

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7908-0078-01

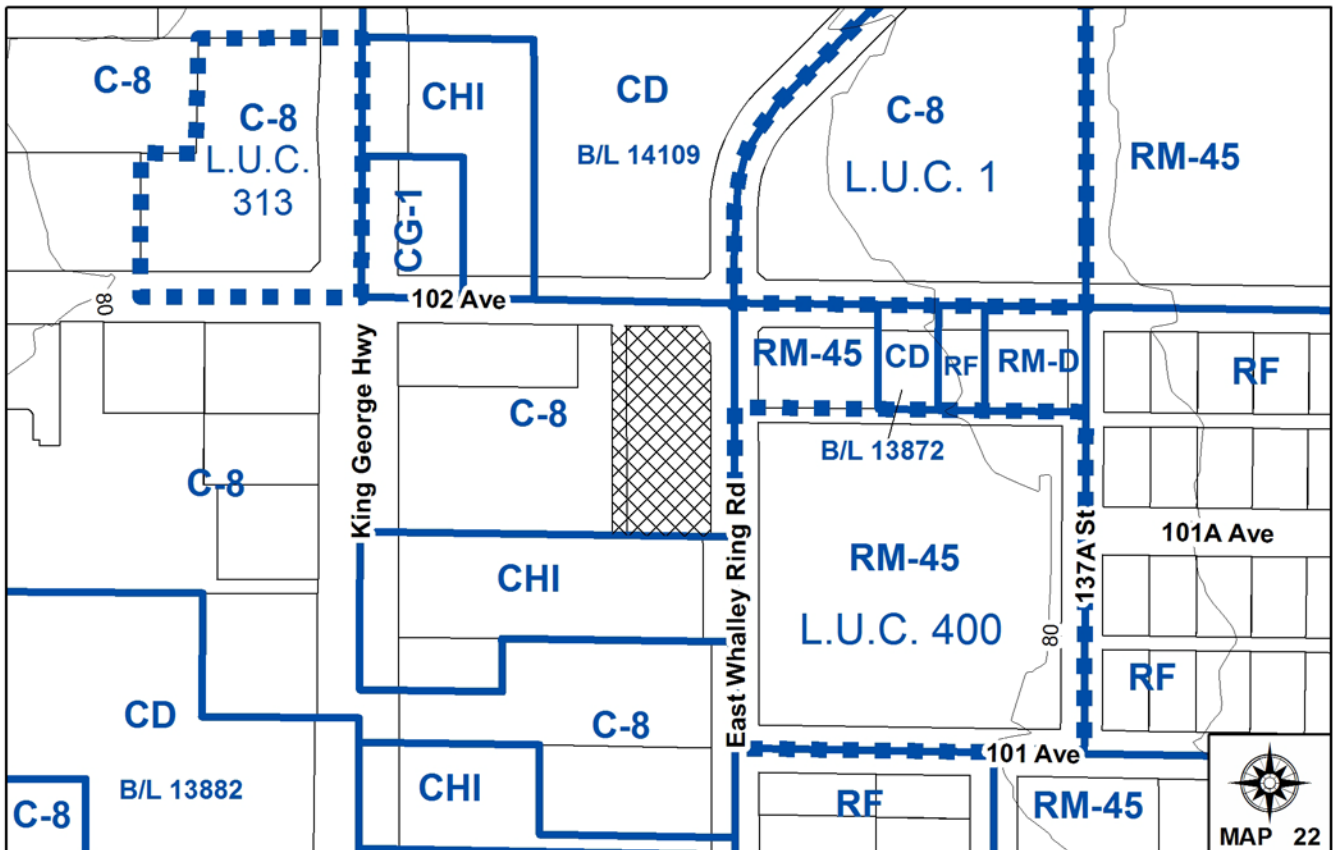
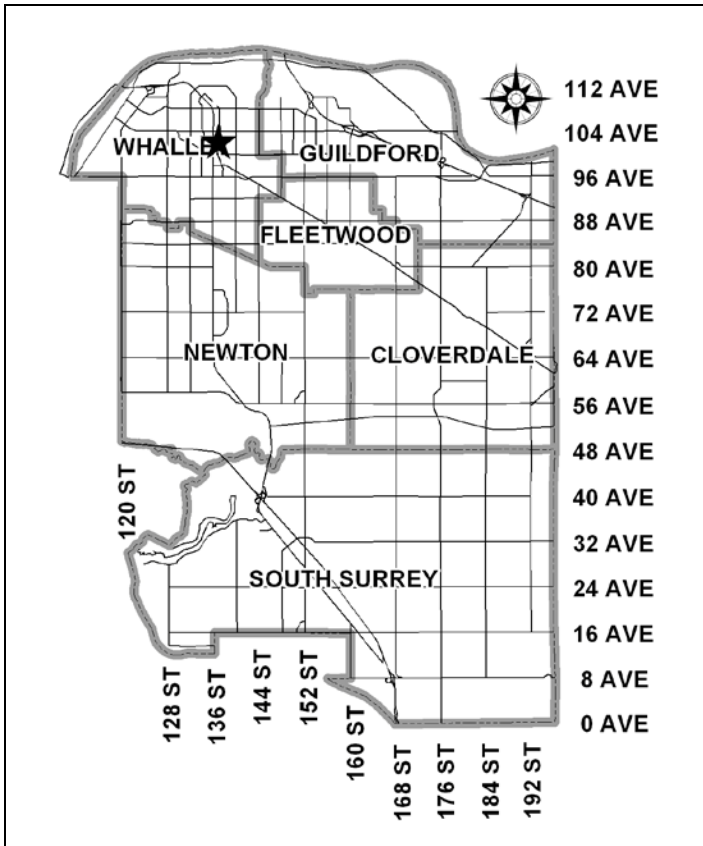
Planning Report Date: November 3, 2008

**PROPOSAL:**

- **Development Variance Permit**

in order to defer upgrading of road and servicing requirements along a portion of 102 Avenue and East Whalley Ring Road.

**LOCATION:** 13656 - 102 Avenue & portion of lane  
**OWNER:** A.L. Sott Financial (102<sup>nd</sup>) Inc.  
**ZONING:** C-8  
**OCP DESIGNATION:** Commercial



### RECOMMENDATION SUMMARY

- Approval for Development Variance Permit to proceed to Public Notification.

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant has requested a variance to waive the ultimate City Centre road and servicing requirements at this time.

### RATIONALE OF RECOMMENDATION

- The applicant is required to dedicate additional road right-of-way as part of the associated in-process lane closure application.
- The road and servicing upgrades to the ultimate standard will occur in the future when rezoning of the site is sought.
- The applicant has agreed to provide a proper transition between the proposed building and the existing street by planting appropriate landscaping at this time.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7908-0078-01, (Appendix IV) varying the following, to proceed to Public Notification:
  - (a) to defer the requirement of Surrey Subdivision and Development By-law, 1986, No. 8830 to provide road works and services to the ultimate City Centre standards, as a condition for the issuance of a building permit, along a portion of 102 Avenue and East Whalley Ring Road.

REFERRALS

Engineering: The Engineering Department has no objection to relax the requirement to provide ultimate City Centre road work standards along the 102 Avenue and East Whalley Ring Road frontages, subject to interim standard concrete sidewalks being constructed along both frontages.

SITE CHARACTERISTICS

Existing Land Use: Vacant lot.

Adjacent Area:

| <b>Direction</b>                      | <b>Existing Use</b>                             | <b>OCP Designation</b> | <b>Existing Zone</b>                         |
|---------------------------------------|---|------------------------|--|
| North (Across 102 Avenue):            | Fast food restaurant (A & W).                   | Commercial             | CD (By-law No. 14109)                        |
| East (Across East Whalley Ring Road): | Two-storey apartment building.                  | Multiple Residential   | RM-45  |
|                                       | Four-storey apartment building.                 | Multiple Residential   | Land Use Contract No. 400 (underlying RM-45) |
| South:                                | Retail commercial building.                     | Commercial             | CHI  |
| West:                                 | Video rental store, bank and convenience store. | Commercial             | C-8  |

## DEVELOPMENT CONSIDERATIONS

- The subject property, located at 13656 – 102 Avenue, is zoned Community Commercial (C-8) and designated Commercial in the Official Community Plan (OCP). There is an in-process Development Permit application (No. 7908-0078-00) on the subject property to construct a single-storey commercial building built to LEED (Leadership in Energy and Environmental Design) Gold Standard.
- The Development Permit application (No. 7908-0078-00), which was presented to Council on September 29, 2008, also included a Development Variance Permit for reduced building setbacks and an increase in the height of the proposed free-standing sign. Council approved Development Variance Permit No. 7908-0078-00 on October 20, 2008. The applicant is currently working to fulfill a number of requirements for consideration of Final Approval of the Development Permit.
- Subsequently, it was determined that due to the ultimate City Centre road work standards being required directly adjacent to the subject property, the applicant has requested a further variance. The required works include the upgrading of the road and sidewalks, underground wiring and street lighting along portions of 102 Avenue and East Whalley Ring Road.

## BY-LAW VARIANCE AND JUSTIFICATION

### (a) Requested Variance:

- To defer the requirements of the Surrey Subdivision and Development By-law which requires road works and services to the ultimate City Centre standards, as a condition for the issuance of a building permit, along portions of 102 Avenue and East Whalley Ring Road directly adjacent the subject property.

### Applicant's Reasons:

- The proposed building is not the ultimate use for the site and will be redeveloped in the future. At that time, the road and boulevard will be built to its ultimate standard.
- The proposed building will be built to LEED (Leadership in Energy and Environmental Design) Gold Standard, and is a significant improvement to the previous site conditions.
- The developer is prepared to reconstruct the existing sidewalk along 102 Avenue and East Whalley Ring Road directly adjacent the subject site to ensure an appropriate interface between the proposed building and the existing roads.

### Staff Comments:

- The current Development Variance Permit application (No. 7908-0078-01) is to defer the ultimate City Centre road work standards along portions of 102 Avenue and East Whalley Ring Road adjacent the site. The applicant is required to reconstruct to an interim standard, the concrete sidewalks along both roads.

- The applicant is required to provide dedication on the subject property for the future expansion of both 102 Avenue and East Whalley Ring Road, as part of the closure and acquisition of the adjacent lane. The dedication will permit construction of a 2.0-metre (6.5 ft) sidewalk and a 2.0-metre boulevard, which are required when the future road is constructed. The proposed road closure by-law was given Final Adoption by Council on October 20, 2008.
- The applicant has agreed to landscape the dedicated area with drought tolerant groundcover for the interim to reduce the amount of pavement between the proposed building and the existing street. The existing sidewalk will be reconstructed and improved, but remain in the current location in order to provide adequate pedestrian access along 102 Avenue and East Whalley Ring Road. In the future, the landscaping can be readily removed to construct the roads and boulevards to their ultimate standard.
- The current Development Variance Permit (No. 7908-0078-01) will only apply to that portion of buildings and structures on the land which are proposed under the current Development Permit application (No. 7908-0078-00). The DVP will not apply to any future additions or modifications to the buildings or structures on the subject property.
- The Engineering Department has stated that they do not require these portions of 102 Avenue and East Whalley Ring Road (EWRR) to be widened to the ultimate road standard in the near future. The improvements to 102 Avenue and EWRR will be a result of future rezoning and redevelopment of the subject site and surrounding properties. Therefore, the Engineering Department supports the current variance to waive the ultimate City Centre road work standards along the portions of 102 Avenue and East Whalley Ring Road directly adjacent to the subject property.

### INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners and Action Summary  
Appendix II. Development Variance Permit No. 7908-0078-01

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:                      Harp Hoonjan, Platinum Projects Ltd.  
                         Address:                      2238 - 138 Street  
                                                              Surrey, BC  
                                                              V4A 4G6  
                         Tel:                                      604-240-9924
  
2.      Properties involved in the Application
  - (a)      Civic Address:                      13656 - 102 Avenue and Portion of Lane
  
  - (b)      Civic Address:                      13656 - 102 Avenue  
                         Owner:                                      A.L. Sott Financial (102<sup>nd</sup>) Inc., Inc. No. 299751  
                         PID:    008-644-705  
                         Lot "B" Except: Parcel "One" (By-law Plan 79198); Section 26 Block 5 North  
                         Range 2 West New Westminster District Plan 20116
  
  - (c)      Portion of lane dedicated by Reference Plan 15485 Section 26 Block 5 North  
                         Range 2 New Westminster District
  
3.      Summary of Actions for City Clerk's Office
  - (a)      Proceed with Public Notification for Development Variance Permit No. 7908-0078-01.