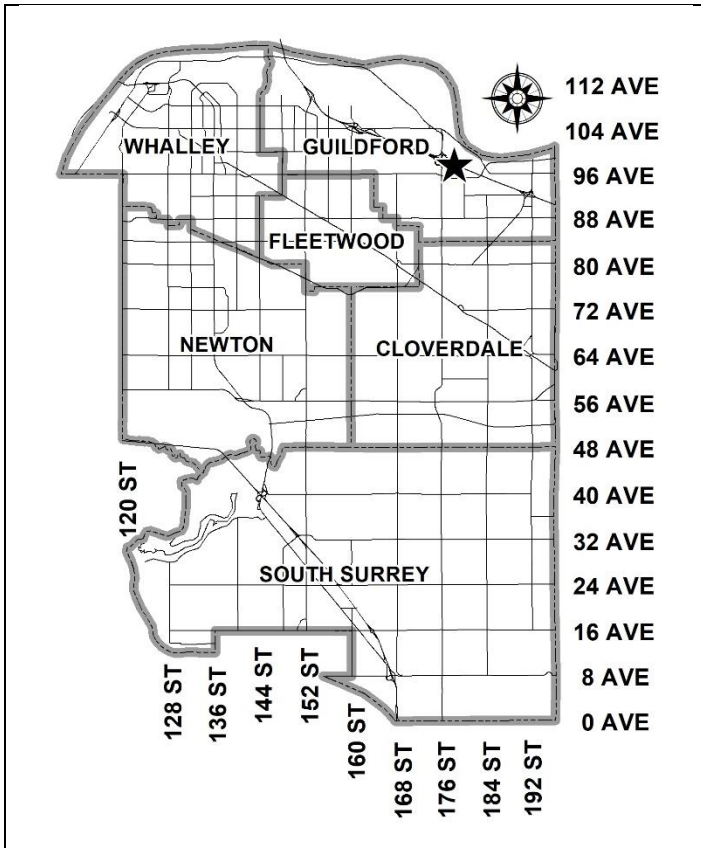


City of Surrey  
PLANNING & DEVELOPMENT REPORT

Application No.: 7922-0122-00

Planning Report Date: June 10, 2024



**PROPOSAL:**

- **Temporary Use Permit**

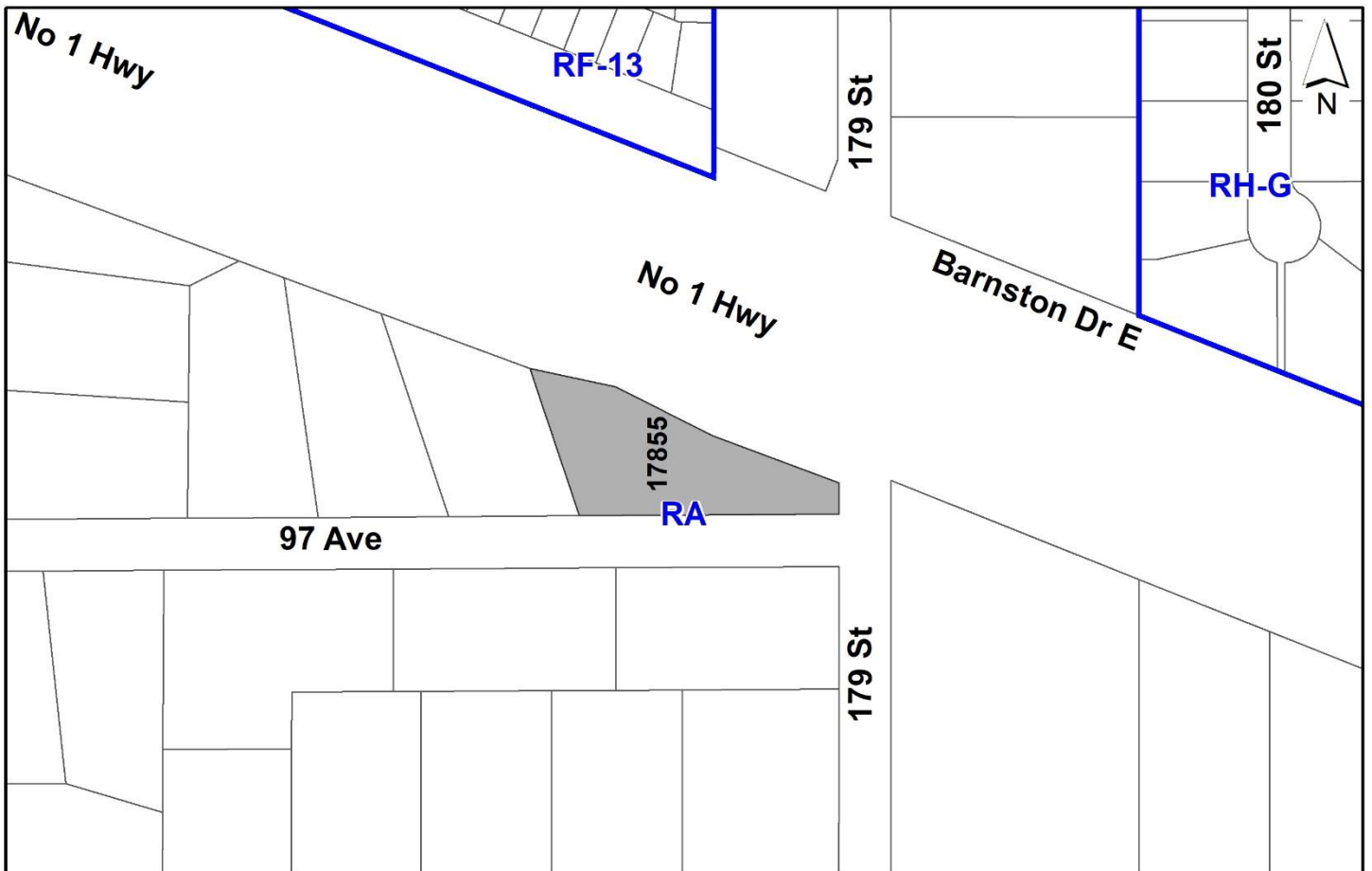
to permit the temporary use of the site for outdoor storage of up to 9 shipping containers and 15 mid-sized trucks for a period not to exceed three years.

**LOCATION:** 17855 - 97 Avenue

**ZONING:** RA

**OCP DESIGNATION:** Industrial

**NCP DESIGNATION:** Light Industrial



**RECOMMENDATION SUMMARY**

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

**DEVIATION FROM PLANS, POLICIES OR REGULATIONS**

- The applicant is proposing to temporarily use the subject site for storage of 9 shipping containers and 15 mid-sized trucks. No heavy trucks or trailers are proposed.
- The proposed outdoor storage use is not permitted under the current zoning of the site, "One-Acre Residential Zone" (RA).

**RATIONALE OF RECOMMENDATION**

- The proposal complies with the Mixed Employment designation in the Official Community Plan (OCP) and the "Light Industrial" designation in the Anniedale-Tynehead Neighbourhood Concept Plan (NCP).
- The proposed temporary outdoor storage will allow an authorized, interim use of the land until it is economically viable for redevelopment.
- Road widening/upgrades from the subject site through to Golden Ears Way has recently been completed.
- The proposal will assist in providing needed authorized industrial outdoor storage in the City.
- The site is in close proximity to major transportation routes, including Highway No. 17 (South Fraser Perimeter Road), Highway No. 15 (176 Street), Highway No. 1, and Golden Ears Way.
- No trees are proposed to be removed and the site is well screened by the existing MOTI sound wall/fence along Highway 1.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Temporary Use Permit No. 7922-0122-00 (Appendix III) 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) Input from the Ministry of Transportation & Infrastructure;
  - (c) input from TransLink;
  - (d) submission of a finalized fencing plan and fencing cost estimate to the specifications and satisfaction of the Planning and Development Department;
  - (e) installation and subsequent inspection and approval of all required landscape fencing works, to the satisfaction of the General Manager, Planning & Development;
  - (f) submission of financial securities to ensure that the fencing is maintained over the course of the Temporary Use Permit, to the satisfaction of the General Manager, Planning & Development;
  - (g) removal of all unauthorized structures including fabric tents;
  - (h) a Sensitive Ecosystem Development Permit (SEDP) application to be submitted and subsequently issued for the watercourses (ditches) along the south and north property lines; and
  - (i) the applicant to undertake the necessary work and obtain permits, as required, for the proposed use of the existing residential building on the site for office space and washroom facility purposes.

## SITE CONTEXT & BACKGROUND

Direction	Existing Use	NCP Designation	Existing Zone
Subject Site	Single family dwelling and unauthorized tent structure, storage of shipping containers and mid-sized truck parking.	Light Industrial	RA
North (Across Hwy No. 1):	Single family dwellings.	Urban Residential in the Abbey Ridge LAP	RF-13 and RA

Direction	Existing Use	NCP Designation	Existing Zone
East (Across 179 Street):	Vacant lot.	Light Industrial	RA
South (Across 97 Avenue):	Single family dwelling.	Light Industrial	RA
West:	Single family dwelling (Development Application No. 7923-0155-00 for truck parking received Conditional Approval by Council on January 15, 2024)	Light Industrial	RA

### Context & Background

- The 3,746 square metre subject site is located at 17855 - 97 Avenue in Anniedale-Tynehead. The property is zoned "One-Acre Residential Zone (RA)", designated Light Industrial, and Landscape Buffer in the Anniedale-Tynehead Neighbourhood Concept Plan (NCP) and designated "Mixed Employment" in the Official Community Plan (OCP).
- The property has an existing house and several trees. The property is currently being used for the unauthorized parking of mid-sized trucks and storage of shipping containers as well as an unpermitted fabric tent structure.
- The applicant has a gravel transport business which requires parking the empty trucks on the subject site. The shipping containers are not related to the business and are used for the storage of residential storage items.

### DEVELOPMENT PROPOSAL

#### Planning Considerations

- The applicant has applied for a Temporary Use Permit (TUP) to allow the parking of 10 - 15 mid-sized, single-axle trucks up to 24 feet in length, (no large semi-trailer trucks). The proposal also includes up to 9 shipping containers.
- The proposed 3-year TUP will be valid from the date of approval. A TUP can be extended only once for a further maximum 3-year period subject to Council approval. The applicant is aware of this timeline and has indicated that their plan is to redevelop the property in accordance with the Anniedale-Tynehead NCP.
- Other applications in the area have recently completed the required road pavement (7.0 metres pavement) widening and upgrades from the subject site through to Golden Ears Way at 180 Street.
- The applicant proposes to retain all the existing trees on the subject site and install a black chain link fence with privacy slats along 97 Avenue. The large fabric tent structure will need to be removed as a condition of the TUP.

- The proposed temporary outdoor storage use will assist in providing needed authorized outdoor storage space and mid-sized truck parking for the applicant's gravel business.

### Referrals

Engineering:	The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix II.
Ministry of Transportation & Infrastructure (MOTI):	Comments from MOTI are pending and will need to be addressed as a condition of TUP issuance.
TransLink:	Comments from TransLink are pending and will need to be addressed as a condition of TUP issuance.

### Transportation Considerations

- The road network was recently upgraded to access Golden Ears Way and 180 Street. The work was required as a condition of Temporary Use Permit Application Nos. 7922-0147-00 (9744 - 176 Street) and 7922-0234-00 (17710 - 97 Avenue, and 17709 and 17649 - 96 Avenue).
- The applicant will be required to pave their driveway entrance.

### Natural Area Considerations

- The applicant completed a preliminary watercourse assessment and determined that Class B (yellow-coded) ditches are located along 97 Avenue (south) and Highway No. 1 (north).
- In accordance with Part 7A Streamside Protection setbacks of the Zoning By-law, a Class B (yellow-coded) watercourse requires a minimum streamside setback of 7 metres, as measured from the top of bank. Other than portions of an existing concrete sound wall, the proposed setbacks comply with the requirements outlined in the Zoning By-law. Recommendations will be made in the Development Permit for a Sensitive Ecosystems concerning the existing concrete sound wall, which was installed by MOTI. A Riparian Areas Protection Regulation (RAPR) assessment may be required.
- The subject property falls within the Sensitive Ecosystems Development Permit Area (DPA) for Streamside Areas in the OCP, given the location of the existing Class B (yellow-coded) watercourse which flow within the ditches to the north and south of the site. The Sensitive Ecosystems (Streamside Areas) Development Permit is required to protect aquatic and terrestrial ecosystems associated with streams from the impacts of development.
- The Ecosystem Development Plan is a condition of the issuance of the Temporary Use Permit. The finalized report and recommendations will be considered by Council in a subsequent report as part of a separate Development Permit for a Sensitive Ecosystems Development Permit Area (DPA).

## POLICY & BY-LAW CONSIDERATIONS

### Official Community Plan

#### Land Use Designation

- The subject site is designated as "Mixed Employment" in the OCP. The proposed interim outdoor storage use complies with the OCP designation, which accommodates light industrial uses.

### Secondary Plans

#### Land Use Designation

- The subject site is designated Light Industrial and Landscape Buffer in the Anniedale-Tynehead Neighbourhood Concept Plan (NCP). The Light Industrial designation is intended for manufacturing, processing, warehousing, and distribution of goods in an industrial park development.
- The proposed temporary use is considered supportable as it will allow authorized, interim, industrial use of the land until it is economically viable for redevelopment.
- In addition, the temporary use will assist in providing needed authorized outdoor storage and mid-sized truck parking spaces for the applicant's gravel business.

## PUBLIC ENGAGEMENT

- Pre-notification letters were sent on August 8, 2022, and the Development Proposal Signs were installed on August 8, 2022. Staff received responses from two neighbours opposed and one resident in support. Comments received are summarized below with staff comment in italics:
  - 179 Street is narrow and is getting busier with truck traffic.  
*(Road widening/improvements along 179 Street are currently underway.)*
  - Opposed to truck parking in the neighbourhood.  
*(The City's Truck Parking Strategy encourages truck parking and outdoor storage TUPs to be located on properties that are designated as future industrial within secondary plans. The subject site is designed Light Industrial in the Anniedale - Tynehead NCP.)*

## TREES

- As no trees are proposed to be removed, no arborist report was required.

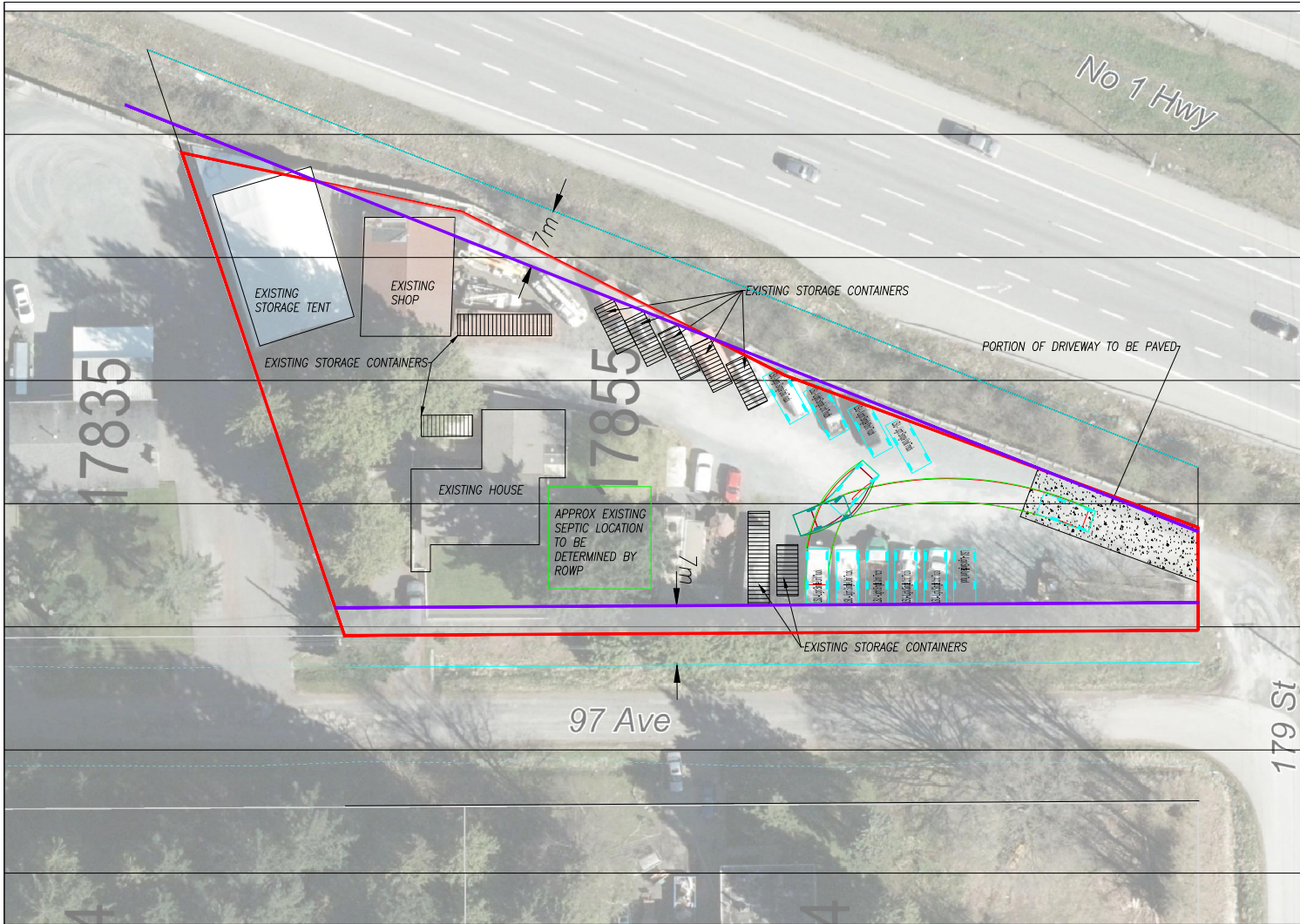
**INFORMATION ATTACHED TO THIS REPORT**

The following information is attached to this Report:

- Appendix I. Site Plan and Landscape Plan
- Appendix II. Engineering Summary
- Appendix III. Temporary Use Permit No. 7922-0122-00

*approved by Ron Gill*

Don Luymes  
General Manager  
Planning and Development



**LEGEND:**

- EXISTING PROPERTY LINE
- SUBJECT PROPERTY
- APPROX. SPEA SETBACK
- APPROX. DITCH CENTERLINE
- APPROX. SEPTIC LOCATION

ZONING: RA



PROJECT LOCATION  
 17855 97 AVE  
 TRUCK PARKING AND TURNAROUND

PROJECT NUMBER  
 22-163

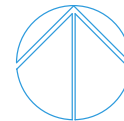
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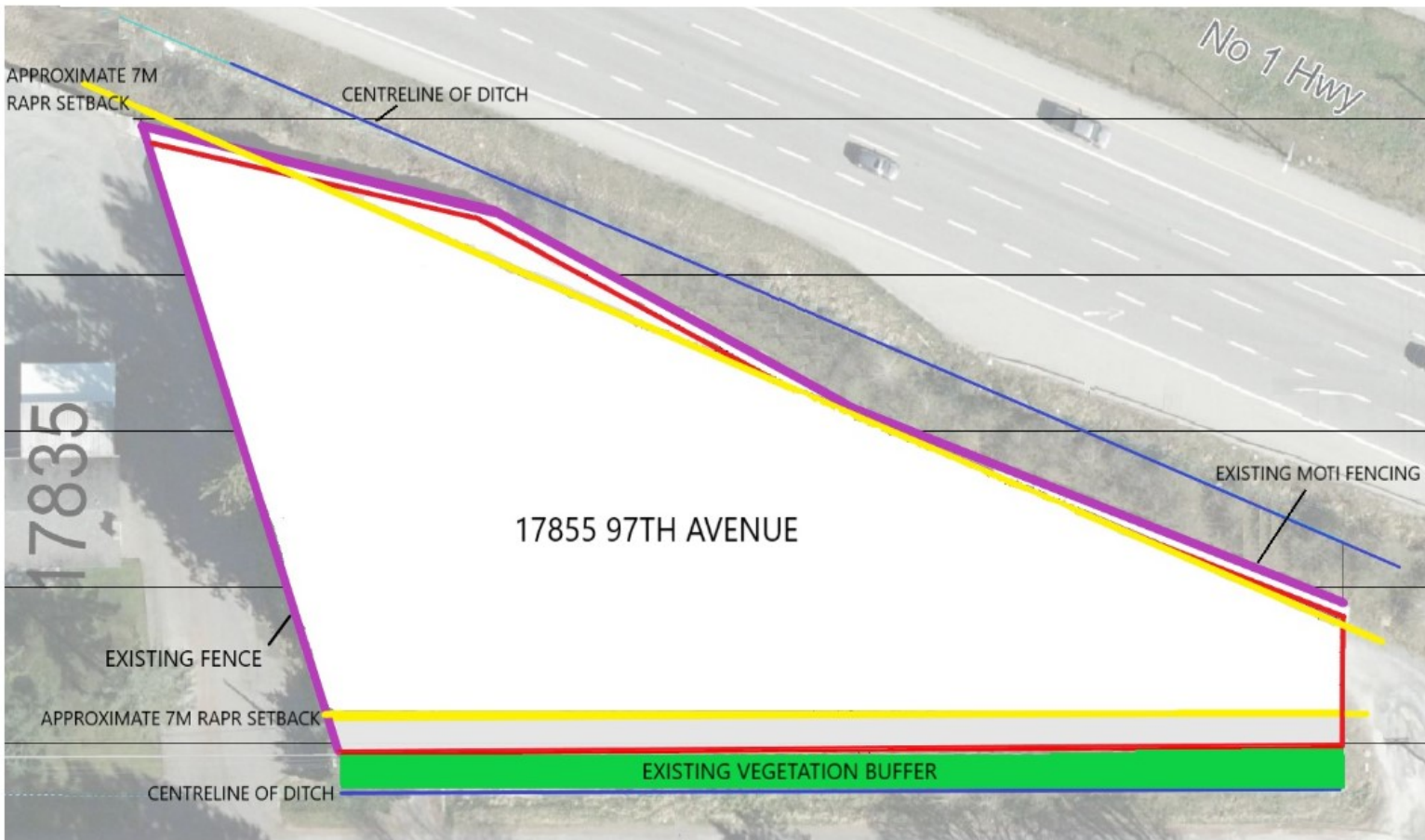
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**LEGEND**

- FENCING
- RAPR SETBACK
- LANDSCAPED BUFFER / SCREENING
- EXISTING DITCH



**CTG DEVELOPMENTS LTD.**  
 LAND USE CONSULTING & DEVELOPMENT

PROJECT  
 17855 97th Avenue  
 LANDSCAPE PLAN

PROJECT NUMBER  
 22-163

DRAWN BY  
 K.Webb

DATE  
 12 June 2023

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

FROM: **Acting Development Support Manager, Engineering Department**

DATE: **December 08, 2023** PROJECT FILE: **7822-0122-00**

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RE: **Engineering Requirements (Commercial/Industrial)  
Location: 17855 97 Ave**

### TEMPORARY USE PERMIT

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

- Construct road improvements from the site to the intersection of Golden Ears Way and 180 Street to support truck turning movements.
- Construct storm infrastructure upgrades to adequately capture increased road runoff.
- Secure applicable provincial and federal approvals for all impacted streams, as required.
- Construct a new metered water service connection.
- Construct on-site stormwater mitigation features to meet pre-development conditions up to the 100-year storm event.
- Construct on-site water quality treatment features.
- Register restrictive covenants for on-site stormwater mitigation and on-site water quality.


A Servicing Agreement is required. Works and Services must be constructed and placed on final maintenance prior to issuance of the Temporary Use Permit.

A processing fee and latecomer charges are applicable.

### BUILDING PERMIT

The following are to be addressed as a condition of the subsequent Building Permit:

- Any proposed on-site septic sewer system to be designed and installed in accordance with the requirements of the Fraser Health Authority. Register restrictive covenant for the protection and maintenance of the onsite septic system, along with requirement to decommission the septic tank once sanitary frontage is available. A new sanitary connection to the sanitary main will be required, and any latecomer or DWA charges, LAS or DCC fees will be applicable at time of connection.

  
Daniel Sohn, P.Eng.  
Acting Development Support Manager

CITY OF SURREY

(the "City")

**TEMPORARY USE PERMIT**

NO.: 7922-0122-00

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: 001-158-791

Lot 18 District Lot 390a Group 2 New Westminster District Plan 23464 Except Plan Epp8072  
17855 97 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 to allow the parking of approximately 9 shipping containers and 15 mid-sized trucks for a period of three years with the access and the location of the structures, and landscaping and fencing, substantially in compliance with Schedule A (the "Site Plan") which is attached hereto and forms part of this permit.
5. The temporary use permitted on the Land shall be in accordance with:
  - (a) No refrigerated truck units shall park on the site at any time;
  - (b) Hours of operation 7:00 AM – 5:30 PM Monday to Friday. Truck warm-up time shall not occur prior to 7 AM

- (c) The parking area shall be designed to support the anticipated vehicle load in order to prevent dirt from being tracked onto the City roadway;
  - (d) Adequate washroom facilities are to be provided on site to the satisfaction of the General Manager of Planning & Development with a minimum of one such facility on site; and
  - (e) the following activities are prohibited on the land:
    - i. vehicle washing
    - ii. vehicle maintenance except if it is on an asphalt or concrete pad and excludes all oil, coolant or chemical use as per the Environmental Management Act, S.B.C. 2002 Chapter 43
    - iii. truck fuel storage or refuelling
    - iv. storage of waste petroleum fluids
    - v. parking or storage of vehicles containing Dangerous Goods as defined by the *Transport of Dangerous Goods Act* R.S.B.C. 1996, Chapter 458.
6. The Owner covenants and agrees that the pre-servicing requirements attached as Schedule B (the "Pre-Servicing Requirements") which is attached hereto and forms part of this permit, have been completed and will be maintained for the duration of the Temporary Use Permit.
7. As a condition of the issuance of this temporary use permit, Council is holding security set out below (the "Security") to ensure that the temporary use is carried out in accordance with the terms and conditions of this temporary use permit. Should the Owner fail to comply with the terms and conditions of this temporary use permit within the time provided, the amount of the Security shall be forfeited to the City. The City has the option of using the Security to enter upon the Land and perform such works as is necessary to eliminate the temporary use and bring the use and occupancy of the Land into compliance with Surrey Zoning By-law, 1993, No. 12000, as amended (the "Works"). The Owner hereby authorizes the City or its agents to enter upon the Land to complete the Works. There is submitted accordingly:
- Cash in the amount of \$\_\_\_\_\_
- An Irrevocable Letter of Credit, in a form acceptable to the City, in the amount of \$\_\_\_\_\_
- The Security is for:
- i. Works \_\_\_\_\_
  - ii. Landscaping \_\_\_\_\_
8. (a) 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.

- (b)
  - i. 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;
  - ii. 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
  - iii. 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 five (5) years after the date of the provisional or final inspection of the buildings and structures referred to in the Drawings.
- 9. 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.
- 10. An undertaking submitted by the Owner is attached hereto as Appendix I and forms part of this temporary use permit.
- 11. This temporary use permit is not transferable.
- 12. 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 – Brenda Locke

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City Clerk and  
Director of Legislative Services  
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;

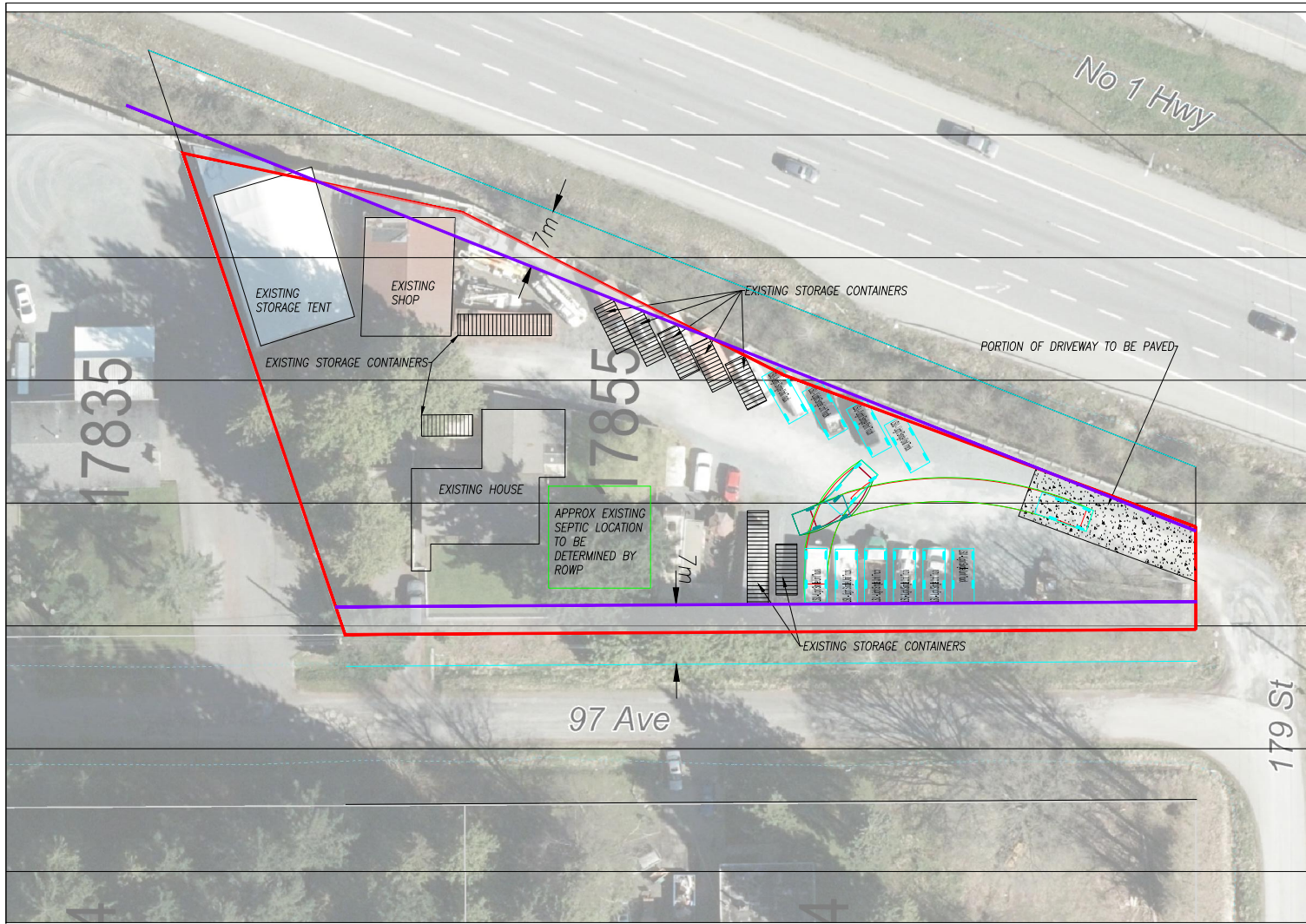
all of which shall be done not later than the termination date set out on the temporary use permit.

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)



Schedule A

LEGEND:

- EXISTING PROPERTY LINE
- SUBJECT PROPERTY
- APPROX. SPEA SETBACK
- APPROX. DITCH CENTERLINE
- APPROX. SEPTIC LOCATION

ZONING: RA



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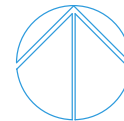
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 BRITTANY FEAVER

DATE:  
 JUNE 4 2024

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

**FROM: Acting Development Support Manager, Engineering Department**

**DATE: December 08, 2023**                      **PROJECT FILE: 7822-0122-00**

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**RE: Engineering Requirements (Commercial/Industrial)  
Location: 17855 97 Ave**

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