

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7908-0130-00

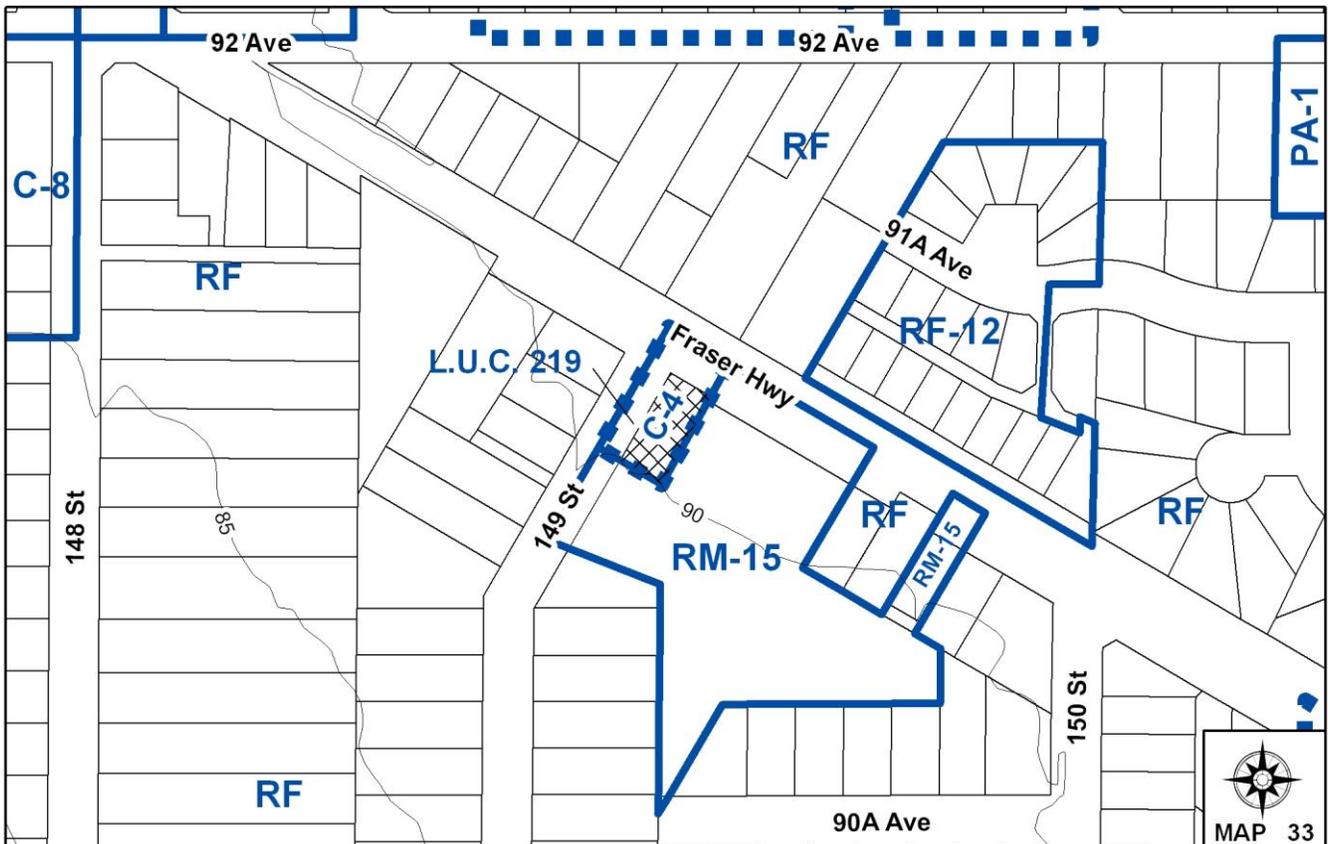
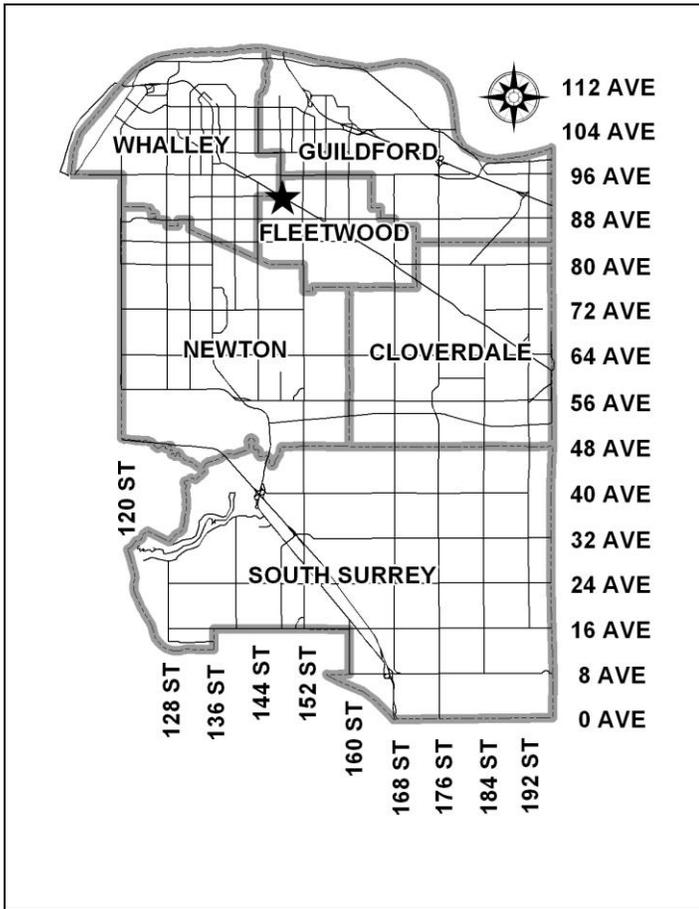
Planning Report Date: July 13, 2009

PROPOSAL:

- **Land Use Contract Discharge** to allow the underlying C-4 Zone to regulate the site
- **Development Permit**
- **Development Variance Permit**

in order to permit the development of a two-storey building with a convenience store on the ground floor and a dwelling unit on the second floor.

LOCATION: 14922 Fraser Highway
OWNER: Sana Riffat Khawaja
ZONING: LUC 219 (underlying C-4 Zone)
OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Land Use Contract Discharge.
- Approval to draft Development Permit.
- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking reduced setbacks and an additional fascia sign.

RATIONALE OF RECOMMENDATION

- Complies with Urban designation in the OCP.
- The proposed density and building form are appropriate for this area of Fleetwood.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to discharge Land Use Contract No. 219 and a date for Public Hearing be set.
2. Council authorize staff to draft Development Permit No. 7908-0130-00 in accordance with the attached drawings (Appendix II).
3. Council approve Development Variance Permit No. 7908-0130-00, (Appendix IV) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front yard setback of the C-4 Zone from 7.5 metres (25 ft.) to 1.93 metres (6 ft.);
 - (b) to reduce the minimum west side yard setback of the C-4 Zone from 7.5 metres (25 ft.) to 1.04 metre (3 ft.);
 - (c) to reduce the minimum east side yard setback of the C-4 Zone from 6.0 metres (20 ft.) to 1.32 metres (4 ft.); and
 - (d) to vary the Surrey Sign By-law, 1999, No. 13656, to increase the maximum number of fascia signs from 2 to 3.
4. 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 finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (c) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (d) resolution of all urban design issues to the satisfaction of the Planning and Development Department;
 - (e) submission of a road dedication plan; and
 - (f) issuance of Development Variance Permit No. 7908-0130-00.

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: Convenience store (Captain's Market), which will be removed.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across Fraser Highway):	Single family homes.	Urban	RF
East and South:	Townhouses.	Urban	RM-15
West (Across 149 Street):	Single family homes.	Urban	RF

DEVELOPMENT CONSIDERATIONSBackground

- The subject site is located on the south side of Fraser Highway, directly east of 149th Street and has a lot area of 0.076 hectare (0.19 ac). It is designated Urban in the Official Community Plan (OCP) and regulated by Land Use Contract (LUC) No. 219. The underlying zone for the site is the Local Commercial (C-4) Zone.
- The applicant presently operates a convenience store at the subject location, however due to a 2007 road dedication; the functioning of the store has become compromised. The store front is now located close to and below the grade of Fraser Highway.
- The previous 5.18-metre (17 ft.) wide road dedication was facilitated by provisions that were set out in LUC No. 219. The LUC (approved in 1976) required that 17 feet of road would be dedicated, at no cost to the City of Surrey, when required to widen Fraser Highway.
- The typical 39.0-metre (130 ft.) right-of-way that is being acquired along most of Fraser Highway has not been achieved at this location. As such an additional 2.16 metres (7 ft.) of road dedication is required.

Current Proposal

- To facilitate the redevelopment of the site, a Development Permit application is proposed to permit development of a new two-storey building with a convenience store on the ground level and a dwelling unit at the second storey. A Development Variance Permit for setbacks and signage is also proposed.
- As part of this application, Land Use Contract No. 219 will be discharged to allow the underlying C-4 Zone to regulate the site.
- The proposed building has a floor area of 286.3 square metres (3,082 sq.ft.) representing a floor area ratio (FAR) of 0.40. This complies with the maximum 0.40 FAR permitted in the C-4 Zone.
- The applicant will dedicate the remaining 2.16 metres (7 ft.) that is required to achieve a 39.0-metre (130 ft.) wide right-of-way for Fraser Highway.

Arborist Report and Tree Location/ Retention Plan

- While there are no mature trees located on the subject site, an Arborist Report was submitted to confirm if off site trees would be impacted.
- The arborist report, prepared by Van Der Zalm & Associates Inc. and dated June 26, 2009, has confirmed that three off-site trees on the neighbouring property to the east will have to be removed to accommodate the proposed development.
- A letter from the Strata Council for the neighbouring property has been submitted which confirms no objection to the trees in question being removed as part of this development.

PRE-NOTIFICATION

Pre-notification letters were mailed on June 24, 2009 to which staff have received no letters or correspondence in opposition.

DESIGN PROPOSAL AND REVIEW

- The development consists of a two-storey building with a 231.3-square metre (2,490 sq. ft.) convenience store located at the ground floor.
- A dwelling unit is located at the second storey of the development, which contains approximately 55 square metres (592 sq. ft.) of floor area.
- Entry to the dwelling unit will occur from the rear of the building adjacent the parking area, by way of a separate entrance. A shed roof over the entrance provides weather protection and distinguishes the residential portion from the commercial portion of the development.

- Vehicular access to the development is proposed from 149th Street. Nine parking spaces are proposed which exceeds the Zoning By-law requirement of eight (8) spaces. A dedicated loading area is not proposed as this can be accommodated within the proposed parking area adjacent the store.
- The store will enhance the existing streetscape through its articulation, roof line, the use of quality materials and by reducing building setbacks (see By-law Variance Section).
- The commercial portion of the building is emphasized through the provision of large amounts of glazing, particularly along the north and west elevations which engage city streets. Brackets are provided below the roof line which help to break up the building's massing and provide a heritage feel for the development.
- The roof is gabled and complemented by decks on the second storey on the north, west and south elevations. The decks are covered by an additional roof, thus helping to further articulate the roof line. They are also designed to integrate with the roof and do not appear as protruding from the building.
- The proposed building materials include vertical cedar siding in a stain finish (colony blue and new green), stone finishing along the base of all elevations which are visible from public view and asphalt shingle roofing.
- Two entries to the commercial portion of the development are provided. The main entry is proposed at the northwest corner of the site. A secondary entrance is proposed from the rear of the building adjacent the parking area.
- The property slopes from the front to the rear of the site by approximately 0.70 to 0.80 metres (2-3 ft.), necessitating stairs for the rear entry. A landscaping strip (e.g. shrubs) is provided along the south side of the stairs, to soften their view.
- Fascia signage is proposed along the north, west and south elevations. The proposed signage is comprised of individual letters which are surface mounted and will note the store's name ('Captain's Market'). A Development Variance Permit is requested to increase the maximum number of fascia signs from 2 to 3 (see By-law Variance Section). There is no free-standing sign proposed as part of this application.
- Potential off-site impacts to the adjacent residential development from wayward lighting will be limited with all lighting required to be downward oriented.
- The landscape plan features a 1.2-metre (4 ft.) wide, 1.5-metre (5 ft.) high shrub hedge along the south and a portion of the east property lines. Two trees are also proposed along the eastern property line with a minimum height of 2.5 metres (8 ft.). The existing cedar fence will be retained and rehabilitated where required.
- The garbage enclosure will be constructed out of cedar wood, which is complementary to the building's materials. Landscaping is proposed on three sides of the garbage enclosure.

ADVISORY DESIGN PANEL

The application was not referred to the Advisory Design panel but was reviewed by the City Architect and City Landscape Architect. The applicant has addressed most design concerns to the satisfaction of staff with the exception of the following:

- Hedging is to be increased along the west property line and is to incorporate a bench; and
- Paving is to be removed on areas that are outside of the property and extended within the driveway area.

The applicant has agreed to resolve these design concerns prior to consideration of final approval.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum front yard (Fraser Highway) setback of the C-4 Zone from 7.5 metres (25 ft.) to 1.93 metres (6 ft.);
- To reduce the minimum west side yard (149 Street) setback of the C-4 Zone from 7.5 metres (25 ft.) to 1.04 metres (3 ft.); and
- To reduce the minimum east side yard setback of the C-4 Zone from 6.0 metres (20 ft.) to 1.32 metres (4 ft.).

Applicant's Reasons:

- The site has been compromised by the City's road dedication requirements.
- Reduced setbacks are required to allow for an acceptable building envelope.

Staff Comments:

- The subject parcel is relatively small and thus poses limitations for developing a commercial building which is large enough to be viable. This situation has been compounded by the previous road dedication which facilitated the widening of Fraser Highway and similarly the proposed dedication for further widening.
- Reducing the front and side yard setbacks allows a larger building envelope on the site, while at the same time creating a more urban streetscape by bringing the building closer to the streets.
- Staff support the proposed setback variances.

(b) Requested Variance:

- The applicant seeks to vary Section 27 (2) of the Surrey Sign By-law, 1999, No. 13656 to increase the maximum number of fascia signs from 2 to 3.

Applicant's Reasons:

- The additional signage will make the retail store more readily identifiable. Without the variance there will be no signage visible from the rear of the building which is a significant point of access to the building.

Staff Comments:

- The Sign By-law allows one premise fascia sign and one lot frontage fascia sign for a total of two fascia signs. The additional sign will be visible to pedestrians and traffic travelling northbound on 149th Street.
- The proposed additional fascia sign is integrated with the architecture of the building, above the upper left window on the south elevation.
- Staff support the proposed 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. 7908-0130-00

INFORMATION AVAILABLE ON FILE

- Complete Set of Architectural and Landscape Plans prepared by Pacific Rim Architecture Ltd. and Vander Zalm & Associates Inc., respectively, dated June 5, 2009.

Jean Lamontagne
General Manager
Planning and Development

SML/kms

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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: Sana Riffat Khawaja
 Address: 14922 Fraser Highway
 Surrey, BC
 V3R 3N7
 Tel: 604-930-9922

2. Properties involved in the Application
 - (a) Civic Address: 14922 Fraser Highway

 - (b) Civic Address: 14922 Fraser Highway
 Owner: Sana Riffat Khawaja
 PID: 009-858-661
 Lot B Except: Part Dedicated Road on Plan BCP29915 Section 34 Township 2
 New Westminster District Plan 13932

3. Summary of Actions for City Clerk's Office
 - (a) Introduce a By-law to discharge Land Use Contract No. 219.

 - (b) Proceed with Public Notification for Development Variance Permit No. 7908-0130-00.

DEVELOPMENT DATA SHEET

Proposed Zoning: C-4

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		761.2 m ²
Road Widening area		44.6 m ²
Undevelopable area		
Net Total		716.6 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	40%	32%
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front	7.5 m	1.93 m
Rear	7.5 m	20.98 m
Side #1 (East)	6.0 m	1.32 m
Side #2 (West)	7.5 m	1.04 m
BUILDING HEIGHT (in metres/storeys)		
Principal	9.0 m	7.32 m
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential		55 m ²
FLOOR AREA: Commercial		
Retail		231.3 m ²
Office		
Total		286.3 m ²
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA	286.64 m ²	286.3 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)	.40	.40
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial	6	7
Industrial		
Residential Bachelor + 1 Bedroom	2	2
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces	8	9
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	YES
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