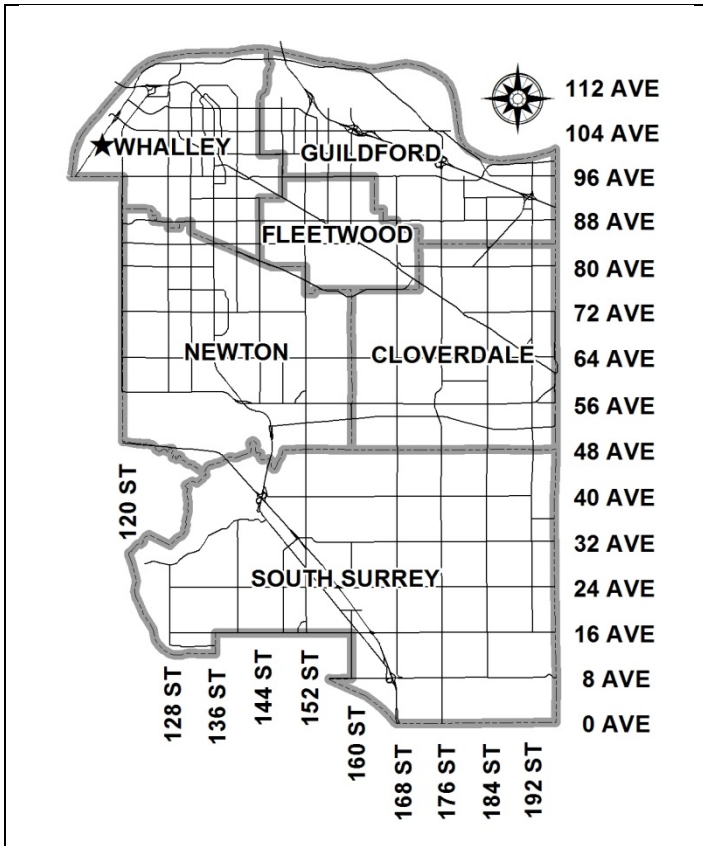


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7915-0162-00

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.

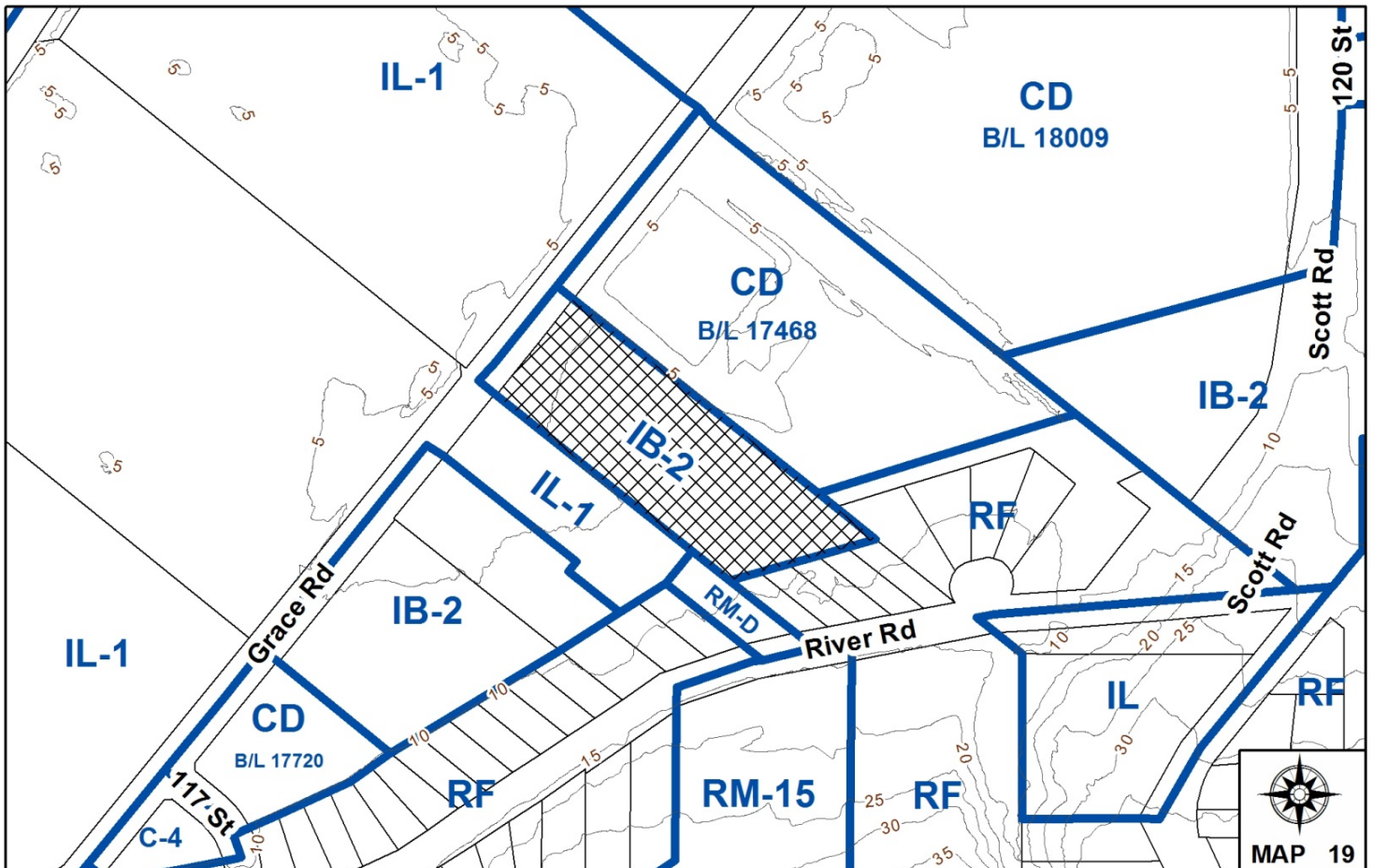
**LOCATION:** 10198 Grace Road

**OWNER:** 1030931 B.C. Ltd.

**ZONING:** IB-2

**OCB DESIGNATION:** Mixed Employment

**NCP DESIGNATION:** Business Park



### 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. 7909-0045-00, by the previous owner, which allowed temporary truck parking on the subject site. TUP No. 7909-0045-00 was approved by Council on September 12, 2011 and expired on September 12, 2013. The applicant is proposing a 3-year TUP renewal from the date of expiry, being September 12, 2016, which is less than a year away.
- According to neighbours, portions of the rear landscaping buffer have recently been removed and the parking of trucks has expanded to the rear of the property which was previously barricaded to prevent parking on the Metro Vancouver sanitary sewer right-of-way (ROW).
- The subject site abuts residential properties along the southeast lot line.
- A 41-name petition was submitted on September 8, 2015 by neighbouring residents, listing several complaints in regards to refrigerated container trucks running at all hours, late night noise from general operations, and portions of the landscaping buffer being removed.
- The South Westminster Neighbourhood Concept Plan (NCP) designates the subject property as Business Park.
- Due its proximity to a residential area, in 2005 the subject site was rezoned under Council-initiative from Light Impact Industrial Zone (IL) to Business Park 2 Zone (IB-2), to restrict large scale outdoor storage uses, as described in Corporate Report No. R034;2005. The IB-2 Zone is consistent with the Business Park designation in the NCP.
- Recently Application No. 7915-0348-00 has been submitted for the adjacent 2.59-hectare (6.4 ac.) site to the north-east, to construct a second industrial building on the site. The first building, located on the southern portion, has a floor area of 1,824 square metres (19,634 sq.ft.) and the proposed second building has a floor area of 2,097 square metres (22,573 sq.ft.).
- The proposed extension of the temporary truck parking use on the subject site is contrary to the NCP and the existing IB-2 Zone and, if approved, will likely further delay redevelopment to a business park use.
- Neighbouring residents continue to object to truck parking on the subject site and on the site to the south-west (TUP Application No. 7914-0046-00 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:** Due to substantial unauthorized historical fill within the Metro Vancouver sanitary sewer right-of-way (ROW), the applicant is required to either remove the unauthorized historical fill and provide engineered crossings over the ROW or install a 1.8-metre (6 ft.) chain link fence with concrete bollards to delineate the ROW boundary. A 3-metre (10 ft.) wide locking sliding gate on wheels is required to provide Metro Vancouver with access.

SITE CHARACTERISTICS

**Existing Land Use:** Unauthorized truck parking facility (Temporary Industrial Use Permit No. 7909-0045-00 expired on September 12, 2013).

Adjacent Area:

<b>Direction</b>	<b>Existing Use</b>	<b>NCP Designation</b>	<b>Existing Zone</b>
Northeast:	Industrial building for Williams Machinery on the southern half and industrial building proposed under application no. 7915-0348-00 on the northern half (pre-Council)	Business Park	CD By-law No. 17468
Northwest (Across Grace Road):	Quik X distribution warehouse	Light Impact Industrial	IL-1
Southeast:	Vacant single family lots created in 2014 (application no. 7908-0137-00).	Urban in OCP	RF
Southwest:	Non-conforming sawmill.	Business Park	IL-1
South	Duplex	Urban in OCP	RM-D

## DEVELOPMENT CONSIDERATIONS

### Background

- The subject property is located at 10198 - Grace Road and is 1.26 hectares (3.1 acres) in size. The site is designated Mixed Employment in the Official Community Plan (OCP), "Business Park" and "Open Space" in the South Westminster Neighbourhood Concept Plan (NCP), and is currently zoned "Business Park 2 Zone (IB-2)".
- With the adoption of the new OCP (By-law No. 18020) on October 20, 2014, the OCP designation for this site was amended from "Industrial" to "Mixed Employment."
- The initial Temporary Industrial Use Permit (TUP) No. 7909-0045-00 to allow temporary truck parking on the subject site, was approved by Council on September 12, 2011 and was valid for two years, expiring on September 12, 2013.
- Earlier this year the property was sold and the new owner/applicant has applied for a 3-year extension of the TUP. The expiry date for the proposed TUP extension will be September 12, 2016, which is 3 years from the initial TUP expiry.
- The subject property is devoid of any buildings or structures and is currently being used primarily for unauthorized truck parking.
- Recently Application No. 7915-0348-00 has been submitted for the adjacent 2.59-hectare (6.4 ac.) site to the north-east, to construct a second industrial building on the site. The first building (approved under Application No. 7911-0133-00), located on the southern portion, has a floor area of 1,824 square metres (19,634 sq.ft.) and the proposed second building has a floor area of 2,097 square metres (22,573 sq.ft.).

### Metro Vancouver Sanitary Sewer Right-of-Way

- The site is significantly encumbered by an approximately 60-metre (200 ft.) wide Metro Vancouver sanitary sewer right-of-way (ROW), which traverses the rear portion of the property as shown on Appendix II.
- As part of the previous TUP, Metro Vancouver had concerns with historical fill placed over the ROW area. Metro Vancouver did not require removal of the fill but required that the ROW be blocked off by movable bollards (lock blocks) to ensure that trucks were not parking on or moving on the ROW. Aerial photos from 2013 to 2015 (Appendix III) show that the bollards were not respected. Recent site visits by City and Metro Vancouver staff as well as neighbourhood complaints also confirmed that the current applicant is not respecting the ROW and has expanded the encroachment.
- Metro Vancouver now requires that a 1.8-metre (6 ft.) high chain link fence with concrete bollards be installed to delineate the ROW boundary. In addition, a 3-metre (10 ft.) wide locking sliding gate on wheels is required to provide Metro Vancouver access to the ROW area.

### Current Proposal

- The applicant has not submitted a parking layout but the proposed TUP is for parking of oversized trucks including refrigerated container units for a period not to exceed 3 years from the date of the previous TUP expiry, which will be September 12, 2016.
- It would appear that since the site was purchased earlier this year, the area for the truck parking has expanded over the Metro Vancouver ROW and a portion of the rear landscaping buffer, which was planted in 2012 as a condition of the previous TUP, has been removed.
- The applicant advises that the site is used exclusively by two trucking companies, Total Fleet Solutions and Manney Transport. Both the trucking companies are planning to secure Customs-Trade Partnership Against Terrorism (C-TPAT) certification, which requires a secure site for the trucks.
- The site is secured by a gate and a security guard. A fence wraps around the perimeter of the site. The applicant has installed poles that may be used for lighting in the future.
- There is a garbage can and a porta-potty located by the site entrance.
- The site is proposed to remain surfaced with gravel and asphalt grindings with a paved driveway access into the site.

### Landscaping

- A landscaping buffer along the rear and planting along the Grace Road frontage were required as a condition of the previous TUP No. 7909-0045-00. The landscaping included a mix of trees and shrubs.
- The landscaping along Grace Road has been completely removed.
- The rear 15-metre (49 ft.) wide landscaping that buffered the residential properties to the southeast (Appendix IV) has recently had portions removed. The applicant has indicated that they will replant these portions.

### Future Plans

- The applicant has advised that the proposed extension of the TUP for truck parking will allow for an interim use on the land until it is economically viable for the property owner to develop the property for an ultimate use in compliance with the Business Park designation in the NCP.

### PRE-NOTIFICATION

Pre-notification letters were sent to neighbouring property owners on June 18, 2015 and a Development Proposal Sign was installed on June 10, 2015. To date, staff have received six (6) telephone calls, one (1) letter and a 41-name petition regarding the proposal. Concerns include the following (with staff comments in italics):

- In the past few months, portions of the landscaped buffer along the rear property line have been removed.

*(Staff have confirmed that portions of the landscaping buffer have been removed to increase the truck parking area.)*

- Over the past few months unauthorized fill was imported and grading has occurred.

*(The vast majority of unauthorized fill on the site is historical. However, staff have confirmed that the applicant has brought in asphalt grindings for dust control though are unable to confirm how much fill was imported.)*

- Since the subject site was purchased by the new owner there has been an increase in noise. The primary source of noise is from refrigerated container units which run all the time, including nights and weekends.

*(The previous owner used the site for primarily for container trailer storage. The new owners have used the site primarily for trailer parking, including refrigerated containers units.)*

- Tire repair and replacing is occurring on site with pneumatic tools.

*(The previous TUP for truck parking on the subject site prohibited truck maintenance.)*

- Lighting poles have been installed but are not operating yet. This will impact neighbour residents.

*(Staff have confirmed that the applicant has installed poles, likely intended for future lighting, without permits. The applicant did receive an electrical permit earlier this year for an overhead connection to the site.)*

- The site has been operating as a truck park for many years and is overdue for a more permanent use.

*(Truck parking, both authorized and unauthorized, has occurred on this site since at least 2001. The subject site is zoned and designated for business park use in the South Westminster NCP.)*

## PROJECT EVALUATION

### Applicant's Justification:

- The applicant met with staff and confirmed that they want to be a good neighbour and their intention with expanding the parking area was not to upset neighbouring residential properties.
- The applicant has requested additional time to arrange a Public Information Meeting with neighbouring residents to find a solution to allow truck parking while also addressing negative impacts on the neighbouring residential properties.

Staff Comments:

- The applicant has not been forthcoming with finding solutions, but rather has been trying to delay the processing of this application.
- As evidenced by the development of the industrial lands to the immediate north-east, 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, the applicant has expanded the truck park across the Metro Vancouver sanitary sewer ROW towards residential properties and has removed portions of the existing landscaping buffer;
  - Significant neighbourhood concerns have been expressed regarding the existing operation on the subject site. The applicant has, to date, not worked with the neighbourhood to address the concerns; 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 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. Aerial Photo of Site and Metro Vancouver Sanitary Sewer Right-of-Way
- Appendix III. 2013-2015 Aerial Photos of Encroachment onto Metro Vancouver Sanitary Sewer Right-of-Way
- Appendix IV. Landscaping Plan for Previously Approved Temporary Industrial Use Permit No. 7909-0045-00

*original signed by Judith Robertson*

Jean Lamontagne  
General Manager  
Planning and Development

JKS/dk

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Landscaping along Grace Road frontage has been removed



Grace Rd

10240

Scott Crk

Metro Vancouver Sanitary Sewer Right-of-Way



19B-Greenbelt

Portions of Landscaping Berm Removed

River Rd

10170

10198

11825

1183

1185

11867

11875

1188

E019-0013

11805

11813

11819

E019-0016

E019-0017

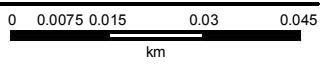
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At Cleaver Park

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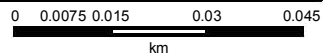




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# Aerial Photo from 2014



Metro Vancouver Sanitary  
Sewer Right-of-Way boundary

19B-Greenbelt

E019-0013

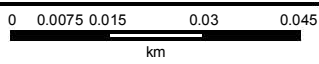
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At Cleaver Park

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Map created on: 02/09/2015

# Aerial Photo from 2015



Metro Vancouver Sanitary Sewer Right-of-Way boundary

19B-Greenbelt

E019-0013

E019-0016

E019-0017  
E019-0018

At Cleaver Park

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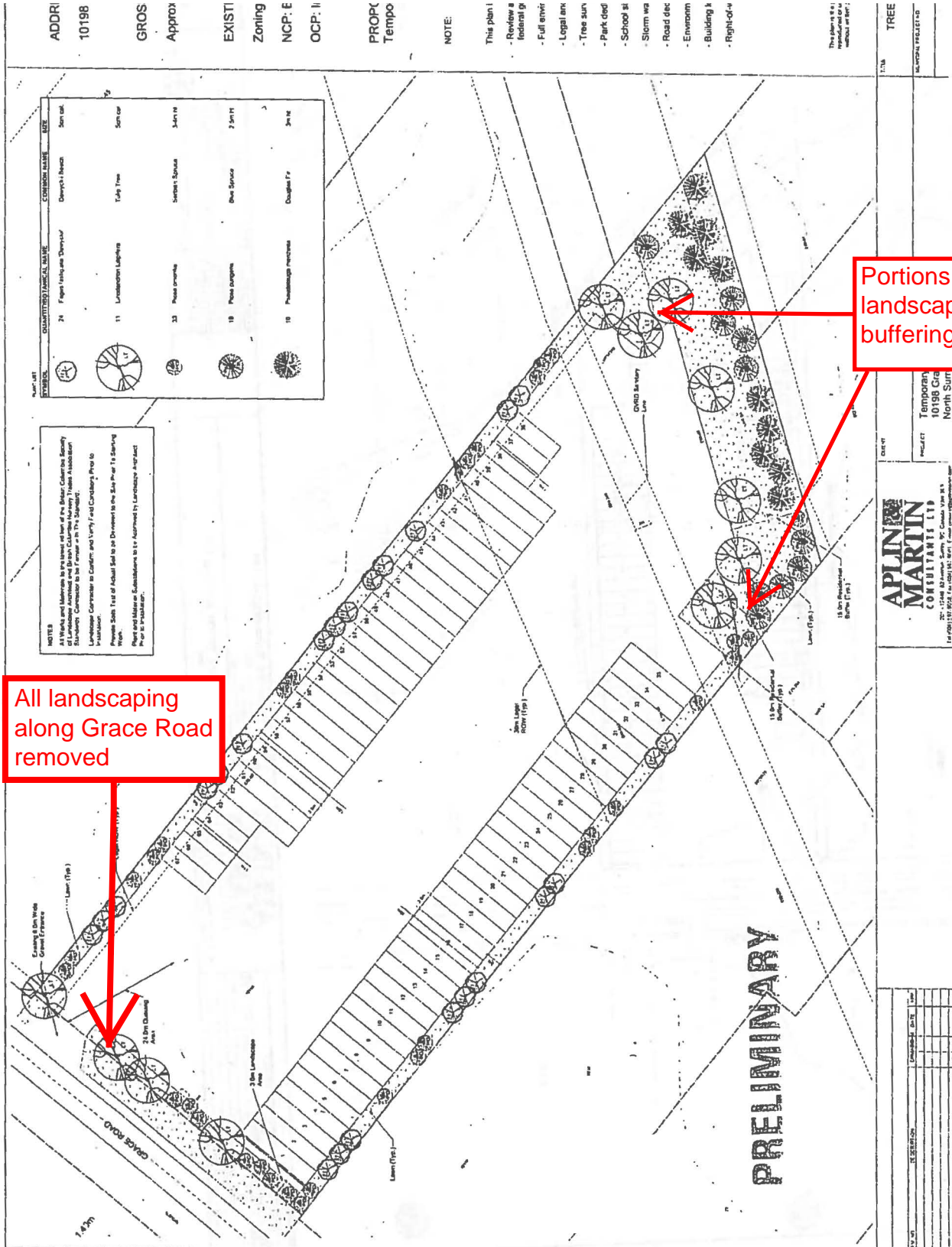
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km

Map created on: 02/09/2015

# Previous Landscaping Planted as a Condition of Temporary Industrial Use Permit No. 7909-0045-00



All landscaping along Grace Road removed

Portions of landscape buffering removed

**APLIN & MARTIN CONSULTANTS LTD**  
 207-1244 St-James Street, St. Catharines, ON L2R 1K9  
 Tel: (905) 427-8028 Fax: (905) 427-8029

Project: Temporary Industrial Use Permit No. 7909-0045-00  
 Address: 10198 Grace Road, North York, ON

**PRELIMINARY**