

City of Surrey
ADDITIONAL PLANNING COMMENTS

File: 7909-0069-00

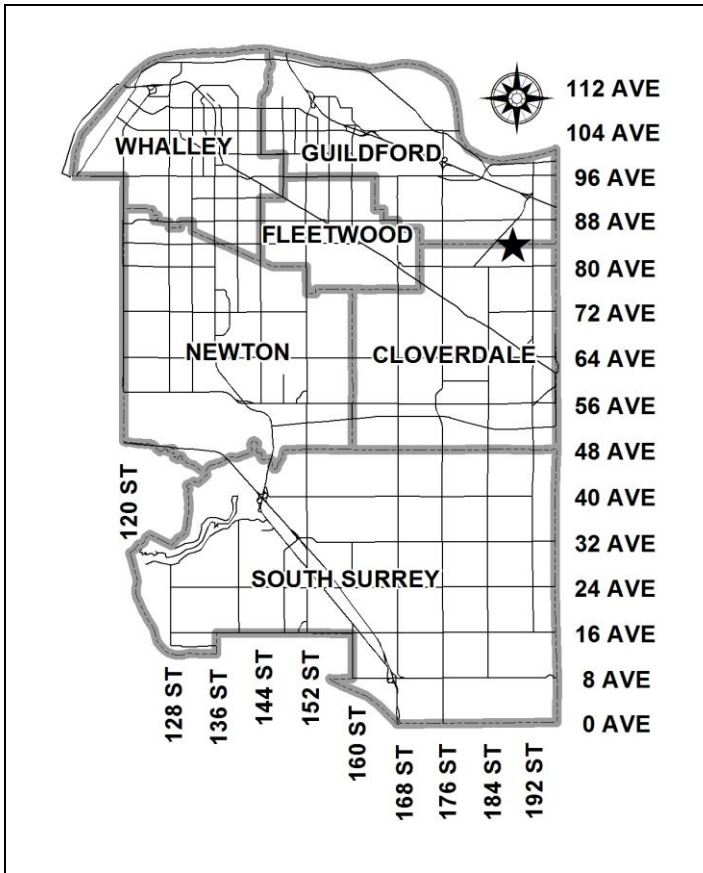
Planning Report Date: March 22, 2010

PROPOSAL:

- **OCP Text Amendment**
- **Temporary Commercial Use Permit**

in order to allow the storage of recreational vehicles, trailers and boats on a portion of the subject site for a period not to exceed two (2) years.

LOCATION: 18875 - 84 Avenue
OWNERS: Shayne Khan and Jarina Nisha
ZONING: A-1
OCP DESIGNATION: Suburban



RECOMMENDATION SUMMARY

To implement Council's previous directive:

- By-law Introduction and set a date for Public Hearing for OCP Amendment.
- Approval for Temporary Commercial Use Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The proposed commercial use is not compatible with the current or future land use in the area.

RATIONALE OF RECOMMENDATION

- The initial Planning Report for the proposed Temporary Commercial Use Permit application was forwarded to Council on December 14, 2009 and subsequently referred back to staff to prepare the appropriate by-law, limiting the proposed use to a portion of the site.
- The owner had previously garnered support for the proposal from eleven (11) local residents.
- The subject site is well-kept and the recreational vehicles are largely unnoticeable from the street due to existing trees and landscaping.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to amend the Official Community Plan by declaring the subject site a Temporary Commercial Use Permit Area and a date for Public Hearing be set.
2. Council determine the opportunities for consultation with persons, organizations and authorities that are considered to be affected by the proposed amendment to the Official Community Plan, as described in the Report, to be appropriate to meet the requirement of Section 879 of the Local Government Act.
3. Council approve Temporary Commercial Use Permit No. 7909-0069-00 (Appendix V) to proceed to Public Notification.
4. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a site plan delineating the one-acre portion of the lot and the parking spaces for the proposed recreation vehicle parking, as well as identifying well and septic locations on the subject property;
 - (c) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (d) submission of a survey plan confirming the location of the top-of-bank of Latimer Creek in relation to the proposed storage use; and
 - (e) the owner submit an application for a business license.
5. Council direct staff to bring forward this application two (2) months from the date of approval to proceed (i.e. first Council meeting after May 22, 2010) for consideration of filing, if the conditions have not been adequately fulfilled by the applicant.

REFERRALS

Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix III.

Agricultural Advisory Committee (AAC):

- This project was considered at the January 7, 2010 AAC meeting and the proposed Temporary Commercial Use Permit was supported with the following recommendations:
 - no one may reside in the R.V.s while they are stored on the subject site;
 - standard landscape buffering is required;
 - a maximum of 50 recreational vehicles are permitted; and
 - a business license should be obtained.

SITE CHARACTERISTICS

Existing Land Use: Five-acre suburban lot with existing single family dwelling and shed structures, and unauthorized, outdoor recreational vehicle storage on a portion.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	3-acre heavily treed property with an existing single family dwelling.	Suburban	A-1
East:	Vacant 5-acre suburban lot.	Suburban	A-1
South (Across 84 Avenue):	8-acre agricultural property with existing dwelling and greenhouse.	Agricultural in the ALR	A-1
West:	Acreage lot with existing single family dwelling and 4-acre lot with existing dwelling and structures.	Suburban	A-1

DEVELOPMENT CONSIDERATIONS

Background

- At the December 14, 2009 Regular Council – Land Use meeting, Council considered a Planning Report for a Temporary Commercial Use Permit (TUP) to allow for the storage of recreational vehicles (i.e. fifth wheels, straight hit trailers, motor homes and boats) on the subject site. Staff recommended that the application be denied (see Appendix VIII).
- Following a presentation from the applicant and his representative, Council:
 - Requested that staff review the unsightliness of the property to the west of the subject site [at 8444 – 188 Street];
 - Requested further information related to other properties in the City for the parking and storage of recreational vehicles; and

- *Referred the application to staff to work with the applicant with further consideration of a restricted approach regarding the parking issue based on a defined area, and that the application be brought back for Council's consideration. (Resolution RES. R09-2266).*

Current Proposal

- The applicant proposes to store up to 40 recreation vehicles (R.V.s) on a 0.40-hectare (1.0 acre) portion of the subject property at the northeast corner (Appendix II).
- The applicant has stated that the site is not a recreational vehicle (R.V.) park, campground or R.V. sales lot. The vehicles are fully licensed and insured by their respective owners and are unoccupied.
- Staff have requested the applicant to provide additional information as part of the application process (i.e., landscape plans, survey plan, locating the riparian area), however, the applicant has yet to provide these items. Additionally, the applicant has not installed the Development Proposal Sign, contrary to staff's request on several occasions.

Condition of Adjacent Property to the West

- Council mentioned the unsightliness of the adjacent property to the west (8444 – 188 Street). By-law Enforcement staff advise that the barn structures on the abutting site have either endured fire damage or have been completely destroyed.
- Both By-law Enforcement staff and Surrey R.C.M.P. members have visited the 188 Street site due to this unsightliness issue and other unauthorized uses on the property. By-law Enforcement staff confirm that the owners were issued a notice indicating the requirement to remediate the barn to City standards or to demolish it and clean the site. The owner fulfilled the requirement within 30 days of the issuance of the notice.

Other Licensed R.V. Parking/Storage Sites in the City

- Storage of recreational vehicles, both outdoor and indoor, is permitted in the IL Zone.
- There are a number of properties and businesses that currently offer recreational vehicle storage in Surrey (Appendix IX):
 - U-Haul Self Storage provides outdoor only R.V. storage at two (2) Surrey locations:
 - 13554 – 84 Avenue under CD (By-law No. 14196); and
 - 19316 – 56 Avenue under IL zoning.
 - Other licensed facilities that permit both indoor and outdoor storage of recreational vehicles are:
 - Newton Self Storage (7268 – 132 Street) under IL zoning;
 - Storage for Your Life (13498 – 73 Avenue) under IL zoning; and
 - Bridgeview Self Storage (11125 – 124 Street) under CD (By-law Nos. 12144 and 14166).

- Temporary Use Permit No. 7908-0008-00 to allow the outdoor storage of recreational vehicles on two (2) properties in South Surrey was approved by Council on March 9, 2009 for a period of two years. The sites (2743 and 2715 – 156 Street) will accommodate approximately 75 recreational vehicles.
- There are a number of R.V. Parks in Surrey that, in addition to operating as a campground, also permit the storage of recreational vehicles on a transient basis. These include Peace Arch R.V. Park, Dogwood Campground and R.V. Park and Tynehead R.V. Park.

PRE-NOTIFICATION

- The applicant has yet to install the requested Development Proposal Sign. However, staff sent out Pre-notification letters on May 12, 2009.
- As indicated in the initial Planning Report, considered on December 14, 2009, staff had received sixteen (16) letters or telephone calls from property owners in the area who expressed opposition to the proposal.
- Prior to the Pre-notification process, the owner had canvassed the neighbourhood and had submitted eleven (11) letters of support from the neighbouring property owners.
- Subsequent to the December 14, 2009 Regular Council – Land Use meeting, staff have received six (6) letters from neighbours opposed to the proposal. Five (5) of the letters were from neighbours that had previously stated their opposition, while the remaining letter of concern was sent from an area resident that was previously in support of the proposal. These are their main concerns:
 - approval of the application will set an undesirable precedent;
 - inappropriate land use for a suburban residential area;
 - the storage of the recreation vehicles is an aesthetic eyesore;
 - the City should enforce the Zoning By-law regulations, as the owner is already operating an unauthorized use; and
 - the proposal contradicts the vision of their community and would facilitate a deterioration of the rich heritage and rural atmosphere of the Port Kells area.

PUBLIC CONSULTATION PROCESS FOR OCP AMENDMENT

Pursuant to Section 879 of the Local Government Act, it was determined that it was not necessary to consult with any persons, organizations or authorities with respect to the proposed OCP amendment, other than those contacted as part of the pre-notification process.

CONCLUSION

- The subject application was triggered as a result of by-law enforcement action.
- Staff have been requesting the applicant to submit the necessary documentation and to install the Development Proposal Sign, with no success to date. Meanwhile, however, the unauthorized storage of recreational vehicles continues on the subject site.

- In an effort to advance this application in accordance with Council's directive, staff are recommending that a deadline of two (2) months be instituted, similar to truck parking TUP applications. During this time, the applicant should submit the following:
 - a landscaping plan and landscaping cost estimate;
 - a survey plan delineating the one-acre portion of the property and the parking spaces for the proposed recreation vehicle parking, as well as identifying well and septic locations;
 - a survey plan confirming the location of the top-of-bank of Latimer Cree in relation to the proposed storage use;
 - an application for a business license; and
 - a photo showing the development proposal sign has been installed on the subject property.
- Should the applicant not adequately fulfill the conditions of approval, staff will request Council file this application and By-law Enforcement will be requested to take action to address the unauthorized parking on the subject site.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Site Plan
Appendix III.	Engineering Summary
Appendix IV.	Agricultural Advisory Committee Minutes
Appendix V.	Temporary Commercial Use Permit No. 7909-0069-00
Appendix VI.	Proposed OCP Amendment By-law
Appendix VII.	Licensed R.V. Storage Sites in Surrey
Appendix VIII.	Initial Planning Report dated December 14, 2009

Jean Lamontagne
General Manager
Planning and Development

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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: Shayne Khan and Jarina Nisha
 Address: 18875 – 84 Avenue
 Surrey, BC
 V4N 3G5
 Tel: 604-882-3050

2. Properties involved in the Application
 - (a) Civic Address: 18875 – 84 Avenue

 - (b) Civic Address: 18875 – 84 Avenue
 Owners: Shayne Khan and Jarina Nisha
 PID: 006-884-944
 Lot 2 North East Quarter Section 28 Township 8 New Westminster District Plan
 1090

3. Summary of Actions for City Clerk's Office
 - (a) Introduce a By-law to amend the Official Community Plan and declare the property a
 Temporary Commercial Use Permit and set a date for Public Hearing.

 - (b) Proceed with Public Notification for Temporary Commercial Use Permit No. 7909-0069-
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