

City of Surrey
ADDITIONAL PLANNING COMMENTS

File: 7916-0024-02

Planning Report Date: October 2, 2017

PROPOSAL:

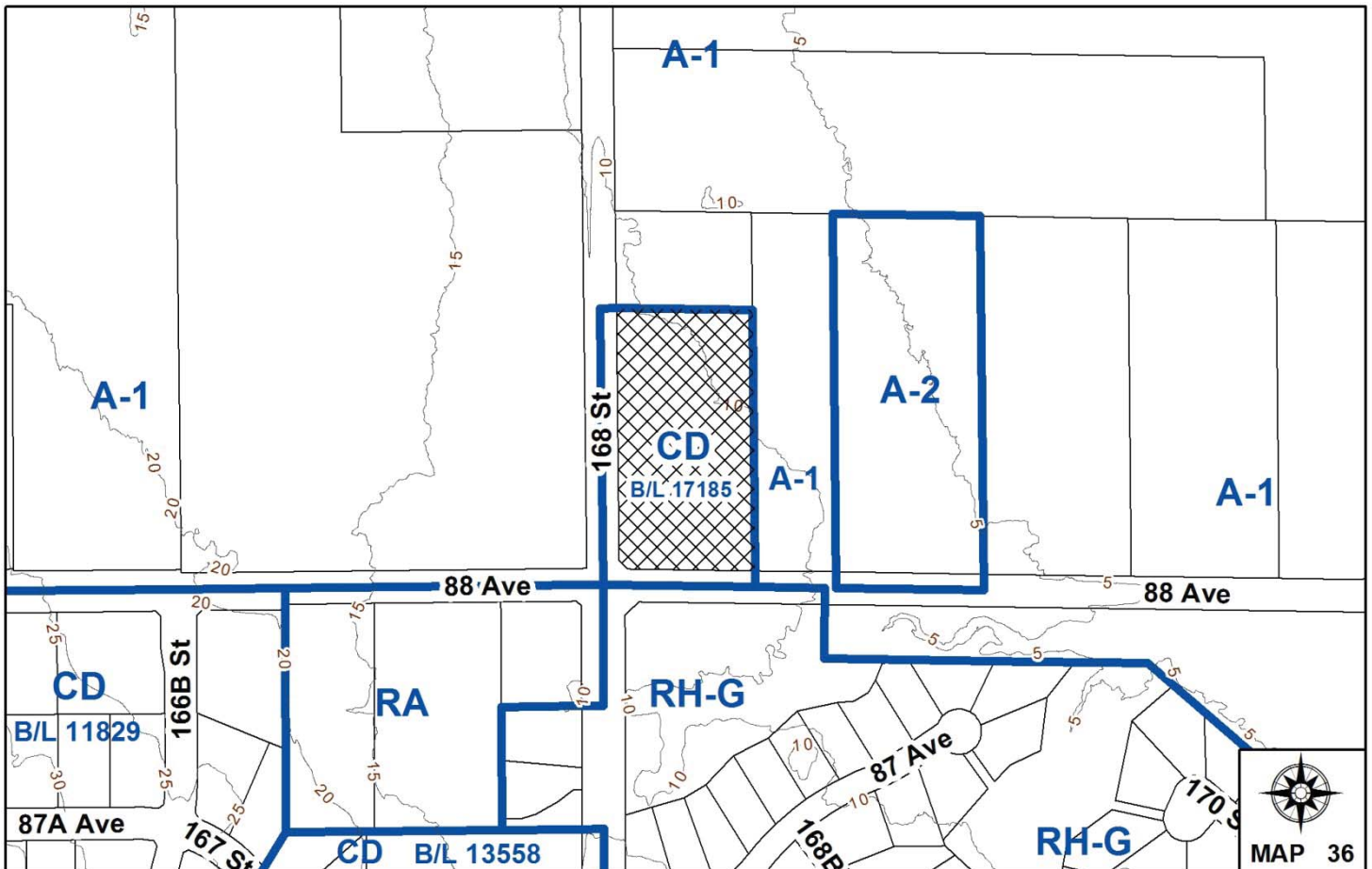
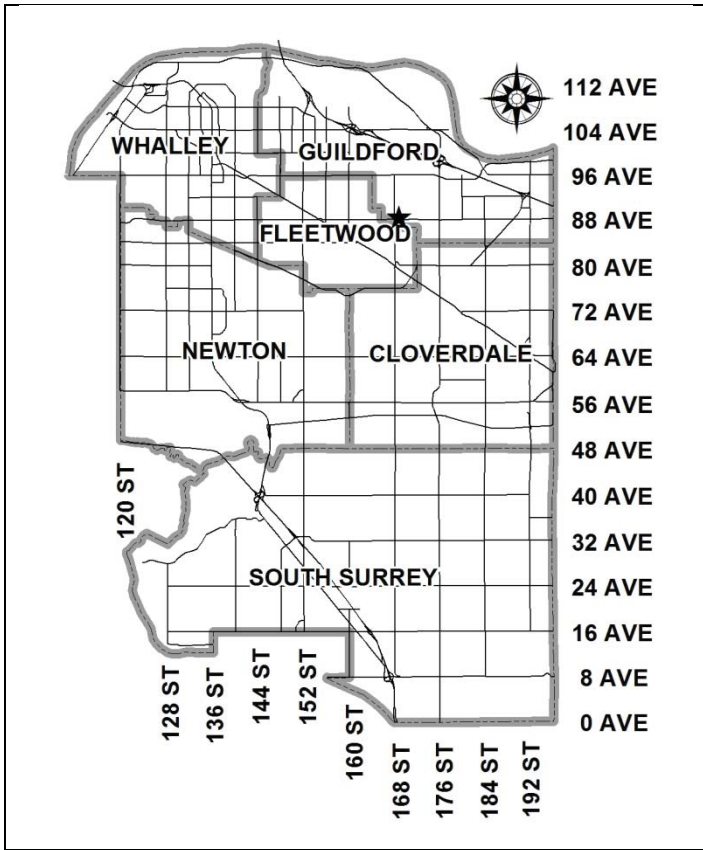
- **Development Variance Permit**

in order to increase the maximum height of an accessory structure to permit a 33.5-metre (110 ft.) flagpole for a private school located within the ALR.

LOCATION: 8820 - 168 Street

ZONING: CD (By-law No. 17185)

OCP DESIGNATION: Agricultural



RECOMMENDATION SUMMARY

The Planning & Development Department recommends that:

- A. Council endorse **Option A**, which is to refer the application back to staff to continue to work with the applicant to reduce the proposed height of the flagpole in consultation with the Fleetwood Community Association (FCA).

OR

- B. If Council is supportive of the applicant's proposed variance to increase the maximum height of an accessory structure on the subject property from 4.0 metres (13 ft.) to 33.5 metres (110 ft.) for the proposed flagpole, then Council could endorse **Option B** and grant approval for Development Variance Permit No. 7916-0024-02 to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is seeking to increase the maximum allowable height of an accessory structure in CD By-law No. 17185, from 4.0 metres (13 ft.) to 33.5 metres (110 ft.) for a proposed flagpole.

RATIONALE OF RECOMMENDATION

- The subject property is located within the Agricultural Land Reserve (ALR) and was previously occupied by Tynehead Elementary School, which closed in 2004. The building is now occupied by a private school, which is a permitted non-farm use on the subject site.
- Under the original development application (File No. 7916-0024-00), the applicant proposed a number of temporary portable buildings on the subject site in order to accommodate additional classrooms and office space for the private school. Development Variance Permit (DVP) No. 7916-0024-00 to allow setback and lot coverage relaxations for the proposed portable buildings was approved by Council on July 11, 2016.
- The subject height variance for a flagpole was originally proposed under DVP No. 7916-0024-01 along with a Sign By-law variance to accommodate a proposed fascia sign for the private school. On March 7, 2016, Council supported the variance for the fascia sign to proceed to Public Notification, and later approved the variance on April 11, 2016, but deferred consideration of the flagpole variance to allow time for the applicant and the Fleetwood Community Association (FCA) to discuss concerns raised by the FCA about the height.
- The applicant and their consultant have met with representatives of the FCA to discuss the proposed height of the flagpole but after considering the options, the applicant does not wish to reduce the proposed height and has requested that the proposed variance to allow a 33.5-metre (110-ft.) flagpole on the subject site be forwarded to Council for further consideration. The FCA continues to have concerns with the height of the flagpole.
- The applicant noted that the flagpole will be used for religious purposes pertaining to the private school only, and will not be used for signage or advertising, and that the proposed flagpole on the subject site is comparable to the height of flagpoles that have been approved through a DVP process at other institutional facilities in the City.

RECOMMENDATION

The Planning & Development Department recommends Council endorse **Option A**, which is to refer the application back to staff to continue to work with the applicant to reduce the proposed height of the flagpole in consultation with the Fleetwood Community Association (FCA).

If Council is supportive of the applicant's proposed variance to increase the maximum height of an accessory structure on the subject property from 4.0 metres (13 ft.) to 33.5 metres (110 ft.) to accommodate the proposed flagpole at the applicant's requested height, Council may endorse **Option B** and grant approval for Development Variance Permit No. 7916-0024-02 (Appendix II) to proceed to Public Notification.

REFERRALS

Engineering: The Engineering Department has no objection to the proposed flagpole.

SITE CHARACTERISTICS

Existing Land Use: Private school (former site of Tynehead Elementary School) within the Agricultural Land Reserve (ALR).

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Agricultural lands in the ALR.	Agricultural	A-1
East:	Agricultural lands in the ALR.	Agricultural	A-1
South (Across 88 Avenue):	City parkland and suburban residential lots.	Suburban	RH-G
West (Across 168 Street):	Agricultural lands in the ALR.	Agricultural	A-1

DEVELOPMENT CONSIDERATIONSBackground

- The subject property is located in Fleetwood at the north-east corner of 88 Avenue and 168 Street. The property is approximately 1.27 hectares (3.1 acres) in size, designated Agricultural in the Official Community Plan (OCP) and zoned "Comprehensive Development Zone (CD)" (By-law No. 17185) (based on "Assembly Hall 2 Zone (PA-2)"). The property is located entirely within the Agricultural Land Reserve (ALR).
- Tynehead Elementary School operated on the subject site until 2004, when the Surrey School Board deemed the school to be surplus to its needs and agreed to sell the property. In 2005,

the Gobind Marg Charitable Trust Society (the current owners) purchased the property to operate a private school on the site. As confirmed by the Agricultural Land Commission (ALC), the current non-farm use as a private school is permitted.

- The current owners utilize the existing buildings on the subject site as a Sikh private school to offer classes for Kindergarten to Grade 3 students in accordance with the *Independent School Act (ISA)*. The private school also offers evening programs and activities related to educational and religious studies.
- At the March 7, 2016 Council meeting, Council considered Development Application No. 7916-0024-00, which included Development Variance Permit Nos. 7916-0024-00 and 7916-0024-01. Development Variance Permit No. 7916-0024-00, which after public notification was approved by Council on July 11, 2016, proposed setback and lot coverage relaxations for the proposed portable buildings on the subject site.
- Development Variance Permit No. 7916-0024-01 proposed an increase in the maximum allowable sign area of a fascia sign, as well as an increase in the maximum permitted height of an accessory structure (flagpole). Council supported the variance for the fascia sign to proceed to public notification, and subsequently approved the variance on April 11, 2016. However, Council did not forward the flagpole height variance to public notification and instead deferred consideration of the variance to allow time for the applicant to meet with the Fleetwood Community Association (FCA) who had raised concerns regarding the height of the flagpole.
- Flag poles are considered structures in the Zoning By-law No. 12000 and the height of flag poles is governed by the height regulations prescribed in each individual Zone in the Zoning By-law. Where a proposed flagpole exceeds the height limit, a Development Variance Permit is required. The CD By-law (No. 17185) which regulates the subject site prescribes a maximum height for structures of 4.0 metres (13 ft.).
- Previous requests for variances to accommodate flagpoles that exceed the height limit of the applicable Zone have been dealt with on a site by site basis following consideration of a number of general land use criteria such as surrounding land use, character of nearby area, siting and height of the flagpole in relation to adjacent development, and potential visual impact. Adjacent neighbours are also provided an opportunity to express their concerns through the public notification process.

Current Proposal

- The applicant has requested a Development Variance Permit (DVP) to increase the maximum height of an accessory structure from 4.0 metres (13 ft.) to 33.5 metres (110 ft.) to permit a flagpole. The flagpole height remains unchanged from the previous proposal, which was forwarded to Council under Development Variance Permit No. 7916-0024-01 but deferred by Council to allow time for the applicant to meet with the FCA to discuss concerns regarding the flagpole height.
- The applicant and their consultant (Pacific Land Group) have met with representatives of the FCA to discuss the proposed height of the flagpole. The parties expressed the following comments:

Fleetwood Community Association

- The FCA expressed concerns regarding the significant height of the proposed flagpole structure, which is approximately 33.5 metres (110 ft.) tall, and its impact on site lines;
- The FCA acknowledged that there are other flagpoles in the City of a similar height, but also noted that many public and private schools and community centres in the City have flagpoles that are only 6.0 metres (20 ft.) in height or significantly lower than the proposed flagpole on the subject site; and
- The FCA requested that the applicant consider a reduction to the height of the flagpole.

Applicant

- The applicant explained the religious significance of the flagpole, and that the flagpole is directly associated with the curriculum of the private school during ceremonial events; and
- The applicant mentioned a number of other private schools and religious facilities in the City with approved flagpoles of a similar height.
- The applicant acknowledged the concerns expressed by the Fleetwood Community Association, and met with their consultant to further discuss the issue after the meeting with the FCA. After considering the options, the applicant does not wish to reduce the proposed height of the flagpole and has requested that the proposed variance to allow a 33.5-metre (110-ft.) flagpole on the subject site be forwarded to Council for further consideration.
- The applicant has also provided the following rationale in support of the requested variance:
 - The flagpole is an integral part of the private school and is used during ceremonial events. The flagpole will be installed on a hydraulic base so that the flag can be lowered and elevated during flag-changing ceremonies.
 - The flag (Nishan Sahib) at the top of the flagpole is a saffron-coloured, triangular-shaped cloth with the Sikh insignia. The flagpole is not intended for signage or advertising.
 - The flagpole represents a visible emblem for those seeking refuge, food and a place to pray.
 - Similar variances have been approved by Council for increased flagpole heights in other areas of the City.
 - The flagpole has already been constructed, and modifications to, or replacement of, the existing flagpole would be costly.

OPTIONS FOR COUNCIL'S CONSIDERATION

The following is a summary of two (2) options for Council's consideration, and comments associated with each approach:

- **Option A:** Council refer the application back to staff to continue to work with the applicant to reduce the proposed height of the flagpole in consultation with the Fleetwood Community Association (FCA) who expressed concerns regarding the height.

Pros:

- At the March 7, 2016 Council meeting, Council deferred consideration of the proposed variance to allow a 33.5-metre (110-ft.) flagpole on the subject site to allow time for the applicant to meet with the FCA to discuss their concerns regarding the flagpole height. As a result of the meeting, no revisions have been made to the height of the proposed flagpole and the concerns of the FCA remain unaddressed.
- If the current variance is referred back to staff, staff can continue to work with the applicant and the FCA to seek a compromise in a reduced height for the flagpole.

Cons:

- The applicant has indicated that the 33.5-metre (110-ft.) flagpole had previously been installed on the site, but it was taken down and has not been in use since Council deferred consideration of the proposed variance at the March 7, 2016 Council meeting. Since the flagpole is constructed of solid materials including steel, the applicant is reluctant to proceed with costly modifications or replacement of the structure.
- **Option B:** If Council is supportive of the applicant's proposed variance to increase the maximum height of an accessory structure (flagpole) on the subject property from 4.0 metres (13 ft.) to 33.5 metres (110 ft.), Council may grant approval for Development Variance Permit No. 7916-0024-02 to proceed to Public Notification.

Pros:

- The proposed flag pole height is comparable to the height of other flagpoles approved through a Development Variance Permit (DVP) process elsewhere in the City, including the following:
 - DVP No. 7999-0029-00 (12895 – 85 Avenue / Sikh Academy): 45 metres (150 ft.);
 - DVP No. 7909-0043-00 (15255 – 68 Avenue / Gurdwara Dukh Niravan Sahib): 30.5 metres (100 ft.); and
 - DVP No. 7911-0002-00 (10677 – 124 Street / Khalsa School): 30.5 metres (100 ft.).

- The requested variance would allow the flagpole to be erected as currently designed, avoiding modifications or replacement of the existing flagpole, which the applicant has indicated would be costly.
- The neighbouring properties to the west (across 168 Street) and to the north and east are large agricultural parcels that are all located within the Agricultural Land Reserve (ALR). The site is not immediately adjacent to a residential area.
- A City-owned nature reserve with large mature trees is located directly to the south of the site across 88 Avenue and the neighbouring property to the west, across 168 Street, is also heavily treed. The proposed flagpole is therefore partially buffered from nearby residential areas.
- If Council endorses the proposed variance to increase the height of the flagpole, the proposed variance will still need to proceed to Public Notification to solicit additional community feedback on the proposed height of the structure.

Cons:

- The Fleetwood Community Association (FCA) continues to have concerns with the height of the flagpole and requests the applicant propose a reduced height.

CONCLUSION

The Planning & Development Department recommends that Council endorse **Option A**, which is to refer the application back to staff to continue to work with the applicant to reduce the proposed height of the flagpole, in consultation with the FCA.

If Council is supportive of the merits of the applicant's proposed variance to increase the maximum height of an accessory structure on the subject property from 4.0 metres (13 ft.) to 33.5 metres (110 ft.) to accommodate the proposed flagpole, at the applicant's requested height, then Council could instead endorse **Option B** and grant approval for Development Variance Permit No. 7916-0024-02 to proceed to Public Notification.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- | | |
|--------------|--|
| Appendix I. | Lot Owners and Action Summary (Confidential) |
| Appendix II. | Development Variance Permit No. 7916-0024-02 |

original signed by Ron Gill

Jean Lamontagne
General Manager
Planning and Development

APPENDIX I HAS BEEN
REMOVED AS IT CONTAINS
CONFIDENTIAL INFORMATION

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7916-0024-02

Issued To:

("the Owner")

Address of Owner: 8820 - 168 Street
Surrey, BC V3S 9K6

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: 006-513-123

Lot 13, Except That Part In Plan LMP4112 Section 31 Township 8 New Westminster District
Plan 42636

8820 - 168 Street

(the "Land")

3. Surrey Zoning By-law, 1993, Amendment By-law, 2015, No. 17185, is varied as follows:
 - (a) To increase the maximum height of an accessory structure under CD By-law No. 17185, from 4.0 metres (13 ft.) to 33.5 metres (110 ft.) for a flagpole.
4. This development variance permit applies to only the buildings and 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.

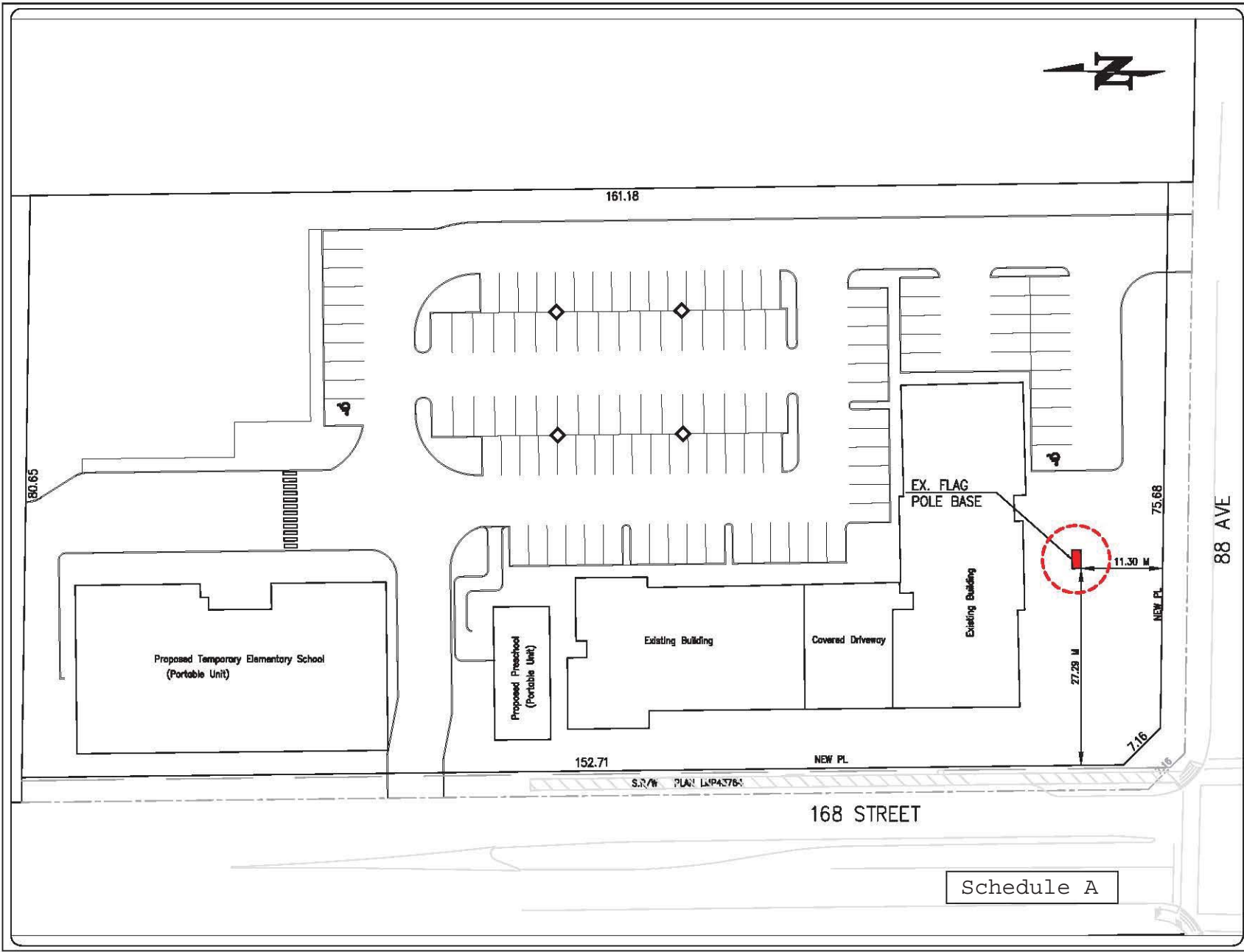
7. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.

8. This development variance permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE _____ DAY OF _____, 2017.
ISSUED THIS _____ DAY OF _____, 2017.

Mayor – Linda Hepner

City Clerk – Jane Sullivan



Pacific Land Resource Group Inc.

Suite 212 - 12992 76 Avenue
 Surrey, British Columbia
 Canada V3W 2V6

Tel: 604-501-1624

Fax: 604-501-1625

www.pacificlandgroup.ca
 Info@pacificlandgroup.ca

PROJECT:

8820 168 Street, Surrey

DRAWING TITLE:

Flag Pole Site Plan

PRELIMINARY PLAN - SUBJECT TO APPROVAL(S) FROM
 FEDERAL, PROVINCIAL AND LOCAL AUTHORITIES

CLIENT:

**Gobind Marg Charitable
 Trust Society**

SCALE:

1:500

DATE:

August 28, 2017

PROJECT No:

16-1338

DRAWING No:

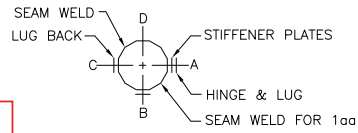
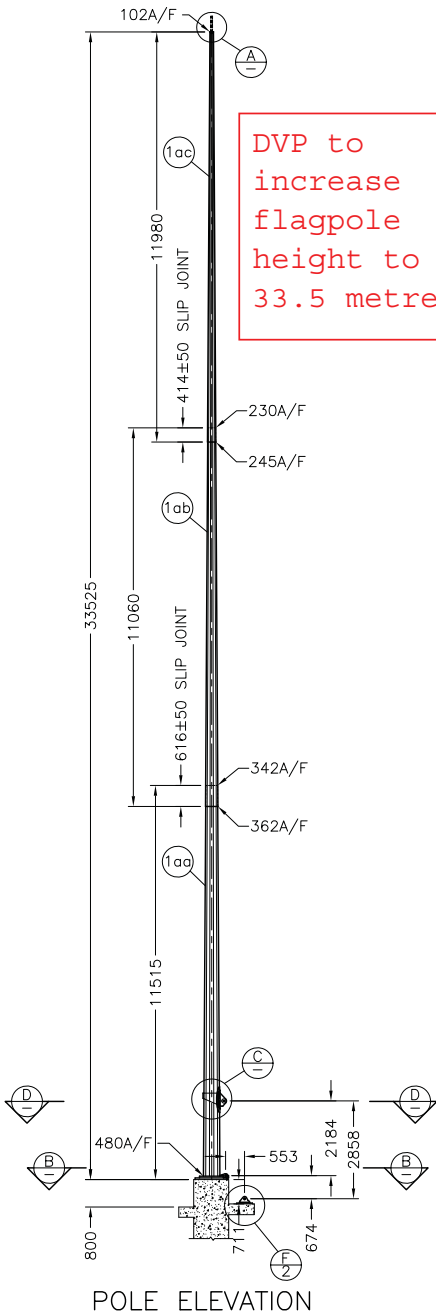
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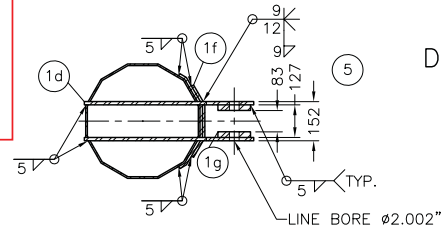
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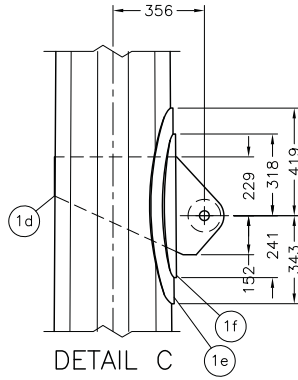
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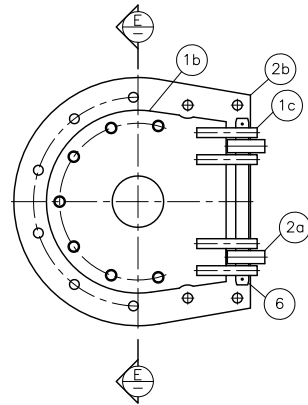
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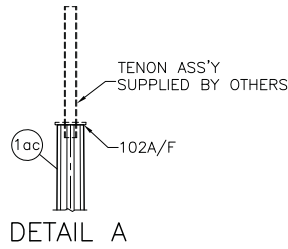
SECTION D-D



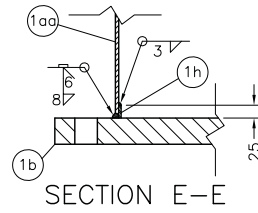
DETAIL C



BASE SECTION B-B



DETAIL A

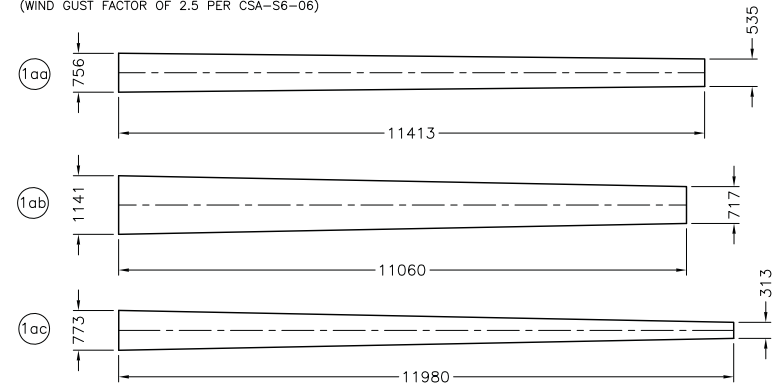


SECTION E-E

PRODUCT #	ITEM	QTY	MATERIAL	DESCRIPTION	WEIGHT	
					UNIT	TOTAL
9191-1aa	1aa	2	ASTM A572 GR.50	PL 6.4 x 756 x 535 x 11413 LG (12-SIDED SHAFT HALF SHELL)	367.0	734.0
9191-1ab	1ab	1	ASTM A572 GR.50	PL 4.8 x 1141 x 717 x 11060 LG (12-SIDED SHAFT FULL SHELL)	384.0	384.0
R10-11GA-43-350W	1ac	1	CSA G40.21 350W	PL 3.0 x 773 x 313 x 11980 LG (12-SIDED SHAFT FULL SHELL)	155.0	155.0
9191-1b	1b	1	CSA G40.21 300W	PL 50.8 x 712 x 699 (POLE BASE PLATE)	154.3	154.3
9191-1c	1c	4	CSA G40.21 300W	PL 38.1 x 115 x 235 (HINGE PLATE)	4.5	18.0
9191-1d	1d	2	CSA G40.21 300W	PL 12.7 x 381 x 684 (LUG)	17.5	35.0
9191-1e	1e	1	CSA G40.21 300W	PL 9.5 x 432 x 762 LG (STIFFENER PLATE)	21.6	21.6
9191-1f	1f	1	CSA G40.21 300W	PL 9.5 x 305 x 560 LG (STIFFENER PLATE)	11.3	11.3
9191-1g	1g	2	CSA G40.21 300W	PL 22.2 x Ø127 O.D. (CYLINDER WASHER)	2.0	4.0
R20-1C-0.188X1.00	1h	2	CSA G40.21 300W	FB 4.8 x 25 x 735 LG (BACKING STRIP)	1.2	2.4
9191-2a	2a	2	CSA G40.21 300W	PL 50.8 x 146 x 171 (HINGE PLATE)	6.5	13.0
9191-2b	2b	1	CSA G40.21 300W	PL 50.8 x 921 x 966 (BASE PALTE)	284.5	284.5
9191-3a	3a	2	CSA G40.21 300W	PL 31.8 x 168 x 279 (LUG)	7.6	15.2
9191-2b	3b	1	CSA G40.21 300W	PL 25.4 x 203 x 305 (LUG BASE PLATE)	12.3	12.3
9191-3c	3c	1	CSA G40.21 300W	PL 25.4 x 380 x 457 (BASE PLATE)	34.6	34.6
-	5	1	BY OTHERS	Ø51 x 203 LG (PIN)	3.3	3.3
-	6	1	BY OTHERS	Ø51 x 648 LG (PIN)	10.4	10.4
POLE TOTAL (kg)					1892.9	

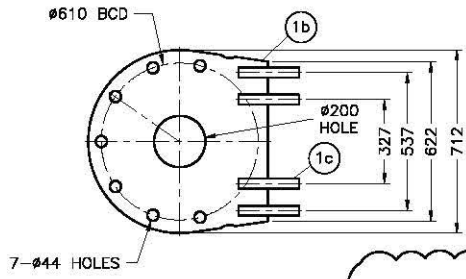
NOTES:
 - ALL UNITS METRIC (mm) UNLESS OTHERWISE STATED
 - STAMP BASE PLATE WITH 'NP YY' (YY=YEAR)
 MATERIAL - ALLOW SILICON CONT. 0-0.04% FOR SHAFTS
 0-0.04% OR 0.15%-0.22% FOR OTHERS
 WELDING - CSA W59, W47.1
 FINISH - BARE STEEL
 ANCHOR ROD - Ø1 1/2" x 48" LG AISI/SAE 4140 WITH 120mm PROJECTION

DESIGN:
 - POLE SUPPORT MAX 0.75sqm EPA FIXTURES IS DESIGNED FOR 480Pa WIND LOAD
 (WIND GUST FACTOR OF 2.5 PER CSA-S6-06)



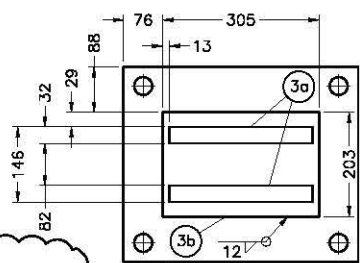
SHAFT DEVELOPMENT

-		-			
A	GENERAL REVISION	MAR30/10			
REV		DATE		NS MACHINING 33.5m [110'] TEMPLE POLE	
DRAWN	HW	DATE DEC17/09			
CHECKED	EC	DATE DEC17/09			
CONTRACTOR		SCALE NTS	P.O.#		
		SIZE B	REF DWG NO -	DWG NO. 2-110-9191	REV A

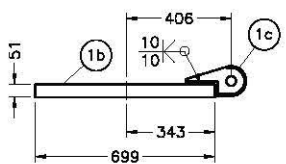
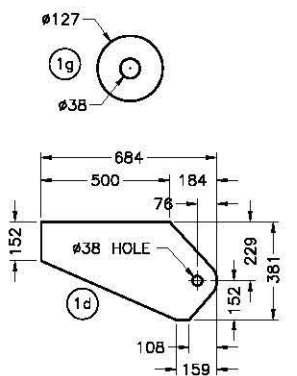
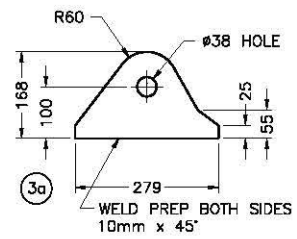


POLE BASE PLATE

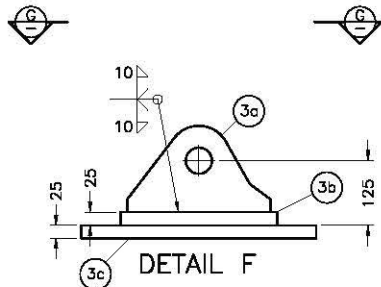
BOLT HOLE PATTERN ON POLE BASE PLATE TO BE CONFIRMED



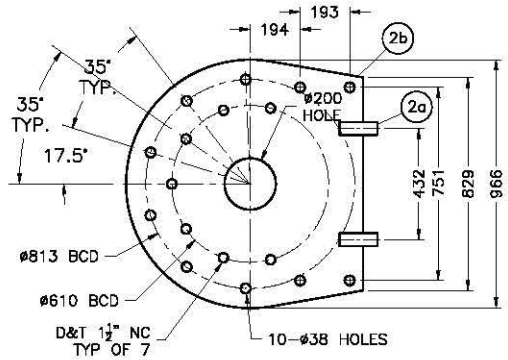
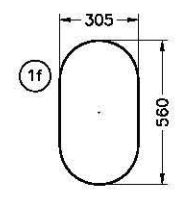
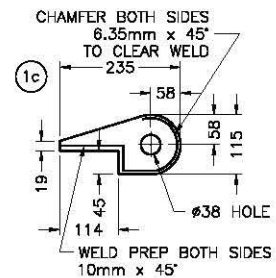
VIEW G-G



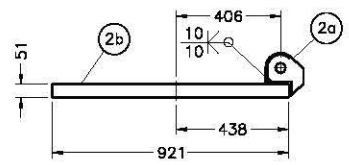
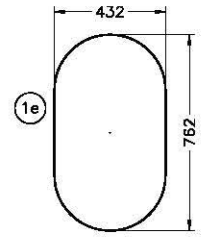
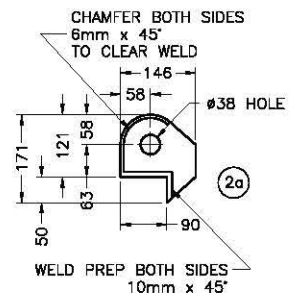
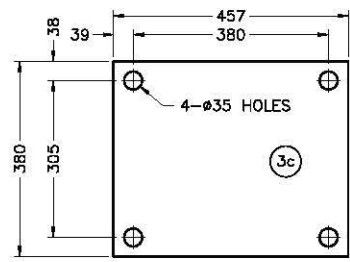
POLE BASE PLATE SIDE VIEW



DETAIL F



BASE PLATE



BASE PLATE SIDE VIEW

BOLT HOLE PATTERNS ON BASE PLATE TO BE CONFIRMED

NOVA POLE International Inc.		NS MACHINING		33.5m [110'] TEMPLE POLE	
REV	GENERAL REVISION	DATE	MAR30/10	SIZE	B
REV		DATE		REF DWG NO	-
DRAWN	HW	DATE	DEC17/09	DWG NO.	2-110-9191
CHECKED	EC	DATE	DEC17/09	SCALE	NTS
CONTRACTOR		P.O.#		S.O.	9024
		SHEET		2 OF 2	