

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7907-0190-00

Planning Report Date: April 20, 2009

**PROPOSAL:**

- **Rezoning** from RF to RF-12
- **Development Variance Permit**

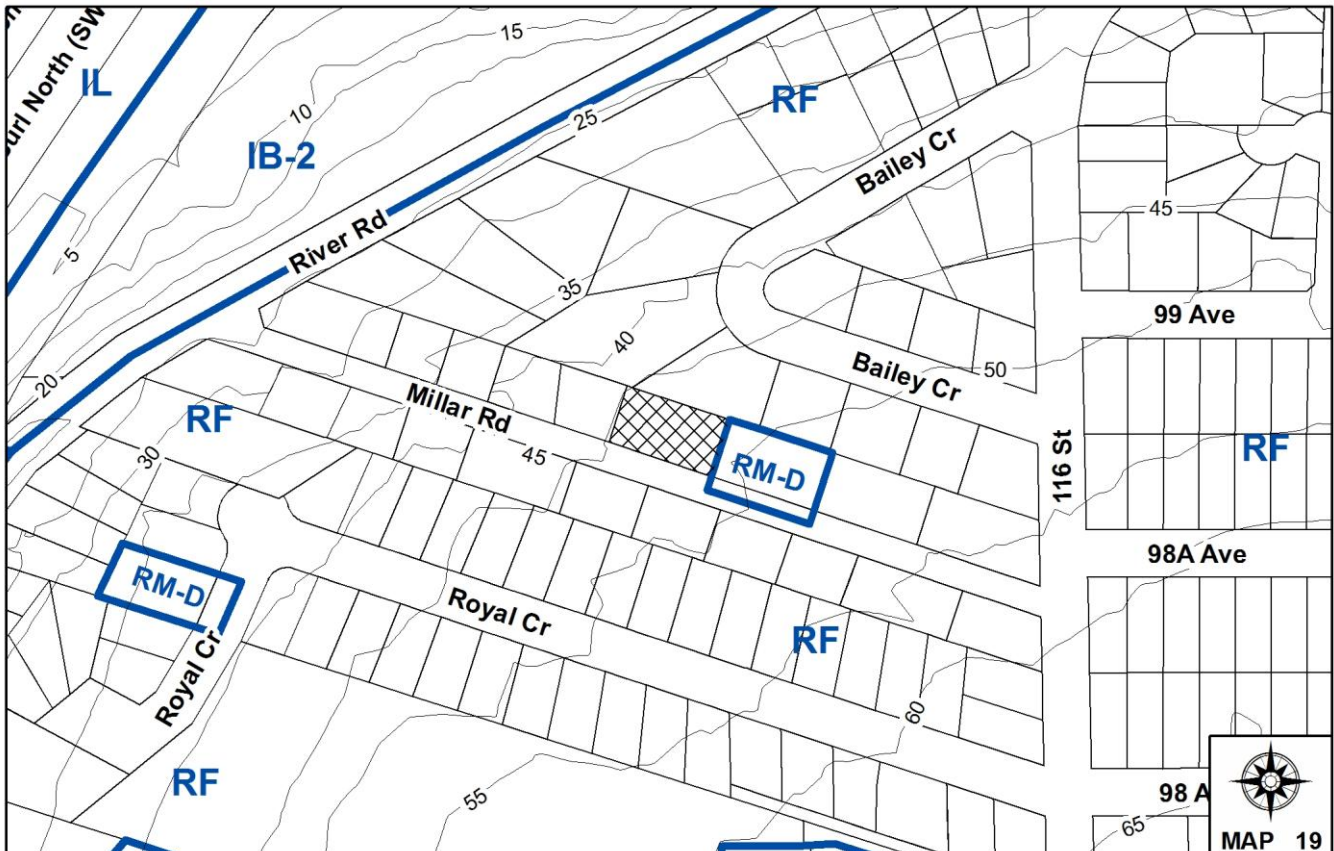
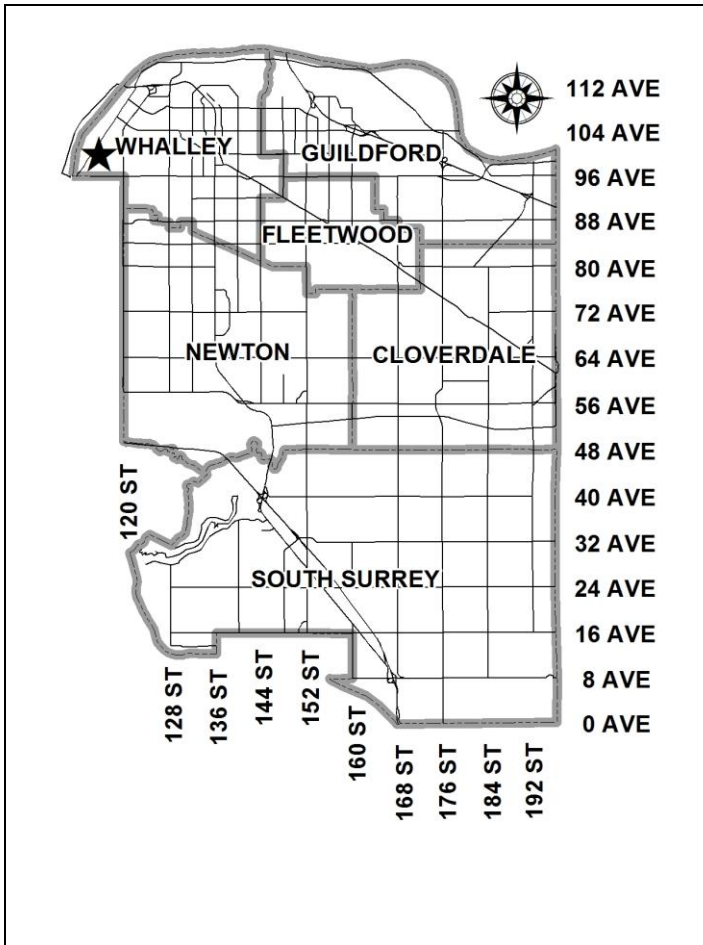
in order to allow subdivision into three small single family lots.

**LOCATION:** 11515 Millar Road

**OWNERS:** Jasvir Singh Baryar and  
 Pripal Singh Virk

**ZONING:** RF

**OCP DESIGNATION:** Urban



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Rezoning.
- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Variances to front and rear yard setbacks; lot depth; and road width standards.

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Facilitates a means for widening a portion of Millar Road from its current half-road standard.



School District: **Projected number of students from this development:**

1 Elementary student at Royal Heights Elementary School  
0 Secondary students at L.A. Matheson School

(Appendix IV)

### SITE CHARACTERISTICS

Existing Land Use: Single family dwelling which is intended to be removed.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Single family dwellings.	Urban	RF
East:	Duplex.	Urban	RM-D
South (Across Millar Road):	Single family dwellings.	Urban	RF
West:	Single family dwellings.	Urban	RF

### DEVELOPMENT CONSIDERATIONS

- The subject property is located on the north side of Millar Road, between 116 Avenue and River Road. It is designated Urban in the Official Community Plan (OCP) and the site is currently zoned Single Family Residential (RF).
- The applicants are proposing to rezone the subject property to Single Family Residential 12 Zone (RF-12) to allow subdivision into three small single family lots.
- Due to tree preservation and road dedication requirements, the applicant is requesting a Development Variance Permit for road width, lot depth and setbacks (see By-law Variance section).

### Policy Compliance

- The Small Lot Residential Zones Policy identifies guidelines for the location of RF-12 lots in Urban areas (Corporate Report No. C002 approved by Council on January 17, 2000). The RF-12 Zone may be considered in Urban designated areas that are located within 800 metres (1/2 mile) of the edges of City Centre, Town Centres and employment areas. The zone should be applied to provide a gradation of land use intensity.

- The subject site is located within 800 metres (1/2 mile) of the South Westminster Neighbourhood Concept Plan area, 400 metres (1/4 mile) from Royal Heights Elementary, 400 metres (1/4 mile) from Royal Heights Park, and 1.5 kilometres (1 mile) from the commercial area at 96 Avenue and Scott Road.
- Next door to the subject site is a duplex lot. A number of other duplexes are located within the vicinity of the subject site.
- On River Road and South Fraser Way, there are two bus routes that are 200m from the subject site. Three more bus routes are located on 96 Avenue, 600 metres (984 ft.) from the subject site.
- Because of the subject site's proximity to the South Westminster NCP employment area and other amenities, rezoning the subject site to RF-12 has merit.
- Moreover, the remaining lots on this block (each with a minimum lot width of 26.8-metres/88 ft.) can easily be subdivided into RF-12 Type II lots in the future.
- The RF-12 Zone is supportable within the context of the existing land uses in the surrounding area and in an effort to balance development interests with engineering goals to achieve an acceptable Collector Road width standard for Millar Road.
- Millar Road is a Collector Road and is currently 12.2 metres wide. Typically a 22-metre road right of way is required for this type of road. However, due to the shallow lot depths along Millar Road, a full 22-metre road would eliminate any subdivision potential along this street. A modified Collector road standard at 16.6 metres is proposed for Millar Road, to balance both development and transportation interests.

#### Proposed Subdivision Layout

- All three lots conform to the minimum lot width and lot area requirements of the RF-12 Zone (Type II lots). These proposed lots range in size from 324 sq.m. (3,487 sq.ft.) to 327 sq.m. (3,519 sq.ft.), and will have lot widths of 15.2 metres (50 ft.). A Development Variance Permit is required to vary the lot depth of the proposed lots from 22 metres (72 ft.) to 21.66 metres (71 ft.) (see By-law Variance section).
- The applicant is retaining a mature cedar tree at the front of proposed Lot 1. Due to the retention of the cedar tree, the house siting and configuration of the dwellings on proposed Lots 1 and 2 are somewhat compromised. The applicant is requesting front yard and rear yard setback relaxations in order to achieve a functional main floor space (see By-law Variance section).

#### Design Guidelines

- Tynan Consulting Ltd. prepared the Neighbourhood Character Study and Building Scheme, dated March 7, 2009. The character study involved reviewing a number of existing homes in the neighbourhood in order to establish suitable design guidelines for the proposed subdivision.
- Basement-entry homes and secondary suites are not permitted.

Lot Grading and Tree Preservation

- Preliminary lot grading plans were prepared and submitted by Coastland Engineering and Surveying Ltd. The plans were reviewed by staff and found acceptable.
- Basements are proposed on each of the three lots. Proposed Lot 1 can achieve a basement with minimal cut or fill. Proposed Lots 2 and 3 are able to achieve basements fill in excess of 0.5 metres. The fill is proposed towards the centre of both lots.
- Due to the natural slope of the subject site, the main floor elevations of the proposed dwellings are not significantly higher than the existing surrounding dwellings.
- C. Kavolinas and Associates Inc. prepared the Arborist Report and Tree Preservation / Replacement Plans. They have been reviewed by City staff and require revisions prior to Final Approval.
- The chart below provides a summary of the on-site tree retention and removal by species:

<b>Tree Species</b>	<b>Total No. of Trees</b>	<b>Total Proposed for Retention</b>	<b>Total Proposed for Removal</b>
Arbutus	1	0	1
Cedar	3	1	2
<b>Total</b>	<b>4</b>	<b>1</b>	<b>3</b>

- According to the tree summary, 4 mature trees are identified on the subject site with 3 of them to be removed (Appendix VI) because they conflict with a proposed building envelope.
- Based on the Tree Protection Bylaw (No. 16100), 6 replacement trees are required. The total number of replacement trees being proposed is 5. The applicant is required to contribute to the City Green Tree Fund, as a result of the shortfall in 1 replacement tree.

PRE-NOTIFICATION

Pre-notification letters were sent on April 8, 2008 and staff received 4 phone calls, 3 e-mails, and 3 letters. Two of the callers asked for general information about the application, and the remainder had concerns about the development. Some callers followed-up with either a letter or an e-mail.

Respondents with concerns have the following comments:

- Adding 2 more driveways to an already busy road will cause more problems in terms of safety (e.g. hidden driveways), speeding, increased traffic congestion, and insufficient street parking.

*(The increase in 2 lots on this street will cause a negligible increase to the amount of traffic on the street. Each lot will be able to accommodate up to 4 cars: 2 in each garage and 2 on each driveway. Currently, on-street parking is not permitted. However, when Millar Road is widened and built to its modified full standard of 16.55 metres (54 ft.) wide, on-street parking will be permitted on the south side of the road. In addition, there are existing speed bumps along Millar Road for traffic-calming purposes.)*

- The character of the proposed development is not consistent with the surrounding site. Concerns include: loss of privacy, loss of views, the housing form is too tall, and illegal secondary suites.

*(The RF-12 Zone does not permit secondary suites, permits a maximum building height of 9m (30 ft), and requires that the massing of the second storey elevation is not more than 80% of the first storey floor area. The main floor elevations for proposed Lot 3 will be lower than that of the adjacent property. The main floor elevation of proposed Lot 1 will be higher than that of the adjacent property due to the natural slope of the land. A building scheme will be registered against the title of the land to restrict the conversion into secondary suites, and will include a provision that the second storey elevation for proposed Lot 1 will be reduced on the west (downhill) side, to reduce the impact of the building massing to the adjacent lot.)*

- Concern about the loss of mature trees from the site and related increased run-off and water pooling on adjacent properties.

*(Staff encouraged the applicant to retain as many trees as feasible. A mature cedar is proposed to be retained on proposed Lot 1. The remaining trees are of such a size and location that a house would not be achievable on proposed Lot 3 and are, therefore, proposed for removal.)*

- The proposed development will increase the amount of run-off from the subject site and water pooling on adjacent properties.

*(The applicant has submitted lot grading plans that demonstrate how run-off will be diverted through the subject site.)*

- The proposed development will set an undesirable precedent of more single family small lot subdivisions along the same stretch of Millar Road.

*(To balance development interests with engineering goals, RF-12 zoning is considered an appropriate land use, and it is expected that the remainder of this block will seek to continue this development pattern, if approved.)*

*Staff also responded to each caller by explaining the Public Hearing process.)*

## BY-LAW VARIANCES AND JUSTIFICATION

### (a) Requested Variance:

- To relax the setback provisions of the RF-12 Zone, as follows:
  - Reduce the front yard setback for proposed Lot 1 from 6.0m (20 ft.) to 5.5m (18 ft.); and
  - Reduce the rear yard setbacks for the entire length of the houses on proposed Lots 1 and 2 from 7.5m (25 ft.) to 6.0 (20 ft.)

Applicants' Rationale:

- A mature cedar will be retained on proposed Lot 1. The tree protection zone of this tree extends substantially into the building envelopes of proposed Lots 1 and 2.
- The variances are requested in order to achieve functional main floor spaces for the proposed dwellings on these lots.

Staff Comments

- Staff concur with the applicants' rationale.
- The RF-12 Zone permits a rear yard setback reduction to 6.0 metres (20 ft.) for 50% of the width of the rear of the building for Type II lots. The applicant is requesting a 6.0 metre (20 ft.) rear yard setback for the full length of the building.
- The applicant is requesting a front yard relaxation to 5.5 metres (18 ft.) for the garage and driveway for proposed Lot 2. The remainder of the proposed dwelling will conform to the front yard setback provisions of the RF-12 Zone.
- In Part 5, Off-Street Parking and Unloading of the Zoning By-law, the minimum length of a parking stall is 5.5 metres (18 ft.). The applicant is proposing a front yard relaxation to 5.5 metres (18 ft.) for the double garage. The resulting driveway length is sufficient to park a vehicle in front of the garage. As such, staff support the front yard relaxation to 5.5 metres (18 ft.).
- Staff support the variances requested.

(b) Requested Variance:

- To relax the lot depth provisions of the RF-12 Zone (Type II) for all three proposed lots from 22 metres (72 ft.) to 21.66 metres (71 ft.)

Applicants' Rationale:

- Due to road dedication requirements, the resulting lot depth is less than permitted under the RF-12 (Type II) zone. The proposed lot depth will result in a reduction of 0.34 metres (1 ft.), which is not significant.

Staff Comments:

- Staff concur with the applicants' rationale and support the variance requested.

(c) Requested Variance:

- To relax the road width provisions in Schedule A, Table 2 of the Subdivision and Development By-law for collector road width standards from 22 metres (72 ft.) to 16.55 metres (54 ft.).



Applicants' Rationale:

- A reduced road width standard is needed in order to maintain sufficient lot depth for the proposed development.

Staff Comments:

- Millar Road is classified as a Major Collector and provides one of the few connections between 120 Street and River Road.
- A Major Collector road standard is 22 metres (72 ft.) wide. However, in order to achieve an adequate road width for a Collector Road and to facilitate future development along Millar Road, an alternative road standard is appropriate.
- Engineering has no concerns with respect to the proposed variance
- Staff support the variance requested.

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.	Proposed Subdivision Layout
Appendix III.	Engineering Summary
Appendix IV.	Building Design Guidelines Summary
Appendix V.	Summary of Tree Survey and Tree Preservation
Appendix VI.	Development Variance Permit No. 7907-0190-00

Jean Lamontagne  
General Manager  
Planning and Development

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## SUBDIVISION DATA SHEET

**Proposed Zoning: RF-12**

Requires Project Data	Proposed
<b>GROSS SITE AREA</b>	
Acres	
Hectares	
<b>NUMBER OF LOTS</b>	
Existing	1
Proposed	3
<b>SIZE OF LOTS</b>	
Range of lot widths (metres)	15.24 m
Range of lot areas (square metres)	330 - 333 m <sup>2</sup>
<b>DENSITY</b>	
Lots/Hectare & Lots/Acre (Gross)	25 uph/10 upa
Lots/Hectare & Lots/Acre (Net)	
<b>SITE COVERAGE (in % of gross site area)</b>	
Maximum Coverage of Principal & Accessory Building	50%
Estimated Road, Lane & Driveway Coverage	10%
Total Site Coverage	60%
<b>PARKLAND</b>	n/a
Area (square metres)	
% of Gross Site	
	<b>Required</b>
<b>PARKLAND</b>	
5% money in lieu	NO
<b>TREE SURVEY/ASSESSMENT</b>	YES
<b>MODEL BUILDING SCHEME</b>	YES
<b>HERITAGE SITE Retention</b>	NO
<b>BOUNDARY HEALTH Approval</b>	NO
<b>DEV. VARIANCE PERMIT required</b>	
Road Length/Standards	YES
Works and Services	NO
Building Retention	NO
Lot Depth	YES
Setbacks	YES