

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7908-0017-00

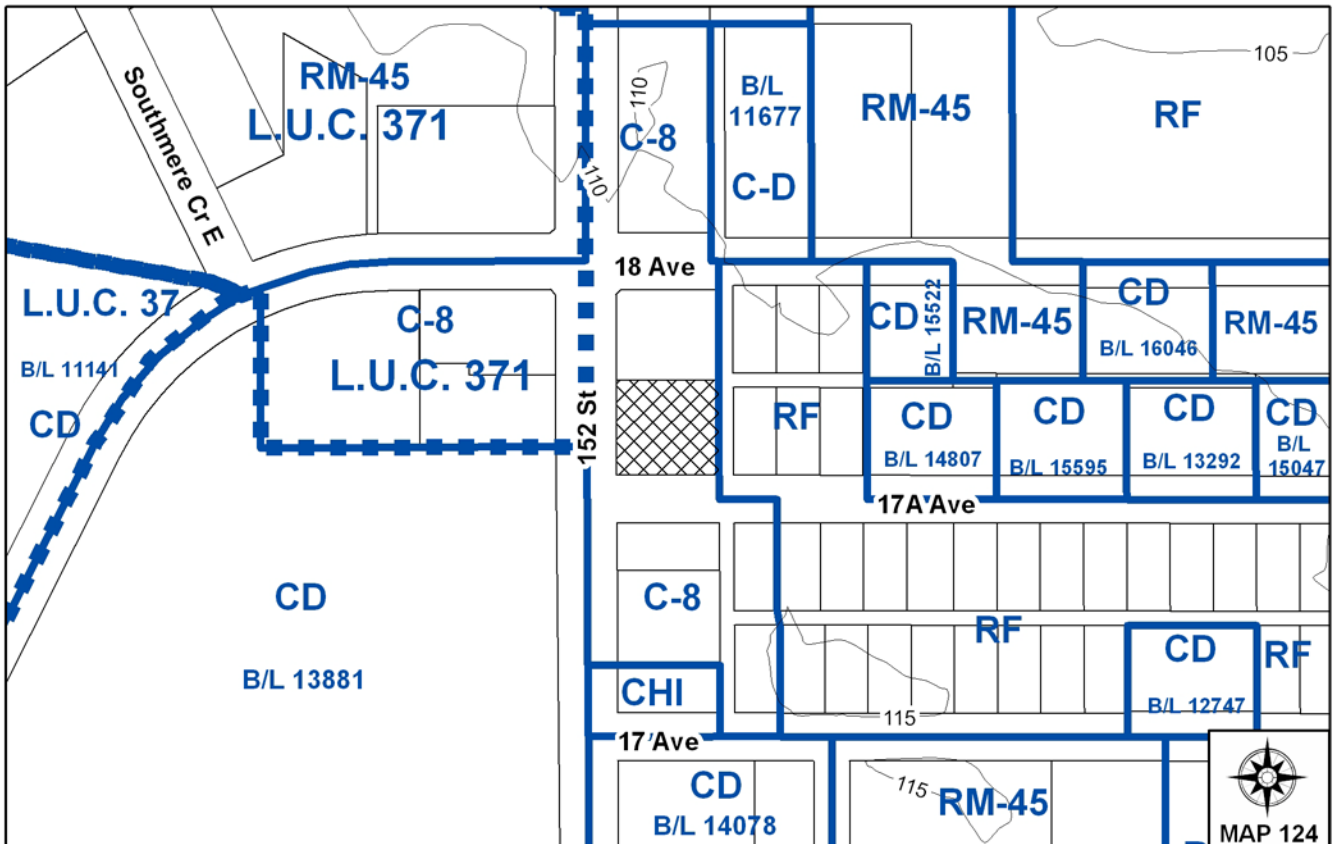
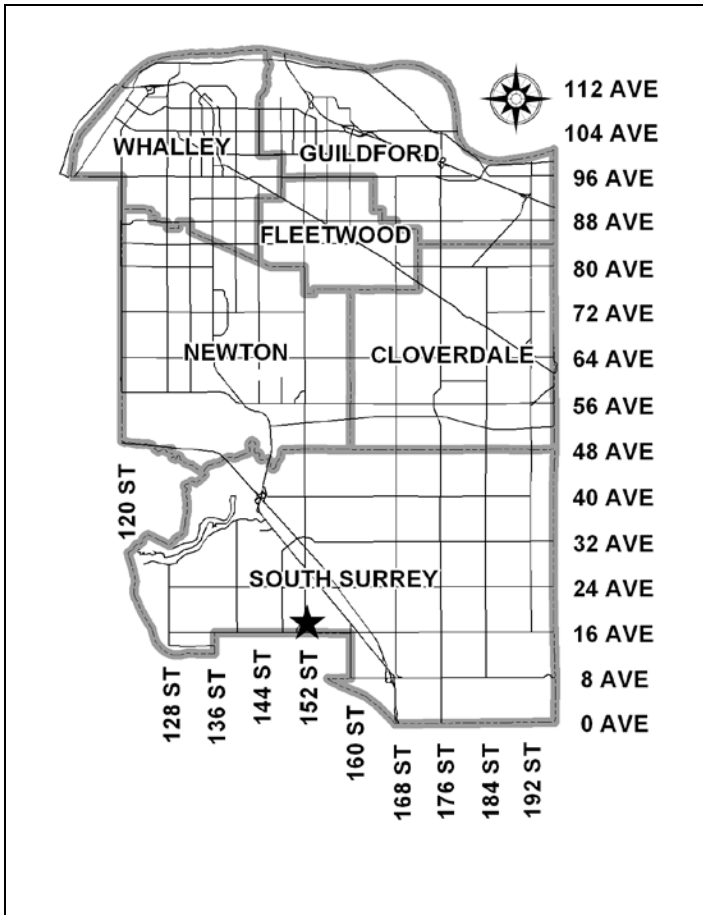
Planning Report Date: July 14, 2008

PROPOSAL:

- Development Permit
- Development Variance Permit

to permit a 34 square metre (366 sq.ft.) addition and exterior upgrades, including the addition of new canopies, to an existing non-conforming commercial building.

LOCATION: 1750 - 152 Street
OWNER: Rosecar Holdings Inc. (Inc. No. 396917)
ZONING: C-8
OCP DESIGNATION: Town Centre
NCP DESIGNATION: Mixed Use



RECOMMENDATION SUMMARY

- Approval to draft Development Permit.
- Approval to draft Development Variance Permit.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The proposed alteration and addition to the existing commercial building requires a Development Variance Permit (DVP), as the building is non-conforming with respect to siting and proposed new canopies further encroach into the minimum required setbacks of the C-8 Zone.

RATIONALE OF RECOMMENDATION

- The existing commercial building presently encroaches into the minimum required setbacks of the C-8 Zone and has legal non-conforming status with respect to siting. Under the Local Government Act, the existing non-conforming building may be maintained, extended or altered provided that the repair, extension, or alteration, when completed, involves no further contravention of the by-law. In this case, proposed new canopies fronting 152 Street further encroach into the minimum required front yard setback and as such, a DVP is required. The DVP will allow the building to be upgraded in its existing location with the canopy additions, but the DVP will only apply to the existing building, and not to any new construction in the future.
- The proposed canopies, which are 1.2 metres (4 ft.) in depth, are design features that add architectural interest to the building and provide weather protection during inclement weather.
- The proposed exterior renovations will improve the look of the existing building until such time as the owner decides to redevelop the site for a more intensive use in accordance with the Semiahmoo Town Centre Plan.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council authorize staff to draft Development Permit No. 7908-0017-00 in accordance with the attached drawings (Appendix II).
2. Council approve Development Variance Permit No. 7908-0017-00, (Appendix V) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front yard setback of the C-8 Zone from 7.5 metres (25 ft.) to 1.2 metres (4 ft.) for the existing building only;
 - (b) to reduce the minimum north side yard setback of the C-8 Zone from 7.5 metres (25 ft.) to 5.1 metres (17 ft.) for the existing building only;
 - (c) to reduce the minimum south side yard setback of the C-8 Zone from 7.5 metres (25 ft.) to 7.0 metres (23 ft.) for the existing building only; and
 - (d) to reduce the minimum front yard setback of the C-8 Zone from 7.5 metres (25 ft.) to 0.0 metre (0 ft.) along 152 Street only for canopies.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Commercial building currently unoccupied.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North:	Medical clinic.	Town Centre/Mixed Use	C-8
East:	Single family dwelling.	Town Centre/Mixed Use	RF
South (Across 17A Avenue):	Commercial retail building.	Town Centre/Mixed Use	C-8
West (Across 152 Street):	McDonald's Restaurant	Town Centre/Mixed Use	C-8

DEVELOPMENT CONSIDERATIONS

- The subject site is located in the Semiahmoo Town Centre on the northeast corner of 152 Street and 17A Avenue. The site is currently zoned "Community Commercial Zone (C-8)" and is designated "Town Centre" in the Official Community Plan. The Semiahmoo Town Centre Plan, which is currently in process, designates the site for future mixed-use development with retail required at grade and a floor area ratio (FAR) of up to 2.5.
- The site is currently occupied by a single storey commercial building, which used to be a Wendy's Restaurant but has been unoccupied for some time, and is in disrepair.
- The owner of the site proposes to renovate the existing building and bring in 2 new tenants, a restaurant (Fatburger) and an insurance office. The owner of the site has future intentions of redeveloping the site for a more intensive use in accordance with the Semiahmoo Town Centre Plan, but would like to improve the appearance of the building in the interim. Given the value of the existing commercial building, this approach is acceptable to the City. A Development Permit (DP) is proposed to permit the proposed renovations.
- The proposed renovations are predominantly cosmetic upgrades, but also include a small 34 square metre (366 sq.ft.) addition on the east side of the building. The proposed addition does not introduce any new setback encroachments, however, a Development Variance Permit (DVP) is required to accommodate the location of the existing building on the site, which is non-conforming with respect to siting; and the addition of some new canopie.
- The building was originally constructed in the 1980's under the CR(1) Zone (By-law No. 5942) but was later converted to C-8 in the 1990's when the City adopted the new Zoning By-law No. 12000. As a result, the building has legal non-conforming status for setbacks. Under the Local Government Act, structural alteration or addition are allowed to the extent that no further contravention of the Zoning By-law is proposed. Since the proposed renovation includes the addition of new canopies, which will further encroach into the setbacks, a DVP is required. Further details of this DVP are provided later in this report.

DESIGN PROPOSAL AND REVIEW

- The existing brick fascia material will be repainted and an EIFS/stucco finish will be added on the parapet as an interface detail. The proposed colour scheme consists of a two-tone beige and grey color to give the building a clean/contemporary look.
- New storefront windows are being added on the west elevation fronting 152 Street to animate this street fronting façade.
- Canopies/sunshades are being added on the west elevation, which will add character to the building and provide weather protection for patrons during inclement weather.
- An outdoor patio area is being added on the south side of the building fronting 17A Avenue. The patio will be surrounded by a 1.8 metre (6 ft.) high glass panel wall, which is designed to cut wind and provide a more comfortable outdoor setting. The existing solarium on the south side of the building will be being retained

- The existing drive-thru access to 152 Street will be eliminated, as requested by the City's Transportation Engineer, and will be replaced with a landscaped pedestrian walkway area. The existing access to 17A Avenue will be retained but the parking area will be reconfigured into a more efficient arrangement. The lines delineating the parking stalls will be repainted. The reconfigured parking area will provide a total of 23 parking stalls, including 1 handicap stall, which meets the required parking rate under the By-law for the proposed uses.

Landscaping

- The entire site will be re-landscaped with a combination of trees and shrubs in a variety of species and colours. Landscaping securities will be collected to ensure that this landscaping is installed and maintained. The existing garbage enclosure will be replaced with a smaller enclosure painted the same color as the building.

Signage

- New building fascia signage will be added all of which will be individual channel letters (as opposed to sign boxes). The maximum letter height will be approximately 0.75 metre (2.5 ft.). All of the proposed new signage complies with the sign by-law.
- A free-standing sign is proposed for the site fronting 152 Street. The sign will be approximately 2.4 metres (8 ft.) in height by 1.2 metres (4 ft.) in width and will reflect the design character of the building. The applicant has agreed to work with staff prior to final approval of the DP to finalize the free-standing sign details.

ADVISORY DESIGN PANEL

ADP Meeting Date: May 22, 2008

- Some of the ADP suggestions have been satisfactorily addressed except for the following which will be addressed prior to final DP approval:
 - Minor architectural and landscape detailing;
 - Free-standing sign and fascia sign details; and
 - Lighting details.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum front yard setback of the C-8 Zone from 7.5 metres (25 ft.) to 1.2 metres (4 ft.) for the existing building only;
- To reduce the minimum north side yard setback of the C-8 Zone from 7.5 metres (25 ft.) to 5.1 metres (17 ft.) for the existing building only;

- To reduce the minimum south side yard setback of the C-8 Zone from 7.5 metres (25 ft.) to 7.0 metres (23 ft.) for the existing building only; and
- To reduce the minimum front yard setback of the C-8 Zone from 7.5 metres (25 ft.) to 0 metres (0 ft.) for canopies.

Applicant's Reasons:

- The applicant wishes to renovate the existing building at its current location and add the canopies to provide some weather protection for customers.

Staff Comments:

- The proposed Development Variance Permit will accommodate renovation of the existing non-conforming building on the site along with a minor expansion and canopy additions. The Local Government Act allows the legal non-conformity to continue but does not permit any further expansion of the non-conformity. The proposed addition of new canopies, which will project out from the building and further encroach into the setbacks, make the DVP necessary. The subject proposal will improve the appearance of the building on an interim basis until such time as the owner redevelops the site for a more intensive use under the Semiahmoo Town Centre Plan.
- The canopies add character and design interest to the building and will provide desirable weather protection during inclement weather.

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.	ADP Comments
Appendix V.	Development Variance Permit No. 7908-0017-00

INFORMATION AVAILABLE ON FILE

- Complete Set of Architectural and Landscape Plans prepared by Jordan A. Levine Architect Inc. and C. Kavolinas & Associates Inc., respectively, dated June 5, 2008 and January 2008.

Jean Lamontagne
General Manager
Planning and Development

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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: Franco Santelli
 Address: 1758 East 32nd Avenue
 Vancouver, BC
 V5N 3B6
 Tel: 604-872-2298

2. Properties involved in the Application
 - (a) Civic Address: 1750 - 152 Street

 - (b) Civic Address: 1750 - 152 Street
 Owner: Rosecar Holdings Inc. (Incorporation No. 396917)
 PID: 004-439-589
 Lot A (Z105924) Except: Firstly: Parcel "F" (By-law Plan 66876); Secondly:
 Parcel "G" (By-law Plan 66876 Section 14 Township 1 New Westminster
 District Plan 13439

3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7908-0017-00.

DEVELOPMENT DATA SHEET

Existing 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		1,743 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	50%	19%
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front	7.5 m	1.2 m
Rear	7.5 m	26.0 m
Side #1 (North)	7.5 m	5.1 m
Side #2 (South)	7.5 m	7.0 m
BUILDING HEIGHT (in metres/storeys)		
Principal	12 m	3 m
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential		
FLOOR AREA: Commercial		
Restaurant		187 m ²
Office		141 m ²
Total		337 m ²
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA	1,394 m ²	337 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)		
FAR (net)	0.80	0.19
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial	23	23
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces	23	23
Number of disabled stalls	1	1
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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