

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7917-0516-00

Planning Report Date: October 1, 2018

**PROPOSAL:**

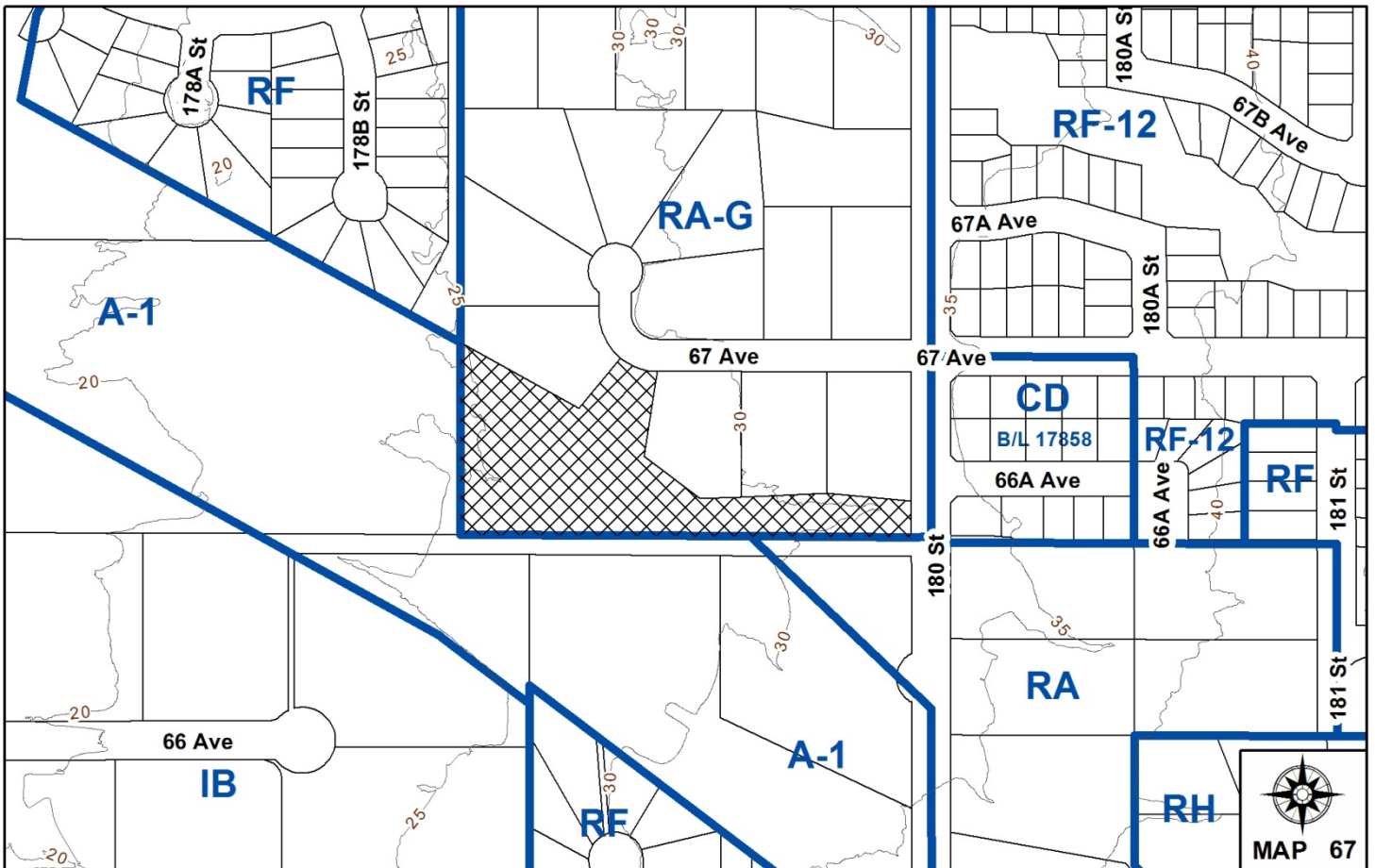
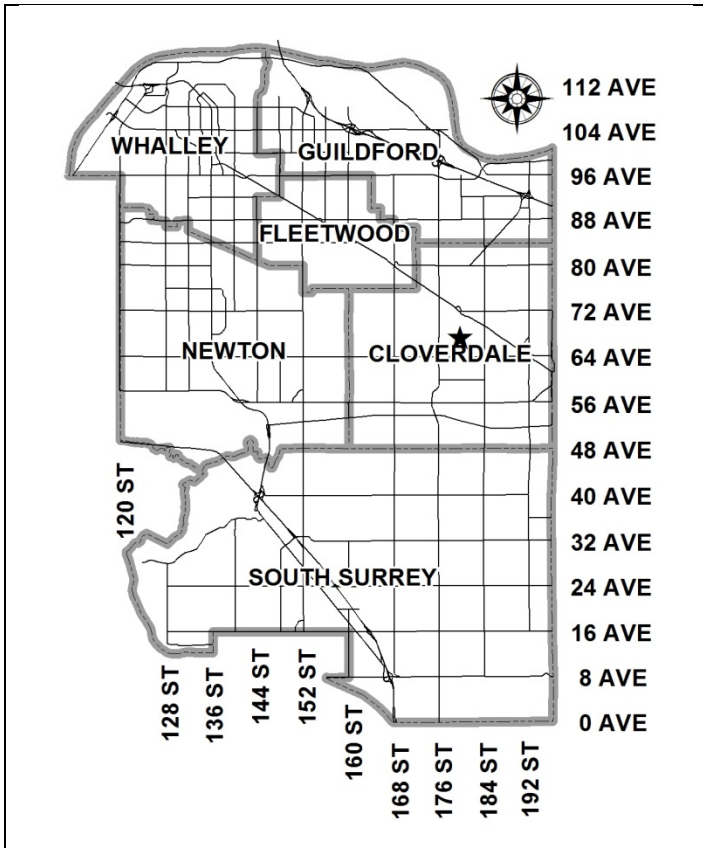
- **Development Variance Permit**

To reduce the streamside setback to permit the development of a telecommunication compound on a park lot.

**LOCATION:** 17926 - 67 Avenue

**ZONING:** RA-G

**OCP DESIGNATION:** Suburban



### RECOMMENDATION SUMMARY

- Approval for Development Variance Permit to proceed to Public Notification.

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking a variance to reduce the minimum setback from top-of-bank for a Natural Class A Stream under Part 7A of the Zoning By-law from 15 metres (49 ft.) to 10 metres (33 ft.) to facilitate a telecommunication compound.

### RATIONALE OF RECOMMENDATION

- The applicant has demonstrated that the requested setback relaxation does not impact the objectives outlined in the Official Community Plan (OCP) for protecting sensitive ecosystems.
- The provincial Riparian Areas Regulation (RAR) requirements identify a Streamside Protection and Enhancement Area (SPEA) of a minimum 10 metre (33 ft.) from the High Water Mark (HWM) of the watercourse. The proposed compound and associated fill are not in conflict with the SPEA area, as determined by the RAR assessment.
- The proposed 10-metre (33-ft.) wide Streamside Protection Area along the southern edge of the watercourse will be protected in perpetuity as it is owned by the City of Surrey and maintained by Parks. The applicant will be providing a cash-in-lieu contribution of \$92,800 to be put towards riparian enhancement in the park.
- The applicant has submitted an Ecosystem Development Variance Permit Impact Mitigation Plan, prepared by Keystone Environmental dated September 26, 2018, which includes a Detailed RAR Assessment Report dated January 16, 2018, which indicates that the implementation of these measures will ensure that the proposed streamside setback reduction will not negatively impact the existing riparian area.
- Fill for the proposed telecommunication compound has already been added to the site and the compound needs to be within 6 metres (20 ft.) of the telecommunication antennae, which is to be installed on a BC Hydro tower that is already within the 15 metre (49 ft.) streamside setback area of the watercourse.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7917-0516-00 (Appendix IV) to reduce the minimum setback distance from the top-of-bank of a Natural Class A Stream in Part 7A of Zoning By-law No. 12000 from 15 metres (49 ft.) to 10 metres (33 ft.), for a proposed telecommunication compound, to proceed to Public Notification.
2. Council instruct staff to resolve the following issues prior to 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 cash-in-lieu contribution to satisfaction of the General Manager Parks Recreation and Culture for riparian area enhancements within the park; and
  - (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect.

REFERRALS

Engineering: The Engineering Department has no objection to the project.

Parks, Recreation & Culture: No concerns. The applicant will provide cash-in-lieu of a P-15 agreement.

SITE CHARACTERISTICS

Existing Land Use: Parkland encumbered by BC Hydro right-of-way.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Single family dwellings.	Suburban	RA-G
East:	Parkland.	Suburban	A-1
South:	Industrial building and single family dwellings.	Mixed Employment and Urban	IB and RF
West:	Unauthorized truck park.	Suburban	A-1

### DEVELOPMENT CONSIDERATIONS

- The subject site is located within a linear park located at 17926 – 67 Avenue.
- In 2012, Rogers Communications began exploring the subject site and in 2014 signed a lease with the City. In 2017, Rogers Communications began preloading the subject site before it was determined that all of the proper permits were not obtained. Rogers has since halted construction as they await permits which require Council support of a variance to the watercourse setbacks to facilitate the proposed location.
- The applicant Cypress Land Services, on behalf of Rogers Communications is proposing to install telecommunication equipment on top of a BC Hydro transmission tower with a proposed equipment compound and associated preloaded platform located within the 15 metre (49 ft.) setback of St. Gelais Brook which is a Class A watercourse.
- The applicant is proposing an approximate 2.5 metre (8 ft.) by 1.8 metre (6 ft.) equipment shed which is within a 5.5 metre (18 ft.) by 5 metre (16 ft.) compound enclosed by a 2.5 metre (8 ft.) tall black metal picket fence.
- The applicant is proposing three power poles to provide power to the site which will be provided via a conduit from 67 Avenue. All three power poles will be outside of the proposed 10 metre (33 ft.) watercourse setback.
- The applicant is proposing to improve the greenway by paving an approximate 200-metre (650 ft.) long access road/pathway to the south of the proposed compound which will connect to the existing pathway to 66 Avenue (see Appendix II).

### Sensitive Ecosystem Development Variance Permit Impact Assessment Report

- To ensure that the proposed on-site development conforms to Provincial Riparian Areas Regulation (RAR) setbacks, the applicant has provided a detailed Sensitive Ecosystem Development Variance Permit Impact Assessment Report which includes a Detailed RAR Assessment Report, prepared by Libor Michalak, R.P.Bio., of Keystone Environmental Ltd. The reports, dated September 26, 2018 and January 16, 2018 respectively confirm that the proposed development occurs outside of the provincially regulated Streamside Protection and Enhancement Area (SPEA) associated with the watercourse. The RAR Assessment has been reviewed by the Province and found to be acceptable.
- A "Class A watercourse" runs east-west through the site. The minimum 15 metre (49 ft.) streamside protection setback, as measured from top-of-bank, extends within the proposed equipment compound and associated preload fill.
- The reports recommend a 10-metre (33 ft.) Streamside Protection and Enhancement Area (SPEA) setback from the top of bank, which the applicant is complying with.
- The entirety of the 10-metre (33 ft.) wide SPEA, as measured from the high water mark of the adjacent watercourse, will not require protection through restrictive covenant as the lot is owned by Parks.

- Rather than enter into a P-15 agreement with Parks, the applicant will provide a cash-in-lieu payment to Parks in the amount of \$92,800 to compensate for the watercourse encroachment and facilitate riparian area enhancement within the park.
- Staff have reviewed the recommendations of the QEP reports and accept the proposed recommendation.

### TREES

- Jeff Ross, ISA Certified Arborist of Mike Fadum and 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
<b>Alder and Cottonwood Trees</b>			
Alder	3	0	3
<b>Deciduous Trees (excluding Alder and Cottonwood Trees)</b>			
Oak	1	0	1
Willow	3	0	3
Chestnut	2	0	2
Maple	3	0	3
Cherry	2	0	2
<b>Coniferous Trees</b>			
Western Red Cedar	2	0	2
Juniper	1	0	1
Deodar Cedar	2	0	2
<b>Total (excluding Alder and Cottonwood Trees)</b>	<b>16</b>	<b>0</b>	<b>16</b>
<b>Total Retained and Replacement Trees</b>		<b>16</b>	

- The Arborist Assessment states that there are a total of 16 protected trees on the site, excluding Alder and Cottonwood trees. Three existing trees, approximately 19% of the total trees on the site, are Alder and Cottonwood trees. It was determined that all trees can be retained as part of this development proposal. The proposed tree retention was assessed taking into consideration of the installation of a conduit.
- In summary, a total of 19 trees are proposed to be retained on the site with no trees being removed.

BY-LAW VARIANCE AND JUSTIFICATION

## (a) Requested Variance:

- To vary Part 7A Streamside Protection of the Zoning By-law to reduce the minimum required streamside setback area, measured from the top-of-bank, from 15 metres (49 ft.) to a minimum of 10 metres (33 ft.) for a proposed telecommunication compound.

## Justification for Proposed Variance:

- The provincial Riparian Areas Regulation (RAR) requirements, identify a Streamside Protection and Enhancement Area (SPEA) of a minimum 10-metre (33 ft.) from the High Water Mark (HWM) of the watercourse. The proposed compound and related fill is not in conflict with the SPEA area, as determined by the RAR assessment.
- A detailed Sensitive Ecosystem Development Variance Permit Impact Assessment Report which includes a Detailed RAR Assessment Report, prepared by Libor Michalak, R.P.Bio., of Keystone Environmental Ltd., recommends a Streamside Protection and Enhancement Area (SPEA) based on an RAR setback of 10 metres (33 ft.) from high water mark for St. Gelais Brook. The report has been audited by the Ministry of Forests, Lands and Natural Resource Operations (MFLNRO) and found to be acceptable. The reports indicate that the implementation of these measures will ensure that the proposed streamside setback reduction will not negatively impact the existing riparian area.
- Unlike developments on privately owned land, as the subject site is owned by the City of Surrey and encumbered by a BC Hydro right-of-way, the proposed 10-metre (33 ft.) wide Streamside Protection Area will not require protection through fencing or legal covenants.
- The applicant will be required to compensate Parks for enhancement of an approximate 1,000-square metre (10,763 sq. ft.) area as per the Sensitive Ecosystem Development Variance Permit Impact Assessment Report. The \$92,800 will be put towards riparian area enhancements within the park.
- The proposed compound will serve a telecommunications antennae to be installed on an existing BC Hydro tower that is already within the streamside setback area of the watercourse. The compound is required to be sited within 6 metres (20 ft.) of the transmission tower.
- Staff support the requested variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary (Confidential)
Appendix II.	Survey Plan, Site Plan and Elevations
Appendix III.	Summary of Tree Survey and Tree Preservation
Appendix IV.	Development Variance Permit No. 7917-0516-00

INFORMATION AVAILABLE ON FILE

- Sensitive Ecosystem Development Variance Permit Impact Assessment Report, prepared by Keystone Environmental, dated September 26, 2018.
- Detailed RAR Assessment Report, prepared by Keystone Environmental, dated January 16, 2018.

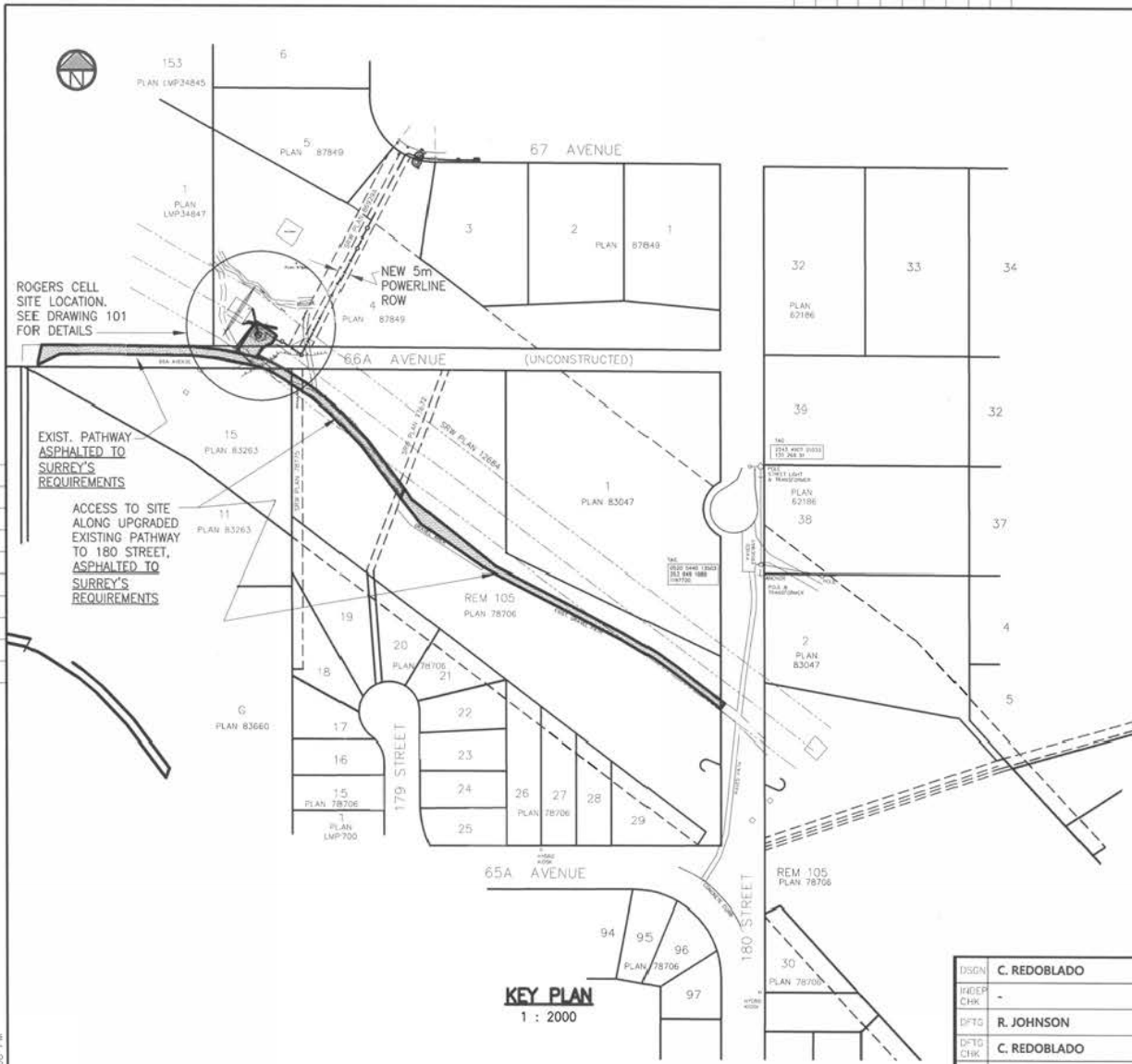
*original signed by Ron Gill*

Jean Lamontagne  
General Manager  
Planning and Development

JKS/cm

APPENDIX I HAS BEEN  
REMOVED AS IT CONTAINS  
CONFIDENTIAL INFORMATION





**KEY PLAN**  
1 : 2000

1	DATE	02/27/2018
2	BY	M. RAMSAY
3	CHECKED BY	C. REDOBLADO
4	DATE	02/27/2018
5	BY	R. JOHNSON
6	CHECKED BY	C. REDOBLADO
7	DATE	02/27/2018
8	BY	M. RAMSAY
9	CHECKED BY	C. REDOBLADO
10	DATE	02/27/2018
11	BY	M. RAMSAY
12	CHECKED BY	C. REDOBLADO
13	DATE	02/27/2018
14	BY	M. RAMSAY
15	CHECKED BY	C. REDOBLADO
16	DATE	02/27/2018
17	BY	M. RAMSAY
18	CHECKED BY	C. REDOBLADO
19	DATE	02/27/2018
20	BY	M. RAMSAY
21	CHECKED BY	C. REDOBLADO
22	DATE	02/27/2018
23	BY	M. RAMSAY
24	CHECKED BY	C. REDOBLADO
25	DATE	02/27/2018
26	BY	M. RAMSAY
27	CHECKED BY	C. REDOBLADO
28	DATE	02/27/2018
29	BY	M. RAMSAY
30	CHECKED BY	C. REDOBLADO
31	DATE	02/27/2018
32	BY	M. RAMSAY
33	CHECKED BY	C. REDOBLADO
34	DATE	02/27/2018
35	BY	M. RAMSAY
36	CHECKED BY	C. REDOBLADO
37	DATE	02/27/2018
38	BY	M. RAMSAY
39	CHECKED BY	C. REDOBLADO
40	DATE	02/27/2018
41	BY	M. RAMSAY
42	CHECKED BY	C. REDOBLADO
43	DATE	02/27/2018
44	BY	M. RAMSAY
45	CHECKED BY	C. REDOBLADO
46	DATE	02/27/2018
47	BY	M. RAMSAY
48	CHECKED BY	C. REDOBLADO
49	DATE	02/27/2018
50	BY	M. RAMSAY

**ROBERTSON KOLBEINS TEEVAN GALLAHER ASSOCIATES LTD**  
ENGINEERING CONSULTANTS  
1180-8257 52nd ST. SURREY, BRITISH COLUMBIA V4N 3A4 604-846-1225

**RKTG** DRAWING NO: **C134-125-100** REV. 10

**W2512- FRASER HWY & HWY 15**

**ROGERS WIRELESS**

**BC Hydro**

CLAYBURN-INGLEDOW 500 Kv T/L- STR. #568-04

**ROGERS W2512- FRASER HWY & HWY 15**  
**KEY PLAN**

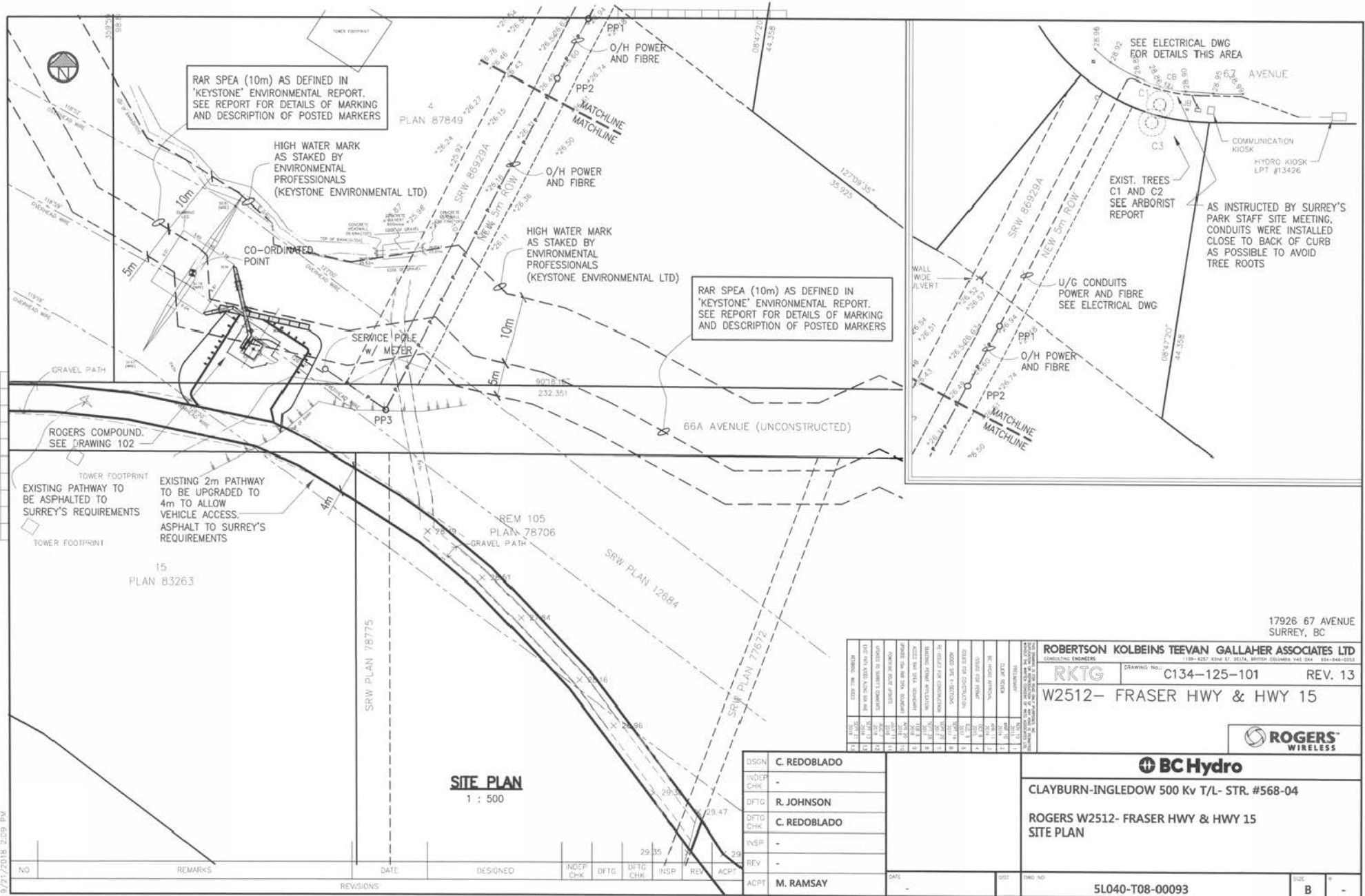
NO	REMARKS	DATE	DESIGNED	NDP/CHK	DFTG	DI/TG/CHK	INSP	REV	ACPT

DESIGN	C. REDOBLADO
NDP/CHK	-
DFTG	R. JOHNSON
DFTG/CHK	C. REDOBLADO
INSP	-
REV	-
ACPT	M. RAMSAY

DATE		REV		DWG NO	5LO40-T08-00092	SHEET	B	TOTAL SHEETS	-
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 Drawing Unit = Metric (0)

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 9/21/2018 2:59 PM  
 Drawing Unit = Metric (0)



**SITE PLAN**  
 1 : 500

NO	REMARKS	DATE	DESIGNED	INDEF CHK	DFTG	DFTG CHK	INSP	REV	ACPT
								29.35	
								29.36	
								29.37	
								29.38	
								29.39	
								29.40	
								29.41	
								29.42	
								29.43	
								29.44	
								29.45	
								29.46	
								29.47	
								29.48	
								29.49	
								29.50	

DSGN	C. REDOBLADO
INDEF CHK	-
DFTG	R. JOHNSON
DFTG CHK	C. REDOBLADO
INSP	-
REV	-
ACPT	M. RAMSAY

17926 67 AVENUE  
 SURREY, BC

**ROBERTSON KOLBEINS TEEVAN GALLAHER ASSOCIATES LTD**  
 CONSULTING ENGINEERS  
 1180-827 KING ST. WEST, SURREY, BRITISH COLUMBIA V4V 0A4 884-348-0332

**RKTG** DRAWING NO.: C134-125-101 REV. 13

W2512- FRASER HWY & HWY 15

**ROGERS WIRELESS**

**BC Hydro**

CLAYBURN-INGLEDOW 500 Kv T/L- STR. #568-04

ROGERS W2512- FRASER HWY & HWY 15  
 SITE PLAN

DWG NO: 5L040-T08-00093

DATE: \_\_\_\_\_

SIZE: B

NOT TO BE REPRODUCED WITHOUT THE PERMISSION OF BC HYDRO



MIKE FADUM AND ASSOCIATES LTD.  
VEGETATION CONSULTANTS

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## Tree Preservation Summary

**Surrey Project No: 17-0516-00**

**Address: 17926 - 67 Avenue, Surrey, BC**

**Registered Arborist: Jeff Ross**

On-Site Trees	Number of Trees
<b>Protected Trees Identified</b> (on-site and shared trees, including trees within boulevards and proposed streets and lanes, but excluding trees in proposed open space or riparian areas)	19
<b>Protected Trees to be Removed</b>	0
<b>Protected Trees to be Retained</b> (excluding trees within proposed open space or riparian areas)	19
<b>Total Replacement Trees Required:</b>  <ul style="list-style-type: none"> <li>- Alder &amp; Cottonwood Trees Requiring 1 to 1 Replacement Ratio 0 X one (1) = 0 _____</li> <li>- All other Trees Requiring 2 to 1 Replacement Ratio 0 X two (2) = 0 _____</li> </ul>	0
<b>Replacement Trees Proposed</b>	TBD
<b>Replacement Trees in Deficit</b>	0
<b>Protected Trees to be Retained in Proposed [Open Space / Riparian Areas]</b>	NA

Off-Site Trees	Number of Trees
<b>Protected Off-Site Trees to be Removed</b>	0
<b>Total Replacement Trees Required:</b>  <ul style="list-style-type: none"> <li>- Alder &amp; Cottonwood Trees Requiring 1 to 1 Replacement Ratio 0 X one (1) = 0</li> <li>- All other Trees Requiring 2 to 1 Replacement Ratio 0 X two (2) = 0</li> </ul>	0
<b>Replacement Trees Proposed</b>	NA
<b>Replacement Trees in Deficit</b>	NA

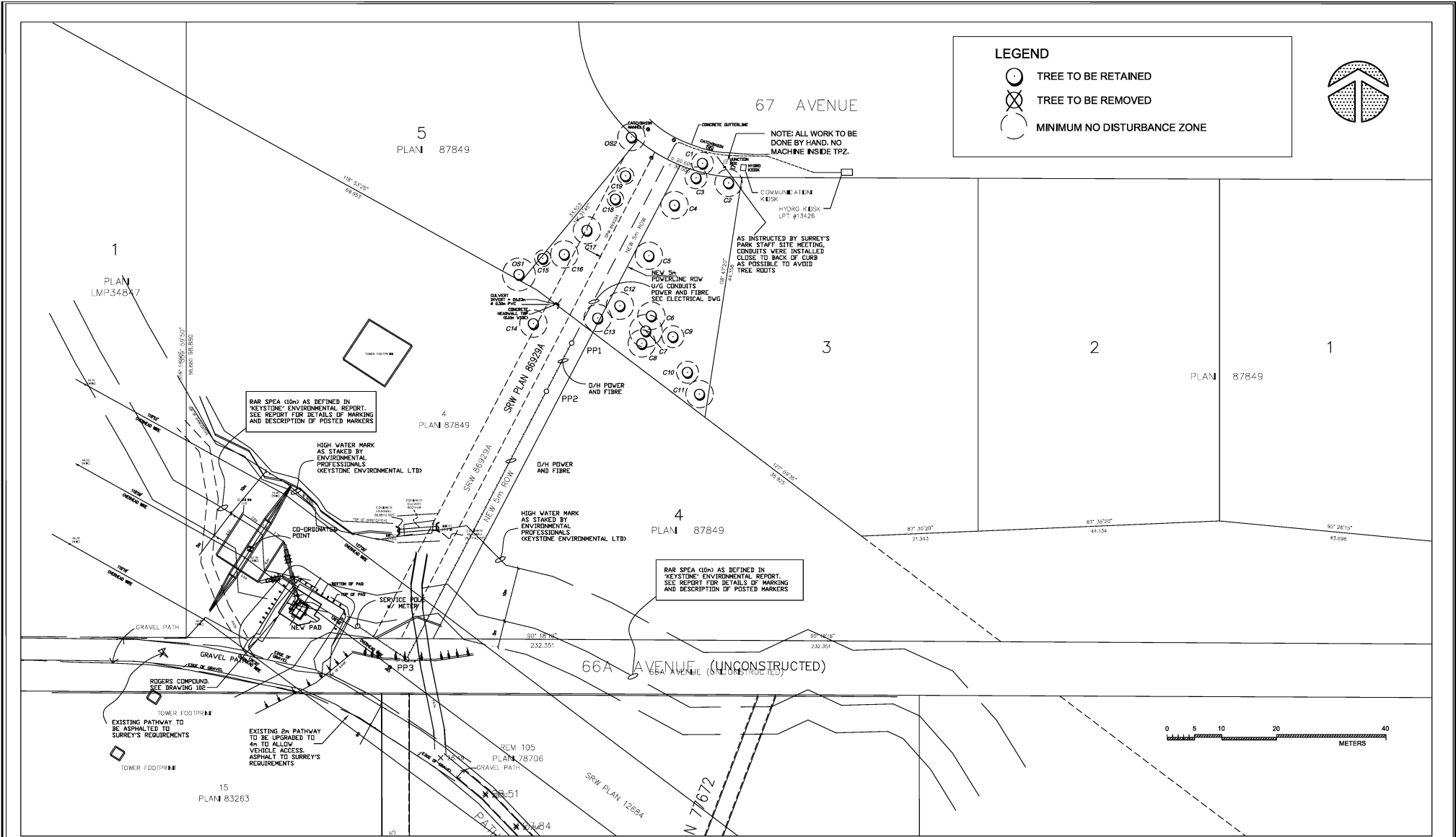
Summary report and plan prepared and submitted by: Mike Fadum and Associates Ltd.

<p style="text-align: center;"><i>Jeff Ross</i></p> <p>Signature of Arborist:</p>	<p>Date: September 24, 2018</p>
---	---------------------------------






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





**LEGEND**

-  TREE TO BE RETAINED
-  TREE TO BE REMOVED
-  MINIMUM NO DISTURBANCE ZONE



STAMP	NO.	DATE	BY	REVISION

**MIKE FADUM AND ASSOCIATES LTD.**  
**VEGETATION CONSULTANTS**

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

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**PROJECT TITLE**  
 ROGERS W2512 FRASER HWY & HWY 15  
**17926 - 67 AVENUE**  
 SURREY, B.C.

**SHEET TITLE**  
 KEY PLAN - TREE REMOVAL AND PRESERVATION PLAN

**CLIENT**

**DRAWN**  
 MK

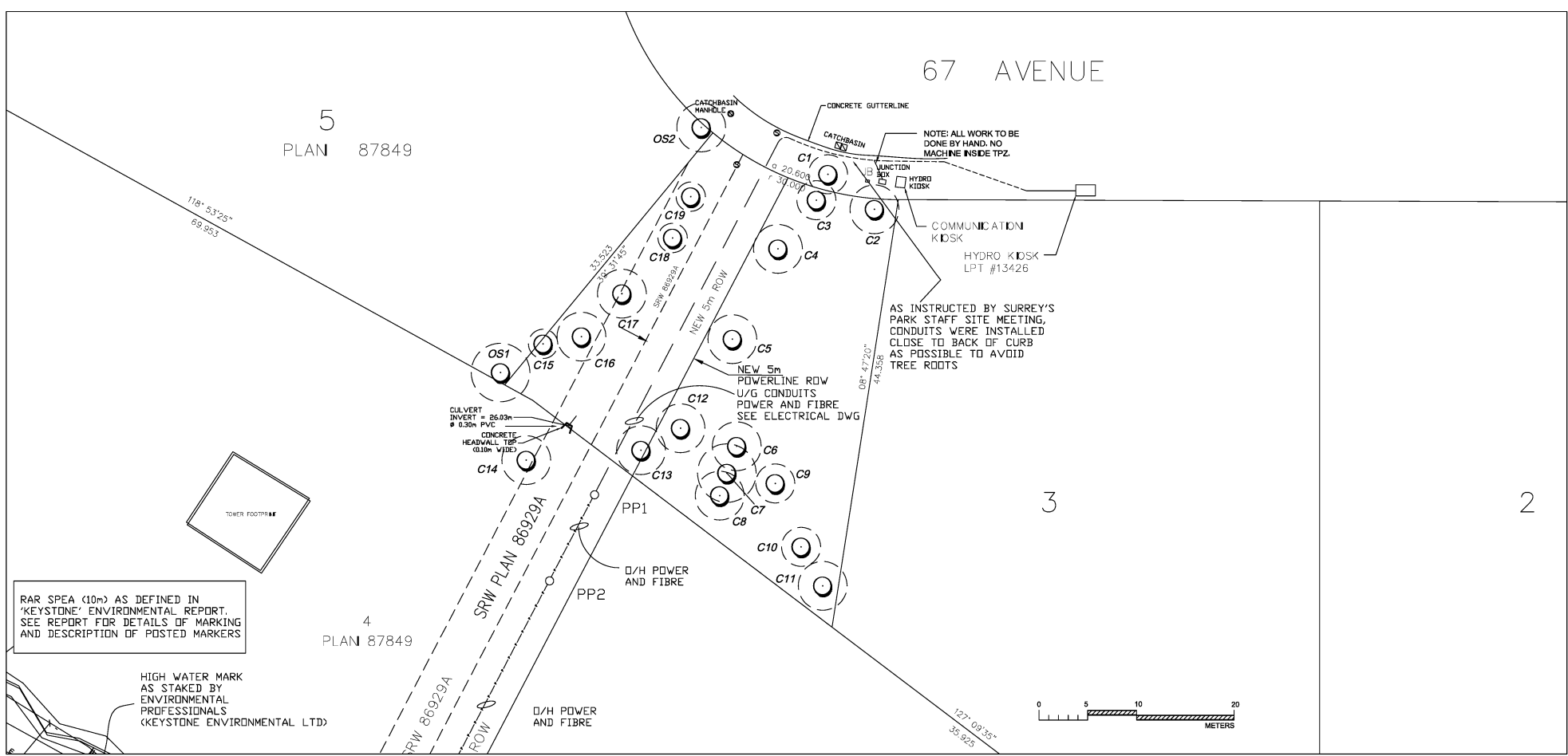
**SCALE**  
 AS SHOWN

**DATE**  
 MARCH 29, 2018

**KEY**  
 SHEET 1 OF 3

5  
PLAN 87849

67 AVENUE



RAR SPEA (10m) AS DEFINED IN 'KEYSTONE' ENVIRONMENTAL REPORT. SEE REPORT FOR DETAILS OF MARKING AND DESCRIPTION OF POSTED MARKERS

HIGH WATER MARK AS STAKED BY ENVIRONMENTAL PROFESSIONALS (KEYSTONE ENVIRONMENTAL LTD.)

4  
PLAN 87849

**LEGEND**

- TREE TO BE RETAINED
- TREE TO BE REMOVED

MINIMUM NO DISTURBANCE ZONE



NO.	DATE	BY	REVISION
1	JULY27/18	SL	CHANGES TO POWER LINE ROUTE
2	SEPT24/18	MK	CHANGES TO POWER LINE ROUTE

**MIKE FADUM AND ASSOCIATES LTD.**  
**VEGETATION CONSULTANTS**

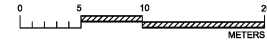
#105, 8277 129 St.  
Surrey, British Columbia  
V3W 0A6  
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Email: mfadum@fadum.ca

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**PROJECT TITLE**  
ROGERS W2512 FRASER HWY & HWY 15  
**17926 - 67 AVENUE**  
SURREY, B.C.

**SHEET TITLE**  
T1 - TREE REMOVAL AND PRESERVATION PLAN  
**DRAWN** MK  
**SCALE** AS SHOWN  
**CLIENT**  
**DATE** MARCH 29, 2018

**T-1**  
SHEET 2 OF 3



5  
PLAN 87849

67 AVENUE

115° 53'25"  
69.953

NOTE: ALL WORK TO BE  
DONE BY HAND, NO  
MACHINE INSIDE TPZ.

HYDRO KIOSK  
LPT #13426

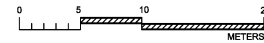
AS INSTRUCTED BY SURREY'S  
PARK STAFF SITE MEETING,  
CONDUITS WERE INSTALLED  
CLOSE TO BACK OF CURB  
AS POSSIBLE TO AVOID  
TREE ROOTS

NEW 5m  
POWERLINE ROW  
U/G CONDUITS  
POWER AND FIBRE  
SEE ELECTRICAL DWG

RAR SPEA (10m) AS DEFINED IN  
'KEYSTONE' ENVIRONMENTAL REPORT.  
SEE REPORT FOR DETAILS OF MARKING  
AND DESCRIPTION OF POSTED MARKERS

HIGH WATER MARK  
AS STAKED BY  
ENVIRONMENTAL  
PROFESSIONALS  
(KEYSTONE ENVIRONMENTAL LTD)

4  
PLAN 87849



**LEGEND**

TREE TO BE RETAINED

MINIMUM NO DISTURBANCE ZONE

TREE PROTECTION FENCING

NOTE: NON BY-LAW TREES HAVE BEEN REMOVED FROM THE PLANS.

NOTE: TREE PROTECTION FENCING TO BE MEASURED FROM THE  
OUTER EDGE OF TREE TRUNK AND SHALL BE CONSTRUCTED TO  
MUNICIPAL STANDARDS.  
REASSESS TREES WITH LOT GRADING PLANS.

NOTE: REPLACEMENT TREES SHALL CONFORM TO CNLA LANDSCAPE  
STANDARDS.  
SPECIES AND LOCATIONS TO BE DETERMINED AT LANDSCAPE STAGE.



NO.	DATE	BY	REVISION
1	JULY27/18	SL	CHANGES TO POWER LINE ROUTE
2	SEPT24/18	MK	CHANGES TO POWER LINE ROUTE

**MIKE FADUM AND ASSOCIATES LTD.**  
**VEGETATION CONSULTANTS**

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PROJECT TITLE  
ROGERS W2512 FRASER HWY & HWY 15  
17926 - 67 AVENUE  
SURREY, B.C.

SHEET TITLE  
T2 - TREE PROTECTION  
PLAN

CLIENT  
DATE  
MARCH 29, 2018

DRAWN  
MK  
SCALE  
AS SHOWN  
DATE  
MARCH 29, 2018

**T-2**  
SHEET 3 OF 3

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7917-0516-00

Issued To: City of Surrey  
(the "Owner")

Address of Owner: 13450 – 104 Avenue  
Surrey, BC V3T 1V8

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: 017-061-776

Lot 4 Section 17 Township 8 Plan NWP87849 New Westminster District Part South West Quarter  
Dedicated Parkland

17926 - 67 Avenue

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
  - (a) In Section B.2 of Part 7A "Streamside Protection" the minimum streamside setback for a "Class A Stream", as measured from top-of-bank, is reduced from 15 metres (49 ft.) to 10 metres (33 ft.) for the western watercourse.
4. The siting of buildings and structures shall be in accordance with the drawings labeled Schedule A (the "Drawing") which is attached hereto and form part of this development variance permit.
5. This development variance permit applies to only 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. This development variance permit does not apply to additions to, or replacement of, any of the existing buildings shown on attached Schedule A, which is attached hereto and forms part of this development variance permit.



6. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
7. 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.
8. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
9. 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 – Linda Hepner

---

City Clerk – Jane Sullivan

Proposal to vary Part 7A  
Streamside Protection of the  
Zoning By-law to reduce the  
minimum required streamside  
setback area, measured from the  
top-of-bank, from 15 metres (49 ft.)  
to a minimum of 10 metres (33 ft.)  
for a proposed telecommunication  
compound.

