

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7909-0097-00

Planning Report Date: December 14, 2009

PROPOSAL:

- **OCP Amendment**
- **Temporary Industrial Use Permit**

in order to permit the construction of a card-lock fuel dispensing facility for a period not to exceed two years.

LOCATION:

10752/34 Timberland Rd, 11807 Tannery Rd. & 10733 Parton Rd.

OWNERS:

R.D.M. Enterprises Ltd. & City of Surrey

ZONING:

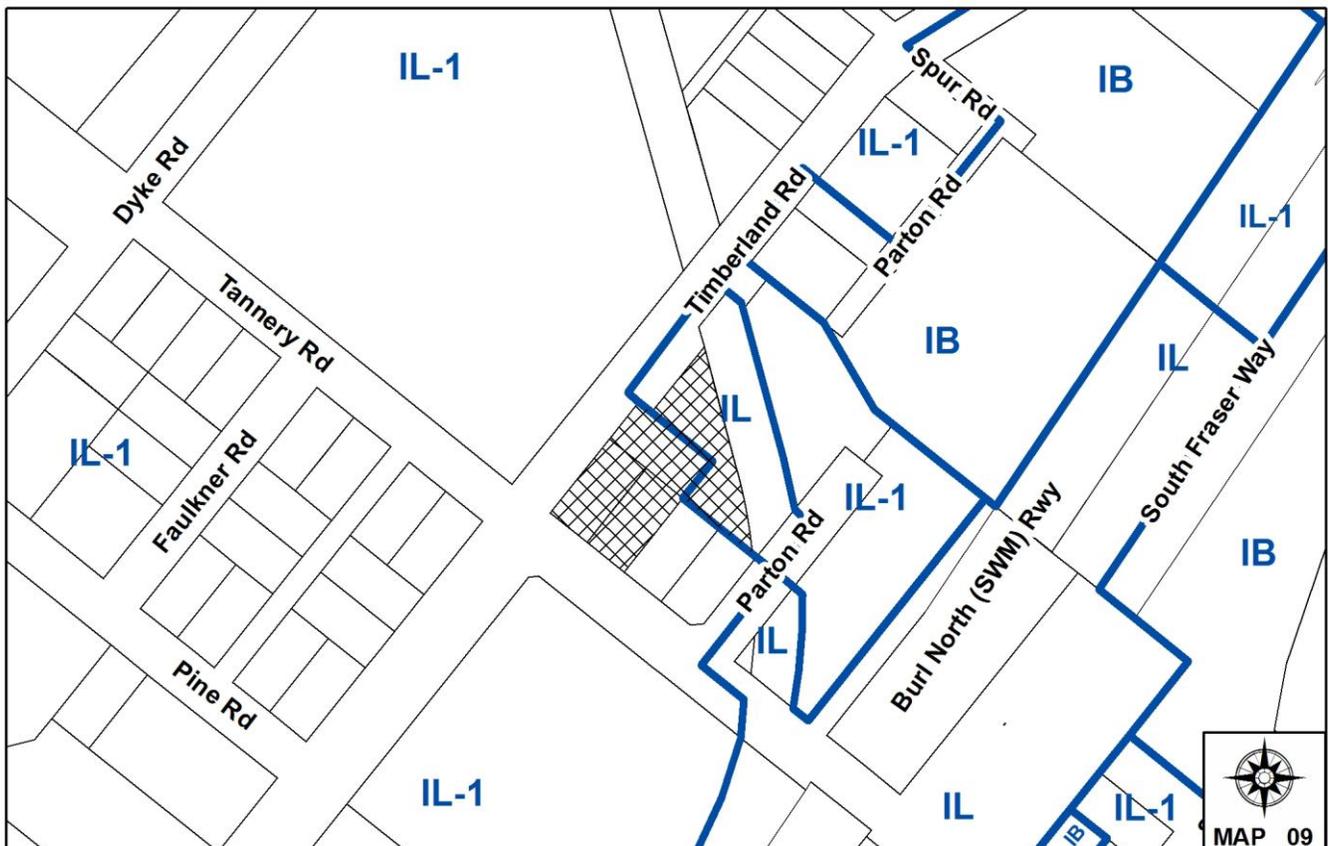
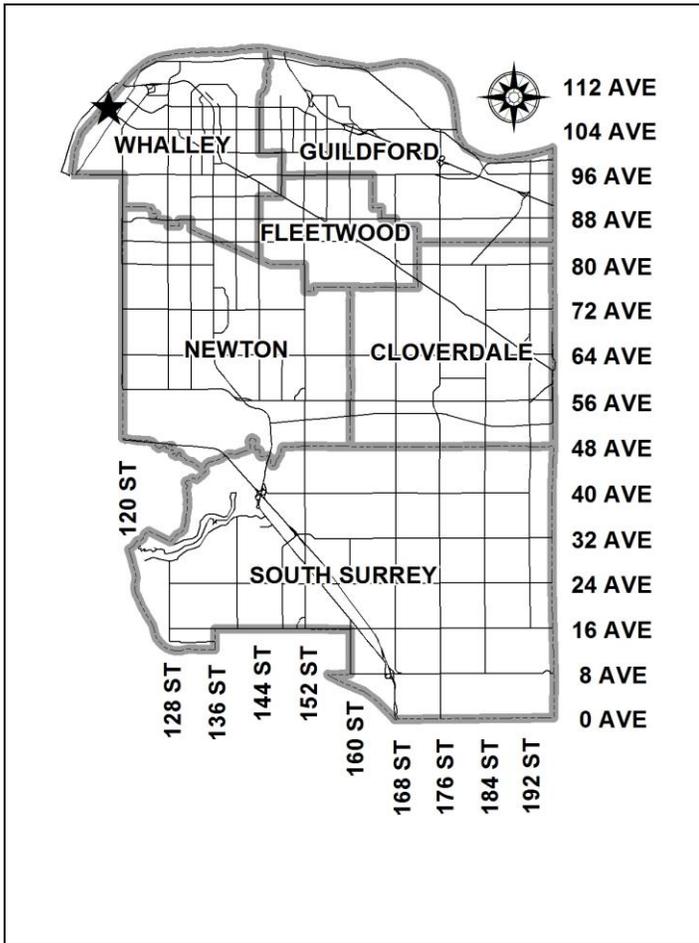
IL-1 and IB

OCP DESIGNATION:

Industrial

NCP DESIGNATION:

Light Impact Industrial



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Contrary to Council's direction to limit transportation-related industrial uses in South Westminster and consequently the Council-initiated rezoning of three of the subject lots and surrounding area, from IL to IL-1 (Rezoning By-law No. 15664 approved on May 18, 2005).

RATIONALE OF RECOMMENDATION

- The site is designated for Light Impact Industrial in the NCP.
- The proposed temporary card-lock will allow an interim use of land until major road upgrading in this area, associated with the South Fraser Perimeter Road (SFPR), is completed.
- This will provide a service for businesses in the South Westminster area, which currently is lacking.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to amend the OCP by declaring the subject site a Temporary Industrial Use Permit Area 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. 7909-0097-00 (Appendix III) 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 landscape plan and security to the satisfaction of the City Landscape Architect;
 - (c) completion of the acquisition or lease agreement for the City-owned property at 10734 Timberland Road; and
 - (d) submission of adequate security to ensure removal of the fuel tank and fuelling pumps at the termination of the Temporary Industrial Use Permit.

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: Single family dwelling with a demolition permit issued October 23, 2008; and vacant land.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North (Across Timberland Road):	Non-conforming lumber wholesaler.	Industrial/Light Impact Industrial	IL-1

Direction	Existing Use	OCP/NCP Designation	Existing Zone
East:	Sign manufacturer and vacant land. Across Parton Road and railway line, metal recycler.	Industrial/Light Impact Industrial	IL-1
South (Across Tannery Road):	Vacant land with non-conforming outside storage.	Industrial/Light Impact Industrial	IL-1
West (Across Tannery Road):	Vacant land with non-conforming outside storage.	Industrial/Light Impact Industrial	IL-1

DEVELOPMENT CONSIDERATIONS

Background

- The subject site consists of 4 lots with a gross site area of 2,864 square metres (0.71 acre). It is designated Industrial in the Official Community Plan (OCP) and Light Impact Industrial in the South Westminster Neighbourhood Concept Plan (NCP).
- The subject site is bounded by Timberland Road to the north, Tannery Road to the south and a rail right-of-way to the east.
- Three of the four subject lots were rezoned under a Council-initiative, to "Light Impact Industrial 1 Zone (IL-1)" in 2005. The IL-1 Zone differs from the "Light Impact Industrial Zone (IL)" in that transportation industries are not permitted and outdoor storage is limited.
- The subject property is flat, and any new building is subject to flood proofing requirements. As the applicant has not requested a structure on this site, additional fill will not be required to raise the level of the site.
- The applicant originally submitted a rezoning, development permit and development variance permit application to allow for a permanent card-lock, fuel dispensing facility at this location. Staff advised the applicant that the proposed card-lock facility would be contrary to the objectives and policies of the South Westminster NCP, which are intended to transform this underutilized area into a vibrant industrial gateway to Surrey. By supporting this proposal it could encourage similar transportation related facilities to redevelop in this area, contrary to the IL-1 zoning.
- The subject site is located at the major intersection at Timberland Road and Tannery Road that carries a large volume of trucks from the Surrey Fraser Docks. The road access to the site will be substantially changed upon the opening of the South Fraser Perimeter Road, requiring trucks to take a convoluted route to access the site (see Site Egress and Access Section).
- Although a card-lock fuel dispensing facility in close proximity to the Surrey Fraser Docks is reasonable, access to this site in the future will be problematic. Planning staff advised that a permanent facility could not be supported at this location.

- The applicant therefore amended his application and is requesting an OCP text amendment to declare the site a Temporary Industrial Use Permit area and a Temporary Industrial Use Permit to allow for a card-lock fuel dispensing facility for a period not to exceed two years.

Current Proposal

- The applicant has requested the Temporary Use Permit to operate a card-lock fuel dispensing facility and the installation of four refuelling pumps, and a 50,000-litre above-ground fuel storage tank. The proposed structures on the site encompass a lot coverage of approximately 2%.
- While the TUP application will allow for a use which is contrary to the South Westminster NCP, the other card-lock facility in South Westminster which was previously located at 12187 - 103A Avenue, was closed in September 2008. The nearest card-lock facilities are located in Delta on Nordel Way and Annacis Island.
- The trucking industry is a crucial component in the transportation of goods and materials to and from the Surrey Fraser Docks. These vehicles require refuelling stations.
- The South Fraser Perimeter Road is intended to facilitate the movement of goods and materials between the industrial areas and will be heavily travelled by trucks, which will require refuelling facilities in close proximity to this new highway.
- The proposed development will have access from Timberland and Tannery Roads.
- The site plan indicates a narrow landscaping strip proposed along Tannery Road and Timberland Road. Should the application proceed, a landscaping plan is to be submitted indicating a minimum 3.0-metre (10 ft.) wide landscaping strip along Tannery and Timberland Roads.
- Currently, there is a rail line which is located in the road right-of-way (ROW) on the north-west side of Timberland Road. The remaining road ROW width is insufficient to construct the road to satisfy the engineering standards, therefore, an additional 10-metre (33 ft.) wide road dedication will be required from the lots fronting Timberland Road.
- The City currently owns the property at 10734 Tannery Road, and the applicant has expressed an interest in acquiring this property and including it in the development. Planning staff are supportive of the sale of this property to ensure a more comprehensive development, provided the land use is consistent with the NCP.
- The owner also owns property at the intersection of Pine Road and Timberland Road. If the card-lock facility proves to be economically viable in South Westminster, the owner may consider relocating the facility to these other properties upon expiry of the TUP and upon completion and opening of the South Fraser Perimeter Road.
- A full evaluation of this proposal will be considered by Planning staff if a subsequent application is pursued.

Site Egress and Access and Truck Traffic Context

- The design of the interchange of the South Fraser Perimeter Road (SFPR) with Tannery Road has necessitated a reconfiguration of the road network in this area of South Westminster.
- Traffic travelling north-west on Tannery Road will be descending from the overpass at the SFPR, and all traffic will connect to Timberland Road, towards the docks.
- In order to access Timberland Road to the north-east, traffic will be required to turn right on Pine Road to Faulkner Road, and then access the original alignment of Tannery Road.
- To date, Pine Road is unconstructed, and Faulkner Road will require major upgrading to facilitate additional truck traffic.
- Negotiations are still on-going between Provincial and City staff regarding responsibilities for installing a traffic signal at the intersection of Pine Road and Timberland Road, and upgrading Pine Road and Faulkner Road to industrial standards.

PRE-NOTIFICATION

In accordance with Council policy, pre-notification letters were sent on July 20, 2009. The installation of a development proposal sign was required. To date, staff have not received any comments or concerns with respect to the pre-notification letters.

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 and Action Summary
Appendix II.	Proposed Site Plan and Landscape Plans
Appendix III.	Engineering Summary
Appendix IV.	Temporary Industrial Use Permit No. 7909-0097-00
Appendix V.	OCP Text Amendment By-law

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 Land Group
 Address: #101 – 7485 – 130 Street
 Surrey, BC
 V3W 1H8
 Tel: 604-501-1624

2. Properties involved in the Application
 - (a) Civic Addresses: 10733 Parton Road; 10734 and 10752 Timberland Road and
 11807 Tannery Road

 - (b) Civic Address: 10733 Parton Road
 Owner: R.D.M. Enterprises Ltd., Inc. No. 0414326
 PID: 023-041-439
 Parcel 1 (Statutory Right of Way Plan LMP21201) of Lot A District Lot 7 Group 2
 New Westminster District Plan LMP14067 Except Plan BCP33957

 - (c) Civic Address: 10734 Timberland Road
 Owner: City of Surrey
 PID: 001-633-031
 Lot 5 Block 7 District Lot 7 Group 2 New Westminster District Plan 546

 - (d) Civic Address: 10752 Timberland Road
 Owner: R.D.M. Enterprises Ltd., Inc. No. BCo414326
 PID: 011-856-301
 Lot 4 Block 7 District Lot 7 Group 2 New Westminster District Plan 546

 - (e) Civic Address: 11807 Tannery Road
 Owner: R.D.M. Enterprises Ltd., Inc. No. BCo414326
 PID: 011-856-319
 Lot 6 Block 7 District Lots 7 and 8 Group 2 New Westminster District Plan 546

3. Summary of Actions for City Clerk's Office
 - (a) Introduce an OCP Text Amendment to declare the site a Temporary Industrial Use Permit
 Area and set a date for Public Hearing.

 - (b) Proceed with Public Notification for Temporary Industrial Use Permit No. 7909-0097-00.