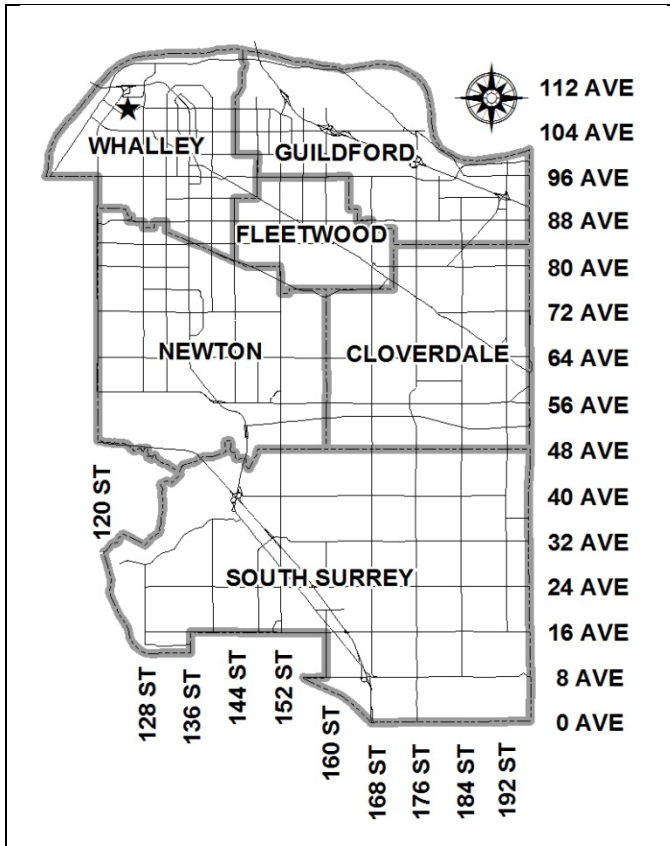


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7914-0116-00

Planning Report Date: July 13, 2015



PROPOSAL:

- **Temporary Use Permit**

to permit the development of a temporary truck parking facility for a period of 3 years.

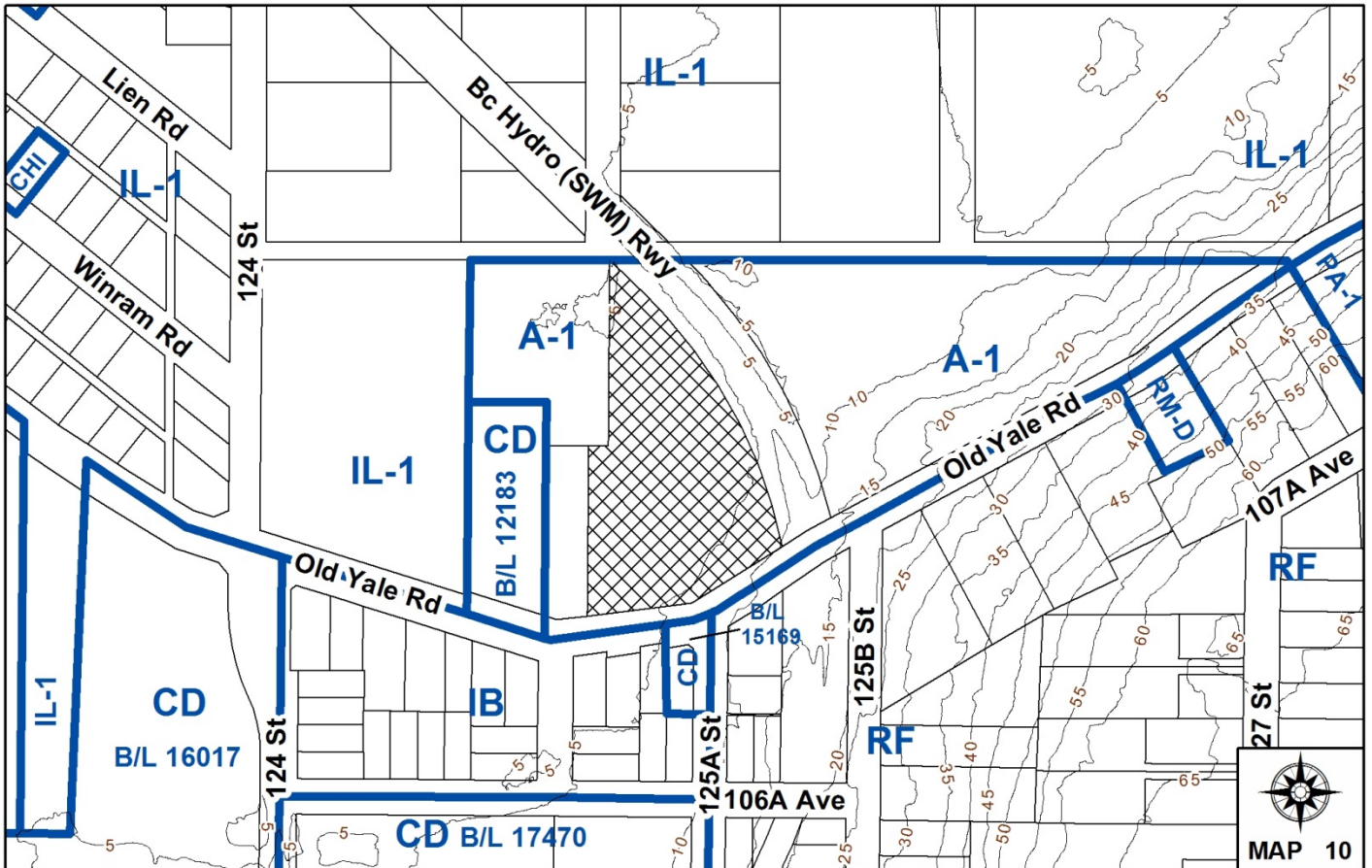
LOCATION: 12543 - Old Yale Road

OWNERS: Kuldip and Buldeep Dail

ZONING: A-1

OCP DESIGNATION: Mixed Employment

NCP DESIGNATION: Business Park



RECOMMENDATION SUMMARY

- Denial

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The proposal is not consistent with the Business Park land use designation in the South Westminster NCP.

RATIONALE OF RECOMMENDATION

- An unauthorized outdoor storage facility including over-weight trucks has been operating on the site for several years and has been subject to By-law Enforcement action.
- The neighbourhood has concerns with the existing unauthorized truck parking facility and with the proposed temporary truck parking facility.
- Other than applying for the subject Temporary Use Permit, the applicant has not adequately addressed on-going issues on the site with By-law Enforcement staff and in particular the transportation industry use and noise complaints associated with the unauthorized truck park.
- Although the applicant has modified the proposal to not park trucks on the most easterly portion, to comply with Metro Vancouver's right-of-way, the applicant has not addressed the drainage concerns resulting from unauthorized fill, expressed by the adjoining property owner.
- The South Westminster NCP designates the subject property as Business Park. The proposed development is contrary to the NCP and, if approved, will likely defer future business park development in the area.

RECOMMENDATION

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

Should Council consider the application to have merit, it should be referred back to staff to undertake the necessary referrals and to draft the Temporary Use Permit accordingly.

REFERRALS

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

Metro Vancouver: Preliminary comments have confirmed that compliance with weight restrictions in the statutory right-of-way is required, including no vehicles allowed over H-20 loading (i.e., 2-axle truck weighing 20 tons) in Area A, which generally aligns with 125A Street. Should the application be approved to proceed, formal comments will be requested.

SITE CHARACTERISTICS

Existing Land Use: Unauthorized outdoor storage facility including trucks, with a 60-metre (200 ft.) wide Metro Vancouver servicing right-of-way bisecting the site generally along the 125A Street alignment.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North (Across BC Hydro Rail right-of-way and unopened 108 Avenue):	In process TUP application (No. 7908-0237-00) to allow for the operation of a sawmill and truck parking (Council support given on January 19, 2009).	Mixed Employment in the OCP and Business Park in the NCP	IL-1
East (Across BC Hydro Rail right-of-way):	Vacant.	Urban in the OCP and Public Open Space and Park in the NCP	A-1
South (Across Old Yale Road and west of 125A Street):	Single family dwellings and a vacant small scale commercial building.	Mixed Employment in the OCP and Business Park and Public Open Space and Park in the NCP	IB and CD (By-law No. 15169)
South (Across Old Yale Road and east of 125A Street):	Vacant lot under rezoning application (No. 7907-0016-00) to permit 2 small single family lots (Council support given on February 24, 2014) and BC Hydro Rail right-of-way.	Urban in the OCP and Public Open Space and Park in the NCP	RF

Direction	Existing Use	OCP/NCP Designation	Existing Zone
West:	In process TUP application (No. 7907-0378-00) to allow the operation of a sawmill and truck parking (Council support given on June 16, 2008); unauthorized truck; machinery storage; and recycling business.	Mixed Employment in the OCP and Business Park in the NCP	A-1 and CD By-law No. 12183.

DEVELOPMENT CONSIDERATIONS

- The subject property is located at 12543 - Old Yale Road and encompasses a site area of 1.36 hectares (3.36 acres). The property is zoned "General Agriculture Zone (A-1)" and designated Mixed Employment in the Official Community Plan (OCP) and Business Park in the South Westminster Neighbourhood Concept Plan (NCP).
- The subject property is devoid of any buildings or structures and is currently being used primarily for unauthorized vehicle storage. The site is bordered by the BC Hydro Rail right-of-way to the north and east, and is significantly encumbered by a 60-metre (200 ft.) wide Metro Vancouver sanitary sewer right-of-way (ROW), which traverses the eastern portion of the property (as shown on Appendix II).
- The applicant proposes to comply with the weight restrictions imposed by the Metro Vancouver ROW for the sanitary sewer trunk line that runs through the property. The ROW delineates Areas A, B and C. Preliminary comments from Metro Vancouver advise that no vehicles are allowed over H-20 loading (i.e., 2-axle truck weighing 20 tons) within Area A. Weight restrictions also apply on Areas B and C limiting fill and vehicle weight.
- The applicant proposes a Temporary Use Permit (TUP) to allow for truck parking of approximately 44 trucks and trailers for a period of 3 years with a possible request for extension for a further 3 years.
- Approximately 29 spaces are for full length trucks and trailers and 15 are for either tractors or undersized vehicles. The proposed spaces are located along the west and northeast perimeter of the site. All the truck spaces are avoiding Area A of the Metro Vancouver ROW with 11 vehicles and the drive aisle proposed to utilize Areas B and C.
- The existing driveway onto Old Yale Road at the southwest corner of the site, beyond the extent of the Metro Vancouver ROW, is proposed to be retained (Appendix III). However as Old Yale Road is designated a "no heavy truck" route east of Scott Road, trucks will be required to travel to and from the west, which is the shortest distance to Scott Road, the closest designated heavy truck route.

PRE-NOTIFICATION

Pre-notification letters were sent out on September 12, 2014 and a Development Proposal Sign, although requested, has yet to be installed. Staff have received comments from 6 neighbours, all expressing concerns.

The following concerns were expressed by the neighbours with the applicant's responses included where applicable (*with staff comments in italics*):

Traffic

- There are no sidewalks in the area. The increased truck traffic dissuades residents from walking to the SkyTrain.

(The Scott Road SkyTrain Station is located at the 125A Street alignment, north of 110 Avenue. Pedestrians use Old Yale Road and Scott Road to access the station. Neither road is listed in the 10-year servicing plan for widening or upgrades, which would include sidewalks.)

- According to neighbours, trucks are currently accessing the site down the hill from the east, which is very dangerous.

(Currently the applicant must access and egress the site from the west as this is the closest route to access a truck route. No trucks should be going towards or coming from the east on the Old Yale Road hill, however, there are no physical limitations to prohibit left turns for trucks leaving the site.)

- Trucks cause the road to vibrate, resulting in damage to both the road and the neighbouring properties.

(There are no plans to upgrade this portion of Old Yale Road in the 10-year servicing plan.)

- Trucks cannot safely turn into the subject site without wide turns encroaching onto neighbouring lots.

(The driveway of the proposed truck lot would be required to be widened to 11 metres (36 ft.), which would potentially eliminate trucks maneuvering on the southern boulevard for turning movements.)

Noise and Environmental

- The existing truck park is noisy and operates at all hours of the day and night. Noise includes honking horns and leaving trucks running at all hours.
 - The applicant proposes to abide by the terms of the TUP.

(The applicant has not worked to remedy the noise complaints since the TUP application was submitted in April 2014.)

- Music from radios emits from the site.

(Staff have notified the applicant of this issue and have not received a response.)

- Polluting the site with oil leaks due to refueling of vehicles and repairs.
 - The applicant proposes to address the maintenance and repair issues as part of the TUP.

(Staff visited the site and noticed truck repairs have been occurring.)

- Illegal fill on the site has led to flooding of neighbouring lands.
 - The applicant proposes to address this issue as part of the TUP.

(Engineering is aware of fill brought onto the site without a permit.)

Non-Compliance with NCP and Zoning

- The proposed truck park does not conform to the NCP, which designates the site as Business Park.
 - The applicant's rationale is that the proposed TUP is only for three years and not permanent.

(The South Westminster Neighbourhood Concept Plan (NCP) was approved by Council on December 8, 2003. The NCP designates the site and lands to the west and south-west, as Business Park and to the south-east as single family residential.)

- The site is being used for several uses that are not permitted.
 - The applicant proposes to address this issue as part of the TUP.

(The TUP application is intended to permit a truck parking facility for a 3-year period.)

- The site is zoned A-1 which is an agricultural zone.

(The A-1 zoning is historic and rezoning is anticipated to comply with the NCP in the future, once servicing can be addressed.)

Other Concerns

- The site is unsightly and has been a nuisance for several years.
 - The applicant has stated that the site looks generally the same as neighbouring properties (Appendix III). The applicant proposes to address the unsightliness as part of the TUP.

(Should there be Council support for the TUP, staff will require that the site is cleaned and planting be installed along Old Yale Road to screen the site. At this time, the applicant is not proposing any screening along Old Yale Road.)

- The owner of a neighbouring property across Old Yale Road installed signs and concrete blocks to prevent trucks from using their land for turning. The truck park operator reportedly removed the signs and blocks without the owner's permission.
 - The applicant proposes to address the issue of truck turning as part of the TUP.

(Staff will require that proper truck turning movements are provided as a condition of the TUP.)

- Residential land to the south of the proposed truck park have had their values negatively impacted.

(Lands to the south are designated Mixed Employment in the South Westminster NCP west of 125A Street and Urban in the OCP east of 125A Street. Further to the south, west of 125A Street and south of 106A Avenue, rezoning was approved to CD By-law No. 17470 on September 29, 2014, to permit small single family lots with optional ancillary, commercial and service uses (Application No. 7906-0247-00) however phase 1 of the associated subdivision has only recently completed.)

PROJECT EVALUATION

Applicant's Justification:

- The applicant has stated the main objective of the application is to regulate the truck parking facility to ensure it is compliant with City By-laws.
- Should there be support from Council for the TUP, the applicant has stated that the concerns that have been raised will be addressed with few specifics provided at this time.

Staff Comments:

- 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 44 trucks until the site can ultimately develop;
 - Truck parking, if done properly, is a good interim use of land;
 - The site is in close proximity to Scott Road and to the controlled intersection of Old Yale Road and Highway No. 17 (South Fraser Perimeter Road);
 - The applicant could be required to install landscaping along the Old Yale Road frontage and thereby improve the current aesthetics of the site; and
 - The applicant could be required to enter into a Good Neighbour Agreement to ensure that the operation of the truck park is undertaken in a manner that does not negatively impact the nearby residents.

- The disadvantages and problems of allowing this application to proceed are as follows:
 - By-law Enforcement has had a file on this property for many years dealing primarily with illegal use and noise complaints associated with the unauthorized truck park;
 - The proposed truck park does not comply with the NCP, which envisions the area for business park uses;
 - Although the site and surrounding lands to the west of 125A Street are designated Mixed Employment in the OCP, lands are designated Urban, for single family residential purposes, east of 125A Street, on the south side of Old Yale Road;
 - Significant neighbourhood concerns have been expressed regarding the existing operation on the subject site. Other than applying for the Temporary Use Permit, the applicant has apparently not worked with the neighbourhood to address the concerns;
 - This portion of Old Yale Road is not a designated truck route and the site is in close proximity to the Old Yale Road hill. No trucks should be travelling on Old Yale Road east of the site due to the steep hill and the area to the east being designated for residential purposes;
 - There is evidence of significant vehicle repairs on site without the proper infrastructure; and
 - The owner has not been forthcoming with information to assist in resolving any concerns.

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 refine the proposed development. A subsequent Planning Report with a TUP will be forwarded to Council for consideration of approval to proceed to public notification.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners and Action Summary
- Appendix II. Proposed Site Plan showing Alignment of Metro Vancouver Right-of-Way
- Appendix III. Aerial Photo of Subject Site and Surrounding Area

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

JKS/da

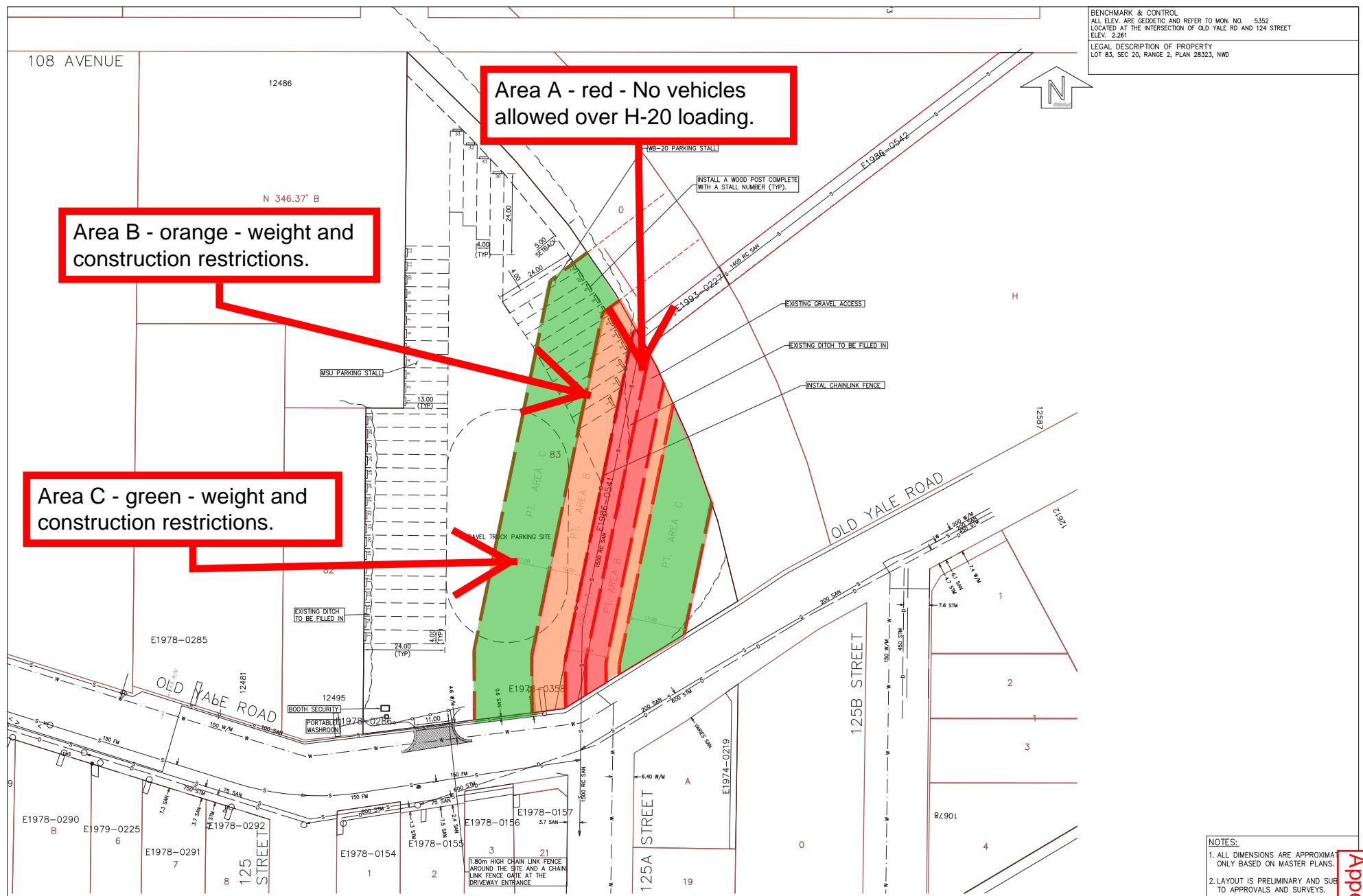
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BENCHMARK & CONTROL
 ALL ELEV. ARE GEODETIC AND REFER TO MON. NO. 5352
 LOCATED AT THE INTERSECTION OF OLD YALE RD AND 124 STREET
 ELEV. 2.261
 LEGAL DESCRIPTION OF PROPERTY
 LOT 83, SEC 20, RANGE 2, PLAN 28323, NWD

Area A - red - No vehicles allowed over H-20 loading.

Area B - orange - weight and construction restrictions.

Area C - green - weight and construction restrictions.



NOTES:
 1. ALL DIMENSIONS ARE APPROXIMATE ONLY BASED ON MASTER PLANS.
 2. LAYOUT IS PRELIMINARY AND SUBJECT TO APPROVALS AND SURVEYS.

No.	Date	Revision	Dr	Ch
1	14/05/28	REVISED LAYOUT	JW	DC

CitiWest Consulting Ltd.
 No.101-9030 KING GEORGE BLVD., SURREY, BC, V3V 7Y3
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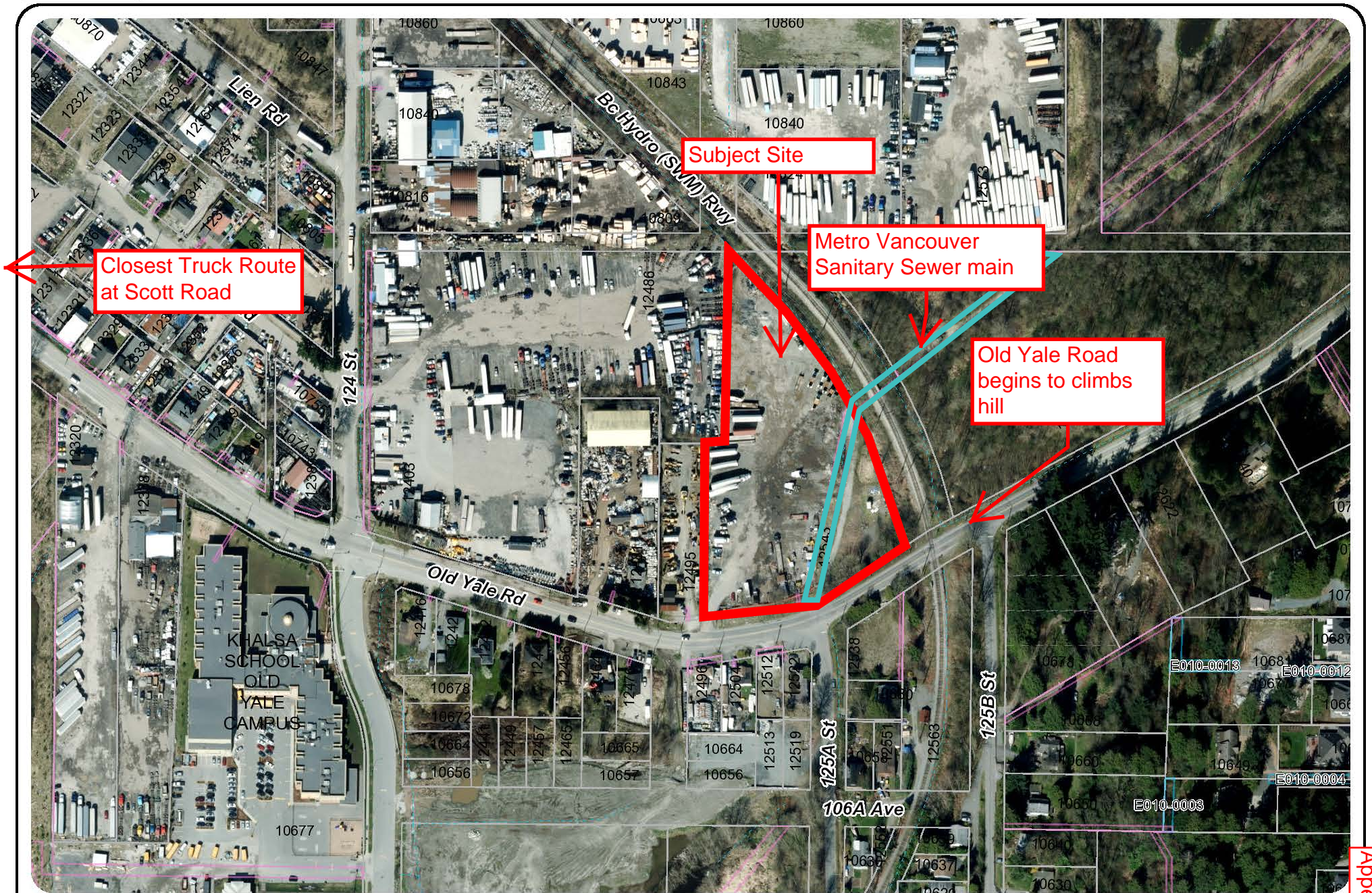
GOLD PAVING LTD.
 12893 - 106A AVENUE, SURREY, BC, V3T 2C9 PH: 604-771-0655
TRUCK PARKING PLAN (TUP)
 SITE AT 12543 OLD YALE ROAD, SURREY, BC

Scale: 1:1000	Mun. Proj. No.	Dwg. No.
Drawn: JC	Mun. Dwg. No.	A
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P.W. P.U.	Date FEB/14	Revision
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Appendix II

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Aerial Photo of Subject Site and Surrounding Area



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Scale: 1:2,805

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Map created on: 07/07/201

Appendix III