

City of Surrey
PLANNING & DEVELOPMENT REPORT

Application No.: 7919-0336-00

Planning Report Date: June 29, 2020

PROPOSAL:

- **Temporary Use Permit**

to permit the continued outdoor storage of lumber materials for a period not to exceed three (3) years.

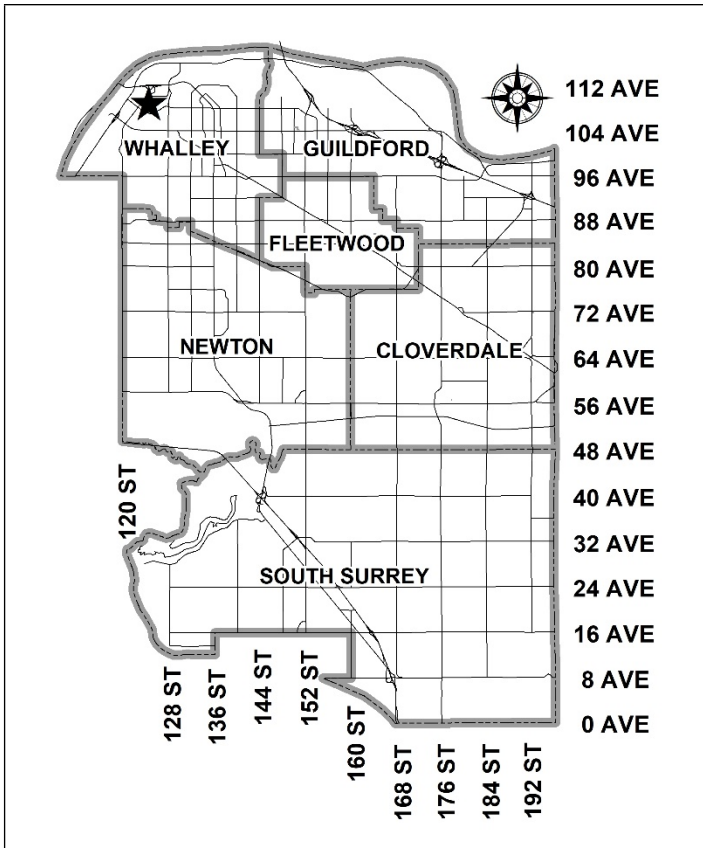
LOCATION: 10885 - 125 Street

10863 - 125 Street

ZONING: IL-1

OCP DESIGNATION: Urban

NCP DESIGNATION: Institutional and Parks & Open Space



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The proposed use does not comply with the current zoning of the site (Light Impact Industrial (IL-1)), nor the site's OCP designation (Urban).
- The proposed use is contrary to the South Westminster Neighbourhood Concept Plan (NCP) designation of Institutional for the site.

RATIONALE OF RECOMMENDATION

- The owner of the subject site, New West Lumber Ltd., has proposed the continued outdoor storage of lumber materials on site. The applicant is not proposing to intensify the use, but to continue the existing use for a period not to exceed three (3) years.
- The proposed Temporary Use Permit (TUP) will support the employment of 16 individuals and prevent the closure of a long-standing Surrey business, New West Lumber Ltd., which has been operating on the subject site since 2006.
- The applicant acknowledges that the TUP is a temporary solution and are requesting the TUP to provide enough time for them to relocate their business to a site that is zoned for the proposed use.
- The proposed temporary storage of lumber materials will allow for interim use of the land until it is economically viable for redevelopment.
- The site is in proximity to major truck routes, including Highway No. 17 (South Fraser Perimeter Road), Old Yale Road and Scott Road, which provide good access throughout the Lower Mainland for the lumber distribution business.
- The existing use on site is generally a low impact use, with minimal truck traffic, and will have Monday – Friday operation hours from 6:30 am to 4:30 pm.
- Temporary Use Permits (TUPs) for outdoor storage in the South Westminster area have typically not been supported by staff, as they are contrary to Official Community Plan (OCP) policies that encourage the full utilization and efficient use of industrial and other employment lands in order to maximize jobs and economic activity, and can delay infrastructure improvements to roads/utilities that could be realized through rezoning and/or redevelopment. However, this proposal is deemed to have merit given the length of time that the business has operated at this location (14 years) and the potential employment loss (16 full time jobs), should the continued use not be supported on a temporary basis.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Temporary Use Permit No. 7919-0336-00 (Appendix IV) to proceed to Public Notification.
2. Council instruct staff to resolve the following issues prior to final 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; and
 - (b) submission of a watercourse assessment for the adjacent roadside ditches along 109 Avenue and 125 Street.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	NCP Designation	Existing Zone
Subject Site	Outdoor storage of lumber materials	Institutional and Parks & Open Space	IL-1
North (Across 109 Ave):	Storage of industrial materials	Multiple Residential	IL-1
East (Across 125 St):	Industrial building and truck parking	Institutional	IL-1
South:	BC Hydro (SWM) Railway	N/A	IL-1
West:	Storage of industrial materials	Institutional and Parks & Open Space	IL-1

Context & Background

- The subject site is located at 10885 & 10863 – 125 Street and has a site area of 0.6 hectares. The site is designated Urban in the Official Community Plan, is designated Institutional and Parks & Open Space in the South Westminster Neighbourhood Concept Plan (NCP), and is zoned Light Impact Industrial 1 Zone (IL-1).
- The subject site is adjacent to two (2) roadside ditches along 109 Ave and 125 Street. Additionally, the site borders a BC Hydro (SWM) Railway to the south.
- The existing use of the site consists of outdoor storage of lumber materials for New West Lumber Ltd., which has been operating on the subject site since 2006.

DEVELOPMENT PROPOSAL

Planning Considerations

- The IL-1 Zone allows for some outdoor storage of goods and materials, provided that there is a building on site that exceeds 100 square metres (1,076 sq.ft.) and contains washroom facilities. The subject site does not contain a building of this type and size; therefore, no outdoor storage is permitted.
- The applicant is requesting a Temporary Use Permit (TUP) to allow the continuation of outdoor storage of lumber materials without a building for their lumber distribution business.
- The South Westminster NCP was approved by Council in 2003, with corresponding zoning changes implemented in the area in 2005. The subject site was rezoned from IL (Light Impact Industrial) to IL-1 (Light Impact Industrial - 1) in 2005 to reflect the goals and objectives of the updated NCP.

Current Proposal

- New West Lumber Ltd. is a Surrey-based company established in the 1970s, that supplies lumber materials to contractors and manufacturing companies in the Lower Mainland. The company fills the demand for lumber material in the region and is currently supporting essential service providers during the Covid-19 Pandemic. The company has been operating their business from the subject site since 2006.
- The company currently employs 16 full-time staff. The standard operating hours are Monday through Friday from 6:30 am to 4:30 pm. The subject site is paved and is to remain paved as a condition of the TUP. The existing chain-link perimeter fence will also remain.
- A watercourse assessment will be required as part of the development to determine if any protection is required for the roadside ditches adjacent to the property and if a Sensitive Ecosystem Development Permit will be required as part of this proposal. The applicant acknowledges that the location of the stored materials may need to change pending the outcome of the watercourse assessment.
- The subject site was previously zoned IL before the South Westminster NCP update in 2003. At that time, the site was used as outdoor storage by another owner, which was a permitted use under the IL zone. When the site was rezoned to IL-1 in 2005 under the plan update, the existing use of outdoor storage was no longer permitted.
- The subject TUP application was made to address the non-compliance of the existing use. The applicant is not proposing to intensify the use, but to continue the existing use for a period not to exceed three (3) years. The applicant acknowledges that the TUP is a temporary solution and are requesting a the TUP to provide enough time for them to relocate their business to a site that is zoned for the proposed use.
- An aerial photo showing the existing outdoor storage of lumber materials has been provided (Appendix I).

Site Maintenance

- New West Lumber Ltd. has transformed the subject site into a clean and efficient lumber materials business. The site is very well-maintained and is entirely paved. The company has also provided street lighting to the area to ensure safe working conditions for employees. Additionally, there are no noise concerns with this business during non-business hours.

Economic Development

- Lumber supplied by New West Lumber Ltd. is used for businesses in the food and beverage service industry and the agri-food sector, locally and globally. The company supports businesses that have employees of up to 100 individuals.
- Currently New West Lumber Ltd. is supporting businesses that are essential service providers in BC during the Covid-19 Pandemic including companies that support the local food chain in the agri-food sector and businesses who supply survey stakes to local municipalities and government organizations.

Employment

- Supporting this TUP will keep the jobs of 16 employees at New West Lumber Ltd. These employees all have families and rely on the stable income provided by New West Lumber for their livelihood.
- Staff received 1 response from a local business owner concerned about the maintenance of the ditch adjacent to the property. The concern is that the ditch has been observed to be filled with dirt and needs to be maintained.
 - *Staff advised that the applicant will be required to complete a watercourse assessment for this ditch, which will advise the City on how the area should be maintained and enhanced by the applicant.*

PROJECT EVALUATION

Applicant's Justification

The applicant has provided the following rationale for supporting the proposed Temporary Use Permit to allow the continuation of outdoor storage of lumber materials, for a period of three (3) years:

- The proposed temporary outdoor storage of lumber materials will allow for the interim use of the land until it is economically viable for redevelopment.
- The site is in proximity to major truck routes, including Highway No. 17 (South Fraser Perimeter Road), Old Yale Road and Scott Road, which provide good access throughout the Lower Mainland for the lumber distribution business.
- The proposed TUP will support the employment of 16 individuals and prevent the closure of a long-standing Surrey business, New West Lumber Ltd.

Advantages of the Proposal

The advantages of a temporary outdoor storage use on the subject site are identified by staff as follows:

- The proposed TUP for outside storage would allow for an interim use on the land until consolidation with neighbouring properties or building construction on the lot can occur. This interim use would allow the applicant to generate interim revenue from the property.
- There is an identified need for additional outside storage in the City and approval of this temporary use would assist in addressing that need.
- New West Lumber Ltd. is an established business that employs 16 full-time employees. The company has been on site since 2006 and has become a reputable business in the area.

Disadvantages of the Proposal

The disadvantages of a temporary outdoor storage use on the subject site are identified by staff as follows:

- The proposal is contrary to Official Community Plan (OCP) policies that encourage the full utilization and efficient use of industrial and other employment lands in order to maximize jobs and economic activity.
- The proposal could delay infrastructure improvements to roads/utilities that could be realized through rezoning and/or redevelopment of the site and adjacent properties.
- The proposal may set precedent for other outside storage TUP proposals, which could hinder redevelopment and investment in this area. However, it is noted that this particular proposal is unique given the length of time the business has operated at this location (14 years) and the potential employment loss (16 full time jobs), should the continued use not be supported on a temporary basis.

CONCLUSION

- In considering the pros and cons of this proposal, the Planning and Development Department believes that the positive impacts of this project out-weigh its disadvantages, and therefore, recommends that this Temporary Use Permit (TUP) proposal be supported.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Site Context (Aerial Photo)
- Appendix II. Engineering Summary
- Appendix III. South Westminster NCP
- Appendix IV. Temporary Use Permit No. 7919-0336-00

approved by Ron Gill

Jean Lamontagne
General Manager
Planning and Development

SJ/cm

Site Context: 7919-0336-00 (10885 & 10863 - 125 Street)



Subject Site

109 Ave

125 St

Bc Hydro (SWM) Rwy

108 Ave



INTER-OFFICE MEMO

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

FROM: Development Engineer, Engineering Department

DATE: June 23, 2020 **PROJECT FILE:** 7819-0336-00

RE: Engineering Requirements (Industrial)
Location: 10885 & 10863 125 Street

TEMPORARY USE PERMIT

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

- Register a reciprocal access easement on title for both lots.
- Complete a geotechnical assessment to confirm that the pavement structure and condition of 109 Avenue fronting the site and 125 Street to 110 Avenue meet City standards.
- Confirm by a topographic survey plan that 109 Avenue has a minimum pavement width of 8.0-metres along the frontage. Pavement widening will be required if the existing width does not meet the minimum standard.
- Confirm by a topographic survey plan that 125 Street from 109 Avenue to 110 Avenue has a minimum pavement width of 7.0-metres. Pavement widening will be required if the existing width does not meet the minimum width. In consideration of the existing ditches along 125 Street which are required for stormwater storage, the required pavement width along 125 Street has been reduced from 8.0-metres to 7.0-metres.
- If access to 125 Street is proposed, a geotechnical assessment to confirm pavement condition, and a topographic survey plan to confirm minimum pavement width will be required. Pavement widening and upgrades may be required to meet City Standards.
- Complete watercourse assessment for the fronting ditches. A combined statutory right-of-way/restrictive covenant may be required based on the ditch classification.

Upon future development, the site must be serviced in accordance with the South Westminster NCP.

A Servicing Agreement may be required before the proposed Temporary Use Permit can be issued. If a Servicing Agreement is required, a processing fee of \$7,565.25 (GST included) will be required, otherwise a processing fee of \$1,674.75 (GST included) to administer legal documents.



Jeff Pang, P.Eng.
Development Engineer
SK2

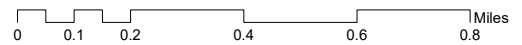
ALIGNMENT OF WATERFRONT-ORIENTED PEDESTRIAN WALKWAY TO BE FINALIZED AS PART OF SPECIAL STUDY

Subject Site

SOUTH WESTMINSTER PLAN

CITY OF SURREY
PLANNING AND DEVELOPMENT DEPARTMENT

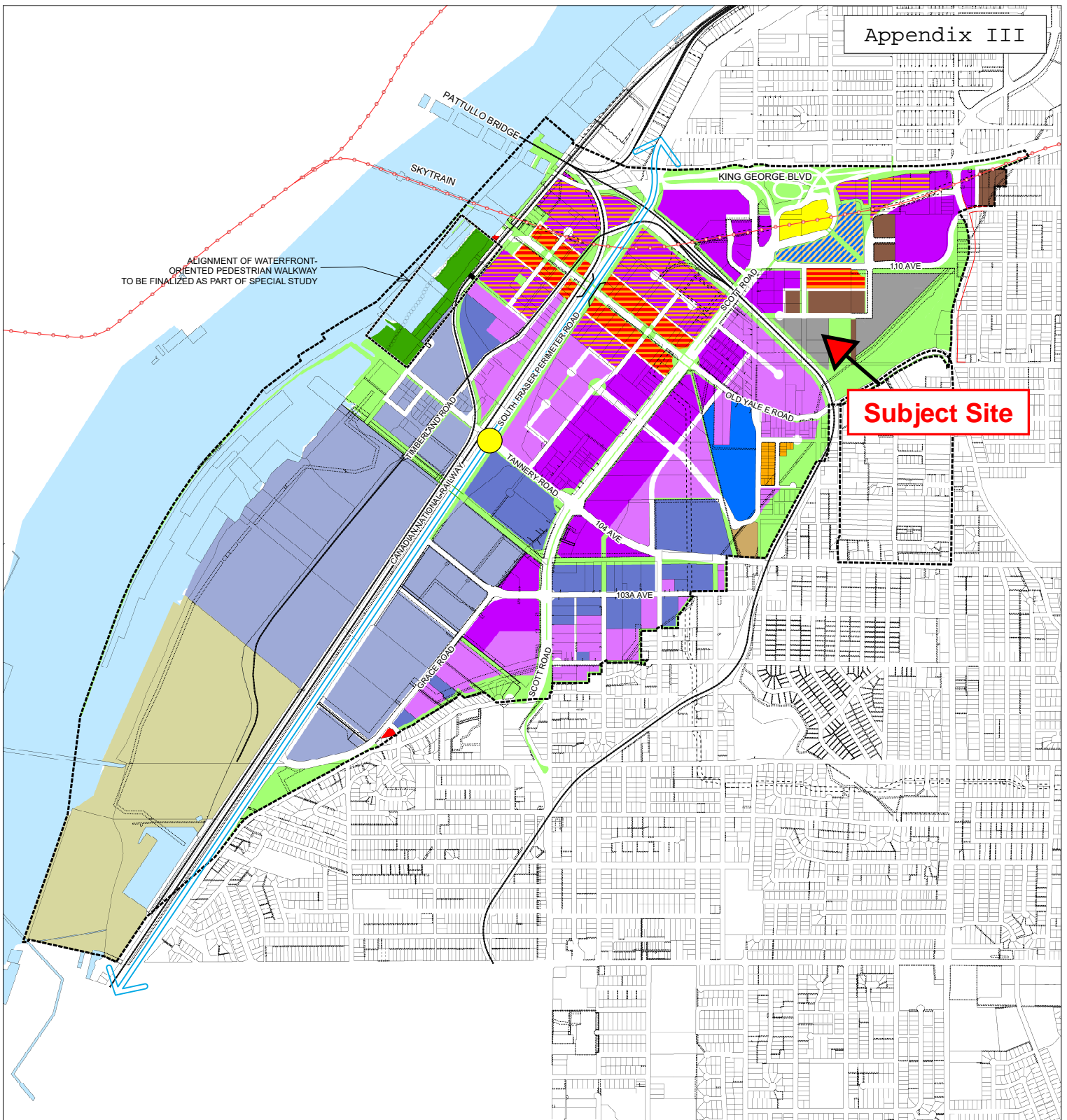
APPROVED BY COUNCIL RESOLUTION R03 - 3189, 15 Jan 2019



Legend

- SkyTrain
- Overpass
- Waterfront Oriented Pedestrian Walkway
- Special Study Area
- Interchange
- South Fraser Perimeter Road
- Business Park

- Business Residential Park
- Commercial
- Highway Commercial
- Light Impact Industrial
- Light Industrial Business Park
- Low Density Townhouses
- Multiple Residential
- Port Related Industrial
- Retail Residential
- Special Residential
- Schools
- Institutional
- Skytrain
- Transit Oriented Urban Village
- Public Open Space and Park
- Waterfront Strip
- Overpass



CITY OF SURREY

(the "City")

TEMPORARY USE PERMIT

NO.: 7919-0336-00

Issued To:

(the "Owner")

Address of Owner:

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: 011-884-924

Lot 1 Block 1 Section 17 Block 5 North Range 2 West New Westminster District Plan 616

10885 - 125 Street

Parcel Identifier: 011-884-941

Lot 2 Except: Part on Explanatory Plan 368, Block 1 Section 17 Block 5 North Range 2 West New Westminster District Plan 616

10863 - 125 Street

(the "Land")

3. The authority to issue Temporary Use Permits is granted to municipalities under Sections 492 and 493 of the *Local Government Act* R.S.B.C. 2015, c.1. 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 for storage of lumber materials, as shown on Schedule A.

5. The temporary use shall be carried out according to the following conditions:
 - No truck access is permitted from the north-east corner of the lot at the intersection of 125 Street and 109 Avenue.
 - The site is to remain paved
 - The existing chain-link fence is to be retained in good condition
 - Submit a watercourse assessment for adjacent roadside ditches to determine applicable protection requirements.

6. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this temporary use permit. This temporary use permit is not a building permit.

7. An undertaking submitted by the Owner is attached hereto as Appendix I and forms part of this temporary use permit.

8. This temporary use permit is not transferable.

9. 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 – Doug McCallum

City Clerk – Jennifer Ficocelli

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.

Authorized Agent: Signature

Name (Please Print)

TO THE CITY OF SURREY:

I, _____ (Name of Owner)

being the owner of _____
(Legal Description)

known as _____
(Civic Address)

hereby undertake as a condition of issuance of my temporary use permit to:

- (a) demolish or remove all buildings and/or structures that are permitted to be constructed pursuant to the temporary use permit issued to me; and
- (b) restore the land described on the temporary use permit to a condition specified in that permit;

all of which shall be done not later than the termination date set out on the temporary use permit.

I further understand that should I not fulfill the undertaking described herein, the City or its agents may enter upon the land described on the temporary use permit 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, and that any securities submitted by me to the City pursuant to the temporary use permit shall be forfeited and applied to the cost of restoration of my land as herein set out.

This undertaking is attached hereto and forms part of the temporary use permit.

(Owner)

(Witness)

Site Context: 7919-0336-00 (10885 & 10863 - 125 Street)



Subject Site

109 Ave

125 St

Bc Hydro (SWM) Rwy

108 Ave

