



Corporate Report

NO: L002

COUNCIL DATE: February 25, 2008

REGULAR COUNCIL – LAND USE

TO: Mayor & Council DATE: February 25, 2008
FROM: General Manager, Planning and Development FILE: 6520-20 (Royal Heights)
SUBJECT: Proposed Area-wide Rezoning from RF to CD in the Royal Heights Park Area

RECOMMENDATION

It is recommended that Council:

1. Receive this report as information; and
2. Bring forward Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2007, No. 16419 ("By-law No. 16419") for second reading and set a date for the related Public Hearing.

INTENT

The purpose of this report is to:

- Inform Council of the results of the neighbourhood consultation process undertaken to receive comments from the owners of 126 RF lots in the Royal Heights Park area with regard to the neighbourhood-initiated rezoning from the RF zone to a CD zone, which would have the effect of reducing the maximum size and height of houses permitted on lots in the area; and
- Recommend that By-law No. 16419, the by-law that would establish the CD Zone, be given first and second readings and that a date be set for the related public hearing.

BACKGROUND

On June 11, 2007, Council-in-Committee received a delegation from homeowners in the Royal Heights Park area of Surrey (see map attached as Appendix I), requesting that the zoning in their neighbourhood be changed from RF to CD in order to preserve the existing residential character. They requested that Council rezone their neighbourhood in the same way as the recent downzoning in the St. Helens Park Neighbourhood. The

residents also requested that the City declare a moratorium on the issuance of building permits in their neighbourhood, pending the outcome of the rezoning study. Under the provisions of 929 of the *Local Government Act*, Council may direct that building permits be withheld for up to 90 days while such a rezoning study is underway. On June 26, 2007, Council gave first reading to By-law No. 16419, to rezone the area from RF to CD in order to make legal the withholding of building permits in this area.

On July 23, 2007, Council considered Corporate Report No. L008, which outlined the issues related to this request. After considering the report, Council endorsed a neighbourhood consultation process in order to determine the level of support in the neighbourhood for the proposed rezoning, and directed staff to report back to Council with the results of the neighbourhood consultation process, including the related survey results.

The above-noted neighbourhood consultation process was to consist of the following steps:

1. The Royal Heights Park Group would hold a neighbourhood open house/public meeting to gauge the level of support for the proposed zoning provisions. Staff would attend the meeting as a resource to answer any technical questions about the draft zoning provisions and respond to any questions about the rezoning process.
2. On the basis of the comments received, the Royal Heights Park Group would revise or fine-tune the proposed zoning provisions. Staff would work with the Group representatives to prepare a draft CD Zone.
3. Staff would send a survey by registered mail to all owners whose properties would potentially be rezoned through this process. The mail out would contain information on the detailed provisions of the draft CD Zone and a questionnaire. This survey would determine the extent of support by owners whose properties would be directly involved in the rezoning.
4. Staff would report back to Council on the results of the process and survey and provide recommendations for Council's consideration on whether to proceed with a rezoning by-law for the neighbourhood.

DISCUSSION

The Proposed RF Zone

The provisions of By-law No. 16419, a Zoning By-law Amendment By-law, currently at first reading, were prepared on the basis of the zoning changes proposed by the Royal Heights Park Group. These are the same as the provisions of By-law No. 16156, adopted by Council in December 2006, for the St. Helens Park area. By-law No. 16419, if adopted, would result in the following changes to the current RF zone as it applies to the lots in Royal Heights:

1. Reduce the maximum house size from 3,550 square feet (330 square metres) to 3,200 square feet (297 square metres) *including* the basement, garage/carport and all accessory buildings;
2. Reduce the maximum height of the house from 30 feet (9 metres) to 22 feet (6.7 metres);
3. Establish the minimum side yard setback at 6 feet (1.8 metres) regardless of whether the other side yard setback is 8 feet (2.4 metres) or larger; and
4. Establish a minimum roof pitch of 2:12 and maximum of 6:12. There are no roof pitch requirements in the current RF Zone

A table detailing the regulations of both the current and the proposed zoning is contained in Appendix III (Attachment #3) to this report.

Neighbourhood Consultation Process

Steps 1 & 2 - Neighbourhood Meeting & Comments on the Proposed CD Zone

The Royal Heights Park Group ("The Rezoning Proponents") held a public information meeting on October 16, 2007 at the Royal Heights Baptist Church. City staff also attended this meeting and provided information on the draft Zoning By-law as well as the rezoning process. Information comparing the proposed CD Zoning regulations with the existing RF Zoning regulations was available.

The Neighbourhood Rezoning Proponents advised that invitations to this meeting had been sent to all of the owners of RF lots in the area. A comment sheet was distributed at the meeting and was also distributed by the Rezoning Proponents to those who did not or could not attend the meeting.

According to the information provided by the Rezoning Proponents, 100 people attended the meeting. Ninety-five completed comment sheets were received, which represented over 75% of the 126 RF lots. Ninety-two of the 95 responses received indicated support for the proposed rezoning.

None of the owners attending the meeting or responding to the comment sheet suggested any changes to the proposed zoning provisions and, as such, the Rezoning Proponents did not request any revisions to the provisions of the draft By-law No. 16419.

Steps 3 & 4 - Neighbourhood Survey & Results

On November 13, 2007 staff forwarded a survey package by registered mail to the owners of each of the 126 RF lots in the Royal Heights Park area. A copy of the Survey Package is attached as Appendix III. The Survey Package contained the following information,

1. A letter along with a map of the Royal Heights Park Area;

2. A Questionnaire for the lot owner to complete regarding the owner's position on the proposed rezoning and any additional comments. An addressed, pre-stamped return envelope was included with each questionnaire;
3. A brief explanation of the reasons for the proposed rezoning and description of the neighbourhood consultation process;
4. A table documenting how the regulations of the proposed CD Zone would differ from the regulations of the current RF Zone; and
5. Illustrations to show the possible impact on the house massing under the proposed CD Zone compared to the current RF Zone.

The RF lot owners were requested to mail back the completed questionnaires by December 21, 2007, which gave them over 5 weeks to complete the questionnaires. On January 23, 2008 Survey packages were resent to owners of the 31 RF lots who had not responded to the first mailing of the questionnaires.

Survey Results

As of February 15, 2008, a total of 115 completed questionnaires have been received, representing 91% of the 126 lots. .

The following table summarizes the 115 responses:

	Number of Responses Received (One response per Lot)	No Responses Received	% of the Total Number of Responses Received (115 Lots)	% of the Total Number of RF Lots (Total 126)
"Yes" to the Rezoning	101		88%	80%
"No" to the Rezoning	13		11%	10%
Survey returned stating "No Response" to the Rezoning at this time	1		1%	1%
Survey not returned.		11		9%
Sub-Total	115	11		
Total	115 + 11 = 126		100%	100%

The responses are shown on the map attached as Appendix II.

Of the 115 questionnaires that were returned, 88% indicated support of the rezoning, comprising of 80% of the total lots in the neighbourhood. This indicates a high level of support for the proposed rezoning.

By comparison, the survey results for the St. Helens Park rezoning in 2006, indicated 63.1% overall support.

CONCLUSION

Based on the above discussion and the substantial support for the proposed rezoning as indicated by the results of the City survey of the Royal Heights Park area, it is recommended that Council give second reading to the By-law No. 16419 and set a date for the related public hearing.

Jean Lamontagne
General Manager
Planning and Development

BP/kms/saw

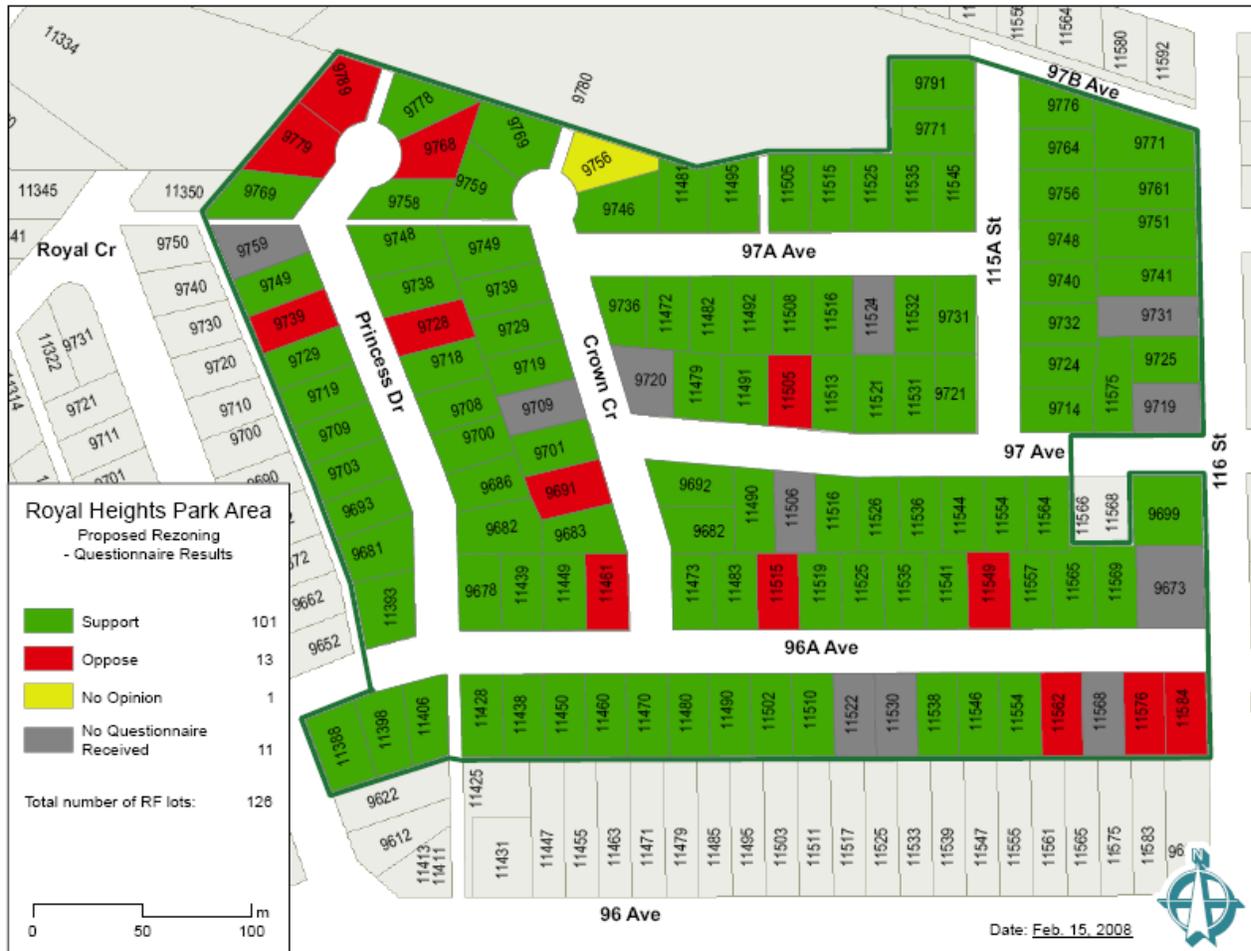
Attachments:

Appendix I Royal Heights Park Area - Rezoning Boundary

Appendix II Map of the Neighbourhood Survey Results

Appendix III Survey Package mailed to the RF Lot Owners in the Royal Heights Park Area

Royal Heights Park Neighbourhood Survey Results



Survey Package mailed to the RF Lot Owners in the Royal Heights Park Area



CITY OF SURREY
 Planning & Development Department

14245 - 56th Avenue, Surrey
 British Columbia, Canada V3X 3A2

Telephone
 604-591-4441

Fax
 604-591-2507

REGISTERED

November 13, 2007

File: 4520-01

TO: OWNERS OF PROPERTIES ZONED SINGLE FAMILY RESIDENTIAL (RF) IN THE ROYAL HEIGHTS PARK AREA

Dear Sir/Madam:

This survey concerns the proposed rezoning of your lot(s) in the Royal Heights Park area shown in the map below.



Please review and read all of the information contained in the attached survey package, and promptly complete and return the Questionnaire included in the package.

This package contains the following:

Attachment 1 - Questionnaire on the proposed rezoning from RF to CD, and Return Envelope.

(The City requires the completed Questionnaire no later than December 21, 2007).

Attachment 2 - Description of the rezoning proposal and process

Attachment 3 - A table comparing the current (RF) and proposed (CD) zone regulations.

Attachment 4 - Illustrations showing Impact on the House Massing of the Proposed CD Zone Regulations compared to the Existing RF Zone Regulations.

If you have any questions or require clarification, please call Bhargav Parghi, Senior Planner, at 604-591-4394 or by e-mail at BNParghi@surrey.ca.

Yours truly,

Judy McLeod, MCIP
Manager
Long Range Planning & Policy Development

BP/kms



QUESTIONNAIRE

Royal Heights Park Area - Proposed Rezoning from RF to CD

*Please complete and return this Questionnaire
no later than Friday, December 21, 2007, in the attached return envelope.*

Please circle the appropriate response below.

1. **I am / We are** the **owner/owners** of property/properties in the Royal Heights Park area. **I am / We are** aware that Surrey City Council is considering a request to rezone all of the RF Zoned properties in this area from RF to Comprehensive Residential Zone (CD), including the Properties that **I / we** own.
2. **I/We** have read the letter dated November 13, 2007 from the City of Surrey and accompanying information sheets ("survey package"), which explain the regulations of the proposed CD Zone compared to the existing RF Zone, and implications of the CD Zone on any new construction that may be permitted on the properties under the proposed CD Zone.
3. **I/We** fully understand the proposed CD Zone regulations and their implications. If Surrey City Council approves the proposed CD Zone, **I/we** recognize that the above-noted property/properties will be rezoned from RF to CD (downzoned), whether or not **I am / we are** in favour of the rezoning.

Please provide address(es) below of the property/properties you own in the Royal Heights Park area.

Please check the appropriate answers below.

_____ I/We SUPPPORT the proposed rezoning (downzoning) from RF to CD of my/our property/properties.

_____ I/We OPPOSE the proposed rezoning (downzoning) from RF to CD of my/our property/properties.

_____ I/We DO NOT wish to provide any response to the proposed rezoning (downzoning) from RF to CD of my/our property/properties.

If you have any additional comments, please provide in the space below.

Owner's Name(s) – (please PRINT your name)

Owner's Signature(s)

Mailing Address

Phone Number

E-mail (optional)

Attachment #1

BEFORE you complete and sign the Questionnaire please carefully read the following:

- ONLY the registered property owner(s) should sign the completed questionnaire before it is returned to the City.
- **Please print your name and sign the Questionnaire before returning it to the City.** An unsigned Questionnaire will be reported to Council as a "No Response" from you to the proposed rezoning of your lot(s).
- If a lot is owned by multiple owners, one or more owners of the lot may sign the questionnaire. If only one or more than one owner, but not all of the owners, signs and returns a single questionnaire, staff will assume that a consensus has been reached among all of the owners about their response to the rezoning. If, however, more than one questionnaire is returned from a different owner of the same lot and each questionnaire contains a different response, staff will assume that no consensus has been reached by the owners and, therefore, will report the position of the lot owners on the rezoning as "Undecided".
- Only ONE response per lot/household will be reported to Council, regardless of the number of signatures on a questionnaire and number of questionnaires returned for each lot.

Please return the questionnaire NO LATER THAN FRIDAY, DECEMBER 21, 2007 by mailing it back to the City in the return envelope included in this survey package. To allow you to promptly return the completed Questionnaire, this envelope is stamped and pre-addressed.

If you have any questions or require clarification, please call Bhargav Parghi, Senior Planner, at 604-591-4394 or by e-mail at BNParghi@surrey.ca.

Attachment #2

What is being proposed for the RF-Zoned Properties in the Royal Heights Park Area?

On June 11, 2007, Surrey City Council received a Delegation from a number of property owners from the Royal Heights Park area. The Delegation to expressed concerns that the size of the houses, as currently permitted under the Single Family Residential (RF) Zone of the City of Surrey Zoning By-law is having a negative impact on the existing residential character of their area.

The Delegation requested that, in order to preserve the area's existing character, Council rezone all of RF zoned properties in the defined area from RF to a Comprehensive Development (CD) Zone to reduce the size and height of houses permitted. The Delegation submitted a 147-signature petition from the owners of the 126 RF-zoned lots within the area to advise Council that a large majority of the owners in the area were in favour of the requested rezoning.

On June 26, 2007, Surrey City Council gave First Reading to a Rezoning By-law No. 16419. If Council gives this by-law Final Adoption, all of the RF-zoned properties in the Royal Heights Park area will be rezoned from RF to CD. To determine the level of support for the requested rezoning, Council has instructed City staff to commence a neighbourhood consultation process. The purpose of this process is to give an opportunity to the owners of the RF lots to understand the implications of the proposed change in the zoning of their lots and to provide their comments.

Council will not make a final decision on the requested rezoning until they have considered the results of the consultation process. A comparison of the current zoning and proposed new zoning provisions is provided in this survey package. If you would like to review By-law No. 16419, please call Bhargav Parghi, Senior Planner, at 604-591-4394.

Neighbourhood Consultation Process

The neighbourhood consultation process mentioned above consists the following steps:

Step 1 – Public Meeting

The Rezoning Proponents held a public information meeting on Tuesday, October 16, 2007 at 7 PM at the Royal Heights Baptist Church. City staff also attended this meeting. The Rezoning Proponents advised that the invitations to this meeting had been sent to all of the owners of the RF lots in the area. A comment sheet was distributed at the meeting and was also distributed by the Rezoning Proponents to those who did not or could not attend the meeting. According to the information provided by the Rezoning Proponents 100 people attended the meeting. 95 completed comment sheets were received, which represents over 75% of the 126 RF lots. 92 (approximately 97%) of the 95 responses indicated support for the rezoning, which is 73% support from the owners of the 126 RF lots. 3 (3%) of the 95 responses indicated opposition to the rezoning, which is just over 2% of 126 lots. The owners of the remaining 31 RF lots (approximately 25% of 126 lots) did not provide any response and did not return the comments sheet.

Step 2 – Confirm or Revise Rezoning Proposal

On the basis of the comments received, the Rezoning Proponents had the opportunity to suggest revisions, if required, to the proposed regulations of the CD Zone, and work with staff to revise the draft Rezoning By-law No. 16419.

As none owners attending the meeting or responding to the comment sheet suggested any changes to the proposals, the proponents have not requested any revisions to the provisions of draft Rezoning By-law No. 16419

Step 3 – Survey by Registered Mail

Council directed that City staff send a survey by registered mail to all of the RF lot owners in the proposed rezoning area, including information on the proposed CD zoning regulations and their implications, and containing a questionnaire to determine the level of support and opposition to the rezoning.

This survey package contains a Questionnaire for you to complete and return to the City. Staff will report to Council about the level of support and opposition to the rezoning based on the responses to this Questionnaire by the owners of the 126 RF lots. Although you may have previously signed the petition on the rezoning to Council and completed the comment sheet distributed by the Rezoning Proponents, it is important that you review the attached information, complete the Questionnaire enclosed with this letter and return it promptly to the City.

Step 4 – Report to Council

City staff will tabulate the results of this survey and report back to Council with recommendation on the requested rezoning from RF to CD for Council's consideration.

After considering the staff report, Council will decide whether to proceed with the Rezoning By-law No. 16419 and hold a Public Hearing, or to deny the requested rezoning. If Council decides to proceed with the rezoning, a Public Hearing will be held on the by-law. After the Public Hearing, Council will decide whether to approve the by-law or to retain the current zoning.

Attachment #3

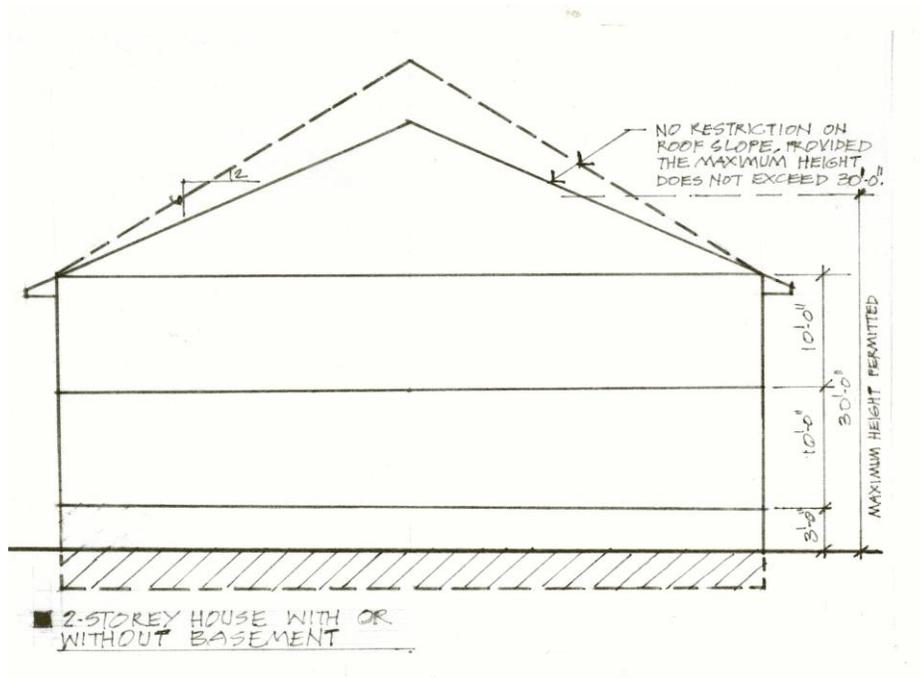
Proposed Regulations of the CD Zone compared to the Existing RF Zone

Zoning Regulation	Proposed CD Zone	Existing RF Zone
D. Density: <ul style="list-style-type: none"> Maximum Allowable Floor Area 	298 sq. m. (3,200 sq. ft.) including basement, garage or carport and accessory buildings	270 sq. m. (2,900 sq. ft.)* on lots of 560 sq. m. (6,000 sq. ft.) or less, or 330 sq. m. (3,550 sq. ft.)* on lots in excess of 560 sq. m. (6,000 sq. ft.) * 37 sq. m. (400 sq. ft.) of the maximum allowable floor area must be reserved as a garage or carport. An accessory building not exceeding 10 sq. m. (105 sq. ft.) in size is exempt from the maximum floor area limitation. If the accessory building exceeds this size, any area in excess of 10 sq. m. shall be included in the maximum floor area. For Density purposes, basements are <u>not</u> counted as floor area.
F. Yards and Setbacks: <ul style="list-style-type: none"> Side Yard (Distance that the house must be from the side lot line) 	Minimum of 1.8 m. (6 ft.)	Minimum of 1.8 m. (6 ft.), which may be reduced to 1.2 m. (4 ft.) provide the opposite side yard is a minimum of 2.4 m. (8 ft.)
G. Height of Buildings <ul style="list-style-type: none"> Principal Building 	Maximum of 6.7 m. (22 ft.) The height is measured from the average finished grade to the mid-point of a sloped roof. The height restriction combined with the floor area restrictions could limit a new house to a maximum of two storeys, or one storey with a basement.	Maximum of 9 m. (30 ft.), except that if the roof slope is less than 1:4, the height shall not exceed 7.3 m. (24 ft.).
J. Special Regulations <ul style="list-style-type: none"> Roof Slope 	Minimum roof pitch of 2 to 12; and Maximum roof pitch of 6 to 12	No restriction on the roof pitch
All other regulations of the proposed CD Zone are the same as the regulations of the RF Zone.		

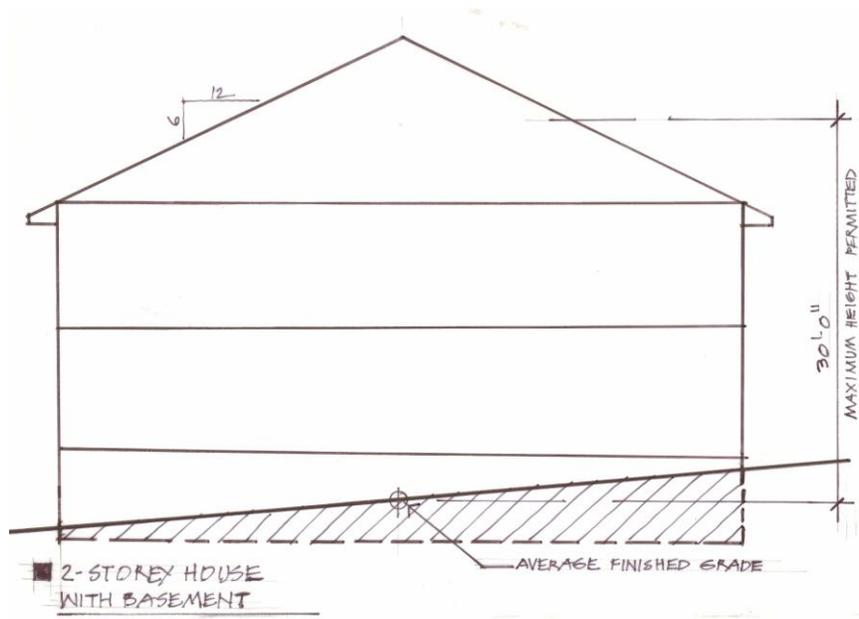
Attachment #4

Illustrations: Impact on the House Massing of the Proposed CD Zone Regulations Compared to the Existing RF Zone Regulations.

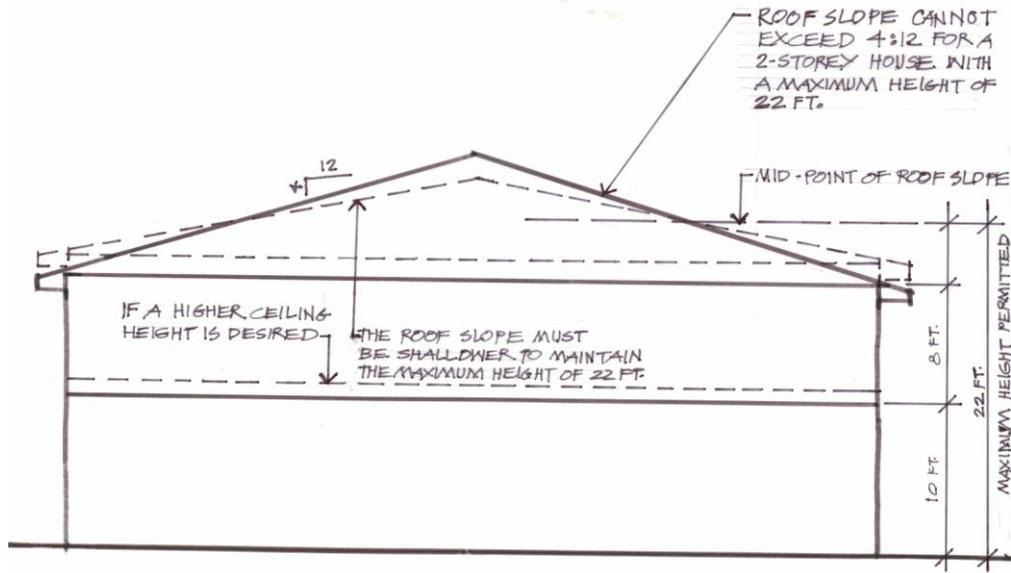
Flat Site – Existing RF Zone



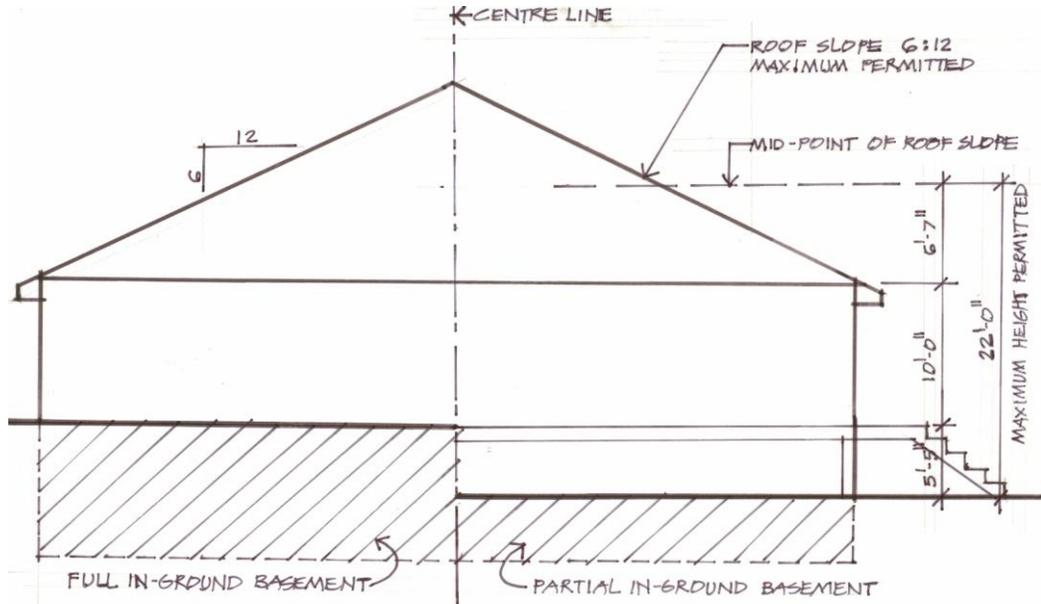
Sloped Site – Existing RF Zone



Flat Site – Proposed CD Zone



■ 2-STOREY HOUSE WITH GROUND FLOOR SLAB ON GRADE



■ SINGLE STOREY HOUSE WITH FULL OR PARTIAL BASEMENT

Sloped Site – Proposed CD Zone

