

City of Surrey  
**ADDITIONAL PLANNING COMMENTS**

File: 7911-0010-00

Planning Report Date: April 18, 2011

**PROPOSAL:**

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

in order to allow a concrete and asphalt recycling facility for a period not to exceed two years.

**LOCATION:**

19095 - 54 Avenue

**OWNER:**

1341699 Holdings Corporation, Inc.  
 No. 0568839

**ZONING:**

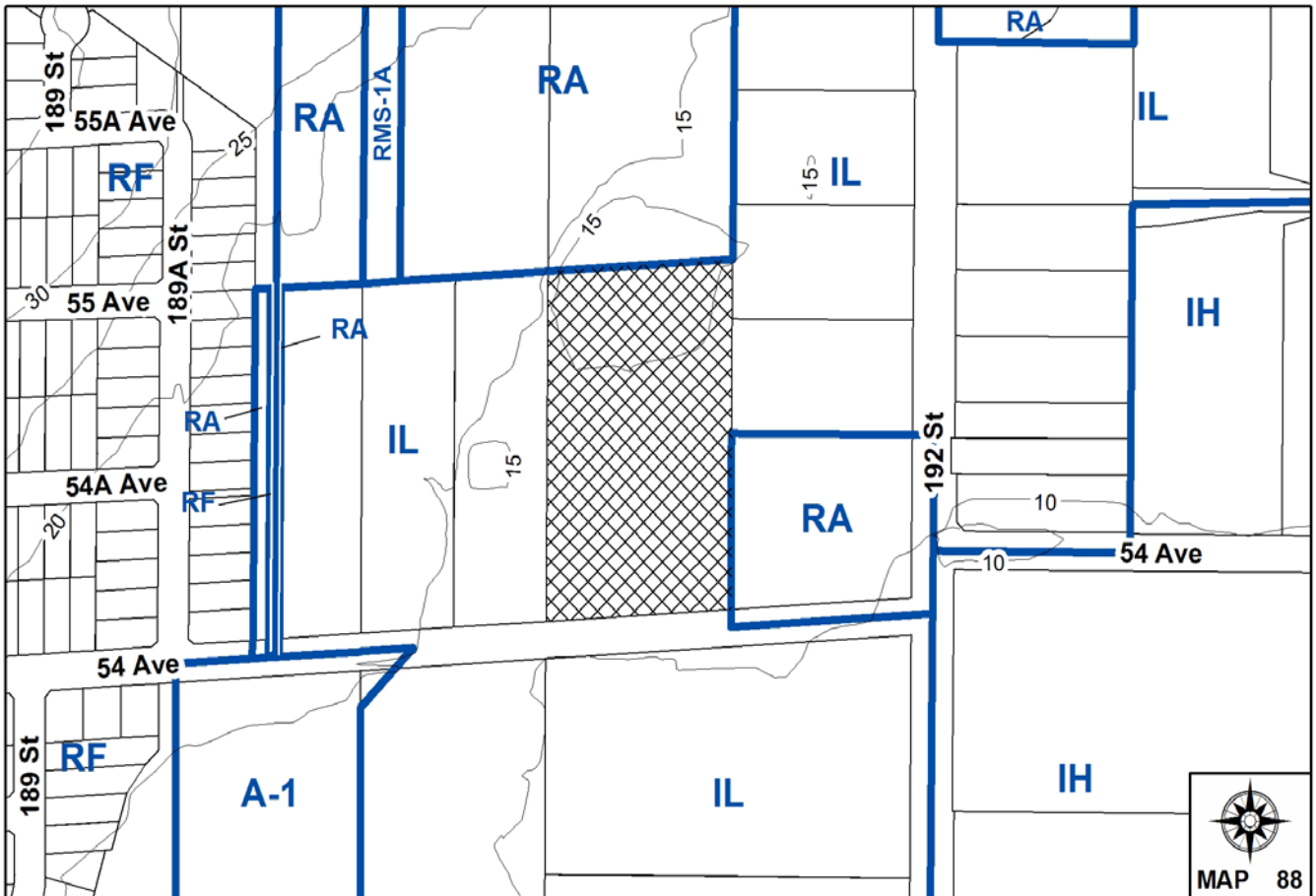
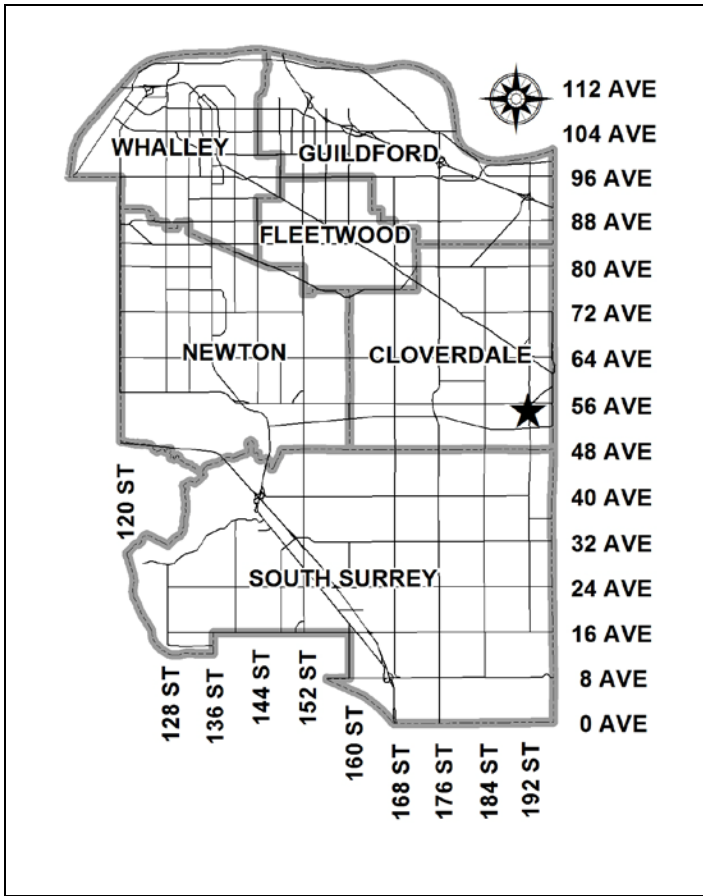
IL

**OCP DESIGNATION:**

Industrial

**LAP DESIGNATION:**

Industrial



### RECOMMENDATION SUMMARY

- Denial.

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Contrary to uses permitted in the existing IL Zone.

### RATIONALE OF RECOMMENDATION

- As documented in the initial Planning Report:
  - Proposed intensive land use, although temporary, is contrary to the light impact industry envisioned for this area.
  - The site is located 185 metres (600 ft.) to the east of a newly developing single family residential area. An established single family neighbourhood is 220 metres (720 ft.) uphill to the north across Highway No. 10. The silicate and concrete dust and noise generated by this proposed facility will be disruptive to these residential neighbourhoods.
  - The owners of the existing stratified industrial complex located at 19045 – 54 Avenue, two lots to the west, are concerned about the noise and dust which will be generated from the site and possibly impacting their investment. They are also concerned about the negative health effects generated by concrete and asphalt dust.
  - The industrial business owners and operators fronting 192 Street to the east of this site have also expressed concerns about the health issues surrounding concrete dust and are concerned about the noise generated by the proposed facility.
  - The interim use of the land results in a delay in collection of development cost charges, which are associated with building construction.
- Although BC Hydro has no objection in principle to the proposal, final approval containing terms and conditions cannot be granted until final plans are provided. The plans must show details of the operation including types and heights of equipment and any other development within the right-of-way.

## RECOMMENDATION

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

## REFERRALS

- Engineering: The Engineering Department has no objection to the project subject to the completion of the requirements as outlined in Appendix B.
- BC Hydro: BC Hydro has no objection in principle but cannot give final approval until plans are submitted detailing the operation, including types and heights of equipment (Appendix C).

## BACKGROUND

- The Initial Planning Report (attached as Appendix A) was placed on the April 4, 2011 Regular Council – Land Use meeting agenda for consideration. On Friday April 1, 2011, the applicant requested that the Report be deferred to the April 18, 2011 Regular Council – Land Use meeting to allow additional time to prepare a presentation to Council.
- At the April 4, 2011 Regular Council – Land Use meeting, Council deferred this application, as requested by the applicant.
- Since drafting the initial Planning Report, additional information has been received from the Engineering Department, and from BC Hydro regarding the proposal.

## ADDITIONAL PLANNING COMMENTS

- The majority of the 2.02-hectare (4.98-acre) subject site is encumbered by a BC Hydro right-of-way. BC Hydro has no objections in principle to the proposal, however, detailed plans are required. Preliminary comments from BC Hydro are as follows:
  - The maximum height of equipment and materials cannot come within 4.6 metres (15 ft.) of the overhead 230kV wires and 6.0 metres of the 500 kV wires at any time.
  - Metallic objects may need to be grounded and bonded.
  - The type of activities permitted in the right-of-way will be limited by the height of equipment used and the proximity to the transmission lines.
- The aerial photograph attached in Appendix C identifies the voltage of the overhead Hydro wires. The 230kV lines are located on the south portion of the right-of-way and the 500kV lines are located on the north portion of the right-of-way.
- BC Hydro has provided a standard list of 15 conditions for compatible uses of BC Hydro rights-of-ways, which include the following:

- Prohibition of stockpiling of excavated, building or other material.
  - Unless specifically approved, there must be no changes in ground elevations of more than 0.5 metre (1.6 ft.) from the original grade without the prior written consent of BC Hydro.
  - Metal fences more than 60 metres (197 ft.) long in the right-of-way must be grounded at both ends and at intervals of 60 metres (197 ft.).
- If Council decides to refer the application to staff, approval and conditions from BC Hydro for the height and location of the crushing equipment and for the height of stockpiles is required.

#### INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix A. April 4, 2011 Planning Report (with attachments)
- Appendix B. Engineering Requirements
- Appendix C. BC Hydro Comments and Diagram

*original signed by Judith Robertson*

Jean Lamontagne  
General Manager  
Planning and Development

LAP/kms

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City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7911-0010-00

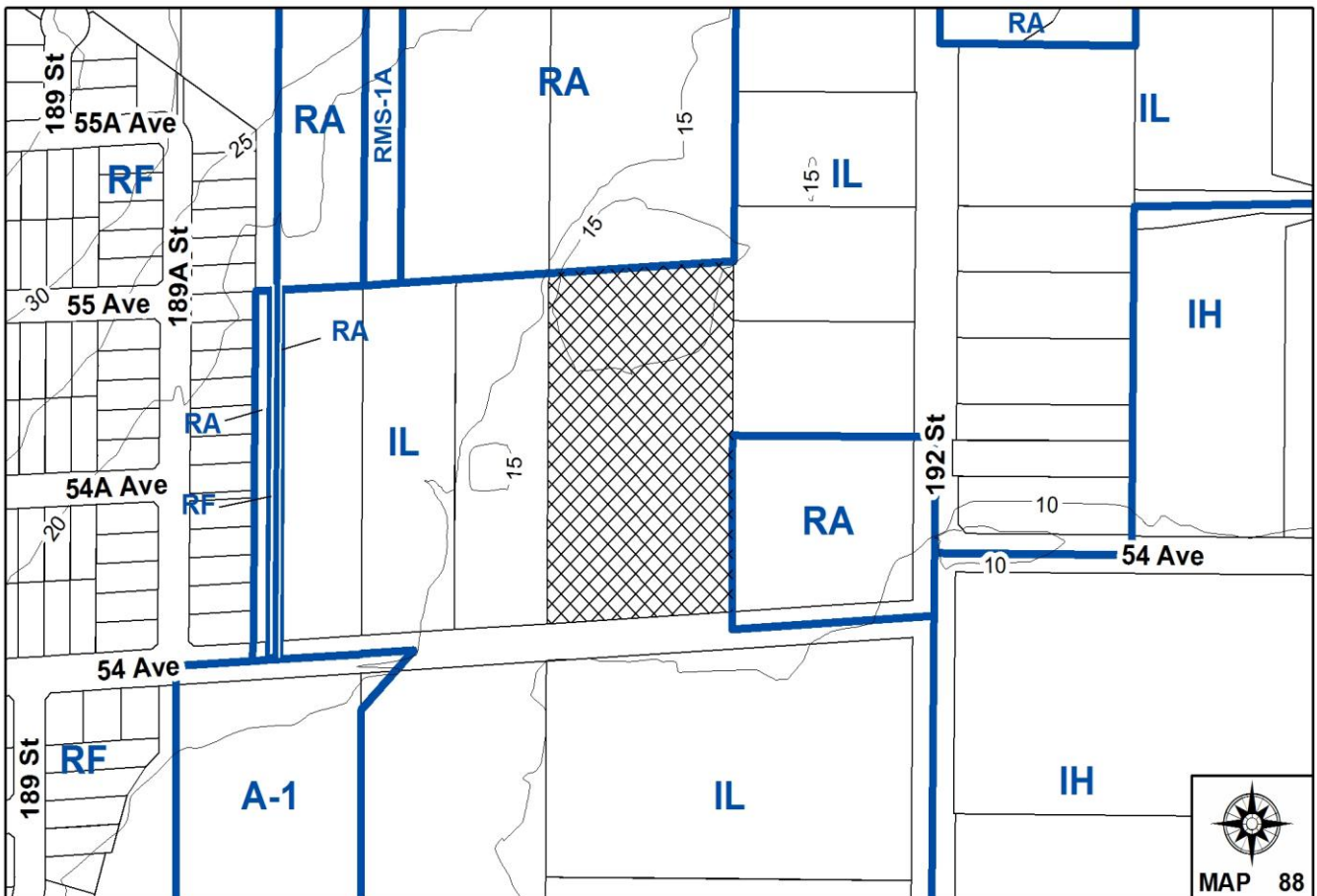
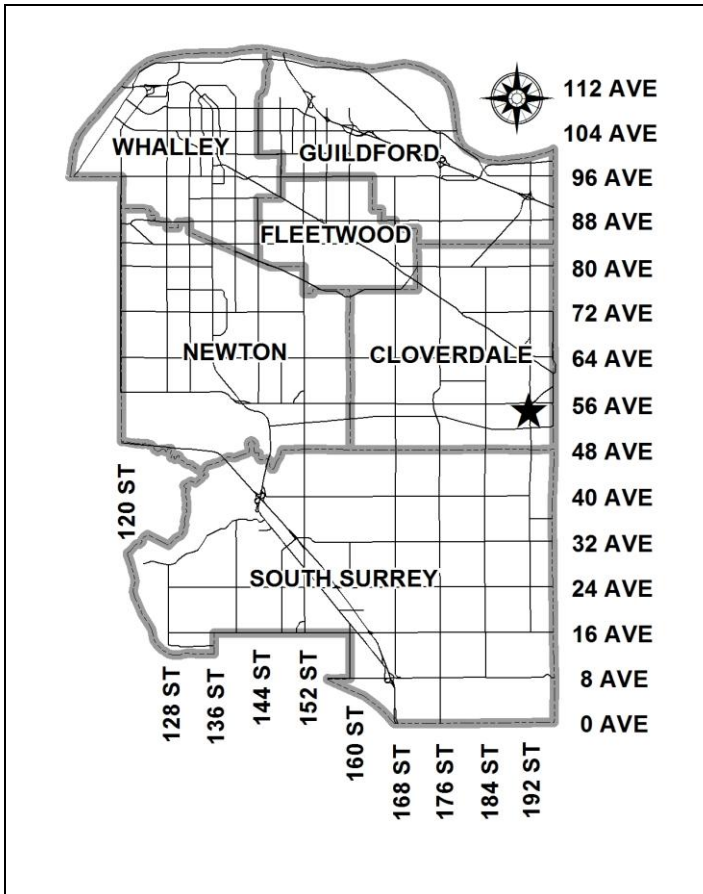
Planning Report Date: April 4, 2011

**PROPOSAL:**

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

in order to allow a concrete and asphalt recycling facility for a period not to exceed two years.

**LOCATION:** 19095 – 54 Avenue  
**OWNER:** 1351699 Holdings Corporation, BC Ltd.  
**ZONING:** IL  
**OCP DESIGNATION:** Industrial  
**LAP DESIGNATION:** Industrial



### RECOMMENDATION SUMMARY

- Denial.

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Contrary to uses permitted in the existing IL Zone.

### RATIONALE OF RECOMMENDATION

- Proposed intensive land use, although temporary, is contrary to the light impact industry envisioned for this area.
- The site is located 185 metres (600 ft.) to the east of a newly developing single family residential area. An established single family neighbourhood is 220 metres (720 ft.) uphill to the north across Highway No. 10. The silicate and concrete dust and noise generated by this proposed facility will be disruptive to these residential neighbourhoods.
- The owners of the existing stratified industrial complex located at 19045 – 54 Avenue, two lots to the west, are concerned about the noise and dust which will be generated from the site and possibly impacting their investment. They are also concerned about the negative health effects generated by concrete and asphalt dust.
- The industrial business owners and operators fronting 192 Street to the east of this site have also expressed concerns about the health issues surrounding concrete dust and are concerned about the noise generated by the proposed facility.
- The interim use of the land results in a delay in collection of development cost charges, which are associated with building construction.

RECOMMENDATION

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

REFERRALS

**Engineering:** The Engineering Department has been requested to provide comments. If Council refers the application back to staff for a further report, the Engineering requirements will be included.

**BC Hydro:** The site is impacted by a BC Hydro right-of-way. BC Hydro has been requested to provide comments.

SITE CHARACTERISTICS

Existing Land Use: Vacant, with the majority of the site encumbered by transmission lines.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Vacant, under Application No. 7909-0080-00 to allow vehicle and container storage (pre-Council).	Suburban	RA
East (5419/5465 – 192 Street):	Single family house with non-conforming vehicle parking and multi-tenant industrial building.	Industrial	RA and IL
South (Across 54 Avenue):	Non-conforming concrete manufacturer (A & E Concrete).	Industrial	IL
West:	Outside storage of construction equipment permitted under Temporary Industrial Use Permit No. 7908-0046-00.	Industrial	IL

DEVELOPMENT CONSIDERATIONSBackground

- The 2.02-hectare (4.98-acre) subject site is encumbered by a BC Hydro right-of-way with the exception of a 0.29-hectare (0.72 acre) triangular portion at the south-west corner.
- The subject property was re-designated to Industrial in the Official Community Plan (OCP) and rezoned to Light Impact Industrial Zone (IL) with the adoption of By-law Nos. 14147 and 14148 respectively on November 7, 2005 (Application No. 7900-0211-00). The intent of the redesignation and rezoning was for marketing the site for industrial purposes.



- In July 2006, the current owner purchased the property and applied for a Development Permit to permit the construction of a multi-tenant industrial building including truck repair at the south-west corner of the site and truck parking on the remainder. A Development Variance Permit was also sought to vary the front yard setback to permit canopies on the principal building to encroach and to increase the maximum lot coverage (Application No. 7907-0109-00).
- Development Variance Permit No. 7907-0109-00 was issued on November 24, 2008. Development Permit No. 7907-0109-00 was issued on December 1, 2008. Due to economic conditions, the owner did not proceed with the approved development. The Development Permit (and Development Variance Permit) expired on December 1, 2010.
- In 2009, the current owner applied (Application No. 7909-0076-00) for a Temporary Industrial Use Permit to legitimize a non-conforming truck parking operation. The Temporary Industrial Use Permit application was closed due to inactivity in October 2010, and the trucks were subsequently removed from the site.

### Current Proposal

- The owner has now applied for a Temporary Industrial Use Permit to allow for a concrete and asphalt recycling facility to operate on the site for a two-year period.
- Site access is proposed from the existing driveway from 54 Avenue. On site, the applicant proposes a modular building which will contain an office and washrooms. A scale house will weigh vehicles entering and leaving the site.
- The material will be processed in an outdoor crusher, where the material is transported up a conveyor belt, and crushed into a hopper. The ground material will then be placed into material storage bins. This material will be for sale, or used in other construction products.
- According to Metro Vancouver, there are 14 concrete and asphalt recycling depots between Abbotsford and Vancouver, with 2 identified in Surrey. The directory does not identify the facilities that crush the concrete and asphalt.
- The proposed facility of taking a recoverable resource and processing it to a state in which it may again be used for production is classified as a recycling plant in Surrey Zoning By-law No. 12000. Recycling plants are restricted to the High Impact Industrial Zone (IH).
- The Light Impact Industrial Zone (IL), which currently regulates the site, allows for industrial uses, however, these uses are not permitted to exceed a noise level of 60 decibels (dB) measured at the property line adjacent to residential uses. The 5-acre RA-zoned lot to the north is currently designated Suburban in the OCP and therefore, the 60 dB limit applies to the subject site.
- Although the recycling use is important in waste reduction and sustainability, the location of such a facility should be compatible with surrounding uses, and have good accessibility.

## PRE-NOTIFICATION

In accordance with Council Policy, pre-notification letters were sent on January 27, 2011 and a development proposal sign was installed on the property. Staff received eight (8) telephone calls and two letters from the surrounding industrial properties against the proposal, and one letter in favour of the proposal.

The summary of the concerns expressed by the adjoining property owners and tenants is as follows:

- The crushing process is noisy;
- The crushing will release silicate from the concrete and asphalt dust which is hazardous to one's health;
- The dust will accumulate on nearby buildings, roof top mechanical units and cars; and
- One nearby business manufactures food products and the owner is concerned the particulates will contaminate his food.

The one letter received in favour of the site is the owner of the concrete plant across the street from the proposal.

The applicant has offered the following comments in response to the concerns raised:

- The tenant for the site, Key West Contracting, is looking for a central site, close to major transportation routes.
- Currently Key West transports used or spoiled concrete and asphalt to a site in Richmond where it is crushed. Then they have to purchase the crushed product for reuse in their business. Their business is environmentally sustainable as it removes construction debris, which would otherwise be placed in the landfill, and crushes it so that it can be used for an alternate use.
- The recycling site can be used by other contractors which will save fuel costs and trucking times. The facility will also help to reduce illegal dumping of concrete and asphalt within the farm lands.
- There is some noise generated by this proposed facility. To mitigate the noise, the applicant is proposing to purchase and install a crusher that is manufactured for use within an urban setting. The maximum noise level is reportedly equivalent to the noise generated by an excavator or wheel loader. If required, other noise mitigation measures such as solid fencing, soil berms and/or landscape buffers could be incorporated into the site plan.
- To control dust, the applicant is proposing to incorporate dust control systems such as sprinkling at the source of dust.
- Approximately seven jobs will be created at this facility.
- If the location proves to be economically viable, Key West is interested in acquiring the site and constructing a permanent building on the site. This building would be for the office component of the operation and would require a Development Permit to regulate the form and character.

## PROJECT EVALUATION

The advantages and community benefits of allowing this application to proceed are:

- The proposed TUP for concrete and asphalt recycling would allow for an interim use on the land until it is economically viable for the property owners to develop the property.
- Allowing the recycling facility to operate for a defined time period (e.g. 2 years) would provide the City and the operator a period of time to evaluate the impacts on the surrounding residential and industrial property owners and tenants.
- The applicant identified a need for this type of recycling facility in the City and approval of this facility would assist in addressing that need.
- The diversion of asphalt and concrete away from the landfill fulfills an objective of Metro Vancouver for a 70% reduction in the material placed in the landfill.
- The subject site is constrained by the BC Hydro right-of-way.
- Metro Vancouver supports the concept of asphalt and concrete recycling, however, they have advised that a license to the facility will only be issued if the host municipality approves the facility.
- Engineering Department staff advise that it would be beneficial to have this type of facility operate in Surrey, however, the subject lot may not be the ideal location based on the comments from the adjoining property owners.”

The disadvantages and problems likely to result from the approval of this application are:

- The proposed recycling facility is located close to an existing residential area which likely would be impacted by the associated noise and dust generated by the facility.
- The light impact industrial uses that have located in the East Cloverdale area tend to be higher end, with architecturally designed tilt-up buildings and little outside storage, which is more compatible with the existing single family neighbourhood which has established to the west in the 19000 block of 54 Avenue.
- The recent purchasers of the industrial strata lots to the west are concerned about the resulting dust and noise and are concerned about the impacts to their businesses, their buildings and their vehicles.
- Some of the businesses located in the strata industrial complex at 19045 – 54 Avenue such as the food manufacturer and the Tae Kwan Do school are concerned about the health impacts on the food and on the students at the academy.
- The proposed TUP for asphalt and concrete recycling offers minimal infrastructure investment. It does not provide for large employment opportunities, nor is it a catalyst for new business growth in the vicinity, due to the negative visual and noise impact of such a use.

- Although some screening may be possible along the perimeter of the site, such crushing operations are unsightly.

### CONCLUSION

- In considering the pros and cons of this proposal, the Planning and Development Department believes the negative impacts of this project out-weigh its advantages, and, therefore, recommends that this project be denied.
- The need to provide an asphalt and concrete recycling facility requires additional review to establish locations that will not negatively impact the surrounding land use.
- However, if Council determines that there is some merit in allowing this application to proceed, the application should be referred back to require the applicant to work with staff to address the following requirements for a Temporary Industrial Use Permit for an asphalt and concrete recycling facility:
  - Submission of a landscaping plan to screen the site from 54 Avenue; and
  - Submission of a revised site plan to protect the yellow-coded creek located at the northwest corner of the property.
- If Council decides to refer the application back to staff, once the application has been revised and reviewed by staff, an additional Planning Report will be forwarded to Council for consideration.

### 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
Appendix III.	Aerial Photograph of Surrounding Area

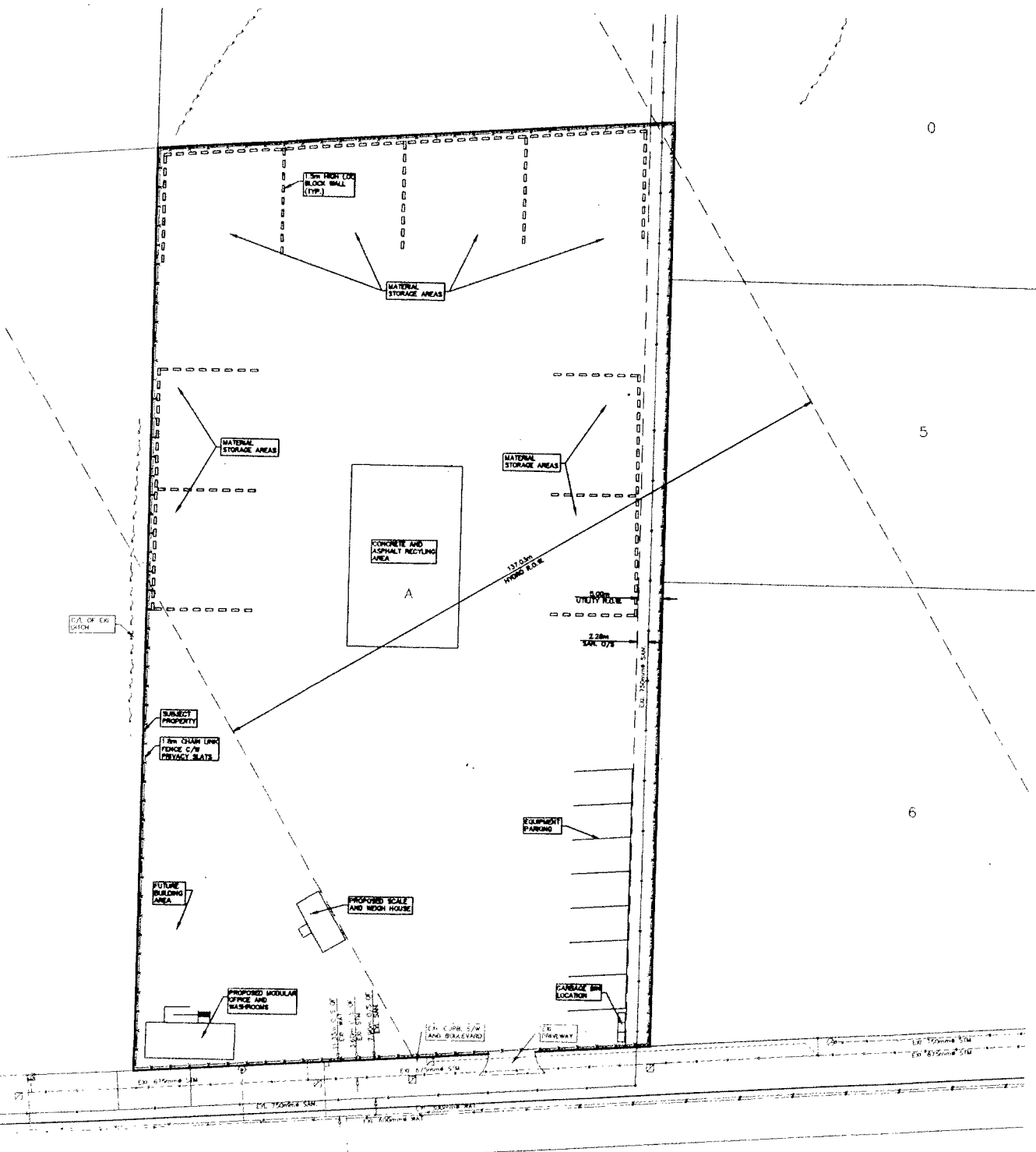
*original signed by Judith Robertson*

Jean Lamontagne  
General Manager  
Planning and Development


LAP/kms

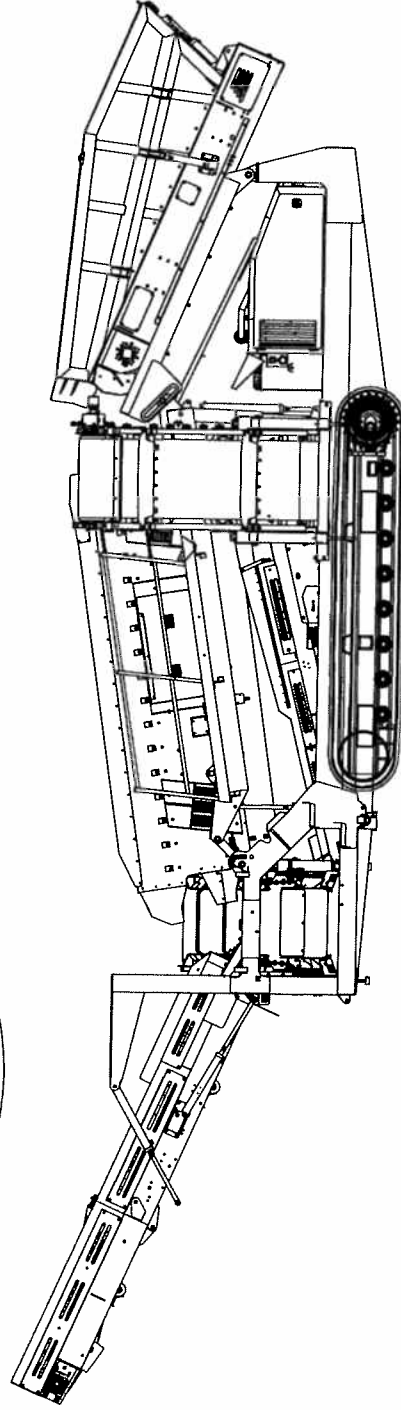
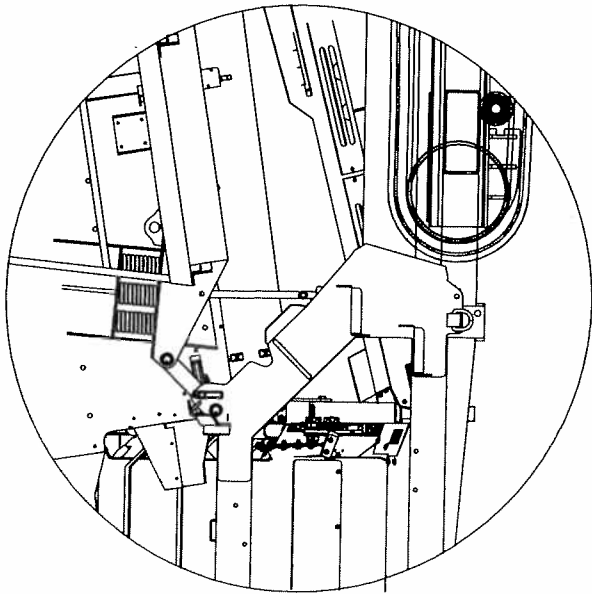
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**54TH AVENUE**

 made V3W 3E9 dora@epimarkit.com	CLIENT: <b>1341699 BC LTD.</b> UNIT 202-6333 148TH STREET, SURREY, B.C., V3S 3C3 PH. 604-572-0732 FAX 604-572-0743	The location of existing underground utilities are shown in an approximate way only & have not been independently verified by the owner or its representative. The contractor shall determine the exact location of all existing utilities before commencing work, and agrees to be fully responsible for any and all damages which might be incurred by the contractor's failure to accurately locate and preserve any and all underground utilities.	TITLE: <p style="text-align: center;"><b>KEY PLAN</b></p>	DESIGN: RE DRAWN: AM DATE:
	PROJECT: <b>PROPOSED CONTRACTOR YARD</b> 19095 54TH AVENUE, SURREY, B.C.		PROJECT NO. .	SCALE: HORIZ: 1:500 VERT: N/A
			DRAWING NO. .	SHEET 02



SCALE	DRAWN	DATE	CHECKED	DATE	ISSUE	DATE	BY	REVISION
1:1	DJD	10/04/2006						
DRAWING No.		DRAWING TITLE						
121 SALES		WARRIOR 1800 WITH JACK-UP SCREENBOX						



BY CALLING TO  
 1-800-368-5848  
 FAX 408-390-7000  
 WWW.TEREX.COM











FOR GENERATIONS

Vani Gill  
Properties  
Property Rights Management  
Phone: 604-590-7685  
Fax: 604-590-7597  
Email: [vani.gill@bchydro.com](mailto:vani.gill@bchydro.com)

30 March 2011  
Assignment: 1049859  
File: BCE 310  
Circuit/Str.: 5L40/81  
Your File: 7911-0010-00

VIA EMAIL: [lapitcairn@surrey.ca](mailto:lapitcairn@surrey.ca)

City of Surrey  
Lee-Anne Pitcairn  
14245 - 56<sup>th</sup> Ave  
Surrey, BC V3X 3A2

Dear Ms. Pitcairn:

**Proposal:** Temporary Industrial Use Permit  
**Right of Way Charge No.:** 160767C  
**Legal Description:** Parcel A (G63489E) Lot 9 Sec 4 Tp 8 NWD Plan 1461  
**Location:** 19095 – 54 Ave

BC Hydro has no objection in principle to the proposal.

We cannot give final approval until we receive final plans showing details of the operation including types and heights of equipment and any other development on the right of way. However, we offer the following preliminary comments:

1. The maximum height of equipment and materials cannot come within 4.6m of the overhead 230kV wires and 6m of the 500kV wires at any time.
2. Metallic objects may need to be grounded and bonded.
3. The type of activities permitted in the right of way will be limited by height of equipment used and proximity to the transmission lines.

Please submit detailed plans to us for review. If the proposal is approved we will provide a letter of consent containing terms and conditions such as those attached, together with additional terms specific to your proposal. Work on the right of way may not commence until we have given final approval. Please call me at 604-590-7594, if you have any questions.

Yours truly,

A handwritten signature in black ink, appearing to read "V. Gill", written over a horizontal line.

Vani Gill  
Property Coordinator

Attachment

## **CONDITIONS FOR ALL COMPATIBLE USES OF BC HYDRO RIGHTS OF WAY**

1. This consent applies to BC Hydro interests only. You must also obtain permits and consents from all other parties (landowners, regulators, etc.) with an interest or jurisdiction and comply with any applicable laws and regulations.
2. These requirements are to be read together with and do not diminish BC Hydro's Statutory Right of Way Agreement registered on the land.
3. BC Hydro shall not be responsible for any damage, interference or hindrance to your activities, equipment or Proposal arising out of BC Hydro's activities anywhere on the right of way. You will indemnify BC Hydro, its agents, employees and contractors against any liability, action, damage, cost or loss to property or persons resulting from any activity or any occurrence on the right of way caused by you or those for whom you are responsible at law. This indemnity will survive the expiry or termination of this consent and any other agreement entered into pursuant to this consent.
4. No part of the Proposal may be enlarged, moved, or added to without the prior written consent of BC Hydro. Uses or installations other than those contemplated in this consent require additional written consent from BC Hydro.
5. BC Hydro can terminate its consent if your employees, agents or contractors fail to comply with these requirements.
6. You understand that minor levels of electrical induction may be experienced due to the proximity of electrical lines and will not hold BC Hydro responsible.
7. The following are not permitted in the right of way:
  - log decking
  - blasting
  - burning
  - stock piling of excavated, building or other material
  - building or portions of buildings, including foundations and eaves
  - storage or handling of flammable or explosive material
  - fueling of vehicles and equipment
8. BC Hydro must be able to access the right of way at all times. Interruption of your activities and operations may be necessary for electrical line maintenance or construction.
9. Other than those specifically approved in this letter, there must be no changes in ground elevations of more than 0.5 metres from the original grade without the prior written consent of BC Hydro.
10. There must be no deterioration of drainage patterns or soil stability within the right of way.
11. Upon completion of the Proposal, the right of way must be restored as closely as is practically possible to the original condition or better at your expense.
12. Landscaping within the right of way must be restricted to low-growing trees, shrubs and plants not exceeding 3.0 metres in height at maturity. BC Hydro, its agents and contractors reserve the right to remove tall growing trees from underneath and adjacent the transmission lines from time to time to assure line security and public safety.
13. Any metal fences more than 60 metres long in the right of way must be grounded at both ends and at intervals of 60 metres.
14. Uses or installations other than this proposal require additional written consent from BC Hydro.
15. Additional requirements may be necessary upon review of your final detailed plans.

**PLEASE DO NOT COMMENCE WORK UNTIL WE GIVE FINAL APPROVAL**

Google Earth 19095 54 Ave



Green lines are 230 kV  
Red lines are 500 kV