

City of Surrey
PLANNING AND DEVELOPMENT REPORT

File: 7905-0382-00

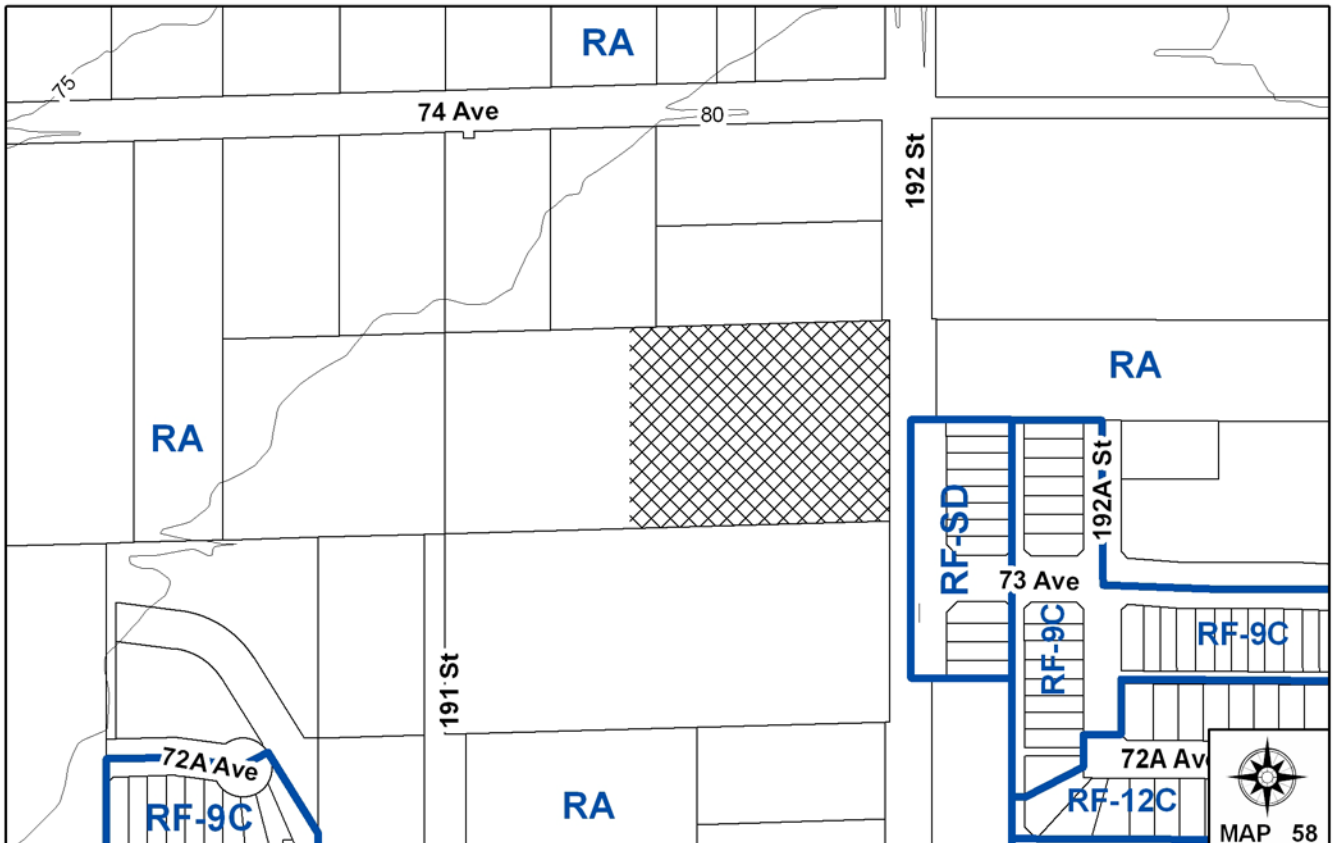
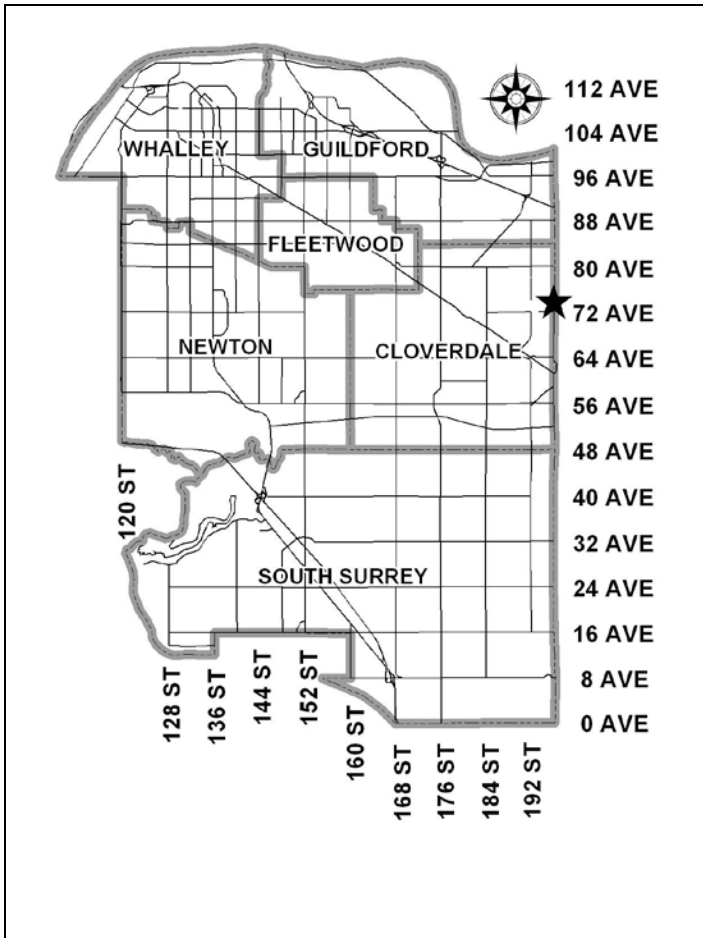
Planning Report Date: December 17, 2007

PROPOSAL:

- **OCP Amendment** of a portion from Suburban to Urban
- **NCP Amendment** of a portion to expand the boundary of the East Clayton NCP Extension North of 72 Avenue
- **Rezoning portions** from RA to RF-9C and RF-SD
- **Development Variance Permit**

in order to allow subdivision into 20 single family small lots with coach houses, 12 duplex units and 1 remnant lot.

LOCATION: Portion of 7329 - 192 Street
OWNER: Clayton Ridge Management Ltd.
ZONING: RA
OCP DESIGNATION: Suburban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The proposed development does not comply with the existing OCP designation and requires a redesignation from Suburban to Urban for a portion of the subject site.
- The proposed development is not currently included within the East Clayton NCP Extension North of 72 Avenue and requires an amendment to extend the boundary to include the eastern portion of the subject site and designate to 10-15 upa (Medium Density) and 15-25 upa (Medium-High Density).

RATIONALE OF RECOMMENDATION

- The subject site can be serviced under the established servicing guidelines of the NCP.
- Continues the approved road pattern for the area and land use designations in the NCP to the south and across 192 Street to the east of the subject property.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to amend the Official Community Plan by redesignating a portion of the subject site shown as Block A and Block B on the Survey Plan from Suburban to Urban and a date for Public Hearing be set (Appendix II).
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 a portion of the subject site shown as Block A on the Survey Plan from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Semi-Detached Residential Zone (RF-SD)" (By-law No. 12000) and Block B on the 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) (Appendix II)..
4. Council approve Development Variance Permit No. 7905-0382-00, (Appendix X) varying the following, to proceed to Public Notification:
 - (a) to increase the ratio of Type II RF-9C lots from a maximum 33% to 40% of the total number of RF-9C lots.
5. 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, cross-section and landscaping cost estimate for the landscape buffer along the north property line and along 192 Street, to the specifications and satisfaction of the City Landscape Architect;
 - (e) registration of a Section 219 Restrictive Covenant for a "no build" and maintenance of the landscape buffers along the north property line and along 192 Street;
 - (f) the applicant provide amenity contributions as per the approved East Clayton NCP Extension North of 72 Avenue;

- (g) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department;
 - (h) registration of a Section 219 Restrictive Covenant for "no build" on proposed Lot 1 until future alternative vehicular access can be provided and when the western portion of Lot 1 can be serviced;
 - (i) registration of statutory right-of-way for a temporary access road; and
 - (j) registration of a party wall and corresponding easement agreements for proposed Lots 2 to 13.
6. Council pass a resolution to amend the East Clayton NCP Extension North of 72 Avenue to extend the boundary to include the eastern portion of the subject site under the 10-15 upa (Medium Density) and 15-25 upa (Medium-High Density) designations when the project is considered for final adoption (Appendix IX).

REFERRALS

- Engineering:** The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix V.
- School District:** **Projected number of students from this development:**
 12 Elementary students at Clayton/East Clayton Elementary School
 5 Secondary students at Clayton Heights Secondary School
 (Appendix VI)
- Parks, Recreation & Culture:** Parks has indicated that they support the proposed development. The applicant should provide park amenity contributions on a per unit basis as per Stage II of the East Clayton NCP Extension North of 72 Avenue.
- Terasen Gas:** Terasen Gas facilities will not be affected by this proposal and therefore, Terasen Gas has no objection to the proposal.

SITE CHARACTERISTICS

Existing Land Use: Existing single family house on a large acreage lot.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North	Existing single family homes on acreage lots.	Suburban	RA

Direction	Existing Use	OCP/NCP Designation	Existing Zone
East (across 192 Street):	Twelve (12) side by side duplexes and 24 small lots with coach houses recently approved under Application No. 7906-0227-00 and single family house on acreage lot.	15-25 upa (Medium-High Density) and 10-15 upa (Medium Density), both in East Clayton NCP Extension North of 72 Avenue	RF-SD, RF-9C and RA
South	Existing single family home on acreage lot.	15-25 upa Medium-High Density and 10-15 upa (Medium Density) and 6-10 upa (Low Density) in the East Clayton NCP Extension North of 72 Avenue	RA
West:	Existing single family home on acreage lot.	Suburban in the OCP	RA

DEVELOPMENT CONSIDERATIONS

Background

- The applicant initially submitted an application on December 6, 2005 for an application which encompassed an OCP amendment from Suburban to Urban, a NCP amendment to include the subject site as part of the East Clayton NCP Extension North of 72 Avenue, a Rezoning from One-Acre Residential Zone (RA) to Single Family Residential (9) Coach House Zone (RF-9C), Semi-Detached Residential Zone (RF-SD) and Comprehensive Development Zone (CD) to allow for the development of 22 small single family lots (RF-9 Zone), 12 duplex units (RF-SD Zone) and 22 detached strata units (CD).
- Subsequent to the application being submitted, it was determined that the portion which was to encompass the 22 detached strata units (west portion of site) could not be serviced. The applicant then revised the application to eliminate the west portion of the site from the application.

Current Proposal

- The applicant has submitted an application at 7329-192 Street in East Clayton, for an Official Community Plan (OCP) amendment from Suburban to Urban, a Neighbourhood Concept Plan (NCP) amendment to extend the boundary of the East Clayton NCP Extension North of 72 Avenue to include a portion of the subject property, a rezoning from One-Acre Residential Zone (RA) to Single Family Residential (9) Coach House Zone (RF-9C) and Semi-Detached Residential Zone (RF-SD) to allow for subdivision into 20 single family small lots with legal secondary suites or coach houses, 12 duplex units on fee simple lots and 1 remnant lot.
- The application only encompasses the eastern portion of the site, which is a total of 1.19 hectare (2.9 acres) in size. The western portion (Lot 1) currently cannot be serviced and will remain as a remainder lot until servicing is available in the future. A separate application will be required for any future development.

Justification for Plan Amendment

- The subject property was included as part of the original "study area" when the East Clayton NCP Extension North of 72 Avenue boundary was being established. It was excluded from the approved NCP because it was believed that the site could not be serviced under the established servicing guidelines. However, a detailed topographic assessment of the site by the applicant's consultant has determined that a portion of the site can be efficiently serviced within the servicing guidelines in the NCP.
- To address the interface with the Suburban designated RA zoned property to the north, the applicant has agreed to design and construct a landscape buffer along the north property line to buffer the proposed lots from the existing house to the north.
- The proposed development follows the approved road pattern for the area. The proposed housing forms fronting 192 Street on this site are compatible (in density and form) with those recently approved immediately across 192 Street, under Application No. 7906-0227-00.
- The Surrey School District has indicated that there is sufficient existing and planned school capacity to accommodate the children expected to live in this development.

Rezoning from RA to RF-SD (Block A in Appendix II)

- A rezoning is proposed for a 0.338 hectare (0.84 acre) portion of the subject site immediately west of 192 Street (shown as Block A in Appendix II) from RA to RF-SD in order to create 12 small lots which will accommodate 12 side by side duplex units, within 6 buildings.
- RF-SD units differ from the traditional RM-D units in that each unit would be on a fee simple lot, as opposed to having 2 units on one lot.
- Based upon the proposed subdivision layout, the applicant is proposing to build side-by-side duplex units on lots that comply with the RF-SD Zone as follows:

	RF-SD Zone	Proposed Lots
Lot Size	200 m ² (2,153 ft ²) for interior lots; 226 m ² (2,433 ft ²) for corner lots	228.2 m ² (2,456 ft ²) for proposed Lots 2-8 and 13 (interior lots) and 237.7 m ² (2,559 ft ²) for proposed Lots 9-12 (interior lots); no corner lots proposed
Lot Width	7.2 m (24 ft.) for interior lots; 8.7 m (29 ft.) for corner lots.	7.2 m (24 ft.) and 7.5 m (25 ft.) for interior lots; no corner lots proposed
Lot Depth	28 m (92 ft.)	28 m (92 ft.)

- Proposed homes on these lots will have garages attached to each other (at zero lot line along the common side yard) at the rear of the lots, with access off the proposed north-south lane. The proposed garages will be separated by a 6.0-metre (20 ft.) wide area from the building face, affording each lot a usable rear yard.

- As semi-detached units, the proposed homes will have shared walls and therefore, a party wall agreement will be required as well as an easement agreement to facilitate future maintenance and repair. Registration of party wall and easement agreements will be required as a condition of final adoption of the rezoning.

Rezoning from RA to RF-9C (Block B in Appendix II)

- The applicant proposes to rezone Block B, a 0.853 hectare (2.1-acre) portion of the subject site located to the immediate west of Block A, from RA to RF-9C to allow for subdivision into 20 single family small lots, which may accommodate coach houses or secondary suites but not both on each of the Type I lots. The RF-9C Zone does not permit a coach house or a secondary suite on Type II lots as these lots are comparatively smaller than the standard RF-9C lots.
- The proposed subdivision layout is indicating a combination of Type I and Type II RF-9C lots. The proposed Type I lots (proposed Lots 14, 15, 19 - 22, 24, 25 and 29 - 32) conform to the RF-9C Zone as shown below:

	Type I Interior Lot Requirements	Proposed Interior Lots 14, 15, 19 - 22, 24, 25 and 29 - 32
Lot Size	250 m ² (2,691 ft ²)	Min. 254.8 m ² (2,743 ft ²)
Lot Width	9 metres (26 ft.)	Min. 9.1 m (30 ft.)
Lot Depth	28 metres (92 ft.)	28 metres (92 ft.)

- The proposed Type II lots (proposed Lots 16-18, 23, 26-28 and 33) represent 40% of the total number of proposed RF-9C lots in the proposed subdivision. This is a slight increase over the maximum 33% ratio for Type II lots permitted in the RF-9C Zone. However, all of the proposed Type II lots conform to the dimensional requirements stipulated in the RF-9C Zone as indicated in the following table:

	Type II Interior Lot Requirements	Proposed Lots 16-18, 23, 26-28 and 33
Lot Size	220 m ² (2,368 ft ²)	Min. 221.1 m ² (2,380 ft ²)
Lot Width	7.9 metres (26 ft.)	Min. 7.9 metres (26 ft.)
Lot Depth	28 metres (92 ft.)	28 metres (92 ft.)

- As stipulated in the RF-9C Zone, driveway access and garages to all proposed lots will be provided from the rear lanes. Therefore, garages will not be visible from the road.

Proposed Road Alignments and Road Treatments

- The proposed internal road layout is consistent with the grid system of roads planned for the East Clayton NCP Extension North of 72 Avenue area, which generally follows the road pattern in the East Clayton NCP. Lanes are proposed to provide driveway access to all of the homes, avoiding prominence of garages as viewed from the fronting roads and thus promoting a more pedestrian friendly streetscape.

- To further assist in creating interesting streetscapes in this neighbourhood, a 3-metre (10 ft.) wide landscape buffer will be secured within the designated front yards of proposed Lots 2 to 13 fronting 192 Street (designated a "green arterial parkway" in the NCP). The proposed lots have been designed to accommodate a minimum "net" lot depth of 28 metres (92 ft.). A landscape plan has been provided for this purpose and will be secured under a Restrictive Covenant. At a future time when the temporary access road is removed, the same will be required of the proposed panhandle lot fronting 192 Street.

Building Design Guidelines and Proposed Lot Grading (Appendix VII)

- The proposed building design guidelines for the proposed RF-SD and RF-9C lots (prepared by Tynan Design Consulting) comply with the General Urban Design Guidelines established for the East Clayton NCP Extension North of 72 Avenue.
- Based upon preliminary lot grading information provided by the applicant, proposed Lots 24, 25, 26, 27 and 28 will not be able to accommodate in-ground basements. Two retaining walls, a maximum of 0.4 metre (1.3 ft.) in height are proposed along the north property line of proposed Lots 14 and 24, as the site slopes towards the north. The preliminary lot grading has been reviewed by staff and found to be acceptable.

Arborist Assessment and Landscaping Plan (Appendix VII and Appendix XI)

- The arborist assessment prepared by Norman Hall of Arbortech Consulting Inc. indicates that there are 20 mature trees on the developable portion of the subject site, all of which are proposed for removal (Appendix VIII). The main reasons for removal are the poor health of the trees and the location of the trees within the building footprints of the proposed small lots.
- Under the current Tree Preservation By-law, a tree replacement ratio of 1:1 applies for cottonwood and alders and 2:1 applies for all other species, i.e. two replacement trees for every protected tree which is removed (which is not cottonwood or alder).
- Small lots can only accommodate 1 tree per lot. In the case of this application, a total of 40 replacement trees are required. However, only 32 trees can be feasibly planted within the proposed 32 lots. As such, under Tree Protection By-law No. 16011, monetary compensation for the remaining 8 trees will apply, amounting to \$2,400 based upon \$300 per tree. The cash-in-lieu amount of \$2,400 will be collected prior to Final Adoption and will be deposited in the Green City Fund.
- The existing trees (mainly deciduous variety) on the remainder Lot 1 will not be disturbed and will be assessed when the remainder lot is proposed for development.
- A landscape buffer approximately 1.8 metres (6.2 ft.) to 2 metres (6.6 ft.) in width is proposed along the north property line to respond to residents' concerns regarding privacy and screening of the new smaller lots from the existing single family dwellings. The buffer will consist of Excelsa Red Cedar, Armstrong Maples, Redtwig Dogwood, Pink Princess Spirea and Parney Cotoneaster. A Section 219 Restrictive Covenant will be required to be registered on the portion of the property to be developed to ensure installation to the approved plan and for future maintenance. Ultimately, the buffer will be in place for as long as the two properties to the north (7363-192 Street and 19136-74 Avenue) remain undeveloped.

PRE-NOTIFICATION AND PUBLIC INFORMATION MEETING

Pre-notification letters were sent on June 9, 2006, with a development proposal for the whole site consisting of a proposed OCP amendment from Suburban to Urban, an NCP amendment and rezoning from RA to RF-9C, RF-SD and CD to allow for the development of 22 small single family lots (RF-9C Zone), 12 duplex units (RF-SD Zone) and 22 detached units under a strata (CD Zone). As a result of this notification, staff received 1 letter in opposition, with the following comments:

- Concern that the development is proceeding prematurely, when there are other properties within East Clayton, designated for higher densities that have not yet been developed.
- Concern that the land use on the subject property has not been reviewed comprehensively and that the subject lot has not been included in the NCP.
- Concern regarding proposed access to the development and that 191 Street cannot handle the additional traffic resulting from this development. Concern that the intersection at 72 Avenue and 191 Street has become more dangerous.
- Concern about the coach house component and the parking demands resulting from the additional legal dwelling unit.

A Public Information Meeting was held on June 27, 2006. Approximately, 16 people attended the meeting held at the East Clayton Elementary School. Only 4 questionnaires were returned with comments, with an additional 2 letters submitted directly to staff. The 4 respondents were generally supportive of the proposed development, however, 1 respondent was not supportive of the coach house component. The comments were as follows:

- Concern about increased stormwater runoff resulting from the proposed development.

(Catch basins have been proposed within the temporary access road, as well as lawn basins within the landscape buffer to "catch" any excess runoff at this lower end of the portion of the property under development.)

- Concern about increased traffic and access. Currently 191 Street cannot handle additional traffic. Concern that the intersection at 72 Avenue and 191 Street has become more dangerous.

(191 Street has not yet been constructed all the way through to 74 Avenue and therefore there may be some perceived concerns related to the ease of movement at this intersection. Transportation Engineering staff have been advised of residents' concerns related to this intersection and have requested that traffic counts be conducted at 72 Avenue and 191 Street, along with 72 Avenue and 192 Street. If it is determined that there is an issue in the area, traffic measures will be reviewed and considered.)

The 2 letters which were submitted to staff were not supportive of the proposed development and included the following comments:

- Concern that the proposed development does not fit with existing adjacent properties which are larger rural lots with larger single family dwellings.

(Although this may be the case at present, the applicant is proposing a land use pattern similar to what has already been approved by Council across 192 Street, to the east, under Application No. 7906 -0227-00.)

- Concern that the City would be allowing the developer to install a pumped sanitary sewer system as opposed to having the proposed development serviced by a gravity fed system. Feel that this development is rushed, when the developer should wait for a comprehensive review of the area and infrastructure to come into place.

(In order for this proposed development to be constructed, the Engineering Department would require that this development be serviced by a gravity fed system. As part of the review of this application, the applicant was required to retain an engineering consultant to provide an engineering analysis of the area of the subject property. It was concluded that the eastern portion under application can be serviced by a gravity system.)

- Concern about run-off as the adjacent properties to the north of the subject property are lower than the subject property.

(In order to ensure that runoff is handled adequately within the development site, the applicant has proposed a number of catch basins within the temporary access road, along the north property line.)

- If the application is permitted to proceed, a 2.5 metre (8.2 ft.) high landscape buffer along the entire north property line of the subject portion under development is required to buffer the new smaller lots.

(The applicant has provided a landscape plan which includes of a proposed 1.8 metres (6.2 ft.) to 2.0 metres (6.6 ft.) wide landscape buffer along the north property line, planted with Excelsa Red Cedar, Armstrong Maples, Redtwig Dogwood, Pink Princess Spirea and Parney Cotoneaster for the extent of the portion of the site under application. A Section 219 Restrictive Covenant will be required to be registered on the portion of the property to be developed to ensure installation to the approved plan and maintenance. Ultimately, the buffer will be in place for as long as the 2 properties to the north (7363-192 Street and 19136-74 Avenue) remain undeveloped (Appendix XI).)

- A second pre-notification letter was sent January 16, 2007, with details of a revised development reflecting the current proposal on the eastern portion (Blocks A and B as shown in Appendix II) of the subject lot only. Staff received one letter from a resident who had previously provided the same comments, responding to the pre-notification letter of June 9, 2006.

PUBLIC CONSULTATION PROCESS FOR OCP AMENDMENT

Pursuant to Section 879 of the Local Government Act, it was determined that it was not necessary to consult with any persons, organizations or authorities with respect to the proposed OCP amendment, other than those contacted as part of the pre-notification process.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To increase the ratio of Type II RF-9C lots from a maximum 33% to 40% of the total number of RF-9C lots.

Applicant's Justification:

- The requested increase is only a difference of 2 lots (6 lots would be permitted at 33%, whereas 8 lots would be permitted at 40%) and the two additional proposed lots will be compatible and consistent with the pattern of lots already approved across 192 Street to the east, thereby also avoiding larger remnant lots.

Staff Comments:

- Staff view the increase of 2 lots as minor and can support the proposed variance.

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.	Survey Plans Showing Block A for OCP Amendment and Blocks A and B for Rezoning
Appendix III.	OCP Redesignation Map
Appendix IV.	Proposed Subdivision Layout
Appendix V.	Engineering Summary
Appendix VI.	School District Comments
Appendix VII.	Building Design Guidelines Summary
Appendix VIII.	Summary of Tree Preservation
Appendix IX.	Plan Showing NCP Amendment
Appendix X.	Development Variance Permit No. 7905-0382-00
Appendix XI.	Proposed Landscape Buffer Plan

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: James Evans, Equitas Development Corporation
 Address: 1645 West Fifth Avenue
 Vancouver, B.C.
 V6J 1N5
 Tel: 604-879-9940

2. Properties involved in the Application
 - (a) Civic Address: 7329 - 192 Street

 - (b) Civic Address: 7329 - 192 Street
 Owner: Clayton Ridge Management Ltd.
 PID: 007-076-720
 Lot 18 Block 1 Section 21 Township 8 New Westminster District Plan 1065

3. Summary of Actions for City Clerk's Office
 - (a) Introduce a By-law to amend the Official Community Plan to redesignate the property.

 - (b) Introduce a By-law to rezone the property.

 - (c) Proceed with Public Notification for Development Variance Permit No. 7905-00382-00.

SUBDIVISION DATA SHEET

Proposed Zoning: RF-9C and RF-SD

Requires Project Data	Proposed	
GROSS SITE AREA (portion under application)		
Acres	2.9 ac	
Hectares	1.19 ha	
NUMBER OF LOTS		
Existing	1	
Proposed	33	
SIZE OF LOTS	RF-9C	RF-SD
Range of lot widths (metres)	7.9 m to 9.2 m	7.2 m to 7.5 m
Range of lot areas (square metres)	221.1 m to 257.6 m	228 m to 237.7 m
DENSITY		
Lots/Hectare & Lots/Acre (Gross)		
Lots/Hectare & Lots/Acre (Net)	23.4 uph/9.5 upa	35.5 uph/14.4 upa
SITE COVERAGE (in % of gross site area)		
Maximum Coverage of Principal & Accessory Building	23.4%	
Estimated Road, Lane & Driveway Coverage	17%	
Total Site Coverage	40.4%	
PARKLAND		
Area (square metres)	cash-in-lieu	
% of Gross Site	cash-in-lieu	
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	
Ratio of Type II RF-9C Lots	YES	