



Erosion & Sediment Control Permit

An Erosion and Sediment Control Permit (ESC) is a requirement for all construction permits, whereby, the lot area is equal to or greater than 2000 square meters.

Should your lot area trigger this requirement, an ESC Permit or exemption is required as a condition of the release of your Building Permit. Ideally, please apply for the ESC Permit at least 6 weeks prior to the anticipated release date of your Building Permit.

ESC Permit Waiver Options

There are two options for assessing if your project is eligible for being considered for an ESC Permit Waiver. The two options being:

Option 1 – Total Potential Construction Area

The first option requires the applicant to demonstrate that the total potential construction area will be less than 2000 Sq. meter.

This is determined by identifying which parts of the property, when subtracted from the total lot area, reduces the area of potential construction to less than 2000 Sq. meters.

Areas that can be subtracted are limited to the following criteria:

- a) Natural barriers/encumbrance that exclude areas from being used for construction, for example, Riparian setbacks, Tree Protection Zones, Steep slopes
- b) Existing structures or hardscape areas (i.e., driveways and buildings) to be retained and incorporated into the proposed scope of works

Project in the ALR & Zone A1

- c) Areas being actively farmed with an established cover crop, or the adjacent fields have permanent fences between the work area and the field.

Option 2 – Accessory Structure Building Permit

The second option applies to the construction of small structures that are typically added to existing buildings, for instance, detached garage, pool, shed, deck etc.

These secondary structures are typically restricted to a small portion of the property and occupy an area that is less than 50% of the trigger criteria for the ESC Permit.

Please note that only option one is used for new Single-Family Dwellings.

Can I barricade off portions of my site that do not meet the criteria to qualify?

No, the practice of erecting barriers, beyond the listed exclusion zones specified in option one, is deemed a Best Management Practice (BMP). This BMP would be accepted as part of the ESC Plan being a component of the ESC Permit.

What happens if the area of disturbance exceeds the area of the waiver during construction?

If at any time until the closure of the construction permit, should it be determined that the disturbed area exceeds 2000 sq. meters, the waiver will be deemed null and void.

The City will issue a Notice to Comply requiring all works to cease until an ESC Permit has been issued. The issuance of a Notice to Comply does not limit further enforcement action under the ESC By-law.

What happens if I apply for another Building Permit or change the scope of works after I receive the ESC Permit Waiver?

Should you apply for another building permit or change the scope of the proposed works once the ESC Permit has been issued, you will be required to have the initial ESC Waiver reviewed again to ensure that it is still valid.

If this happens, please resubmit supporting documentation showing the add/changed scope so that we can reassess your project.

Waiver submission

To apply for an ESC Permit Waiver please complete the eligibility checklist on **Form 45-40455 C**.

If the eligibility check list indicates that your project is eligible to apply for an ESC Permit Waiver, please complete **Form 45-40455 B** and attached the required documents as indicated below.

Please note that the eligibility checklist is used as a guide and does not automatically mean that your project will receive an ESC Permit Waiver. This decision will be made by an authorized representative within the Engineering Department – Environment Section.

If the checklist indicates that your project does not qualify, please apply for the ESC Permit using the information provided on the website at <https://www.surrey.ca/esc>

For all inquiries or questions, please e-mail escbylaw@surrey.ca



Site Information

Lot Address:

List the applicable Building Permits and Tree Cutting Permit Numbers:

Please note that the ESC Waiver will only apply to the above listed permits. If you apply for additional permits once an ESC Waiver has been issued, the waiver will need to be reviewed again to ensure it is still valid.

Applicant Information

Owner Name(s):

Will the person applying for the ESC Permit Waiver be representing the owner(s) as an Agent?

Yes

No

An agent authorization form must be submitted with this application.

Primary Contact for this Application:

Business Phone Number:

Business Email Address: *(must not be a general e-mail account)*

Application File Number:

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Do not complete – City of Surrey Office Use Only

Waiver Responsibilities

I the Owner/Agent acknowledge that *(Initial each box)*

It is my responsibility to ensure that the terms of the ESC Waiver are honored for the duration of the construction.

Should the information provided as part of this waiver application change, it is my responsibility to contact the Engineering Department - Environment Section to notify them of the changes.

An ESC Permit waiver does not dissolve my obligations to comply with the other requirements of the Erosion and Sediment Control By-law.

The City, as a regulator, relies, in good faith, on the information provided by me as the applicant. The provision of false or misleading information to the City constitutes an offence for which the City may take enforcement action against my project should the information be found to be inaccurate.

If the sum of the Construction* areas is found to exceed an area of 2000 Sq. meters, a Stop Work will be issued and remain in effect until an ESC Permit has been issued.

* Construction Area is defined on the last page of form 45-40455 C.

Application Signature

Applicant Name *(Print name)*

Applicant Signature

Date

DD / MM / YY

Please ensure that you provided all the required supporting information as noted on Form 45-40455 A. Incomplete submission will not be processed until all the information has been submitted.



Eligibility checklist

The following eligibility checklist will identify if you can apply for the ESC Waiver. If upon completing this form it is identified that your project does not meet these criteria, you must apply for an ESC Permit.

Please note that the eligibility checklist is used as a guide and does not automatically mean that your project will receive an ESC Permit Waiver.

Step 1 – Identify your Lot area.

What is the total Lot area (m²)? **A**

If the lot area is less than 2000 m², you do not need to apply for the ESC Permit or ESC Permit Waiver. Instead follow Schedule B of the ESC by-law.

Step 2 – Check your project against the waiver eligibility criteria.

Criteria 1: Agricultural Accessory Structure

Is the Lot zoned A1 or within the ALR?

Yes No *Go to Criteria 2*

Calculate the area that is not encumbered by a fenced field or when there is no fence, use a setback of 5 meters from an established crop (drip zone of the plant).

What is the area unencumbered by cropping or fenced fields (m²)? **B**

Is the area specified on line B less than 2000 m²?

Yes No *Go to Criteria 2*

Statutory Declaration must be completed and submitted as part of your application under Criteria 1.

Please proceed to **Step 3 - Application Preparation and Submission.**

Criteria 2: Developable Area Calculation

Please use the criterion below to identify if there are any encumbrances on the lot that prohibit the allowable construction area from exceeding the 2000 m² limit.

Enter the total Lot area (m²): **A**

or

Enter the area from **Criteria 1 Line B** (m²): **B**

Clarification about these criteria can be found on the last page.

- 1.1. Enter the area encumbered by steep slopes (m²): _____
- 1.2. Enter the area protected within Tree Protection Barriers (m²): _____
- 1.3. Enter the area encumbered by any Riparian protection (m²): _____
- 1.4. Enter the area occupied by existing structures & hard landscaping that will be retained (m²): _____

Add Line 1.1 to 1.4: **C**

Subtract line **C** from line **A** or **B** to calculate the Potential Developable Area (m²): **D**

Is the area in box **D** less than 2000 m²?

Yes No *Go to Criteria 3*

No Statutory Declaration is required; however, exclusion barriers identifying no-go areas may be required, pending review.

Please proceed to **Step 3 - Application Preparation and Submission.**

**Criteria 3: Building Permit for small structure**

Is the Building Permit for a singular structure that is one of the following?

- Extension to existing house.
- Pool, tennis court, garden shed.
- Detached garage.
- Retaining wall.

Yes No **ESC Permit required.**

You may be required to erect barriers and submit the Statutory Declaration depending on the proposed scope of works, pending review.

Please proceed to **Step 3 - Application Preparation and Submission.**

Step 3 – Application Preparation and Submission

Please read these documents carefully.

To aid in the processing of your application, ensure that all the required paperwork is fully completed and that the specified supporting documents are attached as indicated.

Where documents are indicated as possibly being required, you will be notified during the review process as to whether you will need to submit them.

Should it be required, please ensure that the original signed copy of statutory declaration is included in your application submission.

Processing times for ESC Permit Waivers vary, allow 5 to 7 business days from the time of application for staff to assess your file and provide a response. Please refrain from asking about your file during this time to reduce delays.

Please note that the eligibility checklist is used as a guide and does not automatically mean that your project will receive an ESC Permit Waiver.

This decision will be made by an authorized representative within the Engineering Department – Environment Section.

How to submit

Your ESC Permit Waiver application must be submitted to the Engineering Department – Environment Section at City Hall, Floor 4W as original signed documents,

or

Submitted as scanned copies of the completed/signed paperwork to escbylaw@surrey.ca

What to provide

The following documents must be provided to apply for and support your application:

- ❖ Completed ESC Waiver application forms 45-40455 B & C.
- ❖ Site plan showing all construction areas.
 - On the site plan, delineate all proposed exclusion zones as per the criteria listed. Clearly show the boundaries and the calculated area in square meters for each proposed exclusion area.
- ❖ A copy of the approved Tree Cutting Plan showing the approved barrier locations (if applicable)
- ❖ If flagged in the checklist, a signed copy of the signed and notarized ESC Waiver Statutory Declaration form, completed by the Owner(s) or Agent. Available on the City's website.
- ❖ Agent authorization form (if applicable)

Filling out the Statutory Declaration Correctly

When filling out the Statutory Declaration, please ensure that:

- Both your name and current residential address are denoted in the appropriate fields at the top.
- Do not sign this form until you are at the notary office.
- The document is dated correctly.



Construction Area is defined as:

Any land surface that will be used or altered during the works on the property, looking at the entire construction scope from the start of works until the project's completion.

This includes not only the footprint of the structure(s) and features to be built but also:

- The working areas around the structures,
- Soil stockpiles,
- Areas cleared of vegetation and trees.
- Areas to be landscaped,
- Cut and Fill areas
- Equipment storage areas,
- Demolished building areas
- Trade parking areas etc.

Interpreting the criteria under criteria two (2)

1.1 – Steep Slopes

This criterion can be identified in COSMOS under the information layer Land Use / Environment >> Development Permit Areas >> Hazard Lands DP Areas >> Steep Slope Areas. If your property is flagged as having Steep Areas, calculate the encumbered area from the top of the slope.

1.2 – Tree Protection Barriers

Use the physical area within the Tree Protection Barriers. A copy of the approved Tree Protection Plan must be submitted in addition to your site plan showing the calculations.

1.3 - Riparian Protection Areas

Eligible areas are denoted in the Sensitive Ecosystem Development Permit should it be required as part of the Building Permit submission. The area must be shown on the Site Plan and a copy of the approved riparian setback plan must be attached to your application.

1.4 – Existing structures and paved areas

Only use the physical area of the structures without buffer areas. Any structures subject to demolition or removal are not to be included.