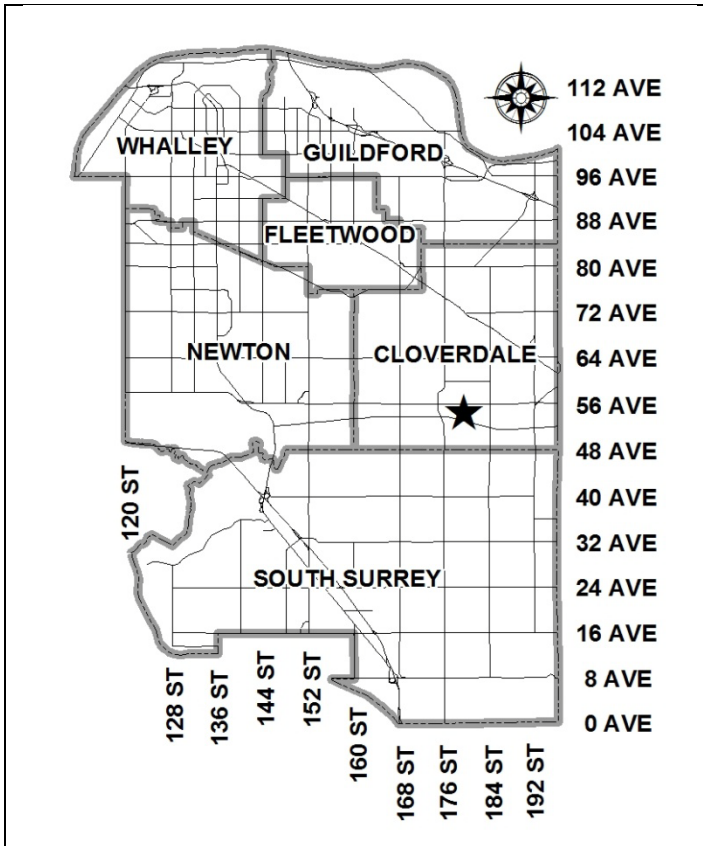


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7911-0254-00

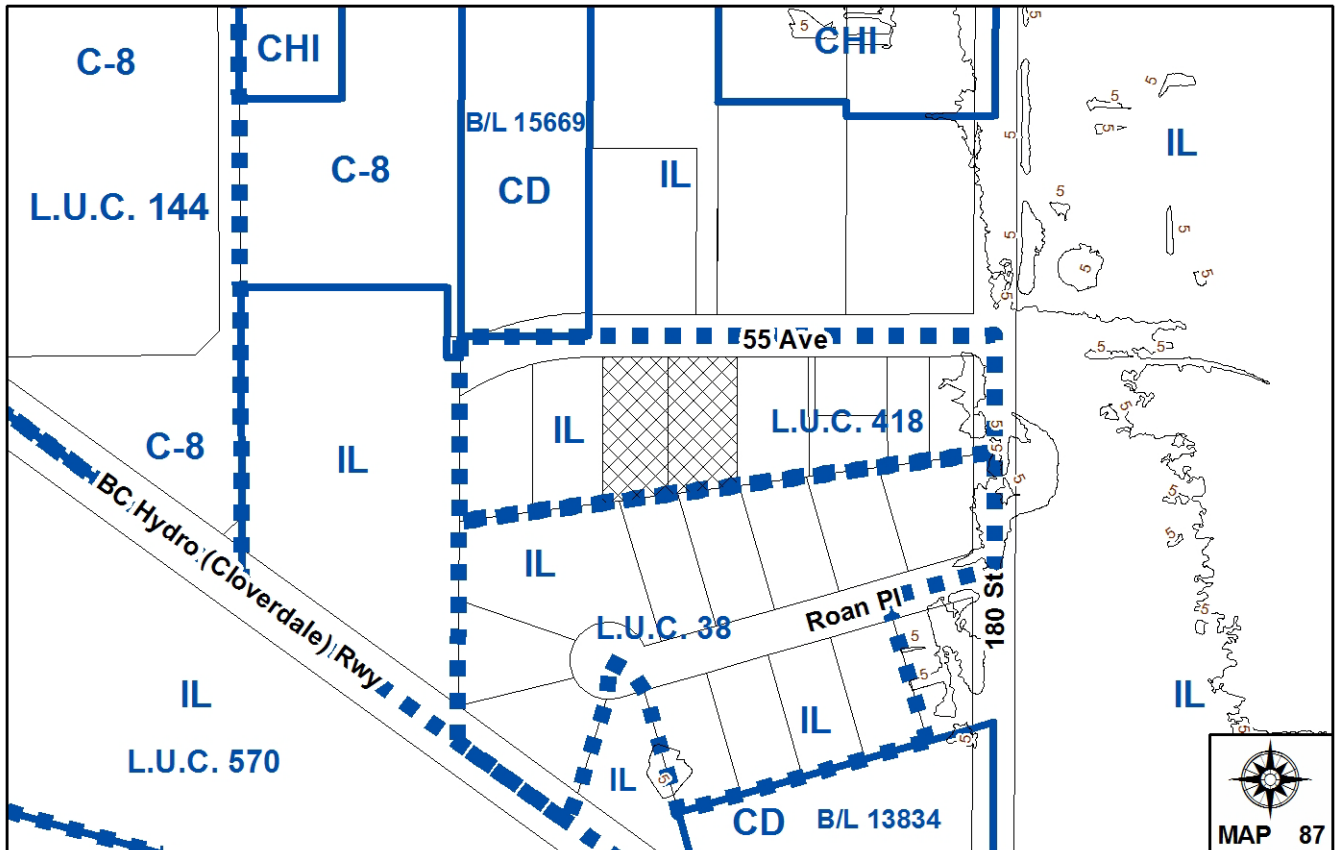
Planning Report Date: November 28, 2011



PROPOSAL:

- **Partial Land Use Contract Discharge**
 in order to allow the underlying IL Zone to regulate the site.

LOCATION: 17918 and 17942 - 55 Avenue
OWNER: Peter and Barbara Faliszewski
ZONING: LUC No. 418 (underlying IL Zone)
OCP DESIGNATION: Industrial
LAP DESIGNATION: Light Impact Industrial



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for a Partial Land Use Contract Discharge.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Complies with the Cloverdale Local Area Plan.
- The partial Land Use Contract (LUC) discharge will allow the underlying IL Zone to come into effect and facilitate future industrial development.
- The IL Zone is appropriate for this area and is consistent with the surrounding uses.
- The IL Zone provides greater flexibility in accommodating a broader range of industrial businesses.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to discharge Land Use Contract No. 418 from the subject site and set a date for Public Hearing.
2. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, dedications, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) approval from the Ministry of Transportation and Infrastructure; and
 - (c) submission of a road dedication plan to the satisfaction of the Approving Officer.

REFERRALS

Engineering:	The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix III.
Ministry of Transportation and Infrastructure (MOTI):	Comments from MOTI have been requested and approval is required.

SITE CHARACTERISTICS

Existing Land Use: Multi-tenant industrial building on each lot, which will be retained.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across 55 Avenue):	Mixed industrial uses.	Industrial	IL
East:	Mixed industrial uses.	Industrial	LUC No. 418 (underlying IL Zone)
South:	Mixed industrial uses.	Industrial	LUC No. 38 (underlying IL Zone)
West:	Mixed industrial uses.	Industrial	LUC No. 418 (underlying IL Zone)

DEVELOPMENT CONSIDERATIONS

Background

- The subject site comprises two properties located at 17918 and 17942 - 55 Avenue. The site is currently regulated under Land Use Contract (LUC) No. 418, which permits a limited list of industrial uses. The site is designated "Industrial" in the Official Community Plan (OCP), and its underlying zone is "Light Impact Industrial Zone (IL)".
- LUC No. 418 was adopted by Council on June 12, 1978 and regulates 9 lots on the south side of 55 Avenue, west of 180 Street.
- LUC No. 418 limits the land uses and structures to the following:
 - Warehousing and light manufacturing;
 - Manufacturing of a mix of products; and
 - Sales of rental of trailers, campers, boats (including repair), tools and equipment.
- The two buildings on the subject site have a mix of uses including machine shops, recyclers, manufacturers (greeting cards, wine, jewellery, and signs), storage, dental lab, office furniture, fabricator, restoration services and a restaurant (see Appendix IV). The proposed fitness studio and the existing restaurant are considered to be accessory uses.
- On November 7, 2011, properties in the same neighbourhood at 17902 and 17903 Roan Place received First and Second Readings for a discharge of a different Land Use Contract (LUC No. 38). Public Hearing is scheduled for November 28, 2011.

Current Proposal

- The applicant has a fitness studio tenant located in the eastern subject lot at 17942 - 55 Avenue (see Appendix II). LUC No. 418 does not permit a fitness studio and the tenant was denied a business license. Therefore, the applicant proposes to discharge the LUC to allow the underlying IL Zone to regulate the site.
- IL Zone permits recreation facilities as an accessory use (i.e. total accessory uses are less than 50 percent of the total building area). As the proposed fitness studio is 111 square metres (1,200 square feet) in size and is the only accessory use, it makes up approximately 18 percent of the total building area of 915 square metres (9,856 square feet).
- Because the applicant owns 17942 and 17918 - 55 Avenue, LUC No. 418 is proposed to be discharged from both properties. Besides allowing additional uses on both lots, discharging LUC No. 418 will make managing the properties easier.
- The subject buildings were constructed in accordance with the setback and parking requirements of LUC No. 418. The IL Zone requires a minimum 7.5-metre (25 ft.) setback from the rear property line. The proposed partial discharge of LUC No. 418 will render the rear setback on both properties non-conforming. Any new addition or redevelopment of the site in the future would be required to comply with the requirements of the IL Zone or seek variances.

- A review of the building permit data for the lot coverage and density indicate the lot coverage is 42.2% and the floor area ratio (FAR) is 0.47 for 17918 - 55 Avenue and lot coverage is 38.1% and the FAR is 0.43 for 17942 - 55 Avenue. Both buildings are less than the maximum 60% lot coverage and FAR of 1.0 allowed in the IL Zone.
- Based on the requirements of the Zoning By-law, the existing tenants of the two buildings require approximately 26 parking spaces. The proposed fitness studio/recreation facility requires 12 additional spaces for a total requirement of 38 spaces. Based on aerial photos there are currently 44 parking spaces which is above minimum requirements.
- An existing access easement is registered on title to protect the existing shared driveway located at the shared lot line.

PRE-NOTIFICATION

- The development proposal sign was installed on November 14, 2011 and pre-notification letters were sent on October 28, 2011. Staff received no comments.
- Letters were sent to all owners of properties regulated by LUC No. 418 to encourage additional LUC discharges. Staff have received no responses.

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. | Aerial Photo and Summary of Uses of Subject Site |
| Appendix III. | Engineering Summary |

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

JKS/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: Peter L Faliszewski
 Address: 2478 - 149A Street
 Surrey BC
 V4P 1N7

 Tel: 604-535-9146

2. Properties involved in the Application
 - (a) Civic Address: 17918 and 17942 - 55 Avenue

 - (b) Civic Address: 17918 - 55 Avenue
 Owner: Barbara B Faliszewski
 Peter L Faliszewski
 PID: 005-783-852
 Lot 1 (Z227226) Section 5 Township 8 New Westminster District Plan 54933

 - (c) Civic Address: 17942 - 55 Avenue
 Owner: Barbara Faliszewski
 Peter Faliszewski
 PID: 008-807-329
 Lot 2 (AA1878831) Section 5 Township 8 New Westminster District Plan 54933

3. Summary of Actions for City Clerk's Office
 - (a) Introduce a By-law to discharge Land Use Contract No. 418 from the subject site.

 - (b) Application is under the jurisdiction of MOTI.



Location of Fitness Studio

55 Ave

L.U.C. 418
L

L.U.C. 38

25.34 50.69 meters

Roan Pl

The data provided is compiled from various sources and is NOT warranted as to its accuracy or sufficiency by the City of Surrey. This information is provided for information and convenience purposes only. Lot sizes, legal descriptions and encumbrances must be confirmed at the Land Title Office. Use and distribution of this map is subject to all copyright and disclaimer notices at cosmos.surrey.ca.

Enter Map Description

Scale: 1: 845

Map created on: Tuesday, 22 November 2011

17918 55th Ave

#10 Canadian Mold and Die Machine shop 1200 ft ²	#9 Coast Thermal Restoration 1200 ft ²	#8 Forklift Network Forklift sales 1200 ft ²	#7 Firstclass Heating Sheet Metal fabricator 1200 ft ²	#6 Cloverdale Bottle Depot Recycler 1800 ft ²	#5 Exclusive Fabricator 1800 ft ²	#3 (2nd floor) Selkirk Communica- tion 600 ft ²	#2 Soup & Sandwich Cafe 600 ft ²
					#4 (2nd floor) Cdn Greetings Card Manufacturer 600 ft ²	#1 Exclusive (office for #5) 600 ft ²	

17942 55th Ave

#9 Comfort Tec Industries Office Furniture 1456 ft ²	#8 CIMTECH Machine shop 1200 ft ²	#7 CIMTECH Machine shop 1200 ft ²	#6 Mike Nass Storage 1800 ft ²	#5 Athena Fitness Fitness 1800 ft ²	#2 (2nd floor) Trimline Sign maker 600 ft ²	#1 Gold and Silver Studio Jewelry Manufacturer 600 ft ²
				#4 (2nd floor) Focus Dental Lab 600 ft ²	#3 Westcoast Fermenters Winemaker 600 ft ²	

TO: **Manager, Area Planning & Development
- North Surrey Division
Planning and Development Department**

FROM: **Development Project Engineer, Engineering Department**

DATE: **November 7, 2011** PROJECT FILE: **7811-0254-00**

RE: **Engineering Requirements (Commercial/Industrial)
Location: 17918 55 Ave.**

LUC DISCHARGE

Property and Right-of-Way Requirements

- Dedicate 1.942 metres on 55 Avenue for a future Collector Road.

A Servicing Agreement is not required prior to the LUC Discharge.



Bob Ambardar, P.Eng.
Development Services Manager

BA