

# City of Surrey PLANNING & DEVELOPMENT REPORT Application No.: 7918-0046-00

Planning Report Date: September 27, 2021

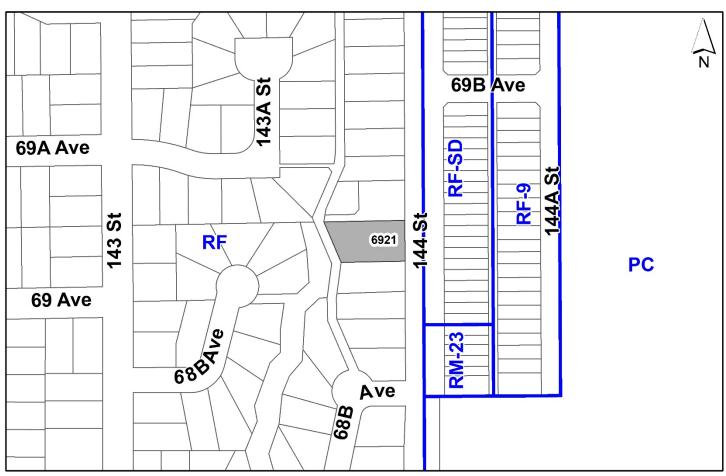
#### **PROPOSAL:**

- Development Permit
- Development Variance Permit

To vary the minimum lot width requirement in order to permit subdivision into two single family lots.

LOCATION: 6921 - 144 Street

ZONING: RF
OCP DESIGNATION: Urban



#### **RECOMMENDATION SUMMARY**

- Approval to draft Development Permit for Sensitive Ecosystems.
- 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 width requirements of the "Single Family Residential Zone (RF)".
- The applicant is proposing to reduce the minimum streamside setback from a "Natural" Class B (yellow-coded) watercourse from 15 metres to 12.7 metres, as measured from top-of-bank.

#### RATIONALE OF RECOMMENDATION

- The proposal complies with the Urban designation in the Official Community Plan (OCP).
- The proposal complies with the General Urban designation in the Metro Vancouver Regional Growth Strategy (RGS).
- The proposed density and building form are appropriate for this part of Newton.
- Proposed Lots 1 and 2 are deeper than the minimum 28 metres required for new lots in the RF Zone, at approximately 39.2 metres and 44.8 metres, respectively.
- The proposal partially complies with the Development Permit requirements in the OCP for Sensitive Ecosystems (Streamside Areas). The subject property is located within the streamside protection area of a "Natural" Class B (yellow-coded) watercourse but is separated from the watercourse by an existing 6.0 metre wide lane.
- The proposed streamside setback variance will help facilitate the construction of two new single family dwellings by allowing construction of driveways/garages at the rear of the lots.
- The applicant's Qualified Environmental Professional (QEP) has submitted an Ecosystem Development Plan and Impact Mitigation Plan that indicates that the proposed subdivision and future house/garage construction, even with a reduced streamside setback, will not negatively impact the watercourse or riparian area.
- The applicant is proposing post-construction tree restoration activities for the subject property, as well as removing grassed areas and plant native species adjacent to the streamside protection area.
- The proposed streamside setback variance is fully Riparian Area Protection Regulations (RAPR) compliant. A RAPR assessment was reviewed by the Province and found acceptable.

#### RECOMMENDATION

The Planning & Development Department recommends that:

- 1. Council authorize staff to draft Development Permit No. 7918-0046-00 for Sensitive Ecosystems (Streamside Areas) generally in accordance with the attached drawings (Appendix IV).
- 2. Council approve Development Variance Permit No. 7918-0046-00 (Appendix V) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum lot width of the RF Zone from 15 metres to 13.4 metres for proposed Lots 1 and 2; and
  - (b) to reduce the minimum setback distance from the top-of-bank for a "Natural" Class B (yellow-coded) stream in Part 7A of Zoning By-law No. 12000, from 15 metres to 12.7 metres.
- 3. Council instruct staff to resolve the following issues prior to final approval:
  - (a) submission of a finalized landscaping plan and landscaping cost estimate to the specifications and satisfaction of the Planning and Development Department;
  - (b) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
  - (c) the applicant satisfy the deficiency in tree replacement on the site, to the satisfaction of the Planning and Development Department; and
  - (d) submission of a finalized Ecosystem Development Plan and Impact Mitigation Plan to the satisfaction of City staff.

#### **SITE CONTEXT & BACKGROUND**

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Single Family Residential	Urban	RF
North:	Single Family Residential	Urban	RF
East (Across 144 Street):	Semi-Detached Single Family Residential	East Newton South NCP: Semi-Detached	RF-SD
South:	Single Family Residential	Urban	RF (Development Application No. 7918- 0410-00 has received Conditional Approval for rezoning to RF-10)
West (Across lane):	Greenbelt; Single Family Residential	Urban	RF

#### **Context & Background**

- The subject property is located mid-block on the west side of 144 Street, north of 68B Avenue, in Newton. The property is designated "Urban" in the Official Community Plan (OCP) and is zoned "Single Family Residential Zone (RF)".
- The property is approximately 1,273 square metres in size, with a lot width of 26.7 metres and lot depth of 42 metres.
- To the south of the subject property (6913 144 St) Development Application No. 7918-0410-00 received Conditional Approval from Council at the Regular Council Public Hearing meeting on March 15, 2021 for rezoning from RF Zone to "Single Family Residential 10 Zone (RF\_10)" to permit subdivision into two single family small lots. At this meeting, Council also supported a Development Variance Permit application to reduce the minimum setback distance from the top-of-bank for a "Natural" Class B (yellow-coded) stream in Part 7A of Zoning By-law No. 12000, from 15 metres to 10 metres.
- To the east of the subject property, across 144 street, under Development Application No. 7904-0255-00, land was rezoned from "One-Acre Residential Zone (RA)" to "Single Family Residential (9) Zone (RF-9)", "Semi-Detached Single Family Residential (RF-SD)" and "Multiple Residential 23 Zone (RM-23)" to permit subdivision into 26 single family lots, 26 semi-detached single family lots, and six triplex multi-family units.
- The property is encumbered by a "Natural" Class B (yellow-coded) watercourse which runs along the subject property on the west side, flowing from north to south. As the subject property is within 50 metres of the stream, it is subject to a Sensitive Ecosystem Development Permit in accordance with the provisions identified in the OCP.
- It is noted that under Part 7A "Streamside Protection" of the Zoning By-law No. 12000, for new lots (created after September 12, 2016) the minimum setback from top-of-bank for a "Natural" Class B (yellow-coded) watercourse is 15 metres.
- The "Natural" Class B (yellow-coded) watercourse is located within a City owned greenbelt and is separated from the rear of the property by an existing 6.0 metre wide lane. The lane is currently used to provide vehicle access to the subject property, as well as adjacent properties in the neighbourhood.

#### **DEVELOPMENT PROPOSAL**

#### **Planning Considerations**

- The applicant is proposing to subdivide the subject property into two single family residential lots, both of which would front 144 Street.
- To facilitate this subdivision, the applicant is proposing a Development Variance Permit to reduce the lot widths of proposed Lots 1 and 2.

- Lot 1 is proposed to be 13.4 metres wide, 39.2 metres deep, with a total area of 562 square metres. Lot 2 is proposed to be 13.4 metres wide, 44.8 metres deep, with a total area of 636 square metres.
- The proposed lot widths are less than the RF Zone minimum requirements of 15.0 metres. However, the proposed lots significantly exceed the minimum RF Zone lot size of 560 square metres and minimum lot depth of 28 metres.
- The applicant is also proposing a Development Variance Permit to reduce the minimum setback distance from the top-of-bank for a "Natural" Class B (yellow-coded) stream in Part 7A of Zoning By-law No. 12000, from 15 metres to 12.7 metres.

	Proposed
Lot Area	
Gross Site Area:	1,273 square metres
Road Dedication:	75 square metres
Net Site Area:	1,198 square metres
Number of Lots:	2
Unit Density:	16.7 units per hectare
Range of Lot Sizes	562 square metres to 636 square metres
Range of Lot Widths	13.4 metres
Range of Lot Depths	39.1 metres to 44.7 metres

#### Referrals

Engineering: The Engineering Department has no objection to the project

subject to the completion of Engineering servicing requirements as

outlined in Appendix II.

Parks, Recreation & Culture:

Parks provided comments with respect to potential development impacts on the adjacent greenbelt property to the west of the subject site. No works, including vegetation or tree removal, is permitted within the adjacent greenbelt without approval from Parks. If there is any unexpected tree removal required on existing parkland due to development/construction impacts, cash in lieu for all trees will be required as determined by a formal arboricultural appraisal.

Parks also provided comments with respect to potential development impacts on City trees along 144 Street frontage. The applicant is required to re-evaluate their tree retention plans to retain as many City trees along 144 St as possible. Full compensation is required for City tree loss due to land development, payable before final adoption.

#### **Transportation Considerations**

• Vehicle access for proposed Lots 1 and 2 is from the existing rear lane located along the west property line. No driveway access is permitted from 144 Street.

- The applicant is providing a 2.808 metre wide dedication for 144 Street to achieve an ultimate 30.0 metre wide road allowance.
- The proposed development is located in close proximity to transit service. A bus stop is located approximately 110 metres south of the site, serviced by bus route 342 with connections between the Newton Bus Exchange and Langley City Centre.

#### Parkland and/or Natural Area Considerations

• To the west of the subject property, there is a "Natural" Class B (yellow-coded) watercourse located within a City owned greenbelt which runs along the rear of the lot, flowing from north to south. The watercourse is separated from the site by a 6.0 metre wide lane.

#### **Sustainability Considerations**

• The applicant has met all of the typical sustainable development criteria, as indicated in the Sustainable Development Checklist.

#### POLICY & BY-LAW CONSIDERATIONS

#### **Regional Growth Strategy**

• The proposal complies with the "General Urban" designation in the Regional Growth Strategy.

#### **Official Community Plan**

#### <u>Land Use Designation</u>

• The proposal complies with the "Urban" designation in the Official Community Plan (OCP).

#### **Themes/Policies**

 A<sub>3.1</sub> - Permit gradual and sensitive residential infill within existing neighbourhoods, particularly in areas adjacent to Town Centres, neighbourhood centres and transit corridors, in order to support significant transit improvements, utilize existing transportation infrastructure and implement improvement to the public realm.

(The proposed development is located along the edge of an established single family neighbourhood that has experienced some gradual densification in recent years. The site is also located on an arterial road and in close proximity to transit, multi-family and single family small lot development. The development will utilize an existing rear laneway to provide vehicle access.

The proposed development is located adjacent to a residential infill project that has received Conditional Approval from Council. The proposed lot dimensions are compatible with infill development projects along 144 Street.)

#### **Zoning By-law**

#### Lot Width & Streamside Variance

- The applicant is requesting the following variances:
  - o to reduce the minimum lot width of the RF Zone from 15 metres to 13.4 metres for proposed Lots 1 and 2; and
  - o to reduce the minimum setback distance from the top-of-bank for a "Natural" Class B (yellow-coded) stream in Part 7A of Zoning By-law No. 12000, from 15 metres to 12.7 metres.
- Proposed Lots 1 and 2 are much deeper than the minimum 28 metres required for new lots in the RF Zone, at approximately 44.7 and 39.1 metres, respectively.
- Despite the reduced lot width, Lots 1 and 2 are proposed to be approximately 562 square metres and 636 square metres in size, respectively. These lot areas significantly exceed the RF Zone minimum lot size of 560 square metres.
- The proposed lot width of 13.4 metres is 1.7 metres less than the minimum required under the RF zone. Development Application No. 7918-0046-00, located abutting to the south of the subject site, has received Conditional Approval for proposed lots widths of 9.9 metres. The proposed lot widths are comparable to residential infill projects along this stretch of 144 Street.
- It is noted that under Part 7A of Zoning By-law No. 12000 for lots that existed prior to September 12, 2016, where zoning allows for single family dwelling and duplex uses, the streamside setback from the top-of-bank for a "Natural" Class B (yellow-coded) stream is also 15 metres. As such, a single family dwelling could currently be constructed on the subject site with a 15 metre setback from top of bank.
- The proposed streamside reduction to 12.7 metres along the west side of proposed Lots 1 and 2 would be consistent with the existing condition. There is an existing 6.0 metres wide lane within the streamside protection area located between the "Natural" Class B (yellow-coded) stream and the subject property. This lane is to remain and will be utilized for access by the proposed development.
- A Riparian Area Protection Regulation (RAPR) report and an Ecosystem Development Plan, prepared by Arin Routledge, R.P. Bio., of Weaver Technical Corp., calculated the streamside protection and enhancement area (SPEA) as 10 metres from top of bank. The City is able to reduce streamside setbacks under the Zoning Bylaw up to but not exceeding the RAPR setback.
- The proposed setbacks do not encroach into the RAPR required setbacks. The project QEP on behalf of the applicant submitted a RAPR assessment which was reviewed by the Province and found acceptable. The EDP was peer reviewed by ENKON Environmental Limited. Comments provided by the peer reviewer will be addressed in a finalized report.

- In support of the requested variance, the applicant is proposing to remove grassed areas from
  a portion of the property and install landscaping areas with native species adjacent to the rear
  access driveways and streamside protection area.
- Staff support the requested variances to proceed for consideration.

#### **Capital Projects Community Amenity Contributions (CACs)**

- On December 16, 2019, Council approved the City's Community Amenity Contribution and Density Bonus Program Update (Corporate Report No. R224; 2019). The intent of that report was to introduce a new City-wide Community Amenity Contribution (CAC) and updated Density Bonus Policy to offset the impacts of growth from development and to provide additional funding for community capital projects identified in the City's Annual Five-Year Capital Financial Plan.
- The proposed development will be subject to the Tier 1 Capital Plan Project CACs. The contribution will be payable at the rate applicable at the time of Final Subdivision Approval (\$3,000 per new unit if completed by December 31, 2021; and \$4,000 per new unit if completed after January 1, 2022).
- The proposed development will not be subject to the Tier 2 Capital Plan Project CACs as the proposal complies with the densities in the OCP designation.

#### Affordable Housing Strategy

- On April 9, 2018, Council approved the City's Affordable Housing Strategy (Corporate Report No. Ro66; 2018) requiring that all new rezoning applications for residential development contribute \$1,000 per new unit to support the development of new affordable housing. The funds collected through the Affordable Housing Contribution will be used to purchase land for new affordable rental housing projects.
- As the subject application was instream on April 10, 2018, this contribution does not apply.

#### PUBLIC ENGAGEMENT

• The Development Proposal Sign was installed on October 15, 2018. Staff received no responses from neighbouring residents.

#### **DEVELOPMENT PERMITS**

#### Sensitive Ecosystems (Streamside Areas) Development Permit Requirement

• The subject property falls within the Sensitive Ecosystems Development Permit Area (DPA) for Streamside Areas in the OCP, given the location of an existing "Natural" Class B (yellow-coded) watercourse which flows north-south adjacent to the property. The Sensitive Ecosystems (Streamside Areas) Development Permit is required to protect aquatic and terrestrial ecosystems associated with streams from the impacts of development.

- In accordance with Part 7A Streamside Protection setbacks of the Zoning By-law, a "Natural" Class B (yellow-coded) watercourse requires a minimum streamside setback of 15 metres, as measured from the top of bank. The proposed setbacks do not comply with the requirements outlined in the Zoning By-law. Instead, the applicant is proposing a minimum 12.7 metre setback at its closet point in order to facilitate subdivision into two single family lots, which is consistent with the existing setback given the presence of an existing lane.
- A Riparian Area Protection Regulation (RAPR) report and an Ecosystem Development Plan, prepared by Arin Routledge, *R.P. Bio.*, of Weaver Technical Corp., calculated the streamside protection and enhancement area (SPEA) as 10 metres from top of bank. The proposal has been reviewed by the province and found to meet the provisions of the RAPR.
- The reports were peer reviewed by ENKON Environmental Limited. The Peer Reviewer found that the setback requirements of Part 7A of the Zoning By-law No. 12000 were determined accurately, and the RAPR SPEA setback met the overall intent of the regulation.
- The recommendations of the reports were reviewed by staff and found to be generally acceptable, with some modifications to content and format of the report still required. The finalized report and recommendations will be incorporated into the Development Permit prior to final issuance of the Development Permit.

#### **TREES**

• Jeff Ross, ISA Certified Arborist of Mike Fadum and Associated Ltd. prepared an Arborist Assessment for the subject property. The table below provides a summary of the tree retention and removal by tree species:

Table 1: Summary of Tree Preservation by Tree Species:

Tree Species	Ex	isting	Remove	Retain			
Coniferous Trees							
Western Red Cedar		11	11	0			
Douglas Fir		3	3	0			
Western Hemlock		1	1	0			
Black Pine		2	2	0			
Total (excluding Alder and Cottonwood Trees)		17	17	0			
Total Replacement Trees Proposed (excluding Boulevard Street Trees)		TBD					
Total Retained and Replacement Trees		TBD					
Contribution to the Green City Program			TBD				

- The Arborist Assessment states that there is a total of 17 mature trees on the site, with no Alder and Cottonwood trees. It was determined that no 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 proposed lot grading.
- For those trees that cannot be retained, the applicant will be required to plant trees on a 2 to 1 replacement ratio. This will require a total of 34 replacement trees on the site. If only four (4) replacement trees can be accommodated on the site (based on an average of two (2) trees per lot), the deficit of 30 replacement trees will require a cash-in-lieu payment of \$12,000, representing \$400 per tree, to the Green City Program, in accordance with the City's Tree Protection By-law.
- The applicant has been requested to explore additional tree retention opportunities along the frontage, east property line and provide submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect, and satisfy the deficiency in tree replacement on the site, to the satisfaction of the Planning and Development Department.
- In summary, no trees are proposed to be retained on the site with the proposal. If four (4) replacement trees are accommodated with the proposal, the remaining deficit in tree replacement will require a contribution of \$12,000 to the Green City Program.

#### INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Proposed Subdivision Layout

Appendix II. Engineering Summary

Appendix III. Summary of Tree Survey and Tree Preservation

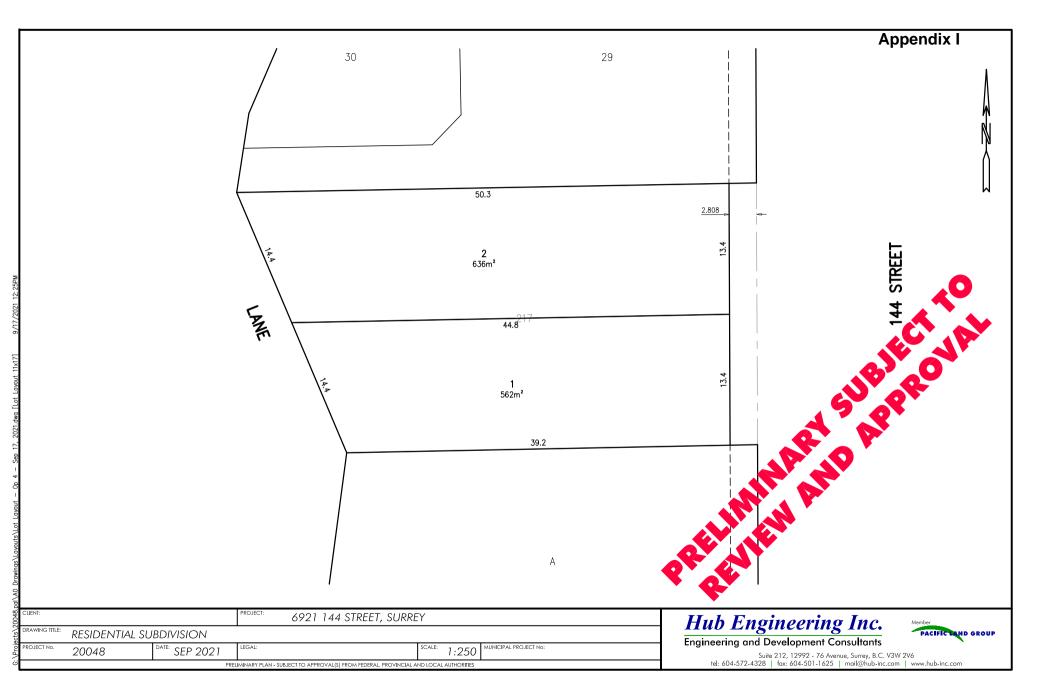
Appendix IV. Streamside Protection Area Map

Appendix V. Development Variance Permit No. 7918-0046-00

approved by Shawn Low

Rémi Dubé Acting General Manager Planning and Development

SR/cm







## INTER-OFFICE MEMO

TO: Manager, Area Planning & Development

- South Surrey Division

**Planning and Development Department** 

FROM: Development Engineer, Engineering Department

DATE: August 9, 2021 PROJECT FILE: 7818-0046-00

RE: Engineering Requirements

Location: 6921 144 Street

#### **SUBDIVISION**

#### Property and Right-of-Way Requirements

- Dedicate 2.808 m along 144 Street.
- Register 0.5 m Statutory Right-of-Way (SRW) along 144 Street frontage.

#### **Works and Services**

- Grade property line elevations along 144 Street to within +/- 300 mm of road centerline.
- Ensure existing Lane is constructed to City Standards.
- Provide sanitary, storm, and water service connections to each lot.
- Upgrade the existing 200 mm storm main along the rear Lane as required.
- Register a Restrictive Covenant on title for on-site sustainable drainage features as determined through detailed design.

A Servicing Agreement is required prior to Rezone/Subdivision. A processing fee of \$7,785.75 is required.

#### DEVELOPMENT PERMIT/DEVELOPMENT VARIANCE PERMIT

There are no engineering requirements relative to issuance of the Development Permit/ Development Variance Permit other those stated above.

Jeff Pang, P.Eng.

Jeffy lang

**Development Engineer** 

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# MIKE FADUM AND ASSOCIATES LTD. VEGETATION CONSULTANTS

# **Tree Preservation Summary**

Surrey Project No: 18-0046-00 Address: 6921-144 Street

Registered Arborist: Jeff Ross #PN-7991A

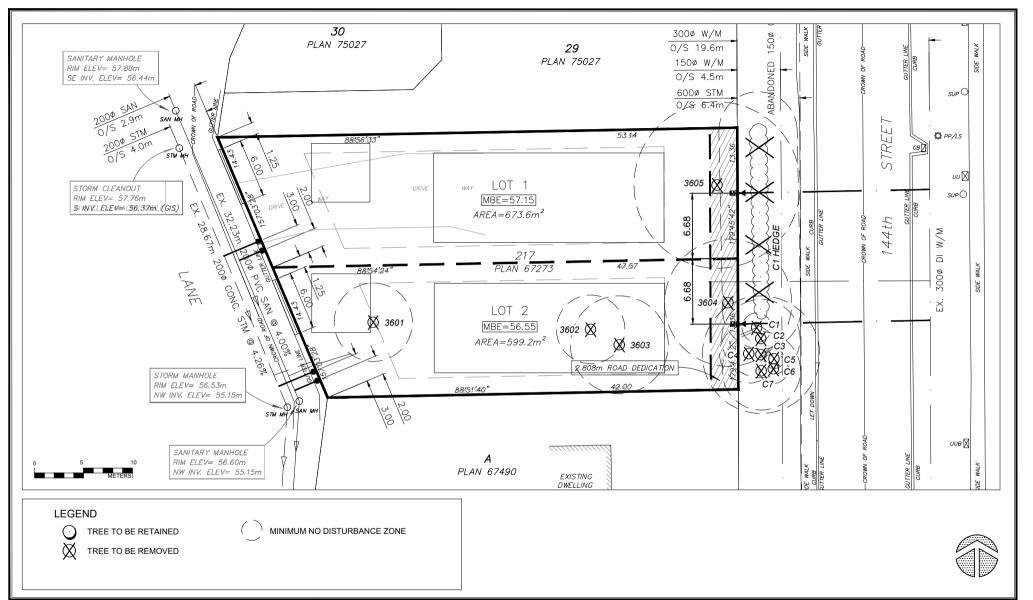
On-Site Trees	Number of Trees
Protected Trees Identified	
(on-site and shared trees, including trees within boulevards and proposed streets	17
and lanes, but excluding trees in proposed open space or riparian areas)	
Protected Trees to be Removed	17
Protected Trees to be Retained	0
(excluding trees within proposed open space or riparian areas)  Total Replacement Trees Required:	
<ul> <li>Alder &amp; Cottonwood Trees Requiring 1 to 1 Replacement Ratio         0 X one (1) = 0     </li> <li>All other Trees Requiring 2 to 1 Replacement Ratio         17 X two (2) = 34</li> </ul>	34
Replacement Trees Proposed	TBD
Replacement Trees in Deficit	TBD
Protected Trees to be Retained in Proposed [Open Space / Riparian Areas]	NA

Off-Site Trees	Number of Trees
Protected Off-Site Trees to be Removed	0
Total Replacement Trees Required:	
<ul> <li>Alder &amp; Cottonwood Trees Requiring 1 to 1 Replacement Ratio</li> <li>0 X one (1) = 0</li> </ul>	0
<ul> <li>All other Trees Requiring 2 to 1 Replacement Ratio</li> <li>0 X two (2) = 0</li> </ul>	
Replacement Trees Proposed	NA
Replacement Trees in Deficit	NA

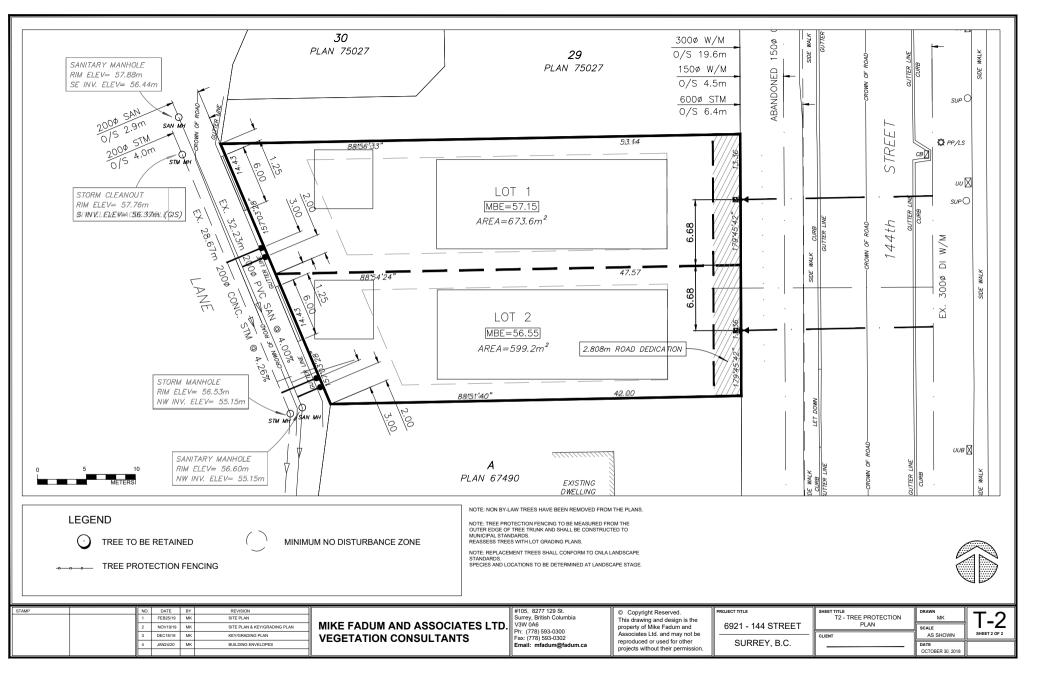
Summary report and plan prepared and submitted by: Mike Fadum and Associates Ltd.			
Jeberson	Date: January 24, 2020		
Signature of Arborist:			







STAMP	NO. DATE BY 1 FEB25/19 MK 2 NOV19/19 MK 3 DEC18/19 MK	REVISION SITE PLAN SITE PLAN & KEY/GRADING PLAN KEY/GRADING PLAN	MIKE FADUM AND ASSOCIATES LTD.	Surrey, British Columbia V3W 0A6	This drawing and design is the property of Mike Fadum and Associates Ltd. and may not be	6921 - 144 STREET	SHEET TITLE T1 - TREE REMOVAL AND PRESERVATION PLAN CLIENT	DRAWN MK SCALE AS SHOWN	T-1
	4 JAN24/20 MK	BUILDING ENVELOPES	VEGETATION GONGGETANTO	Email: mfadum@fadum.ca	reproduced or used for other projects without their permission.	SURREY, B.C.		OCTOBER 30, 2018	



Appendix IV



#### **CITY OF SURREY**

(the "City")

### **DEVELOPMENT VARIANCE PERMIT**

NO.:	7918-0046-00

		NO.: 7918-0046-00
Issued	l To:	
		("the Owner")
Addre	ess of O	wner:
1.	statut	levelopment variance permit is issued subject to compliance by the Owner with all es, by-laws, orders, regulations or agreements, except as specifically varied by this opment variance permit.
2.	witho	levelopment variance permit applies to that real property including land with or ut improvements located within the City of Surrey, with the legal description and address as follows:  Parcel Identifier: 002-126-052  Lot 217 Section 16 Township 2 New Westminster District Plan 67273  6921 - 144 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) In Section K Subdivision of Part 16 "Single Family Residential Zone (RF)", the minimum lot width is reduced from 15.0 metres to 13.4 metres for proposed Lots 1 and 2; and

(b)	In Section B.1 of Part 7A "Streamside Protection", the minimum distance
	(streamside setback area) from top of bank for a "Natural Class B Stream" is
	reduced from 15 metres to 12.7 metres.

5.	This development variance permit appli	es to only the portion	on of the Land	shown on
	Schedule A which is attached hereto and	d forms part of this	development v	ariance permit.

- 6. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
- 7. 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.
- 8. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
- 9. 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 – Doug McCallum

City Clerk – Jennifer Ficocelli

