

PROPOSAL:

- **Temporary Use Permit**

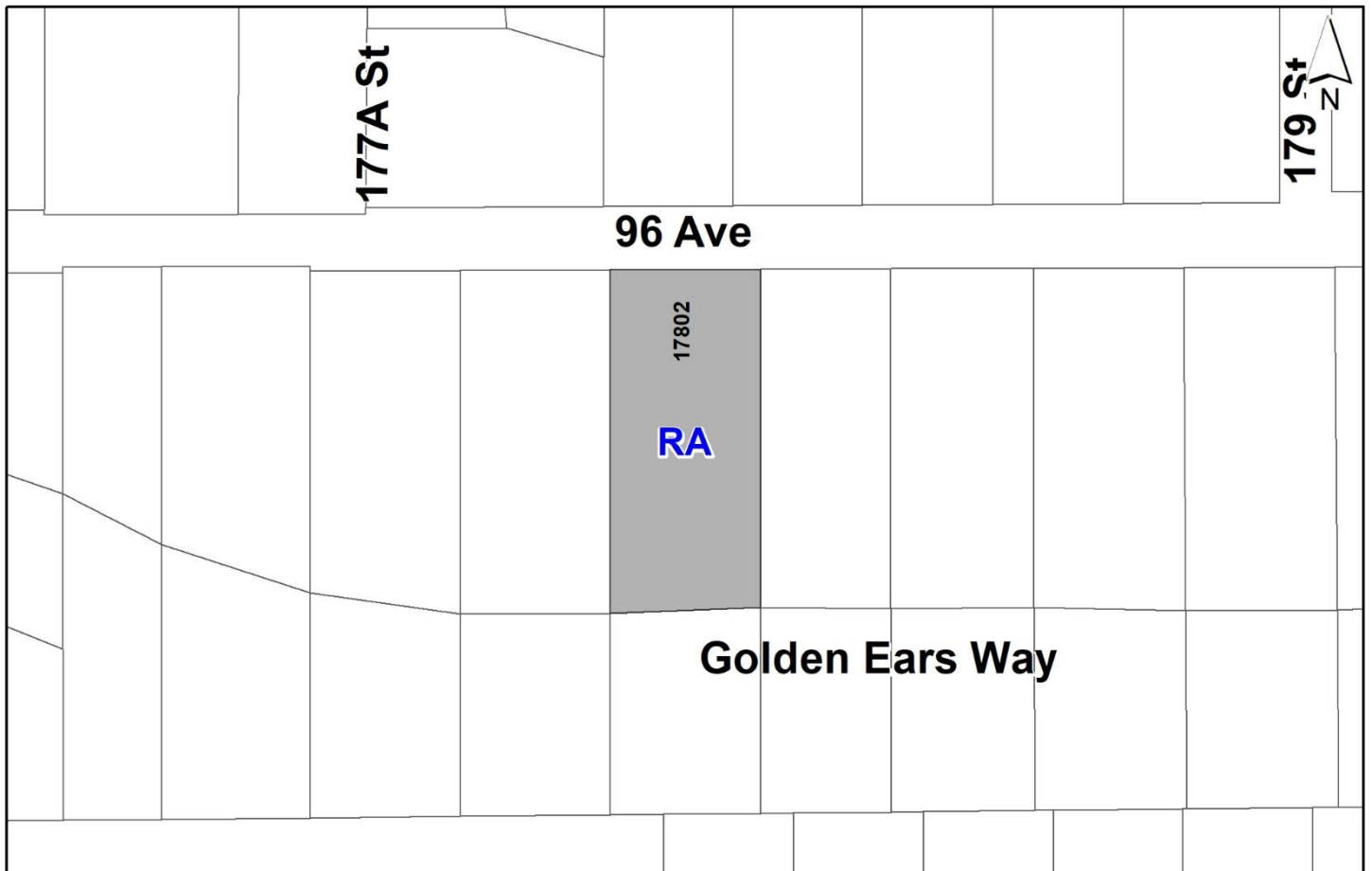
to permit the development of a temporary truck parking facility.

LOCATION: 17802 - 96 Avenue

ZONING: RA

OCP DESIGNATION: Mixed Employment

NCP DESIGNATION: Light Industrial



RECOMMENDATION SUMMARY

- Approval for Temporary Use Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is proposing to temporarily use the subject site for truck parking.
- The proposed truck parking use is not permitted in the RA Zone.

RATIONALE OF RECOMMENDATION

- The proposal complies with the Mixed Employment designation in the Official Community Plan (OCP) and the "Light Industrial" designation in the Anniedale-Tynehead Neighbourhood Concept Plan (NCP).
- The proposed temporary truck parking facility will allow an authorized, interim use of the land until it is economically viable for redevelopment.
- The road network is in the process of being upgraded in the area. The applicant will be required to complete any remaining road upgrades (widening) to ensure adequate truck access from the frontage of the property to the intersection of Golden Ears Way and 180 Street.
- The proposal will assist in providing much-needed authorized truck parking spaces in the City.
- The site is in close proximity to major truck routes, including Highway No. 17 (South Fraser Perimeter Road), Highway No. 15 (176 Street), Highway No. 1, and Golden Ears Way.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Temporary Use Permit No. 7923-0249-00 (Appendix V) to proceed to Public Notification.
2. Council instruct staff to resolve the following issues prior to final approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, dedications, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) completion of road upgrades as required to ensure adequate pavement width for truck traffic along 96 Avenue out to Golden Ears Way;
 - (c) input from the Ministry of Transportation & Infrastructure;
 - (d) input from TransLink;
 - (e) submission of a finalized landscaping and fencing plan and landscaping and fencing cost estimate to the specifications and satisfaction of the Planning and Development Department;
 - (f) the applicant satisfy the deficiency in tree replacement on the site, to the satisfaction of the Planning and Development Department;
 - (g) installation and subsequent inspection and approval of all required landscape screening and fencing works along the north and south of the property, to the satisfaction of the General Manager, Planning & Development;
 - (h) submission of financial securities to ensure that landscaping and fencing is maintained over the course of the Temporary Use Permit, to the satisfaction of the General Manager, Planning & Development;
 - (i) the applicant to undertake the necessary work and obtain permits, as required, for the proposed use of the residential building on the site for office space and washroom facility purposes;
 - (j) a Sensitive Ecosystem Development Permit (SEDP) application to be submitted and subsequently issued for the watercourse (ditch) along the northern property line and drainage feature the southwest portion of the site; and
 - (k) the applicant address any unauthorized fill on the subject site and obtain fill permits as required.

SITE CONTEXT & BACKGROUND

| Direction | Existing Use | NCP Designation | Existing Zone |
|---------------------------------|--|------------------------------------|---------------|
| Subject Site | Single family dwelling on acreage. | Light Industrial | RA |
| North (Across 96 Avenue): | Single family dwelling on acreage and parcel under TUP Application No. 7921-0334-00 for truck parking (pre-Council). | Light Industrial | RA |
| East: | Single family dwelling on acreage. | Light Industrial | RA |
| South (Across Golden Ears Way): | Single family dwelling and single family dwelling on acreage. | Trail and High Density Residential | RA |
| West: | Well treed vacant City-owned lot under TUP Application No. 7923-0350-00 for truck parking (pre-Council).. | Light Industrial | RA |

Context & Background

- The 7,587-square metre subject site is located at 17802 - 96 Avenue in Anniedale-Tynehead and is zoned "One-Acre Residential Zone (RA)", designated "Light Industrial" in the Anniedale-Tynehead Neighbourhood Concept Plan (NCP) and designated "Mixed Employment" in the Official Community Plan (OCP).
- The subject property has a single family dwelling located at the front of the property with several trees located in the front yard, middle of the property and along the east and west property lines. A metal shed is located on the site which was constructed in approximately 2020.
- The Planning & Development Department has received various proposals and inquiries for temporary truck parking and outdoor storage over the past few years in this area of Anniedale-Tynehead. Previously, most of these proposals and inquiries had not been supported as the existing road network was not conducive to truck traffic and the upgrade costs were seen as prohibitive for a temporary use proposal. As road upgrades and pavement widening are in the process of being completed by other applications in the area, Temporary Use Permit applications now have merit, pending input from MOTI and TransLink, which manages the intersection of 180 Street and Golden Ears Way.
- Temporary Use Permit applications have been submitted to the immediate west at 17768 – 96 Avenue (7923-0350-00) and four TUPs have been submitted to the east. Some of these applications have received preliminary support from Council and others are pre-Council but are expected to proceed to Council soon.

Current Site Conditions

- According to recent aerial photos, the applicant has already been using the site for parking trucks.
- The site has had unauthorized fill placed on the site which will need to be addressed prior to Temporary Use Permit issuance.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant has applied for a Temporary Use Permit (TUP) to allow the parking of approximately (20) tractors/bobtails and four (4) full length trailers that exceed 5,000 kilograms (11,000 lbs.) G.V.W for a period of three years.
- The proposed 3-year TUP will be valid from the date of approval. A TUP can be extended only once for a further maximum 3-year period subject to Council approval.
- The applicant has provided a site plan for the proposed truck parking.
- Truck access will be from 96 Avenue via an existing driveway along the western property line. The applicant will be required to pave the driveway.
- From the north (96 Avenue), the proposed truck parking will be screened by the existing house (to be retained) and trees. Additional trees will be planted for screening as part of the finalized landscaping plan.
- From the south (Golden Ears Way) the applicant proposes a 7.5 metre landscape buffer to screen the truck parking from Golden Ears Way.
- The applicant has committed to continue to work with staff on the proposed landscaping and fencing details to ensure appropriate buffering as a condition of TUP issuance (should Council support the proposed temporary use). The landscaping and fencing will be required to be installed and inspected prior to TUP issuance and securities will be collected to ensure the landscaping and fencing is maintained over the course of the TUP.
- The proposed temporary truck parking use will allow for the interim use of the land until it is economically viable for redevelopment.
- The proposed temporary truck parking use will assist in providing much-needed authorized truck parking spaces in the City.

Referrals

| | |
|---|--|
| Engineering: | The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix II. |
| Parks, Recreation & Culture: | No trees or vegetation are to be removed from the road right-of-way without pre-approval by Parks. |
| Ministry of Transportation & Infrastructure (MOTI): | Comments from MOTI are pending and will need to be addressed as a condition of TUP issuance. |
| TransLink: | Comments from TransLink are pending and will need to be addressed as a condition of TUP issuance. |

Transportation Considerations

- The applicant will be required to widen the pavement from the subject site to the intersection of 179 street and 96 Avenue.
- The applicant will also be required to pave their driveway entrance.

Natural Area Considerations

- The applicant completed a preliminary watercourse assessment and determined that a Class B (yellow-coded) ditch is located along 96 Avenue and there is a drainage feature on the property to the west (17768 - 96 Avenue).
- In accordance with Part 7A Streamside Protection setbacks of the Zoning By-law, a Class B (yellow-coded) ditch requires a minimum streamside setback of 7 metres, as measured from the top of bank. The proposed setbacks for the truck parking spaces comply with the requirements outlined in the Zoning By-law.
- The drainage feature (which is protected under the Water Sustainability Act) on the property to the west (17768 - 96 Avenue) will require an approximate 5 metre setback and impacts the southwest corner of the property.
- The subject property falls within the Sensitive Ecosystems Development Permit Area (DPA) for Streamside Areas in the OCP, given the location of the existing Class B (yellow-coded) ditch along 96 Avenue and the drainage feature to the west of the site. The Sensitive Ecosystems (Streamside Areas) Development Permit is required to protect aquatic and terrestrial ecosystems associated with streams from the impacts of development.
- Completion of a Sensitive Ecosystems Development Permit is a condition of the issuance of the Temporary Use Permit. The finalized environmental report and recommendations from the Qualified Environmental Professional (QEP) will be considered by Council in a subsequent report as part of the separate Development Permit for Sensitive Ecosystems.

POLICY & BY-LAW CONSIDERATIONS

Official Community Plan

Land Use Designation

- The subject site is designated as "Mixed Employment" in the OCP. The proposed interim use complies with the OCP designation, which accommodates light industrial uses.

Secondary Plans

Land Use Designation

- The subject site is designated "Light Industrial" in the Anniedale-Tynehead Neighbourhood Concept Plan (NCP). The Light Industrial designation is intended for manufacturing, processing, warehousing, and distribution of goods in an industrial park development.
- The proposed temporary use is considered to be supportable as it will allow an authorized, interim use of the land until it is economically viable for redevelopment, in accordance with the Anniedale-Tynehead NCP.
- In addition, the temporary use will assist in providing much-needed authorized truck parking spaces and outdoor storage in the City.

PUBLIC ENGAGEMENT

- Pre-notification letters were sent on February 26, 2024, and the Development Proposal Sign were installed on February 23, 2024. Staff received no responses from neighbouring residents.

TREES

- Nathan Loewen, ISA Certified Arborist of Red Cedar Environmental Consulting Ltd. prepared an Arborist Assessment for the subject property. The table below provides a summary of the proposed tree retention and removal by tree species:

Table 1: Summary of Proposed Tree Preservation by Tree Species:

| Tree Species | Existing | Remove | Retain |
|--|-----------------|---------------|---------------|
| Alder and Cottonwood Trees | | | |
| Alder | 3 | 1 | 2 |
| Cottonwood | 1 | 1 | 0 |
| Deciduous Trees (excluding Alder and Cottonwood Trees) | | | |
| Cherry | 3 | 2 | 1 |
| Coniferous Trees | | | |
| Douglas Fir | 15 | 12 | 3 |
| Fir | 1 | 0 | 1 |
| Western Red Cedar | 31 | 5 | 26 |
| Total (excluding Alder and Cottonwood Trees) | 50 | 19 | 31 |
| Total Replacement Trees Proposed (excluding Boulevard Street Trees) | | 40 | |
| Total Retained and Replacement Trees Proposed | | 73 | |
| Estimated Contribution to the Green City Program | | nil | |

- The Arborist Assessment states that there are a total of 50 mature trees on the site (including shared trees), excluding Alder and Cottonwood trees. Four (4) existing trees, approximately 8% of the total trees on the site, are Alder and Cottonwood trees. The applicant proposes to retain 33 trees (including 2 Alder trees) as part of this development proposal. The proposed tree retention was assessed taking into consideration the location of services, building footprints, road dedication and proposed lot grading.
- For those trees that cannot be retained, the applicant will be required to plant trees on a 1 to 1 replacement ratio for Alder and Cottonwood trees that are outside the streamside protection area, and a 2 to 1 replacement ratio for all other trees, including Alder and Cottonwood that are within the streamside protection areas. This will require a proposed total of 40 replacement trees on the site. The applicant is proposing 40 replacement trees as part of the Sensitive Ecosystems Development Permit (SEDP) planting plan and the buffer along Golden Ears Way.
- The proposed 40 trees meets City requirements but if the applicant is not able to provide 40 replacement trees they will require a contribution to the Green City Program. Any shortfall in replacement trees will require cash-in-lieu payment of \$550 per tree, in accordance with the City's Tree Protection Bylaw.

- The majority of the replacement trees will be added to the 7.5 metre landscape buffer along the south of the site.
- In summary, a total of 73 trees are proposed to be retained or replaced on the site.
- The proposed tree retention and replacement strategy will be refined as the applicant works through the detailed design process.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

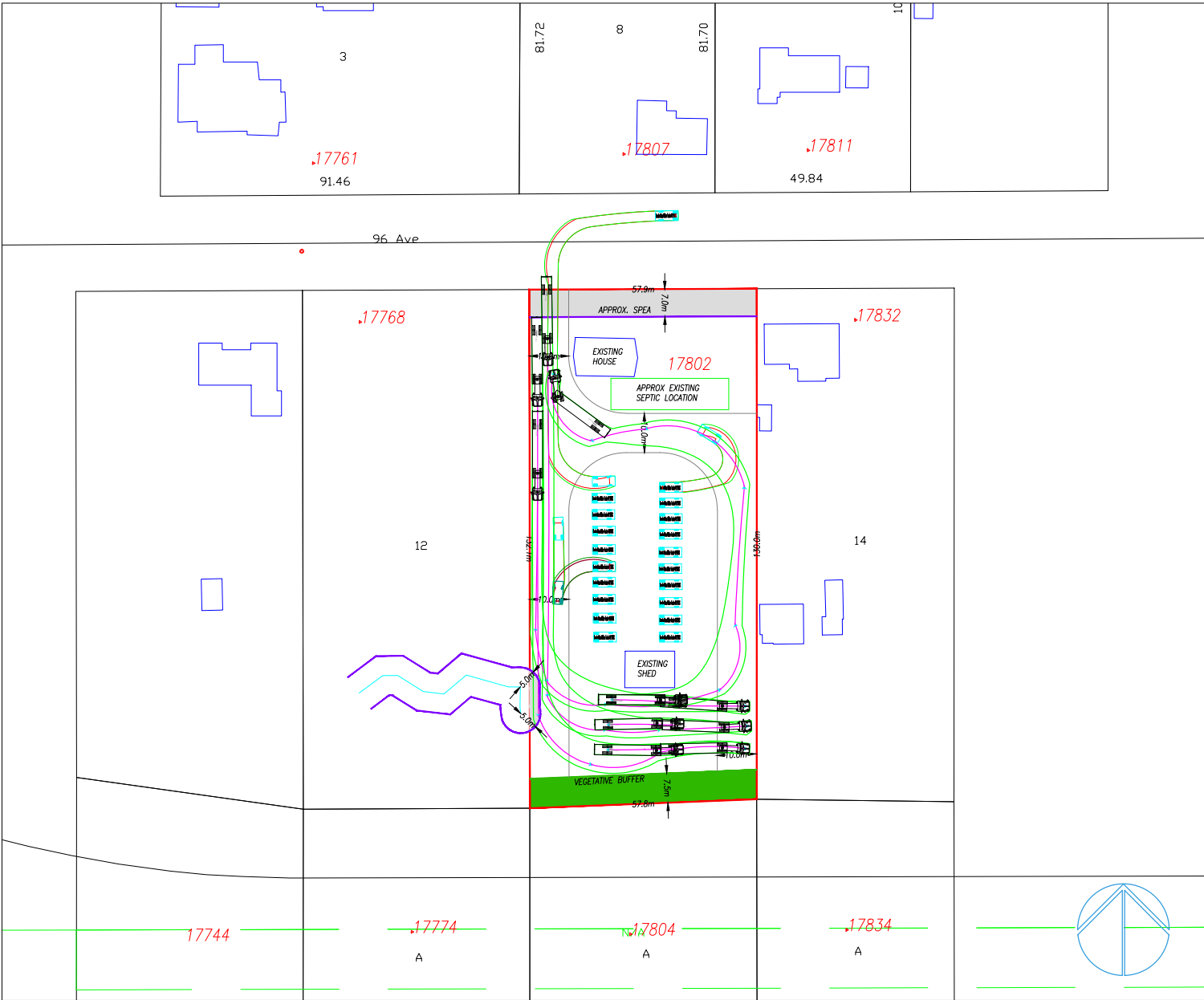
| | |
|---------------|--|
| Appendix I. | Site Plan |
| Appendix II. | Engineering Summary |
| Appendix III. | Summary of Tree Survey and Tree Preservation |
| Appendix IV. | Aerial Photos from April 2024 |
| Appendix V. | Temporary Use Permit No. 7923-0249-00 |

approved by Ron Gill

Don Luymes
General Manager
Planning and Development

JKS/ar

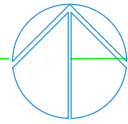
Appendix I



- LEGEND:**
- EXISTING PROPERTY LINE
 - SUBJECT PROPERTY
 - PROPOSED PROPERTY LINE
 - BUILDING ENVELOPE
 - APPROX. SPEA SETBACK
 - VEGETATIVE BUFFER

ZONING: RA

| | |
|--|-------------|
| | |
| PROJECT LOCATION 17802 96 AVE TRUCK PARKING PLAN | |
| PROJECT NUMBER 22-389 | |
| DRAWN BY: BRITTANY FEAVER | |
| DATE: APRIL 22 2024 | SHEET: 1 |
| SCALE: 1:1000 | |



TO: **Director, Development Planning, Planning & Development Department**

FROM: **Development Process Manager, Engineering Department**

DATE: **March 04, 2024**

PROJECT FILE: **7823-0249-00**

RE: **Engineering Requirements**
Location: 17802 96 Ave

TEMPORARY USE PERMIT

The following are to be addressed as a condition of issuance of the Temporary Use Permit:

- Construct road improvements from the site to the intersection of Golden Ears Way and 180 Street to support truck turning movements.
- Construct 11.0 m wide paved access, extend into the site for minimum one truck length.
- Construct storm infrastructure upgrades to adequately capture increased road runoff.
- Secure applicable provincial and federal approvals for all impacted streams, as required.
- Reduced Pressure backflow preventer for premise isolation is required at property line.
- Construct on-site stormwater mitigation features to meet pre-development conditions up to the 100-year storm event. There shall be no uncontrolled drainage onto adjacent private property. Submit on-site stormwater management plan with geotechnical testing and reporting.
- Construct on-site water quality treatment features.
- Register restrictive covenants for on-site stormwater mitigation, water quality treatment, and septic system. The existing septic field shall not be paved over.

A Servicing Agreement is required. A processing fee is applicable.

Works and Services must be constructed and placed on final maintenance prior to issuance of the Temporary Use Permit.



Daniel Sohn, P.Eng.
Development Process Manager
BD

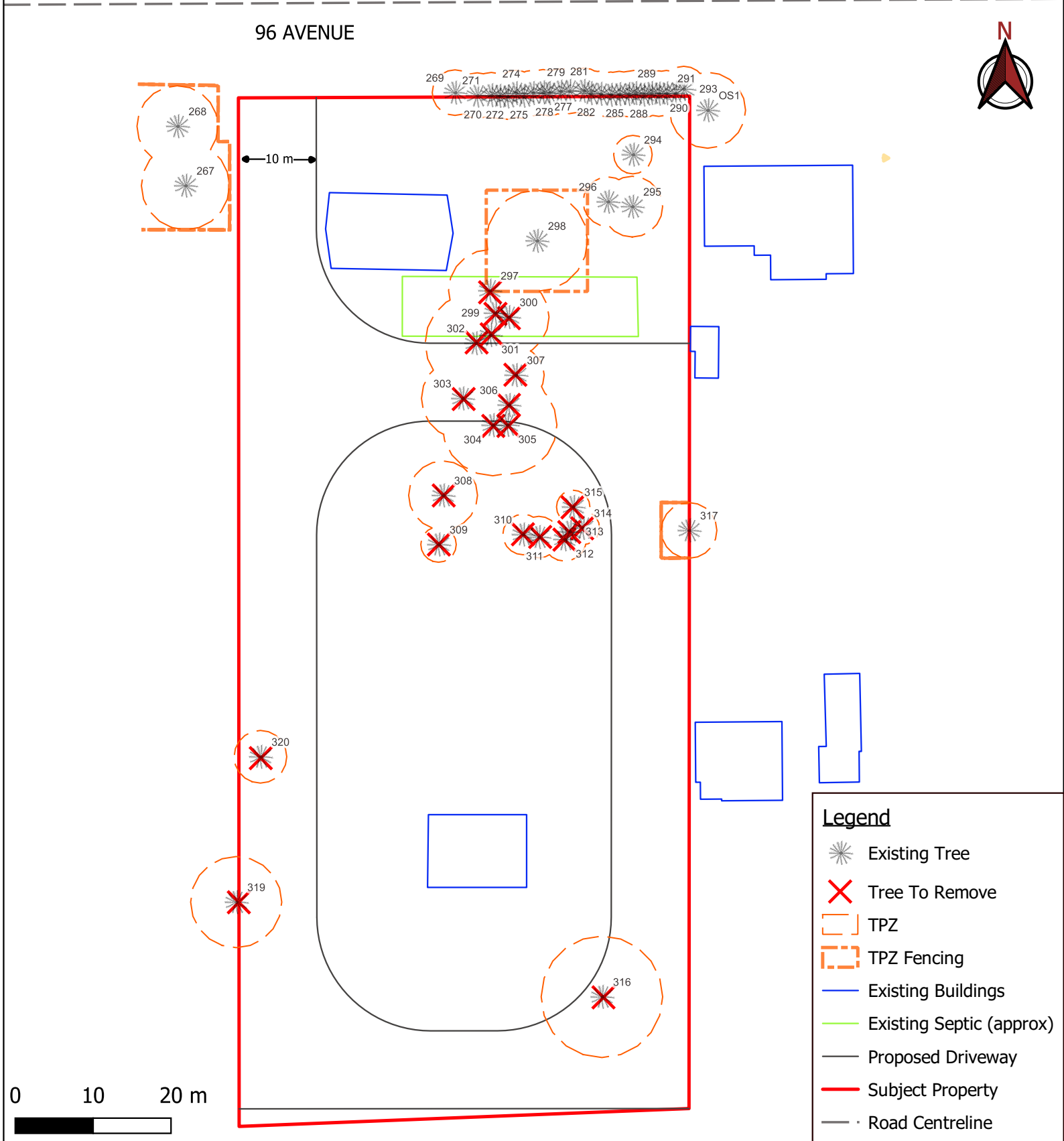
| Off-site Trees | Number of Trees |
|---|-----------------|
| Protected Trees Identified | 3 |
| Protected Trees to be Retained | 3 |
| Protected Trees to be Removed | 0 |
| # Alder | 0 |
| # Cottonwood | 0 |
| Total | 0 |
| Alder and cottonwood trees requiring 1:1 replacement 0 x one (1)= | 0 |
| All others trees requiring 2:1 replacement 0 x two (2)= | 0 |
| Replacement Trees Proposed | 0 |
| Replacement Trees in Deficit | 0 |
| Protected trees to be retained in proposed open space/riparian areas | n/a |

Table 2. Summary of Tree Preservation

| Summary of Tree Preservation by Tree Species | | | |
|---|-----------|-----------|-----------|
| Tree Species | Existing | Remove | Retain |
| Alder and Cottonwood Trees | | | |
| Alder | 3 | 1 | 2 |
| Cottonwood | 1 | 1 | 0 |
| Protected Trees (excluding alder and cottonwood) | | | |
| Cherry | 3 | 2 | 1 |
| Douglas fir | 15 | 12 | 3 |
| Fir | 1 | 0 | 1 |
| Western redcedar | 31 | 5 | 26 |
| Total | 54 | 21 | 33 |
| Total replacement trees proposed: | | 40 | |
| Total retained and replacement trees: | | 73 | |

Tree Management Plan

17802 96 Avenue, Surrey, BC (PID: 006-935-044)



Legend

- Existing Tree
- Tree To Remove
- TPZ
- TPZ Fencing
- Existing Buildings
- Existing Septic (approx)
- Proposed Driveway
- Subject Property
- Road Centreline

DRAWN BY:
 Nathan Loewen
 nathan@redcedarenvironmental.com
 #201-45269 Keith Wilson Road
 Chilliwack BC V2R 5S1
 February 1, 2024

NOTE:
 Tree locations obtained by Trimble DA2 Receiver with Catylst data correction, and are subject to a margin of error.
 Tree ownership in this assessment is not definitive and is based on information available from the legal site survey, GPS locations, and field assessment.





Appendix IV

© All EagleView Techno

poration

(the "City")

TEMPORARY USE PERMIT

NO.: 7923-0249-00

Issued To:

(the "Owner")

Address of Owner:

1. This temporary use permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations or agreements, except as specifically varied by this temporary use permit.
2. This temporary use 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: 006-935-044

Lot 13, Except Part In Plan BCP26969 Section 32 Township 8 New Westminster District Plan 33921
17802 96 Avenue

(the "Land")

3. The authority to issue Temporary Use Permits is granted to municipalities under Sections 492 and 493 of the *Local Government Act* R.S.B.C. 2015, c.1. Pursuant to Implementation, II(c) Implementation Instruments, Temporary Use Permits of Surrey Official Community Plan, 2013, No. 18020, as amended, the entire City of Surrey is designated a Temporary Use Permit area.
4. The temporary use permitted on the Land shall be for to allow the parking of approximately (20) tractors/bobtails and four (4) full length trailers that exceed 5,000 kilograms (11,000 lbs.) G.V.W for a period of three years with the access and the location of the structures, and landscaping and fencing, substantially in compliance with Schedule A (the "Site Plan") which is attached hereto and forms part of this permit.
5. The temporary use permitted on the Land shall be in accordance with:
 - (a) No refrigerated truck units shall park on the site at any time;
 - (b) The parking area shall be designed to support the anticipated vehicle load in order to prevent dirt from being tracked onto the City roadway;

- (c) Adequate washroom facilities are to be provided on site to the satisfaction of the General Manager of Planning & Development with a minimum of one such facility on site; and
- (d) the following activities are prohibited on the land:
 - i. vehicle washing
 - ii. vehicle maintenance except if it is on an asphalt or concrete pad and excludes all oil, coolant or chemical use as per the Environmental Management Act, S.B.C. 2002 Chapter 43
 - iii. truck fuel storage or refuelling
 - iv. storage of waste petroleum fluids
 - v. parking or storage of vehicles containing Dangerous Goods as defined by the *Transport of Dangerous Goods Act* R.S.B.C. 1996, Chapter 458.

6. The Owner covenants and agrees that the pre-servicing requirements attached as Schedule B (the "Pre-Servicing Requirements") which is attached hereto and forms part of this permit, have been completed and will be maintained for the duration of the Temporary Use Permit.

7. As a condition of the issuance of this temporary use permit, Council is holding security set out below (the "Security") to ensure that the temporary use is carried out in accordance with the terms and conditions of this temporary use permit. Should the Owner fail to comply with the terms and conditions of this temporary use permit within the time provided, the amount of the Security shall be forfeited to the City. The City has the option of using the Security to enter upon the Land and perform such works as is necessary to eliminate the temporary use and bring the use and occupancy of the Land into compliance with Surrey Zoning By-law, 1993, No. 12000, as amended (the "Works"). The Owner hereby authorizes the City or its agents to enter upon the Land to complete the Works. There is submitted accordingly:

Cash in the amount of \$ _____

An Irrevocable Letter of Credit, in a form acceptable to the City, in the amount of \$ _____

The Security is for:

- i. Works _____
- ii. Landscaping _____

8. (a) The Landscaping shall be completed within six (6) months after the date of the final inspection of the buildings and structures referred to in the Drawings.

(b) i. When the Landscaping is substantially complete as determined by the City, without the City having to use the Security, 90% of the original Security will be returned. When the Landscaping receives final approval by the City, not earlier than twelve (12) months after the date of substantial

completion of the Landscaping, 10% of the original Security will be returned;

- ii. If final approval of the Landscaping is not given by the City, the City has the option of using the Security to complete the Landscaping and any remaining money shall be returned. The Owner hereby authorizes the City or its agents to enter upon the Land to complete the Landscaping; and
- iii. If the City elects not to enter upon the Land to complete the Landscaping and the Owner does not complete the Landscaping, the Security is forfeited to the City five (5) years after the date of the provisional or final inspection of the buildings and structures referred to in the Drawings.

- 9. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this temporary use permit. This temporary use permit is not a building permit.
- 10. An undertaking submitted by the Owner is attached hereto as Appendix I and forms part of this temporary use permit.
- 11. This temporary use permit is not transferable.
- 12. This temporary use permit shall lapse on or before three years from date of issuance

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

ISSUED THIS DAY OF , 20 .

Mayor – Brenda Locke

City Clerk – Jennifer Ficocelli

IN CONSIDERATION OF COUNCIL'S APPROVAL OF THIS TEMPORARY USE PERMIT AND OTHER GOOD AND VALUABLE CONSIDERATION, I/WE THE UNDERSIGNED AGREED TO THE TERMS AND CONDITIONS OF THIS TEMPORARY USE PERMIT AND ACKNOWLEDGE THAT WE HAVE READ AND UNDERSTOOD IT.

Authorized Agent: Signature

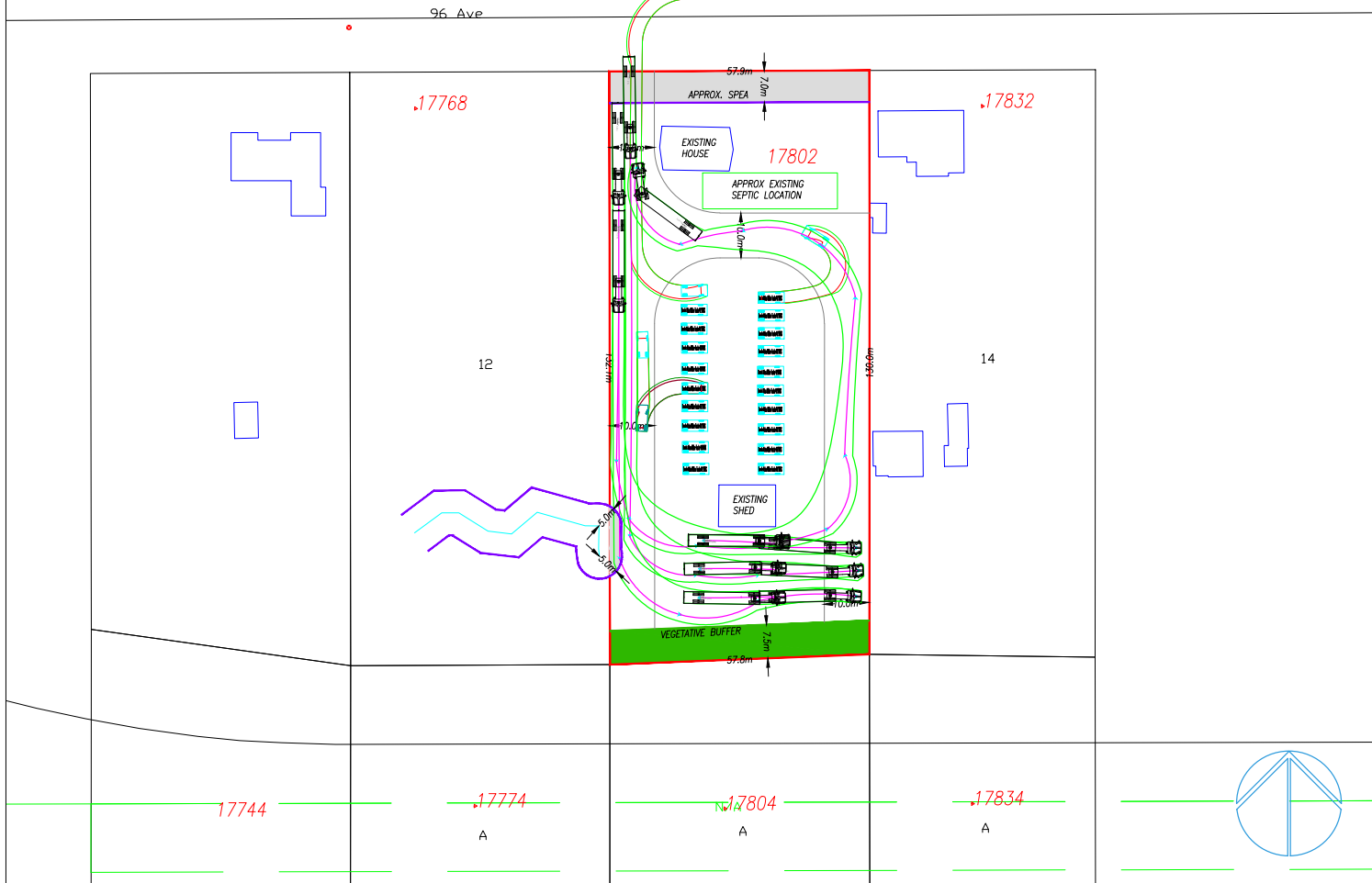
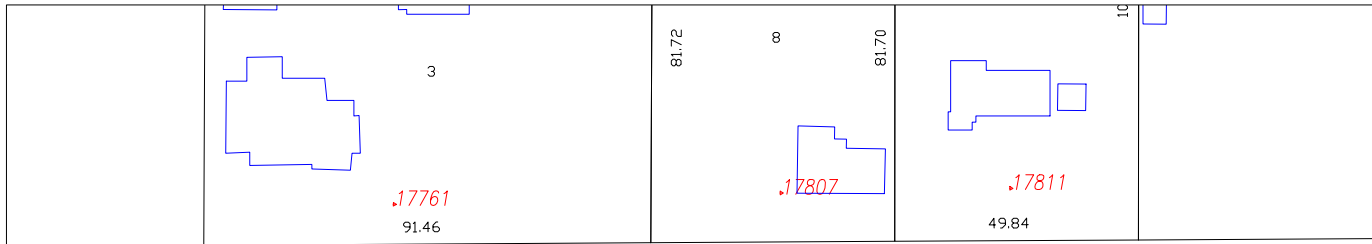
Name (Please Print)

OR

Owner: Signature

Name: (Please Print)

Schedule A



LEGEND:

- EXISTING PROPERTY LINE
- SUBJECT PROPERTY
- PROPOSED PROPERTY LINE
- BUILDING ENVELOPE
- APPROX. SPEA SETBACK
- VEGETATIVE BUFFER

ZONING: RA

OTG DEVELOPMENTS LTD.
LAND USE CONSULTING & DEVELOPMENT

PROJECT LOCATION
17802 96 AVE
TRUCK PARKING PLAN

PROJECT NUMBER
22-389

DRAWN BY:
BRITTANY FEAVER

DATE:
APRIL 22 2024

SCALE:
1:1000

SHEET:

1

TO: **Director, Development Planning, Planning & Development Department**

FROM: **Development Process Manager, Engineering Department**

DATE: **March 04, 2024**

PROJECT FILE: **7823-0249-00**

RE: **Engineering Requirements**
Location: 17802 96 Ave

TEMPORARY USE PERMIT

The following are to be addressed as a condition of issuance of the Temporary Use Permit:

- Construct road improvements from the site to the intersection of Golden Ears Way and 180 Street to support truck turning movements.
- Construct 11.0 m wide paved access, extend into the site for minimum one truck length.
- Construct storm infrastructure upgrades to adequately capture increased road runoff.
- Secure applicable provincial and federal approvals for all impacted streams, as required.
- Reduced Pressure backflow preventer for premise isolation is required at property line.
- Construct on-site stormwater mitigation features to meet pre-development conditions up to the 100-year storm event. There shall be no uncontrolled drainage onto adjacent private property. Submit on-site stormwater management plan with geotechnical testing and reporting.
- Construct on-site water quality treatment features.
- Register restrictive covenants for on-site stormwater mitigation, water quality treatment, and septic system. The existing septic field shall not be paved over.

A Servicing Agreement is required. A processing fee is applicable.

Works and Services must be constructed and placed on final maintenance prior to issuance of the Temporary Use Permit.



Daniel Sohn, P.Eng.
Development Process Manager
BD

TO THE CITY OF SURREY:

I, _____ (Name of Owner)

being the owner of _____

(Legal Description)

known as _____

(Civic Address)

hereby undertake as a condition of issuance of my temporary use permit to:

- (a) demolish or remove all buildings and/or structures that are permitted to be constructed pursuant to the temporary use permit issued to me; and
- (b) restore the land described on the temporary use permit to a condition specified in that permit;

all of which shall be done not later than the termination date set out on the temporary use permit.

I further understand that should I not fulfill the undertaking described herein, the City or its agents may enter upon the land described on the temporary use permit and perform such work as is necessary to eliminate the temporary use and bring the use and occupancy of the land in compliance with Surrey Zoning By-law, 1993, No. 12000, as amended, and that any securities submitted by me to the City pursuant to the temporary use permit shall be forfeited and applied to the cost of restoration of my land as herein set out.

This undertaking is attached hereto and forms part of the temporary use permit.

(Owner)

(Witness)