

City of Surrey PLANNING & DEVELOPMENT REPORT File: 7918-0355-00

Planning Report Date: March 11, 2019

PROPOSAL:

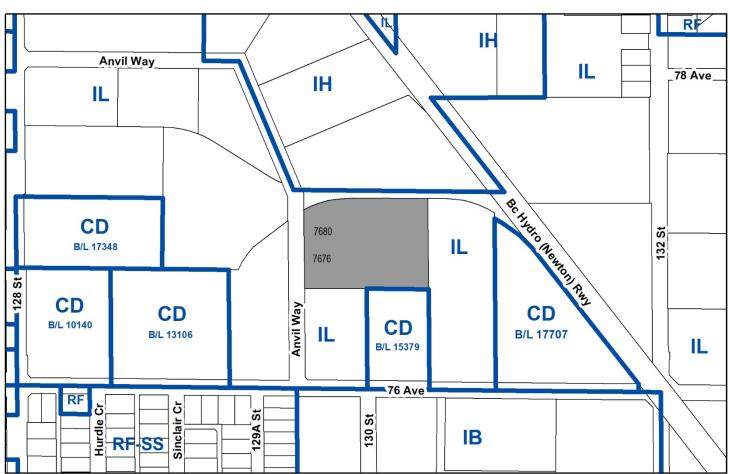
- Restrictive Covenant Amendment
- Development Variance Permit

to permit the development of a new industrial building.

LOCATION: 7680 - Anvil (129A Street) Way

ZONING: IL

OCP DESIGNATION: Industrial



RECOMMENDATION SUMMARY

- Approval for Development Variance Permit to proceed to Public Notification.
- Approval to discharge Restrictive Covenant No. CA3026465, and registration of a new Restrictive Covenant for tree protection.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is proposing a Development Variance Permit (DVP) to reduce the rate at which parking for industrial floor area is calculated and to reduce the rear (east) and side yard (north) setbacks in order to allow the construction of a 1,213 square metre (13,059 sq. ft.) industrial warehouse building.
- The applicant proposes to amend an existing tree protection restrictive covenant to allow the construction of the industrial warehouse building.

RATIONALE OF RECOMMENDATION

- Staff worked with the applicant to locate the proposed building outside of the existing tree
 protection covenant area and reviewed several alternate development options. The proposed
 location was chosen based on the existing site constraints, including truck turning
 movements, potential loss of existing truck loading bays, and costly seismic upgrades to the
 existing building if a different option were chosen.
- The applicant submitted a Parking Study which demonstrates that the proposed parking variance is reasonable given the existing demand for parking on-site and that the new industrial building will be used for warehouses purposes, which is not regarded as a parking intensive land use.
- Engineering (Transportation) staff reviewed the Parking Study submitted by the applicant and support the proposed reduction to the rate at which parking for industrial floor area is calculated.

RECOMMENDATION

The Planning & Development Department recommends that:

- 1. Council approve Development Variance Permit No. 7918-0355-00 (Appendix V) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum rear yard (east) setback of the IL Zone from 7.5 metres (25 ft.) to 0.0 metres (0 ft.);
 - (b) to reduce the minimum side yard (north) setback of the IL Zone from 7.5 metres (25 ft.) to 0.0 metres (0 ft.); and
 - to reduce the rate at which parking is calculated for industrial floor area from 1.0 space per 100 square metres (1,075 sq. ft.) to 0.5 spaces per 100 square metres (1,075 sq. ft.).
- 2. Council approve discharge of the existing Tree Protection Restrictive Covenant No. CA3026465 and registration of a new Section 219 Restrictive Covenant for the purpose of tree retention.
- 3. Council instruct staff to resolve the following issues prior to final 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;
 - (b) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (c) the applicant satisfy the deficiency in tree replacement on the site, to the satisfaction of the Planning and Development Department; and
 - (d) registration of a Section 219 Restrictive Covenant to require full parking requirements should the use change in the future.

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:

No concerns.

Surrey Fire Department: No concerns.

SITE CHARACTERISTICS

<u>Existing Land Use:</u> Warehouses.

Adjacent Area:

| Direction | Existing Use | OCP Designation | Existing Zone |
|--------------------------|----------------------|-----------------|-------------------|
| | | | |
| North: | Vacant Southern | Industrial | IL/IH |
| | Railway of BC lot | | |
| | and high-impact | | |
| | industrial business. | | |
| East: | Light-impact | Industrial | IL |
| | industry. | | |
| South: | Light-impact | Industrial | IL and CD (By-law |
| | industry. | | No. 15379) |
| West (Across Anvil Way): | Light-impact | Industrial | IL |
| | industry. | | |

DEVELOPMENT CONSIDERATIONS

Background and Site Context

- The subject property is designated "Industrial" in the Official Community Plan (OCP) and zoned "Light Impact Industrial Zone (IL)".
- The property is home to the head office of Fruiticana, a fresh fruit, vegetable and spices distributor distributing products in BC and Alberta.
- The applicant previously submitted a proposal under Development Application No. 7912-0177-00 to permit the construction of a second warehouse building on-site. As part of this proposal, the applicant was required to register a Restrictive Covenant for the purpose of tree retention to protect trees along Anvil Way and in the north east corner of the property. The trees at the north east corner of the property were identified as candidates for retention in recognition that Parks staff had identified the property to the north as a potential part of a future linear greenway/pedestrian corridor.

Current Proposal

- The subject site is currently being used for warehousing and limited office space ancillary to the industrial use, however, additional warehousing space is required. Therefore, a third building is proposed to be built on the north east portion of the site.
- The proposed third building will be 1,213 square metres (13,059 sq. ft.) in floor area, fully dedicated to warehousing with no floor area dedicated to office space.
- The proposed building is located within the tree protection area restrictive covenant that was registered as part of Development Application No. 7912-0177-00.

• Staff worked with and encouraged the applicant to find a solution that retained the trees and allowed for the required increased warehouse floor area. Several alternative development options were explored; however, they proved to be unfeasible due to impacts these options would have on existing operations, including on-site parking, truck loading bays, and required seismic upgrades to the existing building fronting Anvil Way.

- Consequently, the applicant wishes to proceed with the present proposal, as it achieves the required amount of floor area, does not impact existing parking, can accommodate all existing truck turning movements, and is separate from the other two buildings and therefore will not result in required upgrades to the existing buildings if the buildings were to be expanded.
- Parks staff confirmed that a future linear greenway/pedestrian corridor to the north is no longer being sought.
- In order to allow additional floor space in the third building, and therefore a more functional floor plan for the proposed warehouse building, the applicant is proposing a Development Variance Permit to reduce the rear (east) and side yard (north) setbacks of the IL Zone from 7.5 metres (25 ft.) to 0.0 metres (0 ft.).
- Under Development Application No. 7912-0177-00 to permit the construction of a second warehouse building on-site, the applicant was required to register a Restrictive Covenant for the purpose of tree retention to protect trees along Anvil Way and in the north east corner of the property. As part of this application the applicant proposes to discharge the existing Tree Protection Restrictive Covenant to allow for the construction of a third warehouse building in the north east corner of the property. A new Tree Protection Restrictive Covenant will be registered to protect the previously protected trees along Anvil Way.

DESIGN PROPOSAL AND REVIEW

- The proposed industrial building is not subject to a Development Permit for Form and Character because it is a new building that abuts land that is designated Industrial and is not visible from an arterial road or Provincial highway, as per the Official Community Plan (OCP) Development Permit Implementation Guidelines.
- The proposed warehouse building is one-storey and 17.9 metres (59 ft.) in height. The proposed building will not be visible from Anvil Way.

TREES

• Tim Vandenberg, ISA Certified Arborist of Mike Fadum and Associates Ltd. prepared an Arborist Assessment for the subject property. The table below provides a summary of the tree retention and removal by tree species:

Table 1: Summary of Tree Preservation by Tree Species:

| Tree Species | Exis | ting | Remove | Retain |
|---|--|---------|----------|--------|
| Alder | Alder and Cottonwood Trees | | | |
| Alder | 1 | 1 | 11 | 0 |
| | Deciduous Trees (excluding Alder and Cottonwood Trees) | | | |
| Maple, Paperbark | 10 |) | 0 | 10 |
| Maple, Red | 1 | 1 | 3 | 8 |
| Gum, Sweet | | - | 0 | 4 |
| | Conifero | us Tree | s | |
| Western Red Cedar | 8 | 3 | 8 | 0 |
| Cypress | 3 | } | 0 | 3 |
| Total (excluding Alder and Cottonwood Trees) | 3' | 6 | 11 | 25 |
| Total Replacement Trees Proposed (excluding Boulevard Street Trees) | | | 4 | |
| Total Retained and Replacement Trees | | 29 | | |
| Contribution to the Green City Fund | | | \$11,600 | |

- The Arborist Assessment states that there are a total of thirty-six (36) protected trees on the site, excluding Alder and Cottonwood trees. Eleven (11) existing trees, approximately 23 % of the total trees on the site, are Alder and Cottonwood trees. It was determined that twenty-five (25) trees can be retained as part of this development proposal. The proposed tree retention was assessed taking into consideration the location of services, building footprints, road dedication and proposed lot grading.
- For those trees that cannot be retained, the applicant will be required to plant trees on a 1 to 1 replacement ratio for Alder and Cottonwood trees, and a 2 to 1 replacement ratio for all other trees. This will require a total of thirty-three (33) replacement trees on the site. Since only four (4) replacement trees can be accommodated on the site the deficit of twenty-nine (29) replacement trees will require a cash-in-lieu payment of \$11,600, representing \$400 per tree, to the Green City Fund, in accordance with the City's Tree Protection By-law.
- In summary, a total of twenty-nine (29) trees are proposed to be retained or replaced on the site with a contribution of \$11,600 to the Green City Fund.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

• To reduce the minimum rear yard (east) and the minimum side yard (north) setback of the IL Zone from 7.5 metres (25 ft.) to 0.0 metres (0 ft.).

Applicant's Reasons:

- The variances are requested in order to achieve a functional floor layout and floor space for the proposed warehouse building.
- The unique shipping and receiving processes require a large space for truck
 maneuverability. The building is sited at zero lot line to maintain the tractor/trailer
 access to the two existing buildings while providing similar access to the proposed
 third building.

Staff Comments:

- The adjacent site to the north is an abandoned railway line that is currently vacant. The adjacent site to the east can also construct a building at zero lot line. Therefore, the proposed building will have minimal impact on the adjacent properties.
- The o.o metre (o ft.) rear yard and side yard setback will not create any potential CPTED concerns as there is no public access adjacent to these sides of the building.
- The proposed building will not be visible from Anvil Way or any other public access point.

(b) Requested Variance:

• To reduce the rate at which parking is calculated for industrial floor area from 1.0 parking space per 100 square metres (1,075 sq. ft.) to 0.5 parking spaces per 100 square metres (1,075 sq. ft.).

Applicant's Reasons:

- The applicant proposes to formalize parking for up to 87 spaces on-site.
- Following construction of the third building a maximum of 45 employees will be employed on-site over two separate shifts. With 87 stalls on-site the number of parking spaces far exceeds the demand generated by the employees.

Staff Comments:

• Based on the total floor area of both the industrial floor area and office floor area, a total of 139 parking spaces are required on-site.

• A total of 46 parking spaces exist on-site and the applicant proposes to formalize parking for up to 87 spaces on-site meaning there would be a shortfall of 40 parking spaces.

- The applicant submitted a Parking Study in support of the proposed reduction to the rate at which parking is calculated for industrial floor area.
- The Parking Study concluded that for the existing uses there is sufficient parking provided on-site. Of the 46 parking spaces identified on-site, a maximum of 18 parking spaces were occupied at any one time during the Parking Study.
- Engineering (Transportation) staff reviewed the Parking Study submitted by the applicant and support the proposed reduction to the rate at which parking for industrial floor area is calculated.
- The applicant has agreed to register a Restrictive Covenant on title to require full parking requirements should the use of the site change in the future.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Lot Owners and Action Summary (Confidential) and Project Data Sheets

Appendix II. Site Plan

Appendix III. Engineering Summary

Appendix IV. Summary of Tree Survey and Tree Preservation Appendix V. Development Variance Permit No. 7918-0355-00

INFORMATION AVAILABLE ON FILE

Parking Study Prepared by WSP Dated January 16, 2019.

original signed by Ron Gill

Jean Lamontagne General Manager Planning and Development

KS/cm

APPENDIX I HAS BEEN

REMOVED AS IT CONTAINS

CONFIDENTIAL INFORMATION

DEVELOPMENT DATA SHEET

Existing Zoning: IL

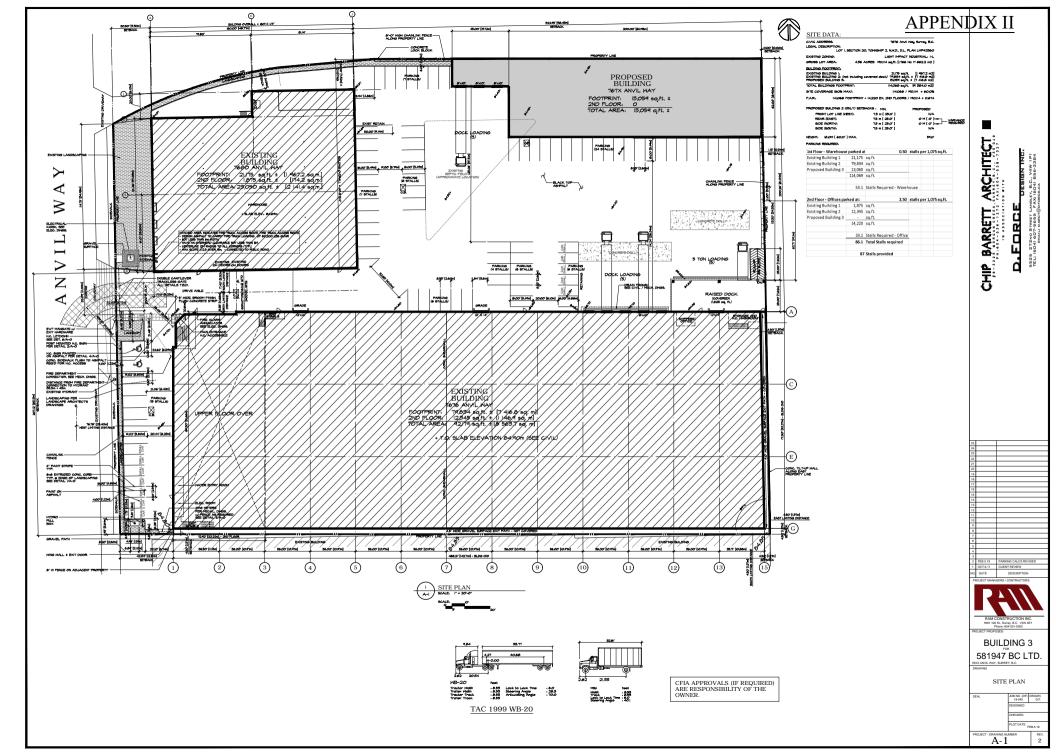
| Required Development Data | Minimum Required / Maximum Allowed | Proposed |
|-------------------------------------|------------------------------------|----------------------|
| LOT AREA* (in square metres) | | |
| Gross Total | | 17,662 m² |
| Road Widening area | | |
| Undevelopable area | | |
| Net Total | | 17,662 m² |
| | | |
| LOT COVERAGE (in % of net lot area) | 60% | 6o% |
| Buildings & Structures | | |
| Paved & Hard Surfaced Areas | | |
| Total Site Coverage | | |
| SETBACKS (in metres) | | |
| Front | 7.5 m | N/A |
| Rear | 7.5 m | o m |
| Side #1 (N) | 7.5 m | o m |
| Side #2 (S) | 7.5 m | N/A |
| BUILDING HEIGHT (in metres/storeys) | 18 m | 17. 98 m |
| Principal | | |
| Accessory | | |
| NUMBER OF RESIDENTIAL UNITS | N/A | N/A |
| Bachelor | | |
| One Bed | | |
| Two Bedroom | | |
| Three Bedroom + | | |
| Total | | |
| FLOOR AREA: Residential | N/A | N/A |
| FLOOR AREA: Commercial | N/A | N/A |
| Retail | | |
| Office | | |
| Total | | |
| FLOOR AREA: Industrial | | 1,213 m² |
| FLOOR AREA: Institutional | N/A | N/A |
| TOTAL BUILDING FLOOR AREA | | 1,213 m ² |

^{*} If the development site consists of more than one lot, lot dimensions pertain to the entire site.

Development Data Sheet cont'd

| Required Development Data | Minimum Required / Maximum Allowed | Proposed |
|---|---------------------------------------|----------|
| DENSITY | | |
| # of units/ha /# units/acre (gross) | | |
| # of units/ha /# units/acre (net) | | |
| FAR (gross) | | 0.67 |
| FAR (net) | | 0.67 |
| AMENITY SPACE (area in square metres) | N/A | N/A |
| Indoor | | |
| Outdoor | | |
| PARKING (number of stalls) | | |
| Commercial | | |
| Industrial | 139 | 87 |
| Residential Bachelor + 1 Bedroom | | |
| 2-Bed | | |
| 3-Bed | | |
| Residential Visitors | | |
| Institutional | | |
| Total Number of Parking Spaces | 139 | 87 |
| Number of accessible stalls | 2 | 2 |
| Number of small cars | 30 | 7 |
| Tandem Parking Spaces: Number / % of Total Number of Units | | • |
| Size of Tandem Parking Spaces width/length | | |

| Heritage Site NO | O Tree Survey/Assessment Provided | YES |
|------------------|-----------------------------------|-----|
|------------------|-----------------------------------|-----|





INTER-OFFICE MEMO

TO:

Manager, Area Planning & Development

- South Surrey Division

Planning and Development Department

FROM:

Development Services Manager, Engineering Department

DATE:

Feb 22, 2019

PROJECT FILE:

7818-0355-00

(Supercedes Feb.14/19)

RE:

Engineering Requirements (Industrial) Location: 7676/80 Anvil (129A St) Way

RESTRICTIVE COVENANT (RC) AMENDMENT

The following conditions are associated with the proposed RC Amendment to remove a no-build/tree protection area but can be addressed through Building Permit Process prior to the issuance of the Building Permit.

- The additional drainage flows must be managed entirely on the property with no
 uncontrolled runoff onto neighbouring properties. All runoff is to be directed to the
 existing onsite drainage system and the existing storm service connection. These items
 should be addressed through appropriate Lot Grading and reviewed by the City building
 department.
- Provide additional on-site detention as the detention calculations provided under project 7812-0177-00 did not account for the entire site area and are to be include the nobuild/tree protection area. Maintain the existing detention and flow control parameters on the site as determined under project 7812-0177-00. Submit revised detention calculations.
- Amend the existing detention RC on title to account for the required additional detention requirements.

A Servicing Agreement is not required prior to RC Amendment as the off-site works and services fronting the site were completed previously under Servicing Agreement 7812-0177-00. However, a processing fee of \$1,627.50 (GST included) is required to administer the storm water detention review and associated legal document requirements.

DEVELOPMENT VARIANCE PERMIT

There are no engineering requirements relative to issuance of the Development Variance Permit to reduce rear (east) and side (north) setbacks and to reduce the required parking spaces calculation rate from 1.0 parking space per 100 square metres to 0.5 parking spaces per 100 square metres (updated). The City transportation department supports the reduced parking as the provided parking study indicated lower than typical parking demand for the business/industrial use of the site.

Tommy Buchmann, P.Eng.

Acting Development Services Manager

HB₄

Tree Preservation Summary

Surrey Project No: 18-0355-00 Address: 7676-Anvil Way

Registered Arborist: Tim Vandenberg, ISA Certified Arborist

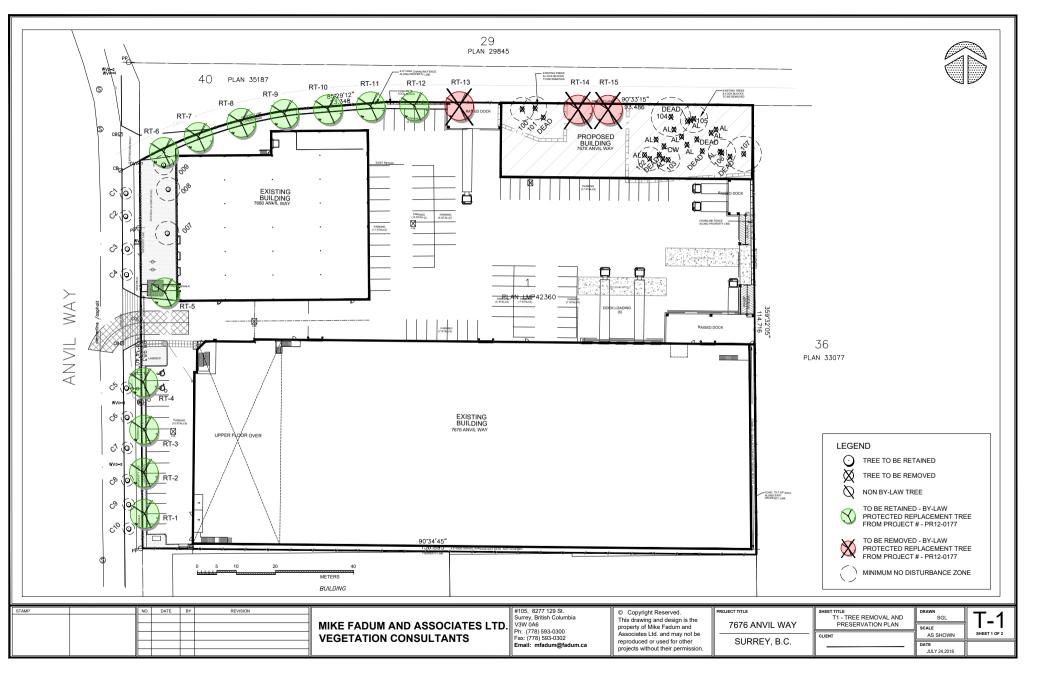
| On-Site Trees | Number of Trees | |
|---|-----------------|--|
| Protected Trees Identified | | |
| (on-site and shared trees, including trees within boulevards and proposed streets | 47 | |
| and lanes, but excluding trees in proposed open space or riparian areas) | | |
| Protected Trees to be Removed | 22 | |
| Protected Trees to be Retained | 25 | |
| (excluding trees within proposed open space or riparian areas) | 25 | |
| - Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio 11 X one (1) = 11 - All other Trees Requiring 2 to 1 Replacement Ratio 11 X two (2) = 22 | 33 | |
| Replacement Trees Proposed | 4 | |
| Replacement Trees in Deficit | 29 | |
| Protected Trees to be Retained in Proposed [Open Space / Riparian Areas] | 0 | |

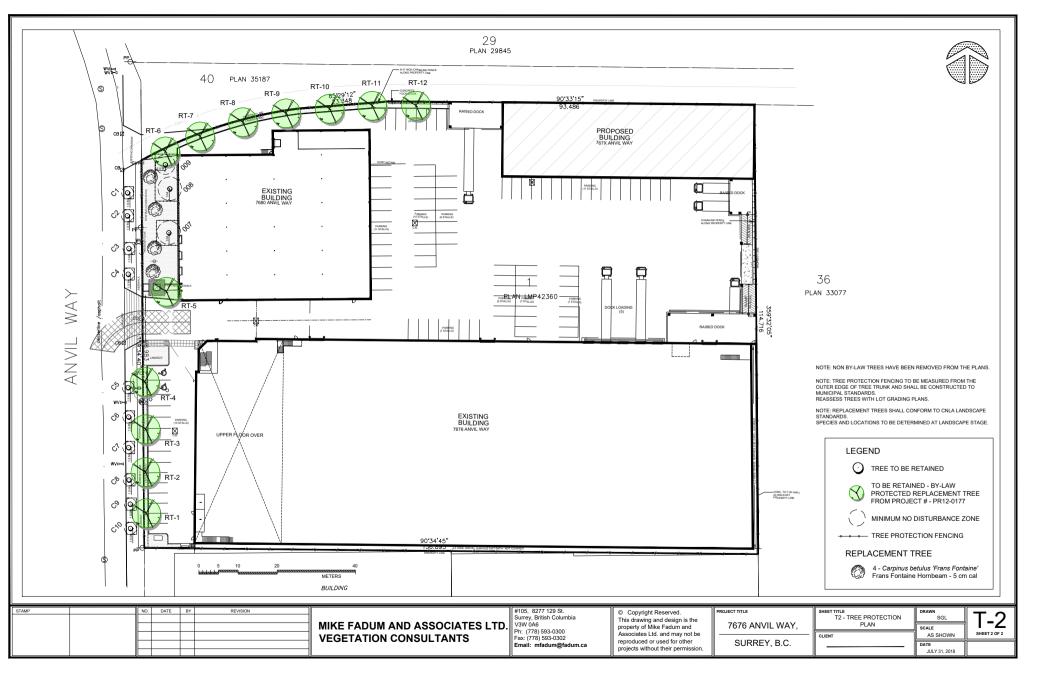
| Off-Site Trees | Number of Trees |
|---|-----------------|
| Protected Off-Site Trees to be Removed | 0 |
| Total Replacement Trees Required: | |
| - Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio 0 X one (1) = 0 | 0 |
| All other Trees Requiring 2 to 1 Replacement Ratio 0 X two (2) = 0 | |
| Replacement Trees Proposed | NA |
| Replacement Trees in Deficit | NA |

| Summary report and plan prepared and submitted by: Mike Fadum and Associates Ltd. | | | |
|---|-------|---------------------|--|
| Signature of Arborist: | Vandy | Date: March 1, 2019 | |









(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7918-0355-00

Issued To:

(the "Owner")

Address of Owner:

- 1. 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.
- 2. 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: 024-537-241 Lot 1 Section 20 Township 2 New Westminster District Plan LMP42360

7680 - Anvil (129A Street) Way

(the "Land")

- 3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Part 48, Section F. Yards and Setbacks of "Light Impact Industrial Zone (IL)", the minimum rear yard setback is reduced from 7.5 metres (25 ft.) to 0.0 metres (o ft.);
 - (b) In Part 48, Section F. Yards and Setbacks of "Light Impact Industrial Zone (IL)", the minimum side yard (north) setback is reduced from 7.5 metres (25 ft.) to o.o metres (o ft.); and
 - (c) In Section C, Table C.1 Number of Off-Street Parking Spaces, of Part 5 Off-Street Parking and Loading/Unloading, the required number of parking spaces for industrial floor area shall be reduced from 1.0 space per 100 square metres (1,075 sq. ft.) to 0.5 spaces per 100 square metres (1,075 sq. ft.).

| 4. | This development variance permit applies to of the buildings and structures on the Land's and forms part of this development variance does not apply to additions to, or replacement attached Schedule A, which is attached heret variance permit. | hown on Schedule A which is attached hereto permit. This development variance permit at of, any of the existing buildings shown on | |
|----|---|--|--|
| 5. | The Land shall be developed strictly in according provisions of this development variance perm | | |
| 6. | This development variance permit shall lapse if the Owner does not substantially start an construction with respect to which this development variance permit is issued, within tw (2) years after the date this development variance permit is issued. | | |
| 7. | The terms of this development variance perm persons who acquire an interest in the Land. | nit or any amendment to it, are binding on all | |
| 8. | This development variance permit is not a bu | ilding permit. | |
| | IORIZING RESOLUTION PASSED BY THE CO D THIS DAY OF , 20 . | UNCIL, THE DAY OF , 20 . | |
| | | | |
| | | Mayor – Doug McCallum | |
| | | City Clerk | |

