

PROPOSAL:

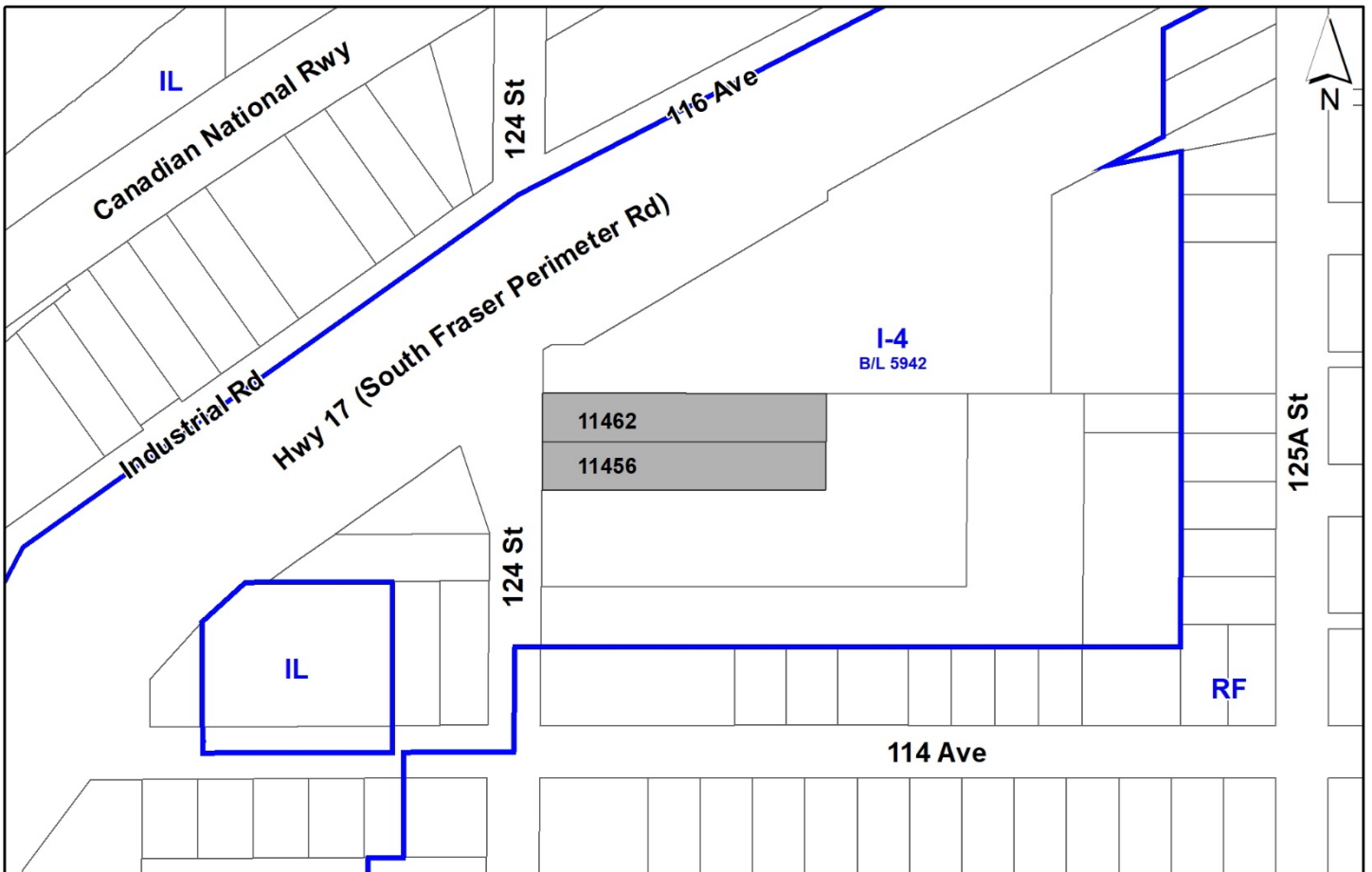
- **Temporary Use Permit**

to permit the development of a temporary truck parking facility.

LOCATION: 11456 - 124 Street
 11462 - 124 Street

ZONING: I-4

OCP DESIGNATION: Industrial



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The Special Industry Zone (I-4) does not permit truck parking.
- The proposal is contrary to Official Community Plan (OCP) policies that encourage the full utilization and efficient use of industrial and other employment lands in order to maximize jobs and economic activity.
- The proposal is contrary to the City's Employment Lands Strategy.
- The site has a history of unauthorized fill.

RATIONALE OF RECOMMENDATION

- There is a significant demand for truck parking in the City and approval of this Temporary Use Permit would assist in addressing that need.
- The applicant has assembled two properties, which accommodates a more reasonable truck parking plan than previous proposals that only included a single property. Large vehicles will be able to access the site with a longer queuing distance and the larger site also provides for on-site truck turning movements (vehicles do not need to back in or out of the site).
- The proposed TUP for truck parking will allow for interim use on the land until consolidation with neighbouring properties can occur for more intensive industrial development. The interim use will allow the applicant to generate interim revenue from the property.
- The applicant will be required to install landscaping and fencing to improve the aesthetic of the site from the street.
- Should Council support the requested TUP, staff are recommending that the applicant be provided 90 days to complete the requirements for TUP issuance. This includes engineering requirements, landscaping and fencing, installation of washroom facility, and ensuring that all onsite fill is authorized with appropriate permits from the City.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Temporary Use Permit No. 7924-0029-00 (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) input from the Ministry of Transportation & Infrastructure;
 - (c) submission of a finalized landscaping and fencing plan and landscaping and fencing cost estimate to the specifications and satisfaction of the Planning and Development Department;
 - (d) the applicant satisfy any deficiency in tree replacement on the site, to the satisfaction of the Planning and Development Department;
 - (e) installation and subsequent inspection and approval of all required landscape screening and fencing works along the perimeter of the property, to the satisfaction of the General Manager, Planning & Development;
 - (f) submission of financial securities to ensure that landscaping and fencing is maintained over the course of the Temporary Use Permit, to the satisfaction of the General Manager, Planning & Development;
 - (g) the applicant to undertake the necessary work and obtain permits, as required, for an on-site washroom facility; and
 - (h) the applicant address any unauthorized fill on the subject site and obtain fill permits as required. As a condition of getting a soil permit, a geotechnical report that addresses drainage and geotechnical concerns, both onsite and offsite will be required.
3. Council is requested to direct staff to bring this application back to Council for consideration of file closure should the applicant not complete the conditions of Temporary Use Permit (TUP) issuance within 90 days of Council supporting the TUP (if supported).

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Vacant lot with unauthorized fill and lot with existing storage and vehicle parking.	Industrial	I-4
North:	Vacant lot (MOTI owned).	Industrial	I-4
West (Across 124 Street):	Vacant lots owned by MOTI and Highway No. 17	Industrial	I-4
South:	Single family dwelling and lot with unauthorized fill.	Industrial	I-4
East:	Vacant lot with unauthorized fill.	Industrial	I-4

Context & Background

- The subject site is comprised of two lots located at 11456 and 11462 – 124 Street in Bridgeview. The subject site is approximately 4,057 square metres in area and 37 metres wide. The subject site is zoned "Special Industry Zone (I-4)" (By-law No. 5942) and is designated Industrial in the OCP. The site is currently free of structures, with some existing unauthorized storage and vehicle parking.
- The subject site is located within the Fraser River floodplain, which requires a Minimum Building Elevation (MBE) of 4.8 metres geodetic. Approximately 3 metres of fill would be needed to accommodate a building foundation at the MBE. The subject site is 37 metres wide, which makes incorporating substantial amounts of fill with appropriate transitioning and access problematic. Additional land assembly is likely necessary to facilitate industrial development.
- The I-4 Zone (Zoning By-law No. 5942) permits only certain high-tech industrial uses with strict regulations. A number of properties in the Bridgeview area were rezoned to the I-4 Zone in 1976, under a Council-initiative, for the purpose of ensuring that these properties were developed comprehensively for industrial purposes. Truck parking and outside storage are not permitted uses in the I-4 Zone.
- Both lots comprising the subject site have been subject to by-law enforcement due to the existing unauthorized uses. The proposed TUP, if issued, will allow the site to be used for truck parking for a maximum duration of 3-years. A TUP can be renewed only once, subject to Council approval, for up to a further 3-years.
- It is noted that the site is surrounded by vacant and underutilized industrial designated lands that could be consolidated and redeveloped for more intensive industrial use (see Appendix III).
- For each of the subject properties, two previous reports were considered by Council in 2019:

- Development Application No. 7918-0382-00 at 11462- 124 Street was a proposal to allow for the outside storage of materials on the lot for a period of 3 years. This application was denied by Council on September 16, 2019.
- Development Application No. 7918-0270-00 at 11456 – 124 Street was a proposal to allow for the continuation of existing storage of scaffolding equipment for a period of 3 years. This application was also denied by Council on September 16, 2019.
- This is the first application that includes both properties together.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant is proposing a Temporary Use Permit (TUP) to allow for truck parking for approximately 12 trucks and 15 tractors for a period not to exceed 3 years.
- From the north (SFPR), the proposed truck parking is proposed to be screened by an existing fence. Along 124 Street, the applicant has proposed to replace the existing fence with a black chain link fence with privacy slats and a 7-metre landscape buffer with trees.
- The applicant will be required to provide washroom (porta potty) facilities and obtain the required permits.
- Truck access will be from 124 Street along the southern extent of the property. The applicant is proposing a gate that allows for 18 metres queuing, to limit any conflict with the intersection of SFPR and 124 Street. The applicant will be required to pave the driveway.
- The applicant anticipates approximately 25 trips per day with operating hours of 7:00 AM to 5:30 PM Monday to Friday. Due to neighbourhood concerns with noise and exhaust, the starting and warming up of trucks shall not occur before 7:00 AM.
- The applicant does not propose to remove any trees on site. However, an arborist report will be required to confirm the health of existing trees to be retained around the site perimeter.

Referrals

Engineering:	The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix II.
Fire Department:	No concerns.
Ministry of Transportation & Infrastructure (MOTI):	The Ministry has no comments provided the ingress & egress does not interfere with the operation of Highway 17 (South Fraser Perimeter Road).

Transportation Considerations

- The applicant will be required to provide 18-metres of queuing and pave the driveway entrance.
- Trucks will not be allowed to travel south of 114 Avenue. It is anticipated that trucks may have to access the 114 Avenue cul-de-sac (west of 124 Street) for turning around.

POLICY & BY-LAW CONSIDERATIONS

Regional Growth Strategy

- The subject site is designated Industrial in the Regional Growth Strategy. The proposed truck parking TUP will allow for the site to operate as an interim industrial use until the site can ultimately be redeveloped for more intensive industrial uses.

Official Community Plan

- The subject site is designated Industrial in the Official Community Plan (OCP). The proposed truck parking TUP will allow for the site to operate as an interim industrial use until the site can ultimately be redeveloped for more intensive industrial uses.

PUBLIC ENGAGEMENT

- Pre-notification letters were sent on April 29, 2024, and the Development Proposal Signs were installed on April 31, 2024. Over the last several years, staff have received significant responses from neighbouring residents as well as 2 sets of petitions (54 letters and 32 letters) for truck parking in this area of Bridgeview.

The concerns raised by the community related to the temporary use of the site for truck parking are as follows (*staff comments in italics*):

- Drainage impacts on neighbouring residential properties and wetland ecosystem areas to the east.

Residents have raised concerns about increased drainage issues in the area as industrial property owners have brought in unauthorized fill.

The subject site has unauthorized historical fill and will be required to apply for, and receive, a fill permit as a condition of approval for the truck parking TUP. As a condition of getting an “after the fact” soil permit, a Geotechnical report that addresses drainage and geotechnical concerns, both onsite and offsite will be required.

A wetland has been assessed on the properties to the east of the subject site which fall outside of the subject property. As the applicant is not proposing any additional fill or works on the eastern portion of the site (or on neighbouring properties to the east), no Sensitive Ecosystem Development Permit is required.

- Trucks not adhering to the truck routes and driving through residential neighbourhoods.

Truck drivers have been ticketed driving through the residential neighbourhood of Bridgeview. The trucks driving on the unauthorized routes are driving from truck parks and other unauthorized truck businesses in the Bridgeview area and are shortcutting through the residential areas to avoid traffic congestion.

The subject site has direct access to the South Fraser Perimeter Road to the north and the applicant has indicated that they will ensure drivers are reminded to only use designated truck routes.

- Trucks with heavy loads are impacting local ditches and roads and cause vibrations to neighbouring homes.

The roads in Bridgeview are historically constructed on softer base materials which are not intended for heavy trucks. Rezoning applications have been received along 124 Street to the south, which will include road upgrades to 124 Street.

- Proposed driveways are exceptionally close to the South Fraser Perimeter Road (Highway 17) off ramp.

The subject application was referred to MOTI and the Ministry has no comments or concerns provided the ingress & egress does not interfere with the operation of Highway 17 (South Fraser Perimeter Road). The applicant will provide 18-metres of queueing on the site to allow a vehicle to queue on site before entering the parking facility.

- Temporary Use Permits for truck parks are not temporary and are usually permanent truck parks in the Bridgeview area.

Staff have reviewed and processed numerous TUP applications in Bridgeview and are now beginning to assess rezonings for outside storage and truck parks in the area. For the subject site, staff will continue to encourage land consolidation with neighbouring properties, so the site can ultimately rezone and redevelop for more permanent industrial uses.

- Discharge of oil and other materials into ditches/waterways.

The subject Temporary Use Permit will not permit on-site truck maintenance.

- Noisy trucks, which includes trucks warming up early in the morning during the winter.

The proposed Temporary Use Permit will require operating hours of 7:00 AM to 5:30 PM Monday to Friday. Due to neighbourhood concerns with noise and exhaust, the starting and warming up of trucks will not be permitted to commence earlier than 7:00 AM.

Assessment of Truck Parking TUP Proposal

- The Planning and Development Department recommends that this truck parking TUP proposal has merit based on the following rationale:
 - There is a significant demand for truck parking in the City and approval of this temporary use permit will assist in addressing that need.
 - The site is located directly south of the South Fraser Perimeter Road (SFPR) for direct access to a truck route.
 - The subject application was referred to the Ministry of Transportation & Infrastructure MOTI and the Ministry has no comments or concerns provided the ingress & egress does not interfere with the operation of Highway 17 (South Fraser Perimeter Road). The applicant will provide 18-metres of queueing on the site to allow a vehicle to queue on site before entering the parking facility.
 - The proposed TUP for truck parking will allow for interim industrial use on the land until consolidation with neighbouring properties can occur for more intensive industrial

- development. The interim use will allow the applicant to generate interim revenue from the site.
- Recent redevelopment in the Bridgeview and South Westminster area has demonstrated that development constraints in this area (i.e. minimum floodproofing elevation requirements, soil conditions, servicing) can be successfully overcome with appropriate land assembly. As such, it is anticipated that these lands could redevelop soon.
 - The applicant has assembled two properties, which accommodates a more reasonable truck parking plan than previous proposals that included only a single property. Large vehicles will be able to access the site with a longer queuing distance and the larger site also provides for on-site turning movements (vehicles do not need to back in or out of the site).
 - The applicant will be required to install landscaping and fencing to improve the aesthetic of the site from the street.
 - Should Council support the requested TUP, staff are recommending that the applicant be provided 90 days to complete the requirements for TUP issuance. This includes the engineering requirements, landscaping and fencing, installation of washroom facility, and ensuring that all fill is authorized with appropriate permits from the City. This will ensure that some of the concerns raised by the neighbourhood (i.e. site access, aesthetics, unauthorized fill, drainage etc.) are addressed in a timely manner.
 - In order to obtain an “after the fact” soil (fill) permit, a Geotechnical report that addresses drainage and geotechnical concerns, both onsite and offsite, will be required.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Proposed Truck Park Layout and Site Plan
Appendix II.	Engineering Summary
Appendix III.	Aerial Photo
Appendix IV.	TUP No. 7924-0029-00

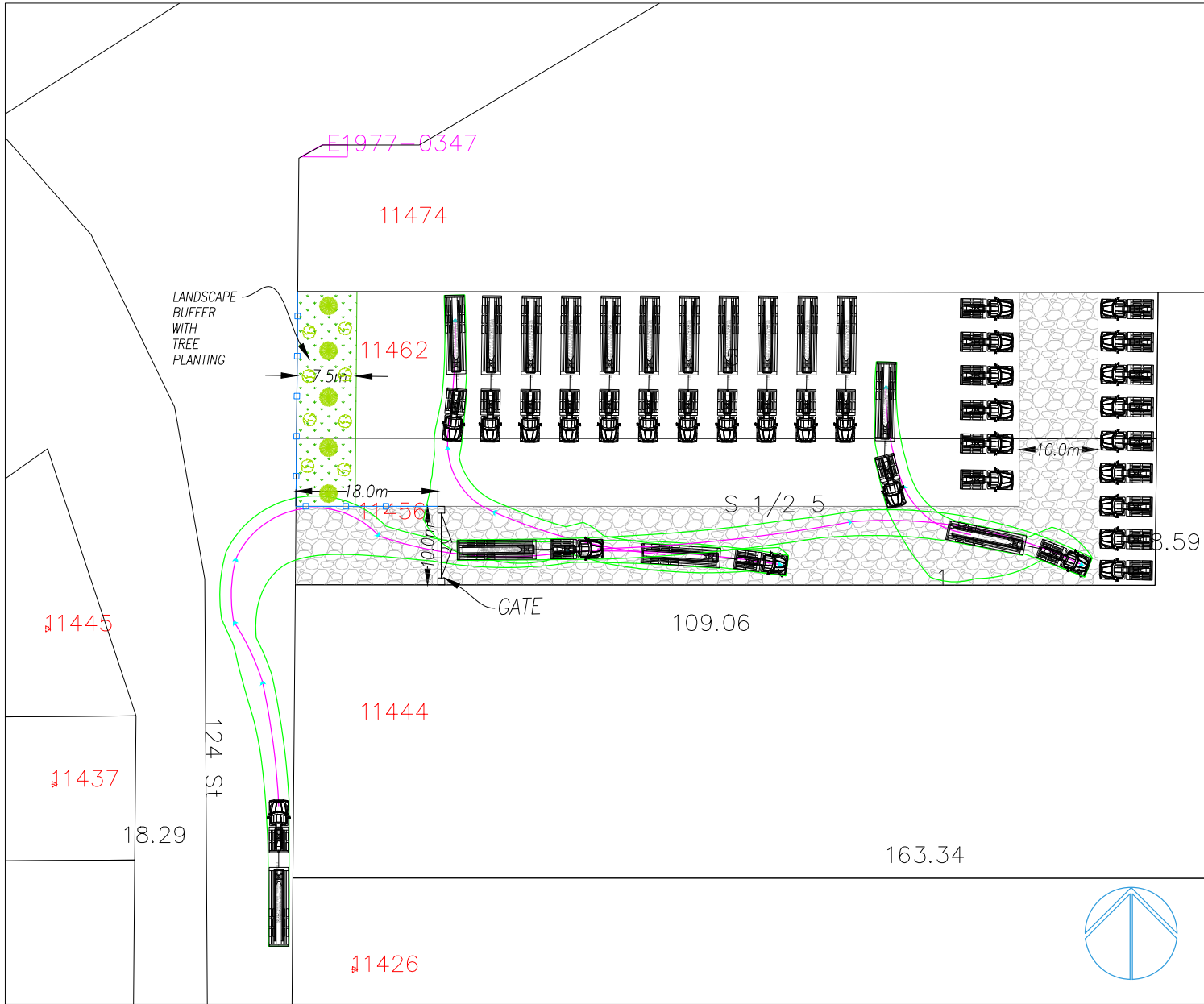
approved by Ron Gill

Don Luymes
General Manager
Planning and Development

JK/ar

DISCLAIMER: THIS PLAN IS FOR PRELIMINARY PLANNING PURPOSES ONLY AND IS SUBJECT TO REVIEW BY THE CITY OF SURREY, QEP, GEOTECHINCAL AND CIVIL ENGINEER.

NOTE: EXISTING FENCE SEPARATING 11462 & 11456 124TH STREET IS TO BE REMOVED
 NOTE: NEW FENCING ALONG FRONTAGE IS TO BE CONSTRUCTED OF HIGH QUALITY BLACK FENCING WITH PRIVACY SLATS



- LEGEND:**
- EXISTING PROPERTY LINE
 - - - PROPOSED PROPERTY LINE
 - ▨ GRAVEL DRIVEWAY
 - FENCE
 - ▤ LANDSCAPE BUFFER

ZONING:

<p>PROJECT LOCATION 11456 & 11462 124TH ST SURREY TRUCK PARKING</p>	
<p>PROJECT NUMBER 23-457</p>	
<p>DRAWN BY: BRITTANY FEAVER</p>	
<p>DATE: APRIL 25 2024</p>	<p>SHEET: 1</p>
<p>SCALE: 1:500</p>	

INTER-OFFICE MEMO

TO: **Director, Development Planning, Planning and Development Department**

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

DATE: **May 21, 2024**

PROJECT FILE: **7824-0029-00**

RE: **Engineering Requirements (Commercial/Industrial)**
Location: 11456 124 St

TEMPORARY USE PERMIT

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

- Approval from MOTI will be required as a condition of TUP issuance.
- Register Restrictive Covenant (RC) for right-in/right-out access onto 124 Street.
- Provide pavement structure assessment for 124 Street and improve as required. The applicant must also verify sufficient pavement width on 124 Street to accommodate anticipated truck turning movements.
- Construct 11.0 m wide paved access, extend into the site for minimum one truck length.
- Reduced Pressure backflow preventer for premise isolation is required.
- On-site sediment control and water quality treatment system required
- Register RC for storm water quality discharge.

A Servicing Agreement may be required.



Jeff Pang, P.Eng.
Manager, Development Services

BD

CITY OF SURREY

(the "City")

TEMPORARY USE PERMIT

NO.: 7924-0029-00

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: 000-448-885

The South Half Lot 5 Section 8 Block 5 North Range 2 West New Westminster District Plan 7248
11456 124 Street

Parcel Identifier: 001-002-597

North Half Lot 5 Section 8 Block 5 North Range 2 West New Westminster District Plan 7248
11462 124 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 to allow the parking of approximately 12 trucks and 15 tractors that exceed 5,000 kilograms (11,000 lbs.) G.V.W 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

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

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- ▨ GRAVEL DRIVEWAY
- FENCE
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ZONING:



PROJECT LOCATION
 11456 & 11462 124TH ST SURREY
 TRUCK PARKING

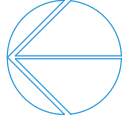
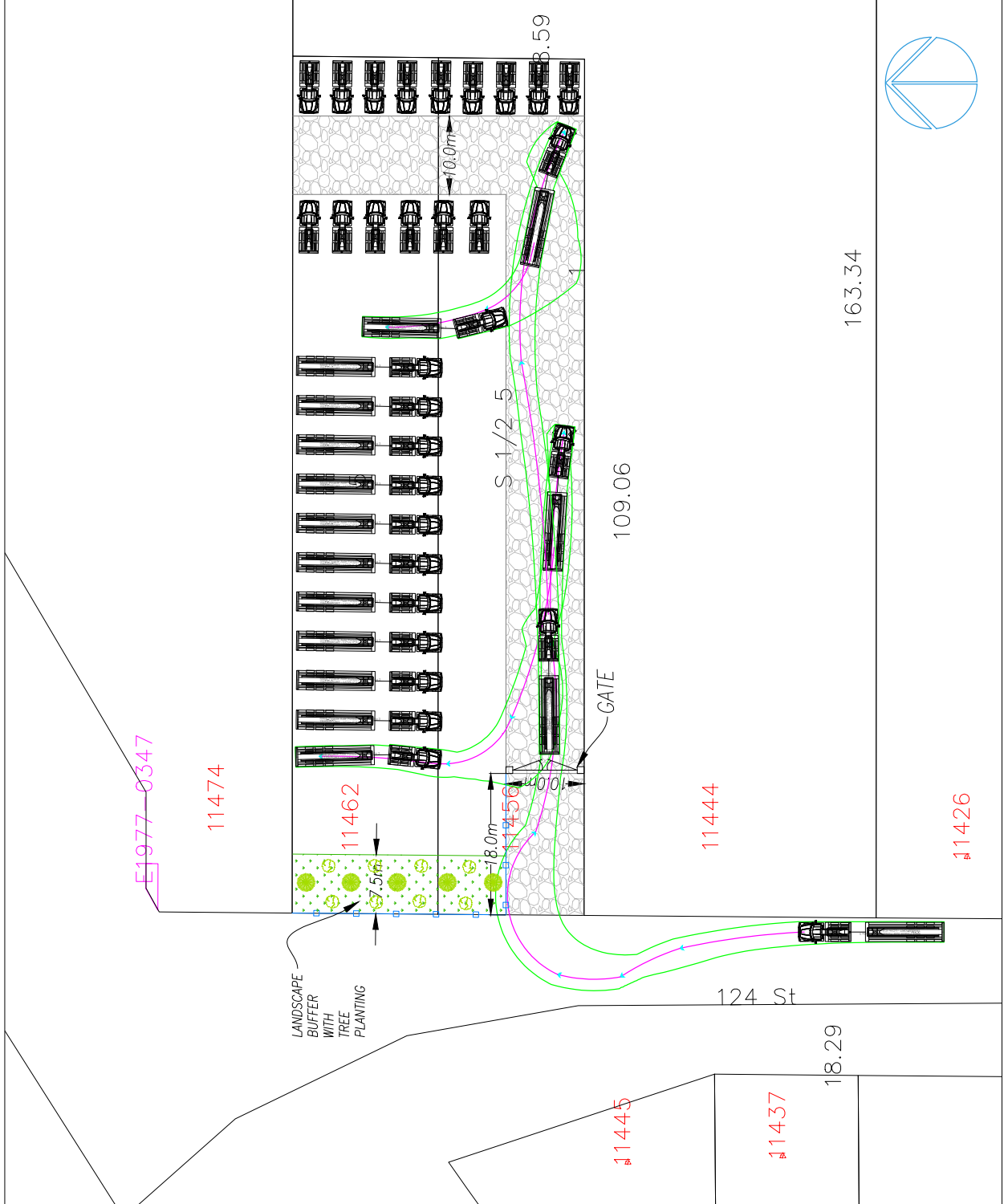
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