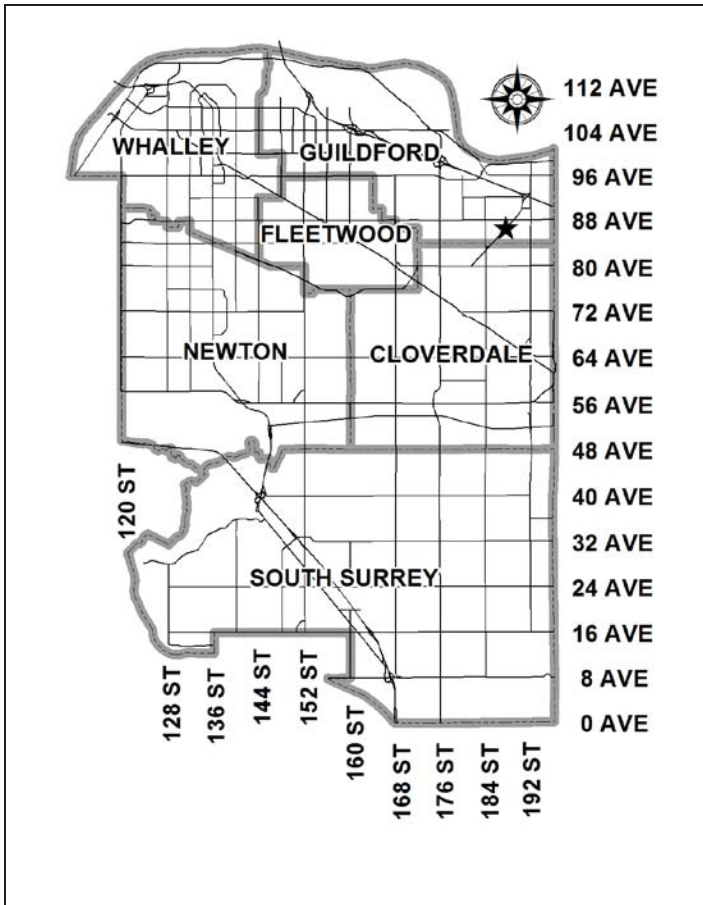


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7916-0017-00

Planning Report Date: July 11, 2016

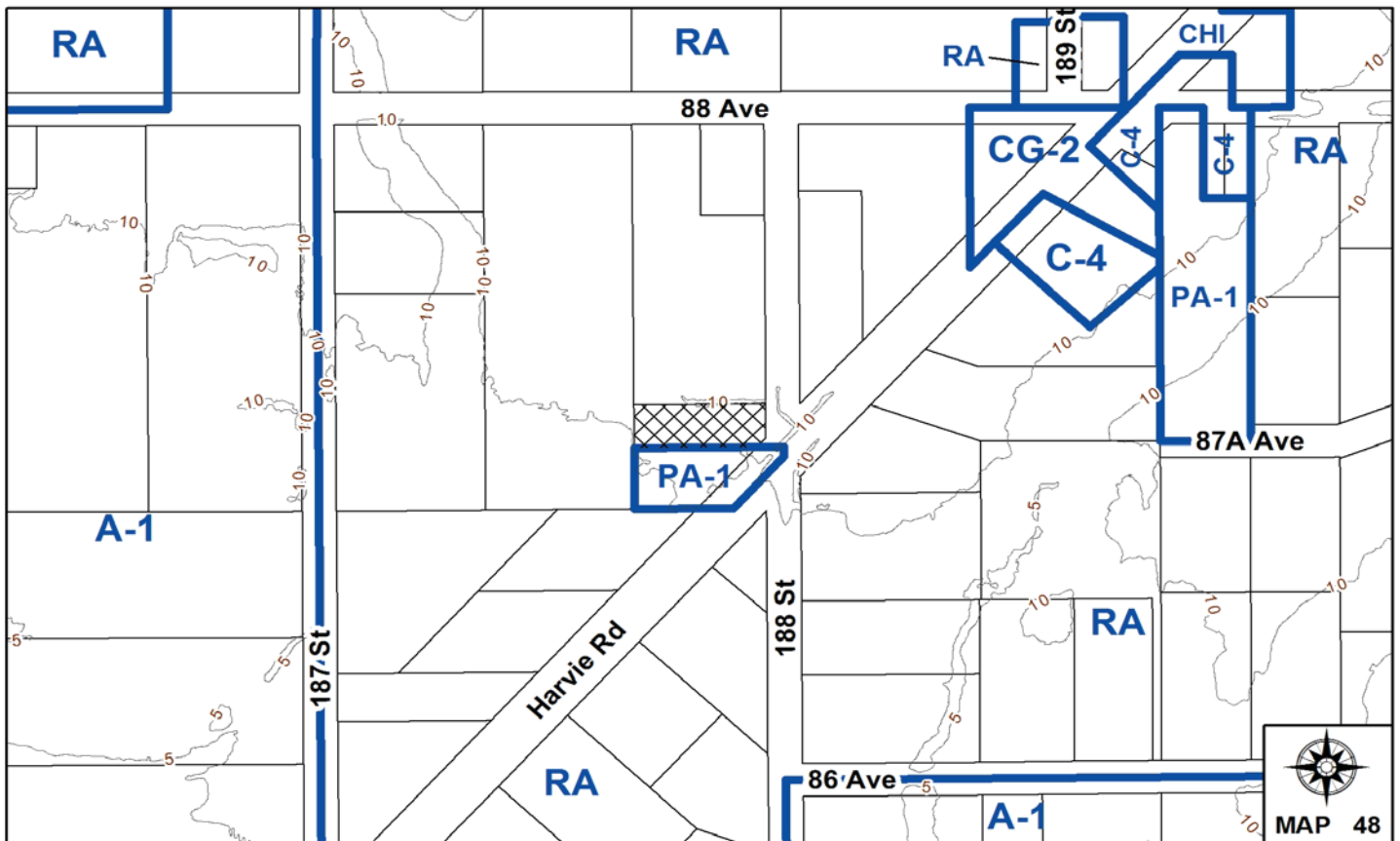


PROPOSAL:

- **Temporary Use Permit**

to permit an existing parking lot associated with a church on an adjacent lot, to remain on the subject lot for a period not to exceed three years.

LOCATION: 8697 - Harvie Road
OWNER: St. Nicolae Romanian Orthodox Church, Inc.
ZONING: RA
OCP DESIGNATION: Suburban - Urban Reserve
LAND USE PLAN DESIGNATION: Suburban Residential



RECOMMENDATION SUMMARY

- Approval for Temporary Use Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.

RATIONALE OF RECOMMENDATION

- The Temporary Use Permit (TUP) will permit an existing parking lot associated with the neighbouring St. Nicolai Romanian Orthodox Church to remain on the subject lot.
- The TUP will provide the church with additional time to plan and save with the intent of rezoning the subject lot to permit the existing parking lot to remain on a permanent basis.
- The surrounding area is characterized by large suburban lots, and as such interface issues with the parking lot are expected to be minimal. The subject parking lot has existed on the lot since 2006, and no neighbourhood complaints have been received. Minimal response has been received to the pre-notification letters.

RECOMMENDATION

The Planning and Development Department recommends that:

1. Council approve Temporary Use Permit No. 7916-0017-00 (Appendix IV) to proceed to Public Notification.
2. 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) ensure that a reciprocal parking and access easement is registered across the subject lot (8697 Harvie Road) and the adjacent lot to the south (8679 Harvie Road); and
 - (c) the applicant remove the existing six (6) parking stalls currently located on City property, in the Harvie Road allowance, to the satisfaction of the General Manager, Engineering.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling and an unauthorized gravel parking lot associated with St. Nicolai Romanian Orthodox Church (church building located on the adjacent southerly lot at 8679 Harvie Road)

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Port Kells Nursery	Suburban – Urban Reserve	RA
East (Across unopened 186 Street road allowance and Harvie Road):	Single family dwellings	Suburban – Urban Reserve	RA
South:	St. Nicolai Romanian Orthodox Church	Suburban – Urban Reserve	PA-1
West:	Port Kells Nursery	Suburban – Urban Reserve	RA

DEVELOPMENT CONSIDERATIONS

Background

- The subject lot is located at 8697 Harvie Road in South Port Kells and is zoned “One-Acre Residential Zone (RA)”. The lot is designated “Suburban – Urban Reserve” in the Official Community Plan (OCP) and “Suburban Residential” in the South Port Kells General Land Use Plan (GLUP).
- The 2,021-square metre (0.5-acre) subject lot and the 2,017-square metre (0.5-acre) adjacent lot to the south (8679 Harvie Road) are both owned by the St. Nicolai Romanian Orthodox Church. A single family dwelling is located on the subject lot. The church building and a single family dwelling are located on the adjacent lot, which is zoned “Assembly Hall 1 Zone (PA-1)”. A gravel parking lot associated with the church straddles both lots (see site plan, Appendix II).
- The applicant St. Nicolai Romanian Orthodox Church bought both lots in 2002 and at that time the parking lot was wholly contained on the southerly lot, where the church building is located (8679 Harvie Road). As the congregation and thus parking needs grew, the gravel parking lot was extended onto the subject lot in approximately 2006.
- Harvie Road from 176 Street to Highway No. 1 was designated as a Heritage Route on the City of Surrey’s Heritage Register on January 12, 2004, due to the historical significance of the Great Northern Railway which operated along this route. The church building is not designated as a heritage structure by the City of Surrey.
- The church applied for a Building Permit on September 24, 2014, to permit a 35-square metre (377-sq. ft.) addition that included enclosing an existing porch and adding exterior wheelchair ramps to the church building. Through the Building Permit review process, several issues with the use of the two church-owned lots were noted. This included the fact that the subject RA-zoned lot was being used to accommodate parking for the church and that parking spaces were located on City property in the Harvie Road allowance. The Building Permit is currently on hold pending the results of the subject TUP application.
- The existing gravel parking lot is located partially on the RA-zoned subject lot (8697 Harvie Road) and partially on the adjacent PA-1-zoned lot (8679 Harvie Road), both owned by the church. The RA Zone is intended for single family housing on suburban lots and does not permit parking lots associated with assembly uses on adjacent lots. The church has therefore applied for the subject TUP, to permit the existing parking lot associated with the church on the adjacent lot to continue to be used on the subject RA-zoned lot.

Current Proposal

- As part of the review of the subject TUP application, staff met with the applicant to discuss the church's future plans for the site after the 3-year TUP period is expired (or 6 years if a TUP extension is granted). If the subject RA-zoned lot will continue to be used for church use as expected (i.e. to accommodate parking for the church building), the lot will need to be rezoned. At that time, the parking lot will need to be paved with asphalt, concrete or similar pavement as per Zoning By-law requirements, and a septic field to accommodate both lots will need to be constructed. The northwest portion of the subject lot has been identified to accommodate this future septic field and will be protected in the interim (see site plan in Appendix II). The applicant has been advised to retain a qualified professional to conduct an analysis to ensure that this area is sufficient to accommodate a septic field for all uses across both lots.
- There are currently thirty-eight (38) parking spaces provided on-site across both lots (see site plan in Appendix II). Thirty-five (35) spaces are provided in the existing gravel parking lot, the single family dwelling on the subject lot has a single-car garage, and there are two (2) spaces provided adjacent to the single family dwelling on the adjacent church lot (8679 Harvie Road). These latter two (2) spaces are accessed via a driveway that crosses a portion of the neighbouring lot to the south (8671 Harvie Road). The applicant reports that the church has an informal agreement with the owner of this southerly lot to permit access to these two (2) parking spaces. The applicant is aware that a driveway across church property to access these two spaces will need to be constructed should this informal agreement cease to exist.
- One of the issues raised in the TUP review process is the fact that there are approximately six (6) spaces within the existing parking lot located on City property in the Harvie Road allowance. The applicant has agreed to remove and relocate these spaces onto church property, and restore this area with planting (this is illustrated on the site plan, see Appendix II).
- The Zoning By-law requires all parking areas to be surfaced with asphalt, concrete or similar pavement. The proposed TUP will permit the existing gravel parking lot to remain for the duration of the TUP.
- With the proposed 35-square metre (377-sq. ft.) addition, the total area of the church building will be 381 square metres (4,101 sq. ft.). The Zoning By-law requires a total of 29 spaces for the church building, based on a rate of 7.5 spaces per 100 square metres of gross floor area. The two single family dwellings require 3 spaces each, for a total of 35 spaces required across both lots. The applicant attempted to accommodate 35 spaces on the church lot alone (8679 Harvie Road), but there was not enough room to accommodate the entire parking lot.
- As described in Corporate Report No. 2016-R096, Transportation Engineering is currently reviewing the parking requirements in the Zoning By-law for specific land uses including churches. The review has included a survey of existing religious facilities in Surrey. The survey found that a modest increase from 7.5 parking spaces per 100 square metres (1,076 sq.ft.) of gross floor area to 8.0 parking spaces per 100 square metres (1,076 sq.ft.) of gross floor area is more appropriate for places of worship less than 930 square metres (10,000 sq.ft.) in size.

- If a ratio of 8 parking spaces per 100 square metres (1,076 sq.ft.) of gross floor area were applied to the subject site, one additional parking space would be required (from 35 parking spaces to 36 parking spaces). A total of 38 parking spaces are currently proposed on the two lots, meeting this anticipated demand.
- As a condition of the subject TUP issuance, a reciprocal parking and access easement will be registered across the two church-owned lots (the subject lot at 8697 Harvie Road and the adjacent lot to the south at 8679 Harvie Road). This will formalize the shared parking arrangement and ensure access is provided across both lots.

PRE-NOTIFICATION

- In accordance with Council Policy, a Development Proposal sign was placed on the property and pre-notification letters were sent. Staff received one phone call from a neighbour with the following concerns:
 - Trees have been removed on the subject site and renovations have occurred to the church (on the adjacent lot at 8679 Harvie Road). The neighbour was inquiring as to whether the church had secured permits for tree removal and renovations, however, stated that he was not opposed to the subject TUP *application*.

(A Building Permit was applied for on September 24, 2014 to permit a 35-square metre (377-sq. ft.) addition, and is on hold pending the results of the subject TUP application. As part of the Building Permit review, staff will ensure any past work without permits is rectified. An investigation by the Trees and Landscape Division determined that the trees removed on the subject site were non-Bylaw sized and therefore a Tree Cutting Permit was not required.)

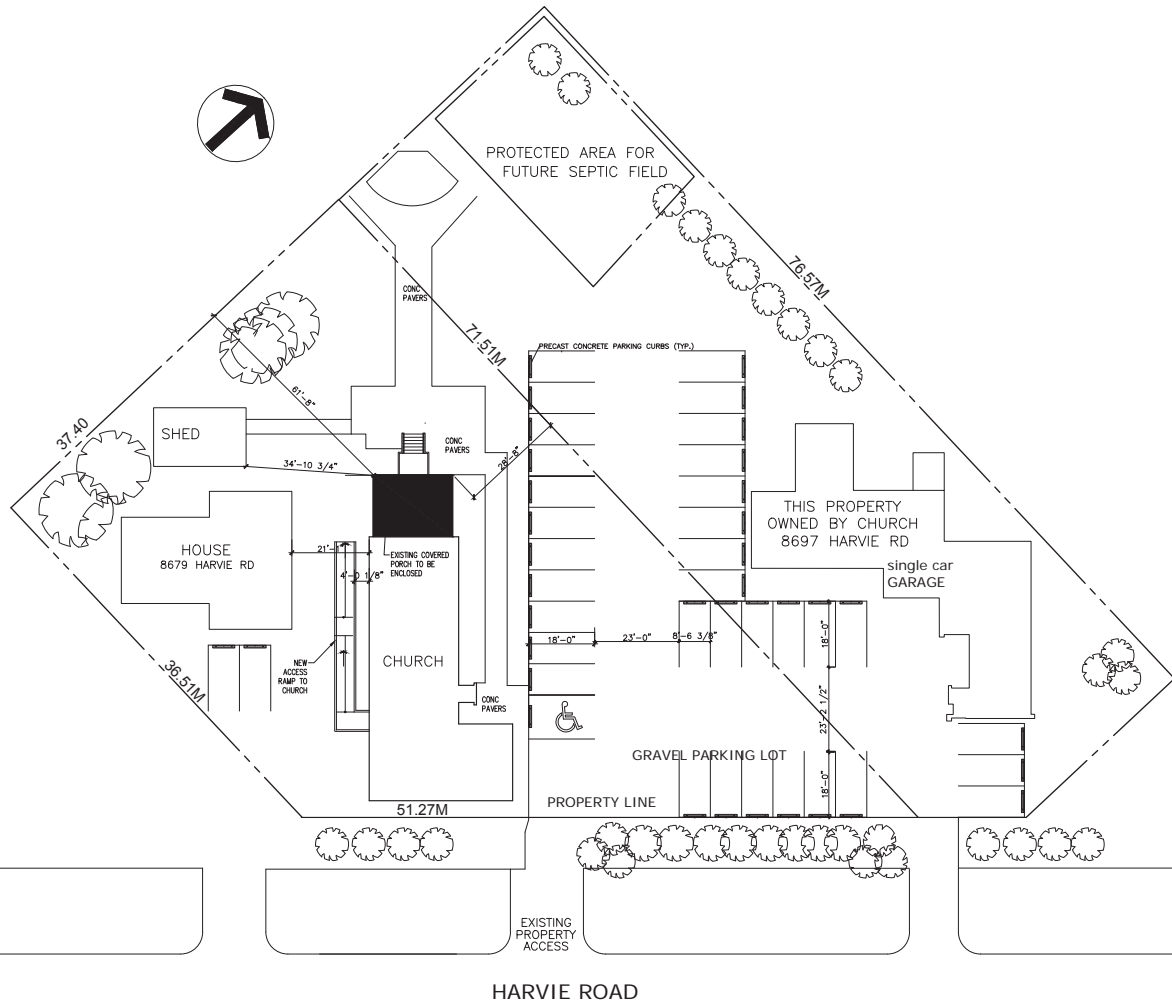
INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Site Plan
Appendix III.	Engineering Summary
Appendix IV.	Temporary Use Permit No. 7916-0017-00

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development



CIVIC ADDRESS
8683 HARVIE RD., SURREY, B.C.

LEGAL DESCRIP.
LOT 1, BLOCK 1, SEC. 28, TWP. 8, PLAN 8028, NWD
NW 1/4 SECTION 33(1) (G.M.A.)

ZONING
- PA-1 ASSEMBLY HALL 1

BLDG CLASSIFICATION
3.2.2.25, GROUP A, DIV 2, UP TO 2 STOREYS

BLDG CONSTRUCTION
- NOTE: THIS BUILDING IS NOT SPRINKLERED
- BUILDING IS OF COMBUSTIBLE CONSTRUCTION
- FLOOR ASSEMBLY IS TO HAVE A 3/4 HR F.R.R.; ROOF IS ALSO TO HAVE A 3/4 HR F.R.R.; SUPPORTING WALLS ARE TO HAVE A 3/4 HR F.R.R.
- MAIN FLOOR TO HAVE 2 LAYERS OF 1/2" TYPE 'X' G.B.
- WALLS WILL HAVE 1 LAYER 1/2" TYPE 'X' G.B.
- CEILINGS AT US OF ROOF TO HAVE 1 LAYER OF 5/8" TYPE 'X' G.B.
- NOTE THAT THE RATINGS WILL APPLY TO NEW CONSTRUCTION ONLY. EXISTING ASSEMBLIES REMAIN THE SAME.

SITE AREA:
- SITE AREA = 2,017 M² (21,712 SF)

FLOOR AREAS:
- BASEMENT FLOOR = 165.4 M² (1,780.0 SF)
- MAIN FLOOR = 188.0 M² (2,044.0 SF)
- ADDITION (INCLUDING COVERED PORCH) = 35.3 M² (380.0 SF)
- TOTAL = 388.7 M² (4,204.0 SF)

OCCUPANT LOAD:
- HAVE OF CHURCH SEATS TO PERSONS
- BASEMENT IS USED BY THE SAME PEOPLE, SO TOTAL NUMBER OF OCCUPANTS IS APPROX TO PERSONS

WASHROOM REQUIREMENTS:
- PLACES OF WORSHIP - SENTENCE 3.7.2.2 (B) REQUIRES 1 WATER CLOSET FOR EACH 150 PERSONS OF EACH SEX, THERE ARE 4 WATER CLOSETS AND 2 URINALS SO THE BUILDING COMPLIES.

no.	date	issued for permit	description
REVISIONS			
<small>These drawings and specifications are not valid until the permit is issued. All changes to these drawings and specifications must be made by a registered professional engineer or architect. No part of these drawings and specifications shall be used without the written consent of the architect.</small>			
THE STRUCTURE ENTERPRISES			
603-14155L, George Ave, North Vancouver, BC V7L 4E9 Tel: 604-993-3928			
project ST NICOLAE ROMANIAN ORTHODOX CHURCH SURREY, B.C.			
title SITE PLAN			
		scale AS SHOWN	
		date JUNE 08, 2016	
		drawn DL	
		sheet no. A2	
		of 2	
project no. N/A			

A SITE PLAN
1/16" = 1'-0"

TO: **Manager, Area Planning & Development
- North Surrey Division
Planning and Development Department**

FROM: **Development Services Manager, Engineering Department**

DATE: **July 6, 2016** PROJECT FILE: **7816-0017-00**

RE: **Engineering Requirements (Commercial/Industrial)
Location: 8697 Harvie Road**

TEMPORARY USE PERMIT

The following issues are to be addressed as a condition of this Temporary Use Permit (TUP):

- Remove existing parking from within the Harvie Road Allowance as shown on the siteplan provided.
- Existing driveway access can remain as currently constructed. The applicant is advised that the City will support the widening of the existing access to 7.3 m subject to the applicant obtaining a City Road and Right-of-Way Permit (CRRP) and Traffic Obstruction Permit (TOP) obtainable at the engineering front counter.
- Install on-site storm water management features to collect the parking lot run-off prior to discharge to the City storm system. The applicant is required to direct run-off onto pervious areas onsite to minimize increased run-off from the development.
- A stormwater water quality treatment system is to be installed as a component of the on-site drainage system before discharge into the City's drainage system. A restrictive covenant must be registered to require the owner/operator to maintain and keep functional this system.
- Provide an adequately-sized service connection, complete with inspection chamber, to City's drainage system.
- Install a water meter at the property line on the existing water service connection.

The Engineering Department can support the issuance of the TUP once the above items have been addressed as the applicant is pursuing a viable long term solution for the properties.

A Servicing Agreement is not required for the proposed TUP. The driveway crossing and storm connections can be constructed subject to issuance of a City Road and Right-of-Way Permit (CRRP) and Traffic Obstruction Permit (TOP) obtainable as part of the Building Permit review and processing which includes payment of securities and permit fees. City crews will install the water meter once payment has been provided. A processing fee of \$1,401.75 (GST included) is required to administer the storm water review, and legal document requirements.



Rémi Dubé, P.Eng.
Development Services Manager
CE4

CITY OF SURREY

(the "City")

TEMPORARY USE PERMIT

NO.: 7916-0017-00

Issued To: ST. NICOLAE ROMANIAN ORTHODOX CHURCH, INC.
("the Owner")

Address of Owner: 8683 Harvie Road
Surrey, BC V4N 3G5

1. This temporary use permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations or agreements, except as specifically varied by this temporary use permit.
2. This temporary use 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: 000-570-737
Lot 2 Section 28 Township 8 Plan 9828 New Westminster District Part NW1/4

8697 Harvie Road

(the "Land")

3. The authority to issue Temporary Use Permits is granted to municipalities under Sections 492 and 493 of the *Local Government Act* R.S.B.C. 2015, c.1. Pursuant to Implementation, II(c) Implementation Instruments, Temporary Use Permits of Surrey Official Community Plan, 2013, No. 18020, as amended, the entire City of Surrey is designated a Temporary Use Permit area.
4. The temporary use permitted on the Land shall be for a parking lot associated with a church building on an adjacent lot (8679 - Harvie Road), with the access, number of parking spaces, and the location of the structures substantially in compliance with Schedule A (the "Site Plan") which is attached hereto and forms part of this permit.

5. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) Section A.5 of Part 5 Off-Street Parking and Loading/Unloading, the requirement to pave the parking area with asphalt, concrete or other similar pavement, is modified to allow the use of other surfacing materials such as gravel, as approved by the General Manager, Engineering.
6. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this temporary use permit. This temporary use permit is not a building permit.
7. An undertaking submitted by the Owner is attached hereto as Appendix I and forms part of this temporary use permit.
8. This temporary use permit is not transferable.
9. This temporary use permit shall lapse on or before three years from date of issuance.

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

ISSUED THIS DAY OF , 20 .

Mayor - Linda Hepner

City Clerk - Jane Sullivan

IN CONSIDERATION OF COUNCIL'S APPROVAL OF THIS TEMPORARY USE PERMIT AND OTHER GOOD AND VALUABLE CONSIDERATION, I/WE THE UNDERSIGNED AGREED TO THE TERMS AND CONDITIONS OF THIS TEMPORARY USE PERMIT AND ACKNOWLEDGE THAT WE HAVE READ AND UNDERSTOOD IT.

Authorized Agent: Signature

Name (Please Print)

OR

Rev. Fr. C. J. Dufort
Owner: Signature

REV. FR. CORNELIU IULIAN DRAGOMIR
Name: (Please Print)

TO THE CITY OF SURREY:

I, REV. CORNELIU IULIAN DRAGOMIR (Name of Owner)

being the owner of ST. NICOLAE ROMANIAN ORTHODOX CHURCH INC.
(Legal Description)

known as 2683 HARVIE RD. SURREY B.C. V4N 3G5
(Civic Address)

hereby undertake as a condition of issuance of my temporary use permit to:

- (a) demolish or remove all buildings and/or structures that are permitted to be constructed pursuant to the temporary use permit issued to me; and
- (b) restore the land described on the temporary use permit to the condition it was prior to the parking of vehicles;

all of which shall be done not later than the termination date set out on the temporary use permit.

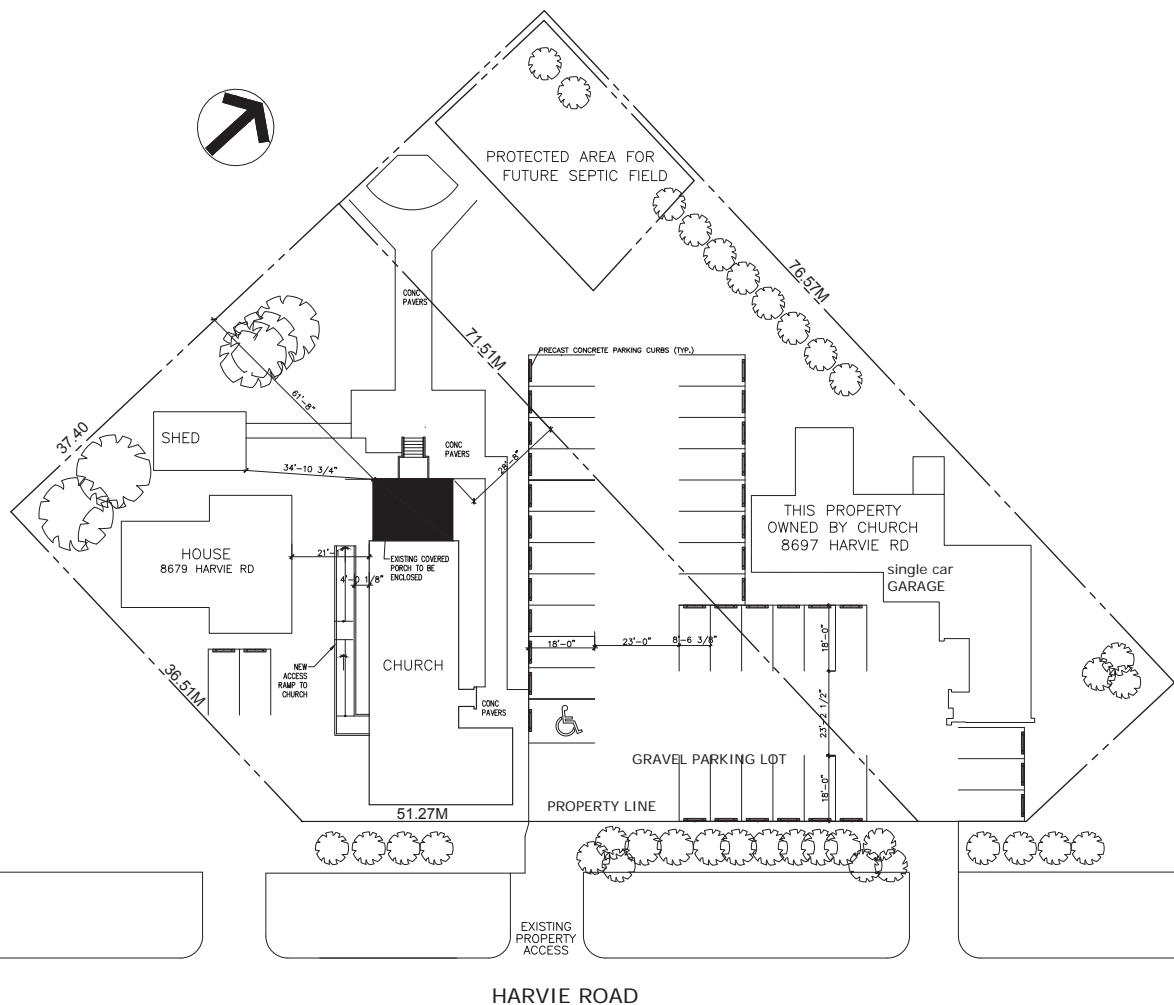
I further understand that should I not fulfill the undertaking described herein, the City or its agents may enter upon the land described on the temporary use permit and perform such work as is necessary to eliminate the temporary use and bring the use and occupancy of the land in compliance with Surrey Zoning By-law, 1993, No. 12000, as amended, and that any securities submitted by me to the City pursuant to the temporary use permit shall be forfeited and applied to the cost of restoration of my land as herein set out.

This undertaking is attached hereto and forms part of the temporary use permit.

Rev. Fr. Cor. Dragomir
(Owner)

[Signature]

(Witness)



CIVIC ADDRESS

8683 HARVIE RD., SURREY, B.C.

LEGAL DESCRIP.

LOT 1, BLOCK 1, SEC. 28, TWP. 8, PLAN 8828, NWD
NW 1/4 SECTION 33(1) (G.M.A.)

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	05/06/2016	issued for permit	
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THE STRUCTURE ENTERPRISES			
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project ST NICOLAE ROMANIAN ORTHODOX CHURCH SURREY, B.C.			
title SITE PLAN			
		scale	AS SHOWN
		date	JUNE 06, 2016
		drawn	DL
		app'd	
		sheet no.	A2
			of 2
project no. N/A			

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1/16" = 1'-0"

Schedule A