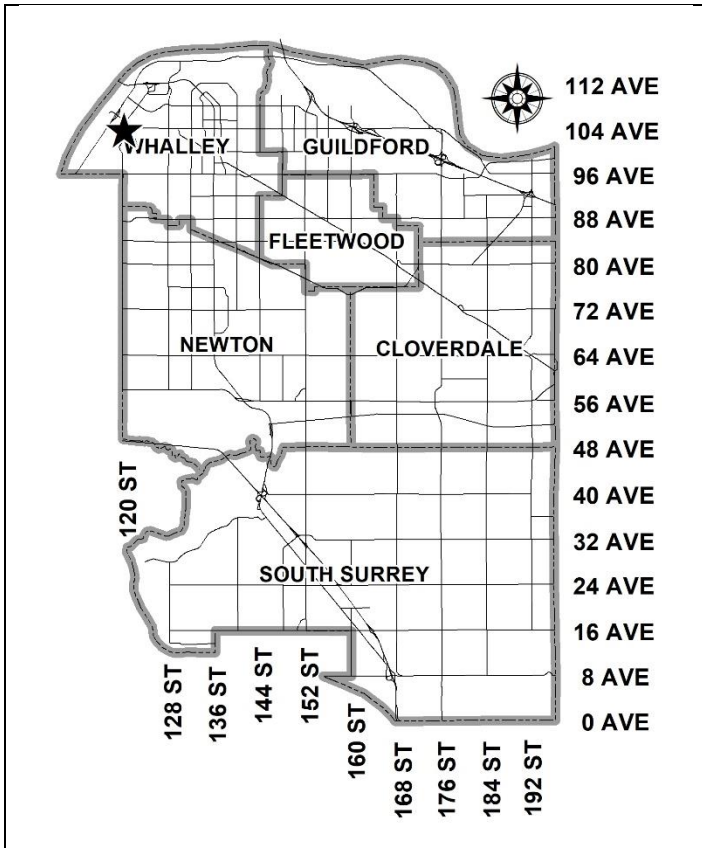


City of Surrey
PLANNING & DEVELOPMENT REPORT

Application No.: 7923-0175-00

Planning Report Date: February 12, 2024



PROPOSAL:

- **Temporary Use Permit**

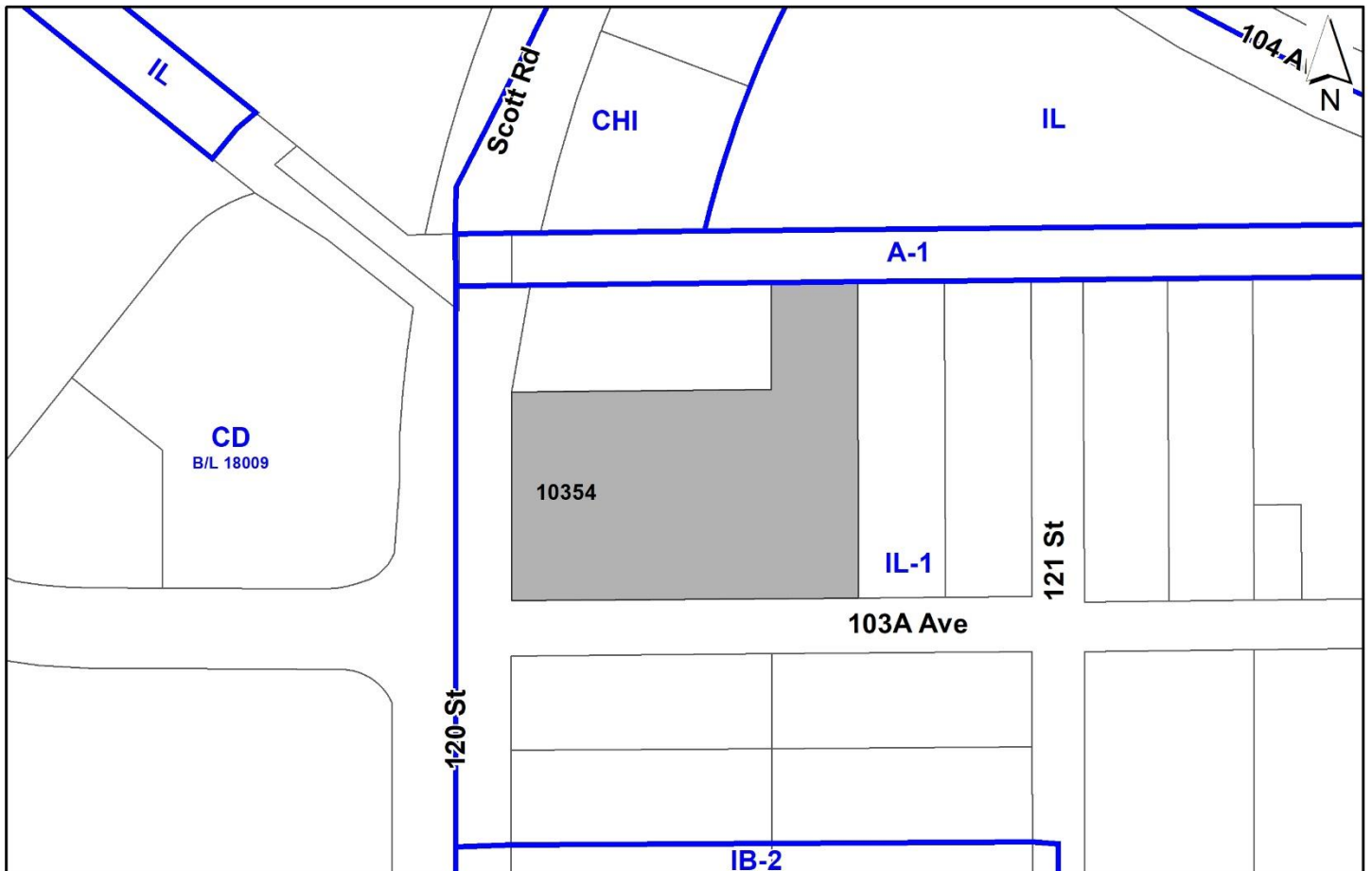
to permit the temporary use of the site for truck parking for a period not to exceed three years

LOCATION: 10354 - 120 Street

ZONING: IL-1

OCP DESIGNATION: Mixed Employment

NCP DESIGNATION: Light Impact/Business Park



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 IL-1 Zone.

RATIONALE OF RECOMMENDATION

- The proposal complies with the Mixed Employment designation in the Official Community Plan (OCP) and the "Light Industrial/Business Park" designation in the South Westminster 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 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) and Scott Road.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Temporary Use Permit No. 7923-0175-00 (Appendix III) 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) Submission of a finalized landscaping, fencing and lighting plan, and landscaping, fencing and lighting cost estimate to the specifications and satisfaction of the Planning and Development Department;
 - (c) Remove all structures and tent structures;
 - (d) 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;
 - (e) 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;
 - (f) The applicant to undertake the necessary work and obtain permits, as required, for the proposed use of the existing mobile office building on the site for office space and washroom facility purposes; and
 - (g) A Sensitive Ecosystem Development Permit (SEDP) application to be submitted and subsequently issued for the watercourse (Manson Canal) along the northern property line.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	NCP Designation	Existing Zone
Subject Site	Unauthorized truck park and shipping container storage.	Light Impact/Business Park	IL-1
North (Including across Manson Canal):	Commercial businesses and unauthorized truck parking.	Light Impact/Business Park and Highway Commercial	IL-1 and IL

Direction	Existing Use	NCP Designation	Existing Zone
East:	Unauthorized storage of school buses.	Light Impact/Business Park	IL-1
South (Across 103A Avenue):	Industrial businesses.	Light Impact/Business Park	IL-1
West (Across Scott Road):	Commercial and industrial businesses.	Highway Commercial	CD (By-law No. 18009)

Context & Background

- The 1.2 hectare subject site is located at 10354 – 120 Street in South Westminster and is zoned "Light Impact Industrial 1 Zone (IL-1)" and designated "Light Impact/Business Park" in the South Westminster Neighbourhood Concept Plan (NCP) and designated "Mixed Employment" in the Official Community Plan (OCP).
- The subject property has been used for the unauthorized parking of trucks and storage of shipping containers since approximately 2020. A mobile office trailer is located in the southwest corner of the lot.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant has applied for a Temporary Use Permit (TUP) to allow the parking of approximately 50 trucks and trailers 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. The layout includes 50 parking spaces and a mobile office trailer, which requires a Building Permit. The existing fabric structure on the site will be removed as a condition of the TUP.
- No lighting details have been provided at this time, but a lighting plan will be a condition of final approval.
- Truck access will be via a single access from 103A Avenue along the eastern property line. The applicant will be required to pave the driveway.
- The applicant is not proposing to remove any trees.
- The applicant has committed to continue to work with staff on the proposed landscaping and fencing details to ensure appropriate screening 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.
- The site falls within the Fraser River Floodplain. As there are no permanent structures/buildings proposed and the trucks and office trailer are moveable, the use is considered an appropriate use within the floodplain. No Hazard Lands Development Permit for Floodplain is required for the TUP.

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.

Transportation Considerations

- The applicant will be required to confirm the adequacy of existing infrastructure on 103A Avenue.
- Access to the subject site is proposed via 103A Avenue.

Natural Area Considerations

- The applicant completed a preliminary watercourse assessment and determined that a Class A (red-coded) channelized watercourse (Manson Canal) is located to the north of the site.
- In accordance with Part 7A Streamside Protection setbacks of the Zoning By-law, a Class A (red-coded) channelized watercourse requires a minimum streamside setback of 25 metres, as measured from the top of bank. The proposed setbacks comply with the requirements outlined in the Zoning By-law.
- The applicant assessed the ditches along the west (120 Street) and south (103A Avenue) sides of the site and both were determined to be green-coded ditches.
- 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 A (red-coded) channelized watercourse to the north of the site. A 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/Business Park" in the South Westminster Neighbourhood Concept Plan (NCP). The Light Industrial/Business Park designation is intended for industrial uses to support the Fraser Surrey Port lands to the west.
- 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 South Westminster NCP.
- In addition, the temporary use will assist in providing much-needed authorized truck parking spaces in the City and support the Fraser Surrey Port lands.

PUBLIC ENGAGEMENT

- Pre-notification letters were sent on January 3, 2024, and the Development Proposal Signs were installed on January 27, 2024. 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:

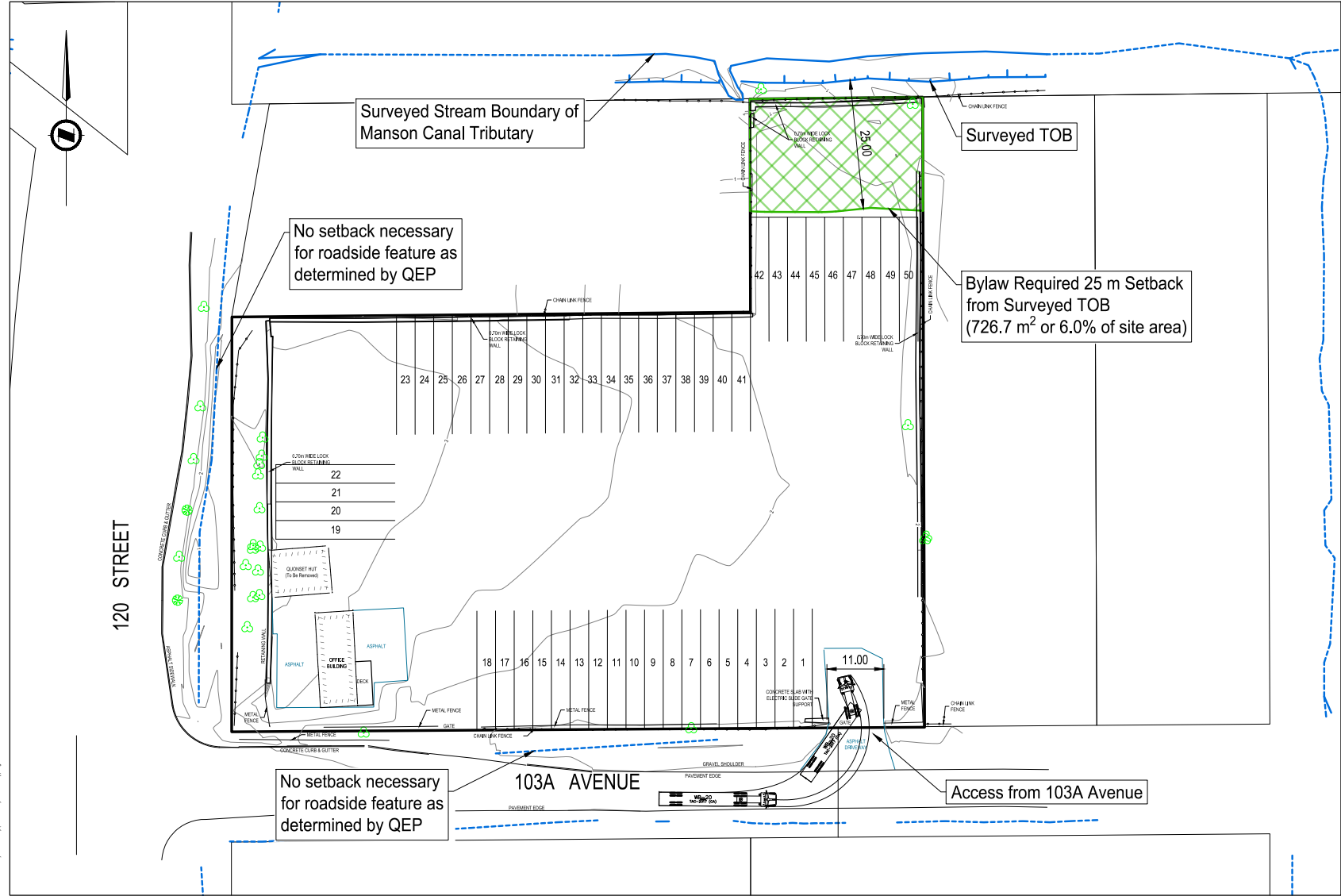
- Appendix I. Site Plan
- Appendix II. Engineering Summary
- Appendix III. Temporary Use Permit No. 7923-0175-00

approved by Ron Gill

Don Luymes
General Manager
Planning and Development

JKS/ar

Appendix I



- Surveyed Stream Boundary
- - - COSMOS Mapped Watercourses
- |—|—| Surveyed Top of Bank
- Existing Trees
- Watercourse Setback Area
- Existing Structures

SITE STATISTICS

NCP Designation	Zone	Site Area (ac)	Site Area (m ²)
Business Park / Light Impact	IL-1	2.99	12,112

DRAFT - FOR DISCUSSION ONLY

DATE	#	REVISION	INITIAL
2023.04.19	0	Drawing created	AM
2023.05.23	1	Truck stalls added	PS
2024.01.25	2	Project number details added	PS

SKETCH 2

Truck Parking Layout
10354 120 Street
Surrey, BC

DATE: January 25, 2024
 PREPARED FOR: All Track Transport Ltd.
 SCALE: 1 : 750 @ 11" X 17"
 MCE PROJECT: 2111-06098-00
 MUN. PROJECT: 7923-0175-00

McElhanney
 Suite 2300 13450 - 102 Avenue Surrey BC Canada V3T 5X3
 Tel 604 596 0391 • Fax 604 594 5050

NOTES

1. Base map data for subject site obtained from survey by McElhanney Ltd. and supplemented by City of Surrey open data.
2. Sensitive Ecosystem Development Permit Area applies to the site.
3. Watercourse Setback Area shown here is 25m setback from top of bank as per City requirements and supported by QEP assessment.
4. QEP assessment has determined no setback necessary for roadside ditch features adjacent to site along 120 Street and 103A Avenue.
5. No new structures or earthworks are proposed.
6. This drawing is for preliminary layout only and is subject to City of Surrey approval. Layout is subject to change following further direction from the City of Surrey.

DATE PLOTTED: 14.05.2024 14:05:14 FILE: C:\projects\10354\10354_2024\10354_2024.dwg USER: J. P. B. (10354) PLOTTER: HP DesignJet T1100e

THIS DRAWING AND DESIGN IS THE PROPERTY OF MCELHANNNEY AND SHALL NOT BE USED, REPRODUCED OR REPRODUCED WITHOUT THE CONSENT OF MCELHANNNEY. MCELHANNNEY WILL NOT BE HELD RESPONSIBLE FOR THE IMPROPER OR UNAUTHORIZED USE OF THE DRAWING AND DESIGN. THE DRAWING AND DESIGN HAS BEEN PREPARED FOR THE CLIENT IDENTIFIED. TO MEET THE STANDARDS AND REQUIREMENTS OF THE APPLICABLE PUBLIC AGENCIES AT THE TIME OF PREPARATION. MCELHANNNEY, ITS EMPLOYEES, SUBCONSULTANTS AND AGENTS WILL NOT BE LIABLE FOR ANY LOSSES OR OTHER CONSEQUENCES RESULTING FROM THE USE OR RELIANCE UPON OR ANY CHANGES MADE TO THIS DRAWING BY ANY THIRD PARTY INCLUDING CONTRACTORS, SUPPLIERS, CONSULTANTS AND TRADE CREDITORS, OR THEIR EMPLOYEES OR AGENTS. WITHOUT MCELHANNNEY'S PRIOR WRITTEN CONSENT, INFORMATION ON EXISTING UNDERGROUND FACILITIES MAY NOT BE COMPLETE OR ACCURATE. MCELHANNNEY, ITS EMPLOYEES AND DIRECTORS ARE NOT RESPONSIBLE NOR LIABLE FOR THE LOCATION OF ANY UNDERGROUND COULDS, PIPES, CABLES OR OTHER FACILITIES WHETHER SHOWN OR OMITTED FROM THIS PLAN. PRIOR TO CONSTRUCTION CONTRACTOR SHALL EXPOSE LOCATIONS OF ALL EXISTING FACILITIES BY HAND DIGGING OR HYDROVAC AND ADVISE THE ENGINEER OF POTENTIAL CONFLICTS.

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

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

DATE: **February 05, 2024** PROJECT FILE: **7823-0175-00**

RE: **Engineering Requirements (Commercial/Industrial)
Location: 10354 120 St**

TEMPORARY USE PERMIT

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

- Construct maximum 11 m wide driveway to 103A Avenue.
- Construct 11.0 m wide paved access, extend into the site for minimum one truck length.
- Developer to confirm adequacy of existing pavement structure on 103A Avenue and re-pave 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.
- A combined Statutory right of way/restrictive covenant is required along the north property line for Mason Canal.
- Register restrictive covenants for on-site stormwater mitigation and on-site water quality.

A processing fee and Latecomer charges are applicable.

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



Jeff Pang, P.Eng.
Manager, Development Services

BD

(the "City")

TEMPORARY USE PERMIT

NO.: 7923-0175-00

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: 007-144-288

Lot 47 Section 30 Block 5 North Range 2 West New Westminster District Plan 35287

10354 - 120 Street

(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 50 trucks and trailers exceeding 5,000 kilograms G.V.W., and an office trailer with the access and the location of the structures, and landscaping, lighting (including lighting details) 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) The parking area shall be designed to support the anticipated vehicle load in order to prevent dirt from being tracked onto the City roadway;

- (b) 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
 - (c) 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)

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

FROM: Manager, Development Services, Engineering Department

DATE: February 05, 2024 **PROJECT FILE: 7823-0175-00**

**RE: Engineering Requirements (Commercial/Industrial)
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Jeff Pang, P.Eng.
Manager, Development Services

BD