

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7910-0116-00

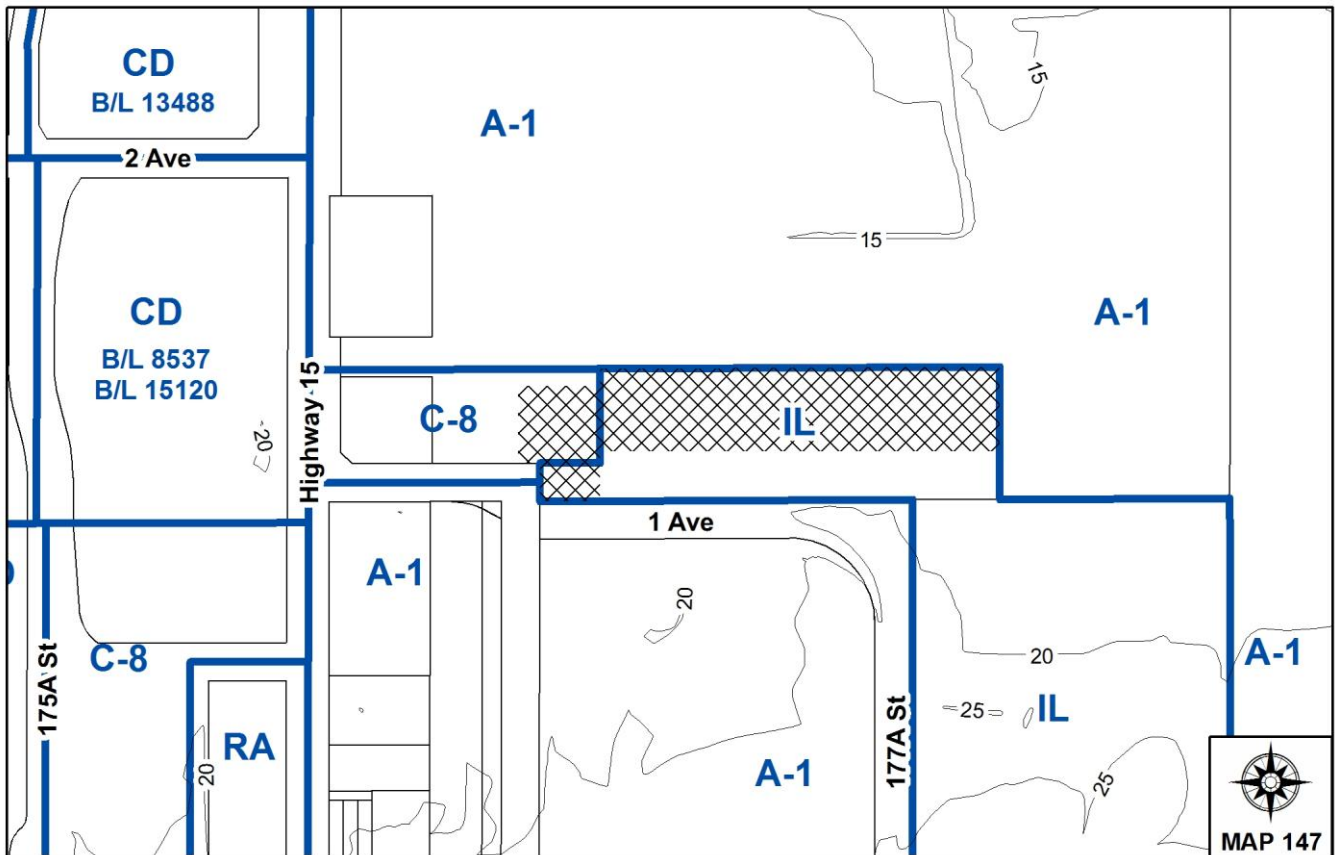
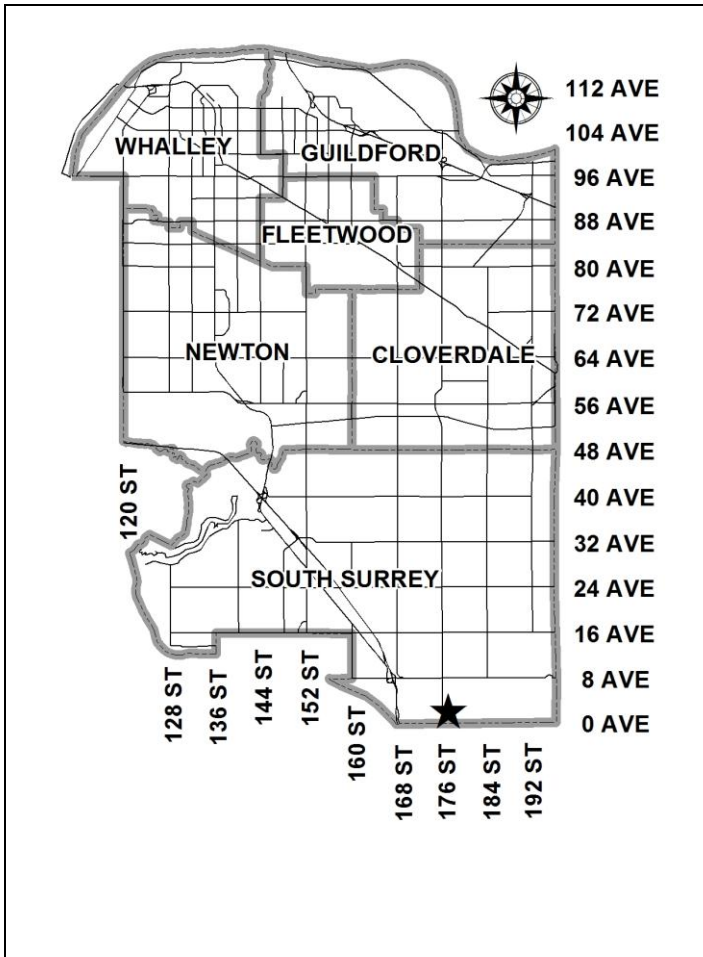
Planning Report Date: June 21, 2010

PROPOSAL:

- **Temporary Use Permit**

in order to permit the continued use of 2 outdoor patios for the Derby Bar & Grill.

LOCATION: 17637 and 17735 - 1 Avenue
OWNER: P.C.B. Properties Ltd., Inc. No. 78028
ZONING: C-8 and IL
OCP DESIGNATION: Industrial
LAP DESIGNATION: Industrial



RECOMMENDATION SUMMARY

- Approval for Temporary Use Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The two patio additions for the Derby Bar & Grill encroach onto the adjacent property at 17735 - 1 Avenue which is not zoned to permit a neighbourhood pub use. The owner is seeking a Temporary Commercial Use Permit (TUP) to allow the patios to continue operating on a temporary basis while he pursues permanent approval for the patios through a rezoning process (7910-0088-00).

RATIONALE OF RECOMMENDATION

- The original Temporary Use Permit to allow the pub patios was approved by Council in 2009 for a 12-month period. The proposed Temporary Use Permit (TUP) is only a temporary arrangement which will allow the patios to operate for an additional 12 months. If in 12 months time, the owner is unable to obtain the necessary rezoning approvals to permanently allow the patios to operate, the patios will need to be closed and removed.
- The patio locations are appropriate from an operational perspective as they will be conveniently accessed from the inside of the pub. Alternative locations on the north or west side of the building would be detached from the pub and separated by the office tenant space, and therefore are not desirable. Since the 2 adjacent properties already essentially operate as a single entity, and share a parking lot, the proposed patios will not result a change from how the two sites currently function.
- Both patios are framed by a decorative pressure treated wood fence with trellis. Additionally, with the site already landscaped, the owner has installed higher quality cultured stone cladding on the building.
- The Derby Bar & Grill is located between commercial and industrial buildings and is farther than 200 metres (650 ft.) from the closest residential neighbourhood. As such it is not anticipated that the continued operation of the proposed patio additions will generate a negative impact on the community.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Temporary Use Permit No. 7910-0116-00 (Appendix II) to proceed to Public Notification.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Neighbourhood pub (Derby Bar & Grill) and Industrial building.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North and East:	Agricultural land.	Agricultural	A-1
South (Across 1 Avenue):	Border facilities.	Commercial	A-1
West:	Office building.	Industrial	C-8

DEVELOPMENT CONSIDERATIONSBackground

- The subject application involves 2 adjacent properties located on the east side of 176 Street (Highway 15) just north of 1 Avenue. The westernmost property (17637 - 1 Avenue) is in a panhandle configuration with frontage on both 176 Street (Highway 15) and 1 Avenue. This property is designated "Industrial" in the Official Community Plan (OCP), is zoned Community Commercial Zone (C-8), and is occupied by an office building with attached neighbourhood pub and teletheatre (The Derby Bar & Grill). Council granted final approvals for The Derby Bar & Grill on May 29, 2006 (File No. 7905-0348-00) and the establishment is open for business. The easternmost property is also in a panhandle configuration with frontage on 1 Avenue. This property is designated "Industrial" in the Official Community Plan (OCP), is zoned Light Impact Industrial Zone (IL), and is occupied by an industrial building.
- The two properties (17637 and 17735 - 1 Avenue) essentially operate as a single entity with respect to building location, and shared access and parking. A reciprocal access and shared parking agreement allows the Derby Bar & Grill to share access to 1 Avenue with the industrial building site and also to use 28 of that site's surplus parking stalls. The parking stall configuration, and location of landscape islands, physically delineates the parking area on the industrial building site that is for use by the Derby Bar & Grill staff and patrons. Both properties are under the same ownership.

- To the north and east of the subject properties is agricultural land, zoned A-1, designated "Agricultural" in the OCP, and within the Agricultural Land Reserve (ALR). To the south are border facilities, zoned A-1 & IL, and designated "Commercial" and "Industrial" in the OCP.
- A Temporary Use Permit was approved in 2009 to allow two outdoor patios, one on the east side of the establishment and one on the south side. The TUP is for a 12-month period and expires on July 20, 2010.

Proposed Temporary Use Permit

- The Derby Bar & Grill building at 17637 - 1 Avenue is sited 0 metres (0 ft.) from the eastern property line and 2.0 metres (6.5 ft.) from the southern property line, and as such the two proposed outdoor patios will encroach onto the property at 17735 - 1 Avenue. The property at 17735 - 1 Avenue is zoned Light Impact Industrial (IL) which does not permit a neighbourhood pub and as such the proposed patios are not permitted under the Zoning By-law. A rezoning application to permit the neighbourhood pub is being pursued, but the rezoning process will not be concluded before the existing TUP expires. As such, the owner is seeking a Temporary Use Permit (TUP) extension to allow the patios to operate while he pursues the rezoning process.
- There has been no complaints received since the opening of the Derby Bar & Grill in 2006, nor from the current use of the two patios in question.
- The proposed Temporary Use Permit (TUP) is only a temporary arrangement which will allow the patios to operate for a maximum of 12 additional months. If in 12 months time, the owner is unable to obtain the necessary rezoning approvals to permanently allow the patios to operate, the patios will need to be closed and removed.

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. Temporary Commercial Use Permit No. 7910-0116-00

INFORMATION AVAILABLE ON FILE

- Complete Set of Architectural Plans prepared by G3 Architecture Inc., respectively, dated July 6, 2009.

Jean Lamontagne
General Manager
Planning and Development

GM/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: Gus Da Roza, G3 Architecture Inc.
 Address: 17948 - 8 Avenue
 Surrey, BC
 V3S 9R9
 Tel: 604-916-8582

2. Properties involved in the Application
 - (a) Civic Addresses: 17637 and 17735 - 1 Avenue

 - (b) Civic Address: 17637 - 1 Avenue
 Owner: P.C.B. Properties Ltd., Incorporation No. 78028
 PID: 005-415-233
 Lot 1 Section 33 Block 1 North Range 1 East New Westminster District Plan 73076

 - (c) Civic Address: 17735 - 1 Avenue
 Owner: P.C.B. Properties Ltd., Incorporation No. 78028
 PID: 005-415-241
 Lot 2 Section 33 Block 1 North Range 1 East New Westminster District Plan 73076

3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Temporary Use Permit No. 7910-0116-00.

DEVELOPMENT DATA SHEET

Existing Zoning: C-8 and IL

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		20,006 m ²
Road Widening area		
Undevelopable area		
Net Total		
LOT COVERAGE (in % of net lot area)		
Buildings & Structures		
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front		
Rear		
Side #1 (N,S,E, or W)		
Side #2 (N,S,E, or W)		
Side #3 (N, S, E or W)		
BUILDING HEIGHT (in metres/storeys)		
Principal		
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential		
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA		

** 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)		
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces		162
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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