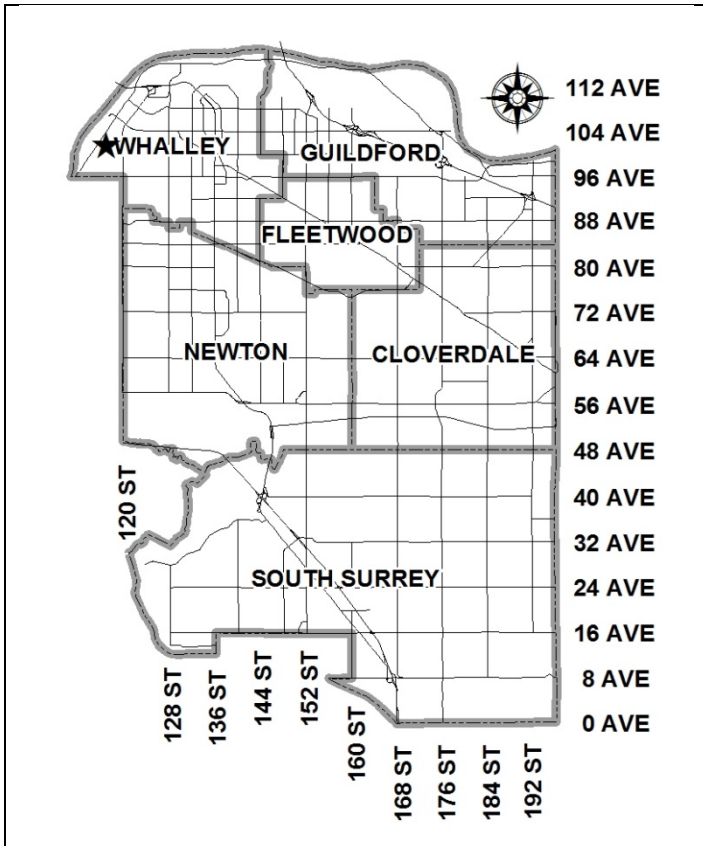


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7914-0046-00

Planning Report Date: October 20, 2015



PROPOSAL:

- **Temporary Use Permit**

to permit a temporary truck parking facility for an additional 3 years from the date of expiry of the previous TUP on the site.

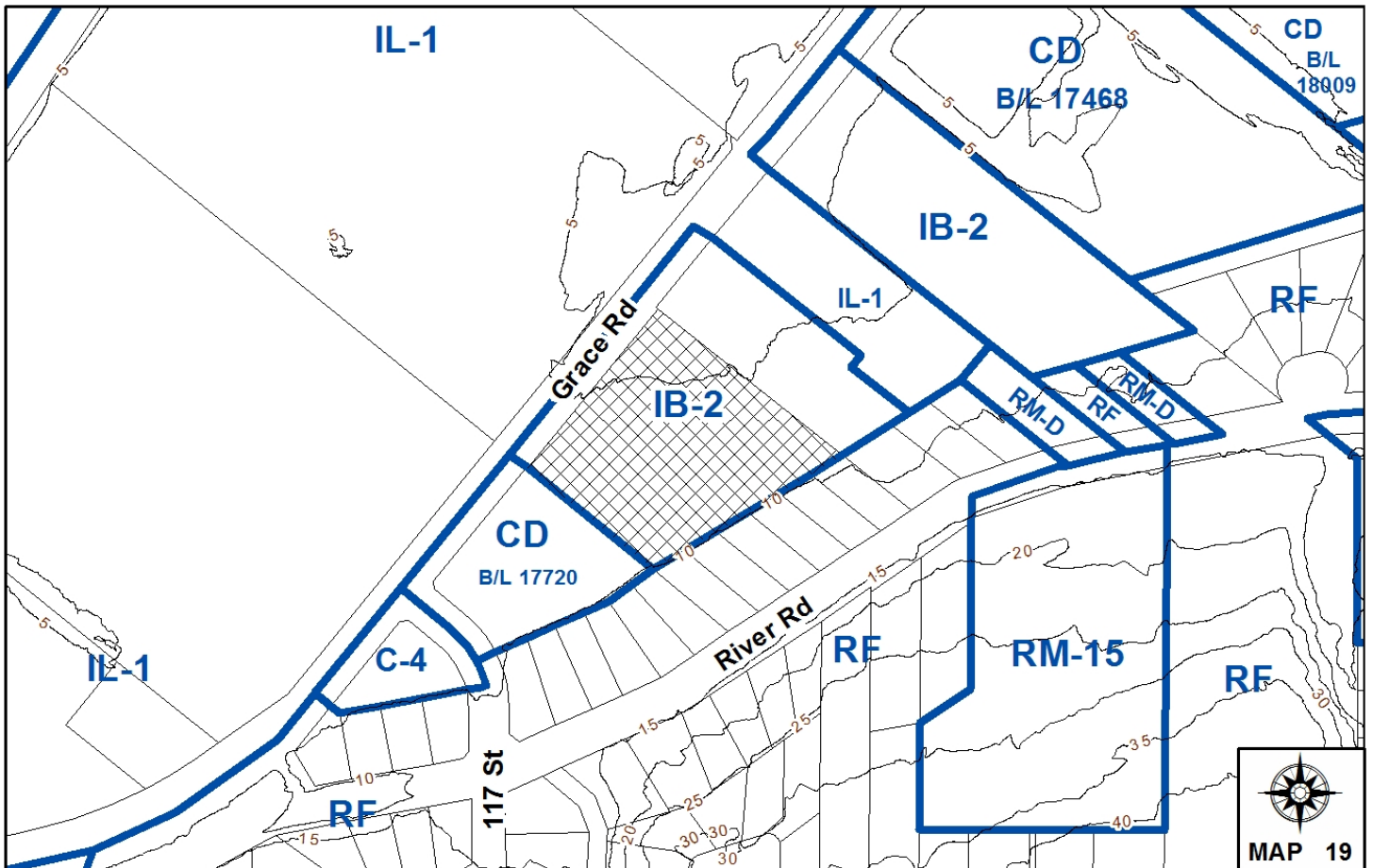
LOCATION: 10128 - Grace Road

OWNER: o814048 BC Ltd.

ZONING: IB-2

OCP DESIGNATION: Mixed Employment

NCP DESIGNATION: Business Park/Open Space



RECOMMENDATION SUMMARY

- The Planning & Development Department recommends that this application be denied.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Contrary to the South Westminster NCP and the IB-2 Zone.

RATIONALE OF RECOMMENDATION

- The proposed Temporary Use Permit (TUP) is an extension of the initial TUP No. 7907-0069-00 which allowed temporary truck parking on the subject site and was approved by Council on February 20, 2012 expiring on February 20, 2014. The proposed 3-year TUP renewal will have an expiry date of February 20, 2017
- The subject site abuts residential properties along the southeast lot line.
- The applicant has not maintained the buffer that was planted along the rear property line as a condition of the initial TUP.
- Although the original TUP and associated Good Neighbour Agreement prohibited refrigerated container units running at night and maintenance of vehicles, neighbouring residents have advised staff that they have observed refrigerated container units parked on the site and running at night, as well as truck repair activity.
- Earlier this year, staff were informed by the applicant that refrigerated container units were no longer running, while parked on the subject site but rather they were running while parked at customer's sites such as supermarkets. Staff recently received a report from a neighbour that refrigerated container units are still running on the subject site.
- Neighbouring residents continue to object to truck parking on the subject site and on the site to the north-east (TUP Application No. 7915-0162-00 to be considered for denial at the October 20, 2015 Regular Council – Land Use meeting).

RECOMMENDATION

The Planning & Development Department recommends that this application be denied.

REFERRALS

Engineering: Should the application be approved to proceed, Engineering will be requested to provide comments with respect to the proposal.

Metro Vancouver: Metro Vancouver has concerns with the parking of vehicles on the existing sanitary sewer statutory right-of-way. The applicant must respect the weight restrictions of 6 kPa in Zone A and 57 kPa in Zone B and live loading of 5000 kg (11,000 lbs.) in Zone A (see Appendix V for approximate boundaries and zones of the SRW). Since the issuance of the previous TUP, the applicant has complied with these requirements.

SITE CHARACTERISTICS

Existing Land Use: Unauthorized truck parking facility (Temporary Industrial Use Permit No. 7907-0069-00 expired on February 20, 2014). A Metro Vancouver sanitary sewer right-of-way impacts the northeastern edge of the property.

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
Northeast:	Non-conforming lumber mill.	Business Park and Parks Open Space	IB-2
Southeast:	Single family dwellings.	Urban in OCP	RF
Southwest:	Industrial equipment rental business.	Light Impact Industrial/Business Park and Parks and Open Spaces	CD (By-law No. 17720)
Northwest (Across Grace Road):	Warehouse and trucking distribution company.	Light Impact Industrial	IL-1

DEVELOPMENT CONSIDERATIONSBackground

- The subject property is located at 10128 - Grace Road and encompasses a total site area of 0.98 hectare (2.4 acres). The subject property is designated primarily Business Park with the rear portion designated Open Space, in the South Westminster Neighbourhood Concept Plan (NCP) and zoned "Business Park 2 Zone (IB-2)".

- The Business Park designation along the base of the slope is intended to improve and make more compatible the industrial areas adjacent to residential areas by encouraging these lands to be redeveloped to high quality comprehensively planned business park uses.
- The property was rezoned to the current IB-2 Zone through a City-initiated rezoning of a number of properties in the South Westminster area in order to advance the implementation of the South Westminster NCP. The rezoning was approved on May 18, 2005. The IB-2 Zone does not permit transportation uses, such as truck parking facilities.
- With the adoption of Official Community Plan (OCP) By-law No. 18020 on October 20, 2014, the subject property was re-designated from Industrial to Mixed Employment in the OCP.

Metro Vancouver Sanitary Sewer Right-of-Way

- The northeastern portion of the site is significantly encumbered by a Metro Vancouver sanitary sewer right-of-way (ROW) as shown on Appendix II.
- As part of the previous TUP, Metro Vancouver required that only vehicles under 5000 kg (11,000 lbs.) be parked in Zone A (see Appendix III). Aerial photos show that this requirement was respected and weight restrictions were not exceeded in this area.

Current Proposal

- The initial Temporary Use Permit (TUP) No. 7907-0069-00 was issued on February 20, 2012 for a truck parking facility on the subject site to the same applicant and expired on February 20, 2014.
- The previous TUP application faced some public opposition in regards to noise and parking of refrigerated container units. As a condition of issuance, a Good Neighbour Agreement was required to limit hours of operation and prohibit refrigerated container units running overnight.
- The same applicant/owner, Synergy Trucking, operates the existing truck parking facility and has applied for an extension of the TUP for an additional 3 years. If approved, the TUP (Appendix III) will expire 3 years from the original expiry date, which will be February 20, 2017, which is approximately a year and a half away.

Landscaping

- A 15-metre (50 ft.) wide landscaped buffer along the rear property line and landscaping along the Grace Road frontage was planted as part of the previous TUP application. Since the final landscape inspection much of the landscape buffer has died but numerous trees have survived. All of the landscaping along Grace Road has died.
- The applicant claims that they have replanted portions of the rear landscape buffer several times and have cleaned it up at the request of City staff. The applicant is willing to plant additional trees to the landscape buffer and plant a row of cedar hedges along Grace Road as a condition of the TUP extension.

Future Plans

- The applicant's future plans for the site include redeveloping, or selling the property and relocating the truck parking business. The applicant advises that redevelopment is not possible at this time because of the applicant's need for immediate truck parking and recouping costs that were spent on initial TUP.
- The applicant has reportedly explored development of a cold storage building on the site but has advised staff that it is not feasible at this time due to the anticipated limited financial return on a building.

PRE-NOTIFICATION

Pre-notification letters were sent on April 1, 2014 and a development proposal sign was installed on April 4, 2014. Staff received phone calls from two neighbours, which are summarized below (staff comments are in *italics*):

- A neighbour had concerns about noise from refrigerated container trucks running on site.
 - The applicant advised staff that they no longer run their refrigerated container trucks on the subject site as most refrigerated container trucks are left overnight at grocery stores and other businesses that their trucks supply.

(Staff recently received a report from a neighbour that refrigerated container trucks continue to be run on site.)

- A neighbour had concerns with repairs and washing of trucks along the rear of the property. Repairs reportedly involved welding and loud pneumatic tools.
 - The applicant advised staff that repairs did occur on the site in the past but are no longer occurring.

(Staff confirmed that there was evidence of repairs in the past even though the previous TUP and Good Neighbour Agreement prohibited truck maintenance.)

- The landscape buffer that was previously planted is dead and is full of weeds which are contaminating neighbouring yards.
 - The applicant advised staff that they have replanted portions of the buffer three times since the initial TUP.

(Staff confirmed that the buffer has not been maintained but a substantial number trees are growing.)

- Garbage containers are located at the rear of the property that smell and attract birds.
 - The applicant plans on relocating the garbage container away from residential properties.

(Staff confirmed that the applicant has not relocated the garbage container away from the residential properties.)

- It is noted that there is another truck parking TUP proposal currently in process three (3) lots to the north of the subject site (10198 – Grace Road) with a similar residential interface (Application No. 7915-0162-00). Staff received a 41-name petition from neighbouring residents in objection to truck parking on that site.
- The applicant has provided two letters of support for the proposed TUP extension from property owners in the vicinity of the subject site and who drive for the subject company.

PROJECT EVALUATION

Applicant's Justification:

- The applicant met with staff and advised that they no longer park refrigerated container units on the site.
- The applicant states that there is short supply of truck parking spaces in Surrey and the subject site is required so they are able to park their trucks.
- The applicant only intends to park at the subject site for an additional two years in order to recover their costs in developing the initial TUP.

Staff Comments:

- As evidenced by the development of the industrial lands four (4) properties to the north-east (10240 Grace Road), there appears to be potential for the site to develop in the short term in compliance with the NCP and IB-2 zoning.
- The advantages and benefits of allowing this application to proceed are as follows:
 - There is a need for truck parking within Surrey and the proposal will accommodate trucks until the site can ultimately develop;
 - Truck parking, if done properly, is a good interim use of land; and
 - The site is in close proximity to Scott Road and to the controlled intersection of Tannery Road and Highway No. 17 (South Fraser Perimeter Road).
- The disadvantages and problems of allowing this application to proceed are as follows:
 - The proposed truck park does not comply with the NCP, which envisions the area for business park uses;
 - The subject site abuts residential properties and contrary to the previous TUP and associated Good Neighbour Agreement, a neighbour has indicated that they have observed refrigerated container units parked and running overnight on the site;

- Contrary to the previous TUP and Good Neighbour Agreement, the applicant has also undertaken truck repairs and maintenance on the site;
- The landscaped buffer that was planted as a condition of the previous TUP has not been maintained and the landscaping along Grace Road has died; and
- Neighbouring residents continue to have objections to truck parking on the subject site.

CONCLUSION

- In considering the advantages and disadvantages of the proposed development, the Planning and Development Department believes that the negative impacts of the project are considerable, and therefore, recommends that this project be denied.
- If Council believes that the merits of the application are sufficient to allow the proposal to proceed, the application should be referred back to staff to work with the applicant to complete the TUP application review process.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Previously Approved Site Plan and Landscape Plans
Appendix III.	Approximate Boundaries of the Metro Vancouver Sanitary Sewer SRW

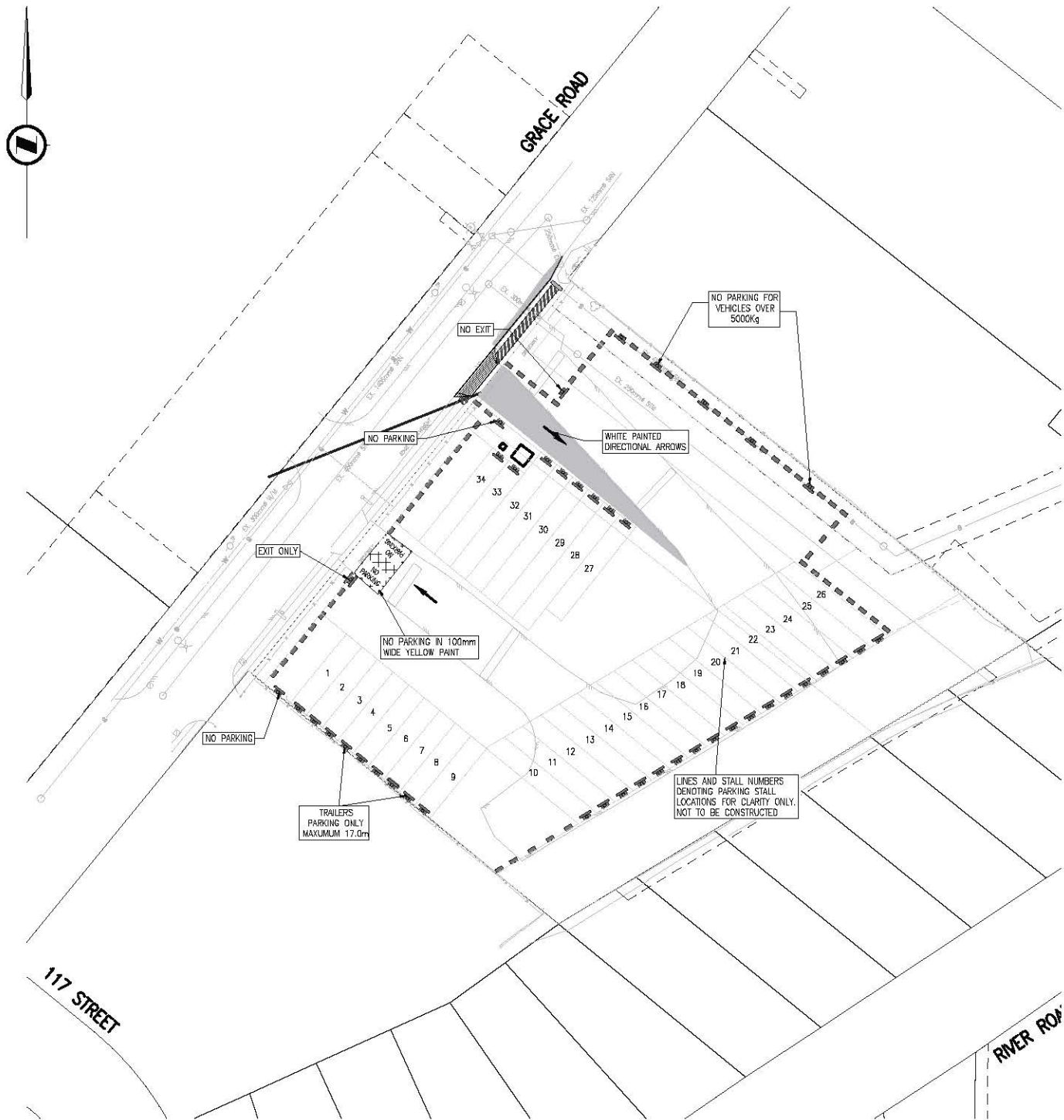
original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

JKS/da


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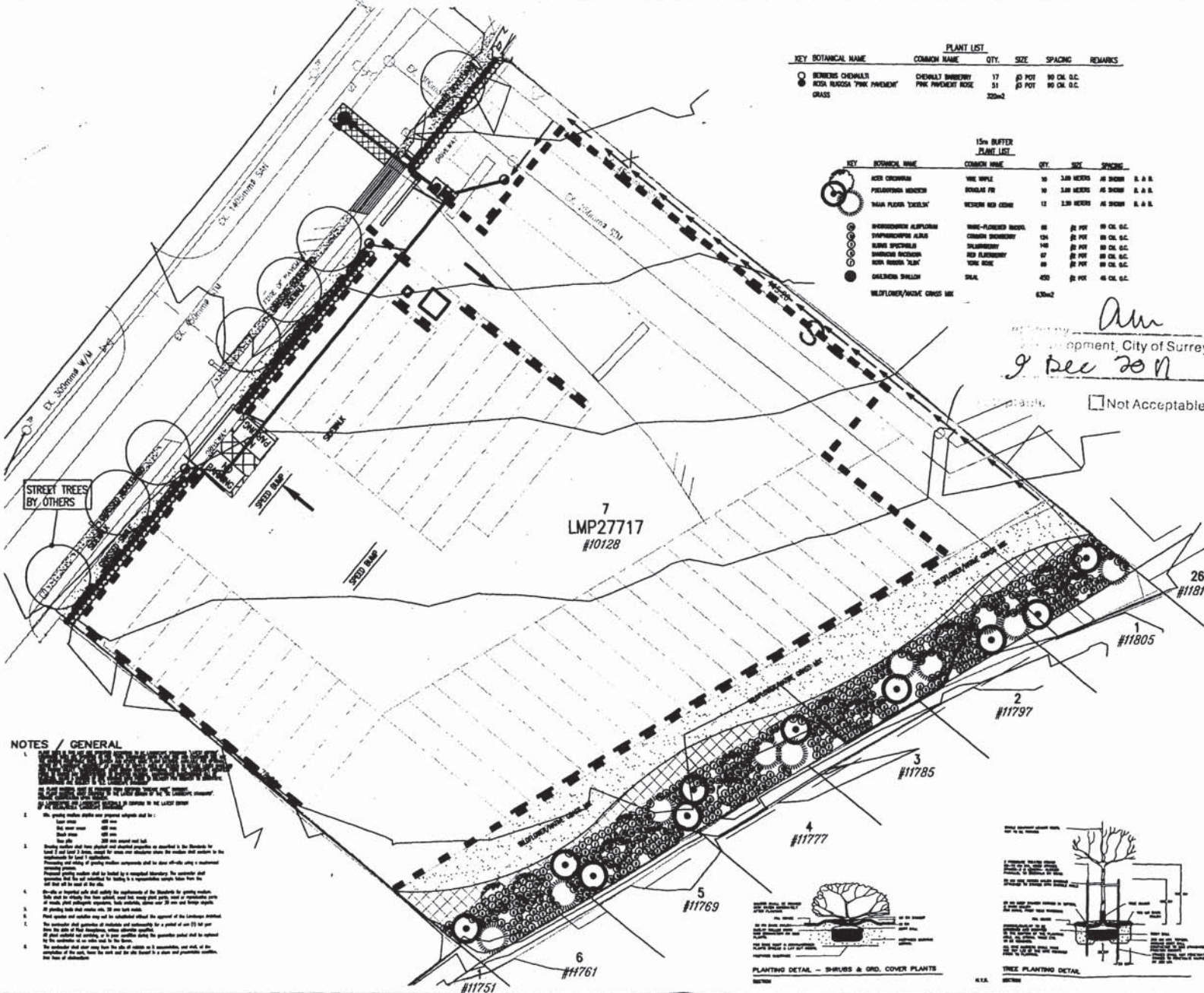
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No.	Date	Revision	Dr	Ch
4	2011.08.25	D1 SERVICE AGREEMENT/TEMPORARY USE PERMIT	SH	PD
3	2011.08.11	REVISED AS PER CITY COMMENTS	SR	PD
2	2011.05.17	REVISED AS PER CITY COMMENTS	SR	PD
1	2011.02.16	ISSUED FOR REVIEW	DL	RS

<p>INFORMATION ON EXISTING UTILITIES MAY NOT BE COMPLETE OR ACCURATE. PRIOR TO CONSTRUCTION CONTRACTOR SHALL EXPOSE LOCATIONS OF ALL EXISTING UTILITIES AND ADVISE THE ENGINEER OF POTENTIAL CONFLICTS.</p> <p>THIS DRAWING HAS BEEN PREPARED FOR THE CLIENT IDENTIFIED, TO MEET THE STANDARDS AND REQUIREMENTS OF THE APPLICABLE PUBLIC AGENCIES. McELHANNEY CONSULTING SERVICES LTD., ITS EMPLOYEES, SUBCONSULTANTS AND AGENTS ACCEPT NO RESPONSIBILITY TO ANY OTHER PARTY, INCLUDING CONTRACTORS, SUPPLIERS, CONSULTANTS AND STAKEHOLDERS, OR THEIR EMPLOYERS OR AGENTS, FOR LOSS OR LIABILITY INCURRED AS A RESULT OF THEIR USE OF THESE DRAWINGS.</p>	<p>LEGAL DESCRIPTION OF PROPERTY LOT 7, SECTION 25, RGE 3, NEW WESTMINSTER DISTRICT, LMP 27717</p> <p>BENCHMARKS All elevations refer to Control Monument -5766 Located at River Road & Grace Road Elevation 9.9 m. Local coordinate: N: 4808.954 E: 4831.059</p>
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 <p>McElhanney Consulting Services Ltd. 13160-88 Ave., Surrey, BC Tel. (604)586-0391 Fax(604)586-0392</p>



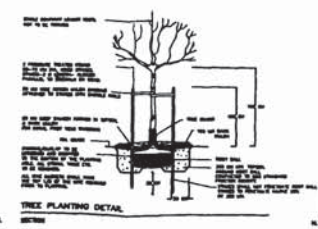
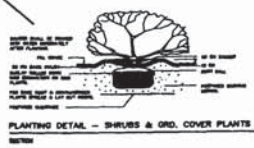
KEY		PLANT LIST			
BOTANICAL NAME	COMMON NAME	QTY.	SIZE	SPACING	REMARKS
○	BENNETTS CHEWPAULT	CHEWPAULT BERRYBUSH	17	Ø POT	Ø Ø CL. G.C.
●	RED WOODS TRUNK PRUNING	TRUNK PRUNING ROSE	31	Ø POT	Ø Ø CL. G.C.
	GRASS			30m ²	



KEY		15m BUFFER PLANT LIST			
BOTANICAL NAME	COMMON NAME	QTY.	SIZE	SPACING	REMARKS
○	ACEI CEDRUM	THE WIFE	10	3.00 METERS	AS SHOWN S.A.A.
○	PERSEAETONIA HEDICHI	DOUGLAS FIR	10	3.00 METERS	AS SHOWN S.A.A.
○	MAHA PLEUM 'EXCEL'	WEDDING RED CEDAR	12	3.00 METERS	AS SHOWN S.A.A.
○	INDROGONUM ALPHEUM	WIDE-FLORATED BIRCH	10	Ø POT	Ø Ø CL. G.C.
○	SPERGONOPHYA ALBA	COMMON SWEETWOOD	104	Ø POT	Ø Ø CL. G.C.
○	BERNIS SPECIOLA	SILVERBERRY	140	Ø POT	Ø Ø CL. G.C.
○	INDROGONUM HEDICHI	RED ELDERBERRY	10	Ø POT	Ø Ø CL. G.C.
○	RED WOODS TRUNK	TRUNK ROSE	10	Ø POT	Ø Ø CL. G.C.
○	DALECHES BULLOCK	TRAIL	400	Ø POT	Ø Ø CL. G.C.
	WEDDING/ROSE GRASS MAT			630m ²	

Am
 Department, City of Surrey
 9 Dec 2011
 Not Acceptable

NOTES / GENERAL

1. All planting materials shall be of standard quality and shall be of the following sizes:
 - a. Large trees: 100mm dbh
 - b. Medium trees: 75mm dbh
 - c. Small trees: 50mm dbh
 - d. Shrubs: 100mm dbh
 - e. Grasses: 100mm dbh
2. All planting materials shall be of standard quality and shall be of the following sizes:
 - a. Large trees: 100mm dbh
 - b. Medium trees: 75mm dbh
 - c. Small trees: 50mm dbh
 - d. Shrubs: 100mm dbh
 - e. Grasses: 100mm dbh
3. All planting materials shall be of standard quality and shall be of the following sizes:
 - a. Large trees: 100mm dbh
 - b. Medium trees: 75mm dbh
 - c. Small trees: 50mm dbh
 - d. Shrubs: 100mm dbh
 - e. Grasses: 100mm dbh
4. All planting materials shall be of standard quality and shall be of the following sizes:
 - a. Large trees: 100mm dbh
 - b. Medium trees: 75mm dbh
 - c. Small trees: 50mm dbh
 - d. Shrubs: 100mm dbh
 - e. Grasses: 100mm dbh
5. All planting materials shall be of standard quality and shall be of the following sizes:
 - a. Large trees: 100mm dbh
 - b. Medium trees: 75mm dbh
 - c. Small trees: 50mm dbh
 - d. Shrubs: 100mm dbh
 - e. Grasses: 100mm dbh
6. All planting materials shall be of standard quality and shall be of the following sizes:
 - a. Large trees: 100mm dbh
 - b. Medium trees: 75mm dbh
 - c. Small trees: 50mm dbh
 - d. Shrubs: 100mm dbh
 - e. Grasses: 100mm dbh



REQ/11	CITY OF SURREY REQUEST	1
DATE	ISSUED	BY

C. KAVOLINAS & ASSOCIATES INC.
 1000 10th Ave
 Suite 100
 Surrey, BC V4A 1A1
 Phone: (604) 591-1111

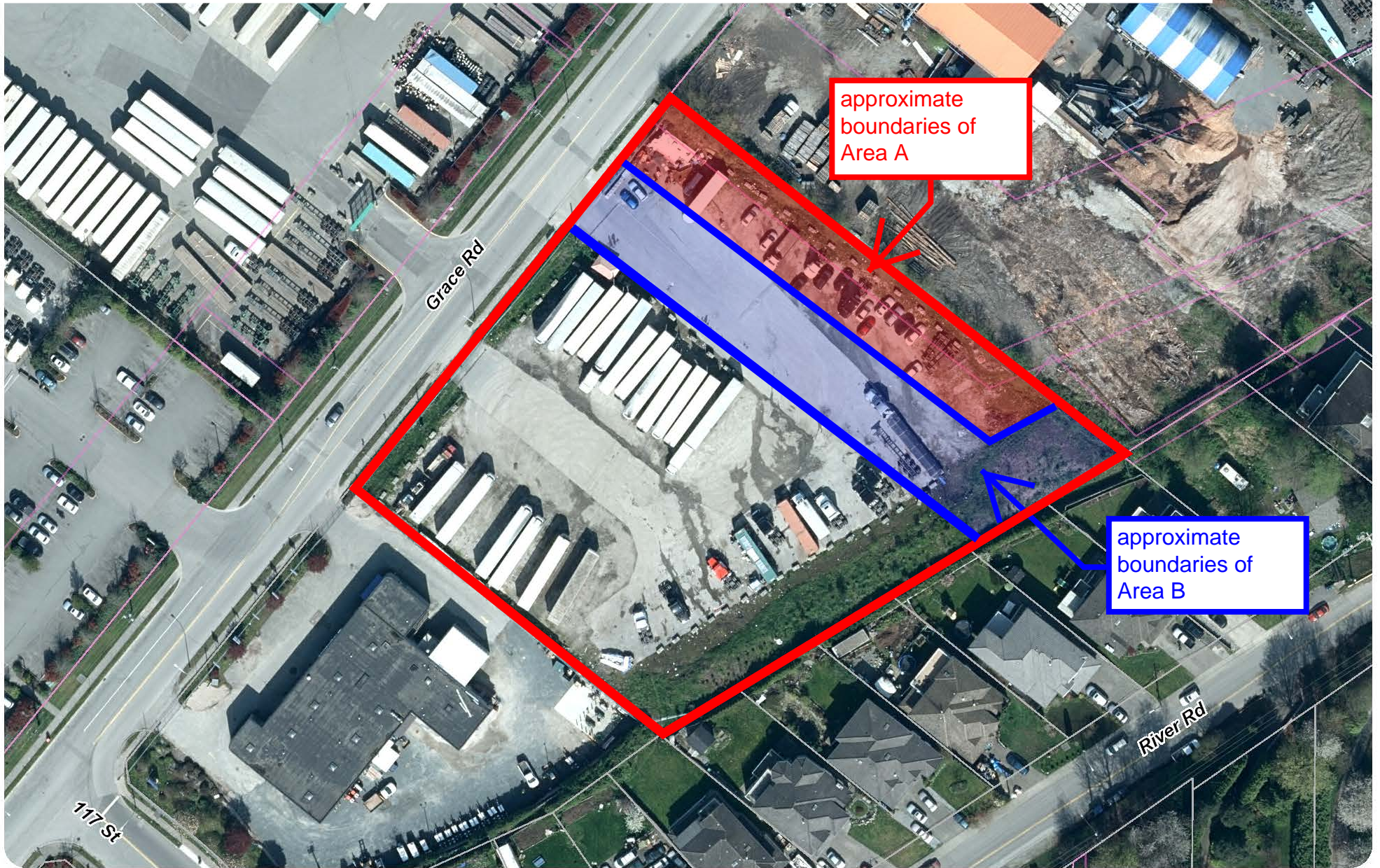
PLAN VIEW

LANDSCAPE PLAN
 OPTION 'A'
 TRUCK PARKING FACILITY
 1000 10th Ave
 Surrey, BC

SCALE	DATE	APP'D BY
DATE	DATE	
DATE	DATE	

FIG. NO. L-1

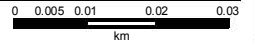
Approximate Boundaries of the Metro Vancouver Sanitary Sewer Statutory Right-of-Way



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Scale: 1:1,062

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Map created on: 09/09/2015