

City of Surrey  
**ADDITIONAL PLANNING COMMENTS**

Application No.: 7919-0309-00

Planning Report Date: February 10, 2020

**PROPOSAL:**

- **Temporary Use Permit**

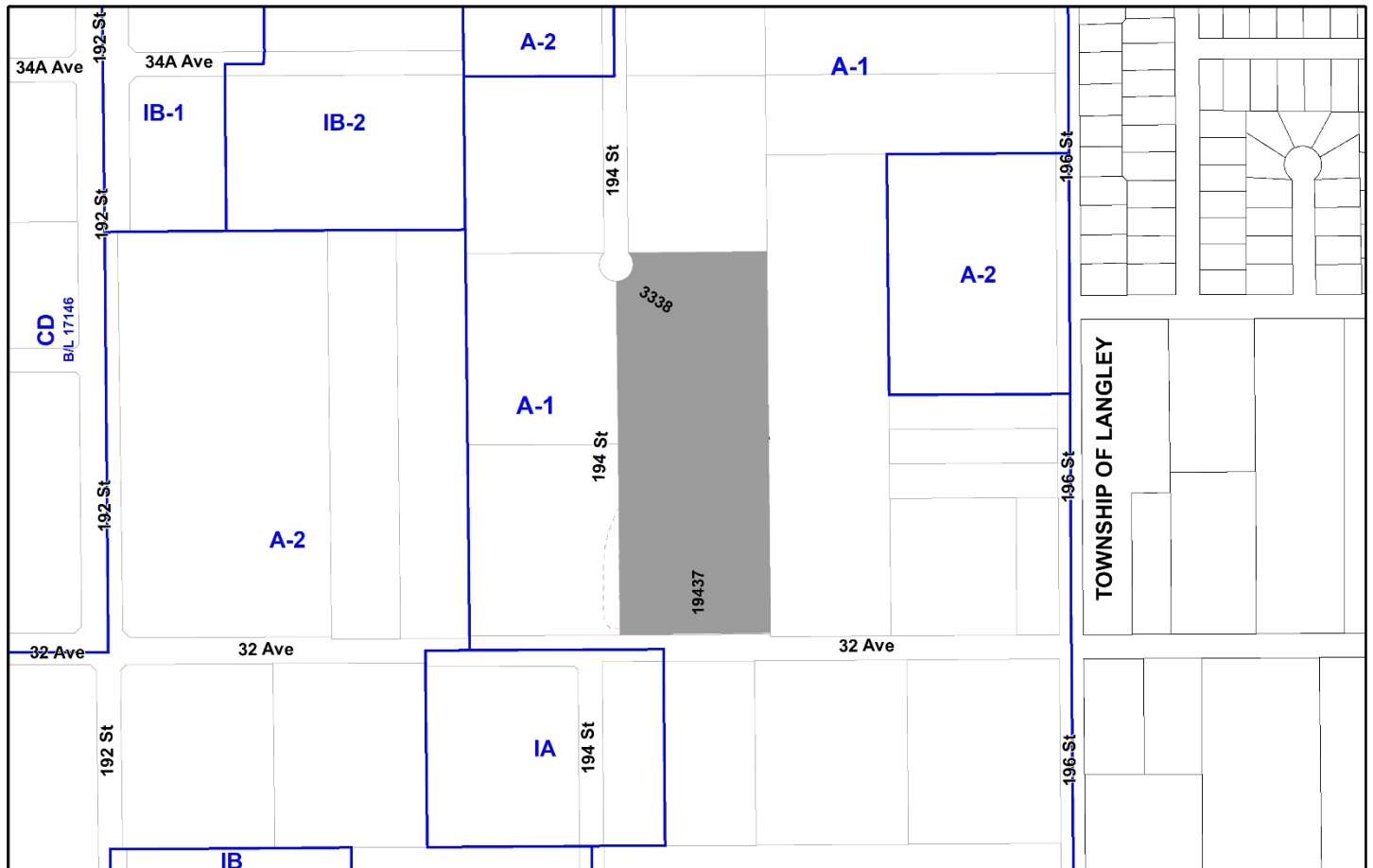
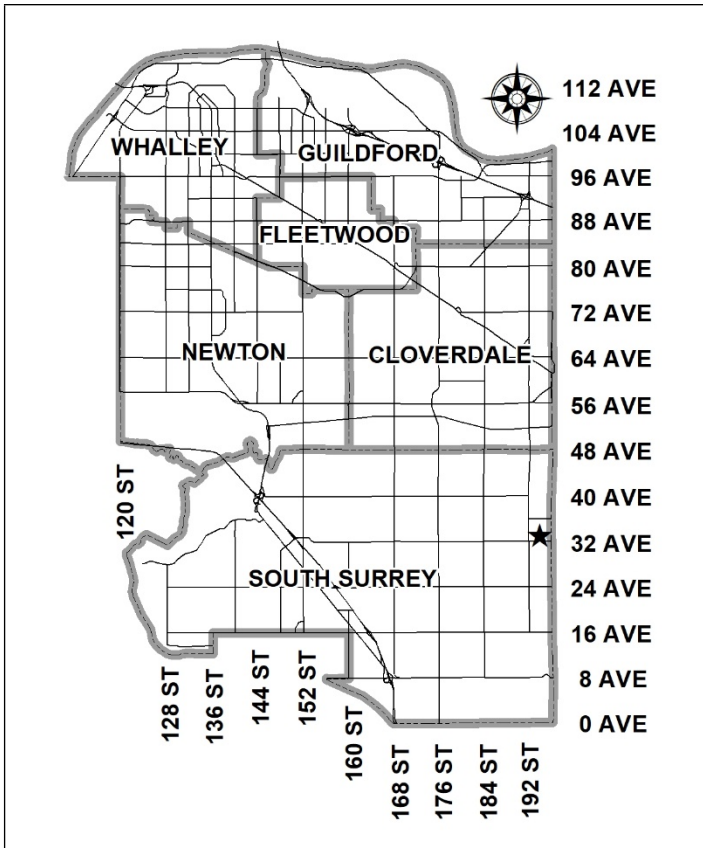
to permit the continued operation of an unauthorized truck parking facility and outdoor storage of cargo equipment for a period not to exceed 1 year.

**LOCATION:** 19437 - 32 Avenue  
 3338 - 194 Street

**ZONING:** A-1

**OCP DESIGNATION:** Mixed Employment

**LAP DESIGNATION:** Business Park and Landscaping Strips



**RECOMMENDATION SUMMARY**

- Approval of Temporary Use Permit No. 7919-0309-00 for a period not to exceed one year to proceed to Public Notification.

**DEVIATION FROM PLANS, POLICIES OR REGULATIONS**

- The proposed truck parking facility and outdoor storage of cargo equipment does not comply with the "General Agriculture Zone (A-1)" or the Business Park & Landscaping Strips land use designation in the Campbell Heights Local Area Plan.

**RATIONALE OF RECOMMENDATION**

- An unauthorized truck parking facility is currently operating on the subject properties. A Temporary Use Permit (TUP) application was submitted on November 4, 2019.
- At the December 2, 2019 Regular Council – Land Use Meeting, Council referred Development Application No. 7919-0309-00 (the subject application) back to staff to work with the applicant on the requirements to be met in order to support a Temporary Use Permit.
- This report outlines the requirements the applicant must meet in order for Council to issue a Temporary Use Permit for a period not to exceed one year from the date of this report.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Temporary Use Permit No. 7919-0309-00 (Appendix III) to proceed to Public Notification.
2. Council instruct staff to resolve the following issues by May 1, 2020 to facilitate issuance of the Temporary Use Permit:
  - (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) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department;
  - (c) the applicant pay all fines and permit fees associated with unauthorized removal of on-site, off-site, and City trees;
  - (d) the applicant satisfy the deficiency in tree replacement on the site, to the satisfaction of the Planning and Development Department;
  - (e) the applicant pay all Municipal Ticket Information (MTI) fines associated with the unauthorized importing of fill onto the subject site; and
  - (f) remediation of the site to the satisfaction of the Planning and Development Department.

## Context & Background

- The current Development Application No. 7919-0309-00 was submitted in November of 2019 at the direction of staff following an investigation by By-law Enforcement staff.
- At the December 2, 2019 Regular Council – Land Use Meeting, staff forwarded Planning Report No. 7919-0309-00 (Appendix IV) to Council for the TUP to permit a truck parking facility and outdoor storage of cargo equipment.
- At the December 2, 2019 meeting, Council referred the TUP application back to staff to work with the applicant on the requirements to be resolved in order to support a Temporary Use Permit.
- This report outlines the requirements the applicant must meet in order for Council to issue a Temporary Use Permit for a period not to exceed one year from the date of this report.

## DEVELOPMENT PROPOSAL

### Planning Considerations

- The applicant, Seven Horses Transport Ltd. ("Seven Horses"), has proposed a TUP for a period not to exceed one year to allow a truck parking facility and outdoor storage of cargo equipment.
- Seven Horses wishes to utilize the subject site for the temporary uses specified below for a period not to exceed one year, with the intention of moving into the future warehouse building that is proposed on the site under Development Application No. 7917-0529-00.
- Seven Horses has a fleet of 50 trucks. The temporary truck parking, loading and unloading will consist of the following at any given time:
  - 5-10 trucks parked overnight;
  - 5-6 specialized truck trailers parking on-site; and
  - 6-7 loaded truck trailers awaiting departure.
- Materials to be stored on the site include:
  - Rebar;
  - H-Beams;
  - Lumber;
  - Steel plates;
  - Steel coils; and
  - Pipes.
- The applicant estimates that approximately 1.2 hectares of the site will be used for truck trailer storage, while approximately 1.6 hectares of the site will be used for material storage.

	Proposed
<b>Lot Area</b>	
Gross Site Area:	3.9 hectares
Road Dedication:	n/a
Undevelopable Area:	n/a
Net Site Area:	3.9 hectares
<b>Number of Lots:</b>	2

### Referrals

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

## Transportation Considerations

- To serve the needs of the truck parking facility the site is to be accessed via 32 Avenue and 194 Street. The access points will be upgraded to meet minimum driveway design criteria for the City. Access onto 32 Avenue will be restricted to right-in/right-out.

## Temporary Use Permits for Truck Parking in Campbell Heights

- The subject site is 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 the Zoning By-law.
- The subject site is also within the catchment area identified to be serviced by the Latimer Lake Storm Water Detention Facility. Completion of a Storm Water Management Plan and modifications to the Latimer Lake facility are required before any development within this catchment can proceed. It is estimated that this could take another one to two years to complete.
- Approval of this application may 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 hinder the desired Business Park development of the area as well as the delivery of the required upgrades to the Latimer Lake Storm Water Detention Facility.
- The applicant is advised that the Campbell Heights Local Area Plan (LAP) has requirements for stormwater management and onsite infiltration depending on the location within the LAP. The drainage design for the temporary truck parking must meet the requirements of the Kerr Wood Leidal (KWL) report dated November 20, 2019 and confirmed by KWL that the design meets the objectives.

## Temporary Use Permit Requirements

- In accordance with Council's direction in supporting the TUP in principle, staff have identified the following items to be resolved prior to the issuance of a Temporary Use Permit.
  1. Carry out the demolition under Demolition Permit 2018-062199-000-00 and receive Final Acceptance of demolition;
  2. Pay Municipal Ticket Information (MTI) fines associated with the unauthorized importing of fill onto the properties;
  3. Pay fines and fees for the unauthorized removal of on-site, off-site, and City trees;
  4. Provide a Geotechnical Report on existing 32 Avenue in support of increased truck volumes;
  5. Restore ditch on north and south side of 32 Avenue and provide interim minimum 7.3 metre driveway complete with adequate queuing storage;

6. Provide on-site and off-site civil drawings, Erosion Sediment Control Plan, Grading Plan and Storm Water Control Plan in support of temporary use and design truck park site plan meeting the requirements of the KWL Report, dated November 20, 2019;
  7. Register the following legal documents:
    - a. Restrictive Covenant for right in/right out access only;
    - b. Access Easement over both properties to allow access between 3338 - 194 Street and 19437 - 32 Avenue; and
    - c. Restrictive Covenant for Water Quality Control.
- Since the application was first presented to Council on December 2, 2019, staff have been working with the applicant on some of these requirements. Staff are of the view that the applicant should be able to complete these requirements on or before May 1, 2020. After May 1, 2020, staff will report back to Council on the status of each requirement and, if all items are completed, recommend that Council issue the TUP. If these requirements are not completed, staff will seek further direction from Council on how to proceed.
  - Given Council's support for the one-year term for the TUP, and the fact that the temporary use has already been established for over six months on the subject site, the TUP should not extend beyond one year from the date of this report (i.e., February 10, 2021).
  - Following the one year term for the TUP, the applicant will be required to restore the site back to its original condition as a "General Agriculture Zone (A-1)" property.

## PUBLIC ENGAGEMENT

- Pre-notification letters were sent on November 7, 2019 to 59 properties within 100 metres and the Development Proposal Signs were installed on November 13, 2019. Staff received one response (*staff comments in italics*).
- One resident expressed concerns that truck traffic is utilizing 194 Street to avoid traffic on 192 Street. The truck traffic has negatively impacted the condition of the pavement on 194 Street and speeding trucks have a detrimental impact to the livability of existing residents on this street.

*(The properties on 194 Street are designated "Business Park" in the Campbell Heights Local Area Plan and will in the future accommodate industrial business park buildings. In the meantime, staff have notified Engineering Operations to investigate and repair potholes on 194 Street as needed.*

*A heavy truck is allowed to travel on roads not identified as a truck route, provided those roads are along the shortest route from the truck route to its destination and vice versa. By-laws has been notified of the concerns and will investigate for any trucks that may not legitimately be using 194 Street as the shortest route to their destination. The Engineering Department has also reviewed the speed limit of 50 km/h on 194 Street, and has deemed it to be appropriate, using the national guidelines by the Transportation Association of Canada. Regarding 192 Street and 32 Avenue, the Engineering Department is reviewing the geometry of the intersection and truck turning movements to determine if any improvements are required).*

**CONCLUSION**

- The existing truck parking and outdoor cargo storage facility is an unauthorized/non-conforming land use. At its December 2, 2019 Regular Council – Land Use Meeting, Council directed staff to work with the applicant to determine the requirements in order for a TUP to be supported. Accordingly, once the applicant completes the requirements outlined in this report staff will bring the application forward to Council to issue the TUP. All conditions of approval should be met by May 1, 2020, as outlined in this report. Whether or not the conditions as outlined in this report are met, the TUP should not extend beyond one year from the date of this report (February 10, 2021).

**INFORMATION ATTACHED TO THIS REPORT**

The following information is attached to this Report:

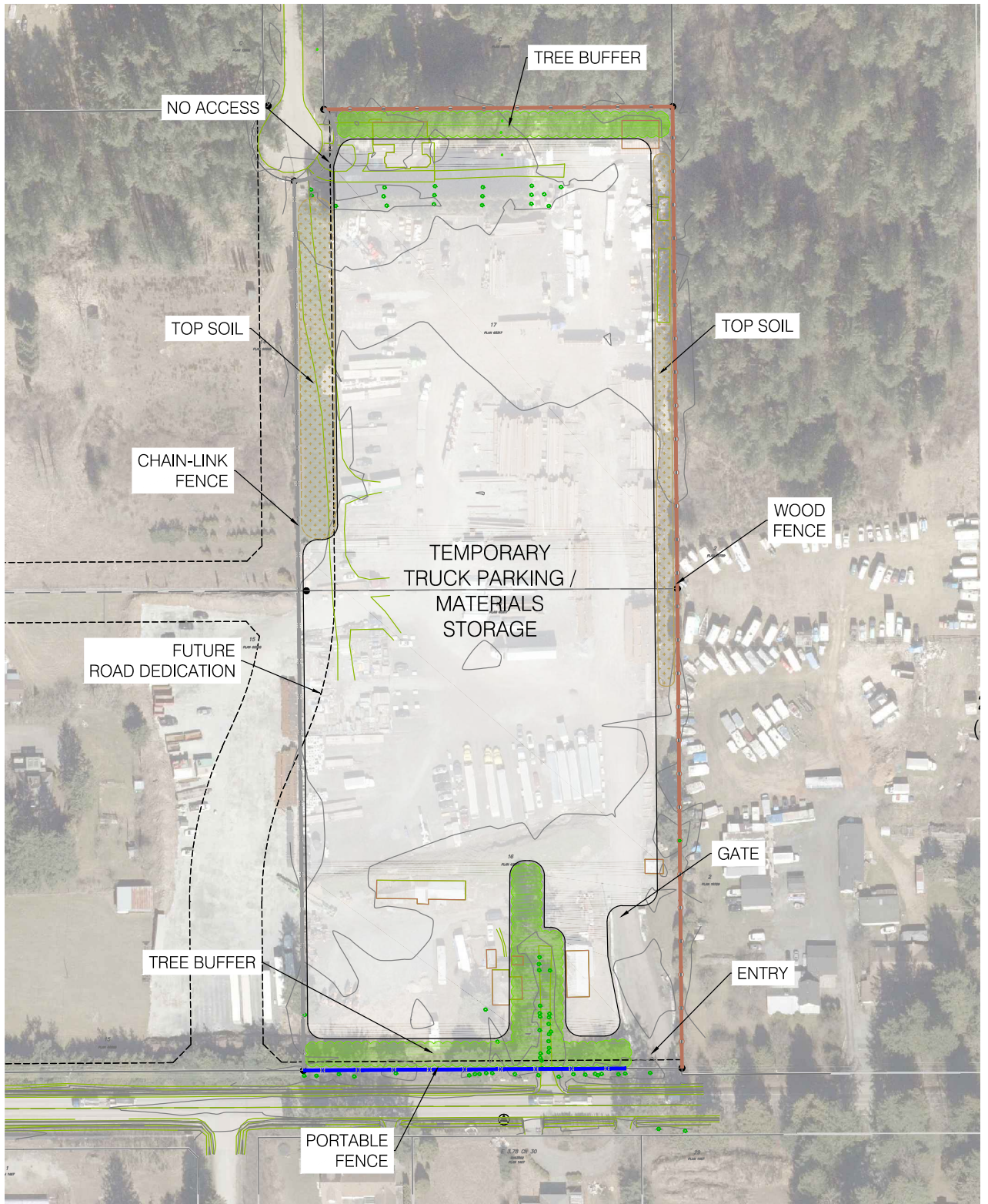
Appendix I.	Site Plan
Appendix II.	Engineering Summary
Appendix III.	Temporary Use Permit No. 7919-0309-00
Appendix IV.	Planning Report No. 7919-0309-00, dated December 2, 2019

*approved by Ron Gill*

Jean Lamontagne  
General Manager  
Planning and Development

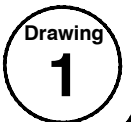
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Seven Horses Transport Ltd.  
 Temporary Use Permit (TUP)  
 19437 32 Ave & 3338 194 St, Surrey, BC

**TUP SITE PLAN**



NOTE: Conceptual layout only, subject to change without notice. Property of Aplin & Martin Consultants Ltd. and not to be reproduced or used without written permission by the Company.



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

FROM: **Development Engineer, Engineering Department**

DATE: **Jan 16, 2020** PROJECT FILE: **7819-0309-00**

RE: **Engineering Requirements (Commercial/Industrial)  
Location: 19437-32 Avenue and 3338-194 Street**

### TEMPORARY USE PERMIT

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

#### *Works and Services*

- provide a Geo-technical report on existing 32 Avenue in support of increase truck volumes.
- provide interim 7.3 metre driveway complete with adequate queuing storage.
- provide Storm Water Control Plan in support of temporary use.
- provide on-site infiltration and water quality treatment for any stormwater. The plan should overlay a proposed truck park design. A grading plan needs to be established in conjunction with the stormwater management plan to show how lot grading is going to work and to ensure there is proper grading to infiltration galleries. This TUP truck park must manage 100% stormwater onsite.

The applicant is advised that the Campbell Heights Land Use Plan area has requirements for stormwater management and onsite infiltration depending on the location within the LAP. The drainage design needs to meet the requirements of the KWL Report (dated: November 20, 2019) and confirmed by KWL that the design meets the objectives.

This site is in the area identified to connect into the Latimer Pond Catchment Area system, however, development in this area has not progressed sufficiently to have constructed the necessary downstream system.

A Servicing Agreement for this application is required. The current processing fee is \$7,565.25.

An application fee of \$1,124.00 (GST exempt) is required for administration of the ESC Permit process.

The following legal documents are known at this time to be required for this project:

- Restrictive covenant for right in/right out access only.
- Restrictive covenant for Water Quality Control.

All Engineering legal documents required for this project must be executed prior to issuance of the Servicing Agreement.



Jeff Pang, P.Eng.  
Development Engineer  
LR1

CITY OF SURREY

(the "City")

**TEMPORARY USE PERMIT**

NO.: 7919-0309-00

Issued To:

(the "Owner")

Address of 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: 003-302-237  
Lot 16 Section 27 Township 7 New Westminster District Plan 63317

19437 - 32 Avenue

Parcel Identifier: 002-427-362  
Lot 17 Section 27 Township 7 New Westminster District Plan 63317

3338 - 194 Street

(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 the storage of equipment and a truck parking facility for vehicles exceeding 5,000 kilograms G.V.W.

5. The temporary use permitted on the Land shall be in accordance with:
  - (a) The Kerr Wood Leidal Report, dated November 20, 2019 which is shown on Schedule A (the Report") which is attached hereto and forms part of this permit.
  
6. The temporary use shall be carried out according to the following conditions:
  - (a) The Temporary Use Permit shall be for the storage of equipment and a truck parking facility for vehicles exceeding 5,000 kilograms G.V.W; and
  - (b) Following the one-year term of the Temporary Use Permit the properties are to be restored to their original condition under the "General Agriculture (A-1) Zone" and to the satisfaction of the General Manager, Engineering.
  
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 February 10, 2021.

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.

\_\_\_\_\_  
Authorized Agent: Signature

\_\_\_\_\_  
Name (Please Print)

OR

\_\_\_\_\_  
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.

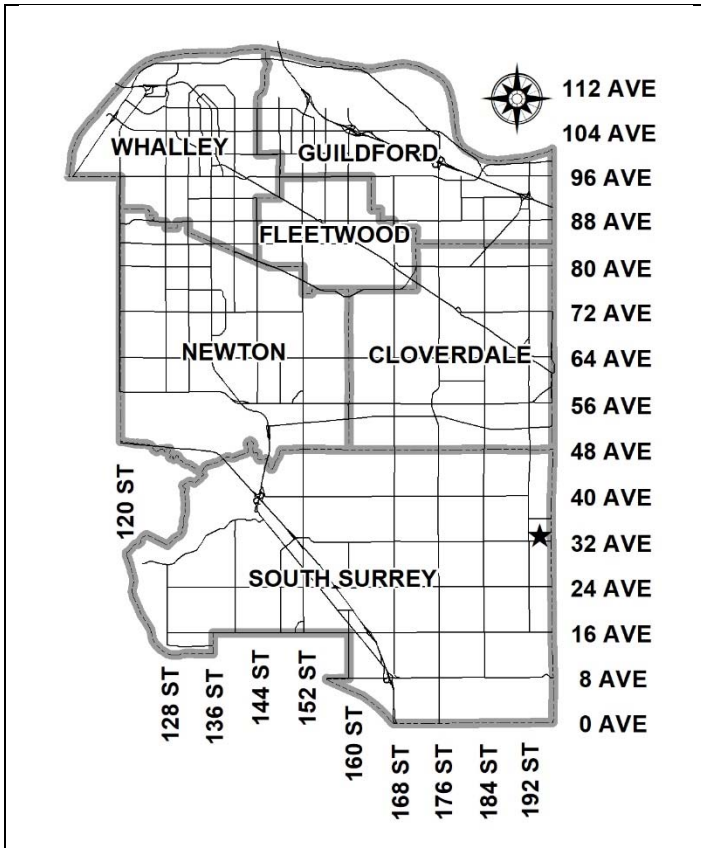
I further understand that should I not fulfill the undertaking described herein, the City or its agents may enter upon the land described on the temporary use permit and perform such work as is necessary to eliminate the temporary use and bring the use and occupancy of the land in compliance with Surrey 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)

Planning Report Date: December 2, 2019



**PROPOSAL:**

- **Temporary Use Permit**

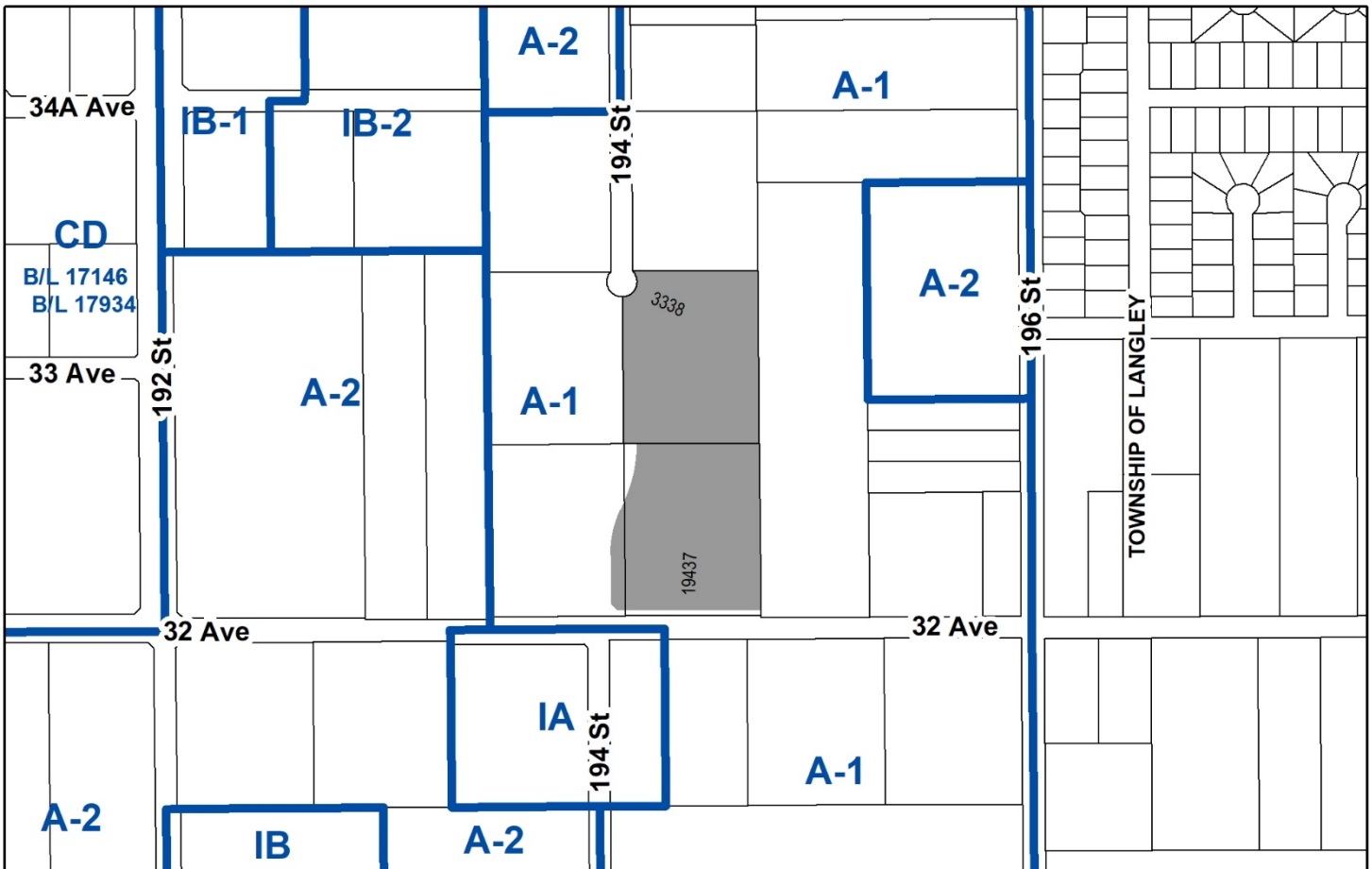
to permit the continued operation of an unauthorized truck parking facility and outdoor storage of cargo equipment for a period not to exceed 1 year.

**LOCATION:** 19437 - 32 Avenue  
 3338 - 194 Street

**ZONING:** A-1

**OCP DESIGNATION:** Mixed Employment

**LAP DESIGNATION:** Business Park 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 Mixed Employment land use designation in the Official Community Plan (OCP) or the Business Park 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 properties at 19437 – 32 Avenue and 3338 – 194 Street. A Temporary Use Permit (TUP) application was submitted on November 4, 2019.
- At the Regular Council – Land Use 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 the Zoning By-law. Additional on-site improvements would likely be required that would be similar to those required as part of a rezoning application to "Business Park 1 Zone (IB-1)" 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.
- In the recent past, Council has not supported a number of similar 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 will provide Engineering servicing requirements if this application proceeds for further consideration.

SITE CHARACTERISTICS

Existing Land Use: Unauthorized truck parking facility and outdoor storage of cargo equipment.

Adjacent Area:

Direction	Existing Use	LAP Designation	Existing Zone
North:	Acreage single family	Business Park	A-1
East:	Acreage single family.	Business Park and Landscaping Strips	A-1
South (Across 32 Avenue):	Acreage single family. Under Development Application No. 7919-0236-00, which proposes a new multi-tenant industrial building.	Business Park and Landscaping Strips	A-1 and IA
West:	Acreage single family. 3353 – 194 Street is under Development Application No. 7919-0128-00, which received Third Reading on November 18, 2019 for a new multi-tenant industrial building. 19363 – 32 Avenue is under Development Application No. 7918-0364-00, which is pre-Council, and proposes a new multi-tenant industrial building.	Business Park and Landscaping Strips	A-1

DEVELOPMENT CONSIDERATIONSContext and Background

- The subject site is approximately 3.9 hectares in area and located on the north side of 32 Avenue east of 192 Street in Campbell Heights. The property is designated "Mixed Employment" in the Official Community Plan (OCP), "Business Park" and "Landscaping Strips" in the Campbell Heights Local Area Plan (LAP) and zoned "General Agriculture Zone (A-1)".

- The subject site is under consideration of the following Development Applications:
  - Development Application No. 7918-0144-00 – proposes a lot line adjustment between 19437 and 19363 – 32 Avenue and a Development Variance Permit to vary the Surrey Subdivision and Development By-law, 1986, No. 8830, by deferring works and services, in conjunction with Development Application No. 7917-0529-00.
  - Development Application No. 7917-0529-00 – proposes rezoning from "General Agricultural Zone (A-1)" to "Business Park 1 Zone (IB-1)", consolidation from two lots to one lot, a Development Variance Permit to reduce the minimum front yard setback, and a Development Permit to construct a 19,661 square metre multi-tenant industrial building, in conjunction with Development Application No. 7918-0144-00. Development Application No. 7917-0529-00 received Third Reading on June 11, 2018.
- The applicant (Seven Horses) has an agreement with the owner to lease approximately 6,690 square metres of industrial space in the new building to be constructed on the subject site under Development Application No. 7917-0529-00.
- The subject site falls within the catchment area identified to be serviced by the Latimer Lake Storm Water Detention Facility. Completion of a Storm Water Management Plan and modifications to the Latimer Lake facility are required before any development within this catchment can proceed. It is estimated that this could take another one to two years to complete.
- In advance of completing the requirements for the Latimer Lake Storm Water Detention Facility, and Final Adoption for Development Application No. 7917-0529-00, Seven Horses began parking trucks and outdoor storage of cargo equipment on the subject site on or around July 30, 2019. The current A-1 zoning of the subject site does not permit these uses.
- Staff met with the owner of the subject site and representatives from Seven Horses on three occasions between September and October 2019. At each meeting staff requested that all unpermitted uses be ceased immediately, and the unauthorized trucks and cargo equipment be removed from the site.
- Seven Horses submitted a Temporary Use Permit (TUP) application on November 4, 2019 following an investigation by By-law Enforcement staff of the unauthorized truck parking and outdoor storage of cargo equipment.
- The current TUP application was submitted after a formal Compliance Order letter was issued to the owner, and after further discussion with staff. Given that the unpermitted uses were not removed from the site, as originally requested, staff directed the applicant to submit a TUP application.

Development Application Nos. 7916-0531-00 and 7917-0002-00

- Before applying for the current TUP application on the subject property, Seven Horses applied in October 2016 for a TUP to operate a truck parking and cargo equipment storage facility on a different site in Campbell Heights, located at 19283 – 28 Avenue (Development Application No. 7916-0531-00).

- A concurrent Development Application for Rezoning and Development Permit on the same property at 19283 – 28 Avenue was submitted on January 4, 2017 (7917-0002-00). The proposal was to rezone the property to an appropriate industrial zone to allow construction of a permanent industrial warehouse facility to house their equipment and operations.
- In July of 2017, Seven Horses secured a contract in Alberta’s oil and gas sector, which required an expansion of their trucking fleet and operations. As a result, 19283 – 28 Avenue was no longer deemed of sufficient size to meet the demands of their operations. Subsequently, Seven Horses decided to sell 19283 – 28 Avenue and find another location for their planned warehouse building.
- In the meantime, Council issued Temporary Use Permit No. 7916-0531-00 on September 11, 2017 to permit a truck parking and industrial laydown facility at 19283 - 28 Avenue, for a period not to exceed one year. The TUP was to be an interim measure to allow Seven Horses to operate their transportation business from the site while undertaking development of a new industrial warehouse facility to accommodate their operations on the subject site they purchased at 3338 – 194 Street and 19437 – 32 Avenue.
- Seven Horses was actively working on resolving the servicing issues associated with Development Application No. 7917-0529-00 at 3338 – 194 Street and 19437 – 32 Avenue, including completion of a Storm Water Management Plan and modifications to the Latimer Lake Storm Water Detention Facility. As these requirements were taking some time to address, Seven Horses applied for a new TUP application (7917-0002-00) to allow the continued operation of Seven Horses’ industrial laydown facility at 19283 – 28 Avenue for a period of six months to coincide with the expiry of the lease that Seven Horses had with the owner of 19283 – 28 Avenue.
- In April of 2019, staff forwarded Planning Report No. 7917-0002-00 to Council for the TUP to permit an industrial laydown facility for a period not to exceed six months, together with the Rezoning and Development Permit to permit a multi-tenant industrial building.
- At the April 1, 2019 Regular Council – Land Use Meeting, Council denied the TUP application for the industrial laydown facility but did support the Rezoning and Development Permit for the multi-tenant industrial building. Consequently, Seven Horses were no longer permitted to operate the temporary industrial laydown facility at 19283 – 28 Avenue.
- In the intervening months of Council’s denial of TUP application No. 7917-0002-00 and the City’s investigation by By-law Enforcement staff, a new unpermitted truck parking and outdoor cargo storage facility was found to be operating on the subject site (3338 – 194 Street and 19437 – 32 Avenue).

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

- At the Regular Council - Land Use 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 the Zoning By-law. 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 non-conforming and unauthorized businesses, many of which are operating without business licenses, that ultimately resulted in the owner submitting a TUP application.
- The unauthorized 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.
- A total of seven (7) TUP applications for these unauthorized and non-conforming uses within the Campbell Heights area have been received in the recent past, with the majority being denied by Council, as summarized in the table below:

Project No.	Address	Council Decision	Current Status
7913-0108-00	3086 190 Street	<u>Denied</u> at the April 14, 2014 Land Use meeting.	No legal action and no active By-law enforcement.
7913-0135-00	3093 194 Street	<u>Denied</u> at the February 24, 2014 Land Use meeting.	Legal Services initiated prosecution against the owner. Charges stayed on October 12, 2019. No active By-law enforcement.
7913-0293-00	3338 194 Street	<u>Denied</u> at the February 24, 2014 Land Use meeting.	Legal Services initiated prosecution against the owner and the owner pled guilty in 2018 and was fined. All cars were ordered to be removed by June 17, 2018. The property remains under active By-law enforcement, with 3 MTI's (tickets) issued on September 9, 2019.
7914-0093-00	19370 32 Avenue	<u>Denied</u> at the October 2, 2017 Land Use meeting.	No active By-law enforcement. No legal action yet.
7916-0078-00	2957 194 Street	<u>Denied</u> at the May 8, 2017 Land Use meeting.	No trucks observed as of August 12, 2019. File closed by By-laws and no legal action required.

Project No.	Address	Council Decision	Current Status
7916-0531-00	19283 28 Avenue	Council <u>supported</u> a 1-year TUP at the April 3, 2017 Land Use meeting. This TUP was issued at the September 11, 2017 Land Use meeting.	TUP expired on September 11, 2018 and Legal Services has received a request for charges on November 16, 2019, but has not yet initiated prosecution.
7917-0124-00	2820 192 Street	<u>Denied</u> at the May 8, 2017 Land Use meeting.	Legal Services initiated prosecution against the owner and the owner pled guilty in 2017 and was fined. All vehicles, containers and wrecks were ordered to be removed by July 09, 2018. The property remains under active By-law enforcement. Trial with new charges to proceed on March 20, 2020.
7917-0002-00	19283 28 Avenue	<u>Denied</u> at the April 1, 2019 Land Use meeting.	Legal Services has received a request for charges on November 16, 2019, but has not yet initiated prosecution.

### Current Proposal

- The applicant has proposed a TUP for a period not to exceed one year to allow a truck parking facility and outdoor storage of cargo equipment.
- Seven Horses Transport Ltd. wishes to utilize the subject site for the temporary uses specified below in the interim, with the intention of moving into the future warehouse building proposed under Development Application No. 7917-0529-00, once completed.
- Seven Horses has a fleet of 50 trucks. The temporary truck parking, loading and unloading will consist of the following, at any given time:
  - 5-10 trucks parked overnight;
  - 5-6 specialized truck trailers parking on-site; and
  - 6-7 loaded truck trailers awaiting departure.
- Materials to be stored on the site include:
  - Rebar;
  - H-Beams;
  - Lumber;
  - Steel plates;
  - Steel coils; and
  - Pipes.
- The applicant estimates that approximately 1.2 hectares of the site will be used for truck trailer storage, while approximately 1.6 hectares of the site will be used for material storage.

### Discussion

- The proposed truck park facility is not consistent with the "Business Park" 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 A-1 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.
- Approval of this application may 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 hinder desired Business Park development of the area.
- Furthermore, 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.

### PRE-NOTIFICATION

- A Development Sign was installed on the property on November 13, 2019. Pre-notification letters were mailed on November 7, 2019 to 59 properties within 100 metres (328 ft.). To date, staff have received one response. Staff comments are provided below in italics.
- One resident expressed concerns that truck traffic is utilizing 194 Street to avoid traffic on 192 Street. The truck traffic has negatively impacted the condition of the pavement on 194 Street and speeding trucks have a detrimental impact to the livability of existing residents on this street.

*(The properties on 194 Street are designated "Business Park" in the Campbell Heights Local Area Plan and will in the future accommodate industrial business park buildings. In the meantime, staff have notified Engineering Operations to investigate and repair potholes on 194 Street as needed. A heavy truck is allowed to travel on roads not identified as a truck route, provided those roads are along the shortest route from the truck route to its destination and vice versa. Bylaws has been notified of the concerns and will investigate for any trucks that may not legitimately be using 194 Street as the shortest route to their destination. The Engineering Department has also reviewed the speed limit of 50 km/h on 194 Street, and has deemed it to be appropriate, using the national guidelines by the Transportation Association of Canada. Regarding 192 Street and 32 Avenue, the Engineering Department is reviewing the geometry of the intersection and truck turning movements to determine if any improvements are required.)*

## CONCLUSION

The existing truck parking and outdoor cargo storage facility is an unauthorized/non-conforming land use. The applicant applied for a Temporary Use Permit (TUP) on two separate occasions and did not apply for a TUP on the subject property until the unauthorized facility was discovered by City staff. While there are plans to develop the subject site for an appropriate business park use under Development Application No. 7917-0529-00, final approval of the development is subject to the completion of the Latimer Lake Storm Water Detention facility. Consequently, the truck parking and outdoor cargo storage facility may be in place for a number of years, contrary to the intent of a TUP. For this reason and given that Council has not been supportive of TUP applications in Campbell Heights, staff recommend that Council deny this TUP application.

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

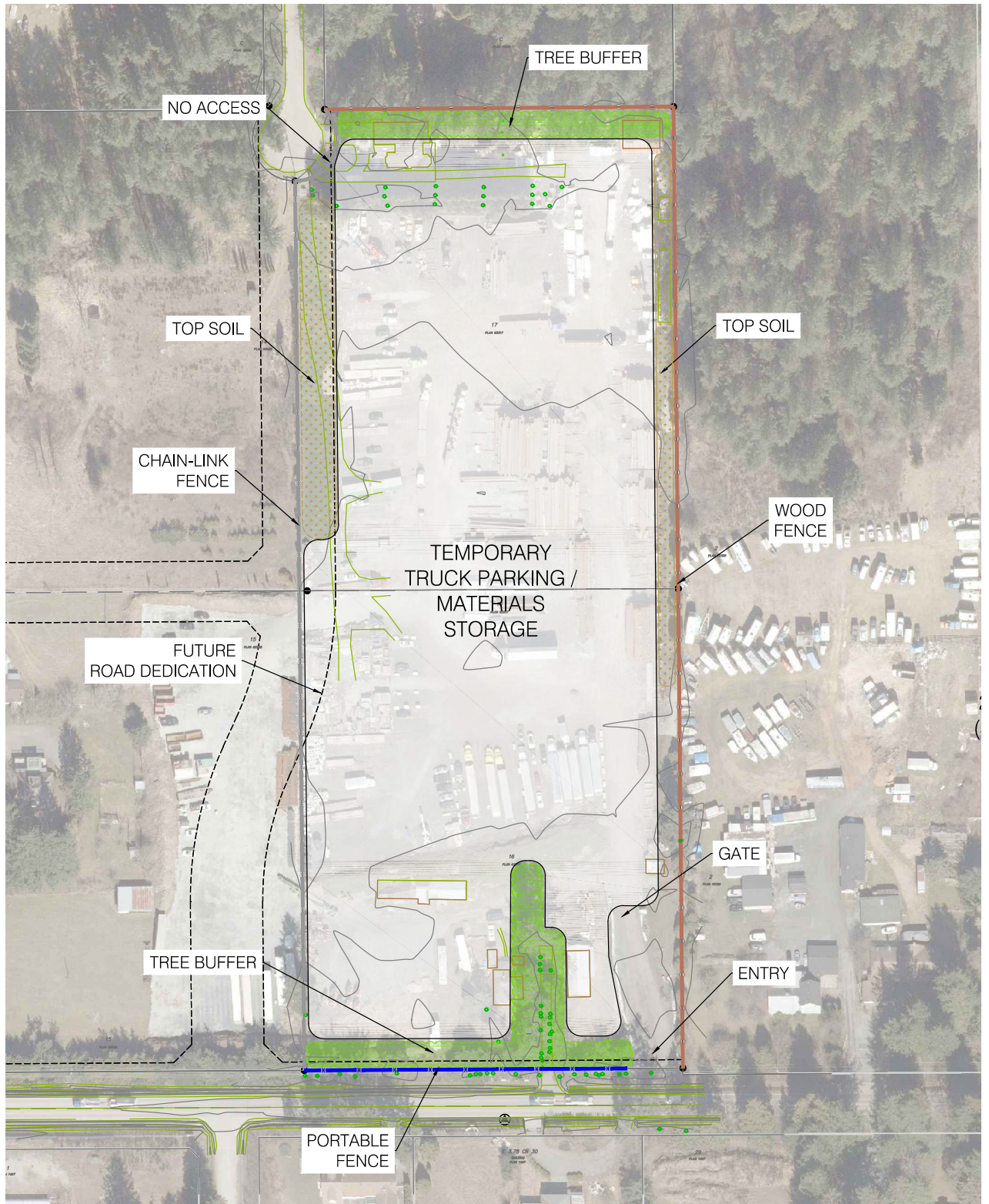
The following information is attached to this Report:

- |               |   |
|---------------|---|
| Appendix I.   | Proposed Layout                             |
| Appendix II.  | Aerial Photo                                |
| Appendix III. | Map of TUP Applications in Campbell Heights |

*approved by Ron Hintsche*

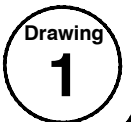
Jean Lamontagne  
General Manager  
Planning and Development



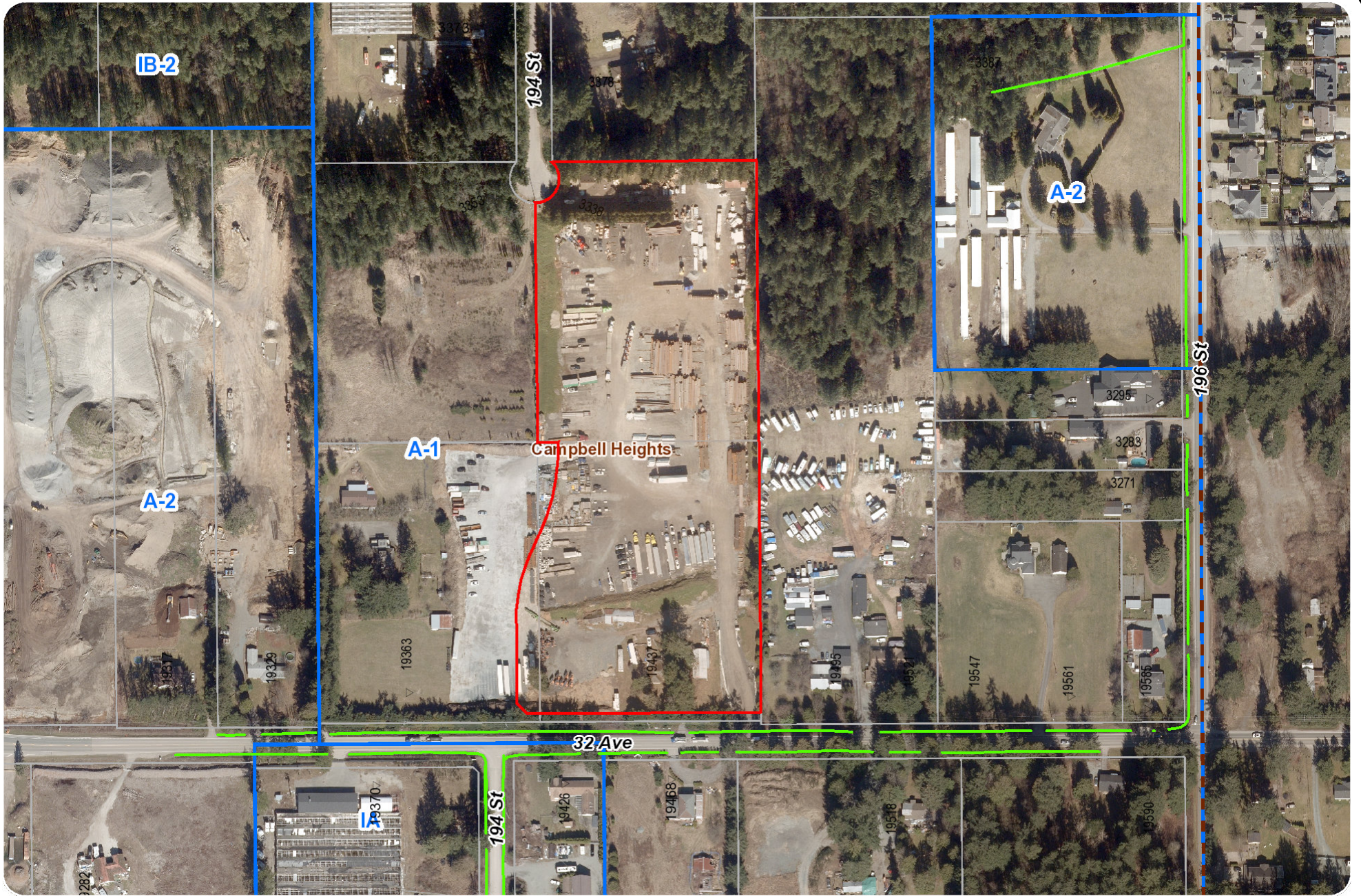


Seven Horses Transport Ltd.  
 Temporary Use Permit (TUP)  
 19437 32 Ave & 3338 194 St, Surrey, BC

**TUP SITE PLAN**



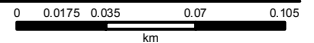




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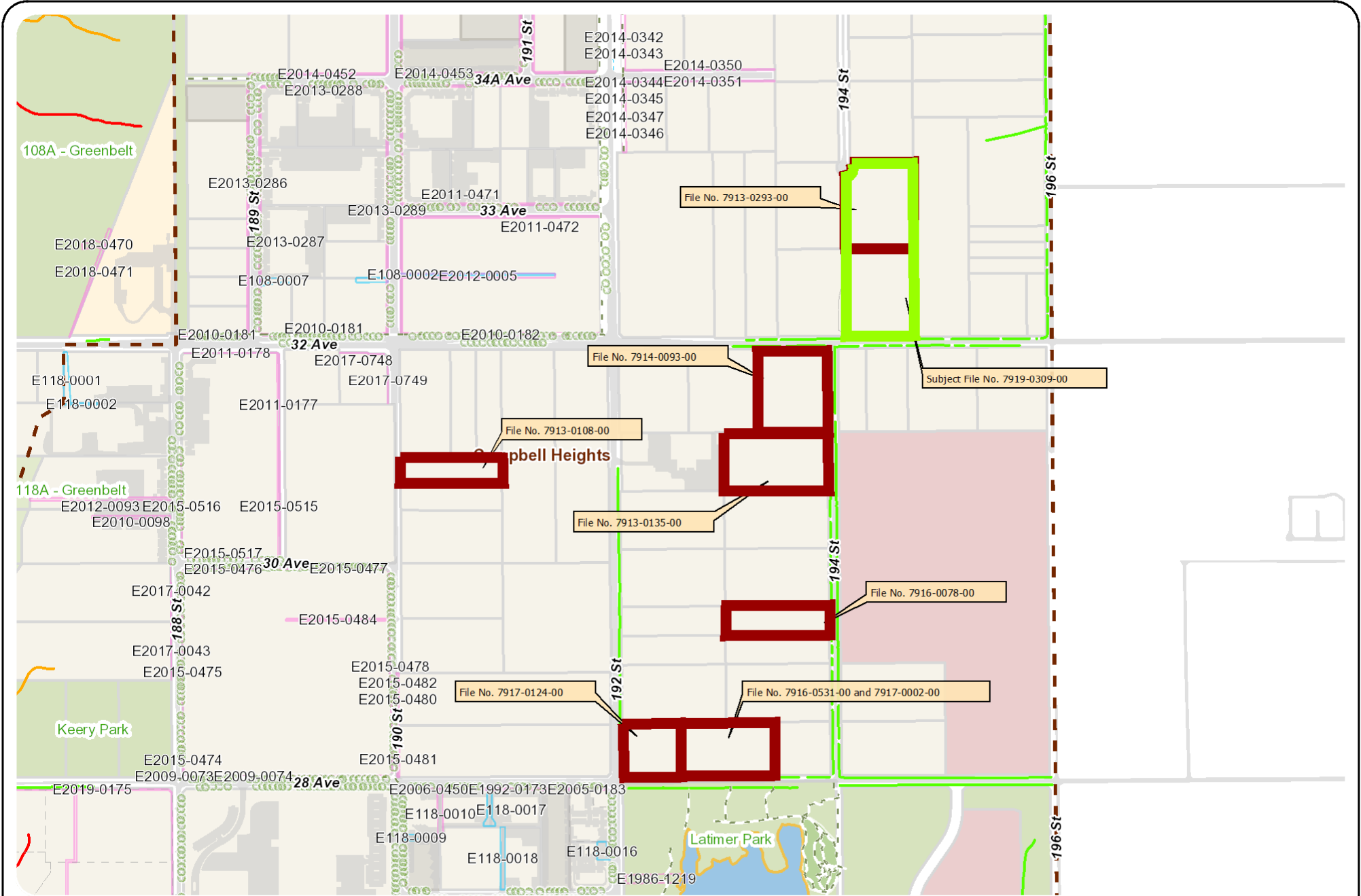
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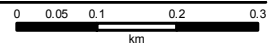




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