

City of Surrey PLANNING & DEVELOPMENT REPORT File: 7911-0009-00

Planning Report Date: March 14, 2011

PROPOSAL:

• Partial Land Use Contract discharge

in order to allow the underlying RA-G Zone to come into effect and permit the construction of an accessory building.

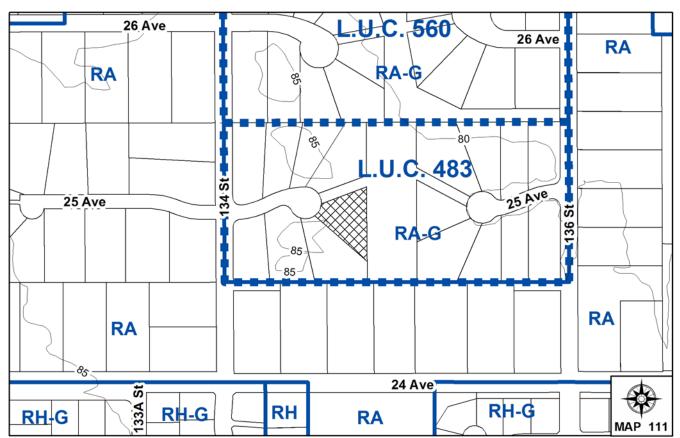
LOCATION: 13462 – 25 Avenue

OWNERS: Laurence Anschell and Jodi Zak

ZONING: LUC No. 483 **OCP DESIGNATION:** Suburban

NCP/LAP Suburban Residential One-Acre

DESIGNATION:



RECOMMENDATION SUMMARY

• By-law Introduction and set date for Public Hearing for partial Land Use Contract discharge.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

None.

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Complies with the Semiahmoo Peninsula Local Area Plan.
- The partial discharge of LUC No. 483 on the subject property will have a negligible effect on adjacent properties within the surrounding neighbourhood. The underlying RA-G Zone is appropriate for this area and consistent with established land uses, which includes single family dwellings on larger suburban lots.
- The public consultation undertaken for this development application has not generated any significant concerns with regard to the partial Land Use Contract discharge.

RECOMMENDATION

The Planning & Development Department recommends that:

- a By-law be introduced to partially discharge Land Use Contract No. 483 from the subject property at 13462 25 Avenue and a date for Public Hearing be set.
- 2. Council instruct staff to resolve the following issue prior to final adoption:
 - (a) registration of a Section 219 Restrictive Covenant to restrict the location of the proposed accessory building to the northeast corner of the subject property, as per the attached site plan (Appendix II).

REFERRALS

Engineering: The Engineering Department has no objection to the project.

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling.

Adjacent Area:

Direction	Existing Use	OCP/LA Designation	Existing Zone
North, South and West::	Single family residential dwelling.	Suburban/ Suburban Residential One-Acre	LUC No. 483
East:	City-owned greenbelt; single family residential dwelling beyond.	Suburban/ Suburban Residential One-Acre and Open Space	LUC No. 483

DEVELOPMENT CONSIDERATIONS

Background/Proposal

- The property is designated "Suburban" in the Official Community Plan (OCP) and "Suburban Residential One-Acre" in the Semiahmoo Peninsula Local Area Plan (LAP).
- The subject property comprises an existing single-family dwelling located on 25 Avenue just east of 134 Street. The property is located within a larger single-family subdivision developed in 1979 and regulated by Land Use Contract No. 483.
- Land Use Contract No. 483 allows a range of single family dwellings on larger suburban lots. The Land Use Contract is based on the R-1 (Residential 1) Zone under Zoning By-law No. 2265, Part VII,

which restricts the building size through a combination of height, lot coverage and setback requirements (Appendix III).

- The applicant is proposing to construct an addition to the existing dwelling thereby permitting a further 94 square metres (1,009 sq. ft.) of floor area. Also, the applicant is proposing to construct an accessory building which includes a garage, exercise room, games room, recreation room and art studio which provides an additional 200 square metres (2, 150 sq. ft.) of floor area.
- The R-1 Zone limits the maximum height of accessory buildings located within the rear yard to 3.7 metres (12 feet). In contrast, the underlying RA-G Zone will permit an accessory building with a maximum height of 4 metres (13 feet). The maximum height of an accessory building may be further increased to 5 metres (16 feet) where the roof slope and construction materials are the same as that of the principal dwelling.
- The majority of dwellings within the surrounding neighbourhood are between 7.5 metres (25 feet) and 9 metres (30 feet) in total height. No adjacent properties have accessory buildings.
- The applicant proposes to partially discharge Land Use Contract No. 483 from the subject property in order to allow the underlying RA-G Zone to come into effect and permit the construction of an accessory building with a total height of 5 metres (16 feet). The proposed accessory building will be located at the northeast corner of the subject property directly adjacent to a pedestrian walkway and municipal greenbelt.
- The proposed accessory building and principal dwelling will conform to the regulations set by the underlying RA-G Zone in terms of height, lot coverage, Floor Area Ratio (FAR) and setbacks.

Evaluation of Partial Discharge of Land Use Contract No. 483

- The proposed accessory building will have a negligible impact on current land-uses or residential dwellings located on adjacent properties within the surrounding neighbourhood.
- The proposed accessory building is considered reasonable given its location within the rear yard next to a pedestrian walkway and municipal greenbelt as well as limited visibility from 25 Avenue. In addition, the minimum setback requirements are similar for accessory buildings constructed under the R-1 (Residential 1) and RA-G Zone. Therefore, the proposed accessory building could be sited in a similar manner under both the R-1 and RA-G Zone.
- The existing residential dwellings governed under Land Use Contract No. 483 are not regulated by
 drawings which control the form, design and character of single family homes within the land use
 contract area. Therefore, City staff do not require the applicant to register a Section 219 Restrictive
 Covenant against the subject property with a Building Scheme attached which regulates the future
 house design.
- Due to the complexity of Land Use Contracts, the discharge of Land Use Contracts, wherever possible, is considered good practice to simplify the administration of land-use regulations.
- The underlying RA-G Zone is considered appropriate and generally conforms with restrictions imposed on single-family dwellings under Land Use Contract No. 483.

PRE-NOTIFICATION

Pre-notification letters were sent out on February 22, 2011 and staff received the following response:

City staff received one phone call from an adjacent property owner who requested additional
information regarding the proposed Land Use Contract discharge. In addition, the adjacent
property owner expressed concerns the proposed accessory building could be used in future for
an automotive service business.

(City staff informed the adjacent property owner that an automotive service business would not be permitted in a residential zone. Furthermore, the building permit drawings indicate the owner of 13462 – 25 Avenue is proposing an accessory building which includes a two car garage and exercise room on the main floor. Therefore, the proposed accessory building is not considered appropriate to accommodate a commercial automotive repair business.)

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 Elevations

Appendix III. R-1 (Residential 1) Zone from Zoning By-law No. 2265

original signed by Nicholas Lai

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: Laurence Anschell

Address: 13462 – 25 Avenue

Surrey, BC V₄P₁Y8

Tel: 604-538-2050

2. Properties involved in the Application

(a) Civic Address: 13462 – 25 Avenue

(b) Civic Address: 13462 – 25 Avenue

Owners: Laurence Ira Anschell and Jodi Marie Zak

PID: 005-536-693

Lot 87 Section 20 Township 1 New Westminster District Plan 57248

3. Summary of Actions for City Clerk's Office

(a) Introduce a By-law to partially discharge Land Use Contract No. 483.

DEVELOPMENT DATA SHEET

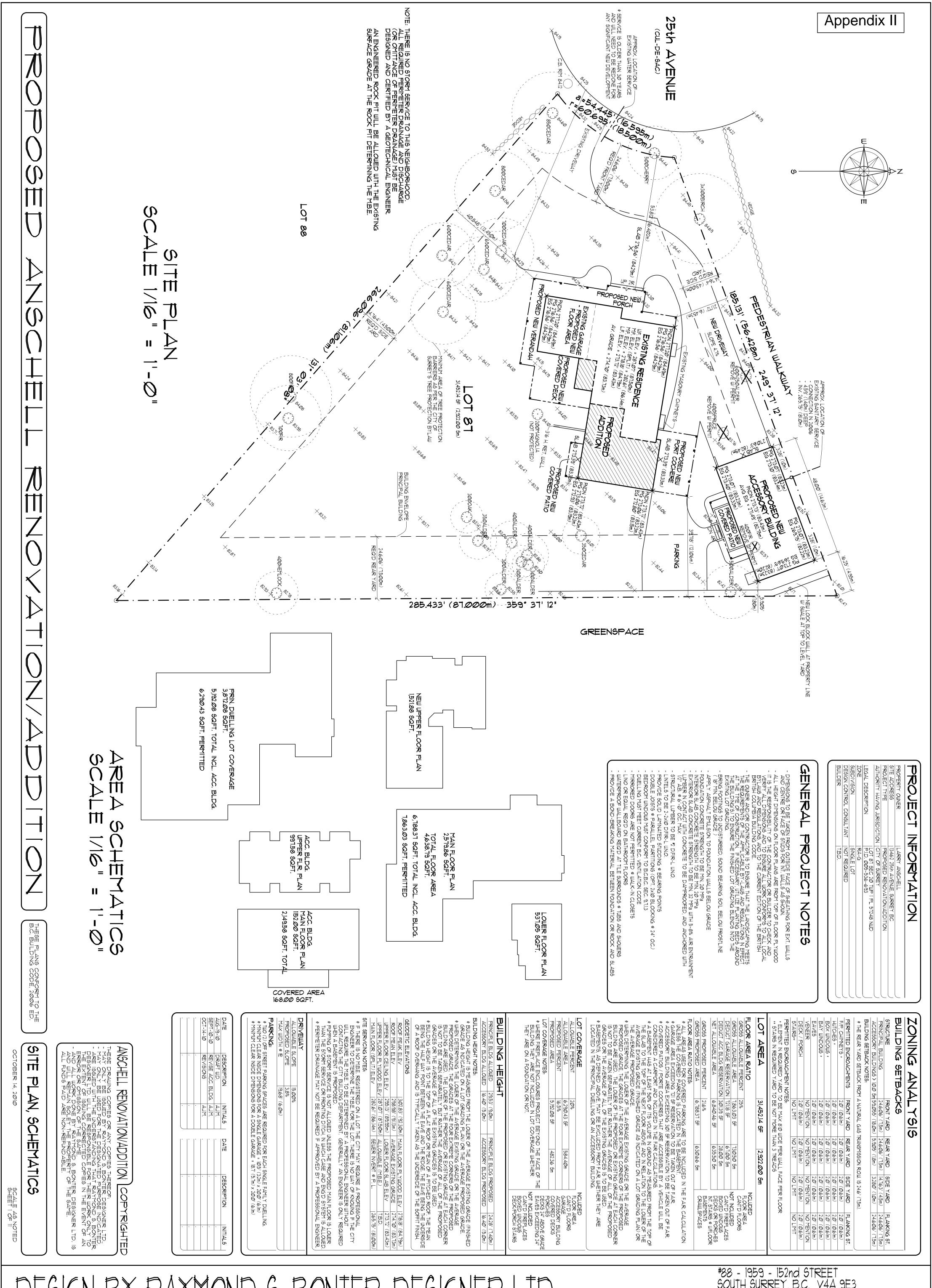
Proposed Zoning: RA-G

Required Development Data		Minimum Required / Maximum Allowed		Proposed	
LOT AREA* (in square metres)					
Gross Total					
Road Widening area					
Undevelopable area					
Net Total			2,92	o m ²	
LOT COVERAGE (in % of net lot area)					
Buildings & Structures					
Paved & Hard Surfaced Areas					
Total Site Coverage	20%		16.5%		
CETTO A CIVE (*)	D : . 1	Ι Δ	D: : 1	Α	
SETBACKS (in metres)	Principal	Accessory	Principal	Accessory	
Front	7.5 m	1.8 m	16.4 m	+18 m	
Rear	7.5 m	1.8 m	12.1 M	1.8 m	
Side #1 (North)	4.5 m	1.0 M	6.4 m	1.0 M	
Side #2 (South)	4.5 m	1.0 M	12.4 M	1.0 M	
BUILDING HEIGHT (in metres/storeys)					
Principal	9	m	7.4 m		
Accessory	5	5 m		5 m	
NUMBER OF RESIDENTIAL UNITS					
Bachelor					
One Bed					
Two Bedroom					
Three Bedroom +					
Total					
ELCOD ADEA DO LL LIL					
FLOOR AREA: Residential			613.	2 m ²	
FLOOR AREA: Commercial					
Retail					
Office					
Total					
FLOOR AREA: Industrial					
FLOOR AREA: Institutional					
TOTAL BUILDING FLOOR AREA			613.	2 m ²	

Development Data Sheet cont'd

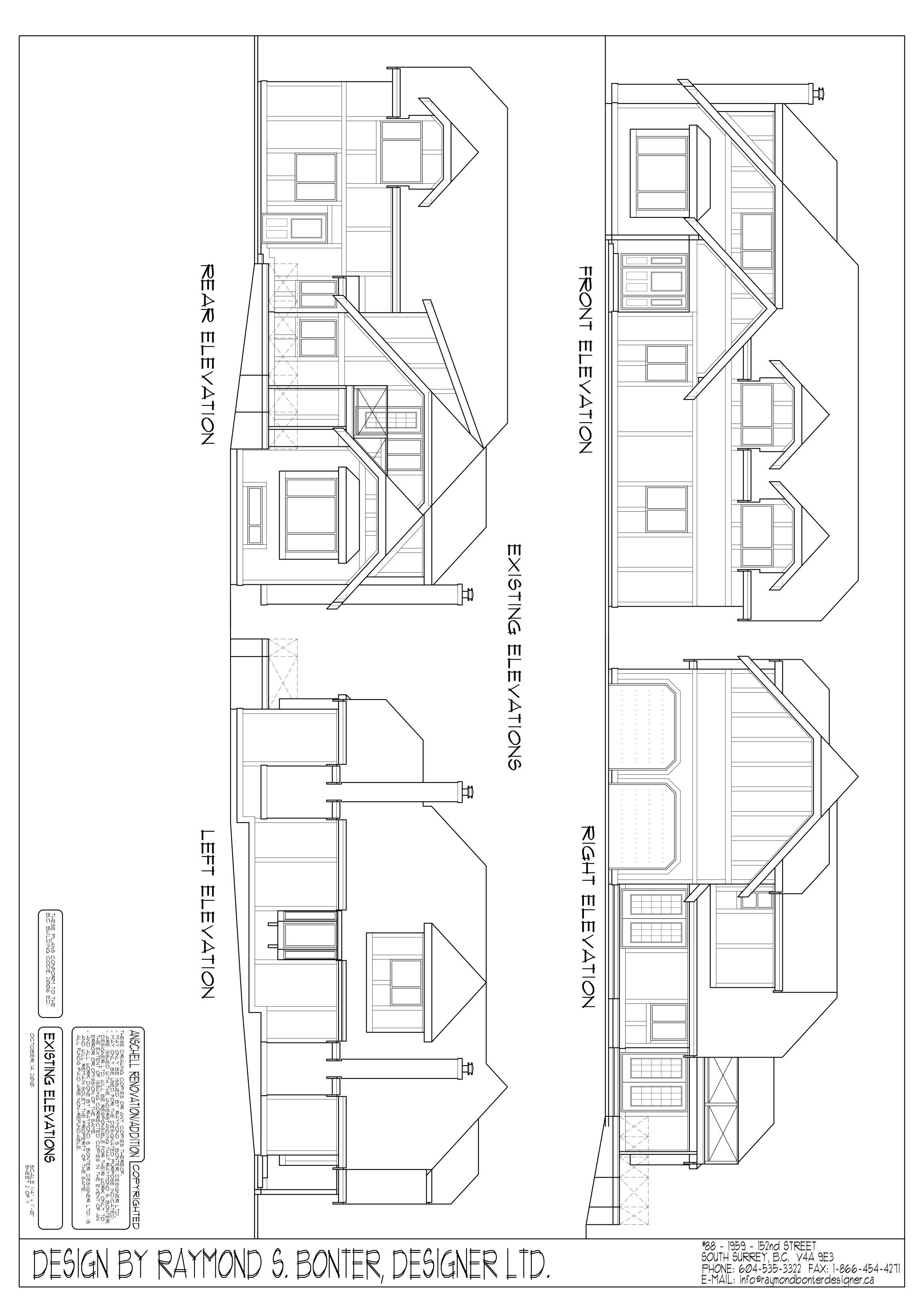
Required Development Data	Minimum Required / Maximum Allowed	Proposed
DENSITY		
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)		
FAR (gross)	0.25	0.22
FAR (net)		
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces	2	2
Number of disabled stalls		
Number of small cars		
Tandem Parking Spaces: Number / % of Total Number of Units		
Size of Tandem Parking Spaces width/length		

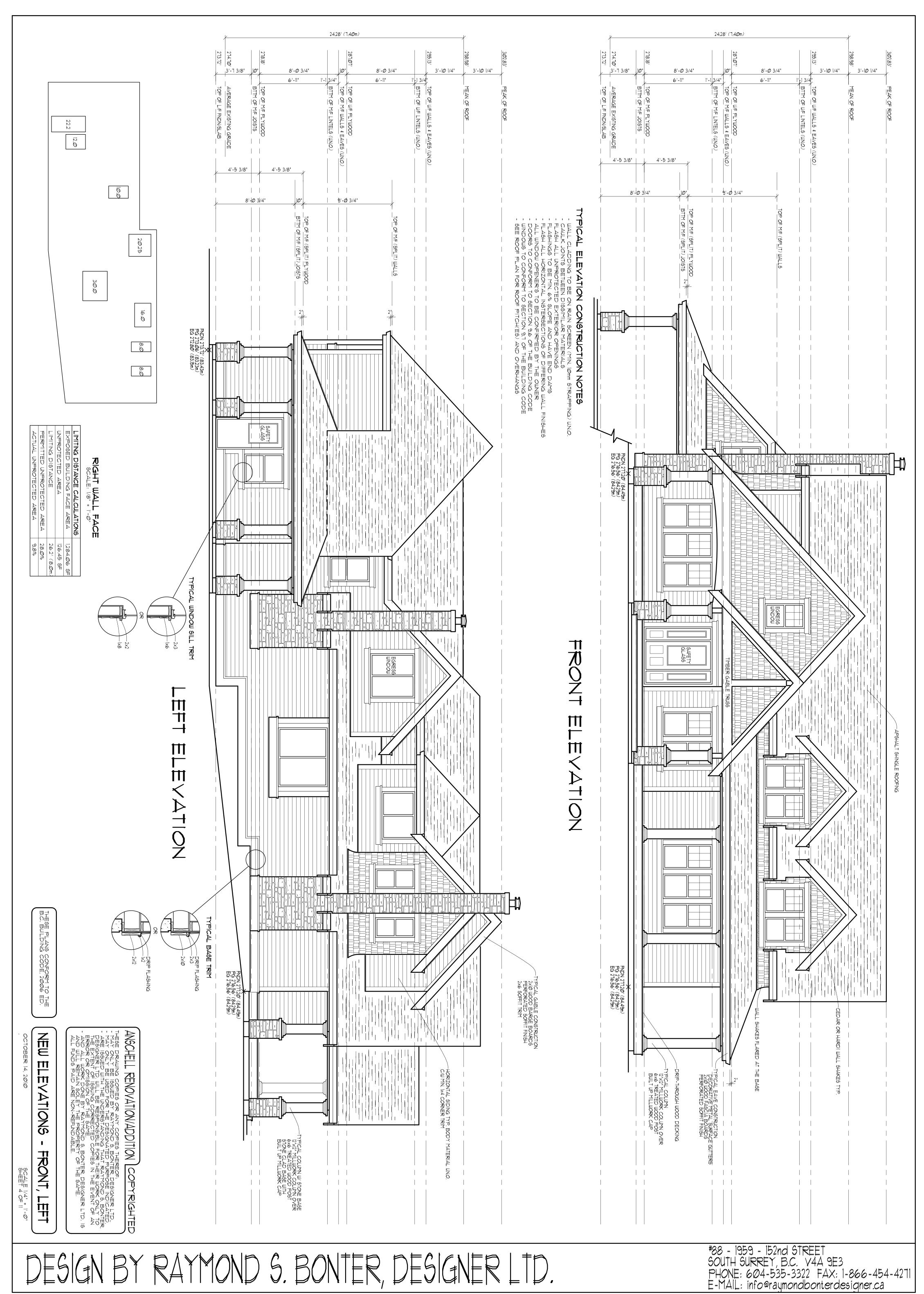
Heritage Site NO	Tree Survey/Assessment Provided	NO	
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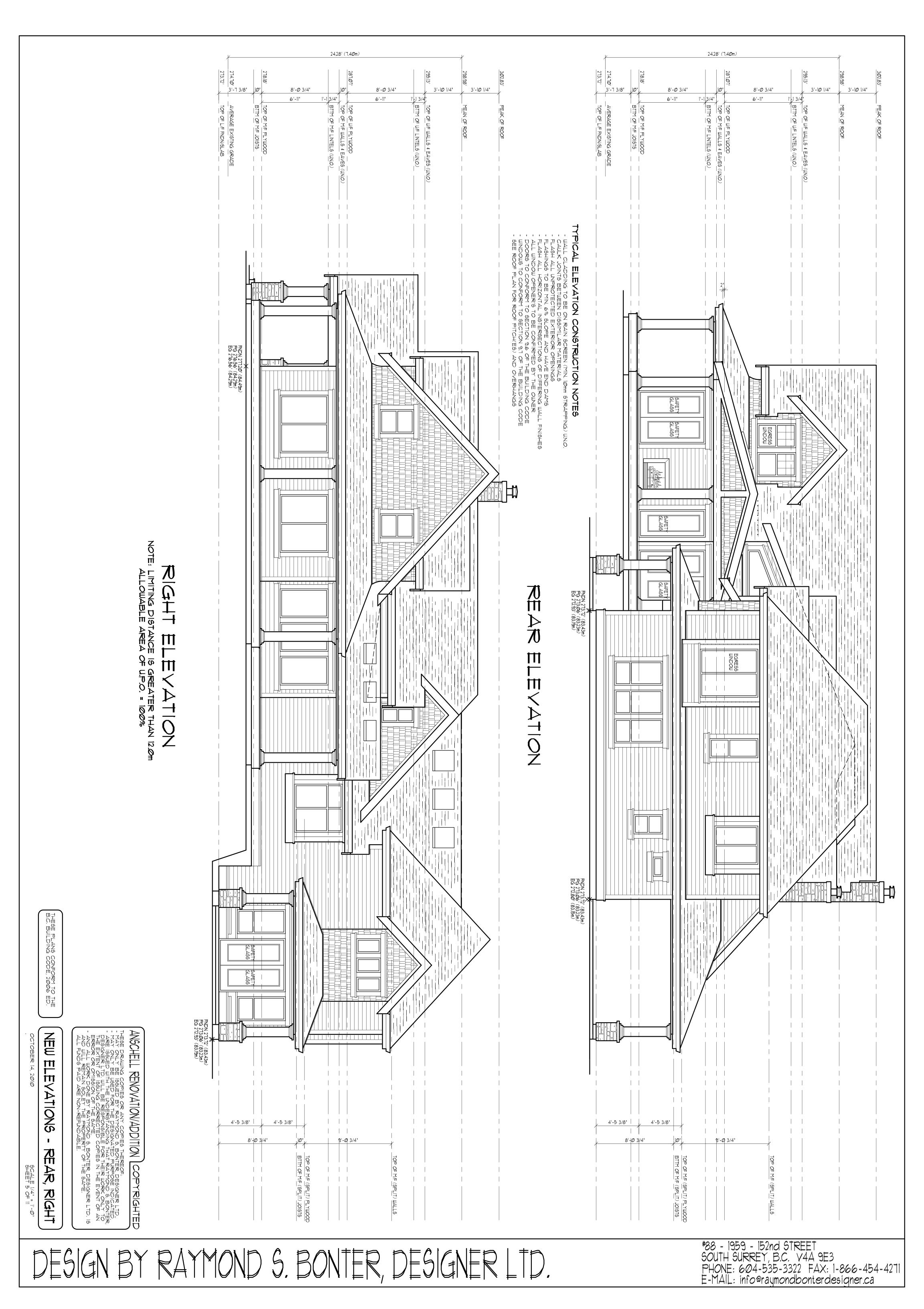


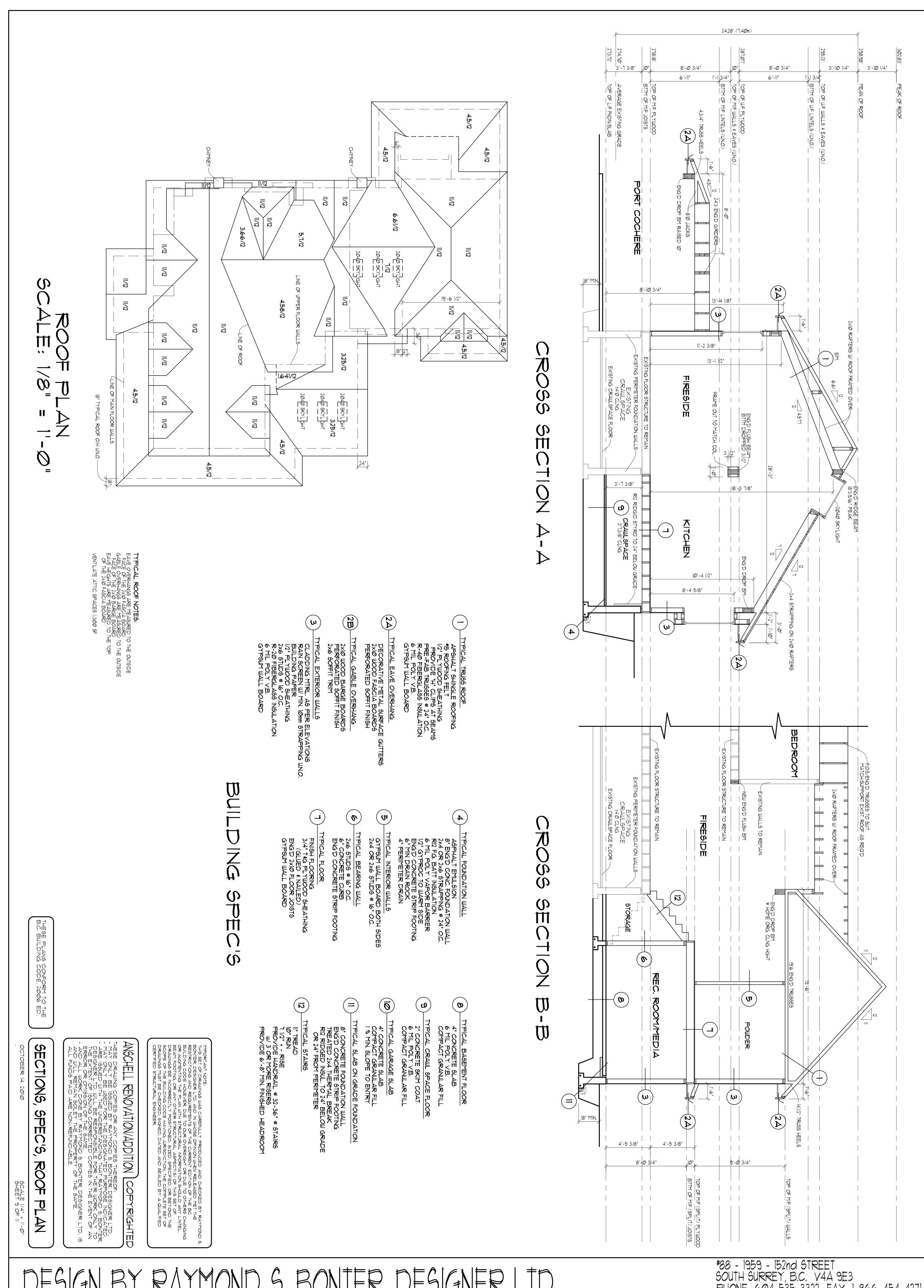
DESIGN BY RAYMOND S. BONTER, DESIGNER LTD.

#88 - 1959 - 152nd STREET SOUTH SURREY, B.C. V4A 9E3 PHONE: 604-535-3322 FAX: 1-866-454-4271 E-MAIL: info@raymondbonterdesigner.ca



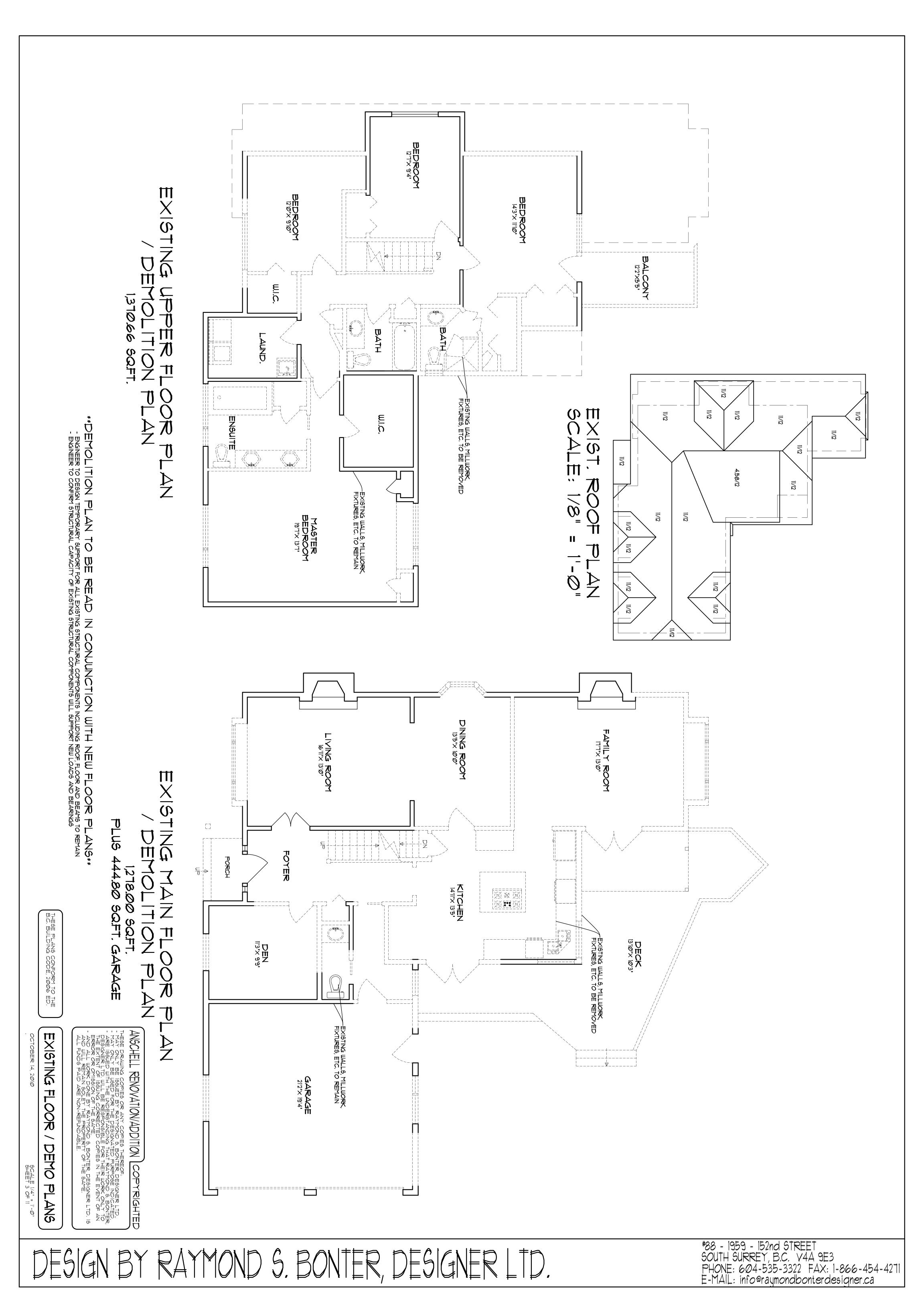


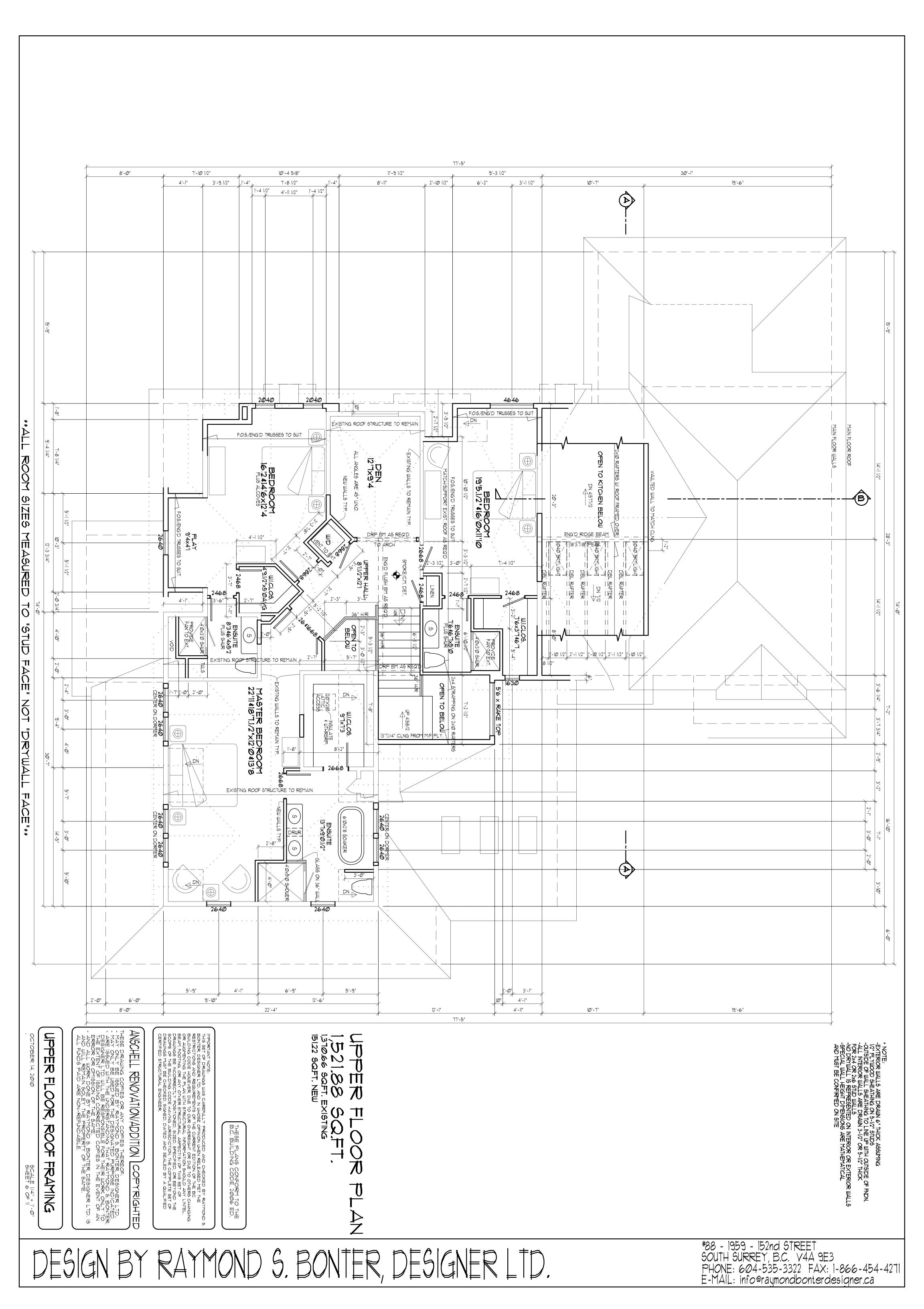


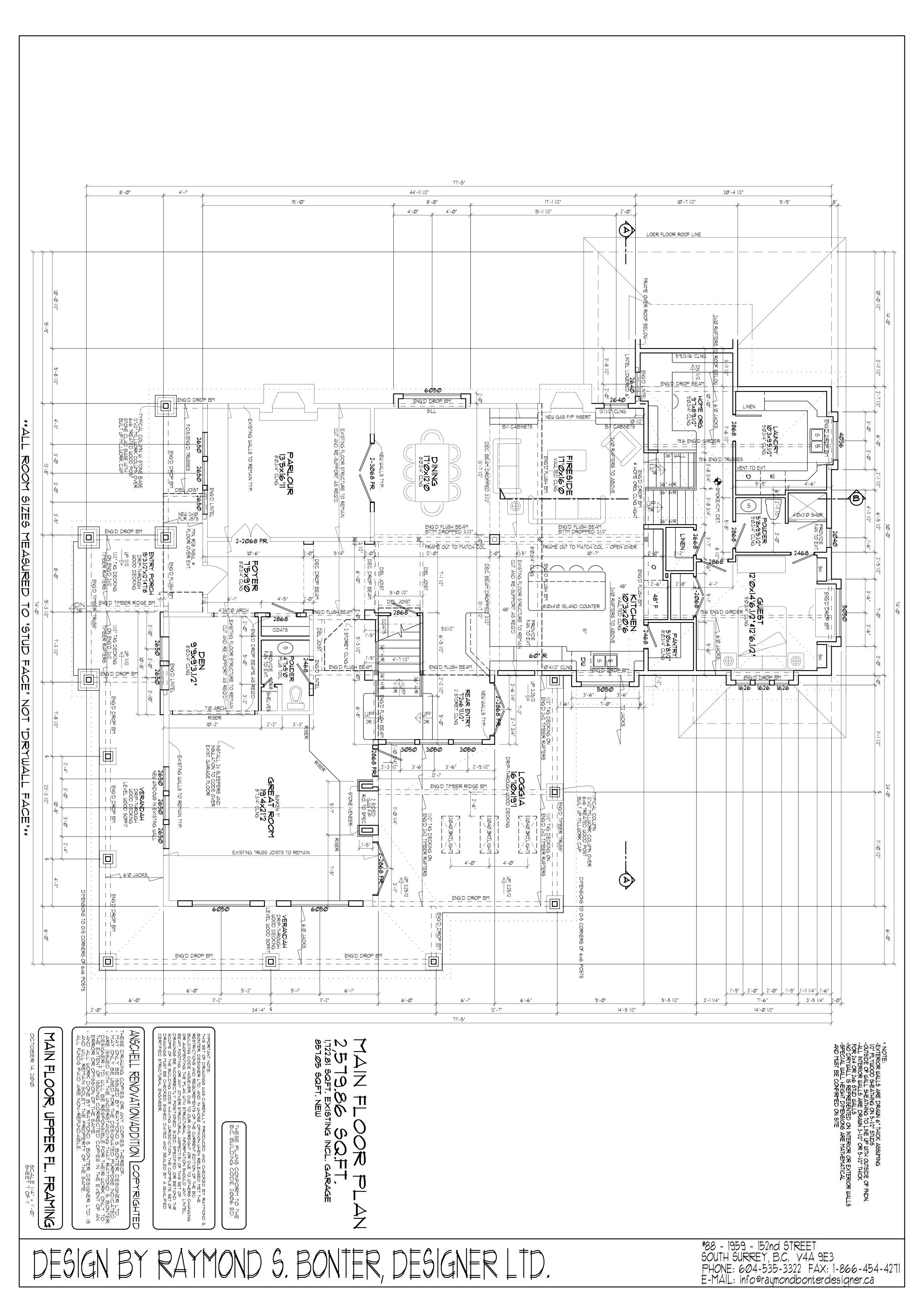


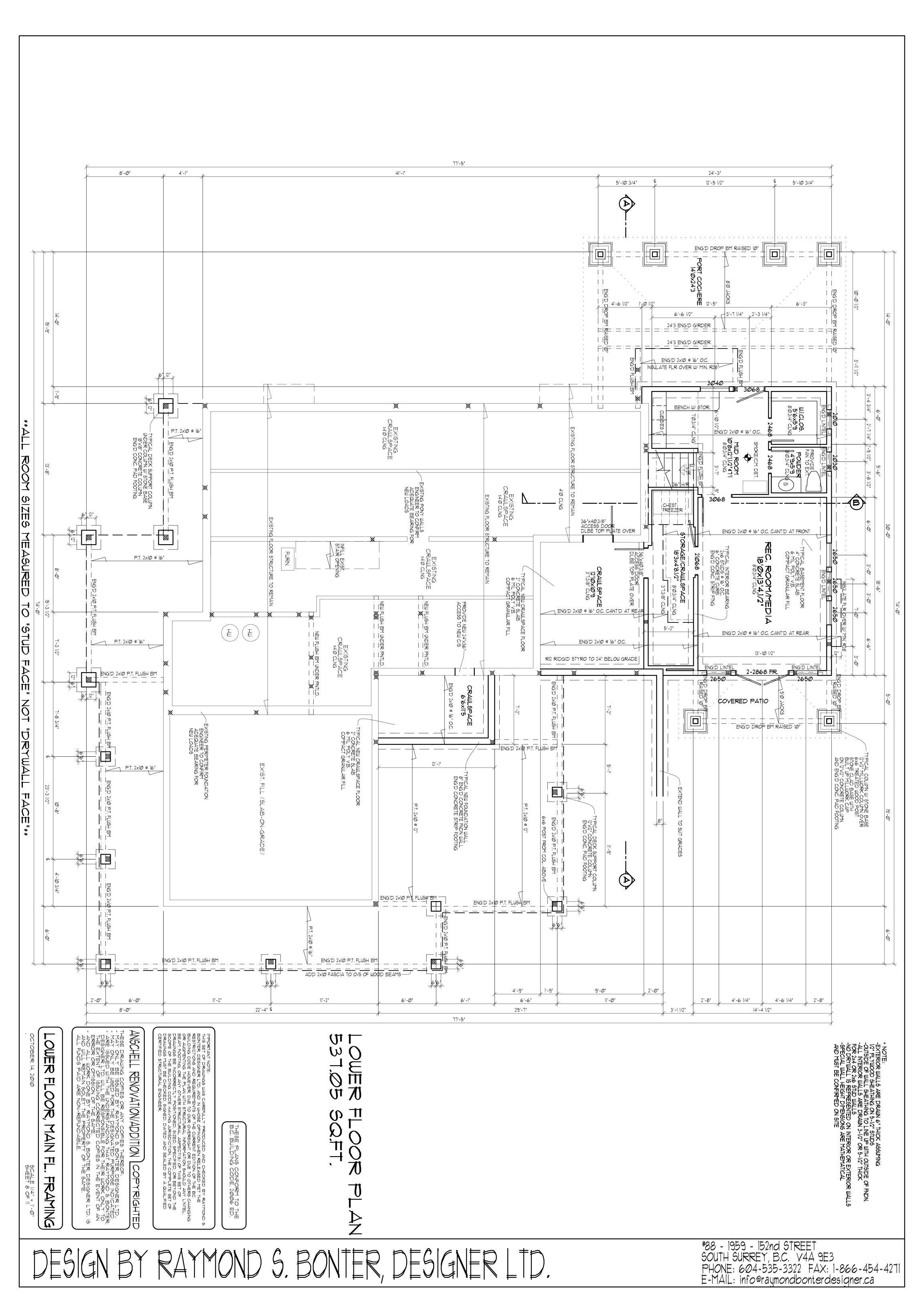
DESIGNER RAYMOND S. BONTER,

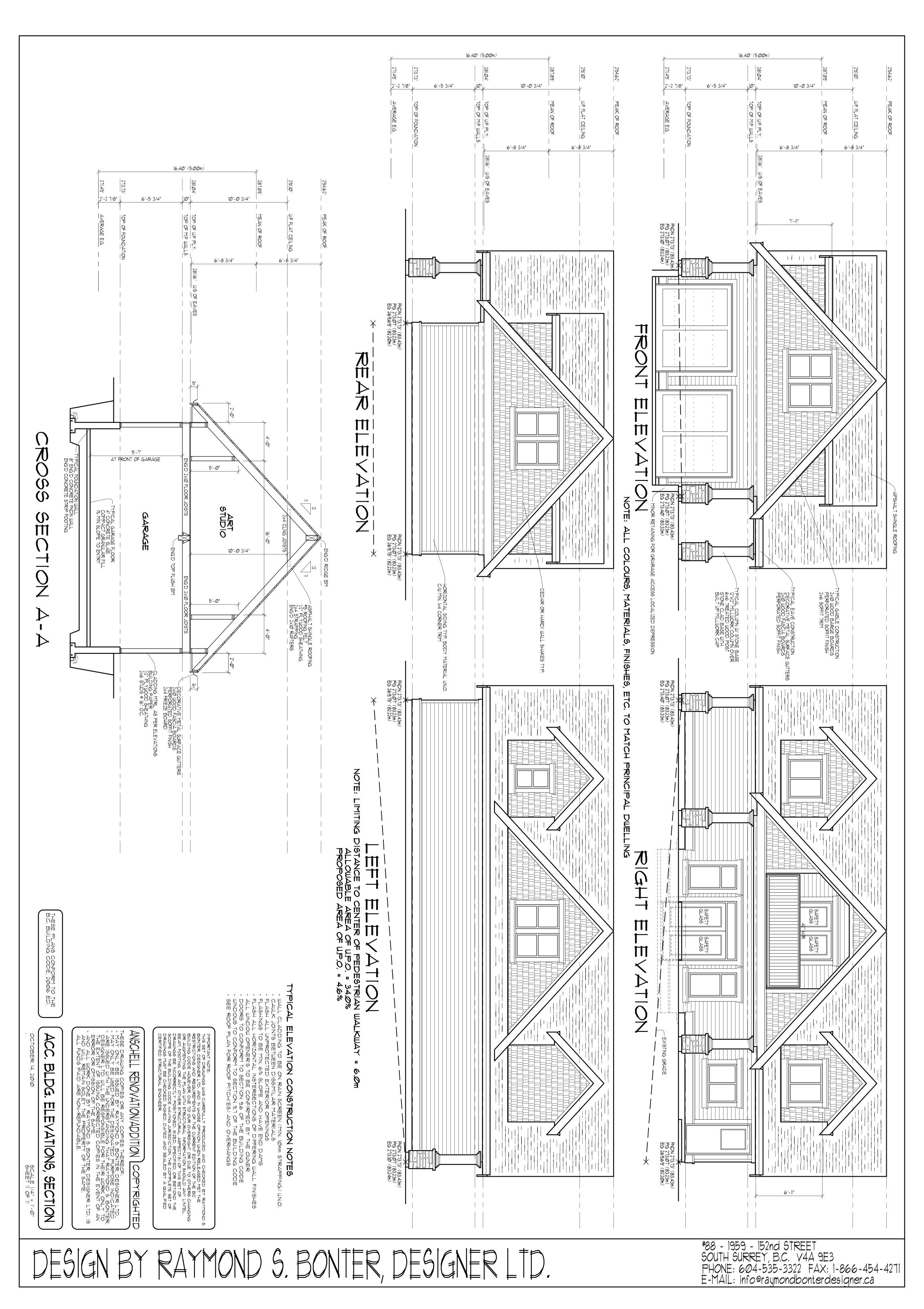
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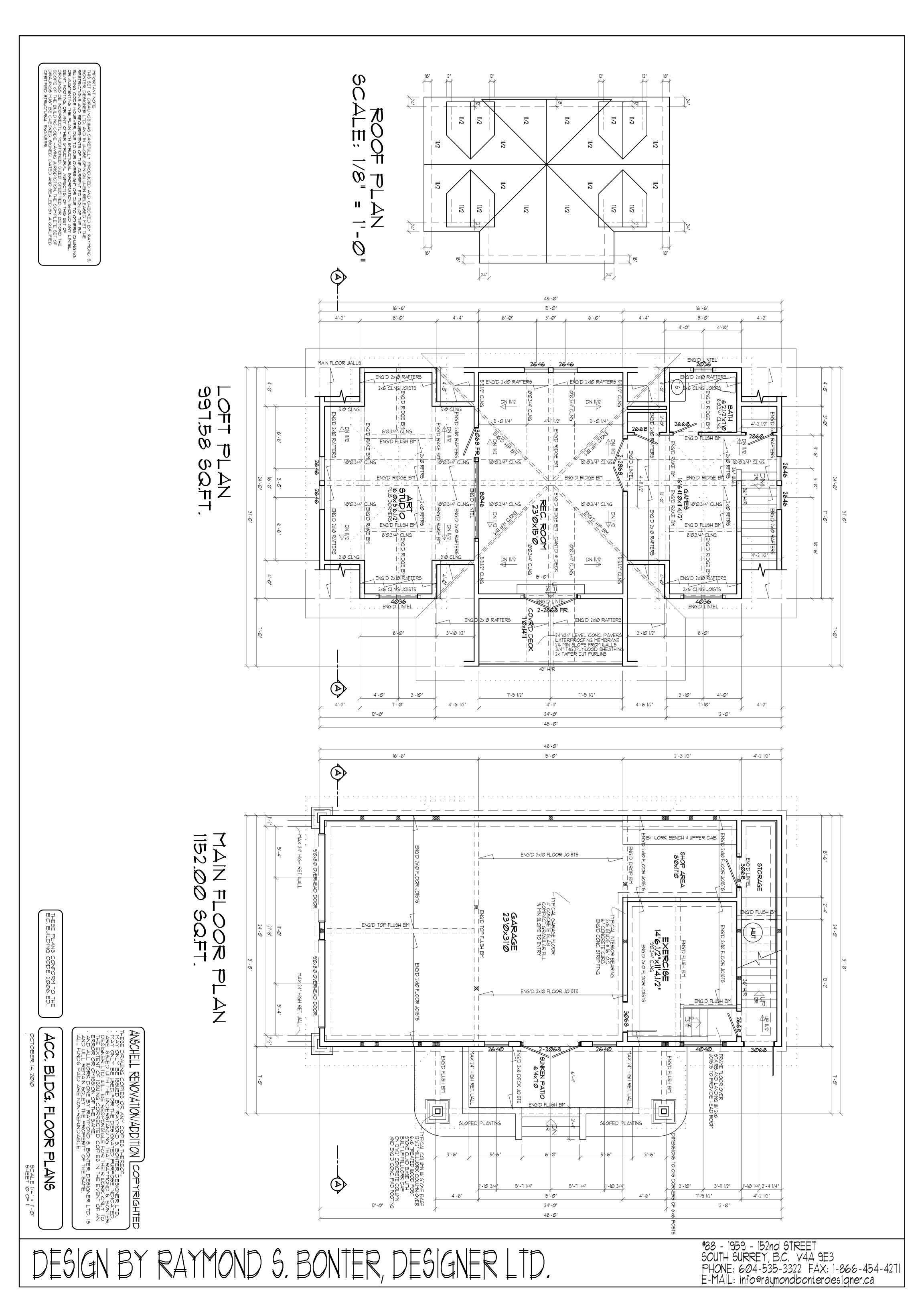












PART VII -- R-1 RESIDENTIAL ZONE NO. ONE (1)

USES

- A. Land and structures shall be used for the following purposes only:
 - 1. A single-family dwelling and customary accessory uses.
 - 2. Agricultural and horticultural uses, excluding mink and fox, poultry and mushroom farming, piggeries and kennels provided that:
 - (a) The minimum site shall be five (5) acres;
 - (b) A building to shelter livestock or poultry shall be located not less than one hundred and fifty (150) feet from any adjoining residence, street or roadway, and fifty (50) feet from any property line.
 - 3. Accessory buildings not exceeding twelve (12) feet in height located in the rear yard of the building to which they are accessory, provided that:

A private garage or accessory building shall be situated -

- 4. Storage or parking ancillary to a residential use on the same lot:-
 - (a) Three vehicles, one of which may be a truck not exceeding three-quarter (3/4) ton capacity, and
 - (b) One house trailer and one camper, and
 - (c) Pleasure boats kept for other than gain or sale, and
 - . (d) Wrecked vehicles are prohibited.

SUBDIVISION

B. No land in an R-1 Zone shall be subdivided into parcels of less than twenty thousand (20,000) square feet and it is further provided that the minimum width of the site shall be one hundred (100) feet.

YARD

- C. Minimum yard requirements shall be as follows:-
 - 1. Front yardtwenty-five (25) feet;
 - 2. Rear yardtwenty-five (25) feet;
 - 3. Side yard six (6) feet;
 - 4. Side yard on a corner site.....

COVERAGE

D. Maximum site coverage Thirty-three (33) percent.

HEIGHT

E. Maximum height of a building thirty (30) feet.

SPECIAL PROVISION

F. The provisions of the Municipal Centre Community Plan By-law, 1962, No. 1917 and amending By-laws shall prevail in the area covered by said By-law 1917.