

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7906-0051-00

Planning Report Date: March 22, 2010

PROPOSAL:

- **Partial Rezoning** from RA to RH

in order to allow subdivision into 15 single family half-acre lots.

LOCATION:

13030 – 58 Avenue (Highway No. 10)
 and Portion of 13063 – 56 Avenue

OWNER:

Deep Blue Investment Corporation,
 Inc. No. 0751211

ZONING:

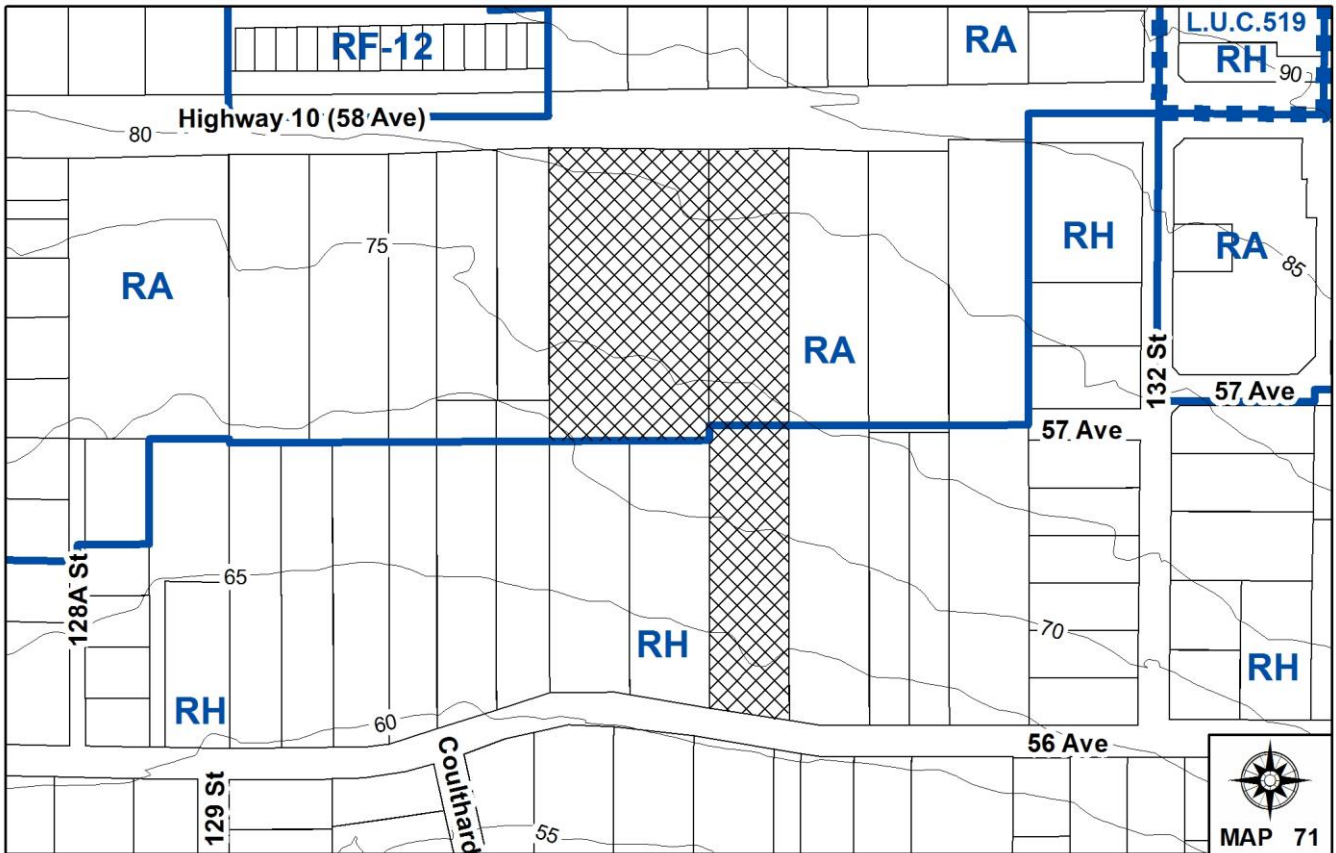
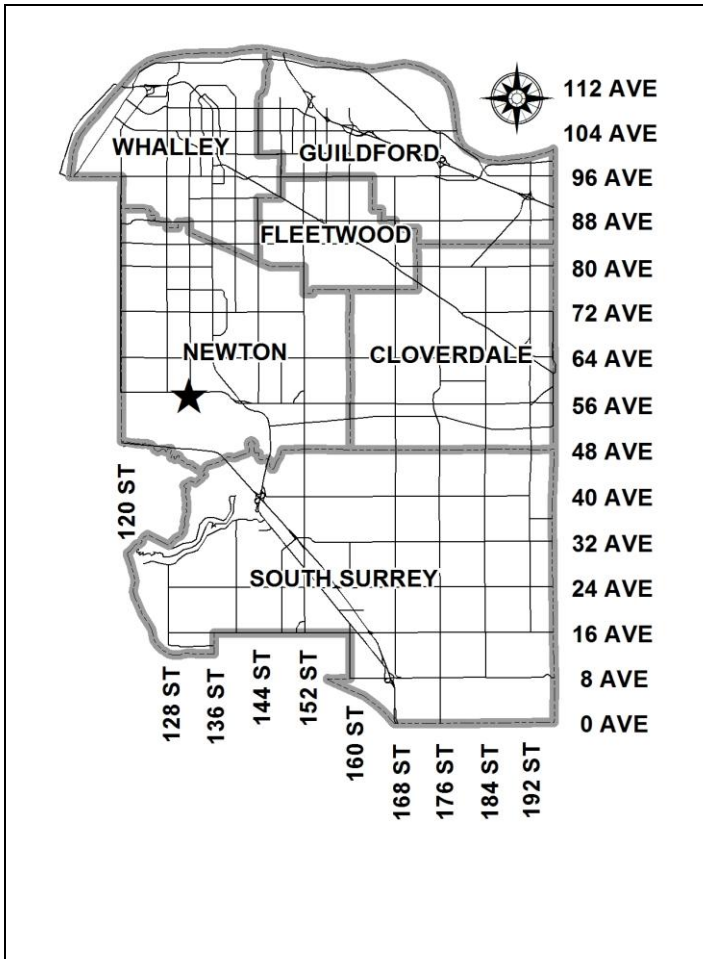
RH and RA

OCP DESIGNATION:

Suburban

LAP DESIGNATION:

Suburban Residential (1 acre) and
 Suburban Residential (1/2 acre)



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Rezoning.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The northerly portion of the site is designated "Suburban Residential (1 Acre)" in the West Panorama Ridge Local Area Plan (LAP) and the southerly portion of the site is designated "Suburban Residential (1/2 Acre)". The applicant proposes a partial LAP amendment to enable subdivision into half-acre single family lots over the entire site.

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Partially complies with the West Panorama Ridge Local Area Plan.
- The proposed ½ acre lots are consistent with the developed surrounding area in West Panorama Ridge Neighbourhood and will maintain the existing suburban character of the area, including on-site tree preservation.
- A number of surrounding sites in the general area have been redesignated from "Suburban Residential (1 Acre)" to "Suburban Residential (1/2 acre)".
- The proposed subdivision pattern responds to servicing constraints and provides for future subdivision on surrounding sites on a coordinated way, including future provision for park acquisition to the west of the site.
- The proposal will recognize the estate character of properties fronting 56 Avenue and will establish estate-character features on these lots, including a deeper building setback (15 m/50 ft.) and enhanced landscaping and building treatment requirements.
- The applicant has undertaken two (2) Public Information meetings and has consulted with the West Panorama Ridge Ratepayers Association. There is general support for the area developing into half-acre residential. However, some neighbours and the Ratepayers Association maintain their opposition to the proposal related to tree preservation, access road, "estate lots" along 56 Avenue and location of the proposed park.
- Planning & Development recommends that the application proceed to Public Hearing.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone 13030 – 58 Avenue (Highway No. 10) and a portion of 13063 – 56 Avenue, identified as "Block A" on the attached Appendix I, from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Half-Acre Residential Zone (RH)" (By-law No. 12000) and a date be set for Public Hearing.
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 layout to the satisfaction of the Approving Officer;
 - (c) approval from the Ministry of Transportation and Infrastructure;
 - (d) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (e) the applicant address the concern that the development will place additional pressure on existing park facilities to the satisfaction of the General Manager, Parks, Recreation and Culture;
 - (f) registration of a Section 219 Restrictive Covenant to increase the minimum building setback from New McLelland Road (56 Avenue) on proposed Lot 1 from 7.5 metres (25 ft.) to 15.0 metres (50 ft.) and establish landscaping and building enhancements to create an estate character;
 - (g) registration of a Section 219 Restrictive Covenant to ensure tree retention on the proposed lots;
 - (h) registration of a Section 219 Restrictive Covenant for protection of a 15 metre (40 ft.) treed buffer along Highway No. 10, including a minimum 7.5 metre (25 ft.) building setback from the treed buffer and submission of a final associated landscape and fencing design and financial securities for these works;
 - (i) demolition and removal of the existing pool and shed structure, to the satisfaction of the Building Division; and
 - (j) the applicant address the shortfall in tree retention.
3. Council pass a resolution to amend the West Panorama Ridge Local Area Plan to redesignate 13030 – 58 Avenue (Highway No. 10) and the portion of 13063 – 56 Avenue, shown as Block "A" on Appendix I from "Suburban Residential (1 Acre)" to "Suburban Residential (1/2 Acre)" 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 outlined in Appendix III.

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

5 Elementary students at Colebrook Elementary School
2 Secondary students at Panorama Ridge Secondary School

(Appendix IV)

Parks, Recreation & Culture: Parks supports the proposed layout and will accept 5% cash-in-lieu of park land dedication. Parks has some concerns about the pressure this project will place on existing parks facilities and the applicant should meet with Parks staff to resolve these concerns.

Ministry of Transportation & Infrastructure Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the Transportation Act, subject to the following conditions:

1. No direct access to Highway No. 10; and
2. All storm water shall be directed to a municipally maintained storm drainage system.

SITE CHARACTERISTICS

Existing Land Use: The parcel at 13030 Highway No. 10 is vacant and the parcel at 13063 – 56 Avenue has a single family dwelling on it.

Adjacent Area:

Direction	Existing Use	OCP/NCP or LAP Designation	Existing Zone
North (Across Highway No. 10):	Vacant, proposed for park.	Suburban/Parks	RA
East, West and South (Across 56 Avenue):	Large single family parcels.	Suburban/Suburban Residential (1/2 acre) and Suburban Residential (1 acre)	RA and RH

JUSTIFICATION FOR PLAN AMENDMENT

- The subject site consists of two properties located at 13030 – 58 Avenue (Highway No. 10) and 13063 – 56 Avenue. The property at 13030 – 58 Avenue (Highway No. 10) and the northerly half of the property at 13063 – 56 Avenue are zoned "One-Acre Residential Zone" (RA) and are designated "Suburban Residential (1 acre)" in the West Panorama Ridge Local Area Plan (LAP).

The southerly portion of the property at 13063 – 56 Avenue is zoned "Half-Acre Residential Zone" (RH) and is designated "Suburban Residential (½ acre)" in the West Panorama Ridge LAP. The entire site is designated "Suburban" in the Official Community Plan (OCP).

- The applicant is proposing to rezone the northerly half of the site from RA to RH to match the zoning on the southerly half of the site and is also proposing a subdivision to create 15 half-acre single family lots. The site is 3.78 hectares (9.33 acres) in area. Therefore the application requires a partial amendment to the LAP to redesignate the northerly half of the site from "Suburban Residential (1 acre)" to "Suburban Residential (½ acre)".
- The applicant has provided the following justification for the partial amendment to the LAP:
 - A number of sites in the general area have been redesignated in the past from "Suburban Residential (1 acre)" to "Suburban Residential (½ acre)";
 - Half-acre lots are prevalent in the area and are in keeping with the character of the West Panorama Ridge neighbourhood;
 - The applicant has held two (2) Public Information Meetings (PIMs) and has consulted with the West Panorama Ridge Ratepayers Association to obtain input into the proposal; and
 - The applicant has prepared a development concept plan to allow logical half-acre development in the surrounding area, including tree retention and provision for future open space.

DEVELOPMENT CONSIDERATIONS

Background and Proposal

- The subject parcel at 13030 – 58 Avenue (Highway No. 10) is vacant. The subject parcel at 13063 – 56 Avenue contains a single family dwelling and a detached garage that are proposed to remain on the property. The pool and shed structure on this property are proposed to be removed.
- The applicant is proposing to develop 15 RH-zoned lots, ranging in size from 1,858 sq.m. (20,000 sq.ft.) to 2,952 sq.m. (31,775 sq.ft.). The proposed lots comply with the requirements of the RH Zone.
- The development proposal has a density of 4.0 units/hectare (1.6 units/acre) which complies with the "Suburban" designation of the OCP.

Proposed Subdivision Layout and Area Concept Plan

- The quadrant surrounding the subject site, bounded by Highway No. 10, 128 Street, 132 Street and 56 Avenue, contains approximately 29 hectares/72 acres and is comprised of large acreage properties on septic sewer service, many with subdivision potential. The applicant is proposing the first subdivision in this quadrant and introduction of municipal services. In support of this application, the applicant's engineering consultant has prepared a subdivision development and servicing concept plan for the quadrant. The area concept plan was presented to area residents at 2 different Public Information Meetings and individual surrounding owners, as is discussed later in this report. There are several main factors that influenced the development of the area concept plan:

Servicing

- The quadrant is higher in elevation along Highway No. 10 and lower along 56 Avenue. Therefore future development in the quadrant must be connected by gravity to the proposed servicing network on 56 Avenue. The proposed 131 Street fulfills this requirement as a servicing corridor, in addition to providing access to the subject site. A temporary servicing corridor for drainage and sanitary is proposed between Lots 8/9 and 6/7 is required for the northwest portion of the subject, but as the area to the west develops the ultimate servicing can be provided to the west.

Road network

- The proposed road network is intended to provide appropriate connections to facilitate multiple access options, as well as optimize land development opportunities based on the RH Zone criteria for the quadrant.
- The concept plan has located roads along existing property lines to share the burden of road construction as much as possible.
- The applicant is proposing to provide access to the subject site from 56 Avenue by providing a new road (131 Street) that would provide north-south access through the site. Two east-west roads (57 Avenue and 57B Avenue) are proposed to provide east-west access through the site.

Tree preservation and park location

- The Parks, Recreation & Culture Department has requested a park location to serve the future community in this quadrant. The general location of the proposed park is central to the quadrant. One of the primary goals of the park is for tree preservation and it appears the most suitable trees for retention (wind-firm southerly exposure trees) in the quadrant are found west of the subject site in the central portion of this quadrant. The concept plans shows a potential park at this location.
- As a result of the proposed park location, the 57 Avenue is proposed to terminate with a cul-de-sac on the subject site. A 20-metre (66 feet) wide walkway is proposed to provide access to the proposed park from 57 Avenue.
- Due to the presence of many trees suitable for retention along Highway No. 10, the applicant is proposing not to place a landscaping berm on the subject site, as has been done on other parcels in this quadrant. The applicant is proposing to retain the trees along Highway No. 10 and to also plant more trees in this area to provide a natural buffer to Highway No. 10. A Section 219 Restrictive Covenant will be registered to protect this treed buffer, establish a minimum 7.5 metre (25 feet) building setback to the buffer, and ensure appropriate fencing and landscaping enhancement as appropriate.

Maintaining "estate lots" along 56 Avenue

- The West Panorama Ridge Ratepayers Association has indicated that the preservation of "estate lot" character along 56 Avenue is important. The concept plan addresses this by limiting the number of access roads on 56 Avenue, and by showing larger lots along 56 Avenue. However, it is noted that the properties along 56 Avenue are currently zoned RH which has a minimum required lot area of 1,858 sq.m. (20,000 sq.ft.). The properties are also designated "Suburban Residential (1/2 Acre)" in the LAP.

- Many existing homes on 56 Avenue have a large front yard setback to 56 Avenue. A Section 219 No-Build Restrictive Covenant will be required on proposed Lot 1 (fronting 56 Avenue) to increase the front yard setback from 7.5 metres (25 feet) to 15 metres (50 feet), and to ensure enhanced front yard landscaping and building treatment requirements.

12955 – 56 Avenue

- The proposed development concept has sought to ensure a road layout that is consistent with a Preliminary Layout Approval (PLA) letter that was issued for the subdivision of the property at 12955 – 56 Avenue (File No. 7904-0200-00). However, File No. 7904-0200-00 was recently closed on March 8, 2010, and a new owner has made a new application (File No. 7910-0048-00) on that site that differs from the layout shown in the PLA for File No. 7904-0200-00.
- The applicant for File No. 7910-0048-00 has advised that "while in general I have no concern with that application [File No. 7906-0051-00] proceeding, I wish to advise you that they continue to show a subdivision geometry and concept plan which incorporates my client's property that is inaccurate and does not reflect the layout geometry that we submitted with our application [File No. 7910-0048-00]." Staff have reviewed the alternate layout and have not been able to conclude that either layout is superior in terms of serviceability, road network or lot yield. Therefore, given the substantial amount of time and effort spent by the applicant and the two Public Information Meetings held by the applicant, staff are prepared to bring the subject layout forward for Council consideration. These issues are discussed later in this report.

Building Scheme and Lot Grading

- The applicant for the subject site has retained Sandbox Designworks 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.
 - The dwellings shall be complementary to homes being proposed within this area and with other new developments. The applicant will be required to register a Restrictive Covenant for the Building Scheme prepared by Sandbox Designworks in order to ensure that the styles of the proposed dwellings will complement the character of other homes in the neighbourhood.
 - Basement-entry homes and secondary suites are not permitted.
 - The proposal will recognize the estate character of the properties fronting 56 Avenue and will establish estate character features on proposed Lot 1, including a deeper building setback (15 metres/50 feet) and enhanced landscaping and building treatment requirements.
 - The applicant is proposing in-ground basements and a lot grading plan has been submitted and reviewed by staff. The lot grading plan is generally satisfactory and some minor revisions will be made by the applicant.

Tree Preservation

- The applicant has retained Mike Fadum and Associates Ltd. to provide an arborist report for the subject site. The site is quite heavily treed. There are approximately 504 trees on site, of which approximately 302 trees are alders or cottonwoods, while approximately 202 trees are predominantly conifers.

Tree Species	Total No. of Mature Trees (On-site)	Total proposed for retention (On-site)	Total proposed for removal (On-site)
Alder, Cottonwood	302	0	302
Apple	1	0	1
W. Red Cedar	65	45	20
Cherry	3	1	2
Falsecypress	3	1	2
Douglas Fir	102	43	59
Grand Fir	2	2	0
W. Hemlock	15	0	15
Maple	1	1	0
Bigleaf Maple	4	0	4
Maidenhair	1	1	0
Oak	1	0	1
Ponderosa Pine	1	1	0
Sitka Spruce	2	0	2
Spruce	1	0	1
Total	504	95	409

- Of the approximately 409 trees are proposed to be removed, 302 are alders or cottonwoods which are not suitable for retention. The other approximately 107 trees proposed for removal are either within the proposed building envelopes, will be affected by road construction or are in poor condition for retention.
- The applicant is proposing to retain a large number of good quality trees (approximately 95 trees). A Section 219 Restrictive Covenant for tree preservation will be required to ensure that trees identified for retention are preserved.
- The applicant is required to provide approximately 516 replacement trees and is proposing to plant approximately 123 replacement trees on the site; therefore the replacement tree shortfall is approximately 393 trees. The applicant will be required to provide compensation to the City's Green Fund for the shortfall in replacement trees.

PRE-NOTIFICATION

Pre-notification letters were sent on September 14, 2009, and the applicant held two Public Information Meetings. Staff received comments from neighbours and the West Panorama Ridge Ratepayers Association. In addition staff received 5 telephone calls and 4 letters and 2 e-mails. The following is a summary of comments:

West Panorama Ridge Ratepayers Association

- Concern regarding tree retention within the development site.

(The tree preservation and replacement plans prepared by the applicant's arborist have been reviewed by the City Landscape Architect. Adjustments to the road alignment have been made to maximize tree retention. Approximately 123 replacement trees will also be planted. A Section 219 Restrictive Covenant will be required to ensure that trees identified for retention are preserved.)

- Concern regarding access to 56 Avenue from 131 Street.

(The quadrant is higher in elevation along Highway No. 10 and lower along 56 Avenue. Therefore the proposed servicing network has to be connected to the servicing corridors on 56 Avenue. The proposed 131 Street fulfills this requirement as a servicing corridor, in addition to providing access to the subject site. Care was taken to minimize the number of accesses from 56 Avenue and the area concept plan shows just 3 accesses from 56 Avenue.)

- Concern regarding maintenance of the "estate" character of 56 Avenue.

(The applicant has undertaken a number of measures to ensure Proposed Lot 1, fronting 56 Avenue, is "estate-like" in character. Proposed Lot 1 is the largest parcel in the subdivision with a proposed area of 2,952 sq.m. (0.73 acres). The applicant has also agreed to register a No-Build Restrictive Covenant on the southern 15 metres (50 feet) on proposed Lot 1 to ensure that a greater setback will be maintained and to ensure front yard landscaping enhancements. It is noted that the current zoning and LAP designation for the properties along both sides of 56 Avenue is RH and "Suburban Residential (½ acre).)

Neighbours to the immediate west of site (12998 – 58 Avenue [Highway No. 10] and 12991 – 56 Avenue)

- Concern regarding the proposed park location to west of site. The neighbours to the immediate west of the subject site do not want a park placed on their property (letters attached in Appendix VI).

(Parks Department has requested a park location in this quadrant. The general location of the park is central to the quadrant. One of the primary goals of the park is for tree preservation and it appears the most suitable trees for retention (wind-firm southerly exposure trees) in the quadrant are found west of the subject site. The concept plans shows a potential park layout at this location. It should be noted that the concept plan is conceptual in nature, and that the City will not be establishing a park as part of the current subdivision application. Potential implementation of any future park will proceed when future development occurs in the area.)

Applicant at 12995 – 56 Avenue

- Concern from the owner of the property at 12995 – 56 Avenue (File No. 7910-0048-00) about the area concept plan (letter attached in Appendix VII).

(The subject applicant developed the area concept plan utilizing the best information available, and that included the PLA layout (File No. 7904-0200-00) for the parcel to the west. As the subject applicant was finalizing his application, there was an ownership change

on the parcel to the west and a new layout was submitted for consideration on March 8, 2010, after the subject applicant had already conducted 2 Public Information Meetings with area residents.

When the concept plans for both applications are compared, it appears that the lot yield for the parcel to the west is similar on both plans. Given the progress made in the subject application over the last approximately 10 months, staff are prepared to bring the subject layout forward for Council consideration.)

Area resident further to the west (12880 – 58 Avenue [Highway No. 10])

- Concern from owner of the property at 12880 – 58 Avenue (Highway No. 10) about how the proposed subdivision would affect their parcel (letter attached in Appendix VIII).

(The owner attended a Public Information Meeting and also talked with staff, who explained the land development process to the owner. The proposed area concept plan allows their parcel to be developed fully.)

Public Information Meetings

- The applicant held two Public Information Meetings, on October 20, 2009 and March 4, 2010, where they presented their subdivision proposal and their area concept plan to area residents. The October 20, 2009 Public Information Meeting was held from 6:30 – 8:00pm at the Colebrook Elementary School. The applicant's agent and Planning staff were present. Approximately 12 area residents attended and only 1 comment sheet was filled out, indicating support for the proposal.
- The March 4, 2010 Public Information Meeting was held from 6:30 – 8:00pm at the Colebrook Elementary School. The applicant's agent and Planning staff were present. Approximately 9 area residents attended and 6 comment sheets were filled out. Four (4) comment sheets indicated support, 1 comment sheet indicated conditional support (if 57 Avenue was the access road to the site, 131 Street is eliminated and the proposed properties on 57 Avenue were given lot width variances), and 1 comment sheet indicated opposition to the development indicating concern with the proposed 131 Street connection to 56 Avenue.

CONCLUSION

- The proposed development complies with the OCP designation but requires a partial amendment to the West Panorama Ridge Local Area Plan from "Suburban Residential (1 acre)" to "Suburban Residential (½ acre)".
- Half-acre lots are prevalent in the area and the proposed Suburban Residential (½ acre) development is in keeping with the character of the West Panorama Ridge neighbourhood.
- The applicant has developed a concept plan for the quadrant surrounding the subject site, taking into consideration the following factors: servicing, road network, tree preservation, park, interface along Highway No. 10 and 56 Avenue, and an existing subdivision application in the area.

- The applicant has conducted two (2) Public Information Meetings and consulted the West Panorama Ridge Ratepayers Association. There is general support for the area developing into half-acre residential. The applicant has taken steps to address the concerns raised and provided rationale for their proposal. However, the West Panorama Ridge Ratepayers Association maintains their concerns regarding the proposed access road (131 Street), tree preservation and "estate lots" along 56 Avenue. Adjacent neighbours also voiced their concern regarding the location of the proposed park.
- The proposed development has merits from a land use planning perspective but some neighbours and the West Panorama Ridge Ratepayers Association maintain their opposition to the proposal. The Planning & Development Department recommends that the application proceed to Public Hearing.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets and Zoning Block Plan
Appendix II.	Proposed Subdivision Layout, Subdivision Concept Plan and Servicing Concept Plan
Appendix III.	Engineering Summary
Appendix IV.	School District Comments
Appendix V.	Building Design Guidelines Summary
Appendix VI.	Letters from Immediate Neighbours to the West
Appendix VII.	Letter from Applicant at 12995 – 56 Avenue
Appendix VIII.	Letter from Owner at 12880 – 58 Avenue (Highway No. 10)
Appendix IX.	Summary of Tree Survey and Tree Preservation

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: Richard Brooks, H.Y. Engineering Ltd.
 Address: #200 – 9128 – 152 Street
 Surrey, BC
 V3R 4E7
 Tel: 604-583-4E7

2. Properties involved in the Application

- (a) Civic Addresses: Portion of 13063 – 56 Avenue and 13030 – 58 Avenue
 (Highway No. 10)
- (b) Civic Address: Portion of 13063 – 56 Avenue
 Owner: Dipender-Pal Kaur Gurm
 Portion of PID: 007-484-879
 West Half Lot 6 South West Quarter Section 8 Township 2 New Westminster
 District Plan 1577 Except Plan 15886 and BCP37317
- (c) Civic Address: 13030 – 58 Avenue (Highway No. 10)
 Owner: Deep Blue Investment Corporation, Inc. No. 0751211
 PID: 001-968-831
 Lot 1 Except: Part Road on Plan BCP28534; Section 8 Township 2 New
 Westminster District Plan 15772

3. Summary of Actions for City Clerk's Office

- (a) Introduce a By-law to rezone 13030 – 58 Avenue (Highway No. 10) and a portion of 13063 –
 56 Avenue.
- (b) Application is under the jurisdiction of MOTI.
 MOTI File No. 2009-06125.

SUBDIVISION DATA SHEET

Proposed Zoning: RH

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	9.33 ac.
Hectares	37,753 sq.m./3.78 ha
NUMBER OF LOTS	
Existing	2
Proposed	15
SIZE OF LOTS	
Range of lot widths (metres)	35.8 m
Range of lot areas (square metres)	1,858 sq.m.
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	4.0 uph/1.6 upa
Lots/Hectare & Lots/Acre (Net)	
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	
Estimated Road, Lane & Driveway Coverage	
Total Site Coverage	
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