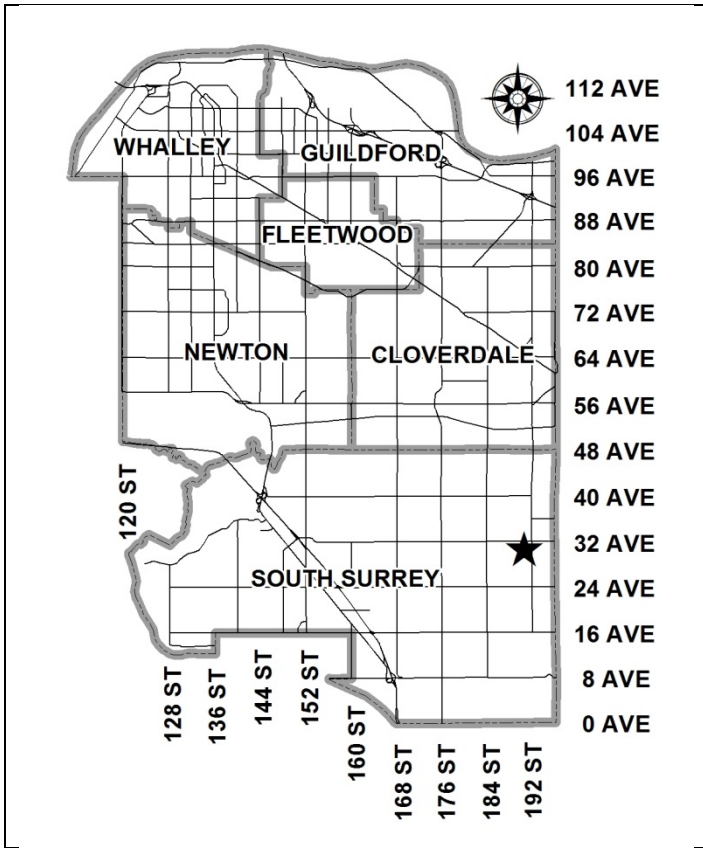


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7913-0108-00

Planning Report Date: April 14, 2014



**PROPOSAL:**

- **Temporary Use Permit**

in order to permit the continued operation of a movie production truck and trailer storage site.

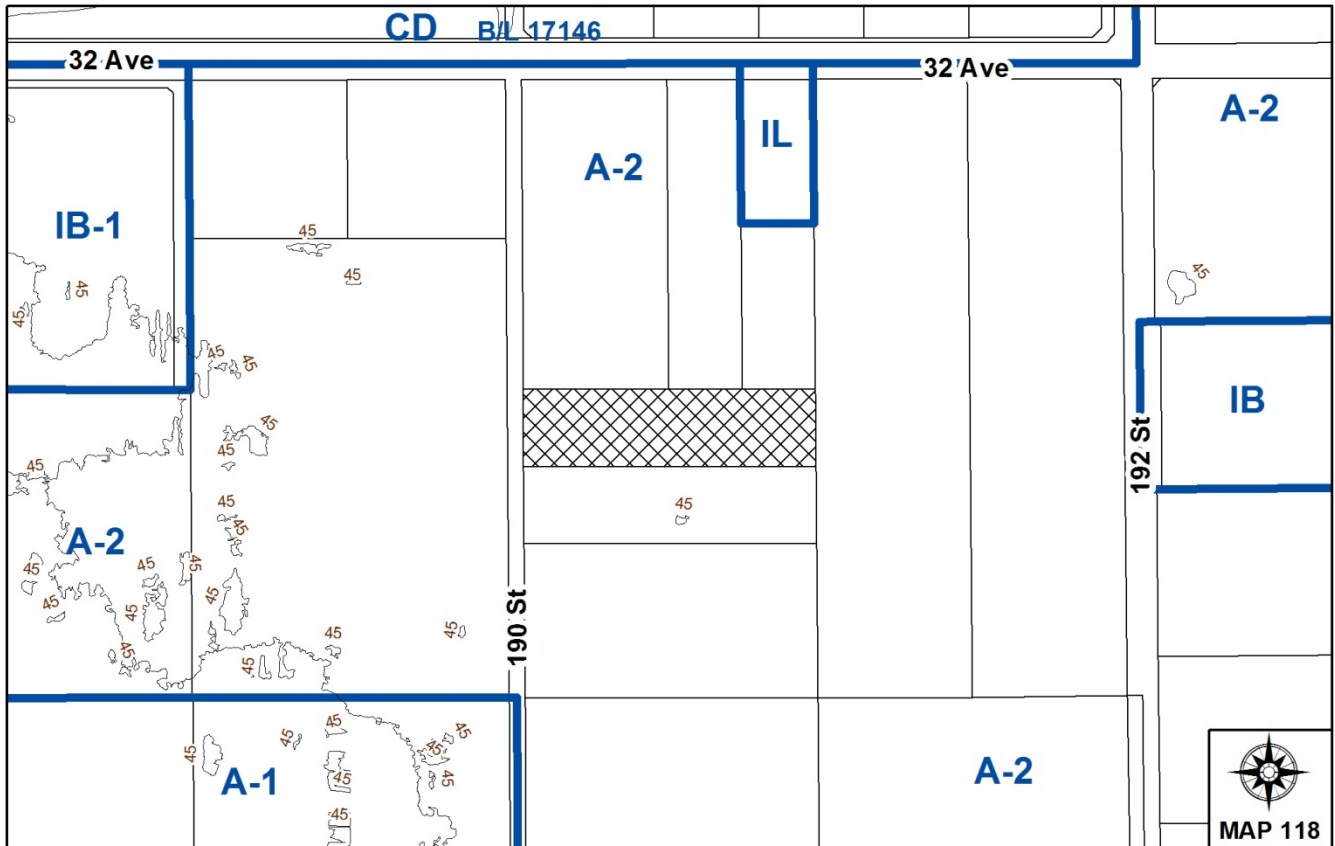
**LOCATION:** 3086 - 190 Street

**OWNER:** David K Bowe  
 William J Bowe  
 Robert Bowe

**ZONING:** A-2

**OCP DESIGNATION:** Industrial

**LAP DESIGNATION:** Business Park



### RECOMMENDATION SUMMARY

The Planning & Development Department recommends that this application be denied and that By-law enforcement action against the subject property be deferred for a period of 4 months.

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Does not comply with the Campbell Heights Local Area Plan Designation.

### RATIONALE OF RECOMMENDATION

- The existing illegal and unauthorized activities on the subject site have been operating for approximately 6 years, well beyond the scope of a temporary use.
- The applicants are unable to provide a proposed end-date for the current operation and want to operate indefinitely (or until a rezoning is financially feasible).
- Outdoor storage of vehicles is not consistent with the design guidelines for landscaping and siting of buildings set forth in the Campbell Heights LAP.
- The proposal does not contribute to the development of Campbell Heights in a manner consistent with the Local Area Plan. The granting of a temporary use permit may hinder further development of Campbell Heights into a high quality industrial/business area.
- In addition, approval will set expectations for numerous other temporary use proposals in the Campbell Heights area that are inconsistent with the adopted Local Area Plan and pattern of development, which may further stall re-development of the area.
- The operators of the on-site business currently have an unfair competitive advantage against other businesses who are in compliance with City bylaws in the City of Surrey.

RECOMMENDATION

The Planning & Development Department recommends that:

1. This application be denied.
2. By-law enforcement against the existing illegal non-conforming uses on the subject site be deferred for a period of 4 months to allow the occupant to find alternative parking facilities and remove the trucks and trailers from the site.

If, however, Council finds merit in the proposal, it should be referred back to staff to undertake the necessary referrals and to draft the Temporary Use Permit to be presented to Council.

REFERRALS

Engineering: The Engineering Department has no objection to the project, subject to the requirements identified in Appendix III.

SITE CHARACTERISTICS

Existing Land Use: The site contains a single family residence and a large storage shed at the rear of the property. To the rear of the dwelling, the site has been levelled and laid with a gravel surface. Approximately 20 – 25 movie production trucks and trailers are parked on the property.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North:	Single Family Residential/Vacant Land/Indoor Storage	Industrial/Business Park	A-2
North	Automotive Repair Facility & Truck/Vehicle storage		IL
East:	Single Family Residential/Forested land	Industrial/Business Park	A-2
South:	Single Family Residential	Industrial/Business Park	A-2
West (Across 190 Street):	Poultry Farm	Industrial/Business Park	A-2

## DEVELOPMENT CONSIDERATIONS

### Background:

- Recent By-law enforcement within the Campbell Heights area against numerous properties, including the subject site, with existing illegal non-conforming uses and unauthorized businesses (without licenses) has resulted in this Temporary Use Permit (TUP) application.
- The illegal and non-conforming uses occurring throughout Campbell Heights include outdoor storage, outdoor recreational vehicle storage, outdoor container storage, outdoor passenger vehicle storage, and outdoor truck parking, some of which are associated with unauthorized businesses operating from these locations.
- Three other TUP applications within the Campbell Heights area have also been received:
  - Applications Nos. 7913-108-00 and 7913-0293-00, for outdoor storage, truck parking, and recreational vehicle parking, were denied by Council at the February 24<sup>th</sup> Land Use Meeting;
  - Application No. 7914-0093-00, to permit temporary parking of trucks and trailers, was made on April 9<sup>th</sup> 2014; and
  - A map showing the location of all TUP applications in Campbell Heights is contained in Appendix IV.

### Site Description & Current Operation

- The subject site is a 0.9 hectare (2.25 acre) parcel on the east side of 190<sup>th</sup> Street, approximately 200 metres (650 ft.) south of 32<sup>nd</sup> Avenue. It is zoned A-2 and designated "Industrial" in the Official Community Plan (OCP) and "Business Park" in the Campbell Heights Local Area Plan (LAP).
- The site contains a single family dwelling, which is currently rented out to tenants. At the rear of the property, a large (18m x 20m/60' x 65') fabric covered structure has been constructed. The remainder of the site has been leveled and laid with gravel.
- The subject site is being used as a parking and staging area for approximately 25 large movie production trucks and trailers (such as mobile dressing/change rooms, makeup facilities and portable washrooms).
- Trucks are transported to and from the site on a daily basis. At the site, they are washed and interior renovations are also made to the trailers on site. A number of unused trailers are stored at the rear of the property.
- The current owners have held title of the land since March 2008, at which time the placement of gravel and construction of the fabric covered structure occurred, followed by commencement of truck parking.
- No Business License application has been made to the City of Surrey for this operation.
- No building permit application was made to the City for the fabric covered structure. No soil permit was made to the City for the gravel fill that was imported to the site.

- The applicant directly employs 2 – 3 employees at a time, on a temporary basis, to assist with cleaning the trucks and trailers inside and out.
- The trucks and trailers are highly visible from 190<sup>th</sup> Street. The site is screened to the north, east, and west by trees located on these adjacent properties.
- The applicant has advised that he is currently in the process of attempting to find an alternative truck storage location.

Discussion and Rationalization:

Staff have the following concerns with the Temporary Use Permit (TUP) proposal to allow vehicle storage:

- The applicants are not able to provide an end-date for the operation, and intend to continue until a rezoning of the property is financially feasible at which time they will sell the property.
- Storage of trucks and trailers is defined by the City of Surrey Zoning Bylaw (No. 12000) as transportation industry. This is not a permitted use in the A-2 Zone and is only permitted within the IL (Light Impact Industrial) Zone.
- The Engineering Department has concerns with potential run-off from the washing of trucks and trailers. Regardless of a TUP, this would not typically be a permitted activity to occur without appropriate site drainage and sediment control.
- Outdoor truck and trailer parking as a stand-alone use is not consistent with the "Business Park" and "Technology Park" designations of the Campbell Heights LAP. Furthermore it is typically not permitted in the "Business Park" zones unless it is of a manner necessary to a particular operating business. This would be accommodated with appropriate buildings, screening, landscape buffers, site circulation plans, and drainage facilities.
- The proposed TUP does not contribute to the development of the Campbell Heights area consistent with the adopted Local Area Plan, nor does the proposal present a benefit to the surrounding properties or Campbell Heights in general.
- Promoting the Campbell Heights area as a high quality business park is important to achieving the City's goals of providing industrial lands and local employment opportunities. Permitting a TUP of this nature and allowing the unauthorized use to continue makes the site less likely to be redeveloped in the near future and hinders the land assembly required in order for this area to achieve build-out. Furthermore, it places the operator of the business at an unfair competitive advantage against other businesses that have selected sites with the appropriate zoning and facilities.
- Given the volume of TUP inquiries staff have received from multiple other properties in the Campbell Heights area for illegal non-conforming uses (outdoor storage of RV's, vehicles, and storage containers), staff have concerns about the precedent that support of a TUP of this nature will set. Approval of the TUP may result in other land owners in the area applying to permit similar uses, potentially creating a proliferation of uses inconsistent with the Campbell Heights LAP and further prohibiting development of the area.

- Truck parking can be accommodated on an IL ("Light Impact Industrial") Zoned parcel, located in various locations throughout the City. Staff can assist in identifying IL zoned properties throughout the City, however the onus falls upon the tenant or owner to research and select a suitable site.

### CONCLUSION

In considering the implications of the proposed TUP and the semi-permanent nature of the existing illegal non-conforming uses, the Planning and Development Department consider the negative impacts of this proposal are significant, and therefore recommend it not be supported.

Given the well-established nature of the business, staff are recommending a 6 month reprieve from any bylaw enforcement, consistent with the denial of other temporary use permit applications within the Campbell Heights Area.

Staff therefore recommend the following:

- That this application be denied.
- That by-law enforcement against the existing illegal non-conforming uses on the subject site be deferred for a period of 4 months to allow the occupant to find alternative parking facilities and remove the trucks and trailers from the site.

### PRE-NOTIFICATION

Pre-notification letters were mailed to 32 properties within 100 metres (330 ft.) of the subject site. Staff received one phone call requesting clarification. One letter of correspondence was received, from the Little Campbell Heights Watershed Society, expressing significant concerns over potential groundwater and creek contamination as result of vehicle washing and other liquid contaminates, resulting from inadequate storm water drainage and filtration.

### INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary
Appendix II.	Aerial Photograph (April 2013)
Appendix III.	Engineering Comments
Appendix IV.	Map of TUP Applications in Campbell Heights

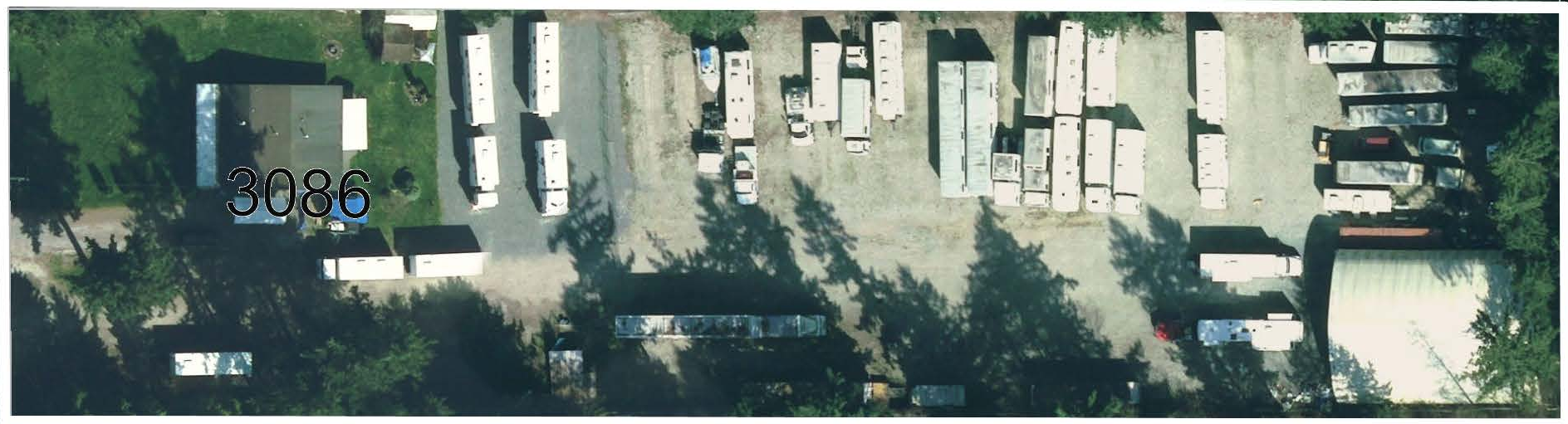
*Original signed by Nicholas Lai for*  
Jean Lamontagne  
General Manager  
Planning and Development

DS/da

\\file-server1\net-data\csdc\generate\areaproduct\save\10927099022.doc  
DRV 4/10/14 11:01 AM



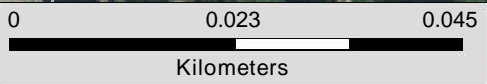




3086



3066



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.

APRIL 2013



Scale: 1: 750

Map created on: April-09-14



---

**TO: Manager, Area Planning & Development  
- South Surrey Division  
Planning and Development Department**

**FROM: Development Services Manager, Engineering Department**

**DATE: April 9, 2014** PROJECT FILE: **7813-0108-00**

---

**RE: Engineering Requirements (Commercial/Industrial)  
Location: 3086 190 Street**

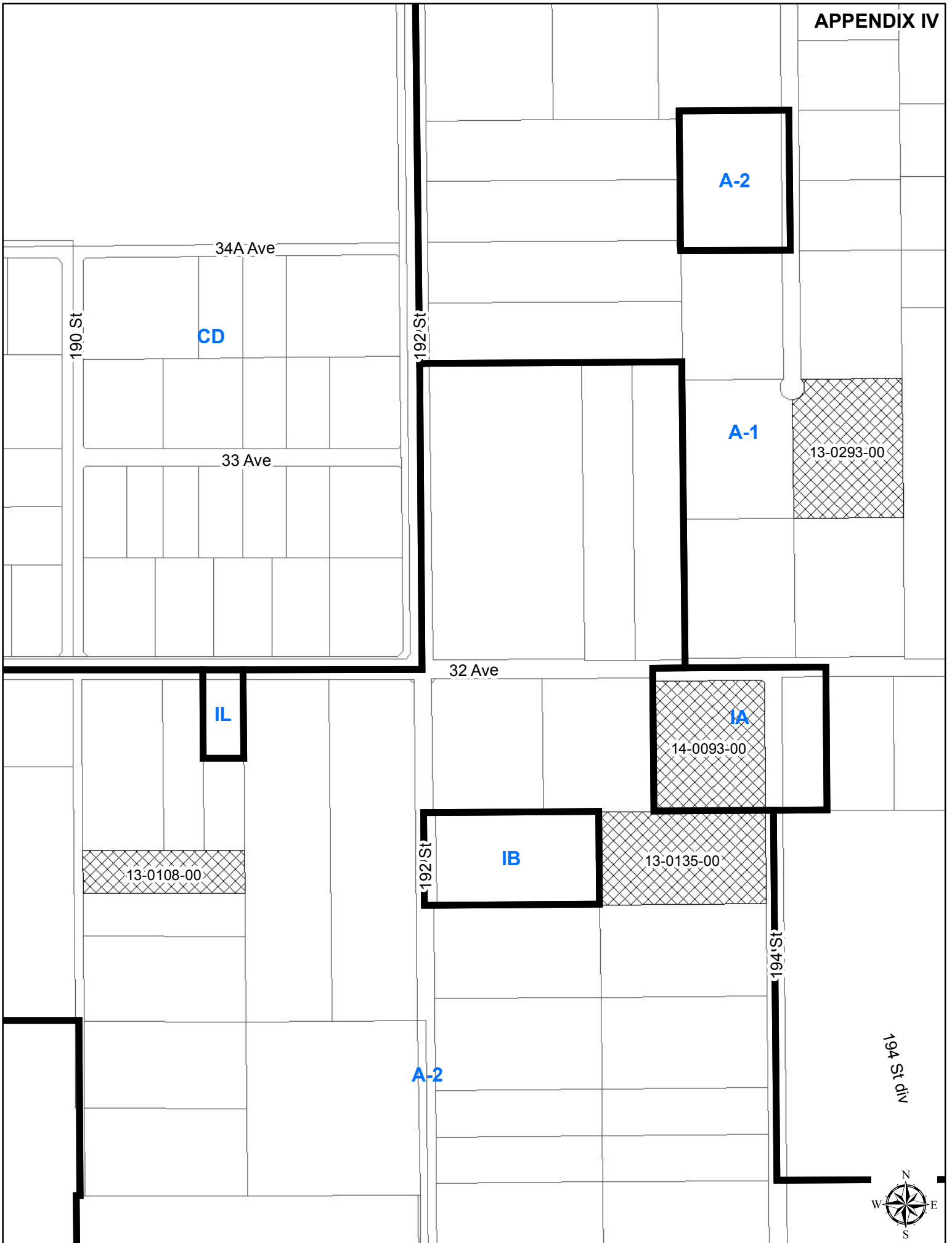
### **OCP AMENDMENT**

There are no engineering requirements relative to the OCP Amendment.

### **TEMPORARY USE PERMIT**

The Engineering Department understands this application is being recommended for denial. Should council choose to support the application, the following requirements are to be addressed as a condition of issuance of the Temporary Use Permit:

- Construct a minimum of 7.0 metre pavement width for 190 Street from 32 Avenue to extent of the property frontage. A Geotechnical Engineer must confirm the adequacy of the existing pavement. The applicant will be required to resolve any issues/conflicts that arise due to the required widening. A site plan showing the truck turning movements within the site and for access/egress onto 190 Street is required
- Construct a water main from 32 Ave to the extent of the frontage of the property and install a fire hydrant. The applicant is required to submit fire flow calculations to confirm the size of water main required.
- Provide a water service connection from main, complete with water meter, if on-site well does not provide a continuous flow of 2300 litres per day to meet the requirements of the Fraser Health Authority (FHA) and the City of Surrey for the single family residence.
- Referral to the FHA is required to confirm the adequacy of the existing on-site sewage disposal system if the existing sewage disposal system is to service more than the single family residence.
- Provide a storm service connection, complete with inspection chamber, if run-off from the gravel parking surface is not contained on-site. A stormwater management plan (SWMP) must be completed to the satisfaction of Surrey Drainage Engineering to assess the 5 year post development flows (minor system) and 100 year post development flows (major system) within the catchment. A service connection is not required if the parking surface is pervious or drains into an adequately designed onsite infiltration system.
- Provide storm water management features such as a water quality/ sediment control inlet chamber to prevent contamination (hydrocarbons, sediment, etc.) to the downstream drainage system as the property is located within the Erickson Creek Watershed. A Restrictive covenant for the installation and maintenance of installed feature is required.



- Obtain an Erosion & Sediment Control (ESC) Permit, under By-law, 2006, No. 16138, from the Engineering Department, **as part of the works and services for this site**. The process requires submission and approval of an ESC Plan that minimizes sediment and sediment-laden water from entering the City drainage system, during site servicing and building construction.

A Servicing Agreement must be executed before the proposed TUP can be issued.

#### **PROJECT MANAGEMENT / FINANCIAL**

A processing fee of \$5,864.25 (GST included) is required for the Servicing Agreement.

An application fee of \$460 (GST exempt) is required for administration of the ESC Permit process.



Rémi Dubé, P.Eng.  
Development Services Manager

CE