

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7907-0344-00

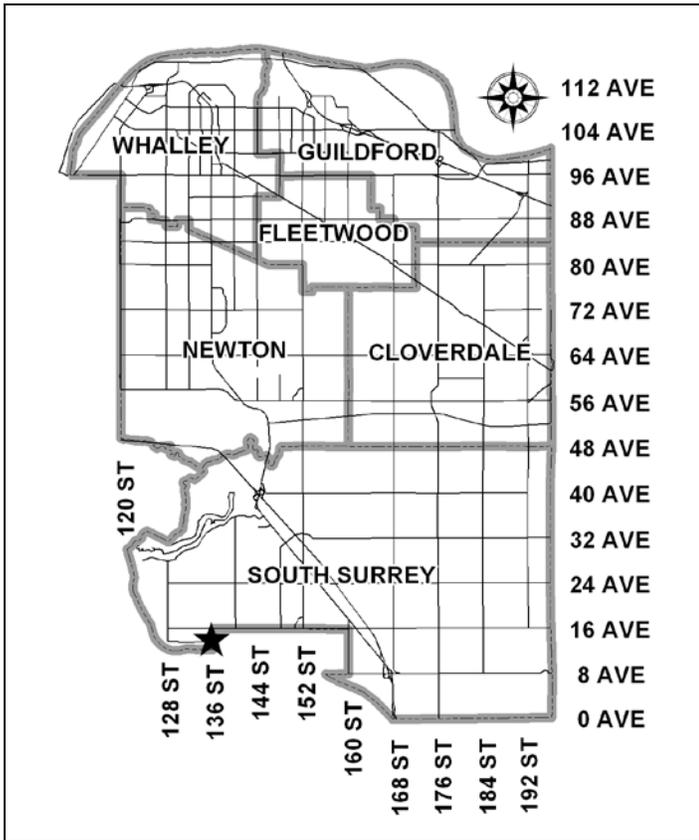
Planning Report Date: March 31, 2008

PROPOSAL:

- **Development Variance Permit**

to vary the minimum lot depths and rear yard setback for the existing house in order to permit subdivision into two single family lots.

LOCATION: 13531 Marine Drive
OWNERS: John Taylor and Carroll Taylor
ZONING: RF
OCP DESIGNATION: Urban
LAP DESIGNATION: Urban Residential



RECOMMENDATION SUMMARY

- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The proposed minimum lot depths are required to be varied from 28 metres (92 ft.) to 26.9 metres (88 ft.) for proposed Lot A and from 28 metres (92 ft.) to 26.0 metres (85 ft.) for proposed Lot B.
- The rear yard setback for the existing dwelling being retained is required to be varied from 7.5 metres (25 ft.) to 2.2 metres (7.2 ft.).

RATIONALE OF RECOMMENDATION

- The proposed subdivision is consistent with the subdivision pattern established for properties to the east, and conforms with the City's Subdivision infill policy.
- The dimension of the properties between Marine Drive and 14 Avenue make it impossible to subdivide and dedicate a rear land and achieve the necessary road widening on Marine Drive without a lot depth variance. The existing RF lots to the east had Council's approval for reduced lot depths of similar dimensions.
- The proposed setback variance is required due to the need to dedicate and construct a rear lane, and will only apply to the existing dwelling being retained on proposed Lot B; any future dwelling on this lot will have to comply with the setback requirements of the RF Zone.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7907-0344-00, (Appendix V) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 2.2 metres (7.2 ft.); and
 - (b) to reduce the minimum lot depth of the RF Zone from 28 metres (92 ft.) to 26.9 metres (88 ft.) for proposed Lot A and to 26.0 metres (85 ft.) to proposed Lot B.
2. Council instruct staff to resolve the following issues:
 - (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; and
 - (d) registration of a Section 219 Restrictive Covenant to ensure increased side yard setbacks of 4 metres (13 ft.) and 4.1 metres (13 ft.) for tree protection on adjacent lots; and
 - (e) registration of a Section 219 Restrictive Covenant to ensure closure of the existing driveway for 13531 Marine Drive and submission of securities for reinstatement of the driveway with grass and appropriate curbs and gutter when a new dwelling is constructed.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Single family residential.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North, South, East and West:	Single family residential.	Urban	RF

DEVELOPMENT CONSIDERATIONS

Background

- The subject site is located at 13531 Marine Drive. The property is designated "Urban" in the OCP, "Urban Residential" in the Semiahmoo Peninsula LAP, and is zoned "Single Family Residential Zone (RF)".
- All the surrounding properties are designated "Urban" in the OCP and "Urban Residential" in the Semiahmoo Peninsula LAP. The surrounding properties are also zoned RF and developed with single family dwellings.

Subdivision Layout

- The applicant proposes to subdivide the subject property into two (2) lots (Appendix II). An east-west lane is required to bisect the proposed lots to provide alternative access to the lot fronting Marine Drive, which is an arterial road.
- Each of the proposed lots would meet the minimum size and width requirements of the RF Zone, which are 560 square metres (6,030 sq.ft.) and 15 metres (50 ft.) respectively. However, given the existing property dimensions, and the requirement for road widening along Marine Drive and dedication of a 6.0 metre (20 ft.) wide lane between the proposed lots, neither of the lots would be able to achieve the minimum depth requirement. The RF Zone requires a minimum lot depth of 28 metres (92 ft.), whereas proposed Lot A would have a minimum depth of approximately 26.9 metres (88 ft.) and proposed Lot B would have a minimum depth of approximately 26.0 metres (86 ft.). The applicant proposes a DVP to vary the minimum lot depths as noted above, and is discussed below.
- The five (5) properties east of the subject site have previously been subdivided to almost identical dimensions. The proposed subdivision is consistent with these previous subdivisions, including the continuation of the lane. Additionally, the proposed subdivision will not hinder subdivision potential for the lots west of this site. The existing properties to the west could achieve similar sized parcels, and dedicate the appropriate width for the lane that would eventually daylight onto Marine Drive.

Retention of Existing Dwelling

- A DVP is also required to vary the rear yard setback for the existing dwelling, which will be located on proposed Lot B. The requested DVP would relax the required rear yard setback from 7.5 metres (25 ft.) to 2.2 metres (7.2 ft.), allowing the existing dwelling to be retained. This variance is also discussed below.
- With the retention of the dwelling, the existing driveway to and from Marine Drive would continue to be used. In spite the fact the lane is intended for those lots fronting Marine Drive (an arterial road), the location of the retained dwelling would not allow for the proper sized parking spaces at the rear of this lot as the dwelling will be 2.2 metres (7.2 ft.) from the dedicated lane.

- Engineering is aware of this situation and has addressed it through requiring the registration of a Restrictive Covenant on the lot fronting Marine Drive. The Restrictive Covenant will ensure closure of the existing driveway for 13531 Marine Drive and the submission of securities for reinstatement of the driveway with grass and appropriate curb and gutter when a new dwelling is constructed.

Tree Preservation

- Glenn Murrey prepared the Arborist Report and Tree Preservation/Replacement Plans for Froggers Creek Tree Consultants Limited (Appendix IV). The plans have been reviewed by the City's Landscape Architect and are deemed acceptable.
- The report identifies three (3) trees on the site. Two (2) of these trees, both being a Western Red Cedar, are recommended to be removed. The one Western Red Cedar is listed in poor condition, whereas the other is located in an area where it will be critically impacted by construction.
- The arborist has also made note of seven (7) by-law sized trees on the neighbouring properties to the east and west. To ensure the protection of these trees, the arborist has recommended a western side yard setback of 4.0 metres (13 ft.) and an eastern side yard setback of 4.2 metres (14 ft.). Because of the substantial lot widths proposed (22 metres/72 ft.) relative to the RF width requirements (15 metres/50 ft.), these additional side yard setbacks can be accommodated. The applicant is aware of this and agrees to address this recommendation through the registration of a Section 219 Restrictive Covenant in this regard.
- The below chart provides a summary of the tree retention and removal on the subject site:

Tree Species	Total No. of Protected Trees	Total Proposed for Retention	Total Proposed for Removal
Western Red Cedar	2	0	2
Grand Fir	1	1	0
Total	3	1	2

- With respect to replanting trees, three (3) replacement trees are proposed on the northern lot. The three trees that are to be planted include a Dogwood, a Maple, and a Cedar Tree. The number of trees being planted is short by one (1) tree to meet the required replacement tree ratio, which will need to be addressed through a financial contribution of approximately \$300 to the City's Green Fund prior to final approval of the rezoning.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- Reduction in the required rear yard setback of the RF Zone from 7.5 metres (25 ft) to 2.2 metres (7.2 feet) in order to retain the existing house on proposed Lot B, while accommodating the required lane dedication.

Applicant's Reasons:

- The existing house at 13531 Marine Drive is in good condition, and is proposed to be retained.

Staff Comments:

- The RF Zone requires a rear yard setback of 7.5 metres (25 ft.).
- The proposed subdivision will necessitate a 6.0 metre (20 ft.) wide lane dedication at the rear of the existing house leaving a 2.2 metre (7.2 ft.) rear yard setback.
- Council previously approved a similar type rear yard setback under Application No. 7903-0388-00, which is located at 13553 Marine Drive – two properties to the east. The reduced rear yard setback approved for that application was 1.95 metres (6.4 ft.).
- The proposed reduction of the rear yard setback in order to accommodate the location of the existing dwelling unit is reasonable, given that the dwelling unit is in good condition that the lane would end, at least temporarily, at this location. This would ensure minimal traffic at the rear of the existing dwelling unit.
- The DVP (Appendix V) would only apply to the dwelling unit as it currently exists; any new dwelling to be constructed on this lot in the future, or any additions or modifications to the existing dwelling would be required to comply with the RF zone requirements.
- A Restrictive Convent required through Engineering will ensure closure of the existing driveway for 13531 Marine Drive and the submission of securities for reinstatement of the driveway with grass and appropriate curb and gutter when a new dwelling is constructed.

(b) Requested Variance:

- Relax the minimum lot depth of the RF Zone from 28 metres (92 ft.) to 26.9 metres (88 ft.) for proposed Lot A, and from 28 metres (92 ft.) to 26.0 metres (85 ft.) for proposed Lot B.

Applicant's Reasons:

- To create two (2) RF lots consistent with the adjacent development pattern to the east.

Staff Comments:

- The Subdivision By-law requires a widening dedication for Marine Drive (an arterial road) and a lane to provide secondary vehicular access to this arterial.
- With the road widening and lane dedication, the proposed lots become too shallow to allow for subdivision of two (2) lots that meet the minimum depth requirement of 28 metres (92 ft.) for an RF lot. This type of situation previously existed with properties to the east, which had their DVP's for reduced lot depths approved by Council.

- Although the applicant's proposed lots will have reduced depths, the lot widths and areas are larger than the minimum requirement of the RF Zone, allowing for suitable housing locations.
- The approval of this variance will allow the applicant's layout to coincide with the existing development pattern to the east and provide the ability for the remainder of the block to develop in the future in a similar fashion.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets and Survey Plan
Appendix II.	Proposed Subdivision Layout
Appendix III.	Engineering Summary
Appendix IV.	Summary of Tree Survey and Tree Preservation
Appendix V.	Development Variance Permit No. 7907-0344-00

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: Lori Richards, H.Y. Engineering Ltd.
 Address: #200 - 9128 - 152 Street
 Surrey, BC
 V3R 4E7
 Tel: 604-583-1616

2. Properties involved in the Application
 - (a) Civic Address: 13531 Marine Drive

 - (b) Civic Address: 13531 Marine Drive
 Owners: John Taylor and Carroll Taylor
 PID: 011-358-807
 West Half Lot 3 Section 8 Township 1 New Westminster District Plan 8337

3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7907-0344-00.

SUBDIVISION DATA SHEET

Proposed Zoning: RF

Requires Project Data	Proposed	
GROSS SITE AREA		
Acres	0.33 ac	
Hectares	0.14 ha	
NUMBER OF LOTS		
Existing	1	
Proposed	2	
SIZE OF LOTS		
Range of lot widths (metres)	22 m	
Range of lot areas (square metres)	572 sq.m. - 590 sq.m.	
DENSITY		
Lots/Hectare & Lots/Acre (Gross)	6.0 upa	14.9 upha
Lots/Hectare & Lots/Acre (Net)	6.9 upa	17.2 upha
SITE COVERAGE (in % of gross site area)		
Maximum Coverage of Principal & Accessory Building	34.7%	
Estimated Road, Lane & Driveway Coverage	21%	
Total Site Coverage	55.7%	
PARKLAND		
Area (square metres)		
% of Gross Site		
Required		
PARKLAND		
5% money in lieu	NO	
TREE SURVEY/ASSESSMENT		
YES		
MODEL BUILDING SCHEME		
YES		
HERITAGE SITE Retention		
NO		
BOUNDARY HEALTH Approval		
NO		
DEV. VARIANCE PERMIT required		
Road Length/Standards	NO	
Works and Services	NO	
Building Retention	NO	
Others	NO	