

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7908-0070-00

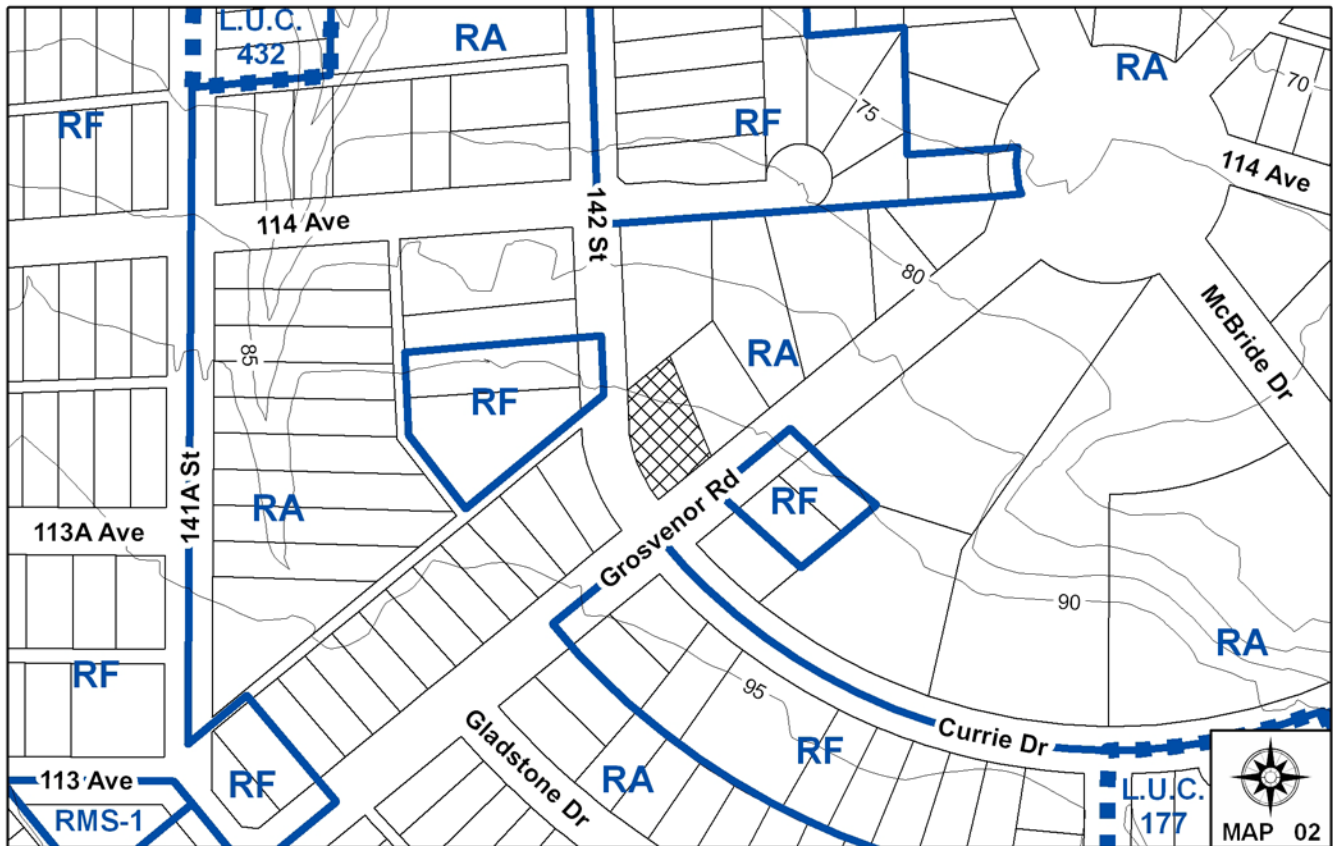
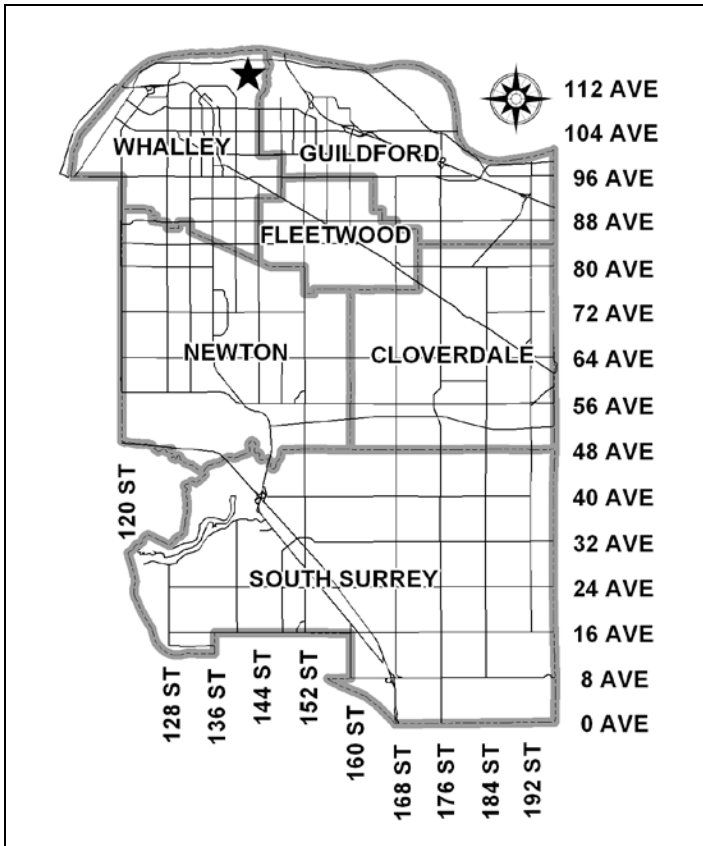
Planning Report Date: September 29, 2008

PROPOSAL:

- Rezoning from RA to RF
- Development Variance Permit

in order to allow subdivision into two single family lots and retain an existing house.

LOCATION: 11356 - 142 Street
OWNER: Malkit Singh Swaich
ZONING: RA
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

- None

RATIONALE OF RECOMMENDATION

- Complies with OCP designation.
- The proposed subdivision conforms to the City's infill policy.

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. 7908-0070-00, (Appendix VII) 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 5.9 metres (19 ft.) for proposed Lot 1; and
 - (b) to reduce the minimum lot depth of the RF Zone from 28 metres (90 ft.) to 23.5 metres (77 ft.) for proposed Lot 1.
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 a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect; and
 - (d) issuance of Development Variance Permit No. 7908-0070-00.

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:**

1 Elementary student at James Ardiel Elementary School
0 Secondary students at Kwantlen Park Secondary School

(Appendix IV)

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling located on the northern portion of the lot, which is to be retained.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Vacant lot encumbered by BC Hydro right-of-way.	Urban	RA
East (Across Grosvenor Road):	Single family dwelling.	Urban	RA
South (Across Grosvenor Road and Currie Drive):	Single family dwelling.	Urban	RF
West (Across 142 Street):	Single family dwellings.	Urban	RA and RF

DEVELOPMENT CONSIDERATIONSBackground

- In June 2003, a building permit was submitted for a single family dwelling on the subject lot, based on the existing RA Zone. The house was proposed to be sited on the north portion of the lot.
- In September 2003, a rezoning and subdivision application was submitted, to permit the creation of two RF lots on the subject lot. The single family dwelling was completed in January 2004.
- The previous application to rezone the subject site to Single Family Residential Zone (RF) to permit subdivision into two lots (File No. 7903-0328-00) was denied by Council in November 2004 following significant opposition demonstrated at the Public Hearing, including a petition.
- The main concerns raised at the Public Hearing were drainage, narrow road width and increased density.
- Since the last application, Council has approved the rezoning of a neighbouring property to the north from RA to RF under development application No. 7904-0288-00 to permit subdivision into 13 single family lots. The rezoning was approved on July 28, 2005.
- As well, the property at 14273 Grosvenor Road is under application (File No. 7906-0387-00) to rezone from RA to RF to permit subdivision into 4 single family lots. This application is yet to proceed to Council.
- Unlike the previous application on the subject lot, which generated 12 pre-notification responses, only two responses have been received in relation to the current application.

Site Context

- The subject property is located on the northeast corner of Grosvenor Road and 142 Street. The site is designated Urban in the Official Community Plan (OCP) and is zoned One-Acre Residential (RA).
- The surrounding lots in the neighbourhood of the subject property are zoned "One-Acre Residential" (RA) and "Single Family Residential" (RF). However, because most of the RA-zoned lots are less than 1,858 square metres (0.5 acres) in size, the floor area ratio, lot coverage and setbacks must follow the requirements of the RF Zone.
- The subject property is located to the south of a large hydro right-of-way. 125 metres across Grosvenor Road to the south of the subject property there is another large hydro right-of-way. These utility rights-of-way have impacted the type of development in the neighbourhood.

Current Proposal

- The applicant is proposing to rezone the subject property from "One-Acre Residential" (RA) to "Single-Family Residential" (RF) in order to allow subdivision into two (2) single-family lots (Appendix II).
- The proposed rezoning to "Single-Family Residential" (RF) is consistent with the Urban designation of the Official Community Plan.
- Proposed Lot 1 (the northerly lot with the existing house) is the larger of the two lots at 720 square metres (7205 sq. ft.) and has a large frontage of 29.8 metres (97.8 ft.). A Development Variance Permit is required to allow a reduced lot depth and to vary the rear yard setback for proposed Lot 1 (see By-law Variance Section).
- Proposed Lot 2 with a lot area of 585.4 square metres (6301 sq. ft.) exceeds the minimum requirements of the RF Zone in terms of lot area, width, and depth.
- The two proposed new lots will have access off of 142 Street.
- The existing single family dwelling conforms to the permitted floor area ratio (FAR) outlined in the RF Zone (0.48 for lots in excess of 560 square metres). The FAR for the dwelling on proposed Lot 1 is 0.46.

Proposal of Grading and Tree Preservation/Replacement

- The applicant's Engineering Consultant has reviewed the existing site elevations and storm sewer systems and has concluded that the dwelling on the proposed new lots will not be able to accommodate an in-ground basement. The existing new dwelling on proposed Lot 1 does not have a basement.
- The Tree Survey and Arborist Report have been reviewed by the City Landscape Architect and are considered acceptable.

- The Arborist is recommending all nine (9) trees be retained with no replacement trees being proposed. There will be an average of 4.5 trees per lot (Appendix VI). An additional two (2) City trees are proposed to be retained as well.
- The following chart provides a summary of the proposed tree retention by species:

Tree Species	Total Number of Trees	Proposed for Retention	Proposed for Removal
Douglas Fir	9	9	0
Total	11	11	0

Neighbourhood Character Study and Building Scheme

- The applicant has retained Ran Chahal as the Design Consultant for the proposed development. The Design Consultant has proposed a set of Building Design Guidelines (Appendix V) based on a character study of the area. Basement-entry homes and secondary suites are not permitted.
- The applicant is not proposing to accommodate in-ground basements.

PRE-NOTIFICATION

Pre-notification letters were sent on April 16, 2008 and staff received the following 2 comments:

- A letter was received by staff from a concerned neighbour stating that if by-laws have not changed that affect this application, then it should not be allowed to be forwarded to Council.

(An application to rezone cannot be rejected by staff once 6 months have passed from Council's denial of a previous like application.)

- A fax was received by staff regarding the size of the RF lots in a neighbourhood of RA-zoned lots. It was feared that the proposal lead to increased chances of flooding as grass and trees are removed.

(While the proposed lots will be smaller than neighbouring lots, a building scheme will be placed on the lot that will ensure compatibility with the existing neighbourhood. No trees are proposed to be removed from the lot. Site drainage will be addressed through the servicing of the site.)

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- Reduce the minimum rear yard setback of the RF Zone from 7.5 m (25 ft.) to 5.9 m (19.5 ft.) on proposed Lot 1.

Applicant's Reasons:

- The reduced setback will allow for retention of the existing dwelling on proposed Lot 1.

Staff Comments:

- As a result of the proposed subdivision, the current eastern side yard will become a rear yard for proposed Lot 1.
- Proposed Lot 1 is an odd-shaped lot. The large side yard setback on the north side of the existing dwelling (7.5 metres/25 feet) provides substitution for amenity space for a rear yard. The layout of the existing dwelling is oriented to this side yard, with the kitchen, dining room, and covered sundeck facing the side yard.
- The variance will only apply to the existing dwelling.
- Staff, therefore, support the proposed variance.

(b) Requested Variance

- Reduce the minimum lot depth of the RF Zone from 28 m (90 ft.) to 23.5 m (77.1 ft.) for proposed Lot 1.

Applicant's Reasons:

- The proposed subdivision and rezoning of the subject property is in conformance with the character of the neighbourhood.

Staff Comments:

- The subject lot is situated on the corner of 142 Street and Grosvenor Road. 142 Street has a slight curve to the east from the intersection of Grosvenor Road. As a result, the subject lot narrows from 29.4 m (165 ft.) along Grosvenor Road to 23.5 metres (77.1 ft.) at the north end.
- The Approving Officer has no delegated discretion to accept reduced lot depth.
- The proposed Lot 1 will compensate its shallower lot depth by having a frontage of 29.8 m (97.8 ft.) and a total area of 720 square metres (7,750 sq. ft.).
- Staff, therefore, support the proposed variance.

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. 7908-0070-00

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: Avnash Banwait
 Address: #206 - 8363 - 128 Street
 Surrey, BC
 V3W 4G1
 Tel: 604-543-8044

2. Properties involved in the Application
 - (a) Civic Address: 11356 - 142 Street

 - (b) Civic Address: 11356 - 142 Street
 Owner: Malkit Singh Swaich
 PID: 010-200-339
 Lot 1 Block 96 New Westminster District Plan 16511

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. 7908-0070-00.

SUBDIVISION DATA SHEET

Proposed Zoning: RF

Requires Project Data	Proposed	
GROSS SITE AREA		
Acres	.3226	
Hectares	.1306	
NUMBER OF LOTS		
Existing	1	
Proposed	2	
SIZE OF LOTS		
Range of lot widths (metres)	23.4 m x 31.6 m	19.3 m x 31.6 m
Range of lot areas (square metres)	721 m ²	585.4 m ²
DENSITY		
Lots/Hectare & Lots/Acre (Gross)		
Lots/Hectare & Lots/Acre (Net)		
SITE COVERAGE (in % of gross site area)		
Maximum Coverage of Principal & Accessory Building		
Estimated Road, Lane & Driveway Coverage		
Total Site Coverage		
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	YES	
Lot Depth	YES	