

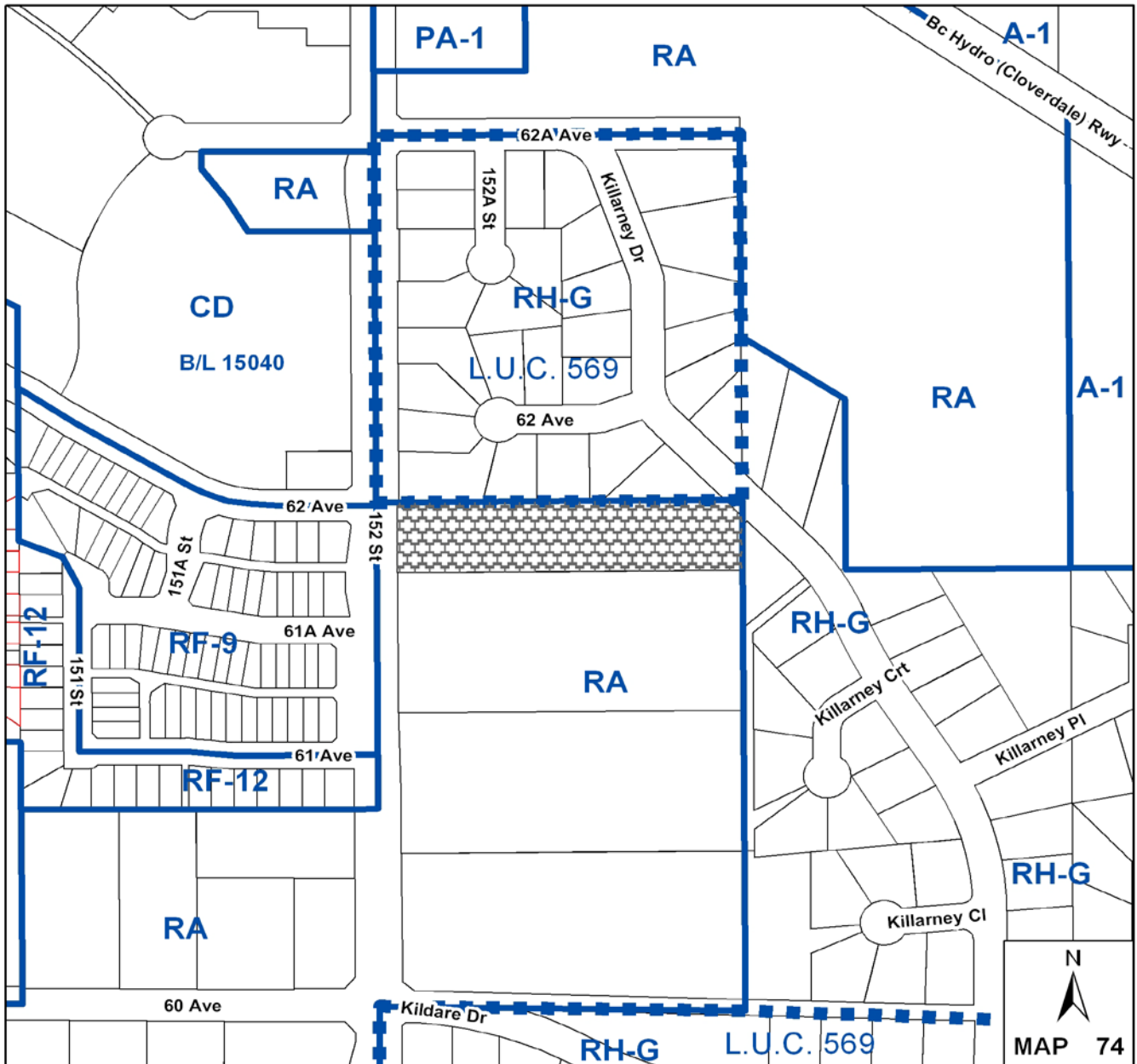
Proposal: Rezone from RA to CD to permit subdivision into 5 half-acre gross density lots. Development Variance Permit to relax front yard setback for an existing dwelling.

Recommendation: Approval to Proceed

Location: 6155 Killarney Drive **Zoning:** RA

OCP Designation: Suburban

LAP Designation: Suburban Residential **Owner:** S. and S. Saran



PROJECT TIMELINE

Completed Application Submission Date: July 4, 2005
Application Revision & Re-submission Date: February 14, 2006
Planning Report Date: February 20, 2006

PROPOSAL

The applicant is proposing:

- a rezoning from RA to CD; and
- a Development Variance Permit to vary the following by-law regulation:
 - relax the front yard setback of the proposed CD Zone, for the existing dwelling on proposed Lot 5 from 7.5 metres (25 ft.) to 5.2 metres (17 ft.)

in order to allow subdivision into five (5) half-acre gross density single family 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 "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve Development Variance Permit No. 7905-0210-00 (Appendix IX), varying part 2. F. Yards and Setbacks of the proposed CD Zone as follows, to proceed to Public Notification:
 - (a) to reduce the minimum front yard setback from 7.5 metres (25 ft.) to 5.2 metres (17 ft.) to allow retention of the existing dwelling on proposed on Lot 5.
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 an acceptable tree survey, a statement regarding tree preservation, and a landscaping plan and financial security for a 10-metre (33 ft.) wide landscape buffer along 152 Street to the specifications and satisfaction of the City Landscape Architect;
 - (d) registration of a 10-metre (33 ft.) wide statutory right-of-way over the westerly 10-metre (33 ft.) portion of proposed Lot 1 for a natural landscaped buffer adjacent to 152 Street;

- (e) registration of "No Build" Restrictive Covenant on proposed Lot 1 to protect the landscape buffer and a minimum 7.5-metre (25 ft.) rear yard setback for the dwelling from the east boundary of the landscaped buffer right-of-way; and
- (f) provision of cash-in-lieu of parkland to the satisfaction of the Parks, Recreation and Culture Department.

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 Parks, Recreation & Culture Department supports the proposed combination of open space dedication and cash-in-lieu of parkland, as well as the proposed landscape buffer along 152 Street and the walkway. The developer will be required to partner with the City to undertake remedial works on the proposed new parkland along the east portion of the site, including clearing of existing vegetation and installation of sod. The applicant has agreed to this requirement (Appendix VI).

School District:

School Impacts:

Projected number of students from this development:

Elementary students = 2 students
 Secondary students = 1 student
 Total new students = 3 students

School Catchment Area/Current Enrollment/School Capacity:

Sullivan Elementary School = 419 enrolled/215 capacity
 Sullivan Heights Secondary School = 1,087 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 = 134 students
 Secondary students = 92 students
 Total new students = 226 students

Approved Capacity Projects and Future Space Considerations

The proposed park school walkway link will benefit the current neighbourhood. The location of this development is within the Sullivan Elementary catchment area after the enrollment move occurs with the opening of Cambridge Elementary in September 2006. Sullivan Elementary enrollment will be reduced below capacity after 2006. The secondary school projections include the French Immersion program move from Sullivan Heights to the new Panorama Ridge Secondary (phased in) and a lower number of out of catchment students are projected with the new Panorama Ridge Secondary School which opens in September 2006.

(Appendix V)

SITE CHARACTERISTICS

- **Existing Land Use** Single family residence and accessory buildings. All accessory buildings are proposed to be demolished. The existing single family dwelling will be retained.
- **Significant Site Attributes** There are mature trees on the property.
- **East:** Single family subdivision with dwellings, zoned RH-G, designated Suburban in the OCP.
- **South:** Large suburban lots with existing dwellings, zoned RA, designated Suburban in the OCP.
- **West:** Across 152 Street, a single family small lot subdivision under construction, zoned RF-9, designated Urban in the OCP and "Single Family Small Lots" in the South Newton Neighbourhood Concept Plan (NCP).
- **North:** A suburban single family subdivision of half-acre gross density type lots, regulated under LUC No. 569, designated Suburban in the OCP.

PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

LAP Designation: Complies.

DEVELOPMENT CONSIDERATIONS

Background

- The proposal is to rezone the subject site from One-Acre Residential Zone (RA) to "Comprehensive Development Zone (CD)" based on the "Half-Acre Residential Gross Density Zone (RH-G)" to create five (5) suburban half-acre gross density lots. The site is designated "Suburban" in the Official Community Plan, (OCP), and "Suburban Residential (Half Acre)" in the Newton Local Area Plan. The proposal complies with these designations.
- Although the proposal is generally consistent with the RH-G Zone, a CD Zone (based on the RH-G Zone) is required to address the combination of park dedication and cash-in-lieu of parkland proposed in this case. The applicant proposes to dedicate a portion of the site for parkland, as per the size and configuration identified by the Parks, Recreation & Culture Department. This parkland amounts to approximately 4.8% of the total development site. Therefore, a cash-in-lieu contribution of equivalent to 10.2% of the gross site area is proposed to achieve the 15% requirement standard for half-acre gross density subdivision lots. The combination of dedicated park space and cash payment in lieu of parkland will ensure contributions for park space that are consistent with the Half-Acre Residential Gross Density (RH-G) Zone parkland requirements.
- The subject site has a gross area of 0.91 ha. (2.258 Ac) extending from 152 Street east to Killarney Drive in the Sullivan Station neighbourhood. The development site is occupied by a new single family dwelling fronting Killarney Drive and occupied by the owner.
- The proposed subdivision layout of half-acre gross density lots complements the neighbourhood development pattern by having lots with similar areas and configurations as the adjoining properties in Sullivan Station developed under Land Use Contract (LUC) No. 569. A development concept plan for similar future development on adjacent lots to the south has been developed to achieve a consistent development pattern and ensure future park acquisitions can be achieved.

Subdivision Layout

- The proposed subdivision consists of five (5) half-acre gross density sized residential lots fronting on a new local road. A walkway will provide pedestrian access to 152 Street. A park will be located at the southeast portion of the site (Appendix III).
- The park area will cover approximately 4.8% of the gross site. It will form part of the existing linear park that links with the Sullivan Elementary School site to the south. When lands to the south of the subject site develop, additional park dedications will be secured to complete this open space network.
- Two (2) of the 5 proposed lots have total lot areas of 1,386 sq.m. (14,919 sq.ft.) and 1,514 sq.m. (161,297 sq.ft.), while three of the lots have areas of approximately 1,124 sq.m. (12,099 sq. ft.) each. Proposed lot widths meet or exceed a width of 30 metres (100 ft.) each. The proposed lot areas and dimensions generally comply with the RH-G Zone.

- A 10-metre (33 ft.) wide landscaped buffer is provided on proposed Lot 1 along the west property line adjacent to 152 Street to provide visual separation and noise attenuation for the residents of proposed Lot 1. As per the request of the Parks, Recreation and Culture Department, the buffer area will be legally secured by a statutory right-of-way. The applicant has provided a landscape plan for the buffer prepared by a Landscape Architect (Appendix IX) and shall submit financial securities for installation and maintenance of the trees and shrubs in the buffer.
- Proposed Lot 1 will have a depth of approximately 41.8 metres (137 ft.) from 152 Street to ensure preservation of the 10-metre (33 ft.) wide landscaped buffer and a minimum 7.5-metre (25 ft.) setback between the house and buffer boundary for the required rear yard for the proposed single-family dwelling. This lot depth ensures a useable rear yard area for proposed Lot 1, will enhance visual and noise buffering from 152 Street, and is a similar depth as established on properties to the north.
- To secure the landscaped buffer and rear yard setback for proposed Lot 1, a 17.5-metre (57.4 ft.) "No Build" Restrictive Covenant is required which combines the 10-metre (33 ft.) wide landscape buffer and the minimum 7.5 m. (25 ft.) building setback from the buffer boundary.
- A 2-metre (6.6 ft.) wide pedestrian walkway is proposed to provide pedestrian access from this neighbourhood to 152 Street. This will enhance neighbourhood pedestrian mobility by providing a mid-block connection with 152 Street between Kildare Drive (60 Avenue) and 62A Avenue. When development occurs on lands to the south, this walkway will be widened to 4 metres (13 ft.). The Parks, Recreation and Culture Department supports this walkway.
- The existing dwelling on proposed Lot 5 is sited at an angle in relation to the proposed new road. The south-west corner of the dwelling is located approximately 5.2 metres (17 ft.) from the proposed road. Because of the amount of required road dedication and the building's angled orientation in relation to the road, the applicant requests a Development Variance Permit to permit a reduced front yard setback from 7.5 m. (25 ft.) to 5.2 m. (17 ft.) (Appendix X). A Development Variance Permit is requested to allow only the existing dwelling to remain in its current position. Should a new dwelling be constructed or the existing dwelling be substantially altered, compliance with the 7.5-metre (25 ft.) setback will be required. Further discussion on this variance is provided later in this report.

Building Design

- A Neighbourhood Character Study of the area dated February 14, 2006, was conducted by Tynan Design and based on the findings of this study, Building Design Guidelines have been prepared for proposed dwellings in the applicant's subdivision (Appendix VII).
- The development site is located in the Sullivan Station neighbourhood where most of the homes in the area are 20 - 40 years old that do not meet modern standards and due to the older urban character, do not provide a suitable context for the dwelling design in the proposal.
- The proposed design guidelines for this application require the following house styles: "Traditional", Neo-Traditional", Neo-Heritage", or "Craftsman-Heritage".

- The new homes are of an executive-estate home quality, consistent with homes found in most new high quality developments on suburban sized lots in Surrey.
- Dwellings will be two-storey, split levels and bungalows.
- No basement-entry homes or secondary suites will be permitted.
- Two-storey or split-level homes will have a minimum area of 2,400 square feet (excluding garage) and bungalows will have a minimum area of 1,700 sq. ft. (excluding garage).
- The exterior materials include stucco, cedar, hardiplank, brick and stone. Vinyl siding will not be permitted.
- Natural colours such as browns, greens, clays and other earth tones and neutral colours such as grey, white and cream are permitted.
- The roof pitch will be a minimum of 8:12. Only cedar shakes and shake profile concrete roof tiles are permitted. Asphalt shingles are not permitted.
- Landscaping for each lot shall consist of a minimum of 25 shrubs. Proposed Lot 1 will have a 10-metre (33 ft.) wide landscaped buffer adjacent to 152 Street to provide visual and noise relief.

Lot Grading

- The lot grading plan indicates that in-ground basements will be possible on all of the proposed lots.
- The Building Division has reviewed the preliminary lot grading plan and has accepted it in principle, subject to more detailed review of the proposed tree retention. The final lot grading plan will be required to be approved prior to final approval of the Rezoning By-law.

Arborist Report, Tree Preservation and Buffer Requirements

- The Arborist report shows that there are 27 mature trees on the subject site, 6 of which are proposed to be retained and 20 are to be removed (4 of which are categorized as hazardous). The Arborist plan shows a total of 22 replacement trees. In total, 29 trees will be located on the five proposed properties averaging 5.8 trees per lot (Appendix VIII).
- A 10-metre (33 ft.) wide natural/landscaped buffer is proposed for the west side of proposed Lot 1 adjacent to 152 Street (Appendix IX). A number of mature trees and smaller conifers shall be retained in this area. Additional trees and shrubs are to be planted in the buffer area. A financial security is required for the additional trees and shrubs required for the buffer and is to be paid prior to rezoning approval.

Proposed CD By-law

- The proposed CD By-law (Appendix XI) is modeled on the Half-Acre Residential Gross Density Zone (RH-G) with minor variations to achieve the required flexibility in lot sizes and open space requirements.
- The RH-G Zone requires that 15% of the lot area be set aside for park purposes. However, the applicant is proposing to dedicate a smaller park area located at the south-east corner of the development in order to contribute to an established linear park system. The proposed park dedication is approximately 4.8% of the gross development site area. The proposed CD Zone, therefore, requires only 4.8% open space dedication. To compensate for the residual of the required 15% park area set out in the RH-G Zone, the developer has agreed to provide a cash in lieu payment equivalent to 10.2% of the gross site area.
- The RH-G Zone permits a reduction in lot areas for up to 50% of the lots in a subdivision (i.e. 2 out of 5 lots) from 1,300 sq. m. (14,000 sq. ft.) to 1,120 sq. m. (12,000 sq. ft.). However, the proposed CD By-law permits 3 of the 5 proposed lots within the subdivision to have a minimum lot area of 1,124 sq. m. (12,099 sq. ft.). While compliance with the typical RH-G lot size requirements was possible, a more flexible approach is proposed in the CD Zone to create more efficient lots and to accommodate the landscape buffer along 152 Street. The combined lot yield, average lot size, and density is in keeping with the parameters of the RH-G Zone. The proposed lots have areas that are compatible with existing properties located nearby in Sullivan Station and will contribute to an orderly completion of this part of the neighbourhood.
- Based on the 0.32 floor area ratio (FAR) proposed in the CD Zone, which reflects the density permitted under the RH-G Zone, dwellings will range in size from 359 sq.m. (3,871 sq. ft.) to 484 sq.m. (5,215 sq. ft.). This range is generally in keeping with the size of the suburban style dwellings in the area.
- All other aspects of the CD By-law conform to the Half-Acre Residential Gross Density (RH-G) Zone.

PRE-NOTIFICATION

Pre-notification letters were sent out on August 9, 2005 and staff has received one phone call and two letters regarding the project. The following information was provided in order to address the concerns that were raised.

- One resident phoned and indicated agreement with the proposed rezoning and subdivision but expressed concerns about potential drainage impacts from this site. During the winter, storm water drains from this site onto Killarney Drive creating ponding and freezing problems. Also, the sidewalk and roadway on Killarney Drive become muddy due to drainage from the site.

(Through consultation with the Engineering Department, the City will require the developer to install a rear yard swale. The road works and other development issues should not be a problem as road drainage will be piped. Also rear yard catch basins should intercept rear yard storm water.)

- A property owner also wrote in opposition to the proposal. They indicate that storm water drains from the existing lot onto Killarney Drive and during cold weather, the water freezes, creating a safety concern on Killarney Drive. A noise wall or barrier is requested for 152 Street. The neighbours are also concerned about the potential for large homes to be constructed within this subdivision. They were also concerned about rodents living in the accessory buildings located on the development site.

(The neighbours concerns have been forwarded to the Engineering Department. The lot grading plan confirms that no storm water will drain from the subdivision site onto Killarney Drive. A rear yard swale and catch basin will intercept stormwater on-site and will not impact neighbours. A 10-metre (53 ft) wide landscape buffer is proposed along 152 Street. The proposed size of dwellings will be generally in keeping with the suburban size dwellings built in the Sullivan area under Land Use Contract No. 569. They will be designed and sited in a manner that will complement the existing neighbourhood. The Ministry of Health has been notified regarding the stated rodent concern. During subdivision site preparation, existing accessory buildings will be removed to address the concerns.)

- A resident wrote in opposition to this application expressing concern that the proposed development is very much out of character for the neighbourhood, that most or all trees would be removed for the project, that the homes would be in close proximity to one another and would loom over neighbours' homes, and that the five proposed lots would add to the traffic volumes on Killarney Drive. Additionally, the neighbours stated concerns about removal of trees along 152 Street as it would increase noise from this road.

(The proposed development follows the established Suburban half-acre gross density lot pattern in the area and the Newton Local Area Plan for this neighbourhood, and would complete the development pattern for the area in a logical way. A number of trees will be retained including most of the mature and smaller trees in the buffer area along 152 Street. A substantial number of replacement trees are proposed in addition to retaining mature trees. The addition of five dwellings to this part of Sullivan Station is consistent with the anticipated density for the proposed road network in this area.)

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- The applicant requests a variance to relax the front yard setback of the proposed CD Zone for the existing single family dwelling located on proposed Lot 5, from 7.5 metres (25 ft.) to 5.2 metres (17 ft.).

Applicant's Reasons:

- The applicant's home was constructed in conformity with the existing RA Zone. It was oriented towards the southwest with the intention that it would fit in with a future residential subdivision layout and road system. Efforts were made through the siting of the building to allow it to conform to a future subdivision layout. However, the south west corner of the dwelling is located within 2.3 metres (7.5 ft.) of the front yard setback.

- The front yard variance is a result of the location of the road dedication, which is required to be a minimum of 11.5 metres (37.7 ft.) within the subject site as the adjacent site to the south could not be assembled. If joint development with the property to the south was possible, the road alignment would shift south and the variance would not be required. This excess road dedication is creating the need for the variance to the setback for the existing dwelling.

Staff Comments:

- The variance will not create a visual or functional concern for the development of this infill subdivision. The dwelling is located away from Killarney Drive (approximately 32 metres/105 ft.).
- The proposed variance is required only for a corner of the building, as the house is sited at an angle to the future road.
- The applicant has attempted to negotiate with the property owner to the south to align the future road further south and avoid the variance, but has not been successful.
- This variance will only apply to the existing house.

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.	School District Comments
Appendix VI.	Parks Comments
Appendix VII.	Building Design Guidelines Summary
Appendix VIII.	Summary of Tree Survey and Tree Preservation Plans
Appendix IX.	Landscaped Buffer Plan
Appendix X.	Development Variance Permit No. 7905-0210-00
Appendix XI.	Proposed CD By-law

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated September 29, 2005.
- Building Scheme dated January 17, 2006.
- Neighbourhood Character Study dated January 17, 2006.
- Arborist Report dated September 15, 2005.

- Tree Preservation and Replacement Plan dated September 15, 2005.
- Lot Grading Plan dated January 18, 2006.
- Soil Contamination Review Questionnaire prepared by S. S. Saran dated June 22, 2005.

Murray Dinwoodie
General Manager
Planning and Development

MD/kms

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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: CitiWest Consulting Ltd.
 Address: #101, 9030 King George Highway
 Surrey, B.C. V3V 7Y3
 Tel: 604-591-2213

2. Properties involved in the Application
 - (a) Civic Address: 6155 Killarney Drive

 - (b) Civic Address: 6155 Killarney Drive
 Owners: Surinderpal Singh Saran and Sukchain Jeet Saran
 PID: 013-081-721
 South Half Lot 3 Except: Firstly: Parcel "T" (By-law Plan 62479) Secondly:
 Part Dedicated Road on Plan 67373 Section 11 Township 2 New Westminster
 District Plan 5382

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. 7905-0210-00.

SUBDIVISION DATA SHEET

Proposed Zoning: CD (based on RH-G Zone)

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	2.258 ac.
Hectares	.91396 ha
NUMBER OF LOTS	
Existing	
Proposed	5
SIZE OF LOTS	
Range of lot widths (metres)	30 m to 34 m
Range of lot areas (square metres)	1,124 sq.m. to 1,514 sq.m.
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	5.5 lots/ha 2.25 lots/ac
Lots/Hectare & Lots/Acre (Net)	
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	25%
Estimated Road, Lane & Driveway Coverage	10%
Total Site Coverage	35%
PARKLAND	
Area (square metres)	429 sq.m. (4,617 sq.ft.)
% of Gross Site	4.8%
	Required
PARKLAND	
10.2% money in lieu (for residual of 15% parkland as per RH-G Zone)	YES
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 (Lot 5 Front Setback)	YES
Others	NO

CONTOUR MAP FOR SUBJECT SITE

