

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7916-0488-00

Planning Report Date: September 16, 2019

PROPOSAL:

- **Development Permit**
- **Development Variance Permit**

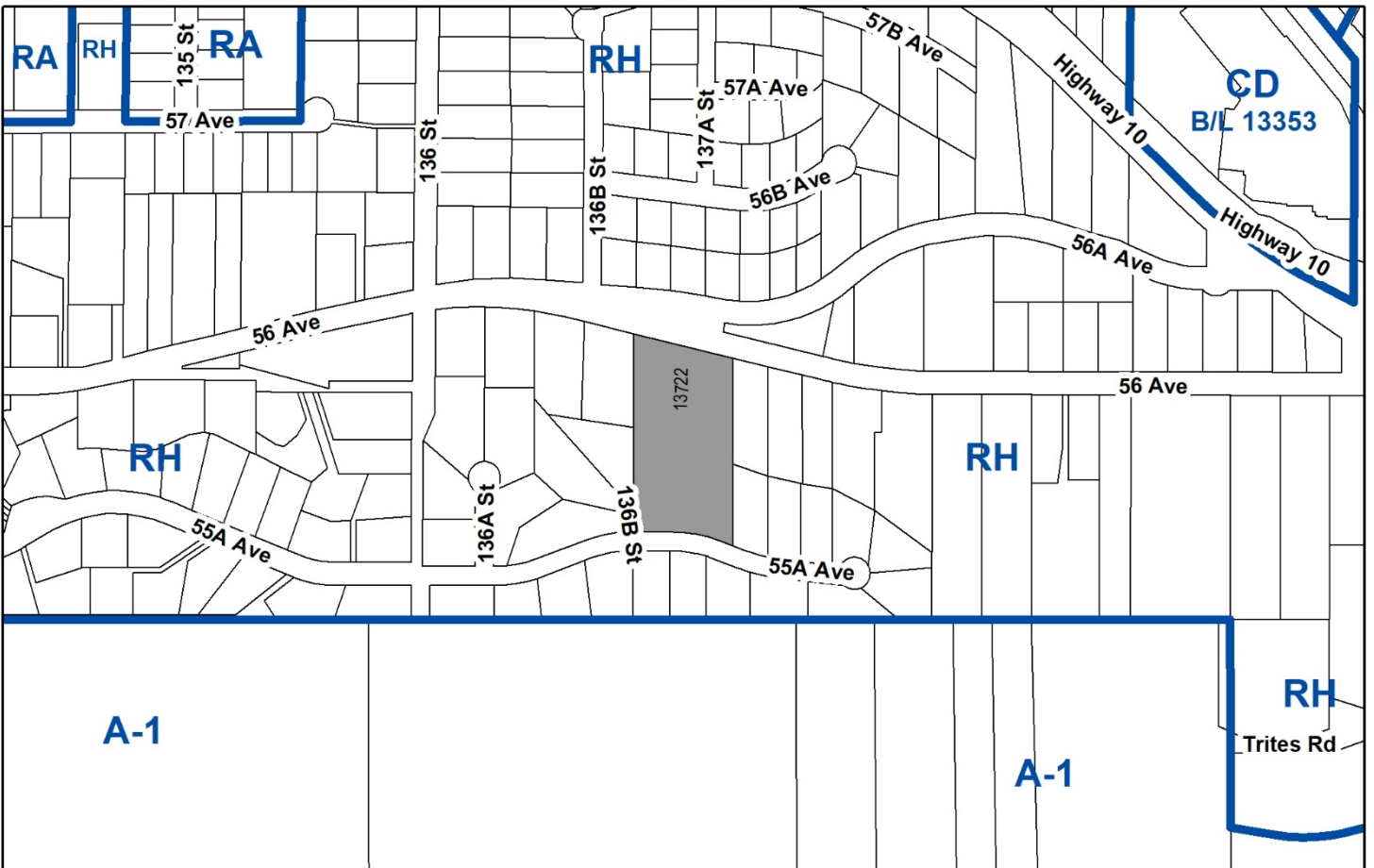
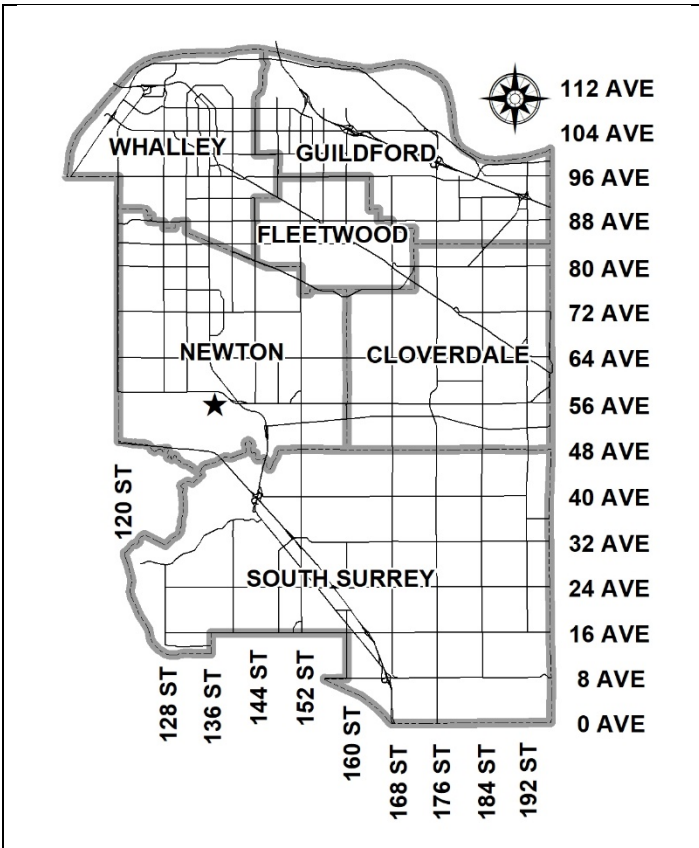
to allow subdivision into five (5) single family lots.

LOCATION: 13722 - 56 Avenue

ZONING: RH

OCP DESIGNATION: Suburban (Density Exception Area max 2 upa)

LAP DESIGNATION: Suburban Residential (1/2 Acre)



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is requesting a variance to reduce the minimum lot width of the "Half-Acre Residential Zone (RH)" for proposed Lots 3 and 4 and to reduce the minimum side yard setback of propose Lots 3, 4 and 5.
- Under the Development Permit Guidelines for Hazard Lands (Steep Slopes), lands being subdivided with a slope of greater than 30% must be excluded from the total lot area calculations. If the area of each lot with a slope of 30% or greater were excluded from the lot area calculation, all lots proposed would not meet the minimum lot area of the RH Zone.

RATIONALE OF RECOMMENDATION

- The variance to reduce the minimum lot width of the RH Zone for proposed Lots 3 and 4 will not have a negative impact on the streetscape of 55A Avenue, nor will it negatively impact the surrounding neighbourhood. Proposed Lots 3 and 4 are larger than the minimum lot area of 1,858 square metres of the RH Zone, at 1,866 square metres and 2,108 square meters respectively.
- The variance to reduce the side yard setback of proposed Lots 3, 4 and 5 will allow the homes to be built wider and shallower, thereby assisting to keep the houses and rear yards from encroaching into the steeper portions of the slope at the rear of these lots.
- A geotechnical report was submitted to the City for the Development Permit for Hazard Lands (Steep Slopes), which was peer reviewed by an independent consultant. The content of the geotechnical report sufficiently addresses the Official Community Plan (OCP) Hazard Land Development Permit guidelines in support of the proposed subdivision.
- The building envelopes on all proposed lots will avoid the steepest portions of the site, specifically the centre portion of the site. Lots 1 and 2 have a substantial level portion adjacent to 56 Avenue providing sufficient room to construct homes with appropriate setbacks from the top of the slope. The building envelopes on Lots 1 to 3 are proposed on portions of the site where the grades are less than 30%.
- The proposed variances along with the overall lot layout is supported by the West Panorama Ridge Ratepayers Association.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council authorize staff to draft Development Permit No. 7916-0488-00 for Hazard Lands (Steep Slopes), generally in accordance with the Geotechnical Study prepared by Western Geotechnical Consultants Ltd., dated July 22, 2019.
2. Council approve Development Variance Permit No. 7916-0488-00 (Appendix III) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum lot width of the RH Zone from 30 metres (100 ft.) to 24 metres (79 ft.) for proposed Lots 3 and 4;
 - (b) to reduce the minimum side yard setback of the RH Zone from 4.5 metres (15 ft.) to 3.0 metres (10 ft.) for proposed Lot 3 (west side yard), Lot 4 (east and west side yard) and Lot 5 (east side yard); and
 - (c) to reduce the minimum side yard on a flanking street setback of the RH Zone from 7.5 metres (25 ft.) to 4.5 metres (15 ft.) for proposed Lot 5 for the dwelling only.
3. 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;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of a finalized landscaping plan and landscaping cost estimate to the specifications and satisfaction of the Planning and Development Department;
 - (d) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department;
 - (e) registration of a Section 219 Restrictive Covenant for proposed Lots 1 to 5 for geotechnical setback, slope stability and to ensure future house construction is in accordance with the recommendations in the approved geotechnical report; and
 - (f) registration of a Section 219 Restrictive Covenant to increase the minimum building setback along 56 Avenue for proposed Lots 1 and 2 to 15 metres (50 ft.) and establish landscaping and building enhancements to create an estate character.

REFERRALS

- Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements related to the subdivision.
- Parks, Recreation & Culture: Parks has no concerns with the proposal.
- Surrey Fire Department: Referral not required.

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling.

Adjacent Area:

Direction	Existing Use	LAP Designation	Existing Zone
North (Across 56 Avenue):	Vacant City boulevard and single family dwellings.	Suburban Residential (1/2 Acre)	RH
East:	Single family dwellings and a vacant lot.	Suburban Residential (1/2 Acre)	RH
South (Across 55A Avenue):	Single family dwellings and a vacant lot.	Suburban Residential (1/2 Acre)	RH
West:	Single family dwelling and a single family dwelling under construction.	Suburban Residential (1/2 Acre)	RH

DEVELOPMENT CONSIDERATIONS

- The subject site, at 13722 – 56 Avenue, is located on the south side of 56 Avenue in West Panorama Ridge.
- The 1.4 hectare (3.5 acre) property is designated Suburban in the Official Community Plan (OCP), Suburban Residential (1/2 Acre) in the West Panorama Ridge Local Area Plan (LAP), and zoned "Half-Acre Residential Zone (RH)".
- The application proposes to subdivide the property into five (5) half-acre single family lots. Proposed Lots 1 and 2 will gain access from 56 Avenue, proposed Lots 3 and 4 will gain access from 55A Avenue and proposed Lot 5 will gain access from the 136B Street cul-de-sac.

- The RH Zone requires a minimum lot area of 1,858 square meters (0.5 acre) and a lot depth and width of 30 metres (100 ft.). Lots 1 to 5 meet the minimum lot area and lot depth requirements of the RH Zone. Lots 1, 2 and 5 also meet the minimum lot width requirements.
- Proposed Lots 3 and 4 are 24 metres (79 ft.) wide, which does not meet the minimum lot width of 30 metres (100 ft.) of the RH Zone.
- The applicant is requesting approval of a Development Variance Permit to allow the width reductions on Lots 3 and 4.
- In keeping with similar applications along 56 Avenue (Development Application No. 7912-0138-00), a 15 metre (49 ft.) wide buffer on 56 Avenue, inclusive of a 7.5 metres (25 ft.) wide landscape buffer and 7.5 metre (25 ft.) building setback is proposed. As a condition of final approval, the applicant will be required to register a restrictive covenant to ensure the 15 metre (50 ft.) wide buffer is achieved. The applicant will also be required to submit a landscape plan, to the satisfaction of the City Landscape Architect. The existing, large Red Oak tree is proposed to be retained within the required 7.5 metre (25 ft.) wide landscape buffer on 56 Avenue.
- As part of the subdivision the existing dwelling is to be demolished.

Hazard Lands Development Permit (Steep Slopes)

- The site is subject to a Development Permit (DP) for Hazard Lands under the Official Community Plan, due to the steep slopes of the property. The subject property is rectangular in shape, sloping steeply from 56 Avenue at an elevation of 87 metres, to 55A Avenue / 136B Street at an elevation of 32 metres. The gradient of the slope ranges between 45% to 55%.
- The applicant submitted a geotechnical report for the site, prepared by Western Geotechnical Consultants Ltd. on June 22, 2018, as part of the subdivision application. This report was reviewed by staff to confirm that the report responded to the Development Permit Guidelines for Hazard Lands. The report was subsequently peer reviewed by Braun Geotechnical Ltd., dated August 28, 2018, which flagged several questions for the Geotechnical Engineer to resolve. A follow-up geotechnical report was submitted on September 14, 2018 and October 3, 2018, addressing the peer review comments. A finalized Geotechnical Report prepared by Western Geotechnical Consultants Ltd., was submitted on July 22, 2019 and was peer reviewed by Braun Geotechnical Ltd. and found generally acceptable.
- The geotechnical report makes recommendations on building setbacks, site preparation, building foundations, slab-on-grade floors, and site foundation drainage. In addition, a geotechnical setback is established noting the area on the site that is safe for building construction. In this regard, the applicant will be required to register a Section 219 Restrictive Covenant on all proposed lots for the geotechnical setback, slope stability, and to ensure future house construction is in accordance with the recommendations in the approved geotechnical report and lot grading plan.
- Under the Development Permit Guidelines for Hazard Lands (Steep Slopes), lands being subdivided with a slope of greater than 30% must be excluded from the total lot area calculations. If the area of each lot with a slope of 30% or greater were excluded from the lot area calculation, all lots proposed would not meet the minimum lot area of the RH Zone.

- Despite the above, the applicant has provided detailed building cross sections and grading details illustrating how the proposed dwellings can be constructed and has undertaken significant tree retention. As well, all proposed lots are significantly greater in area, prior to excluding the land with slopes greater than 30%, than is required by the RH Zone.
- The building envelopes on all proposed lots will avoid the steepest portions of the site, specifically the centre portion of the site. Lots 1 and 2 have a substantial level portion adjacent to 56 Avenue providing sufficient room to construct homes with appropriate setbacks from the top of the slope. The building envelopes on Lots 1 to 3 are proposed on portions of the site where the grades are less than 30%. The foundations on each of these homes will follow the grades, with the lower basement floors daylighting to 55A Avenue, and walkout second (main) floors to terraced rear yards.

PRE-NOTIFICATION

- The applicant erected a Development Proposal Sign on January 12, 2017. The application was referred to the West Panorama Ridge Ratepayers Association (WPRRA).
- At the request of staff, the applicant, the WPRRA and staff from Planning and Development and Parks met on-site to discuss the proposed subdivision. The WPRRA expressed no concerns with the proposed subdivision or variances but did request that the typical 15 metre (49 ft.) wide buffer on 56 Avenue be implemented, including retention of an existing, large red oak tree. The WPRRA also expressed concern that the proposed single family dwellings would not reflect the existing 'estate-style' character of the neighbourhood. In this regard, the applicant has submitted Building Design Guidelines which support future houses that will maintain the existing 'estate-style' character of the neighbourhood, through the use of contextually similar roof pitch, exterior materials and colours, and massing. The existing red oak tree will be retained within the 7.5 metre (25 ft.) wide landscape buffer.
- No further correspondence related to this application was received.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum lot width of the RH Zone from 30 metres (100 ft.) to 24 metres (79 ft.) for proposed Lots 3 and 4;

Applicant's Reasons:

- The proposed lots are larger than the minimum lot area under the RH Zone.

Staff Comments:

- The variance to reduce the minimum lot width of the RH Zone for proposed Lots 3 and 4 will not have a negative impact on the streetscape of 55A Avenue, nor will it negatively impact the surrounding neighbourhood. Proposed Lots 3 and 4 are larger than the minimum lot area of 1,858 square metres of the RH Zone, at 1,866 square metres and 2,108 square meters, respectively.
- The proposed variances along with the overall lot layout is supported by the West Panorama Ridge Ratepayers Association.

(b) Requested Variance:

- To reduce the minimum side yard setback of the RH Zone from 4.5 metres (15 ft.) to 3.0 metres (10 ft.) for proposed Lot 3 (west side yard), Lot 4 (east and west side yard) and Lot 5 (east side yard); and
- To reduce the minimum side yard on a flanking street setback of the RH Zone from 7.5 metres (25 ft.) to 4.5 metres (15 ft.) for proposed Lot 5 for the dwelling only.

Applicant's Reasons:

- The requested variance will allow the homes to be constructed across the lot and limit the amount of cutting into the slope that is required to achieve a reasonably-sized dwelling.

Staff Comments:

- Under the Zoning By-law, the minimum side yard setback for the RH Zone is 4.5 metres (15 ft.) and the minimum side yard on a flanking street setback is 7.5 metres (25 ft.). By permitting a reduced side yard setback for Lots 3, 4 and 5, and a reduced side yard on a flanking street setback for Lot 5, the maximum floor area can be achieved across the width of the lots rather than pushing the floor area back into the steep slope. The variance to reduce the side yard setback of proposed Lots 3, 4 and 5 will effectively allow the homes to be wider and shallower, thereby assisting in keeping the houses and rear yard areas from encroaching into the steeper portions of the slope at the rear of these lots.
- The reduced side yard on a flanking street setback for Lot 5 will be for the dwelling portion only. The attached garage will be maintained at the required 7.5 metre (25 ft.) setback on the flanking street, thereby allowing sufficient driveway length to accommodate parked vehicles.
- The applicant has provided detailed building cross sections and grading details illustrating how the proposed dwellings can be constructed on the lot to minimize cutting into the steep slope. The cross sections delineate buildable areas of the lot, the location of retaining walls, and how the rear yards can be graded with the slope.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Project Data Sheets
- Appendix II. Proposed Subdivision Layout
- Appendix III. Development Variance Permit No. 7916-0488-00

INFORMATION AVAILABLE ON FILE

- Geotechnical Study Prepared by Western Geotechnical Consultants Ltd., Dated July 22, 2019.

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

KS/cm

SUBDIVISION DATA SHEET

Existing Zoning: RH

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	3.5
Hectares	1.4
NUMBER OF LOTS	
Existing	1
Proposed	5
SIZE OF LOTS	
Range of lot widths (metres)	24 m – 58 m
Range of lot areas (square metres)	1,866 m ² – 4,417 m ²
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	3.5 uph / 1.4 upa
Lots/Hectare & Lots/Acre (Net)	
SITE COVERAGE (in % of gross site area)	N/A
Maximum Coverage of Principal & Accessory Building	
Estimated Road, Lane & Driveway Coverage	
Total Site Coverage	
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
FRASER HEALTH Approval	NO
DEV. VARIANCE PERMIT required	
Road Length/Standards	NO
Works and Services	NO
Building Retention	NO
Setbacks	YES

LOT 27, SECTION 8, TOWNSHIP 2,
NEW WESTMINSTER DISTRICT,
PLAN LMP43364



21

56 AVENUE

TREES TO BE RETAINED
c/w PROTECTIVE
BARRIER AS PER CITY
STANDARDS (TYP)

28

14

136B STREET

SRW Plan
LMP41626

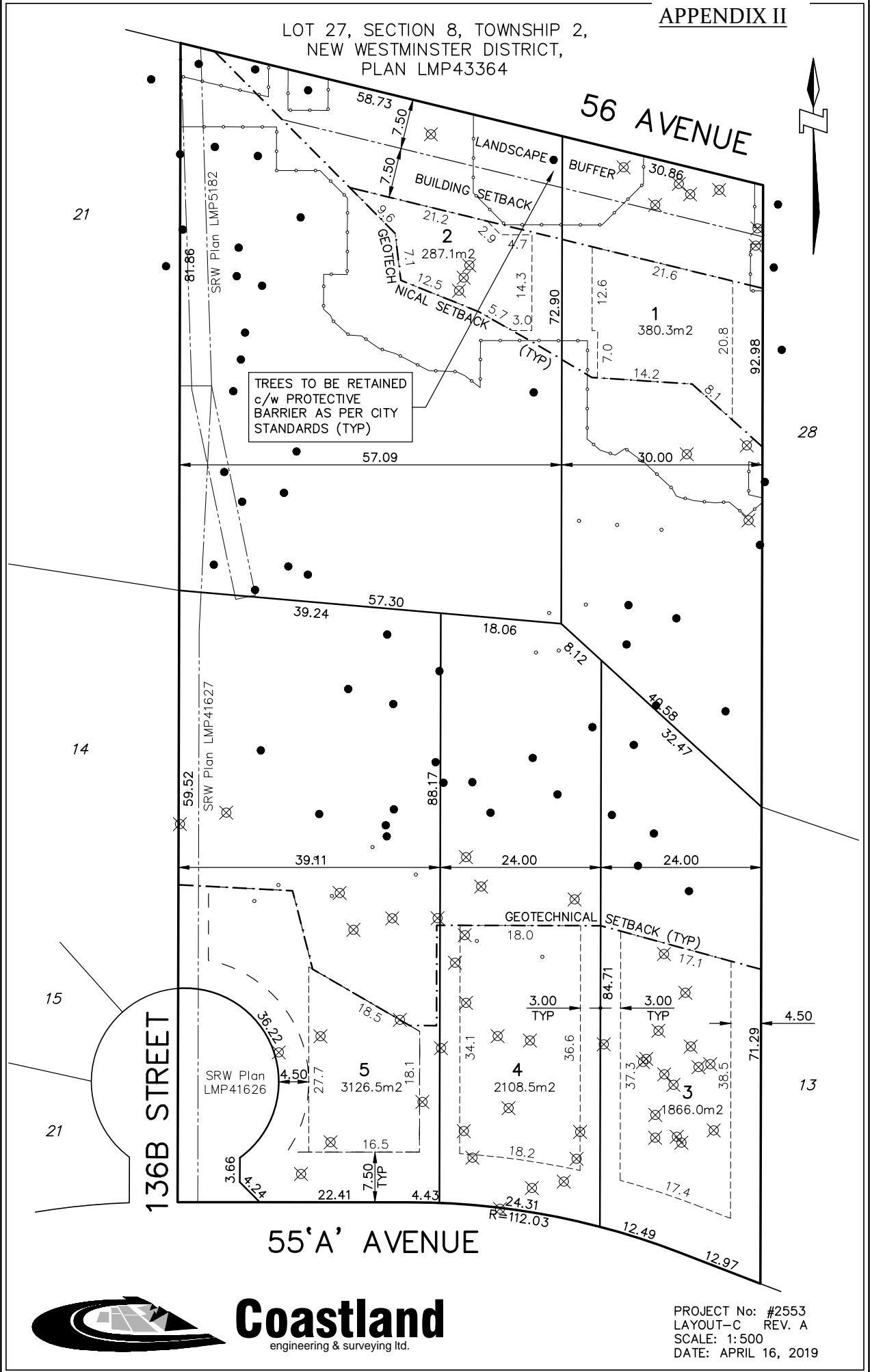
55'A' AVENUE

13



Coastland
engineering & surveying ltd.

PROJECT No: #2553
LAYOUT-C REV. A
SCALE: 1:500
DATE: APRIL 16, 2019



(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7916-0488-00

Issued To:

Address of Owner:

Issued To:

Address of Owner:

(collectively referred to as the "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: 024-607-240
Lot 27 Section 4 and 9 Township 2 New Westminster District Plan LMP43364

13722 - 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 title(s) has/have been issued, as follows:

Parcel Identifier:

- (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. of Part 14 "Half-Acre Residential Zone (RH)" the minimum lot width is reduced from 30 metres (100 ft.) to 24 metres (79 ft.) on Lots 3 and 4;
 - (b) In Section F. of Part 14 "Half-Acre Residential Zone (RH)" the minimum side yard setback is reduced from 4.5 metres (15 ft.) to 3.0 metres (10 ft.) for Lot 3 (west side yard), Lot 4 (east and west side yard), and Lot 5 (east side yard); and
 - (c) In Section F. of Part 14 "Half-Acre Residential Zone (RH)" the minimum side yard on a flanking street setback is reduced from 7.5 metres (25 ft.) to 4.5 metres (15 ft.) for Lot 5 for the dwelling only.

5. This development variance permit applies to only the portion of the Land OR 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. This development variance permit does not apply to additions to, or replacement of, any of the existing buildings shown on attached 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 Westminister 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 – Doug McCallum

City Clerk – Jennifer Ficocelli

LOT 27, SECTION 8, TOWNSHIP 2,
NEW WESTMINSTER DISTRICT,
PLAN LMP43364

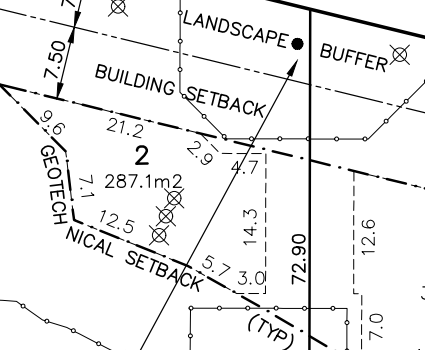
56 AVENUE



21

SRW Plan LMP5182

TREES TO BE RETAINED
c/w PROTECTIVE
BARRIER AS PER CITY
STANDARDS (TYP)



28

Proposed variance to
reduce the minimum lot
width of the RH Zone for
proposed Lot 3 and 4
from 30 metres (100 ft.)
to 24 metres (79 ft.).

Proposed variance to reduce
the minimum side yard
setback of the RH Zone from
4.5 metres (15 ft.) to 3.0
metres (10 ft.) for Lot 3 (west
side yard), Lot 4 (east and
west side yard) and Lot 5
(east side yard).

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STREET

SRW Plan LMP41626

GEOTECHNICAL SETBACK (TYP)

13

Proposed variance to
reduce the minimum
side yard on a flanking
street setback from 7.5
metres (25 ft.) to 4.5
metres (15 ft.) for the
dwelling only

55'A' AVENUE

Coastland
engineering & surveying ltd.

PROJECT No: #2553
LAYOUT-C REV. A
SCALE: 1:500
DATE: APRIL 16, 2019

3126.5m²

2108.5m²

1866.0m²

5

4

3

4.50

3.00 TYP

3.00 TYP

7.50 TYP

4.43

24.31 R=112.03

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