

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7908-0045-00

Planning Report Date: March 31, 2008

PROPOSAL:

- **Development Variance Permit**

to vary the side yard setback in order to allow a multi-tenant industrial building currently under construction.

LOCATION:

17880 Highway No. 10

OWNER:

SSC Ventures (No. 67) Ltd., Inc.
 No. 704160

ZONING:

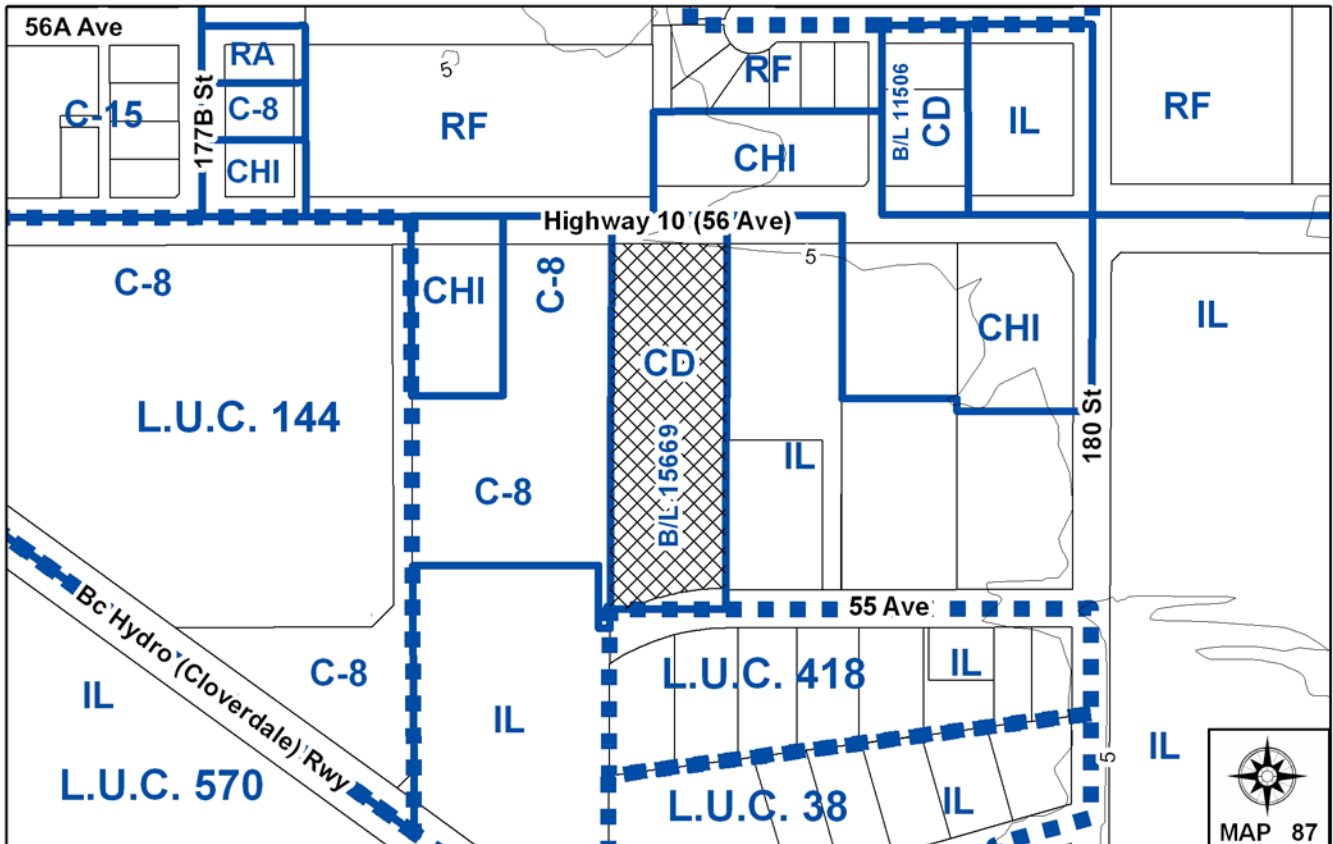
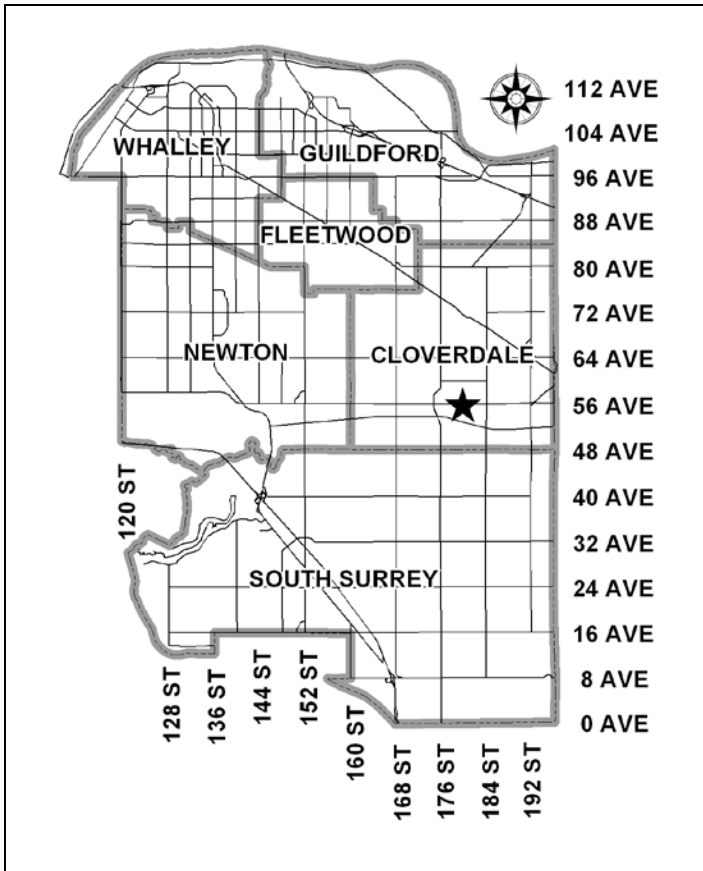
CD (By-law No. 15669)

OCP DESIGNATION:

Commercial and Industrial

NCP DESIGNATION:

Highway Commercial



RECOMMENDATION SUMMARY

- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- A relaxation of the east side yard setback in Block B of the CD Zone (By-law No. 15669) from 1.5 metres (5 ft.) to 1.26 metres (4 ft.).

RATIONALE OF RECOMMENDATION

- There are no Building Code issues with respect to this setback variance request.
- The requested variance is minimal, but non-support would be onerous on the applicant.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7908-0045-00, (Appendix IV) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum east side yard setback in Block B of the CD Zone (By-law No. 15669) from 1.5 metres (5 ft.) to 1.26 metres (4 ft.).

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Fronting Highway No. 10 are two highway commercial buildings (restaurant and retail) and at the rear of the lot is the subject multi-tenant industrial building, currently under construction.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across Highway No. 10):	Restaurants, bank and Cloverdale Traditional Elementary School.	Commercial and Urban	CHI and RF
East:	Terasen Gas office building.	Commercial and Industrial	IL
South (Across 55 Avenue):	Mixed industrial uses.	Industrial	LUC No. 418 (underlying IL)
West:	Delta Controls, computer component manufacturing.	Commercial and Industrial	C-8

DEVELOPMENT CONSIDERATIONS

- The subject property is located partially within the Cloverdale Town Centre Land Use Plan area, at the 17800 block of Highway No. 10.
- The subject property was the subject of Development Application No. 7904-0188-00, where the site was rezoned from A-1 (General Agriculture Zone) to CD (Comprehensive Development Zone) (By-law No. 15669), and the accompanying Development Permit No. 7904-0188-00 was approved, both on July 25, 2005.

- The CD Zone (By-law No. 15669) divides the subject property into two blocks. The zoning for Block A, covering the north portion of the site is based on CHI (Highway Commercial Industrial Zone), and is currently occupied by Tim Hortons and Lordco Auto Parts. The zoning for Block B, which covers the south portion of the site, is based on IL (Light Impact Industrial Zone) and has the subject multi-tenant industrial building under construction.
- The north portion of the site is designated Commercial in the Official Community Plan, while the south portion of the site is designated Industrial. The north portion of the site is designated Highway Commercial in the Cloverdale Town Centre Land Use Plan, while the south portion of the site falls outside of the plan area.
- The applicant is requesting a Development Variance Permit for a relaxation of the side yard setback of the multi-tenant industrial building located on the south portion of this site (Building 'C', shown in Appendix II). The building is currently under construction.
- The owner is in the process of closing the sale of Building "C". The new prospective owner is a computer component manufacturing business and intends to occupy the whole building.

PRE-NOTIFICATION

Pre-notification letters and development proposal signs are not required for Development Variance Permit applications.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To relax the minimum east side yard setback in Block B of the CD Zone (By-law No. 15699) from 1.5 metres (5 feet) to 1.26 metres (4 feet).

Applicant's Reasons:

- The original drawings showing the location of Building "C" did not conform to the east side yard setback of the CD Zone (By-law No. 15699). The drawings were corrected at the building permit stage, however at the time of construction, Building "C" was built according to the original drawings.
- A Certified Professional was hired to verify the approval stages of the building construction, however the building siting error was not identified until construction of the building was substantially completed.
- A Development Variance Permit is requested to allow the building to remain where it is.

Staff Comments:

- The design of the building, although located closer to the east property line, continues to meet minimum Building Code standards with respect to the percentage of openings on the east face of the building and with respect to fire exits.
- An industrial building and a parking lot are currently located on the property to the east, with the parking lot located between the subject building and the adjacent industrial building. Therefore, a slight reduction in building setback will have no impact on the property to the east.
- The Engineering Department has no concerns regarding the setback variance.
- Staff support the application as the requested variance is minimal.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners and Action Summary
Appendix II. Existing Building Location Plan
Appendix III. Development Variance Permit No. 7908-0045-00

Jean Lamontagne
General Manager
Planning and Development

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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: Bill Setter, SSC Ventures (No. 67) Ltd., Inc. No. 704160
 Address: 1 - 2650 Progressive Way
 Abbotsford, BC
 V2T 6H9
 Tel: 604-504-5672

2. Properties involved in the Application

(a) Civic Address: 17880 Highway No. 10

(b) Civic Address: 17880 Highway No. 10
 Owner: SSC Ventures (No. 67) Ltd., Inc. No. 704160
 PID: 026-412-616
 Lot A Section 5 Township 8 New Westminster District Plan BCP19622

3. Summary of Actions for City Clerk's Office

(a) Proceed with Public Notification for Development Variance Permit No. 7908-0045-00.