

City of Surrey
PLANNING & DEVELOPMENT REPORT

Application No.: 7919-0230-00

Planning Report Date: July 27, 2020

PROPOSAL:

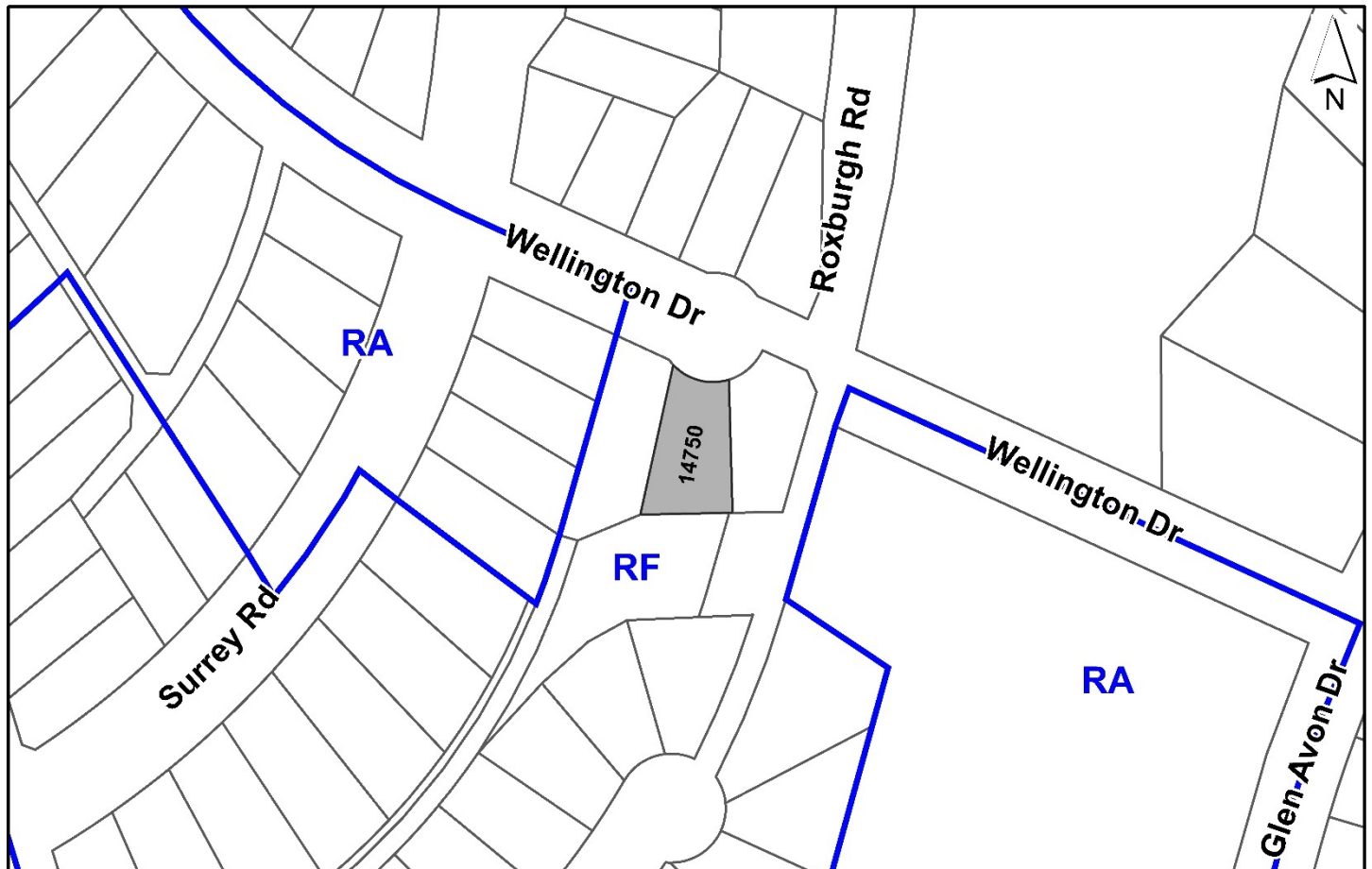
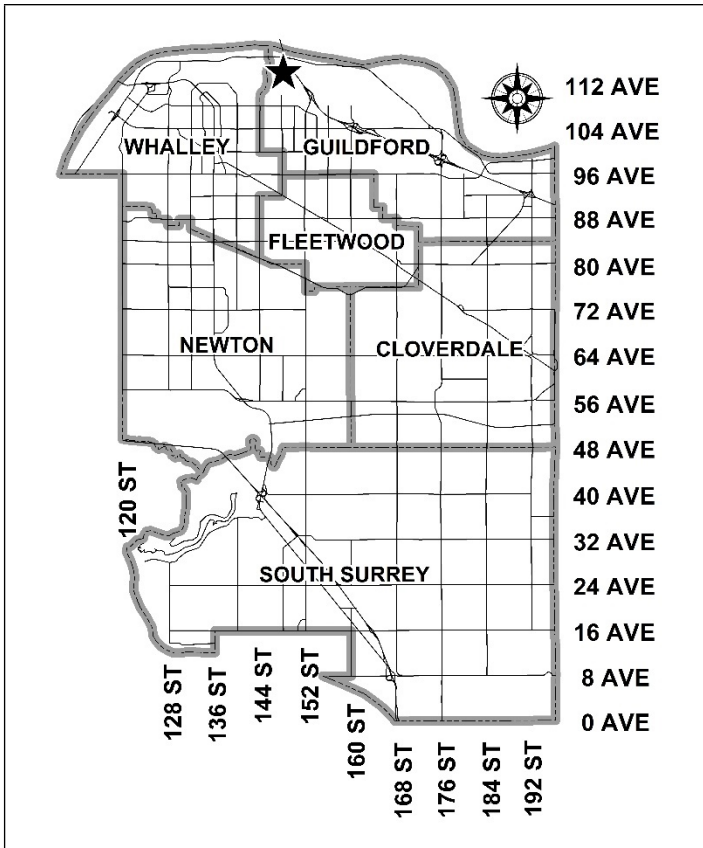
- Development Permit
- Development Variance Permit

to reduce the front yard setback to permit the construction of a single family dwelling on the lot.

LOCATION: 14750 - Wellington Drive

ZONING: RF

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

- Approval to draft Development Permit for Sensitive Ecosystems and Hazard Lands.
- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Proposed variance to reduce the minimum front yard principal building setback requirement of the RF Zone from 7.5 metres to 6.1 metres.

RATIONALE OF RECOMMENDATION

- The proposal complies with the Urban designation in the Official Community Plan (OCP).
- The proposal complies with the Development Permit requirements in the OCP for Sensitive Ecosystems (Streamside Areas/Green Infrastructure Areas).
- The proposal complies with the Development Permit requirements in the OCP for Hazard Lands (Steep Slopes).
- The proposed variance will allow the applicant to achieve their desired house while still protecting the streamside protection area as per OCP requirements with a usable backyard space of 3 metres.
- The proposed variance will have minimal observable impact from neighbouring properties while still meeting the required off-street parking of 3 parking spaces for single family dwellings.
- Staff support the requested front yard variance as it will allow for a functional building envelope while ensuring full protection of the streamside areas, Green Infrastructure Network, and steep slopes on the subject property.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council authorize staff to draft Development Permit No. 7919-0230-00 for Hazard Lands (Steep Slopes), and Sensitive Ecosystems (Streamside Areas and Green Infrastructure Areas), generally in accordance with the attached drawings (Appendix III) and the finalized Ecosystem Development Plan & Geotechnical Report.
2. Council approve Development Variance Permit No. 7919-0230-00 (Appendix IV) to reduce the minimum front yard setback of the RF Zone from 7.5 metres to 6.1 metres to the principal building face to proceed to Public Notification.
3. Council instruct staff to resolve the following issues prior to final approval:
 - (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 finalized landscaping plan and landscaping cost estimate to the specifications and satisfaction of the Planning and Development Department;
 - (c) submission of a finalized Ecosystem Development Plan and Impact Mitigation Plan to the satisfaction of City staff;
 - (d) submission of a finalized Geotechnical Report to the satisfaction of City staff;
 - (e) registration of a Section 219 Restrictive Covenant that requires the owner to develop the site in accordance with the conditions in the submitted geotechnical report;
 - (f) registration of a combined Statutory Right-of-Way / Section 219 Restrictive Covenant over the designated Streamside Protection Area for both “No Build” and conveyance access;

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Single family dwelling	Urban	RF
North (Across Wellington Dr):	Single family dwellings	Urban	RF
East:	Single family dwelling	Urban	RF
South:	Wallace Creek and Greenbelt	Urban	RF
West:	Single family dwelling	Urban	RF

Context & Background

- The subject lot is located at 14750 – Wellington Drive and is approximately 676 square metres in size. The lot is approximately 23.7 metres in width and 34.2 metres in depth. The subject lot is designated Urban in the Official Community Plan (OCP) and is zoned "Single Family Residential Zone (RF)".
- The lot is adjacent to Wallace Creek, which is a Class A (red-coded) creek that requires a 15 metres setback from top-of-bank as per Part 7A of the Zoning By-law for any proposed development on an existing lot of record.
- The site is within the Sensitive Ecosystem Development Permit area for Streamside Areas and Green Infrastructure Network. It is also within the Hazard Lands Development Permit Area for Steep Slopes.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant is proposing a single family dwelling on the subject property. The required streamside setback of 15 metres from top-of-bank on the subject property is 316.5 square metres in area, encumbering approximately 47% of the lot. This area will be protected and enhanced by the applicant through the registration of a combination statutory right-of-way/restrictive covenant, which will require the area to be left undeveloped, and proposed planting of native vegetation.
- Due to the encumbrance of the streamside setback, the applicant has proposed a variance to reduce the minimum front yard setback of the RF zone from 7.5 metres to 6.1 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.

POLICY & BY-LAW CONSIDERATIONS

Zoning By-law

Setback Variance

- The applicant is requesting the following variance:
 - to reduce the minimum front yard setback of the RF Zone from 7.5 metres to 6.1 metres to the principal building face.

- The subject lot is encumbered by a large setback area for Streamside Areas due to the Class A (red-coded) Creek at the rear of the property that requires a 15 metres setback from top-of-bank.
- The proposed variance will allow the applicant to achieve their desired house while still protecting the streamside protection area as per OCP requirements with a usable backyard space of 3 metres.
- Staff support the requested front yard variance as it will allow for a functional building envelope while ensuring full protection of the streamside areas, Green Infrastructure Network, and steep slopes on the subject property.
- The proposed variance will have minimal observable impact from neighbouring properties, while still meeting the required off-street parking of 3 parking spaces for single family dwellings.
- Staff support the requested variances to proceed to Public Notification.

DEVELOPMENT PERMITS

Sensitive Ecosystems (Streamside Areas and Green Infrastructure Network) 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 Class A (red-coded) watercourse, Wallace Creek, which flows into the Fraser River. 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 Class A (red-coded) watercourse requires a minimum streamside setback of 15 metres, as measured from the top of bank for an existing lot of record. The proposed setbacks comply with the requirements outlined in the Zoning By-law.
- The riparian area will be protected through the registration of a combined Restrictive Covenant/Right-of-Way against the property to ensure safeguarding and maintenance of the Protection Area in perpetuity, in compliance with the OCP.
- The subject property also falls within the Sensitive Ecosystems DPA for Green Infrastructure Areas in the OCP, given the location of a Biodiversity Conservation Strategy (BCS) Green Infrastructure Network (GIN) Corridor located in the rear of the property. The Sensitive Ecosystems (Green Infrastructure Areas) Development Permit is required to protect environmentally sensitive and/or unique natural areas from the impacts of development.
- The City of Surrey Biodiversity Conservation Strategy (BCS) Green Infrastructure Network (GIN) map, adopted by Council on July 21, 2014 (Corporate Report No. R141; 2014), identifies a Local BCS Corridor within the subject site, in the Green Timbers BCS management area, with a Medium ecological value.

- The BCS further identifies the GIN area of the subject site as having a Low habitat suitability rating, derived from species at risk presence, species accounts and known ecosystem habitat inventories. The BCS recommends a target Corridor width of 50 meters.
- The development proposal conserves 316.5 square metres of the subject site through a combination Statutory right-of-way / Restrictive covenant which is 47% of the total gross area of subject site. The proposal will enhance 70 square metres of the GIN through native species planting. This method of GIN retention and enhancement will assist in the long-term protection of the natural features and allows the City to better achieve biodiversity at this location consistent with the guidelines contained in the BCS.
- An Ecosystem Development Plan, prepared by Ryan Preston, *P. Ag.*, of Enkon Environmental Ltd. and dated June 8, 2020 was 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.

Hazard Lands (Steep Slope) Development Permit Requirement

- The subject property falls within the Hazard Lands (Steep Slope) Development Permit Area (DPA) in the OCP, given that the site contains steep slopes in excess of 20% gradient. The Hazard Lands (Steep Slope) Development Permit is required to protect developments from hazardous conditions.
- The subject property is adjacent to the south facing slope down to Wallace Creek, located at the rear of the site. The overall slope gradient of this area is 26% or less with steeper areas near the toe of the slope down to Wallace Creek.
- A geotechnical report, prepared by Tegbir S. Bajwa, *P. Eng.*, of Able Geotechnical Ltd. and dated June 23, 2020 was provided, and will be peer reviewed prior to DVP issuance. The report was reviewed by staff and found to conform to the OCP Development Permit guidelines for Hazard Lands. The finalized geotechnical report will be incorporated into the Development Permit.
- The geotechnical report investigated issues related to slope stability and natural storm water drainage, from a geotechnical perspective, to determine the feasibility of development the site and proposes recommendations to ensure the ongoing stability of the slope.
- The consultant has determined that the development is feasible provided that the recommendations in their report are incorporated into the overall design of the site, including a 10 metre geotechnical setback from top of bank for the proposed single family dwelling.
- Registration of a Section 219 Restrictive Covenant that requires the owner to develop the site in accordance with the conditions in the geotechnical report is required as a condition of final adoption.
- At Building Permit stage, the Building Division will require Letters of Assurance from a geotechnical engineer to ensure that the building plans comply with the recommendations in the submitted geotechnical report.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Site Plan
- Appendix II. Engineering Summary
- Appendix III. Ecosystem Development Plan Site Plan
- Appendix IV. Development Variance Permit No. 7919-0230-00

approved by Ron Gill

Jean Lamontagne
General Manager
Planning and Development

SJ/cm



INTER-OFFICE MEMO

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

FROM: **Development Services Manager, Engineering Department**

DATE: **Dec 05, 2019** PROJECT FILE: **7819-0230-00**

RE: **Engineering Requirements
Location: 14750 Wellington Drive**

DEVELOPMENT PERMIT

The following is to be addressed as a condition of issuance of the Development Permit for Sensitive Ecosystems and Hazard Lands associated with the proposed construction of a new single-family dwelling:

- Register a Combination Statutory Right-of-Way and Restrictive Covenant (Combination SRW/RC) on title for the streamside setback areas.

BUILDING PERMIT

The following issues are to be addressed as a condition of issuance of the Building Permit associated with the proposed construction of a new single-family dwelling:

- Repair or replace existing storm and sanitary service connections, complete with inspection chamber. Existing connections may be retained if the service is the appropriate size, of PVC material and verified to be in adequate condition through video inspection.
- Replace existing water service connection, complete with curb stop and meter. The connection will be installed by City forces at the applicant's expense.
- Provide a minimum 4.5 m wide driveway to access the site.

A Servicing Agreement is not required for the proposed Development Permit.

A processing fee of \$1,627.50 (2019 fee, GST included) is required to administer legal document requirements.

Tommy Buchmann, P.Eng.
Development Services Manager

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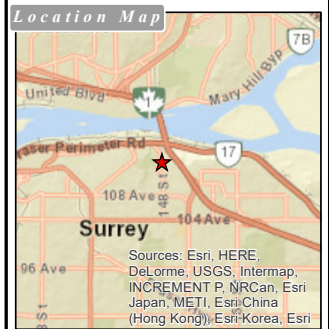
Proposed Conditions

Existing Conditions

Streamside Setback Area
Ecosystem Development Plan

Address:
14750 Wellington Drive
Surrey, BC

Client:
Attar Boparai

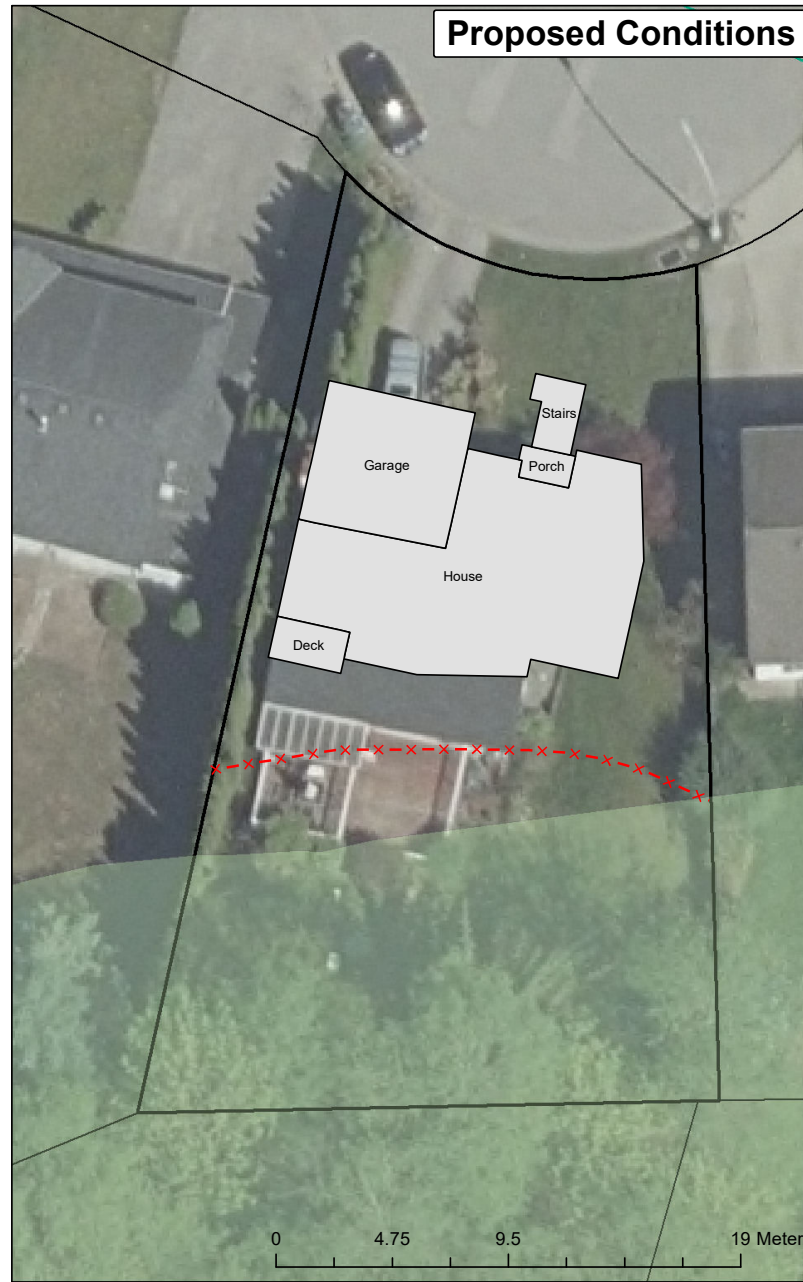
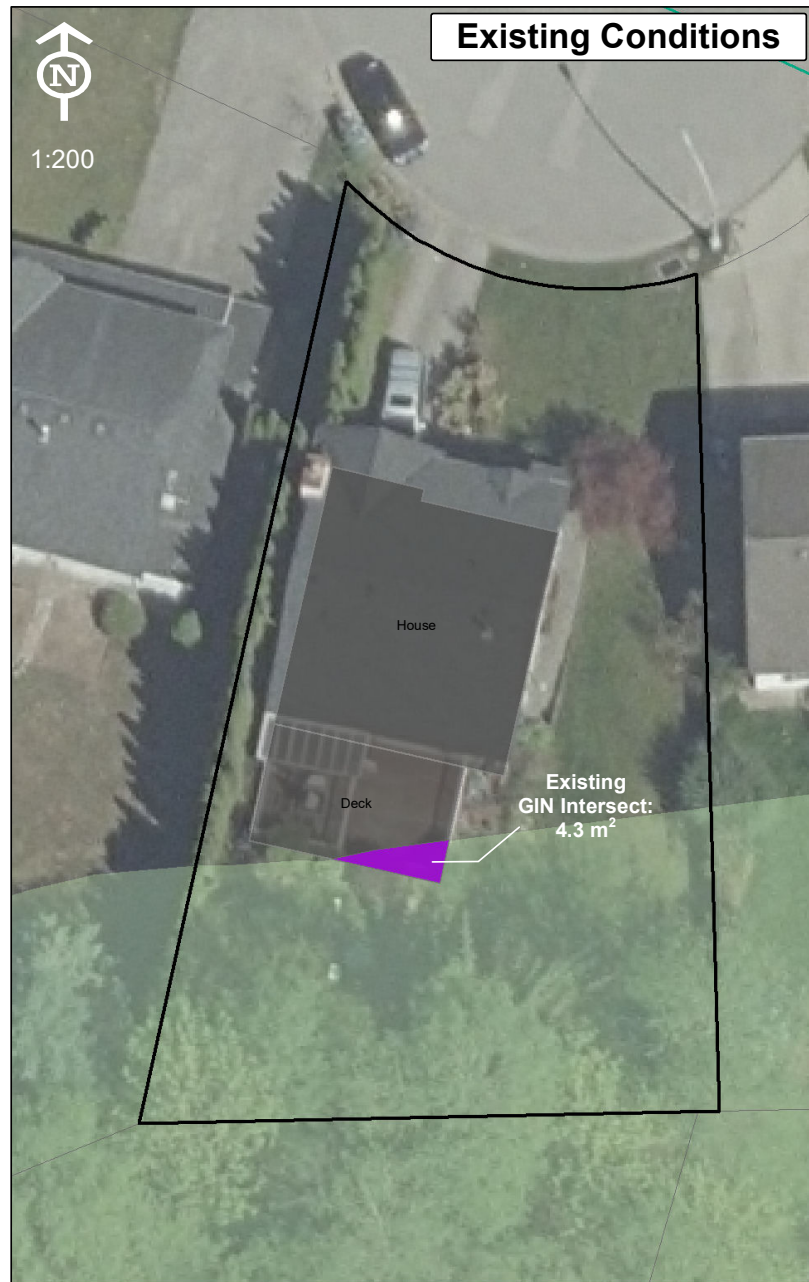


- Legend**
- Property Boundary
 - Lot
 - Building Design
 - Fenceline
 - Highwater Mark
 - Top of Bank
 - Geotechnical
 - SSA (15m)
 - SPEA (10m)
 - Covenant (existing)
- Watercourses (ENKON)**
- A
 - AO
 - B
 - C
 - Existing House

Map Created by R. Preston
NAD 83, Zone 10N

Figure 1 April 9, 2020





Green Infrastructure Network
Ecosystem Development Plan

Address:
14750 Wellington Drive
Surrey, BC

Client:
Attar Boparai

Location Map

Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri-China (Hong Kong), Esri-Korea, Esri

Legend

- Property Boundary
- Lot
- GIN Corridor
- GIN Encroachment
- Existing House
- SPA Fenceline
- Building Design

Map Created by R. Preston
NAD 83, Zone 10N

Figure 2 March 4, 2020

Prepared by:
ENKON
Environmental Ltd.

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7919-0230-00

Issued To:

(the "Owner")

Address of Owner:

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: 001-457-021
Lot 12 New Westminster District Plan 69253

14750 - Wellington Drive

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F of Part 16 "Single Family Residential Zone (RF)", the minimum front yard principal building setback is reduced from 7.5 metres to 6.1 metres.
4. This development variance permit applies to only the Land shown on Schedule A which is attached hereto and forms part of this development variance permit.
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 if the Owner does not substantially start any construction with respect to which this development variance permit is issued, within two (2) 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 – Doug McCallum

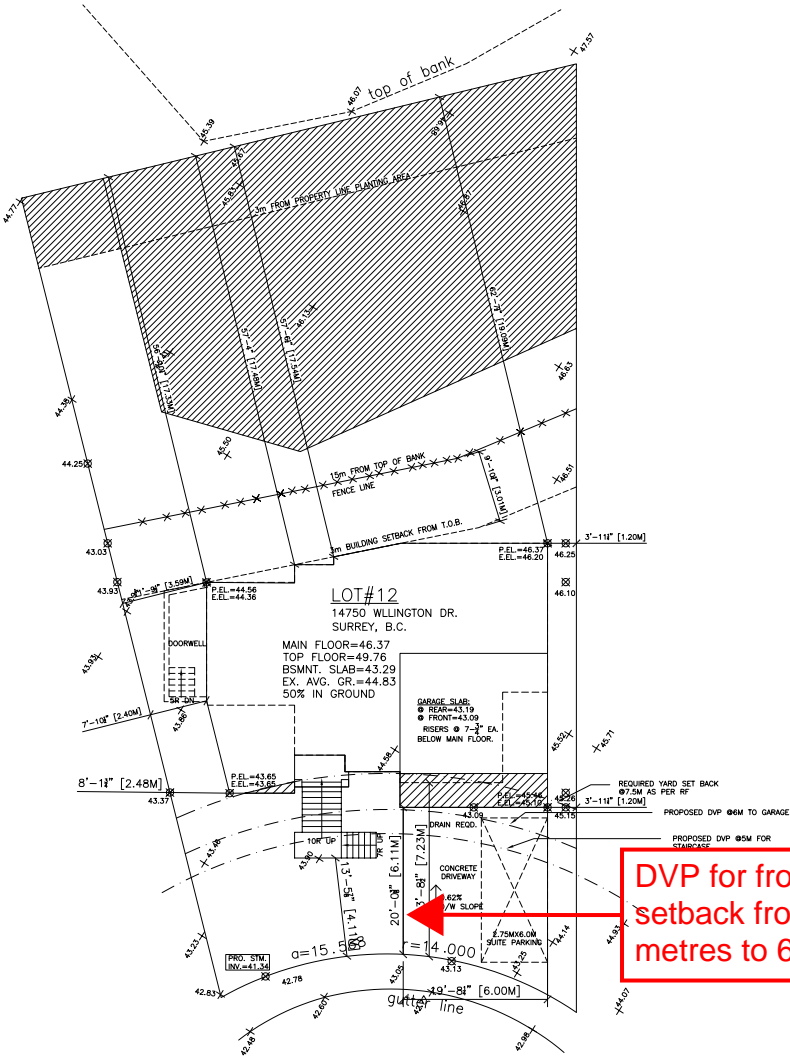
City Clerk – Jennifer Ficocelli

RF
(no types)

ZONING ANALYSIS	RF ZONE
SECTION A. GENERAL NOTES	
SECTION B. PERMITTED USES	
SECTION C. DENSITY (FLOOR AREA)	
SECTION D. HEIGHT OF BUILDINGS	
SECTION E. OFF-STREET PARKING	
SECTION F. VIEWS AND SETBACKS	
SECTION G. HEIGHT OF BUILDINGS	
SECTION H. OFF-STREET PARKING	
SECTION I. LANDSCAPING	
SECTION J. SPECIAL REGULATIONS	

SQ. FT. COMPARISON TABLE IN DIFFERENT CASE SCENARIO

FLOOR	ALLOWABLE MAX. FLOOR AREA AS PER RF ZONING BYLAW	AREA OF DWELLING WITH VARIANCE	AREA OF DWELLING WITHOUT VARIANCE
BASEMENT	2252.00 SQ.FT. [209.22 M2]	1458.07 SQ.FT. [97.02M ²]	1365.26 SQ.FT. [126.84M ²]
MAIN FLOOR	2252.00 SQ.FT. [209.22 M2]	1458.07 SQ.FT. [97.02M ²]	1365.26 SQ.FT. [126.84M ²]
TOP FLOOR	1801.60 SQ.FT. [167.37 M ²]	1053.84 SQ.FT. [65.16 M ²]	1036.43 SQ.FT. [96.29M ²]
TOTAL	6305.60 SQ.FT. [585.81 M ²]	3969.98 SQ.FT. [368.82 M ²]	3766.95 SQ.FT. [349.96M ²]



DVP for front yard setback from 7.5 metres to 6.1 metres

WELLINGTON DRIVE

SITE PLAN
SCALE: 1/8" = 1'

DRAWING NO.	REFERENCE	NO.	REVISION	BY	DATE
Billion Designs Ltd. ATIR BOPARAI LOT-12, 14750 WELLINGTON DRIVE SURREY, B.C.					
TITLE					
PROPOSED RESIDENCE FOR ATIR BOPARAI LOT-12, 14750 WELLINGTON DRIVE SURREY, B.C.					
DATE	SCALE	DATE	SCALE	DATE	SCALE
1/28.1"	1/8" = 1'	MARCH 23, 2020	1/8" = 1'		
CHIEF	DESIGNER	CHIEF	DESIGNER	CHIEF	DESIGNER
HB	HB	HB	HB	HB	HB
PHONE: 778-898-5315					
DRAWING NO.					
DD20-8189-P1					
BILLION DESIGNS LTD. SUITE 101, 14750 WELLINGTON DRIVE SURREY, B.C. V3W 2M6 TEL: (604) 595-2878 EMAIL: info@billiondesigns.ca					

THESE PLANS CONFORM TO REQUIREMENTS IN THE B.C. BUILDING CODE 2018.