

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7907-0089-00

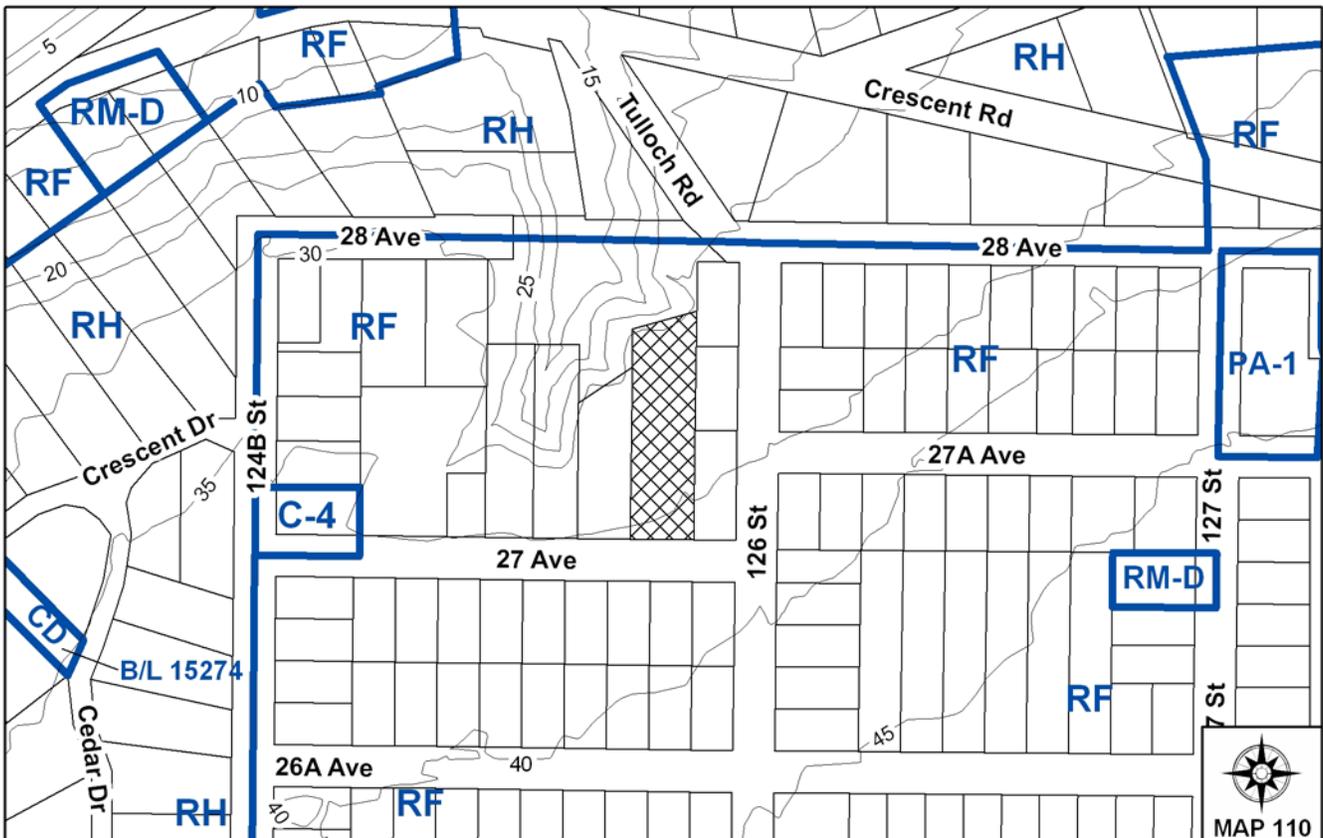
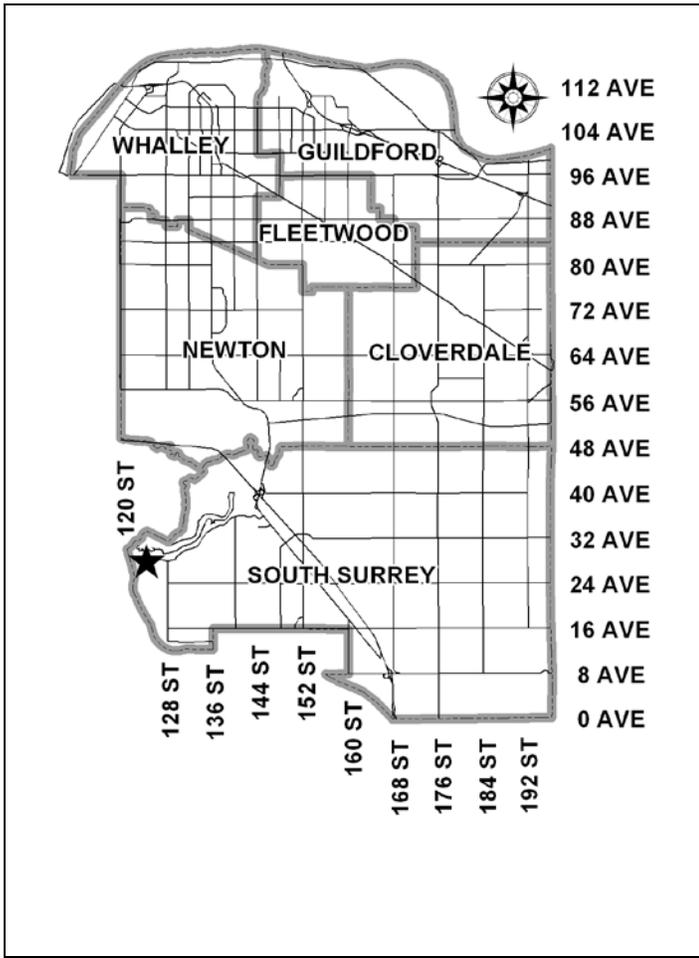
Planning Report Date: April 14, 2008

PROPOSAL:

- **Rezoning from RF to CD**

in order to increase the maximum floor area of the RF Zone to permit an addition to an existing single family dwelling.

LOCATION: 12579 - 27 Avenue
OWNERS: Keith and Nadia Leach
ZONING: RF
OCP DESIGNATION: Urban
LAP DESIGNATION: Urban



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Rezoning.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The proposed addition to the existing dwelling, in combination with all other accessory buildings on the site, will create a total of 521.5 m² (5,614 sq.ft.) of total floor area on the property, which exceeds the maximum house size of 330 m² (3,550 sq.ft.) in the RF Zone.

RATIONALE OF RECOMMENDATION

- The proposed additional floor area will cause the buildings on the subject property to exceed the RF floor area cap of 330 m² (3550 ft²), however, the proposed FAR of 0.16 will still be far under the allowable FAR of 0.48 due to the large lot area.
- The property is substantially larger (approximately four times larger) than many of the other properties in the area, and far exceeds the minimum lot size under the RF Zone.
- The applicant proposes to retain the majority of the trees on the site.
- The proposed addition will be established by a Restrictive Covenant to provide certainty of on-site construction and tree preservation.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the subject site from "Single Family Residential Zone (RF)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) final endorsement from Senior Government Environmental Agencies;
 - (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (d) registration of a Section 219 Restrictive Covenant restricting construction on the lot to occur only in compliance with the proposed house plans;
 - (e) registration of a Section 219 Restrictive Covenant to restrict future subdivision of the subject property; and
 - (f) satisfactory completion of the Geotechnical Report for buildings on the site.

REFERRALS

Engineering:	The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix III.
Department of Fisheries and Oceans:	<p>On the subject property there is an accessory building located within the fisheries setback of 15 metres (50 ft.) from top-of-bank. DFO has indicated that they do not object to a 10 metre (33 ft.) setback subject to the following:</p> <ul style="list-style-type: none">• the application is to compensate with planting for areas where the building encroaches into the 10 metre setback;• registration of a Restrictive Covenant over the setback area; and• registration of a statutory right-of-way, subject to acceptance of the applicant's geotechnical report.

SITE CHARACTERISTICS

Existing Land Use: Single family residential lot.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North:	Forested land with a ravine and a Class B watercourse.	Urban in the Semiahmoo Peninsula LAP and Urban in the OCP	RF
East, West and South:	Single family homes.	Urban in the Semiahmoo Peninsula LAP and Urban in the OCP	RF

DEVELOPMENT CONSIDERATIONS

- The subject site is located on the north side of 27 Avenue in the Semiahmoo Peninsula area. The site is designated Urban in the Official Community Plan (OCP) and urban in the Semiahmoo Peninsula Local Area Plan (LAP).
- The subject site is currently zoned "Single Family Residential Zone" (RF). The applicant is proposing to rezone the site to "Comprehensive Development Zone" (CD) to permit the construction of a house addition to exceed the floor area cap in the RF zone.
- The subject property is 3206 m² (34,510 ft²), substantially exceeding the minimum RF zone lot area of 560m² (6,000 ft²).
- Given the size of the existing property, it would have subdivision potential under the RF zone, likely with a panhandle configuration.
- Through this rezoning process, a restrictive covenant will be put on title to prohibit subdivision.
- The maximum FAR permitted in the RF zone is 0.48, but total floor area is capped at 330 m² (3550 ft²), including the principal building and accessory buildings.
- The existing home on the subject property is 234.9 m² (2,529 ft²) with no basement, and there is an accessory building at the rear of the lot measuring 65.4m² (704 ft²). The applicant is proposing to construct an addition to the home measuring a total of 221.2 m² (2,381 ft²) over two floors.
- The proposed addition will cause the total floor area on the lot to exceed the RF zone cap, however the proposed 0.16 FAR will still be well under the RF zone maximum of 0.48.

- The house is sited on the lot in such a way that, after construction of the proposed addition, it will exceed all of the minimum setbacks of the RF zone. The front yard setback, at 20.2 m (66 ft) is substantially larger than the minimum 7.5 m (25 ft). The larger setbacks will minimize the impact that the additional floor area will have on neighbouring properties.
- The applicant for the subject site has retained DCS Design Inc. to design the proposed addition. See Appendix II for the proposed site plan and building elevations. The plans and house design have been reviewed by staff and deemed acceptable. The house plans will be tied to the property in the form of a Section 219 Restrictive Covenant.

Creek Preservation

- As part of this rezoning application the applicant has been required to ensure that the accessory building at the rear of his property is in compliance with all DFO setbacks and regulations, as there is a class-B yellow-coded watercourse to the north of the subject site.
- The application has been through the City's Environmental Review Committee (ERC) process whereby a representative from DFO indicated that the location of the accessory building is acceptable subject to some additional planting, protection of the riparian setback through a restrictive covenant, and submission of a geotechnical report addressing the stability of the ravine slope.
- The applicant has submitted the required geotechnical report and final acceptance of the report by Land Development Engineering will be a condition of final approval of the rezoning.

Tree Preservation

- VanArbour prepared the Arborist Report and Tree Preservation/Replacement Plans. They have been reviewed by the City's Landscape Architect and deemed acceptable to proceed.
- The Arborist Report indicates there are 12 mature trees on the subject site. The report proposes the removal of 2 trees because they are located within the building envelope proposed for the house addition. The Report proposes 10 trees be retained. 4 replacement trees will be planted for a total of 14 trees on site.

PRE-NOTIFICATION

Pre-notification letters were sent out on May 22, 2007 and staff received several comments from neighbours:

- Some neighbours expressed concern that construction of the proposed addition will result in a house that is too large and will negatively impact neighbours and the streetscape.

(The scale of the home is in keeping with the lot size. The applicant has not proposed to construct the home up to any of the minimum setbacks. In particular, the front yard setback is significantly larger than what would be permitted under the RF zone. Under the proposed new CD zone, the property owner will not be permitted to build any closer to any of the property lines than what is shown in the house plans. Also, the applicant

proposes to retain a significant number of trees on the site, several of which are in the front yard and can therefore reduce the visual impact of the house addition from the street.)

- Staff received comments from neighbours who wanted to ensure that the proposed rezoning would not result in the removal of significant trees.

(The applicant proposes to remove only two trees on the subject property, which will be replanted, and retain ten trees. It is likely that demolition of the existing home and construction of a new home would require removal of more trees than under the current proposal.)

- Some neighbours wrote in to support the application on the basis that building the proposed addition would cause less construction disturbance to the neighbourhood than knocking down the existing home and building from the ground up. Support was also given based on the judgement that the addition would offer a better opportunity for tree retention over demolition and construction of a new home.

(The applicant has communicated with the surrounding property owners by issuing a letter summarizing the relevant aspects of this rezoning application.)

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets
Appendix II.	Site Plan and Elevations
Appendix III.	Engineering Summary
Appendix IV.	Summary of Tree Survey and Tree Preservation
Appendix V.	Proposed CD By-law

INFORMATION AVAILABLE ON FILE

- Geotechnical Study prepared by Took Engineering Inc. dated January 31, 2008.
- Environmental Report prepared by Marlin Ecological Consulting dated October 2007.
- Complete Set of Architectural prepared by DCS Design Inc., dated December 2006.

Jean Lamontagne
General Manager
Planning and Development

MJ/kms

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Information for City Clerk

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

1. (a) Agent: Name: Keith Leach
 Address: 12579 - 27 Avenue
 Surrey, BC
 V4A 2M6
 Tel: 604-535-0086

2. Properties involved in the Application

(a) Civic Address: 12579 - 27 Avenue

(b) Civic Address: 12579 - 27 Avenue
 Owners: Keith Scott Leach and Nadia Catherine Leach
 PID: 005-333-687
 Lot 115 Section 19 Township 1 New Westminster District Plan 55098

3. Summary of Actions for City Clerk's Office

(a) Introduce a By-law to rezone the property.

DEVELOPMENT DATA SHEET

Proposed Zoning: CD

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)	3,204.7 m ²	3,204.7 m ²
Gross Total		
Road Widening area		
Undevelopable area		
Net Total	3,204.7 m ²	3,204.7 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures		11.2%
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres) (principal building)		
Front		20
Rear		56
Side #1 (East)		2
Side #2 (West)		4
BUILDING HEIGHT (in metres/storeys)		
Principal		7.8 m
Accessory		4.5 m
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential	330 m ² (in RF Zone)	521.5 m ²
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA		

** If the development site consists of more than one lot, lot dimensions pertain to the entire site.*