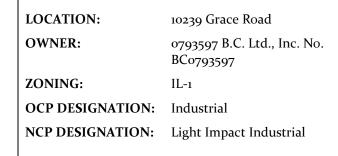


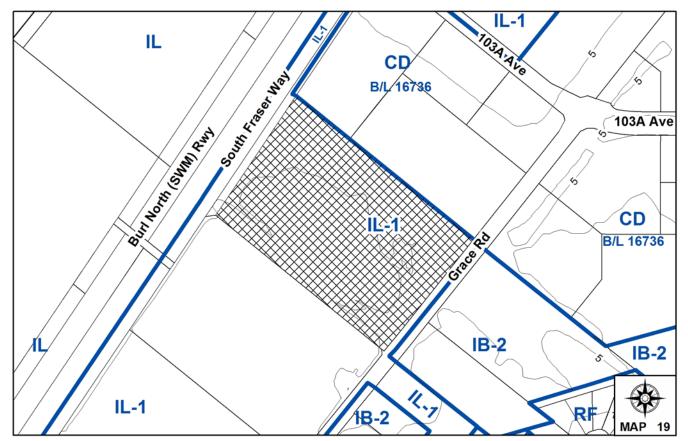
Planning Report Date: April 4, 2011

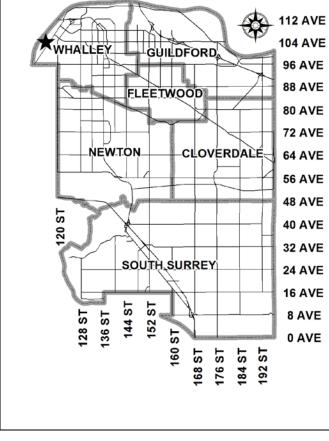
PROPOSAL:

Development Variance Permit

in order to vary the height of a free-standing telecommunication tower from 12 metres (40 ft.) to 45 metres (148 ft.) in South Westminster.







RECOMMENDATION SUMMARY

• Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking an increase in the height of a free-standing telecommunications tower from 12 metres (40 ft.) to 45 metres (148 ft.).
- The location of the proposed telecommunication tower from South Fraser Way, is less than the height of the tower, which is contrary to the Telecommunication Tower Policy.

RATIONALE OF RECOMMENDATION

- The proposed location of the telecommunications tower is in an existing industrial area of South Westminster.
- The applicant has provided documentation which indicates that there is a demonstrated coverage hole in the area, which the wireless carrier would like to resolve for improved service to its customers.
- The applicant has provided information which indicates that there are no existing structures which are suitable within a 500-metre (1,640 ft.) radius of the subject site.
- The pre-notification process was extended from the policy requirement of two weeks to 30 days, due to the Christmas holiday break. No written comments were submitted regarding the proposal.

RECOMMENDATION

The Planning & Development Department recommends that:

- 1. Council approve Development Variance Permit No. 7910-0227-00, (Appendix III) varying the following, to proceed to Public Notification:
 - (a) to vary the Zoning By-law to increase the maximum height of a free-standing telecommunication tower from 12 metres (40 ft.) to 45 metres (148 ft.).

REFERRALS

Engineering:	The Engineering Department has no objection to the project.
Environmental Review Committee (ERC):	Due to the proximity of Scott Creek, the proposal was reviewed by the ERC on November 24, 2010. The ERC finds the proposed location of the wireless installation to be acceptable as it complies with the riparian setback relaxation for Scott Creek previously requested during a rezoning from A-1 to IL-1 (Application No. 7906- 0047-00). At the May 24, 2006 ERC meeting for Application No. 7906-0047-00, a 40-metre (130 ft.) protection area was approved, straddling the subject site and the site to the north. The applicant proposes to comply with the previously approved riparian setback and also to provide additional riparian planting in conjunction with this application.
Gateway Program/Ministry of Transportation and Infrastructure (MOTI):	To date, staff have not received comments from the Gateway Program regarding the proposal. Road dedication for the future South Fraser Perimeter Road was provided under Application No. 7906-0047-00 and no concerns were raised with the subsequent Development Permit application for a 6,066-square metre (65,300 sq.ft.) warehouse building (Application No. 7906-0232-00).

SITE CHARACTERISTICS

<u>Existing Land Use:</u> Existing distribution warehouse facility, Scott Creek runs parallel along the northeast property line.

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North-West (across South Fraser Way and rail rights-of- way):	Fraser River Harbor Commission and related industrial tenants.	Light Impact Industrial in the South Westminster NCP	IL

File: 7910-0227-00

Direction	Existing Use	NCP Designation	Existing Zone
North-East:	Scott Creek and warehouse.	Light Impact Industrial in the South Westminster NCP	CD (By-law No. 16736)
South-East (across Grace Road):	Vacant and storage.	Business Park in the South Westminster NCP	IB-2
South-West:	Distribution warehouse.	Light Impact Industrial in the South Westminster NCP	IL-1

DEVELOPMENT CONSIDERATIONS

- The subject site is located at 10239 Grace Road in the South Westminster area. The subject property is currently zoned Light Impact Industrial 1 Zone (IL-1) and designated Industrial in the Official Community Plan (OCP) and Light Impact Industrial in the South Westminster NCP.
- The subject property contains a truck distribution facility (QuikX), in accordance with Development Permit No. 7906-0232-00.
- The property owner has authorized the applicant, who is acting on behalf of Rogers Communications, to apply for a Development Variance Permit to increase the maximum height of a free-standing telecommunication tower from 12 metres (40 ft.) to 45 metres (148 ft.).
- The proposal is for a galvanized steel monopole installation with two ancillary beige painted equipment cabinets at the base of the mast. The installation is to be located within a 20-metre (66 ft.) by 20-metre (66 ft.) fenced compound at the northwest corner of the subject site (adjacent South Fraser Way and Scott Creek). Cedar hedges are proposed to be planted along the northwest and northeast sides of the compound, which are the most visible sections.
- The current proposal is to provide improved telecommunication coverage and capacity for the area generally bound by 98 Avenue at the south, Old Yale Road at the north, the Fraser River to the west and 122 Street to the east. The applicant has provided a coverage map documenting the existing weak coverage experienced by Rogers in this area.
- Since October 2010, an inter-departmental group of staff has been meeting with members of the Canadian Wireless Communication Association (CWCA), representing six (6) telecommunication companies, including Rogers. Due to the escalating demand for wireless service, the telecommunication companies have requested a more stream-lined process for obtaining approvals from the City for new installations. The key messages staff have relayed to the group are the importance of a comprehensive strategy to ensure adequate coverage for all carriers while minimizing the number of singular user installations without compromising the existing policy guidelines, especially proximity to residential areas and aesthetics.
- Although a comprehensive strategy has not been developed at this time, the subject application generally complies with the current Telecommunication Tower Policy and is therefore, being presented for Council's consideration.

City's Telecommunication Tower Policy

- A City policy on telecommunication towers was developed in conjunction with wireless providers and approved by Council on June 18, 2001 (Policy 0-49 Telecommunication Towers). The policy provides parameters on how the towers should be sited and designed.
- An evaluation of the current proposal in relation to this policy is provided as follows:

Location and Siting

• When considering the siting of telecommunication tower facilities, every effort should be made to locate new equipment on existing structures such as Hydro transmission towers, utility poles, roof tops, etc.

The applicant has indicated that they require a 45.0-metre (148 ft.) height in order to ensure an expanded coverage area. The applicant has provided information which shows that the 45-metre (148 ft.) height will allow for improved coverage to an area bound by 98 Avenue to the south, Old Yale Road to the north, Fraser River to the west and 122 Street to the east. The applicant has provided a list of existing structures within a 500-metre (1,640 ft.) radius from the base of the installation which do not have the height the applicant requires. The carriers have indicated to staff that unobstructed sight lines between cell sites are imperative for continuous wireless service.

• It is preferable that the new free-standing telecommunication towers be sited in nonresidential locations and preferably in industrial areas.

The proposed location is within an existing industrial area.

• Towers on prominent natural and cultural features, environmentally sensitive areas or areas with historically significant buildings are discouraged.

The proposed location of the installation is located adjacent to Scott Creek. However, measures have been previously taken to ensure that adequate riparian protection has been provided.

• New free-standing telecommunication towers should be located at a distance from the edge of an existing or future road allowance no less than the height of the tower.

The wireless installation is proposed to be setback 12.7 metres (42 ft.) from the property line at South Fraser Way (northwest property line). In accordance with the City's policy, the setback should be 45 metres (148 ft.), which is the height of the proposed tower. The applicant has indicated that the owner who currently operates a distribution warehouse facility does not wish to have his business activities disrupted by a wireless installation situated in the centre of the subject site.

• Location of telecommunication towers on sites with matures trees is encouraged.

Due to the fact that the site is already developed as an industrial site, there are no mature trees on site. A proposed cedar hedge is to be planted along the northwest and northeast sides of the compound boundary.

• All applicants for free-standing telecommunication structures will be requested to identify any other structure (i.e. hydro transmission towers, existing telecommunication towers, etc.) within a radius of 500 metres (1,640 ft.) from the proposed location and to provide reasons why other existing structures within that radius are not acceptable for use (i.e. structural capabilities, safety, available space or failing to meet service coverage needs).

The applicant has provided a list of all existing structures within a 500-metre (1,640 ft.) radius and has identified their heights. The applicant has indicated that none of these structures provide the height required to meet their coverage needs. The taller the height of the installation, the larger the range of coverage, due to unobstructed sight lines between cell sites.

Co-Location

• The carriers and other telecommunication tower owners are encouraged to work cooperatively in reaching agreements which allow for sharing of tower structures so as to minimize the total number of towers in the City. This practice is typically referred to as "co-location".

The applicant has provided written confirmation that Telus is willing to co-locate on the monopole with Rogers and the proposed tower height will accommodate the second carrier.

Tower Design

- Towers and ancillary equipment shelters will be designed to fit their surroundings and to minimize their visual impact on surrounding properties.
- The use of monopoles is encouraged. Where a tower is being constructed to accommodate a single user, a monopole design is required.
- Landscaping shall be appropriately placed around telecommunication tower and ancillary facilities, such as equipment shelters, to minimize their visual impact on the neighbourhood.

The applicant is proposing a monopole design with two ancillary equipment shelters which will be surrounded by a fence screened with a cedar hedge at two sides.

PUBLIC CONSULTATION

In accordance with the City policy, the applicant sent out 19 pre-notification letters on December 10, 2010 to a notification area of 270 metres (886 ft.) or six times the height of the proposed tower, measured from the base of the proposed location of the 45-metre (148 ft.) telecommunication tower.

The applicant also expanded the response period to 30 days, rather than the two (2) weeks required by the City's policy, as the Christmas holiday break could have delayed individuals' responses.

During the notification period, no comments were received verbally or in writing. To date, no comments have been received by staff.

BY-LAW VARIANCE & JUSTIFICATION

- (a) Requested Variance:
 - To vary the Zoning By-law to increase the maximum height of a free-standing telecommunications tower from 12 metres (40 ft.) to 45 metres (148 ft.).

Applicant's Reasons:

- The applicant has submitted documentation demonstrating that there is a coverage hole in the area, which a proposed telecommunication structure would assist in resolving.
- The proposed tower will also provide co-location opportunities for at least one other wireless carrier.

Staff Comments:

• The proposal complies with the majority of criteria identified in the City's Policy for Telecommunication Towers. The proposed location is within an industrial area, away from residents and has received no opposition.

CONCLUSION

The proposed telecommunication tower complies with the majority of the guidelines in the Policy for Telecommunication Towers for location, siting and design. The installation will improve wireless coverage in the South Westminster area and will assist in improving the cellular network within the larger area. The Planning & Development Department recommends that Council approve the Development Variance Permit to proceed to public notification.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Proposed Site Plan and Installation Elevations
Appendix III.	Development Variance Permit No. 7910-0227-00

original signed by Judith Robertson

Jean Lamontagne General Manager Planning and Development

Information for City Clerk

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

1.	(a) Agent:	Name:	Kiersten Enemark, Standard Land Company Inc.
		Address:	Suite 610 – 688 West Hastings Street
			Vancouver, BC
			V6B 1P1
		Tel:	604-687-1119

2. Properties involved in the Application

(a)	Civic Address:	10239 Grace Road
(b)	Civic Address: Owner:	10239 Grace Road 0793597 B.C. Ltd., Inc. No. BC0793597 <u>Director Information:</u> Gary W. Babcock Jeff L. King
		Officer Information as at June 8, 2010

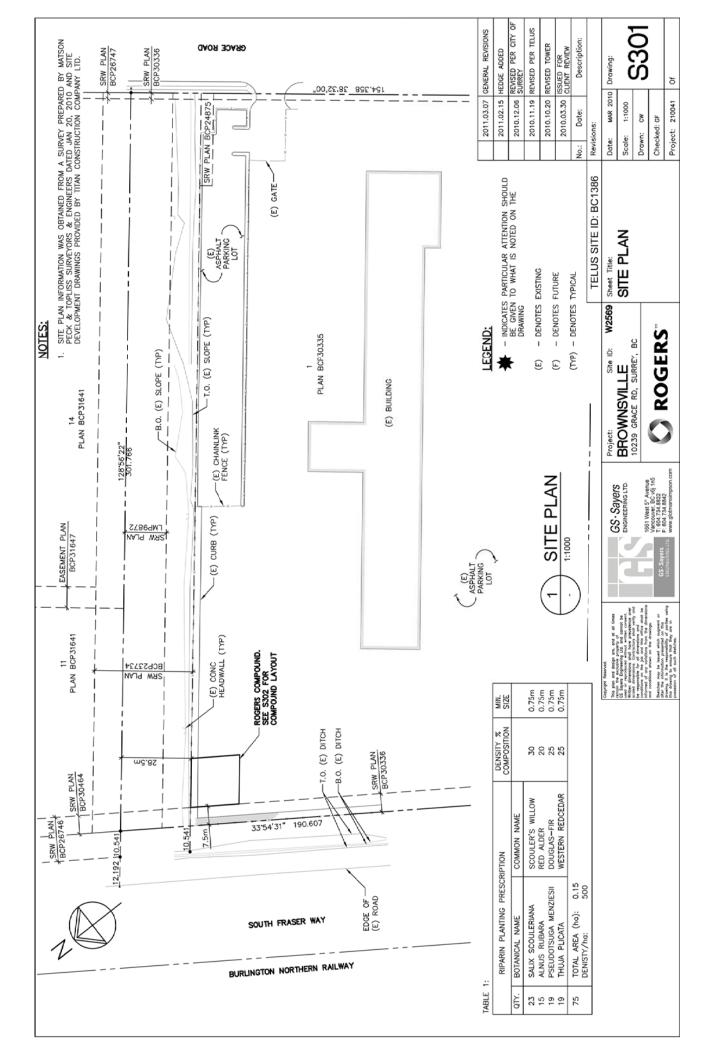
Gary W. Babcock (President) Jeff L. King (Secretary)

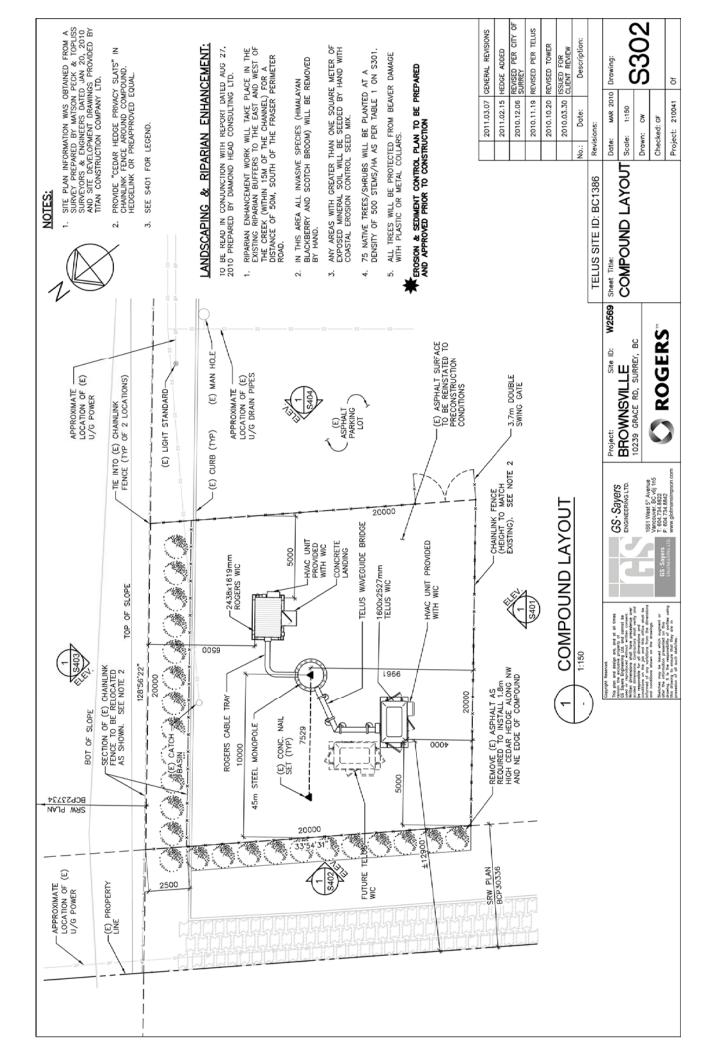
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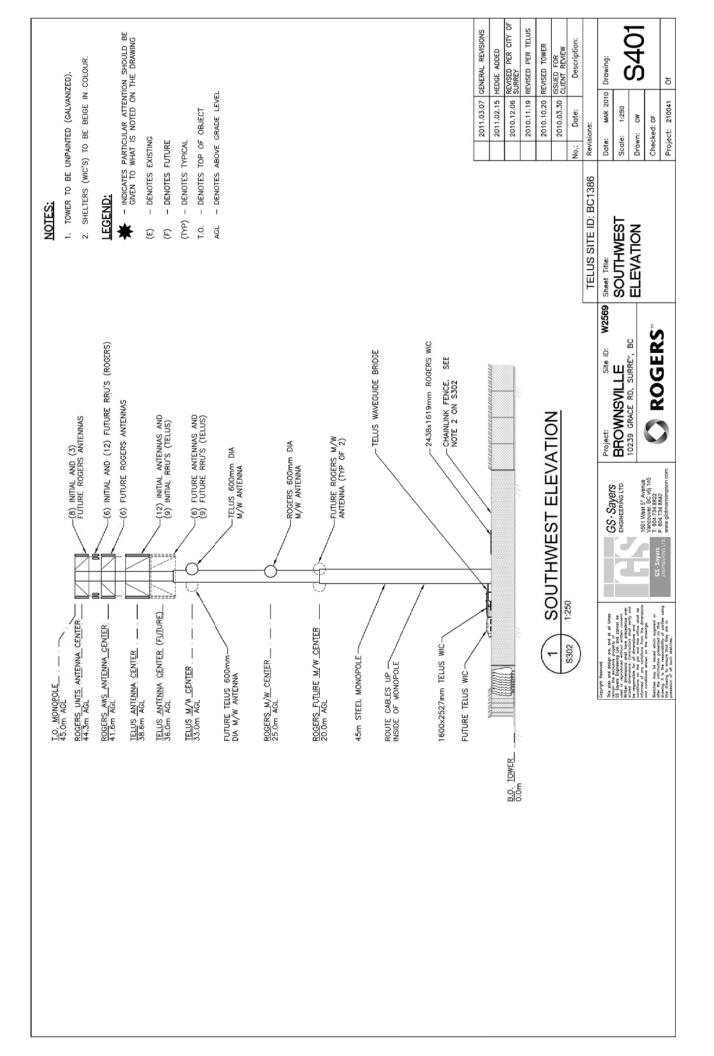
- 3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7910-0227-00.

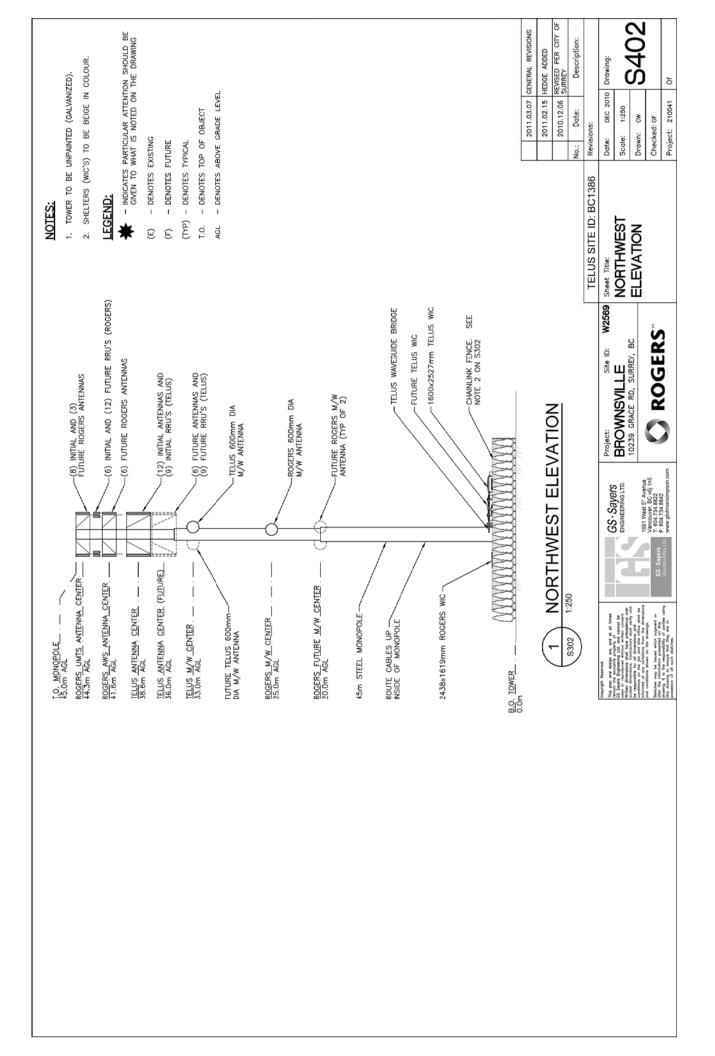
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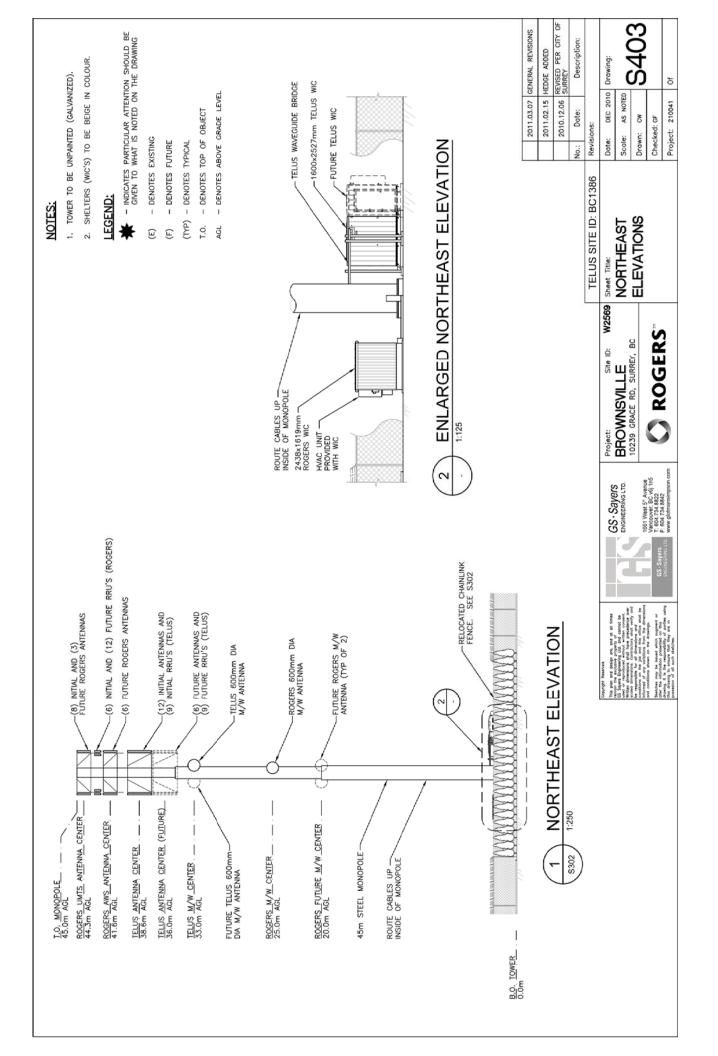
APPENDIX II

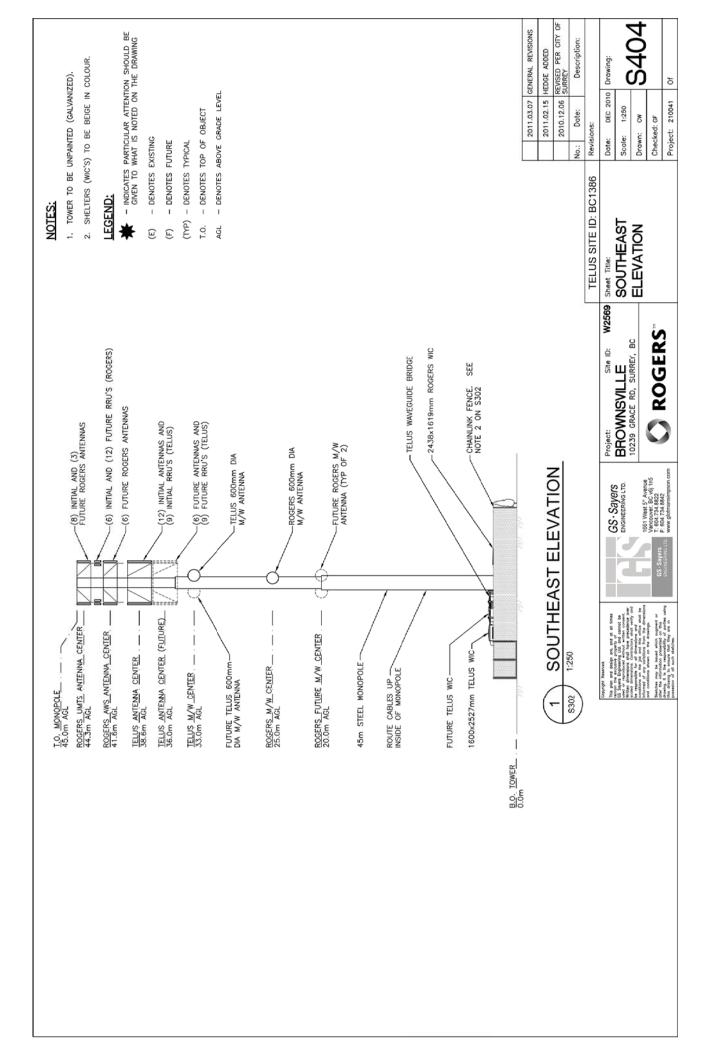














CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO. 7910-0227-00

Issued To:	0793597 B.C. LTD., INC. NO. BC0793597					
	(the "Owner")					
Address of Owner:	6767 Davand Drive Mississauga, Ontario L5T 2T2					

- 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: 027-088-324 Lot 1 District Lots 11 and 12 Group 2 New Westminster District Plan BCP30335

10239 Grace Road

(the "Land")

- 3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Sub-section A.1(a)ii.b. of Part 4 General Provisions, the maximum building height of a free-standing telecommunication tower is increased from 12 metres (40 ft.) to 45 metres (148 ft.).
- 4. The landscaping and the siting of buildings and structures shall be in accordance with the drawings numbered 7910-0227-00(A) through to and including 7910-0227-00(H) (the "Drawings") which are attached hereto and form part of this development variance permit.
- 5. (a) The landscaping shall conform to drawings numbered 7910-0227-00(C) through to and including 7910-0227-00(H) (the "Landscaping").
 - (b) The Landscaping shall be completed within six (6) months after the date of the final inspection of the buildings and structures referred to in the Drawings.

(c) Prior to the issuance of the building permit for this development, security is to be submitted to ensure satisfactory completion of the Landscaping. The security for the Landscaping is to be submitted as follows:

Irrevocable Letters of Credit, in a form acceptable to the City, in the following amounts:

- i. Riparian planting......\$17,248.00
- ii. Hedge and fence \$27,495.44

(the "Security")

- (d) i. When the Landscaping is substantially complete as determined by the City, without the City having to use the Security, 90% of the original Security will be returned. When the Landscaping receives final approval by the City, not earlier than twelve (12) months after the date of substantial completion of the Landscaping, 10% of the original Security will be returned.
 - ii. If final approval of the Landscaping is not given by the City, the City has the option of using the Security to complete the Landscaping and any remaining money shall be returned. The Owner hereby authorizes the City or its agents to enter upon the Land to complete the Landscaping.
 - iii. If the City elects not to enter upon the Land to complete the Landscaping and the Owner does not complete the Landscaping, the Security is forfeited to the City five (5) years after the date of the provisional or final inspection of the buildings and structures referred to in the Drawings.
- 6. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
- 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.
- 8. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
- 9. This development variance permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 . ISSUED THIS DAY OF , 20 .

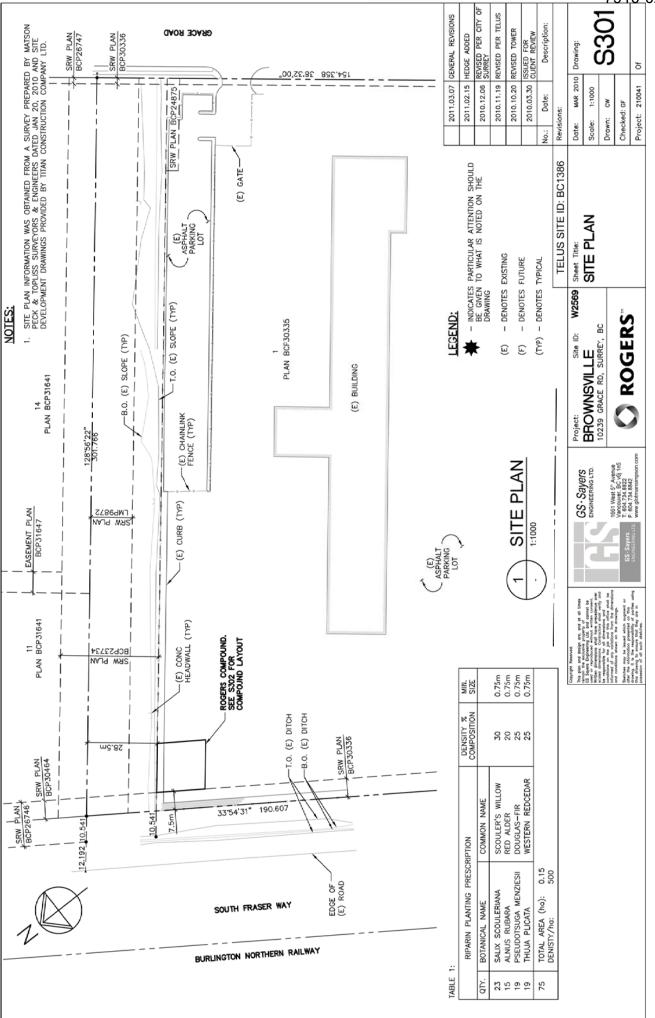
Mayor – Dianne L. Watts

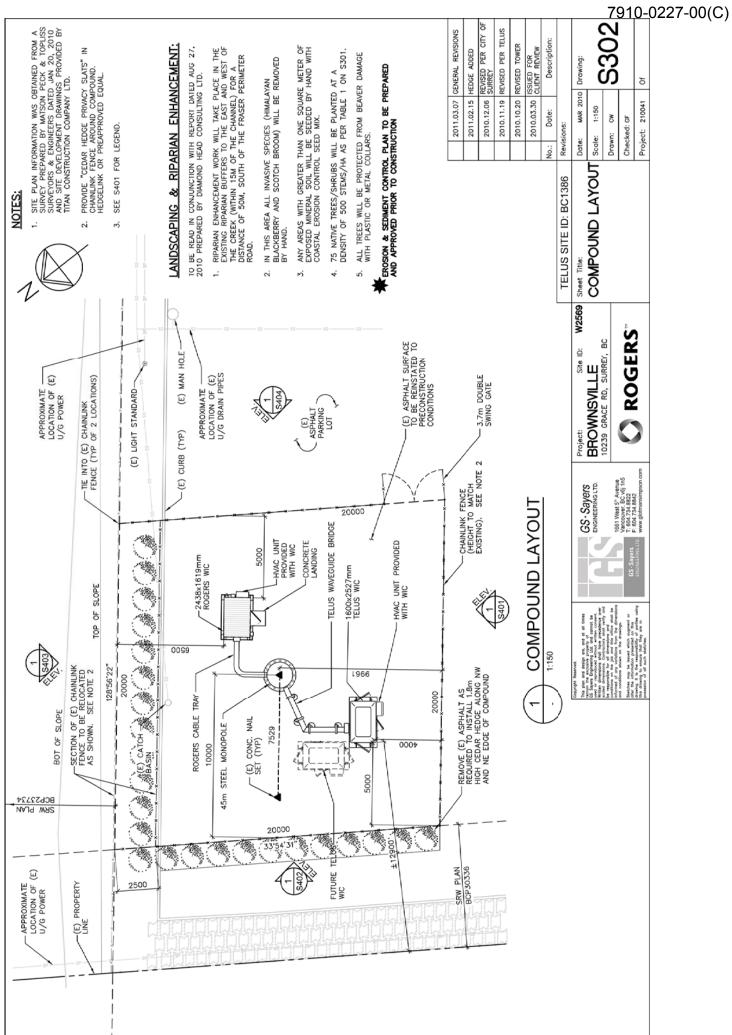
City Clerk – Jane Sullivan

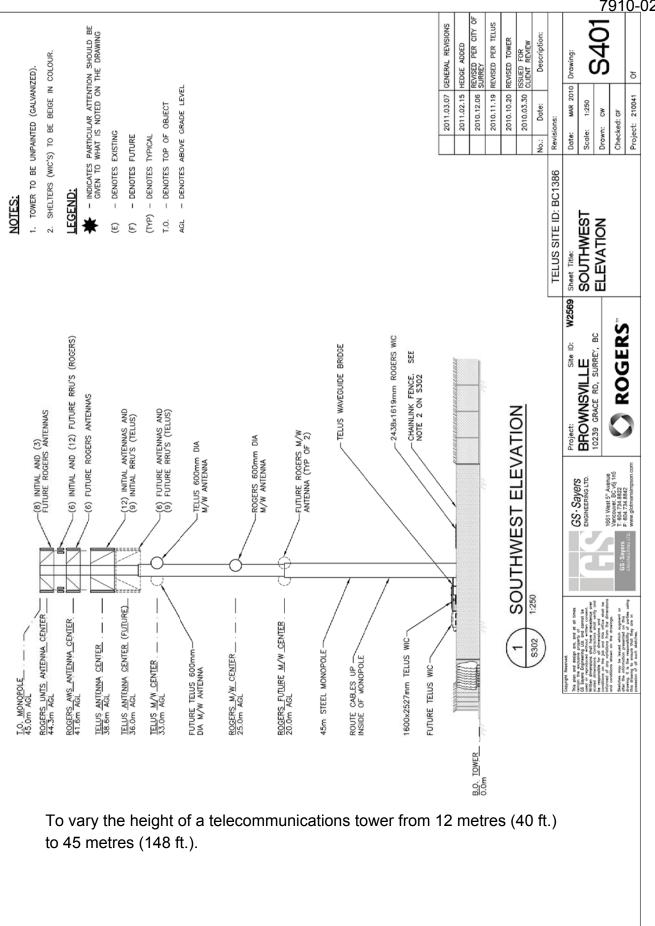
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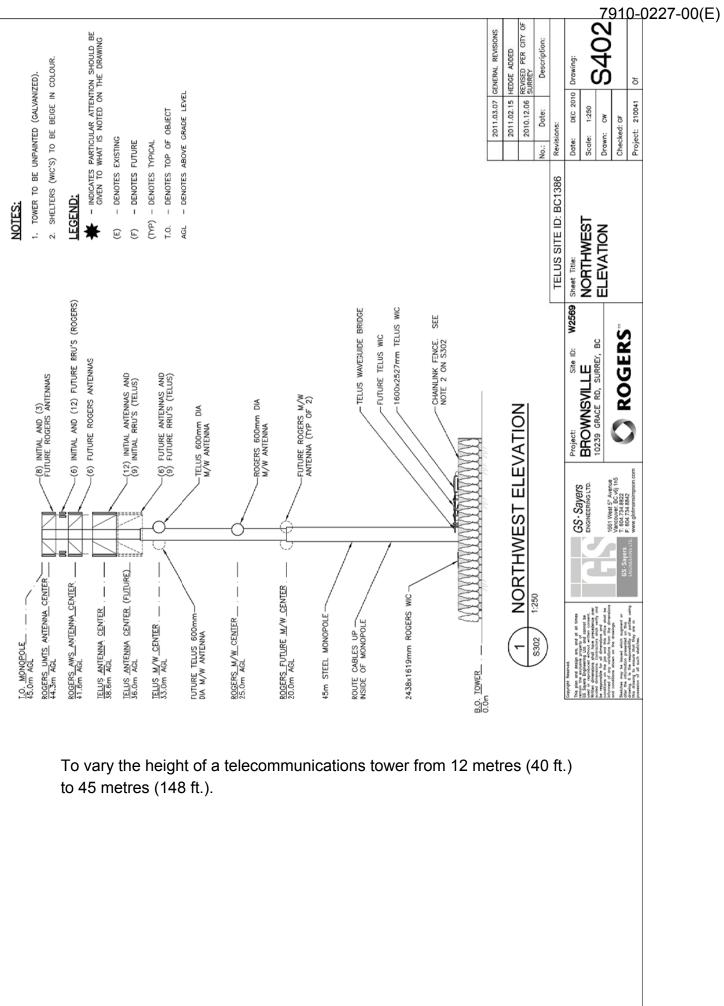
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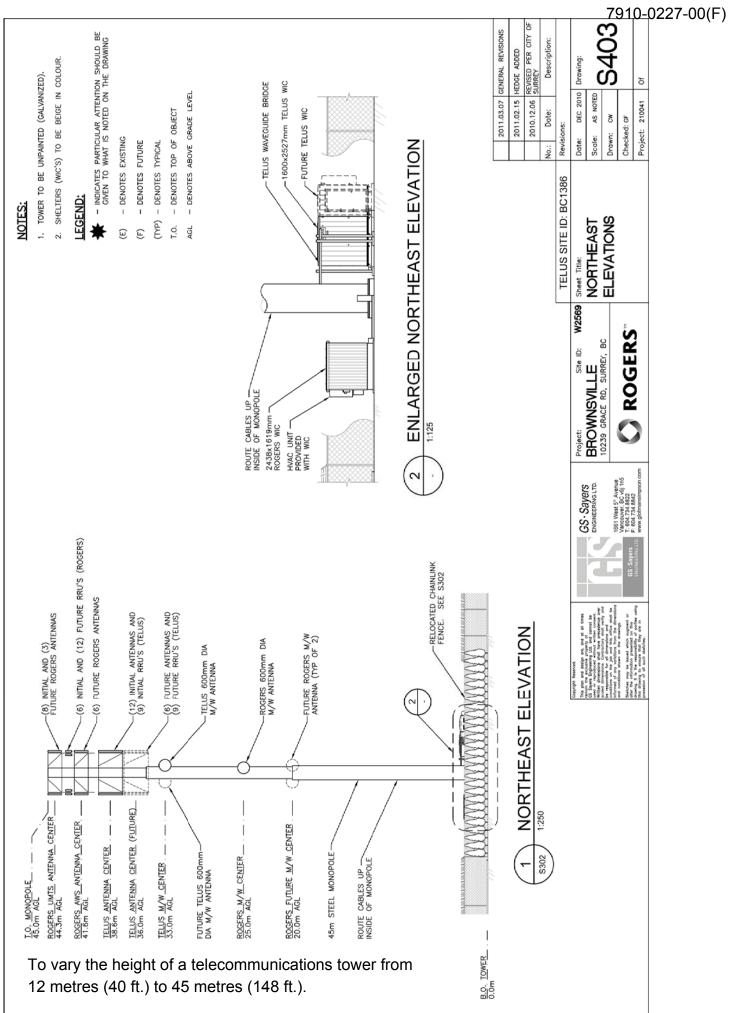


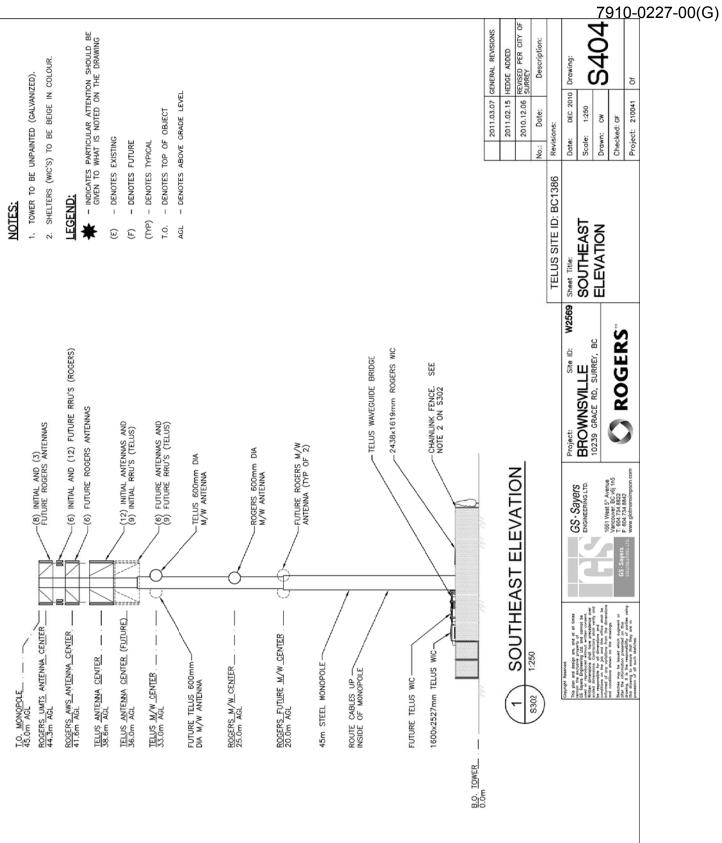




<u>7910-</u>0227-00(D)







To vary the height of a telecommunications tower from 12 metres (40 ft.) to 45 metres (148 ft.).

