

**PROPOSAL:**

- **Rezoning** from IB-2 to IL

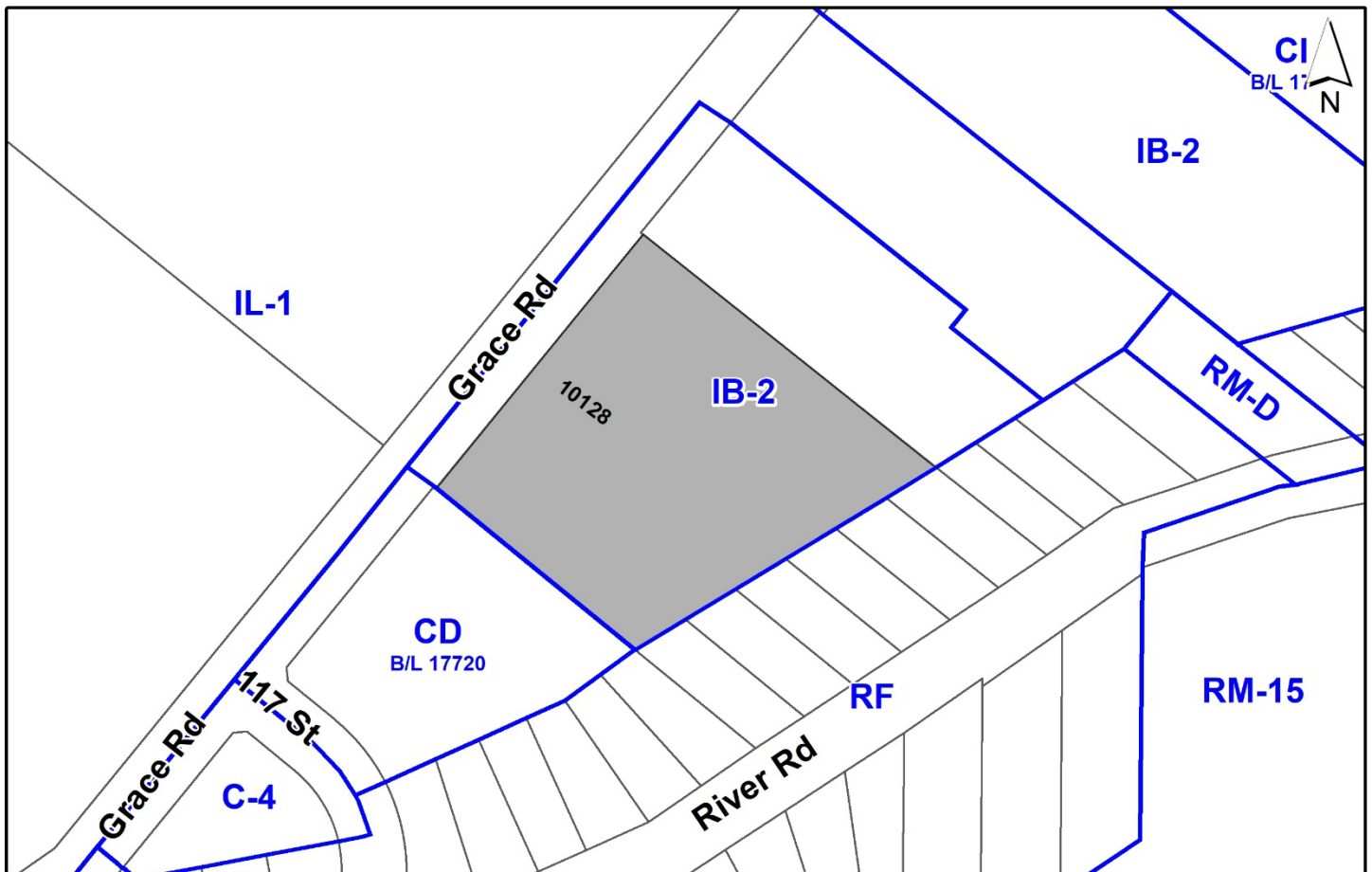
To authorize an existing truck parking facility.

**LOCATION:** 10128 - Grace Road

**ZONING:** IB-2

**OCP DESIGNATION:** Mixed Employment

**NCP DESIGNATION:** Business Park / Open Space



## RECOMMENDATION SUMMARY

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

## DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The proposed rezoning is contrary to the South Westminster Neighbourhood Concept Plan (NCP) designation of "Business Park", and the associated 2003 Council initiated rezoning of the site to IB-2. The existing (unauthorized) truck parking facility is not consistent with the ultimate intended land use in the South Westminster NCP, which calls for a high-quality business park in an attractive, clean, quiet campus setting where truck parking and outdoor storage uses are limited.
- The proposal is contrary to Official Community Plan (OCP) policies that encourage the full utilization and efficient land use of industrial and other employment lands in order to maximize jobs and economic activities.
- The proposal is contrary to the City's Employment Lands Strategy.

## RATIONALE OF RECOMMENDATION

- The proposal does not comply with the "Business Park" designation in the South Westminster Neighbourhood Concept Plan (NCP), and the associated 2003 Council initiated rezoning of the site to IB-2.
- In April 2022, Council received Corporate Report R071 and authorized staff to undertake an update of the South Westminster NCP to reflect the current market conditions and ensure that transit-oriented development principles are incorporated around the Scott Road SkyTrain Station and along the alignment of the planned R6 RapidBus. Staff are of the view that a proposal to rezone this site ahead of the updated plan receiving Stage 1 endorsement is premature.
- The proposed rezoning could delay land consolidation and prevent redevelopment to a more suitable mix of industrial, commercial, business and office uses in accordance with the OCP, the NCP, and the City's Employment Lands Strategy.
- Recent redevelopment in the Bridgeview and South Westminster area has demonstrated that development constraints in this area (i.e., minimum floodproofing elevations, soil conditions, site servicing) can be successfully overcome with appropriate land assembly.
- The proposal may set a precedent for the authorization of other truck parking facilities through rezoning, which could hinder re-development and investment in the South Westminster area.
- The subject site is highly visible from the existing residential lots to the south and south-east. Previous mitigation measures, including the installation of fencing and other landscape

buffer, have not been effective in limiting visual impact and noise pollution associated with the proposed use.

- Area residents have expressed opposition to the ongoing use of the subject site for truck parking, resulting in bylaw enforcement action.

## RECOMMENDATION

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

However, if Council determines that there is some merit in allowing a rezoning application to proceed on the subject site, the application should be referred back to Planning staff to complete the land development application review process, including the necessary referrals and notifications, and to then prepare to bring Development Application No. 7922-0193-00 forward for Council's consideration at a future Regular Council – Land Use meeting.

## SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP/NCP Designation	Existing Zone
Subject Site	Unauthorized truck parking facility. A GVS&DD sewer SRW impacts the northeastern edge of the property.	OCP: Mixed Employment NCP: Business Park & Open Space	IB-2
Northwest (across Grace Road):	Truck terminal facility including warehouse, office, and maintenance area.	OCP: Industrial NCP: Light Impact Industrial	IL-1
Northeast:	Unauthorized truck parking facility. A GVS&DD sewer SRW impacts the southeastern portion of the property.	OCP: Mixed Employment NCP: Business Park & Open Space	IB-2
Southeast:	Single Family Residential.	OCP: Urban	RF
Southwest:	Building containing a lease, sale, and repair of industrial equipment use.	OCP: Mixed Employment NCP: Light Impact/Business Park & Open Space	CD (Bylaw No. 17720)

## Context & Background

- The 0.982-hectare subject property is located at 10128 Grace Road in South Westminster.
- The site is designated “Mixed Employment” in the Official Community Plan (OCP) and “Business Park” & “Open Space” in the South Westminster NCP. Since the Council initiated rezoning process in 2003, the site has been zoned “Business Park 2 Zone” (IB-2) to match the intent of the NCP (refer to Corporate Report R034). A map showing the location of the subject site within the NCP area can be found in Appendix I.
- The applicant is proposing to rezone the subject site from IB-2 Zone to “Light Impact Industrial Zone (IL)”.
- Truck Parking Facilities are only permitted in the Light Impact Industrial Zone (IL), High Impact Industrial Zone (IH), and some CD Zoned sites. The current zoning of IB-2 does not permit truck parking or any other transportation industry use.
- The applicant has previously applied for TUPs to authorize the temporary use of the site for truck parking. The original TUP, Application No. 7907-0069-00, was approved with a two-year time limit. A three-year extension was granted under Application No. 7914-0046-00 which expired on February 20, 2017. The subject site has been used as an unauthorized truck parking facility since the expiry of the second TUP in 2017.
- The applicant applied for a third TUP in 2018 under Application No. 7918-0420-00. Staff note that Section 497(2) of the Local Government Act 2015, sets the requirement that a temporary use permit may be renewed only once. Therefore, Application No. 7918-0420-00 was returned to the applicant and the file was closed as staff concluded that the City had no legal authority to extend a TUP a third time.
- The northeastern portion of the site is encumbered by a GVS&DD sanitary SRW as shown in Appendix III (boundaries are approximate). The existing GVS&DD sanitary sewer is located within the 13.0 m wide Zone A of the SRW. Zone B extends 17.0m wide beyond Zone A. The applicant must respect the following load restrictions:
  - Zone A has a loading restriction of 5 kPa above original construction grade, and a live load restriction of 5,000 kg gross vehicle weight (maximum).
  - Zone B has a dead load restriction of 57 kPa above original construction grade.
- The City’s mapping system identifies a Class C (green-coded) watercourse running along the north-east property line within the GVS&DD sanitary SRW. Should Council determine that there is merit in allowing the subject rezoning application to proceed, the applicant will be required to have a Qualified Environmental Professional (QEP) confirm the classification of the watercourse in order to determine whether streamside setbacks and protection measures are applicable.

## Referrals

- Engineering: Should Council determine that there is some merit in allowing the subject rezoning application to proceed, Engineering will provide comments with respect to the proposal.
- Metro Vancouver Metro Vancouver has concerns about the applicant's adherence to the terms of a GVS&DD sanitary SRW. Metro Vancouver staff have expressed concern that there has been and may currently exist breaches to the SRW agreement in Zone A, which includes unauthorized placement of excessive fill, and unauthorized use of Zone A by oversized vehicles, including travelling and/or parking. Should Council determine that there is some merit in allowing the subject rezoning application to proceed, Metro Vancouver staff will provide additional comments with respect to the proposal.

## Transportation Considerations

- Should Council determine that there is some merit in allowing the subject rezoning application to proceed, Transportation will provide comments with respect to the proposal.

## POLICY & BY-LAW CONSIDERATIONS

### Regional Growth Strategy

- The site is designated as "General Urban" in the Regional Growth Strategy (RGS), which could accommodate the land use identified by the applicant.

### Official Community Plan

#### Land Use Designation

- The site is designated as "Mixed Employment" in the Official Community Plan (OCP), which could accommodate the land use identified by the applicant. However, the proposal is contrary to OCP policies seeking the full utilization and efficient use of employment land.

### Secondary Plans

#### Land Use Designation

- The subject site is designated "Business Park" and "Open Space" in the South Westminster NCP. Development within these designations focuses on a high-quality business park in an attractive, clean, quiet campus setting where truck parking and outdoor storage are limited. The proposed rezoning to authorize a truck parking facility does not comply with this designation.

## **PUBLIC ENGAGEMENT**

- Pre-notification letters were sent on July 15, 2022. Staff received no responses from area residents and businesses. However, there has been consistent opposition to the presence of the unauthorized truck parking facility by area residents in the past, resulting in numerous Bylaw complaints to the City.
- At this point in time, Staff have yet to request a Development Proposal Sign. Should Council determine that there is some merit in allowing the subject rezoning application to proceed, Development Proposal Signs will be requested from the applicant.
- At this point in time, Staff have yet to request a review of the proposed rezoning by the Whalley Community Advisory Association. Should Council determine that there is some merit in allowing the subject rezoning application to proceed, Staff will engage with the relevant community association.

## **TREES**

- Should Council determine that there is some merit in allowing the subject application to proceed, the applicant will be required to submit an updated Arborist Report, detailed Landscape Plan, and Tree Survey for the subject site, and address any concerns related to the City's Tree Protection By-law.

## **PROJECT EVALUATION**

### **Applicant's Justification**

- Synergy Trucking has been in business since 2006 and situated at 10128 Grace Road since 2012. The company currently has 50+ employees that are all based in Surrey (with more positions to be filled). The company operates 7 days a week, 365 days a year, and provides an essential service, which includes the movement of refrigerated cargo to grocery stores across the lower mainland.
- The company has provided services throughout the COVID-19 pandemic, ensuring food security for residents in the Lower Mainland.
- The subject site is in close proximity to major truck routes including Highway No. 17 (South Fraser Perimeter Road) and 120 Street (Scott Road) which provides good access throughout the Lower Mainland for the movement of goods.
- A full letter detailing the Applicant's justification for the proposed rezoning has been attached as Appendix IV.

### **Advantages of the Proposal**

- There is an identified need for truck parking facilities in the City and approval of this rezoning would assist in addressing that need.

### **Disadvantages of the Proposal**

- Staff contend that the proposed location is not suitable for truck parking.
- The proposal is contrary to the Official Community Plan (OCP) policies that encourage the full utilisation 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 Land Strategy.
- The proposal does not comply with the "Business Park" designation in the South Westminster Neighbourhood Concept Plan (NCP), and the associated 2003 Council initiated rezoning of the site to IB-2.
- In April 2022, Council received Corporate Report R071 and authorized staff to undertake an update of the South Westminster NCP. The main purpose of the update is to reflect the current market conditions and ensure that transit-oriented development principles are incorporated around the Scott Road SkyTrain Station and along the alignment of the planned R6 RapidBus. Staff are of the view that a proposal to rezone this site ahead of the updated land use plan being drafted and receiving Stage 1 endorsement is premature.
- The proposed rezoning could delay land consolidation and prevent redevelopment to a more suitable mix of industrial, commercial, business and office uses in accordance with the OCP, the NCP, and the City's Employment Lands Strategy.
- Recent redevelopment in the Bridgeview and South Westminster area have demonstrated that development constraints in this area (i.e., minimum floodproofing elevations, soil conditions, site servicing) can be successfully overcome with appropriate land assembly. The Pacific Link Industrial Park, comprising multiple properties at the intersection of 120 Street (Scott Road) and 103A Avenue, is an example.
- The proposal may set a precedent for the authorization of other truck parking facilities through rezoning, which could hinder re-development and investment in the South Westminster area.
- The subject site is highly visible from the existing residential lots to the south and south-east. The residential properties are located upland from the subject site. Previous mitigation measures, including the installation of fencing and other landscape buffer, have not been effective in limiting visual impact and noise pollution associated with the proposed use.
- Area residents have expressed opposition to the ongoing use of the subject site for a truck parking which has resulted in Bylaw enforcement action. City staff note that this opposition relates to zoning compliance, noise, dust, and the highly visible nature of the subject site from the existing residential lots to south and southeast of the subject site.

## CONCLUSION

- In considering all the various aspects of the proposal, the Planning and Development Department suggest that the disadvantages of the proposed rezoning of the subject site to “Light Impact Industrial Zone (IL)” outweigh the advantages, and therefore, recommends that this proposal be denied.
- However, if Council determines that there is merit in allowing the proposed rezoning to proceed on the subject site, the application should be referred back to Planning staff to complete the development application review process, including necessary referrals and notifications, and then prepare the Rezoning By-law for Council’s consideration at a future Regular Council – Land Use meeting.

## INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	South Westminster NCP
Appendix II.	Aerial Photos (COSMOS, 2022)
Appendix III.	GVS&DD SRW Survey Plan
Appendix IV.	Applicant Rationale

*approved by Ron Gill*

Jeff Arason  
Acting General Manager  
Planning and Development

RO/ar



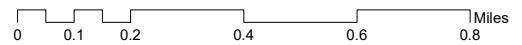
ALIGNMENT OF WATERFRONT-ORIENTED PEDESTRIAN WALKWAY TO BE FINALIZED AS PART OF SPECIAL STUDY

The Subject Site:  
10128 Grace Road

# SOUTH WESTMINSTER PLAN

CITY OF SURREY  
PLANNING AND DEVELOPMENT DEPARTMENT

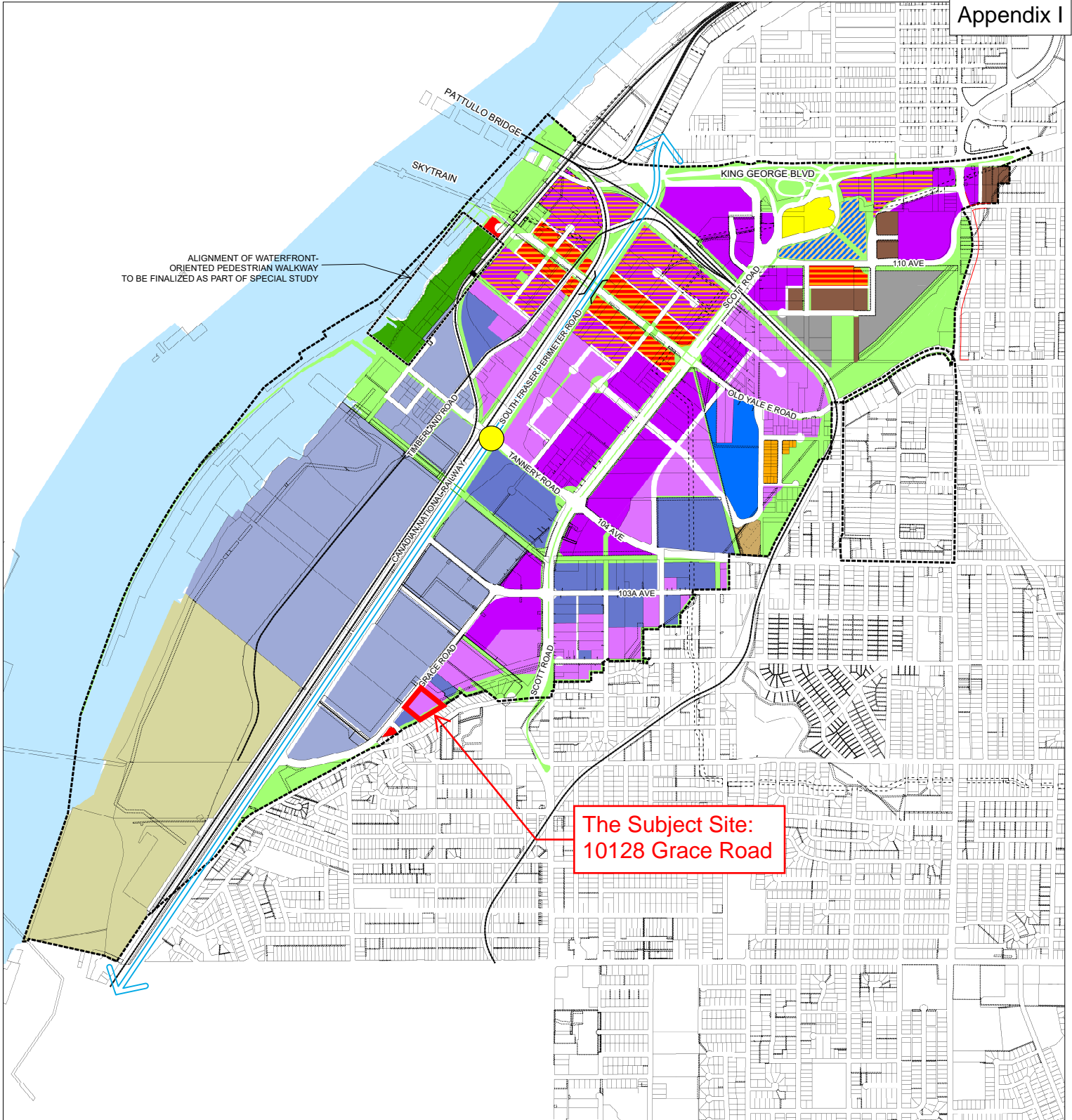
APPROVED BY COUNCIL RESOLUTION R03 - 3189 8 December 2003, Map Revised 1 April 2022



## Legend

- SkyTrain
- Overpass
- Waterfront Oriented Pedestrian Walkway
- Special Study Area
- Interchange
- South Fraser Perimeter Road
- Business Park

- Business Residential Park
- Commercial
- Highway Commercial
- Light Impact Industrial
- Light Industrial Business Park
- Low Density Townhouses
- Multiple Residential
- Port Related Industrial
- Retail Residential
- Special Residential
- Schools
- Institutional
- Skytrain
- Transit Oriented Urban Village
- Parks and Open Spaces
- Waterfront Strip
- Overpass

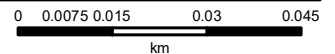




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The data provided is compiled from various sources and is NOT warranted as to its accuracy or sufficiency by the City of Surrey. This information is provided for information and convenience purposes only. Lot sizes, legal descriptions and encumbrances must be confirmed at the Land Title Office. Use and distribution of this map is subject to all copyright and disclaimer notices at cosmos.surrey.ca



Appendix III

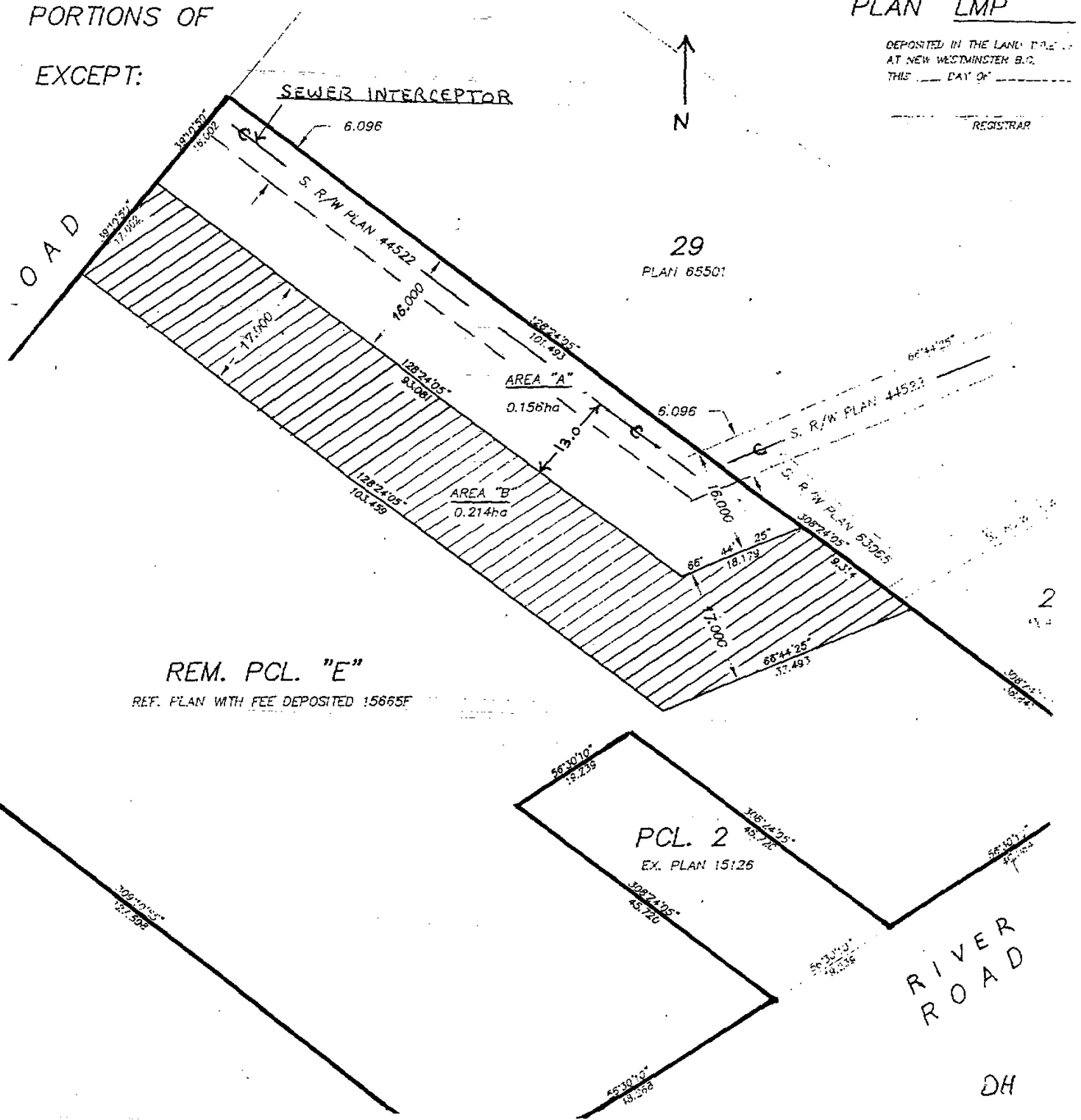
SCHEDULE 1

PORTIONS OF  
EXCEPT:

PLAN LMP

DEPOSITED IN THE LAND TITLE  
AT NEW WESTMINSTER B.C.  
THIS DAY OF

REGISTRAR



*21 November, 2022*

Hello,

This is regarding the rezoning application filed by Synergy Trucking Ltd on 10128 Grace Road, Surrey BC.

We have exhausted our attempts and we just cannot find any parking in the lower mainland. We have been actively searching for land together with the help of multiple realtors and the City of Surrey planners as well. We were issued TUP (Temporary Use Permits) twice now on this property and that has expired since.

After resubmitting another application for a new TUP that was refused, we coordinated with the person that oversaw the zoning administration, and she also acknowledged the complexity of Land availability for truck parking. With her recommendations, we applied for rezoning to IL zoning, and submitted all the applicable documents and fees forthwith and got the process commenced. However, it came to our knowledge that person has retired and there was no one else that could assist us, that understands the concerns of the trucking industry, and could help in the rezoning process. We have also been notified that her position has not yet been filled as of yet either.

We have been in business since 2006, and situated at this location since 2012 and currently Synergy has 50+ employees that are all based in Surrey, with 30 open positions that still needs to be filled, which will bring the total to more than 80. We operate 7 days a week, year round, and provide essential services and providing refrigeration services to grocery stores all across. We provided services throughout the covid restrictions and pandemic making sure that food supplies do not stop, taking all the precaution and contributing to the crucial time of shortages of produces and supplies.

We have attempted numerous options with many realtors and city planners, but all to no avail, and now we plead that the City grant us the zoning we request, or help find us a suitable place to operate out of.

The ideal solution after exhausting all other potential alternatives, we are requesting to have the zoning changed to IL, considering other trucking companies around and nearby us already have IL zoning.

As we all know, the motto of Surrey is "FUTURE LIVES HERE", but we're really not heading in that direction with the potential loss of jobs and services that's been provided by Synergy Trucking over the years including working through the pandemic.

This is an ongoing issue we are facing with every new administration that comes in, and still there hasn't been any council that has been able to help resolve this issue for us.



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I'd like to request that the rezoning application be approved, as the future of so many employees depend on how the City of Surrey arbitrates our proposed resolution. Thank you.

Sincerely,

Paul Nahal

General Manager

[paul@synergytruckingltd.com](mailto:paul@synergytruckingltd.com)

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