



Item .....
Meeting .....2016 August 29

COUNCIL REPORT

TO: CITY MANAGER 2016 August 24

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE # 15-46**  
Additional gross floor area in a single family residence

ADDRESS: 8526 Eleventh Avenue (see *attached* Sketch #1)

LEGAL: Lot 23, Block 3, DL 13, Group 1, NWD Plan 3046

FROM: R3 Residential District

TO: R3a Residential District

APPLICANT: Kam Dhillon  
13038 – 103 Avenue  
Surrey, BC V3T 1R5

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2016 September 20.

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**RECOMMENDATIONS:**

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2016 August 29 and to a Public Hearing on 2016 September 20 at 7:00 p.m.
2. **THAT** the following be established as prerequisites to the completion of the rezoning:
  - a) The submission of a suitable plan of development.
  - b) The deposit of sufficient monies including a 4% Engineering Inspection Fee to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.
  - c) The registration of a Section 219 Covenant requiring the land to be developed in accordance with the approved building and landscape plans.

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## REPORT

### 1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to allow an additional 9.29 m<sup>2</sup> (100 sq. ft.) of floor area within a single family dwelling that is currently under construction, which would result in a gross floor area beyond that permitted under the prevailing zoning and require R3a District zoning.

### 2.0 BACKGROUND

- 2.1 The subject property at 8526 Eleventh Avenue is located in an R3 District neighbourhood in the Cariboo-Armstrong area. The Official Community Plan designates the subject site and surrounding properties for Single Family Suburban use. Adjacent properties generally contain larger two-storey homes, some with basements or cellars. Cumberland Park is located across Eleventh Avenue to the northwest.
- 2.2 A previous application to rezone the property to the R3a District was submitted on 2004 August 31 (REZ#04-52). On 2004 September 27, Council authorized the Planning and Building Department to work with the applicant on a suitable plan of development. The application was subsequently cancelled.
- 2.3 On 2015 May 27, a Building Permit (BLD#15-533) for the demolition of the existing single family dwelling and all accessory buildings on site was issued. On 2015 August 12, a Building Permit (BLD#15-473) for a new single family dwelling with a secondary suite and an attached garage with a total gross floor area of 369 m<sup>2</sup> (3,973 sq. ft.), in line with the prevailing R3 District, was issued. Construction of the dwelling has commenced. Vehicular access to the site is from Eleventh Avenue.
- 2.4 On 2015 November 23, Council received the report of the Planning and Building Department regarding the rezoning of the subject site and authorized the Department to work with the applicant in preparing a suitable plan of development with the understanding that a further and more detailed report would be submitted at a later date. The applicant has now submitted a plan of development suitable for presentation to a Public Hearing.

### 3.0 GENERAL COMMENTS

- 3.1 The applicant proposes to rezone the subject property to the R3a District to allow an additional 9.29 m<sup>2</sup> (100 sq. ft.) of floor area within a single family dwelling with an attached garage that is currently under construction, resulting in a total gross floor area of 378.86 m<sup>2</sup> (4,078 sq. ft.), which is beyond that permitted under the prevailing zoning. The

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proposed additional floor area is within the existing building volume, in what was originally proposed as an over height area. This space will accommodate an additional bedroom. No exterior changes are proposed. It is noted that the construction of an accessory building at the rear of the property, as proposed in the 2015 November 23 report to Council, is no longer proposed by the applicant.

- 3.2 Under the prevailing R3 District, each lot shall have an area of not less than 557.40 m<sup>2</sup> (6,000 sq. ft.) and a width of not less than 15 m (49.2 ft.). Under the R3a District, each lot shall have an area of not less than 840 m<sup>2</sup> (9,041.9 sq. ft.) and a width of not less than 21 m (68.9 ft.). The subject property has a lot area of approximately 853.58 m<sup>2</sup> (9,187.9 sq. ft.) and a width of 25.98 m (85.23 ft.), and therefore meets the minimum lot area and width requirements of the R3a District.
- 3.3 With regard to development density, the R3 District permits a maximum gross floor area on the subject site of the lesser of 0.60 floor area ratio (FAR) or 370 m<sup>2</sup> (3,982.8 sq. ft.). The proposed R3a District would permit a single family dwelling on the subject site with a maximum gross floor area ratio of 0.60 FAR on lots, such as the subject site, that have a minimum width of 22.5 m (73.8 ft.). If applied to the subject property, the 0.60 FAR would permit a dwelling with a maximum gross floor area of 512.15 m<sup>2</sup> (5,512.74 sq. ft.).
- 3.4 On 1989 January 03, Council adopted design guidelines for assessing single family development proposals in the R "a" Residential Districts. The following is an assessment of the proposed development based on these guidelines:

- i) *Limit the scale of the dwelling to a two-storey appearance or to the scale of the neighbouring dwellings, whichever is less.*

The proposed additional floor area, located within the existing building volume of the dwelling currently under construction, does not affect the dwelling's two storey appearance, which is generally consistent with the scale of most neighbouring residences.

- ii) *Maintain the existing pattern of front yard setbacks established along the street frontage, if the prevailing setback pattern is beyond the minimum required in the "R" District regulations.*

The proposed additional floor area does not affect the dwelling's 6.53 m (21.42 ft.) front yard setback. The siting of the dwelling is consistent with the front yard averaging and prevailing setback pattern of the area.

- iii) *Require a minimum rear yard setback of 35% of the depth of the lot and limit the depth of the dwelling to a maximum of 18.30 meters (60.0 feet).*

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The additional floor area does not affect the dwelling's rear yard setback, which ranges from 10.74 m (35.24 ft.) at the location of a covered porch to at least 13.07 m (42.88 ft.) for the remainder of the building. Although the dwelling is slightly within the R3a District rear yard setback guideline of 11.5 m (37.73 ft.), based on a lot depth of 32.86 m (107.81 ft.), the majority of the building meets the minimum recommended setback. In addition, the depth of the building, at 16.79 m (55.1 ft.), is within the recommended maximum depth.

- iv) *Encourage the side yard setbacks for the development under R "a" zoning to be doubled from that required in the pertinent "R" District zone.*

The proposed additional floor area does not affect the dwelling's existing west and east side yards of 5.53 m (18.14 ft.) and 2.11 m (6.92 ft.) respectively. The R3 District requires a minimum side yard setback of 1.5 m (4.9 ft.) on each side of the building, while development under the R3a District zoning recommends a minimum side yard setback of 3.0 m (9.8 ft.). Although a 3.96 m (13 ft.) long portion of the east side of the dwelling is slightly within the recommended side yard setback, the impact is considered minimal as the interface is over a relatively short distance and with the neighbour's garage. The remainder of the east side of the building exceeds the recommended setback and the west side yard setback greatly exceeds the recommended side yard setback.

- v) *Encourage modeling and faceting by means such as indentations or additional setbacks, bay windows, balconies, porches and some variation in roof lines – particularly for any building face adjacent to a street.*

The proposed additional floor area would not affect the design of the exterior of the building, which includes significant faceting and articulation on the building frontage. No exterior changes are proposed.

- vi) *Eliminate large and excessive numbers of windows or active deck areas which are in close proximity to neighbouring dwellings.*

No additional windows or deck areas are proposed. It is noted that the rear elevation of the dwelling that is currently under construction features nine windows and a 3.99 m (13.1 ft.) wide covered porch area, none of which are in close proximity to neighbouring dwellings. Some of the windows, as well as the covered porch, would be partially screened by proposed landscaping. It is also noted that the west elevation of the dwelling features a covered 6.71 m (22 ft.) long patio area which would be partially screened by new on-site landscaping and by landscaping on the neighbouring property to the west.

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- vii) *Encourage the preservation of as much existing landscaping and mature trees as possible and the provision of appropriate new soft landscaping while avoiding an excessively hard, urban look to the site.*

The subject lot formerly contained six trees that were considered to be in poor form and were removed in accordance with Tree Permit TRE#15-200, which requires that six replacement trees be planted. Submitted landscape plans show appropriate new landscaping, including a total of ten new trees (three trees in the front yard, two trees in each of the side yards, and three trees in the rear yard), which is four more replacement trees than that required under Tree Permit TRE#15-200.

Overall, the proposed development is consistent with the guidelines for assessing single family dwellings in the R3a District.

- 3.5 The Director Engineering will be requested to provide an estimate for any required services to serve the site, including but not limited to:

- Cash-in-lieu for the construction of a future separated sidewalk.

- 3.6 The owner will be required to register a Section 219 Covenant to restrict the development of the property to that presented at the Public Hearing.

- 3.7 The applicant has advised the Planning Department that he has approached the residents in the neighbourhood regarding the proposed rezoning application to gauge the level of support. Of the 16 neighbouring properties approached, 12 residents signed a petition or contacted the applicant indicating support of the rezoning, three did not sign the petition, and one was unable to be contacted, despite repeated attempts.

- 3.8 Overall the development is consistent with the prevailing R3 District, and the proposal meets the guidelines for the R3a District to allow an additional 9.29 m<sup>2</sup> (100 sq. ft.) of floor area, a minor addition to the dwelling currently under construction.

#### 4.0 DEVELOPMENT PROPOSAL

- |     |                     |                                           |
|-----|---------------------|-------------------------------------------|
| 4.1 | <u>Site Area</u>    | - 853.58 m <sup>2</sup> (9,187.9 sq. ft.) |
| 4.2 | <u>Lot Coverage</u> |                                           |
|     | Permitted           | - 40 %                                    |
|     | Proposed            | - 25 %                                    |

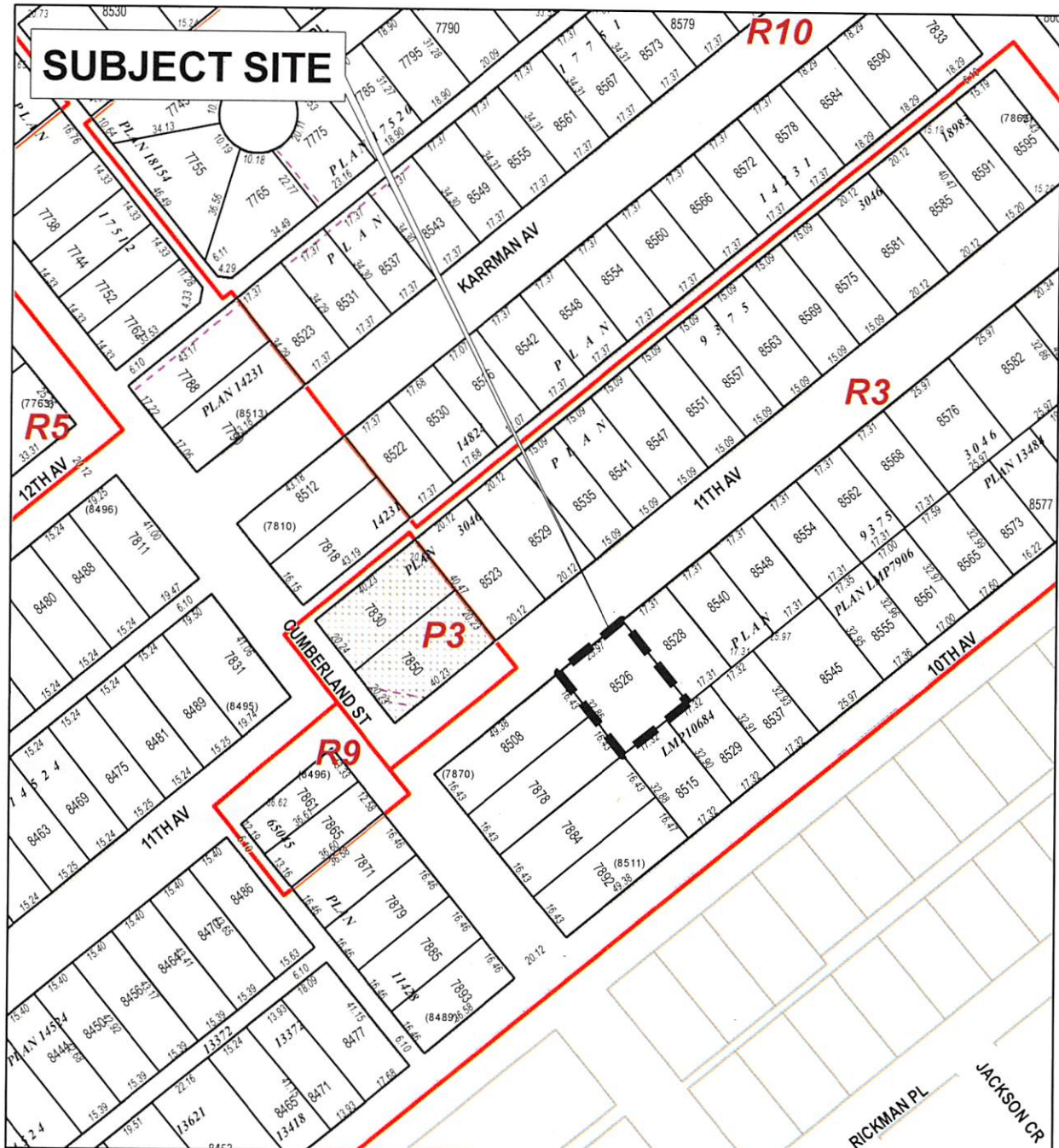
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- 4.3 Floor Area Ratio  
Permitted - 0.60 FAR  
Proposed - 0.44 FAR
- 4.4 Gross Floor Area  
Permitted - 512.15 m<sup>2</sup> (5,512.74 sq. ft.)  
Proposed - 378.86 m<sup>2</sup> (4,078 sq. ft.)
- 4.5 Above Grade Floor Area  
Permitted - 341.4 m<sup>2</sup> (3,674.8 sq. ft.)  
Proposed - 282.24 m<sup>2</sup> (3,038 sq. ft.)
- 4.6 Building Height  
Permitted - 2 storeys  
- 9.0 m (29.5 ft.)  
Proposed - 2 storeys  
- 8.94 m (29.33 ft.)

  
Lou Pelletier, Director  
PLANNING AND BUILDING

LS:spf  
**Attachment**

cc: Director Engineering  
City Solicitor  
City Clerk



PLANNING & BUILDING DEPARTMENT




DATE:  
AUG 02 2016

SCALE:  
1:2,000

DRAWN BY:  
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REZONING REFERENCE #15-46  
8526 11TH AVENUE

 Subject Site

Sketch #1