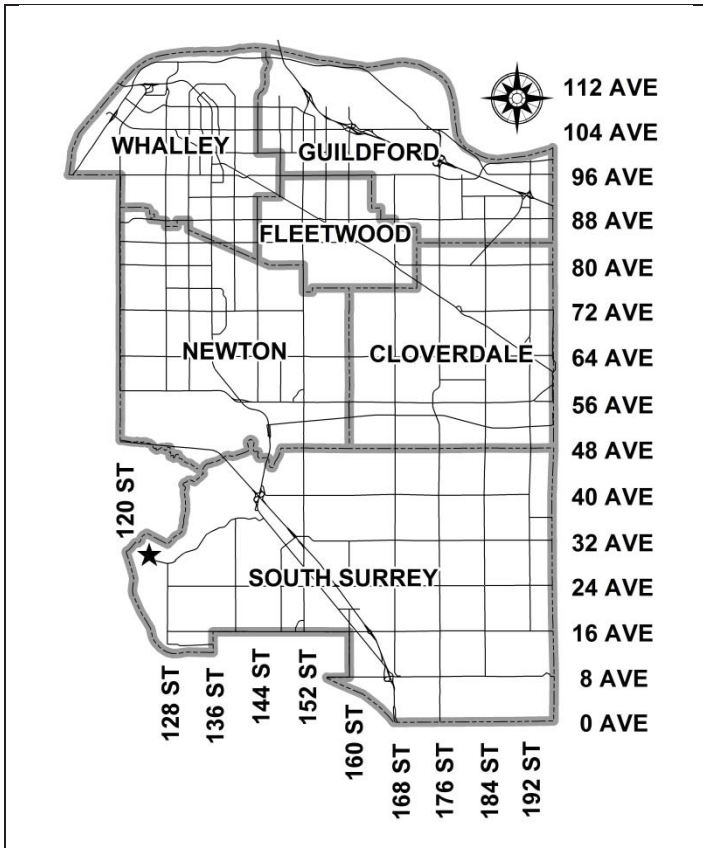


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7916-0420-00

Planning Report Date: December 5, 2016



PROPOSAL:

- **Development Variance Permit**

to reduce the minimum setbacks and the minimum required floodproofing elevation for a proposed new single family dwelling.

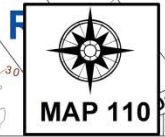
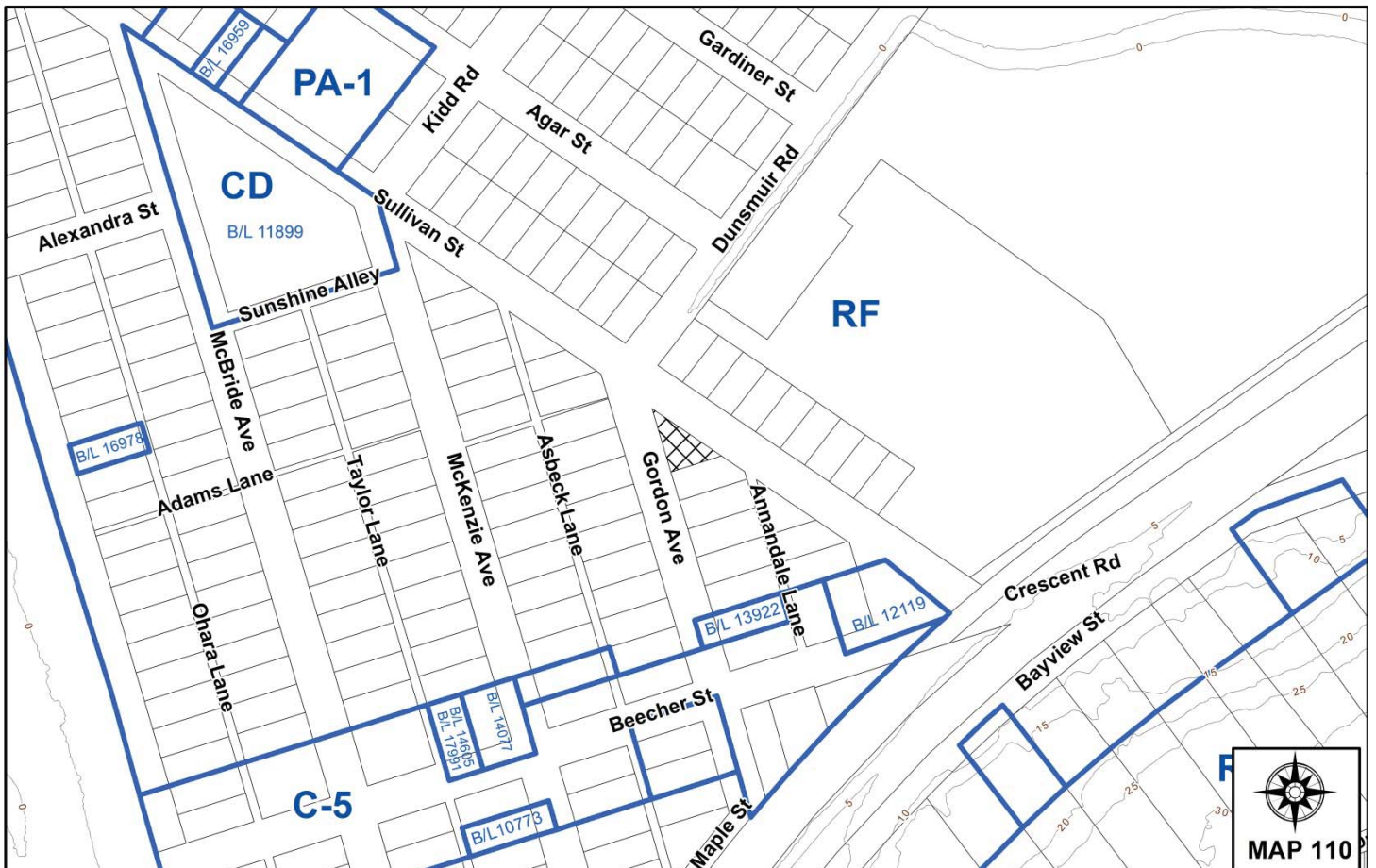
LOCATION: 2838 - Gordon Avenue

OWNER: Ian Robertson
 Michelle K. Robertson

ZONING: RF

OCP DESIGNATION: Urban

LAP DESIGNATION: Urban Residential



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is seeking to reduce the minimum front yard, rear yard, and side yard flanking street setbacks.
- The applicant is seeking to reduce the minimum required floodproofing elevation to 0.6 metres (2 ft.) above the centreline of the road at the midpoint fronting the property.

RATIONALE OF RECOMMENDATION

- The subject property is a triangular shaped lot with a number of By-law sized trees on the northern portion of the lot.
- The reduced setbacks would allow for the construction of a new single family dwelling, while maximizing tree retention.
- The reduced minimum floodproofing elevation to 0.6 metres (2 ft.) above the centreline of the road is a standard permitted variance for single family dwellings in the Crescent Beach area.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7916-0420-00 (Appendix III) varying the following, to proceed to Public Notification:

- (a) to reduce the minimum front yard (west) setback of the Single Family Residential Zone (RF) from 7.5 metres (25 ft.) to 4.5 metres (15 ft.) to the building face, and to 3.6 metres (12 ft.) to the porch;
- (b) to reduce the minimum rear yard (east corner) setback of the Single Family Residential Zone (RF) from 7.5 metres (25 ft.) to 6.4 metres (21 ft.);
- (c) to reduce the minimum side yard flanking street (northeast) setback of the Single Family Residential Zone (RF) from 3.6 metres (12 ft.) to 3.5 metres (11.5 ft.) to the house, and to 1.3 metres (4 ft.) to the garage; and
- (d) to vary the minimum floor elevation in a floodplain area from 0.6 metres (2 ft.) above the 200 year flood level to 0.6 metres (2 ft.) above the centreline of the midpoint of the fronting road. With respect to this determination, the minimum floor elevation shall be no lower than 2.2 metres.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling.

Adjacent Area:

Direction	Existing Use	OCP/LAP Designation	Existing Zone
North (Across Sullivan Street):	Single family dwellings	Urban/Urban Residential	RF
East (Across Sullivan Street):	Single family dwellings	Urban/Urban Residential	RF
South:	Single family dwelling	Urban/Urban Residential	RF
West (Across Gordon Avenue):	Single family dwellings	Urban/Urban Residential	RF

DEVELOPMENT CONSIDERATIONS

Background/Proposal

- The subject site is located at 2838 - Gordon Avenue. The property is designated "Urban" in the Official Community Plan, "Urban Residential" in the Crescent Beach Local Area Plan, and is zoned "Single Family Residential (RF)".
- The applicant is proposing a Development Variance Permit (DVP) to reduce the minimum front yard, rear yard, and side yard flanking street setbacks of the RF Zone in order to construct a new house.
- The applicant is also proposing to vary the minimum floor elevation in a floodplain area from 0.6 metres (2 ft.) above the 200 year flood level to 0.6 metres (2 ft.) above the centreline of the midpoint of the fronting road.

TREES

- Vanessa Melney, ISA Certified Arborist of Mike Fadum and Associates Ltd. 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
Coniferous Trees			
Douglas Fir	6	1	5
Total (excluding Alder and Cottonwood Trees)	6	1	5
Total Replacement Trees Proposed (excluding Boulevard Street Trees)		0	
Total Retained and Replacement Trees		5	
Contribution to the Green City Fund		\$800	

- The Arborist Assessment states that there are a total of 6 protected trees on the site, none of which are Alder and Cottonwood. It was determined that 5 trees can be retained as part of this development proposal. The proposed tree retention was assessed taking into consideration the location of the footprint of the proposed new single family dwelling.
- 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 2 replacement trees on the site. Since no replacement trees are being proposed on the site at this time, the deficit of 2 replacement trees will require a cash-in-lieu payment of \$800, representing \$400 per tree, to the Green City Fund, in accordance with the City's Tree Protection By-law.

- In summary, a total of 5 trees are proposed to be retained or replaced on the site with a contribution of \$800 to the Green City Fund.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum front yard (west) setback of the Single Family Residential Zone (RF) from 7.5 metres (25 ft.) to 4.5 metres (15 ft.) to the building face, and to 3.6 metres (12 ft.) to the porch.
- To reduce the minimum rear yard (east corner) setback of the Single Family Residential Zone (RF) from 7.5 metres (25 ft.) to 6.4 metres (21 ft.).
- To reduce the minimum side yard flanking street (northeast) setback of the Single Family Residential Zone (RF) from 3.6 metres (12 ft.) to 3.5 metres (11.5 ft.) to the house, and to 1.3 metres (4 ft.) to the garage.

Applicant's Reasons:

- The required setbacks, when applied to this irregular shaped lot, create a buildable area that is too small to design a reasonable sized house.

Staff Comments:

- The subject property is an undersized RF lot, approximately 463 square metres (5,000 sq. ft.) in area, whereas the minimum lot size in the RF Zone is 560 square metres (6000 sq. ft.). The lot is a corner lot and is triangular shaped.
- Due to the size of the lot and its irregular shape, the required setbacks constrain the lot to such a degree that a reasonable sized house is difficult to achieve.
- The new house is proposed to be sited in the same general location as the existing house.
- The proposed location of the house allows for retention of five mature Douglas Fir trees on the site.

(b) Requested Variance:

- To vary the minimum floor elevation in a floodplain area from 0.6 metres (2 ft.) above the 200 year flood level to 0.6 metres (2 ft.) above the centreline of the midpoint of the fronting road. With respect to this determination, the minimum floor elevation shall be no lower than 2.2 metres.

Applicant's Reasons:

- The Zoning By-law restricts the minimum building elevation to 0.6 metres (2 ft.) above the 200 year flood level of the Nicomekl River. The new house is proposed to be below this required elevation.

Staff Comments:

- The reduced minimum floodproofing elevation to 0.6 metres (2 ft.) above the centreline of the road is a standard variance for single family dwellings in the Crescent Beach area and is consistent with the approach for development within Crescent Beach.
- Registration of a Section 219 Restrictive Covenant will be required to indemnify the City against possible damages as a result of flooding.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Tree Preservation Summary
Appendix III.	Development Variance Permit No. 7916-0420-00

Original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

CB/da

MIKE FADUM AND ASSOCIATES LTD.
VEGETATION CONSULTANTS

Table 1: Summary of Tree Preservation by Tree Species:

Tree Species	Existing	Remove	Retain
Alder and Cottonwood Trees			
Alder/ Cottonwood			
Deciduous Trees (excluding Alder and Cottonwood Trees)			
Coniferous Trees			
Douglas-fir	6	1	5
Total (excluding Alder and Cottonwood Trees)	6	1	5
Additional Trees in the proposed Open Space / Riparian Area	NA	NA	NA
Total Replacement Trees Proposed (excluding Boulevard Street Trees)		TBD	
Total Retained and Replacement Trees		TBD	



CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7916-0420-00

Issued To: IAN ROBERTSON
MICHELLE K. ROBERTSON

(the "Owner")

Address of Owner: 2838 - Gordon Avenue
Surrey, BC V4A 3J4

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: 012-721-239
Lot 13 Block 10 District Lot 52 Group 2 New Westminster District Plan 2482

2838 - Gordon Avenue

(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 16 "Single Family Residential Zone (RF)" the minimum front yard (west) setback for a principal building is reduced from 7.5 metres (25 ft.) to 4.5 metres (15 ft.) to the building face, and to 3.6 metres (12 ft.) to the porch;
 - (b) In Section F. Yards and Setbacks of Part 16 "Single Family Residential Zone (RF)" the minimum rear yard (east corner) setback for a principal building is reduced from 7.5 metres (25 ft.) to 6.4 metres (21 ft.);
 - (c) In Section F. Yards and Setbacks of Part 16 "Single Family Residential Zone (RF)" the minimum side yard flanking street (northeast) setback for a principal building is reduced from 3.6 metres (12 ft.) to 3.5 metres (11.5 ft.) to the house, and 1.3 metres (4 ft.) to the garage;
 - (d) Section A.4 of Part 8 "Floodproofing" is deleted; and

(e) Section C.1.(b) of Part 8 "Floodproofing" is deleted and replaced with the following:

Zero decimal six (0.6) metres above the centreline of road at midpoint fronting the Land at the date of this permit. With respect to this determination, the minimum floor elevation shall be no lower than 2.2 metres. Exemptions to this minimum floor elevation requirement are farm structures and non-habitable buildings or structures.

4. In granting the variation of the By-law as specified in Clause 3.(e) above, the following condition in a form satisfactory to the City, against the land is imposed:

(a) The registration of a Section 219 Restrictive Covenant to indemnify the City against possible damages as a result of flooding. A commitment to register this covenant shall be a condition precedent to the issuance of a building permit.

5. 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.

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 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.

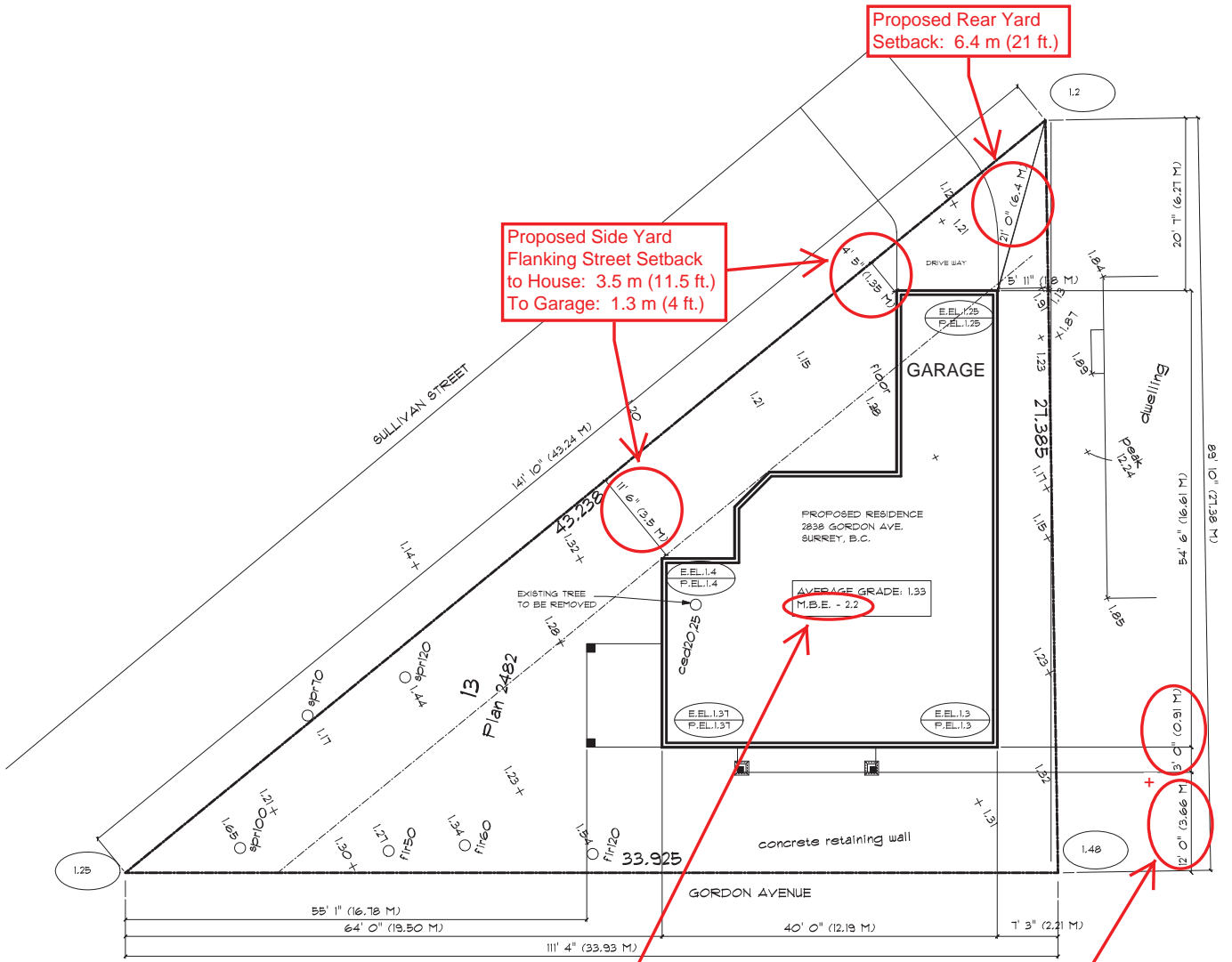
8. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.

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



Proposed Minimum Building
Elevation of 0.6 m (2 ft.) above
Centreline of Road: 2.2 m (7 ft.)

SITE PLAN
SCALE: 1/8" = 1'-0"

Proposed Front Yard
Setback to
Building Face: 4.5 m (15 ft.)
Porch: 3.6 m (12 ft.)