

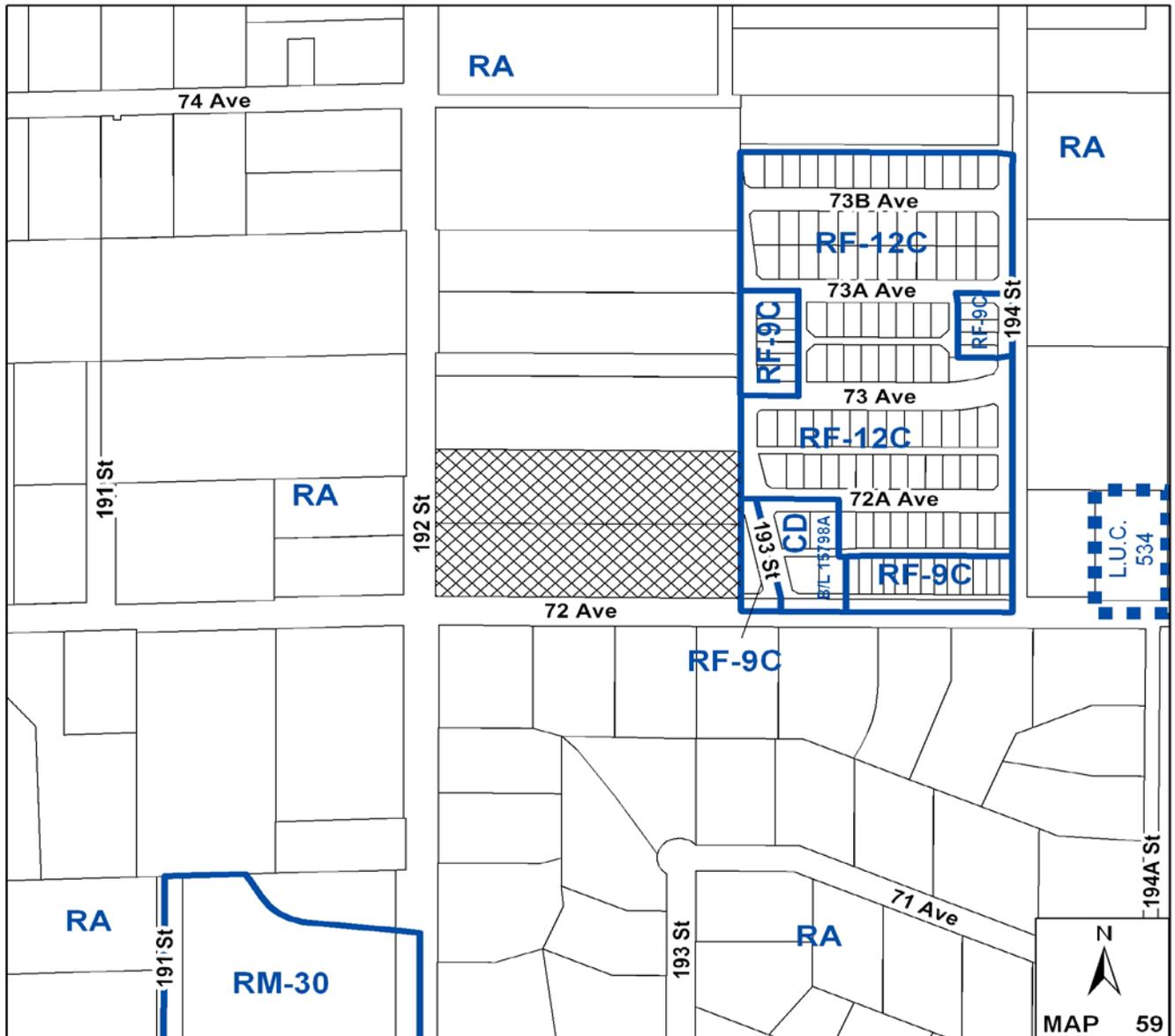
Proposal: OCP amendment from Suburban to Urban. Rezone portions from RA to RF-12C, RF-9C and RF. DVP to allow reduced lot frontage for Lot 42 in order to allow subdivision into approximately 40 single family residential small lots and 2 remainder lots.

Recommendation: Approval to Proceed

Location: 7210/7240 - 192 Street **Zoning:** RA

OCP Designation: Suburban

NCP Designation: Low & Med. Density **Owner:** Cascade Creek Development Corp.



PROJECT TIMELINE

Original Application Submission Date: July 22, 2005
Application Revision & Re-submission Date: November 7, 2006
Planning Report Date: November 20, 2006

PROPOSAL

The applicant is proposing:

- an OCP Amendment from Suburban to Urban;
- a rezoning of portions of the subject site from RA to RF-12C, RF-9C and RF; and
- a Development Variance Permit to vary the lot width requirement of the RA Zone from 50 metres ((164 ft.) to a minimum of 38.0 metres (124 ft.) for proposed Lot 42

in order to allow subdivision into approximately 40 single family residential small lots (19 RF-12C and 21 RF-9C) and 2 remainder lots in the East Clayton, North Extension plan area.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to amend the OCP to redesignate the site from Suburban to Urban and a date for Public Hearing be set (Appendix III).
2. Council determine the opportunities for consultation with persons, organizations, and authorities that are considered to be affected by the proposed amendment to the Official Community Plan, as described in the Report, to be appropriate to meet the requirement of Section 879 of the *Local Government Act*.
3. a By-law be introduced to rezone Block A as shown on the attached Survey Plan from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (9) Coach House Zone (RF-9C)" (By-law No. 12000) and Block B from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential Coach House Zone (RF-12C)" (By-law No. 12000) and a date be set for Public Hearing.
4. a By-law be introduced to rezone Block C as shown on the attached Survey Plan from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential Zone (RF)" (By-law No. 12000) and a date be set for Public Hearing.
5. Council approve Development Variance Permit No. 7905-0232-00, (Appendix IV) varying the following, to proceed to Public Notification:

- (a) to reduce the minimum lot width of the RA Zone from 50 metres (164 ft.) to a minimum of 38 metres (124 ft.) for proposed Lot 42.
6. 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 plan to the satisfaction of the Approving Officer;
- (c) registration of a Section 219 Covenant to secure a "no build" on the proposed lots (Lots 41 and 42); and
- (d) registration of a statutory right of way on proposed Lot 42 to protect road dedication requirements for 192 Street.

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 V).

School District:

School Impacts:

Projected number of students from this development:

Elementary students = 12 students
 Secondary students = 6 students
 Total new students = 18 students

School Catchment Area/Current Enrollment/School Capacity:

East Clayton Elementary School = 141 enrolled/115 capacity
 Clayton Heights Secondary School = 1,192 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 student
 Secondary students = 196 students
 Total new students = 196 students

Approved Capacity Projects and Future Space Considerations

Two new school sites have been purchased to address growth with a new school planned for possible opening by 2007-2008 school year. A new secondary school site has been approved for purchase, with construction proposed for approval in 2008.

(Appendix VI)

Parks, Recreation and Culture: The applicant should dedicate a 4-metre (13-ft.) wide walkway and provide the required park amenity contributions as per the NCP. (Appendix VII)

SITE CHARACTERISTICS

- **Existing Land Use** The subject site is being used for acreage residential purposes. All of the existing buildings and structures will be demolished.
- **Significant Site Attributes** The site is relatively flat with several trees.
- **West:** Across 192 Street are acreage parcels zoned RA with multiple designations: Low, Medium and Medium High Density in the East Clayton NCP North Extension.
- **East:** A newly approved 118-lot residential subdivision (File No. 7905-0003-00), zoned CD (By-law No. 15798B), RF-12C and RF-9C, designated 6-10 upa Low Density; 10-15 upa Medium Density and 15-25 Medium-High Density in the East Clayton NCP North Extension.
- **North:** Acreage parcels zoned RA, split-designated Medium-High Density and Medium Density in the East Clayton NCP North Extension, with an in-stream application (File No. 7906-0227-00) to rezone from RA to RF-SD and RF-9C to create 36 residential small lots. The rezoning by-law (By-law No. 16126) is at Third Reading.
- **South** Across 72 Avenue is a subdivision of one-acre lots (Aloha Estates), zoned RA and designated Half-Acre Residential in the East Clayton NCP.

PLAN AND POLICY COMPLIANCE

OCP Designation: Needs amendment from Suburban to Urban.

NCP Designation: Complies.

JUSTIFICATION FOR OCP AMENDMENT

Background

- The application was originally submitted in July 2005 and involved the following:
 - OCP amendment of the entire site from Suburban to Urban;
 - Rezoning of the westerly portion fronting 192 Street from RA to C-5 and RM-23;
 - Rezoning of the larger middle portion from RA to RF-12C and RF-9C; and
 - Rezoning of the south-easterly part from RA to CD (manor house).
- In the absence of detailed plans for the proposed commercial (proposed C-5) and multi-family developments (proposed RM-23 and CD for manor houses), staff were unable to refer the entire proposal to various departments (Engineering; Parks, Recreation & Culture; and Fire) for comments.
- As well, the proposed manor house component was significantly smaller than what is shown in the NCP: the NCP shows a total of 4 manor house lots, the original application only showed 2 lots.
- Staff advised the applicant's consultant of the need to increase the site area for the proposed manor house to allow the creation of 4 lots in compliance with the NCP and submit the corresponding architectural and landscape plans, including those that are required for the proposed commercial use.
- In July 2006, a new company assumed ownership of the subject site. The new owners made a separate application (File No. 7906-0337-00) for the manor house portion, which was more in keeping with the NCP.
- In September 2006, the new company made a separate application (File No. 7906-0415-00) for the westerly portion of the subject site, which is designated Neighbourhood Commercial and 15-25 upa Medium-High Density in the NCP. It is currently under preliminary review.
- While the subject application no longer includes the westerly and easterly portions of the original site, staff deemed it appropriate to consider the proposed amendment of the Official Community Plan (OCP) of the entire site under this application recognizing that the two other applications are in keeping with the NCP and will proceed shortly.

Proposed OCP Amendment

- The approximately 2.46-hectare (6.0-acre) site is designated Suburban in the OCP and is located within the East Clayton NCP – North Extension area.
- Council on July 28, 2004 under Resolution R04-2237 approved Stage 1, which deals with land use designations and road network in the East Clayton NCP – North Extension area. On June 20, 2005, Council approved the corresponding Stage 2 Report under Res. R05-1589.

- Appendix VII indicates the location of the subject site within the context of the East Clayton NCP-North Extension area and the corresponding designations of specific portions. The allowable density on each of the NCP land use designations exceeds the maximum density of 2 units per acre that is permitted in the current Suburban designation.
- Currently, the land use designations that are reflected in the East Clayton NCP North Extension area require corresponding OCP designation amendments from Suburban to Urban. The approved Stage 2 Report indicates that specific OCP amendments will be dealt with on a site-by-site basis concurrently with site specific rezoning applications.
- The proposed OCP amendment from Suburban to Urban is consistent with the NCP designations and is appropriate.

DEVELOPMENT CONSIDERATIONS

NCP Designations

- The subject site is split designated in the NCP as follows:

NCP Designation	Designation Boundaries (refer to Appendix VIII)	Proposed Zoning	Proposed Lot # in the Subdivision Layout
6-10 upa Low Density	North & south of proposed 72A Avenue	RF-12C, with 19 lots	17-26 & 32-40
10-15 upa Medium Density	Between proposed lane and 192A Street and directly north of 72 Avenue	RF-9C, with 21 lots	1-16 & 27-31
*Manor House	North-west corner of 72 Avenue and 193 Street	Temporary RF	41
*15-25 upa Medium-High Density	South-east corner of 73 Avenue and 192 Street	To remain RA	North portion of Lot 42
*Neighbourhood Commercial	North-east corner of 72 Avenue and 192 Street	To remain RA	South portion of Lot 42

* As indicated above, these portions of the site area are subject of the OCP amendment, with the corresponding rezoning, Development Permit and subdivision to be pursued under separate applications

Rezoning from RA to RF-9C (Block A in Appendix I)

- Block A in Appendix I (designated 10-15 upa Medium Density in the NCP) is approximately 0.677 ha. (1.67 acres) in size. The applicant is proposing to rezone Block A from RA to RF-9C to allow subdivision into approximately 20 small lots (proposed Lots 1-16 and 27-30 on Appendix IX).

- The proposed subdivision layout is indicating a combination of Type I and Type II lots, all of which are interior lots, conforming to the RF-9C Zone as shown below:

	Type I RF-9C Requirements	Proposed Lots 1-10; 15-16; & 27-28
Lot Size	250 m ² (2,690 ft ²)	Minimum of 252 m ² (2,712 ft ²)
Lot Width	9 metres (30 ft.)	9 metres (30 ft.)
Lot Depth	28 metres (90 ft.)	28 metres (90 ft.)

- Proposed Type II lots (proposed Lots 11-14 and 29-31) represent 30% of the total number of proposed RF-9C lots in the proposed subdivision, all of which conform to the dimension requirements stipulated in the RF-9C Zone as indicated in the following table:

	Type II RF-9C Requirements	Proposed Lots 11-14; 29-31
Lot Size	220 m ² (2,368 ft ²)	Minimum of 221 m ² (2,368 ft ²)
Lot Width	7.9 metres (26 ft.)	7.9 metres (26 ft.)
Lot Depth	28 metres (90 ft.)	28 metres (90 ft.)

- As stipulated under the RF-9C Zone, driveway access to all of the proposed lots will be provided from the lanes. Therefore, proposed garages will not be visible from the roads.
- There will be the possibility of including a coach house or a secondary suite (but not both) on each of the proposed Type I lots. The RF-9C Zone does not permit a secondary suite or a coach house on Type II lots as these lots are comparatively smaller than the standard RF-9C lots.

Rezoning from RA to RF-12C (Block B in Appendix I)

- Block B in Appendix I (designated 6-10 upa Low Density in the NCP) is approximately one (1) ha. (2.57 acres) in size. The applicant is proposing to rezone Block B from RA to RF-12C to allow subdivision into approximately 19 small lots (proposed Lots 17-26 and 32-40 on Appendix IX), all of which are proposed as Type I lots. As in the proposed RF-9C lots, there will be the possibility of including a coach house or a secondary suite (but not both) on each of the proposed lots.
- The following table shows that the proposed RF-12C lots conform to the subdivision dimensions of the proposed Zone.

	RF-12C Interior Lot Requirements	Proposed Lots 17-26 & 33-39	RF-12C Corner Lot Requirements	Proposed Lots 32 & 40
Lot Size	320 m ² (3,445 ft ²)	Minimum of 324 m ² (3,487 ft ²)	375 m ² (4,037 ft ²)	Min. of 399 m ² (3,487 ft ²)
Lot Width	12 metres (40 ft.)	12 metres (40 ft.)	14 metres (46 ft.)	Min. of 14 metres (46 ft.)
Lot Depth	26 metres (85 ft.)	27 metres (85 ft.)	26 metres (85 ft.)	27 metres (85 ft.)

Proposed Road Alignments and Pedestrian Walkway

- The proposed overall layout indicates road alignments that are consistent with the grid system of roads planned for the East Clayton North Extension area, which generally follows the road pattern in the East Clayton NCP area. Lanes are proposed to provide driveway access to the proposed small lots, avoiding the prominence of garages along the fronting roads and thus, promoting a more pedestrian-friendly streetscape along the public roads.
- The proposed subdivision will facilitate the construction of 72A Avenue between 192 Street and 193 Street, connecting the subject site with the newly-approved 118-lot subdivision to the east. It will be established as an 18-metre (60-ft.) wide road right-of-way, allowing for on-street parking.
- The NCP indicates a 10-metre (33-ft.) wide east-west walkway between 192 and proposed 192A Street, to be constructed across the site (Appendix VIII). However, Parks, Recreation & Culture Department prefers the following specifications:
 - 4-metre (13-ft.) wide dedication between proposed Lots 26 and 27 (Appendix IX); and
 - 10-metre (33-ft.) wide dedication across proposed Lot 42, to be secured in conjunction with the development of proposed Lot 42 under File No. 7906-0415-00.

Rezoning from RA to RF (Block C in Appendix I)

- Block C in Appendix I (proposed Lot 41 in Appendix IX) consists of lands that are earmarked, in conjunction with an adjacent parcel directly east, for manor house development. This portion of the site is approximately 0.168 ha. (0.41-acre) in size. Therefore, it cannot be created as a separate RA lot (RA Zone requires lots to have a minimum lot area of one acre). As discussed earlier, this portion of the site is subject of a separate development application (7906-0337-00).
- Given the proposed size of the lot, it is appropriate to rezone this portion from RA to RF, with a "No Build" Restrictive Covenant to ensure that it will be eventually developed in accordance with the NCP.
- Staff further propose that this portion of the site be rezoned from RA to RF under a separate by-law. In this manner, the proposed RF-9C and RF-12C components of the subject application can proceed independently of the proposed RF component which is being addressed under File No. 7906-0337-00.

Proposed Design Guidelines, Lot Grading and Tree Replacement

- The proposed building design guidelines for the proposed RF-9C and RF-12C lots (prepared by Ankenman Associates Architects Inc.) comply with the General Urban Design Guidelines established for the East Clayton NCP. The design guidelines stipulate that new homes follow the Neo-Heritage style, the same style that is evident in the newly-built homes in this neighbourhood.
- The design guidelines prohibit the construction of basement-entry homes.

- In-ground basements are proposed based on the preliminary lot grading information provided by the applicant. These will be achieved with minimal cut or fill. Fill of not more than 1.2 metres (4 ft.) is indicated on majority of the lots. The proposed amount of fill conforms to the maximum fill requirement of 1.2 metres (4 ft.) stipulated in the NCP. The information has been reviewed by staff and found to be generally acceptable.
- The Arborist Report indicates that there are 12 protected trees on the subject site, all of which have to be removed as they are either within the building envelopes or in conflict with the proposed road alignments. Due to the size of the lots, a tree replacement of 1 tree per lot is proposed, with the associated Tree Replacement Plan for a total of 40 trees, to be secured in conjunction with the Building Scheme.
- The development application was submitted prior to final adoption of Tree Preservation By-law No. 16011 and is covered by the one-year grace period.
- Under the new Tree Protection By-law, a tree replacement ratio of 2:1 applies, i.e., two replacement trees for every protected tree that is cut. Small lots (e.g., RF-12C and RF-9C) can only accommodate 1 tree per lot. In the case of the subject application where 12 trees will be removed, a total of 24 replacement trees are required. However, as there are 40 lots being proposed, a total of 40 replacement trees will be secured, exceeding the tree replacement requirements stipulated in the new Tree Preservation By-law.

PRE-NOTIFICATION

Pre-notification letters were sent on September 27, 2006 and staff did not receive any response from adjacent residents and property owners.

PUBLIC CONSULTATION PROCESS FOR OCP AMENDMENT

Pursuant to Section 879 of the Local Government Act, public consultation took place as part of the preparation of the East Clayton-North Extension NCP. Given that the proposal is in compliance with the NCP, no further consultation was necessary with any persons, organizations or authorities with respect to the proposed OCP amendment, other than those contacted as part of the review and pre-notification process.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum lot width of the RA Zone from 50 metres (164 ft.) to a minimum of 38 metres (124 ft.) for proposed Lot 42.

Applicant's Rationale:

- Proposed Lot 42 is being created to remain as an RA lot under the subject application. It is currently the subject of a separate rezoning, Development Permit and subdivision application under File No. 7906-0415-00 to develop a small neighbourhood commercial project and 4 small lots. This application is currently under review by staff.

Staff Comments:

- The RA Zone requires a minimum lot width of 50 metres (164 ft.). Proposed Lot 42 is 12 metres (39 ft.) short of the requirement and therefore, cannot be created as an RA lot, otherwise, it will be a non-conforming lot.
- To address the potential non-conformity, a variance is required.
- The proposed lot is under a separate application, which is being actively pursued by the applicant. Council will be requested to file the DVP when the application proceeds. A "No Build" Restrictive Covenant will be registered on proposed Lot 42 to ensure its future development will be in accordance with the NCP.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary, Project Data Sheets, and Survey Plan
Appendix II.	Contour Map
Appendix III.	Proposed OCP Amendment Map
Appendix IV.	Development Variance Permit No. 7905-0232-00
Appendix V.	Engineering Comments Summary
Appendix VI.	School District Comments
Appendix VII.	Parks, Recreation and Culture Comments
Appendix VIII.	East Clayton NCP – North Extension Area Land Use Plan
Appendix IX.	Proposed Subdivision Layout
Appendix X.	Proposed Building Design Guidelines Summary
Appendix XI.	Summary of Tree Survey and Tree Preservation

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated November 10, 2006.
- Tree Survey and Tree Planting Plan prepared by MGF Horticultural Inc. and dated October 24, 2006.

- Residential Character Study and Proposed Building Scheme prepared by Ankenman Associates Architects Inc. and re-dated November 6, 2006.
- Soil Contamination Review Questionnaire prepared by Dave Mann and dated July 11, 2005.

How Yin Leung
Acting General Manager
Planning and Development

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SUBDIVISION DATA SHEET

Proposed Zoning: RF-9C and RF-12C

Requires Project Data	Proposed	
GROSS SITE AREA		
Acres	6.0 ac	
Hectares	2.43 ha	
NUMBER OF LOTS		
Existing	2	
Proposed	40 and 2 remainder	
SIZE OF LOTS	RF-9C	RF-12C
Range of lot widths (metres)	7.9 m to 9.0 m	12.0 m to 14.9 m
Range of lot areas (square metres)	221 m ² - 265 m ²	324 m ² - 465 m ²
DENSITY		
Lots/Hectare & Lots/Acre (Gross)	12 upa	7.5 upa
Lots/Hectare & Lots/Acre (Net)		
SITE COVERAGE (in % of gross site area)	(52%)	(59%)
Maximum Coverage of Principal & Accessory Building	39	39
Estimated Road, Lane & Driveway Coverage	18	18
Total Site Coverage	57	57
PARKLAND	n/a	
Area (square metres)		
% of Gross Site		
	Required	
PARKLAND		
5% money in lieu	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	NO	
Lot Width for a Temporary RA Lot	YES	

CONTOUR MAP FOR SUBJECT SITE

