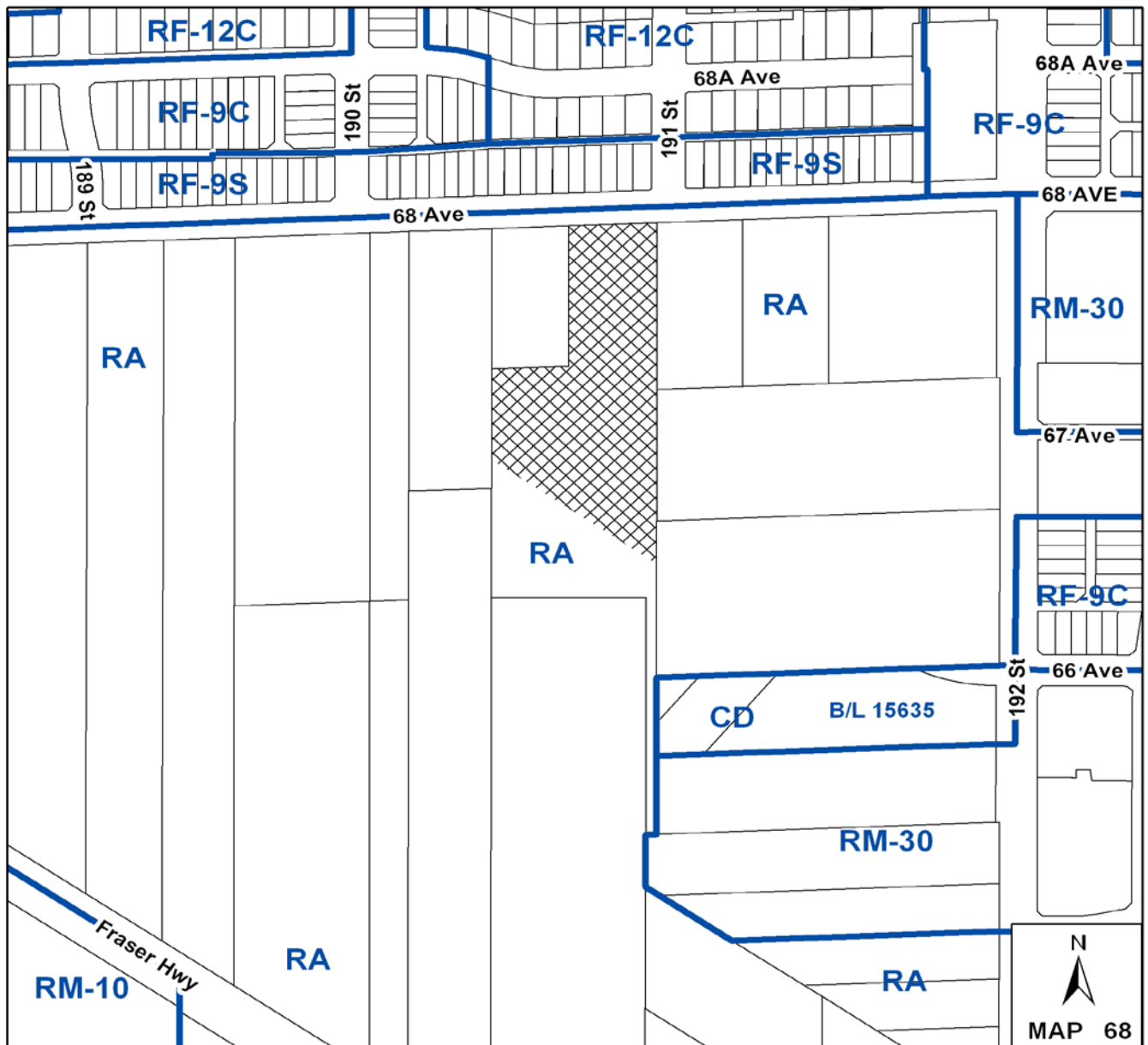


Proposal: Amend NCP on a portion from Business Park to Special Residential. Rezone a portion from RA to RF-9S in order to allow subdivision into approximately 24 small lots and 1 remainder RA lot.

Recommendation: Approval to Proceed

Location: 19080 - 68 Avenue **Zoning:** RA
OCP Designation: Urban
NCP Designation: Spec. Res. & Business Park **Owner:** 741210 BC Ltd.



PROJECT TIMELINE

Original Application Submission Dates:	December 7, 2005
Application Revision & Re-submission Date:	April 7, 2005
Additional Revision & Re-submission Date:	January 10, 2007
Planning Report Date:	January 22, 2007

PROPOSAL

The applicant is proposing:

- an NCP amendment for a portion from Business Park to 10-15 upa Special Residential; and
- a rezoning of a portion from RA to RF-9S

in order to allow subdivision into approximately 24 special single family lots which allow certain low impact retail and service commercial uses and 1 remainder lot in East Clayton.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone a portion of the site as shown on the attached Survey Plan from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Special Single Family Residential (9) Zone (RF-9S)" (By-law No. 12000) and a date be set for Public Hearing (Appendix I).
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) submission of a subdivision plan to the satisfaction of the Approving Officer;
 - (c) registration of a Section 219 Restrictive Covenant to secure a "no build" on the proposed remainder Lot 25 to protect for future development based on Business Park designation in the NCP;
 - (d) registration of a Section 219 Restrictive Covenant to secure a "no build" on portions of proposed Lots 5, 6, 11, 15, and 16, to ensure future consolidation with adjacent parcels;
 - (e) registration of a Section 219 Restrictive Covenant on proposed Lot 25 to protect the required buffer area;

- (f) registration of a Section 219 Restrictive Covenant notifying future owners of the more stringent Building Code requirements that have to be complied with in constructing or upgrading an existing house to operate a business as permitted under the RF-9S Zone; and
 - (g) demolition of existing structures to the satisfaction of the Building Division.
3. Council pass a resolution to amend the East Clayton NCP for a portion of the site from Business Park to Special Residential when the project is considered for final adoption.

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 III).

School District:

School Impacts:

Projected number of students from the combined development:

Elementary students = 8 students
 Secondary students = 4 students
 Total new students = 12 students

School Catchment Area/Current Enrollment/School Capacity:

Combined Clayton & East Clayton Elementary School= 299 enrolled/
 240 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 projects) in the subject school catchment areas:

Elementary students = 157
 Secondary students = 164
 Total new students = 421

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 IV)

Parks, Recreation & Culture: The applicant is to provide cash-in-lieu of parkland dedication and park amenity contributions in keeping with the East Clayton NCP (Appendix V).

SITE CHARACTERISTICS

- **Existing Land Use** The subject site is being used for acreage residential purposes. Existing buildings and structures will be demolished.
- **Significant Site Attributes** The site is relatively flat with existing vegetation that has to be removed to accommodate the proposed development.
- **East:** An acreage parcel zoned RA, designated Special Residential in the NCP, with an in-stream application (File No. 7904-0193-00) for a proposed 79-small lot subdivision under RF-9S and RF-9C Zones, Rezoning By-law No. 15717 at Third Reading.
- **South:** Acreage parcel zoned RA and designated Business Park.
- **West:** Acreage parcels zoned RA and designated Special Residential with the larger parcel split-designated Special Residential and Business Park.
- **North:** Across 68 Avenue are newly-built homes on small lots zoned RF-9S and designated Special Residential in the East Clayton NCP.

PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

NCP Designation: Needs amendment for a portion.

JUSTIFICATION FOR PLAN AMENDMENT

- The approximately 2-ha. (4.94-acre) subject site is located south of 68 Avenue and is part of a large block of acreage parcels that are split-designated Special Residential and Business Park in the East Clayton NCP. Specifically, the NCP identifies the northerly portion amounting to 8,400 sq. m. (2.07 acres) for Special Residential, with the remainder portion (1.16 ha. or 2.9 acres) for Business Park uses (Appendix VI).
- The Business Park designation allows uses that may include high tech industries and light (clean) manufacturing that will create local employment. The designation supports the City's vision of creating complete communities.
- The Special Residential designation, on the other hand, accommodates residential developments with densities ranging from 10-15 units per acre in either single detached dwellings, townhouses or row houses that allow, as an optional use, certain types of home-based businesses or occupations. This designation is specifically identified for the lands south of 68 Avenue to provide the needed transition to the Business Park designation further to the south.

- The applicant is proposing to amend the NCP designation on a portion of the subject site from Business Park to Special Residential to allow the development of small lots under the RF-9S Zone.
- Council, on December 18, 2006 gave Third Reading to rezoning by-laws (By-law Nos. 16183 and 16184) for two separate applications (File Nos. 7905-0137-00 and 7906-0099-00) on the same block as the subject site to allow a similar re-designation of portions from Business Park to Special Residential and rezoning from RA to RF-9S (Appendix VII).
- The subject application continues the land use pattern that has been established by these two neighbouring applications. Another similar application (File No. 7906-0255-00) for the existing parcel at 18951 Fraser Highway is currently under preliminary review.
- As indicated in the previous Planning Reports for the above-noted files, the proposed NCP amendments will create a net loss of 9.8% to Business Park designated lands under the subject applications. With the combined 4 NCP amendment applications involving 8 parcels within the block, it is estimated that approximately 1.07 hectares (2.6 acres) of Business Park designated lands will be lost, representing 12% of the subject lands that are designated Business Park in East Clayton (see following table).

File Nos.	Portions of Site Designated Business Park	Amount of Lands being re-designated to Special Residential	Net Business Park Designated Lands
7905-0137-00 (By-law @ 3rd Reading)	4.5 ha. (11 acres)	0.38 ha. (0.94 acre)	4.12 ha. (10 acres)
7906-0099-00 (By-law @ 3rd Reading)	1.4 ha. (3.5 acres)	0.20 ha. (0.49 acre)	1.2 ha. (3.0 acres)
7906-0255-00 (@ pre-Council)	1.53 ha. (3.8 acres)	0.10 ha. (0.25 acre)	1.43 ha. (3.5 acres)
7905-0384-00 (the current subject site)	1.16 ha. (2.9 acres)	0.39 ha. (1.0 acre)	0.76 ha. (1.9 acres)
Total	8.59 ha. (21.2 acres)	1.07 ha. (2.6 acres)	7.51 ha. (18.6 acres)

- Below provides an analysis of the pros and cons of the proposed NCP amendment.

Positive Aspects of the Proposed NCP Amendment

- The additional row of small single family lots on the south side of the proposed 67A Avenue, coupled with a 6-metre (20-ft.) wide lane directly south of the proposed lots provides a better interface with the lands designated Business Park.
- The proposed 6-metre (20-ft.) wide landscape buffer south of the proposed lane will serve as a better separation between the proposed uses (residential and industrial).
- Future homes do not have to directly front onto the future industrial or business uses.

- With on-street parking permitted on 67A Avenue, there will be a significant reduction in truck traffic along 67A Avenue, thus significantly reducing conflicts between residential and commercial traffic.
- The overall road layout serving the Business Park designated lands will generally remain the same as reflected in the East Clayton NCP.
- The additional residential lots will generate a higher population base in East Clayton, which is needed to support the growing commercial establishments in the neighbourhood brought in by the 2 newly-opened shopping centres north and south of Fraser Highway.
- There will be a significant increase in the amount of NCP amenity contributions and development cost charges (DCC) payments resulting from the NCP re-designation. The table below shows the comparisons in the potential NCP amenity contributions and DCC payments that will be generated between the proposed single family lots and business park uses.

Land Use Based on Site Area Being Re-designated (4,047 sq. m. or 1.0 acre)	Potential NCP Amenity Contributions based on 2007 Rates¹	DCC payments, Based on 2006 Rates²
9 Single Family Lots	\$10,953	\$135,171
Warehouse/Retail Use	\$1,233	\$42,356

¹ Based on \$1,217/RF-9S lot and \$1,233/acre for Non-Residential Use

² Based on \$15,019/RF-9S lot and \$42,356/acre for Industrial Use

- The RF-9S Zone allows live-work where certain low impact commercial uses (retail, professional offices, eating establishments, craft making, etc.) can be pursued by the homeowner and as such, both employment and livelihood potentials are not totally lost.
- The proposed amendment has no negative impact on the ability of the property owner to pursue business park related uses on the remainder lands.

Negative Aspects of the Proposed NCP Amendment

- While not overly significant, the proposed amendments, if approved, will further reduce the amount of industrial designated lands in the City.
- The continuing loss of industrial lands to residential uses erodes the City's ability to promote itself as a place for sustainable employment and livelihood.
- The loss of industrial lands will reinforce the City's heavy reliance on residential taxes as a primary source of income.

Project Evaluation

- While there are a number of negative aspects to the proposed NCP amendment, there are also benefits that can be derived as a result of the proposed amendment.

- The combined loss (from the 4 applications involving 8 separate parcels within the block) represents 12% of the corresponding Business Park designated lands, which is considered minimal.
- The subject application is a continuation of the recently approved NCP amendments and rezonings.
- Therefore, on the balance, the proposed NCP amendment from Business Park to Special Residential is not expected to have a significant impact on the existing Business Park designated lands in East Clayton and thus, staff support the proposed NCP amendment

DEVELOPMENT CONSIDERATIONS

- The subject application involves the following:
 - NCP amendment for a portion from Business Park to Special Residential; and
 - Rezoning for a portion from RA to RF-9S.
- The proposed subdivision layout (Appendix VIII) indicates that the proposed lots conform to the subdivision dimensions of the RF-9S lots as shown below:

	Interior Lot Requirements	Proposed Lots 1-10;12-15; 16-24	Corner Lot Requirements	Proposed Lot 11
Lot Size	250 m ² (2,690 ft ²)	Minimum of 255 m ² (2,745 ft ²)	275 m ² (2,960 ft ²)	320 m ² (3,445 ft ²)
Lot Width	9 metres (30 ft.)	9 metres (30 ft.)	10.5 metres (35 ft.)	11 metres (36 ft.)
Lot Depth	28 metres (90 ft.)	28 metres (90 ft.)	28 metres (90 ft.)	28 metres (90 ft.)

- The RF-9S Zone allows either a coach house or a secondary suite, but not both. The RF-9S Zone also permits home-based businesses. Examples of home-based business include selling of goods and services, operating an eating establishment or a bakery, craft making and similar uses. However, in order to pursue any of these "work" activities in combination with the single family dwelling use, the owners will be required to build the house (or upgrade an existing house on an RF-9S zoned lot) in compliance with the requirements of the Building Code.
- To ensure that future owners are made aware of the "live work" opportunities as permitted under the RF-9S Zone and the corresponding Building Code requirements for "live work" options, the applicants will be required to register a Section 219 Restrictive Covenant, giving such notice to future owners. The registration of the Covenant is a subject condition of rezoning.

Proposed Roads and Lane

- The proposals will facilitate the following:
 - the dedication and construction of rear lanes, providing rear driveway access for each lot in compliance with the RF-9S Zone; and

- dedication and construction of 66 and 67A Avenues, providing street frontage to the proposed single family lots and on-street parking options.

"No Build" Restrictive Covenant on Remainder RA Lot

- The proposed subdivision will create 1 remainder large lot (proposed Lot 25) under the RA Zone, with a lot area of approximately 7,577 sq. m. (1.87 acres). A "No Build" Section 219 Restrictive Covenant will be registered on proposed Lot 25 to ensure that the lands will be developed based on the Business Park designation in the East Clayton NCP.

"No Build" Restrictive Covenants to Protect Future Subdivision Potential

- The proposed subdivision layout indicates strips of lands in excess of the RF-9S subdivision requirements, but at the same time, are needed to complete the future subdivision of adjacent parcels. To illustrate:
 - The westerly portions of proposed Lots 5 and 6 can be consolidated with the lands to the west (19054 – 68 Avenue).
 - The westerly portion of proposed Lot 16 can be consolidated with the lands farther to the west (19038 - 68 Avenue).
 - The easterly portions of proposed Lots 11 and 15 can be consolidated with the lands to the east, currently under an in-stream NCP amendment and rezoning application (File No. 7904-0193-00).
- In order to ensure that these strips of excess lands are protected for future consolidation with the adjacent parcels, a "No Build" Section 219 Restrictive Covenant will to be registered on the relevant lots. As well, the proposed Covenant will indicate the minimum side yard setbacks between the proposed homes on the parent lots and the ultimate property lines to ensure conformity with the setback requirements of the RF-9S Zone. The registration of the Covenant is a subject condition of rezoning.

Proposed Design Guidelines, Lot Grading and Tree Replacement

- The proposed building design guidelines for the proposed lots (prepared by Tynan Design Consulting) 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 less than one metre (3 ft.) is indicated on 5 proposed lots. The rest of the lots will not require any fill. 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 proposed tree replacement plan complies with the new Tree Protection By-law.

PRE-NOTIFICATION

Pre-notification letters were sent on April 25, 2006 and staff received no comments.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary, Project Data Sheet, and Survey Plan
Appendix II.	Contour Map
Appendix III.	Engineering Comments Summary
Appendix IV.	School District Comments
Appendix V.	Parks, Recreation and Culture Comments
Appendix VI.	East Clayton NCP Map
Appendix VII.	In-stream Applications in the Vicinity of the Subject Site
Appendix VIII.	Proposed Subdivision Layout
Appendix IX.	Proposed Building Design Guidelines Summary
Appendix X.	Summary of Tree Survey and Tree Preservation

INFORMATION AVAILABLE ON FILE

- Updated Detailed Engineering Comments dated January 18, 2007.
- Revised Tree Survey and Arborist Report Plan prepared by Randy Greenizan and dated January 9, 2007.
- Residential Character Study and Proposed Building Scheme prepared by Mike Tynan and re-dated November 2, 2006.
- Soil Contamination Review Questionnaires prepared by various owners.

How Yin Leung
Acting General Manager
Planning and Development

JDM/kms

v:\planning\plncom07\01190905.jdm.doc
SEH 7/7/10 12:25 PM

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 Ltd.
 Address: 13160 – 88 Avenue
 Surrey, B.C.
 V3W 3K3
 Tel: 604-596-0391

2. Properties involved in the Application

- (a) Civic Address: 19080 – 68 Avenue
- (b) Civic Address: 19080 – 68 Avenue
 Owner: 0741210 BC Ltd.
 Director Information:
 Satish Kumar
 Sukhdev Singh Sandhu

Officer Information:
(no officers)

PID: 005-779-359
Lot 2 Section 16 Township 8 New Westminster District Plan

3. Summary of Actions for City Clerks Office

- (a) Introduce a By-law to rezone a portion of the site.

SUBDIVISION DATA SHEET

Proposed & Existing Zoning: RF-9S & RA

Required Project Data	Required Data	Proposed RF-9S Lots	Proposed Remainder RA Lot
GROSS SITE AREA			
Acres		3.06	1.9
Hectares		1.24	0.76
NUMBER OF LOTS			
Range of Lot Widths		9.0-11 m	50 m.
Range of Lot Areas		255-275 sq. m.	7,577 sq. m.
DENSITY			
Units Per Acre (Gross)	10-15 upa	8 upa	N/A
SITE COVERAGE (in %)			
Maximum Coverage of Principal and Accessory Building		29%	with a No Build RC
Est. Roads, Lane, Driveways		32%	
Total Site Coverage		52%	with a No Build RC
PARKLAND (Estimates)			
5 % Dedication (in sq. m.)		-	N/A
PARKLAND			
5% money in lieu	Yes	Yes	N/A
MODEL DESIGN GUIDELINES			
TREE SURVEY/ASSESSMENT		Yes	N/A to be dealt with later
DVP REQUIRED			
		No	No

CONTOUR MAP FOR SUBJECT SITE

