

City of Surrey
PLANNING & DEVELOPMENT REPORT

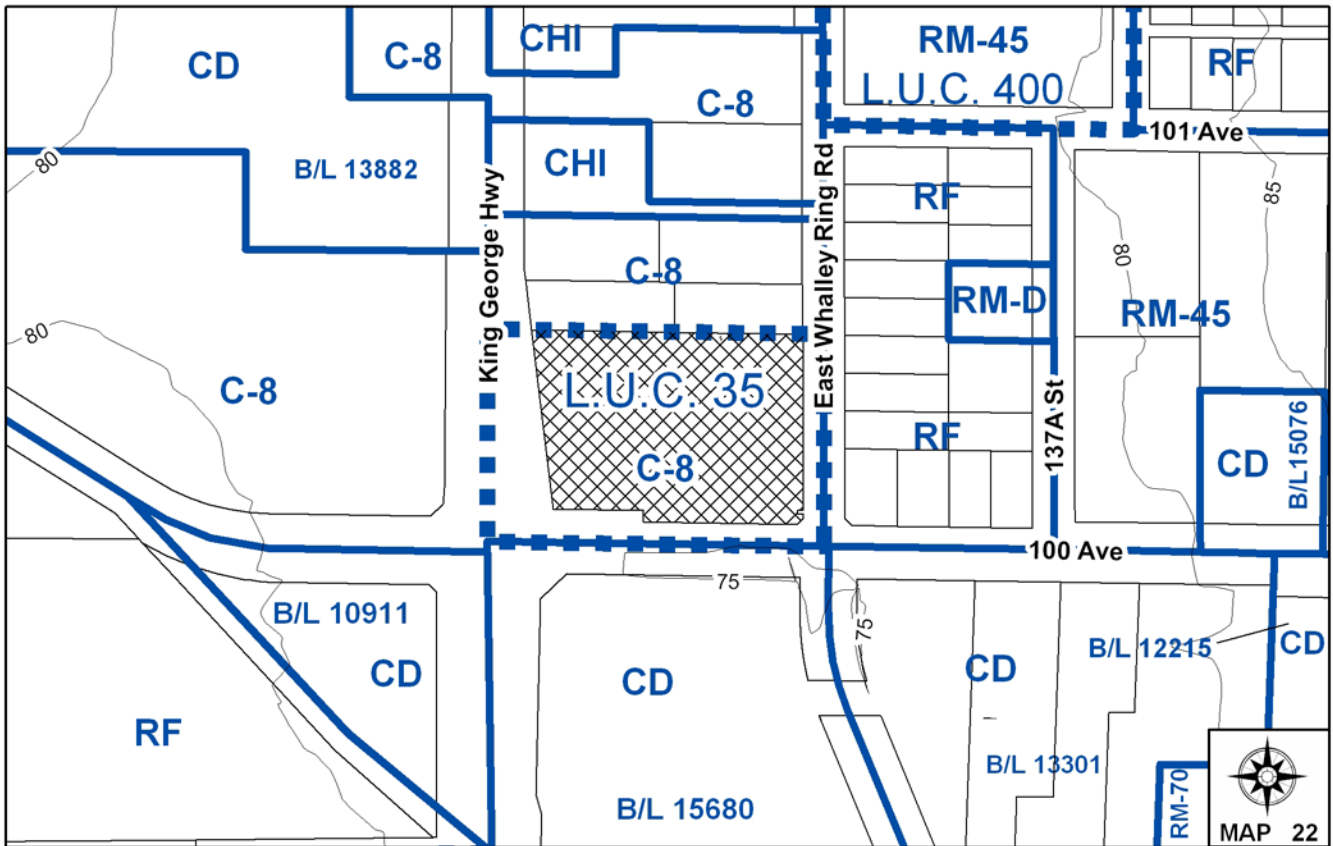
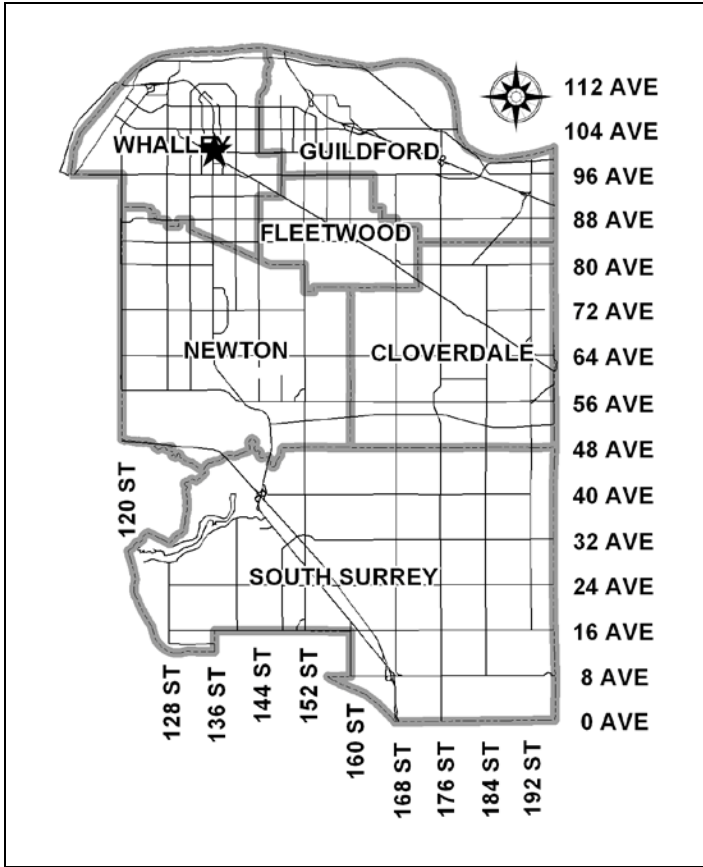
File: 7907-0201-00

Planning Report Date: December 17, 2007

PROPOSAL:

- **Land Use Contract Discharge**
 to allow the underlying C-8 Zone to regulate the site.

LOCATION: 10020 King George Highway
OWNER: Vahaj Holdings Ltd. (Inc. No. 282448)
ZONING: LUC No. 35 (underlying C-8 Zone)
OCP DESIGNATION: Commercial



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Land Use Contract Discharge.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Existing non-conforming side yard setback.

RATIONALE OF RECOMMENDATION

- Complies with the OCP.
- Consistent with surrounding zoning on adjacent lots.
- Eliminates Land Use Contract and allows land to be regulated by Surrey Zoning By-law No. 12000.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to discharge Land Use Contract No. 35 and a date for Public Hearing be set.
2. Council instruct staff to resolve the following issue 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.

REFERRALS

Engineering: The Engineering Department has no objection to the project as outlined in Appendix II.

SITE CHARACTERISTICS

Existing Land Use: Single storey commercial building with underground parking.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Mixed-use retail office buildings.	Commercial	C-8
East (Across East Whalley Ring Road):	Single family dwellings.	Multiple Residential	RF
South (Across 100 Avenue):	High-rise apartment buildings under construction ("Infinity" Application No. 7905-0323-00 approved on March 27, 2006).	City Centre	CD (By-law No. 15680)
West (Across King George Highway):	Best-Buy commercial building.	City Centre	C-8

DEVELOPMENT CONSIDERATIONS

- The subject site is located in City Centre and designated Commercial in the Official Community Plan.
- The site is approximately 5,361 square metres (1.3 acres) in area and is flanked by King George Highway to the west, 100 Avenue to the south and East Whalley Ring Road to the east.
- Land Use Contract (LUC) No. 35 currently regulates the site. To permit the owner's desire for a broader range of commercial uses, Planning and Development Department staff recommended the owner apply to discharge the LUC and to allow the underlying Community Commercial (C-8) Zone to regulate the site. This would allow for a broader range of uses, as well as accommodate all the existing commercial uses within the development.
- The underlying C-8 Zone is consistent with the zoning in the neighbourhood. The properties to the north and the west of the subject site are also zoned C-8.
- The applicant has not applied for a Development Permit to modify the existing commercial complex. The application is strictly to expand the range of uses permitted in the existing building.
- The existing commercial building complies with all the requirements of the C-8 Zone, except for the side yard setback (north) as outlined in the following table:

	Existing Building/Site	C-8 Zone
FAR	0.48	0.80
Lot Coverage	50%	50%
Building Height	5.8 m. (19 ft.)	12 m. (40 ft.)
Setbacks	Front (West) - 7.5 m. (25 ft.) Rear (East) - 15 m. (50 ft.) <i>Side (North) 0.9 m. (3 ft.)</i> Side (South) 8.5 m (28 ft.)	7.5 m. (25 ft.)
Parking	188 stalls (surface/underground)	161 stalls

- The reduced side yard setback was permitted in LUC No. 35. Therefore, the reduced north side yard setback is considered existing non-conforming and as no modifications to the building are proposed, does not require a Development Variance Permit.
- The existing commercial complex (King George Centre) is a one-storey building constructed in the 1970s. The building has brick siding and red tile parapet/roofing detailing.
- There is surface parking on site around most of the perimeter of the complex, as well as underground parking. In total there are 188 parking stalls.
- Some of the existing uses in the building include a fitness gym, a bank, a dry cleaner, a tanning salon and restaurants.

- The existing LUC permits retail, service, commercial and wholesale sales offices. The underlying C-8 Zone allows all these uses, as well as additional uses. A comparison of the permitted uses in LUC No. 35 and the C-8 Zone is provided in the following table:

<i>Uses</i>	<i>LUC No. 35</i>	<i>C-8 Zone</i>
Retail Stores	Permitted	Permitted *
Personal Service Uses	Permitted	Permitted *
General Service Uses	Permitted	Permitted *
Beverage Container Return Centres	Not Permitted	Permitted
Eating Establishments	Permitted	Permitted *
Neighbourhood Pubs	Not Permitted	Permitted**
Liquor Store	Not Permitted	Permitted *
Office Uses	Not Permitted	Permitted *
Parking Facilities	Not Permitted	Permitted
Automotive Service Use of Vehicles	Not Permitted	Permitted *
Indoor Recreational Facilities	Not Permitted	Permitted
Entertainment Uses	Not Permitted	Permitted *
Assembly Halls	Not Permitted	Permitted
Community Services	Permitted	Permitted
Child Care Centres	Not Permitted	Permitted
One Dwelling Unit	Not Permitted	Permitted *

* With Restrictions

** Subject to provincial approval process

PRE-NOTIFICATION

In accordance with Council policy, pre-notification letters were mailed on August 29, 2007 concerning the proposal. Staff received two telephone calls from business operators in the complex.

- One caller wanted to know if a specific business, such as a music facility, was being proposed as part of the application.

(Staff explained that the application is not to permit a specific use, rather, it is to discharge the existing LUC and to allow the underlying C-8 zoning to regulate the site, which will broaden the type of uses permitted within the complex.)

- A second caller wanted to know if the application would affect the business they currently operate in the complex.

(Staff explained to the caller that the underlying C-8 Zone permits all the uses allowed in LUC No. 35, as well as additional uses. Therefore, an existing business legally operating in the complex, would be allowed in the C-8 Zone.)

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. Engineering Summary
- Appendix III. By-law to Discharge Land Use Contract No. 35

Jean Lamontagne
General Manager
Planning and Development

AP/kms

v:\planning\plncom07\11081200.ap.doc
SEH 7/13/10 12:39 PM

Information for City Clerk

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

1. (a) Agent: Name: Moojan Azizi, Impex Management Ltd.
 Address: 500 - 889 West Pender Street
 Vancouver, B.C.
 V6C 3B2
 Tel: 604-688-9720

2. Properties involved in the Application
 - (a) Civic Address: 10020 King George Highway

 - (b) Civic Address: 10020 King George Highway
 Owner: Vahaj Holdings Ltd., Inc. No. 282448
 PID: 000-774-308
 Lot 85 Except: Part Dedicated Road on Plan LMP3645 Section 26 Block 5
 North Range 2 West New Westminster District Plan 46824

3. Summary of Actions for City Clerk's Office
 - (a) Introduce a By-law to discharge Land Use Contract No. 35.

DEVELOPMENT DATA SHEET

Proposed Zoning: C-8

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		
Road Widening area		
Undevelopable area		
Net Total	10,968 m ² (118,058 sq.ft.)	
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	50%	50%
Paved & Hard Surfaced Areas		
Total Site Coverage	50%	50%
SETBACKS (in metres)		
Front (King George Highway)	7.5 m (25 ft.)	7.5 m (25 ft.)
Rear (East Whalley Ring Road)	7.5 m (25 ft.)	15 m (50 ft.)
Side #1 (North)	7.5 m (25 ft.)	0.9 m (3 ft.)
Side #2 (South)	7.5 m (25 ft.)	8.5 m (28 ft.)
BUILDING HEIGHT (in metres/storeys)		
Principal	12 m (40 ft.)	5.8 m (19 ft.)
Accessory	4.5 m (15 ft.)	-
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total	n/a	n/a
FLOOR AREA: Residential	n/a	n/a
FLOOR AREA: Commercial		
Retail		
Office		
Total	5,484 m ² (59,029 sq.ft.)	5,361 m ² (57,701 sq.ft.)
FLOOR AREA: Industrial	n/a	n/a
FLOOR AREA: Institutional	n/a	n/a
TOTAL BUILDING FLOOR AREA	5,484 m ² (59,029 sq.ft.)	5,361 m ² (57,701 sq.ft.)

*** 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)		
FAR (net)	0.80	.48
AMENITY SPACE (area in square metres)	n/a	n/a
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial		188
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces	161	188
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
---------------	----	---------------------------------	----