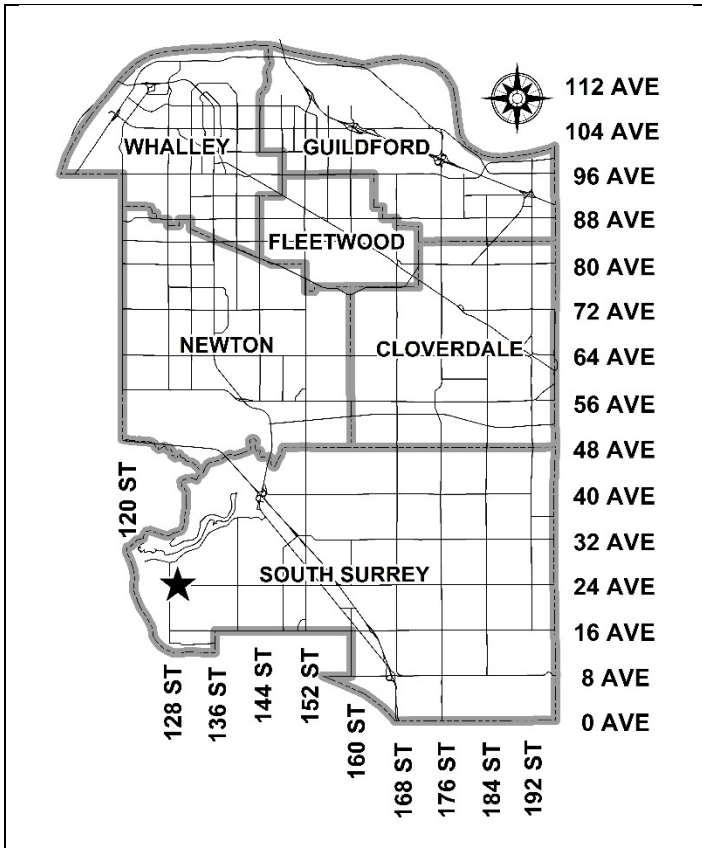


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**  
 Application No.: 7918-0268-00  
 Planning Report Date: December 7, 2020



**PROPOSAL:**

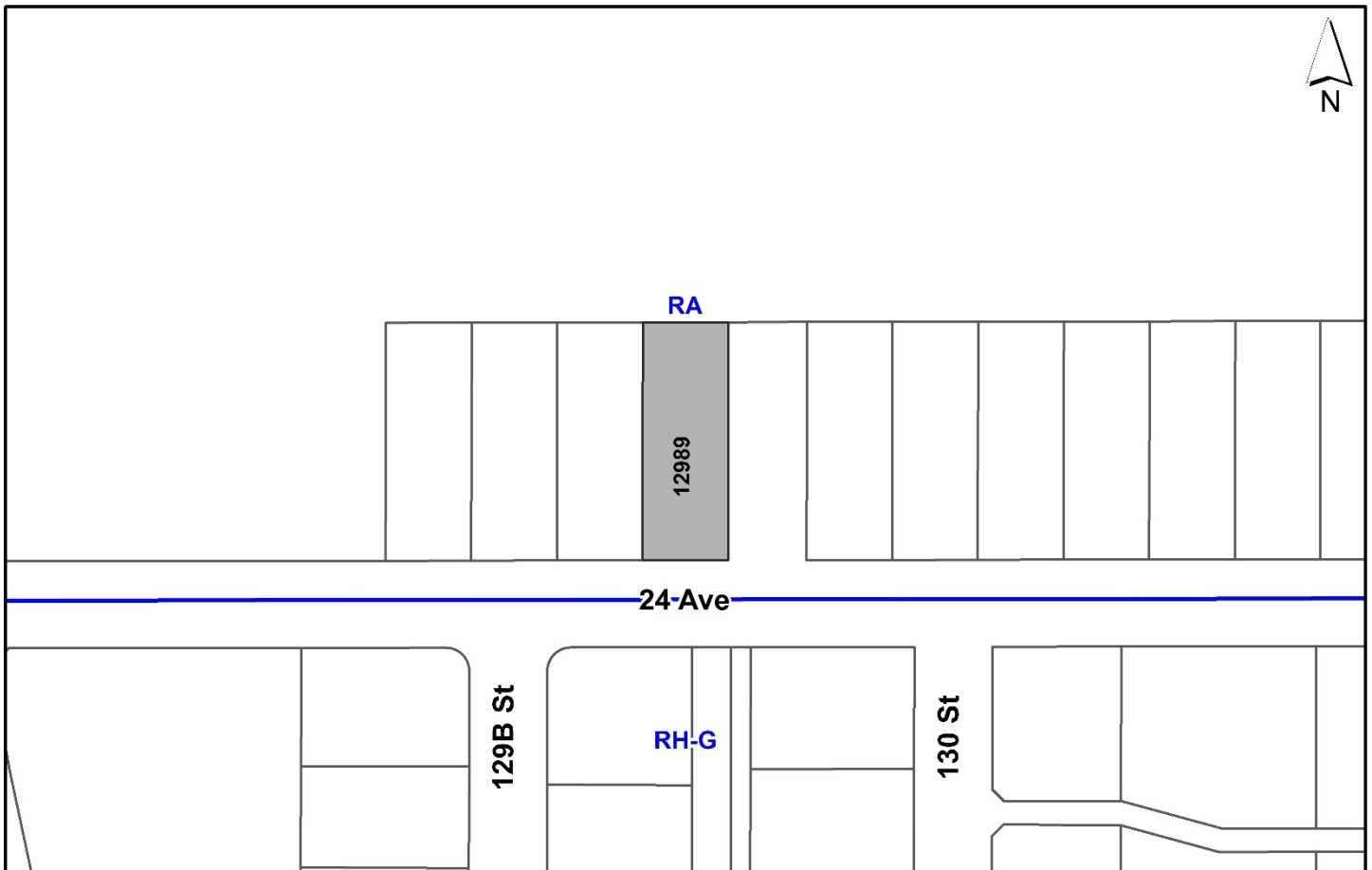
- **Development Variance Permit**
- **Development Permit for Sensitive Ecosystems**

to reduce the side yard on flanking street setback in order to facilitate construction of a single family dwelling.

**LOCATION:** 12989 - 24 Avenue

**ZONING:** RA

**OCP DESIGNATION:** Suburban Density Exception Area (max 2 upa)



## RECOMMENDATION SUMMARY

- Approval to draft Development Permit for Sensitive Ecosystems.
- Approval for Development Variance Permit to proceed to Public Notification.

## DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is proposing to reduce the required side yard on flanking street setback (east) of the One-Acre Residential (RA) Zone in order to facilitate construction of a single-family dwelling.

## RATIONALE OF RECOMMENDATION

- The proposal complies with the Suburban Density Exception Area (maximum 5 units per hectare (2 upa)) designation in the Official Community Plan (OCP) and with the General Urban designation in the Metro Vancouver Regional Growth Strategy (RGS).
- The proposal generally complies with the Development Permit requirements in the Official Community Plan (OCP) for Sensitive Ecosystems (Green Infrastructure Areas).
- The subject property abuts unopened city road allowance to the east that is utilized as a pedestrian access point for Crescent Park from 24 Avenue. This land is not anticipated to be converted into a constructed road and will remain as a pedestrian link for the foreseeable future. The applicant proposes that the east side yard abutting the unopened road allowance be treated as a standard RA zone side yard setback.
- Adherence to a 7.5 metre side yard on flanking street setback along the east property line would not leave adequate area for a functional building envelope on the subject property.
- Council approved Development Application No. 7916-0294-00 on property 12955 – 24 Avenue, two lots to the west from the subject property, reducing both east and west side yard setbacks of the RA zone from 4.5 metres to 3.0 metres. The property at 12955 – 24 Avenue abuts Crescent Park to the west and therefore has a similar park interface as the subject site.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. Council authorize staff to draft Development Permit No. 7918-0268-00 for Sensitive Ecosystems (Green Infrastructure Areas) generally in accordance with the finalized Ecosystem Development Plan.
2. Council approve Development Variance Permit No. 7918-0268-00 (Appendix III) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum side yard on flanking street setback of the One Acre Residential (RA) Zone from 7.5 metres to 4.5 metres to the principal building.
3. Council instruct staff to resolve the following issues prior to final approval:
  - (a) submission of a finalized arborist report, tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
  - (b) submission of the Landscape and Fencing Security, to the satisfaction of the Planning and Development Department; and
  - (c) registration of a Section 219 Restrictive Covenant over the designated Green Infrastructure Corridor on the subject property for both "No Build" and "Non-disturbance".

## SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Single Family Dwelling.	Suburban Density Exception Area (max 2 upa).	RA
North:	Crescent Park	Conservation and Recreation.	RA
East:	Unopened City Road allowance utilized as parkland.	Suburban Density Exception Area (max 2 upa).	RA
South (Across 24 Avenue):	Single Family Dwellings.	Suburban Density Exception Area (max 2 upa).	RH-G
West:	Single Family Dwelling.	Suburban Density Exception Area (max 2 upa).	RA

## Context & Background

- The subject lot is located at 12989 – 24 Avenue and is 1,339 square metres in area. The lot is designated "Suburban Density Exception Area (max 2 upa)" in the Official Community Plan (OCP).
- A Green Infrastructure Network (GIN) Corridor encumbers the subject lot, extending a 4.5 metre wide stretch along the entirety of the east property line.
- The subject property has a history of encroachment into the adjacent unopened City road allowance that is being utilized for pedestrian access to Crescent Park to the north. Due to the property abutting unopened road allowance, the east side yard setback is required to be treated as a minimum 7.5 metre side yard on flanking street setback under the RA Zone.
- The City's Transportation Engineering Department has confirmed that this unopened road allowance is intended to remain as a pedestrian link and will not be transitioned to a constructed road in the foreseeable future.
- Adherence to the 7.5 metres side yard on flanking street setback would result in a maximum building envelope width of 10 metres. The applicant proposes to treat the east side yard as a standard RA Zone side yard setback as opposed to a side yard on flanking street setback.

## DEVELOPMENT PROPOSAL

### Planning Considerations

- The applicant is applying for a Development Permit for Sensitive Ecosystems (Green Infrastructure Areas) and a Development Variance Permit to reduce the side yard flanking street setback (east) in order to facilitate the construction of a single family dwelling on a lot partially encumbered by a GIN Corridor.

### Referrals

Engineering:	The Engineering Department has no objection to the project.
Parks, Recreation & Culture:	The Parks Department requires all encroaching structures to be removed from the existing park and city land. The Parks Department has accepted the applicant's Cash-in-lieu proposal to address the previous parkland encroachment and restoration plantings to take place on city land. A 1.2 metre high wooden split rail fence is required to be installed adjacent to the east property line to restrict future encroachment.
Surrey Fire Department:	No referral required.

## Transportation Considerations

- Transportation Engineering staff have confirmed that the unopened City road allowance is intended to remain unconstructed for the foreseeable future. The area is expected to remain as pedestrian access from 24 Avenue for Crescent Park and continue to be maintained by the City of Surrey Parks Department.

## Parkland and/or Natural Area Considerations

- The historic encroachments by the previous owner of the subject property included installing private fencing within the GIN Corridor and onto the city road allowance abutting the east property line. Historic residential yard/ use/disturbances are proposed to be mitigated through restoration plantings identified within the Ecosystem Development Report (EDP) submitted by the applicant.
- The Parks Department has accepted the applicant's Cash-In-Lieu proposal to address the historic encroachment within the adjacent pedestrian link abutting the east property line. In conjunction with the restoration plantings proposed by the applicant's QEP, a 1.2 metre high wooden split rail fence is proposed along the legal east property line and on the subject property to discourage future encroachment.

## POLICY & BY-LAW CONSIDERATIONS

### Regional Growth Strategy

- The subject property is designated General Urban in the Regional Growth Strategy (RGS). The proposed new single-family dwelling complies with the General Urban designation.

### Official Community Plan

#### Land Use Designation

- The proposal aligns with the Suburban Density Exception Area (max 2 upa) Designation within the Official Community Plan (OCP).

### Zoning By-law

#### Setback Variance

- The applicant is requesting the following variance:
  - to reduce the minimum side yard on flanking street setback (east) of the RA Zone from 7.5 metres to 4.5 metres to the principal building.
- In 2016, Council approved Development Application No. 7916-0294-00 that proposed to reduce both the east and west side yard setbacks of the RA zone from 4.5 metres to 3.0 metres for a similarly sized RA lot at 12955 – 24 Avenue, which is located two lots to the west of the subject property. The applicant on the subject property is proposing a side yard setback be reduced to 4.5 metres.

- The subject property abuts unopened city road allowance which has historically functioned as a pedestrian link to parkland. A side yard abutting this area is required to be treated as a side yard on flanking street setback.
- Parks and Transportation Engineering staff have confirmed this unopened city road allowance is to remain unconstructed and will not be transitioned to constructed city road within the foreseeable future.
- A reduction from the 7.5 metre side yard flanking street setback will allow a functional house plan to be designed with a house width that is aligned closer to the widths of existing homes along this stretch of 24 Avenue.
- The applicant proposes to treat the east side yard setback as a standard 4.5 metre side yard setback under the RA Zone. The 4.5 metre side yard setback (east) will be further protected from encroachment through a no-build Restrictive Covenant which is required under the Sensitive Ecosystem Development Permit for Green Infrastructure Network (GIN) Corridor on the site.
- Staff support the requested variance to proceed for consideration.

## **DEVELOPMENT PERMIT**

### **Sensitive Ecosystems (Green Infrastructure Areas) Development Permit Requirement**

- The subject property falls within the Sensitive Ecosystems DPA for Green Infrastructure Areas in the OCP, given the location of a Biodiversity Conservation Strategy (BCS) Green Infrastructure Network (GIN) Corridor located along the eastern property line over the adjacent unopened road allowance. The Sensitive Ecosystems (Green Infrastructure Areas) Development Permit is required to protect environmentally sensitive and unique natural areas from the impacts of development.
- The City of Surrey Biodiversity Conservation Strategy (BCS) Green Infrastructure Network (GIN) map, adopted by Council on July 21, 2014 (Corporate Report No. R141; 2014), identifies a Regional BCS Corridor partially within the eastern part of the subject site, in the Sunnyside Acres BCS management area, with a medium ecological value.
- The BCS further identifies the GIN area of the subject site as having a Moderate habitat suitability rating, derived from species at risk presence, species accounts and known ecosystem habitat inventories. The BCS recommends a target Corridor total width of 30 meters.
- The development proposal will provide protection for 271 square meters of the subject site through Registering a Restrictive Covenant with landscaping which is 20% of the total gross area of the subject site (Appendix I). This method of GIN retention/enhancement will assist in the long-term protection of the natural features and allows the City to better achieve biodiversity at this location consistent with the guidelines contained in the BCS.

- An Ecosystem Development Plan, prepared by Ryan Preston, *B.Sc., P. Ag, CPESC* of Enkon Environmental and dated June 03, 2020 was reviewed by staff and found to be generally acceptable. The finalized report and recommendations will be incorporated into the Development Permit.

## TREES

- Terry Thrale, ISA Certified Arborist of Woodridge Tree Consulting Arborists prepared an Arborist Assessment for the subject property. The table below provides a summary of the tree retention and removal by tree species:

**Table 1: Summary of Tree Preservation by Tree Species:**

Tree Species	Existing	Remove	Retain
<b>Coniferous Trees</b>			
Western Red Cedar	4	4	0
Douglas Fir	4	0	4
Grand Fir	1	1	0
<b>Total (excluding Alder and Cottonwood Trees)</b>	<b>9</b>	<b>5</b>	<b>4</b>
<b>Total Replacement Trees Proposed (excluding Boulevard Street Trees)</b>		<b>4</b>	
<b>Total Retained and Replacement Trees</b>		<b>8</b>	
<b>Contribution to the Green City Program</b>		<b>\$2,400</b>	

- The Arborist Assessment states that there is a total of 9 mature trees on the site and no Alder and Cottonwood trees. It was determined that 4 on-site trees can be retained as part of this development proposal. The proposed tree retention was assessed taking into consideration the location of services and proposed building footprints.
- 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. Since only 4 replacement trees can be accommodated on the site, the deficit of 6 replacement trees will require a cash-in-lieu payment of \$2,400 representing \$400 per tree, to the Green City Program, in accordance with the City's Tree Protection By-law.
- In summary, a total of 8 trees are proposed to be retained or replaced on the site with a contribution of \$2,400 to the Green City Program.

**INFORMATION ATTACHED TO THIS REPORT**

The following information is attached to this Report:

- Appendix I. GIN Restoration Planting Plan
- Appendix II. Summary of Tree Survey and Tree Preservation
- Appendix III. Development Variance Permit No. 7918-0268-00

*approved by Shawn Low*

Jean Lamontagne  
General Manager  
Planning and Development

WS/cm



1.) Planted stock to be pocket planted using BCLNS 1P soil with 20-25% OM and min. 25% Fines. A total of 0.13 cubic metres will be required for pocket planting. Shrubs to be planted at 1m spacing and trees to be planted at 4m spacing.

2.) Soil test results to be provided to ENKON for review and approval in advance of delivery. Compliance with soil specifications will be required. Contact ENKON for a supplier if needed.

3.) All planted stock must be guaranteed nursery stock per BCLNA standards. Stock shall be inspected and approved by ENKON prior to installation.

4.) Packing slips are to be retained and provided to ENKON to assess compliance with the planting plan.

5.) Existing native vegetation within the planting areas is to be maintained in good condition where possible.

6.) All trees are to be staked in accordance with BCLNA standard.

7.) Planted stock to be watered 3 times weekly during dry periods from May 1 to September 30.

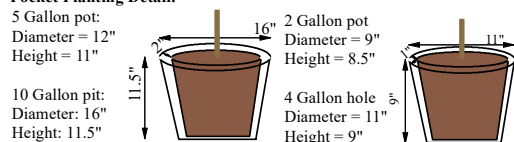
8.) Invasive plant species are to be removed from the restoration area as they emerge, including Himalayan blackberry roots and shoots.

9.) All works shall be conducted in accordance with sediment control provisions of the "Land Development Guidelines for the Protection of Aquatic Habitat" (DFO/MoE).

10.) Planted stock shall be inspected by the Owner or Owner's Representative to the end of the warranty period to assess requirements for watering and maintenance/weeding of non-native invasive plant species.

11.) Survivorship shall achieve 80% survival for all plants annually. City of Surrey Environmental Review Committee precedence indicates that riparian plantings are subject to a 3 year monitoring and maintenance program. Monitoring shall include an assessment of physical stability of project works, photographic documentation, and an assessment of riparian planting survivorship.

### Pocket Planting Detail:



### GIN Restoration Plan

Location:  
12989 24 Ave

Client:  
Divine Homes

### Legend

- Existing fence
- Proposed GIN Fence
- Subject property
- Existing house
- Development footprint
- Offsite Shrub Planting

### Nursery Stock (Label)

- Cs
- Pm
- Rn
- Rs
- Sa
- Sr
- Tp
- Fd
- Am
- Ac
- GIN corridor
- Crescent Park GIN Hub

Figure 3



1:350

Map Projection: UTM NAD83 10N  
Imagery: Used with permission from the City of Surrey

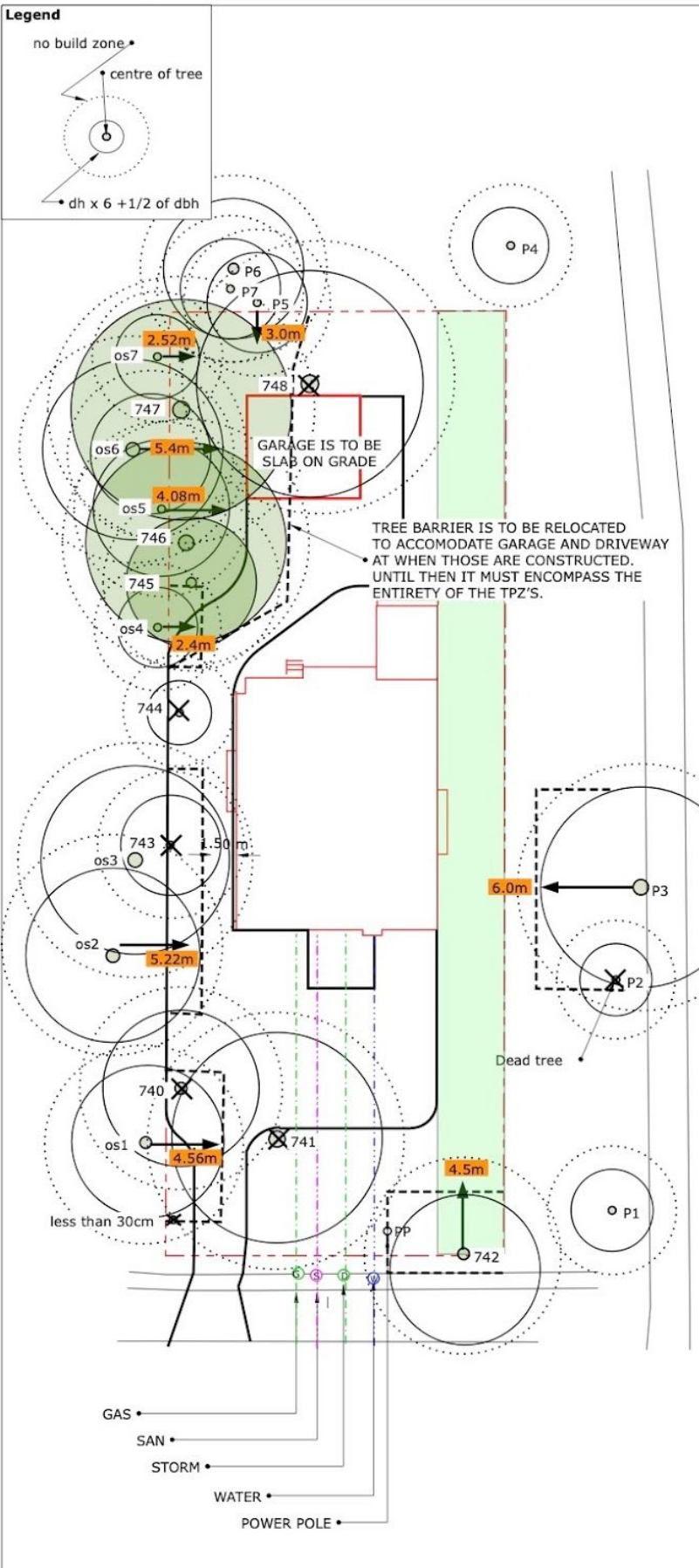
June 03, 2020



Tree stocking				
Common Name	Scientific Name	Label	Pot Size	Count
Douglas-fir	<i>Pseudotsuga Menziesii</i>	Pm	5	1
Vine maple	<i>Acer circinatum</i>	Ac	5	3
Western cedar	<i>Thuja plicata</i>	Tp	5	1
			<b>Total</b>	<b>5</b>

Shrub stocking				
Common Name	Scientific Name	Label	Pot Size	Count
Nootka rose	<i>Rosa nutkana</i>	Rn	2	10
Red elderberry	<i>Sambucus racemosa</i>	Sr	2	21
Snowberry	<i>Symphoricarpos albus</i>	Sa	2	21
Sword fern	<i>Polystichum munitum</i>	Pm	2	40
			<b>Total</b>	<b>92</b>

Note: Stocking tables limited to onsite planting deliverables. Offsite planting plan provided for illustration purposes.



**Tree Plan for Construction at  
12989 24 Avenue  
Surrey, BC**

**Date: November 17, 2020**

**Tree Inventory**

Tag	Species	DBH (cm)	TPZ (m)
740	Grand Fir	78	4.68
741	Western Red Cedar	105	6.3
742	Douglas Fir	75	4.5
743	Western Red Cedar	50	3.0
744	Western Red Cedar	32	1.92
745	Douglas Fir	65	3.9
746	Douglas Fir	100	6.0
747	Douglas Fir	110	6.6
748	Western Red Cedar	113	6.78
os1	Western Red Cedar	76	4.56
os2	Douglas Fir	87	5.22
os3	Douglas Fir	94	5.64
os4	Western Red Cedar	40	2.4
os5	Douglas Fir	68	4.08
os6	Douglas Fir	90	5.4
os7	Douglas Fir	42	2.52
p1	Red Alder	41	2.46
p2	Red Alder	36	2.16
p3	Black Cottonwood	100	6.0
p4	Red Alder	38	2.28
p5	Douglas Fir	50	3.0
p6	Western Red Cedar	70	4.2
p7	Douglas Fir	50	3.0

**Notes AND/OR Supervision Summary**

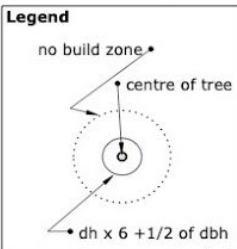
- Arborist to supervise tree removals. Stumps of removed trees within TPZ's must not be removed with excavator.
- Arborist to supervise the excavation of house.
- Arborist to supervise the excavation of the garage.
- Arborist to supervise installation of driveway.

**REGARDING DRIVEWAY GRADE.**  
The driveway is to be constructed at 2" above existing grade.

**Legend**

- x.xxm = distance of tree Barrier from outer edge Of trunk.
- dripline
- x = remove tree
- tree barrier

1m 10m  
1:250



**REPLACEMENT TREE PLAN**  
**12989 24 Avenue**  
**Surrey, BC**

**Date: November 17, 2020**

**Tree Inventory**

Tag	Species	DBH (cm)	TPZ (m)
740	Grand Fir	78	4.68
741	Western Red Cedar	105	6.3
742	Douglas Fir	75	4.5
743	Western Red Cedar	50	3.0
744	Western Red Cedar	32	1.92
745	Douglas Fir	65	3.9
746	Douglas Fir	100	6.0
747	Douglas Fir	110	6.6
748	Western Red Cedar	113	6.78
os1	Western Red Cedar	76	4.56
os2	Douglas Fir	87	5.22
os3	Douglas Fir	94	5.64
os4	Western Red Cedar	40	2.4
os5	Douglas Fir	68	4.08
os6	Douglas Fir	90	5.4
os7	Douglas Fir	42	2.52
p1	Red Alder	41	2.46
p2	Red Alder	36	2.16
p3	Black Cottonwood	100	6.0
p4	Red Alder	38	2.28
p5	Douglas Fir	50	3.0
p6	Western Red Cedar	70	4.2
p7	Douglas Fir	50	3.0

**Notes AND/OR Supervision Summary**

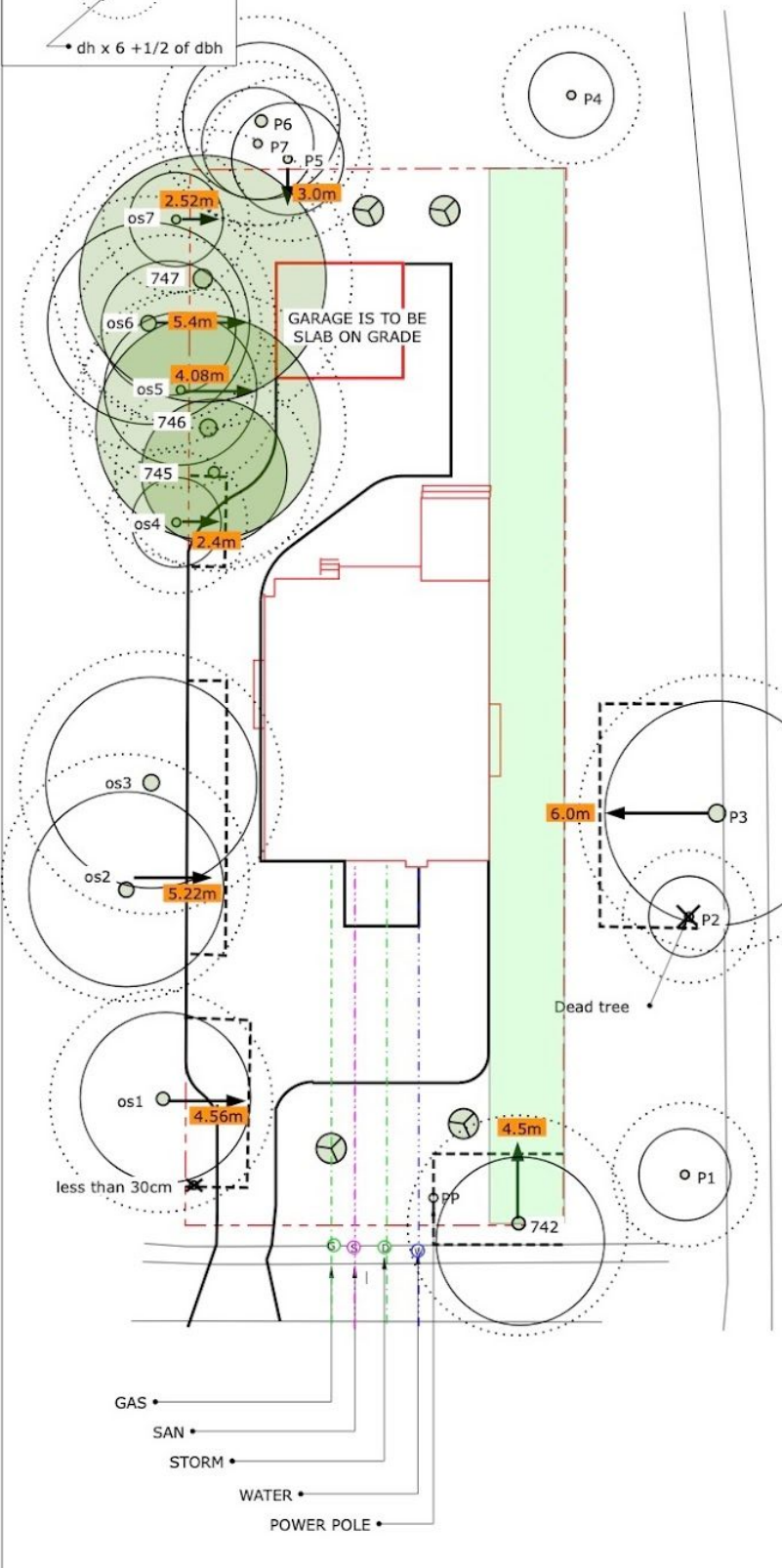
- Arborist to supervise tree removals. Stumps of removed trees within TPZ's must not be removed with excavator.
- Arborist to supervise the excavation of house.
- Arborist to supervise the excavation of the garage.
- Arborist to supervise installation of driveway.

**REGARDING DRIVEWAY GRADE.**  
 The driveway is to be constructed at 2" above existing grade.

**Legend**

- x.xxm = distance of tree Barrier from outer edge Of trunk.
- dripline
- x = remove tree
- tree barrier

N ↑



Surrey Project No: 18-0269

Address: 12989 24 Ave, Surrey

Registered Arborist: Woodridge Tree Consulting Arborists Ltd., Terry Thrale - PN6766A

<b>On-Site Trees</b>	<b>Number of Trees</b>
<b>Protected Trees Identified</b> (on-site and shared trees, including trees within boulevards and proposed streets and lanes, but excluding trees in proposed open space or riparian areas)	9
<b>Protected Trees to be Removed</b>	5
<b>Protected Trees to be Retained</b> (excluding trees within proposed open space or riparian areas)	4
<b>Total Replacement Trees Required:</b>  - Alder & Cottonwoods to be removed (1:1) 0 X one (1) = 0  - All other species to be removed (2:1) 5 X two (2) = 10	10
<b>Replacement Trees Proposed</b>	4
<b>Replacement Trees in Deficit</b>	6
<b>Protected Trees to be Retained in Proposed Open Space or Riparian Areas</b>	6

<b>Off-Site Trees</b>	<b>Number of Trees</b>
<b>Protected Trees to be Removed</b>	0
<b>Total Replacement Trees Required:</b>  - Alder & Cottonwoods to be removed (1:1) 0 X one (1) = 0  - All other species to be removed (2:1) 3 X two (2) = 6	0
<b>Replacement Trees Proposed</b>	0
<b>Replacement Trees in Deficit</b>	0

Summary, report and plan prepared and submitted by:



November 17, 2020

(Signature of Arborist)

Date

CITY OF SURREY

(the "City")

**DEVELOPMENT VARIANCE PERMIT**

NO.: 7918-0268-00

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: 002-257-912  
Lot 44 Section 20 Township 1 New Westminster District Plan 11976  
12989 - 24 Ave

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
  - (a) In Section F of Part 16 "One-Acre Residential Zone (RA)", the minimum side yard on flanking street setback (east) is reduced from 7.5 metres to 4.5 metres for the principal building;
4. This development variance permit applies to only the portion of the Land shown on Schedule A which is attached hereto and forms part of this development variance permit.
5. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.

6. This development variance permit shall lapse if the Owner does not substantially start any construction with respect to which this development variance permit is issued, within two (2) years after the date this development variance permit is issued.
7. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
8. This development variance permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE      DAY OF      , 20 .  
ISSUED THIS      DAY OF      , 20 .

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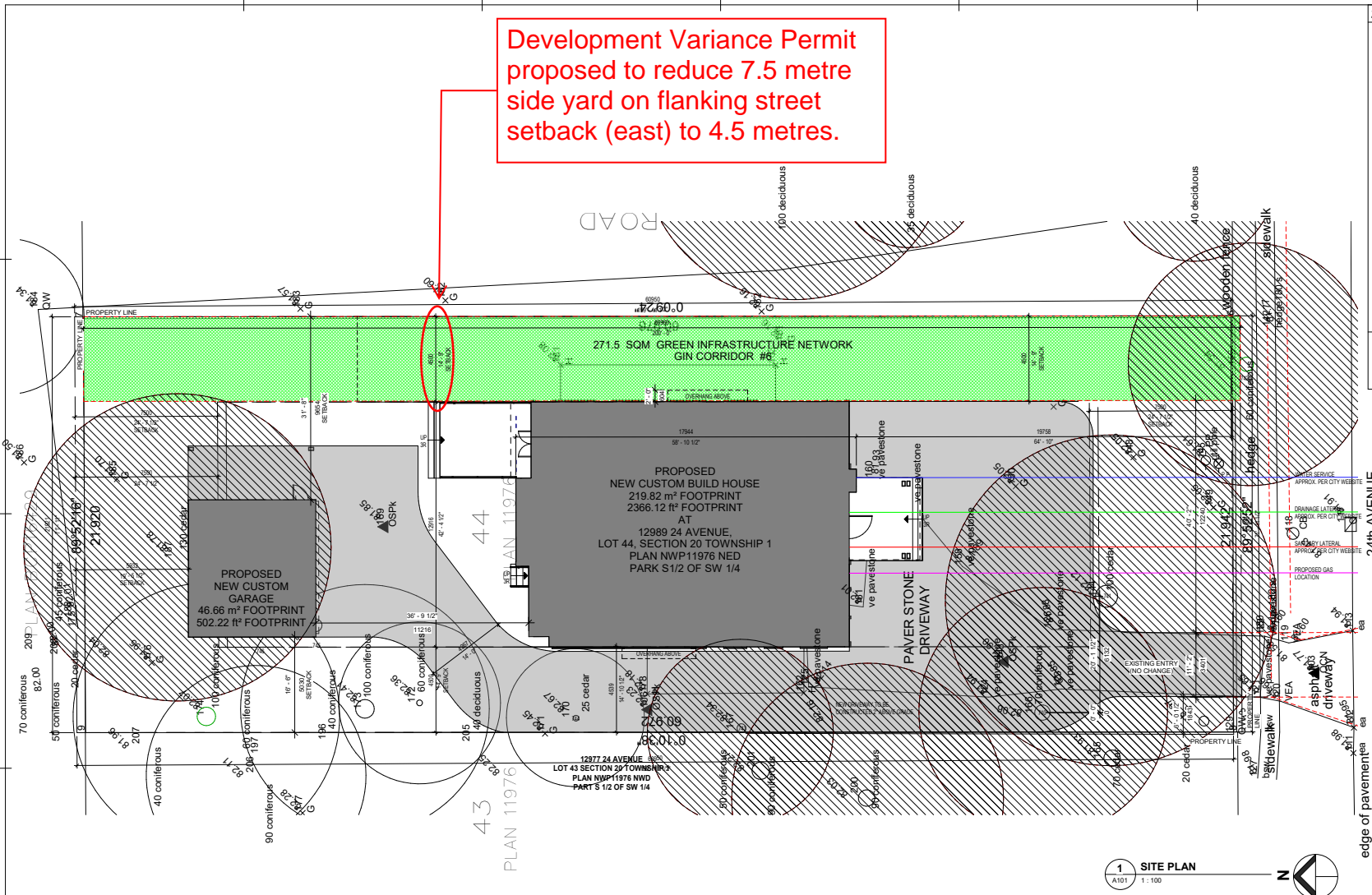
Mayor – Doug McCallum

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City Clerk – Jennifer Ficocelli

# Schedule A

Development Variance Permit proposed to reduce 7.5 metre side yard on flanking street setback (east) to 4.5 metres.



ZONING REGULATIONS	
MUNICIPAL ADDRESS:	12989 24th AVE, SURREY, BC
LEGAL ADDRESS:	LOT 44, SECTION 20, TOWNSHIP 1, NEW WESTMINSTER DISTRICT PLAN 11976, PLAN NWP11976 NED, PARK S1/2 OF SW 1/4
ZONING:	ONE-ACRE RESIDENTIAL ZONE (RA) (Urban Residential Zone)
PERMITTED USES:	RESIDENTIAL
SITE AREA:	1,339 m <sup>2</sup> (14,408 ft <sup>2</sup> )
GROSS MAIN FLOOR AREA =	266.48 m <sup>2</sup> (2,868.36 ft <sup>2</sup> ) (House 219.82m <sup>2</sup> + Garage 46.66m <sup>2</sup> )
SITE COVERAGE (MAX):	220.15m <sup>2</sup> (2369.67 ft <sup>2</sup> ) -HOUSE ONLY
PROVIDED:	20% or 267.8m <sup>2</sup> or 2882.57ft <sup>2</sup> (as per E.2(b) RA zoning requirements)
PROVIDED:	19.99 %
MAXIMUM HEIGHT:	8.00 m (30 ft)
PROPOSED HEIGHT:	8.7 m
PRINCIPAL BUILDING FRONT SETBACK:	7.50 m
PROVIDED:	19.7 m
REAR SETBACK:	7.50 m
PROVIDED:	23.2 m
SIDE SETBACKS:	4.50 m
PROVIDED:	4.50 m
ACCESSORY BUILDING FRONT SETBACK:	1.8 m
PROVIDED:	46.6 m
REAR SETBACK:	1.8 m
PROVIDED:	11.3 m
SIDE SETBACKS:	1.9 m
PROVIDED:	1.36 m AND 13.7

**DISCLAIMER:**  
 GEODETIC ELEVATION / MAIN FLOOR TO BE BASED AS PER CIVIL WHICH WILL BE PROVIDED LATER ON.

1 SITE PLAN  
 A101 1:100

Education  
 19-03-2020 09:55:24  
 West Vancouver  
 19-03-2020 09:55:24  
 West Vancouver (Development)  
 19-03-2020 09:55:24  
 West Vancouver  
 19-03-2020 09:55:24

Kumar architecture ltd.  
 www.kumararchitecture.com  
 admin@kumararchitecture.com  
 Excellence, Innovation and Holistic Designs

Rev	Issued	Revision / Drawing Issue	Drawn by
4	19-06-24	RE-ISSUED FOR CLIENT REVIEW	
3	19-06-12	RE-ISSUED FOR CLIENT REVIEW	
2	19-04-18	RE-ISSUED FOR CLIENT REVIEW	
1	19-04-17	ISSUED FOR CLIENT REVIEW	

SEAL

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PROJECT  
 Custom House  
 12989 24 Avenue, Surrey, BC

DRAWING TITLE  
 SITE PLAN

Project number	Date	Nov 18, 2020
BC1219	Scale	As Indicated
Drawn by	Checked by	REVISION
JL & MB	RK	4
A101		

C:\Users\kumar\Documents\12989\_24th Ave Custom House - CE\PLAN (2021)\_dwg\19-03-2020.dwg