

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7908-0132-00

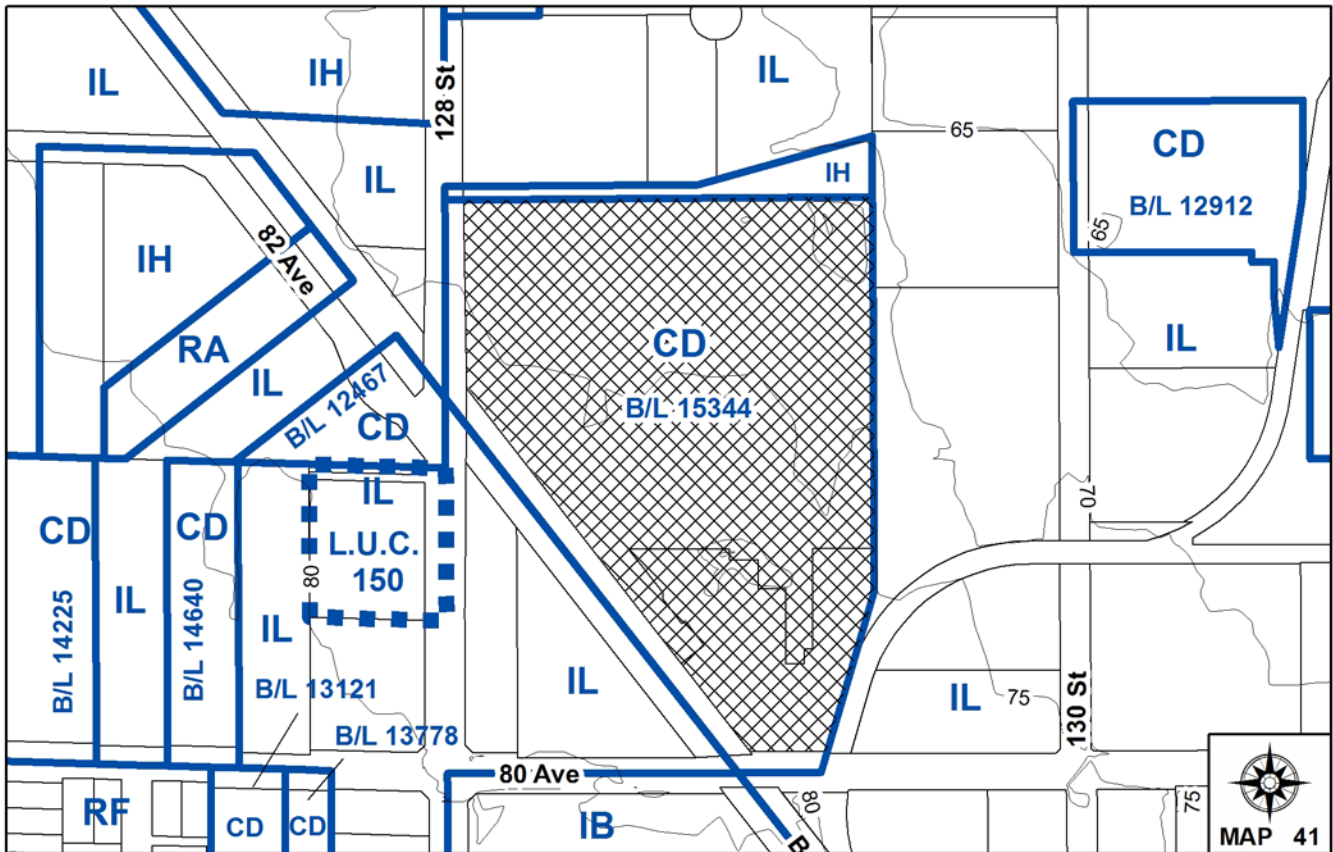
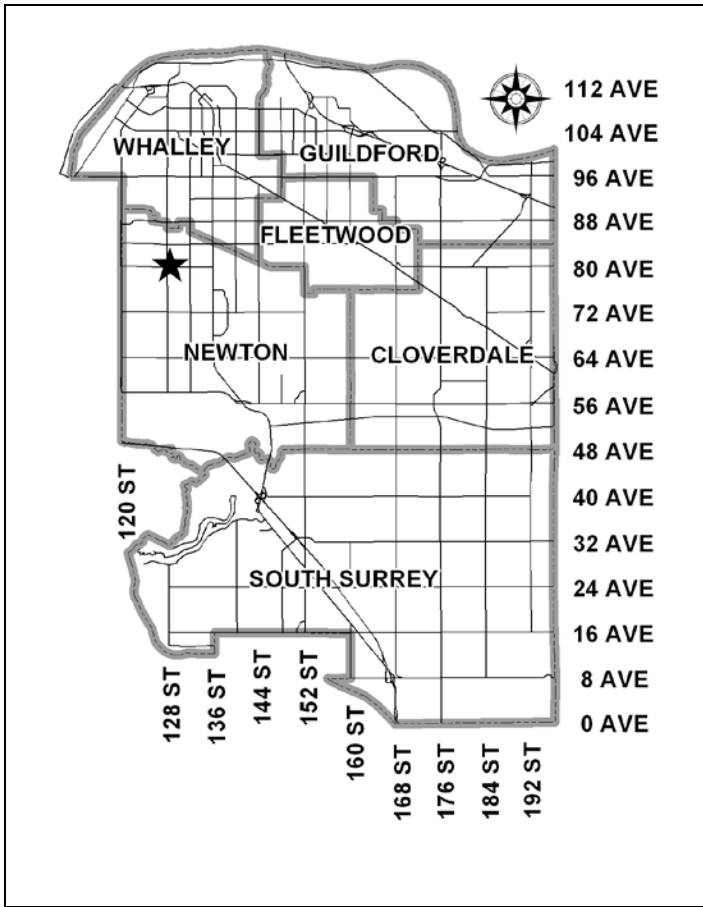
Planning Report Date: September 8, 2008

**PROPOSAL:**

- Amend CD By-law No. 15344

in order to allow the expansion of an existing banquet facility and eliminate church use.

**LOCATION:** 8158 - 128 Street  
**OWNER:** Owner of Strata Plan BCS1022  
**ZONING:** CD (By-law No. 15344)  
**OCP DESIGNATION:** Industrial  
**LAP DESIGNATION:** Business Park Industrial



### RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for amending CD By-law No. 15344.

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The CD By-law No. 15344, which governs the land use on the subject site, allows multiple eating establishments but restricts the maximum size of each individual eating establishment on a portion of the site (Block B) to 745 square metres (8,000 sq.ft.). The proposal is to amend the CD By-law to allow one (1) eating establishment to a maximum size of 1,510 square metres (16,254 sq.ft.) on that portion of the site and prescribe a maximum floor area of 48,465 m<sup>2</sup> (521,690 sq.ft.) for the entire site.

### RATIONALE OF RECOMMENDATION

- The current By-law (CD By-law No. 15344) permits multiple eating establishments with each establishment having a maximum floor area of 745 square metres (8,000 sq.ft.) in Block B of the site. The applicant is seeking to combine these allowable uses into a single banquet hall with a maximum floor area of 1,510 sq.m./16,254 sq.ft. in Block B.
- The applicant is proposing to amend the CD By-law to eliminate church use from the entire site, thus removing a similar, high parking generating use and off-setting the parking requirement for the larger banquet hall.
- The applicant has demonstrated that sufficient parking is provided on site to accommodate the larger, single banquet hall use.
- The amended CD By-law will also prescribe an absolute maximum floor area for the entire site.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to amend Comprehensive Development By-law No. 15344 (Appendix III) and a date be set for Public Hearing.

REFERRALS

Engineering: There are no Engineering requirements for the CD By-law amendment proposal.

SITE CHARACTERISTICS

Existing Land Use: Mixed-use multi-tenant commercial and retail development.

Adjacent Area:

<b>Direction</b>	<b>Existing Use</b>	<b>OCP/LAP Designation</b>	<b>Existing Zone</b>
North:	Parkland abutting Creekshank Creek.	Industrial/Salvage Industrial	IH
East:	Multi-tenant industrial buildings, a railway line and multi-tenant industrial buildings across the railway.	Industrial/Salvage Industrial	IL
Southwest (Across the Southern Rail of BC Line):	Two IL zoned lots with existing industrial operation.	Industrial/Salvage Industrial	IL
West (Across 128 Street):	Multi-tenant industrial buildings.	Industrial/Salvage Industrial	IL

DEVELOPMENT CONSIDERATIONSBackground

- The subject site, located in the Central Newton Industrial area, is designated Industrial in the OCP and Business Park Industrial in the Newton LAP. It has a gross site area of approximately 7.45 ha (18.41 acres).
- The property was rezoned from IH to CD (By-law No. 14926) to allow IB uses on one side (Block A in Appendix IV) and IL uses on another side (Block B in Appendix IV). It was further rezoned from CD (By-law No. 14926) to CD (By-law No. 15344) in 2003 to allow the development of a multiple phase business park, with some commercial uses over the entire site.

The property has now been strata titled and is being constructed in phases. Phase I has been built and is in operation; Phase II is partially constructed and in operation.

- There is a banquet facility being constructed on Building E in Phase II of the site (Appendix II). The CD Zone allows banquet facilities (eating establishments) on Phase II, but requires that each individual establishment be a maximum of 745 m<sup>2</sup> (8,000 sq.ft.).
- The proposal is to amend the CD By-law No. 15344 to restrict the number of eating establishments in Block B to only one (1) and to increase the size from 745 square metres (8,000 sq.ft.) to 1,510 square metres (16,254 sq.ft.), and to eliminate assembly halls limited to churches, as a permitted accessory use in that block and restrict the total allowable floor area on the entire site (Phases I and II) to 48,465 m<sup>2</sup> (521,690.5 sq.ft.).

#### CD By-law (No. 15344)

- The permitted uses in CD By-law No. 15344 include:
  - Light impact industry (including wholesale and retail sales of products produced on the lot or stored on the lot as part of the permitted industrial use; provided that the total floor area used for retail sales and display of goods and products to the public shall not exceed 50% of the floor area of the permitted industrial use. In addition to the proceeding restriction on floor area, a clothing store, a grocery store, a sweets store, a jewellery store or a video store, shall not be permitted unless the products sold through such store are manufactured or part of a warehouse use on the same business premises as the store);
  - Retail stores (excluding adult entertainment stores, auction houses, and secondhand stores and pawnshops provided that the total floor area of all retail stores does not exceed 10% of the total floor area constructed on-site at any time, and further, provided that the total floor area of all retail stores does not exceed a maximum of 4,200 m<sup>2</sup> (45,000 sq.ft.));
  - Office uses excluding, social escort services; and methadone clinics;
  - General service uses excluding drive-through banks;
  - Warehouse uses; and
  - Accessory uses including, personal service uses limited to barbershops, beauty parlours, cleaning and repair of clothing; and shoe repair shops; recreational facilities, excluding go-kart operations, drag racing and rifle ranges; eating establishments, excluding drive-through restaurants and provided that the total floor area of each individual eating establishment in Block B (portion of Phase II) does not exceed 745 square metres (8,000 sq.ft.), community services, assembly halls limited to churches (provided that the church does not exceed a total floor area of 700 square metres/7,500 sq.ft., the church accommodates a maximum of 300 seats, and there is not more than one church on a lot), child care centre; and dwelling units.

### Restrictive Covenants

- Two (2) Restrictive Covenants were registered against the title of the land; one to limit the hours of operation for existing banquet halls on the entire property (Phase I and II) to 7:00 p.m. through to 6:00 a.m. Monday to Saturday excluding Statutory holidays and from 4:00 p.m. to 6:00 a.m. on Sundays and Statutory holidays.
- A second Restrictive Covenant was subsequently registered to restrict the number of banquet halls on Phase II of the site to only one (1) and further establishes that the total floor area that can be built in Phase II of the site is 30,955 square metres (333,210 sq.ft.). This second Restrictive Covenant was initiated by staff during the business license/tenant improvement process. It was needed to ensure adequate parking is provided for the Phase II development. If Council approves the proposed amendment to the CD By-law No. 15344, this covenant can be discharged since the restrictions imposed by this covenant will be included in the amendment.

### Proposed CD By-law amendment & Land Use Rationale

- The CD By-law No. 15344 has the site divided into Block A and B. However, the size of each eating establishment in Block B is limited to a maximum floor area of 745m<sup>2</sup> (8,000 sq. ft.).
- The restriction on the maximum eating establishment size in Block B is to ensure a large-scale banquet facility is not located on this portion of the site. There is an existing large banquet facility approximately 4,250 m<sup>2</sup> (45,750 sq. ft.) in Block A. However, there is no limit on the number of eating establishments in Block B.
- The proposal to allow one (1) expanded eating establishment in Block B can be considered for the following reasons:
  - The applicant has agreed to delete assembly halls limited to churches as permitted accessory use. This permanently excludes 700 square metres (7,500 sq.ft) from the site and off-sets the proposed increase in the size of the banquet facility in Block B;
  - There is presently no limit to the number of banquet halls (easting establishments) in Block B under the CD Zone. Therefore this proposal is deemed to be similar to several smaller banquet halls operating in this area or the possible combination of a smaller banquet facility and a church. The Restrictive Covenant initiated by staff to limit the number of banquet halls on Phase II to only one was intended to be a short-term measure to ensure adequate parking is provided on site pending further deliberation on the issue;
  - The one expanded eating establishment will have a maximum floor area of 1,510 sq.m. (16,254 sq.ft.);
  - A maximum floor area will also be imposed on the entire site to minimize any potential parking issue;
  - The increase size of the banquet facility does not amount to increase in density (FAR) or result in alteration of the exterior look of the existing building;

- The applicant has undertaken a parking analysis and has demonstrated that sufficient parking is provided on site to accommodate the total uses, as per the Zoning By-law requirements;
- A Restrictive Covenant is registered on the title of the property which restricts hours of operation of all the banquet facilities on the site, and will apply to this new banquet hall. This restriction will ensure parking and traffic circulation is not impacted by concurrent operation of all uses on site;
- The proposal essentially will convert assembly hall (church) space to banquet facility, consequently, the proposal does not convert industrial uses to commercial uses; and
- No concerns have been raised by the public, following the pre-notification letter and postage of a development sign.

### PRE-NOTIFICATION

Pre-notification letters were sent on March 15, 2008 and to date, staff has received no comments.

### INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets and Survey Plan
Appendix II.	Proposed Site and Floor Plans for the New Expanded Banquet Hall
Appendix III.	Proposed CD By-law Amendment
Appendix IV.	Block Map Accompanying CD By-law No. 15344

### INFORMATION AVAILABLE ON FILE

- Parking Evaluation prepared by JM Architecture dated June 11, 2008.

Jean Lamontagne  
General Manager  
Planning and Development

AGA/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:                      Mainland Demo Contracting Ltd. c/o Joe Dhaliwal  
                         Address:                      303 - 9288 - 120 Street  
                                                              Surrey, BC  
                                                              V3V 4B8  
                         Tel:                                      604-583-0505

2.      Properties involved in the Application

(a)      Civic Address:                      8158 - 128 Street  
  
(b)      Civic Address:                      8158 - 128 Street  
                         Owner:                                      Owner of Strata Plan BCS1022  
                         Strata Plan BCS1022

3.      Summary of Actions for City Clerk's Office

(a)      Introduce a By-law to amend CD By-law No. 1022.

**DEVELOPMENT DATA SHEET****Proposed/Existing Zoning: CD (By-law No. 15344)**

<b>Required Development Data</b>	<b>Minimum Required / Maximum Allowed</b>	<b>Proposed</b>
<b>LOT AREA*</b> (in square metres)		
Gross Total		
Road Widening area		
Undevelopable area		
Net Total		74,505.27 m <sup>2</sup>
<b>LOT COVERAGE</b> (in % of net lot area)		
Buildings & Structures	45%	40.7%
Paved & Hard Surfaced Areas		
Total Site Coverage		
<b>SETBACKS</b> ( in metres)		
Front (West)	7.5 m	7.5 m
Side #1 (North)	7.5 m	7.5 m and Zero for Buildings D & E
Side #2 (Southwest)	7.5 m **	7.5 m and 4.3 m for Building L
Rear (East)	7.5 m	4.3 m and Zero for Building N
<b>BUILDING HEIGHT</b> (in metres/storeys)		
Principal	12 m	12 m
Accessory	6 m	n/a
<b>NUMBER OF RESIDENTIAL UNITS</b>		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
<b>FLOOR AREA: Residential</b>		
<b>FLOOR AREA: Commercial</b>		
Retail		
Office		
Total		
<b>FLOOR AREA: Industrial</b>		
<b>FLOOR AREA: Institutional</b>		
<b>TOTAL BUILDING FLOOR AREA</b>	55,878.95 m <sup>2</sup>	48,298.43 m <sup>2</sup>

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

\*\* *Side yard setback may be reduced to 3.6 m.*



## 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)	0.75	0.65
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial	977 stalls	
Industrial	92 stalls	
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces	*** 1,069 stalls	1,077 stalls
Number of disabled stalls		
Number of small cars		
Tandem Parking Spaces: Number / % of Total Number of Units		
Size of Tandem Parking Spaces width/length		

Heritage Site	NO	Tree Survey/Assessment Provided	NO
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\*\*\* 25% shared parking