

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7910-0078-00

Planning Report Date: June 7, 2010

PROPOSAL:

- Amend **CD By-law** No. 16342

in order to increase the permitted floor area for an existing banquet hall and to add a childcare centre as a permitted use.

LOCATION:

12025 Nordel Way

OWNER:

070115 B.C. Ltd., Inc. No. 070115

ZONING:

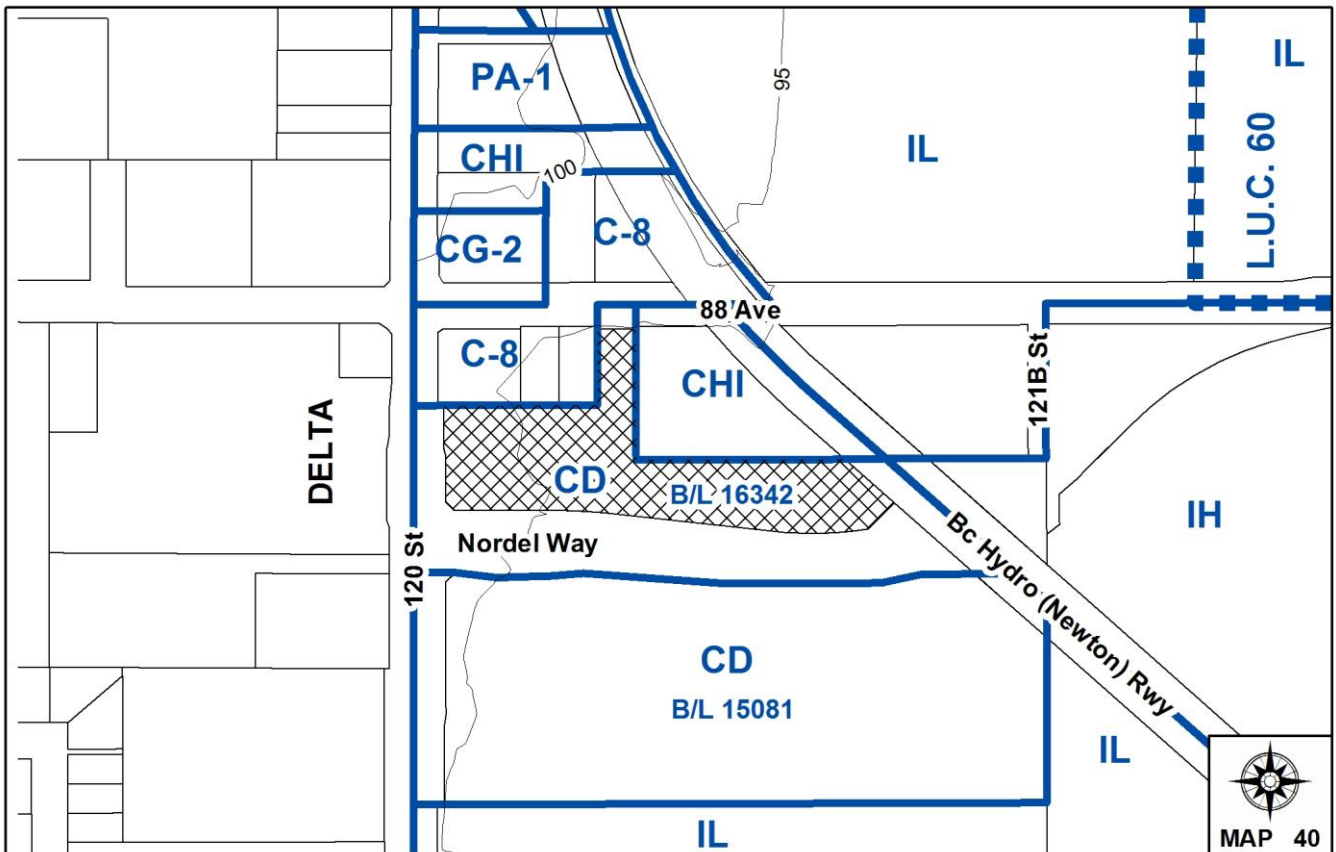
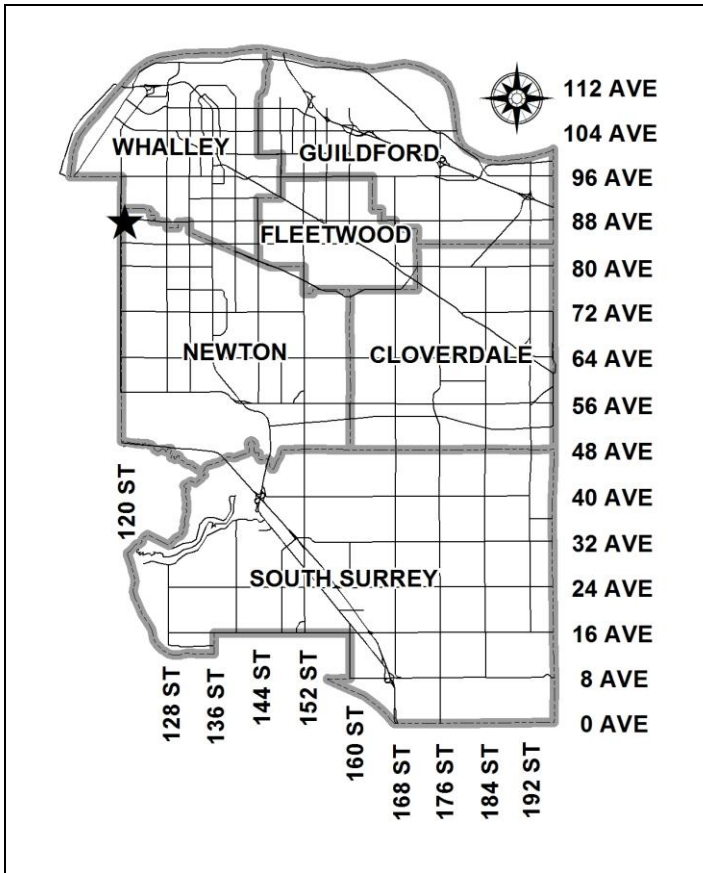
CD

OCP DESIGNATION:

Commercial

LAP DESIGNATION:

Commercial



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for amending CD By-law No. 16342.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The existing CD Zone currently restricts the maximum allowable floor area for a banquet hall to 1,277 square metre (13,742 sq.ft.). The applicant is seeking to convert 121 square metres (1,302 sq.ft.) of second floor office space to increase the banquet hall to a total of 1,399 square metre (15,067 sq.ft.).
- The owner also seeks to add a childcare centre as a permitted use.

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Complies with the Local Area Plan.
- The additional floor area proposed for the banquet hall can be accommodated on site, and satisfies the additional parking requirements through the shared parking provision in Zoning By-law No. 12000. The applicant has confirmed existing restrictions on operating hours through an existing lease agreement with an existing tenant (bank) and registration of a Restrictive Covenant to ensure that sufficient parking will be available on site to serve the banquet hall and other commercial uses.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to amend Comprehensive Development By-law No. 16342 and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issue prior to final adoption:
 - (a) registration of a Section 219 Restrictive Covenant to prohibit the hours of operation of the banquet hall during 6:00 a.m. to 6:00 p.m. on Monday to Friday and from 6:00 a.m. to 3:00 p.m. on Saturdays.

REFERRALS

Engineering: The Engineering Department has no objection to the project.

SITE CHARACTERISTICS

Existing Land Use: Newly constructed commercial building.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Commercial building.	Commercial	C-8
East:	Commercial building.	Commercial	CHI
South:	Commercial building.	Commercial	CD
West (Across 120 Street):	Commercial building.	Commercial	Delta

DEVELOPMENT CONSIDERATIONSBackground

- The subject site was rezoned to the existing CD By-law No. 16342 and issued a Development Permit under Surrey Development Application No. 7906-0072-00, which was completed in October, 2007. The existing CD Zone is based on the Community Commercial (C-8) Zone, with an increase in floor area ratio, due to site constraints, including the hydro corridor.
- The total floor area of the building is 3,273 sq.m (35,228 sq. ft).

- The building has been constructed and most of the units have been occupied.
- A banquet hall is located on the second storey. The banquet hall has been in operation provisionally and the tenant improvement permit is under review by staff for final approval.
- The existing CD Zone allows for the banquet hall, an eating establishment, to a maximum floor area of 1,277 sq.m (13,742 sq. ft).

Proposal

- The applicant proposes to expand the banquet hall by 123 sq. m (1,324 sq. ft) and eliminate the office space on the second storey.
- The proposed maximum allowable floor area for an eating establishment is 1,399 sq. m (15,067 sq.ft). In order to accommodate this, an amendment to the existing CD Zone is required.

Evaluation

- A parking calculation was reviewed to determine if the additional floor area for the banquet hall could be accommodated on the site.
- There are 173 parking stalls on site. In order to accommodate the additional floor area of 123 sq. m (1,324 sq.ft) for the banquet hall, an additional 12 parking stalls are required.
- Zoning By-law 12000 Part 5, Section A Sub-section 4(b) includes the provision for shared parking facilities for two or more establishments when the maximum demand for parking occurs at different periods of the day. The required parking shall not be less than 75% of the total required by the individual users.
- A lease agreement is in existence which prohibits the operation of the banquet hall between the hours of 6:00 am to 6:00 pm Monday to Friday, in favour of the bank branch, CIBC, currently in operation on the site.
- The number of parking stalls required to accommodate the banquet hall, including the increased floor area is 140. The number of parking stalls required for the CIBC is 28. The total number of parking stalls for these two establishments is 168.
- According to the provision in the Zoning By-law for shared parking, 42 stalls would be available for shared parking (168 x 0.75). Therefore, the additional 12 stalls required for the additional floor area of the banquet hall can be accommodated by this provision in the Zoning By-law.
- This arrangement is supportable because of the existing lease agreement and the additional requirement for the owner to register a Section 219 Restrictive Covenant to prohibit the hours of operation of the banquet hall during 6:00 am to 6:00 pm on Monday to Friday and during 6:00 am to 3:00 pm on Saturdays.
- The CIBC branch, and other retails uses on site, operate shorter hours on Saturdays. In addition to this, the proposed child care use (discussed below) would not be in operation on Saturdays and will provide for additional parking spaces on weekends.

- An amendment to the CD Zone is proposed in order to accommodate this additional floor area (Appendix III).

Child Care Centres

- Child care centres are a permitted use in the C-8 Zone, which the existing CD Zone is based on.
- The CD was based on the C-8 zoned and tailored to accommodate proposed users. At the time when the CD was developed, the applicant did not request a child care use.
- Since the building has been constructed there have been numerous inquiries regarding the operation of a child care centre on the site.
- The additional use of a child care centre is supportable as it is consistent with the C-8 Zone. Child care centres are regulated and licensed through Fraser Health Authority.
- The parking requirements for childcare may be equal to or less than for retail uses, depending on the size of the proposed childcare centre.
- The use has been included in the proposed CD amendment (Appendix III).

PRE-NOTIFICATION

Pre-notification letters were sent out on May 20, 2010 and staff received no comments.

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.	Site Plan
Appendix III.	Proposed CD By-law Amendment

Jean Lamontagne
General Manager
Planning and Development

IM/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: Rajinder Mann
 Address: 8381 – 128 Street
 Surrey, BC
 V3W 4G1
 Tel: 604-596-9801

2. Properties involved in the Application

(a) Civic Address: 12025 Nordel Way

(b) Civic Address: 12025 Nordel Way
 Owner: 0701115 B.C. Ltd., Inc. No. 0701115
 Director Information:
 Sarwan Hundal
 Rajinder Singh Mann

Officer Information as at July 30, 2008
Sarwan Hundal (President)
Rajinder S. Mann (Secretary)

PID: 027-327-311
Lot 1 Section 30 Township 2 New Westminster District Plan BCP 33811

3. Summary of Actions for City Clerk's Office

(a) Introduce a By-law to rezone the property.

DEVELOPMENT DATA SHEET

Existing Zoning: CD

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		n/a
Gross Total		
Road Widening area		
Undevelopable area		
Net Total		3,460.56 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures		60.8%
Paved & Hard Surfaced Areas		31.8%
Total Site Coverage		92.6%
SETBACKS (in metres)		
Front		6.48 m
Rear		7.5 m
Side #1 (North)		0
Side #2 (West)		0
Side #3 (South)		9.14 m
BUILDING HEIGHT (in metres/storeys)		
Principal		12.5 m
Accessory		
NUMBER OF RESIDENTIAL UNITS		n/a
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential		n/a
FLOOR AREA: Commercial		
Retail		
Office		
Total		3,273 m ²
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA		3,273 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)		0.963
AMENITY SPACE (area in square metres)		0
Indoor		
Outdoor		
PARKING (number of stalls)		173
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces		173
		2
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	YES/NO	Tree Survey/Assessment Provided	YES/NO
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