



Corporate Report

NO: L006

COUNCIL DATE: June 11, 2007

REGULAR COUNCIL - LAND USE

TO: **Mayor & Council** DATE: **June 5, 2007**

FROM: **General Manager, Engineering** FILE: **7906-0169-00**
Acting General Manager, Planning and Development

SUBJECT: **Development Permit Application No. 7906-0169-00**
Proposed Industrial Buildings in South Cloverdale at 18655 - 52 Avenue -
Follow-up to Delegation to Council

RECOMMENDATION

It is recommended that Council:

1. Receive this report as information; and
2. Instruct the City Clerk to forward a copy of this report to each of Mr. Mike McLennan, and Mr. Irv Boschman, each of whom appeared before Council as a delegation on this matter.

INTENT

The intent of this report is to provide information to Council, regarding the issues raised at the April 30, 2007, Regular Council - Land Use meeting by the delegation, Mr. Mike McLennan.

BACKGROUND

At the Regular Council - Land Use meeting on April 30, 2007, Council considered a Planning Report on a Development Permit Application to permit the development of six industrial buildings on a property located at 18655 - 52 Avenue (Appendix I) and authorized staff to draft Development Permit No. 7906-0169-00. The applicant is currently in the process of finalizing the requirements for approval of the Development Permit.

Prior to considering this Planning Report, Council heard a delegation from the South Cloverdale Homeowners Association (SCHA), represented by its interim chairperson,

Mr. Mike McLennan. Mr. McLennan addressed Council on specific requests of the SCHA, pertaining to the proposed industrial development and other issues of concern to the residents of the South Cloverdale area. This report provides comments on the issues raised by the delegation.

A second delegation was also heard by Council on the same date. Mr. Irv Boschman, representing the Development Permit application for the site at 18655 - 52 Avenue, gave an overview of the application process. He advised that his site is zoned Light Impact Industrial Zone (IL) and he holds the view that he has satisfied all issues raised. He requested his Development Permit application be approved, as presented. Council subsequently gave approval to proceed to the subject application.

DISCUSSION

As part of his presentation, Mr. McLennan submitted a letter, which documents eight specific concerns (Appendix II). Each of his concerns is listed below, followed by staff's comments:

1. **Council should take whatever action is necessary to stop trains from using whistles between 178 Street and 192 Street.**

The City is actively pursuing a whistle-cessation by-law with Transport Canada and the railway companies. The process is lengthy because of the number of government agencies involved, and the need for agreement between those agencies and the railway companies, regarding the mitigation of risks.

Transport Canada, TransLink, the Province of BC and the affected municipalities are reviewing opportunities for grade separation at various locations along the Roberts Bank rail corridor, including possible grade separation at 192 Street and 196 Street. Preliminary engineering work must be done to see if grade separation is achievable. The Engineering Department advises that the crossing at 184 Street will continue to be a controlled level crossing, as it has been determined that 184 Street does not carry a high enough traffic volume to warrant the cost of constructing the grade separation (approximately \$15 million).

2. **Traffic calming is required and should be installed on 54 Avenue between 184 and 192 Streets. Mr. McLennan also requested information on the City's policy on "road patching".**

The section of 54 Avenue, between 184 Street and 188 Street, is designated as a collector road, and its role is to carry traffic from adjacent neighbourhoods to the arterial road network, which includes 192 Street. City Policy is to not provide traffic calming on collector roads (other than curb bulges) because of the potential conflict with the important function of these roads to connect local roads and other collector roads to the arterial roads and network, plus concerns related to traffic displacement and capacity and the effects on emergency services and future transit.

Further, a joint TransLink/City of Surrey functional review of the road network, in the neighbourhood south of Highway No. 10, has commenced. This functional review will assist in making decisions regarding traffic calming in the area.

The section of 54 Avenue between 188 Street and 192 Street is designated a through local road. Two recent residential developments on 54 Avenue (File No. 7906-0030-00 and File No. 7905-0234-00), east of 188 Street and abutting the lands zoned Light Impact Industrial Zone (IL), are constructing their frontages to final standards and will install a small traffic island to discourage large vehicles related to the industrial lands from using the residential section of 54 Avenue.

With regard to Mr. McLennan's questions regarding "road patching", road works on collector and arterial streets, such as 54 Avenue, are programmed by the Design and Construction Section of the Engineering Department, based upon need and traffic exposure. The number of "freeze-thaw" periods over the past winter has resulted in a large number of potholes, repairs were delayed until the weather allowed for this work to begin. Repairs to the portion of 54 Avenue from 184 Street to 187 Street are actively underway, including trench repair and final lift paving. These repairs are near completion.

3. **Notification of all development applications in the Industrial area, with a reasonable amount of time provided in order to respond to the applications.**

The City has implemented the following public notification procedures in regard to land development applications:

(a) Rezoning, Land Use Contract Discharge or OCP Amendment

Planning staff require the applicant to install a development proposal sign, facing the fronting and flanking streets;

Planning staff send a pre-notification letter to all property owners within 100 metres (330 feet) of the site (or 3 lots, whichever is greater) and to the applicable community association, which includes the recently formed SCHA; and

If Council set a Public Hearing date, the Clerk's office mails Public Hearing Notices to all property owners and tenants within 100 metres (330 feet) of the site.

(b) Development Permit

Planning staff require the applicant to install a development proposal sign, facing the fronting and flanking streets.

(c) Development Variance Permit

If Council gives approval to proceed, the Clerk's office mails Public Notification Letters to all adjacent property owners and tenants.

(d) Subdivision

Planning staff require the applicant to install a development proposal sign, facing the fronting and flanking streets.

There is no provision within the City policy on pre-notification to notify neighbourhood associations and nearby residents of Development Permit applications which do not require a companion rezoning application, aside from posting development proposal signs.

4. **Provide the SCHA with the opportunity to review current and long-term road networks, particularly the intersection of 184 Street at Highway No. 10.**

The Engineering Department advises that the City's long-term major road network is documented on the drawing "Surrey Arterial Major Collector and Grid Roads Plan, Drawing R-91" which is a schedule to Surrey Subdivision and Development By-law, 1986, No. 8830.

Information on capital road works that are initiated by the City and road construction undertaken by developers, as required by the City as part of land development applications, are available to members of the public by contacting or visiting the Transportation Section of the Engineering Department. Moreover, City staff are available to discuss road construction plans during business hours.

Large capital projects undertaken by the City and other government agencies, such as the Ministry of Transportation (MOT) and the Border Infrastructure Program (BIP), including the Highway No. 10 expansion project and other capital projects, often include a public consultation process. For the Highway No. 10 project, specifically, a series of public Open Houses were held and the project office located in Cloverdale was open to the public.

5. **Provide clarification of the long-term objectives for 53 Avenue, particularly in regards to truck traffic using this route.**

The Engineering Department advises that 53 Avenue, between 184 Street and 185A Street, is part of a collector road network that provides access to Highway No. 10 by way of 184 Street for the tenants of the South Cloverdale industrial properties.

6. **Clarify the status of the homeless shelter on 184 Street, and whether there has been any dialogue with the City in regards to this shelter.**

A development application was submitted by Options Services to Communities on June 12, 2006, to rezone properties located at 5517 - 184 Street from RH to CD to permit development of a 25-bed homeless shelter and a 30-unit apartment building. However, the applicant withdrew the application on July 12, 2006 and no new application for a similar facility at any location within the Cloverdale area has been submitted, to date.

7. **Clarification on the public process whereby By-law No. 10071 (OCP By-law No. 7600) was repealed.**

By-law No. 10071 was an amendment to Official Community Plan By-law, 1985, No. 7600 to add a new Development Permit Area (DP XXVIII). The boundaries for this DP area include the subdivision in which the members of the SCHA reside, as well as the Industrial lands to the south.

OCP By-law No. 7600 and amendment by-laws, including By-law No. 10071, were repealed by Council and replaced with the current Official Community Plan By-law, 1996, No. 12900, on October 8, 1996. The preparation of the 1996 OCP included an extensive public consultation process, including focus group discussions, questionnaire surveys, open houses, TV phone-in-programs, and public information meetings. Corporate Report No. R916 (approved by Council May 27, 1996) explains the public consultation process undertaken during the preparation of the Official Community Plan (Appendix III).

The formal adoption of OCP By-law No. 12900 followed all the statutory requirements for by-law adoption specified in the *Local Government Act*, including Public Hearings on June 20, 1996, June 26, 1996, June 27, 1996, July 3, 1996 and September 11, 2006.

8. **Adoption by Council of criteria for use by staff in evaluating development applications to ensure these applications do not negatively impact the property assessments of adjoining lands.**

To ensure that new developments enhance the image of the City, all commercial, multiple residential and industrial buildings in selected areas and sites that are adjacent to the Agricultural designation, are required to obtain a Development Permit before subdivision or development of a site. The OCP designates Development Permit Areas in the City, and provides guidelines on siting, design, construction, landscaping and buffering for planning and development review within these areas. Development Permits are issued by Council resolution. With respect to industrial areas, the OCP establishes guidelines to ensure that industrial areas and buildings do not detract from the visual and aesthetic qualities of the City, while at the same time providing for functional and operational needs.

In addition, applicants are required to incorporate more stringent measures to address specific interface conditions established by previous applications with similar interface conditions. Development Permit No. 7906-0169-00 incorporates the land use and building height restrictions and landscape buffering requirements, as approved by Council for Development Permit No. 7905-0329-00 on a neighbouring property located at 18525 - 53 Avenue, and is consistent with OCP guidelines.

CONCLUSION

Mr. Mike McLennan, representing the SCHA, addressed Council on specific requests of the SCHA pertaining to the proposed industrial development at 18655 - 52 Avenue, and other issues of concern to the residents of the South Cloverdale area. This report has provided a summary of current City policies, procedures and regulatory requirements, which address the various concerns of the delegation. Much of this information has been previously conveyed to Mr. McLennan by Planning and Development staff. It is recommended that a copy of this report be provided to Mr. McLennan, representative of the SCHA, and to Mr. Boschman, the applicant related to Application No. 7906-0169-00.

Paul Ham, P.Eng.
General Manager, Engineering

How Yin Leung
Acting General Manager,
Planning and Development

CA/kms/saw

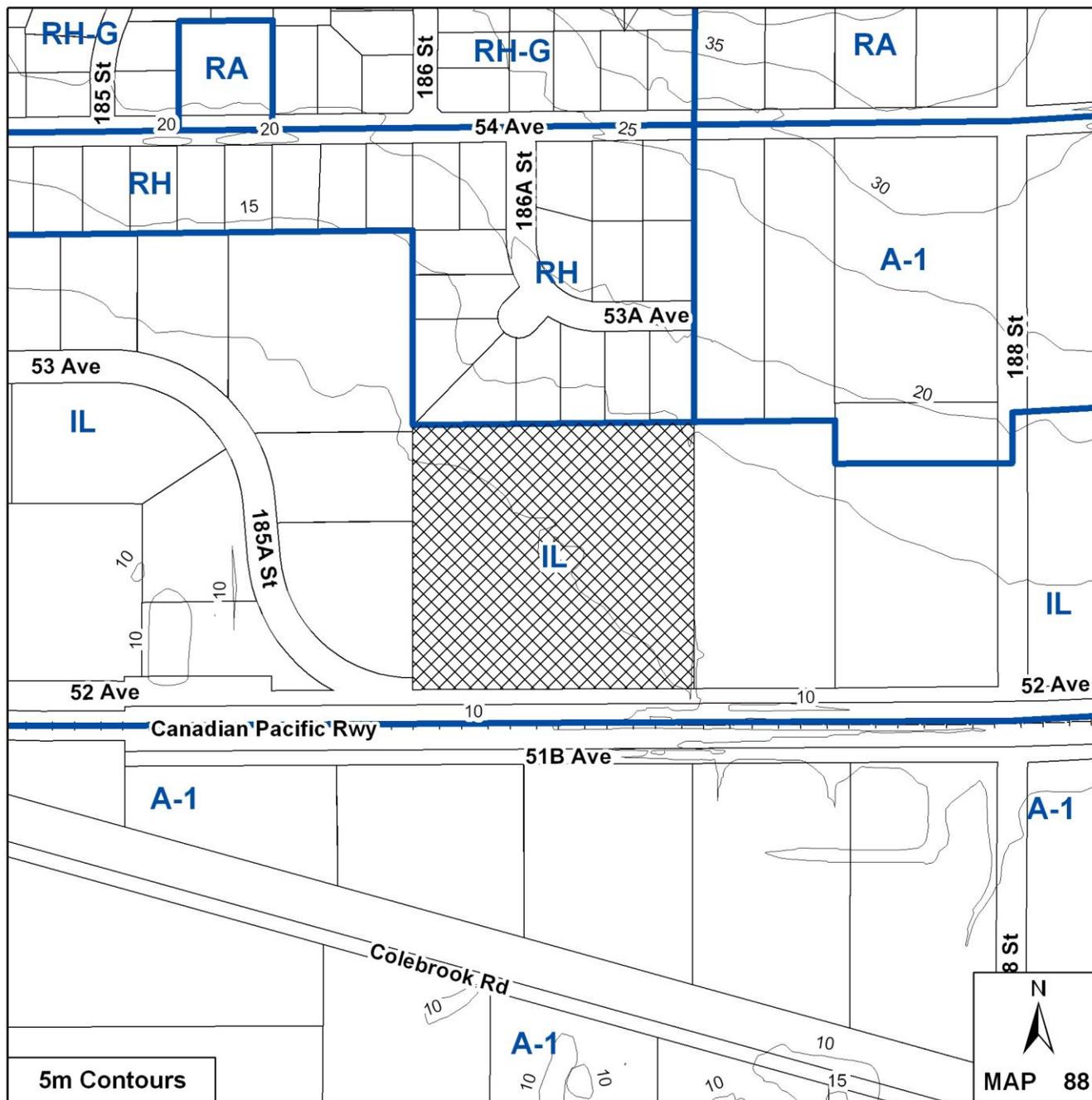
Attachments:

Appendix I Map of Subject Site and Surrounding Area

Appendix II Letter to Council from SCHA

Appendix III Summary of Public Consultation, OCP By-law No. 12900 (1993)

SUBJECT SITE



5347 186A Street,
Surrey, B.C.,
V3S 9H3

Surrey City Mayor and Council
14245 - 56th Avenue
Surrey, British Columbia
V3X 3A2, Canada

Dear Surrey City Mayor and Council:

Members of the South Cloverdale Homeowners Association have asked me to address the following matters.

1. Train Whistle noise from 178th through to 192nd Street. They would like City Council to take whatever action necessary to stop the trains from using whistles along the indicated corridor
2. Address traffic calming issues as well as the obvious disrepair of 54th avenue from 184th Street through to 192nd street. This section of road has been literally torn up from 184th to 192nd street. While some patching has taken place, there doesn't appear to be a road patching standard. All patching should return the road to the previous state or better.
3. We have requested and will require current (within 7 days of an application being filed or changed) information regarding all development applications within the boundaries of the association. We also ask for a reasonable amount of time to respond to the same. We also ask that any final decision making process incorporate our recommendations in order to mitigate financial damages to the area's homeowners.
4. Opportunity to review the current and long term transportation plan for the area within and adjacent to the boundaries of the association. Specifically the issues associated with 184th Street and the light at #10 highway as well as the lack of a fully functional light at 188th Street and #10 highway. We believe that the intersection of #10 highway and 184th Street will require major upgrading to remedy the current traffic related issues. Some issues are tied to the hill, others to the lack of advance turn lanes in all directions.
5. Information to any truck traffic skirting that may be allowed along 53rd Avenue. Noise from such a proposal must be dealt with in a meaningful manner.
6. We will require written specifics relating to any current, ongoing or planned activity relating to the implementation of a Homeless shelter within the boundaries of the Association.

7. The member request that a by-law infraction charge be initiated against individuals responsible for approving light industrial development contrary to By-law 10071. We require a non biased forum for the review and disposition of this charge. We ask that Council secure this forum and provide written details with respect to the handling of this matter. Once that is in place we will file the charge.
8. The City of Surrey adopts criteria that guarantee any development proposal will not adversely affect adjacent property value.

Respectfully,

Mike McLennan
Interim Chairperson,
South Cloverdale Homeowners Association

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Summary of Public Consultation, OCP By-law 12900 (1996)

Date	Public Consultation Process
• July 28, 1994	• OCP consultation program presented to community groups and agencies
• September, 1994	• Series of 8 focus groups held to identify issues facing the City
• October 5, 1994	• Editors of three local papers attend an information session on the OCP
• November/December, 1994	• <i>Quality of Community</i> Questionnaire made available to City residents
• November/December, 1994	• Focus groups meet to develop goal statements
• December 1, 1994	• OCP process presented on cable TV program
• February, 1995	• Focus groups meet to discuss policy and policy directions for new OCP
• June, 1995	• Focus groups meet to discuss key issues and policies to be included in Planning Department Questionnaire
• September, 1995	• Planning Department Questionnaire made available to the public through local papers and kiosks
• September 12, 1995	• OCP process featured on cable TV program
• September/October, 1995	• Open Houses held in six communities
• November, 1995	• Focus groups meet to discuss Draft OCP
• November 25, 1995	• Local papers publish <i>Summary of Planning Proposals for Surrey's New Official Community Plan</i>
• November, 1995	• Open House held at City Hall to present summary of policy proposals
• November/December, 1995	• Questionnaire findings featured on cable TV programs
• February 15, 1996	• Focus groups meet to discuss OCP draft policies
• March 26, 1996	• Draft OCP received by Council
• April 16, 1996	• Public Information Meeting, North Surrey
• April 17, 1996	• Public Information Meeting, Surrey City Hall
• April 18, 1996	• Public Information Meeting, South Surrey
• April 25, 1996	• Public Information Meeting, Surrey City Hall (for North Grandview neighbourhood)
• June 20, 26, 27, 1996 • July 3, 1996, September 11, 1996	• Public Hearings held
• October 8, 1996	• Official Community Plan By-law No. 12900 adopted