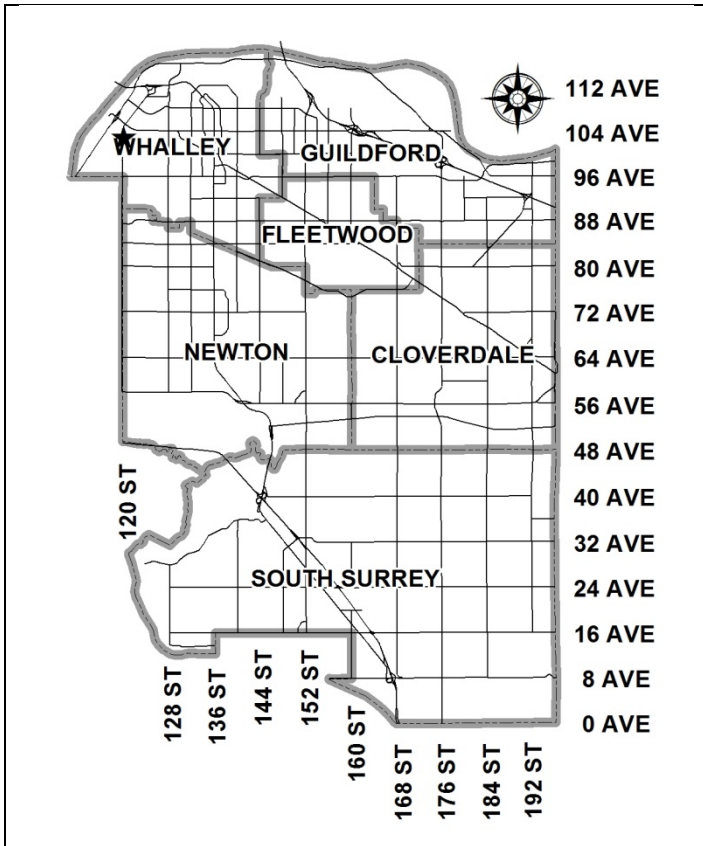


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7915-0211-00

Planning Report Date: September 28, 2015



PROPOSAL:

- **Temporary Use Permit**

to permit limousine and party bus dispatch and associated parking for a 3-year period.

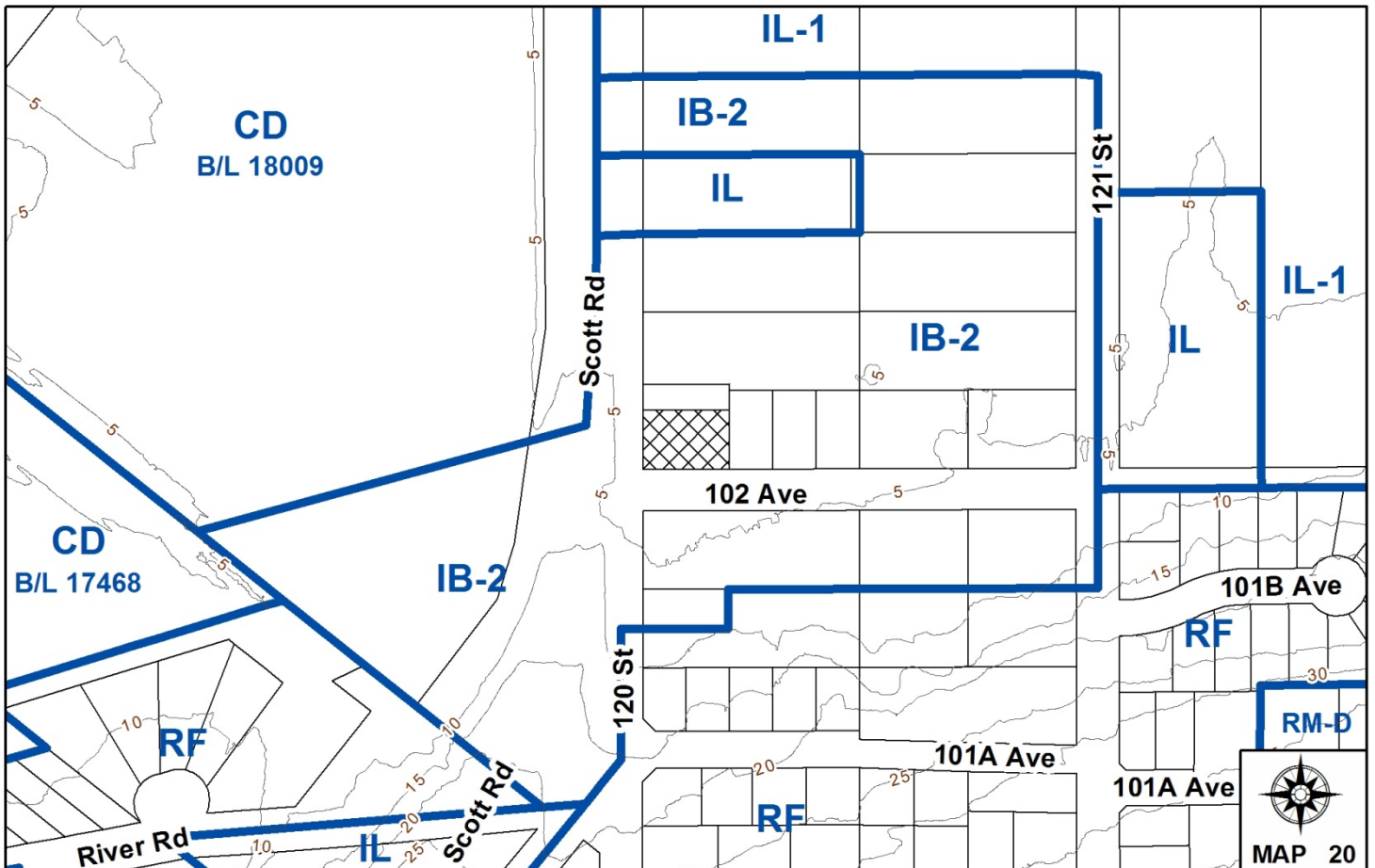
LOCATION: 10214 - 120 Street

OWNER: 1021064 BC Ltd

ZONING: IB-2

OCP DESIGNATION: Mixed Employment

NCP DESIGNATION: Business Park



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Does not comply with the IB-2 Zone. General service uses, which include limousine and party bus rentals, are only permitted as an accessory use in the IB-2 Zone.
- The proposed vehicle parking area exceeds the restrictions of outdoor storage under the IB-2 Zone, and the applicant is not proposing to construct a permanent building on the site.

RATIONALE OF RECOMMENDATION

- The proposed temporary limousine and party bus dispatch and associated parking is an interim use for the vacant subject site.
- The area is undeveloped due to lack of adequate services and issues related to developing within the floodplain.
- Generally complies with the intent of the South Westminster Neighbourhood Concept Plan (NCP) for the subject area.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Temporary Use Permit No. 7915-0211-00 (Appendix IV) to proceed to Public Notification.
2. Council instruct staff to resolve the following issues prior to 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 landscaping plan and landscaping cost estimate to the specifications and satisfaction of the Planning and Development Department;
 - (c) submission of a temporary trailer permit application; and
 - (d) completion of Pre-Servicing Requirements identified for the proposed limousine and party bus dispatch and associated parking (Schedule C of Appendix IV).

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Vacant lot.

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North:	Non-conforming single family dwelling with unauthorized storage.	Business Park	IB-2
East:	Non-conforming single family dwelling with unauthorized storage.	Business Park	IB-2
South (Across 102 Avenue):	Vacant lot.	Business Park	IB-2
West (Across 120 Street and Scott Road):	Distribution warehouse and vacant lot encumbered by numerous rights-of-way.	Business Park	CD (By-law No. 18009) and IB-2.

DEVELOPMENT CONSIDERATIONS

Background

- The subject site is approximately 1,096 square metres (0.25 acre) in area and is located at 10214 - 120 Street. The site is located at the northeast corner of 102 Avenue and 120 Street. The site is zoned "Business Park 2 Zone (IB-2)" and is designated as "Business Park" in the South Westminster Neighbourhood Concept Plan (NCP).
- With the adoption of OCP By-law No. 18020 on October 20, 2014, the OCP designation for this site was amended from Industrial to Mixed Employment.
- The site was purchased by the applicant in approximately February 2015.
- In the past, unauthorized storage of vehicles has occurred on the site. However, since the current owner has purchased the property, the site has remained vacant (see Appendix V).

Current Proposal

- The applicant, Boss Limos, is proposing a Temporary Use Permit (TUP) to allow for limousine and party bus parking as well as a dispatch office. Currently, the limousines and party busses are parked throughout Surrey at employees' homes. The TUP will allow for the owner to consolidate the parking of vehicles onto one site.
- The applicant has applied for a 3-year TUP to accommodate the following:
 - Approximately 15 party buses and stretch limousines;
 - Approximately 10 employee parking spaces; and
 - A temporary office trailer to be used for vehicle dispatch.
- Limousine and party bus dispatch is classified as a general service use, similar to taxi dispatch, which is allowed under the current IB-2 zoning as an accessory use. Since the applicant is proposing to utilize the entire site for the dispatch and associated storage of the vehicles it is not an accessory use and therefore contravenes the IB-2 Zone. Similarly, the proposed area for vehicle parking exceeds the outdoor storage restrictions under the IB-2 Zone. In addition, under Part 4 General Provisions of Zoning By-law No. 12000, 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. The subject site contains no permanent buildings. The applicant therefore has requested a TUP to allow the site to be used for limousine and party bus parking and dispatch without a permanent building for a period of three years.
- The applicant will apply for a temporary trailer permit for the proposed dispatch office trailer. The proposed trailer is approximately 2.4 metres (8 ft.) deep by 4.9 metres (16 ft.) wide for a total area of 12 square metres (128 sq. ft.) and is proposed to be located in the southeast corner of the site.
- The IB-2 Zone generally requires 7.5-metre (25 ft.) building setbacks from all lot lines. The applicant is proposing to locate the temporary dispatch office trailer 0.6-metre (2 ft.) from both the south and east lot lines in order to maximize the site area available for vehicle

parking. The temporary trailer, although close to 102 Avenue, will be screened from the street by landscaping. The proposed reduced setbacks can be facilitated through the TUP.

- The subject site is located within a floodplain area, with a required minimum building elevation of 4.4 metres (14.4 ft.) geodetic. The proposed trailer is exempt from the minimum floodproofing elevations. However, any future buildings will be required to satisfy the minimum floodproofing elevations.
- The subject site is currently accessed by 102 Avenue which will continue to be the sole access to the site.
- Due to lack of sanitary servicing and on-site facilities, the proposed TUP prohibits the following activities:
 - vehicle washing;
 - vehicle maintenance;
 - vehicle fuel storage or refuelling; and
 - storage of waste petroleum fluids.
- The applicant's future plan for the site involves construction of a permanent building for the limousine company. The applicant has been made aware by staff that the limousine and party bus dispatch use is only allowed as an accessory use in the IB-2 Zone, and of the outdoor storage limitations. A rezoning application would therefore likely be necessary to pursue this future plan on the subject site.

Landscaping and Lighting

- The proposed landscaping along the 102 Avenue and 120 Street frontages is comprised primarily of grass and cedar hedging to screen the site. To address CPTED concerns, the applicant has proposed a few clusters of cedar hedges to allow some visibility into the site from along the street.
- The applicant proposes a light pole at each corner of the site for security. Proposed lighting will be downward facing and will face away from neighbouring lots. A perimeter chain link fence and security gate is also proposed.

Pre-Servicing Requirements

- In 2009, the City introduced pre-servicing requirements for certain types of TUP's. As a condition of the subject TUP, pre-servicing requirements include installation of the perimeter landscaping, paving of the driveway access and on-site storm drainage measures prior to consideration of issuance of the TUP.

PRE-NOTIFICATION

- Pre-notification letters were sent to surrounding property owners on September 1, 2015 and a Development Proposal Sign was erected on the site on September 4, 2015. Staff received no comments in response.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

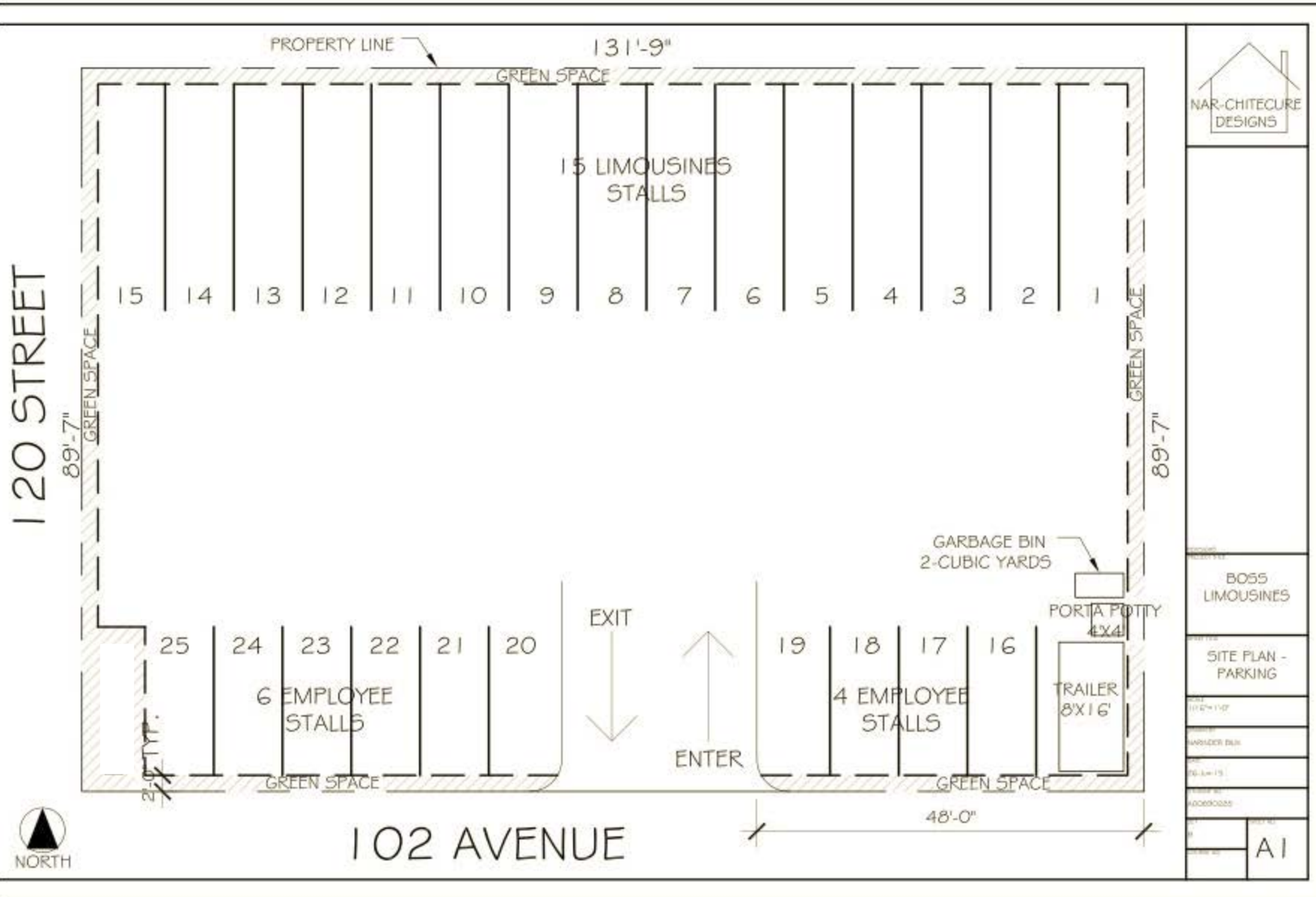
- Appendix I. Lot Owners and Action Summary
- Appendix II. Proposed Site Plan and Landscaping Plan
- Appendix III. Engineering Summary
- Appendix IV. Temporary Use Permit No. 7915-0211-00
- Appendix V. Aerial Photo of the Subject Site

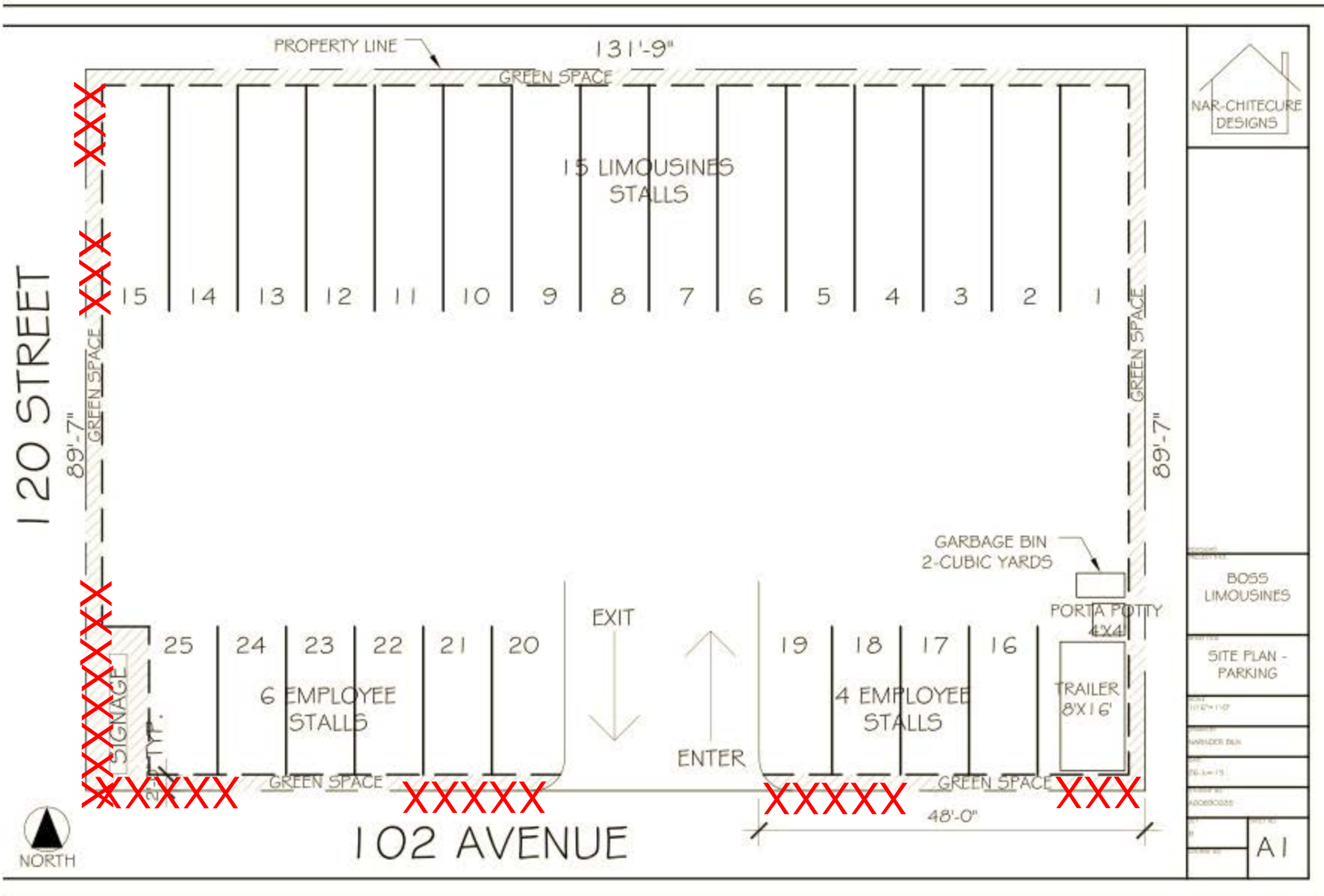
original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

JKS/da

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X = Cedar Hedge

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

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

DATE: **September 22, 2015** PROJECT FILE: **7815-0211-00**

RE: **Engineering Requirements (Commercial/Industrial)
Location: 10214 120 Street**

TEMPORARY USE PERMIT

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

- Construct paved driveway access to 102 Avenue; and
- Provide onsite stormwater management measures to mitigate potential impacts to the City's drainage system.

A Servicing Agreement is **not** required prior to issuance of the Temporary Use Permit.



Rémi Dubé, P.Eng.
Development Services Manager

sk

CITY OF SURREY

(the "City")

TEMPORARY USE PERMIT

NO.: 7915-0211-00

Issued To: 1021064 Bc Ltd
("the Owner")

Address of Owner: 12307 - 75 AVENUE
SURREY BC V3W 2S7

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: 023-827-491
Lot B (BL259153) Section 30 Block 5 North Range 2
West New Westminster District Plan 577

10214 - 120 Street

(the "Land")

3. The authority to issue Temporary Use Permits is granted to municipalities under Sections 920.2 and 921 of the *Local Government Act* R.S.B.C. 1996, Chapter 323. Pursuant to Section Implementation II(c) of Surrey Official Community Plan, 2013, No. 18020, as amended. the entire City of Surrey is designated as Temporary Use Permit area.
4. The temporary use permitted is limousine and party bus dispatch and associated parking facility on the Land and shall be operated as follows:
 - (a) The access, number and location of parking spaces, office trailer, garbage facilities and porta-potty, are substantially in compliance as shown on Schedule A (the "Site Plan") which is attached hereto and forms part of this permit;
 - (b) The landscaping shall conform to drawings attached as Schedule B (the "Landscaping") which is attached hereto and forms part of this permit. The Landscaping must be maintained for the duration of the Temporary Use Permit; and

- (c) assign staff to inspect the outside the Land to ensure that there is no litter, garbage, broken glass or other foreign objects on site or adjacent off-site areas.
5. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
- (a) Section B.3 of Part 4 General Provisions, the requirement to construct a permanent building, including washroom facilities, with a minimum area of 100 square meters (1,076 sq. ft.) is waived;
 - (b) Section A.5 of 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 limousine and party bus traffic as approved by the General Manager, Engineering; and
 - (c) Section B of Part 47B Business Park 2 Zone, limousine and party bus parking as well as a dispatch office and outdoor storage is permitted as a primary use.
6. The Owner covenants and agrees that the pre-servicing requirements attached as Schedule C 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 on the site at all times;
 - (c) The following activities are prohibited on the Land;
 - i. vehicle washing;
 - ii. vehicle maintenance;
 - iii. vehicle fuel storage or refuelling; and
 - iv. storage of waste petroleum fluids.
8. The Owner covenants and agrees as a condition of the issuance of this Temporary Use Permit to:
- (a) Remove all 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 and dispatch 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

BASSAN DAOD
Name (Please Print)

OR


Owner: Signature

1021064 BC. LTD.
Name: (Please Print)

TO THE CITY OF SURREY:

I, 1021064 B.C. LTD. (Name of Owner)

being the owner of P10 023-827-491, LOT B (BL259153) SECTION 30 BLOCK 5 NORTH RANGE 2 WEST
(Legal Description) NEW WESTMINSTER DISTRICT PLAN 57

known as 10214 120 STREET. B.C. V3V 2Z2
(Civic Address)

hereby undertake as a condition of issuance of my temporary use permit to:

- (c) demolish or remove all buildings and/or structures that are permitted to be constructed pursuant to the temporary use permit issued to me; and
- (d) 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.

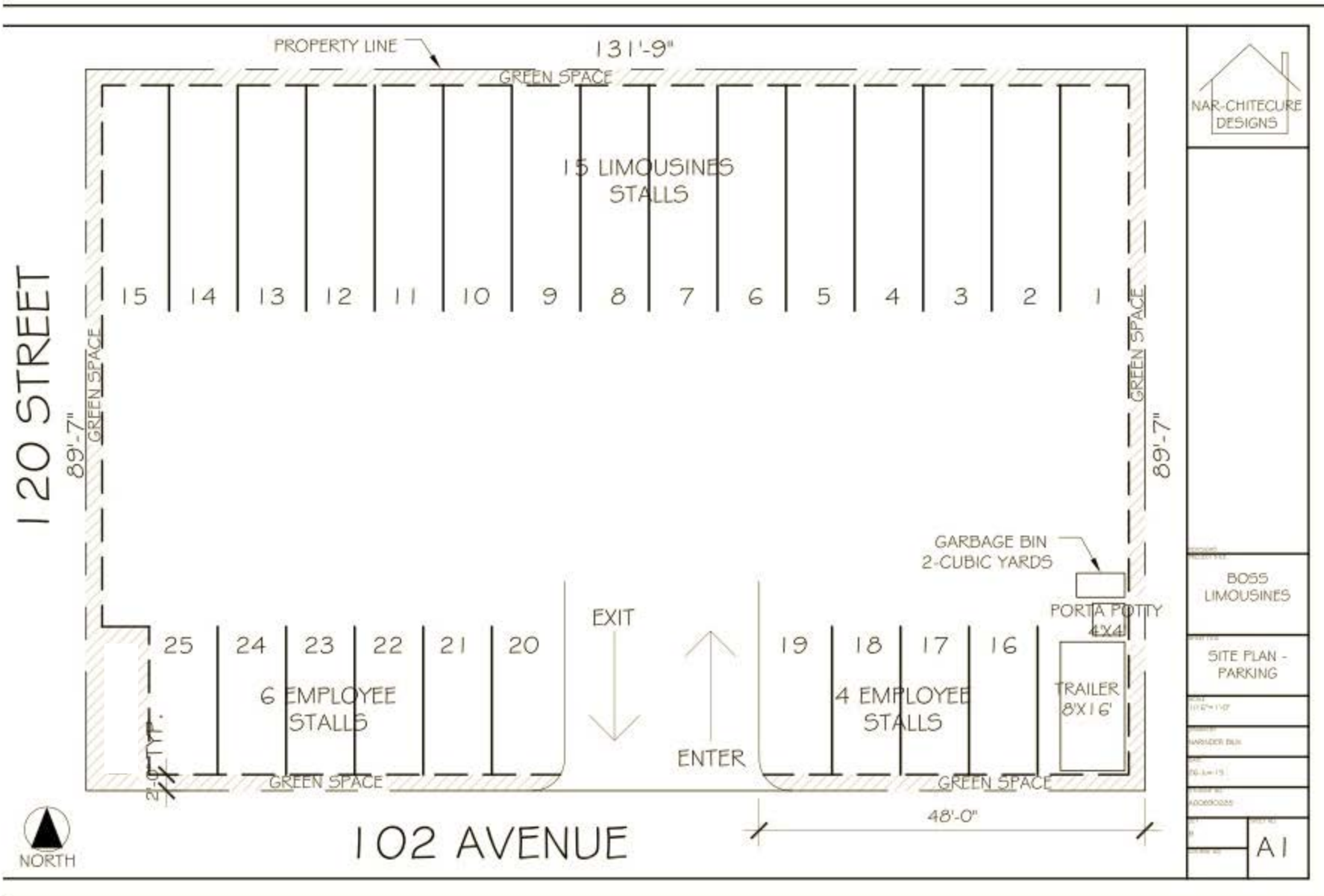
This undertaking is attached hereto and forms part of the temporary use permit.

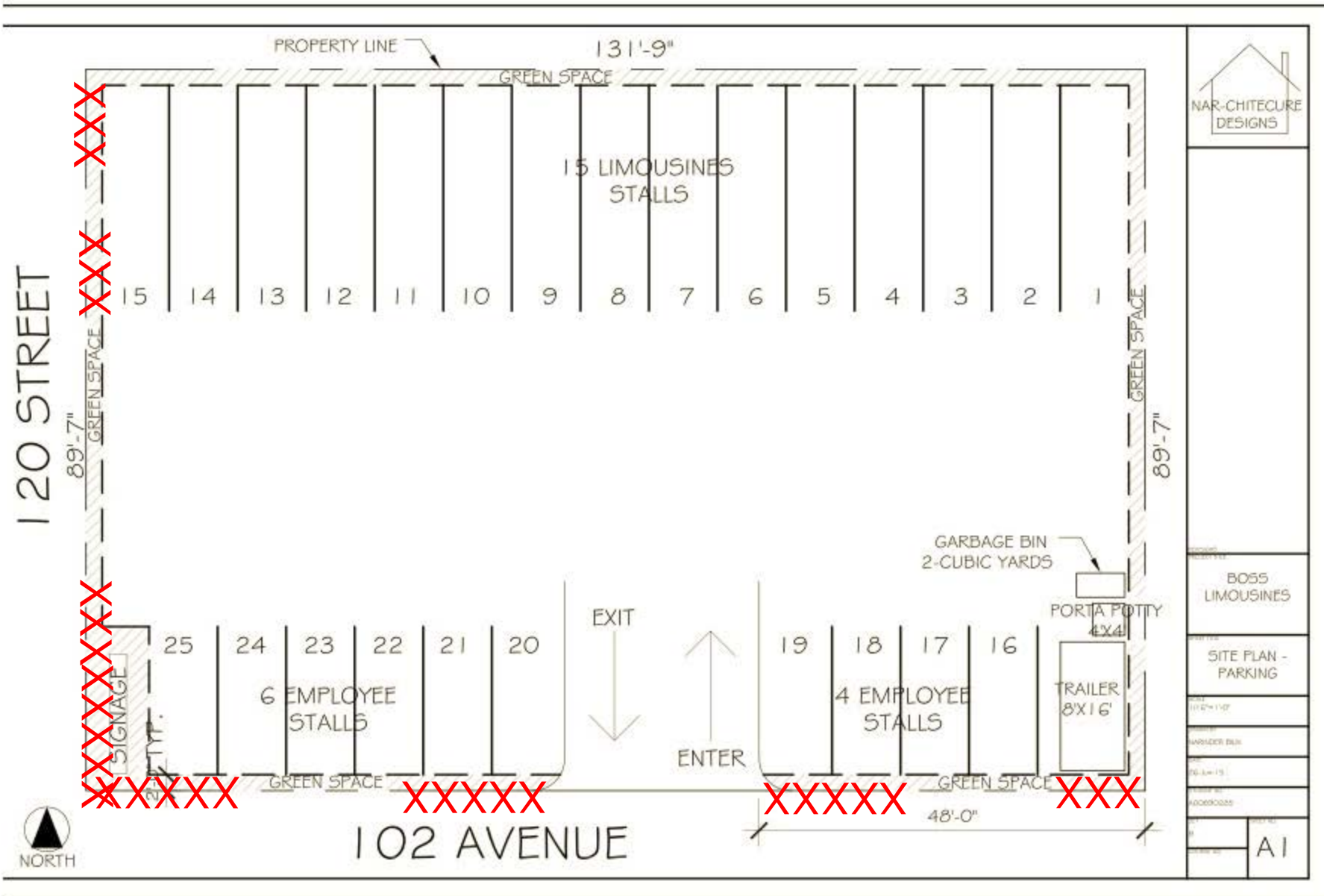


(Owner)

SAFWAT PAOND 

(Witness)





X = Cedar Hedge

Pre-Servicing Requirements

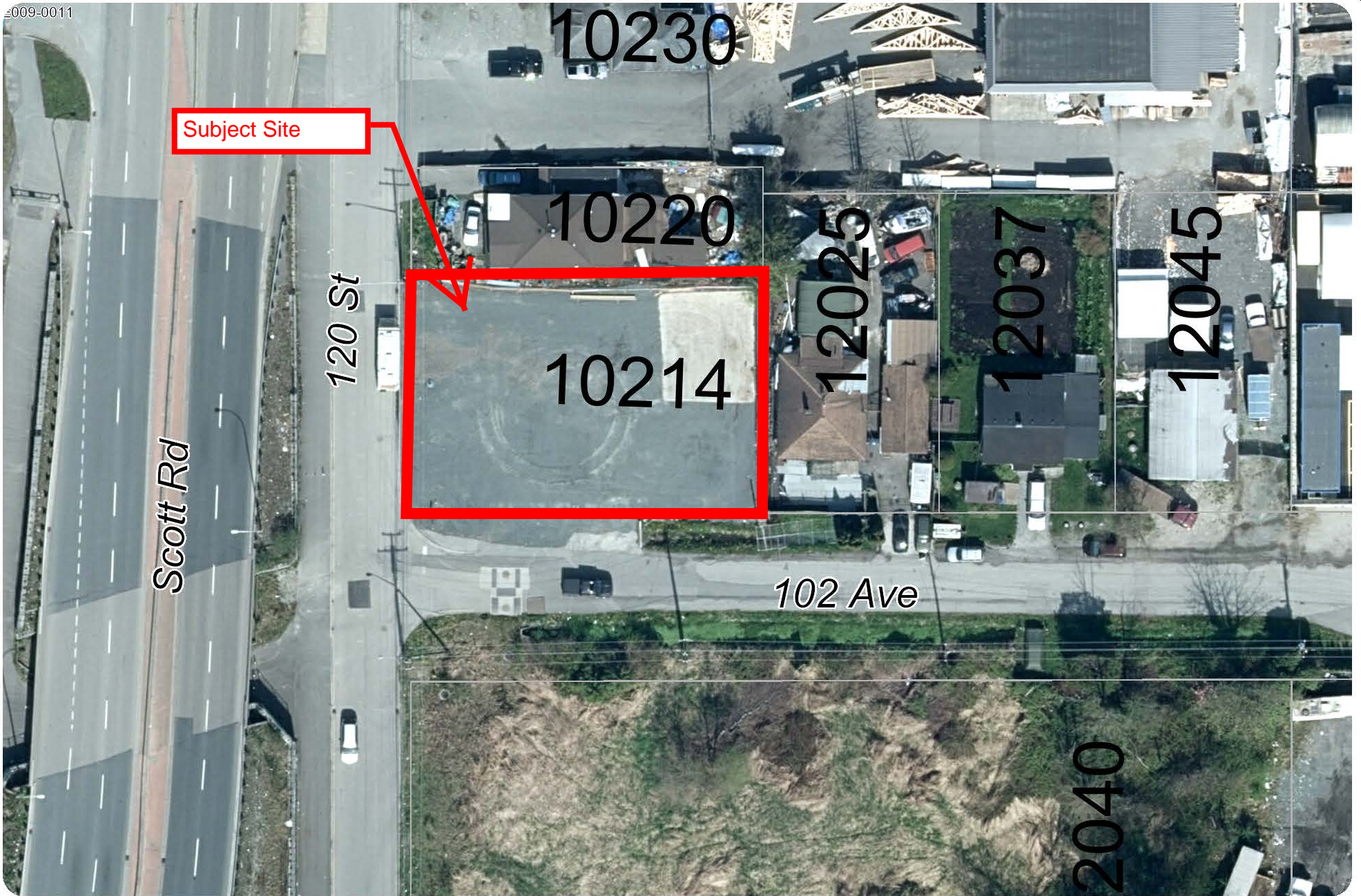
Landscaping Requirements

- Installation of landscaping to the satisfaction of the Planning and Development Department.

Engineering Requirements

- Construct paved driveway access to 102 Avenue.
- Provide onsite stormwater management measures to mitigate potential impacts to the City's drainage system.

009-0011



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The data provided is compiled from various sources and is NOT warranted as to its accuracy or sufficiency by the City of Surrey. This information is provided for information and convenience purposes only. Lot sizes, legal descriptions and encumbrances must be confirmed at the Land Title Office. Use and distribution of this map is subject to all copyright and disclaimer notices at cosmos.surrey.ca



Map created on: 21/09/2015