

NO: R081

COUNCIL DATE: April 24, 2017

REGULAR COUNCIL

TO: **Mayor and Council** DATE: **April 20, 2017**

FROM: **General Manager, Planning and Development** FILE: **6520-20**
(Cloverdale Slope)

SUBJECT: **Cloverdale Slope Neighbourhood – Request for Zoning Changes**

RECOMMENDATION

The Planning and Development Department recommends that Council:

1. Receive this report as information;
2. Endorse the neighbourhood consultation process outlined in this report as the basis for determining the level of support in the Cloverdale Slope Neighbourhood for revisions to the zoning provisions that apply to the lots in the neighbourhood;
3. Direct staff to provide a report to Council, complete with recommendations, upon completion of the neighbourhood consultation process, and that this process activate the provisions of Section 463 of the *Local Government Act, RSBC 2015, c 1 (LGA)* in respect of withholding building permits for dwellings that are in conflict with the proposed zoning provisions set out in this report; and
4. Instruct the City Clerk to forward a copy of this report and the related Council resolution to representatives of the Cloverdale Slope Neighbourhood.

INTENT

The purpose of this report is to:

- advise of a rezoning request that has been received by way of a petition from representatives of the Cloverdale Slope Neighbourhood;
- seek approval for a City-led process to determine the level of neighbourhood support for the requested rezoning; and
- seek authorization to withhold the issuance of building permits for 30 days for dwellings that do not conform to the requested rezoning, while the rezoning is being prepared and considered by Council.

BACKGROUND

On September 20, 2016, the Planning and Development Department received a petition from residents in the Cloverdale Slope Neighbourhood indicating support in the neighbourhood for rezoning by Council initiative from Single Family Residential (RF) Zone to Comprehensive Development (CD) Zone. The purpose of this neighbourhood rezoning would be to preserve the existing residential character of the neighbourhood by limiting the size and height of houses. Appendix "I" illustrates the location of the Cloverdale Slope Neighbourhood in relation to the defined neighbourhood area.

The representatives of the Cloverdale Slope Neighbourhood propose a CD Zone that would be similar to the CD Zones that were recently approved in the Bolivar Park Neighbourhood and Extension Area in 2016, in the Kwomais Point Park Neighbourhood (Area 1) in 2015, in the St. Helen's Park Neighbourhood in 2006, and in the Royal Heights Park Neighbourhood in 2007 (amended by Council in 2011). The CD Zone, as proposed, would permit smaller houses with a lower building height than is permitted under the current RF Zone. In support of their request, the Cloverdale Slope Neighbourhood presented a petition from the owners of 62 lots. One of these lots is located in a Duplex Residential (RM-D) Zone, outside of the neighbourhood boundary defined in Appendix "I." Within the defined neighbourhood boundary of the Cloverdale Slope Neighbourhood, the owners of 61 lots of the 95 lots (64%) signed the petition, as illustrated in Appendix "II."

Section 463 of the *LGA* allows the City to withhold the issuance of building permits for 30 days for dwellings that do not conform to the provisions of a plan or zoning bylaw that is being prepared and considered. This 30 day period commences from the date that a building permit application is received, and during this period, Council may pass an additional resolution extending the period of withholding permit issuance for a further 60 days, allowing time for Council to make a decision on the proposed bylaw. The intention of this provision is to prevent a "rush" of development that is incompatible with Council's ultimate plan for an area, while also limiting the period of time that such a moratorium is in effect.

DISCUSSION

The Cloverdale Slope Neighbourhood is approximately 7.4 hectares (18.3 acres) in area. The area, shown in Appendix "I", is bounded by 180 Street in the west; the southerly property lines of the lots south of 58A Avenue, in the south; 182 Street and the easterly property lines of the lots east of 181A Street and north of 59 Avenue, in the east; and the northerly property lines of the lots north of 59A Avenue and the westerly property lines of the lots west of 181 Street, in the north. The boundary is based on the boundary proposed in the petition by the representatives of the Cloverdale Slope Neighbourhood, which includes the lots that front onto the local streets within the interior of this neighbourhood (59A Ave, 59 Ave, 58A Ave, 181 St, 181A St), and excludes the Duplex Residential (RM-D) zoned property in the north. The area contains 95 residential lots, all of which are zoned RF and are designated Urban in the Official Community Plan.

The land slopes to the west (Appendix "III"), providing views of the Serpentine Valley and Nicomekl Valley. Most of the lots in the area surrounding the Cloverdale Slope Neighbourhood are zoned RF, with a few lots zoned RM-D or CD, as shown in Appendix "III." The Cloverdale Fairgrounds, Greenaway Park, Lord Tweedsmuir Secondary School, and the Zion Lutheran Church, School, and Seniors' Housing are located northwest of the neighbourhood. Claude Harvey Park and Martha Currie Elementary School are located southeast of the neighbourhood.

In the Cloverdale Slope Neighbourhood, there are no identified nest trees; however, properties in this area have a mix of deciduous and coniferous trees that are significant to the neighbourhood. With an approximate canopy cover of 25-30%, the Cloverdale Slope Neighbourhood has more trees than other neighbourhoods in the broader Cloverdale area, which have an average canopy cover of 10-20%. On private property, trees are predominately cedar and douglas fir, but other conifers, such as mature deodar cedars, pine, cypress, and false cypress, are also present. Deciduous trees include large, mature maples and locusts. There are also many ornamental trees, including Japanese maple, magnolia, dogwood, and katsura, which range in age from newer plantings to well established trees (30+ years old). There are several large, mature ornamental cherry trees. Trees on City boulevards include mostly *Gleditsia triacanthos* (honey locust) trees, as well as a handful of *Magnolia Galaxy* (magnolia) trees and *Acer campestre* (maple) trees.

There are no heritage sites within the study area, but there are three heritage sites just outside the boundary, including the Cecil Heppell House (on the Heritage Register and protected by *Heritage Revitalization Agreement By-law, 2012, No. 17612*), the James William White House (on the Heritage Register), and the Whiteley House (on the Heritage Register).

Within the Cloverdale Slope Neighbourhood, 33% of the lots were created in the 1950s, 59% of the lots were created by subdivision in the 1970s, and 5% of the lots were created from 2009-2012. The ages of the houses in the neighbourhood reflect this:

- 23% were built in the 1950s.
- 6% were built in the 1960s.
- 60% were built in the 1970s.
- 3% were built in the 1980s.
- 7% were built from 2010 to present.

No houses were built in the two decades from 1990-2010. There are currently no vacant lots.

The current RF Zone stipulates that lots must:

- have a minimum lot area of 560 square metres (6,000 square feet);
- have a minimum lot width of 15 metres (50 feet); and
- have a minimum lot depth of 28 metres (90 feet).

Lots in the Cloverdale Slope Neighbourhood range from 607 square metres (6,539 square feet) to 2,162 square metres (23,271.57 square feet; 0.53 acre), with a median lot size of 719 square metres (7,740 square feet). Lot dimensions in the neighbourhood vary, but in non-cul-de-sac areas, typical lot dimensions are approximately 18.5 metres (60 feet) in width and 36 metres (118 feet) in depth.

Houses in the neighbourhood include mostly 2,000-3,000 square feet, two-storey “basement entry” and split level homes, along with single storey ranchers; some with basements that appear as second storeys in the rear due to the area’s slope. New houses in the neighbourhood, those built in the 2010s, are all two storey semicustom/custom house types ranging from 3,700 square feet to 6,200 square feet, which are significantly larger and higher than the houses built in earlier decades.

Proposed Neighbourhood Consultation Process

Subject to Council approval, staff proposes that a City-led public consultation process, as described in the following section of this report, be undertaken to determine the level of neighbourhood support for the rezoning that has been proposed by the Cloverdale Slope Neighbourhood. This process will accurately determine the level of support in the neighbourhood for the requested rezoning and related provisions. While acknowledging that the Cloverdale Slope Neighbourhood has submitted a package representing the results of a neighbourhood survey that shows that approximately 64% of the owners of lots in the neighbourhood support a rezoning, it is important that the City undertake due diligence to ensure that the owners who support the rezoning clearly understand the implications of it, and that the degree of support within the neighbourhood is verified. While the owners in favour of the proposed rezoning take pride in their neighbourhood and wish to maintain its character, the rezoning proposal does have implications that may be of concern to other owners who bought their lots on the basis of the development potential that is available under the RF Zone.

The proposed neighbourhood consultation process includes the following components:

- City staff will work with the representatives of the Cloverdale Slope Neighbourhood to develop the detailed zoning provisions of a proposed CD Zone that meets the objectives of the Cloverdale Slope Neighbourhood while remaining in a format consistent with the *Surrey Zoning By-law, 1993, No. 12000*.
- The representatives of the Cloverdale Slope Neighbourhood will hold an open house/meeting to gauge the level of support for the proposed zoning provisions. City staff will attend the meeting as a resource to answer any technical questions about the draft zoning provisions and to respond to any questions about the rezoning process.
- On the basis of the comments received at the open house, the representatives of the Cloverdale Slope Neighbourhood, in consultation with City staff, will revise or fine-tune the proposed zoning provisions. Staff will work with the Cloverdale Slope Neighbourhood representatives to prepare a draft CD Zone.
- Staff will send a survey by registered mail to each lot owner whose property is proposed to be included in the rezoning. The mail out will contain detailed information on the provisions of the draft CD Zone and a questionnaire to which each owner will be requested to respond. This survey will be used to determine the extent of support or opposition on the part of the owners of lots that will be directly involved in the rezoning.
- Staff will provide a report for Council consideration that includes the results of the consultation process and the related survey, as well as provides recommendations in relation to whether or not the rezoning process should be formally commenced.

This process is similar to the process that was undertaken for the Bolivar Park Neighbourhood and Extension Area, the Kwomais Point Park Neighbourhood (Area 1), the St. Helen's Park Neighbourhood, and the Royal Heights Park Neighbourhood.

While the proposed rezoning is being developed and considered by both the neighbourhood and by Council, staff recommends that the provisions of Section 463 of the *LGA* be activated by way of a Council resolution. This will create a temporary moratorium on new construction that is

incompatible with Council's ultimate vision for the neighbourhood. If the proposed rezoning is not approved by Council, the existing zoning provisions of the RF Zone would continue to prevail, and building permits consistent with the existing zoning would be issued.

SUSTAINABILITY CONSIDERATIONS

The Cloverdale Slope rezoning request and proposed neighbourhood consultation process are aligned with the following Sustainability Charter 2.0 desired outcomes (DO):

Inclusion

DO 21: All residents have opportunities to be meaningfully engaged in civic issues and to contribute to community life.

Built Environment & Neighbourhoods

DO 1: Surrey is comprised of distinct, diverse and compact neighbourhoods and Town Centres, with an engaging public realm.

Health & Wellness

DO 8: Residents feel a sense of belonging and connectedness, and have opportunities for social interaction in their neighbourhoods and community.

CONCLUSION

Based on the above discussion, it is recommended that Council:

- Endorse the neighbourhood consultation process outlined in this report as the basis for determining the level of support in the Cloverdale Slope Neighbourhood for revisions to the zoning provisions that apply to the lots in the neighbourhood;
- Direct staff to provide a report to Council, complete with recommendations, upon completion of the neighbourhood consultation process, and that this process activate the provisions of Section 463 of the *LGA* in respect of withholding building permits for dwellings that are in conflict with the proposed zoning provisions set out in this report; and
- Instruct the City Clerk to forward a copy of this report and the related Council resolution to representatives of the Cloverdale Slope Neighbourhood.

Original signed by
Jean Lamontagne
General Manager
Planning and Development

DL/ss

Attachments:

- Appendix "I" - Boundaries of the Cloverdale Slope Neighbourhood Proposed Rezoning Area
- Appendix "II" - Results of Neighbourhood Petition
- Appendix "III" - Aerial Photograph of Study Area

Greenaway Park
Lord Tweedsmuir Secondary School

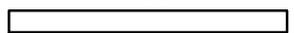
Zion Lutheran Church & School

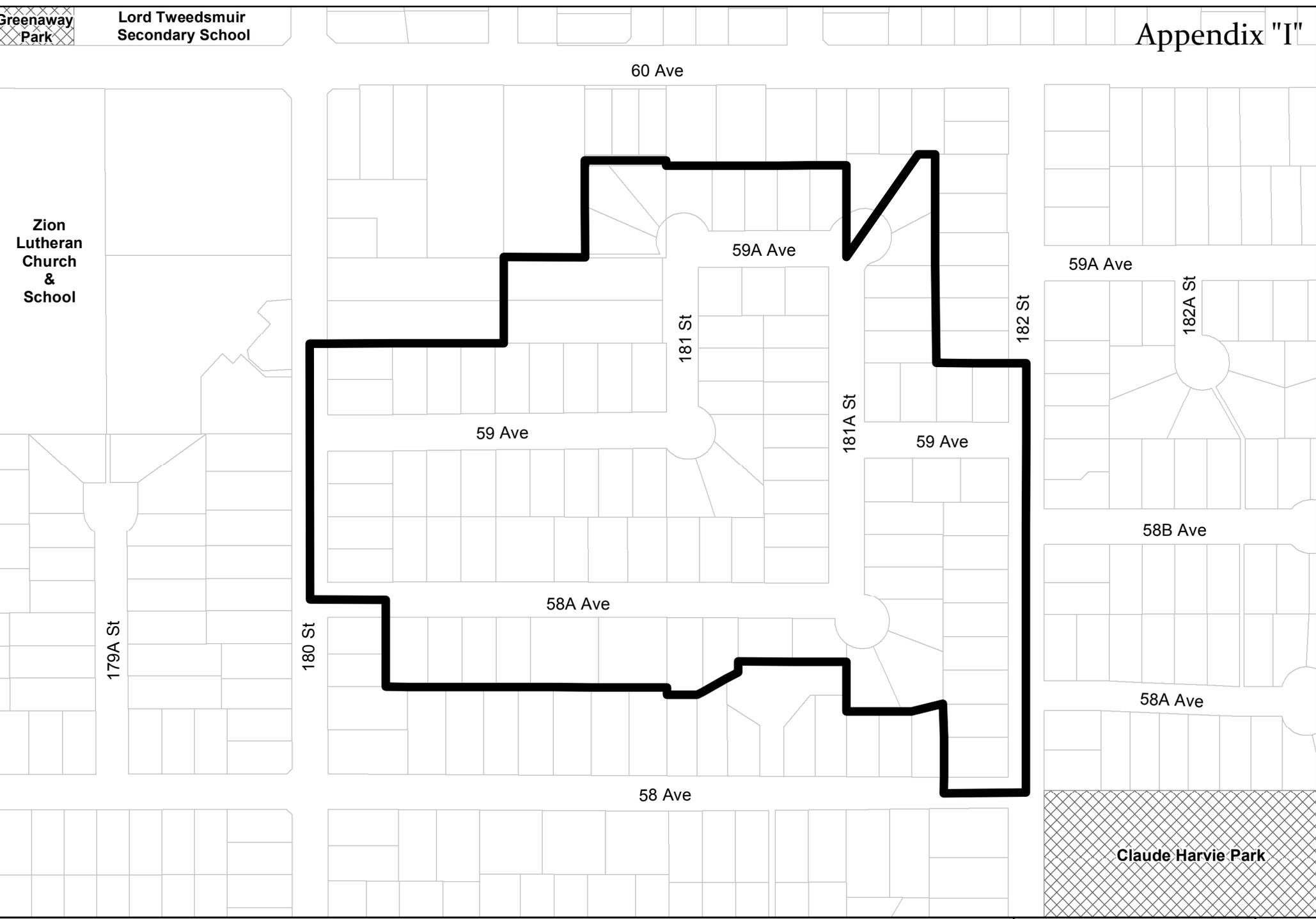
Claude Harvie Park

CLOVERDALE SLOPE NEIGHBOURHOOD

 Boundary

 Park

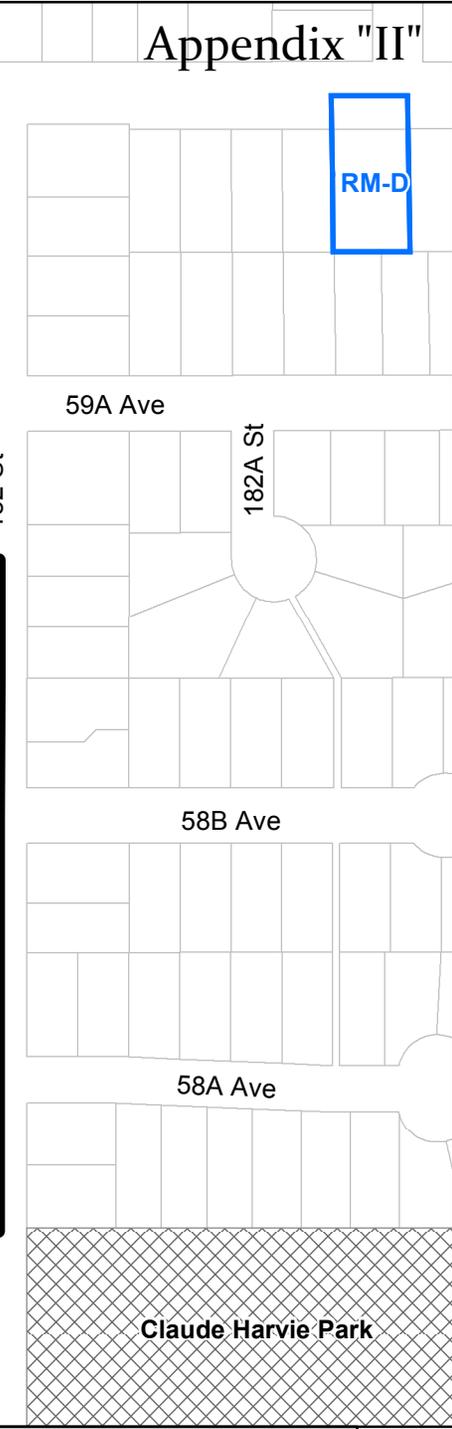
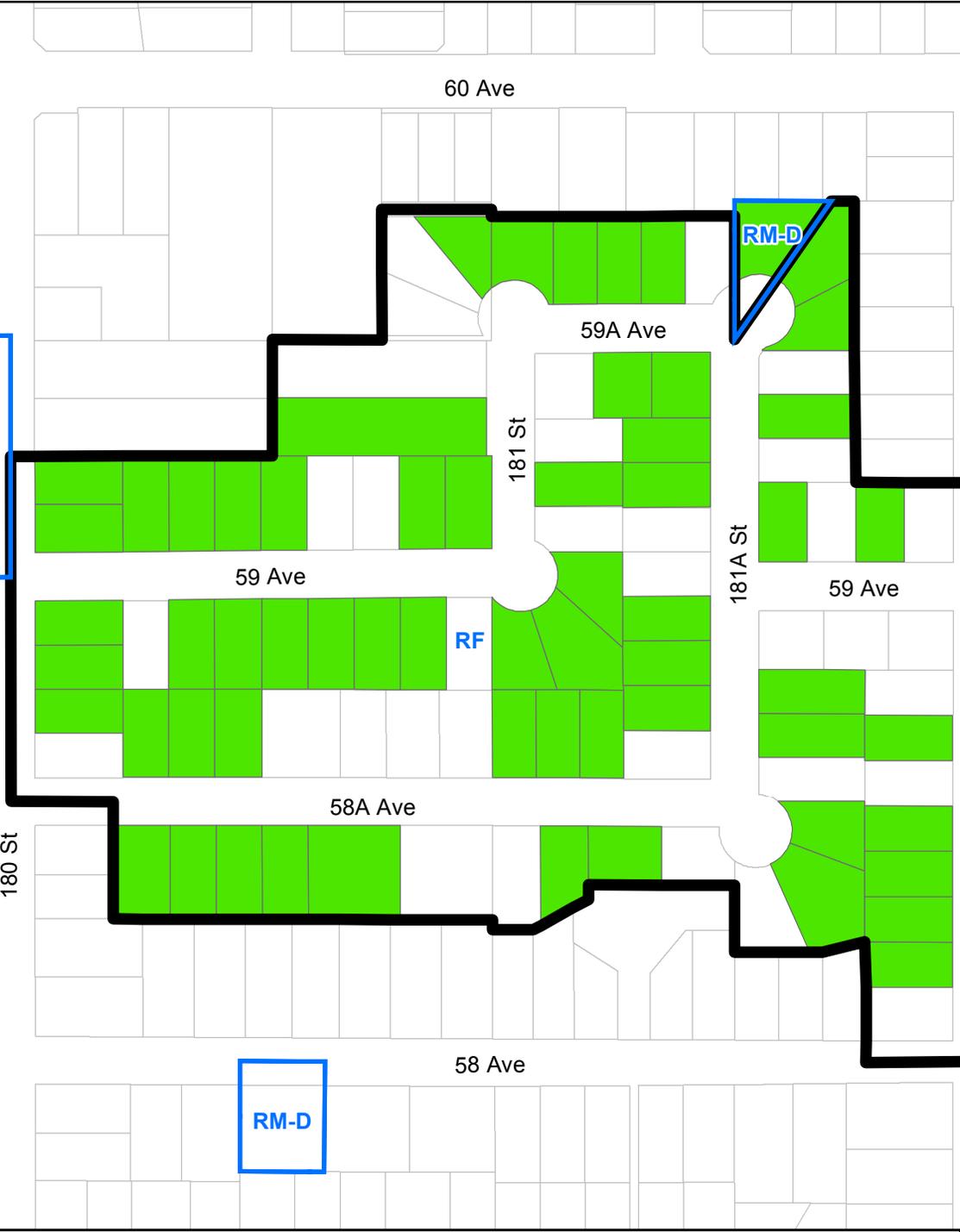
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Greenaway Park
Lord Tweedsmuir Secondary School

CD
Zion Lutheran Church & School

179A St
180 St



CLOVERDALE SLOPE NEIGHBOURHOOD



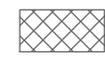
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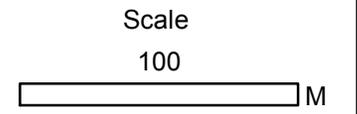
Support



Zoning Boundaries



Park





CLOVERDALE SLOPE NEIGHBOURHOOD - AERIAL PHOTOGRAPH

- Boundary
- Zoning Boundaries
- Park
- Contours - 5 metre

Scale
100
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