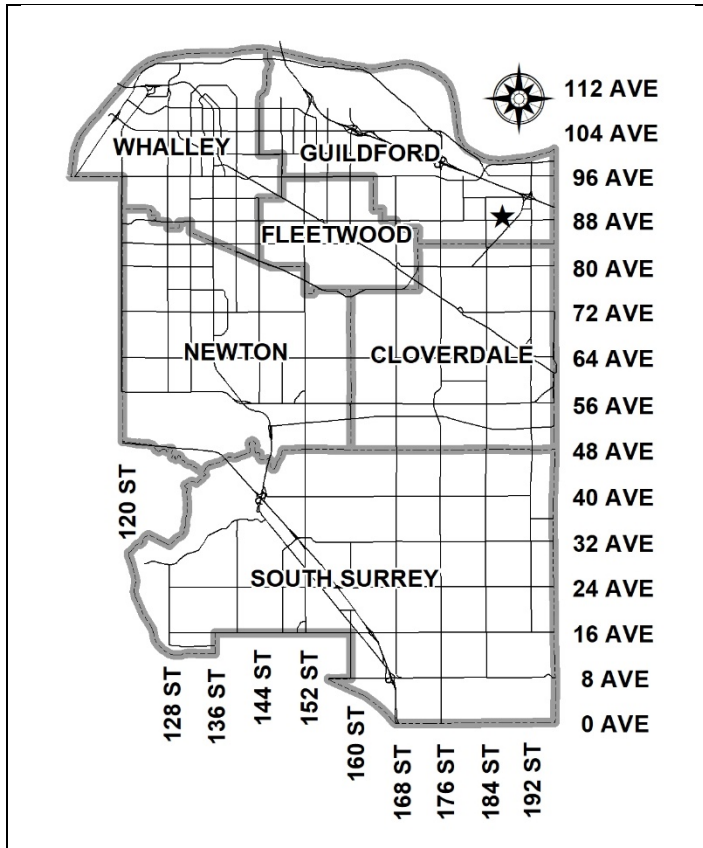


City of Surrey
PLANNING & DEVELOPMENT REPORT

Application No.: 7919-0279-00

Planning Report Date: April 6, 2020



PROPOSAL:

- **Temporary Use Permit**

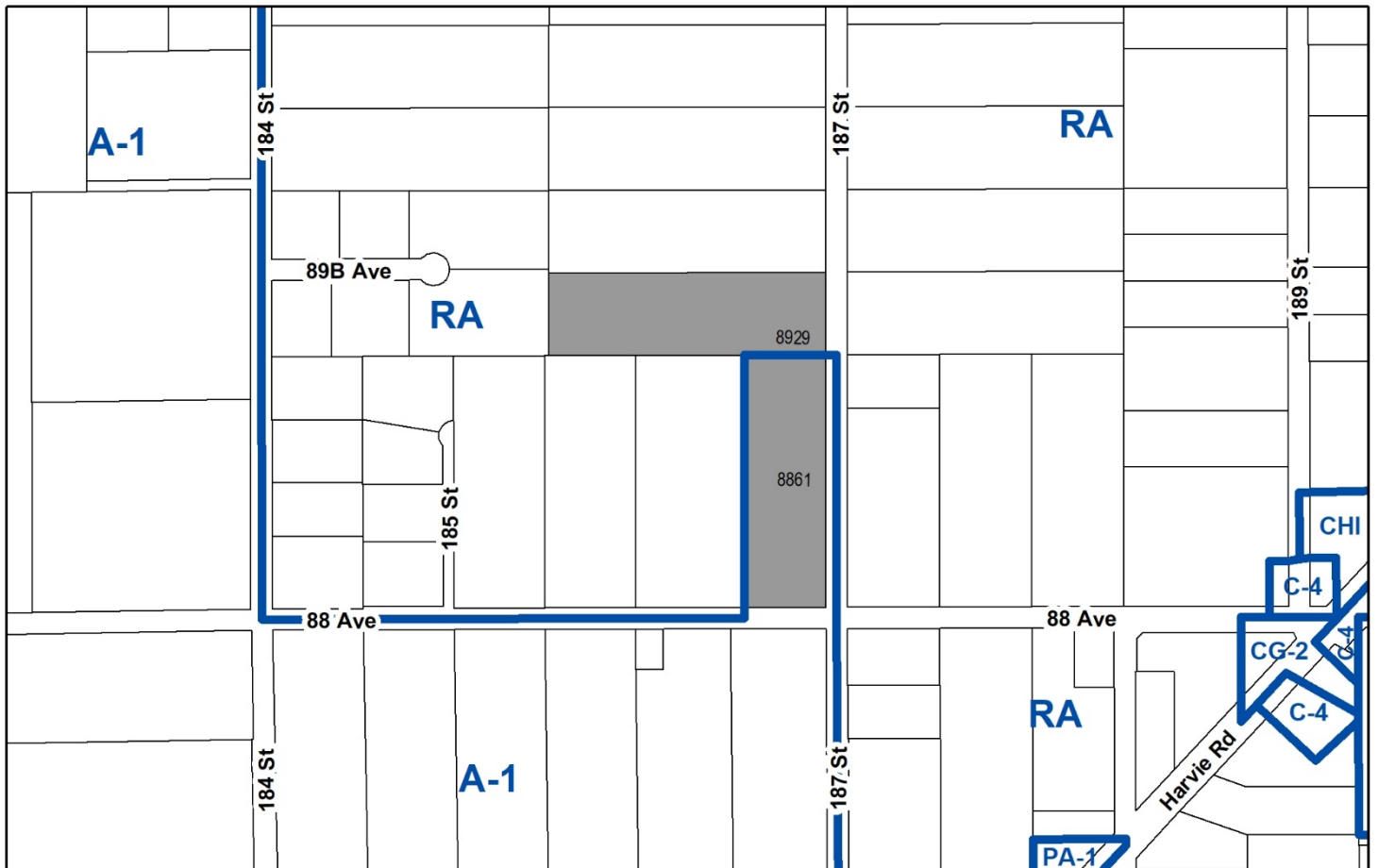
to permit an outdoor paintball facility for a period not to exceed three (3) years.

LOCATION: 8861 - 187 Street

8929 - 187 Street

ZONING: A-1 and RA

OCP DESIGNATION: Suburban - Urban Reserve



RECOMMENDATION SUMMARY

The Planning & Development Department recommends that this application be referred back to staff to work with the applicant to find an alternative site for the proposed outdoor paintball facility.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The proposed outdoor recreation (paintball) facility use is not permitted under the current "One-Acre Residential" (RA) or "General Agriculture" (A-1) zoning of the subject site.
- The proposed use is contrary to the Official Community Plan (OCP) policies that encourage sensitive infill development that is compatible with existing neighbourhoods.
- The proposed land use, although temporary, is inconsistent with the anticipated future land use in the South Port Kells General Land Use Plan; 'Urban Residential' and 'Suburban Residential'.

RATIONALE OF RECOMMENDATION

- The applicant, Game Ready Fitness, provides no cost, or low-cost programs, to youth, and intends to operate the proposed outdoor paintball facility with primary focus on delivering youth camps and programs on a not-for-profit basis. On this basis, the proposed outdoor paintball facility does provide a community benefit.
- The proposal has received significant localized opposition, including a 53-name petition, of which 18 signatories are within immediate proximity of the site. Despite the applicant's efforts to mitigate concerns through information shared at the public information meeting, concerns (particularly related to noise, traffic, safety, and loitering) remain.
- Recognizing the community benefits associated with the proposed youth programming, but also recognizing the considerable localized opposition to the TUP proposal on the subject site, staff recommend that the proposed TUP application be referred back to staff, to work with the applicant to find an alternative location for the proposed outdoor paintball facility. This would allow staff, and the applicant, to explore locations where localized opposition may be less pronounced, and where nuisance impacts could be more easily managed.

RECOMMENDATION

The Planning & Development Department recommends that this application be referred back to staff to work with the applicant to find an alternative location for the proposed outdoor paintball facility.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP/NCP Designation	Existing Zone
Subject Site	Single Family Residential and abandoned farming operation	Suburban-Urban Reserve	A-1 and RA
North:	Single Family Residential	Suburban-Urban Reserve	RA
East Across 187 Street:	Single Family Residential	Suburban-Urban Reserve	RA
South:	Single Family Residential, Small-scale (abandoned) Agricultural	Agricultural	A-1
West:	Single Family Residential	Suburban – Urban Reserve	RA
	Single Family Residential with Small-Scale Agricultural Operations		RA

Site Context

- The subject site is comprised of two properties located at the northwest corner of 187 Street and 88 Avenue in Port Kells and have a total area of approximately 38,458 square metres (9.5 acres). The properties form an inverted 'L' shape.
- The subject site is designated "Suburban – Urban Reserve" in the Official Community Plan (OCP) and is zoned "One Acre Residential Zone" (RA) on the north property and "General Agriculture Zone" (A-1) on the south property. The site is not within the Agricultural Land Reserve (ALR).
- The properties are designated "Urban Residential" and "Suburban Residential" within the South Port Kells General Land Use Plan (LUP).
- The southern property contains abandoned structures from a previous chicken farming operation. The northern property, contains a single family residential dwelling.

- As per COSMOS mapping, there is a B-coded ditch along the entire frontage of the northern property (8929 – 187 Street) and half the frontage of the south property (8861 – 187 Street). The B-coded ditch fronting the properties drains into a red-coded (Class A) creek through a culvert beneath 187 Street. At this time, an Ecosystem Development Plan has not been submitted. Should the application be supported, an Ecosystem Development Plan will be a condition of TUP issuance.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant is proposing a Temporary Use Permit (TUP) to allow an outdoor paintball facility, for a period not to exceed three (3) years. The current zoning of the site, 'General Agriculture Zone (A-1) and 'One-Acre Residential Zone (RA)' do not permit an outdoor recreational facility (paintball) use.
- The two subject lots that comprise the application are not intended to be consolidated.
- Access to the subject site would be from 187 Street, via an existing driveway to the south property (8861 – 187 Street.)
- Parking for 19 vehicles and three (3) 24-passenger buses would be provided on the south lot, 8861- 187 Street. The site plan (Appendix I) demonstrates that bus-turning movements can be accommodated on-site, so the buses could enter and leave the site forward-facing. No gravel or asphalt is proposed for the parking area.
- No additional development is proposed through the subject TUP application. An existing shed located on the southern property will be used as a sign-in area for the paintball. Portable washrooms would be provided.
- The paintball field, which is proposed within the west portion of the northern lot (8929 - 187 Street), would be 91 metres long by 46 metres wide, totaling 4,186 square metres (1 ac) in area. The field would be surrounded by 6-metre high opaque fencing, which meets ASTM (American Society for Testing Materials) international requirements and insurance-approved standards. There would be a limited field viewing space within the footprint of the field, where the netting would be semi-translucent.

Programming

- The proposed paintball facility and center would be owned and operated by Adrenaline Surrey Paintball, a newly incorporated subsidiary company of Game Ready Fitness. Game Ready Fitness currently operates indoor fitness and learning facilities in Cloverdale and North Vancouver.
- The proposed outdoor paintball facility is intended to expand the existing programs offered by Game Ready Fitness in conjunction with their partners, primarily the Washington Kids Foundation, the North Vancouver School District and the Surrey School District, to provide complementary programs, albeit on an outdoor basis. The operation would continue to be on

a not-for-profit basis and intends to collaborate with new and existing partners to provide no cost or low-cost programs to all youth in Surrey and surrounding communities.

- The proposed outdoor paintball facility would be operational from April to mid-November, 7 days a week from 10 AM to 7 PM. The paintball facility would be used for the following not-for-profit programs, offered at no cost or low cost to participants:
 - Summer camp programs for a maximum of 3 hours, 3 times a week from July – August, during daytime hours.
 - Physical literacy programs with the school districts for 2-4 hours a day, 2 or 3 times a week from April – June and September – October/November. This programming would take place Monday – Friday during school hours.
 - The exact nature of these programs is subject to further consideration and collaboration.
 - One-off special events for youth organizations such as minor athletic teams, Boy Scouts etc. These programs would be 2-3 hours in duration from July – October/early November on a 7-day basis, between 4PM and 7 PM on weekdays and 10 AM to 7 PM on weekends.
- In order to provide the youth camps and programs on a not-for-profit basis, the paintball facility would have a commercial/ for-profit component, namely corporate bookings and individual/group bookings. It is not known at this time what the available times for the facility rental would remain after the youth programs are scheduled in priority. The corporate bookings/rentals could take place in the daytime hours on both weekdays or weekends, between the hours of 10 AM and 7 PM.
- When utilized for the youth programming, attendees would be on site for site for approximately 3 hours. Paintball would take place for approximately 1.5 hours including a 30-minute safety demonstration. During the other 1.5 hours, outdoor activities/games would take place on the paintball field, such as capture the flag, and completion of physical literacy workbooks would also take place during this time.
- In accordance with the proposed site plan and COSMOS mapping, staff have undertaken a preliminary analysis of the distance between the proposed paintball field and existing single-family residences adjacent to the proposed paintball field. The distance between the proposed field and existing residential dwellings are as follows:
 - North- approximately 54 metres
 - South- approximately 141 – 164 metres
 - East – approximately 54 metres
 - West – approximately 40 metres
- Staff note that the closest distance between the proposed paintball field and an existing single-family detached dwelling (18482 – 89B Avenue) is approximately 40 metres.
 - There is a large grouping of mature cedar trees (between 15 and 18 metres tall) that act as a natural barrier between the subject lot and the adjacent property to the west, and which may help to muffle noise emitted from the paintball markers.

Referrals

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

POLICY & BYLAW CONSIDERATIONS

Regional Growth Strategy

- The subject sites are located within the 'General Urban' Land Use Designation of Metro Vancouver's Regional Growth Strategy. The proposed outdoor recreational use complies with this designation.

Official Community Plan

Land Use Designation

- The lands are designated 'Suburban – Urban Reserve' in the OCP, which is intended to support the retention of suburban land uses in areas where future urban development is expected. Until a Secondary Plan is approved, land uses within this designation follow the same requirements as the 'Suburban' OCP designation.
- The 'Suburban' OCP designation is intended to support low-density residential uses and complementary institutional, agricultural and small-scale commercial uses in keeping with a suburban neighbourhood character.
- The proposed land use raises compatibility concerns with the existing suburban land uses and single-family detached dwellings surrounding the site.

Themes/Policies

- The proposed development is supported by the following policies of the OCP:
 - A3.8 – Seek partnerships with other governments and public and non-profit agencies, including School District No. 36 to enhance community facilities and meeting places within existing neighbourhoods
 - F4.1 – Provide a high level of recreational and leisure time facilities throughout Surrey, including those for youth and specific target age groups.
 - F4.11 – Work with private sector and non-profit groups to secure recreation facilities and programs with residential developments and places of work as a supplement to public recreation facilities.

- The proposed development is contrary to the following policies of the OCP:
 - A3.5 – Support infill development that is appropriate in scale and density to its neighbourhood context and that uses compatible design to reinforce neighbourhood character
 - A4.1 – Plan and develop new neighbourhoods with an emphasis on compact forms of development that:
 - Reduce development pressures on agricultural and environmentally sensitive lands
 - B4.13 – Design and manage public facilities such as schools, community halls and recreation centres to provide maximum community use and benefit

PUBLIC ENGAGEMENT

- Pre-notification letters were sent on October 16, 2019, and the Development Proposal Signs were installed on October 21, 2019. In response to the pre-notification letters and signs, staff received 7 written and telephone responses within the prenotification area expression opposition and outlining concerns.
- The applicant has worked closely with the Port Kells Community Association and presented the proposal at a Community Association meeting in November 2019, in advance of the Public Information Meeting. The Port Kells Community Association has chosen not to provide comments for the subject planning report but is cognizant of the community benefit of the proposal (on the basis of not-for-profit youth programming) and the localized opposition.
- The applicant held a Public Information Meeting (PIM) on December 3, 2019 at the Port Kells Community Centre. Thirty (30) people recorded their attendance on the sign-in sheet; however, it is estimated that approximately 40 people were in attendance. A staff representative from Area Planning was in attendance.
- Comment sheets were distributed at the PIM for residents to provide their feedback. The following summary is provided from the comment sheets submitted:
 - Comment sheets submitted: 13
 - Non-support: 11
 - Support: 2
 - Of the 13 comment sheets, 9 responses were from within the prenotification area and 4 from outside the prenotification area. One (1) of the 2 supportive comment sheets was from within the prenotification area.
 - Seven (7) comment sheets indicating non-support of the application were received by staff following the PIM. All 7 comment sheets were submitted from residents outside the prenotification area.
- Following the PIM, Staff received 7 additional written and telephone responses in opposition to the proposal.
 - 4 responses were from within the prenotification area, 3 were from outside the prenotification area.

- Following the PIM, Staff received a petition in opposition to proposed Temporary Use Permit. All 53 signatories are not in support of the application.
 - 18 signatories are within the prenotification area
 - 34 signatories are outside the prenotification area
- To differentiate concerns expressed by immediate neighbours and general development related concerns in Port Kells, staff delineated a 'Study Area' (Appendix IV) whose boundaries are slightly larger than the boundaries of the prenotification area. The Study Area was created to better analyze the responses received by staff, including personal correspondence, PIM comment sheets, and the petition.
 - Staff understand that the formal prenotification system may not have captured all proximate properties that may potentially be impacted by the proposed outdoor paintball facility. The Study Area was utilized to analyze responses from properties that may have been outside the formal prenotification area, however, are in close geographic proximity to the subject lands.
 - The Study Area also helps differentiate responses in opposition received from residents who do not live close to the subject lands, and as such, may not be directly impacted by the proposed outdoor paintball facility.
 - 43% of residents within the Study Area (Appendix IV) indicated non-support of the application. This assumes one response per property.
- The comments received from the PIM are consistent with comments that staff received in response to the pre-notification letters and development proposal sign. There is support for at-risk youth programming, but localized opposition from residents within the immediate neighbourhood for an outdoor paintball facility in a suburban residential neighbourhood. The main concerns raised through verbal and written correspondence, as well as from the PIM are summarized below.
- Noise/Loitering. The noise from both paintball markers, as well as from players and the game. Loitering before and after the games.

Applicant's response:

- Paintball is played as a stealth sport where individuals and teams play games based on hiding and sneaking up on opponents. Paintball markers which dispense the paintballs are designed with the least amount of noise as possible, give the nature of the game and any noise is minimal. Participants typically arrive 30-45 minutes in advance of their reservation where the focus is on safety, rules and getting prepared for the matches. Once the matches are concluded, participants leave as there is no basis for them to stay. Loitering does not occur and participants neither desire nor are permitted to remain on site. Typically, the participants are exhausted given the physical nature and demands of the sport.
- The sound of a paintball discharging from a marker within a proximity of 5 metres or less is best described as being in between the sound of popcorn popping in a microwave or a balloon popping. The further away a person is from a paintball marker, the sound diminishes accordingly to the point where at 20 metres, the sound is barely audible.
 - Staff note that the shortest distance between the perimeter of the proposed paintball field and a residential dwelling is approximately 40 metres. There is a large grouping of mature cedar trees, 15 to 18 metres tall, which act as a natural buffer between the subject property and its westerly neighbour.

- Protective netting an eyesore – concerns on the visual impact of the protective fencing.

Applicant's response:

- There is significant distance between the proposed paintball field and the residential dwellings. When standing on the proposed paintball field, it is difficult to see the residential homes to the south and east due to distance, and natural tree groupings that act as a natural barrier.
 - It is difficult to understand the concern that the paintball field will be unsightly as the paintball field will be encompassed by netting, and given the used vehicles, equipment and other various items that exist on surrounding properties.
- Increased traffic
 - It is anticipated the following number of vehicles will access the site:
 - April – June: 10 vehicles a day
 - July and August: 20-30 vehicles per day
 - September – November: 10 vehicles a day
 - Access to the site will be predominately from 88 Avenue, which is an arterial road. In terms of capacity or additional traffic, there are no anticipated additional impacts to the existing road network.
 - Stray paintballs and damage to houses and private property

Applicant's response:

- The issue of stray paintballs involves a consideration of the field size, proximity of the immediate adjacent properties, the perimeter netting surrounding the field and concepts of safe and effective range.
- The field dimensions will be 91 metres x 46 meters, or 4,186 m² (1 ac). The paintball field is required to be surrounded by ASTM International-approved protective netting, a high-density polyethylene fabric which does not unravel or fray and cannot be fractured by paintballs. The netting will be 6 metres high and will encompass the field 360 degrees. The probability or likelihood of a paintball exiting over the fencing engages the concepts of safe and effective range.
- Speed of the markers is set at 250-280 feet per second. Recreational players and youth (who will be using the facility) do not have the tools, knowledge or ability to change the velocity of the marker. If the paintballs are fired at the above-noted velocity and angled up to try and lob them as far as possible, the maximum range will be approximately 91 metres.
- There is no reason why a paintball participant in a game would shoot the paintball to achieve maximum range as there is no likelihood that they will be able to mark the opponent and the paintball will not break upon impact, given the effective range. The objective of the game is to mark the opponent and eliminate that person from the game. It is for this reason that players position the marker on a horizontal plane and not upwards towards the sky, and why paintballs do not exit the playing field.
- The effective range of a paintball is between 23 and 27 metres. Paintballs will not break unless they are moving at a certain speed; if paintballs are shot at a long distance, near the end of their trajectory they will slow to a point that they will not break even if they hit their target. If you go to the back of a paintball field, you will almost inevitably find unbroken paintballs that were lobbed too far and they simply fall to the ground, unbroken.

- The property adjacent to the filed to the north is a parking lot for approximately 20 vehicles with the residential home being well beyond the paintball field.
 - The residential homes situated at 18555, 18601 and 18609 88 Avenue are well beyond the paintball field.
 - The property immediately adjacent the west of the field 18482 – 89B Avenue is bordered by a large grouping of 15-18 metre mature cedar trees between the field and the property, which acts as a natural barrier.
- Concerns raised for livestock, wildlife and pets being struck by errant paintballs are un-substantiated given the reasons set out above.
- Youth Programming – *For the youth programming (summer camps), paintball was only mentioned as a 1-hour activity. Questions regarding the type of programming, where time will be spent, and doing what types of activities?*

Applicant's Response:

- The highly sought-after and successful youth camps have operated for many years at the indoor centre situated in Cloverdale and North Vancouver. The youth camps are highly structured and organized. Participants attend from Monday to Friday, between the hours of 9-5; the organizational location for pick up and drop off is one of the Game Ready indoor centres.
- Attendees spend the majority of the day offsite engaging in fun recreational activities in the lower mainland. 3 days a week, attendees will engage in paintball for approximately 90 minutes, which includes a 30-minute safety demonstration. The outdoor paintball facility will also be used on these days for approximately another hour, to complete physical literacy activities including workbook completion and outdoor games and activities.
- Weekend commercial use of the facility- *concerns regarding increased noise, traffic and loitering. Concerns that this will be a 7-day operation.*

Applicant's response:

- The issues of traffic, loitering and marker changing have been addressed above in the context of the commercial use of the facility. There is no loitering, the noise from the games is anticipated to be minimal, as is the associated traffic.
- The commercial use aspect is required to assist in the funding of the youth programs, and while weekends are the anticipated time for this to occur, it may change over time. The daily programming is noted above; it is anticipated this will be a 7-day operation, however, the programming may be subject to change.
- Environmental Contamination – *Paintball shells exploding on people's properties and potentially contaminating the environment.*

Applicant's Response:

- Paintball shells are made of the same material as bath beads – gelatin. Paintball shells dissolve with water, and with hot water they dissolve in seconds. The 'paint' is called fill and is not similar to paint from a hardware store. The fill is made of vegetable oil with food colouring; the paintballs are totally biodegradable and pose no environmental risk. In the highly unlikely event that a paintball travelled beyond the safe or effective range the paintball will not rupture upon striking an object.

DEVELOPMENT PERMITS

Sensitive Ecosystems (Streamside Areas) Development Permit Requirement

- The subject property falls within the Sensitive Ecosystems Development Permit Area (DPA) for Streamside Areas in the OCP, given the location of an existing Class B (yellow-coded) watercourse which flows into a red-coded (Class A) creek through a culvert beneath 187 Street. The Sensitive Ecosystems (Streamside Areas) Development Permit is required to protect aquatic and terrestrial ecosystems associated with streams from the impacts of development.
- An Ecosystem Development Plan has not been submitted to the City for review and will be a condition of TUP issuance should the application be supported by Council.
- It is noted that the proposed outdoor paintball field is outside of the riparian setback area of the protected watercourse along the east property line of the site (along 187 Street).

STAFF ANALYSIS OF PROPOSAL AND RECOMMENDATION

- The applicant, Game Ready Fitness, provides no cost, or low-cost programs, to youth, and intends to operate the proposed outdoor paintball facility with primary focus on delivering youth camps and programs on a not-for-profit basis. On this basis, the proposed outdoor paintball facility does provide a community benefit.
- Staff recognize the applicant's contention that potential locations for outdoor paintball facilities may be limited, given the size requirement of the paintball field, and that they are not a permitted use in the Agricultural Land Reserve (ALR). The merits for the proposed location are that it is outside of the ALR, and within a suburban neighbourhood, consisting of large acreages with physical separation between residential buildings.
- However, the proposal has received significant opposition, from surrounding neighbourhood residents, including a 53-name petition, of which 18 signatories are within immediate proximity of the site. Despite the applicant's efforts to mitigate concerns through information shared at the public information meeting, the concerns still remain.
- Recognizing the community benefits associated with the proposed youth programming, but also recognizing the considerable localized opposition to the TUP proposal, staff recommend that the proposed TUP application be referred back to staff, to work with the applicant to find an alternative location for the proposed outdoor paintball facility. This would allow staff, and the applicant to explore locations where localized oppositions may be less pronounced and where nuisance impacts (i.e. noise etc.) could be more easily managed.
- However, if Council determines there is merit in allowing the temporary use permit application to proceed on the subject site, Council may refer the application back to staff to complete the application review process and to then prepare the temporary use permit for Council's consideration at a future Regular Council -Land Use meeting. Staff would ensure that the following is completed before presenting the TUP for Council's consideration:
 - ensure that all engineering requirements are addressed;

- the applicant to provide a more substantial and detailed landscape buffer proposal to screen the proposed outdoor paintball field and associated fencing;
- submission of an Ecosystem Development Plan and Impact Mitigation Plan; and
- inclusion of a Good Neighbour Agreement with the City to ensure operational measures to reduced nuisance impact to the neighbourhood.

INFORMATION ATTACHED TO THIS REPORT

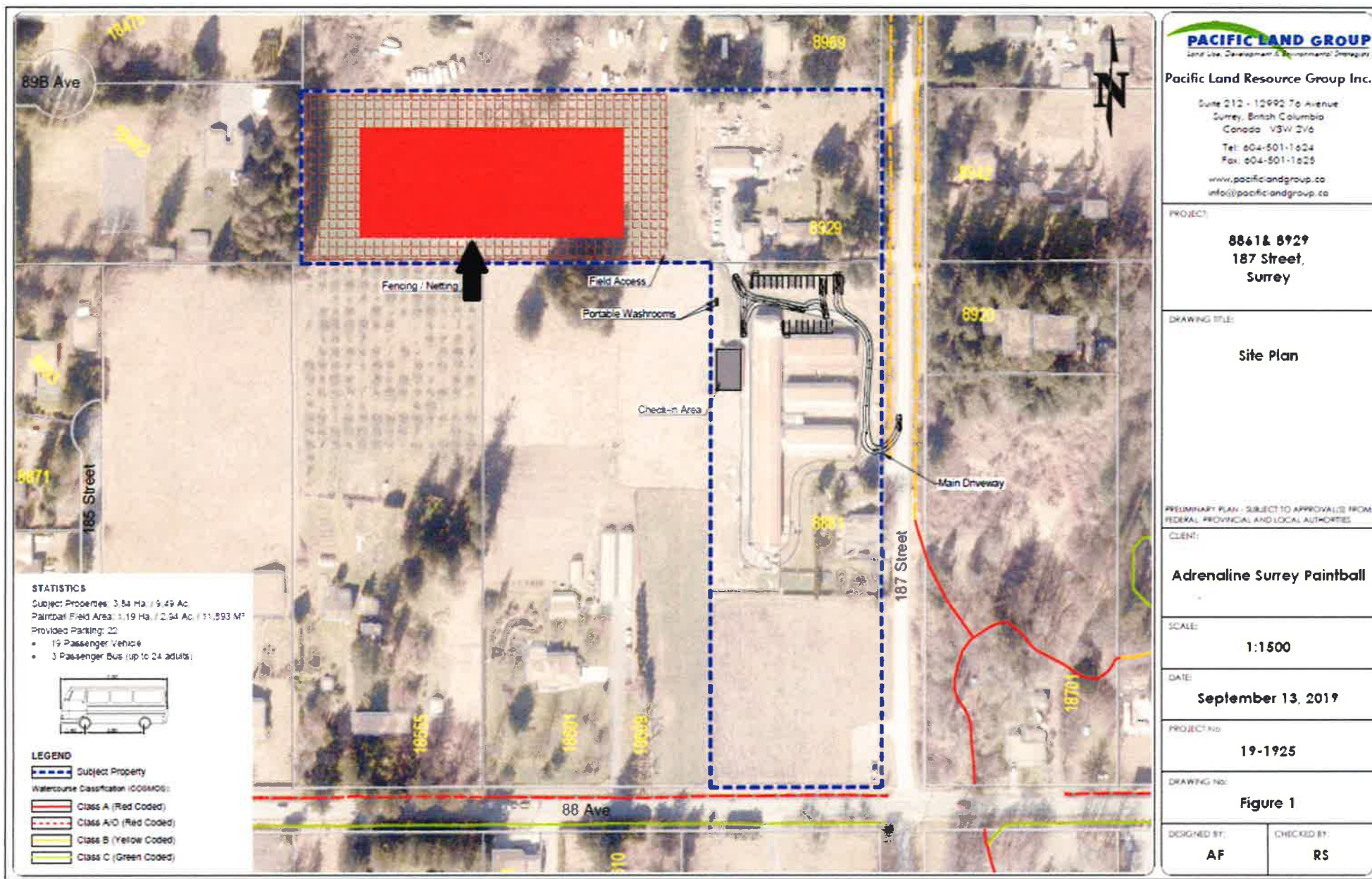
The following information is attached to this Report:

Appendix I.	Site Plan
Appendix II.	Engineering Summary
Appendix III.	South Port Kells General Land Use Plan
Appendix IV.	Prenotification and Study Area Location Map

approved by Ron Gill

Jean Lamontagne
General Manager
Planning and Development

SC/cm



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Land Use, Development & Environmental Strategists

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 info@pacificandgroup.ca

PROJECT:
**8861 & 8929
 187 Street,
 Surrey**

DRAWING TITLE:
Site Plan

PRELIMINARY PLAN - SUBJECT TO APPROVAL(S) FROM
 FEDERAL, PROVINCIAL AND LOCAL AUTHORITIES

CLIENT:
Adrenaline Surrey Paintball

SCALE:
1:1500

DATE:
September 13, 2019

PROJECT No:
19-1925

DRAWING No:
Figure 1

DESIGNED BY:
AF

CHECKED BY:
RS



INTER-OFFICE MEMO

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

FROM: **Development Engineer, Engineering Department**

DATE: **Jan 27, 2020** PROJECT FILE: **7819-0279-00**

RE: **Engineering Requirements (Commercial)
Location: 8861 and 8929 - 187 Street**

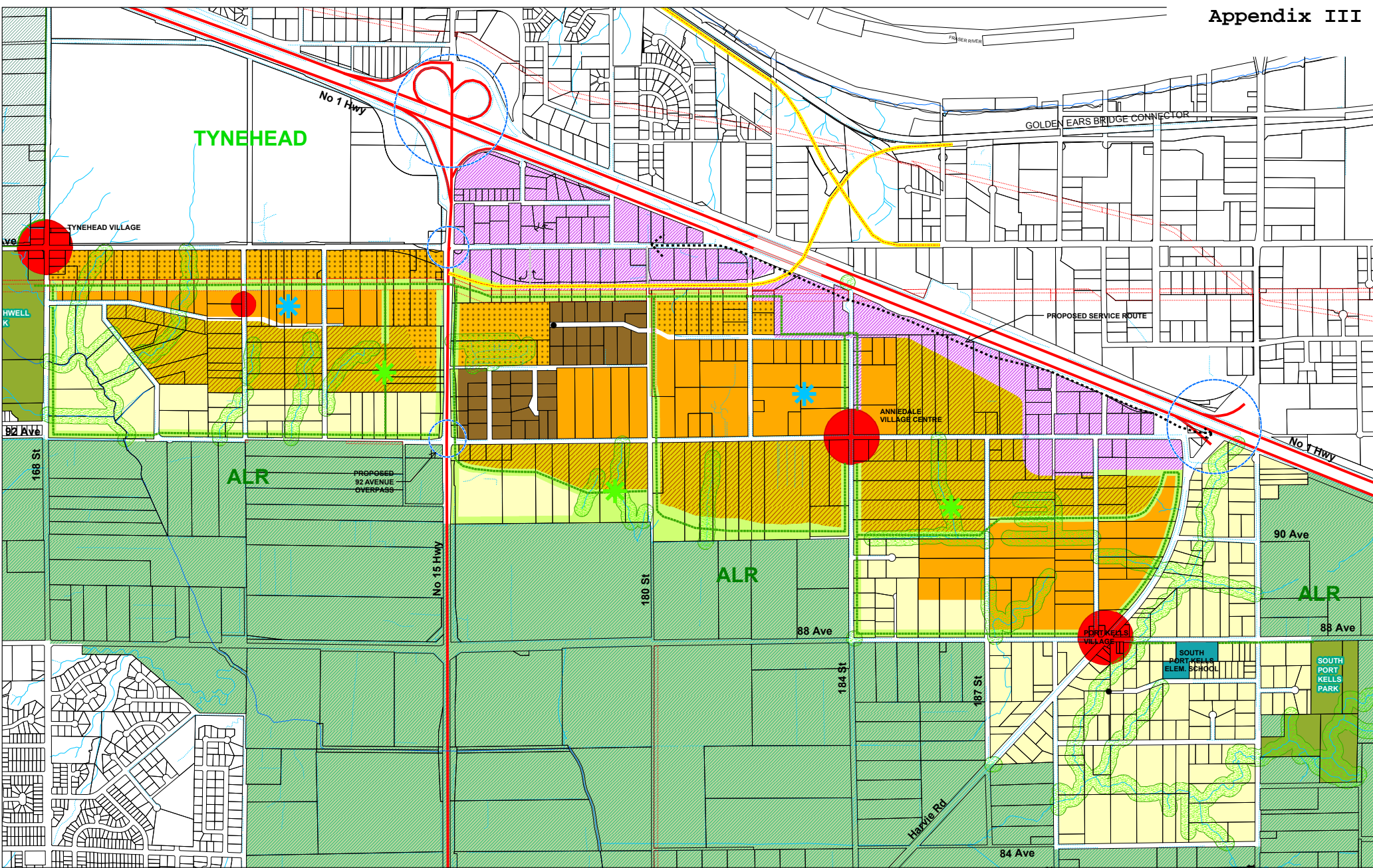
TEMPORARY USE PERMIT (COMMERCIAL)

The following items are to be addressed as a condition of issuance of the Temporary Use Permit (TUP) to allow for an outdoor paintball facility at 8861 and 8929 - 187th Street.

- The applicant is to confirm minimum 6.0m pavement width and adequate road structure along 187 Street from 88 Avenue to the parking access. Road construction of 187 Street required if pavement width or structure does not meet City standards.
- The applicant is to ensure all paintballs to be used within the site are biodegradable and will not cause any groundwater contamination.

A Servicing Agreement may be required should road construction along 187 Street is required.

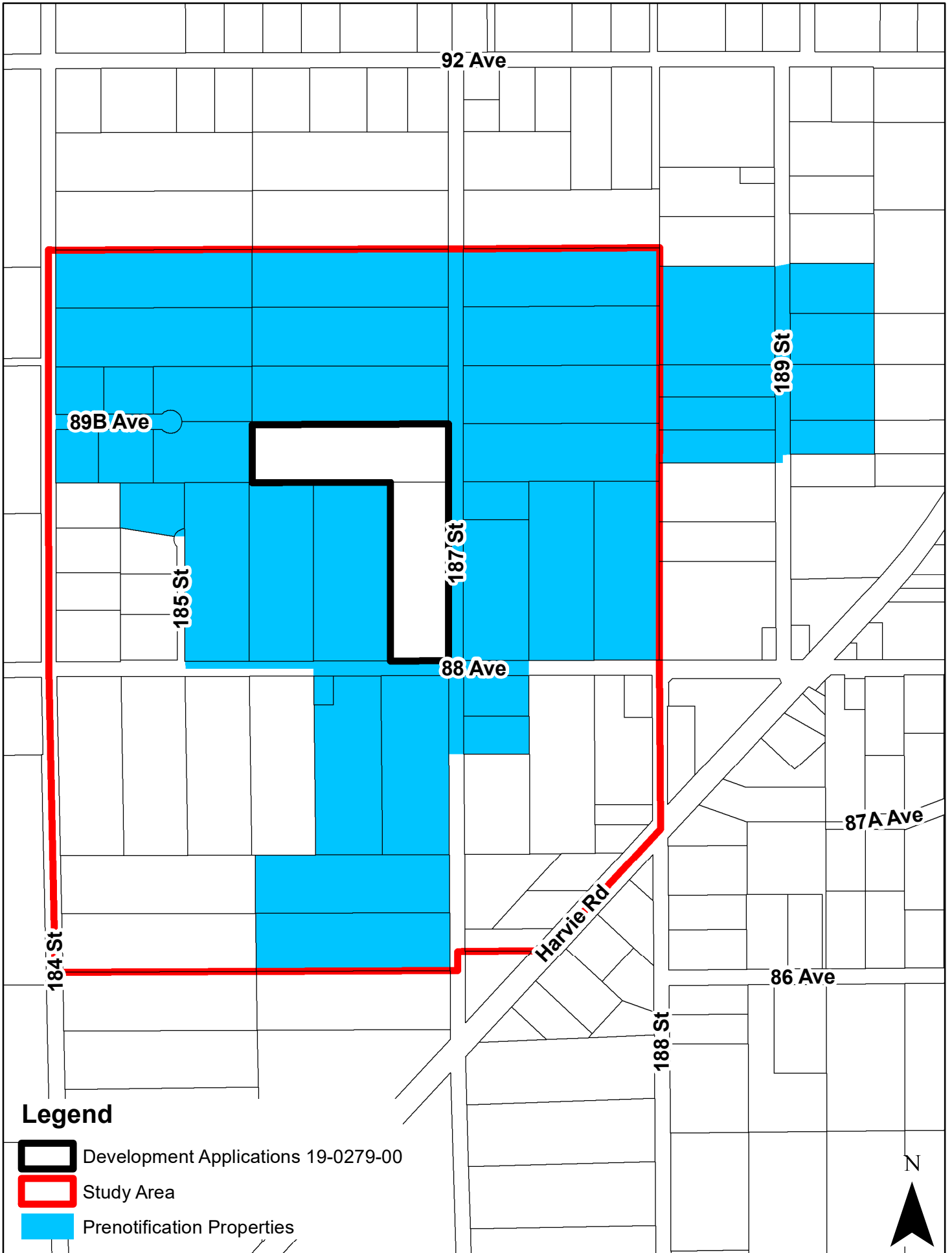
Jeff Pang, P.Eng.
Development Engineer
CE4






SOUTH PORT KELLS GENERAL LAND USE PLAN

City of Surrey Planning & Development Department

- | | | | |
|----------------------|------------------------------------|--|-----------------------|
| BUSINESS CENTRE | FUTURE MULTIPLE RESIDENTIAL | REGIONAL OR PROVINCIAL HIGHWAY | CONTOURS 5m |
| COMMERCIAL | PARK | PROPOSED REGIONAL OR PROVINCIAL HIGHWAY | CONTOURS 1m |
| MULTIPLE RESIDENTIAL | BUFFER | PROPOSED SERVICE ROUTE | CREEKS & SETBACK AREA |
| URBAN RESIDENTIAL | TYNEHEAD PARK | INTERCHANGE/ INTERSECTION/ OVERPASS T.B.D. | ALR BOUNDARY |
| CLUSTER RESIDENTIAL | MULTI-USE TRAILS | HYDRO R.O.W. | SCHOOL |
| SUBURBAN RESIDENTIAL | PROPOSED SCHOOL AND PARK (GENERAL) | | |
| | PROPOSED PARK (GENERAL) | | |



Legend

-  Development Applications 19-0279-00
-  Study Area
-  Prenotification Properties

