

City of Surrey PLANNING & DEVELOPMENT REPORT Application No.: 7924-0139-00

Planning Report Date: July 8, 2024

PROPOSAL:

• Development Variance Permit

to allow subdivision into three (3) single family lots.

LOCATION: 838 164 Street

ZONING: RF
OCP DESIGNATION: Urban

RF-G 9 Ave St 164 St RF 165 **CTA** 8A Ave 164A St 838 163A St RF **RF-12** 8 Ave Fg Rd N 8-Ave RA

RECOMMENDATION SUMMARY

• Approval for Development Variance Permit (DVP) to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

• The applicant is proposing a Development Variance Permit for reduced lot depth and for reduced front yard setback.

RATIONALE OF RECOMMENDATION

- The applicant proposes a reduction to the minimum lot depth required for proposed Lots 1 and 2 from 28 metres to 24 metres to allow the subject site to be subdivided into three single family lots under the current RF Zone.
- Proposed lots 1 and 2 are wider than the minimum 15 metres required for new lots in the "Single Family Residential Zone (RF)", at approximately 23.3 metres and 22.08 metres respectively. Proposed lot 1 is 561.4 square metres in area, above the minimum requirement of 560 square metres under the RF Zone. Proposed lot 2 is 537.7 square metres in area (note: a lot that is 90% of the minimum area may be permitted by the Approving Officer under the General Provisions of the Zoning Bylaw as this subdivision completes the development pattern for this block).
- The subject application would need to complete connection of a new road 8A Avenue along the north property line from 164A Street to 164 Street. Proposed lots 1 and 2 will have wider than standard RF widths and the single family dwellings on each parcel would complement the existing streetscape.
- Previously, variances for lot depth to permit consolidation and subdivision of 838 164 Street and 822 164 Street was considered through Development Application No. 7917-0523-00. This application would have resulted in the same increase in net lots as with the subject application. Development Variance Permit 7917-0523-00 was issued at the Regular Council Public Hearing meeting on November 19, 2018.
- Development Variance Permit No. 7917-0523-00 lapsed as subdivision did not finalize. The application was closed as 822 164 Street chose to withdraw. A modified layout is proposed under the subject application to permit a more orderly subdivision of 838 164 Street without any consolidation with 822 164 Street.

RECOMMENDATION

The Planning & Development Department recommends that:

- 1. Council approve Development Variance Permit No. 7924-0139-00 (Appendix IV) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum lot depth of the "Single Family Residential Zone (RF) from 28 metres to 24.28 metres for Proposed lots 1 and 2; and
 - (b) to reduce the minimum front yard setback from 7.5 metres to 6.7 metres for 50% of the building width on Proposed lot 1.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Single Family Dwelling	Urban	RF
North (Abutting):	Single Family Dwellings	Urban	RF
East (Abutting):	Single Family Dwellings	Urban	RF
South (Across 8 Avenue):	Single Family Dwellings	Urban	RA
West (Across 164 Street):	Single Family Dwellings	Urban	RF, RF-12

Context & Background

- The subject property at municipal address 838 164 Street, is designated "Urban" in the Official Community Plan (OCP), and is zoned "Single Family Residential Zone (RF)". The property is 2,587 square metres in area.
- The subject property and 822 164 Street abutting to the south were part of previous Development Application No. 7917-0523-00. That application proposed variances to reduce the minimum depth of the existing "Single Family Residential Zone (RF)" to permit subdivision into four (4) lots. The variance was issued at the Regular Council Public Hearing meeting on November 19, 2018. After this variance expired due to the subdivision not completing within the allotted time, the variance was re-issued at the Regular Council Public Hearing meeting on December 20, 2021.

• 822 164 Street was principally involved in the application to permit a lot line adjustment. Development Application No. 7917-0523-00 was closed after the owner of the subject property indicated that the owners of 822 164 Street did not wish to proceed with the original application.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant is proposing to subdivide the subject property into three (3) single family residential lots. The subdivision will complete an extension of 8A Avenue along the north property line as a half-road (11.5 metres) connecting to 164 Street. The three subdivided lots would front 8A Avenue.
- To facilitate this subdivision, the applicant is proposing a Development Variance Permit (DVP) to reduce the minimum lot depth of the "Single Family Residential Zone (RF)" from 28 metres to 24.28 for Proposed lots 1 and 2.
- Proposed lot 1 has an area of 561.4 square metres, exceeding the minimum subdivided lot requirement under the RF Zone of 560 square metres.
- Proposed lot 2 is 537.7 square metres in area. Under Part 4 Section 28.(h) of the Zoning Bylaw, the Approving Officer may permit a newly subdivided lot to be no less than 90% of the minimum lot area. Only one lot under a subdivision may benefit from this provision. To avoid repeat usage of the provision, this discretion is only used when subdivision will complete the development pattern that has been established for a block.
- The front yard setback for Proposed lot 1 is also proposed to be varied from 7.5 metres to 6.7 metres for 50% of the building.
- Under the RF Zone, the front yard setback at the main floor level may be relaxed from 7.5 metres to 5.5 metres for a maximum of 50% of the width of the building. The proposed front yard setback variance on Lot 1 results in a building with a 6.7 setback for 50% of the building on the garage side of the structure and a setback of 5.5 metres for the remaining building width.

	Proposed
Lot Area	
Gross Site Area:	o.25 hectares
Road Dedication:	
Undevelopable Area:	
Net Site Area:	
Number of Lots:	3
Unit Density:	15.9 units per hectare
Range of Lot Sizes	535.7 - 789.3 square metres
Range of Lot Widths	15 – 23.30 metres
Range of Lot Depths	24.28 – 42.21 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 accepts removal of eight (8) trees on 838 164 Street that will become City trees after dedication for 8A Avenue. Further detail is

included under the TREES section of the report below.

The closest active park is South Meridian Park and is 900 metres away. South Meridian Park includes a soccer field and natural area

(a park trail).

POLICY & BY-LAW CONSIDERATIONS

Zoning By-law

Lot Depth / Setback Variances

- The applicant is requesting the following variances:
 - o to reduce the minimum lot depth of the "Single Family Residential Zone (RF) from 28 metres to 24.28 metres for Proposed lots 1 and 2; and
 - o to reduce the minimum front yard setback from 7.5 metres to 6.7 metres for 50% of the building width on Proposed lot 1.
- The proposed minimum lot depth relaxation will permit subdivision under the existing RF zoning, completing the single-family development pattern established for the block, and allowing completion of the 8A Avenue connection to 164 Street. The proposed lots are similar in width and area to historic parcels in the neighbourhood.
- The proposed front yard setback relaxation for lot 1 would permit that a garage be setback from the front lot line by 6.7 metres, with the remainder of the house being relaxed to 5.5 metres under standard RF setback provisions. This will address challenges with siting a new dwelling on a corner lot with a shallower depth.
- The proposed variances are in keeping with what Council have previously supported through issuance of Development Variance Permits 7915-0523-00 and 7915-0523-01 on the subject property. The proposal for subdivision is essentially the same as the historic files, with the exception that an abutting property is no longer participating with a lot line readjustment under the application.

Lot Grading

- A preliminary lot grading plan, submitted by Terra Nobis Consulting Inc., and dated April 2024. has been reviewed by staff and found to be generally acceptable subject to more information on the stormwater detention values and proposed storm sewer connections.
- The applicant propose in-ground basements. The feasibility of in-ground basements will be confirmed once the City's Engineering Department has reviewed and accepted the applicant's final engineering drawings.

PUBLIC ENGAGEMENT

- The Development Proposal Signs were installed on June 18, 2024. Staff received one (1) response from neighbouring residents.
- The respondent indicated that one of the development signs was obscured due to vegetation overgrowth. The applicants subsequently submitted new photographs showing that this vegetation had been trimmed.

TREES

• Max Rathburn and Dean Bernasch, ISA Certified Arborists of Diamond Head Consulting Ltd. prepared an Arborist Assessment for the subject property. The table below provides a summary of the proposed tree retention and removal by tree species:

Table 1: Summary of Proposed Tree Preservation by Tree Species:

Table 1: Summary of Proposed Tree Preservation by Tree Species:							
Tree Species	Existing		Remove	Retain			
Alder and Cottonwood Trees							
Red Alder		1	1	0			
Deciduous Trees (excluding Alder and Cottonwood Trees)							
Arbutus	1		1	0			
Bitter Cherry	1		1	0			
Discovery Elm	2		0	2			
English Holly	3		3	0			
Hawthorn		3	3	0			
	Conifer	ous Trees					
Douglas Fir		15	14	1			
Western Red Cedar	7		3	4			
Total (excluding Alder and Cottonwood Trees)	32		25	7			
Total Replacement Trees Proposed (excluding Boulevard Street Trees)		15					
Total Retained and Replacement Trees Proposed			22				
Estimated Contribution to the Green City Program		\$19,800.00					

- The Arborist Assessment states that there are a total of 32 mature trees on the site, excluding Alder and Cottonwood trees. Of 33 existing trees, one is an Alder tree. The applicant proposes to retain seven (7) trees 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 1 to 1 replacement ratio for Alder and Cottonwood trees and a 2 to 1 replacement ratio for all other trees. This will require a proposed total of 51 replacement trees on the site. Since 15 proposed replacement trees can be accommodated on the site (based on an average of five (5) trees per lot), the proposed deficit of replacement trees will require an estimated cash-in-lieu payment of \$19,800.00, representing \$550 per tree to the Green City Program, in accordance with the City's Tree Protection By-law.
- Eight (8) trees proposed for the removal fall on the northern portion of the site proposed for dedication and construction as 8A Avenue. Removal of these future City trees is accepted by Parks, which recommends 2:1 compensation into the Green City Program.
- In summary, a total of 22 trees are proposed to be retained or replaced on the site with an estimated contribution of \$19,800.00 to the Green City Program (this figure includes the compensation for removal of trees that would become City-owned after dedication for 8A Avenue).

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Site Plan

Appendix II. Engineering Summary

Appendix III. Summary of Tree Survey, Tree Preservation and Tree Plans

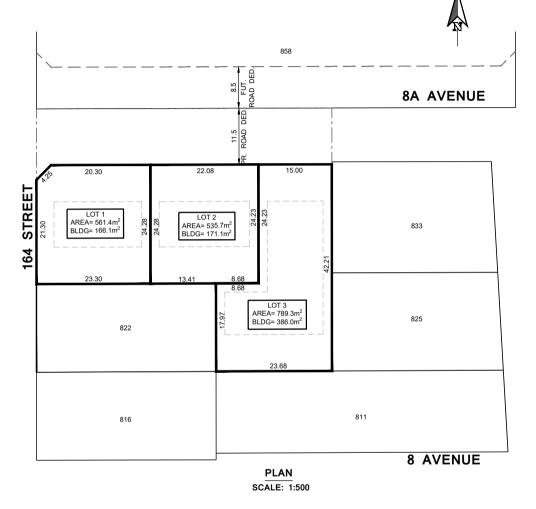
Appendix IV. Development Variance Permit No. 7924-0139-00

approved by Shawn Low

Don Luymes General Manager Planning and Development

JK/ar

Appendix I



ELEVATIONS ARE DERIVED FROM CITY OF SURREY CONTROL MONUMENT No. 5760 ELEVATION = 36.213m DATUM CVD28GVRD2005. LOT DIMENSIONS AND CITY OF SURREY DATE **REVISIONS / SUBMISSIONS** ENGINEER CLIENT PROJECT SEAL 21063 7817-0523-00 **NEW SUBDIVISION LAYOUT** TERRA NOBIS CLEARANCES ACCORDING TO FIELD SURVEY CONSULTING INC. HOR. SCALE DRAWING NUMBER SITE ADDRESS 1 OF 1 #203 - 15585 24 Avenue, Surrey, V4A 2J4 PHONE: 604.946.3007 VER. SCALE LMP22125 NWD LOT 1 SECTION 12 TOWNSHIP 1 PLAN NWP88144 NWD TEL: 604-716-8400 838 164 STREET, SURREY SURREY PROJECT NUMBER EMAIL: INFO@TERRANOBIS.COM PERMIT TO PRACTICE #: 1000490 EMAIL: KANWALGHUMAN@HOTMAIL.COM 26 APR 2024 ALTERNATIVE SUBDIVISION LAYOUT (822 164ST REMOVED) SURREY DRAWING NUMBER DESTROY ALL PRINTS BEARING PREVIOUS REVISION NUMBER



INTER-OFFICE MEMO

TO: Director, Development Planning, Planning and Development Department

FROM: Development Services Manager, Engineering Department

DATE: **July 2, 2024** PROJECT FILE: **7824-0139-00**

RE: Engineering Requirements

Location: 838 164 St

SUBDIVISION

Property and Right-of-Way Requirements

- Dedicate 11.5m for 8A Ave.
- Dedicate corner cut.
- Register o.5m SRW along all development frontages.

Works and Services

- Construct east side of 164 St.
- Construct 8A Ave.
- Install new fronting water, sanitary and drainage mains as required.
- Provide adequately sized storm, sanitary and water service connection to each lot.
- Register RC for onsite storm pump maintenance.

A Servicing Agreement is required prior to Subdivision.

DEVELOPMENT VARIANCE PERMIT

There are no additional requirements to the proposed Development Variance Permit.

Jeff Pang, P.Eng.

Manager, Development Services

DYC

4.0 Tree Preservation Summary

Table 2: City of Surrey tree preservation summary table for on-site and off-site trees, including the number of replacement trees proposed.

Surrey Project Number 17-0523-00

Site Address 838 164th Street, Surrey

Registered Arborist Dean Bernasch (PN-8676A)

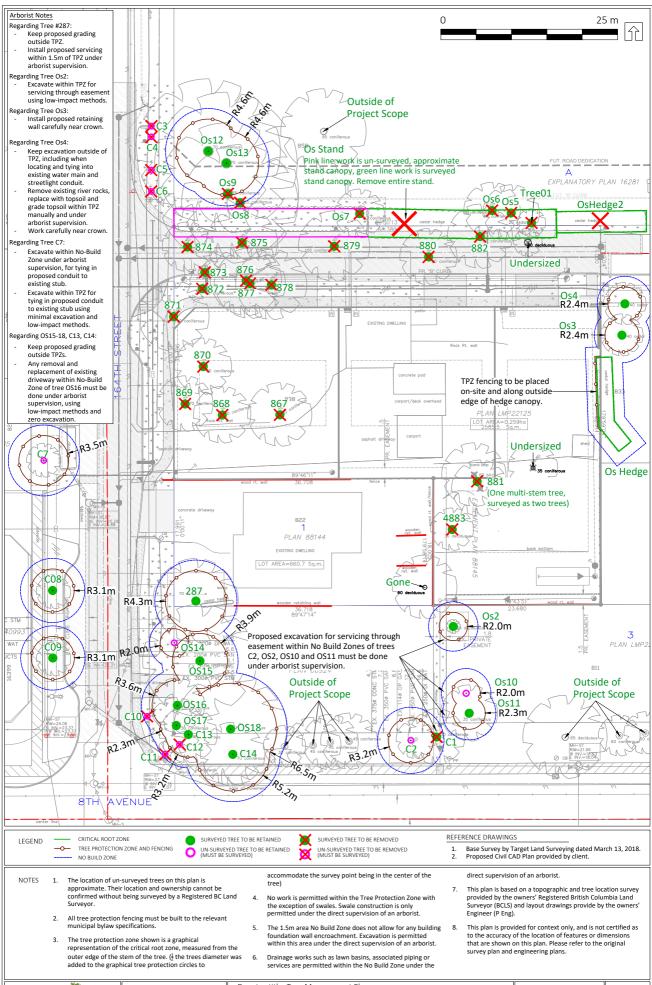
On-Site Trees	Number of Trees
Protected Trees Identified	
(On-site and shared trees, including trees within boulevards and proposed streets and lanes, but excluding trees in proposed open space or riparian areas)	33
Protected Trees to be Removed	26
Protected Trees to be Retained	7
(Excluding trees within proposed open space or riparian areas)	
Total Replacement Trees Required:	
- Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio	
1 X one (1) = 1	51
- All other Trees Requiring 2 to 1 Replacement Ratio	
25 X two (2) = 50	
Replacement Trees Proposed	15
Replacement Trees in Deficit	36
Protected Trees to be Retained in Proposed Open Space / Riparian Areas	-

Off-Site Trees	Number of Trees
Protected Off-Site Trees to be Removed	6
Total Replacement Trees Required:	
- Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio	
0 X one (1) = 0	12
- All other Trees Requiring 2 to 1 Replacement Ratio	
6 X two (2) = 12	
Replacement Trees Proposed	TBD
Replacement Trees in Deficit	TBD

Summary, report, and plan prepared and submitted by

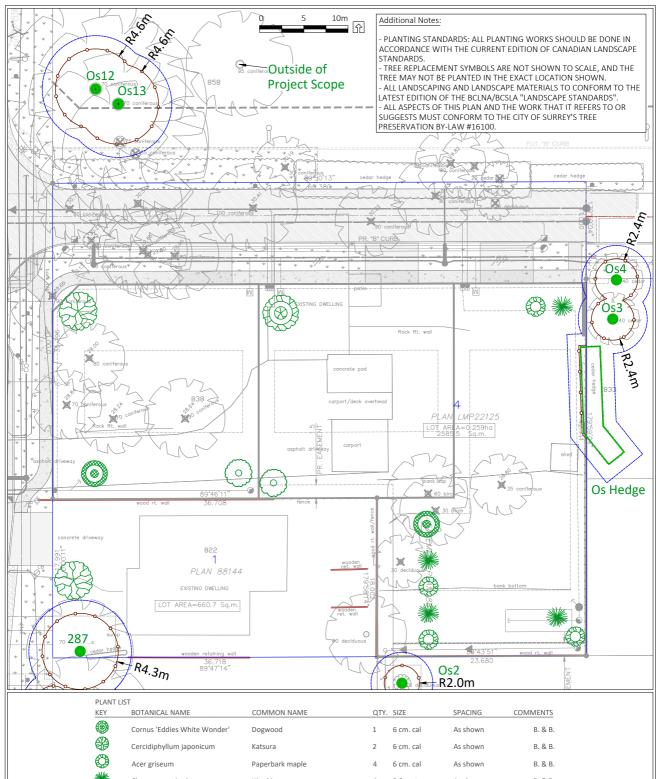
Dean Boannel April 17, 2023

Signature of Arborist Date



DIAMOND

3559 COMMERCIAL STREET VANCOUVER BC | VSN 4EB T 604.733.4886 Droject Address: 838 164th Street, Surrey, BC Client: Kanwal Ghuman Drawing No: 004 Date: 2024/05/21 Drawn by: DBE/CL Page Size: TABLOID 11"x17"



KEY	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	SPACING	COMMENTS
(3)	Cornus 'Eddies White Wonder'	Dogwood	1	6 cm. cal	As shown	B. & B.
	Cercidiphyllum japonicum	Katsura	2	6 cm. cal	As shown	В. & В.
	Acer griseum	Paperbark maple	4	6 cm. cal	As shown	В. & В.
	Chamaecyparis obtusa	Hinoki cypress	4	3.0 meters	As shown	В. & В.
0	Styrax japonicus	Japanese snowbell	2	6 cm. cal	As shown	В. & В.
\odot	Magnolia sieboldii	Oyama magnolia	2	6 cm. cal	As shown	В. & В.

LEGEND -oCRITICAL ROOT ZONE TREE PROTECTION ZONE AND FENCING

SURVEYED TREE TO BE RETAINED UN-SURVEYED TREE TO BE RETAINED (MUST BE SURVEYED) REFERENCE DRAWINGS

- Base Survey by Target Land Surveying dated March 13, 2018. Proposed Civil CAD Plan provided by client.

NOTES

- The location of un-surveyed trees on this plan is approximate. Their location and ownership cannot be confirmed without being surveyed by a Registered BC Land
- All tree protection fencing must be built to the relevant municipal bylaw specifications.
- The tree protection zone shown is a graphical representation of the critical root zone, measured from the outer edge of the stem of the tree. (} the trees diameter was added to the graphical tree protection circles to
- accommodate the survey point being in the center of the tree)
- No work is permitted within the Tree Protection Zone with the exception of swales. Swale construction is only permitted under the direct supervision of an arborist.
- The 1.5m area No Build Zone does not allow for any building foundation wall encroachment. Excavation is permitted within this area under the direct supervision of an arborist.
- Drainage works such as lawn basins, associated piping or 6 services are permitted within the No Build Zone under the

direct supervision of an arborist

- This plan is based on a topographic and tree location survey provided by the owners' Registered British Columbia Land Surveyor (BCLS) and layout drawings provide by the owners' Engineer (P Eng).
- This plan is provided for context only, and is not certified as to the accuracy of the location of features or dimensions that are shown on this plan. Please refer to the original survey plan and engineering plans.



Drawing title: Tree Replacement Plan COS Project Number: 17-0523-00 3559 COMMERCIAL STREET VANCOUVER BC | V5N 4E8 T 604.733.4886 Project address: 838 164th Street, Surrey, BC Client: Kanwal Ghuman

Drawing No: 003 Date: 2023/05/21 Drawn by: DBE/CL Page Size: TABLOID 11"x17"

Page # 2 of 2

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7924-0139-00 Issued To: (the Owner) Address of Owner: Issued To: (the Owner) Address of Owner: This development variance permit is issued subject to compliance by the Owner with all 1. 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: 019-194-030 LOT 4 SECTION 12 TOWNSHIP 1 NEW WESTMINSTER DISTRICT PLAN LMP22125 838 164 Street (the "Land") (a) As the legal description of the Land is to change, the City Clerk is directed to insert 3. 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:
 - o to reduce the minimum lot depth of the "Single Family Residential Zone (RF) from 28 metres to 24.28 metres for Proposed Lot 1 and 2; and
 - o to reduce the minimum front yard setback from 7.5 metres to 6.7 metres for 50% of the building width on Proposed lot 1.
- 5. This development variance permit applies to only the <u>portion of the Land</u> shown on Schedule A which is attached hereto and forms part of this development variance permit. This development variance permit does not apply to additions to, or replacement of, any of the existing buildings shown on attached Schedule A, which is attached hereto and forms part of this development variance 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 COUNCIL, THE DAY OF , 20 .

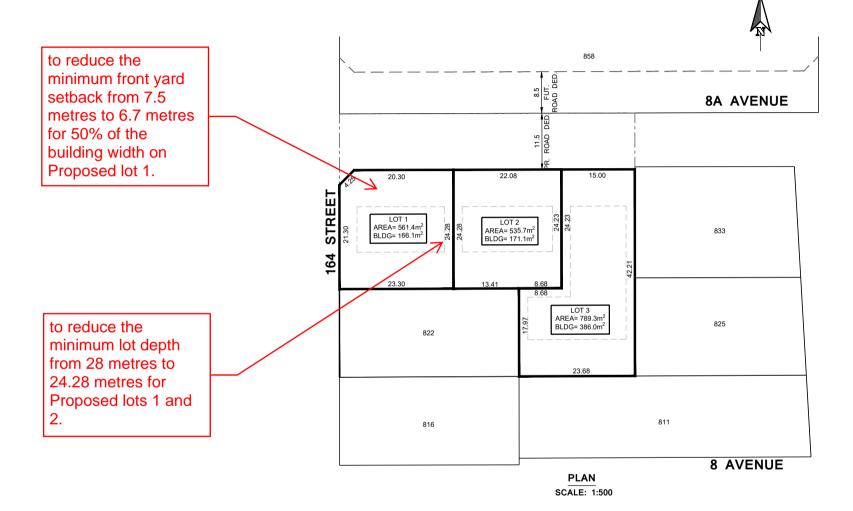
ISSUED THIS DAY OF , 20.

City Clark and

City Clerk and Director Legislative Services Jennifer Ficocelli

Mayor - Brenda Locke

Schedule A



SURREY CONTROL MONUMENT No. O ELEVATION = 36.213m DATUM A 228GVRD2005. LOT DIMENSIONS AND						
ARANCES ACCORDING TO FIELD	TERRA NOBIS CONSULTING INC.	KANWAL GHUMAN	21063 7817-0523-00		NEW SUBDIVISION LAYOUT	
RVEY A SECTION 12 TOWNSHIP 1 PLAN A	#203 - 15585 24 Avenue, Surrey, V4A 2J4 PHONE: 604.946.3007	_		SITE ADDRESS		HOR. SCALE DRAWING NUMBER 1 OF 1
222125 NWD 1 SECTION 12 TOWNSHIP 1 PLAN Description 1 Section 1 Section 2 Sectio		TEL: 604-716-8400 EMAIL: KANWALGHUMAN@HOTMAIL.COM	838 164 STREET, SURREY	s	SURREY PROJECT NUMBER SURREY DRAWING NUMBER	