

City of Surrey
ADDITIONAL PLANNING COMMENTS

File: 7912-0138-01

Planning Report Date: December 17, 2018

PROPOSAL:

- Development Permit
- Development Variance Permit

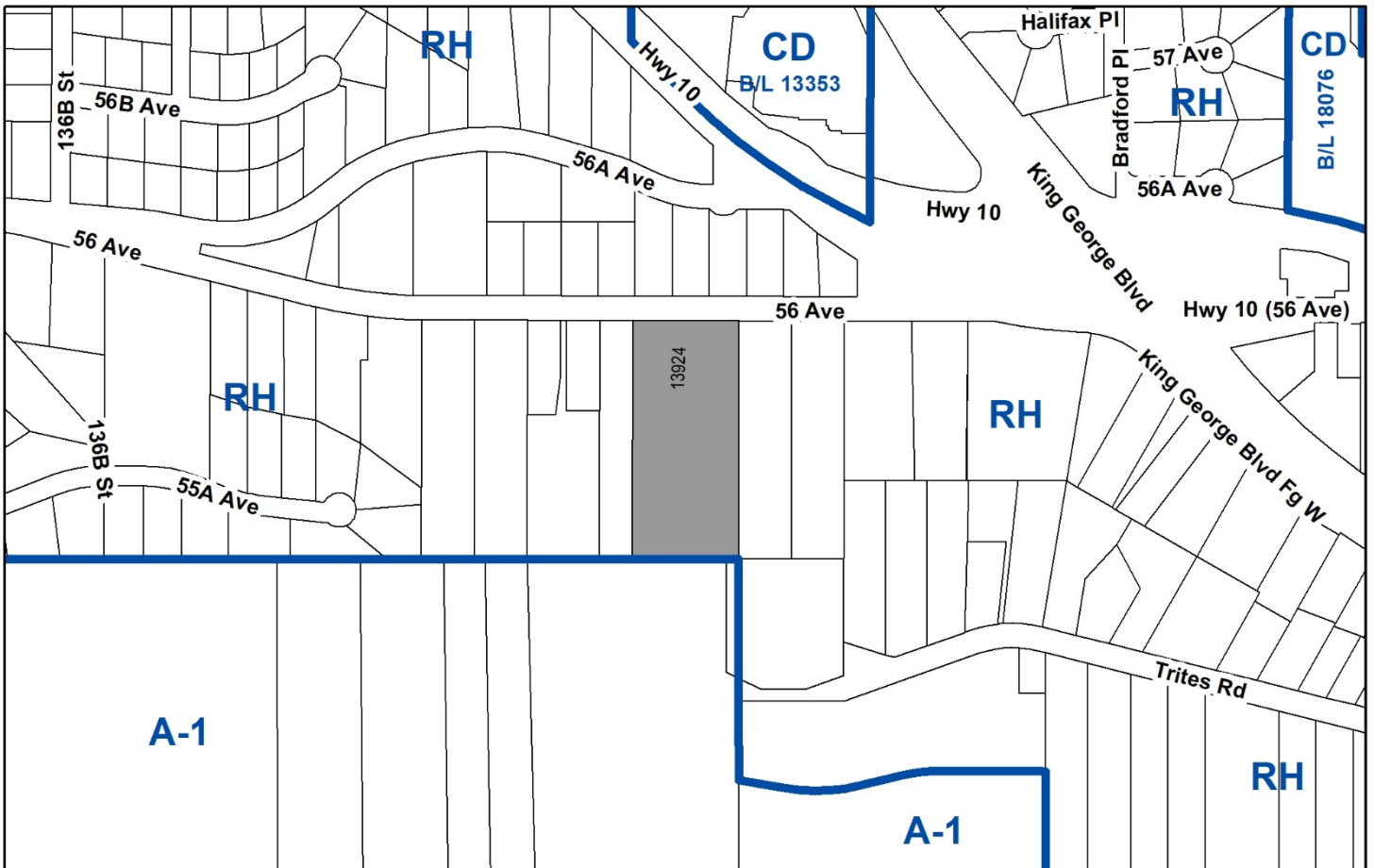
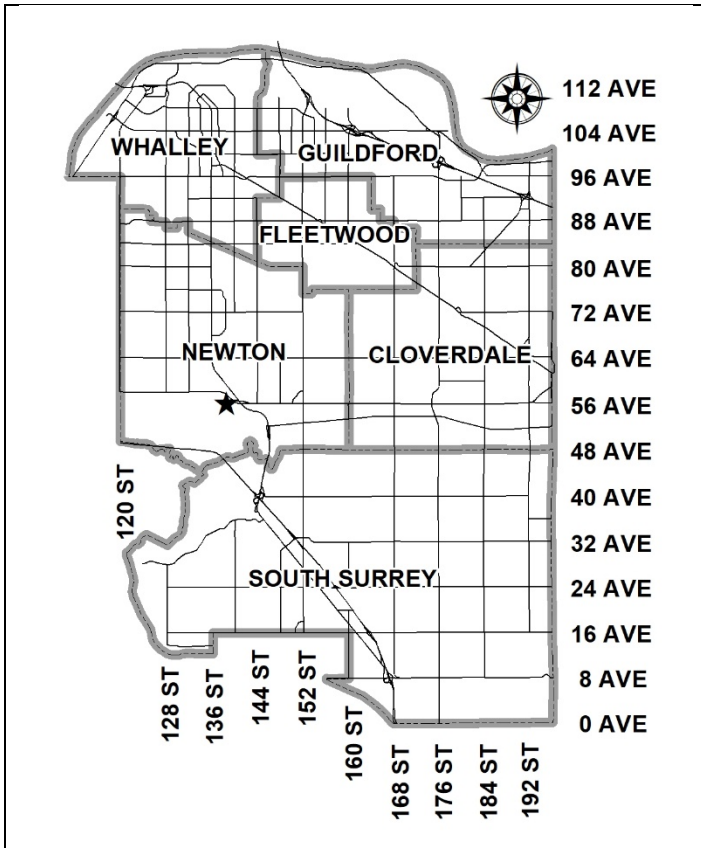
to permit setback variances on a proposed subdivision into six (6) single family lots.

LOCATION: 13924 - 56 Avenue

ZONING: RH

OCP DESIGNATION: Suburban

LAP DESIGNATION: Suburban Residential (1/2 Acre)



RECOMMENDATION SUMMARY

- Approval to draft Development Permit.
- Re-approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Setback variances are proposed to increase the front yard setbacks for proposed Lots 1 and 2 on 56 Avenue and the west side yard setback on proposed Lot 5, and to reduce the front yard setbacks for proposed Lots 4 and 5.

RATIONALE OF RECOMMENDATION

- At the September 14, 2015 Regular Council – Land Use meeting, the subject application was referred back to staff to address the following concerns:
 - tree retention;
 - safety/security around a proposed pedestrian connection to Colebrook Park and around a proposed dead-end road; and
 - public consultation relating to the above concerns.
- At the September 28, 2015 Regular Council – Land Use meeting, the subject application was brought back to Council for their consideration, following collaboration between the applicant, the West Panorama Ridge Ratepayers Association, neighbouring residents and City staff. At this meeting, Council supported the requested setback variances.
- At the October 20, 2015 Regular Council – Public Hearing, Council issued the Development Variance Permit in advance of the subdivision requirements being completed. In the intervening years, the applicant has not completed the subdivision, and the Development Variance Permit has now lapsed.
- This report is being brought back to Council because the Development Variance Permit has now lapsed and must be reconsidered by Council in conjunction with the proposed subdivision.
- The site is subject to a Development Permit for Hazard Lands (Steep Slopes). At the time this application was originally considered by Council, City staff were in the process of establishing a process for Hazard Lands Development Permits. This process is now finalized, and therefore the Development Permit must also be considered by Council as part of the associated requested Development Variance Permit.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council authorize staff to draft Development Permit No. 7912-0138-01 for Hazard Lands, generally in conformance with the Geotechnical Report prepared by GeoPacific Consultants Ltd., dated November 14, 2018.
2. Council approve Development Variance Permit No. 7912-0138-01 (Appendix V) varying the following, to proceed to Public Notification:
 - (a) to increase the minimum front yard setback of the principal building in the RH Zone from 7.5 metres (25 ft.) to 15 metres (50 ft.) on proposed Lots 1 and 2;
 - (b) to reduce the minimum front yard setback of the principal building in the RH Zone from 7.5 metres (25 ft.) to 5.0 metres (16 ft.) on proposed Lots 4 and 5; and
 - (c) to increase the minimum west side yard setback of the principal building in the RH Zone from 4.5 metres (15 ft.) to 7.0 metres (23 ft.) on proposed Lot 5.
3. Council instruct staff to resolve the following issues prior to approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, dedications, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) registration of a Section 219 Restrictive Covenant to ensure future house construction is in accordance with the recommendations in the approved geotechnical report and that no building permit is issued on Lots 4 and 5 until the retaining walls are constructed.

REFERRALS

Engineering:	The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix IV.
Parks, Recreation & Culture:	Parks has no concerns. The applicant is working with Parks on the proposed alignment of the park pathway.
Fire Department	This application does not require a referral to the Fire Department.

SITE CHARACTERISTICS

Existing Land Use: Vacant single family lot.

Adjacent Area:

Direction	Existing Use	LAP Designation	Existing Zone
North (Across 56 Avenue):	Single family homes.	Suburban Residential (1/2 acre)	RH
East:	Single family home.	Suburban Residential (1/2 acre)	RH
South:	Colebrook Park	OCP: Agricultural	A-1
West:	Single family home.	Suburban Residential (1/2 acre)	RH

DEVELOPMENT CONSIDERATIONS

- The subject application was considered by Council at the September 14, 2015 Regular Council – Land Use meeting (Appendix II). At this meeting, Council referred the development application back to staff to address concerns that had been raised by the West Panorama Ridge Ratepayers Association (WPRRA) and neighbouring residents.
- Council identified three (3) main concerns to be addressed by staff:
 - Tree retention;
 - Safety/security around a proposed pedestrian connection to Colebrook Park and around a proposed dead-end road (55 Avenue); and
 - Public consultation with members of the community.
- At the September 28, 2015 Regular Council – Land Use meeting, the subject application was brought back to Council (Appendix III) for consideration, following collaboration between the applicant, the West Panorama Ridge Ratepayers Association, neighbouring residents and City staff. At this meeting, Council supported the requested setback variances to proceed to Public Notification.
- At the October 20, 2015 Regular Council – Public Hearing, Council issued the Development Variance Permit in advance of the subdivision requirements being completed. In the intervening years, the applicant has not completed the subdivision, and the Development Variance Permit has now lapsed. The applicant therefore requires re-approval of the Development Variance Permit by Council, in order to allow the subdivision to proceed.

- At the time Council considered the Development Variance Permit in September 2015, a Development Permit for Hazard Lands (Steep Slopes) was not brought forward for Council's consideration. As the variance is now being brought back to Council, it is now appropriate for Council to also consider the Development Permit.

Hazard Lands Development Permit (Steep Slopes)

- The site is subject to a Development Permit for Hazard Lands (Steep Slopes) under the Official Community Plan (OCP), due to steep slopes at the south end of the subject property. In order to address this requirement, the applicant has submitted a geotechnical report and retaining wall drawings.
- At the time the application was originally considered by Council, City staff were in the process of establishing a process for Hazard Lands Development Permits. This process is now finalized, and therefore it is appropriate the Development Permit be considered by Council as part of the associated request to re-approve the Development Variance Permit.
- The Geotechnical Report, prepared by GeoPacific Consultants Ltd. on October 4, 2018 was peer reviewed by Western Geotechnical Consultants Ltd. on November 2, 2018. The Geotechnical Report prepared by GeoPacific Consultants Ltd. was revised based on the peer review and resubmitted on November 14, 2018 and states that the site is considered safe for the proposed subdivision and construction of future dwellings.
- The geotechnical report identifies a geotechnical setback, within which all building construction must take place. The report also makes recommendations on lot grading, drainage, and building foundation.
- Staff have reviewed to confirm that the requirements identified in the Development Permit guidelines for Hazard Lands (Steep Slopes) have been considered and responded to appropriately.
- The geotechnical study and recommendations will be incorporated into the requirements of the Hazard Lands Development Permit and registered on title through a restrictive covenant.
- In addition, the applicant will be required to register a restrictive covenant on proposed Lots 4 and 5 to ensure that no building permit is issued for those lots until the required retaining walls are constructed and accepted by the City.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary (Confidential) and Project Data Sheets
Appendix II.	Initial Planning Report dated September 14, 2015
Appendix III.	Follow up Planning Report dated September 28, 2015
Appendix IV.	Revised Engineering Comments
Appendix V.	Development Variance Permit No. 7912-0138-01

INFORMATION AVAILABLE ON FILE

- Geotechnical Study Prepared by GeoPacific Consultants Ltd. dated November 14, 2018.

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

KS/cm

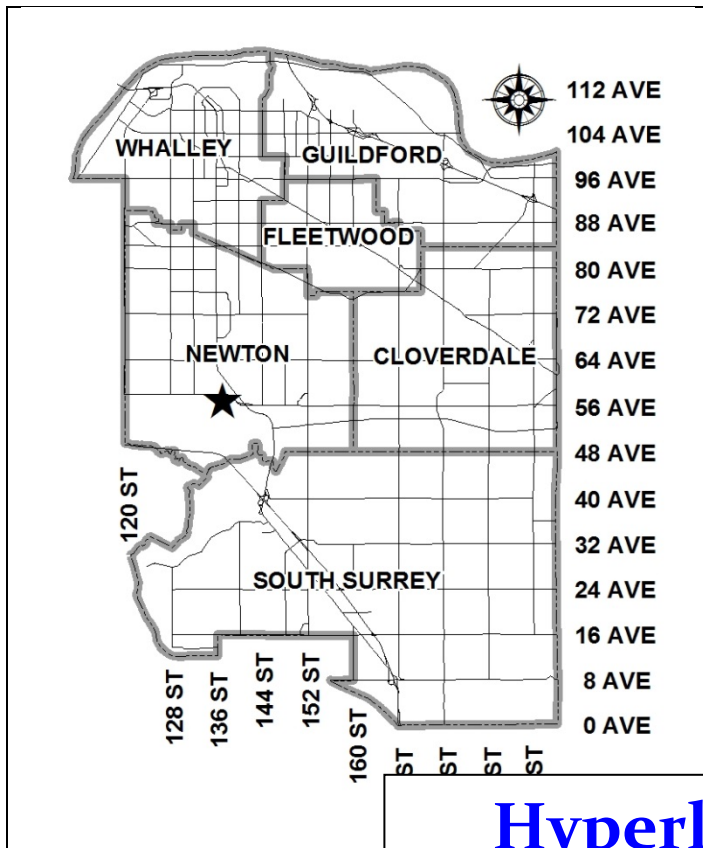
APPENDIX I HAS BEEN
REMOVED AS IT CONTAINS
CONFIDENTIAL INFORMATION

SUBDIVISION DATA SHEET

Existing Zoning: RH

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	4.2
Hectares	1.7
NUMBER OF LOTS	
Existing	1
Proposed	6
SIZE OF LOTS	
Range of lot widths (metres)	32.2 m – 46.7 m
Range of lot areas (square metres)	1,871 m ² – 3,008 m ²
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	3.5 uph / 1.4 upa
Lots/Hectare & Lots/Acre (Net)	5 uph / 2 upa
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	25%
Estimated Road, Lane & Driveway Coverage	5%
Total Site Coverage	30%
PARKLAND	N/A
Area (square metres)	
% of Gross Site	
	Required
PARKLAND	
5% money in lieu	YES
TREE SURVEY/ASSESSMENT	YES
MODEL BUILDING SCHEME	YES
HERITAGE SITE Retention	NO
BOUNDARY HEALTH Approval	NO
DEV. VARIANCE PERMIT required	
Road Length/Standards	NO
Works and Services	NO
Building Retention	NO
Others	YES - setbacks

Planning Report Date: September 14, 2015



PROPOSAL:

- **Development Variance Permit**

to permit setback variances on a proposed subdivision into six (6) single family lots.

LOCATION: 13924 - 56 Avenue

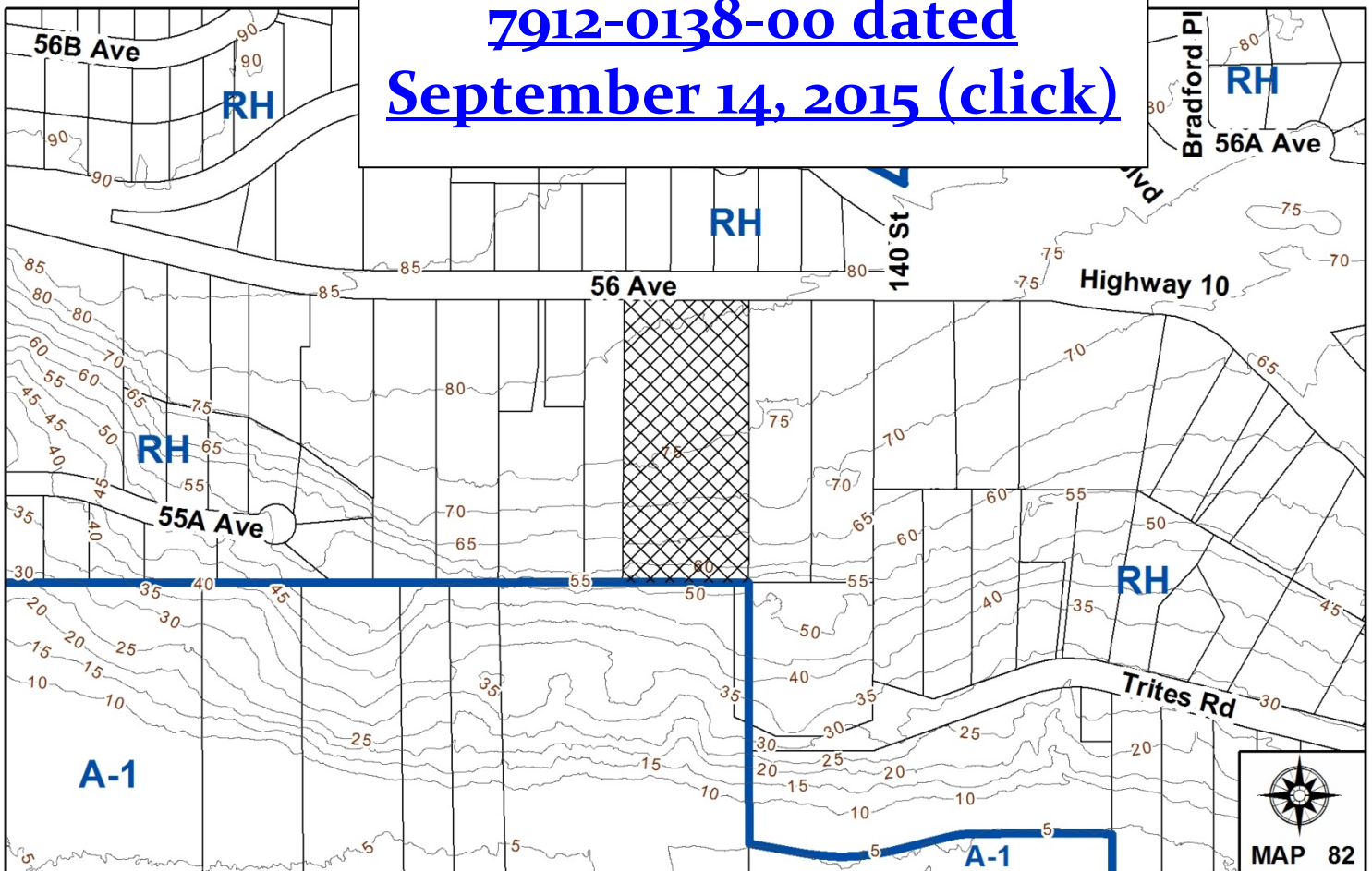
OWNER: Hua Deng

ZONING: RH

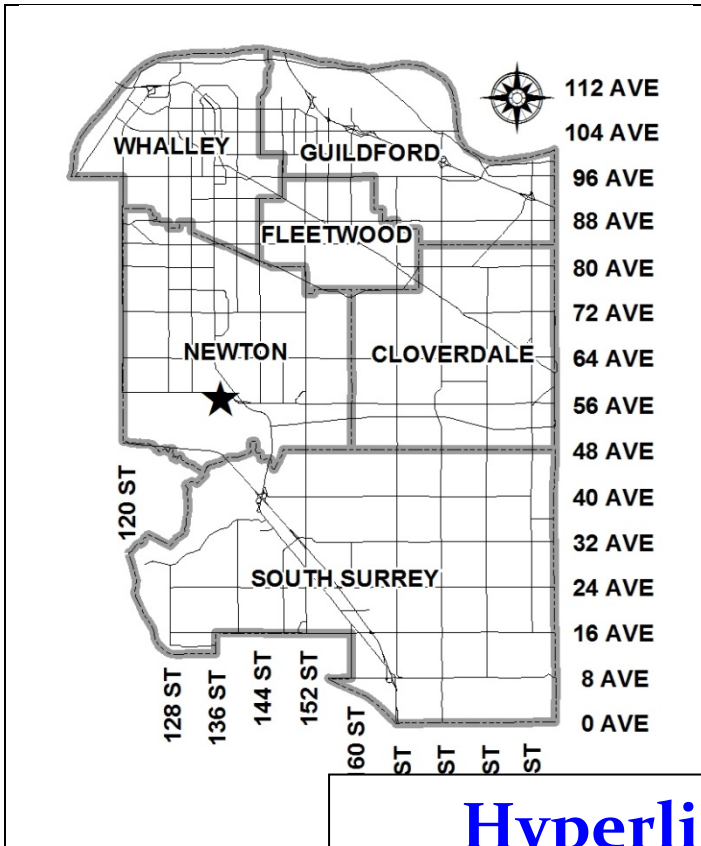
OCP DESIGNATION: Suburban

LAP DESIGNATION: Suburban Residential (1/2 Acre)

[Hyperlink to Report
7912-0138-00 dated
September 14, 2015 \(click\)](#)



Planning Report Date: September 28, 2015



PROPOSAL:

- **Development Variance Permit**

to permit setback variances on a proposed subdivision into six (6) single family lots.

LOCATION: 13924 - 56 Avenue

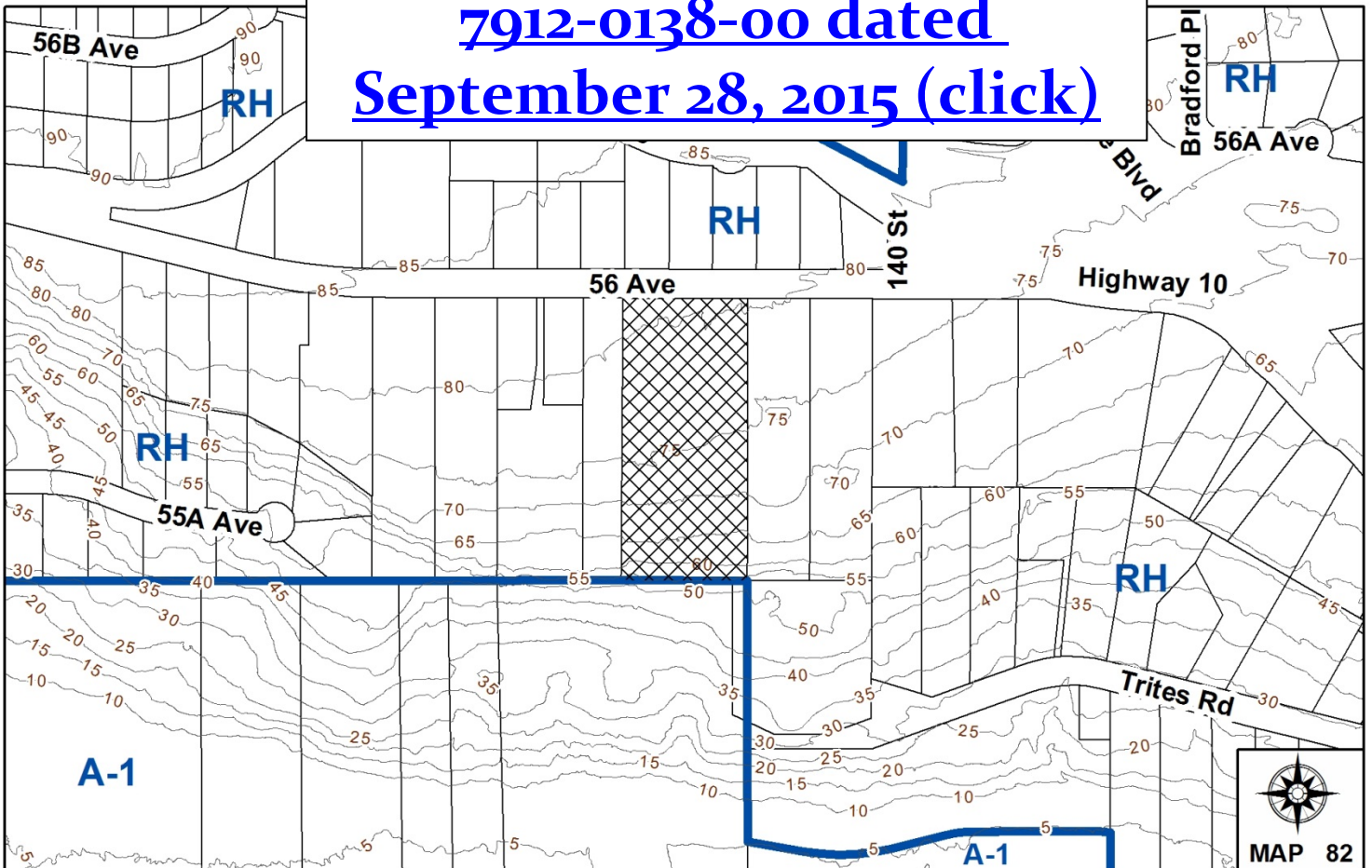
OWNER: Hua Deng

ZONING: RH

OCP DESIGNATION: Suburban

LAP DESIGNATION: Suburban Residential (1/2 Acre)

[Hyperlink to Report
7912-0138-00 dated
September 28, 2015 \(click\)](#)



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

FROM: Development Engineer, Engineering Department

DATE: Dec 04, 2018 **PROJECT FILE: 7812-0138-00**
(supercedes Dec. 22/15)

**RE: Engineering Requirements
Location: 13924 56 Avenue**

SUBDIVISION

Property and Right-of-Way Requirements

- Dedicate 20.0m each for 139 Street, and 55 Avenue.
- Dedicate 3.0m x 3.0m corner cuts at the intersection of 139 Street and 56 Avenue and at the intersection of 139 Street and 55 Avenue.
- Dedicate 8.0m wide road allowance for future park access.
- Provide 9.0m wide SROW on Lot 4 and off-site SROW on Colebrook Park for servicing.

Works and Services

- Construct south side of 56 Avenue to the West Panorama Ridge standard.
- Construct 139 Street and 55 Avenue as full road to the West Panorama Ridge standard.
- Construct sanitary main, storm main and water main on 139 Street and on 55 Avenue.
- Construct sanitary main and storm main within dedicated walkway and within Colebrook Park. Secure Parks and Metro Vancouver approvals for servicing through the Park and satisfy engineering servicing and maintenance access concerns including drainage and environmental reports.
- Construct storm main and sanitary main on 56 Avenue.
- Submit geotechnical report supporting the proposed sanitary and storm servicing.
- Provide on-site and off-site statutory rights-of-way for servicing.
- Pay compensation for SROW on Park property and design walkway connectivity.
- Register restrictive covenant for engineered foundation, pumped sanitary and storm connections and driveway access.

A Servicing Agreement is required prior to subdivision.

DEVELOPMENT PERMIT/DEVELOPMENT VARIANCE PERMIT

There are no engineering requirements relative to issuance of the Development Variance Permit for increasing the front yard setback for Lot 1 and 2, to reduce front yard setback for Lot 4 and 5, and to increase side yard setback on Lot 5 beyond those noted above.

The following issues are to be addressed as a condition of issuance of the Development Permit for Hazard Lands-Steep Slopes:

- Construct structurally independent retaining walls on Lot 4 and 5.
- Register no-build restrictive covenant on Lot 4 and 5, to be administrated by the City Planning department.



Tommy Buchmann, P.Eng.
Acting Development Services Manager
HB4

NOTE: Detailed Land Development Engineering Review available on file

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7912-0138-01

Issued To:

("the Owner")

Address of Owner:

1. This development variance permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations or agreements, except as specifically varied by this development variance permit.

2. This development variance permit applies to that real property including land with or without improvements located within the City of Surrey, with the legal description and civic address as follows:

Parcel Identifier: 005-005-833

Lot 132 Section 4 Township 2 New Westminster District Plan 52130

13924 - 56 Avenue

(the "Land")

3. (a) As the legal description of the Land is to change, the City Clerk is directed to insert the new legal description for the Land once titles have been issued, as follows:

Parcel Identifier:

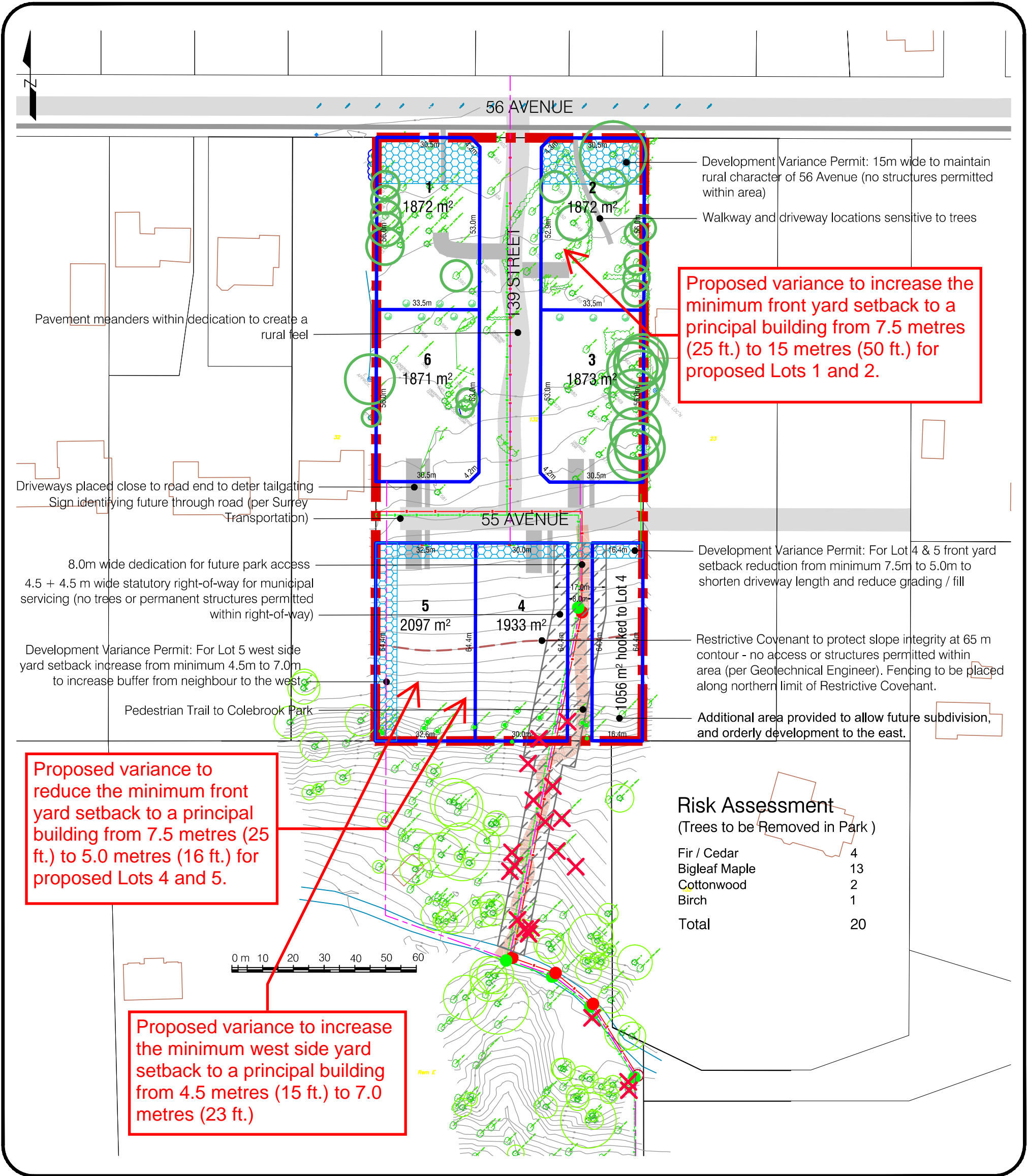
(b) If the civic addresses change, the City Clerk is directed to insert the new civic addresses for the Land, as follows:

4. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F. of Part 14 "Half-Acre Residential Zone (RH)" the minimum front yard setback to a principal building is increased from 7.5 metres (25 ft.) to 15 metres (50 ft.) on Lots 1 and 2, as conceptually shown on Schedule A which is attached hereto and forms part of this development variance permit.
 - (b) In Section F. of Part 14 "Half-Acre Residential Zone (RH)" the minimum front yard setback to a principal building is reduced from 7.5 metres (25 ft.) to 5.0 metres (16 ft.) on Lots 4 and 5, as conceptually shown on Schedule A which is attached hereto and forms part of this development variance permit.
 - (c) In Section F. of Part 14 "Half-Acre Residential Zone (RH)" the minimum west yard setback to a principal building is increased from 4.5 metres (15 ft.) to 7.0 metres (23 ft.) on Lot 5, as conceptually shown on Schedule A which is attached hereto and forms part of this development variance permit.
5. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
6. This development variance permit shall lapse 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.
7. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
8. This development variance permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 .
ISSUED THIS DAY OF , 20 .

Mayor – Doug McCallum

City Clerk



Jun He
Residential Subdivision
13924 56 Avenue, Surrey

APLIN & MARTIN
CONSULTANTS LTD
Project No.: 11-100
Date: 31 August 2015

Drawing
1

CONCEPT EAST ALIGNMENT

LEGAL DESCRIPTION Lot 132 Section 4 Township 2 Plan 52130 NWD PID: 005-005-833	GROSS SITE AREA 1.7 hectares / 4.2 acres (approx.)	EXISTING DESIGNATIONS Zoning: RH (Half Acre Residential) NCP: N/A OCP: Suburban	LOT YIELD Existing Number of Lots: 1 Proposed Number of Lots: 6
	NET SITE AREA 1.3 hectares / 3.2 acres (approx.)	PROPOSED DESIGNATIONS Zoning: No Change NCP: N/A OCP: No Change	DENSITY Gross: 3.5 uph / 1.4 upa Net: 4.6 uph / 1.9 upa

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