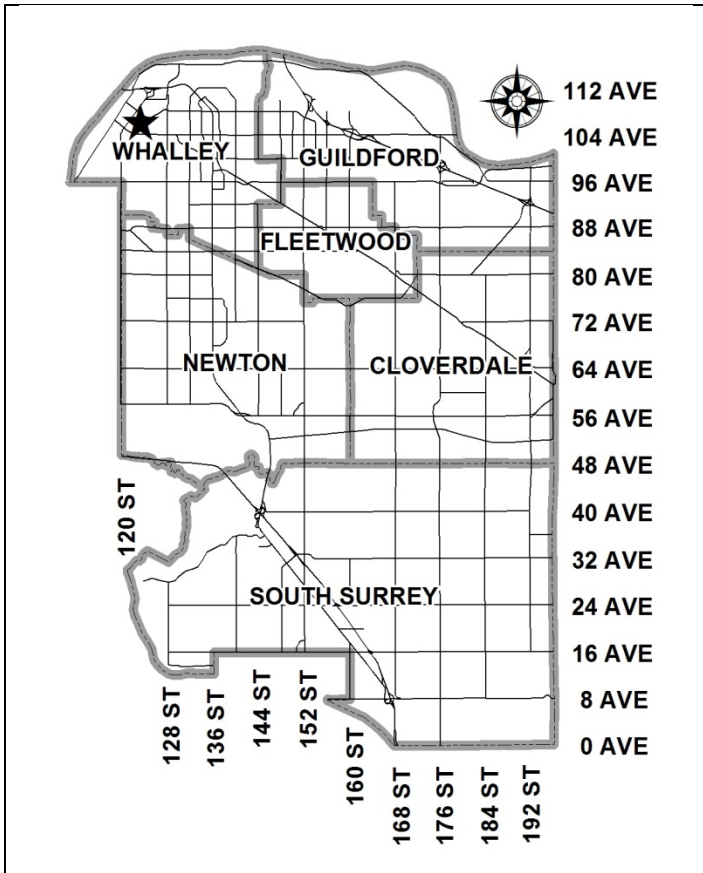


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7910-0306-00

Planning Report Date: April 11, 2016

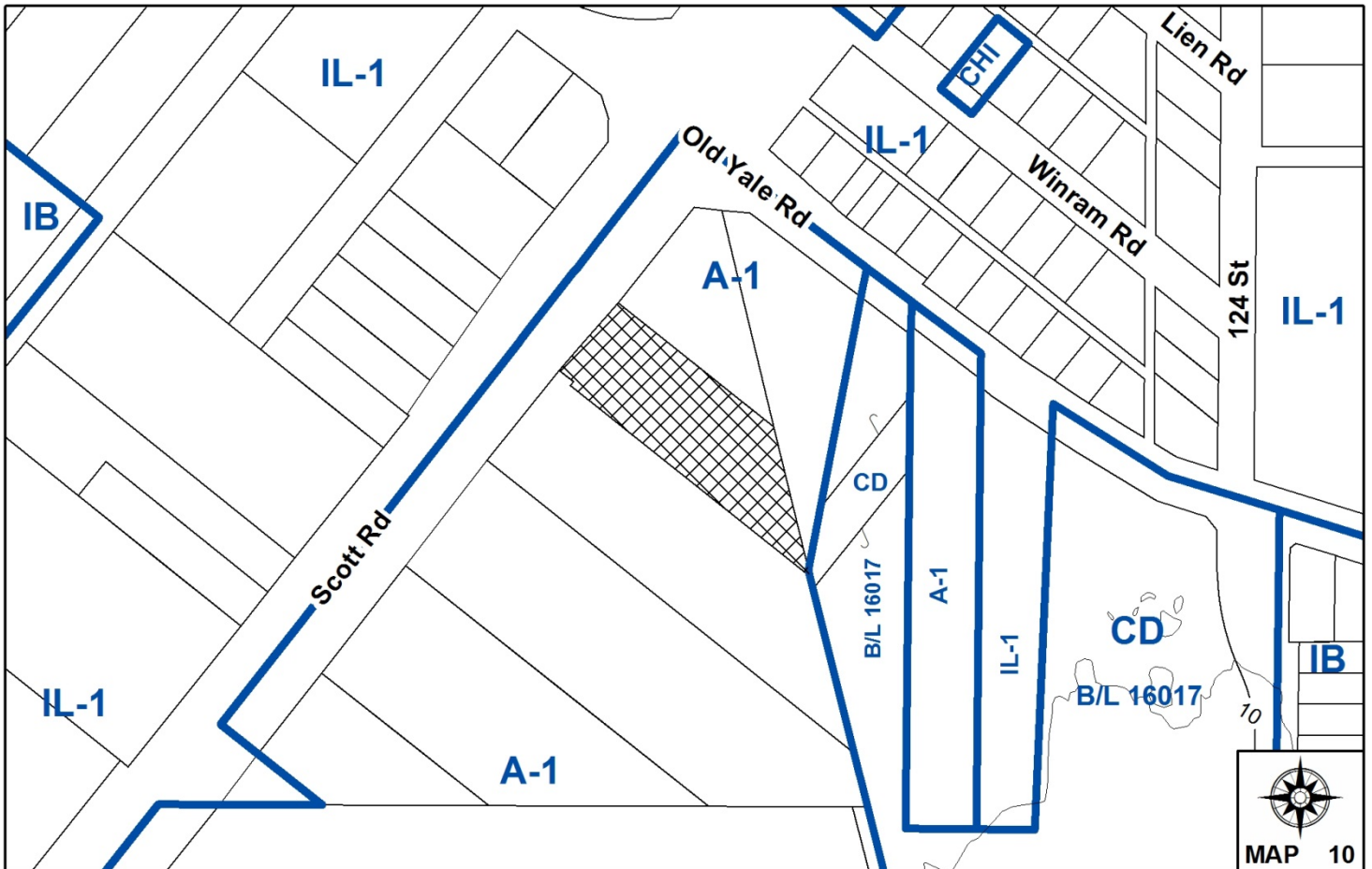


PROPOSAL:

- **Temporary Use Permit**

to permit a temporary truck park for a period not to exceed three years.

LOCATION: 10766 - Scott Road
OWNER: Sukhjjevan Dulay
ZONING: A-1
OCP DESIGNATION: Industrial
NCP DESIGNATION: Highway Commercial and Parks & Open Spaces



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The proposed truck park is contrary to the uses permitted in the A-1 Zone.
- The proposed use is contrary to the Highway Commercial designation in the South Westminster Neighbourhood Concept Plan.

RATIONALE OF RECOMMENDATION

- The proposed temporary truck parking facility will allow for the 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. 7910-0306-00 (Appendix IV) to proceed to Public Notification.
2. Council instruct staff to resolve the following issues prior to final adoption:
 - (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; and
 - (b) completion of Pre-Servicing Requirements identified for the proposed temporary truck park (Appendix IV).
3. Council direct staff to bring forward this application 6 months from the date of approval to proceed (i.e. first Council meeting after October 11, 2016) for consideration of file closure if the conditions of final approval have not been adequately fulfilled by the applicant.

REFERRALS

Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix II

SITE CHARACTERISTICS

Existing Land Use: Unauthorized truck parking facility.

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North:	Vacant land	Highway Commercial and Parks & Open Spaces (buffer)	A-1
East (Across Class A Watercourse):	Vacant land	Parks & Open Spaces, Highway Commercial and Road	A-1
South:	Non-conforming outside storage	Highway Commercial and Parks & Open Spaces (buffer)	A-1
West (Across Scott Road):	Non-conforming auto salvage yard	Retail/Residential, Highway Commercial and Parks & Open Spaces (buffer)	IL-1

DEVELOPMENT CONSIDERATIONS

Background

- The 5,900-square metre (1.5 ac.) subject site is located at 10766 Scott Road in South Westminster. The site is designated “Mixed Employment” in the Official Community Plan (OCP) and is zoned “General Agriculture Zone (A-1)”.
- The site is located in the South Westminster Neighbourhood Concept Plan (NCP) and is primarily designated “Highway Commercial” in the NCP with a small area in the front and rear of the lot designated “Parks and Open Spaces” to provide a buffer along Scott Road and a buffer for the red-coded watercourse.
- The site is being used as an unauthorized truck park by BN Dulay Trux Ltd. Truck parking is not a permitted use in the A-1 Zone.
- The subject site has good access for trucks, being in close proximity to the South Fraser Perimeter Road and to a controlled intersection at Old Yale Road and Scott Road. The South Fraser Perimeter Road, Old Yale Road and Scott Road are designated truck routes.

Current Proposal

- The applicant is requesting a Temporary Use Permit (TUP) to allow parking of oversized trucks that exceed 5,000 kilograms (11,000 lbs.) G.V.W. for a period not to exceed three years.
- The proposed Temporary Use Permit will permit truck parking and an office trailer on this A-1-zoned site on a temporary basis.
- Parking spaces for 13 oversized trucks are proposed. Each parking space will be 17 metres (56 ft.) deep by 5 metres (16 ft.) wide. The proposed drive aisle width is 11.1 metres (36 ft.).
- There is an existing temporary trailer in the southwest corner of the site. The trailer contains an office and two (2) washrooms.
- Vehicular access will remain from Scott Road which is an arterial road and a designated truck route. The site will remain surfaced with gravel. The 24-metre (79 ft.) deep driveway will be paved.
- In the future, direct access to/from Scott Road is not intended for lots fronting the east side of Scott Road between 104 Avenue and Old Yale Road. Alternate access is planned through development, by the extension of 122 Street running parallel to Scott Road.
- There is an existing chain link fence at the front of the lot. A portion of the fence will be relocated such that it is set back a minimum of 24 metres (79 ft.) from the front lot line, in order to provide queuing storage for trucks entering the lot.
- There are no existing on-site trees, however, there are four existing trees to be retained within the boulevard fronting Scott Road. The retention of these trees is shown in the approved landscape plan. Shrubs and groundcovers will be planted along the front lot line, to enhance the streetscape.

- The proposed Temporary Use Permit will permit truck parking on this A-1-zoned lot on a temporary basis and will waive or modify the following Zoning By-law requirements related to truck parking facilities:
 - The requirement under Part 4, General Provisions of Zoning By-law No. 12000, which states that no use shall take place on an industrial zoned lot unless there is a building that exceeds 100 square metres (1,076 sq. ft.) and contains washroom facilities, is waived; and
 - The Zoning By-law requirement for paving the parking area with asphalt, concrete or other similar pavement is modified to allow the use of other surfacing materials suitable for truck traffic as approved by the General Manager of Engineering.
- The proposed temporary truck parking facility will allow for the interim use of the land until it is economically viable for redevelopment.
- The proposed temporary truck parking facility will assist in providing much-needed authorized truck parking spaces in the City.

Riparian Area

- A Class A (red-coded) watercourse is located near the rear lot line. A minimum 10-metre (33 ft.) setback from the top-of-bank of the watercourse is required, and the 10-metre (33 ft.) setback area is to be landscaped.
- The applicant submitted an approved landscape plan for the 10-metre (33 ft.) riparian setback. The proposed landscaping consists of deciduous and coniferous trees, shrubs, grasses and sedges, and sod. The landscaping is required to be installed prior to the requested Temporary Use Permit being in order for issuance.
- An existing chain link fence at the rear of the lot will be relocated further inside the subject lot, to comply with the 10-metre (33 ft.) riparian setback requirement, and will provide physical and visual delineation between the riparian area and the proposed truck park.
- A Class C (green-coded) watercourse is located near the front lot line. The applicant is not proposing any construction or truck parking within this area.

PRE-NOTIFICATION

Pre-notification letters were mailed on February 10, 2016 and staff received one response as summarized below (staff comments in italics).

- A respondent requested that a traffic impact study be conducted to ensure there is minimal or no traffic impact on the area.

(Due to the small number of proposed truck parking spaces (13), and that the site is located along a designated truck route, staff did not request the applicant to provide a traffic impact study.)

AUTHORIZED AND IN-STREAM TRUCK PARKING FACILITIES IN THE VICINITY

- There are two (2) authorized temporary truck parking facilities in the vicinity of the subject site (Appendix IV).
- There are nine (9) in-stream TUP applications in the vicinity of the subject site for temporary truck parking facilities, including the subject application.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Engineering Summary
Appendix III.	Location of Truck Parking Facilities
Appendix IV.	Temporary Use Permit No. 7910-0303-00 with Pre-Servicing Requirements

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

JD/dk

Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent: Name: Troy Seale
 Carpentry Construction
 Address: 5850 - 177B Street, Unit 45
 Surrey, BC V3S 4J6

 Tel: 604-561-0355

2. Properties involved in the Application

- (a) Civic Address: 10766 - Scott Road

- (b) Civic Address: 10766 - Scott Road
 Owner: Sukhjeevan Dulay
 PID: 023-736-119
 Parcel A Section 19 Block 5 North Range 2 West New Westminster District Plan
 Lmp32720

3. Summary of Actions for City Clerk's Office

- (a) Proceed with Public Notification for Temporary Use Permit No. 7910-0306-00 and bring the Temporary Use Permit forward for an indication of support by Council. If supported, the Temporary Use Permit will be brought forward for issuance and execution by the Mayor and City Clerk once all outstanding conditions are satisfied.

INTER-OFFICE MEMO

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

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

DATE: **April 6, 2016** PROJECT FILE: **7810-0306-00
(supercedes Feb18/11)**

RE: **Engineering Requirements (Temporary Use Permit)
Location: 10766 - Scott Rd**

TEMPORARY USE PERMIT

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

- Submit key plan to confirm site servicing.
- Confirm driveway meets City design criteria requirements;
- Ensure no sediment laden waters enter the Class A watercourse and manage runoff onsite
- Provide metered water service connection; and
- Register a restrictive covenant for water quality/sediment control features.

A Servicing Agreement is not required the proposed TUP.



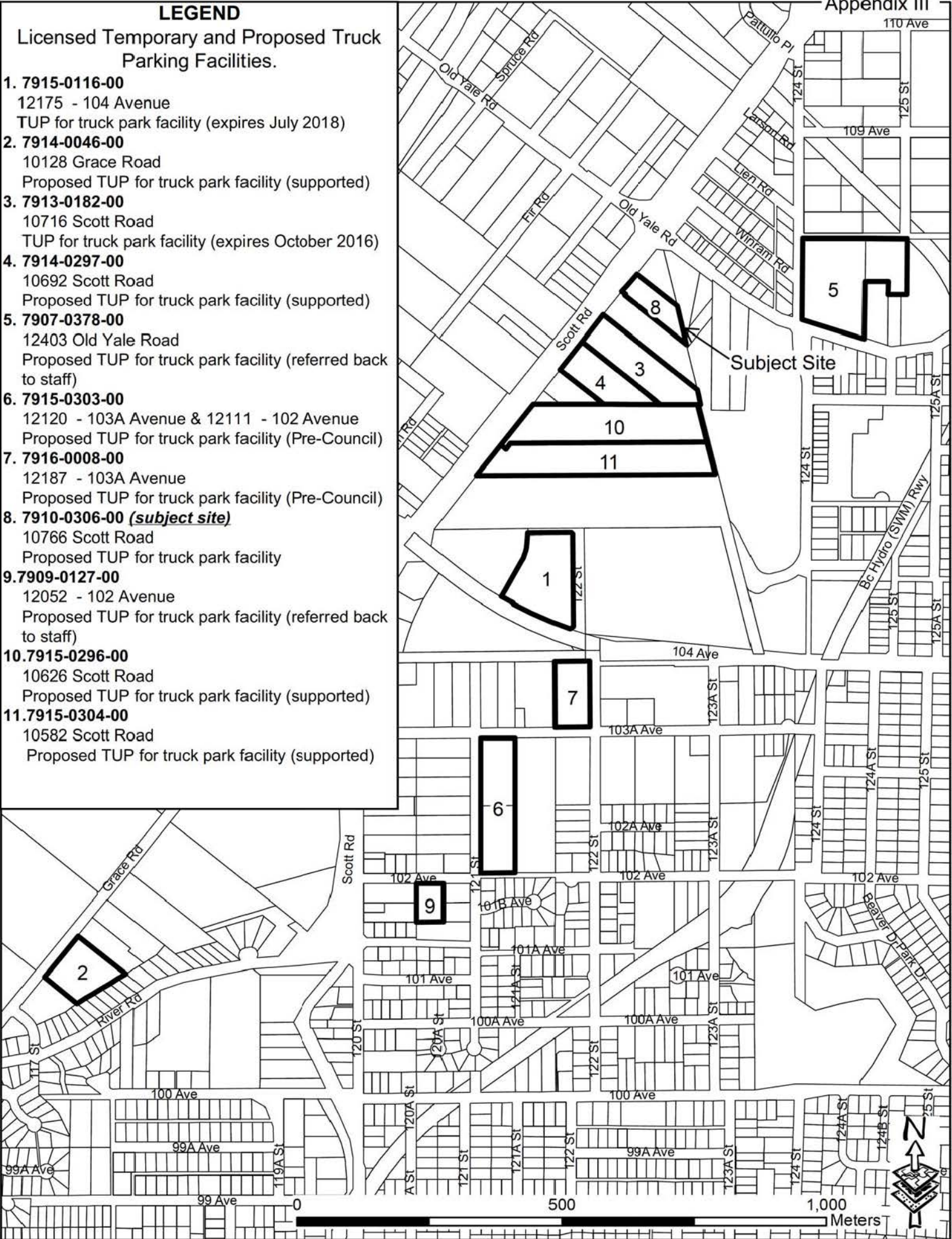
Rémi Dubé, P.Eng.
Development Services Manager

HB

LEGEND

Licensed Temporary and Proposed Truck Parking Facilities.

- 1. 7915-0116-00**
12175 - 104 Avenue
TUP for truck park facility (expires July 2018)
- 2. 7914-0046-00**
10128 Grace Road
Proposed TUP for truck park facility (supported)
- 3. 7913-0182-00**
10716 Scott Road
TUP for truck park facility (expires October 2016)
- 4. 7914-0297-00**
10692 Scott Road
Proposed TUP for truck park facility (supported)
- 5. 7907-0378-00**
12403 Old Yale Road
Proposed TUP for truck park facility (referred back to staff)
- 6. 7915-0303-00**
12120 - 103A Avenue & 12111 - 102 Avenue
Proposed TUP for truck park facility (Pre-Council)
- 7. 7916-0008-00**
12187 - 103A Avenue
Proposed TUP for truck park facility (Pre-Council)
- 8. 7910-0306-00 (subject site)**
10766 Scott Road
Proposed TUP for truck park facility
- 9. 7909-0127-00**
12052 - 102 Avenue
Proposed TUP for truck park facility (referred back to staff)
- 10. 7915-0296-00**
10626 Scott Road
Proposed TUP for truck park facility (supported)
- 11. 7915-0304-00**
10582 Scott Road
Proposed TUP for truck park facility (supported)



CITY OF SURREY

(the "City")

TEMPORARY USE PERMIT

NO.: 7910-0306-00

Issued To: SUKHJEEVAN DULAY

("the Owner")

Address of Owner: 6540 No. 5 Road
Richmond, BC V6Y 2T9

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: 023-736-119

Parcel A Section 19 Block 5 North Range 2 West New Westminster District Plan
LMP32720

10766 Scott Rd

(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 a temporary trailer and a truck parking facility for vehicles exceeding 5,000 kilograms G.V.W., with the access, number of parking spaces, and the location of the structures, substantially in compliance with Schedule A (the "Site Plan") which is attached hereto and forms part of this permit.

5. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) Sub-Section 3 of Section B, Part 4 "General Provisions", the requirement to construct a building, including washroom facilities, with a minimum area of 100 square meters (1,076 sq. ft.) is waived; and
 - (b) Sub-Section 5(a) of Section A, Part 5 Off-Street Parking and Loading/Unloading, the requirement to pave the parking area with asphalt, concrete or other similar pavement is modified to allow the use of other surfacing materials suitable for truck traffic as approved by the General Manager of Engineering.

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. The temporary use shall be carried out according to the following conditions:
 - (a) temporary washroom facilities are to be provided and maintained on the Land to the satisfaction of the General Manager, Planning and Development but in any case there shall be a minimum of one washroom facility on the Land;
 - (b) the parking spaces are to be visually delineated at all times to the satisfaction of the General Manager, Planning and Development so as to assist in ensuring the orderly parking of vehicles and lumber storage on the site at all times; 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; and
 - 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.

8. The Owner covenants and agrees as a condition of the issuance of this Temporary Use Permit to:
 - (a) demolish or remove all buildings and/or structures that are permitted to be constructed pursuant to this Temporary Use Permit; and
 - (b) restore the Land to the condition it was prior to the parking of vehicles;

all of which shall be done not later than the termination date set out on this Temporary Use Permit.

9. The Owner agrees that should the Owner not comply with the Temporary Use Permit, the City or its agents may enter upon the Land 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. These costs and expenses are recoverable by the City as a debt and may be collected in the same manner and with the same remedies as ordinary taxes on land and improvements under Section 258.1(c) of the *Community Charter*, S.B.C. 2003, c. 26, as amended and if it is due and payable by December 31 and unpaid on that date, the debt is deemed to be taxes in arrears.
10. This Temporary Use Permit is not transferable.
11. 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 – Linda Hepner

City Clerk – Jane Sullivan

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.

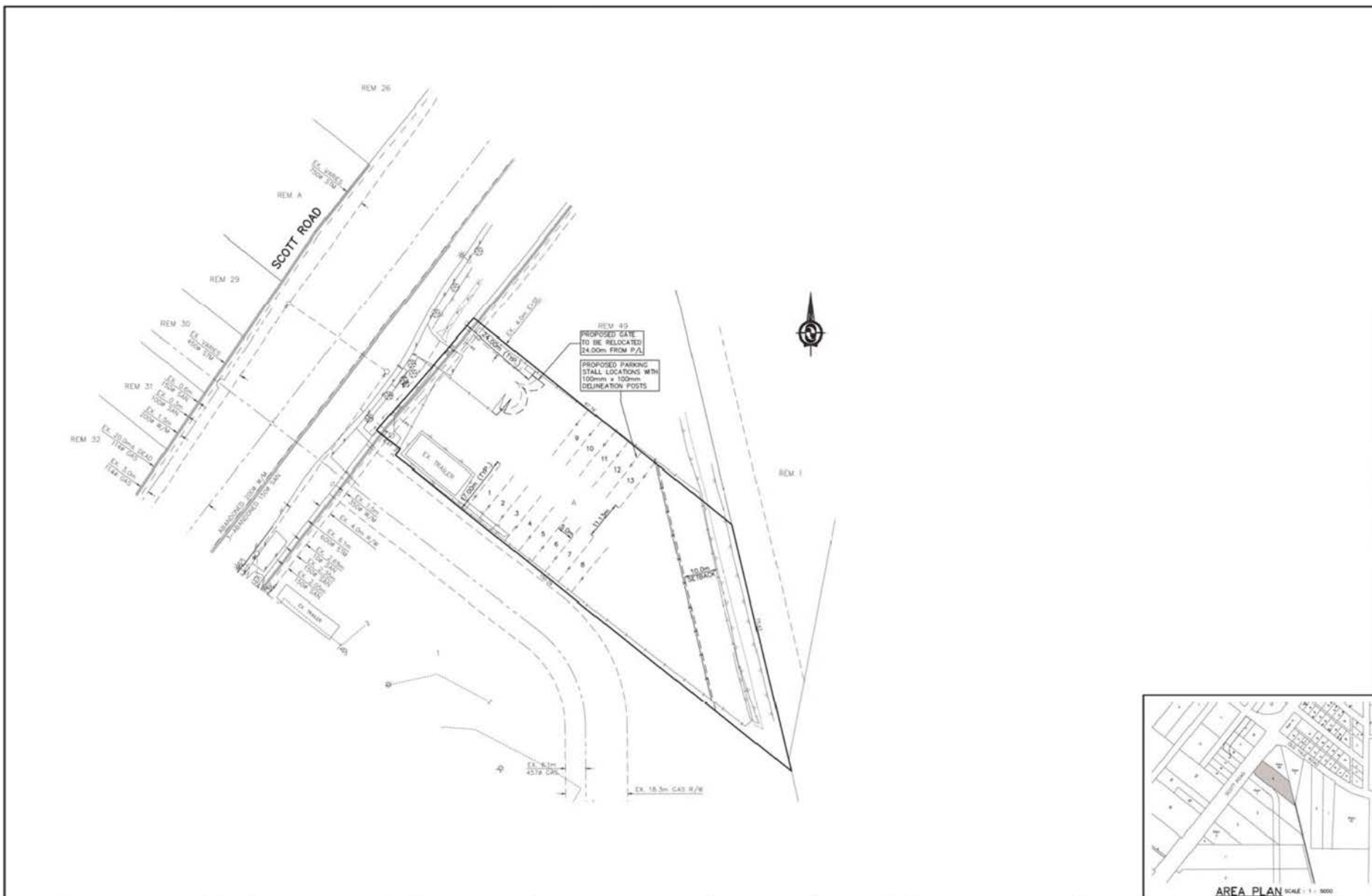
Authorized Agent: Signature

Name (Please Print)

OR

Owner: Signature

Name: (Please Print)



NO.	DATE	REVISIONS	BY	APPROVED

BENCHMARKS
 ALL ELEVATIONS ARE GEODETIC AND ARE DERIVED FROM CITY OF SURREY MON. 5501 LOCATED ON 124 ST. ELEVATION = 2.432m (DATUM: 1984)

LEGAL DESCRIPTION
 LOT A, SECTION 19, BLOCK 5, NORTH RANGE 2 WEST, N.W.S. PLAN LMP32720

OWNER ADDRESS
 10766 SCOTT ROAD, SURREY, B.C.

H.Y. ENGINEERING LTD.

• 604-828-1546 ST. Surrey BC V4R 4T7 • 61. 804-983-1818
 • Website: www.hyengineering.com • 614. 804-383-1737

SCALE

DEVELOPER: S. DULAY
 220 - 12611 VULCAN WAY
 RICHMOND, B.C. V6V 1J7
 PH: 604-811-8888

PROPOSED TRUCK PARKING
 10766 SCOTT ROAD, SURREY, B.C.

TITLE: TRUCK PARKING LAYOUT

DESIGNED: J.E.V. SCALE: 1:500
 DRAWN: J.C.V.
 CHECKED: R.E.D. DATE: NOVEMBER 2010
 APPROVED: H.T. FILE No: 103248

CITY OF SURREY

MUNICIPAL PROJECT No: -
 MUNICIPAL DRAWING No: -
 REV: -
 DWG. No: 103248-01

Site Plan

Schedule A

Pre-Servicing Requirements for Temporary Use Permit No. 7910-0306-00

Landscaping Requirements

- Installation of landscaping to the specifications and satisfaction of the Planning and Development Department; and
- The riparian area at the rear of the lot be planted and landscaped to the satisfaction of the Planning and Development Department.

Engineering Services Requirements

- Submit key plan to confirm site servicing;
- Confirm driveway meets City design criteria requirements;
- Ensure no sediment laden waters enter the Class A watercourse and manage runoff onsite;
- Provide metred water service connection;
- Register a restrictive covenant for water quality/sediment control features;
- City staff to perform a site inspection to ensure that all site requirements have been met prior to the issuance of the Temporary Use Permit; and
- All other Engineering Requirements must be addressed to the satisfaction of the General Manager, Engineering.

Planning Requirements

- Relocate the existing rear fence to be outside of the 10-metre (33 ft.) top-of-bank riparian setback;
- Sealed engineering or architectural drawings and related information are to be provided related to the layout of the site, including any buildings or structures on the site, site access, drive aisles, parking stall layout, signage and landscaping, demonstrating that the layout as proposed will allow for adequate space for manoeuvring and parking of all vehicles on site in an orderly manner up to the full capacity of the parking lot;
- Address any requirements (if applicable) from Fortis BC with respect to the Terasen Gas right-of-way adjacent (south of) the site;
- The parking spaces in the truck parking lot are to be visually delineated at all times to the satisfaction of the General Manager, Planning and Development, so as to assist in ensuring the orderly parking of vehicles on the site at all times;
- The front gate be relocated such that it is set back a minimum of 24 metres from the front lot line in order to provide truck queuing;
- Adequate washroom facilities are to be provided on the site to the satisfaction of the General Manager, Planning and Development, but in any case there shall be a minimum of one such facility on the site; and
- Apply for a temporary trailer permit for the existing office trailer.