

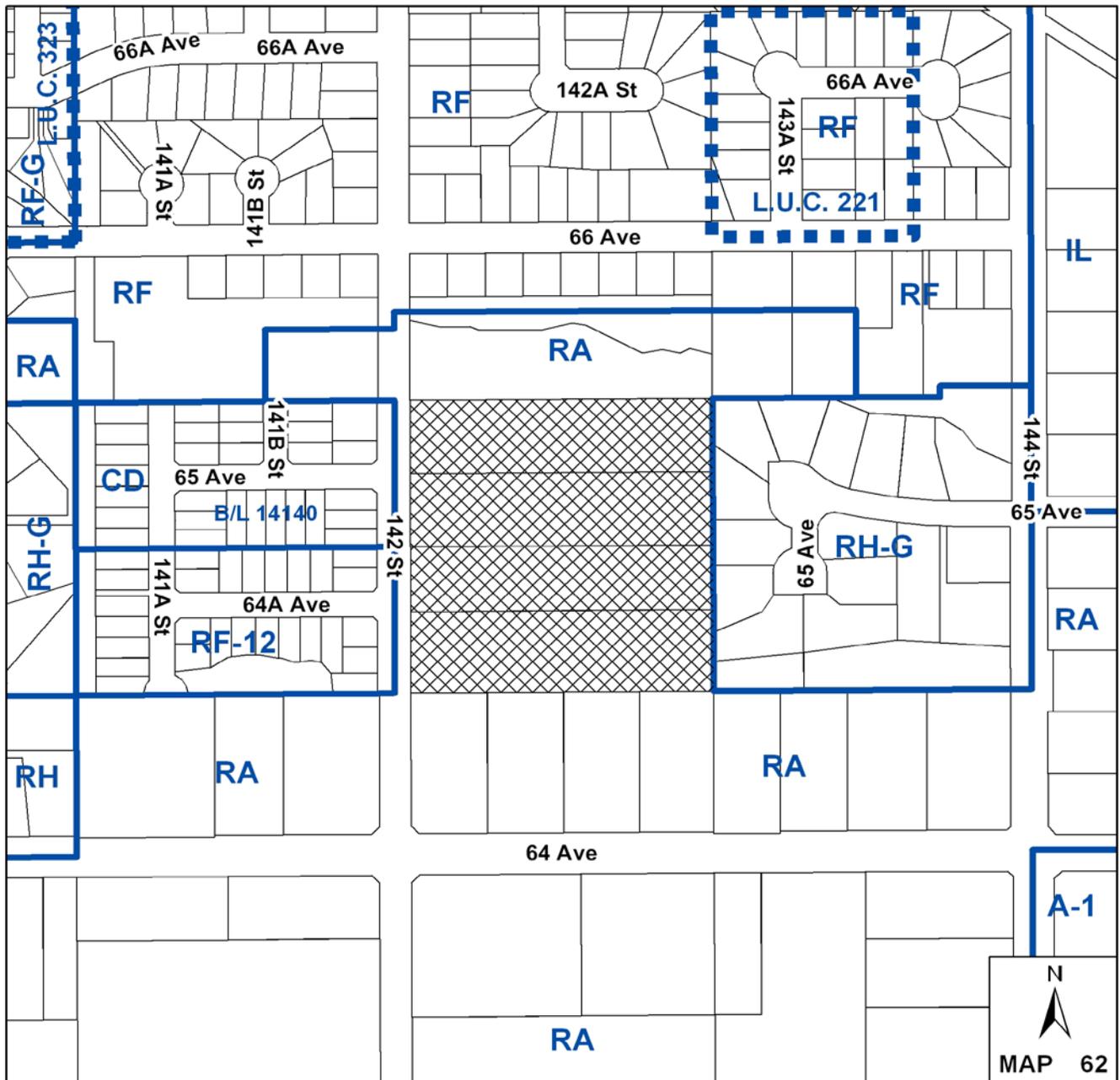
**Proposal:** Rezone from RA to RF-12 in order to permit subdivision into 54 single family residential small lots.

**Recommendation:** Approval to Proceed

**Location:** 6468, 6490, 6518 and 6546 - 142 Street      **Zoning:** RA

**OCP Designation:** Urban

**NCP Designation:** Single Family Small Lots      **Owner:** A & B Gill Ventures Inc., et al



## PROJECT TIMELINE

Completed Application Submission Date: August 20, 2004  
Application Revision & Re-submission Date: July 18, 2005  
Planning Report Date: March 27, 2006

## PROPOSAL

The applicant is proposing:

a rezoning from RA to RF-12

in order to allow subdivision into 54 single family residential small lots.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the property 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 be set for Public Hearing.
2. 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) ensure that all geotechnical and ground water requirements 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 an acceptable tree survey and a statement regarding tree preservation; and
  - (d) registration of a Section 219 Restrictive Covenant to prevent future subdivision under the RF-12 Zone and ensure installation of a 4 metre (13 ft.) landscape buffer on proposed Suburban transition lots.

## REFERRALS

Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as identified in the attached (Appendix IV).

**Parks:** The proposed open space dedication conforms to the South Newton NCP and is considered acceptable. At the land clearing stage, the applicant is to provide permanent hard fencing at the property line bordering the proposed park, on the private property, and to contact Parks, Recreation and Culture staff to coordinate the removal of hazardous trees, if any, in the park (Appendix V).

**School District:**

**School Impacts:**

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

Elementary students = 18 students  
 Secondary students = 9 students  
 Total new students = 27 students

**School Catchment Area/Current Enrollment/School Capacity:**

Hyland Elementary School = 394 enrolled/480 capacity  
 Sullivan Heights Secondary School = 1,091 enrolled/1,000 capacity

**Projected number of students from development approvals in the last 12 months (not including subject project) in the subject school catchment areas:**

Elementary students = 0 students  
 Secondary students = 92 students  
 Total new students = 92 students

**Approved Capacity Projects and Future Space Considerations**

*An addition to Hyland Elementary may be considered beyond the five-year time frame of the School district's capital plan to accommodate potential demographic changes with ultimate residential build out.*

*An enrollment move from Sullivan Heights Secondary to the new Newton Area Secondary School is projected for September 2006.*

(Appendix VI)

**Department of Fisheries and Oceans (DFO):**

DFO has reviewed and agreed to the proposed 15-metre (49 ft.) riparian protection areas along Hyland Creek and Archibald Creek fronting the site.

## SITE CHARACTERISTICS

- **Existing Land Use** One existing single family dwelling on each of the four properties.
- **Significant Site Attributes** The site is moderately treed, particularly within the riparian areas of Hyland Creek, running across the northeast corner of 6546 - 142 Street and Archibald Creek, running across the south side of 6468 - 142 Street.
- **East:** Single family dwellings on existing Suburban lots, zoned RH-G, designated "Urban" in the OCP and "Suburban Residential Half Acre" in the South Newton NCP.
- **South:** Archibald Creek is located immediately to the south. Further to the south, fronting 64 Avenue are single family dwellings on large RA-zoned lots, designated "Townhouses" (15 upa max) and "Creeks and Riparian Setback Area" in the South Newton NCP.
- **West:** Single family small lots created through Project Nos. 7900-0213-00 and 7902-0403-00, zoned CD and RF-12, designated "Single Family Small Lots", "Creek and Riparian Setback Area" and "Utility Right-of-Way Greenway" in the South Newton NCP.
- **North:** Existing single family dwelling on the south side of Hyland Creek, zoned RA, designated "Single Family Small Lots" and "Creeks and Riparian Setback Area" in the South Newton NCP.

## PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

NCP Designation: Complies.

## DEVELOPMENT CONSIDERATIONS

### Proposed Land Use and Density

- The proposed development includes 4 properties with a total area of 3.6 hectares (9 acres). The site is designated "Urban" in the Official Community Plan (OCP) and is designated "Single Family Small Lots" and "Creek and Riparian Set-back" in the South Newton Neighborhood Concept Plan (NCP) (Appendix VII).
- The proposal is to rezone from One-Acre Residential Zone (RA) to Single Family Residential (12) Zone (RF-12) to permit subdivision into 54 single family small lots. There are four existing single family dwellings on the properties which will be removed prior to final subdivision approval.

- The applicant is proposing a gross density of 15 uph (6 upa). The width, depth and area of the proposed lots meet or exceed all requirements of the RF-12 Zone. The lot sizes range from 321 m<sup>2</sup> (3,455 ft<sup>2</sup>) to 719 m<sup>2</sup> (7,740 ft<sup>2</sup>). The maximum principal building size of the new houses will be limited to the housing cap in the RF-12 Zone, 260m<sup>2</sup> (2,800 ft<sup>2</sup>) including garages.
- The proposal complies with the South Newton NCP in terms of land use. However, the proposal differs slightly from the concept in that rear lanes have been eliminated. The elimination of rear lanes was permitted for similar developments of single family small lots (file nos. 7900-0213-00 and 7902-0403-00) immediately on the west side of 142 Street. The proposal can also be supported in this case as 142 Street north of 64 Avenue takes on a less urban character than south of 64 Avenue, and achieving street orientation of lots is not imperative.

### Subdivision Concept

- A development concept has been developed to determine a subdivision pattern for the adjacent site to the north (6558 – 142 Street) (Appendix X). This concept reflects the intent of the NCP to continue the pattern of single family small lots while providing significant areas for riparian protection.
- A more detailed site plan must be reviewed and approved by the DFO when an application is submitted on this property.

### House Design

- The applicant has retained Mike Tynan as the Design Consultant. The Design Consultant conducted a character study of the surrounding homes and based on the findings on this study, proposed a set of building design guidelines (Appendix VIII).
- A Building Scheme shall be registered on the title of each of the lots in order to ensure that the homes are compatible in character with the existing neighborhood and that secondary suites will not be permitted.
- In accordance with the City's policy allowing 20% of all dwellings in a subdivision to be Basement-Entry style dwellings, the applicant proposes Basement-Entry dwellings on ten of the proposed lots (Lots 6, 7, 8, 9, 10, 17, 18, 19, 20 and 21).

### Lot Grading

- A preliminary Lot Grading Plan submitted by the applicant's consultant has been reviewed by the Building Division and Engineering Department and is considered satisfactory. The Plan indicates a maximum of 0.6m (2 ft.) of fill above the original grade as recommended in the Geotechnical Report prepared by Levelton Consultants Ltd. dated January 19, 2006.

- In-ground basements and crawl spaces will be prohibited due to geotechnical and groundwater limitations.

#### Geotechnical and Drainage Issues

- It has been noted that the development is located in an area of difficult soil conditions. As a result, geotechnical and groundwater assessments will be required in which compaction methods / equipment used to complete the works and services must be outlined by the applicant to the satisfaction of the General Manager, Engineering.
- Restrictive Covenant will likely be required for engineered foundations addressing geotechnical and ground water concerns for each lot in the development.

#### Creek Preservation

- The subject site is impacted by Hyland Creek to the north and Archibald Creek to the south. The applicant has identified riparian protection areas at the northeast corner and along the south side of the site that will be dedicated for creek preservation. These areas total approximately 17% of the gross site area.

#### Tree Preservation

- The Arborist Report indicates that there are 208 mature trees on the subject site. The report proposes the removal of 184 trees because they are located either within the building envelopes, within the footprint of the proposed driveways or underground services, or are assessed as hazardous. The Report proposes to retain 24 trees and plant 167 replacement trees, including 24 upsized trees within a landscape buffer along the east side of the site.
- Additional boulevard trees will be planted as part of this development.

#### Suburban Interface Lots

- The applicant proposes five transitional lots, Lots 38 – 42, along the east side of the site. These properties exceed the minimum lot depth and lot area requirements of the RF-12 Zone, with a minimum lot depth of 29 m (95 ft) and a range in lot size from 661 m<sup>2</sup> (7,115 ft<sup>2</sup>) to 719 m<sup>2</sup> (7,740 ft<sup>2</sup>). The maximum principal building size of the new houses on these transitional lots will be limited to the housing cap in the RF-12 Zone, 260m<sup>2</sup> (2,800 ft<sup>2</sup>) including garages, despite the larger lot size.
- To maximize building separation and privacy between the new dwellings and existing suburban lots to the east, new dwellings on the transitional lots will be sited according to the minimum front yard setback, 6.0 m (20 ft), of the RF-12 Zone as the maximum front yard setback. This restriction will be included in the Building Scheme Restrictive Covenant that is registered on title for each of the lots.
- Additionally, a 4 m (13 ft) wide, raised landscape buffer, including trees and fencing, will be planted along the east property line to provide an appropriate interface between the proposed single family small lots and the existing suburban lots to the east. The applicant will be required to provide a letter of credit security for the buffer.

- A Restrictive Covenant will also be registered on the transitional lots to prevent future subdivision under the RF-12 Zone.

### PRE-NOTIFICATION

Pre-notification letters were originally sent on November 10, 2004 with revised letters sent on October 31, 2005, and staff received the following comments:

- Concern that a walkway will be constructed as part of this development and allow pedestrian access to the suburban lots to the east.

*(The development will likely require off-site sanitary servicing through property 14343 – 65 Avenue, however, no pedestrian walkway will be constructed.)*

- Concern that the development will negatively impact Hyland and Archibald Creeks.

*(DFO representatives have approved the proposed 15 m (49 ft) creek protection area to be dedicated to protect the riparian areas as per the South Newton NCP. In addition, the applicant will be required to confirm and address any downstream capacity and/or erosion problems within the Hyland Creek Master Drainage Plan to the satisfaction of the General Manager, Engineering Department.)*

- Concern that the development will create drainage problems in this area.

*(The applicant's consultants have provided preliminary Lot Grading information and geotechnical and groundwater reports. This information has been reviewed by staff and found generally acceptable. A Lot Grading Plan must also be completed to the satisfaction of the General Manager, Engineering Department.)*

- Concern about tree retention within the development site.

*(The tree preservation and replacement plans prepared by the applicant's arborist have been reviewed and approved by the City Landscape Architect. While the density of this development and the nature of trees growing in stands makes it difficult to retain individual trees, the applicant proposes to retain 24 trees and plant 167 replacement trees within front and rear yards of the proposed lots. Approximately three (3) trees per lot will be retained and/or provided, including upsized trees in a dense row within the proposed buffer along the east side of the development. Additional trees will be planted in the boulevard as part of this development.)*

- Concern that the density, lot depth and setbacks of the RF-12 Zone does not provide an appropriate transition to the suburban lots to the east.

*(The proposed small lot development is consistent with the South Newton NCP. To address residents' concerns, the development will provide a 4.0 m (13 ft) wide buffer along the east side of the development site that will include upsized trees and solid fencing. This buffer will be protected by a private Restrictive Covenant and will be*

*located within the rear yards of the proposed transitional lots along the east side of the site. These lots will also exceed the minimum lot depth and lot area requirements of the RF-12 Zone, with a minimum lot depth of 29 m (95 ft) and a range in lot size from 661 m<sup>2</sup> (7,115 ft<sup>2</sup>) to 719 m<sup>2</sup> (7,740 ft<sup>2</sup>). The maximum principal building size of the new houses on these transitional lots will be limited to the housing cap in the RF-12 Zone, 260m<sup>2</sup> (2,800 ft<sup>2</sup>) including garages, despite the larger lot size.)*

- Concern about the retention of an existing hedge and fence during the installation of services, if necessary, between 14343 and 14335 – 65 Avenue along the east side of the development.

*(The location of services will be reviewed in more detail through the Servicing Agreement. If services are needed in this location, the Servicing Agreement will include provisions to ensure the impact of installation is minimized. The applicant will be required to notify the property owners who are affected, and securities will be collected through the Servicing Agreement to ensure the reinstatement of the affected properties including the potential replacement of hedging and fencing to the satisfaction of the owners.)*

- Concern that the proposed development will hinder the future development potential of property 6558 – 142 Street to the north.

*(The applicant has investigated the overall potential development concept of the land to the north. The applicant proposes to construct a half cul-de-sac between proposed Lots 28 and 29 which will provide access for future lots on the west side of 6558 – 142 Street as per the South Newton NCP. However, any future development on this property must be reviewed and approved by the DFO to ensure adequate protection of Hyland Creek and its riparian areas.)*

### INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets
Appendix II.	Contour Map
Appendix III.	Proposed Subdivision Layout
Appendix IV.	Engineering Summary
Appendix V.	Parks Comments
Appendix VI.	School District Comments
Appendix VII.	South Newton Neighbourhood Concept Plan
Appendix VIII.	Building Design Guidelines Summary
Appendix IX.	Summary of Tree Survey, Tree Preservation Plan and Landscape buffer Plan
Appendix X.	Subdivision Concept Plan

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated February 8, 2006.
- Tree Survey and Tree Preservation and Planting Plan prepared by Randy Greenizan of C. Kavolinas and Associates Inc. and dated March 9, 2006.
- Residential Character Study and Proposed Building Scheme prepared by Mike Tynan and dated October 22, 2005. (One copy is filed with the City Clerk's Office.)
- Geotechnical Study prepared by Levelton Consultants Ltd. and dated September 9, 2005 and revised January 19, 2006.
- Groundwater Study prepared by Piteau Associates and dated November 24, 2005 and revised January 30, 2006.
- Soil Contamination Review Questionnaire prepared by Michael Helle and dated August 20, 2004.

Murray Dinwoodie  
General Manager  
Planning and Development

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## SUBDIVISION DATA SHEET

**Proposed Zoning: RF-12**

<b>Requires Project Data</b>	<b>Proposed</b>
<b>GROSS SITE AREA</b>	
Acres	9.0 acres
Hectares	3.6 ha
<b>NUMBER OF LOTS</b>	
Existing	4
Proposed	54
<b>SIZE OF LOTS</b>	
Range of lot widths (metres)	6.0 m (20 ft.) - 22.8 m (75 ft.)
Range of lot areas (square metres)	321 m <sup>2</sup> (3,455 sq.ft.) - 719.9 m <sup>2</sup> (7,749 sq.ft.)
<b>DENSITY</b>	
Lots/Hectare & Lots/Acre (Gross)	15 uph/6upa
Lots/Hectare & Lots/Acre (Net)	18 upa/7.5 upa
<b>SITE COVERAGE (in % of gross site area)</b>	
Maximum Coverage of Principal & Accessory Building	31%
Estimated Road, Lane & Driveway Coverage	28%
Total Site Coverage	59%
<b>PARKLAND</b>	
Dedicated Area (square metres)	6,220 sq.m.
% of Gross Site	17%
<b>Required</b>	
<b>TREE SURVEY/ASSESSMENT</b>	YES
<b>MODEL BUILDING SCHEME</b>	YES
<b>HERITAGE SITE Retention</b>	NO
<b>BOUNDARY HEALTH Approval</b>	NO
<b>DEV. VARIANCE PERMIT required</b>	
Road Length/Standards	NO
Works and Services	NO
Building Retention	NO
Others	NO

CONTOUR MAP FOR SUBJECT SITE

