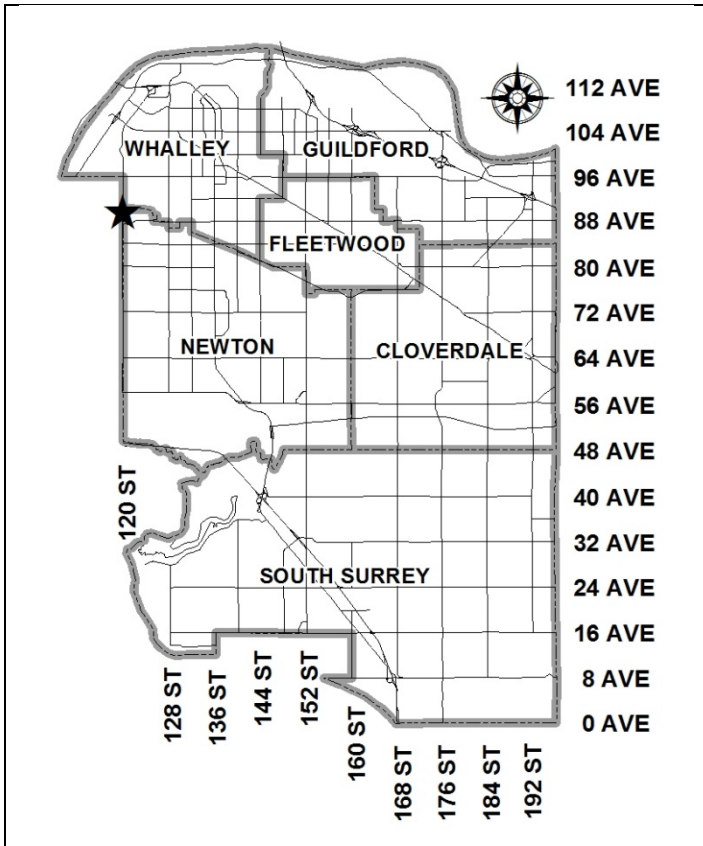


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7914-0246-00

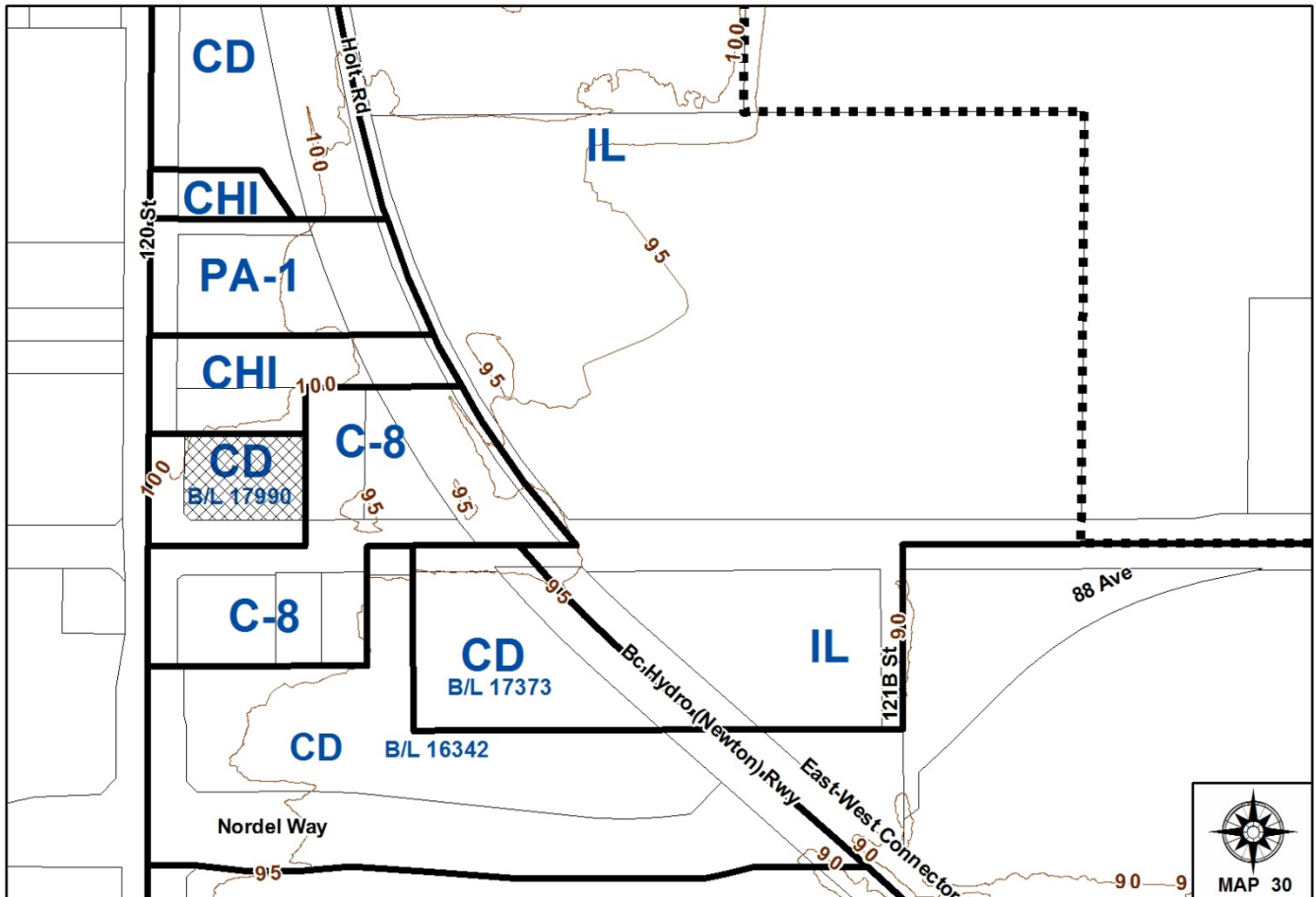
Planning Report Date: September 8, 2014



**PROPOSAL:**

- **Development Variance Permit**  
 in order to permit a height variance for a proposed 3-storey commercial retail and office building.

**LOCATION:** 8820 - 120 Street  
**OWNER:** Mann Investment (88 Ave) Ltd., Inc. No. BC0946196  
**ZONING:** CD By-law No. 17990  
**OCP DESIGNATION:** Commercial  
**LAP DESIGNATION:** Commercial



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The request is for a variance to the maximum building height, from 13 metres (43 ft.) to 14.5 metres (48 ft.).

RATIONALE OF RECOMMENDATION

- The increase in building height is to accommodate deeper floor joists and higher ceiling heights to suit the needs of future tenants. The building height proposed is considered appropriate for this location on the Scott Road corridor.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7914-0246-00 (Appendix III) varying the following, to proceed to Public Notification:

- (a) to vary the maximum building height of the CD Zone (By-law No. 17990) allowed from 13 metres (43 ft.) to 14.5 metres (48 ft.).

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Vacant lot with no existing trees

Adjacent Area:

Direction	Existing Use	OCP/LAP Designation	Existing Zone
North:	1-storey building with an automotive repair shop in operation	Commercial/General Industrial	CHI
East:	1-storey commercial building	Commercial/General Industrial	C-8
South (Across 88 Avenue):	3-storey commercial building (Khalsa Credit Union building)	Commercial/Commercial	C-8
West (Across 120 Street):	Kennedy Heights Shopping Centre in the Corporation of Delta	N/A	N/A

DEVELOPMENT CONSIDERATIONS

- The subject site is located on the northeast corner of 88 Avenue and 120 Street (Scott Road). It is designated "Commercial" in the OCP and "Commercial" in the Newton LAP. The site is currently vacant, and was previously occupied by a gasoline station.

- There is a three-storey commercial building to the south of the subject site, across 88 Avenue, with a financial institution (Khalsa Credit Union) on the ground floor and office uses on the second and third floors. To the north and east of the subject site are small commercial buildings with redevelopment potential to commercial developments with a similar form and character as the subject proposal. To the west of the subject site is the Kennedy Heights Shopping Centre in the Corporation of Delta.
- The Corporation of Delta is planning for a high-density mixed commercial and residential node at Scott Road (120 Street) and 88 Avenue (the “Kennedy” node). The Kennedy Heights Shopping Centre is designated “Mixed-Use (North Delta) 1 (MU(ND)1)” in the new North Delta Area Plan, which was adopted by Delta’s Council on May 26, 2014. The MU(ND)1 designation allows a maximum density of 4.0 floor space ratio and a maximum building height of 32 storeys.
- The applicant applied in 2012 to rezone the site from "Combined Service Gasoline Station Zone (CG-2)" to a "Comprehensive Development Zone (CD)" based on the "Community Commercial Zone (C-8)" and for a Development Permit to allow a 3-storey commercial retail and office building (Development Application No. 7912-0335-00). Council adopted Rezoning Bylaw No. 17990 and issued Development Permit No. 7912-0335-00 on June 9, 2014.

#### BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- to vary the maximum building height of the CD Zone (By-law No. 17990) allowed from 13 metres (43 ft.) to 14.5 metres (48 ft.).

Applicant's Reasons:

- After detailed structural building design, it was determined that deeper floor joists were required than originally anticipated. Deeper floor joists equate to a modest increase in building height.
- In order to maintain minimum ceiling height requirements critical to leasing and anticipated tenancies, floor-to-floor heights were adjusted to suit, which also impacts the building height.

Staff Comments:

- The proposed increase in building height is modest and considered appropriate given the site context within the 120 Street (Scott Road) and 88 Avenue node along the Scott Road corridor.
- The City envisions a vibrant commercial node at 120 Street and 88 Avenue. The height variance will support higher ceiling heights to better suit the needs of future tenants. The ability to attract tenants is a critical factor in the creation of a vibrant commercial node.

- The architectural design of the building is generally unchanged. A minor amendment to the Development Permit will be addressed by staff through the Building Permit process.
- Staff have no concerns with 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.	Site Plan and Building Elevations
Appendix III.	Development Variance Permit No. 7914-0246-00
Appendix IV.	CD By-law No. 17990

*original signed by Nicholas Lai*

Jean Lamontagne  
General Manager  
Planning and Development

HK/da

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# DEVELOPMENT DATA SHEET

Existing Zoning: CD By-law No.

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		2,380 m <sup>2</sup>
Road Widening area		125 m <sup>2</sup>
Undevelopable area		321 m <sup>2</sup>
Net Total		1,934 m <sup>2</sup>
LOT COVERAGE (in % of net lot area)		
Buildings & Structures		38.6%
Paved & Hard Surfaced Areas		50.4%
Total Site Coverage		89%
SETBACKS ( in metres)		
Front (West)		3.95 m
Rear (East)		31.0 m
Side (North)		0.25 m
Side (South)		1.94 m
BUILDING HEIGHT (in metres/storeys)		
Principal	13 m	14.5 m (variance required)
Accessory		N/A
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		N/A
FLOOR AREA: Residential		
FLOOR AREA: Commercial		
Retail		738 m <sup>2</sup>
Office		1,412 m <sup>2</sup>
Total		2,150 m <sup>2</sup>
FLOOR AREA: Industrial		N/A
FLOOR AREA: Institutional		N/A
TOTAL BUILDING FLOOR AREA		2,150 m <sup>2</sup>

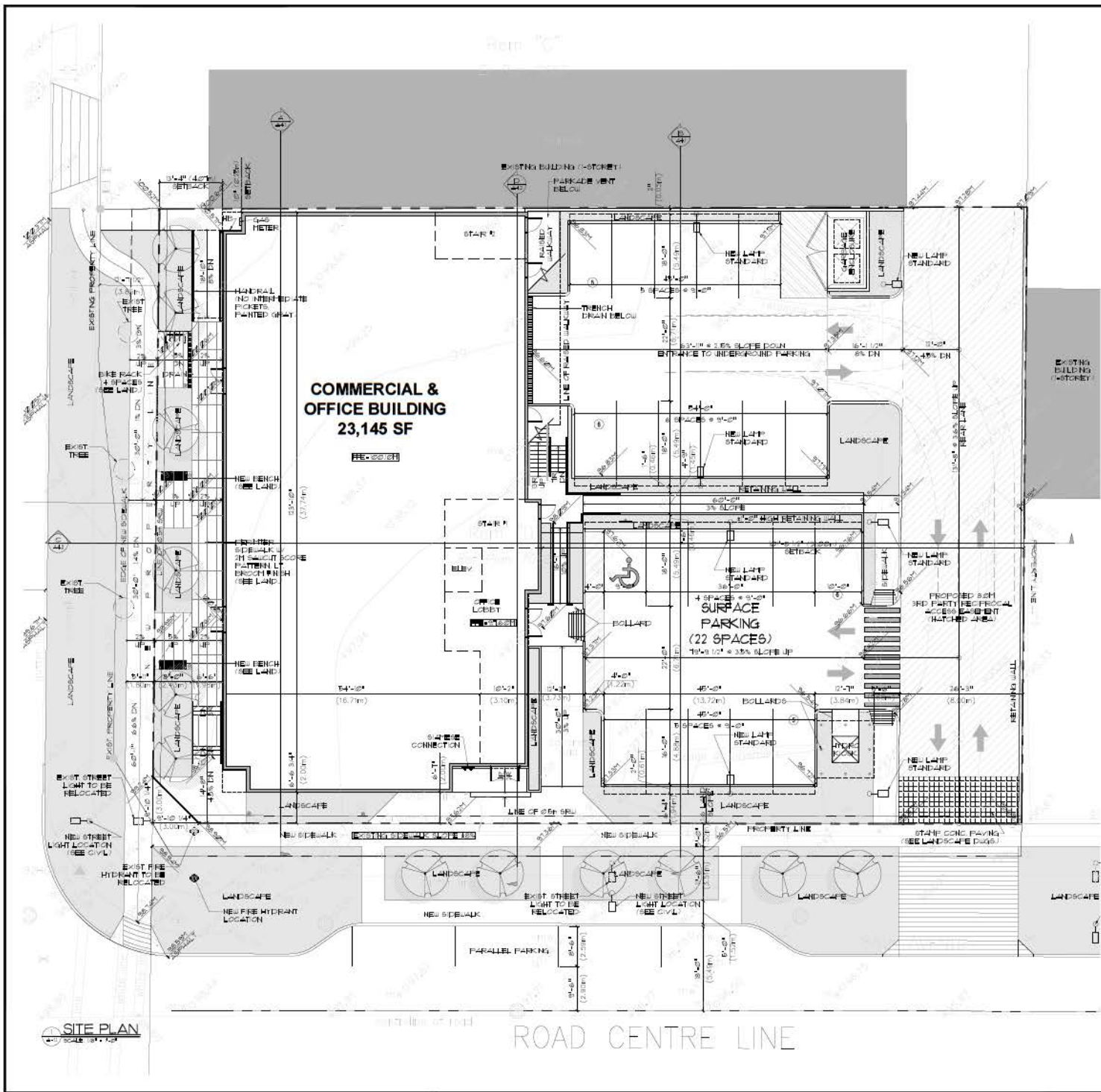
*\* If the development site consists of more than one lot, lot dimensions pertain to the entire site.*

**Development Data Sheet cont'd**

<b>Required Development Data</b>	<b>Minimum Required / Maximum Allowed</b>	<b>Proposed</b>
DENSITY		
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)		
FAR (gross)		
FAR (net)		1.0
AMENITY SPACE (area in square metres)		N/A
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial	51	69
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces	51	69
Number of disabled stalls	1	2
Number of small cars	18	14
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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LOCATION MAP  
SCALE: NTS

**PROJECT DATA:**

LEGAL DESCRIPTION	: LOT 1 SECTION 31 TOWNSHIP 2 NEW WESTMINSTER DISTRICT PLAN EPP35136
CIVIC ADDRESS	: 8820 120TH STREET, SURREY, BC
ZONING	: CD ZONE (COMPREHENSIVE DEVELOPMENT)
TOTAL SITE AREA	: 25,623 SF (0.588 AC)
ROAD DEDICATION	: 1,342 SF (0.05 AC)
NET SITE AREA	: 24,281 SF (0.583 AC)
ACCESS EASEMENT	: 3,455.2 SF (0.08 AC)
BUILDING AREA	: 8,037 SF
SITE COVERAGE	: 33.1% (ON NET SITE AREA)

**BUILDING DATA:**

GROUND FLOOR, RETAIL	= 7,950 SF
SECOND FLOOR, OFFICE	= 8,037 SF
THIRD FLOOR, OFFICE	= 7,158 SF
<b>TOTAL GFA</b>	<b>= 23,145 SF</b>

**PARKING STATISTICS:**

GROUND FLOOR, RETAIL USE Category 2: 4,001 SF - 50,000 SF GFA	= 3 SPACES PER 100 SM (1,075 SF) 7,950 SF / 1,075 x 3 23 SPACES
SECOND FLOOR, OFFICE USE Office Use Above Ground	= 2 SPACES PER 100 SM (1,075 SF) 8,037 SF / 1,075 x 2 15 SPACES
THIRD FLOOR, OFFICE USE Office Use Above Ground	= 2 SPACES PER 100 SM (1,075 SF) 7,158 SF / 1,075 x 2 14 SPACES
<b>TOTAL PARKING REQUIRED</b>	<b>= 52 SPACES</b>
<b>TOTAL PARKING PROVIDED</b>	<b>= 71 SPACES (22 SURFACE + 49 PARKADE)</b>
<b>NO. OF SMALL CAR SPACES, 17% PROVIDED (25% MAX. ALLOW.)</b>	<b>= 12 SPACES</b>
<b>NO. OF SPACES FOR DISABLED</b>	<b>= 2 SPACES</b>
<b>PARKING RATIO</b>	<b>= 3.07 / 1,000 SF</b>

Reference: City of Surrey Zoning Bylaw 12000

**BICYCLE STORAGE STATISTICS:**

GROUND FLOOR, RETAIL USE Category 2: 4,001 SF - 50,000 SF GFA	= 0.1 SPACES PER 100 SM (1,075 SF) 7,950 SF / 1,075 x 0.1 1 SPACE
SECOND FLOOR, OFFICE USE Office Use Above Ground	= 0.6 SPACES PER 100 SM (1,075 SF) 8,037 SF / 1,075 x 0.6 4 SPACES
THIRD FLOOR, OFFICE USE Office Use Above Ground	= 0.6 SPACES PER 100 SM (1,075 SF) 7,158 SF / 1,075 x 0.6 4 SPACES
<b>TOTAL BICYCLE STORAGE REQUIRED</b>	<b>= 9 SPACES</b>
<b>TOTAL BICYCLE STORAGE PROVIDED</b>	<b>= 11 SPACES (4 @ GRADE + 7 PARKADE)</b>

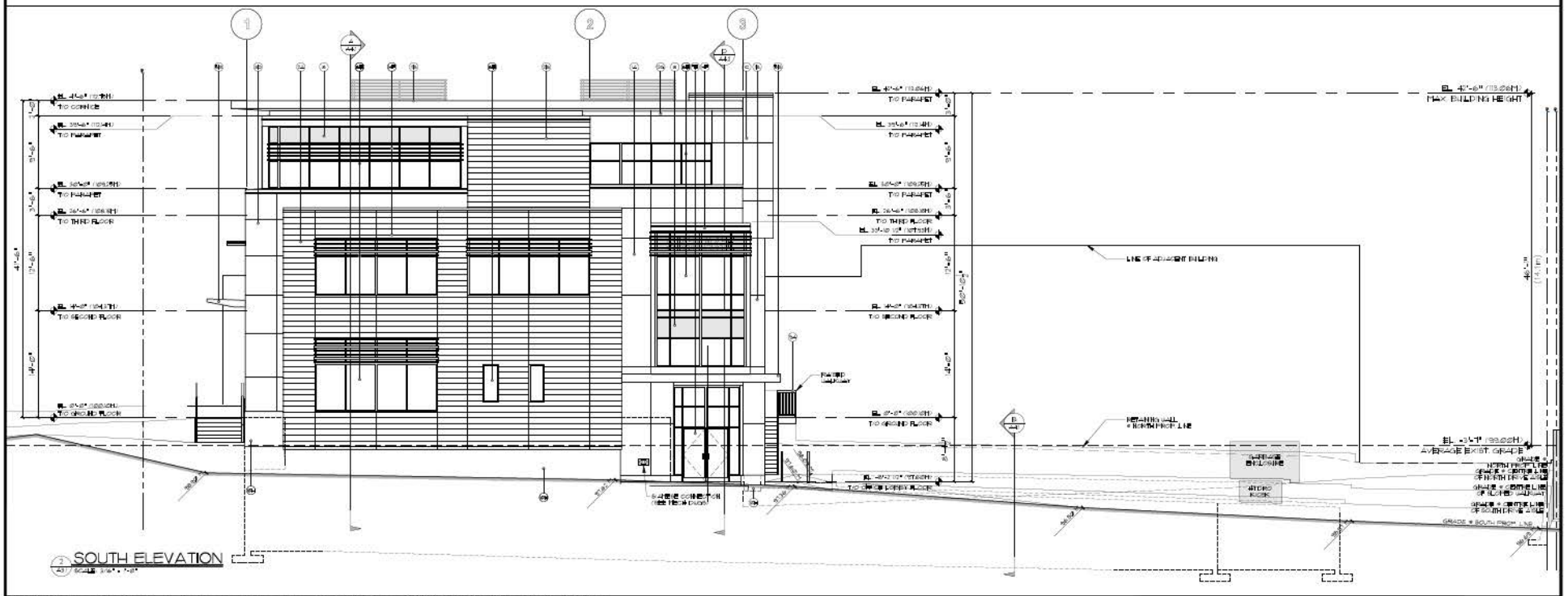
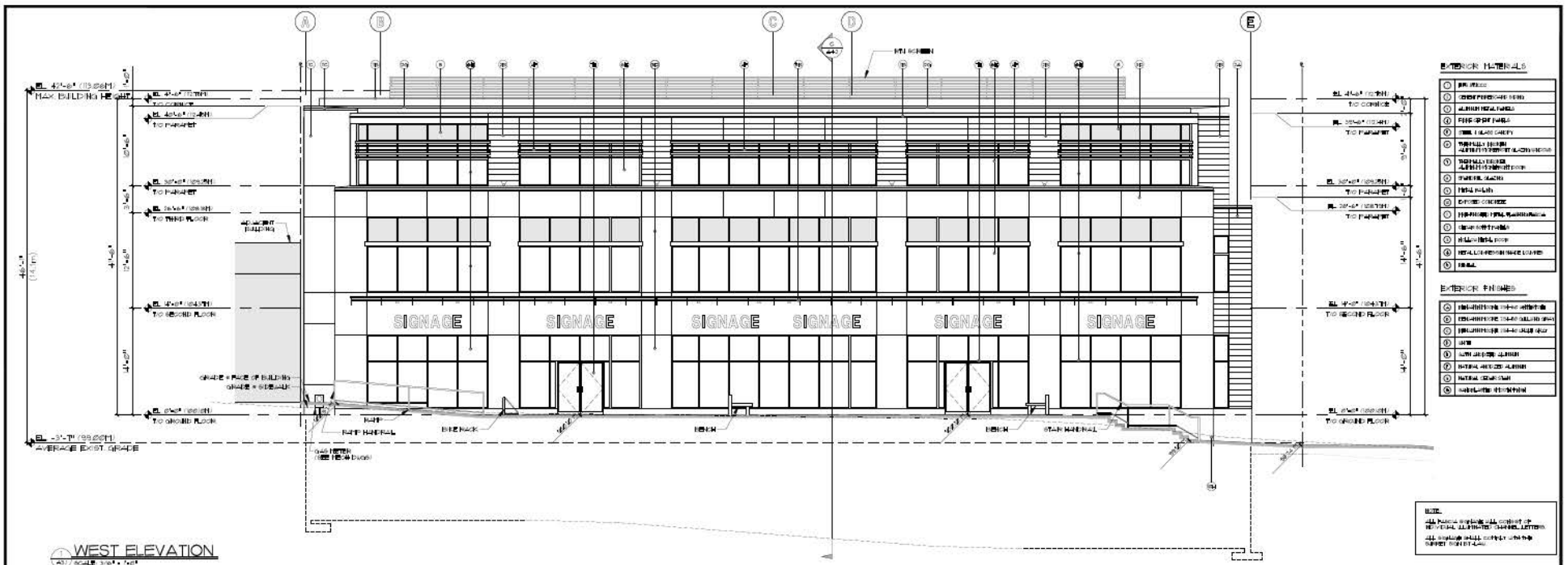
Reference: City of Surrey Zoning Bylaw 12000

- GENERAL NOTES:**
- BOUNDARIES SHOWN HEREON ARE DERIVED FROM EXISTING RECORDS AND MUST BE CONFIRMED BY SURVEY PRIOR TO THE DETERMINATION OF DIMENSIONS OR AREAS FOR DEVELOPMENT PURPOSES.
  - LOCATION OF EXISTING OFF-SITE AND ON-SITE SERVICES SHOWN ARE BASED ON AVAILABLE AS-BUILT DRAWINGS AND ARE TO BE VERIFIED BY SURVEY.

**COMMERCIAL & OFFICE BLDG.**  
8820 - 120TH STREET, SURREY B.C.  
**MANN CAPITAL MANAGEMENT CORP.**

architects ltd  
600-1140 WEST ENDER  
VANCOUVER, BC V6E 4E3  
TEL: 604-683-5200  
FAX: 604-683-5200

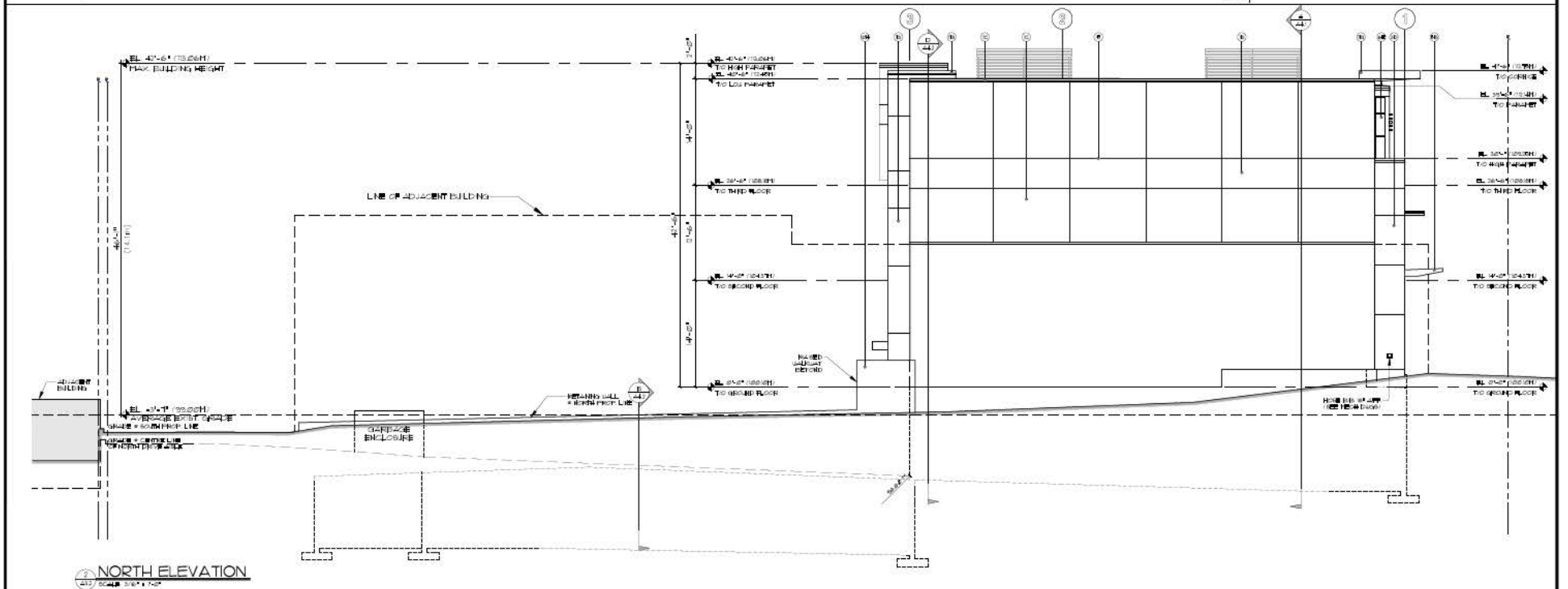
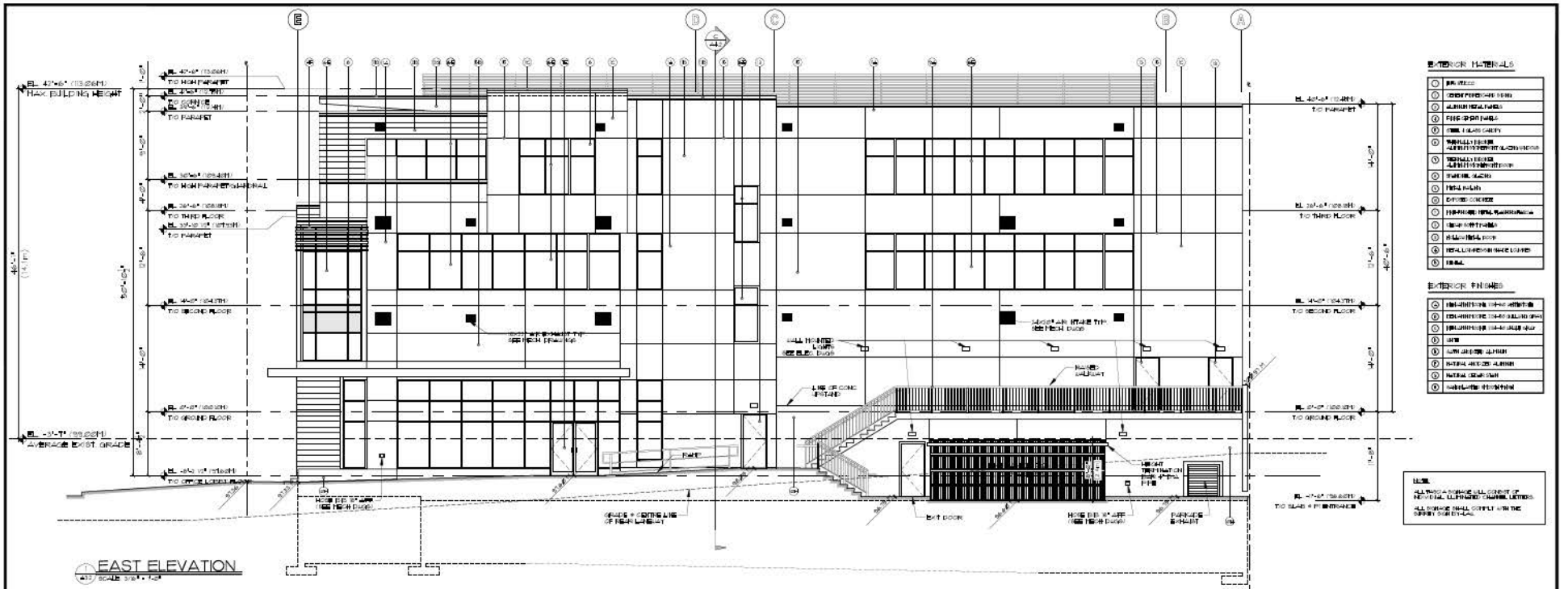
PROJECT: 3338  
DATE: 2015.05.08  
**SITE PLAN**  
SCALE: A=1:1



**COMMERCIAL & OFFICE BLDG.**  
8820 - 120TH STREET, SURREY B.C.  
**MANN CAPITAL MANAGEMENT CORP.**

**architects ltd**  
400-110 WEST ENDER  
VANCOUVER, BC V6E 4C3  
TEL: 604-681-7300  
FAX: 604-681-7301

**WEST & SOUTH ELEVATIONS**  
A-3.1



**COMMERCIAL & OFFICE BLDG.**  
8820 - 120TH STREET, SURREY B.C.  
**MANN CAPITAL MANAGEMENT CORP.**

**architects ltd**  
400-110 WEST PENDER  
VANCOUVER, BC V6E 4E3  
TEL: 604-681-3300  
FAX: 604-681-3301

**EAST & NORTH ELEVATIONS**

DATE: 2014-08-14  
DRAWN BY: J. [Name]  
CHECKED BY: [Name]  
SCALE: AS SHOWN

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7914-0246-00

Issued To: MANN INVESTMENT (88 AVE) LTD., INC. NO. BC0946196  
("the Owner")

Address of Owner: 201, 8381 - 128 Sreet  
Surrey, BC V3W 4G1

1. This development variance permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations or agreements, except as specifically varied by this development variance permit.
2. This development variance permit applies to that real property including land with or without improvements located within the City of Surrey, with the legal description and civic address as follows:

Parcel Identifier: 029-337-828  
Lot 1 Section 31 Township 2 New Westminster District Plan EPP35136  
8820 - 120 Street

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2013, No. 17990 is varied as follows:  
  
In sub-section G.1, the maximum building height is varied from 13 metres (43 ft.) to 14.5 metres (48 ft.).
4. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
5. This development variance permit shall lapse if the Owner does not substantially start any construction with respect to which this development variance permit is issued, within two (2) years after the date this development variance permit is issued.
6. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.

7. This development variance permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE      DAY OF      , 20 .  
ISSUED THIS      DAY OF      , 20 .

---

Mayor – Dianne L. Watts

---

City Clerk – Jane Sullivan

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CITY OF SURREY

BY-LAW NO. 17990

A by-law to amend Surrey Zoning By-law, 1993, No. 12000, as amended

.....

THE CITY COUNCIL of the City of Surrey, ENACTS AS FOLLOWS:

- 1. Surrey Zoning By-law, 1993, No. 12000, as amended, is hereby further amended, pursuant to the provisions of Section 903 of the Local Government Act, R.S.B.C. 1996 c. 323, as amended by changing the classification of the following parcels of land, presently shown upon the maps designated as the Zoning Maps and marked as Schedule "A" of Surrey Zoning By-law, 1993, No. 12000, as amended as follows:

FROM: COMBINED SERVICE GASOLINE STATION ZONE (CG-2)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 002-206-030

Parcel "D" (Reference Plan 7086) Except: Firstly: Parcel "C" (Explanatory Plan 9666) and Secondly: Part Outlined in Red on By-law Plan 54893; Thirdly: Part on SRW Plan 53885 Lot 1 Section 31 Township 2 New Westminster District Plan 2966

8820 - 120 Street

(hereinafter referred to as the "*Lands*")

- 2. The following regulations shall apply to the *Lands*:

**A. Intent**

This Comprehensive Development Zone is intended to accommodate and regulate the development of a commercial retail and office *building*.

**B. Permitted Uses**

The *Lands* and *structures* shall be used for the following uses only, or for a combination of such uses:

- 1. *Retail stores*:

- (a) Including a *small-scale drug store*, notwithstanding Section E.28 of Part 4 General Provisions of Surrey Zoning By-law, 1993, No. 12000, as amended, provided that:

- i. There is not more than one *small-scale drug store* on the *Lands*;
  - ii. The *small-scale drug store* is operated in conjunction with offices of medical doctors who are licensed with the College of Physicians and Surgeons; and
  - iii. The *small-scale drug store* is contained in the same *principal building* as the medical doctors' offices.
- (b) Excluding the following:
  - i. *Adult entertainment stores*; and
  - ii. *Secondhand stores* and *pawnshops*.
- 2. *Personal service uses* excluding *body rub parlours*.
- 3. *General service uses* excluding funeral parlours and *drive-through banks*.
- 4. *Beverage container return centres* provided that:
  - (a) The use is confined to an enclosed *building* or a part of an enclosed *building*; and
  - (b) The *beverage container return centre* does not exceed a *gross floor area* of 418 square metres [4,500 sq. ft.].
- 5. *Eating establishments* excluding *drive-through restaurants*.
- 6. *Neighbourhood pubs*.
- 7. *Liquor store*.
- 8. Office uses excluding *social escort services* and *methadone clinics*.
- 9. *Indoor recreational facilities*.
- 10. *Entertainment uses* excluding *arcades* and *adult entertainment stores*.
- 11. *Assembly halls*.
- 12. *Community services*.
- 13. *Child care centres*.
- 14. One *dwelling unit* provided that the *dwelling unit* is contained within the *principal building* and occupied by the owner or the owner's employee for the protection of the businesses on the *Lands*.

**C. Lot Area**

Not applicable to this Zone.

**D. Density**

The *floor area ratio* shall not exceed 1.0.

**E. Lot Coverage**

The *lot coverage* shall not exceed 40%.

**F. Yards and Setbacks**

*Buildings and structures* shall be sited in accordance with the following minimum *setbacks*:

<b>Use</b>	<b>Setback</b>	<b>Front Yard</b>	<b>Rear Yard</b>	<b>Side Yard</b>	<b>Side Yard on Flanking Street</b>
<i>Principal and Accessory Buildings and Structures</i>		2.0 m. [7 ft.]	30.0 m. [98 ft.]	0.0 m. [0 ft.]	1.94 m. [6 ft.]

Measurements to be determined as per Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended.

**G. Height of Buildings**

Measurements to be determined as per Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended.

1. *Principal buildings*: The *building height* shall not exceed 13 metres [43 ft.].
2. *Accessory buildings and structures*: The *building height* shall not exceed 4.5 metres [15 feet].

**H. Off-Street Parking**

1. Refer to Table C.2 of Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.
2. *Tandem parking* may be permitted for company fleet *vehicles*.



**I. Landscaping**

1. All developed portions of the *lot* not covered by *buildings, structures* or paved areas shall be landscaped including the retention of mature trees. This *landscaping* shall be maintained.
2. Along the developed sides of the *lot* which abut a *highway*, a continuous *landscaping* strip of not less than 1.5 metres [5 ft.] in width shall be provided within the *lot*.
3. The boulevard areas of *highways* abutting a *lot* shall be seeded or sodded with grass on the side of the *highway* abutting the *lot*, except at *driveways*.
4. Open display or storage shall be completely screened to a height of at least 2.5 metres [8 ft.] by *buildings* and/or solid decorative fence and/or substantial *landscaping* strips of not less than 1.5 metres [5 ft.] in width. No display or storage of material shall be piled up to a height of 2.5 metres [8 ft.] within 5 metres [16 ft.] of the said screens and in no case shall these materials be piled up to the height of more than 3.5 metres [11.5 ft.].

**J. Special Regulations**

1. Garbage containers and *passive recycling containers* shall not be located within any required *setback*.
2. The outdoor storage or display of any goods, materials or supplies is specifically prohibited, notwithstanding any other provision in this Zone.
3. *Child care centres* shall be located on the *lot* such that these centres have direct access to an *open space* and play area within the *lot*.

**K. Subdivision**

*Lots* created through subdivision in this Zone shall conform to the following minimum standards:

<i>Lot Size</i>	<i>Lot Width</i>	<i>Lot Depth</i>
2,000 sq. m. [0.5 acres]	40 metres [131 ft.]	55 metres [180 ft.]

Dimensions shall be measured in accordance with Section E.21 of Part 4 General Provisions of Surrey Zoning By-law, 1993, No. 12000 as amended.

## L. Other Regulations

In addition to all statutes, by-laws, orders, regulations or agreements, the following are applicable, however, in the event that there is a conflict with the provisions in this Comprehensive Development Zone and other provisions in Surrey Zoning By-law, 1993, No. 12000, as amended, the provisions in this Comprehensive Development Zone shall take precedence:

1. Definitions are as set out in Part 1 Definitions, of Surrey Zoning By-law, 1993, No. 12000, as amended.
2. Prior to any use, the *Lands* must be serviced as set out in Part 2 Uses Limited, of Surrey Zoning By-law, 1993, No. 12000, as amended and in accordance with the servicing requirements for the C-8 Zone as set forth in the Surrey Subdivision and Development By-law, 1986, No. 8830, as amended.
3. General provisions are as set out in Part 4 General Provisions of Surrey Zoning By-law, 1993, No. 12000, as amended.
4. Additional off-street parking requirements are as set out in Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.
5. Sign regulations are as set out in Surrey Sign By-law, 1999, No. 13656, as amended.
6. Special *building setbacks* are as set out in Part 7 Special Building Setbacks, of Surrey Zoning By-law, 1993, No. 12000, as amended.
7. *Building* permits shall be subject to the Surrey Building By-law, 2012, No. 17850, as amended.
8. *Building* permits shall be subject to Surrey Development Cost Charge By-law, 2013, No. 17856, as may be amended or replaced from time to time, and the development cost charges shall be based on the C-8 Zone.
9. Tree regulations are set out in Surrey Tree Protection By-law, 2006, No. 16100, as amended.
10. Development permits may be required in accordance with the Surrey *Official Community Plan*, 1996, By-law No. 12900, as amended.
11. Provincial licensing of *child care centres* is regulated by the Community Care and Assisted Living Act R.S.B.C. 2002. c. 75, as amended, and the Regulations pursuant thereto including without limitation B.C. Reg 319/89/213.
12. Provincial licensing of *neighbourhood pubs* is regulated by the Liquor Control and Licensing Act, R.S.B.C. 1996, Chapter 267, as amended.

3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2013, No. 17990"

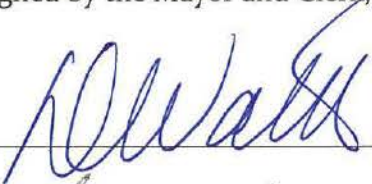
PASSED FIRST READING on the 8th day of July, 2013.


PASSED SECOND READING on the 8th day of July, 2013.

PUBLIC HEARING HELD thereon on the 22nd day of July, 2013.

PASSED THIRD READING ON THE 22nd day of July, 2013.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 9th day of June, 2014.

  
\_\_\_\_\_ MAYOR

  
\_\_\_\_\_ CLERK

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