

City of Surrey PLANNING & DEVELOPMENT REPORT File: 7913-0228-00

Planning Report Date: April 13, 2015

PROPOSAL:

• **Rezoning** from RF to PA-1

• Development Variance Permit

in order to permit the development of a religious assembly building.

LOCATION: 12658 - 100 Avenue and a

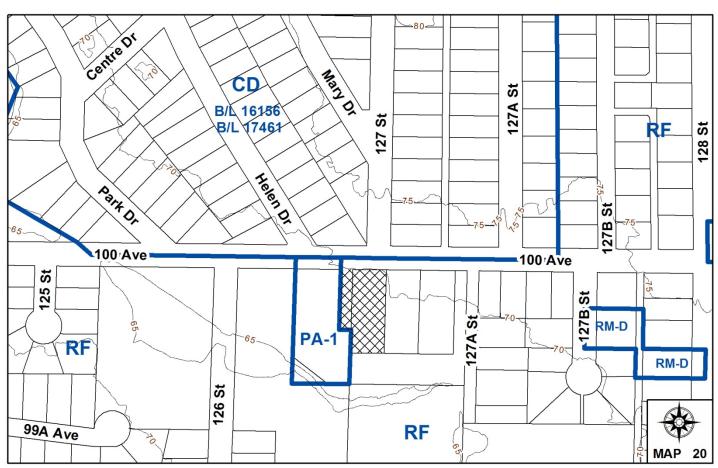
portion of unopened road

OWNERS: Raza M Haroon

City of Surrey

ZONING: RF

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

• <u>Denial</u> of Rezoning and Development Variance Permit.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking to vary the PA-1 Zone by:
 - o reducing the front yard and side yard setbacks;
 - o permitting underground parking within the front yard setback; and
 - o reducing the landscaping requirements along the west property line.

RATIONALE OF RECOMMENDATION

- Area residents have raised objections to the proposal with regards to the scale of the
 development, the amount of on-site parking provided, and the impact on the adjacent Robson
 Park and, in particular, its associated parking lots.
- This area, within 5 blocks along 100 Avenue, contains a number of facilities that generate peak period traffic and parking demand including Robson Park, Prince Charles Elementary School and two existing religious institutions. Area residents feel that the proposed development, if approved, would contribute to the existing peak traffic and parking demand.
- The Parks Recreation and Culture Department has raised concerns about the proposal to develop a religious assembly building at this location, adjacent to a new parking lot in Robson Park. There is concern that the religious institution will not have enough parking and that there may be spill-over into the parking lots provided for Robson Park off 100 Avenue to the east and west of the subject site. There are approximately 25 parking spaces on the lot immediately to the east, and 18 spaces on the lot located to the west, at the alignment of 126 Street.

RECOMMENDATION

The Planning & Development Department recommends that this application be denied.

If, however, Council is supportive of the application, Council may refer the application back to staff to resolve the building design, landscaping and proposed road closure, and subsequently to prepare the necessary Rezoning By-law and Development Variance Permit for Council's consideration.

REFERRALS

Engineering: The Engineering Department has no objection to the project

subject to the completion of Engineering servicing requirements as

outlined in Appendix III.

Parks, Recreation & Culture

(PRC):

PRC is concerned about the religious assembly proposal, adjacent to the new Robson Park parking lot. At Bear Creek Park, where its

parking lot is located between a Hindu Mundir and a Sikh Gurdwara, neither of the two religious institutions have enough parking for weddings and other events happening on a regular basis. There is continual spill-over into the park parking lot, and the two institutions continue to press to build more parking on parkland. To date, Council has rejected their requests for the use of park land for additional parking for the religious facilities.

Surrey Fire Department:

Under the Building Code, the fire truck must be within 15 metres of the principal entrance. There are no measurements to indicate the distance from principal entrance to the road. If parking is allowed along the south side of 100 Avenue, the measurement must take that into account.

SITE CHARACTERISTICS

<u>Existing Land Use:</u> Single family dwelling which is intended to be removed.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across 100 Avenue):	Single family dwellings.	Urban	CD (By-law 16156, amended by By- law 17461)
East:	Robson Park	Urban	RF
South:	Robson Park	Urban	RF
West (Across unopened road):	Southside Community Church	Urban	PA-1

DEVELOPMENT CONSIDERATIONS

Context:

- The subject site is located along the south side of 100 Avenue near 127 Street. The subject site, including the full unopened road allowance to the west, is approximately 2,538 square metres (0.6 acre) in size, it is designated Urban in the Official Community Plan (OCP), and is zoned "Single Family Residential Zone (RF)".
- The subject site is bounded by Robson Park to the east and south, Southside Community Church to the west (across the unopened road allowance), and the St. Helen's Park single family neighbourhood to the north. St. Helen's Park underwent a community-initiated rezoning to CD By-law No. 16156 in 2006 to protect the residential character of the neighbourhood. This CD By-law was amended in 2011 to further restrict the maximum size and building height of single family dwellings.
- There is a 10-metre (33 ft.) wide unopened road allowance located immediately to the west of the subject site. The applicants originally intended to close and purchase this entire unopened road and consolidate it with their subject development. However, the Southside Community Church recently expressed interest in acquiring the unopened road. As such, the total site area proposed to be rezoned is still to be confirmed.
- The City was previously interested in acquiring the subject site for the expansion and improvements to Robson Park. However, the City was not successful in acquiring this site and no longer requires it for consolidation with Robson Park.
- In 2012, a previous owner submitted Development Application No. 7912-0113-00 for the subject site with a proposal to rezone the site from "Single Family Residential Zone (RF)" to "Assembly Hall 1 Zone (PA-1)" in order to construct a meditation centre or child care centre. Due to sanitary servicing constraints in the area at that time, the site was not immediately serviceable and unable to develop. Development Application No. 7912-0113-00 was subsequently closed and the subject site was sold to the current owner.

By-law Infractions and Stop Work Order:

- There is currently a single family house located on the subject site.
- In January 2013, both the Planning and Development Department and the By-law Enforcement and Licensing Section received a complaint regarding unauthorized building construction and an assembly use on the subject site. While staff investigated the site, they also observed gravel deposited in the rear yard and opened an investigation regarding the possibility of unauthorized fill on the site.
- The Planning and Development Department investigated the unauthorized building construction on the lot and confirmed that there was an addition to the rear of the house without a permit. Two stop work orders were issued on January 16, 2013, and February 5, 2013, respectively. A Building Permit for the addition to the house was issued on August 12, 2013 and the Stop Work orders were lifted shortly thereafter. The owner has not called for an inspection.

• The By-law Enforcement and Licensing Section and the Engineering Department investigated the gravel deposited in the rear of the site. An after-the-fact soil permit was issued for the subject site, and no further action is required regarding the gravel.

• The applicant advises that there is a resident who currently lives in the dwelling.

Current Proposal:

- The applicant proposes to rezone the subject site from "Single Family Residential Zone (RF)" to "Assembly Hall 1 Zone (PA-1)" in order to construct a mosque.
- Access to the proposed mosque is intended to be located within the unopened road allowance
 to the west side of the subject site. The proposed access driveway is intended to be shared
 with the Southside Community Church through an access easement. The ultimate
 configuration of the access and the ownership arrangement is still to be confirmed as the
 applicant and the Southside Community Church both have expressed interest in acquiring the
 road allowance from the City.
- The proposed mosque is 876 square metres (9,429 sq.ft.) in size with capacity to accommodate a maximum of 300 people, which complies with the PA-1 Zone.
- The initial design of the building included a third storey element for an Imam's residence which exceeded the maximum height of 9 metres (30 ft.) permitted in the PA-1 Zone. The building plans were subsequently amended to delete this third storey element and the Imam's residence.
- The applicant is requesting variances to the setbacks, parking location, and landscaping requirements of the PA-1 Zone in order to construct the mosque (see By-law Variances section).
- Currently, the group rents various halls in Surrey for their monthly programs including the Newton Arena Multipurpose Room and the Fleetwood Community Centre. Currently this Islamic group does not hold any daily or weekly prayers. The applicant explained that due to the growing Muslim population in Surrey, a new facility is needed to meet the growing demand.
- The applicant explained that the majority (99%) of members live in Surrey, with many living in the immediate neighbourhood of the subject site.
- The initial expected membership of the mosque is 100-150 people with an anticipated attendance of 15-30 people through the week and 70-90 people on Fridays. On special occasions, such as Eid, the anticipated attendance is 200-250.

PRE-NOTIFICATION AND PUBLIC INFORMATION MEETING

Pre-notification letters were sent to 34 property owners on December 19, 2013 and the Development Proposal Sign was installed on December 23, 2013. Staff received 136 responses (11 phone calls, 16 e-mails, 2 letters, and 107 form letters from residents shown on Appendix V),

including correspondence from the South Westminster Ratepayers Association. The respondents provided the following comments (*staff comments in italics*):

- Many of the residents expressed concern about increased traffic throughout the neighbourhood and the impacts of overflow parking. Traffic-related comments include:
 - o Between 121 Street and 128 Street along 100 Avenue, there are two existing churches, an elementary school and Robson Park. This road is very busy, is a bus route, and commuters use 100 Avenue as a way to get between 120 Street and 128 Street.

(The Surrey Road Classification Map (R-91) of the Subdivision and Development Procedures Bylaw (No. 8830) classifies 100 Avenue as a Collector Road, between 123A Street and 134 Street.)

• The speed limit in the area is 30kph through the park zone and Prince Charles Elementary School zone, and drivers often ignore the posted speed limits.

(The posted speed limit of 30 km/h of 100 Avenue is consistent with other comparable Park Zones within the City. RCMP's Speed Watch program can be advised of the concerns with speeds if the residents continue to observe speeding infractions.)

The sidewalk is only on the north side of 100 Avenue, and on the south side of 100 Avenue there is no sidewalk. It is not safe to walk on the south side of the road.

(This portion of 100 Avenue has sidewalk on the north side of the street, which is consistent with most roads within the neighbourhood. There is an existing pedestrian crosswalk at Park Drive that allows park users to access Robson Park from the sidewalk. Engineering staff will continue to monitor the pedestrian demands for Robson Park to determine if additional sidewalks and/or crosswalks are warranted in the future.

Sidewalk construction has been proposed for the south side of 100 Avenue, between 124B Street and 128 Street, through the City's capital sidewalk program. Construction will likely commence in the next three years, subject to competing priorities.)

- o Parking lots for the existing church and Robson Park are over-crowded during special events and the parking spills-over onto the streets. As 100 Avenue is unfinished with no curbs and gutters on the south side of the street, there is limited on-street parking available on 100 Avenue, and drivers are parking on the local residential streets.
- o There is concern that the majority of people attending the mosque will not be coming from the immediate neighbourhood and that a similar situation will occur as already observed at the places of worship adjacent to Bear Creek Park on 140 Street.

(The Parks Recreation and Culture Department has raised similar concerns regarding parking.

A City-initiated parking study regarding places of worship, prepared by Opus Hamilton in 2008, recommends places of worship with fewer than 450 people should have 8 parking spaces for every 100 square metres of building area. The proposed on-

site parking for the mosque will have a ratio of 8.25 parking spaces for every 100 square metres of building area.

The applicant has commented that there are 75 families who live within 1,000 metres of the proposed mosque, who will be the main users of this facility on a regular basis, and these families will likely walk to the mosque.)

Residents expressed concern about unauthorized construction, unauthorized use, and
unauthorized fill on the subject site, including an article about the conversion of the existing
house to an assembly building in the Miracle News, a bi-weekly newspaper for the Muslim
community in British Columbia. Callers requested information about the status of these
investigations. Residents expressed a lack of confidence in the enforcement action taken by
the City.

(In January 2013, both the Planning and Development Department and the By-law Enforcement and Licensing Section received a complaint regarding unauthorized building construction and assembly use on the subject site. The By-law Enforcement and Licensing Section could not verify whether an assembly use was operating on the subject site and closed the investigation. While staff investigated the site, they also observed gravel deposited in the rear yard and opened an investigation regarding the possibility of unauthorized fill on the site.

The Planning and Development Department investigated the unauthorized building construction on the lot and confirmed that there was an addition to the rear of the house without a permit. Two stop work orders were issued on January 16, 2013, and February 5, 2013, respectively. A Building Permit for the addition to the house was issued on August 12, 2013 and the Stop Work orders were lifted shortly after. To date, the owner has not called for an inspection.

The By-law Enforcement and Licensing Section and the Engineering Department investigated the gravel deposited in the rear of the site. An after-the-fact soil permit was issued for the subject site, and no further action is required regarding the gravel.)

Residents expressed concern about possible negative impacts on the Robson Park habitat, that
the fill placed at the rear of the site is contaminating the nearby Robson Creek, a red-coded
watercourse. There are also concerns that the new construction will have negative run-off
impacts into Robson Creek.

(The subject site is located more than 30 metres (100 ft.) away from red-coded Robson Creek, which complies with the minimum riparian area setback requirements. Onsite drainage is typically managed by implementing onsite infiltration such as porous pavement infiltration, green pavers, and/or infiltration in the boulevard.

The subject site has been identified on Figure 65 of the Official Community Plan as within a Hazard Lands Development Permit Area. Upon further evaluation, the slope of the site is less than 15% and located upslope from a steep slope area, therefore this site is exempt from requiring a Hazard Lands Development Permit.

To limit the environmental impacts, the developer would be required to install an oilwater separator and oil interceptor for the parking lot, and register a Restrictive

Covenant for the installation and maintenance of a water quality / sediment control device on the site. Onsite detention is required to further mitigate drainage flows, which may include a detention facility such as a detention tank if necessary to meet the City's flow requirements. No drainage outfall is allowed to the southern Parks property and on-site drainage must drain to the lot frontage to the storm connection.)

• Residents inquired whether places of worship (i.e. churches) should be located in industrial areas, and inquired whether the City has a policy for locating churches within industrial areas. The residents felt the proposed use is better suited for industrial areas.

(The City does not have specific policies regarding the location of places of worship. While a church use is a permitted accessory use in certain industrial zones (IB, IB-3, IL, and IL-1), a church use is not an employment-generating use and therefore not an appropriate principal use in industrial areas.

OCP By-law No. 18020 has the following policies that guide development within industrial land in order to encourage employment uses:

- Policy E1.11 Protect industrially-designated land specifically for industrial purposes, particularly industrial land accessible by water and railways.
- O Policy E1.13 Prohibit the conversion of industrial, business park or mixedemployment lands to residential or other non-employment uses.)
- Residents inquired about the history of the subject site and asked why the Southside Community Church was denied rezoning of the subject site when they owned the subject site and wanted to expand. Residents also asked about another rezoning for a prayer hall by a different owner, which was subsequently denied by the City.

(A history of title searches confirms that the Southside Community Church owned the property from 2002 to 2009. Representatives from the Southside Community Church met with the City to redevelop the site, and options for redevelopment included subdividing the property into two lots. The City was interested in purchasing the subject site for expansion of Robson Park, but could not come to a purchase agreement. An application to rezone and redevelop the subject site was never made by the Southside Community Church.

In 2009, the ownership of the land subsequently changed and in 2012 a new owner made an application (Development Application No. 7912-0113-00) to rezone the subject site for a prayer hall and child care centre. At the time, there was a sanitary servicing constraint in the vicinity of the site and there was not sufficient capacity for new development within the sanitary catchment area. The owner subsequently closed the application due to the sanitary servicing constraint. The land was subsequently sold to the current owner.)

Residents expressed concern that the lot is too small for the proposed scale of development
and that the land use is not compatible with the surrounding St. Helen's Park neighbourhood
and Robson Park.

(The proposed development complies with the maximum permitted density and lot coverage of the PA-1 Zone. The maximum permitted floor area ratio (FAR) of the PA-1 Zone is 0.35, and based on acquiring half the adjacent road allowance, has a proposed FAR of 0.27. The maximum lot coverage of the PA-1 Zone is 35%, and the proposed lot coverage is 18%.

The subject site is designated Urban in the OCP. Urban-designated land is intended to support low and medium density residential neighbourhoods. Other complementary uses included in this land use designation are public facilities, places of worship, small-scale daycare facilities, schools, live-work units and small-scale neighbourhood-serving shops.)

• The president of the South Westminster Ratepayers Association commented that they were not sent a pre-notification letter for the proposed rezoning.

(Staff reviewed the boundaries for the South Westminster Ratepayers Association, and confirmed with the president that the boundaries be updated. Staff worked with the South Westminster Ratepayers Association to determine the appropriate boundaries and subsequently updated the Association boundary map. Staff subsequently discussed the proposal with the president of the Association.)

• One resident saw that the trees along the perimeter of the subject site were tagged, and expressed concern that this means these trees will be cut down.

(Staff explained that when trees are tagged it means that they have been surveyed, and it does not necessarily mean that trees will be removed as part of a proposed development. The developer is responsible for hiring a land surveyor and an arborist to assess the location, size, species, health, and quality of each tree that may be impacted by the proposed development. Staff then worked with the applicant to retain as many good quality trees as possible. If some of these trees are not suitable for retention, the owner may apply for a tree-cutting permit to remove trees.

In the case of the proposed development, the applicant proposes to retain trees along the perimeter of the site. The arborist report has been submitted and is subject to review by staff once the site boundaries are confirmed.)

Public Information Meeting

• In response to the neighbourhood comments, the applicant held a Public Information Meeting (PIM) at Living Hope Christian Fellowship Church, located at 12246 - 100 Avenue, on June 19, 2014. 146 residents registered their attendance on the sign-in sheet, representing both area residents and members of the Muslim community. Ninety-five (95) comment sheets were submitted to City staff at the PIM. The comments are summarized as follows:

	Support	Oppose	Neutral	No response	Total
Tree Conservation	78	10	2	5	95
Setbacks	69	15	2	9	95
Parking	72	18	0	5	95
Building Height	72	12	3	8	95

 While the feedback forms did not specifically request feedback on the proposed land use, there was a large space provided for respondents to include additional comments, which are reflected in the discussion above.

- While there were more people in support than opposition who attended the PIM, mapping of the responses illustrates there is strong opposition in the immediate neighbourhood surrounding the site (Appendix VI).
- Furthermore, the applicant conducted three other surveys indicating support of the proposed development including:
 - o a 49-signature petition from the Islamic Association of Western Canada;
 - o 223 form letters in support of the proposed development, submitted by the members of the Muslim community; and
 - o a survey of residents located within 200 metres (600 ft.) of the subject site. The applicant demonstrated that 49 of the residents surveyed were supportive of the proposed development. (Appendix VII).
- Following the PIM, staff received the occasional inquiry about the status of the project, and staff provided updates to the callers upon request.
- The Southside Community Church recently contacted staff regarding the road closure of the road that separates their lot from the subject lot. The church is interested in acquiring the road in order to maintain access to their rear parking lot. Staff sent the church the proposed site plan for the subject development and explained that an easement would be required over the driveway of the subject site in order to maintain access to the rear parking lot.

(As the Southside Community Church has expressed interest in acquiring the road, the City's practice is to split the road allowance area and offer equal parts to the respective adjacent owners. As such, the City proposes offering ½ the width of the road closure area to each of the two adjacent owners and have each adjacent owner grant an access easement to the other adjacent owner. In this case, the driveway could continue in perpetuity as access benefitting both adjacent properties.

In anticipation of the Southside Community Church acquiring half of the unopened road allowance, the applicant subsequently amended their proposal to show 5 metres of unopened road to be consolidated with the subject site, and 5 metres of unopened road to be consolidated with the existing adjacent church site.

Since the road closure and acquisition process has not been finalized, this proposed arrangement is still subject to change.)

APPLICANT'S RATIONALE

- The applicant has provided their written rationale as to why Council should consider supporting the proposed development. Their submission is attached as Appendix VIII.
- The applicant indicates the need for a mosque, with more than 20,000 Muslims estimated to be living in Surrey and only 5 mosques in Surrey.

According to the applicant, there are 75 Muslim families estimated to be living within a 1,000-metre radius of the subject site, and they will be encouraged to walk to the mosque to reduce any parking and traffic issues.

- It is expected that there will be five daily prayers of 15 to 30 people each and Friday prayers of 70 to 90 people. For special events, which occur approximately 3 to 4 times per year, there is an expected attendance of approximately 200 to 250 people. These prayer times are not expected to conflict with the Sunday prayers offered at the neighbouring church.
- The mosque will coordinate a number of community services including counselling, education, food drives, interfaith dialogue, senior assistance, sporting events and neighbourhood security watch.

DESIGN PROPOSAL AND REVIEW

Site Layout and Building Design

- The mosque building is proposed to be located at the north portion of the lot, with a combination of underground parking and surface parking at the rear of the site.
- The building is set back approximately 6.4 metres (21 ft.) from the front property line, which is in alignment with the front yard setback of the existing church to the west.
- The proposed building is 2 storeys in height with a flat roof and a minaret (slender tower providing focal point) approximately 15 metres (50 ft.) in height. The overall height of the proposed building is lower than the peaked roof of the church to the west. The proposed building height is 9 metres (30 ft.), which complies with the maximum height permitted in the PA-1 Zone. The minaret is exempt from the 9-metre (30 ft.) height restriction as per Section E.10 of part 4 General Provisions of Zoning By-law No. 12000 regarding spires and similar structures.
- The principal entrance to the mosque is located closer to the east side of the site, but remains aligned with the entrance of the church. This will allow more space between entrances yet retain the visual connectivity between the two entrances.
- There is a row of mature trees located in Robson Park along the east property line of the subject site, which will remain. These trees will help to soften the visual impact of the east building face.
- Detailed design drawings for the building are not completed yet. Should Council find merit in the proposed development, the applicant will be required to provide detailed building design drawings for staff review. As this is a proposed institutional use, it is not subject to a Development Permit.

Parking

• The applicant submitted a parking and traffic study prepared by Opus International Consultants (Canada) Limited dated February 2015. The purpose of the study is to compare the "build" and "no build" scenarios in order to respond to the local concerns regarding the

potential for adverse traffic and parking impacts as a result of vehicle trips generated by the proposed mosque.

- The report provided technical support that the traffic generated by the site would not significantly impact the adjacent transportation infrastructure in terms of capacity.
- With respect to the parking, the study does not fully explain how the assumed generated trips (maximum of 167 trips) translate to parking demand though the site is providing sufficient parking in accordance with the Zoning By-law. The study provided a brief analysis on street parking demand within the neighbourhood and identified on street parking availability on adjacent roads. The report does not comment on how the concerns from the area residents will be addressed.
- A drive-aisle leading to the rear parking lot is provided along the west side of the building, in the location of the unopened road allowance. A reciprocal access easement is intended to be registered over the driveway to provide the Southside Community Church access to their rear parking lot.
- Should the Southside Community Church pursue acquisition of the western half of the unopened road, 5-metres width would be consolidated with the church site and 5-metres width would be consolidated with the subject site. Reciprocal access easements would be required over each half of the closed road in order to ensure access to the rear parking areas of each site.
- The drive-aisle is proposed to meander around two mature trees (Western red cedar and Douglas fir) located along the west side of the subject site.
- The proposed land use falls under the definition of "church" in Surrey Zoning By-law No. 12000, as amended. The parking requirement for church use in the Zoning By-law is 7.5 parking spaces per 100 square metres (1,075 sq.ft.) of building area, or 46 spaces. To address concerns raised by the area residents, the applicant is proposing a parking ratio of 8.25 parking spaces per 100 square metres (1,075 sq.ft.) of building area, or 51 spaces.
- Of the 51 parking spaces provided, 19 are underground spaces, and 32 are surface parking spaces.
- Thirteen (13) of the parking stalls are for small cars, which complies with the maximum 25% small car spaces permitted in the Zoning By-law.

TREES

- Glenn Murray, ISA Certified Arborist of Frogger's Creek Tree Consultants Ltd. prepared an
 Arborist Assessment for the subject property based on the original site plan. The arborist
 report will need to be updated to reflect the current site plan and be reviewed and approved
 by staff.
- There is a row of mature trees within Robson Park adjacent to the east property line of the subject site. The proposed building construction is located outside of the critical root zones of these trees. A portion of the surface parking is proposed within the critical root zones of

these trees. The arborist will be required to make recommendations on how the surface parking and driveway construction will not adversely affect the retained trees.

• The site plan includes 6.4 metres (21 ft.) of landscaping in the front yard setback area, and 3 metres (10 ft.) of landscaping along the east and south property lines. Should the proposed development proceed, the applicant will be responsible for preparing a landscape plan, cost estimate, and landscape security for review and approval by the City.

SUSTAINABLE DEVELOPMENT CHECKLIST

The applicant prepared and submitted a sustainable development checklist for the subject site on October 11, 2013. The table below summarizes the applicable development features of the proposal based on the seven (7) criteria listed in the Surrey Sustainable Development Checklist.

Sustainability Criteria	Sustainable Development Features Summary
1. Site Context & Location (A1-A2)	 Located on a transit route 500 metres from Prince Charles Elementary School 1 km from Townline Plaza shopping centre Immediately adjacent to Robson Park
2. Density & Diversity (B1-B7)	• N/A
3. Ecology & Stewardship (C1-C4) 4. Sustainable Transport & Mobility (D1-D2)	 Absorbent soils, on-lot infiltration trenches or sub-surface chambers, dry swales, rain water wetlands/detention areas Recycling and organic waste pickup made available Visible/secure all-weather bicycle parking provided Covered outdoor waiting areas
5. Accessibility & Safety (E1-E3)	 Site design incorporates CPTED principles Indoor and outdoor community gathering spaces
6. Green Certification (F1)	• N/A
7. Education & Awareness (G1-G4)	 Public Information Meeting held June 19, 2014. Daylight harvesting and passive natural vegetation

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variances:

- To reduce the minimum setbacks of the PA-1 Zone as follows:
 - o from 9 metres (30 ft.) to 6.4 metres (21 ft.) for the front yard setback;
 - o from 9 metres (30 ft.) to 5.6 metres (18 ft.) for the west side yard setback; and
 - o from 9 metres (30 ft.) to 4.4 metres (14 ft.) for the east side yard setback;

- To vary the PA-1 Zone to permit parking within the setback areas; and
- To relax the landscaping requirement of the PA-1 Zone from 3.0 metres (10 ft.) to 0.46 metre (3 ft.) along the west property line.

Applicant's Reasons:

- The general intent of site design is to keep the building footprint as compact as possible, maintaining the massing along 100 Avenue, away from Robson Park. All trees around the perimeter of the property are intended to be retained.
- The front yard setback reduced to 6.4 metres (21 ft.) in order to keep the building massing as far north as possible, away from Robson Park and to align with the front yard setback of the neighbouring church.
- The west side yard setback is reduced to 5.6 metres (18 ft.) as a result of Southside Community Church expressing interest in acquiring the adjacent unopened road and City's practice to divide the land equally amongst interested parties.
- The east side yard setback is reduced to 4.4 metres (14 ft.) to allow the existing shared access driveway, for the existing church and proposed mosque, to curve around a cluster of trees. The result is a 5.6-metre (18 ft.) setback on the west side and a 4.4-metre (14 ft.) setback on the east side.
- The landscaping requirement is relaxed from 3.0 metres (10 ft.) to 0.45 metre (1.5 ft.) along the west property line, adjacent to the parking area of the adjoining church in order to meet a higher requirement of parking spaces, as well as avoid the root protection zones of existing trees.

Staff Comments:

- The PA-1 Zone requires that all building setbacks be greater than or equal to the measurement of the height of the highest building on the lot.
- As the proposed building height is 9 metres (30 ft.), the required front yard, rear yard and side yard setbacks are 9 metres (30 ft.).
- The applicant is requesting setback relaxations to the front yard, west side yard and east side yard setbacks from 9 metres (30 ft.) to 6.4 metres (30 ft.), 5.6 metres (18 ft.), and 4.4 metres (15 ft.), respectively. The west side yard setback relaxation may no longer be required if the Southside Community Church decides not to acquire half the road allowance and instead the applicant acquires the entire road allowance.
- In order to achieve additional parking spaces for the subject site, parking is proposed within the setback areas. A portion of the underground parking is proposed to extend beyond the front building face. Civil drawings will be required to confirm that the parking is fully underground within the front yard setback.

• The PA-1 Zone requires 3 metres (10 ft.) of landscaping along all property lines. The applicant is requesting a relaxation to the landscaping requirement along the west property line.

- A driveway is proposed along the west property line. A reciprocal access easement driveway is proposed to be shared with the church to the west to provide access to the rear parking lot of the church.
- Two mature trees are proposed to be retained near the west side of the subject site. The driveway is proposed to meander around these retained trees. Landscaping, varying from 1 metre (3 ft.) to 3 metres (10 ft.) in width is proposed along the west building face.
- Approximately 1 metre (3 ft.) of landscaping is proposed along the west property line
 adjacent to parking spaces 11 and 12, which abut the church site to the west. There is
 an existing hedge located on the church site adjacent to the subject site, which
 separates the proposed parking on the subject site and the existing parking on the
 church site.

PROJECT EVALUATION

• The following provides an analysis of the advantages and disadvantages of the proposed development.

Advantages of the Proposed Development

- The subject site is not located immediately adjacent to any single family dwellings. The site is separated from single family homes by a road (100 Avenue), church, and public park.
- To address parking concerns raised by the area residents, the proposed development provides a parking ratio of 8.25 spaces per 100 square metres of building area. This parking ratio is consistent with the recommendations provided by the City-initiated study for Places of Worship in 2008.
- There are currently more than 20,000 Muslims living in the City of Surrey and only 5 mosques are available for them to perform their religious activities. The Muslim population in Surrey is reportedly growing at a steady rate and is in need of more worship places. The proposed development would help address this demand. Developing more worship places shall also reduce the congestion at the current available facilities.
- The proposed building is of a similar height and setback as the existing church to the west.

Disadvantages of the Proposed Development

Area residents have raised objections to the proposal with regards to the scale of the
development, the amount of on-site parking provided, and the impact on Robson Park,
including its two nearby parking lots.

• Area residents also have concerns regarding additional traffic the proposed development will add to 100 Avenue, along with the traffic generated by existing facilities in the area, including Robson Park, Prince Charles Elementary School and two existing religious institutions.

 Although the proposal complies with the minimum parking requirements of the Zoning By-law, the Parks Recreation and Culture Department has raised concerns about the proposal to develop a place of worship at this location, adjacent to a new parking lot in Robson Park. There is concern that the religious institution will not have enough parking and that there may be spill-over into the two parking lots developed for Robson Park users.

CONCLUSION

- While there are advantages and disadvantages to the proposed development, staff feel that on balance the disadvantages outweigh the advantages. Staff, therefore, recommend that the project be <u>denied</u>.
- If, however, Council is supportive of the application, Council may refer the application back to staff to resolve the building design, landscaping, and proposed road closure, and subsequently to prepare the necessary Rezoning By-law and Development Variance Permit for Council's consideration.

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 Site Plan, Floor Plans and Streetscape

Appendix III. Engineering Summary

Appendix IV. Summary of Tree Survey and Tree Preservation

Appendix V. Form Letter, Map of Responses

Appendix VI. Maps of Attendees of June 19, 2014 Public Information Meeting

Appendix VII. Map of Neighbourhood Support Provided by Applicant

Appendix VIII. Applicant's Written Rationale

original signed by Judith Robertson

Jean Lamontagne General Manager Planning and Development

<u>Information for City Clerk</u>

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent: Name: Sharif Senbel

Studio Senbel Arcitecture + Design

Address: 548 - Victoria Drive, Suite 2

Vancouver, BC V5L 4E2

Tel: 604-605-6995 - Work

2. Properties involved in the Application

(a) Civic Address: 12658 - 100 Avenue and portion of unnamed road

allowance

(b) Civic Address: 12658 - 100 Avenue

Owner: Raza M Haroon PID: 008-981-663

Lot 105 Section 32 Block 5 North Range 2 West New Westminster District Plan 28368

(c) Civic Address: Portion of unnamed road allowance

Owner: City of Surrey

DEVELOPMENT DATA SHEET

Proposed Zoning: PA-1

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA (in square metres)		
Gross Total	2,023 sq.m.	2,284 sq.m. (with half road closure)
Road Widening area		
Undevelopable area		
Net Total		2,284 sq.m.
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	35%	18%
Paved & Hard Surfaced Areas	3570	54%
Total Site Coverage		72%
Total Site Coverage		/270
SETBACKS (in metres)		
Front	9.0 m	6.4 m*
Rear	9.0 m	40 m
Side #1 (E)	9.0 m	4.4 m*
Side #2 (W)	9.0 m	5.6 m*
BUILDING HEIGHT (in metres/storeys)		
Principal	9 m	9 m
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential		
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial		
1200K/IKL/I. IIIQQ5UIQI		
FLOOR AREA: Institutional		757 sq.m.
TOTAL BUILDING FLOOR AREA		757 sq.m.

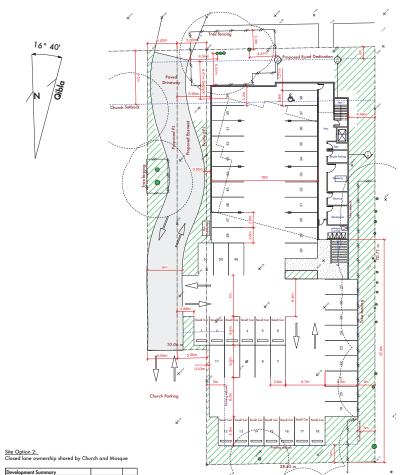
^{*} Variances requested

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)	0.35	0.27
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	46	46
Total Number of Parking Spaces	46	51
Number of disabled stalls	1	1
Number of small cars	13	13
Tandem Parking Spaces: Number / % of Total Number of Units	NA NA	-
Size of Tandem Parking Spaces width/length	NA	

Heritage Site	NO	Tree Survey/Assessment Provided	YES





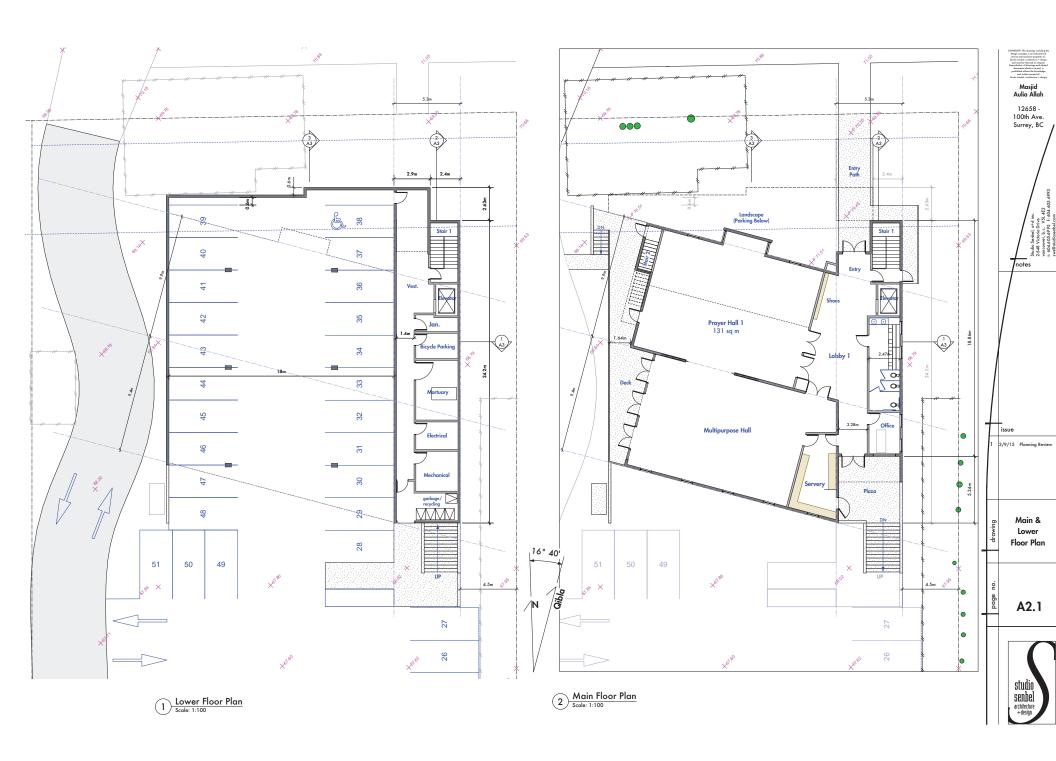
Development Summary		
Address	12658 100	th Ave
Existing Zoning	RF	
Proposed Zoning	PA-1	
Lower Floor Area	135.9	sq n
Main Floor Area	416.6	sq n
Second Floor Area	204.76	sq n
Total Area	757.26	sq n
Total Above Grade Area (FAR)	621.36	sq n
Permitted FAR	0.35	
Proposed FAR	0.272	
Existing Lot Area	2,023	sq n
Proposed Site Area (w/closed road)	2,284	sq n
Building Footprint	416.6	sq n
Site Coverage	18.242	%
Building Height	9	

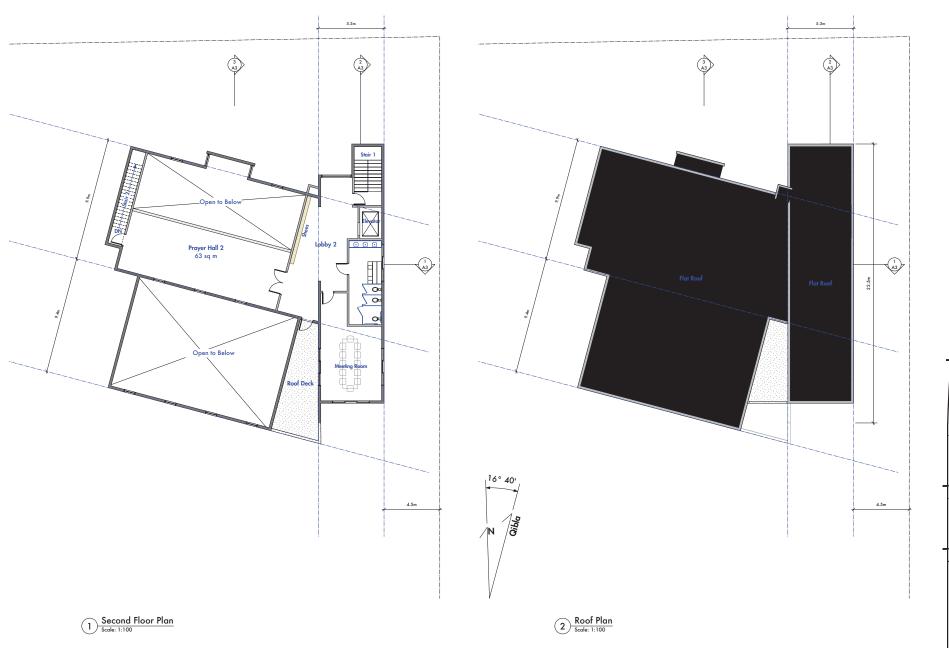
2 Site Parking Plan
Scale: 1:200

Parking Summary				
Parking Required				
		Area sq m	Parking	
Assembly	Lower Floor	52		
	Main Floor	390		
	2nd Floor	176		
	Total	617	6.17 x 7.5	7.5 / 100 sq m
Total Parking Required			46	
Parking Provided:				
Standard Stalls			37	
Small Parking Stalls			13	
Accessible Parking Stalls			1	
Total Provided			51	



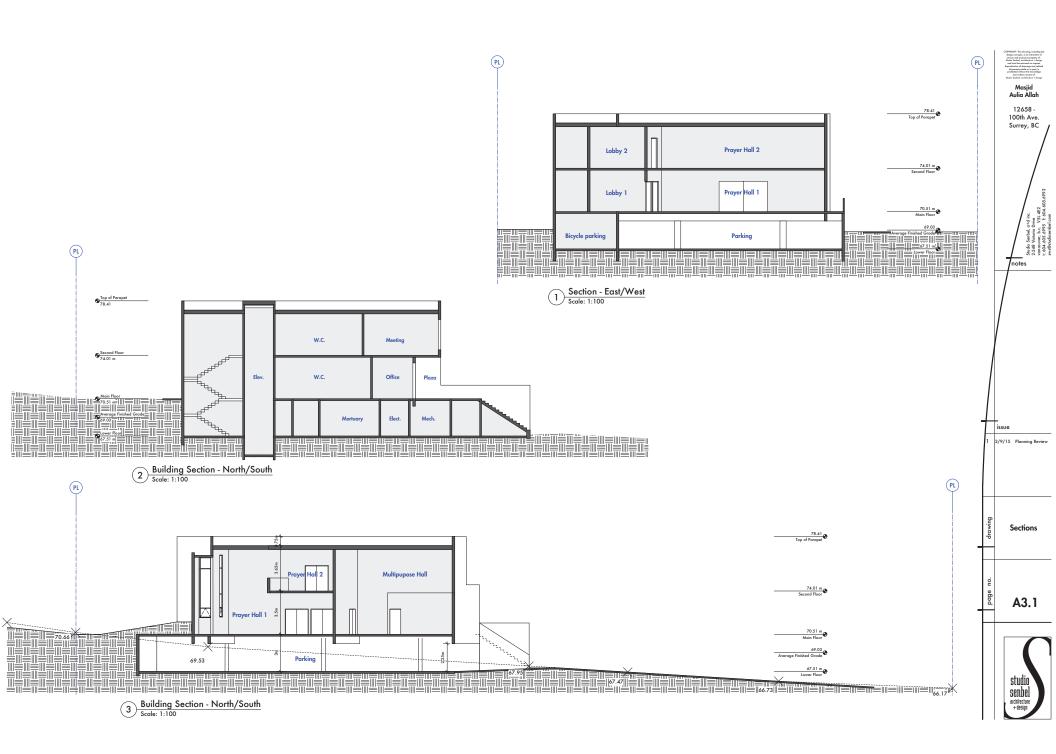
Site Plan
Scale: 1:250

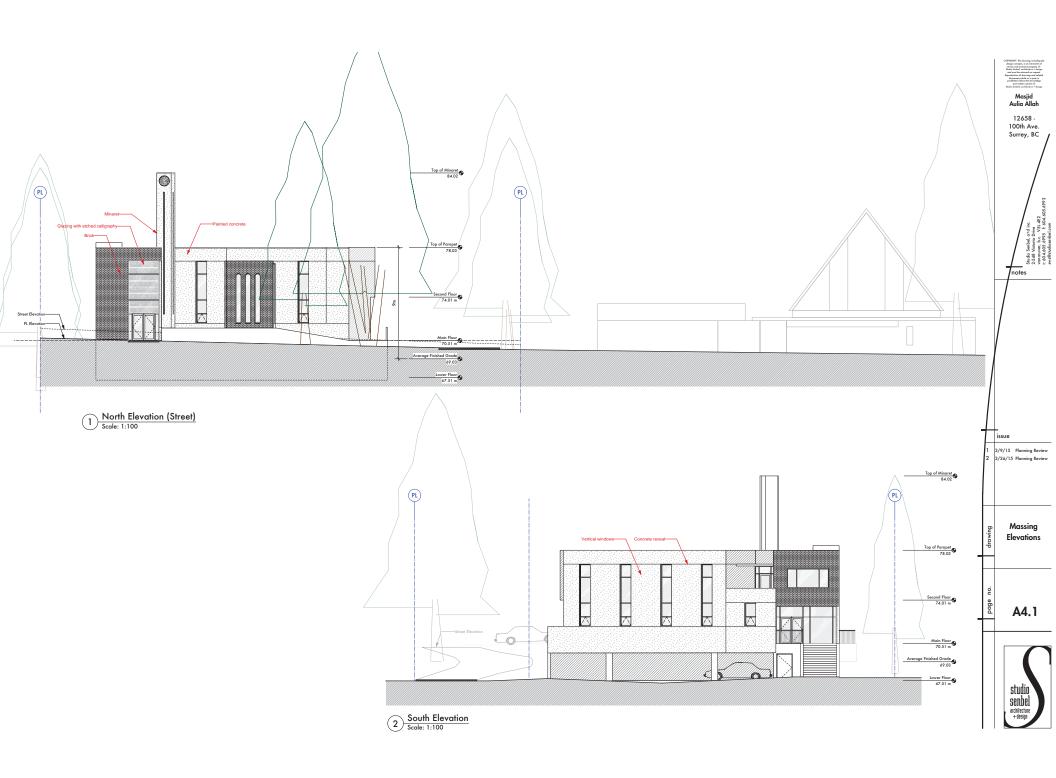


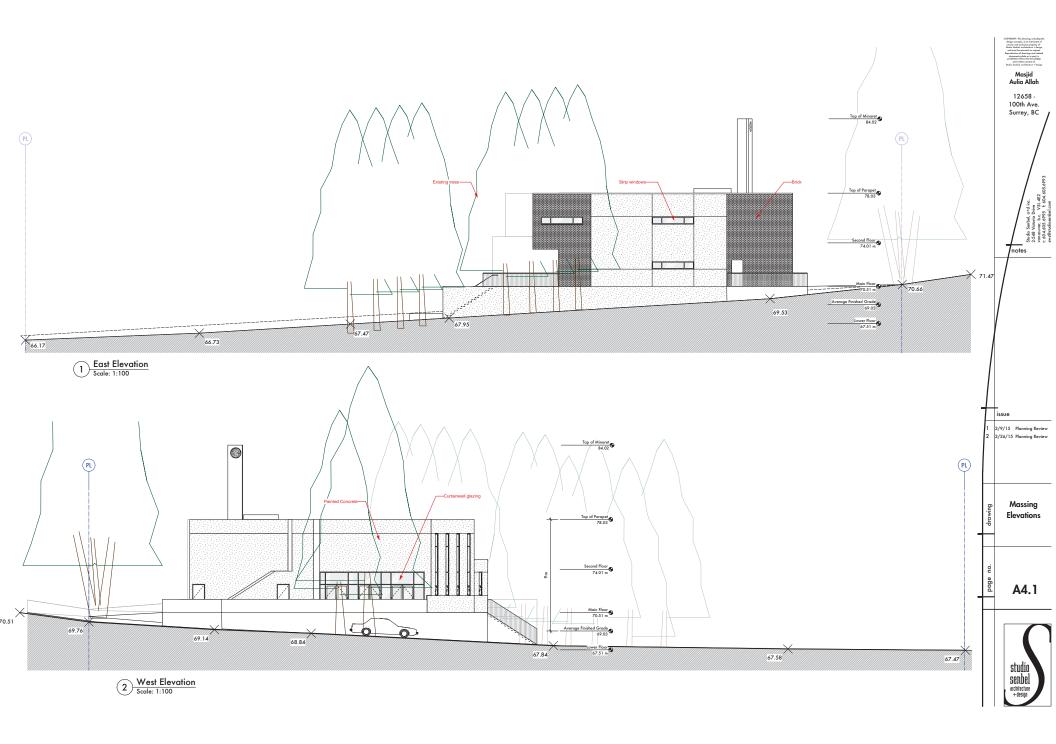


Masjid Aulia Allah 12658 -100th Ave. Surrey, BC 3/9/15 Planning Review Second Floor & Roof Plan A2.2

> studio senbel architecture +design









INTER-OFFICE MEMO

TO:

Manager, Area Planning & Development

- North Surrey Division

Planning and Development Department

FROM:

Development Services Manager, Engineering Department

DATE:

December 10, 2014

PROJECT FILE:

7813-0228-00

RE:

Engineering Requirements

Location: 12658 100 Avenue

REZONE/SUBDIVISION

Property and Right-of-Way Requirements

- dedicate 1.942 metres along 100 Ave. for road widening for an ultimate 24.0 metre collector road allowance; and
- register 0.50 metres for a statutory right-of-way (SRW) along site frontage for future sidewalk.

NOTE: The layout submitted for this development requires the closure of the existing unopened adjacent lane to the west of the subject site. This portion of land will be consolidated with the subject site.

Works and Services

- construct adequate storm drainage facilities for the subject site; and
- construct adequate storm, sanitary, and water service connections, complete with inspection chambers, to the lot.

A Servicing Agreement is required prior to Rezone/Subdivision.

DEVELOPMENT VARIANCE PERMIT

There are no engineering requirements relative to issuance of the Development Variance Permit.

Remo

Rémi Dubé, P.Eng. Development Services Manager

MS

Tree Preservation Summary

Surrey Project No:

Address:

12658 100th Avenue Surrey

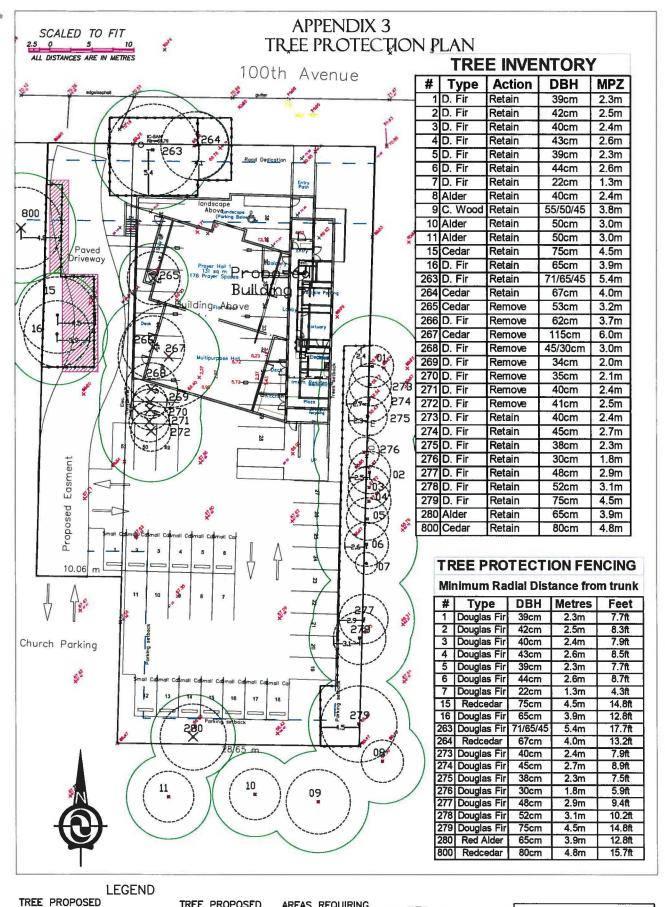
Registered Arborist: Glenn Murray

On-Site Trees	Number of Trees
Protected Trees Identified	
(on-site and shared trees, including trees within boulevards and proposed streets	29
and lanes, but excluding trees in proposed open space or riparian areas)	
Protected Trees to be Removed	9
Protected Trees to be Retained	22
(excluding trees within proposed open space or riparian areas)	22
- Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio	17
Replacement Trees Proposed	17
Replacement Trees in Deficit	0
Protected Trees to be Retained in Proposed [Open Space / Riparian Areas]	

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 Ratio X one (1) = 0 - All other Trees Requiring 2 to 1 Replacement Ratio X two (2) = 0	0
Replacement Trees Proposed	0
Replacement Trees in Deficit	0

Summary,	report and	plan	prepared	and s	ubmitted	by:
1	1					
Q,	//	_				

Sharp		
	12-Dec-14	
(Signature of Arborist)	Date	





TREE PROPOSED FOR REMOVAL



AREAS REQUIRING ARBORIST SUPERVISION



NOTES:

1. SITE LAYOUT INFORMATION AND TREE SURVEY DATA PER SUPPLIED DRAWING

2. REFER TO ATTACHED TREE PROTECTION REPORT FOR INFORMATION CONCERNING TIRE SPECIES, STEM DIAMETER, NEIGHT, CANOPY SPREAD AND CONDITION.

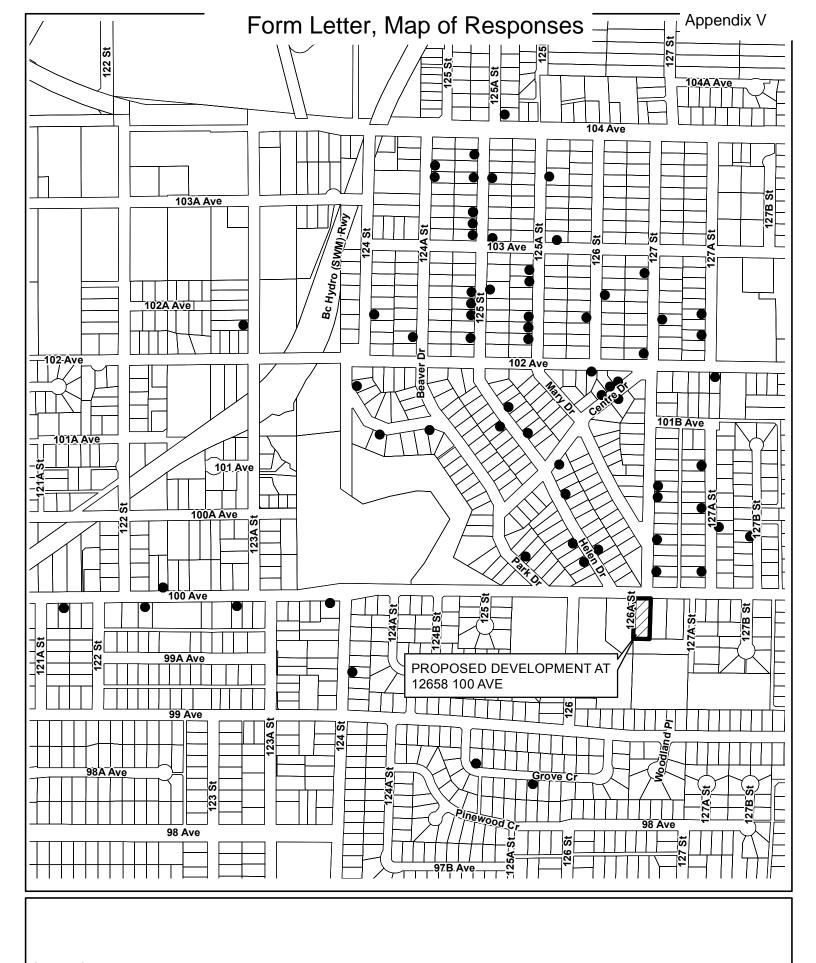
3. ALL MEASUREMENTS ARE METRIC

Froggers Creek Tree Consultants Ltd

7783 McGregor Avenue Burnaby BC VSJ 4H4 Telephone: 604-721-6002 Fax: 804-437-0970

12658 100th Avenue, Servey
TREE PROTECTION DRAWNG
THE DRAWNE PUTS ALL TRESS, PROPOSED FOR
RETENTION, REMOVAL THER CANOPIES,
PROTECTION 2008S AND PROTECTION FINCING
IN RELATION TO PROPOSED LAYOUT

Overwher 12, 201-

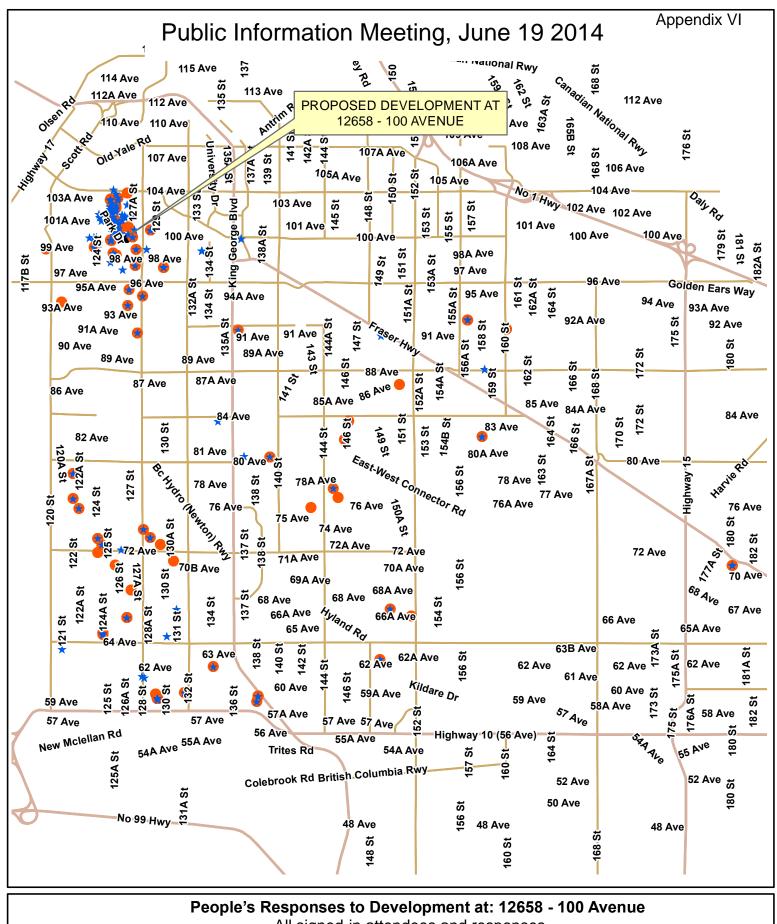


Legend

OPPOSED TO DEVELOPMENT = 84 OUT OF 107

SUBJECT SITE At: 12658 - 100 Avenue







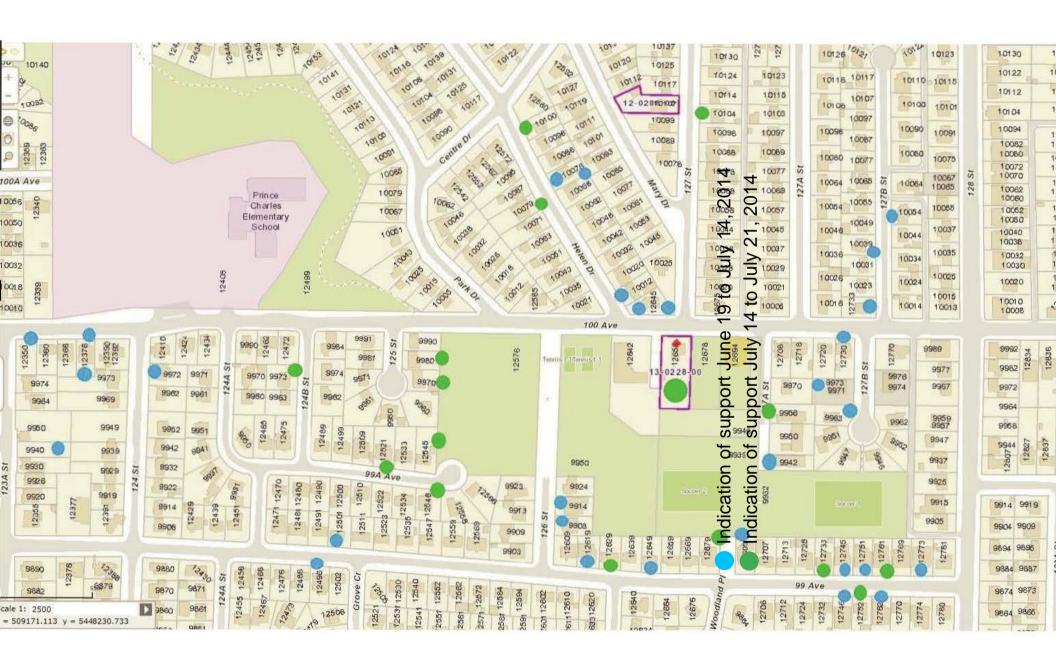




People who sent feedback: 95

SUBJECT SITE At: 12658 - 100 Avenue

0 25 50 Meters



Neighbourhood survey indicating support, provided by applicant

PROPOSED FACILITY'S RATIONALE AND ADVANTAGES

There are currently more than **20,000** Muslims living in the City of Surrey and only **5** mosques are available for them to perform their religious activities. The Muslim population in Surrey is growing on a steady rate and is in the desperate need of more worship places. Developing more worship places shall also reduce the congestion at the current available facilities.

There are more than 75 Muslim families living in 1000 meters radius of the proposed facility, who will be main users of this facility on regular basis. Due to the close proximity, they will be encouraged to attend this facility on foot and avoid using any transport. This will also help to address any hypothetical parking and traffic issues.

We have received 50 letters from the immediate neighborhood (200 meters radius) in support of our proposed project and these letters have already been submitted to Planning Department. In addition to 50 support letters from the neighborhood, we have also submitted 160 support letters from the other areas of Surrey.

Assembly hall shall be used to offer the five daily prayers by 15 to 30 people and Friday Prayer by 70 to 90 people. These services will not conflict with Sunday prayers offered at the neighboring Church. In addition to daily prayers the assembly hall shall provide a major platform to undertake the following community activities and services on regular basis. Following activities shall also support City of Surrey's efforts to improve the community services.

1- Youth Counseling and Education

Youth shall be engaged in regular lectures, programs and sports activities to bring them closer to the Islamic and Canadian values. These regular programs will provide them healthy opportunities and restrain them from being involved in drugs and any immoral activities.

2- Family Counseling

Family counseling shall be a major service, which will be provided on regular basis to the neighborhood and as well as to the lower mainland community.

3- Food Drives

Food drives shall be organized on monthly basis to support the local Food Banks. This service will assist particularly Surrey Food Bank in their efforts to feed 15000 people every month (Ref. Surrey Food Bank).

4- Interfaith Dialogue & Cooperation

For a healthy Canadian society it is important to develop better understanding of various faiths and communities. This mosque will be a centre for interfaith understanding and cooperation. Our leadership has been engaged across Canada to promote multiculturalism and multi-faith

society. When our leader Imam syed Soharwardy walked across Canada and lead **Multi-Faith Walk Against Violence** the entire Surrey City Council welcomed him when he walked through Surrey. This mosque will continue to promote peace and harmony among all citizens of Surrey, British Columbia and Canada. Following are some of the recent news stories.

- http://www.surreyleader.com/national/273221991.html
- http://www.surreyleader.com/national/280211382.html
- http://www.surreyleader.com/national/281854801.html
- http://newscoopyyc.coop/we-have-more-in-common-than-differences/
- http://www.islamicsupremecouncil.com/interfaith2007.htm
- http://www.m-a-t.org/meetings.htm
- http://www2.canada.com/calgaryherald/news/city/story.html?id=3060343c-8bf6-4602-b6de-709c8c890804
- http://www.anglicanjournal.com/articles/calgary-church-reaches-out-to-muslims
- http://presbyterian.ca/2014/10/09/faith-communities-unite-for-an-end-to-povertycalgary/
- http://www.islamicsupremecouncil.com/theimam.htm
- http://www.islamicsupremecouncil.com/pr-mfwav-nov14-2008.htm
- https://ca.news.yahoo.com/photos/imam-soharwardy-lays-flowers-cenotaph-canadian-flag-laid-photo-220209587.html

5- The Sufi Tradition of Islam

Islamic Association of Western Canada follows the Sufi tradition of Islam. Sufis of Islam has always shown tolerance and acceptance of different beliefs and traditions. In Surrey for the past almost ten years we have been educating Muslim youth and elders about true teachings of Islam based upon non-violence, respect for women and good relationships with other faith communities. Our members and executives have proven record of volunteerism and service for humanity.

6- Neighborhood Security Watch

The neighborhood is experiencing safety issues on regular basis. A dedicated team shall be appointed to look after the neighborhood safety and security watch with assistance and guidance from the City's law enforcement department.

During the period of last 12 months, proposed property has become a target of 3 major safety related incidents. All 3 incidents have been reported to police and are on record. In first incident a break-in was reported with a severe damage to the pumps room. In 2nd and 3rd incidents two cars were stolen from the property. These 3 incidents on a single property clearly show the major safety concerns.

Regular movements on the property for five times a day from early morning to late night shall ensure a comprehensive safety watch for the neighborhood. There is no doubt that proposed facility shall make the neighborhood safer and secure.

7- Seniors Assistance

Seniors support and assistance shall be available to the neighborhood residents.

8- Cleaning Drives

Weekly and monthly cleaning drives shall be organized to keep the neighborhood clean and beautiful. This service will complement the City's regular cleaning services.

9- Sports events

Sports events and programs shall be organized on regular basis for the kids and youth living in the neighborhood to support the City's healthy initiative.

10- The Canadian Values

We believe we can be the best Canadian and the best Muslim at the same time. This mosque will lead the efforts to help new immigrants to understand the Canadian values of freedom and equality among all peoples which is in fact a very Islamic value as well. Our spiritual leader Imam Syed Soharwardy established **Muslims Against Terrorism** (www.m-a-t.org) in 1998. He is the first and only Muslim who walked across Canada against violence and terrorism. We are the first Muslim organization in Canada which issued formal religious edicts (Fatwa) against terrorism, misogyny, domestic violence, honour killings, underage marriages and forced marriages.

11- A Useful and Beautiful Addition

We believe the establishment of this mosque in Surrey will be a very useful and beautiful milestone in the city of Surrey where everyone will be welcomed. We are looking forward to work with our neighbours and help them in keeping neighbourhood safe and healthy.