

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7910-0127-00

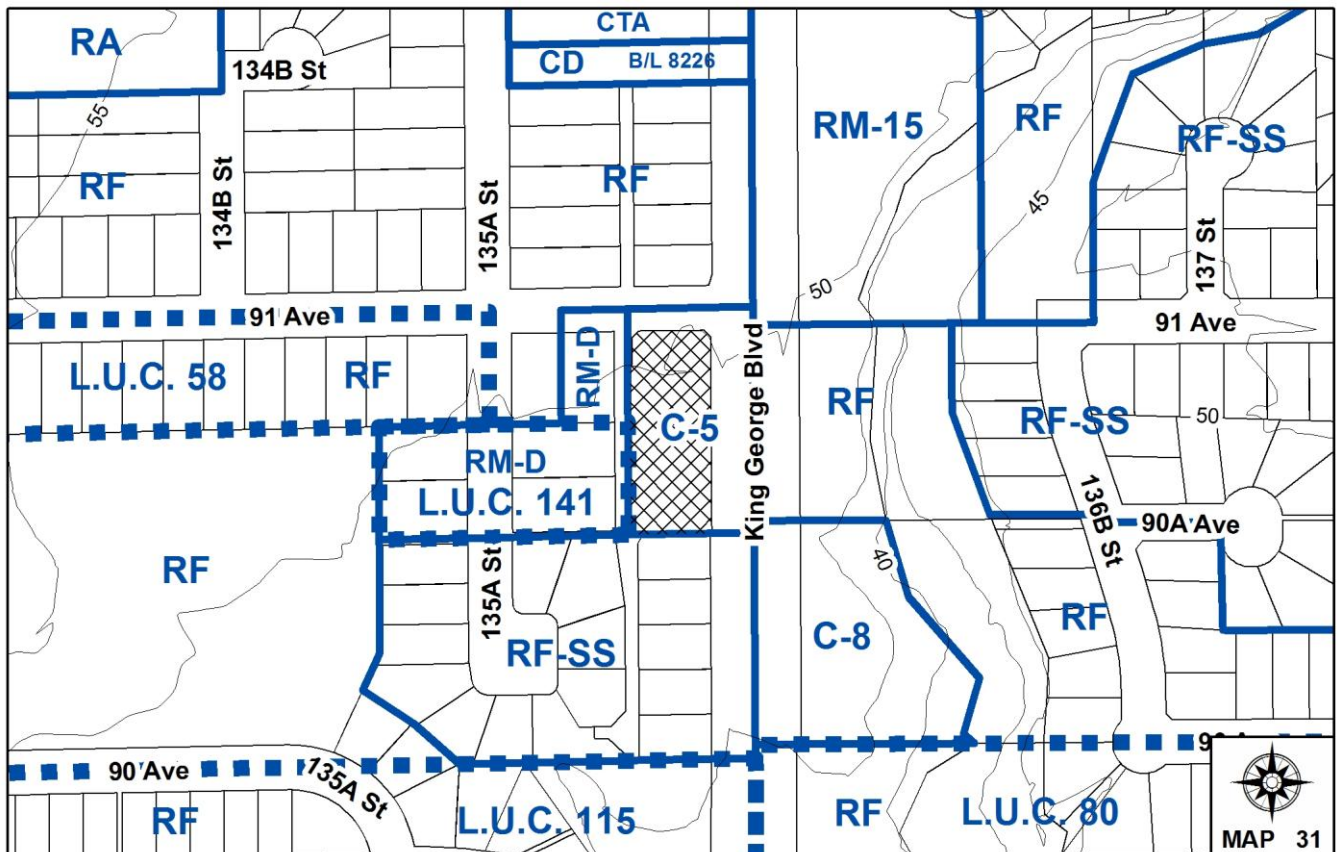
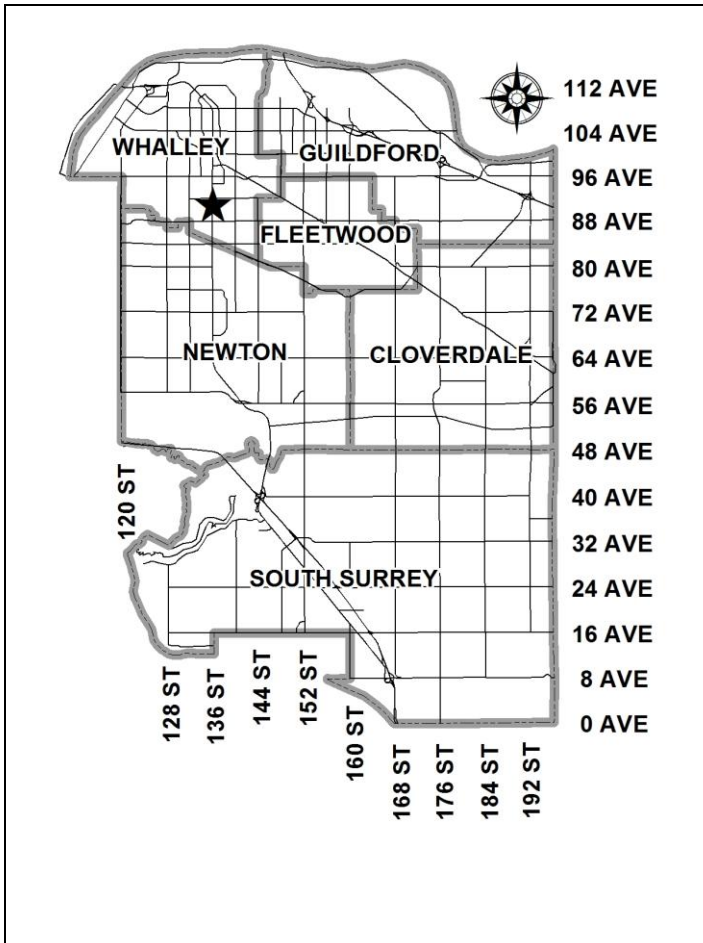
Planning Report Date: June 21, 2010

PROPOSAL:

- **Development Variance Permit**

in order to vary the flanking side yard (east) setback to permit the development of a neighbourhood commercial complex.

LOCATION: 9093 King George Boulevard
OWNER: Outside Investments Ltd., Inc No. 204692
ZONING: C-5
OCP DESIGNATION: Urban
LAP DESIGNATION: Neighbourhood Commercial



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Requires further relaxation of flanking side yard setback from King George Boulevard.

RATIONALE OF RECOMMENDATION

- The proposed setback reduction is limited to a second floor balcony and supporting columns and is considered minor.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7910-0127-00, (Appendix IV) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum flanking side yard (east) setback of the C-5 Zone from 7.5 metres (25 ft.) to 3.0 metres (10 ft.) for a second floor balcony and supporting columns.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Vacant.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across 91 Avenue):	Single family dwellings.	Urban	RF
East (Across King George Boulevard):	Townhouses and single family house.	Urban	RM-15 and RF
South:	Single family dwelling with a secondary suite.	Urban	RF-SS
West (Across the lane):	Duplexes.	Urban	RM-D and LUC No. 141

DEVELOPMENT CONSIDERATIONSBackground

- The subject site is located at the south- west corner of 91 Avenue and King George Boulevard. It is designated Urban in the Official Community Plan (OCP) and is zoned Neighbourhood Commercial Zone (C-5).
- The site was the subject of a previous land development application submitted in 2005 (File No. 7905-0011-00) to rezone the property from CG-2 and C-4 to Neighbourhood Commercial Zone (C-5), a Development Permit to regulate the form and character of the development, and a Development Variance Permit to vary various Surrey Zoning By-law No. 12000 requirements.

- Development Variance Permit No. 7905-0011-00 was approved by Council on June 25, 2007 and the rezoning by-law (No. 16411) was given final adoption and the Development Permit was approved on December 14, 2009.
- Amongst the variances approved under Development Variance Permit No. 7906-0011-00 was a reduction in the minimum flanking side yard (east) setback of the C-5 Zone from 7.5 metres (25 ft.) to 6.9 metres (22.7 ft.).
- The applicant is currently remediating the site. Prior to building permit issuance, a certificate of compliance is required from the Ministry of Environment, Contaminated Soils Division.

Current Proposal

- The applicant has submitted a building permit application in anticipation of the Ministry of Environment's approval, in order to proceed with the construction of the approved development. During the plan checking process, it was noted that the plans show a second floor balcony and supporting columns sited 3.0 metres (10 ft.) from the flanking side yard (King George Boulevard).
- The applicant has therefore requested a further variance to reduce the flanking side yard (east) setback from 7.5 metres (25 ft.) as required in Surrey Zoning By-law No. 12000 or 6.9 metres (22.5 ft.) as previously reduced by Development Variance Permit No. 7905-0011-00 to 3.0 metres (10 ft.).
- The proposed building complies with the approved Development Permit No. 7905-0011-00 however a further variance to the flanking side yard (east) setback is required.

BY-LAW VARIANCE & JUSTIFICATION

(a) Requested Variance:

- To reduce the flanking side yard (east) setback of the C-5 Zone from 7.5 metres (25 ft.) to 3.0 metres (10 ft.) for a second floor balcony and supporting columns.

Applicant's Justification:

- The building design evolved since the development application was first submitted in 2005 until final adoption and issuance of the Development Permit in 2009. The additional setback relaxation is to accommodate a second floor balcony and roof overhang. The change in the building setback from 6.9 metres (22.5 ft.) to 3.0 metres (10 ft.) was overlooked.

Staff Response:

- The site plan on approved Development Permit No. 7905-0011-00 indicated a 3.0-metre (10 ft.) setback to the supporting posts of the second floor balcony however this was not reflected in the Development Variance Permit approved on June 25, 2007.
- The requested further variance is limited to a second floor balcony and supporting columns only. The building face is 6.9 metres (22.5 ft.) from the property line.

- Staff support 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 and Building Elevations
Appendix III. Development Variance Permit No. 7910-0127-00

Jean Lamontagne
General Manager
Planning and Development

LAP/kms

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DEVELOPMENT DATA SHEET

Existing Zoning: C-5

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA (in square metres)		
Gross Total		
Road Widening area		
Undevelopable area (Statutory ROW)		
Partial Lane Closure		
Net Total		3,315.7 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	50%	40%
Paved & Hard Surfaced Areas		80%
Total Site Coverage		
SETBACKS (in metres)		
Front (91 Avenue)	7.5 m	20.0 m
Rear	3.0 m	3.0 m ^{**}
Side #1 (West)	3.0 m	3.0 m ^{**}
Side #2 (East)	7.5 m	3.0 m [*]
BUILDING HEIGHT (in metres/storeys)		
Principal	9.0 m	9.0m
Accessory	4.0 m	n/a
NUMBER OF RESIDENTIAL UNITS	1	n/a
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential		
FLOOR AREA: Commercial		
Retail		951.1 m ²
Office		705.6 m ²
Total	1,657.8 m ²	1,656.7 m ²
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA	1,657.8 m ²	1,656.7 m ²

* **Variance requested.**

** **Variance approved in Development Variance Permit No. 7905-0011-00**

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)	0.50	0.50
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial and Office	42	46
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces	42	46
Number of disabled stalls	1	1
Number of small cars		
Tandem Parking Spaces: Number / % of Total Number of Units	11	11
Size of Tandem Parking Spaces width/length		