

Corporate Report

NO: L006

COUNCIL DATE: May 29, 2006

REGULAR COUNCIL – LAND USE

TO: Mayor & Council DATE: May 25, 2006

FROM: Acting General Manager, Planning and Development FILE: 7904-0432-00

SUBJECT: Proposed RF-O Development at 12626 - 15 Avenue -

Application No. 7904-0432-00

RECOMMENDATION

It is recommended that Council:

- 1. Receive this report as information;
- 2. Consider granting third reading to Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15854;
- 3. Authorize the Clerk to proceed with public notification for the revised Development Variance Permit No. 7904-0432-00 (Appendix "C"); and
- 4. Require, in addition to the conditions prescribed in Planning Report No. 7904-0432-00, the applicant to register a Restrictive Covenant on the title to the property that requires that any application for any future proposed development (including a pool) on the lot, will be subject to a geotechnical study and related report that takes into account, among other things, the *Guidelines for Legislated Landslide Assessments for Proposed Residential Developments in BC*, to demonstrate that the site may be used safely for the proposed development.

INTENT

The purpose of this report is to advise Council of the results of additional community consultation undertaken by the applicant and City staff, regarding the property at 12626 - 15 Avenue (Application No. 7904-0432-00), which has occurred since the Public Hearing of January 30, 2006, and to recommend a course of action for Council's consideration.

BACKGROUND

On December 14, 2004, the owner of the property at 12626 - 15 Avenue submitted a development application for rezoning from "Single Family Residential Zone (RF)" to "Single Family Residential Oceanfront Zone (RF-O)" to permit the development of a single family dwelling (File No. 7904-0432-00) (Appendix "A"). As part of this

proposal, a Development Variance Permit was also proposed to:

- reduce the north front yard setback of the RF-O Zone from 10 metres to 4.8 metres;
- reduce the south rear yard setback of the RF-O Zone from 10 metres to 4.8 metres; and
- reduce the minimum lot depth of the RF-O Zone from 45 metres to 30 metres.

The Public Hearing for the Rezoning By-law was held on January 30, 2006. During the Public Hearing the following occurred:

- Council received written submissions from a total of 75 persons that noted their views on the proposed development, including 62 persons in opposition and 13 persons in support; and
- Council heard from 13 people who expressed opposition to the proposed development and two people who expressed support for the proposed development.

Subsequent to the Public Hearing, Council resolved that:

"Application No. 7904-0432-00 be referred back to staff to address concerns raised at the public hearing".

Council did not give third reading to Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15854 and deferred consideration of approval of Development Variance Permit No. 7904-0432-00, pending resolution of concerns raised at the Public Hearing.

DISCUSSION

The Planning and Development Department hosted two meetings between the applicant and the concerned neighbours to the east to attempt to find solutions. In addition, staff have met individually with the same neighbours and also with the applicant. The following is a summary of the concerns and the means by which they are being addressed:

1. House design and view protection for adjacent neighbours

In response to concerns regarding view corridor protection raised by the neighbours to the immediate east, the applicant has modified the design of the house. The applicant has offered to reduce the width of the second floor by 1.2-metres (3.9 feet) on both the north and south sides and slope the roof lines inward to widen the view corridor. The applicant has also proposed to lower the entire roof to 0.60 metres (1.96 feet) below the height allowed under the existing Restrictive Covenant registered on title, limiting the building ridge height to 55.93 metres (180 feet) above sea level (Appendix "B"). Furthermore, the applicant has offered to restrict the height of new landscaping in both the north and south view corridors by way of a Restrictive Covenant.

The neighbours accepted these changes and also proposed a 7.5 metre (25 foot) south rear yard setback and also a 2.1 metre (6.9 foot) north front yard setback. The applicant has indicated that he is able to adjust the house design on the lot to meet this request (Appendix "B").

The project was originally forwarded to Council with a Development Variance Permit (DVP) application to vary the front and rear yard setbacks from 10 metres (32.8 feet) to 4.8 metres (15.7 feet) on the front and rear yards, respectively. In order to implement the DVP with the agreed upon modifications, a revised DVP (Appendix "C") will have to go through the public notification process before final approval.

2. Slope stability and geotechnical concerns

At the Public Hearing, concerns were raised by the neighbours regarding the proposed decorative pool and the reliability of geotechnical studies submitted by the applicant. Suggestions were made that an independent geotechnical study be conducted and a global stability analysis be considered. During discussion with the neighbours subsequent to the Public Hearing, the applicant decided to remove the proposed decorative pool from the application. The neighbours expressed a desire that any future pool proposal for the subject site should include notification to surrounding neighbours. However, staff indicated that there is no established notification process as part of building permit application.

The Association of Professional Engineers and Geoscientists of B.C. (APEGBC), in conjunction with the B.C. Ministries of Forests, Transportation and Community Services and the BC Provincial Emergency Program's Natural Hazards Mitigation Fund, have recently announced development of guidelines that will offer a standardized approach to engineers and geoscientists in assessing suitability for development along sloping sites. These *Guidelines for Legislated Landslide Assessments for Proposed Residential Developments in BC* are anticipated to be published in mid 2006 and a draft copy was made available in March 2006. As the City's policies on slope development are expected to follow the procedures and standards recommended in these *Guidelines*, it is recommended that the applicant be required to ensure that the geotechnical studies provided be consistent with these new guidelines.

Furthermore, the applicant will be required to register a Restrictive Covenant that ensures that any future proposed construction (including a pool) will be subject to the geotechnical requirements and procedures as recommended by these *Guidelines*. This Restrictive Covenant should address any geotechnical concerns the neighbours may have about any future construction.

3. Debris clearing and fire safety

Several trees were topped on the adjacent Burlington Northern Santa Fe Railway (BNSFR) lands to the immediate west of the subject site in May 2005. The applicant has a legal agreement with BNSFR to remove the debris created by the tree topping and proposes to remove the debris at the same time that they

demolish the existing house on the site. Surrey Fire Services is aware of this arrangement and supports the removal of the debris in this manner. Confirmation of the BNSFR agreement as well as appropriate security will be obtained before final adoption of the rezoning by-law.

CONCLUSION

Based on the above discussion, it is recommended that Council consider granting third reading to Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15854 and that the Clerk to proceed with Public Notification for the revised Development Variance Permit No. 7904-0432-00.

How Yin Leung Acting General Manager Planning and Development

KB/kms/saw

Attachments:

Appendix "A" - Planning Report presented to Council on October 3, 2005

Appendix "B" - House Design Modifications

Appendix "C" - Revised Development Variance Permit No. 7904-0432-00

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Proposal: Rezone from RF to RF-O to permit the development of a

single family dwelling. DVP to relax the minimum lot depth

and reduce the front and rear yards.

Recommendation: Approval to Proceed

Location: 12626 - 15 Avenue **Zoning:** RF

OCP Designation: Urban

LAP Designation: Urban Owners: Paul and Gay Hough

Residential



PROJECT TIMELINE

Completed Application Submission Date: May 5, 2005 Planning Report Date: October 3, 2005

PROPOSAL

The applicant is proposing:

- a rezoning from RF to RF-O;
- a Development Variance Permit to vary the RF-O Zone to relax the following by-law regulations:
 - relax the minimum lot depth requirement from 45 metres (150 ft.) to 30 metres (98 ft.);
 - reduce the minimum required front yard from 10 metres (33 ft.) to 4.8 metres (16 ft.); and
 - reduce the minimum required rear yard from 10 metres (33 ft.) to 4.8 metres (16 ft.)

in order to permit the development of a single family dwelling.

RECOMMENDATION

The Planning & Development Department recommends that:

- 1. a By-law be introduced to rezone the property from "Single Family Residential Zone (RF)" (By-law No. 12000) to "Single Family Residential Oceanfront Zone (RF-O)" (By-law No. 12000) and a date be set for Public Hearing.
- 2. Council approve Development Variance Permit No. 7904-0432-00 (Appendix V), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front yard setback of the RF-O Zone from 10 metres (33 ft.) to 4.8 metres (16 ft.);
 - (b) to reduce the minimum rear side yard setback of the RF-O Zone from 10 metres to 4.8 metres (16 ft.); and
 - (c) to reduce the minimum lot depth requirement of the RF-O Zone from 45 metres (150 ft.) to 30 metres (98 ft.);

provided that the east side yard setback is a minimum of 10 metres (33 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, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;

(b) submission of an acceptable tree survey and a statement regarding tree preservation;

- (c) registration of a Restrictive Covenant to ensure the proposed dwelling complies with the approved building plans; and
- (d) registration of a Restrictive Covenant for the Geotechnical Report.

REFERRALS

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

to the completion of Engineering servicing requirements as

identified in the attached (Appendix IV).

SITE CHARACTERISTICS

• Existing Land Use A single family dwelling to be demolished.

• East: Single family residential, zoned RF, designated Urban in the

OCP.

• South: Single family residential, zoned RF, designated Urban in the

OCP.

• West: Burlington Northern Railway right-of-way, zoned RF,

designated Urban in the OCP.

• North: Across 15 Avenue, single family residential, zoned RF,

designated Urban in the OCP.

PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

LAP Designation: Complies.

DEVELOPMENT CONSIDERATIONS

- The subject lot is located at 12626 13 Avenue, along the ocean bluff in South Surrey. It is designated Urban in the OCP.
- The applicant is proposing a rezoning from Single Family Residential Zone (RF) to Single Family Residential Oceanfront Zone (RF-O) to permit the construction of a larger home (546 sq.m./5,875 sq.ft.).

• The applicant is applying for a variance to reduce the front and rear yard setbacks to provide an appropriate building envelope. A variance is also requested to reduce the lot depth requirement of the RF-O zone.

- The proposed development complies with the criterion of the RF-O Zone as:
 - o The property is located such that no residential lots exist between the subject site and the ocean water front (including the Burlington Northern Railway property);
 - o The subject site satisfies the minimum lot area criterion of the RF-O zone; and
 - The proposed floor area is within the maximum floor area ratio (FAR) of 0.32 and the permitted lot coverage of 25%.

Building Design

- As a condition of rezoning approval, the building plans are required to be registered on title.
- The existing single family dwelling on the lot will be demolished.
- The applicant proposes a two-storey dwelling finished with stone on the main level. Stone veneer finishing is proposed for the first floor and cedar shingle siding is planned for the second floor. Slate is proposed for the roof. The applicant is proposing to build a pool at the rear of the house. No basement suites are permitted (Appendix III).
- The applicant has proposed a house height of 6.16 metres (20 feet) to the mid-point of the highest gable. This is below the maximum house height of 9 metres (30 feet) allowed in the RFO zone. The ridge of the roof is proposed to be 55.83 metres (180 feet) above sea level. The property has an existing Restrictive Covenant on it, limiting the building ridge height to 55.93 metres (180 feet) above sea level.

Geotechnical Report and Tree Preservation

- A geotechnical report to evaluate slope stability was prepared by Levelton Consultants Ltd. The geo-technical assessment of the site specifies that the footings of the proposed house and pool must be constructed behind the 2 Horizontal to 1 Vertical line extending from the base of the slope to the underside of the footings. The geotechnical report recommends that a qualified geotechnical engineer conduct a review of the excavation prior to the placement of the concrete footings (Appendix VI). Those requirements and geotechnical report will be registered on title
- Building Division has reviewed the geotechnical report and has found it satisfactory. At building
 permit stage, the Building Division will require Letters of Assurance from a geotechnical
 engineer.
- The Arborist Report indicates that there are five mature (By-law protected) trees on the subject site. The applicant is proposing to remove one tree as it is in poor condition and falls within the

proposed building footprint. All other trees on the site are to be retained. The applicant is proposing to plant two additional replacement trees on the site (Appendix VII).

- The City Landscape Architect has reviewed the Arborist Report and has found it acceptable.
- "Tree-topping" that occurred on a portion of the Burlington Northern Railway property adjacent to the subject site is being addressed separately by Council. More details are provided in the "Pre-notification" section of this report.

View Impact Analysis

- The immediate neighbours to the east expressed concerns that their ocean view would be impacted by the proposed house on the subject site. To address these concerns a view analysis was produced by the design consultant (Appendix VIII).
- The view analysis shows what could be built on the property under the current RF zoning. A house could be built 1.2 metres (4 feet) from the eastern property line and the eastern elevation could be 19.7 metres (65 feet) in length (the lot is 30.2 metres/99 feet wide at this property line). This would significantly impact the view corridors of the neighbours to the east as Appendix VIII demonstrates.
- The applicant is proposing to locate his house much farther from the east property line than the 1.2 metres (4 feet) that he could under the RF Zone. The side-entry garage is proposed to be 10 metres (33 feet) from the east property line and the house building itself is proposed to be approximately 19 metres (62 feet) from the east property line. By locating the proposed house in this location, the view corridors are enhanced. In addition, the property has an existing Restrictive Covenant on it, limiting the building ridge height to 55.93 metres (180 feet) above sea level. This limits the house height to 6.16 metres (20 feet), although the RF-O zone allows a house height of 9 metres (30 feet).
- Additional measures were considered to ensure that new landscaping next to the house would be limited to a reduced height in order to further protect views. However, these measures have not been required by the adjacent neighbours (see below).

PRE-NOTIFICATION

Pre-notification letters were sent on January 11, 2005 and staff received the following comments:

- One telephone call and one letter from the immediate neighbour to the south were received in support of the application.
- One resident to the immediate north wrote a letter and phoned with concerns about slope stability.

(Staff met with this resident and assured the resident that a geo-technical study would be done for the site and that it would be reviewed by the City.)

 Two neighbours to the immediate east expressed concerns over potential loss of view and the proposed development variances.

(Staff met with these neighbours on three (3) separate occasions and with the applicant/his agents on four (4) separate occasions to discuss the proposal and various ways to minimize the impact on the neighbours' ocean view. The garage location was adjusted and the house was centred on the lot to open up a view corridor on the south side of the subject lot. A view analysis prepared by the design consultant contrasted the proposed house with what could be built under the existing RF Zone (Appendix VIII). The proposed house allows for more view corridor than what could be built under the RF Zone. The applicant offered to register a Restrictive Covenant to restrict the height of new landscaping in the view corridors to 2.7 metres (9 feet) but the neighbours felt this was unnecessary and would not improve their view. Therefore, no Restrictive Covenant for new landscaping height will be prepared.

These neighbours continue to express their concerns and do not support this application.)

• Staff received 2 letters, 7 phone calls and 18 e-mails regarding the tree-topping that occurred on a portion of the Burlington Northern Railway (BNR) property that borders the subject site in early May 2005. Residents indicated concern with this incident and have requested that the City enforce the provisions of its Tree By-law.

(Residents were informed that the City Landscape Architect was investigating the incident. Building Division prepared a Corporate Report (R181) for Council's consideration at the July 18, 2005 Council meeting.

A, in-camera "show cause" hearing was commenced on September 19, 2005 where the owner of Dave Matheson Professional Tree Service was given the opportunity to provide information to Council as to why Council should not revoke or suspend the business license of that firm in relation to that firm's part in the unauthorized cutting of trees on Burlington Northern Railway's (BNR) property adjacent to the subject site. The "show cause" hearing was not concluded that day due to time constraints and will be continued in the next month.

The applicant has reached an agreement with BNR to remove the tree topping debris from the BNR lands at the same time the existing house is demolished.)

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

• To reduce the front yard setback from 10 metres (33 feet) to 4.8 metres (16 feet) to allow for a deeper building envelope.

Applicant's Reasons:

• The applicant requires the proposed front yard setback reduction in order to provide an adequate building envelope.

Staff Comments:

- The subject lot fronts on 15 Avenue because a portion of the lot along 126A Street was subdivided in 1995 by a different owner. This makes the lot very shallow for such a large lot and also means that the building envelope is quite shallow at 10 metres (33 feet) deep (see Appendix IX for comparison of building envelopes).
- It is reasonable to allow a sufficient building envelope on this lot because it is a large lot (2,132 sq.m. or 23,000 sq.ft.) and the RF-O zone was developed to accommodate larger houses on large ocean bluff lots.
- There is minimal impact on the neighbouring lot to the north because 15 Avenue acts as a buffer.

(b) Requested Variance:

• To reduce the rear yard setback from 10 metres (33 feet) to 4.8 metres (16 feet) to allow for a deeper building envelope.

Applicant's Reasons:

• The applicant requires the proposed rear yard setback reduction in order to provide an adequate building envelope.

Staff Comments:

- The subject lot fronts on 15 Avenue because a portion of the lot along 126A Street was subdivided in 1995 by a different owner. This makes the lot very shallow for such a large lot and also means that the building envelope is quite small at 10 metres wide (33 feet).
- It is reasonable to allow a sufficient building envelope on this lot because it is a large lot (2,132 sq.m. (23,000 sq.ft.) and the RF-O zone was developed to accommodate larger houses on large bluff lots.
- The proposed house will face the east, thus, in practical terms, the rear yard is like a side yard. The RF-O zone calls for a 1.8 metre (6 feet) side yard setback and the proposed setback satisfies this requirement.
- There is minimal impact on the neighbouring lot to the south because the dwelling on that lot is oriented east-west with its front facing east. The interface is between two side yards and the 1.8 metre (6 feet) proposed setback meets the RF-O requirements. The neighbour to the south has written a letter of support for the applicant's proposal.

(c) Requested Variance:

• To relax the minimum lot depth requirement of the RF-O zone from 45 metres (150 feet) to 30 metres (98 feet).

Applicant's Reasons:

• This variance is needed to allow the existing lot to conform to the RF-O zone regulations.

Staff Comments:

- The lot is much wider (75.3 metres or 250 feet) than it is deep (30.23 metres or 100 feet) because of its orientation to 15 Avenue. It is a large lot, measuring 2,132 sq.m. (23,000 sq.ft.) in area.
- The lot conforms to all the criteria prescribed by the RF-O zone regulations except for lot depth and this is due to the lot orientation with respect to 15 Avenue.
- It is noted that a condition of these three (3) variances is that the east side yard setback must be a minimum of 10 metres (33 feet).

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners.	Action Summary	and Proj	iect Data Sheets

Appendix II. Contour Map

Appendix III. Site Plan, Typical Floor Plans and Elevations

Appendix IV. Engineering Summary

Appendix V. Development Variance Permit No. 7904-0432-00 Appendix VI. Geotechnical Report Siting Recommendations Summary of Tree Survey and Tree Preservation

Appendix VIII. View Analysis

Appendix IX. Building Envelope Comparison

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated February 18, 2005.
- Tree Survey and Tree Preservation and Planting Plan prepared by C. Kavolinas & Associates and dated January 26, 2005.
- Geotechnical Study prepared by Levelton Engineering Solutions and dated May 15, 2005.
- Soil Contamination Review Questionnaire prepared by Paul Hough and dated December 20, 2004.

Murray Dinwoodie General Manager Planning and Development

<u>Information for City Clerk</u>

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent: Name: Clarence Arychuk, Hunter Laird Engineering Ltd.

Address: #300 - 65 Richmond Street

New Westminster, B.C. V3L 5P5

Tel: 604-525-4651

2. Properties involved in the Application

(a) Civic Address: 12626 - 15 Avenue

(b) Civic Address: 12626 - 15 Avenue Owners: Paul and Gay Hough

PID: 010-823-247

Lot 1 Except Part in Plan LMP24467 Block 20 Section 7 Township 1 New

Westminster District Plan 2834

3. Summary of Actions for City Clerk's Office

(a) Introduce a By-law to rezone the property.

(b) Proceed with Public Notification for Development Variance Permit No. 7904-0432-00.

SUBDIVISION DATA SHEET

Proposed Zoning: RF-O

Requires Project Data	Prop	osed				
GROSS SITE AREA	•					
Acres	.52 a	cres				
Hectares	.213 ha					
NUMBER OF LOTS						
Existing	1					
Proposed	1					
-						
SIZE OF LOTS						
Range of lot widths (metres)	69.86 North Property Line					
Range of lot areas (square metres)	2,123	3 m ²				
DENSITY						
Lots/Hectare & Lots/Acre (Gross)	4.69 uph	1.92 upa				
Lots/Hectare & Lots/Acre (Net)	4.69 uph	1.92 upa				
SITE COVERAGE (in % of gross site area)						
Maximum Coverage of Principal &						
Accessory Building	25%					
Estimated Road, Lane & Driveway Coverage	3%					
Total Site Coverage	28%					
PARKLAND						
Area (square metres)						
% of Gross Site						
DADW AND	Requ	ired				
PARKLAND	.					
5% money in lieu	NO)				
TENER GLIDARIA/A GGEGGAMENTE	XZE	20				
TREE SURVEY/ASSESSMENT	YE	LS				
MODEL DITH DING COHEME	N/	<u> </u>				
MODEL BUILDING SCHEME	NO)				
HERITAGE SITE Retention	N/	<u> </u>				
HERITAGE SITE Retention	NO	<u> </u>				
POLINDARY HEALTH Approval	NO	<u> </u>				
BOUNDARY HEALTH Approval	1110	<i>.</i>				
DEV. VARIANCE PERMIT required						
Road Length/Standards	NO	<u> </u>				
Works and Services	NO					
Building Retention	NO					
Others	YES					
Outers	1 0	N)				

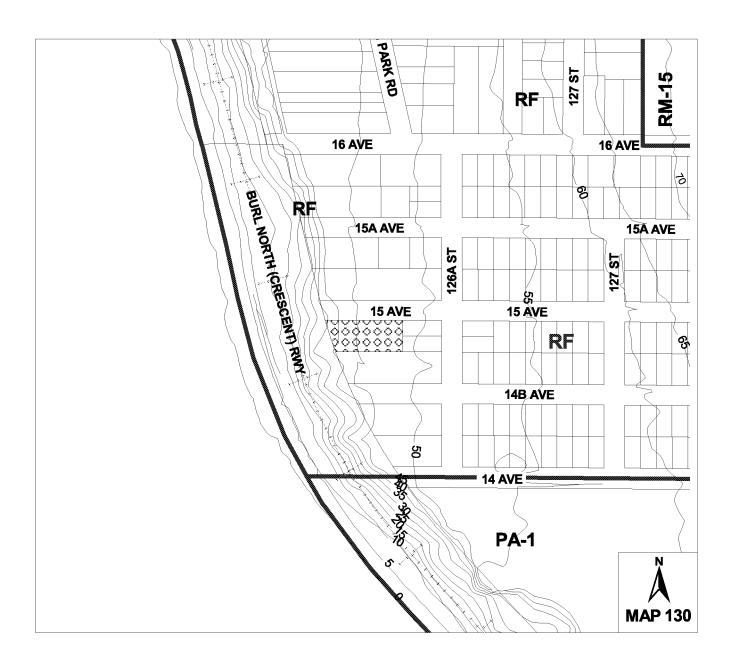
DEVELOPMENT DATA SHEET

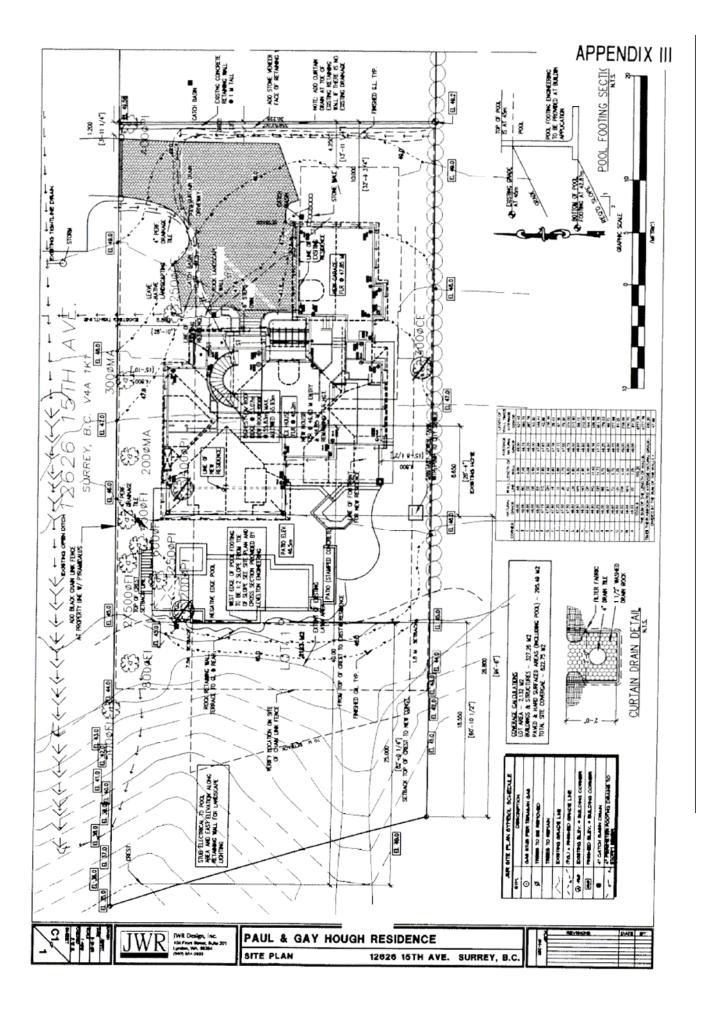
Proposed/Existing Zoning: RF-O

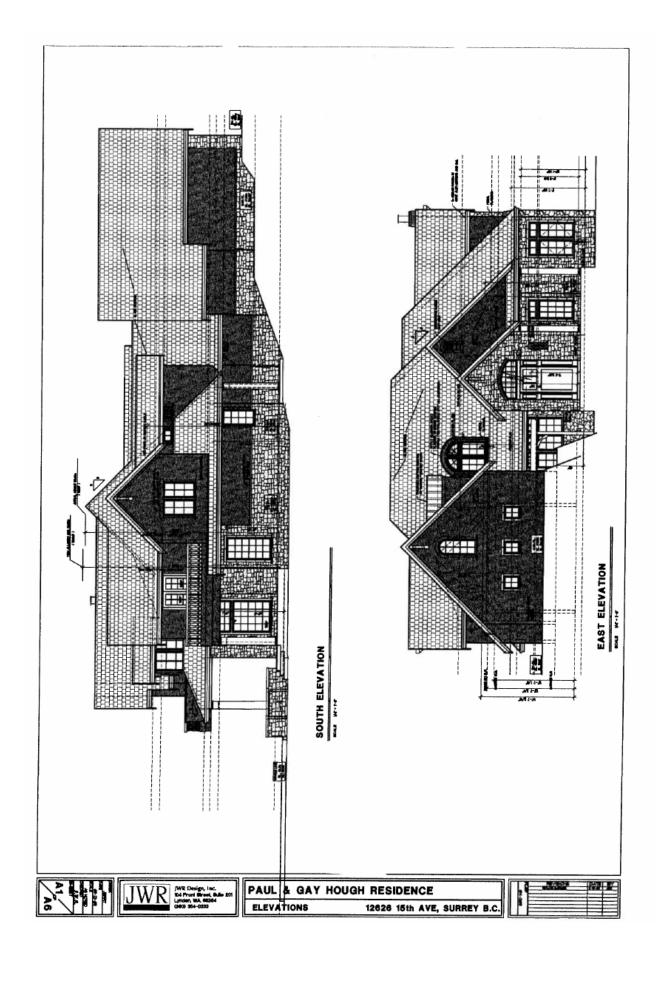
Required Development Data	Minimum Required / Maximum Allowed	Proposed	
LOT AREA* (in square metres)			
Gross Total			
Road Widening area			
Undevelopable area			
Net Total			
LOT COVERAGE (in % of net lot area)			
Buildings & Structures			
Paved & Hard Surfaced Areas			
Total Site Coverage			
SETBACKS (in metres)			
Front	10 m	4.8 m	
Rear	10 m	4.8 m	
Side #1 (East)	1.8 m	10 m	
Side #2 (West)	1.8 m	31 m	
BUILDING HEIGHT (in metres/storeys)			
Principal			
Accessory			
NUMBER OF RESIDENTIAL UNITS			
Bachelor			
One Bed			
Two Bedroom			
Three Bedroom +			
Total			
FLOOR AREA: Residential			
FLOOR AREA: Commercial			
Retail			
Office			
Total			
FLOOR AREA: Industrial			
FLOOR AREA: Institutional			
TOTAL BUILDING FLOOR AREA			

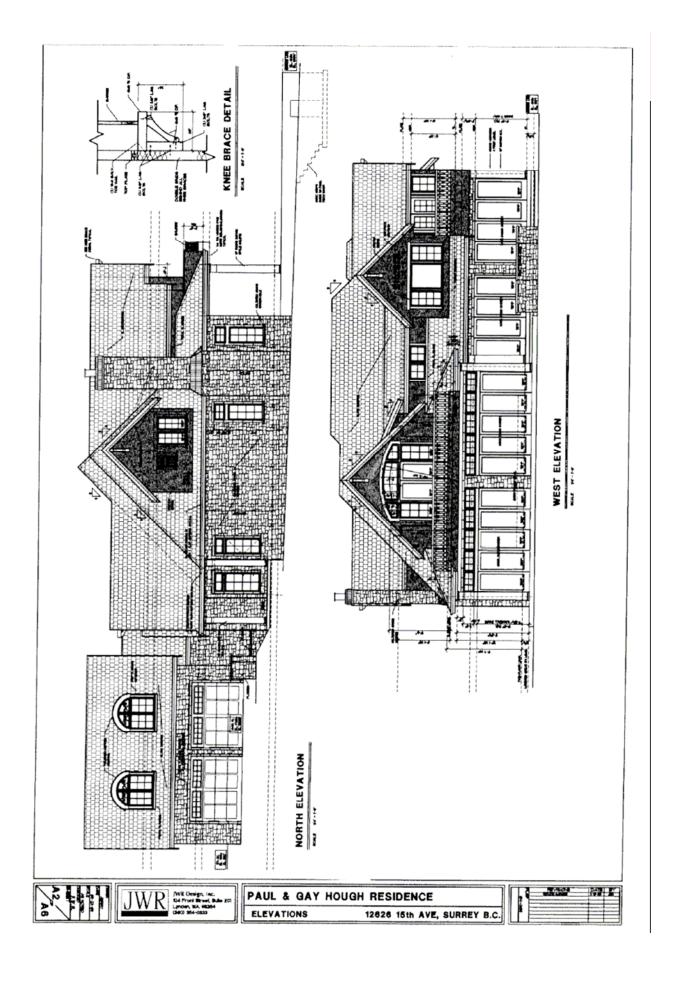
^{*} If the development site consists of more than one lot, lot dimensions pertain to the entire site.

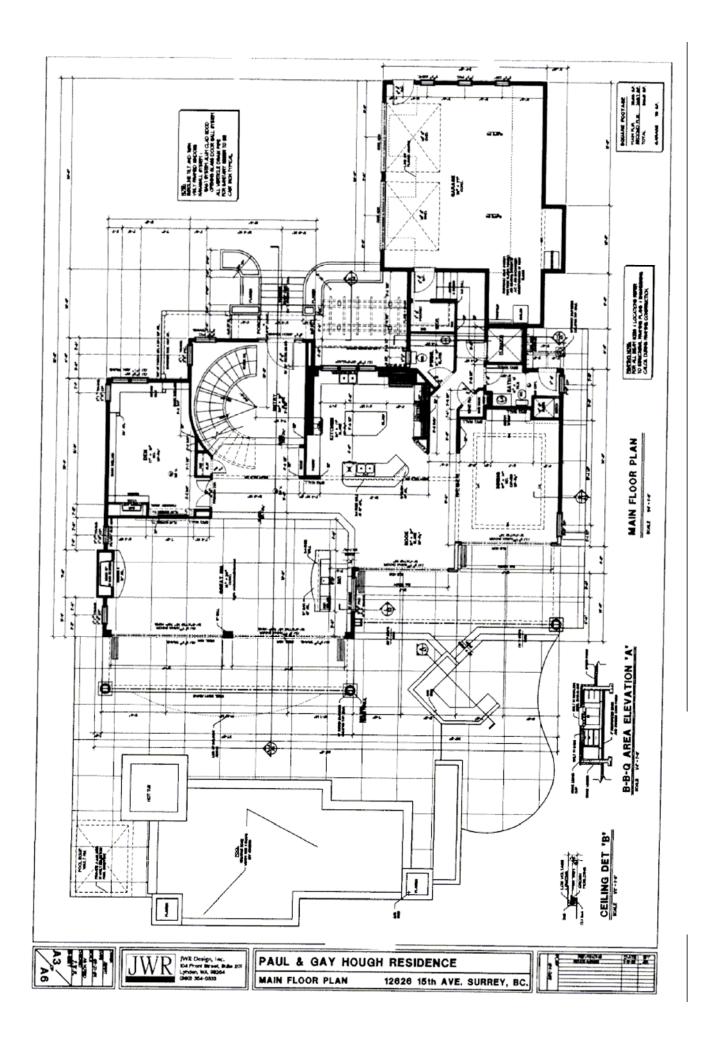
CONTOUR MAP FOR SUBJECT SITE

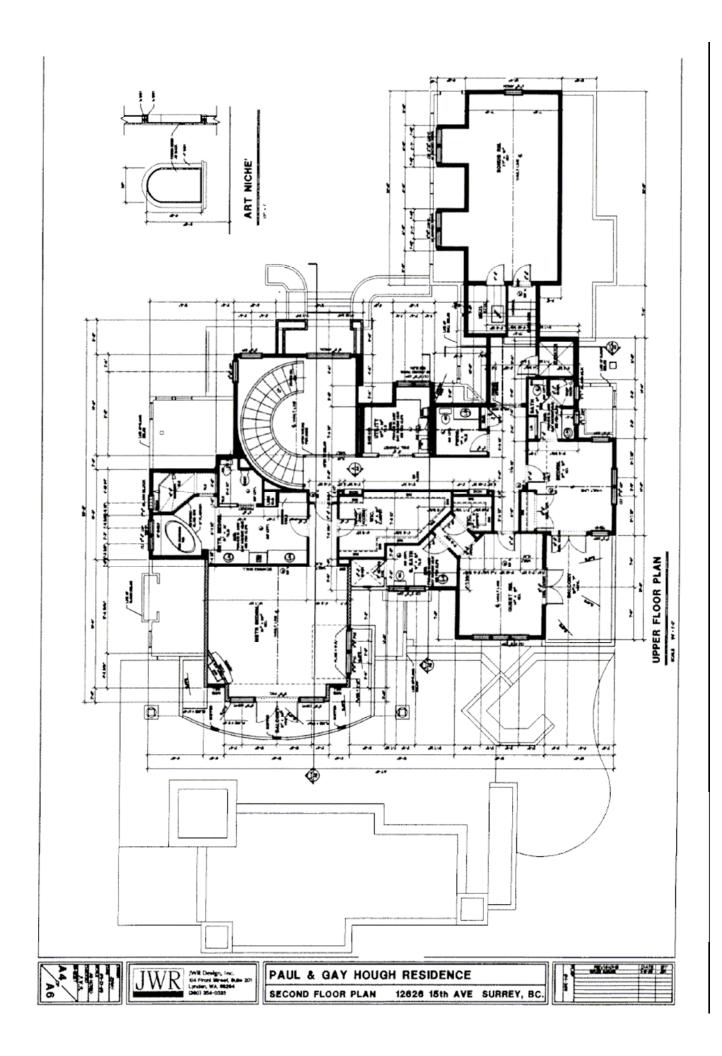














INTER-OFFICE MEMO

TO:

Manager, South Surrey Section

Planning and Development Department

DATE:

February 18, 2005

FILE:

7804-0432-00

FROM:

Land Development Engineer, Engineering Department

RE:

Engineering Requirements

Location:

12626 - 15 Avenue

Zoning:

RF

Applicant's Name: Paul and Gay Hough

REZONE

The applicant is requesting to rezone one (1) RF lot to one (1) RF-O lot.

There are no engineering requirements relative to the rezoning of this lot from RF to RF-O.

No servicing agreement for this application is required.

Sam Lau, P.Eng.

Land Development Engineer

LR:brb

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO. 7904-0432-00

Issued To: PAUL AND GAY HOUGH

(the "Owner")

Address of Owner: 1401 Kerfoot Road

White Rock, B.C.

V4B 3L5

- 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: 010-823-247

Lot 1 Except Part in Plan LMP 24467 Block 20 Section 7 Township 1 New Westminster District Plan 2834

12626 - 15 Avenue

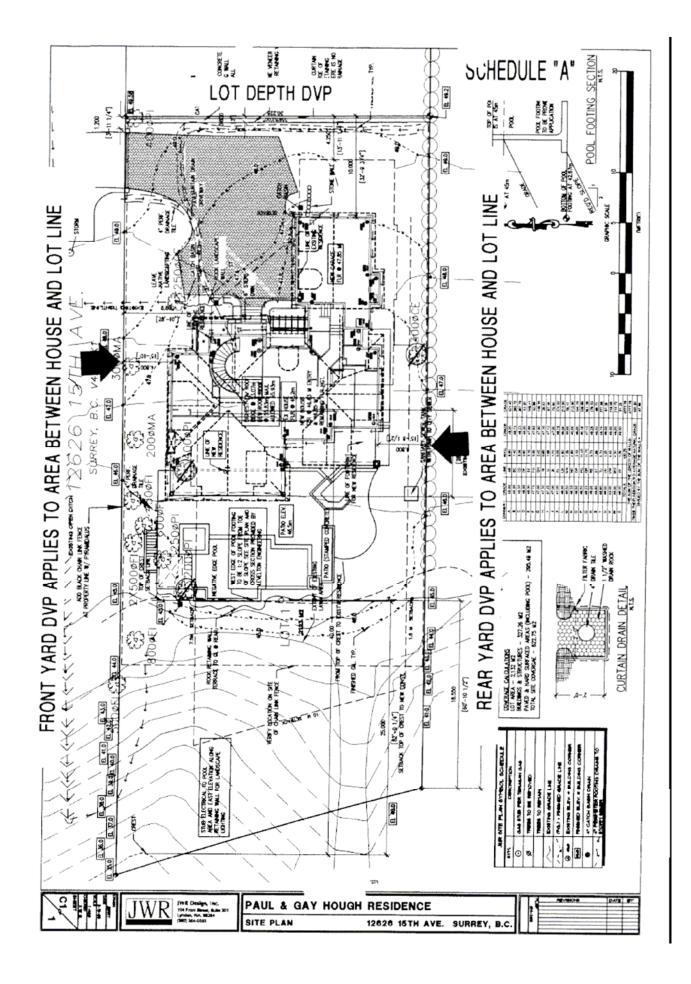
(the "Land")

- 3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - In Section F of Part 15B Single Family Residential Oceanfront Zone (RF-O) the minimum front yard setback is reduced from 10 metres (33 ft.) to 4.8 metres (16 ft.);
 - (b) In Section F of Part 15B Single Family Residential Oceanfront Zone (RF-O) the minimum rear yard setback is reduced from 10 metres (33 ft.) to 4.8 metres (16 ft.); and
 - (c) In Section K of Part 15 B Single Family Residential Oceanfront Zone (RF-O) the minimum lot depth requirement is relaxed from 45 metres (150 ft.) to 30 metres (98 ft.).

4. These variances are granted on the condition that the east side yard setback must be a minimum of 10 metres (33 ft.).	
5. This development variance permit applies to only the that portion of the buildings and structures on the Land 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 Schedu A, which is attached hereto and forms part of this development variance permit.)
 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 if the Owner does not substantially start any construction with respect to which this development variance permit is issued, with two (2) years after the date this development variance permit is issued.	nin
8. The terms of this development variance permit or any amendment to it, are binding on a persons who acquire an interest in the Land.	all
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 .	١.
Mayor - D.W. McCallum	_

City Clerk - Margaret Jones

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November 15, 2004 File: 804-0547

Levelton Consultants Ltd. Fraser Valley Group

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Construction Materials
Building Science
Geotechnical
Metallurgy and Corrosion
Environmental
Analytical Chemistry
Physical Testing

JWR Designs Inc. 104 Front Street Suite 201 Lynden, Washington 98264, U.S.A.

Attn: Mr. Jerry Roetcisoender

Dear Sir.

Re: Geotechnical Assessment

Residential Lot

12626 15 Avenue, White Rock, BC

1.0 INTRODUCTION

As requested, Levelton Consultants Ltd. has conducted a geotechnical review of the above-referenced site in anticipation for site development. Levelton had carried-out a preliminary geotechnical review of the site for a previous Owner in November, 2003. Written authorization to proceed with our present geotechnical review was received by JWR Designs Inc. on October 24, 2004.

Based on a site plan forwarded by JWR Designs Inc. we understand that the proposed development will consist of demolishing the existing house and constructing of a new house with an outdoor pool and concrete patio located to the west of the proposed house. We anticipate that the proposed house will be a wood framed, two level single-family residence. We further anticipate the structural loads will be consistent with this type of residential construction.

The objective of this geotechnical review is to assess present geotechnical surficial soil conditions and to assess any potential slope stability concems that may impact the proposed development on the lot.

2.0 FIELD INVESTIGATION

Levelton conducted a site review on November 10, 2004. The review comprised of a visual examination of the site terrain, review of slope soil exposures, review of published geological survey maps, and slope angle and distance measurements.



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3.0 DESCRIPTION

The property is located on the south side of the western terminus of 15. Avenue, and west of 126th Street. The property is located on a bluff overlooking Boundary Bay towards Point Roberts.

The existing house on the property is located near central to the lot. The property is gently sloping, landscaped with some mature coniferous trees on the north and south property boundaries. The existing house is setback approximately 40 meters east from the crest of the bluff where the landscaped area ends.

The lot slopes down gently (0 to 5°) from the front of the property to the crest of the bluff. The steeper portion of the bluff is vegetated with coniferous and deciduous trees, brush and ground cover plants. Slope angles range from approximately 35 to 50°. The estimated entire vertical height of the bluff is approximately 30 meters.

The steep portion of the bluff has a large concave feature on the northern half of the property. Slope angles range from approximately (35 to 40°) for approximately 20 meters, and then steepen to (40 to 50°) for approximately 15 meters. At the base of the slope is a near vertical cut slope, ranging from 3.0 to 6.0 meters in height. This cutslope borders a railroad right-of-way that runs parallel to the toe of the slope, and fronts the shoreline.

A water course was observed draining through the center of the concave feature of the slope. The drainage course is heavily eroded and deeply incised through the surficial soils. The channel was incised to depths of approximately 2.0 meters with a channel width of 0.9 meters. Channel sidewalls have sloughed in several areas. Due to the heavy vegetation and bush, we were unable to observe the entire length of the channel. However, it was observed that at the terminus of 15. Avenue, there is a storm water outfall. This outfall had a solid pipe extending out from it which discharged on the slope. There was no evidence of an outlet at the base of the slope. At the time of the site review, it appears that the drainage pipe starts on the neighbouring property and at some point crosses onto the subject property.

4.0 DISCUSSIONS AND FINDINGS

Based on soil exposures observed on the steep slope, subsurface soils consist of the following:

Hard Silt, Till-Like (grey); some gravel, trace fine grain sand, occasional boulders and cobbles, moist.

A review of published surficial geology information (Map 1484A Geologic Survey Canada) shows that the surficial soils in the area of the subject property consists of:



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- Vashon Drift, consisting of lodgement till, and minor flow till, containing contact lenses and interbeds of glaciolacustrine laminated stony silt and/or;
- Pre-Vashon Deposites, consisting, glacial, non-glacial and glaciomarine sediments.

5.0 RECOMMENDATIONS

Our review of the site indicates that the potential for large-scale slope instability to occur through the bluff is low. Based on the above and our knowledge of the area, it is our opinion that the lot (12626 Avenue) is suitable for new residential construction with the following preliminary recommendations:

- The house should be set-back a minimum of 25 meters from the crest of the existing bluff slope.
- The footings of the house must be constructed at a depth that is below a line of influence of 2
 Horizontal to 1 Vertical extending from the underside of all footings to the base of the slope and
 should not 'daylight' out of the bluff slope at any point.
- The foundations of the house should be founded directly on the native undisturbed soil
 consisting of dense/hard subgrade. For preliminary design purposes, we recommend footings
 be sized based on a preliminary maximum allowable bearing pressure of 75kPa. The design
 and construction of the houses should conform to the requirements of Part 9 (Housing and
 Small Buildings) of the British Columbia Building Code.
- Surface runoff or storm water should not be directed or discharged onto the bluff slope. The
 storm water system outlet should discharge water through a solid pipe at the toe of the bluff
 slope. Water runoff from the patio should be collected and discharged. The outlet should be
 incorporated with a water energy dissipater. We recommend that a qualified Civil Engineer be
 consulted to determine a suitable pipe size and outlet structure.
- Site grading should direct runoff towards the east, away from the crest of the bluff slope.
- Conventional perimeter drainage systems should be installed around the house. Perimeter drainage should consist of a rigid perforated drain tile surrounded by drain rock and should be connected to the municipal storm water system.
- Natural slope vegetation should be re-established in areas where and if clearing occurs.
- Placement of fill on or near the crest of the slope should be avoided.



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- Installation of large water containing features such as a swimming pool, hot tub, etc. between
 the house and crest of the slope should be installed with a secondary containment system such
 as an impermeable liner or membrane. Water runoff from the patio and/or other hard surfaces
 surrounding the pool should be directed to the pool's perimeter drainage system for disposal into
 the municipal drainage system for offsite disposal (this may require the installation of a sump
 and pump system). The Geotechnical Engineer prior to installation should review design of a
 secondary containment system.
- Site soil should not be stockpiled adjacent to the slope crest.
- During the construction period, prior to the placement of the concrete footings, we recommend that a qualified Geotechnical Engineer conduct a review of the excavation.
- The subgrade soil will likely be sensitive to moisture changes, and may be expected to lose strength if disturbed in a saturated condition. If possible, excavation and earthworks on the site should be scheduled in periods of dry weather.

This report does not address the global stability (potential for a deep-seated circular slip failure) of the bluff slope. Levelton has conducted global stability assessments for properties in the vicinity of the subject property having similar soil conditions and topography. Results from these stability analyses indicated the potential for a large-scale deep-seated circular failure is low. To conduct a detailed analysis of the global stability of the slope on the subject site, a subsurface investigation including deep drill holes and soil testing to determine the strata, consistency and depth of soil to bedrock would be required. If requested, Levelton would be pleased to provide a proposal to complete the above work.



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6.0 CLOSURE

This report has been prepared by Levelton Consultants Ltd. exclusively for Mr. Jerry Roetcisoender of JWR Designs Inc. and his appointed agents. The material in this report reflects the judgement of Levelton Consultants Ltd. in light of the information provided to us at the time that it was prepared.

Any use of this report by third parties, or any reliance on or decision made based on it, are the responsibility of such third parties. Levelton does not accept responsibility for damages suffered, if any, by a third party as a result of their use of this report.

We trust this information meets your immediate requirements. If you have any questions, or require additional information, please contact the undersigned.

Yours truly,

LEVELTON CONSULTANTS LTD.

N. E. J. DAVIS

Nick Davis; P. Eng. Geotechnical Engineer Reviewed By:

Armando Abello Jr., P.Eng. Geotechnical Engineer



May 2, 2005 File: 804-0547

JWR Designs Inc. 104 Front Street Suite 201, Lynden, Washington 98264, U.S.A.

Levelton Consultants Ltd. Fraser Valley Group

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Construction Materials
Building Science
Geotechnical
Metallurgy and Corrosion
Environmental
Analytical Chemistry
Physical Testing

Attention: Mr. Jerry Roetcisoender

Dear Sir:

Re:

Additional Geotechnical Comments, Residential Lot, 12626 – 15 Avenue, White Rock, BC

1.0 Background

In response to your fax inquiry dated April 27, 2005, this letter has been prepared to provided additional geotechnical comments for development of the above referenced lot, as required.

Levelton issued a geotechnical assessment report for the above referenced lot, dated November 15, 2004. The closure of the report limited the authorized user of the report to Mr. Jerry Roetcisoender of JWR Designs Inc. and his appointed agents.

Levelton acknowledges that the City of Surrey and its approving officers, planners and building inspectors may rely on the information provided in this report for assessing applications for building development of the site. Levelton acknowledges, therefore, that the City of Surrey would be included as an authorized user of the report.

A revised site plan/ cross-sectional drawing (Figure 1), originally included in the geotechnical assessment report dated November 15, 2004, has been attached to this present report. The revised drawing has included the proposed pool location relative to the theoretical 2horizontal to 1vertical line that rises from the bottom of the site slope. The proposed pool location was taken from a site plan Drawing No. 04-202, prepared by JWR, dated April 27, 2005.



It is judged that proposed pool location can be constructed to meet the City of Surrey requirements for the pool foundations to be below the theoretical 2horizontal to 1vertical line that rises from the bottom of the site slope.

Yours truly,

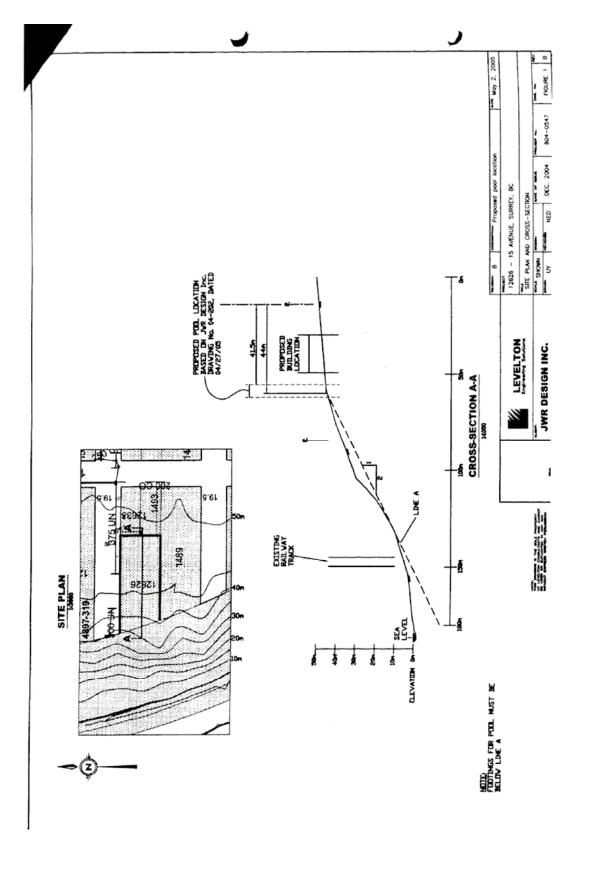
Levelton Consultants Ltd.

Per: Nick Davis, P.Eng. Geotechnical Engineer

Reviewed by:

Per: Armando Abello Jr., P.Eng.

Geotechnical Engineer





LEVEL1 CONSULTANTS LTD. #103 ~ 19292 - 60th Avenue Surrey, BC

V3\$ 3M2

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E-mail: surrey@levelton.com Web Site: www.ievelton.com

FIELD REVIEW REPORT

PROJEC	Г:	Geo	technical Asse	ssment			No:	8	ca	Owner Cone.Eng.	-	Gen, Cont Contr.	ir. Anth Othe	
LOCATIO	N:	126	26 – 15A Aven	ue, Surre	y, BÇ		DATE	1	Augu	st 2, 2005	In A	itendance: el Abello, Te		
CONTRA	CTOR:	JWF	R Design Inc.								1			
OWNER:		n/a					PRO	JEC1	NO.		1			
CONTRA	CT REF:	n/a				•	804-	054	17		1			
START:	1100		FINISH:	1300		WEATHER:	Sun	ny			TE	MP:	+/- 20C	
OBSERV	ATIONS /	REMA	RKS / ACTION	VS BY:	Arne	Abello, Tech.		•						

Re: Geotechnical Assessment, 12626 - 15A Avenue, Surrey, BC

As requested by JWR Design Inc., Levelton attended the above referenced sits to review the stability of the slope. The following provides our comments:

Trees were topped on the western side of the property near the foot of the slope.

The slope varies from approximately 45 degrees at the top of the slope to 65 degrees near the bottom of the slope.

Approximately 25 to 30 trees have been topped which had 1/4 to 1/2 of their heights' removed.

Originally, the trees were approximately 15m in height.

The area is vegetated with coniferous and deciduous trees, brush and ground cover plants.

Because of the heavy underbrush and thick vegetation currently covering the lower canopy, we do not anticipate significant erosion to the slope at this time.

If topped trees should die off, we recommend these dead trees to be replaced.

Present slope profile stability should be reassessed, at a minimum, if 1) slope configuration changes, man-made or natural, 2) tension cracking is noted on top of the slope, 3) after greater than design rainfall (100 year rainfall event).

Levelion Consultants Ltd. Per: Arnel Abello, Tech. Reviewed per: Nick Davis

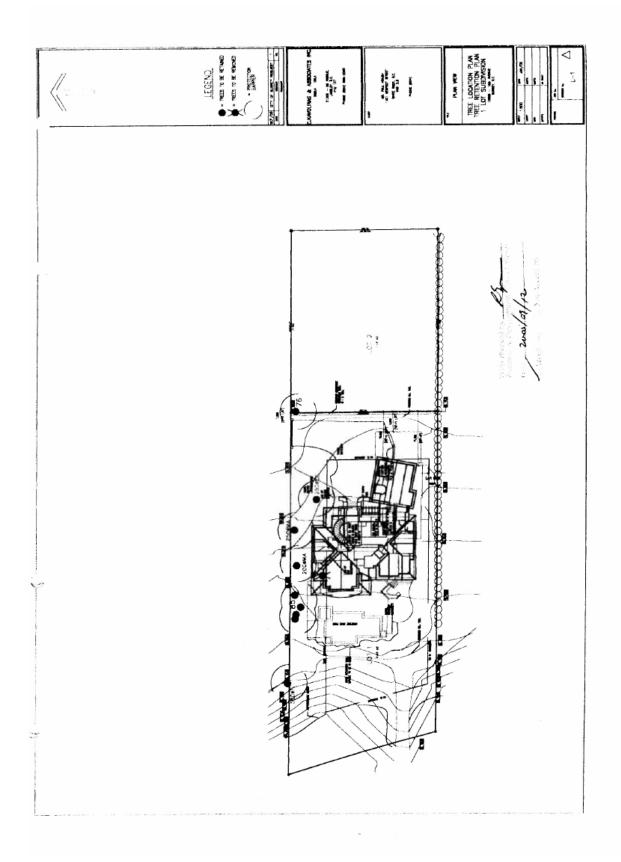
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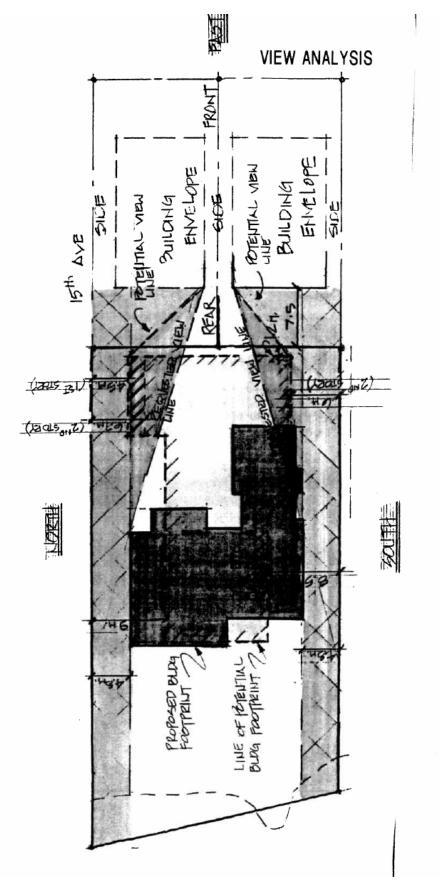
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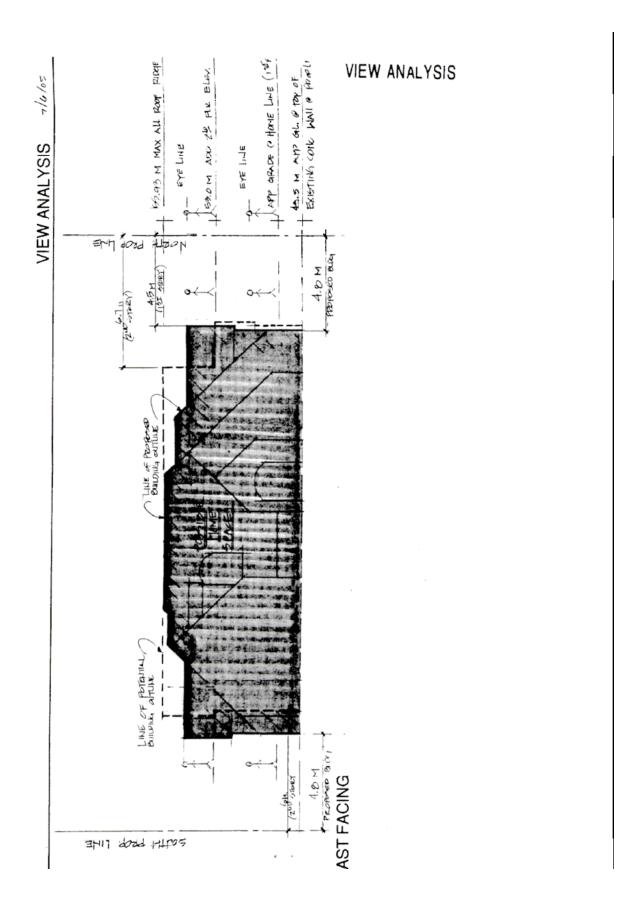
TOTAL P.02

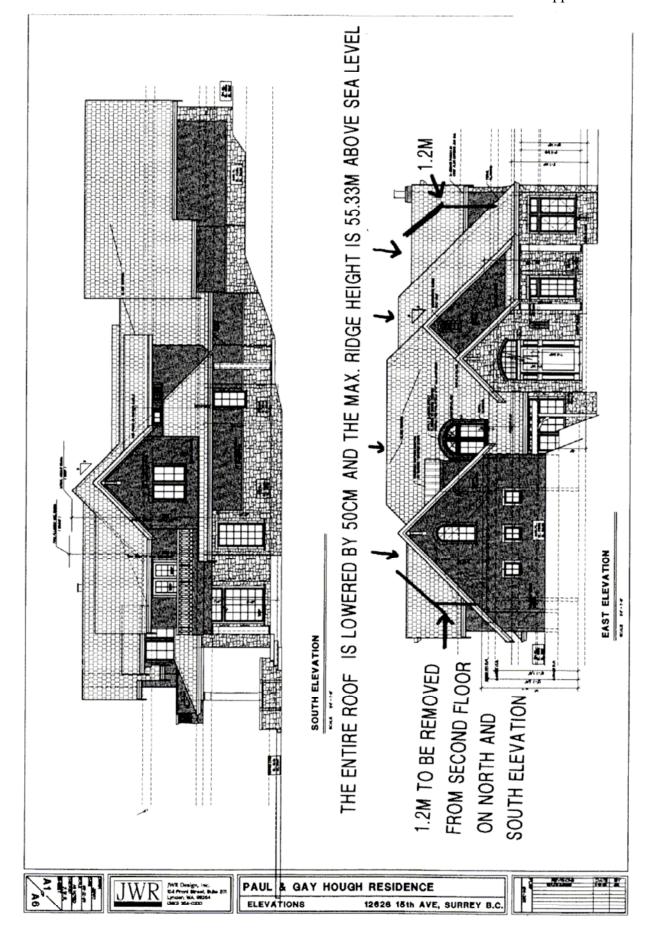
TREE PRESERVATION SUMMARY Surrey Project No.: 7904-0432-00 **Project Location:** 12626-15th Avenue Randy Greenizan, ISA Certified Arborist, PN-0712 A Registered Arborist: Detailed Assessment of the existing trees of an Arborist's Report is submitted on file. The following is a summary of the tree assessment report for quick reference. 1. General Tree Assessment of the Subject Site: Summary of Proposed Tree Removal and Placement: The summary will be available before final adoption. Number of Protected Trees Identified (A) Number of Protected Trees declared hazardous due to natural causes (B) Number of Protected Trees to be removed (C) Number of Protected Trees to be Retained (A-B-C)(D) Number of Replacement Trees Required $(C-B) \times 2$ (E) Number of Replacement Trees Proposed Number of Replacement Trees in Deficit (E-F)Total Number of Protected and Replacement Trees on Site (D+F) (H) Number of Lots Proposed in the Project (I) Average Number of Trees per Lot (H/I)6.00 3. Tree Survey and Preservation / Replacement Plan Tree Survey and Preservation / Replacement Plan is attached This plan will be available before final adoption

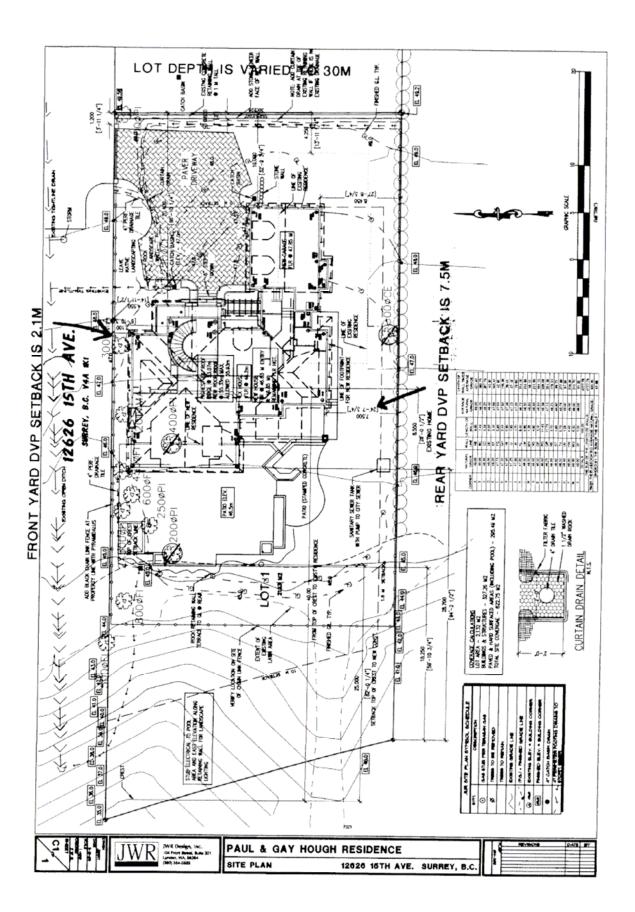
Summary prepared and submitted by:











CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO. 7904-0432-00

Issued To: PAUL AND GAY HOUGH

(the "Owner")

Address of Owner: 1401 Kerfoot Road

White Rock, B.C.

V4B 3L5

- 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: 010-823-247

Lot 1 Except Part in Plan LMP 24467 Block 20 Section 7 Township 1 New Westminster District Plan 2834

12626 - 15 Avenue

(the "Land")

- 3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F of Part 15B Single Family Residential Oceanfront Zone (RF-O) the minimum front yard setback is reduced from 10 metres (33 ft.) to 2.1 metres (6.9 ft.);
 - (b) In Section F of Part 15B Single Family Residential Oceanfront Zone (RF-O) the minimum rear yard setback is reduced from 10 metres (33 ft.) to 7.5 metres (24.6 ft.); and
 - (c) In Section K of Part 15 B Single Family Residential Oceanfront Zone (RF-O) the minimum lot depth requirement is relaxed from 45 metres (150 ft.) to 30 metres (98 ft.).

- 4. These variances are granted on the following conditions:
 - (a) that the east side yard setback must be a minimum of 10 metres (33 ft.);
 - (b) the roof height not exceed 55.33 metres (181.5 ft.) above sea level; and
 - (c) the setback for the second floor is 3.3 metres (10.8 ft.) from the north property line and 8.7 metres (28.5 ft.) from the south property line.
- 5. This development variance permit applies to only the that portion of the buildings and structures on the Land 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 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.
- 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	- Dianı	ne L. V	Vatts	
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