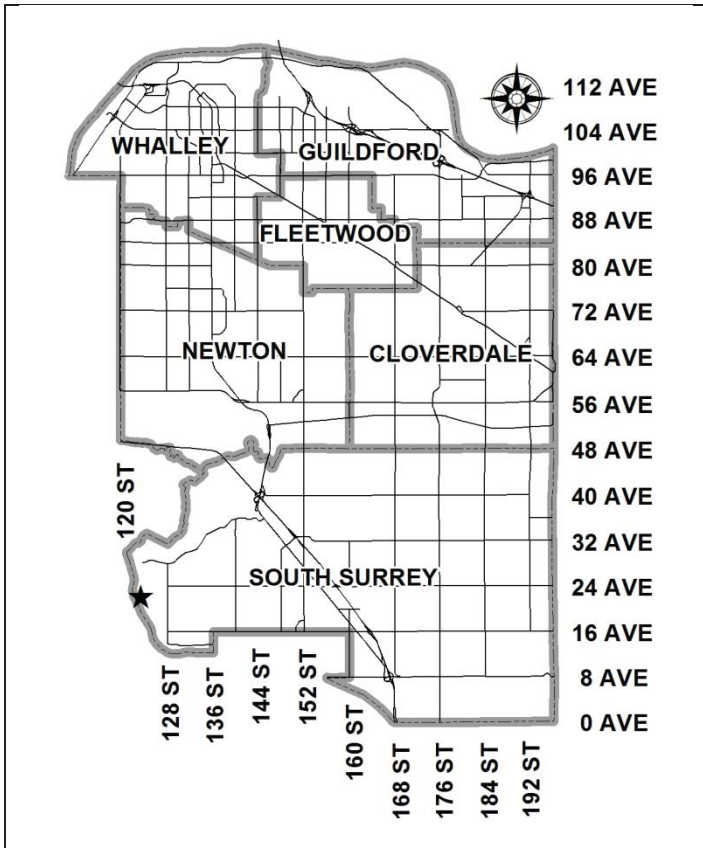


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7916-0283-00

Planning Report Date: April 24, 2017

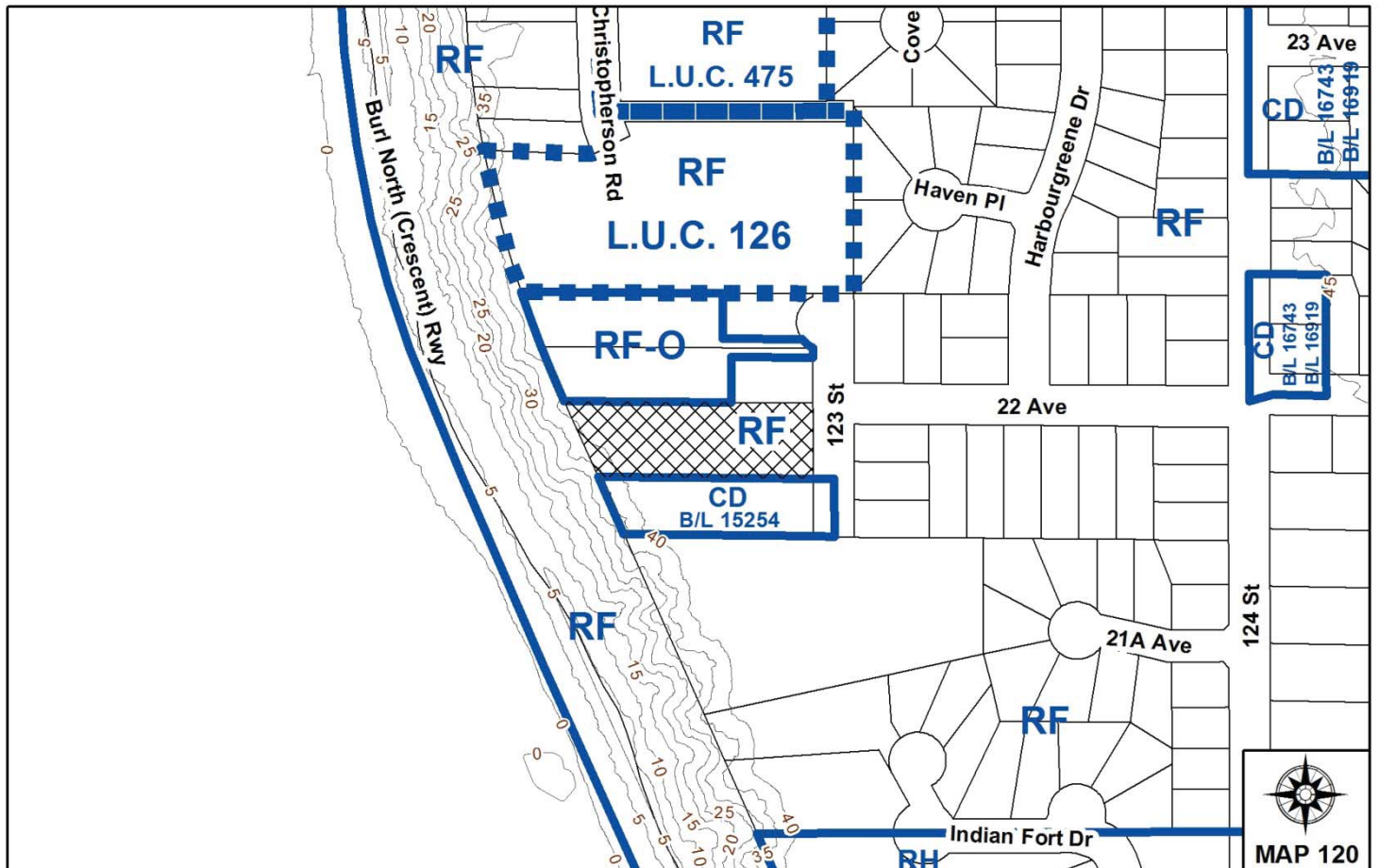


PROPOSAL:

- **Rezoning** from RF to RF-O
- **Development Permit**
- **Development Variance Permit**

to allow an addition to an existing non-conforming single family dwelling.

LOCATION: 2189 – 123 Street
OWNER: Arthur A. Skidmore
 Clarice S. Skidmore
ZONING: RF
OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for rezoning.
- Approval to draft Development Permit.
- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is proposing to vary the minimum rear yard (west) setback of the RF-O Zone for an accessory structure.

RATIONALE OF RECOMMENDATION

- The proposal complies with the OCP Designation.
- The proposal complies with the intent and locational criteria of the RF-O Zone.
- The proposed variance is necessary to bring an existing deck into conformity with the RF-O Zone.
- The floor area ratio and lot coverage of the proposed single family dwelling are both below the maximum permitted under the RF-O Zone.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the subject site from "Single Family Residential Zone (RF)" to "Single Family Residential Oceanfront Zone (RF-O)" and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7916-0283-00 for Hazard Lands and Sensitive Ecosystems, generally in accordance with the Geotechnical Study prepared by Fraser Valley Engineering and the Landscape Plan attached as Appendix IV.
3. Council approve Development Variance Permit No. 7916-0283-00 (Appendix VI), to reduce the minimum rear yard (west) setback of the RF-O Zone for an accessory structure from 10.0 metres (33 ft.) to 8.4 metres (27.5 ft.), to proceed to Public Notification.
4. Council instruct staff to resolve the following issues prior to final adoption:
 - (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 finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (c) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the Planning and Development Department;
 - (d) submission of a peer review of the geotechnical report to the satisfaction of the Planning and Development Department;
 - (e) approval and issuance of a Development Permit for Hazard Lands and Sensitive Ecosystems;
 - (f) registration of a Section 219 Restrictive Covenant to ensure construction is in accordance with the recommendations in the approved geotechnical report; and
 - (g) registration of a Section 219 Restrictive Covenant to ensure that no in-ground irrigation systems are installed.

REFERRALS

Engineering:	The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix III.
Parks, Recreation & Culture:	The Parks, Recreation & Culture Department has no objection to the project.

SITE CHARACTERISTICSExisting Land Use: Single Family DwellingAdjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Single family dwellings	Urban	RF-O & RF
East (Across 123 Street):	Single family dwellings	Urban	RF
South:	Single family dwelling	Urban	CD (By-law No. 15254)
West:	Burlington Northern Railway	Urban	RF

DEVELOPMENT CONSIDERATIONSBackground

- The subject property is located at 2189 – 123 Street, along the ocean bluff in South Surrey, overlooking the Burlington Northern Santa Fe Railway. It is designated "Urban" in the Official Community Plan (OCP) and is zoned "Single Family Residential Zone (RF)".
- The western portion of the site contains a portion of the steep escarpment (i.e. the ocean bluff) above the railway and is within the Hazard Lands Development Permit Area identified in the OCP.
- A Green Infrastructure Network (GIN) Corridor runs along the Burlington Northern Railway property and comprises approximately 1.5 metres (5 ft.) of the western edge of the subject property. The GIN corridor is within the Sensitive Ecosystems Development Permit Area identified in the OCP.

Current Proposal

- The applicant is proposing to rezone the site from "Single Family Residential Zone (RF)" to "Single Family Residential Oceanfront Zone (RF-O)" to allow for an addition to the existing garage, interior renovations, and landscaping upgrades, and to bring the existing non-conforming dwelling into compliance with the Zoning By-law.
- The applicant is also proposing a Development Permit (DP) for Hazard Lands (Steep Slope) and Sensitive Ecosystems (Green Infrastructure) and a Development Variance Permit (DVP) for reduced setbacks to bring an existing non-conforming deck into compliance with the Zoning By-law. The deck was built without permits by a previous owner. The applicant applied for a building permit for the deck on March 3, 2017.

- The existing house has a floor area of approximately 990 square metres (10,659 sq. ft.). It was built prior to changes to the Zoning By-law that incorporated a maximum floor area in the RF Zone of 465 square metres (5,000 sq. ft.) and therefore is non-conforming.
- The applicant is proposing an addition of 60 square metres (650 sq. ft.) to the garage, which would bring the floor area to 1,050 square metres (11,309 sq. ft.). The garage is located in the front yard, on the east side of the existing dwelling.
- The proposed development complies with the criteria of the RF-O Zone as follows:
 - The property is an oceanfront lot with no lots except for railway land located between the subject property and the oceanfront;
 - The subject property is 36.5 metres (120 ft.) wide, 105 metres (344 ft.) deep, and has a total area of 4,160 square metres (1.03 acres). This satisfies the dimensional and area requirements of the RF-O Zone [20 metres (65 ft.) width; 45 metres (150 ft.) depth; 1,000 square metres (0.25 acre) area]; and
 - The proposed floor area for the site is below the maximum permitted floor area ratio (FAR) of 0.32 and the maximum permitted lot coverage of 25%.

Hazard Land Development Permit (Steep Slope)

- The site is subject to a Development Permit (DP) for Hazard Lands under the Official Community Plan (OCP) due to steep slopes at the west end of the subject property. In order to address this requirement, the applicant has submitted a geotechnical report.
- The subject site is generally flat except near the rear (west) property line, where the property slopes southwest towards the ocean bluff. The existing house is situated approximately 15 metres (50 ft.) from the top of the bluff and the existing deck is built at the edge of the bluff.
- The geotechnical report, prepared by Fraser Valley Engineering Ltd. on February 8, 2017 states that the site is considered safe for the continued support of the existing dwelling, including the existing deck, and the proposed addition to the garage.
- The geotechnical report recommends a minimum geotechnical setback of 6.0 metres (20 ft.) from the crest of the slope. Furthermore, the report recommends the deck is monitored for any signs of displacement for a year following the property upgrade at a frequency of at least every 3 months, or after a major rainfall event.
- The geotechnical study and recommendations, and house plans will be incorporated into the requirements of the Hazard Lands Development Permit (DP), and registered on title through a restrictive covenant. Issuance of the DP is required prior to final adoption of the rezoning. Restrictive covenants will also be required for pumped sanitary and storm sewer pump maintenance and to limit underground irrigation. At Building Permit stage, the Building Division will require Letters of Assurance from a geotechnical engineer to ensure that building plans comply with the recommendations in the approved geotechnical report.

Sensitive Ecosystem Development Permit (Green Infrastructure)

- The site is subject to a Development Permit (DP) for Sensitive Ecosystems under the Official Community Plan (OCP) due to a Green Infrastructure Network (GIN) corridor that runs along the Burlington Northern Railway property and comprises approximately 1.5 metres (5 ft.) of the western edge of the subject property.
- The residential landscaping on the subject property extends beyond the rear (west) property line and encroaches into an area of approximately 60 square metres (645 sq. ft.) of the Burlington Northern Railway property and the GIN corridor. This landscaping includes a wooden retaining wall, chain-link fence, concrete retaining wall, and ornamental (non-native) plant species.
- The applicant has submitted a landscape plan (Appendix IV) and cost estimate for the restoration of the encroachment into the Burlington Northern Railway property and GIN corridor. The restoration approach is to reestablish the encroachment area to a more natural state by removing the retaining walls, chain-link fence, and ornamental plants and densely revegetating the area with native plant species.
- The landscape restoration plan will be incorporated into the requirements of the Sensitive Ecosystem Development Permit (DP) and the applicant will be required to pay a landscaping security to the City to ensure the works are completed.

PRE-NOTIFICATION

- A development sign was installed on September 28, 2016. Pre-notification letters were sent on October 25, 2016 to 31 properties within 100 metres (300 ft.) of the subject site and to the Ocean Park Business Association and Ocean Park Community Association. To date staff have received no responses to the public notification.

TREES

- Austin Peterson, ISA Certified Arborist of van der Zalm + associates inc. 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	Existing	Remove	Retain
Deciduous Trees (excluding Alder and Cottonwood Trees)			
Horse Chestnut	1	0	1
Japanese Maple	1	0	1
Portuguese Laurel	2	0	2

Tree Species	Existing	Remove	Retain
Coniferous Trees			
Douglas Fir	9	4	5
Grand Fir	3	1	2
Red Cedar	8	1	7
Scots Pine	2	0	2
Spruce	1	0	1
Total (excluding Alder and Cottonwood Trees)	27	6	21
Total Replacement Trees Proposed (excluding Boulevard Street Trees)		12	
Total Retained and Replacement Trees		33	
Contribution to the Green City Fund		\$0	

- The Arborist Assessment states that there are a total of 27 protected trees on the site. It was determined that 21 trees can be retained as part of this development proposal. 6 trees are recommended to be removed due to significant damage as a result of excavation occurring within the root protection zone without tree protection measures.
- The 6 trees that are proposed to be removed are specimen quality trees. The penalty for damaging a specimen quality tree is \$2000 as per the City of Surrey Tree Protection By-law Part 5. The applicant has paid the required \$12,000 penalty for damaging these trees.
- The Arborist Assessment also states that 6 City boulevard trees that were on the tree survey had been removed without permits. Parks has been informed of this violation.
- A finalized Arborist Assessment, with updated Tree Retention and Replacement Plans, to the satisfaction of the City Architect, will be required prior to final adoption of the rezoning by-law.
- In summary, a total of 33 trees are proposed to be retained or replaced on the site with no contribution to the Green City Fund.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum rear yard (west) setback of the RF-O Zone for an accessory structure from 10.0 metres (33 ft.) to 8.4 metres (27.5 ft.).

Applicant's Reasons:

- The variance is proposed for an existing deck that was built by the previous owners of the property that does not conform to the rear yard setback for accessory structures under the RF-O Zone.

Staff Comments:

- The existing deck complies with the minimum setback of 1.8 metres (6 ft.) required under the RF Zone, however, the variance is necessary in order to comply with the minimum setback of the proposed RF-O Zone.
- The applicant is not proposing any additions that would further encroach into the setbacks of the proposed RF-O Zone.
- 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.	Site Plan
Appendix III.	Engineering Summary
Appendix IV.	Landscape Plan
Appendix V.	Summary of Tree Survey and Tree Preservation
Appendix VI.	Development Variance Permit No. 7916-0283-00

INFORMATION AVAILABLE ON FILE

- Geotechnical Study Prepared by Fraser Valley Engineering Ltd. Dated February 8, 2017
- Environmental Report Prepared by PGL Environmental Consultants Dated January 6, 2017

Original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

CB/da

DEVELOPMENT DATA SHEET

Proposed Zoning: RF-O

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total	1,000 m ²	4,164 m ²
Road Widening area		
Undevelopable area		
Net Total		
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	25%	19%
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front	10 m	30.4 m
Rear	10 m	25.2 m
Side #1 (N)	1.8 m	1.8 m
Side #2 (S)	1.8 m	1.8 m
BUILDING HEIGHT (in metres/storeys)		
Principal	9 m	8.5 m
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total	1	1
FLOOR AREA: Residential	1,332 m ² (14,343 sq. ft.)	1,050 m ² (11,309 sq. ft.)

Heritage Site	NO	Tree Survey/Assessment Provided	YES
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APPENDIX II HAS BEEN
REMOVED AS IT CONTAINS
CONFIDENTIAL INFORMATION

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

FROM: Development Services Manager, Engineering Department

DATE: April 19, 2017 PROJECT FILE: **7816-0283-00**

**RE: Engineering Requirements
Location: 2189 - 123 Street**

DEVELOPMENT PERMIT

The following issues are to be addressed as a condition of issuance of the Development Permit and subsequent Building Permit:

Works and Services

- Construct barrier curb & gutter along 123 Street.
- A geotechnical report is required to assess slope stability and provide guidance for development of the site.
- Provide on-site stormwater mitigation features in accordance with Ocean Bluff-Chantrell Creek ISMP with geotechnical certification.
- Provide water, storm, and sanitary service connections to the lot.
- Abandon existing sanitary connection greater than 30 years old.

DEVELOPMENT VARIANCE PERMIT

There are no engineering requirements, beyond those noted above, relative to issuance of the Development Variance Permit beyond the items noted above.

A servicing Agreement is required prior to issuance of the Development Permit and Subsequent Building Permit.



Rémi Dubé, P.Eng.
Development Services Manager

MB



Imagery Source: City of Surrey (imagery date: 2016)

RESTORATION AND REVEGETATION SPECIFICATIONS:

1. All contractors are responsible to obtain, be familiar with and implement all relevant project specifications and management plans.
2. The Contractor must locate and verify the existence of all utilities prior to the commencement of work.
3. All planting is to be done to BCSLA/BCLNA standards, latest edition, unless noted otherwise.
4. PGL must be notified of the proposed planting schedule prior to commencement of revegetation works.
5. All planting to occur during the first optimal planting season (between November and April) following the completion of site grading and fill works.
6. If required, topsoil must be clean, seed free, and free of invasive plants and plant parts.
7. The Contractor must submit a representative sample of the proposed topsoil for testing to Pacific Soil Analysis. Contractor is responsible for arranging and payment of soil analysis and any required amendments to growing medium.
 - a. Contractor must submit lab results and a summary plan of any proposed amendments/fertilizer use to PGL prior to commencement of work.
8. The Contractor is to supply all plant material shown on this plan. Sizes of plants listed on this plan are considered a minimum.
9. Any proposed material substitutions must be reviewed by PGL prior to use.
10. Nursery stock root balls, containers, and soil must be free of invasive plants and plant parts.
11. All plant material must be provided by a certified, disease/virus free nursery within the Lower Mainland and/or Fraser Valley of BC - proof of certification required. Removal and replacement of disease/virus-affected plant material will be done so at the Contractor's expense.
12. Planting prescriptions shown are guidelines and can be "field-fit" based on actual field conditions under consultation and direction of PGL.
13. Individual plants within a cluster must have a minimal spacing of 100mm off centre for plugs and 300mm off centre for #1 pots.
14. All planting waste materials (e.g., wraps, containers, labels, etc.) must be removed immediately from the site by the Contractor.
15. The Contractor will be responsible for replacing any significant mortality in nursery stock (i.e., planted areas with a density significantly less than roughly one plant per square metre) identified within two-years of planting, as directed by PGL.



Restoration Plan

Planting Area 1 (49 m²)

Planting Area 2 (9 m²)

Original Encroachment Area

Property Boundary

1:200

Metres

Coordinate System: NAD 1983 UTM Zone 10N

Date: March 22, 2017	Map ID: 4997-01-01_001
Drawn by: RMS	File Number: 4997-01.01

Planting Area 1 (Estimated Area = 49 m²; Density = ~3 plants/m²)

Scientific Name	Common Name	Pot Size	# of Plants	Comments
<i>Cornus stolonifera</i>	red-osier dogwood	plugs	45	-spread evenly throughout
<i>Symphoricarpos albus</i>	common snowberry	#1 pots	25	-spread evenly throughout
<i>Sambucus racemosa</i>	red elderberry	#1 pots	30	-plant in clusters of 3 plants, spread clusters throughout
<i>Alnus crispa</i>	Sitka alder	plugs	50	-spread evenly throughout

Planting Area 2 (Estimated Area = 9 m²; Density = ~3 plants/m²)

Scientific Name	Common Name	Pot Size	# of Plants	Comments
<i>Crataegus douglasii</i>	black hawthorn	#1 pots	5	-spread evenly throughout
<i>Rose gymnocarpa</i>	baldhip rose	plugs	10	-plant in clusters of 2-3 plants
<i>Rose nutkana</i>	Nootka rose	plugs	15	-plant in clusters of 2-3 plants



Tree Preservation Summary

Surrey Project No:

Address: 2189 -123 St. Surrey, BC

Registered Arborist: Austin Peterson PN 1570A

On-Site Trees	Number 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)	25
Protected Trees to be Removed	0
Protected Trees to be Retained (excluding trees within proposed open space or riparian areas)	25
Total Replacement Trees Required: Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio ___ X one (1) = 0 All other Trees Requiring 2 to 1 Replacement Ratio ___ X one (2) = 0	0
Replacement Trees Proposed	0
Replacement Trees in Deficit	0
Protected Trees to be Retained in Proposed [Open Space / Riparian Areas]	0
Off-Site Trees	Number of Trees
Protected Off-Site Trees to be Removed	0
Total Replacement Trees Required: Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio ___ X one (1) = 0 All other Trees Requiring 2 to 1 Replacement Ratio ___ X one (2) = 0	
Replacement Trees Proposed	0
Replacement Trees in Deficit	0

Summary, report and plan prepared and submitted by: Austin Peterson PN 1570A

(Signature of Arborist)

Date: December 06, 2016

LANDSCAPE ARCHITECTURE

URBAN DESIGN
RECREATION

PARKS &

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7916-0283-00

Issued To: ARTHUR A. SKIDMORE
CLARICE S. SKIDMORE

(the "owner")

Address of Owner: 7499 – 216 Street
Langley, BC V2Y 2S4

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: 010-337-725
Lot 16 Section 18 Township 1 New Westminster District Plan 18121

2189 – 123 Street

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F, Yards and Setbacks, of Part 15B Single Family Residential Oceanfront Zone (RF-O), the minimum rear yard (west) setback for an accessory structure is reduced from 10.0 metres (33 ft.) to 8.4 metres (27.5 ft.).
4. This development variance permit applies to only 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.
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 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.

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 – Linda Hepner

City Clerk – Jane Sullivan



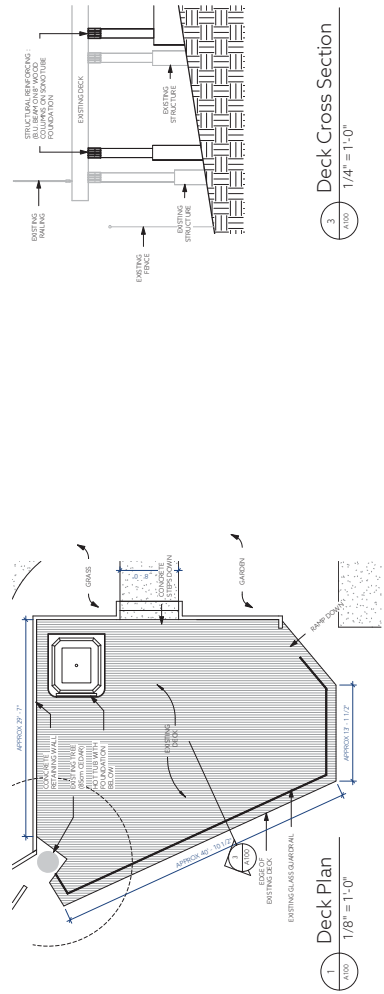
Ocean Park Deck Renovation

LEGAL DESCRIPTION: LOT 16 SECTION 18 TOWNSHIP 1 PLAN 18121 NWD

PID: 010-337-725

ZONING CALCULATIONS:

	PROPOSED	RFO	RF
LOT COVERAGE	23.9%	25%	18%



1 Deck Plan
1/8" = 1'-0"

3 Deck Cross Section
1/4" = 1'-0"

OCEAN PARK RENOVATION

2189 123rd Street, Surrey BC

Deck

scale: As indicated

25 Nov., 2016

1501

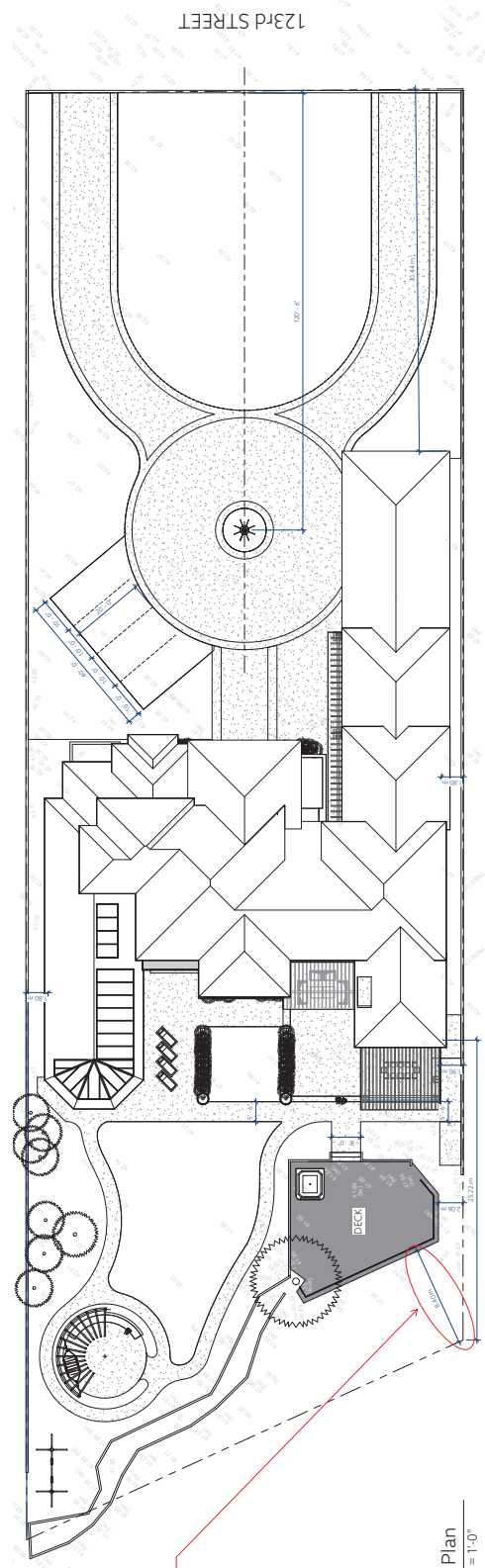
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NORTH

SCHEDULE A

Drawings for the use of the contractor are to be used on the site as shown. The contractor is responsible for obtaining all necessary permits and approvals. The contractor is responsible for ensuring that the work is completed in accordance with the requirements of the relevant codes and regulations. The contractor is responsible for ensuring that the work is completed in a timely and efficient manner. The contractor is responsible for ensuring that the work is completed in a safe and sound manner. The contractor is responsible for ensuring that the work is completed in a professional and courteous manner. The contractor is responsible for ensuring that the work is completed in a manner that is consistent with the highest standards of quality and craftsmanship.



2 Site Plan
1/16" = 1'-0"

Proposed rear yard setback for an accessory structure: minimum 8.4 m (27.5 ft.)