

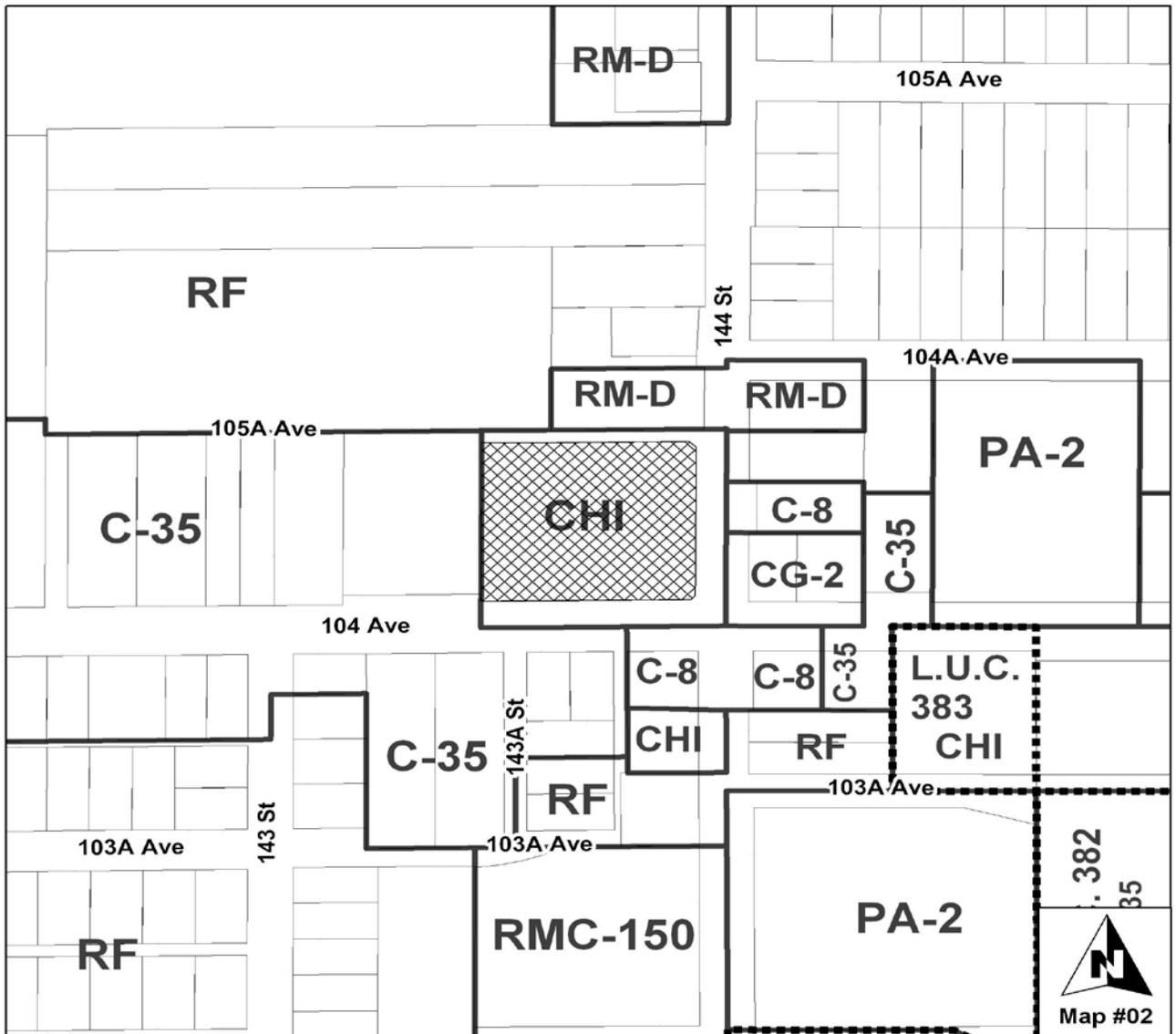
Proposal: Rezone from CHI to C-15, Development Permit and Development Variance Permit to relax setbacks, to allow the construction of a new commercial building.

Recommendation: Approval to Proceed

Location: 14357 - 104 Avenue **Zoning:** CHI

OCP Designation: Commercial

LAP Designation: Commercial **Owner:** HLTC Holdings Inc.



PROJECT TIMELINE

Completed Application Submission Date: May 7, 2003
Application Revision & Re-submission Date: November 22, 2006
Planning Report Date: January 22, 2007

PROPOSAL

The applicant is proposing:

- a rezoning from CHI to C-15;
- a Development Permit; and
- a Development Variance Permit to vary the following Zoning By-law regulations:
 - to reduce the minimum rear yard (west) setback of the C-15 Zone from 7.5 metres (25 ft.) to 5.0 metres (16.4 ft.);
 - to increase the permitted encroachment of canopies along the flanking side yard (104 Avenue) from 0.6 metre (2 ft.) to 1.2 metres (4 ft.); and
 - to reduce the minimum side yard setback on a flanking street (104 Avenue) of the C-15 Zone from 2.0 metres (7 ft.) to 0.37 metre (1.2 ft.) for the existing building

in order to allow the construction of a new commercial building in Guildford.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the property from "Highway Commercial Industrial Zone (CHI)" (By-law No. 12000) to "Town Centre Commercial Zone (C-15)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7903-0163-00 in accordance with the attached drawings (Appendix III).
3. Council approve Development Variance Permit No. 7903-0163-00, (Appendix V) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum rear yard (west) setback of the C-15 Zone from 7.5 metres (25 ft.) to 5.0 metres (16.4 ft.);
 - (b) to increase the permitted encroachment of canopies along the flanking side yard (104 Avenue) in the Zoning By-law from 0.6 metre (2 ft.) to 1.2 metres (4 ft.); and
 - (c) to reduce the minimum flanking side yard setback of the C-15 Zone from 2.0 metres (7 ft.) to 0.37 metre (1.2 ft.) for the existing building.

4. Council instruct staff to resolve the following issues prior to final adoption:
- (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a road dedication plan to the satisfaction of the Approving Officer;
 - (c) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (d) preparation and registration of an access easement with the adjoining westerly property (14333 - 104 Avenue);
 - (e) preparation and registration of a right-of-way for public right-of-passage between the 104 Avenue property line and the face of the building; and
 - (f) finalize design details to the satisfaction of the City Architect.

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 IV).

SITE CHARACTERISTICS

- **Existing Land Use** Commercial building including Henlong Market.
- **East:** Across 144 Street, gas station, zoned CG-2, office building zoned C-8, both designated commercial in the OCP. Single family residential, zoned RF, designated Multiple Residential.
- **South:** Across 104 Avenue, retail store, zoned C-8, designated Commercial. Single family residential and vacant lot, zoned C-35, designated Commercial.
- **West:** Partially constructed hotel, currently under development application No. 7906-0343-00 for a Development Permit to allow a mixed-use building, zoned C-35, designated Multiple Residential.
- **North:** Across the lane, vacant land, owned by the City, for future expansion of Hawthorne Park, zoned RM-D, designated Multiple Residential.

PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

LAP Designation: Complies.

DEVELOPMENT CONSIDERATIONS

Background

- The subject property was rezoned to Highway Commercial Zone (C-H) (Zoning By-law No. 5942) under development application No. 5686-0632-00 to allow for the development of an automotive dealership. At the time of application, the subject property was not located within a Development Permit area, and therefore, an associated Development Permit was not required to regulate the form and character of the development.
- In 1993, with the adoption of the new Zoning By-law, the zoning of the site was converted to "Highway Commercial Industrial Zone (CHI)".
- In 1994, the property was purchased by the current owner, and tenant improvement permits were issued to change the building into a multi-tenant space. Current tenants of this building include the Henlong Market, a restaurant and smaller tenants.
- Rezoning, Development Permit and Development Variance Permit applications were submitted in 2003 requesting the construction of a new building on the site. This application was put on hold at the applicant's request due to financial reasons. In April 2006, the applicant advised that they have secured the construction financing and are in a position to continue with the application.

Current Proposal

- The current proposal is to allow for the construction of a new two-storey building with underground parking on the westerly portion of the property. The existing Henlong Market will be relocated to the lower level of the proposed building. The upper level is proposed for offices.
- The CHI Zone limits the types of offices that are allowed in addition, the retail uses are limited. The C-15 Zone is proposed as it provides the broadest range of uses and allows for the future redevelopment of the existing building to a higher floor area ratio, without having to rezone the site again.
- The floor area of the existing building on the site is 1,363 square metres (14,671 sq. ft.) and the requested second building proposes a floor area of 1,918 square metres (20,546 sq. ft.), creating a total floor area of 3,281 square metres (35,317 sq. ft.).
- The total development will represent a net floor area ratio (FAR) of 0.46 and a lot coverage of 43% which is consistent with the maximum FAR of 1.5 and the maximum lot coverage of 80% permitted in the C-15 Zone.

- The applicant proposes a total of 124 parking spaces which are located in a proposed underground parking garage under the new building, as well as on the surface of the site. This satisfies the minimum 98 parking space requirement of the Surrey Zoning By-law.
- The adjoining property to the west (14333 – 104 Avenue) had a Development Permit approved for a hotel on March 25, 2002 and subsequently excavation of the site commenced but did not complete. A new proposal is now under review (Application No. 7906-0343-00) to allow for residential units, extended stay units and a daycare. This new application is currently pre-Council. The requirement of the joint access has been discussed with the proponents of this application, and they are amenable to entering into such an agreement.
- There is an existing sanitary sewer main located in a 2.0-metre (6.6 ft.) wide easement along the west property line. The existing easement provides insufficient area to facilitate equipment if the main requires maintenance. Prior to final adoption of the Rezoning By-law, the applicant is to prepare and register a right-of-way to protect this additional area .

PRE-NOTIFICATION

In accordance with Council policy, development proposal signs were erected on the property and pre-notification letters were sent out in May 2003. There were two telephone calls expressing concerns with respect to this proposal as follows:

- The development will generate additional traffic.

(The site is located on two arterial roads with lane access. The existing road network will assist in regulating the traffic flow in the area.)

- There will be additional garbage on the site.

(There is new garbage and recycling area proposed in the underground parking lot.)

- There is a concern about lighting on the site impacting neighbouring residential properties.

(As a requirement of the Development Permit, a lighting plan will be required to reduce glare.)

- The site is unsightly.

(This is the first phase of the development. The owner has advised that in the future, the existing building will be removed and redeveloped.)

DESIGN PROPOSAL AND REVIEW

- The proposed building is sited towards 104 Avenue with the provision of landscaping and hard surfacing between the face of the building and the property line.

- Access to the site is provided by existing driveways from 104 Avenue, 144 Street and from the lane on the north side of the property. The 104 Avenue and 144 Street driveways will be restricted to right-in/right-out only.
- The exterior of the proposed building is proposed to be constructed of concrete masonry block, with a mixture of split-face and smooth finishes. The proposed beige/sandstone colours are complementary to the existing building.
- The proposed windows and spandrel glass panels are proposed to be a soft green, with similar green aluminum proposed for the trim, canopies, screens over the second floor windows and the entry feature.
- Additional landscaping is proposed along the west, north and south property lines, with landscaping proposed to be incorporated into the surface parking area. This landscaping consists of a mixture of deciduous and coniferous trees and shrubs.
- Decorative concrete pavers are proposed at the driveway entrances to the site. Additional accent pavers are also proposed to define a pedestrian connection between the buildings.
- The applicant has not proposed a free-standing sign with this application. Should a free-standing sign be proposed in the future, a further Development Permit will be required to regulate the form and character of the sign.
- Building signage is proposed on the south and east elevations of the proposed building. This signage is proposed to be illuminated channel letters.

ADVISORY DESIGN PANEL

This application was not referred to the Advisory Design Panel and was reviewed by City staff and found generally to be satisfactory. Prior to the issuance of the Development Permit, the following issues are to be addressed:

- Lower the proposed building signage from the second storey to the first storey, other than the signage proposed on the building entry feature;
- Submission of any proposed lighting fixtures for the surface parking and on the proposed building;
- Clarification of the materials proposed along the west elevation. Materials and/or spandrel glass should be utilized to provide interest along this elevation of the building.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- Relax the rear yard (west) setback from 7.5 metres (25 ft.) to 5.0 metres (16.4 ft.)

Applicant's Reasons:

- There is an existing 2.0 metre wide statutory right-of-way for a sanitary main with an additional 3.0 metre wide statutory right-of-way requested by the Engineering Department in order to maintain the sewer.
- In order to maximize the building area, and provide for parking and vehicle movement on the site, a reduced setback has been requested.

Staff Comments:

- Ideally, the proposed building would be sited with a zero setback along the west property line to create an urban streetscape. However, there is an existing sanitary sewer main along the west property line which requires an additional 3.0 metre right-of-way for maintenance purposes precludes a zero setback.
- The applicant has proposed low level landscaping within the right-of-way. Façade treatment and screening provide visual interest along this elevation. Additional landscaping will be installed when the development immediately to the west proceeds. Staff therefore support the requested variance.

(b) Requested Variance:

- Increase the permitted encroachment of canopies along the flanking side yard (104 Avenue) from 0.6 metre (2 ft.) to 1.2 metres (4 ft.).

Applicants Reasons:

- The proposed building structure is sited 2.0 metres (7 ft.) from 104 Avenue, however, the canopy extends 1.2 metres (4 ft.) into the required setback and a variance is also requested.

Staff Comments:

- The main structure of the proposed building is sited in accordance with the 2.0-metre (7 ft.) requirement of the C-15 Zone. The Zoning By-law allows for canopies to encroach a maximum of 0.6 metre (2 ft.) into the setback area.
- The canopy provides for architectural interest along the 104 Avenue frontage. Staff, therefore, support the requested variance.

(c) Requested Variance:

- Reduce the minimum flanking side yard setback along 104 Avenue from 2.0-metres (7 ft.) to 0.37 metre (1.2 ft.) for the existing Henlong Market building.

Applicant's Reasons:

- This relaxation is requested for both the Henlong Market building which is currently sited 0.37 metre (1.2 ft.) from the property line.

Staff Comments:

- At the time the owner wishes to redevelop the existing building, the setback requirements for this site will be reviewed. Staff, therefore, supports the setback variance for the existing building.

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.	Contour Map
Appendix III.	Proposed Site Plan, Typical Floor Plans and Elevations, Landscape Plans and Perspective
Appendix IV.	Engineering Summary
Appendix V.	Development Variance Permit No. 7903-0163-00

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated January 15, 2007.
- Soil Contamination Review Questionnaire prepared by Tim Ngo dated May 7, 2003.

How Yin Leung
Acting General Manager
Planning and Development

LAP/kms

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Information for City Clerk

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

1. (a) Agent: Name: Pacific Rim Architecture
 Address: #203 - 14439 - 104 Avenue
 Surrey, B.C.
 V3R 1M1
 Tel: 604-581-7750

2. Properties involved in the Application
 - (a) Civic Address: 14357 - 104 Avenue

 - (b) Civic Address: 14357 - 104 Avenue
 Owner: HLTC Holdings Inc., Incorporation No. 45767
 PID: 010-228-241
 Lot A Section 24 Block 5 North Range 2 West New Westminster District Plan
 77176

3. Summary of Actions for City Clerks Office
 - (a) Introduce a By-law to rezone the property.

 - (b) Proceed with Public Notification for Development Variance Permit No. 7903-0163-00.

DEVELOPMENT DATA SHEET

Proposed Zoning: C-15

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		7,479.9 m ²
Road Widening area		330.1 m ²
Undevelopable area		
Net Total		7,149.8 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	80%	43%
Paved & Hard Surfaced Areas		41%
Total Site Coverage		84%
SETBACKS (in metres)		
Front (144 Street)	2.0 m	See Multiple Building Data Sheet
Rear	7.5 m	
Side #1 (North)	3.0 m	
Side #2 (South)	2.0 m	
BUILDING HEIGHT (in metres/storeys)		
Principal	14 m	See Multiple Building Data Sheet
Accessory	4.5 m	
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential		
FLOOR AREA: Commercial	10,724.7 m ²	3,281 m ²
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA	11,220 m ²	3,281 m ²

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

Development Data Sheet cont'd

Required Development Data	Minimum Required / Maximum Allowed	Proposed
DENSITY		
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)		
FAR (gross)		0.44
FAR (net)	1.5	0.46
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial	98	124
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces	98	124
Number of disabled stalls		
Number of small cars		
Tandem Parking Spaces: Number / % of Total Number of Units		
Size of Tandem Parking Spaces width/length		

Heritage Site	NO	Tree Survey/Assessment Provided	NO
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MULTIPLE BUILDINGS DATA SHEET

Proposed Zoning: C-15

Required Development Data	Required	Building #1 (Existing)	Building #2 (Proposed)
SETBACK (in metres)			
Front (144 Street)	2.0 m	5.9 m	27.4 m
Rear	7.5 m	64.0 m	5.0 m*
Side #1 (North)	3.0 m	22.4 m	10.3 m
Side #2 (South)	2.0 m	0.37 m*	2.0 m
Building Height (in metres/storeys)	14 m	7.5 m	12.8 m
NUMBER OF RESIDENTIAL UNITS/ SIZE RANGE		n/a	n/a
Bachelor			
One Bedroom			
Two Bedroom			
Three Bedroom +			
TOTAL FLOOR AREA		1,363 m ²	1,918 m ²

* *Variance required*

CONTOUR MAP FOR SUBJECT SITE

