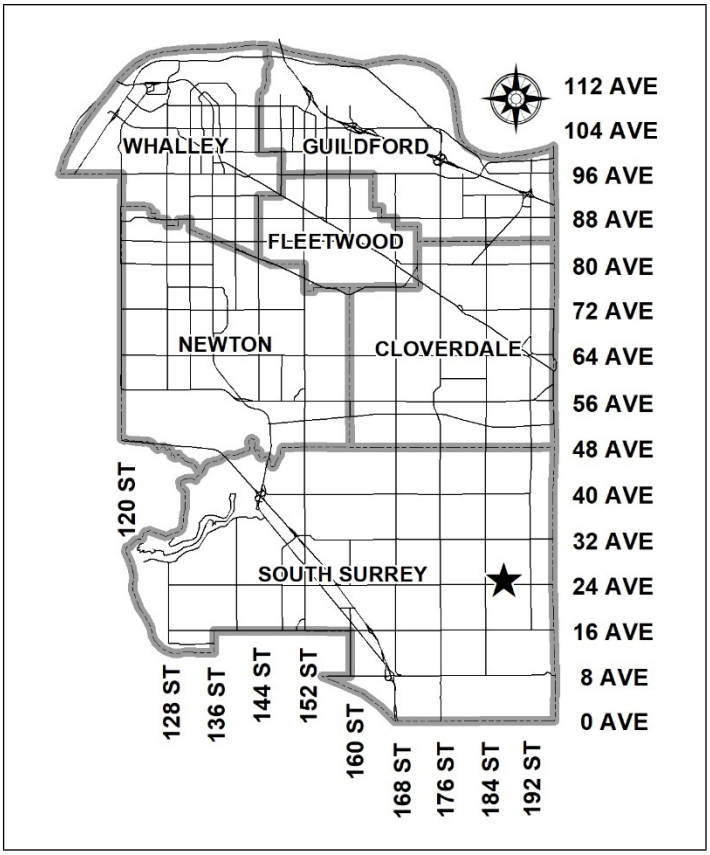


City of Surrey
PLANNING & DEVELOPMENT REPORT
Application No.: 7920-0317-00

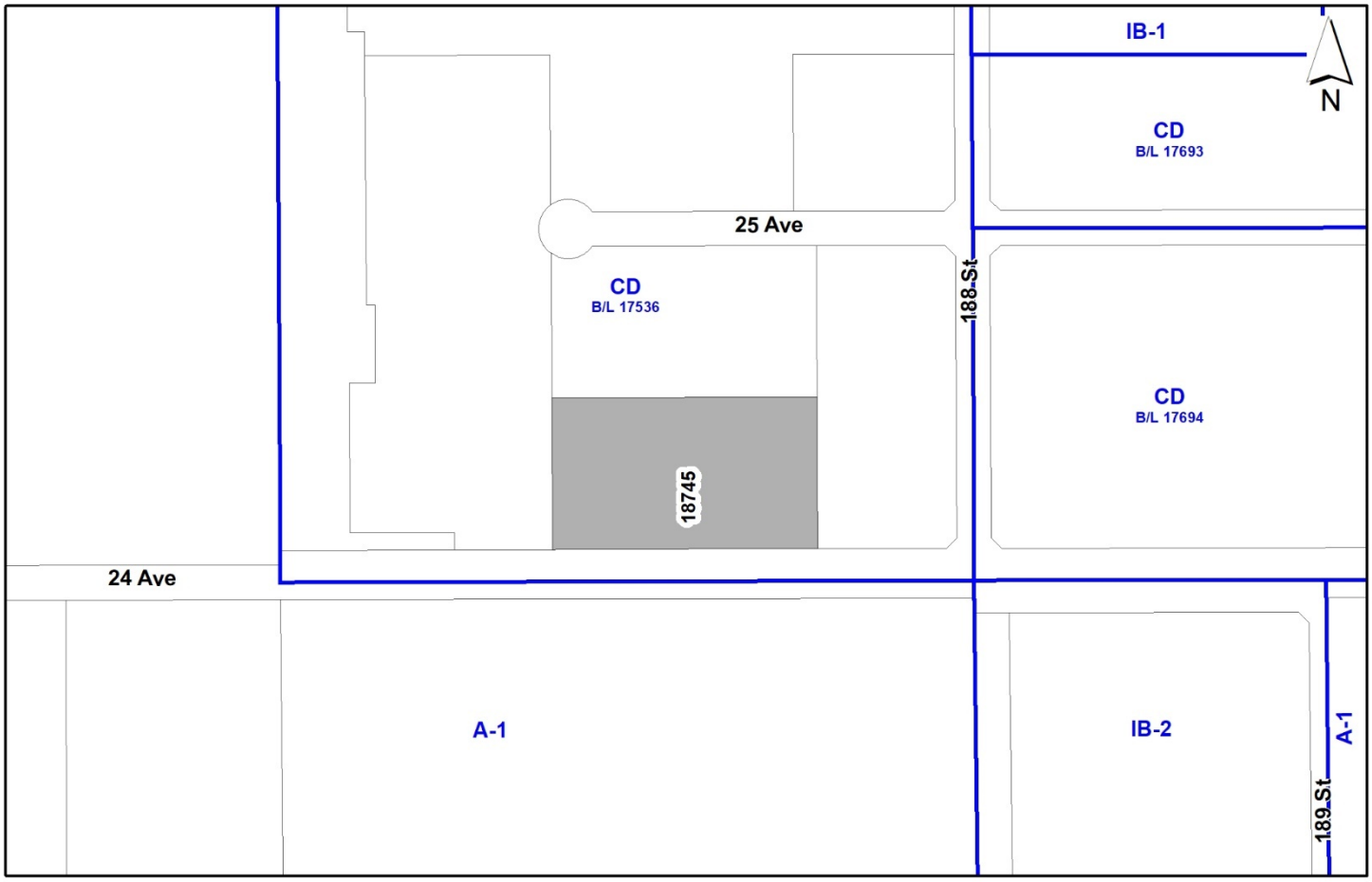
Planning Report Date: March 8, 2021

PROPOSAL:

- **Temporary Use Permit**

to allow outdoor trailer storage and truck parking until the property can be developed for a period not to exceed three years.

LOCATION:	18745 – 24 Avenue
ZONING:	CD (By-law No. 17536)
OCP DESIGNATION:	Mixed Employment
LAP DESIGNATION:	Technology Park or Business Park and Landscaping Strips



RECOMMENDATION SUMMARY

- The Planning & Development Department recommends that this application be denied.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The proposal does not comply with the "Mixed Employment" land use designation in the Official Community Plan (OCP) or the "Technology Park or Business Park" and "Landscaping Strips" land use designations in the Campbell Heights LAP.

RATIONALE OF RECOMMENDATION

- The proposal does not contribute to the development of Campbell Heights in a manner consistent with the Official Community Plan or Local Area Plan.

- A significant portion of the property contains an unmapped water feature that may require protection under the *Water Sustainability Act (WSA)*. It is premature to consider the proposed temporary use on the subject site as development of the property is contingent on the applicant obtaining a BC Water Sustainability Act Change approval for the relocation and/or elimination of the unmapped water features on the property. The applicant's Qualified Environmental Professional (QEP) has submitted reporting to the Province; however, approval has not been granted to date.

- Approval of this application may lead to more requests for similar temporary use proposals in Campbell Heights that are inconsistent with the adopted Local Area Plan and the pattern of development.

- The subject property is also located within an area of Campbell Heights that is known to have vulnerable aquifers resulting from unconsolidated material, as per the "Vulnerable Aquifers Map (Schedule I)" in the Zoning By-law. Generally, this area contains an unconfined aquifer that is recharged by directed infiltration of surface water and precipitation. The aquifer also provides base flow for many streams that emanate from the flanks of the plateau including the Little Campbell River and Nicomekl lowland watercourse and is a source of potable water for local residents.

- Every effort should be made to manage the flow and quality of water within this aquifer and staff's concern is heightened for the proposed equipment storage and truck parking non-conforming land use. Additional on-site improvements would likely be needed that would be similar to those required as part of the ultimate development for the site.

RECOMMENDATION

The Planning & Development Department recommends that this application be denied.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	LAP Designation	Existing Zone
Subject Site	Vacant	Technology Park or Business Park and Landscaping Strips	CD (By-law No. 17535)
North:	Transportation and logistics business with associated trailer parking.	Technology Park or Business Park	CD (By-law No. 17535)
East:	Logistics business with associated trailer parking.	Technology Park or Business Park and Landscaping Strips	CD (By-law No. 17535)
South (Across 24 Avenue):	Agricultural lands.	OCP: Agricultural	A-1
West (Across access easement):	Vacant industrial-zoned property under Development Application No. 7919-0290-00, which proposes a multi-tenant warehouse building.	Technology Park or Business Park and Landscaping Strips	CD (By-law No. 17535)

Context & Background

- The subject site is approximately 1.33 hectares in area and located on the north side of 24 Avenue in Campbell Heights. The property is designated "Mixed Employment" in the Official Community Plan (OCP), "Technology Park or Business Park" and "Landscaping Strips" in the Campbell Heights Local Area Plan (LAP), and zoned "Comprehensive Development Zone (CD By-law No. 17536)".

- Prior to a development application for a Temporary Use Permit (TUP) being submitted, it was identified that the subject property and adjacent property to the west (18699 – 25 Avenue) may have an unmapped water feature on both of the properties. The applicant has retained a Qualified Environmental Professional but has not confirmed the protection requirements with the Province.

- The applicant has submitted an environmental assessment but approval has not been granted or review been completed by the Province determining the protection requirements for the unmapped water feature.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant proposes a Temporary Use Permit (TUP) to permit temporary outdoor storage of trailers and truck parking facility for a period not to exceed three years.

- The applicant also proposes the following for the site:

    - 3 passenger vehicle parking spaces;

    - 5 truck parking spaces for vehicles over 5,000 kilograms G.V.W.; and

    - a temporary trailer with office and washrooms.

	Proposed
Lot Area	
Gross Site Area:	1.33 hectares
Road Dedication:	n/a
Undevelopable Area:	n/a
Net Site Area:	n/a

Referrals

Engineering: The Engineering Department will provide Engineering servicing requirements if this application proceeds further for consideration.

Transportation Considerations

- The applicant proposes access to the site from the private lane to the west, which is registered with an access easement with the properties to the west and north.

POLICY & BY-LAW CONSIDERATIONS

Regional Growth Strategy

- The subject site is designated "Mixed Employment" in the Regional Growth Strategy (RGS).

- The proposed TUP does not comply with the RGS land use designation for the site.

Official Community Plan

Land Use Designation

- The subject site is designated "Mixed Employment" in the Official Community Plan.
- The proposed TUP does not comply with the OCP land use designation for the site.

Themes/Policies

- E1.20 – Encourage the continued expansion of high-tech, research and development and light manufacturing to locate within Mixed Employment areas that are accessible to major transportation corridors and/or frequent transit services.
    - *(The proposed development is not compatible with the Mixed Employment designation and does not reflect the intended development vision for the employment lands in Campbell Heights).*
- E1.31 – Support and encourage the high quality, environmentally responsible, sustainable development of employment lands.
    - *(The property is located in an area with vulnerable aquifers resulting from unconsolidated material, as per the "Vulnerable Aquifers Map (Schedule I)" in the Zoning By-law. The proposed development may negatively impact groundwater, soils, and trees in the area).*

Secondary Plans

Land Use Designation

- The subject site is designated "Technology Park or Business Park" and "Landscaping Strips" in the Campbell Heights Local Area Plan LAP. The proposed TUP does not comply with the land use designation for the site.

Zoning By-law

- The applicant proposes a Temporary Use Permit under the existing "Comprehensive Development Zone (CD By-law No. 17536)." The proposal would permit the temporary use to operate on the property, as the proposed uses are not permitted under the zone.

PUBLIC ENGAGEMENT

- Pre-notification letters were sent on January 20, 2021. The applicant neglected to erect the Development Proposal Sign on the site. Staff received one response from a neighbouring resident. The resident provided the following comments *(staff comments in italics):*
    - Portions of this property are within the headwater of Erickson Creek, a red-coded Class A fish bearing creek.
    - Adjacent farms are 100% reliant on the aquifer in this area. Truck and equipment storage will negatively impact the aquifer, thereby impacting farms in the area.

- Truck parking and trailer storage will lead to diesel and oil contamination of Erickson Creek and the aquifer.

- Truck parking generates additional noise pollution that a typical business park development would not generate, resulting in negative impacts on nearby residential areas.

- The subject development application was reviewed by the Little Campbell Watershed Society (LCWS). The LCWS provided the following comments *(staff comments in italics):*

    - Temporary Use Permits create interim arrangements for on-site stormwater retention that are insufficient for dealing with stormwater and pollutants. These temporary arrangements have greater potential for pollutant-laden stormwater to enter the Erickson Creek headwater or aquifer.

        (Any future development on the site will need to meet stormwater retention requirements and provide necessary on-site improvements that would help avoid any impacts to the aquifer and Erickson Creek. As there may be an unmapped water feature on the property, future development is subject to review and approval by the Province).

DISCUSSION

- Recently, staff have taken by-law enforcement action within the Campbell Heights area against numerous other properties with non-conforming and unauthorized businesses, many of which are operating without business licenses. This enforcement will ultimately result in the owners submitting TUP applications.

- The unauthorized and non-conforming uses occurring throughout Campbell Heights include outdoor storage, outdoor recreational vehicle storage, outdoor passenger vehicle storage, outdoor truck parking as well as outdoor container storage, some of which are associated with unauthorized businesses operating from these locations.

- A total of eleven (11) TUP applications for these unauthorized and non-conforming uses within the Campbell Heights area have been received in the recent past, with the majority being denied by Council, as summarized in the table below:

Project No.	Address	Council Decision
7913-0108-00	3086 190 Street	Denied at the April 14, 2014 Land Use meeting.

Project No.	Address	Council Decision
7913-0135-00	3093 194 Street	Denied at the February 24, 2014 Land Use meeting.
7913-0293-00	3338 194 Street	Denied at the February 24, 2014 Land Use meeting.
7914-0093-00	19370 32 Avenue	Denied at the October 2, 2017 Land Use meeting.
7916-0078-00	2957 194 Street	Denied at the May 8, 2017 Land Use meeting.
7916-0531-00	19283 28 Avenue	Council supported a 1-year TUP at the April 3, 2017 Land Use meeting. This TUP was issued at the September 11, 2017 Land Use meeting.
7917-0124-00	2820 192 Street	Denied at the May 8, 2017 Land Use meeting.
7917-0002-00	19283 28 Avenue	Denied at the April 1, 2019 Land Use meeting.
7919-0309-00	3338 194 Street/19437 32 Avenue	Referred back to staff at the December 2, 2019 Land Use meeting; Supported by Council at the February 10, 2020 Land Use meeting provided requirements are completed.
7920-0106-00	2974 – 192 Street	Temporary Use Permit for outdoor storage facility for cargo equipment and truck parking for a period not to exceed one year was issued by Council at the November 16, 2020 Regular Council – Land Use Meeting.
7920-0107-00	3037 – 194 Street	Temporary Use Permit for outdoor storage facility for cargo equipment and truck parking for a period not to exceed one year was issued by Council at the November 16, 2020 Regular Council – Land Use Meeting.

- By-law prosecutions have been initiated against four properties in Campbell Heights, with three of those four property owners pleading guilty to the by-law infractions.

- The subject proposed outdoor equipment storage facility and truck parking is not consistent with the "Technology Park or Business Park" and "Landscaping Strips" land use designations in the Campbell Heights Local Area Plan (LAP).

- The outdoor trailer storage and truck parking facility is not a permitted use in CD Zone (By-law No. 17536), which is located in Block A of CD By-law No. 17536, which prohibits the outdoor storage of any goods, materials, or supplies.

- In Campbell Heights, outdoor storage of trailers and truck parking is not considered an appropriate stand-alone use. Rather, the storage of equipment is generally associated with large-scale warehouse facilities and distribution centres which include appropriate buildings as well as suitable landscape buffers, proper screening, storm water control and drainage facilities.

- Approval of this application may lead to other similar temporary use proposals in Campbell Heights that are inconsistent with the adopted Local Area Plan and the pattern of development, which may hinder desired Business Park development of the area.

- A significant portion of the property contains an unmapped water feature that may require protection under the *Water Sustainability Act*. It is premature to consider the proposed temporary use on the subject site as development of the property is contingent on the applicant obtaining a BC Water Sustainability Act Change approval for the relocation and/or elimination of the unmapped water feature on the property. The applicant's Qualified Environmental Professional has submitted reporting to the Province; however, the review is not complete, and approval has not been granted to date.

- The subject property is also located within an area of Campbell Heights that is known to have vulnerable aquifers resulting from unconsolidated material, as per the "Vulnerable Aquifers Map (Schedule I)" in the Zoning By-law. Generally, this area contains an unconfined aquifer that is recharged by directed infiltration of surface water and precipitation. The aquifer also provides base flow for many streams the emanate from the flanks of the plateau including the Little Campbell River and Nicomekl lowland watercourse and is a source of potable water for local residents.

- Every effort should be made to manage the flow and quality of water within this aquifer whereby the concern is heightened for equipment storage and its non-conforming land use. Additional on-site improvements would likely be required that would be similar to those required as part of the ultimate development for the site.

DEVELOPMENT PERMITS

Sensitive Ecosystems (Streamside Areas) Development Permit Requirement

- The subject property falls within the Sensitive Ecosystems Development Permit Area (DPA) for Streamside Areas in the OCP, given the location of an existing watercourse known as Erickson Creek on the adjacent property to the west. An unmapped water feature is known to be located on-site. The Sensitive Ecosystems (Streamside Areas) Development Permit is required to protect aquatic and terrestrial ecosystems associated with streams from the impacts of development.

- An Ecosystem Development Plan, prepared by a Qualified Environmental Professional will be required for any future development on this site, along with proposed protection measures for the water feature and Erickson Creek. The applicant has submitted an environmental assessment to the City but approval has not been granted or review been completed by the Province determining the protection requirements for the unmapped water feature.

Sensitive Ecosystems (Green Infrastructure Areas) Development Permit Requirement

- The subject property falls within the Sensitive Ecosystems DPA for Green Infrastructure Areas in the OCP, given the location of a Biodiversity Conservation Strategy (BCS) Green Infrastructure Network (GIN) Corridor located on the southern portion of the site. The Sensitive Ecosystems (Green Infrastructure Areas) Development Permit is required to protect environmentally sensitive and/or unique natural areas from the impacts of development.

- The City of Surrey Biodiversity Conservation Strategy (BCS) Green Infrastructure Network (GIN) map, adopted by Council on July 21, 2014 (Corporate Report No. R141; 2014), identifies a Regional BCS Corridor within the subject site, in the Campbell Heights BCS management area, with Medium ecological value.

- The BCS further identifies the GIN area of the subject site as having a Moderate habitat suitability rating, derived from species at risk presence, species accounts and known ecosystem habitat inventories. The BCS recommends a target Corridor width of 100 meters.

- The development proposal does not conserve or enhance any of the required BCS GIN Corridor.

- In order for the proposal to fully comply with the BCS target recommendations, an additional 28 meters in width of the GIN Corridor would be required on the subject site but this has not been considered under the temporary use proposal.

- An Ecosystem Development Plan, prepared by a Qualified Environmental Professional will be required to be prepared for any future development on this site, along with proposed protection measures for the GIN Corridor.

CONCLUSION

The proposed outdoor equipment storage and truck parking facility is not consistent with the OCP and LAP land use designations for the property and the proposal does not reflect the intended development vision for the employment lands in Campbell Heights.

Furthermore, approval of this application may lead to requests for similar temporary use proposals in Campbell Heights that are inconsistent with the adopted Local Area Plan and the pattern of development, which may further delay re-development of the area. The proposed use cannot be accommodated without any potential impacts on the unmapped water feature being considered, and the use may result in significant environmental impacts to Erickson Creek and/or the aquifer.

For these reasons and given that Council has typically not supported TUP applications in Campbell Heights, staff recommend this application be denied.

If, however, Council determines there is merit to the proposal, staff recommend that the application be referred back to staff to complete the review of the Temporary Use Permit application, including for obtaining any necessary Provincial approvals associated with the unmapped water feature and to ensure there is appropriate protection measures in place for this.

Similarly, any requirements from relevant City Departments (e.g. Engineering) would need to be considered prior to bringing this application back for Council's consideration.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Site Plan
Appendix II. Aerial Photo
Appendix III. Map of TUP Applications in Campbell Heights

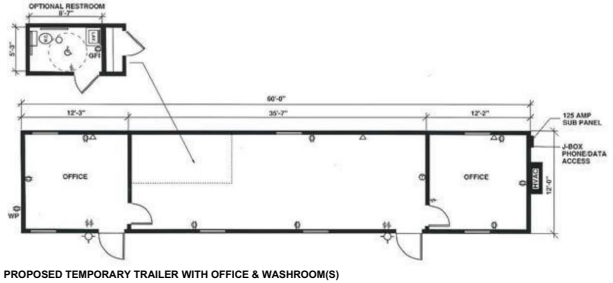
approved by Shawn Low

Jean Lamontagne
General Manager
Planning and Development

KS/cm

APPENDIX I

SIMILAR VIEW OF FINAL FENCE INSTALLATION

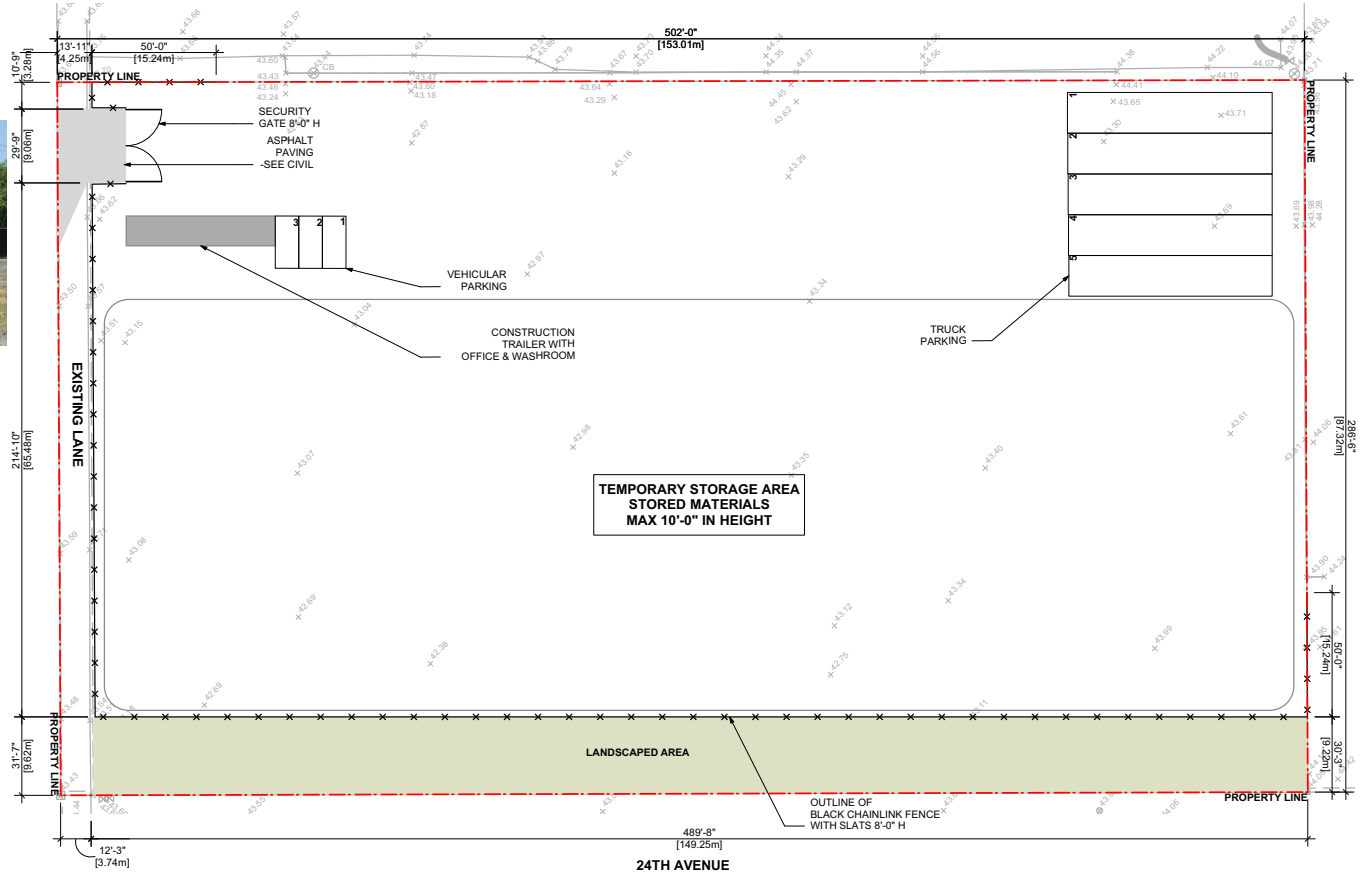


PROPOSED TEMPORARY TRAILER WITH OFFICE & WASHROOM(S)

BLACK CHAINLINK FENCE WITH SLOTS

NOTES

- SURVEY PLAN PROVIDED BY TARGET LAND SURVEYING FILE 9517 - SITE DATED 17.12.2019



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NO.	DATE	ISSUANCE
1	2020 11 04	ISSUED FOR REVIEW
2	2020 11 06	ISSUED FOR REVIEW
3	2020 11 13	ISSUED FOR COORDINATION
4	2020 12 08	ISSUED FOR TUP

PROPOSED NEW DEVELOPMENT

INDUSTRIAL MULTI-TENANT

24TH AVENUE
SURREY BC

SITE PLAN + GRAPHICS **A 1.0**

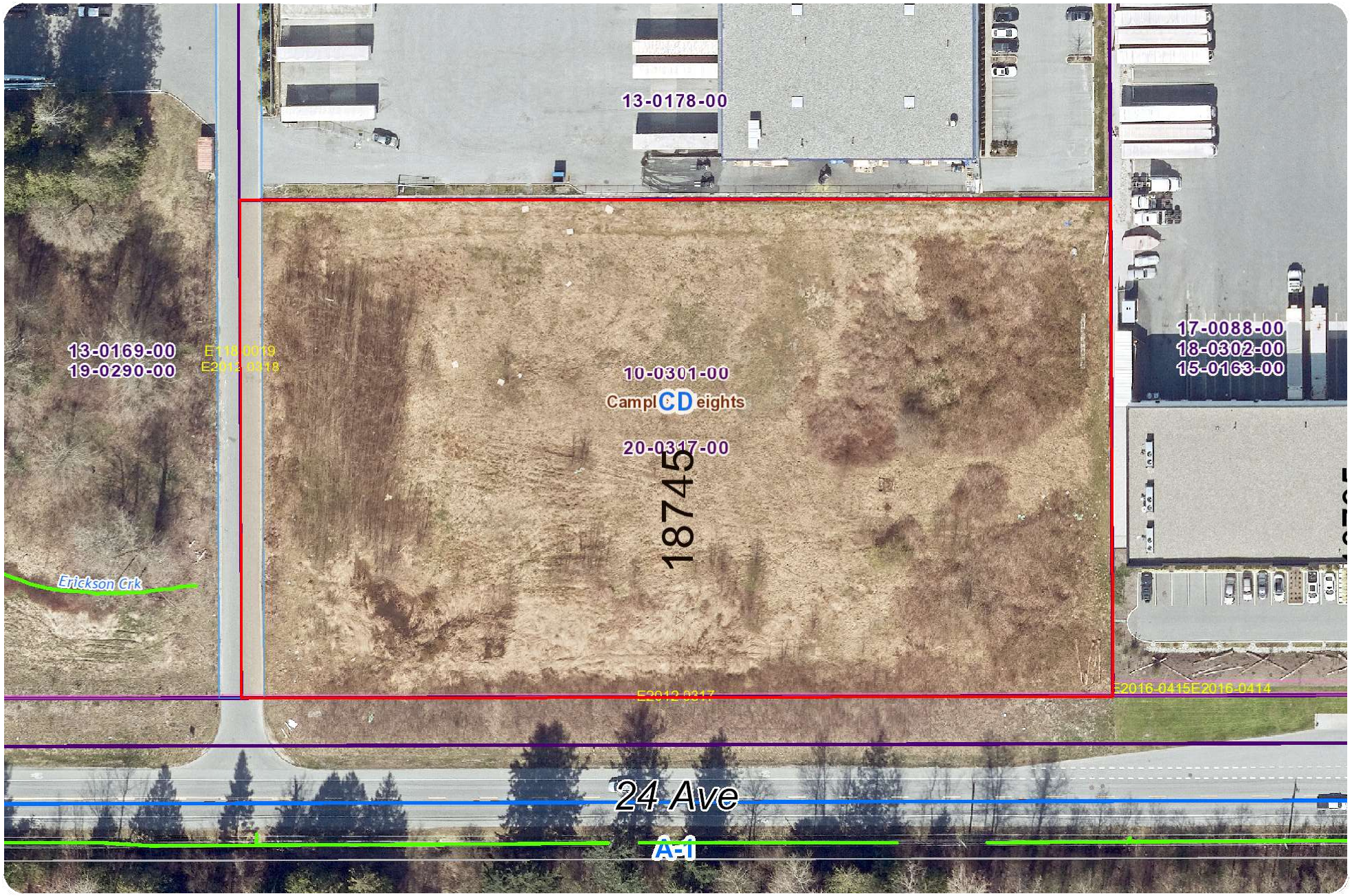
DRAWN: BR
CHECKED: KC
SCALE: 1:500
FILE: 1905

KCC ARCHITECTURE

KCC Architecture & Design Ltd.
Unit 300 15300 Croydon Drive Surrey BC V3Z 0Z5
kccarchitecture.com
Tel 604 283 0912

Development Application No. 7920-0317-00

APPENDIX II



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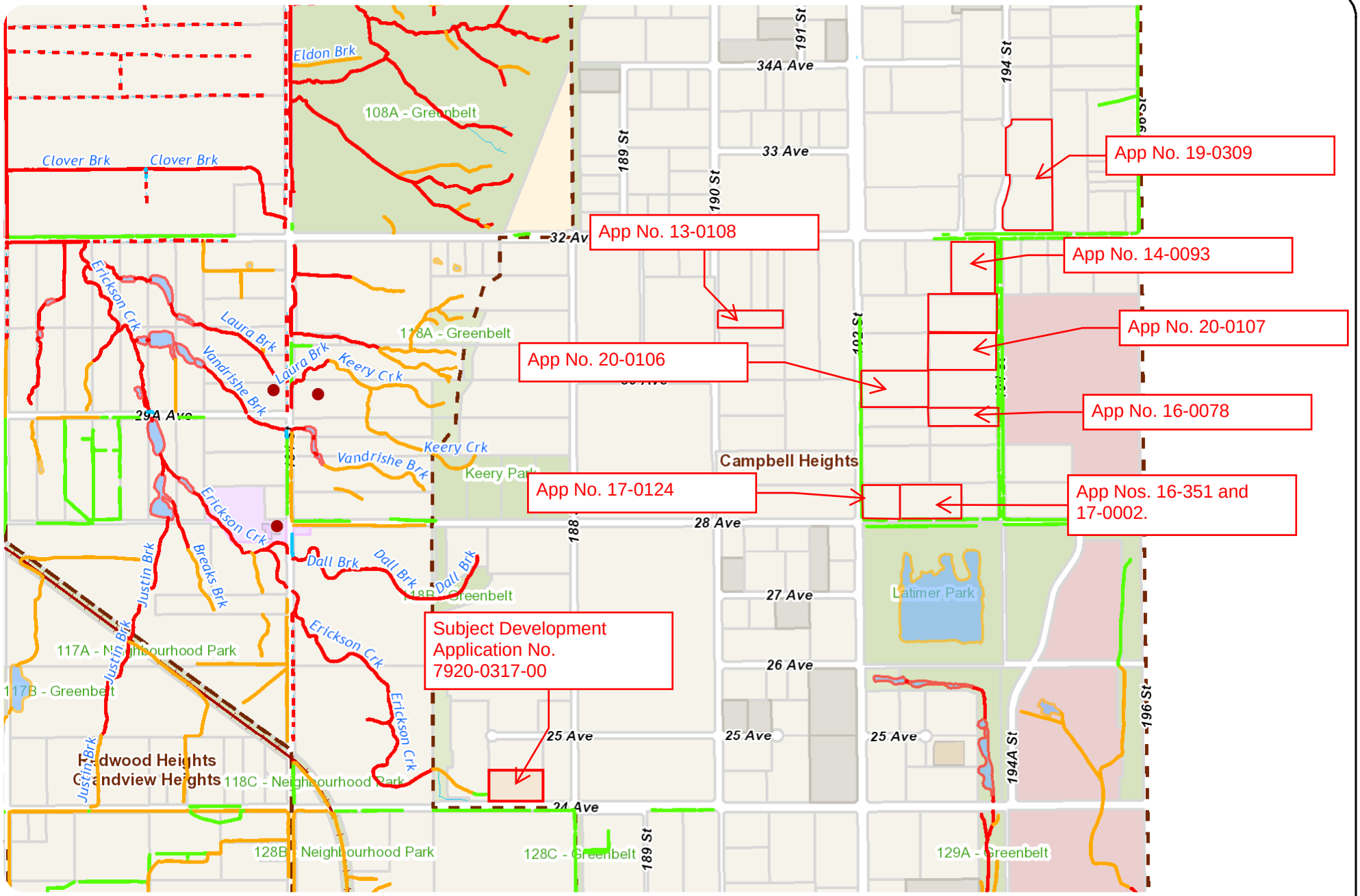
0 0.005 0.01 0.02 0.03
km

Map created on: 2021-02-25

Development Application No. 7920-0317-00

APPENDIX III



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0 0.075 0.15 0.3 0.45 km

Map created on: 2021-02-25