

City of Surrey PLANNING & DEVELOPMENT REPORT File: 7912-0238-00

Planning Report Date: March 11, 2013

PROPOSAL:

- Amend CD By-law No. 17542
- Development Permit
- Development Variance Permit

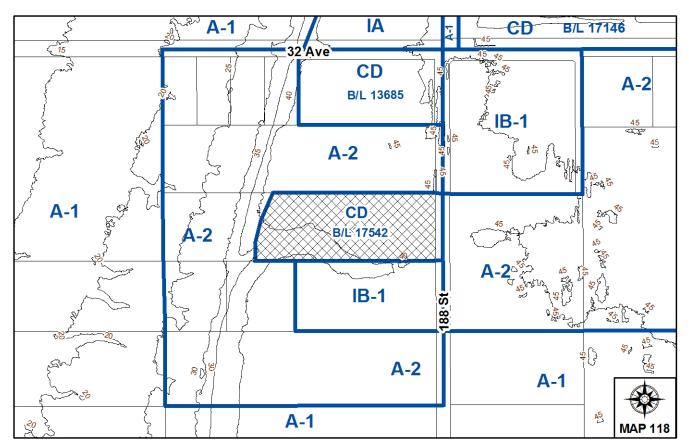
to allow for a refueling and light duty vehicle plug-in station, storage shed and other accessory structures on the B&B Contracting site. The DVP is required to relax the south side yard setback from 7.5 to a minimum 3.30 metres.

LOCATION: 3077 - 188 Street

OWNER: B & B Contracting Ltd

ZONING: CD

OCP DESIGNATION: Industrial LAP DESIGNATION: Business Park



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Amending CD By-law No. 17542.
- Approval to draft a Development Permit.
- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

• A Development Variance Permit (DVP) is required to vary the south yard setback from 7.5 metres to a minimum of 3.30 metres to accommodate a variety of proposed accessory buildings and structures on-site.

RATIONALE OF RECOMMENDATION

- The proposal complies with the Official Community Plan and the Campbell Heights Industrial Business Park designation.
- The proposed refuelling station will serve trucks and vehicles operating on the B&B Contracting site and reduce the impact of the facility on the surrounding road network by enabling trucks and vehicles to be refuelled directly on-site.
- The refuelling station will be an accessory use to B&B's warehouse and maintenance operations. Consequently it will not operate as stand-alone use.
- A supplemental Development Permit will be required to regulate the form and character of the refuelling and light duty vehicle plug-in station and storage shed.
- The accessory building and structures are proposed along the southern property line within the setback area to provide sufficient room for trucks entering the site to manoeuvre and make use of the service bays and staging areas.
- The applicant has consulted with the adjacent neighbour to the south, most impacted by the variance and obtained his support for the proposed DVP.

RECOMMENDATION

The Planning & Development Department recommends that:

1. A By-law be introduced to amend Comprehensive Development By-law No. 17542 and a date be set for Public Hearing.

- 2. Council authorize staff to draft Development Permit No. 7912-0238-00 generally in accordance with the attached drawings (Appendix II).
- 3. Council approve Development Variance Permit No. 7912-0238-00 (Appendix III) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum side yard setback of the CD Zone from 7.5 metres (25 ft.) to a minimum of 3.30 metres (10.8 ft.).
- 4. Council instruct staff to resolve the following issues prior to final adoption:
 - (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;
 - (b) input from Senior Government Environmental Agencies;
 - (c) submission of DP drawings to the satisfaction of City staff; and
 - (d) registration of a Section 219 Restrictive Covenant to ensure that the proposed refuelling facility only serves trucks and vehicles associated with the warehouse and distribution use and is not operated as stand- alone use.

REFERRALS

Engineering: The Engineering Department has no objection to the project

subject to the completion of Engineering servicing requirements as

outlined in Appendix III.

SITE CHARACTERISTICS

Existing Land Use: The B&B Contracting is currently operating a head office, warehouse and

maintenance facility on the site.

Adjacent Area:

Direction	Existing Use	OCP/LAP	Existing Zone
		Designation	
North:	Fish processing plant	Agriculture/Industrial;	A-2
		Business Park	

Direction	Existing Use	OCP/LAP	Existing Zone
		Designation	
East (Across 188	Agricultural use	Industrial; Business Park	A-2
Street):			
South:	Cold storage facility	Industrial; Business Park	IB-1
West:	Dedicated Park Area	Agriculture;	A-2
		Green Buffer/Open Space	

DEVELOPMENT CONSIDERATIONS

<u>Background</u>

- On April 24, 2012 Council approved development application 7910-0113-00, re-designating and rezoning the site at 3077 188 Street, to permit the development of a regional head office, with a warehouse and maintenance facility, for B&B Contracting Ltd.
- The application involved amending the OCP designation on a portion of the site from "Agriculture" to "Industrial" and rezoning the entire site from "Intensive Agriculture Zone (A-2)" to "Comprehensive Development Zone (CD)".
- The CD zone was largely based on the IB-1 (Industrial Business Park 1) zone, but allowed for transportation industry use, limited to the storage and maintenance of contractor construction equipment, material and supplies.
- The zone, therefore, allows for the outdoor storage of goods, materials and supplies and parking of trucks, trailers and other construction equipment on the rear portion of the site subject to screening and landscaping requirements.
- As part of the application, 1.4 hectares (3.5 acres) of riparian area were conveyed to the City without compensation for ongoing protection and environmental stewardship. The area, located at the far western portion of the property, is comprised of a vegetated wetted bluff area which feeds into and overlooks several yellow coded Class B watercourses below.

Proposal

- The applicant is now proposing to amend the CD zone for the site to allow for a truck refueling station, ancillary to the primary transportation and maintenance uses permitted on-site.
- The applicant is also applying to amend and supplement the Development Permit No. 7910-0113-00 registered on the site by adding a covered refueling and a light duty vehicle plugin station, storage shed, propane tank and garbage/recycling enclosure on the site.
- All of these new accessory buildings and structures are proposed within the side yard setback specified under the site's CD zone. Consequently, a Development Variance Permit (DVP) will be required to relax the setback from 7.5 metres (25 ft.) to a minimum of 3.30 meters (10.8 ft.).

CD Zone

• To accommodate the refueling station, the site's CD zone will be amended to permit a refueling station as an ancillary use to the transportation industry and maintenance uses already permitted on-site. As such it will not be allowed to operate on a stand-alone basis.

- Truck refueling uses are commonly permitted in industrial designated lands and it is anticipated the availability of on-site refueling will reduce the truck traffic impact on the Campbell Heights road network by allowing construction vehicles and machinery to be serviced and refueled on site, thereby reducing and wear and tear on local roads.
- As an additional measure, staff will request a Section 219 restrictive covenant be placed on site to ensure all of the fueling facilities are accessory to the site's operations and are not used by off-site trucks. All of the other proposed accessory uses (storage etc.) are currently permitted under the CD zone.

DESIGN PROPOSAL AND REVIEW

- As noted the applicant is proposing to amend the existing DP by placing several accessory buildings and structures including: a covered fuel and light duty vehicle plug-in station, storage shed, propane tank and a recycling and garbage enclosure along the south property line. While all of these buildings and structures comply with the CD zone (lot coverage, site coverage or Floor Area Ratio etc.), they require a DVP to reduce the south side yard setback.
- Specifically, the proposed 480 sq.m. (5,167 sq.ft.) fueling station, measuring approximately 66 metres (216 ft.) in width and 6.5 metres (21 ft.) in depth, will provide gasoline and diesel pumps and light duty vehicle plug-ins for electric vehicles. The pumps and tanks will be located on a concrete slab, covered by a canopy, which in turn will be graded towards a catchment basin connected to an oil/water interceptor and ultimately a sanitary sewer. The station will make use of curb stops to ensure vehicles and equipment do not intrude or impact on the bio-swale.
- In contrast, the proposed 251 sq.m. (2,701 sq.ft.) storage shed will extend approximately 34 meters (112 ft.) in width and 7. metres (23 ft.) in depth, and be enclosed on three sides, open to the yard area. The area around the storage shed will be graded to collect storm water into the bio-swales; while a drain connected to the sanitary storm will be located in the centre of the shed.
- The fueling station will measure 5.5 metres (18 ft.) in height, while shed will measure 6 metres (20 ft.) in height. Both structures are to be comprised of a metal roof with painted wood beams.
- Each of the accessory buildings will be partly screened by cedar hedging and 6 foot black coated chain link fencing along the south property line. The new building and structures will also be partially screened by the gate, fencing and landscaping separating the outdoor storage/yard area from the front yard area and 188 Street.

Setbacks

• The applicant is proposing to setback the refueling/plug-in station, storage shed and garbage enclosure 3.30 metres (11 ft.) from the southern property line; or 0.30 metres (1 ft.) from the bio-swale along the property line which extends 3.0 metres (10 ft.) and surrounds and services the site.

- In contrast, the above ground diesel, gas and propane tanks associated with the station are proposed to be setback 5 metres (16 ft.) from the southern property line or 2 metres (7 ft.) from the existing bio-swale.
- While the station has been designed by a petroleum design specialist in conjunction with the
 Little Campbell Watershed Society; the applicant will be required, to provide contamination
 mitigation methods to prevent fuel spills on the site from entering the adjacent bio-swale. The
 applicant will also be required to demonstrate how the bio-swale will be maintained with no
 apparent setback prior to final adoption.

PRE-NOTIFICATION

- On September 19, 2012, pre-notification letters for this project were sent out to the surrounding community and a development sign was posted on site.
- On October 30, 2012, the applicant met with members of the Little Campbell Watershed Society to review and discuss the plans for the proposed refueling station. The Society's main goal is to ensure net zero impact on the aquifer and Little Campbell River watershed.
- Initially, the members of the Little Campbell Watershed Society the Society voiced some concerns about the design and operation of the facility. In response, the applicant redesigned the fueling station, with an improved catch basin to collect fuel in the event of an accidental spill.
- On December 5, 2012 the applicant presented the Society with a new design for the refueling station, along with updated plans for the fuel dispenser installation. The new plans have both the support of the Society (Appendix VI).

SUSTAINABLE DEVELOPMENT CHECKLIST

On March 1, 2013 the applicant prepared and submitted a sustainable development checklist for the subject site. The table below summarizes the applicable development features of the proposal based on the seven (7) criteria listed in the Surrey Sustainable Development Checklist.

Sustainability Criteria	Sustainable Development Features Summary
1. Site Context & Location (A1-A2)	• The site is located in the Campbell Heights Local Area Plan is an accessory use to the existing industrial facility.
2. Density & Diversity (B1-B7)	• N/A

3. Ecology & Stewardship (C1-C4)	The development will incorporate sediment control devices.
4. Sustainable Transport & Mobility (D1-D2)	• None
5. Accessibility & Safety (E1-E3)	• N/A
6. Green Certification (F1)	• None
7. Education & Awareness (G1-G4)	• None

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

• Reduce the south side yard setback from 7.5 metres (25 ft.) to a minimum of 3.30 metres (11 ft.). (Note: the final registered DVP will specify all required setbacks for each building and/or structure (ranging from 3.30 metres (11 ft.) to 5 metres (16 ft.)) by means of a Schedule).

Applicant's Reasons:

Placing the proposed fueling station and other accessory buildings and structures along
the south property line in the required setback will enable the operator to continue to
make full use of the asphalt yard and provide enough area for on-site vehicles and
trucks to maneuver and make use of servicing bays and staging areas.

Staff Comments:

- The proposed location of the fueling station and other structures within the asphalt yard, away from the Park area, is one of the better areas to locate these structures, while ensuring the integrity and continued operation of the site.
- Prior to final adoption, the applicant will be required to provide further information on the contamination mitigation methods to be used on- site to prevent fuel spills from entering the bio-swale. The applicant will also be required to demonstrate how the bio-swale along the south property line will be maintained with the reduced setback.
- The owner of the adjacent property at 3023 188 Street directly to the south has no concerns and is supportive of the proposed variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I Lot Owners, Action Summary and Project Data Sheets and Survey Plan

Appendix II Proposed Site Plan, Design Drawings

Appendix III Engineering Summary

Appendix IV Development Variance Permit No. 7912-0238-00

Appendix V Amending CD By-law

Appendix VI December 6 letter from the Little Campbell Watershed Society

original signed by Nicholas Lai

Jean Lamontagne General Manager Planning and Development

HP/da

Information for City Clerk

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

ı. (a) Agent: Name: Oleg Verbenkov

Pacific Land Group

Address: Suite 101, 7485 130 St

Surrey BC V₃W 1H8

Tel: 604-501-1624 - Primary

604-501-1624 - Fax

2. Properties involved in the Application

(a) Civic Address: 3077 - 188 Street

(b) Civic Address: 3077 - 188 Street

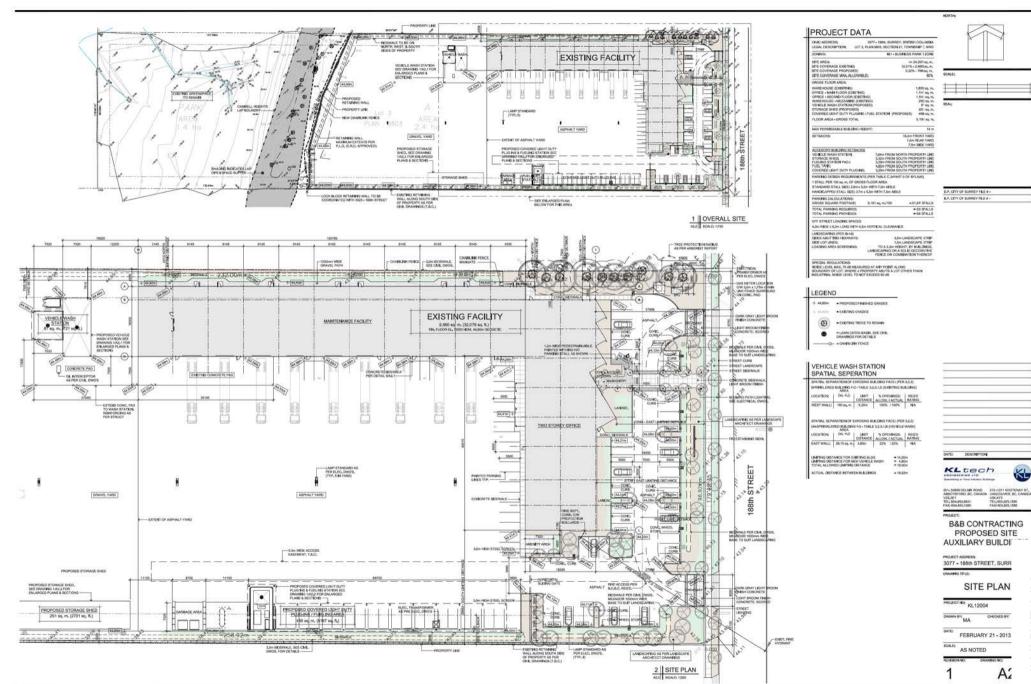
Owner: B & B Contracting Ltd

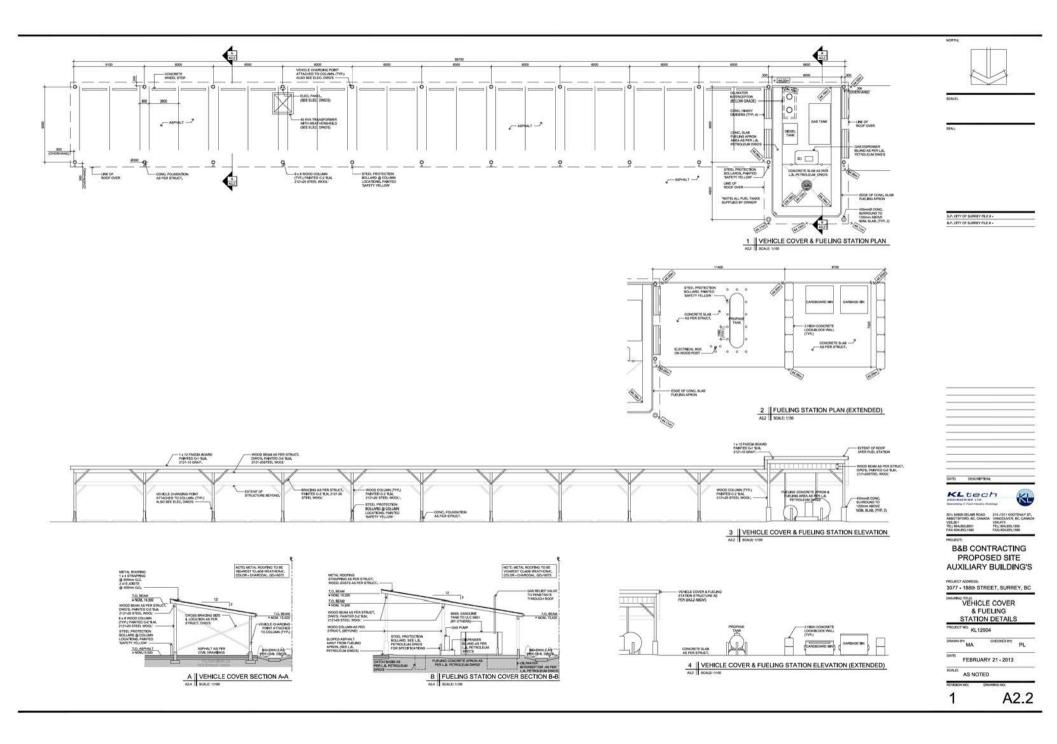
PID: 028-827-015

Lot A Section 21 Township 7 New Westminster District Plan BCP50691

- 3. Summary of Actions for City Clerk's Office
 - (a) Introduce a By-law to rezone the property.
 - (b) Proceed with Public Notification for Development Variance Permit No. 7912-0238-00 and bring the Development Variance Permit forward for an indication of support by Council. If supported, the Development Variance Permit will be brought forward for issuance and execution by the Mayor and City Clerk in conjunction with the final adoption of the associated Rezoning By-law.

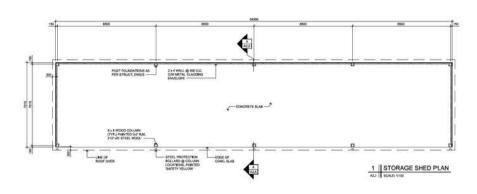


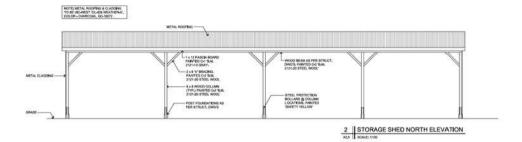




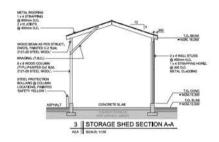


B.P. CITY OF SURREY FILE # -









5 STORAGE SHED EAST ELEV.

DATE DESCRIPTION KLtech

B&B CONTRACTING PROPOSED SITE **AUXILIARY BUILDING'S**

PROJECT ADDRESS: 3077 - 188th STREET, SURREY, BC

STORAGE SHED **DETAILS**

PROJECT NO: KL12004

MA DECKED BY: PL

FEBRUARY 21 - 2013

AS NOTED

A2.3



INTER-OFFICE MEMO

TO:

Manager, Area Planning & Development

- South Surrey Division

Planning and Development Department

FROM:

Development Services Manager, Engineering Department

DATE:

February 25, 2013

PROJECT FILE:

7812-0238-00

RE:

Engineering Requirements (Commercial/Industrial)

Location: 3077 - 188 Street

The applicant is requesting amendments to the CD zone, Development Permit and the Development Variance Permit to permit the construction of a fueling station at 3077 – 188 Street. All offsite works and services provided to 3077-188 Street are completed under Surrey project 7810-0113-00.

AMENDMENT TO CD ZONE BYLAW/DEVELOPMENT PERMIT/DEVELOPMENT VARIANCE PERMIT

The following issues are to be addressed as conditions of the amendment to the CD Zone Bylaw, Development Permit and Development Variance Permit:

Works and Services

- Provide contamination mitigation methods needed to prevent fuel spills on the site from entering the adjacent Bio-swale.
- Demonstrate how continued maintenance of the swale is to be achieved with no apparent setback from Bio-swale.

A processing fee of \$1,344.00 is required to review the mitigation methods and maintenance of the bio-swale.

Rémi Dubé, P.Eng.

Development Services Manager

LR

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7912-0238-00

Issued To:

B & B Contracting Ltd

("the Owner")

Address of Owner:

13450 102 AVE SUITE 1500

SURREY BC V₃T ₅X₃

- This development variance permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations or agreements, except as specifically varied by this development variance permit.
- This development variance 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: 028-827-015 Lot A Section 21 Township 7 Plan 50691 New Westminster District 3077 -188 St

(the "Land")

Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2012, No. 17542 is varied as follows:

In Section 2.F the minimum side yard setback for accessory building and structures may be reduced from 7.5 metres (25 ft.) to 3.30 metres (11 ft.)

- 4. This development variance permit applies to only portions of the buildings and structures on the Land shown on Schedule A which is attached hereto and forms part of this development variance permit.
- 5. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
- 6. This development variance permit shall lapse if the Owner does not substantially start any construction with respect to which this development variance permit is issued, within two (2) years after the date this development variance permit is issued.

		City Clerk - Iane Sullivan
		Mayor - Dianne L. Watts
	ORIZING RESOLUTION PASSED BY THE CO D THIS DAY OF , 20 .	OUNCIL, THE DAY OF , 20 .
8.	This development variance permit is not a be	uilding permit.
7.	persons who acquire an interest in the Land.	,

CITY OF SURREY

BY-LAW NO.

		A by-law to amend "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2012, No. 17542"			
THE C	ITY CO	UNCIL of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS			
1.	"Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2012, No. 17542" is hereby amended as follows:				
	(a)	Deleting the legal description and civic address in Paragraph $\mathbb{1}$ and replacing it with the following:			
		Parcel Identifier: 028-827-015 Lot A Section 21 Township 7 Plan 50691 New Westminster District.			
		3077 - 188 Street			
		hereafter referred to as the "Lands"			
	(b)	Correcting the numbering of the second part from "1" to "2".			
	(c) Deleting Section 2 B. 4 and replacing it with the following:				
		"4. Transportation industry limited to storage and maintenance of contractor's construction equipment, materials or supplies and a truck refuelling facilit ancilliary to the principal uses permitted under this zone"			
2.		y-law shall be cited for purposes as "Surrey Zoning By-law, 1993, No. 12000, Iment By-law 2012, No. 17542, Amendment By-law, 2013, No "			
PASSE	D FIRS	Γ AND SECOND READING on the th day of , 20 .			
PUBLI	C HEAF	RING HELD thereon on the th day of , 20 .			

PASSED THIRD READING	ON THE	th day of	, 20 .	
RECONSIDERED AND FIN Corporate Seal on the	NALLY ADOPTE th day of	D, signed by the Mayo	or and Clerk, and sea	aled with the
				_MAYOR
document2 . 3/5/13 2:01 PM	-			_ CLERK



Little Campbell Watershed Society

"understanding, restoring and enhancing the Little Campbell River and its Watershed and fostering community" stewardship."

City of Surrey Helen Popple

Planning & Development Department 14245 – 56th Avenue Surrey, BC V3X 3A2 Tel 604-591-4470 December 06, 2012

Planning & Development Department File Number 7912-0238-00

Re: Preliminary Notice of Proposed Development at 3077 – 188th Street

Dear Helen,

Members of the Little Campbell Watershed Society met with Oleg Verbenkov, Pacific Land Group and Kelly Bickerton, B & B Contracting on Thursday, October 30, 2012 and reviewed the construction plans for this project while voicing our concerns with the design of the proposed fueling station.

On December 05, 2012 we were presented with a new design for this fueling station and we are pleased to see that that updated plans for the fuel dispenser installation at B & B's new facility on 188 Street have met our concerns. We have reviewed and are pleased with improved designs.

This improved design may be a standard that engineering department may be interested in recommending in the future.

Credit must go to the corporate teams from Pacific Land Group and HUB engineering that listened to our concerns and considered the safety of the environment in the event of a possible fuel spill.

By all of us working together and sharing ideas we have made improvements that will provide enhanced protection of the Little Campbell Watershed, now and in the future.

Thank you,

Phillip Milligan President

Little Campbell Watershed Society

Tillis Milligan

1284-184 Street Surrey, BC V3S 9R9 604-538-4677 RECEIVED

DEC 0 7 2012 CS

PLANNING AND DEVELOPMENT

ULL 7912-0238

NL 9: please cc./KS

RH PX Sugineer

HP