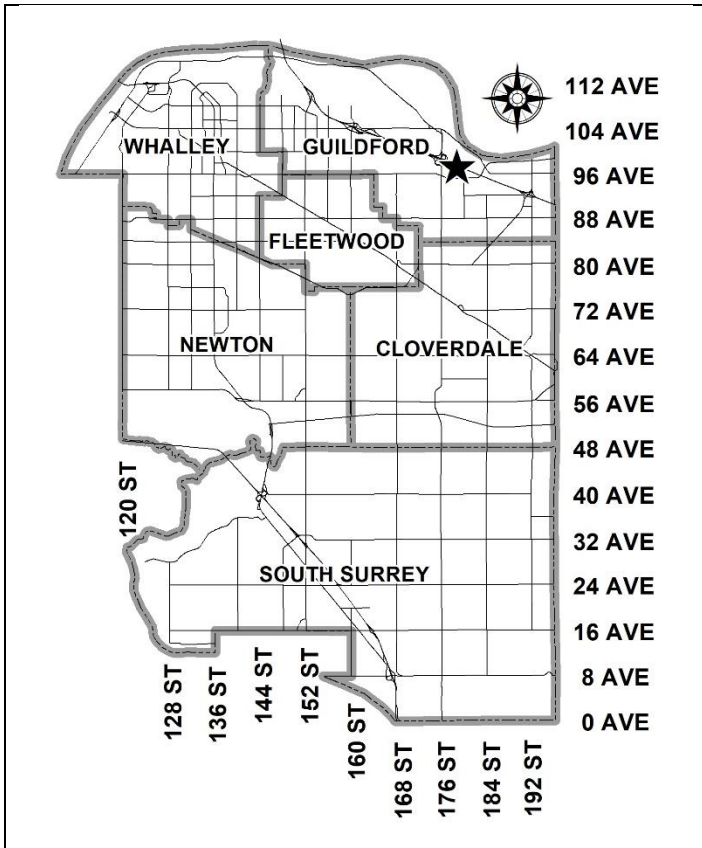


City of Surrey
PLANNING & DEVELOPMENT REPORT

Application No.: 7923-0155-00

Planning Report Date: January 15, 2024



PROPOSAL:

- Temporary Use Permit

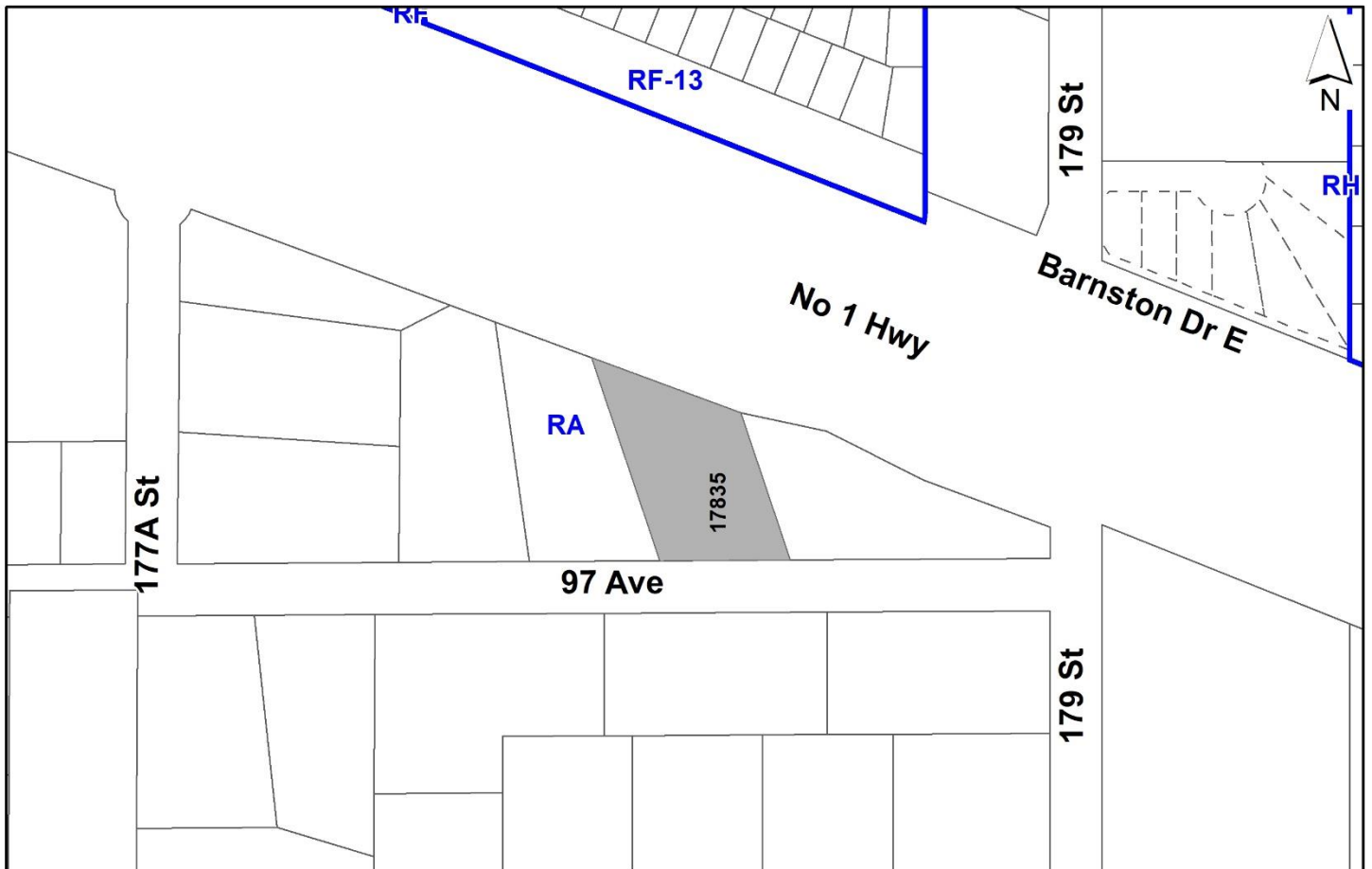
to permit the temporary use of the site for truck parking for a period not to exceed three years

LOCATION: 17835 - 97 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 the frontage of the property 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. 7923-0155-00 (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) input from the Ministry of Transportation & Infrastructure;
 - (c) input from TransLink;
 - (d) 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;
 - (e) 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;
 - (f) 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;
 - (g) 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
 - (h) a Sensitive Ecosystem Development Permit (SEDP) application to be submitted and subsequently issued for the watercourse (ditch) along the southern property line.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	NCP Designation	Existing Zone
Subject Site	Single family dwelling with unauthorized truck parking.	Light Industrial	RA
North (Across Hwy No. 1):	Single family dwellings on small lots.	Urban Residential 8-10 UPA in the Abbey Ridge LAP.	RF-13

Direction	Existing Use	NCP Designation	Existing Zone
East:	Single family dwelling, under Application No 7922-0122-00 to permit temporary use of the site for truck parking (pre-Council).	Light Industrial	RA
South (Across 97 Avenue):	Single family dwelling.	Light Industrial	RA
West:	Single family dwelling, under Application No 7923-0174-00 to permit temporary use of the site for storage (pre-Council).	Light Industrial	RA

Context & Background

- The 3,395-square metre subject site is located at 17835 - 97 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 with several trees located in the front yard.
- 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 other Temporary Use Permit applications can now proceed, pending input from MOTI and TransLink, which manages the intersection of 180 Street and Golden Ears Way.
- Industrial Temporary Use Permit applications have been submitted to the immediate west at 17817 - 97 Avenue (7923-0174-00) and east at 17855 - 97 Avenue (7922-0122-00). Both applications are pre-Council but are expected to proceed to Council soon.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant has applied for a Temporary Use Permit (TUP) to allow the parking of approximately 19 mid-sized trucks (up to 24 ft.) that exceed 5,000 kilograms (11,000 lbs.) G.V.W and three storage containers 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 97 Avenue via an existing driveway along the eastern property line. The applicant will be required to pave the driveway. An additional existing driveway is located along the western property line which is intended for residents of the existing home.
- The applicant is not proposing to remove any trees.
- An existing concrete sound wall is currently located just north of the property line along Highway No. 1. The existing concrete sound attenuation wall will screen the mid-sized trucks from Highway No. 1. No additional buffering or landscaping is proposed.
- The proposed truck parking will be screened from 97 Avenue by an existing house and trees. Additional trees will be planted for screening as part of the landscaping plan for the TUP. The applicant is proposing to erect an 8 ft. tall black chain link fence with privacy slats along the south lot line to further screen the truck parking from existing residential properties to the south.
- 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 road network is in the process of being upgraded to access Golden Ears Way and 180 Street. The work was required as a condition of Temporary Use Permit Application Nos. 7922-0147-00 (9744 - 176 Street) and 7922-0234-00 (17710 - 97 Avenue as well as 17709 and 17649 - 96 Avenue).
- 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 97 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 south 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 and outdoor storage in the City.

PUBLIC ENGAGEMENT

- Pre-notification letters were sent on June 8, 2023, and the Development Proposal Signs were installed on June 16, 2023. Staff received no responses from neighbouring residents.

TREES

- No trees are proposed to be removed as part of the application.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

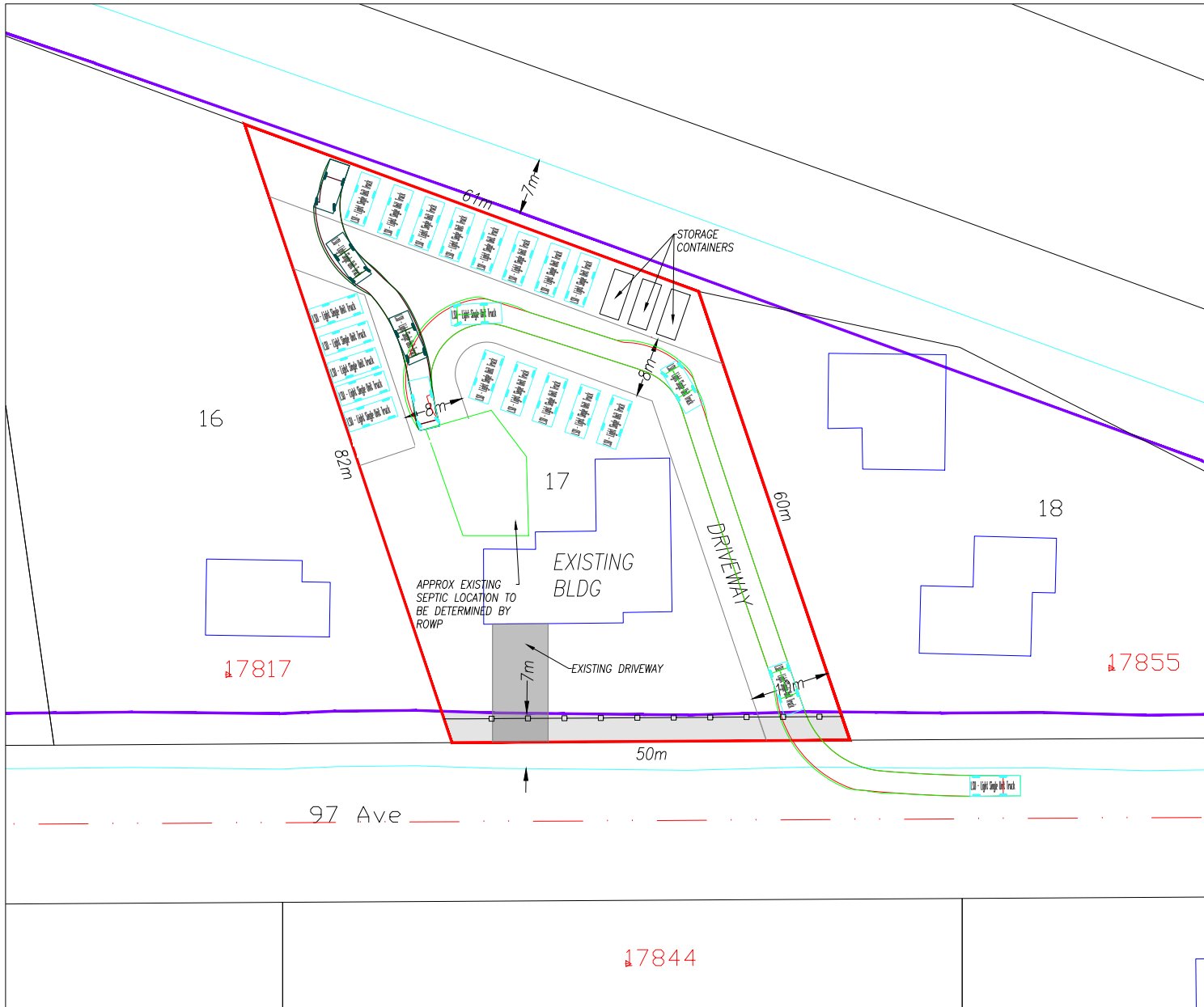
Appendix I. Site Plan and Landscape Plan
Appendix II. Temporary Use Permit No. 7923-0155-00 (includes Engineering Summary)

approved by Ron Gill

Don Luymes
General Manager
Planning and Development

JK/ar

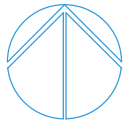
Appendix I



LEGEND:

- EXISTING PROPERTY LINE
- SUBJECT PROPERTY
- APPROX. DITCH CENTER LINE
- APPROX. SPEA SETBACK
- APPROX. SEPTIC LOCATION

ZONING: RA



PROJECT LOCATION 17835 97 AVE TRUCK PARKING	
PROJECT NUMBER 22-420	
DRAWN BY: BRITTANY FEAVER	
DATE: DEC 4 2023	SHEET: 1
SCALE: 1:500	

16

17

18

17817

17855

17844

97 Ave

APPROX EXISTING SEPTIC LOCATION TO BE DETERMINED BY ROWP

EXISTING DRIVEWAY

EXISTING BLDG

DRAINWAY

STORAGE CONTAINERS

CITY OF SURREY

(the "City")

TEMPORARY USE PERMIT

NO.: 7923-0155-00

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: 000-575-283

Lot 17 District Lot 390A Group 2 New Westminster District Plan 23464 Except Plan EPP5149

17835 - 97 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 19 mid-sized trucks (up to 24 ft.) exceeding 5,000 kilograms G.V.W., and three storage containers 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.

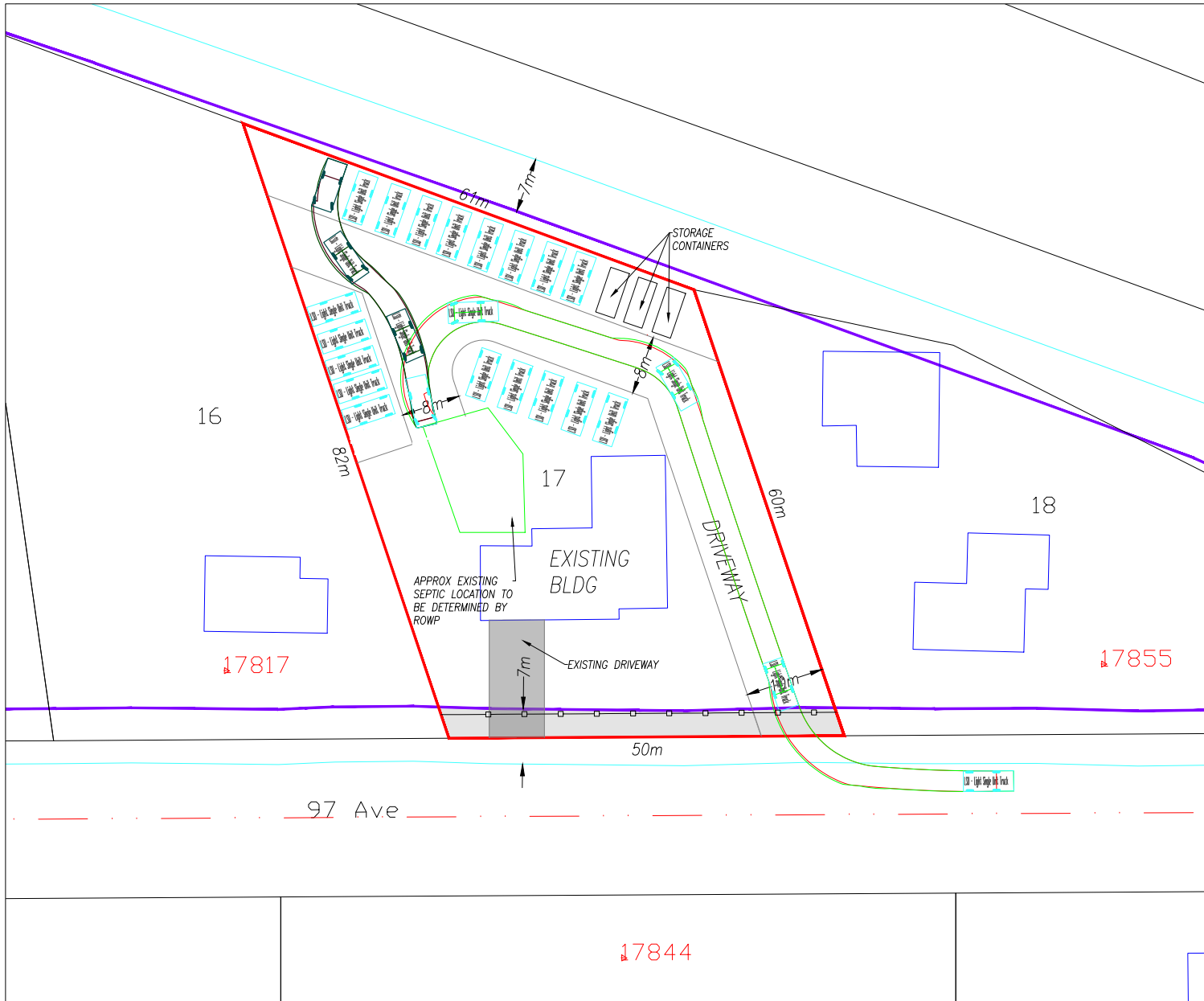
I further understand that should I not fulfill the undertaking described herein, the City or its agents may enter upon the land described on the temporary use permit and perform such work as is necessary to eliminate the temporary use and bring the use and occupancy of the land in compliance with Surrey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

Schedule A



LEGEND:

- EXISTING PROPERTY LINE
- SUBJECT PROPERTY
- APPROX. DITCH CENTER LINE
- APPROX. SPEA SETBACK
- APPROX. SEPTIC LOCATION

ZONING: RA



OTG DEVELOPMENTS LTD.
LAND USE CONSULTING & DEVELOPMENT

PROJECT LOCATION
17835 97 AVE TRUCK PARKING

PROJECT NUMBER
22-420

DRAWN BY:
BRITTANY FEAVER

DATE:
DEC 4 2023

SCALE:
1:500

SHEET:

1

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

FROM: **Acting Development Support Manager, Engineering Department**

DATE: **December 11, 2023** PROJECT FILE: **7823-0155-00**

RE: **Engineering Requirements (Commercial/Industrial)
Location: 17835 97 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.
- Construct on-site stormwater mitigation features to meet pre-development conditions up to the 100-year storm event.
- Construct on-site water quality treatment features.
- Register restrictive covenants for on-site stormwater mitigation and on-site water quality.


A Servicing Agreement is required. Works and Services must be constructed and placed on final maintenance prior to issuance of the Temporary Use Permit.

A processing fee and Latecomer charges are applicable.

BUILDING PERMIT

The following are to be addressed as a condition of the subsequent Building Permit:

- Any proposed on-site septic sewer system to be designed and installed in accordance with the requirements of the Fraser Health Authority. Register restrictive covenant for the protection and maintenance of the onsite septic system, along with requirement to decommission the septic tank once sanitary frontage is available. A new sanitary connection to the sanitary main will be required, and any latecomer or DWA charges, LAS or DCC fees will be applicable at time of future connection.


Daniel Sohn, P.Eng.
Acting Development Support Manager
BD