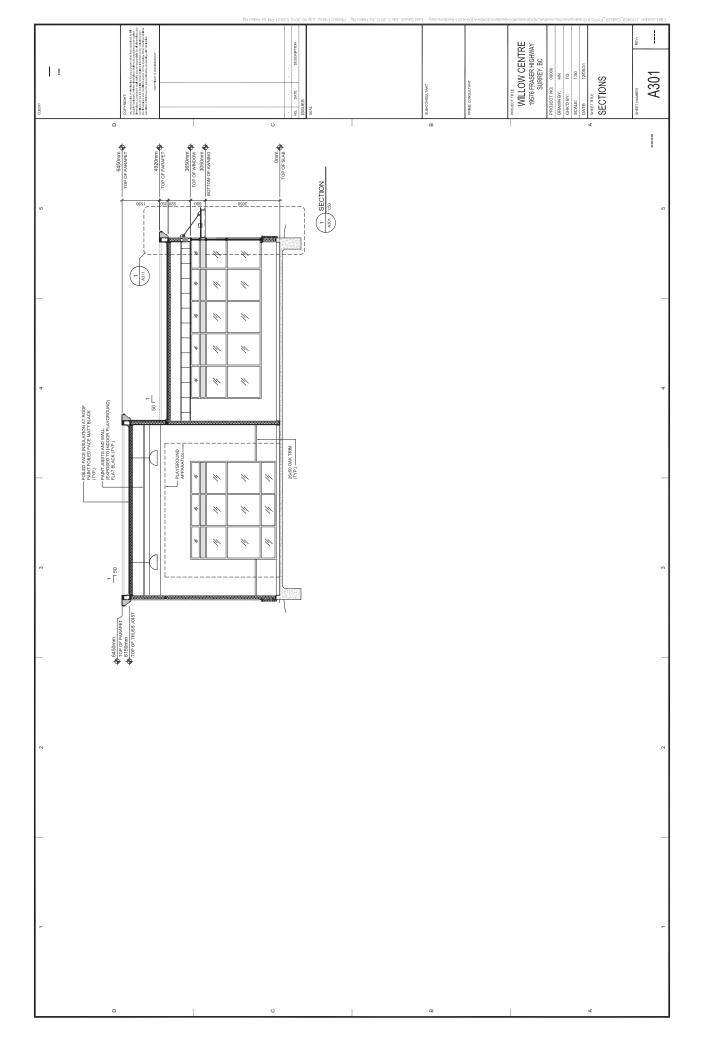


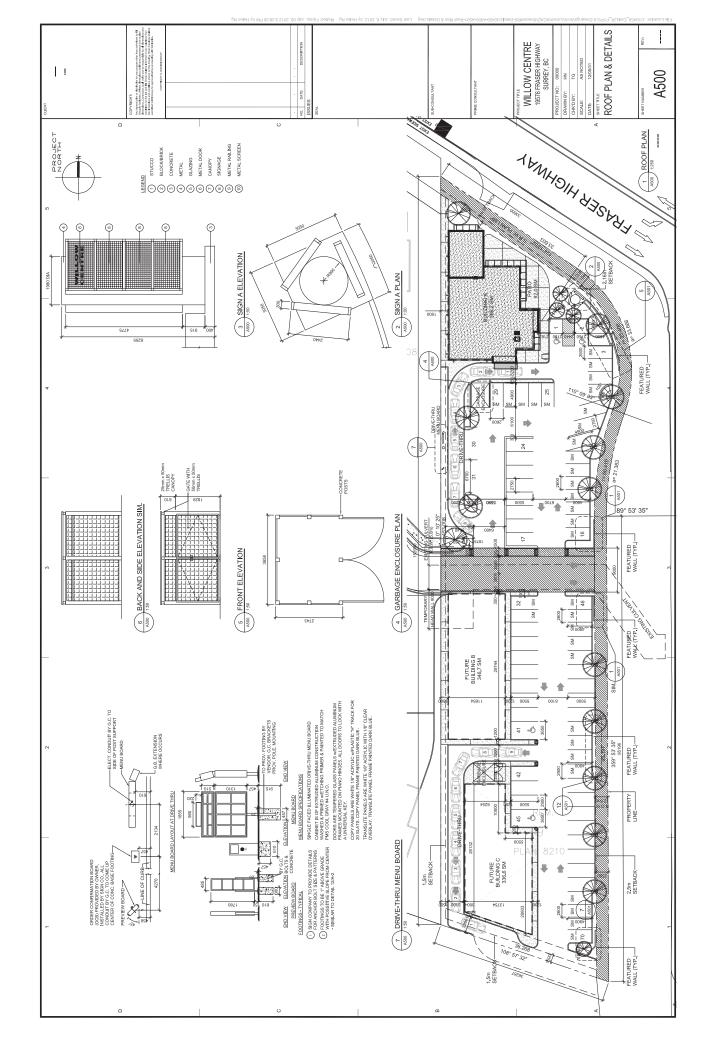


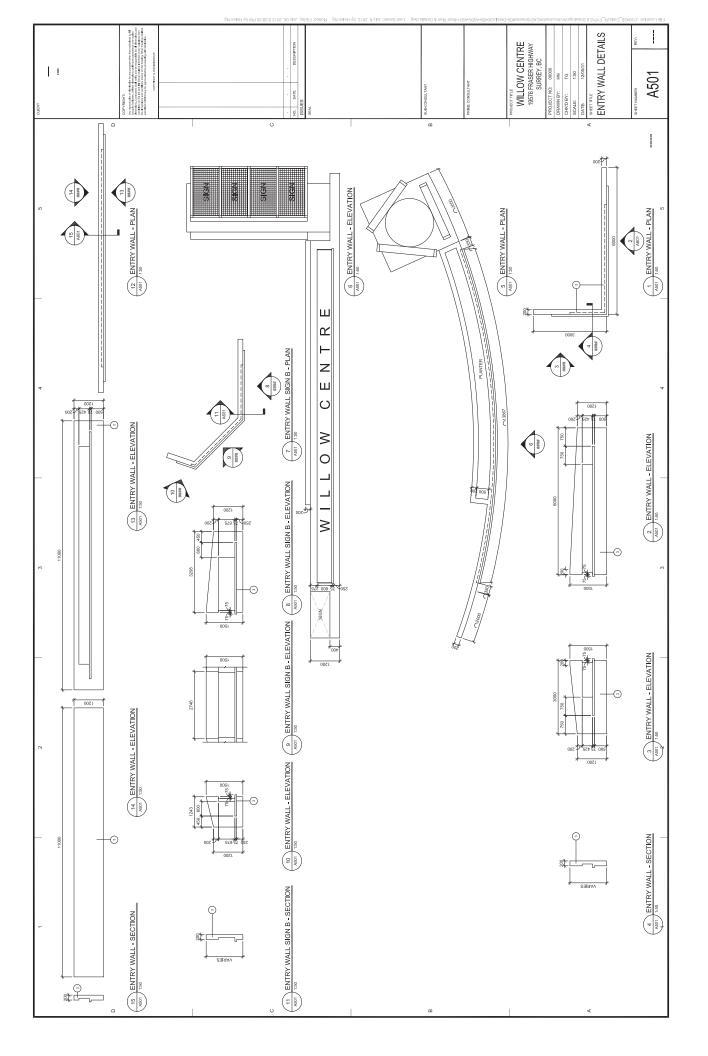


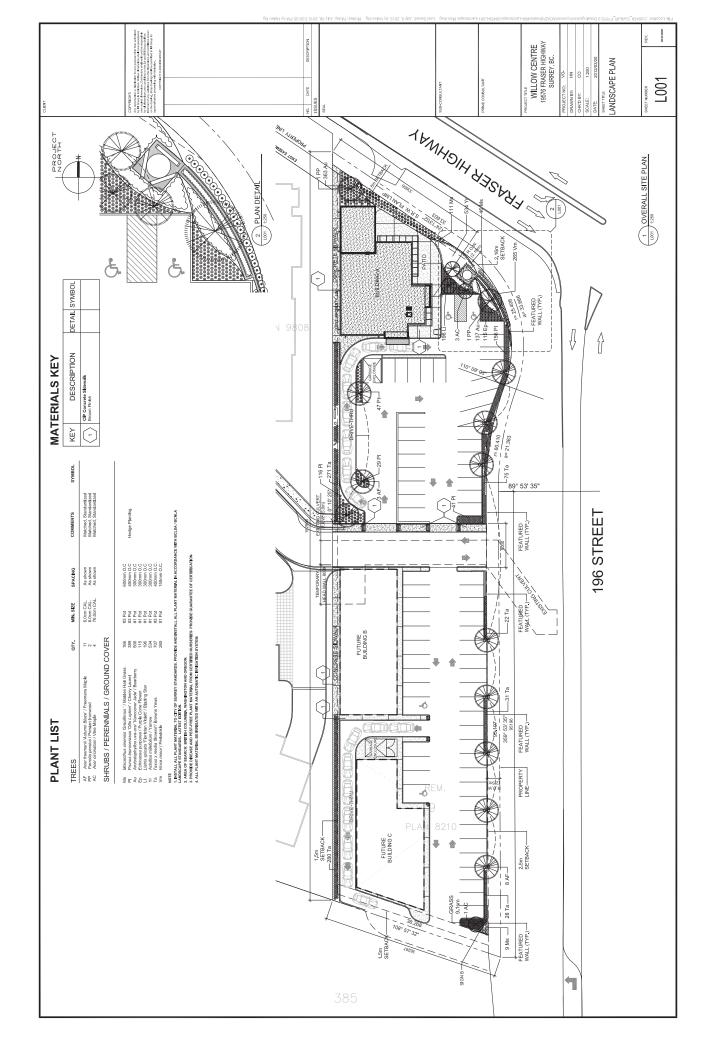


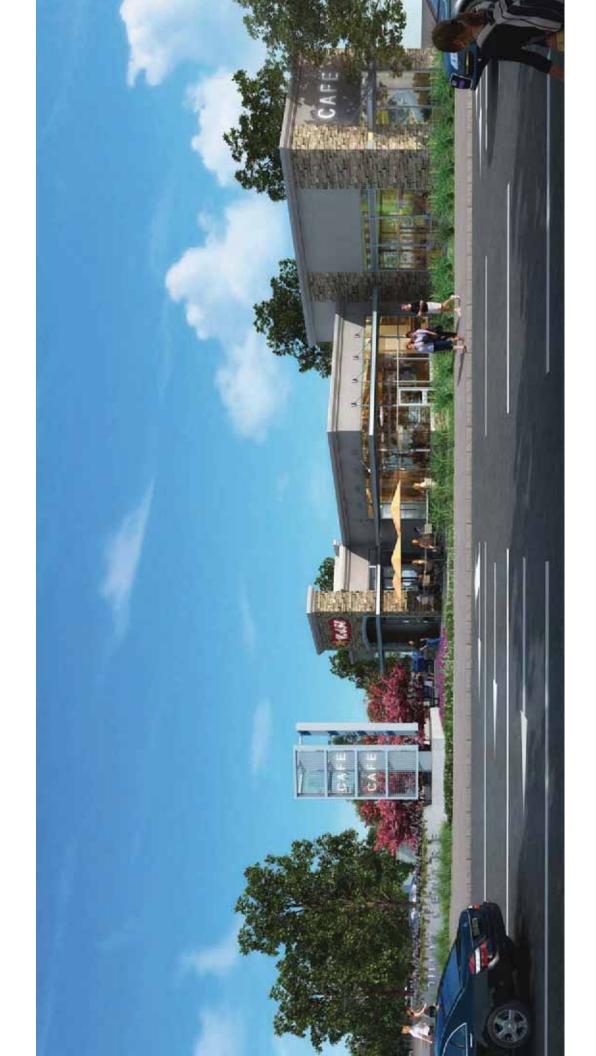












City of Surrey PLANNING & DEVELOPMENT REPORT File: 56/6793-0406-00

Proposal: Rezone from A-1 to CD in order to permit the development

of three commercial buildings.

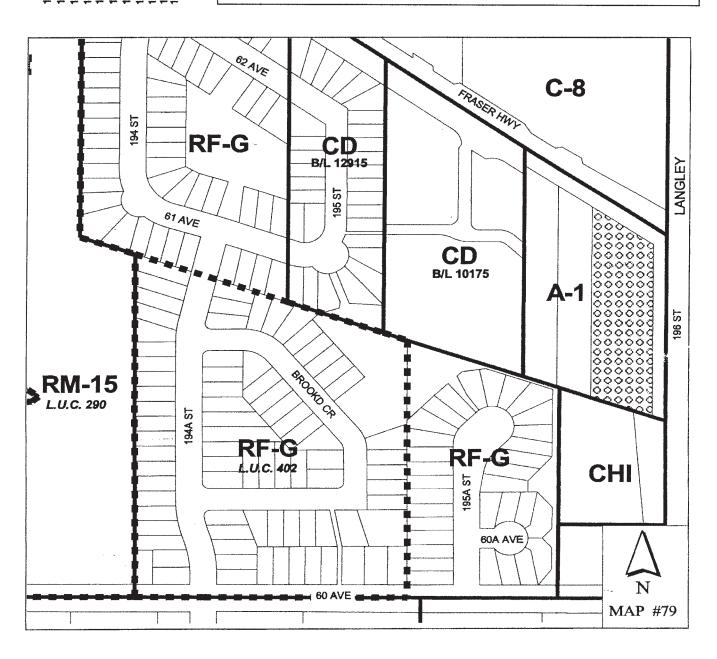
Recommendation: Approval to Proceed

Location: 19576 Fraser Highway **Zoning:** A-1

OCP Designation: Commercial

LAP Designation: Tourist Owner: Jarnail Kour

Accommodation



PROJECT TIMELINE

Completed Rezoning Application Submission Date:

October 29, 1993

Completed Development Permit Application Submission Date:

October 24, 1999

Planning Report Date:

November 15, 1999

PROPOSAL

The applicant is proposing:

• a rezoning from "General Agriculture Zone (A-1)" to "Comprehensive Development Zone (CD)", and

• a Development Permit

in order to permit the development of three commercial buildings.

RECOMMENDATION

The Planning & Development Department recommends that:

- a By-law be introduced to rezone the property from "General Agriculture Zone (A-1)"
 (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
- 2. Council authorize staff to draft Development Permit No. 6793-0406-00 in accordance with the attached drawings (Appendix II).
- 3. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout for road dedication along Fraser Highway and 196 Street to the satisfaction of the Approving Officer; and
 - (c) registration of a reciprocal access easement agreement among Lot A Plan 9808 to the west of the subject site, Lot 385 Plan 65554 to the south, and the subject site to allow joint access to Fraser Highway and 196 Street respectively and to allow vehicular and pedestrian movement between the subject site and the noted properties; OR a Section 219 Restrictive Covenant that commits the owner of the subject site to agree to provide for an access easement in the future.
- 4. Council pass a resolution to amend the Cloverdale Local Area Plan to redesignate the land from Tourist Accommodation to Retail Commercial when the project is considered for final

adoption;

5. a successful completion of the road taking negotiation between the City and the owner of the property; and

6. resolution of traffic circulation around Building "A" and landscaping (additional of a berm) along 196 Street. (Appendix II).

REFERRALS

Engineering: The Engineering Department has no objection to the project

subject to the completion of Engineering servicing

requirements as identified in the attached (Appendix III).

SITE CHARACTERISTICS

• Existing Land Use Single family dwelling.

• Significant Site Attributes The creek which transverses the site has been culverted with

permission from the Ministry of Environment.

• East: Car dealership in the City of Langley.

• South: A vacant lot, zoned CHI. There is a Development Permit

Application (7997-0038-00) to allow the construction of a

warehouse building.

• West: Vacant lot, zoned A-1.

North: Shopping centre across Fraser Highway on a lot, zoned C-8,

with several retail commercial units.

PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

LAP Designation: Does not comply.

JUSTIFICATION FOR PLAN AMENDMENT

The land uses proposed in the attached CD By-law (Appendix V) are predominantly retail commercial, which is in keeping with the surrounding commercial uses. Therefore, it is necessary to amend the Cloverdale LAP to reflect these uses.

DEVELOPMENT CONSIDERATIONS

Background

The application has been delayed mainly because of two issues:

1. Road taking negotiation

The City is seeking road widening along 196 Street and Fraser Highway. Negotiation between Staff of the Real Estate Section and the owner of the property to acquire the required amount of land to facilitate the road widening is nearing conclusion.

2. Creek Culverting

The applicant sought approval of the Ministry of Environment to culvert the creek which transverses the property. The construction of the culvert is now completed.

CD By-law

- The proposed commercial development is in keeping with the existing commercial uses to the north of the site, across Fraser Highway, and the anticipated commercial uses to the west side of the property.
- The retail uses plus drive-in facilities will provide an appropriate transition between the predominantly retail commercial uses to the north and the highway commercial type uses to the south.
- The proposed CD Zone is based on the C-8 Zone (By-law No. 12000) except for few variations noted in the table below (Table 1):
- The applicant wishes to include a Neighbourhood Pub use in the proposed CD Zone. However, this use is not supportable because the site does not meet the following mandatory location guidelines for Neighbourhood Pubs: Neighbourhood Pubs should not be located within 400 metres from children, playgrounds/park, and within 1,600 metres (1 mile) of another pub. There is a children's park approximately 120 metres from the site and a new pub at 56 Avenue and 196 Street within a 1600 metres from the subject site.

Table 1.

Proposed CD Zone	C-8 Zone	Planning Comment
Includes drive-through	Does not include drive-	Drive through facilities are
facilities (banks and eating	through banks and eating	supportable at this location
establishments	establishments	because of the transition nature of
		this site from retail commercial to
		the north and highway commercial
		to the south.
Does not include a	Includes a Neighbourhood	A Neighbourhood Pub is not
Neighborhood pub use	pub use	supportable at this location.
Varying building setbacks	Minimum setback of 7.5	The reduced setbacks are needed
with a minimum 1.5 west	metres from all lot lines	due to road taking for widening
side yard setback		196 Street and Fraser Highway.
		The reduced setbacks will not
		impact the character of the area

DESIGN PROPOSAL AND REVIEW

Design Proposal:

- The proposal consists of three commercial buildings, two (Buildings "A" & "B") of which are laid out to provide drive-through facilities on the main floor and office space on the upper floor. The third building (Building "C") will have a combination of retail on the ground floor and office space on the upper floor.
- Vehicular access to the site is via three access points: A temporary driveway from Fraser Highway (this driveway will be removed once a joint driveway access agreement is reached between the subject property and the property to the west for a shared drive way to Fraser highway) and two driveways on 196 Street. The centrally located driveway access on 196 Street will be restricted to a right-in/right-out vehicular access. The second driveway on 196 Street will be shared with the property to the south and will permit full vehicular movement.
- Pedestrian access to the site and movement within the site is by paved walkways to Fraser Highway and 196 Street and sidewalks along the buildings. Curb cuts are provided for easy accessibility by physically challenged patrons.
- All the buildings have uniform stepped roofs reaching a height of 12 metres (40 ft.) on the second storey. The roof tops at the second storey have pyramidal metal screens to cover any mechanical equipment on the roof tops. The lower roof tops are flat and have metal railings at the edges. The roof edges at the parapet level have architectural details in the form of accent trimming and decorative projections of stucco material.
- The walls are predominantly stucco, supplemented by glazing and brick/block works.
- Landscaping consisting of trees, shrubbery, and sod is provided along the perimeter of the site. A 0.76 metre (2.5 ft) wall and low decorative fence structure is added along 196 Street to screen the drive-through aisle adjacent to Building "B". The landscape plan is generally acceptable to the Planning & Development Department. The landscape plan will be improved by introduction of a berm along 196 Street to screen vehicles parked in front of Building "A".

ADVISORY DESIGN PANEL

Advisory Design Panel Meeting Date: October 7, 1999 (See Appendix IV).

Most of the ADP suggestions have been satisfactorily addressed except the following, which will be addressed before final approval:

• resolution of minor landscaping improvement (addition of a berm) along 196 Street, and vehicular circulation around Building "A". As this issue involves site planning, the applicant has agreed to address this issued before final approval.

See ADP minutes (Appendix IV) for resolution of issues by the architect of the project.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Lot Owners, Action Summary and Project Data Sheets

Appendix II. Site Plan, Typical Floor Plans and Elevations, Landscape Plans and

Perspective

Appendix III. Engineering Comments

Appendix IV. ADP Comments and Applicant's Response

Appendix V. CD By-law

∼Murray D. Dinwoodie General Manager

Planning & Development Department

AGA/ln

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Information for City Clerk

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

1. (a) Agent:

Name:

Tony Gill

Address:

19533 Fraser Highway

P.O. Box 310, Surrey, B.C. V3S 6K7

Tel:

534-2544 (H); 681-7451 (O)

2. Properties involved in the Application

(a) Civic Addresses:

19576 Fraser Highway

(b) Civic Address:

19576 Fraser Highway

Owner:

Jarnail Kour

PID:

Lot 9, Sec. 10, Tp. 8, Plan 8210

(d) Civic Address:

Owner:

PID:

Lot

3. Summary of Actions for City Clerk's Office

(a) Introduce a By-law to rezone the property from "General Agriculture Zone (A-1)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date for Public Hearing be set.

The purpose of the rezoning is to allow the development of three (3) commercial buildings.

(b) Application is under the jurisdiction of MOTH

File No. 1-6-13230

DEVELOPMENT DATA SHEE'

Proposed Zoning CD

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		6,819
Road Widening area		1,700
Undevelopable area		
Net Total	N/A	5,119
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	50%	22%
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front	3.2 m	3.2 m
Rear	4.2 m	4.2 m
Side #1 (East)	2.5 m	2.5 m
Side #2 (West)	1.5 m	1.5 m
Side #3 (N, S, E or W)		
BUILDING HEIGHT (in metres/storeys)		
Principal	12.0 m	12.0 m
Accessory		
NUMBER OF RESIDENTIAL UNITS	N/A	N/A
Bachelor		
One Bed		
Two Bedroom		***************************************
Three Bedroom +		
Total		
FLOOR AREA: Residential		
FLOOR AREA: Commercial		
Retail		
Office		
Total	4,095.2 m²	1,875 m²
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA	4,095.2 m ²	1,875 m ²
		- , - ,

^{*} If the development site consists of more than one lot, lot dimensions pertain to the entire site.

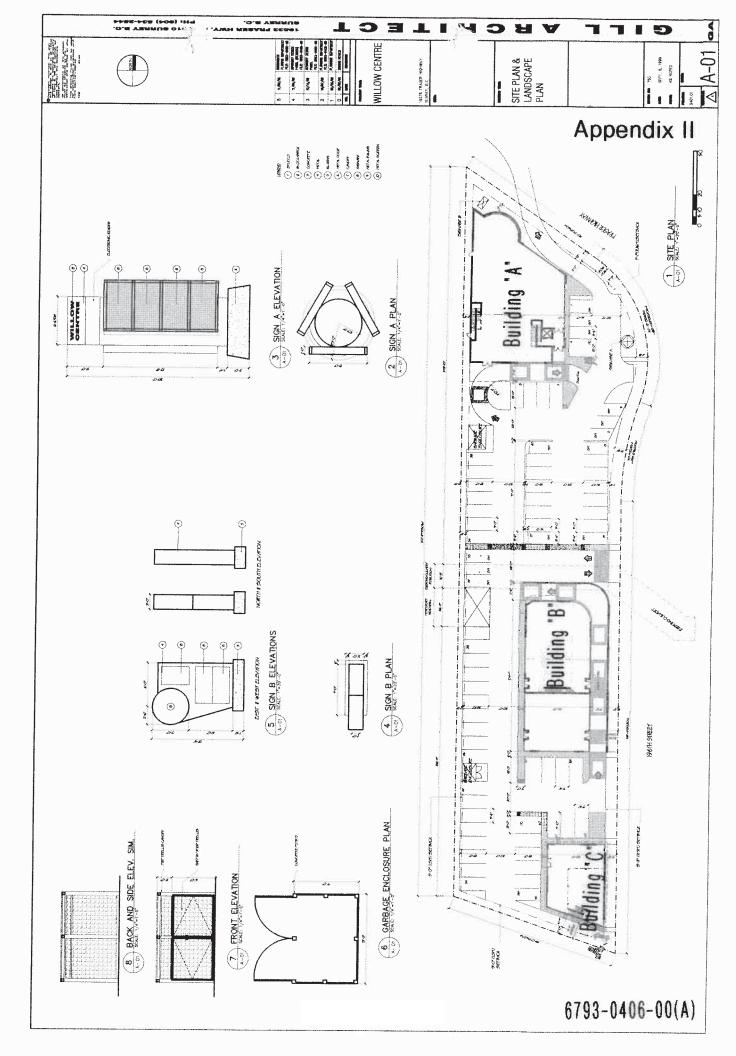
Required Development Data	Minimum Required / Maximum Allowed	Proposed	
DENSITY			
# of units/ha /# units/acre (gross)			
# of units/ha /# units/acre (net)			
FAR (gross)	N/A		
FAR (net)	0.8	0.37	
AMENITY SPACE (area in square metres)			
Indoor			
Outdoor			
PARKING (number of stalls)		***************************************	
Commercial/Industrial Customers		66	
Commercial/Industrial Employee			
Residential Bachelor + 1 Bedroom			
2-Bed			
3-Bed			
Residential Visitors			
Institutional			
Total Number of Parking Spaces		66	
Number of disabled stalls		3	
Number of small cars		13	
Tandem Parking Spaces: Number / % of			
Total Number of Units			
Size of Tandem Parking Spaces			
width/length			

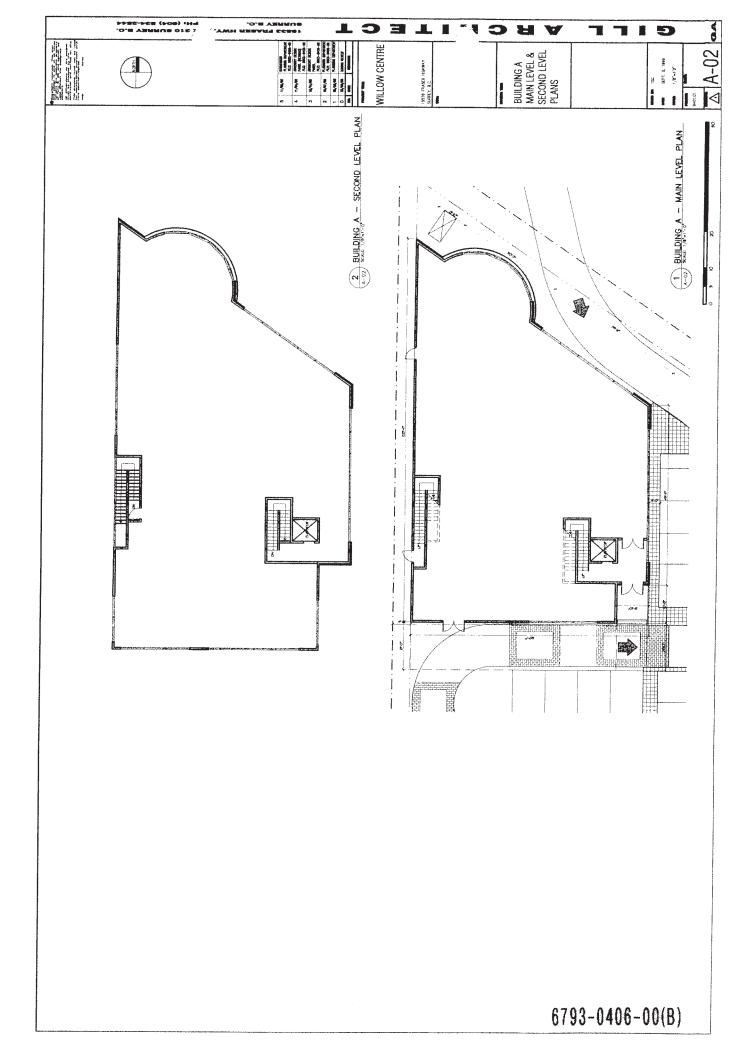
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Heritage Site	l NO	Tree Survey/Assessment Provided	NO
	1		

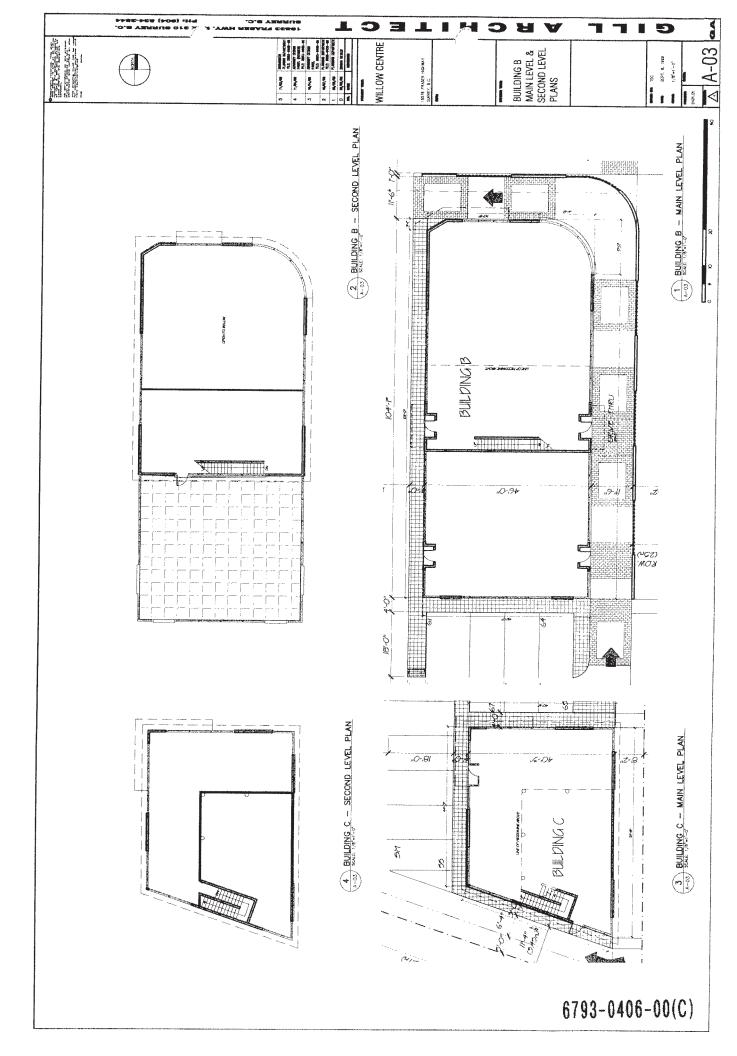
MULTIPLE BUILDINGS DATA SHEET

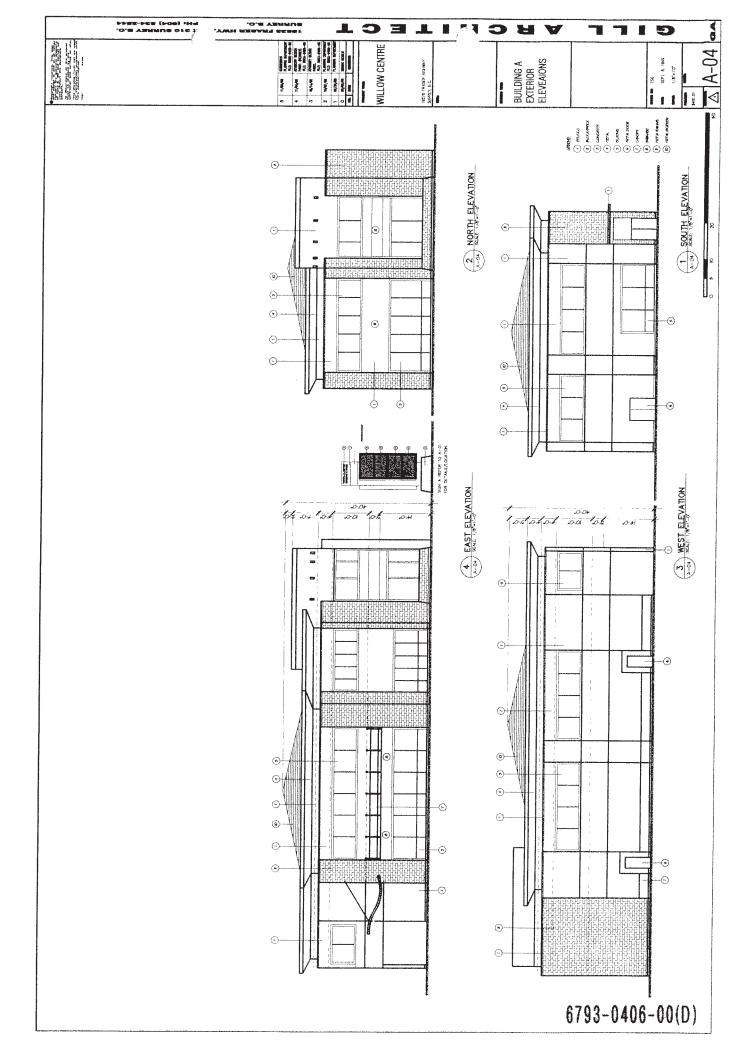
Proposed Zoning CD_____

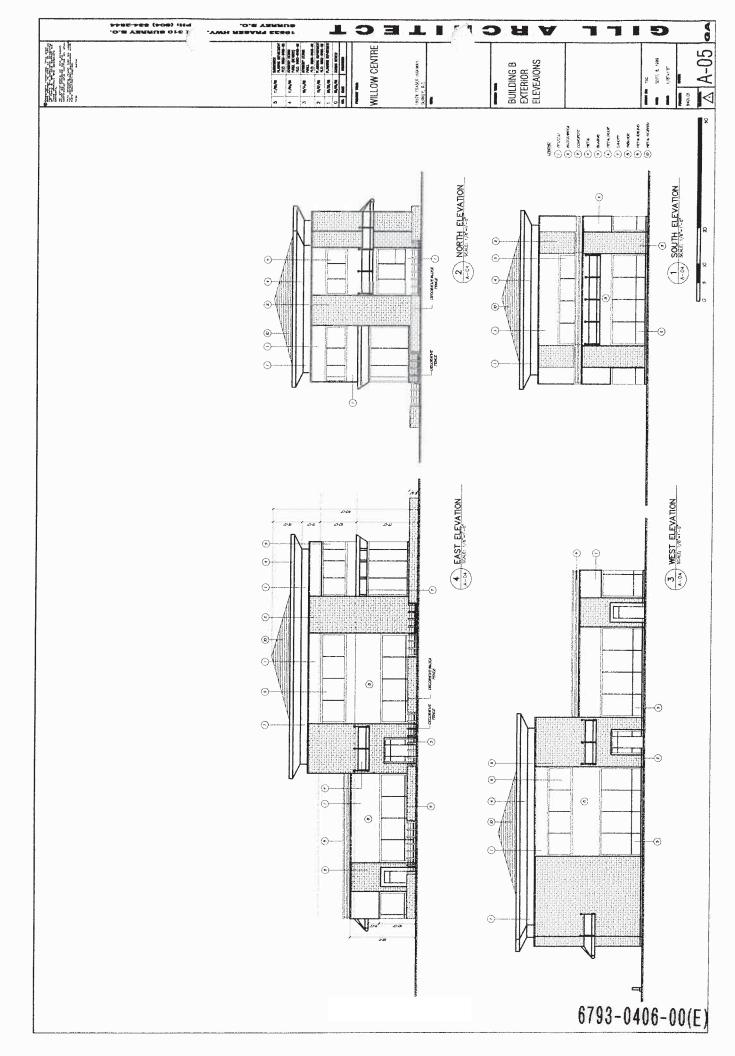
Building "A"	Building "B"	Building "C"
3.2 m	78 m	127.5 m
1,16.3 m	35 m	4.3 m
1.5 m	14 m	14 m
13.4 m	6 m	2.5 m
12 m/2 storey	12 m/2 storey	12 m/2 storey
1,085.8 m ²	527.02 m ²	283.92 m²
	3.2 m 1,16.3 m 1.5 m 13.4 m 12 m/2 storey	3.2 m 78 m 1,16.3 m 35 m 1.5 m 14 m 13.4 m 6 m 12 m/2 storey 12 m/2 storey

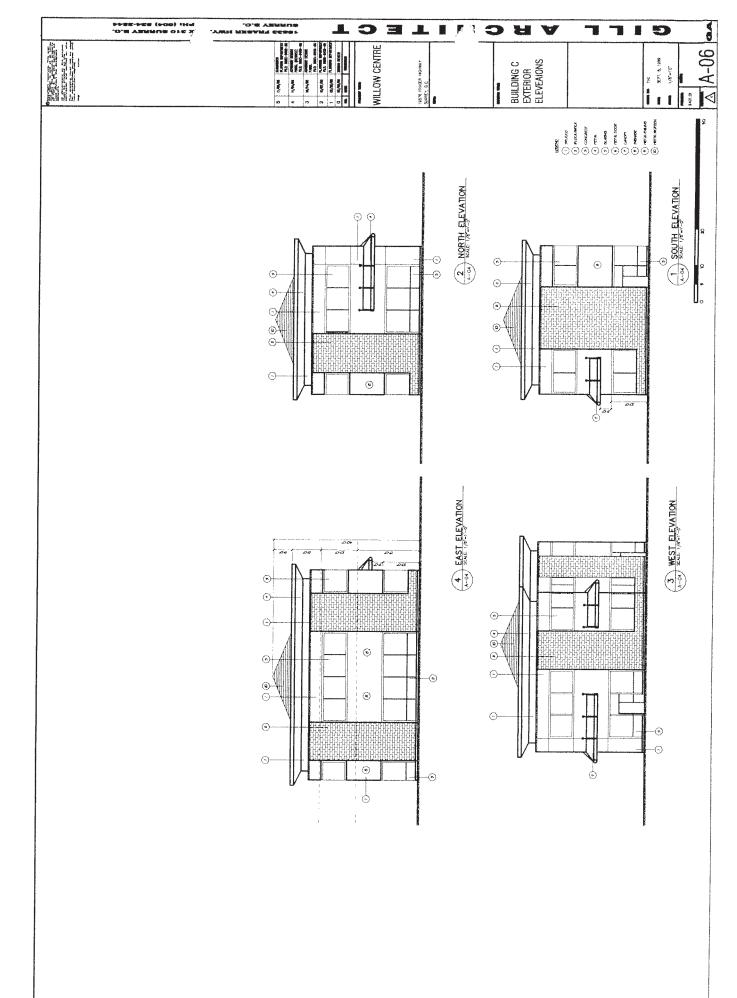


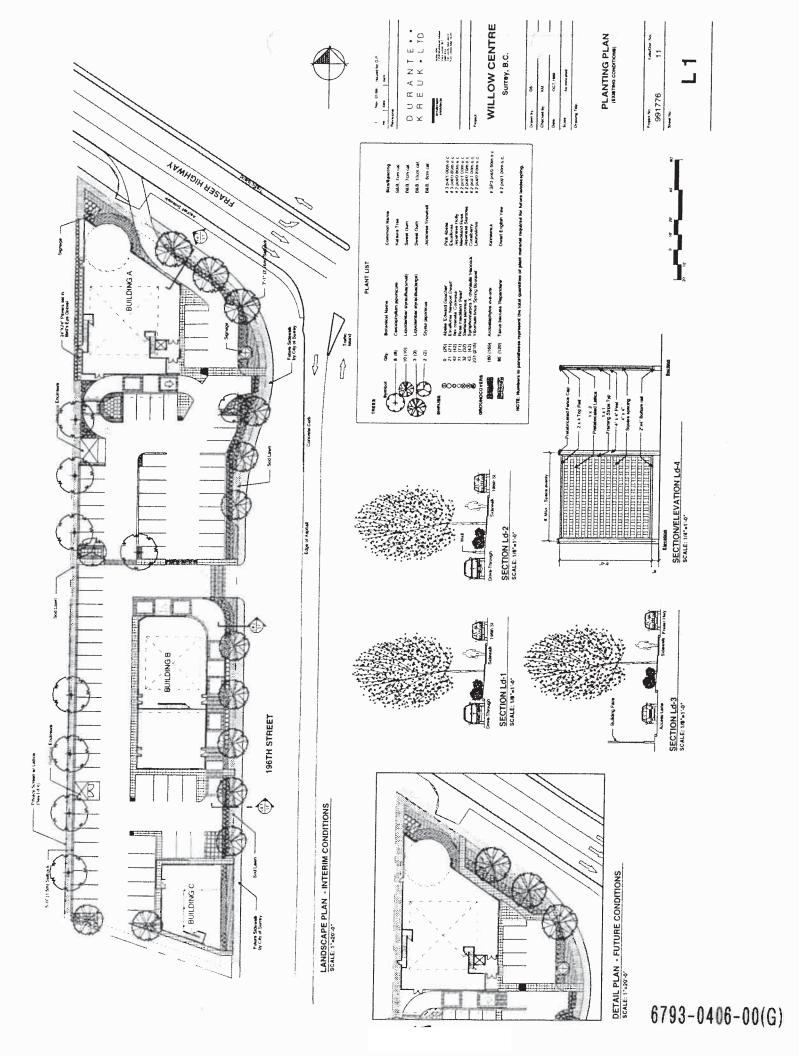














Appendix III INTER-OFFICE MEMO

TO:

Manager, South Surrey Section

Planning and Development Department

FROM:

Land Development Engineer, Engineering Department

DATE:

November 8, 1999

FILE:

7993-0406-00 (Amended)

RE:

Amended Comments on Rezoning and Development Permit

Application 7993-0406-00

Zoning:

CD (Highway Commercial)

Location:

19576 Fraser Highway

Number of Lots: 1

Applicant:

Mr. Tony Gill (Gill Architect)

ENGINEERING SUMMARY

The following servicing issues are required at development stage. These comments supersede those previously issued on April 7, 1998:

Road

- Ministry of Transportation & Highways comments and approvals are required due to proximity to #10 Highway;
- address vehicle movements at the proposed shared access (ultimate condition) off Fraser Highway (along the western property line);
- proposed southern driveway is to be a shared access with adjacent development;
- register a Restrictive Covenant on title for future reciprocal access easement requirements with adjacent owners to the west and south;
- land acquisition for road widening on 196 Street and Fraser Highway is to be brought to successful conclusion;
- future raised median on 196 Street will restrict any left turns into and out of the site.

Drainage

- on-site drainage right-of-way must be registered;
- discharge from this development site is to be limited to predevelopment condition;
- MOE/DFO mitigation works must be completed;
- sediment/siltation control to be addressed.

Water Main

- fire flow analysis will be required;
- the construction of a water main along Fraser Highway and 196 Street will be required.

Sanitary Sewer

• an existing 350mm diameter AC sanitary sewer fronts this site.

A Servicing Agreement will be required for this development application.

ENGINEERING COMMENTS

Servicing Issues

The following engineering comments represent the key issues that the Engineering Department is aware of at this time. The servicing issues listed may not be fully comprehensive and exhaustive and the applicant is required, as part of his planning and design process, to identify and resolve all items relating to the proposed development. In addition, the applicant will be required to address issues deemed relevant by the Engineering Department that are raised at any Public Hearing meetings.

196 Street - Arterial Road Right-of-Way Requirements

The City of Surrey has plans to upgrade 196 Street at this location. Therefore, acquisition of 27.0-metre wide road dedication in accordance with our Acquisition Policy is underway. This land acquisition is to be brought to a successful conclusion prior to the issuance of a servicing agreement.

Fraser Highway Road Right-of-Way Requirement

The City of Surrey requires additional road right-of-way on Fraser Highway at this location. Therefore, the acquisition of a 34.8-metre wide road right-of-way in accordance with our Acquisition Policy is underway.

Traffic/Roads

The Fraser Highway is now under the City jurisdiction and all approvals for access will be directed by the City Roads & Transportation Planning Manager. The applicant is required to forward his proposed site access plans to the MOTH for their information, comments and approvals as the site is within 800 metres of a MOTH controlled intersection.

The applicant must obtain and review the functional design for the ultimate and any interim widening proposals for the 196 Street/Fraser Highway intersection prepared by Delcan Corp./Aplin & Martin Consultants Ltd. and the City. The applicant is advised to review these plans and maintain a constant liaison with the City, prior to any detailed on-site designs.

The applicant will be required to show how the proposed <u>interim</u> right-in only access off Fraser Highway will be affected by any future interim widening of Fraser Highway at this location.

The applicant will be required to address the vehicle turning movements and queuing storage for <u>ultimate</u> shared driveway access on the adjacent lands to the west. The City requires a minimum of 12.0 metres queuing storage at this shared access for eastbound traffic movements, this conflicts with the applicant's proposed access road suggested along the Fraser Highway frontage.

The applicant is to address the separation requirements between the proposed on-site access road/driveway paralleling Fraser Highway and the future interim and ultimate widening of Fraser Highway. The City will be widening this section of Fraser Highway to 14.2 metres of pavement from the centreline of the existing dedication (2.3-metre left-turn, 4.0-metre inside curb lane, 3.6-metre through lane and 4.3-metre outside curb lane).

Should interim intersection works be undertaken at 196 Street and Fraser Highway, the applicant will encounter an interim boulevard condition along the 196 Street frontage. As a consequence, additional boulevard grading and driveway configuration may be required. The City will then review if any complementary road works can be warranted to improve the 196 Street frontage (only at time of Servicing Agreement by the applicant).

The applicant is required to establish a reciprocal access agreement with the developer of the property to the south (application 6998-0038-00; Mr. William Mearns c/o Steven Hart, Architect) for a shared driveway straddling the south property line which will accommodate two-way traffic. The specific dimensions and geometry of this driveway location must be submitted for review and approval, prior to any detailed on-site designs on either site.

Should the applicant not be able to reach an agreement with the adjacent southern land, the applicant will be required to register a Restrictive Covenant on the title of the lands which accommodates future reciprocal access easement agreements from adjacent lands. The proposed driveway is to be located on this development site along the south property line and is to accommodate two-way vehicle movements to and from the future developments. Cash in lieu of future construction may be collected.

The proposed driveway on 196 Street at the centre of the property will be restricted to right-in/out vehicle movements only, due to the future raised median.

All interim driveway curb return radii, widths and elevations are to be in accordance with City standards. The developer will be required to deposit cash in lieu of the ultimate driveway curb return and letdown works on 196 Street at time of Servicing Agreement.

The proposed development will generate additional traffic on the road adjacent to the development site and on the regional arterial and collector road network. The result will be some level of additional delay for motorists on the road system. The City's current Annual Budget does not include funding for the upgrading of any roads adjacent to this development site. In the longer term, the City's 10 Year Servicing Plan includes funding for upgrading some of the arterial and collector roads in the general area of this development. These arterial and collector road projects will be included in future Annual Budgets in response to growth needs, and as funding becomes available relative to other road upgrading priorities throughout the City.

The applicant must contact the transit authorities and confirm if a bus stop/bay is required along the site frontage. A written response must be issued to the applicant with a copy to the City prior to acceptance of the engineered plans.

Wiring

Electrical and telecommunications service shall be located underground. <u>If any main line</u> power extension and/or upgrading is required, the wiring shall be located underground.

Drainage

The on-site drainage works and analysis have been previously completed under a separate pre-servicing agreement. Therefore, the following analysis clauses are included for information only.

. As part of the servicing plan for this development, the applicant is required to complete an analysis of the downstream drainage system to ensure that adequate capacity for the five year post development flows (minor system) and 100 year post development flows (major system) is available from the site to Anderson Creek (floodplain). The applicant will be required to address and resolve any downstream capacity and/or erosion concerns or provide on-site means to limit discharges to the pre-developed condition for the 1:2 and 1:5 year storm. The applicant will also be required to ensure safe conveyance of major flows up to the 100 year return period.

The applicant shall provide an interim stormwater detention facility to limit the discharges from the development site to the predevelopment condition, this facility is to be in accordance with the City's "Interim Storm Drainage Criteria Update".

A creek has been identified within this site which will require piping to 196 Street. The applicant has previously obtained written approval from the MOE and DFO to enclose this creek. A right-of-way has been processed but not registered and is required for City access/maintenance and for the conveyance of the 100 year flood path.

The applicant must provide all outstanding as-built drawings, rights-of-way, and downstream mitigation works to the satisfaction of the City prior to the issuance of the Servicing Agreement to the developer (as previously specified in the executed pre-Servicing Agreement of September 29, 1998).

The applicant is to ensure that discharge across 196 Street will not be increased as a consequence of any loss of channel storage (existing ditch/creek on-site).

The applicant must use Best Management Practices to address Storm Water runoff quality in accordance with the "Land Development Guidelines for the Protection of Aquatic Habitat", Department of Fisheries & Oceans (DFO) and the Ministry of Environment (MOE), May 1992. The applicant must complete all creek compensation works as part of the development requirements.

The applicant is required to provide a sediment control plan to minimize the release of sediment from the site during construction to the downstream Storm Water system in accordance with MOE guidelines. A sedimentation pond must be provided independently of the on-site detention facility (the detention and silt control facility cannot be combined).

Water Main

The applicant will be required to extend water main on both Fraser Highway and 196 Street across the complete frontage of this site.

The applicant will be required to confirm ultimate adequate water supply for fire protection is available to the site for the proposed land use and provide improvements where required (including installation of Hydrants, all as per the City Design Criteria).

NOTE: The applicant is advised that through normal processing by the Planning and Development Department - Building Division, the Fire Department will review on-site fire protection requirements at building permit application process.

Due to the existing storm sewer system, that traverses the site, multiple water service connections will be required to serve the site. The applicant must consider this issue prior to detailed on-site design.

Sanitary Sewer

A 350mm diameter AC sanitary sewer fronts the development site on 196 Street.

Due to the existing storm sewer system, that traverses the site, multiple sanitary service connections will be required to serve the site. The applicant must consider this issue prior to detailed on-site design.

General

A servicing agreement will be required for this application.

The proposed development is on property which is:

- within current City catchment areas for sanitary sewer and drainage; and
- within an area which is currently serviceable by City water distribution and roads.

The Applicant at zoning will be required to service the Lands to the standards and amendments to:

- Surrey Zoning By-law, 1993, No. 12000;
- Subdivision and Development By-law, 1986, No. 8830;
- Highway and Traffic By-law, No. 4860;
- Design Criteria Manual; and
- Manual of Standard Document.

A Processing fee of \$2,033 (GST included) is required prior to a pre-design meeting. The Engineering Administration fee will be calculated on the value of the construction work and will be payable at time of servicing agreement.

The Processing fee and Engineering Administration fee are subject to change. Payment must be made in accordance with the current By-law.

The assigned Engineering Project Manager, Land Development for this application is Francesco Clarotto.

Richard N. Allegretto, P.Eng. Land Development Engineer

FCC/brb

- c.c. Roads & Transportation Planning Manager, Engineering Department
 - Sewer & Water Planning Manager, Engineering Department
 - Drainage Planning Manager, Engineering Department
 - Project Manager, Land Development Engineering Department

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Appendix IV

3. Three Commercial Buildings
(CD Zone)
19576 Fraser Highway
Gill Architect - Developer
Gill Architect - Architect/Designer
6793-0406-00

ADVISORY DESIGN PANEL STATEMENT OF REVIEW GILL ARCHITECT 6793-0406-00

The Design Panel recommends that the applicant address the following issues to the satisfaction of the Planning & Development Department:

1. Pedestrian routes through site should be incorporated.

(Pedestrian routes have been incorporated throughout the site with exits to 196 Street and Fraser Highway)

2. All edge conditions should be landscaped including buffer with fencing to multi-family residential and along street edges. The Panel notes the City's minimum landscape requirements such as the Fraser Highway Street Beautification Standards have not been met and the project would benefit significantly from the involvement of a registered landscape architect. Show site circulation and provide a larger scale plan for presentation purposes and review by the Panel.

(Regarding landscaping, the applicant has retained a registered landscape architect who revised the landscape plan, in a larger and more legible scale. More trees and shrubbery are introduced along the perimeter of the lot and a fence along the west property line. Site circulation has been improved and now presented in a larger scale.)

3. Landscaping provided is insufficient for a project of this scale. Resolve all landscape requirements with the Planing & Development Department.

(More landscaping has been provided to the satisfaction of the Planning & Development Department. A berm will be constructed along 196 Street to screen the vehicles that will be parked in front of Building "A".)

4. Disabled access through site and location of parking stalls should be re-thought.

(Disabled parking stalls have been re arranged, and are satisfactory.)

5. Traffic circulation should be restudied as there are many potential vehicular/pedestrian conflicts. Due to serious safety concerns, a traffic

consultant should be retained for the project. Drive-throughs do not appear workable and may be dangerous.

(The applicant retained Bunt & Associates to advise him on the circulation issue. The on site vehicular circulation has been modified and is generally acceptable to the consultant and the Planning & Development Department. Possible circulation conflict in front of the entrance to Building "A" is being investigated by the architect of the project. Should there be any conflict, the applicant has agreed to resolve it to the satisfaction of the Planning & Development Department prior to final adoption of the CD By-law.)

6. The Panel requests clarification on the allowable building height, FAR, and parking requirements on this site.

(The proposed height of buildings FAR and parking meets the requirements of the proposed CD By-law)

7. The Panel recommends the building location be reconsidered to eliminate the temporary access off Fraser Highway as this may be dangerous for pedestrians.

(The access to Fraser Highway is temporary, and will be removed as soon as development is achieved on the west side. At which time a shared access will be provided to Fraser Highway)

8. The Panel recommends resubmission of the project once the above issues are resolved to the satisfaction of the Planning & Development Department.

(The applicant submitted the revised drawings in time for the ADP meeting of October 4, 1999, however, the meeting was postponed because there was no other project to be reviewed. Since the applicant has resolved most of the issues raised by the ADP to the satisfaction of the Planning & Development Department, the Planing & Development Department is satisfied that the project can proceed to Council without having to be further reviewed by the ADP.)

CITY OF SURREY

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A by-law to amend Surrey Zoning By-law, 1993, No. 12000, as amended

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

1. Surrey Zoning By-law, 1993, No. 12000, as amended, is hereby further amended, pursuant to the provisions of Section 903 of the Municipal Act, R.S.B.C. 1996 c. 323, as amended by changing the classification of the following parcels of land, presently shown upon the maps designated as the Zoning Maps and marked as Schedule "A" of Surrey Zoning By-law, 1993, No. 12000, as amended as follows:

FROM: GENERAL AGRICULTURE ZONE (A-1)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 001-945-025 Lot 9, Section 10, Township 8, New Westminster District Plan 8210 (Legal Description)

19576 Fraser Highway (Civic Address)

(hereinafter referred to as the "Lands")

2. The following regulations shall apply to the *Lands*:

A. Intent

This Comprehensive Development Zone is intended to accommodate and regulate the development of community shopping centres serving a community of several neighbourhoods.

B. Permitted Uses

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

- 1. *Retail stores* excluding the following:
 - (a) adult entertainment stores; and

- (b) secondhand stores and pawnshops.
- 2. Personal service uses excluding body rub parlours.
- 3. *General service uses* including drive through bank, but excluding funeral parlours.
- 4. Beverage container return centres, provided that:
 - (a) the use is confined to an enclosed building; and
 - (b) the *building* is a maximum of 279 square metres [3,003 sq. ft.].
- 5. Eating establishments, including drive through restaurants.
- 6. Office uses excluding social escort services.
- 7. Parking facilities.
- 8. Automotive service uses of vehicles less than 5,000 kilograms [11,023 lbs.] G.V.W., provided that such use is associated with a use permitted under Section B.1 of this By-law.
- 9. Indoor recreational facilities.
- 10. Entertainment uses excluding arcades and adult entertainment stores.
- 11. Assembly halls.
- 12. *Community services.*
- 13. Child care centres.
- 14. Tourist Accommodation
- 15. One dwelling unit per lot provided that the dwelling unit is:
 - (a) Contained within the *principal building*; and
 - (b) Occupied by the owner or owner's employee, for the protection of the businesses permitted on the *lot*.

C. Lot Area

Not applicable to this Zone.

D. Density

The maximum floor area ratio shall not exceed of 0.80.

E. Lot Coverage

The maximum lot coverage shall be 50%.

F. Yard And Setbacks

- 1. *Principal buildings* and *accessory buildings* shall be sited in accordance with the following minimum *setbacks*:
 - (a) Front Yard 3.2 metres, [10.5 feet];
 - (b) *Rear Yard* 4.2 metres [14 feet];
 - (c) Side Yard (west)- 1.5 metres [5 feet]; and
 - (d) Side Yard on Flanking Street 2.5 metres [8.2 feet].

G. Height of Buildings

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

- 1. <u>Principal buildings:</u> The building height shall not exceed 12 metres [40 feet].
- 2. <u>Accessory buildings and structures:</u> The building height shall not exceed 4.5 metres [15 feet].

H. Off-Street Parking

1. Refer to Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended, except *parking spaces* along the west *lot line* shall be permitted to overhang the landscape strip by no more than 0.36 metre (1.18 ft.).

I. Landscaping

- 1. All developed portions of the *lot* not covered by *buildings*, *structures* or paved areas shall be landscaped including the retention of mature trees. This *landscaping* shall be maintained.
- 2. Along the developed sides of the *lot* which abut a *highway*, a continuous landscaping strip of not less than 1.5 metres [5 ft.] in width shall be provided within the *lot*.
- 3. The boulevard areas of *highways* abutting a *lot* shall be seeded or sodded with grass on the side of the *highway* abutting the *lot* except at driveways.

- 4. Except in those portions where a *building* abuts the *lot line*, screen planting at least 1.5 metres [5 ft.] high in a strip at least 1.5 metres [5 ft.] wide and solid decorative fence at least 1.5 metres [5 ft.] high shall be provided along all *lot lines* separating the developed portion of the *lot* from any *residential lot*.
- 5. Loading areas, garbage containers and passive recycling containers shall be screened from any adjacent residential lot, to a height of at least 2.5 metres [8 ft.] by buildings, a landscaping screen, a solid decorative fence, or a combination thereof.
- 6. Open display or storage shall be completely screened to a height of at least 2.5 metres [8 ft.] by *buildings* and/or solid decorative fence and/or substantial *landscaping* strips of not less than 1.5 metres [5 ft.] in width. No display or storage of material shall be piled up to a height of 2.5 metres [8 ft.] within 5 metres [16 ft.] of the said screens and in no case shall these materials be piled up to the height of more than 3.5 metres [11.5 ft.].

J. Special Regulations

- 1. Garbage containers and *passive recycling containers* shall not be located within any required *setback* adjacent any *residential lot*.
- 2. The outdoor storage or display of any goods, materials or supplies is specifically prohibited, notwithstanding any other provision in this Part.
- 3. *Child care centres* shall be located on the *lot* such that these centres have direct access to an *open space* and play area within the *lot*.
- 4. Land and *structures* shall be used for the uses permitted in this Zone only if such uses does not emit noise in excess of 60dB measured at any point on any boundary of the *lot* on which the use is located.

K. Subdivision

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

Lot Size	Lot Width	Lot Depth	
2,000 sq. m.	30 metres	30 metres	
[0.5 acres]	[100 ft.]	[100 ft.]	

Dimensions shall be measured in accordance with Section E.31, Part 4 General Provisions, of Surrey Zoning By-law, 1993, No. 12000, as amended.

L. Other Regulations

In addition to all statutes, by-laws, orders, regulations or agreements, the following are applicable:

- 1. Definitions are as set out in Part 1 Definitions, of Surrey Zoning By-law, 1993, No. 12000, as amended.
- 2. Prior to any use, the *Lands* must be serviced as set out in Part 2 Uses Limited, of Surrey Zoning By-law, 1993, No. 12000, as amended and in accordance with the servicing requirements for the C-8 Zone as set forth in Surrey Subdivision and Development By-law, 1986, No. 8830, as amended.
- 3. General provisions are as set out in Part 4 General Provisions, of Surrey Zoning By-law, 1993, No. 12000, as amended.
- 4. Additional off-street parking requirements are as set out in Part 5 Off-Street Parking and Loading/Unloading, of Surrey Zoning By-law, 1993, No. 12000, as amended.
- 5. Sign regulations are as set out in Surrey Sign By-law, 1999, No. 13656, as amended.
- 6. Special *building setbacks* are as set out in Part 7 Special Building Setbacks, of Surrey Zoning By-law, 1993, No. 12000, as amended.
- 7. Building permits shall be subject to the Surrey Building By-law, 1987, No. 9011, as amended, and the Surrey Development Cost Charge By-law, 1993, No. 11951, as amended, and the development cost charges shall be based on the C-8 Zone.
- 8. Surrey Tree Preservation By-law, 1996, No. 12880, as amended.
- 9. Development permits may be required in accordance with the Surrey *Official Community Plan*, 1996, By-law No. 12900, as amended.
- 10. Provincial licensing of *child care centres* is regulated by the <u>Community Care Facility Act</u> R.S.B.C. 1996. c. 60, as amended, and the Child Care Regulations set out under B.C. Reg 319/89/213.

3.	This By-law shall be cited for Amendment By-law, , N	all purposes as No"	"Surrey Zoning	g By-law, 1993, N	o. 12000,
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