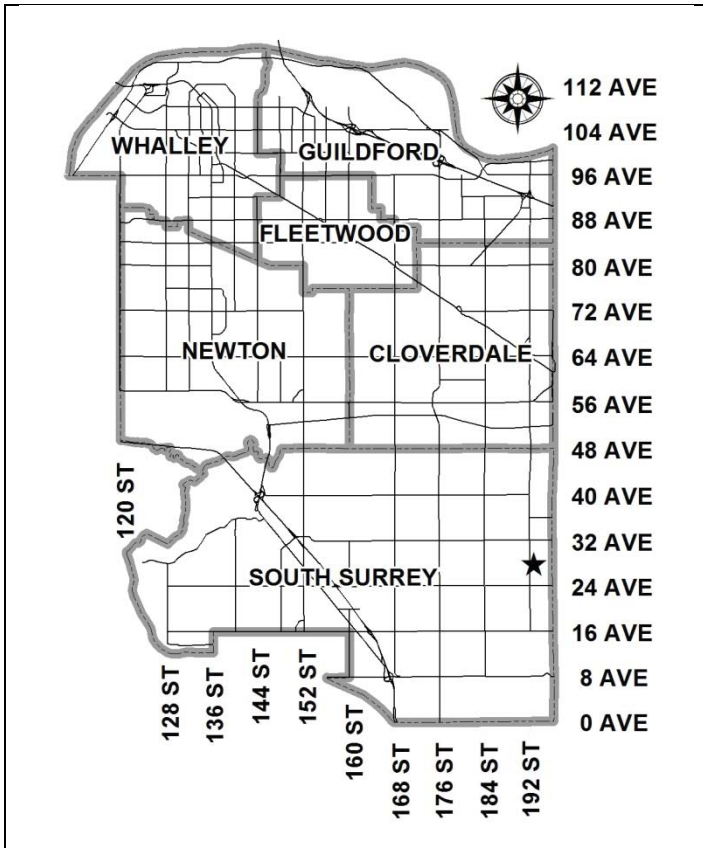


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7917-0124-00

Planning Report Date: May 8, 2017



PROPOSAL:

- **Temporary Use Permit**

to permit the continued operation of an unauthorized truck park facility for a period not to exceed 3 years.

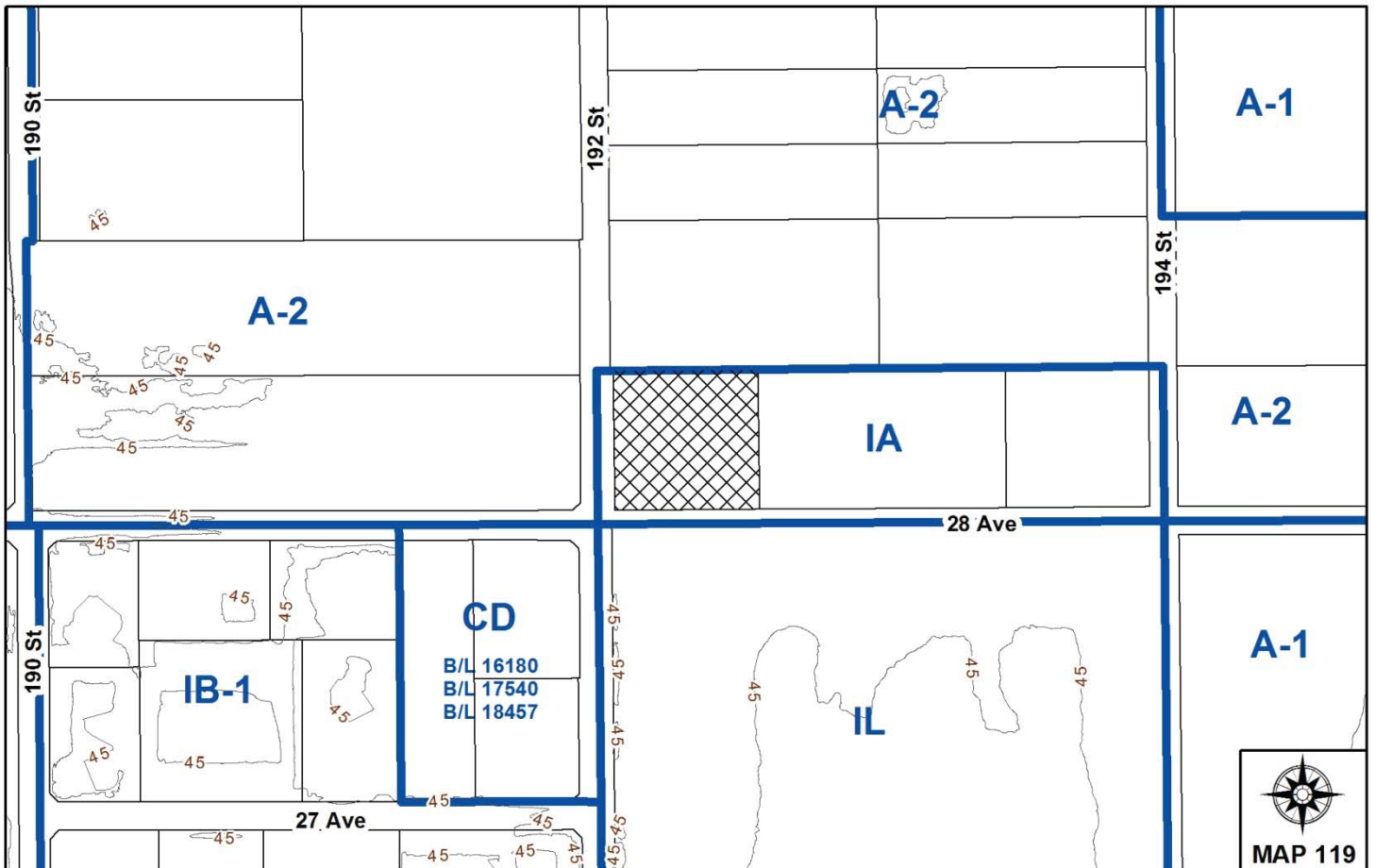
LOCATION: 2820 - 192 Street

OWNER: Satpal S. Minhas
 Amrik S. Purewal

ZONING: IA

OCP DESIGNATION: Mixed Employment

LAP DESIGNATION: Commercial and Landscaping Strips



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The proposal does not comply with the Commercial land use designation in the Campbell Heights Local Area Plan (LAP).

RATIONALE OF RECOMMENDATION

- An unauthorized truck parking facility is currently operating on the subject property at 2820 - 192 Street. A Temporary Use Permit (TUP) application was submitted on March 10, 2017.
- At the Regular Council Meeting on April 18, 2016, Council endorsed the recommendations in Corporate Report R085 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 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 (Resolution No. R16-757).
- The subject property is part of a small commercial node, consisting of four properties located at the intersection of 28 Avenue and 192 Street, which is designed to serve a large portion of the Campbell Heights area. The other commercial node for the Campbell Heights neighbourhood is located at 20 Avenue and 192 Street. As such, the subject property is considered important in terms of providing commercial floor space and, therefore, integral to the future success of the Campbell Heights Local Area Plan.
- 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 rezoning application to "Light Impact Industrial Zone (IL)" and, therefore, may negate the purpose of granting the application a Temporary Use Permit (TUP).
- The proposal does not contribute to the development of Campbell Heights in a manner consistent with the Local Area Plan. The granting of a temporary use permit may hinder further development of Campbell Heights.
- Approval of this application may lead to more requests for similar temporary use proposals in Campbell Heights that are inconsistent with the adopted Local Area Plan and the pattern of development, which may further stall re-development of the area.
- Council previously denied several other applications for temporary truck and recreational vehicle parking in Campbell Heights.

RECOMMENDATION

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

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: Unauthorized truck park facility and single family dwelling.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North:	Single family residential dwelling and accessory buildings	Mixed Employment/Business Park and Landscaping Strips	A-2
East:	Vacant parcel. In-process TUP application, for a period not to exceed 1 year, for a truck park and industrial laydown facility as part of a larger phased development (Development Application No. 7916-0531-00).	Mixed Employment/Business Park and Landscaping Strips	IA
South (Across 28 Avenue):	Latimer Park	Conservation and Recreation/City Park	IL
West (Across 192 Street):	Single family residential dwelling and accessory buildings	Mixed Employment/Commercial and Landscaping Strips	A-2

DEVELOPMENT CONSIDERATIONS

Background

- The subject property is approximately 2.5 acres (1 hectare) in size and located on the east side of 192 Street just north of 28 Avenue. The property is designated "Mixed Employment" in the Official Community Plan (OCP), "Commercial" and "Landscaping Strips" in the Campbell Heights Local Area Plan (LAP) and zoned "Agro-Industrial Zone (IA)".
- The property is occupied by a single family dwelling, a small barn and accessory structures. Several vehicles including recreational vehicles, passenger vehicles (for employees/drivers) and tractor-trailers are currently parked on-site.
- An unauthorized truck park facility has been operating on-site since at least April, 2013.
- The applicant submitted a Temporary Use Permit (TUP) application on March 10, 2017 following an investigation by By-law Enforcement staff, of the unauthorized truck park facility and vehicle storage taking place on-site, and after charges were sworn in court in relation to the owner's use of the property.
- After the owner failed to respond, By-laws & Licensing Division staff recommended formal charges against the owner for operating an unauthorized truck park facility and vehicle storage. This matter is scheduled to be heard in court on May 9, 2017 where the applicant has the opportunity to address these charges. The current TUP application was submitted after formal charges were filed against the owner. As such, the owner seeks to obtain the necessary approvals for the unauthorized land-uses taking place on-site in advance of the upcoming court proceeding on May 9, 2017.
- The adjacent property at 19283 – 28 Avenue is currently under application for a TUP to permit a truck park and industrial laydown facility. The TUP was supported by Council at the Regular Council Land-use Meeting on March 6, 2017 for a period not to exceed 1 year, as part of a larger phased development (Development Application No. 7916-0531-00). This TUP is an interim measure to permit the uses associated with the applicant's transportation business while staff process the rezoning application for an industrial warehouse facility (Development Application No. 7917-0002-00). The 1 year timeline was proposed as a mechanism that would ensure that the proponent of this application is successful in completing Development Application No. 7916-0531-00, inclusive of Rezoning and a Development Permit, that would facilitate the proponent's planned alternate use for the site.

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

- At the Regular Council Meeting on April 18, 2016, Council endorsed the recommendations in Corporate Report R085 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 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 (Resolution No. R16-757).

- 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 rezoning application to "Light Impact Industrial Zone (IL)" and, therefore, may negate the purpose of granting a TUP.

Temporary Use Permit Applications in Campbell Heights

- Recently, staff have taken by-law enforcement action within the Campbell Heights area against numerous other properties with illegal non-conforming and unauthorized businesses, many of which are operating without business licenses, that ultimately resulted in the owner submitting a TUP application.
- The illegal and non-conforming uses occurring throughout Campbell Heights include outdoor storage, outdoor recreational vehicle storage, outdoor passenger vehicle storage, outdoor truck parking as well as outdoor container storage, some of which are associated with unauthorized businesses operating from these locations.
- Five other TUP applications within the Campbell Heights area have been received by staff:
 - Development Application No. 7914-0093-00 to permit an existing unauthorized truck park facility at 19370 – 32 Avenue was referred back to staff on September 8, 2014 and October 3, 2016. The applicant has made a proposal which, in principle, may have merit. However, the fundamental issue for this proposal is whether it is actually feasible to extend services into this area, including the construction of relevant road frontages. Staff are exploring this with the applicant to determine if this is financially viable. Staff support for this proposal would be contingent on determining the viability. It is anticipated that this proposal will be advanced to Council for consideration within the next two months;
 - Development Application No. 7916-0078-00 to allow an existing non-conforming truck park facility at 2957 – 194 Street was referred back to staff on October 3, 2016. This application is expected to be reconsidered by Council at the May 8, 2017 Regular Council – Land-Use Meeting. Staff are recommending this TUP 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); and
 - A map showing the location of all TUP applications in Campbell Heights related to unauthorized and/or non-conforming land-uses is shown in Appendix V.

Current Proposal

- The applicant has proposed a TUP for a period not to exceed three years to allow a truck parking facility with parking for fifty tractor-trailers and six passenger vehicles. In addition, the applicant intends to convert the existing single family dwelling into a caretaker suite with office space and washroom facilities.
- The maximum permitted duration of a TUP, if issued, is three years and includes the potential for a three year renewal period.
- The applicant has expressed an interest in pursuing a commercial development on the subject property but wants to continue operating the existing truck park facility until the commercial development is approved by Council. However, staff have not yet received an application for a commercial development on-site and the applicant is unable to confirm when the commercial development would be submitted to staff for consideration and when, if approved, the development would be ready to commence construction.

Discussion

- The proposed truck park facility is not consistent with the "Commercial" land use designation in the Campbell Heights Local Area Plan (LAP) and does not present a benefit to the surrounding properties or Campbell Heights in general.
- The storage of trucks and trailers is defined as "transportation industry" under the Zoning By-law. This is not a permitted use in the IA Zone and is only permitted under the "Light Impact Industrial Zone (IL)".
- In Campbell Heights, truck parking is not considered an appropriate stand-alone use. Rather, the parking of tractor-trailers is generally associated with large-scale warehouse facilities and distribution centres which include appropriate buildings as well as suitable landscape buffers, proper screening, storm water control and drainage facilities.
- The subject property is part of a small commercial node, consisting of four properties located at the intersection of 28 Avenue and 192 Street, which is designed to serve a large portion of the Campbell Heights area. The other commercial node is located at 20 Avenue and 192 Street. As such, the subject property is considered important in terms of providing for commercial floor space and, therefore, integral to the future success of the Campbell Heights Local Area Plan.
- Approval of this application will likely lead to other similar temporary use proposals in Campbell Heights that are inconsistent with the adopted Local Area Plan and the pattern of development, which may further stall re-development of the area.
- The existing truck park facility operating on-site has an unfair competitive advantage over other businesses who are in compliance with City by-laws in the City of Surrey.
- Under Corporate Report No. Ro85 which was considered and supported by Council at the April 18, 2016 Regular Council Meeting (Resolution No. R16-757), Council endorsed a number of recommendations 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 park facilities in the City.

PRE-NOTIFICATION

A Development Proposal Sign Letter request was set to the applicant on March 27, 2017. The applicant was unable to install the signs on-site at least two weeks prior to proceeding to Council. Should Council find merit in the proposal, the applicant is required to install the development proposal signs on-site.

Pre-notification letters were mailed to on March 30, 2017. To date, staff have received no responses from property owners within 100 metres (300 ft.) of the subject property.

CONCLUSION

The proposed truck park facility is an unauthorized/non-conforming land-use. There are no imminent plans to develop the site for the intended commercial uses, and as such, the truck parking facility may be in place for a number of years, contrary to the intent of a TUP. As such, 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.

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 Summary
Appendix IV.	Aerial Photo (March, 2016)
Appendix V.	Map of TUP Applications in Campbell Heights

original signed by Ron Hintsche

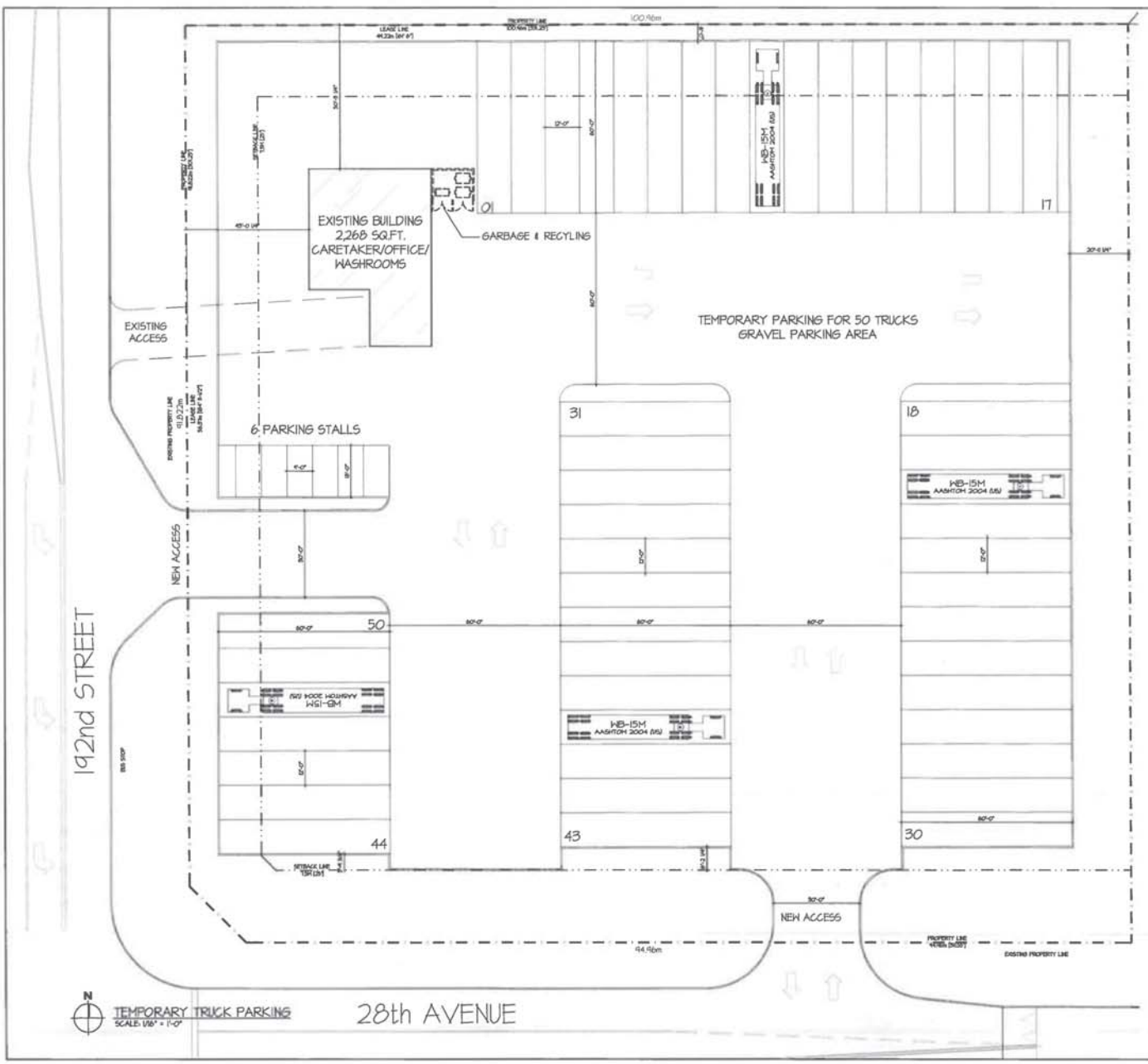
Jean Lamontagne
General Manager
Planning and Development

Information for City Clerk

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

1. (a) Agent: Name: Andrea Scott
 Lovick Scott Architects Ltd.
 Address: 3707 - First Avenue
 Burnaby, BC V5C 3V6

2. Properties involved in the Application
- (a) Civic Address: 2820 - 192 Street
- (b) Civic Address: 2820 - 192 Street
 Owner: Amrik S. Purewal
 Satpal S. Minhas
 PID: 013-942-824
 Lot 1 Section 22 Township 7 New Westminster District Plan 80921



SITE STATISTICS
2820 192ND STREET

LEGAL DESCRIPTION LOT 1, SECTION 22, TOWNSHIP 1, NE-N WESTMINSTER DISTRICT PLAN 80421

EXISTING ZONE IA (AGRO INDUSTRIAL)

SITE AREA 106, 283.1 SQ.FT. (4067.6 SQ.M)

EXISTING BUILDING AREA 2268 SQ.FT. (210.7 SQ.M)

TOTAL PARKING PROVIDED:

TRUCKS	50
CAR	6

SETBACKS	ALLOWED
NORTH	25' (7.62M)
SOUTH	25' (7.62M)
WEST	25' (7.62M)
EAST	0' (0.00M)

EX	REV	DATE	DESCRIPTION

CONTRACTOR SHALL VERIFY ALL DIMENSIONS ON SITE. DRAWING SHALL NOT BE USED.

LOVICK SCOTT ARCHITECTS
3707 1st AVENUE
BURNABY, BRITISH COLUMBIA
V5C 3V6 E-MAIL: admin@lovickscott.com
tel: 604-298-3700 fax: 604-298-6881

Member of the ABC Member of the SAA
Member of the BAC Member of the AAA
Certified Professional Architectural Firm

CONTRACTOR SHALL VERIFY ALL DIMENSIONS ON SITE. DRAWING SHALL NOT BE USED.

DRAWN BY	APPROVED
AT	LSA
PROJECT	
TEMPORARY USE PERMIT	
2820 192ND STREET SURREY, BC	
DRAWING	
TEMPORARY TRUCK PARKING	
PROJECT NUMBER	DRAWING NUMBER
16-02	AS1
SCALE	
1/8" = 1'-0"	
DATE	ISSUED
FEB 2016	MAR 01 2011

Appendix II



TEMPORARY TRUCK PARKING
SCALE 1/8" = 1'-0"

28th AVENUE

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

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

DATE: **May 3, 2017** PROJECT FILE: **7817-0124-00**

RE: **Engineering Requirements (Commercial/Industrial)
Location: 2820-192 Street**

TEMPORARY USE PERMIT

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

Works and Services

- construct 28 Avenue to an interim width of 8.0 metre pavement on 28 Avenue to support truck volumes.
- provide a Geo-technical report on existing 28 Avenue in support of truck volumes.
- provide interim 7.3 metre driveway complete with adequate queuing storage.
- provide sanitary service connections to the proposed office and washroom facilities.
- provide a water service connection to the proposed office and washroom facilities.
- provide Storm Water Control Plan in support of temporary use.
- provide on-site infiltration and water quality treatment for any stormwater run-off from site.
- no truck access to 192 Street under this temporary use permit.

The applicant is advised that the Campbell Heights Land Use Plan area has requirements for stormwater management and onsite exfiltration depending on the location within the LAP. This site is in the area identified to connect into a conventional City drainage system. However, development in this area has not progressed sufficiently to have constructed the necessary downstream system. A TUP truck & trailer park must manage 100% stormwater onsite.

A Servicing Agreement is required prior to Temporary use permit.



Rémi Dubé, P.Eng.
Development Services Manager
LR1



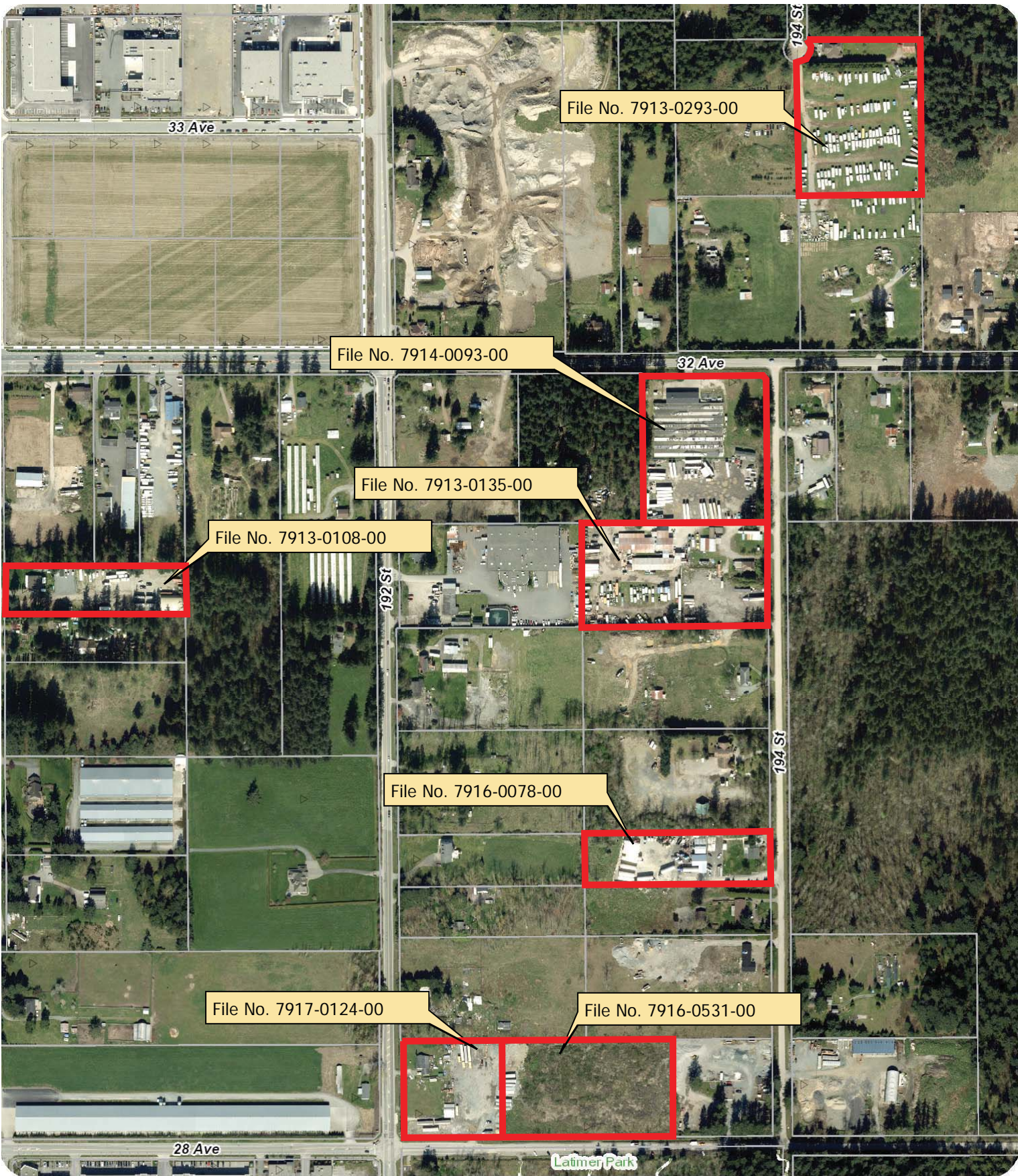
Aerial Photo of 2820 - 192 Street (May, 2016)

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



Scale: 1:825
0 0.005 0.01 0.02 0.05 km

Map created on: 2017-05-04



Enter Map Description

Scale: 1:5,200

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

