

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7907-0268-00

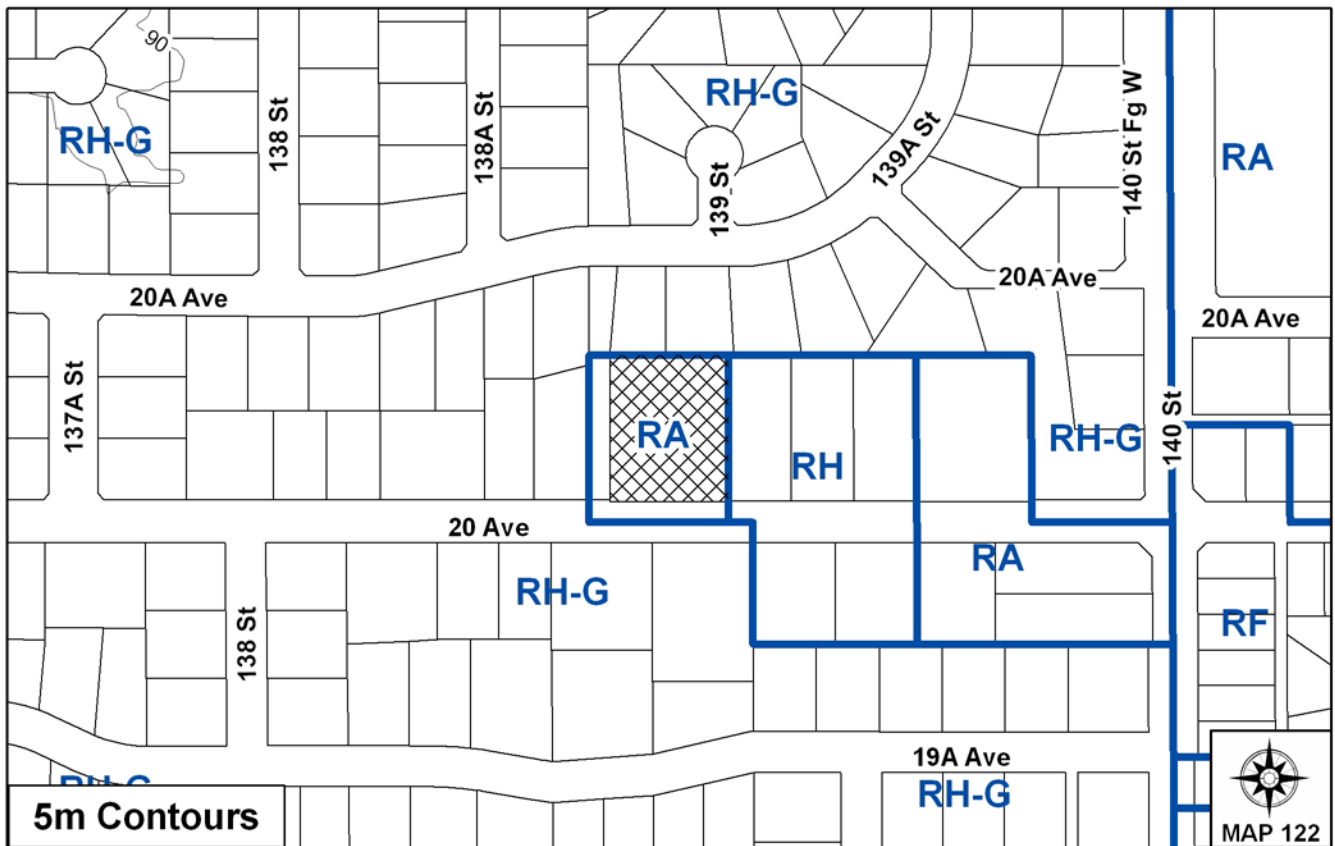
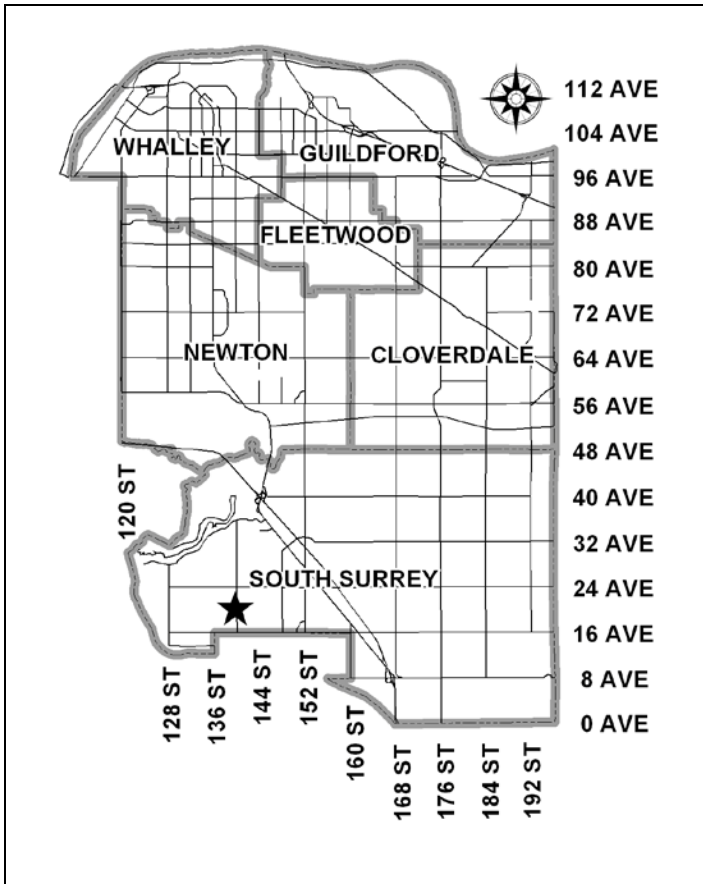
Planning Report Date: April 28, 2008

**PROPOSAL:**

- **Rezoning** from RA to RH
- **Development Variance Permit**

in order to allow subdivision into two half-acre single family lots with retention of the existing home.

**LOCATION:** 13893 - 20 Avenue  
**OWNERS:** Ernest and Reta Gray  
**ZONING:** RA  
**OCP DESIGNATION:** Suburban  
**LAP DESIGNATION:** Half-Acre Gross Density



### 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

- The applicant is proposing a Development Variance Permit for side yard setbacks in order to permit retention of the existing home on Lot 1 and retention of trees on Lot 2.

### RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Complies with the Central Semiahmoo Peninsula Plan (Local Area Plans).
- The proposed variance on Lot 1 allows the existing home, which is in good condition, to be retained on an oversized RH lot.
- The proposed variance on Lot 2 allows the new home to be built outside of the protection zone of the trees that are proposed to be retained.

## 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 "Half-Acre Residential Zone (RH)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve Development Variance Permit No. 7907-0268-00, (Appendix VII) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum west side yard setback of the RH Zone from 4.5 metres (15 ft.) to 3.9 metres (12.8 ft.) to allow the retention of the existing dwelling only on Lot 1;
  - (b) to reduce the minimum east side yard setback of the RH Zone from 4.5 metres (15 ft.) to 4.0 metres (13.1 ft.) to allow the retention of the existing dwelling only; and
  - (c) to reduce the minimum west side yard setback of the RH Zone from 4.5 metres (15 ft.) to 3 metres (10 ft.) on Lot 2 to allow for tree retention.
3. 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) 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) registration of a Section 219 Restrictive Covenant for tree protection;
  - (e) registration of a Section 219 Restrictive Covenant requiring the house on Lot 2 to use the existing driveway which cannot be widened.

## 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:**

1 Elementary student at Ray Shepherd Elementary School  
0 Secondary students at Elgin Park Secondary School

(Appendix IV)

Parks, Recreation &  
Culture:

The Parks Department supports the proposal and requests that the applicant follow CPTED design principles regarding the interface between Lot 1 and the adjacent greenway.

### SITE CHARACTERISTICS

Existing Land Use: Single family residential.

Adjacent Area:

<b>Direction</b>	<b>Existing Use</b>	<b>OCP/NCP Designation</b>	<b>Existing Zone</b>
East:	Single family residential.	Suburban	RH
North and South (Across 20 Avenue):	Single family residential.	Suburban	RH-G
West:	Greenway and single family residential.	Park and Suburban	RH-G

### DEVELOPMENT CONSIDERATIONS

- The subject site is located on the north side of 20 Avenue in the Central Semiahmoo Peninsula area. The site is designated Suburban in the Official Community Plan (OCP) and Half-Acre Gross Density in the Central Semiahmoo Peninsula Local Area Plan (LAP).
- The subject site is currently zoned "One-Acre Residential Zone" (RA). The applicant is proposing to rezone the site to "Half-Acre Residential Zone" (RH) to allow subdivision into two single family lots. The proposed RH Zone is consistent with the designations in the Official Community Plan (OCP) and the Central Semiahmoo Peninsula LAP.
- There is a City greenway located adjacent to the west property line of the subject site that contains a public pathway.
- The applicant will dedicate 1 metre (3 ft) along the south property line for the widening of 20 Avenue.
- Both proposed lots are larger than the minimum lot area permitted under the RH zone. Lot 1 complies with the RH zone in terms of lot area (2234 m<sup>2</sup>), depth (71.6 m) and width (31.2 m). Lot 2 is proposed to exceed the RH zone requirements in area (1933 m<sup>2</sup>) and depth (71.6 m) and have a width of 27 m, which is within 10% of the minimum prescribed by the zone. This reduction can be considered by the approving officer.
- Both proposed lots will front onto and gain access via 20 Avenue.

- There are currently two driveways accessing the property from 20 Avenue. When the subdivision is completed each lot will be accessed by one of the existing driveways. The eastern-most driveway, which will be for Lot 2, currently passes through the protection area for three trees that are proposed to be retained on the front of the lot. A Section 219 Restrictive covenant will be required, specifying that the new building must use the existing driveway and that the driveway cannot be widened.

#### Lot Grading, Arborist and Tree Preservation

- In-ground basements are not being proposed as part of this development as the services are not sufficiently deep.
- C. Kavolinas & Associates prepared the Arborist Report and Tree Preservation/Replacement Plans. They have been reviewed by the City's Landscape Architect and deemed acceptable.
- The Arborist Report indicates there are 14 mature trees on the subject site. The report proposes the removal of 5 trees, two of which are in poor condition and three of which are alder trees with no retentive value. The Report proposes 9 trees be retained; 2 on proposed Lot 1, and 9 on proposed Lot 2. Seven (7) replacement trees will be planted for a total of sixteen (16) trees on site, providing for an average of eight (8) trees per lot.

Tree Species	No. of Trees	No. of Trees Proposed for Retention	No. of Trees Proposed for Removal
Douglas Fir	5	5	0
Cedar	3	2	1
Spruce	1	0	1
Birch	1	1	0
Paulownia	1	1	0
Alder	3	0	3
<b>TOTAL</b>	<b>14</b>	<b>9</b>	<b>5</b>

- Under the recently approved new Tree Protection By-law, tree replacement is required at specified ratios. Protected trees are to be replaced at a ratio of 2:1, while all alder and cottonwood trees are to be replaced at a ratio of 1:1. As three (3) alder and cottonwood trees are proposed to be removed, and two (2) other trees are to be removed, a total of seven (7) replacement trees would be required for this application. The applicant proposes seven (7) replacement trees. Under the requirement of the new Tree Preservation By-law, this would result in no tree replacement deficit.
- A Section 219 Restrictive Covenant for tree protection will be required prior to final approval of the rezoning.

#### Building Design

- The applicant for the subject site has retained Mike Tynan 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).

- The study identified the surrounding context as consisting of "modest old urban", "estate quality suburban" with several "Traditional" and "Neo-Traditional" homes.
- According to the Building Scheme, the new homes will be "Traditional", "Craftsman Heritage", "Neo-Heritage" or "Neo-Traditional" in style, with balanced massing on the front façade, style-authentic design and a high standard of detailing. The exterior treatment materials will consist of cedar, stucco, and vinyl with varied use of brick and/or wood detailing.
- The existing home is proposed to be retained on Lot 1, however the Building Scheme will ensure that when a new home is constructed on this property it will incorporate additional design treatment along the west façade in order to provide "eyes" on the greenway.
- Basement-entry homes and secondary suites will not be permitted.

### PRE-NOTIFICATION

Pre-notification letters were sent out on December 20, 2007 and staff received no comments.

### BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- Relaxation of side yard setback from 4.5 m (15 ft) to 3.9 m (12.8 ft) for the west side and to 4.0 m (13.1 ft) for the east side of Lot 1.

Applicant's Justification:

- Relaxation of the west side yard setback is only to reflect an existing situation. There are no proposed changes to the location of the west property line.
- The subdivision has been designed in a way that maximizes the width of Lot 1, providing the maximum side yard setback possible while still remaining within the parameters of the RH zone. The result is an east side yard setback of 4.0 m (13.1 ft) rather than 4.5 m (15 ft). Lots 1 and 2 are both proposed to be oversized, at 2234 m<sup>2</sup> (24,047 ft<sup>2</sup>) and 1933 m<sup>2</sup> (20,807 ft<sup>2</sup>), compared to the minimum 1858 m<sup>2</sup> (20,000 ft<sup>2</sup>) area of the RH zone. The extra lot area will help to offset the reduced setback.

Staff Comments:

- Staff support the proposed variance and justification outlined above. The proposed side yard setback relaxations permit the existing home to be retained, while at the same time creating an additional RH lot that is larger than the minimum size permitted in the zone.
- The proposed east side yard setback relaxation allows for the new property line to be in the most appropriate location to create two lots under the RH zone. The reduced west side yard setback is requested to address the pre-existing location of the home.

- The variances will apply only to the existing dwelling; any new dwelling will be required to conform to the requirements of the RH zone.

(b) Requested Variance:

- Relaxation of side yard setback from 4.5 m (15 ft) to 3.0 m (10 ft) for the west side of Lot 2.

Applicant's Justification:

- There are several trees on Lot 2, located on the front, rear and east side of the lot, that have been recommended for retention. In order to ensure protection of the trees adjacent to the east property line, the future home on this lot can be constructed no closer than 7.5 m (25 ft) from the east property line. This is greater than the minimum 4.5 m (15 ft) setback in the RH zone. The applicant requests a reduction in the minimum west side yard setback in order to offset the increase on the east side and to permit a typical RH-sized house to be constructed on Lot 2.

Staff Comments:

- Staff support the proposed variance and justification outlined above. The proposed west side yard setback relaxation allows for the retention of several trees adjacent to the east property line without having a substantial impact on the size or layout of the future house to be constructed on Lot 2.

### 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. 7907-0268-00

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:                Ernest Gray  
                         Address:            13893 - 20 Avenue  
                                                 Surrey, BC  
                         Tel:                    604-535-2753
  
2.      Property involved in the Application
  - (a)      Civic Address:            13893 - 20 Avenue
  
  - (b)      Civic Address:            13893 - 20 Avenue  
            Owners:                Ernest and Reta Gray  
            PID:                        011-242-400  
            Parcel A Lot 21 Section 16 Township 1 New Westminster District Plan 7336
  
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. 7907-0268-00.



## SUBDIVISION DATA SHEET

**Proposed Zoning: RH**

Requires Project Data	Proposed
<b>GROSS SITE AREA</b>	
Acres	1.0 ac
Hectares	0.42 ha
<b>NUMBER OF LOTS</b>	
Existing	1
Proposed	2
<b>SIZE OF LOTS</b>	
Range of lot widths (metres)	27.0 m - 31.2 m
Range of lot areas (square metres)	1,933 m <sup>2</sup> - 2,234 m <sup>2</sup>
<b>DENSITY</b>	
Lots/Hectare & Lots/Acre (Gross)	4.8 uph/2.0 upa
Lots/Hectare & Lots/Acre (Net)	
<b>SITE COVERAGE (in % of gross site area)</b>	
Maximum Coverage of Principal & Accessory Building	25%
Estimated Road, Lane & Driveway Coverage	
Total Site Coverage	
<b>PARKLAND</b>	
Area (square metres)	n/a
% 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	NO
Works and Services	NO
Building Retention	YES
Others	NO