

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7909-0138-00

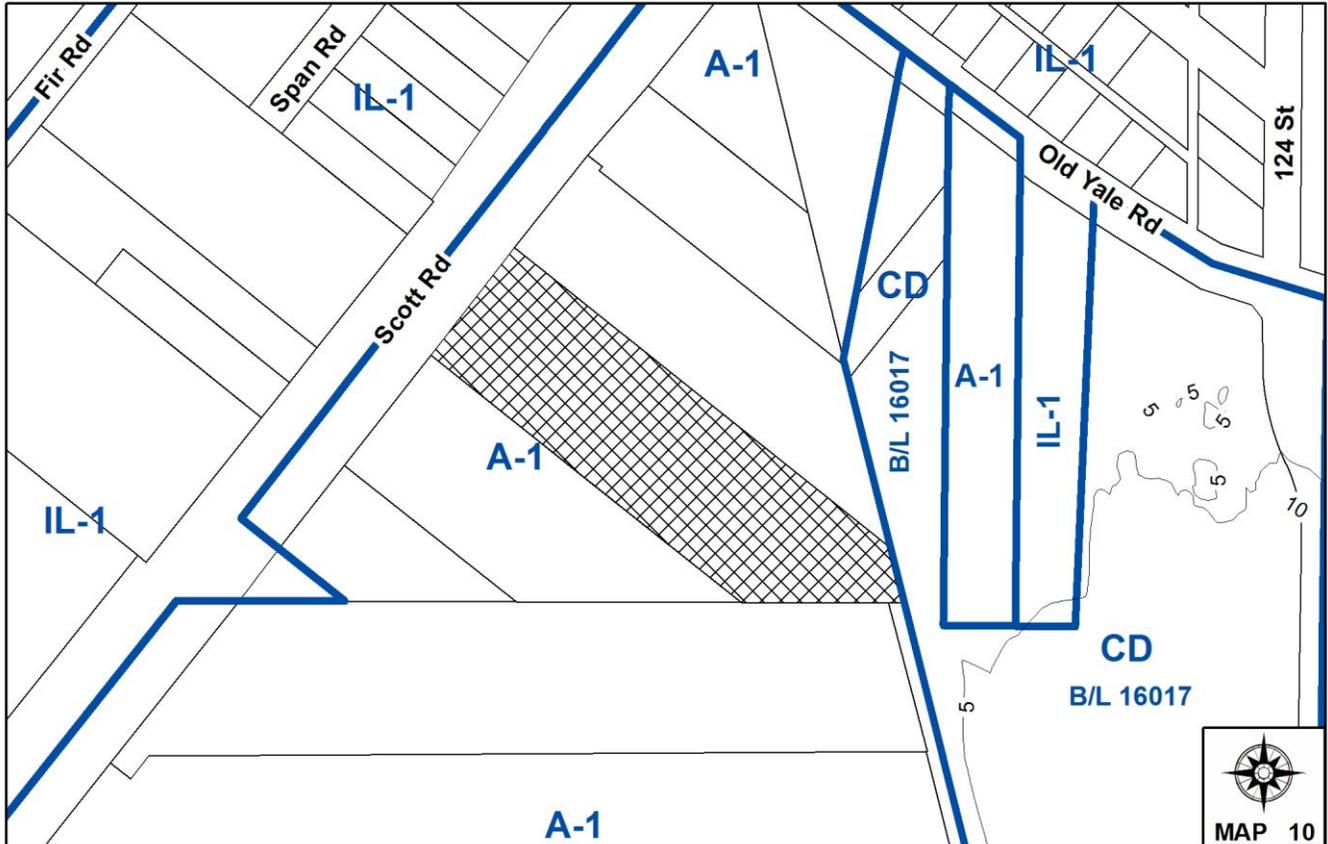
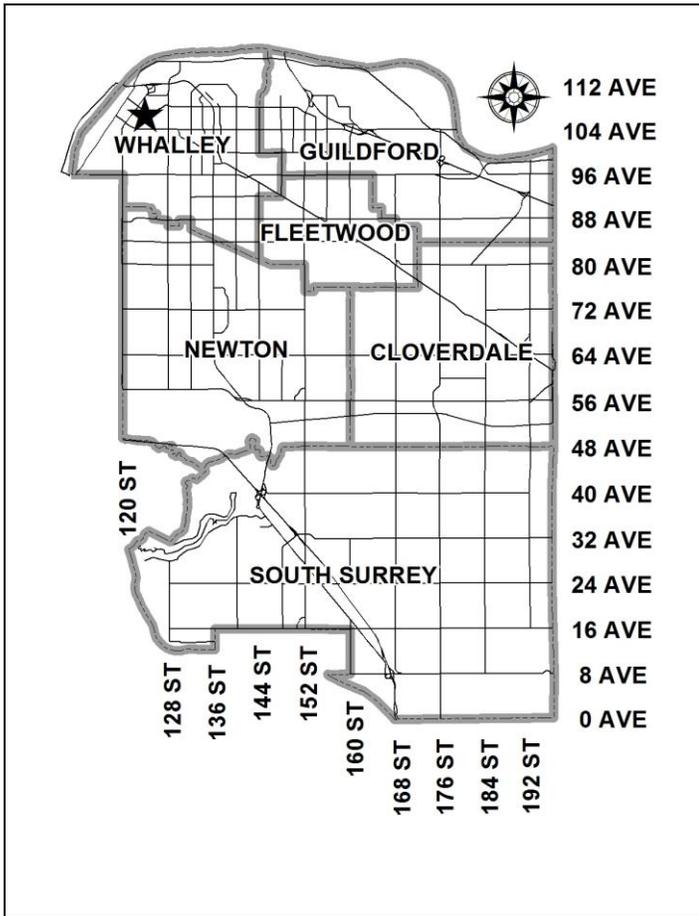
Planning Report Date: January 25, 2010

PROPOSAL:

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

in order to permit a truck parking facility for 40 trucks for a period not to exceed 2 years.

LOCATION: 10716 Scott Road
OWNER: J. Kang et al
ZONING: A-1
OCP DESIGNATION: Industrial
NCP DESIGNATION: Highway Commercial



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Contrary to the South Westminster NCP.

RATIONALE OF RECOMMENDATION

- The proposed temporary truck parking facility will allow the interim use of the land until it is economically viable for the owners to develop the land.
- Will assist in the provision of much-needed truck parking spaces in the City.
- The area is undeveloped due to lack of adequate services.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council introduce a By-law 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. 7909-0138-00 (Appendix IV) 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) completion of all requirements identified for the Pre-Servicing Approval Stage (Appendix VII).
5. Council direct staff to bring forward this application 4 months from the date of approval to proceed (i.e. first Council meeting after May 25, 2010) for consideration of filing, if the conditions have not been adequately fulfilled by the applicant.

REFERRALS

- Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering Servicing requirements as outlined in Appendix II.
- Terasen Gas: Terasen Gas advised staff that provided the fill and proposed parking does not impact the gas right-of-way and assets, they have no concern.

SITE CHARACTERISTICS

Existing Land Use: Unauthorized truck park.

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North:	Single family residential with non-conforming storage.	Highway Commercial	A-1
East:	Khalsa School.	Institutional	CD (By-law No. 16017)
South:	Vacant.	Highway Commercial	A-1
West (Across Scott Road):	Non-conforming auto wreckers business.	Highway Commercial	IL-1

DEVELOPMENT CONSIDERATIONSBackground

- The subject property is located at 10716 Scott Road and encompasses a site area of 1.46 hectares (3.6 acres). The subject property is designated Industrial in the Official Community Plan (OCP), Highway Commercial in the South Westminster Neighbourhood Concept Plan (NCP), and is currently zoned General Agricultural Zone (A-1).
- The applicant purchased the lands on July 30, 2009 but reportedly undertook some unauthorized soil deposition earlier in July without soil deposition permits or environment and sediment control (ESC) permits. As a result of By-law Enforcement actions, the applicant did secure the required associated soil deposition and ESC permits.
- One of the owners, Mr. Kang, has also purchased the property located at 10626 Scott Road to the south, and set up another truck parking operation which is also under By-law Enforcement action as the site is similarly zoned A-1. An application to legitimize this use has not been submitted to date.
- The owner operates a transportation industry business, who employs owner/operators to pick up trailers for delivery. The proposed TUP will allow for the continuation of this business, and also allow for the parking of the operator's trucks and trailers. The owner is currently operating the dispatch out of a trailer on the adjoining property to the north.

Current Proposal

- As a result of By-law Enforcement action, the applicant submitted the current application for a Temporary Industrial Use Permit (TUP) to allow for the parking of approximately 40 oversized trucks for a period of time not to exceed two years.
- A Terasen Gas right-of-way (ROW) traverses midway through the property. Due to the adverse soil conditions in this area, the applicant is only proposing truck parking on the north-westerly portion of the site. Terasen Gas would require bridging the pipeline to access the south-easterly portion of the site and this is cost prohibitive for this low level of development.

- Access restricted to right-in/right-out only is proposed from Scott Road. A chain link fence is indicated on the site plan to provide site security. The site is proposed to be surfaced with gravel.
- In the future, direct access to/from Scott Road is not intended for lots fronting the east side of Scott Road between Tannery Road and Old Yale Road. Alternate access is planned through development, by the extension of 122 Street running parallel to Scott Road.
- The proposed TUP for truck parking would allow for an interim use on the land until it is economically viable for the property owner to develop the property for an ultimate use which complies with the Highway Commercial designation in the NCP. This interim use would allow the applicant to temporarily park trucks until they redevelop the site.
- The applicant runs a transportation company, and their intent is to park the owner/operators' vehicles as well as transport trailers and containers on the site.
- To allow truck parking to operate for a defined time period (e.g. 2 years) would provide the applicant the opportunity to continue operating their business until such time that the economic conditions permit the applicant to obtain financing and redevelop the site.
- The following requirements with respect to the on-site requirements for truck parking are specified as conditions in Temporary Industrial Use Permit Area No. 10, which have been incorporated into the proposed OCP text amendment by-law for the subject site:
 - 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.
- On May 25, 2009, City Council considered Corporate Report NO. Ro69 in which the following recommendations were approved in order to improve the Temporary Use Permit (TUP) process for temporary truck parks:
 - Require the applicant to complete all the necessary site work requirements prior to council approving the TUP. Through the implementation of a Pre-servicing Approval Process.
 - Eliminate the requirement for landscaping and site restoration securities, allowing for significant cost savings for the applicant, by ensuring that the approved landscaping is completed prior to the approval of the TUP at the Pre-servicing Approval stage.
 - Eliminate the requirement for a Restrictive Covenant to restrict certain activities on the site.

- Prior to receiving approval for the TUP, the applicant must fulfil the requirements of the Pre-servicing Agreement (see Appendix VI). In summary, the applicant must:
 - Submit a sealed approved site plan to the satisfaction of City staff;
 - Landscape the site as per the staff-approved landscaping plan;
 - Satisfy Engineering requirements with respect to servicing, access and construction; and
 - Provide adequate washroom facilities.
- If the applicant fails to complete all requirements within 4 months of Council's approval to proceed, staff will bring the TUP application forward to Council for consideration of filing. It is anticipated that this follow-up action will encourage the applicant to finalize the TUP and filing of the application will not be necessary.

AUTHORIZED AND IN-STREAM TRUCK PARKING FACILITIES IN THE VICINITY

- There are two authorized truck parking facilities in the South Westminster and Bridgeview areas (Appendix VI). One (Tiger Truck Park) is located at 13522 – 116 Avenue and accommodates approximately 25 oversized trucks. A second (600575 BC Ltd.) is located at 10607 Span Road and accommodates approximately 95 oversized trucks.
- There are six in-stream TUP applications in the Bridgeview and South Westminster areas for temporary truck parking facilities, including the subject application (see Appendix III).

PRE-NOTIFICATION

In accordance with Council policy, the applicant was requested to erect a development proposal sign, and pre-notification letters were sent to the property owners within 100 metres of the subject property. To date, staff have received three calls with respect to the proposal expressing the following concerns:

- One caller owns property to the south, between the two properties owned by the applicant, Mr. Kang. The caller complained of the applicant driving over the caller's property to move the trucks between the two lots.

(Staff advised this is a private matter with respect to the trespass over private property. As a result, the two owners have spoken and a legal survey has been undertaken and a fence has been installed to define the properties. The same caller is now marketing his site for a temporary use such as truck parking.)

- The second caller owns property across Scott Road and would like to see an ultimate development on the site.

(Staff explained that no new connection is permitted to the vacuum sewer. However, Council has initiated a pre-servicing plan for South Westminster. If all of the property owners between Old Yale Road and the subject site agree, they would be able to have a local service area and extend the low pressure sanitary sewer into the area. To date, no property owners in this area have indicated interest in participating.)

- The third caller owns a business across Scott Road and does not support the application as he feels that the owner is not paying his fair share of property taxes. He is concerned that the owner is paying agricultural taxes rather than industrial, even though he is proposing to use it for industrial uses.

(The subject lands are currently being assessed as Residential by BC Assessment Authority, and would be assessed property taxes based on that assessment (Class 1). If the site is being used for an alternate use, such as truck parking, the assessment would be amended to reflect the use on the site, i.e. industrial tax rate of Class 5 or 6.)

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary
Appendix II.	Proposed Site Plan
Appendix III.	Engineering Comments
Appendix IV.	Truck Parking Facilities Map
Appendix V.	OCP Text Amendment By-law
Appendix VI.	Temporary Industrial Use Permit No. 7909-0138-00
Appendix VII.	Pre-Servicing Approval Requirements

Jean Lamontagne
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