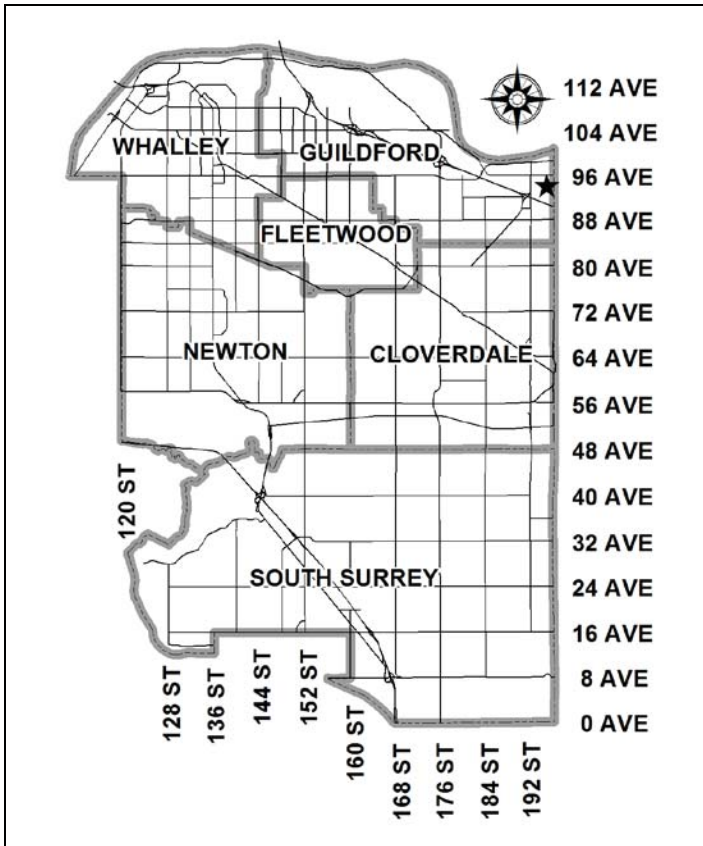


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7915-0346-00

Planning Report Date: December 19, 2016

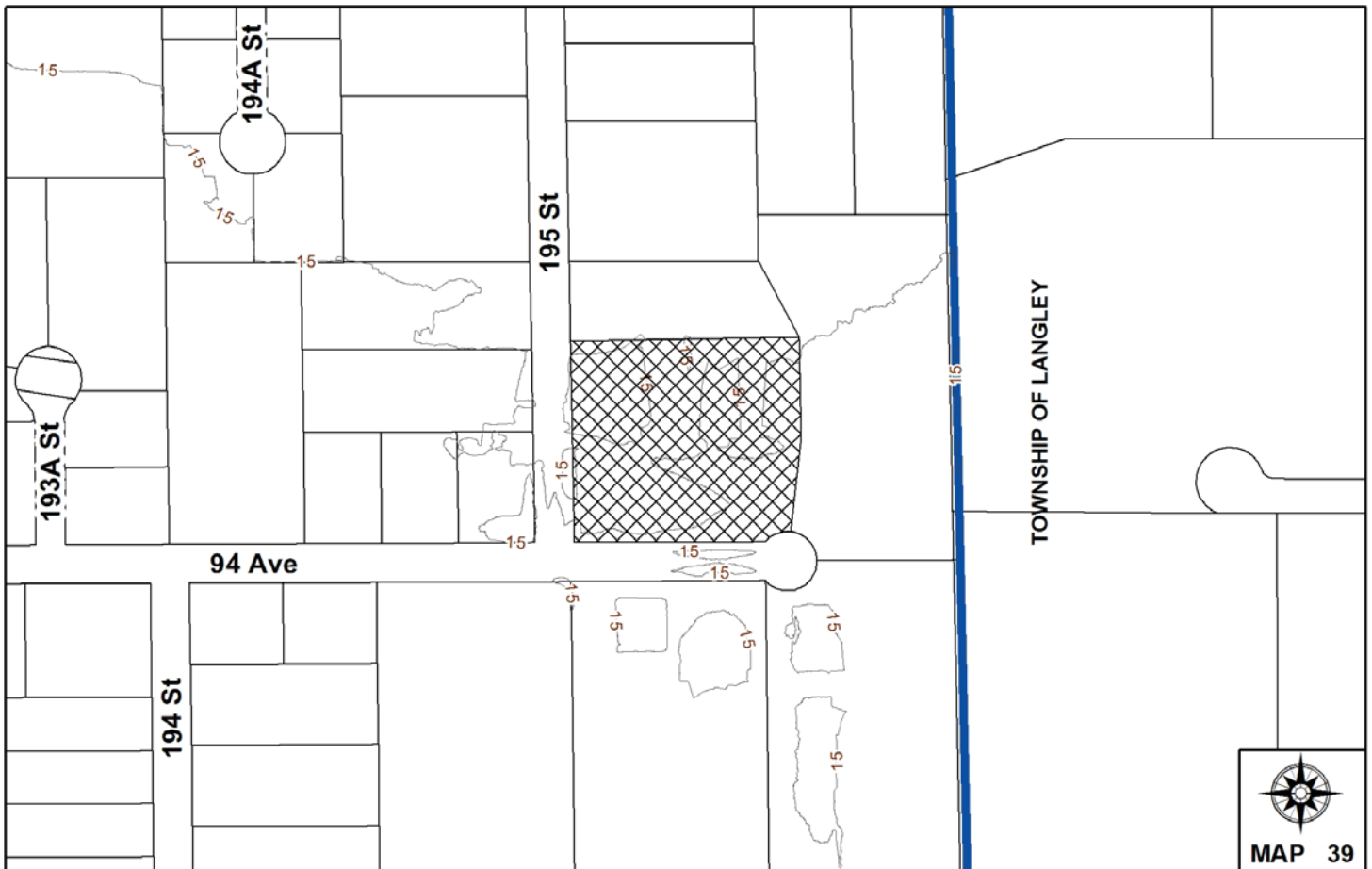


PROPOSAL:

- **Development Variance Permit**

to reduce the side yard setback on a flanking street (94 Avenue) and to increase the maximum height for an accessory structure, in order to bring an existing exterior racking structure into conformity with the IL Zone.

LOCATION: 9410 - 195 Street
OWNER: Earthsa Enterprises Ltd
ZONING: IL
OCP DESIGNATION: Industrial



RECOMMENDATION SUMMARY

- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is seeking to reduce the minimum side yard on a flanking street setback for an accessory structure from 7.5 metres (25 ft.) to 5.9 metres (19.5 ft.) and to increase the maximum height of an accessory structure from 6 metres (20 feet) to 6.7 metres (22 ft.) in the IL Zone, in order to bring an existing racking structure into conformity with the IL Zone.

RATIONALE OF RECOMMENDATION

- The requested variances would bring an existing exterior racking structure into conformity with the setback and height requirements of the Light Impact Industrial (IL) Zone.
- The existing racking structure was installed in 2016 without permits in order to provide secure outdoor storage for steel pipe for the tenant who is a plumbing and heating wholesale distributor (Noble Corporation).
- The existing racking structure is 6.7 metres (22 ft.) in height and is located 5.9 metres (19.5 ft.) from the south property line, within a fenced outdoor yard and adjacent to 94 Avenue.
- The subject lot is bisected by an 18.5-metre (61 ft.) wide Kinder Morgan right-of-way, which substantially impacts the available siting location of the racking structure.
- The existing deciduous trees (London Plane) along the south property line act as a natural buffer to mitigate the visual impact of the racking structure.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7915-0346-00 (Appendix V) varying the following, to proceed to Public Notification:

- (a) to reduce the minimum side yard on a flanking street (south) setback of the IL Zone from 7.5 metres (25 ft.) to 5.9 metres (19.5 ft.) for an accessory structure; and
- (b) to increase the maximum height of an accessory structure in the IL Zone from 6.0 metres (20 ft.) to 6.7 metres (22 ft.).

REFERRALS

Engineering: The Engineering Department has no concerns.

Kinder Morgan: Kinder Morgan has no objection to the project.

SITE CHARACTERISTICS

Existing Land Use: Industrial warehouse building for plumbing and heating wholesale distributor.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Industrial warehouse building	Industrial	IL
East:	Industrial building with outdoor storage	Industrial	IL
South (Across 94 Avenue):	Industrial warehouse building & distribution centre	Industrial	IL
West (Across 195 Street):	Industrial warehouse buildings	Industrial	IL

DEVELOPMENT CONSIDERATIONSBackground

- The subject site is 1.2 hectares (3 acres) in size and is located on 195 Street at 94 Avenue in Port Kells.
- The subject site is designated Industrial under the Official Community Plan (OCP) and is zoned "Light Impact Industrial Zone (IL)".

- The existing 5,145-square metre (55,380 sq.-ft.) building was constructed in 1992 and consists of 4,645 square metres (49,998 sq.ft.) of warehouse space and 500 square metres (5,382 sq.ft.) of office space.
- The combined regional head office and main sales branch of Noble BC, a plumbing and heating wholesale distributor, currently operates on the subject lot. The subject business recently relocated to the City of Surrey and is expecting to increase its sales volume and product storage capacity on the subject lot.
- To accommodate the projected growth, the applicant was issued a building permit on September 18, 2015 for the installation of a cantilever racking structure inside the existing warehouse building on the subject lot. The racking structure is being used for the storage of steel pipe used in plumbing and heating applications.

Current Proposal

- In January 2016, the applicant installed an exterior racking system to accommodate steel pipe storage along the south property line, without the necessary permits. The exterior racking structure does not comply with the minimum setback and maximum height requirements for accessory structures under the IL Zone.
- The subject lot is bisected by an 18.5-metre (61 ft.) wide Kinder Morgan right-of-way, which substantially impacts the available siting location for the racking structure (Appendix III).
- In order to maximize the efficiency of the available yard area and to increase storage capacity to meet growing demand, the applicant is requesting to reduce the flanking side yard setback from 7.5 metres (25 ft.) to 5.9 metres (19.5 ft.) and to increase the maximum height of an accessory structure from 6.0 metres (20 ft.) to 6.7 metres (22 ft.) (see By-law Variances section) to accommodate the already constructed exterior racking structure.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum side yard on a flanking street (south) setback of the IL Zone from 7.5 metres (25 ft.) to 5.9 metres (19.5 ft.) for an accessory structure.

Applicant's Reasons:

- The Kinder Morgan right-of-way substantially reduces the functional outdoor space of the exterior yard.
- There is insufficient space inside the warehouse building or elsewhere in the fenced outdoor yard, to accommodate the proposed racking structure, without compromising vehicle circulation and reducing the efficiency of the exterior space.

Staff Comments:

- The Kinder Morgan right-of-way is approximately 18.5 metres (61 ft.) wide, bisecting the subject site and covering approximately 18% of the lot area. As structures are not permitted to be erected within this right-of-way, the amount of available space in which the proposed racking structure can be installed is substantially reduced.
- Based on the size and use of the existing building, the Zoning By-law requires a minimum of 59 parking stalls. The installation of the exterior racking structure along the south property line has resulted in the loss of ten (10) parking stalls, however there are 62 parking stalls remaining, which meets the minimum requirements of the Zoning By-law.
- The location of the racking structure within the southerly side yard setback flanking 94 Avenue maintains the efficiency of vehicle circulation and functionality of the outdoor yard area.
- Staff support the requested variance.

(b) Requested Variance:

- To increase the maximum height of an accessory structure in the IL Zone from 6.0 metres (20 ft.) to 6.7 metres (22 ft.).

Applicant's Reasons:

- Additional storage space for steel pipe used in plumbing and heating is required to meet growing demand.
- The outdoor racking structure is the same model as the existing racking structure for the storage of steel pipes located within the warehouse building. For the efficiency of storage and movement of the steel pipe, it is not possible to install an alternate (shorter) model of racking that would conform to the 6-metre (20-foot) height maximum in the IL Zone.

Staff Comments:

- The existing exterior racking structure has a height of 6.7 metres (22 ft.), which is 0.7 metre (2 ft.) higher than the 6-metre (20-ft.) maximum height in the IL Zone.
- There is an existing row of London Plane trees which runs along the south property line. The trees were planted in 1992 as part of Development Application 7991-0316-00 and have grown to an approximate height of 9 metres (30 ft.). The trees help to minimize the visual impact of the existing racking structure on adjacent businesses and from 94 Avenue (Appendix IV).
- Staff support the requested variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners and Action Summary
- Appendix II. Site Plan and Section
- Appendix III. Location of Kinder Morgan Right-of-Way
- Appendix IV. Photo of Racking Structure from 94 Avenue
- Appendix V. Development Variance Permit No. 7915-0346-00

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

LM/da

Information for City Clerk

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

- 1. (a) Agent: Name: Marco Varnier
 Noble Corporation
 Address: 9410 - 195 Street
 Surrey, BC V4N 4G2

2. Properties involved in the Application

- (a) Civic Address: 9410 - 195 Street

- (b) Civic Address: 9410 - 195 Street
 Owner: Earthsa Enterprises Ltd
 PID:
 Lot: Lot 3 Section 34 Township 8 New Westminster District
 Plan LMP4381

3. Summary of Actions for City Clerk's Office

- (a) Proceed with Public Notification for Development Variance Permit No. 7915-0346-00 and bring the Development Variance Permit forward for issuance and execution by the Mayor and City Clerk.

5 NOV 2014	RE-REISSUED FOR PERMIT
4 AUG 2014	RE-REISSUED FOR PERMIT
3 JUN 09 15	ISSUED FOR PERMIT
2 JUN 09 15	ISSUED FOR PERMIT
1 JUN 09 15	ISSUED FOR PERMIT
NO. DATE (MM/DD/YY)	DESCRIPTION
REVISIONS	
PROJECT NAME	

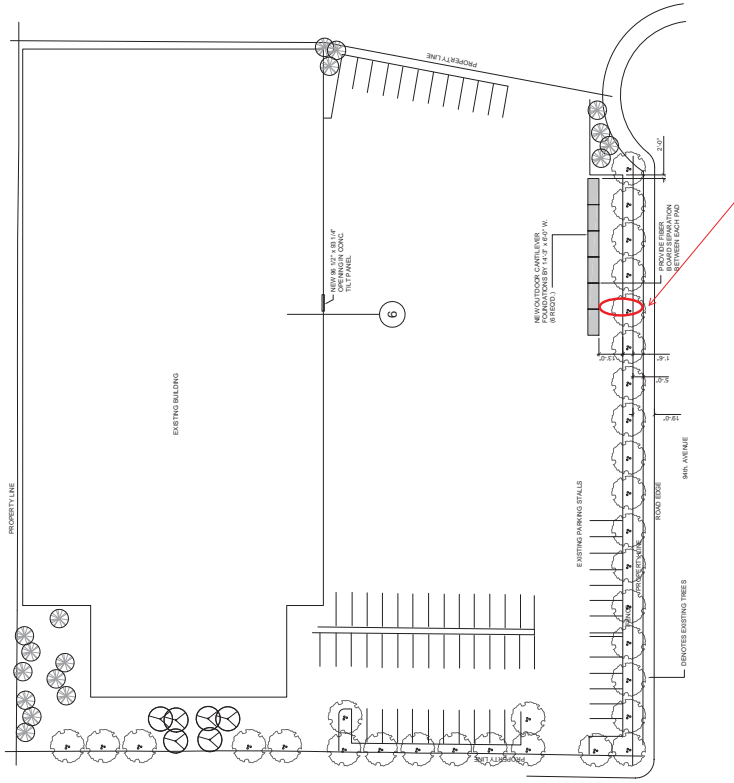
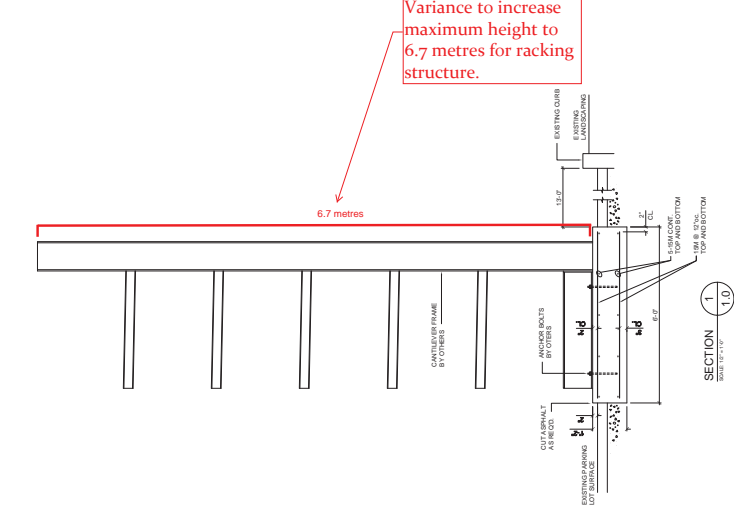
PROJECT NAME
**EXTERIOR RACKING
FDS FOR NOBLE
CORPORATION**

PROJECT ADDRESS
15867 ARNOLD STREET,
SURREY, B.C.

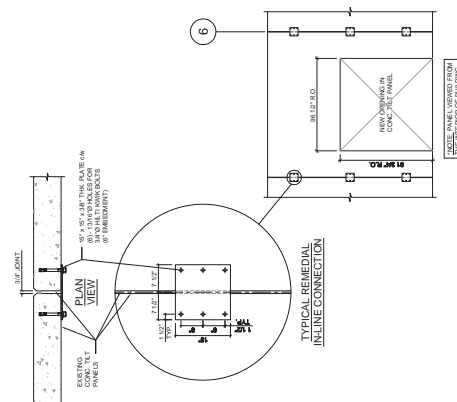
DRAWING TYPE
PLAN AND SECTION

SCALE	AS NOTED
DRAWN	JR
CHECKED	PK
PROJECT NO.	158231
DRAWING NO.	

S-1.0
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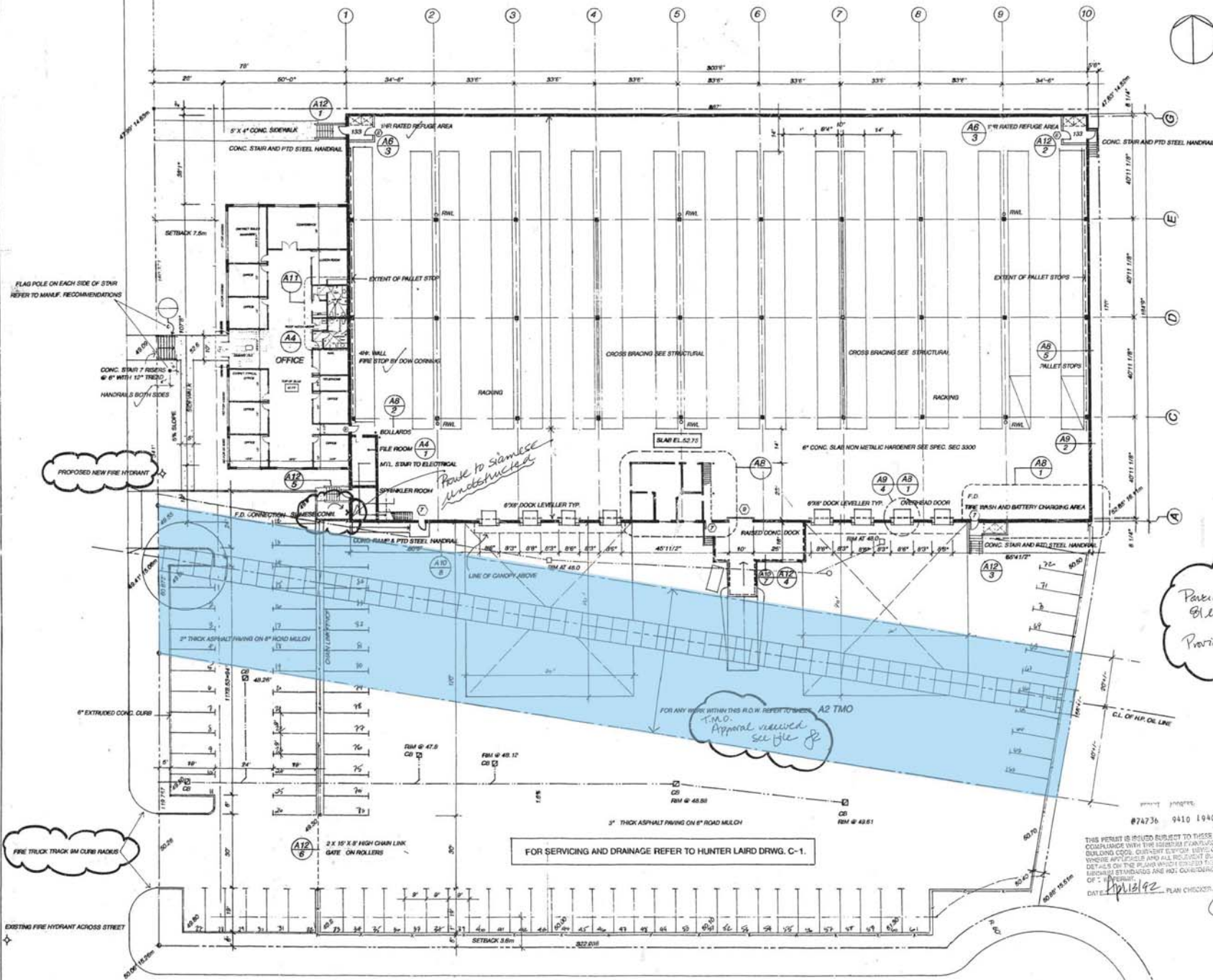


Variance to reduce setback to 5.9 metres for racking structure.



SCALE	AS NOTED
DRAWN	JR
CHECKED	PK
PROJECT NO.	158231
DRAWING NO.	

S-1.0
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Parking req. of 84 employees $\frac{84}{21} = 41$.
 Provided 84 spaces.

FOR ANY WORK WITHIN THIS R.O.W. REFER TO SHEET A2 TMO
 T.M.O. Approval received see file #

FOR SERVICING AND DRAINAGE REFER TO HUNTER LAIRD DRWG. C-1.

DATE: 09/13/92
 PLAN CHECKER: [Signature]

SOFT 25/91 ISSUED TO CONSULTANT
 DISTRIBUTION FACILITY
 GOODYEAR/CANADIANJC
 SURREY BC.
 THE PROSPERO CANADIAN LAND
 INVESTMENT FUND

MAIN FLOOR PLAN

SCALE: 1/16TH DATE: 09SEP/91

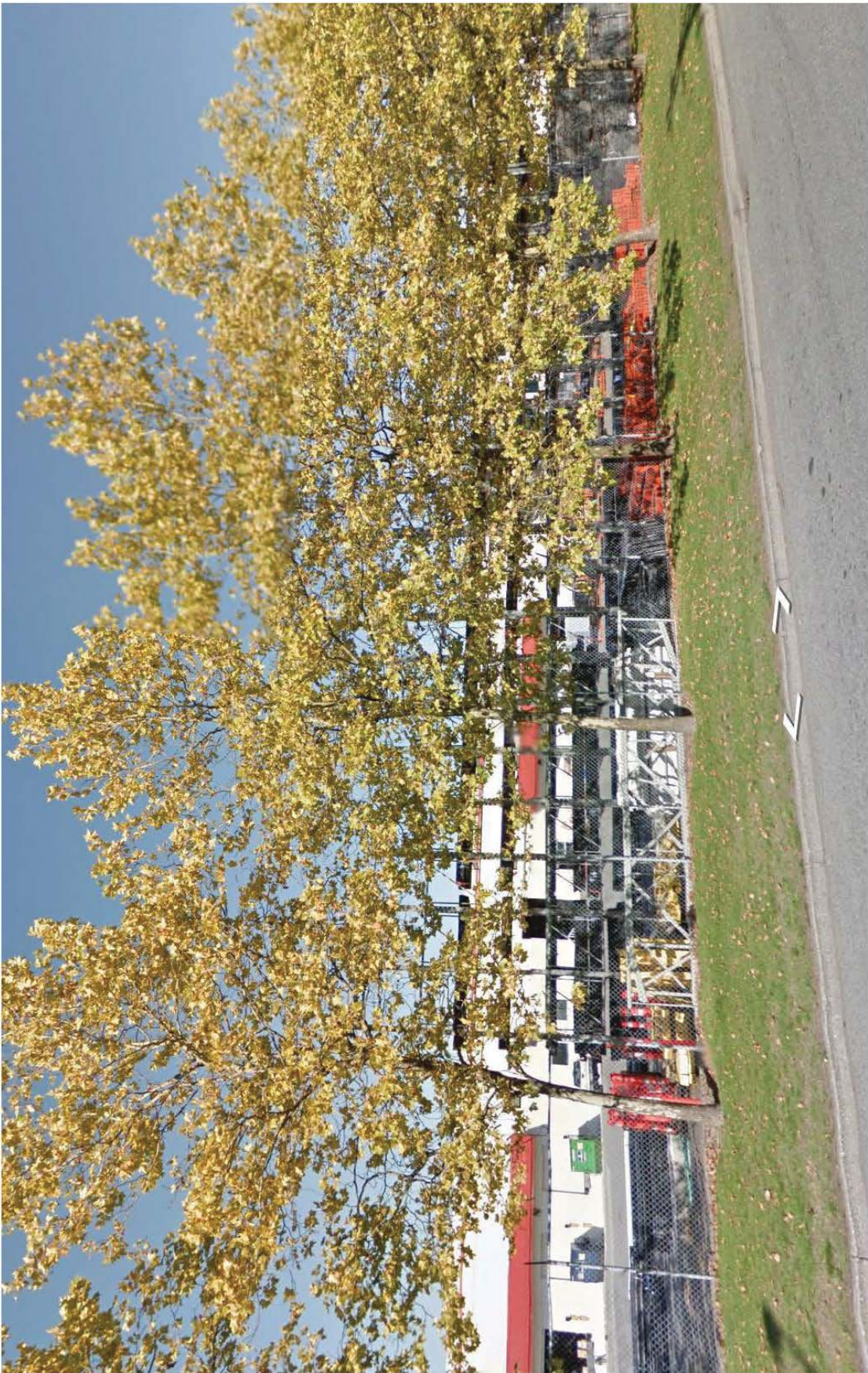


Image of trees mitigating visual impact of rackings structure from 94 Avenue.

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7915-0346-00

Issued To: EARTHSA ENTERPRISES LTD.

(the "Owner")

Address of Owner: 116, 998 - Harbourside Drive
North Vancouver, BC V7P 3T2

1. This development variance permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations or agreements, except as specifically varied by this development variance permit.
2. This development variance permit applies to that real property including land with or without improvements located within the City of Surrey, with the legal description and civic address as follows:

Parcel Identifier: 017-767-253
Lot 3 Section 34 Township 8 New Westminster District Plan LMP4381

9410 - 195 Street

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F of Part 48 Light Impact Industrial Zone (IL), the minimum side yard on a flanking street setback for an accessory structure is reduced from 7.5 metres (25 ft.) to 5.9 metres (19.5 ft.) for an exterior racking system; and
 - (b) In Section G of Part 48 Light Impact Industrial Zone (IL), the maximum height of an accessory structure is increased from 6 metres (20 ft.) to 6.7 metres (22 ft.) for an exterior racking system.
4. This development variance permit applies to only that portion of the buildings and structures on the Land shown on Schedule A which is attached hereto and forms part of this development variance permit. This development variance permit does not apply to additions to, or replacement of, any of the existing buildings shown on attached Schedule A, which is attached hereto and forms part of this development variance permit.

5. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
6. This development variance permit shall lapse if the Owner does not substantially start any construction with respect to which this development variance permit is issued, within two (2) years after the date this development variance permit is issued.
7. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
8. This development variance permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 .
ISSUED THIS DAY OF , 20 .

Mayor – Linda Hepner

City Clerk – Jane Sullivan

