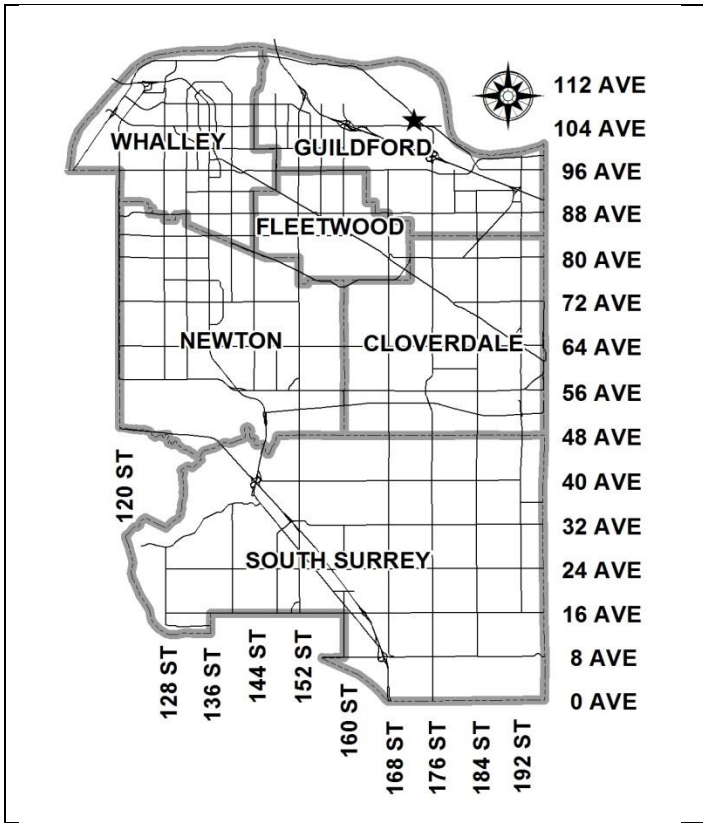


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7915-0444-00

Planning Report Date: May 2, 2016



PROPOSAL:

- **Development Variance Permit**

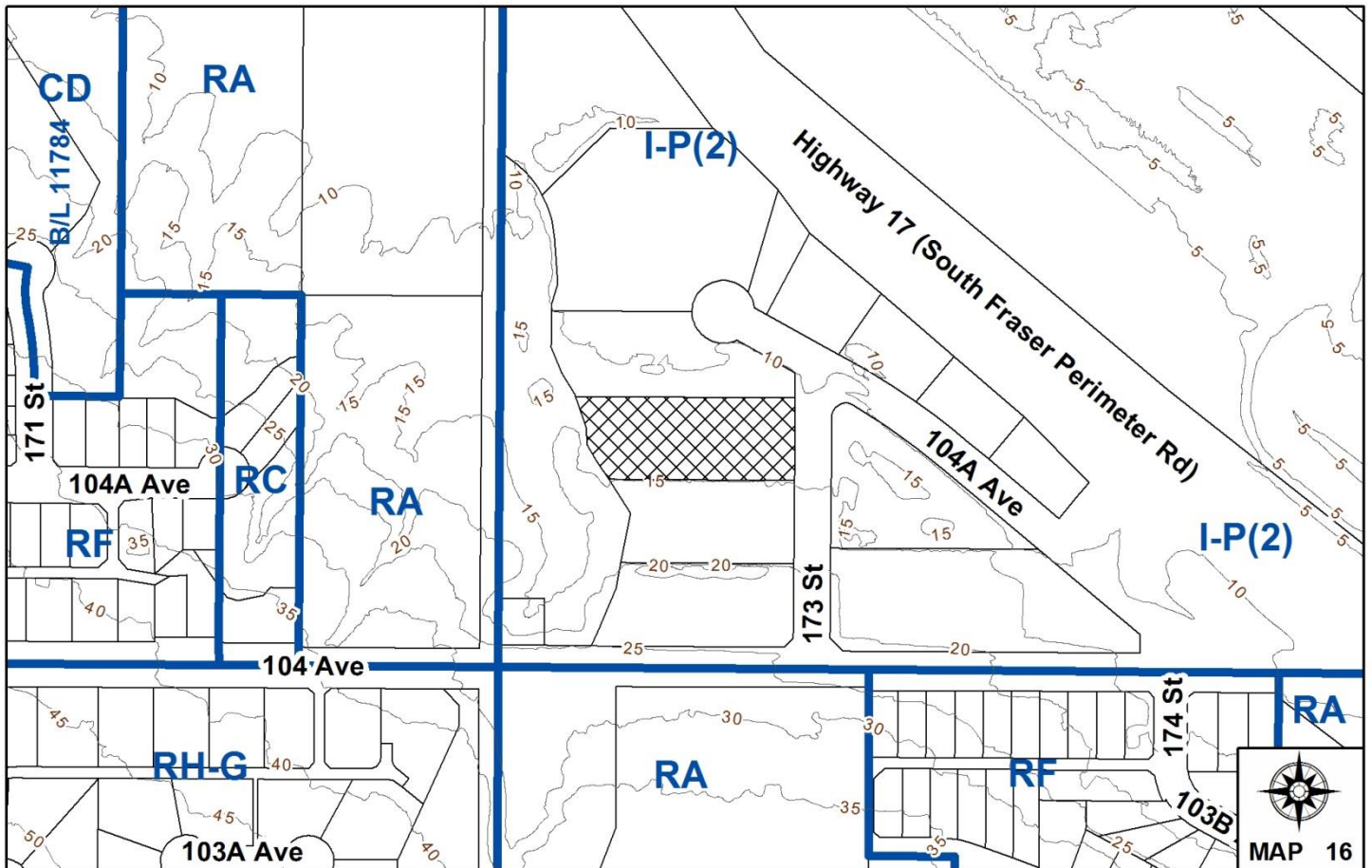
to relax the parking requirements for a proposed fitness facility (cross-fit gym).

LOCATION: 10439 - 173 Street, Unit 102

OWNERS: G. Cal Holdings Inc.
 Owners of Strata Plan BCS443

ZONING: I-P(2)

OCP DESIGNATION: Mixed Employment



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking to reduce the number of required on-site parking spaces from 31 to 10 for a proposed fitness facility (cross-fit gym) under Surrey Zoning By-law, 1979, No. 5942.

RATIONALE OF RECOMMENDATION

- Complies with the “Mixed Employment” designation in the Official Community Plan (OCP) and with the regulations of the I-P(2) Zone (Zoning By-law No. 5942), with the exception of parking.
- The occupant load of the proposed fitness facility (cross-fit gym) will be limited to 10 people at any one time (including employees), and thus the variance to reduce the required number of parking spaces from 31 to 10 is supportable.
- As a condition of issuance of the subject Development Variance Permit, a restrictive covenant limiting the maximum occupancy of the facility to no more than 10 people at any given time (including employees) will be registered on title of the subject unit (Unit 102). A sign indicating the maximum occupant load will also be mounted near the entrance of the unit. The maximum occupant load will be written in the Tenant Improvement Permit and the business license, both of which have been applied for in order to permit the operation of a cross-fit gym in the subject unit.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7915-0444-00 (Appendix IV) varying the following, to proceed to Public Notification:
 - (a) to vary the Surrey Zoning By-law, 1979, No. 5942 to reduce the minimum required number of on-site parking spaces for a fitness facility (cross-fit gym) use from 31 to 10.
2. Council instruct staff to resolve the following issue prior to final approval:
 - (a) registration of a restrictive covenant limiting the occupant load for the proposed cross-fit gym in Unit 102 to a maximum of 10 people at any given time.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Multi-tenant warehouse building.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Truck facility with industrial building	Mixed Employment	I-P(2)
East (Across 173 Street):	Vacant industrial lot (approved proposal to develop an industrial building, Application No. 7915-0236-00)	Mixed Employment	I-P(2)
South:	Warehouse building	Mixed Employment	I-P(2)
West:	Vacant treed lot	Suburban	I-P(2)

DEVELOPMENT CONSIDERATIONS

- The 5,019-square metre (1.2 ac.) subject lot is located at 10439 – 173 Street.

- The subject lot is designated “Mixed Employment” in the Official Community Plan (OCP) and is zoned “I-P(2) Industrial Park Zone (Two)” (Zoning By-law No. 5942). Since the lot is zoned I-P(2), the parking provisions of Surrey Zoning By-law No. 5942 are applicable.
- The subject lot was created in 2000 under Application No. 7999-0071-00 and on March 10, 2003 Council approved Development Permit No. 7902-0385-00 to permit a 2,147-square metre (23,100 sq. ft.) multi-tenant warehouse building. The building was subsequently stratified in 2003 under Strata Plan BCS 443.
- The existing warehouse building contains 9 units, 5 of which are vacant and the remaining 4 occupied by recycling, manufacturing, and catering businesses.
- The owner of vacant Unit 102 has applied for a Tenant Improvement Permit to accommodate a proposed cross-fit gym facility and Surrey CrossFit has applied for a business license to operate in the subject unit.
- The BC Building Code restricts the occupant load for Group D uses (business and personal services) to 30 people maximum at one time when two washrooms are provided. The proposed Tenant Improvement Permit work would include the construction of two washrooms in Unit 102, and thus the occupant load for the subject unit as dictated by the BC Building Code will be 30 people at any one time. However, the applicant is proposing to limit the occupant load to 10 people to support the requested parking relaxation (see By-law Variance section).
- Based on the parking requirements of Zoning By-law No. 5942, the proposed cross-fit gym use requires one (1) parking space for every nine (9) square metres (97 sq. ft.) of floor area. The 276-square metre (2,968 sq. ft.) Unit 102 therefore requires 31 parking spaces to accommodate the use. According to the applicant and the site plan provided (see Appendix II), there are 10 parking spaces available to the subject unit in the existing parking lot.
- The applicant has advised that the proposed cross-fit facility will not be able to accommodate more than 10 people at one time. The applicant has therefore requested a variance to reduce the number of required parking spaces from 31 to 10 for the subject unit (see By-law Variance Section).

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum required number of on-site parking spaces under Surrey Zoning By-law, 1979, No. 5942 from 31 to 10 for a proposed fitness facility (cross-fit gym).

Applicant's Reasons:

- The proposed cross-fit gym will not be able to accommodate more than 10 people at a time, and so 10 spaces is adequate (based on the assumption of one vehicle per person).

- There are 9 parking spaces in the existing parking lot allocated to Unit 102 and 1 additional parking space that can be shared with the adjacent Unit 101 so that 10 spaces could be accessed for Unit 102. The applicant is the owner of both Units 101 and 102, and has provided a letter supporting this parking stall sharing agreement (Appendix III).

Staff Comments:

- Zoning By-law No. 5942 provisions require 1 parking space per 9 square metres (97 sq. ft.) of gymnasium floor area, which equates to a requirement of 31 parking spaces for the proposed 276-square metre (2,968 sq. ft.) cross-fit gym.
- According to the applicant and the site plan provided (Appendix II), 9 parking spaces are allocated to Unit 102. The applicant is proposing to share 1 additional space with the adjacent Unit 101, which is currently occupied by a machine recycling and repair business, so that 10 parking spaces are available for the subject Unit 102.
- For manufacturing and industrial uses, Zoning By-law No. 5942 provisions require 3 parking spaces for every 100 square metres (1,076 sq. ft.) of display or retail sales area, plus 1 parking space for each 2 employees, plus 1 parking space for each vehicle owned, leased or operated by the company. The applicant (who is the owner of both the subject Unit 102 and the adjacent Unit 101) has advised staff that the existing machine recycling and repair shop operating in Unit 101 employs a maximum of 2 employees working at any one time. According to the applicant, there is no display or retail sales area in Unit 101, nor does the business operating in this unit use any company vehicles. This equates to a parking requirement of 1 space for the adjacent Unit 101. As per the site plan (Appendix II), there are currently 6 spaces allocated to Unit 101, which means that there is a surplus of 5 parking spaces for this unit.
- As per the letter provided by the applicant (Appendix III), the proposed cross-fit gym in Unit 102 would operate seven days a week from 6:00am – 9:00pm. The peak hours for the gym would be 6:00am – 7:30am and 5:00pm – 9:00pm. The machine recycling and repair business in adjacent Unit 101 operates from Monday to Friday 7:30am - 5:00pm.
- Given that the peak hours for the proposed cross-fit gym are outside of the hours of operation for the existing machine recycling and repair shop, the applicant's proposal to share 1 parking space between Units 101 and 102 is supportable.
- The BC Building Code restricts the occupant load for Group D uses (business and personal services) to thirty people maximum at any one time when two washrooms are provided, as is the case in the subject Unit 102. However, according to the applicant, the proposed cross-fit gym will not be able to accommodate more than 10 people at any one time.

- In order to ensure that the occupant load is limited to 10 people and to support the requested parking variance, staff are requiring that a restrictive covenant be registered on Title of the subject Unit 102. This restrictive covenant will indicate that, regardless of BC Building Code requirements, the occupant load for Unit 102 will be limited to no more than 10 people at any one time (including employees).
- In addition to the restrictive covenant, the maximum occupant load of 10 people will be indicated on a sign mounted near the entrance of Unit 102 and in the Tenant Improvement Permit (which has been applied for). It will also be written in the business license to be issued to Surrey CrossFit, which has applied for a business license to operate in the subject unit.
- The Engineering Transportation Division has reviewed this application, and has no objection to the variance.
- Staff support the proposed variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

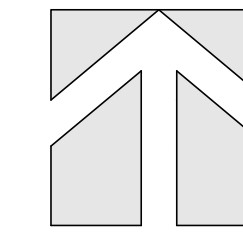
Appendix I.	Lot Owners and Action Summary
Appendix II.	Site Plan and Building Elevations
Appendix III.	Parking Stall Sharing Letter from Owner of Units 101 and 102
Appendix IV.	Development Variance Permit No. 7915-0444-00

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

RC/dk

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CR 5/25/16 1:56 PM

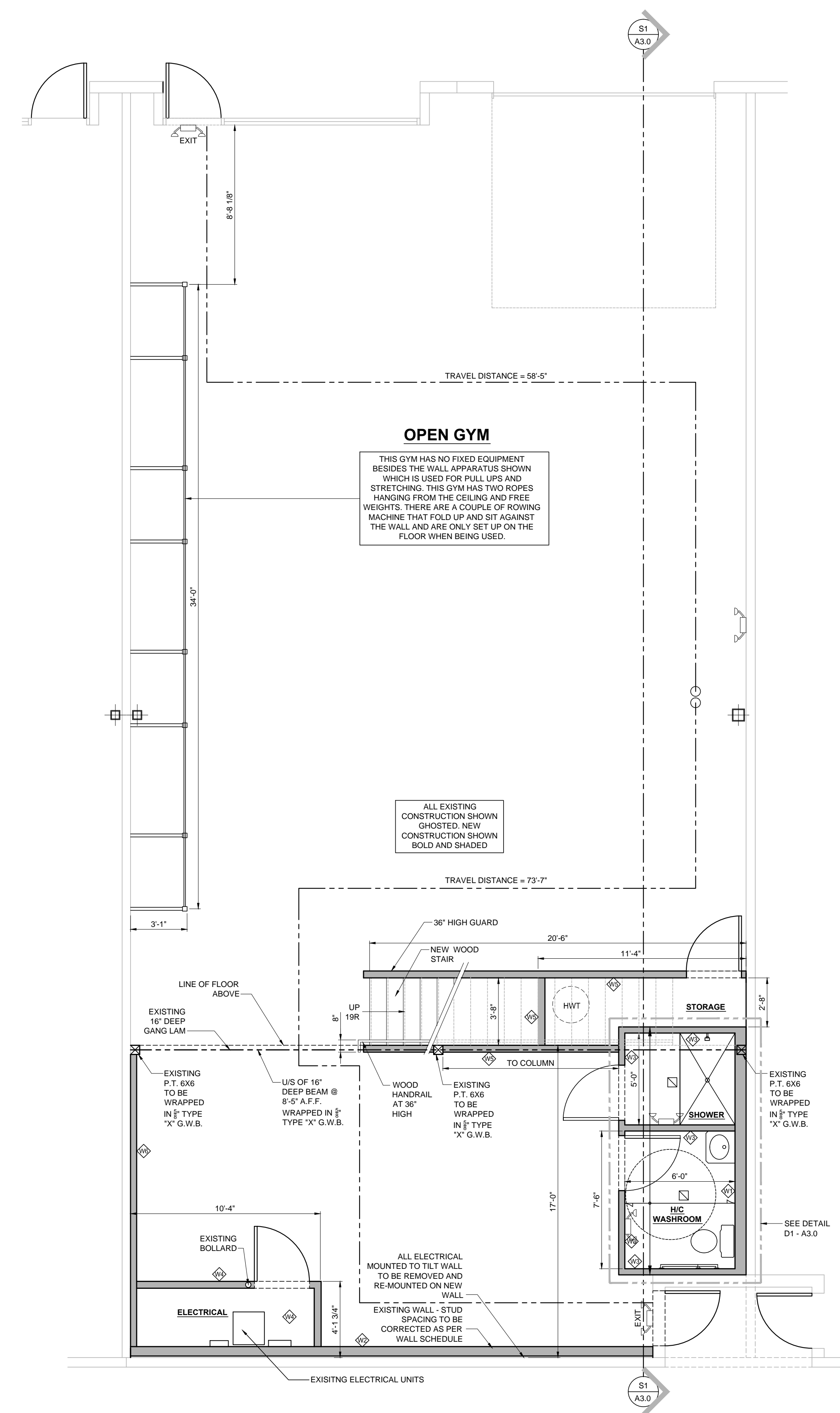


PROJECT NORTH



VANCOUVER OFFICE
210 - 1311 KOOTENAY ST. VANCOUVER, BC, V5K 4Y3
P. 604.294.6662 F. 604.294.6665 www.krahn.com

ABBOTSFORD OFFICE
400 - 34077 GLADYS AVE. ABBOTSFORD, BC, V2S 2E8
P. 604.853.8831 F. 604.850.1580 www.krahn.com



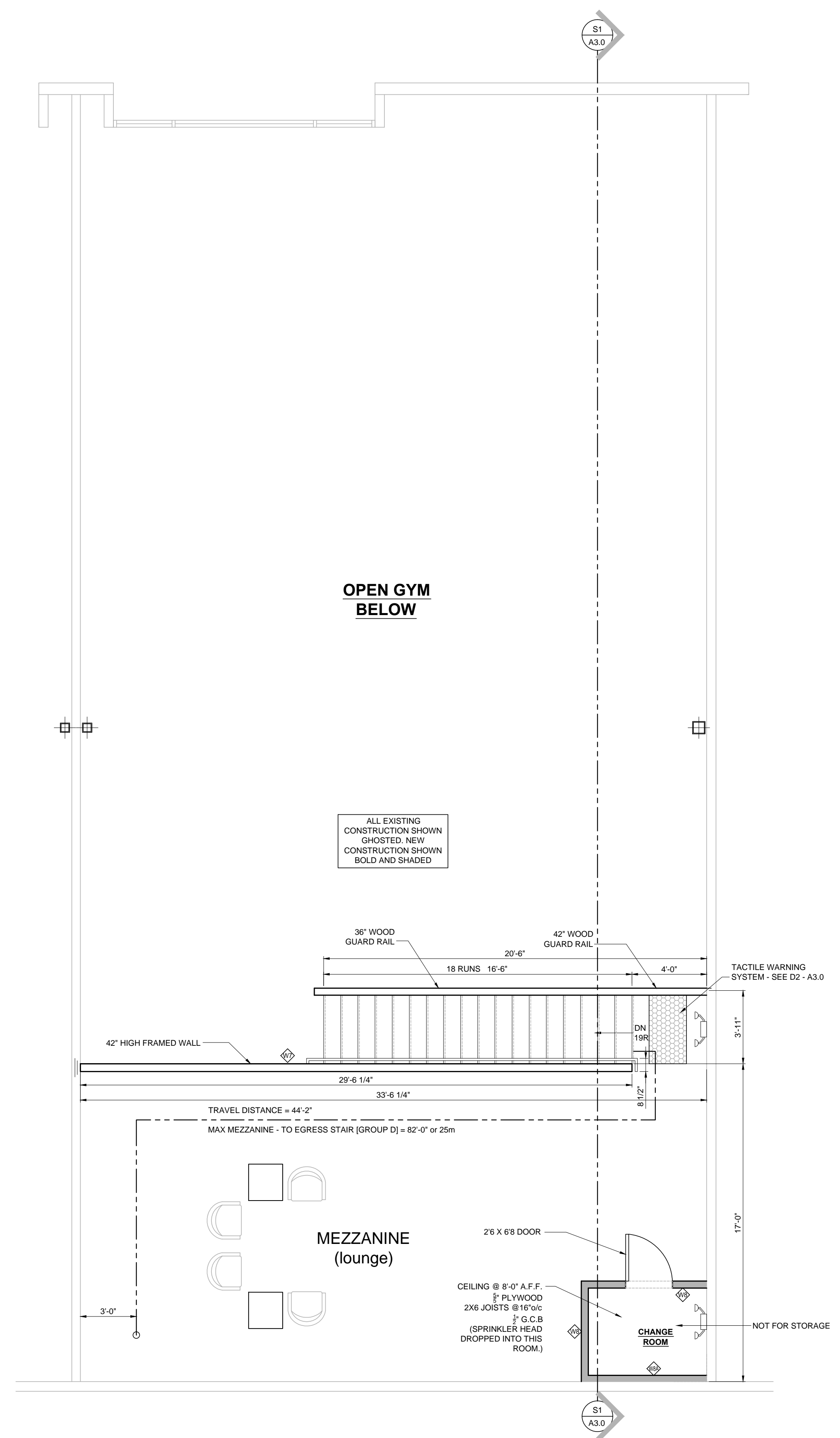
1 | PROPOSED MAIN FLOOR
A2.0 SCALE: 1/4" = 1'-0"

WALL ASSEMBLIES

◆	PLUMBING WALL (US FLOOR) 2X6 WOOD STUDS @ 16"OC 1/2" PLY (SEE STRUCTURAL FOR SHEAR) 5/8" TYPE "X" G.W.B.
◆	WALL FLOORING (BEARING TO US OF FLOOR) EXISTING CONC. TILT PANEL EXISTING 2X6 WOOD STUDS @ 16"OC ADD STUDS WHERE NEEDED 5/8" TYPE "X" G.W.B. 1/2" PLY (SEE STRUCTURAL FOR SHEAR) 5/8" TYPE "X" G.W.B. *MOVE ALL ELECTRICAL UNITS MOUNTED ON WALL TO BE MOUNTED ON NEW WALL SURFACE.
◆	PARTITION WALL (WASHROOM - US FLOOR) 5/8" TYPE "X" G.W.B. BOTH SIDES 2X4 WOOD STUDS @ 16"OC R-14 BATTS (FOR PRIVACY)
◆	PARTITION WALL (ELECTRICAL - US FLOOR) 5/8" TYPE "X" G.W.B. BOTH SIDES 2X4 WOOD STUDS @ 16"OC
◆	PARTITION WALL (UNDER STAIRS) 5/8" TYPE "X" G.W.B. BOTH SIDES 2X4 WOOD STUDS @ 16"OC PLYWOOD ON STAIR SIDE
◆	SHEAR WALL (US OF FLOOR) EXISTING TILT DEMISING WALL 2X4 WOOD STUDS @ 16"OC 1/2" PLY (SEE STRUCTURAL - SHEAR) 5/8" TYPE "X" G.W.B.
◆	LOW WALL / GUARD RAIL (42" HIGH) 2X4 WOOD STUDS @ 16"OC 5/8" TYPE "X" BOTH SIDES WOOD CAP ON TOP
◆	PARTITION WALL (8'-0" A.F.F.) 2" G.W.B. 2X4 WOOD STUDS @ 16"OC 2" G.W.B.
◆	PARTITION WALL (8'-0" A.F.F.) CONCRETE TILT PANEL (EXIST) 2X4 WOOD STUDS @ 16"OC 2" G.W.B.

FLOOR ASSEMBLIES

◆	40 MIN RATED FLOOR ASSEMBLY 3" T&G PLY SUB FLOOR 1 1/2" TJI FLOOR SYSTEM 2" TYPE "X" G.W.B.
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2 | PROPOSED MEZZANINE
A2.0 SCALE: 1/4" = 1'-0"

6	06/12/2016	PERMIT RE-SUBMIT - W/R REMOVED
5	01/29/2016	PERMIT RE-SUBMIT
4	01/11/2016	PERMIT RE-SUBMIT
3	12/09/2015	PERMIT REVISED - CITY COMMENTS
2	10/19/2015	ISSUED FOR PERMIT
1	10/02/2015	ISSUED FOR CLIENT REVIEW

NO. DATE: (d/m/y) DESCRIPTION:

ISSUES & REVISIONS:

SEAL:

larry podhora / architect
1852 BRACKMAN WAY, NORTH SAANICH, BC, V8L 0C2
400 - 34077 GLADYS AVE, ABBOTSFORD, BC, V2S 2E8
P. 604.853.8831 F. 604.850.1580

PROJECT NAME:
**TENANT IMPROVEMENT
PROPOSED CROSS FIT
TRAINING**

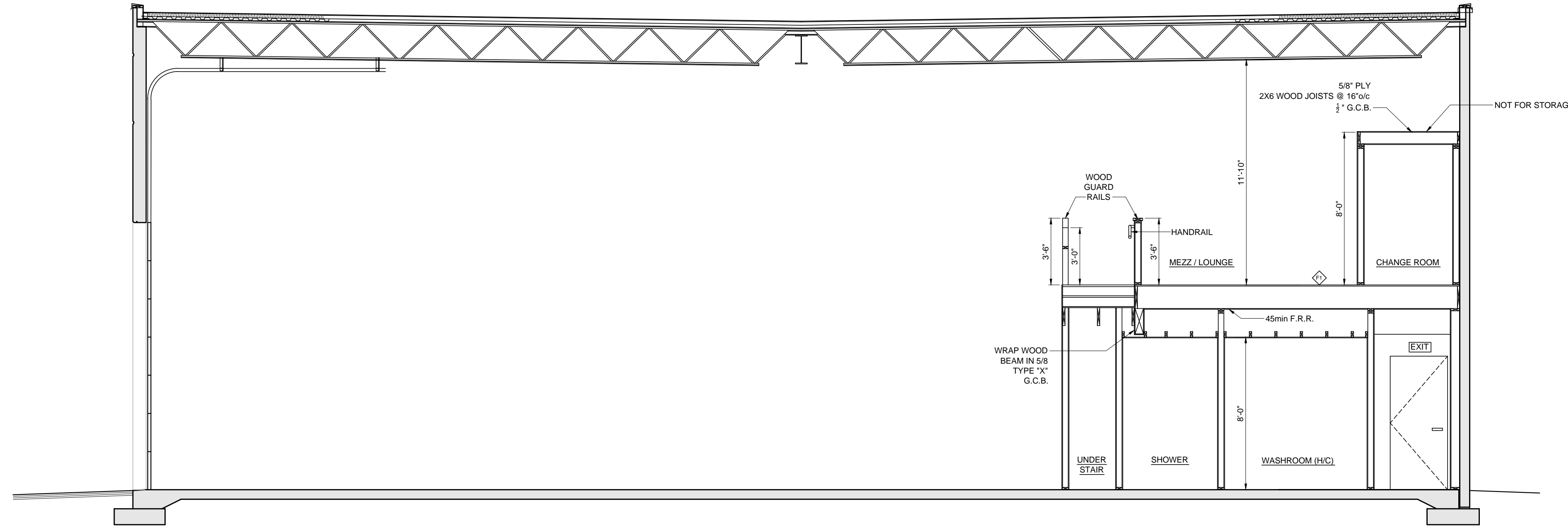
PROJECT ADDRESS:
**UNIT # 102
10439 173rd STREET
SURREY, BC V4N 5H3**

DRAWING TITLE:
**PROPOSED MAIN FLOOR
AND MEZZANINE PLAN**

SCALE: AS NOTED
DRAWN: LC
CHECKED: JB
PROJECT NO: 150560-A
DRAWING NO:

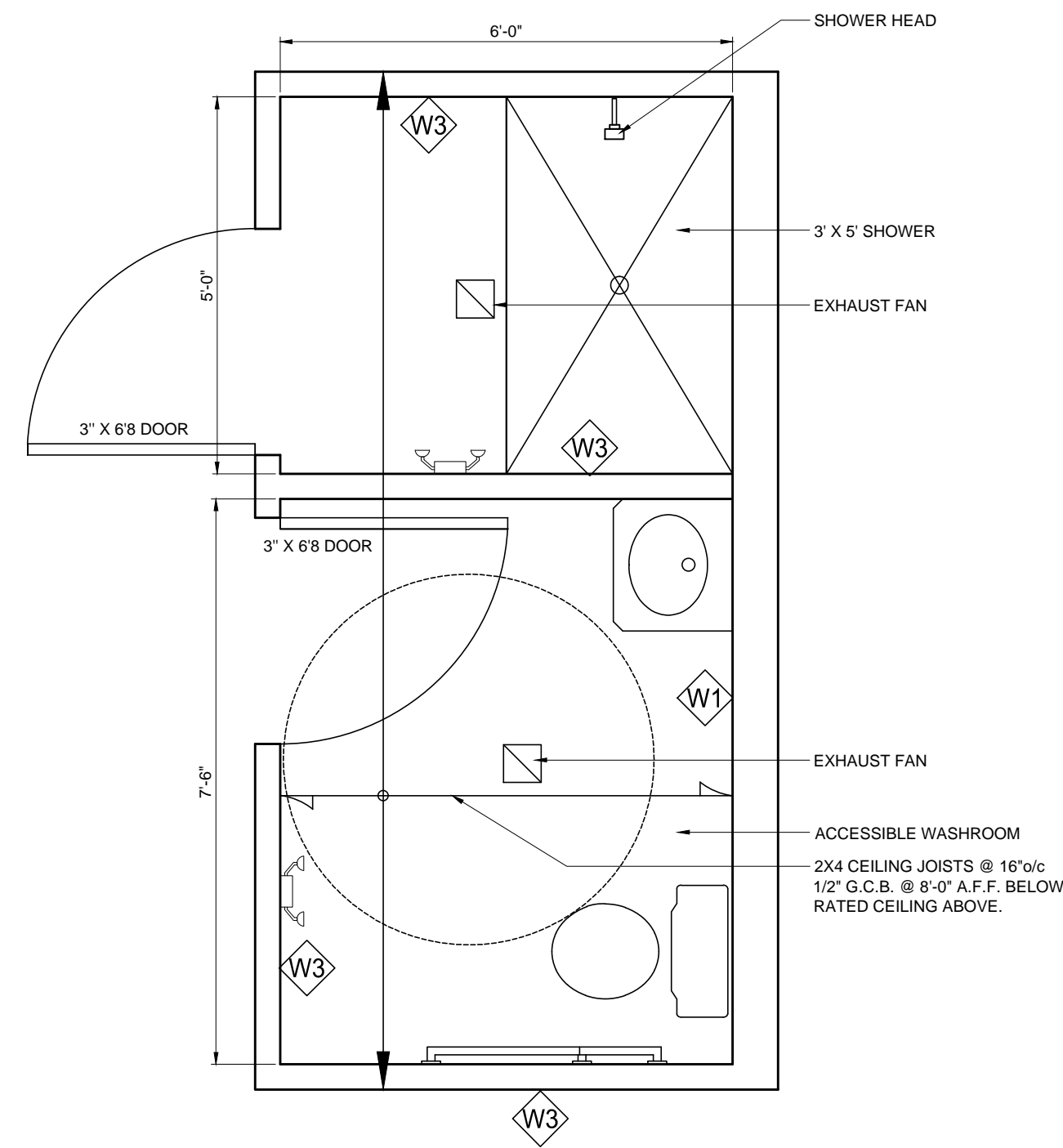
A2.0

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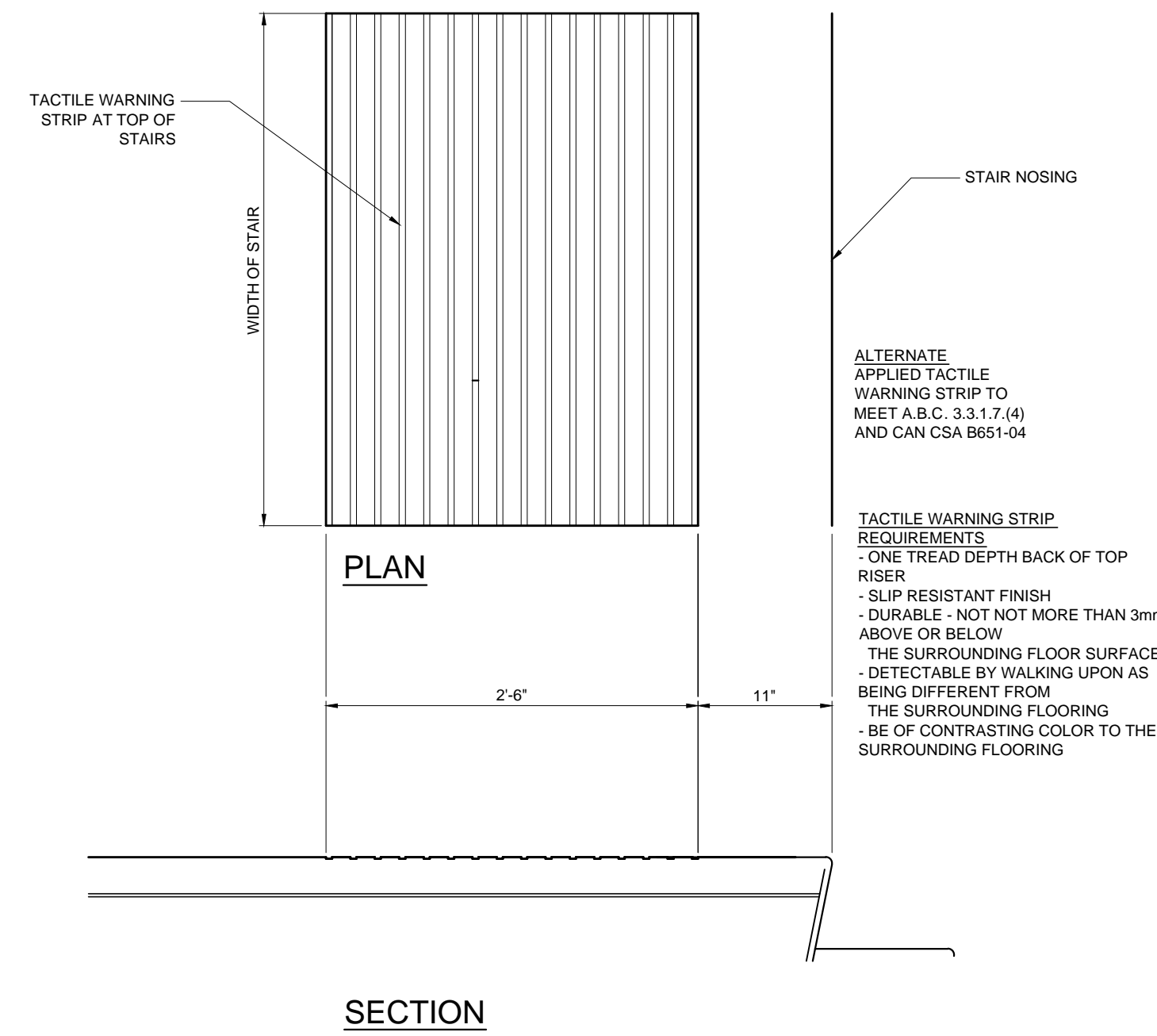


S1 BUILDING SECTION
A3.0 SCALE: 1/4" = 1'-0"

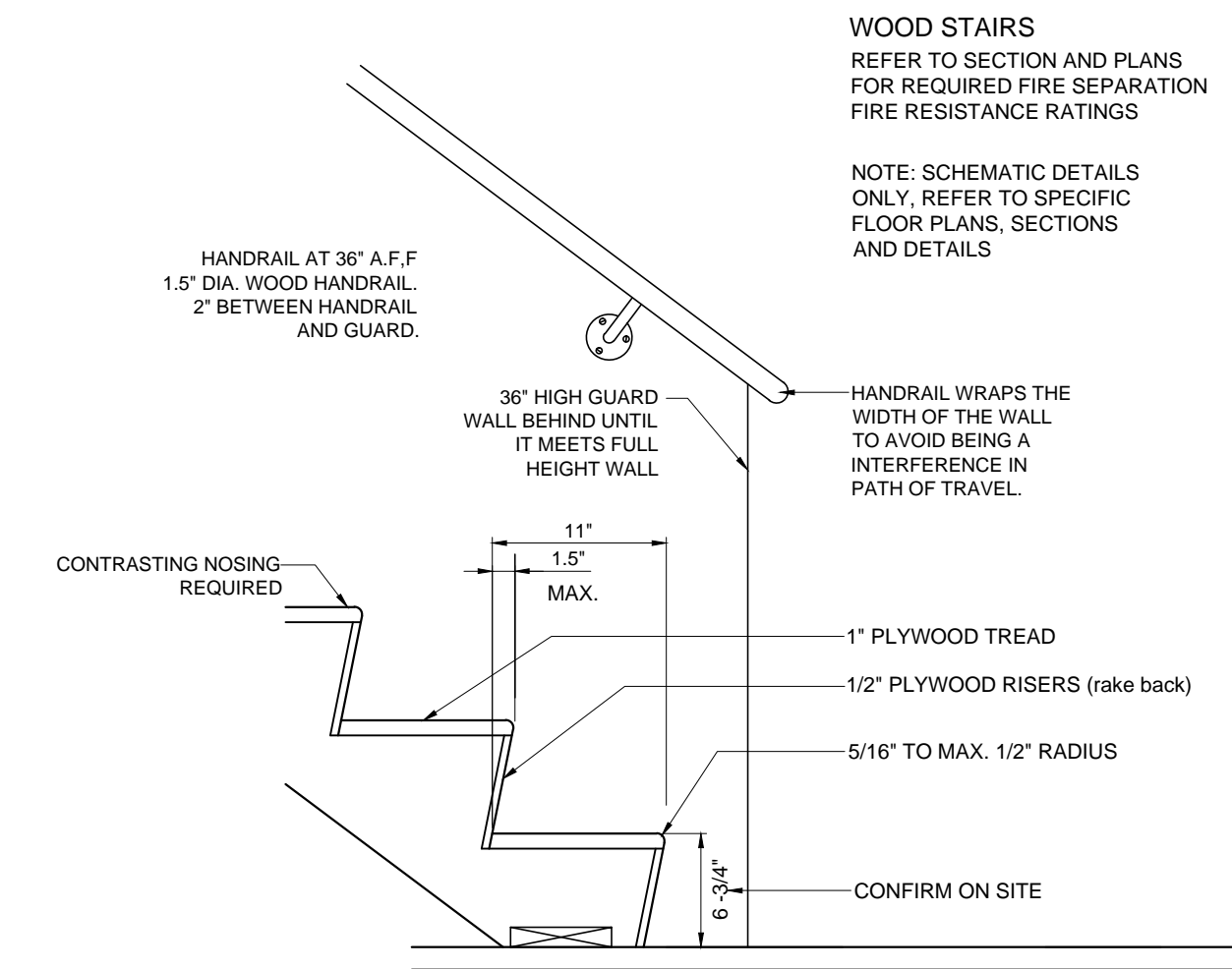
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1	10/02/2015	ISSUED FOR CLIENT REVIEW
NO.	DATE: (d/m/y)	DESCRIPTION:
ISSUES & REVISIONS:		



D1 WASHROOM DETAIL
A3.0 SCALE: 1/4" = 1'-0"



D2 TACTILE WARNING STRIP
A3.0 SCALE: 1/4" = 1'-0"



D3 STAIR DETAIL (WOOD)
A3.0 SCALE: 1/4" = 1'-0"

SEAL:

larry podhora / architect

1862 BRACKMAN WAY, NORTH SAANICH, BC, V8L 0C2
400 - 34077 GLADYS AVE, ABBOTSFORD, BC, V2S 2E8
P. 604.853.8831 F. 604.850.1580

PROJECT NAME:
**TENANT IMPROVEMENT
PROPOSED CROSS FIT
TRAINING**

PROJECT ADDRESS:
**UNIT # 102
10439 173rd STREET
SURREY, BC V4N 5H3**

DRAWING TITLE:
**PROPOSED MAIN FLOOR
AND MEZZANINE PLAN**

SCALE: AS NOTED
DRAWN: LC
CHECKED: JB
PROJECT NO: 150560-A
DRAWING NO:

A3.0

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G.CAL HOLDINGS INC

March 16, 2016
Transportation Department
City of Surrey
C/O Rebecca Chaster
Planning and Development

Dear Sir

As the owner of #101 we agree to share one additional parking stall to meet #102 requirements .

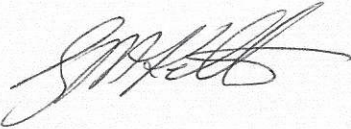
Machinex Recycling Equipment Unit 101 business hours are from 7:30 AM till 5:00 PM Monday thru Friday

The number of employees can vary from 2 to 4 depending on out of town work.

Hyack Athletics Gym Unit 102 business hours are from 6:00 Am till 9PM Monday thru Sunday

The number of employees can vary from 1 to 2

Sincerely yours,



Gordon McKellar President

11087-157 St

Surrey ,B.C.

V4N 1B9

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7915-0444-00

Issued To: G. CAL HOLDINGS INC

("the Owner")

Address of Owner: 11087 - 157 Street
Surrey, BC V4N 1B9

Issued To: Owners of Strata Plan BCS443

("the Owner")

Address of Owner: 10439 - 173 Street
Surrey, BC V4N 5H3

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: 025-697-081

Strata Lot 2 Section 7 Township 9 New Westminster District Strata Plan BCS443
Together With An Interest In The Common Property In Proportion To The Unit
Entitlement Of The Strata Lot As Shown On Form V.

10439 - 173 Street, Unit 102

(the "Land")

3. Surrey Zoning By-law, 1979, No. 5942, as amended is varied as follows:
 - (a) In Section D.5 of Part 5, Off-Street Parking, the number of required off-street parking spaces is reduced from 31 to 10 for a fitness facility (cross-fit gym) (see Schedule A).

4. This development variance permit applies to only the portion of the Land shown on 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

