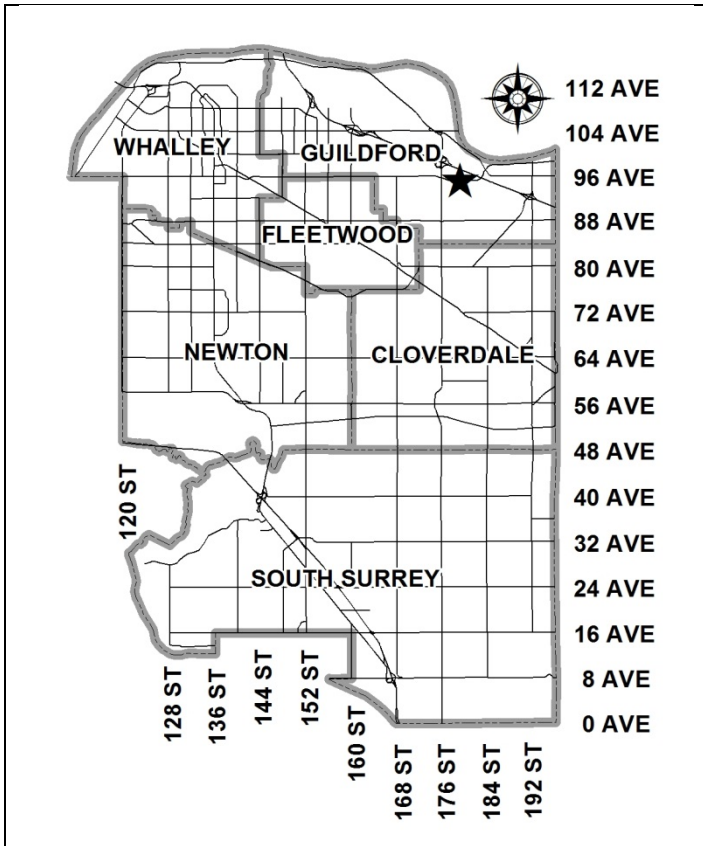


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7913-0157-00

Planning Report Date: October 7, 2013

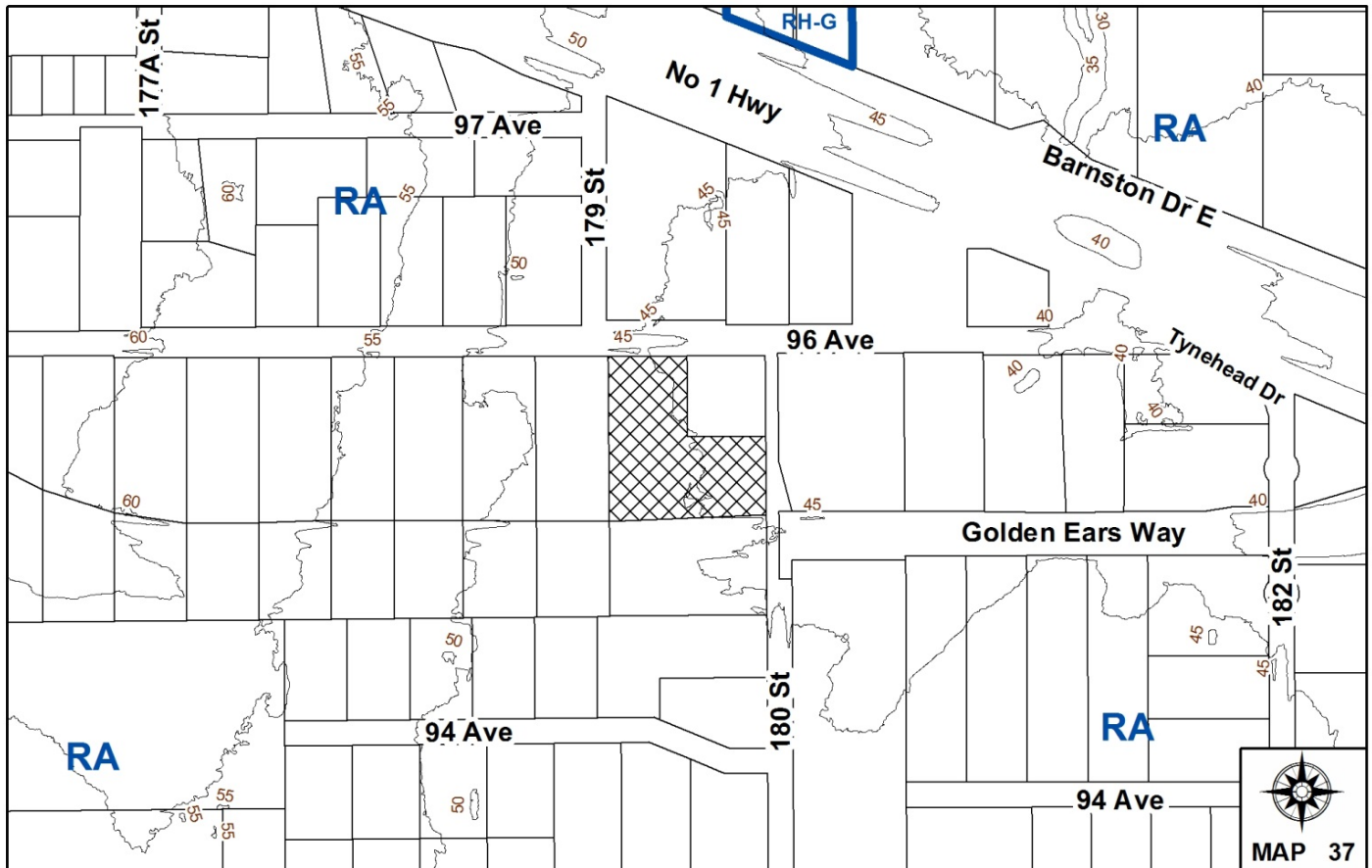


PROPOSAL:

- OCP Text Amendment
- Temporary Industrial Use Permit

in order to declare the site a Temporary Industrial Use Permit Area and to allow the storage of cranes, boom trucks and support vehicles for a period not to exceed three years.

LOCATION: 17944 - 96 Avenue
OWNER: Fabro Holdings Inc.
ZONING: RA
OCP DESIGNATION: Suburban
NCP DESIGNATION: Light 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

- None.

RATIONALE OF RECOMMENDATION

- The area and subject site are designated Light Industrial in the Anniedale-Tynehead Neighbourhood Concept Plan (NCP) and cannot be redeveloped to the ultimate land use and density until utility services are extended to the area.
- The proposed temporary storage facility for cranes, boom trucks and support vehicles will allow an interim use of the land until it is economically viable for the owners to service the land.
- The proposed industrial use is consistent with the NCP.
- The site is in close proximity to major truck routes (Highway No. 1 and Golden Ears Way) and provides good access throughout the Lower Mainland.

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. 7913-0157-00 (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, dedications, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) permission from DFO for the installation of a culvert for driveway access to 180 Street; and
 - (c) installation of a chain link fence to delineate the 10-metre (33 ft.) creek setback area.
5. Council direct staff to bring forward this application approximately 6 months from the date of approval to proceed (i.e. last Council meeting of April, 2014) for consideration of filing, if the above noted issues have not been adequately fulfilled by the applicant.

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 which is intended to remain. There are yellow-coded ditches on two sides of the property as well as within the property.

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
Northeast:	Single family dwelling.	Light Industrial	RA
North (Across 96 Avenue):	Vacant lot.	Light Industrial	RA

Direction	Existing Use	NCP Designation	Existing Zone
East (Across 180 Street):	Vacant lot.	Light Industrial and Pond	RA
South (Across Golden Ears Way):	Single family dwelling.	High Density Residential	RA
West:	Vacant lot.	Light Industrial	RA

DEVELOPMENT CONSIDERATIONS

Background:

- The subject site is located at 17944 – 96 Avenue and has a site area of 1.2 hectares (3 acres). The property is zoned "One-Acre Residential Zone (RA)" and is designated as Light Industrial within the Anniedale–Tynehead Neighbourhood Concept Plan (NCP).
- The subject lot is located in the Anniedale-Tynehead Neighbourhood Concept Plan (NCP) area. The NCP, which was adopted by Council in May 2012, identifies the properties north of the Golden Ears Way to Highway No. 1 and east of 176 Street as a future Light Industrial area. Several TUP applications have recently been applied for in this area. (see Appendix V) with more anticipated in the future.
- However, due to the high cost of extending services to the area, it is not economically viable to develop the subject site to the ultimate light industrial land use and densities envisioned under the Anniedale - Tynehead NCP at this time.
- During the summer, the applicant brought fill on the site without proper permits. The applicant is working with the Engineering Department to rectify any issues and legalize the fill.
- In addition, the applicant has recently been using the site for the storage of cranes and associated trucks.

Current Proposal:

- Eagle Crane Services is a small, family-operated business that primarily works with the construction industry. The proposed location is ideally located close to Highway No. 1, which provides easy access throughout the Lower Mainland.
- The applicant proposes a Temporary Industrial Use Permit to allow for the storage of four crane trucks, two boom trucks and two support trucks on the southern portion of the property. In total, there are eight spaces proposed which are to be located on the southwest portion of the site. The applicant requires a driveway access to 180 Street as the location of the existing house and septic field make using the 96 Avenue driveway problematic.
- The single family dwelling on the northern portion of the site will remain and will continue to be used for residential purposes.

- The applicant advises the cranes and boom trucks will typically leave the site in the morning and return in the evening. It is not uncommon for the trucks and cranes to remain off site for several weeks.
- Yellow-coded watercourses runs along the north and east perimeter of the property and through the middle of the site. The applicant has proposed a 10-metre (33 ft.) setback from all watercourses which the applicant will be required to delineate with a fence. The applicant requires permission from the Department of Fisheries and Oceans (DFO) to allow for a culvert within the yellow-coded watercourse along 180 Street.
- The site is currently well screened with existing vegetation, consisting of bushes, hedges and trees, along Golden Ears Way and 180 Street. No additional landscaping is needed. A portion of the trees and hedges will need to be removed along 180 Street to allow for the proposed driveway access.

PRE-NOTIFICATION

- Pre-notification letters were sent on August 19, 2013 and a development proposal sign was installed on August 22, 2013. Staff received one phone call from a neighbour with the following concerns:
 - Allowing truck traffic and related engine brakes on 96 Avenue is unacceptable.
(By-law Enforcement will continue to enforce illegal use of engine brakes within residential areas. The owner of the site currently uses 180 Street to access Golden Ears Way, which is a truck route. Using 180 Street is the shortest route possible to access the truck route.)
 - The creek area setbacks should be protected and fill was brought on the site prior to receiving permits.
(The applicant has hired an environmental consultant to work with DFO and the City on reducing creek setbacks and allowing a culvert across the 180 Street watercourse. The applicant is working with City staff to rectify the unauthorized fill issue.)
 - Industrial nature of the development is negative for the neighbourhood.
(The Anniedale-Tynehead NCP has designated the subject lot and surrounding lots as Light Industrial. The proposed TUP, complies with the designation of the NCP. As services are extended to the area, the area is planned to redevelop to more permanent industrial uses.)

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
- Appendix III. Engineering Summary
- Appendix IV. Temporary Industrial Use Permit No. 7913-0157-00
- Appendix V. Map of TUP Applications in Surrounding Area
- Appendix VI. OCP Text Amendment By-law

original signed by Judith Robertson

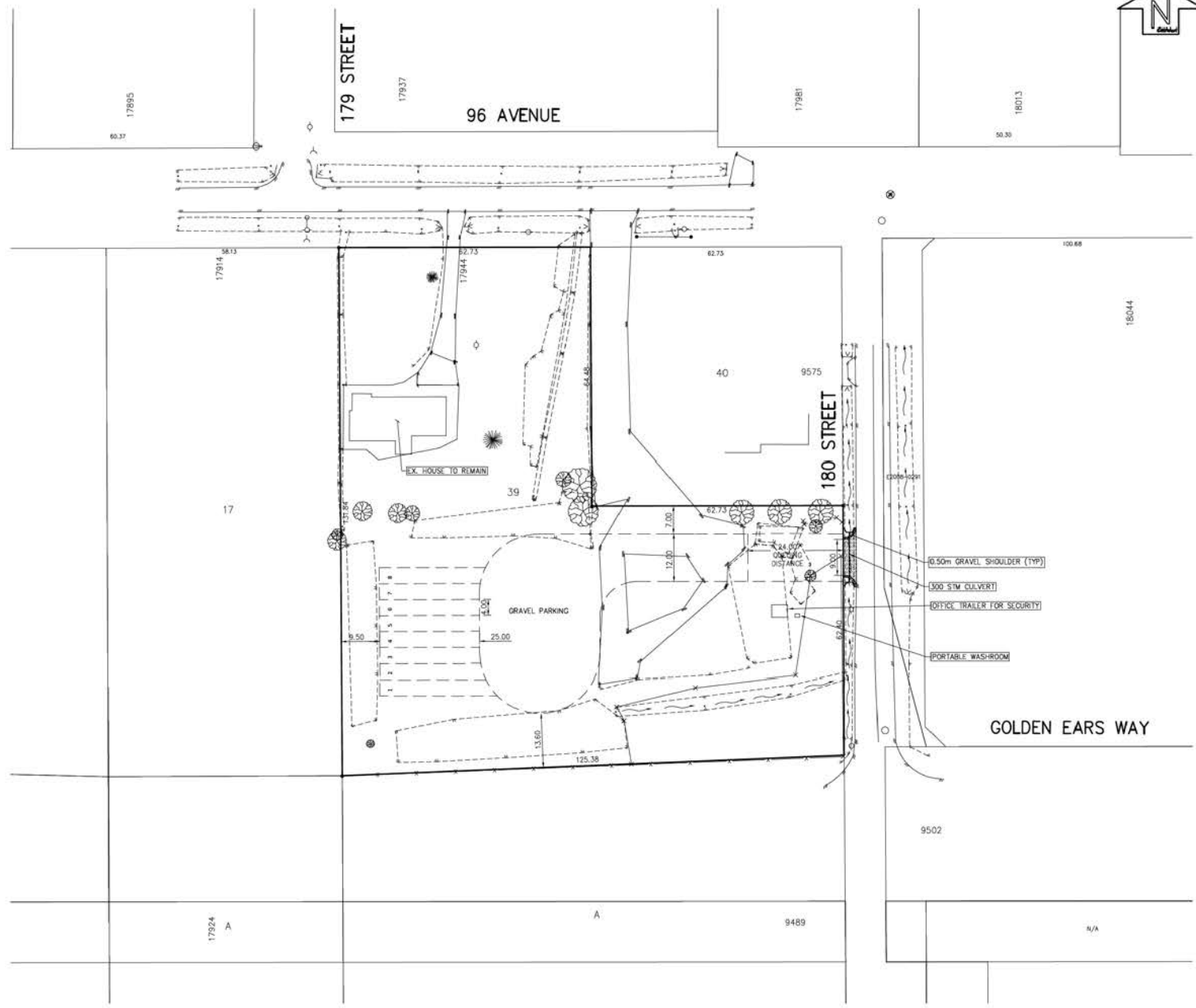
Jean Lamontagne
General Manager
Planning and Development

JKS/da

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BENCHMARK & CONTROL
 ALL ELEV. ARE GEODETIC AND REFER TO MON. NO. 5074
 LOCATED AT THE INTERSECTION OF 96 AVENUE AND 180 STREET
 ELEV. 42.759

LEGAL DESCRIPTION OF PROPERTY
 LOT 39, EXCEPT: PARCEL A (STAT ROW PL BCP 27064)
 SEC. 32, TWP. 8, NWD, PL 58465



- NOTES:**
1. ALL DIMENSIONS ARE APPROXIMATE ONLY BASED ON MASTER PLANS.
 2. LAYOUT IS PRELIMINARY AND SUBJECT TO APPROVALS AND SURVEYS.
 3. EXISTING HOUSE TO BE RETAINED (LOCATION TO BE CONFIRMED).

No.	Date	Revision	LC	DC	Dr	Ch
1	13/09/04	REVISED PARKING STALLS	LC	DC		

CitiWest Consulting Ltd.
 No.101-9030 KING GEORGE BLVD., SURREY, BC, V3V 7Y3
 TELEPHONE 604-591-2213 FAX 604-591-5518
 E-MAIL: office@citwest.com



FABRO HOLDINGS LTD.
 29565 - TAYLOR ROAD, ABBOTSFORD, BC, V4X 2E2, PH: 604-521-6699

EQUIPMENT PARKING PLAN (TUP)
 SITE AT 17944 - 96 AVENUE, SURREY, BC

Scale: 1:1000	Mun. Proj. No.	Dwg. No.
Drawn: LC	Mun. Dwg. No.	A
Designed: DC	Job No. 13-3034	Of
P.W. P.U.	Date JUN/2013	Revision 1
Approved:		

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

FROM: Development Services Manager, Engineering Department

DATE: September 29, 2013 **PROJECT FILE: 7813-0157-00**

**RE: Engineering Requirements (Commercial/Industrial)
Location: 17944 96 Avenue**

TEMPORARY USE PERMIT

The following issues are to be addressed as a condition of the TUP:

- construct driveway access to 180 Street;
- ensure no increase in storm runoff through onsite storm water management controls; and
- provide on-site stormwater water quality management feature.



Rémi Dubé, P.Eng.
Development Services Manager

sk2

CITY OF SURREY

(the "City")

TEMPORARY INDUSTRIAL USE PERMIT

NO.: 7913-0157-00

Issued To: FABRO HOLDINGS INC
(the "Owner")

Address of Owner: 29565 - Taylor Road
Abbotsford, BC V4X 2E2

1. This temporary industrial 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 industrial use permit.
2. This temporary industrial 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: 005-755-522
Lot 39 Except: Parcel A (Statutory Right of Way Plan BCP27064), Section 32 Township 8 New
Westminster District Plan 59465

17944 - 96 Avenue

(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 industrial use permitted on the Land shall be for parking of cranes, boom trucks and support vehicles for a total of 8 vehicles exceeding 5,000 kg (11,023 lbs) gross vehicle weight, as shown on Schedule A.
5. The temporary industrial use shall be carried out according to the following conditions:
 - (a) Construct a maximum 11-metre (36 ft.) wide driveway access to 180 Street;
 - (b) Ensure no increase in storm runoff through onsite storm water management controls;
 - (c) Provide on-site stormwater water quality management feature;

- (d) Sealed engineering or architectural drawings and related information are to be provided to the satisfaction of the General Manager of Planning and Development related to the layout of the site including any buildings or structures on the site, site access, drive aisles, parking stall layout, signage and landscaping, demonstrating that the layout as proposed will allow for adequate space for manoeuvring and parking of all vehicles on site in an orderly manner up to the full capacity of the parking lot;
 - (e) All other engineering requirements such as right-of-ways, where necessary, must be addressed to the satisfaction of the General Manager, Engineering;
 - (f) The following activities are prohibited on the lot: truck washing, vehicle maintenance, truck fuel storage or refuelling, storage of waste petroleum fluids, storage of vehicles containing dangerous goods as defined by the Transport of Dangerous Goods Act;
 - (g) Installation of a chain link fence to delineate a 10-metre (33 ft.) creek setback area; and
 - (h) The land is to be used in accordance with the provisions of the Temporary Use Permit.
6. As a condition of the issuance of this temporary industrial use permit, Council is holding security set out below (the "Security") to ensure that the temporary industrial use is carried out in accordance with the terms and conditions of this temporary industrial use permit. Should the Owner fail to comply with the terms and conditions of this temporary industrial 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 industrial 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:
- Cash in the amount of \$5,000
7. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this temporary industrial use permit. This temporary industrial 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 industrial use permit.
9. This temporary industrial use permit is not transferable.

10. This temporary industrial use permit shall lapse on or before three 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

IN CONSIDERATION OF COUNCIL'S APPROVAL OF THIS TEMPORARY INDUSTRIAL USE PERMIT AND OTHER GOOD AND VALUABLE CONSIDERATION, I/WE THE UNDERSIGNED AGREED TO THE TERMS AND CONDITIONS OF THIS TEMPORARY INDUSTRIAL USE PERMIT AND ACKNOWLEDGE THAT WE HAVE READ AND UNDERSTOOD IT.



Authorized Agent: Signature

SUNNY SANDHEK

Name (Please Print)

OR

Owner: Signature

Name: (Please Print)

TO THE CITY OF SURREY:

I, _____ (Name of Owner)

being the owner of Lot 39 Except: Parcel A (Statutory Right of Way Plan BCP27064), Section 32 Township 8 New Westminster District Plan 59465)
(Legal Description)

known as 17944 - 96 Avenue
(Civic Address)

hereby undertake as a condition of issuance of my temporary industrial use permit to:

- (a) demolish or remove all buildings and/or structures that are permitted to be constructed pursuant to the temporary industrial use permit issued to me; and
- (b) restore the land described on the temporary industrial 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 industrial 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 industrial use permit and perform such work as is necessary to eliminate the temporary industrial 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 industrial use permit shall be forfeited and applied to the cost of restoration of my land as herein set out.

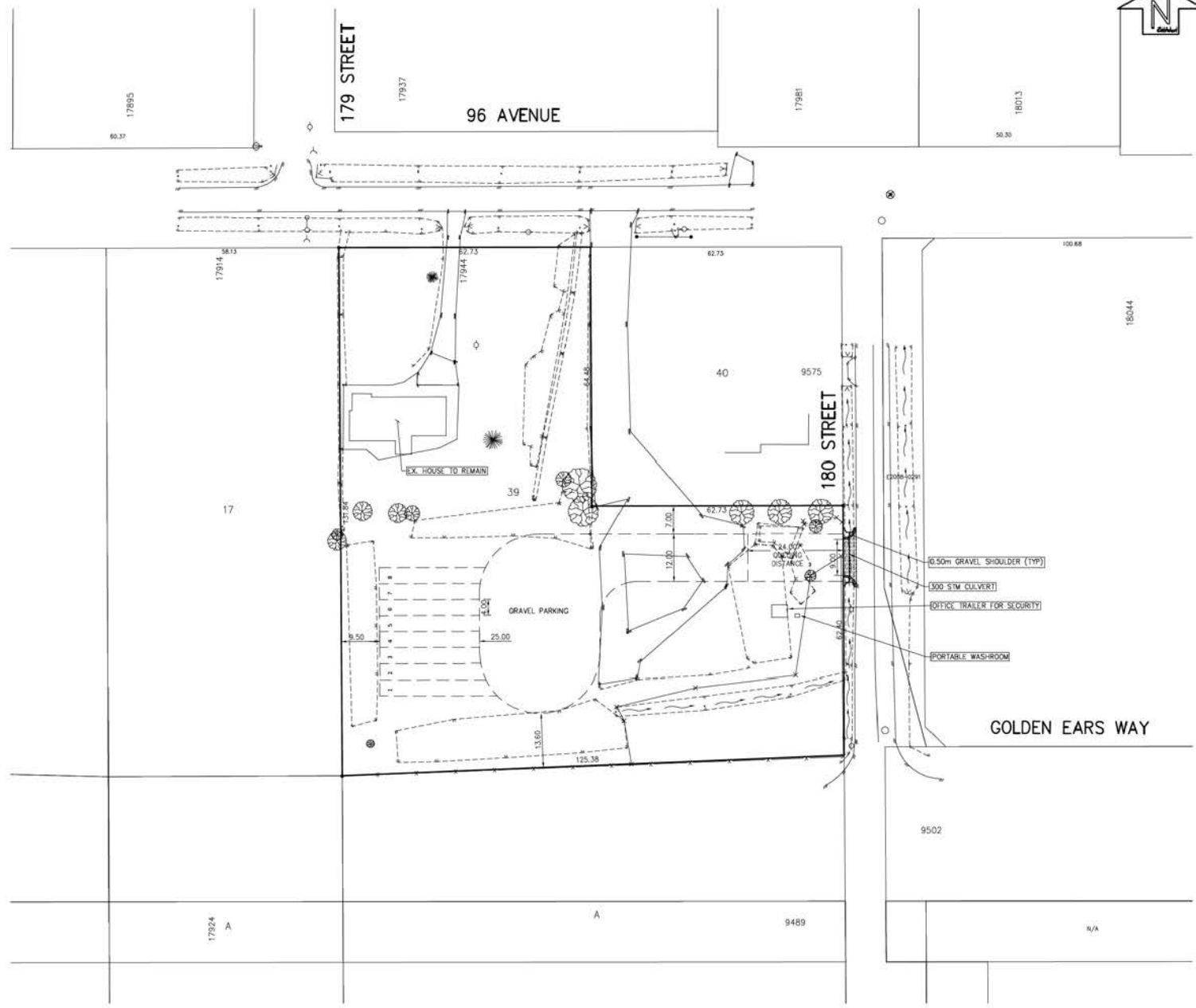
This undertaking is attached hereto and forms part of the temporary industrial use permit.

(Owner)

(Witness)

BENCHMARK & CONTROL
 ALL ELEV. ARE GEODETIC AND REFER TO MON. NO. 5074
 LOCATED AT THE INTERSECTION OF 96 AVENUE AND 180 STREET
 ELEV. 42.759

LEGAL DESCRIPTION OF PROPERTY
 LOT 39, EXCEPT: PARCEL A (STAT ROW PL BCP 27064)
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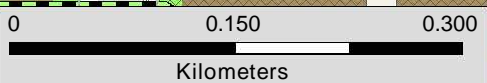
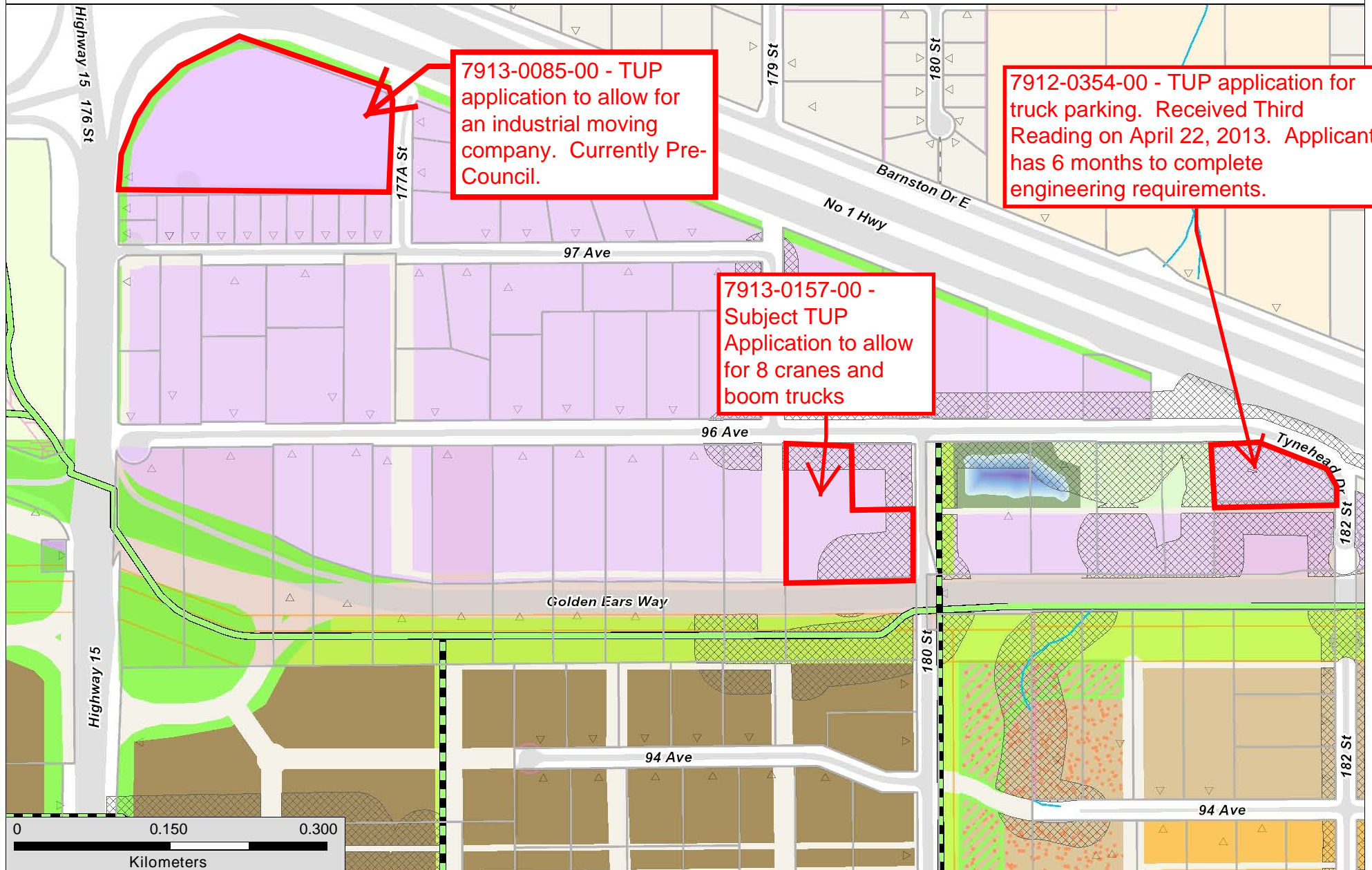
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 SITE AT 17944 - 96 AVENUE, SURREY, BC

Scale: 1:1000	Mun. Proj. No.	Dwg. No.
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Designed: DC	Job No. 13-3034	Of
P.W. P.U.	Date JUN/2013	Revision 1
Approved:		

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Current Temporary Industrial Use Permits Applications within the Anniedale Tynehead Neighbourhood Concept Plan



The data provided is compiled from various sources and is NOT warranted as to its accuracy or sufficiency by the City of Surrey. This information is provided for information and convenience purposes only. Lot sizes, legal descriptions and encumbrances must be confirmed at the Land Title Office. Use and distribution of this map is subject to all copyright and disclaimer notices at cosmos.surrey.ca.

Enter Map Description

Scale: 1: 5,000
Map created on: September-23-13

CITY OF SURREYBY-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.

Crane, Truck and Support Vehicle Storage Facility

Purpose: To allow the development and operation of a temporary storage facility for cranes, boom trucks and support *vehicles* exceeding 5,000 Kg. [11,023 lbs.] *gross vehicle weight*.

Legal Description: 005-755-522
Lot 39 Except: Parcel A (Statutory Right of Way Plan BCP27064),
Section 32 Township 8 New Westminster District Plan 59465

Location: 17944 - 96 Avenue

- Conditions:
1. **Zoning By-law Requirements**
 - (a) The Zoning By-law requirement for the construction of a permanent *building*, including washroom facilities, with a minimum area of 100 square meters (1,076 sq. ft.) is waived; and
 - (b) The Zoning By-law requirement for paving the parking area with asphalt, concrete or other similar pavement is modified to allow the use of other surfacing materials suitable for truck traffic as approved by the General Manager of Engineering.
 2. **Environmental Considerations**
 - (a) Installation of a chain link fence to delineate a 10-metre (33 ft.) creek setback area.
 3. **Engineering Services Requirements**
 - (a) Construct a maximum 11-metre (36 ft.) wide *driveway* access to 180 Street;

- (b) Ensure no increase in storm runoff through onsite storm water management controls; and
- (c) Provide on-site stormwater water quality management feature.

4. Planning Requirements

- (a) Sealed engineering or architectural drawings and related information are to be provided to the satisfaction of the General Manager of Planning and Development related to the layout of the site including any *buildings* or *structures* on the site, site access, drive aisles, parking stall layout, signage and landscaping, demonstrating that the layout as proposed will allow for adequate space for manoeuvring and parking of all *vehicles* on site in an orderly manner up to the full capacity of the parking lot;

5. General Requirements

- (a) The following activities are prohibited on the *lot*: truck washing, vehicle maintenance, truck fuel storage or refuelling, storage of waste petroleum fluids, parking or storage of vehicles containing Dangerous Goods as defined by the *Transport of Dangerous Goods Act*. This requirement shall be placed as a condition in the Temporary Industrial Use Permit; and
- (b) The subject lands are to be used in accordance with the provisions of the Temporary Industrial Use Permit.

Expiration:

The Temporary Industrial Use Permit will remain in effect until the earlier of the following:

- (a) The date specified in the Temporary Industrial Use Permit;
or
- (b) Three years after the Temporary Industrial Use Permit was issued.

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, 2013, No. "

PASSED FIRST AND SECOND READING on the, day of

PUBLIC HEARING HELD thereon on the, day of

PASSED THIRD READING on the day of

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the day of ,

_____ MAYOR

_____ CLERK