

City of Surrey
ADDITIONAL PLANNING COMMENTS

File: 7906-0051-00

Planning Report Date: May 3, 2010

PROPOSAL:

- **Partial Rezoning** from RA to RH in order to allow subdivision into 14 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:

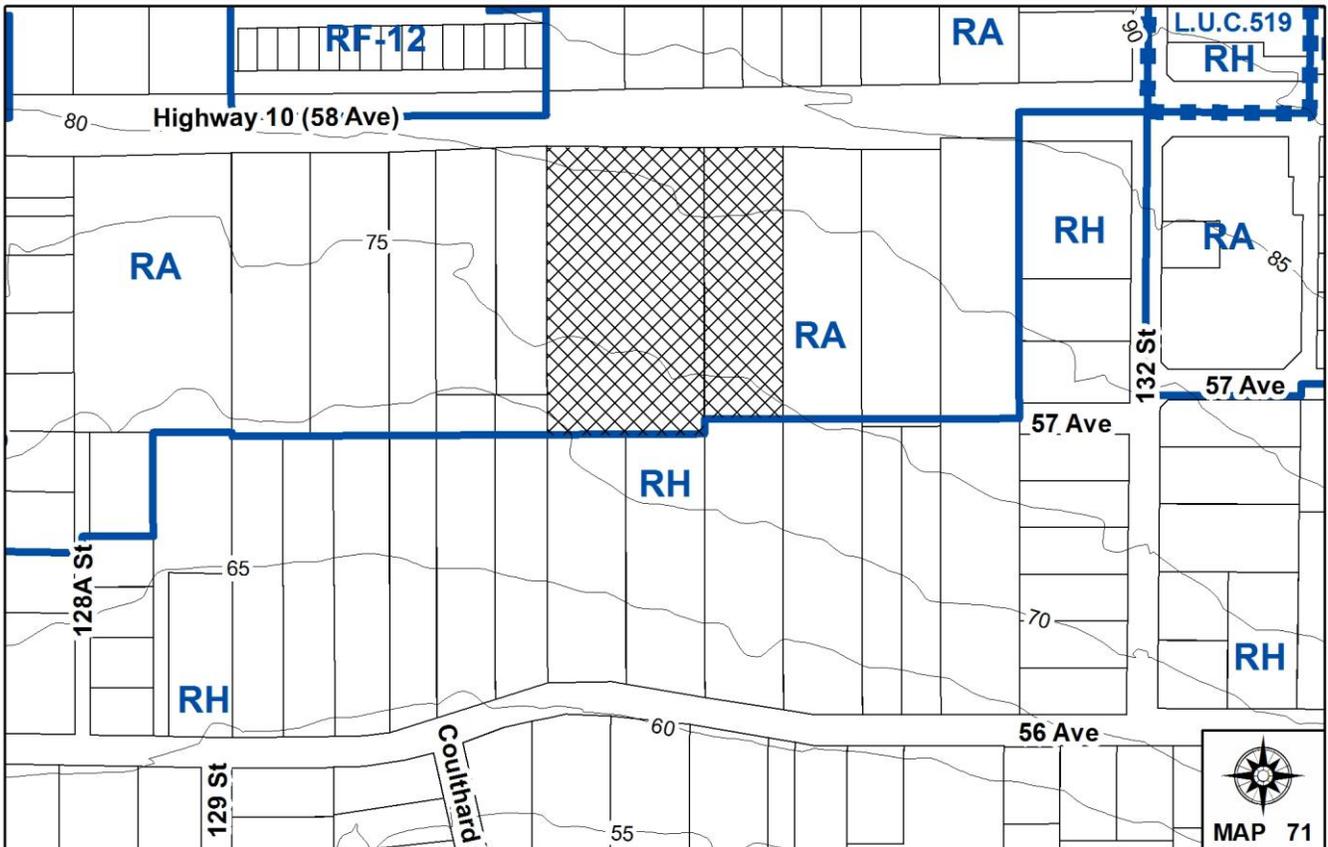
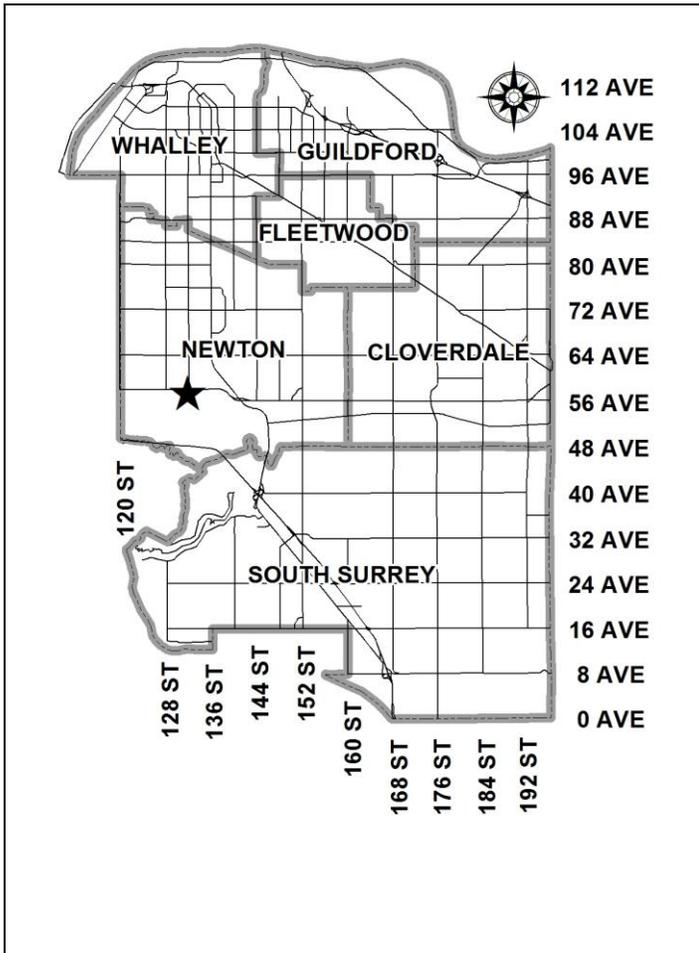
RH and RA

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

- At the March 22, 2010 Council meeting, Council considered the subject application and resolved that "Application No. 7906-0051-00 be deferred to allow the applicant to resolve outstanding issues with the West Panorama Ridge Ratepayers Association [WPRRA]".
- Staff have worked closely with the WPRRA and the applicant to adjust the plan in order to address the key outstanding issues, and the subdivision concept plan has been amended to reflect these discussions, including a reduction in lot yield from 15 to 14 lots. General agreement has been reached between the applicant and the WPRRA on two of the three key issues. General agreement has been reached on:
 1. maintaining the estate character of lots along 56 Avenue; and
 2. tree retention and future park provision.

Agreement has not been reached on:

3. the location of the proposed access to the subdivision (131 Street) from 56 Avenue.
- Although there remains an outstanding concern from the WPRRA regarding the location of the proposed road access into this proposed subdivision, staff is in support of the proposed road pattern and recommends that the application proceeds to Public Hearing with the adjustments discussed in the report.

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;
 - (j) the applicant address the shortfall in tree retention; and
 - (k) the applicant provide compensation for park and tree enhancement for the proposed park area.

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.
4. Council pass a resolution endorsing creation of a future park to the west of the subject site, as shown in attached Appendix II, and inclusion of this future park on the City Park Acquisition Program.

ADDITIONAL PLANNING COMMENTS

Background

- On March 22, 2010 Council considered the subject application to rezone a portion of the site from "One-Acre Residential Zone (RA)" to "Half-Acre Residential Zone (RH)" in order to allow subdivision into 15 half-acre single family lots. An amendment to the West Panorama Ridge Local Area Plan (LAP) was also proposed to redesignate the northerly portion of the site from "Suburban Residential (1 acre)" to "Suburban Residential (1/2 acre)" (Appendix III). Council considered the report and resolved that: "Application 7906-0051-00 be deferred to allow the applicant to resolve outstanding issues with the West Panorama Ridge Ratepayers Association [WPRRA]".
- As per Council's direction, staff initiated further dialogue between the WPRRA and the applicant and two meetings were held with both parties and City staff present.

Issues

- The WPRRA identified 3 key concerns:
 - maintaining the estate character of lots along 56 Avenue;
 - tree retention and future park preservation; and
 - the location of the proposed access to the subdivision (131 Street) from 56 Avenue.
- These key issues are discussed in detail below.
 1. Estate character along 56 Avenue
 - The WPRRA indicated that the preservation of "estate lot" character along 56 Avenue (New McLellan Road) is important to the character of the neighbourhood. The overall subdivision concept plan addresses this by limiting the number of access roads on 56 Avenue, and by showing larger (wider and deeper) 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.).
 - 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.

- On the basis of the above, the WPRRA is generally in agreement that the proposed subdivision pattern and front yard building restrictions will achieve the desired estate character.
2. Tree retention and future park provision
- The WPRRA expressed concerns with the previous subdivision layout in relation to the viability of tree retention on private lots and also the ability of the City to obtain a future park west of the site as shown in the layout presented to Council on March 22, 2010. The original layout proposed to provide 5% cash-in-lieu of parkland, and showed all of the parkland on adjacent lots to the west (Appendix V).
 - As part of the review process for the application, the Parks Department has confirmed the creation of a future park to the immediate west of the subject site. The primary goal of the park is for tree preservation and it appears the most suitable trees for retention (wind-firm southerly exposure trees) in the quadrant (bounded by 128 Street/56 Avenue/132 Street/Highway No. 10) are found west of the subject site in the central portion of this quadrant. The approximate area of the proposed park would be 1 hectare (2.5 acres). The WPRRA supports this initiative.
 - As a result of these discussions, the applicant has amended the proposed lot layout to provide a 5% land dedication for park along the westerly side of the subject site, where there is a significant number of high quality trees, as the first portion of the future park. The proposed 1,888 sq.m. (20,320 sq.ft.) park area has resulted in the loss of 1 lot for the applicant but has ensured that the trees present in the proposed park area will be retained. The preservation of proposed retained trees on the rest of the site will be secured through a Section 219 Restrictive Covenant.
 - As part of this application, staff are requesting that Council adopt a resolution to endorse the creation of a park and the general park location to the west of the subject site, and that this park be included in the Parks Acquisition Program. The exact location of the future park will not be able to be determined until the neighbouring parcels to the west proceed through a development process, but the attached area concept plan shows a conceptual park location (Appendix II). As part of these future applications, alternative zoning strategies, such as the use of the "Half-Acre Residential Gross Density Zone (RH-G)" will be considered on the sites that are targeted for park in order to maximize lot yield and park provision on these properties.
 - The WPRRA is satisfied with the proposed approach as discussed above in relation to tree preservation, the park dedication requirement for the subject site, and endorsement of the future park.
3. New road connection (131 Street) to 56 Avenue
- The WPRRA does not support the proposed connection of 131 Street to 56 Avenue for the following reasons:
 - the proposed road was never shown on any concept plans for the area;
 - the residents south of 56 Avenue where the proposed 131 Street would connect with 56 Avenue did not anticipate a road across from their parcels;
 - the existing "stub" of 57 Avenue exists and should be utilized by this application as access to the subject site;

- the proposed road disrupts the character of 56 Avenue; and
 - the proposed road could set a precedent for future north-south roads connecting to 56 Avenue in this quadrant.
- In light of these concerns, the applicant is agreeable to the elimination of the 131 Street connection as a permanent road, and replacing it with a cul-de-sac (from 57 Avenue) and a portion of temporary road, which would later be replaced by a walkway when a permanent road connection to the 57 Avenue "stub" on 132 Street is provided.
 - However, the Engineering Department is not supportive of this alternative temporary road option and has requested that a permanent connection (131 Street) to 56 Avenue be provided for the following reasons:
 - The location of the proposed 131 Street is logically placed to provide road access to the quadrant and achieve the necessary spacing between roads;
 - the grading in the area dictates that a north-south servicing corridor is required to connect to 56 Avenue and the proposed road would serve that purpose. If a permanent road was not proposed, a downhill cul-de-sac and a significantly wide servicing corridor would still be required to provide lot frontage and servicing. Engineering has indicated that they are adverse to installing services in long walkways as walkways have CPTED concerns. It is better to have the services in a road that has more visibility;
 - the proposed 131 Street would act as a pedestrian connection in the neighbourhood, allowing residents to walk south to bus service along 56 Avenue and also allow residents to walk north to the proposed park. A road offers a more secure environment to pedestrians than a long walkway;
 - a permanent road is better than a temporary connection as a temporary road could be there for a long time and a permanent road would allow the ultimate access, pedestrian connection and servicing to be put in place;
 - care was taken to minimize the number of accesses from 56 Avenue and the area concept plan shows just 3 accesses from 56 Avenue; and
 - Engineering is willing to look at the road standards for the proposed 131 Street to make the road as attractive as possible; and
 - the properties to the south across from the future road are well-treed, and there will be minimal impact from vehicle headlights.
 - Staff attempted to find a solution that satisfied the WPRRA, but such an alternative was not found. Given the consultation that has occurred, and the fact that the Engineering Department supports the proposed access arrangement, it is appropriate to refer the application back for Council's consideration.

CONCLUSION

- The 2 meetings facilitated by staff between the WPRRA and the applicant were productive and the applicant has managed to address 2 of the 3 concerns raised by the WPRRA.

- As a result of these discussions, the following adjustments to the proposed subdivision layout have been made:
 - 5% of the site area is proposed to be designated as parkland, instead of a 5% cash-in-lieu contribution;
 - the number of proposed lots has decreased from 15 to 14 to allow for the proposed parkland dedication;
 - the applicant is now providing a full road (as opposed to a shared road with the neighbour to the east) connecting 57 Avenue and 58 Avenue, which provides a better access to the proposed park; and
 - Engineering has agreed to narrow the width of the road proposed along the edge of the proposed park as the road will be bordered by park on one side.
- However, no agreement has been reached on the issue of the proposed 131 Street connection to 56 Avenue. Staff is in support of the proposed road pattern and recommends that the application proceed to public hearing with the adjustments discussed in the report.

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 May 3, 2010 Subdivision Layout and Area Concept Plan (showing proposed park location)
Appendix III.	March 22, 2010 Planning Report (without Appendices)
Appendix IV.	April 29, 2010 Letter from WPRRA
Appendix V.	March 22, 2010 Subdivision Layout and Area Concept Plan

Jean Lamontagne
General Manager
Planning and Development

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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	14
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)	3.7 uph/1.5 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	
Area (square metres)	1,888 sq.m.
% of Gross Site	5%
	Required
PARKLAND	
5% money in lieu	NO
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