

## II(d). IMPLEMENTATION INSTRUMENTS

### Development Permits

#### Authority and Purpose

The *Local Government Act* (Sections 488 and 491) authorizes municipalities to issue Development Permits as a means of controlling development design and site planning in order to meet specified objectives. Where Development Permit Areas are designated, landowners are required to obtain a Development Permit prior to altering or subdividing land, or constructing, adding or altering a building or structure.

Development Permits may be required for development within specific areas for:

- \* Protecting the natural environment, its ecosystems and biological diversity
- \* Protecting development from hazardous conditions
- \* Protecting farming
- \* Revitalizing areas where commercial uses are permitted
- \* Establishing objectives for form and character of intensive residential development
- \* Establishing objectives for the form and character of commercial, industrial or multiple family residential development
- \* Establishing objectives to promote energy conservation, water conservation or the reduction of greenhouse gas (GHG) emissions.

Where areas are designated as a Development Permit Area, the special conditions which justify the designation must be described and guidelines identifying how conditions will be alleviated and how objectives will be achieved must be specified.

#### Process

Depending on the circumstances for development, a property may fall within more than one Development Permit Area and in that case, only one application is required. Guidelines **from all the applicable** Development Permit Areas however, shall apply and will need to be taken into consideration for any development that occurs. Application requirements and development guidelines associated with each Development Permit Area are set out in Sub-Section VI of this OCP Implementation Section.

## DEVELOPMENT PERMITS (cont.)

### Development Permit Areas

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BL 18784

The following Development Permit Areas are established for Surrey:

DP Area #1: Form and Character

DP Area #2: Hazard Lands

DP Area #3: Sensitive Ecosystems

DP Area #4: Farming Protection

## DEVELOPMENT PERMITS (cont.)

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### DP1: Form and Character

#### APPLICATION

*Local Government Act* Section 488 (1), Category (f):

#### **Form and Character of Commercial, Industrial or Multiple Family Residential Development**

A Development Permit shall be required for any improvements to a property, including alterations, site design, landscaping, new construction, or subdivision, for all commercial, industrial or multiple family residential development.

#### AREA

The entire City of Surrey is designated as Development Permit Area #1. City-wide Development Permit Guidelines apply to all Commercial, Multi-Family, Employment or Industrial development, excluding those areas shown on Figure 64.

#### IMPLEMENTATION

Unless otherwise indicated, any Development Permit falling within the parameters of this Section requires approval of City Council. In accordance with the Surrey Development Permit Procedures and Delegation Bylaw, as amended, authority to issue a Development Permit for: (a) free standing signs; (b) surface parking lots (including truck parking facilities); (c) sign design packages; (d) minor amendments to a previously issued Development Permit; and (e) reissuance or extension of an expired Development Permit has been delegated to the Planning and Development Department. Where a disagreement exists between the Planning and Development Department and an applicant, authority to issue a Development Permit defaults to City Council.

#### JUSTIFICATION and OBJECTIVES

The OCP establishes Development Permit Areas and Guidelines for the following reasons:

A key strategy of the OCP is to create complete communities and mixed-use urban centres, providing a built environment that is safe, attractive, people-friendly and energy efficient. Surrey's increasing rate of economic, commercial and multiple residential development, often characterized by high density and intensity of uses, requires the use of design guidelines to ensure high standards are achieved in the design quality of the built environment, while also protecting the natural environment. Development Permits help to create attractive and active streetscapes that engage pedestrians and complement neighbouring properties. It also encourages the development of buildings and other development features that conserve energy and water and have reduced contributions to Surrey's greenhouse gas emissions.

For industrial lands, development is often located in highly visible areas such as along major roads, at key entrances to the City, or near residential neighbourhoods. Using Development Permits is intended to ensure that developments are of high quality and do not adversely impact the image or character of the city.

# DEVELOPMENT PERMITS (cont.)

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## DP1: Form and Character (cont.)

The following development scenarios do not require a Development Permit:

### EXEMPTIONS (General):

- Internal renovations where there are no changes to the external appearance of a building
- External renovations or additions that are compatible with the existing building in terms of materials, colours, form and character
- Site improvements (e.g. landscaping and parking lot paving) where the value of the work is less than \$25,000
- Construction of (not more than) one accessory building or structure (excluding signs) with a floor area equal to or less than 10 sq. m (108 sq. ft.)
- Replacement of existing signs provided they are in full compliance with the Surrey Sign By-law (as amended) or any sign regulation in the Zoning By-law (as amended)
- Subdivision for the purpose of lot consolidation, lot line adjustment or road widening to meet City requirements
- Development of land where a Development Agreement associated with a Land Use Contract is in effect, provided the Agreement is consistent with the objectives of this Section
- Buildings for agricultural purposes.

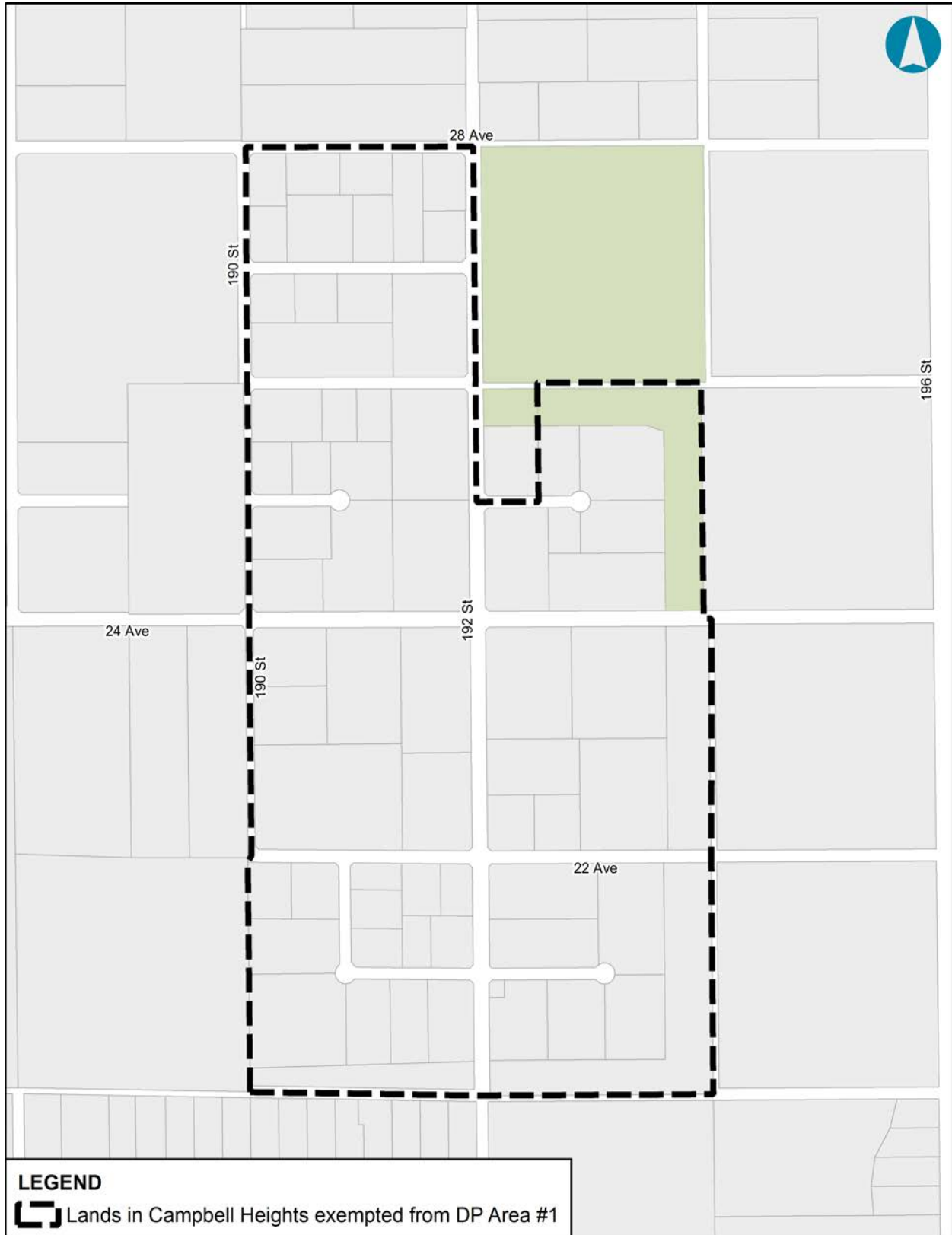
### EXEMPTIONS (Commercial):

- Within an existing development already controlled by a Development Permit, new construction equal to or less than 470 sq m (5,000 sq ft) in area, or exterior building renovations, or any additions, provided that the new construction is compatible with the existing development in terms of materials, colours, form and character
- Exterior renovations, additions and/or site works located more than 100 m (328 ft) from any residential property and that is not visible from any road.

### EXEMPTIONS (Industrial):

- Development including new buildings, exterior renovations, additions and/or site works that abut land only designated Industrial (and not any other designation) in the OCP (see Figure 3) AND that:
  - ⇒ does not abut an arterial road or Provincial highway, OR
  - ⇒ is not visible from an arterial road or Provincial highway, OR
  - ⇒ is visible from an arterial road or Provincial highway BUT is located a minimum of 100 m away from those roads, OR
  - ⇒ is located more than 100 m (328 ft.) from all Provincial Highways or arterial roads BUT does not fall within a business/industrial park.
- New buildings (limited to 470 sq. m (5,000 sq. ft. or less)) OR exterior renovations, additions and/or site works AND that are visible from an arterial road or Provincial highway AND that are located within 100 m from those roads ONLY IF they are compatible with existing on-site development already controlled by a Development Permit (e.g. materials, colours, and form and character).
- Lands illustrated in Figure 64 - Area of Campbell Heights Business Park.

**Figure 64: Campbell Heights Local Area Plan Exemption Area**



# DEVELOPMENT PERMITS (cont.)

## DP2: Hazard Lands

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### APPLICATION

*Local Government Act* Section 488 (1), Category (b):

#### Protection of Development from Hazardous Conditions

A Development Permit will be required prior to development activities for any of the following scenarios:

- ⇒ Subdivision of land
- ⇒ Land alteration or land clearing activity (includes, but is not limited to, removal of trees or shrubs with no limitation or specification to size, diameter or species)
- ⇒ For STEEP SLOPES ONLY, construction of, addition to, or alteration of buildings or structures on all properties with a slope of twenty percent (20%) or greater, or
- ⇒ For FLOOD PRONE AREAS ONLY, construction of, addition to, or alteration of buildings or structures on all properties within flood prone lands.

### AREA

Development Permit Area #2, for the protection of development from hazardous conditions, is designated as follows:

- a) All parcels of property containing land with steep slopes a minimum gradient of twenty percent (20%) or more, or which are either within 10 m of the bottom or 30 m of the top of a slope that is a minimum of twenty percent (20%) gradient, as generally shown in Figure 65; and
- b) All parcels or property containing lands within the 200-year floodplain, as generally shown in Figure 66.

### IMPLEMENTATION

Unless otherwise indicated, and in accordance with the Surrey Development Permit Procedures and Delegation Bylaw, as amended, authority to issue a Hazard Lands Development Permit is delegated to the Planning and Development Department for all applications except where accompanied by another application requiring City Council approval. Where a disagreement exists between the Planning Department and an applicant, authority to issue a Development Permit defaults to City Council.

### JUSTIFICATION and OBJECTIVES

Lands subject to a variety of natural hazards are found within Surrey's boundaries. Principal among these hazards are steep slopes and lands possessing potentially unstable soil conditions and lands located in flood prone areas. By creating a Development Permit Area and corresponding Guidelines for these potentially hazardous areas, the City is protecting persons, property and the natural environment from hazardous conditions and is working to ensure measures are taken to address these conditions in conjunction with development.

## DEVELOPMENT PERMITS (cont.)

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### DP2: Hazard Lands (cont.)

#### OBJECTIVES

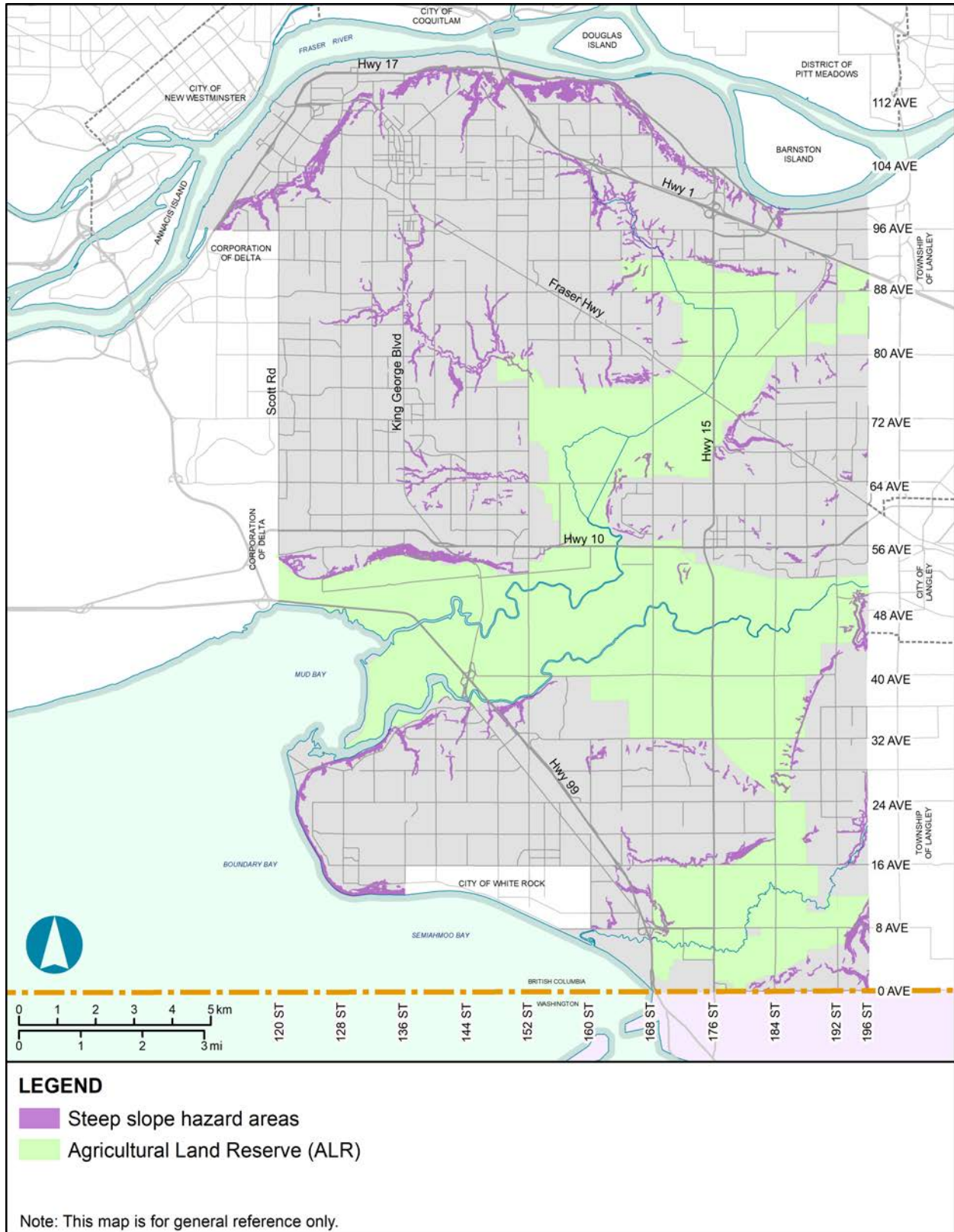
- a) The City of Surrey's objectives for establishing **STEEP SLOPE HAZARD** Development Permit Guidelines are to:
  - i. Protect people, property and the natural environment from the consequences of natural hazards and from development on unsafe, unstable slopes and potentially hazardous areas in Surrey
  - ii. Prevent soil erosion in areas of unstable or potentially unstable slopes which pose hazards
  - iii. Promote development that respects the terrain, vegetation, drainage courses and constraints related to the hillside environment of the site
  - iv. Maintain vegetative cover of steep slopes as a means to preventing erosion and unstable slopes
  - v. Promote the siting of buildings and other structures that are compatible with the steep slope context
  - vi. Ensure road design and anticipated uses provide for a safe environment and ease of on-going maintenance.
- b) The City of Surrey's objectives for establishing **FLOOD PRONE HAZARD** Development Permit Guidelines are to:
  - i. Protect people, property and the natural environment from the consequences of natural hazards.

#### EXEMPTIONS

The following scenarios shall NOT require a Development Permit:

- i. Emergency actions required to prevent, control or reduce an immediate threat to human life and safety and/or property
- ii. Interior renovations within an existing building footprint not resulting in any change to the external structure of a building or causing any disturbance to a site
- iii. Construction and/or maintenance of municipal operations or utility works and services undertaken or authorized by the City of Surrey
- iv. Regular and general yard maintenance activities within an existing landscaped area, such as mowing lawns, planting vegetation, minor soil disturbances and pruning vegetation (according to *Surrey Tree Protection By-law*, as amended) that do not alter the general grade of the land or approved landscape buffers
- v. Construction of farm buildings and production of agricultural products, in accordance with normal farming practices, as defined in the *Right to Farm Act*, as amended, for those lands within the Agricultural Land Reserve.
- vi. For Flood Hazards only, Single Family Dwelling construction on existing lots (excluding those with subdivision potential).
- vii. For Flood Hazards only, Single Family Dwelling construction within the Agricultural Land Reserve, where the Flood Construction Level (FCL) is met and appropriately addressed with an approved Fill Permit.
- viii. Where information is provided that indicates, to the satisfaction of the General Manager, Planning and Development, that the proposed development will not disturb or affect portions of a property that are subject to hazardous conditions due to steep slopes or flood risk.

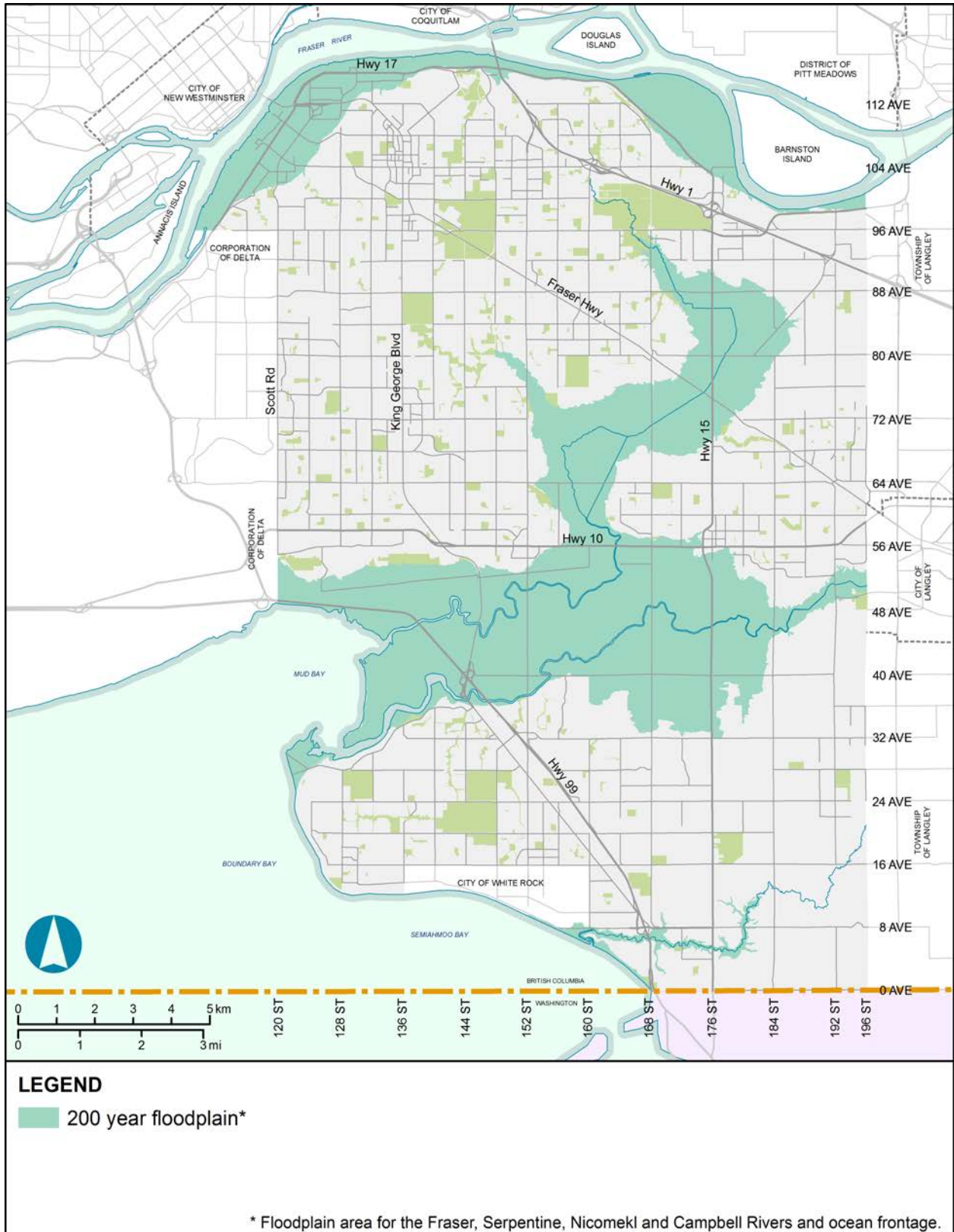
**Figure 65: Steep Slope Hazard Lands Development Permit Area**



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**Figure 66: Flood Prone Hazard Lands Development Permit Area**



## DEVELOPMENT PERMITS (cont.)

### DP3: Sensitive Ecosystems

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#### APPLICATION

*Local Government Act* Section 488, Category (a):

#### **Protection of the Natural Environment, its Ecosystems and Biological Diversity**

A Development Permit will be required prior to development activities for any of the following scenarios:

- ⇒ Subdivision of land
- ⇒ Construction, addition or alteration of a building or structure
- ⇒ Construction of roads and trails
- ⇒ Disturbance of soils, land alteration or land clearing
- ⇒ Installing non-structural surfaces with semi-pervious or impervious materials

#### AREA

Development Permit Area #3, for the protection of sensitive ecosystems, is designated as follows:

- a) all parcels of property where any portion of the property falls within 50 m of the Green Infrastructure Area, as shown in Figure 67; and
- b) all parcels of property where any portion of the property falls within 50 m of the top of bank of either one or both sides of a Class A, A/O or B stream containing fish habitat, as generally shown in Figure 68. Should a stream not illustrated in Figure 68 be identified, it is the responsibility of the applicant to contact the City of Surrey to determine whether or not the area in question falls within this Development Permit Area.

#### IMPLEMENTATION

Unless otherwise indicated, and in accordance with the Surrey Development Permit Procedures and Delegation Bylaw, as amended, authority to issue a Sensitive Ecosystem Development Permit is delegated to the Planning and Development Department except where the Development Permit application is accompanied by another application requiring City Council approval. Where the content of a Development Permit cannot be agreed upon between the Planning and Development Department and an applicant, authority to issue a Development Permit remains with City Council.

## DEVELOPMENT PERMITS (cont.)

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### DP3: Sensitive Ecosystems

#### JUSTIFICATION

Lands of significant ecological value, including riparian areas, fall within Surrey's boundaries. The use of a Development Permit Area for these areas are justified as follows:

- a) Green Infrastructure Areas: Surrey's *Ecosystem Management Study* and *Biodiversity Conversation Strategy (BCS)* identify Surrey's sensitive ecosystem areas. These areas provide natural environment and ecosystem protection as well as biological diversity. The hubs, sites and corridors identified in the BCS provide a contiguous area of ecological importance because they function as habitat and movement systems for wildlife and other natural habitat preservation; offer increased biodiversity in urban areas; provide natural water storage and drainage; and act as natural purification systems that work to reduce erosion and sedimentation. The purpose of the Sensitive Ecosystem Development Permit Guidelines for Green Infrastructure is to ensure that the protection of these high quality plant communities and wildlife habitat areas occurs concurrently with development. Retaining large, contiguous sensitive ecosystem areas helps to retain habitat diversity and quality of life and provides for an overall healthy community for Surrey residents.
- b) Streamside Areas: Rivers, streams, lakes and ponds provide fish habitat and aquatic habitat for wildlife. Streamside areas, where in a natural state, have dense and structurally-complex vegetation that:
  - have high biodiversity and support a large number of vegetation and wildlife species;
  - contribute to the ecological health of the adjacent stream and its fish habitat;
  - prevent the loss of riparian land due to bank instability and soil erosion;
  - provide natural habitat;
  - provide natural corridor links between ecosystem hubs and sites throughout Surrey and neighbouring communities.

The purpose of establishing a Sensitive Ecosystem Development Permit Area for Streamside Areas is to:

- support development while ensuring these areas remain in a largely natural and undisturbed state;
- satisfy requirements of local government to ensure development compliance with the Riparian Areas Regulation, B.C. Reg. 376/200; and
- Maintain the safe conveyance of stormwater following the City of Surrey's Natural Drainage Policy.

# DEVELOPMENT PERMITS (cont.)

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## DP3: Sensitive Ecosystems

### OBJECTIVES

The City of Surrey's objectives for establishing a Sensitive Ecosystem Development Permit Area for Green Infrastructure and Streamside Areas are to:

- a) Green Infrastructure Areas
  - Maintain and enhance ecosystems and critical habitat for at-risk species and generate opportunities that support and enhance biological diversity;
  - Integrate ecological systems and processes into urban areas and assess conservation values and enhancement priorities equally with land development, growth management and infrastructure planning; and
  - Identify and minimize the disturbance of development on the Green Infrastructure Network, as defined in Surrey's *Biodiversity Conservation Strategy*.
  
- B) Streamside Areas
  - Conserve, protect and enhance aquatic areas and associated riparian habitat;
  - Encourage ecosystem processes and biodiversity and ensure development activity does not encroach upon or alter riparian and aquatic habitats; and
  - Provide for: drainage maintenance access; potential public trails; beaver habitat accommodation; tree health; natural stream dynamics; and slope stability risk minimization.

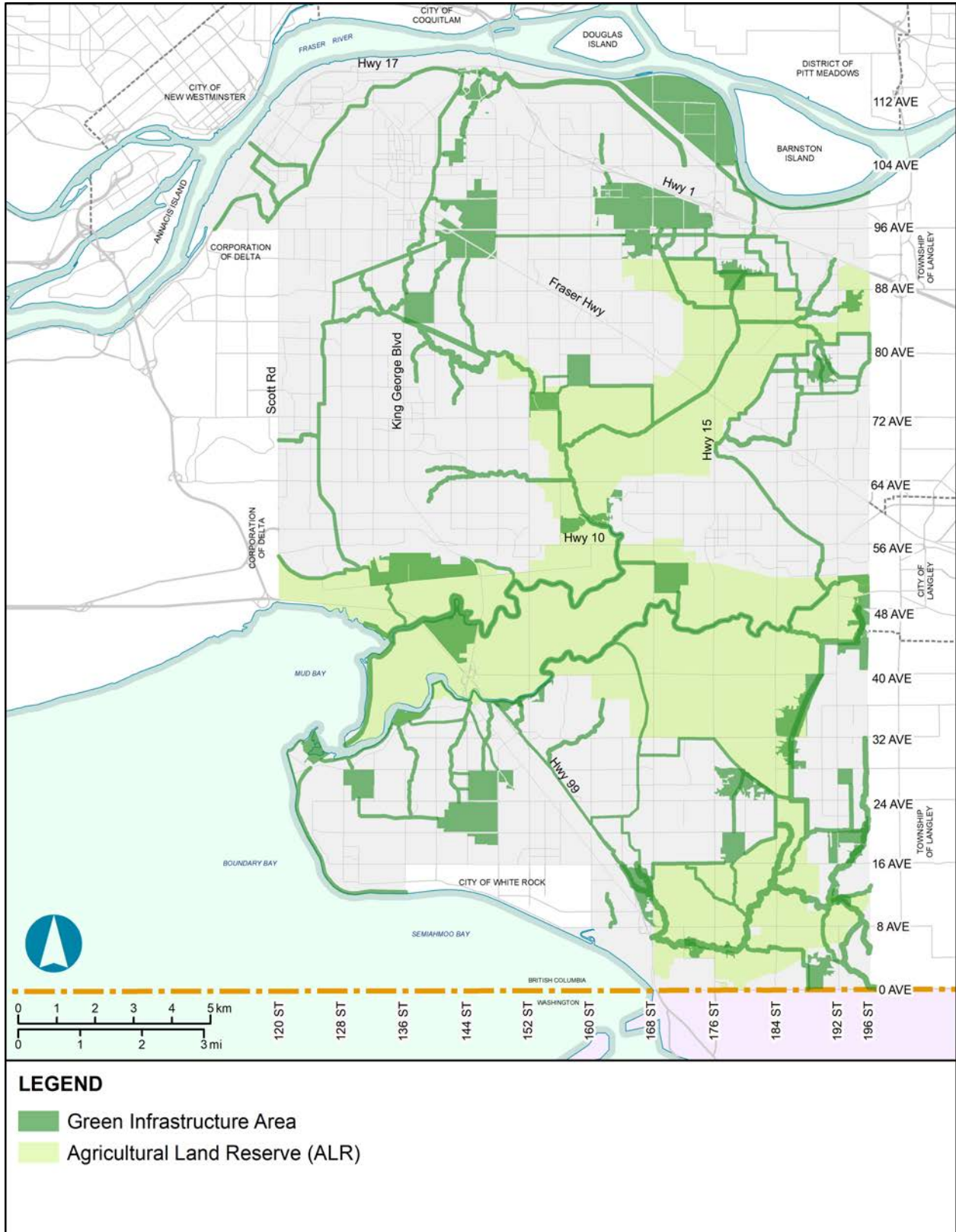
### EXEMPTIONS

The following scenarios shall NOT require a Development Permit:

- i. Emergency actions required to prevent, control or reduce an immediate threat to human life and safety, the natural environment and/or property, as authorized by the General Manager, Engineering Department, or their designate.
- ii. Interior renovations within an existing building footprint not resulting in any change to the external structure of a building or causing any disturbance to a site.
- iii. Ecological restoration and enhancement projects authorized by the General Manager, Engineering Department or of the Parks, Recreation and Culture Department, or their designate.
- iv. Construction, maintenance or operation of municipal or public utility works and services.
- v. Regular and general yard maintenance activities within an existing landscaped area, such as mowing lawns, pruning trees and shrubs (in accordance with Surrey Tree Protection Bylaw, as amended), planting vegetation and minor soil disturbances that do not alter the general grade of the land or existing approved landscaped buffers.
- vi. Permitted farm activity within the Agricultural Land Reserve (ALR).
- vii. Where there is an existing agreement with the Federal or Provincial governments and the proposed activities are consistent with those agreements.
- viii. Where information is provided, to the satisfaction of the General Manager, Planning and Development Department, that illustrates that portions of a property falling within the Sensitive Ecosystem Development Permit Area do not impact its objectives.

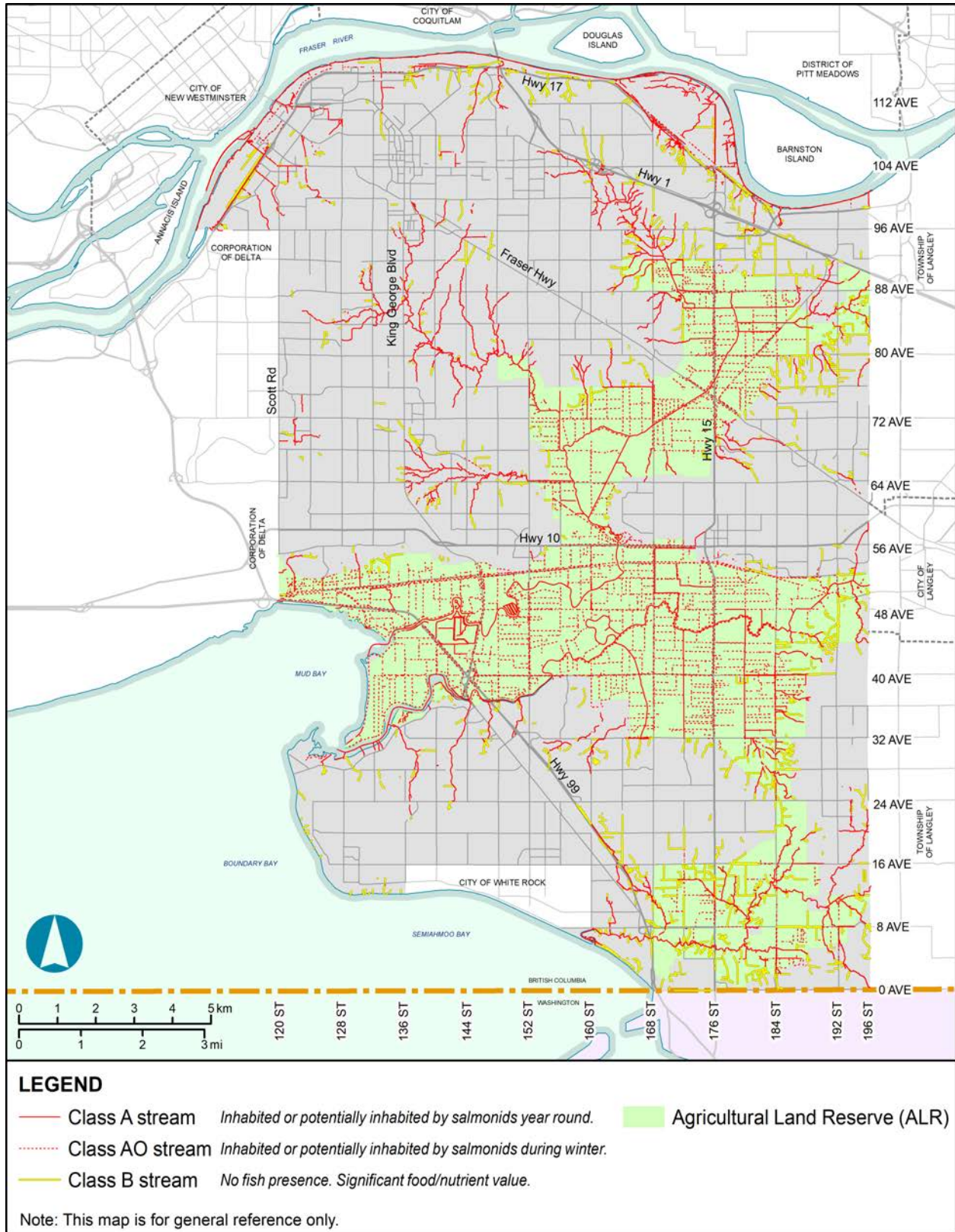
**Figure 67: Green Infrastructure Development Permit Area**

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**Figure 68: Streamside Development Permit Area**

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## DEVELOPMENT PERMITS (cont.)

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### DP4: Farming Protection

#### APPLICATION

*Local Government Act* Section 488 (1), Category (c):

#### Protection of Farming

A Development Permit shall be required for any improvements to a property, including new construction, building alterations, site works, landscaping or subdivision, for all commercial, industrial, institutional or residential development.

#### AREA

Any commercial, industrial, institutional or residential development within Surrey that directly abuts land within the Agricultural Land Reserve (ALR) and/or that falls within 50 m of the ALR boundary, (see Figure 69), is designated Development Permit Area #4 for the protection of farming in Surrey.

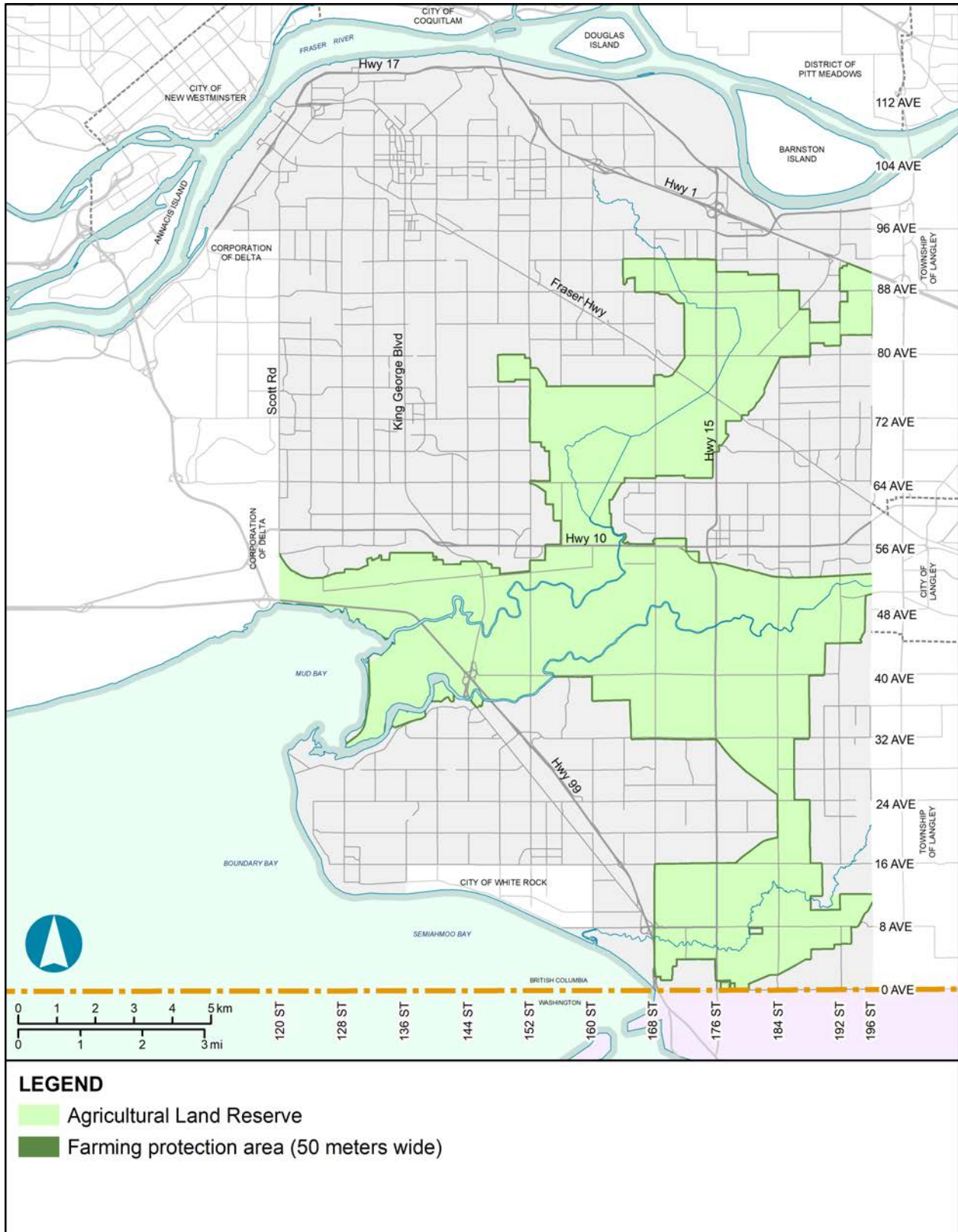
#### IMPLEMENTATION

Unless otherwise indicated, and in accordance with the Surrey Development Permit Procedures and Delegation Bylaw, as amended, authority to issue a Farm Protection Development Permit is delegated to the Planning and Development Department for all applications, except where accompanied by any other type of development application. Where a disagreement exists between the Planning and Development Department and an applicant, authority to issue a Development Permit defaults to City Council.

#### JUSTIFICATION

Agriculture is a prominent land use in Surrey, is a vital, sustaining component of the local economy, is part of Surrey's heritage and future, and accounts for a significant portion of BC's agricultural output. Lands falling within the Agricultural Land Reserve are deemed to be appropriate for agricultural production based on soil suitability, topography, and other factors. Agricultural lands are at risk from encroachment by non-agricultural uses on adjoining or nearby lands and the continued urban growth of Surrey creates the potential for land use conflicts along urban/agricultural boundaries. By creating a Development Permit area along the boundary of the Agricultural Land Reserve, the City is supporting the minimization of conflicts between urban areas and farming activities along the agricultural-urban interface.

**Figure 69: Farming Protection Development Permit Area**



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**LEGEND**

- Agricultural Land Reserve
- Farming protection area (50 meters wide)



## DEVELOPMENT PERMITS (cont.)

BL 18423

### DP4: Farming Protection (cont.)

#### OBJECTIVES

The City of Surrey's objectives for establishing Agricultural Development Permit Guidelines are to:

- a) Encourage the development of effective landscape buffers along the boundary of Agricultural land Reserve (ALR) designated lands
- b) Adjust urban densities and buildings along the urban side of the (ALR) border to allow for better management and maintenance of Agricultural buffers.
- c) Encourage open space creation, wildlife management and habitat protection along the urban side of urban-agricultural interface areas to minimize the impact on farm activities.

#### EXEMPTIONS

The following development scenarios do not required a Development Permit:

- a) Replacement or addition to a building where it does not *adversely impact* (to the satisfaction of the General Manager of Planning and Development) agricultural uses or normal farm practices (existing or future) of ALR areas

**NOTE:** *Adverse Impacts* can include, but are not limited to, the following:

**Drainage**—when development creates flooding, erosion or siltation damage and reduced groundwater levels that prohibit agricultural irrigation

**Irrigation**—when development contaminates water supplies used for agricultural irrigation

**Transportation and Traffic**—when development restricts access to farmland or prevents farm vehicle movement on local roads

**Land Uses**—when development adds sensitive uses adjacent to agricultural land without proper attention to screening or buffering

- b) Replacement of a building that has been destroyed by fire or natural causes, in cases where the replacement building is identical to the original in location, floor area and height
- c) Interior/exterior building alterations that do not expand the existing building foundation
- d) Construction, additions or alterations not exceeding 30 sq. m (323 sq. ft.) where no variances of the Zoning By-law are required
- e) Landscaping and normal yard maintenance that does not affect a landscape buffer planted in accordance with these Development Permit Guidelines
- f) Where information is provided, to the satisfaction of the General Manager of the Planning and Development Department, that illustrates that the proposed development will not adversely impact farming or farming buffers used to protect farming.