

City of Surrey PLANNING & DEVELOPMENT REPORT File: 7917-0115-00

Planning Report Date: July 9, 2018

PROPOSAL:

• Temporary Use Permit

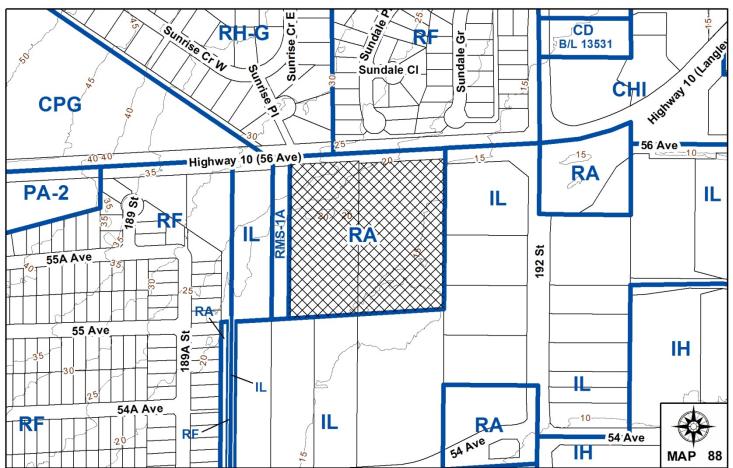
for outdoor storage of shipping containers and automobiles for a period not to exceed three years.

LOCATION: 19128 - No. 10 (56 Avenue) Highway

19060 - No. 10 (56 Avenue) Highway

ZONING: RA

OCP DESIGNATION: Suburban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

• Container storage and vehicle storage are not permitted uses in the RA Zone.

RATIONALE OF RECOMMENDATION

- The proposed temporary outdoor storage of shipping containers and automobiles will allow for an interim use of the land while the owners explore an ultimate use for the site.
- A significant portion of the site is undevelopable due to the BC Hydro right-of-way, which traverses the site.
- The site is in close proximity to No. 10 Highway/Langley By-pass and the Langley Auto Mall new car dealers.
- It is recommended that Council direct staff to require that the applicant complete on and offsite works to facilitate the proposed temporary uses within 20 weeks of the TUP receiving an indication of support from Council.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Temporary Use Permit No. 7917-0115-00 (Appendix V) 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) the applicant addresses requirements from the Ministry of Transportation and Infrastructure and obtain a highway access permit;
 - (c) the applicant addresses requirements from B.C. Hydro;
 - (d) submission of an application and payment of fees for a Temporary Office Trailer Permit;
 - (e) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (f) the applicant satisfies the deficiency in tree replacement on the site, to the satisfaction of the Planning and Development Department; and
 - (g) submission of a landscaping plan and landscaping cost estimate for screening to the specifications and satisfaction of the Planning and Development Department.
- 3. Council direct staff to bring forward this application 20 weeks from the date of approval to proceed (first Council meeting after December 10, 2018) for consideration of file closure if the conditions of final approval have not been fulfilled by the applicant.

REFERRALS

Engineering: The Engineering Department has no objection to the project

subject to the completion of Engineering servicing requirements as

outlined in Appendix III.

Ministry of Transportation & Infrastructure (MOTI):

MOTI has no objections to the proposal, subject to the applicant obtaining an access permit and meeting design requirements for

access to No. 10 Highway.

B.C. Hydro: B.C. Hydro has no objections to the proposal, provided the terms

and conditions set out in B.C. Hydro's letter dated May 16, 2018, are

met by the applicant.

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling, unauthorized office trailer, and

non-conforming outdoor storage of shipping containers and

automobiles.

Adjacent Area:

Direction	Existing Use	ОСР	Existing
		Designation	Zone
North (Across Highway	Single family dwellings.	Urban	RH-G
No. 10):			and RF
East:	Public storage and multi-tenanted	Industrial	IL
	industrial warehousing.		
South:		Industrial	IL
19045/49/55 – 54 Avenue:	Multi-tenanted industrial warehousing.		
19061 – 54 Avenue:	Non-conforming outdoor vehicle storage.		
19095 – 54 Avenue:	Non-conforming truck parking.		
West:	Path to Freedom recovery centre	Suburban	RMS-1A

DEVELOPMENT CONSIDERATIONS

Background

- The 3.6-hectare (8.9 ac.) subject site is located at 19060 and 19128 No. 10 (56 Avenue) Highway in Cloverdale. It is designated Suburban in the Official Community Plan (OCP) and is currently zoned "One-Acre Residential Zone (RA)".
- The site is heavily encumbered by a B.C. Hydro right-of-way (ROW).
- The western subject lot, 19060 56 Avenue, has an existing single family dwelling and shed which will be retained. The single family dwelling has its own driveway access to No. 10 Highway and is separated from other uses on the subject site by trees, landscaping, fencing and the shed.
- The eastern subject lot, 19128 56 Avenue, has an unauthorized office trailer, an asphalt driveway providing access for non-residential uses on both subject lots, and a temporary no-left-turn sign at the driveway exit.
- The subject site is currently being used for an unauthorized storage of shipping containers and automobiles. Container and vehicle storage are not permitted uses under the RA Zone.
- The current owners had previously submitted a development application, File No. 7909-0080-00, on the subject site for a Temporary Use Permit (TUP) for truck parking and container storage. This application was granted approval to proceed to Public Notification by Council on November 3, 2014 and supported in principle on December 1, 2014. However, the conditions of final approval were not completed within the 6 month time frame provided by Council and the file was closed on September 14, 2016.

• Under the previous application, the Ministry of Transporation and Infrastructure (MOTI) had issued a permit for access to No. 10 Highway. This permit has expired because construction and installations were not completed by the required August 31, 2016 date. Consequently, the applicant must apply for a new access permit as part of the current application.

• The City's mapping system identifies a Class C (green-coded) ditch in the southeast corner portion of the site. Under the previous application, File No. 7909-0080-00, City staff accepted an environmental report submitted by the applicant which reclassified this watercourse from Class B (orange-coded) to Class C. A Class C watercourse has no streamside setback requirements under the Zoning By-law. Over time, the watercourse has been filled and surfaced with crushed gravel for unauthorized storage activities on the lot.

Current Proposal

- The applicant has submitted a new application for a TUP to allow outdoor storage of approximately 85 shipping containers and 1.9 hectares (4.7 ac.) of automobile storage on the site.
- The applicant proposes to extend the existing asphalt driveway and add lighting along the driveway entry. The applicant also will enhance the existing chain link fence along No. 10 Highway and install a new motorized sliding chain link gate.
- MOTI requires that access to the site be restricted to right-in/right-out turns on No. 10 Highway. The applicant proposes to extend the raised median on No. 10 Highway, currently installed from the intersection of 192 Street to the eastern edge of the driveway on 19128-56 Avenue, by an additional 40 metres (131 ft.) to the west in order to prevent left turns from being made to and from the site. The applicant also proposes to install a stop sign and a right-turn-only sign at the driveway exit.
- B.C. Hydro has set out certain restrictions with regard to uses within the ROW, such as limiting vehicle height to 4.15 metres (13.6 ft.) and installing barriers around the transmission line structures. The applicant has agreed to these conditions and provided City staff with a signed copy of BC Hydro's Compatible Use Letter, which is dated June 27, 2018.
- To ensure timely completion of all TUP requirements, it is suggested that staff will bring the TUP application forward to Council within 20 weeks of Council's approval to proceed (the first Council meeting following December 10, 2018) for either consideration of final approval or for consideration of file closure if the applicant fails to complete all requirements (should Council support the TUP in principle).
- The applicant has provided a provisional timeline to ensure all conditions for final approval are met within 20 weeks. The expectation is that civil works would be completed prior to Council providing final approval for the TUP. City staff will follow up with the applicant to meet the following submission timelines:
 - Engineering processing fees and scoping documents within 2 weeks of introduction at Council;
 - o Access permit from MOTI and certificates of insurance for BC Hydro requirements by the end of July 2018;

- o Initial and revised engineering project detailing by the end of August 2018;
- o On-site meeting with BC Hydro and completion of Engineering Servicing Agreement by mid-September 2018; and
- o Construction of civil works underway in October and November 2018.

PRE-NOTIFICATION

Pre-notification letters were sent on April 6, 2018, and a Development Proposal Sign was installed. To date, staff have received one response from the Cloverdale Community Association, which is summarized below (staff comments in italics):

• Unsafe left turns from westbound vehicles entering the subject site and exiting the site.

(The site will be limited to right-in/right-out turns only. The applicant will be required to extend the existing raised median on Highway No. 10 to prevent left turns from being made to and from the site.)

The application for a TUP was submitted after many years of illegal business operation.
 Reassurance is needed that City staff will enforce safety requirements, including installation of median barriers before approval of the TUP.

(City staff in consultation with the applicant's civil consultant have set out a timeline for the applicant to ensure that conditions for final approval are met within 20 weeks of Council support in principle of the proposed TUP, should the proposal be supported. At that time, staff will bring the TUP application forward to Council for either consideration of final approval or for file closure.)

TREES AND LANDSCAPING

 Anne Kula, ISA Certified Arborist of Huckleberry Landscape Design prepared an Arborist Assessment and landscaping plan for the subject property. The table below provides a summary of the tree retention and removal by tree species:

Table 1: Summary of Tree Preservation by Tree Species:

Tree Species	Exis	ting	Remove	Retain
Alder and Cottonwood Trees				
Alder	(5	1	5
Cottonwood	14		3	11
		ous Trees d Cotton	s wood Trees)	
Maple	1	1	6	5
	Conifero	ous Tree	s	
Cedar	10	0	9	1
Douglas Fir		1	0	4
Spruce]	L	0	1
Total (excluding Alder and Cottonwood Trees)	2	6	15	11
Total Replacement Trees Prope (excluding Boulevard Street Trees			24	
Total Retained and Replacement Trees			51	
Contribution to the Green City Fund			\$4,000	

The Arborist Assessment states that there are a total of 26 protected trees on the site, excluding Alder and Cottonwood trees. 20 existing trees, approximately 43% of the total trees on the site, are Alder and Cottonwood trees. It was determined that 27 trees can be retained as part of this development proposal. The proposed tree retention was assessed taking into consideration the location of services, building footprints, road dedication and proposed lot grading.

- For those trees that cannot be retained, the applicant will be required to plant trees on a 1 to 1 replacement ratio for Alder and Cottonwood trees, and a 2 to 1 replacement ratio for all other trees. This will require a total of 34 replacement trees on the site. The applicant is proposing 24 replacement trees. The deficit of 10 replacement trees will require a cash-in-lieu payment of \$4,000, representing \$400 per tree, to the Green City Fund, in accordance with the City's Tree Protection By-law.
- The applicant proposes to plant a landscape buffer of deciduous and coniferous trees and shrubs along the property line in the southwest corner of the site to provide screening for the adjacent Path to Freedom recovery centre.
- BC Hydro requires that the right-of-way is restricted to low-growing trees not to exceed 3.0 metres in height at maturity, and that any new planting immediately outside of the rightof -way on the site will not grow tall at maturity or have weak root systems with high probability of falling on BC Hydro's electrical works. The Certified Arborist has confirmed that all species of trees chosen are low growing and conform to BC Hydro requirements.

• In summary, a total of 51 trees are proposed to be retained or replaced on the site with a contribution of \$4,000 to the Green City Fund.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Lot Owners and Action Summary (Confidential)
Appendix II. Site, Grading, Services and Driveway Access Plans

Appendix III. Engineering Summary

Appendix IV. Tree Preservation Summary Table and Preservation/Replacement Plan

Appendix V. Temporary Use Permit No. 7917-0115-00 Appendix VI. Hyperlink to Planning Report 7909-0080-00

Appendix VII. Aerial Photo (COSMOS, May 2017)

original signed by Ron Gill

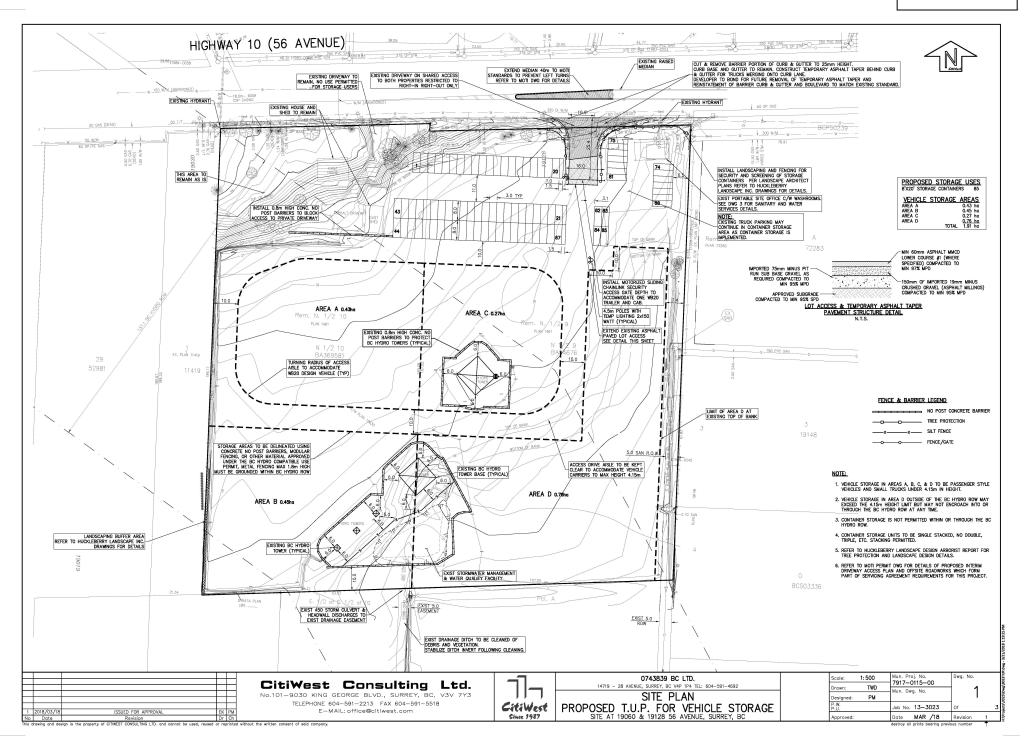
Jean Lamontagne General Manager Planning and Development

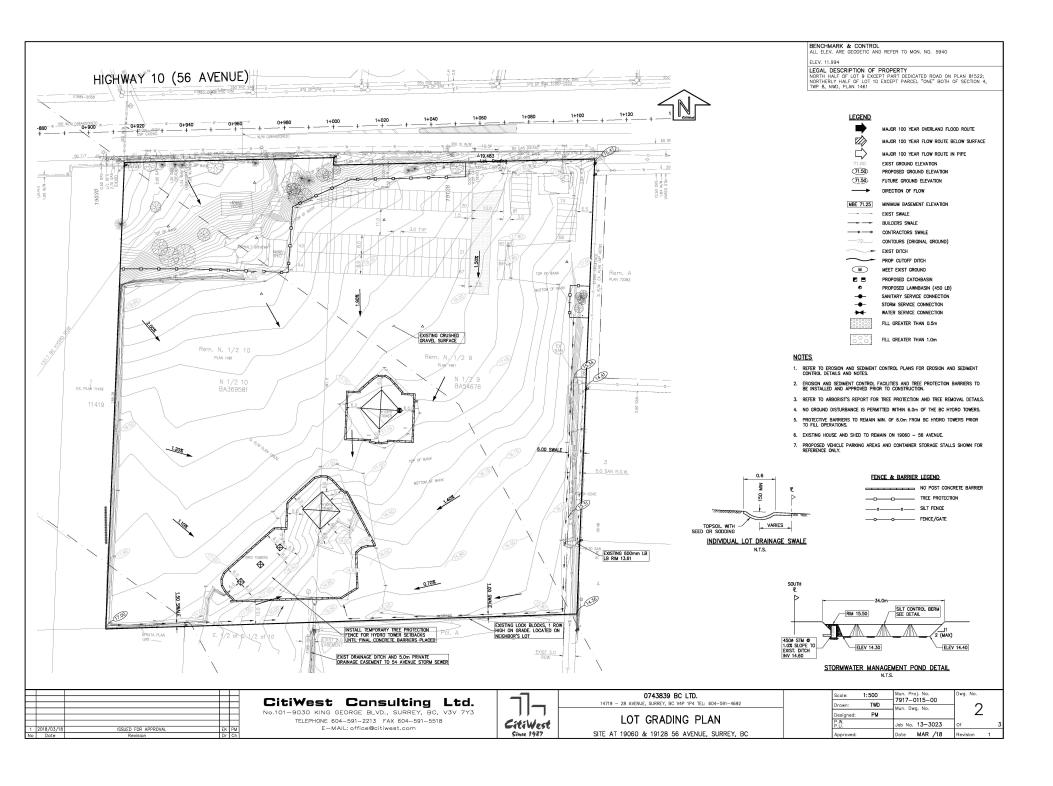
HC/cm

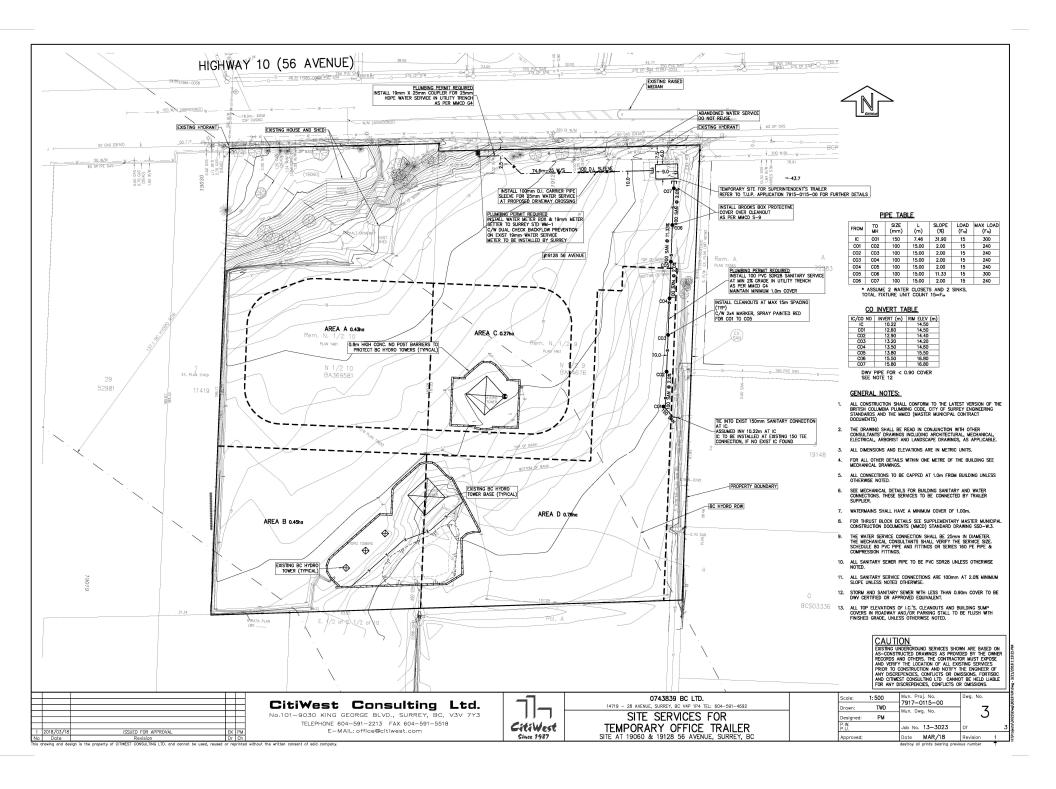
APPENDIX I HAS BEEN

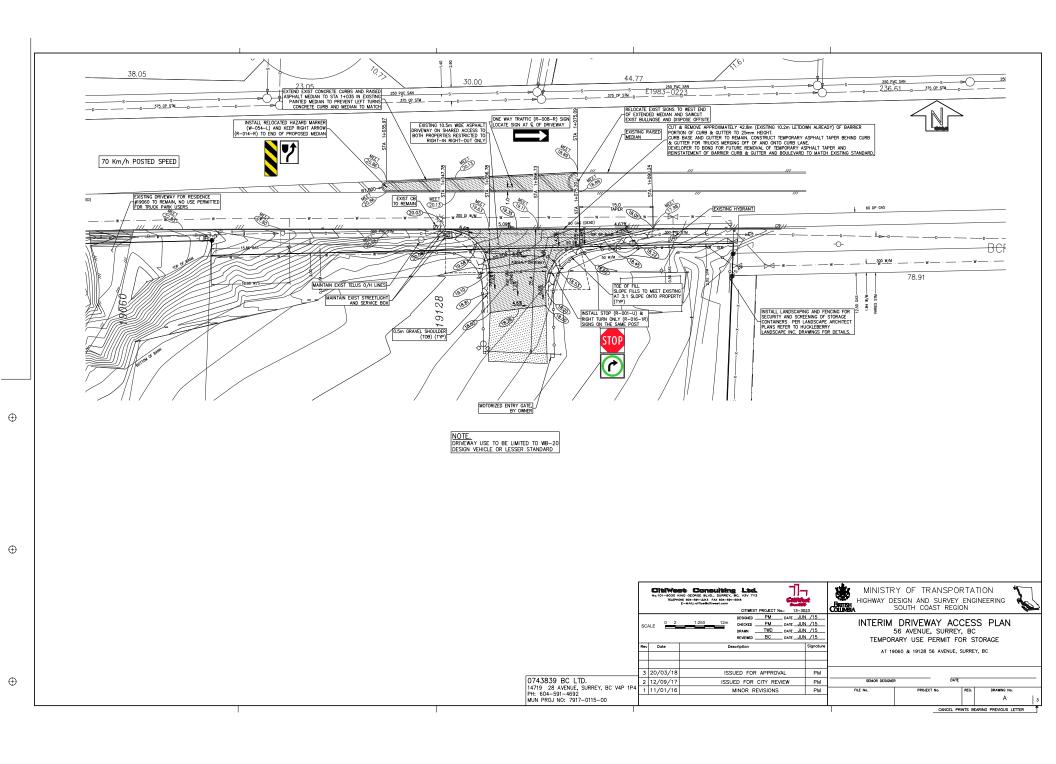
REMOVED AS IT CONTAINS

CONFIDENTIAL INFORMATION











INTER-OFFICE MEMO

TO:

Manager, Area Planning & Development

- North Surrey Division

Planning and Development Department

FROM:

Development Services Manager, Engineering Department

DATE:

June 12, 2018

PROJECT FILE:

7817-0115-00

RE:

Engineering Requirements (Temporary Use Permit) Location: 19128 & 19060 - No 10 (56 Ave) Highway

TEMPORARY USE PERMIT

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

- Support from Ministry of Transportation and Infrastructure (MoTI) has been received however driveway improvements on #10 Highway are required. Access to the site is to be restricted to right in and right out turns only. Westbound vehicular traffic must maintain all turning movements to the right hand travel lane.
- Written approval from BC Hydro will be required.
- Construct a storm drainage system within the existing five (5) metre drainage easement
 located along the east side of 19061 54 Avenue. Civic address 19128 No. 10 Highway will
 need to be added to the existing drainage easement in order to permit drainage from this
 civic address to have access and use of this drainage easement.
- Register applicable restrictive covenants (RCs) such as for onsite storm water detention
 and management features, for septic field maintenance, and for right in / right out access
 and egress to No. 10 Highway, for 19060 and 19128 No. 10 Highway, access easement
 between two properties, including working easement for drainage works from property at
 19061 54 Avenue.

A Servicing Agreement will be required for this proposed Temporary Use Permit.

Rémi Dubé, P.Eng.

Development Services Manager

HB₄

Tree Preservation Summary

Surrey Project No: **7917-0115-00** Address: 19060 & 19128 56 Ave, Surrey

Registered Arborist: Anne Kulla, Huckleberry Landscape Design

On-Site Trees	Numbers of Trees
Protected Trees Identified (on-site and shared trees, including trees within boulevards and proposed streets and lanes, plus trees on 19060 56 Ave)	46
Protected Trees to be Removed (including city trees)	19
Protected Trees to be Retained + offsite trees (excluding trees within proposed open space or riparian areas)	27
 Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio 4 X one (1) = 4 All other Trees Requiring 2 to 1 Replacement Ratio 15 X two (2) = 30 	34
Replacement Trees Proposed	24
Replacement Trees in Deficit	10
Protected Trees to be Retained in Proposed [Open Space/ Riparian Areas]	o
Off-Site Trees	Numbers of Trees
Protected Off- Site Trees to be Removed	О
 Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio X one (1) = All other Trees Requiring 2 to 1 Replacement Ratio X two (2) = 	o
Replacement Trees Proposed	o
Replacement Trees in Deficit	0

Summary, report and plan prepared and submitted by:

anne Kalla

July 4, 2018

CITY OF SURREY

(the "City")

TEMPORARY USE PERMIT

NO.: 7917-0115-00

Issued To:
Address of Owner:
Issued To:
issued 10.
Address of Owner:
(collectively referred to as the "Owner")
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: 010-985-590 North Half Lot 9 Except: Part Dedicated Road on Plan 81522, Section 4 Township 8 New Westminster District Plan 1461
19128 - No. 10 (56 Avenue) Highway
Parcel Identifier: 012-203-637 Northerly Half Lot 10 Except: Parcel "One" (Explanatory Plan 11419), Section 4 Township 8 New Westminster District Plan 1461
19060 - No. 10 (56 Ave) Highway
(the "Land")

- 3. The authority to issue Temporary Use Permits is granted to municipalities under Sections 492 and 493 of the *Local Government Act* R.S.B.C. 2015, c.1. Pursuant to Implementation, II(c) Implementation Instruments, Temporary Use Permits of Surrey Official Community Plan, 2013, No. 18020, as amended, the entire City of Surrey is designated a Temporary Use Permit area.
- 4. The temporary use permitted on the Land shall be for outdoor storage of approximately 85 shipping containers and 1.9 hectares (4.7 ac.) of automobile storage, as shown in Schedule A.
- 5. The temporary use shall be carried out according to the following conditions:
 - (a) The appearance and location of the buildings, access and outdoor storage areas shall be as shown on Schedule A and numbered 7917-0115-00(A) through to and including 7917-0115-00(D) (the "Drawings") which is attached hereto and forms part of this permit;
 - (b) Shipping containers may not be stacked upon one another and vehicles heights may not exceed 4.15 metres (13.6 ft.);
 - (c) 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; and
 - (d) The Landscaping shall be completed within six (6) months after the date of the final inspection of the buildings and structures referred to in the Drawings.
 - i. All required landscaping works and planting materials must be maintained for the life of the temporary use permit;
 - ii. When the Landscaping is substantially complete as determined by the City, without the City having to use the Security, 90% of the original Security will be returned. When the Landscaping receives final approval by the City, not earlier than twelve (12) months after the date of substantial completion of the Landscaping, 10% of the original Security will be returned;
 - iii. If final approval of the Landscaping is not given by the City, the City has the option of using the Security to complete the Landscaping and any remaining money shall be returned. The Owner hereby authorizes the City or its agents to enter upon the Land to complete the Landscaping; and
 - iv. If the City elects not to enter upon the Land to complete the Landscaping and the Owner does not complete the Landscaping, the Security is forfeited to the City three (3) years after the date of the provisional or final inspection of the buildings and structures referred to in the Drawings.

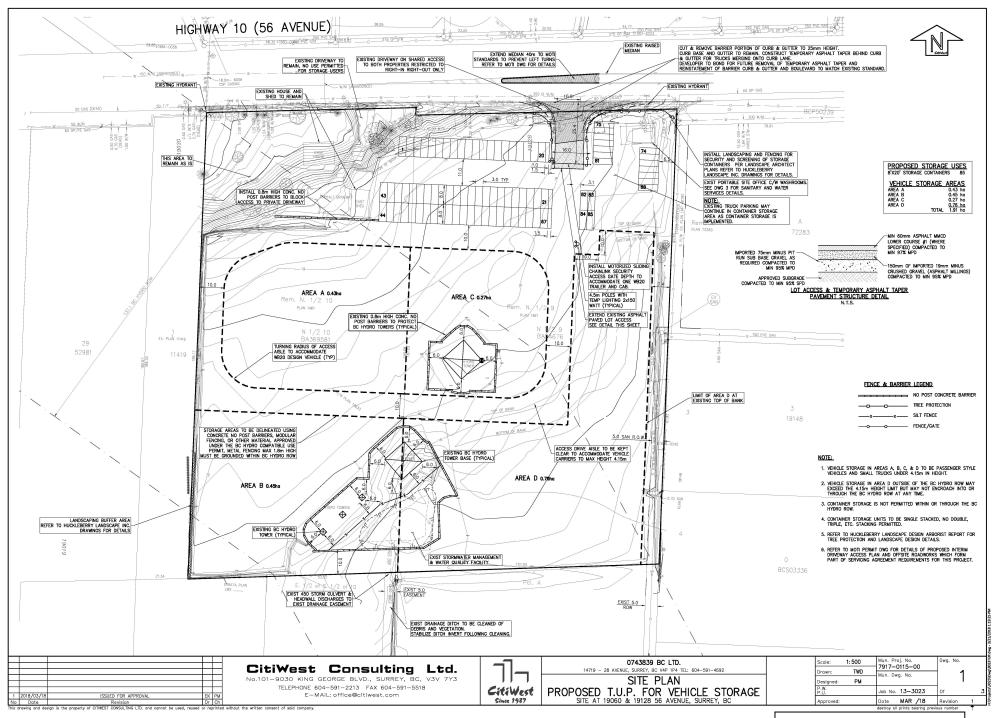
6.	The Land shall be developed strictly in accordary provisions of this temporary use permit. This temporary use permit.	
7.	An undertaking submitted by the Owner is atta of this temporary use permit.	ached hereto as Appendix I and forms part
8.	This temporary use permit is not transferable.	
9.	This temporary use permit shall lapse on or bef	ore December 17, 2021.
AUTH	HORIZING RESOLUTION PASSED BY THE COU	NCIL, THE DAY OF , 20 .
ISSUE	ED THIS DAY OF , 20 .	
	_	
	I	Mayor – Linda Hepner
		City Clerk – Jane Sullivan

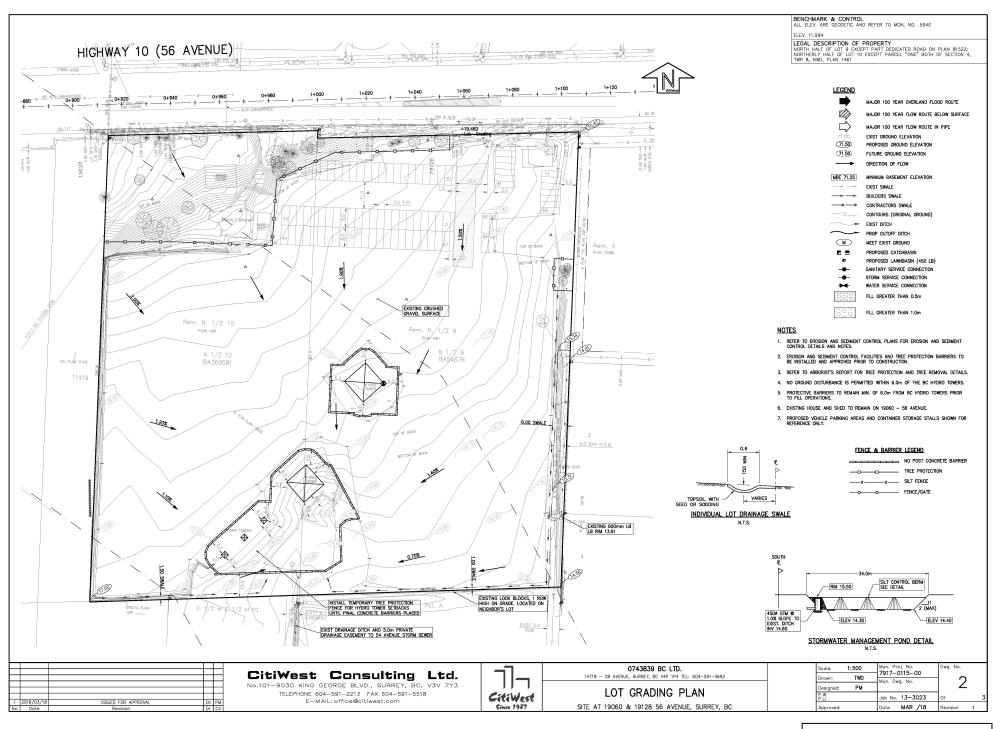
IN CONSIDERATION OF COUNCIL'S APPROVAL OF THIS TEMPORARY USE PERMIT AND OTHER GOOD AND VALUABLE CONSIDERATION, I/WE THE UNDERSIGNED AGREED TO THE TERMS AND CONDITIONS OF THIS TEMPORARY USE PERMIT AND ACKNOWLEDGE THAT WE HAVE READ AND UNDERSTOOD IT.

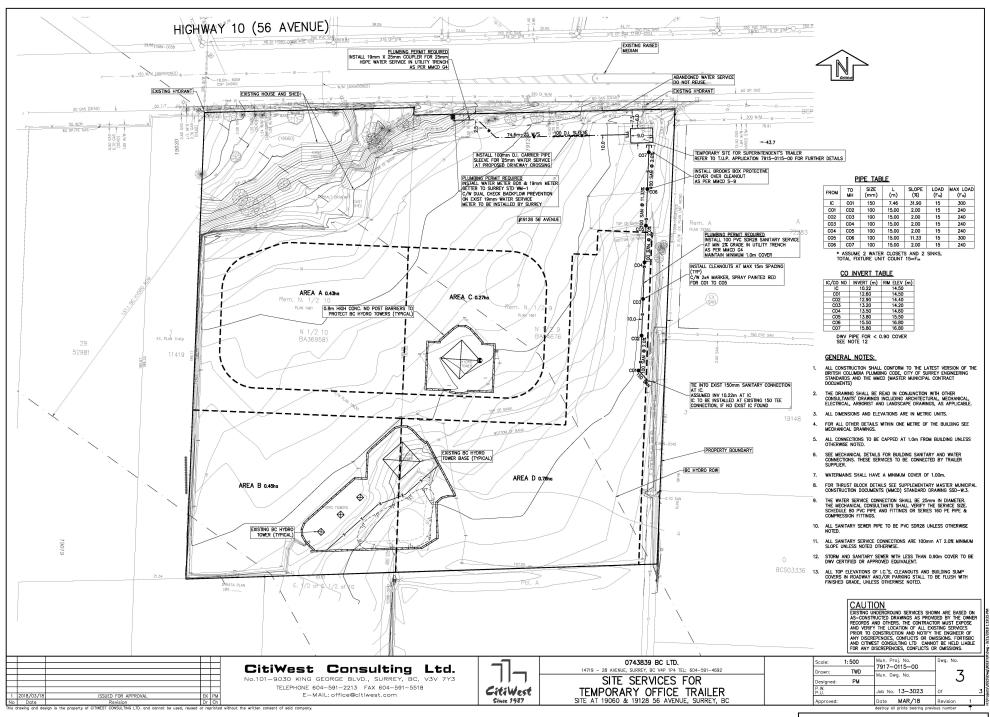
	Authorized Agent: Signature
OR	Name (Please Print)
-	
	Owner: Signature
	Name: (Please Print)

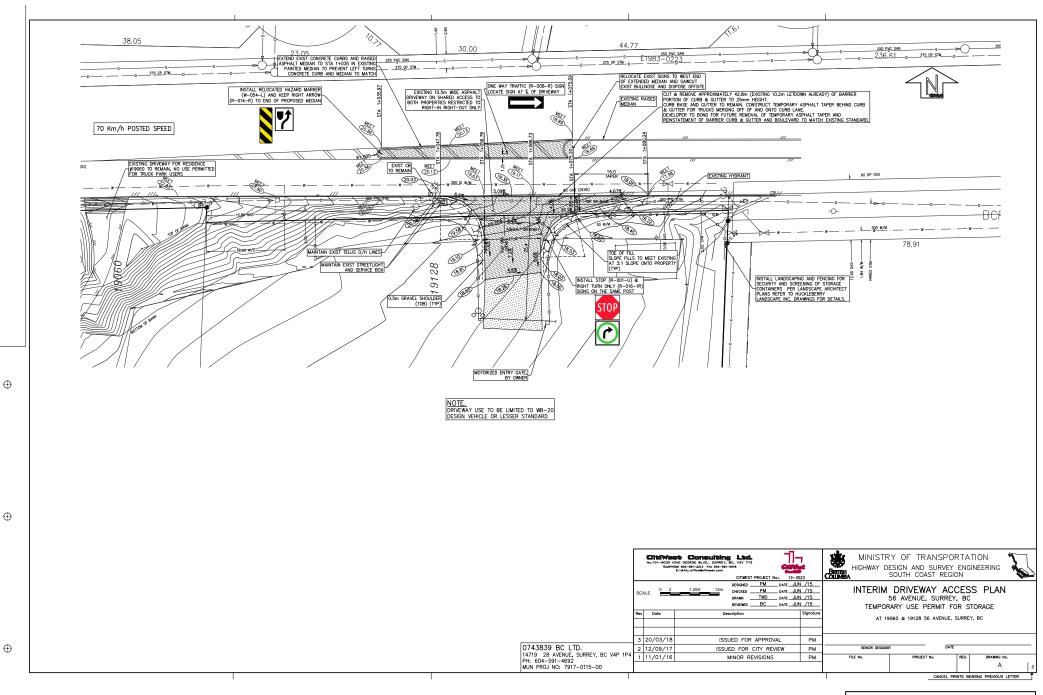
TO THE CITY OF SURREY:

I,	(Name of Owner)
being the	owner of
	(Legal Description)
known as	(Civic Address)
	(Civic Address)
hereby un	dertake as a condition of issuance of my temporary use permit to:
(a)	demolish or remove all buildings and/or structures that are permitted to be constructed pursuant to the temporary use permit issued to me; and
(b)	restore the land described on the temporary use permit to a condition specified in that permit;
all of whic permit.	h shall be done not later than the termination date set out on the temporary use
agents ma is necessar complianc submitted	nderstand that should I not fulfill the undertaking described herein, the City or its y enter upon the land described on the temporary use permit and perform such work as ry to eliminate the temporary use and bring the use and occupancy of the land in with Surrey Zoning By-law, 1993, No. 12000, as amended, and that any securities by me to the City pursuant to the temporary use permit shall be forfeited and applied to frestoration of my land as herein set out.
This unde	rtaking is attached hereto and forms part of the temporary use permit.
	(Owner)
	(Witness)









Appendix VI

112 AVE 104 AVE WHALLEY GUILDFORD 96 AVE **88 AVE** FLEETWOOD 80 AVE **72 AVE** NEWTON CLOVERDALÉ **64 AVE 56 AVE** 48 AVE 40 AVE 32 AVE SOUTH SURREY 24 AVE **16 AVE** 144 ST 152 ST 136 ST 8 AVE 160 ST 0 AVE 184 ST 192 ST 168 ST 176 ST

City of Surrey PLANNING & DEVELOPMENT REPORT File: 7909-0080-00

Planning Report Date: November 3, 2014

PROPOSAL:

Temporary Use Permit

in order to allow truck parking and container storage for a period not to exceed three years.

LOCATION: 19128 – No. 10 (56 Ave) Hwy

19060 - No. 10 (56 Ave) Hwy

OWNER: 0743839 BC Ltd.

Jaswinder S Dhaliwal Kiranjit K Dhaliwal

ZONING: RA

OCP DESIGNATION: Suburban

