

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7916-0009-00

Planning Report Date: October 24, 2016

**PROPOSAL:**

- **Development Variance Permit**

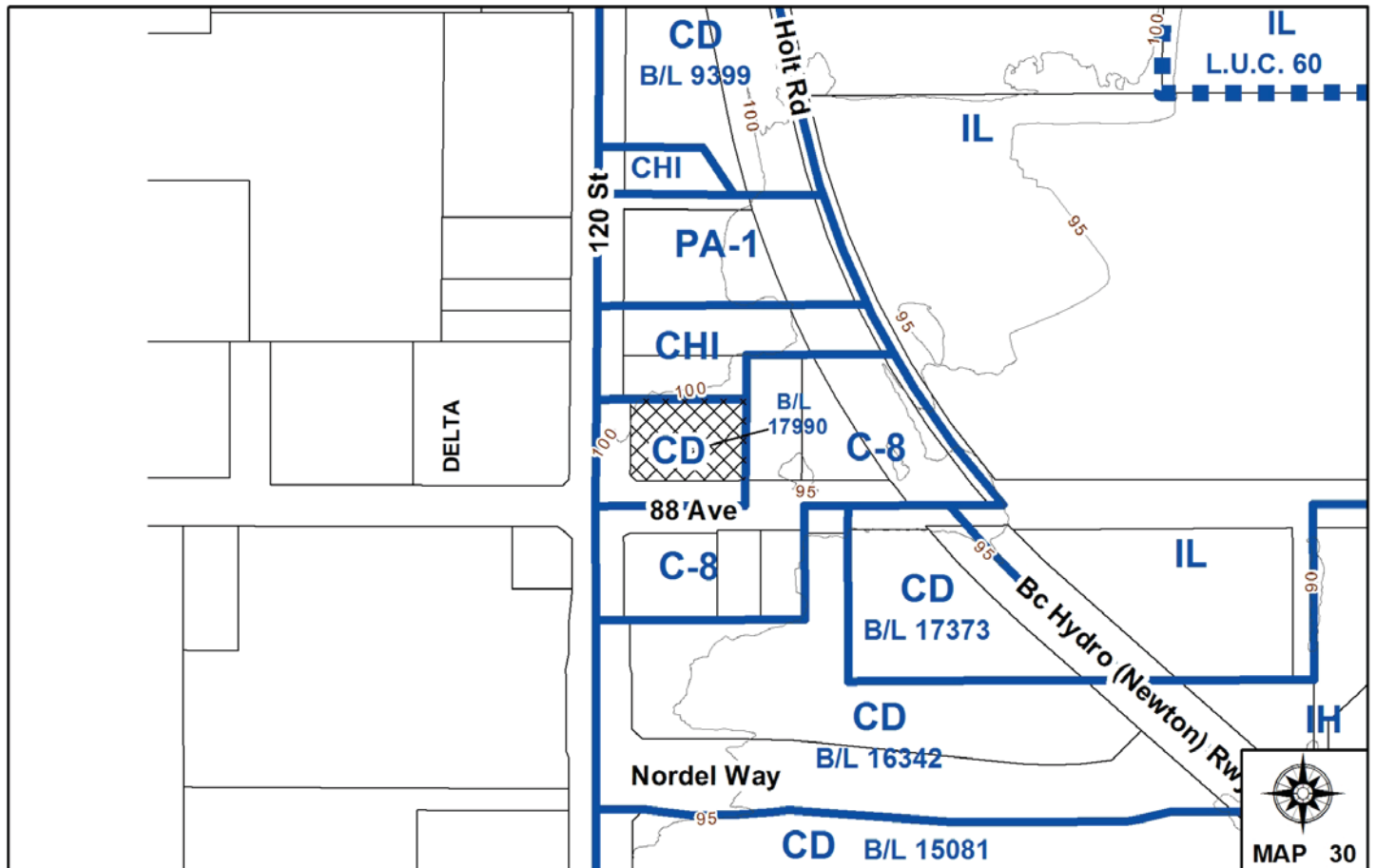
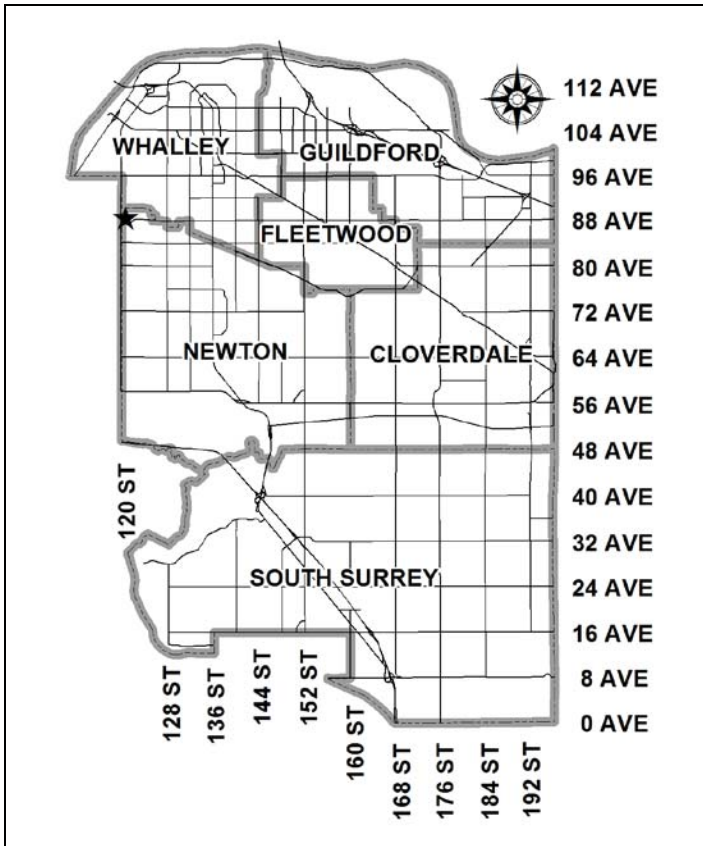
to reduce the setbacks for a free-standing sign for an existing 3-storey commercial building.

**LOCATION:** 8820 - 120 Street

**OWNER:** Mann Investment (88 Ave) Ltd.

**ZONING:** CD (By-law No. 17990)

**OCP DESIGNATION:** Commercial



### RECOMMENDATION SUMMARY

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

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is seeking the following variances to the Sign By-law:
  - To reduce the setback for a free-standing sign along the western property line from 2 metres (6.5 ft.) to 0.5 metres (1.6 ft.); and
  - To allow for a free-standing sign to be located within a yard that abuts a highway when the business to which the sign pertains is located in a building whose setback adjacent to that highway is 5 metres (16 ft.) or less.

### RATIONALE OF RECOMMENDATION

- The proposed sign is architecturally coordinated with the recently constructed building and consists of high quality materials.
- The proposed sign is 3.5 metres (11.5 ft.) in height, which is less than the maximum height permitted under the Sign By-law of 6.0 metres (20 ft.). The height of the sign is consistent with the scale of the adjacent building and pedestrian realm.
- The applicant is proposing the free-standing sign for the commercial building to provide all future tenants with adequate exterior signage. The proposed sign will enhance wayfinding for patrons of the commercial development and will complement the fascia signage approved under Development Permit No. 7912-0335-00.
- The proposed sign is located approximately 125 metres (410 ft.) from the nearest signalized intersection at 120<sup>th</sup> Street and Nordel Way and does not conflict with signs and lighting for pedestrian or vehicular traffic.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7916-0009-00 (Appendix IV) varying the following, to proceed to Public Notification:

- (a) to reduce the minimum setback for a free-standing sign along the western property line from 2 metres (6.5 ft.) to 0.5 metres (1.6 ft.); and
- (b) to allow for a free-standing sign to be permitted within a yard that abuts a highway when the business to which the sign pertains is located in a building whose setback adjacent to that highway is 5 metres (16 ft.) or less.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Recently constructed 3-storey commercial building

Adjacent Area:

<b>Direction</b>	<b>Existing Use</b>	<b>OCP/LAP Designation</b>	<b>Existing Zone</b>
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 CONSIDERATIONSBackground:

- The subject site is located at the north east corner of 120 Street and 88 Avenue. The property is designated "Commercial" in the Official Community Plan (OCP) and zoned "Comprehensive Development Zone (CD)" (By-law No. 17990).

- The property is occupied by a three-storey commercial building.
- Council approved the Development Permit for the subject site in June 2014 (Development Permit No. 7912-0335-00). A Development Variance Permit was issued in September 2014 to permit an increase to the maximum permitted building height of the CD Zone.

#### Current Proposal:

- The applicant proposes a free-standing sign near the south west corner of the building at the intersection of 120 Street and 88 Avenue.
- The applicant is seeking the following variances to the Sign By-law:
  - To reduce the setback for a free-standing sign along the western property line from 2 metres (6.5 ft.) to 0.5 metres (1.6 ft.); and
  - To allow for a free-standing sign to be located within a yard that abuts a highway when the business to which the sign pertains is located in a building whose setback adjacent to that highway is 5 metres (16 ft.) or less.
- The sign is proposed to be located in the existing landscaped area, 0.5 metres (1.6 ft.) from the west property line and approximately 2 metres (6.5 ft.) from the building.

#### Discussion:

- The Sign By-law allows for one free-standing sign along each lot line adjacent to a highway for each 50 metres (150 ft.) of that lot line. However, free-standing signs must be set back a minimum of 2 metres from any lot line. Additionally, free-standing signs are not permitted within any yard that abuts a highway when the business to which the sign pertains is located in a building whose setback adjacent to that highway is 5 metres (16 ft.) or less. The existing building is setback 4.07 m (13.4 ft.) from 120 Street. Therefore, the proposed free-standing sign requires a Development Variance Permit.
- The proposed sign is 3.5 metres (11.5 ft.) in height, which is well below the maximum height permitted under the Sign By-law of 6.0 metres (20 ft.). The applicant worked with staff to reduce the height of the sign from that which was initially proposed to ensure that the sign is consistent with the scale of the adjacent building and pedestrian realm.
- The proposed sign meets all other requirements of the Sign By-law, including sign area and copy area.
- For the proposed free-standing sign to be installed and to be visible from the street, two small Katsure trees planted as part of Development Application No. 7912-0335-00 are required to be removed. The applicant proposes to replace the trees with a landscaped bed of Asian boxwood and white roses to a maximum height of 1 metre (3 ft.).

BY-LAW VARIANCE AND JUSTIFICATION

## (a) Requested Variance:

- to reduce the minimum setback for a free-standing sign along the western property line from 2 metres (6.5 ft.) to 0.5 metres (1.6 ft.); and
- to allow for a free-standing sign to be permitted within a yard that abuts a highway when the business to which the sign pertains is located in a building whose setback adjacent to that highway is 5 metres (16 ft.) or less.

## Applicant's Reasons:

- The proposed free-standing sign is necessary to provide all tenants of the commercial building with adequate exterior signage and is considered critical to the success of the commercial development and the future tenants it is designed to accommodate.
- The proposed sign is located approximately 125 metres (410 ft.) from the nearest signalized intersection at 120th and Nordel Way and does not conflict with signs and lighting for pedestrian or vehicular traffic.
- The proposed sign is architecturally coordinated with the building, consisting of high-quality materials, namely edge-illuminated plexi-glass on aluminum backer panels, set on a finished concrete base. The sign is proposed to be located within an existing landscaped area between the sidewalk and the building.

## Staff Comments:

- The sign is architecturally coordinated with building and complies with the maximum height and sign area in the Sign By-law.
- The applicant worked with staff to reduce the height of the sign from that which was initially proposed to ensure that the sign is consistent with the scale of the adjacent building and pedestrian realm.
- The proposed sign will provide enhanced wayfinding for patrons of the commercial development and will complement the fascia signage approved under Development Permit No. 7912-0335-00.
- Staff support this variance to proceed to Public Notification.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners and Action Summary
- Appendix II. Proposed Sign By-law Variances Table
- Appendix III. Building Elevations and Proposed Signage
- Appendix IV. Development Variance Permit No. 7916-0009-00

*original signed by Ron Hintsche*

Jean Lamontagne  
General Manager  
Planning and Development

RJG/da

Information for City Clerk

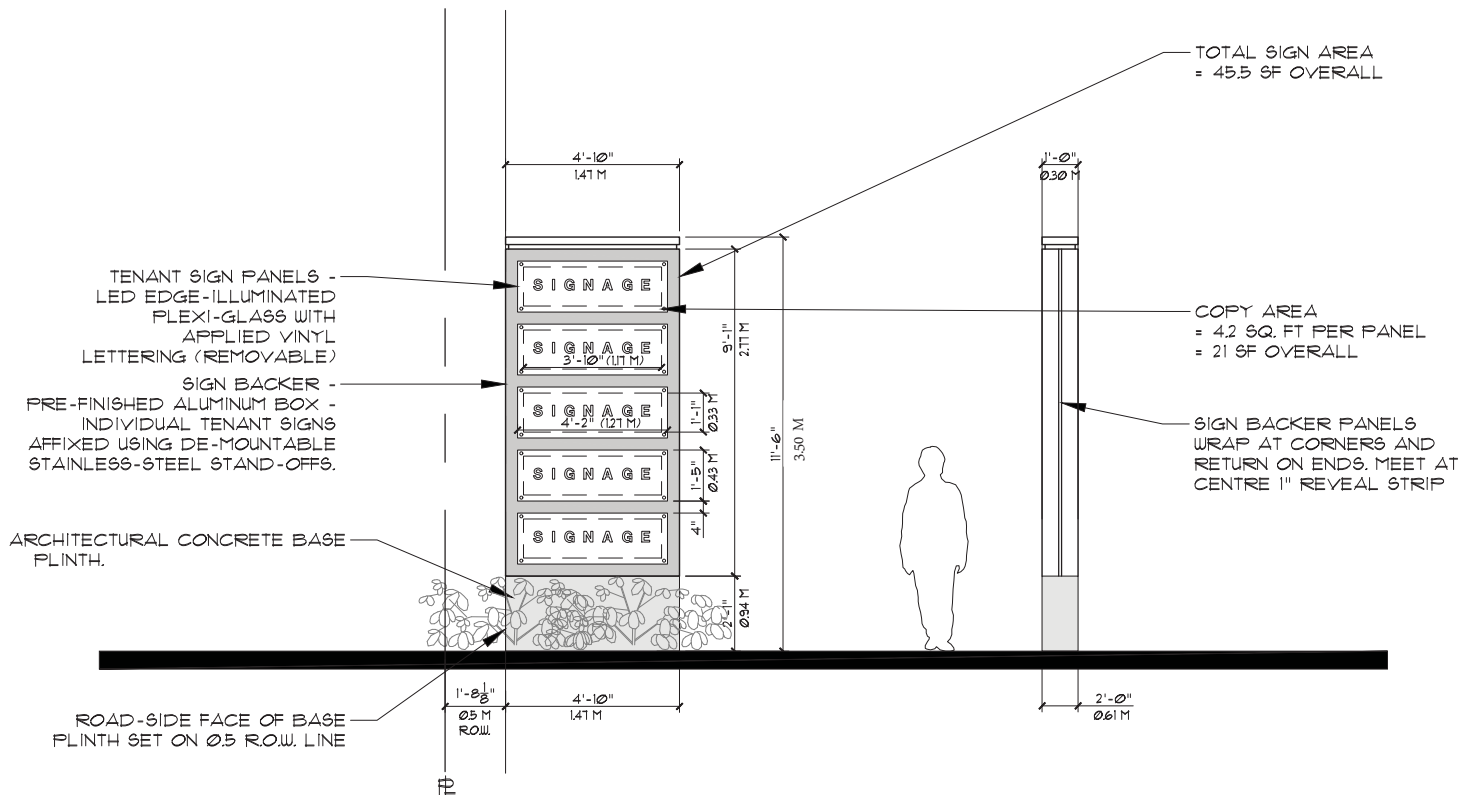
Legal Description and Owners of all lots that form part of the application:

1. (a) Agent:     Name:               Steven Wagner  
                       Address:         Urban Design Group Architects Ltd.  
   Suite 600, 1140 - Pender St W  
   Vancouver, BC V6E 4G1
  
2.     Properties involved in the Application
  - (a)     Civic Address:               8820 - 120 Street
  
  - (b)     Civic Address:               8820 - 120 Street  
           Owner:                     Mann Investment (88 Ave) Ltd  
           PID:                        029-337-828  
           Lot 1 Section 31 Township 2 New Westminster District Plan EPP35136
  
3.     Summary of Actions for City Clerk's Office
  - (a)     Proceed with Public Notification for Development Variance Permit No. 7916-0009-00 and bring the Development Variance Permit forward for issuance and execution by the Mayor and City Clerk.

## PROPOSED SIGN BY-LAW VARIANCES

#	Proposed Variances	Sign By-law Requirement	Rationale
1	To reduce the minimum setback for a free-standing sign along the western property line from 2 metres (6.5 ft.) to 0.5 metres (1.6 ft.).	A free-standing sign shall be located at a minimum of 2 m [6.5 ft.] setback from any lot line, provided when the sign is located on a lot within a special sign area, the applicable provisions of Part 8 of this By-law shall apply to the location of the sign, and further provided that when the sign is located on Highway No. 1, Highway No. 99, Highway No. 10 or Highway No. 15, the location of the sign shall be subject to the provisions of Section 6, as applicable.	<p>The proposed sign location is approximately 125 metres (410 ft.) from the nearest signalized intersection at 120th and Nordel Way and does not conflict with signs and lighting for pedestrian or vehicular traffic.</p> <p>The sign is architecturally coordinated with building and complies with the maximum height and sign area in the Sign By-law.</p>
2	To allow for a free-standing sign to be permitted within a yard that abuts a highway when the business to which the sign pertains is located in a building whose setback adjacent to that highway is 5 metres (16 ft.) or less.	A free-standing sign shall not be permitted within any yard that abuts a highway if the business to which the sign pertains is located in a building whose setback adjacent to that highway is 5 m [16 ft.] or smaller than 5 m [16 ft.].	The proposed free-standing sign is necessary to provide all tenants of the commercial building with adequate exterior signage and is considered critical to the success of the commercial development and the future tenants it is designed to accommodate.





1 PYLON SIGN DETAIL  
 SK-12 SCALE: 3/16" = 1'-0"

**FREE-STANDING SIGN BYLAW NOTES & ANALYSIS:**

PART 8 - SPECIAL SIGN AREA : NO, NOT APPLICABLE

PART 5(1)(b) - FREE-STANDING SIGNS ARE NOT PERMITTED WITHIN 5M SETBACKS ADJACENT HIGHWAYS:  
VARIANCE REQUESTED.

PART 5(1)(c) - ONE FREE-STANDING SIGN PERMITTED ALONG EACH LOT LINE PER 150 FOOT LENGTH:  
 ONLY ONE SIGN IS BEING PROPOSED (2 PERMITTED) (COMPLIES)

PART 5(1)(e) - FREE-STANDING SIGNS TO BE SET BACK MIN. 2 M FROM ANY LOT LINE:  
VARIANCE REQUESTED.

PART 5(1)(g) - SIGN AREA NOT TO EXCEED 28 SM (300 SF) FOR DOUBLE-SIDED SIGNS:  
 PROPOSED SIGN AREA = 4.27 SM (45.5 SF) x 2 SIDES = 8.54 SM (91 SF) - COMPLIES

PART 5(1)(i) - COPY AREA SHALL NOT EXCEED 50% OF SIGN AREA:  
 COPY AREA = 21 SF / SIGN AREA = 51SF = 46% (COMPLIES)

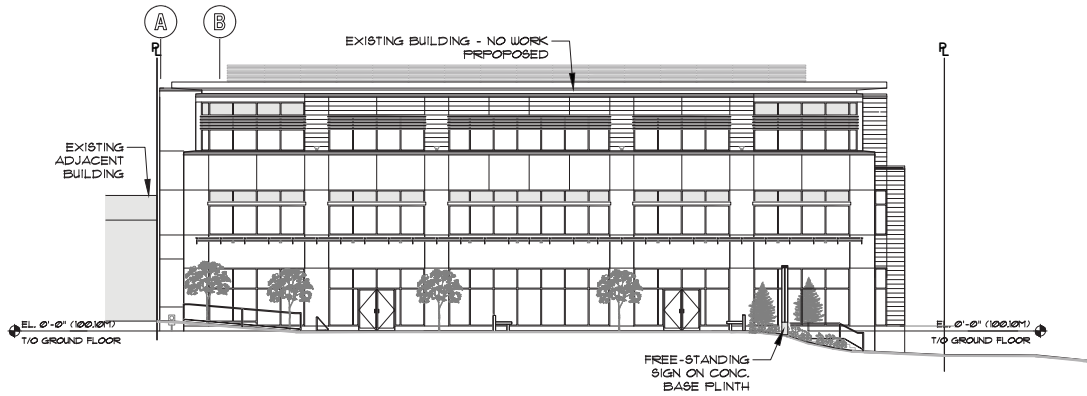
PART 5(1)(k) - MAXIMUM SIGN HEIGHT PERMITTED = 4.5 M (15 FEET):  
 PROPOSED = 3.50 M (11'-6") (COMPLIES)

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**PROPOSED FREE-STANDING SIGN**  
 8820 - 120TH STREET, SURREY, BC  
 For MANN CAPITAL MANAGEMENT CORP.

date: 2016-10-18	sheet number
scale: AS NOTED	SK-1.2
drawn: KC	
checked: EC	project number 4143



1 WEST ELEVATION  
 SK-1.1 SCALE: 1/32" = 1'-0"



2 SOUTH ELEVATION  
 SK-1.1 SCALE: 1/32" = 1'-0"

**PROJECT DATA:**

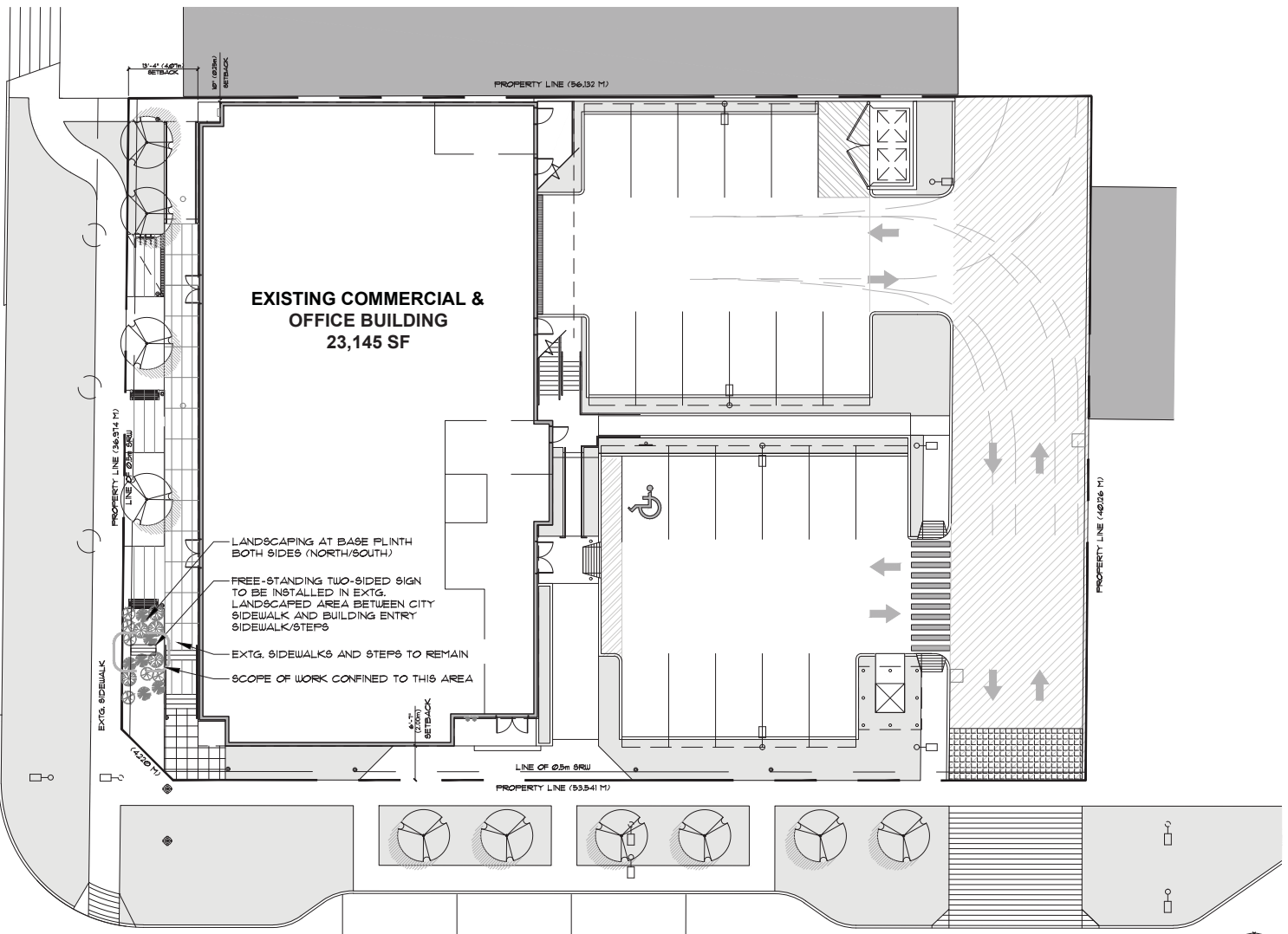
LEGAL DESCRIPTION	LOT 1 SECTION 31 TOWNSHIP 2 NWD PLAN EPP35136
CIVIC ADDRESS	8820 120TH STREET, SURREY, BC
ZONING	CD ZONE (COMPREHENSIVE DEVELOPMENT)
SITE AREA	TOTAL SITE AREA 25,623 SF (0.588 AC)
	LESS ROAD DEDICATION 1,342 SF (0.05 AC)
	TOTAL NET SITE AREA 24,281 SF (0.583 AC)
ACCESS EASEMENT	3,455.2 SF (0.08 AC)
BUILDING AREAS	GROUND FLOOR, RETAIL = 7,950 SF
	SECOND FLOOR, OFFICE = 8,037 SF
	THIRD FLOOR, OFFICE = 7,158 SF
	TOTAL GFA = 23,145 SF
SITE COVERAGE (EXISTING)	8,037 SF / 24,281 SF = 33.1% (ON NET SITE AREA)
SITE COVERAGE (PROPOSED)	NONE (FREE-STANDING SIGN ONLY)

**YARDS & SETBACKS:**

PRINCIPLE AND ACCESSORY BUILDINGS AND STRUCTURES [FRONT YARD]:	13'-4" (4.07m)
PRINCIPLE AND ACCESSORY BUILDINGS AND STRUCTURES [REAR YARD]:	0'-0" (0.0m)
PRINCIPLE AND ACCESSORY BUILDINGS AND STRUCTURES [SIDE YARD]:	0'-10" (0.25m)
PRINCIPLE AND ACCESSORY BUILDINGS AND STRUCTURES [SIDE YARD (FLANKING ST)]:	6'-7" (2.00m)



**1 LOCATION PLAN**  
 SK-1.0 SCALE: NTS



**2 SITE PLAN**  
 SK-1.0 SCALE: 1/32" = 1'-0"



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**PROPOSED FREE-STANDING SIGN**  
 8820 - 120TH STREET, SURREY, BC  
 For MANN CAPITAL MANAGEMENT CORP.

date: 2016-10-18	sheet number
scale: AS NOTED	SK-1.0
drawn: KC	
checked: EC	project number
	<b>4143</b>

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7916-0009-00

Issued To: MANN INVESTMENT (88 AVE) LTD  
("the Owner")

Address of Owner: 201, 8381 - 128 Street  
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 Sign By-law, 1999, No. 13656, as amended is varied as follows:
  - (a) Part 5 Section 27 (1) (b) be varied to permit a free-standing sign to be located within a yard that abuts a highway when the business to which the sign pertains is located in a building whose setback adjacent to that highway is 5 metres (16 ft.) or less; and
  - (b) Part 5 Section 27 (1) (e) be varied to reduce the minimum setback of a free-standing sign proposed along the western property line of the Land from 2 metres (6.5 ft.) to 0.5 metres (1.6 ft.), as shown on Schedule A attached.
4. This development variance permit applies to only the portion of the Land shown on Schedule A which is attached hereto and forms part of this development variance permit. This development variance permit does not apply to additions to, or replacement of, any of the existing buildings shown on attached 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 .

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Mayor – Linda Hepner

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City Clerk – Jane Sullivan

Existing Commercial & Office Building abutting a highway (120 Street)

Proposed 0.5 metre setback from west property line.

- LANDSCAPING AT BASE PLINTH BOTH SIDES (NORTH/SOUTH)
- FREE-STANDING TWO-SIDED SIGN TO BE INSTALLED IN EXTG. LANDSCAPED AREA BETWEEN CITY SIDEWALK AND BUILDING ENTRY SIDEWALK/STEPS
- EXTG. SIDEWALKS AND STEPS TO REMAIN
- SCOPE OF WORK CONFINED TO THIS AREA

Proposed free-standing sign location

