

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7917-0550-00

Planning Report Date: November 19, 2018

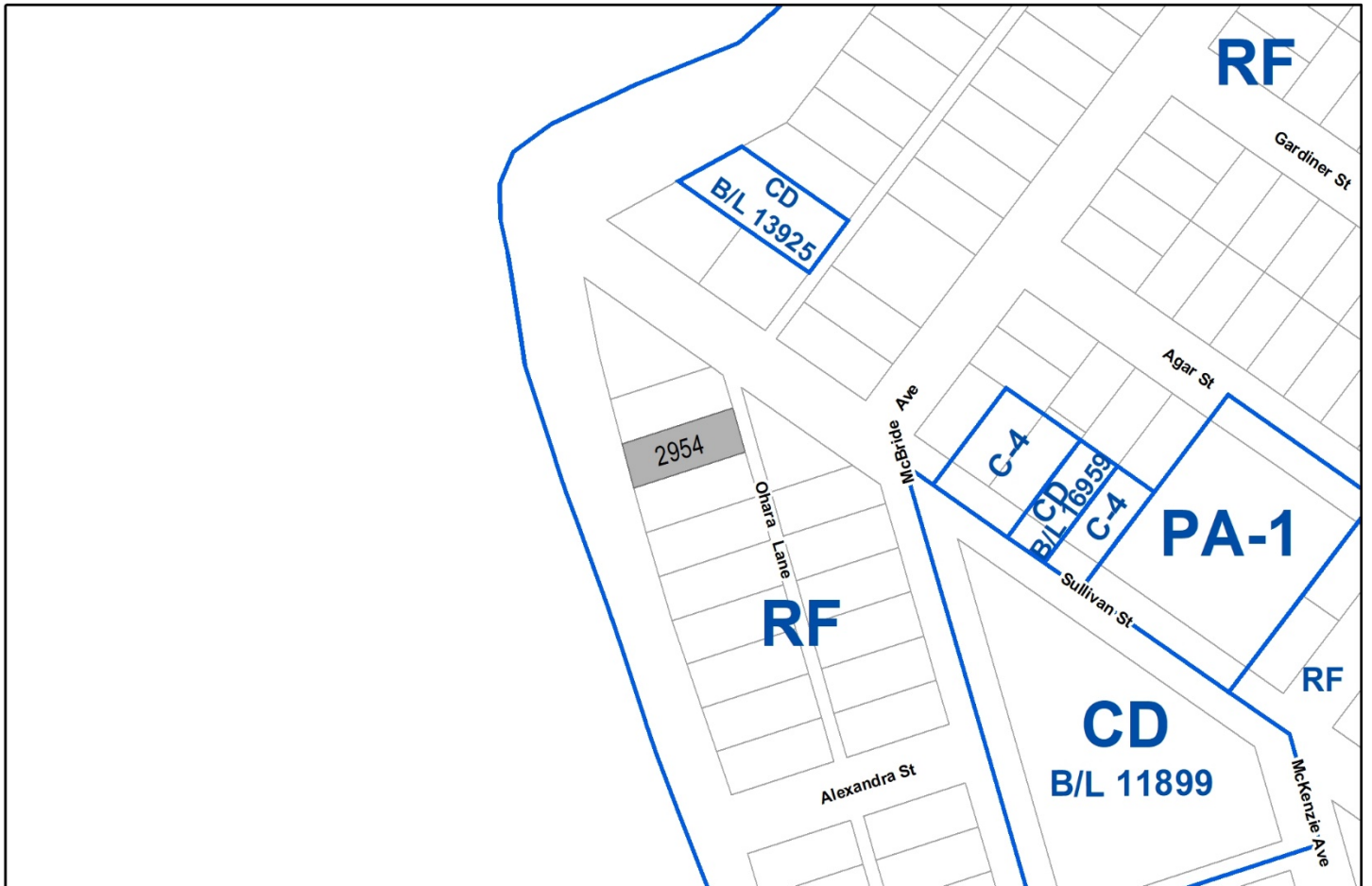
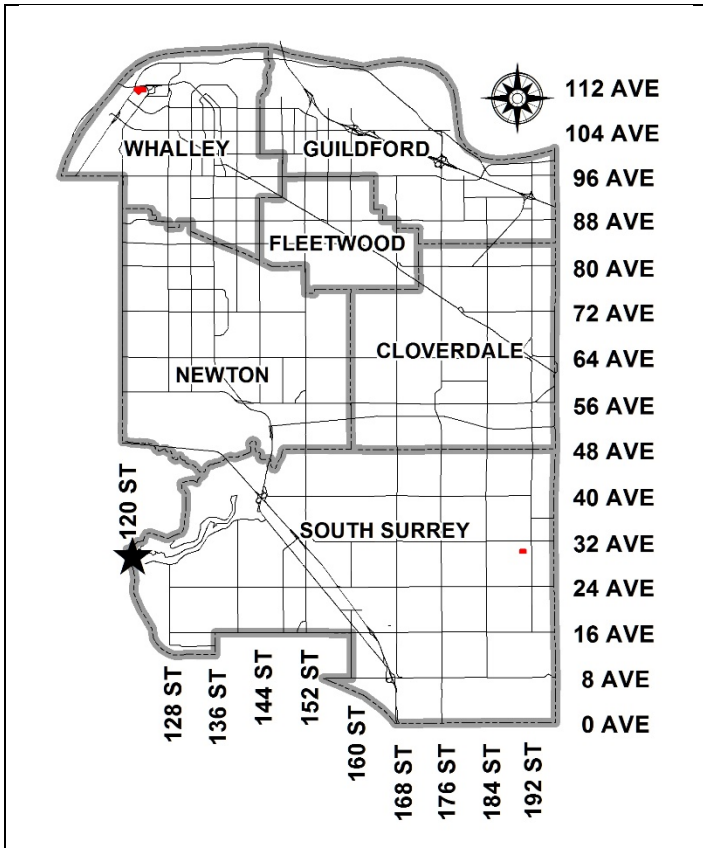
PROPOSAL:

- **Rezoning** from RF to CD to permit the construction of a new single family dwelling.

LOCATION: 2954 - Ohara Lane

ZONING: RF

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

- By-law introduction and set date for Public Hearing for rezoning.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The property owners are proposing a new dwelling with a 2.4 metres (8 ft.) high uninhabited space at the ground floor level within the floodplain.

RATIONALE OF RECOMMENDATION

- Based on the Provincial Sea Level Rise Curve for year 2100 and local wave effects, the future Flood Construction Level (FCL) requirement for Crescent Beach is expected to increase by more than a metre from the current FCL of 3.3 metres (11 ft.) above sea-level.
- The proposed dwelling establishes the habitable floor areas at 5.1 metres (17 ft.) above sea-level.
- The proposal is a unique response to changing sea level requirements and will help maintain the carrying capacity of the Crescent Beach floodplain in a flood event while ensuring that the habitable area of the proposed dwelling is above the flood level.
- The applicants have garnered neighbourhood support for the proposed "Comprehensive Development Zone (CD)" and accompanying residence.
- Staff support the proposed application as a pilot project for the construction of flood tolerant buildings in the Crescent Beach floodplain.

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 "Comprehensive Development Zone (CD)" and a date be set for Public Hearing.
2. 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; and
 - (c) registration of a Section 219 Restrictive Covenant that stipulates the ground floor level is not to be used as a habitable or storage area, all mechanical and electrical systems are to be constructed above the flood construction level of Crescent Beach, and that the City is indemnified against any potential losses to the property owner as a result of having the uninhabitable space within a floodplain.

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:	Fencing and landscape materials along the Crescent Beach interface on the west side of the property should not exceed 1.2 metres (4 ft.).

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Vacant lot.	Urban	RF
East (Across Ohara Lane):	Single family dwelling.	Urban	RF
South:	Single family dwelling.	Urban	RF
West:	Crescent Beach waterfront.	Urban	RF

DEVELOPMENT CONSIDERATIONS

Background

- The subject property is located at 2954 Ohara Lane in Crescent Beach. The property is approximately 603 square metres (6,488 sq. ft.) and fronts the ocean.
- The property is located within the flood plain area for Crescent Beach and contains a single family dwelling that is not built to modern flood construction elevation requirements for the area.
- The current Flood Construction Level (FCL) for Crescent Beach is 3.3 metres (11 ft.) above sea-level. This means that buildings within the Crescent Beach floodplain must have their habitable space located above this elevation.
- Based on the Provincial Sea Level Rise Curve for year 2100 and local wave effects, the future FCL requirement for Crescent Beach is expected to increase by more than a metre from the current level.

Proposal

- The property owners are proposing to build a flood resilient, three-storey single family dwelling on the subject lot. All storeys are proposed to be above grade. The ground level would be a 2.4 metre (8 ft.) high, uninhabited, flood tolerant space. The second and third level of the building would be habitable living space constructed at an elevation that is above current and future FCL requirements.
- The purpose of the proposed construction is to anticipate, and provide for, increased flood proofing requirements and rising flood elevations in the future. The uninhabited space at the ground floor level will also maintain the existing carrying capacity of the floodplain in a flood event.
- To permit this construction, the applicants are proposing to rezone the subject property from "Single Family Residential Zone (RF)" to "Comprehensive Development Zone (CD)" in order to:
 - Have the ground floor level, which is in the Crescent Beach floodplain, be built at full height and excluded from Floor Area Ratio calculation requirements;
 - Increase lot coverage and reduce the east and west yard setbacks to accommodate an increased number of stairs to reach the main floor; and
 - Increase building height to accommodate the raised main floor level.
- The property owners have proposed a Restrictive Covenant indemnifying the City for the proposed construction in the floodplain and will include provisions that restrict the ground floor level from being used as a living or storage space.

- Staff have accepted the application as a pilot project for flood adaptation strategies for new construction in the Crescent Beach floodplain. As such, the proposed regulatory changes in this application are not intended to be implemented broadly in Crescent Beach at this time. The outcomes of the proposal will be reviewed and considered in future land use and flood adaptation plans for the Crescent Beach area.

DISCUSSION

- The following section discusses the current practice for construction within the Crescent Beach floodplain and the difference for the subject building, the requirements of the existing RF Zone and the departures proposed under the CD Zone to accommodate the proposed dwelling, and the restrictions on the use for ground floor level that will be included in the covenant to be registered on the property title.

Crescent Beach Building Practices

Current Practices

- The Flood Construction Level (FCL) for Crescent Beach is based on the Geodetic Survey of Canada and is currently set at 3.3 metres (11 ft.) above sea-level. This means that buildings within the Crescent Beach floodplain must have all habitable space located above this elevation.
- To accommodate the FCL for the area, newly constructed homes either need to be built atop a fill pad that is 3.3 metres (11 ft.) above sea-level or be constructed with a crawl space that is no more than 1.5 metres (5 ft.) but brings the main floor of the building out of the floodplain.
- Alternatively, as per Council Resolution No. 92-3220 passed on August 10, 1992 and re-confirmed in July, 2001, a property owner may apply for a Development Variance Permit (DVP) to reduce the FCL to 0.6 metres (2 ft.) above the elevation of the road centre line fronting the given property. Property owners wishing to exercise this option are required to register an indemnification Restrictive Covenant in favour of the City for the construction of habitable space below the flood proofing elevation as set forth by the Geodetic Survey of Canada.

Proposed Construction

- The property owners of the subject lot are proposing to build a flood-tolerant house that brings the habitable areas of the dwelling significantly out of the floodplain. To achieve this, they are proposing to build the underside of their habitable floor space at 5.1 metres (16 ft.) above sea-level. Rather than using fill to achieve this main floor elevation, the applicants are proposing a 2.4 metre (8 ft.) high uninhabited open space on the ground floor level. The ground floor would be constructed with concrete walls which could withstand a future flood event.
- By keeping the ground floor level open, the property maintains the carrying capacity of the Crescent Beach floodplain. In contrast, when fill is used to reach the FCL, space for accommodating flood waters in the existing floodplain is displaced. Subsequently, as more properties use fill for their construction, the 200-year flood elevation increases above the natural level for the area due to the reduced overall carrying capacity of the floodplain.

- The property owners would be permitted to use the ground floor level for parking. However, no electrical, plumbing, windows or internal access to the habitable levels will be permitted to be in the ground floor level. These no-build provisions will be included in the proposed indemnification Restrictive Covenant.

Proposed Zoning Changes

Permitted Use

- Under the existing RF Zone, the property owners are permitted to have a single family dwelling on their property. The RF Zone's permitted uses section does not stipulate what each storey of the single family dwelling is to be used for.
- The CD Zone has been proposed to permit a single family dwelling provided that the ground floor level, which is in the flood plain, is to be used only for parking.

Floor Area Ratio (FAR)

- Floor Area Ratio (FAR) is a form of density in the Zoning Bylaw which regulates the maximum amount of floor area permitted for buildings and structures based on the area of a given lot. All covered areas of a building or structure that are constructed above grade are counted towards the FAR maximum for a lot. Basement levels, which by definition are building levels that are 50% in-ground, are not applied against the maximum FAR of a lot.
- The FAR calculation for the subject property under the existing RF Zone is 0.58 and would permit the property owners to construct a new single family dwelling with a maximum habitable floor area of approximately 351 square metres (3,778 sq. ft.).
- However, based on how floor area is counted in the Zoning Bylaw, the proposed three-storey single family dwelling results in a total floor area of 536 square metres (5,770 sq. ft.); 226 square metre (2,433 sq. ft.) of uninhabitable space on the ground level and 310 square metres (3,336 sq. ft.) of habitable space between the second and third levels. This total floor area exceeds the maximum FAR allowance if the property were to remain in the RF Zone.
- The proposed CD Zone excludes the uninhabitable, ground floor area from the overall FAR calculation and allows the space to only be used for parking. Once the 226 square metre (2,433 sq. ft.) uninhabitable space is excluded from the FAR calculation, the proposed habitable area on the second and third levels is 310 square metres (3,336 sq. ft.), which is below what would normally be permitted under the RF Zone for the subject site. As such, the property owners are not receiving additional habitable floor area by way of the CD Zone when compared with the existing RF Zone.

Lot Coverage

- Lot coverage is a regulation that sets the maximum footprint permitted for buildings and structures based on the area of a given lot. Covered spaces and those spaces that are uncovered but are located 0.6 metres (2 ft.) above grade are applied to the total lot coverage maximum for a given lot.

- Under the existing RF Zone, the maximum lot coverage for the subject property is 236 square metres (2,536 sq. ft.) or 39.1%. All buildings, covered patios, and exterior stairs above 0.6 metres (2 ft.) would need to be included in the 236 square metres (2,536 sq. ft.) site coverage maximum.
- Due to the higher main floor elevation, more exterior stairs are required to access the habitable areas of the building. Based on the way the lot coverage is calculated many of these stairs are applied against the lot coverage maximum for the lot. Therefore, the applicants have proposed that the CD Zone has a maximum lot coverage of 37.8% with additional lot coverage of 6.5% for uncovered staircases providing access to the habitable areas of the dwelling. The proposed 37.8% lot coverage, which would be used specifically for the principal dwelling, is below the permitted 39.1% lot coverage under the existing RF Zone. As such, the property owners are not receiving additional habitable floor area or uncovered, outdoor patio space by way of the CD Zone when compared with the existing RF Zone.
- The stairs have been designed in segments leading to a series of landings rather than having a straight staircase from the property grade to the entrances on the second level. While doing so increases the required lot coverage, it provides for a more gradual and low profile stair system, which minimizes the visual impact resulting from the required number of stairs to reach the main floor level.

Setbacks

- Under the RF Zone, the standard front yard setback for a principal building is 7.5 metres (25 ft.).
- To accommodate the proposed stair system noted above, the applicants have proposed to reduce the west yard setback from the Ocean frontage from 7.5 metres (25 ft.) to 2.0 metres (7 ft.) for exterior staircases in the CD Zone.
- The envelope and patio spaces of the principal building will retain the required 7.5 metre (25 ft.) setback from the Ocean frontage in accordance with the RF Zone.
- The proposed stairs located in the east yard adjacent to the Ohara Lane frontage will maintain a minimum setback of 7.5 metres (25 ft.) in accordance with the RF Zone.

Building Height

- Under the existing RF Zone, the maximum building height for a principal dwelling is 9 metres (30 ft.) where the roof pitch is 1:4 or greater. The measurement for building height is taken from the existing average grade of the property to the mid-point between the ridge and the eaves of the highest building roof.
- The applicants, by way of the CD Zone, are proposing to increase the maximum building height to 9.75 metres (32 ft.) in order to accommodate the higher main floor elevation of the proposed dwelling.

Summary

Below is a summary of what is currently permitted under the RF Zone and what is being proposed under the CD Zone for the subject property:

Regulation	RF Zone:	CD Zone:
Permitted Uses	<ul style="list-style-type: none"> One single family dwelling 	<ul style="list-style-type: none"> One single family dwelling where the first storey is permitted to only be used for parking.
Floor Area Ratio (FAR)	<ul style="list-style-type: none"> All covered areas located above grade are calculated as floor area ratio. 	<ul style="list-style-type: none"> The uninhabitable ground floor level is excluded from the floor area ratio calculation.
Lot Coverage	<ul style="list-style-type: none"> 39.1% maximum. 	<ul style="list-style-type: none"> 37.8% maximum with additional lot coverage of 6.5% for uncovered staircases providing access to the principal dwelling.
Building Height	<ul style="list-style-type: none"> 9 metre (30 ft.) maximum. 	<ul style="list-style-type: none"> 9.75 metre (32 ft.).
Setback	<ul style="list-style-type: none"> 7.5 metre (25 ft.) front yard setback for a principal building. 	<ul style="list-style-type: none"> West yard (Ocean frontage) setback for exterior staircases and planters may be reduced to 2.0 metres (7 ft.).

Restrictive Covenant

- Under Section 219 of the *Land Titles Act*, a local government and a property owner may enter into a covenant in order to enact additional restrictions beyond the standard Zoning Bylaw regulations on how a building may be built or used on a given property. These covenants are registered on the property's title and run in perpetuity.
- The applicants have proposed a Restrictive Covenant in support of the construction of a flood tolerant ground floor level in their new dwelling. The Restrictive Covenant will cover the following:
 - The ground floor level is not to be used as a habitable or storage area;
 - No mechanical, electrical, heating, or plumbing systems are to be installed in the ground floor level;
 - No windows or internal accesses to the second storey are to be provided in the ground floor level; and
 - Indemnification for the City against any potential losses suffered by the property owner as a result of having an uninhabitable space within a floodplain.

APPLICANT'S RATIONALE

- The property owners have provided the following rationale for their proposal:
 - The house has been designed to protect the habitable areas from anticipated future sea-level rise and increased flood conditions.
 - In doing so, the proposed house could remain on the subject property without the need for retrofitting or alterations to ensure adequate flood proofing in the future. As a result, the owners would be able to age-in-place in their chosen community of Crescent Beach.
 - The house design incorporates features that minimize the visual massing of the taller building. The use of tiered stairs and planters along the ocean and lane frontages provides visual articulation to the structure.
 - Based on the responses to the initial public engagement process, which has conducted through both the formal application requirements of the City (i.e. pre-notification letters, development sign, and the Public Information Meeting) and informal channels (i.e. reaching out to neighbours early on in the application process), a high level of support for the proposal has been received from the neighbourhood.

PRE-NOTIFICATION

- Pre-notification letters were sent on August 1, 2018 to 52 property owners with properties within 100 metres (328 ft.) of the subject site, including the Crescent Beach Property Owners Association. Confirmation that a development proposal sign was installed on the site was received on September 26, 2018.
- Staff received one (1) correspondence from a neighbouring resident in response to the pre-notification letter. The resident expressed concern with the ground floor level being converted into living or storage space. They felt that the ground floor space, other than the area for a garage, should be restricted to a crawl space height only, which is consistent with other new construction in Crescent Beach.

PUBLIC INFORMATION MEETING

- On September 24, 2018, the applicant held a Public Information Meeting in order to obtain input from adjacent residents with regards to the proposed rezoning and single family dwelling construction. Notifications were delivered to 52 addresses within a 100 metre (328 ft.) radius of the subject property.

- Based on the sign-in sheet, 18 individuals attended the Public Information Meeting, 17 of which completed the questionnaire provided by the applicant. All 17 responses were in support of the application. An additional response of support, which was not captured in a questionnaire, was provided directly to staff after the meeting. A general summary of the comments provided are noted below:
 - Appropriate flood adaptation strategy for rising flood waters in Crescent Beach;
 - The Zoning Bylaw should be amended so others can make similar flood protection measures in Crescent Beach;
 - The proposal makes sense and is forward thinking; and
 - The proposed home would be a good addition to the community.

(Staff notes that this application is being presented as a pilot project and, at this time, any Crescent Beach residents looking to rebuild a similar dwelling would be required to go through a similar rezoning process for their property.)

TREES

- Lesley Gifford, ISA Certified Arborist of Urban Grove Tree Care & 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	Existing	Remove	Retain
Alder and Cottonwood Trees			
Alder	1	1	0
Deciduous Trees (excluding Alder and Cottonwood Trees)			
Black Locust	1	1	0
Total (excluding Alder and Cottonwood Trees)	1	1	0
Total Replacement Trees Proposed (excluding Boulevard Street Trees)		3	
Total Retained and Replacement Trees		3	

- The Arborist Assessment states that there is one (1) protected tree on the site, excluding Alder and Cottonwood trees. One (1) existing tree, approximately 50% of the total trees on the site, is an Alder tree. It was determined that no 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 1 to 1 replacement ratio for the Alder tree, and a 2 to 1 replacement ratio for all other trees. This will require a total of three (3) replacement trees on the site. The applicant is proposing three (3) replacement trees, meeting the City requirements.

CONCLUSION

- Staff support the proposed application as a pilot project for the construction of flood tolerant buildings in the Crescent Beach floodplain. The proposed regulatory changes in this application are not intended to be implemented broadly in Crescent Beach or the rest of the City at this time. The outcomes of the proposal will be reviewed and considered in future land use and flood adaptation plans for the Crescent Beach area.
- Until a broader land use plan for Crescent Beach adopted by Council, other property owners wishing to propose a three-storey dwelling in the Crescent Beach floodplain will be required to undertake their own rezoning process to obtain similar regulatory changes requested in this application. As such, any future applications will be reviewed and considered on their own merits.
- Staff recommend that Council give the "Comprehensive Development Zone (CD)" First and Second Readings and set a date for Public Hearing to elicit further comment from the public.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

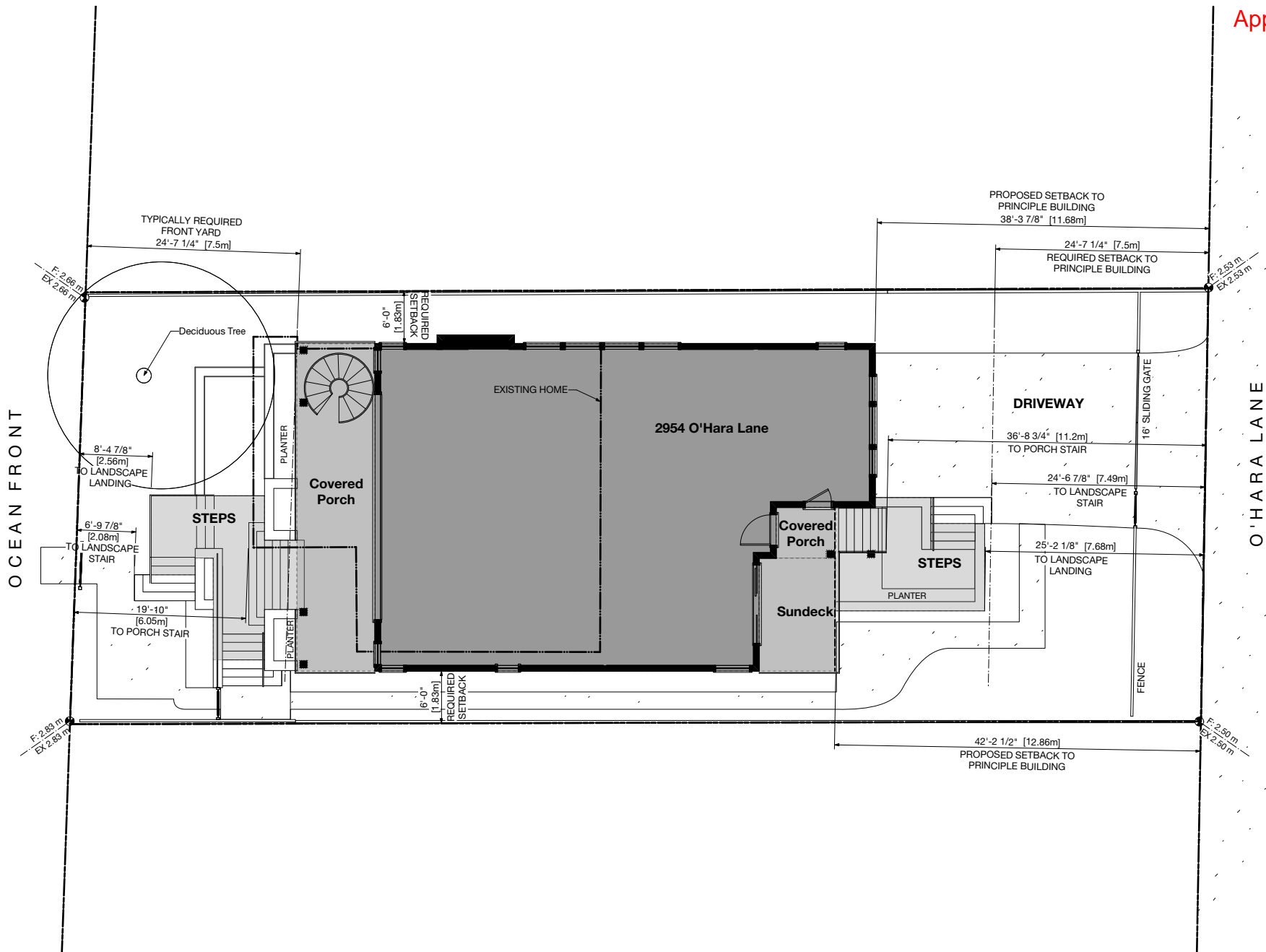
Appendix I.	Lot Owners and Action Summary (Confidential)
Appendix II.	Site Plan, Building Elevations, and Perspective
Appendix III.	Engineering Summary
Appendix IV.	Proposed CD By-law

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

ARR/cm

APPENDIX I HAS BEEN
REMOVED AS IT CONTAINS
CONFIDENTIAL INFORMATION



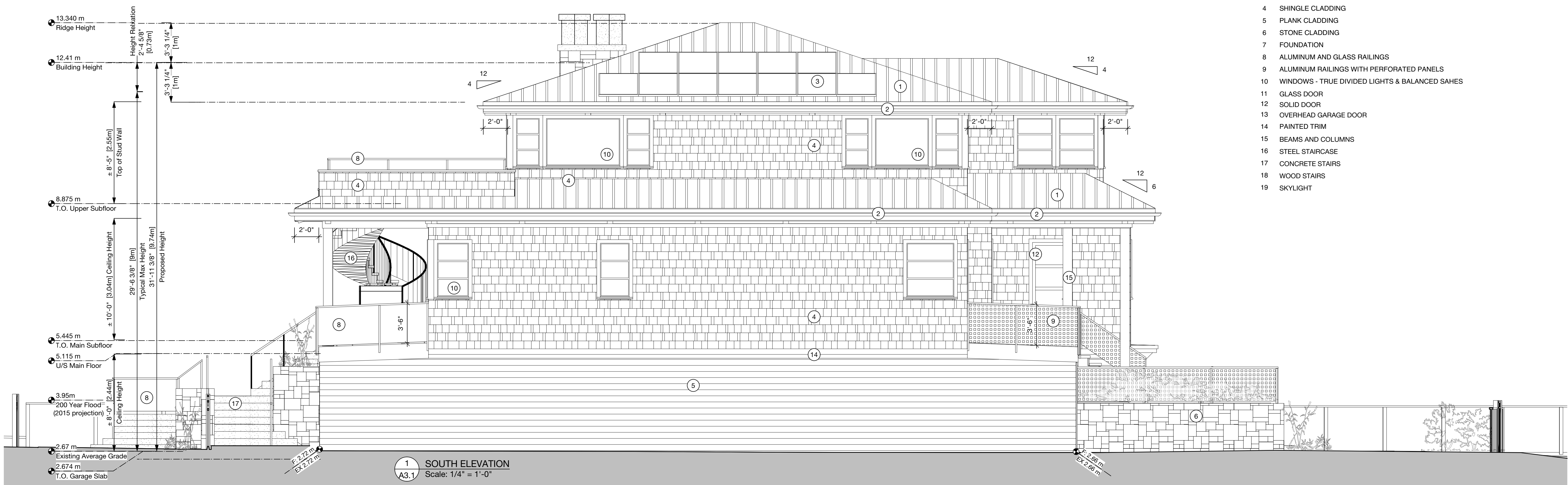
<p>ELIZABETH MacKENZIE ARCHITECT 4669 Drummond Drive, Vancouver, B.C. V6R 1E8 Phone: (604) 731-9157 Email: emack@shaw.ca</p>	<p>TITLE: SITE PLAN</p>		<p>ISSUED: 2018.10.26</p>	<p>DATE: October 2018</p>
	<p>PROJECT: 2954 O'Hara Lane, Surrey</p>		<p>PROJECT#</p>	<p>DWG. #</p>
	<p>DRAWN: JS</p>	<p>SCALE: 1/16"=1'-0"</p>		<p>SITE</p>

EXTERIOR FINISHING SCHEDULE

- 1 METAL ROOFING
- 2 ALUMINUM GUTTERS AND RAIN WATER LEADERS
- 3 PHOTOVOLTAIC PANELS
- 4 SHINGLE CLADDING
- 5 PLANK CLADDING
- 6 STONE CLADDING
- 7 FOUNDATION
- 8 ALUMINUM AND GLASS RAILINGS
- 9 ALUMINUM RAILINGS WITH PERFORATED PANELS
- 10 WINDOWS - TRUE DIVIDED LIGHTS & BALANCED SAHES
- 11 GLASS DOOR
- 12 SOLID DOOR
- 13 OVERHEAD GARAGE DOOR
- 14 PAINTED TRIM
- 15 BEAMS AND COLUMNS
- 16 STEEL STAIRCASE
- 17 CONCRETE STAIRS
- 18 WOOD STAIRS
- 19 SKYLIGHT

NOTES:
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 2. The party responsible for construction shall verify all dimensions and other data from the drawings with condition of the site. Any discrepancies shall be reported to the Architects immediately.
 3. This Drawing is not to be used for construction purposes until signed & sealed or specifically issued for that purpose.

No.	Revision	Date
A	REVISED REZONING	18-6-26
1	FOR REZONING	17-11-27



1 SOUTH ELEVATION
 A3.1 Scale: 1/4" = 1'-0"



2 EAST (LANE) ELEVATION
 A3.1 Scale: 1/4" = 1'-0"

Consultant / Consultant Seal

ELIZABETH MacKENZIE ARCHITECT
 4689 Drummond Drive, Vancouver, B.C. V6R 1E8
 Phone: 604.731.9157 Email: emack@shaw.ca

SINGLE FAMILY HOME
 Langton/Presson Residence

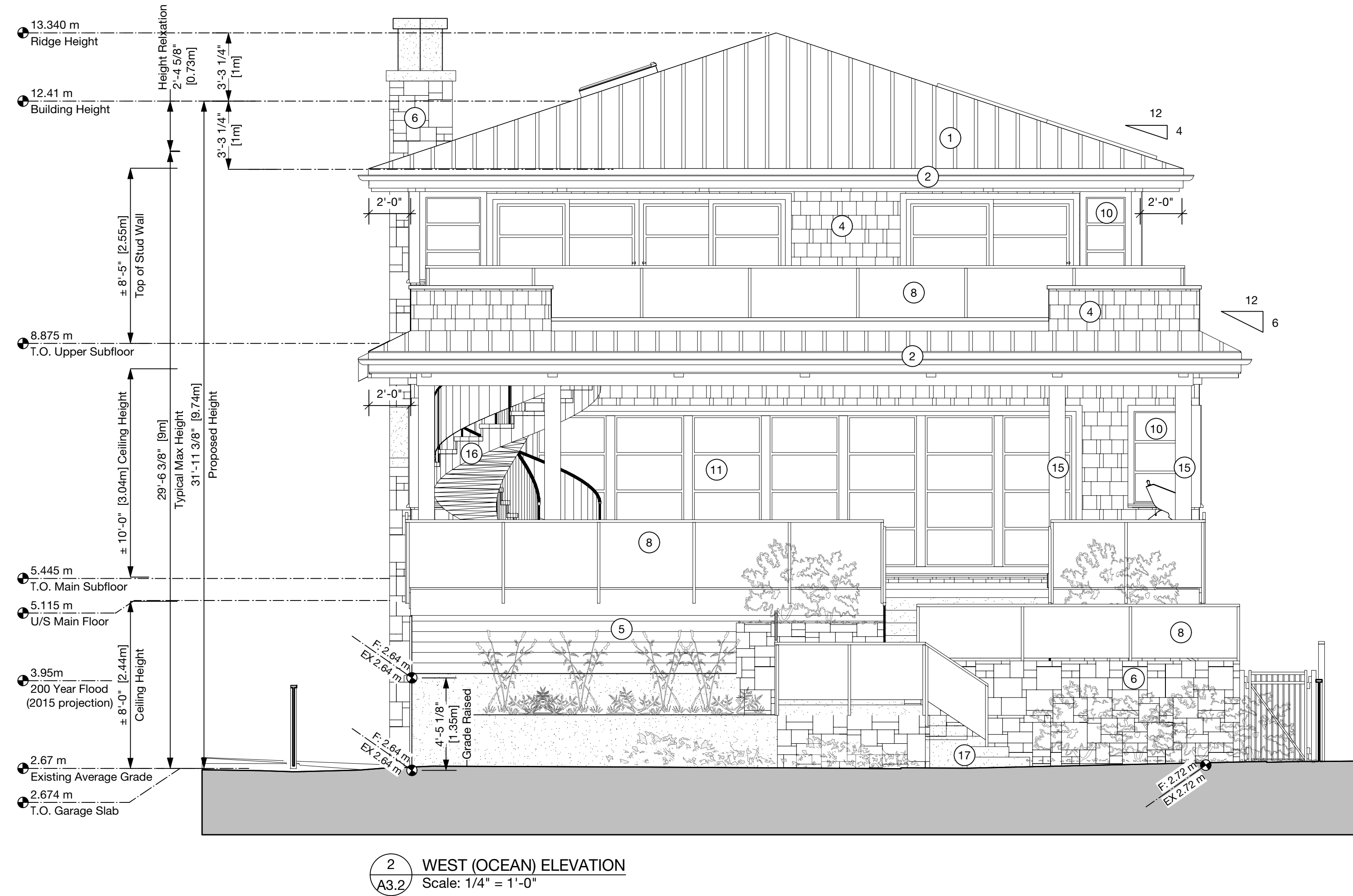
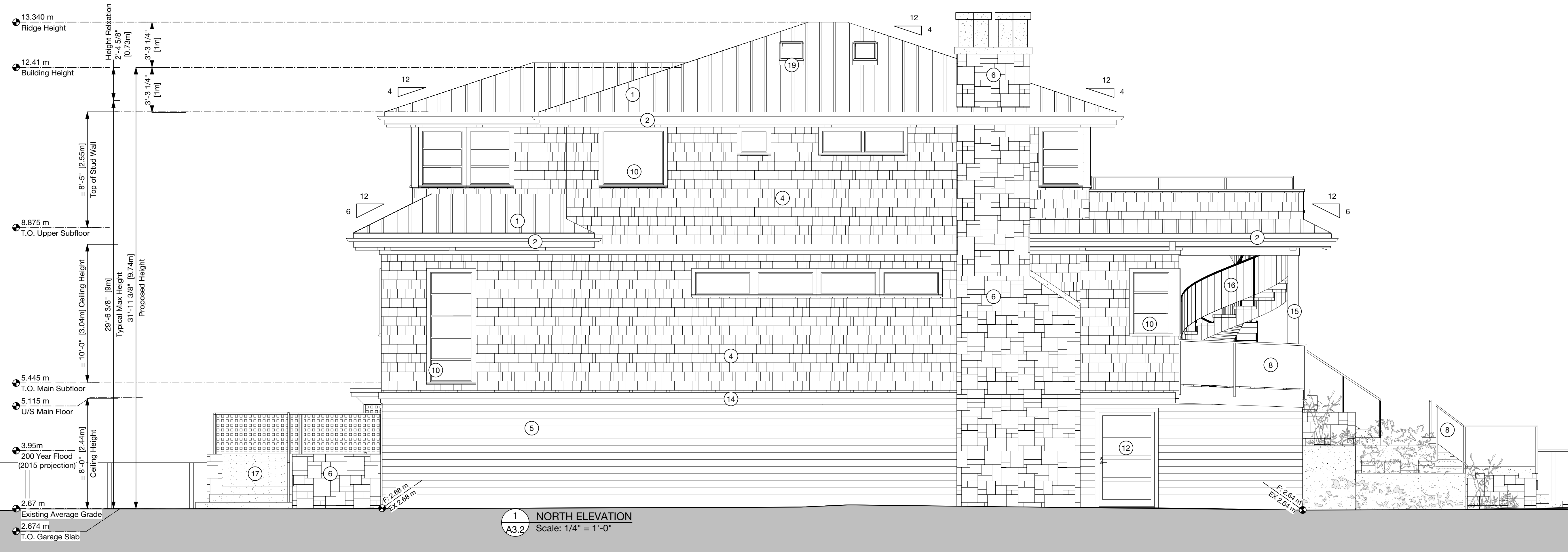
AT
 2954 O'Hara Lane,
 Surrey BC

Project

ELEVATIONS

Sheet Title
 Checked By EM
 Drawn By JS
 Scale 1/4"=1'-0"
 Date SEPT 2017

A3.1



EXTERIOR FINISHING SCHEDULE

- 1 METAL ROOFING
- 2 ALUMINUM GUTTERS AND RAIN WATER LEADERS
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No.	Revision	Date
B	REVISED REZONING	18-6-26
1	FOR REZONING	17-11-27

Consultant / Consultant Seal

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SINGLE FAMILY HOME
Langton/Presson Residence

AT
 2954 O'Hara Lane,
 Surrey BC

Project

ELEVATIONS

Sheet Title

Checked By EM
 Drawn By JS
 Scale 1/4"=1'-0"
 Date SEPT 2017

A3.2



VIEW FROM BEACH WALK

VIEW FROM BEACH WALK



VIEW FROM LANE

VIEW FROM BEACH WALK



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1	FOR REZONING	17-11-27

Consultant / Consultant Seal

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SINGLE FAMILY HOME
Langton/Presson Residence

AT
 2954 O'Hara Lane,
 Surrey BC

Project

3D VIEWS

Sheet Title
 Checked By EM
 Drawn By JS
 Scale Not To Scale
 Date SEPT 2017

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

FROM: **Development Engineer, Engineering Department**

DATE: **Nov 08, 2018** PROJECT FILE: **7817-0550-00**

RE: **Engineering Requirements
Location: 2954 Ohara Lane**

REZONE

The following issues are to be address as a condition of the Rezone:

Works and Services

- Construct rollover curb & gutter with 5.4 m pavement on Ohara Lane to City standard.
- Provide acceptable means to manage on-site drainage, and construct water and sanitary connections to service the site.

A Servicing Agreement is required prior to Rezone.



Tommy Buchmann, P.Eng.
Acting Development Services Manager

M51

CITY OF SURREY

BYLAW NO. _____

A by-law to amend Surrey Zoning By-law, 1993, No. 12000, as amended
.....

THE CITY COUNCIL of the City of Surrey ENACTS AS FOLLOWS:

- 1. Surrey Zoning By-law, 1993, No. 12000, as amended, is hereby further amended, pursuant to the provisions of Section 479 of the Local Government Act, R.S.B.C. 2015 c. 1, as amended by changing the classification of the following parcels of land, presently shown upon the maps designated as the Zoning Maps and marked as Schedule "A" of Surrey Zoning By-law, 1993, No. 12000, as amended as follows:

FROM: SINGLE FAMILY RESIDENTIAL ZONE (RF)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 028-852-214
LT 2 DL 52 GP 2 PLBCP50851
2954 Ohara Lane

- 2. The following regulations shall apply to the *Lands*:

A. Intent

This Comprehensive Development Zone is intended to accommodate and regulate the construction of a *single family dwelling* in the Crescent Beach floodplain.

B. Permitted Uses

The *Lands* and *structures* shall be used for the following uses only, or for a combination of such uses:

- 1. One *single family dwelling* which may contain 1 *secondary suite* provided that the first storey is permitted to only be used for parking.
- 2. *Accessory uses* including the following:
 - (a) *Bed and breakfast* use in accordance with Section B.2, Part 4 General Provisions, of this By-law; and
 - (b) The keeping of *boarders* or *lodgers* in accordance with Section B.2, Part 4 General Provisions, of this By-law.

C. Lot Area

Not applicable to this Zone.

D. Density

1. (a) For *building* construction within a *lot*:
 - i. The *floor area ratio* must not exceed 0.60 for the first 560 square metres [6,000 sq. ft.] of *lot* area and 0.35 for the remaining *lot* area in excess of 560 square metres [6,000 sq. ft.], provided that 39 square metres [420 sq. ft.] must be reserved for use only as a garage or carport;
 - ii. The maximum permitted third storey floor area of a *principal building* must not exceed 80% of the floor area of the second storey including any front porch or front veranda covered by a roof. The third storey shall be offset at the second storey level from either the front or side walls or both;
 - iii. For the purpose of this Section and notwithstanding the definition of *floor area ratio* in Part 1 Definitions of this By-law, the following must be included in the calculation of *floor area ratio*:
 - (a) Covered areas used for parking, unless the covered parking is located in the first storey of the *principal building*;
 - (b) The area of an accessory building in excess of 10 square metres [108 sq. ft.];
 - (c) Covered outdoor space with a height of 1.8 metres [6 ft.] or greater, except for a maximum of 10% of the maximum allowable floor area of which 15 square metres [160 sq. ft.] must be reserved for a front porch or veranda; and
 - (d) Floor area including staircases, garages and covered parking with extended height exceeding 3.7 metres [12 feet] must be multiplied by 2, excluding:
 - (i.) 19 square metres [200 sq. ft.] and
 - (ii.) floor area directly below a sloped ceiling less than 4.6 metres [15 ft.] in height, provided that the area has at least one wall 3.7 metres [12 ft.] or less in height.

- iv. Notwithstanding the definition of *floor area ratio*, any portion of the first storey can be excluded from the *floor area ratio* calculation.

E. Lot Coverage

Lot coverage shall not exceed 37.8%. Uncovered staircases accessing the principal *building* that are 0.6 m above *finished grade* may cover an additional 6.5% in *lot coverage*.

F. Yards and Setbacks

Buildings and *structures* shall be sited in accordance with the following minimum *setbacks*:

Use	Setback	<i>West Yard</i>	<i>East Yard</i>	<i>Side Yard</i>
<i>Principal Buildings</i>		7.5 m.* [25 ft.]	7.5 m. [25 ft.]	1.8 m. [6 ft.]
<i>Accessory Buildings and Structures</i>		18.0 m. [60 ft.]	1.8 m. [6 ft.]	1.0 m. [3 ft.]

Measurements to be determined as per Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended.

*Notwithstanding Section F.1, exterior staircases and planters attached to the principal *building* may be *setback* a minimum of 2.0 m from the *West yard lot line*.

G. Height of Buildings

Measurements to be determined as per Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended.

1. *Principal buildings*:
 - (a) The *building height* shall not exceed 9.75 metres [32 ft.].
 - (b) The *building height* of any portion of a *principal building* with a roof slope of less than 1:4 shall not exceed 7.3 metres [24 ft.].
2. *Accessory buildings and structures*: The *height* shall not exceed 4 metres [13 ft.] except that where the roof slope and construction materials of an *accessory building* are the same as that of the *principal building*, the *building height* of the *accessory building* may be increased to 5 metres [16.5 ft.].

H. Off-Street Parking

1. Resident *parking spaces* shall be provided as stated in Table C.1 of Part 5 Off-Street Parking and Loading/Unloading of this By-law.
2. Outside parking or storage of *campers*, boats and *vehicles* including cars, trucks and *house trailers* ancillary to a residential use shall be limited as follows:
 - (a) A maximum of 3 cars or trucks, which may be increased to a maximum of 4 cars or trucks on *lots* where the front face of an attached garage is set back a minimum of 11.0 metres [36 ft.] from the *front lot line*;
 - (b) *House trailer, camper* or boat, provided that the combined total shall not exceed 1; and
 - (c) The total amount permitted under (a) and (b) shall not exceed 3, which may be increased to 4 where the front face of an attached garage is set back a minimum of 11.0 metres [36 ft.] from the *front lot line*.
3. *Vehicle* parking may be permitted in either the *front yard* or *side yard* subject to the following:
 - (a) No off-street *parking space* shall be permitted within the required *front yard* or *side yard setback* except on a *driveway*. *Driveways* may be constructed off either the *frontage* or *flanking street*;
 - (b) *Parking spaces* shall be located only on a *driveway* leading to a garage, carport or parking pad, in a garage, in a car port, or on a parking pad; and
 - (c) The total area surfaced or paved for a *driveway* shall be as follows:
 - i. Every *lot* may have one *driveway* with a uniform width of 8.0 metres [26 ft.] extending from the *lot line* to the garage, car port, or parking pad on the *lot*;
 - ii. Notwithstanding Sub-section H.3.(c) (i) additional *driveway* width may also be allowed to provide access to additional *parking spaces* in a garage, carport or parking pad, where the garage, carport or parking pad has more than 2 side by side *parking spaces*, provided that such width is no more than 3 metres [10 ft.] times the number of adjacent side by side *parking spaces* measured at the required *front yard setback* and is uniformly tapered over the required *front yard* to a width of 8 metres [26 ft.] at the *front lot line*; and
 - iii. Notwithstanding Sub-sections H.3.(c) (i) and (ii), a *driveway* shall not exceed 53% of the total area of the *front yard* or required *side yard* within which the *driveway* is located;

- iv. Where the *driveway* is constructed in a *side yard* off a *flanking street* all references to *front yard* within this Section shall be read as *side yard*; and
4. No outside parking or storage of a *house trailer* or boat is permitted within the *front yard setback*, or within the required *side yards* adjacent the *dwelling unit*, or within 1 metre [3 ft.] of the *side lot line*, except as follows:
 - (a) On *lots* which have no vehicular access to the *rear yard* or where access is not feasible through modification of *landscaping* or fencing or both, either 1 *house trailer* or 1 boat may be parked in the front *driveway* or to the side of the front *driveway* or in the *side yard*, but no closer than 1 metre [3 ft.] to a *side lot line* nor within 1 metre [3 ft.] of the *front lot line* subject to the residential parking requirements stated in Table C.1 of Part 5 Off-Street Parking and Loading/Unloading of this By-law;
 - (b) Notwithstanding Sub-section H.4(a), no outside parking or storage of a *house trailer* or boat is permitted on *corner lots* in an area bounded by the intersecting *lot lines* at a street corner and a straight line joining points 9 metres [30 ft.] along the said *lot lines* from the point of intersection of the two *lot lines*; and
 - (c) Adequate screening, as described in Section I.2 of this Zone is provided.

I. Landscaping

1. All developed portions of the *lot* not covered by *buildings*, *structures* or paved areas shall be landscaped including the retention of mature trees. This *landscaping* shall be maintained.
2. A minimum of 30% of the *lot* must be covered by porous surfaces.
3. The parking or storage of *house trailers* or boats shall be adequately screened by compact evergreen trees or shrubs at least 1.8 metres [6 ft.] in height and located between the said *house trailer* or boat and any point on the *lot line* within 7.5 metres [25 ft.] of the said *house trailer* or boat, in order to obscure the view from the abutting *lot* or street, except:
 - (a) on a *corner lot*, this required landscape screening shall not be located in an area bounded by the intersecting *lot lines* at a street corner and a straight line joining points 9 metres [30 ft.] along the said *lot lines* from the point of intersection of the 2 *lot lines*;

- (b) where the *driveway* or the parking area is used for parking or storage of a *house trailer* or boat, the landscape screen is not required within the said *driveway*; and
- (c) in the case of *rear yards*, this screening requirement may be provided by a 1.8 metre [6 ft.] high solid fence.

J. Special Regulations

- 1. A *secondary suite* shall:
 - (a) Not exceed 90 square metres [968 sq.ft.] in floor area; and
 - (b) Occupy less than 40% of the habitable floor area of the *building*.

K. Subdivision

- 1. *Lots* created through subdivision in this Zone shall conform to the following minimum standards:

<i>Lot Size</i>	<i>Lot Width</i>	<i>Lot Depth</i>
560 sq. m. [6,000 sq. ft.]	15 metres [50 ft.]	28 metres [90 ft.]

Dimensions shall be measured in accordance with Section E.21 of Part 4 General Provisions of Surrey Zoning By-law, 1993, No. 12000, as amended.

L. Other Regulations

In addition to all statutes, bylaws, orders, regulations or agreements, the following are applicable, however, in the event that there is a conflict with the provisions in this Comprehensive Development Zone and other provisions in Surrey Zoning By-law, 1993, No. 12000, as amended, the provisions in this Comprehensive Development Zone shall take precedence:

- 1. Prior to any use, lands must be serviced as set out in Part 2 Uses Limited, of this By-law and in accordance with the "Surrey Subdivision and Development By-law".
- 2. General provisions on use are as set out in Part 4 General Provisions, of this By-law.
- 3. Additional off-street parking and loading/unloading requirements are as set out in Part 5 Off-Street Parking and Loading/Unloading of this By-law.
- 4. Subdivisions shall be subject to the "Surrey Development Cost Charge By-law" and the "Tree Preservation By-law".
- 5. *Building* permits shall be subject to the "Surrey Building By-law".

- 6. Sign regulations are as provided in Surrey Sign By-law No. 13656.
 - 7. Special *building setbacks* are as set out in Part 7 Special Building Setbacks, of this By-law.
 - 8. Floodproofing shall be as set out in Part 8 Floodproofing, of this By-law.
3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, _____, No. _____."

PASSED FIRST READING on the _____ th day of _____, 20 .

PASSED SECOND READING on the _____ th day of _____, 20 .

PUBLIC HEARING HELD thereon on the _____ th day of _____, 20 .

PASSED THIRD READING on the _____ th day of _____, 20 .

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the _____ th day of _____, 20 .

_____ MAYOR

_____ CLERK