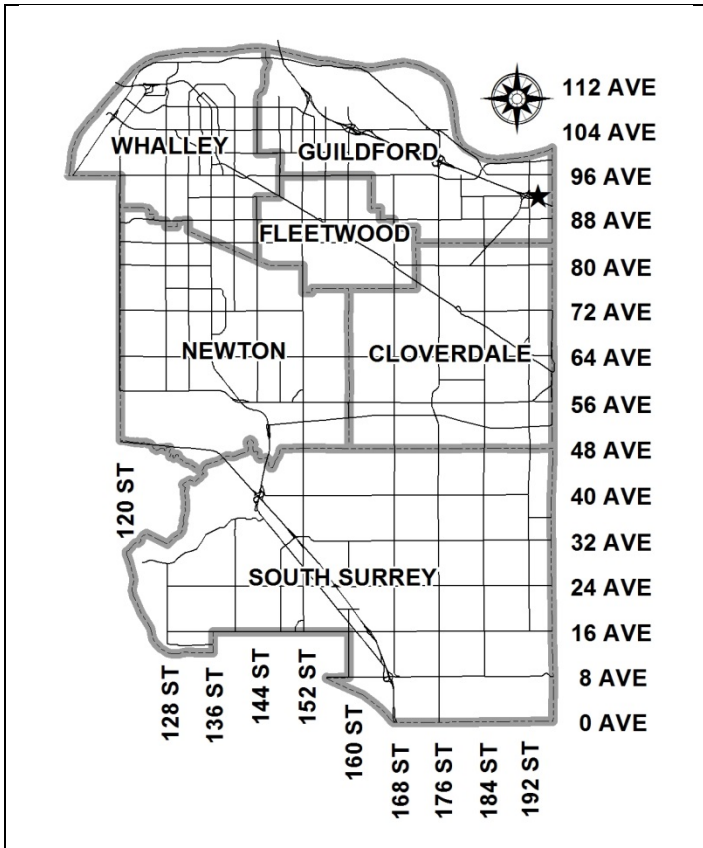


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7918-0029-00

Planning Report Date: April 9, 2018



PROPOSAL:

- **Temporary Use Permit**

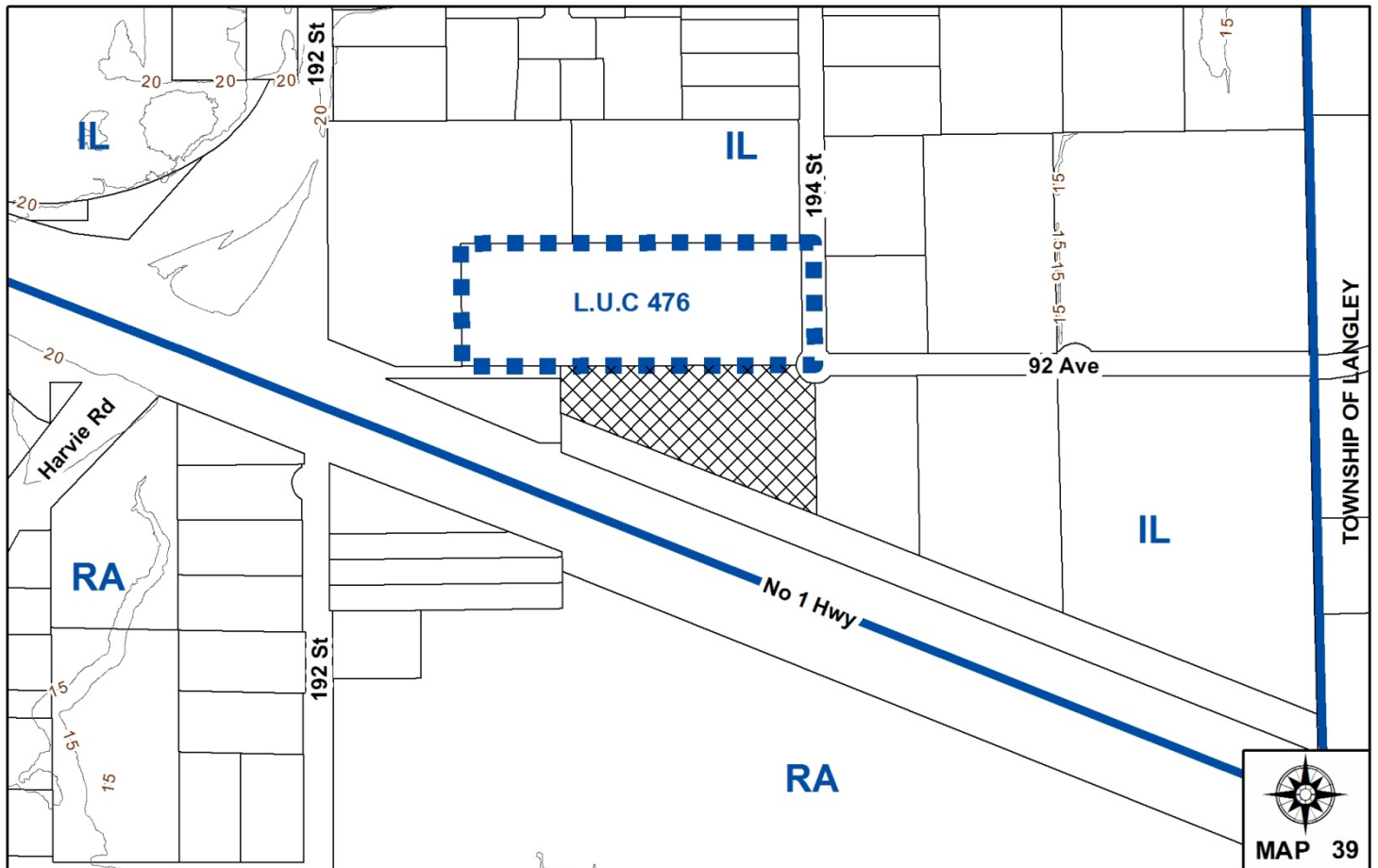
to allow for the temporary storage of construction bins, portable toilets and fences for a period not to exceed three years.

LOCATION: 19388 - 92 Avenue

ZONING: IL

OCP DESIGNATION: Industrial

LAP DESIGNATION: Industrial



RECOMMENDATION SUMMARY

- Approval for Temporary 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 and has minimal frontage and visibility from these public streets. 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. Council approve Temporary Industrial Use Permit No. 7918-0029-00 (Appendix II) to proceed to Public Notification;
2. Council instruct staff to resolve the following issues prior to approval:
 - (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.

REFERRALS

Engineering:

The Engineering Department requires the following conditions met before approval:

- Construct asphalt surface approximately 20 metres (65 ft.) in length within the property to mitigate the tracking of dirt onto City roads; and
- Fill onsite potholes with gravel and re-grade with clear gravel to mitigate tracking of dirt onto City roads.

SITE CHARACTERISTICS

Existing Land Use: Temporary storage of construction bins, portable toilets and fences.

Adjacent Area:

Direction	Existing Use	OCP/NCP 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 CONSIDERATIONS

Background

- 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)".
- On July 7, 2014 Council issued a Temporary Use Permit (TUP) on the subject site to the same applicant as the subject application (Super Save Group of Companies) to allow the temporary storage of construction waste bins and related goods. That TUP expired on July 7, 2017.
- The applicant also received approval to allow outdoor storage of construction waste bins and related goods at 5454 and 5478 - Production Way, in East Cloverdale, under Temporary Industrial Use Permit No. 7908-0252-00, on November 9, 2009 and it expired November 9, 2011.
- 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 is now addressed as 5450 - Production Way. A TUP to allow continued storage of construction waste bins and related products on the expanded site was issued by Council on September 29, 2014 (File No. 7913-0264-00) and it expired September 29, 2016.
- The applicant has plans to construct an operations control office on this East Cloverdale site and transfer the stored materials to 19388-92 Avenue, the site of the subject application.

Current Proposal

- The subject application consists of a Temporary Industrial Use Permit (TUP) for the temporary storage of construction bins, portable toilets and fences for a period up to three years on the subject site in Port Kells.
- The applicant notes that they have long term plans to develop the site, which is to include a building. In the interim, storage of construction bins, portable toilets and fences is required due to overcapacity and pending development of an operations control office at 5450 - Production Way.
- Pre-existing cedar hedges have been installed adjacent to the driveway entrance to the site on 92 Avenue, providing ample screening of the storage of materials from this public road. The site also has a chain link fence and a gate at the driveway entrance providing security.
- The site is additionally screened by a 30-metre (100 ft.) wide property owned by the Ministry of Transportation and Infrastructure (MOTI) which parallels the rear property line of the subject site. This lot is heavily treed and screens the subject site from the vehicles travelling on Highway No. 1 to the immediate south.

PRE-NOTIFICATION

Pre- notification letters were sent on March 12, 2018, 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.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners and Action Summary (Confidential)
- Appendix II. Temporary Industrial Use Permit No. 7918-0029-00
- Appendix III. Aerial Photo of Site

original signed by Ron Gill

Jean Lamontagne
General Manager
Planning and Development

ELM/da

APPENDIX I HAS BEEN
REMOVED AS IT CONTAINS
CONFIDENTIAL INFORMATION

(the "City")

TEMPORARY USE PERMIT

NO.: 7918-0029-00

Issued To:

(the "Owner")

Address of Owner:

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 1 Section 34 Township 8 New Westminster District Plan LMP36077

19388 - 92 Avenue

(the "Land")

3. The temporary use permitted on the Land shall be:
 - To allow the outdoor storage of construction waste bins, portable toilets, and fences on a temporary basis.
4. 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.

5. 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 \$10,000.00

6. 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.
7. An undertaking submitted by the Owner is attached hereto as Appendix I and forms part of this temporary use permit.
8. This temporary use permit is not transferable.
9. 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 – Linda Hepner

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

Name (Please Print)

OR

Owner: Signature

Name: (Please Print)

TO THE CITY OF SURREY:

I, _____ (Name of Owner)

being the owner of Parcel 1 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.

(Owner)

(Witness)



Legend

Important Trees Internal

- Decommissioned
- Operating

Heritage Sites Internal

- Inventory
- Registered
- Registered and Protected

— Light Rail Transit Route

Early Copy Lots

- Early Copy Lots
- Light Rail Transit Stations

Road Names 1000_4000

Buildings (labels)

Dog-Off-Leash Area (labels)

Park (labels)

Plaza/Square (labels)

Address Search

▲ Address Points

— Trails and Paths

Fish Class (Open Channels)

- A
- AO
- B
- C
- Unknown

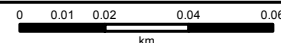
Fish Class (Water Bodies)

- A
- AO
- B
- C
- Unknown

Water Courses

- River

Scale: 1:1,795



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