

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7909-0046-00

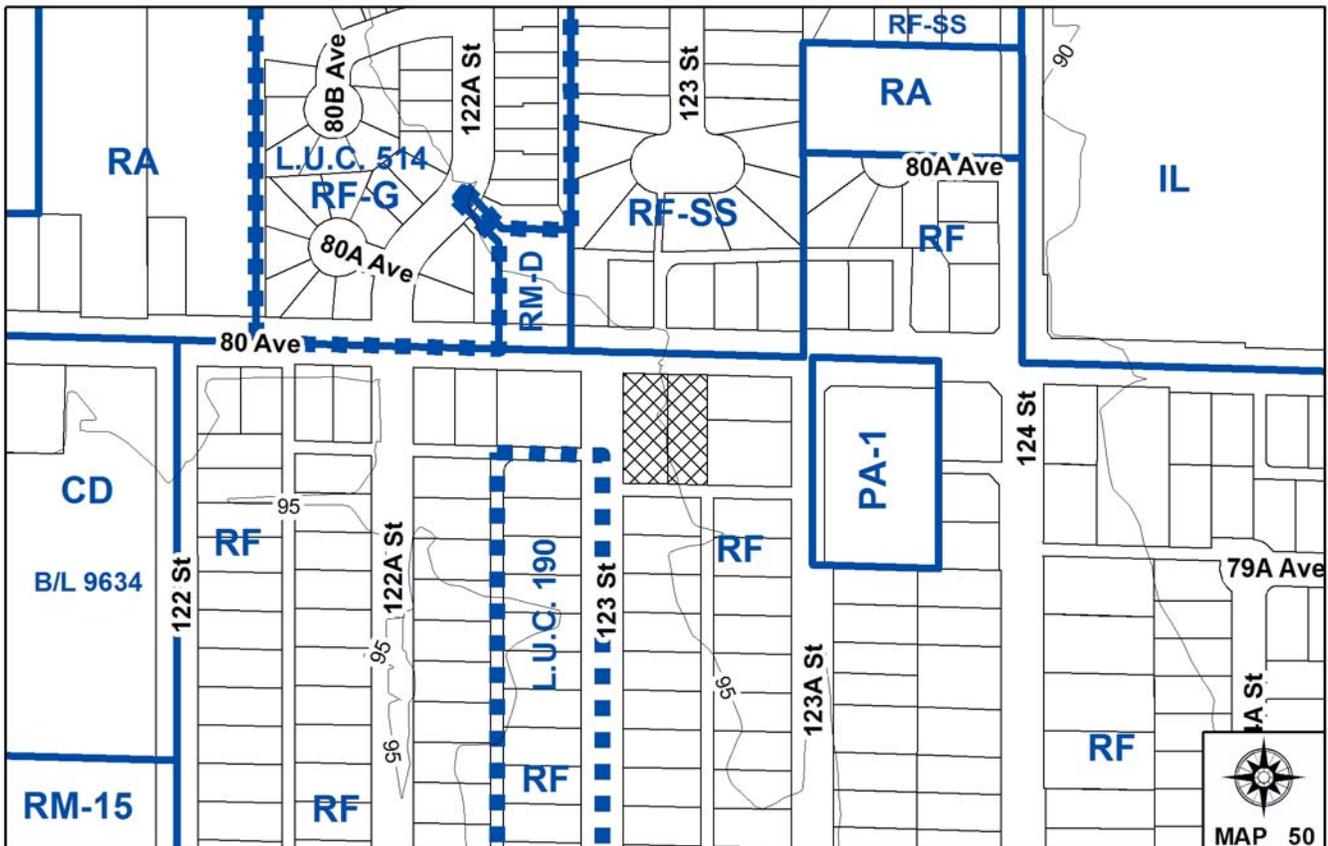
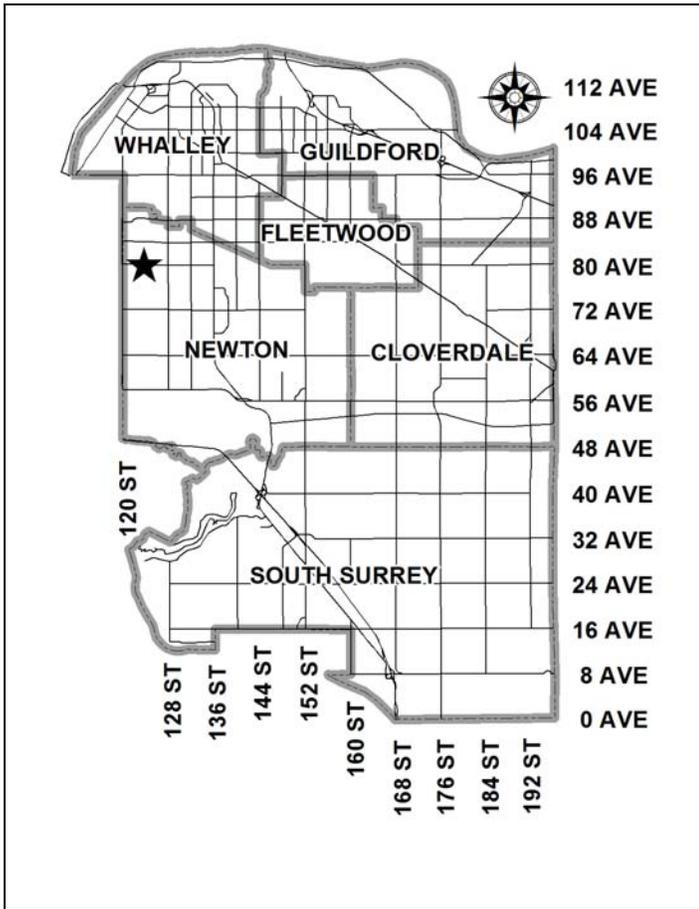
Planning Report Date: September 14, 2009

**PROPOSAL:**

- **Rezoning** from RF to PA-1
- **Local Area Plan Amendment** from Urban Residential to Institutional
- **Development Variance Permit** to vary front, rear, and side yard setbacks

in order to permit the development of a neighbourhood scale assembly hall.

**LOCATION:** 7984 - 123 Street and 12318 - 80 Avenue  
**OWNER:** Yashpal Parmar  
**ZONING:** RF  
**OCP DESIGNATION:** Residential  
**LAP DESIGNATION:** Urban Residential



### RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Rezoning.
- Approval for Development Variance Permit to proceed to Public Notification.

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The application to rezone two (2) single family dwelling lots to a Hindu Temple requires an amendment to the Local Area Plan (LAP).
- Setback variances are required to the front, rear, and side yards in order to utilize existing buildings for the proposed Hindu Temple.

### RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- The proposed small scale assembly hall meets the location criteria for institutional facilities outlined in the OCP.
- An LAP amendment is justified due to the small scale nature of the proposed development and the lack of any major concerns from the public.
- A Development Variance Permit is justified because the proposal is utilizing two (2) existing structures in a sensitive and well designed conversion to a Hindu Temple.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the subject site from "Single Family Residential Zone (RF)" (By-law No. 12000) to "Assembly Hall 1 Zone (PA-1)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve Development Variance Permit No. 7909-0046-00 , (Appendix V) varying the following requirements of the PA-1 Zone, to proceed to Public Notification:
  - (a) to reduce the minimum front yard setback from 7.5 metres (25 ft.) to 4.2 metres (14 ft.);
  - (b) to reduce the minimum rear yard setback from 7.5 metres (25 ft.) to 1.5 metres (5 ft.);
  - (c) to reduce the minimum side yard setback on a flanking street from 7.5 metres (25 ft.) to 2.6 metres (8.5 ft.);
  - (d) to reduce the minimum side yard setback from 3.6 metres (12 ft) to 1.2 metres (4 ft); and
  - (e) to increase the maximum height of a flag-pole from 4 metres (13 ft.) to 9 metres (30 ft.).
3. Council instruct staff to resolve the following issues prior to final adoption:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
  - (c) submission of building permit drawings that satisfactorily address Building Code requirements; and
  - (d) registration of a Section 219 Restrictive Covenant to ensure that the site and building designs are completed in accordance with the plans attached as Appendix V.
4. Council authorize an amendment to the Newton Local Area Plan from "Urban Residential" to "Institutional" when the proposal is considered for final adoption.

## REFERRALS

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

## SITE CHARACTERISTICS

Existing Land Use: Single family residential.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North (Across 80 Avenue):	Single family.	Urban	RF-SS
South, East, West (Across 123 Street)	Single family.	Urban	RF

JUSTIFICATION FOR PLAN AMENDMENT

- The proposed land use is permitted under the Urban Designation and generally meets the locational criteria for institutional facilities as prescribed in Section C-5.3 of the Official Community Plan (OCP) as follows (staff comments italicized):
  - Institutions should be planned that are appropriate in size and design to match the character of their locations.

*The subject site is located in close proximity to an existing Sikh Temple at 123A Street and 80 Avenue zoned PA-1. The proposed Hindu temple is anticipated to host approximately 40 to 60 parishioners, and is designed to be smaller in scope to more closely fit into the neighbourhood. Design elements and parking considerations make the proposed use more amenable to the local community as well. It should also be considered that the primary worship periods between the Hindu Temple and the Sikh Temple do not normally coincide, which minimizes potential impacts between the two religious institutions.*

- Locate Institutions at the periphery of neighbourhoods.

*The proposed Hindu temple will have its primary entrance from 80<sup>th</sup> Avenue and is located at the periphery of the local neighbourhood. The surrounding neighbourhood is very much an established single family residential community with minimal expected increase in development scope or size.*

- Locate larger facilities to avoid traffic filtering through neighbourhoods, have good access to transit corridors, and have access to provincial highways and arterial roads.

*Traffic accessing the proposed temple can enter off 80<sup>th</sup> Avenue to either 123<sup>rd</sup> or 124<sup>th</sup>, with parking access being realized through an existing rear lane. There will be no direct access to the temple site from 80<sup>th</sup> Avenue. A minimum amount of traffic coming to the temple will travel through the adjacent neighbourhood minimizing the potential impact of the community.*

## DEVELOPMENT CONSIDERATIONS

### Background

- The application involves the subdivision (consolidation) of two properties both of which contain single family dwellings, and the rezoning of the subject site, to permit the construction of a Hindu Temple.
- The applicant seeks to substantially renovate and modify an existing residence in order to convert it into a Hindu Temple. The second residence would be updated (repainted and repaired) for use as a Priest residence.
- The proposed Hindu Temple would be approximately 260 square metres (2,800 sq.ft), including a priest residence (188 sq.m / 2023 sq.ft). The Temple building will accommodate approximately 40 to 60 parishioners, and includes a banquet room, temple/sanctuary, incense room and Deities room.

### Design Considerations

- The primary temple building will utilize an existing single family home; this structure will require both renovation and reconstruction of the building to bring it into conformity with the Building Code, and adding approximately 63 square metres (678 sq.ft.) of space (consisting primarily of bathroom facilities, incense room, and a Deities Area). A second single family residence will be retained, repainted and repaired for use as a priest residence.
- The project architect, Thomas Zimmerman, has provided an overview of the intent and design considerations for the project (Appendix VI). In essence, there are four basic elements to the proposed development
  - The existing bungalow refurbished to house the sanctuary, deities area, and amenity space for feasts and meeting;
  - A new addition containing the main entrance, closet and accessible washroom facilities;
  - A new room adjacent to the sanctuary for special prayer; and
  - A series of covered pavilions providing weather protection to the entrance porch and outdoor amenity area.
- The architect has incorporated features found in traditional Hindu Temples including:
  - Layering of masses of varying heights;
  - Installation of a 9 metre (30 ft.) flag-pole (discussed later in this report);
  - Dome and spire (a single large central dome and several smaller decorative domes and spires decorating the principle corners of the temple) – painted in a mustard yellow colour to evoke the idea of gold cladding; and
  - The extensive use of wood as a prime cladding material for both cost and appearance reasons.
- Through extensive design review with City Staff, the proposed design and layout of the Hindu Temple has been revised to be more street-oriented to both 80<sup>th</sup> Avenue and 123 Street with adequate glazing and landscaping to be respectful of the neighbourhood.

- All vehicular access to the supplied parking stalls will be from the rear lane allowing for a continuous streetscape along 123 Street. An existing access and driveway from 80<sup>th</sup> Avenue will be closed.
- As per the City Zoning By-law, the Temple is providing a total of 20 parking spaces provided on-site which meets the parking requirement.

### PRE-NOTIFICATION

A Pre-Notification Letter was distributed to the surrounding community on May 1, 2009. Staff received two phone calls raising concerns about parking in and around the proposed temple. No Public Information Meeting was held due to the lack of concern expressed by the public.

*(The proposed Hindu Temple is anticipated to be relatively small (40-60 parishioners at the busiest of times), and complies with the by-law requirement to provide a minimum of 20 parking spaces on-site.)*

### DESIGN PROPOSAL AND REVIEW

- The proposed 260 square metre (2,800 sq.ft) religious facility will be constructed by renovating the existing single family residence, bringing it up to the requisite building code requirements as identified by a certified code consultant or registered architect, and the construction of approximately 63 square metres (678 sq.ft.) of new enclosed space. Additionally, a second existing residence will be upgraded (repainted and repaired where necessary) for the purposes of a priest residence.
- Included in the renovated temple will be a banquet room, temple/sanctuary, deities area, incense room, as well as both bathroom facilities and a mechanical room.
- Vehicular access to the site will be provided through an existing paved rear lane where the requisite 20 parking spaces will be located. An existing vehicular access to the site from 80<sup>th</sup> Avenue will be closed and landscaping installed along the 80<sup>th</sup> Avenue frontage.
- The applicant will be responsible for the construction of a new sidewalk and roadway on 123 Street as per engineering requirements and will eliminate an existing driveway entrance that currently enters and exits directly to 123 Street.

### Design Restrictive Covenant

- In order to ensure that the building is constructed as shown to staff, the applicant will be required to register a Section 219 Restrictive Covenant requiring construction to occur generally in keeping with the attached drawings (Appendix V).

BY-LAW VARIANCES AND JUSTIFICATION

## (a) Requested Variance:

- To decrease the minimum front yard setback requirements from 7.5 metres (25 ft.) to 4.9 metres (16 ft.);
- To decrease the minimum rear yard setback requirements from 7.5 metres (25 ft.) to 1.5 metres (5 ft.);
- To decrease the minimum side yard setback (flanking street) from 7.5 metres (25 ft.) to 2.6 metres (8.5 ft.); and
- To decrease the minimum side yard setback from 3.6 metres (12 ft.) to 1.2 metres (4 ft.).

## Applicant's Reasons:

- The proposed Hindu temple is an adaptive reuse of two single family residences on-site which will be refurbished, renovated, and updated to serve their respective purposes as both a temple and a priest residence. As such, providing the normally required 7.5 metre (25 ft.) front, rear, and side yard setbacks would be prohibitive in allowing the reuse of the existing structures.
- There is a significant road dedication required along 80<sup>th</sup> Avenue (3.44 metres/11.3ft.) for the purposes of future road widening which eliminates the opportunity to retain the full by-law mandated front yard setback.
- For both rear and side yard setbacks, a variance is required to ensure that enough parking is provided on-site. The proposed parking area is expected to be adequately screened and accessed through an existing rear lane.

## Staff Comments:

- The proposed Hindu temple is reutilizing two existing single family residences; one will be refurbished, renovated, and upgraded for use as the temple, and the other single family residence will be repainted and repaired for use as a priest residence. By reusing the existing structures, the site can be effectively used for a small congregation of approximately 40-60 people. Furthermore, the DVP would only apply to the existing and proposed building and additions.
- The requested setbacks are needed to allow the existing building to be revised and achieve the necessary ancillary space such as parking. The current design will ensure that the temple is of sufficient size, the refurbishment is economically viable, and that all parking can be accommodated on-site.
- Additionally, the applicants plan to install extensive landscaping to clearly identify the public space from the private space of the temple.

## (b) Requested Variance:

- To increase the maximum height of an accessory structure from 4 metres (13 ft) to 9 metres (30 ft) to permit a flag pole for religious purposes only.

## Applicant's Reasons:

- A Hindu temple traditionally has a flag-pole where flags are raised during religious ceremonies. The flag pole height has been limited to 9 metres (30 ft.) equally the maximum height permitted for a primary structure under the PA-1 Zone.
- Flag Poles are typically permitted on religious sites.
- The applicant has agreed that the flag will not include any advertising and will only be used for religious purposes.

## Staff Comments:

- The location of the flag pole (in front of the building fronting 80<sup>th</sup> Avenue) and the proposed height (9 metres / 30 ft), will have minimal impact on the neighbourhood and will work to further identify the site as a religious institution in the neighbourhood.
- The proposed location of the flagpole is away from residential, is situated close to the building in a major arterial (80 Avenue).

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets
Appendix II.	Proposed Subdivision Layout
Appendix III.	Engineering Summary
Appendix IV.	Summary of Tree Survey and Tree Preservation
Appendix V	Development Variance Permit – 7909-0046-00
Appendix VI	Architectural Context Description
Appendix VII	Local Area Plan Amendment Map

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General Manager  
Planning and Development

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## SUBDIVISION DATA SHEET

**Proposed Zoning: PA-1**

Requires Project Data	Proposed
<b>GROSS SITE AREA</b>	
Acres	
Hectares	2117.75 sq. m.
<b>NUMBER OF LOTS</b>	
Existing	2
Proposed	1
<b>SIZE OF LOTS</b>	
Range of lot widths (metres)	
Range of lot areas (square metres)	
<b>DENSITY</b>	
Lots/Hectare & Lots/Acre (Gross)	
Lots/Hectare & Lots/Acre (Net)	
<b>SITE COVERAGE (in % of gross site area)</b>	
Maximum Coverage of Principal & Accessory Building	23%
Estimated Road, Lane & Driveway Coverage	50%
Total Site Coverage	
<b>PARKLAND</b>	
Area (square metres)	
% of Gross Site	
	<b>Required</b>
<b>PARKLAND</b>	
5% money in lieu	NO
<b>TREE SURVEY/ASSESSMENT</b>	NO
<b>MODEL BUILDING SCHEME</b>	NO
<b>HERITAGE SITE Retention</b>	NO
<b>BOUNDARY HEALTH Approval</b>	NO
<b>DEV. VARIANCE PERMIT required</b>	
Road Length/Standards	No
Works and Services	No
Building Retention	No
Others	Setbacks

## DEVELOPMENT DATA SHEET

Proposed/Existing Zoning: A-1

Required Development Data	Minimum Required / Maximum Allowed	Proposed
<b>LOT AREA*</b> (in square metres)		
Gross Total		
Road Widening area		
Undevelopable area		
Net Total		
<b>LOT COVERAGE</b> (in % of net lot area)		
Buildings & Structures		
Paved & Hard Surfaced Areas		
Total Site Coverage		
<b>SETBACKS</b> ( in metres)		
Front	7.5m	4.4m
Rear	7.5m	1.5m
Side #1 (W)	7.5m	2.6m
Side #2 (E)	3.6m	1.2m
<b>BUILDING HEIGHT</b> (in metres/storeys)		
Principal	9 metres	4.4 Metres
Accessory	4 metres	9 Metres
<b>NUMBER OF RESIDENTIAL UNITS</b>		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
<b>FLOOR AREA: Residential</b>		
<b>FLOOR AREA: Commercial</b>		
Retail		
Office		
Total		
<b>FLOOR AREA: Industrial</b>		
<b>FLOOR AREA: Institutional</b>		
<b>TOTAL BUILDING FLOOR AREA</b>		

*\* If the development site consists of more than one lot, lot dimensions pertain to the entire site.*

## Development Data Sheet cont'd

Required Development Data	Minimum Required / Maximum Allowed	Proposed
DENSITY		
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)		
FAR (gross)		
FAR (net)		
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional	20	20
Total Number of Parking Spaces	20	20
Number of disabled stalls	1	
Number of small cars	3	
Tandem Parking Spaces: Number / % of Total Number of Units		
Size of Tandem Parking Spaces width/length		

Heritage Site	NO	Tree Survey/Assessment Provided	YES
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