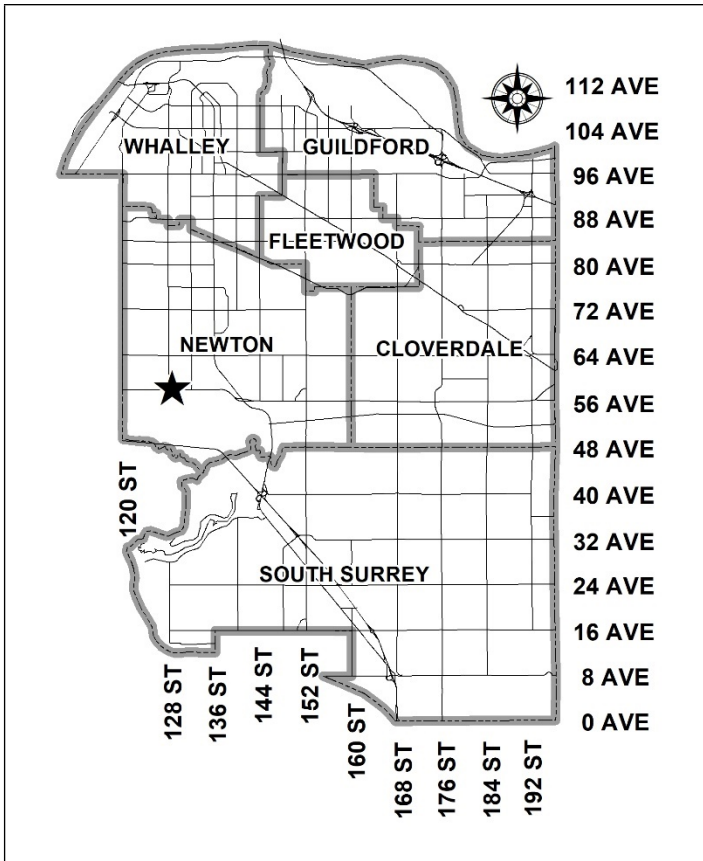


City of Surrey
PLANNING & DEVELOPMENT REPORT
 Application No.: 7921-0371-00
 Planning Report Date: December 12, 2022



PROPOSAL:

- **Rezoning** a portion of the site from C-4 and CG-2 to CD
- **Development Permit**

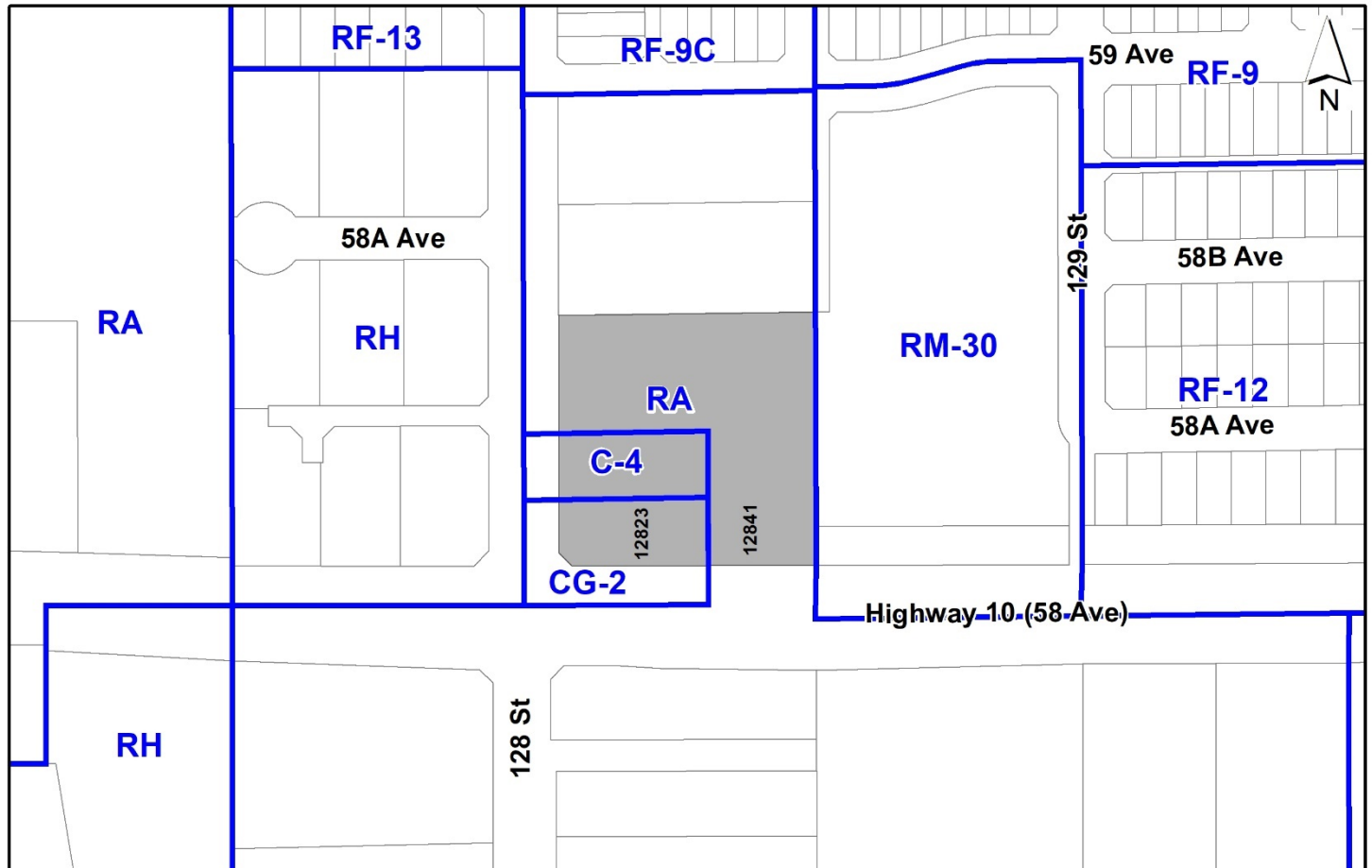
to facilitate a lot line adjustment and development of electric vehicle charging stations and landscaping.

LOCATION: 12841 No. 10 (58 Ave) Highway
 12823 No. 10 (58 Ave) Highway

ZONING: RA, C-4 and CG-2

OCP DESIGNATION: Urban

NCP DESIGNATION: Existing Local Commercial, Proposed Local Commercial, and Buffers/Greenways



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for rezoning of a portion of the site.
- Approval to draft Development Permit for Form and Character.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Varying sections of the Combined Service Gasoline Station Zone (CG-2) Zone through the proposed Comprehensive Development Bylaw.

RATIONALE OF RECOMMENDATION

- The proposal complies with the Urban designation in the Official Community Plan (OCP).
- The proposal complies with the Existing Local Commercial and Proposed Local Commercial designation in the West Newton / Highway 10 Neighbourhood Concept Plan (NCP)
- The proposal complies with the General Urban designation in the Metro Vancouver Regional Growth Strategy (RGS).
- The applicant proposes a lot line adjustment between 12823 and 12841 Highway 10, so that the undeveloped, “One-Acre Residential Zone (RA)” portion of the site can be sold and developed by another party.
- The applicant proposes to rezone the “Local Commercial Zone (C-4)” and the “Combined Service Gasoline Station Zone (CG-2)” portion of the site to resolve an existing split-zoning.
- The applicant proposes a “Comprehensive Development Zone (CD)” based on the “Combined Service Gasoline Station Zone (CG-2)” with an allowance for a larger convenience store.
- The applicant proposes to install two Level 3-electric vehicle charging stations and to re-establish landscaping along the west, south and east property lines to bring the site into compliance with requirements of the CG-2 Zone.
- The proposal will create an unencumbered remnant lot that will facilitate development under the West Newton/Highway 10 NCP.

RECOMMENDATION

The Planning & Development Department recommends that:

1. A By-law be introduced to rezone a portion of the site at 12841 No. 10 (58 Ave) Highway as shown as Block A on the attached Survey Plan (Appendix I) and the subject site at 12823 No. 10 (58 Ave) Highway from "Local Commercial Zone (C-4)" and "Combined Service Gasoline Station Zone (CG-2)" to "Comprehensive Development Zone (CD)" and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7921-0371-00 generally in accordance with the attached drawings (Appendix II).
3. 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) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) Approval from the Ministry of Transportation & Infrastructure;
 - (d) resolution of all urban design issues to the satisfaction of the Planning and Development Department;
 - (e) submission of a finalized landscaping plan and landscaping cost estimate to the specifications and satisfaction of the Planning and Development Department;
 - (f) submission of a securities to the Planning & Development Department to secure the installation of the Level-3 electric vehicle charging station.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	NCP Designation	Existing Zone
Subject Site	Gas Station and vacant lot	Existing Local Commercial, Proposed Local Commercial, and Buffers/Greenways	CG-2, C-4, and RA
North:	Single Family Residential (conditional approval for townhouses under 7921-0327-00)	Seniors Housing (20 u.p.a.)	RA

Direction	Existing Use	NCP Designation	Existing Zone
East:	Townhouses	Townhouse 25 u.p.a.	RM-30
South (Across Highway 10 (58 Avenue)):	Single Family Residential	Suburban Residential (1 acre) – West Panorama Ridge LAP	RA
West (Across 128 Street):	Single Family Residential	Existing Half Acre Lots	RH

Context & Background

- The subject site consists of two properties 12823 and 12841 Highway 10 (58 Avenue), which are located at the intersection of Highway 10 (58 Avenue) and 128 Street on the southern boundary of the West Newton/Highway 10 Neighbourhood Concept Plan (NCP) Area.
- 12823 – Highway 10 (58 Avenue) is 1,481 square metres in area, designated “Existing Local Commercial” and “Buffers/Greenways” in the West Newton/Highway 10 NCP and zoned “Combined Service Gasoline Station Zone (CG-2)”.
- 12841 – Highway 10 (58 Avenue) is 8,147 square metres in area, designated “Proposed Local Commercial” and “Buffers/Greenways” in the West Newton/Highway 10 NCP and zoned “Local Commercial Zone (C-4)” and “One-Acre Residential Zone (RA)”.
- Both sites are designated “Urban” in the Official Community Plan (OCP).
- The RA zoned portion of the site is undeveloped.
- The CG-2 and C-4 portion of the site is developed as a gas station, which operates across both properties that are under application. The gas station has been in operation since the early 1990’s.
- The gas station pumps are located on 12823 – Highway 10 (58 Avenue) and the convenience store is located on 12841 – Highway 10 (58 Avenue).
- Development Variance Permit No. 7990-0070-00 was issued to allow the gas pump canopy to cross the shared internal property line.
- Access between the two sites is protected through a no-build covenant and a shared access easement.
- There is no Development Permit regulating the form and character of the gas station on the subject property.
- The applicant proposes a lot line adjustment to shift the internal shared property line so that the gas station operation is contained on a single property and the remnant RA portion can be sold to a third party for development.
- To facilitate the lot line adjustment, the split zoning must be resolved.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant is proposing to rezone the “Combined Service Gasoline Station Zone (CG-2)” and the “Local Commercial Zone (C-4)” portion of the site to a “Comprehensive Development Zone (CD)” that is based on the CG-2 Zone, to facilitate a lot line adjustment between 12823 and 12841 Highway 10 (58 Avenue).
- A Development Permit is proposed to allow minor site improvements to ensure compliance with the proposed CD Zone. These site improvements include the installation of two Level 3- electric vehicle charging stations and some landscape improvements.
- The applicant does not propose to renovate the existing gas station or construct a new gas station at this time.

	Proposed
Lot Area	
Gross Site Area:	9,628 square metres
Road Dedication:	941 square metres
Net Site Area:	8,688 square metres
Number of Lots:	2
Gas Station Lot Area:	2,871 square metres
Remnant Lot Area:	5,817 square metres
Floor Area Ratio (FAR):	0.04
Floor Area	
Commercial:	115 square metres

Referrals

Engineering:	The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix III.
Parks, Recreation & Culture:	West Newton Community Park is the closest active park with amenities that include, a cricket pitch, playground, and open space and has inventoried natural areas. The park is within a 500 metre walking distance from the development.
Ministry of Transportation & Infrastructure (MOTI):	<p>MOTI has provided City staff with the following comments:</p> <p><i>Additional access to the site from Highway 10 is not supported. Access for future development on the remnant RA portion of the Lot is to be obtained from the municipal grid.</i></p> <p><i>Site drainage is to be directed to the municipal system and not Highway 10.</i></p>

Transportation Considerations

- The gas station has existing driveway access from Highway 10 and 128 Street. Both driveways will be retained.
- The applicant is required to provide a 1.5 metre wide dedication along 128 Street, to help achieve the planned ultimate road width for 128 Street.
- The applicant must also provide an 8 metre wide dedication along the northern boundary of the site. Depending on the ultimate land use of the remnant RA zoned parcel, the 8 metre wide dedication will function as either a commercial lane or a pedestrian pathway providing a connection between 128 Street and 128A Street.

Sustainability Considerations

- The applicant will be providing two Level 3-electric vehicle charging stations, as required by the Zoning Bylaw and the Council adopted Alternative Fuel Policy.
- The applicant proposes to increase the amount of pervious surface on the lot by increasing the width of landscaping strips along the edge of the gas station lot.

POLICY & BY-LAW CONSIDERATIONS

Regional Growth Strategy

- The proposal complies with the “General Urban” land use designation in the Metro Vancouver Regional Growth Strategy.

Official Community Plan

Land Use Designation

- The proposal complies with the “Urban” land use designation in the Official Community Plan (OCP).

Themes/Policies

- C1.34 Encourage upgrading of existing buildings during alterations, additions or redevelopment to accommodate infrastructure for solar hot water and/or electric vehicle charging stations.

(The applicant proposes to install two Level 3-electric vehicle charging stations as part of the rezoning and lot line adjustment).

Secondary Plans

Land Use Designation

- The proposal complies with the “Existing Local Commercial” designation in the West Newton/Highway 10 Neighbourhood Concept Plan (NCP) area.

Themes/Objectives

- The proposal will help facilitate the implementation of the West Newton/Highway 10 NCP by resolving the existing split zoning and lot line issues.

CD By-law

- The applicant is proposing a "Comprehensive Development Zone (CD)" to accommodate the existing gas station on the subject site. The proposed CD By-law for the proposed development site identifies the uses, densities and setbacks proposed.
- Presently, the convenience store portion of the site is zoned "Local Commercial Zone (C-4)" and the gas station pumps are zoned "Combined Service Gasoline Station Zone (CG-2)". The CD By-law will be based on the "Combined Service Gasoline Station Zone (CG-2)".
- The CD Zone is required to accommodate a larger retail store than the CG-2 Zone, allow more self-service fuel pumps than full-service pumps and reduce the setback for EV charging stations.
- A comparison of the density, setbacks, and permitted uses in the CG-2 Zone and the proposed CD By-law is illustrated in the following table:

Zoning	CG-2 Zone (Part 41)	Proposed CD Zone
Floor Area Ratio:	0.3 28 square metre maximum for retail and display area of a convenience store	0.3 115 square metre maximum floor area of a convenience store
Permitted Uses:	<p>Principal Uses:</p> <ol style="list-style-type: none"> 1. Gasoline station <ol style="list-style-type: none"> (a) Alternative fuel infrastructure shall be available on the same lot; (b) an equal number of full-service and self-service hoses shall be provided on the same lot. <p>Accessory Uses</p> <ol style="list-style-type: none"> 1. Automotive service uses of vehicles less than 5,00 kg G.V.W.; 2. Retail stores, limited to the following: <ol style="list-style-type: none"> (a) Convenience store with a maximum 28 square metres of sales and display floor area; and (b) Sale of automotive Accessories. 	<p>Principal Uses:</p> <ol style="list-style-type: none"> 1. Self-Service Gasoline Station; and 2. Full Service Gasoline Station. <ol style="list-style-type: none"> (a) Alternative fuel infrastructure shall be available on the same lot <p>Accessory Uses</p> <ol style="list-style-type: none"> 1. Automotive service uses of vehicles less than 5,00 kg G.V.W.; 2. Retail stores, limited to the following: <ol style="list-style-type: none"> (a) Convenience store, with a maximum of 115 square metres of floor area; and (b) Sale of automotive Accessories.
Front Yard Setback of an Accessory Structure	12.0 metres	6.0 metres

- The CD Zone will accommodate a larger retail store than permitted in the CG-2 Zone. The existing convenience store will be retained, which was built under the C-4 Zone, which allows more retail floor area than the CG-2 Zone.
- The CD Zone will eliminate the requirement for an equal number of self-service and full-service fuel hoses. The gas station currently provides two full-service hoses and six self-service hoses. The CD Zone will still allow for both self and full-service hoses but will allow for more flexibility for the gas station operator.
- The CD Zone reduces the front yard setback of an accessory structure from 12.0 metres to 6.0 metres. This is to accommodate the electric vehicle charging stations. Given the current site layout, site circulation and parking arrangement on the property, the electric vehicle charging stations must be located within the existing front yard setback. The proposed charging stations are approximately 2.4 metres in height and will not be detrimental to the 128 streetscape.
- All other aspects of the CD Zone will be consistent with the CG-2 Zone.

Alternative Fuel Policy

- The applicant is required to provide alternative fuel options in keeping with the City's objective of encouraging the use of more environmentally friendly fuels in accordance with the service station zones in Zoning By-law No. 12000. In accordance with City Policy No. O-58, approved by Council on June 25, 2012 (Corporate Report No. R146), any of the following alternative fuel or recharging infrastructure are to be provided with any new gasoline station:
 - Level-3 electric vehicle charging station (also known as a DC fast charger), or its equivalent;
 - Fast-fill compressed natural gas (CNG) vehicle refueling station;
 - Hydrogen vehicle refueling station; and/or
 - Liquefied petroleum gas (propane) vehicle refueling station.
- The applicant has opted to provide a Level 3-electric vehicle charging station (also known as a DC fast charger) to meet this requirement.

Public Art Policy

- The Public Art contribution will not be required as the proposal contains under 1,000 square metres of non-residential floor area.

PUBLIC ENGAGEMENT

- Pre-notification letters were sent on November 22, 2022, and the Development Proposal Signs were installed on November 21, 2022, Staff have not received any responses to-date.

DEVELOPMENT PERMITS

Form and Character Development Permit Requirement

- The gas station pumps, canopy and convenience store were approved by building permit in 1990 without a Development Permit for Form and Character.
- As part of the application review, staff identified some non-compliant aspects of the site to the CG-2 Zone. Most notably, it was identified that no alternative fuel infrastructure is provided on-site and that the landscaping strips along the south and west property lines are either below standard or non-existent.
- In order to ensure compliance with the proposed CD Zone, the applicant proposes to install two Level 3-electric vehicle charging stations and implement landscaping along the west, south and east property lines.
- Given the site's commercial land use, the proposed improvements are subject to a Development Permit for Form and Character.
- The scope of the development permit is limited to the landscape improvements and the installation of the electric vehicle charging stations.

- The site improvements planned as part of this project generally comply with the Form and Character Development Permit guidelines in the OCP.

Landscaping

- For the gas station lot, the applicant is proposing to widen the existing landscape strip along the south property line to the 3 metre Bylaw requirement and install a 3 metre landscape buffer along the west property line.
- The applicant is proposing a 1.6 metre wide landscape strip along the east property line of the gas station lot to provide a buffer to future development of the RA site.
- The landscaping will primarily consists of low height shrubs and perennials. The applicant is proposing to plant two Japanese snowbell trees in the buffer along the west property line.
- The landscaping conforms to Crime Prevention through Environmental Design (CPTED) principles.

Outstanding Items

- The applicant is required to provide elevations of the electric vehicle charging stations prior to final approval, to ensure that the branding displayed is commensurate to the size of the charging station and compliant with the Sign Bylaw and Form and Character Design Guidelines.

TREES

- The applicant is not proposing any tree removal as part of the application.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

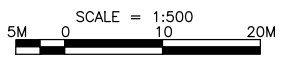
Appendix I.	Survey Plan
Appendix II.	Site Plan, Landscape Plan and EV Charging Unit Detail
Appendix III.	Engineering Summary

approved by Shawn Low

Jeff Arason
Acting General Manager
Planning and Development

**SURVEY PLAN TO ACCOMPANY CITY OF SURREY ZONING BYLAW No. _____
 OF LOT 21 PLAN 31460 EXCEPT: PART DEDICATED ROAD ON PLAN BCP18086
 SECTION 8 TOWNSHIP 2 NEW WESTMINSTER DISTRICT**

CITY OF SURREY
 B.C.G.S. 92G.016



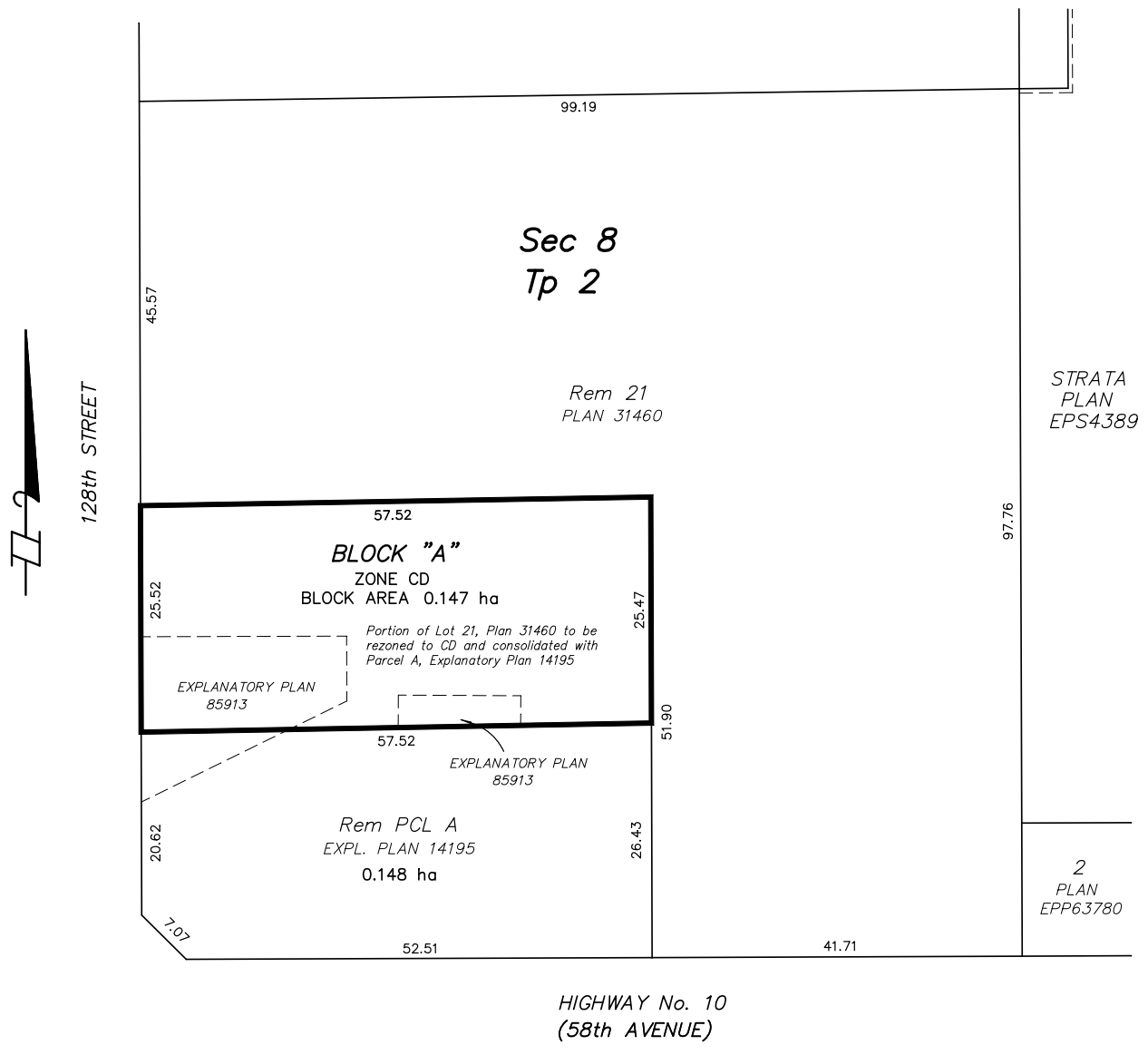
"ALL DISTANCES ARE IN METRES"

P.I.D. 009-707-018 (Rem PARCEL "A")
 SUBJECT PROPERTY MAY BE AFFECTED BY
 EASEMENT AD151056 (PLAN 85913),
 COVENANTS AC226172 & AC266542
 CIVIC ADDRESS: #12823 HIGHWAY 10 (58th AVE)

P.I.D. 006-594-239 (Rem LOT 21)
 SUBJECT PROPERTY MAY BE AFFECTED BY
 EASEMENT AD160559 (PLAN 85913),
 EASEMENT AD160560 (PLAN 85913),
 COVENANTS AC226171 & AC266542
 CIVIC ADDRESS: #12841 HIGHWAY 10 (58th AVE)

BOOK OF REFERENCE

LOT	DESCRIPTION	PLAN	AREA	BLOCK	ZONE
PART of Rem 21	SECTION 8 TOWNSHIP 2	31460	0.147 ha	BLOCK "A"	CD



CERTIFIED CORRECT ACCORDING TO
 LAND TITLE OFFICE RECORDS DATED
 THIS 2ND DAY OF DECEMBER, 2022

[Handwritten Signature]
 SIGNATURE OF B.C.L.S.

SOUTH FRASER LAND SURVEYING LTD.
 # 202 - 19292 60th AVENUE
 SURREY, B.C. V3S 3M2
 TELEPHONE: 604 599-1886
 FILE: 211387-ZONE

THIS PLAN LIES WITHIN THE
 METRO VANCOUVER REGIONAL DISTRICT



Pacific Land Resource Group Inc.

Suite 212 - 12992 76 Avenue
 Surrey, British Columbia
 Canada V3W 2V6
 Tel: 604-501-1624
 Fax: 604-501-1625
 www.pacificlandgroup.ca
 info@pacificlandgroup.ca

PROJECT:

**12823/12841 Highway 10,
 Surrey**

DRAWING TITLE:

Subdivision Plan

PRELIMINARY PLAN - SUBJECT TO APPROVAL(S) FROM
 FEDERAL, PROVINCIAL AND LOCAL AUTHORITIES

CLIENT:

Parkland Fuel Corp.

SCALE:

1:500

DATE:

September 3, 2021

PROJECT No:

21-2211

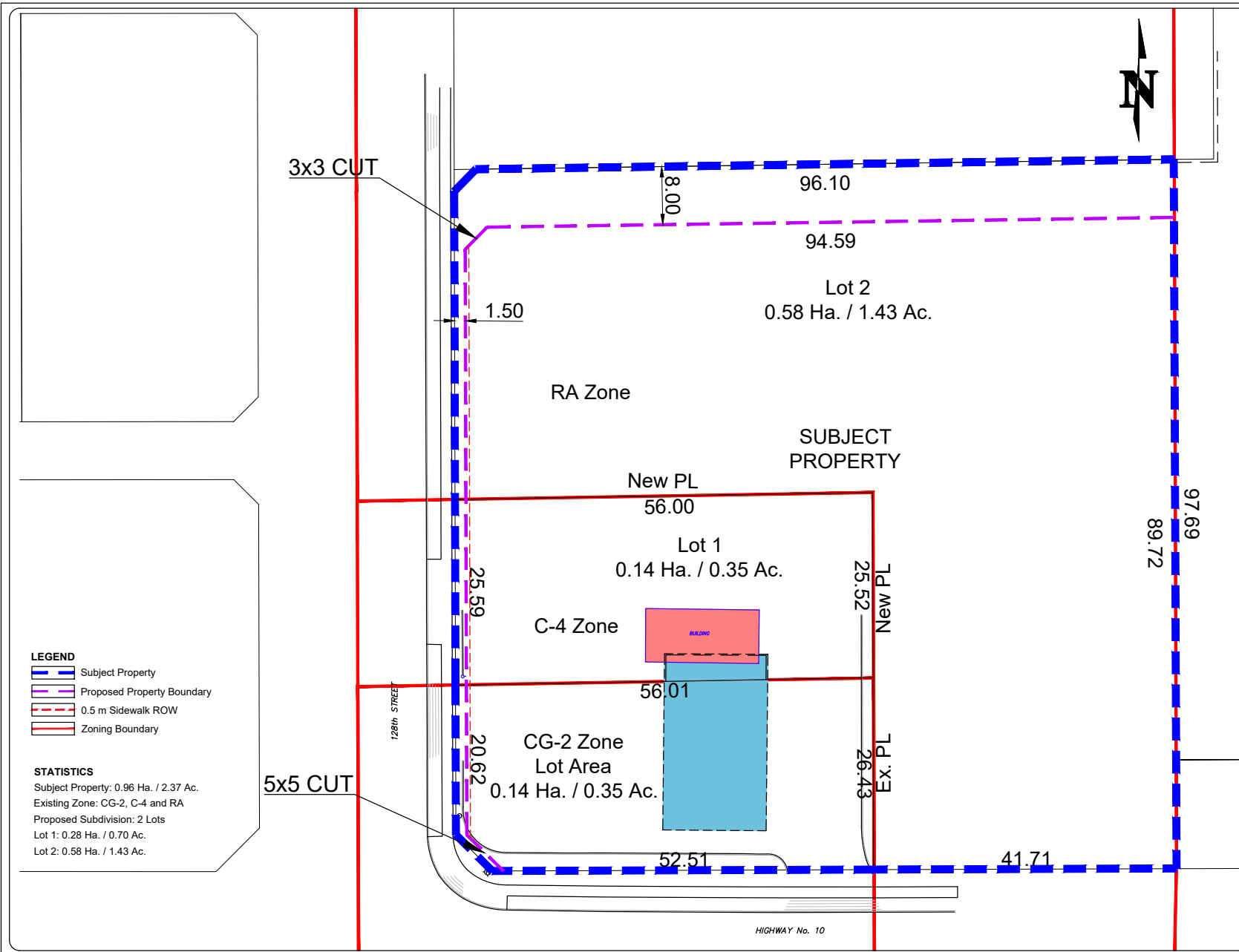
DRAWING No:

01

DESIGNED BY: CHECKED BY:

EW

LJ



- LEGEND**
- Subject Property
 - Proposed Property Boundary
 - 0.5 m Sidewalk ROW
 - Zoning Boundary

STATISTICS
 Subject Property: 0.96 Ha. / 2.37 Ac.
 Existing Zone: CG-2, C-4 and RA
 Proposed Subdivision: 2 Lots
 Lot 1: 0.28 Ha. / 0.70 Ac.
 Lot 2: 0.58 Ha. / 1.43 Ac.

HIGHWAY No. 10



TO: **Manager, Area Planning & Development
- South Surrey Division
Planning and Development Department**

FROM: **Development Services Manager, Engineering Department**

DATE: **December 05, 2022** PROJECT FILE: **7821-0371-00**

RE: **Engineering Requirements (Commercial/Industrial)
Location: 12841 No 10 (58 Ave) Hwy**

REZONE AND SUBDIVISION

Property and Right-of-Way Requirements

- Dedicate 1.50m along 128 St for road widening.
- Dedicate 8.0m Commercial Lane along north property line.
- Register 0.5m statutory right-of-way (SRW) along the east side of 128 St.
- Dedication along Hwy 10 to be determined by MoTI.

Works and Services

- Relocate encroaching signage and infrastructure post 128 Street road dedication.
- Construct Commercial lane.
- Construct road improvements along Hwy 10 as required by MoTI.
- Construct downstream storm sewer improvements as identified by SWCP.
- Provide sanitary and water service connection to each lot. Abandon all existing service connections no longer required.

A Servicing Agreement is not required prior to Rezone/Subdivision.

DEVELOPMENT PERMIT

There are no engineering requirements relative to issuance of the Development Permit.



Jeff Pang, P.Eng.
Development Services Manager

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