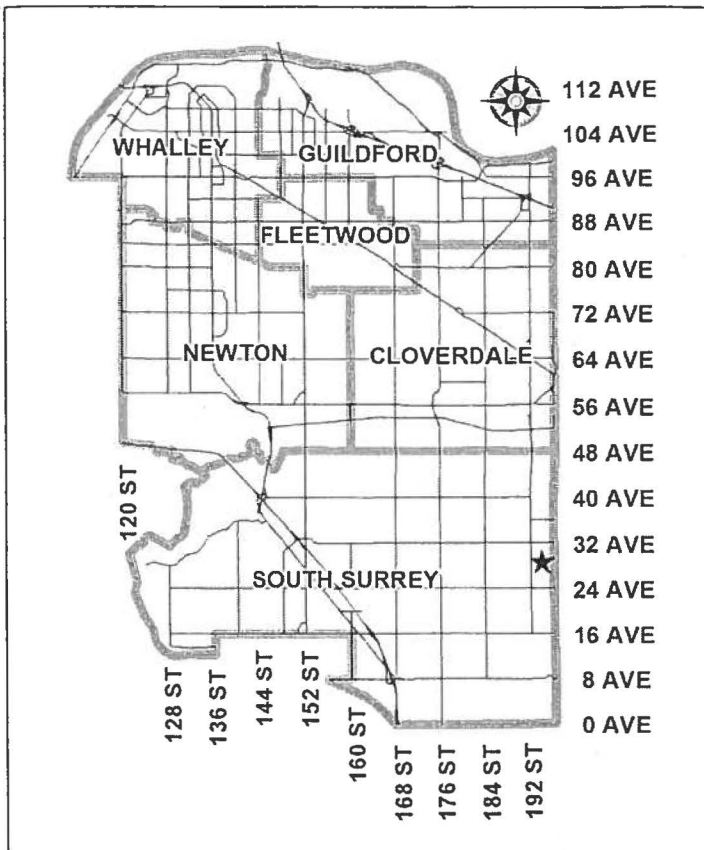


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7916-0078-00

Planning Report Date: October 3, 2016



PROPOSAL:

- **Temporary Use Permit**
to permit the continued operation of an unauthorized truck parking facility for a period not to exceed 3 years.

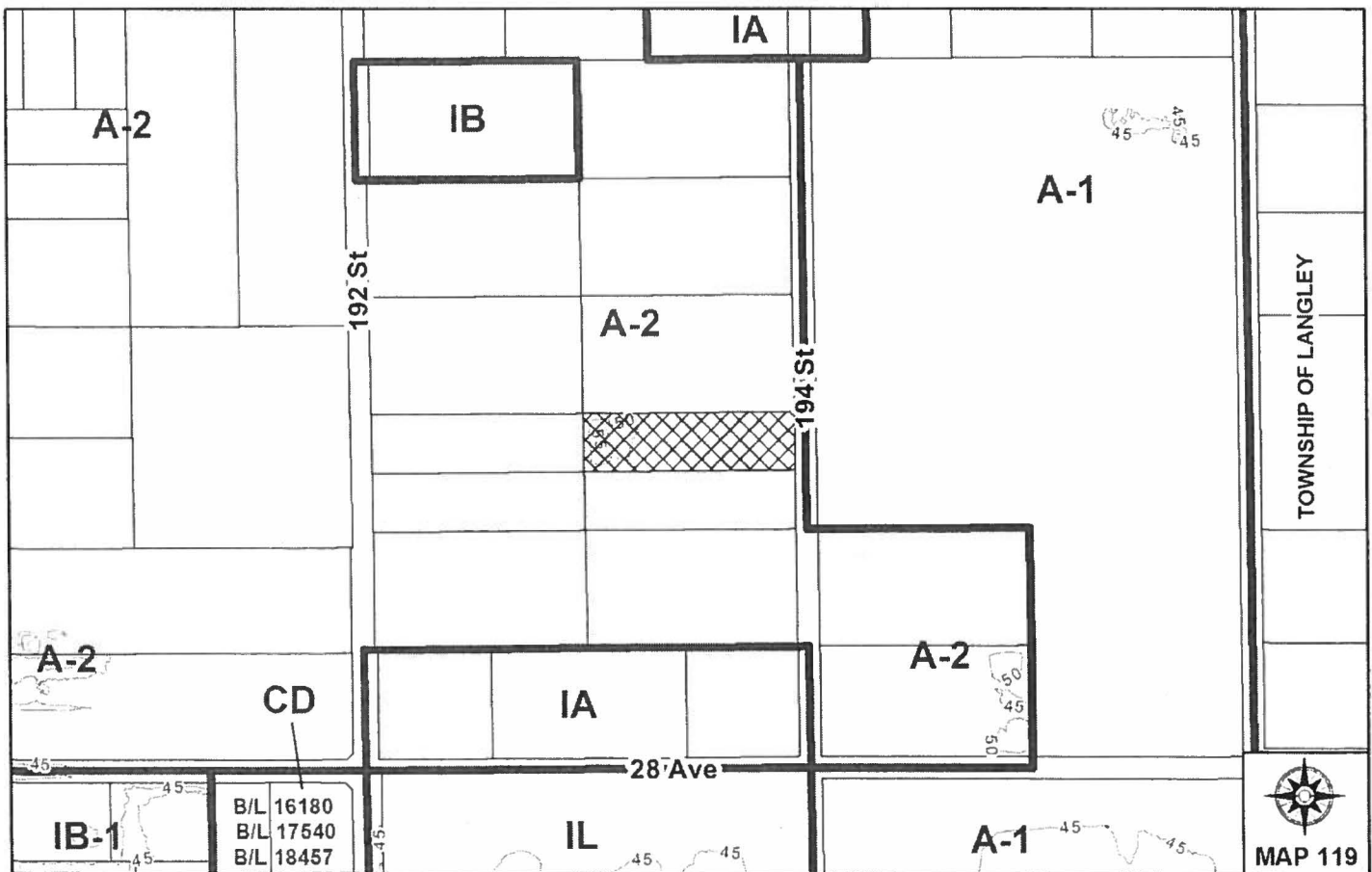
LOCATION: 2957 - 194 Street

OWNER: Rajvinder S Grewal

ZONING: A-2

OCP DESIGNATION: Mixed Employment

LAP DESIGNATION: Business Park



RECOMMENDATION SUMMARY

- The Planning & Development Department recommends that this application be denied and that By-law enforcement action against the subject property be deferred for a period of three months.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The proposed truck parking facility use does not comply with the current zoning on the site ("Intensive Agricultural Zone" (A-2)) nor the site's "Business Park" designation in the Campbell Heights Local Area Plan.

RATIONALE OF RECOMMENDATION

- At the Regular Council-Public Hearing meeting on April 18, 2016, Council endorsed the recommendations in Corporate Report Ro85 (Resolution No. R16-757) which included amending the Zoning By-law in order to support the development of permanent truck park facilities and authorizing staff to proceed with by-law enforcement action against unauthorized truck park facilities and in-process Temporary Use Permit (TUP) applications. As noted in the Corporate Report, the fundamental objective of the by-law enforcement action is to improve efforts to legitimize the use on suitable sites for truck parking while closing problematic unauthorized truck park facilities.
- The subject property is designated "Business Park" in the Campbell Heights Local Area Plan (LAP). As a stand-alone land-use, truck parking is not consistent with the LAP designation and, therefore, does not contribute to the development of Campbell Heights. Further, allowing the unauthorized truck parking facility on the subject site to continue operating with a TUP may hinder further efforts to ensure Campbell Heights develops into a high-quality mixed-employment/business park area.
- The subject property is also located within an area of Campbell Heights that is known to have vulnerable aquifers resulting from unconsolidated material, as per the "Vulnerable Aquifers Map (Schedule 1)" in Zoning By-law No. 12000. Additional on-site improvements would likely be required that would be similar to those required as part of a Development Application involving a rezoning, and therefore may negate the purpose of granting the applicant a Temporary Use Permit (TUP).
- The existing pavement widths of 194 Street and 28 Avenue are inadequate and must be upgraded to meet minimum 8.0 m industrial road standards for the proposed use. The shortest distance to a truck route (32 Avenue or 192 Street) is via 194 Street southbound to 28 Avenue, westbound to 192 Street.
- The applicant's proposed end-date for the current operation is unknown, as it is dependent on the timing for a Development Application, inclusive of rezoning, becoming financially feasible.

- Council previously denied several other applications for temporary truck parking and recreational vehicle parking in Campbell Heights.

RECOMMENDATION

The Planning & Development Department recommends that:

1. The application be denied; and
2. By-law enforcement against the existing illegal non-conforming use on the subject site be deferred for a period of 3 months to allow the occupant to find alternate parking facilities as well as remove the trucks and trailers from the site.

REFERRALS

Engineering: The Engineering Department identified a number of issues associated with the requested Temporary Use Permit, including upgrades to roadways and servicing. These comments are attached as Appendix III.

SITE CHARACTERISTICS

Existing Land Use: Unauthorized truck parking facility, single family dwelling.

Adjacent Area:

Direction	Existing Use	OCP/ LAP Designation	Existing Zone
North:	Single family dwelling	Mixed Employment/ Business Park	A-2
East (Across 194 Street):	Vacant, forested parcel	Mixed Employment/ Business Park	A-1
South:	Single family dwelling	Mixed Employment/ Business Park	A-2
West:	Single family dwellings	Mixed Employment/ Business Park	A-2

DEVELOPMENT CONSIDERATIONS

Background:

- The subject site is 1 hectare (2.5 acres) in area and is located on the west side of 194 Street. The property is zoned A-2 and designated "Mixed Employment" in the Official Community Plan (OCP) and "Business Park" in the Campbell Heights Local Area Plan (LAP).
- There is a single family home located on the eastern portion of the site fronting 194 Street.
- An unauthorized truck parking facility is currently being operated in a flat gravel area at the rear of the property, occupying approximately 0.6 hectares (1.5 acres) of the property. The trucking business has been in operation for approximately 18 months.

- There are two structures located on the property that are related to truck repair, maintenance, vehicle storage, and operations of the trucking business, as well as two mobile trailer units.
- At a given time, the property contains approximately 5-10 trailers (rotating); 10-15 tractor trucks (rotating); and 5-10 passenger vehicles (rotating).

Current Proposal

- The current Development Application is for a three year Temporary Use Permit that will facilitate the continued operation of the truck park facility until such time as a Development Application, inclusive of rezoning, or the sale of the property is financially feasible. The maximum permitted duration of a Temporary Use Permit, if issued, is three years and includes the potential for a three year renewal period.

Corporate Report on By-law Amendments to Facilitate Development of Truck Park Facilities

- At the Regular Council-Public Hearing meeting on April 18, 2016, Council endorsed the recommendations in Corporate Report Ro85 which included amending the Zoning By-law in order to support the development of permanent truck park facilities and authorizing staff to proceed with by-law enforcement action against unauthorized truck park facilities and in-process Temporary Use Permit (TUP) applications (Resolution No. R16-757). As noted in the Corporate Report, the fundamental objective of the by-law enforcement action is to improve efforts to legitimize the use on suitable sites for truck parking while closing problematic unauthorized truck park facilities.
- The subject property is also located within an area of Campbell Heights that is known to have vulnerable aquifers resulting from unconsolidated material, as per the "Vulnerable Aquifers Map (Schedule I)" in Zoning By-law No. 12000. Additional on-site improvements would likely be required that would be similar to those required as part of a Development Application involving rezoning, and therefore may negate the purpose of granting the applicant a Temporary Use Permit (TUP).

Temporary Use Permit (TUP) Applications in Campbell Heights

- Previous By-law enforcement within the Campbell Heights area against numerous properties, including the subject site, that operate unauthorized businesses (i.e. without licenses) and/or existing non-conforming uses have resulted in this Temporary Use Permit (TUP) application.
- By-law enforcement action on the subject site has been ongoing since March 20, 2015 and was put on hold when the owner submitted TUP Application No. 7916-0078-00 on March 1, 2016.
- Four other TUP applications within the Campbell Heights have been received by staff:
 - Development Application No. 7914-0093-00 to permit an existing non-conforming truck park facility at 19370-32 Avenue was submitted on April 9, 2014. Staff forwarded a Planning Report to Council on September 8, 2014, which recommended the TUP application be denied. At the Regular Council-Land Use Meeting, Council referred the application back to staff pending further review of truck parking demand and truck parking facilities operating in Surrey (Resolution No. R14-1523). This application is

proceeding to Council at the Regular Council-Land Use Meeting on October 3, 2016 with a recommendation that this application be denied.

- Development Application Nos. 7913-0135-00 and 7913-0293-00 for outdoor storage, truck parking and recreational vehicle parking were denied by Council at the Regular Council – Land Use Meeting on February 24, 2014 (Resolution Nos. 14-195 and 14-196).
- Development Application No. 7913-0108-00 to permit temporary parking of trucks and trailers was denied by Council at the Regular Council – Land Use meeting on April 14, 2014 (Resolution No. R14-526).
- A map showing the location of all TUP applications in Campbell Heights related to unauthorized and/or non-conforming land-uses is contained in Appendix IV.

TEMPORARY USE PERMIT EVALUATION

Applicant's Reasons:

- The applicant is proposing a Temporary Use Permit as an interim measure until a Development Application, inclusive of rezoning, is financially feasible.
- The applicant's long-term plan for the site includes rezoning to "Light Impact Industrial Zone" (IL) to allow for truck parking, maintenance, and repair at the rear of the property, and office space located at the front of the property fronting 194 Avenue.
- The applicant proposes three phases of development of the site:
 - Phase 1: Level the site for future paving (within 6 months);
 - Phase 2: Paving of the site, installation of drainage, and providing landscaping to conceal the truck parking area (within 1 year of Phase 1 completion); and
 - Phase 3: Rezoning to "Light Impact Industrial Zone" (IL) and a Development Permit for business park development.
- The applicant argues that a Temporary Use Permit is necessary in the interim in the absence of the necessary road infrastructure and servicing.
- The applicant believes that approval of the Temporary Use Permit and the phased approach to development of the site will promote additional business park development and employment opportunities in Campbell Heights.
- The applicant feels that denial of this application would be unfair to his trucking business, given that he has been in operation for approximately 18 months, while other similar unauthorized operations have been operating in Campbell Heights for many years.

Planning Comments:

- Under Corporate Report No. Ro85 which was considered and supported by Council at the April 18, 2016 Regular Council-Public Hearing Meeting (Resolution No. R16-757), a number of recommendations were endorsed by Council that affect the processing of the subject application. Specifically, Council directed staff to:

- [4. Instruct staff to contact TUP applicants to proceed in a timely manner or have the applications closed; and
5. Instruct staff to proceed with enforcement at unauthorized truck parking facilities.]

Staff's recommendation of denial for the subject application is consistent with the direction provided to Staff and will facilitate efforts to eliminate illegal truck parking facilities in the City. The following provides additional background in support of this recommendation.

- The proposed truck park facility is not temporary in nature. It is the applicant's intention to formalize the truck parking use as part of a future rezoning to "Light Impact Industrial Zone" (IL), based on the proposed phased development described above. The applicant intends to continue operations until a Development Application, inclusive of rezoning, is economically feasible.
- Under Zoning By-law No. 12000, storage of trucks and trailers is defined as transportation industry. This is not a permitted use in the A-2 Zone and is only allowed on properties zoned "Light Impact Industrial" (IL).
- As a stand-alone land-use, truck parking is not consistent with the "Business Park" and "Technology Park" designations of the Campbell Heights LAP. Furthermore, this use is typically not permitted in "Business Park" zones unless it is ancillary to a permitted use. Moreover, truck parking may be associated with appropriate buildings/structures, screening, landscape buffers, site circulation plans, storm water control as well as suitable drainage facilities.
- The proposed TUP application does not contribute to the development of the Campbell Heights area, in keeping with the adopted Local Area Plan. In addition, the application presents no benefit to the surrounding properties or Campbell Heights in general.
- Promoting the development of high-quality business park buildings in Campbell Heights is important to achieving the City's goals of providing industrial lands and local employment opportunities.
- Allowing truck parking to operate, under a TUP, would allow the land-use to continue and makes the site less likely to redevelop in the future. Furthermore, it hinders the land assembly required to achieve full build-out and places the owner at an unfair competitive advantage when compared to businesses which are operating at locations that have the appropriate zoning.

- In response to the volume of TUP inquiries that staff receive about multiple other properties in the Campbell Heights area for unauthorized or non-conforming land-uses (i.e. outdoor storage of vehicles, RVs, trucks and/or storage containers), staff are concerned the proposed TUP application could establish a precedent for truck parking facilities within Campbell Heights. As a result, granting approval to this TUP application could result in other land owners in the area applying to permit similar uses and potentially contribute to a proliferation of uses inconsistent with the Campbell Heights LAP which may prohibit development of the area.
- Engineering Department staff has advised that the shortest distance to a truck route (32 Avenue or 192 Street) is via 194 Street southbound to 28 Avenue, westbound to 192 Street. Engineering has noted that the existing pavement widths of 194 Street and 28 Avenue are inadequate and must be upgraded to meet minimum 8.0 m industrial road standards for the proposed use. The Engineering Department would also require a geotechnical report to determine the condition of the existing pavement (Appendix III).

PRE-NOTIFICATION

- Pre-notification letters were sent on June 7, 2016 to 28 households and businesses within 100 metres (328 ft.) of the site. The applicant has not provided confirmation that a Development Proposal Sign has been erected. To date staff have received 1 letter in response to the public notification expressing the following concerns related to the trucking business that is operating from the subject property:
 - Trucks blocking traffic on 194 Street to maneuver and refuel;
 - Trucks travelling at high speeds down 194 Street;
 - Air pollution resulting from frequent truck movements;
 - Noise pollution emanating from continuously running refrigerated trucks;
 - 194 is a narrow 2-lane street not designed to accommodate high volumes of truck traffic and circulation; and
 - Evidence of damage to local traffic signs at the intersections of 194 Street and 33 Avenue, and 194 Street and 28 Avenue.

CONCLUSION

- As the proposed truck park facility is an unauthorized/non-conforming land-use and semi-permanent in nature, the Planning and Development Department is concerned the negative impacts of this TUP application are significant and, therefore, recommend that Council not support the proposal. The applicant should be granted three months, consistent with denials of similar TUP applications in Campbell Heights, to allow the occupant to find an alternative parking facility as well as remove the trucks and trailers from the subject property before By-law enforcement action commences.
- In conclusion, City staff recommend the following:
 1. That this application be denied; and

2. That by-law enforcement against the existing illegal non-conforming uses on the subject property be deferred for a period of 3 months to allow the occupant to find an alternative parking facility as well as remove the trucks and trailers from the site.

If, however, Council finds merit in the proposal, it should be referred back to staff to undertake the necessary referrals and to draft the Temporary Use Permit.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Proposed Layout
Appendix III	Engineering Comments
Appendix IV.	Aerial Photograph (March, 2016)
Appendix V.	Map of TUP Applications in Campbell Heights


br: Jean Lamontagne
General Manager
Planning and Development

RJG/dk

Information for City Clerk

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

- 1. (a) Agent: Name: Kuldip Randhawa
 Acumar Consulting
 Address: 12830 – 80Avenue, Unit 110A
 Surrey, BC

 Tel: 604-808-5875 - Work
 604-808-5875 - Home

- 2. Properties involved in the Application

- (a) Civic Address: 2957 -194 Street

- (b) Civic Address: 2957 194 St
 Owner: Rajvinder S Grewal
 PID: 002-298-945
 Lot 12 Section 22 Township 7 Plan 1467 New Westminster District Part N 1/2.

- 3. Summary of Actions for City Clerk's Office:

- No action required.

Current Use - Unauthorized Truck Park

APPENDIX II

CIVIC ADDRESS :

2957 - 194 STREET
SURREY, B.C.

ELEVATION DERIVATION

ELEVATIONS FOR DEVELOPMENT PERMIT
BASED ON MUNICIPALITY CONTROL MONUMENT
BY B.C.L.S

LEGEND :

- SAN MH ○ DENOTES SANITARY MANHOLE
- TOD DENOTES TOP OF DITCH
- BOD DENOTES BOTTOM OF DITCH
- HW DENOTES HEADWALL
- RTWL DENOTES RETAINING WALL
- SWALE
- INSPECTION CHAMBER
- GROUND ELEVATION
- WATER VALVE
- TREE (TYPE SPECIFIED)
- POWER POLE LIGHT

Name of Surveyor to be retained:

LAND SURVEYOR TO BE RETAINED UPON CITY OF SURREY PROVIDING
SUPPORT FOR THE TEMPORARY PERMIT USE.

PLANS BASED ON CITY OF SURREY RECORDS / MAPPING

Lot dimensions and clearances accord
BCLS certified shall be retained at the

This plan does not show non-plan charges, liens or interests.

This plan is prepared for the Municipality Planning Staff and Council to assist in the approval of the Temporary Permit Use. It is issued for the exclusive use of our client. The signatory accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decisions made or actions taken based on this document. This document shows the relative location of the structures and features extracted from City records, and may be unreliable.

A topographic survey will be required prior to the Development Permit.

These plans shall not be used to define property lines or property corners.

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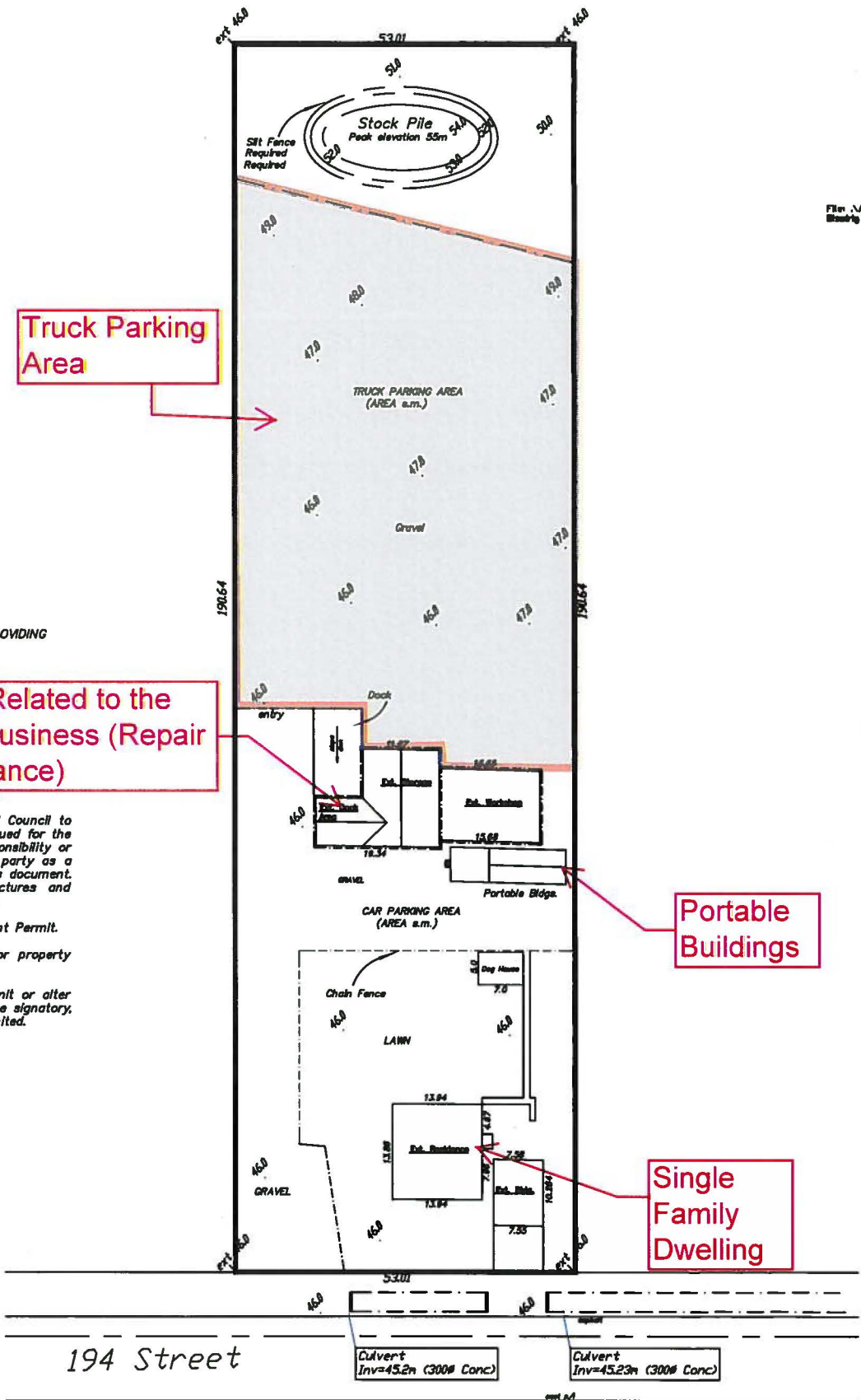
SPECIAL NOTE

SAFETY CONCERNS RELATING TO THE WORK STIPULATED IS NOT MENTIONED IN THE PLANS WHICH RELATE TO CONSTRUCTION ELEMENTS ONLY. IT IS THE RESPONSIBILITY OF THE OWNER / CONTRACTOR TO ENSURE THAT ALL SAFETY CONCERNS IN AND ABOUT THE JOB SITE DURING CONSTRUCTION, AS REQUIRED FOR DESIGN AND ERECTION OF TEMPORARY STRUCTURES, FORMWORK, FALSEWORK, SHORING TO COMPLETE THE STIPULATED WORK, ARE ADEQUATELY ADDRESSED.

THESE DRAWINGS ARE TO BE USED FOR DISCUSSION PURPOSES ONLY. DRAWINGS ARE PREPARED FOR THE TEMPORARY USE PERMIT FOR THE OWNER / MUNICIPALITY.

I.C. INVERT TABLE: (TO COME)

CONNECTION	INV ELEV.	DEP (m)	O/S
STM IC	N/A	-	Ditch
SAN IC	N/A	-	No sanitary pipe



SITE PLAN CW PHASE 1

PHASE 1 PARTIALLY ZONE
SCALE: 1 : 500

Proposed Future Use

LEGEND :

REFER TO CIVIL LEGEND OF FIRST DRAWING

- SAN MH DENOTES SANITARY MANHOLE
- TOO DENOTES TOP OF DITCH
- BOD DENOTES BOTTOM OF DITCH
- HW DENOTES HEADWALL
- RTWL DENOTES RETAINING WALL
- SWALE
- INSPECTION CHAMBER
- GROUND ELEVATION
- WATER VALVE
- TREE (TYPE SPECIFIED)
- POWER POLE LIGHT

I.C. INVERT TABLE

CONNECTION	INV. ELEV.	DEP. (m)	O/S
STM IC	N/A	-	DITCH
SAN IC	N/A	-	NO CONNECTION

SANITARY MANHOLE
 RIM ELEV= 72.04m
 N INV=69.19 (200 DIA CONC)
 E INV=69.34 (200 DIA CONC)
 S INV=69.22 (200 DIA CONC)

Truck Parking

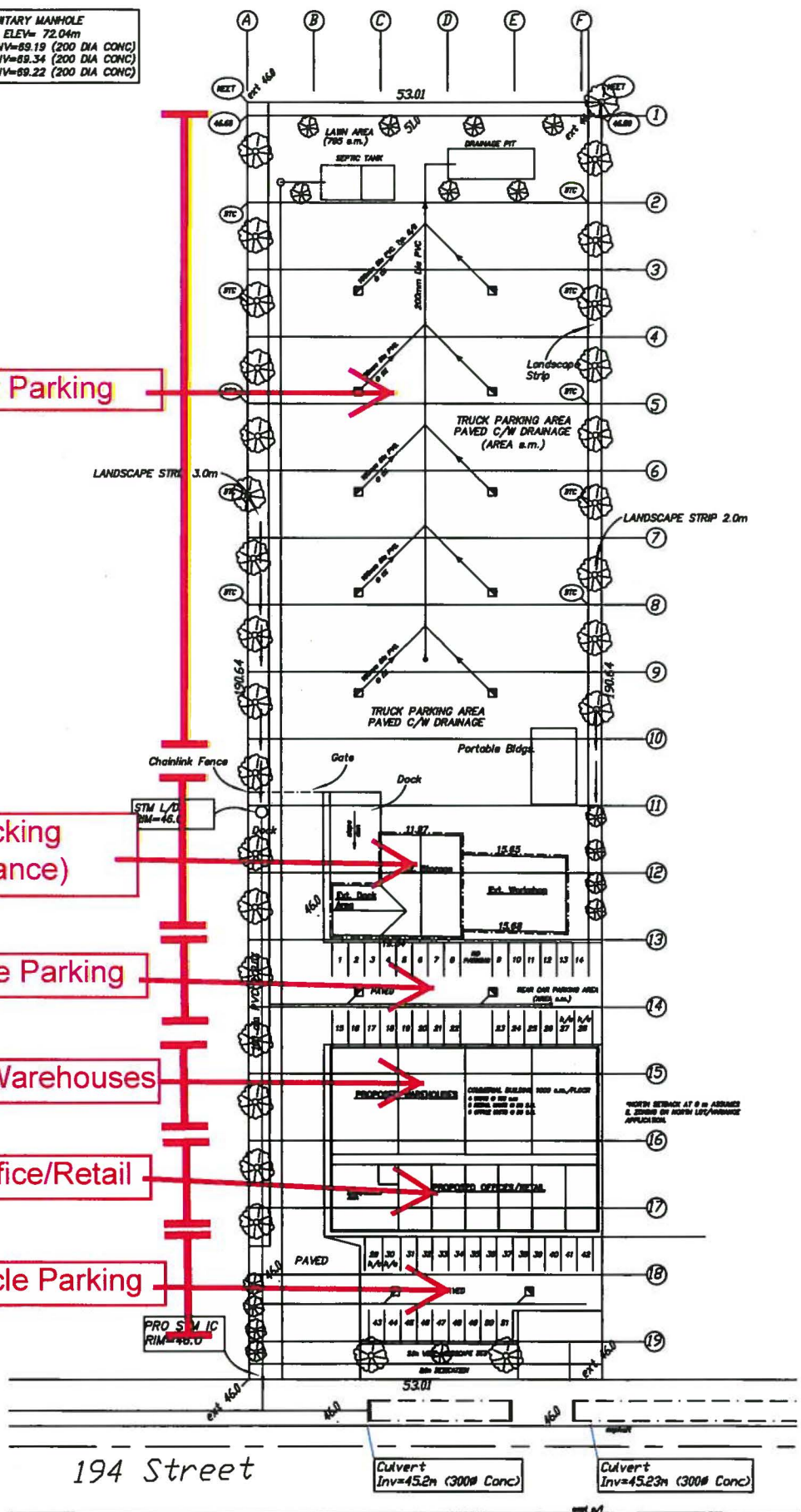
Buildings Related to the Trucking Business (Repair & Maintenance)

Passenger Vehicle Parking

Proposed Warehouses

Proposed Office/Retail

Passenger Vehicle Parking



PROPOSED USE PLAN

PHASE 2 COMPLETE
 SCALE: 1 : 500

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

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

DATE: **September 28, 2016** PROJECT FILE: **7816-0078-00**

RE: **Engineering Requirements (Commercial/Industrial)
Location: 2957 194 Street**

TEMPORARY USE PERMIT

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

- Shortest distance to truck route (32 Avenue or 192 Street) is via 194 Street southbound to 28 Avenue, westbound to 192 Street. Existing pavement widths of 194 Street and 28 Avenue are inadequate and must be upgraded to meet minimum 8.0 m industrial road standards. Geo-tech report must also be submitted to determine existing condition of pavement. 11.0 m wide access is required onto 194 Street.
- There is currently no fronting water main and no water service to this property. Since there is no fire protection, there should be no building permitted on the property.
- The site is in Campbell Heights where the underlying soils are permeable and the NCP servicing plan relies heavily on infiltration into the groundwater table. Given these conditions, **contamination from a temporary truck park is a significant concern.** On-lot measures are required to treat the runoff from the parking & driving areas, no vehicle repairs are permitted on the site, and no storage of polluting materials on the site. Management of on-lot runoff is required as sheetflow onto neighbouring lots is not acceptable.

If this TUP is to proceed, a Servicing Agreement will be required including the corresponding processing fees.



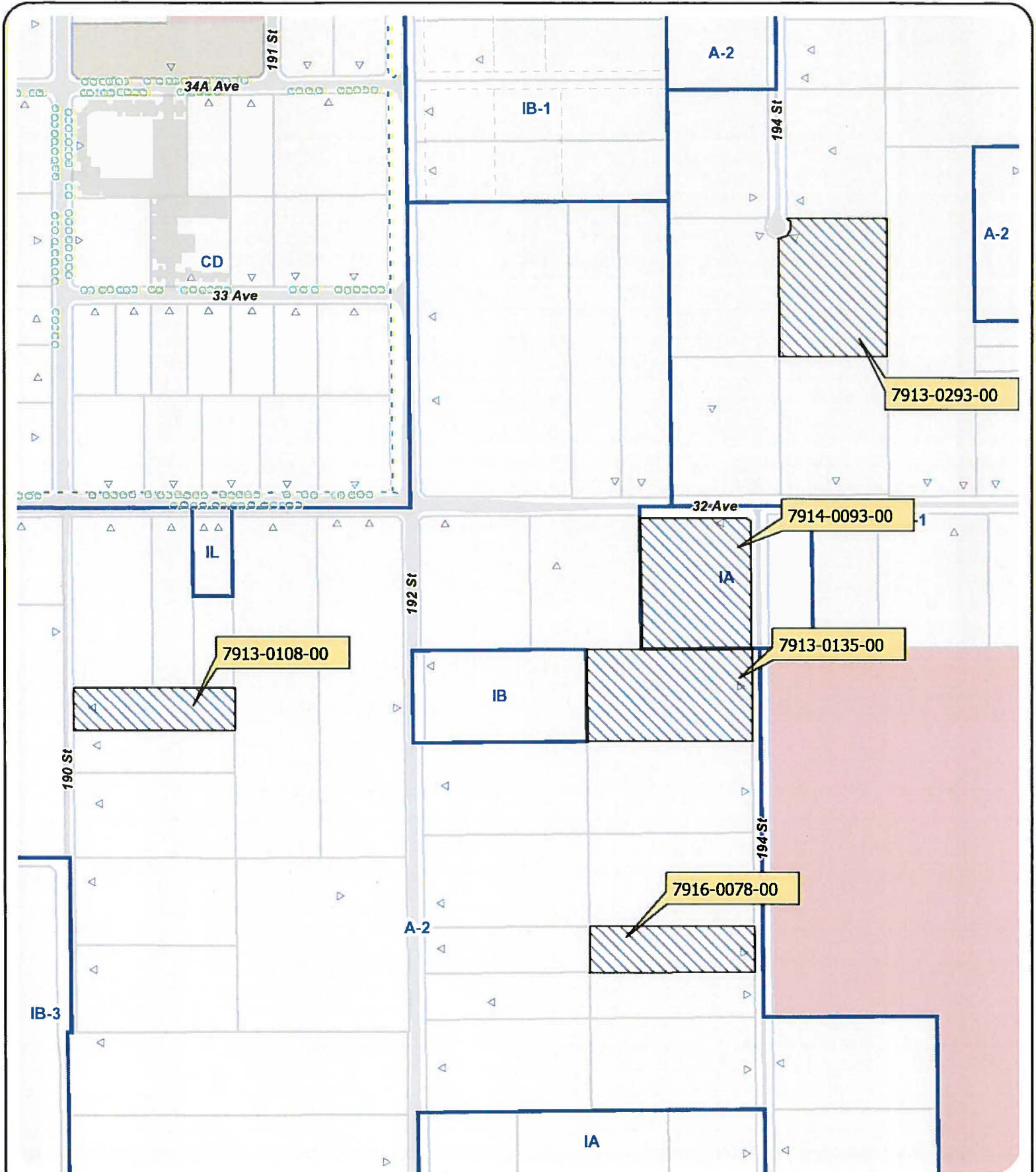
Rémi Dubé, P.Eng.
Development Services Manager
MB

Aerial view (June 2016)



Aerial view (April 2015)

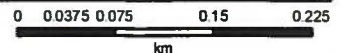




Enter Map Description

Scale: 1:5,750

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Map created on: 28/09/2016