

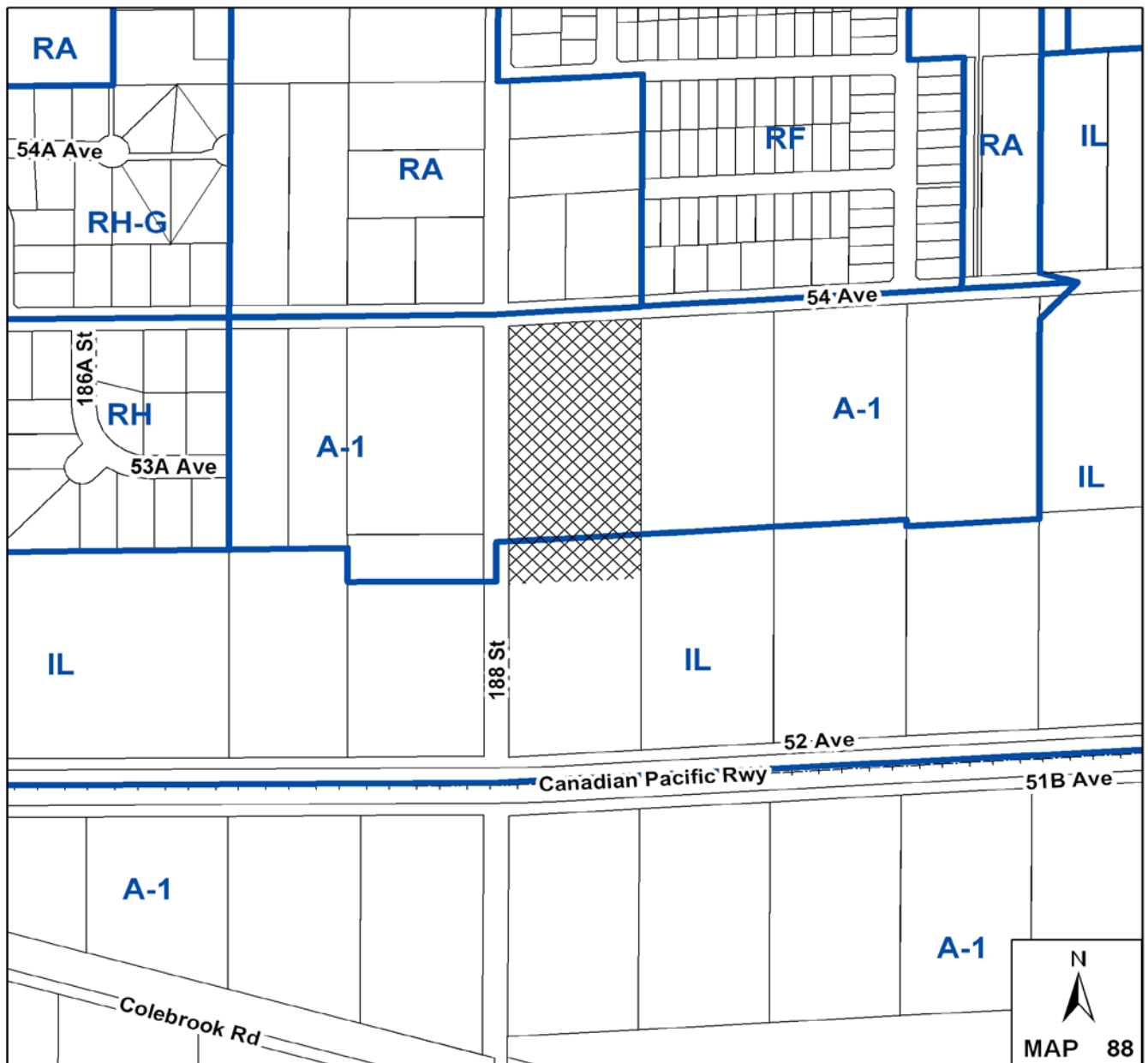
Proposal: Amend OCP from Suburban to Urban. Rezone a portion from A-1 and IL to RF to permit subdivision into approximately 30 single family lots.

Recommendation: Approval to Proceed

Location: Portion of 5326 – 188 St. **Zoning:** A-1 and IL

OCP Designation: Suburban

LAP Designation: Sub Res. ½ Acre **Owner:** Brown Bear Development Ltd.



PROJECT TIMELINE

Initial Application Submission Date:	January 26, 2006
Completed Application Submission Date:	February 16, 2007
Planning Report Date:	February 26, 2007

PROPOSAL

The applicant is proposing:

- an OCP amendment from Suburban to Urban; and
- a rezoning of a portion from A-1 and IL to RF

in order to allow subdivision into approximately 30 single family lots.

RECOMMENDATION

The Planning & Development Department recommends that:

1. A By-law be introduced to amend the Official Community Plan to redesignate a portion of the property from Suburban to Urban and a date for Public Hearing be set (Appendix X).
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 property from "General Agriculture Zone (A-1)" and "Light Impact Industrial Zone (IL)" (By-law No. 12000) to "Single Family Residential Zone (RF)" (By-law No. 12000) and a date be set for Public Hearing (Appendix I).
4. 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) approval from the Ministry of Transportation;
 - (d) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;

- (e) registration of a "no build" Restrictive Covenant on proposed Lots 14 and 17 through 20, to ensure that no building, structures or improvements will be erected or placed within a 6-metre (19.7 ft.) wide landscape buffer area abutting the existing industrial zoned portion (proposed Lot 31);
 - (f) registration of a "no build" Restrictive Covenant on proposed Lot 31, to ensure that no building, structures or improvements will be erected or placed within a 10-metre (32.8 ft.) wide landscape buffer area abutting the proposed residential lands (proposed Lots 14 and 17 through 20);
 - (g) submission of a landscape plan for the landscape buffer and a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (h) registration of a Section 219 Restrictive Covenant on the proposed residential lots notifying owners to the potential of noise related to adjacent industrial uses and to require mitigating measures to reduce the impact of external noise sources from the proximity to industrial uses on proposed Lot 31;
 - (i) registration of a Section 219 Restrictive Covenant on proposed Lots 14 and 17 through 20, to require building setbacks to be measured from the northernmost edge of the "no build" landscape covenant area;
 - (j) address concerns about the pressure this project will place on existing facilities to the satisfaction of the Parks, Recreation and Culture Department; and
 - (k) provision of community benefit to satisfy the OCP Amendment policy for Type 2 applications.
5. Council pass a resolution to amend the Cloverdale NCP/Local Area Plan to redesignate the portion of land from "Suburban Residential Half Acre" to "Urban 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 IV).
- Parks: Parks has some concerns about the pressure this project will place on existing parks, recreation and cultural facilities in the neighbourhood and the applicant should discuss with staff representatives to resolve these issues (Appendix V).

School District:

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

Elementary students = 10 students
 Secondary students = 5 students
 Total new students = 15 students

School Catchment Area/Current Enrollment/School Capacity:

Sunrise Ridge Elementary School = 228 enrolled/ 305 capacity
 Lord Tweedsmuir Secondary School = 1,303 enrolled/ 1,400 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 = 50 students
 Secondary students = 170 students
 Total new students = 220 students

Approved Capacity Projects and Future Space Considerations

There are no new capital projects proposed at the elementary school and no new capital projects identified for the secondary school. Late French Immersion has recently been added at Sunrise ridge and may increase enrollment projections. The School District will be considering a boundary move from Sunrise Ridge to Don Christian elementary after the new NW Area Elementary opens in 2008 which will result in reduced enrolment at Don Christian.

(Appendix VI)

Ministry of Transportation:

No concerns (Appendix VII).

SITE CHARACTERISTICS

- **Existing Land Use** Single family dwelling on acreage lot with associated buildings that are to be removed as part of this development. The southern portion of the portion of the site is vacant and has been cleared.
- **Significant Site Attributes** The proposed residential portion of the site has a cross-fall from northwest to south east of approximately 10 metres (33 ft.) in elevation.

- **East:** Acreage property, zoned A-1 and IL, designated Suburban and Industrial, under a development application (No. 7905-0234-00), to redesignate from Suburban to Urban and rezone to RF to allow subdivision into approximately 42 single family lots, (Third Reading on December 18, 2006).
- **South:** Remainder of subject lot, zoned IL, designated Industrial. Across 52 Avenue, Canadian Pacific Railway right-of-way and land in the Agricultural Land Reserve, zoned A-1, designated Agricultural.
- **West:** Across 188 Street, acreage properties zoned A-1, designated Suburban. The larger property at 18752 – 54 Avenue is under a development application (No. 7906-0100-00) to redesignate to Urban and rezone to CD to allow subdivision into 16 large urban single family lots (Third Reading on December 18, 2006).
- **North:** Across 54 Avenue, acreage lots with single-family dwellings, zoned RA, designated Suburban.

PLAN AND POLICY COMPLIANCE

OCP Designation: Needs amendment to Urban.

LAP Designation: Cloverdale Local Area Plan needs amendment from Suburban Residential (Half Acre) to Urban Residential.

JUSTIFICATION FOR PLAN AMENDMENT

- The applicant is proposing a Type 2 Official Community Plan (OCP) amendment from Suburban to Urban (Appendix X). A Type 2 Amendment requires the applicant to demonstrate a significant community benefit to mitigate any additional pressures placed in the area.
- The proposed OCP amendment is similar to the recently approved OCP amendment to the north-east of the subject site from Suburban to Urban, creating 108 single family residential lots under application No. 7905-0094-00. The proposal is considered in keeping with the changing character of the area and is consistent with Council's direction on land use in this area. In addition to the subject application, there are a number of other applications in the immediate vicinity that are proposing to redesignate from Suburban to Urban (Appendix XI). The two properties directly east of the proposed residential portion of the subject site are currently under development application (No. 7905-0234-00) to redesignate from Suburban to Urban in order to allow subdivision into 42 single-family lots (Public Hearing and Third Reading on December 18, 2006). The property to the west across 188 Street is under development application (No. 7906-0100-00) to redesignate from Suburban to Urban in order to allow subdivision into 16 large Urban single-family lots (Public Hearing and Third Reading on December 18, 2006).
- The applicant has confirmed in writing his offer to provide a voluntary community benefit contribution for the proposed urban single-family lots in the amount of \$4,000 per lot for a total

of \$120,000. This contribution will be collected prior to the project being considered for Final Adoption.

DEVELOPMENT CONSIDERATIONS

Site Context and Background

- The 3.9-hectare (9.8 ac.) subject site consists of one property located between 54 Avenue and 52 Avenue, directly east of 188 Street. The north portion of the site is designated Suburban and the south portion is designated Industrial in the Official Community Plan (OCP). The majority of the Suburban designated portion of the site is zoned A-1, with the southerly portion zoned IL.
- The applicant proposes to rezone a portion of the subject site from A-1 and IL to RF to allow subdivision into approximately 30 single-family residential lots (proposed Lots 1 to 30) and one remainder IL lot (proposed Lot 31) (Appendix III).

Proposed Subdivision Layout

- The subdivision layout (Appendix III) will extend the future 53A to 188 Street and 53B Avenue to a new 188A Street. A short cul-de-sac off 53A Avenue will provide road frontage to proposed Lots 15 to 19. A total of 30 single-family lots are proposed.
- The Park, Recreation and Culture Department has not identified a need for parkland dedication at this location. The applicant will provide 5% cash-in-lieu of parkland dedication.
- The proposed residential lots meet or exceed the lot area width and depth requirements of the RF Zone. They range in size from 560 square metres (6,000 sq. ft.) to 990 square metres (10,657 sq. ft.) with lot widths between 15.0 metres (49 ft.) and 20.8 metres (68.2 ft.), and lot depths all in excess of 28 metres (90 ft.).

Lot Grading

- A preliminary lot-grading plan submitted by the applicant's consultant has been reviewed by staff and found to be generally acceptable. The applicant proposes to have in-ground basements on all residential lots.
- Basements will be achieved on proposed Lots 1 to 9, and 17 to 23 with the addition of approximately 1 metre (3 ft.) of fill at the front portion of each of the lots.

Residential Design

- The applicant has retained Michael Tynan of Tynan Consulting Ltd. as the Design Consultant. The Design Consultant conducted a character study of the surrounding homes and based on the findings of the study, proposed a set of building design guidelines (Appendix VIII).
- The guidelines endeavour to establish a desirable new character area with moderately sized, highly articulated classical-heritage and neo-classical style homes.

- Basement-entry homes and secondary suites will not be permitted.

Landscaped Buffering

- To ensure an adequate buffer is provided from the proposed industrial (IL) lot to the south (proposed Lot 31), a 6-metre (20 ft.) wide landscape buffer will be required on the proposed residential lots abutting the IL lot and a 10-metre (33 ft.) wide buffer will be required on the northern boundary of the proposed IL lot. This will provide a total buffer width along the residential-industrial interface of 16 metres (53 ft.).
- The landscape buffer on the residential lots continues the buffer established on the adjacent properties to the east currently under development application (No. 7905-0234-00, Public Hearing and Third Reading on December 18, 2006). The landscape buffer will consist of a 6-metre (20 ft.) wide landscaped berm planted with maples, firs and cedars with a 1.8-metre (6 ft.) high cedar fence along the property line (Appendix IX). A Section 219 Restrictive Covenant will be registered on the proposed Lots 14 and 17 to 20 for this landscape buffer.
- The lots encumbered with the 6-metre (20 ft.) wide buffer area will be required to measure applicable building setbacks from the northern-most edge of the buffer area, rather than the south property line.
- A Section 219 Restrictive Covenant for the 10-metre (33 ft.) wide landscape buffer will be registered on the remainder IL lot. An acceptable landscape plan for this buffer will be required at such time that a development permit application is made.
- To further address the residential-industrial interface, a Section 219 Restrictive Covenant will be registered on all the lots notifying owners to the potential for noise related to the adjacent industrial uses and to require mitigating measures to reduce the impact of external noise sources.

Arborist Report and Tree Retention/Replanting

- The applicant retained Randy Greenizan (C. Kavolinas & Associates Inc.) to conduct a tree survey and to prepare an Arborist report.
- The Arborist Report indicates there are 27 mature trees on the site and proposes that 19 trees be removed because they are either located within the building envelope, assessed as being in poor condition or are deciduous trees having limited retentive value.
- The report proposes a total of 94 replacement trees, providing an average of 3.1 trees on each lot (Appendix IX).
- The proposed tree replacement plan complies with the new Tree Protection By-law No. 10011.

PRE-NOTIFICATION

Pre-notification letters were sent on June 28, 2006 and a development proposal sign was posted. Staff received the following comments:

- One telephone call from a representative of the Cloverdale Community Association expressing concerns that the proposed subdivision will be inadequately serviced by schools and will require children to cross Highway No. 10 to attend school.

(The number of students enrolled at Sunrise Ridge Elementary and Lord Tweedsmuir Secondary is below capacity. Plans are underway to upgrade the pedestrian signal at 188 Street and Highway No. 10 to a fully signalized intersection.)

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.

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 Subdivision Layout
Appendix IV.	Engineering Summary
Appendix V.	Parks Comments
Appendix VI.	School District Comments
Appendix VII.	Ministry of Transportation Comments
Appendix VIII.	Building Design Guidelines Summary
Appendix IX.	Summary of Tree Survey and Tree Preservation
Appendix X.	Proposed OCP Amendment
Appendix XI.	In-Stream Applications and Recently Completed Applications for OCP Amendments

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated February 22, 2007.
- Building Scheme dated September 15, 2006.
- Soil Contamination Review Questionnaire prepared by Dr. J. Blair Wallace dated January 24, 2006.

How Yin Leung
Acting General Manager
Planning and Development

HC/pmr

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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: Mark McMullen, New East Consulting Services Ltd.
 Address: 203, 12877 – 76 Avenue
 Surrey, B.C. V3W 1E6
 Tel: 604-591-1915

2. Properties involved in the Application

(a) Civic Address: Portion of 5326 – 188 Street

(b) Civic Address: Portion of 5326 – 188 Street
 Owner: Brown Bear Development Ltd., Inc. No. 449592
 PID: 012-203-203
 Lot 1 Section 4 Township 8 New Westminster District Plan 1461

3. Summary of Actions for City Clerk's Office

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

(b) Application is under the jurisdiction of MOT.

MOT File No. 01-006-23640

SUBDIVISION DATA SHEET

Proposed Zoning: RF/IL

Requires Project Data	Proposed	
GROSS SITE AREA	RF	IL
Acres	5.80 ac	3.98 ac
Hectares	2.35 ha	1.61 ha
NUMBER OF LOTS		
Existing	1	
Proposed	30	1
SIZE OF LOTS		
Range of lot widths (metres)	15.0 m – 20.8 m	105.5 m
Range of lot areas (square metres)	560 sq.m. – 990 sq.m.	15,035 m ²
DENSITY		
Lots/Hectare & Lots/Acre (Gross)	5.76 ac (12.77 ha)	0.25 ac (0.62 ha)
Lots/Hectare & Lots/Acre (Net)	5.24 ac (12.93 ha)	0.27 ac (0.66 ha)
SITE COVERAGE (in % of gross site area)		
Maximum Coverage of Principal & Accessory Building		
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	
Others	NO	

CONTOUR MAP FOR SUBJECT SITE

