

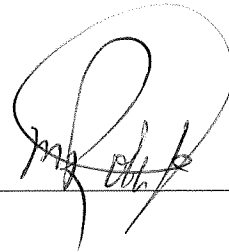
Staff Report to Council

Development Services

FILE: 4520-20-2019-04

REPORT DATE: November 18, 2019 MEETING DATE: December 10, 2019
TO: Mayor and Council
FROM: Alex Wallace, Manager of Community Development
SUBJECT: Temporary Use Permit No. 2019-004 for 17607 and 17890 Ford Rd Detour

CHIEF ADMINISTRATIVE OFFICER REVIEW/APPROVAL:



RECOMMENDATION(S): THAT Council:

- A. Direct Staff to notify surrounding residents and give notice to the public that Council will consider authorizing Temporary Use Permit No. 2019-004 for a soil screening and mixing business at 17607 and 17890 Ford Rd Detour at the next Regular Meeting of Council in 2020; ~~AND~~ OR
- B. Other.

PURPOSE

To present to Council an application for a Temporary Use Permit at 17607 and 17890 Ford Rd Detour for a soil mixing and screening operation.

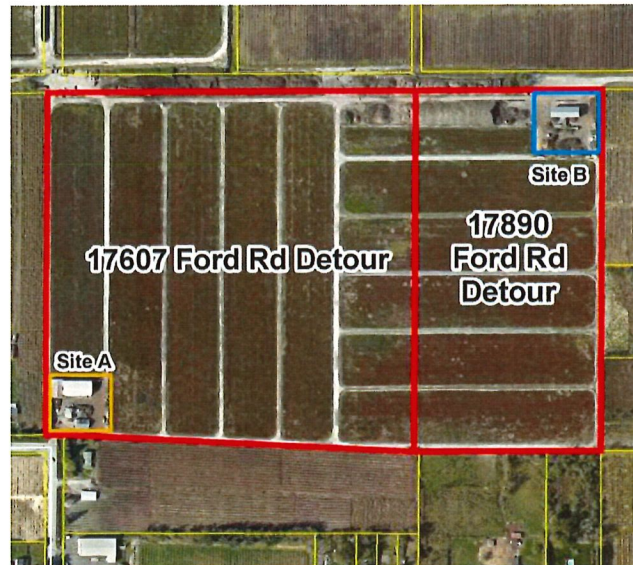
☐ Information Report ☒ Decision Report ☐ Direction Report

DISCUSSION

Background:

The City has received an application for a new Temporary Use Permit (TUP) for soil screening and mixing at 17607 Ford Rd Detour (Site A) and 17890 Ford Rd Detour (Site B). The current TUP is expiring and has already been renewed once. TUP's can only be renewed once and so a new TUP has been applied for.

Applicant/Owner: Hank Bitter
Business Name: Hank's Trucking
Civic Address: 17607 & 17890
Ford Road Detour
Property Size: 23.2 ha/57.3 ac
(combined)
Area of TUP: 0.8 ha/2 ac
(combined)
OCP Designation: Agricultural
(see Attachment A)
Zoning: A-1 (General Agricultural)
(see Attachment B)



Site A at 17607 Ford Rd Detour has been the subject of numerous temporary use permits and non-farm use applications dating back to 1994. The soil screening and mixing operation was expanded onto Site B at 17890 Ford Rd and included in the TUP issued in 2015. The vast majority of the two properties are used for cranberry production and there are no dwellings on either property. The applicant has provided a letter in support of his renewal application (see Attachment C).

The business involves soil screening and mixing. Site A screens raw peat moss for the mushroom industry and Site B processes topsoil. The sites are on opposite corners because the peat moss must be kept as far away from any topsoil as possible to ensure that no forms of bacteria make it into the soil for mushrooms. Peat from other properties is processed and mixed with other agricultural by-products and turned into topsoil. It also provides an important service to the agricultural community by redirecting and reusing horse manure and spent mushroom compost (which are waste products) as a quality soil.

The Agricultural Land Commission (ALC) granted approval for the non-farm use application on both sites in 2014 for a period of ten years (ending in 2024), subject to certain conditions (see Attachment D).

As per a requirement of the ALC, a covenant is registered on title confirming the non-farm use approval is for the applicant (Hank Bitter) only and that the property cannot be sold or otherwise transferred unless the soil mixing and screening operation ceases and the land returned to an agricultural standard.

Hank's Trucking currently holds a Licence to Occupy from the City along the unopened portion of Ford Rd north of his properties for storing equipment and materials related to the soil processing facility.

Relevant Policy, Bylaw or Legislation:

The issue is regulated by the City's Official Community Plan Bylaw No. 2352, 2007 and the *Local Government Act*.

Analysis:

Under the previous TUP, a charge of \$8,000 annually was levied in order to compensate for the difference in taxes between land classed as agricultural and light industrial. In 2014 when this charge was determined, both of the subject properties were solely classed as agricultural. Beginning in 2015 however, the properties have been assessed by BC Assessment as both agricultural and light industrial and the property taxes paid accordingly based on these assessments. At this time no other temporary use permits issued by the City have an additional charge associated with them. For these reasons, staff recommends that this temporary use permit no longer have an additional charge associated with it.

Staff Review

The application was circulated internally to various departments including Planning, Building, Engineering, Environment, and Fire. There were no comments or concerns other than from the Bylaw Department, who noted that there have been complaints about the non-farm use. Staff investigated the complaints and determined they were unfounded. The business was fined on one occasion for depositing materials during prohibited hours (overnight).

See Attachment E for a copy of the draft TUP.

The City is also holding a \$10,000 irrevocable Letter of Credit to confirm that permit conditions are being met. If approved, it is recommended that this Letter of Credit be continued as a condition of the new TUP.

The *Local Government Act* provides certain tools for land use applications for a property owner wishing to undertake an activity not currently permitted under existing regulations. Each of these tools is described below in relation to the current application and they include:

- Amendment to the Zoning Bylaw;
- Development Variance Permits; and
- Temporary Use Permits.

A Temporary Use Permit (TUP) is intended to permit a use on a property that would not otherwise be permitted under the City's Zoning Bylaw. A TUP can be viewed as a trial period for a particular use, providing an opportunity to evaluate if that use will be

compatible with other surrounding land uses or appropriate for a use that is intended on an ongoing basis.

If it is deemed that the use is compatible and a more long term solution is desired for the ongoing use, then a rezoning application could be entertained. Rezoning a property is permanent and the use would continue to be permitted in perpetuity, even if the property is sold.

In this case, the soil screening and mixing operation has been a long standing operation in the community. However, rezoning of these properties would involve another application to the ALC as their approval is only granted until 2024 and is for the sole benefit of the applicant. Staff recognize that TUP's can be cumbersome to administer and are not necessarily the most palatable land-use solution, but in this case a TUP makes sense given that the ALC has granted approval of the non-farm use for a ten year period.

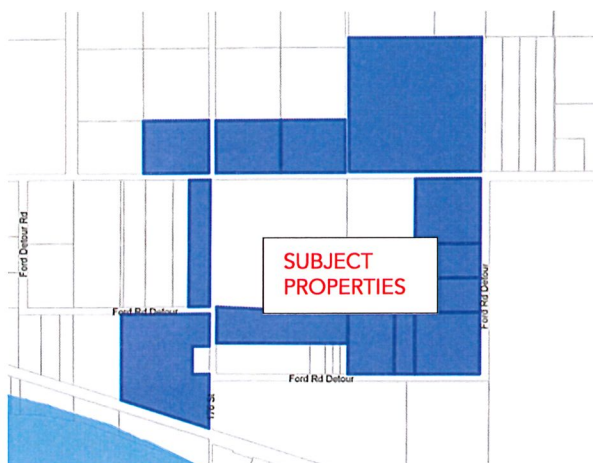
Agricultural Advisory Committee

At their meeting on November 14, 2019, the City's Agricultural Advisory Committee (AAC) carried a motion of support for the application. Some members of the AAC provided additional comments about the application, noting that the business provides a service to many farmers in taking peat and mushroom manure and turning it in to a useful product, especially when peat and mushroom manure is hard for farmers to dispose of.

Opportunity for Public Input

The Local Government Act contains notice requirements for newspaper advertisement and mail-out letters prior to the adoption of a resolution to issue a Temporary Use Permit. In accordance with Development Procedures Bylaw No. 2740, 2016, the applicant has also installed a development application sign on the property.

The required mail-out radius for Temporary Use Permits is to properties within a 50 m radius from the subject properties.



COUNCIL STRATEGIC PLAN ALIGNMENT

- ☐ Principled Governance ☒ Balanced Economic Prosperity ☐ Corporate Excellence
☐ Community Spirit & Wellbeing ☐ Transportation & Infrastructure Initiatives
☐ Not Applicable

Support and advocate for the continued viability of our agricultural industry.

FINANCIAL IMPLICATIONS

- ☒ None ☐ Budget Previously Approved ☐ Referral to Business Planning
☐ Other
-

PUBLIC PARTICIPATION

- ☒ Inform ☐ Consult ☐ Involve ☐ Collaborate ☐ Empower

Coordination of mail-out notification to surrounding residents and property owners and newspaper advertising in accordance with *Development Procedures Bylaw No. 2740, 2016*.

KATZIE FIRST NATION CONSIDERATIONS

Referral ☐ Yes ☒ No

[Identify any impact to Katzie First Nation.]

SIGN-OFFS

Written by:

Allison Dominelli
Development Services Technician

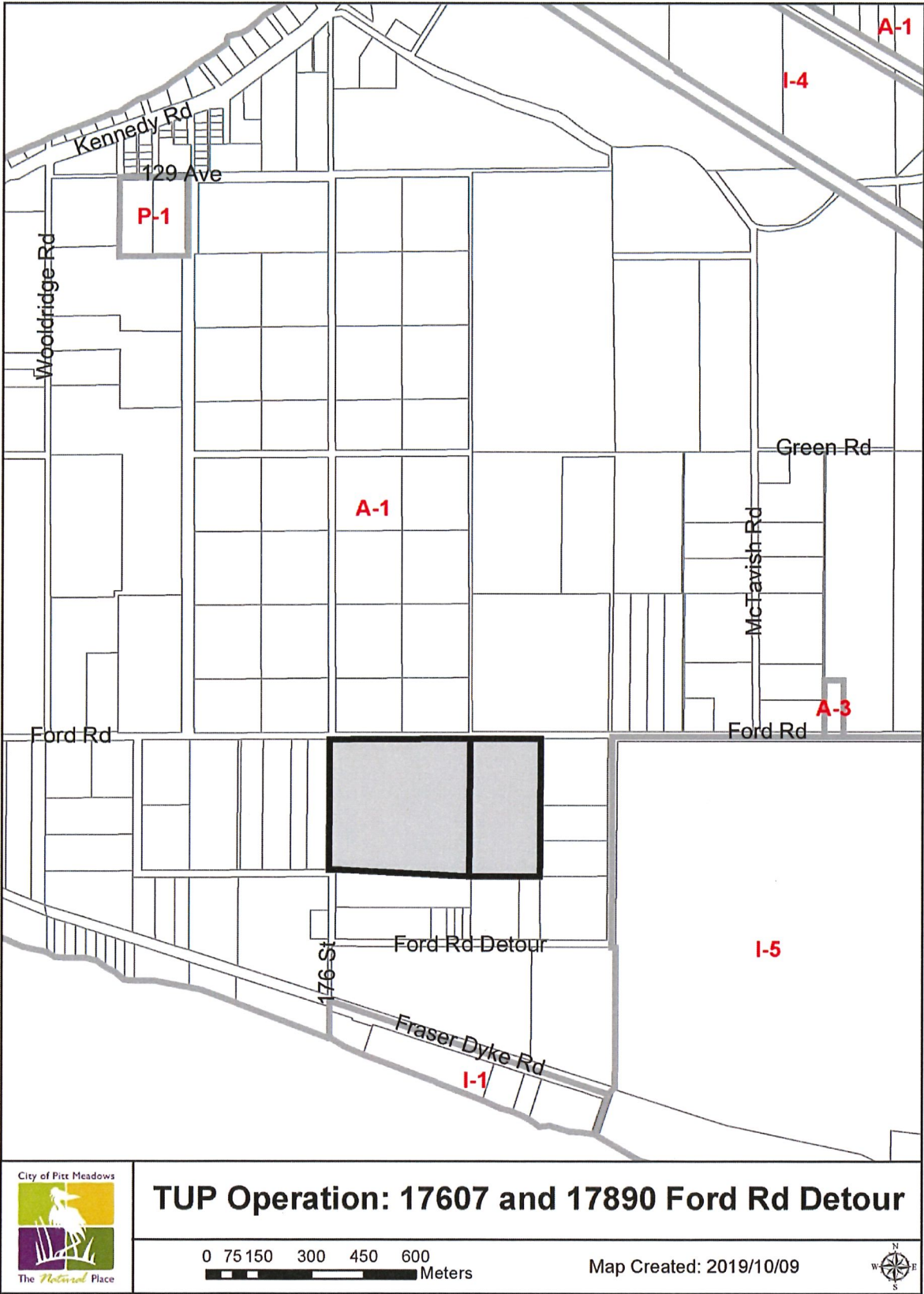
Reviewed by:

Alex Wallace
Manager of Community Development

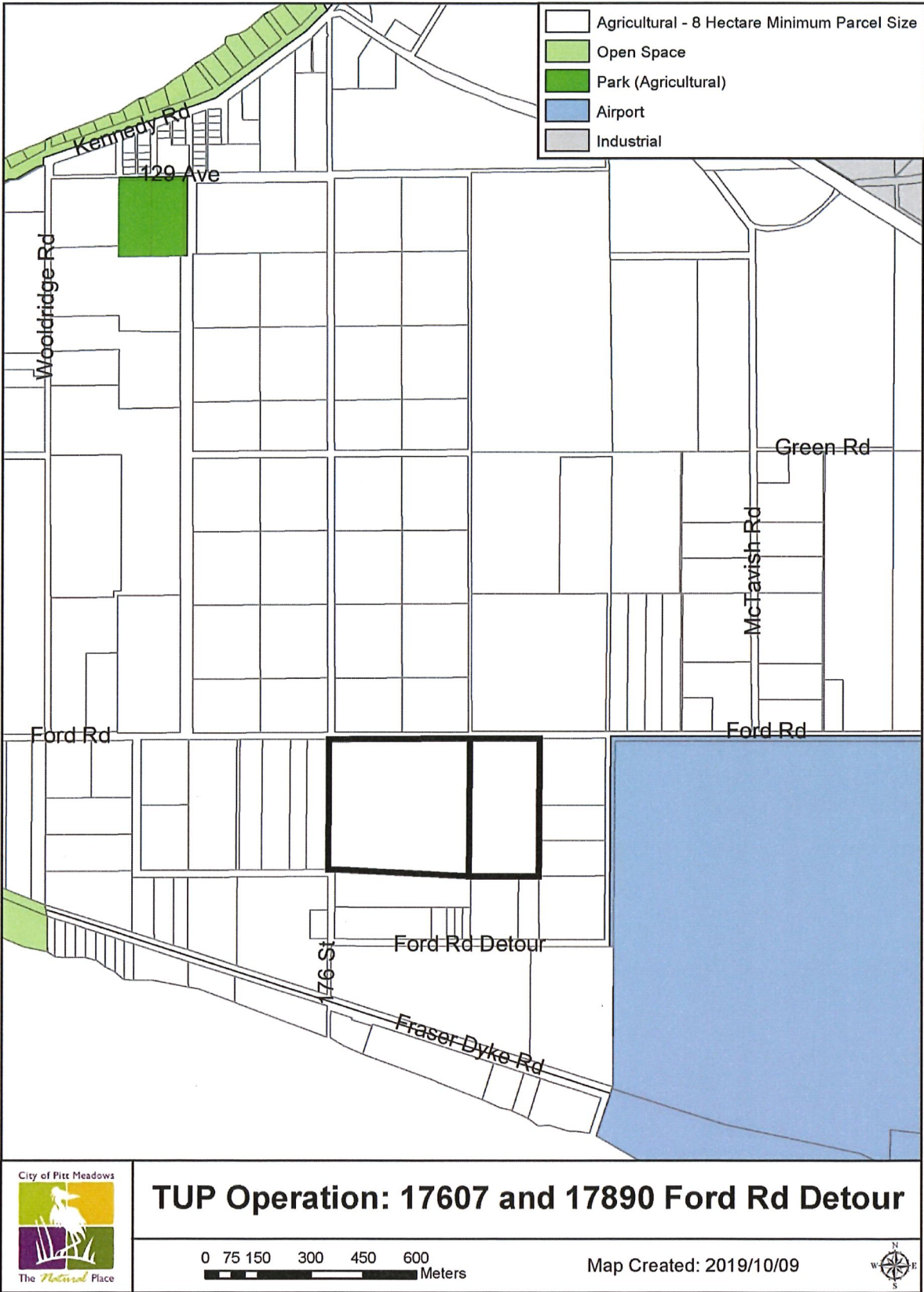
ATTACHMENT(S):

- A. Neighbourhood Official Community Plan Map
- B. Neighbourhood Zoning Map
- C. Letter of Intent
- D. ALC Approval for Non-Farm Use
- E. Draft Temporary Use Permit No. 2019-004

ATTACHMENT A: Neighbourhood Zoning Map



ATTACHMENT B: Official Community Plan Map



ATTACHMENT C: Letter of Intent

HANK'S TRUCKING AND BULLDOZING LTD.

17607 FORD DETOUR ROAD, PITT MEADOWS, B.C. V3Y 0A7
BUS: 604-465-3189 FAX: 604-465-0300

October 7, 2019

City of Pitt Meadows
12007 Harris Road
Pitt Meadows, BC
V3Y 2B5

RE: Temporary Commercial Use Application

The intent of this application is to continue the peat and topsoil screening operation that has been in Business since 1994. There have been no changes to our site or operation since the last application in July 2017.

The ALC has given approval of this use until the year 2024 and has inspected the site various times, confirming that all requirements have been met to date.

We are providing a service to farmers, local residents, and many local municipalities supplying high quality organic garden and lawn soils. We also supply many local mushroom farmers with peat moss which is a necessary part of growing mushrooms.

Hank's Trucking is proud to employ approximately ten people in our community and we take pride in the product that we supply.

As we are not requesting any changes to the previous permit granted by the City of Pitt Meadows, we ask that we be granted a new Temporary Commercial Use Permit.

If you require any further information, please do not hesitate to give me a call.

Regards,



Hank Bitter



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 28, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to the Request for Reconsideration of Application #52028.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner

COMMISSION STAFF PRESENT:

Jennifer Carson	Planner
Eamonn Watson	Planner
Colin Fry	Chief Tribunal Officer

REQUEST FOR RECONSIDERATION

The Commission received a letter dated April 13, 2012 requesting the reconsideration of its decision recorded as Resolution #133/2011, by which, the proposal to permit the screening and mixing of soil was refused. Further to this letter, Mr. Colin Fry, Chief Tribunal Officer, met with Mr. Hank Bitter and additional information was provided by way of an electronic mail correspondence dated February 25, 2014.

Owner: Hank John Bitter

Original Proposal: (Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)

To permit the screening and mixing of soil for sale from the subject property.

Original Decision: That the application be refused.

Current Request: Mr. Bitter is requesting permission to continue operating the soil screening and mixing business.

Legal: PID: 013-180-681
West Half of the North East Quarter, Section 4, Block 5 North, Range 1
East, New Westminster District

Location: 17890 Ford Detour Road, Pitt Meadows

LEGISLATIVE CONTEXT FOR COMMISSION RECONSIDERATION

Section 33 (Reconsideration of decisions) of the *Agricultural Land Commission Act* states:

- 33(1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that:
- (a) evidence not available at the time of the original decision has become available,
 - (b) all or part of the original decision was based on evidence that was in error or was false.

DECISION REGARDING THE REQUEST FOR RECONSIDERATION

The Commission believes that the applicant has provided evidence that was not available at the time of the previous decision. In his email, Mr. Bitter explains the agricultural service he offers to other farmers in the area.

As a result, it was moved by Commissioner Bullock and seconded by Commissioner Dyson that there were no persons affected by the reconsideration and that the Commission reconsider Resolution #151/2014. The motion was carried unanimously.

After considering the new information the Commission concluded as follows:

1. The applicant is a bona fide farmer and the majority of the subject property is in active cranberry production. The topsoil screening and mixing operation provides financial support to the farm operation by way of a reliable income stream. The area that would be utilized for the topsoil screening and mixing operation would remain contained.

Conclusion:

The site used for the operation is relatively small and does not appear to have any negative impact on the existing agricultural operation. The Commission believes that the continuation of the topsoil screening and mixing operation does not have an adverse impact on agriculture as long as the area is rehabilitated before the property is sold.

2. The topsoil screening and mixing operation provides an important service to the agricultural community by redirecting and reusing horse manure and spent mushroom compost (a waste product of those industries) as a quality soil. The Commission was advised by Mr. Fry that he is not aware of any complaints received regarding the operation to date.

Conclusion:

The Commission believes that the topsoil screening and mixing operation provides a service to the agricultural community while also supporting the existing farm on the property.

3. Mr. Bitter also owns the property immediately to the west (Lot 9, Section 4, Block 5 North, Range 1 East, New Westminster District; PID: 008-384-932) and farms the two

properties as contiguous unit. Mr. Bitter's farm operation extends beyond these two properties and in total farms approximately 60 ha of land in Pitt Meadows. Neither the subject property nor Lot 9 currently have a home, and Mr. Bitter confirms that if a home were to be built, it would be built on the existing topsoil screening and mixing staging area.

Conclusion:

The Commission understands that the majority of the subject property (and Lot 9) are in active agricultural production and the applicant is willing to put a covenant(s) on the two properties to ensure the impact to the topsoil screening and mixing operation remains minimal. As a result, the Commission believes the proposed continuation of the topsoil screening and mixing operation would be consistent with the objective of the *Agricultural Land Commission Act* to encourage farming without having a negative impact on the preservation of the land.

IT WAS

MOVED BY: Commissioner Bullock

SECONDED BY: Commissioner Dyson

THAT the request to continue the topsoil screening and mixing operation on approximately 0.4 ha of the subject property be approved.

AND THAT the approval is subject to the following conditions:

1. The topsoil screening and mixing operation must be in substantial compliance with the information submitted with the application;
2. The topsoil screening and mixing operation must not expand outside the boundaries identified with the application;
3. The topsoil screening and mixing operation is permitted to continue for a further ten (10) years from the date of this decision (until March 31, 2024);
4. The topsoil screening and mixing operation must not be sold as a going concern and all associated infrastructure must be removed from the subject property in advance of a sale of the subject property and Lot 9;
5. The registration of a covenant on the subject property and Lot 9 for the purposes of restricting the sale, transfer, lease, or any other form of transacting the land, from the current owner to another person(s) prior to the cessation of the topsoil screening and mixing business; and one of the following:
 - a. the reclamation of the topsoil screening and mixing site to an agricultural standard, or
 - b. restricting the residential building area of the subject property and Lot 9 to the same area as the topsoil screening and mixing site instead of reclaiming the topsoil screening and mixing site to an agricultural standard; and
6. The approval for non-farm use is granted for the sole benefit of the applicant (Hank John Bitter) and is non-transferable.

AND THAT the Commission has no objections to the continued use of the portion of existing right of way immediately north of the subject property and Lot 9 for topsoil screening and mixing activities associated with the approved use subject to approval from the City of Pitt Meadows.

AND FINALLY THAT this decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

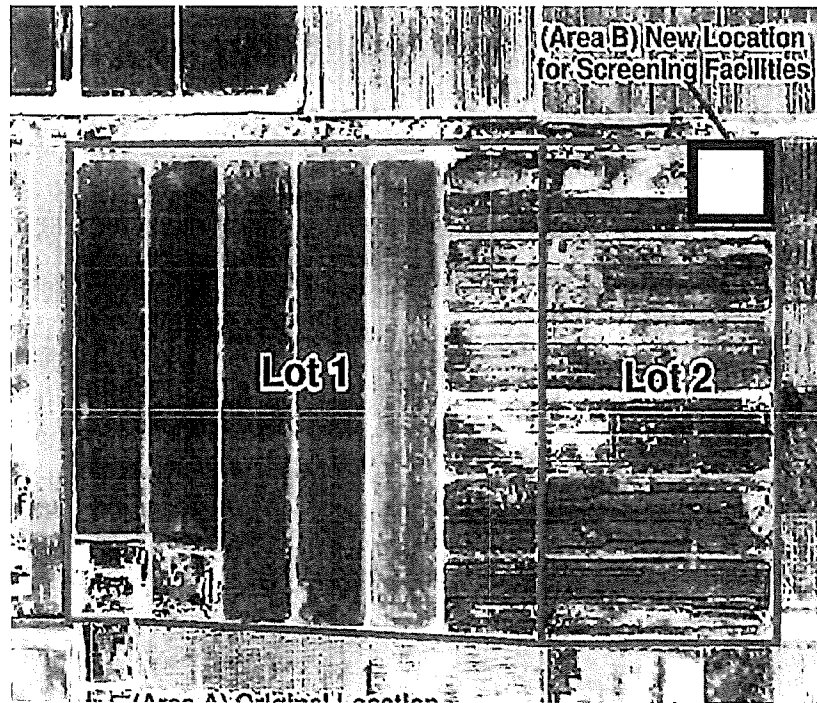
CARRIED
Resolution #151/2014



PROVINCIAL AGRICULTURAL LAND COMMISSION
Application #52028 (Resolution #151/2014)



Approved area for topsoil screening and mixing operation (approximately 0.4 ha)





Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

July 16, 2014

ALC File: 52028

Your File: 6635-20-2010-03-P

City of Pitt Meadows
12007 Harris Road
Pitt Meadows, BC V3Y 2B5

Attention: Anne Berry, Manager of Development Services

Dear Ms. Berry:

Re: Hank's Trucking & Bulldozing Ltd.

This is further to our recent communication regarding the above which was prompted by new information regarding Mr. Hank Bitter's operational issues associated with his topsoil screening and mixing activities. On June 24, 2014 Mr. Bitter emailed you the following advice:

Just a note to clarify the importance of having both sites A and B operational on our Ford Road property.

Site A screens our Raw Peat Moss for the mushroom industry. Site B processes our topsoil products.

These sites are on opposite corners of the property because it is critical we keep our peat moss as far away from any topsoil as possible. The mushroom industry cannot have any form of bacteria in their casing soil. We also cannot run topsoil through the same screening plant without completely sterilizing (sic) the entire plant which is not economically feasible (sic).

Both sites A and B are the same size (.4 hectare) and both sites are equally important to maintaining our operation.

I can confirm that when the Commission reconsidered the proposal on March 28, 2014, it was aware of the 1994 approval to conduct a topsoil screening and mixing business on a small portion of the property legally described as:

PID: 008-384-932

Lot 9, Section 4, Block 5 North, Range 1 East, New Westminster District, Plan 37014.

However, during its most recent review the Commission incorrectly assumed the project area as approved in 1994 (referred to as Site A in Mr. Bitter's email) was no longer in use. Based on the new information provided by Mr. Bitter, I reviewed the Commission's decision by Resolution #151/2014 and took note of its comments and conclusions:

- 1. The applicant is a bona fide farmer and the majority of the subject property is in active cranberry production. The topsoil screening and mixing operation provides financial support to the farm operation by way of a reliable income stream. The area that would be utilized for the topsoil screening and mixing operation would remain contained.*

Conclusion:

The site used for the operation is relatively small and does not appear to have any negative impact on the existing agricultural operation. The Commission believes that the continuation of the topsoil screening and mixing operation does not have an adverse impact on agriculture as long as the area is rehabilitated before the property is sold.

- 2. The topsoil screening and mixing operation provides an important service to the agricultural community by redirecting and reusing horse manure and spent mushroom compost (a waste product of those industries) as a quality soil. The Commission was advised by Mr. Fry that he is not aware of any complaints received regarding the operation to date.*

Conclusion:

The Commission believes that the topsoil screening and mixing operation provides a service to the agricultural community while also supporting the existing farm on the property.

- 3. Mr. Bitter also owns the property immediately to the west (Lot 9, Section 4, Block 5 North, Range 1 East, New Westminster District; PID: 008-384-932) and farms the two properties as contiguous unit. Mr. Bitter's farm operation extends beyond these two properties and in total farms approximately 60 ha of land in Pitt Meadows. Neither the subject property nor Lot 9 currently have a home, and Mr. Bitter confirms that if a home were to be built, it would be built on the existing topsoil screening and mixing staging area.*

Conclusion:

The Commission understands that the majority of the subject property (and Lot 9) are in active agricultural production and the applicant is willing to put a covenant(s) on the two properties to ensure the impact to the topsoil screening and mixing operation remains minimal. As a result, the Commission believes the proposed continuation of the topsoil screening and mixing operation would be consistent with the objective of the Agricultural Land Commission Act to encourage farming without having a negative impact on the preservation of the land.

Given the above, I write to confirm that the Commission has no objections to the continued operation of both Sites A and B based on the conditions specified in Resolution #151/2014 noted below.

CONDITIONS

THAT the request to continue the topsoil screening and mixing operations on a 0.4 ha area of each of the following parcels be approved:

A. PID: 013-180-681

West Half of the North East Quarter, Section 4, Block 5 North, Range 1 East, New Westminster District; and

B. PID: 008-384-932

Lot 9, Section 4, Block 5 North, Range 1 East, New Westminster District, Plan 37014.

AND THAT the approval is subject to the following conditions:

1. The topsoil screening and mixing operations (combined 0.8 ha total area of Sites A and B) must be in substantial compliance with the information submitted with the application;
2. The topsoil screening and mixing operations must not expand outside the boundaries of Sites A and B;
3. The topsoil screening and mixing operations on Sites A and B are permitted to continue for a further ten (10) years from the date of this decision (until March 31, 2024);

4. The topsoil screening and mixing operations on Sites A and B must not be sold as going concerns and all associated infrastructure must be removed from Sites A and B prior to the sale or transfer of one or both of the properties to which this approval applies;
5. The registration of a covenant against the Certificates of Title of the properties to which this approval applies for the purposes of restricting the sale, transfer, lease, or any other form of transacting the properties, from the current owner to another person(s) prior to the cessation of the topsoil screening and mixing operations on Sites A and B; and one of the following:
 - a. the reclamation of Sites A and B to an agricultural standard, or
 - b. restricting the residential building area on the properties, to which this approval applies, to coincide with the areas of Sites A and B; and
6. The approval for non-farm use is granted for the sole benefit of the applicant (Hank John Bitter) and is non-transferable.

AND THAT the Commission has no objections to the continued use of the portion of existing right of way, immediately north of the properties to which this approval applies, for topsoil screening and mixing activities associated with the approved uses subject to approval from the City of Pitt Meadows.

AND FINALLY THAT this decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

I have attached a sketch plan depicting the approval as noted herein.

Further correspondence with respect to this application is to be directed to Eamonn Watson at Eamonn.Watson@gov.bc.ca.

Page 5 of 5

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



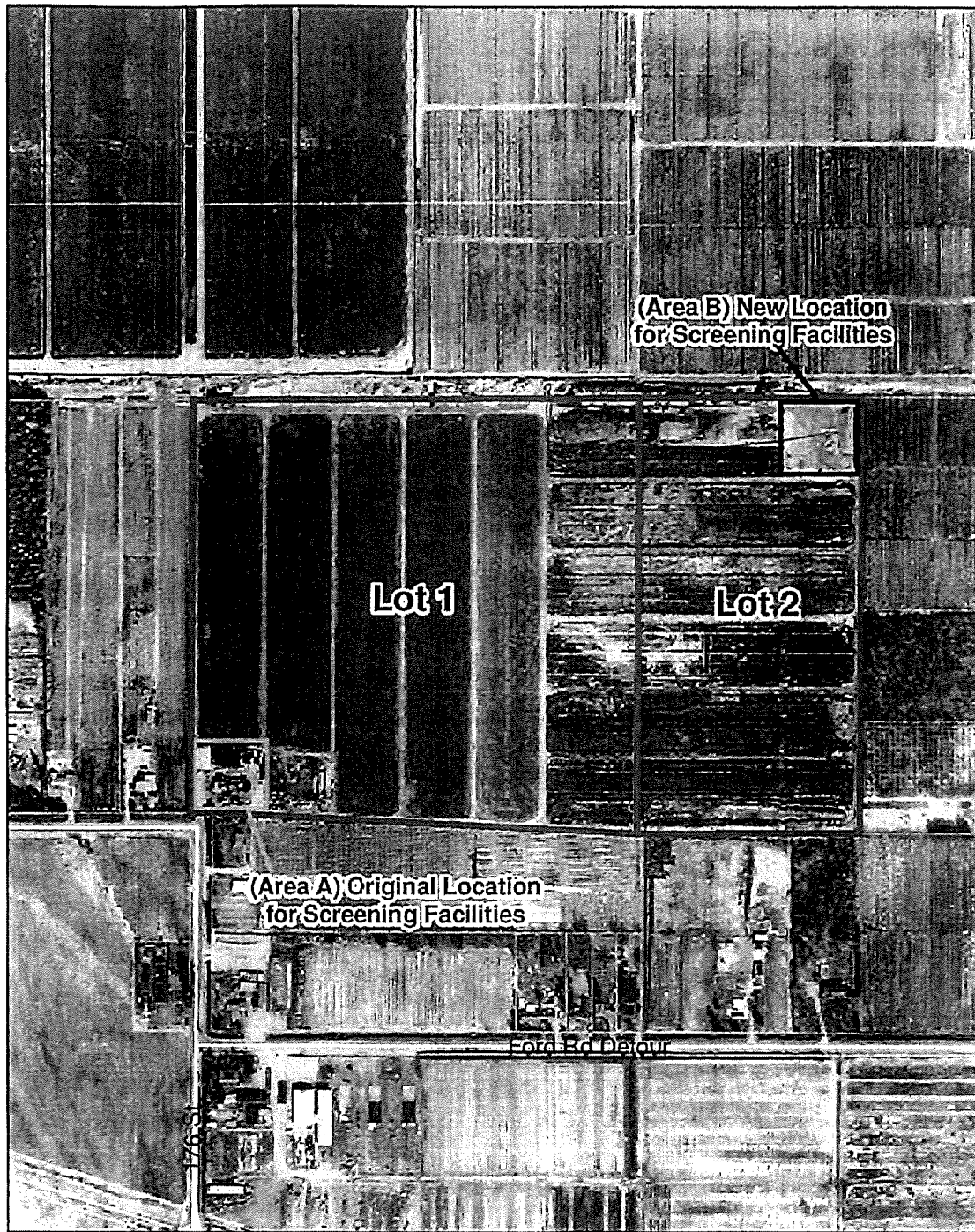
Colin J. Fry, Chief Tribunal Officer

Enclosures: Sketch Plan

cc: Mr. Hank Bitter
16613 Middleton Road, Pitt Meadows, BC V3Y 1Z1

52028m1

Attachment A – Map 1



Provincial Agricultural Land Commission

Application ID: 52028 (Hank Bitter)

Sketch Plan attached to ALC letter dated July 16, 2014



Subject properties



Site A (0.4 ha) – Approved topsoil mixing and screening



Site B (0.4 ha) – Approved topsoil mixing and screening

CITY OF PITT MEADOWSTEMPORARY USE PERMIT NO. 2019-004

ISSUED BY:

THE CITY OF PITT MEADOWS, a City under the "Local Government Act" of the Province of British Columbia, and having its Municipal Offices at 12007 Harris Road, in the Municipality of Pitt Meadows, in the Province of British Columbia, V3Y 2B5
(hereinafter called the "City")

TO: HANK BITTER
HANK'S TRUCKING
17607 Ford Road Detour
Pitt Meadows, BC
V3Y 0A7
(hereinafter called the "Permittee(s)")

WHEREAS the Permittee(s) wishes to conduct a commercial operation upon ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the City of Pitt Meadows in the Province of British Columbia, and more particularly known and described as:

Parcel Identifier: 008-384-932

Legal Description: Lot 9 Section 4 Block 5 North Range 1 East New Westminster District Plan 37014

Parcel Identifier: 013-180-681

Legal Description: West Half of the North East Quarter Section 4 Block 5 North Range 1 East New Westminster District

(hereinafter called the "Lands")

AND WHEREAS the Permittee(s) has made application for a Temporary Use Permit in regard to the Lands;

AND WHEREAS the Local Government Act provides that in such a Permit certain matters may be regulated, required or limited;

NOW THEREFORE, the Council of the City of Pitt Meadows hereby issues a Temporary Use Permit in respect of the Lands as follows:

1. This Temporary Use Permit is issued subject to compliance with all City Bylaws except those bylaw conditions that are at variance with the conditions described in this Permit.
2. This Temporary Use Permit applies to and only to those lands within the City described below, and any and all buildings, structures and other development thereon:

Parcel Identifier: 008-384-932

Legal Description: Lot 9 Section 4 Block 5 North Range 1 East New Westminster District Plan 37014

Parcel Identifier: 013-180-681

Legal Description: West Half of the North East Quarter Section 4 Block 5 North Range 1 East New Westminster District

3. The Temporary Use described on this permit shall be discontinued on or before XXX, 2022.
4. The Temporary Use permitted on the said lands shall be to:

Allow the operation of a soil screening and mixing business on the south west corner of 17607 Ford Road Detour (Site A) and the north east corner of 17890 Ford Road Detour (Site B), shown cross hatched on the site plan appended as Attachment A.

5. The Temporary Use shall be carried out according to the following conditions:
 - a) The topsoil screening and mixing operations on Sites A & B must comply with the conditions of non-farm use approval granted by the Agricultural Land Commission under Resolution #151/2014, appended as Attachment B;
 - b) The top soil screening and mixing uses shall operate per the locations identified in the July 16, 2014 approval letter from the Agricultural Land Commission, appended as Attachment C, as follows:
 - Site A screens raw peat moss for the mushroom industry
 - Site B processes topsoil products;

- c) All machinery, structures and facilities associated with the topsoil screening and mixing operation are to be restricted to the hatched area identified on the attached site plan (Attachment A);
- d) The commercial use and operation of earth moving equipment including machinery, conveyors, bulldozers, backhoes and excavators shall operate only during the hours permitted by the City's Noise Control Bylaw (reference: A-1 Zone (General Agriculture – Quiet Zone));
- e) An approved Highway Use Permit is required prior to the delivery of any materials related to the topsoil screening and mixing operation to the site. Compliance with the terms and conditions in that permit is required;
- f) Surface drainage and run-off from the working area shall be maintained at all times in order to prevent erosion, flooding, siltation or other degradation of the subject property, adjacent lands or waterways. The operation shall comply with the Sediment Control Best Management Practices identified in Schedule D of the City's Soil Removal and Fill Deposit Regulations Bylaw 2593, 2013, as amended;
- g) Weed control is to be practiced at all times. 1 Mechanical and/or approved chemical control is acceptable;
- h) No concrete, asphalt, construction or demolition debris, petroleum products, food waste, land clearing waste, yard waste, or any non-soil material, with the exception of horse/cattle manure and spent mushroom manure, is to be brought onto the property;
- i) Under no circumstances is cedar hog fuel or any other form of cedar wood waste to be brought onto the property;
- j) The sites are to be secured in such a manner as to prevent unauthorized deposition of fill. An unobstructed sign is to be posted in a prominent location on the properties prohibiting the unauthorized deposition of material. Additionally, a gate is required to ensure no unauthorized access to each site is allowed, and each site is required to be fenced with wire fencing for the purposes of security and safety;
- k) If internal roads are to be used for transportation of materials between sites, that appropriate noise and dust mitigation measures must be undertaken to the satisfaction of the City;
- l) Installation, to municipal standards, of a stop sign on the south west corner of Ford Road at Ford Road Detour;

- m) Confirmation on an annual basis that the soil production and mixing facility uses have not exceeded the permitted boundaries of each site;
 - n) This approval in no way relieves the owner or occupier of the responsibility of adhering to all other legislation which may apply to the land. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities which have jurisdiction;
 - o) The operation of the soil mixing and screening business is restricted to Monday through Saturday only.
6. As a condition of the issuance of this Temporary Use Permit, Council is holding the security set out below to ensure that the temporary use is carried out in accordance with the terms and conditions of this permit. Should any interest be earned upon the security, it shall accrue the Permittee and be paid to the Permittee, if the security is returned.

The condition of the posting of the security is that, should the Permittee fail to comply with the terms and conditions of this permit within the time provided, the Municipality may retain the security and with its own forces or contractor under its direction enter onto the property and perform such work as is necessary to eliminate the Temporary Use and bring the use and occupancy of the property in compliance with the Zoning Bylaw.

There is filed accordingly:

An irrevocable Letter of Credit in the amount of \$10,000.00 (Ten Thousand Dollars)

- 7. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this permit and any plans and specifications attached to this permit shall form a part hereof.
- 8. Bylaw Enforcement Staff will monitor operations on the site on a yearly basis at a minimum, and more frequently whenever possible.
- 9. Neighbourhood consultation is required prior to any renewal of this permit.
- 10. This permit is not transferable. The permit may be amended or cancelled by Council resolution and in accordance with the regulations prescribed by the Lieutenant Governor in Council.
- 11. This permit is not a building permit.

AUTHORIZING BY COUNCIL RESOLUTION, passed on the _____ day of _____, 20

THE CORPORATE SEAL OF THE CITY OF PITT MEADOWS
was hereunto affixed on the _____ day of _____, 20

Bill Dingwall, Mayor

Kate Barchard, Corporate Officer

SIGNED, SEALED AND DELIVERED BY
the Owner of the Lands on
the ____ day of _____, 20

Hank Bitter

Print Name

Attachment "A"

Site Plan

