

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7907-0316-00

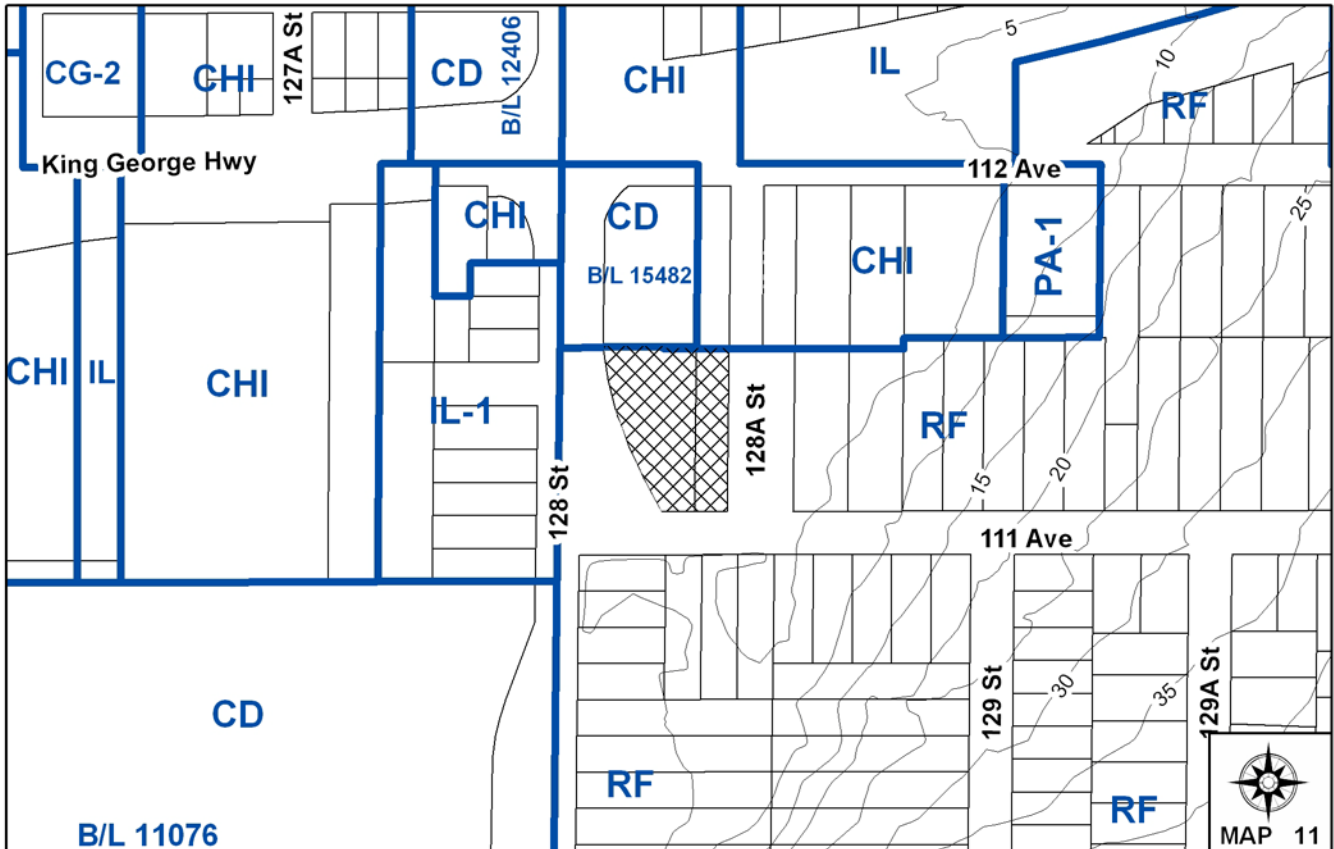
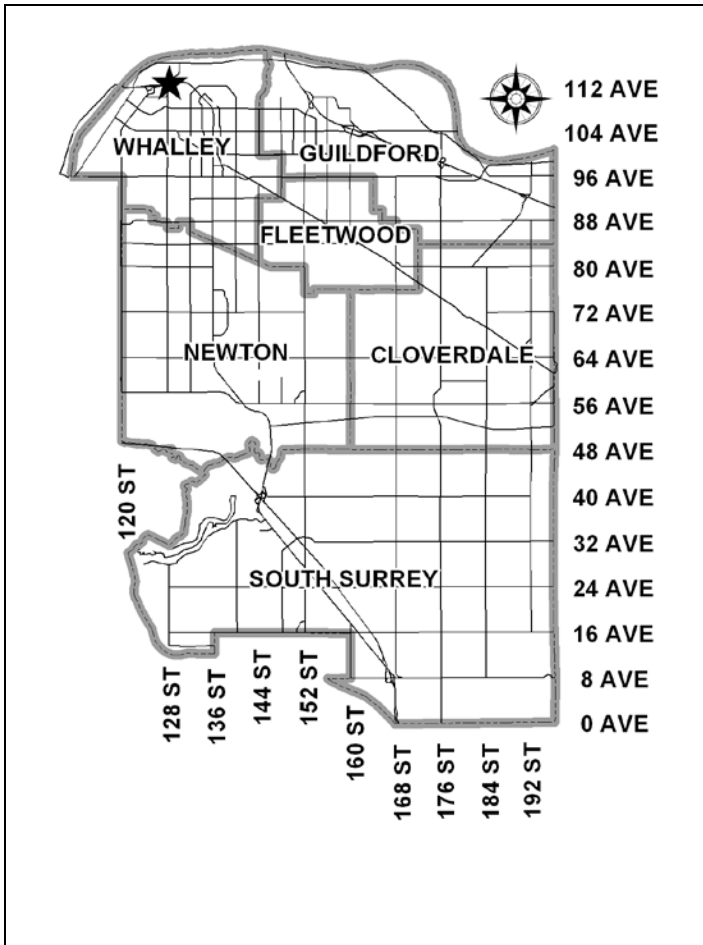
Planning Report Date: May 26, 2008

PROPOSAL:

- Rezoning from RF to CHI
- Development Permit
- Development Variance Permit

in order to allow the construction of two commercial buildings.

LOCATION: 11138 - 128 Street; 12835 - 111 Avenue
OWNERS: Alpenglow Developments and Alan Davis
ZONING: RF
OCP DESIGNATION: Industrial
NCP DESIGNATION: Highway Commercial



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Rezoning.
- Approval to draft Development Permit.
- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Requires relaxation of front, rear and side yard setbacks.

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Complies with NCP Designation.
- Setback relaxations enable two lots to remain and separate ownership of lots to continue.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the subject site from "Single Family Residential Zone (RF)" (By-law No. 12000) to "Highway Commercial Industrial Zone (CHI)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7907-0316-00 in accordance with the attached drawings (Appendix II).
3. Council approve Development Variance Permit No. 7906-0316-00, (Appendix IV) varying the following, to proceed to Public Notification:
 - (a) 11138 – 128 Street (Western Lot):
 - i. to reduce the minimum rear yard setback of the CHI Zone from 7.5 metres (25 ft.) to 0 metre; and
 - ii. to vary the definition of setback in the Zoning By-law to increase the encroachment of the canopy into the front yard setback from 0.6 metre (2 ft.) to 1.2 metres (4 ft.).
 - (b) 12835 – 111 Avenue (Eastern Lot):
 - i. to reduce the minimum rear yard of the CHI Zone setback from 7.5 metres (25 ft.) to 0 metres;
 - ii. to vary the definition of setback in the Zoning By-law to increase the encroachment of the canopy into the front yard setback from 0.6 metre (2 ft.) to 1.2 metres (4 ft.); and
 - iii. to reduce the minimum side yard setback on a flanking street of the CHI Zone from 7.5 metres (25 ft.) to 2.8 metres (9 ft.) and to vary the definition of setback in the Zoning By-law to increase the canopy encroachment into the flanking side yard setback from 0.6 metre (2 ft.) to 1.2 metres (4 ft.).
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 landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (c) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department;

- (d) preparation and registration of reciprocal access and parking agreements between the two properties;
- (e) preparation and registration of a Section 219 Restrictive Covenant to ensure that the buildings sharing a property line are constructed concurrently;
- (f) discharge of the "no build" Restrictive Covenant registered against the western subject lot (11138 - 128 Street); and
- (g) approval of Development Variance Permit No. 7907-0316-00.

REFERRALS

Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix III.

SITE CHARACTERISTICS

Existing Land Use: One vacant lot and one lot with a single family dwelling.

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North:	Vacant, recently approved rezoning and Development Permit (File No. 7902-0222-00) to allow for a gasoline service station and convenience store.	Highway Commercial in NCP	CD (By-law No. 15482)
East (Across 128A Street):	Vacant	Multiple Residential in NCP	RF
South (Across 111 Avenue):	Vacant	Urban in the OCP	RF
West (Across 128 Street):	Vacant and various automotive businesses.	Highway Commercial in NCP	IL-1

DEVELOPMENT CONSIDERATIONS

Background

- The subject site comprises two properties located at 11138 - 128 Street and 12835 - 111 Avenue in South Westminster.
- The site located at 11138 – 128 Street was recently created with the registration of a subdivision plan under BCP35847, which consolidated a number of properties and dedicated road for the future realignment of 128 Street. A "No Build" Section 219 Restrictive Covenant was registered against the site to ensure that no construction took place on the property until such time as it was rezoned in compliance with the South Westminster Neighbourhood Concept Plan (NCP).
- The development proposal encompasses two properties, which under the terms of the agreement between the property owners, will remain as two sites with reciprocal access and parking agreements registered against the titles.

Current Proposal

- The subject lots are bounded by 128 Street to the west, 128A Street to the east and 111 Avenue to the south.
- The subject lots are currently zoned Single Family Residential Zone (RF) and located at the eastern edge of the South Westminster Neighborhood Concept Plan (NCP) area. The South Westminster NCP designates the lands for Highway Commercial uses.
- The current proposal is to rezone the site to Highway Commercial Industrial Zone (CHI), a Development Permit to permit the construction two commercial buildings, and a Development Variance Permit to relax various setback requirements. The proposed development complies with the Highway Commercial designation in the South Westminster NCP and with the Highway Commercial Industrial Zone (CHI) with the exception of setbacks (see By-law Variance section).
- Four concrete block commercial buildings are proposed to be constructed on the properties. The two proposed buildings on 11138 – 128 Street will have a total floor area, of 872 square metres (9,386 sq. ft.). The proposal represents a total floor area ratio (FAR) of 0.36 and a lot coverage of 36%. The two proposed buildings on 12835 – 111 Avenue will have a total floor area of 425.4 square metres (4,579 sq. ft.). The proposal represents a total floor area ratio (FAR) of 0.37 and a lot coverage of 37%. Both of these proposals are consistent with the maximum FAR of 1.0 and lot coverage of 50% permitted in the CHI Zone.
- Part 5 of Surrey Zoning By-law No 12000 requires three parking spaces for every 100 square metres (1,075 sq. ft.) of gross floor area for employees and customers. As such, the proposed buildings on the western lot (11138 – 128 Street) require a total of 26 parking stalls and the proposed buildings on the eastern lot (12835 – 111 Avenue) requires a total of 12 parking stalls be provided on site for both employees and customers of the business. The applicant has proposed a total of 27 parking spaces on the western lot and a total of 11 stalls on the eastern lot. The total parking provided on both lots combined satisfies the required parking.

- Access to the lots will be provided from two driveways, one from 128 Street, which is shared with the approved, yet unconstructed, gasoline service station located to the north of the subject property, and a second driveway from 128A Street. To ensure that vehicle circulation is not compromised, a reciprocal access agreement will be required between the two lots.

PRE-NOTIFICATION

In accordance with Council policy, a Development Proposal Sign was erected on the subject property and pre-notification letters were sent on November 30, 2007. To date, Planning staff have not received any comments with respect to the proposal.

DESIGN PROPOSAL AND REVIEW

- The buildings are proposed to be constructed using split-faced concrete block painted beige, with accent flat concrete block painted light beige. Green metal and fabric awnings are proposed to be located above the storefront glazing and entry doors along the road frontages as well as from the internal parking lot.
- The proposed buildings are 7.5 metres (25 ft.) in height, which is within the 9 metres (30 ft.) permitted in the CHI Zone.
- The applicant has proposed downward cast building lighting and site lighting to assist in providing surveillance during the evening hours.
- The applicant has requested two free-standing signs, one on each property, for tenant signage. The free-standing sign for the property at 11138 – 128 Street is proposed to be located adjacent to the driveway from 128 Street. The second free-standing sign for the property located at 12835 – 111 Avenue is proposed to be located close to the intersection of 111 Avenue and 128A Street. Both of these free-standing signs are proposed to be constructed on a concrete base which matches the building, and topped with a decorative steel top.
- Both signs are proposed to have a 2.0-metre (6.5 ft.) setback from the respective property lines, which satisfies Surrey Sign By-law requirements. The signs are both proposed to be 4.5 metres (15 ft.) in height, which also satisfies Surrey Sign By-law requirements. The sign proposed for 12835 – 111 Avenue encroaches into the pedestrian sidewalk on the south side of the proposed building. Prior to issuance of the development permit, this sign is to be modified so that it does not encroach into the sidewalk, and is more in scale with the building on this lot.
- The applicant has proposed illuminated channel lettering signage for business identification purposes, to be located above the entrances to the units, as well as along the road frontages.
- The applicant is proposing landscaping along the road frontages, which ranges in width from 0.06 metre (2 ft.) at the narrowest point to 6.5 metres (20.5 feet) at the widest point. To assist in screening the parking area where the landscaping is the narrowest, the applicant is proposing a 1 metre (3.5 ft) slatted wooden fence.

- This landscaping incorporates both deciduous and coniferous, flowering and non-flowering trees and shrubs.

ADVISORY DESIGN PANEL

This application was not referred to the ADP and was reviewed by Planning staff and was found to be acceptable.

BY-LAW VARIANCES AND JUSTIFICATION

(a) 11138 – 128 Street (Western Lot)

i. Requested Variance:

- To reduce the minimum rear yard setback in the CHI Zone from 7.5 metres (25 ft.) to 0 metre.

Applicant's Reasons:

- The shape of the lot constrains the placement of structures on the lot. The property to the north has recently been approved for the construction of a convenience store and service station. The landscaping proposed for this development to the north will screen the proposed building on the subject lot.

Staff Comments:

- The wall along this elevation is proposed to be constructed with smooth and split face concrete block creating vertical elements along this elevation.
- Staff have reviewed the proposed request and the applicant's reasons and have no concerns with the requested variance.

ii. Requested Variance:

- To vary the definition of setback in the Zoning By-law to increase the encroachment of the canopy into the front yard setback from 0.6 metre (2 ft.) to 1.2 metres (4 ft.).

Applicant's Reasons:

- The building is sited 7.5 metres (25 ft.) from the front property line, however, the canopy extends 1.2 metres (4 ft.) into the setback area.

Staff Comments:

- The proposed variance is minor and will have little if any impact on neighbouring properties. Staff have reviewed the proposed request and the applicant's reasons and have no concerns with the requested variance.

(b) 12835 – 111 Avenue (Eastern Lot)

i. Requested Variance:

- To reduce the minimum rear yard setback of the CHI Zone, from 7.5 metres (25 ft.) to 0 metre.

Applicant's Reasons:

- The shape of the site constrains the placement of structures on the lot. The property to the north has recently been approved for the construction of a convenience store and service station. The landscaping proposed for this development to the north will screen the proposed building on the subject site.

Staff Comments

- The wall along the property line is proposed to be constructed with split face and smooth concrete block to create vertical elements. Should an additional building be proposed on the property to the north, landscaping and/or the siting of a building at a 0 metre setback could screen this wall.
- Staff have reviewed the proposed request and the applicant's reasons and have no concerns with the requested variance.

ii. Requested Variance:

- To vary the definition of "setback" in the Zoning By-law, to increase the encroachment of the canopy into the front yard setback from 0.6 metre (2 ft.) to 1.2 metres (4 ft.)

Applicant's Reasons:

- The building is sited 7.5 metres (25 ft.) from the front property line, however, the canopy extends 1.2 metres (4 ft.) into the setback area.

Staff Comments

- Staff have reviewed the proposed request and the applicant's reasons and have no concerns with the requested variance.

iii. Requested Variance:

- To reduce the minimum side yard setback on a flanking street (128A Street) in the CHI Zone from 7.5 metres (25 ft.) to 2.8 metres (9 ft.) and to vary the definition of "setback" in the Zoning By-law to increase the canopy encroachment into the flanking side yard setback from 0.6 metre (2 ft.) to 1.2 metres (4 ft.).

Applicant's Reasons:

- The building is sited 2.8 metres (9 ft.) from the property line, however, the canopy extends 1.2 metres (4 ft.) into the setback area. This site is 15 metres (50 ft.) in width, which makes it difficult to site a commercial building in compliance with the Zoning By-law requirements.

Staff Comments:

- Staff have reviewed the proposed request and the applicant's reasons and have no concerns with 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.	Proposed Site Plan, Building Elevations Landscape Plans and Perspective
Appendix III.	Engineering Summary
Appendix IV.	Development Variance Permit No. 7907-0316-00

Jean Lamontagne
General Manager
Planning and Development

LAP/kms

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DEVELOPMENT DATA SHEET

Proposed Zoning: CHI

Required Development Data	Minimum Required / Maximum Allowed	Proposed 12835-111 Ave (Eastern Lot)	Proposed 11138 - 128 St (Western Lot)
LOT AREA (in square metres)			
Gross Total			
Road Widening area			
Undevelopable area			
Net Total		1,147.6 m ²	2,454 m ²
LOT COVERAGE (in % of net lot area)			
Buildings & Structures	50%	37%	36%
Paved & Hard Surfaced Areas		46%	49%
Total Site Coverage		83%	85%
SETBACKS (in metres)			
Front	7.5 m	7.5 m to the building 6.3 m* to the canopy	7.5 m to the building 6.3 m* to the canopy
Rear	7.5 m	0 m*	0 m*
Side #1 (West)	7.5 m or 0 m	0 m	7.9 m
Side #2 (East)	7.5 m	2.8 m to the building 1.8 m* to the canopy	0 m
BUILDING HEIGHT (in metres/storeys)			
Principal	9.0 m	7.5 m	7.5 m
Accessory	9.0 m	n/a	n/a
NUMBER OF RESIDENTIAL UNITS	1	n/a	n/a
Bachelor			
One Bed			
Two Bedroom			
Three Bedroom +			
Total			
FLOOR AREA: Residential			
FLOOR AREA: Commercial	1,147.6 m ²	425.4 m ²	872 m ²
Retail			
Office			
Total			
FLOOR AREA: Industrial			
FLOOR AREA: Institutional			
TOTAL BUILDING FLOOR AREA	1,147.6 m ²	425.4 m ²	872 m ²

*** Variance required**

Development Data Sheet cont'd

Required Development Data	Minimum Required / Maximum Allowed	Proposed 12835-111 Ave (Eastern Lot)	Proposed 11138 - 128 St (Western Lot)
DENSITY			
# of units/ha /# units/acre (gross)			
# of units/ha /# units/acre (net)			
FAR (gross)			
FAR (net)	1.0	0.37	0.36
AMENITY SPACE (area in square metres)			
Indoor			
Outdoor			
PARKING (number of stalls)			
Commercial	12	11	27
Industrial			
Residential Bachelor + 1 Bedroom			
2-Bed			
3-Bed			
Residential Visitors			
Institutional			
Total Number of Parking Spaces	12	11	27
Number of disabled stalls		1	1
Number of small cars		0	3
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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