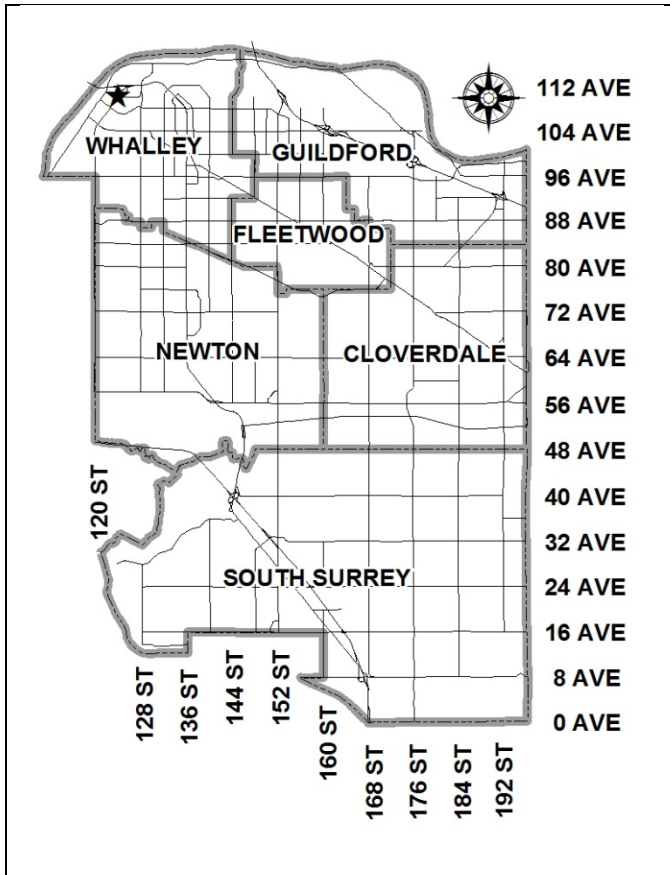


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7914-0130-00

Planning Report Date: February 23, 2015



PROPOSAL:

- **Temporary Use Permit**

in order to permit the development of a temporary truck park and lumber storage for a period of 3 years.

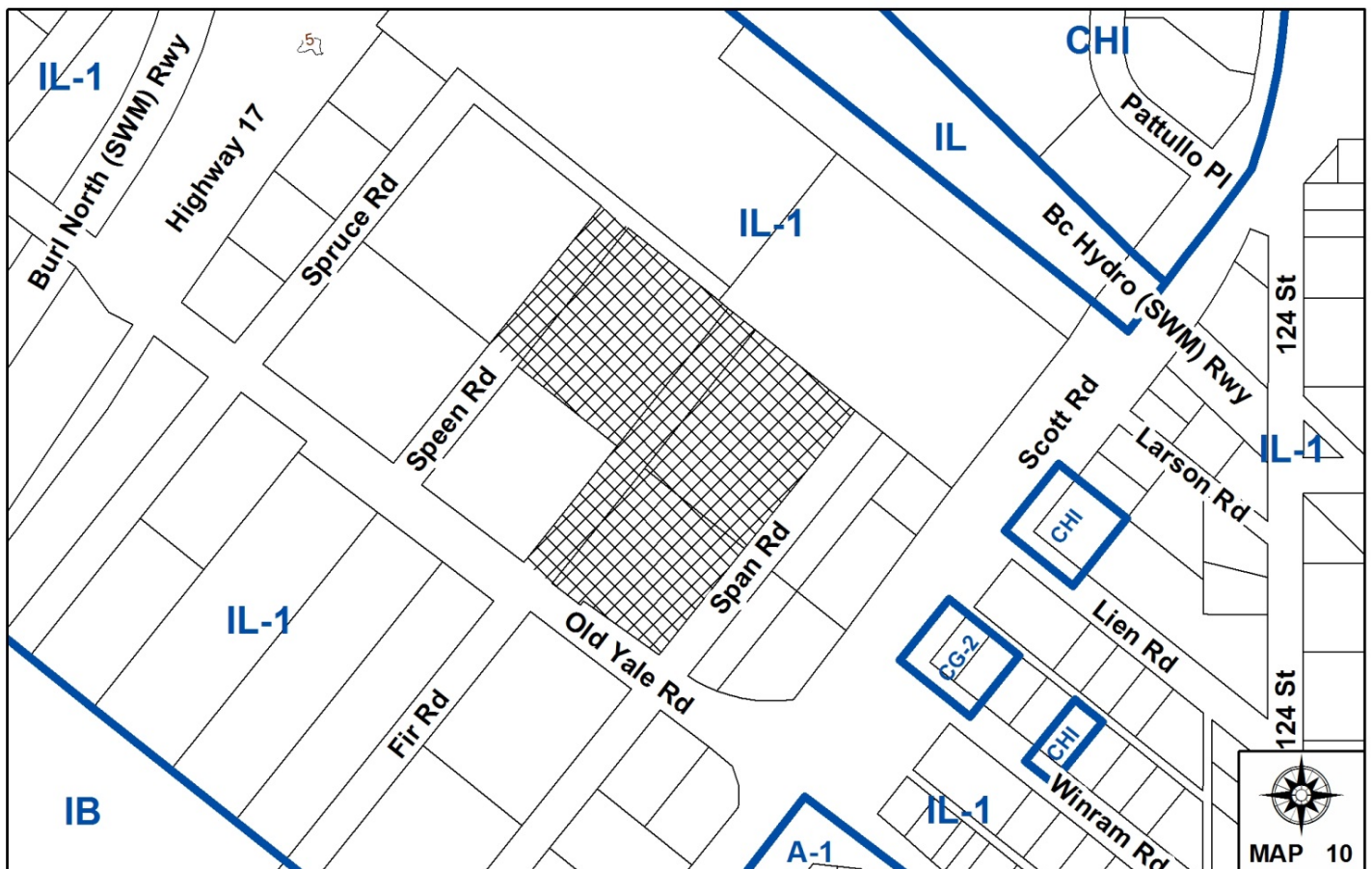
LOCATION: 12203 - Old Yale Road,
 10948 - Speen Road,
 10920 - Fir Road, Unopened portion of Speen Road and Unopened portion of Fir Road

OWNERS: 592768 BC Ltd and
 City of Surrey

ZONING: IL-1

OCP DESIGNATION: Commercial

NCP DESIGNATION: Retail/Residential and
 Business/Residential Park



RECOMMENDATION SUMMARY

- Approval for Temporary Use Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The proposed truck parking and outside lumber storage are contrary to the uses permitted in the IL-1 Zone.
- The proposed use is contrary to the Retail/Residential and Business/Residential Park designation in the South Westminster Neighbourhood Concept Plan.

RATIONALE OF RECOMMENDATION

- The proposed temporary truck parking and lumber storage are interim uses for the subject site.
- The subject site, on Old Yale Road, has good access for trucks, being in close proximity to controlled intersections at the South Fraser Perimeter Road to the north-west and Scott Road to the south-east.
- The proposal will assist in providing much-needed, authorized truck parking opportunities in the City.
- The area is undeveloped due to lack of adequate services.
- Although the site is visible from SkyTrain, as it is approximately 125 metres (410 ft.) to the south of the SkyTrain guideway, the truck parking and lumber storage have taken place, albeit unauthorized, for over 10 years, and therefore approval of the proposed Temporary Use Permit (TUP) will not result in a change to the existing views from SkyTrain.
- Landscaping consisting of climbing ivy is proposed to soften the look of the existing concrete retaining walls along Old Yale Road.
- Lease agreements with the City will be required to facilitate the existing business encroachments into unopened City road allowances.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Temporary Use Permit No. 7914-0130-00 (Appendix IV) to proceed to Public Notification.
2. Council instruct staff to resolve the following issues prior to approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, dedications, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) completion of landscaping works to the specifications and satisfaction of the Planning and Development Department;
 - (c) completion of the lease agreement for use of the unopened portions of Fir and Speen Roads, to the satisfaction of the Realty Division;
 - (d) realignment of existing fencing/barriers to coincide with the subject site;
 - (e) submission of a temporary trailer permit application; and
 - (f) completion of Pre-Servicing Requirements identified for the proposed truck parking (Schedule C of Appendix IV).
3. Council direct staff to bring forward this application approximately 6 months from the date of approval to proceed (i.e. first Council meeting of September, 2015) for consideration of filing, if the above noted issues 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 III.

SITE CHARACTERISTICS

Existing Land Use: Unauthorized truck parking and lumber storage, which encroach on road rights-of-way and neighbouring properties.

Adjacent Area:

North-East:	Vacant lot and truck parking.	Business/Residential Park	IL-1
South-East:	Vacant lots.	Business/Residential Park and Retail/Residential	IL-1
South (Across Old Yale Road and greenway):	Mix of industrial businesses.	Retail/Residential	IL-1
West:	Vacant lot.	Business/Residential Park and Retail/Residential	IL-1
North:	Unauthorized lumber storage, under Application No. 7911-0193-00 for temporary lumber reloading facility (approval to proceed).	Business/Residential Park and Retail/Residential	IL-1

DEVELOPMENT CONSIDERATIONSBackground

- The subject site, in South Westminster, is comprised of three (3) properties located at 12203 - Old Yale Road, 10948 - Speen Road and 10920 - Fir Road and two unopened portions of Fir Road and Speen Road. The total site area, including unopened roads, is 2.61 hectares (6.46 acres).
- The site is zoned "Light Impact Industrial One Zone (IL-1)" and is designated as Business/Residential Park for the rear portion and Retail/Residential along the Old Yale Road portion, in the South Westminster Neighbourhood Concept Plan (NCP).
- With the adoption of OCP By-law No. 18020 on October 20, 2014, the OCP designation for this site was amended from Industrial to Commercial to better reflect the mixed uses intended for this site in the NCP and the Mixed Employment designation in the Regional Growth Strategy.
- A Council-initiated rezoning (described in Corporate Report No. R034 from February 21, 2005) implemented the intent of the South Westminster NCP by rezoning lands including the subject site to the IL-1 Zone, to prohibit outdoor storage and the storage of trucks or trailers that are not associated with the business on the lot.
- Truck parking as a principal use is not permitted under the IL-1 Zone. In addition, under Part 4 General Provisions of Zoning By-law No. 12000, no use shall take place on an industrial zoned lot unless there is a building that exceeds 100 square metres (1,076 sq. ft.) and contains washroom facilities. The subject site contains no permanent buildings. The applicant therefore has requested a Temporary Use Permit (TUP) to allow the site to be used for truck parking and lumber storage without a permanent building for a period of three years.
- The site has been used for unauthorized truck parking and lumber storage since at least 1998. The subject application was submitted in response to By-law Enforcement action.

Current Proposal

- The subject site is currently being used primarily by several truck parking tenants, with the western corner of the site being used for timber/lumber storage.
- The applicant has applied for a 3-year Temporary Use Permit (TUP) to accommodate assigned parking to the following number of vehicles and trailers:
 - 108, 53-ft. long trucks;
 - 12, 40-ft. long trailers;
 - 19 tractors; and
 - 22 passenger vehicles.
- The western corner of the subject property is being leased to store lumber for the neighbouring business, Top Quality Lumber, at 12163 - Old Yale Road and this lumber storage is included in the proposed TUP.
- Top Quality Lumber is expected to be submitting a separate TUP application for their site, to accommodate their existing business operation including the storage of lumber within the unopened road allowance of Speen Road adjacent to their lot.
- The subject site, on Old Yale Road, has good access for trucks, being in close proximity to controlled intersections at the South Fraser Perimeter Road to the north-west and Scott Road to the south-east.
- The subject site is currently accessed by Old Yale Road which will continue to be the sole access to the site. To allow for better east-bound traffic flow along Old Yale Road, a condition of approval of the TUP will be vehicle movement restricted to right-in/right-out only.
- The applicant will be required to lease the unopened portions of Fir Road and Speen Road rights-of-way from the City for the duration of the TUP. The total proposed area to be leased is approximately 5,691 square metres (1.41 acres).
- The future of these unopened road allowances will be determined at the time of redevelopment in the area. However, the South Westminster NCP envisions the closure of Speen Road and consolidation with adjacent properties for Retail/Residential and Business/Residential Park development.
- A small pre-manufactured building used as an office, is located on the south-west portion of the site. Prior to issuance of the Temporary Use Permit, the applicant is to apply for a temporary trailer permit to legitimize this structure.
- The applicant's future plan for the site involves redeveloping it for industrial development in accordance with the existing IL-1 zoning. The proposed truck parking and lumber storage is therefore an interim use.
- Due to the location of existing substantial lock block retaining wall along Old Yale Road, the applicant proposes minimal landscaping consisting of climbing ivy, to grow up the lock block wall, and grasses along the existing boulevard.

- The existing business operation and another lock block wall encroach over the property line onto several properties to the northeast and southeast. As a condition of final approval the applicant will need to readjust the business operation and the lock block wall to align with the existing property line.

PRE-NOTIFICATION

A development proposal sign was installed on August 18, 2014 and a pre-notification letters were sent on September 12, 2014. Planning staff have received the following concern, from 2 people, regarding the proposal:

- Trucks turning left into the site cause east-bound traffic to back up along Old Yale Road.

(To the north-west of the subject site, Old Yale Road connects with Highway No. 17 (South Fraser Perimeter Road) at a controlled intersection. A condition of approval of the subject application will be vehicle movement limited to right-in/right-out only. This left-turning restriction will allow for a much better flow of traffic going east along Old Yale Road.)

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Site Plan and Landscape Plan
Appendix III.	Engineering Summary
Appendix IV.	Temporary Use Permit No. 7914-0130-00 (includes Pre-servicing Requirements)

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

JKS/da

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DRV 2/19/15 11:34 AM

Information for City Clerk

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

1. (a) Agent: Name: Oleg Verbenkov
 Pacific Land Resource Group
 Address: #101, 7485 - 130 Street
 Surrey, BC V3W 1H8

 Tel: 604-501-1624
 Fax: 604-501-1625

2. Properties involved in the Application

- (a) Civic Addresses: 12203 - Old Yale Road
 10948 - Speen Road
 10920 - Fir Road
 Unopened Portion of Fir Road
 Unopened Portion of Speen Road

- (b) Civic Address: 12203 - Old Yale Road
 Owner: 592768 BC Ltd
 Director Information:
 Arjinder Brar
 Sukhpreet Kaur Brar
 Kulvir K. Gondara
 Sukhjinder S. Gondara

Officer Information as at September 21, 2012

Sukhpreet Kaur Brar (Secretary)
Arjinder Brar (President)

PID: 011-826-568

Lot 1, Except: Part On Statutory Right of Way Plan LMP 20326 Block 8 District Lot 3 Group 2 New Westminster District Plan 886

- (c) Civic Address: 10948 - Speen Road
 Owner: 592768 BC Ltd
 Director Information:
 Arjinder Brar
 Sukhpreet Kaur Brar
 Kulvir K. Gondara
 Sukhjinder S. Gondara

Officer Information as at September 21, 2012

Sukhpreet Kaur Brar (Secretary)
Arjinder Brar (President)

PID: 002-735-849

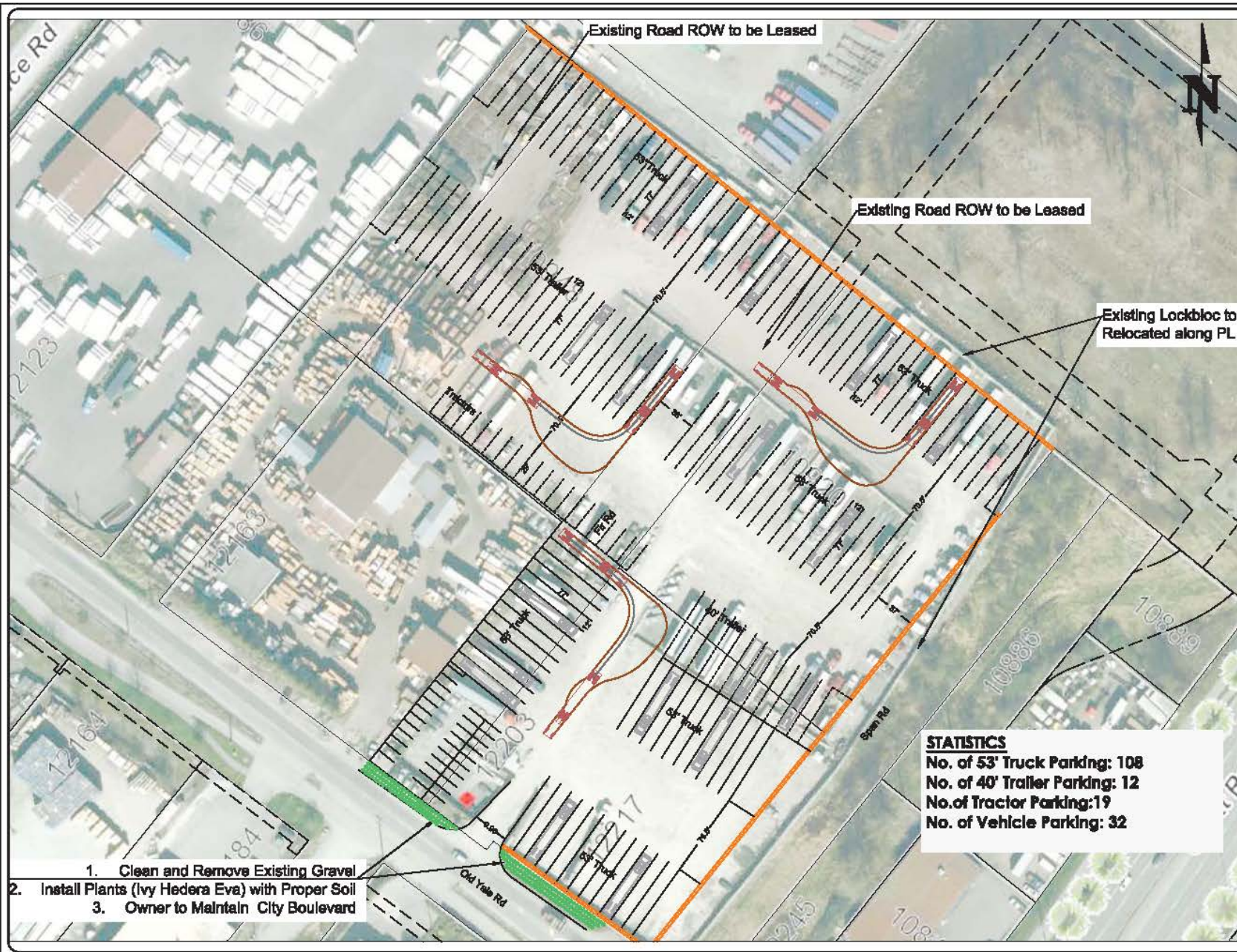
Lot 2 Block 7 of District Lot 3 Group 2 New Westminster District Plan 886

- (d) Civic Address: 10920 - Fir Road
Owner: 592768 BC Ltd
Director Information:
Arjinder Brar
Sukhpreet Kaur Brar
Kulvir K. Gondara
Sukhjinder S. Gondara

Officer Information as at September 21, 2012
Sukhpreet Kaur Brar (Secretary)
Arjinder Brar (President)
PID: 011-826-584
Lot 2 Block 8 District Lot 3 Group 2 New Westminster District Plan 886
- (e) Civic Address: Unopened Portion of Fir Road
Owner: City of Surrey
- (f) Civic Address: Unopened Portion of Speen Road
Owner: City of Surrey

3. Summary of Actions for City Clerk's Office

- (a) Proceed with Public Notification for Temporary Use Permit No. 7914-0130-00 and bring the Temporary Use Permit forward for an indication of support by Council. If supported, the Temporary Use Permit will be brought forward for issuance and execution by the Mayor and City Clerk once all outstanding conditions are satisfied.



PACIFIC LAND GROUP
Land Use, Development & Environmental Strategic

Pacific Land Resource Group Inc.

Suite 101 - 7485 130 Street
 Surrey, British Columbia
 Canada V3W 1H8

Tel: 604-501-1624
 Fax: 604-501-1625

www.pacificlandgroup.ca
 info@pacificlandgroup.ca

PROJECT:

**12203 Old Yale Road,
 Surrey**

DRAWING TITLE:

**Conceptual Site Layout
 - Truck Parking**

PRELIMINARY PLAN - SUBJECT TO APPROVAL(S) FROM
 FEDERAL, PROVINCIAL AND LOCAL AUTHORITIES

CLIENT:

Patullo Containers

SCALE:

1:1000

DATE:

December 1, 2014

PROJECT No.:

13-1102

DRAWING No.:

02

DESIGNED BY:	CHECKED BY:
EW	OV



PROJECT:
**12203 Old Yale Road,
 Surrey**

DRAWING TITLE:
Landscape Plan

PRELIMINARY PLAN - SUBJECT TO APPROVAL(S) FROM
 FEDERAL, PROVINCIAL AND LOCAL AUTHORITIES

CLIENT:
Patullo Containers

SCALE:
1:1250

DATE:
February 4, 2015

PROJECT No:
13-1102

DRAWING No:
02

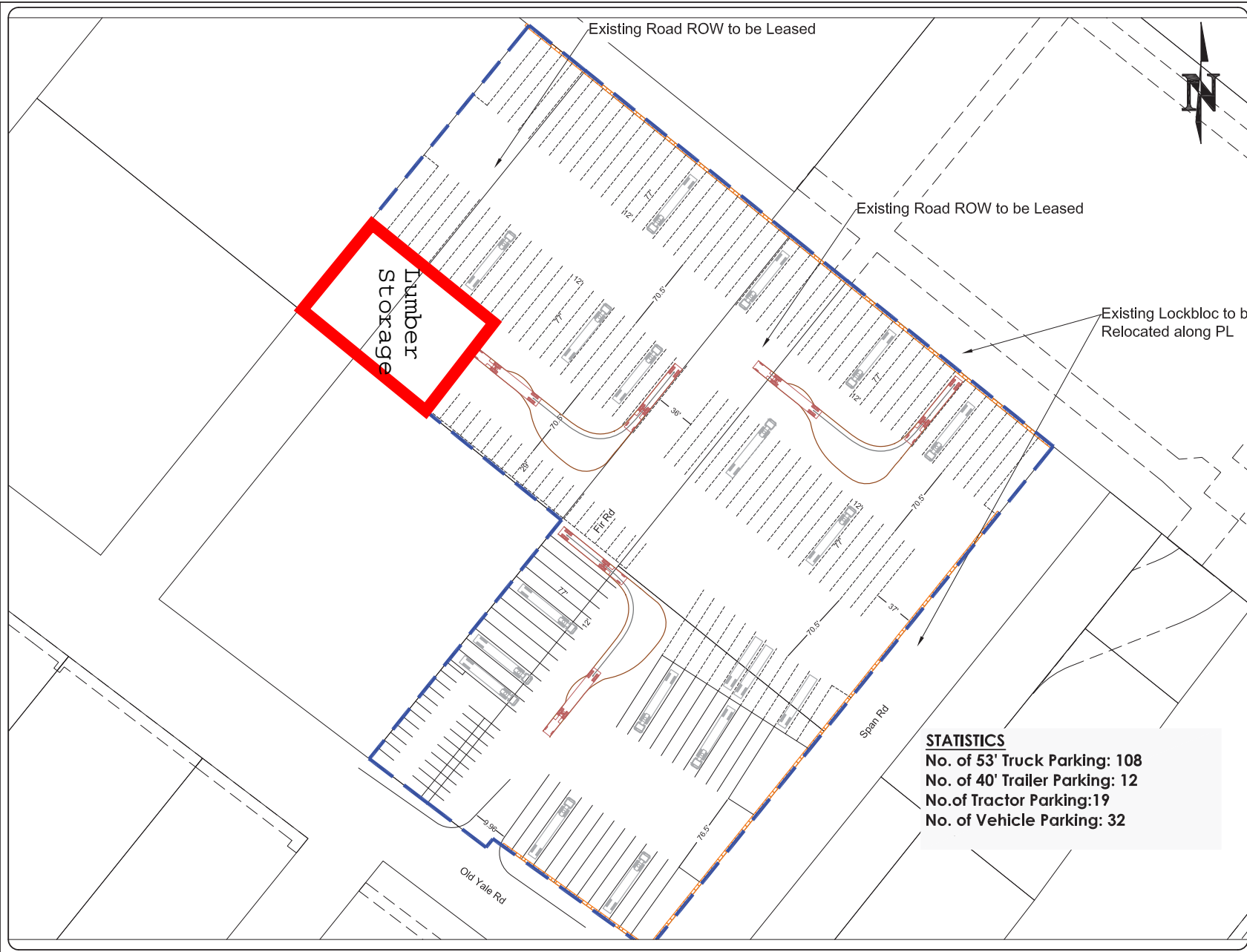
DESIGNED BY:
EW

CHECKED BY:
OV



1. Clean and Remove Existing Gravel
2. Install Plants (Ivy Hedera Eva) with Proper Soil
3. Owner to Maintain City Boulevard

STATISTICS
 No. of 53' Truck Parking: 104
 No. of 40' Trailer Parking: 12
 No. of Tractor Parking: 18
 No. of Vehicle Parking: 32



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DESIGNED BY:

EW

CHECKED BY:

OV

STATISTICS
 No. of 53' Truck Parking: 108
 No. of 40' Trailer Parking: 12
 No. of Tractor Parking: 19
 No. of Vehicle Parking: 32

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

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

DATE: **January 5, 2015** PROJECT FILE: **7814-0130-00**


RE: **Engineering Requirements (Commercial/Industrial)
Location: 10920 Fir Road, 12203 Old Yale Road and 10948 Speen Road**

TEMPORARY USE PERMIT

The following issues are to be addressed as a condition of issuance of the Temporary Use Permit:

- provide an 11.0-metre paved (right-in/right-out) driveway access to Old Yale Road;
- enter into a Lease Agreement with the City's Realty Department for the use of Fir Road within this site; and
- provide onsite stormwater management measures to mitigate potential impacts to the City's drainage system.

A Servicing Agreement is **not** required prior to issuance of Temporary Use Permit.



Rémi Dubé, P.Eng.
Development Services Manager

sk

CITY OF SURREY

(the "City")

TEMPORARY USE PERMIT

NO.: 7914-0130-00

Issued To: 592768 Bc Ltd.
(the "Owner")

Address of Owners: 12123 Old Yale Road
Surrey BC V3V 3X6

1. This Temporary Use Permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations or agreements, except as specifically varied by this Temporary Use Permit.
2. This Temporary Use Permit applies to that real property including land with or without improvements located within the City of Surrey, with the legal description and civic address as follows:

Parcel Identifier: 011-826-568

Lot 1, Except: Part On Statutory Right of Way Plan LMP 20326 Block 8 District Lot 3 Group
2 New Westminster District Plan 886

12203 Old Yale Road

Parcel Identifier: 002-735-849

Lot 2 Block 7 of District Lot 3 Group 2 New Westminster District Plan 886

10948 Speen Road

Parcel Identifier: 011-826-584

Lot 2 Block 8 District Lot 3 Group 2 New Westminster District Plan 886

10920 Fir Road

Unopened Portion of Speen Road adjacent 10948 Speen Road

Unopened Portion of Fir Road adjacent 12203 Old Yale Road and 10920 Fir Road

(the "Land")

3. The authority to issue Temporary Use Permits is granted to municipalities under Sections 920.2 and 921 of the *Local Government Act* R.S.B.C. 1996, Chapter 323. Pursuant to Implementation, II(c) Implementation Instruments, Temporary Use Permits of Surrey

Official Community Plan, 2013, No. 18020, as amended, the entire City of Surrey is designated a Temporary Use Permit area.

4. The temporary use permitted on the Land shall be as follows:
 - (a) truck parking facility, with the access, number of parking spaces, office trailers, the location of the structures, washrooms and garbage facilities substantially in compliance with Schedule A (the "Site Plan") which is attached hereto and forms part of this permit;
 - (b) lumber storage only within area designated as "Lumber Storage" on the Site Plan; and
 - (c) the landscaping shall conform to drawings attached as Schedule B (the "Landscaping") which is attached hereto and forms part of this permit. The Landscaping must be maintained for the duration of the Temporary Use Permit.

5. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) Section B.3 of Part 4 General Provisions, the requirement to construct a permanent building, including washroom facilities, with a minimum area of 100 square meters (1,076 sq. ft.) is waived; and
 - (b) Section A.5 of Part 5 Off-Street Parking and Loading/Unloading, the requirement to pave the parking area with asphalt, concrete or other similar pavement, is modified to allow the use of other surfacing materials suitable for truck traffic as approved by the General Manager, Engineering.

6. The Owner covenants and agrees that the pre-servicing requirements attached as Schedule C (the "Pre-Servicing Requirements") which is attached hereto and forms part of this permit, have been completed and will be maintained for the duration of the Temporary Use Permit.

7. The temporary use shall be carried out according to the following conditions:
 - (a) temporary washroom facilities are to be provided and maintained on the Land to the satisfaction of the General Manager, Planning and Development but in any case there shall be a minimum of one washroom facility on the Land;
 - (b) the parking spaces are to be visually delineated at all times to the satisfaction of the General Manager, Planning and Development so as to assist in ensuring the orderly parking of vehicles and lumber storage on the site at all times;
 - (c) the following activities are prohibited on the Land,:
 - i. vehicle washing;

- ii. vehicle maintenance except if it is on an asphalt or concrete pad and excludes all oil, coolant or chemical use as per the *Environmental Management Act*, S.B.C. 2002 Chapter 43;
- iii. truck fuel storage or refuelling;
- iv. storage of waste petroleum fluids; and
- v. parking or storage of vehicles containing Dangerous Goods as defined by the *Transport of Dangerous Goods Act* R.S.B.C. 1996, Chapter 458.

8. The Owner covenants and agrees as a condition of the issuance of this Temporary Use Permit to:

- (a) demolish or remove all buildings and/or structures that are permitted to be constructed pursuant to this Temporary Use Permit; and
- (b) restore the Land to the condition it was prior to the parking of vehicles and storage of lumber on it;

all of which shall be done not later than the termination date set out on this Temporary Use Permit.

9. The Owner agrees that should the Owner not comply with the Temporary Use Permit, the City or its agents may enter upon the Land and perform such work as is necessary to eliminate the temporary use and bring the use and occupancy of the Land in compliance with Surrey Zoning By-law, 1993, No. 12000, as amended. These costs and expenses are recoverable by the City as a debt and may be collected in the same manner and with the same remedies as ordinary taxes on land and improvements under Section 258.1(c) of the *Community Charter*, S.B.C. 2003, c. 26, as amended and if it is due and payable by December 31 and unpaid on that date, the debt is deemed to be taxes in arrears.

10. This Temporary Use Permit is not transferable.

11. This Temporary Use Permit shall lapse on or before three years from date of issuance..

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 .

ISSUED THIS DAY OF , 20 .

Mayor - Linda Hepner

City Clerk - Jane Sullivan

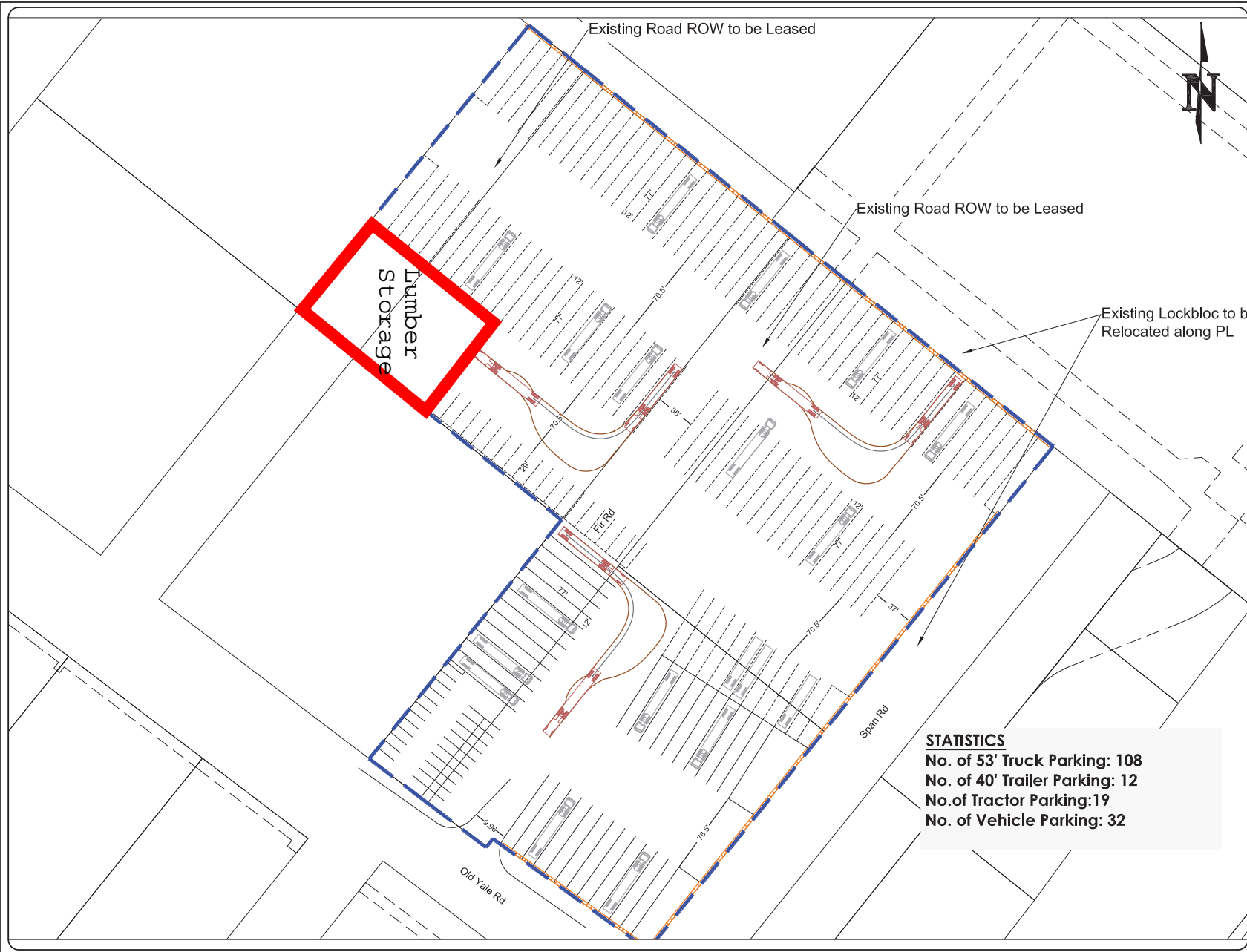
IN CONSIDERATION OF COUNCIL'S APPROVAL OF THIS TEMPORARY USE PERMIT AND OTHER GOOD AND VALUABLE CONSIDERATION, I/WE THE UNDERSIGNED AGREED TO THE TERMS AND CONDITIONS OF THIS TEMPORARY USE PERMIT AND ACKNOWLEDGE THAT WE HAVE READ AND UNDERSTOOD IT.



Owner: Signature

BRAR ARTINDER SINGH

Name: (Please Print)



Pacific Land Resource Group Inc.

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 - Truck Parking**

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CLIENT:
Patullo Containers

SCALE:
1:1000

DATE:
December 1, 2014

PROJECT No:
13-1102

DRAWING No:
02

DESIGNED BY: EW	CHECKED BY: OV
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STATISTICS
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 No. of 40' Trailer Parking: 12
 No. of Tractor Parking: 19
 No. of Vehicle Parking: 32

PROJECT:

**12203 Old Yale Road,
 Surrey**

DRAWING TITLE:

Landscape Plan

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 FEDERAL, PROVINCIAL AND LOCAL AUTHORITIES

CLIENT:

Patullo Containers

SCALE:

1:1250

DATE:

February 4, 2015

PROJECT No:

13-1102

DRAWING No:

02

DESIGNED BY:

EW

CHECKED BY:

OV

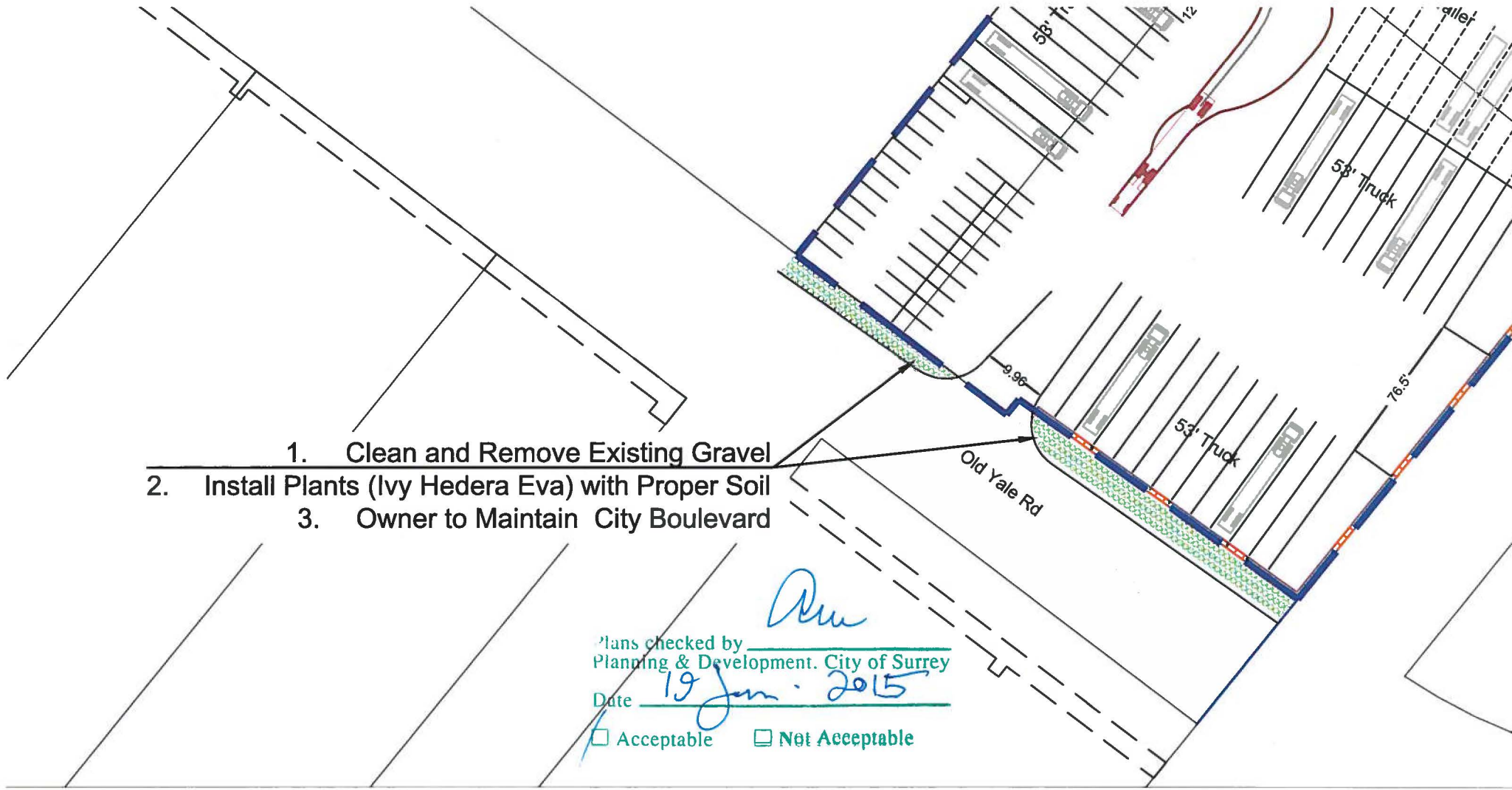


1. Clean and Remove Existing Gravel
2. Install Plants (Ivy Hedera Eva) with Proper Soil
3. Owner to Maintain City Boulevard

STATISTICS
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Am
Plans checked by _____
Planning & Development, City of Surrey
Date 19 Jan. 2015
 Acceptable Not Acceptable



Pre-Servicing Requirements

Landscaping Requirements

- Installation of landscaping to the specifications and satisfaction of the Planning and Development Department.

Engineering Services Requirements

- Provide an 11-metre long paved (right-in/right-out) driveway access to Old Yale Road;
- Provide onsite stormwater management measures to mitigate potential impacts to the City's drainage system;
- Ensure that all impervious areas drain onto pervious areas within the property;
- Ensure conveyance to and from the ditch fronting the site has been accounted for in any driveway and drainage design; and
- Install water quality/ sediment control inlet chamber or bio swales to prevent discharge of contaminated runoff from entering the City's drainage network. A restrictive covenant must be registered on the Title of the Land relative to the water quality / sediment control inlet chamber and bio swales.

Additional Engineering Requirements

The following legal documents are known at this time to be required for this project:

- Lease agreement for the use of a portion of Fir Road; and a portion of Speen Road
- Restrictive Covenant for water quality/sediment control inlet chamber and bio swales as required; and
- Restrictive Covenant for right-in/right-out access restrictions onto Old Yale Road.

Planning Requirements

- Sealed engineering or architectural drawings and related information are to be provided related to the layout of the site, including any buildings or structures on the site, site access, drive aisles, parking stall layout, signage and landscaping, demonstrating that the layout as proposed will allow for adequate space for manoeuvring and parking of all vehicles on site in an orderly manner up to the full capacity of the parking lot;
- The parking spaces in the truck parking lot are to be visually delineated at all times to the satisfaction of the General Manager, Planning and Development, so as to assist in ensuring the orderly parking of vehicles on the site at all times;
- Adequate washroom facilities are to be provided on the site to the satisfaction of the General Manager, Planning and Development, but in any case there shall be a minimum of one such facility on the site; and
- Realignment of existing fencing/barriers to align with the subject site.