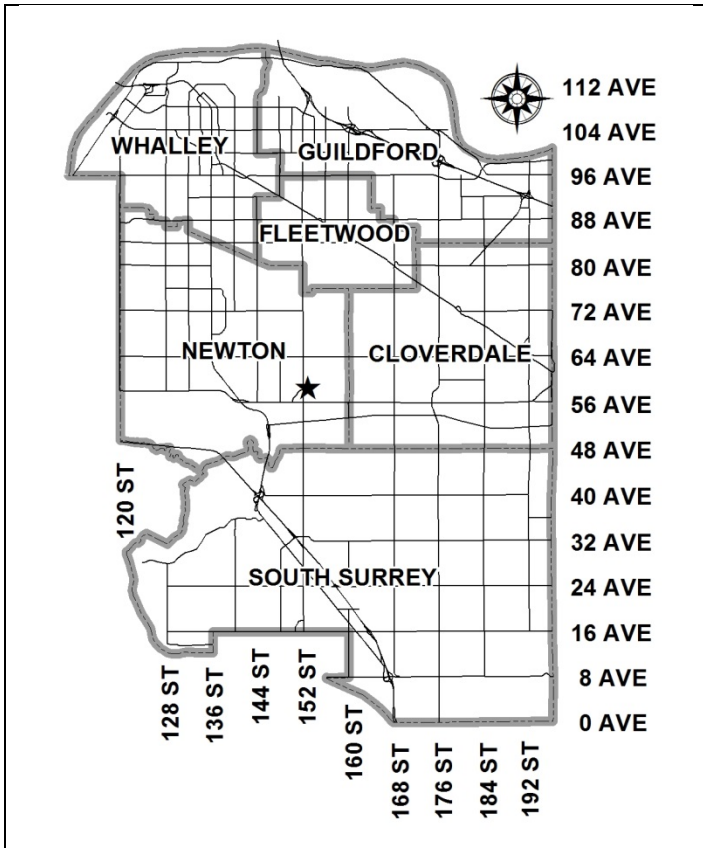


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7918-0020-00

Planning Report Date: May 7, 2018



**PROPOSAL:**

- Amend CD By-law No. 18706

For changes to the permitted density, lot coverage and side-yard setbacks.

**LOCATION:**

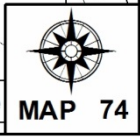
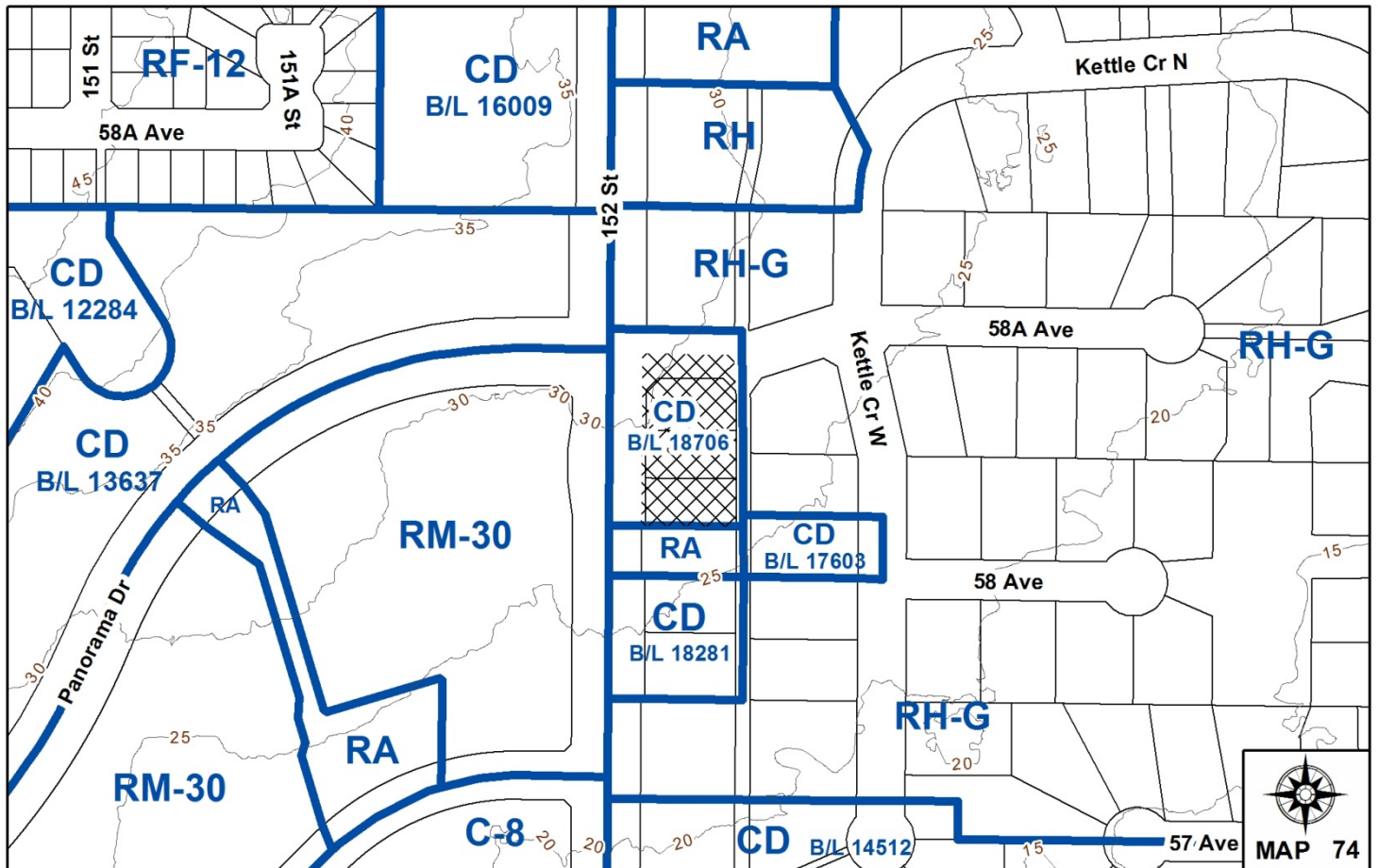
5802 - 152 Street  
 5818 - 152 Street  
 5836 - 152 Street

**ZONING:**

CD (By-law No. 18706)

**OCP DESIGNATION:**

Suburban



### RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Rezoning.

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The application proposes changes to the permitted density, lot coverage, off-street parking requirements, and reductions to the minimum side yard setbacks of CD By-law No. 18706.

### RATIONALE OF RECOMMENDATION

- On July 25, 2016, Council approved amendments to the Density and Lot Coverage provisions of the "Half-Acre Residential Gross Density Zone (RH-G)" through Zoning Amendment By-law No. 18771. This Amendment By-law allowed lots 1,500 square metres (16,000 sq. ft.) in area or less to apply the provisions of the "Single Family Residential Zone (RF)" in terms of density (FAR) and lot coverage for building construction purposes. These amendments were not applied to CD By-law No. 18706 (based on the RH-G Zone) for the three (3) subject lots, as the CD By-law had already received Third Reading prior to adoption of Zoning Amendment By-law No. 18771.
- The proposed amendments to CD By-law No. 18706 bring the Density and Lot Coverage provisions into alignment with the current provisions of the RH-G Zone which came into effect in July 2016.
- The house sizes that can be achieved under the proposed amendments will be in keeping with the house sizes that can be achieved on surrounding RH-G zoned properties.
- The proposed reduction to the side yard setbacks for the principal building from 3.0 metres (10 ft.) to 1.8 metres (6 ft.) and from 7.5 metres (25 ft.) to 3.6 metres (12 ft.) for the side yard on flanking street, are supportable based on the smaller lot sizes and their location along 152 Street, and will also help to achieve house sizes that are more consistent with the surrounding area.
- For housekeeping purposes, the Off-Street Parking requirements of CD By-law No. 18706 will also be amended for consistency with the current provisions of the RH-G Zone.

RECOMMENDATION

The Planning & Development Department recommends that:

1. A By-law be introduced to amend "Comprehensive Development Zone (CD)" (By-law No. 18706) 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; and
  - (b) approval from the Ministry of Transportation & Infrastructure.

REFERRALS

**Engineering:** The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix II.

**Parks, Recreation & Culture:** No concerns.

**Ministry of Transportation & Infrastructure (MOTI):** Preliminary Approval is granted for the rezoning for one year pursuant to Section 52(3)(a) of the Transportation Act.

SITE CHARACTERISTICS

Existing Land Use: Vacant single family lots

Adjacent Area:

<b>Direction</b>	<b>Existing Use</b>	<b>OCP/NCP Designation</b>	<b>Existing Zone</b>
North (Across 58A Avenue):	Single Family	Suburban (OCP)	RH-G
East:	Single Family	Suburban (OCP)	RH-G
South:	Single Family	Suburban (OCP)	RA
West (Across 152 Street):	Vacant	Urban (OCP) / Townhouses (25 u.p.a. max) and Buffers (South Newton NCP)	RM-30

## DEVELOPMENT CONSIDERATIONS

### Background

- At the May 9, 2016 Regular Council – Public Hearing Meeting, Council granted Third Reading for rezoning of the parent parcel (Development Application No. 7915-0347-00) from "One-Acre Residential Zone (RA)" and "Comprehensive Development Zone (CD)" (By-law No. 17603) to "Half-Acre Residential Gross Density Zone (RH-G)" and "Comprehensive Development Zone (CD)" (By-law No. 18706).
- "Comprehensive Development Zone (CD)" (By-law No. 18706) was based on the provisions of the "Half-Acre Residential Gross Density Zone (RH-G)" that were in place at the time the by-law was introduced, including a maximum floor area ratio (FAR) of 0.32 and maximum lot coverage of 25%.
- On July 25, 2016, Council approved amendments to the Density and Lot Coverage sections of the "Half-Acre Residential Gross Density Zone (RH-G)". The amendments to the RH-G Zone now apply the provisions of the "Single Family Residential Zone (RF)" to lots that are 1,500 square metres (16,000 sq. ft.) in area or less for the purpose of building construction within a lot and for lot coverage.
- The changes to the RH-G Zone were adopted subsequent to Council granting Third Reading to the rezoning of the subject site. While the amendments to the RH-G Zone now apply to the ten (10) RH-G Zone lots that were created under the same subdivision (Development Application No. 7915-0347-00), the amendments were not applied to CD By-law No. 18706 for the three (3) subject lots, as this CD By-law had already received Third Reading prior to the changes to the RH-G Zone.
- CD By-law No. 18706 was intended to allow for the development of lot sizes that are smaller than those permitted under the RH-G Zone. However, the intent of the rezoning to CD By-law No. 18706 was not to restrict the house sizes on these lots.
- CD By-law No. 18706 received Final Adoption on June 26, 2017.

### Current Proposal

- The applicant has expressed concern that the floor area ratio (FAR) and lot coverage permitted under CD By-law No. 18706 will not allow for the desired house sizes to be built due to the smaller lot sizes of the three (3) subject properties. The 0.32 FAR and 25% lot coverage permitted under the CD By-law will result in house sizes that are considerably smaller and out of character with the surrounding existing RH-G Zoned properties, including the 10 RH-G lots created as part of the same subdivision.
- The applicant proposes to amend CD By-law No. 18706 based on the current provisions for Density and Lot Coverage of the "Half-Acre Residential Gross Density Zone (RH-G)", which allow lots that are 1,500 square metres (16,000 sq. ft.) in area or less, to apply the requirements of the "Single Family Residential Zone (RF)" for the purpose of building construction within a lot and for lot coverage.

- The house sizes that can be achieved under the proposed amendments will be in keeping with the house sizes that can be achieved on the surrounding existing RH-G zoned lots and will help to create more balanced house sizes in the neighbourhood. Notwithstanding the floor area ratio (FAR) provisions, the maximum allowable floor area will be 465 square metres (5,000 sq. ft.).
- The application also proposes amendments to Section F. Yards and Setbacks to reduce the side yard setbacks for the principal building from 3.0 metres (10 ft.) (permitted under the RH-G Zone and CD By-law 18706) to 1.8 metres (6 ft.) (permitted under the RF Zone) and from 7.5 metres (25 ft.) to 3.6 metres (12 ft.) for the side yard on flanking street.
- For housekeeping purposes, Section H. Off-Street Parking will also be amended for consistency with the current provisions of the RH-G Zone.
- A comparison of CD By-law No. 18706 and the proposed amendments are as follows:

	<b>CD By-law No. 18706</b>	<b>Proposed Amendment</b>
<b>Density</b>	The floor area ratio (FAR) shall not exceed 0.32.	The floor area ratio (FAR) 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.). Notwithstanding the above, the maximum allowable floor area is 465 square metres (5,000 sq.ft.).
<b>Lot Coverage</b>	25%	36%
<b>Yards and Setbacks (Principal Building)</b>	3.0 metres (10 ft.) side yard 7.5 metres (25 ft.) side yard on flanking street.	1.8 metres (6 ft.) 3.6 metres (12 ft.)
<b>Off-Street Parking</b>	Outside parking shall be limited to a maximum of 2 cars or trucks; 1 house trailer, camper or boat provided the combined total shall not exceed 1; and the total amount permitted shall not exceed 3.	Outside parking shall be limited to a maximum of 3 cars or trucks; 1 house trailer, camper or boat provided the combined total shall not exceed 1; and the total amount permitted shall not exceed 3.

#### JUSTIFICATION FOR REZONING

- The location of the subject lots along 152 Street make it difficult to achieve large estate-like lots similar to those located along 58A Avenue, Kettle Crescent West and Kettle Crescent East within the Sullivan Heights neighbourhood, given that 152 Street is a busy arterial road requiring rear lane access. Therefore, three (3) smaller-sized subject lots were approved under Development Application No. 7915-0347-00.
- While the subject lots are undersized for the RH-G Zone, they are complementary with other smaller lots to the south along 152 Street.

- All 13 lots approved under Development Application No. 7915-0347-00 were less than 1,500 square metres (16,000 sq. ft.) in area, and therefore, with the changes to the RH-G Zone, would be subject to the Density and Lot Coverage provisions of the "Single Family Residential Zone (RF)". Under the RF Zone, 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.), to a maximum allowable floor area of 465 square metres (5,000 sq.ft.).
- The proposed CD By-law amendments will allow for larger houses to be constructed on the three (3) subject lots when compared to CD By-law No. 18706; however, the maximum achievable floor area will be more consistent with the house sizes permitted on the surrounding RH-G lots which are limited to a maximum floor area of 465 square metres (5,000 sq. ft.).
- The proposed reduction to the side yard setbacks for the principal building from 3.0 metres (10 ft.) to 1.8 metres (6 ft.) and from 7.5 metres (25 ft.) to 3.6 metres (12 ft.) for the side yard on flanking street, are supportable based on the smaller lot sizes and will help to achieve house sizes that are more consistent within the neighbourhood.
- The anticipated maximum floor area that can be achieved for the subject lots ranges from approximately 397 to 407 square metres (4,200 to 4,400 sq. ft.).
- Section H. Off-Street Parking is also recommended to be amended for consistency with the current provisions of the RH-G Zone.

#### PRE-NOTIFICATION

- Pre-notification letters were sent on April 6, 2018 and a Development Proposal Sign was installed on April 10, 2018. Staff have not received any comments regarding the proposal as of the finalization of this report.

#### INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary (Confidential)
Appendix II.	Engineering Summary
Appendix III.	Proposed CD Amendment By-law

*original signed by Ron Hintsche*

Jean Lamontagne  
General Manager  
Planning and Development

APPENDIX I HAS BEEN  
REMOVED AS IT CONTAINS  
CONFIDENTIAL INFORMATION

INTER-OFFICE MEMO

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

**FROM:       Development Services Manager, Engineering Department**

**DATE:       May 02, 2018**

**PROJECT FILE:   7818-0020-00**

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**RE:         Engineering Requirements  
              Location: 5810 152 St**

**REZONE**

This site is being serviced through the Servicing Agreement for the original project, 7815-0347-00, which received final adoption in June 2017. Since the requested CD zone amendment may lead to an increase in allowable impervious area on each lot, the Engineer of Record must confirm the proposal can be supported with the accepted servicing designs and that storm water modelling assumptions still hold true. Amendments to the servicing plan or on-site mitigation measures may be required based on this analysis.

Confirmation of the above will be required prior to Rezone.



Rémi Dubé, P.Eng.  
Development Services Manager



## CITY OF SURREY

## BY-LAW NO. \_\_\_\_\_

A by-law to amend "Surrey Zoning By-law, 1993, No. 12000,  
Amendment By-law, 2016, No. 18706"  
.....

THE CITY COUNCIL of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2016, No. 18706 is hereby amended as follows:

1. Part 2, Section D. Density, sub-section 2 is deleted and replaced as follows:

"2. For *building* construction within a *lot*:

- (a) 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;
- (b) Notwithstanding Sub-section D.2.(a)i., the maximum allowable floor area is 465 square metres [5,000 sq.ft.];
- (c) The maximum permitted floor area of a second storey for a *principal building* must not exceed 80% of the floor area of the main floor level including attached garage and that portion of any porch or veranda at the front that is covered by a sloped roof, but not including any portion of the *structure* located within 7.5 metres [25 ft.] of the *front lot line*. The reduced floor area of the second storey shall be accomplished by an offset at the second storey level from the wall at the main floor level from either the front or side walls or a combination thereof; and
- (d) For the purpose of this Section and notwithstanding the definition of *floor area ratio* in Part 1 Definitions of "Surrey Zoning By-law, 1993, No. 12000", as amended, the following must be included in the calculation of *floor area ratio*:
  - i. Covered areas used for parking, unless the covered parking is located within the *basement*;
  - ii. The area of an accessory building in excess of 10 square metres [108 sq. ft.];
  - iii. 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

- iv. Floor area including staircases, garages and covered parking with extended height exceeding 3.7 metres [12 feet] must be multiplied by 2, excluding:
  - a. 19 square metres [200 sq. ft.] and
  - b. 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."

2. Part 2, Section E. Lot Coverage is deleted and replaced as follows:

**"E. Lot Coverage**

- 1. For lots with a size of a 560 square metres [6,000 sq.ft.] or less, the maximum lot coverage is 40%; and
- 2. For lots with a size greater than 560 square metres [6,000 sq. ft.], the maximum lot coverage is reduced at a rate of 2% for each 93 square metres [1,000 sq. ft.] of additional lot area until a lot coverage of 25% is reached, which is the maximum lot coverage for lots greater than 1,262 square metres [13,500 sq. ft.] in area."

3. Part 2, Section F. Yards and Setbacks is deleted and replaced as follows:

**"F. Yards and Setbacks**

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

<b>Use</b>	<b>Setback</b>	<i>Front Yard</i> <sup>1,2</sup>	<i>Rear Yard</i> <sup>3</sup>	<i>Side Yard</i>	<i>Side Yard on Flanking Street</i>
<i>Principal Building</i>		7.5 m. [25 ft.]	7.5 m. [25 ft.]	1.8 m. <sup>4</sup> [6 ft.]	3.6 m. [12 ft.]
<i>Accessory Buildings and Structures Greater Than 10 square metres [108 sq.ft.] in Size</i>		18.0 m. [60 ft.]	1.8 m. [6 ft.]	1.0 m. [3 ft.]	7.5 m. [25 ft.]

<b>Use</b>	<b>Setback</b>	<i>Front Yard</i> <sup>1,2</sup>	<i>Rear Yard</i> <sup>3</sup>	<i>Side Yard</i>	<i>Side Yard on Flanking Street</i>
	Other Accessory Buildings and Structures		18.0 m. [60 ft.]	0.0 m.	0.0 m.

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

<sup>1</sup> Except for a garage, the *front yard setback* may be relaxed at the lower floor level to 5.5 metres [18 ft.] for a maximum of 50% of the width of the *principal building*. If a minimum of 50% of the width of the *principal building* is set back 9 metres [30 ft.], the setback to an attached garage may be relaxed to 6.7 metres [22 ft.].

<sup>2</sup> With the exception of a garage with its main access doors facing a *side yard*, an attached garage to the *principal building* must not extend towards the *highway* for more than half the depth of the said garage, measured from the front face of the *principal building*, excluding any front face of the exterior wall above the said garage. If an attached garage with its main access doors facing a *highway* contains more than 2 parallel parking bays, the additional parking bay(s) and the garage entrance leading to the additional parking bay(s) must be set back at least 0.9 metre [3 ft.] from the front of the said garage.

<sup>3</sup> 50% of the length of the rear *building face* may be *setback* a distance of 6.0 metres [20 ft.] from the *rear lot line* provided the remainder of the *building face* is *setback* at least 8.5 metres [28 ft.] from the *rear lot line*.

<sup>4</sup> The *side yard setback* may be reduced to 1.2 metres [4 ft.] along one *side lot line* adjoining a *lot* zoned Single Family Residential (RF) provided that the *side yard setback* on the opposite side of the *lot* is increased to 2.4 metres [8 ft.]."

4. Part 2, Section H. Off-Street Parking and Loading/Unloading is deleted and replaced as follows:

**"H. Off-Street Parking and Loading/Unloading**

1. Resident *parking spaces* shall be provided as stated in Table C.1 of Part 5 Off-Street Parking and Loading/Unloading of "Surrey Zoning By-law, 1993, No. 12000", as amended.
2. Outside parking or storage of *campers*, boats and *vehicles* including cars, trucks and *house trailers* ancillary to the residential use, shall be limited to:
  - (a) A maximum of 3 cars or trucks;
  - (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.
3. 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*, or within 1 metre [3 ft.] of the *side lot line*."

This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2016, No. 18706, Amendment By-law, 2018, No. \_\_\_\_\_."

PASSED FIRST AND 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