

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7908-0241-00

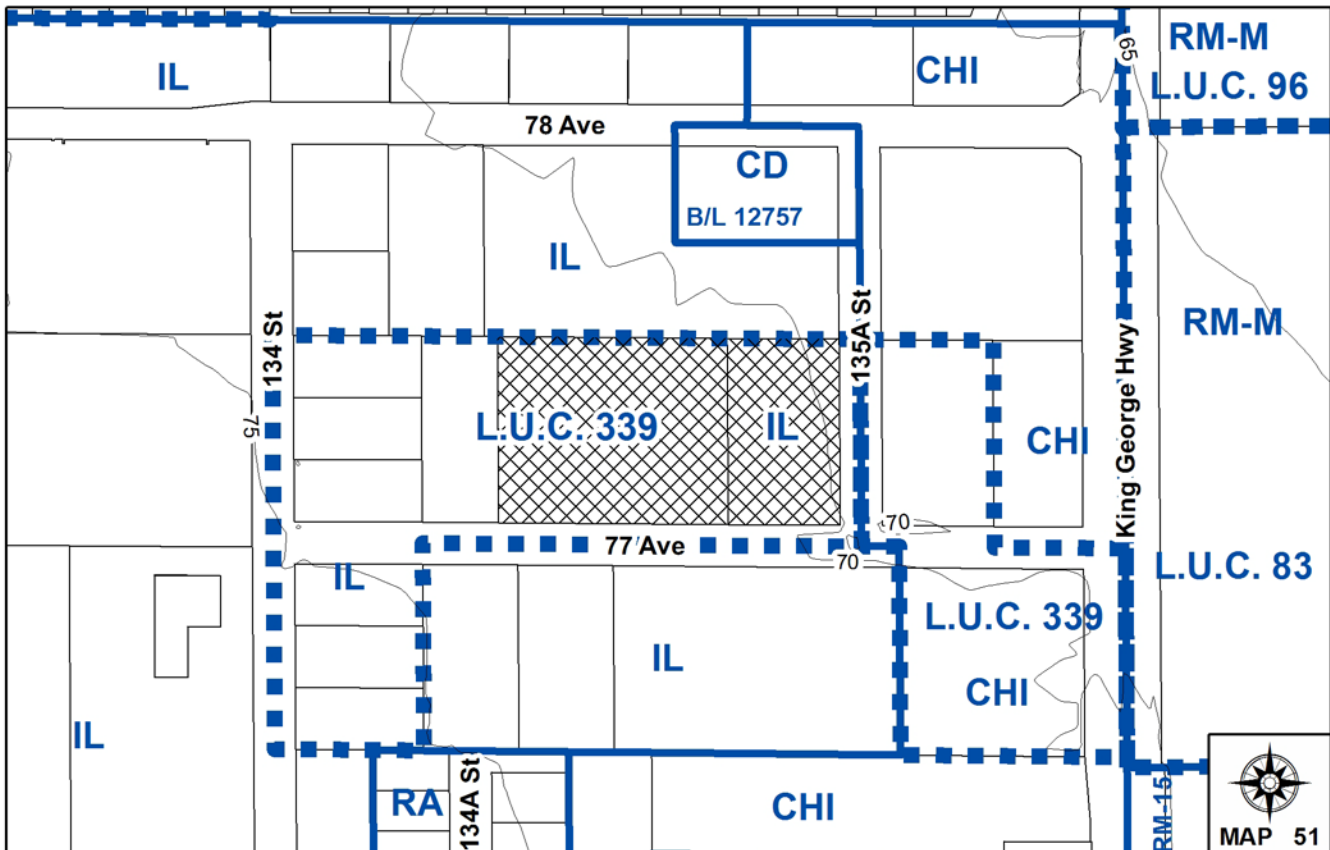
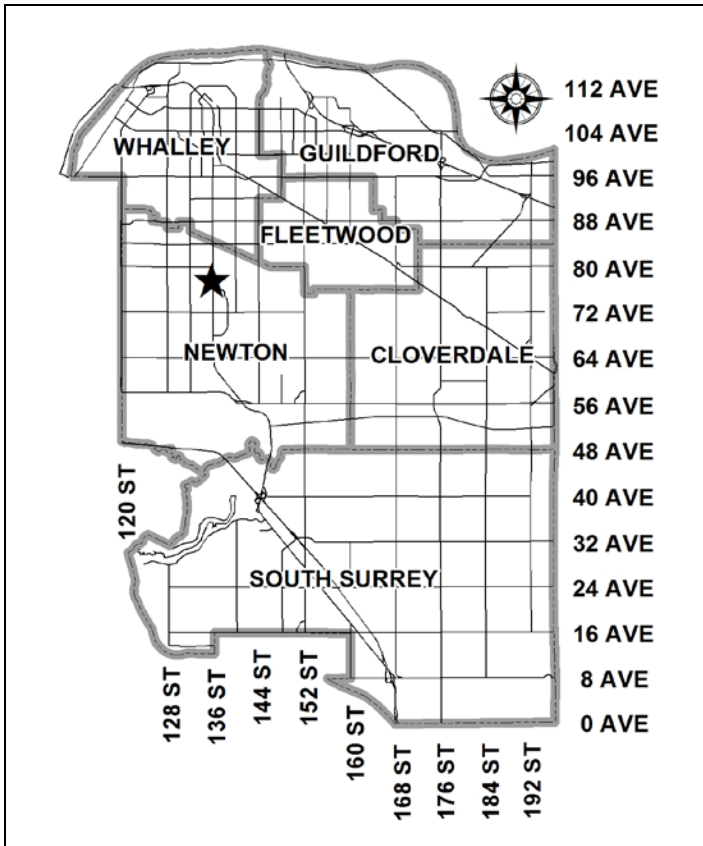
Planning Report Date: October 20, 2008

PROPOSAL:

- **Partial Land Use Contract discharge**

in order to allow the underlying IL Zone to come into effect and permit the operation of a trades school within an existing industrial building and future industrial development.

LOCATION: 13479 and 13535 - 77 Avenue
OWNER: Cornett Holdings Ltd.
ZONING: LUC No. 339 (underlying zone IL)
OCP DESIGNATION: Industrial
LAP DESIGNATION: General Industrial



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for partial Land Use Contract (LUC) Discharge.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- A Trade School is a permitted use within the Industrial area; however LUC No. 339 does not permit the operation of a Trade School, therefore the applicant is seeking to discharge the LUC from the properties at 13479 and 13535 - 77 Avenue.

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- The proposed partial discharge of LUC No. 339 from the properties at 13479 and 13535 - 77 Avenue allows the underlying IL Zone to come into effect and will permit the operation of a Trade School within the existing building at 13479 - 77 Avenue.
- The property at 13535 - 77 Avenue is vacant, and the LUC Discharge will enable future industrial development on this parcel under the underlying IL Zone.
- The IL Zone is appropriate for this area and is consistent with the surrounding uses.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to partially discharge Land Use Contract No. 339 from the properties at 13479 and 13535 - 77 Avenue and a date for Public Hearing be set.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: The property at 13479 - 77 Avenue contains two (2) industrial buildings. The property at 13535 - 77 Avenue is currently vacant.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone/ LUC
North and South	Industrial units.	Industrial	IL
West:	Industrial units.	Industrial	LUC No. 339
East (Across 135A Street):	Industrial units.	Industrial	LUC No. 339

DEVELOPMENT CONSIDERATIONSBackground

- The two (2) subject sites, as well as numerous other surrounding properties, are designated Land Use Contract No. 339, and the underlying zoning is "Light Impact Industrial Zone (IL)". The subject properties and surrounding properties are all designated Industrial in the Official Community Plan. The IL Zone applies to sites to the north and south of the subject site. The property at 13479 - 77 Avenue is currently occupied by two industrial buildings, while 13535 - 77 Avenue is vacant.

Proposal

- The applicant proposes to lease one of the buildings on site 13479 to the Surrey School District (No. 36) for the establishment of a trade school. However, under LUC No. 33, a trade school is not a permitted use. However, a trade school is an acceptable use under the IL Zone. Therefore, the proposal is requesting to discharge LUC No. 339 from the properties and to allow the underlying IL Zone to come into effect to allow the trade school use.

Land Use Contract No. 339 and Underlying IL Zone

- LUC No. 339 permits a range of industrial and manufacturing uses. The underlying IL Zone on the other hand accommodates a wide range of light impact industrial uses, while also allowing limited offices and general service uses, including trade schools.
- Warehouses are permitted under both LUC No. 339 and the IL Zone; therefore the existing warehouse on 13479 - 77 Avenue will conform with the underlying IL Zone once the LUC is discharged. The applicant has confirmed that the existing and proposed usages of the site (13479 - 77 Avenue) conform to the regulations set by the underlying IL Zone. In terms of the conformity of this existing development (13479 - 77 Avenue) under the IL Zone, the existing buildings meet all of the IL Zone requirements (setbacks, density, building height) except for the side yard setback on one and rear yard setback on both buildings. In this case, these buildings will remain legal but will become non-conforming under the IL Zone once the LUC is discharged. The applicant has agreed with this approach.
- The vacant lot (13535 - 77 Avenue) is under the same ownership, and has future development potential; the proposed LUC discharge will allow it to be consistent with the adjacent lots, and position both properties for future industrial development under IL Zone.

Parking

- The total parking required for a lot is the sum of all the parking requirements for the individual uses on the lot. For general uses, such as a trade school, under the IL Zone there needs to be an allocation of 3 stalls per 1,000 square feet. For light impact industrial and upper floor office uses, the parking requirements are 1 and 2 stalls per 1,000 sq.ft. respectively. As calculated a minimum of 117 stalls is required for this site and its proposed uses.
- A total of 123 parking spaces, including 2 handicapped stalls, will be shared between 13479 and 13535 - 77 Avenue as proposed by the applicant. The applicant has ensured that the stalls placed in front of the bay doors will be for the exclusive use of the tenants only. Also, the applicant has confirmed that the current lease agreements in place with School District No. 36 and the proposed trade school tenant limits their parking allocations to 1 stall per 1,000 sq ft and therefore to 16 stalls respectively.

PRE-NOTIFICATION

Pre-notification letters were sent on September 9, 2008 and staff received the following comment:

- Robert Klein of Elgar Electric located at 7728 134 Street is concerned about the amount of parking that will be generated by the operation of the trades school. Mr. Klein claims that customers of 13479-77 Avenue are already parking on his site and along the streets.

(This issue has been addressed through consultation with the applicant to confirm sufficient parking is in place for the subject properties. Also the applicant has ensured that the parking needs of the customers of 13479-77 Avenue will not encroach on the adjacent properties.)

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Lot Owners, Action Summary

INFORMATION AVAILABLE ON FILE

- Soil Contamination Review Questionnaire prepared by Robert McCullough dated September 2, 2008.

Jean Lamontagne
General Manager
Planning and Development

CCC/kms

v:\wp-docs\planning\plncom08\09191120.ccc.doc
KMS 9/19/08 11:29 AM

Information for City Clerk

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

1. (a) Agent: Name: Robert McCullough
 Address: 5831 Cedarbridge Way
 Richmond, BC
 V6X 2A8
 Tel: 604-279-0022

2. Properties involved in the Application
 - (a) Civic Addresses: 13479 and 13535 - 77 Avenue

 - (b) Civic Address: 13479 - 77 Avenue
 Owner: Cornett Holdings Ltd., Inc. No. 0703758
 PID: 027-176-088
 Lot 1 Section 20 Township 2 New Westminster District Plan BCP31511

 - (c) Civic Address: 13535 - 77 avenue
 Owner: Cornett Holdings Ltd., Inc. No. 0703758
 PID: 027-176-096
 Lot 2 Section 20 Township 2 New Westminster District Plan BCP31511

3. Summary of Actions for City Clerk's Office
 - (a) Introduce a By-law to partially discharge Land Use Contract No. 339.