

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7908-0030-00

Planning Report Date: February 11, 2008

PROPOSAL:

- **CD By-law Amendment No. 13399**

in order to allow a travel agency as a permitted office use in a Light Industrial/Highway Commercial complex.

LOCATION:

13569 - 76 Avenue

OWNERS:

Balwant Chandi, Rajkiran Chandi and Amy Chandi

ZONING:

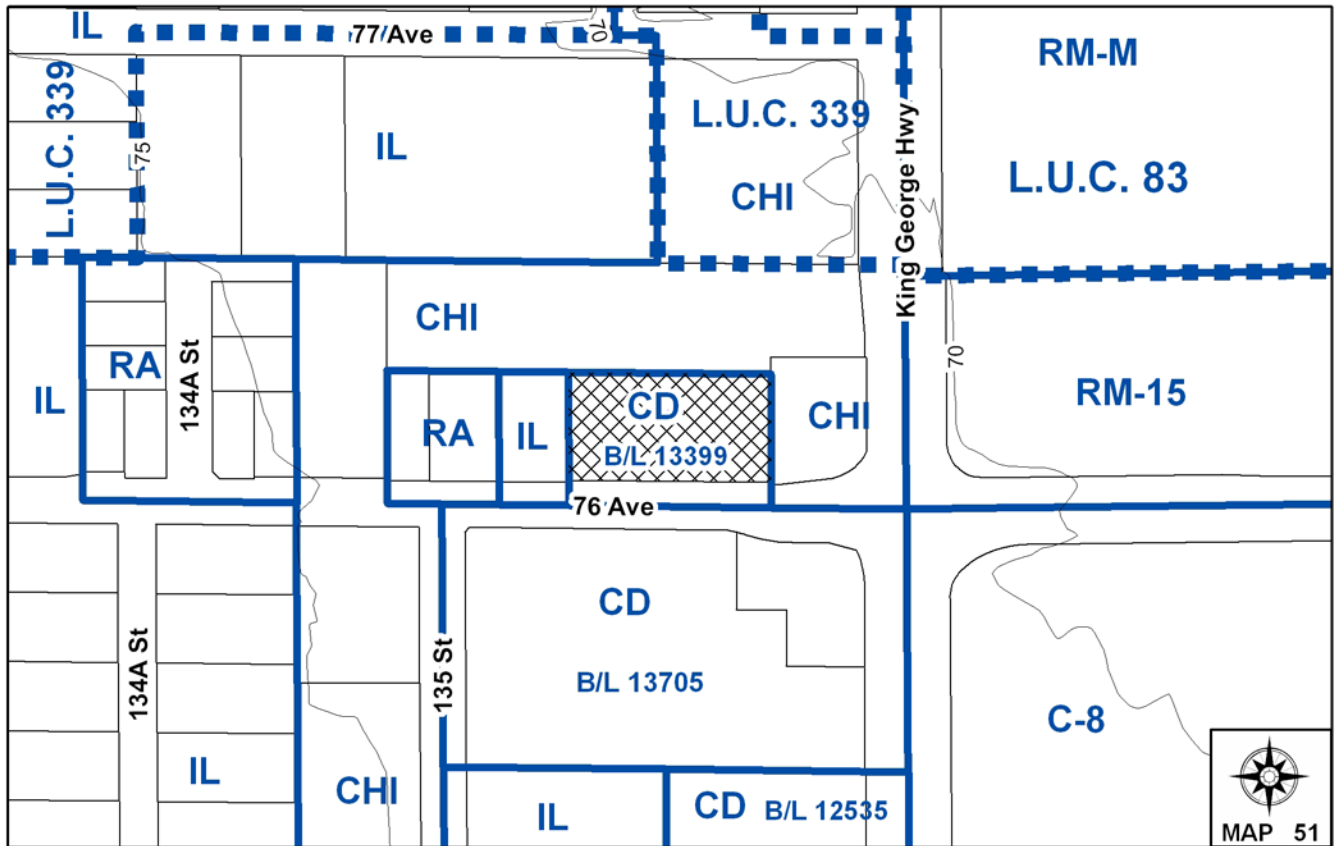
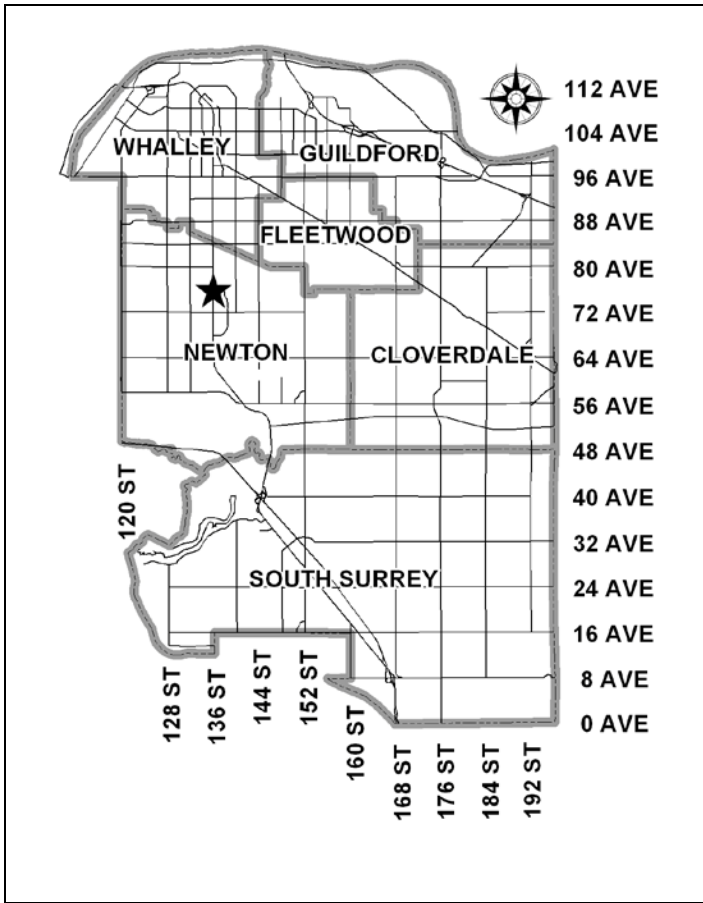
CD

OCP DESIGNATION:

Industrial

NCP/LAP DESIGNATION:

Service Industrial



RECOMMENDATION SUMMARY

- Denial

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The proposed travel agency office use is permitted within Commercial Zones and on Commercial-designated sites in the OCP. The subject site is designated Industrial in the OCP and Service Industrial in the Local Area Plan (LAP) and allows only a mix of Highway Commercial and Industrial Uses. Only a limited range of office uses is permitted in the CHI and IL Zones.

RATIONALE OF RECOMMENDATION

- The site already includes a limited range of commercial/office uses through a previous rezoning application and a further expansion of commercial/office uses will set an undesirable precedent in the surrounding service Industrial designated area.
- The proposed travel agency office use is the type of use that is intended to be located nearby in the Newton Town Centre. Allowing the proposed travel agency office use on this site will erode the economic base of the Newton Town Centre.
- There is a limited amount of industrial land in the City and inclusion of additional commercial/office uses within service industrial-designated areas will weaken the industrial land base.

RECOMMENDATION

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

REFERRALS

Engineering: The Engineering Department has no objection to the project.

SITE CHARACTERISTICS

Existing Land Use: Two-storey commercial/industrial complex that also contains one dwelling unit.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North:	Highway commercial use.	Industrial	CHI
East:	Highway commercial use.	Industrial	CHI
South (Across 76 Avenue):	Canadian Tire store.	Industrial	CD (By-law No. 13705)
West:	Light industrial use.	Industrial	IL

DEVELOPMENT CONSIDERATIONSBackground

- The subject site is located on the north side of 76 Avenue in the Central Newton area. The site is designated Industrial in the Official Community Plan (OCP) and Service Industrial in the Central Newton Local Area Plan (LAP).
- The subject site was rezoned from "One Acre Residential Zone" (RA) to "Comprehensive Development Zone" (CD) in 1998. The applicant is now proposing to amend the CD Bylaw to allow an additional office use to be permitted within the existing building.
- At the time the CD Bylaw was written in 1998, based on a fusion of the Highway Commercial Zone (CHI) and the Light Impact Industrial Zone (IL) the applicant requested that a variety of additional office uses be included. The Planning & Development Department did not support inclusion of a broad range of office uses, which included legal, accountant, real estate and insurance offices. It was indicated at that time that any expanded office uses should be located in the Newton Town Centre, east of King George Highway. Subsequently Council allowed only

real estate and insurance offices to be permitted under the Bylaw, in addition to the uses that would typically be permitted in the CHI and IL zones.

- After the rezoning, a two-storey building with 2,806 m² (30,204 ft²) of floor area and 10 units was constructed. Access to the site is from 76 Avenue.
- In 2001, the same applicant applied again for a CD Bylaw amendment to further expand the range of commercial uses on the site, and include barbershop, beauty parlour, medical/dental office, legal office and physiotherapy office as permitted uses under the Bylaw. Council denied the majority of these uses, but did allow an amendment to add only a physiotherapy office use to the CD zone.

Proposal

- The applicant recently met with staff and advises that he has been unable to find tenants to fill all of the units in his building. As a result, he indicates that approximately 30% of his units are vacant. Consequently, the applicant has requested the addition of travel agency office use in order to make the building more economically viable. At present, three of the ten units in the building are vacant.
- The owner has submitted a petition from the tenants of the building including information from his commercial realtor confirming the difficulty in renting the building, and supporting the proposed amendment.
- The applicant has a prospective tenant, Payless Travel, who has agreed to a five-year lease on the condition that they be able to obtain a business license.

Planning Rationale

- The Planning & Development Department has not supported the proposed uses in the past and continues to oppose these uses because such office and service uses are better suited in the Newton Town Centre area. Allowing a broader range of office and service uses on the subject site would further erode the ability of the Newton Town Centre to attract office uses.
- While it is noted that the site already allows an expanded range of commercial uses, further expansion of these uses within the industrial-designated land will compromise the City's ability to control the proliferation of these uses on Industrial and Highway Commercial sites.
- Permitting an expansion of office and service uses to be located within industrial-designated lands will erode the City's industrial land base by leaving less land available for legitimately industrial operations.
- Staff are also concerned about perpetual proposals for additional commercial uses at this site, simply based on the applicant's ability to secure a particular office tenant rather than on sound planning principles.

PRE-NOTIFICATION

A project development sign was erected on the property on February 2, 2008 to advertise the proposed CD Bylaw amendment. No comments have been received in response to the sign. It is noted, however, that the sign has not been on the property a minimum of 2 weeks prior to the Council meeting at which this report is being presented, in accordance with City Policy.

Pre-notification letters were sent out on February 1, 2008 and staff received no responses.

Staff did receive a petition signed by the current tenants of the building, indicating their support for expansion of the permitted uses on the site.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners, Action Summary and Survey Plan
- Appendix II. Existing Development Permit (No. 7997-0076-00) and Site Plans

Jean Lamontagne
General Manager
Planning and Development

MJ/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: Balwant Chandi
 Address: 4035 Frances Street
 Burnaby, BC
 Tel: 604-299-6682

2. Properties involved in the Application
 - (a) Civic Address: 13569 - 76 Avenue

 - (b) Civic Address: 13569 - 76 Avenue
 Owners: Balwant Chandi, Rajkiran Chandi and Amy Chandi
 PID: 024-534-391
 Lot A Section 20 Township 2 New Westminster District Plan LMP42333

3. Summary of Actions for City Clerk's Office