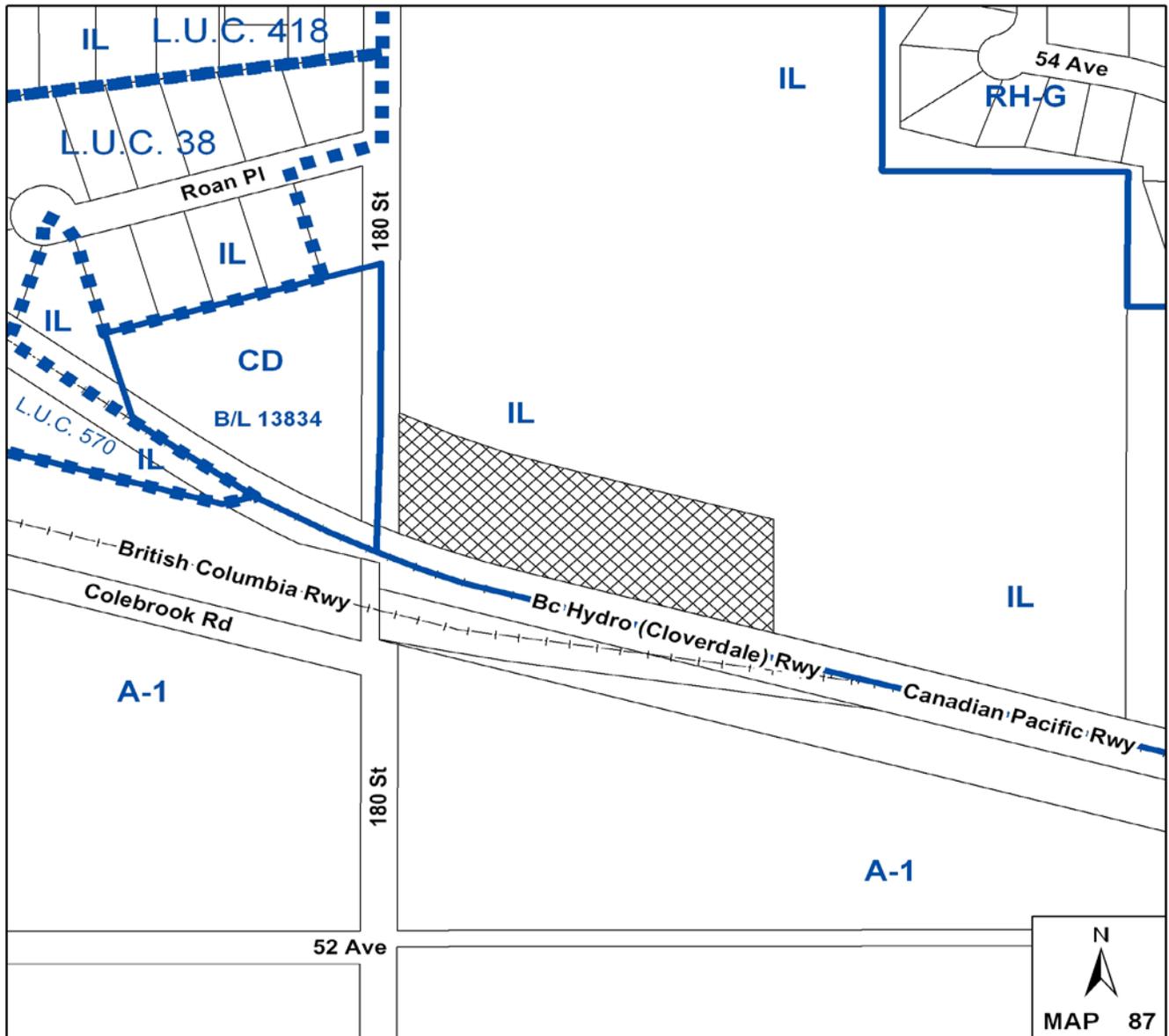


Proposal: Development Permit for an agricultural buffer. Development Variance Permit to relax various Zoning By-law requirements.	
Recommendation: Approval to Proceed	
Location: 5330 - 180 Street	Zoning: IL
OCP Designation: Industrial	
LAP Designation: Industrial	Owner: Southern Railway of BC



PROJECT TIMELINE

Completed Application Submission Date: June 18, 2007
Planning Report Date: July 23, 2007

PROPOSAL

The applicant is proposing:

- a Development Permit; and
- a Development Variance Permit to vary the following Zoning By-law regulations:
 - to reduce the minimum south side yard setback of the IL Zone from 7.5 metres (25 ft.) to 4.5 metres (15 ft.);
 - to increase the maximum height of an accessory structure of the IL Zone from 9.0 metres (30 ft.) to 23 metres (75 ft.);
 - to increase the maximum height of outdoor storage of stacked containers of the IL Zone from 3.5 metres (12 ft.) to 10.2 metres (33.3 ft.) to a maximum height of 3 stacked containers;
 - to delete the screening of outside storage of the IL Zone and require a 1.8 metre (6 ft.) fence; and
 - to reduce the minimum size of a building of Part 4 General Provisions from 100 square metres (1,075 sq.ft.) to 45 square metres (484 sq.ft.)

in order to permit the installation and operation of grain distribution equipment.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council authorize staff to draft Development Permit No. 7907-0169-00 in accordance with the attached drawings (Appendix III).
2. Council approve Development Variance Permit No. 7907-0169-00, (Appendix V) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum south side yard setback of Part 48 Light Impact Industrial Zone (IL) from 7.5 metres (25 ft.) to 4.5 metres (15 ft.);
 - (b) to increase the maximum height of an accessory structure of Part 48 Light Impact Industrial Zone (IL) from 9.0 metres (30 ft.) to 23 metres (75 ft.);

- (c) to increase the maximum height of outdoor storage of Part 48 Light Impact Industrial Zone (IL) from 3.5 metres (12 ft.) to 10.2 metres (33.3 ft.) to a maximum height of 3 stacked containers;
 - (d) to delete the screening of outside storage of Part 48 Light Impact Industrial Zone (IL) and require a minimum 1.8 metre (6 ft.) fence; and
 - (e) to reduce the minimum size of a building of Part 4 General Provisions from 100 square metres (1,075 sq.ft.) to 45 square metres (484 sq.ft.).
3. Council instruct staff to resolve the following issue prior to approval:
- (a) issuance of Development Variance Permit No. 7907-0169-00.

REFERRALS

Engineering:	No concerns (Appendix IV).
Agricultural Advisory Committee (AAC):	This application was reviewed by AAC on July 5, 2007. No concerns were expressed (Appendix VI).

SITE CHARACTERISTICS

- **Existing Land Use** Trucking and cartage company.
- **Significant Site Attributes** Drainage swale along the north property line, BC Railway spur along the south property line.
- **East and North:** Land owned by Kwantlen College, subject to Development Permit No. 7904-0297-00 for the first phase of construction, zoned IL, designated Industrial.
- **South:** BC Railway and BC Hydro rail rights-of-way. South of the railway lines, vacant land in the Agricultural Land Reserve, zoned A-1.
- **West:** Across 180 Street, regional church and mixed light impact industry uses, zoned CD (By-law No. 13834), designated Industrial.

PLAN AND POLICY COMPLIANCE

OCP Designation:	Complies.
LAP Designation:	Complies.

DEVELOPMENT CONSIDERATIONS

Background

- In 1978, BC Hydro and Power Authority applied for a building permit to allow for the construction of a loading dock and office adjacent the spur line on the subject site. A further building permit was issued in 1983 to allow for an addition to this structure.
- Shawood Lumber was licensed as a lumber distribution centre on the subject site between 1982 and 1987. Between 2000 and 2006, North American Reloader, was licensed to operate a lumber distribution business on the site.
- The subject property was subdivided from the larger Kwantlan College site in September 1988.
- In 2005, the previous tenant requested a Development Permit and Development Variance Permit in order to allow for the installation of a pre-manufactured building for an office. Development Variance Permit No. 7905-0066-00 to relax the north side yard setback was issued on July 11, 2005. Development Permit No. 7905-0066-00 was issued on July 18 2005.
- The property is now occupied by a new tenant, Parrish & Heimbecker Ltd., with a business license issued in February 2007 to allow for a trucking and cartage company.

Current Proposal

- The current tenant operates a trucking and cartage company for the movement of specialty crops such as peas, lentils, malted barley, canola, flax seed and beans. These products are transported to the site by rail car, and then reloaded into containers for shipment to customers. To facilitate the movement of these products, the applicant has requested a Development Variance Permit to allow for upright and vertical conveyor belts and storage bins for the products (see By-law Variance Section).
- The Official Community Plan (OCP) identifies the criteria for industrial developments requiring a Development Permit prior to the issuance of a building permit. The subject site is adjacent to the Agricultural Land Reserve (ALR). Prior to the issuance of a building permit, a Development Permit is required to mitigate any potential impacts on the ALR.
- The subject property is separated from the ALR by approximately 60 metres (197 feet) of railway lines. Due to the proximity to the ALR, the subject application was referred to the Agricultural Advisory Committee (ACC) on July 5, 2007 for their comments and requirements. The AAC did not have any concerns with respect to the proposed operation (Appendix VI).
- Access to the site from 180 Street is provided by a driveway located at the northwestern portion of the site.

- At the time the current tenant leased the site, there was a total of 585 square metres (6,297 sq. ft.) of building on the site, which satisfied the minimum requirement in Surrey Zoning By-law No. 12000 of a building with at least 100 square metres (1,075 sq. ft.) of floor area, including washroom facilities. The current tenant has removed the large lumber sheds which were not required for his business operation, thereby rendering the current operation non-conforming as the existing building does not satisfy the minimum building required under the By-law. This will be discussed in the By-law Variance Section.
- Surrey Zoning By-law requires 1 parking space for the floor area of the proposed 45-square metre (484 sq.ft.) office component. A total of 6 spaces have been provided.

PRE-NOTIFICATION

In accordance with Council policy, a Development Proposal sign was placed on the property. To date, staff have not received any comments or concerns with respect to the proposal.

DESIGN PROPOSAL AND REVIEW

- The applicant is proposing to install a below grade conveyor belt which the product is emptied into. This feeds into a bucket conveyor belt, which moves the product upwards, and then is distributed into large 100 tonne storage bins or into containers. The buck elevator and support structure will be painted black, with the upright proposed storage bins painted off-white. The setback and heights of these structures will be discussed in the By-law Variance Section.
- The site has been fully paved to facilitate the movement of large trucks throughout the site. The previous tenant installed willow trees on the north side to the office building, however these willow trees did not survive.
- The applicant has installed a 6-ft. high chain link fence along the perimeter of the site for security purposes. Due to a swale running along the north property line, landscape buffering along the north, to reduce the impact of the storage containers, cannot be achieved.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To relax the minimum south side yard setback of the IL Zone from 7.5 metres (25 ft.) to 4.5 metres (15 ft.).

Applicant's Reasons:

- The main operation of the business involves removal of product from rail cars to allow for it to be distributed to customers. The conveyor belt is mainly below grade, and cannot be seen. For the business operation, it serves its function best, located 4.5 metres (15 ft.) from the property line.

Staff Comments:

- The conveyor belt cannot be seen from the street, and will be hidden by the storage bins and the bucket conveyor belt. Staff, therefore, have no concerns with the requested variance.

(b) Requested Variance:

- To relax the maximum height of an accessory structure of the IL Zone from 9.0 metres (29.5 ft.) to 23 metres (75 ft.).

Applicant's Reasons:

- The upright bucket elevator is an integral part of the products movement to either the upright storage bins or into containers for shipping. The bucket elevator cannot operate efficiently at a lower height due to the mechanics to the movement of goods.

Staff Comments:

- The site is bounded by Kwantlan College to the north and east, vacant agricultural property to the south and industrial uses to the west. The requested variance will not adversely impact the surrounding uses.
- The closest residential area (at 54 Avenue and 181A Street) is more than 330 metres (1,080 ft.) uphill, to the north-east, from the proposed bucket elevator and support tower.

(c) Requested Variance:

- To increase the maximum height of outdoor storage from 3.5 metres (12 ft.) to 10.2 metres (33.3 ft.) to a maximum height of 3 stacked containers.

Applicants Reasons:

- The specialty products are loaded into containers and transported from the site. In the areas closest to the property lines, the containers are proposed to be placed one high, stepping back to two, and in the centre three high.
- The site configuration and the height limitations in the zone make it difficult to store the containers for the business, therefore, the variance is required.

Staff Comments:

- Originally, the applicant had requested a variance to allow for up to four containers to be stacked. At staff request, this number has been reduced to a maximum three. Along the edges of the site, the DVP will limit the stored containers to a single container, then moving inward, 2 stacked containers and then a maximum height of 3 stacked containers. The requested variance should not have an impact on the surrounding land uses.
- The site is somewhat isolated away from residential uses.

(d) Requested Variance:

- To delete the screening of outside storage and require a 1.8 metre (6 ft.) fence.

Applicant's Reasons:

- For security reasons, there is an existing chain link fence surrounding the site, which is currently 1.8 metres (6 ft.) high. It would be expensive to replace this fence with a higher fence. The owner had some preliminary discussions with Kwantlan College about installing landscaping on the College property to screen the uses on the subject site. There are some limitations on the landscaping that can be provided as there is a GVRD sanitary sewer trunk line which runs the north and east property lines of the subject site.

Staff Comments:

- Staff concurs with the justification provided by the applicant and supports the requested variance.

(e) Requested Variance:

- To reduce the minimum size of a building of Part 4 General Provisions from 100 square metres (1,075 sq. ft.) to 45 square metres (484 sq. ft.).

Applicant's Reasons:

- The site originally had a large shed structure for the protection of wood products on the site. This structure was not required for the operation of the current business, and the building was removed. The owner did not know that he would be in contravention of the Zoning By-law by removing the structure.
- The business only requires a small office as the business operation is located outside for the movement of the crops.

Staff Comments:

- Surrey Zoning By-law, General Provisions Section requires a building of 100 square metres (1,075 sq. ft.) containing washroom facilities. The pre-manufactured building placed on the site under Development Permit No. 7905-0066-00 contains washroom facilities. The business operation requires the outside movement and storage of products, and does not require a larger building. Staff therefore 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.	Proposed Subdivision Layout, Site Plan, Typical Floor Plans and Elevations, Landscape Plans and Perspective
Appendix IV.	Engineering Summary
Appendix V.	Development Variance Permit No. 7907-0169-00
Appendix VI.	Draft AAC Minutes

INFORMATION AVAILABLE ON FILE

- Soil Contamination Review Questionnaire prepared by John Moffat dated June 18, 2007.

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: David Moffatt c/o Parrish & Helmbecker Ltd.
 Address: 5330 - 180 Street
 Surrey, BC V3S 0L5
 Tel: 604-576-6251

2. Properties involved in the Application
 - (a) Civic Address: 5330 - 180 Street

 - (b) Civic Address: 5330 - 180 Street
 Owner: Southern Railway of BC Ltd.
 PID: 012-116-602
 Parcel "A" Section 5 Township 8 New Westminster District Reference Plan
 79296

3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7907-0169-00.

DEVELOPMENT DATA SHEET

Existing Zoning: IL

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		
Road Widening area		
Undevelopable area		
Net Total		1.45 ha
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	60%	12%
Paved & Hard Surfaced Areas		80%
Total Site Coverage		92%
SETBACKS (in metres)		
Front	7.5 m	7.5 m
Rear	7.5 m	>7.5 m
Side #1 (North)	7.5 m	4.3 m*
Side #2 (South)	7.5 m	4.5 m**
BUILDING HEIGHT (in metres/storeys)		
Principal		
Accessory		
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 (existing)		45 m ²
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA	14,500 m ²	45 m ²

* *Approved under Development Variance Permit No. 7905-0066-00*

** *Variance requested.*

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	0.12
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial		
Industrial	6	6
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces	6	6
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

