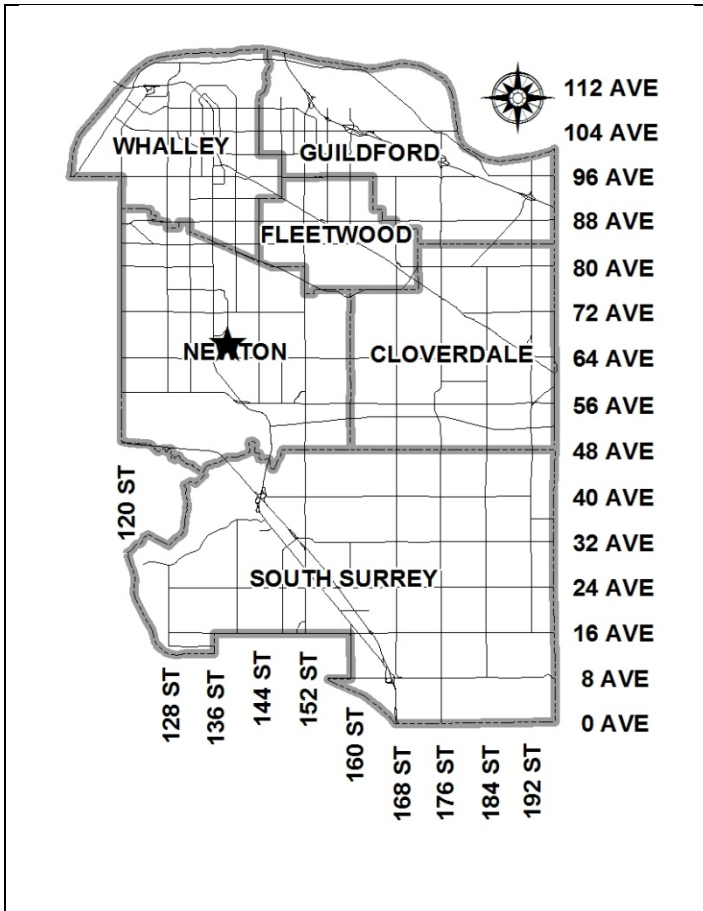


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7911-0306-00

Planning Report Date: July 22, 2013



PROPOSAL:

- **Rezoning** from RF to RF-12
- **Development Variance Permit**

in order to allow subdivision into three single family small lots and one lot for the protection of the riparian area.

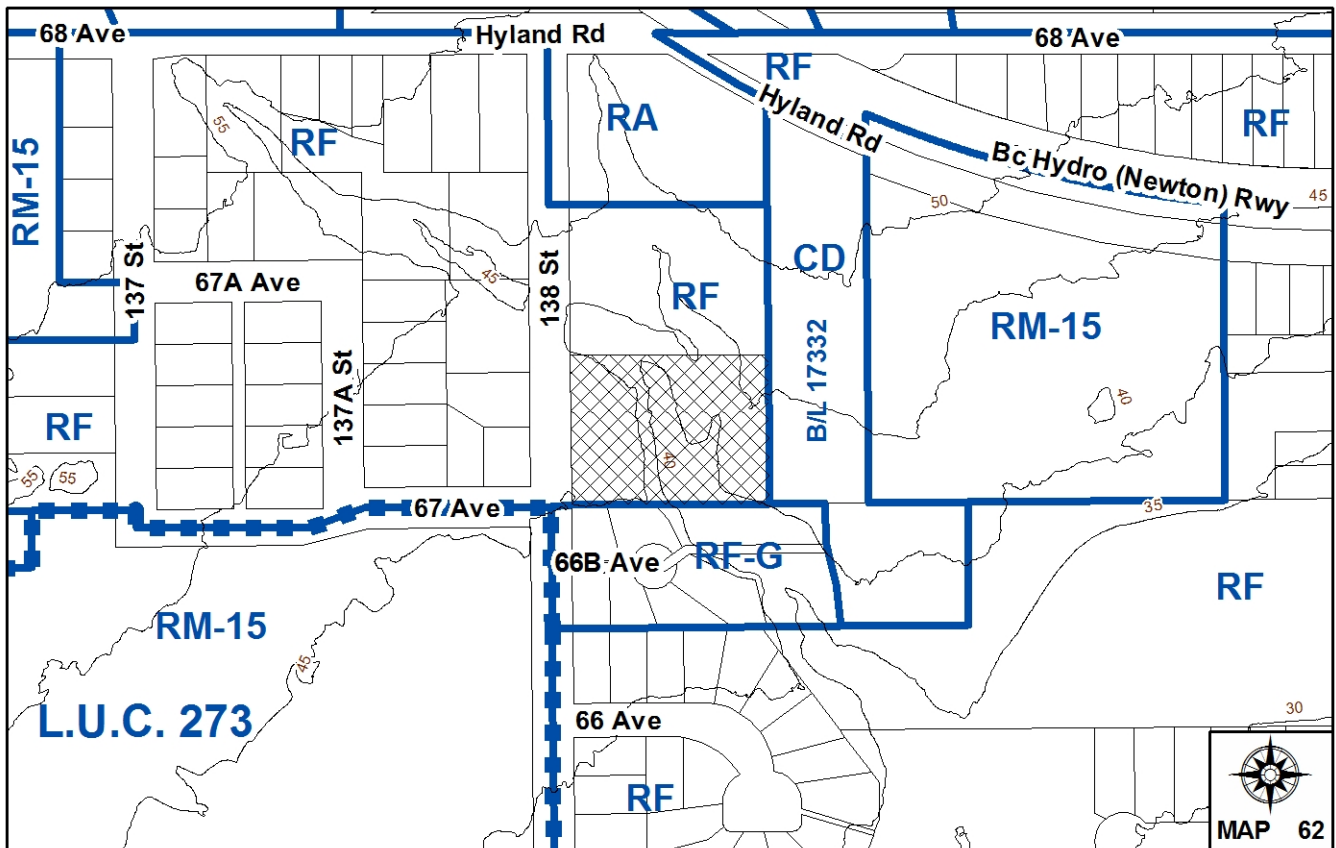
LOCATION: 6702 - 138 Street

OWNERS: Godofredo and Maria L Molina

ZONING: RF

OCP DESIGNATION: Urban

LAP DESIGNATION: Open Space and 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 rear yard setbacks are proposed to be varied from 7.5 metres (25 feet) to 5 metres (16 feet).

RATIONALE OF RECOMMENDATION

- Complies with the Urban Designation in the OCP and the Urban Residential and Open Space Designation in the Newton Local Area Plan (LAP).
- The proposed density and building form are appropriate for this part of Newton.
- In accordance with the Newton LAP, approximately 80% of the total land area is proposed to be conveyed to the City, without compensation, for the protection of the fish bearing watercourse, Hyland Creek that runs through the property.
- The proposed Development Variance Permit (DVP) for reduced rear yard setbacks allows for the protection of the riparian area while retaining the development potential of the site.

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 "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve Development Variance Permit No. 7911-0306-00 (Appendix VII) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum rear yard setback of the RF-12 Zone from 7.5 metres (25 ft.) to 5 metres (16 ft.).
3. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, dedications, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout including conveyance of the riparian area to the City for the protection of Hyland Creek, to the satisfaction of the Approving Officer;
 - (c) input from Senior Government Environmental Agencies;
 - (d) submission of a detailed riparian planting plan and completion of a P-15 agreement are required for monitoring and maintenance of replanting in the conveyed riparian area;
 - (e) submission of a geotechnical report to the satisfaction of the Engineering Department;
 - (f) submission of a finalized tree survey and arborist report to the satisfaction of the City Landscape Architect;
 - (g) the applicant address the concern that the development will place additional pressure on existing park facilities to the satisfaction of the General Manager, Parks, Recreation and Culture;
 - (h) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department; and
 - (i) the applicant adequately 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:**

- 1 Elementary students at Hyland Elementary School
- 0 Secondary students at Sullivan Heights School

The applicant has advised that the dwelling units in this project are expected to be constructed and ready for occupancy by summer of 2014.

(Appendix IV)

Parks, Recreation & Culture: The applicant is required to convey the riparian area to the City, without compensation, for the protection of the Class A, fish bearing watercourse, Hyland Creek. Before land is accepted by the Parks, Recreation and Culture Department, it must be free of structures, hazards, invasive weeds, old fences, garbage and any other hazards. A detailed planting plan and an associated P-15 agreement are required for monitoring and maintenance of the proposed replanting in the conveyed riparian area.

The Parks, Recreation & Culture Department has a concern about the pressure this project will place on existing amenities in the neighbourhood. The applicant is requested to work with the Parks, Recreation & Culture Department to resolve these concerns.

Fisheries and Oceans Canada (DFO): In accordance with the Environmental Review Committee (ERC) Decision dated March 21, 2012, DFO has accepted the proposed setback varying between 10 metres (33 feet) and 15 metres (49 feet) from the top of bank of Hyland Creek provided that the riparian area is conveyed to the City, the riparian area is replanted and all structures are removed from the riparian area.

SITE CHARACTERISTICS

Existing Land Use: A single family home on a treed site with the Hyland Creek, a Class A, fish bearing watercourse, running through the property.

Adjacent Area:

Direction	Existing Use	OCP/LAP Designation	Existing Zone
North:	Single family homes and Hyland Creek	Urban/ Urban Residential and Open Space	RF & RA
East (Across Hyland Creek):	Townhouse development under construction (File No. 7909-0214-00)	Urban/ Urban Residential and Open Space	CD By-law No. 17332 based on the RM-15 Zone
South:	Single family homes and Hyland Creek	Urban/Urban Residential and Open Space	RF-G and RF
West (Across 138 Street):	Single family homes	Urban/ Urban Residential	RF

DEVELOPMENT CONSIDERATIONS

- The subject property is zoned "Single Family Residential Zone (RF)" and designated Urban Residential and Open Space in the Newton Local Area Plan (LAP). The applicant is proposing to rezone the subject property to "Single Family Residential (12) Zone (RF-12)" in order to subdivide into three (3) single family lots and one lot for the protection of the riparian area (Appendix II).
- Proposed Lots 1, 2 and 3 are 378 sq.m. (4,069 sq.ft.), 376 sq.m. (4,047 sq.ft.), and 649 sq.m. (6,986 sq.ft.) in size, respectively.
- In accordance with the LAP, majority of the site, 5,677 sq.m. (61,001 sq.ft.) or approximately 80% of the total area, is proposed to be conveyed to the City, without compensation, for the protection of the fish bearing Hyland Creek and its associated riparian area.

Neighbourhood Character Study and Building Scheme

- Tejeshwar Singh from Simplex Consulting Ltd. prepared the Neighbourhood Character Study and Building Scheme. The Character Study involved reviewing a number of existing homes in the neighbourhood in order to establish suitable design guidelines for the proposed subdivision. A summary of the design guidelines is attached (Appendix V).

Lot Grading

- Preliminary lot grading plans were prepared and submitted by Citiwest Consulting Limited. City staff is reviewing the proposed lot grading and the applicant is required to provide a final lot grading plan before final approval of this project.

- The applicant proposes in-ground basements on all of the lots with minimal fill required. However, final confirmation on whether in-ground basements are achievable will be determined once final Engineering drawings have been reviewed and accepted by the City's Engineering Department.

Trees Preservation

- Trevor Cox and Andrew Connell of Diamond Head Consulting Ltd. prepared an Arborist Arborist Assessment for the subject property (Appendix VI). The table below provides a summary of the tree retention and removal by species:

Table 1: Summary of Tree Preservation by Tree Species:

Tree Species	Total Number of Trees	Total Proposed for Removal	Total Proposed for Retention
Black Cottonwood	1	1	0
Black Walnut	1	1	0
Cherry/ Plum	6	5	1
Douglas Fir	4	4	0
Holly	1	1	0
Oak	1	0	1
Western Red Cedar	5	5	0
Total	19	17	2

- According to the tree summary, a total of 19 protected trees are identified on the subject site. It was determined that two (2) trees can be retained as part of this development proposal. The proposed tree retention was assessed taking into consideration the location of services, building footprints, road dedication and lot grading.
- Table 1 excludes the trees located within the riparian area. The trees within the riparian area will be retained, except where removal is required due to hazardous conditions. This will be determined at a later time, in consultation with the Parks, Recreation and Culture Department.
- For those trees that cannot be retained, the applicant will be required to replant the trees on a 2 to 1 replacement basis for coniferous trees and a 1 to 1 replacement for deciduous trees. This will require a total of 33 replacement trees on the subject site. Since only eight (8) replacement trees can be accommodated on the subject site, the deficit of 25 replacement trees will require a cash-in-lieu payment of \$7,500, representing \$300 per tree, to the City's Green Fund in accordance with the City's Tree Protection By-law prior to final approval of this application.
- The new trees on the site will consist of Japanese Maple and Serbian Spruce.

PRE-NOTIFICATION

Pre-notification letters were sent on February 13, 2012, to 383 households within 100 metres (300 feet) of the proposed development. As a result of the pre-notification letter, staff received one (1) phone call requesting information only.

SUSTAINABLE DEVELOPMENT CHECKLIST

The applicant prepared and submitted a sustainable development checklist for the subject site on November 21, 2011. The table below summarizes the applicable development features of the proposal based on the seven (7) criteria listed in the Surrey Sustainable Development Checklist.

Sustainability Criteria	Sustainable Development Features Summary
1. Site Context & Location (A1-A2)	<ul style="list-style-type: none"> The site is located within an urban infill area in Newton.
2. Density & Diversity (B1-B7)	<ul style="list-style-type: none"> The single family houses built on these lots may contain one secondary suite and may provide housing for Surrey residents of different age groups and may contribute to the rental housing stock in the area.
3. Ecology & Stewardship (C1-C4)	<ul style="list-style-type: none"> Conveyance of Hyland Creek, a fish bearing watercourse, to the City for conservation purposes.
4. Sustainable Transport & Mobility (D1-D2)	<ul style="list-style-type: none"> The site is within approximately 300 meters of a bus stop on 138 Street.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum rear yard setback of the RF-12 Zone from 7.5 metres (25 ft.) to 5 metres (16 ft.).

Justification for Variance:

- The Zoning By-law for the RF-12 Zone requires that the rear yards setback are 7.5 metres (25 ft.). In an effort to maximize the size of the riparian area that is conveyed to the City for the protection of the fish bearing watercourse, the applicant has requested a DVP to reduce the rear yard setbacks to 5 metres (16 ft.). The applicant has confirmed that the proposed rear yards will still have liveable and functional outdoor areas.

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. 7911-0306-00

original signed by Nicholas Lai

Jean Lamontagne
General Manager
Planning and Development

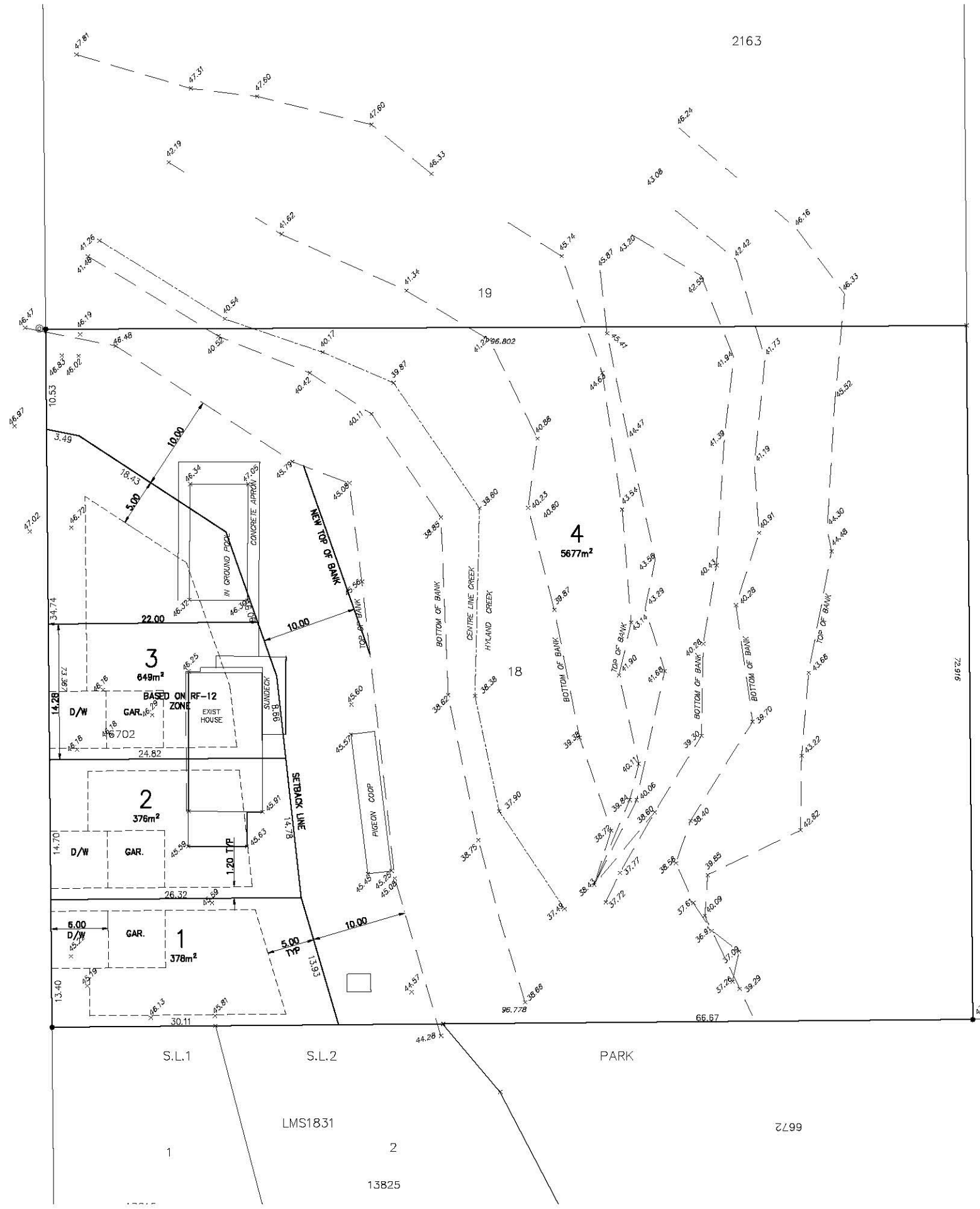
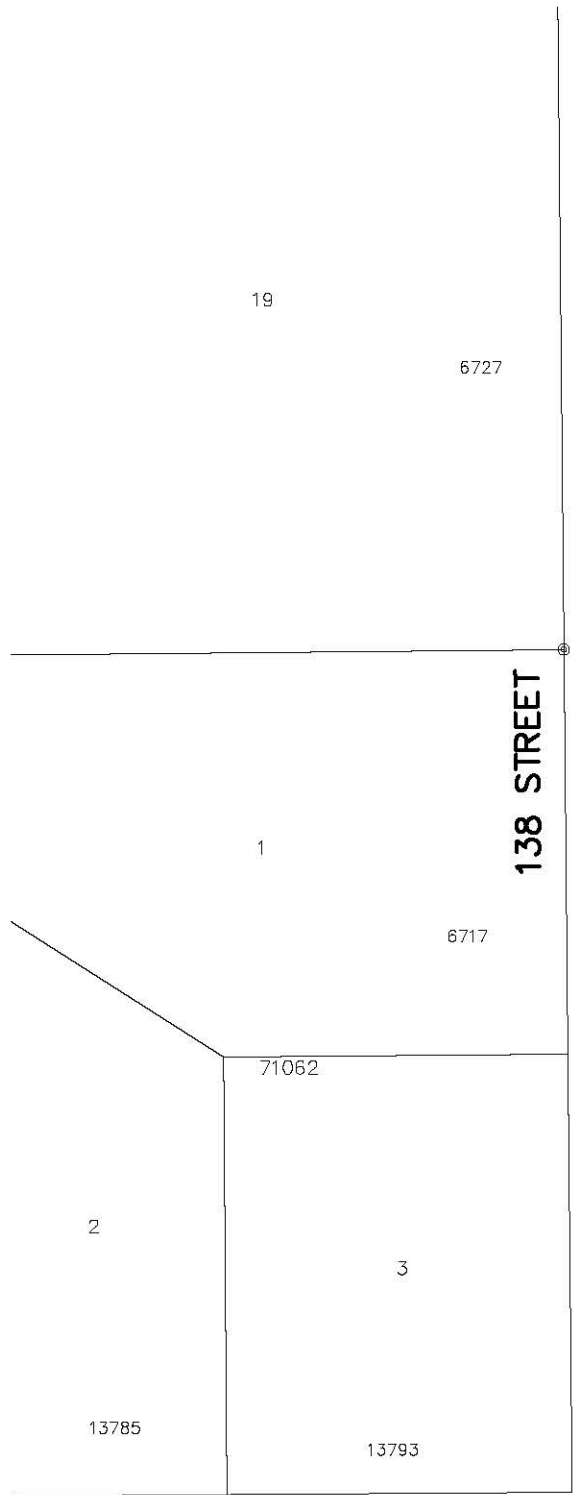
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SUBDIVISION DATA SHEET

Proposed Zoning: RF-12

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	1.75 ac
Hectares	0.70 ha
NUMBER OF LOTS	
Existing	1
Proposed	3 single family & 1 lot for protection of riparian area
SIZE OF LOTS	
Range of lot widths (metres)	13.4 m. to 14.7 m.
Range of lot areas (square metres)	376 sq.m. to 649 sq.m.
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	4.3 lots/ha & 2 lots/ac
Lots/Hectare & Lots/Acre (Excluding Undevelopable Area)	
SITE COVERAGE	
Maximum Coverage of Principal & Accessory Building	50%
Total Site Coverage	50%
Land for the Protection of Riparian Area	
Area (square metres)	5,667 sq.m.
% of Gross Site	80%
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	NO
Others (Setbacks)	YES



- NOTES**
1. ALL DIMENSIONS ARE APPROXIMATE ONLY BASED ON MASTER PLANS.
 2. LAYOUT IS PRELIMINARY AND SUBJECT TO APPROVALS AND SURVEYS.
 3. EXISTING HOUSE TO BE REMOVED.
 4. DEVELOPMENT VARIANCE PERMIT REQUIRED FOR:
A. REAR YARD SETBACK FROM 7.5m TO 5.0 ON ALL LOTS.
 5. DFO APPROVAL REQUIRED ON THE 10.0m PRESERVATION STRIP FROM TOP OF BANK.
 6. TOPOGRAPHIC SURVEY PROVIDED BY BUTLER SUNDVICK PROFESSIONAL LAND SURVEYOR'S

APPENDIX II		REVISION	LC DS
No.	Date	Revision	Dr. Ch.

CITIWEST CONSULTING LTD.
 No.101-9030 KING GEORGE HWY., SURREY, BC, V3V 7Y3
 TELEPHONE 604-591-2213 FAX 604-591-5518
 E-MAIL: office@citivest.com



GODFREDO MOLINA
 2116 WEST 37 AVENUE, VANCOUVER, BC, V6M 1N8 PH: 604-765-5615

PRELIMINARY LOT LAYOUT
 SUBDIVISION AT 6702-138 STREET, SURREY, BC

Scale: 1:500	Mun. Proj. No. 7911-0306-00	Dwg. No. B
Drawn: LC	Mun. Dwg. No.	
Designed: GRJ	Job No. 07-2447	Of
P.W. P.U.	Date MAY '12	Revision 1

INTER-OFFICE MEMO

TO: **Manager, Area Planning & Development
- South Surrey Division
Planning and Development Department**

FROM: **Development Project Engineer, Engineering Department**

DATE: **May 4, 2012** PROJECT FILE: **7811-0306-00**

RE: **Engineering Requirements
Location: 6702 - 138 Street**

REZONE/SUBDIVISION***Property and Right-of-Way Requirements***

- provide a 0.5 metre SROW fronting 138 Street.

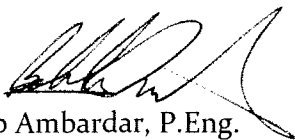
Works and Services

- construct the east half of 138 Street.
- construct storm sewer to service the development.
- provide service connections to each lot.

A Servicing Agreement is required prior to Rezone/Subdivision.

DEVELOPMENT VARIANCE PERMIT

There are no engineering requirements relative to issuance of the Development Variance Permit.



Bob Ambardar, P.Eng.
Development Project Engineer

LR



Monday, February 13, 2012
Planning

THE IMPACT ON SCHOOLS

APPLICATION #: 11 0306 00

SUMMARY

The proposed 3 Single family lots are estimated to have the following impact on the following schools:

Projected # of students for this development:

Elementary Students:	1
Secondary Students:	0

September 2011 Enrolment/School Capacity

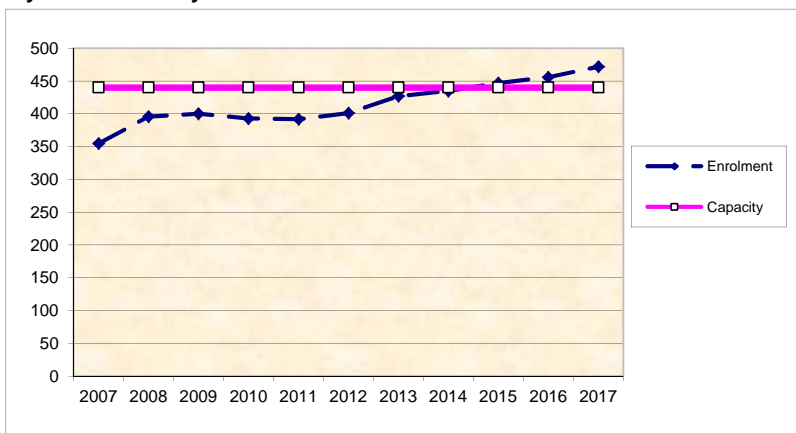
Hyland Elementary	
Enrolment (K/1-7):	36 K + 356
Capacity (K/1-7):	40 K + 400
Sullivan Heights Secondary	
Enrolment (8-12):	1226
Nominal Capacity (8-12):	1000
Functional Capacity*(8-12):	1080

School Enrolment Projections and Planning Update:

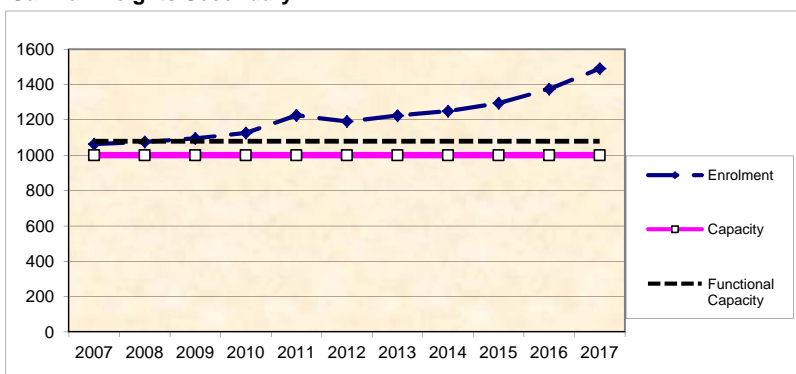
The following tables illustrate the enrolment projections (with current/approved ministry capacity) for the elementary and secondary schools serving the proposed development.

An addition to Hyland Elementary is not included in the School District's five year capital plan as the school is projected to accommodate ultimate residential build out of its neighbourhood. Sullivan Heights Secondary enrolment is above capacity and the district may consider future boundary revisions. The proposed development will not have an impact on these projections.

Hyland Elementary



Sullivan Heights Secondary



*Functional Capacity at secondary schools is based on space utilization estimate of 27 students per instructional space. The number of instructional spaces is estimated by dividing nominal facility capacity (Ministry capacity) by 25.

BUILDING GUIDELINES SUMMARY

Surrey Project #: 7911-0306-00
Project Location: 6702 – 138 Street, Surrey, B.C.
Design Consultant: Simplex Consultants Ltd., (Tejeshwar Singh, b.t.arch, ASCT, CRD,
at.aibc)

This building scheme draft is proposed for the above noted project and has been filed with the City Clerk. Below is the Residential Character Study and the Design Guidelines summary which highlights the important features and forms the basis of the draft Building Scheme.

1. Residential Character

1.1 General Description of the Existing and/or Emerging Residential Character of the Subject Site:

The area surrounding the subject properties consists of a combination of older homes built approximately 20-30 years ago and newer houses about 5 years old. The styles of the homes are "traditional west coast" which range from 1200sf up to 2000 sf, and two-three storey "split-level homes" which are approximately 3000-4000 sf.

Homes in the neighborhood include the following:

- Approximately 20-30 year old "Bungalows" and "Two Storey" homes under 2000 sf., comprised of simple rectangular shapes with low-slope common gable roofs, covered with interlocking tab type asphalt shingle roof surfaces. These homes are clad with a combination wood siding, and vinyl siding.
- Approximately 5 year old "Traditional" split-level homes with mid-scale massing characteristics. These homes have various roof pitches from 5:12 up to 7:12 slope roofs with one to two street facing feature projections. Roof surfaces are mainly concrete tiles and the cladding is primarily vinyl siding. These newer homes can be used as context homes.

1.2 Features of the Existing and Surrounding Dwelling Homes Significant to the Proposed Building Scheme:

- 1) Context styles of homes for the proposed building scheme are "Traditional" split level homes.
- 2) All context homes are 3 storey.
- 3) Front entrances are 1 storey in height.
- 4) Massing: Old homes are mostly west coast context.
- 5) Exterior cladding: primarily vinyl siding used as an exterior cladding material.



- 6) Roof surface: variation of roofing materials allows for a wide range of selection for roofing.
- 7) Roof pitch is a minimum 5:12 for the newer context homes.

Dwelling Types/Locations: Context homes are 3 storey split level homes.

Exterior Treatment /Materials: Context homes are clad in vinyl siding and have a stone or brick accent veneer.

Roof Pitch and Materials: Shake profile concrete roof tiles and shake profile asphalt shingles with a raised ridge caps are permitted in Grey, Brown, or Black.

Window/Door Details: Rectangle or arched.

Streetscape: The neighbourhood is older with various types and sizes of homes. Homes include older West Coast Modern, along with newer "Neo-Traditional" style 2 storey basement entry and split level homes that meet modern massing design, modern trim and detailing standards, and modern roofing and construction materials standards. Landscapes range from "modest old urban" to "moderate modern urban".

2. Proposed Design Guidelines

2.1 Proposed Design Solutions:

Dwelling Types/Location: 3 storey split levels.

Interfacing Treatment with existing dwellings Strong relationship with neighbouring "context homes" including new homes will be of a similar home type and size. Similar massing characteristics, roof types, roof pitches, roofing materials, and siding materials.

Restrictions on Dwellings (Suites & Basement Entry) Basement Entry homes not permitted.

Exterior Materials: Vinyl, Hardy, Brick, and Stone.

Colors: "Natural" colors such as browns, greens, clays, and other earth-tones, and "Neutral" colors such as grey, white, and cream are permitted. "Primary" colors in subdued tones such as navy blue, or forest green can be considered as approved by the consultant. Colors



such as pink, rose, peach, salmon are not permitted.

- Roof Pitch:** Minimum roof pitch must be 6:12.
- Roof Materials:** Shake profile concrete roof tiles, and shake profile asphalt shingles with a raised ridge caps are permitted in Grey, Brown, or Black.
- In-ground basements:** Permitted subject to determination that service invert locations are sufficiently below grade. Basements will appear underground from the front.
- Landscaping:** Landscaping: Moderate modern urban standard: Tree planting as specified on Tree Replacement Plan plus minimum 15 shrubs of a minimum 3 gallon pot size. Sod from street to face of home. Driveways: exposed aggregate, interlocking masonry pavers, or stamped concrete.
- Tree Planting Deposit:** **\$1,000** (to developer)
– 50% will be refunded after inspection by developer
– Remaining 50% one year after completion of construction
- Compliance Deposit:** **\$5,000** (to developer)

Summary prepared and submitted by: Simplex Consultants Ltd.

Date: March 5, 2012

Reviewed and Approved by: Tejeshwar Singh, b.t.arch, ASCT, CRD, at.aibc

Date: March 5, 2012



TREE PRESERVATION SUMMARY

Project Location: 6702 138th Street, Surrey, BC
 Registered Arborist: Trevor Cox, MCIP
 ISA Certified Arborist (PN1920A)
 Certified Tree Risk Assessor (43)
 BC Parks Wildlife and Danger Tree Assessor

Detailed Assessment of the existing trees of an Arborist's Report is submitted on file. The following is a summary of the tree assessment report for quick reference.

1. General Tree Assessment of the Subject Site: 0.611 acre parcel with a single residence upon it. Eastern edge of site backs on to Hyland Creek. No trees below the top of bank were assessed.

2. Summary of Proposed Tree Removal and Placement:

The summary will be available before final adoption.

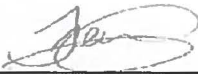
Number of Protected Trees Identified		19	(A)
Number of Protected Trees declared high risk due to natural causes		0	(B)
Number of Protected Trees to be removed		17	(C)
Number of Protected Trees to be Retained	(A-B-C)	2	(D)
Number of Replacement Trees Required	(C-B) x 2	33	(E)
Number of Replacement Trees Proposed		8	(F)
Number of Replacement Trees in Deficit	(E-F)	25	(G)
Total Number of Protected and Replacement Trees on Site	(D+F)	10	(H)
Number of Lots Proposed in the Project		3	(I)
Average Number of Trees per Lot	(H / I)	3.3	

3. Tree Survey and Preservation / Replacement Plan

Tree Survey and Preservation / Replacement Plan is attached

This plan will be available before final adoption

Summary prepared and submitted by:



 Arborist

March 8, 2012

_____ Date

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7911-0306-00

Issued To: GODOFREDO MOLINA
 MARIA L MOLINA
 ("the Owner")

Address of Owner: 6702 - 138 Street
 Surrey, BC V3W 5G8

1. This development variance permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations or agreements, except as specifically varied by this development variance permit.

2. This development variance permit applies to that real property including land with or without improvements located within the City of Surrey, with the legal description and civic address as follows:

Parcel Identifier: 001-438-697
 Lot 18 South West Quarter Section 16 Township 2 New Westminster District Plan 2163

6702 - 138 Street

(the "Land")

3. (a) As the legal description of the Land is to change, the City Clerk is directed to insert the new legal description for the Land once title(s) has/have been issued, as follows:

Parcel Identifier:

(b) If the civic address(es) change(s), the City Clerk is directed to insert the new civic address(es) for the Land, as follows:

4. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:

(a) To reduce the minimum rear yard setback of the RF-12 Zone from 7.5 metres (25 ft.) to 5 metres (16 ft.).

5. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
6. This development variance permit shall lapse unless the subdivision, as conceptually shown on Schedule A which is attached hereto and forms part of this development variance permit, is registered in the New Westminster Land Title Office within three (3) years after the date this development variance permit is issued.
7. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
8. This development variance permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 .
ISSUED THIS DAY OF , 20 .

Mayor – Dianne L. Watts

City Clerk – Jane Sullivan