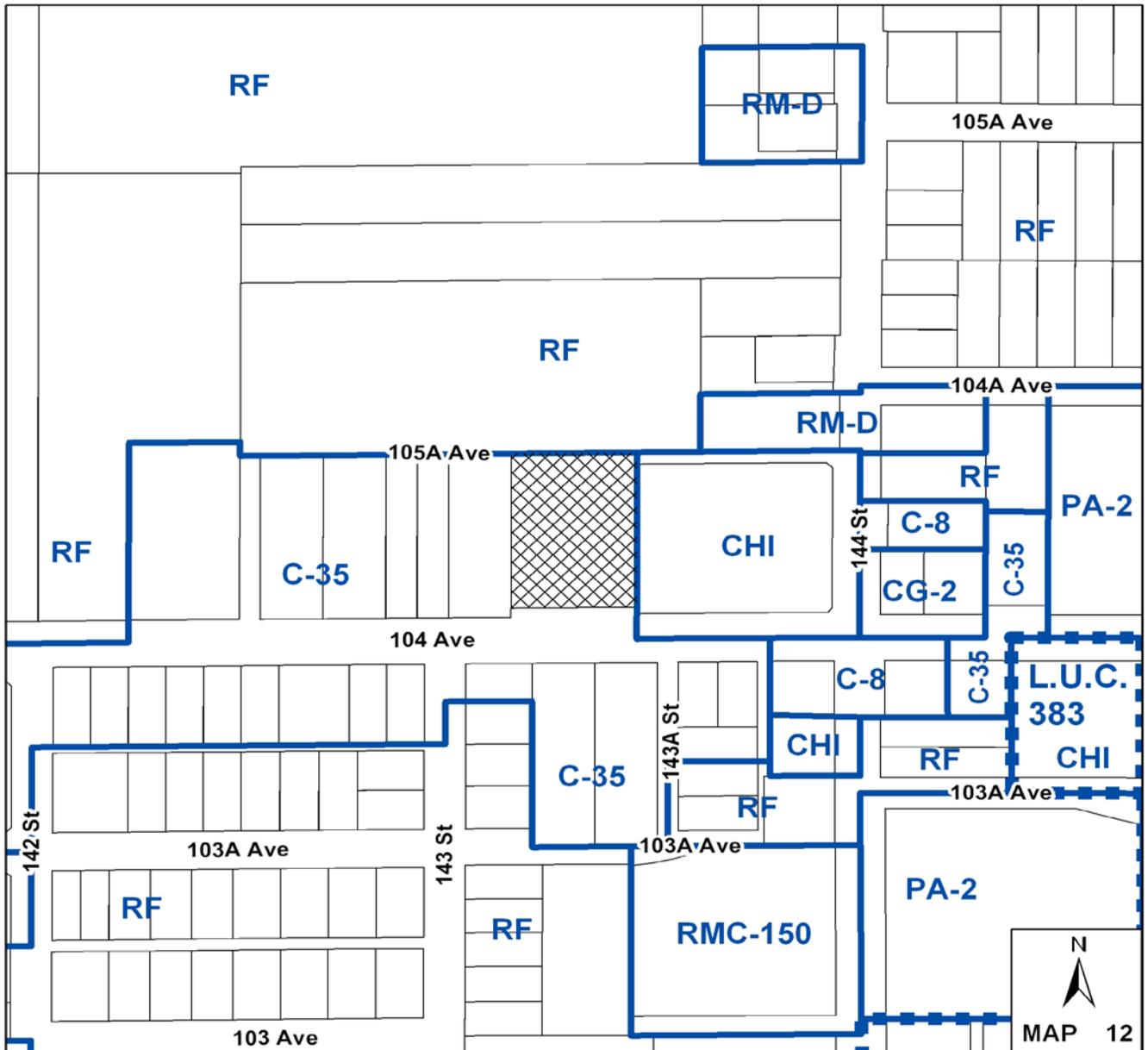


Proposal: Development Permit to permit the construction of a mixed-use building with 72 apartment units, 18 extended stay hotel units, office and retail uses and a daycare. DVP to vary setbacks and to permit surface parking

Recommendation: Approval to Proceed

Location: 14333 - 104 Avenue **Zoning:** C-35
OCP Designation: Multiple Residential
Owner: 545263 B.C. Ltd.



PROJECT TIMELINE

Completed Application Submission Date: July 6, 2006
Application Revision & Re-submission Date: February 7, 2007
Planning Report Date: February 26, 2007

PROPOSAL

The applicant is proposing:

- a Development Permit; and
- a Development Variance Permit to vary the following by-law regulations:
 - to reduce the front yard setback of the C-35 Zone from 2.0 metres (7 ft.) to 0.63 metre (2 ft.) for an entry canopy fronting 104 Avenue;
 - to reduce the west side yard setback of the C-35 Zone from 3.0 metres (10 ft.) to 0 metre (0 ft.) for retaining walls and exit stairs; and
 - to vary the parking regulations in the C-35 Zone to allow 34 surface parking stalls

in order to permit the development of a 6-storey mixed-use building in Guildford.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council authorize staff to draft Development Permit No. 7906-0343-00 in accordance with the attached drawings (Appendix III).
2. Council approve Development Variance Permit No. 7906-0343-00, (Appendix VIII) varying the following, to proceed to Public Notification:
 - (a) to reduce the front yard setback of the C-35 Zone from 2.0 metres (7 ft.) to 0.63 metre (2 ft.) for the entry canopy fronting 104 Avenue;
 - (b) to reduce the west side yard setback of the C-35 Zone from 3.0 metres (10 ft.) to 0 metre (0 ft.) for the retaining walls and stairs; and
 - (c) to vary the parking regulations in the C-35 Zone to allow 34 surface parking stalls.
3. Council instruct staff to resolve the following issues prior to approval:
 - (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 landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
- (c) preparation and registration of an access easement with the adjoining easterly property (14357 – 104 Avenue);
- (d) preparation and registration of a right-of-way for public rights of passage along the south property line, between the face of the building and the 104 Avenue property line;
- (e) preparation and registration of a Section 219 Restrictive Covenant prohibiting the conversion of the extended stay hotel units into apartment units;
- (f) finalize design and landscape details to the satisfaction of the City Architect and City Landscape Architect; and
- (g) address Parks, Recreation & Culture Department concerns over the pressure the project will place on existing parks and recreation facilities in the area.

REFERRALS

Engineering:

The Engineering Department has no engineering requirements relative to the issuance of the Development Permit subject to the successful completion and acceptance of all engineering works required under the previous Application No. 7900-0104-00 for this site.

Parks:

The Parks, Recreation & Culture Department has concerns regarding the pressure the project will place on existing Parks, Recreation & Culture facilities in the neighbourhood (Appendix V).

School District:

School Impacts:

Projected number of students from this development:

Elementary students = 4 students
 Secondary students = 2 students
 Total new students = 6 students

School Catchment Area/Current Enrollment/School Capacity:

Mary Jane Shannon Elementary School = 409 enrolled/480 capacity
 Guildford Park Secondary School = 1,251 enrolled/1,050 capacity

Projected number of students from development approvals in the last 12 months (not including subject project) in the subject school catchment areas:

Elementary students = 0 students
 Secondary students = 0 students

Total new students = 0 students

Approved Capacity Projects and Future Space Considerations

This catchment has considerable densification potential. There are no capital projects proposed at the elementary school and no new capital projects identified at Guildford Park Secondary.

(Appendix VI)

SITE CHARACTERISTICS

- **Existing Land Use** Partially constructed building foundation for previously approved hotel with conference centre, restaurant, neighbourhood pub and retail uses (Completed Application No. 7900-0104-00).
- **East:** Henlong Market, zoned CHI, designated Multiple Residential, under Application No. 7903-0163-00 to rezone to C-15 to allow construction of a retail commercial building and future expansion of the existing Henlong Market (Third Reading).
- **South:** Across 104 Avenue, single family dwellings, zoned C-35, designated Multiple Residential.
- **West:** Undeveloped land, zoned C-35, designated Multiple Residential.
- **North:** Hawthorne Park, zoned RF, designated Multiple Residential.

PLAN AND POLICY COMPLIANCE

OCP Designation: Does not comply. The existing zone, C-35, is not permitted under the Multiple Residential designation; however, the C-35 Zone pre-dates the OCP designation.

DEVELOPMENT CONSIDERATIONS

Background

- The subject site is situated between Surrey City Centre and Guildford Town Centre and is adjacent to the Henlong Market at the north-west corner of 104 Avenue and 144 Street.
- The corridor along 104 Avenue between Surrey City Centre and Guildford Town Centre was redesignated from Downtown to Multiple Residential in the 1996 OCP review to reflect the City's desire to build an identifiable and strong City Centre.

- There was a previous application to develop the subject site (File No. 7900-0104-00) into a Holiday Inn Hotel consisting of 149 guest rooms with a conference centre, a restaurant, neighbourhood pub and retail uses. The associated Development Permit was issued on March 25, 2002. Construction commenced for the hotel; however, due to financial constraints the building was not completed. The site has been cleared and the foundation constructed. The applicant has submitted the current application for a mixed-use building based on a similar building footprint to the previous hotel proposal.
- The Henlong Market is located on the adjacent property to the east. This property is currently under application 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 subject site, zoned Downtown Commercial (C-35) Zone, permits high density commercial uses up to a maximum floor area ratio (FAR) of 3.5 and a maximum lot coverage of 85%.

Current Proposal

- The applicant is proposing a Development Permit to allow a mixed-use building consisting of 72 apartment units, 18 extended stay hotel rooms, daycare, office space, and retail uses along the 104 Avenue frontage. Ancillary recreational facilities are proposed including a swimming pool and fitness centre.
- The proposed building is 6 storeys with one level of underground parking. The total gross floor area proposed is 12,494.6 square metres (134,491.2 sq.ft.). The FAR and lot coverage are 2.37 and 79% respectively which conform to the regulations of the C-35 Zone. A total of 160 parking spaces are provided, which meet the by-law requirements, of which 34 are provided on surface (see By-law Variance Section) and 126 in the underground parkade.
- The main floor of the proposed building includes the hotel lobby and hotel offices; the residential strata club; private daycare facility; hotel and residential pool and fitness centre; and retail units.
- There are 18 extended stay hotel units on the second floor. This includes 12 two-bedroom hotel units and 6 one-bedroom units. The C-35 Zone allows tourist accommodation, which by definition in the Zoning By-law means lodging for not more than 182 days in a 12-month period.
- A letter has been provided by PHI Hotel Group, the intended hotel operator, indicating that as part of their current marketing strategy they are attempting to satisfy a demand for extended stay guests.
- Floors three through six are comprised of 72 apartment units including 24 one-bedroom units and 48 two-bedroom units. Some of the units will have a balcony and flex room that can be used as an office or den.
- According to the C-35 Zone, not more than 67% of the developed floor area may be used as a multiple residential building. Currently, 67% of the floor area is allocated for apartments, therefore if the hotel units were converted into apartment units this would not comply with the requirements of the zone. Staff therefore recommend that the applicant register a Restrictive Covenant to prohibit conversion of the extended stay hotel units into apartment units and to

reiterate the 6-month maximum stay provision.

- Indoor amenity space for the residential component includes a swimming pool and fitness centre, and a residential strata club room. This proposed amenity space of 423 square metres (4,553 sq.ft.) exceeds the amenity space requirements for the number of units proposed.
- The indoor recreational area opens onto a covered outdoor space and landscaped area on the first level at the north-east corner of the building. This outdoor area meets the indoor amenity requirements of 3.0 square metres (32 sq.ft.) per dwelling unit.
- The proposed daycare has direct access to an additional outdoor area of 245 square metres (2,637 sq.ft.).

DESIGN PROPOSAL AND REVIEW

- The building is sited with the main entrance and hotel lobby located on the east side of the building. The proposed hotel offices, pool and fitness centre, daycare, and residential strata club are located on the ground floor. Four retail units are located along 104 Avenue, at the south end of the building.
- There is a proposed driveway access to the site from 104 Avenue which will be limited to right-in/right-out in the future. The site can also be accessed from 144 Street via a lane which has been constructed for the adjoining property to the east. The applicant will be required to construct a 6.0-metre (20 ft.) wide lane along the north property line of the subject site.
- The building walls are a combination of brick veneer and an exterior insulated finish system in red and tan colours with dark brown colour accents.
- Since the main entrance is located along the east side of the building off 104 Avenue, a different paving pattern and water feature at the entrance are proposed in order to create a sense of arrival to the building. An entry arch in a superpanel finish and "sand" colour is proposed over this main entrance to the hotel and apartments and above the retail space entrances along 104 Avenue.
- Along the east property line, a 2.0-metre (6.5 ft.) sewer right-of-way is required by the Engineering Department for the protection of an existing sanitary sewer trunk located adjacent to the east property line. As such, only potted plants are proposed over this area.
- There is a row of 18 parking stalls proposed along the east side of the property, set back from the sewer right-of-way. An additional 16 parking stalls are proposed adjacent to the east of the building. A variance is required to permit the 34 surface parking spaces (see By-law Variance Section). There are 127 parking stalls proposed in the underground parking level. Access to the underground parking is at the north-west corner of the site, from the lane.
- A covered outdoor space and landscaped area with a concrete surface is proposed to the west of the building adjacent to the hotel and residential pool and fitness centre. Separated by metal fencing to the landscaped area is an outdoor play area with a resilient play surface for the private daycare.

- The applicant is proposing a free-standing illuminated sign at the driveway entrance along 104 Avenue; identification signs at the south and east elevations of the building; and fascia signs above the retail facilities. As the signage details have not been finalized, a separate Development Permit application will be required to address signage.

ADVISORY DESIGN PANEL

ADP Meeting Date: December 5, 2006.

- Some of the ADP and staff suggestions have been satisfactorily addressed (see Appendix VII) except the following which will be addressed prior to final approval:
 - Clarify rooftop screening approach;
 - Incorporate steel and glass canopies at main entry;
 - Continue trellis and planting along the north retaining wall; and
 - Provide additional landscaping along surface parking area and along the west property line.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To reduce the front yard setback of the C-35 Zone from 2.0 metres to (7 ft.) to 0.63 metre (2 ft.) to permit an entry canopy over the retail units along 104 Avenue.

Applicant's Reasons:

- The building face is sited at the required 2.0-metre (7 ft.) setback from the front property line.
- The canopy provides an attractive design feature above the entry to the retail units along 104 Avenue.

Staff Comments:

- The proposed canopy will provide weather protection along 104 Avenue.
- Planning & Development Department staff concur with the applicant and support the requested relaxation.

(b) Requested Variance:

- To reduce the west side yard setback of the C-35 Zone from 3.0 metres (10 ft.) to 0 metre (0 ft.) for the retaining walls and exit stairs.

Applicant's Reasons:

- The building is set back at the required 3.0 metres (10 ft.) from the west property line. However, due to grading of the site which slopes from south to north, retaining walls are proposed for a portion of the building in the front and at the rear of the building.
- There are two retaining walls at the north of the property. While one of the retaining walls is set back 0 metre (0 ft.) from the west property line, the other is set back 1.52 metres (4.9 ft.) from the property line. The retaining wall at the front portion of the building is set back 1.22 metres (4 ft.) from the property line.
- The height of the retaining walls on the west property line varies as follows. The northernmost wall is 3.54 metres (11.6 ft.), followed by the other north wall which ranges from 1.07 metres (3.5 ft.) to 3.54 metres (11.6 ft.), for the purpose of constructing an exit stair. The south wall varies from 1.33 metres (4.4 feet) to 2.0 metres (6.56 ft.) in height, for the purpose of constructing an exit path and stairs.

Staff Comments:

- The building setback will be 3.0 metres (10 ft.) from the property line, complying with the C-35 Zone. The retaining walls are needed due to the site grading and for construction of the exit stairs.
- The lot to the west is already zoned C-35 and it is possible that this lot may be developed for commercial uses under the C-35 zoning in the future. In this case, the impact generated by this setback relaxation may not be significant.
- The material proposed for the retaining walls is scored concrete painted grey. The north walls have cedar trelliswork for vertical climbing plants, to soften the impact of the wall and discourage graffiti.
- Planning and Development Department staff have no objection, to this requested relaxation.

(c) Requested Variance:

- To vary the C-35 Zone, to allow 34 surface parking stalls.

Applicant's Reasons:

- Surface parking stalls will provide visitors and customers of the retail units, hotel, daycare and apartments with convenient short-term parking.

Staff Comments:

- The C-35 Zone does not permit surface parking; all parking must be located underground or within a structure.

- A limited number of surface parking stalls (34 spaces out of 160 or 21%) are proposed with the majority of parking located underground. There are surface parking stalls proposed in the adjacent Henlong Market; under the current CHI Zone and the proposed C-15 Zone, this is permitted.
- The proposed surface parking is located along the east side of the subject building between the subject building and the proposed new Henlong Market building. As such, it will be relatively hidden from 104 Avenue.
- Planning & Development Department staff therefore support the requested variance.

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.	Parks Comments
Appendix VI.	School District Comments
Appendix VII.	ADP Comments and Applicant's Response
Appendix VIII.	Development Variance Permit No. 7906-0343-00

INFORMATION AVAILABLE ON FILE

- Soil Contamination Review Questionnaire prepared by Joe Minten dated February 7, 2007.

How Yin Leung
Acting General Manager
Planning and Development

SR/kms

v:\wp-docs\planning\plncom07\01101156.sr.doc
KMS 1/10/07 1:24 PM

Information for City Clerk

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

1. (a) Agent: Name: Minten & Stewart Architecture
 Address: 204 - 10190 - 152A Street
 Surrey, B.C.
 V3R 1J7
 Tel: 604-583-2003

2. Properties involved in the Application

- (a) Civic Address: 14333 - 104 Avenue

- (b) Civic Address: 14333 - 104 Avenue
 Owner: 545263 B.C. Ltd.
 Director Information:
 Charan Singh Rai

Officer Information: (as at June 20, 2005)
Jasjit Khurana (Secretary)
Sharan Singh Rai (President)

PID: 025-390-228
Lot A Section 24 Block 5 North Range 2 West New Westminster District Plan
LMP 53404

3. Summary of Actions for City Clerks Office

- (a) Proceed with Public Notification for Development Variance Permit No. 7906-0343-00.

DEVELOPMENT DATA SHEET

Existing Zoning: C-35

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		5,259.25 m ²
Road Widening area		294 m ²
Undevelopable area		n/a
Net Total		4,965.25 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures		44.6%
Paved & Hard Surfaced Areas		34.3%
Total Site Coverage	85%	78.9%
SETBACKS (in metres)		
Front	2 m	2.13 m for building face 0.63 m for arch columns
Rear	7.5 m	7.62 m
Side #1 (East)	3 m	3.05 m
Side #2 (West)	3 m	3.05 m for building face 0 m for retaining wall and stairs
BUILDING HEIGHT (in metres/storeys)		
Principal	n/a	19 m/6 storeys
Accessory	n/a	n/a
NUMBER OF RESIDENTIAL UNITS		
Bachelor		n/a
One Bed		24
Two Bedroom		44
Three Bedroom +		4
Total		72
FLOOR AREA: Residential	8,371.65 m ²	8,344.88 m ²
FLOOR AREA: Commercial		
Retail		394 m ²
Office		271 m ²
Total		665 m ²
FLOOR AREA: Industrial	n/a	n/a
FLOOR AREA: Institutional	n/a	n/a
TOTAL BUILDING FLOOR AREA	18,400 m ²	12,495 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)		137 units/ha
# of units/ha /# units/acre (net)		145 units/ha
FAR (gross)	3.5	2.37
FAR (net)		
AMENITY SPACE (area in square metres)		
Indoor	216 m ²	428 m ²
Outdoor	216 m ²	270 m ²
PARKING (number of stalls)		
Commercial	20	
Industrial	n/a	
Residential Bachelor + 1 Bedroom	31	
2-Bed	66	
3-Bed	6	
Residential Visitors	14	
Institutional	n/a	
Daycare, Tourist Accommodation	17	
Total Number of Parking Spaces	154	160
Number of disabled stalls	2	2
Number of small cars	29	32
Tandem Parking Spaces: Number / % of Total Number of Units	n/a	n/a
Size of Tandem Parking Spaces width/length	n/a	n/a

Heritage Site	NO	Tree Survey/Assessment Provided	NO
---------------	----	---------------------------------	----

CONTOUR MAP FOR SUBJECT SITE

