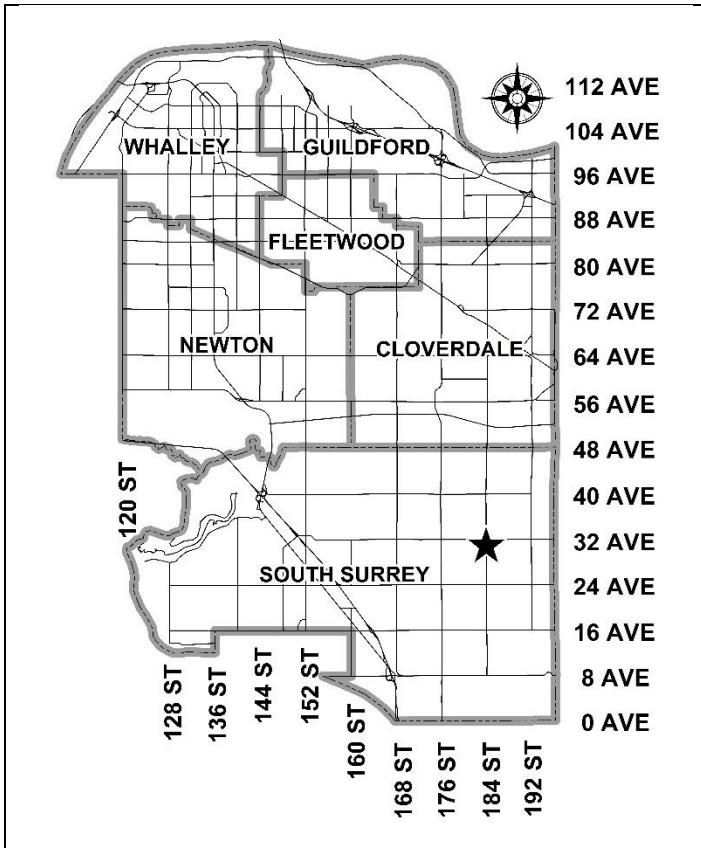


City of Surrey
PLANNING & DEVELOPMENT REPORT

Application No.: 7918-0279-00

Planning Report Date: January 25, 2021



PROPOSAL:

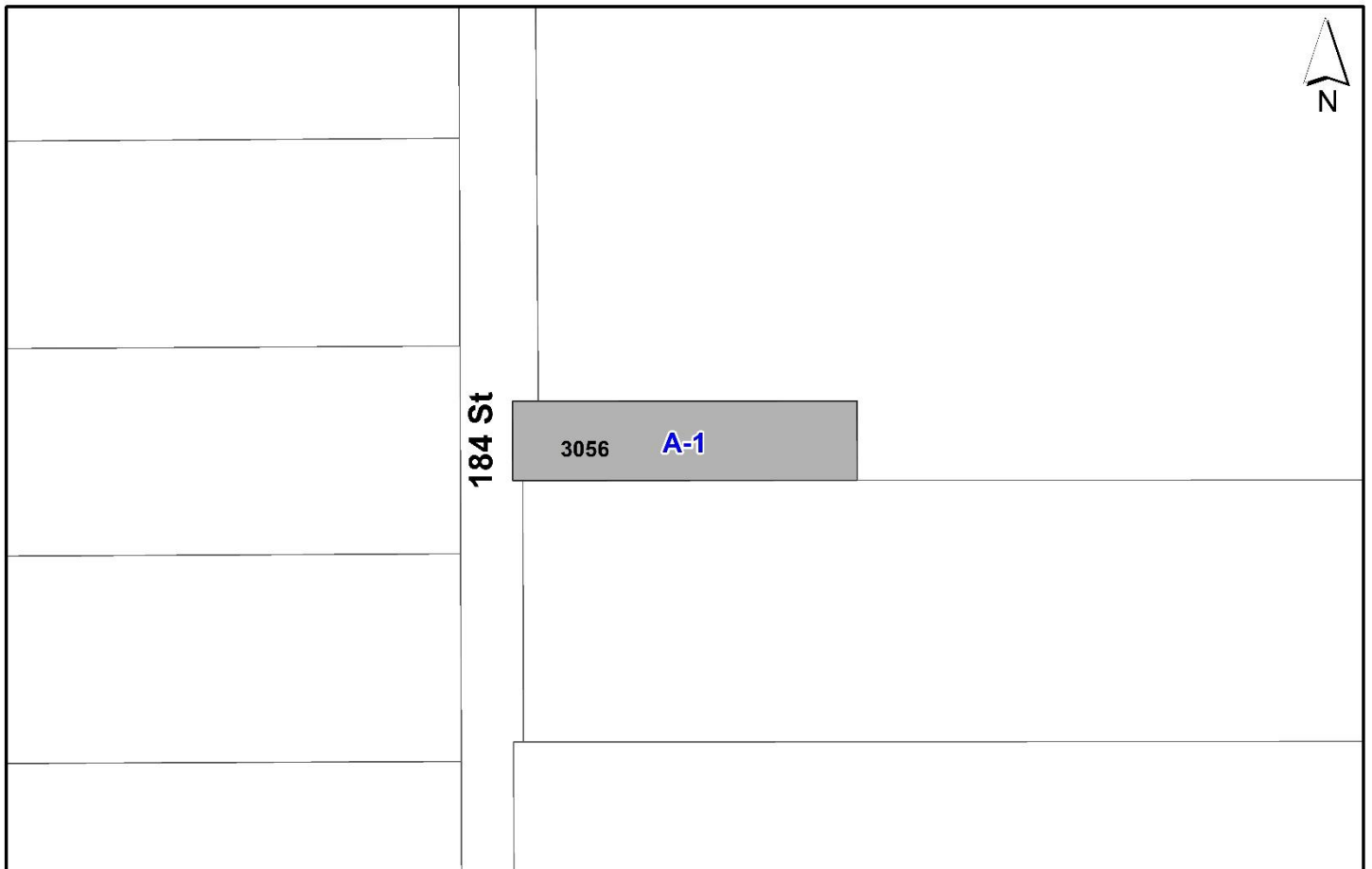
- **Development Permit**
- **Development Variance Permit**

to reduce the minimum streamside setback from a Class A watercourse to facilitate the construction of a new single family dwelling.

LOCATION: 3056 - 184 Street

ZONING: A-1

OCP DESIGNATION: Agricultural



RECOMMENDATION SUMMARY

- Approval to draft Development Permit for Sensitive Ecosystems.
- Approval for Development Variance Permit No. 7918-0279-00 to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is proposing to reduce the minimum side yard (south) setback of the "General Agricultural (A-1) Zone".
- The applicant is proposing to reduce the minimum streamside setback for a Class A (red-coded) watercourse from 15 metres to 10 metres, as measured from top-of-bank.

RATIONALE OF RECOMMENDATION

- The proposal complies with the Agricultural designation in the Official Community Plan (OCP).
- The proposal partially complies with the Development Permit requirements in the OCP for Sensitive Ecosystems (Streamside Areas).
- The existing property is an undersized A-1 lot, of approximately 4,045 square metres in area, and is heavily encumbered by a Class A (red-coded) watercourse.
- The subject lot was created in 1951, prior to the adoption of the Streamside Protection requirements in Part 7A of the Zoning By-law and the Sensitive Ecosystem Development Permit Area regulations, which was approved by Council on July 25, 2016.
- The proposed streamside setback and south yard setback variances will facilitate the construction of an efficient and suitably sized single-family dwelling on the property, without significant encroachment into the streamside setback area.
- The streamside setback area adjacent to the proposed single-family dwelling will be restored and planted with native species in order to enhance the riparian area. The setback area will be protected from encroachment through the installation of a split-rail fence.
- The proposed streamside setback variance is fully Riparian Areas Protection Regulations (RAPR) compliant. A RAPR assessment was reviewed by the Province and found acceptable.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council authorize staff to draft Development Permit No. 7918-0279-00 generally in accordance with the attached drawings.
2. Council approve Development Variance Permit No. 7918-0279-00 (Appendix I) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum side yard (south) setback of the A-1 Zone from 3.0 metres to 1.2 metres; and
 - (b) to reduce the minimum setback distance for a Class A (red-coded) watercourse from 15 metres to 10 metres from top-of-bank.
3. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) submission of a finalized landscaping plan and landscaping cost estimate to the specifications and satisfaction of the Planning and Development Department;
 - (b) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (c) submission of a finalized Ecosystem Development Plan to the satisfaction of City staff; and
 - (d) registration of a Restrictive Covenant for protection of the riparian area.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Single Family Dwelling	Agricultural	A-1
North:	Agricultural with Single Family Dwelling	Agricultural	A-1
East:	Agricultural with Single Family Dwelling	Agricultural	A-1
South:	Agricultural with Single Family Dwelling	Agricultural	A-1
West (Across 184 Street):	Agricultural with Single Family Dwelling	Agricultural	A-1

Context & Background

- The subject site, located at 3056 – 184 Street, is designated "Agricultural" in the Official Community Plan and zoned "General Agricultural (A-1) Zone", and is located within the Agricultural Land Reserve (ALR).

- The property, created in 1951, is approximately 4,045 square metres in area, has a width of 30.4 metres, and a depth of 132.7 metres. These dimensions create a severely undersized A-1 lot, compared with the current minimums in the A-1 Zone. Within the A-1 Zone, the minimum lot area is 40,468 square metres.
- The property is heavily encumbered by a Class A (red-coded) watercourse that runs through the northern portion of the property, flowing east to west towards 184 Street. For lots of record (created before 2016), the minimum setback from top-of-bank for a Class A (red-coded) watercourse is 15 metres.
- The front (west) setback along 184 Street requires an additional 4.94 metre setback to accommodate future road widening.
- Due to the minimum setbacks required in the A-1 Zone, the additional setback required along 184 Street, and the streamside setback area, the buildable area for a new dwelling is limited.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant is proposing a Development Permit for Sensitive Ecosystems (Streamside Areas) and a Development Variance Permit to reduce the streamside setbacks and side yard (south) setback, in order to construct a new single family dwelling on the property.

Referrals

Engineering: The Engineering Department has no objection to the project, subject to the completion of Engineering servicing requirements at Building Permit stage, as outlined in Appendix II.

Transportation Considerations

- The property is currently accessed off a single driveway from 184 Street. As a requirement of the Development Permit, the driveway will be relocated south to remove it from the streamside setback area.
- Transportation Planning has advised that the Special Building Setback applies to the property frontage along 184 Street. An additional 4.942 metre setback from the existing front (west) property line has been applied to the proposed dwelling to accommodate future building setback requirements.

Parkland and/or Natural Area Considerations

- Under the Sensitive Ecosystem Development Permit Guidelines, the applicant has the choice of protecting the riparian streamside setback area through a combined statutory right-of-way/restrictive covenant or by conveying the land to the City for conservation purposes in perpetuity.

- The applicant has chosen to protect the riparian streamside area through the registration of a restrictive covenant on title. The land will be protected by a 1.2 metre high split-rail wooden fence and will be the responsibility of the property owners to maintain in perpetuity. In support of the requested Development Variance Permit, the applicant will be responsible for restoration works within the riparian area. See the Sensitive Ecosystem Development Permit section for more discussion.

POLICY & BY-LAW CONSIDERATIONS

Zoning By-law

Setback Variance

- The applicant is requesting the following variance:
 - to reduce the minimum side yard (south) setback of the A-1 Zone from 3.0 metres to 1.2 metres.
- Due to the property's undersized dimensions, required setbacks within the A-1 Zone, streamside setback, as well as Special Setback from 184 Street, the buildable area is severely constrained.
- The reduced side yard (south) setback is considered reasonable as it would facilitate a reasonably sized and efficient dwelling to be constructed on the property.
- Staff support the requested variances to proceed for consideration.

Streamside Variance

- The applicant is requesting the following streamside variance:
 - to reduce the minimum setback distance for a Class A (red-coded) watercourse from 15 metres to 10 metres.
- Due to the required 15 metre setback from top-of-bank, the buildable area for a new single family dwelling is severely constrained.
- The proposed variance would allow for an efficient and reasonably sized single family dwelling to be constructed on the site, which is fully compliant with the required Riparian Areas Protection Regulations (RAPR) setback of 10 metres from high water mark (HWM).
- The applicant has provided a landscaping plan for the 10 metre setback area which includes remediation and removal of invasive species and planting of native species. The area will be protected from encroachment by a 1.2 metre high split-rail fence.
- A Section 219 Restrictive Covenant for the streamside setback area will be required to be registered on title prior to the application proceeding for final approval.

- In recognition of the site constraints noted above, staff support the requested variances to proceed for consideration.

DEVELOPMENT PERMITS

Sensitive Ecosystems (Streamside Areas) Development Permit Requirement

- The subject property falls within the Sensitive Ecosystems Development Permit Area (DPA) for Streamside Areas in the OCP, given the location of an existing Class A (red-coded) watercourse which flows east to west along the northern portion of the subject site. The Sensitive Ecosystems (Streamside Areas) Development Permit is required to protect aquatic and terrestrial ecosystems associated with streams from the impacts of development.
- In accordance with Part 7A Streamside Protection setbacks of the Zoning By-law, a Class A (red-coded) watercourse requires a minimum streamside setback of 15 metres for lots of record, as measured from the top of bank. The applicant is proposing to reduce the required setback from the watercourse as noted in the Streamside Variance setback above.
- The riparian area will be protected through the registration of a Restrictive Covenant against the property to ensure safeguarding and maintenance of the Protection Area in perpetuity, in compliance with the OCP.
- An Ecosystem Development Plan, prepared by Laurie Kremsater, *R.P. Bio.*, of Madrone Environmental Services Ltd., and dated October 28, 2020 was reviewed by staff and found to be generally acceptable, with some modifications to content and format of the report still required. The finalized report and recommendations will be incorporated into the Development Permit.

Sensitive Ecosystems (Green Infrastructure Areas) Development Permit Requirement

- The subject property falls within the Sensitive Ecosystems DPA for Green Infrastructure Areas in the OCP, given the location of a Biodiversity Conservation Strategy (BCS) Green Infrastructure Network (GIN) hub located along the northern and eastern portions of the property. The Sensitive Ecosystems (Green Infrastructure Areas) Development Permit is required to protect environmentally sensitive and/or unique natural areas from the impacts of development.
- The City of Surrey Biodiversity Conservation Strategy (BCS) Green Infrastructure Network (GIN) map, adopted by Council on July 21, 2014 (Corporate Report No. R141; 2014), identifies BCS Hub G within the subject site, in the Campbell Heights BCS management area, with a High ecological value.
- The BCS further identifies the GIN area of the subject site as having a High habitat suitability rating, derived from species at risk presence, species accounts and known ecosystem habitat inventories.

- The development proposal enhances 659 square meters of riparian lands through Registering a Restrictive Covenant which is 16% of the total gross area of the subject site. This method of GIN enhancement will assist in the long-term protection of the natural features and allows the City to better achieve biodiversity at this location consistent with the guidelines contained in the BCS.
- An Ecosystem Development Plan, prepared by Laurie Kremsater, *R.P. Bio.*, of Madrone Environmental Services Ltd., and dated October 28, 2020 was reviewed by staff and found to be generally acceptable. The finalized report and recommendations will be incorporated into the Development Permit.

TREES

- Kelly Koome, ISA Certified Arborist of Koome Urban Forestry, 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	Existing	Remove	Retain
Alder and Cottonwood Trees			
Alder	13	4	9
Cottonwood	8	1	7
Deciduous Trees (excluding Alder and Cottonwood Trees)			
Cherry	5	2	3
Japanese Maple	1	1	0
Norway Maple	1	1	0
River Birch	1	1	0
Coniferous Trees			
Douglas Fir	6	0	6
Giant Sequoia	2	0	2
Western Red Cedar	9	1	8
White Cedar	2	1	1
Total (excluding Alder and Cottonwood Trees)	27	7	20
Total Replacement Trees Proposed (excluding Boulevard Street Trees)		32	
Total Retained and Replacement Trees		68	
Contribution to the Green City Program		N/A	

- The Arborist Assessment states that there are a total of 27 mature trees on the site, excluding Alder and Cottonwood trees. Twenty-one existing trees, approximately 44% of the total trees on the site, are Alder and Cottonwood trees. It was determined that 36 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.
- A detailed planting plan prepared by a Registered Professional Biologist (R.P. Bio.) is required for the monitoring and maintenance of the proposed trees to be planted in the protected riparian area.
- 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 19 replacement trees on the site. The applicant is proposing 32 replacement trees, exceeding City requirements.
- The new trees on the site will consist of a variety of trees including Western Red Cedar, Red Alder, Bigleaf Maple, Nootka Rose, and Salmonberry.
- In summary, a total of 68 trees are proposed to be retained or replaced on the site with no contribution to the Green City Program.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Development Variance Permit No. 7918-0279-00
Appendix II.	Engineering Summary
Appendix III.	Summary of Tree Survey and Tree Preservation

approved by Shawn Low

Jean Lamontagne
General Manager
Planning and Development

DZ/cm

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7918-0279-00

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: 011-184-779

Parcel "One" (Reference Plan 13016) West Half Lot "A" Section 21 Township 7 New Westminster District Plan 6241

3056 – 184 Street

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Subsection F. Yards and Setbacks of 10 General Agricultural Zone, the minimum side yard (south) setback is reduced from 3 metres to 1.2 metres; and
 - (b) In Subsection B. Streamside Setback Areas of Part 7A Streamside Protection, the minimum distance from top-of-bank for a Class A (red-coded) watercourse is reduced from 15 metres to 10 metres.
4. This development variance permit applies to only the portion of the buildings and structures on the Land shown on Schedule A which is attached hereto and forms part of this development variance permit. This development variance permit does not apply to additions to, or replacement of, any of the existing buildings shown on attached 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.
7. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
8. 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 – Doug McCallum

City Clerk – Jennifer Ficocelli

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

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

DATE: **December 07, 2020** PROJECT FILE: **7818-0279-00**

RE: **Engineering Requirements
Location: 3056 - 184 Street**

DEVELOPMENT PERMIT/DEVELOPMENT VARIANCE PERMIT

There are no issues or engineering requirements relative to issuance of the Development Permit for Sensitive Ecosystems (Streamside) associated with the proposed construction of a new single-family dwelling on the A-1 property.

There are no issues or engineering requirements relative to issuance of the Development Variance Permit for setbacks.

BUILDING PERMIT

The following issues are to be addressed as a condition of the subsequent Building Permit:

- Any proposed on-site septic sewer system to be designed and installed in accordance with the requirements of the Fraser Health Authority. Register Restrictive Covenant for the protection and maintenance of the onsite septic system, along with requirement to decommission the septic tank once sanitary frontage is available. A new sanitary connection to the sanitary main will be required, and any latecomer charges, LAS or DCC fees will be applicable at time of connection.



Tommy Buchmann, P.Eng.
Development Services Manager

Table 2 – Tree Replacement Summary

Surrey Project No: KUF-184th St_Sheikh
Address: 3056 184th Street, Surrey, BC
Registered Arborist: Kelly Koome

On-Site Trees	Number of Trees
Protected Trees Identified (on-site and shared trees, including trees within boulevards and proposed streets and lanes, but excluding trees in proposed open space or riparian areas)	48
Protected Trees to be Removed	12
Protected Trees to be Retained (excluding trees within proposed open space or riparian areas)	36
Total Replacement Trees Required: <ul style="list-style-type: none"> - Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio $\underline{\quad 5 \quad} \times \text{one (1)} =$ - All other Trees Requiring 2 to 1 Replacement Ratio $\quad 7 \quad \times \text{two (2)} =$ 	19
Replacement Trees Proposed	32
Replacement Trees in Deficit	0
Protected Trees to be Retained in Proposed [Open Space / Riparian Areas]	n/a
Off-Site Trees	Number of Trees
Protected Off-Site Trees to be Removed	0
Total Replacement Trees Required: <ul style="list-style-type: none"> - Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio $\underline{\quad 0 \quad} \times \text{one (1)} = 0$ - All other Trees Requiring 2 to 1 Replacement Ratio $\quad 0 \quad \times \text{two (2)} = 0$ 	0
Replacement Trees Proposed	0
Replacement Trees in Deficit	0
Protected Off-Site Trees to be Retained	9

Summary, report and plan prepared and submitted by:



Project Arborist

January 19th, 2021

Date

LEGEND






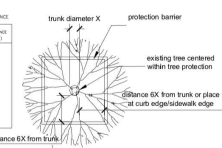
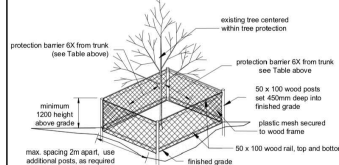
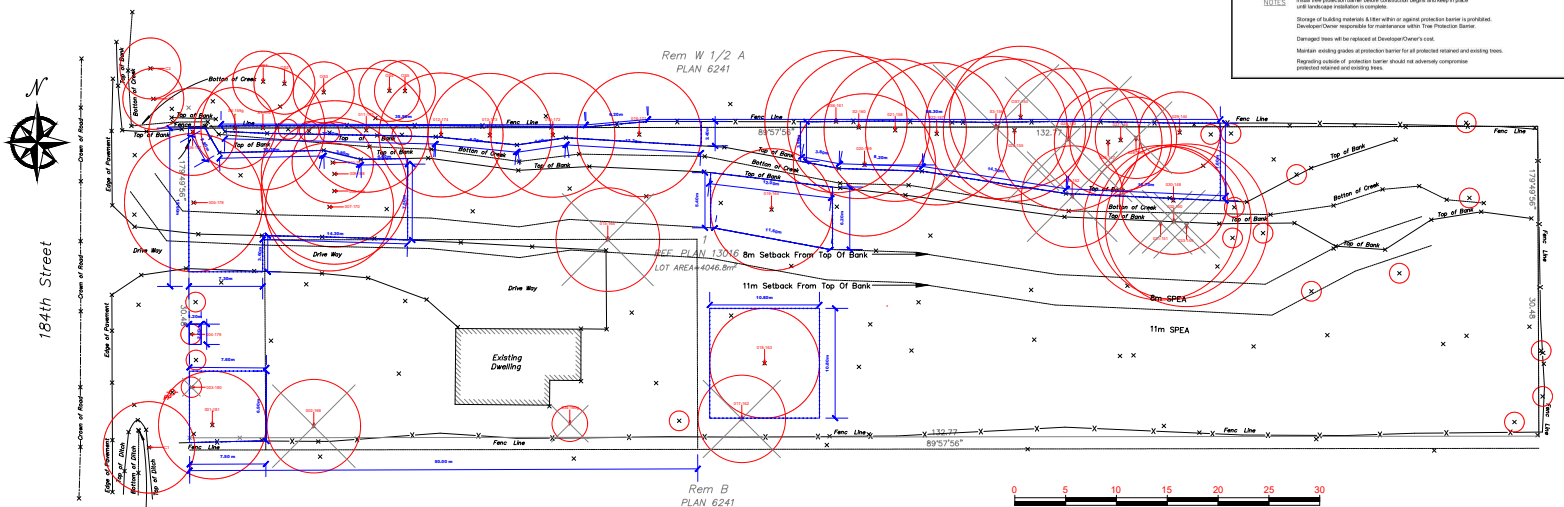
-  123 TREE TO BE RETAINED
 -  123 TREE TO BE REMOVED
 -  TREE PROTECTION FENCE
 -  UNDERSIZED TREE
 -  TREE NUMBER TREE TAG
- ALL MEASUREMENTS ARE IN METERS.

TABLE: PROTECTION BARRIER DISTANCE	
TRUNK DIAMETER (CM)	MINIMUM PROTECTION DISTANCE (M)
2	0.6
3	0.9
4	1.2
5	1.5
6	1.8
7	2.1
8	2.4
9	2.7
10	3.0
11	3.3
12	3.6
13	3.9
14	4.2
15	4.5
16	4.8
17	5.1
18	5.4
19	5.7
20	6.0
25	7.5
30	9.0
35	10.5
40	12.0
45	13.5
50	15.0
55	16.5
60	18.0
65	19.5
70	21.0
75	22.5
80	24.0
85	25.5
90	27.0
95	28.5
100	30.0

NOTES:

- Install tree protection barrier before construction begins and keep in place until construction completion.
- Storage of building materials & other debris or against protection barrier is prohibited.
- Developer/Owner responsible for maintenance within Tree Protection Barrier.
- Overgrown trees will be reported to Development/Owner's notice.
- Maintain existing grades of protection barrier for all protected retained and existing trees.
- Regrading outside of protection barrier should not adversely compromise protected retained and existing trees.



Invert
INV Elev. = 12.27m
#=250mm CONC.

- NOTE:**
1. CONTACT ARBORIST (KELLY KOOME, 778.885.6777, kelly_koome@koomeurbanforestry.ca) FOR INSPECTION 72 HOURS PRIOR TO ANY GRADING OR EXCAVATION WITHIN THE TREE PROTECTION ZONE. IF DURING EXCAVATION IT IS FOUND THAT IT CANNOT BE COMPLETED WITHOUT SEVERING ROOTS THAT ARE CRITICAL TO THE TREE HEALTH OR STABILITY, IT MAY BE NECESSARY TO REMOVE ADDITIONAL TREE.
 2. READ THIS PLAN TOGETHER WITH THE ARBORIST REPORT PREPARED BY KOOME URBAN FORESTRY LTD (KUF) AND DATED JULY 27, 2020.
 3. AN ADDITIONAL 1M SETBACK IS SHOWN FOR ALL HAND-PLOTTED TREES TO BE RETAINED.
 4. IF STUMP GRINDING IS TO OCCUR IN CLOSE PROXIMITY TO TREES WHICH ARE TO BE RETAINED THEN IT IS REQUESTED STUMPS TO BE REMOVED UNDER ARBORIST SUPERVISION.
 5. IT IS THE RESPONSIBILITY OF THE CLIENT OR HIS/HER REPRESENTATIVE TO CONTACT THE PROJECT ARBORIST FOR THE PURPOSE OF:
 - *LOCATING TPZ FENCING
 - *LOCATING WORK ZONE AND MACHINE ACCESS CORRIDORS WHERE REQUIRED
 - *REVIEWING THE REPORT WITH THE PROJECT FOREMAN OR SITE SUPERVISOR

12/01/21 N.D., S.B.
27/07/20 N.D., S.B.
(DDMMYY) NAME

REVISIONS

PROJECT TITLE
KUF-184TH_SHEIKH

PROJECT ADDRESS
3056 184 Street
Surrey, BC

DRAWING TITLE
TREE MANAGEMENT PLAN