



The letter from Mr. Rosberg was on table for Council at its Regular meeting on June 9, 2003. At that meeting Council passed a resolution "*that Development Variance Permit No. 7903-0090-00 be referred to staff for further review*".

## DISCUSSION

Following Council's direction to further review the variance proposal, on June 17, 2003, staff met with representatives of Valley Fireplace Specialities Inc. and the applicant. In the meeting, the Valley Fireplace Specialities Inc. representatives maintained their opposition to the proposed variance. They indicated that their tenant (Renelle Furniture), who originally provided a letter of support for the proposed variance, has a five-year lease, extendable to 10 years and has an option to purchase the property, expiring on December 5, 2005. However, the lease and option to purchase are for a portion of the lot where the existing building is situated and does not cover the area that abuts the subject property.

Subsequent to the June 17, 2003 meeting, Valley Fireplace Specialities Inc. provided a letter dated June 19, 2003 (Appendix IV) that reiterates their opposition to the proposed variance, as follows:

- The proposed variance will limit the development potential of the Valley Fireplace Specialities Inc. property to an industrial use, which is not in the best interest of Valley Fireplace Specialities Inc. or the City;
- The proposed development can still proceed with a 12-foot setback even if the proposed variance is rejected;
- Permitting a zero lot line development will unduly impact the Valley Fireplace Specialities Inc. property in terms of aesthetic appeal; and
- If the variance is rejected, it will permit Valley Fireplace Specialities Inc. to develop its property to its highest and best use.

The agent of the applicant also submitted a letter, attached as Appendix V, that provides further input on the proposed variance and the overall development trends in the Surrey Central Business Park.

Due to the strong concerns of the adjacent property owner, the Planning and Development Department no longer supports the proposed variance. If the Development Variance Permit is denied, the proposed building will need to provide a minimum side yard setback of 3.6 metres (12 ft.) along the east property line in accordance with the requirements of the IB Zone. Staff will work with the applicant to modify the Development Permit, which was processed concurrently with this Development Variance Permit, to ensure that appropriate landscaping and interface treatment with the adjacent property is provided before the Development Permit is forwarded to Council for final approval and execution.

## CONCLUSION

This report responds to Council's request for a further review of Development Variance Permit No. 7903-0090-00 as a result of opposition voiced by the owner of the adjacent property. Staff organized a meeting between the applicant and the owner of the adjacent property to discuss the variance and related concerns. Subsequently, the owner of the adjacent property reiterated their opposition to the proposed variance primarily due to the impacts that they perceive such a variance will have on the future development potential of their property. Given the strong opposition expressed by the owner of the adjacent property, staff recommend that the proposed Development Variance Permit No. 7903-0090-00 be denied.

Murray Dinwoodie  
General Manager  
Planning and Development

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Attachments:

- Appendix I Planning Report dated May 26, 2003
- Appendix II Context Plan
- Appendix III Letter dated June 5, 2003 from Bryenton, Rosberg & Company
- Appendix IV Letter dated June 18, 2003 from Bryenton, Rosberg & Company
- Appendix V Letter from the Agent of the Applicant dated, June 18, 2003

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