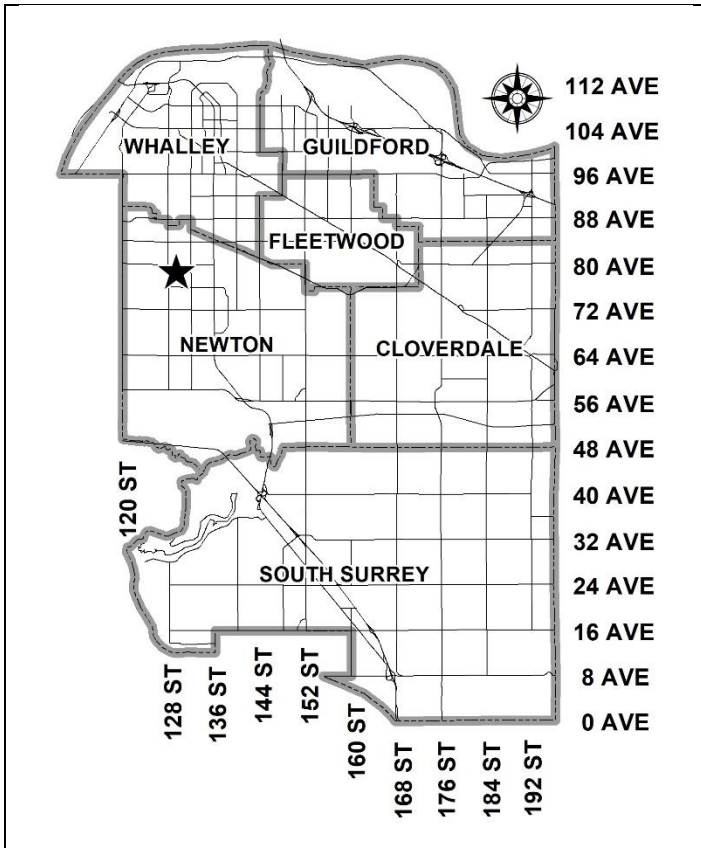


City of Surrey
PLANNING & DEVELOPMENT REPORT

Application No.: 7922-0244-00

Planning Report Date: May 15, 2023



PROPOSAL:

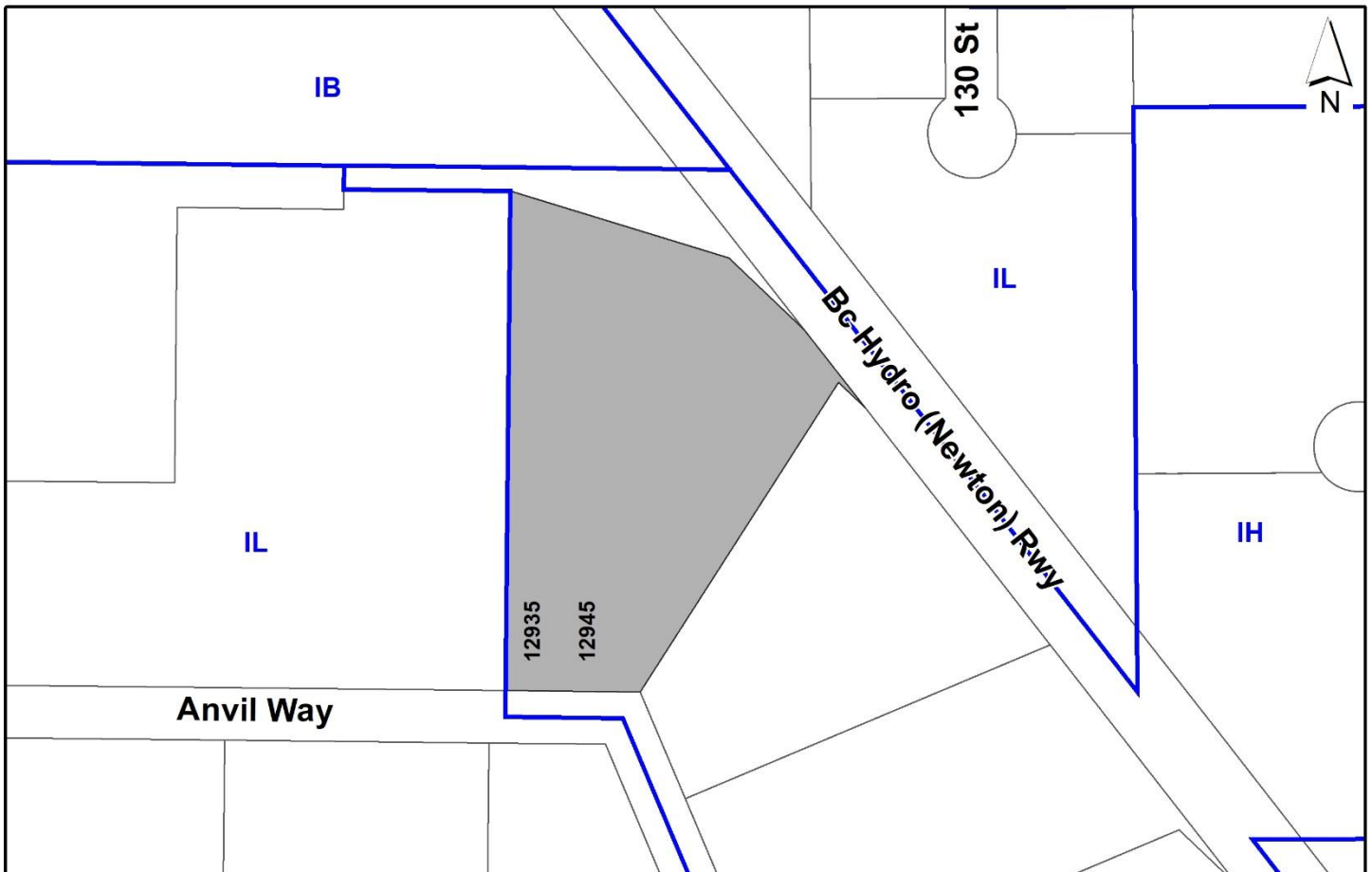
- Development Permit
- Development Variance Permit

to permit the development of an industrial building.

LOCATION: 12945 - Anvil (78 Avenue) Way
(12935 - Anvil (78 Avenue) Way)

ZONING: IL

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Proposing to reduce the minimum streamside setback area in Part 7A of the Zoning Bylaw for a Class B Ditch from 7.0 metres to 2.0 metres on the northeast side, as measured from top-of-bank.

RATIONALE OF RECOMMENDATION

- The proposal complies with the Industrial designation in the Official Community Plan (OCP).
- The proposal is exempt from DP1-Form and Character requirements, as the property does not abut, and is not visible from, an arterial road or Provincial Highway.
- The proposed streamside setback variance will facilitate truck turning and loading at the north end of the site.
- The proposed setback will meet Provincial requirements for Streamside Protection and Enhancement Area (SPEA) setbacks under the Riparian Areas Protection Regulation (RAPR).
- The proposed site plan will facilitate an additional landscaped area with setbacks exceeding Provincial and Surrey streamside setbacks.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council authorize staff to draft Development Permit No. 7922-0244-00 Sensitive Ecosystems (Streamside Areas) generally in accordance with the attached drawings (Appendix V).
2. Council approve Development Variance Permit No. 7922-0244-00 (Appendix IV) varying the following, to reduce the minimum setback distance from the top-of-bank for a "Natural" Class B (yellow-coded) stream in Part 7A of Zoning By-law No. 12000, from 7 metres to 2 metres, 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 specifications and satisfaction of the Planning and Development Department;
 - (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (d) the applicant satisfy the deficiency in tree replacement on the site, to the satisfaction of the Planning and Development Department;
 - (e) submission of a finalized Ecosystem Development Plan and Impact Mitigation Plan to the satisfaction of City staff; and
 - (f) registration of a Section 219 Restrictive Covenant for installation and maintenance of the landscape buffer and sensitive ecosystem permit area.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	High Impact Industrial	Industrial	IH
North (Across BC Southern Rail and BC Hydro Right-of-Way):	Business Park	Mixed-Employment	IB
East:	High Impact Industrial	Industrial	IH
South (across Anvil Way):	Light Impact Industrial	Industrial	IL
West:	Light Impact Industrial	Industrial	IL

Context & Background

- The subject property is located mid-block on the north side of Anvil Way in Newton. The BC Southern Rail and BC Hydro Right-of-Way is located immediately north of the property. The property is designated "Industrial" in the Official Community Plan (OCP) and is zoned "High Impact Industrial Zone (IH)".
- The site is approximately 16,907 square metres in size, with a lot width ranging from approximately 51 metres at the front of the site to 145 metres at the rear of the site.
- The property is located in an industrial area, with a mix of heavy and light industrial uses.
- There is a Class B Ditch that runs north of the property within the BC Hydro Right-of-Way that encumbers a portion of the property. As such, the property is subject to a Sensitive Ecosystem Development Permit in accordance with the provisions identified in the OCP.
- It is noted that under Part 7A "Streamside Protection" of the Zoning By-law No. 12000, for existing lots, the minimum setback from top-of-bank for a "Natural" Class B (yellow-coded) watercourse is 7 metres from top of bank.
- Under the Riparian Areas Protection Regulation (RAPR), the required Streamside Protection and Enhancement Area (SPEA) setback is 2 metres, as measured from high-water-mark. For the subject watercourse, the high-water-mark is equal to the top-of-bank. This assessment was confirmed by the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (MFLNRORD).

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant is proposing to construct a new 8,142 square metre Industrial and Office Building on the site.
- As the property is not located on an arterial and is located more than 100 metres from the nearest arterial, 128 Street, a Form and Character Development Permit is not required for this site.
- A Development Permit for Sensitive Ecosystems (Streamside Setbacks) is required due to a Class B (yellow-coded) watercourse north of the property, located within the BC Hydro Right-of-Way. In order to facilitate loading and truck turning at the northern rear portion of the property, a Development Variance Permit is required to reduce the streamside setback from 7.0 metres to 2.0 metres. The proposed 2.0 metre setback will meet the minimum required SPEA setback under RAPR.
- The proposed site plan will provide a consistent protection area of 2.0 metres from the rear property line, resulting in a streamside setback area from the top-of-bank ranging from 2.0 metre on the east side of the property to 9.0 metres on the west side of the property.

- Additionally, the applicant will provide a 0.6 metre side landscape strip outside of the streamside setback area, and provide restoration planting within the streamside area.

Referrals

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

Parks, Recreation & Culture: Parks accept the proposed removal of one City Tree, which will require replacement at a 2:1 ratio.

The closest active park is Newton Athletic Park and is 760 metres away. The closest natural park is Hunt Road Park and is 640 metres away.

POLICY & BY-LAW CONSIDERATIONS

Zoning By-law

- The table below provides an analysis of the development proposal in relation to the requirements of the Zoning By-law, including the streamside setbacks and parking requirements.

Streamside (Part 7A)	Required	Proposed
Streamside Setbacks		
Class B (yellow-coded) Stream:	7.0 metres	2.0 metres
Parking (Part 5)	Required	Proposed
Number of Spaces	123	123

Streamside Variance

- The applicant is requesting the following streamside variance:
 - to reduce the minimum streamside setback area for a Class B Ditch from 7.0 metres to 2.0 metres on the northeast side, as measured from top-of-bank in Part 7A of the Zoning Bylaw.
- The proposed site plan will provide a consistent protection area of 2.0 metres from the rear property line, resulting in a streamside setback area ranging from 2.0 metre from top-of-bank on the east side of the property and a 9.0 metre setback from top-of-bank on the west side of the property.
- The applicant will provide a 0.6 metre landscape strip outside of the streamside setback area and provide restoration planting within the streamside area.

- The proposed 2.0 metre setback will meet the required SPEA setback under RAPR.
- The proposed variance will facilitate truck loading by providing a drive aisle at the rear (north end) of the building, which will allow for increased maneuvering space and access to loading bays on the east side of the property.
- Staff support the requested variances to proceed for consideration.

DEVELOPMENT PERMITS

Sensitive Ecosystems (Streamside Areas) Development Permit Requirement

- The City's online mapping system, COSMOs, lists the ditch to the north of the property as a Class C watercourse. However, further review by Bluelines Environmental Ltd. determined that due to nutrient levels and connection to the downstream Cruickshank Creek watershed, the watercourse should be reclassified to a Class B (yellow-coded) watercourse. This recommendation was accepted by staff.
- Due to the reclassification of the ditch to a Class B (yellow-coded) watercourse, the subject property falls within the Sensitive Ecosystems Development Permit Area (DPA) for Streamside Areas in the OCP. 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 B (yellow-coded) watercourse requires a minimum streamside setback of 7.0 metres, as measured from the top of bank. The proposed setback of 2.0 metres does not comply with the requirements outlined in the Zoning By-law and requires a variance.
- A Riparian Area Protection Regulation (RAPR) report and an Ecosystem Development Plan, prepared by Ryan Preston, *P. Ag.*, of Bluelines Environmental Ltd. calculated the streamside protection and enhancement area (SPEA) as 2.0 metres from high-water-mark, which is equal to the top-of-bank in this case. The proposal has been reviewed by the Province and found to meet the provisions of the RAPR. As such, the proposed setback variance will meet Provincial streamside protection requirements.
- 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 Ryan Preston, *P. Ag.*, of Bluelines Environmental Ltd. and dated September 15, 2022, was reviewed by staff and found to be generally acceptable, with some modifications to content and format of the report still required. This report includes the recommendation to reclassify the ditch to a Class B (yellow-coded) watercourse. The finalized report and recommendations will be incorporated into the Development Permit.

TREES

- Cory Plester, ISA Certified Arborist of Mike Fadum and Associates Ltd. 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	4	4	0
Cottonwood	3	3	0
Deciduous Trees (excluding Alder and Cottonwood Trees)			
Cherry, Kwanzan	2	2	0
Birch, Paper	3	3	0
Coniferous Trees			
Cedar, Western Redcedar	16	16	0
Fir, Grand	1	1	0
Douglas-fir	1	1	0
Total (excluding Alder and Cottonwood Trees)	23	23	0
Total Replacement Trees Proposed (excluding Boulevard Street Trees)		11	
Total Retained and Replacement Trees		11	
Contribution to the Green City Program		\$23,100	

- The Arborist Assessment states that there are a total of 23 mature trees on the site, excluding Alder and Cottonwood trees. 7 existing trees, approximately 23 % of the total trees on the site, are Alder and Cottonwood trees. It was determined that no 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 53 replacement trees on the site. Since only 11 replacement trees can be accommodated on the site, the deficit of 42 replacement trees will require a cash-in-lieu payment of \$23,100, representing \$550 per tree, the Green City Program, in accordance with the City's Tree Protection By-law.
- In summary, a total of 11 trees are proposed to be retained or replaced on the site with a contribution of \$23,100 to the Green City Program.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Site Plan, Landscape Plan
- Appendix II. Engineering Summary
- Appendix III. Summary of Tree Survey and Tree Preservation
- Appendix IV. Development Variance Permit No. 7922-0244-00
- Appendix V. Ecosystem Development Plan Drawing

approved by Shawn Low

Don Luymes
General Manager
Planning and Development

SC/ar

CONSULTANT



CLIENT APPROVAL

SIGNATURE / COMPANY STAMP:
DATE:

02 2022.11.25 Comments Received

01 2022.11.22 Comments Received

N: YYYY.MM.DD REVISIONS:

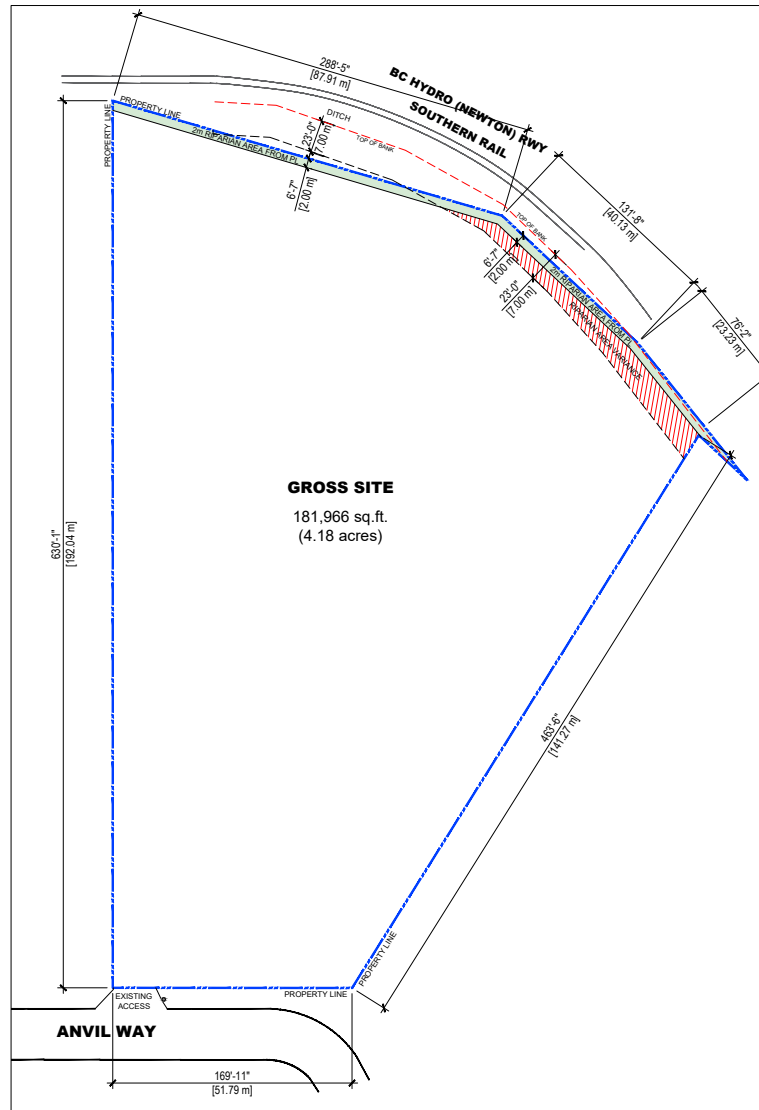
REVISIONS:

PROJECT:

DRAWING TITLE:

BASE PLAN

DRAWN BY:	GL
CHECKED BY:	AKC
DATE:	25.11.22
SCALE:	1:500
PROJECT:	
SHEET N°:	



Base Plan

ZONING SUMMARY

PROJECT ADDRESS:
12945 Anvil Way, Surrey, BC

LEGAL DESCRIPTION:
Front Yard Setback: Required: 7.5 m
Side Yard Setback: Required: 3.6 m
Rear Yard Setback: Required: 7.5 m

AUTHORITY: City of Surrey
ZONE: IH
USES: High Impact Industrial Zone

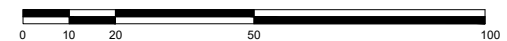
PROPERTY AREA SCHEDULE WITH 7m TOB OFFSET

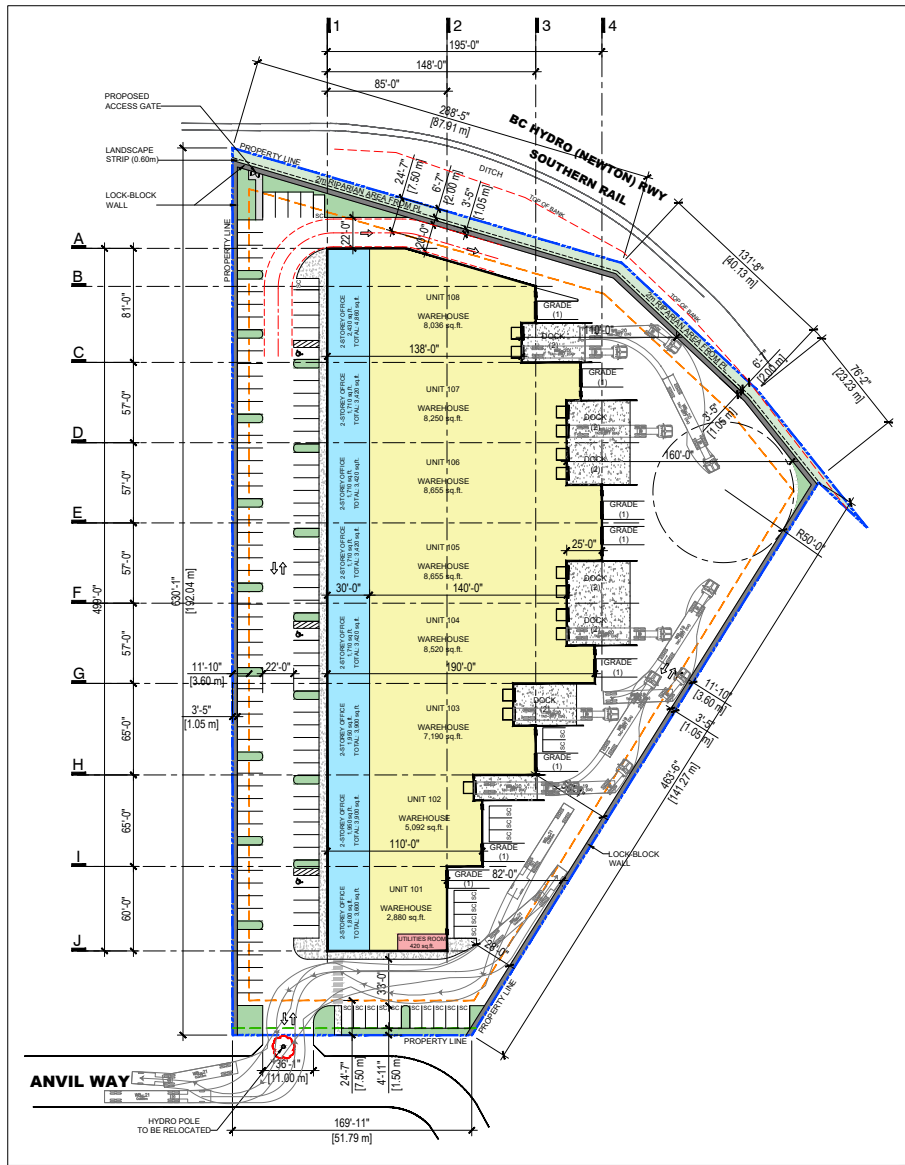
Gross Site	100%	181,937 SF	4.18 acres
7m TOB offset	2.7%	4,909 SF	0.11 acres
Net Usable	97.3%	177,028 SF	4.06 acres

PROPERTY AREA SCHEDULE WITH 2m PL OFFSET

Gross Site	100%	181,966 SF	4.18 acres
2m offset from PL	1.9%	3,411 SF	0.08 acres
Net Usable	98.1%	178,555 SF	4.10 acres

--- PROPERTY LINE





Site Plan - 2H

ZONING SUMMARY

PROJECT ADDRESS:
12945 Anvil Way, Surrey, BC

LEGAL DESCRIPTION:
Front Yard Setback: Required: 7.5 m
Side Yard Setback: Required: 3.6 m
Rear Yard Setback: Required: 7.5 m

AUTHORITY: City of Surrey
ZONE: IH
USES: High Impact Industrial Zone

PROPERTY AREA SCHEDULE WITH 2m PL OFFSET

Gross Site	100%	181,966 SF	4.18 acres
2m offset from PL	1.9%	3,411 SF	0.08 acres
Net Usable	98.1%	178,555 SF	4.10 acres

Site Coverage:
Proposed: 41 %
Allowed: 60 %

F.A.R.:
Proposed: 0.49
Allowed: 1.0

BUILDING STATISTICS:

FOOTPRINT	Area (SF)	Area (SM)
Building	72,668 SF	6,751 m ²
	72,668 SF	6,751 m ²

Area Summary - By Level

Building	Area (SF)	Area (SM)
Level 1	72,668 SF	6,751 m ²
Level 2	14,970 SF	1,391 m ²
	87,638 SF	8,142 m ²

Area Summary - By Occupancy

Building	Area (SF)	Area (SM)
Office	29,940 SF	2,782 m ²
Industrial	57,698 SF	5,360 m ²
	87,638 SF	8,142 m ²

PARKING REQUIRED:

Building	Area (SF)	Factor	(1/Area)	Spaces
Office	29,940 SF	431	69	
Industrial	57,698 SF	1,076	54	
	87,638 SF			123

PARKING PROPOSED:

Parking Space ADA: 13' x 18'	3
Parking Space SC: 8.5' x 16'	22
Parking Space: 9' x 18'	98
	123

LOADING PROPOSED:

1	Grade Door/UNIT
2	Dock Door/UNIT



CONSULTANT



CLIENT APPROVAL

SIGNATURE / COMPANY STAMP:

DATE:

02 2022.11.25 Comments Received

01 2022.11.22 Comments Received

N: YYYY.MM.DD REVISIONS:

REVISIONS:

PROJECT:

DRAWING TITLE:

SITE PLAN

OPTION #2H

DRAWN BY: GL

CHECKED BY: AKC

DATE: 25.11.22

SCALE: 1:500

PROJECT:

SHEET N°:



CONSULTANT



CLIENT APPROVAL

SIGNATURE / COMPANY STAMP:
 DATE:

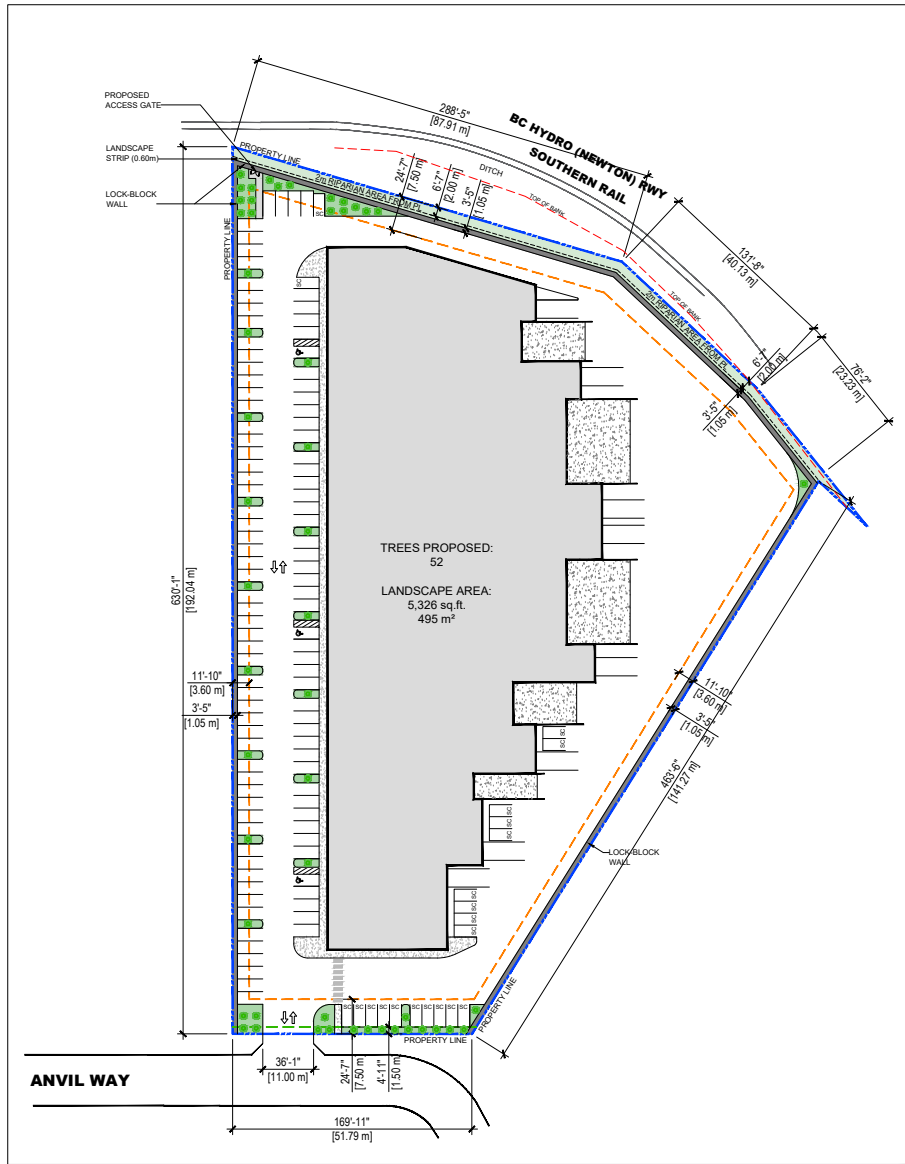
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 PROJECT:

DRAWING TITLE:

LANDSCAPE
 CONCEPT PLAN

DRAWN BY:	GL
CHECKED BY:	XX
DATE:	01.12.22
SCALE:	1:500
PROJECT:	
SHEET N°:	

03 OF 03
 A03



Landscape Concept Plan

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

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

DATE: **November 02, 2022** PROJECT FILE: **7822-0244-00**

RE: **Engineering Requirements (Commercial/Industrial)
Location: 12945 Anvil (78 Ave) Way
(12935 Anvil (78 Ave) Way)**

DEVELOPMENT PERMIT/DEVELOPMENT VARIANCE PERMIT

There are no engineering requirements relative to issuance of the Development Permit/
Development Variance Permit.

BUILDING PERMIT

The following are required as a condition of the subsequent Building Permit issuance:

Property and Right-of-Way Requirements

- Register 0.50 m Statutory right-of-way (SRW) along Anvil (78 Ave) Way.

Works and Services

- Construct north side of Anvil (78 Ave) Way.
- Construct/Extend 300mm water main from existing 350mm near north Lot line of 7680 Anvil way, along full frontage of development site.
- Provide storm, sanitary, and water service connections to support the development.
- Register applicable legal documents as determined through detailed design.

A Servicing Agreement is required as a condition of Building Permit.



Jeff Pang, P.Eng.
Development Services Manager

BD

MIKE FADUM AND ASSOCIATES LTD.
VEGETATION CONSULTANTS

Tree Preservation Summary


Surrey Project No: 22-0244-00

Address: 12945 Anvil Way (12935 Anvil Way) Surrey, BC

Registered Arborist: Corey Plester #PN-8523A

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)	30
Protected Trees to be Removed	30
Protected Trees to be Retained (excluding trees within proposed open space or riparian areas)	0
Total Replacement Trees Required: <div style="text-align: center;"> Red Alder/ Black Cottonwood Trees Requiring 1 to 1 Replacement Ratio 7 X one (1) = <u>7</u> </div> <div style="text-align: center;"> All other Trees Requiring 2 to 1 Replacement Ratio 23 X two (2) = <u>46</u> </div>	53
Replacement Trees Proposed	11
Replacement Trees in Deficit	42
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	17
Total Replacement Trees Required: <div style="text-align: center;"> - Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio 14 X one (1) = 14 </div> <div style="text-align: center;"> - All other Trees Requiring 2 to 1 Replacement Ratio 3 X two (2) = 6 </div>	20
Replacement Trees Proposed	NA
Replacement Trees in Deficit	NA

Summary report and plan prepared and submitted by: Mike Fadum and Associates Ltd.	
Signature of Arborist: 	Date: January 24, 2023



Mike Fadum and Associates Ltd.
#105, 8277-129 Street, Surrey, BC, V3W 0A6
Phone 778-593-0300 Fax 778-593-0302





MIKE FADUM AND ASSOCIATES LTD. VEGETATION CONSULTANTS

#105, 8277 129 St.
Surrey, British Columbia
V3W 0A6
Ph: (778) 593-0300
Fax: (778) 593-0302
Email: mfadum@fadum.ca

CLIENT

FILE NO.

PROJECT TITLE
TREE PRESERVATION
AND PROTECTION PLAN

12945 ANVIL WAY
SURREY, B.C.

REVISIONS:

NO.	DATE	BY	REVISION

SHEET TITLE

T1 - TREE PRESERVATION
AND REMOVAL PLAN

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DRAWN
MK

SCALE
AS SHOWN

DATE
AUGUST 17, 2022

T-1

SHEET 1 OF 1

835

15

LANDSCAPE MAINTENANCE STRIP
LOCK-BLOCK WALL

PROPERTY LINE

5000 sq. ft.

753

752

751

750

OS748

<-30

<-30

<-30

<-30

749

<-30

<-30

746

<-30

<-30

<-30

Concrete Curb

Storm MH

Storm MH

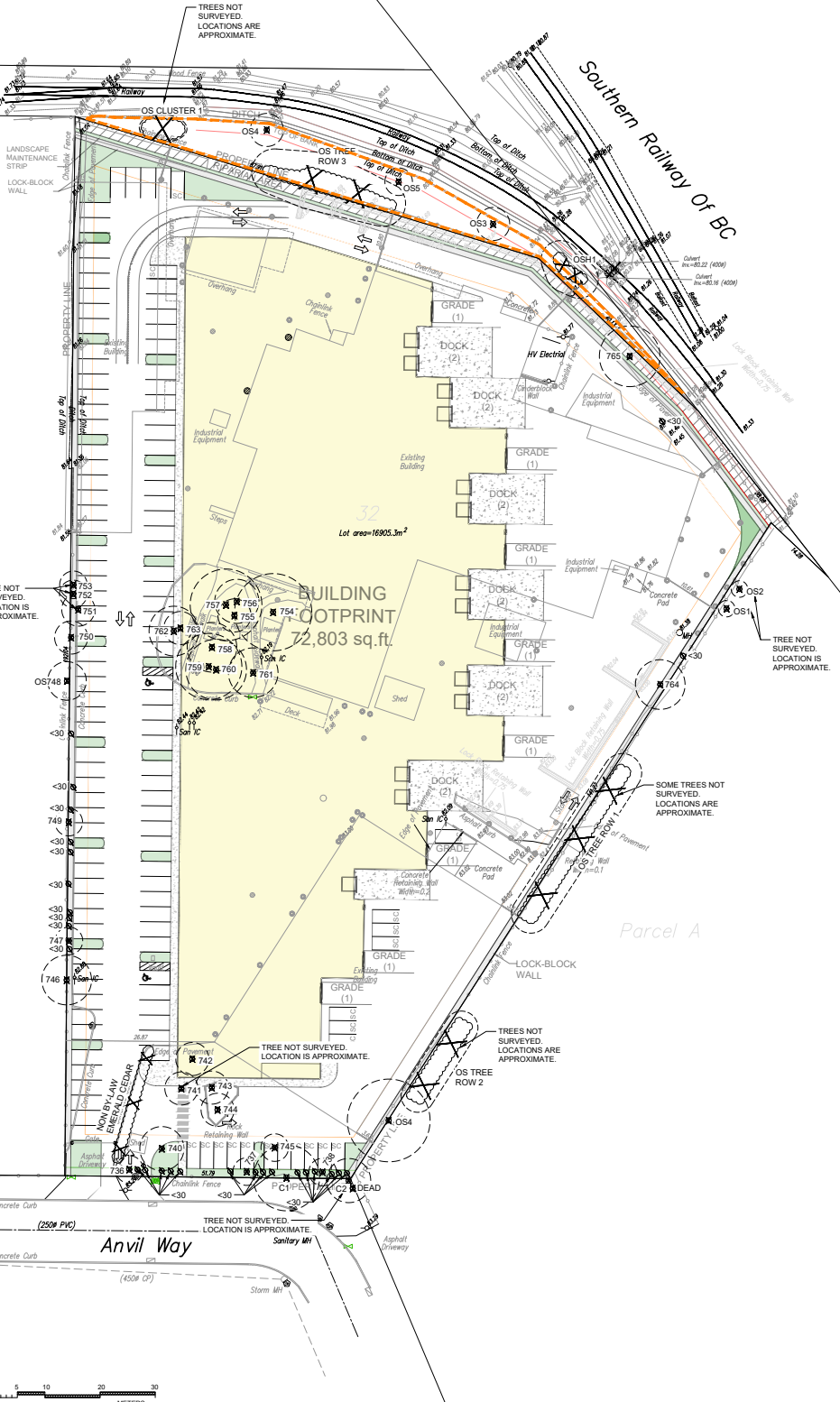
Storm MH

Storm MH

Storm MH

Storm MH

Storm MH



LEGEND

	TREE TO BE RETAINED		MINIMUM NO DISTURBANCE ZONE
	TREE TO BE REMOVED		1.5m NO-BUILD ZONE
	NON BY-LAW TREE		TREE NOT ASSESSED
	PROPOSED AREA OF SOIL REMEDIATION		



(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7922-0244-00

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: 009-137-025
Lot 32 Section 20 Township 2 New Westminster District Plan 29845
12945 Anvil (78 Ave) Way
(12935 Anvil (78 Ave) Way)

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section B.1 of Part 7A "Streamside Protection", the minimum distance (streamside setback area) from top of bank for "Class B Ditches" is reduced from 7 metres to 2 metres.
4. This development variance permit applies to 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.

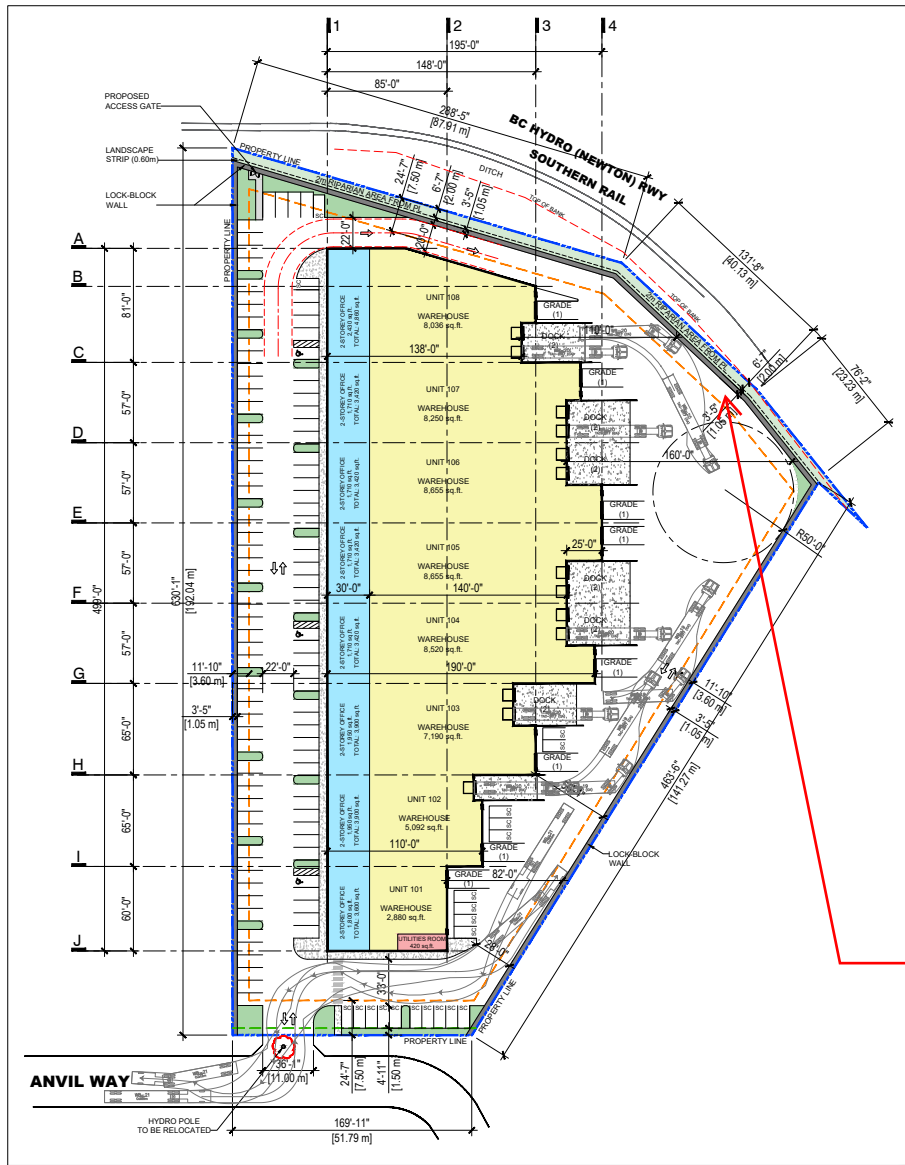
7. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.

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 – Brenda Locke

City Clerk – Jennifer Ficocelli



Site Plan - 2H

ZONING SUMMARY

PROJECT ADDRESS:
12945 Anvil Way, Surrey, BC

LEGAL DESCRIPTION:
Front Yard Setback: Required: 7.5 m
Side Yard Setback: Required: 3.6 m
Rear Yard Setback: Required: 7.5 m

AUTHORITY:
ZONE: City of Surrey IH
USES: High Impact Industrial Zone

PROPERTY AREA SCHEDULE WITH 2m PL OFFSET

Gross Site	100%	181,966 SF	4.18 acres
2m offset from PL	1.9%	3,411 SF	0.08 acres
Net Usable	98.1%	178,555 SF	4.10 acres

Site Coverage:
Proposed: 41 %
Allowed: 60 %
F.A.R.:
Proposed: 0.49
Allowed: 1.0

BUILDING STATISTICS:

FOOTPRINT	Area (SF)	Area (SM)
Building	72,668 SF	6,751 m ²
	72,668 SF	6,751 m ²

Area Summary - By Level

Building	Area (SF)	Area (SM)
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Level 2	14,970 SF	1,391 m ²
	87,638 SF	8,142 m ²

Area Summary - By Occupancy

Building	Area (SF)	Area (SM)
Office	29,940 SF	2,782 m ²
Industrial	57,698 SF	5,360 m ²
	87,638 SF	8,142 m ²

PARKING REQUIRED:

Building	Area (SF)	Factor	(1/Area)	Spaces
Office	29,940 SF	431	69	
Industrial	57,698 SF	1,076	54	
	87,638 SF		123	

PARKING PROPOSED:

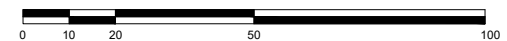
Parking Space ADA: 13' x 18'	3
Parking Space SC: 8.5' x 16'	22
Parking Space: 9' x 18'	98
	123

LOADING PROPOSED:

1	Grade Door/UNIT
2	Dock Door/UNIT

Reduce the minimum streamside setback from top of bank for a "Class B ditch" from 7 metres to 2 metres.

	PROPERTY LINE
	LANDSCAPE SETBACK
	BUILDING SETBACK





City of Surrey, VRPA, Maxar, Microsoft

- Study Area
- Ditch To B
- Ditch (bottom of bank)
- Zoning Bylaw - Part 7a SPEA
- RAPR SPEA
- Proposed SPEA
- Setback Variance



Scale: 1:750

Anvil Way
Proposed
Streamside
Protection Setbacks

Figure 3



BlueLines Environmental