

Planning Report Date: February 26, 2024

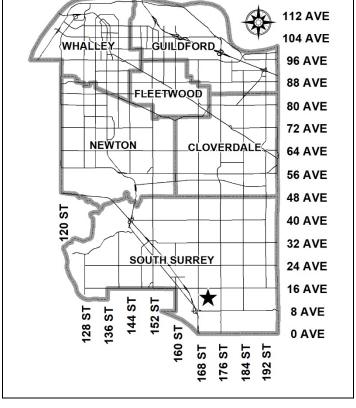
#### **PROPOSAL:**

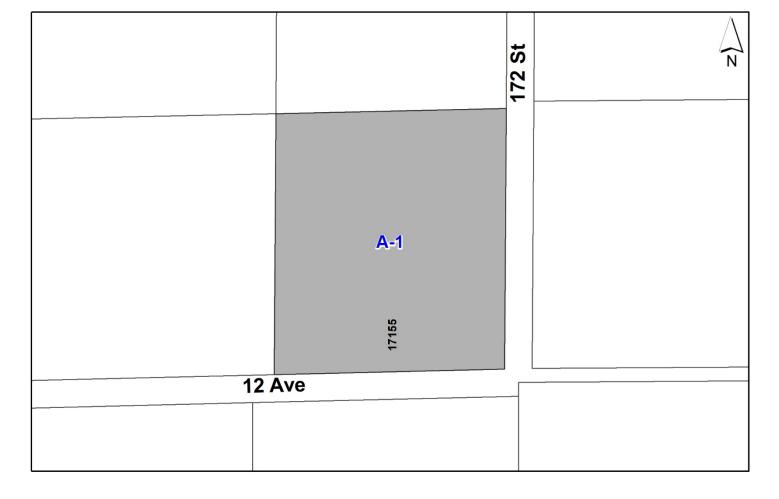
#### • Development Variance Permit

to allow a shipping container as a building on an agricultural zoned lot to be used as a liquor tasting room for a winery.

LOCATION: 17155 – 12 Avenue

ZONING: A-1 OCP DESIGNATION: Agricultural





#### **RECOMMENDATION SUMMARY**

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

#### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

• Proposing to vary the General Provisions of the Zoning Bylaw to allow a shipping container to be located on a lot zoned for agricultural use.

#### **RATIONALE OF RECOMMENDATION**

• The proposed shipping container will function as a liquor tasting room and facilitates and supports the agricultural use currently operating on the property and is not anticipated to have a negative impact on surrounding properties.

#### RECOMMENDATION

The Planning & Development Department recommends that:

- 1. Council approve Development Variance Permit No. 7924-0018-00 (Appendix I) varying the following, to proceed to Public Notification:
  - (a) to vary Part 4. General Provisions, Section B.17 Shipping Containers to allow a shipping container to be used as a building to be located on a lot that is zoned for agricultural use.

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Agricultural use	Agricultural	A-1
North:	Agricultural use	Agricultural	A-1
East (Across 172 Street – unopened to east):	Agricultural use	Agricultural	A-1
South (Across 12 Avenue - unopened):	Agricultural use	Agricultural	A-1
West:	Agricultural use	Agricultural	A-1

#### SITE CONTEXT & BACKGROUND

# Context & Background

- The 3.18 hectare subject site is located within the Agricultural Land Reserve, is designated "Agricultural" in the Official Community Plan (OCP), and is zoned "General Agriculture Zone (A-1)".
- The subject site has obtained Approval in Principle from the Liquor and Cannabis Regulation Branch (LCRB) to operate as a liquor manufacturer (winery). Liquor manufacturers are permitted to provide samples within a tasting room; however, a formal tasting lounge requires a separate lounge endorsement, with support from the local government.

#### DEVELOPMENT PROPOSAL

#### Planning Considerations

• The applicant proposes to locate a shipping container on the agriculturally zoned property for the purposes of operating a tasting room (sampling area) in conjunction with the manufacturing license as a winery. The shipping container is proposed to be used as a building and will include a door and seating within for patrons. This is considered a food and beverage service lounge under the "General Agriculture Zone (A-1)" and is restricted to 125 square metres for an indoor lounge.

- The General Provisions in the Zoning Bylaw restrict the location of shipping containers to only those lots zoned for industrial uses. As the subject property is zoned for agricultural uses and is within the Agricultural Land Reserve, shipping containers are not permitted on the property to be used as a building.
- Therefore, the applicant proposes a Development Variance Permit to the General Provisions to allow a shipping container on a lot zoned for agricultural uses.
- The proposed tasting room (sampling area) is permitted in conjunction with the liquor manufacturing license. The applicant has not sought approval for a lounge endorsement.
- Vehicular access to the property will remain as it is currently with driveway access at the northeast corner of the site to 172 Street. No new accesses are proposed.

# Referrals

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

# POLICY & BY-LAW CONSIDERATIONS

#### **Official Community Plan**

#### Land Use Designation

• The property is designated "Agricultural" in the Official Community Plan. The proposed shipping container is to be used for a tasting room (food and beverage service lounge) associated with the agricultural use on the property (winery). Therefore, the proposed use is consistent with the "Agricultural" designation in the OCP.

#### **Zoning By-law**

- The applicant is requesting the following variance:
  - (a) to vary Part 4. General Provisions, Section B.17 Shipping Containers to allow a shipping container to be located on a lot that is zoned for agricultural use.
- The proposed shipping container location complies with the setback provisions of the A-1 Zone and is sited significantly outside of any yard setbacks of adjacent properties and any watercourse setbacks.
- The proposed shipping container will facilitate and support the agricultural use currently operating on the property.
- The applicant will be required to obtain a building permit for the shipping container structure, should this Development Variance Permit be supported by Council.

• Staff support the requested variances to proceed for consideration.

# INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I Development Variance Permit No. 7924-0018-00

approved by Shawn Low

Don Luymes General Manager Planning and Development

KS/ar

#### CITY OF SURREY

# **APPENDIX I**

# (the "City")

# **DEVELOPMENT VARIANCE PERMIT**

NO.: 7924-0018-00

Issued To:

(the "Owner")

Address of Owner:

- 1. This development variance permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations or agreements, except as specifically varied by this development variance permit.
- 2. This development variance permit applies to that real property including land with or without improvements located within the City of Surrey, with the legal description and civic address as follows:

Parcel Identifier: 011-108-452 Lot 16 Section 7 Township 7 New Westminster District Plan 4821 17155 12 Avenue

#### (the "Land")

- 3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
  - (a) Part 4. General Provisions, Section B.17 Shipping Containers is varied to allow a shipping container to be used as a building to be located on a lot that is zoned for agricultural use.
- 4. The landscaping and the siting of buildings and structures shall be in accordance with the drawings (the "Drawings") which are attached hereto as Schedule A and form part of this development variance permit.
- 5. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.

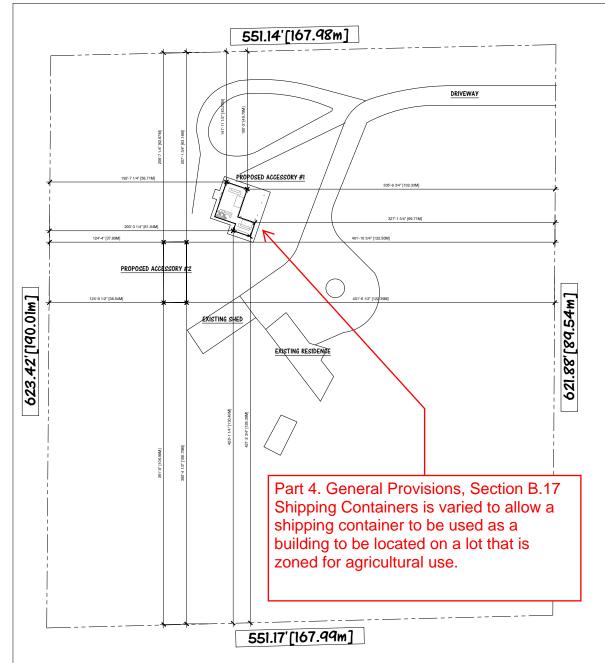
- 6. This development variance permit shall lapse if the Owner does not substantially start any construction with respect to which this development variance permit is issued, within two (2) years after the date this development variance permit is issued.
- 7. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
- 8. This development variance permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL/DELEGATED OFFICIAL, THE DAY OF  $_{\rm 0.20}$  .

ISSUED THIS DAY OF , 20 .

Mayor – Brenda Locke

City Clerk – Jennifer Ficocelli



#### **SCHEDULE A**

**SLEEK DESIGNS** 

COPYRIGHT RESERVED

ALL DRAWINGS, DESIGNER, OR SPECIFICATIONS SHALL NOT BE USED, REPRODUCED, OR REVISED WITHOUT WHITTEN PERMISSION. THE CONTRACTOR SHALL CHECK AND VERITY ALL DIMENSIONS AND NOTIFY

THE DESIGNER OF ANY ERRORS OR OMISSIONS PROR TO COMMENSEMENT OF

OFFICE LOCATIO

SURREY, BC V4A 4T4

2061 156 \$

WORK. THE DOCUMENTS ARE TO BE USED FOR A SINGLE TIME FOR THE

SLEEKDESIGNSLTD/@GMAIL.COM

GENERAL PROJECT NOTES

- DIMENSIONS TO BE TAKEN FROM OUTSIDE FACE OF SHEATHING FOR EXT. WALLS AND GENTRE OR FALE OF STUDIE FOR INT. WALLS AS SHOWN. ALL HEIGHT OMENDISKO ON ADJOIN FALS AR EFRONT TOO FLOOR PLYWOOD -IT IS THE KESPONEBILITY OF THE CONTINUATOR OR BUILDER TO AHECA MO VERHIF ALL IMPRISIONS AND TO SHEAR ALL WORK CONTINUES TO AHECA MO BHTISHI COLUMBERS AND TO SHEAR ALL WORK CONTINUES TO AHECA MO BHTISHI COLUMBER AND IN SHEAR ALL WORK CONTINUES TO AHECA MO BHTISHI COLUMBER AND IN SHEAR ALL WORK CONTINUES TO AHECA MO BHTISHI COLUMBER AND INT SHEAR ALL WORK CONTINUES TO AHECA MO BHTISHI COLUMBER AND INT SHEAR ALL WORK CONTINUES TO AHECA MO

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PROVIDE SOLID LAMINATED STUDDING @ BEARING POINTS DOUBLE JOISTS @ PARALLEL PARTITIONS (OPT. 2x10 BLOCKING @ 24" 0.C.)
BEDROOM WINDOWS MUST CONFORM TO B.C.B.C. SEC. 47.1.3
DWELLING MUST MEET CURRENT B.C. VENTILATION CODE MIRRORED DOORS ARE NOT PERMITTED @ WALK-IN CLOSETS - LINO OR EQUAL REGID ON BATHROOM FLOORS - LING URE EQUAL REQ D ON BATHKDOMF FLOURS - WATERPROOF WALLBOARD REQD AT TILE SURROUNDS @ TUBS AND SHOWERS - PROVIDE A BOND-BREAKING MATERIAL BETWEEN FOUNDATION OR ROCK AND SLABS - IN WHITE ROCK FOLDING FANEL DOORS MUST BE COVERED BY A ROOF OR FLOOR AND

ENGINEER'S APPROVAL AND SCHEDULE "B" REQUIRED. - AS AN ALTERNATE SOLUTION TO VENTING A ROOF OR DECK OVER LIVING SPACE. SPRAY FOAM INSULATION MAY BE USED WITH A LETTER FROM A PROFESSIONAL \* NOTE:

ALL DIMENSIONS ON SITE PLAN ARE PERPENDICULAR TO PROPERTY LINES THIS DESIGN DOES NOT MEET THE PRESCRIPTIVE SEISMIC REQUIRMENTS OF SECTION 9.23.13 OF THE B.C. BUILDING CODE 2018 EDITION. A STRUCTURAL ENGINEER WILL BE REQUIRED TO PROVIDE SOLUTIONS FOR PORTIONS OF THE DWELLING WHICH DO NOT MEET SECTION 9.23.13.

T. THESE FLARS CONFORM TO BRITISH COLUMBIA BUILDING CODE 2018. 2. CONSTRUCTION SHALL COMPLY WITH THESE FLANS AND LOAD BUILDING BY-LAWS. 3. CONTRUCTOR SHALL COMPLY WITH UNDERSIDING FROM TO START OF CONSTRUCTION. 4. CONFECTS SHALL COMPLY AND LOWERSIDING FROM TO START OF CONSTRUCTION. 4. LISTINGCTURED LOWERSIDING FROM THE SOUTHAGE AND LOAD BUILDING BY-LAWS. \* ALL SHOWN DIMENSION ON PLANS HAVE PREFERENCE OVER SCALE. \*\* IN SOME MUNICIPALITIES THESE PLANS REQUIRES THE APPROVAL OF CERTIFIED STRUCTURAL ENGINEER, PROVIDED BY BUILDERS

7.50

12.00 m 19.00 m

15.00 м 15.00 м 15.00 м

\*\*\* THE DESIGNER ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THESE PLANS IT IS THE RESPONSIBILITY OF THE BUILDERS AND OWNERS TO REVIEW AND VEREY ALL LEVELS DIMENSIONS AND STRUCTURAL APOLICIES PURIT CONSTRUCTION

#### SITE PLAN NOTES:

CIVIC ADDRESS: THE IT AVE CURPEY D.C. LEGAL DESCRIPTION: LOT 16 SEC 7 TWP 7 PLAN NWP4821 NWD PART NW 1/4

SITE CALCULATIONS: [ZONE: A1]

343,009 Sq. Ft. [31,867 Sq. m.]

1280.00 Sq. Ft

N/A

N/A

0.00....

4.00 m

4.00 м 4.26 м

PROPOSED

PROPOSED 122.99 m

99,71 #

58.71 m 106.79 m 43.27 m

37.89 м 116.28 м 62.97 м

PID: 011-108-452

PRINCIPAL BUILDING

PERMITTED FAR:

LOT COVERAGE:

ACCESSORY #1 HEIGH PERMITTED: PROPOSED:

ACCESSORY #2 HEIGHT

PERMITTED: PROPOSED: ACCESSORY #1 SETBACKS BREAK DOWN

FRONT SETBACK

LEFT SIDE SETBACK: RIGHT SIDE SETBACK

FRONT SETBACK: REAR SETBACK: LEFT SIDE SETBACK: RIGHT SIDE SETBACK:

NOTES:

ACCESSORY #2 SETBACKS BREAK DOWN PERMITTEE FRONT SETBACK: 30.00 M

REAR SETBACK

LOT SIZE:

 ALL DIMENSION AND GRADE LEVELS SHOWN ARE TO BE APPROVED BY DESIGN CONSULTANTS AND/OR LOCAL CITY AUTHORITIES PRIOR TO CON OWNERS/BUILDERS TO PROVIDE PERTINENT INFORMATION REQUIRED FOR BY DEGINA CONSULTANTS MAD/ VIE LURAL ELT ANTIMANTANA EQUIRED FOR OWNERCY AULASES TO PROVIDE PERINENT INFORMATION REQUIRED FOR STEP TAO UNDER STATUS AND ANTIMANTANA ANTIMANTANA ANTIMANTANA LOCATIONE, MYNDER TO RESPIRATIONS OF ALL SERVICES, DEVIDANTS LOCATIONE, MYNDER DYNES AND DIATA COMMINIST LEATTICLE ROKES AND RUHL OF WAYS. ETC., BEFORE FROMESING TO COM-MAN RETAINING MALT TO BE BUILT ACCOMENTION OF THE SAME WITH DESING MUBELINGS PROVIDED BY DESING COMMULTANT DESING MUBELINGS PROVIDED BY DESING COMMULTANT DESING MUBELINGS PROVIDED BY DESING COMMULTANT DEGIN WUIDELINES PROVIDED BY DEGIN CONSULTANT PROPOSED FUNCTION OF ANY REQUIRED SWARY FROM BUILDING FOR SURFACE WATER RUN OFF ANY REQUIRED SWALES - BUILDERS REPORTED FOR ANY REQUIRED SWALES - ALL BRADES, AND DIRVESTORS ON SITE FY AN TO BE APPROVED AND DIRVESTORS ON SITE FY BUILDER PRIOR TO CONSTITUCTION AND ESCARATION





