

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7907-0262-00

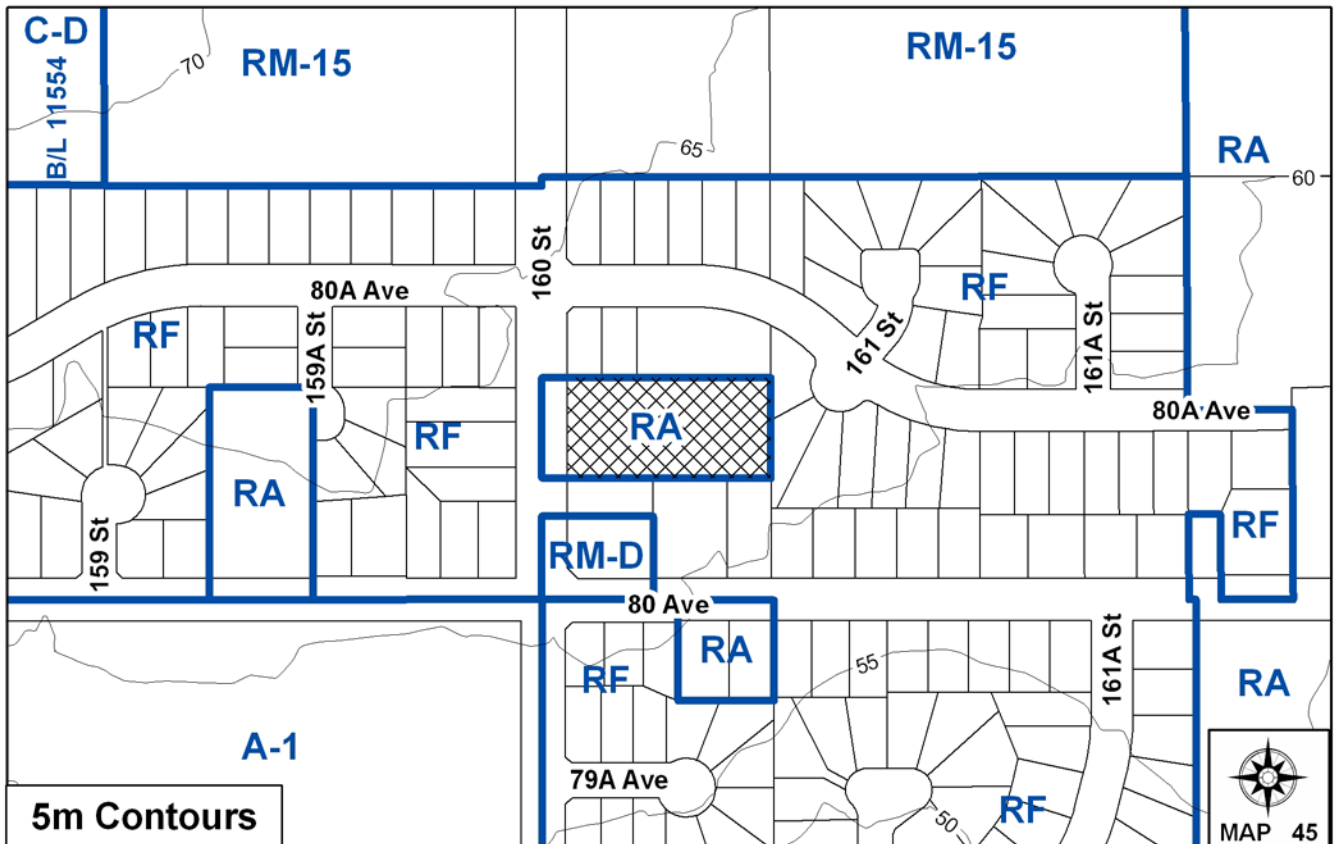
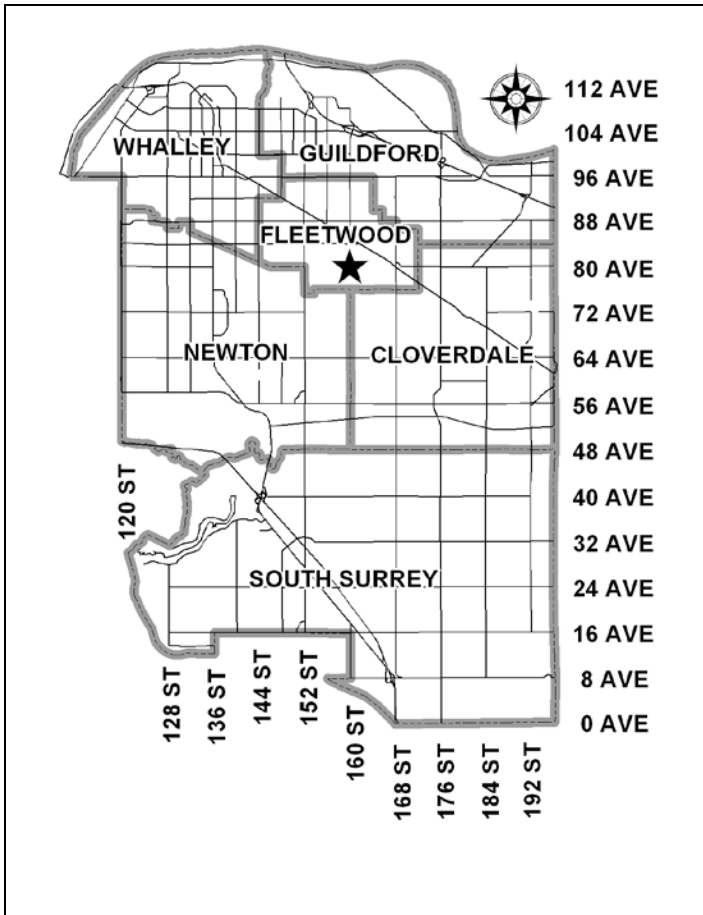
Planning Report Date: April 28, 2008

**PROPOSAL:**

- Rezoning from RA to RF
- Development Variance Permit

in order to allow subdivision into 7 single family residential lots.

**LOCATION:** 8040 - 160 Street  
**OWNER:** Athwal Construction Inc. No. 403906 et al  
**ZONING:** RA  
**OCP DESIGNATION:** Urban  
**NCP DESIGNATION:** Single Family 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

- Reduced lot depth and rear yard building setback for proposed Lot 7.

### RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Complies with the Fleetwood Town Centre Plan.
- The applicant has demonstrated community support for the proposal.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the subject site from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential Zone (RF)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve Development Variance Permit No. 7907-0262-00, (Appendix VII) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum lot depth of the RF Zone for proposed Lot 7 from 28 metres (90 ft.) to 22 metres (72 ft.); and
  - (b) to reduce the minimum east rear yard setback of the RF Zone for proposed Lot 7 from 7.5 metres (25 ft.) to 2.4 metres (8 ft.).
3. Council instruct staff to resolve the following issues prior to approval:
  - (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) submission of a subdivision layout to the satisfaction of the Approving Officer;
  - (c) submission of an acceptable tree survey and a statement regarding tree preservation;
  - (d) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department;
  - (e) registration of a Section 219 Restrictive Covenant for "no build" on portions of proposed Lot 4 hooked across 160A Street until future consolidation with the adjacent property located at 16026 - 80A Avenue; and
  - (f) issuance of Development Variance Permit. No. 7907-0262-00.

## REFERRALS

Engineering:

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

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

2 Elementary students at Walnut Road Elementary School  
 1 Secondary student at Fleetwood Park Secondary School

(Appendix IV)

**Parks, Recreation & Culture:**

Support. The applicant is required to pay the NCP amenity on a per unit basis in keeping with the Stage II NCP adopted by Council. Parks will accept cash-in-lieu of the 5% parkland dedication.

**SITE CHARACTERISTICS**

Existing Land Use: Single family dwelling, which will be removed.

Adjacent Area:

<b>Direction</b>	<b>Existing Use</b>	<b>NCP Designation</b>	<b>Existing Zone</b>
North:	Single family dwellings under construction (lots approved under Development Application No. 7904-0294-00).	Single Family Urban	RF
East:	Single family dwellings.	Single Family Urban	RF
South:	Single family dwellings.	Single Family Urban	RF
West (Across 160 Street):	Single family dwellings.	Single Family Urban	RF

**DEVELOPMENT CONSIDERATIONS**

- The subject property is located on the east side of 160 Street, north of 80 Avenue, in the Fleetwood Town Centre NCP area. It is designated Urban in the Official Community Plan (OCP) and Single Family Urban (6-10 upa) in the Fleetwood Town Centre Land Use Plan. The site is currently zoned One Acre Residential (RA).
- The applicant is proposing to rezone the subject property to Single Family Residential Zone (RF) to allow subdivision into seven single family lots (Appendix II). Proposed Lot 7 is of an irregular shape, and as such, a Development Variance Permit is requested to reduce the minimum lot depth and the minimum east rear yard setback requirements (see By-law Variance section). The proposed development complies with the OCP and NCP designations.

- The subject site is located within an established single family residential neighbourhood, and is considered an infill development. Immediately to the north of the subject site is a site that was recently developed into 9 single family residential lots approved under Development Application No. 7904-0294-00.

### Proposed Subdivision Layout

- Proposed lots 1, 3, 4, 5, and 6 conform to the minimum requirements of the RF Zone in terms of lot area, width and depth. These lots range in size from 560 sq.m. (6,027 sq.ft.) to 601 sq.m. (6,469 sq.ft.), and will have lot widths of 15.0 metres (50 ft.) to 16.8 metres (55 ft.).
- Proposed Lot 2 is smaller in area than the minimum required by the RF Zone, at 531 sq.m. (5,715 sq.ft.) rather than 560 sq.m. (6,027 sq.ft.). Under provisions of the Zoning By-law, the Approving Officer may approve an undersized lot if the last lot created under the subdivision is no less than 90% of the minimum lot area prescribed in the Zone. The lot area of proposed Lot 2 is within the Approving Officer's discretion.
- Proposed Lot 7 is of an irregular shape and will require Development Variance Permits for a lot depth reduction from 28 metres (90 ft.) to 22 metres (72 ft.) and for rear yard setback from 7.5 metres (25 ft.) to 2.4 metres (8 ft.) to accommodate a house on the lot. Proposed Lot 7 would meet all other requirements of the RF Zone. Due to its shape, proposed Lot 7 will maintain a suitably-sized rear yard.
- The subject site is located within an infill area. Proposed lot widths fronting 160 Street range from 15.0 metres to 16.8 metres, which is narrower than those existing within the neighbourhood. The applicant has surveyed the nearby residents and has demonstrated neighbourhood support for the proposed lot widths.
- This application proposes to complete 160A Street as a cul-de-sac. Four of the lots created under this proposal will have access from 160A Street, with the other three lots gaining access from 160 Street.
- Under approved development application 7904-0294-00 (located to the north of the subject site), 160A Street was dedicated in order to provide access to the subject site. There was a minor change to the proposed road dedication of 160A Street that affects existing Lot 9 (located to the north of the subject site), and the owner of Lot 9 is in agreement with the plan.
- A "no-build" Restrictive Covenant will be placed over a portion of proposed Lot 4 and will be "hooked" across 160A Street, in order to permit the future development of existing Lot 9 to the north.

### Design Guidelines

- Tynan Consulting Ltd. prepared the Neighbourhood Character Study and Building Scheme, dated February 7, 2008. The character study involved reviewing a number of existing homes in the neighbourhood in order to establish suitable design guidelines for the proposed subdivision. A summary of the design guidelines is attached (Appendix V).

- The design guidelines prepared for this development application are in accordance with those established in the Fleetwood Town Centre Land Use Plan. The design guidelines reinforce the relationship of the residential units to the street.
- Basement-entry homes will not be permitted on proposed lots 1-6. A basement-entry home will be permitted on proposed Lot 7.

### Lot Grading and Tree Preservation

- Preliminary lot grading plans were prepared and submitted by Hunter Laird Engineering Ltd. The plans were reviewed by staff and found acceptable.
- Fill is proposed over Lots 4-7 to meet the proposed road grade for 160A Street. In-ground basements for proposed Lots 1-6 can be achieved.
- C. Kavolinas and Associates Inc. prepared the Arborist Report and Tree Preservation / Replacement Plans. They have been reviewed by City staff and require minor revisions prior to Final Approval.
- The chart below provides a summary of the 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>
Birch	2	0	2
Alder	17	0	17
Apple	6	2	4
Cedar	1	1	0
Cottonwood	1	0	1
Douglas Fir	22	7	12
Maple	5	0	5
Walnut	1	0	1
<b>Total</b>	<b>55</b>	<b>10</b>	<b>45</b>

- According to the tree summary, 55 mature trees are identified on the subject site with 45 of them to be removed (Appendix VI) because they are either located within a proposed building envelope, within the road right-of-way, or where proposed fill is in excess of 0.5 metres (1.6 ft.).
- Based on the Tree Protection Bylaw (No. 16100), 73 replacement trees are required. The total number of replacement trees being proposed is 12, resulting in an average of 3 trees per lot. The applicant is required to contribute to the City Green Tree Fund, as a result of the shortfall in 61 replacement trees.

## PRE-NOTIFICATION

Pre-notification letters were sent on January 16, 2008 and staff received one phone call with the following comments (*staff comments in italics*):

- The caller asked about the proposed layout for the subject site and had the following questions/comments about the proposed subdivision layout:

*Staff provided the caller with a preliminary subdivision layout of the subject site and explained the following:*

- (a) The density of the proposed subdivision is higher than 6 units per acre (upa)

*(The density calculation for the proposed development is approximately 6.1 upa. Under provisions of the Zoning By-law, where density calculations result in a fraction of less than 0.5 the fraction can be disregarded. As such, the development proposal for this site meets the maximum unit density permitted in the Zoning By-law and is consistent with the Single Family Urban (6-10 upa) designation in the NCP.)*

- (b) The lots fronting 160 Street do not conform to the Infill Policy

*(Staff explained that proposed lot widths for the lots fronting 160 Street range from 15.0m to 16.8m. The applicant has canvassed the nearby residences and has demonstrated neighbourhood support for the proposed lot widths.)*

- (c) Lot depths for proposed Lots 4 and 7 do not appear to conform to minimum requirements of the Zoning By-law

*(The developer must demonstrate that all lots conform to the minimum requirements set out in the Zoning By-law. Proposed Lot 4 meets the minimum lot depth requirement of 28 metres, and proposed Lot 7 will require a Development Variance Permit to reduce the minimum lot depth and minimum rear yard setback.)*

- (d) How does the proposed development affect the future subdivision potential of Lot 9 to the north?

*(Staff explained that the development proposal will create two 'no-build' areas on proposed Lot 4 which will be hooked across 160A Street and adjacent to existing Lot 9. The 'no-build' areas could then be assembled with existing Lot 9 in order to permit future subdivision of existing Lot 9 into 3 lots.)*

- (e) How will road dedication be acquired from existing Lot 9 to the north in order to complete the cul-de-sac?

*(Under approved development application 7904-0294-00 (located to the north of the subject site), 160A Street was dedicated in order to provide access to the subject site. There is a minor change to the proposed road alignment which affects Lot 9 (located north of the subject site). The owner of Lot 9 is in agreement with the plan.)*

### BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum lot depth requirement of the RF Zone from 28 metres (90 ft.) to 22 metres (72 ft.) for proposed Lot 7.

Applicant's Rationale:

- Proposed Lot 7 is of an irregular shape, however a house can be accommodated on the site by varying the lot depth and rear yard setback while still maintaining adequate rear yard and side yard spaces.

Staff Comments:

- As prescribed by the Zoning By-law, the depth of a lot is determined by a straight line measured perpendicular to the width of the lot.
- The configuration of lot 7 is such that a reduced lot depth will still maintain an adequately sized rear yard.
- Staff support this variance request

(b) Requested Variance:

- To relax the minimum east rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 2.4 metres (8 ft) for proposed Lot 7.

Applicant's Rationale:

- Proposed Lot 7 is of an irregular shape, however a house can be accommodated on the site by varying the lot depth and rear yard setback while still maintaining adequate rear yard and side yard spaces.

Staff Comments:

- As prescribed by the Zoning By-law, the rear yard setback is measured from the rear lot line. The rear lot line is the lot line opposite to and not adjoining the front lot line. According to this definition, proposed Lot 7 would have its rear yard setbacks measured from two rear lot lines.
- By varying the east rear yard setback to 2.4 metres (8 ft.), proposed Lot 7 would maintain the south rear yard setback at 7.5 metres (25 ft.).
- The proposed variance will not unduly impact the neighbouring lots to the east. The houses on the lots to the east are sited a minimum of 7.5 metres (25 ft.) from the common lot line.



- Staff support this variance request

### 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.	School District Comments
Appendix V.	Building Design Guidelines Summary
Appendix VI.	Summary of Tree Survey and Tree Preservation
Appendix VII.	Development Variance Permit No. 7907-0272-00

Jean Lamontagne  
General Manager  
Planning and Development

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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:                    Clarence Arychuk, Hunter Laird Engineering Ltd.  
                         Address:                    #300 - 65 Richmond Street  
                                                            New Westminster, BC  
                                                            V3L 5P5  
                         Tel:                                    604-525-4651
  
2.      Properties involved in the Application
  - (a)      Civic Address:                    8040 - 160 Street
  
  - (b)      Civic Address:                    8040 - 160 Street  
                         Owners:                                    Athwal Construction Inc., Inc. No. 403906  
                                                            Fleetwood Commerce Court Inc., Inc. No. 582122  
                         PID:                                        008-529-418  
                         North Half Lot 44 Section 25 Township 2 New Westminster District Plan  
                         38679
  
3.      Summary of Actions for City Clerk's Office
  - (a)      Introduce a By-law to rezone the property.
  
  - (b)      Proceed with Public Notification for Development Variance Permit No. 7907-0262-00.

## SUBDIVISION DATA SHEET

**Proposed Zoning: RF**

Requires Project Data	Proposed
<b>GROSS SITE AREA</b>	
Acres	1.1 acres
Hectares	0.46 hectares
<b>NUMBER OF LOTS</b>	
Existing	1
Proposed	7
<b>SIZE OF LOTS</b>	
Range of lot widths (metres)	15 m - 16.8 m
Range of lot areas (square metres)	531 m <sup>2</sup> - 601 m <sup>2</sup>
<b>DENSITY</b>	
Lots/Hectare & Lots/Acre (Gross)	15 uph/6 upa
Lots/Hectare & Lots/Acre (Net)	
<b>SITE COVERAGE (in % of gross site area)</b>	
Maximum Coverage of Principal & Accessory Building	40%
Estimated Road, Lane & Driveway Coverage	10%
Total Site Coverage	50%
<b>PARKLAND</b>	
Area (square metres)	
% of Gross Site	
	<b>Required</b>
<b>PARKLAND</b>	
5% money in lieu	YES
<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	NO
Works and Services	NO
Building Retention	NO
Lot Depth for Lot 7	YES
East Rear Yard Setback for Lot 7	YES