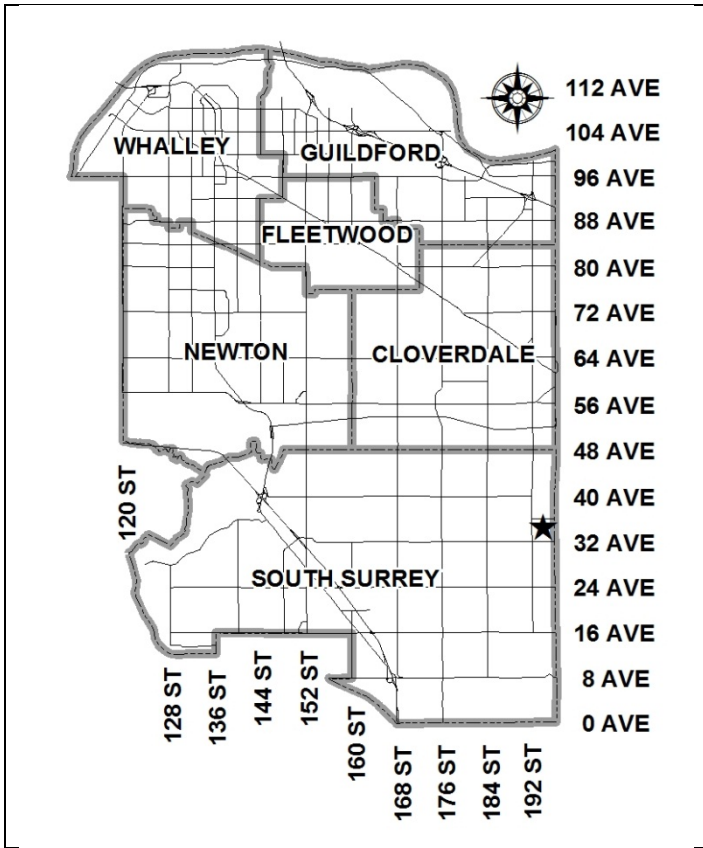


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7913-0293-00

Planning Report Date: February 24 2014



PROPOSAL:

- **Temporary Use Permit**

in order to permit outdoor storage of recreational vehicles.

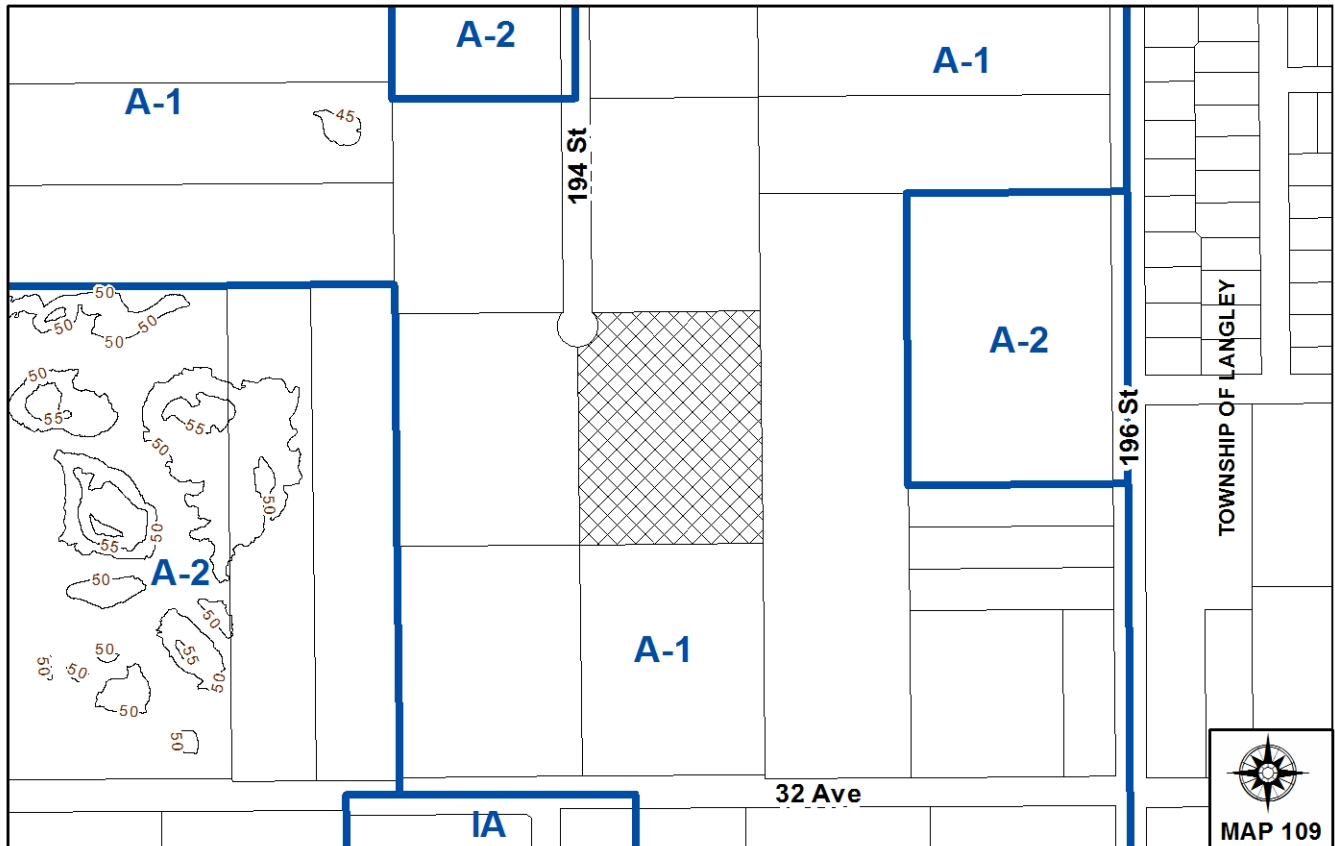
LOCATION: 3338 - 194 Street

OWNER: o821949 BC Ltd

ZONING: A-1

OCP DESIGNATION: Industrial

LAP DESIGNATION: Business Park



RECOMMENDATION SUMMARY

- The Planning & Development Department recommends that this application be denied and that bylaw enforcement officers be permitted to resume enforcement against the illegal activities on the subject site immediately.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Does not comply with the Campbell Heights Local Area Plan Designation.

RATIONALE OF RECOMMENDATION

- The applicants have not indicated how the existing uses on the subject property are temporary in nature and intend to continue in the operation indefinitely.
- No business license has been issued for the operation on the subject site.
- The operator of the illegal non-conforming business on the subject site is also operating illegal non-conforming businesses at another site in Campbell Heights (Application No. 7913-0135-00).
- The proposal does not contribute to the development of Campbell Heights in a manner consistent with the Local Area Plan.
- Outdoor storage of vehicles is not consistent with the design guidelines (for landscaping and siting of buildings) contained in the Campbell Heights LAP.
- Approval will set precedent for numerous other Temporary Use proposals in the Campbell Heights area that are inconsistent with the adopted Local Area Plan and pattern of development, which only serves to stall re-development of the area.
- The operator of the businesses currently has an unfair competitive advantage against other businesses who are in compliance with City bylaws in the City of Surrey.
- Denial of the temporary use permit and closure of this application will allow bylaw enforcement officials to resume enforcement against the illegal activities on the site.

RECOMMENDATION

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

If, however, Council finds merit in the proposal, it should be referred back to staff to undertake the necessary referrals and to draft the Temporary Use Permit.

SITE CHARACTERISTICS

Existing Land Use: Single Family Residence & outbuildings. The site contains approximately 100 or more recreational vehicles, trailers and passenger vehicles parked within the open space.

Adjacent Area:

Direction	Existing Use	OCP/LAP Designation	Existing Zone
North:	Single Family Residential	Industrial/Business Park	A-1
East:	Single Family Residential	Industrial/Business Park	A-1
South:	Single Family Residential	Industrial/Business Park	A-1
West:	Single Family Residential	Industrial/Business Park	A-1

DEVELOPMENT CONSIDERATIONSBackground:

- Recent By-law enforcement within the Campbell Heights area against numerous properties containing existing illegal non-conforming activities and unauthorized businesses (without licenses) has resulted in this Temporary Use Permit (TUP) application.
- This report is for Council's consideration concurrently with Planning Report to Council 7913-0135-00, also a Temporary Use Permit Application in the Campbell Heights area, presented at the February 24, 2014 Council meeting. The illegal non-conforming businesses at both of these properties are operated by the same individual.

Site Description & Proposal:

- The subject site is a 1.98 hectare (5 acre) parcel at the end of a cul-de-sac on 194th Street, approximately 500 metres south of 36nd Avenue. It is zoned A-1 and designated "Industrial" in the Official Community Plan (OCP) and "Business Park" in the Campbell Heights Local Area Plan (LAP).
- The site contains one single family residence and 3 accessory structures. There are an estimated 100 or more recreational vehicles, boats (on trailers), and several passenger vehicles

being stored in a large and grassy open area on the property. An RV storage business is being operated from the site, in conjunction with business operating from 3093 194 Street (Application 7913-0135-00).

- The site is screened from the 194 Street cul-de-sac by a large cedar hedge, however the outdoor vehicle storage is visible from the properties to the west, east, and south.
- Storage of recreational vehicles and other vehicles is defined by the City of Surrey Zoning Bylaw (No. 12000) as *vehicle storage*. This is not a permitted use in the A-1 Zone.
- The property has been under the current ownership since 2008.
- The single family dwelling on the property is currently rented to a tenant. This tenant is operating and managing the on-site vehicle storage. No business license has been issued by the City.
- Based upon aerial photograph, outdoor storage of vehicles commenced on the property between April 2012 and April 2013.
- As a response to bylaw enforcement on the site, the property owner has made an application for a Temporary Use Permit to permit continuation of outdoor vehicle storage.
- The owners of the property have no intention to redevelop at this time, and have advised that they intend to sell the property in the near future.
- The proposed temporary use is to provide additional income to the tenant currently occupying the property. No timeline for phasing out this operation has been established. No site plan has been submitted.

Discussion and Rationalization:

Staff have the following concerns with the Temporary Use Permit proposal to allow vehicle storage:

- The proposal is not consistent with the "Business Park" and "Technology Park" designations of the Campbell Heights LAP. Vehicle storage is not permitted in the "Business Park" zones that are consistent with the Campbell Heights LAP.
- Outdoor storage of vehicles is not consistent with the design guidelines (for landscaping and siting of buildings) contained in the Campbell Heights LAP.
- Furthermore, the existing illegal business operations on the subject property are not temporary in nature. Neither the owner nor occupant has set an endpoint for these uses nor have they presented a plan to phase out their operation.
- The proposed TUP does not contribute to the development of the Campbell Heights area consistent with adopted the Local Area Plan, nor does the proposal present a benefit to the surrounding properties or Campbell Heights in general.

- The proposed Temporary Use Permit does not promote other land development in the surrounding Campbell Heights area and is a low value land use as compared to the “Business Park” designation identified in the LAP.
- Promoting the Campbell Heights area as a high quality business park is important to achieving the City’s goals of providing industrial lands and local employment opportunities. Permitting a TUP of this nature and allowing the unauthorized use to continue makes the site less likely to be redeveloped in the near future and hinders the land assembly required in order for this area to achieve build-out. Furthermore, it places the operator of the business at an unfair competitive advantage against other businesses that have selected sites with the appropriate zoning and facilities.
- Given the volume of TUP inquiries staff have received from multiple other properties in the Campbell Heights area for illegal non-conforming uses (outdoor storage of RV’s, vehicles, and storage containers), staff have concerns about the precedent that support of a TUP of this nature will set. Approval of the TUP may result in other land owners in the area applying to permit similar uses, potentially creating a proliferation of uses inconsistent with the Campbell Heights LAP and further prohibiting development of the area.
- Outdoor vehicle storage can be accommodated on an IL (“Light Impact Industrial”) Zoned parcel, located in various locations throughout the City. Staff can assist in identifying IL zoned properties throughout the City, however the onus falls upon the tenant or owner to research and select a suitable site.

CONCLUSION

In considering the implications of the proposed Temporary Use Permit and the permanent nature of the existing illegal non-conforming uses, the Planning and Development Department considers the negative impacts of the project to be significant, and therefore recommend that this proposal not be supported and that bylaw officers be directed to resume enforcement against the illegal non-conforming use.

PRE-NOTIFICATION

Should Council find merit in the proposal, the applicant will be required to post a development proposal sign fronting the property and staff will undertake the necessary pre-notification referral and subsequent review process.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners and Action Summary.
- Appendix II. Aerial Photograph (Close-up) (April 2013)
- Appendix III. Aerial Photograph (Wide Angle) (April 2013)

original signed by Nicholas Lai

Jean Lamontagne
General Manager
Planning and Development

DS/da

\\file-server1\net-data\csdc\generate\areaproduct\save\4804536077.doc
DRV 2/20/14 12:51 PM

Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent: Name: Amarjit S Benning
Address: 2130 - 56 Street
Delta, BC V4L 2B1
Tel: 604-943-7010 - Primary
604-943-7010 - Fax

2. Properties involved in the Application

- (a) Civic Address: 3338 - 194 Street

- (b) Civic Address: 3338 194 St
Owner: 0821949 BC Ltd
Director Information:
Amarjit Benning
Shangara Benning (formerly Shanjara Benning)
George Kalbir Benning
Inderjit K Nahal
Sukhvinder S Rana
Surinder S Rana
Narinder S Sall

Officer Information as at April 11, 2012:
Sukhvinder Singh Rana (Other Office(s))

- PID: 002-427-362
Lot: 17, LT 17 SC SW27 T7 PL63317

3. Summary of Actions for City Clerk's Office

None.

194 St





194 St

196 St

32 Ave

194 St

TOWNSHIP OF LANGLEY

