

City of Surrey
PLANNING & DEVELOPMENT REPORT

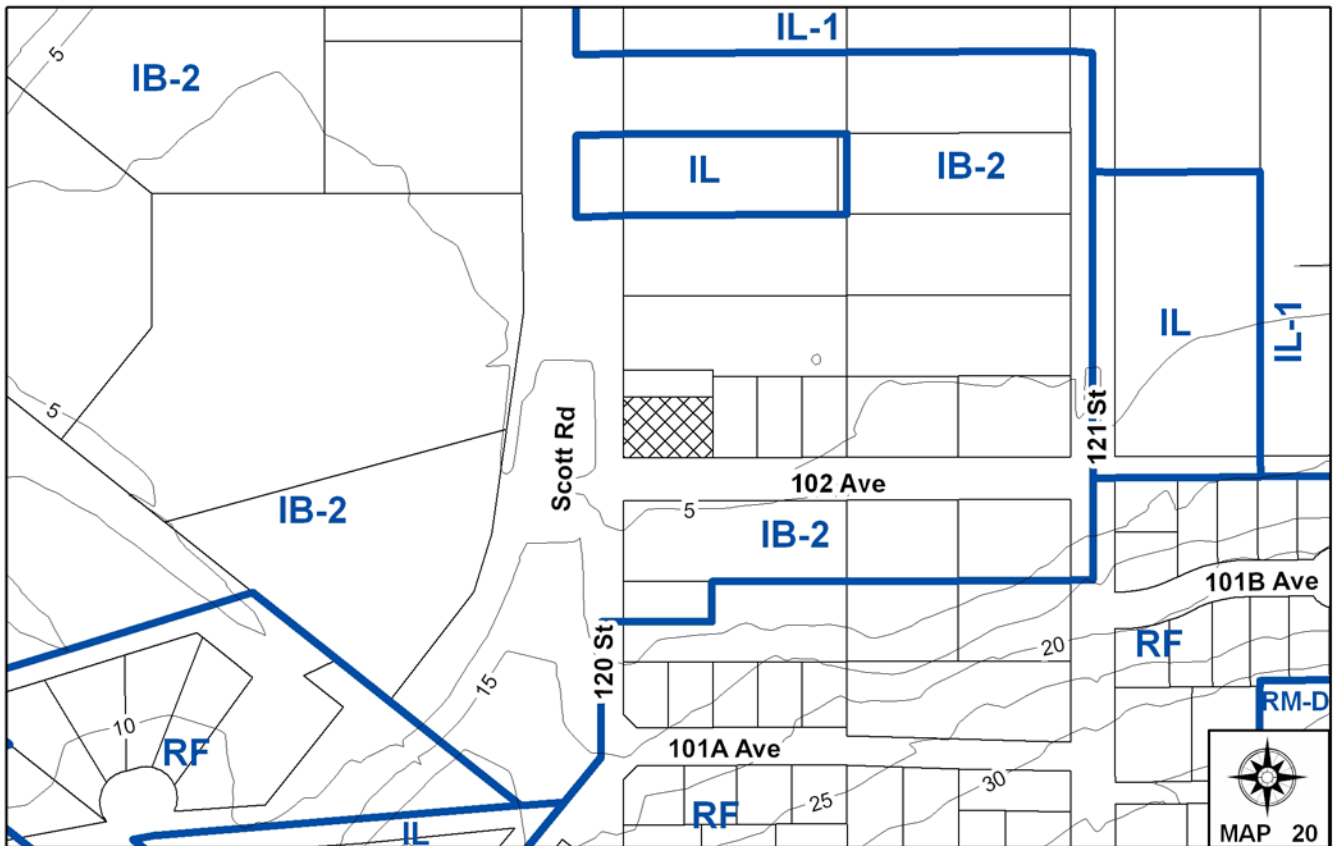
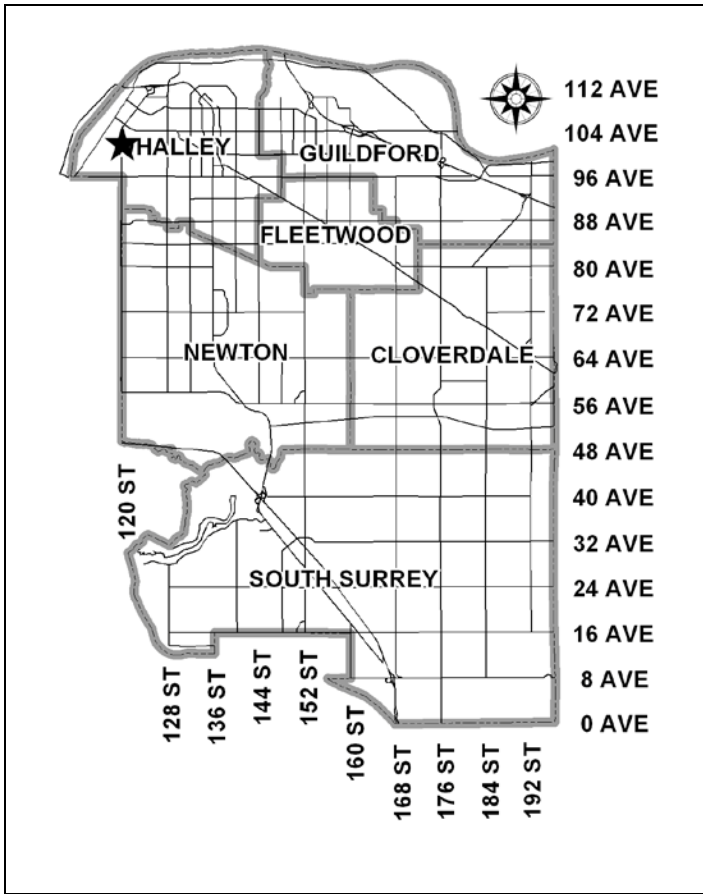
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Planning Report Date: May 26, 2008

PROPOSAL:

- **Rezoning from IB-2 to IL**
 in order to permit an automotive repair facility.

LOCATION: 10214 - 120 Street
OWNERS: Satnam Bains and Inderpaul Rattan
ZONING: IB-2
OCP DESIGNATION: Industrial
NCP DESIGNATION: Business Park



RECOMMENDATION SUMMARY

- Denial

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Does not comply with the Business Park designation in the South Westminster NCP.

RATIONALE OF RECOMMENDATION

- The proposed automotive service use is contrary to the objectives and policies of the South Westminster NCP to help transform existing industrial areas adjacent to residential areas by encouraging these lands to be redeveloped to high quality comprehensively planned business park uses.
- This area of South Westminster has been rezoned through a Council-initiated rezoning process to reinforce the desire for higher quality industrial uses and to restrict automotive service uses.

RECOMMENDATION

The Planning & Development Department recommends that this application be denied.

REFERRALS

Engineering: The Engineering Department will detail the servicing requirements should Council approve the application to proceed.

SITE CHARACTERISTICS

Existing Land Use: Unauthorized automotive repair facility; unauthorized buildings and structures placed on the property without a Development Permit or building permit.

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North and East:	Non-conforming single family dwelling.	Business Park	IB-2
South (Across 102 Avenue):	Vacant land	Business Park	IB-2
West (Across 120 Street/Scott Road):	Vacant land currently under development application (No. 7907-0221-00) for commercial and industrial uses (Pre-Council).	Business Park	IB-2

DEVELOPMENT CONSIDERATIONSBackground

- The subject property is located at 10214 – 120 Street (Scott Road) and encompasses a site area of 1,089 square metres (11,722 sq. ft.). Bordered by Scott Road to the west and 102 Avenue to the south, the subject property is designated Business Park in the South Westminster Neighbourhood Concept Plan (NCP) and currently zoned Business Park 2 Zone (IB-2).
- The Business Park designation in this area of South Westminster is intended to help clean up and make more compatible the industrial areas adjacent to the up-lying residential areas by encouraging these lands to be redeveloped to high quality comprehensively planned business park uses.

- The property was rezoned to the current IB-2 Zone through a City-initiated rezoning of a number of properties in the South Westminster area in order to advance the implementation of the South Westminster NCP. The rezoning was approved on May 18, 2005. The IB-2 Zone is intended for office and light impact industrial uses with a high standard of design and does not permit automotive service uses.
- The current owner purchased the subject property in April 2005.
- In August 2006, By-law Enforcement and Licensing began by-law enforcement action regarding the placement of two structures, a vinyl tent structure and a pre-manufactured trailer, without a building permit or development permit and the establishment of an automotive repair business. The applicant has, therefore, submitted the current application.

Current Proposal

- According to City By-law Enforcement records, the owner of the subject property has been operating an unauthorized automotive repair facility since August 2006.
- As a result of By-law Enforcement action stemming from the operation of the unauthorized construction of buildings and the unauthorized operation of a business, the applicant submitted an application for rezoning to Light Impact Industrial Zone (IL) on February 15, 2008.
- Due to the use which the applicant is seeking to authorize (automotive repair facility) being inconsistent with the NCP, staff advised the applicant that the proposed rezoning is not supportable.
- While Planning staff are not in favour of the proposed development, the applicant has provided proposed building plans for the site. Should Council refer this application back to Planning staff to bring forward conditions of approval, the proposed site plan and building design will be reviewed by staff.
- The applicant has proposed to construct a split-face concrete block building painted beige, with five automotive service bays, an office component for the business, and a three-bedroom residence on the top floor. The proposed building will have a total floor area of 465 square metres (5,005 sq. ft.). The proposal represents a total floor area ratio (FAR) of 0.43 and lot coverage of 28% which is consistent with the maximum FAR of 1.0 and lot coverage of 60% permitted in the IL Zone.
- Part 5 of Surrey Zoning By-law No 12000 requires two parking spaces per service bay and 3 spaces per 100 square metres of office space for employees and customers. Two parking spaces are required for the residence. As such, the proposed development requires 15 parking stalls be provided on site for both employees, customers of the business, and the dwelling unit. The applicant has proposed a total of 13 parking spaces. Should Council refer this application back to staff, the applicant will be required to submit a Development Variance Permit application to relax the parking.
- Access to the site is proposed from 102 Avenue.
- Landscaping plans have not been provided for this application.

PRE-NOTIFICATION

In accordance with Council policy, pre-notification letters were sent on April 1, 2008, and staff requested that a development proposal sign be posted on the property. Staff have not received any comments with respect to the pre-notification letter, however, to date, the owner has not installed the development proposal sign. In order to bring a resolution to this unauthorized use, this Report is being forwarded to Council without the sign being installed.

PROJECT EVALUATION

The advantages and community benefits of approving this application to proceed are:

- The proposed development would clean-up an unsightly property. The applicant would be required to upgrade the existing services to the site, remove the unauthorized structures which do not satisfy the BC Building Code from the site, and obtain a building permit for a building which will satisfy the BC Building Code. These actions may encourage adjoining properties to redevelop to their ultimate use.

The disadvantages of approving this application to proceed are:

- The automotive service repair facility is contrary to the Business Park designation of the subject property in the South Westminster NCP. This designation is intended to help clean-up existing industrial areas adjacent to residential areas by encouraging these lands to be redeveloped to high quality comprehensively planned business park uses.
- This area of South Westminster has been rezoned through a Council-initiated rezoning to support higher quality business uses and to limit the amount of automotive service uses which also tend to have outdoor storage of unlicensed and damaged vehicles.
- The approval of this application could set a precedent for more rezoning applications within South Westminster to the Light Impact Industrial Zone (IL).
- The proposed rezoning for automotive service uses offers minimal infrastructure investment. It does not provide for large employment opportunities, nor is it a catalyst for new business growth. Moreover, rezoning of this key corner location will discourage the redevelopment of neighbouring IB-2 zoned properties to business park uses.

CONCLUSION

- On balance, the Planning and Development Department believes the negative impacts of this project out-weigh its advantages and, therefore, recommends that this project be denied.
- If Council is of the view that the relative merits of this application are sufficient to allow the application to proceed, staff should be directed to work with the applicant to further refine the application and bring forward conditions for approval addressing the following:

- Submission of NCP amendment and development permit applications and associates fees;
 - Installation of development proposal sign;
 - Detailed site planning and design review;
 - Submission of a Development Variance Permit to reduce the parking from 15 spaces to 13 spaces;
 - Resolution of any engineering servicing and building upgrading issues; and
 - Removal of buildings and structures, which do not comply with the Building Code.
- In addition, if Council allows the application to proceed, to ensure the applicant is motivated to fulfill all conditions, including installing the sign, Council should require the applicant to work diligently to satisfy all conditions. Should staff determine the applicant is not working diligently, Council should be advised accordingly and the application could be filed.

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 Site Plan and Building Elevations

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: Nirbhai Virdi Architect
 Address: 11672 - 99 Avenue
 Surrey, BC
 V3V 2M1
 Tel: 604-649-7110

2. Properties involved in the Application
 - (a) Civic Address: 10214 - 120 Street

 - (b) Civic Address: 10214 - 120 Street
 Owners: Satnam Bains and Inderpaul Rattan
 PID: 023-827-491
 Lot B (BL259153) Section 30 Block 5 North Range 2 West New Westminster
 District Plan 577

3. Summary of Actions for City Clerk's Office

DEVELOPMENT DATA SHEET

Proposed Zoning: IL

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		
Road Widening area		
Undevelopable area		
Net Total		1,089 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	60%	28%
Paved & Hard Surfaced Areas		63%
Total Site Coverage		91%
SETBACKS (in metres)		
Front (120 Street)	7.5 m	7.7 m
Rear	7.5 m	7.7 m
Side #1 (North)	0	0
Side #2 (South)	7.5 m	14.6 m
BUILDING HEIGHT (in metres/storeys)		
Principal	18.0 m	11.3 m
Accessory	6.0 m	n/a
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom	1	1
Three Bedroom +		
Total		
FLOOR AREA: Residential	max. 140 m ²	115 m ²
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial	949 m ²	350 m ²
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA	1,089 m ²	465 m ²

** If the development site consists of more than one lot, lot dimensions pertain to the entire site.*

Development Data Sheet cont'd

Required Development Data	Minimum Required / Maximum Allowed	Proposed
DENSITY		
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)		
FAR (gross)		
FAR (net)	1.0	0.43
AMENITY SPACE (area in square metres)	n/a	
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial		
Industrial	13	13
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed	2	2
Residential Visitors		
Institutional		
Total Number of Parking Spaces	15	13*
Number of disabled stalls	1	1
Number of small cars		3
Tandem Parking Spaces: Number / % of Total Number of Units		
Size of Tandem Parking Spaces width/length		

** Variance required*

Heritage Site	NO	Tree Survey/Assessment Provided	NO
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