

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7906-0359-00

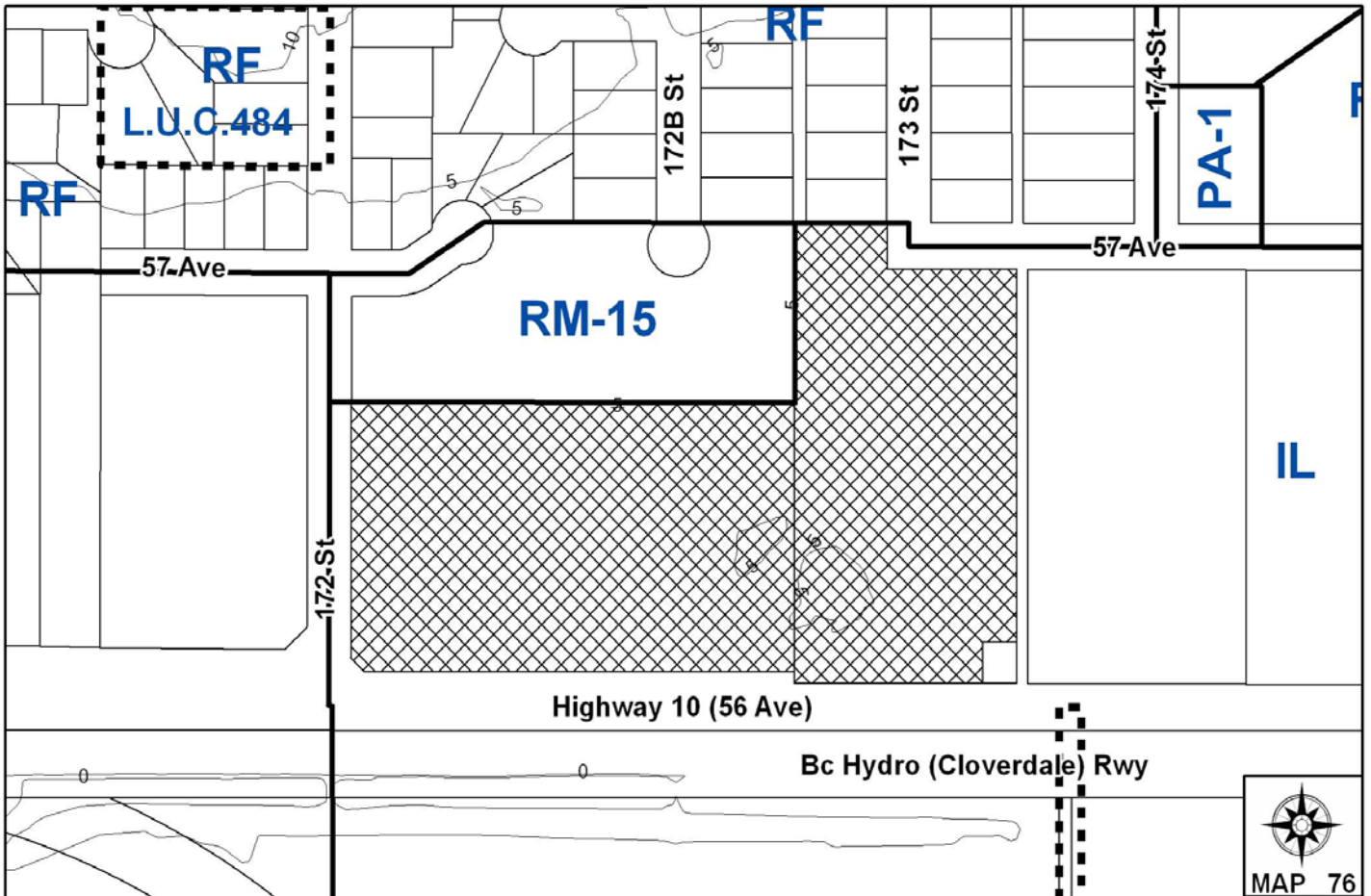
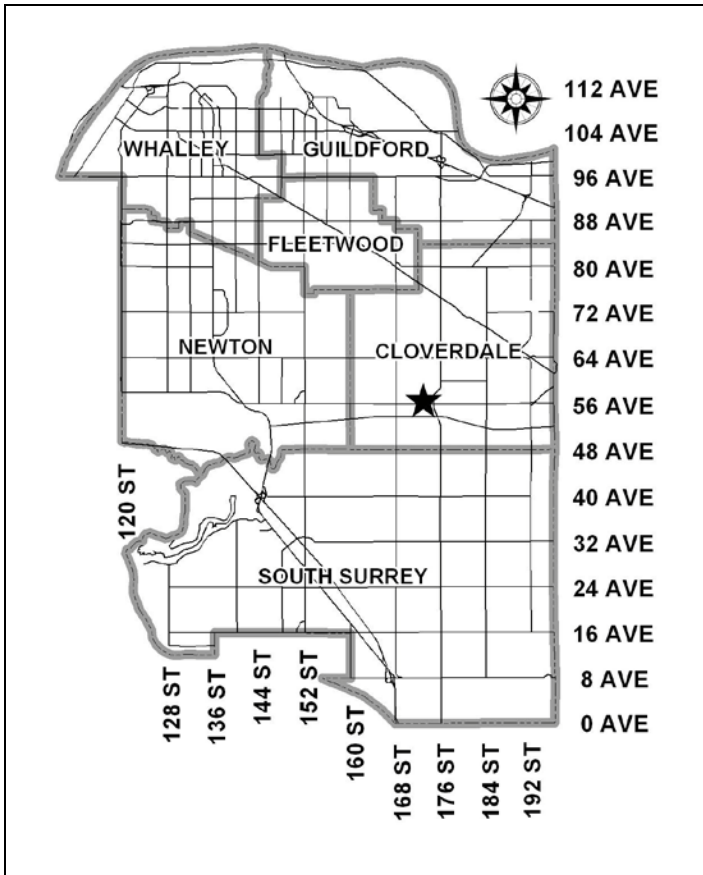
Planning Report Date: September 10, 2007

PROPOSAL:

- **NCP Amendment** from Industrial and Urban Single Family to Highway Commercial;
- **Rezoning** from IL to CD (based on CHI);
- **Development Permit**; and
- **Development Variance Permit**

in order to permit the development of a retail power centre.

LOCATION: 17255 and 17341 - 56 Avenue
OWNER: Highway 10 Furniture Park Ltd.
ZONING: IL
OCP DESIGNATION: Industrial
NCP DESIGNATION: Industrial and Urban Single Family



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Rezoning.
- Approval to draft Development Permit.
- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The proposed development does not comply with the Industrial and Urban Single Family designations in the Cloverdale Town Centre Land Use Plan.
- The proposed development does not comply with Surrey's initiative to preserve industrial designated land.
- The proposed development does not comply with the prescribed parking requirements of the Zoning By-law.
- The proposed signage design for Building C does not comply with the Sign By-law.

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation and policy to increase employment opportunities within the local economy.
- "Cleaner" land use interface with existing residential to the north.
- Destination shopping should attract visitors from outside the community.
- Proposed CD By-law does not preclude light industrial uses.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the subject site from "Light Impact Industrial Zone (IL)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7906-0359-00 in accordance with the attached drawings (Appendix II).
3. Council approve Development Variance Permit No. 7906-0359-00, (Appendix VI) varying the following, to proceed to Public Notification:
 - (a) Section 27(2)(e) of Part 5 of Sign By-law, 1993, No. 13656 to permit a fascia sign above the roof line of the building face for Building C.
4. 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 subdivision layout to the satisfaction of the Approving Officer;
 - (c) approval from the Ministry of Transportation;
 - (d) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (e) resolution of all urban design issues to the satisfaction of the Planning and Development Department;
 - (f) registration of a statutory right-of-way for public right-of-passage to allow for connection through the site from 172 Street to 57 Avenue for vehicles and pedestrians;
 - (g) registration of an access easement with the property located to the east at 17395 Highway No. 10; and
 - (h) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department;
5. Council pass a resolution to amend the Cloverdale Town Centre Land Use Plan to redesignate the land from Industrial and Urban Single Family to Highway Commercial when the project is considered for final adoption.

REFERRALS

Engineering:	The Engineering Department has no objections to the project subject to the completion of Engineering servicing requirements as outlined in Appendix III.
Environmental Review Committee (ERC):	The applicant has requested a relaxation of the required 30-metre (98 ft.) environmental setback from the top of bank of the Cloverdale Canal, located to the east of the subject site, to 20-metres (66 ft.). The ERC has granted preliminary approval of the proposed 20-metre (66 ft.) environmental setback. In addition, the ERC has provided preliminary approval of the location and concept of a clear span bridge crossing of the Cloverdale Canal between the subject site and neighbouring property to the east, but has indicated that if the bridge concept changes as a result of future development to the east, the proposal must proceed to the ERC for review.
Ministry of Environment (MOE) (Land Remediation Section):	MOE has provided a release, dated January 30, 2007, pursuant to Section 946.2(2)(d) of the <u>Local Government Act</u> or Section 85.1(2)(d) of the <u>Land Title Act</u> , which indicates that the City of Surrey may proceed with approval of the demolition and the zoning, development permit and subdivision applications, as in the opinion of the Director of the MOE, the site will not present a significant threat or risk if the specific applications are approved.
Ministry of Transportation (MOT):	MOT has indicated that only one access for development north of Highway No. 10 will be permitted and should be located on the east side of the Cloverdale Canal, which is situated on the neighbouring property to the east. It has also indicated that this access must be shared between the two sites through a reciprocal access easement. MOT has also indicated that an access easement (or statutory right-of-way) connecting 57 Avenue to 172 Street through the site will be required. The applicant is also required to contribute to 25% of the cost of the future signalization at the Highway No. 10 and 172 Street intersection.

SITE CHARACTERISTICS

Existing Land Use: Vacant. Formerly occupied by a construction company.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North:	Existing townhouse site	Urban Single Family in the Cloverdale Town Centre Land Use Plan/	RM-15
Further North:	Existing single family residential	Urban Single family in Cloverdale Town Centre Land Use Plan	RF
East:	Cloverdale Canal and vacant property, currently under Application No. 7905-0004-00. The application is for a proposed commercial development but is currently at a very preliminary stage and has not been forwarded to Council for consideration.	Combination of Park/Open Space, Medium Density Residential, Highway Commercial and Residential/Commercial in the Cloverdale Town Centre Land Use Plan	IL
South (Across Highway No. 10):	Light industrial uses.	Industrial in the Cloverdale Town Centre Land Use Plan	IL
West (Across 172 Street):	Land in the Agricultural Land Reserve (ALR).	Agricultural in the OCP	A-1

DEVELOPMENT CONSIDERATIONS

- The application comprises two properties located at 17255 and 17341-56 Avenue (Highway No. 10) on the western edge of the Cloverdale Town Centre. The subject site is approximately 3.9 hectares (9.7 acres).
- The site is currently vacant. There is an existing treed berm located along the north property line adjacent the existing townhouse site to the north and edge landscaping around the site.
- The site is designated Industrial along Highway No. 10 and Urban Single Family along 57 Avenue in the Cloverdale Town Centre Plan and Industrial in the Official Community Plan (OCP).
- This application proposes an NCP amendment to the Cloverdale Town Centre Plan from Industrial and Urban Single Family to Highway Commercial, a rezoning from Light Industrial Zone (IL) to Comprehensive Development Zone (CD) and a Development Permit to allow for the development of a retail furniture mall featuring Sandy's, Ashley and Paramount furniture stores and a bank. In addition, a Development Variance Permit (DVP) is requested to vary the Sign By-law.

Justification for Plan Amendment

- The proposed development complies with Official Community Plan policy to increase opportunities for employment generation within the local community.
- The proposed development provides for a "cleaner" land use interface with the existing multiple family development located to the north, rather than a continued industrial use.
- As a comprehensively designed commercial centre, the proposed development provides for a higher level of design than that of industrial uses.
- The Industrial designation in the Official Community Plan (OCP) already permits the Highway Commercial Industrial Zone (CHI), for which the proposed CD By-law is based.
- The proposed development will be a shopping destination attracting visitors from outside the community thereby promoting nearby amenities.
- Although the proposed development reflects a commercial retail and service focus, the CD By-law will offer a range of uses, including light impact industrial.
- The proposed use has the support of the Cloverdale District Chamber of Commerce.

Proposed Land Use

- The proposed development features four (4) buildings, with a total of 15,421.9 square metres (166,000 sq.ft.) of commercial floor area. The buildings are all one-storey in height.
- Proposed Buildings A and B are connected. Building A is proposed to house Paramount Furniture, with Sandy's Furniture to be situated within Building B. Buildings C and D are to be in separate buildings. Proposed Building C will house Ashley Furniture, with a total floor area of 8,825.8 square metres (95,000 sq.ft.). Proposed Building D will house the Canadian Western Bank and will be located at the southwest corner of the site, at the intersection of 172 Street and Highway No. 10.
- The development proposes a floor area ratio (FAR) of 0.39, which is under the maximum 1.0 FAR permitted under the equivalent CHI Zone, with a proposed lot coverage of 39%, which is below the maximum 50% lot coverage permitted under the CHI Zone.
- There is an existing berm located along the north property line adjacent the existing townhouse development. The applicant is proposing to enhance the landscaping by planting Western Red Cedar trees to provide for a visual screen at the rear walls of proposed Buildings A and B.
- The development proposes a 20-metre (66 ft.) wide environmental setback from the top-of-bank of the Cloverdale Canal, which is located just east of the subject site.
- The subject site is in a floodplain area. All buildings have been designed with a ground floor elevation at the 200-year flood level, at a minimum of 2.4 metres (7.9 ft.) geodetic.

Traffic and Parking

- The main access to the development will be from 172 Street, with secondary access from 57 Avenue. A statutory right-of-way will be required through the site for public rights-of-passage to allow for connection from 172 Street to 57 Avenue for vehicles and pedestrians.
- An additional access from Highway No. 10 may be accommodated in the future, if the property owner to the east agrees and develops in the future, but will be shared between the two sites, with the actual access from the neighbouring site, east of the Cloverdale Canal. The location of a reciprocal access easement has been provided along the east of the subject site and is proposed in concept as a clear span bridge.
- A total of 282 parking stalls are proposed for the development.

Proposed CD By-law

- The proposed CD By-law will be based upon the Highway Commercial Industrial Zone (CHI), but with variances to building height and parking requirements. The proposed CD By-law will offer some flexibility in land uses, ranging from retail, warehouse and service uses, but some uses which require higher parking requirements have been excluded, such as assembly halls, tourist accommodation, parking facilities. Uses such as automotive service and sales, offices and childcare centres have been eliminated due to the fact that they are not appropriate for the location.
- Under the equivalent CHI Zone, the maximum building height for a principal building is 9 metres (30 ft.). There will be two buildings which exceed the 9-metre height, Buildings B and C. The development proposes a maximum principal building height of 16 metres (52 ft.) for a portion of proposed Building C, which will house Ashley Furniture. The applicant has indicated that the roof feature for Building C is an integral part of Ashley's overall design for their stores, especially to maintain a consistent image for their clientele. The roof feature on this building has been proportioned to suit the scale of the building while still keeping with overall design for the site. The maximum height of 9 metres (29.5 ft.) for accessory buildings will be consistent with the CHI Zone.
- The applicant is proposing a variance to the required parking for the proposed development. Based upon the use and commercial building area, a total of 391 parking stalls would be required based upon the Zoning By-law requirements of 3 stalls per 100 square metres (1,075 sq.ft.) for the proposed bank and 2.5 stalls per 100 square metres (1,075 sq.ft.) for the furniture stores. The applicant is only proposing 282 parking stalls, which would be based upon a rate of 3.0 stalls per 100 square metres for the proposed bank and 1.75 stalls per 100 square metres (1,075 sq.ft.) for the furniture stores.
- The proposed reduced parking rate of 1.75 stall per 100 square metres (1,075 sq.ft.) is lower than what is normally required by the Zoning By-law. The 1.75 stalls per 100 square metres (1,075 sq.ft.) rate is actually greater than what has been approved for two other furniture store developments, which permitted a rate of 1.4 stall per 100 square metres (1,075 sq.ft.).

- The applicant has indicated that the retail warehouse parking requirement is onerous in this case, given that furniture stores are not as traffic intensive as other retail warehouse uses and characteristically generate lower traffic and parking activity.
- Engineering staff have reviewed the proposed parking variance and find the proposed 1.75 stalls per 100 square metres (1,075 sq.ft.) parking rate for furniture stores is acceptable. However, all other uses will be subject to the requirements listed in the Zoning By-law.

PRE-NOTIFICATION

As a result of on-site notification and a pre-notification letter sent on October 30, 2006, staff received 2 responses in support and 3 responses in opposition with the following comments:

Support

- The Cloverdale District Chamber of Commerce has provided a letter in support of the proposed development. The Chamber of Commerce has indicated that additional retail anchors are needed to draw customers to the Cloverdale Town Centre. According to the Chamber of Commerce, research has shown that at present over 80% of Cloverdale residents are doing their primary shopping in Langley.
- The applicant for the site to the east, currently under Application No. 7905-0004-00 has indicated that they support the proposed retail centre, however, they are opposed to the concept of a bridge over the canal, linking the two sites.

(The access easement between the two sites is at the request of the Ministry of Transportation (MOT), as MOT has indicated that only one vehicular access will be permitted for the development north of Highway No. 10 west of 176 Street and it will be located on the Anthem Properties site to the east. However, Anthem Properties is not proceeding with development at this time. As the applicant did not want to wait, the applicant decided to proceed to the ERC. This information was conveyed at the Environmental Review Committee (ERC). The ERC indicated that if the proposed bridge concept changes in the future, that it be brought back to the ERC for further review.)

Opposition

- Concern that neighbourhood character will be diminished with proposed "Big Box" development at this location.

(Although the proposed use requires larger buildings to accommodate a warehousing component, the applicant has attempted to provide a higher level of design by incorporating architectural elements, such as steel brackets, gooseneck lights and brick cladding, which are complimentary to the railway heritage of Cloverdale.)

- Traffic and parking concerns, especially in the amount of traffic that will be generated by the development.

(Furniture stores are by nature not as traffic intensive as other retail warehouse uses and characteristically generate lower traffic and parking activity, as they generally serve a larger market with less regular customers. A proposed signalization at the intersection of Highway No. 10 and 172 Street will permit safe left turns from 172 Street to Highway No. 10.)

- Pedestrian safety in the neighbourhood.

(A pedestrian connection has been identified through the site, with a connection to sidewalks along 172 Street and along Highway No. 10.)

- Concern about shipping, loading and receiving docks and heavy trucks being used outside of business hours causing noise. Concern that the parking lot will be vacant at night and will attract joy riders and criminals possibly leading to property and personal crimes in the neighbourhood. Concern of parking lot lighting being on all night.

(According to the applicant, the Ashley Retail/Distribution Centre along the east property line will have one 18-wheeler coming per day (coming in full and taking out the empty units from the previous day). This truck will arrive during the day, between 9:30 am and 4:30 pm. As for the Sandy's and Paramount stores, small trucks will deliver and pick up display furniture usually every other day. For these 2 stores, retail purchases are delivered to the customer from their distribution centre in Coquitlam

The owner of the development proposes to have security on site in the evenings.

The maximum height of parking lighting will be 5 metres (16.4 ft.) and will consist of a lamp post with two lights, with lamp shields to direct light downwards as opposed to outwards.)

- Concern about creation of additional commercial space when apparently there is a lot of existing vacant space in Cloverdale Town Centre.

(The applicant feels that this location is appropriate for them to service not only the local Cloverdale community as well as outlying areas of Surrey, Langley, North Delta and Abbotsford. The proposed development will draw visitors from outlying areas which will utilize existing amenities and services in the community.

The Cloverdale Town Centre Plan plans for neighbourhood commercial uses which would be conducive to smaller, local amenities serving nearby residents.)

- Concerned about decrease in residential value.

(There is no data to substantiate this comment.)

DESIGN PROPOSAL AND REVIEW

- The main vehicular access to the site is proposed from 172 Street. Secondary access will be from 57 Avenue.
- The buildings incorporate the railway heritage character of Cloverdale through the use of steel brackets on the metal and glass canopies, gooseneck lights and brick cladding. The buildings will be constructed in tilt-up concrete.
- Garbage receptacles will be screened by an enclosure consisting of a concrete block wall, with painted metal doors.
- Loading bays will be screened from view with metal gates.
- A gateway feature is proposed at the corner of 172 Street and Highway No. 10 which will consist of a steel trellis and a fence incorporating brick clad concrete columns, which will act as an entry feature into the Cloverdale Town Centre area.
- Decorative pavers are being proposed at the entry at 172 Street and throughout the site to identify the pedestrian connections throughout the site.
- The development proposes two (2) fascia signs for each of Buildings A, B, C and D, as well as three (3) free-standing signs for the site. One free-standing sign is proposed at the vehicular entry at 172 Street, with the other two signs located along Highway No. 10. Each sign will be located 2.3 metres (7.5 ft.) from the property line and will all be similar in design. One fascia sign at Building C will require a variance (see By-law Variance & Justification section).
- Landscape islands are proposed to break up the parking stalls. The islands will incorporate Red Sunset Maple and Daybreak Cherry trees, along with flowers and shrubs.
- A landscape buffer is proposed along Highway No. 10 to provide a visual screen of the parking area. The landscape buffer will incorporate Pacific Dogwood and Katsura trees, along with low level shrubs and flowers.
- An existing berm located along the north property line adjacent the existing townhouse development will be enhanced through the planting of Western Red Cedar trees.

ADVISORY DESIGN PANEL

ADP Meeting Date: December 7, 2006

ADP comments and suggestions have been generally addressed. Minor revisions will be required of the following:

- Details of decorative paving and hard surface to be provided on landscape plan.
- Fences required at the rear (north) of Buildings A and B as a CPTED measure.

- Notes required on landscape plan to reflect irrigation of site.
- Channels required to be shown to connect to grass bio-swales.

BY-LAW VARIANCE & JUSTIFICATION

(a) Proposed Variance:

- To vary Section 27(2)(e) of Part 5 of Sign By-law, 1999, No. 13656, in order to permit a fascia sign above the roof line of the building face for Building C (Ashley Furniture).

Applicant's Reasons:

- The applicant would like the sign to be complimentary with the pitch roofline of the building.

Staff Response:

- The sign has been designed in a comprehensive manner to blend with the design of the building. The proposed variance is supportable.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets and Survey Plan
Appendix II.	Proposed Site Plan, Building Elevations, Landscape Plans and Perspective
Appendix III.	Engineering Summary
Appendix IV.	ADP Comments
Appendix V.	Cloverdale Town Centre Land Use Plan
Appendix VI.	Development Variance Permit No. 7906-0359-00
Appendix VII.	Proposed CD By-law

INFORMATION AVAILABLE ON FILE

- Environmental Report prepared by ECL Envirowest Consultants Ltd. dated August 1 and 8, 2007.
- Complete set of architectural plans prepared by P.J. Lovick Architect Ltd.

Jean Lamontagne
General Manager, Planning and Development

PL/kms

v:\wp-docs\planning\plncom07\08301129.pl.doc
KMS 8/30/07 12:14 PM

Information for City Clerk

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

1. (a) Agent: Name: Rick Johnson c/o Rimark Consulting Services
 Address: 3184 - 204 Street
 Langley, BC
 V2Z 2C7
 Tel: 604-626-7040

2. Properties involved in the Application

(a) Civic Addresses: 17255 and 17341 Highway No. 10 (56 Avenue)

(b) Civic Address: 17255 Highway No. 10 (56 Avenue)
 Owner: Highway 10 Furniture Park Ltd.
 PID: 017-651-361
 Lot 2 Section 7 Township 8 New Westminster District Plan LMP 2872

(c) Civic Address: 17341 Highway No. 10
 Owner: Highway 10 Furniture Park Ltd.
 PID: 010-466-975
 Lot 16 Except: Firstly: Part Subdivided by Plan 25178 Secondly: Parcel "D"
 (By-law Plan 49023) Section 7 Township 8 New Westminster District
 Plan 1086

3. Summary of Actions for City Clerk's Office

(a) Introduce a By-law to rezone the property.

(b) Application is under the jurisdiction of MOT.

MOT File No. 1-6-23869 and 1-6-23870

(c) Proceed with Public Notification for Development Variance Permit No. 7906-0359-00.

DEVELOPMENT DATA SHEET

Proposed Zoning: CD (based on CHI)

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		42,418.1 m ²
Road Widening area		105.2 m ²
Undevelopable area		3,201.3 m ²
Net Total		39,111.6 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures		
Paved & Hard Surfaced Areas		
Total Site Coverage	50%	39.4%
SETBACKS (in metres)		
Front (172 Street)	7.5 m	8.0 m
Rear (East)	7.5 m	25.91 m
Side #1 (North)	7.5 m	7.5 m
Side #2 (South) (Highway No. 10)	7.5 m	8.8 m
BUILDING HEIGHT (in metres/storeys)		
Principal	9 m	16 m
Accessory	9 m	9.8 m
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential		n/a
FLOOR AREA: Commercial		
Retail		15,421.9 m ²
Office		
Total		
FLOOR AREA: Industrial		n/a
FLOOR AREA: Institutional		n/a
TOTAL BUILDING FLOOR AREA	39,111.6 m ²	15,421.9 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	0.39
AMENITY SPACE (area in square metres)		n/a
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial	391	282
Industrial		n/a
Residential Bachelor + 1 Bedroom		n/a
2-Bed		
3-Bed		
Residential Visitors		n/a
Institutional		n/a
Total Number of Parking Spaces	391	282
Number of disabled stalls		7
Number of small cars		17
Tandem Parking Spaces: Number / % of Total Number of Units		n/a
Size of Tandem Parking Spaces width/length		n/a

Heritage Site	NO	Tree Survey/Assessment Provided	NO
---------------	----	---------------------------------	----