

City of Surrey
PLANNING & DEVELOPMENT REPORT

Application No.: 7919-0251-00

Planning Report Date: February 10, 2020

PROPOSAL:

- **Temporary Use Permit**

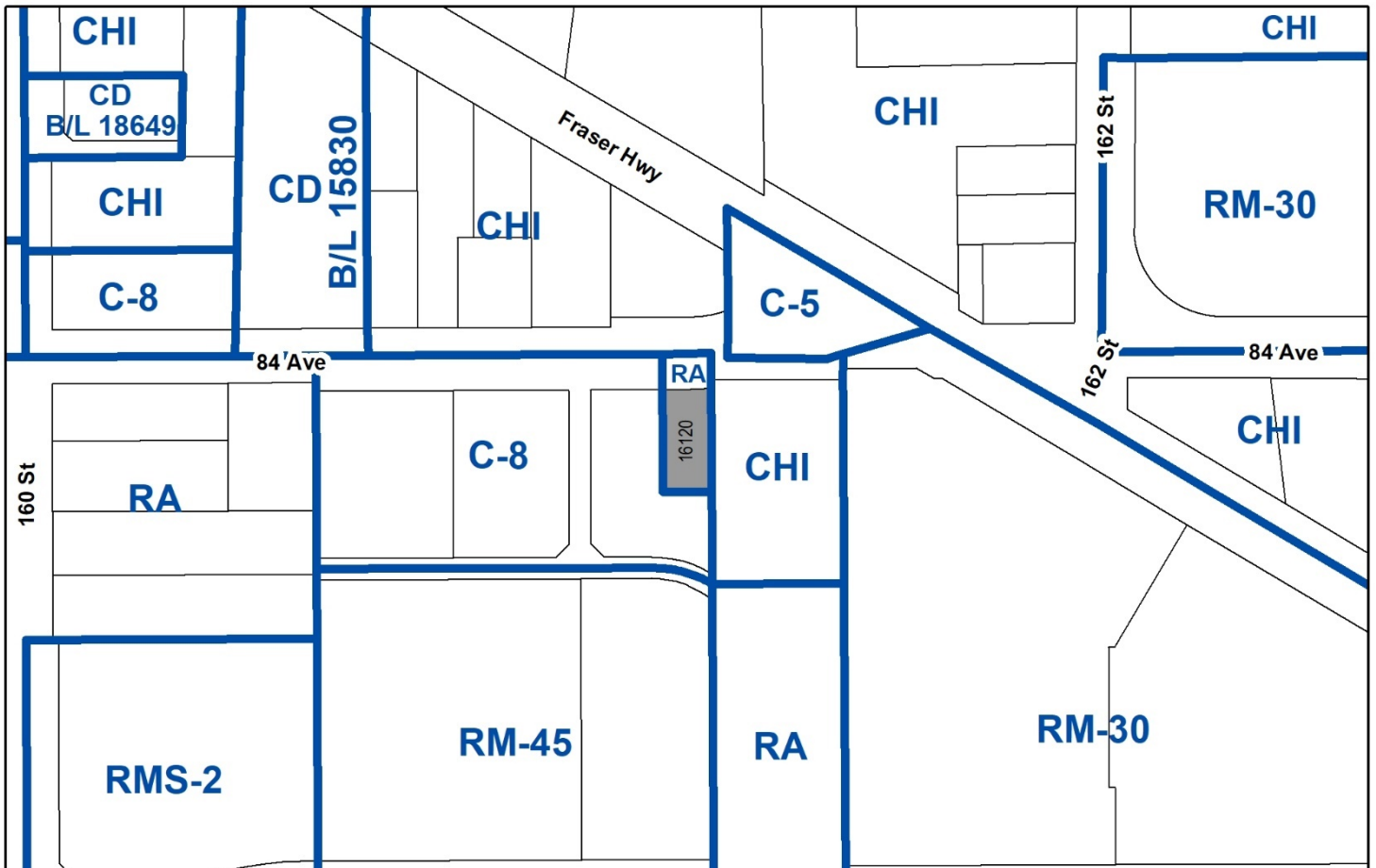
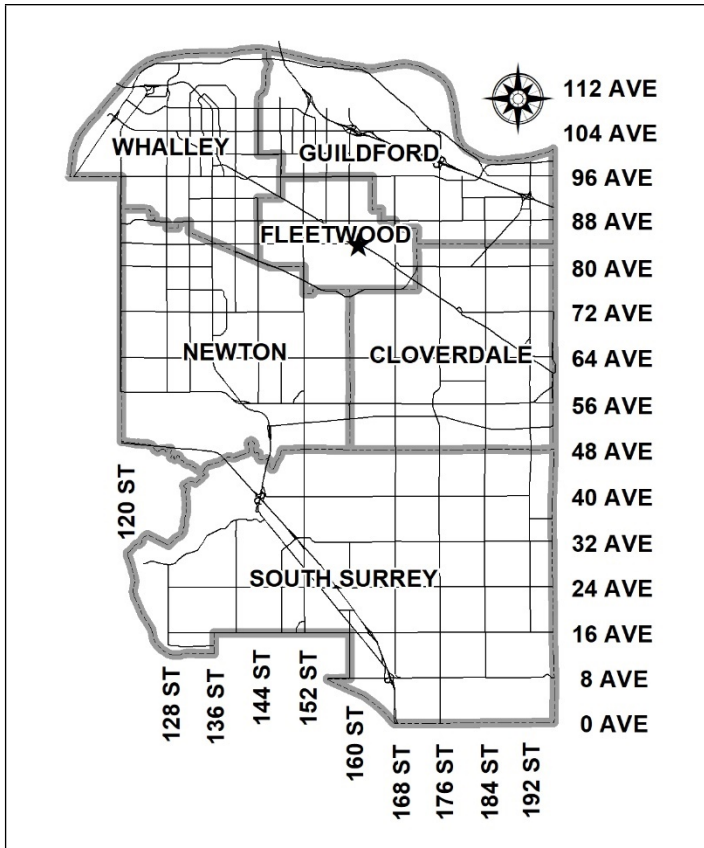
to permit the development of a temporary automotive sales use on the lot for a period not to exceed three (3) years.

LOCATION: 16120 - 84 Avenue

ZONING: RA

OCP DESIGNATION: Town Centre

TCP DESIGNATION: Mixed Use 2.5 FAR 6 Storey Maximum



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.

RATIONALE OF RECOMMENDATION

- The proposed Temporary Use Permit (TUP) will allow a temporary automotive sales centre (modular sales office and associated parking) on the subject site. Staff have been advised that a tenant has not been secured at this time.
- The proposed temporary automotive sales centre is an appropriate interim use of the property, until such time as the site can be consolidated with the adjacent properties and redevelop for higher density as per the OCP and the Fleetwood Town Centre Plan.
- A temporary use will retain the property for land assembly and higher density redevelopment opportunities in the short term.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Temporary User Permit 7919-0251-00 (Appendix IV) to Proceed to Public Notification.
2. Council instruct staff to resolve the following issues prior to final 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 finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect; and
 - (c) installation of Tree Protection Fencing for off-site trees OS-0613 and OS-0606, to the satisfaction of the Planning and Development Department.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP/TCP Designation	Existing Zone
Subject Site	Vacant parcel	Town Centre/Mixed User 2.5 FAR 6 Storey Maximum and Commercial Frontage Required	RA
North (Across 84 Avenue):	Automotive dealership	Town Centre/Mixed User 2.5 FAR 6 Storey Maximum and Commercial Frontage Required	CHI
East:	Two-storey multi-tenant commercial building	Town Centre/Mixed User 2.5 FAR 6 Storey Maximum, Apartment and Medium Density Townhouses and Buffer Within Private Land	CHI & RA
West and South:	Overflow parking lot for three-storey office/commercial building at 16088 – 84 Avenue	Town Centre/Mixed Use 2.5 FAR 6 Storey Maximum	C-8

Context & Background

- The subject property is located on the west side of Fraser Highway, south of 84 Avenue. The site is designated "Town Centre" in the Official Community Plan (OCP) and "Mixed Use FAR 6 Storey Maximum" and "Commercial Frontage Required" in the Stage 1 Fleetwood Town Centre Plan (Stage 1). The property is situated within the core area of Fleetwood Town Centre, planned around the intersection of Fraser Highway and 160 Street.

- In accordance with Council's direction, staff are currently undertaking a comprehensive review of land-use plans along the Fraser Highway Corridor in order to promote walkable and vibrant transit-oriented communities with land-uses and densities that support SkyTrain. As such, the land-uses and densities currently envisioned in Fleetwood Town Centre could potentially be further increased. At present, the necessary background studies are underway and as such staff have not yet provided any recommendations on proposed updated land-uses and/or densities along the Fraser Highway Corridor for Council's consideration.
- Further, staff will undertake a lot consolidation strategy as part of the Stage II planning process for Fleetwood Town Centre: A lot consolidation strategy would ensure that proposed higher densities are achievable by developing lot consolidation recommendations, in particular for lots of varying sizes within the triangular area bounded by Fraser Highway, 160 Street and 84 Avenue.
- The property is approximately 770 square metres (0.19 ac) in area and is zoned "One-Acre Residential (RA) Zone". The site is currently vacant.
- The applicant has previously applied for a Temporary Use Permit on the subject site to allow overflow parking for a nearby automotive dealership (Development Application No. 7916-0697-00). The application was closed at the request of the applicant in February 2017.
- The applicant has also previously applied for a Rezoning and Development Permit to allow development of a two-storey office building with surface parking (Development Application (7917-0383-00). The application was introduced to Council on June 24, 2019, and was referred back to staff as the proposal did not comply with the OCP Town Centre designation nor the Fleetwood Town Centre Plan (Stage 1) designation, and did not align with the OCP policies and guidelines that support higher density, mixed-use developments within Town Centres along frequent transit corridors.
- In the Planning and Development Report for Application No. 7917-0383-00 staff recommended that the applicant consider a temporary use for the subject site for the following reasons:
 - An appropriate temporary land-use on the subject property would allow the owner to realize some interim utility and generate revenue from the property, without significantly investing in the property, until such time as the site can be consolidated with adjacent properties and form part of a higher-density development proposal that supports SkyTrain along Fraser Highway.
 - A temporary use would also retain the property for land assembly and higher density redevelopment in the shorter term, recognizing that neighbouring lands are also currently underutilized (surface parking lots). The financial investment associated with the proposed rezoning and development of a two-storey office building could hinder or preclude these shorter-term higher-density opportunities from being realized.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant is proposing a Temporary Use Permit, to permit a temporary automotive sales centre, consisting of a modular trailer and associated surface parking, on the subject site.
- The current zoning of the site, "One-Acre Residential" (RA), does not permit automotive sales use.
- The applicant proposes to relocate a 24-square metre one-storey trailer to the site, which they currently own, to be used as an office/sales centre. The trailer will require a Temporary Trailer permit through the Building Division and is proposed to connect to water and sanitary services.
- A gravel surface parking lot with spaces for up to 18 vehicles will be provided on site, with a 7 metre drive aisle to accommodate car turning movements and ingress/egress to the site.
- Staff have been advised that the Owner has not secured a tenant for the site at this time.

Policy & Bylaw Considerations

- The proposed temporary use, which is stipulated for a maximum of three (3) years, is an appropriate interim use of the lands, and supports the OCP and the Fleetwood Town Centre Plan by retaining the property for future land assembly and higher density development opportunities.

Referrals

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

Fleetwood Business Improvement Association: No concern.

Fleetwood Community Association: No concern.

PUBLIC ENGAGEMENT

- Pre-notification letters were sent on January 16, 2020, and the Development Proposal Signs were installed on January 20, 2020. Staff received one (1) response from neighbouring residents.

Concern that the business is not a car sales centre, and will include car detailing and repairs which may utilize chemicals not suitable for nearby residential areas.

If supported by Council, the Temporary Use Permit (TUP) will stipulate that the only permitted use will be automotive sales, with a modular office building and surface parking on site. Any other uses, including car detailing and repairs, will not be permitted uses under the TUP.

- The subject development application was reviewed by the Fleetwood Community Association. The Fleetwood Community Association has no concern with the project, as the use is temporary, and the lands will be redeveloped in the future.

TREES

- Cody Laschowski, ISA Certified Arborist of Diamond Head Consulting prepared an Arborist Assessment for the subject property, and a corresponding Tree Retention and Removal Plan (Appendix III).
- The Arborist Report states that there is one (1) By-law sized tree on site, which is dead. Therefore, there are no By-law sized trees on site.
- There are 14 privately owned off-site trees within 4 metres of the west and south property lines. Two (2) off-site trees (OS-0613 and OS-0606) have protection zones (TPZ) that extend into the subject site. Tree Protection Fencing is required for trees OS-0613 and OS-0606 for the duration of the Temporary Use Permit and are required to be installed prior to issuance of the Temporary Use Permit.
- In accordance with Part 10 (66) of Surrey's Tree By-law, site disturbance within the tree protection zone (TPZ) is prohibited, including, but not limited to: site grading, deposition or storage of soil or any other material, and access by vehicular traffic of heavy equipment.
- The applicant proposes removal of the City tree (No. 0615) along 84 Avenue, which is in poor condition and appears to be within limiting distance of power lines. Parks has reviewed the Diamond Head Arborist Report, dated February 26, 2019, and can accept the proposed removal of City tree No.0615 to accommodate the proposed site layout. City tree No.0615 is required to be removed at the cost of the applicant. A 2:1 compensation fee for replacement of City trees is required, as a condition of Temporary Use Permit issuance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Site Plan
- Appendix II. Engineering Summary
- Appendix III. Tree Retention and Removal Plan
- Appendix IV. Temporary Use Permit No. 7919-0251-00

approved by Ron Gill

Jean Lamontagne
General Manager
Planning and Development

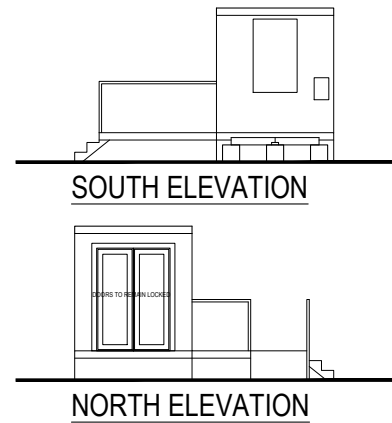
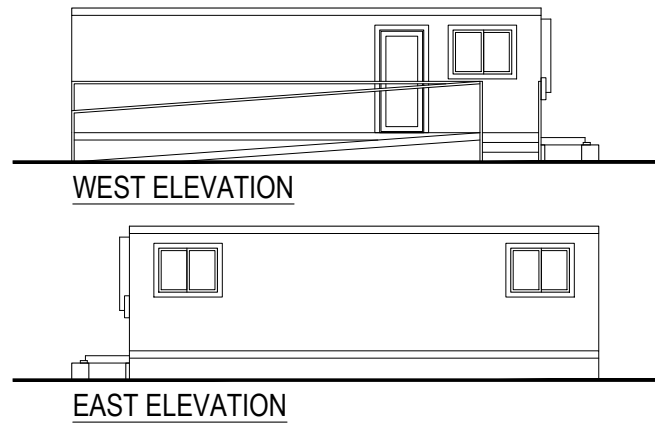
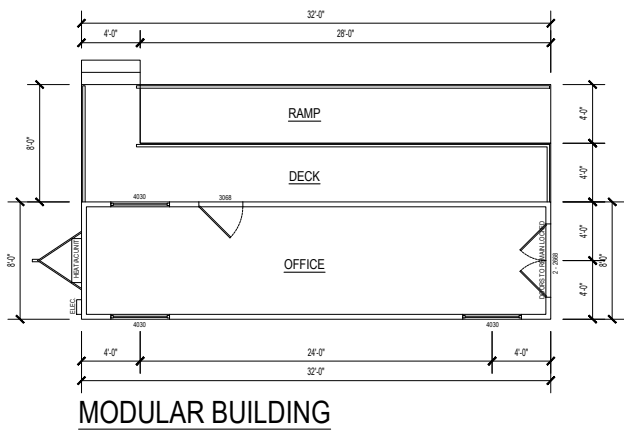
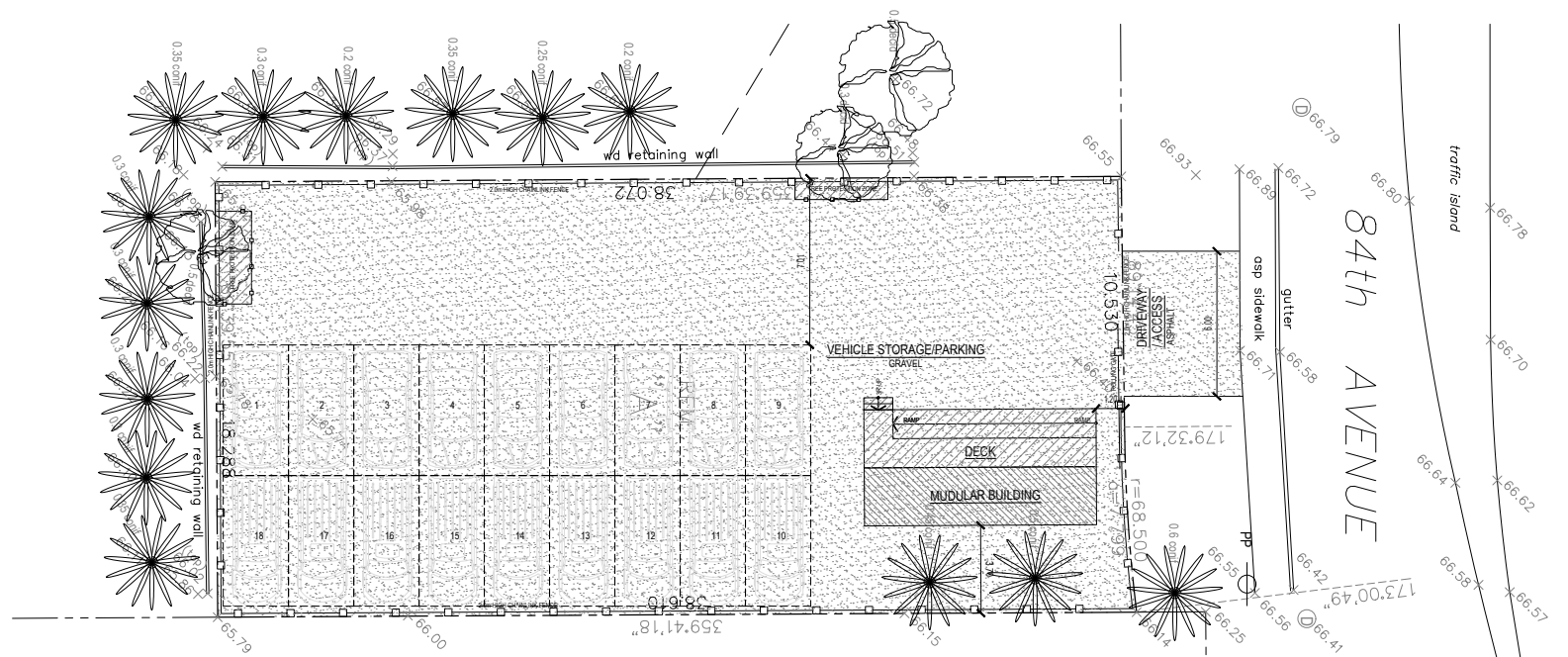
SC/cm



14658 - 84 AVENUE
SURREY, BC
V3S 9K7
t: 6045971838
f: 6045971350
dmand@telus.net
www.dmanddesign.com

THESE PLANS CONFORM TO BCBC 2018 CONSTRUCTION SHALL COMPLY WITH THESE PLANS AND LOCAL BUILDING BY-LAWS.
CONTRACTOR SHALL CONFIRM ALL DIMENSIONS PRIOR TO START OF CONSTRUCTION.
THE DESIGNER ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THESE PLANS. IT IS THE BUILDER/OWNER RESPONSIBILITY TO REVIEW AND VERIFY ALL LEVELS, DIMENSIONS AND STRUCTURAL APPLICANCES PRIOR TO CONSTRUCTION.
DO NOT SCALE DRAWINGS
**BUILDERS NOTES:
THE OWNER/BUYER IS AWARE THAT FLOORS, WINDOWS AND BUILDING ELEVATIONS MAY VARY DUE TO SITE CONDITIONS.
SQUARE FOOTAGE SHOWN ARE APPROXIMATE
THE BUILDER RESERVES RIGHT TO MAKE ON GOING CHANGES AND ADJUSTMENTS
FINAL HOME DESIGN AND MEASUREMENTS MAY NOT MATCH AS PER PLANS
IN ORDER TO COMPLY WITH BYLAWS, BUILDING CODES AND SITE CONDITIONS, THESE PLANS ARE SUBJECT TO CHANGE WITHOUT NOTICE TO CLIENT/BUILDER.

JOB DESCRIPTION:
TEMPORARY USE PERMIT - CAR LOT
ADDRESS:
16120 84 AVE
SURREY, BC
LEGAL DESCRIPTION:
PCL "A" (RP 11879) EXCEPT PT ON PLAN BCP13051 W 1/2 LOT 3 SECTION 25 TOWNSHIP 2 NEW WESTMINSTER DISTRICT PLAN 2425
PID: 012-703-133
FOLIO: 6252-90007-2
CLIENT:
**DREAMSTAR HOMES
SWARN JOHAL
(778) 881-7255**
DATE: NOV. 29/19
SCALE: 1/4" = 1'-0" (UND)
DRAWN: D.M. CHECKED: D.M.
1
OF 1



INTER-OFFICE MEMO

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

FROM: **Development Engineer, Engineering Department**

DATE: **Feb 03, 2020**

PROJECT FILE: **7819-0251-00**

RE: **Engineering Requirements
Location: 16120 84 Avenue**

TEMPORARY USE PERMIT

The following are the requirements of the proposed Temporary Use Permit for a car sales centre that can be addressed prior to the issuance of the Building Permit:

- Construct 7.3 m wide asphalt driveway letdown, and a 6.0 m long asphalt apron south of property line.
- Ensure all City trees are protected and shown on the key plan, subject to Parks review.
- Provide new metered water, storm and sanitary connections if applicable. Submit video report to confirm adequacy if existing sanitary connection can be utilized.
- Provide on-site stormwater mitigation and water quality/sediment control. Ensure no runoff enters neighbouring private/City lands. Register a restrictive covenant for water quality/sediment control maintenance.
- Submit updated key plan and stormwater control plan, which will be reviewed through the Building Permit review Process.

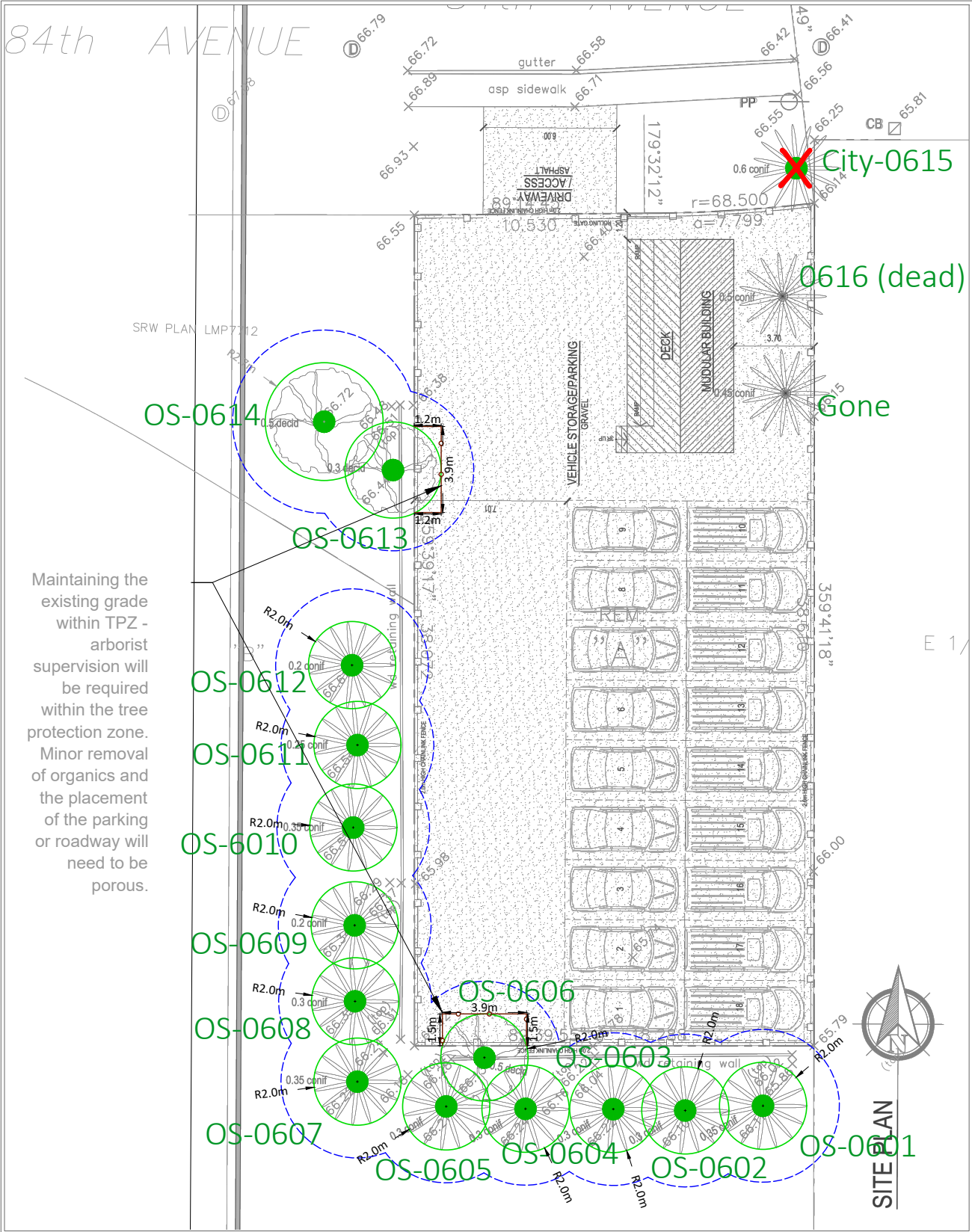
A Servicing Agreement is not required. It should be note that works and services will be triggered through future development of the site.

A processing fee of \$1,674.75 (GST included) is required to administer the required legal documents. City crews will install the water service, while the remaining applicable service connections and driveway can be constructed subject to issuance of a City Road and Right-of-Way Permit obtainable at the Engineering Counter upon payment of securities and all associated permit fees.



Jeff Pang, P.Eng.
Development Engineer

DJS



Maintaining the existing grade within TPZ - arborist supervision will be required within the tree protection zone. Minor removal of organics and the placement of the parking or roadway will need to be porous.

LEGEND	CRITICAL ROOT ZONE	NO BUILD ZONE	UN-SURVEYED TREE TO BE RETAINED	REFERENCE DRAWINGS
	TREE PROTECTION ZONE AND FENCING	SURVEYED TREE TO BE RETAINED	TREE TO BE REMOVED	

- NOTES
- The location of un-surveyed trees on this plan is approximate. Their location and ownership cannot be confirmed without being surveyed by a Registered BC Land Surveyor.
 - All tree protection fencing must be built to the relevant municipal bylaw specifications. The dimensions shown are from the outer edge of the stem of the tree.
 - The tree protection zone shown is a graphical representation of the critical root zone, measured from the outer edge of the stem of the tree. (1/2 the trees diameter was added to the graphical tree protection circles to accommodate the survey point being in the center of the tree)
 - No work is permitted within the Tree Protection Zone with the exception of swales. Swale construction is only permitted under the direct supervision of an arborist.
 - The 1.5m area No Build Zone does not allow for any building foundation wall encroachment. Excavation is permitted within this area under the direct supervision of an arborist.
 - Drainage works such as lawn basins, associated piping or services are permitted within the No Build Zone under the direct supervision of an arborist.
 - This plan is based on a topographic and tree location survey provided by the owners' Registered British Columbia Land Surveyor (BCLS) and layout drawings provide by the owners' Engineer (P Eng).
 - This plan is provided for context only, and is not certified as to the accuracy of the location of features or dimensions that are shown on this plan. Please refer to the original survey plan and engineering plans.



3559 COMMERCIAL STREET
VANCOUVER BC | V5N 4E8
T 604.733.4886 | F 604.733.4879

Drawing title: Tree Management Plan
Project address: 16120 84th Avenue, Surrey
Client: Dream Star

Drawing No: 001
Date: 2019/12/17
Drawn by: CL
Page Size: TABLOID 11"x17"

CITY OF SURREY

(the "City")

TEMPORARY USE PERMIT

NO.: 7919-0251-00

Issued To:

Address of Owner:

Issued To:

Address of Owner:

Issued To:

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: 012-703-133

Parcel "A" (Reference Plan 11879 Except; Part on Plan BCP13051 West Half Lot 3 Section 25 Township 2 New Westminster District Plan 2425

16120 - 84 Avenue

(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 an automotive sales use, including both new and used cars, comprised of a modular building (trailer) and surface parking for up to 18 cars, as shown in Schedule A.

5. The temporary use permitted on the Land shall be in accordance with the following:
 - (a) The appearance and location of the buildings, access and parking shall be as shown on Schedule A which is attached hereto and forms part of this permit.
 - (b) The modular building (trailer) shall be located 1.2 metres from the front (north) property line, as shown on Schedule A.
 - (c) Repair and service of any vehicles is prohibited on the Lot.
 - (d) The location of Tree Protection Fencing shall be as shown on Schedule B which is attached hereto and forms of this permit.

6. The temporary use shall be carried out according to the following conditions:
 - (a) The Tree Protection Fencing as shown on Schedule B shall be on site for the duration of the temporary use.

7. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this temporary use permit. This temporary use permit is not a building permit.

8. An undertaking submitted by the Owner is attached hereto as Appendix I and forms part of this temporary use permit.

9. This temporary use permit is not transferable.

10. 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 – Doug McCallum

City Clerk – Jennifer Ficocelli

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.

Owner: Signature

Name: (Please Print)

TO THE CITY OF SURREY:

I, _____ (Name of Owner)

being the owner of _____
(Legal Description)

known as _____
(Civic Address)

hereby undertake 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 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)

(Witness)



14658 - 84 AVENUE
SURREY, BC
V3S 9K7
t: 6045971838
f: 6045971350
dmand@telus.net
www.dmanddesign.com

THESE PLANS CONFORM TO BCBC 2018 CONSTRUCTION SHALL COMPLY WITH THESE PLANS AND LOCAL BUILDING BY-LAWS.
CONTRACTOR SHALL CONFIRM ALL DIMENSIONS PRIOR TO START OF CONSTRUCTION.
THE DESIGNER ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THESE PLANS. IT IS THE BUILDER/OWNER RESPONSIBILITY TO REVIEW AND VERIFY ALL LEVELS, DIMENSIONS AND STRUCTURAL APPLICABILITIES PRIOR TO CONSTRUCTION.
DO NOT SCALE DRAWINGS
**BUILDERS NOTES:
THE OWNER/BUYER IS AWARE THAT FLOORS, WINDOWS AND BUILDING ELEVATIONS MAY VARY DUE TO SITE CONDITIONS.
SQUARE FOOTAGE SHOWN ARE APPROXIMATE
THE BUILDER RESERVES RIGHT TO MAKE ON GOING CHANGES AND ADJUSTMENTS
FINAL HOME DESIGN AND MEASUREMENTS MAY NOT MATCH AS PER PLANS
IN ORDER TO COMPLY WITH BYLAWS, BUILDING CODES AND SITE CONDITIONS, THESE PLANS ARE SUBJECT TO CHANGE WITHOUT NOTICE TO CLIENT/BUILDER.

JOB DESCRIPTION:
TEMPORARY USE PERMIT - CAR LOT

ADDRESS:
**16120 84 AVE
SURREY, BC**

LEGAL DESCRIPTION:
PCL "A" (RP 11879) EXCEPT, PT ON PLAN BCP13051 W 1/2 LOT 3 SECTION 25 TOWNSHIP 2 NEW WESTMINSTER DISTRICT PLAN 2425

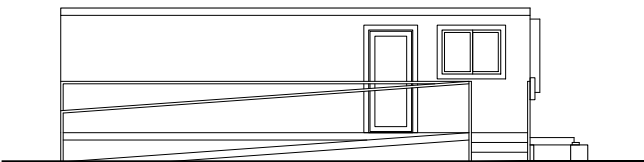
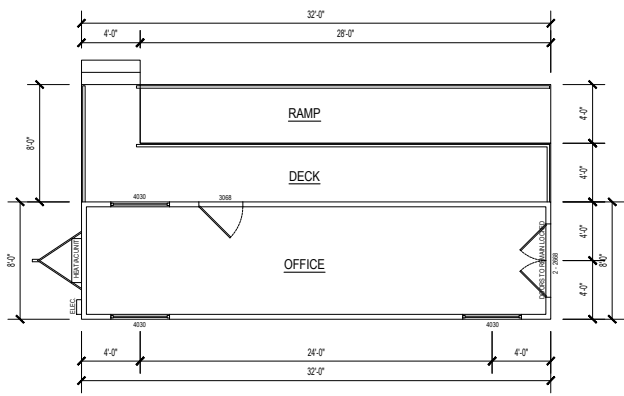
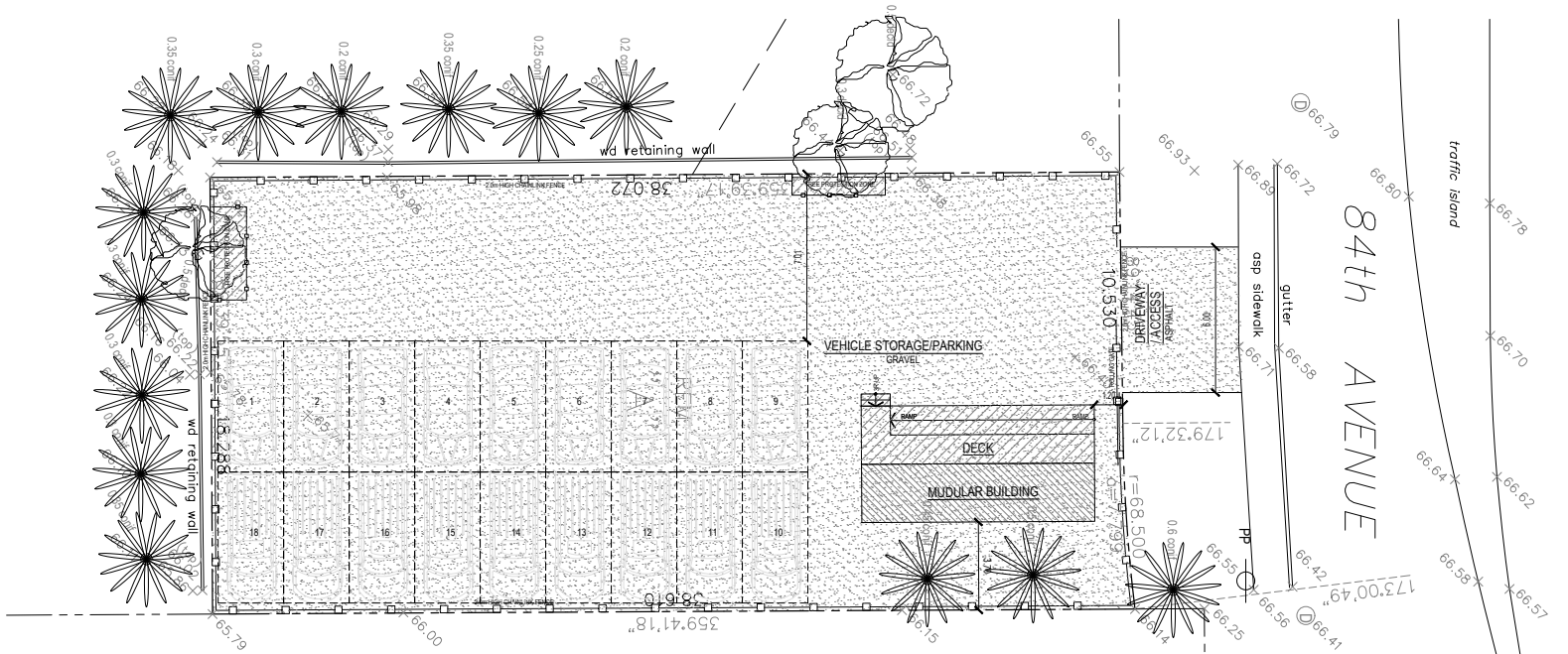
PID: 012-703-133
FOLIO: 6252-90007-2

CLIENT:
**DREAMSTAR HOMES
SWARN JOHAL
(778) 881-7255**

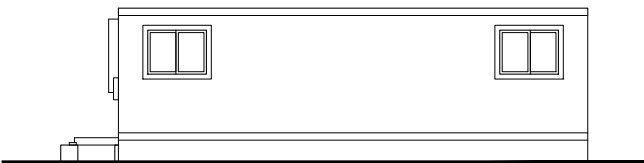
DATE: **NOV. 29/19**

SCALE: **1/4" = 1'-0" (UND)**

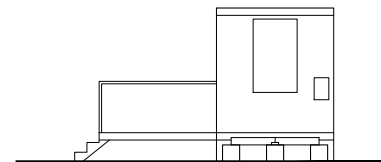
DRAWN: **D.M.** CHECKED: **D.M.**



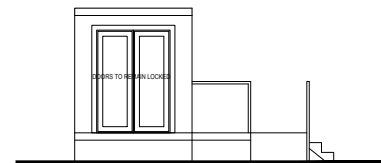
WEST ELEVATION



EAST ELEVATION



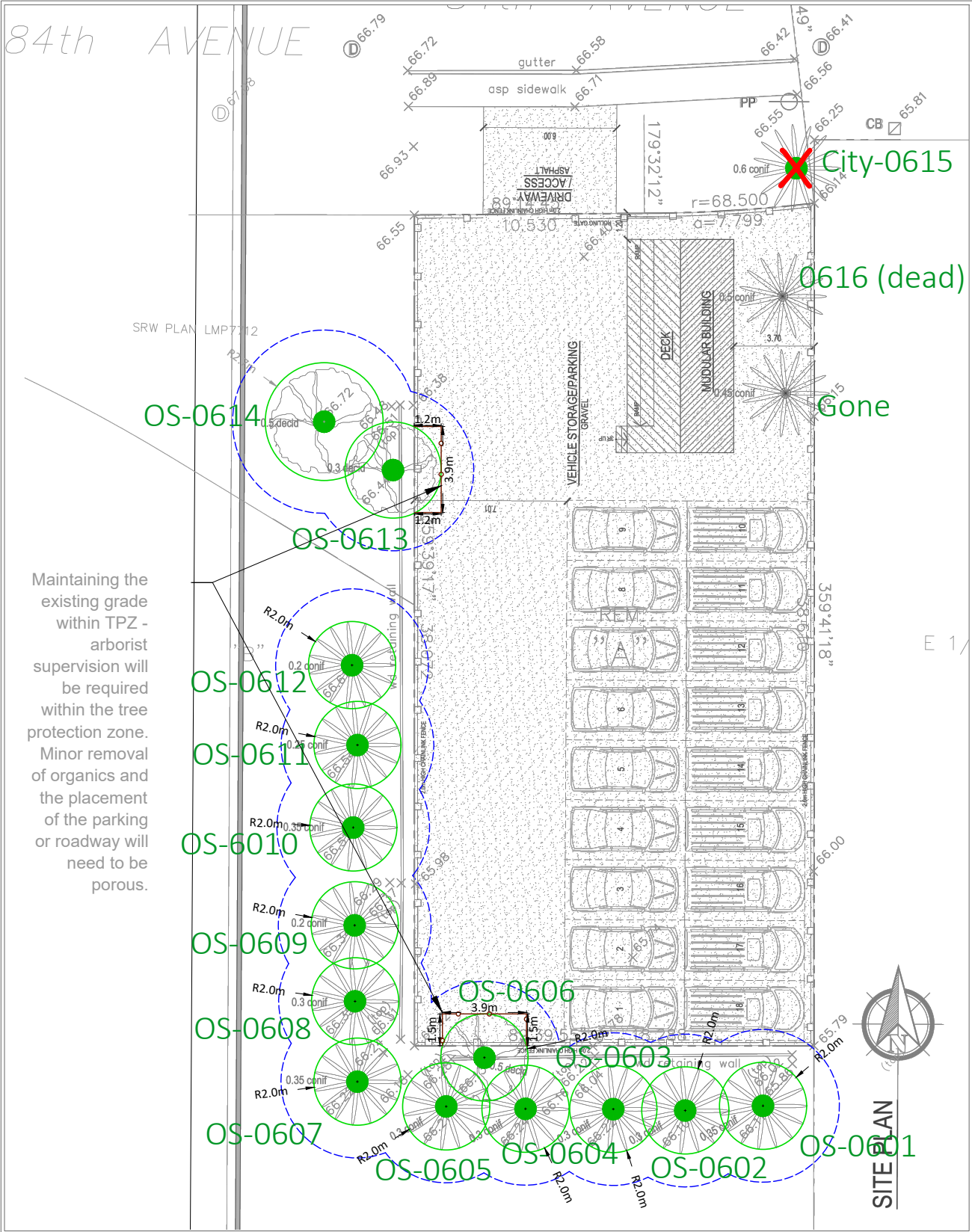
SOUTH ELEVATION



NORTH ELEVATION

MODULAR BUILDING

84th AVENUE



Maintaining the existing grade within TPZ - arborist supervision will be required within the tree protection zone. Minor removal of organics and the placement of the parking or roadway will need to be porous.



SITE PLAN

<p>LEGEND</p> <ul style="list-style-type: none"> — CRITICAL ROOT ZONE --- NO BUILD ZONE ● UN-SURVEYED TREE TO BE RETAINED ○ TREE PROTECTION ZONE AND FENCING ● SURVEYED TREE TO BE RETAINED ✗ TREE TO BE REMOVED 	<p>REFERENCE DRAWINGS</p> <ol style="list-style-type: none"> Base Survey by:
--	---

- NOTES
- The location of un-surveyed trees on this plan is approximate. Their location and ownership cannot be confirmed without being surveyed by a Registered BC Land Surveyor.
 - All tree protection fencing must be built to the relevant municipal bylaw specifications. The dimensions shown are from the outer edge of the stem of the tree.
 - The tree protection zone shown is a graphical representation of the critical root zone, measured from the outer edge of the stem of the tree. (½ the trees diameter was added to the graphical tree protection circles to accommodate the survey point being in the center of the tree)
 - No work is permitted within the Tree Protection Zone with the exception of swales. Swale construction is only permitted under the direct supervision of an arborist.
 - The 1.5m area No Build Zone does not allow for any building foundation wall encroachment. Excavation is permitted within this area under the direct supervision of an arborist.
 - Drainage works such as lawn basins, associated piping or services are permitted within the No Build Zone under the direct supervision of an arborist.
 - This plan is based on a topographic and tree location survey provided by the owners' Registered British Columbia Land Surveyor (BCLS) and layout drawings provide by the owners' Engineer (P Eng).
 - This plan is provided for context only, and is not certified as to the accuracy of the location of features or dimensions that are shown on this plan. Please refer to the original survey plan and engineering plans.



3559 COMMERCIAL STREET
VANCOUVER BC | V5N 4E8
T 604.733.4886 | F 604.733.4879

Drawing title: Tree Management Plan
Project address: 16120 84th Avenue, Surrey
Client: Dream Star

Drawing No: 001
Date: 2019/12/17
Drawn by: CL
Page Size: TABLOID 11"x17"

Page #
1 of 1