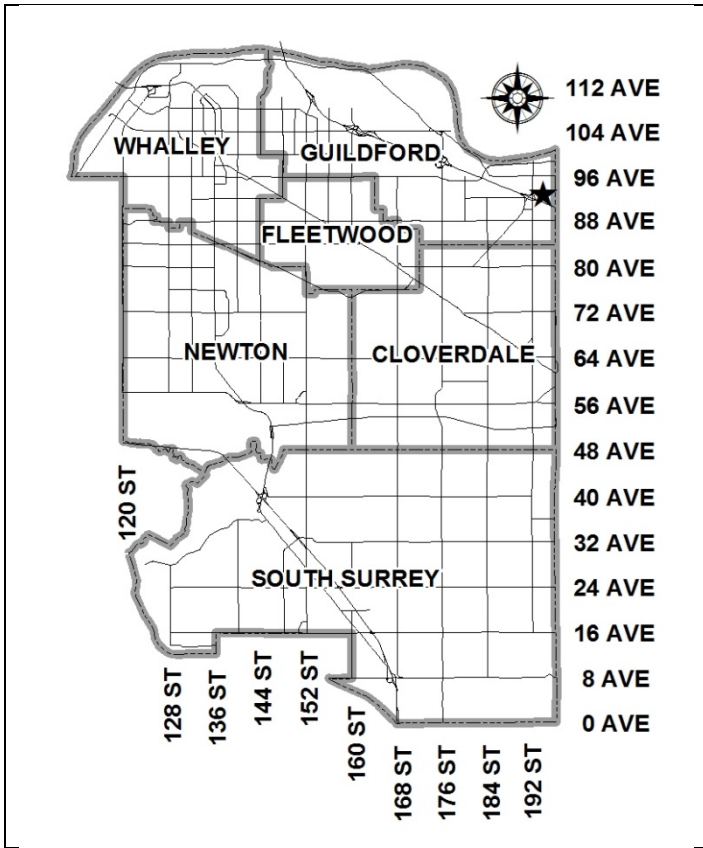


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7914-0061-00

Planning Report Date: June 23, 2014

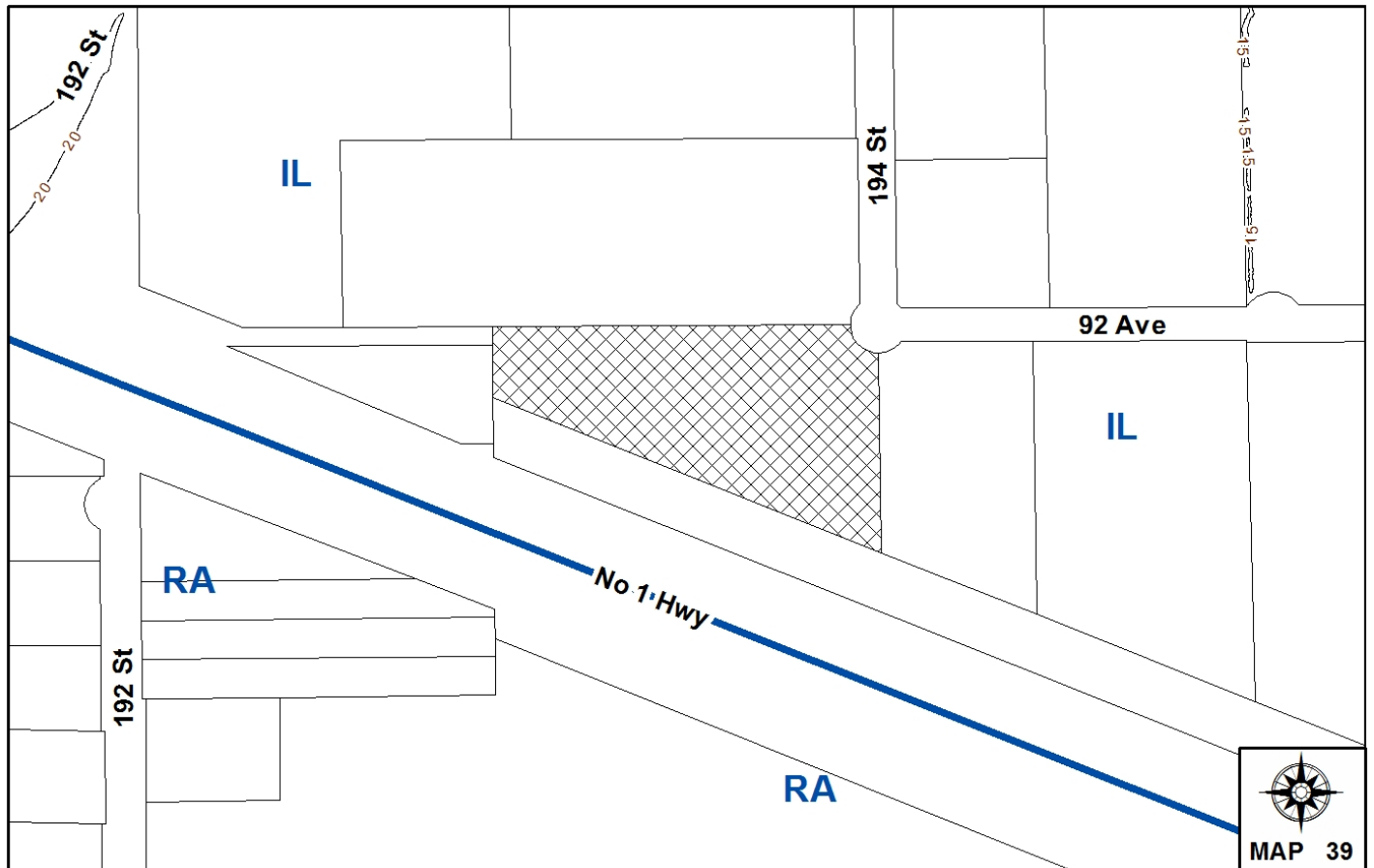


PROPOSAL:

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

in order to allow for the temporary storage of construction waste bins and related goods for a period not to exceed three years.

LOCATION: 19388 - 92 Avenue
OWNER: Super Save Disposal Inc.
ZONING: IL
OCP DESIGNATION: Industrial
LAP DESIGNATION: 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 proposal will allow for an interim use of the subject site until the owner proceeds with the ultimate industrial development which will include a building.
- The site is screened from 92 Avenue and 194 Street by fencing and a cedar hedge. The site is screened from Highway No. 1 by a well-treed lot owned by the Ministry of Transportation and Infrastructure.

RECOMMENDATION

The Planning & Development Department recommends that:

1. an OCP Text Amendment by-law be introduced to declare the site a Temporary Industrial Use Permit Area and a date for Public Hearing be set (Appendix II).
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. 7914-0061-00 (Appendix III) to proceed to Public Notification.

REFERRALS

Engineering: The Engineering Department has no objection to the project.

SITE CHARACTERISTICS

Existing Land Use: Vacant

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Masonite Door Manufacturer/Wholesaler	Industrial	IL
East:	Industrial equipment manufacturer	Industrial	IL
South	Vacant site owned by MOTI	Industrial	IL
North West:	Cullen Diesel	Industrial	IL

DEVELOPMENT CONSIDERATIONSBackground

- The subject site is located at 19388 - 92 Avenue, in Port Kells, and has an area of 1.67 hectares (4.1 acres). The site is designated Industrial in the Official Community Plan (OCP) and is zoned "Light Impact Industrial Zone (IL)".
- The applicant, Super Save Group of Companies, purchased the subject site in 2009. Recently, the site was being used for the sorting of construction waste material, however, this use has ceased on the site.

- The applicant received approval to allow outdoor storage of construction waste bins and related goods at 5454 and 5478 Production Boulevard, in East Cloverdale, under Temporary Industrial Use Permit Area No. 34 and Temporary Industrial Use Permit No. 7908-0252-00, on November 9, 2009.
- Subsequently, the applicant purchased the two properties located to the south of their original TUP site in East Cloverdale and consolidated all four properties into one development site in October 2013. The consolidated 1.42-hectare (3.5-acre) property in East Cloverdale is now addressed as 5450 Production Boulevard and under Application No. 7913-0264-00 for an expanded outdoor storage facility.
- Application No. 7913-0264-00, at 5450 Production Boulevard in East Cloverdale, proposes to amend Temporary Industrial Use Permit No. 34 to include the additional lands they acquired to the south of their initial site (Temporary Industrial Use Permit No. 7908-0252-00). Application No. 7913-0264-00 is at Third Reading pending submission of a revised landscaping plan.

Current Proposal

- The subject application consists of the following:
 - An Official Community Plan Text Amendment to declare the subject property a Temporary Industrial Use Permit; and
 - A Temporary Industrial Use Permit (TUP) in order to allow for the outdoor storage of construction waste bins and related goods for a period of up to three years on the site in Port Kells.
- The applicant, Super Save Group of Companies, notes that while they have long term plans to develop the site comprehensively (which would include a building), they require short term outdoor storage for their waste bins, construction fencing and clean portable toilets, beyond what they can accommodate in East Cloverdale.
- The subject application in Port Kells, is to allow for the outdoor storage of construction waste bins and related goods on a temporary basis.
- The site is fully secured with a chain link fence and has a gate at the driveway access to 92 Avenue. Landscaping has been installed (cedar hedges) adjacent to the driveway entrance to the site, which adequately screens the outdoor storage of materials from the street.
- The Ministry of Transportation and Infrastructure (MOTI) owns a 30-metre (100 ft.) wide property which parallels the rear property line of the subject site. This lot is heavily treed which screens the subject site from the vehicles travelling on Highway No. 1 to the immediate south.

PRE-NOTIFICATION

Pre-notification letters were sent on May 2, 2014, and a development proposal sign has been erected on the property. To date, planning 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.

TREES

- There are no existing trees on the subject property.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	OCP Text Amendment By-law
Appendix III.	Temporary Industrial Use Permit No. 7914-0061-00

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

LAP/da

\\file-server1\net-data\csdc\generate\areaproduct\save\12847323083.doc
DRV 6/19/14 2:20 PM

Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent: Name: Trevor Cumming
c/o Super Save Group of Companies
Address: 19395 - Langley By-Pass
Surrey, BC
Tel: (604)539-2674 - Work

2. Properties involved in the Application
 - (a) Civic Address: 19388 - 92 Avenue

 - (b) Civic Address: 19388 - 92 Avenue
Owner: Super Save Disposal Inc.
PID: 023-987-855
Parcel 1 Section 34 Township 8 New Westminster District Plan LMP36077

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

 - (b) Proceed with Public Notification for Temporary Use Permit No. 7914-0061-00 and bring the Temporary Use Permit forward for issuance and execution by the Mayor and City Clerk.

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 Outdoor Storage Facility

Purpose: To allow the outdoor storage of construction waste bins and related goods on a temporary basis.

Location: Parcel Identifier: 023-987-855
Parcel One Section 34 Township 8 New Westminster District Plan LMP63077

19388 92 Avenue

- Conditions:
- (a) A security deposit is held by the City of Surrey to ensure the subject lands are restored to their original natural state and
 - (b) The subject lands are to be used in accordance with the provisions of the Temporary 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, 2014, No.____."

PASSED FIRST AND SECOND READING on the ___ day of _____ 2014.

PUBLIC HEARING HELD thereon on the ___ day of _____, 2014.

PASSED THIRD READING on the ___ day of _____, 2014.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the ___ day of _____, 2014.

_____ MAYOR

_____ CLERK

\\file-server1\net-data\csdc\generate\areaproduct\save\17677382018.doc
LAP 6/18/14 4:27 PM

CITY OF SURREY

(the "City")

TEMPORARY INDUSTRIAL USE PERMIT

NO.: 7914-0061-00

Issued To: SUPER SAVE DISPOSAL INC

("the Owner")

Address of Owner: 19395 Langley By Pass
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: 023-987-855
Parcel One Section 34 Township 8 New Westminster District Plan LMP36077
19388 92 Ave

(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.

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 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.

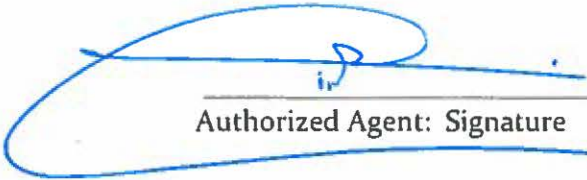
AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 .

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

TRENT R. CUMMING
Name (Please Print)

OR

Owner: Signature

Name: (Please Print)

TO THE CITY OF SURREY:

I, T. Cumming (Name of Owner)

being the owner of Parcel One Section 34 Township 8 New Westminster District Plan LMP36077
(Legal Description)

known as 19388 92 Avenue
(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.

[Signature]

(Owner)
as agent

[Signature]

(Witness)