

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7908-0018-00

Planning Report Date: November 24, 2008

PROPOSAL:

- OCP Amendment
- Temporary Industrial Use Permit

in order to allow the operation of a truck parking facility for a period not to exceed two years.

LOCATION:

12175 - 104 Avenue

OWNERS:

421854 BC Ltd. and 421851 BC Ltd.

ZONING:

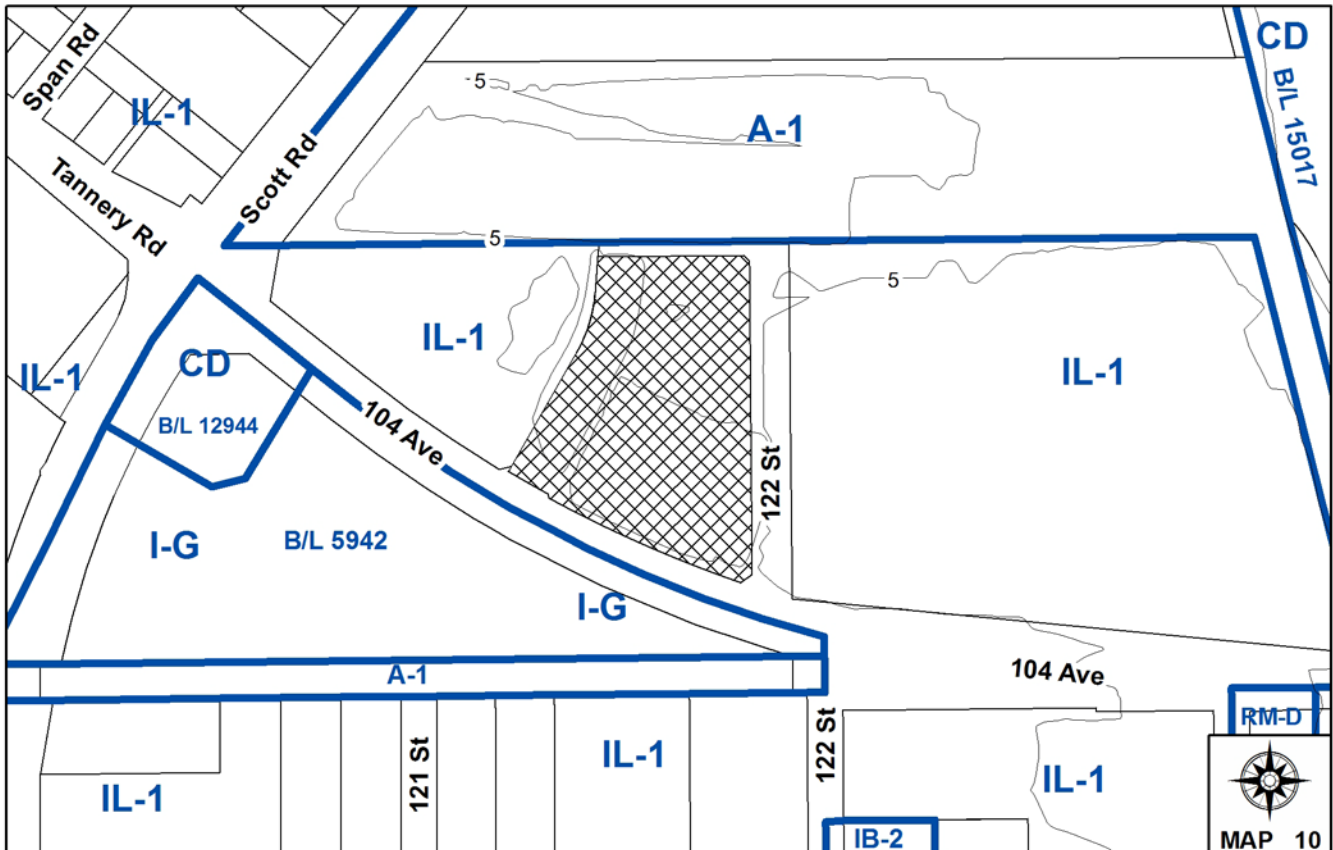
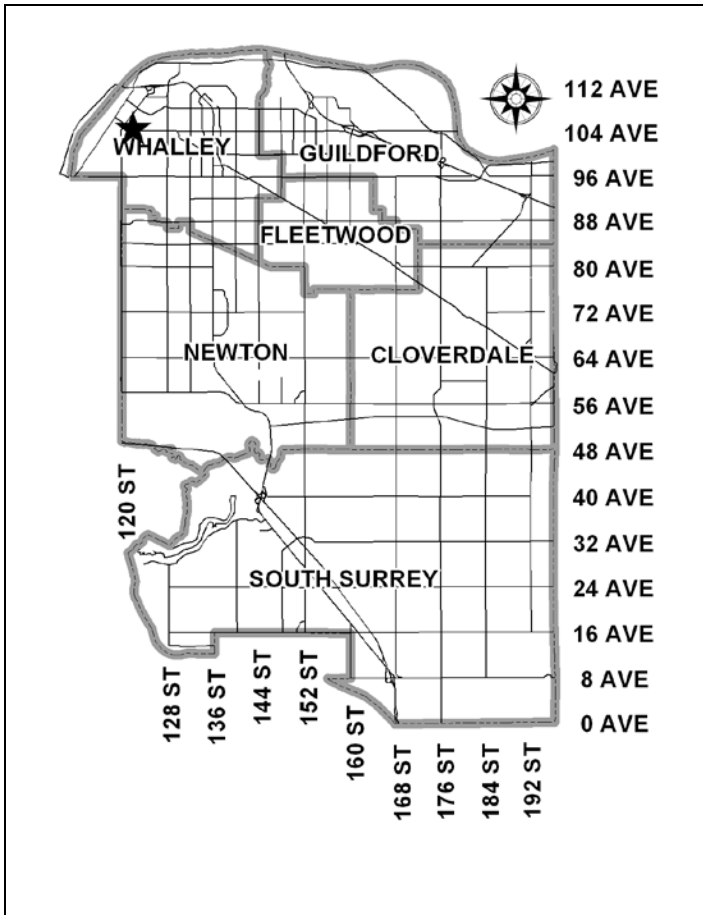
IL-1

OCP DESIGNATION:

Industrial

NCP DESIGNATION:

Business Park



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.

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 NCP.

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. 7908-0018-00 (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 landscaping plan, landscaping cost estimate and landscaping bond and security to the specifications and satisfaction of the City Landscape Architect;
 - (c) 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; and
 - (d) 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.

SITE CHARACTERISTICS

Existing Land Use: Vacant land, currently being used for some truck parking.

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North:	Vacant.	Highway Commercial and Business Park	A-1
East (Across unconstructed 122 Street):	Mixed industrial uses including mini-storage operation.	Light Impact/ Business Park	IL-1
South (Across 104 Avenue):	Vacant. Under Development Application No. 7908-0020-00 to develop the west portion to CHI (Third Reading on July 28, 2008) and 7908-0216-00 to develop the remaining portion under proposed CHI (DP is pre-Council).	Highway Commercial	I-G (By-law No. 5942)
West:	Vacant. Under Development Application No. 7908-0043-00 for temporary truck park (pre-Council).	Highway Commercial	IL-1

DEVELOPMENT CONSIDERATIONSBackground

- The 1.7-hectare (4.2 acre) subject site is located at 12175 – 104 Avenue on the north side of 104 Avenue. The site is designated Industrial in the Official Community Plan (OCP), "Business Park" in the South Westminster Neighbourhood Concept Plan (NCP) and currently zoned "Light Impact Industrial Zone 1 (IL-1)".
- On June 25, 2007, Council issued Development Permit No. 7904-0304-00 to permit the construction of a single-storey 6,986-square metre (75,200 sq. ft.) industrial building with a 464.5-square metre (5,000 sq. ft.) ancillary office on the subject site.
- On May 25, 2007 the applicant applied for a Building Permit to construct the building approved under Development Permit No. 7904-0304-00. The Building Permit application was cancelled by the applicant on March 20, 2008 due to the increase in the cost of construction. The applicant wishes to defer construction until costs decrease and it becomes financially viable.

Current Proposal

- It remains the owner's intention to develop the subject property in compliance with the NCP designation of Business Park by constructing the industrial building approved under Development Permit No. 7907-0304-00, 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 for approximately 63 trucks and trailer and 31 dump trucks or cabs for a period not to exceed two years.
- The applicant has indicated that his intention is to run a high-end truck parking facility which includes an automated gate with card access only, cameras, lights, security and landscaping. The card access and security will be operated through an existing mini-storage operation in one of the industrial buildings, located on the east side of 122 Street.
- In conjunction with Development Permit No. 7904-0304-00, the applicant registered a reciprocal access agreement with the property owner to the east of the subject site. The reciprocal access agreement will provide temporary access to the subject site off 104 Avenue until 122 Street is constructed. At that time, the site will have an entrance and exit gate off 122 Street and the common access off 104 Avenue will be closed and the gate removed. The separate entrance and exit gates are to minimize truck turning on the site. In addition, there will be a future access point off the future lane to the north of the property.

PRE-NOTIFICATION

In accordance with Council policy, a development proposal sign was erected on the subject property and pre-notification letters were mailed February 28, 2008. There was one response to the development proposal sign from a resident located 200 metres to the east, fronting 104 Avenue. His concerns were as follows:

- Trucks are travelling east of the railway tracks along 104 Avenue which is posted as a "No Truck" route.

(Staff have requested the By-law Enforcement Commercial Vehicle Section to conduct additional patrols along this section of 104 Avenue.)

- Vehicles are speeding both up and down the 104 Avenue hill.

(104 Avenue is approximately 12% grade, and vehicles do travel quickly down this portion of the road. The property owner was advised to contact the Whalley Community Policing Station and request additional radar traps for this section of road.)

- The Temporary Use Permit will increase the number of trucks in the area, which will increase the number of overweight vehicles travelling east and up the 104 Avenue hill.

(104 Avenue is posted as a no truck route. This issue has been conveyed to By-law Enforcement and Licensing for action.)

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

- Currently, there are maple trees planted along the 104 Avenue road frontage of the subject property. To screen the truck parking facility from 104 Avenue and to provide for site security, the applicant is proposing to augment the existing 1.8-metre (6 .6 ft.) high chain link fence along the property line with two stacked concrete lock blocks, which total 1.8 metres (8 ft.) in height. The applicant has proposed to set the lock blocks back 6.5 metres (31 ft.) from the property line, and to plant 1.8-metre high cedar hedges between the face of the lock block wall and the chain link fence.
- The lock block wall will protect the trees and fence from being damaged by the trucks. In addition, it will provide for additional truck trailer security as the tractor trailers can back up into the parking stall and place the rear doors of the trailer unit against the wall.
- Along the 122 Street road frontage, the applicant has proposed to install a two-lock block high wall, approximately 3.0 metres (10 ft.) from the property line. The applicant has proposed cedar hedging to screen the lock block wall along this road frontage.
- Along the west and north property lines, the applicant has requested to install a three-lock block high wall totalling approximately 2.74 metres (9 ft.) high.
- Prior to issuance of the Temporary Industrial Use Permit, the applicant is to provide security to the satisfaction of the City Landscape Architect to ensure the installation and maintenance of the landscaping screening.
- The applicant is proposing to install on-site lighting to increase site security. The proposed lamp standards are similar to the City's overhead street lamps, are 7.5 metres (25 ft.) high and will contain LED bulbs to illuminate the site.
- There are eleven of these lamp standards proposed for the site, with the majority of them being located around the site perimeter. The lights are downward cast and will have minimal impact on the up-lying residential area.
- The applicant has requested a 4.5-metre (15 ft.) high free-standing sign located at the south-east corner of the subject property. The proposed sign will be constructed using steel, painted blue and identifies the address of the property and the truck parking facility. The signage is proposed to be an unlit grey background with individual lettering. The proposed sign is the same as the one approved under Development Permit No. 7904-0304-00. (Appendix II)

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners, Action Summary and Project Data Sheets
- Appendix II. Proposed Site Plan
- Appendix III. Engineering Summary
- Appendix IV. Temporary Industrial Use Permit No. 7908-0018-00
- 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: Ron Zeeman
 Address: 3927 Nicomekl Road
 Surrey, BC
 V3S 0L2
 Tel: 604-328-0355

2. Properties involved in the Application

- (a) Civic Address: 12175 - 104 Avenue
- (b) Civic Address: 12175 - 104 Avenue
 Owners: 421854 B.C. Ltd., Inc. No. 421854
 Director Information:
 Jacqueline Williams
 Ronald Zeeman
 Lena Zeeman

Officer Information: (as at March 9, 2007)
Jacqueline Williams (Secretary)
Ronald Zeeman (Vice President)
Lena Zeeman (President)

421851 B.C. Ltd., Inc. No. 421851
Director Information:
Harry Gordon
George Gordon

Officer Information: (as at March 9, 2007)
Harry Gordon (President)
George Gordon (Secretary)

PID: 027-451-232
Lot A Section 19 Block 5 North Range 2 West New Westminster District Plan
BCP35595

3. Summary of Actions for City Clerk's Office

- (a) Introduce a By-law to amend the Official Community Plan to redesignate the property a
 Temporary Industrial Use Permit Area.
- (b) Proceed with Public Notification for Temporary Industrial Use Permit No. 7908-0018-00.