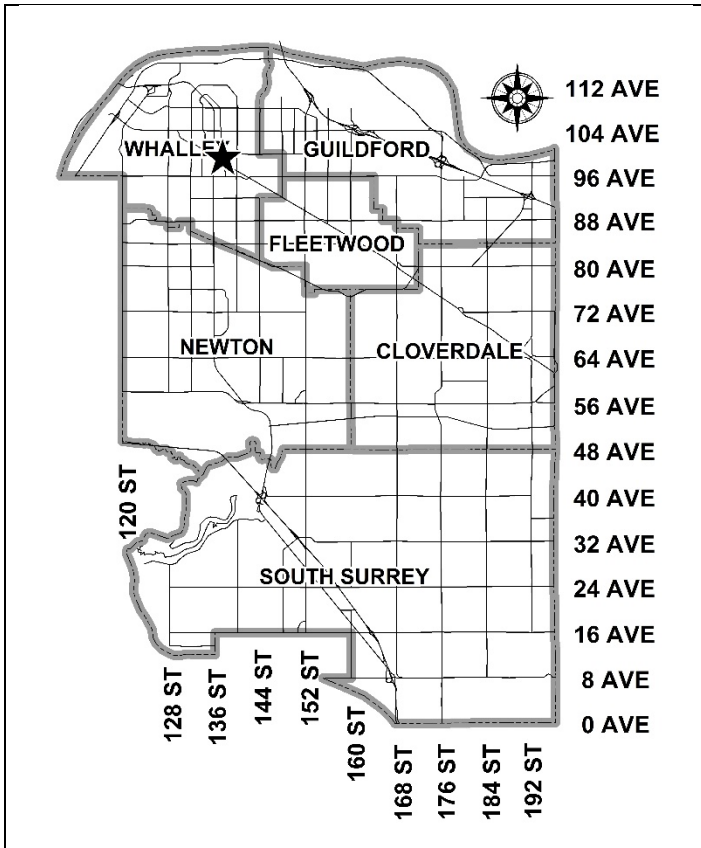


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

Application No.: 7920-0058-00

Planning Report Date: May 4, 2020



**PROPOSAL:**

- **Development Variance Permit**

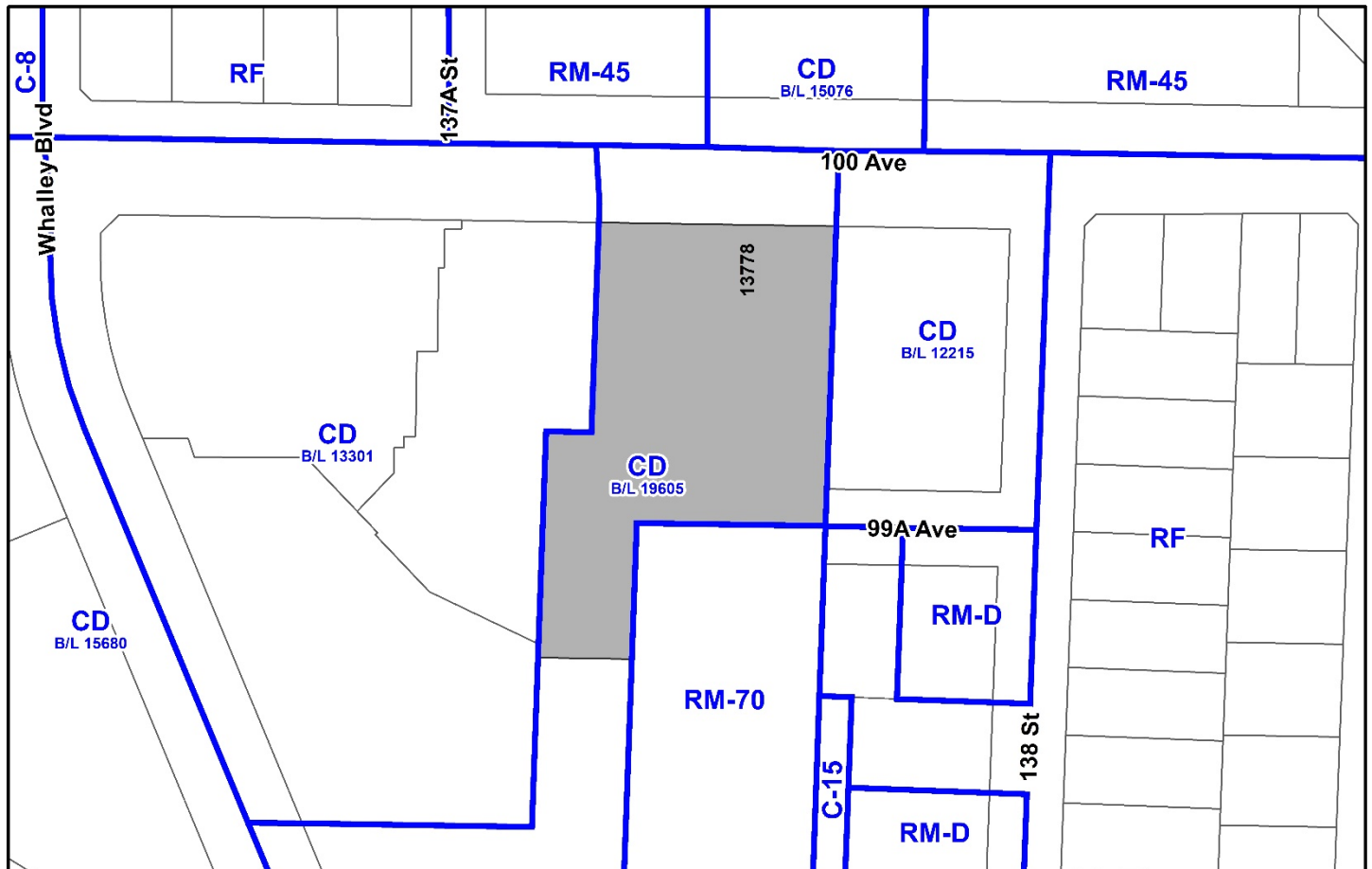
to reduce the minimum south yard setback for an approved high-rise residential development in the City Centre.

**LOCATION:** 13778 - 100 Avenue

**ZONING:** CD (By-law No. 19605)

**OCP DESIGNATION:** Central Business District

**CITY CENTRE PLAN DESIGNATION:** Residential High Rise 5.5 FAR



**RECOMMENDATION SUMMARY**

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

**DEVIATION FROM PLANS, POLICIES OR REGULATIONS**

- The applicant is seeking a variance to reduce the minimum south yard building setback in CD By-law No. 19605, from 9.0 metres to 8.4 metres.

**RATIONALE OF RECOMMENDATION**

- At the Regular Council-Land-Use Meeting on July 23, 2018, Council granted final adoption to Rezoning By-law No. 19605 and approved the project under Development Permit No. 7917-0363-00, to permit the development of two high-rise residential towers (35-storey and 39-storey) and a riparian lot to be conveyed to the City.
- The Building Permit for excavation and shoring was issued on April 2, 2020 and that work is now underway on the subject site.
- The applicant has subsequently advised staff that an oversight has occurred with respect to the south yard setback specified in the CD Zone. The applicant provided an incorrect setback on the site plan and data sheets used to prescribe the setbacks within the CD Zone.
- The CD Zone (By-law No. 19605) currently specifies a minimum south yard setback of 9.0 metres. However, the proposed development was designed to require a minimum south yard setback of 8.4 metres.
- No changes to the form and character of the development previously supported by Council are proposed.
- Staff supports the requested variance to proceed to Public Notification.



**Applicant's Reasons:**

- During the Development Permit review and approval process, the south yard dimension was inadvertently noted as 9.0 metres on the site plan when it should have been 8.4 metres.
- The proposed variance will allow for the buildings to be constructed without modifications from the design shown on the Council approved Development Permit drawings.

**Staff Comments:**

- There are no changes proposed to the form and character of the two-tower development previously approved by Council.
- The south yard property lot line is adjacent to the riparian lot conveyed to the City.
- Staff support the requested variance to proceed to Public Notification

**INFORMATION ATTACHED TO THIS REPORT**

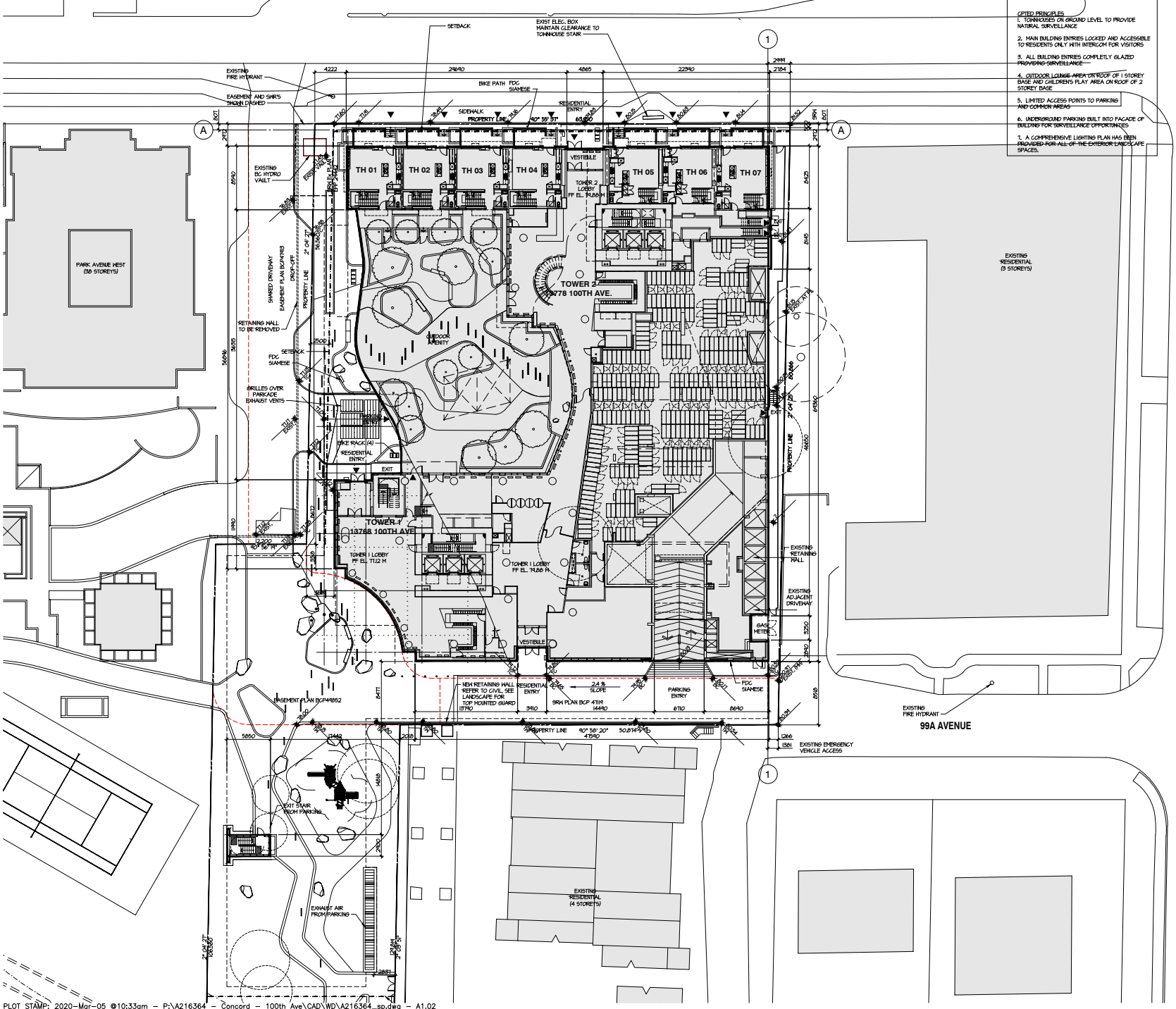
The following information is attached to this Report:

Appendix I.	Site Plan
Appendix II.	CD By-law No. 19605
Appendix III.	Development Variance Permit No. 7920-0058-00

*approved by Ron Gill*

Jean Lamontagne  
General Manager  
Planning and Development

JLM/cm



- CITED PROVISIONS**
1. TOWNHOUSES ON GROUND LEVEL TO PROVIDE NATURAL SURVEILLANCE
  2. MAIN BUILDING ENTRIES LOCKED AND ACCESSIBLE TO RESIDENTS ONLY WITH INTERCOM FOR VISITORS PROVIDING SURVEILLANCE
  3. ALL BUILDING ENTRIES COMPLETELY GLAZED PROVIDING SURVEILLANCE
  4. OUTDOOR LOUNGE AREA ON ROOF OF 1 STOREY BASE AND CHILDRENS PLAY AREA ON ROOF OF 2 STOREY BASE
  5. LIMITED ACCESS POINTS TO PARKING AND COMMON AREAS
  6. UNDERGROUND PARKING BUILT INTO FACADE OF BUILDING FOR SURVEILLANCE OPPORTUNITIES
  7. A COMPREHENSIVE LIGHTING PLAN HAS BEEN PROVIDED FOR ALL OF THE EXTERIOR LANDSCAPE SPACES.



138TH STREET

99A AVENUE

CLIENT  
**CONCORD PARK GEORGE LIMITED PARTNERSHIP**

NO.	DATE	ISSUE
1	2017-08-08	ISSUED FOR RD/P
2	2018-01-28	ISSUED FOR ADP
3	2018-02-08	IR / DP RESUBMISSION
4	2018-12-20	ISSUED FOR BP
5	2019-05-05	ISSUED FOR BP
6	2019-06-17	ISSUED FOR TENDER
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8	2019-10-18	ISSUED FOR BP
9	2019-11-18	ISSUED FOR TENDER
10	2020-03-10	ISSUED FOR DVP

NO. | DATE | REVISION



PROJECT  
**CONCORD PARK GEORGE**

13768 & 13778 - 100TH AVENUE  
SURREY, BC

**SITE PLAN**

This drawing, as an instrument of service, is the property of the architect and may not be reproduced, stored, disseminated, copied, or used in any way without the prior written permission and approval of the architect. Any reproduction, storage, dissemination, copying, or use without the prior written permission of the architect is prohibited. The architect shall not be responsible for any errors or omissions in this drawing. The architect shall not be responsible for any errors or omissions in this drawing. The architect shall not be responsible for any errors or omissions in this drawing.

Written description shall have precedence over verbal descriptions. Contractors shall verify the dimensions, level, elevations and conditions on the job and the architect shall be relieved of any liability with the dimensions and conditions shown in the drawings. Close drawings shall be submitted with attention to errors and omissions.

PROJECT A210364  
DRAWN JB/ES CHECKED CS  
SCALE 1:200  
DATE MAR 10, 2020

**A1.02**

CITY OF SURREY

BYLAW NO. 19605

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

.....

THE 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 479 of the Local Government Act, R.S.B.C. 2015 c. 1, 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:           COMPREHENSIVE DEVELOPMENT ZONE (CD) (SURREY ZONING BY-LAW, 1993, NO.12000, AMENDMENT BY-LAW, 2010, NO. 17171)

TO:               COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 028-745-558

Lot A Section 35 Block 5 North Range 2 West New Westminster District Plan BCP49851

(13778 - 100 Avenue)

(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 high *density, multiple unit residential buildings, ground-oriented multiple unit residential buildings* and related *amenity spaces*, which are to be developed in accordance with a *comprehensive design*.

The *Lands* are divided into Blocks A and B as shown on the Survey Plan attached hereto and forming part of this Bylaw as Schedule A, certified correct by Jesse Morin, B.C.L.S. on the 14th day of June, 2018.

**B. Permitted Uses**

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

1. Block A

*Multiple unit residential buildings and ground-oriented multiple unit residential buildings.*

2. Block B

Park and open space.

**C. Lot Area**

Not applicable to this Zone.

**D. Density**

1. For the purpose of *building* construction, the maximum *density* shall not exceed a *floor area ratio* of 0.1 or *building* area of 300 square metres [3,230 sq. ft.] whichever is smaller. The maximum *density* of development may be increased to that prescribed in Section D.2(a) and D.2(b) of this Zone if amenities are provided in accordance with Schedule G of "Surrey Zoning Bylaw, 1993, No. 12000", as amended.

2. For the purpose of *building* construction, the maximum *floor area ratio* shall be as follows:

(a) Block A: The *floor area ratio* shall not exceed 6.6.

(b) Block B: Not applicable.

3. The indoor *amenity space* required in Sub-section J.1(b) is excluded from the calculation of *floor area ratio*.

**E. Lot Coverage**

The *lot coverage* shall not exceed 49%.

**F. Yards and Setbacks**

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

<b>Use</b>	<b>Setback</b>	North <i>Yard</i>	South <i>Yard</i>	West <i>Yard</i>	East <i>Yard</i>
<i>Principal Buildings</i>		2.3 m	9.0 m	2.5 m	0 m
<i>Accessory Buildings and Structures</i>		[8 ft.]	[30 ft.]	[8 ft.]	[0 ft.]

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

2. Notwithstanding Sub-section E.17(b) of Part 4 General Provision of "Surrey Zoning By-law, 1993, No. 12000", as amended, stairs with more than three risers may encroach into the *setbacks*.
3. Notwithstanding the definition of *setback* in Part 1 Definitions of "Surrey Zoning By-law, 1993, No. 12000", as amended, *balconies*, canopies and patios may encroach into the north yard *setback*.

**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 115 metres [377 ft.].
2. *Accessory buildings and structures*: The *building height* shall not exceed 4.5 metres [ 15 ft.].

**H. Off-Street Parking**

1. Resident and visitor *parking spaces* shall be provided in accordance with Part 5 Off-Street Parking and Loading/Unloading of "Surrey Zoning By-law, 1993, No. 12000", as amended.
2. All required resident *parking spaces* shall be provided as *underground parking* or as *parking within building envelope*.
3. *Tandem parking* is not permitted.
4. Notwithstanding Sub-section A.3(d) of Part 5 Off-Street Parking and Loading/Unloading of "Surrey Zoning By-law, 1993, No. 12000, as amended, the *Parking Facility Underground* may be located up to 0.5 metres [2 ft.] from the *front lot line*.



**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. Garbage containers and *passive recycling containers* shall be located within the *underground parking* or within a *building*.

**J. Special Regulations**

1. *Amenity space* shall be provided on the *lot* as follows:
  - (a) Outdoor *amenity space*, in the amount of 3.0 square metres [32 sq. ft.] per *dwelling unit* and shall not be located within the required *setbacks*; and
  - (b) Indoor *amenity space*, in the amount of 3.0 square metres [32 sq. ft.] per *dwelling unit*.
2. *Balconies* are required for all *dwelling units* which are not *ground-oriented* and shall be a minimum of 5% of the *dwelling unit* size or 4.6 square metres [50 sq. ft.] per *dwelling unit*, whichever is greater.

**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>
4,700 sq. m. [1.1 acre]	45 metres [148 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, bylaws, 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 RM-135 Zone in the City Centre 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 Bylaw, 2012, No. 17850", as amended.
8. *Building* permits shall be subject to "Surrey Development Cost Charge Bylaw, 2017, No. 19107", as may be amended or replaced from time to time, and the development cost charges shall be based on the RM-135 Zone in the City Centre.
9. Tree regulations are set out in "Surrey Tree Protection Bylaw, 2006, No. 16100", as amended.
10. Development permits may be required in accordance with the "Surrey Official Community Plan By-law, 2013, No. 18020", as amended.

3. This Bylaw shall be cited for all purposes as "Surrey Zoning Bylaw, 1993, No. 12000, Amendment Bylaw, 2018, No. 19605"

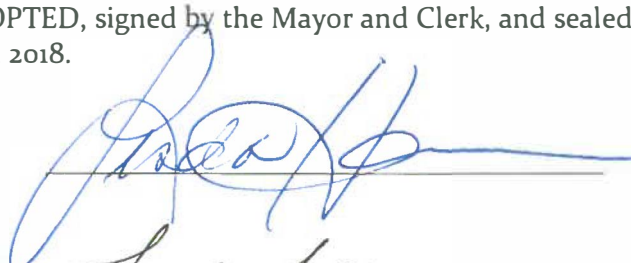
PASSED FIRST READING on the 11th day of June, 2018.


PASSED SECOND READING on the 11th day of June, 2018.

PUBLIC HEARING HELD thereon on the 25th day of June, 2018.

PASSED THIRD READING on the 25th day of June, 2018.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 23rd day of July, 2018.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CLERK

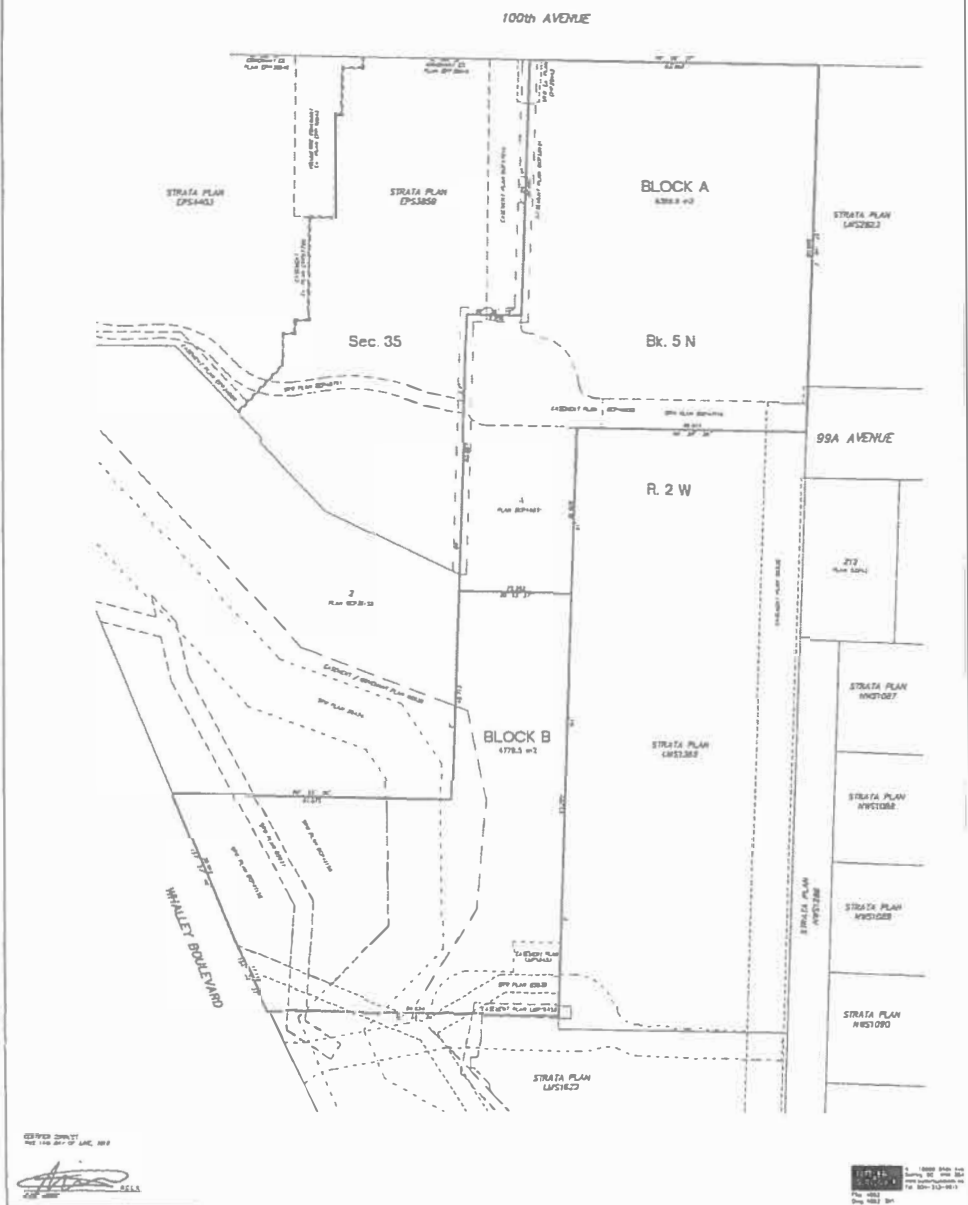
h:\clerks\by-laws\bylaw library\adopted\19000\19600\byl 19605.docx

BLOCK SURVEY TO ACCOMPANY CITY OF SURREY REZONING BYLAW NO. 19605 OF:  
 LOT A SECTION 35 BLOCK 5 NORTH RANGE 2 WEST  
 NEW WESTMINSTER DISTRICT PLAN BCP48851



BLOCK SURVEY  
 SCALE 1:4000  
 THE DISTRICT PLAN BOUNDARY OF THIS PLAN IS SHOWN  
 AS A LINE OF EQUALITY OF HEIGHT TO ADJACENT  
 LOTS OF A SCALE OF 1:4000  
 DISTRICT PLAN BCP48851 No. 1 SURVEY

TABLE OF AREAS	
Block A	4300.0 m <sup>2</sup>
Block B	4779.5 m <sup>2</sup>
Total	9079.5 m <sup>2</sup>



DESIGNED BY  
 THE SURVEYOR GENERAL  
 OF BRITISH COLUMBIA

1:4000 SCALE  
 DISTRICT PLAN BCP48851  
 No. 1 SURVEY

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7920-0058-00

Issued To:

(the "Owner")

Address of Owner:

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: 030-552-729

Lot 1 Section 35 Block 5 North Range 2 West New Westminster District Plan EPP82682

13778 - 100 Avenue

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2018, No. 19605, as amended is varied as follows:
  - (a) In Section F Yards and Setbacks, the minimum south yard setback for the principal building is reduced from 9.0 metres (30 ft.) to 8.4 metres (28 ft.).
4. This development variance permit applies to only that portion of the buildings and structures on the Land shown on Schedule A which is attached hereto and forms part of this development variance permit.
5. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.

6. 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.
  
7. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
  
8. This development variance permit is not a building permit.

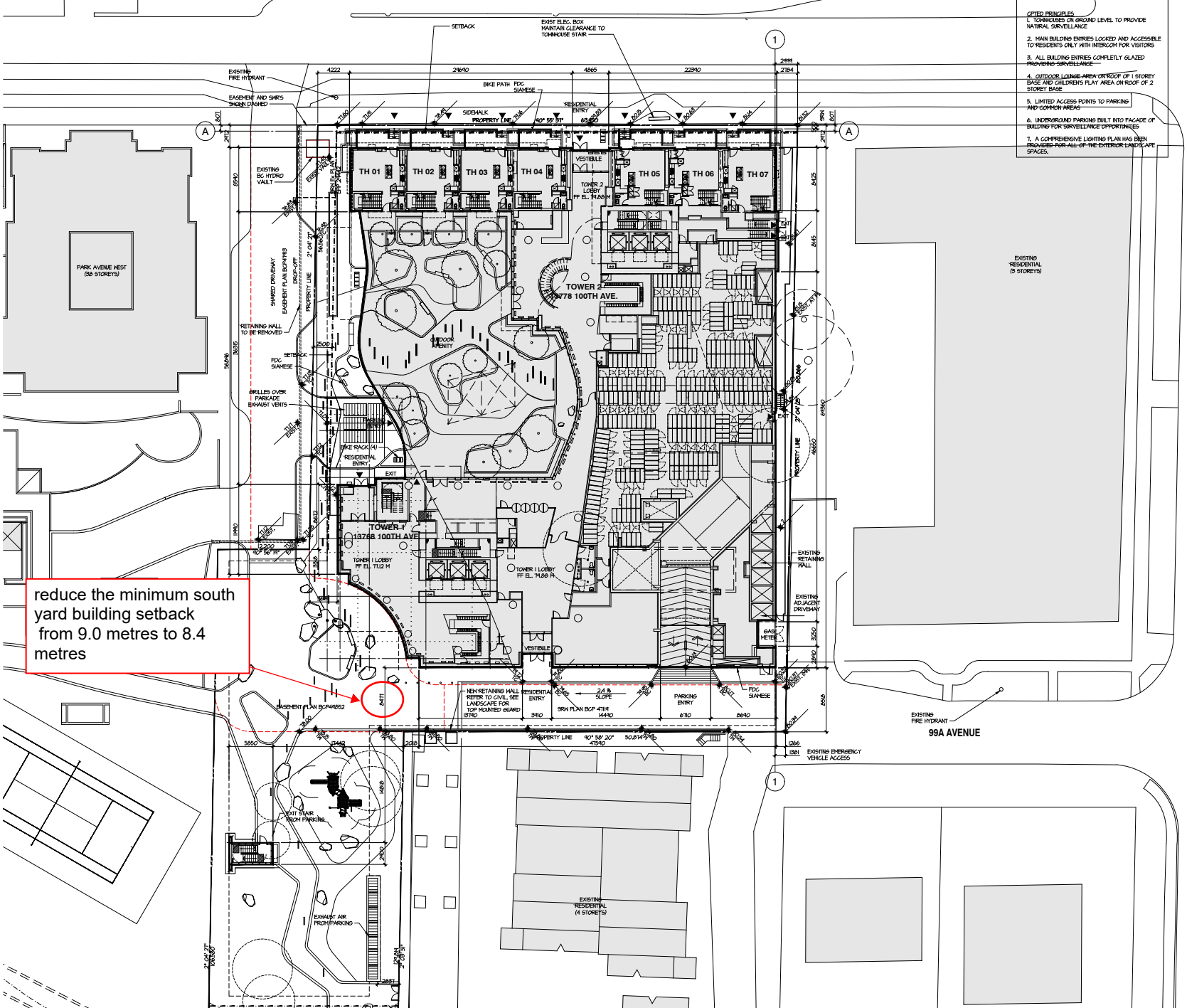
AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE      DAY OF      , 20 .  
ISSUED THIS      DAY OF      , 20 .

---

Mayor – Doug McCallum

---

City Clerk – Jennifer Ficocelli



- CITED PROVISIONS**
1. TOWNHOUSES ON GROUND LEVEL TO PROVIDE NATURAL SURVEILLANCE
  2. MAIN BUILDING ENTRIES LOCKED AND ACCESSIBLE TO RESIDENTS ONLY WITH INTERCOM FOR VISITORS PROVIDING SURVEILLANCE
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  7. A COMPREHENSIVE LIGHTING PLAN HAS BEEN PROVIDED FOR ALL OF THE EXTERIOR LANDSCAPE SPACES.

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CLIENT  
**CONCORD PARK GEORGE LIMITED PARTNERSHIP**

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NO. | DATE | REVISION



PROJECT  
**CONCORD PARK GEORGE**

13768 & 13778 - 100TH AVENUE  
SURREY, BC

**SITE PLAN**

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PROJECT A210364  
DRAWN JB/ES CHECKED CS  
SCALE 1:200  
DATE MAR 10, 2020

**A1.02**