

**City of Surrey
PLANNING & DEVELOPMENT REPORT**

File: 7909-0130-00

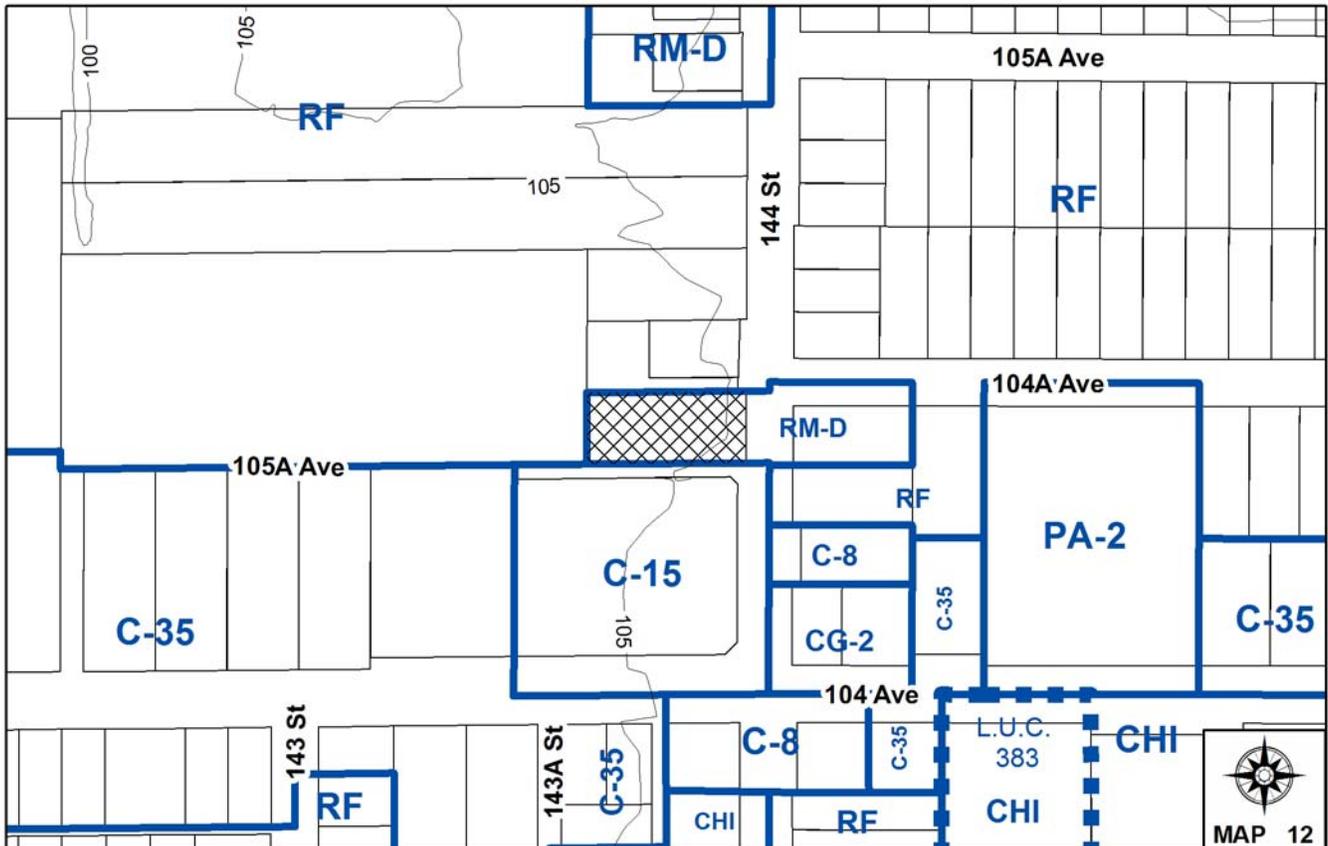
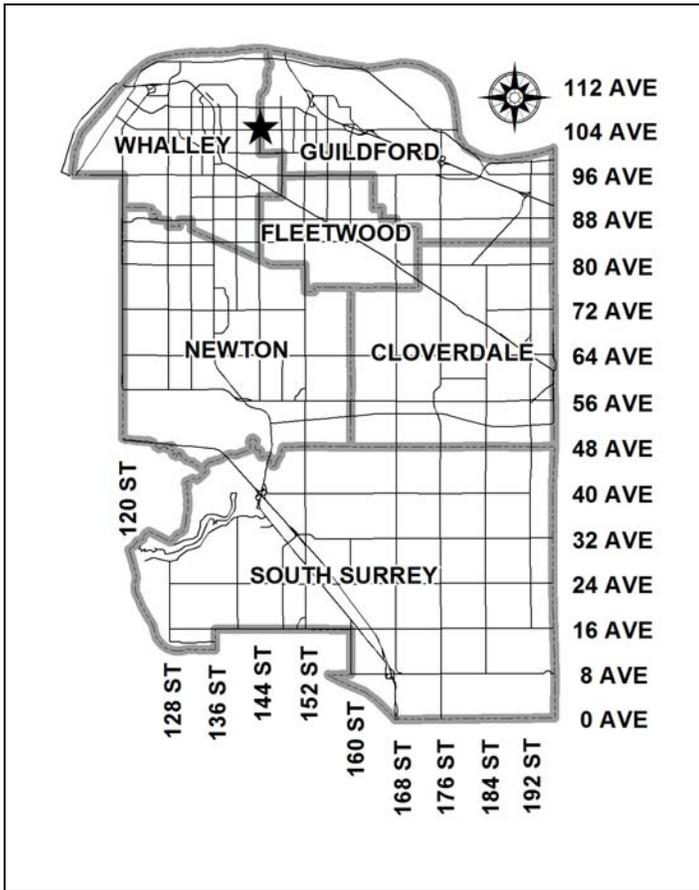
Planning Report Date: October 5, 2009

PROPOSAL:

- **OCP Amendment**
- **Temporary Commercial Use Permit**

in order to allow the short-term parking of vehicles under 8,000 kg. (17,635 lbs) GVW along the southern portion of the subject property.

LOCATION: 10459 - 144 Street
OWNER: City of Surrey
ZONING: RM-D
OCP DESIGNATION: Multiple Residential



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.

RATIONALE OF RECOMMENDATION

- The proposed Temporary Commercial Use Permit will provide temporary parking for the existing businesses to the south, while a portion of that site to the south is under construction.
- The subject property is vacant, and thus, the proposed temporary use is reasonable.
- The temporary parking will alleviate the problem of customers, employees and contractors parking on neighbouring residential streets.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to amend the OCP by declaring the subject site a Temporary Commercial 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 Commercial Use Permit No. 7909-0130-00 (Appendix V) to proceed to Public Notification.
4. Council instruct staff to resolve the following issues 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; and
 - (b) ensure that all requirements, including a licensing agreement, are addressed to the satisfaction of the Realty Services Division.

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: Heavily-treed vacant City-owned lot.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Single family dwellings.	Multiple Residential	RF
East (Across 144 Street):	Duplex.	Multiple Residential	RM-D

Direction	Existing Use	OCP Designation	Existing Zone
South (Across lane):	Multi-tenant commercial building; second commercial building, currently under construction, approved by Council under Development Application No. 7903-0163-00	Commercial	<u>C-15</u>
West:	Hawthorne Park	Multiple Residential	RF

DEVELOPMENT CONSIDERATIONS

Background & Current Proposal

- The subject property is located at 10459 – 144 Street and encompasses a site area of approximately 2,062 m² (22,197 ft²). The property is zoned RM-D and designated Multiple Residential in the Official Community Plan (OCP).
- The subject property is vacant and heavily treed. The site is owned by the City and is bordered on the west by Hawthorne Park. The subject property was acquired by the City for the future expansion of 104A Avenue. A multi-tenant commercial building, predominantly occupied by an Asian supermarket, Henlong Market, is located on the property directly to the south across the lane.
- Development Application No. 7903-0163-00 to allow a second commercial building on the Henlong Market property was approved by Council on May 25, 2009. The new building is currently under construction on the western portion of the site, and as a result, the parking has been significantly reduced.
- Subsequently, the owners of the Henlong Market property have applied for an OCP Amendment to designate the subject site a Temporary Commercial Use Permit Area and a Temporary Commercial Use Permit to allow customer and employee parking (a maximum of 30 stalls for vehicles under 5,000 kg. [11,023 kg.] GVW) along the southern portion of the subject City-owned property (Appendix II). Additionally, the applicant proposes to park trucks, which are under 8,000 kg. (17,645 lbs) GVW, on the property. The short-term parking of these trucks will be limited to a maximum of two (2) of the thirty (30) parking stalls and they must be limited to contractors and trades people currently working on the building under construction on the abutting property to the south (Henlong Market).
- The owners of the Henlong Market property have already cleared the southern portion of the City site and have been using it for parking purposes. As the result of follow-up work by City staff, the owners have applied for a Temporary Commercial Use Permit. It was determined that the southern portion of the City property, which currently accommodates the vehicle parking, was only cleared of bramble bush.

- Planning staff support the proposed Temporary Commercial Use Permit to allow parking along the southern portion of the City property adjacent to the lane for the following reasons:
 - The City property is vacant and unutilized. The Engineering Department has not indicated their intent to expand 104A Avenue on the subject property in the near future, and thus, the site will remain vacant for some time. When 104A Avenue is extended in the future (Appendix IV), there may be an option for the owners of the Henlong Market property to acquire the portion south of 104A Avenue to rezone and consolidate with their site.
 - The businesses within the existing commercial building are heavily patronized by customers from throughout the region, and thus, adequate parking for the businesses is essential. The proposed temporary parking on the City site will alleviate any problems that may stem from customers or employees parking on neighbouring residential streets.
 - The proposed vehicle parking on the City property is only temporary. Once the second commercial building is constructed on the Henlong Market site, 124 underground parking stalls will become available to service the site. The 124 stalls exceed the minimum 98 parking space requirement of the Surrey Zoning By-law for the new building. Once the new building is complete, the 124 underground stalls and the remaining surface parking (approximately 65 spaces), will adequately service both commercial buildings.
 - The vehicle parking along the southern portion of the City site will not impact any neighbouring properties. Vehicular access to the proposed temporary parking will be from the existing lane access to the Henlong Market site. It is expected that most of the vehicles parked in this area will be employees or construction workers, and thus, ingress and egress off the site will be infrequent.

PRE-NOTIFICATION

- Pre-notification letters were sent out on August 12, 2009, and staff received two (2) letters of support for the application as well as two (2) telephone calls in opposition. The letters of support reiterated the need to provide temporary parking for the Henlong Market. The current proposal will alleviate parking on adjacent sites.
- The callers expressed their disapproval of the owners of Henlong Market, who cleared a portion of the City property and are using it for parking purposes before the Temporary Use Permit has been issued. They also expressed their concern that more trees on the City property would be removed.

Staff have responded with the following:

- *Staff acknowledge that the owners of Henlong Market cleared the southern portion of the City site and are currently using it for vehicle parking. However, the area was unsightly due to a significant amount of litter and debris, and was only cleared of bramble bush.*
- *The vehicle parking on the City property is reasonable since parking is in short supply due to the construction taking place on the Henlong Market site. The temporary parking will alleviate problems on neighbouring residential streets.*

- *No additional landscaping or trees will be removed on the City property as a result of the proposed application.*

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.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Site Plan
Appendix III.	Engineering Summary
Appendix IV.	Potential Road Layout of 104A Avenue
Appendix V.	Temporary Commercial Use Permit No. 7909-0130-00
Appendix VI.	Proposed OCP Amendment By-law

Jean Lamontagne
General Manager
Planning and Development

DN/kms

Information for City Clerk

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

1. (a) Agent: Name: Mr. Minh Ngo
 Address: 14357 – 104 Avenue
 Surrey, BC
 Tel: 604-728-6257

2. Properties involved in the Application

- (a) Civic Address: 10459 – 144 Street
- (b) Civic Address: 10459 – 144 Street
 Owner: City of Surrey
 PID: 001-892-550
 Lot 29 Except: Parcel "A" (J10825E); Section 24, Block 5 North Range 2 West
 New Westminster District Plan 9014

3. Summary of Actions for City Clerk's Office

- (a) Introduce a By-law to amend the Official Community Plan and declare the property a
 Temporary Commercial Use Permit Area and set a date for Public Hearing.
- (b) Proceed with Public Notification for Temporary Commercial Use Permit No.
 7909-0130-00.