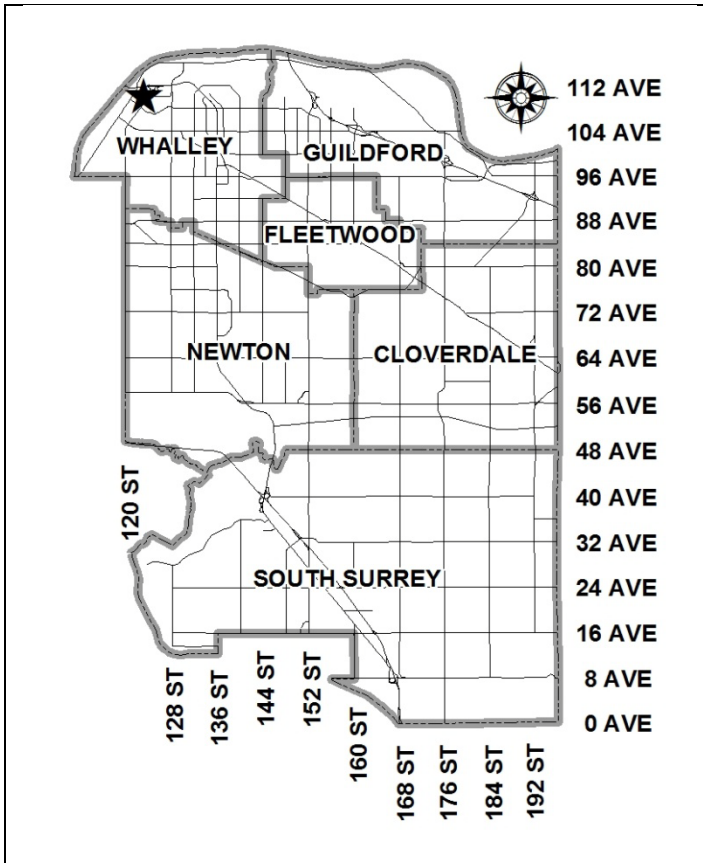


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7911-0193-00

Planning Report Date: April 2, 2012

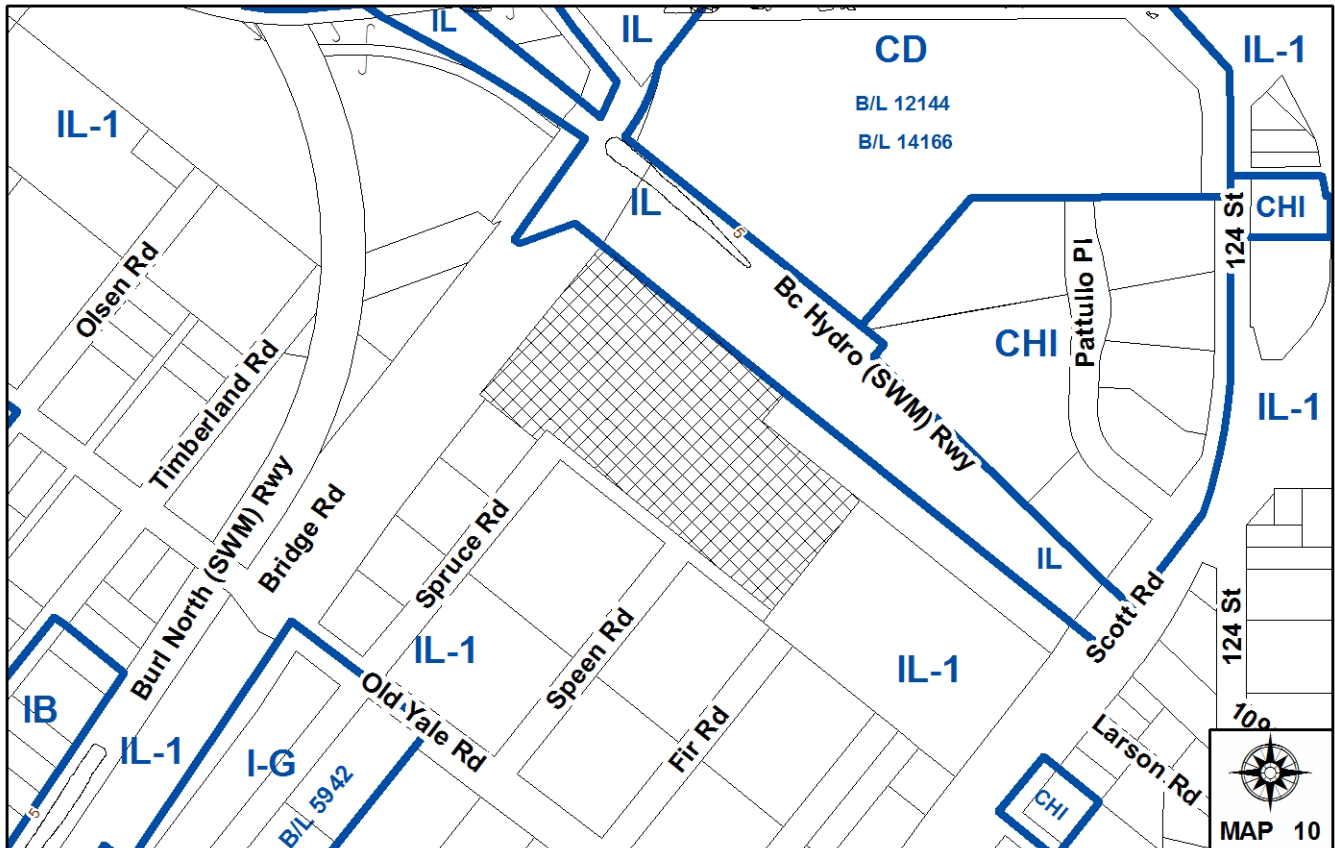


PROPOSAL:

- OCP Text Amendment
- Temporary Industrial Use Permit

in order to permit a temporary lumber reloading facility and ancillary office.

LOCATION: 11078 Bridge Road
OWNER: 527599 BC Ltd.
ZONING: IL-1
OCP DESIGNATION: Industrial
NCP DESIGNATION: Business/ Residential Park



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

- None

RATIONALE OF RECOMMENDATION

- The existing Spruce Road is currently unopened although it is the only means to access the site. As a condition of any use on the site, the Engineering Department requires the road allowance be properly constructed. The costs associated with opening the road and extending the services to the site may be prohibitive for a temporary use, although staff are unaware that such an analysis has been undertaken by the applicant.
- The lumber re-loader use requires rail access to operate its business. There are limited properties within the City which provide both the adequate land area for outside storage and has rail access.
- The north-east portion of the site is encumbered by the SkyTrain guideway. The lumber reloading business is unsightly and is visible to SkyTrain users. The unsightliness of the site is contrary to Council's direction to improve the landscape into Surrey and the proposed use is, therefore, not recommended for an indefinite period of time.

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. 7911-0193-00 (Appendix III) to proceed to Public Notification.
4. Council instruct staff to resolve the following issues prior to final adoption, and issuance of the Temporary Industrial Use Permit:
 - (a) ensure that all engineering requirements and issues are addressed to the satisfaction of the General Manager, Engineering;
 - (b) issuance of a Temporary Trailer Permit for the placement of an office trailer on the site;
 - (c) removal of all unauthorized structures that have been placed on the property;
 - (d) ensure that the lumber storage is in compliance with the Fire Act, and as directed by the Fire Chief; and
 - (e) submission of sufficient bonding to ensure that the use is discontinued within two years of the issuance of the Temporary Industrial Use Permit.
5. Council direct staff to bring forward this application within 6 months (i.e., first Council meeting after October 2, 2012) for consideration of filing, if the applicant has not addressed the conditions of approval.

REFERRALS

- Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix III.
- Fire: The lumber storage facility must be in compliance with the Fire Act requirements.

SITE CHARACTERISTICS

Existing Land Use: Paved site being used by a lumber reloader business.

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North-East (Across Rail Lines):	CDI College and public storage	Highway Commercial Industrial	CD By-law 12144 as amended by By-law 14166
North-West (Across South Fraser Perimeter Road/Bridge Road):	Vacant land under application 7911-0132-00, (pre-Council) for a multi-tenant industrial building	Parks and Open Space	IL-1
South-West:	Vacant land, truck repair facility, and lumber manufacturer	Business /Residential Park	IL-1
South-East:	Vacant land	Business/Residential Park	IL-1

DEVELOPMENT CONSIDERATIONSBackground

- The subject property, located at 11078 Bridge Road in South Westminster, is 2.9 hectares (7-13 acres) in size and designated Industrial in the Official Community Plan (OCP) and Business/Residential Park in the South Westminster Neighbourhood Concept Plan (NCP). Under Council-initiative in 2005, the subject site and many other lands in South Westminster, including the surrounding lands to the north and east, were rezoned from Light Impact Industrial Zone (IL) to its current zoning of Light Impact Industrial 1 Zone (IL-1).
- The Council-initiated rezoning (described in Corporate Report No. R034 from February 21, 2005) implemented the intent of the South Westminster NCP and for lands rezoned to the IL-1 Zone, prohibited new developments involving truck parking, outdoor storage and stacking of containers as principal uses.
- The IL-1 Zone is intended to accommodate the needs of port-related businesses and specifically limits outdoor storage to a maximum area of 1.5 times the footprint of the principal building up to a maximum of 40% of the lot area.
- The site had temporary access from Bridge Road which has subsequently been removed with the South Fraser Perimeter Road construction. The applicant is required to gain access from Spruce Road. The road has not been opened in accordance with the Engineering Department Unopened Road Policy to allow it to be used for access to the site (Policy No. H-16). The policy requires that a road be constructed to a minimum 6-metre (20 ft.) wide half-road standard to allow for 2-way vehicular traffic.

Current Proposal

- Pacific Lumber Remanufacturer currently operates a sawmill at 13485 – 115 Avenue in Bridgeview. The business' secondary location on the subject property is for the loading/unloading of wood products between trains and semi trucks for delivery.
- The outside storage and the use of the site without a building or servicing are contrary to the Light Impact Industrial 1 Zone (IL-1) of the Zoning By-law, the Subdivision and Development By-law, and the South Westminster Neighbourhood Concept Plan (NCP). The applicant has requested a Temporary Industrial Use Permit to allow for the site to be used for the transportation of lumber for a period of two years.
- The site was previously accessed by a driveway to Bridge Road. This portion of Bridge Road is forming part of the South Fraser Perimeter Road, and the Gateway Program has requested that the driveway be closed, and that alternate access to the site be from Spruce Road, which is currently an unopened right-of-way.
- The applicant advised that the Gateway Program was to construct Spruce Road to allow for access to the site. Gateway has advised that the access road was constructed to a gravel standard to match the original access, and does not intend on constructing a road that has never been opened.
- A site inspection revealed that a gravel driveway access has been constructed over the Spruce Road right-of-way. The driveway access is heavily pot-holed and is substantially higher than the property on the south side of the road. This difference in elevation is causing drainage problems on the southerly property.
- Prior to the issuance of the proposed Temporary Industrial Use Permit, the applicant is to enter into a servicing agreement for the construction of Spruce Road, in accordance with the Unopened Road Policy, No. H-16.
- There is currently no fire protection to this site. There is an existing watermain on Old Yale Road, and the closest fire hydrant is approximately 200 metres (655 ft.) away from the property line.
- The Fire Department has reviewed the proposal, and requires the following be addressed:
 - An access route is to be constructed to permit the approach of Fire Department vehicles to within a 60-metre (200 ft.) travelling distance of any part of an individual storage area;
 - Where the total storage area exceeds 6,000 square metres (64,500 sq. ft.), the access route shall be connected to a public thoroughfare in at least 2 locations. The outdoor storage is to be fully fenced with locking gates; and
 - Stacking of the material is to be not more than 6.0 metres (20 ft.) in height.
- There is currently a secondary gate access at the South Fraser Perimeter Road, however, this access point is to be removed with the construction of the highway. The lumber pallets are placed on the site; however, an inspection by the Fire Department is required to ensure that the stacking and spacing of the lumber satisfies the Fire Code.

- A site inspection revealed that the site has been paved without permits. The applicant is to provide information on the on-site drainage, and if required, install, storm drains and oil interceptors to handle the on-site drainage.
- Burlington Northern Railway has consented to providing a rail spur that will extend from the tracks along the north-west property line onto the subject property to accommodate the user's needs.
- The applicant has indicated a temporary trailer on the site, however, the site inspection revealed a number of containers with connecting tent structures have been erected on the site. All structures not indicated on the site plan and which cannot satisfy the BC Building Code are to be removed.

PRE-NOTIFICATION

- In accordance with Council policy, a Development Proposal sign has been erected on the site and pre-notification letters were sent on September 15, 2011. Planning staff have received no comments or concerns regarding 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.

PROJECT EVALUATION

The applicant has identified the following advantages and community benefits of allowing this application to proceed. Where applicable, Planning staff comments are noted in italics:

- The proposed TUP for a lumber re-loader would allow for an interim use on the land until it is economically viable for the property owners to develop the property.
- The site is currently zoned for industrial use (IL-1).

(The IL-1 Zone limits the amount of outdoor storage to 1.5 times the area of the principal building to a maximum of 40% of the lot area. The proposed temporary office building is only 100 square metres (1,075 sq. ft.) in area, therefore would only permit 150 square metres (1,600 sq. ft.) of outside storage. Using the maximum 40% of the lot area, a total of 1.16 hectares (2.9 acres) of outside storage would be allowed.

Part 4 General Provisions of Surrey Zoning By-law states that no use is permitted on any commercial or industrial zoned lot unless there is a building on the site that exceeds 100 square metres (1,076 sq. ft.) and contains washroom facilities. In South Westminster, this would trigger a Development Permit application and the requirement to service the site in accordance with the Subdivision and Development By-law.

The lumber reloading business could be classified as a Distribution Warehouse Use, provided that the warehousing was enclosed within a building. This would also trigger the construction of full engineering services, a Development Permit and payment of development cost charges.)

- There are very few areas in Surrey which can accommodate both a rail spur and a large area for outside storage required for the operation of the business.

(There are other lands in Surrey which could accommodate the business. This type of use requires inexpensive land for outside storage.)

- There is a truck route nearby (future South Fraser Perimeter Road and Scott Road).

(Access to the truck route, via Spruce Road, will need to be upgraded)

- The owner will ensure adequate servicing will be provided to the site.

(This may also include the preloading of the road allowance to allow for future construction.)

- The owner will develop the property to the ultimate land use (i.e. Business Park) when the area is ready.

(Site servicing costs have deterred development in this area of South Westminster. The proximity of the South Fraser Perimeter Road to the site may make it economically feasible to extend the services to support the ultimate development of the site.)

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

- Planning staff investigated further the views of the site from SkyTrain. The proposed lumber reloader business with outdoor storage is visible to the SkyTrain users and perpetuates the unsightly landscape.
- The use is contrary to Council's direction in the rezoning of the South Westminster area in 2005 to reduce the amount of outdoor storage associated with industrial operations.
- The interim use of the unopened road may detrimentally impact the future development of adjoining properties. The road is required to be preloaded or piled in order to be constructed and provide access to the adjoining industrial development.
- The proposed lumber reloader does not provide for large employment opportunities, nor is it a catalyst for new business growth in the vicinity, due to the negative visual impact of such a use.

CONCLUSION

- In considering the pros and cons of this proposal, the Planning and Development Department believes there is some merit supporting the proposed business but questions whether the interim proposed lumber reloading use can justify the cost of adequately servicing the site. An estimated cost of servicing the site has not been determined.

- It may be financially uneconomical for the applicant to extend the watermain to provide adequate fire protection, and to construct Spruce Road to a half-road standard to provide adequate vehicular access to the site.
- If Council sees merits in the application, Council should direct staff to bring forward this application within 6 months (i.e., first Council meeting after October 2, 2012) for consideration of filing, if the applicant has not entered into a servicing agreement for the construction of the required Engineering works.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

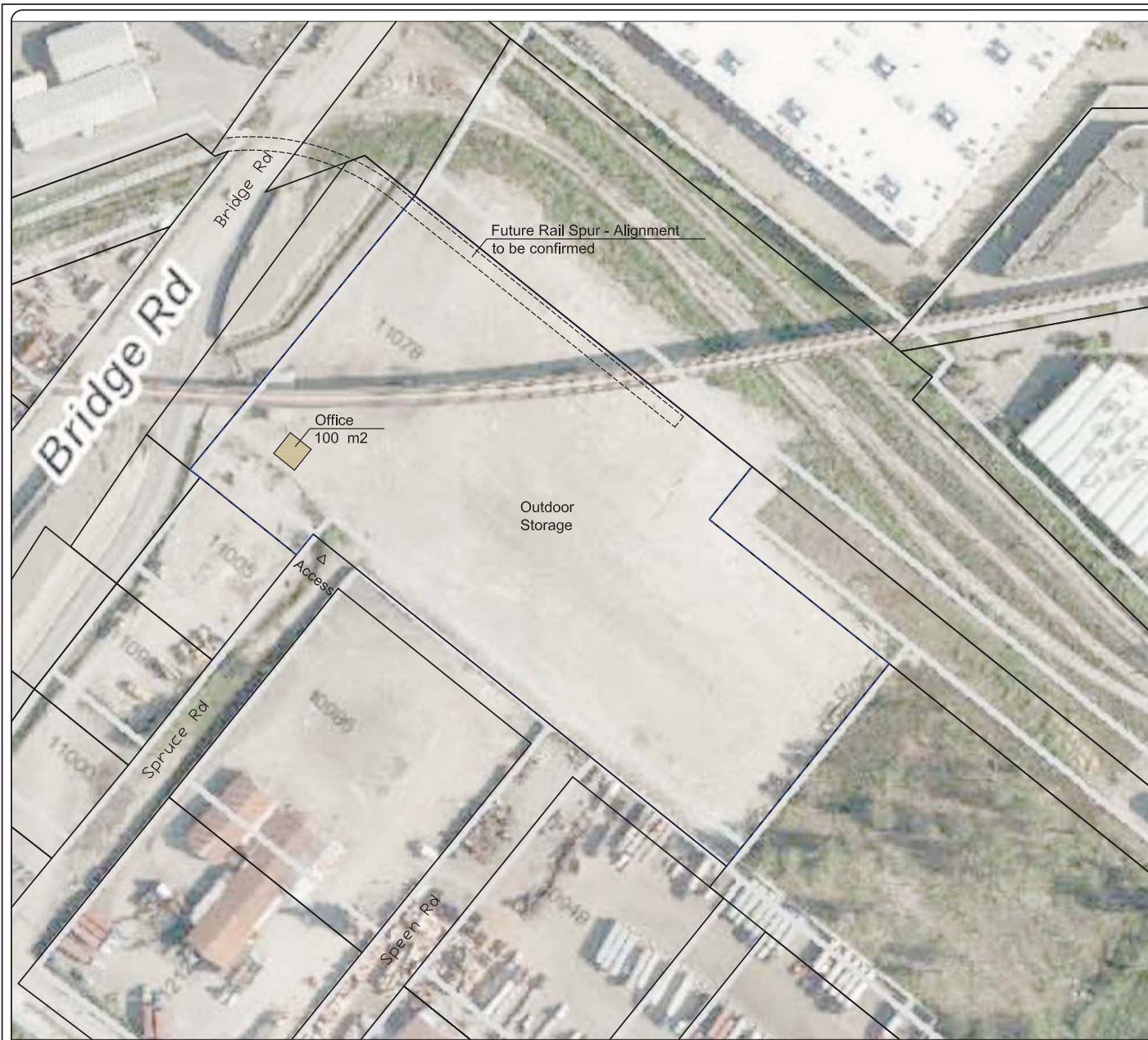
Appendix I.	Lot Owners and Action Summary
Appendix II.	Site Plan
Appendix III.	Engineering Summary
Appendix IV	Temporary Industrial Use Permit
Appendix V	OCP Text Amendment By-law

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

LAP/kms

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Subject Property: 2.88 Ha.
 Existing Zoning: IL-1
 Proposed Building: 100 M2
 Proposed Use: Lumber Loading Facility &
 Temporary Office



Pacific Land Resource Group Inc.

Suite 101 - 7485 130 Street
 Surrey, British Columbia
 Canada V3W 1H8
 Tel: 604-501-1624
 Fax: 604-501-1625
 www.pacificlandgroup.ca
 info@pacificlandgroup.ca

PROJECT:
11078 Bridge Road, Surrey

DRAWING TITLE:
Site Plan

PRELIMINARY PLAN - SUBJECT TO APPROVAL(S) FROM
 FEDERAL, PROVINCIAL AND LOCAL AUTHORITIES

CLIENT:
R.D.M Enterprises Ltd.

SCALE:
1:1500

DATE:
August 12, 2011

PROJECT No:
11-944

DRAWING No:
01

DESIGNED BY: EW	CHECKED BY: OV
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INTER-OFFICE MEMO

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

FROM: **Development Services Manager, Engineering Department**

DATE: **March 27, 2012** PROJECT FILE: **7811-0193-00**

RE: **Engineering Requirements (Commercial/Industrial)
Location: 11078 Bridge Rd**

OCP TEXT AMENDMENT

There are no engineering requirements relative to the OCP Text Amendment.

TEMPORARY INDUSTRIAL USE PERMIT

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

Works and Services

- construct site access along Spruce Road and on site;
- construct drainage facilities to service the site;
- construct water mains to service the site; and
- construct a Low Pressure System main along Bridge Road, if washroom facilities are proposed.
- Register associated legal documents.

A Servicing Agreement is required prior to Temporary Industrial Use Permit

Rémi Dubé, P.Eng.
Development Services Manager

SSA

CITY OF SURREY

(the "City")

TEMPORARY INDUSTRIAL USE PERMIT

NO.: 7911-0193-00

Issued To: 527599 BC Ltd
("the Owner")

Address of Owner: 207-20436 Fraser Highway
Langley BC V3A 4G2

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: 025-660-659
Lot 1 District Lot 2 Group 2 New Westminster District Plan BCP5670

11078 Bridge Road

(the "Land")

3. The Land has been designated as a Temporary Industrial Use Permit Area in Surrey Official Community Plan, 1996, No. 12900, as amended.
4. The temporary use permitted on the Land shall be:
 - The temporary storage and transportation of lumber
5. The temporary use shall be carried out according to the following conditions:
 - (a) The storage of the lumber must be in compliance with the Fire Act, and as directed by the Fire Chief.
 - (b) Provision of servicing and road construction as directed by the General Manager, Engineering;

- (c) Issuance of a building permit for drainage and paving of the site; and
- (d) Issuance of a Temporary Trailer Permit for the modular office building.

6. As a condition of the issuance of this temporary use permit, Council is holding security set out below (the "Security") to ensure that the temporary use is carried out in accordance with the terms and conditions of this temporary use permit. Should the Owner fail to comply with the terms and conditions of this temporary use permit within the time provided, the amount of the Security shall be forfeited to the City. The City has the option of using the Security to enter upon the Land and perform such works as is necessary to eliminate the temporary use and bring the use and occupancy of the Land into compliance with Surrey Zoning By-law, 1993, No. 12000, as amended (the "Works"). The Owner hereby authorizes the City or its agents to enter upon the Land to complete the Works. There is submitted accordingly:

An Irrevocable Letter of Credit, in a form acceptable to the City, in the amount of \$25,000.00

- 7. 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.
- 8. An undertaking submitted by the Owner is attached hereto as Appendix I and forms part of this temporary use permit.
- 9. This temporary use permit is not transferable.
- 10. This temporary use permit shall lapse on or before two years from date of issuance

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 .
 ISSUED THIS DAY OF , 20 .

 Mayor – Dianne L. Watts

 City Clerk – Jane Sullivan

TO THE CITY OF SURREY:

We, 527599 B.C. LTD. (Name of Owner)

being the owner of Lot 1 District Lot 2 Group 2 New Westminster District Plan BCP5670
(Legal Description)

known as 11078 Bridge Road
(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)

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

OR

Name (Please Print)


Owner: Signature

R. MADSEN
Name: (Please Print)

CITY OF SURREY

BY-LAW NO. _____

A by-law to amend the provisions of Surrey Official
Community Plan By-law, 1996, No. 12900, as amended

.....

THE CITY COUNCIL of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

- 1. Surrey Official Community Plan By-law 1996, No. 12900, as amended, is hereby further amended as follows:

Division A. Schedule B Temporary Use Permit Areas, under the heading Temporary Industrial Use Permit Areas, by adding the following section immediately following Temporary Industrial Use Permit Area No. __:

Temporary Industrial Use Permit Area No. __

Temporary Industrial Storage and Transportation of Lumber

Purpose: To allow storage of lumber.

Location: Parcel Identifier: 023-346-205
Lot 1 Section 33 Township 2 New Westminster District Plan LMP27375
11078 Bridge Road

Conditions: (a) A security deposit is held by the City of Surrey to ensure the removal of any buildings and structures; and
(b) The subject lands are to be used in accordance with the provisions of the Temporary Use Permit.

Expiration: The Temporary Commercial Use Permit will remain in effect until the date specified in the Temporary Industrial Use Permit.

- 2. This By-law shall be cited for all purposes as "Surrey Official Community Plan By-law, 1996, No. 12900, Text No. _____ Amendment By-law, 2012, No. _____."

PASSED FIRST AND SECOND READING on the _____ th day of _____, 20__ .

PUBLIC HEARING HELD thereon on the _____ th day of _____, 20__ .

PASSED THIRD READING on the _____ th day of _____, 20__ .

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the _____ th day of _____, 20__ .

_____ MAYOR

_____ CLERK