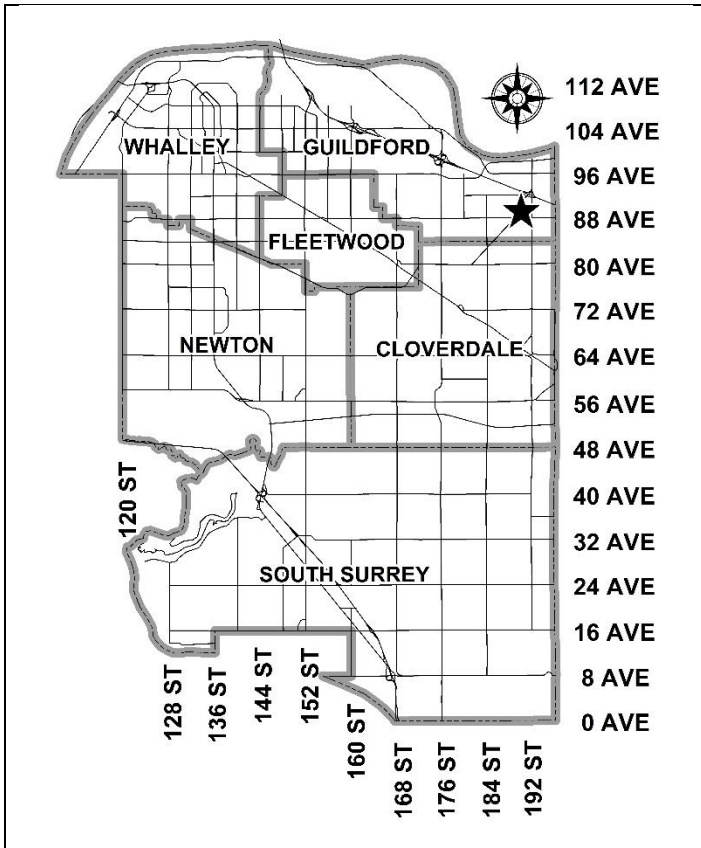


City of Surrey
PLANNING & DEVELOPMENT REPORT

Application No.: 7920-0257-00

Planning Report Date: May 10, 2021



PROPOSAL:

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

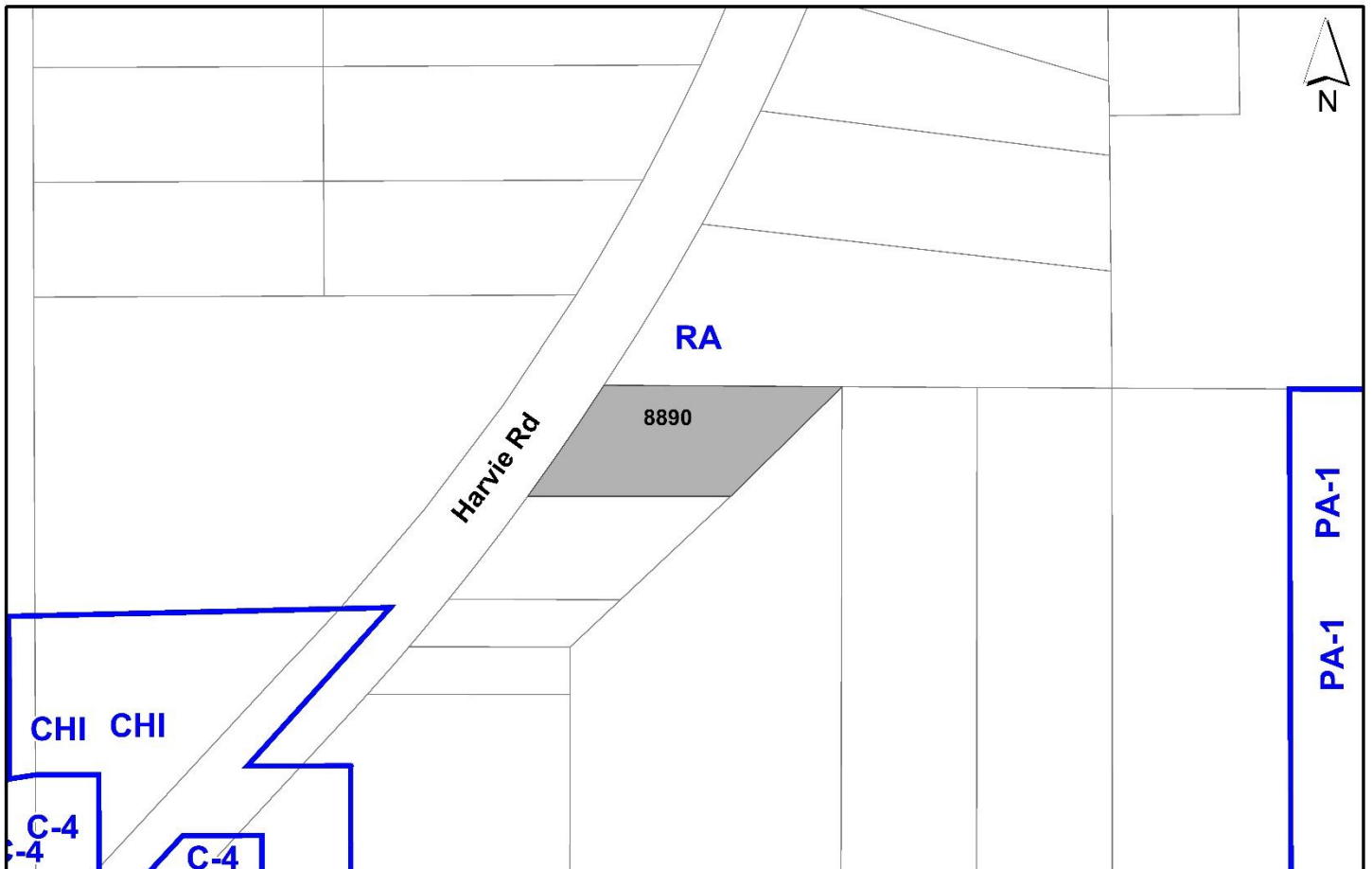
to reduce the minimum streamside setback area for a Class A watercourse, measured from top-of-bank, to permit the installation of a water well on the existing lot.

LOCATION: 8890 - Harvie Road

ZONING: RA

OCP DESIGNATION: Suburban - Urban Reserve

GLUP DESIGNATION: Suburban Residential



RECOMMENDATION SUMMARY

- Approval to draft Development Permit for Hazard Lands and Sensitive Ecosystems.
- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is proposing to reduce the minimum streamside setback area for a Class A watercourse from 15 metres to 2 metres for a proposed water well, as measured at the closest point from top-of-bank, under Part 7A Streamside Protection of the Zoning Bylaw.

RATIONALE OF RECOMMENDATION

- The applicant is proposing to construct an addition to an existing single family dwelling that was constructed in the 1950's. The proposed addition along with a new septic system to accommodate the addition are both outside of the City's Streamside Protection Area (SPA). The proposed new septic treatment system has been submitted to Fraser Health.
- To accommodate the addition, the applicant is proposing to decommission an existing well and install a new well that will be located within the City's Streamside Protection Area (SPA) but outside the provincial Streamside Protection and Enhancement Area (SPEA). The property has an existing surface water well that is shallow and susceptible to bacterial contamination and must be replaced.
- Alternative locations for the new well were explored but no other locations could be found that would comply with the 30 metre setback from a sewerage system as required by the Sewerage System Regulation (SSR) under the Public Health Act.
- The applicant has received Riparian Area Protection Regulation (RAPR) confirmation from the province. The proposed well will be outside of the Provincial SPEA and outlined under the RAPR.
- The proposal complies with the Suburban - Urban Reserve 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 proposal complies with the Development Permit slope stability requirements in the OCP for Hazard Lands (Steep Slopes).
- Registration of a combined Statutory Right-of-Way / Section 219 Restrictive Covenant over the designated Streamside Protection Area for both "No Build" and conveyance access is a condition of approval.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council authorize staff to draft Development Permit No. 7920-0257-00 for Hazard Lands (Steep Slopes) and Sensitive Ecosystems (Streamside Areas and Green Infrastructure Areas) generally in accordance with a finalized Ecosystem Development Plan and Geotechnical Report.
2. Council approve Development Variance Permit No. 7920-0257-00 (Appendix V) to reduce the minimum streamside setback area for a Class A watercourse from 15 metres to 2 metres, as measured at the closest point from top-of-bank, to proceed to Public Notification.
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 landscaping plan and landscaping cost estimate to the satisfaction of the Planning and Development Department;
 - (c) registration of a combined Statutory Right-of-Way / Section 219 Restrictive Covenant over the designated Streamside Protection Area for both "No Build" and conveyance access;
 - (d) submission of a finalized Geotechnical Report and registration of a Section 219 Restrictive Covenant to ensure the site is developed in accordance with the conditions in the finalized geotechnical report.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Single Family Dwelling on a lot with a Class A watercourse	Suburban-Urban Reserve	RA
North:	Single Family Dwelling on a lot with a Class A watercourse	Suburban-Urban Reserve	RA

Direction	Existing Use	OCP Designation	Existing Zone
East:	Single Family Dwelling on a lot with a Class A watercourse	Suburban-Urban Reserve	RA
South:	Single Family Dwelling on a lot with a Class A watercourse	Suburban-Urban Reserve	RA
West (Across Harvie Road):	Single Family Dwelling	Suburban-Urban Reserve	RA

Context & Background

- The subject property is located at 8890 Harvie Road in South Port Kells. The lot is approximately 3,605 square metres in size and is occupied by an existing single family dwelling. The property is designated Suburban-Urban Reserve in the Official Community Plan and is zoned "One-Acre Residential Zone (RA)".
- The eastern (rear) portion of the subject site is within a Development Permit Area for Sensitive Ecosystems (Streamside and Green Infrastructure Areas) and Hazard Lands (Steep Slopes) associated with a Class A (red-coded) watercourse, the Old Sawmill Creek.
- The subject property is characterized by a flat yard with a transitional slope into the back yard, extending north and south from the rear wall of the existing residence. A solid panel, wood fence is located along the top of the slope.
- The applicant is proposing to build a 465 square metre addition to the existing house in the southwest corner of the property. A new well and a new septic treatment system are also being proposed.
- The existing house, which was constructed in the early 1950's, is located within the required 15 metre setback from top of bank of the watercourse as outlined under Part 7A Streamside Protection of the Zoning By-law but can be retained as an existing non-conforming structure. The proposed addition and new septic treatment system are entirely outside of the streamside setback area. The proposed new well is within the setback area and as such the applicant is requesting a variance.

DEVELOPMENT PROPOSAL

Planning Considerations

New Well/Sewerage System Design

- The applicant hired Brent W. Dennis, *P. Eng.*, of BWD Engineering Inc., who designed a new septic treatment system (Appendix II) that will service the existing house and the proposed addition. An Onsite Wastewater System Construction Package dated June 2020, and amended in February 2021, has been submitted to staff.

- There is no other location on the site where the proposed new well could be installed and still meet Public Health requirements.
- The property is not serviced by City water and the property requires a safe water source.
- The proposed water well is outside of the Provincial SPEA, as outlined under the Riparian Areas Protection Regulation (RAPR), as confirmed by the Ministry of Forests, Lands, Natural Resources Operations and Rural Development (MFLNORD).
- The proposed addition and new septic system are both outside the SPA.
- Staff support the requested variance to proceed to Public Notification.

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. 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, as measured from the top of bank for existing lots of record that existed prior to September 12, 2016.
- The existing house is within the streamside setback but can be retained as an existing non-conforming building. The proposed house addition, and new septic treatment system, comply with the streamside setback requirements. A relaxation is being requested for the proposed water well.
- The riparian area will be protected through the registration of a combined Restrictive Covenant/Right-of-Way 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 Duncan Campbell, *R.P. Bio.* and *P. Biol.*, of Triton Environmental Consultants and dated March 17, 2021 was reviewed by staff and found to be generally acceptable. The 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) Corridor located in the Tynehead Management Area. 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 a Local BCS Corridor within the subject site, in the Tynehead BCS management area, with a Medium ecological value.
- The BCS further identifies the GIN area of the subject site as having a Moderate High to Very High habitat suitability rating, derived from species at risk presence, species accounts and known ecosystem habitat inventories.
- The development proposal enhances the "no disturbance area" of the subject site through Tree Retention and planting enhancement. 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 Duncan Campbell, *R.P. Bio.* and *P. Biol.*, of Triton Environmental Consultants and dated March 17, 2021 was reviewed by staff and found to be generally acceptable. The report and recommendations will be incorporated into the Development Permit.

Hazard Lands (Steep Slope) Development Permit Requirement

- A geotechnical report, prepared by Devadas Pranassery, *M. Tech.*, of Asyam Consulting Ltd. and dated February 17, 2021, was reviewed by Zhao Guan, *P. Eng.*, of Asyam Consulting Ltd. The report was reviewed by staff and found to conform to the OCP Development Permit guidelines for slope stability in Hazard Lands, with some modifications to content of the report still required. The finalized geotechnical report will be incorporated into the Development Permit.
- The geotechnical report investigated issues related to slope stability and natural storm water drainage, from a geotechnical perspective, to determine the feasibility of development the site and proposing recommendations to ensure the ongoing stability of the slope.
- The consultant has determined that the development is feasible provided that the recommendations in their report are incorporated into the overall design of the site.
- Registration of a Section 219 Restrictive Covenant that requires the owner to develop the site in accordance with the conditions in the geotechnical report is required as a condition of final adoption.
- At Building Permit stage, the Building Division will require Letters of Assurance from a geotechnical engineer to ensure that the building plans comply with the recommendations in the approved geotechnical report.

TREES

- Francis Klimo, ISA Certified Arborist of Klimo & Associates 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	2		2
Deciduous Trees (excluding Alder and Cottonwood Trees)			
Black Cherry	1	1	
Coniferous Trees			
Douglas Fir	3		3
Western Red Cedar	1		1
Total (excluding Alder and Cottonwood Trees)	5	1	4
Additional Trees in the proposed Open Space / Riparian Area	0	0	0
Total Replacement Trees Proposed (excluding Boulevard Street Trees)		2	
Total Retained and Replacement Trees		6	
Contribution to the Green City Program		N/A	

- The Arborist Assessment states that there are a total of 5 mature trees on the site, excluding Alder and Cottonwood trees. Two (2) existing trees, approximately 29% of the total trees on the site, are Alder and Cottonwood trees. It was determined that 6 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 2 replacement trees on the site. The applicant is proposing 2 replacement trees, meeting City requirements.
- In summary, a total of 6 trees are proposed to be retained and 2 replaced on the site.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Streamside Setback Plan
- Appendix II. Septic Treatment System Design
- Appendix III. Engineering Summary
- Appendix IV. Summary of Tree Preservation
- Appendix V. Development Variance Permit No. 7920-0257-00

approved by Ron Gill

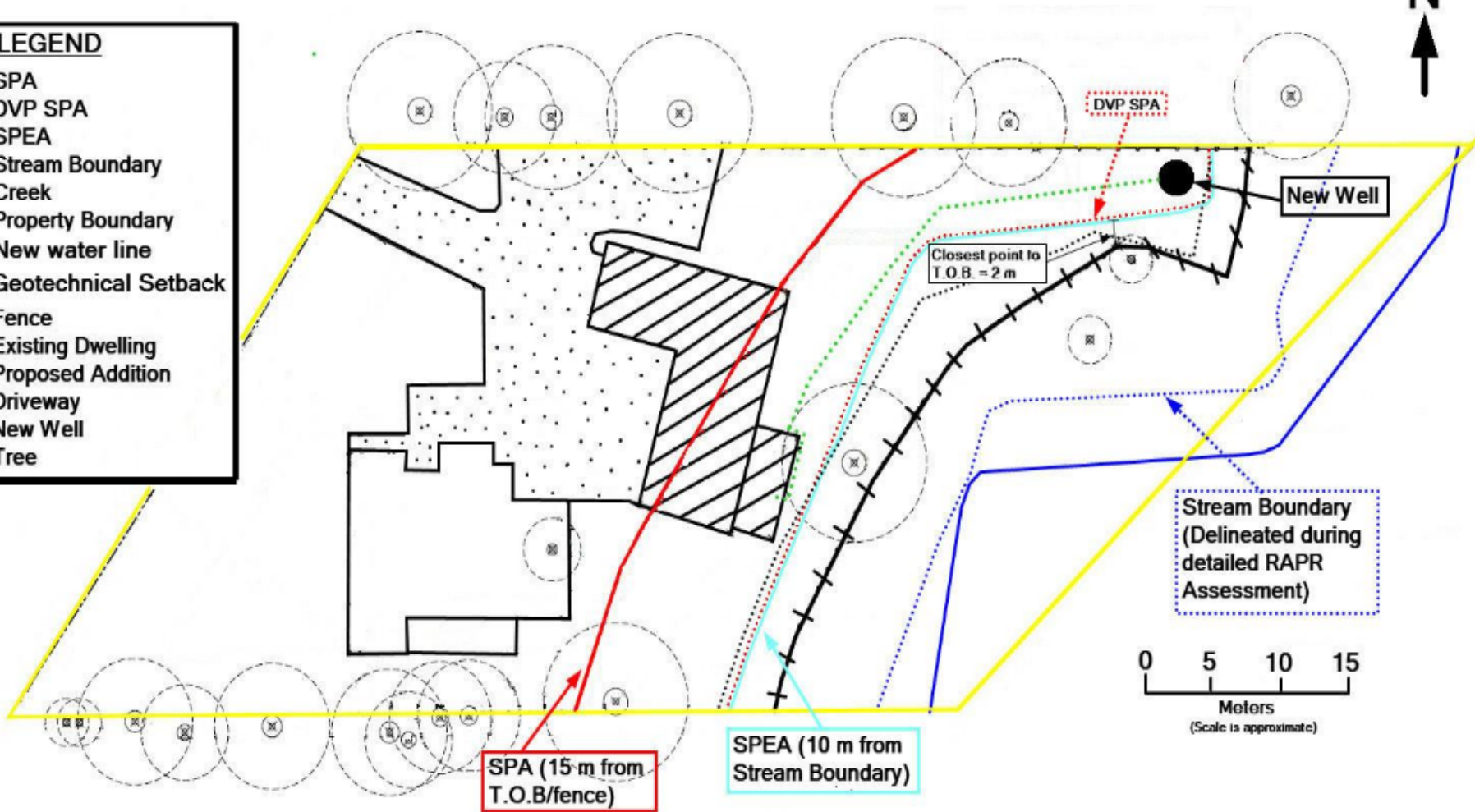
Jean Lamontagne
General Manager
Planning and Development

DQ/cm

8890 Harvie Road DVP Proposal

LEGEND

- SPA
- - - DVP SPA
- SPEA
- - - Stream Boundary
- Creek
- Property Boundary
- - - New water line
- - - Geotechnical Setback
- Fence
- Existing Dwelling
- Proposed Addition
- Driveway
- New Well
- Tree

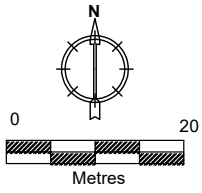


SPA (15-m from T.O.B./fence)

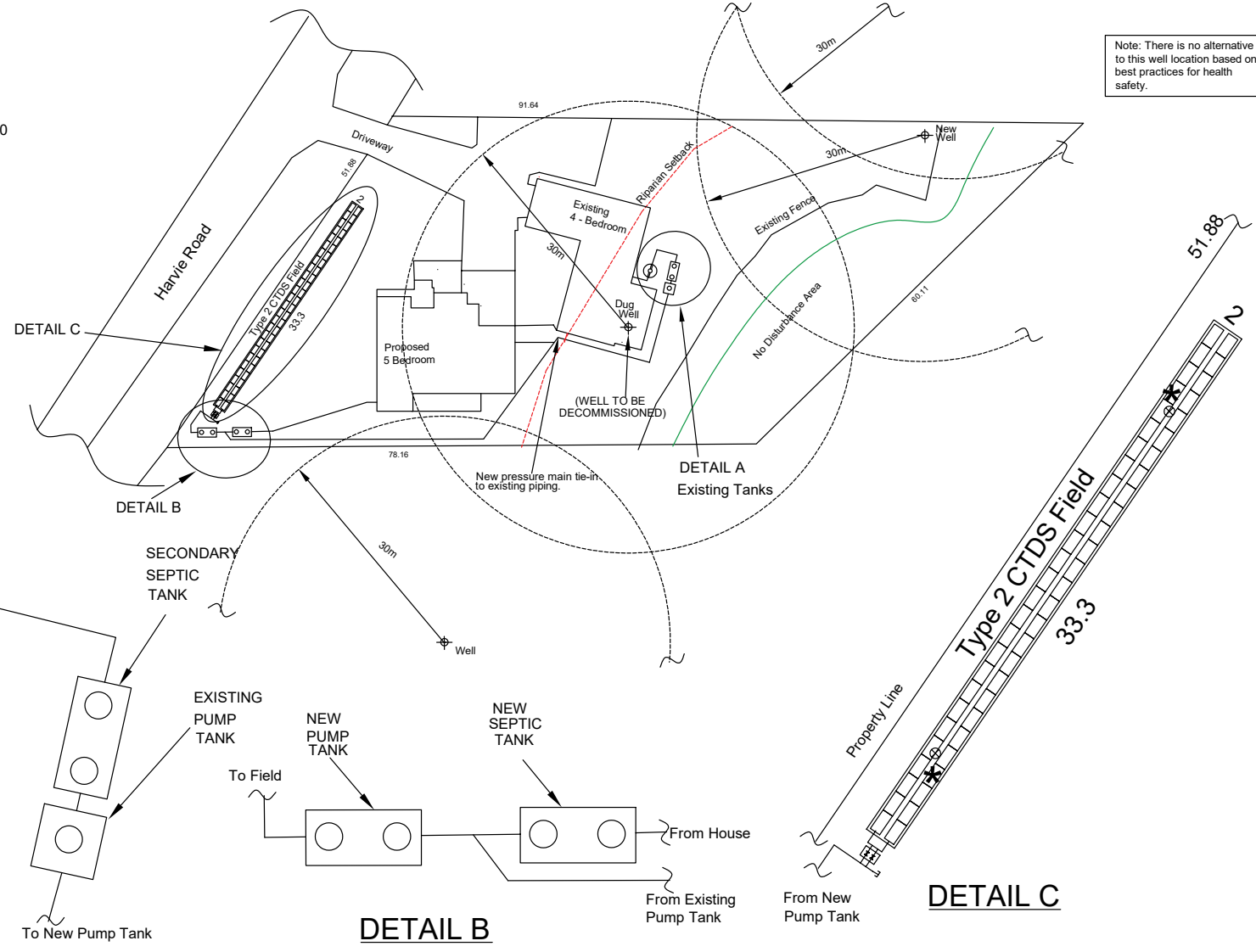
SPEA (10 m from Stream Boundary)

Stream Boundary (Delineated during detailed RAPR Assessment)

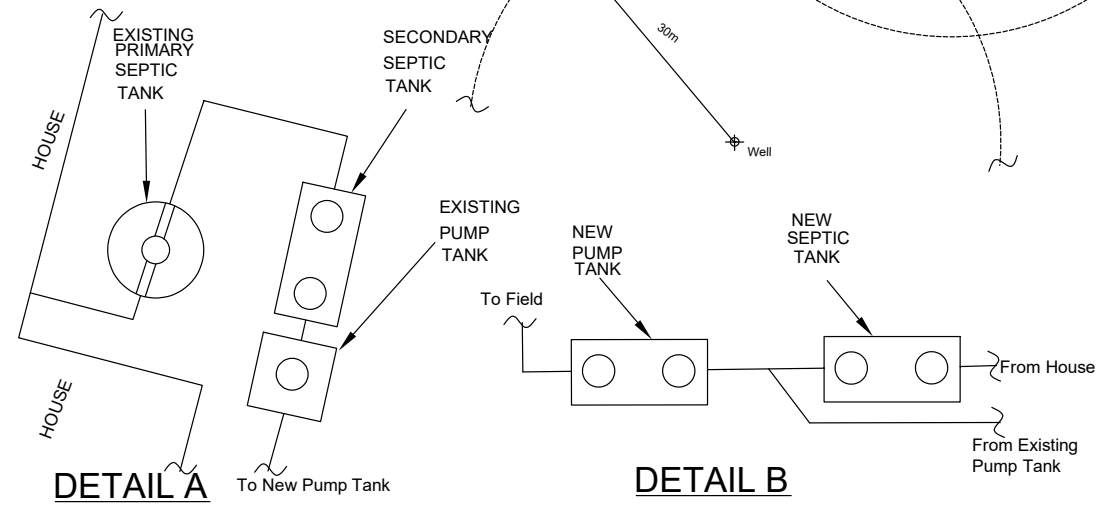
0 5 10 15
Meters
(Scale is approximate)



Note: There is no alternative to this well location based on best practices for health safety.



SITE PLAN



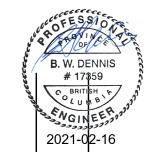
Filing #:

LEGEND

- ☒ Test Hole
- ⊗ Observation Port
- ⊕ Well
- ✱ Pan Lysimeter
- Mound Sand
- Washed Drainrock
- Concrete
- Soil
- Grass
- Eljen Section

Notes:

- Creek setbacks added.
- Fence line added.
- Well relocated west of fence.
- Note added.
- Relocate pressure main tie-in outside setback.



01		Issued for RSS Amendment
0	06/19/20	Issued for RSS Filing
REV	DATE	DESCRIPTION



Brent Dennis, P. Eng.
 brent.dennis@BWDengineering.com
 Office: 604-957-3611 Mobile: 604-789-2204
 15822-106A Ave. Surrey BC V4N 1K7
 www.BWDengineering.com

Client: Jawanda (Manny)
 Owner: Jawanda (Manny)
 Project #: 20121

Description: Onsite Wastewater System

Project Name: 8890 Harvie Road
 Title: Site Plan
 Drawing #: 20121 - 001
 Sheet #: 1 of 6
 Rev: 01

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

FROM: **Development Engineer, Engineering Department**

DATE: **April 28, 2021** PROJECT FILE: **7820-0257-00**

RE: **Engineering Requirements
Location: 8890 Harvie Road**

DEVELOPMENT PERMIT / DEVELOPMENT VARIANCE PERMIT

The following issues are to be addressed as a condition of issuance of the Development Permit for Sensitive Ecosystems (Streamside) and the Development Variance Permit to reduce the minimum streamside setback associated with the proposed construction of a new single-family dwelling on the A-1 property:

- The applicant will be required to provide a combined statutory right-of-way/restrictive covenant (SRW/RC) for the class "A" watercourse (Old Sawmill Creek) located along the east side of the property. The SRW/RC is to be registered over the setback from the top of bank.

A Servicing Agreement is not required. An Administrative Processing Fee of \$1,722.00 is required to administer the required legal documents.

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.



Jeff Pang, P.Eng.
Development Engineer

8.0 TREE PRESERVATION SUMMARY

Surrey Project No: N/A

Address: **8890 Harvie Road, Surrey**

Registered Arborist: Francis Klimo

On-Site Trees	Number of Trees
Protected Trees Identified <i>(on-site and shared trees, including trees within boulevards and proposed streets and lanes, but excluding trees in proposed open space or riparian areas and non-bylaw protected trees)</i>	7
Protected Trees to be Removed	1
Protected Trees to be Retained <i>(excluding trees within proposed open space or riparian areas)</i>	6
Total Replacement Trees Required:	
Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio 0 X one (1) = 0	0 Trees
All other Trees Requiring 2 to 1 Replacement Ratio 1 X two (2) = 2	2 Trees
Replacement Trees Proposed	2
Replacement Trees in Deficit	0
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 2 X two (2) = 2	0 Trees
Replacement Trees Proposed	0
Replacement Trees in Deficit	0

Summary, report and plan prepared and submitted by:



April 23, 2021

(Signature of Arborist)

Date

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7920-0257-00

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: 010-175-466
Lot 1 Section 33 Township 8 New Westminster District Plan 15979
8890 - Harvie Road

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Table B.2 of Part 7A "Streamside Protection", the minimum streamside setback area for a "Class A Natural Stream" is reduced from 15 metres to a minimum of 2 metres at the closest point from from top-of-bank for a proposed water well.
4. This development variance permit applies to only the portion of the Land or that 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.
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

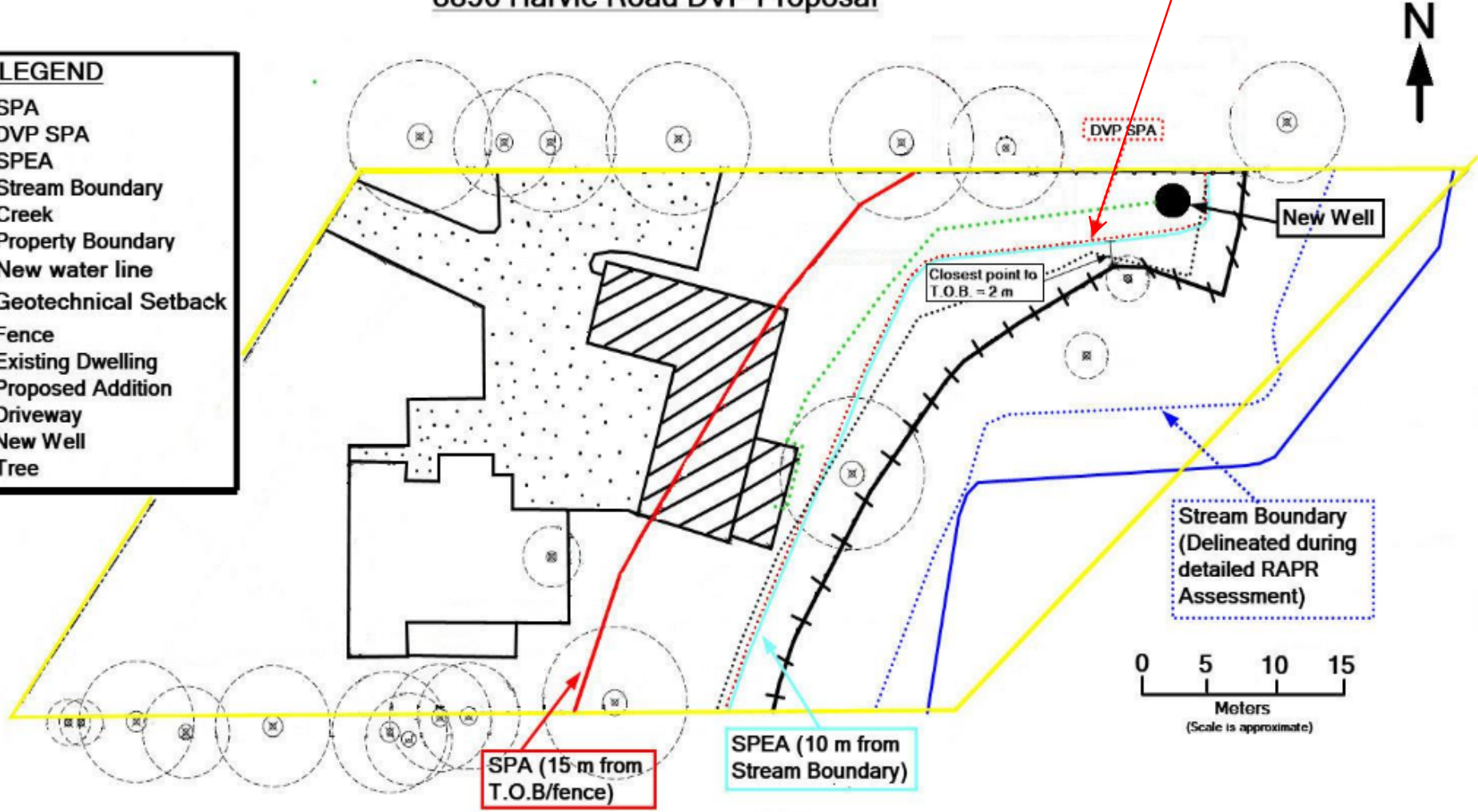
City Clerk – Jennifer Ficocelli

to reduce the minimum streamside setback area for a Class A watercourse from 15m to 2m measured from top-of-bank for a proposed water well

8890 Harvie Road DVP Proposal

LEGEND

- SPA
- DVP SPA
- SPEA
- Stream Boundary
- Creek
- Property Boundary
- New water line
- Geotechnical Setback
- Fence
- Existing Dwelling
- Proposed Addition
- Driveway
- New Well
- Tree



SPA (15 m from T.O.B./fence)

SPEA (10 m from Stream Boundary)

Stream Boundary (Delineated during detailed RAPR Assessment)

0 5 10 15
Meters
(Scale is approximate)

