

City of Surrey
PLANNING & DEVELOPMENT REPORT

Application No.: 7919-0228-00

Planning Report Date: October 5, 2020

PROPOSAL:

- **Development Permit Amendment**
- **Restrictive Covenant Amendment**
- **Development Variance Permit**

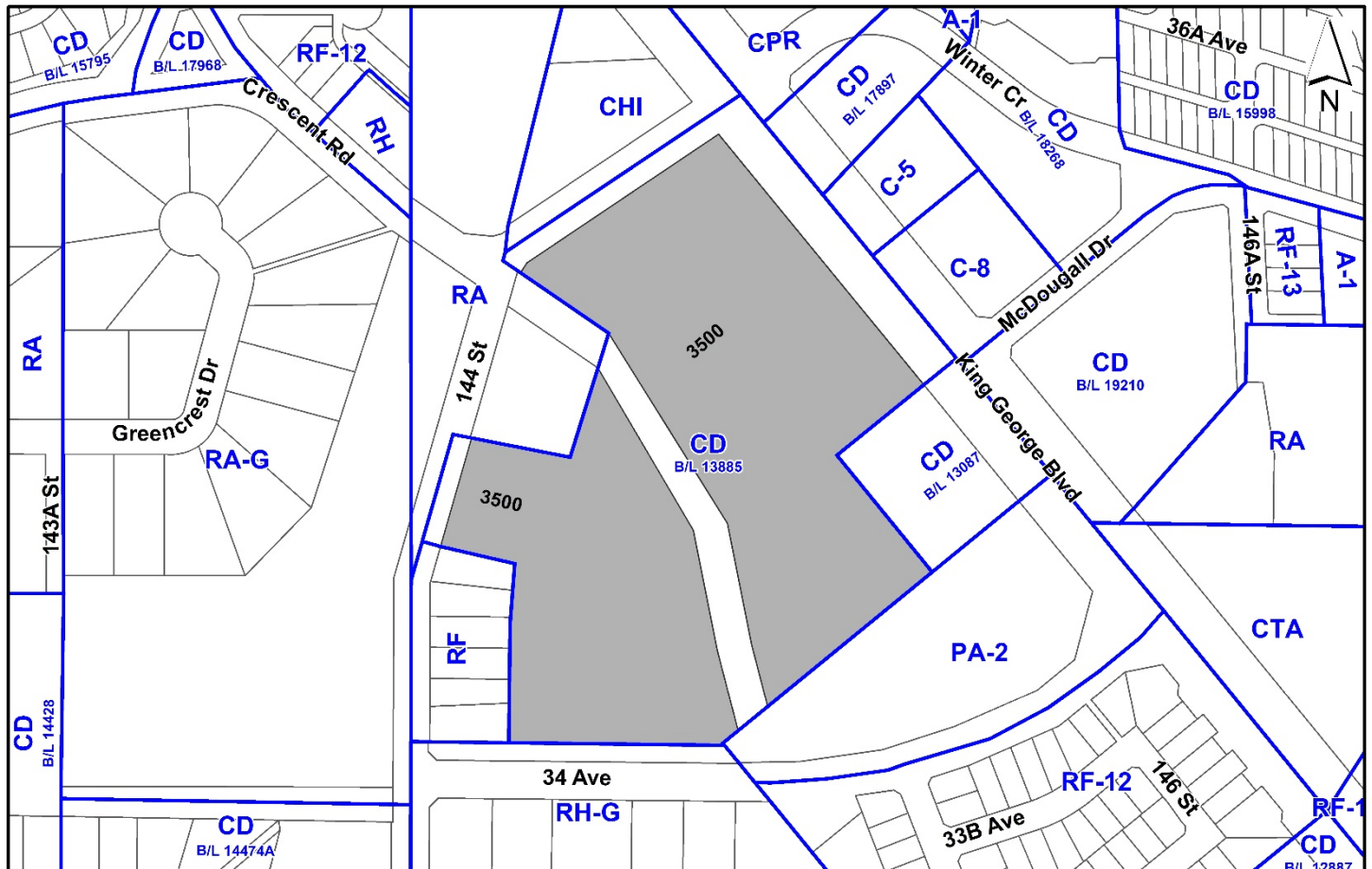
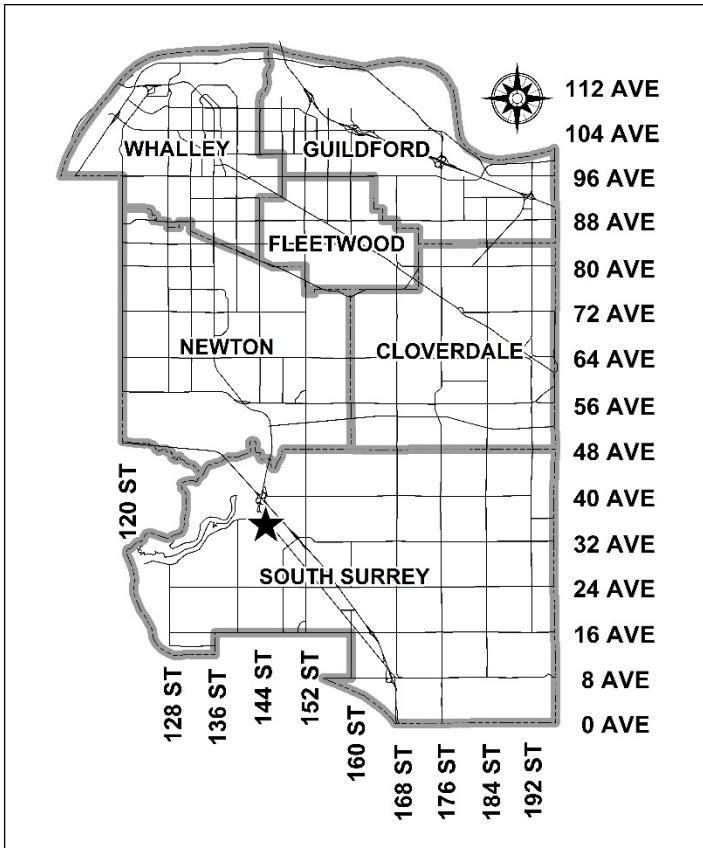
to allow the retention of existing decks and accommodate additional decks in the future.

LOCATION: 3500 - 144 Street

ZONING: CD (By-law No. 13885)

OCP DESIGNATION: Urban

LAP DESIGNATION: Clustering at Urban Single Family Density (8 u.p.a.) & Landscape Buffer



RECOMMENDATION SUMMARY

- Approval to draft Development Permit for Form and Character.
- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Proposing to vary the east side yard setback (King George Boulevard) requirement of the CD Zone (By-law No. 13885).
- Proposing to vary the 15 metre strip of undisturbed vegetation along the King George Boulevard frontage requirement of the CD Zone (By-law No. 13885).
- Proposing to amend a tree and landscaping buffer covenant to permit the retention of existing decks and patios.
- Proposing to remove an existing secondary access covenant from title to allow the retention of an existing patio.
- Proposing to amend Development Permit No. 7900-0274-00 to permit the location of existing decks and patios.

RATIONALE OF RECOMMENDATION

- One deck and four patios have been constructed, without permits, within the landscaping strip along King George Boulevard required by CD-By-law No. 13885 and an existing landscape buffer restrictive covenant.
- The existing deck and patios encroach up to 4.1 metres into the east side yard (King George Boulevard) and 2.6 metres into the tree buffer restrictive covenant area.
- The 16.5 metre setback of the CD Zone (By-law No. 13885) and the 15 metre tree buffer were established to provide a visual and noise buffer from King George Boulevard.
- The construction of the existing deck and patios have not impacted any mature trees, nor did they displace any of the landscaping established by Development Permit No. 7900-0274-00. The integrity of the buffer remains intact, despite the encroachment of the deck and patios.
- One of the patios was constructed in a restrictive covenant area that was designated for a secondary access point which is no longer required. It is appropriate for this covenant to be removed from title.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council authorize staff to draft Development Permit No. 7919-0228-00 generally in accordance with the attached drawings (Appendix II).
2. Council approve Development Variance Permit No. 7919-0228-00 (Appendix IV) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum side yard (King George Boulevard) setback for an accessory structure of the Comprehensive Development (CD) Zone (By-law No. 13885) from 16.5 metres to 12.4 metres; and
 - (b) to reduce the strip of undisturbed vegetation along the King George Boulevard frontage of the Comprehensive Development (CD) Zone (By-law No. 13885) from 15 metres to 12.4 metres minimum.
3. Council instruct staff to resolve the following issues prior to final approval:
 - (a) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (b) amend Restrictive Covenant BN251889, for tree and landscaping buffer, to allow existing and future decks to be located within a portion of the buffer area adjacent to King George Boulevard; and
 - (c) discharge Restrictive Covenant BN251895, which reserved land for a secondary access point to the property, from title.

SITE CONTEXT & BACKGROUND

| Direction | Existing Use | LAP Designation | Existing Zone |
|----------------------------------|-----------------|--|-----------------------|
| Subject Site | Strata duplexes | Clustering at Urban Single Family Density (8 u.p.a.) & Proposed Buffer | CD (By-law No. 13885) |
| North (Across Crescent Rd): | Car Dealership | Commercial | CHI |
| North (Across King George Blvd): | Park | Proposed Landscape Buffer (15-m wide)/Golf Course | CPR |

| Direction | Existing Use | LAP Designation | Existing Zone |
|---------------------------------------|---|---------------------------------------|-------------------------------|
| North/East (Across King George Blvd): | Child Care/Commercial | Commercial | CD (By-law No. 17897)/C-5/C-8 |
| East: | Gas Station | Commercial | |
| South: | Church | Institutional | PA-2 |
| South (Across 34 Ave): | Single Family Residential | Suburban ½ Acre Residental (2 u.p.a.) | RH-G |
| West: | Elgin Centre Preschool/ Single Family Residential | Institutional | RA |
| West (Across 144 Street): | Elgin Estates Park | Park | RA |

Context & Background

- The site is 56,217 square metres in area and is located between King George Boulevard, Crescent Road, 144 Street and 34 Avenue. The Semiahmoo Trail bisects the property.
- The site is designated Urban in the Official Community Plan (OCP) and Clustering at Urban Single Family Density (8 u.p.a.) and 15 metre Landscape buffer in the King George Corridor South Local Area Plan (LAP).
- A general development permit was issued for the site under Development Application 7995-0095-00. The development permit provided a general development concept for the area. Primary access to the multifamily housing project was identified along 144 Street, with potential secondary access being gained from either Crescent Road or King George Boulevard. These secondary entries were protected under Restrictive Covenant BN251895.
- The site was rezoned to Comprehensive Development (CD) Zone (By-law No. 13885) through Development Application No. 7999-0180-00 and a development permit was issued for the first phase of the 105 unit townhouse project. The first phase was located to the west of the Semiahmoo Trail.
- The overall development concept has changed from general Development Permit No. 7995-0095-00. The internal road network was altered and challenges to lot grading prompted the secondary access to be removed from the proposal. The only access to the townhouse complex is from 144 street, leaving Restrictive Covenant BN251895 obsolete.
- The second phase of the project, the area located to the east of the Semiahmoo Trails, was approved under Development Permit No. 7900-0274-00. Restrictive Covenant BN251889 was registered on title, as a condition of the Development Permit to provide a 15 metre buffer from King George Boulevard (the “landscape buffer restrictive covenant”). The landscape buffer restrictive covenant was common practice at the time and was created to provide a visual barrier between residential development and King George Boulevard.

- The townhouse project construction was completed in 2002. Outdoor patios adjacent to the strata lots, forming part of the Limited Common Property, were included in the development. Units 92, 93, 96, 97, 100, and 101 (the “subject strata units”) were provided with patios approximately 12.5 square metres each in area.
- The applicant advised that in 2002, stairs were constructed within the landscape buffer restrictive covenant to provide access from the patio attached to Unit 93 to the lawn below.
- In 2005, a deck extension to the existing patio attached to unit 93 was constructed without permits. The patio extension encroached approximately 1.3 metres into the landscape buffer restrictive covenant area and was located approximately 13.7 metres from King George Boulevard. The Zoning By-law defines deck to mean a platform or floor attached to a dwelling that is greater than 0.6 metres from grade.
- Around this time, an at-grade stone patio was also constructed within the landscape buffer.
- In 2014, the current owner of unit 93 replaced the unpermitted deck extension with a new, larger deck and new set of stairs. This work was completed without the requisite approvals from the City. This deck extends 2.6 metres into the landscape buffer restrictive covenant area and is located 12.4 metres from King George Boulevard.
- A bylaw complaint was made to the City regarding the unpermitted construction at unit 93 and a building permit application was submitted to permit the deck on October 23, 2014. After the building permit was submitted, the strata owner was informed that they were also required to apply for a development variance permit, restrictive covenant amendment and minor development permit amendment before the building permit could be approved.
- Should Council approve the Planning Recommendations of this report, the owner of unit 93 will need to have a building permit approved for the unpermitted deck.
- Units 92, 97, 100 and 101 have also extended their patios into the landscaping buffer restrictive covenant area and building setbacks. These four patios are under 0.6 metres in height and are therefore considered patios and not decks. As a result, these patios are allowed to encroach into the building setbacks as permitted by Part 4, General Provisions, Section 17 (c) of the Surrey Zoning By-law 12000 and did not require building permits for their construction as specified by Surrey Building Bylaw 2012 No. 17850.
- While this application was being processed by City Staff, the owner of Unit 93, with the consent of the Strata, resurfaced the at-grade stone patio.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant (Strata Council of Strata Plan LMS 4530) has applied for a Development Variance Permit to reduce the east side yard setback (King George Boulevard) of CD By-law No. 13885 from 16.5 metres to 12.4 metres and to reduce the required strip of undisturbed vegetation along King George Boulevard from 15 metres to 12.4 metres, an amendment to Restrictive Covenant No BN251889, to discharge Restrictive Covenant BN251895 from title and an amendment to Development Permit Nos. 7900-0274-00, to allow the retention of existing decks and patios connected with units 92, 93, 97, 100 and 101.
- There are six strata units that back onto King George Boulevard (units 92, 93, 96, 97, 100, 101). Five of these strata units (92, 93, 97, 100 and 101) have expanded their patios beyond what was approved under the strata plan. Of the five extensions, the one attached to unit 93 has been extended the furthest into the landscaping buffer, is the only deck larger than 0.6 metres in height and is located 12.4 metres from the east side yard (King George Boulevard).

Referrals

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

POLICY & BY-LAW CONSIDERATIONS

Secondary Plans

Land Use Designation

- The site is located within the King George Corridor South Local Area Plan (LAP) and is designated “Clustering at Urban Single Family Density (8 u.p.a.)” and “Landscape Buffer”.
- The existing patios and decks attached to units 92, 93, 97, 100 and 101 are located within the “Landscape Buffer” designated portion of the site.
- The intention of the landscape buffer is to provide a visual separation from the residential uses to King George Boulevard. The primary characteristic and purpose of the buffer remains intact despite the encroachment of patios and decks into the area as no trees and landscaping were removed through construction of the decks.
- As no significant vegetation was removed to construct the decks and the landscape buffer still functions as intended by the LAP, no amendment to the King George LAP is required.

Zoning By-law

Setback and Landscaping Variances

- The applicant is requesting the following variances:
 - to reduce the minimum side yard (King George Boulevard) setback for an accessory structure of the Comprehensive Development (CD) Zone (By-law No. 13885) from 16.5 metres to 12.4 metres; and
 - to reduce the strip of undisturbed vegetation along the King George Boulevard frontage of the Comprehensive Development (CD) Zone (By-law No. 13885) from 15 metres to 12.4 metres minimum.
- CD By-law No. 13885 was written to enable cluster housing that provided significant tree retention on the site. This included a generous 16.5 metre setback and a 15 metre landscape buffer from King George Boulevard in order to protect perimeter trees, provide for enhanced landscaping, and provide a visual and noise buffer from King George Boulevard.
- No bylaw protected trees were removed to construct the existing patios and decks, nor was any landscaping removed that was planted under Development Permit No. 7900-0274-00.
- A 12.4 metre setback and landscape buffer maintains significant separation from King George Boulevard.
- The variance is for accessory structures (i.e. decks and patios) only; no habitable area will be constructed within the 16.5 metre setback.
- Staff find that since no protected trees and landscaping were disturbed during the construction of the patios and decks attached to units 92, 93, 97, 100 and 101 and that 12.4 metres remains a generous setback for accessory structures, the existing decks do not adversely impact the intent of the landscape buffer and side yard setback.
- Staff support the requested variances to proceed for consideration.

PUBLIC ENGAGEMENT

- Pre-notification letters were sent on January 9, 2020, with a revised letter mailed on March 1, 2020. A Development Proposal Sign was installed on January 10, 2020. Staff have received responses from eight area households regarding the proposal: five in opposition, one in support and two requesting additional information on the proposal.
- Residents who opposed the proposal expressed concerns specifically related to the deck attached to unit 93. Residents noted that the deck was constructed without the approval of the City or the Strata Council. It was also noted that that the deck attached to unit 93 differs in character from the adjacent decks as it was constructed 1.5 metres above grade, whereas the patios on other units have been constructed at grade.

- Staff's response to these comments are as follows:

(Staff have evaluated the existing decks and patios associated with the six units that back onto King George Boulevard against the regulations and restrictions applicable to the property. While many of the existing patios have been extended into the regulated landscape buffer, no trees and landscaping associated with the approved development permit for the townhouse complex have been removed as a result of the deck expansion. Despite the decks' encroachment into the setback and landscaping area, the intent of the vegetative buffer to King George Boulevard remains intact.)

- Staff engaged the strata council of the adjacent townhouse complex (Crescent I) regarding the discharge of Restrictive Covenant BN251895, which protected area for additional access points to the subject site. At their Strata Council meeting on September 23, 2020, Crescent I Strata resolved to provide no comment on the proposal to remove Restrictive Covenant BN251895 from title of the Crescent II Strata.

DEVELOPMENT PERMITS

Form and Character Development Permit Amendment

- Development Permit No. 7900-0274-00 provided for the construction of modest patios at the rear of the strata units, but did not provide for decks and patios of the size that have been constructed adjacent to King George Boulevard.
- Staff find that the existing deck of unit 93 and the patios attached to units 92, 97, 100, and 101 are in keeping with the character of the existing strata complex and does not represent a major change from the overall form and character approved under Development Permit 7900-0274-00.
- Staff support the approval of this deck as a minor amendment to the existing Development Permit.

RESTRICTIVE COVENANT AMENDMENT

Restrictive Covenant BN251889

- The 15 metre landscape buffer that was established by By-law No. 13885 was further protected through Restrictive Covenant No. BN251889.
- The intent of the restrictive covenant was to maintain a tree buffer, in perpetuity, that would serve as a visual and noise buffer to the townhouse complex.
- The restrictive covenant included a clause that prevents the building of any improvements (unless specified) within the buffer or doing any action that would adversely affect the tree buffer.
- As no trees and landscaping were removed as a result of deck and patio construction, and the intent of the covenant remains intact, staff support the amendment of the restrictive covenant to allow the construction of patios and decks within a portion of the covenant area.

Restrictive Covenant BN251895

- Restrictive Covenant BN251895 was registered on title of the subject property in conjunction with Development Application No. 7995-0095-00, a General Development Permit that established an initial development concept for both the Crescent I and Crescent II townhouse complexes.
- Restrictive Covenant BN251895 was intended to protect two areas for a future secondary access point to the complex. These two areas were to provide access from Crescent Road and King George Boulevard Respectively, while the primary entrance to the complex would be from 144 Street.
- The townhouse complex was subsequently developed in two phases under two separate development applications (7999-0180-00 and 7900-0274-00). Both projects saw changes to the original development concept that was created under Development Application 7995-0095-00, which eliminated the need for a secondary access from either Crescent Road or King George Boulevard.
- Restrictive Covenant BN251896 was intended to be discharged from title of the subject property at the completion of Development Application No. 7900-0274-00, but the request was never submitted to the Land Title Office.
- With the completion of the townhouse project, the covenant is now obsolete, as it was intended to reserve land for access at the time of development.
- The patio associated with unit 101 has been constructed within the covenant area of BN251896, which contains terms specifying that no improvements should be constructed in the specified area.
- As there is no longer any need to reserve this land for access to the strata complex, staff recommend that the covenant be discharged from title.

TREES

- Noah Talbot, ISA Certified Arborist of McElhanney Consulting Services Ltd. 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 |
|---|----------|--------|--------|
| Alder and Cottonwood Trees | | | |
| Alder | 1 | 0 | 1 |
| Deciduous Trees (excluding Alder and Cottonwood Trees) | | | |
| Cherry | 1 | 0 | 1 |
| Big Leaf Maple | 1 | 0 | 1 |
| Coniferous Trees | | | |
| Douglas Fir | 6 | 0 | 6 |

| Tree Species | Existing | Remove | Retain |
|--|-----------------|---------------|---------------|
| Western Red Cedar | 6 | 0 | 6 |
| Total (excluding Alder and Cottonwood Trees) | 14 | 0 | 14 |
| Total Replacement Trees Proposed (excluding Boulevard Street Trees) | | | |
| | | 0 | |
| Total Retained and Replacement Trees | | | |
| | | 15 | |
| Contribution to the Green City Program | | | |
| | | 0 | |

- Staff requested that an Arborist Assessment be completed to assess whether the constructed deck of unit 93 had impacted any protected trees.
- The Arborist Assessment reviewed all trees within five (5) metres of the patio and states that there is a total of 15 mature trees in the area, including one Alder tree, approximately 7% of the total trees.
- The deck associated with unit 93 is the only one that has been constructed in proximity to by-law protected trees. The deck has been constructed within the tree protection zone (TPZ) of three trees and within the additional 1.5 metre no-build buffer of three other trees.
- While the deck has encroached into the protection area of 6 trees, the Arborist Assessment notes that the health of the trees has not been negatively impacted as a result of the deck.
- Staff concur with the findings of the report that no trees have been adversely impacted by the constructed deck.
- To reduce the risk of future impacts on by-law protected trees, the amended covenant will contain language requiring all future work conducted in the landscape buffer covenant area to be assessed by an ISA certified arborist and reviewed by the City.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Site Plan
- Appendix II. Plans of existing Deck associated with unit 93
- Appendix III. Summary of Tree Survey and Tree Preservation
- Appendix IV. Development Variance Permit No. 7919-0228-00

approved by Shawn Low

Jean Lamontagne
General Manager
Planning and Development

BD/cm

APPENDIX I

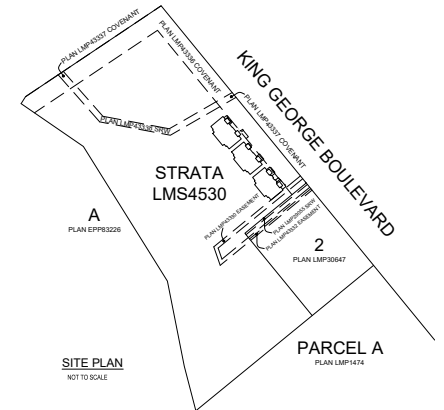
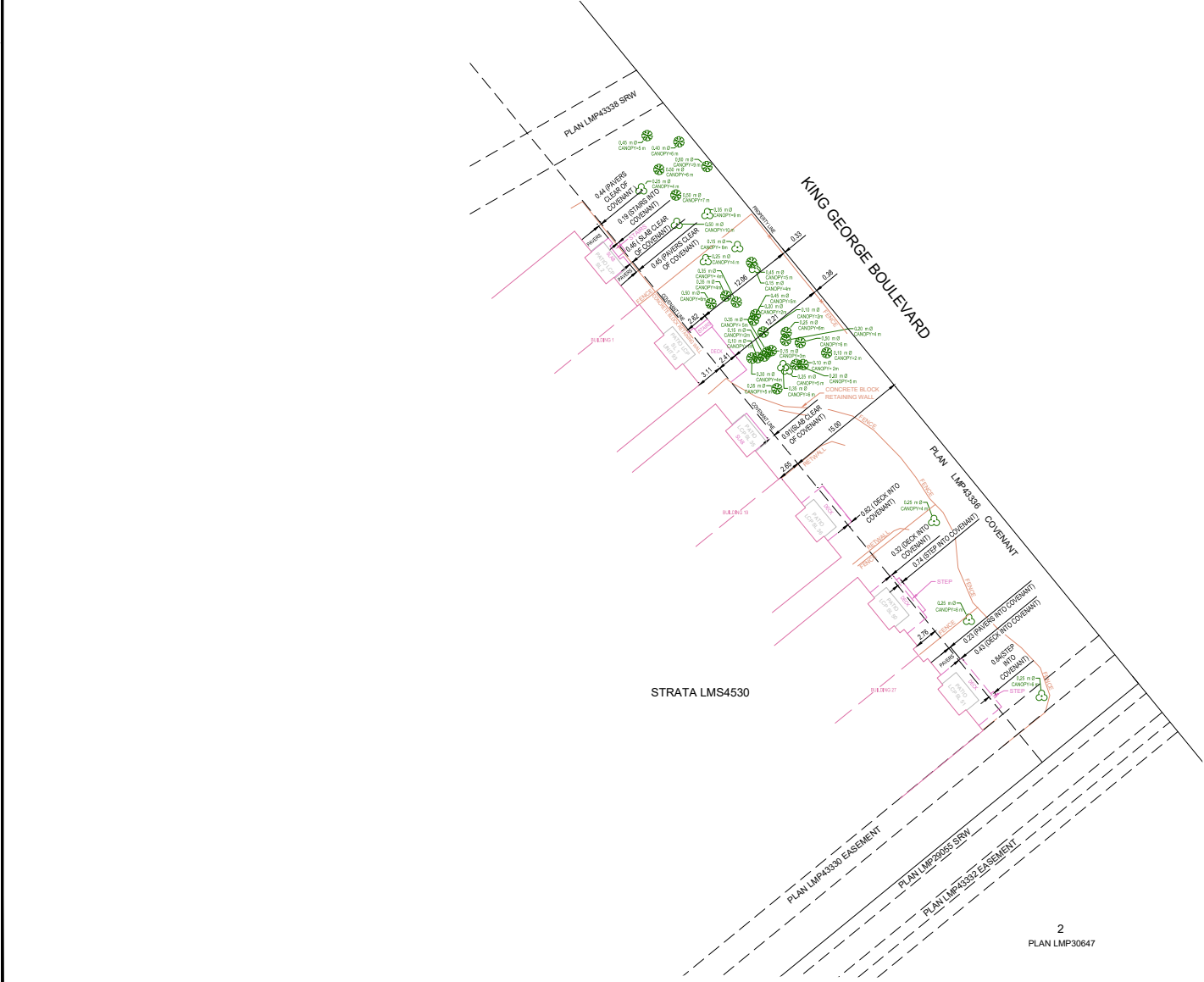


LEGEND

- TREE - CONIFEROUS
- TREE - DECIDUOUS
- TREE TRUNK DIAMETER

NOTES

1. UNREGISTERED INTERESTS HAVE NOT BEEN INCLUDED OR CONSIDERED.
2. THE SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE 12TH DAY OF FEB. 2023.
3. OFFSETS ARE SHOWN TO EXTERNAL FACE OF BUILDING AND CENTRE OF FENCE.
4. LIMITED COMMON PROPERTY AREAS ARE APPROXIMATE ONLY.



THIS PROPERTY MAY BE SUBJECT TO THE FOLLOWING:
 FURNISH UNDER PART 20 OF THE HURON ACT, SEE B1141889
 FURNISH UNDER PART 20 OF THE LOCAL GOVERNMENT ACT, SEE BR118268, BR118227
 ZONING REGULATIONS AND PLAN UNDER THE AERONAUTICS ACT (CANADA) FILED 11015781 UNDER NO. 154793 PLAN
 NO. 0188
 STATUTORY RIGHT OF WAY: BN25188, BN25181, BN25186, BN217465, BR217466
 COVENANT: BN25189, BN25180, BN25182, BN25186

THIS TOPOGRAPHIC PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE PROFESSIONAL REFERENCE MANUAL AND IS CERTIFIED CORRECT THE 22ND DAY OF FEB. 2023.

JASON S. HAMEL, B.S.C., O.S.
 THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED.

ALL RIGHTS RESERVED. NO PERSON MAY COPY, REPRODUCE, RE-PUBLISH, TRANSMIT OR ALTER THE DOCUMENT, IN WHOLE OR IN PART, WITHOUT THE EXPRESS WRITTEN CONSENT OF McELHANNNEY ASSOCIATED LAND SURVEYING LTD.

| Rev | Date | Description | Drawn | Survey | Appd |
|-----|------------|--------------------|-------|--------|------|
| 0 | 2023-14-02 | TOPOGRAPHIC SURVEY | AJ | JC | JH |

THIS DRAWING AND COVER BY THE PROPERTY OF McELHANNNEY AND SHALL NOT BE USED, REPRODUCED OR REPRODUCED WITHOUT THE CONSENT OF McELHANNNEY. McELHANNNEY SHALL NOT BE HELD RESPONSIBLE FOR THE IMPROPER OR UNAUTHORIZED USE OF THIS DRAWING AND DESIGN.

THIS DRAWING AND DESIGN HAS BEEN PREPARED FOR THE CLIENT'S PURPOSES TO MEET THE STANDARDS AND REQUIREMENTS OF THE APPLICABLE REGULATIONS AT THE TIME OF PREPARATION. McELHANNNEY, ITS EMPLOYEES, SUBCONTRACTORS AND AGENTS WILL NOT BE LIABLE FOR ANY LOSSES OR OTHER CONSEQUENCES RESULTING FROM THE USE OR RELIANCE UPON OR ANY CHANGES MADE TO THIS DRAWING, IN ANY FORM OR PART, INCLUDING CONTRACTORS, SUBMITTERS, CONSULTANTS AND OTHER HOLDERS, OR THEIR EMPLOYEES OR AGENTS, WITHOUT McELHANNNEY'S PRIOR WRITTEN CONSENT.

NO WARRANTY OR ENDORSEMENT OR FACILITIES MAY NOT BE COMPLETE OR ACCURATE. McELHANNNEY, ITS EMPLOYEES AND AGENTS ARE NOT RESPONSIBLE FOR ANY LOSSES OR DAMAGES OF ANY KIND, INCLUDING CONTRACTORS, SUBMITTERS, CONSULTANTS AND OTHER HOLDERS, OR THEIR EMPLOYEES OR AGENTS, WITHOUT McELHANNNEY'S PRIOR WRITTEN CONSENT.

McELHANNNEY ASSOCIATED LAND SURVEYING LTD.
 14878997.MXD 2023.02.02 10:52:00 AM

McElhannney
 Suite 2100
 1560 12th Avenue
 Surrey BC
 Canada V7T 5X3
 Tel: 604 598 0991

Scale 1:250

CROSSROADS MANAGEMENT

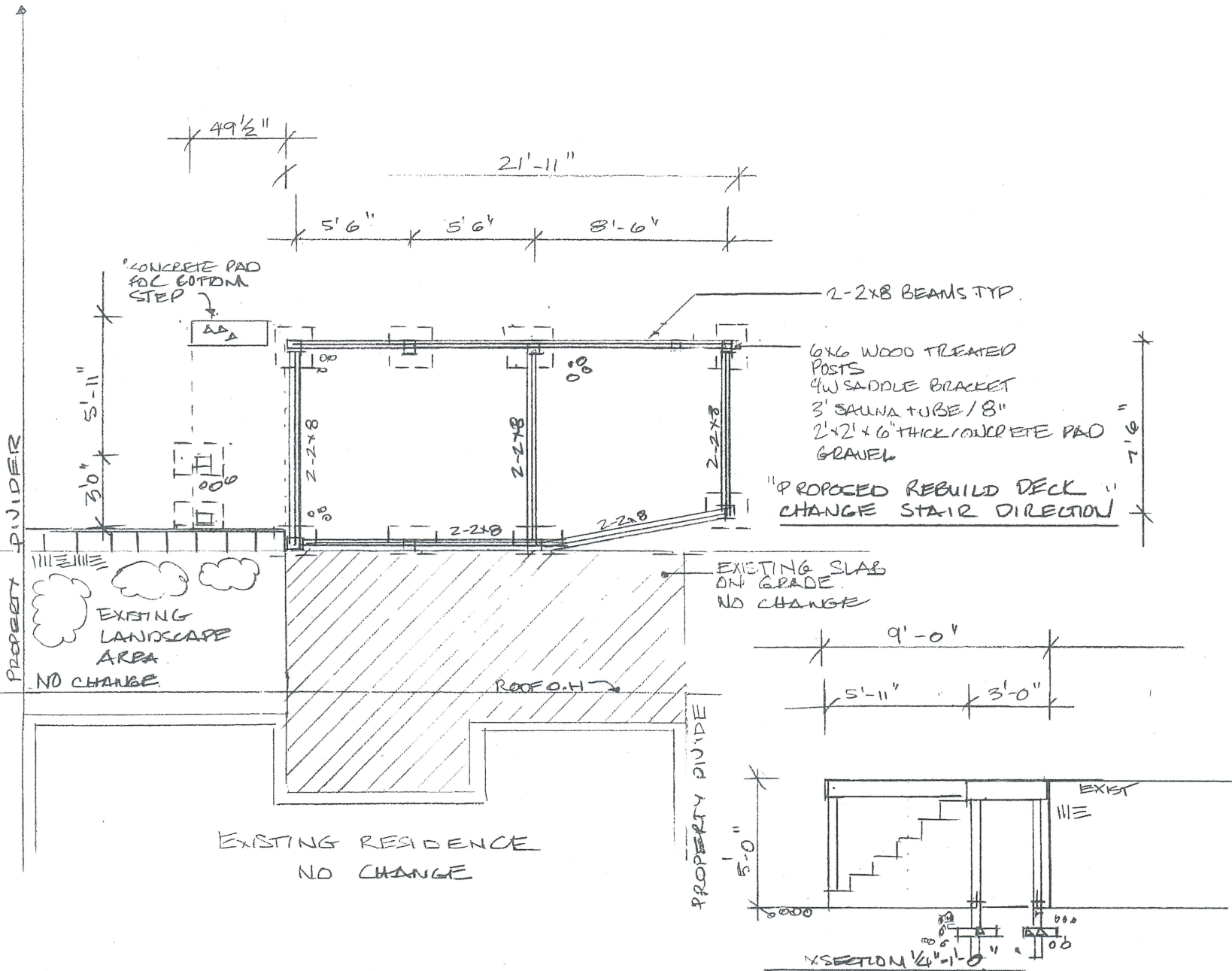
TOPOGRAPHIC SURVEY PLAN OF PART OF STRATA PLAN LMS4530

3500-144 STREET
 SURREY, BC

Project Number: 2112-45272-00
 Rev: 0

9-02

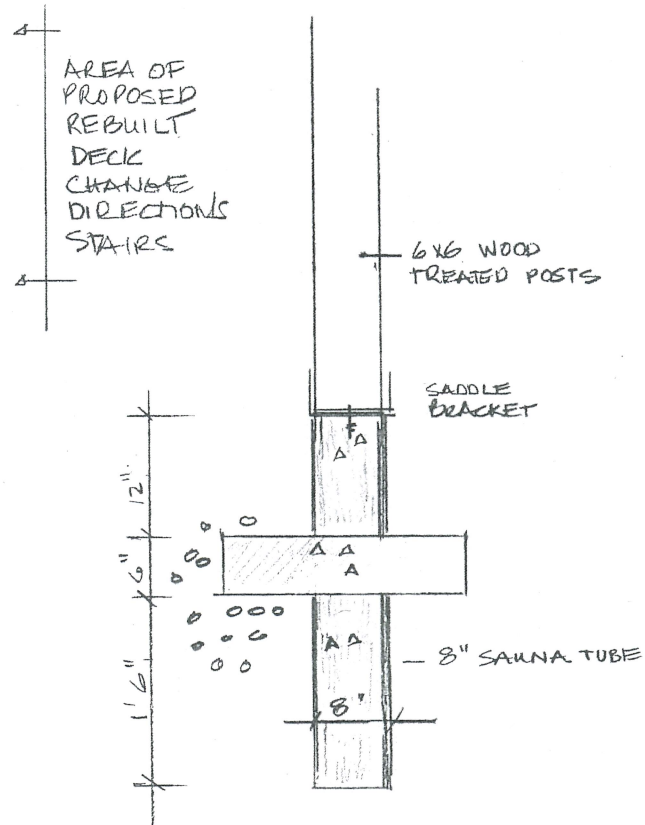
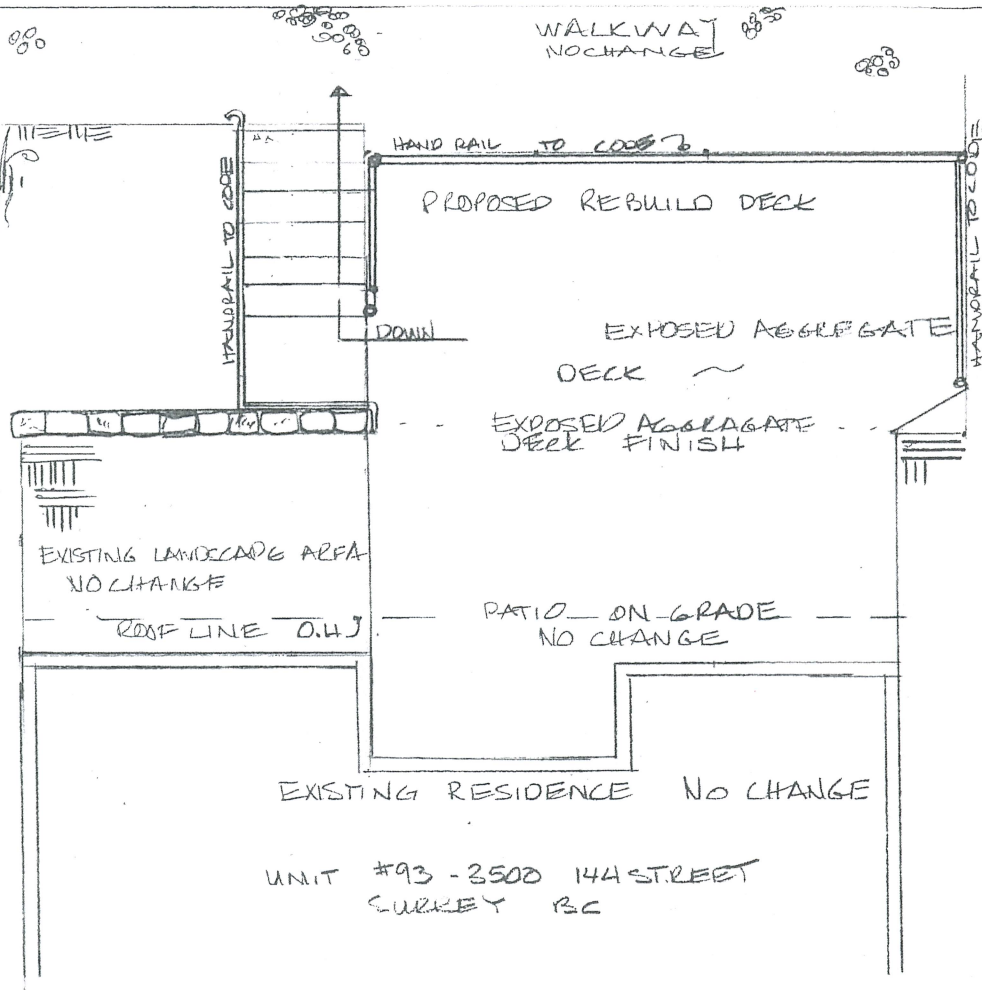
Approved Sealed



PROPOSED RED.
3 STAIRS
FOUNDATION PI
3500 · 14A ST
UNIT 93
SURREY BC
OCT 25, 2016
1/4" = 1'-0"
AMITH ELL

LEGAL:

PID 025-182-129
 LOT 1 DISTRICT LOT 165
 PLAN LMS 4530 NWD GROUP 2
 FOLIO 5700 982389
 CD. BL 13885



PROPOSED REDO
 3 STAIRS
 "FLOOR PLAN"
 3500 144th ST
 UNIT 93
 SURREY BC
 OCT 25 2014
 1/4" = 1'-0"
 AMITCHELL

| ID # | Name | | DBH (cm) | LCR (%) | Canopy (Radius) | Condition | | General Tree Condition Remarks | Impact observations | Root Protection Zone(m) |
|------|------------------|------------------------------|----------|---------|-----------------|-----------|------------|---|--|-------------------------|
| | Common | Botanical | | | | Health | Structural | | | |
| 1467 | Bigleaf maple | <i>Acer macrophyllum</i> | 27 | 50 | 5 | Good | Fair | Lower limbs pruned to 5m above grade - healing over - callous tissue. | Allan block retaining wall on North and South side. Approximately 1 meter away from root collar on South side and .3 meters from North side of root collar. Backfilled on Both sides. No major health or structural defects associated. | 1.62 |
| 1468 | Douglas-fir | <i>Pseudotsuga menziesii</i> | 63 | 70 | 6 | Good | Fair | Leading edge of grove - good trunk taper, crown raised to 10m ht above grade, <i>Phaeolus schweinitzii</i> fruiting body attached to South side of root collar. | Patio stairway is 1.8m from the root collar. Closest patio footing is 3.5m away from root collar. Existing split rail fence near root collar, some backfill surrounding all sides of root collar for patio area - retained by Allan blocks and surfaced with paver stones. No major health or structural defects associated with deck construction. We recommend an advanced risk assessment be performed to determine the extent of internal decay (if any) associated with the <i>Phaeolus schweinitzii</i> pathogen). | 3.78 |
| 1469 | Douglas-fir | <i>Pseudotsuga menziesii</i> | 45 | 50 | 4 | Fair | Fair | Suppressed by 1468, corrected lean - phototropic. Sparse branching due to shading. | Existing Allan block wall on West side of root collar, exploratory excavation did not encounter any associated root damage. | 2.7 |
| 1470 | Douglas-fir | <i>Pseudotsuga menziesii</i> | 39 | 50 | 4 | Fair | Fair | Suppressed by 1468, corrected lean - phototropic. Sparse branching due to shading, surface rooted | Some fill and paver stairway on South side of RPZ. No major health or structural defects associated. | 2.34 |
| 1471 | Douglas-fir | <i>Pseudotsuga menziesii</i> | 50 | 40 | 5 | Fair | Fair | Codominant crown with adjacent trees - asymmetric canopy due to shading. | No disturbance was observed within RPZ. | 3 |
| 1472 | Western Redcedar | <i>Thuja plicata</i> | 24 | 80 | 2 | Good | Fair | Suppressed by 1471 - growing at base of larger tree, asymmetric canopy due to shading. | No disturbance was observed within RPZ. | 1.44 |
| 1473 | Western Redcedar | <i>Thuja plicata</i> | 13 | 80 | 2 | Good | Fair | Suppressed within grove. | No disturbance was observed within RPZ. | 0.78 |
| 1474 | Western Redcedar | <i>Thuja plicata</i> | 20 | 50 | 3 | Fair | Fair/poor | Suppressed by 1475 - growing at base of larger tree, lost top historically and regrown a new leader - some decay visible below failure location. | No disturbance was observed within RPZ. | 1.2 |
| 1475 | Douglas-fir | <i>Pseudotsuga menziesii</i> | 40 | 60 | 5 | Good | Fair | Codominant crown with adjacent trees - asymmetric canopy due to shading. | No disturbance was observed within RPZ. | 2.4 |
| 1476 | Western Redcedar | <i>Thuja plicata</i> | 14 | 30 | 2 | Fair | Fair/poor | Suppressed within grove, corrected lean - phototropic, small dead top. | No disturbance was observed within RPZ. | 0.84 |
| 1477 | Western Redcedar | <i>Thuja plicata</i> | 13 | 60 | 2 | Fair | Fair/poor | Suppressed within grove, stunted growth form. | No disturbance was observed within RPZ. | 0.78 |
| 1478 | Western Redcedar | <i>Thuja plicata</i> | 33 | 80 | 4 | Good | Fair | Codominant crown with adjacent trees - asymmetric canopy due to shading. | Existing deck footing 1m from root collar. No major impacts associated. | 1.98 |
| 1479 | Douglas-fir | <i>Pseudotsuga menziesii</i> | 42 | 70 | 5 | Good | Good | Crown raised to 10m height above grade historically, corseted lean - phototropic. | No disturbance was observed within RPZ. | 2.52 |
| 1480 | Red alder | <i>Alnus rubra</i> | 41 | 50 | 6 | Fair | Fair/poor | Lean to East - phototropic, historic limb removal with no major decay associated. | No disturbance was observed within RPZ. | 2.46 |
| 1481 | Cherry | <i>Prunus sp.</i> | 28 | 50 | 5 | Fair | Fair/poor | Fruiting cherry, corrected lean - phototropic, old rubbing injury at 3m above grade - surface decay associated. Cherry bark tortrix. | No disturbance was observed within RPZ. | 1.68 |

2019-04-17 11:05:19 AM C:\Users\jcv\OneDrive\Documents\Projects\2019\2019-04-17\2019-04-17.dwg
 2019-04-17 11:05:19 AM C:\Users\jcv\OneDrive\Documents\Projects\2019\2019-04-17\2019-04-17.dwg
 2019-04-17 11:05:19 AM C:\Users\jcv\OneDrive\Documents\Projects\2019\2019-04-17\2019-04-17.dwg



SITE PLAN
NOT TO SCALE

PARCEL A
PLAN LMP1474

LEGEND

- TREE - CONIFEROUS
- TREE - DECIDUOUS
- 0.10 2 TREE TRUNK DIAMETER & CANOPY RADIUS (m)
- 14XX TREE TAG NUMBER

NOTES

1. UNREGISTERED INTERESTS HAVE NOT BEEN INCLUDED OR CONSIDERED.
2. THE SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE 15TH DAY OF APRIL, 2019.
3. OFFSETS ARE SHOWN TO EXTERNAL FACE OF BUILDING AND CENTRE OF FENCE.

THIS TOPOGRAPHIC PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE PROFESSIONAL REFERENCE MANUAL AND IS CERTIFIED CORRECT THIS 15TH DAY OF APRIL, 2019.

JASON G. HAMEL, BCLS, CLS ©
THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED.

ALL RIGHTS RESERVED. NO PERSON MAY COPY, REPRODUCE, REPUBLISH, TRANSMIT OR ALTER THIS DOCUMENT, IN WHOLE OR IN PART, WITHOUT THE EXPRESS WRITTEN CONSENT OF MCELHANNAY ASSOCIATES LAND SURVEYING LTD.

0 1:100 5
ORIGINAL DWG SIZE: ANSI C (17" x 22")
ALL DIMENSIONS ARE IN METRES

THIS PROPERTY MAY BE SUBJECT TO THE FOLLOWING:
 PERMIT UNDER PART 29 OF THE MUNICIPAL ACT, SEE BL174839
 PERMIT UNDER PART 26 OF THE LOCAL GOVERNMENT ACT, SEE BR116826, BR116827
 ANNEXED EASEMENT: BN151378, BN251820, BN251821, BN251886, BR301153, BR85453, BR85454
 ZONING REGULATION AND PLAN UNDER THE AERONAUTICS ACT (CANADA) FILED 11/05/1981
 UNDER NO. T54793 PLAN NO. 81884
 STATUTORY RIGHT OF WAY: BN251880, BN251881, BN251898, BR217465, BR217466
 COVENANT: BN251889, BN251890, BN251893, BN251895

| Rev | Date | Description | Survey | Drawn | App'd |
|-----|------------|--------------------|--------|-------|-------|
| 0 | 2019-04-17 | TOPOGRAPHIC SURVEY | JCVG | CM | JH |

THIS DRAWING AND DESIGN IS THE PROPERTY OF MCELHANNAY ASSOCIATES LAND SURVEYING LTD. (MCELHANNAY) AND SHALL NOT BE USED, REVISED OR REPRODUCED WITHOUT THE CONSENT OF MCELHANNAY. MCELHANNAY WILL NOT BE HELD RESPONSIBLE FOR THE IMPROPER OR UNAUTHORIZED USE OF THIS DRAWING AND DESIGN.
 THIS DRAWING AND DESIGN HAS BEEN PREPARED FOR THE CLIENT IDENTIFIED, TO MEET THE STANDARDS AND REQUIREMENTS OF THE APPLICABLE PUBLIC AGENCIES AT THE TIME OF PREPARATION. MCELHANNAY, ITS EMPLOYEES, SUBCONSULTANTS AND AGENTS WILL NOT BE LIABLE FOR ANY LOSSES OR OTHER CONSEQUENCES RESULTING FROM THE USE OR RELIANCE UPON, OR ANY CHANGES MADE TO, THIS DRAWING, BY ANY THIRD PARTY, INCLUDING CONTRACTORS, SUPPLIERS, CONSULTANTS AND STAKEHOLDERS, OR THEIR EMPLOYEES OR AGENTS, WITHOUT MCELHANNAY'S PRIOR WRITTEN CONSENT. INFORMATION ON EXISTING UNDERGROUND FACILITIES MAY NOT BE COMPLETE OR ACCURATE. MCELHANNAY, ITS EMPLOYEES AND DIRECTORS ARE NOT RESPONSIBLE NOR LIABLE FOR THE LOCATION OF ANY UNDERGROUND CONDUITS, PIPES, CABLES OR OTHER FACILITIES WHETHER SHOWN OR OMITTED FROM THIS PLAN. PRIOR TO CONSTRUCTION CONTRACTOR SHALL EXPOSE LOCATIONS OF ALL EXISTING FACILITIES BY HAND DIGGING OR HYDROVAC AND ADVISE THE ENGINEER OF POTENTIAL CONFLICTS.

McElhannay
McElhannay Associates Land Surveying Ltd.

CROSSROADS MANAGEMENT

TOPOGRAPHIC SURVEY PLAN OF PART OF STRATA PLAN LMS4530

3500-144 STREET, SURREY, BC

Drawing No. **V-01**

Project Number **2112-65272-0**

Rev. **0**

DESTROY ALL PRINTS BEARING PREVIOUS REVISION

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7919-0228-00

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: 025-239-571

Strata Lot 35 District Lot 165 Group 2 New Westminster District Strata Plan LMS4530
Together with an Interest in the Common Property in Proportion to the Unit Entitlement
of the Strata Lot as Shown on Form V

3500 - 144 Street, Unit 96

Parcel Identifier: 025-239-589

Strata Lot 36 District Lot 165 Group 2 New Westminster District Strata Plan LMS4530
Together with an Interest in the Common Property in Proportion to the Unit Entitlement
of the Strata Lot as Shown on Form V

3500 - 144 Street, Unit 97

Parcel Identifier: 025-182-129

Strata Lot 1 District Lot 165 Group 2 New Westminster District Strata Plan LMS4530
Together with an Interest in the Common Property in Proportion to the Unit Entitlement
of the Strata Lot as Shown on Form V

3500 - 144 Street, Unit 93

Parcel Identifier: 025-467-565

Strata Lot 51 District Lot 165 Group 2 New Westminster District Strata Plan LMS4530
Together with an Interest in the Common Property in Proportion to the Unit Entitlement
of the Strata Lot as Shown on Form V

3500 - 144 Street, Unit 101

Parcel Identifier: 025-467-557

Strata Lot 50 District Lot 165 Group 2 New Westminster District Strata Plan LMS4530
Together with an Interest in the Common Property in Proportion to the Unit Entitlement
of the Strata Lot as Shown on Form V

3500 - 144 Street, Unit 100

Parcel Identifier: 025-182-137

Strata Lot 2 District Lot 165 Group 2 New Westminster District Strata Plan LMS4530
Together with an Interest in the Common Property in Proportion to the Unit Entitlement
of the Strata Lot as Shown on Form V

3500 - 144 Street, Unit 92

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F. Subsection 1. of Part 52 of the Surrey Zoning By-law, 1993, No. 12000, Amendment By-law No. 13885, the minimum east side yard setback (King George Boulevard) for an accessory structure is reduced from 16.5 metres to 12.4 metres.
 - (b) In Section I. Subsection 1(d) of Part 52 of the Surrey Zoning By-law, 1993, No. 12000, Amendment By-law No. 13885, an undisturbed strip of vegetation that abuts King George Boulevard is reduced from 15 metres to 12.4 metres.
4. 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.
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.

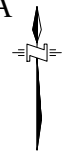
8. This development variance permit is not a building permit.

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

Mayor – Doug McCallum

City Clerk – Jennifer Ficocelli

SCHEDULE A

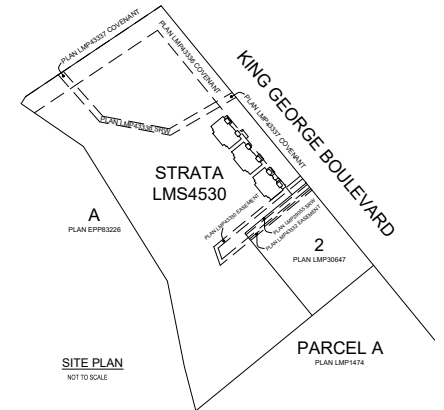


LEGEND

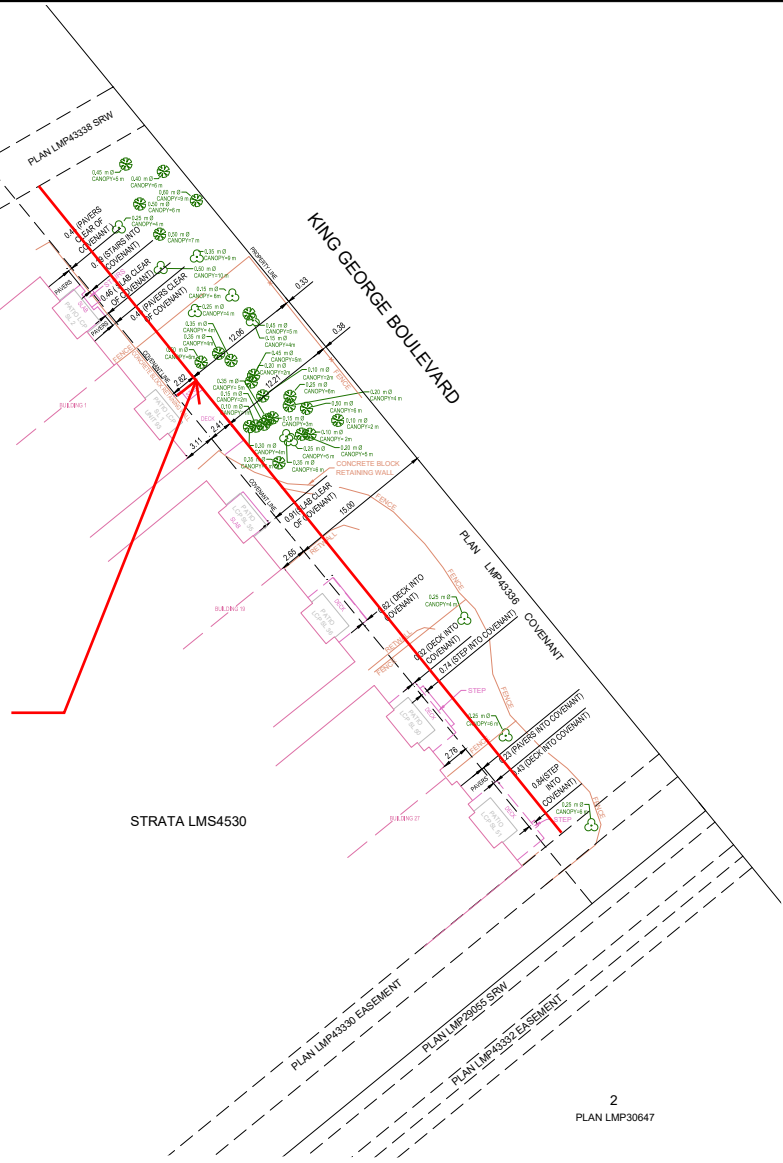
- TREE - CONIFEROUS
- TREE - DECIDUOUS
- TREE TRUNK DIAMETER

NOTES

1. UNREGISTERED INTERESTS HAVE NOT BEEN INCLUDED OR CONSIDERED. THE SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE 12TH DAY OF FEB. 2020.
- 2.
3. OFFSETS ARE SHOWN TO EXTERNAL FACE OF BUILDING AND CENTRE OF FENCE. LIMITED COMMON PROPERTY AREAS ARE APPROXIMATE ONLY.
- 4.



Variance to reduce the east side yard (King George Boulevard) setback and the required landscaping strip to 12.4 metres to permit existing and future decks.

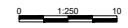


THIS PROPERTY MAY BE SUBJECT TO THE FOLLOWING:
 FRONT LANEY PART 20 OF THE MUNICIPAL ACT (SEE BR11489)
 FRONT LANEY PART 20 OF THE LOCAL GOVERNMENT ACT (SEE BR11826, BR11827)
 ZONING REGULATIONS AND PLAN UNDER THE AERONAUTICS ACT (CANADA) FILED 11/01/81 UNDER NO. 15479 PLAN NO. 0188
 STATUTORY RIGHT OF WAY: BN25188, BN25181, BN25186, BR21746, BR21746 COVENANT: BN25189, BN25186, BN25182, BN25186

THIS TOPOGRAPHIC PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE PROFESSIONAL REFERENCE MANUAL AND IS CERTIFIED CORRECT THE 22ND DAY OF FEB. 2020.

JASON S. HAMEL, B.S.C., O.S.
 THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED.

ALL RIGHTS RESERVED. NO PERSON MAY COPY, REPRODUCE, REPUBLISH, TRANSMIT OR ALTER THIS DOCUMENT, IN WHOLE OR IN PART, WITHOUT THE EXPRESS WRITTEN CONSENT OF MCGILL-HENNEY ASSOCIATED LAND SURVEYING LTD.



| | | | | | | |
|-----|------------|--------------------|-------|--------|------|--|
| 0 | 2020-14-02 | TOPOGRAPHIC SURVEY | AJ | JC | JH | |
| Rev | Date | Description | Drawn | Survey | Appd | |

THE DRAWING AND COVENANT BY THE PROPERTY OF MCGILL-HENNEY AND SHALL NOT BE USED, REPRODUCED OR REPRODUCED WITHOUT THE CONSENT OF MCGILL-HENNEY AND SHALL NOT BE HELD RESPONSIBLE FOR THE IMPROPER OR UNAUTHORIZED USE OF THIS DRAWING AND COVENANT.

THIS DRAWING AND DESIGN HAS BEEN PREPARED FOR THE CLIENT'S PURPOSES TO MEET THE STANDARDS AND REQUIREMENTS OF THE APPLICABLE REGULATIONS AT THE TIME OF PREPARATION. MCGILL-HENNEY, ITS EMPLOYEES, SUBCONTRACTORS AND AGENTS WILL NOT BE LIABLE FOR ANY LOSSES OR OTHER CONSEQUENCES RESULTING FROM THE USE OR RELIANCE UPON OR ANY CHANGES MADE TO THIS DRAWING, IN ANY FORM OR MANNER, INCLUDING CONTRACTORS, SUBMITTERS, CONSULTANTS AND OTHERS, OR THEIR EMPLOYEES OR AGENTS, WITHOUT MCGILL-HENNEY'S PRIOR WRITTEN CONSENT.

NO WARRANTY ON ERRORS, UNDERSTANDING FACILITIES MAY NOT BE COMPLETE OR ACCURATE, MCGILL-HENNEY, ITS EMPLOYEES AND AGENTS ARE NOT RESPONSIBLE FOR LOSSES OR DAMAGES OF ANY KIND, INCLUDING CONTRACTORS, SUBMITTERS, CONSULTANTS AND OTHERS, OR THEIR EMPLOYEES OR AGENTS, WITHOUT MCGILL-HENNEY'S PRIOR WRITTEN CONSENT.

DATE: 2020-14-02
 TIME: 10:00 AM
 PROJECT: STRATA LMS4530
 DRAWN BY: AJ
 SURVEYED BY: JC
 CHECKED BY: JH

McElhenny

Suite 2100
 1560 12th Avenue
 Surrey BC
 Canada V3T 5X3
 TEL: 604 596 0991

| | | |
|---|--|--|
| CROSSROADS MANAGEMENT | | Drawing No. |
| TOPOGRAPHIC SURVEY PLAN OF PART OF STRATA PLAN LMS4530 | | V-02 |
| 3500-144 STREET SURREY, BC | | Project Number 2112-45272-00 |
| Approved Sealed | | Rev. 0 |