

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7910-0005-00

Planning Report Date: May 3, 2010

**PROPOSAL:**

- **Rezoning** from RM-D to RF
- **Development Variance Permit**

in order to allow for subdivision into two single family lots with a slightly reduced lot depth on Lot 1 as well as vary the minimum setback requirements for Lot 2.

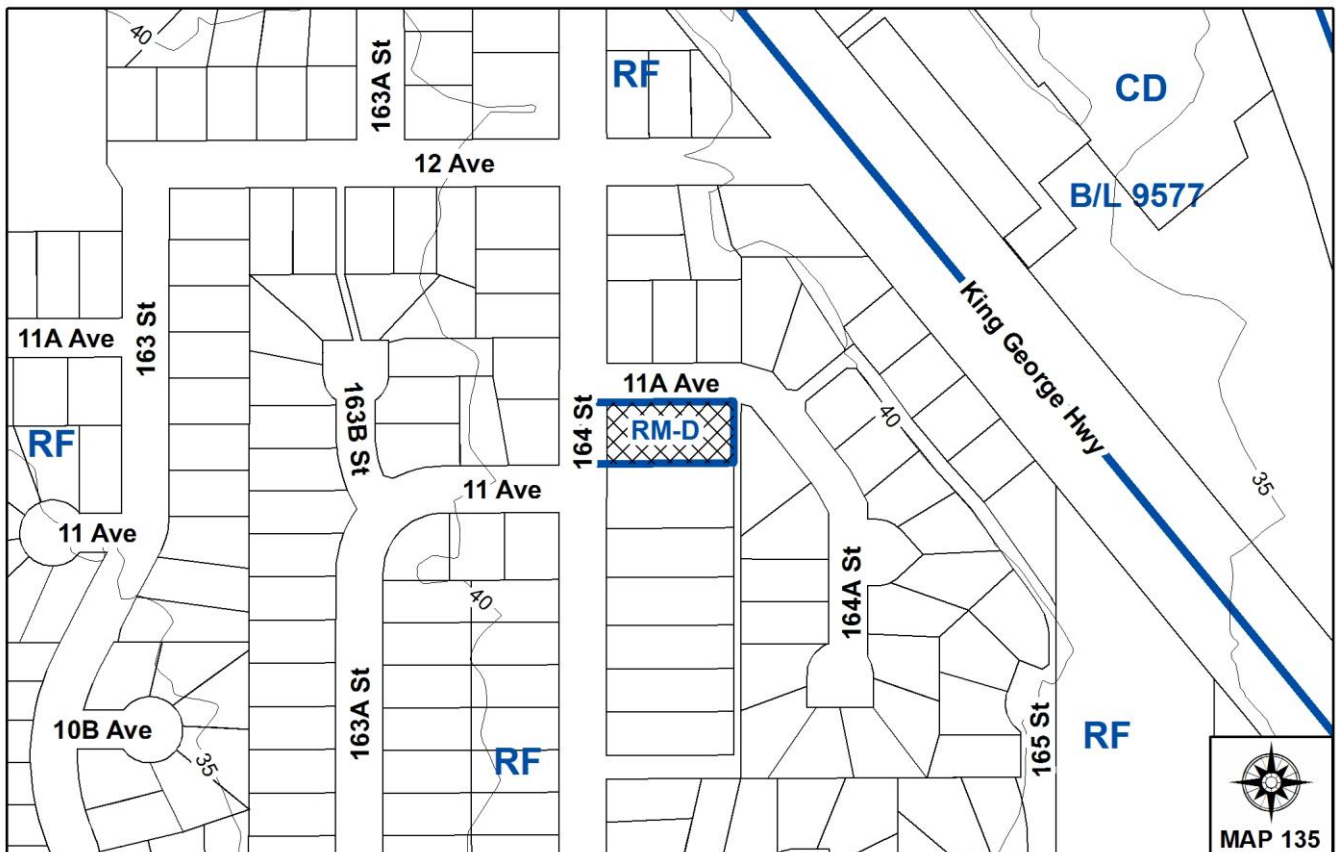
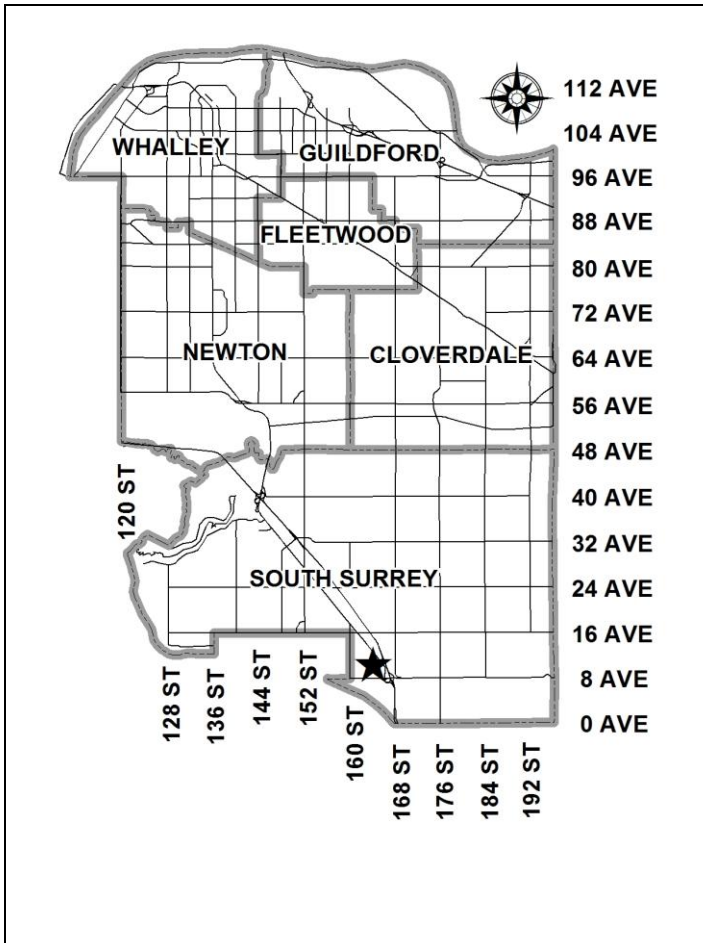
**LOCATION:** 1144 - 164 Street ~~and portion of lane dedicated by Plan No. 18653~~

**OWNER:** Heather J. Fink

**ZONING:** RM-D

**OCP DESIGNATION:** Urban

**LAP DESIGNATION:** Urban 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 reduce the minimum lot depth for proposed Lot 2 from 28 metres (90 ft.) to 25.9 metres (85 ft.).
- The applicant is proposing to reduce the minimum front yard setback (west side) from 7.5 metres (25 ft.) to 5 metres (16.5 ft.) as well as reduce the minimum rear yard setback (east side) from 7.5 metres (25 ft.) to 1.8 metres (6 ft.) for proposed Lot 1.
- The applicant is proposing to increase the minimum side yard setback (south side) from 1.8 metres (6 ft.) to 7.5 metres (25 ft.) as well as increase the minimum side yard flanking street setback from 3.6 metres (12 ft.) to 7.5 metres (25 ft.) for proposed Lot 1 along with associated front yard and rear yard provisions in the RF Zone.

### RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Complies with the King George Highway/Highway 99 Corridor Local Area Plan (LAP).
- The proposed lots will conform to the minimum lot width and lot area of the RF Zone, however, a lot depth reduction is needed for proposed Lot 2. The applicant has demonstrated Lot 2 can be developed in a reasonable way, while still providing a functional backyard.
- The requested setback variances on proposed Lot 1 will permit the future dwelling to front onto 11A Avenue which improves the streetscape and provides better interfacing with existing dwellings across the street which orient toward 11A Avenue.
- The adjacent owner at 1130 - 164 Street has submitted a letter to City staff indicating support for the proposed rezoning, Development Variance Permit and subdivision application.
- City staff have received phone calls from adjacent property owners indicating support for the proposed rezoning and subdivision application.

## RECOMMENDATION

The Planning & Development Department recommends that:

- 1 a By-law be introduced to rezone the subject site from "Duplex Residential Zone (RM-D)" (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. 7910-0005-00, (Appendix VII) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum lot depth of the RF Zone from 28 metres (90 ft.) to 25.9 metres (85 ft.) for proposed Lot 2;
  - (b) to reduce the minimum front yard setback from 7.5 metres (25 ft.) to 5 metres (16.5 ft.) for proposed Lot 1;
  - (c) to reduce the minimum rear yard setback from 7.5 metres (25 ft.) to 1.8 metres (6 ft.) for proposed Lot 1;
  - (d) to increase the minimum side yard setback (south side) from 1.8 metres (6 ft.) to 7.5 metres (25 ft.) for proposed Lot 1. The minimum side yard setback may be further relaxed to 6 metres (20 ft.) for a maximum of 50% of the length of the rear building face provided the remainder of the building face, not including sundecks, is setback at least 8.5 metres (28 ft.) from the side lot line; and
  - (e) to increase the minimum side yard flanking street setback from 3.6 metres (12 ft.) to 7.5 metres (25 ft.) for proposed Lot 1. The minimum side yard flanking street setback may be further relaxed at a lower floor level only to 5.5 metres (18 ft.) for a maximum of 50% of the length of the front building face for all portions of the dwelling excluding the garage.
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) approval from the Ministry of Transportation and Infrastructure;
  - (d) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
  - (e) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department;
  - (f) the applicant address the shortfall in tree replacement;

- (g) the applicant complete the closure and acquisition of the adjacent surplus laneway along the eastern boundary of proposed Lot 2; and
- (h) the applicant submit revised Building Design Guidelines that include architectural features and design elements, as part of the corner lot treatment, which effectively minimize the visual impact from 164 Street.

**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 South Meridian Elementary School  
 0 Secondary students at Earl Marriott Secondary School  
 (Appendix IV)

Ministry of Transportation & Infrastructure (MOTI): Support. Preliminary support for the proposed rezoning is granted for one year pursuant to Section 52(3)(a) of the Transportation Act.

**SITE CHARACTERISTICS**

Existing Land Use: Single family residential.

Adjacent Area:

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

**DEVELOPMENT CONSIDERATIONS**

**Background**

- The subject property is 0.15 hectare (0.36 acre) in area and is located on the south side of 11A Avenue between 164 Street and 164A Street.
- The property is designated "Urban" in the Official Community Plan (OCP) and "Urban Residential" in the King George Highway/Highway 99 Corridor Local Area Plan (LAP).

- The subject property is currently zoned "Duplex Residential Zone (RM-D)". The applicant is proposing to rezone the property to "Single Family Residential Zone (RF)" in order to permit subdivision into two (2) single family lots. The proposed RF Zone is consistent with land use designations in the Official Community Plan (OCP), the King George Highway/Highway 99 Corridor Development Concept Plan and land use zoning in the surrounding area.

#### Subdivision Layout

- The proposed lots conform to the minimum requirements of the RF Zone in terms of total lot width and area. The future lots range in total size from 725.2 sq. m. (7,806 sq. ft.) to 748 sq. m. (8,051 sq. ft.) with widths of 25.9 metres (85 ft.) for proposed Lot 1 and 28.9 metres (95 ft.) for proposed Lot 2. However, the application requires a variance for total lot depth on proposed Lot 2 due to the existing lot configuration.
- Vehicle access will be from 11A Avenue. The applicant has agreed to relocate the driveway for proposed Lot 1 in order to prevent future conflicts with vehicle traffic at the intersection of 11A Avenue and 164 Street.
- The applicant is proposing to demolish the existing duplex on proposed Lot 1.
- There is an existing unconstructed lane along the eastern property line. The Engineering Department has advised that this lane is surplus and the entire length can be purchased by adjacent properties to the east and west over time. The applicant has been informed of her option to purchase the adjacent portion of the lane and, subsequently, agreed to acquire the surplus laneway and incorporate the property into proposed Lot 2.

#### Building Design and Lot Grading Plan

- The applicant for the subject property has retained Mike Tynan of Tynan Consulting Ltd. as the Design Consultant. The Design Consultant conducted a character study of the surrounding neighbourhood and based on the findings of the study, proposed a set of building design guidelines (Appendix V).
- A preliminary Lot Grading Plan submitted by Coastland Engineering & Surveying Ltd. has been reviewed by staff and is considered acceptable. The plan indicates that no fill of greater than 0.5 metre (1.6 feet) is proposed.
- No retaining walls are proposed.
- 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 15 mature trees on the subject property. The report proposes the removal of 11 trees because they are located either within the building envelope, within the footprint of proposed driveways or are assessed as hazardous. The report proposes 2 trees be retained on Lot 1 and 2 trees be retained on Lot 2. Six (6) replacement trees will be planted for a total of 10 trees on site, providing for an average of 5 trees per lot.

Tree Species	Number of Trees	Number of Trees Proposed for Removal	Number of Trees Proposed for Retention
Cherry	1	1	0
Douglas-fir	8	4	4
Maple (Red)	3	3	0
Western Red Cedar	1	1	0
Horse Chestnut	1	1	0
Willow	1	1	0
<b>Total</b>	<b>15</b>	<b>11</b>	<b>4</b>

- 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 11 non-alder/non-cottonwood trees are to be removed, a total of 22 replacement trees would be required for this application. The applicant proposes 6 replacement trees. Under the requirement of the new Tree Preservation By-law, monetary compensation for the remaining 16 trees would be \$4,800 based on \$300/tree. The applicant will be required to address the shortfall in tree replacement prior to final rezoning approval.

### PRE-NOTIFICATION

Pre-notification letters were sent out on February 9, 2010 and staff received the following response:

- A phone call was received by City staff from an adjacent property owner who supported the rezoning and subdivision application.

### BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- Reduce the minimum lot depth requirement of the RF Zone from 28 metres (90 ft.) to 25.9 metres (85 ft.) for proposed Lot 2.
- Reduce the minimum front yard setback (west side) of the RF Zone from 7.5 metres (25 ft.) to 5 metres (16.5 ft.) for proposed Lot 1.
- Reduce the minimum rear yard setback (east side) of the RF Zone from 7.5 metres (25 ft.) to 1.8 metres (6 ft.) for proposed Lot 1.
- Increase the minimum side yard setback (south side) of the RF Zone from 1.8 metres (6 ft.) to 7.5 metres (25 ft.) for proposed Lot 1.

- Increase the minimum side yard flanking street setback (north side) of the RF Zone from 3.6 metres (12 ft.) to 7.5 metres (25 ft.) for proposed Lot 1.

#### Applicant's Reasons:

- The proposed rezoning and subdivision application is ultimately consistent with the residential character of the surrounding neighbourhood. In addition, the adjacent properties are currently occupied by single family homes and presently zoned RF.
- The owner has agreed to purchase the surplus lane allowance and incorporate this additional property into proposed Lot 2 in order to improve the overall subdivision configuration. The proposed lot is larger than the minimum lot area of the RF Zone but does not meet the minimum lot depth of the zone. As a result, the applicant has requested a variance in order to reduce the minimum lot depth requirement under the RF Zone.
- The requested setback variances on proposed Lot 1 will permit the future dwelling to front directly onto 11A Avenue thereby improving the streetscape and providing better interfacing with existing dwellings across the street which orient toward 11A Avenue.
- The requested setback variances will improve view corridors as well as reduce privacy concerns by orienting the dwelling on proposed Lot 1 toward 11A Avenue thereby eliminating the likelihood of windows overlooking the rear yard of proposed Lot 2.

#### Staff Comments:

- Proposed Lot 2 is 748 sq. m. (8,051 sq. ft.) in total area and 28.9 metres (95 ft.) wide. As a result, the future lot exceeds the minimum requirements of the RF Zone in terms of total lot width and size.
- The requested variance for lot depth is required due to the configuration of proposed Lot 2. The applicant has provided information to demonstrate that a suitable building envelope can be constructed while achieving a functional rear yard.
- The total lot width and depth for proposed Lot 1 are similar, 25.9 metres (85 ft.) and 28 metres (92 ft.), respectively. The applicant has demonstrated a suitable building envelope and functional rear yard are achievable given the requested setback variances.
- The requested setback variances on proposed Lot 1 will permit the future dwelling to front directly onto 11A Avenue thereby allowing a similar north-south orientation and providing better interfacing with existing dwellings across the street which orient toward 11A Avenue.
- An increased front yard setback on 164 Street of 5 metres (16.5 ft.) will provide a suitable interface and transition from proposed Lot 1 toward existing dwellings located directly south of the subject property which effectively minimizes the visual impact from 164 Street.
- The adjacent property owner at 1130 – 164 Street is currently not interested in undertaking joint development or pursuing future subdivision. As a result, the adjacent property owner has written a letter to City staff indicating support for the proposed rezoning, subdivision application and Development Variance Permit.

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. 7910-0005-00
- Appendix VIII. Building Envelope Analysis

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:                      Mike Helle, Coastland Engineering & Surveying Ltd.  
   Address:                      19292 – 60 Avenue, Unit #101  
      Surrey, BC  
      V3S 3M2  
   Tel:    604-532-9700

2. Properties involved in the Application

(a) Civic Address:                      1144 – 164 Street ~~and Portion of lane dedicated by Plan No. 18653~~

(b) Civic Address:                      1144 – 164 Street  
Owner:                                      Heather J. Fink  
PID:    000-476-587  
Lot 1 Section 12 Township 1 New Westminster District Plan 18653

~~(c) — Portion of lane dedicated by Plan No. 18653~~

3. Summary of Actions for City Clerk's Office

(a) Introduce a By-law to rezone the property.

(b) Application is under the jurisdiction of MOTI.

MOTI File No. 2010-00761

(c) Proceed with Public Notification for Development Variance Permit No. 7910-0005-00.

## SUBDIVISION DATA SHEET

Proposed Zoning: RF

Requires Project Data	Proposed
<b>GROSS SITE AREA</b>	
Acres	0.36 ac
Hectares	0.15 ha
<b>NUMBER OF LOTS</b>	
Existing	1
Proposed	2
<b>SIZE OF LOTS</b>	
Range of lot widths (metres)	25.9 m to 28.9 m
Range of lot areas (square metres)	725 m <sup>2</sup> - 748 m <sup>2</sup>
<b>DENSITY</b>	
Lots/Hectare & Lots/Acre (Gross)	13.3 upha/5.6 upa
Lots/Hectare & Lots/Acre (Net)	13.3 upha/5.6 upa
<b>SITE COVERAGE (in % of gross site area)</b>	
Maximum Coverage of Principal & Accessory Building	40%
Estimated Road, Lane & Driveway Coverage	6%
Total Site Coverage	46%
<b>PARKLAND</b>	
Area (square metres)	n/a
% of Gross Site	n/a
	<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	NO
Lot Depth & Minimum Setback Requirements	YES