

# City of Surrey PLANNING & DEVELOPMENT REPORT File: 7916-0193-00

Planning Report Date: January 16, 2017

#### PROPOSAL:

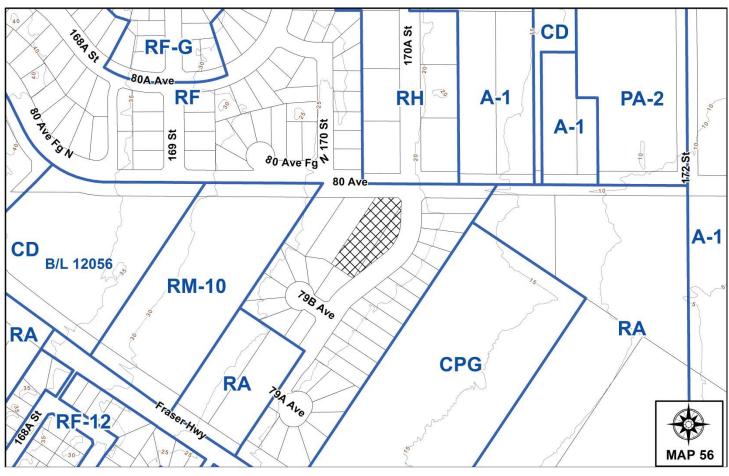
### • Development Variance Permit

to allow subdivision into four (4) single family lots.

LOCATION: 17052 - 80 Avenue

OWNER: Batt Development Ltd.

ZONING: RF
OCP DESIGNATION: Urban



#### RECOMMENDATION SUMMARY

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

#### **DEVIATION FROM PLANS, POLICIES OR REGULATIONS**

- The applicant is seeking to vary the requirements of the RF Zone for proposed Lot 4 as follows:
  - o To reduce the minimum lot depth from 28 metres (90 ft.) to 23.8 metres (78.5 ft.);
  - O To reduce the minimum north front yard setback for the principal building from 7.5 metres (25 ft.) to 3.6 metres (12 ft.);
  - o To reduce the minimum south rear yard setback for the principal building from 7.5 metres (25 ft.) to 1.2 metres (4 ft.); and
  - o To permit the construction of a basement access and basement well with stairs between the principal building and the west side lot line.

#### **RATIONALE OF RECOMMENDATION**

- Complies with the OCP Designation.
- The proposed subdivision completes the single family neighbourhood in this portion of Fleetwood.
- Proposed Lot 4 meets the minimum lot area requirements of the RF Zone however, due to the site configuration, it is an irregularly shaped corner lot.
- The applicant has demonstrated by means of a lot analysis diagram provided by the Design Consultant, Ran Chahal of Apex Design Group Inc. and dated November 23, 2016, that the proposed variances in combination with a Restrictive Covenants to increase setbacks along the west and east property lines will achieve a maximum sized, RF-zoned home on proposed Lot 4. The result will be a house that is keeping with the home siting and streetscape of the established neighbourhood than would be the case if the house were built in accordance with the Zoning By-law.

#### **RECOMMENDATION**

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7916-0193-00 (Appendix V) varying the following requirements of the RF Zone for proposed Lot 4, to proceed to Public Notification:

- (a) to reduce the minimum lot depth from 28 metres (90 ft.) to 23.8 metres (78.5 ft.);
- (b) to reduce the minimum north front yard setback for the principal building from 7.5 metres (25 ft.) to 3.6 metres (12 ft.);
- (c) to reduce the minimum south rear yard setback for the principal building from 7.5 metres (25 ft.) to 1.2 metres (4 ft.); and
- (d) to permit the construction of a basement access and basement well with stairs between the principal building and the west side lot line.

#### **REFERRALS**

Engineering: The Engineering Department has no objection to the variances.

#### SITE CHARACTERISTICS

Existing Land Use: Single family dwelling and accessory building (detached garage) on a half-

acre RF-zoned lot, to be removed.

### Adjacent Area:

Direction	<b>Existing Use</b>	OCP Designation	Existing Zone	
North (Across 80 Avenue):	Single family	Suburban	RH	
	dwellings on half-			
	acre parcels			
East (Across 170A Street):	Single family	Urban	RF	
	dwellings			
South:	Single family	Urban	RF	
	dwellings			
West:	Single family	Urban	RF	
	dwellings			

#### **DEVELOPMENT CONSIDERATIONS**

• The 0.285-hectare (0.704-acre) subject property is located at 17052 – 80 Avenue in Fleetwood.

• The subject property is designated Urban in the Official Community Plan (OCP) and zoned "Single Family Residential Zone (RF)" under Surrey Zoning By-law, 1993, No. 12000, as amended.

- The newly consolidated subject property was created under Development Application No. 7916-0034-00 when the original 0.2126-hectare lot (17052 80 Avenue), created in 2007, was consolidated with the 725-square metre (7,803-square foot) "hooked" portion of an adjacent lot across 170A Street (17078 80 Avenue).
- The northern portion of the subject lot is encumbered by a 2.5-metre (8 foot) wide statutory right-of-way, registered in 2007, and an existing multi-use pathway (MUP) runs along the 80 Avenue road allowance adjacent to the northern property line.
- The applicant proposes to subdivide the subject site into four (4) single family lots fronting and accessed from 170A Street. A Development Variance Permit (DVP) is required for reduced lot depth, relaxed front and rear yard setbacks, and a varied basement access location on proposed Lot 4 (see By-law Variances section).
- Proposed Lots 1 to 4 exceed the minimum 560-square metre (6,000-square foot) area requirement of the RF Zone, while proposed Lots 1 to 3 exceed the 28-metre (90 ft.) depth requirement of the RF Zone.
- 80 Avenue, which flanks the north side of the subject property, is classified as an arterial road.
  Part 7 Special Building Setbacks of Zoning By-law No. 12000 stipulates that the setback of
  buildings on lots abutting an existing or future major road shall be the sum of one-half of the
  ultimate road width, measured from the centreline of the ultimate road allowance, plus the
  required setback of the zone in which the lot is located.
- Although the Engineering Department has indicated that no additional road dedication from 80 Avenue will be required as part of the subject Development Application, the planned 30 metres (100 ft.) of road allowance will be necessary to ultimately widen 80 Avenue to the City's arterial standard. The resultant setback from the north lot line on proposed Lot 4, which will flank 80 Avenue, is approximately 1.5 metres (5 ft.) of anticipated future road widening of 80 Avenue, as measured from the centreline of the ultimate road allowance, plus the required setback under the RF Zone.
- Access will not be permitted to any of the proposed lots from 8o Avenue.
- 6.o-metres (20 ft.) of lane dedication is proposed along the south property line in order to achieve a 6.o-metre (20 ft.) wide, east-west oriented lane that daylights at 170A Street. The proposed lane will provide future rear lane access to 170A Street for the adjacent properties (17024 and 17034 80 Avenue) to the west of the subject lot which currently front 80 Avenue.

### **Building Scheme**

- The applicant has retained Ran Chahal of Apex Design Group Inc. as the Design Consultant. The Design Consultant conducted a review of the two (2) existing Building Schemes that currently regulate the subject property and determined that they are adequate in accommodating the construction of a contemporary dwelling with compatible features, such as roof pitch, massing and materials with existing adjacent homes.
- Restrictive Covenants (RCs) will be required by the Engineering Department on individual lots within the proposed subdivision to ensure construction and maintenance of on-site sustainable drainage/infiltration systems not included in the existing Building Scheme.

#### **Lot Grading**

- A preliminary lot grading plan was prepared by CitiWest Consulting Ltd. and found to be generally acceptable after review by staff. The applicant proposes basements on all lots, however, the feasibility of basements will be confirmed once the City's Engineering Department has reviewed and accepted final engineering drawings.
- The maximum amount of fill proposed for the site is less than 0.5 metre (1.6 ft.).

#### **TREES**

 Andrew Connell, ISA Certified Arborist of Diamond Head Consulting prepared an Arborist Assessment for the subject property. The table below provides a summary of the tree retention and removal by tree species:

Table 1: Summary of Tree Preservation by Tree Species:

Tree Species	Exist	ing	Remove	Retain		
Alder	and Cotte	onwood T	rees			
Alder o o						
Cottonwood	0		0	0		
(excluding A	<b>Deciduo</b> ı Alder and		od Trees)			
Magnolia	1		1	0		
Coniferous Trees						
Atlas Cedar 1 1 0						
Western Red Cedar	4		2	2		
Douglas Fir	2		2	0		
<b>Total</b> (excluding Alder and Cottonwood Trees)	8		6	2		
Total Replacement Trees Prope (excluding Boulevard Street Trees			10			
Total Retained and Replacement Trees		12				

Contribution to the Green City Fund	\$800.00
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- The Arborist Assessment states that there are a total of eight (8) protected trees on the site. There are no Alder and Cottonwood trees. It was determined that two (2) 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.
- 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 12 replacement trees on the site. Since only 10 replacement trees can be accommodated on the site (based on 3 replacement trees for proposed Lots 1 and 2 and 2 replacement trees for proposed Lots 3 and 4), the deficit of 2 replacement trees will require a cash-in-lieu payment of \$800.00, representing \$400 per tree, to the Green City Fund, in accordance with the City's Tree Protection By-law.
- In summary, a total of 12 trees are proposed to be retained or replaced on the site with a contribution of \$800.00 to the Green City Fund.

#### SUSTAINABLE DEVELOPMENT CHECKLIST

The applicant prepared and submitted a sustainable development checklist for the subject site on May 4, 2016. The table below summarizes the applicable development features of the proposal based on the seven (7) criteria listed in the Surrey Sustainable Development Checklist.

Sustainability Criteria	Sustainable Development Features Summary
1. Site Context &	The subject property is an urban infill lot.
Location	• The proposed subdivision complies with the Urban designation of the
(A1-A2)	Official Community Plan (OCP)
2. Density & Diversity	• Secondary suites will be permitted on all four (4) single family lots,
(B1-B7)	subject to meeting the Planning and Building Division requirements
	for a secondary suite.
3. Ecology &	• The proposal will include Low-Impact Development Standards (LIDS)
Stewardship	in the form of absorbent soils, sediment control devices and dry
(C <sub>1</sub> -C <sub>4</sub> )	swales in accordance with the Greenway Integrated Stormwater
	Management Plan (ISMP).
4. Sustainable	• The project is adjacent to an existing off-site pedestrian and multi-
Transport &	use pathway (MUP) known as the Clayton Greenway.
Mobility	
(D <sub>1</sub> -D <sub>2</sub> )	
5. Accessibility &	The design of the site incorporates Crime Prevention through
Safety	Enhanced Design (CPTED) principles by having windows face into
(E1-E3)	existing multi-use pathways (MUPs) and towards the street.
6. Green Certification	• N/A
(F1)	
7. Education &	• Development Proposal Signs were installed on-site on September 16,

Sustainability Criteria	Sustainable Development Features Summary
Awareness	2016 and the application will be subject to a Public Notification for
(G1-G4)	the Development Variance Permit (DVP).

#### BY-LAW VARIANCES AND JUSTIFICATION

### (a) Requested Variances:

- To vary the requirements of the RF Zone on proposed Lot 4, as follows:
  - o Reduce the minimum lot depth from 28 metres (90 ft.) to 23.8 metres (78.5 ft.);
  - Reduce the minimum front yard (north) setback for the principal building from 7.5 metres (25 ft.) to 3.6 metres (12 ft.);
  - Reduce the minimum rear yard (south) setback for the principal building from 7.5 metres (25 ft.) to 1.2 metres (4 ft.); and
  - o Permit the construction of a basement access and basement well with stairs to encroach between the principal building and west side lot line.

#### Applicant's Reasons:

- Proposed Lot 4 is irregularly shaped with a reduced depth of 23.8 metres (78.5 ft.) and a legal frontage abutting 80 Avenue. Applying the full 7.5-metre (25-ft.) rear yard (south) setback, 7.5-metre (25 ft.) front yard (north) setback and the additional 1.5-metre (5-ft.) special building setback of Zoning By-law No. 12000, would render construction of a standard single family dwelling on the lot impossible.
- On-site parking will not be affected by the proposed lot depth reduction or setback variances. Proposed Lot 4 (RF-zoned) will be able to accommodate a minimum of four (4) off-street parking spaces, including a 6.o-metre (20 ft.) wide driveway.

#### **Staff Comments:**

- Proposed Lot 4 meets the minimum lot area requirement of the RF Zone, is an irregularly shaped corner lot with frontages on 80 Avenue and 170A Street. Under the Zoning By-law, the 80 Avenue frontage is considered the front lot line as it is the shorter of the frontages.
- The requested variance to the front yard (north) setback for the principal building on proposed Lot 4 from 7.5 metres (25 ft.) to 3.6 metres (12 ft.) would mirror the adjacent corner property to the east across 170A Street (17078 80 Avenue) which requires a north side yard on a flanking street setback of 5.1 metres (16.5 ft.), combining 1.5 metres (5 ft.) of additional road widening as measured from the centreline of the ultimate road allowance with the 3.6-metre (12 ft.) side yard on a flanking street setback required under the RF Zone.

• With the proposed variances, the future location of the house on proposed Lot 4 will be approximately 2.6 metres (8.5 ft.) from the southern boundary of the statutory right-of-way (ROW) along 80 Avenue.

- A Section 219 Restrictive Covenant (RC) will be registered on proposed Lot 4 requiring minimum 7.5-metre (25 ft) east and west side yard setbacks for the principal building, with the exception that the east side yard setback may be reduced to 5.5 metres (18 ft.) at the lower level for a maximum of 50% of the principal building, except for the garage, and that the west side yard setback may be reduced to 6 metres (20 ft.) for a maximum of 50% of the building face provided the remainder of the building face is setback at least 8.5 metres (28 ft.) from the west side lot line.
- The requested variance to the rear (south) yard setback for the principal building on proposed Lot 4 from 7.5 metres (25 ft.) to 1.2 metres (4 ft.) would essentially result in a side yard to side yard condition between houses on proposed Lots 3 and 4.
- The combination of proposed setback variances and Restrictive Covenant setback provisions will essentially result in the east and west yards functioning as the front and rear yards and the north and south yards functioning as side yards even though the opposite is the case under the Zoning By-law. The result will be a house that is more in keeping with the house siting and streetscape in the established neighbourhood than would the case if the house were built in accordance with the Zoning By-law.
- In accordance with the RF Zone, basement access and basement wells are permitted only between the principal building and the rear lot line. As the west side yard will function as a rear yard, with the minimum setback increased to 7.5 metres (25 ft.) it is reasonable to allow basement access to encroach in the west side yard.
- The applicant has demonstrated by means of a lot analysis diagram provided by the Design Consultant, Ran Chahal of Apex Design Group Inc. and dated November 23, 2016, that the proposed variances in combination with a Restrictive Covenant to increase setbacks along the west and east property lines (see Development Considerations section) will achieve a maximum sized, RF-zoned home on proposed Lot 4 (Appendix IV).
- Staff support the requested variances.

#### **INFORMATION ATTACHED TO THIS REPORT**

The following information is attached to this Report:

Appendix I. Lot Owner, Action Summary and Subdivision Data Sheet

Appendix II. Proposed Subdivision Layout

Appendix III. Summary of Tree Survey and Tree Preservation

Appendix IV. Lot Analysis Plan (Proposed Lot 4)

Appendix V. Development Variance Permit No. 7916-0193-00

original signed by Judith Robertson

Jean Lamontagne General Manager

Planning and Development

CRL/dk

#### <u>Information for City Clerk</u>

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

1. (a) Agent: Name: Natasha Hargreaves

Citiwest Consulting Ltd.

Address: Unit 101, 9030 King George Boulevard

Surrey, BC V<sub>3</sub>V<sub>7</sub>Y<sub>3</sub>

2. Properties involved in the Application

(a) Civic Address: 17052 - 80 Avenue

(b) Civic Address: 17052 - 80 Avenue

Owner: Batt Development Ltd.

<u>Director Information</u> Baljit Singh Gill Tejinder Kaur Gill

Officer Information as at October 12, 2016:

Baljit Singh Gill (President) Tejinder Kaur Gill (Secretary)

PID: 029-930-391

Lot A Section 19 Township 8 New Westminster District Plan EPP63113

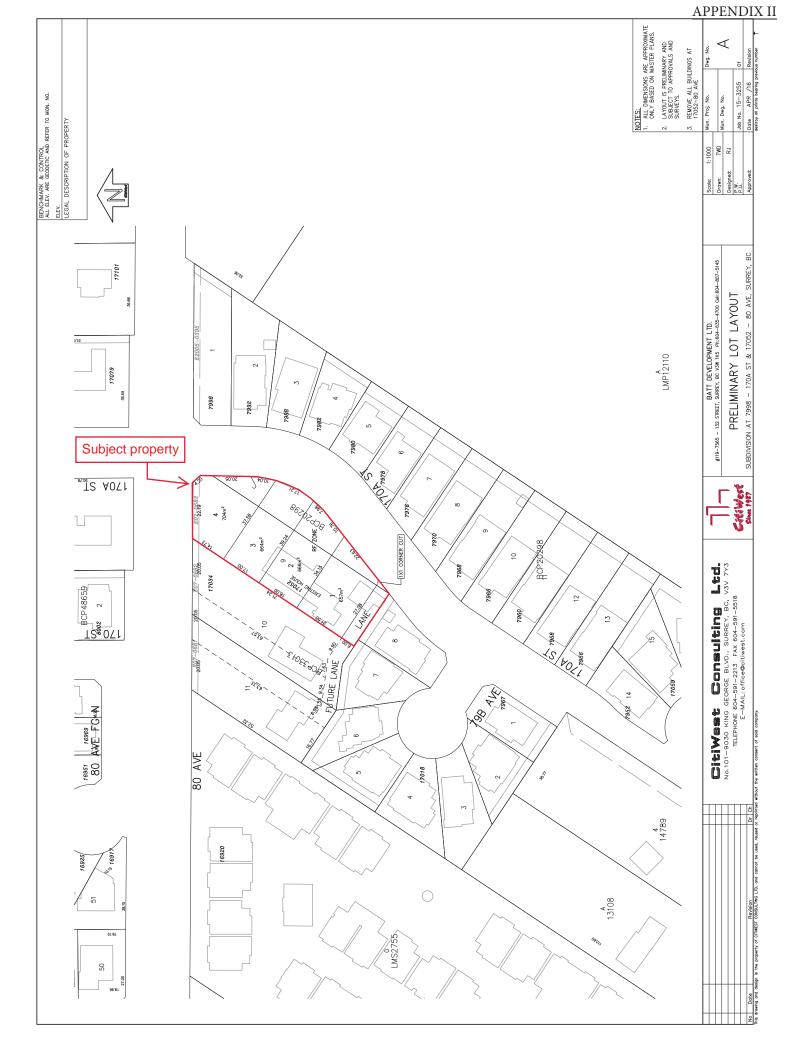
3. Summary of Actions for City Clerk's Office

(a) Proceed with Public Notification for Development Variance Permit No. 7916-0193-00 and bring the Development Variance Permit forward for issuance and execution by the Mayor and City Clerk.

## **SUBDIVISION DATA SHEET**

**Existing Zoning: RF** 

Requires Project Data	Proposed
GROSS SITE AREA	r
Acres	0.704 ac.
Hectares	0.285 ha.
NUMBER OF LOTS	
Existing	1
Proposed	4
SIZE OF LOTS	
Range of lot widths (metres)	17.00 to 22.19 metres
Range of lot areas (square metres)	657 m² to 704 m²
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	14.04 lots/ha. & 5.6 lots/ac.
Lots/Hectare & Lots/Acre (Net)	14.9 lots/ha. & 5.9 lots/ac.
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal &	
Accessory Building	
Estimated Road, Lane & Driveway Coverage	
Total Site Coverage	
PARKLAND	
Area (square metres)	N/A
% of Gross Site	
	Required
PARKLAND	
5% money in lieu	YES
TREE SURVEY/ASSESSMENT	YES
MODEL BUILDING SCHEME	NO
HERITAGE SITE Retention	NO
FRASER HEALTH Approval	NO
DEV. VARIANCE PERMIT required	
•	NO
	NO
FRASER HEALTH Approval  DEV. VARIANCE PERMIT required  Road Length/Standards  Works and Services  Building Retention  Lot Depth and Setbacks (Proposed Lot 4)	NO NO



Arborist Report – 17052 80Ave & 7998 170A Street, Surrey.

#### **Table 4. Tree Preservation Summary**

#### TREE PRESERVATION SUMMARY

Surrey Project No:

Address: 17052 80Ave & 7998 170A Street, Surrey, BC

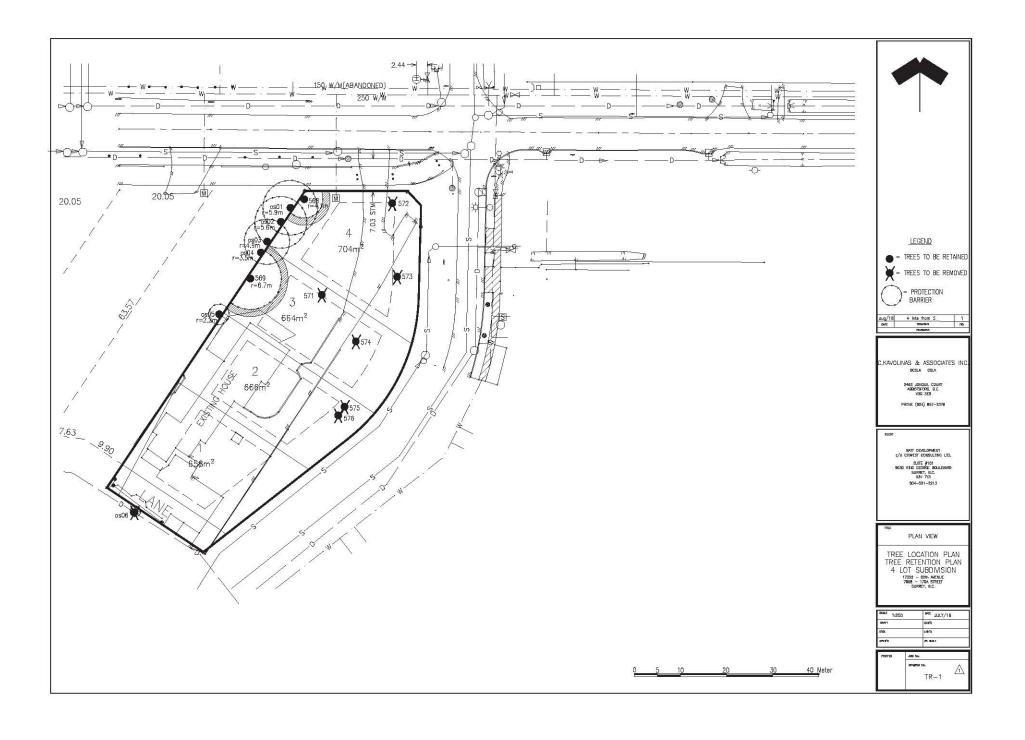
Registered Arborist: Andrew Connell B.Sc.

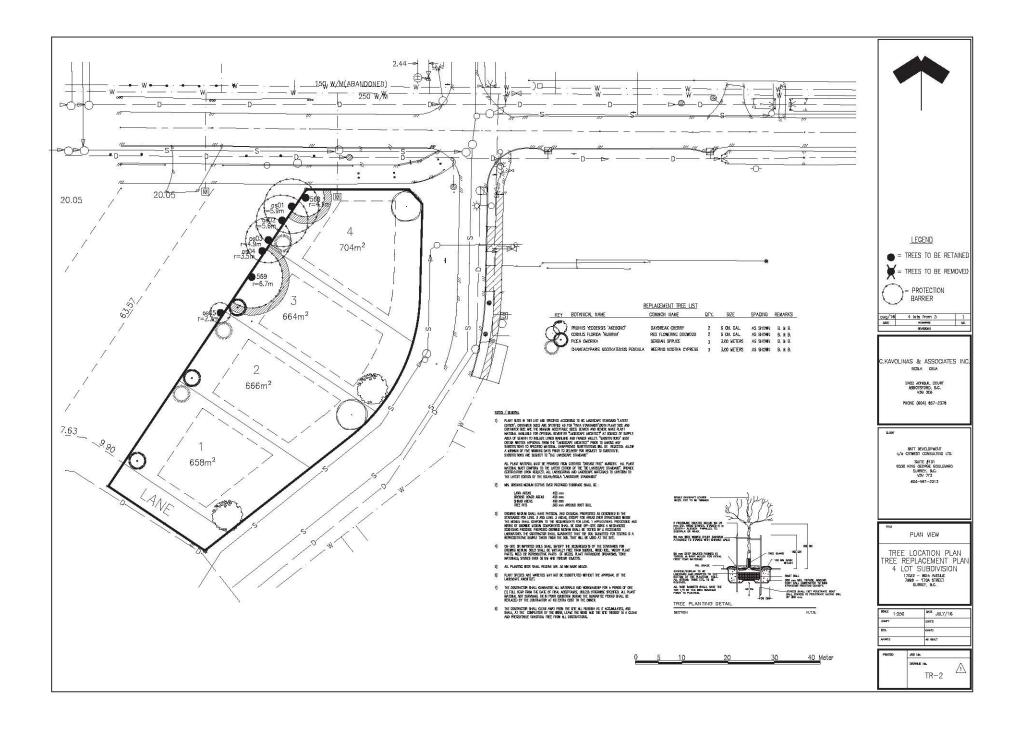
ISA Certified Arborist (PN6991A)
ISA Qualified Tree Risk Assessor (TRAQ)
BC Parks Wildlife and Danger Tree Assessor

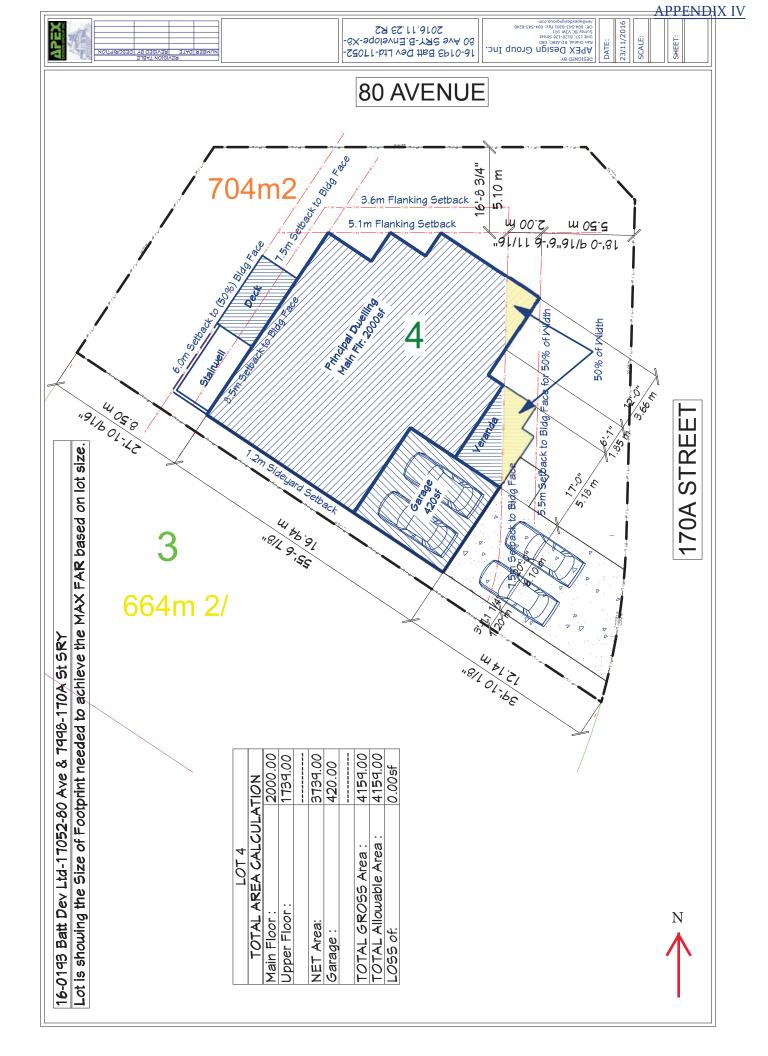
Certified Landscape Technician

On-Site Trees	Number of Trees
Protected Trees Identified	
(on-site and shared trees, including trees within boulevards and proposed	8
streets and lanes, but excluding trees in proposed open space or riparian	
areas)	_
Protected Trees to be Removed	6
Protected Trees to be Retained	2
(excluding trees within proposed open space or riparian areas)	_
Total Replacement Trees Required:	
- Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio	
<u>0</u> X one (1) = 0	12
- All other Trees Requiring 2 to 1 Replacement Ratio	
6 X two (2) = 12	
Replacement Trees Proposed	10
Replacement Trees in Deficit	2
Protected Trees to be Retained in Proposed [Open Space / Riparian Areas]	
Off-Site Trees	Number of Trees
Protected Off-Site Trees to be Removed	
Total Replacement Trees Required:	
- Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio	
X one (1) = 0	2
- All other Trees Requiring 2 to 1 Replacement Ratio	
1 X two (2) = 2	
Replacement Trees Proposed	0
Replacement Trees in Deficit	2

Summary prepared and		Amb 160	August 30, 2016
submitted by:		John 1 see	
	Arborist		Date







#### **CITY OF SURREY**

(the "City")

#### **DEVELOPMENT VARIANCE PERMIT**

NO.:	7916-0193-00
110	/910 0193 00

Issued To: BATT DEVELOPMENT LTD.

("the Owner")

Address of Owner: 19137 – 60B Avenue

Surrey, BC V<sub>3</sub>S<sub>7</sub>T8

- 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: 029-930-391 Lot A Section 19 Township 8 New Westminster District Plan EPP63113

17052 - 80 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 title(s) has/have been issued, as follows:

Parcel Identifier

I ui cci	Idein	mici.			

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

\_\_\_\_\_

- 4. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
  - (a) In Section K.3 Subdivision of Part 16 "Single Family Residential Zone (RF)", the minimum lot depth of proposed Lot 4 is reduced from 28 metres (90 ft.) to 23.8 metres (78.5 ft.);
  - (b) In Section F Yards and Setbacks of Part 16 "Single Family Residential Zone (RF)", the minimum front (north) yard setback for a principal building on proposed Lot 4 is reduced from 7.5 metres (25 ft.) to 3.6 metres (12 ft.);
  - (c) In Section F Yards and Setbacks of Part 16 "Single Family Residential Zone (RF)", the minimum rear yard (south) setback for a principal building on proposed Lot 4 is reduced from 7.5 metres(25 ft.) to 1.2 metres (4 ft.); and
  - (d) In Section J.2 Special Regulations of Part 16 "Single Family Residential Zone (RF)", a basement access and basement well with staircase is permitted between the principal building and the west side lot line on proposed Lot 4.
- 5. This development variance permit applies to only the portion of proposed Lot 4 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 B 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 deve	elopment variai	nce permit is	s not a buil	ding permit.		
	ORIZING D THIS	RESOLUTION DAY OF	PASSED BY	THE COU	INCIL, THE	DAY OF	, 20 .
				-	Mayor – Linda	Hepner	
				_	City Clerk – Jai	ne Sullivan	

