

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7907-0378-00

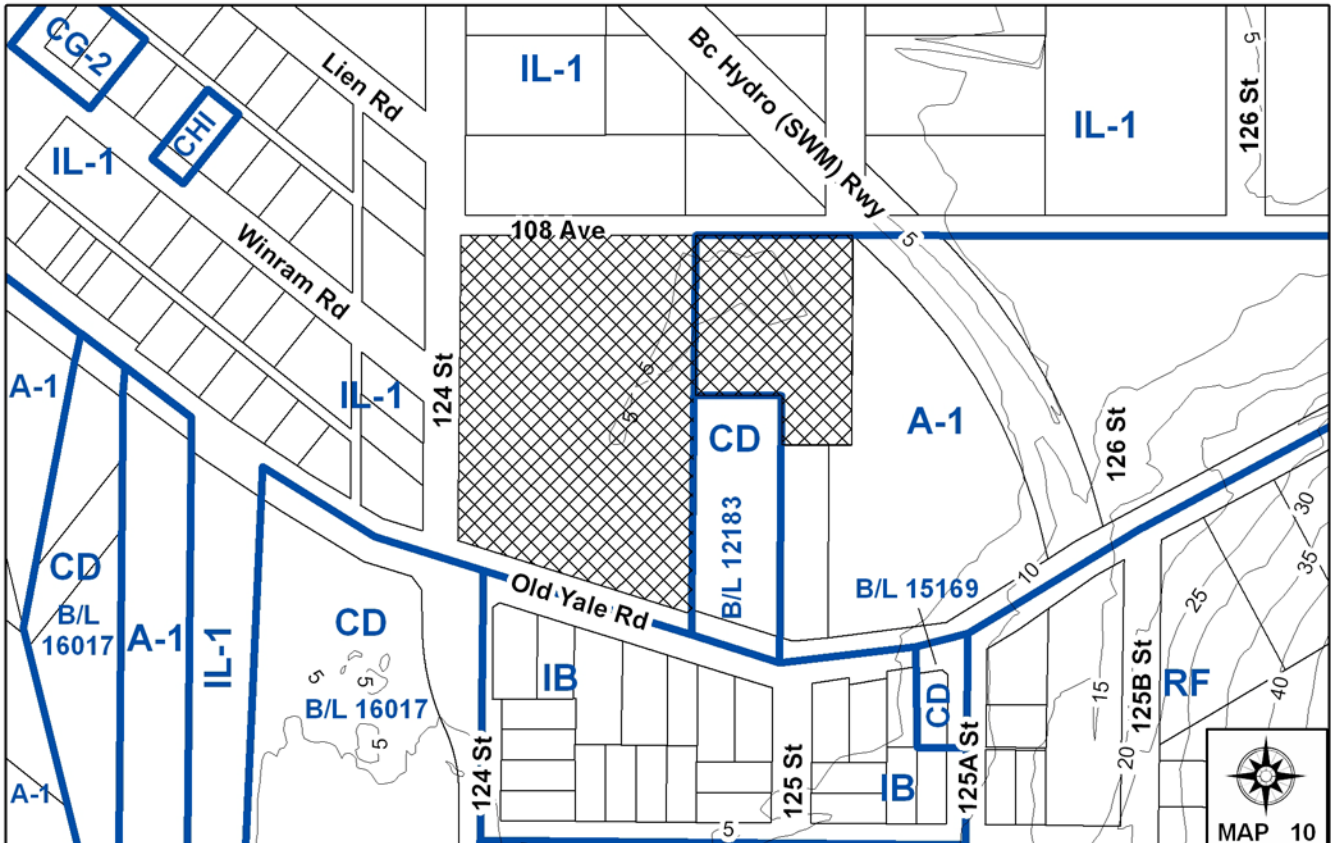
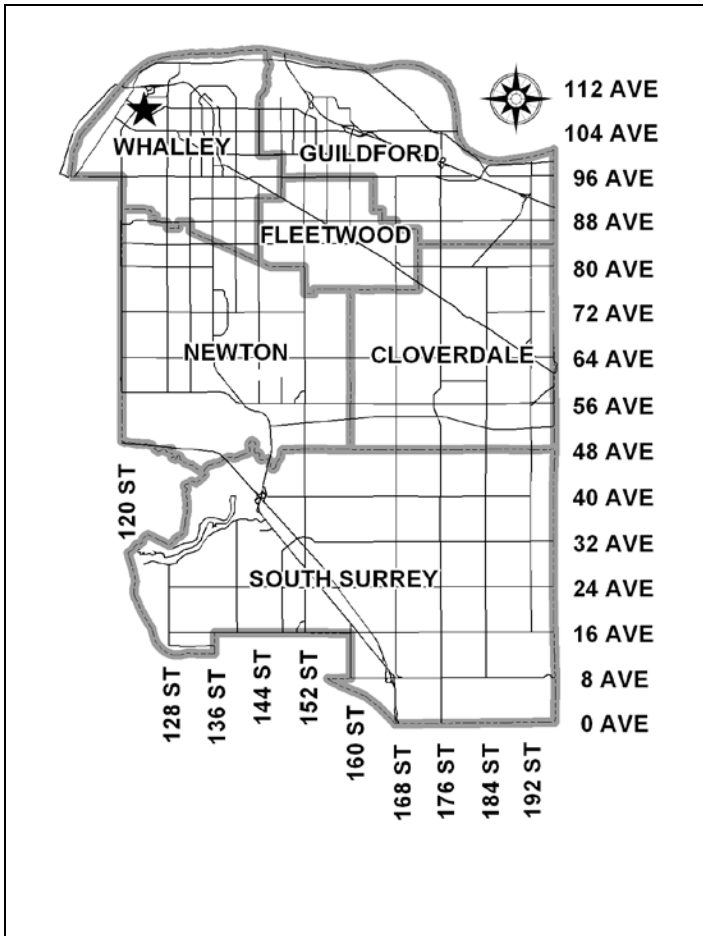
Planning Report Date: May 26, 2008

**PROPOSAL:**

- **OCP Amendment** to amend the permitted uses in Temporary Industrial Use Permit Area No. 12
- **Temporary Industrial Use Permit**

in order to allow the operation of a sawmill and a truck parking facility for a period of two years.

**LOCATION:** 12403 Old Yale Road; 12846 - 108 Avenue  
**OWNER:** Ranjit Saraon et al  
**ZONING:** IL-1 and A-1  
**OCP DESIGNATION:** Industrial  
**NCP DESIGNATION:** Business Park



### RECOMMENDATION SUMMARY

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

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None

### RATIONALE OF RECOMMENDATION

- The proposed sawmill and truck parking would allow an interim use on the land until it is economically viable for the property owners to develop the lands in accordance with the OCP.
- A truck parking facility has been allowed on this site, under Temporary Industrial Use Permit No. 7902-0379-01.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to amend Temporary Industrial Use Permit Area No. 12 to include a temporary sawmill 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. 7907-0378-00 (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;
  - (b) submission of adequate security to ensure the sawmill and ancillary structures are removed and the site is restored to its vacant state upon expiry of the Temporary Industrial Use Permit; and
  - (c) submission of a building permit application for the structures associated with the sawmill operation, already constructed on the site.

REFERRALS

Engineering: The Engineering Department has no objection to the project as outlined in Appendix III.

SITE CHARACTERISTICS

Existing Land Use: A truck parking facility allowed under Temporary Industrial Use Permit No. 7902-0379-01 and an unauthorized sawmill operation.

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North (Across 108 Avenue unopened right-of-way):	Non-conforming machine shop.	Business Park	IL-1

<b>Direction</b>	<b>Existing Use</b>	<b>NCP Designation</b>	<b>Existing Zone</b>
East:	Vacant land and scrap metal recycling depot.	Business Park	A-1 and CD (By-law No. 12183)
South (Across Old Yale Road):	Non-conforming single family dwellings.	Business Park	IB
West (Across 124 Street):	Non-conforming auto service uses and single family residential, under development application No. 7908-0051-00 for an industrial building (Pre-Council).	Business Park	IL-1

## DEVELOPMENT CONSIDERATIONS

### Background

- On April 1, 2004 Council issued Temporary Industrial Use Permit No. 7902-0379-00 to allow for the westerly subject property to be used for the temporary parking and storage of vehicles including trucks for a period not to exceed two years. At the same meeting, Council adopted By-law No. 15032 to declare the property located at 12403 Old Yale Road, Temporary Industrial Use Permit Area No. 12 in the Official Community Plan (OCP).
- Temporary Industrial Use Permit No. 7902-0379-00 expired on April 19, 2006. In December 2006, the applicant submitted an application to allow for an expansion of the parking area to include 12486 – 108 Avenue, and an extension of the Temporary Industrial Use Permit (TUP) for an additional two years from the date of the original TUP expiry. TUP No. 7902-0379-01 expired on April 16, 2008.

### Current Proposal

- In November 2007, Planning staff were approached by a tenant who had moved a portable sawmill onto the site at 12403 Old Yale Road, constructed lean-to structures to protect the equipment and the employees from the elements and upgraded the electrical service to the site. The tenant had subsequently applied for a business license, however, one could not be issued as the proposed use was not permitted in the Zone, and the construction of the structures was completed without a Development Permit or building permit being issued.
- The tenant advised that he had been told by the owner of the land that the use was permitted, and has since invested over \$200,000 in equipment acquisition and construction of buildings in order to operate his business.

- The applicant has therefore requested a new Temporary Industrial Use Permit to allow for the operation of a sawmill on 12403 Old Yale Road for a two-year period. As Temporary Industrial Use Permit No. 7902-0379-01 expired on April 16, 2008, the applicant has also requested a new Temporary Industrial Use Permit for both 12403 Old Yale Road and 12846 - 108 Avenue to allow for truck parking for a further two-year period.
- The sawmill and lean-to structures are located on the northwest portion of the property. (Appendix II). A site survey has confirmed that the structures are not encroaching onto road rights-of-way.
- To ensure the existing unauthorized structures are constructed appropriately, the applicant will be required to submit a building permit application prior to consideration of final adoption of the OCP Amendment By-law. Issuance of the building permit and inspections cannot take place until the use is permitted.
- In conjunction with the previous applications, a Section 219 Restrictive Covenant was registered on both properties to restrict some of the uses associated with heavy truck storage in accordance with the OCP guidelines. Bonding has been submitted to ensure the use is discontinued after a two-year period.
- Prior to a TUP being in order for issuance, the site must be included within a Temporary Use Permit Area in the Official Community Plan (OCP). In association with the truck parking TUP for the subject site, the OCP was amended to declare the subject site as Temporary Industrial Use Permit Area No. 12. The stated purpose for Temporary Industrial Use Permit Area No. 12 is a temporary truck parking facility on both lots. To permit a temporary sawmill on the westerly subject lot, in addition to the temporary truck parking facility, TUP No. 12 must be amended accordingly. This amendment will require a Public Hearing. The proposed changes to TUP No. 12 are attached as Appendix IV.

### PRE-NOTIFICATION

A development proposal sign concerning the proposal has been erected on the property. To date staff have not received any calls or correspondence with respect to the proposal.

### PUBLIC CONSULTATION PROCESS FOR OCP AMENDMENT

Pursuant to Section 879 of the Local Government Act, it was determined that it was not necessary to consult with any persons, organizations or authorities with respect to the proposed OCP amendment, other than those contacted as part of the pre-notification process.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners, Action Summary and Project Data Sheets
- Appendix II. Proposed Site Plan and Building Elevations
- Appendix III. Engineering Summary
- Appendix IV. OCP Amendment By-law
- Appendix V. Temporary Industrial Use Permit No. 7907-0378-00

Jean Lamontagne  
General Manager  
Planning and Development

LAP/kms

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Information for City Clerk

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

1. (a) Agent:      Name:                Pacific Sawmill Ltd.  
                         Address:            6511 No. 5 Road  
   Richmond, BC  
   V6Y 2V1  
                         Tel:                    604-273-6055
  
2.      Properties involved in the Application
  - (a)      Civic Addresses:      12403 Old Yale Road and 12846 - 108 Avenue
  
  - (b)      Civic Address:          12403 Old Yale Road  
            Owners:              Ranjit and Sukhjot Saraon; Sukhbir and Sukhraj Brar; and  
   Manjit Gill  
            PID:                    009-779-671  
            Parcel 1 Section 20 Block 5 North Range 2 West New Westminster District  
            Reference Plan 76897
  
  - (c)      Civic Address:          12846 - 108 Avenue  
            Owners:              Ranjit and Sukhjot Saraon; Sukhbir and Sukhraj Brar; and  
   Manjit Gill  
            PID:                    007-332-327  
            North 346.37 Feet Lot "B" Except: Part Subdivided by Plan 28323 Section 20  
            Block 5 North Range 2 West New Westminster District Plan 3231
  
3.      Summary of Actions for City Clerk's Office
  - (a)      Introduce a By-law to amend Temporary Industrial Use Permit Area No. 12 in the  
            Official Community Plan and set a date for Public Hearing.
  
  - (b)      Proceed with Public Notification for Temporary Industrial Use Permit No. 7907-0378-00.