

City of Surrey PLANNING & DEVELOPMENT REPORT Application No.: 7923-0236-00

Planning Report Date: June 24, 2024

PROPOSAL:

• **Development Permit** for Sensitive Ecosystems (Streamside and Green Infrastructure)

• Development Variance Permit

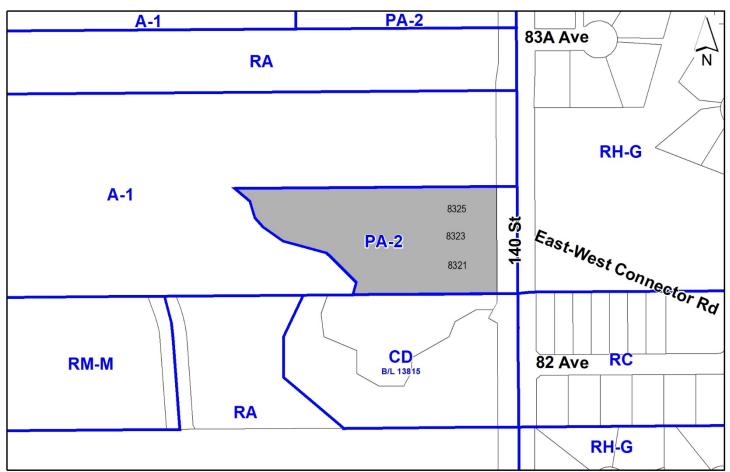
To permit construction of a significant temple addition and extension of the parking lot.

LOCATION: 8321 140 Street

(8323 140 Street) (8325 140 Street)

ZONING: PA-2

OCP DESIGNATION: Suburban



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

• Proposing to vary the maximum height requirements of the "Assembly Hall 2 Zone (PA-2)".

RATIONALE OF RECOMMENDATION

- The applicant proposes a major addition to the existing Sri Lakshmi Narayan Mandir temple building on 140 Street. The applicant proposes demolition of buildings on the northwest corner of the site and extension of the parking lot to address increased parking requirements.
- The proposal complies with the Development Permit requirements in the OCP for Sensitive Ecosystems (Streamside and Green Infrastructure).
- The applicant proposes a variance to reduce the streamside setback for a red-coded watercourse on the south-abutting property (8233 140 Street) to the property line. The Sensitive Ecosystem Development Permit (SEDP) does not propose protection measures for this feature, as the proposed development is outside of the streamside protection area and given that the watercourse is located on an adjacent site and buffered from the subject property by an existing driveway.
- The on-site streamside setback area will be protected through the registration of a combined Restrictive Covenant/Right-of-Way against the property to ensure safeguarding and maintenance of the Protection Area in perpetuity.
- The City's Green Infrastructure Network (GIN) overlaps with the BC Hydro transmission Right-of-way on the property and active potions of the parking lot. The project Qualified Environmental Professional (QEP) proposes landscaping across the parking lot to mitigate the existing uses and add some ecosystem value.
- The proposed addition includes new and relocated rooftop domes, which require a variance for height. The domes are characteristic of mandir buildings and permit more spacious and ornate assembly areas.
- The dome structures are a significant religious and heritage motif, and the proposed height would be similar to the height of the existing building on the property.

RECOMMENDATION

The Planning & Development Department recommends that:

- 1. Council approve Development Variance Permit No. 7923-0236-00 (Appendix II) varying the following, to proceed to Public Notification:
 - (a) to increase the maximum building height of the PA-2 Zone allowed from 9 metres to 21.5 metres as measured to the peak of a rooftop dome; and
 - (b) to reduce the minimum setback distance for a Class A (red-coded) stream from 30 metres to 10 metres as measured from top-of-bank.
- 2. Council authorize staff to draft Development Permit No. 7923-0236-00 for Sensitive Ecosystems (Streamside and Green Infrastructure) generally in-accordance with Appendix I.
- 3. Council instruct staff to resolve the following issues prior to final approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, dedications, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a finalized landscaping plan and landscaping cost estimate, satisfying the deficiency in tree replacement on the site, to the specifications and satisfaction of the Planning and Development Department;
 - (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (d) submission of a finalized Ecosystem Development Plan and Impact Mitigation Plan to the satisfaction of City staff;
 - (e) restoration of the Bear Creek park land encroachment identified on the south-west corner of the site to the satisfaction of the Parks, Recreation, and Culture section; and
 - (f) registration of a combined Statutory Right-of-Way / Section 219 Restrictive Covenant over the designated Streamside Protection Area for both "No Build" and conveyance access.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Sri Lakshmi Narayan Mandir	Suburban	PA-2
North (Abutting):	Bear Creek Park	Conservation and Recreation	A-1
East (Across 140 St):	BC Hydro Utility Right-of-Way; City Parkland	Suburban	RH-G
South (Abutting):	Bear Creek Park; Bear Creek Villa (Retirement Housing)	Conservation and Recreation; Multiple Residential	RA; CD By-law 13815
West (Abutting):	Bear Creek Park	Conservation and Recreation	A-1

Context & Background

- The subject site is a parcel of 12,145 square metres in area located at municipal addresses 8321, 8323, and 8325 140 Street. The subject site is developed with a Hindu temple and institutional building (the Sri Lakshmi Narayan Mandir). The subject property falls under the "Suburban" designation in the "Official Community Plan (OCP)".
- The subject site is adjacent Bear Creek Park, which abuts the property on the north and west lot lines.
- A northwest-southeast Right-of-way for BC Hydro transmission lines covers approximately 5,030 square metres of the subject site. In accordance with the ROW, no buildings are allowed within this boundary. The area is used for access onto the property and as part of the parking lot.
- Multiple institutional religious uses are located on the west side of 140 Street between 84 Avenue and 80B Avenue: including the subject Hindu mandir, the Gurdwara Sahib Brookside (8365 140 Street), and the Nova Church (8383 140 Street).
- The northwest portion of the site contains multiple accessory structures, which are used for storage and some assembly uses.
- The subject site falls within the City's Development Permit Area for Sensitive Ecosystems (Streamside and Green Infrastructure). The lot falls within multiple Riparian Assessment

Areas based on channels of Bear Creek directly adjacent to the northwest corner of the site on Bear Creek Park and across a driveway on the abutting property to the south (8233 140 Street).

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant proposes a significant addition to extend from the east side of the mandir (between the temple and 140 Street). The new addition is proposed to be 1,877 square metres in area, 1,032 square metres proposed for the first floor ("lower floor") and 855 square metres proposed for the second floor ("main floor").
- The applicant proposes extending the parking lot to provide a total of 172 spaces. This would be an increase of 81 new spaces above the 91 spaces currently provided on the site. Six (6) new bike parking spaces are proposed, for a total of eight (8) spaces.
- The applicant proposes demolishing all accessory structures on the northwest portion of the site.
- As religious assembly hall buildings are considered institutional uses, this application is not subject to a Development Permit for Form and Character.
- The subject site falls within the City's Development Permit Area for Hazardous Lands (Steep Slopes). The applicant provided a survey and information from a geotechnical Qualified Professional (QP) that the property is more level than indicated on the City's mapping system. As no works on the site will fall within a steep slope (defined as a slope with a gradient above 20%) or a steep slope buffer, the Hazardous Lands Development Permit is not required for the subject application.

Referrals

Engineering: The Engineering Department has no objection to the project

subject to the completion of Engineering servicing requirements as

outlined in Appendix II.

Parks, Recreation & Culture:

Parks notes the presence of historic encroachments onto Bear Creek Park from the southwest corner of the subject site. The applicant is required to restore the encroachment area to the satisfaction of the Parks Division prior to issuance of the

Development Variance Permit and Development Permit. The works include but are not limited to removal of gravel and replacement with topsoil, removal of posts, irrigation, metal frames, lumber, trailers, and installation of a new fence on the private side of the

property line.

Bear Creek Park is the closest active park with amenities including, playgrounds, sports fields, track and field amenities, trails and is adjacent to the development. The park also includes natural areas.

POLICY & BY-LAW CONSIDERATIONS

Zoning By-law

Height Variance

- The applicant is requesting the following variances:
 - o to increase the maximum building height of the PA-2 Zone allowed from 9 metres to 21.5 metres as measured to the peak of a rooftop dome.
- There is a precedent for taller structures on the subject site and adjacent lots for religious uses on this block.
- The domes comprise significant architectural, heritage, and spiritual components of the proposed building.
- Staff support the requested variances to proceed for consideration.

Streamside Variance

- The applicant is requesting the following streamside variance:
 - o to reduce the minimum setback distance for a Class A (red-coded) stream from 30 metres to 10 metres as measured from top-of-bank.
- The watercourse is located on an abutting property and separated from the subject site by an active driveway. The project QEP has indicated that there is no risk of connectivity between the subject site and the watercourse riparian area.

- The proposed reduction conforms with a Riparian Area Regulations Protection (RAPR) setback of 10 metres as measured from high-water mark.
- Staff support the requested variances to proceed for consideration.

DEVELOPMENT PERMITS

Sensitive Ecosystems (Streamside Areas / Green Infrastructure Areas) Development Permit Requirement

- The subject property falls within the Sensitive Ecosystems Development Permit Area (DPA) for Streamside Areas in the OCP, given the location of an existing Class A (red-coded) channel of Bear Creek (watercourse 1) which flows southwards on the south-abutting property (8233 140 Street) and a Class B (yellow-coded) tributary which flows into Bear Creek adjacent to the northwest corner of the lot on Bear Creek Park (watercourse 2). The Sensitive Ecosystems (Streamside Areas) Development Permit is required to protect aquatic and terrestrial ecosystems associated with streams from the impacts of development.
- In accordance with Part 7A Streamside Protection setbacks of the Zoning By-law, the Class A (red-coded) watercourse (watercourse 1) requires a minimum streamside setback of 30 metres, as measured from the top of bank. The applicant proposes a variance to reduce this setback to 10 metres as measured from top of bank, which aligns with the southern property line. This exceeds the Provincial Riparian Areas Regulation Protection (RAPR) setback of 10 metres, as the RAPR setback is measured from the watercourse's high-water-mark.
- Watercourse 1 is separated from the subject site by a private driveway, a City Right-of-way, and a vegetated riparian area. The project Qualified Environmental Professional (QEP) reports that this removes connectivity potential between the watercourse and the subject site.
- In accordance with Part 7A Streamside Protection setbacks of the Zoning By-law, the Class B (yellow-coded) watercourse (watercourse 2) requires a minimum streamside setback of 15 metres, as measured from the top of bank. The proposed setbacks comply with the requirements outlined in the Zoning By-law.
- The on-site riparian area is proposed to be protected through the registration of a combined Restrictive Covenant/Right-of-Way against the property to ensure safeguarding and maintenance of the Protection Area in perpetuity, in compliance with the OCP.
- The subject property also falls within the Sensitive Ecosystems DPA for Green Infrastructure Areas in the OCP, as the development site falls into buffer areas associated with Biodiversity Conservation Strategy (BCS) Green Infrastructure Network (GIN) Corridors 84 and 86. Based on the QEP's assessment, GIN 84 is a BC Hydro Right-of-way that runs northwest to southeast on the lot. GIN 86 is a riparian area for Bear Creek. There has been historic development of a parking lot and driveway access in the GIN 84 buffer, but no additions are proposed within either of the GIN buffers on this site.

- The development proposal includes landscape enhancement planting across the developed portions of the GIN 86 buffer and proposes planting over 300 trees, over 500 shrubs, and over 60 perennials. The intention is to meet the intent of the Biodiversity Conservation Strategy by enhancing habitat connectivity over a use that has been historically grandfathered.
- An Ecosystem Development Plan (EDP), prepared by Arin Yeomans Routledge, B.Sc., QEP, *R.P. Bio.*, of Weaver Technical Corp. and dated July 28, 2023, was reviewed by staff. This report needs to be updated based on confirmation of the Class B status of watercourse 2. The applicant has revised their site plans to reflect no encroachment into the watercourse 2 streamside setback.
- Some updates to the EDP will be required should Council support the subject application. Protection measures previously proposed such as the establishment of fencing and remediation planting in the streamside setback and across the GIN will be revised to include the on-site streamside setback.

TREES

• Glenn Murray, ISA Certified Arborist of Froggers Creek Tree Consultants Ltd. prepared an Arborist Assessment for the subject property. The table below provides a summary of the proposed tree retention and removal by tree species:

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

Tree Species	Ex	isting	Remove	Retain		
Alder and Cottonwood Trees						
Cottonwood		1	1	0		
Deciduous Trees (excluding Alder and Cottonwood Trees)						
Ash		1	0	1		
Black Pine		2	0	2		
Cherry		1	1 0			
Hawthorn		3	0	3		
Silver Maple		8	1	7		
Sweetgum		1	0	1		
	Conifer	ous Trees				
Douglas Fir		3	3	0		
Excelsa Cedar	6		1	5		
Western Red Cedar	11		11	0		
Total (excluding Alder and Cottonwood Trees)		36	17	19		
Total Replacement Trees Proposed (excluding Boulevard Street Trees)		o (TBD)*				
Total Retained and Replacement Trees Proposed		19 (TBD)*				
Estimated Contribution to the Green City Program		TBD*				

- * The Arborist Assessment and Tree Preservation Summary does not propose replacement trees as significant planting enhancements are proposed through the qualified environmental professional (QEP) landscape plan, which includes approximately 300 tree saplings. The revised landscape plan will be reviewed to assess whether the trees satisfy the conditions for replacement under Surrey Tree Protection Bylaw, 2006 No. 16100.
- The Arborist Assessment states that there are a total of 36 mature trees on the site, excluding Alder and Cottonwood trees. Of the 37 existing trees, one (1) is a Cottonwood tree (approximately 2% of the total trees on the site). The applicant proposes to retain 19 trees as part of this development proposal. The proposed tree retention was assessed taking into consideration the location of the building footprints. All trees proposed for removal conflict with the proposed envelope addition on the southeast corner of the lot. No off-site, City, or streamside protection area tree removal is proposed.
- For those trees that cannot be retained, the applicant will be required to plant trees on a 1 to 1 replacement ratio for Alder and Cottonwood trees that are outside the streamside protection area, and a 2 to 1 replacement ratio for all other trees, including Alder and Cottonwood that are within a streamside protection area. This will require a proposed total of 35 replacement trees on the site. A deficit of 35 replacement trees would require an estimated cash-in-lieu payment of \$19,250.00, representing \$550 per tree to the Green City Program, in accordance with the City's Tree Protection By-law.
- The project QEP has prepared a landscape plan and cost estimate, proposing enhancement of the GIN buffer coincident with the BC Hydro Right-of-way and existing parking lot on the site. This plan proposes over 300 tree saplings, including Red Alder, Big Leaf Maple, Bitter Cherry, Douglas Fir, Western Hemlock, and Western Red Cedar. Confirmation of this planting proposal and satisfaction of the tree deficit on the site is pending review of an updated plan with the revised building layout.

In summary, under the arborist assessment, a total of 35 trees are proposed to be retained or replaced on the site with an estimated contribution of \$19,250.00 to the Green City Program. These figures may change upon submission of a finalized landscaping plan and landscaping cost estimate. The applicant will be required to ensure the tree replacement deficiency is satisfied to the specifications and satisfaction of the Planning and Development Department.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Site Plan

Appendix II. Development Variance Permit 7923-0236-00

Appendix III. Summary of Tree Survey, Tree Preservation and Tree Plans

Appendix IV. Engineering Summary

approved by Shawn Low

Don Luymes General Manager Planning and Development

SURREY TEMPLE ADDITION

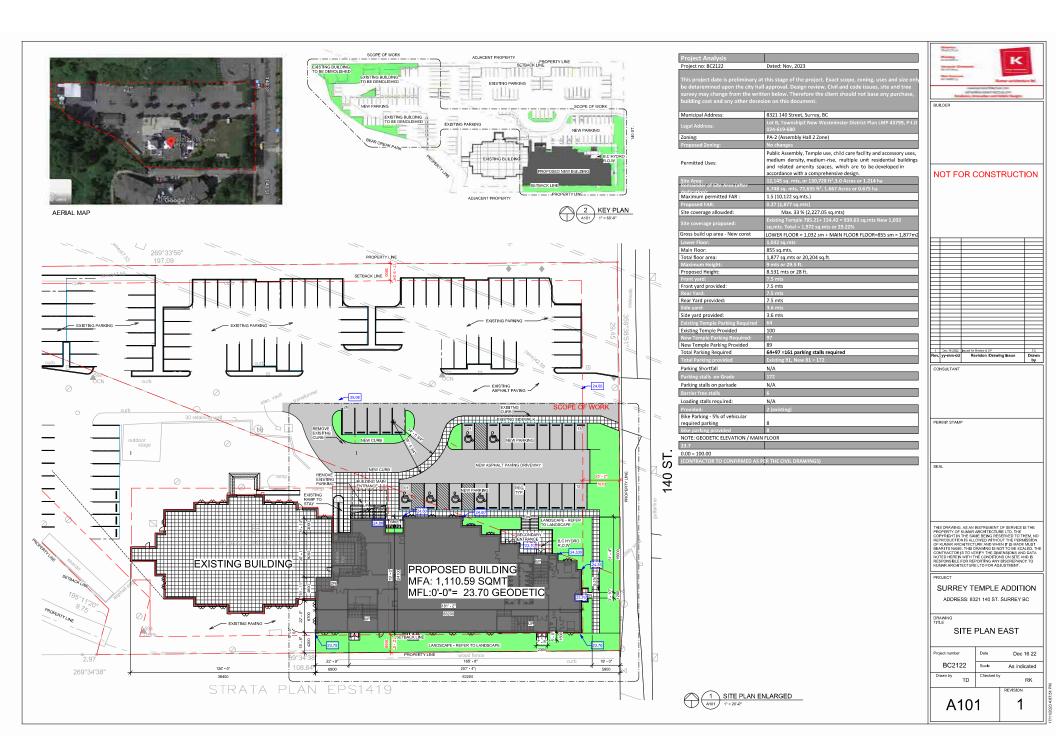
ADDRESS: 8321 140 ST. SURREY BC



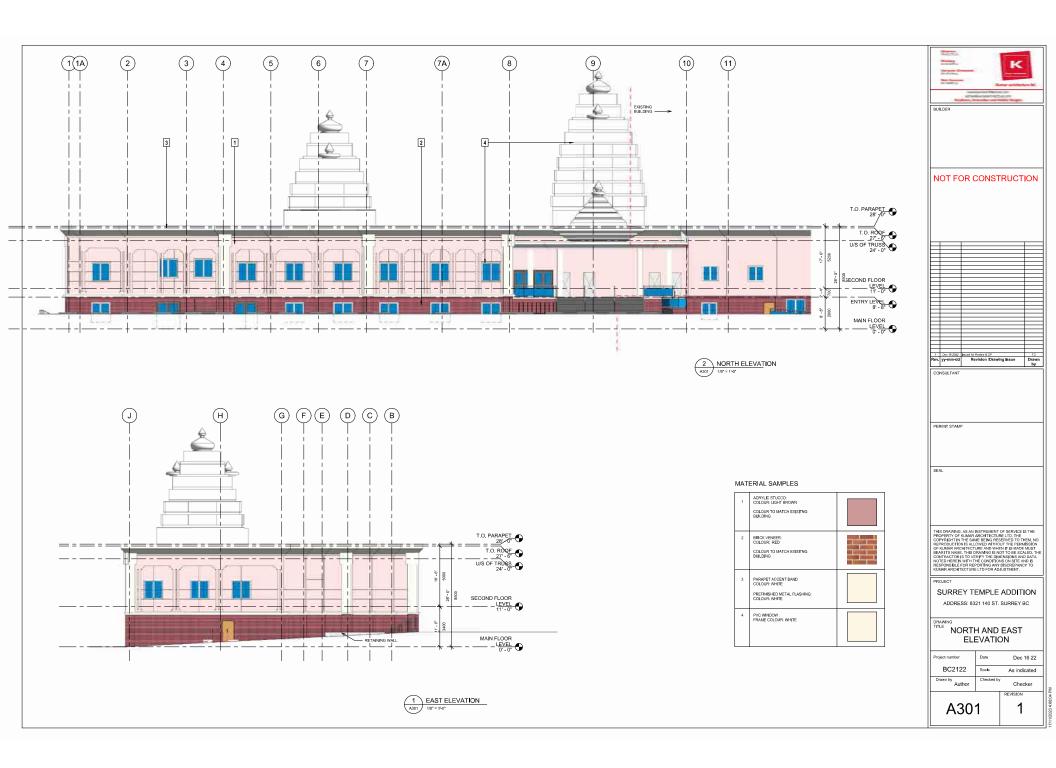


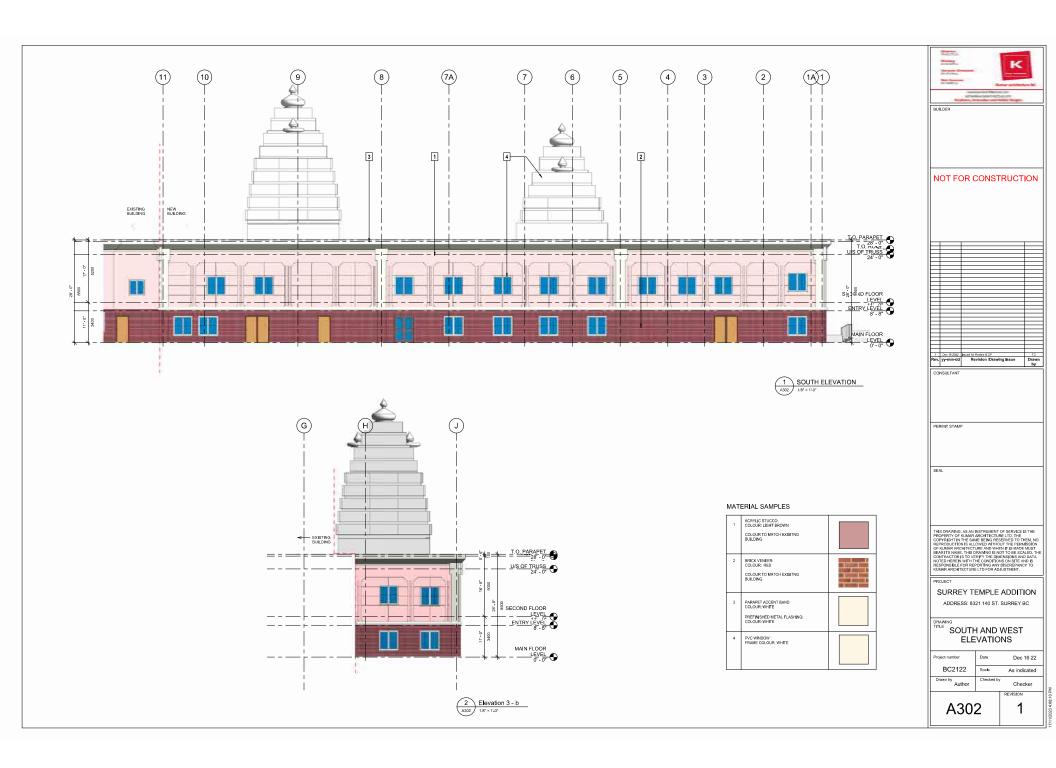












CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7923-0236-00

Issued To: Vedic Hindu Cultural Society Inc

(the Owner)

Address of Owner: 8321 140 ST

SURREY BC V₃W ₅K₉

- 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: 024-619-680 LOT B SECTION 28 TOWNSHIP 2 NEW WESTMINSTER DISTRICT PLAN LMP43799 8321 140 Street

(the "Land")

- 3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - o to increase the maximum building height of the PA-2 Zone allowed from 9 metres to 21.5 metres as measured to the peak of a rooftop dome; and
 - o to reduce the minimum setback distance for a Class A (red-coded) stream from 30 metres to 10 metres as measured from top-of-bank.
- 4. This development variance permit applies to only 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. This development variance permit does not apply to additions to, or replacement of, any of the existing buildings shown on attached 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/DELEGATED OFFICIAL, THE DAY OF $\,$, 20 $\,$.

ISSUED THIS DAY OF , 20 .

Mayor – Brenda Locke

City Clerk and Director Legislative Services Jennifer Ficocelli

Schedule A

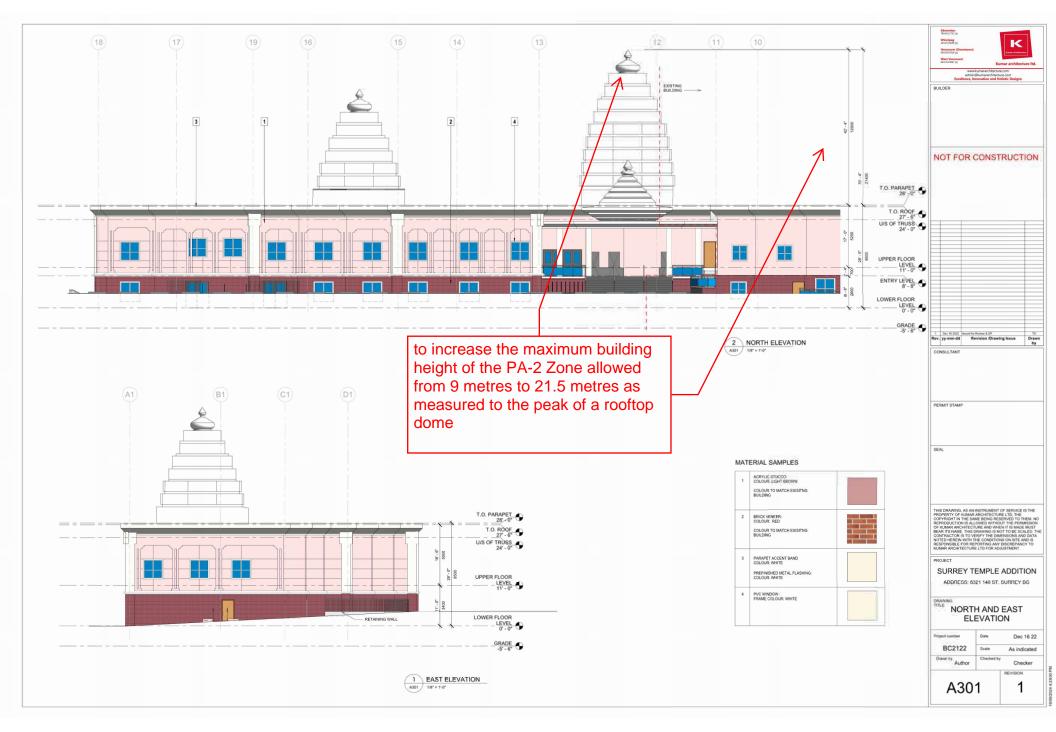
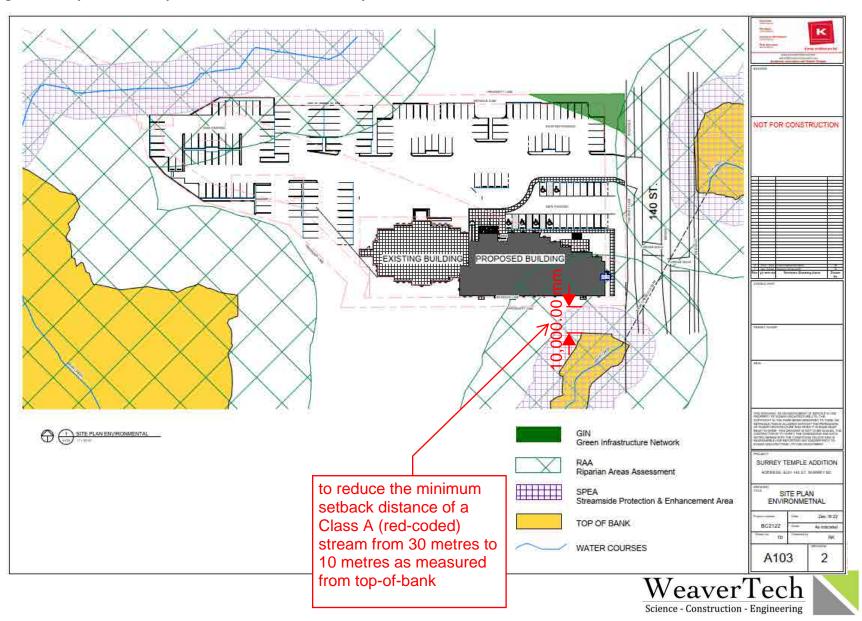


Figure 1. Proposed development at 8321 140th St, Surrey.



Tree Preservation Summary

Surrey Project No:

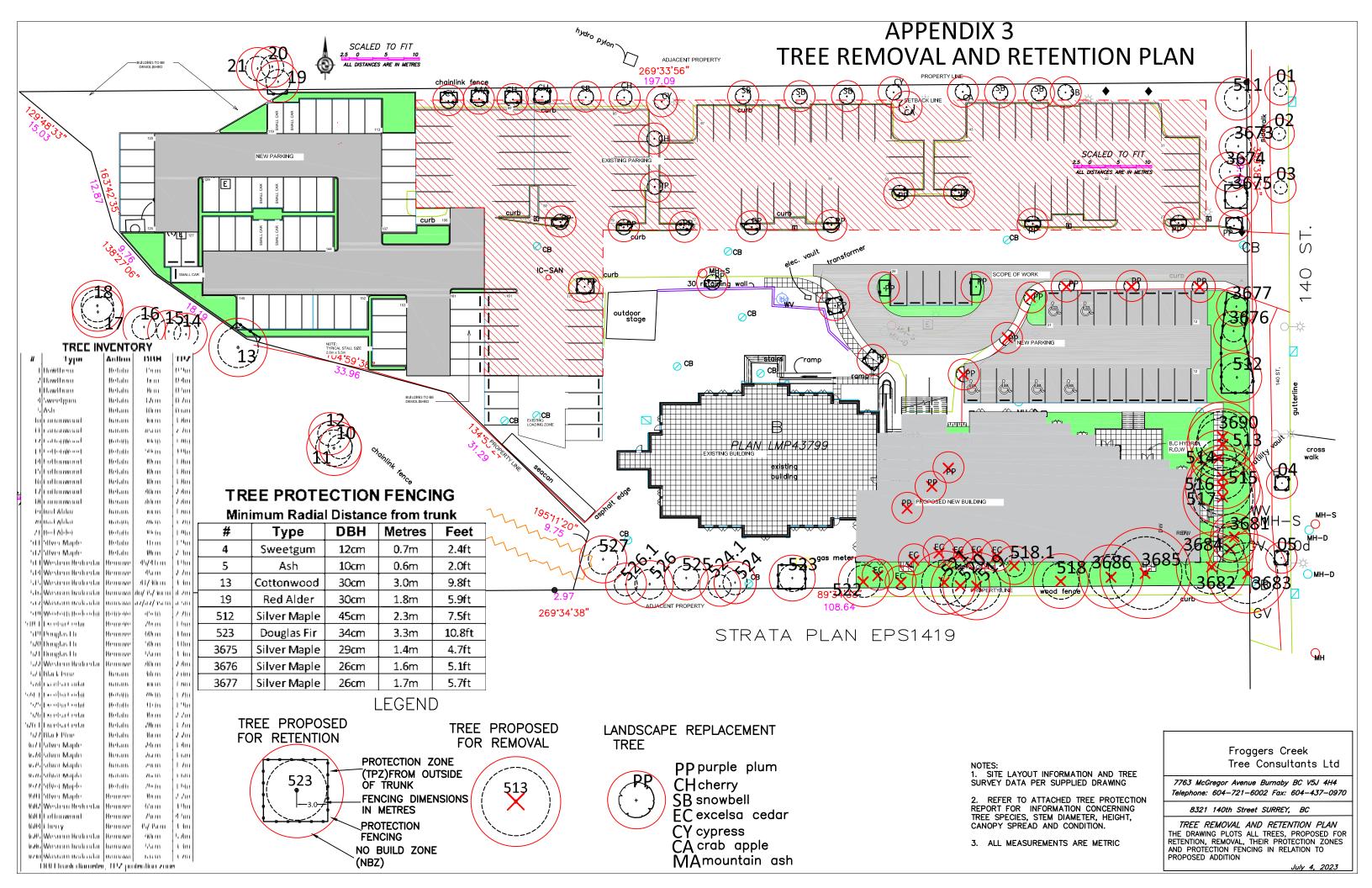
Address: 18321 140th Street Surrey

Registered Arborist: Glenn Murray

On-Site Trees	Number of Trees
Protected Trees Identified (on-site and shared trees, including trees within boulevards and proposed streets and lanes, but excluding trees in proposed open space or riparian areas) Protected Trees to be Removed Protected Trees to be Retained	37 18 19
<pre>(excluding trees within proposed open space or riparian areas) Total Replacement Trees Required: - Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio</pre>	35
Replacement Trees Proposed	0
Replacement Trees in Deficit Protected Trees to be Retained in Proposed [Open Space / Riparian Areas]	35 12

Off-Site Trees	Number of Trees
Protected Off-Site Trees to be Removed	0
Total Replacement Trees Required:	
- Alder & Cottonwood Trees Requiring 1 to 1 Replacement RatioX one (1) = 0	o
- All other Trees Requiring 2 to 1 Replacement Ratio	
X two (2) = 0	
Replacement Trees Proposed	
Replacement Trees in Deficit	0

Summary, report and plan prepared and su	bmitted by:	
Shap		
<u> </u>	19-Jun-24	
(Signature of Arborist)	Date	





INTER-OFFICE MEMO

TO: Director, Development Planning, Planning and Development Department

FROM: Development Process Manager, Engineering Department

DATE: **June 18, 2024** PROJECT FILE: **7823-0236-00**

RE: Engineering Requirements

Location: 8321 140 St

DEVELOPMENT PERMIT/DEVELOPMENT VARIANCE PERMIT

The following issues are to be addressed as a condition of issuance of the Development Permit for Sensitive Ecosystems (Streamside) associated with the proposed construction of a new temple:

• The applicant will be required to provide a combined statutory right-of-way/restrictive covenant (SRW/RC) for the class "B" watercourse located along the northwest side of the subject property. The SRW/RC is to be registered over the setback from the top of bank.

An Administrative Processing Fee is required to administer the required legal documents.

Other aspects pertaining to site servicing are to be administered through the Building Permit process. A Servicing Agreement may be required as a condition of issuance of the Building Permit.

Daniel Sohn, P.Eng.

Spoke

Development Process Manager

DS