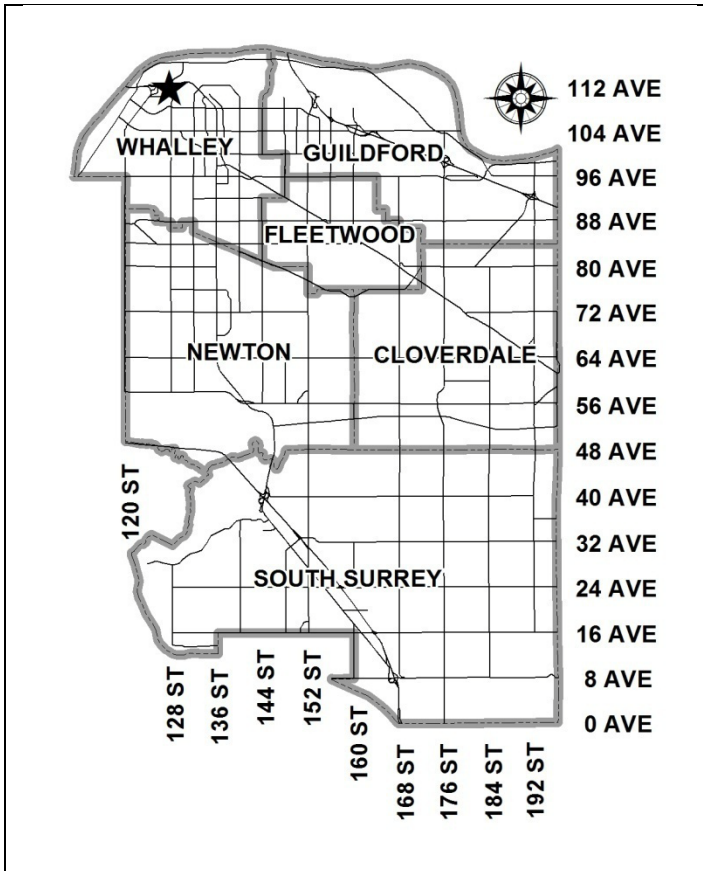


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7911-0042-00

Planning Report Date: June 27, 2011

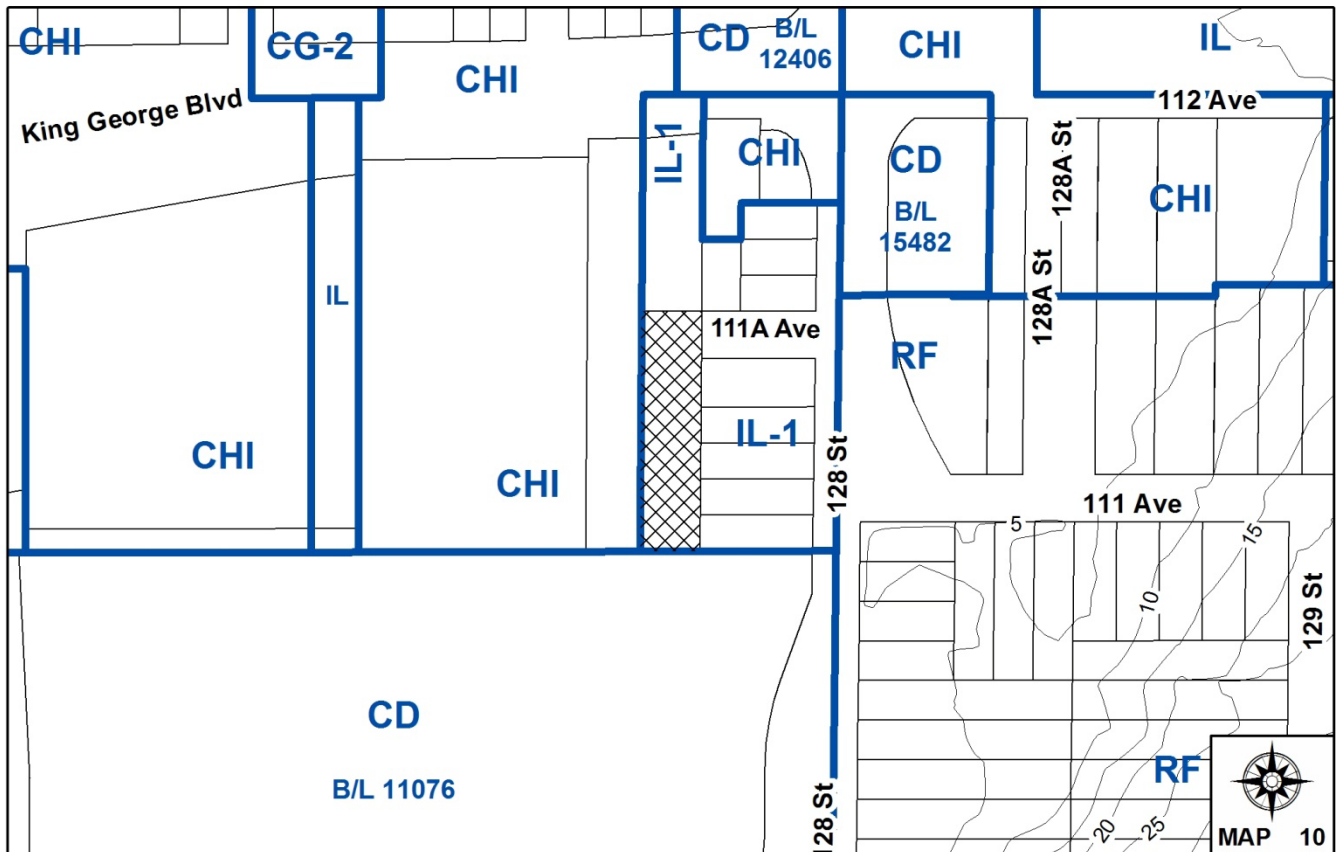


PROPOSAL:

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

in order to permit a pallet manufacturing business, currently in operation on the site in South Westminster, for a maximum two-year period.

LOCATION: 12764 - 111A Avenue
OWNERS: Mahendra P Dular and Satendra P Dular
ZONING: IL-1
OCP DESIGNATION: Industrial
NCP DESIGNATION: Highway Commercial



RECOMMENDATION SUMMARY

- Refer back to staff to work with the applicant in determining cost implications for proceeding with subject site.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Contrary to the permitted uses in the existing IL-1 Zone.
- Outdoor storage of pallets is contrary to the Highway Commercial designation of the subject property in the South Westminster Neighbourhood Concept Plan (NCP).

RATIONALE OF RECOMMENDATION

- The existing 111A Avenue is currently unopened although it is the only means to access the site. As a condition of any use on the site, the Engineering Department requires the road allowance be properly constructed. The costs associated with opening the road and extending the services to the site may be prohibitive for a temporary use, although staff are unaware that such an analysis has been undertaken by the applicant.
- The pallet manufacturing use benefits other businesses and should be accommodated in the City.
- An adjoining property owner has advised that the existing, unauthorized pallet manufacturing use generates substantial noise and sawdust all day and all night. In addition, the adjacent owner advises that the trucks accessing the site are stopping on 128 Street and backing down the 111A Avenue unopened road allowance. The adjacent owner also advises that his property has been impacted by increased flooding since this operation was established. Adequate on-site truck maneuvering should be provided. The costs of opening the road and addressing the servicing issues, including storm sewer, should be examined.
- The north-west corner of the site is encumbered by the SkyTrain guideway. The pallet manufacturing business is unsightly and is visible to SkyTrain users. The unsightliness of the site is contrary to Council's direction to improve the landscape into Surrey and the proposed use is, therefore, not recommended for an indefinite period of time.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council direct the applicant to address the following issues, to determine the viability of proceeding:
 - (a) the cost implications associated of the extension of the services and the opening of 111A Avenue to service and access the site;
 - (b) the requirements to bring the erected tent structure into compliance with the BC Building Code;
 - (c) the requirements to legitimize the placement of a trailer on the property; and
 - (d) the requirements to facilitate on-site maneuvering of vehicles used for the transporting of materials and manufactured pallets, to and from the site.
2. Council direct staff to prepare a subsequent report to facilitate the temporary use, with issues to be resolved, once the applicant has determined that the project is viable.
3. Council direct staff to bring forward this application within 3 months (i.e., first Council meeting after September 27, 2011) for consideration of filing, if the applicant has not brought forward sufficient information to determine the viability of the proposal.

REFERRALS

- Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements and road dedication as outlined in Appendix II.
- Building: The fabric tent and trailer have been installed without permits. The fabric tent is classified in the BC Building Code as a temporary shelter and is required to satisfy the Code requirements if it is to be used for manufacturing pallets. Additional permits from Licensing (for the trailer) and Building Division (for the tent structure) are required if Council approves this application to proceed.
- Fire: The Fire Department has inspected the site to ensure that the pallets are not piled higher than 3 metres (10 ft.) as regulated in the Fire Code. The unopened road is not a concern. The Fire Department requests a fire hydrant be installed at the corner of 111A Avenue and 128 Street.

SITE CHARACTERISTICS

Existing Land Use: Unauthorized pallet manufacturing business.

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North:	Vacant, under development application 7907-0215-00 (pre-Council)	Highway Commercial	CHI and IL-1
East:	Mixed conforming and non-conforming industrial businesses and residential	Highway Commercial	IL-1
South:	Home Depot	Highway Commercial	CD By-law No. 11076
West:	Car detailer/repair business	Business Residential Park and Highway Commercial	CHI and IL

DEVELOPMENT CONSIDERATIONSBackground

- The subject property, located at 12764 – 111A Avenue in South Westminster, is 2,578 square metres (0.6 acre) in size and designated Industrial in the Official Community Plan (OCP) and Highway Commercial in the South Westminster Neighbourhood Concept Plan (NCP). Under Council-initiative in 2005, the subject site and many other lands in South Westminster, including the surrounding lands to the north and east, were rezoned from Light Impact Industrial Zone (IL) to its current zoning of Light Impact Industrial 1 Zone (IL-1).
- The Council-initiated rezoning (described in Corporate Report No. R034 from February 21, 2005) implemented the intent of the South Westminster NCP and for lands rezoned to the IL-1 Zone, prohibited new developments involving truck parking, outdoor storage and stacking of containers as principal uses.
- The IL-1 Zone is intended to accommodate the needs of port-related businesses and specifically limits outdoor storage to a maximum area of 1.5 times the footprint of the principal building up to a maximum of 40% of the lot area.
- A previous application on the subject site (file no. 7902-0329-00) to utilize the subject property for a Temporary Use Permit for truck parking, was denied by Council on January 6, 2003. During the discussion of this previous application, Council raised concern that such a use would create an unsightly view of Surrey from the SkyTrain guideway.
- The current owners purchased the vacant property in March 2008, and have since installed a 557-square metre (6,000 sq. ft.) tent structure and a trailer without any permits and commenced a pallet manufacturing business without a business license.

- In February 2011, a Stop Work Order was posted on the property as the tent structure was constructed without a building permit.
- 111A Avenue is the legal road frontage for the subject property; however, the road has not been opened in accordance with the Engineering Department Unopened Road Policy to allow it to be used for access to the site (Policy No. H-16). The policy requires that a road be constructed to a minimum 6-metre (20 ft.) wide half-road standard to allow for 2-way vehicular traffic.
- There is an application (file no. 7907-0215-00) for the properties to the north, at the south-east corner of 128 Street and King George Boulevard to permit a highway commercial development. The applicant is finalizing the site plan and a report will be forwarded for Council's consideration in the near future. To access the project, 111A Avenue is proposed to be opened, which will require the placement of pre-load for a period of time before paving can occur. Alternate access to the subject site will need to be addressed if the whole of 111A Avenue is impacted by pre-loading.

Current Proposal

- As a result of By-law Enforcement action, the owner applied for a Temporary Industrial Use Permit to allow for the retention of the tent structure and to allow his pallet manufacturing business to operate on the site for a two-year period.
- Site access is proposed to continue from 111A Avenue, which is currently an unopened road right-of-way. Engineering has required the extension of 111A Avenue along the northern extent of the site and its construction to 128 Street to a half-road standard.
- The owners of the subject site have installed a 557-square metre (6,000 sq. ft.) tent structure in the southern half of the site, where the employees construct pallets. Finished pallets are stacked around the outside of the structure until they can be sold and transported off the site. The owners advise that the business employs 5 people.
- To retain the tent structure as part of the proposed Temporary Use Permit, the tent structure will need to satisfy the BC Building Code requirements for adequate fire separation between the building and the property lines. The storage of combustible materials between the tent and the property lines further complicates the requirements of the Code.
- There is currently no fire protection to this site. There is an existing watermain on 128 Street, and the closest fire hydrant is approximately 160 metres (525 ft.) away from the tent structure.
- The owners have provided a portable toilet on site for the employees. For Temporary Use Permits for truck parking, Council has exempted the requirement for connecting to the sanitary sewer and has allowed on-site temporary washroom facilities. Based on employees being at the site for extended periods of time, permanent washroom facilities and water should be provided. The Engineering Department has requested the extension of the low pressure sanitary sewer and water to the site.

PRE-NOTIFICATION

- In accordance with Council policy, a Development Proposal sign has been erected on the site and pre-notification letters were sent on March 8, 2011. Planning staff received two letters and one telephone call concerning the proposal as follows:
 - There has been on-going flooding problems of the property located at 11137 – 128 Street since this business started;
 - The noise from the saws carries on at all hours of the day and night;
 - The trucks picking up the pallets often block 128 Street at 111A Avenue in order to back into the site; and
 - The current operation poses a fire threat.

PROJECT EVALUATION

The applicant has identified the following advantages and community benefits of allowing this application to proceed. Where applicable, Planning staff comments are noted in italics:

- The proposed TUP for a pallet manufacturer would allow for an interim use on the land until it is economically viable for the property owners to develop the property.
- The site is currently zoned for industrial use (IL-1).

(The IL-1 Zone limits the amount of outdoor storage to 1.5 times the area of the principal building to a maximum of 40% of the lot area. This 2,428-square metre (0.6 acre) lot is permitted 836 sq.m. or 32% of the lot for outdoor storage based on 1.5 times the area of the 6,000 sq. ft. tent. It is estimated that the current pallet manufacturing business is using 25% of the site for outdoor storage. The IL-1 Zone further limits the location of outdoor storage to the rear of the building. The existing storage is located along both side property lines, the front property line, and at the rear of the building.)

Part 4 General Provisions of Surrey Zoning By-law states that no use is permitted on any commercial or industrial zoned lot unless there is a building on the site that exceeds 100 square metres (1,076 sq. ft.) and contains washroom facilities. In South Westminster, this would trigger a Development Permit application and the requirement to service the site in accordance with the Subdivision and Development By-law.)

- This is an undesirable site due to the SkyTrain location overhead, but it seems to be a successful location for this type of manufacturing company.

(The IL-1 Zone permits pallet manufacturing provided that the use is contained within a building, and the outside storage is limited to the rear yard of the site and an area of 1.5 times the size of the building to a maximum 40% of the lot.)

- There is a truck route nearby (King George Boulevard).

- The owner will ensure adequate servicing will be provided to the site.

(This may also include the preloading of the road allowance to allow for future construction.)

- The owner will develop the property to the ultimate land use (i.e. highway commercial) when the area is ready.

(Development has occurred to the immediate south (Home Depot) and to the east of 128 Street (gas station and convenience store) and there is a pre-Council application for development on the site located to the north. This subject site could develop at this time under the current zoning with the extension of the services and the construction of 111A Avenue).

- The owner is currently working with the Fire Department to ensure that the pallet stacks remain at the maximum height allowed.

(According to the Fire Department, the maximum height of the pallets has been reduced to 3.0 metres (10 ft.) which is acceptable from a Fire Code perspective.)

The disadvantages and problems like to result from the approval of this application are:

- Planning staff investigated further the views of the site from SkyTrain. The proposed pallet manufacturing business with outdoor storage is visible to the SkyTrain users and perpetuates the unsightly landscape.
- The use is contrary to Council's direction in the rezoning of the South Westminster area in 2005 to reduce the amount of outdoor storage associated with industrial operations.
- The interim use of the unopened road may detrimentally impact the future development of the property located at the south-west corner of 128 and King George Boulevard. The road is required to be preloaded or piled in order to be constructed and provide access to the adjoining commercial development.
- The proposed TUP for pallet manufacturing does not provide for large employment opportunities, nor is it a catalyst for new business growth in the vicinity, due to the negative visual and noise impact of such a use.

CONCLUSION

- In considering the pros and cons of this proposal, the Planning and Development Department believes there is some merit supporting the proposed business but questions whether the interim proposed pallet manufacturing use can justify the cost of adequately servicing the site. An estimated cost of servicing the site has not been determined.
- It may be financially uneconomical for the applicant to extend the watermain to provide adequate fire protection, to extend the lower pressure sanitary sewer system, to dedicate 111A Avenue along the north property line and to construct 111A Avenue to 128 Street to a half-road standard to provide adequate vehicular access to the site.

- Should Council believe there is merit in supporting this application on the subject site, Council should:
 1. Direct the applicant to address the following issues, to determine the viability of proceeding:
 - (a) The cost implications associated of the extension of the services and the opening of 111A Avenue to service and access the site;
 - (b) The requirements to bring the erected tent structure into compliance with the BC Building Code;
 - (c) The requirements to legitimize the placement of a trailer on the property; and
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 2. Council direct staff to prepare a subsequent report to facilitate the temporary use, with issues to be resolved, once the applicant has determined that the project is viable.
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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
Appendix III.	Engineering Summary

original signed by Judith Robertson

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: Lori Joyce, H.Y. Engineering Ltd.
 Address: Suite 200 - 9128 - 152 Street
 Surrey BC
 V3R 4E7
 Tel: 604-583-1616 - Work
 604-583-1616 - Fax

2. Properties involved in the Application
 - (a) Civic Address: 12764 - 111A Avenue

 - (b) Civic Address: 12764 - 111A Avenue
 Owners: Satendra P Dular
 Mahendra P Dular
 PID: 011-154-705
 Lot 2 Except: Firstly: Parcel A (Statutory Right-of-Way Plan 85872, Secondly: Part on
 Statutory Right-of-Way Plan 84079, Section 17, Block 5 North Range 2 West, New
 Westminster District Plan 5546

3. Summary of Actions for City Clerk's Office

DEVELOPMENT DATA SHEET

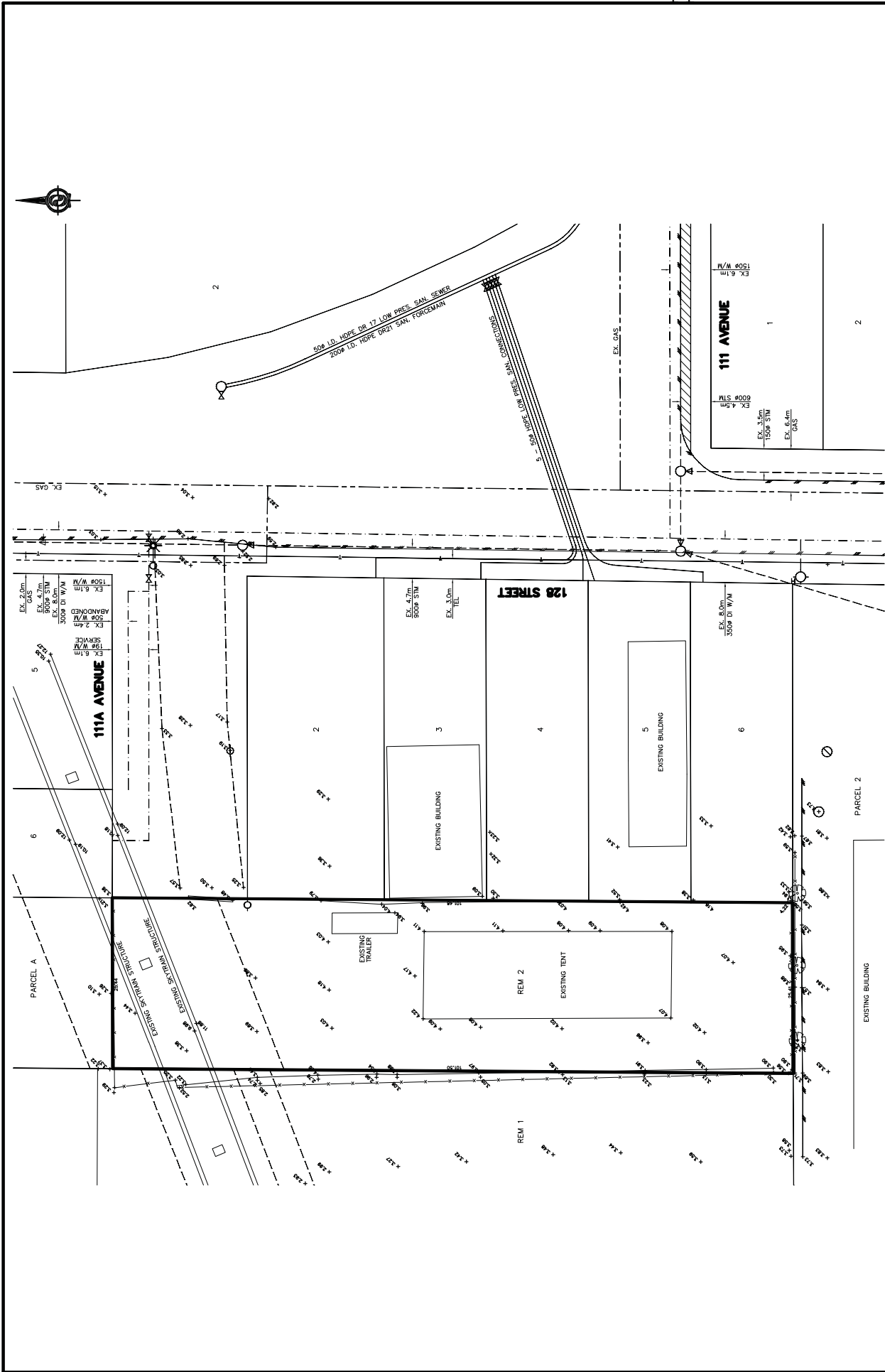
Existing Zoning: IL-1

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA (in square metres)		
Gross Total		
Road Widening area		
Undevelopable area		
Net Total		2,578 sq. m.
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	60%	22%
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front (East)	7.5 m	2.0 m to 4.5 m
Rear (West)	7.5 m	4.0 m
Side #1 (North)	7.5 m	33.0 m
Side #2 (East)	7.5 m	18.0 m
BUILDING HEIGHT (in metres/storeys)		
Principal		
Accessory		
NUMBER OF RESIDENTIAL UNITS	1	n/a
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential		
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial	2,578 sq. m	587 sq. m.
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA	2,578 sq. m.	587 sq. 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)	1.0	0.22
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial		
Industrial	6	6
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces	6	6
Number of disabled stalls		
Number of small cars		

Heritage Site	NO	Tree Survey/Assessment Provided	NO
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<p>SATDURA 1025 1/2 629 STREET SURREY, BC V4A 2G8 TEL: 604-585-5028 FAX: 604-585-7079 PH: 604-585-5028</p>		<p>KEY PLAN</p>	
<p>DEVELOPER: SATDURA</p>		<p>TITLE: PROPOSED WORKS LOCATED AT 12764 111A AVENUE, SURREY, B.C.</p>	
<p>LEGAL DESCRIPTION: LOT 2 (EXCEPT FIRSTLY: PARCEL A LOCATED AT THE INT. OF 111 AVENUE PLAN 84079, SEC 17 BK 5 N R ELEVATION = 30.328m (1988) 2 W WIND PLAN 5546</p>		<p>SCALE: 1:250</p>	
<p>BENCHMARK: ALL ELEVATIONS ARE DERIVED FROM THE BENCHMARK LOCATED AT THE INT. OF 111 AVENUE ELEVATION = 30.328m (1988)</p>		<p>DESIGNED: JEV</p>	
<p>GAS ADDRESS: 12764 111A AVENUE SURREY, B.C.</p>		<p>DRAWN: JEV</p>	
<p>BY APPROVE:</p>		<p>CHECKED: PH</p>	
<p>DATE:</p>		<p>DATE: MARCH 2011</p>	
<p>REVISIONS:</p>		<p>APPROVED: HY</p>	
<p>FILE NO.: 113308</p>		<p>MUNICIPAL PROJECT NO.:</p>	
<p>MUNICIPAL DRAWING NO.:</p>		<p>MUNICIPAL DRAWING NO.:</p>	
<p>REVISIONS:</p>		<p>REV. DWG. NO.: 113308-01</p>	



INTER-OFFICE MEMO

TO: **Manager, Area Planning & Development
- North Surrey Division
Planning and Development Department**

FROM: **Acting Development Services Manager, Engineering Department**

DATE: **June 6, 2011** PROJECT FILE: **7811-0042-00**

RE: **Engineering Requirements (Commercial/Industrial)
Location: 12764 111A Ave**

OCP AMENDMENT

There are no engineering requirements relative to the OCP Amendment.

TEMPORARY INDUSTRIAL USE PERMIT***Property and Right-of-Way Requirements***

- dedicate 34.7 metres tapering to 24.9 metres for a 20.0-metre 111A Avenue through local road standard.

Works and Services

- construct 111A Avenue from 128 Street to the eastern property line to a half road standard, preloading will be required;
- construct 111A Avenue within the site to a 20.0-metre through road standard, preloading will be required; and
- construct water, sanitary and storm facilities along 111A Avenue.

A Servicing Agreement is required prior to Temporary Industrial Use Permit.

Rémi Dubé, P.Eng.
Acting Development Services Manager

SSA