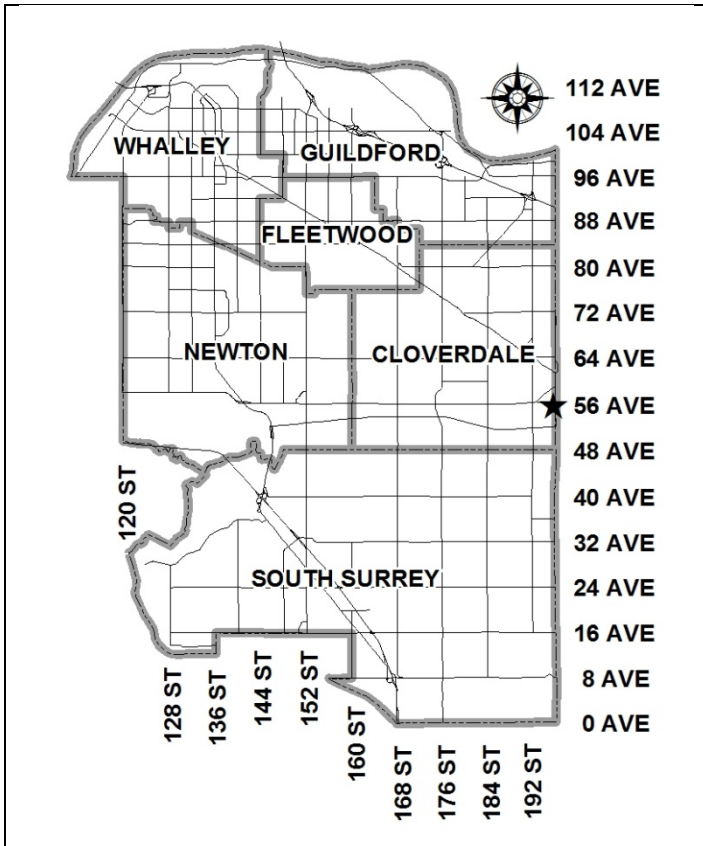


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7913-0264-00

Planning Report Date: March 31, 2014

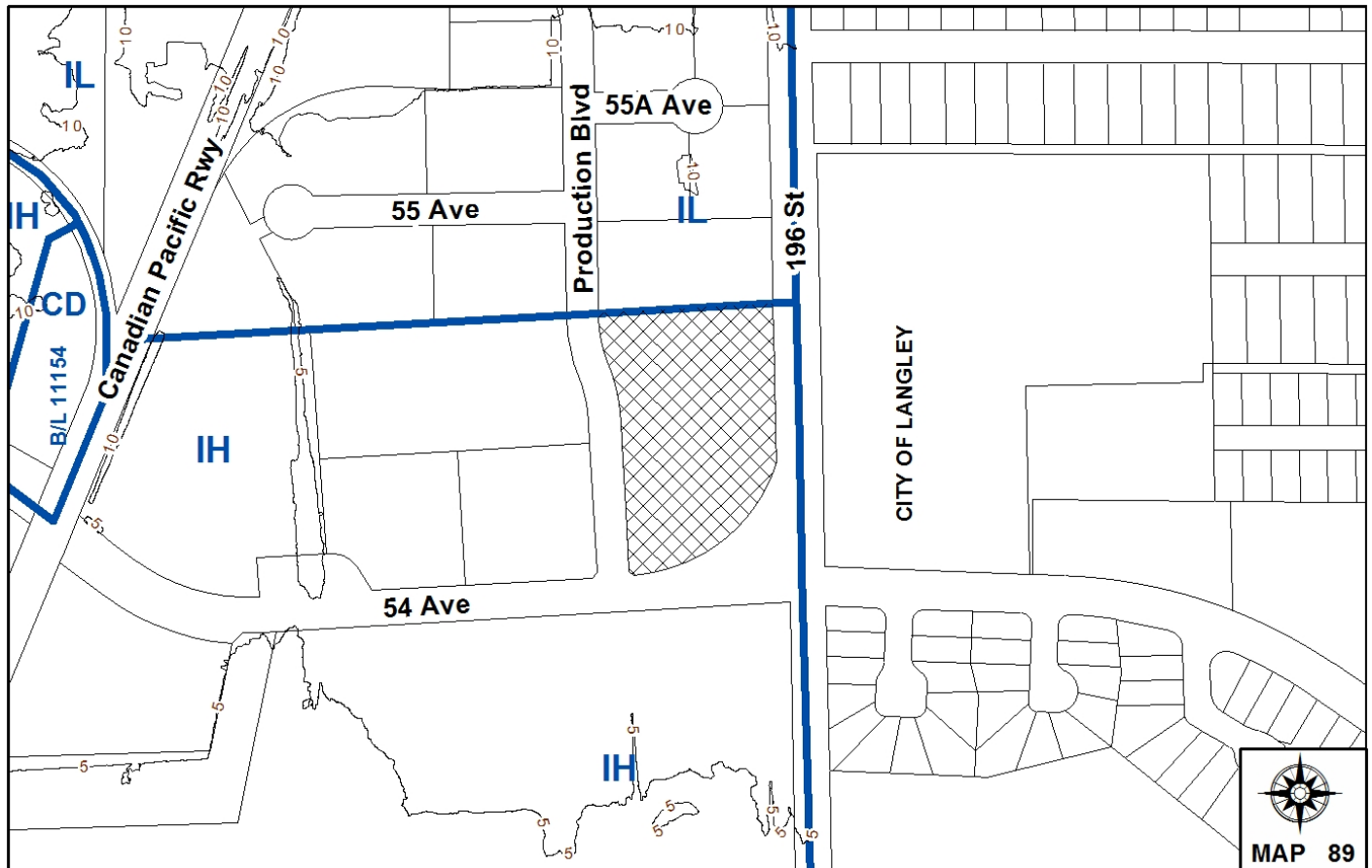


PROPOSAL:

- OCP Text Amendment
- Temporary Industrial Use Permit

to allow the continuation and expansion of outdoor storage of construction waste bins and related goods for a period not to exceed two years.

LOCATION: 5450 - Production Boulevard
OWNER: Vanbros Investments (BC) Inc.
ZONING: IH
OCP DESIGNATION: Industrial
LAP DESIGNATION: Industrial



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.

RATIONALE OF RECOMMENDATION

- The proposal will allow the continuation and expansion of an interim use of the subject site until it is economically viable for the property owner to develop the land.
- The northern portion of the site has been approved for the temporary outdoor storage of construction waste bins by TUP No. 7908-0252-00, which expired on November 9, 2011.

RECOMMENDATION

The Planning & Development Department recommends that:

1. an OCP Text Amendment by-law be introduced to include additional land within Temporary Industrial Use Permit Area No. 34 and a date for Public Hearing be set (Appendix IV).
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. 7913-0264-00 (Appendix V) to proceed to Public Notification.
4. Council instruct staff to resolve the following issues prior to approval:
 - (a) submission of a revised landscaping plan and fencing plan to reflect a partial extension of the sound attenuation wall along a portion of the 196 Street road frontage on the southerly portion of the site to the satisfaction of the City Landscape Architect;
 - (b) submission of a landscaping cost estimate to the satisfaction of the Planning & Development Department; and
 - (c) modification of the existing letters of credit to reflect the revised landscaping.

REFERRALS

Engineering: The Engineering Department has no comments.

SITE CHARACTERISTICS

Existing Land Use: Outdoor storage of waste bins, fencing and portable toilets on the north portion of the site, vacant on the south portion of the site.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Industrial building	Industrial	IL

Direction	Existing Use	OCP Designation	Existing Zone
East (Across 196 Street in City of Langley):	Townhouses	N/A; within City of Langley	N/A; within City of Langley
South (Across 54 Avenue):	BC Hydro substation	Industrial	IH
West (Across Production Boulevard):	New industrial buildings	Industrial	IH

DEVELOPMENT CONSIDERATIONS

Background

- OCP Text Amendment By-law No. 17004 to declare the properties at 5454 and 5478 Production Boulevard (the northern portion of the subject site) as Temporary Industrial Use Permit Area No. 34 and Temporary Industrial Use Permit No. 7908-0252-00 were approved on November 9, 2009.
- Temporary Industrial Use Permit No. 7908-0252-00 expired on November 9, 2011.
- The applicant, Vanbros Investments (BC) Inc. (the Super Save Group) has been operating a construction waste bin and related goods storage yard on the north portion of the site and would like to expand their operation to the south portion of the recently consolidated site.
- Since the approval of TUP No. 7908-0252-00 in 2009, the Roberts Banks Infrastructure Program initiated the construction of the unopened 196 Street right-of-way between 56 and 54 Avenues. The intersection of 54 Avenue and 196 Street required additional road dedication from the most southerly portion of the property to facilitate the new intersection.
- The Roberts Bank Infrastructure Program has also erected a 2.5-metre (8 ft.) high concrete fence on the east side of 196 Street to assist in traffic noise mitigation for the Langley residents on the east side of 196 Street.
- The applicant purchased the two properties located to the south of their original TUP site (5418 and 5432 Production Blvd), and consolidated all four properties into one development site in October 2013 with the registration of Plan EPP32019. The consolidated 1.42-hectare (3.5 acre) property is now addressed as 5450 Production Boulevard.

Current Proposal

- The subject site is located at 5450 Production Boulevard, adjacent to the Surrey-Langley border and has an area of 1.426 hectares (3.5 acres). The site is designated Industrial in the Official Community Plan (OCP) and is zoned "High Impact Industrial Zone (IH)".

- The application consists of the following:
 - Official Community Plan Text Amendment to modify Temporary Industrial Use Permit Area No. 34 to include additional land; and
 - Temporary Industrial Use Permit (TUP) in order to allow outdoor storage of construction of waste bins and related goods for a period of up to two years on the expanded site.
- The original Temporary Industrial Use Permit (TUP) expired on November 9, 2011. The applicant has therefore requested a new TUP for the previous lands and the additional land to the south that was subsequently consolidated.
- The applicant notes that while they have long term plans to development the site comprehensively (which would include a building), they require a short term outdoor storage facility for their waste bins and other materials.
- There are two existing access points for the northern half of the lot, and the applicant has requested an additional two driveways for the southern portion of the subject lot.
- Temporary Industrial Use Permit No. 7908-0252-00 had restrictions on the hours of operation which limited the business operation from 7:00 a.m. to 6:00 p.m. Monday to Saturday and from 9:00 a.m. to 6:00 p.m. on Sunday. These restrictions will be imposed on the current proposal.
- Prior to issuance of TUP No. 2008-0252-00, the applicant submitted two letters of credit to ensure that landscaping was installed and that the use on the site discontinued upon expiry of the TUP. Revised security will be required and will be held until the expiry of the proposed TUP No. 7913-0264-00.

Landscaping

- To assist in reducing noise and visual impacts on the multi-family developments in the City of Langley to the east, the applicant constructed a 2.4-metre (8 ft.) high decorative concrete block fence that was set 4.5 metres (15 ft.) into the property from the east property line. A berm was constructed and was planted with Redwood trees and low shrubs to screen the fence from the previously unopened 196 Street and from the residential developments to the east. This landscaping was installed on the 5454 and 5478 Production Boulevard properties (the northern portion of the subject site).
- Along the south portion of the newly created lot, the applicant has proposed the installation of a 2.4-metre (8 ft.) high cedar hedge to screen the outdoor storage of materials along 196 Street. Staff considered the extension of the concrete wall, however, with the installation of the sound attenuation wall along the east side of 196 Street, the need for an additional wall to reduce the traffic generated noise is considered redundant.
- Staff discussed the aesthetics of not continuing the wall along the southerly portion of the site. The applicant has agreed to submit modified plans which will extend the fence into the southerly portion of the lot, and step the height down to provide a transition.

PRE-NOTIFICATION

Pre-notification letters were mailed on December 19, 2013. While the initial TUP for this property generated numerous telephone calls and letters of concern about the outdoor storage and associated noise and odors, staff have not received any comments or concerns about the current proposal from the adjoining property owners.

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.	Site Plan and Landscape Plan
Appendix III.	Pre-Consolidation Legal Plan
Appendix IV.	OCP Text Amendment By-law
Appendix V.	Temporary Industrial Use Permit No. 7913-0264-00

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

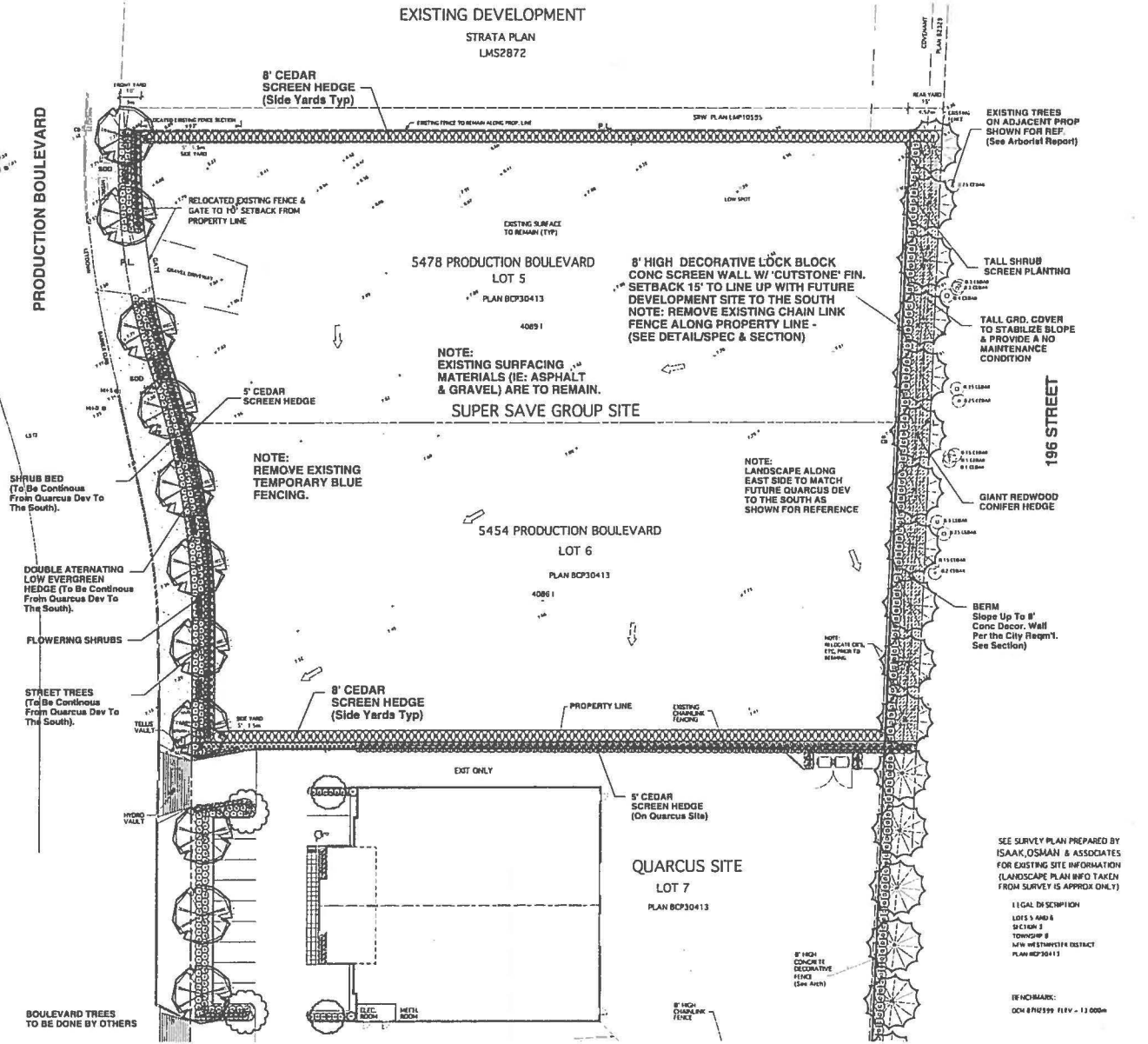
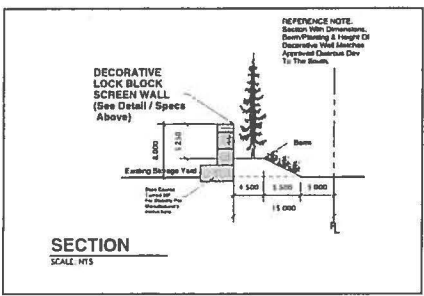
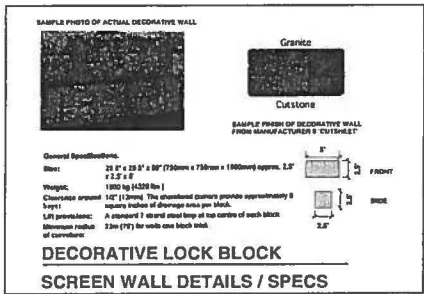
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PLANT LIST			
SYMBOL	QTY.	BOTANICAL NAME	COMMON NAME
Trees			
8		Fagus sylvatica	European Beech
11		Sapindus saponaria	Claret Redwood
76		Platanus 'Arceuthobium'	Japanese Ambercote
158		Platanus 'Clara Luyken'	Clara Luyken (sural)
5		Phytolacca 'Christina's Choice'	Phytolacca (medium var.)
18		Phaseolus (various var.)	Harley French Flax var.
78		Thuja occidentalis 'Emerald'	Emerald Green Cedar
210		Thuja occidentalis 'Smaragd'	Emerald Green Cedar
900		Cornus ssp. 'Rouge Berry'	Cornus ssp. Var.

Notes:
 1 Specific quantities per meter (not per block) to be confirmed by Landscape Architect and Landscaping Design Inc. upon receipt.
 2 Cornus ssp. to be selected by Landscape Architect at their entry.



THIS PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE LOCAL AUTHORITY. THE CLIENT ACCEPTS FULL RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED AND THE DESIGNER'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED.



FACILITY FOR:
SUPER SAVE GROUP
 5454 & 5478 PRODUCTION BOULEVARD
 SURREY, B.C.



LANDSCAPE PLAN

SEE SURVEY PLAN PREPARED BY ISAIAH OSMAN & ASSOCIATES FOR EXISTING SITE INFORMATION (LANDSCAPE PLAN INFO TAKEN FROM SURVEY IS APPROX ONLY.)

LEGAL DESCRIPTION
 LOTS 5 AND 6
 SECTION 3
 TOWNSHIP 8
 N.W.M. DISTRICT
 PLAN BCP30413

BENCHMARK:
 OCH 870599 ELEV. = 13.00m

L-1

THIS PLAN IS THE PROPERTY OF ISAAC, DSMAN & ASSOCIATES. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF ISAAC, DSMAN & ASSOCIATES.



FACILITY FOR:
SUPER SAVE GROUP
 LOTS 7 & 8 - PRODUCTION BOULEVARD
 SURREY, B.C.

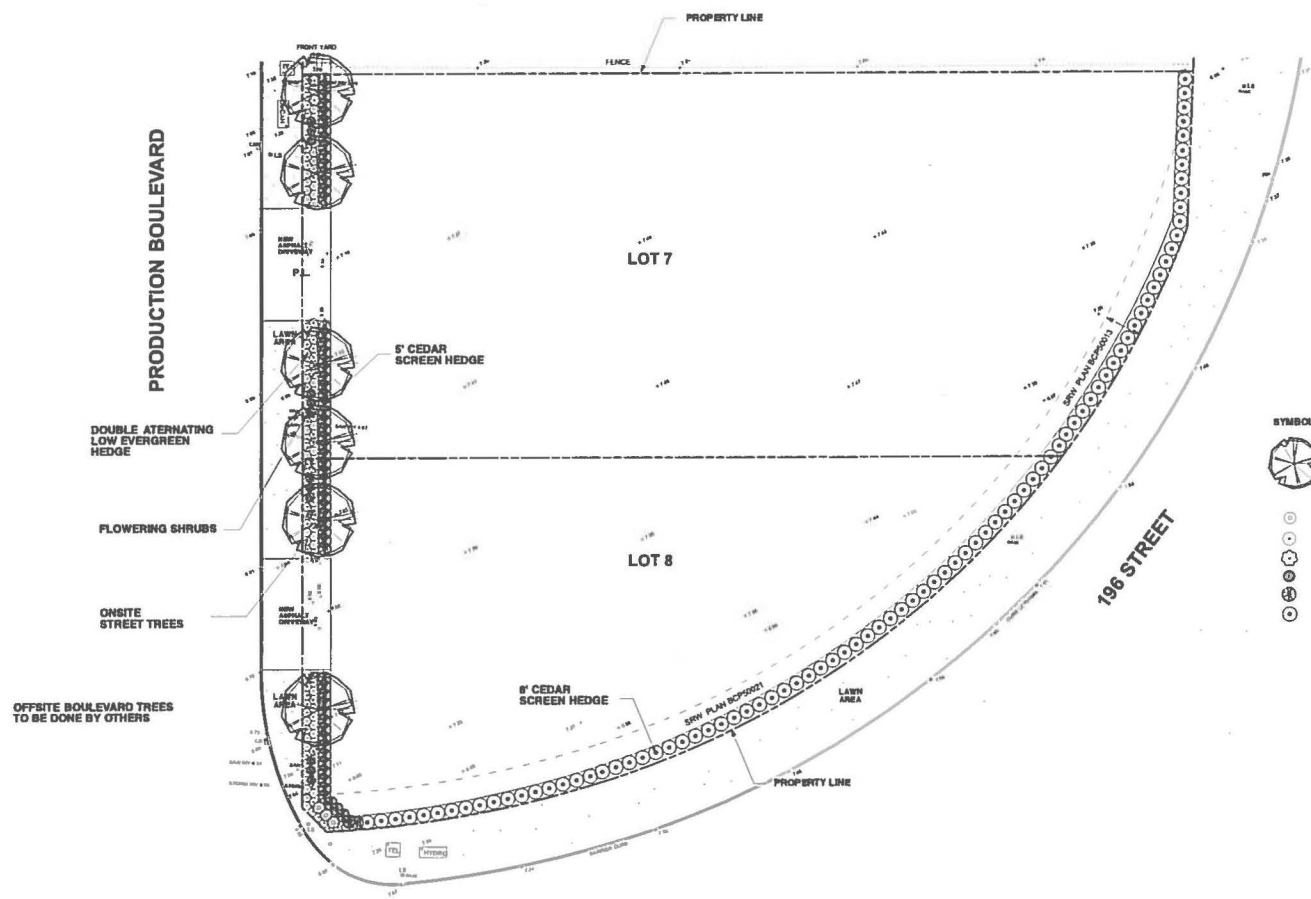


**PROPOSED
 LANDSCAPE PLAN**

DS 2013 015

July 2013 Issued for
 approval
 SCALE 1" = 20'-0"
 SHEET ACT
 DWG
 PLAN July 22, 2013
 DS 2013 015

L-1



PLANT LIST

SYMBOL	QTY.	BOTANICAL NAME	COMMON NAME	SIZE
	6	<i>Fagus sylvatica</i>	European Beech	6cm cal / 2.0m std
	3	<i>Prunus japonica</i> 'Temple Bell'	Japanese Andromeda	#3 pot
	121	<i>Prunus</i> 'Oto Luyker'	Oto Luyker Laurel	#2 pot / hedge
	3	<i>Rhododendron</i> 'Christmas Cheer'	Rhododendron (medium var.)	#3 pot
	12	<i>Rosa meridiana</i> 'Yvonne ve's'	Hardy French Rose var.	#3 pot
	62	<i>Thuja occidentalis</i> 'Emerald'	Emerald Green Cedar	1.5m ht.
	66	<i>Thuja occidentalis</i> 'Emerald'	Emerald Green Cedar	2.4m (8') ht. 1.5m cal

Notes:
 1. Specifications as per most recent BC S.L.A.B.O.L.N.A. 'Landscape Standards' and
 Landscape Design Inc. 'Spec. Notes'
 2. * Denotes varieties to be selected by Landscape Architect at nursery

SEE SURVEY PLAN PREPARED BY
 ISAAC, DSMAN & ASSOCIATES
 FOR EXISTING SITE INFORMATION
 (LANDSCAPE PLAN INFO TAKEN
 FROM SURVEY IS APPROX ONLY)

**REFERENCE PLAN OF LOT 5 PLAN BCP30413;
 LOT 6 PLAN BCP30413;
 LOT 7 PLAN BCP30413 EXCEPT PLAN BCP50012;
 LOT 8 PLAN BCP30413 EXCEPT PLAN BCP50020;
 SECTION 3 TOWNSHIP 8
 NEW WESTMINSTER DISTRICT**

PLAN EPP32019

PURSUANT TO SECTION 100(1)(b) OF THE LAND TITLE ACT
 BCGS 92G.017

INTEGRATED SURVEY AREA No. 1,
 CITY OF SURREY, NAD83 (CSRS)

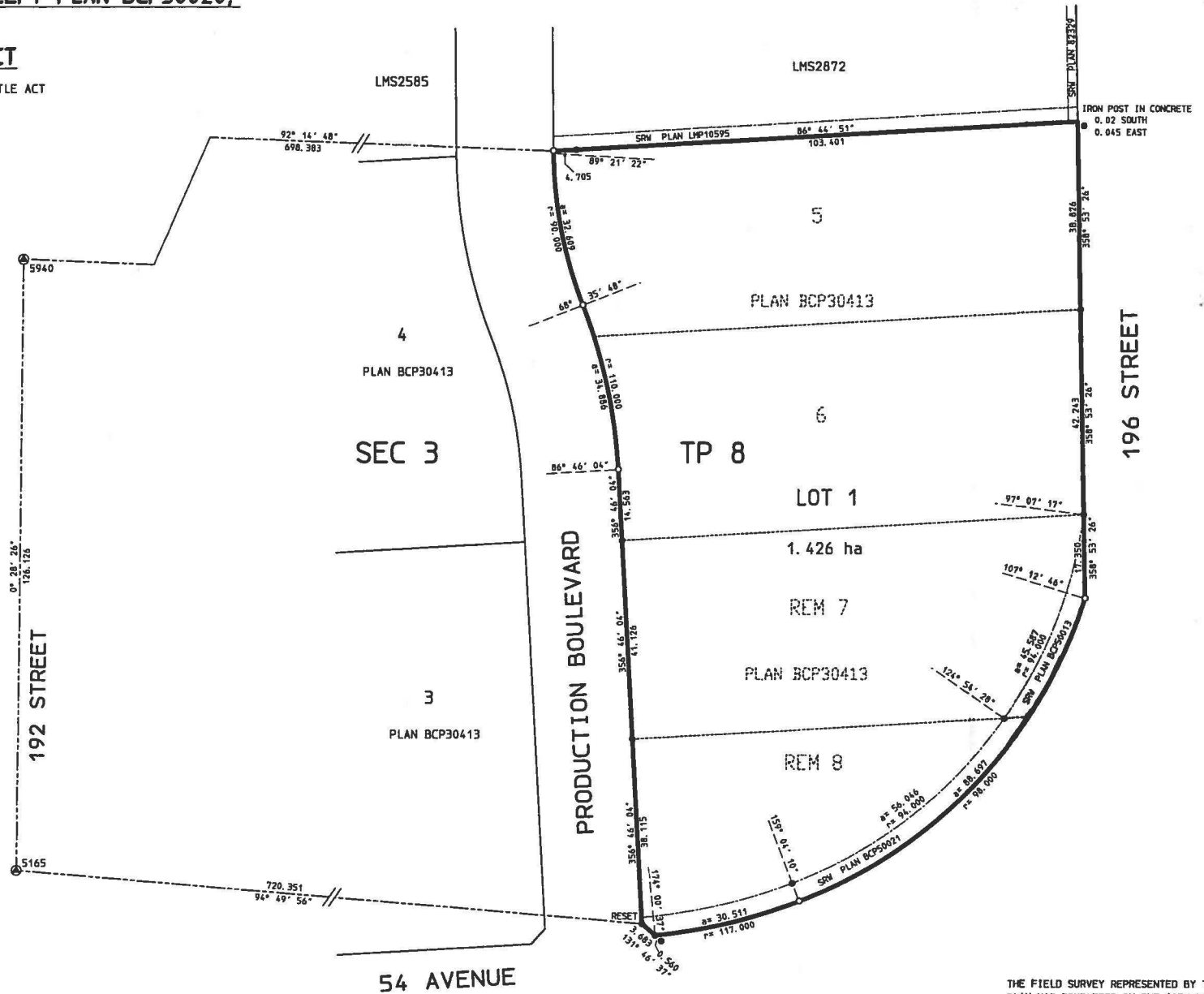
GRID BEARINGS ARE DERIVED FROM OBSERVATION BETWEEN
 GEODETIC CONTROL MONUMENTS 5165 AND 5940
 THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL
 DISTANCES EXCEPT WHERE OTHERWISE SPECIFIED.
 TO COMPUTE GRID DISTANCES, MULTIPLY GROUND-LEVEL
 DISTANCES BY THE AVERAGE COMBINED FACTOR OF 0.9996077
 WHICH HAS BEEN DERIVED FROM 5165 AND 5940

THE INTENDED PLOT SIZE OF THIS PLAN IS 432mm
 IN HEIGHT BY 540mm IN WIDTH (C SIZE)
 WHEN PLOTTED AT A SCALE OF 1:600



LEGEND

- ⊙ DENOTES CONTROL MONUMENT
- DENOTES STANDARD IRON POST FOUND
- DENOTES STANDARD IRON POST PLACED



Isaak, Osman
 & Associates
 B. C. LAND SURVEYORS
 20609 LOGAN AVENUE
 LANGLEY B.C. V3A-7R3
 TEL: 604-533-2411

FILE: 14820-08. REF ECR #150184

THIS PLAN LIES WITHIN THE GREATER VANCOUVER REGIONAL DISTRICT

THE FIELD SURVEY REPRESENTED BY THIS
 PLAN WAS COMPLETED ON THE 18TH DAY
 OF JUNE, 2013 BY A. M. OSMAN, BCLS 514

Appendix III

CITY OF SURREY

BY-LAW NO. _____

A by-law to amend "Surrey Official Community Plan By-law, 1996, 12900, Text No. 94, Amendment By-law, 2009, No. 17004
.....

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 Area No. 34 is amended by deleting the Location section and inserting a new Location section as follows:

:Location: Parcel Identifier: 029-201-128
 Legal: Lot 1 Section 3 township 8 New Westminster District
 Plan EPP32019
 Address: 5450 Production boulevard

- 2. This By-law shall be cited for purposes as "Surrey Official Community Plan By-law, 1996, 12900 Text No. 94, Amendment By-law 2009, No. 17004, Amendment By-law, 2014, 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

CITY OF SURREY

(the "City")

TEMPORARY INDUSTRIAL USE PERMIT

NO.: 7913-0264-00

Issued To: VANBROS INVESTMENTS (BC) INC
(INCORPORATION No. BCo791933)

("the Owner")

Address of Owner: 19395 Langley Bypass
Surrey BC V3S 6K1

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: 029-201-128
 Lot 1 Section 3 Township 8 New Westminster District Plan EPP 32019
 5450 Production Blvd

(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:
 - To allow the outdoor storage of construction waste bins and related goods on a temporary basis.
- 5 The temporary use shall be carried out according to the following conditions:
 - The Lands shall be landscaped in accordance with Schedule A
 - The facilities yours of operation are limited to 7:00 a.m. to 6:00 p.m. Monday to Saturday and from 9:00 a.m. to 6:00 p.m. Sunday.

- The storage of the following goods is prohibited: paints, solvents, flammable liquids, ballasts with polychlorinated biphenyl (PCB), animal or animal by-products, batteries or other similar products. The BC Fire Code and the Surrey Fire Prevention By-law No. 10771 also applies for items not covered in the aforementioned list.

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 \$10,000.

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 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 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

LARRY GIBSON.

Name (Please Print)

OR

Owner: Signature

Name: (Please Print)

TO THE CITY OF SURREY:

I, _____ (Name of Owner)

being the owner of Lot 1 Section 3 Township 8 EPP 2019

known as 5450 Production Blvd
(Civic Address)

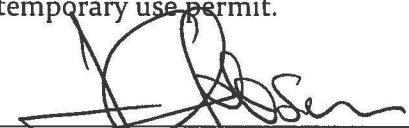
hereby undertake as a condition of issuance of my temporary use permit to:

- (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)