

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7919-0200-00

Planning Report Date: November 4, 2019

PROPOSAL:

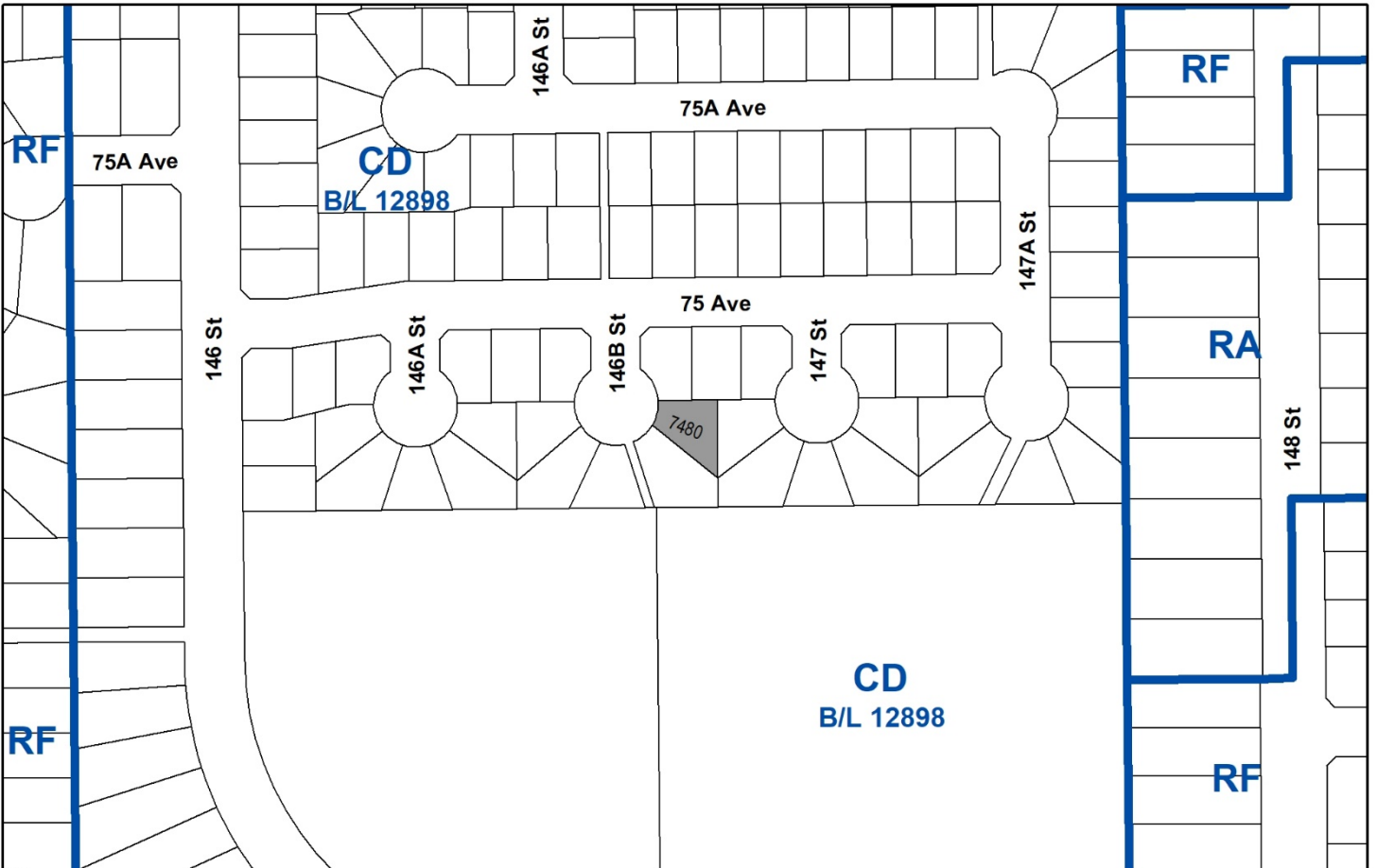
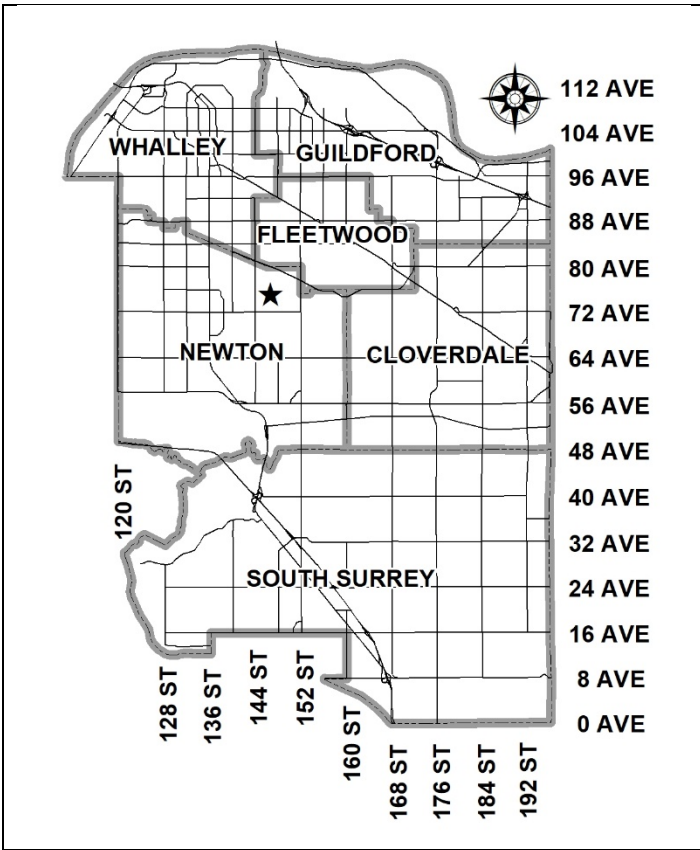
- **Rezoning** from CD (By-law No. 12898) to CD to permit the development of a secondary suite within the existing single family dwelling.

LOCATION: 7480 - 146B Street

ZONING: CD (By-law No. 12898)

OCP DESIGNATION: Urban

NCP DESIGNATION: Urban Compact Housing



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.

RATIONALE OF RECOMMENDATION

- The proposal complies with the site's "Urban" designation in the Official Community Plan (OCP).
- All regulations under the current CD Zone (By-law No. 12898) will be the same in the proposed CD By-law, with the exception that a secondary suite will be permitted within the principal building on this one property.
- Secondary suites are broadly permitted in single-family zones under the Zoning Bylaw (By-law No. 12000).
- Secondary suites support the City's affordable housing goals by providing ground-oriented rental housing for a range of tenants and provide flexibility to the family and household.
- In addition to the two parking spaces provided within the double garage, there are two parking spaces in the existing driveway, which partially encroach into the City road allowance.

RECOMMENDATION

The Planning and Development Department recommends that:

1. A By-law be introduced to rezone the subject site from “Comprehensive Development (CD) Zone (Bylaw No. 12898)” to “Comprehensive Development (CD) Zone” and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) the applicant adequately address the City’s needs with respect to the City’s Affordable Housing Strategy, to the satisfaction of the General Manager, Planning & Development Services; and
 - (b) Registration of a Section 220 Restrictive Covenant Modification to amend Covenant BK387953 to allow the construction of a secondary suite.

REFERRALS

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

Parks, Recreation & Culture: No referral required.

Surrey Fire Department: No referral required.

SITE CHARACTERISTICS

Existing Land Use: Single Family Residential

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North, East, South, and West	Single Family Residential	Urban Compact Housing	CD (Bylaw No. 12898)

DEVELOPMENT CONSIDERATIONSBackground

- The subject property, located at 7480 – 146B Street, is designated “Urban” in the Official Community Plan, “Urban Compact Housing” in the East Newton North Neighbourhood Concept Plan, and is zoned “Comprehensive Development (CD) Zone (By-law No. 12898)”.

- The CD Zone (By-law No. 12898) was adopted on November 25, 1996. The CD zone applies to 123 single family lots, Chimney Heights Park and the Chimney Heights Elementary School.
- The CD Zone (By-law No. 12898) does not permit secondary suites on any of the single family lots.
- A Section 219 Covenant for a Building Scheme (BK38753) is registered on title for the subject property. The Covenant does not permit secondary suites on the property.
- Several properties in the neighborhood were identified as containing unauthorized secondary suites.

Current Proposal

- The applicant is proposing to rezone the subject property from CD Zone (By-law No. 12898) to a new CD Zone in order to permit an 85 square metre (840 sq. ft.) secondary suite within the existing single family dwelling.
- The proposal for a new CD Zone will include all existing regulations from the current CD Zone (By-law No. 12898) with the exception that a secondary suite within the single family dwelling will be permitted, and the off-street parking requirements will be amended (see section below on Parking Requirements).
- The proposal will rezone only the subject property to a new CD Zone. The other properties within the original subdivision will continue to be regulated by CD Zone (By-law No.12898).
- As a condition of this application, the applicant will be required to register a Section 220 Restrictive Covenant Modification to amend Restrictive Covenant BK38753 to permit a secondary suite within the existing single family dwelling.

Parking Requirements

- The new CD Zone will require a minimum of two (2) off-street parking spaces to be provided on the property, within the garage. Typically, an additional off-street parking space for a secondary suite would be required for single-family zones, in this case for a total requirement of three (3) off-street parking spaces.
- The existing driveway on the subject property cannot accommodate more than two (2) off-street parking spaces fully within the property. While the entire driveway apron (from the curb to the building face) is of sufficient length for two parking spaces, vehicles parked on the driveway would encroach into the road allowance of 146B Street.
- CD Bylaw No. 12898 permits the outside parking and storage of campers, boats, and vehicles including cars, trucks and house trailers. The new CD Zone proposed for the subject property will allow for parking of cars and trucks, but will preclude the parking and storage of campers, boats and house trailers within the front yard and side yard setbacks. This will promote the retention of use of the driveway apron for secondary suite parking.
- In consideration of the unique setback requirements and the resulting constrained driveway configuration on the existing cul-de-sac (146B Street), staff can support the two (2) off-street

parking stalls, as the proposal will provide an increased variety of housing in the area, which addresses housing affordability concerns.

PRE-NOTIFICATION

- Pre-notification letters were mailed out on September 10, 2019 to 129 property owners with lots within 100 metres (328 ft.) of the subject property. A Development Proposal Sign was installed along the frontage of the subject property on 146B Street on August 21, 2019.

Staff received correspondence from three members of the public with concerns about the impact increased density would have on traffic and parking in the neighbourhood.

(Staff provided clarification that the proposal is to rezone the property to permit a secondary suite within the existing house for the subject lot only. Staff provided further information on the existing CD Zone (Bylaw No. 12898) and information on items to be included within the new CD Zone that would be applicable to the property. Staff also provided information on the off-street parking requirements and how the parking is being addressed with the existing double garage and driveway.)

AFFORDABLE HOUSING STRATEGY

- On April 9, 2018 Council approved the City's Affordable Housing Strategy (Corporate Report No. R066; 2018) requiring that all new rezoning applications for residential development contribute \$1,000 per unit to support the development of new affordable housing. The funds collected through the Affordable Housing Contribution will be used to purchase land for new affordable rental housing project.
- As a condition of Final Adoption of the Rezoning By-law, the applicant will be required to provide a \$1,000 contribution to the Affordable Housing Reserve Fund, for the existing lot.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Site Plan
Appendix II.	Proposed CD By-law

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

WS/cm



General Specifications/Notes

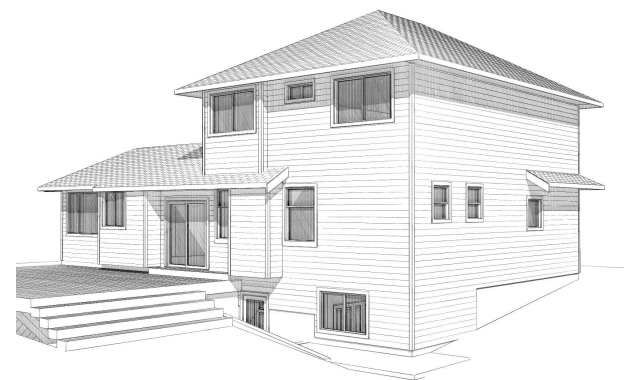
I. PLANS

- a. Only the written dimensions are to be used for construction purposes. Do not scale drawings.
- b. The contractor (builder) is responsible for checking and verifying all dimensions, details and conformance to all local codes on this drawing. Any discrepancies shall be reported immediately to Camel Design before proceeding with that portion of work.

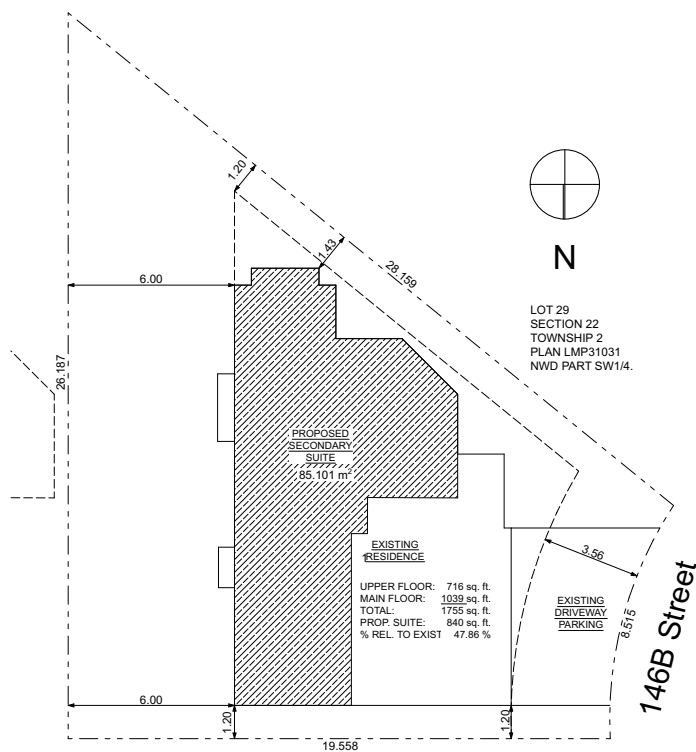
II. DESIGN

- a. This building is designed in accordance with B.C.B.C. 2012 and any local by-laws and requirements.

Structural members and connections to be certified by a Structural Engineer.

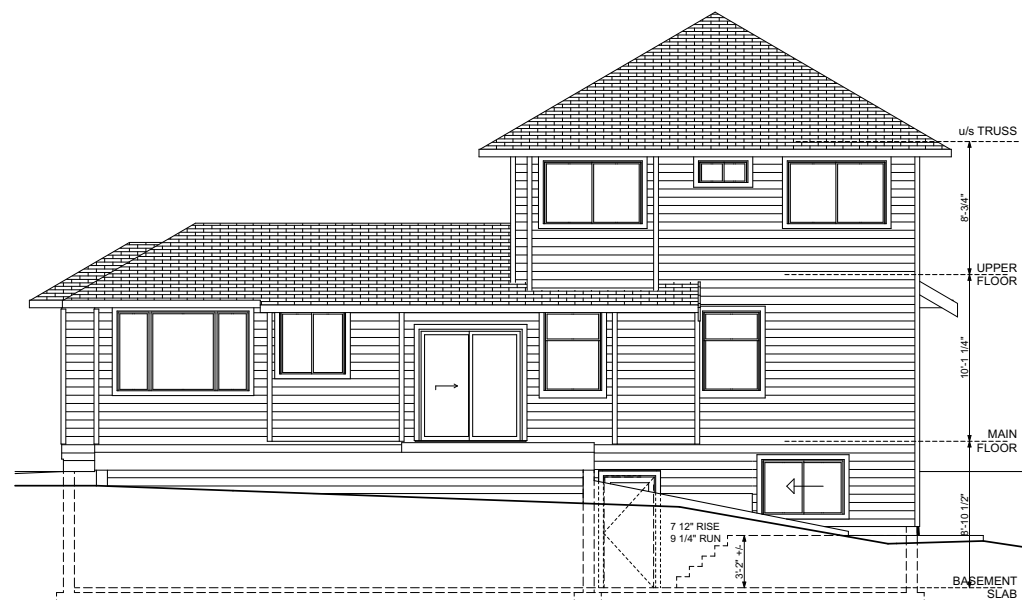


NORTH-EAST PERSPECTIVE



Site Plan

SCALE: 1:125



NORTH ELEVATION

SCALE: 3/16" = 1'-0"

CUSTOMER INFORMATION

CUSTOMER:	TitleLine Ind.
JOB #:	18-08-08
DRAWING VERSION:	FINAL / CONSTRUCTION

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: COMPREHENSIVE DEVELOPMENT ZONE (CD)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 023-620-561
Lot 29 Section 22 Township 2 New Westminster District Plan LMP31031

7480 - 146B Street

(hereinafter referred to as the "*Lands*")

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

A. Intent

This Comprehensive Development Zone is intended to accommodate and regulate the development of a *single family dwelling*.

B. Permitted Uses

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*.

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* and *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. For the purposes 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, all covered areas used for parking shall be included in the calculation of *floor area ratio*;
2. For *building* construction within a *lot*, the *floor area ratio* shall not exceed 0.65, provided that, of the resulting allowable floor area, 28 square metres [300 sq. ft.] shall be reserved for use only as a garage or carport and further provided that where an *accessory building* is greater than 5 square metres [50 sq. ft.] in size that the area in excess of 5 square metres [50 sq. ft.] shall be included as part of the floor area for the purposes of calculating *floor area ratio*;
3. The maximum permitted floor area of a second storey for a *principal building* shall not exceed 35% of the total floor area of the *principal building* including attached garage. The reduced floor area of the second storey shall be accomplished by a setback at the second storey level from the wall at the main floor level from either the front or side walls at the main floor level or a combination thereof; and
4. Notwithstanding Section D.2 above, the maximum permitted floor area shall not exceed 213 square metres [2,300 sq. ft.]

E. Lot Coverage

The *lot coverage* shall not exceed 45%.

F. Yards and Setbacks

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

Use	Setback	Front Yard	Rear Yard	Side Yard	Side Yard on Flanking Street
<i>Principal Building</i>		3.5 m. [11 ft.]	6.0 m. [20 ft.]	1.2 m. [4 ft.]	3.6 m. [12 ft.]
<i>Accessory Buildings and Structures</i>		7.5 m. [25 ft.]	1.8 m. [6 ft.]	1.0 m. [3 ft.]	3.65 m. [12 ft.]

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

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 building*: The *building height* shall not exceed nine (9) metres [30 ft.].
2. *Accessory buildings and structures*: The *building height* shall not exceed four (4) metres [13 ft.] except 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. A minimum of 2 off-street *parking spaces* shall be provided on the *Lands*.
2. The parking or storage of *campers*, boats or *house trailers* are not permitted in the *front yard* or *side yards*.

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.

J. Subdivision

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>
359 sq.m. [3,864 sq. ft.]	10 metres [33 ft.]	19 metres [62 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.

K. 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*.

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, the Lands must be services as set out in Part 2 Uses Limited, of Surrey Zoning By-law, 1993, No. 12000, as amended and in accordance with the servicing requirements for the RF-G Zone as set forth in the “Surrey Subdivision and Development By-law.”
2. General provisions are as set out in Part 4 General Provisions of Surrey Zoning By-law, 1993, No. 12000, as amended.
3. *Building* permits shall be subject to the Surrey Building Bylaw.
4. Sign regulations are as set out in Surrey Sign By-law, 1999, No. 13656, as amended.
5. Subdivisions shall be subject to the “Surrey Development Cost Charge By-law” and the “Tree Preservation By-law”.
6. Additional off-street parking and loading/unloading requirements are as set out in Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.

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