

NO: **R143**

COUNCIL DATE: **July 22, 2013**

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **July 17, 2013**

FROM: **General Manager, Engineering**

FILE: **4520-80(14933- 80303)**

SUBJECT: **Application to Deposit Soil on the Property at 14933 Colebrook Road**

RECOMMENDATION

The Engineering Department recommends that Council:

1. Receive this report as information; and
2. Authorize the issuance of a Soil Deposition Permit to allow the deposition of up to 180,000 cubic metres of soil on the lot at 14933 Colebrook Road subject to the conditions outlined in Appendix I attached to this report.

INTENT

The purpose of this report is to summarize concerns that were raised at the Public Hearing related to this application and other concerns about which staff are aware and to recommend conditions that should be attached to the subject soil deposition permit.

BACKGROUND

Soil extraction from and deposition on lands within the City is regulated by the “Surrey Soil Conservation and Protection By-law, 2007, No. 16389” (the “Soil By-law”).

An application has been received by the City from Platinum Projects Ltd., with the consent of the registered owner of the property, to deposit 180,000 cubic metres of soil on the property at 14933 Colebrook Road (the “Property”) so as to return the property to a state similar to its pre-extraction topography. The Property was the site of a soil extraction operation many years ago. The proposed filling is intended to support future development opportunities on the lot. There is no active development application related to the Property in the City’s records.

At its Regular meeting on October 17, 2011 Council adopted the recommendations of Corporate Report No. R193; 2011, bringing into effect the City of Surrey “Soil Permit Applications Policy” (the “Soil Policy”). The Soil Policy documents the application requirements for soil extraction and/or soil deposition permits and how such applications will be processed.

Since the volume of soil proposed to be deposited is greater than 35,000 cubic metres, the Soil Policy stipulates that the application is to be forwarded to Council for consideration and that Council will hold a Public Hearing in relation to the application.

In accordance with the Soil Policy, the applicant and their consultants held a public information meeting on Tuesday, April 10, 2012. Approximately 20 interested residents attended the open house. City staff was present to hear comments from the public regarding the proposal. Most attendees were in favour of the fill operation. Concerns discussed included noise, dust and safety of visitors to Excellent Ice Arena at 15000-54A Avenue (“Excellent Ice”)

At its Regular meeting on June 24, 2013 Council considered Corporate Report No. L004; 2013, attached as Appendix II to this report that provided information to Council regarding the subject application. Council adopted the recommendations of that report, which authorized a Public Hearing on the application.

The Public Hearing was held on Monday, July 8, 2013. The City received one piece of correspondence that expressed concerns for the safety of visitors to Excellent Ice as the access to the site is through an unopened road allowance adjacent to the Excellent Ice development. No other comments or concerns were expressed at the Public Hearing.

DISCUSSION

Staff has reviewed the application and has determined that it satisfies the requirements of the “Surrey Soil Conservation and Protection By-law, 2007, No. 16389” and that mitigation measures can be implemented to address potential impacts related to the filling operation including the concerns raised in the correspondence that Council received at the Public Hearing.

Staff is supportive of the issuance of a soil deposition permit for the subject property but is recommending that a number of conditions, as outlined in Appendix I attached to this report, be attached to the Soil Deposition Permit to assist in mitigating the potential impacts of the soil deposition operation.

SUSTAINABILITY CONSIDERATIONS

The subject application will assist in achieving the objectives of the City’s Sustainability Charter; more particularly the following action items:

- EN16: Land, Water and Air Quality Management: The application will reduce regional air quality impacts through reduced haul lengths in comparison to other fill sites in the City and the Region; and
- EN9: Sustainable Land Use Planning and Development Practices: The application will assist in delivering the highest economic use of the subject lot.

It is noted that the filling operation will require the removal of up to 24 trees within the area to be filled. These trees are considered to be of poor quality.

CONCLUSION

Based on the above discussion, it is recommended that Council authorize the issuance of a Soil Deposition Permit to allow the deposition of up to 180,000 cubic metres of soil on the lot at 14933 Colebrook Road incorporating the conditions outlined in Appendix 1 attached to this report.

Vincent Lalonde, P.Eng.
General Manager, Engineering

VL/JA/brb

Appendix I - Conditions that are Proposed to form part of the Soil Deposition Permit for the
Proposed Soil Filling Operation 14933 Colebrook Road

Appendix II - Corporate Report No. L004;2013

Conditions that are Proposed to form part of the Soil Deposition Permit for the Proposed Soil Filling Operation 14933 Colebrook Road

Project Scope

No more than 180,000 cubic metres of soil is to be deposited on the Property and no fill may be placed outside of the permitted area as described on approved plans.

Duration of Project

The project must commence by June 22, 2014.

The entire filling operation is to be completed in six phases of 30,000 cubic metres per phase within 24 months following its commencement.

Only one permit extension of up to 12 months may be issued beyond the original 2-year project scope immediately following the initial permit. The extension will be subject to approval by the General Manager, Engineering. Any further permit extension will be subject to consideration by City Council.

Erosion and Sediment Control (ESC)

An ESC permit is required. Site monitoring is to be continued through the full term of the soil filling operation and until the land is revegetated after the completion of the filling operation.

Fisheries

A fisheries watercourse is located adjacent to the southerly edge of the fill area. The applicant is to retain a Registered Professional Biologist to identify the northerly high-water mark of this watercourse and the 30 m setback is to be staked off in relation to the highwater mark and this setback is to be surveyed as accurate by a BC Land Surveyor. The BC Land Surveyor must provide a plan showing the 30 m setback as surveyed in the field. A 1 m high topsoil berm is to be constructed outside of the 30 m line and a swale with adequate check dams is to be built outside of the berm to ensure that sediment from the filling operation is directed away from the fisheries watercourse and to a proper treatment facility.

Traffic Control

A traffic obstruction permit with a Traffic Management Plan approved by the City is required and the following must be strictly adhered to:

- No staging is to occur off-site;
- Vehicles are not permitted to back into or off of Panorama Drive / 54A Avenue; and
- No parking of trailers or vehicles is permitted on Panorama Drive / 54A Avenue.

During the duration of the filling operation, all vehicles will enter and leave the site from Panorama Drive (via No. 10 Highway) and traffic control personnel will be provided at all times when trucks are entering the site throughout the term of the filling project.

The applicant must complete improvements to the unopened road allowance that runs south of Panorama Drive/54A Avenue and will construct a new access for Excellent Ice at 15000 - 54A Avenue from Panorama Drive and remove the driveway letdown serving Excellent Ice on 54A Avenue. The portion of Panorama Drive south of the new Excellent Ice access shall be fenced and gated to provide security and safety for the filling operation.

Tree Assessment

No more than 24 trees may be removed from the proposed fill area. No other trees are to be removed as a result of the proposed filling operation.



CORPORATE REPORT

NO: **L004**COUNCIL DATE: **June 17, 2013****REGULAR COUNCIL – LAND USE**TO: **Mayor & Council**DATE: **June 11, 2013**FROM: **General Manager, Engineering**FILE: **4520-80(14933- 80303)**SUBJECT: **Application to Deposit Soil on the Property at 14933 Colebrook Road****RECOMMENDATION**

The Engineering Department recommends that Council:

1. Receive this report as information; and
2. Authorize the City Clerk to set a date for a Public Hearing related to the application to deposit 180,000 cubic metres of soil on the lot at 14933 Colebrook Road.

INTENT

The purpose of this report is to provide information about an application that has been received by the City to permit the deposition of soil on the lot at 14933 Colebrook Road and to seek approval to advance the application to Public Hearing, which is the next step in the approval process as stipulated in Council policy.

BACKGROUND

Soil extraction from and deposition on lands within the City is regulated by the “Surrey Soil Conservation and Protection By-law, 2007, No. 16389” (the “Soil By-law”).

An application has been received by the City from Platinum Projects Ltd., with the consent of the registered owner of the property at 14933 Colebrook Road (the “Property”, which is illustrated on Appendix I) to deposit 180,000 cubic metres of soil on the Property so as to return the property to a state similar to its pre-extraction topography. The Property was the site of a soil extraction operation many years ago. The proposed filling is intended to support future development opportunities on the lot. The City has no active development application related to the Property at this time.

At its Regular meeting on October 17, 2011 Council adopted the recommendations of Corporate Report No. R193; 2011, bringing into effect the City of Surrey “Soil Permit Applications Policy” (the “Soil Policy”). The Soil Policy documents the application requirements for soil extraction and/or soil deposition permits and how such applications will be processed.

DISCUSSION

Since the volume of soil to be deposited is greater than 35,000 cubic metres, the Soil Policy stipulates that the application is to be forwarded to Council for consideration and that it be subject to a Public Hearing. The Soil Policy defines how the owners of the neighbouring properties and other interested members of the public will be given notice of the Public Hearing.

The location and general characteristics of the Property are illustrated on the aerial photograph that is attached as Appendix I to this report. The Property is currently zoned Residential Acreage (RA) Zone and is not within the Agricultural Land Reserve. The Property is designated in part as "Industrial" and in part as "Suburban" in the City's Official Community Plan. The Property is located within the East Panorama Ridge Concept Plan. Under that Plan the Property is designated as "Business Park".

The applicant has advised that the Property is currently under-utilized due to the steeply sloping topography that was left after the historical gravel extraction activities on the site. Staff is satisfied that filling of the Property is appropriate in relation to preparing the lot for the future development.

The proposed soil deposition is confined to the northerly portion of the Property, which is designated "Industrial" and is located adjacent to industrial uses to the east, recreational commercial (Excellent Ice Arena) uses to the north and residential acreage properties to the west. The property is bordered to the south by the BC Railway and Colebrook Road. Agricultural lands are located to the south of Colebrook Road. The Property has frontage on and can be accessed from Panorama Drive to the north.

The Property is approximately 10.0 hectares (24.9 acres) in area. The footprint of the proposed soil deposition area is approximately 3 hectares (7.4 acres) in area and is outlined in yellow on the air photo attached as Appendix I to this report.

In accordance with the Soil Policy, the applicant and their consultants held a public information meeting on Tuesday, April 10, 2012. Approximately 20 interested residents attended the open house. City staff was present to hear comments from the public regarding the proposal. Most attendees were in favour of the fill operation. Areas of potential concern related to noise and dust. Both of these issues can be addressed in the conditions that would be attached to the soil deposit permit if Council decides that such a permit should be issued.

Soon after the public information meeting, the applicant advised staff that they did not want to proceed with the application but since that time they have reactivated the application. The scope of the application has changed somewhat from what was presented during the public information meeting held April 10, 2012. The soil deposit operation was originally planned to be undertaken over 6 consecutive months. The applicant has now advised that the filling operation will occur over a period of up to 24 months with the filling occurring in six phases of 30,000 cubic metres per phase.

The Engineering Department has reviewed the application and has determined that it satisfies the requirements of the "Surrey Soil Conservation and Protection By-law, 2007, No. 16389" and that mitigation measures can be implemented to address anticipated impacts of the operation on the neighbouring properties. A summary of the staff analysis of the application is documented in Appendix II.

Based on Council policy, the next step in the approval process in relation to the subject application is a Public Hearing. Subject to Council determining that it is appropriate for the application to proceed to Public Hearing, after the Public Hearing staff will prepare and forward to Council for consideration a Corporate report that documents the concerns that are raised at the Public Hearing and other concerns about which staff are aware and that recommends conditions that should be attached to the soil deposit permit if Council views the issuance of such a permit as being appropriate.

SUSTAINABILITY CONSIDERATIONS

The subject application will assist in achieving the objectives of the City's Sustainability Charter; more particularly the following action items:

- EN16: Land, Water and Air Quality Management: The application will reduce regional air quality impacts through reduced haul lengths in comparison to other fill sites in the City and the Region; and
- EN9: Sustainable Land Use Planning and Development Practices: The application will assist in delivering the highest economic use of the subject lot.

It is noted that the filling operation will require the removal of up to 6 trees from within the area to be filled. These trees are not considered to be in good health.

CONCLUSION

Based on the above discussion, it is recommended that Council authorize the City Clerk to set a date for the Public Hearing related to the application to deposit 180,000 cubic metres of soil on the lot at 14933 Colebrook Road.

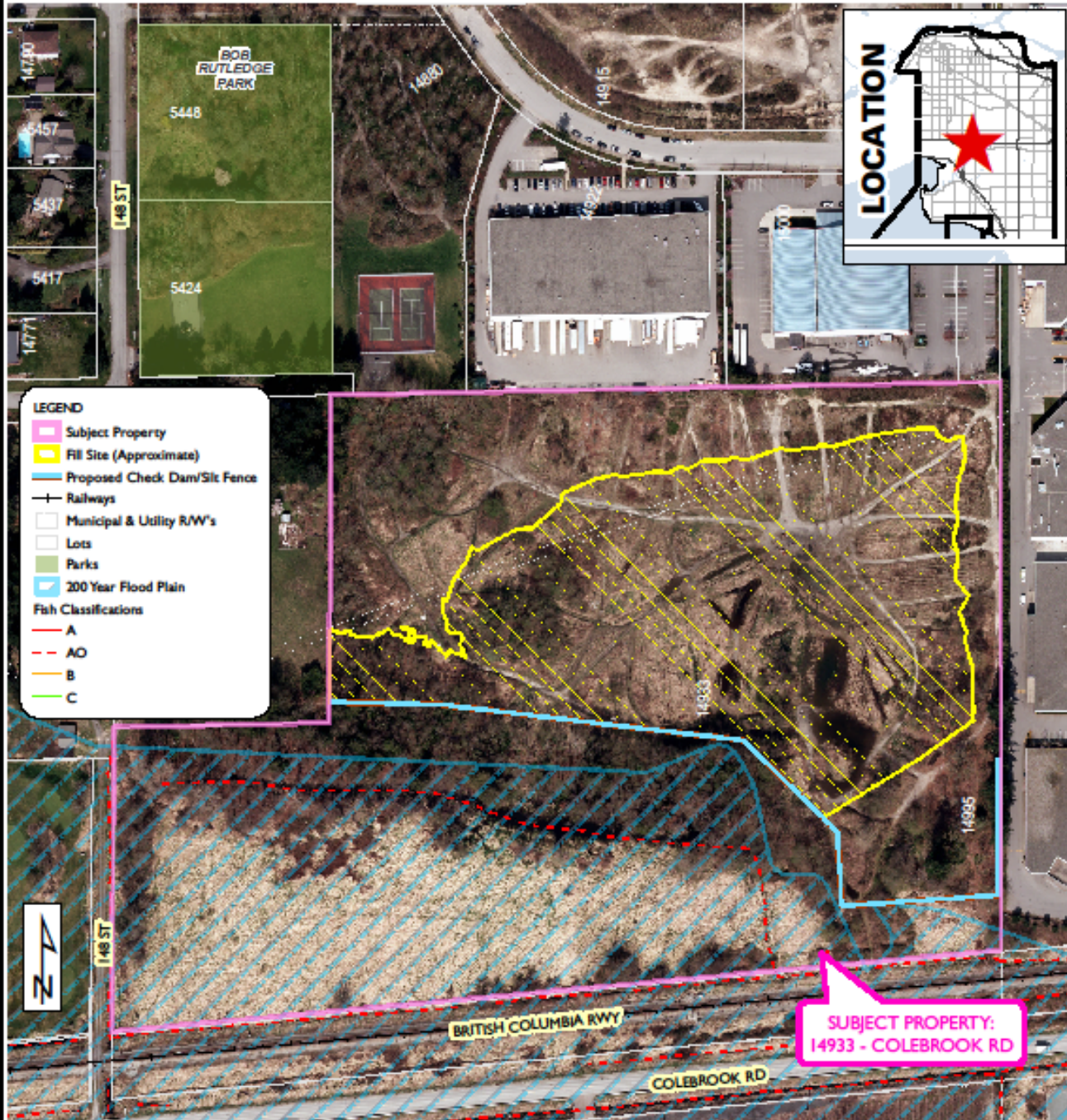
Vincent Lalonde, P.Eng.
General Manager, Engineering

JA/CAB/brb

Appendix I - Aerial Photograph of Site

Appendix II - Summary of the Analysis of the Application to Deposit Soil on 14933 Colebrook Road

APPENDIX I AERIAL PHOTOGRAPH OF SITE



Produced by GIS Section: April 12, 2012, CS/JJR

Date of Aerial Photography: April 2011



SUBJECT PROPERTY: 14933 COLEBROOK RD

ENGINEERING DEPARTMENT

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.

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APPENDIX II

Summary of the Analysis of the Application to Deposit Soil on the Property at 14933 Colebrook Road (the "Property")

Applicant and Property Information

Agent: Name: Harp Hoonjan
Platinum Projects Ltd.
Address: 2230 – 138 Street
Surrey, BC
V4A 4G6
Tel: (604)240-9924

Property involved in the Application

Civic Address: 14933 Colebrook Road
Owner: 0871194 B.C. Ltd.
Director Information:
Rod N. Baker
Officer Information:
Rod N. Baker (Chair, President)
PID: 002-634-091
Lot C District Lot 168 Block D Plan 6138 NWD Except
Plan PCL 1 & R/W 38428

Project Scope

Platinum Projects Ltd., c/o Matcon Excavating and Shoring Ltd., is proposing to deposit up to 180,000 m³ of soil on the Property to prepare it for development. The entire filling operation is expected to be completed in six phases of 30,000 cubic metres per phase within 24 months following its commencement.

Land Use

The Property is currently zoned Residential Acreage (RA) Zone. The Property is located within the East Panorama Ridge Concept Plan. Under that Plan the Property is designated as "Business Park". The proponents intend to fill the site and then pursue rezoning of the site for future development.

Geotechnical Investigation

It was identified that the subsurface glacial till sands are suitable material for placement of the proposed depth of fill. It was concluded that there would be no change in groundwater level following completion of fill placement.

Drainage Assessment

The applicant's agent retained an engineering firm to complete a drainage assessment of the area. Staff is continuing to work with the applicant's team to determine the stormwater management requirements for the site.

Staff has reviewed the groundwater monitoring and management plan and has concluded that the plan contains appropriate actions to mitigate any impact to groundwater in the area.

Erosion and Sediment Control

The applicant has submitted plans outlining the proposed staging of site erosion and sediment control. An ESC permit is required, which will include site monitoring for the duration of the project. Site monitoring is to be continued until the land revegetates after the completion of the filling operation.

Fisheries

A fisheries watercourse is located in the southerly portion of the site. The applicant is proposing a 30 m setback from this watercourse. The proposed setback is under review by Department of Fisheries & Oceans staff and approval from the DFO will be required before a permit is issued.

Traffic Control Assessment

The applicant has completed a traffic management plan that will accommodate the expected volume of 135 trucks that will be entering and leaving the site each day during the phases of the filling operation. The plan is limited to traffic control on Panorama Drive. No off-site staging is necessary. The traffic management plan has been designed in accordance with Provincial and Municipal requirements.

During the entire filling process, all vehicles will enter and leave the site from Panorama Drive (via No. 10 Highway) and traffic control personnel will be provided at all times when trucks are entering the site throughout the term of the project.

Tree Assessment

Currently the site is covered in part with grasses, shrubs and in part remains as bare soil with only a few trees present. There are some Alder trees located along the Class A watercourse which flows in a south-easterly direction across the site to south of the proposed fill area. A 30m band of trees to the north of the watercourse high water mark will be retained. No more than 6 poor quality trees will need to be removed from the proposed fill area as the site. No other trees will be removed as a result of the proposed soil deposition operation.