

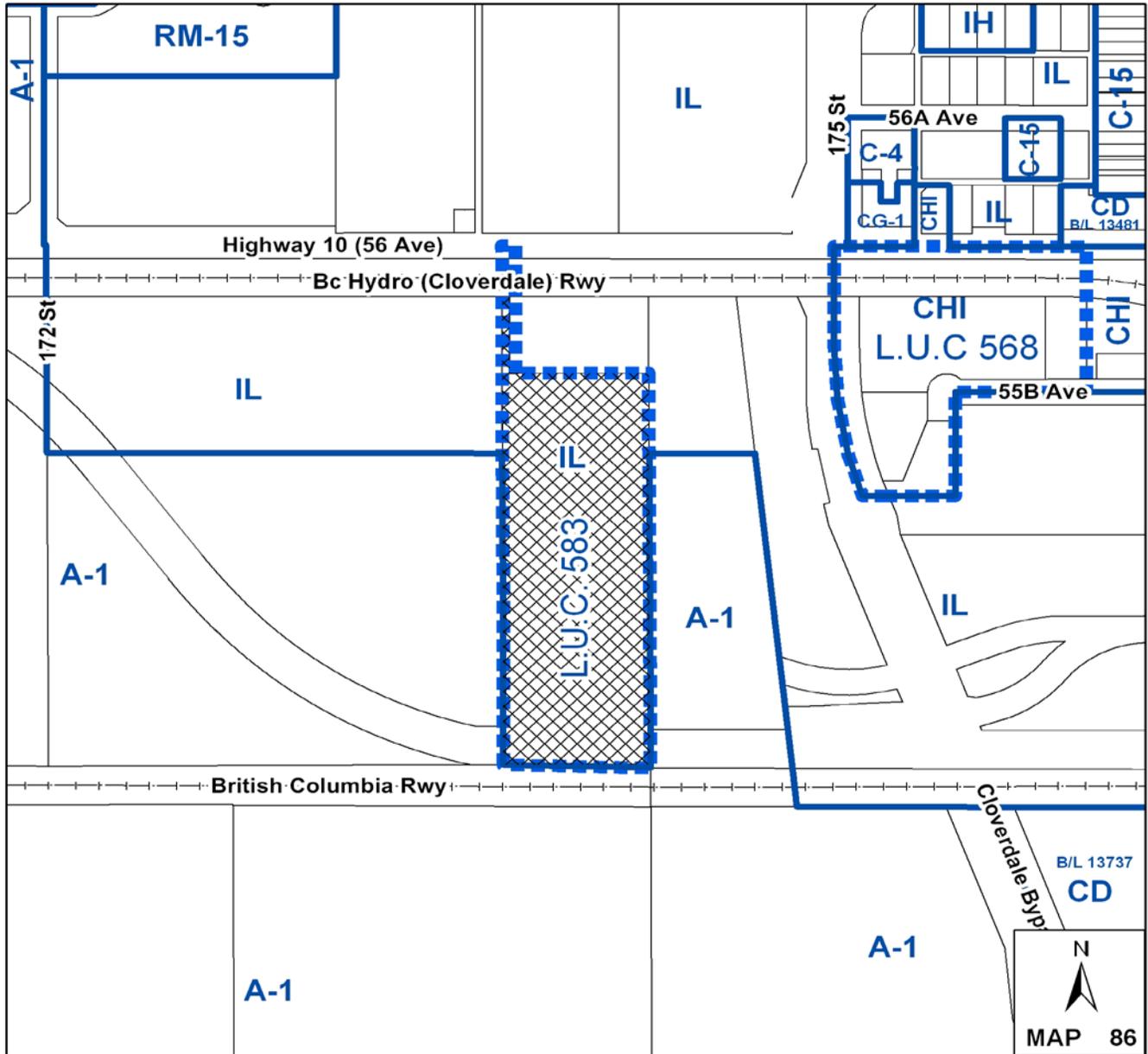
Proposal: Discharge Land Use Contract No. 583 and allow the underlying IL Zone to regulate the site. Development Permit to regulate a buffer to the Agricultural lands.

Recommendation: Approval to Proceed

Location: 17350 - 56 Avenue **Zoning:** LUC No. 583

OCP Designation: Industrial

LAP Designation: Industrial **Owner:** Stan Scheves



PROJECT TIMELINE

Completed Application Submission Date:	September 8, 2003
Application Revision & Re-submission Date:	March 6, 2006
Road Resolution Date:	March 14, 2007
Planning Report Date:	April 2, 2007

PROPOSAL

The applicant is proposing:

- a Land Use Contract discharge; and
- an Agricultural buffer Development Permit

in order to allow the underlying IL Zone to regulate the site and to allow the development of a new industrial building.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to discharge Land Use Contract No. 583 and a date for Public Hearing be set.
2. Council authorize staff to draft Development Permit No. 7903-0340-00 in accordance with the attached drawings (Appendix III).
3. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a road dedication plan to the satisfaction of the Approving Officer;
 - (c) preparation of a reciprocal access agreement along the west property line in favour of 17400 Highway No. 10;
 - (d) approval from the Ministry of Transportation; and
 - (e) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect.

REFERRALS

Engineering:	The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as identified in the attached (Appendix IV).
Agricultural Advisory Committee (AAC):	No concerns raised by AAC at the June 9, 2005 meeting and the information concerning the proposal was received (Appendix VI).
Border Infrastructure Program:	No concerns.

SITE CHARACTERISTICS

- **Existing Land Use** Industrial building with driveway access to Highway No. 10, across a rail right-of-way which will be realigned.
- **East:** Hardware store, split-zoned IL and A-1, designated Industrial.
- **South:** Across the BC Railway line, relocated rail line, farm operations, zoned A-1, designated Agricultural and in the Agricultural Land Reserve (ALR).
- **West:** Farm operation, split-zoned IL and A-1, designated Industrial and Agricultural, under Application No. 7902-0075-00 to adjust the existing zoning boundaries and ALR.
- **North:** Industrial building, zoned IL, designated Industrial.

PLAN AND POLICY COMPLIANCE

OCP Designation:	Complies.
LAP Designation:	Complies.

DEVELOPMENT CONSIDERATIONS

Background

- Land Use Contract (LUC) No. 583 was entered into in 1978. The purpose of LUC No. 583 was to facilitate an industrial subdivision, with uses, setbacks and density as defined in the I-1 Zone of Surrey Zoning By-law, 1964, No. 2265.
- LUC No. 583 required the developer to enter into Development Agreements for the development on the individual lots prior to January 16, 1980, or the LUC would expire.

- The owner attempted to fulfill the requirements of LUC No. 583, however, he was unable to complete the conditions of the Development Agreement. Three extensions were granted by Council to the expiry date of January 2, 1980 and it was anticipated that the owner would submit an application to discharge the LUC.
- Because the LUC expired on July 2, 1986, the contract became null and void and has no further force and effect.
- The applicant submitted applications in 2003 for a LUC discharge and an Agricultural Development Permit, however, these application have been held in abeyance until such time as the overall road network and the road and rail requirements for the Highway No. 10 upgrading could be finalized.

Road Network

- Affecting this site, there is an existing rail line which parallels the south side of Highway No. 10. The existing driveway for the subject property is currently shared with the property located at 17400 - 56 Avenue to the north-east. The recent widening of Highway No. 10 resulted in the re-alignment of the existing rail line to the south, starting from approximately the 172 Street road alignment, diagonally through the adjoining property to the west, to parallel the existing rail line at the south end of the property.
- The Highway No. 10 road widening and rail line realignment necessitated the review of the overall road network between 172 Street and 176 Street in order to facilitate the movement of industrial traffic in this area and to remove a number of driveways affecting Highway No. 10.
- Transportation and Planning staff, along with the Highway No. 10 Project Team, reviewed the overall road network and potential development in the area. The final road concept proposes 54 Avenue to intersect Highway No. 10 at 172 Street and will parallel the rail realignment. This road pattern will egress to 176 Street. In the future, an overall road network is anticipated which moves industrial traffic between 172 Street and 192 Street (Appendix V).
- Prior to final adoption of the Rezoning By-law, the applicant is to dedicate the necessary road parallel to the railway tracks at the south portion of his property.
- In the interim, access to the site will be by the panhandle access from Highway No. 10. At the time that the connector road is completed between 172 Street and 176 Street, the existing Highway No. 10 access will be removed and all access to the site will be from the internal road network.
- The property located at 17400 - 56 Avenue currently has a shared driveway with the subject property. In order to remove the existing driveway crossing at Highway No. 10, an access agreement will be required between the two properties to allow a common driveway connection to the future road.

Current Proposal

- The applicant has requested an LUC Discharge to allow the underlying IL zoning to regulate the use and density on the site, and an agricultural buffer Development Permit to mitigate the impact of the development on the adjacent Agricultural Land Reserve, to allow for the construction of a new industrial building on the south portion of the subject property.
- A comparison between LUC No. 583 and the Light Impact Industrial Zone is listed as follows:

Permitted Uses	LUC 156	IL Zone
Light Impact Uses	Limited to those specified in the Land Use Contract	Permitted
Recycling Depot	Not Permitted	Permitted
Transportation Industry	Permitted	Permitted
Automotive Service Uses	Not Permitted	Permitted
Automobile painting and body work	Not Permitted	Permitted
Vehicle Storage and Parking facilities	Permitted	Permitted
Agricultural Uses	Permitted	Not Permitted
Warehouse Uses	Permitted	Permitted
Manufacturing	Permitted	Permitted
Sale and Rental of new and used cars, trailers, campers, and boats	Permitted	Not permitted
High Impact Industry	Permitted	Not Permitted
Office Uses	Up to 20% of the building area, as an accessory use	Limited to certain businesses
Accessory Uses such as coffee shops, recreation facilities, community services, limited churches, child care centers	Not Permitted	Permitted with some restrictions

- Overall the Light Impact Industry Zone permits a broader range of uses than LUC No. 583 permits. These uses would be compatible with the uses permitted on the surrounding properties.

PRE-NOTIFICATION

Pre-notification letters were sent on November 22, 2003 and staff received the following comments:

- Letter from the agent of the adjoining property owner requesting the application be put on hold until the design of Highway No. 10 and rail requirements are finalized.

(The negotiations between the Highway No. 10. Border Infrastructure Program proponents and the property owners have been completed and the rail line has been pre-loaded for construction.)

DESIGN PROPOSAL AND REVIEW

- The Official Community Plan (OCP) exempts the subject site from a Development Permit requirement for the form and character of the proposed building as it is more than 100 metres (330 ft.) from an arterial road. Therefore, future development on the site will be subject to building permit requirements in accordance with the IL Zone regulations and the Building Code.
- However, the OCP requires that all developments which are adjacent to the ALR to have a Development Permit to mitigate any impacts on the surrounding agricultural land. The AAC reviewed the proposal and did not have any concerns with respect to the impacts of industrial development adjacent to the ALR lands.
- The Development Permit guidelines in the OCP identifies the minimum requirements for developments located adjacent to the Agricultural Land Reserve. A synopsis of these requirements that pertain to this proposal is as follows:
 - Locate principal buildings a minimum of 30 metres (98.5 feet) from the edge of the agricultural land. For lots abutting the agricultural land having no further subdivision potential or having site constraints, this can be relaxed to the greater of 4.6 metres (15 feet) or the minimum setback required by the Zoning By-law.
 - Cluster buildings and structures away from the agricultural land to provide a continuous landscaped buffer.
 - Provide landscaping including a mixture of trees and shrubs, as well as dense vegetation within the required landscape buffer.
 - Surface parking or roads abutting agricultural land require a minimum 7.5-metre (25 ft.) wide landscaped buffer to separate the paved surface from the agricultural area.
- The site is adjacent to the ALR on both the south and west properties. On the south side, there is approximately 58.13 metres (191.27 feet) of rail right-of-way and proposed road right-of-way which separates the subject property from the Agricultural Land Reserve. The proposed building is set back approximately 45 metres (148 feet) from the proposed 54 Avenue extension. These two distances result in the building being setback approximately 103 metres (338 ft) from the ALR. While the applicant is proposing to install a 3.0-metre (10 ft) wide landscape along the south property line, parallel to the proposed road, there is adequate distance between the industrial and agricultural uses to buffer the proposal.
- On the west side of the property, the building is proposed to be sited approximately 22.5 metres (73.8 feet) from the common property line abutting the ALR. This distance reflects a common drive aisle, a 3.0-metre (10 ft.) wide landscape island around the parking area and a parking drive aisle. There is currently a 7-metre (23 ft.) wide farm access road which runs parallel to the proposed driveway, which assists in further separating the farm and industrial uses.
- The proposed parking lot is located more than 7.5 metres (25 ft.) away from the agricultural border.

- While this is not the optimum buffering between industrial and farm uses, these two uses have co-existed adjoining each other for approximately 12 years, with seemingly little impact on each other.
- Surrey Zoning By-law No. 12000 requires minimum landscaping requirements between industrial uses and residential uses. "*Residential Uses*", as defined by the By-law are lands designated *Suburban, Urban* or *Multiple Residential* in the OCP. As the adjacent site is designated Industrial, the Zoning By-law does not require further landscaping as an interface between the two uses.

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.	Contour Map
Appendix III.	Proposed Site Plan, Elevations, Landscape Plans and Perspective
Appendix IV.	Engineering Summary
Appendix V.	Road and Rail Realignment
Appendix VI.	Minutes from the Agricultural Advisory Committee
Appendix VII.	LUC Discharge By-law

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated November 10, 2003.

How Yin Leung
Acting General Manager
Planning and Development

LAP/kms

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Information for City Clerk

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

1. (a) Agent: Name: Pacific Land Resource Group
 Address: #101 - 7485 - 130 Street
 Surrey, B.C.
 V3W 1H8
 Tel: 604-501-1624

2. Properties involved in the Application
 - (a) Civic Address: 17350 - 56 Avenue

 - (b) Civic Address: 17350 - 56 Avenue
 Owner: Stan Scheves
 PID: 013-008-871
 Parcel "One" Reference Plan 6369) of Parcel "C" (Plan with fee deposited
 14248F) District Lot 363 Group 2 New Westminster District

3. Summary of Actions for City Clerks Office
 - (a) Introduce a By-law to discharge Land Use Contract No. 583.

DEVELOPMENT DATA SHEET

Proposed Zoning: IL

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		39,012 m ²
Road Widening area		1,858.33 m ²
Undevelopable area		
Net Total		27,609.4 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	60%	23.6%
Paved & Hard Surfaced Areas		60
Total Site Coverage		83.6%
SETBACKS (in metres)		
Front	7.5 m	13.9 m
Rear	7.5 m	47.5 m
Side #1 (West)	7.5 m	22.5 m
Side #2 (East)	7.5 m or 0	7.5 m
BUILDING HEIGHT (in metres/storeys)		
Principal	18.0 m	7.3 m
Accessory	6.0 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		
Office		
Total		
FLOOR AREA: Industrial	27,609 m ²	6,503 m ²
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA	27,609 m ²	6,503 m ²

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

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)	1.0	0.26
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial	65	65
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces	65	65
Number of disabled stalls		
Number of small cars		
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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CONTOUR MAP FOR SUBJECT SITE

