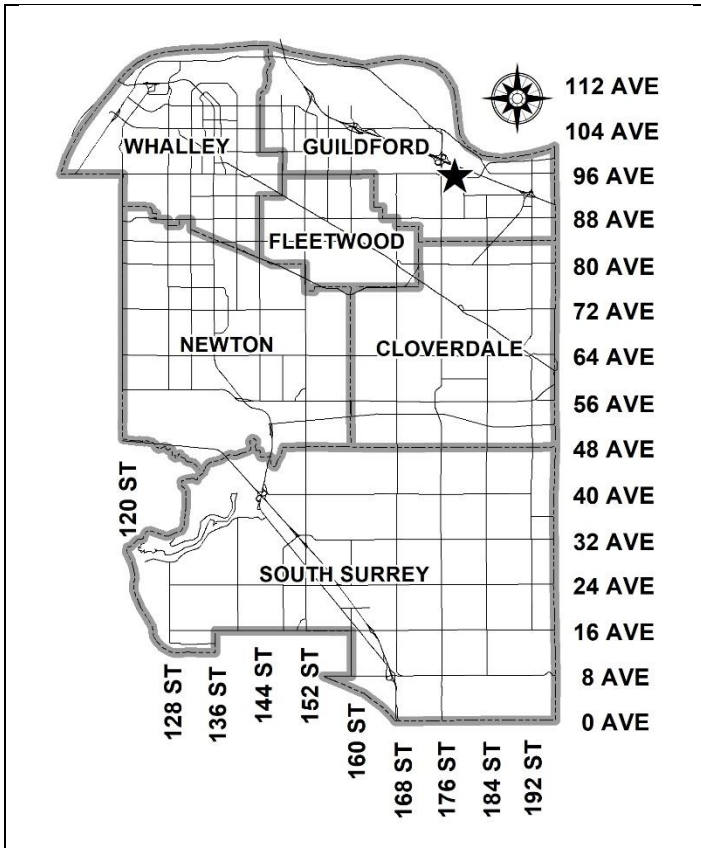


**City of Surrey
PLANNING & DEVELOPMENT REPORT**

Application No.: 7923-0045-00

Planning Report Date: April 8, 2024



PROPOSAL:

- **Temporary Use Permit**

to permit the temporary use of the site for truck parking for a period not to exceed three years

LOCATION: 17854 - 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 along 96 Avenue from 179 Street all the way 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. 7923-0045-00 (Appendix II) 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) installation and subsequent inspection and approval of all required landscape screening and fencing works along the south of the property, to the satisfaction of the General Manager, Planning & Development;
 - (g) 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;
 - (h) 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; and
 - (i) a Sensitive Ecosystem Development Permit (SEDP) application to be submitted and subsequently issued for the watercourse (yellow-coded ditch) along the northern property line.

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 dwellings on acreages.	Light Industrial	RA

Direction	Existing Use	NCP Designation	Existing Zone
East:	Single family dwelling on acreage.	Light Industrial	RA
South (Across Golden Ears Way and Greenway):	Hydro right-of-way and Single family dwelling on acreage.	Trail and High Density Residential	RA
West:	Single family dwelling on acreage.	Light Industrial	RA

Context & Background

- The 7,178-square metre subject site is located at 17854 - 96 Avenue in Anniedale-Tynehead and is zoned "One-Acre Residential Zone (RA)" and 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. The site has no by-law sized trees on it but has several off-site trees surrounding it.
- 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.
- Comments are pending from both Ministry of Transportation and Infrastructure (MOTI) and TransLink, which manages the intersection of 180 Street and Golden Ears Way.
- There are several other Industrial Temporary Use Permit applications along 96 Avenue. Most applications are pre-Council but are expected to proceed to Council soon. TUP Application No. 7922-0234-00 located approximately 300 metres to the west (17649 and 17709 - 96 Avenue and 17710 - 97 Avenue) received approval to proceed by Council on June 15, 2023.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant has applied for a Temporary Use Permit (TUP) to allow the parking of approximately 22 trucks and trailers as well as an additional 6 tractor parking spaces 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 eastern property line. The applicant will be required to pave the driveway.

- The applicant is not proposing to remove any trees and will retain all off-site trees.
- Along the north property line, the proposed truck parking will be screened from 96 Avenue by habitat planting around the roadside ditch and by the existing house. The applicant is proposing to erect an 8 ft. tall black chain link fence with privacy slats to further screen the truck parking from existing residential properties to the north.
- Along the south property line, the applicant proposes a 7.5 metre landscape buffer and an 8 ft. tall black chain link fence with privacy slats to further 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 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 pavement width from the subject site to the intersection of Golden Ears Way and 180 Street.
- The applicant will 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. The watercourse requires further assessment by the applicant to determine if the ditch is considered a stream under the provincial Riparian Areas Protection Regulations (RAPR).
- In accordance with Part 7A Streamside Protection setbacks of the Zoning By-law, a Class B (yellow-coded) watercourse requires a minimum streamside setback of 7 metres, as measured from the top of bank. The proposed setbacks comply with the requirements outlined in the Zoning By-law.
- 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) watercourse which flows within the ditch to the north 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.
- The Ecosystem Development Plan is a condition of the issuance of the Temporary Use Permit. The finalized report and recommendations will be considered by Council in a subsequent report as part of a separate Development Permit for a Sensitive Ecosystems Development Permit Area (DPA).

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 in the City.

PUBLIC ENGAGEMENT

- Pre-notification letters were sent on October 24, 2023, and the Development Proposal Signs were installed on June 23, 2023. Staff received no responses from neighbouring residents.

TREES

- Chris Booth, ISA Certified Arborist of Greenwood Tree Consulting prepared an Arborist Assessment for the subject property and confirmed that there no trees on the subject site and all 31 neighbouring/off-site trees are proposed to be retained as part of the application (see Appendix III).

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Site Plan and Landscape Plan
- Appendix II. Temporary Use Permit No. 7923-0045-00 (includes Engineering comments)
- Appendix III. Summary of Tree Survey, Tree Preservation and Tree Plans

approved by Shawn Low

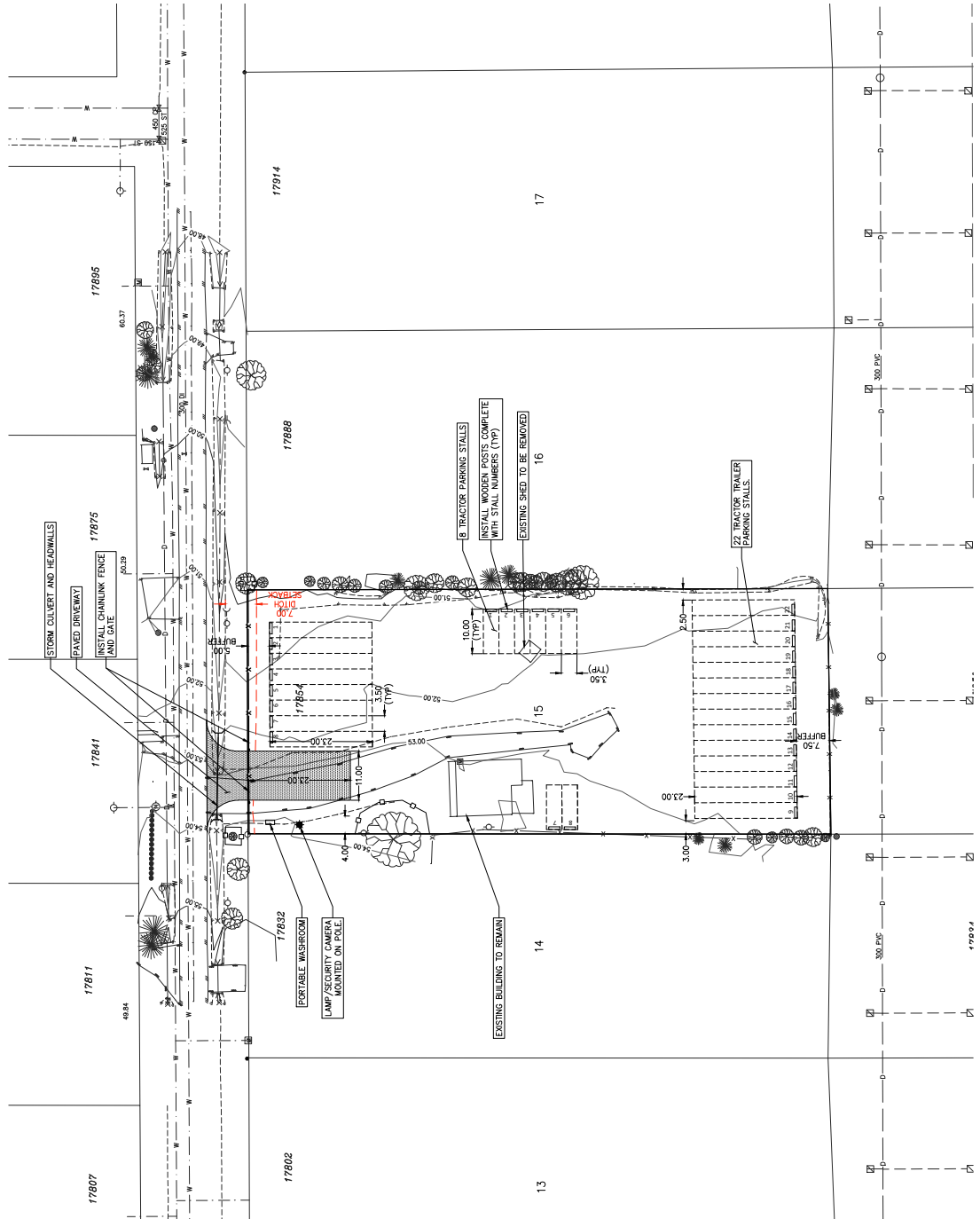
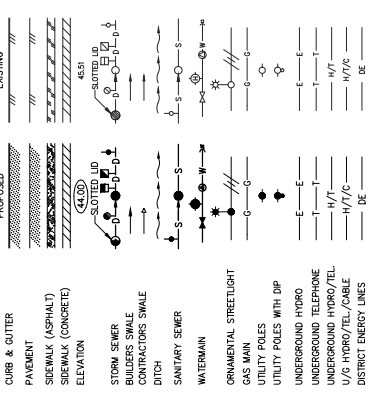
Don Luymes
General Manager
Planning and Development

JKS/ar

BENCHMARK & CONTROL POINTS REFER TO MON. NS 45.765
 ST. IN SURREY, AT CENTER LINE OF 96 AVE., AT JUNCTION WITH CENTER OF 180 ST.
 ELEV. 5074
 LEGAL DESCRIPTION OF PROPERTY
 LOT 15 SECTION 35 TOWNSHIP 8 PLAN NHP-5594 IND EXCEPT
 PLAN PT IN PL. BP27061.



ENGINEERING LEGEND



PRELIMINARY SUBMIT

NOTE:
 IN ANY CONSTRUCTION IT
 VERIFY INVERTS & LOCATIONS OF
 AND NOTIFY THE ENGINEER OF A

No.	Date	Revision	Dr.	Or.
<p>1120722 BC LTD. 28394 FRASER HIGHWAY ABBOTSFORD BC. Email: vnsokhomest@gmail.com Phone: 778-432-5146</p>				
<p>TEMPORARY USE PERMIT SITE AT 17854 - 96 AVENUE, SURREY, BC</p>				
<p>CitiWest Consulting Ltd. No.101-9030 KING GEORGE BLVD., SURREY, BC, V3V 7Y3 TELEPHONE 604-591-2213 FAX 604-591-5518 E-MAIL: office@citiwest.com EGBC Permit to Practice #1001824</p>				
<p>Scale: 1:500 Min. Proj. No. Drawn: WM Designated: DC P.U. Job No.: 22-4712 Date: NOV/2022 Approval:</p>				
<p>entry of print bearing previous number</p>				

(the "City")

TEMPORARY USE PERMIT

NO.: 7923-0045-00

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: 007-205-619

Lot 15, Except Part In Plan BCP27061 Section 32 Township 8 New Westminster District Plan 35594

17854 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 22 trucks and trailers as well as an additional 6 tractor parking spaces that exceed 5,000 kilograms (11,000 lbs.) G.V.W 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)

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.

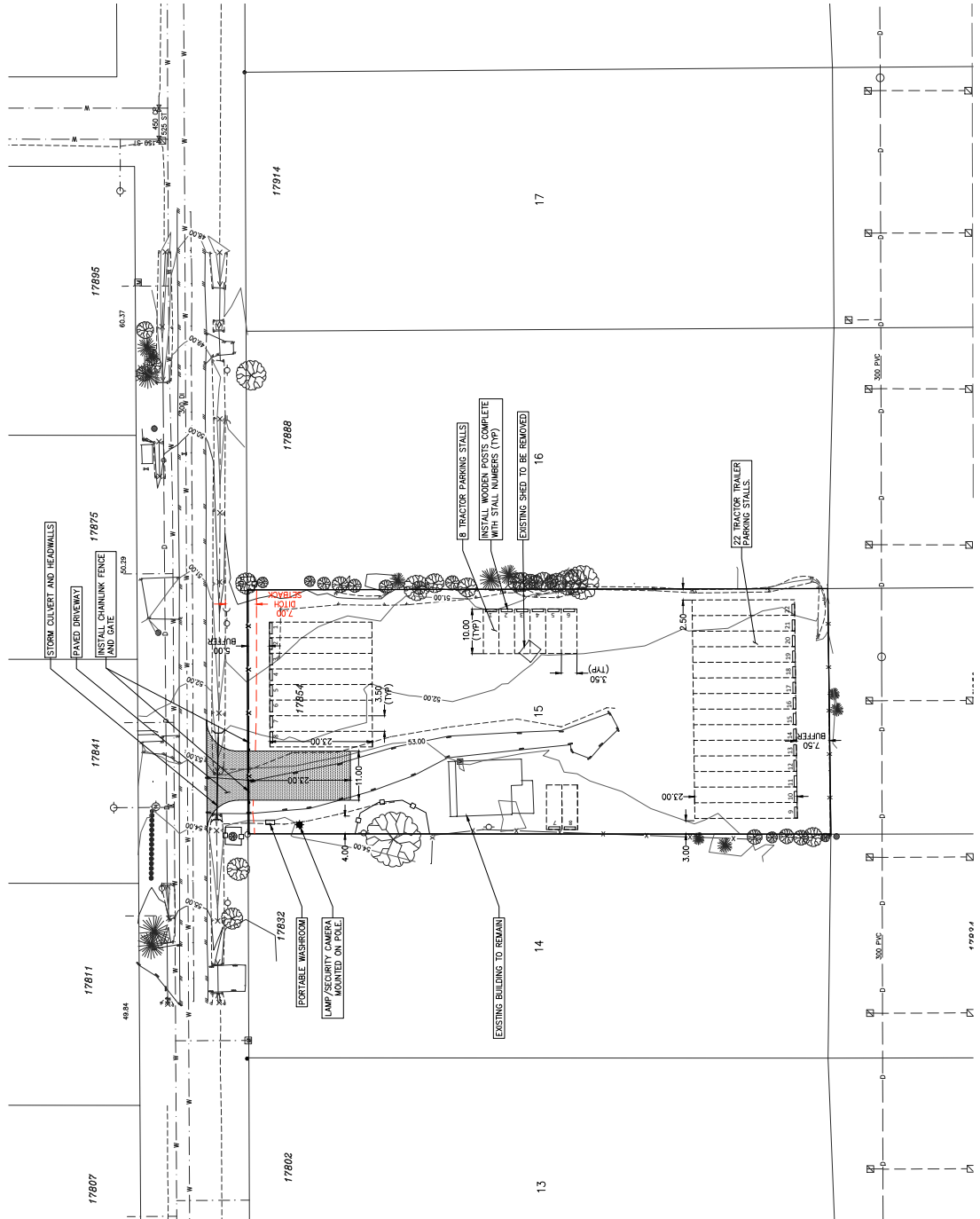
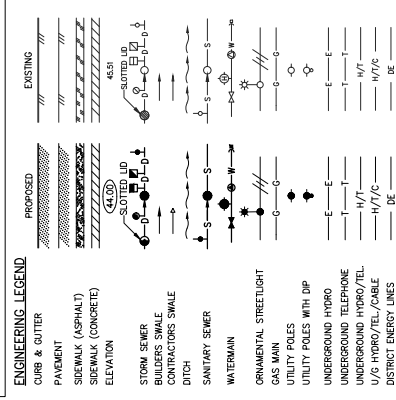
I further understand that should I not fulfill the undertaking described herein, the City or its agents may enter upon the land described on the temporary use permit and perform such work as is necessary to eliminate the temporary use and bring the use and occupancy of the land in compliance with Surrey 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)

BENCHMARK & CONTROL POINTS REFER TO MON. NS 43 294
 SIT. IN SURREY, AT CENTER LINE OF 96 AVE., AT INTERSECTION WITH CENTER OF 180 ST.
 ELEV. 5074
 LEGAL DESCRIPTION OF PROPERTY
 LOT 15 SECTION 35 TOWNSHIP 8 PLAN NRP55594 IND EXCEPT
 PLAN PT IN PL. BP27061.



Schedule A

PRELIMINARY SUBMIT

NOTE:
 IN ACCORDANCE WITH ANY CONSTRUCTION IT
 VERIFY INVERTS & LOCATIONS OF A
 AND NOTIFY THE ENGINEER OF A

No.	Date	Revision	Dr.	Or.
<p>1120722 BC LTD. 28394 FRASER HIGHWAY ABBOTSFORD BC. Email: vnoohomes@gmail.com Phone: 778-332-5146</p> <p>TEMPORARY USE PERMIT SITE AT 17854 - 96 AVENUE, SURREY, BC</p>				
<p>CitiWest Consulting Ltd. No.101-9030 KING GEORGE BLVD., SURREY, BC, V3V 7Y3 TELEPHONE 604-591-2213 FAX 604-591-5518 E-MAIL: office@citiwest.com EGBC Permit to Practice #1001824</p>				
<p>Scale: 1:500 Min. Proj. No. Min. Deg. No. Designated: DC Job No.: 22-4712 Date: NOV/2022 Approved:</p>				
<p>entry of print bearing previous number</p>				

INTER-OFFICE MEMO

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

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

DATE: **April 02, 2024** PROJECT FILE: **7823-0045-00**

RE: **Engineering Requirements
Location: 17854 96 Ave**

TEMPORARY USE PERMIT

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

- Confirm adequate pavement width and pavement structure to support adequate truck access.
- Provide truck turning movements to confirm required driveway width.
- Construct curb return access to 96 Avenue.
- Construct paved apron into the site for minimum one design vehicle length.
- Confirm registration of restrictive covenant for in-place septic field.
- Construct a new metered water main for water service, if required.
- Driveway Crossing Permit for proposed access over ditch.
- Complete stormwater management plan.
- Construct storm infrastructure upgrades to adequately capture increased runoff.
- Construct on-site stormwater mitigation features to meet pre-development conditions up to the 100-year storm event; appropriate geotechnical infiltration testing is required to verify infiltration capacity to support mitigation features.
- Register restrictive covenants for on-site stormwater mitigation and water quality features.

A Servicing Agreement is required prior to issuance of the Temporary Use Permit.



Janelle Frank, P.Eng.
Development Review Manager

RH

4.2 Tree Preservation Summary

Appendix III

Surrey Project No: 23-0045
 Address: 17854 96 Ave Surrey, BC
 Registered Arborist: Chris Booth PN7309A– Greenwood Tree Consulting

On-Site Trees	Number of Trees
Protected Trees Identified <i>(on-site and shared trees, including trees within boulevards and proposed streets and lanes, but excluding trees in proposed open space or riparian areas and non-bylaw protected trees)</i>	0
Protected Trees to be Removed	0
Protected Trees to be Retained <i>(excluding trees within proposed open space or riparian areas)</i>	
Total Replacement Trees Required:	
Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio 0 X one (1) = 0	0
All other Trees Requiring 2 to 1 Replacement Ratio 0 X two (2) = 0	0
Replacement Trees Proposed	0
Replacement Trees in Deficit	0
Protected Trees to be Retained in Proposed [Open Space / Riparian Areas]	N/A
Off-Site Trees	Number of Trees
Protected Off-Site Trees to be Removed	0
Total Replacement Trees Required:	
Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio 0 X one (1) = 0	0
All other Trees Requiring 2 to 1 Replacement Ratio 0 X two (2) = 0	0
Replacement Trees Proposed	0
Replacement Trees in Deficit	0

Municipal Trees	Number of Trees
Total No. of "Inventoried trees" proposed for removal	0
Total No. of "Non-Inventoried" trees proposed for removal	0
Total No. of Protected Municipal Trees proposed for removal (Permission required from C.O.S.)	0

Summary, report, and plan prepared and submitted by:



(Signature of Arborist) Date: March 21st, 2023



BENCHMARK & CONTROL
ALL ELEV. ARE GEODETIC AND REFER TO MON. NO. 42762
ST. IN SURREY, APC CENTER LINE OF 96 AVE., AT JUNCTION WITH CENTER OF 180 ST.
ELEV. 5074

LEGAL DESCRIPTION OF PROPERTY
LOT 15 SECTION 32 TOWNSHIP 8 PLAN NWP35594 NWD EXCEPT
PLAN PT IN PL BCP27061.

ENGINEERING LEGEND

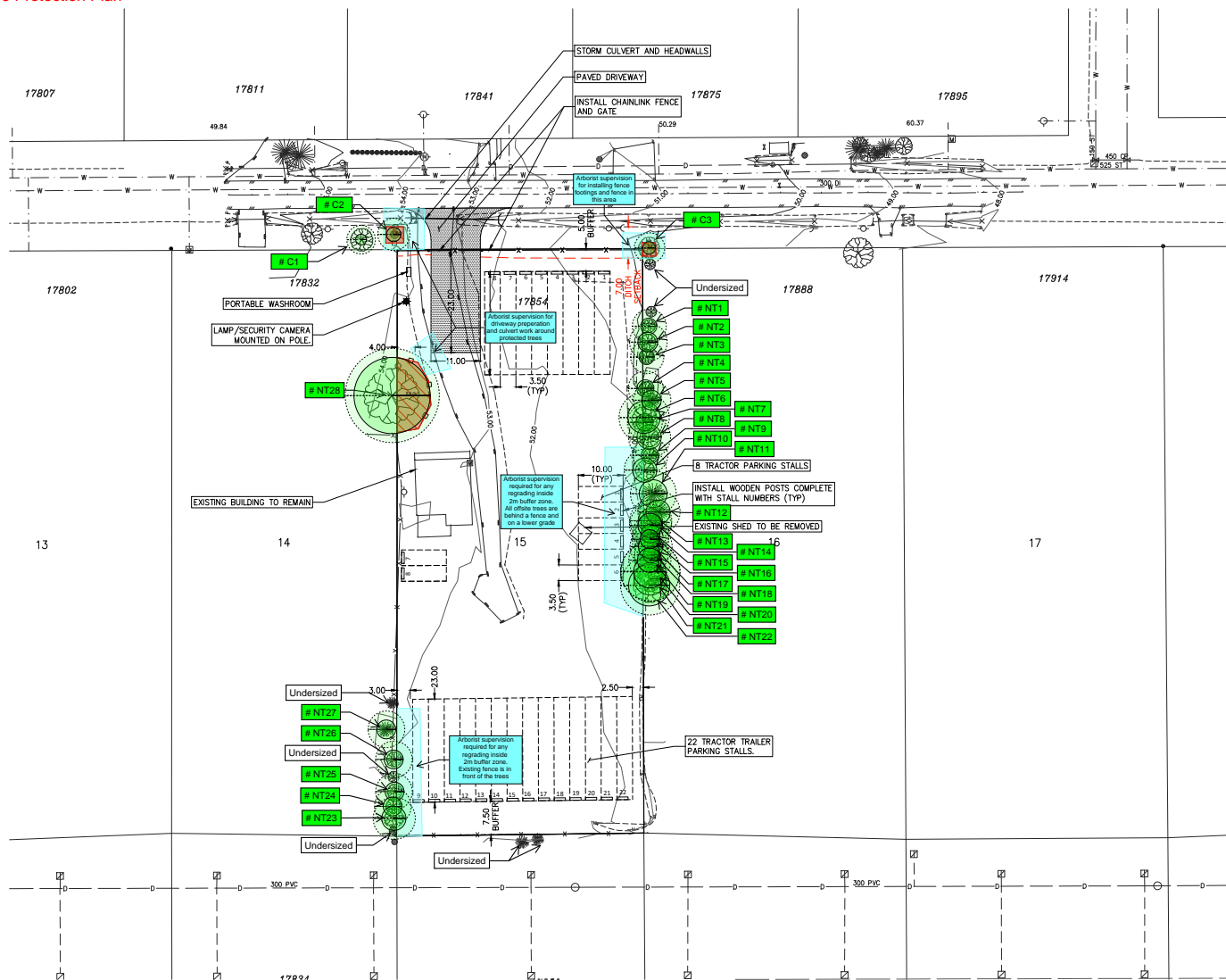
	PROPOSED	EXISTING
CURB & GUTTER		
PAVEMENT		
SIDEWALK (ASPHALT)		
SIDEWALK (CONCRETE)		
ELEVATION		
STORM SEWER		
BUILDERS SWALE		
CONTRACTORS SWALE		
DITCH		
SANITARY SEWER		
WATERMAIN		
ORNAMENTAL STREETLIGHT		
GAS MAIN		
UTILITY POLES		
UTILITY POLES WITH DIP		
UNDERGROUND HYDRO		
UNDERGROUND TELEPHONE		
UNDERGROUND HYDRO/TEL		
U/G HYDRO/TEL./CABLE		
DISTRICT ENERGY LINES		

KEY

- Tree Number (green = retain tree)
- Tree Number (red = turn into wildlife tree)
- Areas where arborist supervision is required
- Tree protection barriers and protected areas
- Tree protection distance (m)
- 2m buffer zone around tree - arborist supervision

TREE PROTECTION BARRIER SIZES

TREE #	TREE SPECIES	DBH	TPB (m)
Tree #NT28	Big Leaf Maple	130 cm	8.5 m
Tree #C1	Hazelnut	Multi	1.2 m
Tree #C2	Oak	27 cm	1.6 m
Tree #C3	Black Lombard	23.5 cm	1.4 m



Tree protection barriers must be built to the following specifications:

Materials:

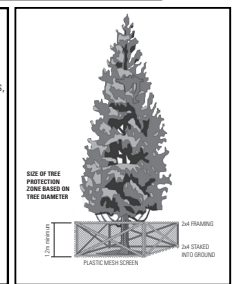
- 2x4's for framing (vertical posts, top and bottom rails, and cross-bracing)
- Plastic mesh screening

Dimensions:

- 1.2m in height
- Maximum 3.7m spacing between vertical posts

Barrier Size:

- Barriers must be built a minimum distance of six (6) times the tree diameter.
- Barrier size = 6x diameter of tree



PRELIMINARY SUBMISSION

Figure 1

NOTE: PRIOR TO ANY CONSTRUCTION THE CONTRACTOR IS TO VERIFY INVERTS & LOCATIONS OF EXISTING SERVICES AND NOTIFY THE ENGINEER OF ANY CONFLICTS

No	Date	Revision	Dr	Ch

CitiWest Consulting Ltd.
No. 101-9030 KING GEORGE BLVD., SURREY, BC, V3V 7Y3
TELEPHONE 604-591-2213 FAX 604-591-5518
E-MAIL: office@citiwest.com
EGBC Permit to Practice #1001824



1120722 BC LTD.
28394 FRASER HIGHWAY ABBOTSFORD BC. Email: varoohomes@gmail.com Phone: 778-332-5146

TEMPORARY USE PERMIT
SITE AT 17854 - 96 AVENUE, SURREY, BC

Scale: 1:500	Mun. Proj. No.
Designed: DC	Mun. Dwg. No.
P.W. P.U.	Job No. 22-4712
Approved:	Date NOV/2022
	Revision