



Corporate Report

NO: R238

COUNCIL DATE: November 17,

2003

REGULAR COUNCIL

TO: Mayor & Council DATE: November 13,
2003

FROM: General Manager,
Planning and
Development FILE: 3900-30
3900-20-12900

SUBJECT: Zoning for Ocean Front Lots in South Surrey

RECOMMENDATION

It is recommended that Council:

1. Receive this report as information;
2. Approve amendments to Surrey Zoning By-law, 1993, No. 12000, as amended, to create a new Single Family Residential Ocean Front (RF-O) Zone, as documented in Appendix I to this report and other minor amendments to ensure that the RF-O Zone is satisfactorily incorporated in the By-law;
3. Approve amendments, as documented in Appendix II, to this report to the Surrey Official Community Plan By-law, 1996, No. 12900, as amended, to incorporate the RF-O Zone under the Urban designation and other minor amendments to ensure that the RF-O Zone is satisfactorily incorporated in the By-law; and
4. Authorize the City Clerk to bring forward the necessary amendment bylaws for the required readings and to set a date for the related Public Hearing.

INTENT

This report responds to Council's direction that staff examine the development of a new zone with a view to accommodating large homes on the large lots in the ocean bluff areas of South Surrey.

BACKGROUND

During its Regular Council Land Use meeting on July 7, 2003, Council resolved to direct staff to examine the creation of a new single-family residential zone to apply to ocean front lots. This was prompted by Council's consideration of a rezoning application, No. 7903-0186-00, related to a lot at 1947 Ocean Park Road. The owner was seeking Council approval to rezone the site from Single Family Residential RF Zone to a CD Zone that would allow the construction of a 465 sq. m. (5,000 sq. ft.) dwelling on the property. The RF Zone limited the floor area of a new dwelling on the site to a maximum of 330 sq. m. (3,550 sq. ft.). Council noted, at that time, that there had been several similar applications before Council related to the large ocean front lots in South Surrey and that a new zone for these lots may be more effective than using a separate CD Zone for each lot.

Based on City records, there have been four previous similar applications where large deep lots, backing onto the Burlington Northern Santa Fe Rail right of way overlooking Boundary Bay or Semiahmoo Bay, have been subject to a rezoning application to accommodate a larger home than would otherwise be permitted under the RF Zone. In each case, an application was processed to rezone the subject lot to an individually tailored CD Bylaw that stipulated density, setbacks, etc., that were appropriate to the size and configuration of the lot.

DISCUSSION

Characteristics of the Ocean Front Area

The residential area along the oceanfront in South Surrey extends from the border with White Rock at 136 Street, west along Semiahmoo Bay to Kwomais Point and then north along Boundary Bay to Christopherson Road just above Crescent Beach (see the map attached as Appendix III.) Most of this ocean front area is characterized by a bluff that drops off steeply to the waterfront. The Burlington Northern Santa Fe Railway owns a continuous narrow lot along the shoreline in which the rail line is located. In most cases, the rear yards of the lots extend down the bluff to the railway-owned lands, or to gazetted roads or lanes that run between the rear yards and the railway lands. None of the lots extends to the water.

The majority of the lots along this ocean front area are zoned Single Family Residential (RF) Zone. As previously noted, the RF Zone limits the floor area of a dwelling on the lot to 330 sq. m. (3,550 sq. ft.). This floor area restriction was introduced into the RF Zone in 1995 in response to community concerns regarding unusually large homes being constructed on urban-sized lots. The lots that are located along the South Surrey bluff,

between White Rock and Kwomais Point, range in area from 750 sq. m. to 2,500 sq. m. (8,100 to 27,000 sq. ft.). Those located along the western bluff range in area from 1,000 sq. m. to 3,500 sq. m. (1070 to 37,700 sq. ft.) with a few lots being as large 7000 sq. m. (75,300 sq. ft.).

The sizes of the existing houses on these lots vary significantly. Some houses, particularly those close to Crescent Beach, were built as smaller summer cottages. The houses along Ocean Park Road range from 345 to 1,200 sq. m. (3,700 to 12,900 sq. ft.) in floor area. Along the western bluff, where the lots are substantially larger than the minimum area permitted by the RF Zone, several new large houses have been constructed under CD Bylaws. For example, a lot in the vicinity of Indian Fort Drive was recently rezoned to permit a house and a second dwelling unit above a garage with a total floor area of 1,476 sq. m. (15,900 sq. ft.). Along the south bluff and on Christopherson Road, where lots are not as large, new houses have been constructed, based on the existing RF Zone with its 330 sq. m. (3,550 sq. ft.) floor area restriction.

Recent Rezoning Applications

To date, Council has considered a separate rezoning application and adopted a different CD bylaw for each of four lots in the ocean front area of South Surrey. Each of these CD by-laws involved establishing a higher maximum floor area allowance for the lot so that a larger residential dwelling could be constructed that was proportionate to the larger area of the lot.

Two new applications have been received by the Planning and Development Department that, in the absence of other direction by Council, will require Council's consideration of a CD by-law for each lot to allow an increased maximum floor area for the lot.

The density and lot coverage provisions for each of the seven referenced lots are summarized in the table below. The as-built floor area ratio (FAR), lot coverage and siting provisions of the CD by-laws adopted to date (see table for sites 1, 2, 3 and 5) closely resemble the requirements set out in the Half-Acre Residential Density (RH) or the Half-Acre Residential Gross Density (RH-G) Zones.

Part A: Zoned and Developed Sites:				
Site No.	Bylaw and address	Regulation	CD Bylaw Provisions	As-built
1	By-law No. 13465 13464 - 13A Ave.	Lot area Lot coverage FAR Floor area	2,514 m ² (27,060 ft ²) 40% None 400 m ² (max)	15.8 % 0.291 399 m ² (4,360 ft ²)
2	By-law No. 13465 13472 13A Ave.	Lot area Lot coverage FAR Floor area	2,506 m ² (27,000 ft ²) 40% None 400 m ² (max)	13.1% 0.131 331 m ² (3,560 ft ²)
3	By-law No. 13465 13484 13A Ave.	Lot area Lot coverage FAR Floor area	2,456 m ² (26,400 ft ²) 40% None 400 m ² (max)	15.3% 0.153 399 m ² (4,360 ft ²)
4	By-law No. 14684 1777 Ocean Park Road	Lot area Lot coverage FAR Floor area	2,623 m ² (28,200 ft ²) 28% 0.4 1,030 m ² (max)	27% 0.38 1,021 m ² (11,000 ft ²)
5	By-law No. 15073 1961 Ocean Park Road	Lot area Lot coverage FAR Floor area	2,150 m ² (23,100 ft ²) 40% 0.25 460 m ² (max)	14.6% 0.18 396 m ² (4,300 ft ²)

Part B: Applications in Process (Preliminary Information Used)				
Site No.	File Number and address	Regulation	Proposed by Applicant	
6	7903-0203-00 2175 123 Street	Lot area Lot coverage FAR Floor area	2,653 m ² (28,600 ft ²) 10.8% 0.116 greater than 330 m ² (3,552 ft ²)	An addition is proposed to an existing house that will result in the floor area exceeding the 330 m ² cap
7	7903-0326-00 1901 Ocean Park Road	Lot area Lot coverage FAR Floor area	(to be subdivided) 26% 0.40 to 0.43 616 to 692 m ² (6,600 to 7,000 ft ²)	In Process Not Built

Proposed New Zone:

The density and floor area provisions of the RF zone are sufficient to allow a reasonably sized house for the smaller ocean front lots, such as the ones along Christopherson Road. These lots have not generated rezoning applications to date.

The ocean front lots that have been the subject of rezoning applications are the larger lots, which are better suited to the density and siting provisions of the Half-Acre Residential Density Zone (RH) or the Half-Acre Residential Gross Density (RH-G) Zone. These zones have functioned effectively without having a restriction on maximum floor area, relying instead on the maximum lot coverage and FAR provisions as the basis for restricting the maximum floor area of the dwelling on each such lot. On this basis, a new zone based on a combination of the provisions of the RH and the RH-G Zones is considered appropriate for the larger South Surrey ocean front lots. A proposed zone, named the Single Family Residential Ocean Front (RF-O) Zone, is documented in Appendix I.

Summary of the Provisions of the RF-O Zone:

The following is a summary of the key provisions of the proposed RF-O Zone, which is more comprehensively documented in Appendix I:

- Permitted Uses: Maximum of One Single Family Dwelling per lot, Accessory Uses, and Bed and Breakfast.
- Density: Maximum FAR of 0.40 which is slightly higher than the 0.32 figure in the RH-G Zone. There is no cap on floor area. If a lot is 900 sq. m. (9,685 sq. ft.) in area, the RF Zone provisions will apply.
- Lot coverage: 25%
- Setback:
 - Principal building: The front yard setback is 10 metres to reduce the effect of the larger potential building massing from the perspective of the fronting street and to provide an opportunity for more landscaping. The rear yard setback is 10 metres for all buildings. The minimum side yard is 1.8 metres.
 - For Accessory buildings: The front yard setback is 10 metres. The rear yard setback is 10 metres (except for accessory buildings less than 10 sq. m. in area).
- Lot Dimension: The RH provisions apply except with respect to minimum lot width, which is reduced to 20 metres (65 feet).

Criteria for Determining Which Lots are Candidates for the RF-O Zone:

It is recommended that the following criteria be adopted by Council as the basis for determining the lots that will be suitable candidates for the subject RF-O Zone.

1. The lot must:
 - have a depth greater than 45 metres (150 feet) and an area greater than 900 m²;
 - be located such that there are no other residential lots between it and the ocean water front; and
 - be of a configuration to reasonably accommodate a house larger than that permitted by the RF zone.

It is not recommended that the City initiate a rezoning to the new zone of all ocean front lots satisfying the above criteria. The rezoning process for each such lot will provide Council with an opportunity to consider the plans for the new house proposed for each such lot and will ensure that the neighbourhood residents have an opportunity to advise Council of any concerns that they may have. However, if Council adopts the RF-O Zone and the above documented criteria, it will provide a strong indication to owners and prospective purchasers of such lots of the potential that the lot holds in relation to accommodating a large house.

CONCLUSION

The size and configuration of some of the lots along the ocean front areas of Surrey are candidates for houses larger than the maximum size permitted by the current RF Zone, which currently applies to most of these lots. CD by-laws have been used as a means to accommodate larger houses where lot area and configuration were determined to be sufficient to justify the construction of a larger house. Where larger houses have been constructed they have generally fit well with the existing context of the ocean front areas. To streamline the approval process for future similar circumstances, it is recommended that Council approve a new zone, the Single Family Residential Ocean Front (RF-O) Zone to be incorporated into the Surrey Zoning By-law that can be considered for lots that meet the size and location criteria that are documented in this report.

As is normal City practice, if Council approves the recommendations of this report, the Zoning By-law amendment and OCP By-law amendment that will act to activate the new zone will be forwarded to Council for first and second readings, followed by the necessary Public Hearing and third reading. The amendment By-laws will then be held at third reading until an actual lot being rezoned to the new zone reaches the stage of final adoption at which time the By-laws will be given final adoption.

Murray Dinwoodie
General Manager
Planning and Development

AK/kms/saw

Attachments

- Appendix I Proposed Amendments to Zoning By-law
 Appendix II Proposed Amendments to OCP By-law
 Appendix III Map showing approximate area of Ocean Front Lot Area

v:\wp-docs\admin & policy\03data\11061155.ak.doc
 KMS 11/17/03 8:50 AM

APPENDIX I

Single Family Residential Oceanfront Zone

Part 15B

RF-O

A. Intent

This Zone is intended to accommodate and regulate the construction of large single family dwelling on a large *lot* where there are no *lots* located between the subject *lot* and an oceanfront.

B. Permitted Uses

Land and *structures* shall be used for the following uses only, or for a combination of such uses:

1. One *single family dwelling*.
2. *Accessory uses* including the following:
 - (a) *Bed and breakfast* use in accordance with Section B.2, Part 4 General Provisions, of this By-law; and
 - (b) The keeping of *boarders* or *lodgers* in accordance with Section B.2, Part 4 General Provisions, of this By-law.

C. Lot Area

Not applicable to this zone.

D. Density

1. For the purpose of this Section and notwithstanding the definition of *floor area ratio* in Part 1 Definitions of this By-law, all covered areas used for parking shall be included in the calculation of *floor area ratio* unless the covered parking is located within the *basement*.
2. For *building* construction on a *lot*:
 - (a) The *floor area ratio* shall not exceed 0.40 provided that of the resulting allowable floor area, 37 square metres [400 sq. ft.] shall be reserved for use only as a garage or carport and further provided that where an *accessory building* is greater than 10 square metres [105 sq. ft.] in size that the area in excess of 10 square metres [105 sq. ft.] shall be included as part of the floor area for the purpose of calculating *floor area ratio*;
 - (b) Notwithstanding Sub-section D.2(a), where a *lot* is less than 900 square metres [9,685 sq. ft.] in area, the requirements of the Single Family Residential Zone (RF) shall apply; and
 - (c) The maximum permitted floor area of a second storey for a *principal building* shall not exceed 80% of the floor area of the first storey including attached garage, but not including any portion of the *principal building* located within 10 metres [32 ft.] of the *front lot line*. The reduced floor area of the second storey shall be accomplished by an offset at the second storey level from the wall at the first storey level from either the front or side walls at the *first storey* level or a combination thereof.

E. Lot Coverage

The maximum *lot coverage* shall be 25%.

F. Yards and Setbacks

Buildings and *structures* shall be sited in accordance with the following minimum *setbacks*:

<i>Setback</i>	<i>Front Yard</i>	<i>Rear Yard</i>	<i>Side Yard</i>	<i>Side Yard on Flanking Street</i>
<i>Use</i>				

<i>Principal Building</i>	10 m. [33 ft.]	10 m. [33 ft.]	1.8 m. [6 ft.]	7.5 m. [25 ft.]
<i>Accessory Buildings and Structures Greater Than 10 sq. m. [105 sq. ft.] in Size</i>	10 m. [33 ft.]	10 m. [33 ft.]	1.0 m. [3 ft.]	7.5 m. [25 ft.]
<i>Other Accessory Buildings and Structures</i>	10 m. [33 ft.]	10 m. [33 ft.]	0.0 m. [0 ft.]	7.5 m. [25 ft.]

Measurements to be determined as per Part 1 Definitions, of this By-law.

G. Height of Buildings

Measurements to be determined as per Part 1 Definitions, of this By-law.

1. *Principal building*: The *building height* shall not exceed 9 metres [30 ft.].
2. *Accessory buildings and structures*: The *building height* shall not exceed 4 metres [13 ft.] except that where the roof slope and construction materials of an *accessory building* are the same as that of the *principal building*, the *building height* of the *accessory building* may be increased to 5 metres [16.5 ft.]

H. Off-Street Parking and Loading/Unloading

1. Resident and visitor *parking spaces* shall be provided as stated in Table C.6 of Part 5 Off-Street Parking and Loading/Unloading of this By-law.
2. Outside parking or storage of *campers*, boats and *vehicles* including cars, trucks and *house trailers* ancillary to the residential use, shall be limited to:
 - (a) A maximum of 2 cars or trucks;
 - (b) *House trailer*, utility trailers, *camper* or boat provided that the combined total shall not exceed 1; and
 - (c) The total amount permitted under (a) and (b) shall not exceed 3.
3. No outside parking or storage of a *house trailer* or boat is permitted within the *front yard setback*, or within the required *side yards* adjacent the *dwelling*, or within 1 metre [3 ft.] of the *side lot line*, except on *lots* which have no vehicular access to the *rear yard* or where access is not feasible through modification of *landscaping* or fencing or both, either 1 *house trailer* or 1 boat may be parked in the front driveway or to the side of the front driveway or in the *side yard*, but no closer than 1 metre [3 ft.] to a *side lot line* nor within 1 metre [3 ft.] of the *front lot line* subject to the residential parking requirements stated in Table C.6 of Part 5 Off-Street Parking and Loading/Unloading of this By-law.

I. Landscaping

1. All developed portions of the *lot* not covered by *buildings*, *structures* or paved areas shall be landscaped including the retention of mature trees. This *landscaping* shall be maintained.
2. The parking or storage of *house trailers* or boats shall be adequately screened by compact evergreen trees or shrubs at least 1.8 metres [6 ft.] in height and located between the said *house trailer* or boat and any point on the *lot line* within 7.5 metres [25 ft.] of the said *house trailer* or boat, in order to obscure the view from the abutting *lot* or street, except:
 - (a) on a *corner lot*, this required landscape screening shall not be located in an area bounded by the intersecting *lot lines* at a street corner and a straight line joining points 9 metres [30 ft.] along the said *lot lines* from the point of intersection of the 2 *lot lines*;
 - (b) where the driveway or the parking area is used for parking or storage of a *house trailer* or boat, the landscape screen is not required within the said *driveway*; and
 - (c) in the case of *rear yards*, this screening requirement may be provided by a 1.8 metre [6 ft.] high solid fence.

J. Special Regulations

Not applicable to this Zone.

K. Subdivision

1. Lots created through subdivision shall conform to the following minimum standards:

<i>Lot Width</i>	<i>Lot Depth</i>
20 metres [65 ft.]	45 metres [150 ft.]

Dimensions shall be measured in accordance with Section E.21, Part 4 General Provisions, of this By-law.

L. Other Regulations

In addition, land use regulations including the following are applicable:

1. Prior to any use, lands must be serviced as set out in Part 2 Uses Limited, of this By-law and in accordance with the "Surrey Subdivision and Development By-law, 1986, No. 8830".
2. General provisions on use are as set out in Part 4 General Provisions, of this By-law.
3. Additional off-street parking and loading/unloading requirements are as set out in Part 5 Off-Street Parking and Loading/Unloading of this By law.
4. Subdivisions shall be subject to the "Surrey Development Cost Charge By-law, 2002, No. 14650" and the "Tree Preservation By-law, 1996, No. 12880".
5. *Building* permits shall be subject to the "Surrey Building By-law, 1987, No. 9011".
6. Sign regulations are as provided in "Surrey Sign By-law, 1999, No. 13656".
7. Special *building setbacks* are as set out in Part 7 Special Building Setbacks, of this By-law.

v:\wp-docs\admin & policy\03data\11061155.ak.doc
KMS 11/17/03 8:50 AM

APPENDIX II

3.7 Land Use Designations and Permitted Zones

Zones Allowed in a Designation The following table summarizes the zones permitted within each Official Community Plan Land Use Designation. The full name of each zone is listed on the next page. The Surrey Zoning By-law specifies zoning for each parcel of land in the City and provides details on land use, density and development requirements.

Zone	Land Use Designation	Business ¹	Industrial	Commercial	Town Centre	City Centre	Multiple Residential	Urban	Suburban	Rural	Agriculture	Conservation	Indian Reserve ²
Agricultural, Residential and Institutional Zones													
A-1											•		
A-2											•		
RA									•	•			
RA-G									•				
RH								•	•				
RH-G								•	•				
RC									•				
RF-O								•					
RF								•					
RF-SS								•					
RF-G								•					
RF-12								⊙					
RF-12C								⊙					
RF-9								⊙					

RF-9C							⊙				
RF-SD							⊙				
RM-D							●				
RM-M							●				
RM-10						●	●				
RM-15						●	●				
RM-19						⊙	⊙				
RM-30				●	●	●	○				
RM-45				●	●	●	○				
RM-70				●	●	●					
RM-135					●						
RMC-135					●						
RMC-150					●						
RMS-1			●			●	●	●		●	
RMS-1A			●			●	●	●		●	
RMS-2			●	●	●	●	●				
PC							●	●		●	
PA-1		●	●	●	●	●	●	●		●	
PA-2		●	●	●	●	●	●	●		●	
PI		●	●	●	●	●	●	●			

v:\wp-docs\admin & policy\03data\11061155.ak.doc
 KMS 11/17/03 8:50 AM

APPENDIX III
 Approximate Location of Ocean Front Lots

v:\wp-docs\admin & policy\03data\11061155.ak.doc
SAW 11/17/03 8:50 AM