

City of Surrey
PLANNING & DEVELOPMENT REPORT

Application No.: 7924-0038-00

Planning Report Date: February 24, 2025

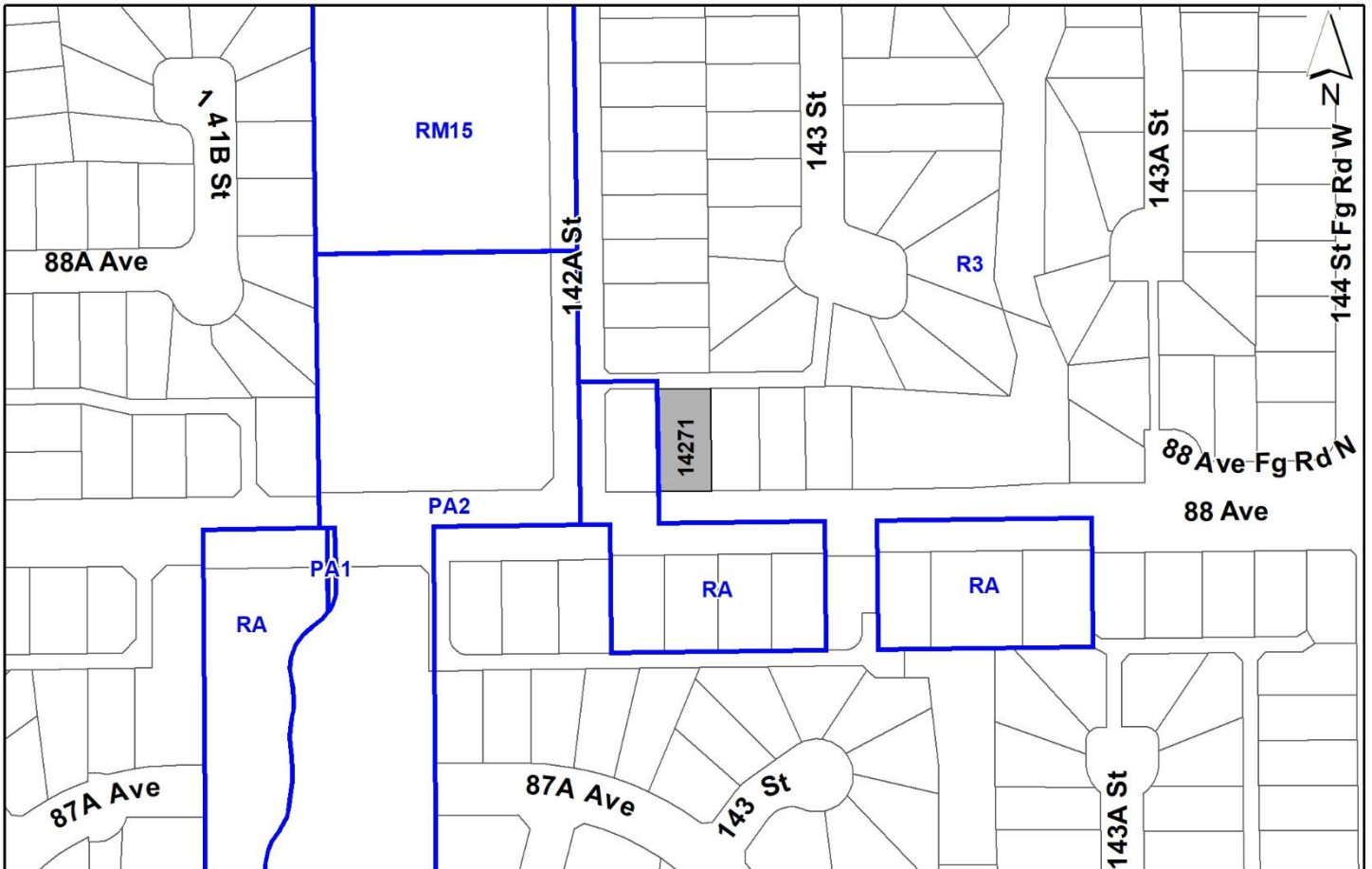
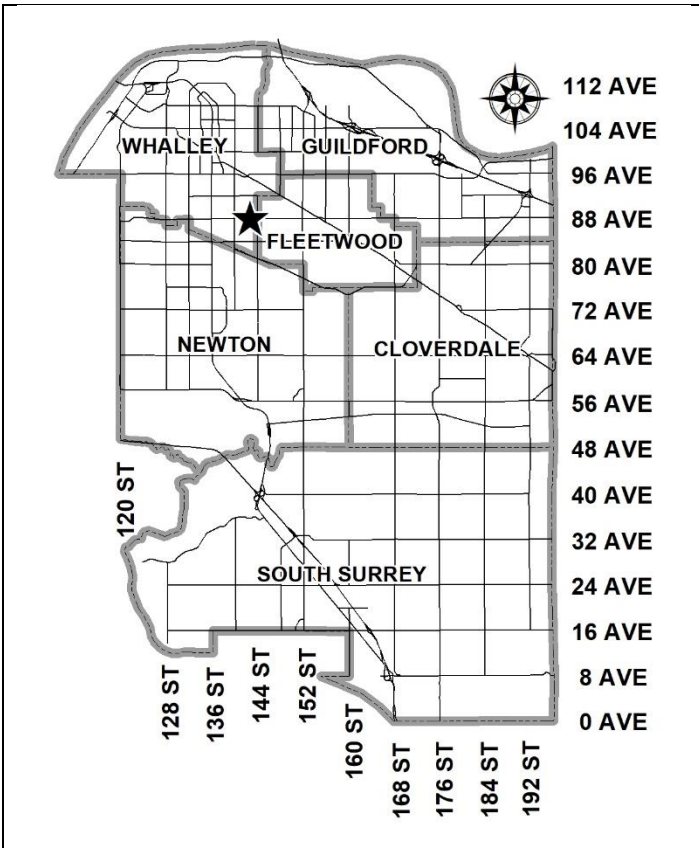
PROPOSAL:

- **Rezoning** from R₃ to R₅ to allow subdivision into two (2) compact residential lots.

LOCATION: 14271 - 88 Avenue

ZONING: R₃

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

- Rezoning By-law to proceed to Public Notification. If supported, the By-law will be brought forward for First, Second and Third Reading.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.

RATIONALE OF RECOMMENDATION

- The proposal complies with the Urban designation in the Official Community Plan (OCP).
- The proposal complies with the General Urban designation in the Metro Vancouver Regional Growth Strategy (RGS).
- In accordance with changes to the Local Government Act, Section 464, under Bill 44 (2023) a Public Hearing is not permitted for the subject rezoning application as the proposed rezoning is consistent with the Official Community Plan (OCP). As such, Council is requested to endorse the Public Notification to proceed for the proposed Rezoning By-law. The Rezoning By-law will be presented to Council for consideration of First, Second, and Third Reading, after the required Public Notification is complete, with all comments received from the Public Notification presented to Council prior to consideration of the By-law readings.
- The proposed Lots 1 and 2 meet the minimum lot depth, width and area requirements of the Compact Residential (R5) zone.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council endorse the Public Notification to proceed for a By-law to rezone the subject site from "Urban Residential Zone (R3)" to "Compact Residential Zone (R5)".
2. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, dedications, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (d) the applicant satisfy the deficiency in tree replacement on the site, to the satisfaction of the Planning and Development Department;
 - (e) the applicant adequately address the City's needs with respect to the City's Affordable Housing Strategy, to the satisfaction of the General Manager, Planning & Development Department; and
 - (f) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Single Family Dwelling	Urban	R3
North (Across rear lane):	Single Family Dwelling	Urban	R3
East:	Single Family Dwelling	Urban	R3
South (Across 88 Avenue):	Single Family Dwelling	Urban	RA
West:	Single Family Dwelling	Urban	RA

Context & Background

- The 0.08-hectare subject site is located at 14271 - 88 Avenue, close to the northeast corner of 88 Avenue and 142A Street within the Fleetwood residential area.

- The site is designated "Urban" in the Official Community Plan (OCP) and is zoned "Urban Residential Zone (R3)".
- The site is within an established residential neighbourhood and is generally flat with rear lane access.
- The subject site is an interior lot among five similar sized R3 lots in a small residential block fronting an arterial road (88 Avenue).
- Currently there are undersized Acreage Residential (RA) zoned lots across 88 Avenue with similar lot widths as that of the subject site.
- The existing single-family dwelling on the property requires demolition to facilitate the development of the proposed two compact residential lots.

DEVELOPMENT PROPOSAL

Planning Considerations

- The proposal is to rezone the subject site from "Urban Residential Zone (R3)" to "Compact Residential Zone (R5)", to allow subdivision into two compact residential lots in an urban context (Appendix I).
- The proposed lots meet the minimum 324 square metres lot area, 9 metres lot width and 36 metres lot depth requirements of the R5 zone for a Type III, Interior lot.
- The proposal provides access driveways to both lots from the existing rear lane to the north of the subject property. The proposed lots will also utilize the pedestrian access connection to the sidewalk of 88 Avenue.

	Proposed
Lot Area	
Gross Site Area:	807 square metres (0.19 acres)
Road Dedication:	57 square metres
Net Site Area:	750 square metres
Number of Lots:	2
Unit Density:	10.8 lots per acre (26.7 lots per hectare)
Range of Lot Sizes	375 square metres
Range of Lot Widths	10.2 metres
Range of Lot Depths	36.8 metres

Referrals

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

School District: The School District has advised that there will be approximately two (2) school-age children generated by this development, of which the School District has provided the following expected student enrollment.

1 Elementary student at Green Timbers Elementary School
1 Secondary student at Enver Creek Secondary School

(Appendix III)

Parks, Recreation & Culture: No concerns.

The closest active park and natural area is Bear Creek Park and is 0.5 kilometers away from the subject property.

Transportation Considerations

- Vehicle access is proposed from the rear lane for the proposed two lots. However, there will be pedestrian access from 88 Avenue.
- TransLink Bus Routes No. 388 and 326 operate along 88 Avenue, directly south of the subject site. The closest bus stop associated with these routes is approximately 160 metres east of the site. There are bike routes available along 144 Street and 88 Avenue.
- The future Surrey Langley SkyTrain extension along Fraser Highway will operate 2 kilometres east of the subject site. The closest future SkyTrain station associated with this route will be approximately 2.0 kilometres northeast of the site.

Sustainability Considerations

- The applicant has met all of the typical sustainable development criteria, as indicated in the Sustainable Development Checklist.

POLICY & BY-LAW CONSIDERATIONS

Regional Growth Strategy

- The proposal complies with the existing "General Urban" designation of the subject property in the Metro Vancouver Regional Growth Strategy (RGS).

Official Community Plan

Land Use Designation

- The proposal complies with the existing "Urban" designation of the subject property in the Official Community Plan (OCP).

Themes/Policies

- The proposal is consistent with the following OCP Themes/Policies:
 - Support compact and efficient land development that is consistent with Metro Vancouver Regional Growth Strategy (A1.1);
 - Accommodate urban land development according to the following order of growth management: Serviced infill areas and redevelopment sites in appropriate locations within existing residential neighbourhoods, when developed compatible with existing neighbourhood character (A1.3.c).

Zoning By-law

- The applicant proposes to rezone the subject site from "Urban Residential Zone (R3)" to "Compact Residential Zone (R5)".
- The table below provides an analysis of the development proposal in relation to the requirements of the Zoning By-law, with respect to R5 zone.

R5 Zone (Part 17)	Permitted and/or Required	Proposed
Unit Density:	36 lots per hectare	26.7 lots per hectare
Lot Size (for Type III Interior lots)		
Lot Size:	324 square metres	375 square metres
Lot Width:	9 metres	10.2 metres
Lot Depth:	36 metres	36.8 metres

Lot Grading and Building Scheme

- The applicant retained Tejeshwar Singh of Simplex Consultants Ltd., as the Design Consultant. The Design Consultant conducted a character study of the surrounding homes and based on the findings of the study, proposed a set of building design guidelines (Appendix V).
- A preliminary lot grading plan, submitted by Hub Engineering Inc., and dated January 14, 2025, has been reviewed by staff and found to be generally acceptable. The applicant does propose in-ground basements. The feasibility of in-ground basements will be confirmed once the City's Engineering Department has reviewed and accepted the applicant's final engineering drawings.

Capital Projects Community Amenity Contributions (CACs)

- On December 16, 2019, Council approved the City’s Community Amenity Contribution and Density Bonus Program Update (Corporate Report No. R224; 2019). The intent of that report was to introduce a new City-wide Community Amenity Contribution (CAC) and updated Density Bonus Policy to offset the impacts of growth from development and to provide additional funding for community capital projects identified in the City’s Annual Five-Year Capital Financial Plan. A fee update has been approved in April 2024, under Corporate Report No.Ro46;2024.
- The proposed development will be subject to the Tier 1 Capital Plan Project CACs. The contribution will be payable at the rate applicable at the time of Final Subdivision Approval. The current rate is \$4,455.70 per new lot (outside Secondary Plan Area).
- The proposed development will not be subject to the Tier 2 Capital Plan Project CACs as the proposal complies with the densities in the OCP designation.

Affordable Housing Strategy

- On April 9, 2018, Council approved the City’s Affordable Housing Strategy (Corporate Report No. Ro66; 2018) requiring that all new rezoning applications for residential development contribute \$1,113.92 per new lot to support the development of new affordable housing. The funds collected through the Affordable Housing Contribution will be used to purchase land for new affordable rental housing projects.

PUBLIC ENGAGEMENT

- Pre-notification letters were sent on April 26, 2024, and the Development Proposal Signs were installed on April 29, 2024. Staff received no responses from neighbouring residents.

TREES

- Francis Klimo, ISA Certified Arborist of Klimo & Associates Ltd. 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 IV.
- 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
Deciduous Trees	3	3	0
Coniferous Trees	4	4	0
Onsite Tree Totals	7	7	0
Onsite Replacement Trees Proposed	6		
Total Onsite Retained and Replacement Trees	6		

- The Arborist Assessment states that there are total 7 bylaw protected trees on the site. Additionally, there are 2 bylaw protected offsite trees within proximity of the proposed development. The applicant proposes to retain no onsite trees as part of this development proposal. Additionally, 1 offsite tree is also proposed for removal due to its conflict with proposed frontage civil requirements and lot grading works and no City trees are proposed for removal.
- 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 14 replacement trees on the site. Since the proposed 14 replacement trees cannot be accommodated on the site, the proposed deficit of 8 replacement trees will require an estimated cash-in-lieu payment of \$4400, representing \$550 per tree, to the Green City Program, in accordance with the City's Tree Protection By-law.
- In summary, a total of 6 trees are proposed to be replaced on the site with an estimated contribution of \$4400 to the Green City Program.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

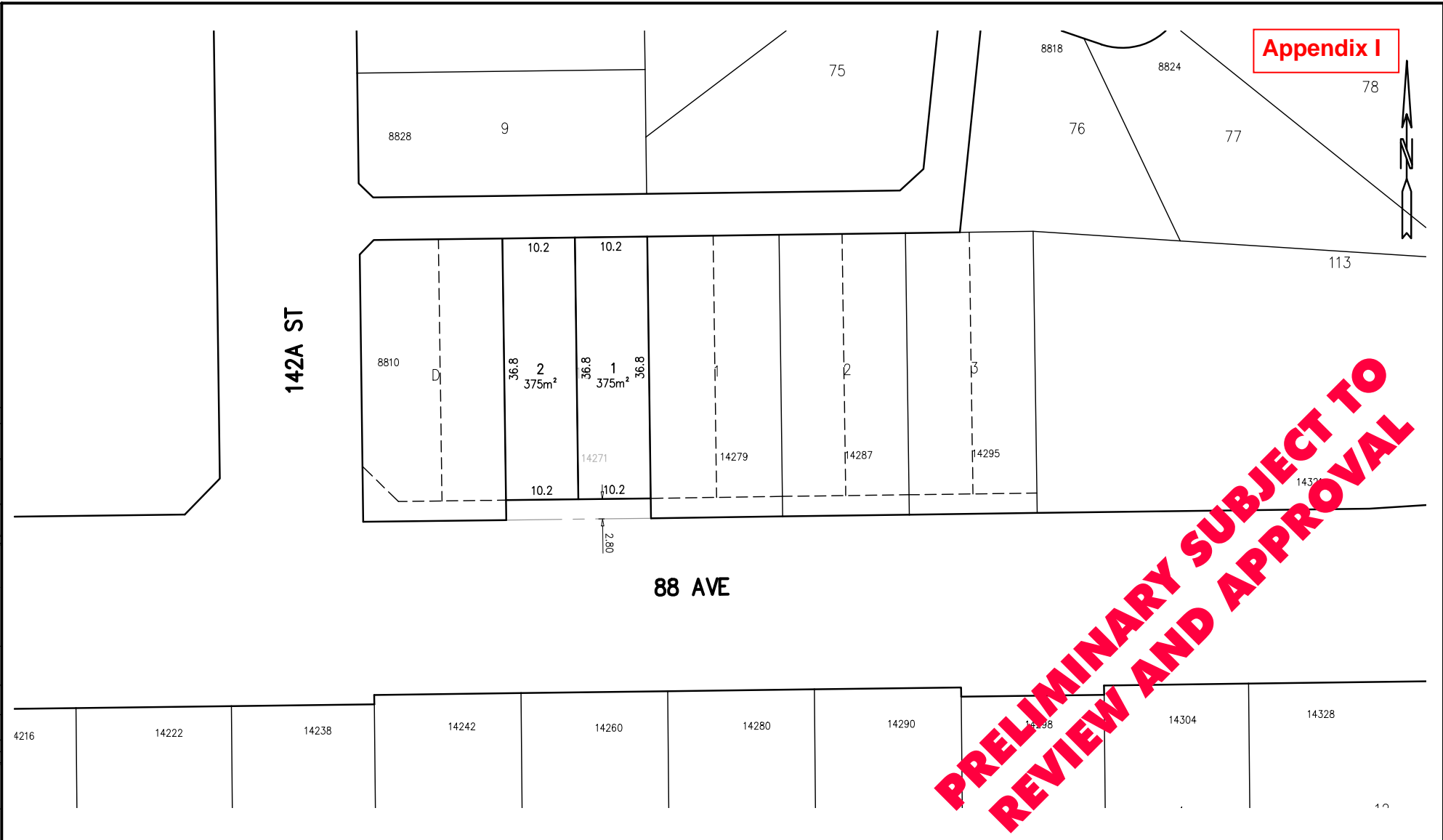
Appendix I.	Proposed Subdivision Layout
Appendix II.	Engineering Summary
Appendix III.	School District Comments
Appendix IV.	Summary of Tree Survey, Tree Preservation and Tree Plans
Appendix V.	Building Design Guidelines

approved by Shawn Low

Ron Gill
General Manager
Planning and Development

SPV/cb

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Appendix I

PRELIMINARY SUBJECT TO REVIEW AND APPROVAL

CLIENT:		PROJECT: 14271 88 AVE			
DRAWING TITLE: RESIDENTIAL SUBDIVISION					
PROJECT No.	2024-008	DATE:	JAN 2024	LEGAL:	
			SCALE:	1:500	MUNICIPAL PROJECT No:
PRELIMINARY PLAN - SUBJECT TO APPROVAL(S) FROM FEDERAL, PROVINCIAL AND LOCAL AUTHORITIES					

Hub Engineering Inc.

Engineering and Development Consultants

EGBC Permit to Practice Number: 1003404
Suite 212, 12992 - 76 Avenue, Surrey, B.C. V3W 2V6
tel: 604-572-4328 | fax: 604-501-1625 | mail@hub-inc.com | www.hub-inc.com

TO: **Director, Development Planning, Planning and Development Department**

FROM: **Director, Land Development, Engineering Department**

DATE: **February 19, 2025**

PROJECT FILE: **7824-0038-00**

RE: **Engineering Requirements**
Location: 14271 88 Ave

REZONE/SUBDIVISION

Property and Right-of-Way Requirements

88 Avenue – Arterial Road

- Dedicate 2.808 m along property line.
- Register 0.5 m SRW along property line.

Works and Services

- Provide on-site stormwater mitigation features as per the Bear Creek ISMP.
- Construct storm, sanitary and water service connections for each lot.
- Register applicable legal documents as determined through detailed design stage.

A Servicing Agreement is required prior to Rezone/Subdivision.



Jeff Pang, P.Eng.
Director, Land Development

NG

Department: **Planning and Demographics**
Date: **June 4, 2024**
Report For: **City of Surrey**

Development Impact Analysis on Schools For:

Application #: **24 0038 00**

The proposed development of **2** Single Family with Suite units are estimated to have the following impact on elementary and secondary schools within the school regions.

School-aged children population projection	2
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Projected Number of Students From This Development In:	
Elementary School =	1
Secondary School =	1
Total Students =	2

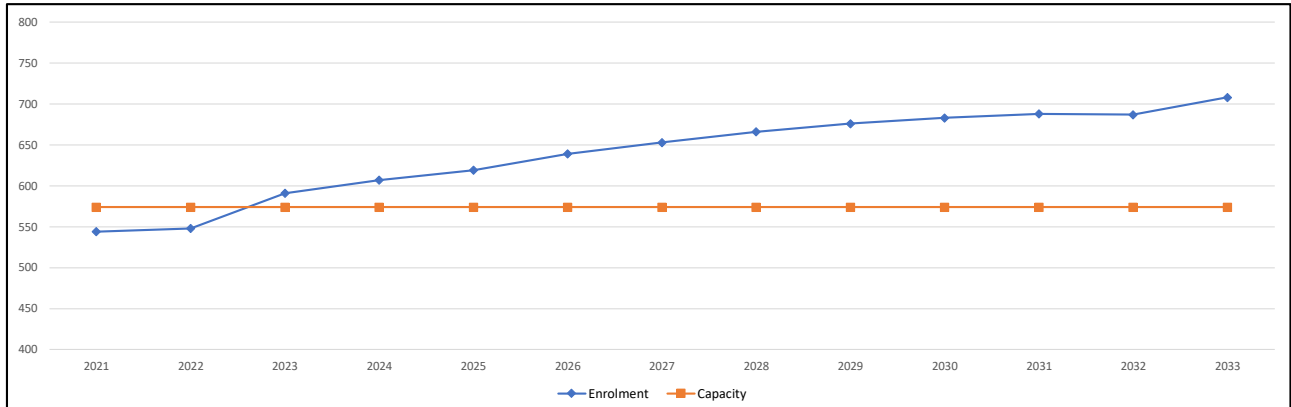
Current Enrolment and Capacities:	
Green Timbers Elementary	
Enrolment	591
Operating Capacity	574
# of Portables	0
Enver Creek Secondary	
Enrolment	1369
Operating Capacity	1400
# of Portables	0

Summary of Impact and Commentary
The following tables illustrate the historical, current and future enrolment projections including current/approved ministry operating capacity for the elementary and secondary schools serving the proposed development.

Green Timbers Elementary offers both regular stream and a Punjabi Language program (Grade 5 to 7). In 2010, a boundary change came into effect which moved some families from the Green Timbers catchment into the Simon Cunningham catchment. Green Timbers is at the end of the 7 year phased boundary change, hence, it is now showing a slow decline. As the school is operating under capacity, it can accommodate any modest growth over the next 10 years. Therefore, there are no plans to expand the school in coming years. While growth is currently stable, the projections for Green Timbers do not include the changes coming through the Fleetwood Plan. Projections will be updated once the plan is adopted and it is expected student population will increase significantly.

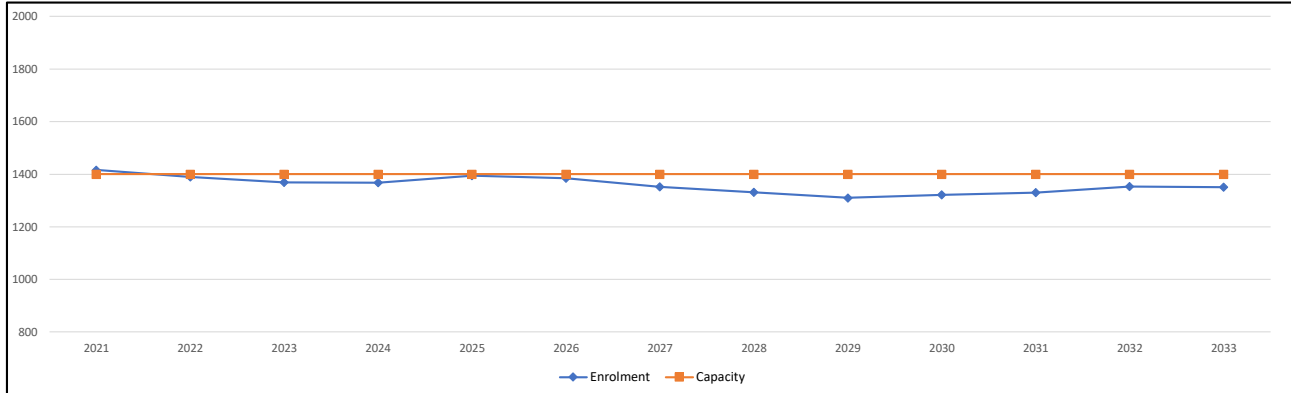
As of September 2023, Enver Creek is operating at 98%. Enrolment is projected to remain stable or slightly decline in the future. These projections will be changed when the Fleetwood Plan is adopted and likely density increases are factored in. At this time, there are no plans to expand the capacity of the school.

Green Timbers Elementary



Note: If this report is provided in the months of October, November and December, the 10-year projections are out of date and they will be updated in January of next year.

Enver Creek Secondary



Note: If this report is provided in the months of October, November and December, the 10-year projections are out of date and they will be updated in January of next year.

Population : The projected population of children aged 0-17 impacted by the development.

Enrolment: The number of students projected to attend the Surrey School District ONLY.

8.0 SUMMARY OF TREE PRESERVATION BY TREE SPECIES:

Tree Species	Existing	Remove	Retain
Alder and Cottonwood Tree(s)			
Alder	0	0	0
Cottonwood	0	0	0
Deciduous Trees (Excluding Alder and Cottonwood Tree(s))			
Black cherry	2	2	0
Silver birch	1	1	0
Hawthorn	1	1	0
Coniferous Tree(s)			
Scots pine	1	1	0
Emerald cedar	1	1	0
Douglas fir	1	1	0
Total <i>(Excluding Alder and Cottonwood Tree(s))</i>	7	7	0
Additional Trees in the proposed Open Space / Riparian Area	0	0	0
Total Replacement Trees Proposed <i>(Excluding Boulevard Street Tree(s))</i>			6
Total Retained and Replacement Tree(s) <i>(Total + Total replacement tree(s) proposed)</i>			6

**Please note: The trees identified in the table consists of only on-site, shared trees that are bylaw sized and includes trees within boulevards, proposed streets, and lanes*

12.0 TREE REPLACEMENT PLAN

Outlined in the "Surrey Tree Protection Bylaw, 2006 No. 16100", the requirement for replacement Trees will be required based upon the Trees being cut or removed. Two (2) trees are to be planted for each permit-sized tree removed (2:1 ratio), except when the tree removed is a black cottonwood (*Populus trichocarpa*) or red alder (*Alnus rubra*), whereupon the replacement ratio is 1:1.

On-Site & Shared Trees (Including city trees within proposed lanes)	Number of Trees
Protected Trees Identified	7
Protected Trees to be Removed	7
Protected Trees to be Retained	0
Total Replacement Trees Required:	
Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio	0 Trees
0 X one (1) = 0	
All other Trees Requiring 2 to 1 Replacement Ratio	14 Trees
7 X two (2) = 14	
Total Replacement Trees required	14
Replacement Trees Proposed	6
Replacement Trees for Cash in leu	8

Tree Replacement Species		
Planting(s) should be scheduled for the late winter/ early spring or early fall		
Quantity	Name	Species
3	Persian ironwood	<i>Parrotia persica</i>
3	Nootka cypress	<i>Cupressus nootkatensis</i>

Please see map for location Note: Planting cannot be within 3 meters of another significant tree

General Tree Planting Methodology

Replacement trees must meet plant condition and structure requirements as stated in "BC Landscape Standard" of the BCSLA/BCLNA and "Canadian Standards for Nursery Stock" of the CNTA. Also, the Replacement trees must be planted and maintained according to the requirements as stated in the "BC Landscape Standard" of the BCSLA.

It is important to locate your new plantings in accordance with the species' growing habits or tendencies. It is crucial to avoid planting your trees alongside buildings in which root ingress into drainage systems can occur and this can result in costly remedial work, also it is good practice not to plant your tall growing trees under power lines or utility lines as this can lead to pruning that may grossly adulterate the overall form or shape of the tree. Planting trees in the right location is the key to sustaining a balanced urban forest.

The proposed replacement Trees are to be a minimum size of 6cm caliper if deciduous, which is measured at 15 cm above the ground, or 3 m tall if coniferous at the time of planting (*trunk width measured at 15 centimetres above the ground*) At least 1.0 metre away from any site boundary line, at least 3.0 metres away from any principle building or any accessory building or any other structure on or adjacent to the site that may adversely affect the tree and; at least 2.5 metres away from any other tree on or adjacent to the site including driveway or any other hardscape or underground service/utility lines.

Revisions	
No.	Date
	January 17, 2024
	January 27, 2024
	February 5, 2025
Consultants	

Project Title
TREE MANAGEMENT PLAN

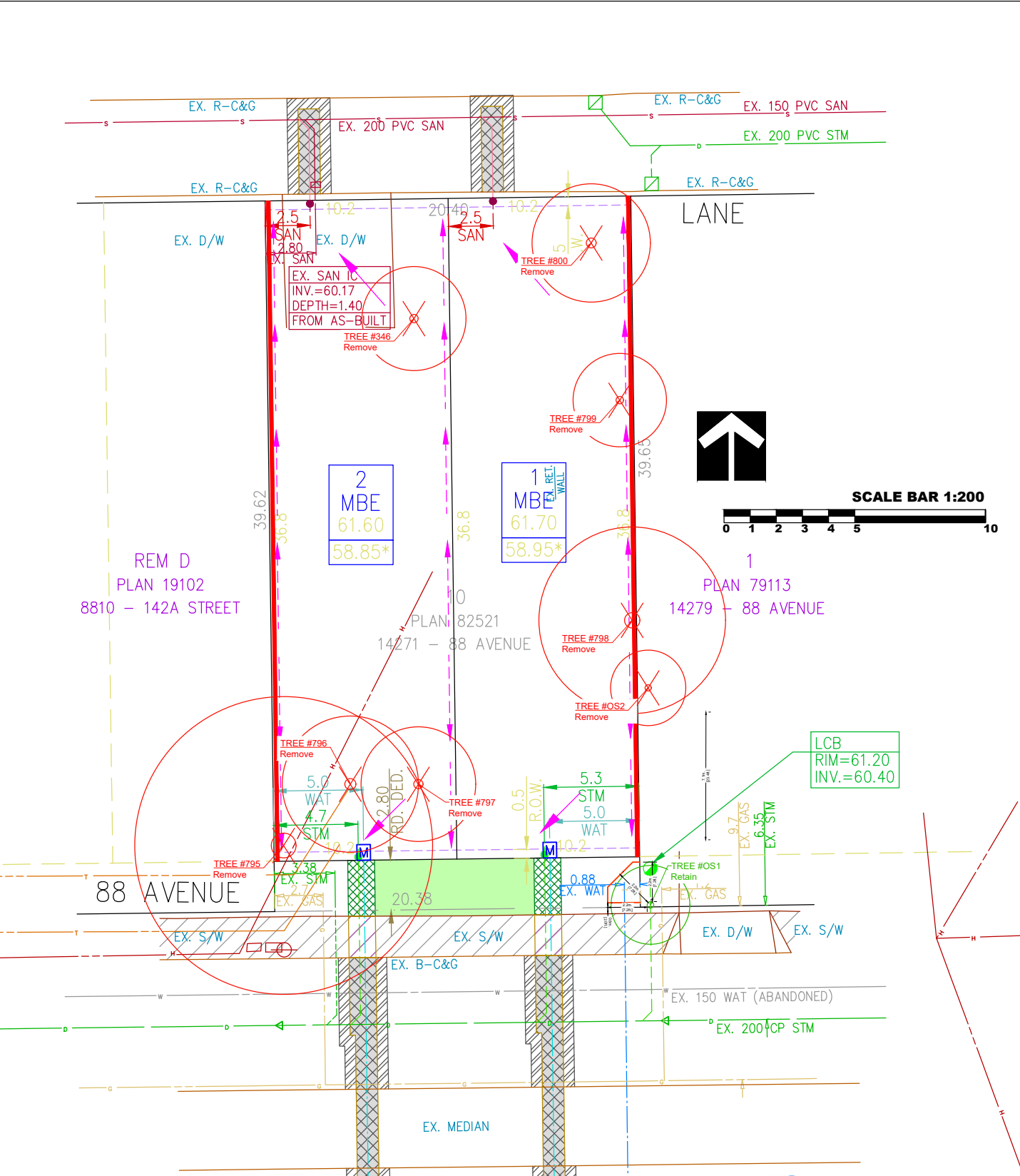
Project Number

**14271 88 AVE,
 SURREY**

**Klimo &
 Associates**

Francis R. Klimo
 ISA Certified Arborist #PN-8149A
 ISA Certified Tree Risk Assessor (TRAQ)
 BC Wildlife Danger Tree Assessor #7193

Scale 1:200
 Drawn



REMOVAL OF TREES AS PER ARBORIST REPORT. TREES TO ACCOMMODATE CONSTRUCTION OF PROPOSED HOUSE AS PER ATTACHED APPENDIX A. ALL OTHER TREES TO BE RETAINED, MAINTAINED (ESPECIALLY WATERED) AND PROTECTED FOR THE DURATION OF CONSTRUCTION. THE BARRIERS MAY ONLY BE REMOVED WITH THE PERMISSION OF THE CITY ARBORIST OR AT THE SPECIFIC INTERVALS IDENTIFIED IN THE LETTER OF UNDERTAKING. ALL WORK CARRIED OUT AFTER BARRIERS REMOVED MUST BE DONE BY HAND IN CRITICAL ROOTZONES. NO HEAVY EQUIPMENT (INCLUDING BOBCATS) IS TO ENTER CRITICAL ROOTZONES, STUMPS AND UNDERLYING ROOTS OF "TREES TO BE REMOVED" TO REMAIN INSITU IF THEY ARE WITHIN THE CRITICAL ROOTZONE RADIUS OF "TREES TO BE RETAINED". THEY MAY BE GROUND TO THE SURFACE WITH A STUMP GRINDER. CRITICAL ROOTZONE RADIUS DETERMINATION IS DESCRIBED IN BARRIER DETAIL DRAWING ON THE BACK OF TREE CUTTING PERMIT APPLICATIONS.

Revisions	
No.	Date
	February 5, 2025

Project Title
TREE REPLACEMENT PLAN

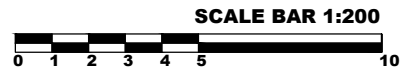
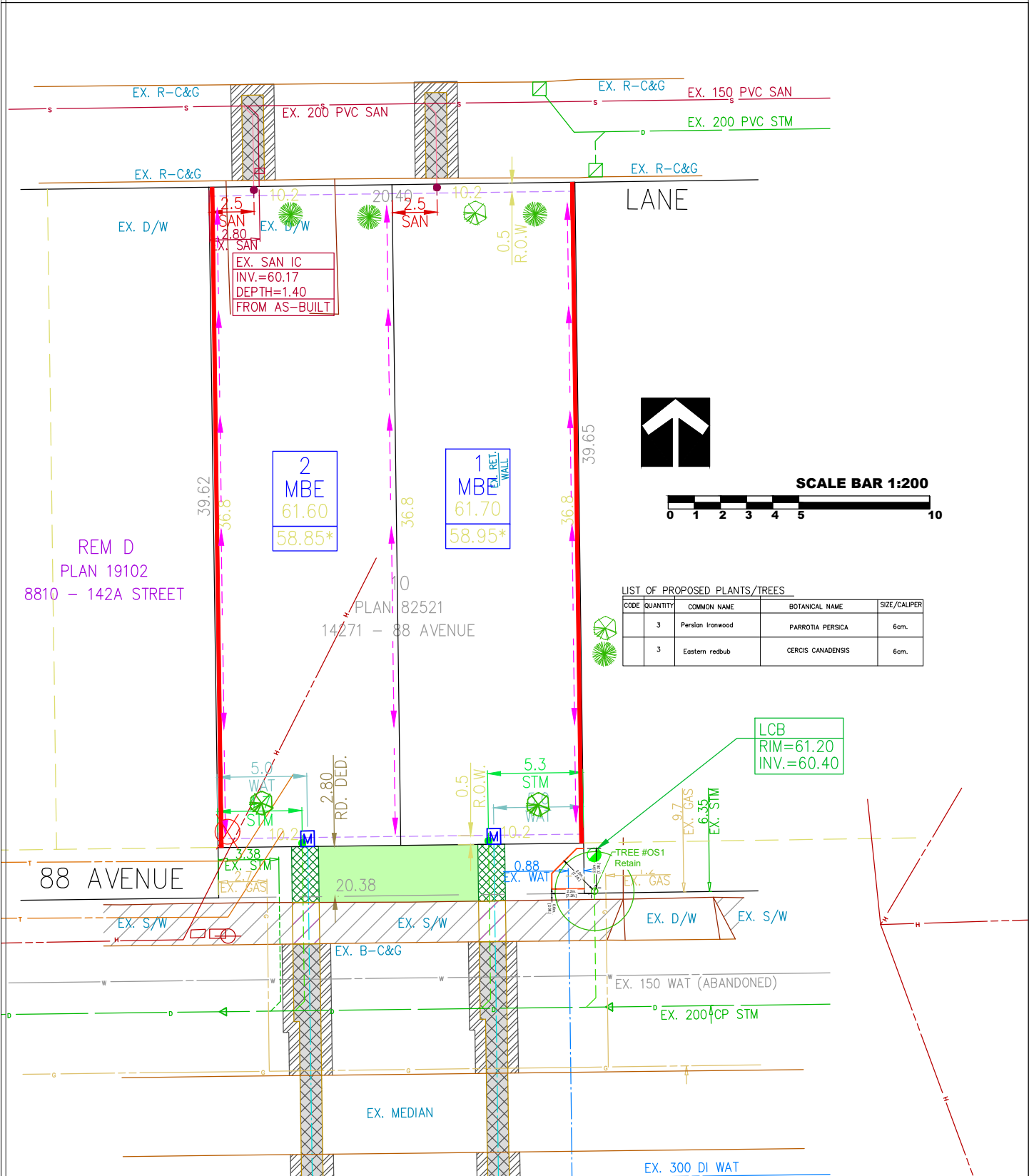
Project Number

**14271 88 AVE,
SURREY**

**Klimo &
Associates**

Francis R. Klimo
ISA Certified Arborist #PN-8149A
ISA Certified Tree Risk Assessor (TRAQ)
BC Wildlife Danger Tree Assessor #7193

Scale 1:200
Drawn



LIST OF PROPOSED PLANTS/TREES

CODE	QUANTITY	COMMON NAME	BOTANICAL NAME	SIZE/CALIPER
	3	Persian Ironwood	PARROTIA PERSICA	6cm.
	3	Eastern redbud	CERCIS CANADENSIS	6cm.

LCB
RIM=61.20
INV.=60.40

REMOVAL OF TREES AS PER ARBORIST REPORT. TREES TO ACCOMMODATE CONSTRUCTION OF PROPOSED HOUSE AS PER ATTACHED APPENDIX A. ALL OTHER TREES TO BE RETAINED, MAINTAINED (ESPECIALLY WATERED) AND PROTECTED FOR THE DURATION OF CONSTRUCTION. THE BARRIERS MAY ONLY BE REMOVED WITH THE PERMISSION OF THE CITY ARBORIST OR AT THE SPECIFIC INTERVALS IDENTIFIED IN THE LETTER OF UNDERTAKING. ALL WORK CARRIED OUT AFTER BARRIERS REMOVED MUST BE DONE BY HAND IN CRITICAL ROOTZONES. NO HEAVY EQUIPMENT (INCLUDING BOBCATS) IS TO ENTER CRITICAL ROOTZONES, STUMPS AND UNDERLYING ROOTS OF "TREES TO BE REMOVED" TO REMAIN INSITU IF THEY ARE WITHIN THE CRITICAL ROOTZONE RADIUS OF "TREES TO BE RETAINED". THEY MAY BE GROUND TO THE SURFACE WITH A STUMP GRINDER. CRITICAL ROOTZONE RADIUS DETERMINATION IS DESCRIBED IN BARRIER DETAIL DRAWING ON THE BACK OF TREE CUTTING PERMIT APPLICATIONS.

BUILDING DESIGN GUIDELINES

Neighborhood Boundaries:

8900 Avenue Block to the north,
14300 Street Block to the east,
88 Avenue to the south,
and 142A Street to the west

**Civic address of parent parcel:
14271 88 Avenue, Surrey, B.C.**

Subdivision of one "Urban Residential Zone" (R3) property into
two "Compact Residential Zone" (R5) properties

1 Lot into 2 lots
1 existing building to be removed
2 new lots proposed

Developer: JPJ Buildings

Surrey Project # 7924-0038-00

Version 1: April 29, 2024
Version 2: February 3, 2025

Prepared by:

Simplex

Consultants Ltd.

Tejeshwar Singh, b.t.arch, ASCT, at.aibc, CRD
#102 – 12725, 72 Ave
Surrey, B.C. V3W 2M7
p: 604.597.3582 f: 604.597.3513

DESIGN GUIDELINES SCHEDULE OF RESTRICTIONS

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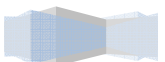
GENERAL RESTRICTIONS

- 1.1 Definitions
- 1.2 Expiry

SECTION 2

BUILDING DESIGN RESTRICTIONS

- 2.1 Retaining Walls
- 2.2 Corner *Lot* Design
- 2.3 Roof
- 2.4 Balconies
- 2.5 Foundation Exposure
- 2.6 Building Exterior
- 2.7 Accent Materials and Trim
- 2.8 Windows
- 2.9 Front Entry Design
- 2.10 Noise Mitigation



CITY OF SURREY DESIGN GUIDELINES

SCHEDULE OF RESTRICTIONS

SECTION 1

GENERAL RESTRICTIONS

1.1 Definitions

In this *schedule*:

"City" means the *City of Surrey*;

"construct" and any variation of that term, means to construct, improve, install, affix, place, or alter, or to permit construction, *improvements*, installation, affixation, placement or alteration;

"consultant" means an architect in good standing with the Architectural Institute of British Columbia or any successor body, or a registered design *consultant* in good standing with the National Home Designers Association or any successor body, or a registered building designer and/or a certified residential building designer in good standing with the Applied Science Technologists and Technicians of British Columbia or any successor body, who is appointed by the developer and who is authorized by the *City* in writing;

"developer" means the registered owners) of the fee simple or leasehold estate of all of the *lots* as of the date this schedule is registered in the Land Title Office;

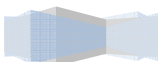
"improvements" means any building, accessory building in excess of 10 square metres [105 square feet], fence or retaining wall constructed or to be constructed on a *lot*,

"lot" means each *lot* identified in either the Form 35 or the Form C to which this schedule is attached and any portions or portion of such *lot* which may be subdivided or consolidated whether by subdivision plan, strata plan or otherwise and *'lots'* means the aggregate of them;

"owner" means the registered owner of the fee simple or leasehold estate of a *lot*,

"person" means any individual, corporation, society, association, co-operative, joint venture, partnership, trust, unincorporated organization, government, or other legal entity, and includes the owner of a *lot* and the developer,

"schedule" means this schedule of restrictions and any further schedules or exhibits attached to it (if any);



1.2 Expiry

This *Schedule* shall have no further force and effect after fifteen (15) years from the date of registration of this *schedule* in the Land Title Office, and shall be discharged from all of the *lots* by the passage of this time.

SECTION 2

BUILDING DESIGN RESTRICTIONS

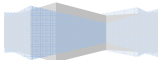
For all of the subsections in Section 2, a person will not construct improvements, or develop the lot before, during or after construction of the improvements, unless:

2.1 Retaining Walls

- (a) there is no retaining wall, except if permitted in the *lot* grading plan accepted by the *City* for the *lots*, or if accepted by the *City*. A low profile retaining wall that is no more than 20 cm [7.9 inches] in height, such as landscape ties, is not restricted, provided that such a low profile retaining wall does not result in terraced landscaping;
- (b) the maximum height of a retaining wall is no more than 0.6 meters [2.0 feet], except for a retaining wall below existing grade, including concrete stairwells and covered patios under sundecks;
- (c) retaining walls visible from the street are constructed of architecturally treated masonry or "Allan Blocks", or "Pisa Stone";
- (d) a retaining wall that faces the street, if permitted, is landscaped; and
- (e) retaining walls not visible from the street, if permitted, shall be constructed of architecturally treated masonry, or masonry blocks, or pressure treated landscape ties, except for a retaining wall below existing grade including concrete stairwells and covered patios under sundecks.

2.2 Corner Lot Design

This section does not apply.



2.3 Roof

(a) Design

- (i) the *improvements* have a varied roof form and design in relation to adjacent *improvements*; and
- (ii) roofs are designed so as to reduce upper floor massing determined by the *consultant*.

(b) Pitch

- (i) the minimum roof pitch is 4:12, except as provided in clauses 2.3(b)(ii) and 2.3(b)(iii) herein;
- (ii) the slope of the upper-most roof system shall be reduced where it is determined by the *consultant*;
- (iii) the roof pitch is constant, except where necessary, dual roof pitch may be used; and
- (iv) the maximum roof shall not exceed 12:12.

(c) Material

only the following roofing materials are used:

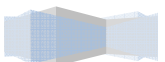
- (i) Concrete roof tiles, which are in a "shake profile" only, are approved by the Canadian Standards Association (CSA approved), and are approved by the *consultant*, or
- (ii) Asphalt shingles in a "shake profile" only, with a 30 year or greater warranty, which are accompanied by a pre-formed (manufactured) raised ridge cap, or
- (iii) Environmentally sustainable roofing products in a shake profile only, that meet or exceed the thickness of roofing products specified in clause 2.3 (c) herein.

(d) Color

- (i) only the following roof colors are used: grey, brown, or black.

(e) Skylights

- (i) skylights which are bubble style are not permitted on street facing elevations.



2.4 Balconies

- (a) there are no, decks, on the front or sides of the building, except:
 - (i) covered entry verandas are permitted at the main floor at the front side of the building; or
 - (ii) decorative balconies on the second floor upon consultants approval or enclosed within a roof.

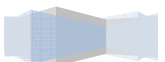
2.5 Foundation Exposure

- (a) exposed concrete foundations do not exceed 0.3 meters [12 inches] in height measured from the finished grade to the underside of the siding, except for stepped foundations to accommodate the finished grade of the lot.

2.6 Building Exterior

- (a) General
 - (i) not more than four different cladding materials, excluding trim, may be applied to any elevation.
- (b) Materials
 - (i) only the following materials are used, with required accent materials measured as a percentage of the exposed wall face on the front facade, including window and door area:

Main cladding material	Minimum Required Accent materials
Stucco	20% brick or stone
Stucco	25% cedar, wood shingles, or hardiplank
Stucco	20% cedar plus 8% brick or stone
Vinyl Siding	25% brick or stone
Vinyl Siding	25% cedar or wood shingles
Vinyl Siding	20% cedar plus 10% brick or stone
Hardiplank	20% brick or stone
Hardiplank	25% cedar or wood shingles



Hardiplank	20% cedar plus 10% brick or stone
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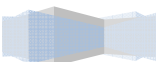
Brick or stone veneer: Even toned in brown or grey hues only with grey or earth tone mortar.

(c) Colors

- (i) only the following range of colors are used on exterior cladding materials:
 - colors from a neutral and natural (earth tone) color palette including white, cream, greys, charcoal, browns, clay, sage, and other earth tones; and
 - trim or wall cladding colours outside neutral and natural colour palettes such as navy blue, forest green, colonial red, amber-yellow or other colours which are approved by the *consultant*;
- (ii) only the following range of colours on the trim are used:
 - lighter or darker shades of colours as specified in subsection (i) above.
- (iii) cedar trim is used only if it is sealed to prevent the leaching of stains onto the cladding material.

2.7 Accent Materials and Trims

- (a) accents such as brick or stone are not used unless they turn the corner and extend a minimum of 0.9 metres [3.0 feet] or to a vertical break in the return wall such as a chimney or a wall projection, except that where a stone or brick return is designed to simulate a column, the return shall be at least equal to the width of the column face;
- (b) brick or stone are not used as an accent on the front face unless it covers at least 20% of the exposed face, preferably located at the base of the wall face, or is in accordance with the table in clause 2.6(b) herein;
- (c) brick or stone on the street face is used only if the colour, pattern, and texture are compatible with the siding;
- (d) there is no use of concrete blocks or jumbo blocks which are exposed to the exterior;
- (e) min 1x4 nominal trim is used on all street facing elevations;



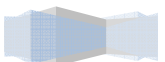
- (f) mortar shall be grey or earth tone colors only;
- (g) the base of the structure at the front of the building is defined by the use of 2x10 nominal raised base trim, or by the use of a soldier course of brick, or by the use of a stone accent material;
- (h) not less than three of the following details shall be included on all new buildings: furred out wood posts, articulated wood post bases, wood dentil details, louvered wood vents, decorative wood braces, articulated gable ends, and generous trim around windows and doors which include layered or crown moldings above the entrance door and key focal openings; and
- (i) all trim elements specified on the *final drawings and specifications* are applied as indicated to the structure.

2.8 Windows

- (a) window openings on the front facade are only of a consistent geometrical shape with the exception that a main feature window on the lower floor may be of a different shape providing, in the opinion of the *consultant*, that the feature window shape contributes to both the interest and consistency of the overall theme; and
- (b) there are no basement windows on the front facade, except to complement unique site grading; and
- (c) the windows facing the street should have a higher sound transmission rating; and
- (d) there should be generous windows in active rooms facing the street.

2.9 Front Entry Design

- (a) the building does not have a front entrance exceeding a height of 3.66 meters [12'-0"] measured from the top of the stoop slab to the underside of the entry roof, unless determined by the *consultant* on the strength of architectural features.



2.10 Noise Mitigation

The following noise mitigation measures are required on the south facades on all lots:

- (i) Design feature may include:
 - (i) Orienting bedrooms and outdoor areas away from 88 Avenue;
 - (ii) Providing mechanical ventilation to allow for the choice of keeping windows closed;
 - (iii) Reducing the number of doors and windows facing directly towards 88 Avenue.
- (ii) Wall construction to be:
 - (i) 2 x 6 studs @ 16" o/c
 - (ii) R22 batt insulation
 - (iii) Two layers of 5/8" type 'X' gypsum wall boards for all exterior wall within the bedroom that is located on the south façade.
- (iii.) Windows to be double glazed:
 - (i) With the 6mm glass- 9mm airspace- 4mm glass (OITC 28) or better.

