

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7907-0069-00

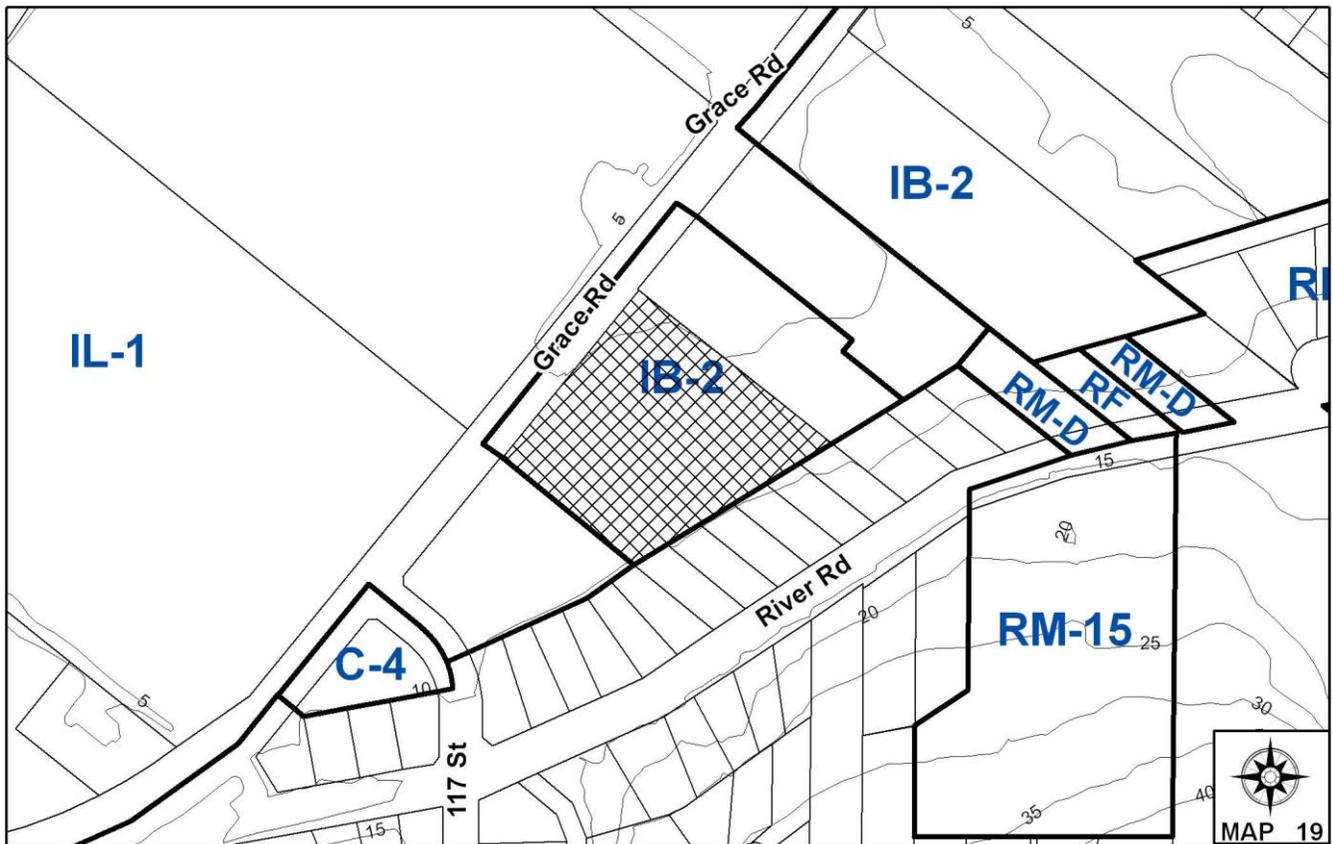
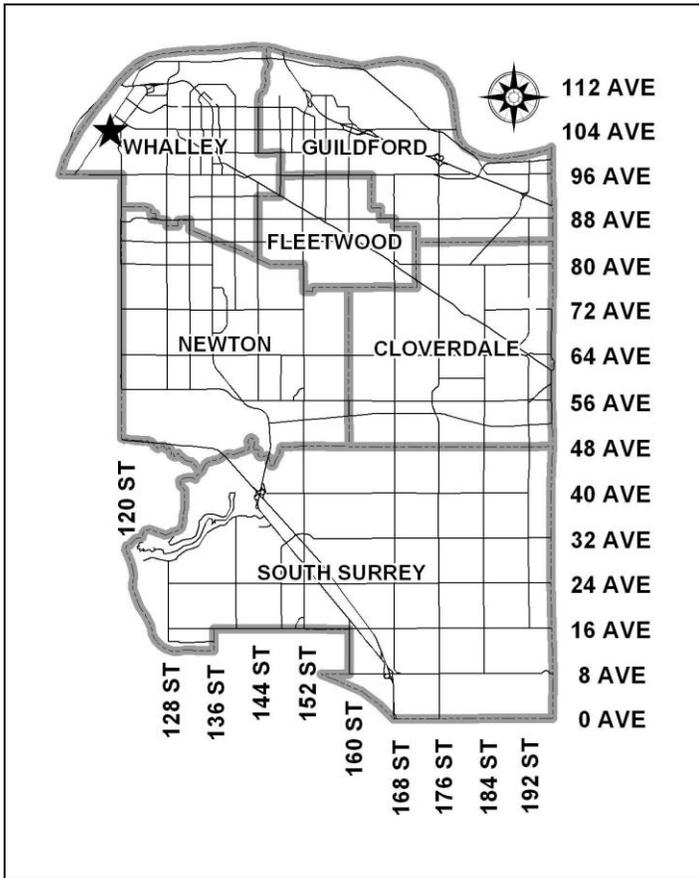
Planning Report Date: May 4, 2009

PROPOSAL:

- **OCP Amendment**
- **Temporary Industrial Use Permit**

to allow for a temporary truck parking facility for a period not to exceed two years.

LOCATION: 10128 Grace Road
OWNER: Pattar Cedar Products Ltd.
ZONING: IB-2
OCP DESIGNATION: Industrial
NCP DESIGNATION: Business Park/Open Space



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for an OCP Amendment.
- Approval for a Temporary Industrial Use Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The proposed truck parking is not consistent with the Business Park designation in the South Westminster Neighbourhood Concept Plan.

RATIONALE OF RECOMMENDATION

- The proposed truck parking use will allow an interim use on the land until it is economically viable for the property owners to develop the land in accordance with the South Westminster Plan.
- Council gave Third Reading to a similar Temporary Use Permit (TUP) application (No. 7904-0135-00) on an IB-2-zoned site 3 lots to the north-east, but the by-law was filed due to inactivity. A new TUP application (No. 7909-0045-00) for this neighbouring site is scheduled for consideration by Council on May 4, 2009.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to amend the Official Community Plan by declaring the subject site a Temporary Industrial Use Permit Area and a date for Public Hearing be set.
2. Council determine the opportunities for consultation with persons, organizations and authorities that are considered to be affected by the proposed amendment to the Official Community Plan, as described in the Report, to be appropriate to meet the requirement of Section 879 of the Local Government Act.
3. Council approve Temporary Industrial Use Permit No. 7907-0069-00 (Appendix IV) to proceed to Public Notification.
4. Council instruct staff to resolve the following issue prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a final site plan addressing the requirements identified in Corporate Report No. R216;
 - (c) submission of a landscaping plan, landscaping cost estimate and landscaping bond and security to the specifications and satisfaction of the City Landscape Architect;
 - (d) submission of adequate security to ensure vehicles are removed and the site is returned to its vacant state upon expiry of the Temporary Industrial Use Permit;
 - (e) resolution of the fill placed over the sanitary sewer trunk line right-of-way to the satisfaction of Metro Vancouver; and
 - (f) registration of a Section 219 Restrictive Covenant to prohibit on-site truck washing, truck fuel storage or refilling, storage of waste petroleum fluids and vehicle maintenance on site and to prohibit the parking and storage of vehicles containing dangerous goods as defined by the *Transport of Dangerous Goods Act*.

REFERRALS

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

GVRD: GVRD has no concerns provided that vehicles are not parking on their right-of-way and the owner coordinates the removal of soil deposited on their right-of-way to the GVRD's satisfaction.

SITE CHARACTERISTICS

Existing Land Use: Existing unauthorized truck parking facility with GVRD sewer right-of-way impacting the north-eastern side property line.

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North-East:	Vacant land. Further north-east at 10198 Grace Road, an application in process for a TUP for truck parking (Application No. 7909-0045-00 at Third Reading.	Business Park and Parks Open Space	IB-2
South-East:	Single family residences.	Urban	RF
South:	Existing non-conforming automotive repair facility.	Light Impact Industrial/Business Park and Parks and Open Spaces	IL-1
North-West (Across Grace Road):	Warehouse and trucking distribution company.	Light Impact Industrial	IL-1

DEVELOPMENT CONSIDERATIONS

Background

- The subject property is located at 10128 Grace Road and encompasses a site area of 0.98 hectare (2.4 acres). The subject property is designated Business Park in the South Westminster Neighbourhood Concept Plan (NCP) and zoned "Business Park 2 Zone (IB-2)".
- The Business Park designation along the base of the slope is intended to improve and make more compatible the industrial areas adjacent to residential areas by encouraging these lands to be redeveloped to high quality comprehensively planned business park uses.
- An application was first submitted on the subject site in September 2004 (Application No. 7904-0342-00). At that time, the subject property was zoned "Light Impact Industrial Zone (IL)". In accordance with the IL Zone, transportation industry requires a minimum 100-square metre (1,076 sq. ft.) building with washroom facilities and a paved parking surface. To vary these

improvements to the site, a TUP was sought.

- The property was rezoned to the current IB-2 Zone through a City- initiated rezoning of a number of properties in the South Westminster area in order to advance the implementation of the South Westminster NCP. The rezoning was approved on May 18, 2005. The IB-2 Zone does not permit transportation uses, such as truck parking facilities.
- Application No. 7904-0342-00 was scheduled for consideration at the January 9, 2006 Council meeting, however, at the applicant's request, the proposal was withdrawn and the file was subsequently closed.
- As a result of by-law enforcement action, regarding the illegal truck parking use on the property, the applicant submitted the current application.

Current Proposal

- The application proposes a Temporary Use Permit to allow for the storage of 37 truck and trailer units and 2 overweight trucks, as shown on the attached site plan (Appendix II).
- The owner has advised that he intends to develop the subject property in compliance with the NCP designation of Business Park when it becomes economically viable. In the interim, the applicant is requesting a Temporary Industrial Use Permit (TUP) to allow the operation of a truck parking facility.
- MetroVancouver staff have advised that fill has been placed over the sanitary sewer trunk line. The applicant is to work with Metro Vancouver staff to remove the fill in conjunction with the TUP application.

PRE-NOTIFICATION/PUBLIC INFORMATION MEETING

- Pre-notification letters were sent on April 3, 2007 regarding the proposal. As a result of the pre-notification process, staff received a petition with 53 names and telephone calls that were against the continued use of the property as a temporary truck parking facility.
- With the obvious public dissention on the proposed use, Planning staff prepared a report for consideration at the July 23, 2007 Regular Council – Land Use meeting recommending denial of the application. The applicant requested that this application be withdrawn so that the applicant could conduct a Public Information Meeting to discuss mitigation measures with the surrounding property owners.
- On August 13, 2008, the applicant submitted 39 letters of support for the proposal. Planning staff noted that many of the names that were on the letters of support were also on the petition against the proposal submitted in June 2007. As a result, it was inconclusive as to whether the surrounding neighbourhood did or did not support the proposed Temporary Use Permit for truck parking.

- Planning staff once again requested that the applicant hold a Public Information Meeting.
- Planning staff supplied 132 mailing labels to the applicant to notify the surrounding community about a Public Information Meeting which was held on April 2, 2009 at the Royal Heights Elementary School. At the Public Information Meeting, approximately 15 people attended and the applicant received 21 responses from attendees and from residents who were given a copy of the questionnaire from their neighbours; 16 were supportive of the proposal, 4 were against, and one had no opinion.
- The main concerns expressed concerning this proposal are as follows:

- Noise:

Applicant's response: the 7.5-metre (25 foot) wide landscaping strip will assist in mitigating the noise from the truck engines.

(The proposed landscaping along the rear property line will consist of a western red cedar hedge, giant redwoods, maple trees and katsura trees. Beneath the trees is inter-dispersed with lower growing shrubs such as lily of the valley, spirea and rhododendrons. The landscaping buffer may reduce the impact of the noise generated by the trucks, but due to the topography, noise from the industrial uses will transmit up the hill.)

- Dust:

Applicant's response: They will consider paving the parking lot to reduce the impact of dust on the up-lying residences.

(Staff will work with the applicant to ensure that the surfacing used will minimize the impact of dust on the up-lying residents.)

- Fumes:

Applicant's Response: The 7.5 metre wide landscaping strip will assist in mitigating the fumes from the trucks.

(Staff concurs with the applicant that the installation of the landscaping will assist in mitigating some of the fumes generated by the trucks.)

- Aesthetics:

Applicant's Response: The landscaping proposed along both Grace Road and the residential buffer, complete with adequate fencing and the installation of a portable washroom will greatly improve the aesthetics of the site.

(The site improvements, and installation of a portable washroom will improve the visual appearance of the site.)

PUBLIC CONSULTATION PROCESS FOR OCP AMENDMENT

Pursuant to Section 879 of the Local Government Act, it was determined that it was not necessary to consult with any persons, organizations or authorities with respect to the proposed OCP amendment, other than those contacted as part of the pre-notification process.

DESIGN PROPOSAL AND REVIEW

- Two one-way access driveways are proposed from Grace Road, with the northerly access one-way in, and the southerly access for egressing the site. A 3.0-metre (10 ft.) wide landscape strip is proposed along the Grace Road frontage, and a 7.5-metre (25 ft.) wide landscape area is proposed along the rear property line, buffering the neighbouring residential uses.
- The proposed landscaping satisfies the requirements of any future industrial development and should be well established at the time that the property develops to its ultimate business park use. Further augmentation of this landscaping with smaller decorative shrubs could be considered in the future ultimate development.
- The landscaping is a combination of flowering and non-flowering, deciduous and coniferous trees and shrubs.
- One of the abutting residential owners requested that the trees should be planted so that they do not block the view of the mountains to the north.
- On October 31, 2008, City Council considered Corporate Report No. R216, which provided an update to the status of the actions to address truck parking in the City. Contained within, the report, Council endorsed the following requirements with respect to the on-site requirements for truck parking:
 - Require sealed engineering drawings for the site layout to ensure adequate drive aisle widths and stall sizes to accommodate the manoeuvring and parking of trucks on the site;
 - Require that truck parking spaces be visually delineated at all times on the site to ensure that truck parking on each lot occurs in an efficient manner and to ensure that those who have paid for and are relying on parking on the site do not get locked out by the misalignment of other parked vehicles on the site;
 - Require that the site be surfaced with materials that do not cause damage to truck tires (i.e., meet certain gradation specifications); and
 - Require that adequate washroom facilities be provided on site.
- Prior to issuance of the Temporary Industrial Use Permit, the applicant is to submit final site plan drawings addressing the on-site requirements for truck parking.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners and Action Summary
- Appendix II. Proposed Site Plan and Landscape Plans
- Appendix III. Engineering Summary
- Appendix IV. Temporary Industrial Use Permit No. 7907-0069-00
- Appendix V. OCP Amendment By-law

Jean Lamontagne
General Manager
Planning and Development

LAP/kms

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Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent: Name: McElhanney Consulting Services Ltd.
 Address: 13160 - 80 Avenue
 Surrey, BC
 V3W 3K3
 Tel: 604-596-0391

2. Properties involved in the Application
 - (a) Civic Address: 10128 Grace Road

 - (b) Civic Address: 10128 Grace Road
 Owner: Pattar Cedar Products Ltd., Inc. No. 186866
 PID: 023-380-811
 Lot 7 Section 25 Block 5 North Range 3 West New Westminster District Plan
 LMP27717

3. Summary of Actions for City Clerk's Office
 - (a) Introduce a By-law to amend the Official Community Plan to designate the property a
 Temporary Industrial Use Permit Area.

 - (b) Proceed with Public Notification for Temporary Industrial Use Permit No. 7907-0069-00.