

## RE: $\quad$ Agenda Item B.9, April 25, 2022, Regular Council - Land Use Agenda Replacement Pages for Planning Report

Development Application No. 7921-oo51-oo is on the agenda for consideration by Council at the April 25, 2022, Regular Council - Land Use Meeting.

Additional information has been provided by the applicant pertaining to their tree management plan. The applicant is proposing to plant five additional trees than originally proposed. The 'Trees" section, found on pages 9 and 10 have been updated by staff to more accurately reflect the proposed tree planting and contributions to the Green City Program. Appendix 3 and pages 5-7 of Appendix 4 (i.e. landscaping plans) have also been updated based on the additional information provided by the applicant.

$\begin{array}{ll}\text { c.c. } & \text { - City Manager } \\ \text { - Acting General Manager, Planning \& Development Department }\end{array}$

CLERK'S DEPT
April 25, 2022
7921-0051-00
B. 9 RCLU April 25, 2022

AGENDA

- Part 14, Division 7 of the Local Government Act authorizes local governments to establish development permit areas in their Official Community Plans. Section 488 specifies the different types of development permit areas a local government may establish. Section 488 does not grant authority for local governments to regulate the form and character of institutional uses.
- As the Local Government Act does not authorize a local government to issue Form and Character Development Permits for institutional uses and it is no longer current practice for the City to register specific building plan restrictive covenants, staff recommend the discharge of this covenant from title of the subject property.


## PUBLIC ENGAGEMENT

- Pre-notification letters were sent on March 14, 2022, and the Development Proposal Signs were installed on March 10, 2022. Staff have not received any correspondence to-date in response to the public engagement.


## TREES

- Anne Kulla and Tony Zang, ISA Certified Arborist of Huckleberry Landscape Design 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 |
| :---: | :---: | :---: | :---: |
| Deciduous Trees(excluding Alder and Cottonwood Trees) |  |  |  |
| Maple | 11 | 3 | 8 |
| Plum | 4 | o | 4 |
| Oak | 9 | o | 9 |
| Locust | 4 | o | 4 |
| Birch | 5 | o | 5 |
| Coniferous Trees |  |  |  |
| Western Red Cedar | 7 | o | 7 |
| Western Hemlock | 4 | o | 4 |
| Fir | 3 | 2 | 1 |
| Total | 47 | 5 | 42 |
| Total Replacement Trees Proposed (excluding Boulevard Street Trees) |  | 27 |  |
| Total Retained and Replacement Trees |  | 4449 |  |
| Contribution to the Green City Program |  | \$4,400 \$1,650 |  |

- The Arborist Assessment states that there are a total of 47 mature trees on the site. There are no Alder and Cottonwood trees on the site. It was determined that 42 trees can be retained as part of this development proposal.
- Three of the trees proposed for removal conflict with the new parking lot arrangement and cannot be retained. The two other trees proposed for removal are dead and dying fir trees that are suffering from an insect infestation and are proposed to be replaced with new trees.
- The five trees proposed for removal are smaller than 30 cm diameter at breast height (between 3 and 5 cm at breast height), but are bylaw protected as they are replacement trees required as part of Development Application No. 7901-0337-oo.
- For those trees that cannot be retained, the applicant will be required to plant trees on a 2 to 1 replacement ratio. This will require a total of 10 replacement trees on the site. The applieant ispropesing to plant two replacement trees in the location of the two failing fir trees. The applicant is proposing to plant seven replacement trees throughout the site. As only two seven replacement trees can be accommodated on the site there is a deficit of 8 three replacement trees that will require a cash-in-lieu of replacement payment of $\$ 4,400 \$ 1,650$ ( $\$ 550$ per tree), to the Green City Program, in accordance with City's Tree Protection By-law.
- In summary, a total of 4449 trees are proposed to be retained or replaced on the site with a contribution of $\$ 4,400 \$ 1,650$ to the Green City Program.


## INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:
Appendix I. Site Plan
Appendix II. Engineering Summary
Appendix III. Summary of Tree Survey and Tree Preservation
Appendix IV. Development Variance Permit No.7921-0051-oo
approved by Shawn Low

Jeff Arason
Acting General Manager
Planning and Development
$\mathrm{BD} / \mathrm{cm}$

## Tree Preservation Summary

Surrey Project No: TBD
Address: 1448872 Avenue, Surrey
Registered Arborist: Anne Kulla, Huckleberry Landscape Design


Summary, report and plan prepared and submitted by:


## LEGEND

Retained Tree

Removed Tree

Critical Root Zone


Tree Protection Barrier $\qquad$


*Replacement Tree Species TBD by LPL Projects






## PROPOSAL:

- Restrictive Covenant discharge
- Development Variance Permit
to remove a specific building plan covenant from title and allow an addition to an existing church

| LOCATION: | $14488-72$ Avenue |
| :--- | :--- |
|  | $(14474-72$ Avenue $)$ |

ZONING: PA-1
OCP DESIGNATION: Urban
NCP DESIGNATION: Institutional


## RECOMMENDATION SUMMARY

- Council authorize the discharge of Restrictive Covenant BAı8o147.
- Approval for Development Variance Permit to proceed to Public Notification.


## DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Proposing to reduce the front yard setback and landscaping requirements of the Assembly Hall 1 (PA-1) Zone.


## RATIONALE OF RECOMMENDATION

- Restrictive Covenant BA180147 is for a specific building plan that was registered on title as a condition of approval of Development Application No. 7901-0337-oo.
- Development Application No. 7901-0337-oo authorized the development of a church on the subject site.
- After approval, the applicant elected to phase the construction of the church due to funding constraints. Only a portion of the building shown on Restrictive Covenant BA180147 was constructed.
- The applicant is seeking to complete the second phase of the church building with a modern building design that does not fully align with specific building plan restrictive covenant.
- While the design and floorplans of the second phase of the church have been updated and modernized, staff find that the overall massing of the addition is consistent with Restrictive Covenant BA180147.
- As the Local Government Act does not permit Form and Character Development Permits for institutional uses and it is no longer current practice for the City to register specific building plan restrictive covenants, staff recommend the discharge of Restrictive Covenant BA180147 from title of the subject property.
- The applicant is proposing a variance to reduce the front yard setback of the PA-ı zone from 7.5 metres to 6 metres and to reduce a portion of the landscape buffer on the west property line from 3 metres to 2.4 metres.
- Part 7 of the Zoning Bylaw, Special Building Setbacks, states that setbacks on a lot abutting an existing or future highway as shown on the "Surrey Major Road Allowance Map", attached as Schedule K to the Surrey Subdivision and Development Bylaw, are to be calculated from the ultimate property line.
- 1.5 metres width of road dedication, measured from the centre line, is required to achieve the ultimate width of 72 Avenue.
- The proposed addition and existing building adhere to the setbacks of the PA-1 Zone if the setbacks were calculated from the existing lot line and not the future lot line.
- A variance is proposed to reduce the minimum landscaping strip in the PA-1 zone by 0.6 metres for 12.3 metres in length along the western property line. The variance is required to facilitate a new on-site parking arrangement as the second phase of the church is introducing more floor area than initially anticipated and the applicant is proposing to establish a child care centre on the property. The 0.6 metre reduction of the landscaping strip is intended to help facilitate vehicle movements in the parking lot.
- The reduced landscape buffer interfaces with a parking ramp for a recently constructed mixed-use development and the applicant proposes to implement more robust landscaping.
- Staff consider the variances to be minor deviations from the Bylaw standards and will have minimal impacts on adjacent properties.


## RECOMMENDATION

The Planning \& Development Department recommends that:

1. Council authorize the discharge of Restrictive Covenant BA180147 for a specific building plan.
2. Council approve Development Variance Permit No. 7921-o051-oo (Appendix IV) varying the following, to proceed to Public Notification:
(a) to reduce the minimum front (north) yard setback of the Assembly Hall 1 (PA-1) Zone from 7.5 metres to 6 metres to the principal building face; and
(b) to reduce the minimum width of the continuous screen planting along all lot lines of the Assembly Hall 1 (PA-1) Zone from 3 metres to 2.4 metres for 12.3 metres of the western property line.
3. Council instruct staff to resolve the following issues prior to final approval:
(a) submission of a finalized landscaping plan and landscaping cost estimate to the specifications and satisfaction of the Planning and Development Department;
(b) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
(c) the applicant satisfy the deficiency in tree replacement on the site, to the satisfaction of the Planning and Development Department; and
(d) register a restrictive covenant on title of the subject property for shared parking facilities.

## SITE CONTEXT \& BACKGROUND

| Direction | Existing Use | NCP Designation | Existing Zone |
| :--- | :--- | :--- | :--- |
| Subject Site | Church | Institutional | PA-1 |
| North (Across 72 Ave): | Single Family <br> Residential | Urban Residential and <br> Proposed Multiple <br> Residential <br> (Townhouses) | RA and RM-15 |
| East: | Cemetery | Cemetery | PC |
| South: | Single Family Small <br> Lots | Single Family Small <br> Lots | RF-12 |
| West: | Mixed-use <br> commercial/residential | Mixed-use <br> commercial/residential <br> and Medium-High <br> Density Townhouses | CD (Bylaw No. <br> 19651 and <br> RM-30 |

## Context \& Background

- The subject site is located in the East Newton South Neighbourhood Concept Plan (NCP) to the east of the intersection of 144 Street and 72 Avenue.
- The site is 3,968 square metres in area, designated "Urban" in the Official Community Plan, designated "Institutional" in the East Newton South NCP, and zoned "Assembly Hall 1 Zone (PA-1)".
- The land located across 72 Avenue from the site is located in the East Newton North NCP area, which is developed with low density townhouses and single family dwellings.
- The subject site was developed as a church through Development Application 7901-0337-oo, which was approved by Council on April 24, 2006. The application was to redesignate the site's East Newton South NCP designation from "townhouse (maximum 15 upa)" to "Institutional", rezone the site from "One Acre Residential Zone (RA)" to "Assembly Hall 1 Zone (PA-1)" and a Development Variance Permit to vary a number of setback requirements.
- To alleviate neighbourhood concern over the proposed land use change, a specific building plan restrictive covenant was required to be registered against title of the land as a condition of approval.
- Following approval of Development Application 7901-0337-oo, the applicant elected to phase the development of the church into two phases. The City accepted this proposal and issued a building permit for the first phase of the church.
- The applicant is now looking to finalize the second phase of the church and complete buildout of the church.
- The applicant is proposing an updated design that does not fully align with the specific building plan restrictive covenant (Restrictive Covenant BAı80147).


## DEVELOPMENT PROPOSAL

## Planning Considerations

- The applicant is proposing to discharge Restrictive Covenant BAı8o147, for a specific building plan, and a Development Variance Permit to reduce the front yard setback and landscaping requirements of the PA-1 Zone to facilitate an addition to an existing church.
- Currently, the church is utilizing the basement as its worship hall. The applicant is proposing to construct a new worship hall above the existing worship hall and convert the basement into a new child care facility.

|  | Proposed |
| :--- | :--- |
| Lot Area: | 3,968 |
| Building Height: | 9 metres |
| Floor Area Ratio (FAR): | 0.22 |
| Floor Area | 622 square metres |
| Institutional: | 232 square metres |
| Residential: | 845 square metres |
| Total: |  |

## Referrals

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

## Transportation Considerations

- No change to the site's access is proposed. Access is currently taken from 72 Avenue to the north.
- 72 Avenue is designated as an arterial road in the "Surrey Major Road Allowance Map", attached as Schedule K to the Surrey Subdivision and Development Bylaw and has an ultimate right of way width of 30 metres. The southern half of the 72 Avenue right of way is 1.5 metres narrower than the ultimate right of way width. Dedication of the road cannot be taken as part of the subject application; however, the applicant must protect for future road widening under Part 7 of the Zoning Bylaw.


## POLICY \& BY-LAW CONSIDERATIONS

## Zoning By-law

- The applicant is proposing an addition to an existing church building under the "Assembly Hall 1 Zone (PA-1)" Zone
- The table below provides an analysis of the development proposal in relation to the requirements of the Zoning By-law.

| PA-1 Zone (Part 31) | Permitted and/or <br> Required | Proposed |
| :--- | :--- | :--- |
| Floor Area Ratio: | 0.35 | 0.22 |
| Yards and Setbacks | 7.5 m | 6 m |
| North: | 3.6 m | 33 m |
| East: | 7.5 m | 13.5 m |
| South: | 7.5 m | 5.6 m |
| West: |  |  |
| Height of Buildings | 9 m | 9 m |
| Principal buildings: |  |  |


| PA-1 Zone (Part 31) | Permitted and/or <br> Required <br> Pequired | Proposed |
| :--- | :--- | :--- |
| Parking (Part 5) | Proposed |  |
| Number of Stalls |  | 66 |
| Assembly Hall: | 3 | 66 |
| Residential: | 8 | 3 |
| Child Care: | 77 | 0 |
| Total: | 69 |  |

- A number of variances were approved under previous Development Variance Permit No. 7901-0337-oo, including the following:
- A reduction to the west side yard setback from 7.6 metres to 5.6 metres;
- An increase in the allowable height of an accessory building from 4 metres to 6.7 metres in order to retain an existing dwelling on the site;
- To allow a staircase of 6 risers and an access ramp to encroach into the front yard setback; and
- To reduce the minimum required landscaping strip on the east property line from 3 metres to 0.9 metres.
- These variances remain suitable, except for reduction to the west side yard setback. The current minimum side yard setback of the PA-1 Zone is 3.6 metres, so the setback variance expressed under Development Variance Permit No. 7901-0337-oo ( 5.6 metres) exceeds the minimum setback by 2 metres. As the current side yard setback exceeds the minimum requirement of the Zoning Bylaw and the remaining variances reflect the existing built form, Development Variance Permit No. 7901-0337-oo would still be applicable should Council support the application.
- Staff have accepted the alternative hours of use provision in the Zoning Bylaw to reduce the overall required parking rate for the site. This provision of the Zoning Bylaw allows an establishment to share a maximum of $25 \%$ of its individually required parking spaces, provided that the total number of parking spaces is equal to or greater than the number of spaces required for the establishment generating the greater amount of parking.
- The applicant proposes to have the daycare facility utilize eight parking stalls assigned to the church.
- The applicant has provided sufficient evidence that the daycare and church use operate at different hours of the day and that the shared parking arrangement will not result in an under supply of parking stalls on the site.
- As a condition of approval, the applicant is required to register a covenant to ensure that such parking spaces are reserved and maintained for the uses for which they are required.


## Setback and Landscaping Variances

- The applicant is requesting the following variances:
- to reduce the minimum front (north) yard setback of the PA-1 Zone from 7.5 metres to 6 metres to the principal building face; and
- to reduce the minimum width of the continuous screen planting along all lot lines of the PA-1 Zone from 3 metres to 2.4 metres for 12.3 metres of the western property line.
- As described in the Transportation Consideration section of this report, 72 Avenue requires 1.5 metres of widening to achieve the ultimate road width as shown in the "Surrey Major Road Allowance Map". As dedication cannot be achieved through the application, setbacks should be measured from the ultimate property line and not the existing property line as described in Part 7 of the Zoning Bylaw.
- As the front yard setback is to be measured from the ultimate property line, the front yard setback of both the proposed addition and the existing structures is proposed to be 6 metres. The setback will remain 7.5 metres from the existing property line. No additional encroachment into the setback, from the existing condition will occur as part of this development.
- The PA-1 Zone requires a continuous landscaping screen of 3 metres on all lot lines. To accommodate a revised parking arrangement, the applicant is proposing to reduce the width of the landscaping buffer at the end of a drive aisle by 0.6 metres to improve vehicle maneuvering.
- The area where the variance is requested is in the centre of the site and interfaces with the parking ramp on the adjacent mixed-use development.
- To compensate for the reduced buffer width, the applicant is proposing to plant more robust landscaping
- Staff find that the variances are minor and will result in negligible impacts to adjacent land uses and support the requested variances to proceed for consideration.


## RESTRICTIVE COVENANT DISCHARGE

- As previously discussed, the City required the registration Restrictive Covenant BAı80147, a specific building plan covenant, be registered on title as a condition of approval for Development Application No. 7901-0337-oo.
- The applicant is seeking to complete the construction of the second phase of the church, with a design that does not align with the specific building plan covenant and are seeking to discharge the covenant from title.
- The design of the addition is more contemporary compared to the plans approved under 7901-0337-00, however, the massing of the addition is similar. Staff find that the addition generally meets the intent of the original building design.
- The registration of a specific building plan covenant was a practice that was more typical of the time when Development Application 7901-0337-oo was considered. It is no longer a common practice for the City to require specific building plan covenants as a condition of approval.
- Part 14, Division 7 of the Local Government Act authorizes local governments to establish development permit areas in their Official Community Plans. Section 488 specifies the different types of development permit areas a local government may establish. Section 488 does not grant authority for local governments to regulate the form and character of institutional uses.
- As the Local Government Act does not authorize a local government to issue Form and Character Development Permits for institutional uses and it is no longer current practice for the City to register specific building plan restrictive covenants, staff recommend the discharge of this covenant from title of the subject property.


## PUBLIC ENGAGEMENT

- Pre-notification letters were sent on March 14, 2022, and the Development Proposal Signs were installed on March 10, 2022. Staff have not received any correspondence to-date in response to the public engagement.


## TREES

- Anne Kulla and Tony Zang, ISA Certified Arborist of Huckleberry Landscape Design 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 |
| :---: | :---: | :---: | :---: |
| Deciduous Trees(excluding Alder and Cottonwood Trees) |  |  |  |
| Maple | 11 | 3 | 8 |
| Plum | 4 | o | 4 |
| Oak | 9 | o | 9 |
| Locust | 4 | o | 4 |
| Birch | 5 | o | 5 |
| Coniferous Trees |  |  |  |
| Western Red Cedar | 7 | 0 | 7 |
| Western Hemlock | 4 | o | 4 |
| Fir | 3 | 2 | 1 |
| Total | 47 | 5 | 42 |
| Total Replacement Trees Proposed (excluding Boulevard Street Trees) |  | 2 |  |
| Total Retained and Replacement Trees |  | 44 |  |
| Contribution to the Green City Program |  | \$4,400 |  |

- The Arborist Assessment states that there are a total of 47 mature trees on the site. There are no Alder and Cottonwood trees on the site. It was determined that 42 trees can be retained as part of this development proposal.
- Three of the trees proposed for removal conflict with the new parking lot arrangement and cannot be retained. The two other trees proposed for removal are dead and dying fir trees that are suffering from an insect infestation and are proposed to be replaced with new trees.
- The five trees proposed for removal are smaller than 30 cm diameter at breast height (between 3 and 5 cm at breast height), but are bylaw protected as they are replacement trees required as part of Development Application No. 7901-0337-oo.
- For those trees that cannot be retained, the applicant will be required to plant trees on a 2 to 1 replacement ratio. This will require a total of 10 replacement trees on the site. The applicant is proposing to plant two replacement trees in the location of the two failing fir trees. As only two replacement trees can be accommodated on the site there is a deficit of 8 replacement trees that will require a cash-in-lieu of replacement payment of \$4,400 (\$550 per tree), to the Green City Program, in accordance with City's Tree Protection By-law.
- In summary, a total of 44 trees are proposed to be retained or replaced on the site with a contribution of $\$ 4,400$ to the Green City Program.


## INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:
Appendix I. Site Plan
Appendix II. Engineering Summary
Appendix III. Summary of Tree Survey and Tree Preservation
Appendix IV. Development Variance Permit No.7921-0051-oo
approved by Shawn Low

Jeff Arason
Acting General Manager
Planning and Development
BD/cm

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1448872 AVENUE, SURREY, BC

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Church area calculation for required parking

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| Tout |  | ${ }^{520}$ |

## PARKING REQUIREMENTS




VividGreen

TO: Manager, Area Planning \& Development

- South Surrey Division

Planning and Development Department
FROM: Development Services Manager, Engineering Department
DATE: April 19, $\mathbf{2 0 2 2}$ PROJECT FILE: 7821-0051-0o

## RE: $\quad$ Engineering Requirements (Institutional) <br> Location: 1448872 Avenue

## DEVELOPMENT VARIANCE PERMIT

There are no requirements relative to the Development Variance Permit as it supports Special Building Setbacks (Part 7) of the Zoning Bylaw.

## MAJOR RESTRICTIVE COVENANT DISCHARGE

There are no requirements relative to the Restrictive Covenant discharge.

## BUILDING PERMIT

The following servicing issues are to be addressed as a condition of Building Permit issuance:

- Remove existing private features within 72 Avenue road allowance
- Verify and upgrade site access to achieve the building addition and site layout
- Provide cash-in-lieu for sidewalk and sanitary sewer upgrade
- Confirm adequacy of existing water, storm and sanitary service connections, and provide new services as required
- Install storm water quality/sediment control chamber and register Restrictive Covenant on title acknowledging owner responsibility to operate and maintain the chamber

A Servicing Agreement is not required, while an administrative processing fee is necessary to administer legal document above.


Jeff Pang, P.Eng.

## Tree Preservation Summary

Surrey Project No: TBD
Address: 1448872 Avenue, Surrey
Registered Arborist: Anne Kulla, Huckleberry Landscape Design

| On-Site Trees (including city trees) | Numbers of Trees |
| :---: | :---: |
| Protected Trees Identified <br> (on-site and shared trees, including trees within boulevards and proposed streets and lanes, but excluding trees in proposed open space or riparian areas and offsite trees) | 47 |
| Protected Trees to be Removed | 5 |
| Protected Trees to be Retained (excluding trees within proposed open space or riparian areas) | 42 |
| Total Replacement Trees Required: <br> - Alder \& Cottonwood Trees Requiring 1 to 1 Replacement Ratio o X one ( 1 ) = o <br> - All other Trees Requiring 2 to 1 Replacement Ratio 5 x two (2) $=10$ | 10 |
| Replacement Trees Proposed | 2 |
| Replacement Trees in Deficit | 8 |
| Protected Trees to be Retained in Proposed [Open Space/ Riparian Areas] | o |
| Off-Site Trees | Numbers of Trees |
| Protected Off- Site Trees to be Removed | o |
| Total Replacement Trees Required: <br> - Alder \& Cottonwood Trees Requiring 1 to 1 Replacement Ratio o X one $(\mathrm{r})=0$ <br> - All other Trees Requiring 2 to 1 Replacement Ratio o X two (2) $=0$ | o |
| Replacement Trees Proposed | o |
| Replacement Trees in Deficit | o |

Summary, report and plan prepared and submitted by:

Anne Kulla
Certified ISA Arborist PN-6263A


| LEGEND |
| :--- |
| Retained Tree |
| Removed Tree |
| Critical Root Zone |
| Tree Protection Barrier |

## (ix) Huckleberry

Address: 1448872 Ave, Surrey

| Client Name: Punjabi Masihi Church | Project: New Addition |  |
| :--- | :--- | :--- | :--- |
| Drawing: Tree Plan | Drawing no: 1 of 2 | Revision no: |
| Scale: $1: 300$ | Date: Apr 19, 2022 | Drawn by: TZ |




## DEVELOPMENT VARIANCE PERMIT

NO.: 7921-0051-00
Issued To:
(the "Owner")

Address of Owner:

1. This development variance permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations, or agreements, except as specifically varied by this development variance permit.
2. This development variance permit applies to that real property including land with or without improvements located within the City of Surrey, with the legal description and civic address as follows:

Parcel Identifier: 009-004-629
Lot 21 Except: Part Dedicated Road on Plan BCP24054, Section 15 Township 2 New Westminster District Plan 28794

$$
14488-72 \text { Avenue }
$$

(the "Land")
3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
(a) In Section F.2. of Part 31 "Assembly Hall (1) Zone (PA-1)", the minimum front (north) yard setback is reduced from 7.5 metres to 6.0 metres to the principal building; and
(b) In Section I. of Part 31 "Assembly Hall (1) Zone (PA-1)", subsection 1.(b) is varied to reduce the minimum width of the continuous planting screen from 3 metres to 2.4 metres for 12.3 metres of the western property line, as shown in Schedule A.
4. The landscaping and the siting of buildings and structures shall be in accordance with Schedule A which is attached hereto and form part of this development variance permit.
5. This development variance permit applies to only the 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.
6. (a) The landscaping shall conform to drawings numbered 7921-0051-00 (A) through to and including 7921-0051-00 (C) (the "Landscaping").
(b) The Landscaping shall be completed within six (6) months after the date of the final inspection of the buildings and structures referred to in the Drawings.
(c) Prior to the issuance of the building permit for this development, security is to be submitted to ensure satisfactory completion of the Landscaping. The security for the Landscaping is to be submitted as follows:

Cash in the amount of $\$$ $\qquad$
An Irrevocable Letter of Credit, in a form acceptable to the City, in the amount of \$ $\qquad$

> (the "Security")
(d) i. When the Landscaping is substantially complete as determined by the City, without the City having to use the Security, $90 \%$ of the original Security will be returned. When the Landscaping receives final approval by the City, not earlier than twelve (12) months after the date of substantial completion of the Landscaping, $10 \%$ of the original Security will be returned.
ii. If final approval of the Landscaping is not given by the City, the City has the option of using the Security to complete the Landscaping and any remaining money shall be returned. The Owner hereby authorizes the City or its agents to enter upon the Land to complete the Landscaping.
iii. If the City elects not to enter upon the Land to complete the Landscaping and the Owner does not complete the Landscaping, the Security is forfeited to the City five (5) years after the date of the provisional or final inspection of the buildings and structures referred to in the Drawings.
7. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
8. 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.
9. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
10. 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 - Doug McCallum

City Clerk - Jennifer Ficocelli









7921-0051-00 (B)
SYMBOL DESCRIPTION

|  | ARTIFICAL TURF: BELLA TURF SPRING PRO SUPPLIED BY BELLA TURF OR APPROVED ALTERNATE |
| :---: | :---: |
|  |  |
|  | RUBBER PLAYFALL TILES: $2^{2 \prime}$ THICK For 4 ' FALL HEIGHT. |
|  | wood deck |
|  | NEW SOD Lawn |
|  | Exitting PLanting bed |
| - | SENSORY Wall |
| - | 6' HIGH fence facing parking EXISting 6ft high Chain link fence |
|  | SHADE SAIL CONNECT TO POST REFER TO MANUFACTURE SPEC |
| $\square \square_{0}$ | SALVAGED CEDAR LOG BENCH 15"-20" DIA. NO SPLINTERS. ALL SMOOTH SURFACE. NO BARK |
|  | SUNCAST STORAGE SHED |
|  | ALUMINUM PLANTERI VEGETABLE GARDEN BEHLEN GALVANIZED 36 W X 96L. 24 " HIGH |
|  | EXISting tree to be retalned |

INJABI MASIHI CHURCH 1448872 AVENUE

DAYCARE ENLARGEMENT PLAN

L2.1

7921-0051-00 (C)


