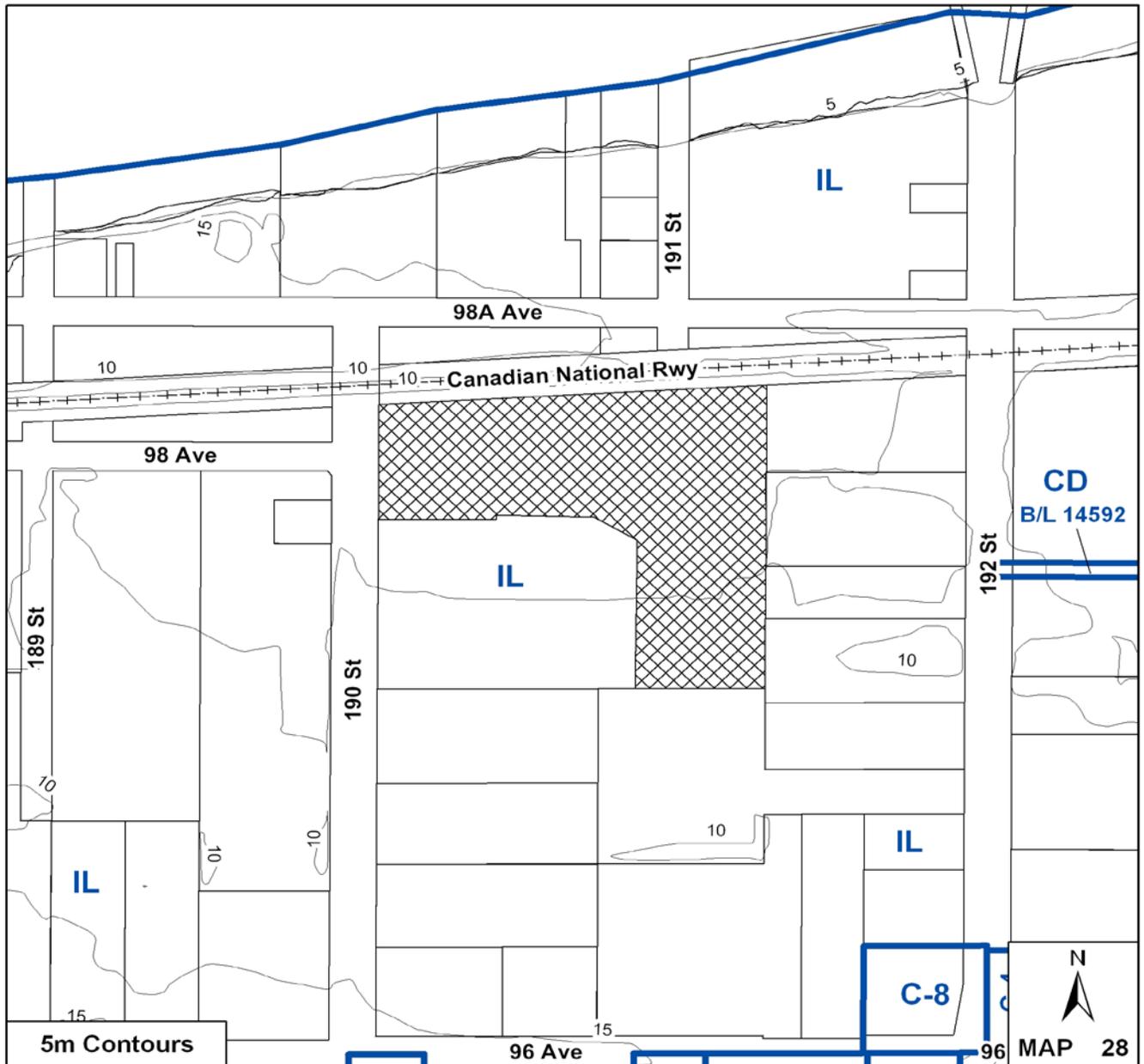


Proposal:	Development Variance Permit to relax various setback requirements of the IL Zone.		
Recommendation:	Approval to Proceed		
Location:	9800 - 190 Street	Zoning:	IL
OCP Designation:	Industrial	Owner:	Loon Properties
LAP Designation:	Industrial		



PROJECT TIMELINE

Completed Application Submission Date: February 16, 2006
Project Reactivation Date: October 30, 2006
Planning Report Date: December 4, 2006

PROPOSAL

The applicant is proposing:

- a Development Variance Permit to vary the following by-law regulations:
 - to relax the west interior side yard setback of the IL Zone from 7.5 metres (25 ft.) to 1.5 metres (5 ft.); and
 - to relax the minimum south interior side yard setback of the IL Zone from 7.5 metres (25 ft.) or 0 to 1.5 metres (5 ft.)

in order to permit the construction of an industrial building in Port Kells.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7906-0064-00, (Appendix IV) varying the following, to proceed to Public Notification:
 - (a) to relax the west interior side yard setback of the IL Zone from 7.5 metres (25 ft.) to 1.5 metres (5 ft.); and
 - (b) to relax the minimum south interior side yard setback of the IL Zone from 7.5 metres (25 ft.) or 0 to 1.5 metres (5 ft.).

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 V).

SITE CHARACTERISTICS

- **Existing Land Use** Industrial buildings with businesses including machine shops, contractors.
- **East:** Industrial buildings and businesses including machine shops, warehouse uses and trucking and cartage, zoned IL, designated Industrial.

- **South:** Construction material wholesaler, zoned IL, designated Industrial.
- **West:** Across 190 Street, lumber wholesaler, zoned IL, designated Industrial.
- **North:** Canadian National Rail right-of-way and further north, across 98A Avenue, saw mills, zoned IL, designated Industrial.

PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

LAP Designation: Complies.

DEVELOPMENT CONSIDERATIONS

Background

- Currently, there are two large industrial buildings on the northern portion of this site with driveway access from 190 Street. These buildings contain a number of industrial tenants (Appendix IV).
- There is a requirement for land acquisition along the 98 Avenue road alignment, parallel to the Canadian National Rail right-of-way, in order to construct the road networking system which will eventually connect the Golden Ears Bridge to the South Fraser Perimeter Road.
- The proponents of the Golden Ears Bridge have successfully negotiated the acquisition of the northern portion of this property for road, which will result in the removal of the existing westerly building and a small portion, on the north side, of the easterly building.
- The applicant will be submitting demolition permits to remove the existing structures impacted by the road acquisition and has submitted building permits to allow for the construction of new multi-tenant warehouse buildings.
- These proposed new buildings (Building A and Building B) will comply with the minimum 7.5-metre (25 ft.) setback requirement from an interior property line of the IL Zone prior to the road acquisition. As a result of the future dedication of the connector roads, these buildings will be deemed to be legally non-conforming with setbacks as provided in Part 4 Section 21 (I) (iii) General Provision of Surrey Zoning By-law No. 12000.

Current Proposal

- While the current Development Variance Permit application was submitted in February 2006, the applicant requested staff to place the application on hold pending resolution of the land acquisition for the road through his property described above. Now that the land acquisition has been finalized, the applicant has reactivated his application.

- The existing site currently has an 8,400-square metre (2.0-acre) undeveloped portion on the southern portion of the property.
- The applicant would like to construct a single-storey, approximately 3,445-square metre (37,200 sq.ft.) industrial warehouse building on the undeveloped portion of the site.
- In order to construct this building the applicant is requesting a development variance permit to relax the following setback requirements of the IL Zone:
 - i. West interior side yard setback from 7.5 metres (25 ft.) to 1.5 metres (5 ft.); and
 - ii. South interior side yard setback from 7.5 metres or 0 metre to 1.5 metres (5 ft.).
- The site is not within a Development Permit area, as detailed in the Official Community Plan, and therefore, a Development Permit is not required in conjunction with the Development Variance Permit.

DESIGN PROPOSAL AND REVIEW

- The proposed building will be constructed with tilt-up concrete, using reveals and decorative banding which runs around the top portion of the building.
- Glazing has been incorporated into the central portion of the north elevation, with canopies proposed over the entrance doors. Overhead doors and loading areas are proposed on the outer portions of this building facing the internal circulation area.
- Due to the depth of the services on 190 Street, proposed Building D will have to be raised approximately 1.0 metre (3.3 ft.) above existing grade. To resolve the grade difference between the subject property and the westerly adjoining property, a retaining wall will be required.
- A 1.8-metre (6.0 ft.) high chain link fence is proposed along all property lines to provide site security, with gates equipped with panic bars to be located between proposed Building D and the south and west property lines.
- Downward cast building lighting is proposed on the south and west elevations to illuminate the exit corridors and provide site security.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To relax the interior south side yard setback from 7.5 metres (25 ft.) or 0 to 1.5 metres (5 ft.).

Applicant's Reasons:

- The variance is requested in order to maximize the building area and to ensure adequate large vehicle circulation on the site. A 1.5-metre (5.0 ft.) setback is required to satisfy the Building Code requirement for exiting the building.
- The BC Building Code specifies exiting distances, which can be provided by an exit door to the outside or by an internal hallway. The applicant has advised that it has been his experience that internal hallways become storage areas, which contravenes the Fire Code. The 1.5-metre (5 ft.) wide exterior walkway is too narrow to be used for outside storage.
- The proposed building is approximately 56 metres (185 ft.) deep. A shallower building could be constructed with a "0" metre setback, and satisfy the BC Building Code requirements for exiting, however, a larger building is desired.
- A "0" metre setback from the west and south property lines will increase the construction cost due to the method of constructing the foundation of the building.
- The requested 1.5-metre (5.0 ft.) setback allows for easier maintenance, such as painting of the south and west building elevations.

Staff Comments:

- The subject site is adjoining an industrial property to the south. The requested variance will not adversely impact the existing or future development on the adjoining property. Staff concur with the applicant's rationale and support the requested variance.

(b) Requested Variance:

- To relax the western interior side yard setback from 7.5 metres (25 ft.) or 0 metre to 1.5 metres (5 ft.).

Applicant's Reasons:

- This variance is also requested in order to maximize the floor area of the industrial building, and the same justification as the requested variance for the south interior side yard setback applies.

Staff Comments:

- The siting of the proposed building will not adversely impact the existing or future development of the adjoining property. This proposed building is more than 100 metres (328 ft.) from 190 Street. Staff concur with the applicant and support the requested variance.

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.	Existing Site Plan
Appendix IV.	Proposed Site Plan, Typical Floor Plans and Elevations
Appendix V.	Engineering Summary
Appendix VI.	Development Variance Permit No. 7906-0064-00

INFORMATION AVAILABLE ON FILE

- Soil Contamination Review Questionnaire prepared by Colin Murphy dated February 6, 2006.

How Yin Leung
Acting General Manager
Planning and Development

LAP/kms:rdd

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DEVELOPMENT DATA SHEET

Existing Zoning: **IL**

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		31,788.2 m ²
Road Widening area		9,866.3 m ²
Undevelopable area		
Net Total		21,921.9 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	60%	41%
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front	7.5 m	7.5 m
Rear	7.5 m	7.5 m
Side #1 (South)	7.5 m or 0	1.5 m*
Side #2 (North) (existing property)	7.5 m	>7.5 m
Side #3 (West) (interior)	7.5 m	1.5 m*
BUILDING HEIGHT (in metres/storeys)		
Principal	18 m	12 m
Accessory	6 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 (Building A)		716.26 m ²
Industrial (Building B)		953.9 m ²
Industrial (Building C)		3,455.9 m ² **
Industrial (Building D)		3,862.35 m ²
TOTAL BUILDING FLOOR AREA	21,921.9 m ²	8,988.4 m ²

* ***Variance requested***

** ***Building subject to development variance permit application***

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	0.41
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial		
Industrial	93	103
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces	93	103
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

