



**Proposal:** Development Permit and Development Variance Permit to allow a free-standing sign on an industrial site in Port Kells, abutting Highway No. 1.

**Recommendation:** Denial

**Location:** 18940 - 94 Avenue

**Zoning:** IL

**OCP Designation:** Industrial

**LAP Designation:** Industrial

**Owner:** Performance Mall  
Properties Ltd.

### PROJECT TIMELINE

Completed Application Submission Date:	November 17, 2003
Application Revision & Re-submission Date:	December 17, 2003
Planning Report Date:	January 26, 2004

The applicant is proposing:

- a Development Permit; and
- a Development Variance Permit

in order to allow a free-standing sign on an industrial site in Port Kells, abutting Highway No. 1.

The Planning & Development Department recommends that this application be denied.

## REFERRALS

Engineering: No concerns (Appendix III).

## SITE CHARACTERISTICS

- **Existing Land Use** Multi-tenant industrial building in final stages of construction (tenant improvements).
- **Significant Site Attributes** Vacant undeveloped land on the west portion of the site.
- **East:** Finning Tractor site, zoned IL.
- **South:** Highway No. 1.
- **West:** Vacant property, zoned IL, designated Industrial.
- **North:** Across 94 Avenue, vacant land zoned IL, designated Industrial.

## PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

LAP Designation: Complies.

## DEVELOPMENT CONSIDERATIONS

### - Background

- The subject site is located in the Port Kells industrial area to the north of Highway No. 1. The site is designated Industrial in the Official Community Plan (OCP) and zoned Light Impact Industrial (IL).
- Rezoning of the site to IL occurred under application No. 7900-0131-00 which received final adoption on January 22, 2001. Subdivision was subsequently approved in 2001 which consolidated two properties and the closed 189 Street into one lot. Along the southerly 10 metres (33 ft.) of the property, a statutory right-of-way and a no-build covenant was registered. This was to protect City services and protect for future highway widening if required.
- In accordance with the OCP guidelines, since the site abuts Highway No. 1, a Development Permit is required to regulate the site layout, design and landscaping for the development on the site.
- Development Permit No. 7902-0108-00 was issued for the subject site by Council on July 22, 2002.
- The multi-tenant building allowed by the Development Permit has subsequently been constructed. Tenant improvements in the building to accommodate businesses known as ADP Distributors, PDR Diesel Technology Research, M & T Air Conditioning and NW Fuel Injection Service, are for the most part, completed.
- Signage on the subject site is regulated under Development Permit No. 7902-0108-00. Fascia signage for individual premises on the north elevation facing 94 Avenue are proposed to be three-dimensional plastic, individual letters attached to the building.

- On the south elevation, the Development Permit identifies an illuminated fascia logo sign, with painted letters.
- One directional free-standing sign approximately 1.2 metres (4 ft.) in height on a concrete base of 0.45m (1.5 ft.) located at the north driveway entrance to the subject site, is permitted by Development Permit No. 7902-0108-00.
- No free-standing sign along Highway No. 1 is identified under the approved Development Permit.
- On April 30, 2003, the applicant submitted a Development Permit and Development Variance Permit application (No. 7903-0154-00) to permit a "V-shaped" free-standing sign adjacent to Highway No. 1 and a fascia sign on the industrial building facing Highway No. 1.
- The "V-shaped" sign comprised a sign area of 640 sq.ft. (2-sides each 32 ft. long and 10 ft. wide).
- On June 23, 2003, the Planning Report for application No. 7903-0154-00 was considered by Council. Upon consideration of the staff report and the comments from the applicant, Council passed the following resolution (see Council Minutes in Appendix V):

*That:*

1. *this application be denied.*
  2. *Council direct staff to amend the Sign By-law No. 1999, No. 13656, to prohibit free-standing and fascia signs along Highway No. 1 and Highway No. 99.*
  3. *Council adopt a policy to prohibit free-standing and fascia signs along Highway No. 1 and Highway No. 99.*
- On November 17, 2003, Council considered Corporate Report No. R237 regarding proposed amendments to the Sign By-law to address Council's previous directive. The associated by-law amendment (by-law no. 15178) was subsequently introduced on November 17, 2003.
  - On December 1, 2003, Council adopted By-law No. 15178, which amended Surrey Sign By-law to prohibit free-standing and fascia signs along Highway No. 99 and Highway No. 1.

## Current Proposal

- On November 17, 2003, a new application was submitted to amend the Development Permit and to vary the Sign By-law in order to permit a free-standing sign along the Highway No. 1 frontage of the subject site. Unlike the previous application, no fascia signage is proposed to face Highway No. 1. On December 17, 2003, site location and design drawings were submitted to the Planning & Development Department.
- As part of the original subdivision which created the subject lot, a 10-metre (33 ft.) wide No-Build Restrictive Covenant was registered along the southerly boundary of the site adjacent to Highway No. 1. The free-standing sign is proposed to be sited at the edge of the covenant area.

## DESIGN PROPOSAL AND REVIEW

- The proposed free-standing sign is single faced and consists of two illuminated sign boxes, one being 4 ft. by 10 ft., the other being 6 ft. by 10 ft. The total sign area is 100 square feet. The Sign By-law permits a free-standing sign with a maximum area of 150 sq.ft., but it must be located on 94 Avenue.
- The Surrey Sign By-law permits a maximum sign height of 15 ft. for this lot. The proposed sign satisfies this requirement.

- The only free-standing signs on Highway No. 1 currently are the two single sided signs immediately to the east of this property which are 32 ft. high and each having a sign area of 256 sq.ft.
- The background of the sign is white, with dark lettering identifying the businesses. Staff encourage signs to be on a darker background, with lighter lettering in order to reduce the glare of the sign.
- The sign is mounted on two 16" diameter metal poles, painted white.
- The design of the proposed free-standing sign does not satisfy the OCP requirement of having the sign architecturally coordinated with the building. The City Architect has reviewed the proposed sign and is of the opinion that there is no architectural relationship between the proposed free-standing sign and the building.

## BY-LAW VARIANCE AND JUSTIFICATION

### (a) Requested Variance:

- To relax Surrey Sign By-law in order to permit a free-standing sign along the Highway No. 1 frontage.

### Applicant's Reasons:

- The applicant notes that the application for this proposal was submitted prior to the amendment to Surrey Sign By-law being adopted.
- ADP Distributors is looking for the same opportunities as other communities give to businesses. Surrey's neighbouring cities and townships, such as Langley, Maple Ridge, New Westminister and Abbotsford allow for free-standing signs along the Highway No. 1 frontage.

### Staff Comments:

- The current proposal, although for a smaller free-standing sign, is somewhat similar to the previous proposal for the same site which triggered the adoption of the policy that no signage be allowed along Highways No. 1 and 99.
- The subject property has the potential for a second building to be constructed to the west of the existing building. Should a free-standing sign be supported facing Highway No. 1, there could be future arguments to allow an additional highway-oriented free-standing sign on the site facing Highway No. 1 for the future tenants of the second building.
- It is recognized that signage is important from a business perspective; however, there is a concern about the proliferation of signs along Highway No. 1 that if allowed to occur would conflict with the desire to create an attractive image for the City of Surrey at its gateway location.
- At the time of application (November 17, 2003) the owner was aware that the proposal was contrary to Council policy adopted on June 23, 2003, and recent amendments to Surrey Sign By-law approved on December 1, 2003.
- In view of the recent policies implemented by Council, staff are not able to support the request. It is noted, however, that this proposal is for a considerably smaller free-standing sign than the previous proposal that Council denied in June 2003.

CONCLUSION

- In accordance with the OCP, all industrial lands along Highway No. 1 are required to obtain Council's approval of a Development Permit before a building permit can be issued.
- It has been the practice of the Planning & Development Department to attempt to ensure that the development along Highway No. 1 provides a green-buffer adjacent the highway to enhance Surrey's image along this major thoroughfare being a major gateway to the City.
- As a result of the previous proposal submitted by the applicant, for the same site Council adopted a policy to prohibit free-standing signs along Highway Nos. 1 and 99.
- The associated amendment to Surrey Sign By-law was adopted on December 1, 2003. The approval of this variance request may result in additional businesses requesting similar relaxations in order to permit additional signage along both Highway No. 1 and Highway No. 99 and undermine the original intent of the by-law amendment.

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.	Approved Site Plan and Building Elevations, Landscape Plans and Perspective
Appendix III.	Proposed Free-Standing Sign and Location
Appendix IV.	Engineering Comments
Appendix V.	Relevant Excerpt from June 23, 2003 Regular Council-Land Use Minutes
Appendix VI.	Relevant Excerpt from Sign By-law No. 15178

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated January 20, 2004.
- Soil Contamination Review Questionnaire prepared by Ron Weibe and dated November 14, 2003.
- Corporate Report No. R237
- Planning Report No. 7903-0154-00, dated June 23, 2003

Murray Dinwoodie  
General Manager  
Planning and Development

LAP/kms

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APPENDIX I

Information for City Clerk

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

1. (a) Agent:      Name:                Ron Weibe  
                         Address:            18940 - 94 Avenue  
   Surrey, B.C. V4N 4X5  
                         Tel:                    604-888-3726

2.      Property involved in the Application

(a)      Civic Address:            18940 - 94 Avenue

(b)      Civic Address:            18940 - 94 Avenue  
                 Owner:                    Performance Mall Properties Inc.  
                 PID:                        023-501-162  
                 Lot 1 Section 33 Township 8 New Westminster District Plan LMP 29420

3.