

City of Surrey
 Planning & Development Report
 File: 7904-0038-00

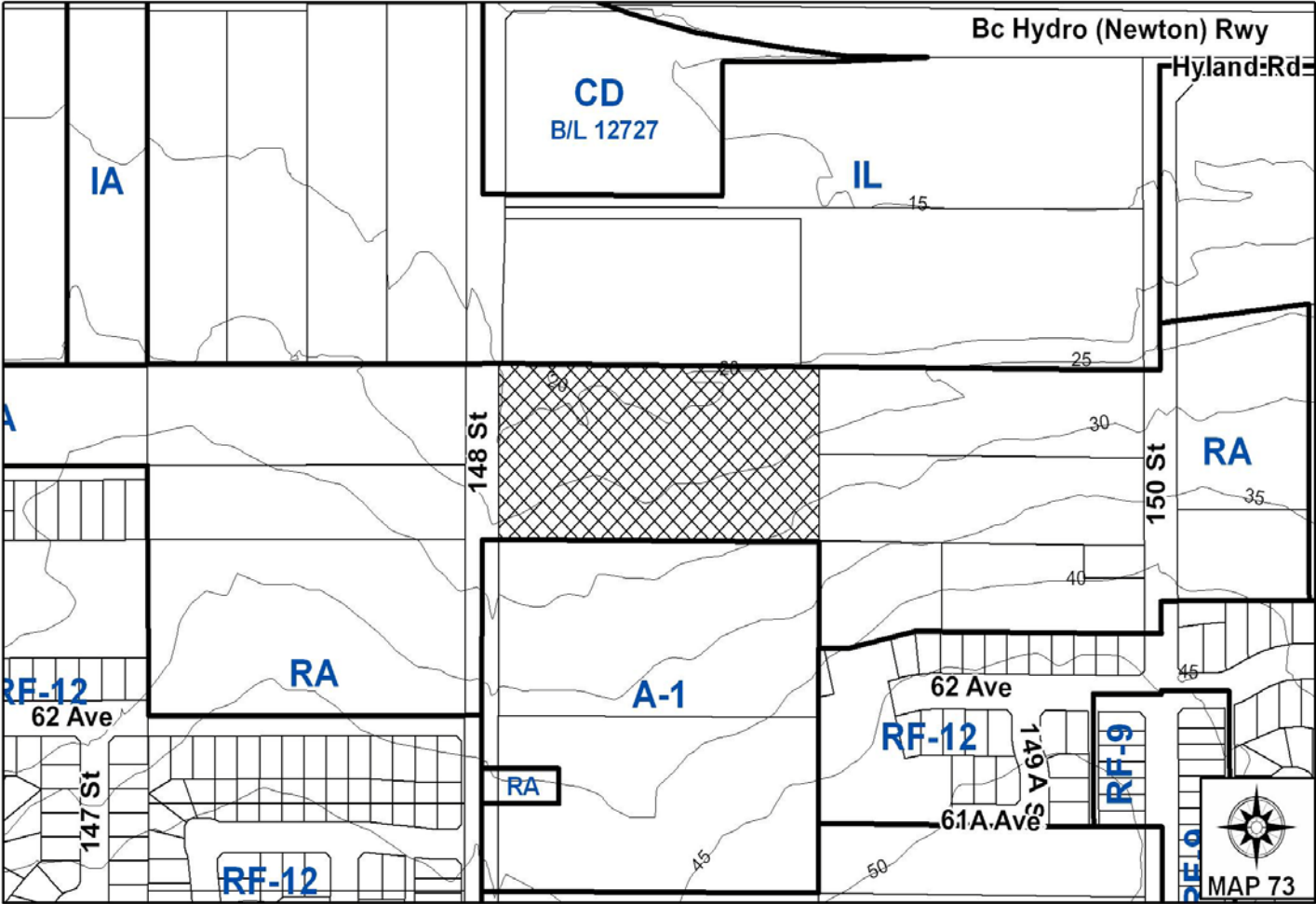
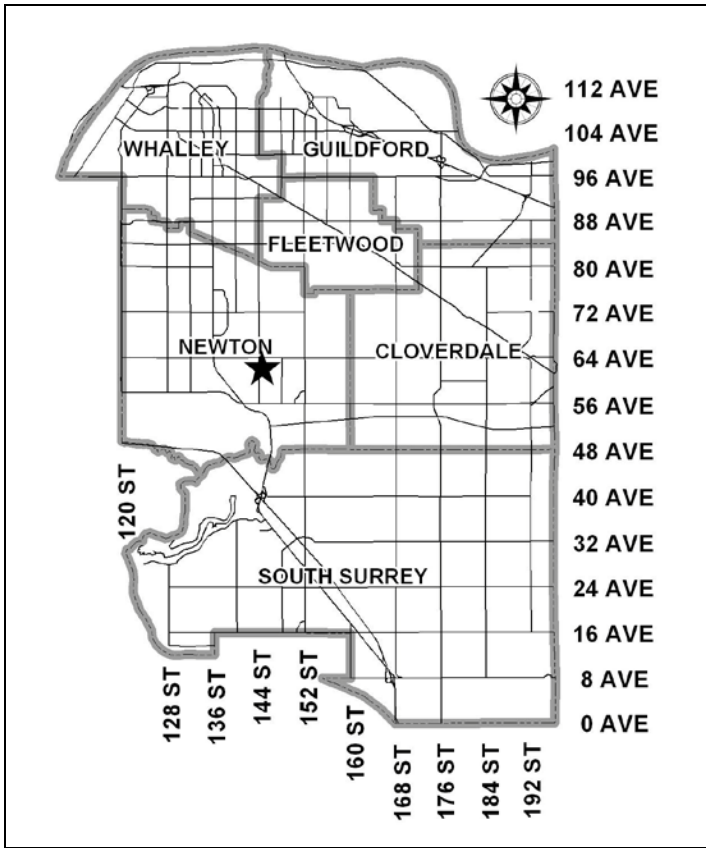
Planning Report Date: October 1, 2007

PROPOSAL:

- Rezoning from RA to RF-12
- Development Variance Permit

in order to allow subdivision into 26 single family small lots and relax the front yard setback for Lots 1 to 10.

LOCATION: 6252 - 148 Street
OWNER: Michael Rawlins
ZONING: RA
OCP DESIGNATION: Urban
NCP DESIGNATION: "Single Family Residential Flex 6 to 14.5 upa" and "Creeks & Riparian setback"



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Rezoning.
- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Relaxation of front yard setback from 6 metres (19.7 ft.) to 3.5 metres (11.5 ft.) for the principle building, 1.5 metres (4.9 ft.) for a porch or veranda and 5.5 metres (18 ft.) for the garage for proposed Lots 1 - 10.

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Complies with NCP Designation.
- Front yard setbacks for Lots 1 to 10 are reduced to achieve a reasonable house size while maintaining a 5.0 metre rear yard for lots impacted by the industrial strip.
- The road alignment for this development cannot be shifted due to road sharing and land ownership arrangements in the area.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the subject site from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) and a date for Public Hearing be set.
2. Council approve Development Variance Permit No. 7904-0038-00 (Appendix VIII) varying the following to proceed to Public Notification:
 - (a) to reduce the minimum front yard setback of the RF-12 Zone from 6.0 metres (19.7 ft.) to 3.5 metres (11.5 ft.) for the principal building, from 6.0 metres (19.7 ft.) to 5.5 metres (18.0 ft.) for a garage or carport and from 6.0 metres (19.7 ft.) to 1.5 metres (4.9 ft.) for a porch or veranda.
3. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (d) submission of a finalized landscaping plan and landscaping cost estimate for the 10.0 metre (33 ft.) landscape buffer abutting the industrial properties to the north, to the specifications and satisfaction of the City Landscape Architect;
 - (e) registration of a Section 219 Restrictive Covenant for "no build" on a portion of Lot 26 until future consolidation with the adjacent property (Lot 20 of proposed subdivision at 6218 - 148 Street);
 - (f) registration of a Section 219 "no build" Restrictive Covenant over Lots 1 to 10 to ensure that no future buildings, structures or improvements will be erected within the 10 metre (33 ft.) buffer abutting the industrial properties to the north, to ensure adequate installation and maintenance of landscaping in this buffer area, to advise future owners of the lots of neighbouring industrial uses and to restrict rear yard setbacks to a minimum of 5 metres (16.4 ft.) to be measured from the edge of the no-build covenant area;
 - (g) the applicant to address the shortfall in tree replacement;
 - (h) input from Senior Government Environmental Agencies; and

- (i) the applicant to address Parks requirements to reinstate planting in park areas affected by servicing corridors.

REFERRALS

Engineering: The Engineering Department has no objection to the project [subject to the completion of Engineering servicing requirements] as outlined in Appendix III.

School District: **Projected number of students from this development:**

9 Elementary students at Cambridge Elementary School
4 Secondary students at Sullivan Heights Secondary School

(Appendix IV)

Parks, Recreation & Culture: Parks requests that the applicant pay the costs of repairs to the parkland resulting from the installation of services.

SITE CHARACTERISTICS

Existing Land Use: Single family residential.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North:	Light Industrial	Industrial in South Newton NCP, Industrial in OCP	IL
East:	Residential properties, one of which is the subject of a current application to rezone to RF-12.	Single Family Residential Flex 6 to 14.5 upa in the South Newton NCP, Urban in the OCP.	RA
South:	Residential property that is the subject of a current application to rezone to RF-9 and RF-12.	"Single Family Residential Flex 6 to 14.5 upa" and "Creek and Riparian Setback" in the Newton NCP. Urban in the OCP.	A-1
West (Across: 148 Street):	Residential properties that are the subject of a current application to rezone to RF, RF-12 and RF-9.	"Single Family Residential Flex 6 to 14.5 upa" and "buffer" in the South Newton NCP. Urban in the OCP.	RA

DEVELOPMENT CONSIDERATIONS

Background and Site Context

- Council approved the South Newton NCP on June 14, 1999. The NCP established four future residential neighbourhoods around existing community nodes, namely the Surrey Public Market site (King George Highway and 64 Avenue), Michael's Market (152 Street and 64 Avenue), the Panorama Village area (Highway #10 and 152 Street) and the City Hall area.
- The residential neighbourhoods are categorized according to various densities ranging from suburban half-acre lots to medium density apartments. The purpose of having a variety of residential designations is to promote sustainability and to fulfill the goal of providing a mix of housing densities and types to accommodate a range of needs.
- The South Newton NCP was amended on December 6, 2004 to increase the opportunity for small lot residential development by redesignating a majority of the "Single Family Residential" lands to "Single Family Residential Flex 6-14.5 upa". Development within this NCP Land Use designation is subject to a set of development guidelines.
- The neighbouring properties to the east and south are currently under rezoning application to RF-12 (File No.'s 04-0325 and 04-0326 respectively), and the subdivision layouts proposed for the three properties are compatible. The properties across 148 Street to the West are also currently under application for rezoning to RF-12 and RF-9 (File No. 04-0230). The application extends this pattern of development and therefore is considered appropriate.

Industrial Interface

- The application abuts industrial land immediately to the north. These parcels form part of the permanent industrial area along 64 Avenue. The applicant proposes oversized RF-12 lots along the north boundary adjacent to the existing industrial lands. The RF-12 lots exceed 400 square metres (4,306 square feet) in area, which is notably larger than the minimum 320 square metre (3,445 square foot) lot area permitted under the RF-12 zone. In accordance with the NCP, the proposed lots that abut the existing industrial properties to the north will incorporate a 10 metre (33 foot) landscaped buffer. This buffer will include a 2-metre (6.5 foot) high berm with a 1.8 metre (6 foot) high fence along the centre of the berm. The buffer will be properly landscaped with trees and small shrubs.
- A restrictive covenant will be registered on these lots to ensure adequate installation and maintenance of the landscaping and provide notice to prospective purchasers of industrial uses to the immediate north. The developer/owner will be responsible for ensuring that the trees within the buffer are properly watered and maintained for a period of two years. The covenant will also ensure a minimum 5 metre (20 foot) rear yard for these lots.
- During the application process for surrounding applications along this industrial interface, several meetings were held between City staff, the applicants, and the industrial property owners to the north to discuss proper treatment of the buffer area. The resultant proposed treatment is an adequate interface that will benefit future residential property owners.

Creeks and Riparian Areas

- A Class B (yellow) watercourse passes through the western portion of the property. The proposal does not involve any encroachments into the 15m setback from top-of-bank. Approximately 23.5 % of the site is being dedicated for riparian purposes.

Proposed Subdivision Layout and Lot Sizes:

- The proposed subdivision will create 26 RF-12 lots. The proposed lots range in size from 320 m² (3,445 ft²) to 570 m² (6,136 ft²) (Appendix 1).
- One proposed lot (Lot 26) is oversized as it includes a no-build area for future consolidation and subdivision with an adjacent lot to the south. A Section 219 Restrictive Covenant will be registered on Lot 26 to facilitate future subdivision.
- The proposed road layout is compatible with the established road configuration in the NCP, and with the proposed road layouts on the properties to the south and east.
- The development concept has been prepared in conjunction with the land to the south, which is also under application and was presented to Council on April 2, 2007. The owners of the two properties have agreed to the overall layout as a basis for their subdivisions.
- The applicant has applied for a Development Variance Permit to allow the minimum front yard setback to be reduced from 6.0 metres (19.7 feet) to 3.5 metres (11.5 feet) for the principal building and 5.5 metres (18.0 feet) for the garage. The minimum rear yard setback will be 5.0 metres (16.4 feet) measured from the edge of the buffer area. The Development Variance Permit is discussed later in this report.

Lot Grading, Arborist Report and Tree Preservation

- The applicant submitted a lot grading plan and stated that they intend to have in-ground basements on all of the proposed lots. Due to the existing topography of the site and the need to match the site to road elevations and neighbouring developments the applicant is proposing up to approximately 3.5 metres of fill in some areas. Depths of fill will be up to 2 metres on Lots 17-26, and 0.5 to almost 3.5 metres on Lots 1-10. The surrounding areas have proposed similar grading. There will be no interfacing issues.
- The Building Division has reviewed the lot grading information provided by the applicant and found it to be acceptable to proceed.
- The applicant retained Randy Greenizen (C. Kavolinas & Associates Inc.) to conduct a tree survey and prepare an arborist report. The report identifies 30 mature trees in the riparian area and all of the trees, except one, within the riparian area are proposed to be retained. An assessment will be conducted by City staff to ensure proper tree management in this area prior to final approval. The report identifies 219 mature trees on the non-riparian portion of the site and concludes that all of the trees will have to be removed. Fourteen of the trees identified for removal are deemed hazardous due to natural causes, and the remaining 205 will either conflict with a proposed right of way or a building envelope.

- Seventy-eight replacement trees will be planted providing for an average of 3 trees per lot, as outlined in the Tree Preservation Summary (Appendix VI).
- Under the recently approved new Tree Protection By-law, tree replacement is required at specified ratios. Protected trees are to be replaced at a ratio of 2:1, while alder and cottonwood trees are to be replaced at a ratio of 1:1. As 105 alder and cottonwood trees are proposed to be removed, and 114 other trees are to be removed, a total of 333 replacement trees would be required for this application. The applicant proposes 78 replacement trees. Under the requirement of the new Tree Protection By-law, this would result in a tree replacement deficit of 255 trees. As such, under the new By-law, monetary compensation for the remaining 255 trees would be \$76,500 based on \$300/tree. However, there is a contribution cap of \$15,000/acre resulting in a total compensation of \$54,000.

Building Design:

- A proposed building scheme was prepared by Michael E. Tynan, and included a Neighbourhood Character Study of the area. The study identified the surrounding context as consisting primarily of small "old urban" Bungalows and larger Basement Entry and Cathedral Entry type homes with box-like massing, located on lots landscaped to an "old suburban" standard. The study indicated that "the existing housing stock does not provide suitable architectural context" for the proposed development.
- According to the Building Scheme, the new homes will be "Neo-Traditional", "Craftsman-Heritage" or "Rural Heritage" in style, with balanced massing, consistent proportion of elements and overall balance in the design. Homes will have "steeply pitched, highly articulated street facing common gable elements."
- According to the Building Scheme, the exterior cladding materials will consist of stucco, cedar, vinyl, hardiplank, brick and stone in "natural", "neutral", and "heritage" colours. Roofing materials will consist of cedar shingles, shake profile concrete roof tiles, and shake profile asphalt singles with a raised ridge cap in grey or brown only.
- Basement-entry homes and secondary suites will not be permitted (Appendix V).

PRE-NOTIFICATION

Pre-notification letters were sent on March 15, 2007 and staff received no comments.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- Relaxation of front yard setback from 6.0 metres (19.7 feet) to 3.5 metres (11.5 feet) for the principal building, 1.5 metres (4.9 feet) for a porch or veranda, and 5.5 metres (18.0 feet) for the garage, for proposed Lots 1-10.

Applicant's Justification and Planning and Development Comments:

- The rear property lines of Lots 1-10 abut industrial lands to the north. As such, these lots are required to have a 10 metre (33 foot) wide landscaped buffer installed immediately adjacent to the industrial properties and protected by a restrictive covenant. Lots 1-10 are proposed to be deeper and larger than the minimum RF-12 lot, with depths ranging from 29.3 metres (96.1 feet) to 34.9 metres (114.5 feet), in order to accommodate the buffer area. Though the lots are larger than average, the buildable area will be smaller than average for an RF-12 lot after the buffer area is accounted for. The applicant has proposed a front yard setback relaxation to allow a "reasonably" sized house to be constructed while maintaining a rear setback of 5.0 metres (16.4 feet) measured from the buffer. For a lot of 400 square metres (4,306 square feet), for example Lot 8, this would allow for a 207.2 square metre (2,230 square foot) house, which is under the permitted FAR.

Staff Comments:

- Staff support the proposed variance and the justification outlined above. The proposed front yard setback relaxation permits the more usable backyard space to be larger between the house and the buffer area. The proposed variance to 3.5 metres for the principal building, 1.5 metres for a porch or veranda, and 5.5 metres for the garage in essence represents only a reduction in setback of 0.5 metres (1.6 feet) for each element.
- Though the lots on the property to the east are deeper along the industrial interface, the road alignment for this development cannot be shifted due to a road sharing agreement that was reached between this applicant and the applicant on the project to the south.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets and Survey Plan
Appendix II.	Proposed Subdivision Layout
Appendix III.	Engineering Summary
Appendix IV.	School District Comments
Appendix V.	Building Design Guidelines Summary
Appendix VI.	Summary of Tree Preservation
Appendix VII.	South Newton NCP Plan
Appendix VIII.	Development Variance Permit No. 7904-0038-00
Appendix IX.	Industrial Interface Landscape Berm Details

Jean Lamontagne
General Manager, Planning and Development

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Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent: Name: Dwight Heintz, McElhanney Consulting Services Ltd.
 Address: 13160 - 88 Avenue
 Surrey, BC
 Tel: 604-596-0391

2. Property involved in the Application

- (a) Civic Address: 6252 - 148 Street
- (b) Civic Address: 6252 - 148 Street
 Owner: Michael Rawlins
 PID: 012-136-051
 Lot 36 Section 10 Township 2 New Westminster District Plan 1361

3. Summary of Actions for City Clerk's Office

- (a) Introduce a By-law to rezone the property.
- (b) Proceed with Public Notification for Development Variance Permit No. 7904-0038-00.

SUBDIVISION DATA SHEET

Proposed Zoning: RF-12

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	4.7 ac
Hectares	1.9 ha
NUMBER OF LOTS	
Existing	1
Proposed	26
SIZE OF LOTS	
Range of lot widths (metres)	13.4 m to 19.7 m
Range of lot areas (square metres)	320 m ² to 593 m ²
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	5.5 upa/13.7 uph
Lots/Hectare & Lots/Acre (Net)	6.1 upa/14.8 uph
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	
Estimated Road, Lane & Driveway Coverage	
Total Site Coverage	
PARKLAND (creek area)	
Area (square metres)	4,470 m ²
% of Gross Site	23.5%
	Required
TREE SURVEY/ASSESSMENT	YES
MODEL BUILDING SCHEME	YES
HERITAGE SITE Retention	NO
BOUNDARY HEALTH Approval	NO
DEV. VARIANCE PERMIT required	
Road Length/Standards	NO
Works and Services	NO
Building Retention	NO
Front Yard Setback for Lots 1 to 10	YES