



# Corporate Report

NO: L007

COUNCIL DATE: June 12, 2006

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## REGULAR COUNCIL – LAND USE

TO: **Mayor & Council** DATE: **June 2, 2006**  
FROM: **Acting General Manager, Planning and Development** FILE: **7905-0329-00**  
SUBJECT: **Development Permit Application No. 7905-0329-00**  
**Proposed Industrial Buildings in South Cloverdale**  
**18515 – 53 Avenue & 5298 – 185A Street**  
**Follow-up to Two Delegations to Council**

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## RECOMMENDATION

It is recommended that Council:

1. Receive this report as information;
2. Instruct staff to incorporate minor modifications to Building C and the Landscape Plan in the Development Permit drawings, as shown on Appendices I, II and III;
3. Require the registration of a Section 219 Restrictive Covenant to prohibit automobile painting and bodywork;
4. Require the registration of a Section 219 Restrictive Covenant to restrict the height of Building C or any other building built on the eastern portion of the site, to 8.15 metres (26.7 feet); and
5. Instruct the City Clerk to forward a copy of this Corporate Report to the two delegations, Mr. Mike McLennan and Dr. Chiku Verma and to the applicant.

## INTENT

The intent of this report is to:

1. Provide information to Council, regarding the issues raised at the April 24, 2006, Regular Council – Land Use meeting by the delegation, Mr. Mike McLennan;

2. Provide information to Council, regarding the issues raised at the May 29, 2006, Regular Council – Land Use meeting by the delegation, Dr. Chiku Verma;
3. Report on the progress made during the meetings held with the applicant and the neighbourhood residents, regarding the residential-industrial interface; and
4. Provide recommendations regarding the residential-industrial interface for Council's consideration.

## BACKGROUND

At the Regular Council – Land Use Meeting on February 20, 2006, Council considered a Planning Report on a Development Permit application to permit the development of three industrial buildings on properties located at 18515 – 53 Avenue and 5298 – 185A Street (see map attached as Appendix IV) and authorized staff to draft Development Permit No. 7905-0329-00, based on the plans attached to the Planning Report (Appendix V).

The subject site is zoned Light Impact Industrial Zone (IL) and designated Industrial in the Official Community Plan (OCP). The proposed development complies with the Industrial designation of the site in the OCP and the proposed land use, density, building height and setbacks are within the allowances of the IL Zone. The table below provides specifics in this regard:

	<b>Permissible Under IL Zone</b>	<b>Proposed Development Permit</b>
Building Height	18.0 m (60 ft.)	11.4 m (37.5 ft.)
Floor Area Ratio (FAR)	1.00	0.60
Setbacks:		
North	7.5 m (25 ft.)	10.45 m (34 ft.)
South	7.5 m (25 ft.)	15.13 m (50 ft.)
East	7.5 m (25 ft.)	8.22 m (27 ft.)
West	7.5 m (25 ft.)	15.54 m (51 ft.)
Width of Landscaping Adjacent to Residential Lots	1.5 m (5 ft.)	7.0 m (23 ft.)

Following the Council meeting, staff received three letters, one petition and several phone calls from a number of residents from the neighbouring residential properties to the east, expressing concerns about the residential- industrial interface. Specifically, the neighbours indicated that they were concerned about preserving views and restricting the height of the industrial buildings proposed.

In response to these concerns, the applicant met with the neighbours on March 30, 2006 and April 12, 2006 in an attempt to address their concerns. Discussions took place regarding increased landscaping and installation of black-coated chain link fencing along the east property line, impact of noise, removal of mezzanine offices from the most easterly proposed building (Building C), prohibiting auto body uses on the site, improving architectural detailing on the east side of Building C, and reducing the building height for Building C. While the meetings led to resolutions for most of the

above-noted concerns, the applicant and neighbours were unable to reach agreement about an acceptable height for Building C.

At the April 24, 2006 Regular Council – Land Use meeting, Mr. Mike McLennan, one of the residential neighbours, appeared as a delegation to address Council on the concerns of the residential neighbours about the proposed industrial development. Following Mr. McLennan's delegation, staff were directed to prepare a follow-up report for Council's consideration.

More recently, another residential neighbour to the proposed industrial development, Dr. Chiku Verma, appeared as a delegation at the May 29, 2006 Regular Council – Land Use meeting. Staff were directed to incorporate the issues raised by Dr. Verma in the report under preparation.

## **DISCUSSION**

### **Delegations to Council**

At the April 24, 2006, Regular Council – Land Use meeting, Mr. Mike McLennan expressed concerns about the Development Permit application for the industrial site, immediately west of his residence. He referred to a letter he had submitted to Council wherein seven recommendations were listed to address the residential-industrial interface. A summary of Mr. McLennan's seven recommendations is provided, as follows:

1. No building adjacent to a residential home should exceed 18 feet in height;
2. The retaining wall proposed on the northeast side of the property should be extended along the entire eastern property line of the proposed development. This retaining wall should be a combination of both concrete and chain link covered with black plastic. This should be in place in advance of any construction;
3. Holly should be planted along the fence as a security measure to prevent scaling of the fence and unauthorized access (in advance of construction);
4. The easternmost portion of Building C should be shielded by mixed evergreen trees that are 5 feet higher than the easternmost wall of Building C. Deciduous varieties should be avoided as they lose their leaves and would result in an unsightly building for much of the year. This buffer must be in place in advance of construction commencing;
5. The industrial buildings should be designed to reflect sound away from the current residential homes;
6. Businesses should not be allowed to release environs into the atmosphere; and
7. The style of the proposed development should complement or enhance the value of the existing homes.

Following the delegation, staff met with the applicant to discuss the seven issues brought forward by Mr. McLennan. Subsequently, on May 15, 2006 the applicant met with Mr. McLennan and Dr. Verma. A representative from the City was also in attendance. At this meeting, the applicant and the neighbours were able to come to agreement on most of the seven issues identified by Mr. McLennan, with the exception of building height, despite the applicant proposing to lower the height of the easternmost building from what had previously been presented to Council.

At the May 29, 2006 Regular Council – Land Use meeting, Dr. Chiku Verma appeared as a delegation to address Council on his concerns of the proposed industrial development, immediately adjacent his residence. He stated that the homes, which are on half-acre sized lots, have increased in value tremendously since he bought four years ago. Because, in his opinion, the proposed industrial building will seriously impact his views to the west, Dr. Verma requested that Council direct the applicant to limit the building height of the most easterly building to 20 feet (6 metres) from the latest proposed height of 26 feet 9 inches (8.15 metres).

### **Applicant's Revised Proposed Industrial Development**

To address the concerns expressed by the neighbourhood representatives, the applicant has proposed the following modifications to the proposal, since it was presented to Council on February 20, 2006:

#### **1. Height of Building C**

The applicant has agreed to lower the height of proposed Building C by 3.25 metres (10.7 feet) from 11.4 metres (37.4 feet) as originally presented to Council, to 8.15 metres (26.7 feet). In addition, the applicant has agreed to register a Section 219 Restrictive Covenant to restrict the height of Building C or any other building built on the eastern portion of the site, to 8.15 metres (26.7 feet).

While Mr. McLennan requested that the height of Building C not exceed 5.5 metres (18 feet) and Dr. Verma requested a maximum of 6 metres (20 feet), the applicant has indicated that the height of the building is critical to its use. The applicant has indicated that most tenants and prospective purchasers of warehouse buildings require a clear height under the trusses of at least 7.0 metres (23 feet) to allow for use of racking for the storage of goods and materials. Based on these criteria, the developer has proposed a revised building height of 8.15 metres (26.7 feet) to allow for clear height under the trusses, plus depth for the roof structure. Based on this revised building height of 8.15 metres (26.7 feet), there is no potential for mezzanine space on the eastern side of Building C.

The change to Building C is reflected in the attached drawing number A-9 of Appendix I. The two other proposed industrial buildings will remain at a maximum height of 11.4 metres (37 feet).

2. Retaining Wall

As requested by the neighbours, the developer has agreed to continue the retaining wall along the entire eastern side of the property and to install a black-coated chain link fence in advance of building construction. These changes are reflected in attached schematic drawing (Appendix II).

3. Landscaping

The residential properties to the east of the subject site (including Mr McLennan's and Dr. Verma's), were required to install a 6-metre (20 foot) wide landscaped buffer as a condition of subdivision approval. This buffer area is bermed and planted with a variety of flowering shrubs and coniferous and deciduous trees. Landscaping of the industrial site will include the 7-metre (23 foot) wide setback area along the east side of Building C. This 7-metre (23 foot) wide area, plus the existing 6.0-metre (20 foot) buffer area on the residential properties results, in 13 metres (43 feet) of landscaped buffering. In addition, the applicant has agreed to raise the berming and plant taller, more mature trees within the buffer area in order to further address the residential-industrial interface.

By continuing the retaining wall along the entire eastern side of the Building C, the landscaped bermed can be raised up to 2 metres (7 feet) in height. Within the raised berm, the developer has agreed to plant 26, 6-metre (20 foot) high Sequoia Trees, along with 99 Red Cedars, in a staggered pattern along the eastern property line. The total height of the proposed bermed landscape buffer would be 8 metres (27 feet) when planted.

Holly will be added as groundcover, as requested, in order to discourage access to the landscaped area, whereby increasing security. These changes to the landscaping are reflected in drawing numbers L-3 and L-5 of Appendix III.

The applicant has agreed to install the landscaping in advance of building construction and to install an irrigation system to ensure that the landscaping, especially the larger trees, adapt and survive.

4. Noise Concerns

Since the overhead doors for the industrial buildings are proposed to face away from the residential area on the east, the current proposed siting of the building will screen noise from activity taking place along the loading bays. Therefore, no change is proposed with respect to noise mitigation.

5. Potential Tenants and Air Quality

The applicant has agreed to register a Restrictive Covenant on the site that will prohibit automobile painting and body work, to address the concerns about businesses that release environs into the air.

## 6. Building Design

Since the top 0.15 metre (0.50 feet) of the rear side of Building C will initially extend above the proposed landscaping on the east side, and no exposure to the north side, the developer has agreed to design and install detailing, such as a cornice, along the roof-line in order for the design to be sympathetic to the adjacent homes (Appendix VI) .

### Staff Comments

The design modifications proposed by the applicant need to be considered within the overall plan and policy context of the respective industrial and residential properties. The following background is important in this regard.

- The subject site is zoned Light Impact Industrial Zone (IL). The subject site and surrounding industrial lands were "prezoned" by Council in 1990 (By-law No. 9854) in an effort to encourage industrial development;
- The subject site is comprised of two properties (Lots 5 and 6). These properties were created through subdivision Application No. 7997-0028-00 as part of a 13-lot industrial subdivision. The subdivision plans were signed on May 11, 2005. The applicant has recently applied to the Land Title Office to consolidate Lots 5 and 6;
- No rezoning and no variances are being requested for the proposed industrial development. A Development Permit is required, prior to obtaining a building permit;
- The lands to the north and east of the subject site are zoned Half-Acre Residential (RH). The lots to the north were created under Application No. 6089-0056-00 and the lots to the east were created under Application No. 5693-0331-00;
- When the lots to the north were created, the applicant was required to secure a 10 metre (33 foot) wide statutory right-of-way for future landscaping on the industrial lands to the south, including the subject site. A cedar hedge was planted along the rear of the residential lots;
- An OCP amendment, from Industrial to Suburban, for a portion of the site to the east, was required to create the RH lots to the east (Application No. 5693-0331-00). Since the area proposed for residential development was initially planned for industrial uses, the amendment raised additional interface issues between residential and future industrial uses. To address this interface, a shared buffer was recommended between the proposed residential and future industrial lands. At that time, the applicant was required to provide a 6-metre (20 foot) wide landscape buffer along the rear of the residential properties that would abut the future Industrial lands to the south and west. It was intended that when the Industrial lands developed in the future under a Development Permit, additional landscaping would be required on the Industrial lots to create a larger buffer;

- The proposed industrial development provides a 7-metre (23 foot) wide bermed landscape strip along the east property line of the subject site. This landscaping consists of a staggered double-row of Sequoia and Red Cedar trees, as well as holly ground cover. Combined with the 6.0-metre (20 foot) wide buffer on the neighbouring residential properties, there is a 13-metre (43 foot) wide buffer along the eastern side of the subject site; and
- The subject industrial site is situated near the bottom of a sloped area that slopes down toward the southwest. The view of the industrial buildings from the residential area to the north and to the east is reduced, due to the natural fall of the land. Although the residential lands to the east also slope down to the south, they are situated at a higher elevation than the industrial site. In order to further drop the elevation of the buildings, the developer has proposed a retaining wall along the entire north and east side of the property line. In essence, this retaining wall allows the industrial building to be stepped into the hillside and reduces the impact of the massing of the building in relation the uphill and adjacent residential developments.

In response to the issues raised by the delegation, regarding the potential impacts of the proposed industrial development on the existing residential properties to the east, the applicant has proposed a number of design modifications to further address the industrial-residential interface.

These modifications include lowering the building height and enhancing the proposed landscape buffer. In addition, the applicant has agreed to register a Restrictive Covenant to limit future tenants of the building by specifically prohibiting automobile painting and body work.

For the most part, these modifications address the concerns raised by the neighbours. The one unresolved issue pertains to the height of Building C. The residents have most recently requested a building height of 6 metres (20 feet). The developer has indicated that at the very minimum, an 8.15-metre (26 foot 9 inch) building height is required in order to ensure successful development.

## **CONCLUSION**

The applicant has met with the concerned property owners to address the issues presented to Council by the delegations and agreement has been reached on all the issues except on the height of Building C. Although agreement on the building height has not been reached between the developer and the property owners to the east, the developer has made adjustments to reduce the building height of Building C from the original proposal of 11.4 metres (37.4 feet) to 8.15 metres (26.7 feet) and has removed the potential for future mezzanine offices on the east side of the building. It is important to note that the proposed building height is below the parameters of the IL Zone, which could allow a building height to be twice the height at 18 metres (60 feet).

Given that the IL zoning and industrial designation on the site pre-dates the residential zoning to the east, and that the applicant has agreed to provide beyond the standard requirements for landscaping, lowered the building height, and has agreed to register a

Restrictive Covenant to limit the type of business that can operate on the site, the Planning and Development Department supports the applicant's latest design modifications. Based on the above, it is recommended that Council consider the revised Development Permit drawings attached as Appendices I, II and III and allow the applicant to proceed with completing the Restrictive Covenant requirement before the Development Permit is in order for consideration by Council of final approval.

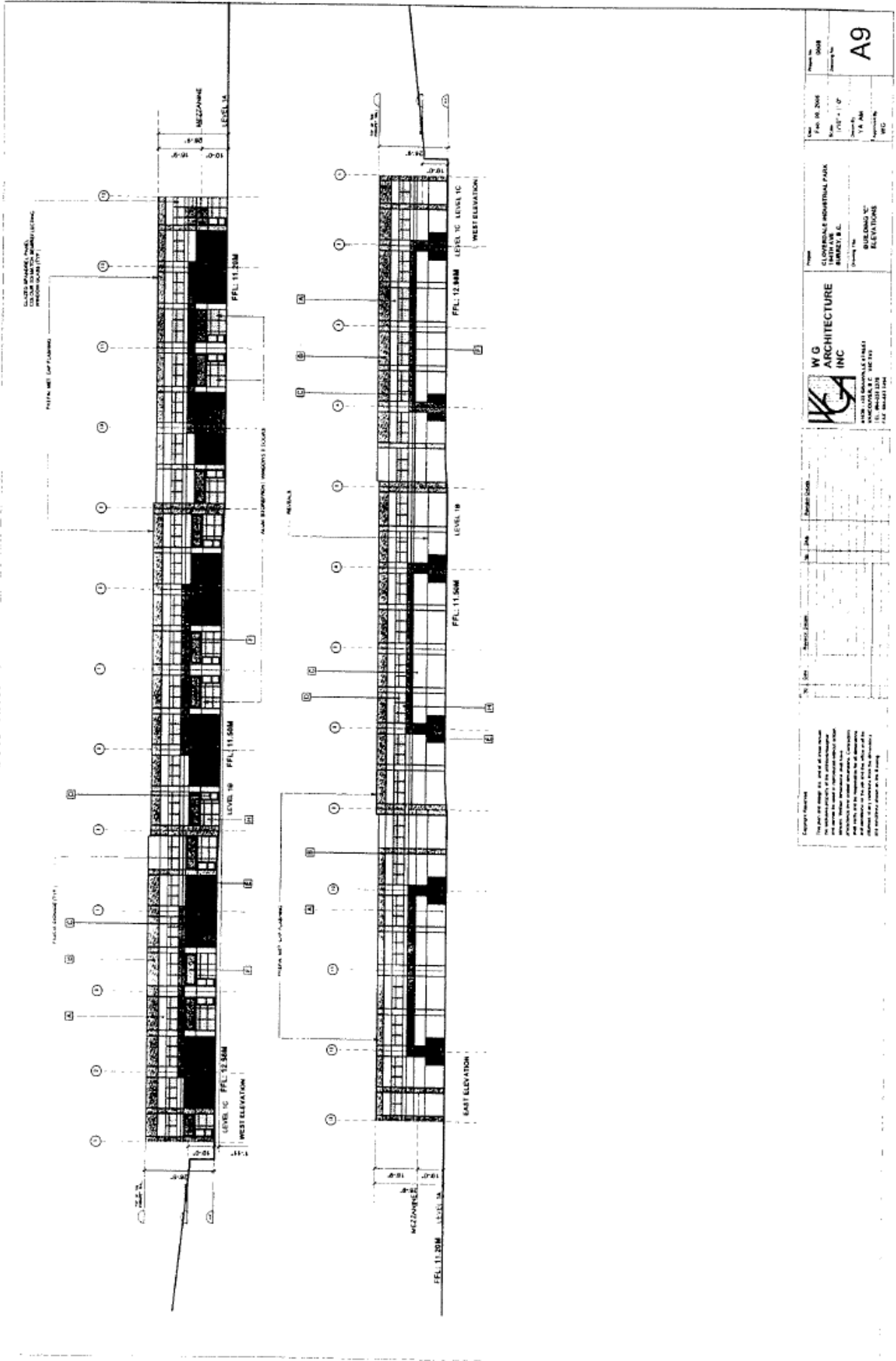
How Yin Leung  
Acting General Manager  
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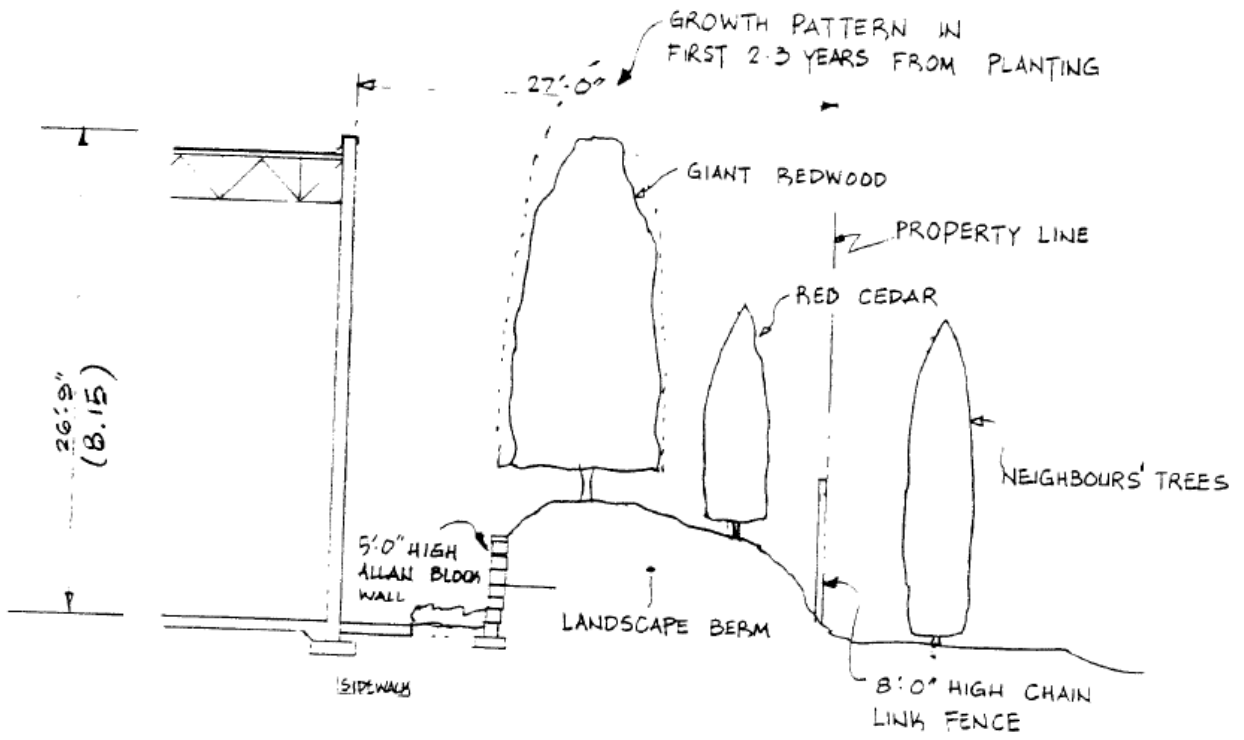
Attachments:

- Appendix I Revised Height Elevation for Building C
- Appendix II Schematic Cross-section for Retaining Wall and Berm Planting
- Appendix III Revised Landscape Plans for East Property line
- Appendix IV Map of Subject Site and Surrounding Area
- Appendix V Site Plan, Elevations and Landscape Plans attached to original Planning Report
- Appendix VI Drawing illustrating potential cornice detail to be added to Building C

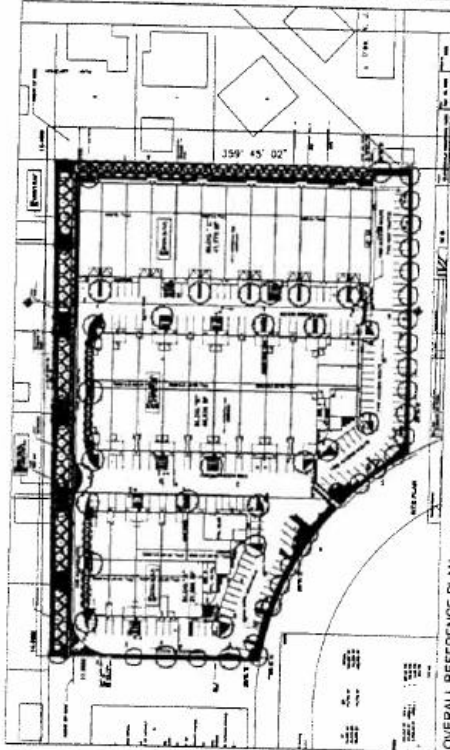




<p>Project: <b>CLONVILLE INDUSTRIAL PARK</b></p> <p>Client: <b>W.G. ARCHITECTURE INC.</b></p> <p>Location: <b>ROSELAND, VA</b></p> <p>Scale: <b>1/8" = 1'-0"</b></p>		<p><b>A9</b></p>
<p>Architect: <b>W.G. ARCHITECTURE INC.</b></p> <p>Address: <b>1000 UNIVERSITY AVENUE, SUITE 100, CHARLOTTE, NC 28203</b></p> <p>Phone: <b>(704) 375-1111</b></p> <p>Fax: <b>(704) 375-1112</b></p> <p>Website: <b>www.wgarch.com</b></p>		
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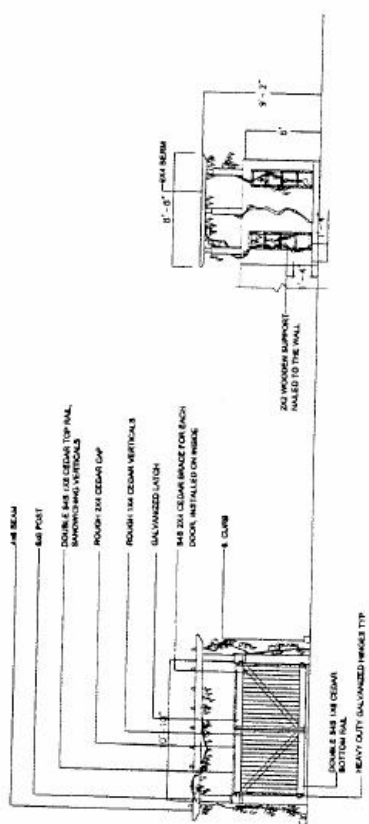
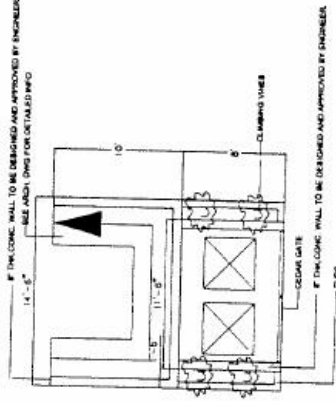
SECTION ALONG EAST PROPERTY LINE  
SCALE 1" = 60'



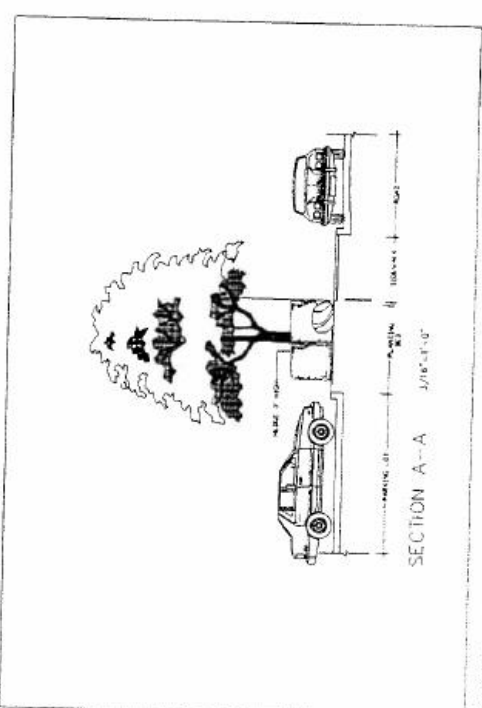
OVERALL REFERENCE PLAN

PLANT LIST

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DETAIL-GARBAGE ENCLOSURE NO SCALE



SECTION A-A 1/8" = 1'-0"

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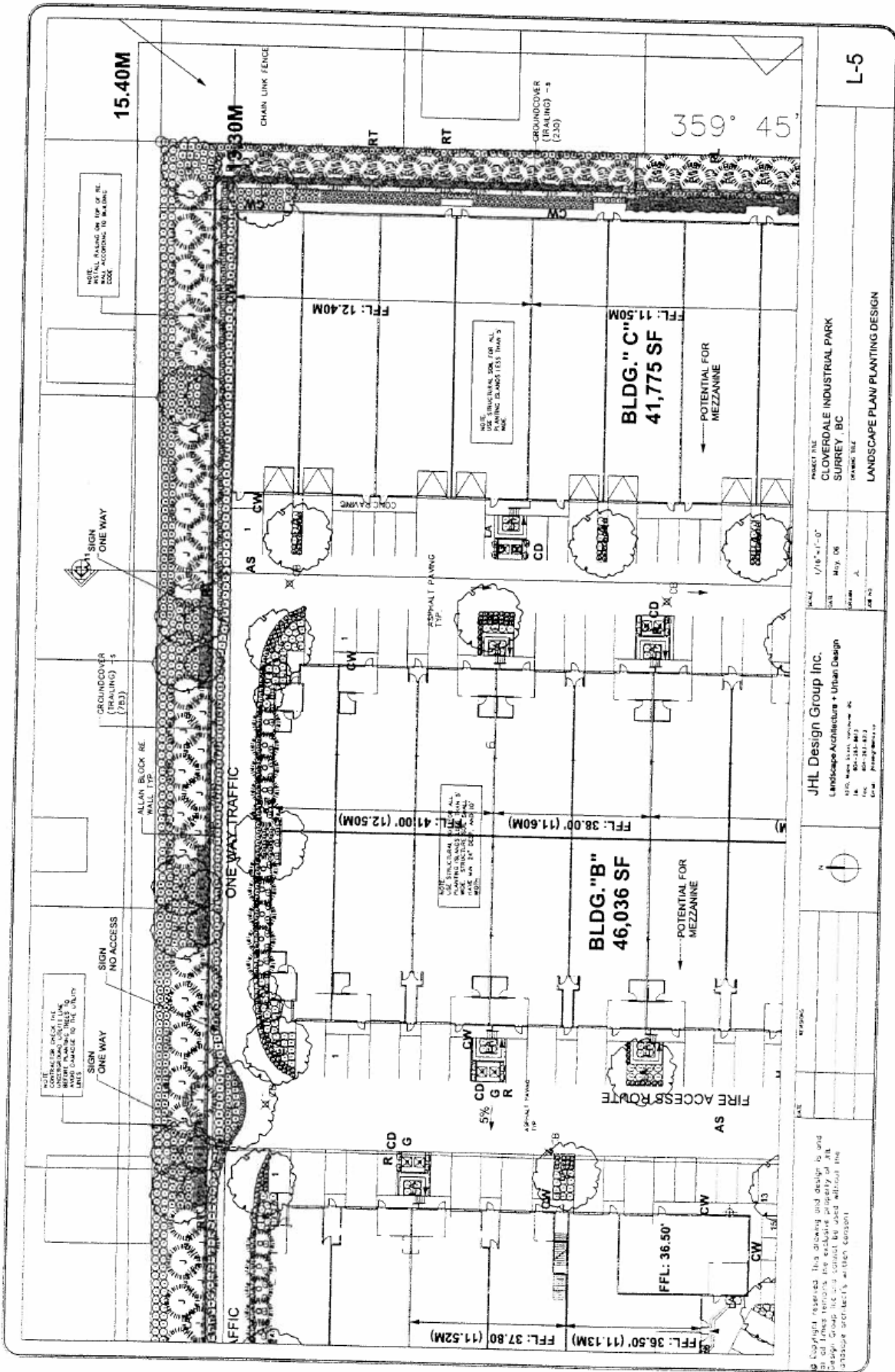
PROJECT TITLE: CLOVERDALE INDUSTRIAL PARK SURREY, BC  
 DRAWING TITLE: OVERALL REFERENCE PLAN LIST/ SECTION

DATE: May 06  
 DRAWN BY: A  
 JOB NO:

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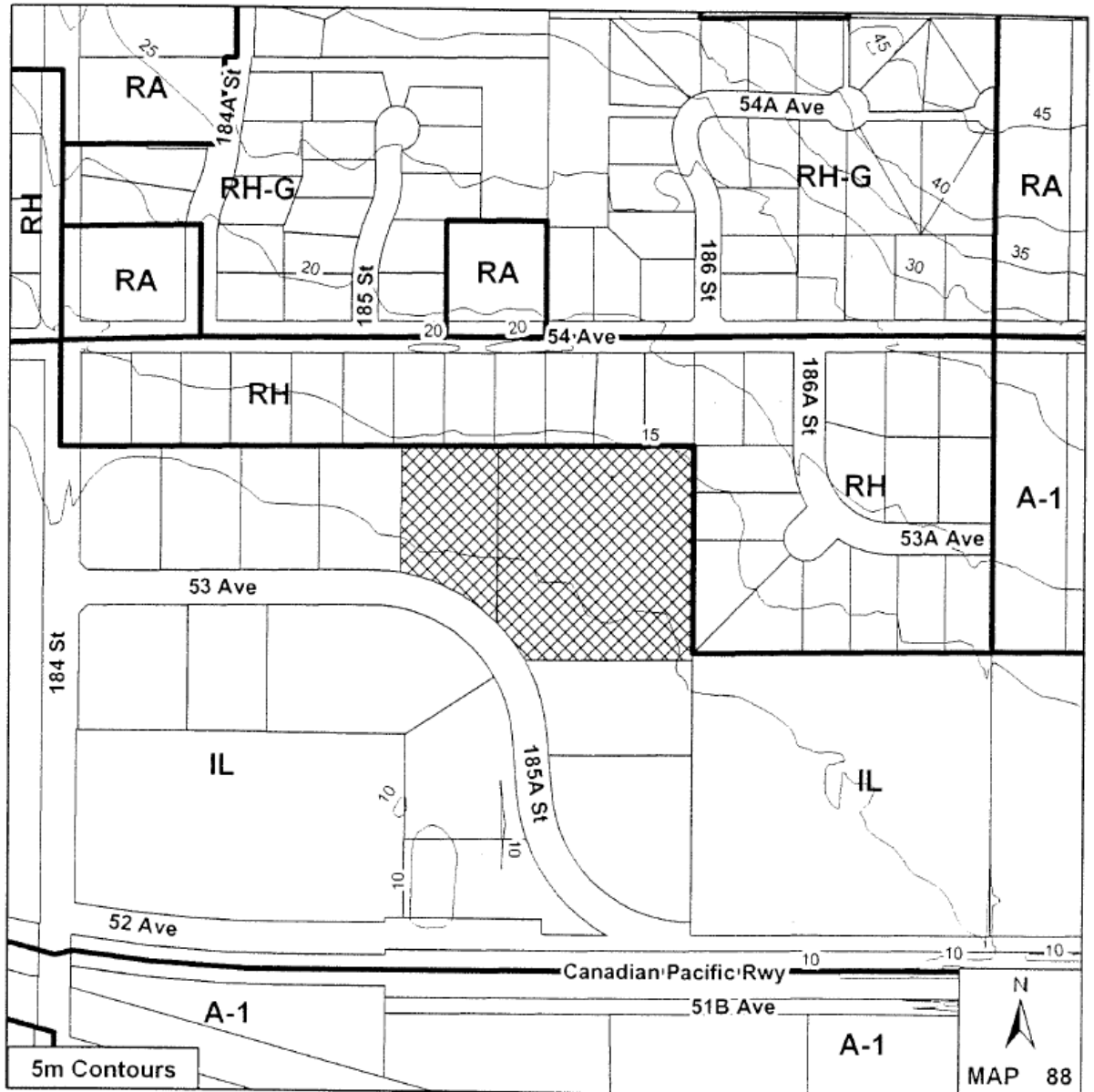
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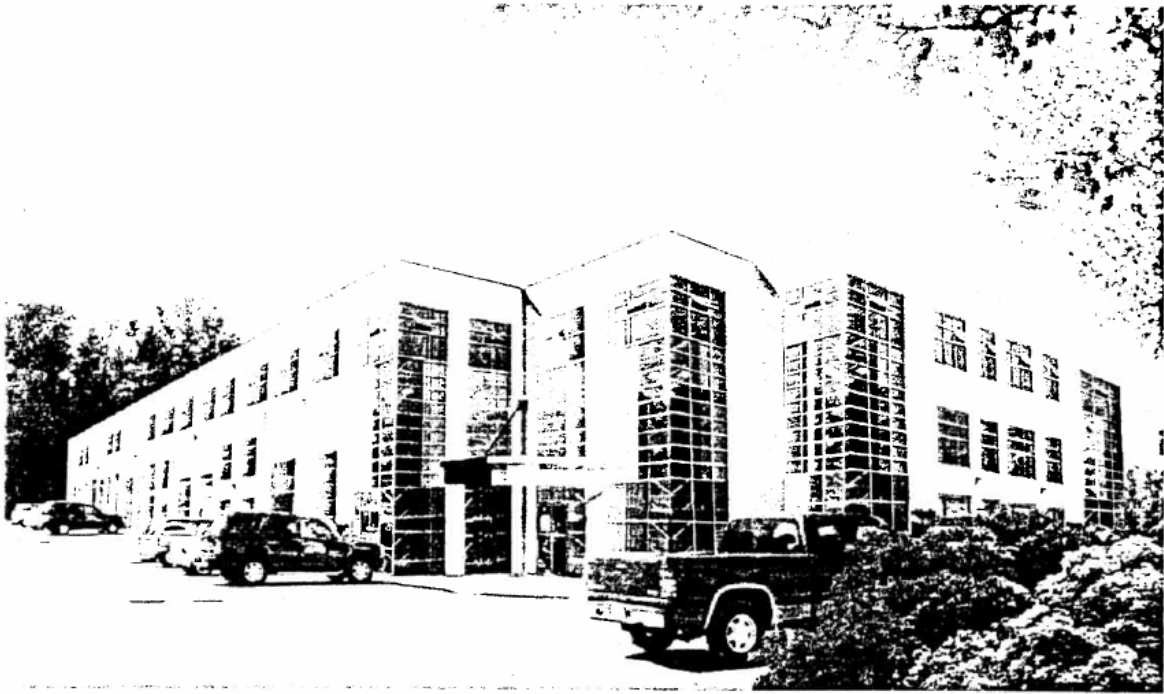
L-1



<p>PROJECT FILE          CLOVERDALE INDUSTRIAL PARK          SURREY, BC          DRAWING TITLE          LANDSCAPE PLAN PLANTING DESIGN</p>		<p>L-5</p>
<p>SCALE          1/16" = 1'-0"</p>	<p>DATE          May 06</p>	
<p>JHL Design Group Inc.          Landscape Architecture + Urban Design          1100 West 42nd Avenue #4          Vancouver, BC V6M 2K7          Tel: 604-261-8212          Fax: 604-261-8213          E-mail: jhl@jhl.com</p>		
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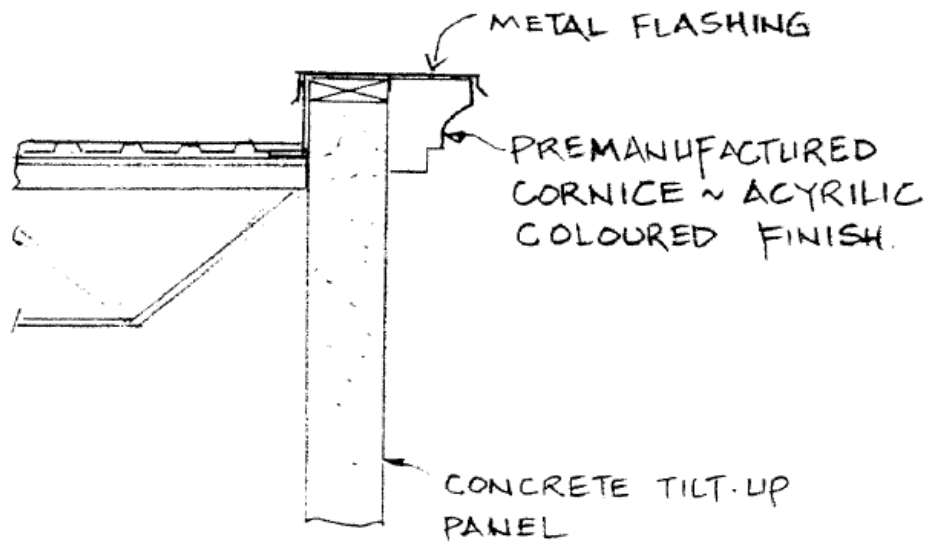
Subject Site and Surrounding Area





PERSPECTIVE - BUILDING "B"

<p>1. I hereby certify that the work shown on this drawing was prepared by me or under my direct supervision and that I am a duly licensed professional architect in the Province of British Columbia.</p>	<p>DATE: _____</p> <p>PROJECT NO.: _____</p>	<p>CLIENT: _____</p> <p>ADDRESS: _____</p>	<p><b>WGA</b>  <b>W G</b>  <b>ARCHITECTURE</b>  <b>INC</b></p> <p>1718 - 478 HANVILLE STREET          VANCOUVER, B.C. V6C 1Y5          TEL: (604) 681-2774          FAX: (604) 681-1868</p>	<p>PROJECT: CLOVERDALE INDUSTRIAL PARK          184TH AVE., SURREY, B.C.</p> <p>DATE: _____</p> <p>SCALE: _____</p>	<p>PRICE: \$45</p> <p>DATE: _____</p> <p><b>A2</b></p>
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DETAIL OF BUILDING C ~ EAST  
ELEVATION CORNICE  
CLOVERDALE IND. PARK JUNE 5, 2006