

INTER-OFFICE MEMO

TO:

City Clerk, Legislative Services Division

FROM:

Director of Development Planning, Planning & Development Department

DATE:

September 20, 2024

FILE:

7923-0124-00

RE:

Agenda Item B.6, September 23, 2024, Regular Council - Land Use

Development Application No. 7923-0124-00 Replacement Page for the Planning Report

Development Application No. 7923-0124-00 is on the agenda for consideration by Council at the September 23, 2024 Regular Council – Land Use Meeting under Item B.6.

After finalizing the Planning Report for the September 23, 2024 Regular Council – Land Use Agenda, it was determined that there were errors in the TREES section of the report and Appendix II. (Summary of Tree Survey, Tree Preservation and Tree Plans).

Pages 9 and 14 of the Planning Report have been been updated to reflect this change.

The replacement page for the Planning Report detailing is attached to this memorandum.

Shawn Low

Director of Development Planning

Planning & Development Department

Attachment - 7923-0124-00- Page 9 and 14 Replacement Pages

c.c. - City Manager

• All trees identified for removal, retention and/or replacement are subject to change prior to final approval of the arborist report.

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

,	z z es ez , mezonz s			
	Existi	ng	Remove	Retain
Alder/Cottonwood	32		32	0
Deciduous Trees	1		1	0
Coniferous Trees	10		9	1
Onsite Tree Totals	<u>43</u>		<u>42</u>	<u>1</u>
Onsite Replacement Trees Proposed		20)	
Total Onsite Retained and Replacement Trees		21		

- The Arborist Assessment states that there are a total of 43 bylaw protected trees on the site. Additionally, there are 10 listed bylaw protected off-site trees. This list does not include a row of mature cedars occupying a drainage Right-of-Way abutting the east side of the lot on 3089 Hillview Court, all of which are proposed for protection. The applicant proposes to retain one (1) onsite tree as part of this development proposal.
- The arborist noted that ten Red Alder trees on the site have died and are at a high risk to fall. Additionally, 14 trees are identified as being in poor condition for retention, with trees suffering from crown dieback, trunk decay, and infection. City staff identified one Deodora Cedar and one Red Cedar as having high retention potential.
- The arborist's assessment is that the north half of the property has not been historically maintained and that the historic drainage pattern on the lot resulted in excessive ground saturation. All of the on-site trees are proposed for removal based on poor condition or to accommodate re-grading and construction, with the exception of a Deodar Cedar. All City and off-site trees are proposed for retention.
- 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, and a 2 to 1 replacement ratio for all other trees. This will require a proposed total of preplacement trees on the site. After deduction of the 10 Alder trees which are already deceased, a total of preplacement trees are required on the site.
- The arborist proposes a tentative tree management plan, indicating 20 replacement trees. Since the proposed 2 replacement trees cannot be accommodated on the site, a proposed deficit of 2 replacement trees would require an estimated cash-in-lieu payment of \$6,000.00, representing \$550 per tree, to the Green City Program, in accordance with the City's Tree Protection By-law.
- The replacement trees on the site are proposed to consist of a variety including Eddies Dogwood, Korean Dogwood, Crimson Hawthorn, Japanese Snowball, Katsura, Beech, Liquidambar, and Hornbeams.
- In summary, a total of 21 trees are proposed to be retained or replaced on the site with an estimated contribution of \$6,600.00 to the Green City Program.

Tree Preservation Summary

Red-line comment: This insert replaces the previous Tree Preservation Summary (Appendix II)

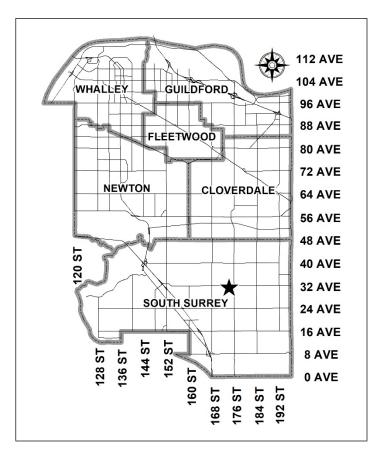
Surrey Project No:

Address: 3081 Hillview Court

Registered Arborist: John Monk, Outlook Arborist Services

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)	43 trees
Protected Trees to be Removed	42 trees
Protected Trees to be Retained (excluding trees within proposed open space or riparian areas)	1 tree
- Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio 32	52 trees
Replacement Trees Proposed	20
Replacement Trees in Deficit	32
Protected Trees to be Retained in Proposed [Open Space / Riparian Areas]	

Summary, report and plan prepared and submit	ted by:
	June 5th, 2023
(Signature of Arborist)	Date



City of Surrey PLANNING & DEVELOPMENT REPORT Application No.: 7923-0124-00

Planning Report Date: September 23, 2024

PROPOSAL:

Development Permit for Hazard Lands (Steep Slopes)

• Development Variance Permit

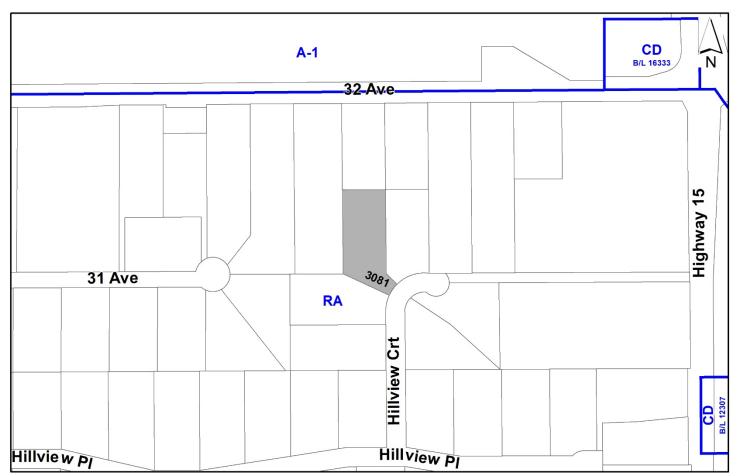
to permit construction of a new single family dwelling.

LOCATION: 3081 - Hillview Court

ZONING: RA

OCP DESIGNATION: Suburban

NCP DESIGNATION: Existing One Acre and Half Acre



RECOMMENDATION SUMMARY

- Approval for staff to draft Development Permit 7923-0124-00 for Hazard Lands.
- Approval for Development Variance Permit No. 7923-0124-00 to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

• Proposing to vary the height requirements of the "Acreage Residential Zone (RA)".

RATIONALE OF RECOMMENDATION

- The applicant proposes to regrade the site to reduce the severity of the downslope slope between the public frontage and the front yard of the building envelope. This is intended to create a more level driveway.
- The applicant has worked with the City to reduce the overall amount of fill, as the site falls within a Hazard Lands Development Permit area for Steep Slopes.
- The applicant proposes construction of a three storey house (which will appear as a twostorey house from the frontage with a walk-out basement). Based on the designer's measurement of existing grade, a variance to increase the height is proposed to achieve the proposed geodetic heights of the dwelling.
- The applicant may potentially seek to achieve a building of the same design and appearance in height without a variance by applying for a soil deposit permit in-advance of the building permit application. Whereas the final lot grading and building plan are subject to change, the intention of the variance is to establish the ultimate height of the building that would be achievable.
- The applicant's drawings also indicate that the property and dwelling will remain at a lower elevation than the neighbouring lots and homes fronting Hillview Court.
- The proposal indicates a building height of approximately 13 metres as measured from the basement slab to the roof ridge. This would be similar to other homes with a walk-out basement and two above-grade stories.
- The proposal complies with the Development Permit requirements in the OCP for Hazard Lands (Steep Slopes).

RECOMMENDATION

The Planning & Development Department recommends that:

- 1. Council authorize staff to draft Development Permit No. 7923-0124-00 for Hazard Lands (Steep Slopes) generally in accordance with the attached drawings (Appendix I) and the finalized geotechnical report.
- 2. Council approve Development Variance Permit No. 7923-0124-00 (Appendix III) varying the following, to proceed to Public Notification:
 - (a) In Section G. of Part 12 "Acreage Residential Zone", the height of a single family dwelling is varied to 13.65 metres as measured from existing grade as opposed to finished grade, so that the average level of a sloped roof is no higher than 30.77 metres geodetic and that the roof ridge or peak is no higher than 32.42 metres geodetic.
- 3. Council instruct staff to resolve the following issue prior to final approval:
 - (a) Submission of a finalized geotechnical report to the satisfaction of the General Manager, Planning & Development;
 - (b) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (c) the applicant satisfy the deficiency in tree replacement on the site, to the satisfaction of the Planning and Development Department; and
 - (d) registration of a Section 219 Restrictive Covenant that requires the owner to develop the site in accordance with the conditions in the finalized geotechnical report.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP / NCP Designation	Existing Zone
Subject Site	Single family dwelling	Suburban / Existing One Acre and Half Acre	RA
North (Abutting):	Single family dwelling	Suburban / Existing One Acre and Half Acre	RA

Direction	Existing Use	OCP / NCP Designation	Existing Zone
East (Abutting):	Single family dwelling	Suburban / Existing One Acre and Half Acre	RA
South (Abutting):	Single family dwelling	Suburban / Existing One Acre and Half Acre	RA
West (Abutting):	Single family dwelling	Suburban / Proposed One Acre Residential	RA

Context & Background

- The subject property is located on the north side of Hillview Court in the northeast quadrant of the North Grandview Heights neighbourhood concept plan (NCP). The parcel is 4,542 square metres in area and designated "Existing One Acre and Half Acre" under the NCP.
- The site sits on a downslope and falls under the City's Development Permit layer for Hazard Lands (Steep Slopes). The parcel transitions from an elevation of 23.5 metres on the front lot line (southeast) to 5.0 metres on the rear lot line (north).
- Properties on Hillview Court are uphill of the Agricultural Land Reserve (ALR), across 32 Avenue to the north. The subject parcel is approximately 89 metres south of the ALR.
- The Hillview Court cul-de-sac was originally subdivided in 1980. The subject property was historically developed with a three bedroom residence, which was demolished in 2022. At some point in the past, additional fill was brought in to raise rear portions of the lot.
- Based on a topographic survey, the subject site has a lower average elevation than the adjoining properties. It is noted that concrete lock blocks have been used to shore up a neighbouring yard above the subject site.
- A historic lot grading plan is associated with the original 1980 subdivision that created the lots on Hillview Court. Based on this plan, the minimum building elevation (MBE) of 3075 and 3067 Hillview Court (south of the subject site) was intended to be 15.0m. The MBE of the subject site and 3089 Hillview Court was intended to be 14.0m. Based on current-day elevations, fill materials have been added to several properties on Hillview Court to flatten portions of the sites for development and raise the elevation of development closer to the height of the road on Hillview Court.
- Based on the elevation of the property and adjoining lots on Hillview Court, overland stormwater drains in the northwest direction across the property. There is evidence of excess ground saturation on the lot, with impacts on trees across the property.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant is proposing a Development Permit (Steep Slopes) and Development Variance Permit to permit the construction of a new single family dwelling over the higher southern portion of the site near the street.
- The proposed dwelling would be three stories (two stories with a walk-out basement).
- The proponent proposes a significant amount of fill to regrade the site and reduce the downslope gradient between the fronting road on Hillview Court and the single family dwelling. The existing downslope gradient between Hillview Court and the frontage is approximately 19%.
- With the proposed re-grading, the driveway gradient would be approximately 4%. The revised driveway gradient would improve safety in inclement weather and prevent vehicles from bottoming-out when exiting the lot.
- The overall regrading is also intended to permit a development that is closer in elevation to the established streetscape and neighbouring homes fronting Hillview Court. The proposed main floor elevation of 22.75 metres would be lower than the main floor elevations of 24 metres and 23.63 metres of the abutting lots (3089 and 3075 Hillview Court respectively).
- In alignment with the Steep Slopes Development Permit guidelines and to reduce impacts on neighbouring lots, the applicant has worked with staff to reduce the height and volume of fill and to create a tiered rear yard following the existing slope of the site utilizing a series of retaining walls below 1.2 metres in height.
- Based on the extensive regrading proposed and changes to the site topography, review of a stormwater management plan was conducted through the subject application. The purpose of this review was to confirm that the proposed regrading would result in no increase in runoff from the site or concentration of overland flows (in-particular, towards an existing drainage Right-of-Way on the east abutting property, 3089 Hillview Court).
- A stormwater management plan, submitted by United Pacific Consultants Ltd. and dated February 2, 2024, has been reviewed by staff and found to be generally acceptable.
- The proposed variance is to increase the maximum height permitted under the Zoning for a single family dwelling from 9 metres to 13.65 metres as measured from the existing grade as opposed to the finished grade. The height of the house from building slab to roof pitch is proposed to be approximately 13 metres, which is similar to other homes with a basement and two above-grade stories.
- The designer indicates the proposed building area has an average existing or natural grade of 17.125 m geodetic. The proposed building will have a basement elevation of 19.32m geodetic. The maximum building height with the variance would be 30.77 metres geodetic (with the roof ridge at an approximate 32.42 metres geodetic).

• The intention of the variance is to establish the maximum height for the new dwelling so that detailed building plans may be prepared. As such, the proposed 13.65 metres is measured from existing elevation, as opposed to finished elevation (which is typically measured for single family dwelling height). Although the final lot grading is subject to revision and detailed design, the maximum geodetic height of the average roof level and roof ridge cannot exceed what is shown under the variance.

Referrals

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

Requirements for servicing (storm, sanitary, water) and driveway

will be applied at the Building Permit application stage.

POLICY & BY-LAW CONSIDERATIONS

Height Variance

- The applicant is requesting the following variances:
 - In Section G. of Part 12 "Acreage Residential Zone", the height of a single family dwelling is varied to 13.65 metres as measured from *existing grade* as opposed to *finished grade*, so that the average level of a sloped roof is no higher than 30.77m geodetic and that the roof ridge or peak is no higher than 32.42m geodetic.
- The subject development's proposed design indicates main floor and average elevations that remains below the existing elevation of the abutting parcels (3089 and 3075 Hillview Court).
- The applicant may still potentially seek to regrade the site and measure height from the finished grade to achieve the proposed building design without the subject variance. The proposed design demonstrates better alignment with the Hazard Lands Development Permit guidelines and sets a maximum elevation for design of the new dwelling while reducing the amount of fill that would be required to address streetscape and height challenges relative to other lots.
- Staff support the requested variance to proceed for Council consideration.

PUBLIC ENGAGEMENT

- In accordance with the Development Variance Permit Delegation Bylaw, 2023, No. 20620, Public Notification letters were sent on August 26, 2024. Staff received two responses from neighbouring residents, with one objection and one request for clarification:
- Residents' comments are summarized below (staff comments in italics):
 - o One set of proponents objected to the variance, noting the following concerns:
 - The variance for a taller building would create a precedent and change the character of development in the area;
 - A larger building would increase the development footprint and impervious area across the property, resulting in additional runoff.

- Properties on 32 Avenue are dealing with runoff and pool sloshing from uphill properties and requested a geotechnical report to confirm that hydrological issues would be addressed.
- Removal of trees and grasses would have impacts on slope stability;
- Plans would need to be prepared to demonstrate that the property can support
 a septic system without contaminating downhill lots;
- A taller building on the subject site would devalue adjacent properties by reducing privacy and increasing the amount of overlook onto downhill properties from the subject site.

Based on the applicant's plan and topographic survey grades, the regrading and height variance will result in slightly lower average elevation than other lots/homes on Hillview Crescent. The applicant's stated intention is to align this development with the existing Hillview Crescent streetscape.

The lot coverage and development footprint are not proposed to exceed the maximum permitted under the Zone.

This application is associated with a Steep Slopes Development Permit (SSDP) and a geotechnical report has been prepared. To address drainage concerns, the applicant has prepared a stormwater management plan demonstrating that the development will have no net increase in runoff to abutting lots. The applicant also notes that they are not proposing a pool.

The applicant's arborist has noted the declining conditions of trees across the lot. The arborist has provided a tree replacement plan to replant the site after regrading, including planting of tree rows. The geotechnical professional has recommended that planting of a vegetative cover be conducted to protect the slope from weather impacts.

Septic field permits fall under Fraser Health jurisdiction. The tiered rear yard is designed to accommodate a septic field.

The proposed building and balcony are approximately 55 metres (180 ft) away from the north property line (to the closest lot facing 32 Avenue). The geodetic height of the main floor would be 22.75m, whereas the north lot line height is 5.40m. Based on the significant distance between the parcels and existing downslope dimensions, development with the proposed variance is not anticipated to pose a significant difference in privacy impacts on neighbouring lots in comparison to redevelopment of the subject site without the proposed variance.

- o Owners of another property sought clarification on the variance:
 - The respondents wanted to confirm if the proposal would include installation of a tree buffer along a shared property line.
 - The respondents wanted to confirm that the proposed roofline would be inalignment with the neighbouring lots and would not obstruct the depth of view from those properties.

The applicants propose to plant some non-cedar trees on both sides of the lot. The arborist assessment indicates protection of all off-site trees, including a row of mature cedars buffering the lot from the east neighbour.

Preliminary plans indicate that the building will maintain a main floor elevation below both abutting lots fronting Hillview Court and that the roof ridge will have a geodetic height of 32.42m. This would have the peak of the house rise a maximum of 8.42 metres above the Hillview Court road frontage, which appears consistent with neighbouring homes. City staff have worked with the applicants to reduce the overall amount of fill and final grade elevations on the site.

DEVELOPMENT PERMITS

Hazard Lands (Steep Slope) Development Permit Requirement

- The subject property falls within the Hazard Lands (Steep Slope) Development Permit Area (DPA) in the OCP. Whereas the Development Permit Area corresponds with steep slopes in excess of 20% gradient and corresponding buffers, the subject site has an overall site gradient of 15%. Based on slope gradients throughout the property, the presence of recently placed fill, and the overall regrading, the Hazard Land (Steep Slope) Development Permit is required to protect developments from hazardous conditions.
- North Grandview Heights is located on a hill that slopes down northwards towards 32 Avenue. The subject property sits on a downslope at the head of Hillview Court, transitioning from an elevation of 23.5 metres on the front lot line (southeast) to 5.0 metres on the rear lot line (north).
- A geotechnical report, prepared by Paullus K.F. Young, *P. Eng.*, of United Pacific Consultants Ltd. and dated August 2, 2024, was reviewed by staff and found to conform to the OCP Development Permit Guidelines for Hazard Lands, with some modifications to the content of the report still required. A peer review of the report is required prior to final adoption. The finalized geotechnical report will be incorporated into the Development Permit.
- The geotechnical report investigated issues related to slope stability and natural storm water drainage, from a geotechnical perspective, to determine the feasibility of development the site and proposing recommendations to ensure the ongoing stability of the slope.
- The consultant has determined that the development is feasible provided that the recommendations in their report are incorporated into the overall design of the site, including use of the proposed layout due to the presence of stiff to hard silt favourable for stability and foundation bearing beneath the building pad, utilization of the geotechnical professional for on-site field review and monitoring, excavation to the hard pan stratum below the house and retaining walls, and installation of a vegetative cover to protect the yard.
- Registration of a Section 219 Restrictive Covenant that requires the owner to develop the site in accordance with the conditions in the geotechnical report is required as a condition of final adoption.
- At Building Permit stage, the Building Division will require Letters of Assurance from a geotechnical engineer to ensure that the building plans comply with the recommendations in the approved geotechnical report.

TREES

• John Monk, ISA Certified Arborist of Outlook Arborist Services prepared an Arborist Assessment for the subject site. The table below provides a summary of the proposed tree retention and removal. A detailed list of the proposed tree retention and removal by tree species can be found in (Appendix II):

• All trees identified for removal, retention and/or replacement are subject to change prior to final approval of the arborist report.

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

		Existing	Remove	Retain
Alder/Cottonwood		32	32	0
Deciduous Trees		1	1	0
Coniferous Trees		10	9	1
Onsite Tree Totals		<u>43</u>	<u>42</u>	<u>1</u>
Onsite Replacement Trees Proposed		20)	
Total Onsite Retained and Replacement Trees	21			

- The Arborist Assessment states that there are a total of 43 bylaw protected trees on the site. Additionally, there are 10 listed bylaw protected off-site trees. This list does not include a row of mature cedars occupying a drainage Right-of-Way abutting the east side of the lot on 3089 Hillview Court, all of which are proposed for protection. The applicant proposes to retain one (1) onsite tree as part of this development proposal.
- The arborist noted that ten Red Alder trees on the site have died and are at a high risk to fall. Additionally, 14 trees are identified as being in poor condition for retention, with trees suffering from crown dieback, trunk decay, and infection. City staff identified one Deodora Cedar and one Red Cedar as having high retention potential.
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- 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, and a 2 to 1 replacement ratio for all other trees. This will require a proposed total of 42 replacement trees on the site. After deduction of the 10 Alder trees which are already deceased, a total of 32 replacement trees are required on the site.
- The arborist proposes a tentative tree management plan, indicating 20 replacement trees. Since the proposed 32 replacement trees cannot be accommodated on the site, a proposed deficit of 12 replacement trees would require an estimated cash-in-lieu payment of \$6,600.00, representing \$550 per tree, to the Green City Program, in accordance with the City's Tree Protection By-law.
- The replacement trees on the site are proposed to consist of a variety including Eddies Dogwood, Korean Dogwood, Crimson Hawthorn, Japanese Snowball, Katsura, Beech, Liquidambar, and Hornbeams.
- In summary, a total of 21 trees are proposed to be retained or replaced on the site with an estimated contribution of \$6,600.00 to the Green City Program.

Application No.: 7923-0124-00

Page 10

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Stormwater Management Plan (Site Plan and Building Elevations)

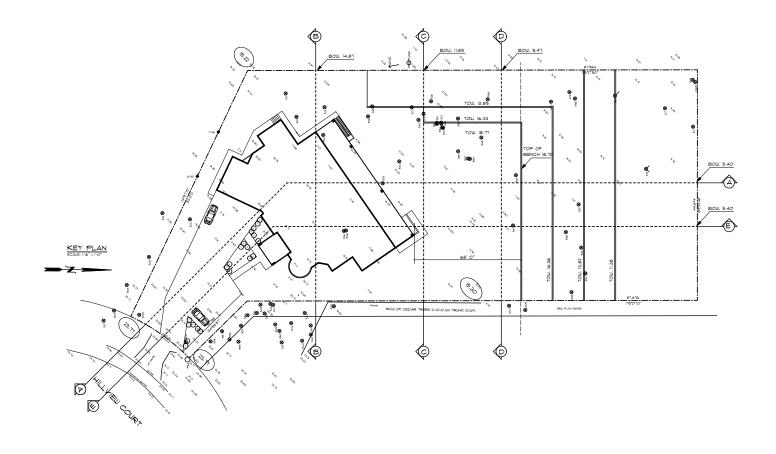
Appendix II. Summary of Tree Survey, Tree Preservation and Tree Plans

Appendix III. Development Variance Permit No. 7923-0124-00

approved by Shawn Low

Ron Gill Acting General Manager Planning and Development

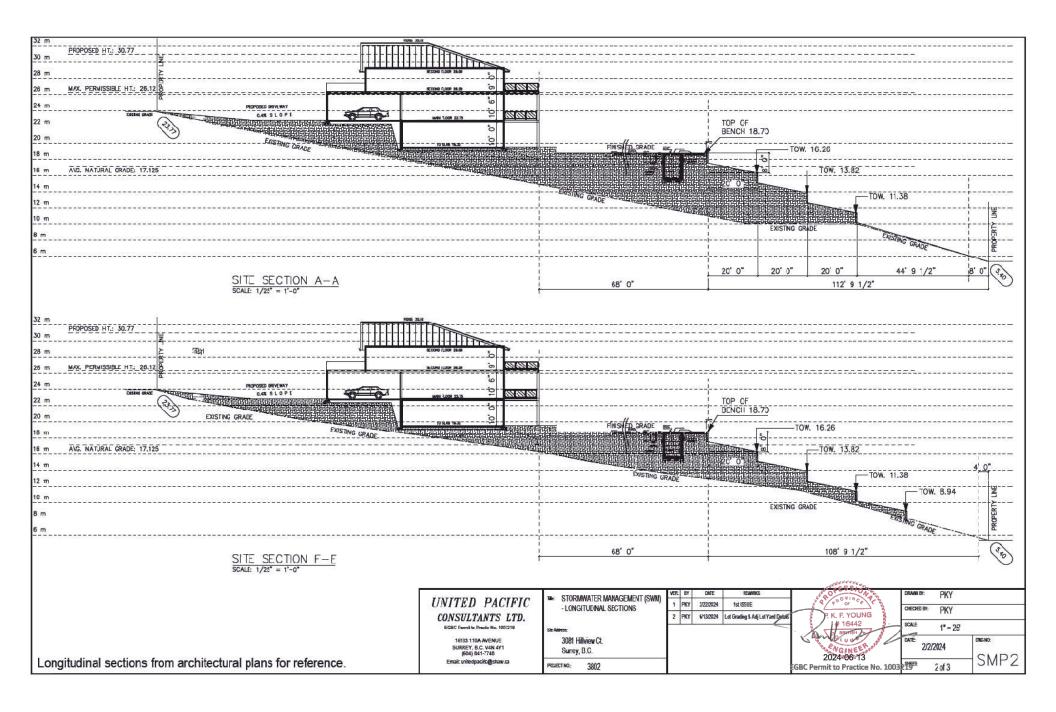
JK/cm



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SCRICE: AS SHOWN PLAN NO: 6 - 4 - 7 - 23

simple XIII



Tree Preservation Summary

Surrey Project No:

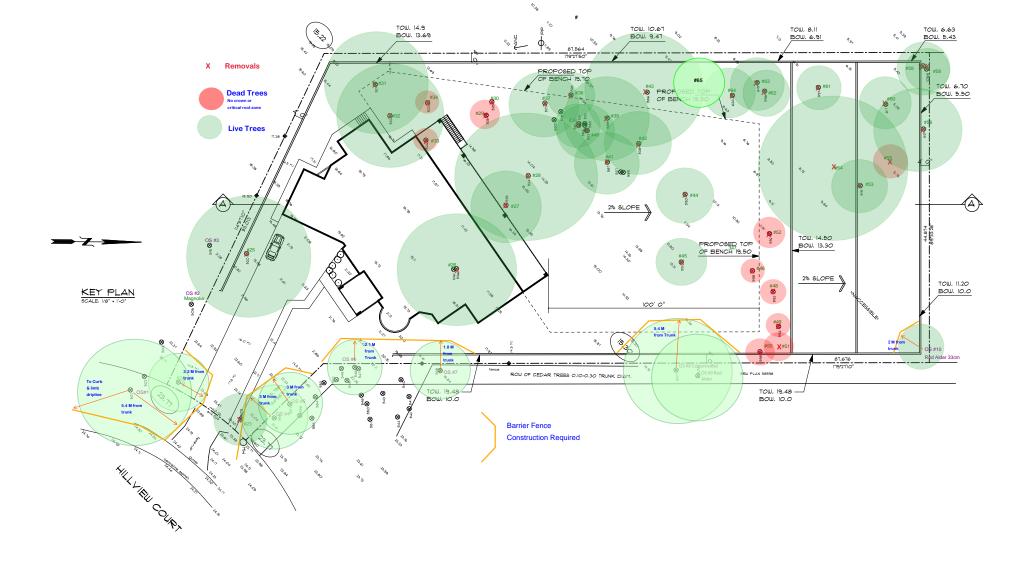
Address: 3081 Hillview Court

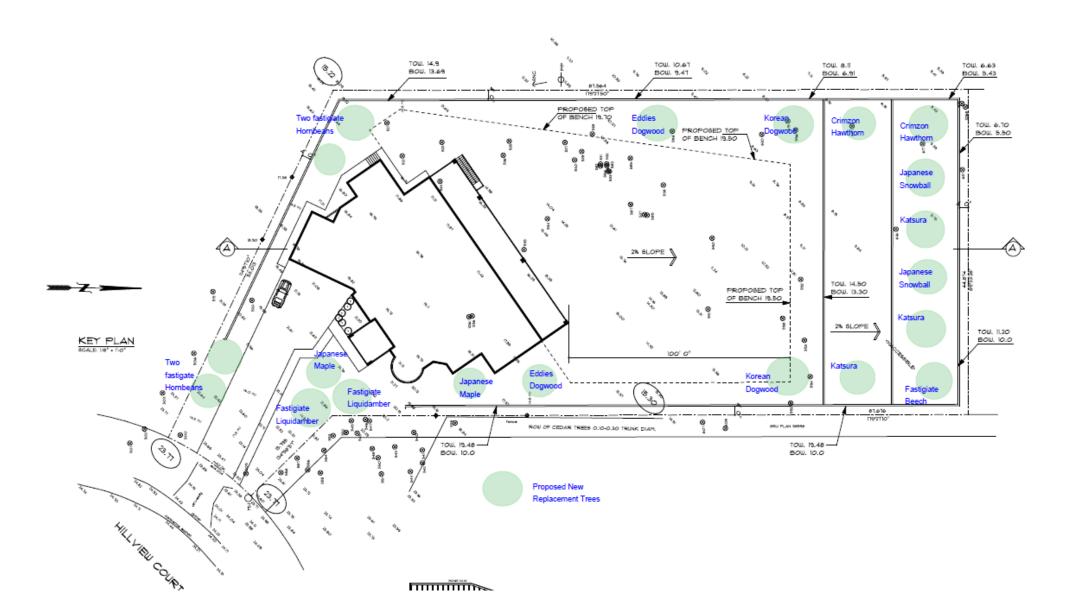
Registered Arborist: John Monk, Outlook Arborist Services

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Protected Trees to be Removed	42 trees
Protected Trees to be Retained (excluding trees within proposed open space or riparian areas)	1 tree
Total Replacement Trees Required: - Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio 32 X one (1) = 0 - All other Trees Requiring 2 to 1 Replacement Ratio	52 trees
X two (2) = 0	
Replacement Trees Proposed	
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	20 trees
Replacement Trees Proposed	to be determined
Replacement Trees in Deficit	0

Summary, report and plan prepared	and submitted by:	
	June 5th, 2023	
(Signature of Arborist)	Date	





Site Photos; Site visit is recommended to correctly visualize trees.

Page #12 Hillview Court

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7923-0124-00

Issued	To:

(the "Owner")

Address of Owner:

- 1. This development variance permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations or agreements, except as specifically varied by this development variance permit.
- 2. This development variance permit applies to that real property including land with or without improvements located within the City of Surrey, with the legal description and civic address as follows:

Parcel Identifier: 003-384-675 Lot 62 Section 19 Township 7 New Westminster District Plan 58963

3081 - Hillview Court

(the "Land")

- 3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section G. of Part 12 "Acreage Residential Zone", the height of a single family dwelling is varied to 13.65 metres as measured from *existing grade* as opposed to *finished grade*, so that the average level of a sloped roof is no higher than 30.77m geodetic and that the roof ridge or peak is no higher than 32.42m geodetic.
- 4. This development variance permit applies to only the <u>portion of the</u> 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

