

NO: R123

COUNCIL DATE: July 27, 2020

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **July 23, 2020**

FROM: **General Manager, Planning & Development
General Manager, Engineering**

FILE: **3220-01**

SUBJECT: **Progress Update on Surrey Economic Action and Recovery Plan**

RECOMMENDATION

The Planning & Development Department and the Engineering Department recommend that Council:

1. Receive this report for information; and
2. Endorse the proposed streamlining actions as outlined in this report.

INTENT

The intent of this report is to provide Council with an update on proposed economic recovery initiatives for the development sector that were part of Corporate Report No. Ro71; 2020 that was approved by Council on May 4, 2020 (attached as Appendix "I"). The goal of these initiatives was to stimulate the local economy of the development sector by proposing to reduce red tape, streamline some of the development review processes, reduce building permit timelines, and, where possible, dedicate additional resources to facilitate the implementation of the proposed initiatives. This report also includes a status update on City Centre projects that are benefiting from the approved economic incentives and a status update on Parking to Patio Program and Sidewalk Queuing Space Program as outlined in Corporate Report No. Ro86; 2020 that was approved by Council on May 25, 2020 (attached as Appendix "II").

BACKGROUND

In an effort to help reduce the impact of the COVID-19 Pandemic in the City, Council approved a series of initiatives that are focused on three themes: our residents, our businesses, and our development/construction sector. Council's vision with these initiatives is to have healthy, resilient residents, support the local economy, and more importantly, support job creation through the development process which helps keep a strong local economy and residents employed.

In addition to the economic incentives that are in place for City Centre, staff have continued to review City processes and implement improvements that help streamline approval processes and bring forward projects that are contributing to the health of the local economy.

DISCUSSION

Beginning in mid-March of 2020, new health and safety measures have been put in place for City employees and the public who access civic facilities, including City Hall. This change of process has led to rapid adjustments in the way development applications and permits are being processed so that both City employees and clients can stay safe while work on active development files is taking place. To that extent, a series of procedures and processes have been improved along with revised and improved processes that are proposed to be implemented, all to reduce red tape, streamline approval processes and minimize in-person interactions. The changes implemented as part of the recovery action plan below are now defining the new normal in our business processes.

City Centre Economic Incentive Policy

The Surrey Economic Action and Recovery Plan includes the City Centre Economic Incentive Policy (“the Policy”), which introduced economic incentives for large mixed-use high-density projects located in City Centre. This collaborative approach with the development industry will allow qualifying projects to move quickly through the application and approvals process, thus ensuring these important investments can move towards construction phase rapidly and help the economic recovery.

Currently, two projects that are commencing construction are in process of being reviewed to ensure they qualify for the economic incentives, with several other potential projects that are in process and could qualify for those incentives as approved by Council.

In order to provide the concierge service for all eligible projects as outlined under the Policy, to ensure projects remain on schedule, and to meet the necessary key milestones to qualify for the economic incentives as outlined in the Policy, staffing adjustments and reassignment of staffing resources to increase application processing power and communication with clients for City Centre projects will be implemented in the third and fourth quarter of 2020. Planning & Development staff, in collaboration with Legal Services, are currently developing the detailed agreement form that will be used for projects that may benefit from the City Centre Economic Incentive. This will ensure that projects have met all the requirements to qualify for the proposed financial incentives.

Implemented process changes as of March 2020

Development Counter

At the onset of the pandemic, staff immediately implemented a call centre to replace the “in-person” service offered at the City Hall development counter. While this was first implemented “on the fly”, the service has proven to be very successful, with clients being served without having to visit City Hall, which is very efficient for clients. One noted improvement with this service is that clients are receiving the information they need to prepare their respective development or permit applications which in turn provides more complete documentation which helps staff expedite the review process. Since the inception of the call centre, the volume of clients served has increased consistently and is now at an average of 4,500 calls per week, which is higher than the previous in-person visits to City Hall in any given week. Continued improvements and enhancements to this system will help optimize client intake and reduce the need for visits to City Hall in the future.

Staff Online Service Requests

Staff continues to utilize and promote online and mobile applications for residents to file service requests, such as graffiti, potholes, litter, missed waste collection, large item pick-up, water meter requests, etc. These online services are more user-friendly and convenient for residents, while enabling staff to further improve service response timelines. Since the start of the pandemic to July 15, the City has experienced 23,817 service requests, which is a 21% increase in comparison to the same period in 2019.

Enhanced Permit Intake and Review Process

Since mid-March 2020, most applications can now be submitted online for review, to avoid back and forth visits to City Hall. Any hard copies of documentation deemed required after review can be dropped off without having to wait at City Hall.

E-Signatures

A process for electronic signatures has been enabled for documents for permit applications and contract executions. Staff have been working with the Province and the Land Title Office to expedite a process that would allow digital signatures for Land Title documents. City staff have worked with staff at the Land Title and Survey Authority (LTSA) to develop a workaround solution that will enable Land Title documents (e.g. subdivision plans, Covenants etc.) to be circulated and submitted electronically, which will allow the efficient processing of such documentation in a remote work environment.

Remote Payments

Clients can now remit payment by credit card (up to \$15,000) for charges such as application fees, securities, re-inspection fees, and amendment fees. Staff are working on having more services available for payment via credit card, based on the success and uptake of this initiative. As part of the additional services that will be available to pay by credit card, staff will ensure the service will be cost neutral to the City.

Digital Process Registration

The pandemic streamlined our process for applicants to access digital services. The online user registration process has been updated so clients no longer need to come to City Hall to register for the service. This initiative has resulted in an increase of online permit applications. At this time, 98% of electrical permits are now processed online, along with 71% of plumbing permits. This means that City Hall is opened for trade permits 24/7, 365 days a year, making it easy and efficient for clients to apply for permits from anywhere at anytime that is convenient to them, including on statutory holidays.

Document Requests

Plan requests can be processed online, and electronic copies of plans can be provided to clients as well. This change also includes a streamlined process for daycare applications with Fraser Health.

Back Office Process

Resources have been reallocated to digitize existing hard copies of documents. This includes documents such as schedules, and plans needed to perform inspections which allows inspectors the ability to perform their duties with full access to digital documents in the field.

Engineering staff have implemented a digital drawing review process to streamline internal processes and expedite service delivery. Since mid-March 2020, staff have processed 192 development servicing drawing packages, which is 41% more than the same period in 2019. The use of digital drawing review software has enabled staff to reduce average turn-around time from 2.5 weeks to 2 weeks per submittal.

Electronic Permit Issuance

Once issued, electrical and plumbing permits are provided to contractors automatically for their download. This removes the mailing cost and any delays in receiving these documents.

Planned Improvements for Third and Fourth Quarter of 2020

Environmental Review Process

Environmental review permitting and approvals is administered under Federal and Provincial legislation. On July 25, 2016 Council approved Corporate Report R188; 2016 that included the addition of Part 7A Streamside Protection of *Surrey Zoning By-law, 1993, No. 12000* (“the Zoning By-law”) (See Appendix “III”), along with requirements for Environmental Development Permits (“EDP”) for sensitive ecosystems and steep slopes. Those are important initiatives that help preserve Surrey’s natural areas. When these Council initiatives were introduced, the administration process and overlap with Federal and Provincial responsibilities were not completely defined. As a result, over the past two years many projects have been subject to Part 7A of the Zoning By-law and the EDP process, where the lack of a clearly defined review process has created a bottleneck in the staff review process and has delayed applications substantially, often with little or no change from the initially proposed plans. This situation is affecting lots of records where property owners are applying for a building permit. The owner has to go through the same process as if they were applying for a rezoning and subdivision process while they are only applying for a building permit on an existing lot of record. The proposed changes will help process the house building permit earlier while protecting the environment. Currently some building permits for single family homes on lots of records have been in process for more than a year while the Environmental Development Permit is taking place and the results of which will not impact the proposed location of the home.

In order to enhance the administration of Part 7A of the Zoning By-law and the EDP process, staff undertook a review of best practices from other municipalities and the Qualified Environmental Professionals (“QEP”) involved in such reviews with the goal of improving process times, while ensuring the approval of QEP report rests with the Provincial or Federal agencies that are ultimately responsible for the implementation of the legislation related to environmental protection. The proposed changes that are derived from the best practice review will see the QEP working directly with the Federal and Provincial agencies in getting all required environmental approvals, including the use of peer reviews where appropriate for both on-site and off-site works required for proposed developments. Staff will concentrate on preparing a terms of reference, guidelines, checklists, and standards which QEPs may choose to utilize when preparing reports

that are to be submitted to the Province and/or the Federal Department of Fisheries and Oceans (“DFO”) as required. These improvements are planned for third quarter of 2020.

Inspections Scheduling

Building, plumbing, or electrical inspections related to the building process are scheduled everyday using a “within the next workday” model. As part of continued improvement initiatives, the process for communication with clients is being reviewed to meet industry needs. Currently, once an inspection request has been made, clients or contractors are advised the following morning that their inspections will take place either that morning or that afternoon. This requires clients or contractors to remain on-site waiting for the inspectors to arrive over that extended window of time, sometimes while no work is being performed. If during the day an inspector must change the planned schedule or an inspection must be postponed or cancelled, the client may not be notified in a timely manner, which leads to delays and inefficiencies in the construction process.

To help improve the level of service, staff are currently working on improving the communication system between booking clerks, inspectors, and clients with more precise times for planned inspections and early messaging should planned inspections be postponed or cancelled. This improvement is proposed for implementation in the fourth quarter of 2020.

Streamlining of Tenant Improvement Permits

An important 2020 initiative for the Planning & Development Department is to shorten the processing time for tenant improvement permits (“TIP”) with a target of 20% processing time reduction. Recently, a triage system has been initiated where simple permits are processed immediately and issued within a maximum of eight weeks, or less, if complete. For more complex TIP, all staff involved in the review process have been trained through the continuous improvement process and we are now at the implementation stage of planned changes. For example, the sprinkler permit process attached to the TIP was reduced to only one submission and the review time has been cut in half. Another initiative sees the review done by digital submission, with the wet sealed paper copy only required at the end of the process. The goal is to achieve a processing time reduction of 20% by the fourth quarter of 2020. Currently, staff are reporting having reached and surpassed the reduction goal, and note a reduction of more than 25% in processing times for complete and accurate submissions.

Parking to Patio Program and Sidewalk Queuing Space Program

Further to Corporate Report No. Ro86; 2020 attached as Appendix “II”, the City assembled a dedicated team to streamline the processing of applications associated with this program, with a goal of endorsing each acceptable proposal within three working days. The applicants can then complete their licensing requirements with the Province, which has also streamlined its process. To date, the City has successfully endorsed all applications submitted: five sites on private property and four sites on public areas. We understand each facility is currently in operation. The costs for nine sites has ranged from \$200.00 to \$1,200.00, with an average cost of \$325.00 per site.

SUSTAINABILITY CONSIDERATIONS

The work of this project supports the objectives of the City's Sustainability Charter 2.0. In particular, this project relates to Sustainability Charter 2.0 theme of Inclusion, Public Safety, Economic Prosperity, and Health and Wellness. Specifically, this project supports the following Desired Outcomes ("DO") and Strategic Direction ("SD"):

- Social Infrastructure and Innovation DO25: Surrey has a culture of collaboration and innovation to solve complex social problems.
- Emergency Preparedness and Prevention SD7: Strengthen and lead in localized emergency planning and response, including updated and development needed recovery plans.
- Economy DO9: Surrey's economy can adapt and thrive in response to external forces, such as climate change.
- Innovation DO17: Surrey is a leader in social enterprise and social innovation.
- Health Services and Programs DO5: Services and programs are responsive to shifting health and social needs, and local and external factors.

CONCLUSION

In an effort to reduce the economic impacts of the COVID-19 Pandemic, staff are proposing a series of initiatives that will support faster recovery to the local development sector. In addition to those initiatives already undertaken and highlighted in this report, staff are also proposing further initiatives and improvements in order to continually provide excellent service to Surrey's residents and customers.

Based on the information outlined above, it is recommended that Council endorse the proposed improvements and changes to be implemented.

Original signed by

Jean Lamontagne
General Manager, Planning and Development

Scott Neuman, P.Eng.
General Manager, Engineering

JLL/RD/JT/SL/RG/ab/ss

Appendix "I" – Corporate Report No. R071; 2020
Appendix "II" – Corporate Report No. R086; 2020
Appendix "III" – Corporate Report No. R188; 2016

NO: **R071**

COUNCIL DATE: **May 4, 2020**

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **April 30, 2020**

FROM: **City Manager
General Manager, Investment &
Intergovernmental Relations
General Manager, Planning & Development**

FILE: **0550-20-06
(May 4, 2020 RCPH)
6750-01**

SUBJECT: **Surrey Economic Action and Recovery Plan from the COVID-19 Pandemic**

RECOMMENDATION

The City Manager, the Investment & Intergovernmental Relations Department, and the Planning & Development Department recommends that Council:

1. Receive this report for information; and
2. Approve the Surrey Economic Action and Recovery Plan and its related actions, as shown in Appendix "I" and as set out in this report.

INTENT

The intent of this report is to provide Council a proposed Surrey Economic Action and Recovery Plan, which is centered on encouraging and supporting residents, businesses, investments, and job creation opportunities in the City in order to proactively recover as soon as possible from the COVID-19 pandemic and to obtain Council approval to implement the measures required to enact the proposed Surrey Economic Action and Recovery Plan.

BACKGROUND

The COVID-19 pandemic introduced dramatic measures related to the world's health and safety and caused the declaration of a Provincial State of Emergency in order to control the spread of the novel coronavirus. It has had a substantial impact on portions of the economy in the country, the Province, and the City.

The proposed Surrey Economic Action and Recovery Plan (the "Plan") is proposing a series of strategies that together will help create a positive investment climate in the City which, in turn, will help its local economy in supporting local businesses and focus on supporting its residents through health and wellness opportunities.

Specifically, the Plan includes several strategies that are centered around the following three main themes:

1. Surrey's Residents

Supporting the City's population while they recover from the effects related to COVID-19 social distancing, quarantine requirements, and economic impacts with actions centered around the health and wellness of residents.

2. Surrey's Businesses

Supporting the City's businesses by utilizing the recently launched Investment & Innovation Impact Committee ("I3C"), chaired by the Mayor, to foster discussion and implement actions related to economic recovery for Surrey businesses.

3. Surrey's Development Sector

Supporting the City's development sector through the introduction of financial incentives to the development industry in order to help the implementation of larger scale projects that are generating many jobs and important investments in the City that will be of benefit to Surrey's residents and businesses.

DISCUSSION

In order to help Surrey's economy move towards a faster recovery, a series of initiatives are proposed to be brought forward immediately, while additional measures will be coming forward subsequently as the economic impact of the COVID-19 pandemic is better understood. The actions are going to be centered around the proposed three themes as above, in areas where Council can have the greatest positive impact.

Surrey Economic Action and Recovery Plan

Surrey's Residents

From the onset of the COVID-19 pandemic, the City's Emergency Operations Centre ("EOC") has been focused on safety first while being able to continue most of the services offered by the City, with adjustments as necessary in order to meet the requirements of social distancing and self isolation as prescribed by the Provincial Health Officer for British Columbia. Public outdoor open spaces and parks have remained opened, with some exceptions where social distancing is not possible to be achieved.

Economic Support

Financial relief has already been provided to annual water and sewer rate payers through the extension of the due date for annual utilities by 90 days. In addition, staff are requesting Council support to invoke the alternative municipal tax collection scheme for this fiscal year. If approved, this alternative municipal tax collection scheme will enable the City to change the penalty effective date to October 1, 2020 for all property classes. This change in late penalty dates provides a 90-day extension for taxpayers to pay taxes without late penalties.

Supporting Homeless People

Surrey's homeless population, both people who are unhoused and those living in crowded shelters, have been a focus of the EOC during the COVID-19 pandemic. Going forward, the focus will be toward increasing the supply of appropriate and affordable housing available for people who are homeless or at-risk of homelessness. This includes the projects that are currently in process, including the five modular housing projects that will provide 250 housing units and the transitional housing facility at Green Timbers that will accommodate 130 people.

Health and Wellness

Health and well-being services will be offered to residents through programming offered by Parks, Recreation & Culture and by Surrey Libraries. The goal of these programs is to help residents that have been impacted by quarantine restrictions or social distancing requirements as outlined by the Provincial Health Officer for British Columbia. Some of the highlighted programs include:

Supporting Vulnerable Populations

The Surrey Libraries will partner with settlement agencies to deliver skills building programs for immigrants and refugees, leveraging their interpreters to offer instruction in first language.

In partnership with seniors' organizations, the Surrey Libraries will procure Chromebooks to distribute to isolated seniors, offering instructions on accessing free resources such as eBooks, eAudio, and how to connect online with family and friends.

Supporting Job Seekers

Many residents will be re-entering the workforce. In collaboration with partners, the Surrey Libraries will:

- Host virtual job fairs to connect employers with Surrey job seekers;
- Facilitate online learning circles for resume/cover letter preparation; and
- Host webinars using tools such as Lynda.com to enhance skills for job readiness.

Supporting Families and Children

The Surrey Libraries will host virtual social spaces for residents to connect and enhance social interactions through expanded programs, such as coffee chats, book clubs, and technology help. To support over-burdened parents, online homework help will be offered, as well as virtual presentations from parenting experts.

Stay Active – Online Series

Pre-recorded modules offered to adults and children with various fun physical literacy activities residents can do at home with no equipment needed, like the Fitness Modules developed during the pandemic and currently being offered.

Youth Engagement Program

Weekly virtual youth groups (with a specific girls group for vulnerable girls) hosted through Microsoft Teams as an opportunity for social engagement, sharing resources, homework help, debriefing solutions, job searching skills, peer mentoring opportunities, and remaining connected to peers and youth engagement staff. Youth continue to have voice into what is happening in their community and to inform our engagement strategies.

Virtual Parent Engagement

Weekly coffee corner with parents to support them during this time of home-schooling, with tips on child development, self-care, and project ideas that support children's development.

Respite with Online Performing Arts Experiences

Providing upbeat entertainment, Surrey Civic Theatres is programming a series of pre-recorded and live-streamed performances featuring local musicians and a series of radio plays produced in partnership with local theatre companies. With Council's approval, special events, such as Canada Day, will likely be celebrated online and feature community contributions that assist in maintaining a sense of community solidarity.

Respite with Creative Arts and Learning Online

Encouraging adults and children to engage their imaginations and create artwork, as well as learn from artists of various cultures, Surrey Art Gallery is offering a series of online artmaking video lessons and artist talks, virtual exhibitions, and tours featuring local artists and artworks from the permanent collection. New content is added weekly.

Supporting families home-schooling to learn about Surrey's heritage

Museum of Surrey has produced virtual exhibition tours, scavenger hunts, and downloadable curriculum resources to support learning together about Surrey's development and local urban Indigenous residents and the Katzie, Kwantlen, and Semiahmoo First Nations.

Historic Stewart Farm's popular heritage programs are now available online and range from baking tutorials, to a family activity exploring immigration, to downloadable self-guided heritage driving tours of South Surrey and Whalley. New content is offered weekly.

Inter-agency Collaboration

In addition to the initiatives above, it is important to note that City staff continue to collaborate with the Province, with BC Housing, and with other service providers in order to support the City's vulnerable populations.

Parking

The waiver of parking fees for City-operated parking spaces adjacent to Surrey Memorial Hospital was temporarily expanded to include new on-street areas to the north of Surrey Memorial, in order to offer overflow capacity for health care workers, commuters, and hospital visitors. Further, on-street pay parking around City Hall was suspended, providing support for patrons of City Hall and municipal employees providing essential services.

Surrey's Businesses

Investment & Innovation Impact Committee

The Investment & Innovation Impact Committee ("I3C") will meet on an accelerated schedule to ensure quick and meaningful action is taken to help vitalize the local economy. The I3C will serve as a connector with business, industry, academia, the Metro Vancouver Regional Economic Prosperity Service, Surrey-based business associations and chambers of commerce, the Surrey Board of Trade, and other entities related to economic development. The I3C will provide advice and recommendations to Council on actions the City could take to stimulate investment, support the local business community, and encourage sustainable job growth.

Current economic development priorities include understanding the extent of the economic impact of COVID-19, preserving Surrey's business base and increasing local employment opportunities. Actions already initiated by the City include the 'Surrey Makes PPE' program, which encourages and supports Surrey-based manufacturers to produce critical personal protective equipment and helps to identify buyers for their products. Companies are already benefiting from orders from other levels of government and private businesses.

Store to Door Campaign

In addition, the City launched the 'Store to Door' program in March. This program assists local businesses to move to an on-line sales and delivery model and promotes the businesses by providing heightened profile through the City-hosted Store to Door website. This program has been well received by local businesses. To date 166 companies have signed up to the program and over 30,000 online connections have resulted.

Working with our Local Business Associations

The City will continue to engage with our local business associations to provide updates on City actions and solicit feedback from their membership on ways we can collaboratively prepare for reopening our economy.

Unpaid Commercial Property Tax

The Province recently announced postponement of late payment penalties on unpaid property tax on commercial properties (Classes 4, 5, 6, 7, and 8) to October 1, 2020. This will represent a 90-day delay in penalties for these commercial classes from the current late payment penalties effective date of July 3, 2020.

Business License Late Penalty Fee

The City provided financial relief to businesses by deferring late business licence penalty dates. Currently, late penalty fees are charged if business licence fees are outstanding 30 days after their due date. Due to COVID-19, the late penalty fees will be applied 30 days after the day on which the Provincial State of Emergency comes to an end. This provides relief to businesses that are late in paying their business licence fees due to the financial impact of COVID-19.

Surrey's Development Sector

Council support is sought for introducing economic incentives for large mixed-use high-density projects located in City Centre (the "City Centre Economic Incentive Policy"). Staff recommends that, beginning immediately, new and in-stream projects that have a construction value of greater than \$25 million benefit from a 50% reduction of many fees relating to the development.

The terms and criteria for the City Centre Economic Incentive Policy are as follows:

- To be eligible, the project must be a construction of a new improvement which is located within "City Centre" as defined in *Surrey Zoning By-law, 1993, No. 12000* (Appendix "I").
- The eligible project must have a "building value" in excess of \$25 million, as determined by the City. "Building value" is defined in *Surrey Building Bylaw, 2012, No. 17850*.
- All fees relating to processing the eligible project must be paid in the normal course as per City bylaws.
- A 50% discount to the following application fees will be provided as a set-off to the Building Permit fees when the Building Permit is issued for the eligible project, if the Building Permit is issued on or between May 5, 2020 and June 1, 2021.
 - Rezoning;
 - Development Permit;
 - Development Variance Permit;
 - Servicing Agreement; and
 - Building Permit.

Concierge service for all eligible projects. This will help to develop a project timeline with key milestones, and will ensure the City will meet the agreed project schedule.

This collaborative approach with the development industry will allow qualifying projects to move quickly through the application and approvals process, thus ensuring these important investments can move towards construction phase rapidly and help the economic recovery.

In addition to the Economic Incentives for City Centre, staff are proposing a series of process improvements that would help the development and construction sectors citywide. Proposed improvements include:

- Streamlining the Road and Right-of-Way and Traffic Obstruction Permit processes;
- Expanding the use of the Surety Bond Pilot from 12 to 20;

- Waiving the requirements for water connection replacements for Tenant Improvement permits and single-family home building permits;
- Streamlining the Tenant Improvement permitting process;
- Implementing fixed timelines for processing of simple permits; and
- Expediting the review and processing of Environmental Development and Erosion Sediment Control Permits.

The City reserves the right to determine the eligibility and final discount amount of any project.

Fiscal Implications

Staff are projecting that the implementation of the aforementioned development sector incentives for the one-year period could result in forgone revenues from application fees; however, this loss of revenue will be more than offset by the positive economic benefits that will be realized by stimulating the local development sector. Staff are expecting the implementation of the incentives to result in notable job creation, advancement in projects – which, upon completion, will increase our taxation base – and to provide direct positive impact to the general construction and related support businesses that are crucial to the our local economy. The forgone revenues will be a one-time loss; however, the fiscal benefits of the incentives will carry on in perpetuity. Staff will report on them as it becomes clearer on the uptake of this program.

Legal Services Review

The City's Legal Services Division has reviewed this report and have no concerns.

SUSTAINABILITY CONSIDERATIONS

The work of this project supports the objectives of the City's Sustainability Charter 2.0. In particular, this project relates to Sustainability Charter 2.0 theme of Inclusion, Public Safety, Economic Prosperity and Livelihoods, Education and Culture, and Health and Wellness. Specifically, this project supports the following Desired Outcomes ("DO") and Strategic Direction ("SD"):

- Social Infrastructure and Innovation DO25: Surrey has a culture of collaboration and innovation to solve complex social problems.
- Community Safety and Emergency Services DO5: Surrey is recognized and perceived as a leader in establishing and maintaining collaborative partnerships for community safety and well-being.
- Emergency Preparedness and Prevention SD7: Strengthen and lead in localized emergency planning and response, including updated and development needed recovery plans.
- Economy DO9: Surrey's economy is able to adapt and thrive in response to external forces, such a climate change.
- Innovation DO17: Surrey is a leader in social enterprise and social innovation.
- Health Services and Programs DO5: Services and programs are responsive to shifting health and social needs, and local and external factors.

- Wellness and Recreation DO8: Residents feel a sense of belonging and connectedness, and have opportunities for social interaction in their neighbourhoods and community.

CONCLUSION

In an effort to reduce the social and economic impacts of the COVID-19 pandemic, staff are proposing a series of initiatives that will support faster recovery to local residents, businesses, and the development sector, in addition to those initiatives already undertaken in order to provide continued service excellence to Surrey's residents and customers.

Based on the information outlined above, it is recommended that Council approve the Surrey Economic Action and Recovery Plan.



Vincent Lalonde, P.Eng.
City Manager



Jean Lamontagne
General Manager, Planning & Development



Donna Jones
General Manager, Investment & Intergovernmental Relations

JLL/SB/PH/NA/LC/KG/DJ/SW/DH/SN/ss/ja/ki

Appendix "I" City Centre Economic Incentive Policy Map

[https://surreybc-my.sharepoint.com/personal/p205966_surrey_ca/documents/documents/corporate reports/may 4/surrey economic recovery plan from the covid-19 pandemic.docx](https://surreybc-my.sharepoint.com/personal/p205966_surrey_ca/documents/documents/corporate%20reports/may%204/surrey%20economic%20recovery%20plan%20from%20the%20covid-19%20pandemic.docx)
2020-04-30 6:23 PM SS

***Appendix available upon request**



CORPORATE REPORT

NO: R086

COUNCIL DATE: May 25, 2020

REGULAR COUNCIL

TO: Mayor & Council

DATE: May 21, 2020

FROM: General Manager, Engineering
General Manager, Planning & Development

FILE: 5480-01

SUBJECT: Parking to Patio Program and Sidewalk Queuing Space Program – Use of
Outdoor Areas in Support of COVID-19 Physical Distancing Requirements

RECOMMENDATION

The Engineering and Planning & Development Departments recommend that Council:

1. Receive this report for information; and
2. Authorize staff to initiate the Parking to Patios and Sidewalk Queuing Space program through a pilot program that will permit the use of temporary outdoor areas, as generally outlined in this report.

INTENT

The purpose of this report is to authorize staff to initiate a Parking to Patios and Sidewalk Queuing Space program in order to support local businesses complying with physical distancing and reduced occupancy requirements required due to COVID-19.

BACKGROUND

Businesses are emerging from COVID-19 quarantine restrictions in response to the Provincial Government's "BC's Restart Plan" Phase 2. Under the Phase 2 plan, highly impacted sectors including retail, hair salons, barbers, personal service establishments, restaurants, cafes, and pubs are now permitted to operate under enhanced protocols which include increased physical distancing and reduced occupancy loading (currently at 50% of maximum occupancy).

Restaurateurs, the Surrey Board of Trade ("SBOT"), Surrey Downtown Business Improvement Association and members of the Food and Beverage Association have approached the City to request that the City support flexible, innovative, and expanded outdoor seating areas. This could include permitting businesses to expand their operations onto privately-owned parking lots and City Road Right-of-Way ("RoW"), including sidewalks, boulevards and on-street parking, in order to help local businesses recover from the COVID-19 quarantine while still maintaining physical distancing requirements.

DISCUSSION

The general use of sidewalks and Road RoW to support businesses complying with physical distancing requirements can be generally grouped into business categories as follows:

General Business Category	Anticipated Use of Road RoW
Essential Services (e.g., groceries, pharmacies)	Customer Queuing
Non-Essential Retail Services (e.g., retail, personal services)	Customer Queueing
Eating Establishment – No Alcohol (e.g., fast food chains)	Outdoor Seating Area
Eating Establishment – Food Primary (e.g., restaurants)	Outdoor Seating Area
Liquor Primary (e.g., breweries, pubs, etc.)	Outdoor Seating Area

Customer Queuing

As local businesses return to operations through BC's Restart Plan, they may request and/or be required to have customers queue outside their business to maintain mandated reduced occupancy requirements. For businesses with their primary access onto the street, this may result in customers queuing on sidewalks as they wait to enter the business.

Should line-ups and queues extend onto the sidewalk, the customer queue will have to be implemented in a safe manner that does not impede or obstruct other pedestrians from safely passing at the two-metre recommended width.

Outdoor Seating Areas

The food and beverage industry, including restaurants, bars and tasting lounges (the "hospitality industry"), has seen some of the most significant negative economic impacts as a result of COVID-19 physical distancing requirements. Job losses for the restaurant industry are estimated at over 121,500 (out of the total 192,000 food service employees in BC). Expanding areas for outdoor seating allows businesses to replace seats reduced through mandated 50% occupancy requirements. Outdoor seating can also enhance the customer experience and increase public confidence in returning to the hospitality industry.

Current Outdoor Seating Process

The licensing and permitting of food and beverage service outdoors is a carefully controlled process. Typically, these applications include the construction of a physical patio, and are therefore addressed through a Building Permit. The Building Permit and plan submissions clearly outline the area of food service and guarantee compliance with building and fire codes (including number of washrooms and location of emergency exits). The Planning & Development Department has an existing guide for Outdoor Seating for an Eating or Licensed Beverage Establishment, a copy of which is attached as Appendix "I".

When liquor is involved, the process becomes more complicated and currently involves the Liquor & Cannabis Regulation Branch ("LCRB") which requires that:

- Licensed premises have a defined area for liquor service;
- Licensed patios need an occupant load and a red-line area with the number of occupants;
- and

- Liquor primary's license includes a notification process which is staff-delegated and does not require Council's endorsement.

These requirements are currently the same regardless of whether the patio space is in private property or on sidewalks/City Road RoW. The number of eating establishments in the City that do not have a liquor license versus those that have a Food Primary or Liquor Primary license are shown below:

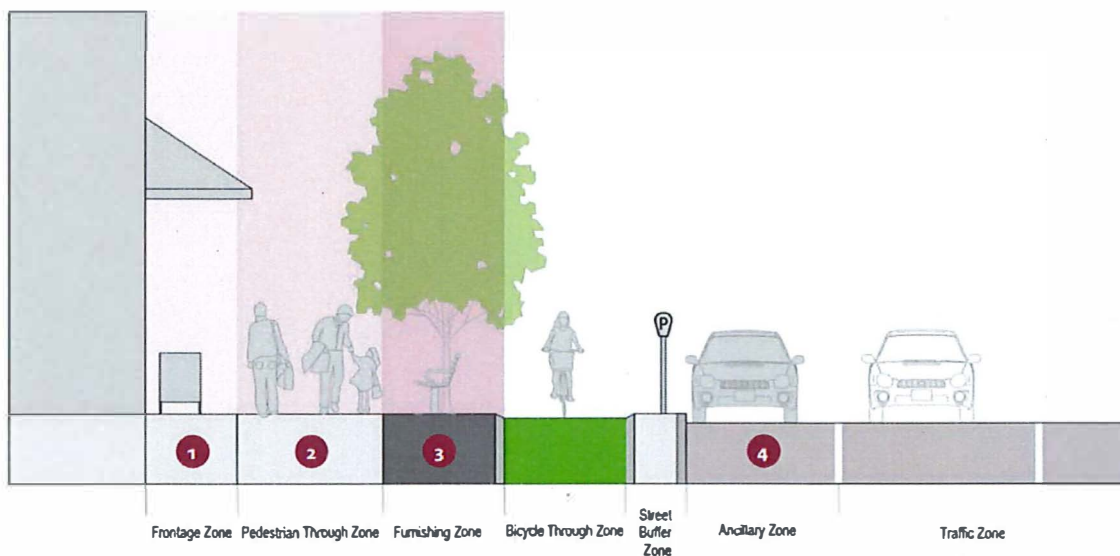
Eating Establishment Type	Totals
Restaurant – No Alcohol	799
Liquor License - Liquor Primary (Class A & D)	38
Liquor License - Food Primary (Class B)	284
TOTAL	1,121

The Province has committed to ensuring that eating establishments requesting patios will not face unreasonable delays. It is anticipated that the exact details of the expedited processing will be announced shortly and may include direction to local municipalities.

Consideration for Use of City Road Right-of-Way

The boulevard in urban areas can be described as four zones, as illustrated below:

1. Frontage Zone (Setback);
2. Pedestrian Through Zone (Sidewalk);
3. Furnishing Zone (Boulevard/Utility Strip); and
4. Reallocated road space (On-street Parking and potentially cycling lanes).



Principles have been established to consider the potential Road RoW space that can be reallocated. The first principle will be accessibility and pedestrian safety, ensuring a minimum 2.0 metre clearance and accessibility throughway width. The second principle is patron safety and vehicle mobility, including emergency access being maintained in travel lanes. The third principle is business support and mitigating impacts on adjacent business.

Road Space Reallocation

Reallocating Road RoW to accommodate increased physical distancing requirements for pedestrians is occurring in cities across the world. To support customer queuing areas and outdoor seating areas, the City will consider reallocating road space under the following recommended conditions, following the aforementioned principles:

- Safe pedestrian and traffic movements can be maintained;
- On all classifications of roads (Local, Collector and Arterial), ensuring emergency access and existing two-way traffic movements; and
- Reallocation of road space is limited to parking and potentially cycling lanes.

A general criterion of minimum widths for the various zones are as follows:

	Sidewalk Pedestrian Through Zone	Furnishing Zone	Reallocated Space
Customer Queuing Area	2.0m width (unobstructed)	<ul style="list-style-type: none"> • No use of landscaped areas • Bus stops and benches to remain accessible 	1.5m width for patrons. 0.5m buffer from travel lane
Outdoor Seating Area	2.0m width (unobstructed)	<ul style="list-style-type: none"> • No use of landscaped areas • Bus stops and benches to remain accessible 	2.5m width for patrons. 0.9m buffer from parking/travel lane

To streamline the review process, the following items will be the focus of Engineering's site-specific reviews:

- Avoiding or obstructing access to driveways and business entrances/exits;
- Maintaining sightlines for motorists and pedestrians;
- Providing reasonable access to utilities or fire hydrants; and
- Accessibility ramps between sidewalk and street.

Consideration of use of Private Parking

The *Surrey Zoning By-law, 1993, No. 12000, as amended*, establishes minimum parking requirements for all buildings based on the uses permitted by the applicable zone. Compliance with minimum parking requirements is confirmed as part of the Development Application and business licensing processes. When a relaxation to the minimum parking requirements is requested, typically a Development Variance Permit ("DVP") is required, which must be reviewed by staff and approved by Council.

As a result of COVID-19, there has been an observed and measurable reduction in vehicle traffic and business occupancy. This has resulted in temporary reduction in on-site parking demands, which could potentially be temporarily repurposed for outdoor seating. A DVP would not be considered a requirement for this temporary use of stalls.

A general criteria for the use of private parking would be to maintain designated accessible stalls, to provide a minimum level of protection of customers from vehicles through the use of curb stops, and that no more than 50% of the stalls on-site could be utilized for customer queuing areas and outdoor seating. This would be consistent with current Provincial mandated maximum occupancy loads.

Parking to Patios Program

Staff recommend Council support the implementation of the Parking to Patios program to allow eating establishments to easily add or expand outdoor seating areas. This program will create a simple and flexible process that will allow eating establishment to provide increased physical distancing opportunities in outdoor spaces adjacent to their businesses, while maintaining a minimum level of safety and regulatory approval through a streamlined municipal process.

General Conditions

- Use of on-street parking and/or boulevards will be considered for:
 - Restaurants with no liquor licenses; and
 - Class A, B and D licenses (food primary and liquor primary);
- Extent of outdoor seating areas cannot extend beyond immediate business frontages unless approved by the City;
- A minimum 2.0 metre pedestrian corridor must be maintained;
- Streamlined Traffic Obstruction Permit for all roads;
- Completion of the Parking to Patio Application Form is required; and
- Proposals must be in compliance with Provincial Fraser Health and the LCRB requirements.

Off-Street Parking Removal Considerations

- Removal of accessible parking spaces is not permitted;
- A curb stop is required for parking spaces backing onto active drive aisles to maintain a minimum level of safety;
- Sides of parking spaces or entire parking areas may be blocked off with pylons and/or sawhorse barriers; and
- A maximum of 50% of on-site parking stalls may be converted to outdoor seating areas.

On-Street Parking Removal Considerations

- Use of parking space fronting businesses will be eligible, whereas the use of cycling lanes will require assessment on a case by case basis;
- Proposals will be reviewed and accepted by Engineering staff for impacts to site lines, driveway access and other engineering issues;
- Arterial roads and higher travelled roads will require a greater level of protection, including jersey barriers and signage along the entire use area due to higher operating speeds and traffic volumes; and

- Provision of accessible access is encouraged (e.g., ramps).

What is Required?

To ensure a commitment to legitimate use and to maintain minimal regulatory oversight, business owners will be required to complete a digital application form for submission to the City's Building Division for review, referrals and approval. The application form will be provided in a short, fillable format that can be submitted electronically to avoid the need for business to come to City Hall. The following minimum submission requirements are anticipated:

- Business name and verification of business license;
- Simple sketch plan of proposed outdoor space to be converted to seating;
- Landowner approval for the reallocation of parking stalls for outdoor seating;
- Proof of Insurance as part of the application; and
- Indemnification Waiver in regard to indemnities and liabilities.

What is Permitted?

To maintain simplicity and to allow for expedited approvals, businesses applying to the Parking to Patios program will be permitted to install the following:

- Tables and chairs;
- Temporary fencing (to a maximum 1.2 metres in height and not affixed to the ground);
- Temporary landscaping;
- Patio umbrellas, canopies, and bases (without obstructing 2.0 metre wide clear zone);
- Propane patio heaters; and
- Ramps to allow accessible access from sidewalk to street level.

Business owners will not be permitted to install structures requiring a Building Permit, wash stations, outdoor kitchens, portable generators, electrical connections, or large tents under this accelerated Parking to Patios program. They will be required to follow the standard submission requirements outlined through Outdoor Seating Guidelines.

What does it Cost?

To minimize the financial burden already faced by businesses, staff are recommending:

- A \$200 application fee for the Parking to Patios program applications;
- Waiving the City Road & Right of Way Use Permit and associated fees; and
- Waiving Traffic Obstruction Permit fees.

The direct costs to business owners would result from a one-time application fee and the installation of permitted street furniture (i.e., tables and chairs) and accessibility ramps.

For local and low-volume Collector roads, businesses would require a minimum level of off-street and on-street traffic control devices, such as traffic cones, tall pylons and temporary signage, at an estimated cost of \$500. For Arterial and high-volume Collector roads, enhanced safety measures for public protection are required. This would include the installation of jersey barriers at a cost of approximately \$1,400 per parking stall, which the City would equally share the costs (50/50) installing and removing the works.

To confirm legitimate interest and participation by business owners, a nominal \$500 refundable deposit per application is recommended. This will ensure businesses remove all street furniture and parking stall protection at the end of the Parking to Patios program (removal is the responsibility of the business owners who, upon satisfactory completion, will have their deposits returned).

How Long is this Permitted?

Use of parking stalls under the Parking to Patios program would be available until September 30, 2020. Business owners are then to remove installed furniture on-site/off site, after which Engineering Operations will notify business owners, remove the jersey barriers and refund any deposits.

Sidewalk Queuing Space Program

This program would have the primary purpose of allowing all other retail businesses to meet increased physical distancing requirements and reduced occupancy requirements and would accommodate regular customer line-ups in outdoor spaces adjacent to businesses. Similar to the objective of the Parking to Patios program, the Sidewalk Queuing Space program is to maintain a minimum level of safety and regulatory approval while providing a streamlined application, approval and monitoring process.

Conditions

Most of the general conditions for this program would be similar to the Parking to Patios program, with the following exceptions:

- All businesses are eligible to apply;
- No street furniture is permitted as the area is for customers standing and waiting in line;
- Pavement markings, including tape, spray paint or equivalent, are acceptable to mark out physical distancing requirements; and
- Signage indicating the business that the line-up is for is permitted.

How will Staff Support the Parking to Patio and Sidewalk Queuing Space Programs?

A commitment to make the City review process streamlined is needed to make these programs viable. Staff are committed to providing a three-day approval process for valid Parking to Patio and Sidewalk Queuing Space applications. The general actions and functions of staff review will include, but not be limited to, the following:

- Planning & Development:
 - Reviewing parking lot circulation; and
 - Confirming maximum occupancy load for business is not exceeded.
- Surrey Fire Services - Fire Prevention:
 - Maintaining access for emergency traffic on all roads;
 - Maintaining BC Building Code and BC Fire Code requirements for Fire Department access; and
 - Ensuring fire hydrants, Fire Department connections and means of egress are maintained and free of obstructions.
- Engineering Department:
 - Reviewing proposed on-street parking stall locations;
 - Developing the necessary traffic control plans; and
 - Installing traffic control barriers on a “next day service”, as available.
- Bylaw Services:
 - Review of business licenses and tracking;
 - Monitoring of compliance, as required; and
 - Enforcement of non-compliance, as required.

Implementation

To ensure the success of these programs, it is recommended that the initial intake process be focused on the initial 10 applicants/businesses requesting off-street parking and five requesting on-street parking reallocation. After such time, staff evaluate the process and seek opportunities for further streamlining and improvements as more businesses apply.

This approach would enable staff to retain flexibility and review the proposed general guidelines and criteria as it is applied for each business. Revisions and modifications to improve the program would then be applied.

FUNDING

The typical use of Road RoW for private use comes with fees and charges, as outlined in the City's *Highway and Traffic By-law, 1997, No. 13007, as amended*. For an average, business owners utilizing two parking stalls for four tables, the City's standard Road RoW fees would equate to \$1,100 to \$1,500 over a three-month duration. Additionally, if there is paid on-street parking that is impacted, revenue that is lost is recovered through user fees, calculated on average utilization and observed revenues.

Expenses to the City will be incurred by not requiring a cost-recovery application fee to cover staff nor the standard road fees, and will also include the 50% cost-share for installation of jersey barriers on Arterial and major routes. This is estimated to vary per business, but could range from \$1,000 to \$3,000 per location. To support this initiative and local businesses in their re-emergence from COVID-19, these fees could be waived, as appropriate, for the duration up to September 30, 2020.

SUSTAINABILITY CONSIDERATIONS

The Parking to Patio and Sidewalk Queuing Space programs supports the objectives of the City's Sustainability Charter 2.0. In particular, the programs relate to the Sustainability Charter 2.0 theme of Economic Prosperity and Livelihoods. Specifically, these programs support the following Desired Outcomes ("DO"):

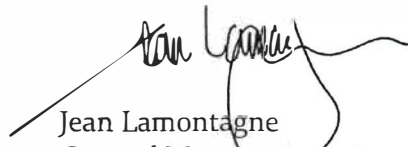
- Economy DO5: Locally owned companies are thriving, creating a robust local economy and retaining wealth and jobs in the community; and
- Economy DO9: Surrey's economy is able to adapt and thrive in response to external forces, such as the changing climate.

CONCLUSION

The Parking to Patio and Sidewalk Queuing Space programs will create a simple and flexible process that allows businesses to provide increased physical distancing opportunities in outdoor spaces to meet Provincially mandated maximum occupancy reductions as part of the Provincial Government's "BC's Restart Plan" Phase 2. The programs will ensure that a minimum level of safety is maintained while providing for a regulatory approval through a streamlined process.



Scott Neuman, P.Eng.
General Manager,
Engineering



Jean Lamontagne
General Manager,
Planning & Development

DM/cc

Appendix "I" - Guide for Outdoor Seating for an Eating or Licensed Beverage Establishment

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***Appendix available upon request**

CORPORATE REPORT

NO: R188

COUNCIL DATE: July 25, 2016

REGULAR COUNCIL

TO: Mayor & Council DATE: July 21, 2016

FROM: General Manager, Planning and Development FILE: 3900-20-18020
General Manager, Engineering 5289-50 (BCS)
General Manager, Parks, Recreation and Culture 0410-20 (MOE/RAR)

SUBJECT: Surrey's Ecosystem Protection Measures
(Sensitive Ecosystem Development Permit Area and
Zoning By-law Streamside Protection Setbacks)

RECOMMENDATION

The Engineering, Planning and Development, and Parks, Recreation and Culture Departments recommend that Council:

1. Receive this report as information;
2. Amend Surrey Official Community Plan Bylaw, 2013, No. 18020, as documented in Appendix "I" of this report;
3. Amend Surrey Zoning By-law, 1993, No. 12000, as documented in Appendix "II" of this report;
4. Authorize the City Clerk to bring forward the necessary amending bylaws for the required Readings and to set a date for the related Public Hearing; and
5. Authorize staff to bring forward an amendment to the Surrey Tree Protection By-law, 2006, No. 16100 and Soil Conservation and Protection By-law, 2007, No. 16389 by replacing the current Environmentally Sensitive Areas (ESA) map and replacing it with the ecosystem protection map from the Surrey Official Community Plan Bylaw, 2013, No. 18020.

PURPOSE

The purpose of this report is to obtain Council approval of Surrey's proposed Ecosystem Protection Measures including the creation of a new Sensitive Ecosystem Development Permit Area and Guidelines and new setbacks for Streamside Protection regulated through the Zoning By-law.

BACKGROUND

Surrey's Official Community Plan (OCP) was adopted in October 2014 with a placeholder to accommodate new Development Permit areas and guidelines for the protection of the natural environment, including riparian areas.

In July 2014, Council endorsed the Biodiversity Conservation Strategy and the implementation measures it recommended to protect Surrey's streamside areas, natural habitats and sensitive ecosystems. Both of these documents identify the use of a Development Permit Area (DPA) as an effective means to protecting Surrey's natural environmental assets. Amending the OCP to create a new Sensitive Ecosystem DPA and amending the Zoning Bylaw to correspond with the new DPA by including setbacks for Streamside Protection, is the basis of this report.

Council has previously indicated its support for ecosystem protection in several ways including by:

- a) adopting the recommendations of Corporate Report No. R252; 2013 "New Official Community Plan and Related Regional Context Statement";
- b) endorsing the recommendations of Corporate Report No. R141; 2014 "City of Surrey Biodiversity Conservation Strategy";
- c) endorsing the recommendations of Corporate Report No. R168, 2014 "Development of a Surrey Riparian Area Bylaw";
- d) adopting the recommendations of Corporate Report No. R049; 2015 "Proposed Amendments to Surrey Official Community Plan Bylaw, 2013, No. 18020 (Phase 1 Amendments);
- e) adopting the recommendations of Corporate Report No. R022; 2016 "Amendments to Existing Bylaws for Consistency with the Official Community Plan"; and
- f) endorsing the recommendation of Corporate Report No. R112; 2016 "Sustainability Charter 2.0 for a Thriving, Green, Inclusive City".

Adopting a new Sensitive Ecosystem Development Permit Area and adding Streamside Protection measures to the Zoning By-law, collectively known as Surrey's Ecosystem Protection Measures, is supported by provisions in the *Local Government Act*, *Community Charter*, *Riparian Area Regulations*, *Fisheries Act* and *Federal Species at Risk Act* and is consistent with the approaches taken by municipalities throughout the province to regulate environmental protection.

DISCUSSION

At the time of adoption of Surrey's OCP, Council was advised that additional amendments would be forthcoming to complete minor text and map adjustments, to add new sign guidelines to the Form and Character Development Permit Area in order to simplify the review and approval process, and to add a new Development Permit Area for environmental protection. Amendments to the OCP are being introduced as part of a three-phase process that includes:

Phase 1 – making minor adjustments throughout the document and clarifying policy direction in the Implementation Section;

Phase 2 – adding a new Development Permit Area and Guidelines for Sensitive Ecosystems; and

Phase 3 – making additional minor adjustments throughout the document and adding new Form and Character Guidelines for signs and energy conservation.

Phase 1 amendments were completed in April 2015 when Council adopted the recommendations of Corporate Report No. R049; 2015 “Proposed Amendments to Surrey Official Community Plan Bylaw, 2013, No. 18020 (Phase 1 Amendments), proposed Phase 2 amendments are included in this report and Phase 3 amendments are scheduled for introduction in the Fall of 2016.

The following sections describe amendments that are being recommended to the OCP and Zoning Bylaw:

Official Community Plan – Phase 2 Amendments

A. Implementation

The Development Permit Implementation Section for Sensitive Ecosystems is proposed as a new section for the Official Community Plan (see Attachment “A”). Generally, the information in this section is a requirement of the *Local Government Act* and details the following:

Application: what types of activity requires a Development Permit application (e.g. subdivision, building construction or land clearing);

Area: identifies the area that makes up the Development Permit Area (see Attachments “B” and “C”) (e.g. properties that fall within 50 m of a Green Infrastructure Network (GIN) Hub or a Class A stream);

Implementation: identifies implementation measures (e.g. circumstances under which a Development Permit may be issued by a Delegated Authority);

Justification: details the justification for creating a Sensitive Ecosystem Development Permit Area (e.g. to protect Surrey’s sensitive ecosystem areas including rivers, streams, lakes, ponds, forests and shrub-lands etc.);

Objectives: establishes objectives that are intended to be met by using a Development Permit to guide development (e.g. provide for drainage maintenance access and beaver habitat accommodation, etc.); and

Exemptions: provides scenarios that would exempt development from requiring a Development Permit (e.g. interior renovations, permitted farm activity or regular and general yard maintenance activity).

The Justification Section is the key factor for and reasoning behind establishing the Development Permit Area, which is intended to be used as:

1. an implementation method for the Biodiversity Conservation Strategy to ensure that the protection of Surrey’s Green Infrastructure Network (hubs, sites and corridors) is protected concurrently with development; and

2. a means to protect riparian and streamside habitat while also satisfying the requirements of local government to ensure development complies with the Provincial Riparian Areas Regulations. Retaining large, contiguous ecosystems and those spaces within and adjacent to riparian and streamside areas helps to retain habitat diversity and quality of life and provides for an overall healthy community for Surrey residents.

From an Objectives perspective, using this Development Permit Area also allows for Surrey to:

- ensure appropriate drainage access for streamside maintenance is secured;
- realize the potential to install additional public trails in natural areas;
- ensure there are adequate lands to support the City's existing biodiversity. This includes providing lands to support beaver habitat modification thereby reducing negative consequences to adjacent development and to providing lands to ensure that trees thrive thereby reducing the risk of hazard trees on adjacent development; and
- reduce the risk associated with slope failures by ensuring development occurs far enough away so as to not compromise bank stabilization.

B. Development Permit Guidelines

Development Permit Areas in the Official Community Plan are used to regulate development and provide guidance and direction on how best to manage the challenges of development in all areas of the City. At the time of initial adoption in October 2014, the OCP had a placeholder to accommodate new Sensitive Ecosystem Development Permit Guidelines intended to be used as the implementation method for the Biodiversity Conservation Strategy and the method for protecting riparian areas.

Sensitive Ecosystem Development Permit Guidelines

The Sensitive Ecosystem Development Permit Guidelines are proposed as a new section of the Official Community Plan (see Attachment "D"). The Guidelines in this section work in conjunction with the information provided under the Implementation Section. Sensitive Ecosystems are comprised of two distinct areas: Green Infrastructure (identified in the Biodiversity Conservation Strategy as the Green Infrastructure Network comprised of hubs, sites and corridors - see Attachment "B") and Streamside (areas adjacent to and setback from a stream - see Attachment "C").

The Sensitive Ecosystem Guidelines are organized into several sections that include: Definitions, Development Restrictions and the actual Development Guidelines that are intended to be reviewed and considered in conjunction with the development to determine the appropriateness of what is being proposed, and to determine how the development may be adjusted to ensure consistency with the Justification and Objectives identified in the Implementation Section.

The Guidelines also include submission requirements which detail items must be submitted with all development applications as well as those additional items which must be submitted only when a reduction to the Streamside Setback Area (see Attachment "D") is being proposed.

For all development applications within the Environmental Development Permit Area, an Ecosystem Development Plan is required which shall include the following items:

- a letter detailing the professional ability of all Qualified Environmental Professionals who will be working on the project;
- the sensitive ecosystem area (either streamside, green infrastructure or both) intended to be protected as part of the development and specific details as to how that protection area will be safeguarded in perpetuity;
- the existing pre-development conditions; and
- the specific details about the proposed development.

For those applications requesting a reduction to the Streamside Setback Area, a Development Variance Permit (DVP) application is also required. In support of that DVP application, an Impact Mitigation Plan must also be submitted to ensure the proposed setback reduction does not cause significant negative impacts to sensitive ecosystems and habitat areas and to adjacent development.

Determining the required protection area for Streamside Areas (setbacks) is done by using the proposed Streamside Protection section of the Zoning Bylaw (detailed below and shown as Attachment “E”), whereas determining the required protection area for Green Infrastructure Areas is done by referring to the Biodiversity Conservation Strategy and the identified Biodiversity Management Areas and the Green Infrastructure Network (hubs, sites and corridors).

Zoning By-law

Surrey’s proposed protection for riparian sensitive ecosystems involves the coordinated use of both Development Permit Areas and Guidelines within the Official Community Plan and setback regulations within the Zoning Bylaw (see Attachment “E”). As noted above, the Official Community Plan is used to identify the specific types of ecosystems that are intended to be protected including Streamside (Class A, A/O or B streams) and the Zoning Bylaw is proposed to be used to identify the specific protection areas that are required to be established for Streamside Setback Areas.

Zoning Bylaws are regulatory tools that provide a consistent and transparent means to determine where and how development should be located on a site. The proposed Zoning Streamside Protection section is intended to establish a “no disturbance area” adjacent to streams in Surrey to not only protect sensitive ecosystems but to also provide developers a means to determine where development cannot take place on their property prior to submitting development applications, thereby saving significant time and money. This “no disturbance area” is determined by cross referencing the type of stream that exists (e.g. ditch, channelized, natural) to the classification of that stream (e.g. A, A/O or B). This “no disturbance” area is not a building setback and for the most part, the actual building setback will be determined within the actual Zone under which the property falls (e.g. RF, IB-1, etc.).

The proposed Zoning Streamside Protection section also establishes the ability to flex the “no disturbance area” under certain circumstances and reduced setback requirements for existing

single and two family residential lots, so as to not make the new regulation too onerous or difficult to meet.

The proposed Zoning Streamside Protection setbacks are consistent with the requirements to meet the Provincial Riparian Area Regulations and are sufficient to meet the Objectives of the Sensitive Ecosystem Development Permit Area, specifically the ability for the City to maintain streamside areas, provide ample room for beaver activity and tree falls, and ensure slopes adjacent to streams are not compromised during or after development takes place. The setbacks established in the Zoning Bylaw are intended to be used in conjunction with the Sensitive Ecosystem Development Permit Area and Guidelines.

For developments that meet the Zoning Setbacks, a Development Permit will still be required to ensure the Guidelines are being addressed. Where a development is proposing to reduce the setbacks established in the Zoning Bylaw, a Development Variance Permit will be required to be submitted and the submission requirements of the Development Permit will expand to include the submission of an Impact Mitigation Plan. This is intended to ensure that the proposed setback reduction does not create negative impacts on the sensitive ecosystems that are intended to be protected, cause flooding or other negative impacts on the property owners located next to the stream, or increase City of Surrey maintenance costs as a result of the reduced setback.

The proposed new Section of the Zoning Bylaw for Streamside Protection references new concepts and ideas that require further clarification. As a result, the Definitions Section of the Zoning Bylaw is proposed to be amended to include new definitions for the following terms: *active floodplain, flood plain plant species, high water mark, streamside setback area, stream and top of bank*. Most of the content for these definitions has been taken directly from the Provincial Riparian Area Regulations and are therefore consistent across the Province.

Additional Bylaws

To support implementation of the existing Steep Slope Development Permit Area and the proposed Sensitive Ecosystem Development Permit Area, the current Environmentally Sensitive Areas (ESA) mapping is proposed to be replaced by the existing Steep Slope Development Permit Area Map and the proposed Sensitive Ecosystem Development Permit Area Maps in both the Tree Protection By-law and Soil Conservation and Protection By-law.

Proposed amendments to the Tree Protection By-law will also consist of adjusting the By-law to include a new infraction that allows for penalties to be calculated based on the total area of vegetation disturbance within these Development Permit Areas. These adjustments are intended to recognize the liabilities associated with development adjacent to or on steep slopes or within sensitive ecosystem areas, and will be brought forward to Council in the Fall of 2016.

SUSTAINABILITY CONSIDERATIONS

The proposed new Sensitive Ecosystem Development Permit Area and Zoning Streamside Setback provisions are a key component to supporting the policies within the Official Community Plan, the implementation objectives of the Biodiversity Conservation Strategy and the objectives of Surrey's newest Sustainability Charter. The Sustainability Charter 2.0 was recently endorsed by Council and highlights several Strategic Directions that speak specifically to the ecosystem protection measures proposed in this report:

Built Environment and Neighbourhoods:

SD3: Integrate natural areas, ecosystems and green areas in all neighbourhoods.

Public Safety:

SD6: Promote development types and locations that will be minimally impacted by natural disasters.

Ecosystems:

SD2: Manage biodiversity proactively to mitigate the impacts of climate change.

SD4: Develop, apply, monitor and enforce standards and strategies to minimize the impacts of development on the natural environment, ecosystems and urban forest.

SD6: Develop and encourage stronger policies and strategies that support clean water, soil and air.

SD7: Ensure water quality and base water levels are maintained in Surrey's river systems.

SD9: Continue to acquire Surrey's Green Infrastructure Network (GIN) as determined in the Biodiversity Conservation Strategy, including through a financial strategy.

SD10: Improve and reinforce public, staff, developer, building and landowner understanding of the importance of ecosystem services, natural capital and urban forest.

SD11: Promote the valuation of ecosystem services and natural capital through appropriate tools.

Infrastructure:

SD3: Develop and manage the Green Infrastructure Network to continue to deliver ecosystem services.

CONCLUSION


Based on the above discussion, it is recommended that Council:

- a) approve amendments to Surrey Official Community Plan Bylaw, 2013, No. 18020, as documented in Appendix "I" of this report;
- b) approve amendments to Surrey Zoning By-law, 1993, No. 12000, as documents in Appendix "II" of this report;
- c) authorize the City Clerk to bring forward the necessary amending bylaws for the required Readings and to set a date for the related Public Hearing; and

- d) direct staff to bring forward an amendment to the Surrey Tree Protection By-law, 2006, No. 16100, Soil Conservation and Protection By-law, 2007, No. 16389 in the Fall of 2016.



Jean Lamontagne
General Manager,
Planning and Development




Laurie Cavan
General Manager,
Parks, Recreation and Culture

CS/SG/ss

Attachments:

Appendix "I" – Proposed Amendments to Surrey Official Community Plan Bylaw, 2013, No. 18020
Appendix "II" – Proposed Amendments to Surrey Zoning By-law, 1993, No. 12000

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Fraser Smith, P.Eng., MBA
General Manager,
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***Appendices available upon request**