

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7908-0108-00

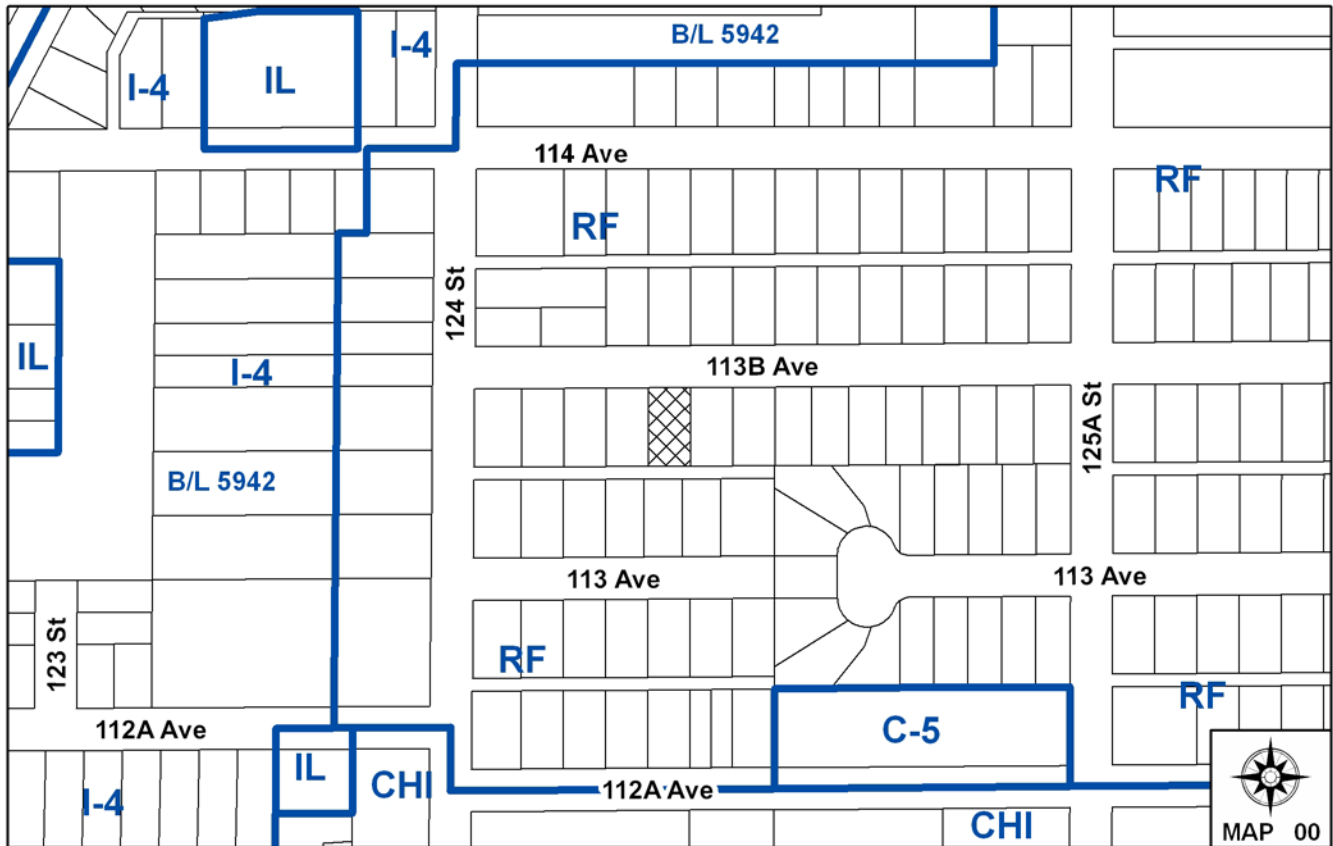
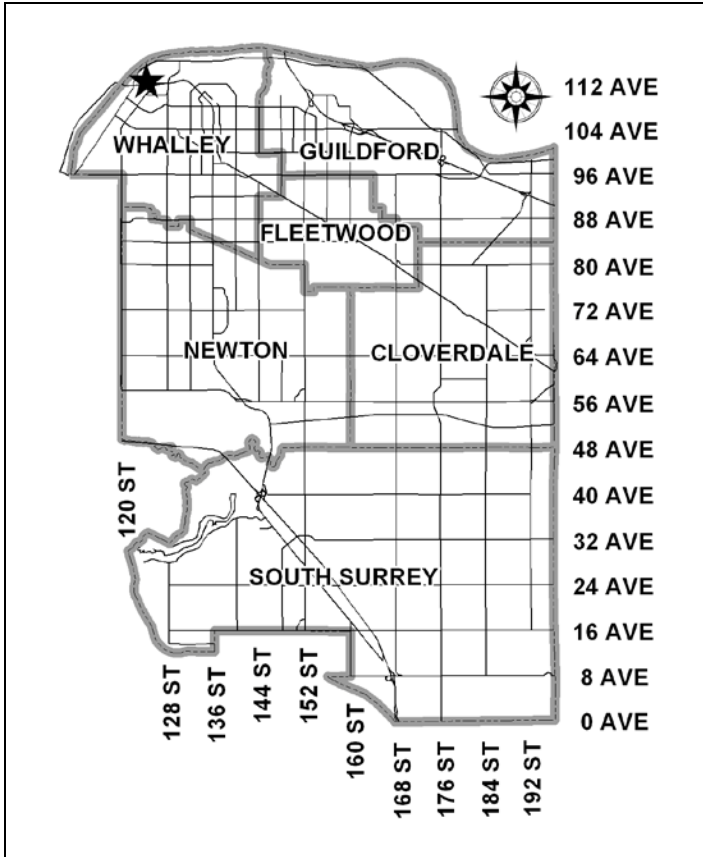
Planning Report Date: July 14, 2008

PROPOSAL:

- Rezoning from RF to CD (based on RF-SS)
- Development Variance Permit

in order to permit the addition of a detached secondary dwelling unit.

LOCATION: 12454 - 113B Avenue
OWNERS: Zhi Chao Gao and Fan Liu
ZONING: RF
OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant has requested to waive all works and services requirements.

RATIONALE OF RECOMMENDATION

- The secondary suite is to accommodate an autistic family member who currently resides at the residence. Therefore, there will be no additional services required, or traffic generated from the proposal.
- A Housing Agreement will be registered on title to ensure the proposed addition will provide accommodations for a low income individual living with a disability.
- The proposed addition is a single storey and to be constructed at the rear of the existing dwelling, and thus will minimally impact the neighbourhood.
- Community Living British Columbia (CLBC), a Crown service delivery corporation that provides support and services to people with disabilities, fully supports the construction of separate living quarters for the owners' daughter.
- The Vancouver Foundation has provided support in the form of a \$58,000 grant to the family.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the subject site from "Single Family Residential Zone (RF)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council authorize staff to draft a Housing Agreement By-law.
3. Council approve Development Variance Permit No. 7908-0108-00, (Appendix IV) varying the following, to proceed to Public Notification:
 - (a) to waive the requirements of Surrey Subdivision and Development By-law, 1986, No. 8830, as amended, to provide servicing improvements; and
 - (b) to waive the requirements of Surrey Subdivision and Development By-law, 1986, No. 8830, as amended, to provide road improvements to a portion of 113B Avenue.
4. 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; and
 - (b) approval of a Housing Agreement By-law to ensure the proposed detached secondary dwelling unit is only occupied by an immediate family member receiving special care.

REFERRALS

Engineering: The Engineering Department has no objection to the project as outlined in Appendix III.

Building Division: The proposed detached dwelling unit below the Flood Construction Level (FCL) is acceptable since the proposed floor area is not more than 25% of the existing non-conforming floor area. If the proposed floor area exceeds 25%, floodproofing measures are required.

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling with detached garage, which are to be retained.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across 113B Avenue):	Single family dwellings.	Urban	RF
East, South and West:	Single family dwellings.	Urban	RF
Further West:	Non-conforming outside storage.	Urban	RF

DEVELOPMENT CONSIDERATIONSBackground

- The subject property is located at 12454 – 113B Avenue in the Bridgeview area of North Surrey. The property is currently zoned Single Family Residential (RF) and designated Urban in the Official Community Plan (OCP).
- The applicant is proposing to rezone the subject property from RF to CD (Comprehensive Development) to permit the addition of a detached secondary dwelling unit to the rear (south) of the existing dwelling. The secondary dwelling unit is to be occupied by the property owners' daughter, who currently resides in the existing dwelling with her family. A Development Variance Permit is also requested to waive all Engineering works and service requirements.
- The owners' daughter is autistic and demonstrates significant problems in the area of reciprocal social interaction. She has difficulty in developing peer relationships and lacks sharing and showing of emotion. Due to these difficulties, she requires support and supervision.
- Community Living British Columbia (CLBC) is a Crown service delivery corporation that provides support and services to people with developmental disabilities and to children with special needs. CLBC has stated that living in the proposed secondary dwelling unit will assist in the owners' daughter gaining independence and enhancing her life skills, while still being safely monitored by her family.
- CLBC is in full support of a Grant application that the property owners have submitted seeking funding for the renovations. As a result, Giving In Action, an organization supported by the Vancouver Foundation and committed to assisting families who have a relative living with a disability, has provided a \$58,000 grant to the family. The grant was provided through Giving In Action's Family Independence Fund.

Development Proposal

- The applicant proposes to construct a 39-square metre (418 ft²) single-storey detached secondary dwelling unit (suite) containing a kitchen, living room and bathroom at the rear of the subject property. The proposed building will be connected to the existing dwelling by an exterior patio.

The proposed CD By-law will limit future expansion of the dwelling and detached suite.

- The existing single-storey dwelling is approximately 70 square metres (760 sq.ft.) in size. The existing garage is located at the rear of the property (southwest corner) and is in good condition and will be retained.
- The geo-technical report states that the building addition could not be directly attached to the existing structure, given the soft ground conditions. Therefore, the building addition will be linked by an exterior patio at the rear of the existing dwelling.
- The subject property is located within the 200-year floodplain. The Building Division has stated that the proposed addition below the Flood Construction Level (FCL) is acceptable if the proposed (non-conforming) floor area is not more than 25% of the existing (non-conforming) floor area on the subject site. If the proposed floor area exceeds the 25% requirement, flood proofing measures are required.
- No trees will be affected by the proposed building addition.
- A Housing Agreement will be registered on title to ensure that only an immediate family member under special care will occupy the suite. If the property is sold by the current owners, the new owners will have to adhere to this clause, or be subject to remove the secondary suite.

Proposed CD By-law

- The proposed CD By-law is based on the RF-SS Zone with minor modifications to the floor area ratio (FAR) and lot coverage. The proposed CD By-law will limit future additions on the subject property.
- The proposed CD By-law limits the floor area ratio (FAR) to 0.35 and the size of the detached secondary dwelling unit to 40 square metres (430 sq.ft.) on the subject site. In comparison, the Single Family Residential Secondary Suite Zone (RF-SS) allows a maximum FAR of 0.52, and a secondary suite to a maximum size of 90 square metres (968 sq.ft.). The Single Family Residential Coach House Zone (RF-12C) permits an FAR of 0.70, while the floor area of the coach house shall not exceed 65 square metres (700 sq.ft.).

PRE-NOTIFICATION

A pre-notification letter sent out on May 12, 2008, and staff received one (1) letter of concern from a local resident opposing the proposal due to the following reasons:

- Concerned that the proposed addition will be used as a suite for renters, which would result in increased noise and traffic;
- Opposed to possible future additions to the existing dwelling;
- Opposed to the proposed rezoning of the subject property; and
- Possible shifting or sinking of land.

(A Housing Agreement will be registered on title to ensure that the proposed addition is to accommodate an immediate family member under special care, even if the property is sold. The proposed CD By-law will restrict the uses and the possibility of future additions on the subject property. The applicant has submitted a geotechnical report stating that the proposed addition will not adversely affect the land, provided they adhere to the guidelines of the report).

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To waive the requirements of Surrey Subdivision and Development By-law, 1986, No. 8830 to provide servicing improvements, as required in Schedule A.1 Table 1 Servicing Requirements.

Applicant's Reasons:

- The applicants are low-income earners and are using the grant money to cover the costs of all development application fees and building renovations. The cost to improve services would be too onerous for the family.

Staff Comments:

- The proposed building addition is not expected to add further pressure to the existing services in the area including the Bridgeview Vacuum Sewer System, as the owners' daughter currently lives in the existing residence with the family.
- The Engineering Department requires the applicant to register a Restrictive Covenant (RC) on title to allow connection to the Bridgeview vacuum sanitary system. The RC is required in order to protect the City of any liabilities due to the fact that the Bridgeview vacuum sanitary system cannot support further connections.
- The Engineering Department has no objection to this variance.

(b) Requested Variance:

- To waive the requirements of Surrey Subdivision and Development By-law, 1986, No. 8830 to provide road improvements to a portion of 113B Avenue, as required in Schedule A.1 Table 2 Highway Dedication, Pavement Widths and Sidewalks.

Applicant's Reason:

- The cost to upgrade the road would be too onerous. Furthermore, no additional traffic will result from the proposed building addition.

Staff Comments:

- 113B Avenue is a designated through local road which requires a 20-metre (65 ft.) wide right-of-way with sidewalks on both sides and barrier curbs. The neighbourhood has not undergone any new development since 1985, and is expected to remain unchanged given the constraints of the vacuum sewer system. Thus, road upgrades are not required unless the entire neighbourhood were to redevelop in the future.
- Road upgrades are not required, as the proposed building addition will not create additional vehicle traffic or parking issues in the neighbourhood.
- The Engineering Department has no objection to this requested 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.	Site Plan and Building Plans
Appendix III.	Engineering Summary
Appendix IV.	Development Variance Permit No. 7908-0108-00
Appendix V.	Proposed CD By-law

INFORMATION AVAILABLE ON FILE

- Geotechnical Study prepared by Tony Yam Engineering Ltd. dated June 12, 2008.

Jean Lamontagne
General Manager
Planning and Development

DN/kms

v:\wp-docs\planning\plncom08\06250951.dn.doc
KMS 6/25/08 10:26 AM

Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent: Name: Linda Wang, ASCY Enterprises Ltd.
 Address: 11299 - 90 Avenue
 Delta, BC
 V4C 3H3
 Tel: 604-501-1738

2. Properties involved in the Application
 - (a) Civic Address: 12454 - 113B Avenue

 - (b) Civic Address: 12454 - 113B Avenue
 Owners: Zhi Chao Gao and Fan Liu
 PID: 002-212-129
 Lot 5 Block "E" Section 8 Block 5 North Range 2 West New Westminster
 District Plan 2328

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. 7908-0108-00.