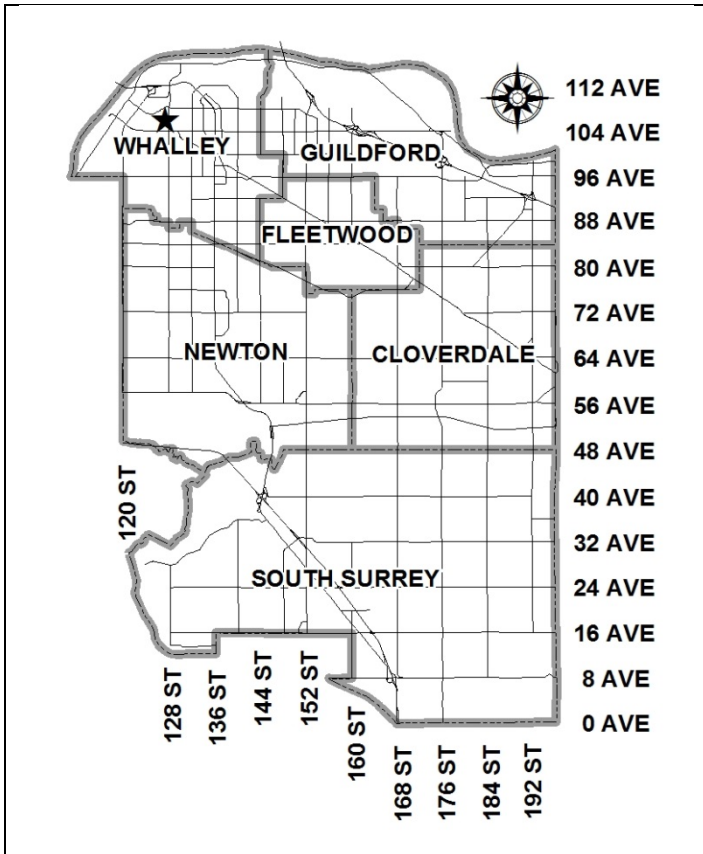


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7914-0008-00

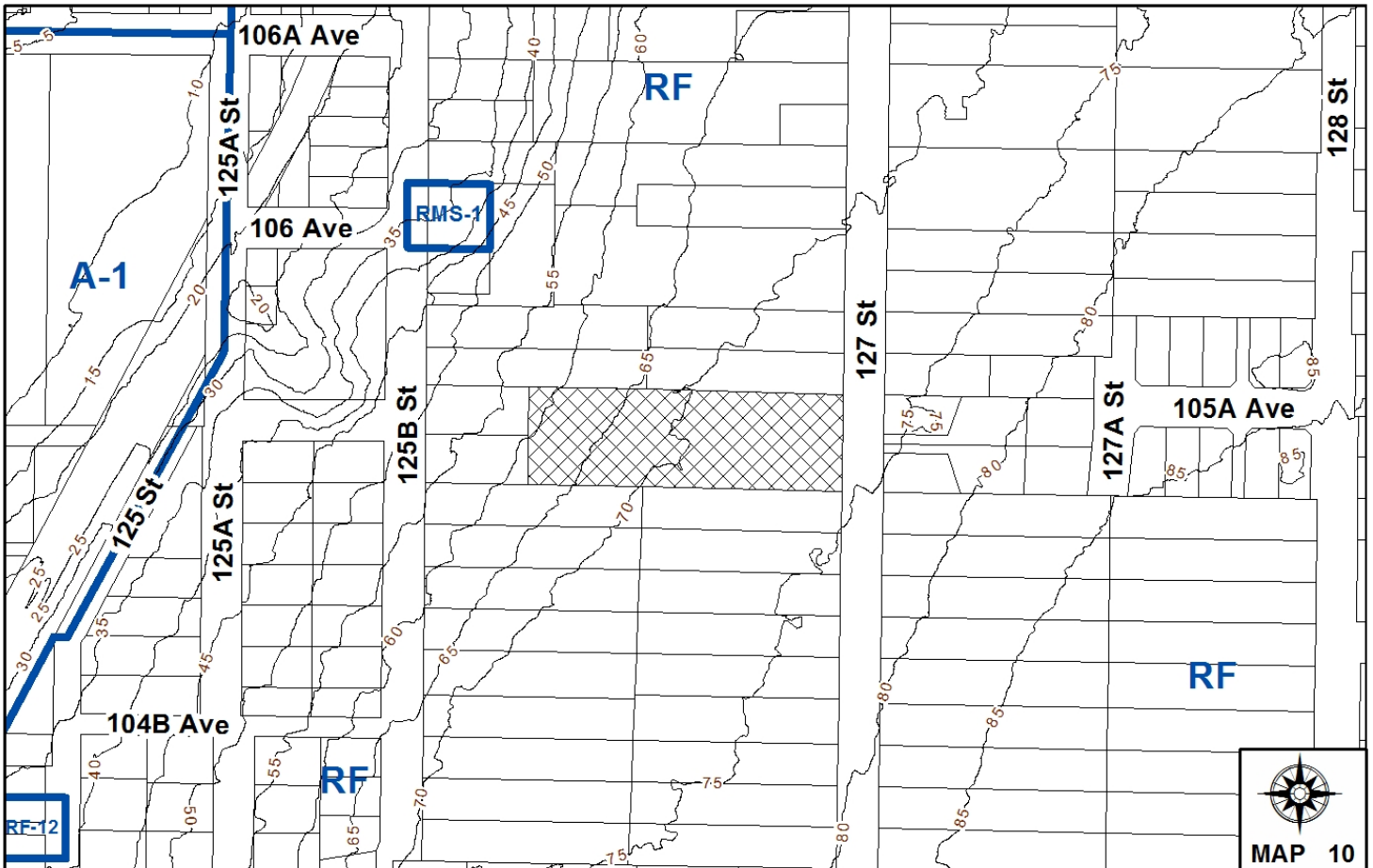
Planning Report Date: June 15, 2015



PROPOSAL:

- **Development Variance Permit**
 to vary the front and side yard setbacks of the RF Zone to allow for greater tree retention and the construction of standard-sized single family dwellings on two (2) proposed single family lots.

LOCATION: 10543 - 127 Street
OWNER: 697122 BC Ltd.
ZONING: RF
INFILL PLAN DESIGNATION: Hillside Estate Residential (4 upa) and Low Density Cluster/Panhandle (4-6 upa)
OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is requesting to reduce the south side yard setback on proposed Lot 1 from 1.8 metres (6 ft.) to 1.2 metres (4 ft.) for the principal building and to reduce the front yard setback on proposed Lot 2 from 7.5 metres (25 ft.) to 1.8 metres (6 ft.) for the principal building.

RATIONALE OF RECOMMENDATION

- The requested variances will not impact any existing houses, as the requested reduced yards interface with proposed lots.
- The requested variances will allow for greater tree and vegetation retention at the rear of proposed Lots 1 and 2 while still allowing a standard-sized home to be constructed on the lots.
- The north side yard setback on proposed Lot 1 will be increased to 3.0 metres (10 ft.) in order to retain an off-site tree to the north.
- The requested 1.8-metre (6 ft.) front yard setback relaxation for proposed Lot 2 will effectively be a side yard setback adjacent proposed Lot 3 due to the panhandle configuration. The minimum side yard setback in the RF Zone is 1.8 metres (6 ft.). Therefore, the impact of the variance on proposed Lot 3 is negligible.
- The proposed subdivision complies with the density and tree retention requirements of the South Westminster Heights Infill Plan.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7914-0008-00 (Appendix V) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum south side yard setback of the RF Zone from 1.8 metres (6 ft.) to 1.2 metres (4 ft.) for the principal building on proposed Lot 1; and
 - (b) to reduce the minimum front yard setback of the RF Zone from 7.5 metres (25 ft.) to 1.8 metres (6 ft.) for the principal building on proposed Lot 2.

2. Council instruct staff to resolve the following issues prior to final approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, dedications, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering; and
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer.

REFERRALS

Engineering: The Engineering Department has no requirements relative to the issuance of the Development Variance Permit.

SITE CHARACTERISTICS

Existing Land Use: Acreage parcel with single family dwelling and accessory structures to be removed.

Adjacent Area:

Direction	Existing Use	South Westminster Heights Infill Plan Designation	Existing Zone
North:	Vacant lot	Hillside Estate Residential (4 upa) and Low Density Cluster / Panhandle (4-6 upa)	RF
East (Across 127 Street):	Single family dwelling	Low Density Tree Protection (6-10 upa)	RF
South:	Vacant lot	Hillside Estate Residential (4 upa) and Low Density Cluster / Panhandle (4-6 upa)	RF
West:	Single family dwellings	Hillside Estate Residential (4 upa)	RF

DEVELOPMENT CONSIDERATIONS

Background

- On July 22, 2013, Council considered Corporate Report No. R153 and endorsed the South Westminster Heights Infill Area Concept Plan ("South Westminster Plan") and Related Development Guidelines.
- The 7,343-square metre (1.8 ac.) subject site is located in the South Westminster Plan area and is split-designated Hillside Estate Residential 4 upa (western 1/3 of site) and Low Density Cluster / Panhandle 4-6 upa (eastern 2/3 of site).
- The site is designated "Urban" in the Official Community Plan (OCP) and is zoned "Single Family Residential Zone (RF)".

Proposal

- The applicant is proposing to subdivide the subject site into seven (7) RF-zoned lots.
- The applicant is seeking a Development Variance Permit (DVP) to reduce the south side yard setback for the principal building from 1.8 metres (6 ft.) to 1.2 metres (4 ft.) for proposed Lot 1, and to reduce the front yard setback for the principal building from 7.5 metres (25 ft.) to 1.8 metres (6 ft.) for proposed Lot 2 in order to facilitate greater tree retention on the lots while still allowing for standard-sized homes to be constructed (see By-law Variances and Justification section).

Current Application

- The proposed subdivision layout consists of seven (7) RF-zoned lots fronting onto a proposed half-road that terminates in a cul-de-sac. Proposed Lots 1 and 2, located at the end of the cul-de-sac, are designated Hillside Estate Residential (4 upa) in the South Westminster Plan. Proposed Lot 2 is a panhandle lot. Both lots comply with the Hillside Estate Residential (4 upa) designation in the South Westminster Plan.
- Proposed Lots 3-7 are designated Low Density Cluster / Panhandle (4-6 upa) in the South Westminster Plan. The Low Density Cluster / Panhandle designation allows for panhandle lots, however, in lieu of panhandles, the applicant proposes a half-road. The proposed half-road will allow for better street frontage for the future homes and easier servicing compared to all seven (7) lots having a narrow panhandle fronting 127 Street.
- The proposed gross density is 3.86 units per acre (upa), which complies with the South Westminster Plan. A density of 4-6 upa is permitted for the subject site.
- The proposed RF-zoned lots range in size from 560 square metres (6,000 sq. ft.) to 1,584 square metres (17,000 sq. ft.) which comply with the minimum 560 square metre (6,000 sq. ft.) lot size of the RF Zone.
- The South Westminster Plan specifies that when calculating lot coverage within single family subdivisions, the calculation should exclude areas that exceed a 30% slope. The applicant confirmed that no portion of the site exceeds a 30% slope.

Hazard Land Development Permit (Steep Slope)

- The site is subject to a Development Permit (DP) for Hazard Lands under the new OCP, as the rear (west) portion of the site exceeds a 15% slope. In order to address this requirement, the applicant has submitted a Development Feasibility Study including a geotechnical report, preliminary lot grading plan, cross sections of the site, arborist report and landscape plan.
- The geotechnical report, prepared by Western Geotechnical Consultants Ltd. on December 23, 2014 states that slope instability is not a concern on this site and that ground displacements would be within the threshold tolerance of 15 cm (6 in.) for the 1 in 2,475 year earthquake. The report further states that slopes of this magnitude and the competent soil conditions of the subject site are not conducive to slope instability.
- The geotechnical report makes recommendations on subgrade preparation, excavating, building foundations and compaction requirements for structural fill.
- The applicant indicated that post-development runoff will be less than pre-development runoff, including a 36% decrease in runoff directed towards the downward slope (western portion of the site). However, the specific methods (i.e. topsoil, pervious paving, infiltration trenches, etc.) of achieving this will be determined during the servicing agreement stage, and will require approval from the applicant's geotechnical engineer and the City.
- The applicant has been informed that the proposed drainage plan will need to comply with the South Westminster Integrated Stormwater Management Plan (ISMP).
- The geotechnical report and preliminary servicing concept plan by the applicant have been reviewed by staff on a preliminary basis.
- Upon approval of the documents associated with the Development Feasibility Study, they will be included in the finalized Hazard Land Development Permit.
- City staff are currently establishing a process around Hazard Land DP's and expect to have this process in place in the near future. The applicant is aware of the DP requirements, and understands that prior to final subdivision approval, the DP requirements must be met and the DP issued.
- Based on a preliminary review of the Development Feasibility Study, it appears that the subject site can accommodate the proposed single family development. However, the Development Feasibility Study is still under review by staff, and has not been approved.

TREES

- As a condition of development, the South Westminster Plan requires a minimum level of tree retention, and provides five options for an applicant to choose from as shown below:
 - **Option 1:** Preserve at least 25% of the total tree diameter on the site;
 - **Option 2:** Preserve at least 35% of the significant trees on the site and at least 15% of the total tree diameter on the site;

- **Option 3:** Preserve at least 50% of the significant trees on the site and at least 20% of the total tree diameter on the site;
 - **Option 4:** Preserve all of the significant trees on the site and at least 15% of the total tree diameter on the site; or
 - **Option 5:** If the total development site is larger than one acre (4,046 sq. m), preserve at least 50% of the total tree canopy area on the site.
- The applicant proposes to retain 36% of the on-site trees and 39% of the total tree diameter on the site, thus complying with Options 1 and 2 above.
 - The rear area of proposed Lots 1 and 2 has a slope that exceeds 15%. This area, including the existing trees and vegetation, is intended to remain in an undisturbed state. In order to discourage future homeowners of proposed Lots 1 and 2 from removing shrubs and trees along the rear slope area of proposed Lots 1 and 2, the applicant proposes a debris berm, consisting of boulders, shrubs and trees. The debris berm will divide the useable rear yard area of proposed Lots 1 and 2 from the undisturbed rear slope area. The undisturbed rear slope area will also be protected by a no-build Restrictive Covenant.
 - Anne Kulla, ISA Certified Arborist of Huckleberry Landscape Design prepared an Arborist Assessment for the subject property. The table below provides a preliminary summary of the tree retention and removal by tree species:

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

Tree Species	Existing	Remove	Retain
Alder and Cottonwood Trees			
Alder	0	0	0
Cottonwood	0	0	0
Deciduous Trees (excluding Alder and Cottonwood Trees)			
Cherry	2	1	1
Dogwood	1	0	1
Holly	2	0	2
Maple	18	11	7
Coniferous Trees			
Douglas fir	7	7	0
Hemlock	5	2	3
Western Red Cedar	26	18	8
Total (excluding Alder and Cottonwood Trees)	61	39	22
Total Replacement Trees Proposed (excluding Boulevard Street Trees)		36	
Total Retained and Replacement Trees		58	
Contribution to the Green City Fund		\$12,600	

- The Arborist Assessment states that there are a total of 61 mature trees on the site, none of which are Alders or Cottonwoods. It was determined that 22 trees can be retained 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.
- The south side yard setback of proposed Lot 1 and the front yard setback of proposed Lot 2 need to be reduced in order to maximize tree preservation on the site (see By-law Variances section). A no-build Restrictive Covenant will be required to identify and protect the tree preservation areas.
- For those trees that cannot be retained, the applicant will be required to plant trees on a 2 to 1 replacement ratio. This will require a total of 78 replacement trees on the site. Since only 36 replacement trees can be accommodated on the site (based on an average of 5.1 trees per lot), the deficit of 42 replacement trees will require a cash-in-lieu payment of \$12,600 representing \$300 per tree, to the Green City Fund, in accordance with the City's Tree Protection By-law.
- In summary, a total of 58 trees are proposed to be retained or replaced on the site with a contribution of \$12,600 to the Green City Fund.

PRE-NOTIFICATION

As a condition of the proposed subdivision, a development proposal sign was installed on the site on April 17, 2015. Staff received two responses as summarized below:

- The resident to the immediate north inquired about the applicant's concept plan for the resident's property. The resident may decide to construct a new house and not subdivide in the future.

(Staff explained the applicant's concept plan to the resident. The concept plan allows for the future subdivision of the resident's property, but in consolidation with 10579 – 127 Street and with the completion of the half-road proposed on the applicant's site.)

- A resident provided pictures supposedly showing a blue heron and an owl on the subject site.

(Staff forwarded the photos of the blue heron and owl to the applicant. The applicant retained Envirowest Consultants to survey the site for protected birds. On May 26, 2015, Envirowest provided a report that concluded raptors, herons, or their nests were not present on the subject site. Furthermore, the report indicated that the photos of the blue heron and owl could not be reconciled with site features (i.e. vegetation and telephone lines) during the assessment.

City staff found Envirowest's report acceptable.)

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum south side yard setback of the RF Zone from 1.8 metres (6 ft.) to 1.2 metres (4 ft.) for the principal building on proposed Lot 1.

Applicant's Reasons:

- The north side yard setback will be increased from 1.8 metres (6 ft.) to 3 metres (10 ft.) in order to retain an offsite tree to the north.

Staff Comments:

- The requested variance will not impact any existing homes as the south side yard of proposed Lot 1 interfaces with proposed Lot 2.
- By reducing the side yard setback, it will allow for a wider home rather than a deeper home, thus protecting more vegetation along the rear, downward slope of the lot.
- The proposed setback is consistent with the previous setback provisions of the RF Zone, which permitted a 1.2-metre (4 ft.) side yard setback if the opposite side yard setback was a minimum of 2.4 metres (8 ft.).
- Proposed Lot 1 is 1,584 square metres (17,000 sq. ft.) in area and complies with the Hillside Estate Residential (4 upa) designation in the South Westminster Plan.
- Staff support the requested variance.

(b) Requested Variance:

- To reduce the minimum front yard setback of the RF Zone from 7.5 metres (25 ft.) to 1.8 metres (6 ft.) for the principal building on proposed Lot 2.

Applicant's Reasons:

- The requested variance will allow for a standard-sized home to be constructed on the lot.

Staff Comments:

- The requested variance will not impact any existing houses as the front (east) yard of proposed Lot 2 interfaces with the side of proposed Lot 3.
- The proposed 1.8-metre (6 ft.) front yard setback will effectively be a side yard setback adjacent proposed Lot 3 due to the panhandle configuration on proposed Lot 2. The minimum side yard setback in the RF Zone is 1.8 metres (6 ft.). Therefore, the impact of the variance on proposed Lot 3 is minimal.

- By reducing the front yard setback, the future home can be located further away from the rear slope, thus protecting more vegetation at the rear of the lot.
- Proposed Lot 2 is 1,400 square metres (15,000 sq. ft.) in area and complies with the Hillside Estate Residential (4 upa) designation in the South Westminster Plan.
- Staff support the requested variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets
Appendix II.	Proposed Subdivision Layout
Appendix III.	Summary of Tree Survey and Tree Preservation
Appendix IV.	South Westminster Heights Infill Plan
Appendix V.	Development Variance Permit No. 7914-0008-00

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

JD/da

\\file-server1\net-data\csdc\generate\areaproduct\save\15583716085.doc
DRV 6/11/15 12:01 PM

Information for City Clerk

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

1. (a) Agent: Name: Sunny Sandher
 Citiwest Consulting Ltd.
 Address: 9030 - King George Blvd, Unit 101
 Surrey, BC V3V 7Y3

 Tel: 604-591-2213 - Work

2. Properties involved in the Application

(a) Civic Address: 10543 - 127 Street

(b) Civic Address: 10543 - 127 Street
 Owner: 697122 BC Ltd.
 Director Information:
 Kalvinder S. Bassi
 Pranpal Dhaliwal
 Jasvir Manget
 Amarjit Singh Toor

Officer Information as at June 9, 2010:
 Kalvinder S. Bassi (President)
 Jasvir Mangat (Secretary)
 PID: 010-098-585
 Lot B Section 20 Block 5 North Range 2 West New Westminister District Plan 15618

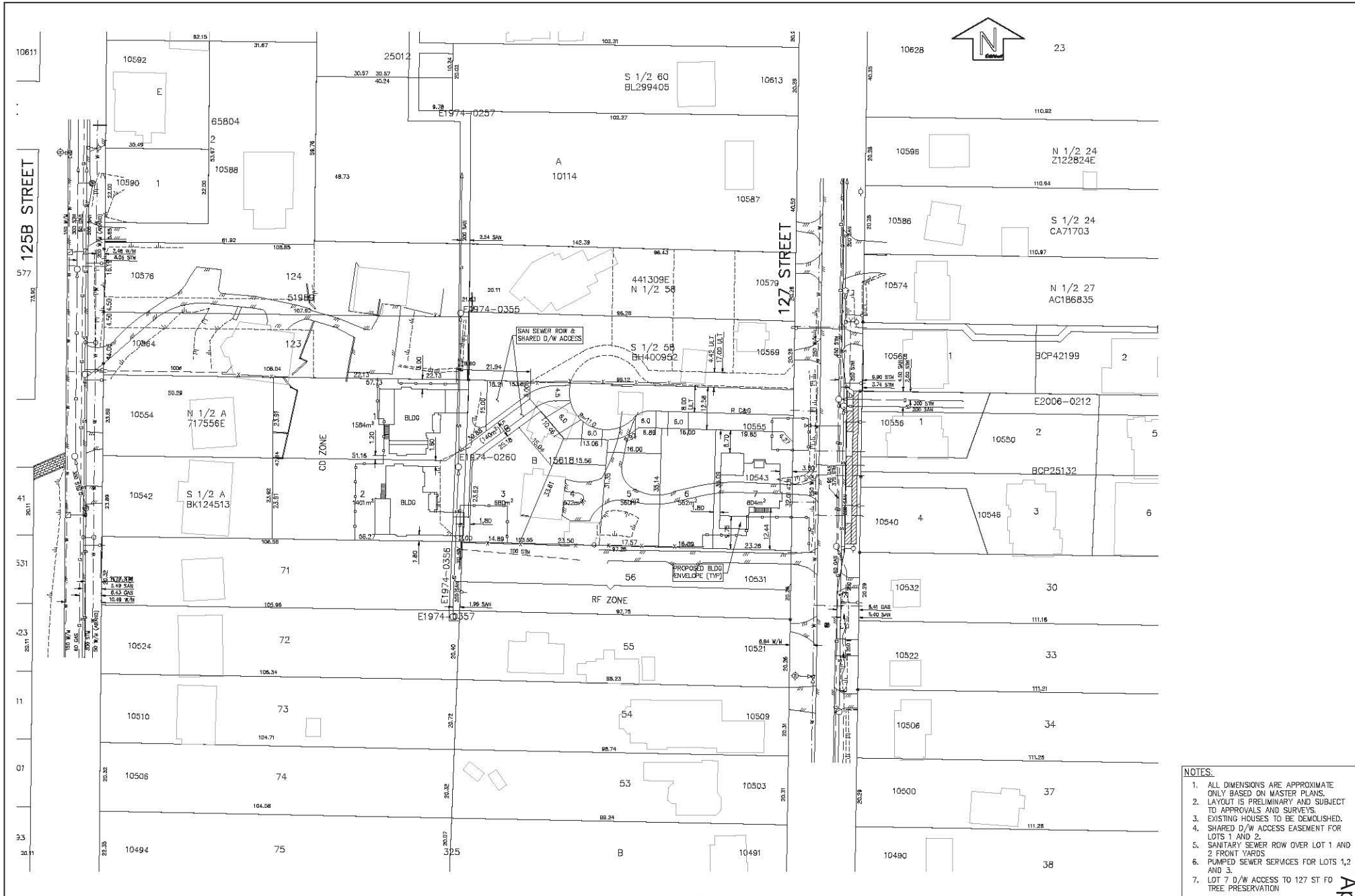
3. Summary of Actions for City Clerk's Office

(a) Proceed with Public Notification for Development Variance Permit No. 7914-0008-00 and bring the Development Variance Permit forward for an indication of support by Council. If supported, the Development Variance Permit will be brought forward for issuance and execution by the Mayor and City Clerk once the conditions of final approval are completed.

SUBDIVISION DATA SHEET

Existing Zoning: RF

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	1.8 ac.
Hectares	0.73 ha
NUMBER OF LOTS	
Existing	1
Proposed	7
SIZE OF LOTS	
Range of lot widths (metres)	15 m. – 23 m.
Range of lot areas (square metres)	560 sq. m. – 1,584 sq. m.
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	9.54 upha / 3.86 upa
Lots/Hectare & Lots/Acre (Net)	11.11 upha / 4.5 upa
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	40%
Estimated Road, Lane & Driveway Coverage	22%
Total Site Coverage	62%
PARKLAND	
Area (square metres)	N/A
% of Gross Site	
	Required
PARKLAND	
5% money in lieu	YES
TREE SURVEY/ASSESSMENT	
	YES
MODEL BUILDING SCHEME	
	YES
HERITAGE SITE Retention	
	NO
FRASER HEALTH Approval	
	NO
DEV. VARIANCE PERMIT required	
Road Length/Standards	NO
Works and Services	NO
Building Retention	NO
Setbacks	YES



- NOTES:**
1. ALL DIMENSIONS ARE APPROXIMATE ONLY BASED ON MASTER PLANS.
 2. LAYOUT IS PRELIMINARY AND SUBJECT TO APPROVALS AND SURVEYS.
 3. EXISTING HOUSES TO BE DEMOLISHED.
 4. SHARED D/W ACCESS EASEMENT FOR LOTS 1 AND 2.
 5. SANITARY SEWER ROW OVER LOT 1 AND 2 FRONT YARDS
 6. PUMPED SEWER SERVICES FOR LOTS 1,2 AND 3.
 7. LOT 7 D/W ACCESS TO 127 ST FO TREE PRESERVATION

No.	Date	Revision	Dr	Ch

CitiWest Consulting Ltd.
 No.101-9030 KING GEORGE BLVD., SURREY, BC, V3V 7Y3
 TELEPHONE 604-591-2213 FAX 604-591-5518
 E-MAIL: office@citiwest.com



0775372 BC LTD.
 200 - 7134 KING GEORGE BOULEVARD, SURREY, BC V3W 5A3 PH: 604-312-1921

PRELIMINARY LOT LAYOUT
 SUBDIVISION AT 10543 - 127 STREET SURREY, BC

Scale: 1:1000	Mun. Proj. No.	Dwg. No.
Drawn: JC	Mun. Dwg. No.	B2
Designed: PM	Job No. 13-3082	Of
P.W. P.U.	Date DEC/13	Revision
Approved:		

This drawing and design is the property of CITIWEST CONSULTING LTD. and cannot be used, reused or reprinted without the written consent of said company.

Tree Preservation Summary

Surrey Project No: 7914-0008-00

Address: 10543/ 10555 127 St, Surrey

Registered Arborist: Anne Kulla, Huckleberry Landscape Design

On-Site Trees	Numbers 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)	61
Protected Trees to be Removed	39
Protected Trees to be Retained (excluding trees within proposed open space or riparian areas)	22
Total Replacement Trees Required: <ul style="list-style-type: none"> • Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio o X one (1) = 0 • All other Trees Requiring 2 to 1 Replacement Ratio 39 X two (2) = 78 	78
Replacement Trees Proposed	36
Replacement Trees in Deficit	42
Protected Trees to be Retained in Proposed [Open Space/ Riparian Areas]	0




Off-Site Trees	Numbers of Trees
Protected Off- Site Trees to be Removed	0
Total Replacement Trees Required: <ul style="list-style-type: none"> • Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio ___ X one (1) = ___ • All other Trees Requiring 2 to 1 Replacement Ratio ___ X two (2) = ___ 	0
Replacement Trees Proposed	0
Replacement Trees in Deficit	0

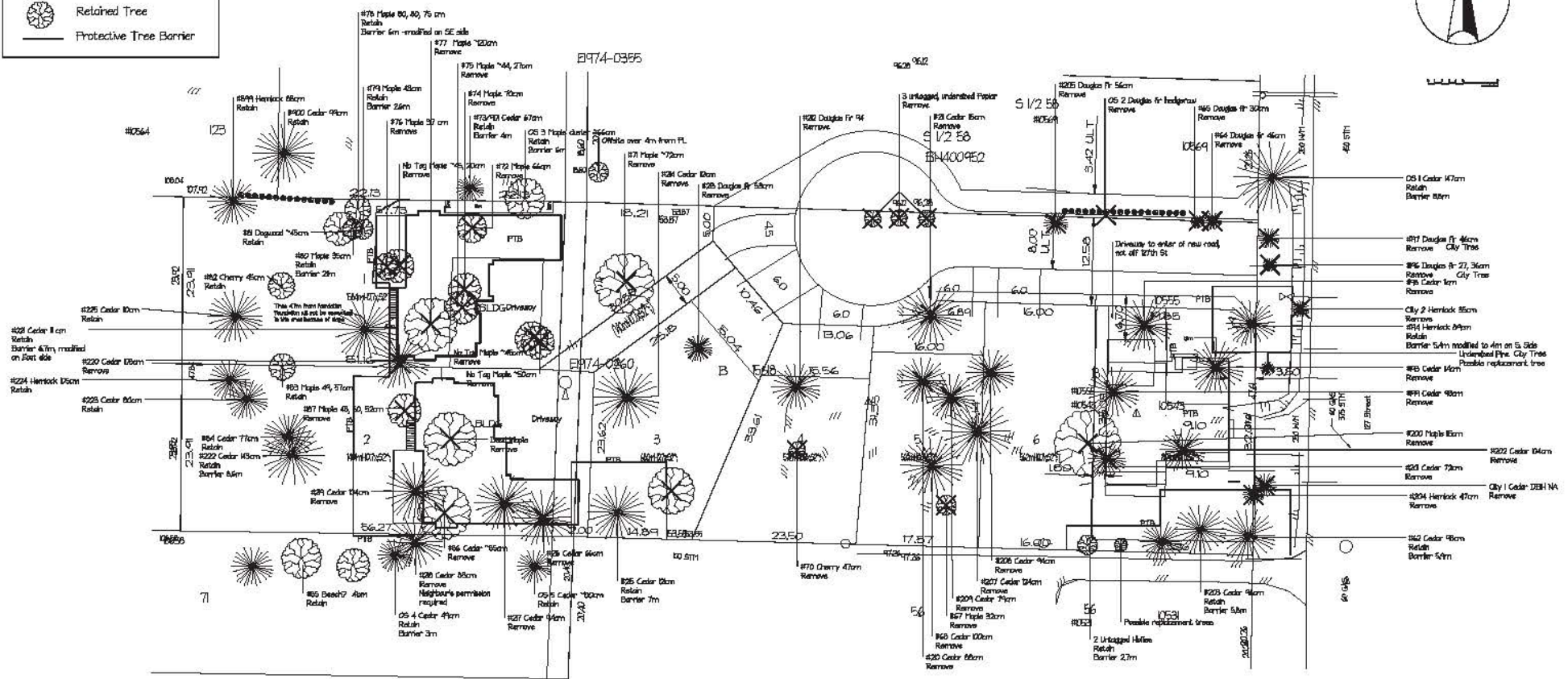
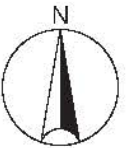
Summary, report and plan prepared and submitted by:

Anne Kulla

March 4, 2014, January 24, 2015

Legend

-  Removed Tree
-  Retained Tree
-  Protective Tree Barrier



Phone 604-724-3025
Email arn@huckleberrylandscape.ca

10555/ 10543 127 Street, Surrey, BC
Tree Retention and Removal Plan

Client: Ken Sawatzky
March 2014, Revised Jan 2015
Scale: 1/200 on 36 x 48
Drawing no. 1 of 2

Surrey Project no. 7904-0250-00
Drawn by: A. Kulla

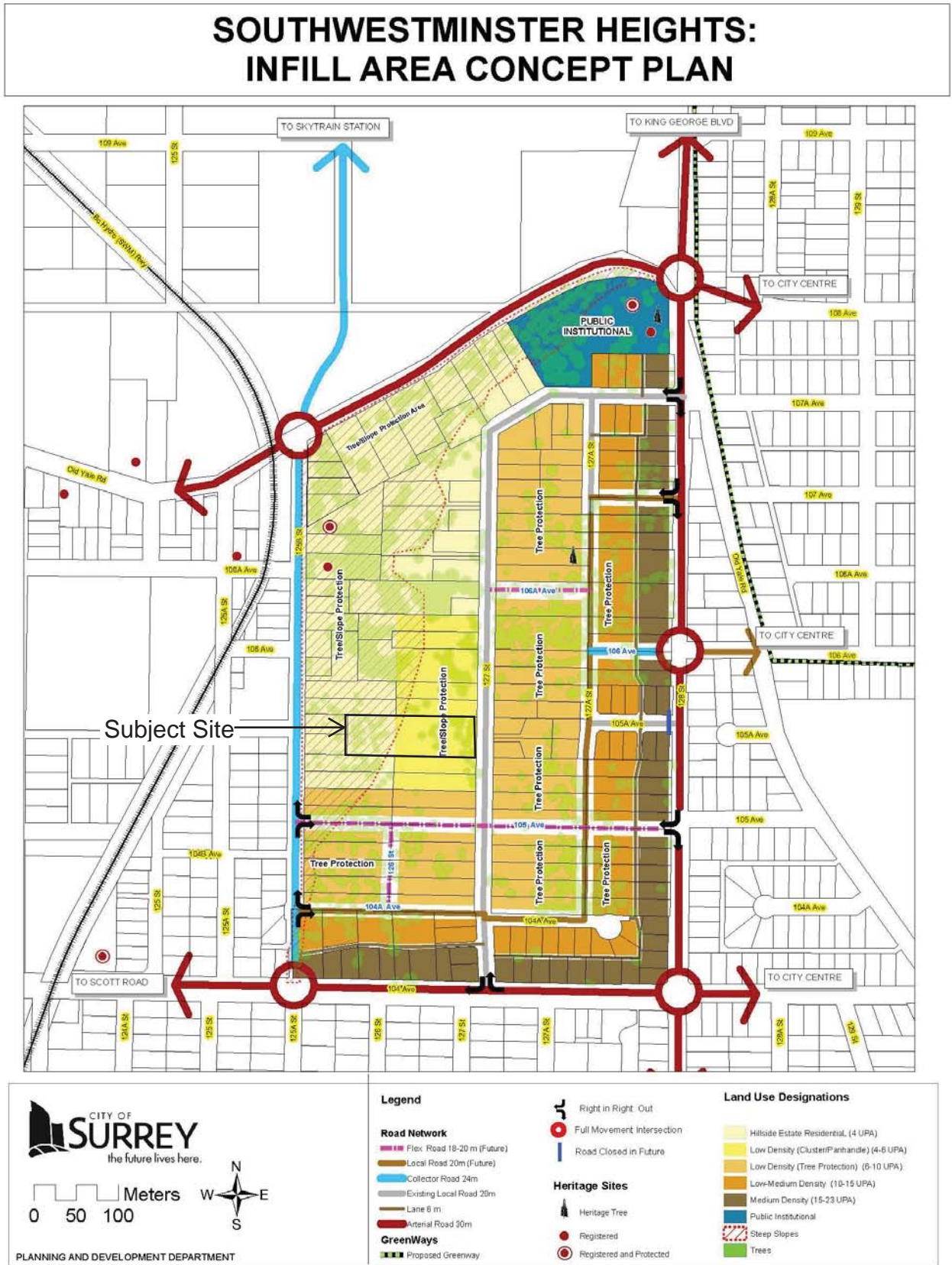


Figure 10 – South Westminster Heights Infill Area Concept Plan

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7914-0008-00

Issued To: 697122 BC LTD
("the Owner")

Address of Owner: 13455 - 58B Avenue
Surrey BC V3X 0A3

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: 010-098-585
 Lot B Section 20 Block 5 North Range 2 West New Westminster District Plan 15618
 10543 - 127 Street

(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 title(s) has/have been issued, as follows:

Parcel Identifier:

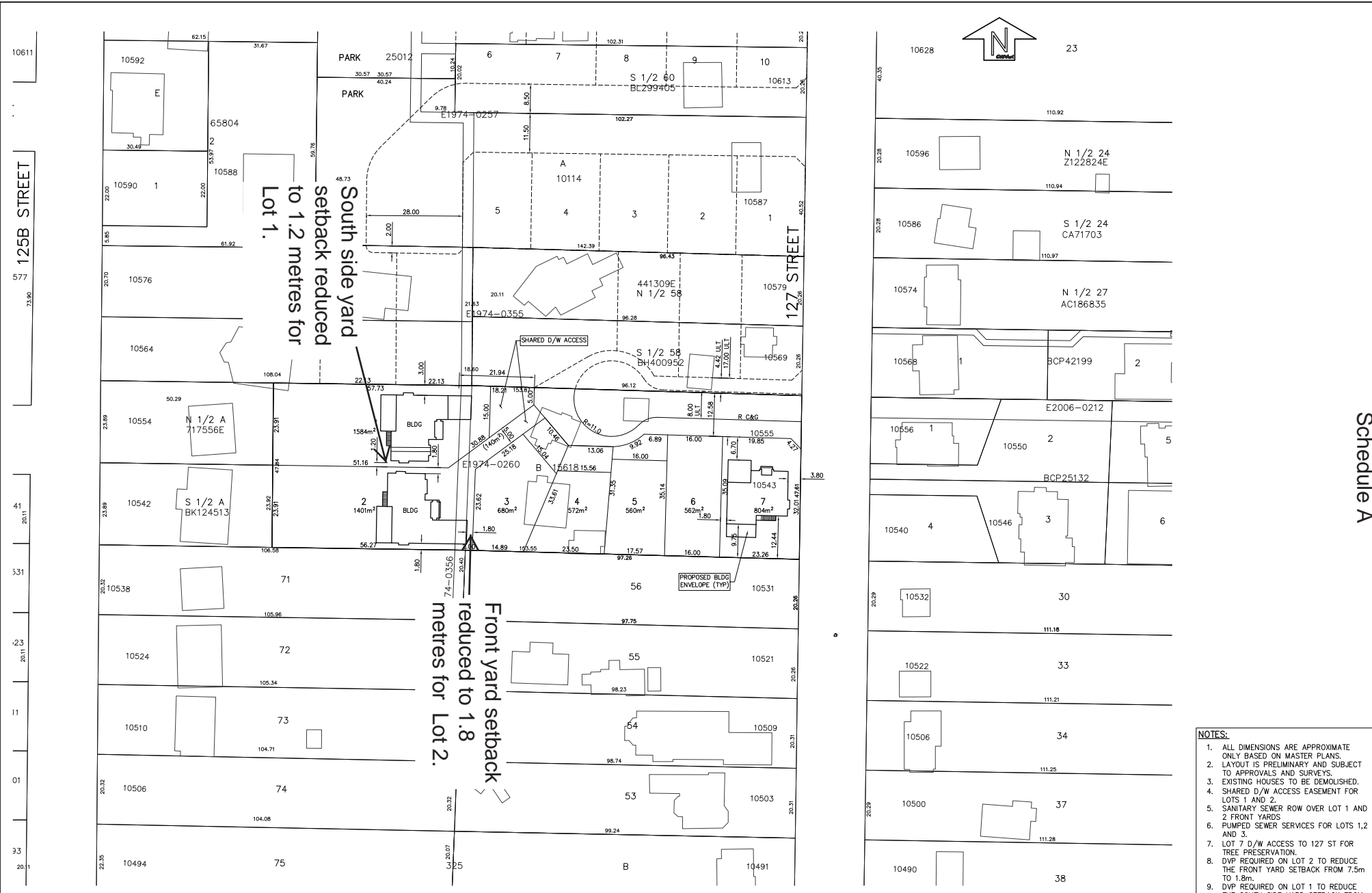
- (b) If the civic addresses change, the City Clerk is directed to insert the new civic addresses for the Land, as follows:

4. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F Yards and Setbacks, Part 16 "Single Family Residential Zone (RF)", the minimum south side yard setback is reduced from 1.8 metres (6 ft.) to 1.2 metres (4 ft.) for the principal building on proposed Lot 1; and
 - (b) In Section F Yards and Setbacks, Part 16 "Single Family Residential Zone (RF)", the minimum front yard setback is reduced from 7.5 metres (25 ft.) to 1.8 metres (6 ft.) for the principal building on proposed Lot 2.
5. This development variance permit applies to only proposed Lots 1 and 2 shown on 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 THE COUNCIL, THE DAY OF , 20 .
ISSUED THIS DAY OF , 20 .

Mayor – Linda Hepner

City Clerk – Jane Sullivan



No.	Date	Revision	Dr	Ch

CitiWest Consulting Ltd.
 No.101-9030 KING GEORGE BLVD., SURREY, BC, V3V 7Y3
 TELEPHONE 604-591-2213 FAX 604-591-5518
 E-MAIL: office@citiwest.com

0775372 BC LTD.
 200 - 7134 KING GEORGE BOULEVARD, SURREY, BC V3W 5A3 PH: 604-312-1921
PRELIMINARY LOT LAYOUT
 SUBDIVISION AT 10543 - 127 STREET SURREY, BC

Scale: 1:1000	Mun. Proj. No.	Dwg. No.
Drawn: JW	Mun. Dwg. No.	A
Designed: PM	Job No. 13-3082	
P.W. P.U.	Date DEC/13	Revision
Approved:	Date DEC/13	Revision