#### City of Surrey PLANNING & DEVELOPMENT REPORT Application No.: 7923-0321-00

Planning Report Date: February 24, 2025

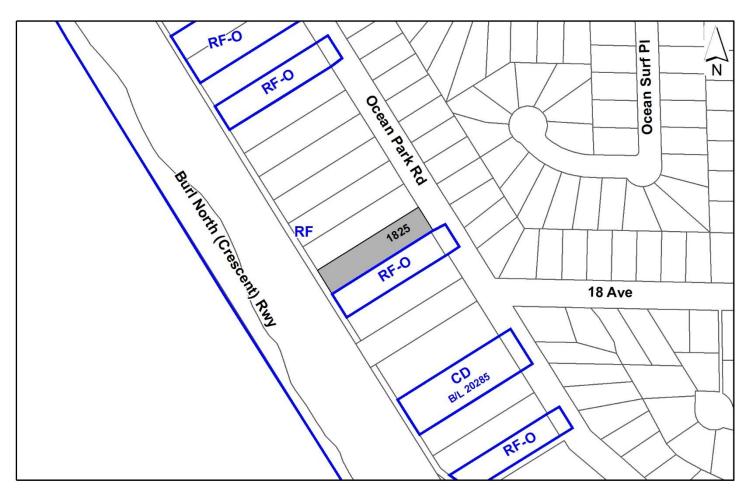
#### **PROPOSAL:**

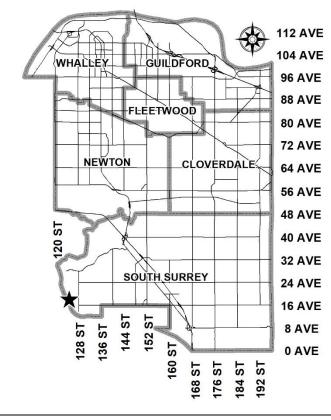
- **Rezoning** from R<sub>3</sub> to R<sub>2</sub>-O
- **Development Permit** for Hazard Lands (Steep Slopes)
- Development Variance Permit

to permit the development of a new dwelling and a pool within the rear yard setback.

LOCATION:	1825 - Ocean Park Road
ZONING:	R3

OCP DESIGNATION: Urban





#### **RECOMMENDATION SUMMARY**

- Rezoning By-law to proceed to Public Notification. If supported, the By-law will be brought forward for First, Second and Third Reading.
- Approval to draft Development Permit for Hazard Lands for a new dwelling.
- Approval for Development Variance Permit to proceed to Public Notification.

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

• Proposing to vary the rear yard setback requirements of the "Oceanfront Residential Zone (R2-O)" for a new pool (accessory building or structure).

#### **RATIONALE OF RECOMMENDATION**

- The proposal complies with the Urban designation in the Official Community Plan (OCP).
- The proposed density and building form are appropriate for the area.
- Similar properties nearby have rezoned to "Oceanfront Residential Zone (R2-O)".
- The proposal for the new dwelling complies with the Development Permit requirements in the OCP for Hazard Lands (Steep Slopes).
- The geotechnical report states the siting of the pool in the rear yard will decrease the load on the slope relative to the rock that will be excavated and replaced to accommodate the pool.
- In accordance with changes to the Local Government Act, Section 464, under Bill 44 (2023) a Public Hearing is not required for the subject rezoning application as the proposed rezoning is consistent with the Official Community Plan (OCP). As such, Council is requested to endorse the Public Notification to proceed for the proposed Rezoning By-law. The Rezoning By-law will be presented to Council for consideration of First, Second, and Third Reading, after the required Public Notification is complete, with all comments received from the Public Notification presented to Council prior to consideration of the By-law readings.

#### RECOMMENDATION

The Planning & Development Department recommends that:

- 1. Council endorse the Public Notification to proceed for a By-law to rezone the subject site from "Urban Residential Zone (R<sub>3</sub>)" to "Oceanfront Residential Zone (R<sub>2</sub>-O)";
- 2. Council authorize staff to draft Development Permit No. 7923-0321-00 for Hazard Lands (Steep Slopes), generally in accordance with the attached drawings (Appendix I) and the finalized geotechnical report.
- 3. Council approve Development Variance Permit No. 7923-0321-00 (Appendix V) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum rear yard setback of the "Oceanfront Residential Zone (R2-O)" from 10 metres to 2.1 metres for an accessory building and structure more than 10 square metres in area.
- 4. 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;
  - (c) submission of a finalized Geotechnical Report to the satisfaction of City staff; and
  - (d) 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.

#### SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP/NCP	Existing Zone	
		Designation		
Subject Site	Small Scale	Urban	R <sub>3</sub>	
	Residential			
North-East (Across Ocean Park	Small Scale	Urban	R <sub>3</sub>	
Road):	Residential			
South-East:	Small Scale	Urban	R2-0	
	Residential			
South-West:	Burlington	Urban	R <sub>3</sub>	
	Northern Railway			
North-West:	Small Scale	Urban	R <sub>3</sub>	
	Residential			

#### **Context & Background**

- The subject property is located on Ocean Park Road and is directly adjacent to the Burlington North Railway and has a steep slope to the rear, with the ocean beyond. The property is 1,712 square metres in area and is designated Urban in the Official Community Plan.
- The adjacent properties are mostly zoned "Urban Residential Zone (R<sub>3</sub>)" with a few zoned "Oceanfront Residential Zone (R<sub>2</sub>-O)" through previous applications. Previous rezonings to "Oceanfront Residential Zone (R<sub>2</sub>-O)" nearby include application 7912-0046-00 for the project abutting to the southeast, which received Final Adoption on November 5, 2012.

#### **DEVELOPMENT PROPOSAL**

#### **Planning Considerations**

• The applicant is proposing a rezoning from "Urban Residential Zone (R<sub>3</sub>)" to "Oceanfront Residential Zone (R<sub>2</sub>-O)", a Development Permit for Hazard Lands (Steep Slopes), and Development Variance Permit to reduce the rear yard setback from 10 metres to 2.1 metres in order to permit the construction of a pool at the rear of the property.

#### Referrals

Engineering:	The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix II.
School District:	Based on the assumption of the maximum four dwelling units that would be permitted on the lot (whereas the applicant is only proposing one), the School District has advised that there could be approximately four school-age children generated, of which the School District has provided the following expected student enrollment.
	Two Elementary students at Ocean Cliff Elementary School One Secondary students at Elgin Park Secondary School
	(Appendix III)
	Note that the number of school-age children is greater than the expected enrollment due to students attending private schools, home school or different school districts.
	The applicant has advised that the dwelling in this project is expected to be constructed and ready for occupancy within 18 months of planning application completion.

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Parks, Recreation & Culture:	Ocean Cliff Park is the closest park with active amenities and is 550 metres walking distance from the development. Ben Stevenson View Park is the closest park with natural area and is 65 metres walking distance from the development.
Burlington Northern Railway:	Burlington Northern Railway was contacted as adjacent property owners downslope of the proposed development. Partial comments relating to identifying their property on the site plan, confirming no runoff drainage would be directed to their property, and clarification of proposed tree removal were received and addressed by the applicant, though no final comments were received for inclusion in this report.

#### **Transportation Considerations**

- The subject property will be required to dedicate approximately 1.9 metres of road allowance along the Ocean Park Road frontage.
- Vehicular access to the subject property will continue to be via Ocean Park Road to the northeast.
- A Mini-Bus operates Route 360 between Ocean Park and Peace Arch Hospital which can be accessed from two bus stops on Ocean Park Road, 30-50 metres from the subject property.
- The subject property is located approximately 645 metres from a bike route on 120 Street.

# POLICY & BY-LAW CONSIDERATIONS

#### **Official Community Plan**

#### Land Use Designation

• The proposal complies with the "Urban" designation in the Official Community Plan. The subject site is not located in a Secondary Plan Area.

#### **Themes/Policies**

- Land Use and Densities, Figure 8: Neighbourhood Compatibility:
  - The proposal is compatible with the neighbourhood's character regarding size, building siting, and principal dwelling setbacks.

#### **Zoning By-law**

• The applicant proposes to rezone the subject site from "Urban Residential Zone (R<sub>3</sub>)" to "Oceanfront Residential Zone (R<sub>2</sub>-O)".

• The table below provides an analysis of the development proposal in relation to the requirements of the Zoning By-law, including the "Oceanfront Residential Zone (R2-O)" and parking requirements.

R2-O Zone (Part 14A)	Permitted and/or	Proposed
	Required	
Unit Density:	N/A	N/A
Yards and Setbacks (Principal Buil	ding)	
Front Yard (North-East):	10 metres	42.6 metres
Side Yard (South-East):	1.8 metres	1.9 metres
Side Yard (North-West):	1.8 metres	1.8 metres
Rear (South-West):	10 metres	10 metres
Yards and Setbacks (Other Accesso	ory Buildings and Structures	>10 sq. m)
Front Yard (North-East):	10 metres	N/A
Side Yard (South-East):	1 metre	8.4 metres
Side Yard (North-West):	1 metre	1.8 metres
Rear (South-West):	10 metres	2.1 metres (DVP)
Lot Size		
Lot Size:	1,000 square metres	1,712 square metres
Lot Width:	20 metres	20 metres
Lot Depth:	45 metres	85 metres
Parking (Part 5)	Required	Proposed
Number of Spaces	2	3

#### Setback Variance

- The applicant is requesting the following variance:
  - to reduce the minimum rear yard setback of the "Oceanfront Residential Zone (R2-O)" from 10 metres to 2.1 metres for an accessory building and structure more than 10 square metres in area.
- The geotechnical report states that the pool will reduce loading on the slope relative to the rock that will be excavated and replaced to accommodate the pool.
- Staff support the requested variance to proceed for consideration.

#### **PUBLIC ENGAGEMENT**

- The Development Proposal Sign was installed on April 4, 2024, and was revised to reference the updated zone names on August 26, 2024, and pre-notification letters were sent on January 22, 2025. Staff received no responses from neighbouring residents.
- The pre-notification letters were provided to the Friends of Semiahmoo Bay Society, Ocean Park Business Association, and the Ocean Park Community Association. No responses were received by staff.

### **DEVELOPMENT PERMITS**

#### Hazard Lands (Steep Slope) Development Permit Requirement

- The subject property falls within the Hazard Lands (Steep Slope) Development Permit Area (DPA) in the OCP, given that the site is within 30 metres from the top of a slope in excess of 20%. The Hazard Land (Steep Slope) Development Permit is required to protect developments from hazardous conditions.
- The subject property slopes down towards the southwest (rear of lot), decreasing in elevation roughly 5 metres over the length of the property. A steep slope of about 90% in gradient is located southwest of the property. Shallow retrogressive landslips are common along the slope and are apparent in photographs from COSMOS between 1949 and 2023.
- A geotechnical report, prepared by Thanh V. Le, *P. Eng.*, of Terran Geotechnical Consultants Ltd. and dated November 13, 2024 was peer reviewed by Raul Valverde, *P. Eng.*, of Valley Geotechnical Engineering Services Ltd. and found to be generally acceptable by the peer reviewer. The report and peer review were reviewed by staff and found to mainly conform to the OCP Development Permit guidelines for Hazard Lands, with some modifications to content of the report still required. The finalized geotechnical report will be incorporated into the Development Permit.
- The geotechnical report investigated issues related to slope stability and natural storm water drainage, from a geotechnical perspective, to determine the feasibility of developing a new home and pool on the site and proposing recommendations to ensure the ongoing stability of the slope.
- The consultant has determined that the development is feasible provided that the recommendations in their report are incorporated into the overall design of the site, including a geotechnical setback for the dwelling and pool of at least 14.5 metres from the top of the slope (with the proposed setback for the dwelling at roughly 24 metres from the top of slope).
- Registration of a Section 219 Restrictive Covenant that requires the owner to develop the site in accordance with the conditions in the geotechnical report is required as a condition of final adoption.
- At Building Permit stage, the Building Division will require Letters of Assurance from a geotechnical engineer to ensure that the building plans comply with the recommendations in the approved geotechnical report.

#### TREES

• Michael Winkelman, ISA Certified Arborist of Alpine Tree Care prepared an Arborist Assessment for the subject site. The table below provides a summary of the proposed tree retention and removal. A detailed list of the proposed tree retention and removal by tree species can be found in (Appendix IV):

 All trees identified for removal, retention and/or replacement are subject to change prior to final approval of the arborist report.

		Existing	Remove	Retain	
Deciduous Trees		1	0	1	
Coniferous Trees		12	4	8	
Onsite Tree Totals		<u>13</u>	<u>4</u>	<u>9</u>	
Onsite Replacement Trees Proposed	8				
Total Onsite Retained and Replacement Trees	17				

- The Arborist Assessment states that there are a total of 13 bylaw protected trees on the site. Additionally, there are 15 bylaw protected offsite trees on neighbouring properties within proximity of the proposed development. The applicant proposes to retain nine onsite trees 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 2 to 1 replacement ratio. This will require a proposed total of eight replacement trees on the site. The applicant is proposing eight replacement trees, meeting City requirements.
- In summary, a total of 17 trees are proposed to be retained or replaced on the site, with no contribution to the Green City Program required.

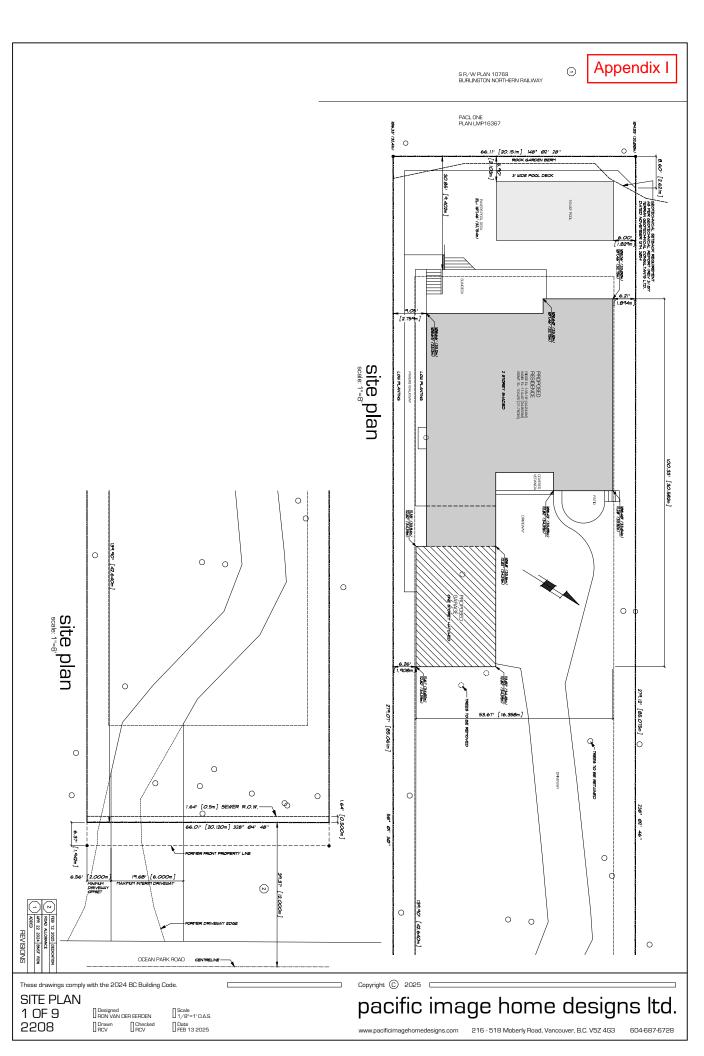
#### INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Site Plan
Appendix II.	Engineering Summary
Appendix III.	School District Comments
Appendix IV.	Summary of Tree Survey, Tree Preservation and Tree Plans
Appendix V.	Development Variance Permit No. 7923-0321-00

approved by Chris McBeath

Ron Gill General Manager Planning and Development





Appendix II

# TO: Director, Development Planning, Planning and Development Department FROM: Director, Land Development, Engineering Department DATE: February 11, 2025 PROJECT FILE: 7823-0321-00 RE: Engineering Requirements

#### RE: Engineering Requirements Location: 1825 Ocean Park Rd

# **REZONE/SUBDIVISION**

# Property and Right-of-Way Requirements

- Dedicate 1.942m for a total of 12.0m from legal road centerline along Ocean Park Road.
- Dedicate 0.5m wide Statutory Right-of-Way along Ocean Park Road.

### Works and Services

- Construct west side of Ocean Park Road.
- Provide driveway, water, drainage and sanitary service connections to the lot.

A Servicing Agreement is required prior to Rezone/Subdivision.

# DEVELOPMENT PERMIT/DEVELOPMENT VARIANCE PERMIT

There are no engineering requirements relative to issuance of the Development Permit/ Development Variance Permit.

Jeffy lang

Jeff Pang, P.Eng. Director, Land Development

DC



Department:	Planning and Demographics
Date:	January 22, 2025
Report For:	City of Surrey

School-aged children population projection

Projected Number of Students From This Development In: Elementary School =

Application #:

The proposed development of 4 Single Family units are estimated to have the following impact on elementary and secondary schools within the school regions.

23 0321 00

Summary of Impact and Commentary The following tables illustrate the historical, current and future enrolment projections

including current/approved ministry operating capacity for the elementary and secondary schools serving the proposed development.

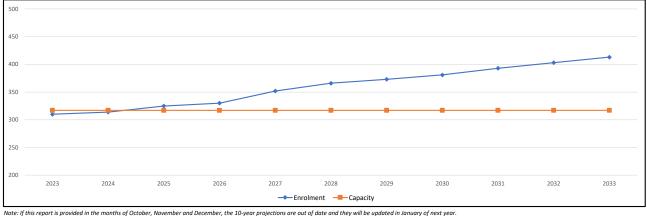
Ocean Cliff Elementary enrollment projections are indicating that over the next 10 years, the school will remain steady. Any unexpected enrolment growth will be managed by two to three portables in the short term. There are no current plans to expand the existing school.

Total Students =	3	
Current Enrolment and Capacities:		
Ocean Cliff Elementary		
Enrolment	314	
Operating Capacity	317	
# of Portables	2	
Elgin Park Secondary		
Enrolment	1430	
Operating Capacity	1200	
# of Portables	4	

As of September 2023, Elgin Park is at 115% capacity. Elgin Park Secondary enrolment is expected to modestly grow over the next 10-years. There are no current plans to expand Elgin Park Secondary.

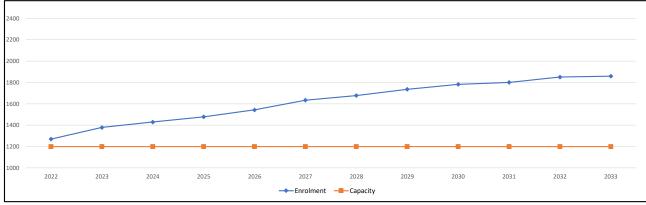
Ocean Cliff Elementary

Secondary School =



1

Elgin Park Secondary



Note: If this report is provided in the months of October, November and December, the 10-year projections are out of date and they will be updated in January of next year.

**Population** : The projected population of children aged 0-17 impacted by the development. Enrolment: The number of students projected to attend the Surrey School District ONLY.



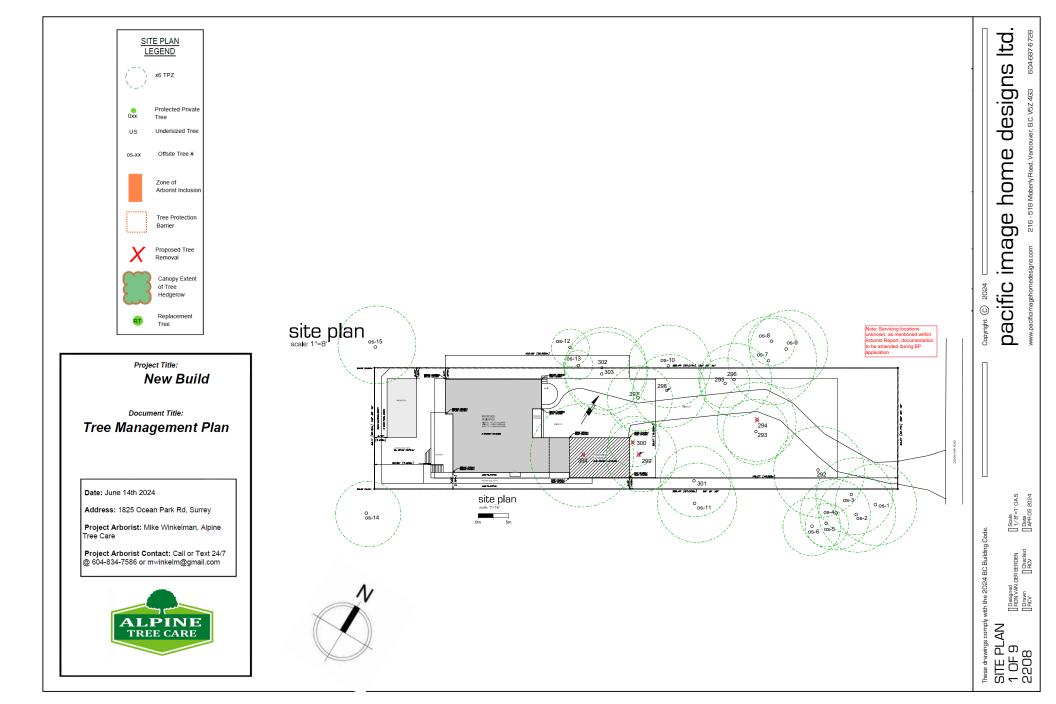


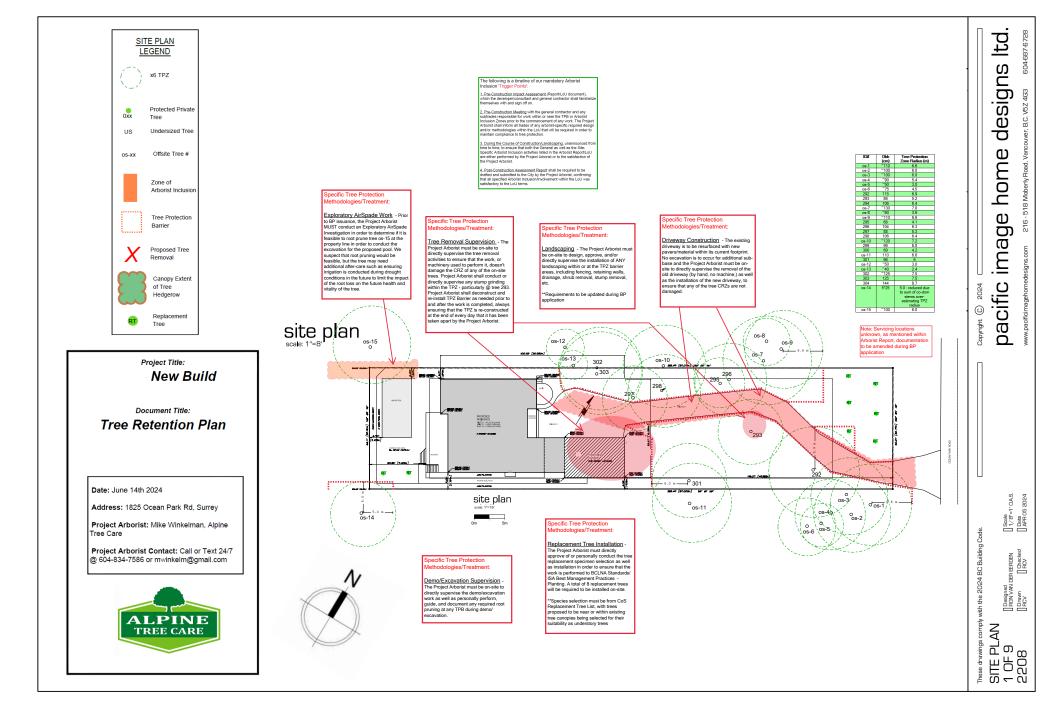


ID#	Surv eyed	Location: (On/Off/ City)	Common Name	Scientific Name	Dbh (cm)	LCR (%)	Canopy Radius (m)	Condition	Retention Suitability	Retain/Remove	Tree Protection Zone Radius (m)
os-1	у	Off	Douglas Fir	Pseudotsuga menziesii	~110	85	8	Good vigor, previously topped with upper canopy co-doms	Suitable	Retain	6.6
os-2	у	Off	Douglas Fir	Pseudotsuga menziesii	~100	80	6	Good vigor, previously topped with upper canopy co-doms	Suitable	Retain	6.0
os-3	У	Off	Western Red Cedar	Thuja plicata	~100	90	6	Good vigour, single stemmed	Suitable	Retain	6.0
os-4	у	Off	Douglas Fir	Pseudotsuga menziesii	~90	80	6	Good vigour, single stemmed	Suitable	Retain	5.4
os-5	у	Off	Douglas Fir	Pseudotsuga menziesii	~50	80	5	Good vigour, single stemmed	Suitable	Retain	3.0
os-6	У	Off	Douglas Fir	Pseudotsuga menziesii	~75	80	5	Good vigour, single stemmed	Suitable	Retain	4.5
292	У	On	Western Red Cedar	Thuja plicata	115	85	7	Good vigour, single stemmed	Suitable	Retain	6.9
293	У	On	Western Red Cedar	Thuja plicata	86	75	5	Moderate vigour, previously topped with upper canopy co-doms	Suitable	Retain	5.2
294	У	On	Grand Fir	Abies grandis	106	70	5	Good vigor, previously topped with upper canopy co-doms	Unsuitable - TRAQ Rating is High due to previously topped condition and multiple re-grown co-dom tops with suspected included bark. Aerial drone inspection (level 3 TRAQ) recommended to confirm condition/structure @ union and fulfill CoS removal requirements. See photo above for limited view that we had from the street.	Remove & Replace	6.4
os-7	у	Off	Douglas Fir	Pseudotsuga menziesii	~130	65	6	Good vigour, single stemmed	Suitable	Retain	7.8
os-8	у	Off	Douglas Fir	Pseudotsuga menziesii	~60	65	6	Good vigour, single stemmed	Suitable	Retain	3.6
os-9	у	Off	Douglas Fir	Pseudotsuga menziesii	~110	65	6	Good vigour, single stemmed	Suitable	Retain	6.6
295	У	On	Western Red Cedar	Thuja plicata	68	80	5	Good vigour, single stemmed	Suitable	Retain	4.1
296	у	On	Douglas Fir	Pseudotsuga menziesii	104	50	7	Good vigour, single stemmed	Suitable	Retain	6.3
297	У	On	Western Red Cedar	Thuja plicata	88	70	7	Good vigour, single stemmed	Suitable	Retain	5.3
298	У	On	Western Red Cedar	Thuja plicata	106	70	7	Good vigour, single stemmed	Suitable	Retain	6.4
os-10	У	Off	Western Red Cedar	Thuja plicata	~120	80	6	Good vigor, co-dom at ground level	Suitable	Retain	7.2
299	у	On	Douglas Fir	Pseudotsuga menziesii	99	80	6	Moderate vigour, previously topped with upper canopy co-doms	Unsuitable - conflicts with proposed garage footprint	Remove & Replace	6.0
300	У	On	Western Red Cedar	Thuja plicata	69	75	5	Moderate vigour, previously topped with upper canopy co-doms	Unsuitable - conflicts with proposed garage footprint	Remove & Replace	4.2
os-11	у	Off	Douglas Fir	Pseudotsuga menziesii	110	50	6	Good vigour, single stemmed	Suitable	Retain	6.6
301	У	On	Western Red Cedar	Thuja plicata	96	70	7	Good vigour, single stemmed	Suitable	Retain	6
os-12	У	Off	Western Red Cedar	Thuja plicata	~50	70	5	Good vigour, single stemmed	Suitable	Retain	3.0
os-13	У	Off	Western Red Cedar	Thuja plicata	~40	70	5	Good vigour, single stemmed	Suitable	Retain	2.4
302	у	On	Douglas Fir	Pseudotsuga menziesii	~125	50	6	Good vigour, single stemmed	Suitable	Retain	7.5
303	у	On	Grand Fir	Abies grandis	125	50	5	Good vigour, single stemmed	Suitable	Retain	7.5
304	У	On	Douglas Fir	Pseudotsuga menziesii	144	80	8	Moderate vigour, previously topped with upper canopy co-doms	Unsuitable - conflicts with proposed garage footprint	Remove & Replace	8.7
os-14	У	Off	Wild Cherry	Prunus avium	5*25	60	7	Defoliated but appeared to have at least moderate vigour, multiple co-doms at ground level	Suitable	Retain	5.0 - reduced due to sum of co-dom stems over- estimating TPZ radius
os-15	у	Off	Western Red Cedar	Thuja plicata	~100	85	8	Good vigour, previously topped with upper canopy co-doms	Suitable - Level 3 TRAQ required to confirm root pruning feasibility but we strongly suspect this will be feasible based on the limited CRZ loss.	Retain	6.0

# Tree Preservation Summary

	Onsite	Offsite	CoS Parks
Trees to be Removed	4	0	0
Trees to be Retained	9	15	0
Replacement Trees Required	8	0	n/a
Replacement Trees Proposed	8	0	n/a
Replacement Trees (cash in lieu)	0	0	n/a





#### CITY OF SURREY

(the "City")

### **DEVELOPMENT VARIANCE PERMIT**

NO.: 7923-0321-00

Issued To:

(the "Owner")

Address of 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: 001-942-298 Lot 14 Section 18 Township 1 New Westminster District Plan 1062

1825 Ocean Park Road

(the "Land")

- 3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
  - (a) Section F.1. of Part 14A 'Oceanfront Residential Zone', is varied to reduce the minimum rear yard setback for other accessory buildings and structures > 10 square metres from 10 metres to 2.1 metres to permit the construction of a pool.
- 4. This development variance permit applies to only the\_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.
- 5. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.

Appendix V

- 6. This development variance permit shall lapse if the Owner does not substantially start any construction with respect to which this development variance permit is issued, within two
  (2) years after the date this development variance permit is issued.
- 7. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
- 8. This development variance permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL/DELEGATED OFFICIAL, THE DAY OF  $\,$  , 20  $\,$  .

ISSUED THIS DAY OF , 20 .

Mayor – Brenda Locke

City Clerk – Jennifer Ficocelli

