

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7909-0077-00

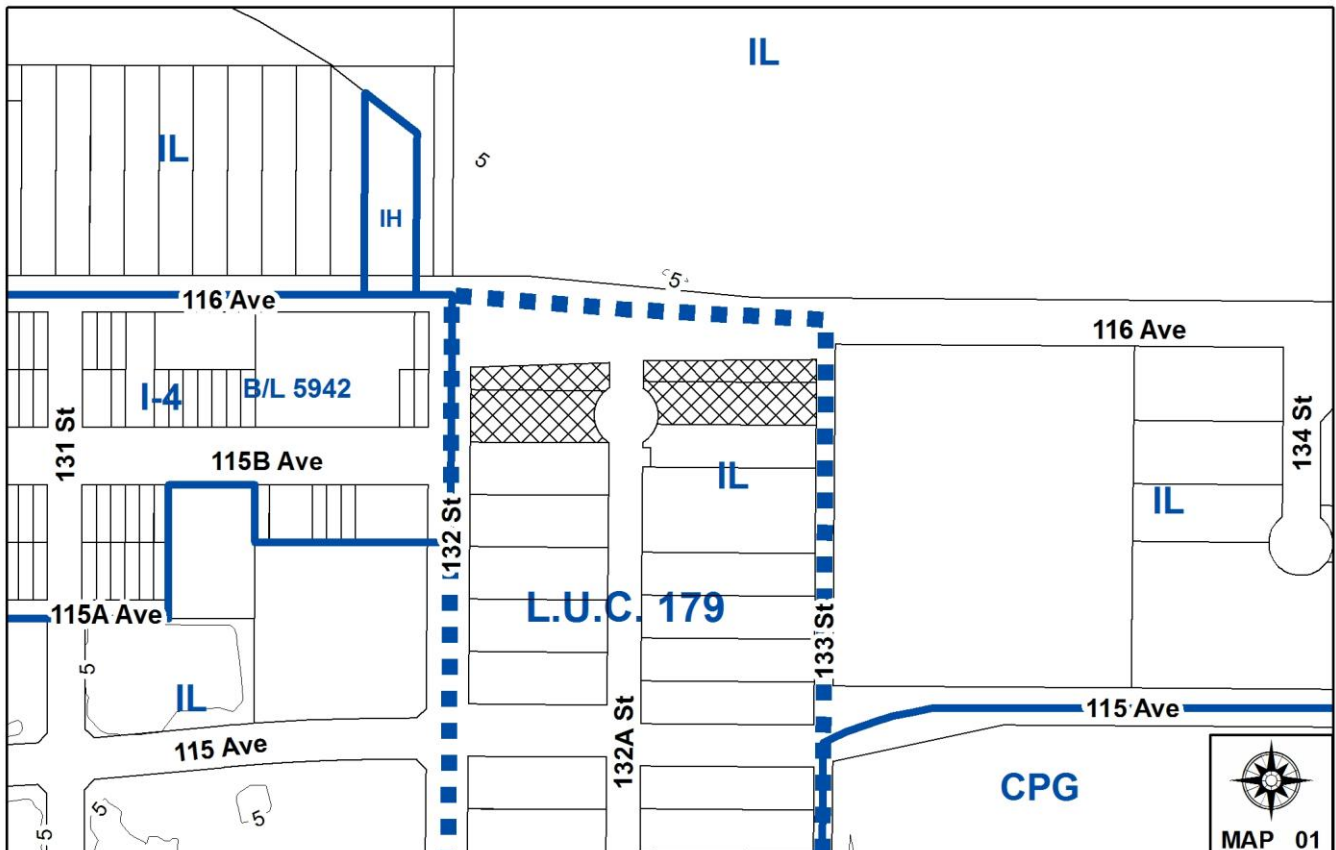
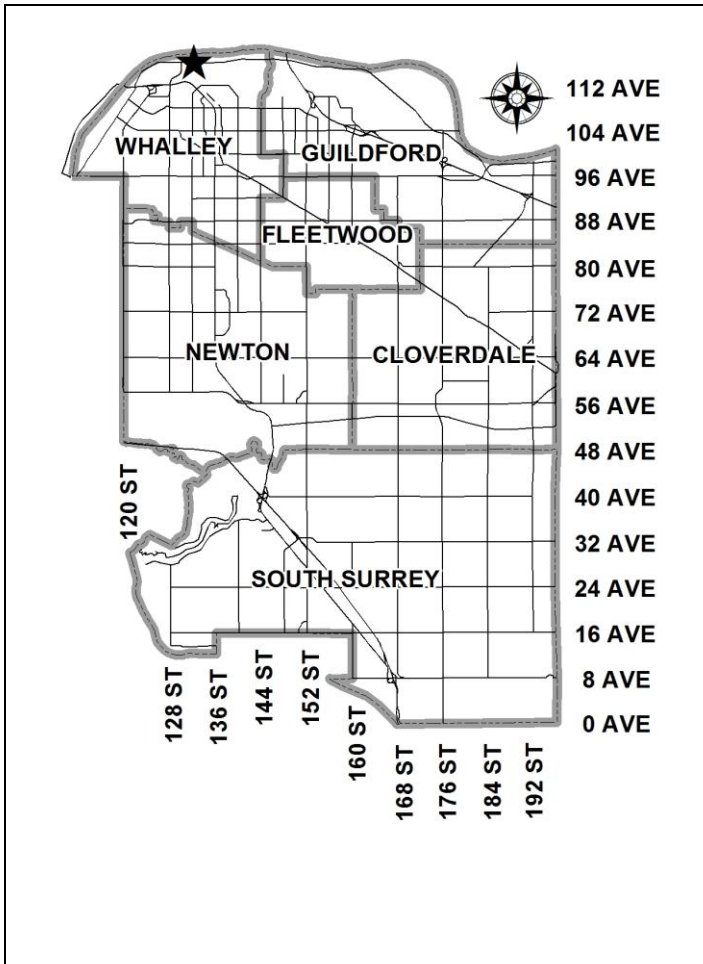
Planning Report Date: November 2, 2009

PROPOSAL:

- Partial Land Use Contract discharge
- Development Permit
- Development Variance Permit

in order to allow the underlying IL Zone to regulate the site, to permit subdivision into 2 industrial lots with the development of lumber storage and office building on proposed Lot 1.

LOCATION: 11573, 11578, 11585 and 11598 - 132A Street and Portion of 132A Street
OWNER: M.C.A. Land Development Corp.
ZONING: LUC 179 (underlying IL Zone)
OCP DESIGNATION: Industrial
LAP DESIGNATION: Industrial



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Partial Land Use Contract Discharge.
- Approval to draft Development Permit.
- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking reduced building setbacks.

RATIONALE OF RECOMMENDATION

- Complies with the Industrial designation in the OCP.
- The proposed density and building form are appropriate for this area of Bridgeview.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to partially discharge Land Use Contract No. 179 and a date for Public Hearing be set.
2. Council authorize staff to draft Development Permit No. 7909-0077-00 generally in accordance with the attached drawings (Appendix II).
3. Council approve Development Variance Permit No. 7909-0077-00, (Appendix IV) varying the following, to proceed to Public Notification:
 - (a) to relax the east front yard setback (132A Street) of the IL Zone for proposed Lot 1 from 7.5 metres to 3 metres (10 ft.);
 - (b) to relax the south side yard setback of the IL Zone for proposed Lot 1 from 7.5 metres (25 ft.) to 7 metres (22 ft.);
 - (c) to relax the north side yard setback of the IL Zone for proposed Lot 1 from 7.5 metres (25 ft.) to 3.5 metres (11.4 ft).
 - (d) to relax the west front yard setback (132A Street) of the IL Zone for proposed Lot 2 from 7.5 metres (25 ft.) to 5.0 metres (16 ft.);
 - (e) to relax the south side yard setback of the IL Zone for proposed Lot 2 from 7.5 metres (25 ft.) to 1.0 metre (3 ft.); and
 - (f) to relax the north flanking side yard setback of the IL Zone for proposed Lot 2 from 7.5 metres to 0 metre.
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) submission of a landscaping cost estimate to the specifications and satisfaction of the Planning and Development Department;
 - (d) completion of the road closure for the redundant portion of 132A Street; and
 - (e) demolition of existing buildings and structures and portions of existing buildings and structures, as shown in Appendix II to the satisfaction of the Planning & Development Department.

REFERRALS

Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix III.

SITE CHARACTERISTICS

Existing Land Use: Vacant properties on the west side of 132A Street, Keystone Forest Products buildings on the east side of 132A Street.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across 116 Avenue future South Fraser Perimeter Road):	CN Intermodal yard parking lot	Industrial	IL
East (Across 133 Street ROW):	Multi-tenant industrial buildings	Industrial	IL
South:	East of 132A Street, multi-tenant industrial building and warehouses.	Industrial	LUC No. 179 (underlying IL Zone)
West (Across 132 Street):	Vacant properties	Industrial	I-4 (By-law No. 5942)

DEVELOPMENT CONSIDERATIONSBackground

- The subject sites are located on either side of 132A Street and south of the future South Fraser Perimeter Road between 115 Avenue and 116 Avenue.
- The subject properties are currently regulated by Land Use Contract No. 179 which was entered into in January 1979 to regulate the subdivision, servicing, land use, density, setbacks and form and character of the future development of the 29 properties created through the registration of the subdivision plan.
- In the preliminary discussions with Planning staff concerning this proposed development, it was determined that a number of variances would be required to Land Use Contract No. 179 in order to accommodate the lot consolidation, road closure, and proposed building siting. At staff's request, the applicant submitted the LUC discharge application to allow for the underlying IL Zone to regulate the site.

Current Proposal

- The Gateway Program purchased 11573 and 11585 – 132A Street as part of their acquisition program for the construction of the South Fraser Perimeter Road (SFPR).
- Keystone Forest Products has operated their specialty lumber business from 11578 and 11598 132A Street for 18 years. As part of the SFPR acquisitions, a portion of the property at 11598 – 132A Street, has been successfully negotiated between the Gateway Program and Keystone Forest Products. The property acquisition will result in a large portion of a lumber storage building located on the east property to be removed.
- As part of the negotiation with Gateway, Keystone has acquired the two properties (the remainder of 11585 and all of 11573) located on the west side of 132A Street to allow for the construction of additional buildings on the property in order to continue to operate their business.
- The applicant has therefore requested a discharge of Land Use Contract No. 179 for the subject lands to allow the underlying "Light Impact Industrial Zone (IL)" to regulate the use and density on the site and a subdivision to create 2 new industrial lots from the 4 existing parcels. As well, the applicant is requesting a Development Permit to permit the development of lumber storage and office buildings on proposed Lot 1, and a Development Variance Permit to relax the IL setback requirements.
- The South Fraser Perimeter Road is a limited access road; therefore, 132A Street will be terminated in a cul-de-sac, requiring all vehicle traffic to proceed south to 115 Avenue to egress the development. As a result, there is a portion of the 132A Street right-of-way between the north tip of the bulb and the SFPR which is no longer required. The applicant has requested that this portion of road be closed and incorporated into the overall development. A separate report will be submitted to Council from the Engineering Department is forthcoming on this proposal.
- As a result of lot consolidations with the excess portions of 132A Street, the future west lot will have an area of 2,952 square metres (0.73 ac.) and the proposed east lot will have an area of 3,125 square metres (0.77 ac.).
- On the proposed west property, the applicant is requesting to construct a new office building and lumber storage building, with a total floor area of 891 square metres (9,591 sq.ft.). The proposal represents a lot coverage of 30% and a floor area ratio (FAR) of 0.30 which satisfies the maximum 60% lot coverage and 1.0 FAR of the IL Zone.
- The Zoning By-law requires one parking space per 100 square metres (1,025 sq. ft.) of gross floor area, therefore, 9 parking spaces are required for the west property and 7 parking spaces are required for the east property. The applicant has proposed 9 spaces on the westerly lot and 7 spaces on the easterly lot to satisfy this requirement.
- The applicant has not requested any additional structures on the proposed east property; however, there is be a portion of the existing northerly building which is proposed to be retained. A second structure which was constructed over a drainage right-of-way parallel to the east property line will be demolished. Both of these existing structures are currently being used for lumber storage. The existing structures to be retained do not comply with the minimum setback requirements of the IL Zone, therefore, the applicant has requested a Development Variance Permit. These relaxation requests are further discussed in the By-law Variance Section of the report.

- Access to both of the proposed sites is from the proposed 132A Street cul-de-sac. The applicant has requested that a second driveway be provided to 132 Street to allow for vehicle circulation through the site and this is acceptable to the Engineering Department.
- There are currently two red-coded creeks located on the boundaries of this development. The first is located parallel to 132 Street, along the west property line of the proposed westerly lot. The second is located on the unopened 133 Street ROW, parallel the east property line of the proposed eastern lot.
- The Gateway staff have negotiated with Department of Fisheries and Oceans (DFO) for an overall habitat compensation plan for large segments of the South Fraser Perimeter Road. Approvals from DFO have been obtained for the new culvert crossing to allow access to 132 Street.
- To allow the reduced setback of the building from 30 metres (98 ft.) to 7.5 metres (25 ft.) from the ditch, the applicant submitted a report for consideration. The setback was approved with additional riparian planting along both the 132 and 133 Street frontages to the satisfaction of both the Committees.
- Additional riparian planting is proposed by Gateway on either side of the 132 Street ditch. As no new construction is proposed on the easterly lot, additional riparian habitat area has not been proposed.
- The development lies within the Fraser River flood plain. The new proposed buildings will be constructed to satisfy the minimum flood proofing requirements.

PRE-NOTIFICATION

In accordance with Council policy, a Development Proposal sign was erected on the properties, and pre-notification letters were sent on May 12, 2009. To date, staff have not received any letters or correspondence with respect to the proposal.

DESIGN PROPOSAL AND REVIEW

- No new buildings are proposed on the easterly lot (proposed Lot 2)
- On the westerly lot (proposed Lot 1) development consists of a one-storey lumber storage building with a floor area of 840 square metres (9,041 sq. ft.) located on the west portion of the site and a one-storey office building with a floor area of 152 square metres (1,636 sq. ft.) located on the east portion of the site.
- The proposed west building for lumber storage is proposed to be constructed with grey painted concrete panels, topped with grey prefinished metal cladding with red accent panels and metal gutters. An overhang is cantilevered along the south side of the structure to provide additional sheltered storage space.
- This building proposes fascia signage facing the proposed 132 Street cul-de-sac, consisting of pre-finished styrofoam letters.

- There is downward cast building lighting proposed on this building to provide for site security and reduce glare to the surrounding properties and future South Fraser Perimeter Road.
- Truck access is provided through the structure, accessing the east side of the building from 132A Street, and egressing to 132 Street from the west side of the building.
- The proposed east building for the office for the business has a residential character, with batten boards along the lower portion of the structure, and horizontal siding along the upper portion. The roof is proposed to be finished with profile duroid shingles.
- A 2.1-metre (7 ft) high free-standing sign is proposed facing the 132A Street cul-de-sac. The sign is proposed to be constructed of concrete with pre-finished styrofoam letters.
- There is landscaping proposed along the 132 and 132A Street road frontages, and around the office building. This landscaping consists of a mixture of flowering and non-flowering deciduous and coniferous trees and shrubs.
- The Gateway Program has a working easement which ranges in width from 3.5 metres (11 ft.) to 6.0 metres (20 ft.) along the north property line to facilitate the construction of the SFPR. Once the road construction is finalized, the easement will be discharged and the landscaping will be installed along this area.
- At this time, it is uncertain if the fence along the South Fraser Perimeter Road will be constructed of chain link or concrete. At staff's request, the applicant has provided two landscaping plans. If the future fencing is to be constructed of chain link, Landscape Plan #1 will be installed as it provides visual green interest. If the proposed fence is to be constructed of concrete panels, Landscape Plan #2 will be installed, as the majority of the landscaping will not be visible from the new highway.

ADVISORY DESIGN PANEL

The application was not referred to the Advisory Design Panel but was reviewed by the Acting City Architect and City Landscape Architect and was found to be satisfactory.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variances to the IL Zone for Proposed Lot 1:

- To relax the minimum east front yard setback (132A Street) front 7.5 metres (25 ft.) to 3 metres (10 ft.).
- To relax the south side yard setback from 7.5 metres (25 ft.) to 7 metres (22 ft.).
- To relax the north side yard setback from 7.5 metres (25 ft.) to 3.5 metres (11.4 ft.).

Applicant's Reasons:

- Deliveries to the site are made by long B-train semis, requiring additional manoeuvring area to access and egress the site. This limits the location of the proposed buildings on the site.
- Keystone has operated on the adjoining property for 18 years. The Gateway Program has impacted their site by limiting access and requiring the removal of some structures. Keystone would like to remain at this location in Surrey which has served them well over the years.

Staff Comments:

- The lot configuration provides some physical constraints on the development. The front yard relaxation to the new cul-de-sac bulb keeps the proposed office building in alignment with the structures located to the south. The relaxations to the north and south property lines satisfy Land Use Contract No. 179 minimum requirements of 3 metres (10 ft.), rather than the IL Zone requirements of 7.5 metres (25 ft.) or 0.
- Staff, therefore, supports the requested variance.

(b) Requested Variances to the IL Zone for Proposed Lot 2:

- To relax the west front yard setback (132 Street) from 7.5 metres (25 ft.) to 5.0 metres (16 ft.).
- To relax the south side yard setback from 7.5 metres (25 ft.) to 1.0 metre (3 ft.).
- To relax the north flanking side yard setback from 7.5 metres (25 ft.) to 0 metre.

Applicant's Reasons:

- The existing buildings were constructed in accordance with the setbacks defined in Land Use Contract No. 179. As a result of the dedication of the cul-de-sac, to terminate 132A Street, and the removal of structures along the north property line to facilitate the construction of the SFPR, these existing structures have been rendered non-conforming with respect to the setbacks as required in the underlying IL Zone.

Staff Comments:

- Staff have reviewed the justification provided by the applicant and concur.

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. Proposed Subdivision Layout, Site Plan, Building Elevations, and Landscape Plans
- Appendix III. Engineering Summary
- Appendix IV. Development Variance Permit No. 7909-0077-00

Jean Lamontagne
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: John Kristianson c/o CTA Architecture
 Address: #101 - 925 West 8 Avenue
 Vancouver, BC V5Z 1E4
 Tel: 604-736-2554

2. Properties involved in the Application

- (a) Civic Address: 11573, 11578, 11585 and 11598 - 132A Street, and a portion of
 132A Street
- (b) Civic Address: 11573 - 132A Street
 Owners: M.C.A. Land Development Corp., Inc. No. 342509
 PID: 002-301-300
 Lot 253 Section 10 Block 5 North Range 2 West New Westminster District Plan
 57918
- (c) Civic Address: 11578 - 132A Street
 Owners: M.C.A. Land Development Corp., Inc. No. 342509
 PID: 002-641-364
 Lot 256 Section 10 Block 5 North Range 2 West New Westminster District Plan
 57918
- (d) Civic Address: 11585 - 132A Street
 Owners: M.C.A. Land Development Corp., Inc. No. 342509
 PID: 002-301-318
 Lot 254 Section 10 Block 5 North Range 2 West New Westminster District Plan
 57918 Except Plan EPP2650
- (e) Civic Address: 11598 - 132A Street
 Owners: M.C.A. Land Development Corp., Inc. No. 342509
 PID: 002-674-262
 Lot 255 Except: Parcel "A" (Bylaw Plan 65955) of Section 10 Block 5 North Range
 2 West New Westminster District Plan 57918

3. Summary of Actions for City Clerk's Office

- (a) Introduce a By-law for a Partial Discharge of Land Use Contract No. 179.
- (b) Proceed with Public Notification for Development Variance Permit No. 7909-0077-00.

DEVELOPMENT DATA SHEET

Proposed Zoning: IL

Required Development Data	Minimum Required / Maximum Allowed	Proposed West Lot	Proposed East Lot
LOT AREA (in square metres)			
Gross Total			
Road Widening area			
Undevelopable area			
Net Total		2,952 m ²	3,125 m ²
LOT COVERAGE (in % of net lot area)			
Buildings & Structures		30%	23%
Paved & Hard Surfaced Areas		31%	77%
Total Site Coverage		61%	100%
SETBACKS (in metres)			
Front (132A Street)	7.5 m	3 m*	5 m*
Rear (132 Street/133 Street)	7.5 m	9 m	
Side #1 (North)	7.5 m	3.5m*	0.6 m*
Side #2 (South)	7.5 m or 0	7.0m*	1.0 m*
BUILDING HEIGHT (in metres/storeys)			
Principal		9.1 m/5.8 m	9.1 m
Accessory		N/A	N/A
NUMBER OF RESIDENTIAL UNITS	1	N/A	N/A
FLOOR AREA: Residential			
FLOOR AREA: Commercial			
Retail			
Office			
Total			
FLOOR AREA: Industrial	2,952 m ² / 3,125 m ²	891 m ²	715 m ²
FLOOR AREA: Institutional			
TOTAL BUILDING FLOOR AREA	2,952 m ² / 3,125 m ²	891 m ²	715 m ²

* *Variance requested.*

Development Data Sheet cont'd

Required Development Data	Minimum Required / Maximum Allowed	Proposed West Lot	Proposed East Lot
DENSITY			
# of units/ha /# units/acre (gross)			
# of units/ha /# units/acre (net)			
FAR (gross)	1.0	0.3	0.23
FAR (net)			
AMENITY SPACE (area in square metres)			
Indoor			
Outdoor			
PARKING (number of stalls)			
Commercial			
Industrial	9/7	9	7
Residential Bachelor + 1 Bedroom			
2-Bed			
3-Bed			
Residential Visitors			
Institutional			
Total Number of Parking Spaces	9/7	10	7
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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