

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7909-0195-00

Planning Report Date: December 14, 2009

PROPOSAL:

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

in order to allow subdivision into seven single family lots and retain an existing dwelling.

LOCATION:

15074 - 68 Avenue

OWNER:

Gurveer Singh Jason Samra

ZONING:

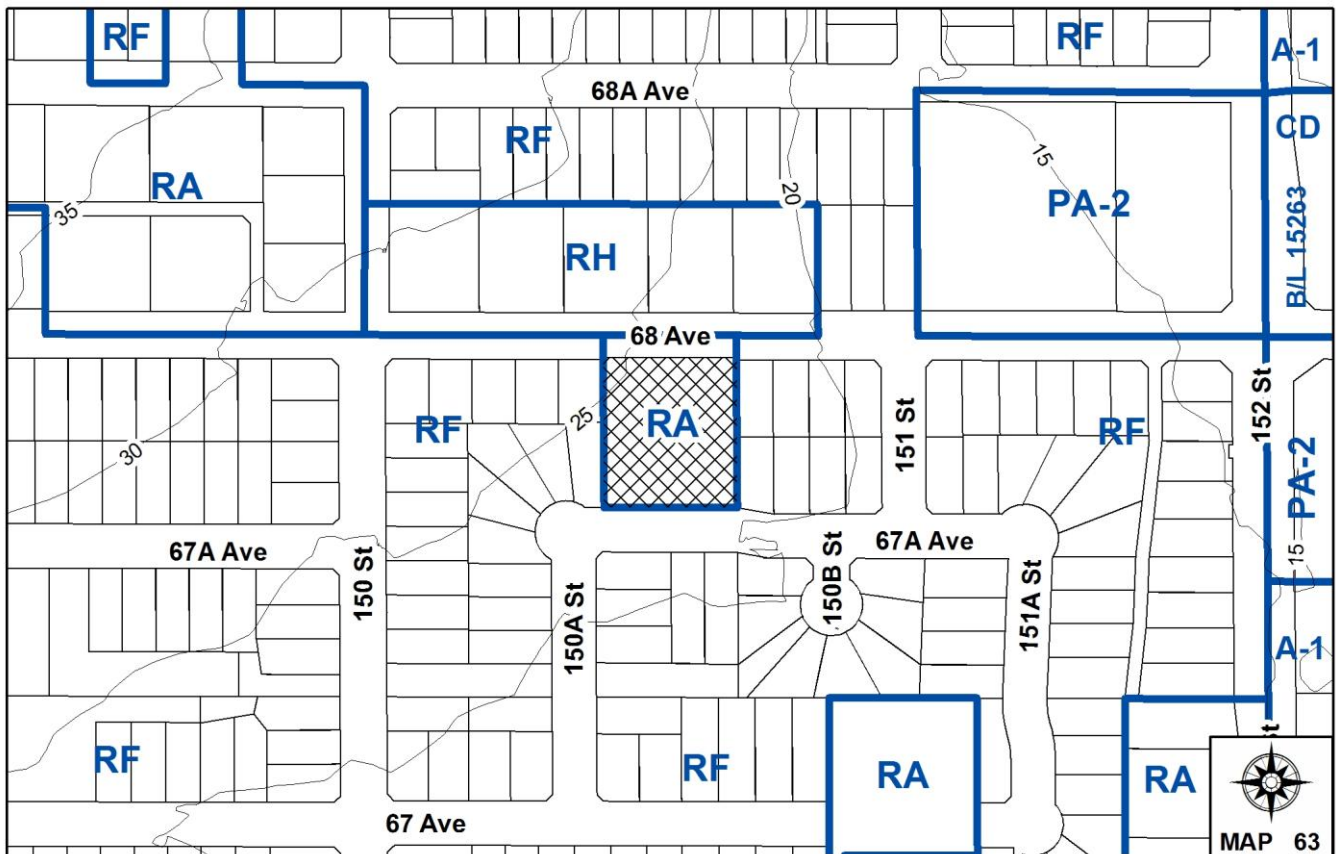
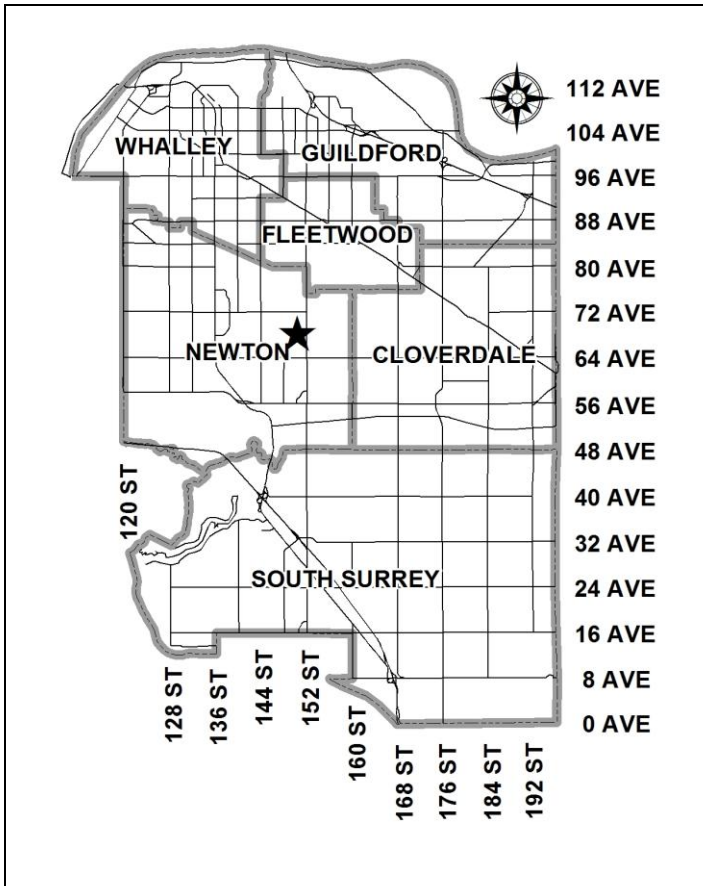
RA

OCP DESIGNATION:

Urban

NCP DESIGNATION:

Urban Single Family Residential



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 to vary the minimum rear yard setback for the existing dwelling to be retained from 7.5 metres (25 ft.) to 3.7 metres (12.3 ft.) for proposed Lot 1.

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Complies with NCP Designation.
- The proposed subdivision is consistent with the existing subdivision pattern established for properties along 67 Avenue and 68 Avenue.
- The proposed setback variance is required in order to retain the existing dwelling on proposed Lot 1. Any future dwelling on this lot will have to comply with the setback requirements outlined in the RF Zone.

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. 7909-0195-00, (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 3.7 metres (12.3 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 a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (d) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department; and
 - (e) the applicant address the shortfall in tree replacement.

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 T.E. Scott Elementary School
1 Secondary student at Frank Hurt Secondary School

(Appendix IV)

Parks, Recreation & Culture: Support. The applicant should provide amenity contributions in keeping with the approved East Newton South NCP. In addition, the applicant should provide 5% cash-in-lieu of parkland dedication.

SITE CHARACTERISTICS

Existing Land Use: Single family residential.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North (Across 68 Avenue):	Single family residential.	Urban/ Urban Single Family Residential	RH
East, West and South:	Single family residential.	Urban	RF

DEVELOPMENT CONSIDERATIONSBackground

- The subject property is 0.41 hectares (1.0 acre) in area and is located on the south side of 68 Avenue between 150 Street and 151 Street.
- The property is designated "Urban" in the Official Community Plan (OCP) and "Urban Single Family Residential" in the East Newton South Neighbourhood Concept Plan (NCP).
- The subject property is currently zoned "One-Acre Residential Zone" (RA). The applicant is proposing to rezone the property in order to subdivide into seven (7) "Single Family Residential Zone" (RF) lots. The proposed RF lots are consistent with the land use designations in the Official Community Plan (OCP) and East Newton South Neighbourhood Concept Plan (NCP).
- The subject property is one of the last undeveloped lots in the area and will complete the pattern of development in the surrounding neighbourhood.

Subdivision Layout

- The proposed subdivision conforms with existing development patterns along 67 Avenue and 68 Avenue.
- The applicant is proposing to retain the existing dwelling on 68 Avenue. Proposed Lot 1 will be 21.5 metres (70.6 feet) in total width and 664.4 square metres (7,151 square feet) in total area which exceeds the minimum by-law requirement under the RF Zone. An oversized property is considered necessary to ensure the dwelling will satisfy the Floor Area Ratio (FAR) as well as front yard and side yard setbacks outlined in Zoning By-law No. 12000. However, the applicant is requesting a Development Variance Permit (DVP) in order to reduce the minimum rear yard setback requirement and thereby permit retention of the existing dwelling.
- The dimensions of proposed Lot 2 and Lot 3 are 560 square metres (6,028 square feet) in total lot area and 19.2 metres (63 feet) and 19.2 metres (63 feet) in total width, respectively. The larger widths are considered necessary in order to maximize subdivision potential and ensure that widths of adjacent properties on 68 Avenue are generally consistent.

- Lot 4 and Lot 5 will conform to the minimum by-law requirements outlined within the RF Zone in terms of total lot area, width and depth.
- The dimensions of properties along 67 Avenue have made it impossible to subdivide into four equally sized RF lots under Zoning By-law No. 12000. As a result, the applicant is requesting approval for a 10% reduction in total lot size for proposed Lot 7.
- The subdivided properties will be accessed from driveways off 67 Avenue and 68 Avenue. No rear lanes are proposed.
- The applicant is proposing to dedicate 1.000 metre on 68 Avenue.

Retention of Existing Dwelling

- The applicant proposes to retain the existing dwelling which fronts 68 Avenue. The dwelling is in good condition and satisfies the minimum by-law requirement in terms of Floor Area Ratio (FAR) as well as front yard and side yard setbacks. However, the existing dwelling will not conform to the minimum rear yard setback requirement outlined in Zoning By-law No. 12000. As a result, the applicant is requesting a Development Variance Permit (DVP) in order to reduce the rear yard setback and retain the existing dwelling. Any future dwelling on this lot will have to comply with the setback requirements outlined in the RF Zone.

Building Design and Lot Grading

- The applicant for the subject property has retained Tynan Consulting Ltd. 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).
- A preliminary Lot Grading Plan submitted by Hunter Laird Engineering Ltd. has been reviewed by staff and is considered acceptable. The plans show moderate amounts of fill in order to meet existing grades as well as achieve proper drainage for in-ground basements.
- The fill on proposed Lot 3 will be tapered to meet the existing grade before reaching the tree protection zone, in order to ensure tree protection .
- No retaining walls are proposed.
- In-ground basements are proposed based on the lot grading and tree preservation information that was provided by the applicant. Basements will be achieved with minimal cut or fill. The lot grading information has been reviewed by staff and found to be generally acceptable.
- Basement-entry homes and secondary suites are not permitted.

Tree Preservation

- Trevor Cox from Diamond Head Consulting Ltd. prepared the Arborist Report and Tree Preservation/Replacement Plans (Appendix VI). These have been reviewed by the City's Landscape Architect and deemed acceptable.

- The Arborist Report indicates there are twenty-four (24) mature trees on the subject property. The report proposes the removal of fifteen (15) trees because they are located either within the building envelope, within the footprint of proposed driveways or are assessed as hazardous. The report proposes nine (9) trees be retained. Twenty (20) replacement trees will be planted for a total of twenty-nine (29) trees on site, providing for an average of 4.15 trees per lot.

Tree Species	Number of Trees	Number of Trees Proposed for Removal	Number of Trees Proposed for Retention
Acer Palmatum	4	0	4
White Pine	1	1	0
Black Pine	1	1	0
Scot's Pine	3	3	0
Sawara Cypress	6	2	4
Western Red Cedar	7	6	1
Nootka Cedar	1	1	0
Dogwood	1	1	0
Total	24	15	9

- Under the recently approved new Tree Protection By-law, tree replacement is required at specific ratios. Protected trees are to be replaced at a ratio of 2:1, while alder and cottonwood trees are to be replaced at a ratio of 1:1. As fifteen (15) by-law sized trees are proposed to be removed, a total of thirty (30) replacement trees would be required for this application. The applicant proposes twenty (20) replacement trees. Under the requirement of the new Tree Preservation By-law, monetary compensation for the remaining ten (10) trees would be \$3000 based on \$300/tree.

PRE-NOTIFICATION

Pre-notification letters were sent out on November 17, 2009. However, no responses were received from area residents.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum rear yard setback from 7.5 metres (25 feet) to 3.7 metres (12.3 feet) on proposed Lot 1.

Applicant's Reasons:

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

Staff Comments:

- The dwelling is in good condition and satisfies the minimum by-law requirements in terms of Floor Area Ratio (FAR) as well as front yard and side yard setbacks outlined in Zoning By-law No. 12000.
- In order to maximize subdivision potential, the applicant is requesting a variance in order to reduce the rear yard setback on proposed Lot 1. The variance will ensure that proposed Lot 6

is suitably large enough to satisfy the minimum by-law requirement, under the RF Zone, in terms of total lot area.

- The variance will only apply to the existing dwelling. Any new dwelling in future will have to comply with the RF Zone setback requirements.
- 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. 7909-0195-00

Jean Lamontagne
General Manager
Planning and Development

MRJ/kms

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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: 15074 – 68 Avenue

 - (b) Civic Address: 15074 – 68 Avenue
 Owner: Gurveer Singh Jason Samra
 PID: 003-580-865
 Lot 76 Section 15 Township 2 New Westminster District Plan 65428

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. 7909-0195-00.

SUBDIVISION DATA SHEET

Proposed Zoning: RF

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	1.0 ac
Hectares	0.40 ha
NUMBER OF LOTS	
Existing	1
Proposed	7
SIZE OF LOTS	
Range of lot widths (metres)	14.985 m – 21.5 m
Range of lot areas (square metres)	521.7 sq.m. – 664.4 sq.m.
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	17.3 upha/7.0 upa
Lots/Hectare & Lots/Acre (Net)	17.3 upha/7.0 upa
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	40%
Estimated Road, Lane & Driveway Coverage	10%
Total Site Coverage	50%
PARKLAND	n/a
Area (square metres)	
% of Gross Site	
	Required
PARKLAND	
5% money in lieu	YES
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
Others	NO