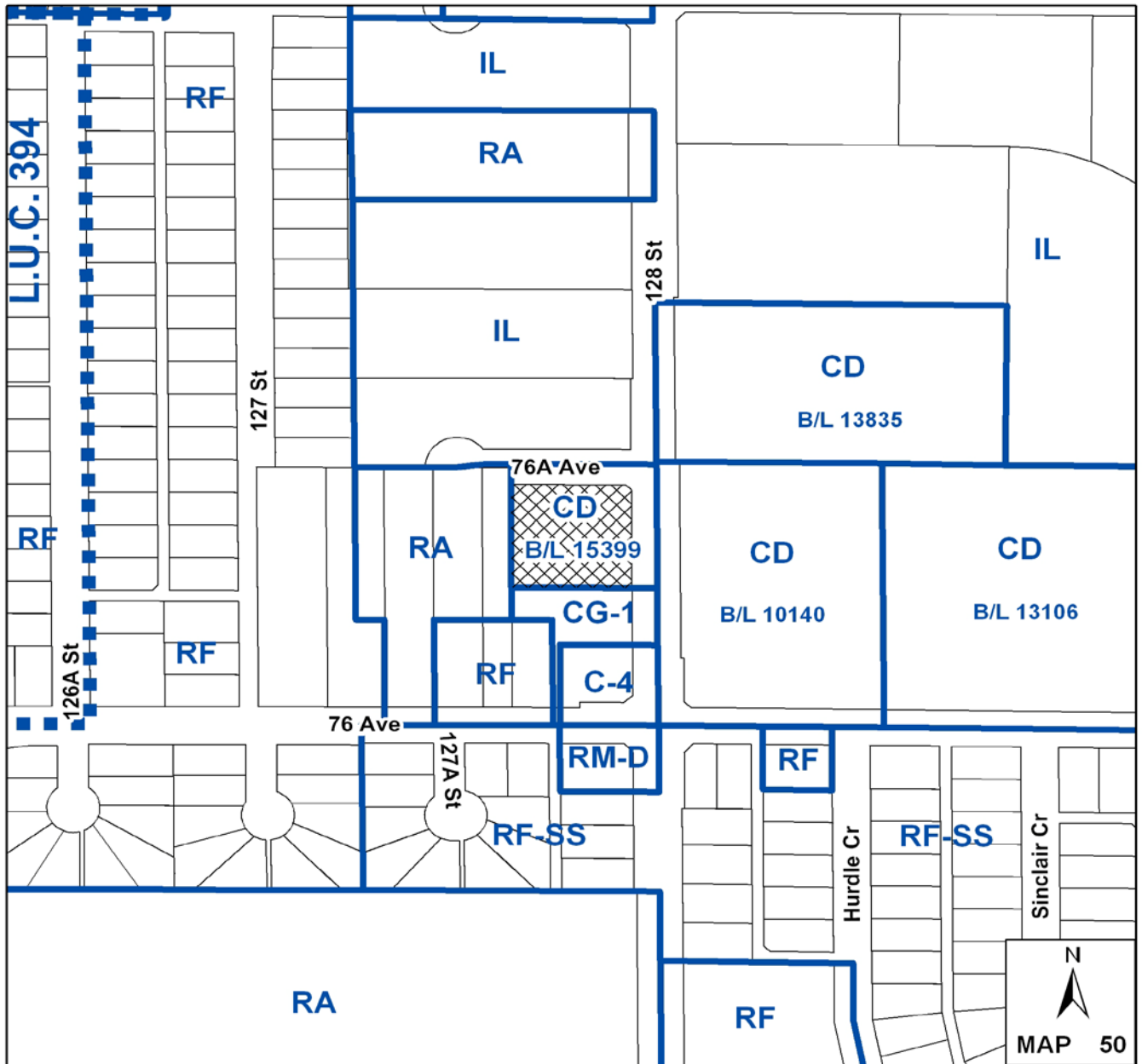


Proposal: Amend CD By-law No. 15399 to allow up to 50% retail sales of products produced on the lot or as part of the wholesale or warehouse operations.

Recommendation: Approval to Proceed

Location: 12788 - 76A Avenue	Zoning: CD (By-law No. 15399)
OCP Designation: Industrial	
LAP Designation:	Owner: 678859 B.C. Ltd.



PROJECT TIMELINE

Completed Application Submission Date:	May 9, 2006
Application Revision & Re-submission Date:	July 11, 2006
Planning Report Date:	July 10, 2006
Additional Planning Report Date:	July 24, 2006

PROPOSAL

The applicant is proposing:

- to amend CD By-law No. 15399

in order to allow up to 50% retail sales of products processed or manufactured on the lot or as part of the wholesale or warehouse operation.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to amend Comprehensive Development By-law No. 15399 and a date be set for Public Hearing.

REFERRALS

Engineering: Engineering Servicing requirements were previously addressed under the Rezoning Application. The Engineering Department has no objection to the proposed CD By-law Amendment.

ADDITIONAL PLANNING COMMENTS

Background

- In May 2005, the site was rezoned to "Comprehensive Development Zone (CD)" (By-law No. 15399) under application No. 7904-0032-00 and a Development Permit was approved and issued for a two-storey industrial building that is under construction.
- The approved CD Zone accommodates a range of light impact industry, office, and general service uses, based on a combination of "Light Impact Industrial Zone (IL)" and the "Business Park Zone (IB)" permitted uses. Retail uses are not permitted in this zone.

- The applicant submitted a rezoning application to amend the CD Zone to allow 50% retail sales of products produced on the lot or as part of wholesale or warehouse operations.
- On July 10, 2006, Council considered a Planning Report (Appendix II) for the subject proposal, and approved the following recommendation:

“That Application 7906-0203-00 be referred to staff to work with the applicant to come forward with a suitable by-law relative to permitting up to 50% retail sale space.”

- Staff worked with the applicant to bring forward the appropriate CD By-law (No. 15399) amendment as per Council’s direction.

Discussion

- Staff met with the applicants to clarify the proposed uses. The applicant is seeking to enable retail sales for each individual business for products processed, manufactured or wholesaled on the lot, up to 50% in each unit.
- The proposal will enable up to 50% of each unit to accommodate retail activity as part of a processing, manufacturing, wholesale or warehouse operation.
- Parking has been assessed and, as per the proposed amendment, can be accommodated on the site assuming the existing building is occupied with the full range of uses permitted in the proposed CD Zone amendment.
- The Engineering Department has reviewed the application and, in light of the parking review completed by Planning and Development, does not have any concerns with the application. No formal Engineering comments have been provided.
- The Transportation Section does not have concerns with the amendment, as access on and off the site has not changed from the original plan.

Proposed CD By-law Amendments

- An amendment to the CD By-law No. 15399 is proposed (Appendix V):
 - **Retail Uses:** The proposed amendment will enable up to a maximum of 50% retail space of the floor area per unit of permitted industrial (processing, manufacturing), warehouse or wholesale uses. An analysis has been undertaken below to ensure required parking can be accommodated.
 - **Coffee Shop:** In order to avoid parking issues and simplify parking calculations, it is recommended that the limitations on *coffee shop* be changed to an area calculation versus a seating calculation. This is recommended to commit an absolute number of parking spaces allowed for the site for *coffee shop* use. Zoning By-law 12000, Part 5, Table C.2, establishes *eating establishments* of less than 150 sq. m. to a minimum of three (3) parking stalls. Any *eating establishment* greater than 150 sq. m would require 10 stalls per 100 sq. m. of floor space despite seating capacity. By changing the limitation in the

CD By-law to 150 sq. m. floor area, the site has a clear expectation to provide at least 3 stalls for the use. This provides the owner and future tenants certainty that parking stall requirements can be achieved; avoiding parking issues or restricting permitted future uses on the site.

- All other provisions in the CD By-law remain unchanged.

PRE-NOTIFICATION

Pre-notification letters were sent on June 12, 2006 and staff received no comments.

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.	Planning and Development Report File No. 7906-0203-00
Appendix IV.	CD By-law No. 15399
Appendix V.	CD By-law Amendment

How Yin Leung
Acting General Manager
Planning and Development

BDP/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: Ray Mand and Amritpal Gill, 678859 B.C. Ltd.
 Address: 9122 - 122 Street
 Surrey, B.C.
 V3V 8C9
 Tel: 604-657-9991

2. Properties involved in the Application

- (a) Civic Address: 12788 - 76A Avenue

(b) Civic Address: 12788 - 76A Avenue
 Owner: 678859 B.C. Ltd.

Director Information:

Amritpal Gill
Amarjit Samra

Officer Information: (as at October 7, 2005)

Amritpal Gill (President)
Amarjit Samra (Secretary)

PID: 026-302-331
Lot 1 Section 19 Township 2 New Westminster District Plan BCP17889

3. Summary of Actions for City Clerk's Office

- (a) Introduce a By-law to amend CD By-law No. 15399.

CONTOUR MAP FOR SUBJECT SITE

