

PROPOSAL:

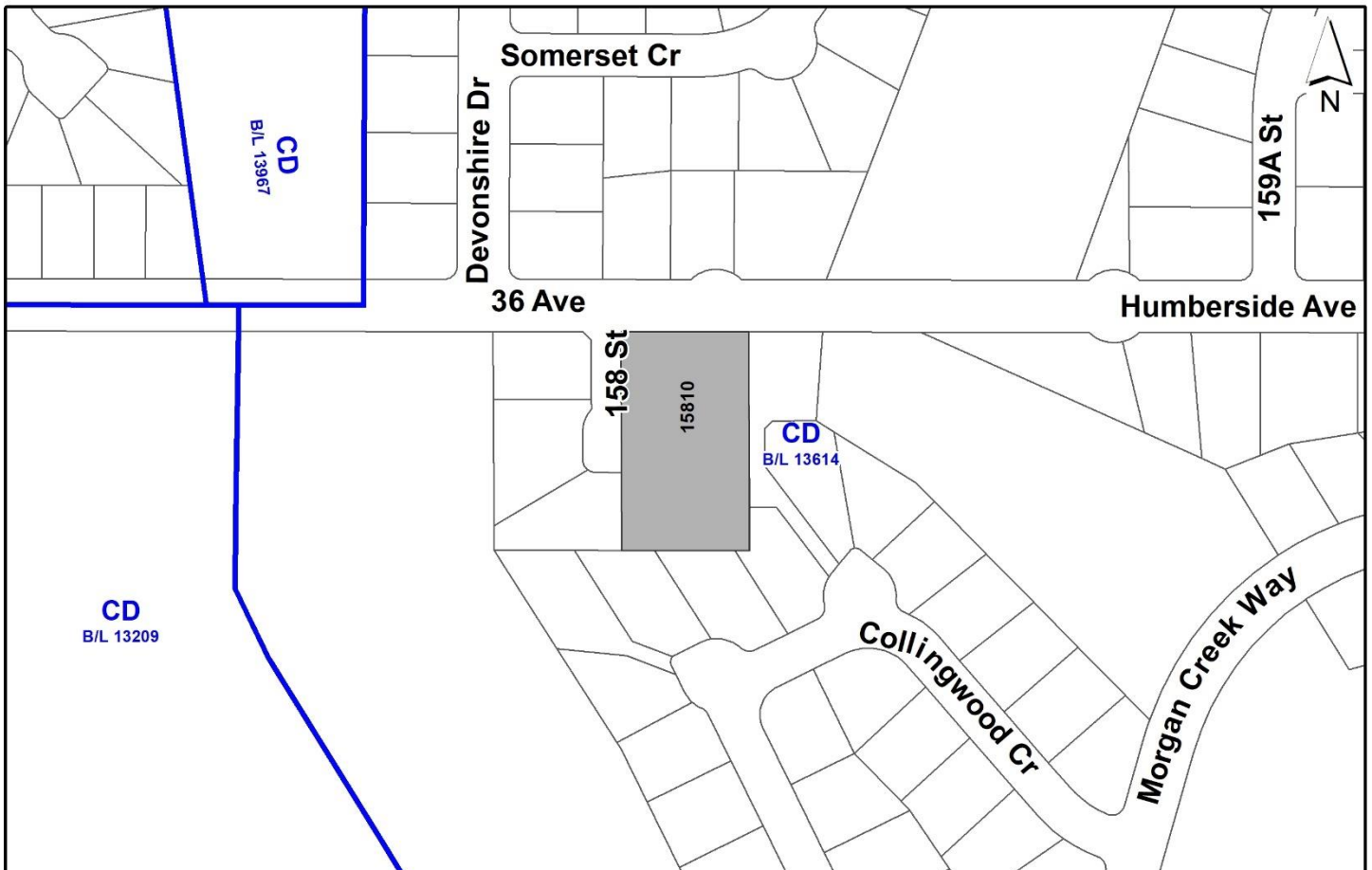
- **Development Permit (Streamside Area)**
- **Development Variance Permit**

to allow subdivision into 3 single family lots.

LOCATION: 15810 36 Avenue

ZONING: CD (By-law No. 13614)

OCP DESIGNATION: Suburban



RECOMMENDATION SUMMARY

- Approval to draft Development Permit for Sensitive Ecosystems.
- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Proposing to vary the lot width and depth requirements of “Comprehensive Development Zone (CD)” (By-law No. 13614).

RATIONALE OF RECOMMENDATION

- The proposal complies with the Suburban designation in the Official Community Plan (OCP).
- The proposed density and building form are appropriate for this part of Morgan Creek, and is complimentary to the existing subdivision to the west.
- No rezoning is required for the proposed subdivision. The proposal will mirror the 3 lots to the west of the property. The property is a remnant lot of previous Development Application No. 7995-0156-00 which developed the surrounding area into the Morgan Creek Golf Course and larger single family lots. The subject lot was included in that application and was rezoned with the intent of future subdivision. The property to the west which was later subdivided into three (3) lots under Development Application No. 7906-0006-00, was rezoned with the same intent.
- The proposed Lot 3 requires a Lot Width variance due to the narrow frontage located at the end of the cul-de-sac. The lot increases in width as its depth increases, providing space for a home similar in size to its neighbours, as well as a large rear yard.
- As lot depth is measured in the center of the property, the proposed subdivision requires a slight variance for the depth of Lot 3. However, the resultant lot achieves substantial depth on the eastern side of the lot.
- The proposed subdivision will provide dedication for 158 Street, completing the ultimate right of way of the road giving frontages to the proposed lots from the west.
- The proposal complies with the Development Permit requirements in the OCP for Sensitive Ecosystems (Streamside Areas/Green Infrastructure Areas). The Streamside Protection Area within the property will be protected through a Restrictive Covenant.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council authorize staff to draft Development Permit No. 7922-0271-00 for Sensitive Ecosystems (Streamside Areas), generally in accordance with the attached drawings (Appendix III) and the finalized Ecosystem Development Plan.
2. Council approve Development Variance Permit No. 7922-0271-00 (Appendix V) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum lot width of the “Comprehensive Development Zone (CD)” (By-law No. 13614).from 26 metres to 21.7 metres for proposed Lot 3; and
 - (b) to reduce the minimum lot depth of the “Comprehensive Development Zone (CD)” (By-law No. 13614).36 metres to 35.5 metres for proposed Lot 3;
3. Council instruct staff to resolve the following issues prior to final issuance:
 - (a) Development Variance Permit will be brought forward for issuance and execution by the Mayor and City Clerk once the conditions of approval associated with the subdivision have been completed.
 - (b) 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;
 - (c) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (d) submission of a finalized landscaping plan and landscaping cost estimate to the specifications and satisfaction of the Planning and Development Department;
 - (e) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (f) the applicant satisfy the deficiency in tree replacement on the site, to the satisfaction of the Planning and Development Department;
 - (g) submission of a finalized Ecosystem Development Plan and Impact Mitigation Plan to the satisfaction of City staff;
 - (h) 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 Services;
 - (i) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department;

- (j) registration of a combined Statutory Right-of-Way / Section 219 Restrictive Covenant over the designated Streamside Protection Area for both "No Build" and conveyance access;

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP/Designation	Existing Zone
Subject Site	Single Family Dwelling	Suburban	CD
North (Across 36 Avenue):	Single Family Dwelling	Suburban	CD
East	Natural Area	Suburban	CD
South:	Single Family Dwelling	Suburban	CD
West (Across 158 Street):	Single Family Dwelling	Suburban	CD

Context & Background

- The 4,127 square-metre subject property is located at 15810 36 Avenue in Morgan Creek. The site is designated "Suburban" in the Official Community Plan (OCP) and zoned "Comprehensive Development Zone (CD)" (By-law No. 13614).
- The applicant proposes a lot width and depth variance for proposed Lot 3 in order to subdivide into three (3) single family lots under the existing zoning. The proposed lot will exceed the minimum area requirements for the CD (By-law No. 13614) Zone.
- The proposed lots exceed the minimum lot area, width and depth requirements of the Existing CD Zone, with the exception of the lot width of Lot 3.
- The proposal will mirror the 3 lots west of the property. The property is a remnant lot of Development Application No. 7995-0156-00 which developed the surrounding area into the Morgan Creek Golf Course and larger single family lots. The subject lot was included in this application, and was rezoned with the intent of future subdivision. The property to the west which was later subdivided under Development Application No. 7906-0006-00 was rezoned with the same intent.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant is proposing to subdivide the subject property into three (3) single family residential lots, both all which would front 158 Street.

- Reducing the lot width of Lot 3 will allow for a subdivision that mirrors the development across 158 Street. The proposed Lot 3 requires a Lot Width and Lot Depth variance due to the narrow frontage located at the end of the cul-de-sac. The lot increases in width as the lot depth increases, providing space for a home similar in size to its neighbours, as well as a large rear yard.
- The proposed subdivision will provide dedication for the partially constructed 158 Street, completing the ultimate right of way of the road.
- The proposed density for the development is 3.3 units per acre (upa), which is less than the maximum of 4 units per acre within the “Suburban” Designation in the OCP.

	Proposed
Lot Area	
Gross Site Area:	4,127 square metres
Road Dedication:	397 square metres
Net Site Area:	3,730 square metres
Number of Lots:	3
Unit Density:	8.0 uph/3.3 upa
Range of Lot Sizes	1,207-1,290 square metres
Range of Lot Widths	21.7-31.6 metres
Range of Lot Depths	35.5-45.1 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.

Transportation Considerations

- The proposed subdivision will provide dedication for the partially constructed 158 Street, completing the ultimate right of way for the road and the cul-de-sac to the west.
- The proposed lots will all be accessed from 158 Street.

Natural Area Considerations

- The property abuts a lot to the east that is protected as a Natural Area by a Restrictive Covenant placed on the property under the original Morgan Creek Golf Course subdivision (Development Application No. 7995-156-00).
- There is an existing ditch to the east that was reviewed by the applicants Qualified Environmental Professional (QEP) and determined to not to be a watercourse. This determination was reviewed and accepted by City Staff.
- This ditch connects to a Class B watercourse north of the site, which requires a 15 metre setback as per Part 7A of the Surrey Zoning Bylaw. As part of this application, a Sensitive Ecosystem Development permit is required to protect the streamside area present on site.

- A restrictive covenant will be registered to protect the streamside area. In addition, the applicant has proposed to provide fencing along the edge of the covenant area, as well as additional fencing along the edge of the ditch.

POLICY & BY-LAW CONSIDERATIONS

Lot Width Variance

- The applicant is requesting the following variances:
 - to reduce the minimum lot width of the “Comprehensive Development Zone (CD)” (By-law No. 13614) from 26 metres to 21.7 metres for proposed Lot 3; and
 - to reduce the minimum lot depth of the “Comprehensive Development Zone (CD)” (By-law No. 13614) from 36 metres to 35.5 metres for proposed Lot 3;
- Reducing the lot width of proposed Lot 3 will allow for a subdivision that mirrors the development across 158 Street.
- The proposed Lot 3 requires a Lot Width variance due to the narrow frontage located at the end of the cul-de-sac. The lot increases in width as its depth increases, providing space for a home similar in size to its neighbours, as well as a large rear yard.
- As lot depth is measured in the center of the site, the proposed subdivision requires a slight variance for the depth of Lot 3. However, the resultant lot achieves substantial depth on the eastern side of the lot.
- Staff support the requested variances to proceed for consideration.

Lot Grading and Building Scheme

- A preliminary lot grading plan, submitted by CitiWest Consulting Ltd., and dated April 2022, has been reviewed by staff and found to be generally acceptable. The applicant proposes 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.

- 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 \$4,000 per lot.
- 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 \$1,000 per new unit 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.
- The applicant will be required to contribute \$1,000 per new lot to support the development of new affordable housing.

PUBLIC ENGAGEMENT

- Development Proposal Signs were installed on January 26, 2023. Staff received no responses from neighbouring residents.

DEVELOPMENT PERMITS

Sensitive Ecosystems (Streamside Areas) Development Permit Requirement

- The subject property falls within the Sensitive Ecosystems Development Permit Area (DPA) for Streamside Areas in the OCP, given the location of an existing Class B (yellow-coded) watercourse which flows north. The Sensitive Ecosystems (Streamside Areas) Development Permit is required to protect aquatic and terrestrial ecosystems associated with streams from the impacts of development.
- In accordance with Part 7A Streamside Protection setbacks of the Zoning By-law, a Class B (yellow-coded) watercourse requires a minimum streamside setback of 15 metres, as measured from the top of bank. The proposed setbacks comply with the requirements outlined in the Zoning By-law. The watercourse classification and required setbacks were reviewed and accepted by City staff after review of the provided Ecosystem Development Plan.
- The riparian area will be protected through the registration of a Restrictive Covenant against the property to ensure safeguarding and maintenance of the Protection Area in perpetuity, in compliance with the OCP.
- An Ecosystem Development Plan, prepared by Remi Masson, *R.P. Bio.*, of RedCedar Environmental Consulting and dated June 7, 2022 has been reviewed and accepted by staff. The finalized report and recommendations will be incorporated into the Development Permit.

TREES

- Terry Thrale, ISA Certified Arborist of Woodridge Tree Consulting Arborists Ltd. prepared an Arborist Assessment for the subject property. The table below provides a summary of the tree retention and removal by tree species:

Table 1: Summary of Tree Preservation by Tree Species:

Tree Species	Existing	Remove	Retain
Deciduous Trees (excluding Alder and Cottonwood Trees)			
Cherry	1	0	1
Coniferous Trees			
Norway Spruce	3	2	1
Total (excluding Alder and Cottonwood Trees)	4	2	2
Total Replacement Trees Proposed (excluding Boulevard Street Trees)		13	
Total Retained and Replacement Trees		15	
Contribution to the Green City Program		N/A	

- The Arborist Assessment states that there are a total of 4 mature trees on the site. It was determined that 2 trees can be retained as part of this development proposal. The proposed tree retention was assessed taking into consideration the location of services, building footprints, road dedication and proposed lot grading.
- For those trees that cannot be retained, the applicant will be required to plant trees on a 2 to 1 replacement ratio. . This will require a total of 4 replacement trees on the site. The applicant is proposing 13 replacement trees, exceeding City requirements.
- In summary, a total of 15 trees are proposed to be retained or replaced on the site with no contribution to the Green City Program.

INFORMATION ATTACHED TO THIS REPORT

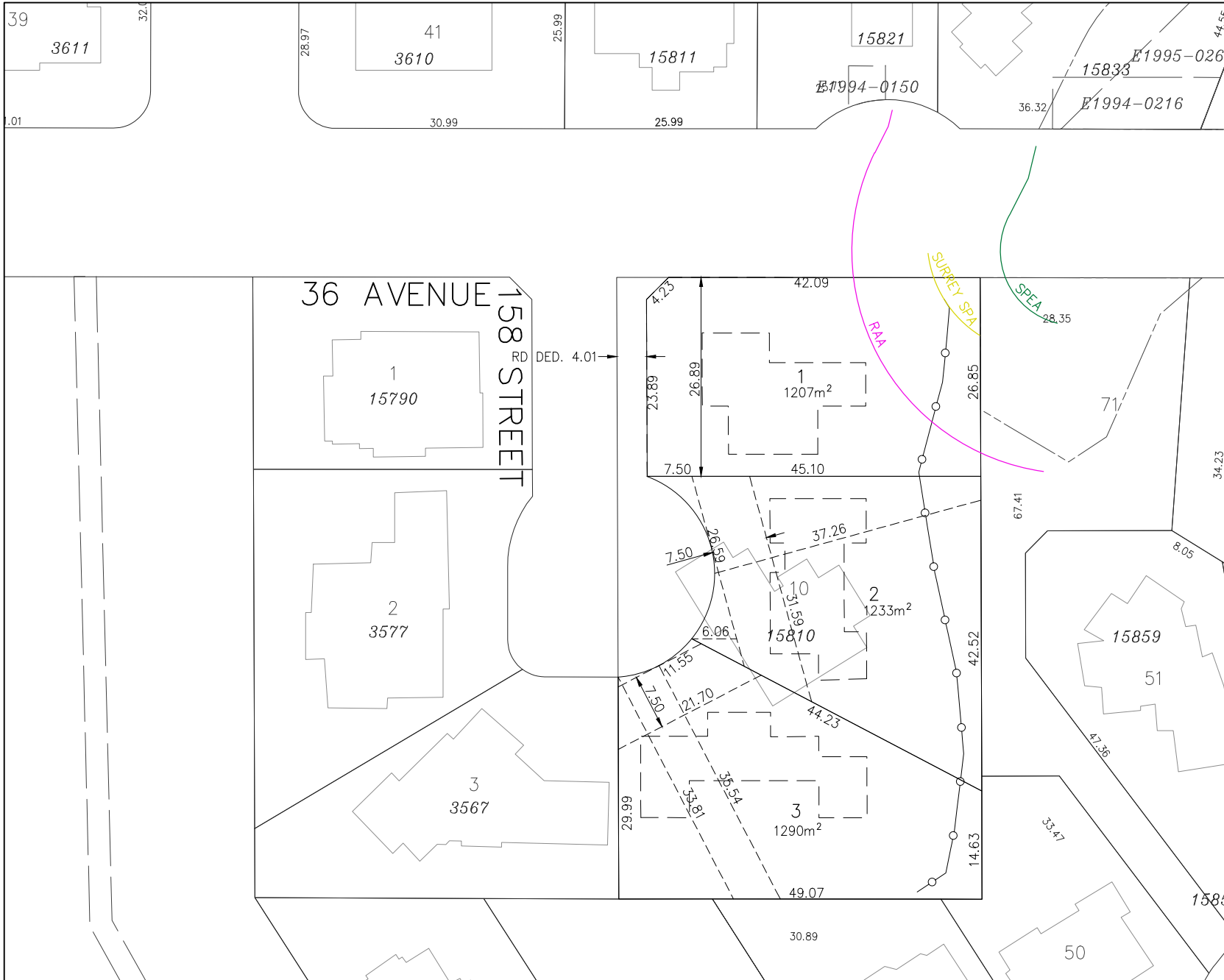
The following information is attached to this Report:

- Appendix I. Site Plan
- Appendix II. Engineering Summary
- Appendix III. Sensitive Ecosystem Development Permit Plan
- Appendix IV. Summary of Tree Survey and Tree Preservation
- Appendix V. Development Variance Permit No. 7922-0271-00

approved by Shawn Low

Don Luymes
General Manager
Planning and Development

SC/ar



- NOTES:**
1. ALL DIMENSIONS ARE APPROXIMATE ONLY BASED ON MASTER PLANS.
 2. LAYOUT IS PRELIMINARY AND SUBJECT TO APPROVALS AND SURVEYS.
 3. EXISTING HOUSE TO BE REMOVED.

No	Date	Revision	Dr	Ch
1	1/5/2023	LOT 3 DIMENSIONS UPDATED	JT	RJ

CitiWest Consulting Ltd.
 No.101-9030 KING GEORGE BLVD., SURREY, BC, V3V 7Y3
 TELEPHONE 604-591-2213 FAX 604-591-5518
 E-MAIL: office@citiwest.com



1298384 BC LTD. (PAUL BINING)
 15993 ROPER AVENUE, WHITE ROCK, BC V4B 2H5, PH:604-230-4226 EMAIL:paulbinig@hotmail.com
PRELIMINARY LOT LAYOUT
 SUBDIVISION AT 15810 - 36 AVENUE, SURREY, BC

Scale: 1:500	Mun. Proj. No.	Dwg. No.
Drawn: EK	Mun. Dwg. No.	A
Designed: JK	Job No. 22-4552	Of
P.W. P.U.	Date MAR/2022	Revision 1
Approved:		

This drawing and design is the property of CITIWEST CONSULTING LTD. and cannot be used, reused or reprinted without the written consent of said company.

destroy all prints bearing previous number



INTER-OFFICE MEMO

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

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

DATE: **March 28, 2023** PROJECT FILE: **7822-0271-00**

RE: **Engineering Requirements
Location: 15810 36 Ave**

SUBDIVISION***Property and Right-of-Way Requirements***

- Dedicate approximately 4.5 m along 158 St. and necessary cul-de-sac.
- Dedicate 3 m x 3 m corner cut at 158 St. and 36 Ave.

Works and Services

- Construct east side of 158 St.
- Construct south side of 36 Ave.
- Construct storm, sanitary, and water service connections to each lot.

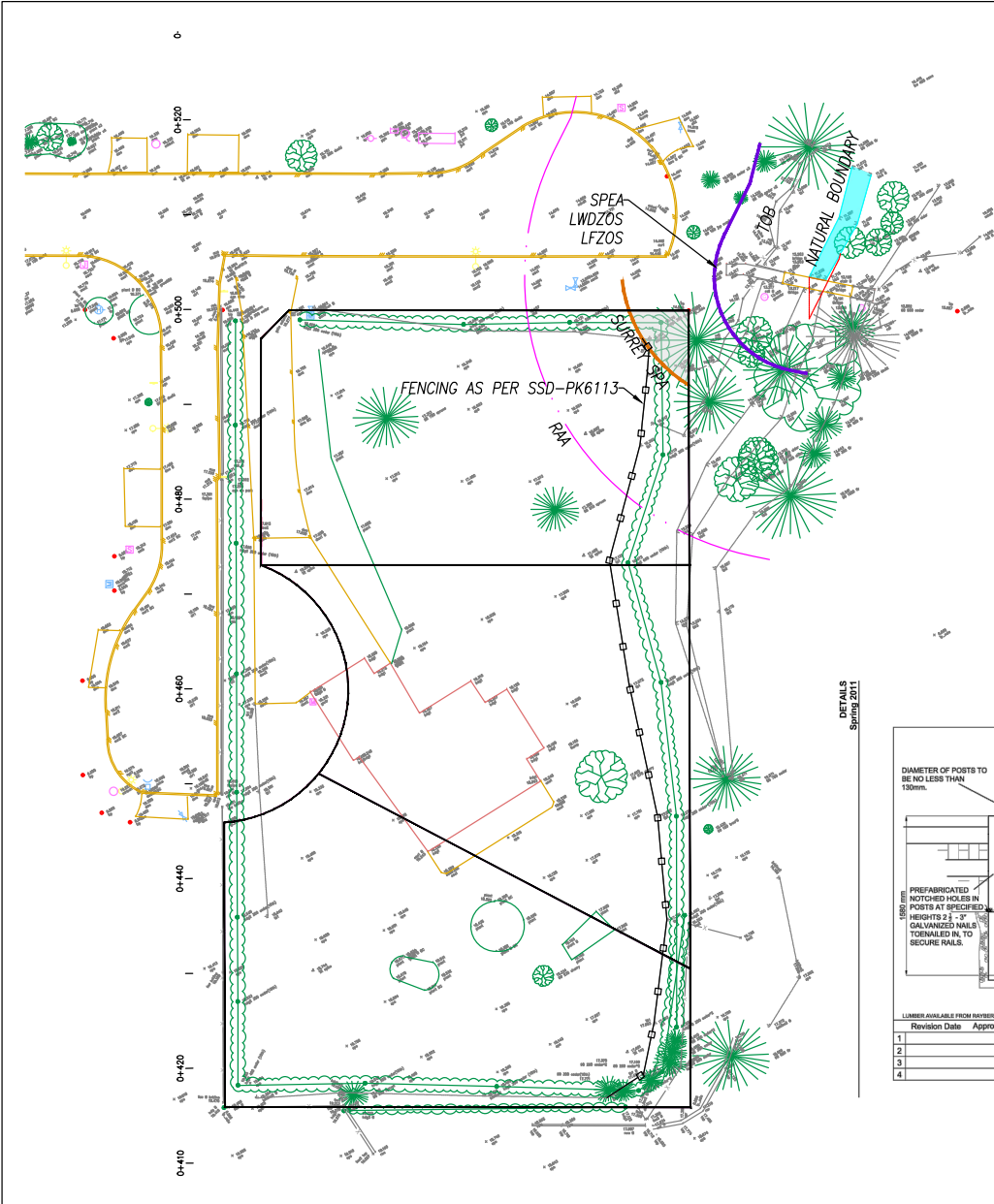
A Servicing Agreement is required prior to Subdivision.

DEVELOPMENT PERMIT/DEVELOPMENT VARIANCE PERMIT

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

Jeff Pang, P.Eng.
Development Services Manager

TH

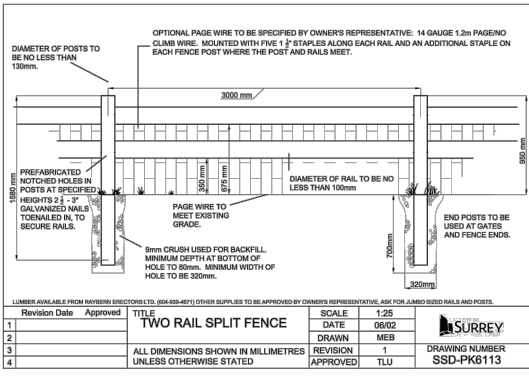


SETBACK TABLE		
	WC1	
LWDZOS	10.0	Large Woody Debris and Bank Stability Zone of Sensitivity
LFZOS	10.0	Litter Fall and Insect Drop Zone of Sensitivity
SHZOS	4.4	Shade Zone of Sensitivity
SPEA	10.0	Streamside Protection and Enhancement Area
RAA	30.0	Riparian Assessment Area
Surrey SPA*	15.0	Streamside Protection Area
*From TOB		


LEGEND:



DETAILS
Spring EX11



239



REDCEDAR
Environmental Consulting

PROJECT LOCATION
15810 - 36 AVENUE

PROJECT NUMBER
22-212R

DRAWN BY:
CASSIDY SILBERNAGEL

DATE:
June 2 2022

SCALE:
1: 500

SHEET:
1

LUMBER AVAILABLE FROM MAYBERRY DIRECTORS LTD. (804-693-4871) OTHER SUPPLIES TO BE APPROVED BY OWNER'S REPRESENTATIVE. ASK FOR JAMBO SIZED RAILS AND POSTS.				
1	Revision Date Approved	TITLE	SCALE	1: 25
2		TWO RAIL SPLIT FENCE	DATE	06/02
3			DRAWN	MEB
4		ALL DIMENSIONS SHOWN IN MILLIMETRES UNLESS OTHERWISE STATED	REVISION	1
			APPROVED	TLU
			DRAWING NUMBER	SSD-PK6113

Tree Preservation Summary

Surrey Project No:

Address: 15810 36 Avenue, Surrey

Registered Arborist: Woodridge Tree Consulting Arborists Ltd., Adrian Szabunio- PR5079A

On-Site Trees	Number of Trees	Off-Site Trees	Number of Trees
Protected Trees Identified *	4	Protected Trees Identified	8
Protected Trees to be Removed	2	Protected Trees to be Removed	0
Protected Trees to be Retained (excluding trees within proposed open space or riparian areas)	2	Protected Trees to be Retained	8
Total Replacement Trees Required:		Total Replacement Trees Required:	
- Alder & Cottonwoods to be removed (1:1) 0 X one (1) = 0	4	- Alder & Cottonwoods to be removed (1:1) 0 X one (1) = 0	0
- All other species to be removed (2:1) 2 X two (2) = 4		- All other species to be removed (2:1) 0 X two (2) = 0	
Replacement Trees Proposed	13	Replacement Trees Proposed	-
Replacement Trees in Deficit	0	Replacement Trees in Deficit	-
Protected Trees to be Retained in Proposed Open Space or Riparian Areas			
*on-site and shared trees, including trees within boulevards and proposed streets and lanes, but excluding trees in proposed open space or riparian areas			

Summary, report and plan prepared and submitted by:



(Signature of Arborist)

March 7, 2023

Date



Tree Plan for Subdivision & Development at 15810 36 Ave, Surrey

Date: March 7, 2023

Tree Inventory

Tag	Species	DBH (cm)	TPZ (m)
1-471	Norway Spruce	61	3.66
2-472	Norway Spruce	52	3.12
3-473	Cherry Tree	51	3.06
4-474	Norway Spruce	38	2.28
os1	Douglas Fir	99	5.94
os2	Douglas Fir	75	4.50
os3	Western Red Cedar	78	4.68
os4	Douglas Fir	70	4.20
os5	Red Alder	40	2.40
os6	Red Alder	32	1.92
os7	Red Alder	40	2.40
os8	Red Alder	42	2.52

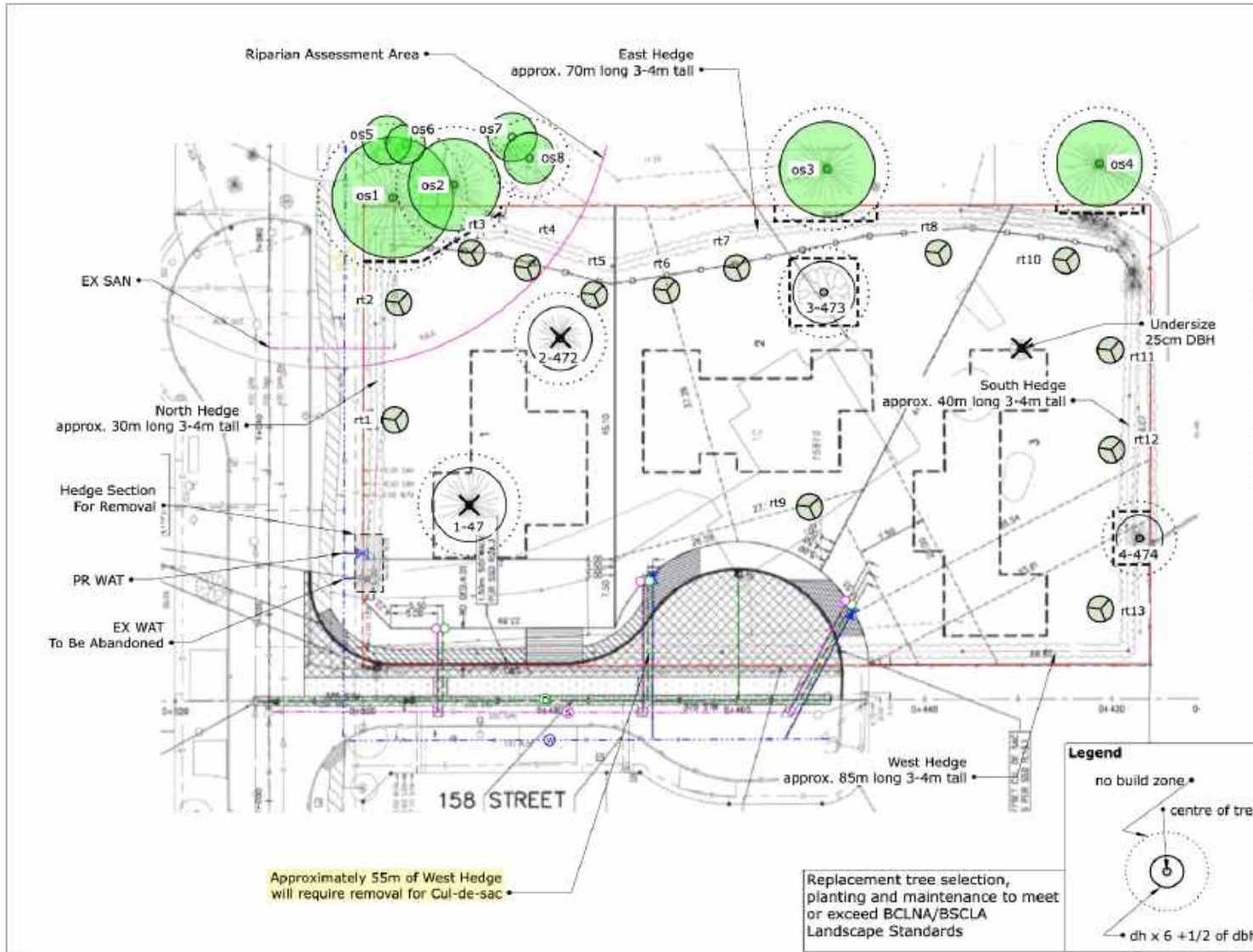
Notes
Green tree TPZ indicate good retention suitability. All others are poor or moderate

Legend

- = existing tree
- = replacement tree
- N
- = remove tree
- tree barrier
- 1m 1:400 10m

Legend

- no build zone
- centre of tree
- dh x 6 + 1/2 of dbh



Approximately 55m of West Hedge will require removal for Cul-de-sac

Replacement tree selection, planting and maintenance to meet or exceed BCLNA/BSCLA Landscape Standards

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7922-0271-00

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: 018-846-505
LOT 10 SECTION 26 TOWNSHIP 1 NEW WESTMINSTER DISTRICT PLAN LMP17528
15810 36 Avenue

(the "Land")

3. (a) As the legal description of the Land is to change, the City Clerk is directed to insert the new legal description for the Land once title(s) has/have been issued, as follows:

Parcel Identifier:

(b) If the civic address(es) change(s), the City Clerk is directed to insert the new civic address(es) for the Land, as follows:

4. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:

(a) In Section J of Comprehensive Development Zone, By-Law 13614, the Lot Width of Sub-Area 1 shall be varied from 26 metres to 21.7 metres for Lot 3.

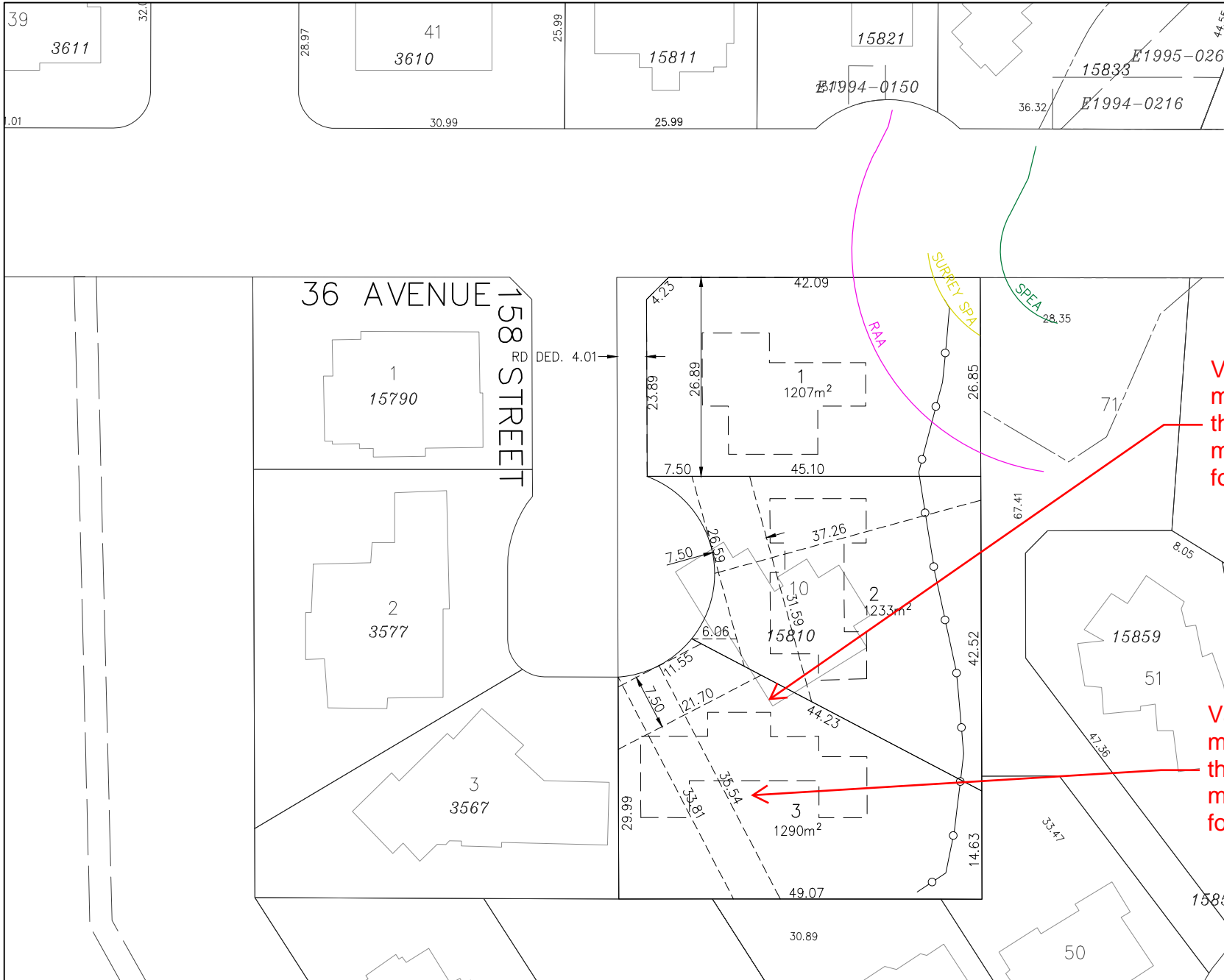
(b) In Section J of Comprehensive Development Zone, By-Law 13614, the Lot Depth of Sub-Area 1 shall be varied from 36 metres to 35.5 metres for Lot 3.

8. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
9. This development variance permit shall lapse unless the subdivision, as conceptually shown on Schedule A which is attached hereto and forms part of this development variance permit, is registered in the New Westminster Land Title Office within three (3) years after the date this development variance permit is issued.
10. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
11. This development variance permit is not a building permit.

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

Mayor – Brenda Locke

City Clerk – Jennifer Ficocelli



Variance to reduce the minimum lot width of the CD Zone from 26 metres to 21.7 metres for proposed Lot 3;

Variance to reduce the minimum lot depth of the CD Zone from 36 metres to 35.5 metres for proposed Lot 3;

- NOTES:**
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 3. EXISTING HOUSE TO BE REMOVED.

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PRELIMINARY LOT LAYOUT
 SUBDIVISION AT 15810 - 36 AVENUE, SURREY, BC

Scale: 1:500	Mun. Proj. No.	Dwg. No.
Drawn: EK	Mun. Dwg. No.	A
Designed: JK	Job No. 22-4552	Of
P.W.	Date MAR/2022	Revision 1
P.U.		
Approved:		