

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

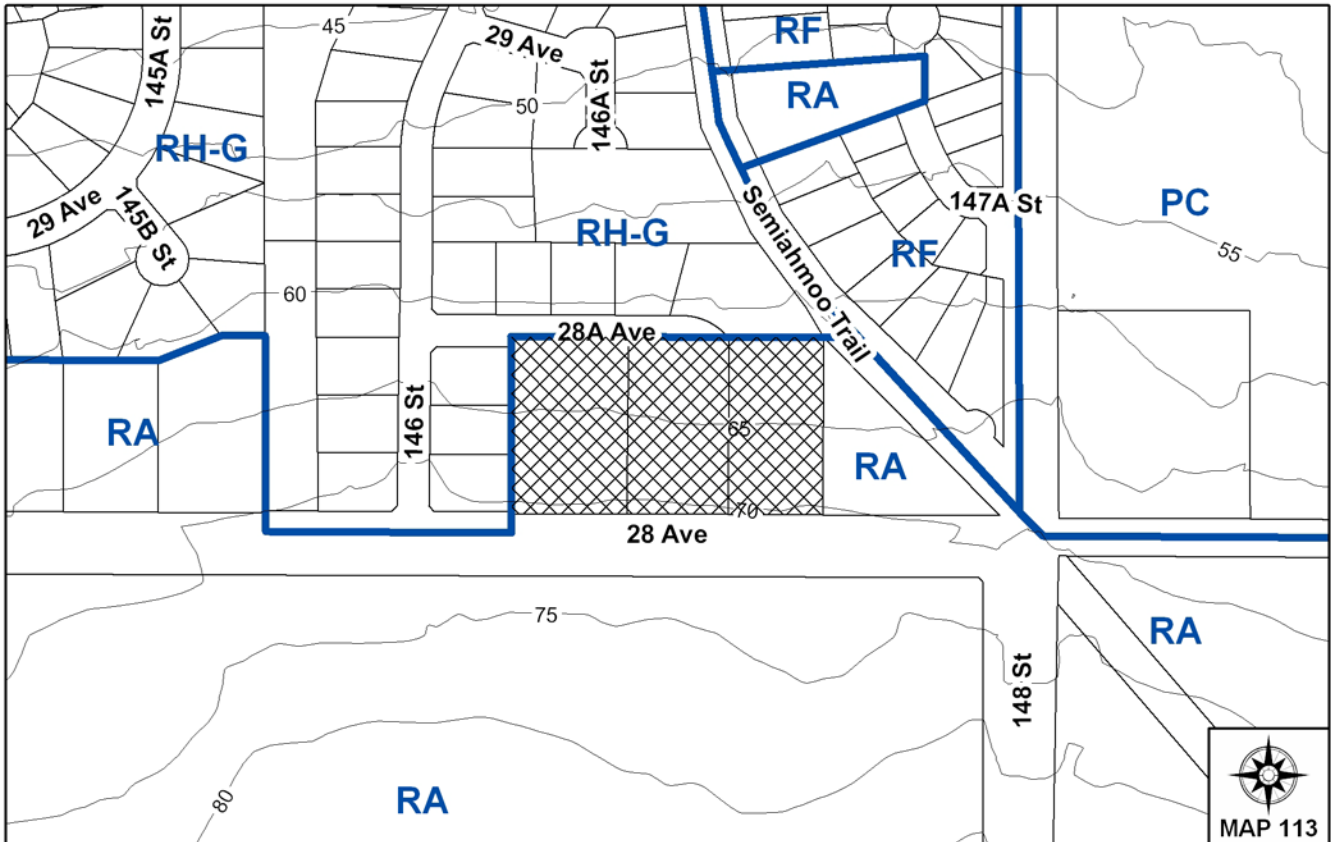
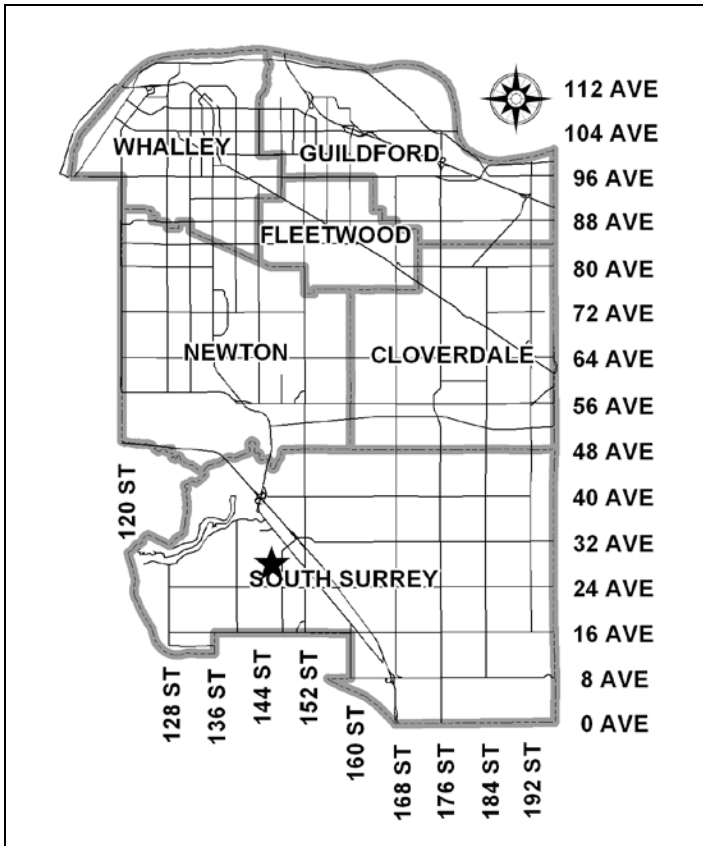
File: 7906-0092-00

Planning Report Date: June 23, 2008

**PROPOSAL:**

- **Rezoning** from RA to CD (based on RH-G) in order to allow subdivision into eight half-acre gross density type lots in two phases.

**LOCATION:** 14665/14719/14735 - 28 Avenue  
**OWNERS:** Jaswinder Dhaliwal et al.  
**ZONING:** RA  
**OCP DESIGNATION:** Suburban  
**LAP DESIGNATION:** One Acre



### RECOMMENDATION SUMMARY

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

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The subject site is designated "One Acre" in the Central Semiahmoo Peninsula Local Area Plan (LAP).
- The applicant proposes to amend the LAP to allow subdivision into half-acre gross density type lots.

### RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- The application is consistent with the properties to the immediate north and west. Under Application No. 7903-0268-00 to the immediate west, the LAP was amended from "One Acre" to "Half Acre Gross Density" and the proposed rezoning and subdivision continues that pattern.
- The applicant has consulted surrounding area residents and no objections have been raised to the proposal.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the subject site from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (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) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
  - (d) submission of a landscaping plan and landscaping cost estimate for the landscaping buffer and split-rail fencing along the Semiahmoo Trail to the specifications and satisfaction of the City Landscape Architect;
  - (e) the applicant address the shortfall in tree replacement;
  - (f) removal of any fencing that does not meet the guidelines for fencing along Semiahmoo Trail;
  - (g) submission of financial security for the landscaping buffer and fencing along Semiahmoo Trail;
  - (h) registration of a Section 219 Restrictive Covenant for eventual Lot 8 area to have a 10 metre (33 ft.) no-build area for the purposes of landscaping along the Semiahmoo trail and to ensure house frontage addresses the Semiahmoo Trail; and
  - (i) the applicant address the gross density open space requirements and Semiahmoo Trail development needs as per the Parks, Recreation & Culture Department.
3. Council pass a resolution to amend the Central Semiahmoo Peninsula Local Area Plan to redesignate the land from "One Acre" to "Half-Acre Gross Density" 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:**

3 Elementary students at Semiahmoo trail Elementary School  
1 Secondary student at Semiahmoo Secondary School

(Appendix IV)

Parks, Recreation & Culture: Parks supports the proposed development and requests that the applicant provide 15% cash-in-lieu of parkland dedication.

Heritage Advisory Committee: The site fronts on Semiahmoo Trail, thus the applicant is required to address the requirements for development adjacent to the Trail, including registration of a Section 219 Restrictive Covenant for a 10 metre (33 ft.) landscape buffer along the Trail, ensuring a house frontage on the trail and landscaping and split-rail fencing in keeping with the Semiahmoo Trail Design Guidelines. The applicant has made provisions for house orientation to the Semiahmoo Trail on Lot 8 and for a 10 metre (33 ft.) no-build landscaped area adjacent to the Trail in conformance with the Semiahmoo Trail Design Guidelines. HAC supports the proposed subdivision (Appendix V).

SITE CHARACTERISTICS

Existing Land Use: Single family residential.

Adjacent Area:

| <b>Direction</b>                     | <b>Existing Use</b>                 | <b>OCP/LAP Designation</b>       | <b>Existing Zone</b> |
|--------------------------------------|-------------------------------------|----------------------------------|----------------------|
| North (Across 28A Avenue ) and West: | Single family residential.          | Suburban/Half-Acre Gross Density | RH-G                 |
| East:                                | One single family residential lots. | Suburban/One Acre                | RA                   |
| South (Across 28 Avenue):            | Sunnyside Acres Urban Forest Park.  | Conservation                     | RA                   |

### JUSTIFICATION FOR PLAN AMENDMENT

- The application involves three parcels of land at 14665, 14719 and 14735 – 28 Avenue, located within the Central Semiahmoo Peninsula Local Area Plan (LAP). The site is designated "One Acre" and the applicant is proposing that the site be redesignated "Half Acre Gross Density". The site area is 1.54 hectares (3.80 acres) in size.
- The applicant is proposing to rezone from "One Acre Residential Zone" (RA) to "Comprehensive Development Zone" (CD) based on "Half-Acre Residential Gross Density Zone" (RH-G), with a 15% cash-in-lieu of park dedication payment, in order to permit subdivision into eight half-acre gross density type lots in two phases. The density currently being proposed by the applicant is 4.5 units per hectare (uph) (1.8 units per acre (upa)). The maximum density permitted under the Suburban designation is 5 uph (2 upa). The applicant intends on developing seven lots in the first phase. Lot 7 has the potential to further subdivide into two lots in the future.
- The proposed redesignation to half-acre gross density type lots is in keeping with the character of the area. The subject site is bounded on the north and west by RH-G lots. During the recently approved subdivision to the west and north (File No. 7903-0268-00), the portion of that site that fronted 28 Avenue was redesignated from "One Acre" to "Half Acre Gross Density". In addition, there is an existing City Park, Sunnyside Acres Urban Forest Park, to the south of the site (across 28 Avenue).

### DEVELOPMENT CONSIDERATIONS

- The applicant is proposing to subdivide the existing 3 lots into 7 lots, with the proposed Lot 7 having the potential to be further subdivided into 2 lots at a later date. The applicant desires to retain the existing 3 dwellings, which are in good condition, within three of the new lots.
- The northeast corner of the site is adjacent to the Semiahmoo Trail and as such the applicant has made several provisions to conform to the Semiahmoo Trail Design Guidelines, as discussed below.
- The applicant has been unable to incorporate the neighbouring property in this application, and has demonstrated that this parcel has development potential on its own (eventual subdivision into two parcels - Appendix X). Any rezoning and subdivision of this neighbouring parcel into two parcels under the Suburban designation in the OCP will require that the existing vehicular access to the Trail be eliminated and a new access be achieved off 28 Avenue, using a shared driveway as shown on the attached plan.

### Proposed CD Zone

- The proposed lots range in size from 1,302 sq.m. (14,000 sq.ft.) to 4,656 sq.m. (1.15 acres) (Lot 7) and the lot widths range from 34 metres (112 feet) to 50.4 metres (165 feet). This exceeds the minimum lot area (1,120 sq.m./12,000 sq.ft.) and the minimum lot width (24 metres/80 feet) of the RH-G Zone.

- The Parks, Recreation and Culture Department has not identified a need for parkland at this location. In support of the proposal for gross-density type lots, the applicant has volunteered 15% cash-in-lieu of parkland. The applicant is proposing a rezoning to CD instead of RH-G as the RH-G Zone requires dedication of open space.
- The proposed CD Zone is identical to the RH-G Zone, except that the required 15% open space has been eliminated, lot sizes are larger, and a Maximum Floor Area Cap has been included to regulate the size of dwellings in a manner consistent with surrounding RH-G lots.
- The following table provides a comparison of the RH-G Zone and the proposed CD Zone:

|                          | <b>RH-G Zone</b>   | <b>CD Zone</b>   |
|--------------------------|--|--|
| Minimum Lot Size         | 1,300 sq.m. (14,000 sq.ft.), with 50% of lots allowed at 1,120 sq.m. (12,000 sq.ft.) | 1,525 sq.m. (16,400 sq.ft.), with 30% of lots allowed at 1,300 sq.m. (14,000 sq.ft.) |
| Minimum Lot Width        | 30 metres (100 feet) for 1,300 sq.m. lots; 24 metres (80 feet) for 1,120 sq.m. lots  | 30 metres (100 feet)   |
| Maximum Floor Area Ratio | 0.32   | 0.32   |
| Maximum Floor Area Cap   | none   | 450 sq.m. (4,840 sq.ft.)   |
| Maximum Lot Coverage     | 25%  | 25%  |

### Building Scheme and Lot Grading

- Tynan Consulting Ltd. prepared the Neighbourhood Character Study and Building Scheme, dated May 30, 2008. The character study involved reviewing a number of existing homes in the neighbourhood in order to establish suitable design guidelines for the proposed subdivision. A summary of the design guidelines is attached (Appendix IX).
- Only high quality exterior finish and detailing materials are permitted: stucco, cedar, hardiplank, brick and stone. Vinyl is not permitted as a cladding material.
- Only shake profile asphalt, cedar shingles, shake profile concrete roof tiles or new environmentally sensitive roofing products (provided that the aesthetic properties of the new materials are equal to or better than the traditional roofing products) in grey or brown tones are permitted.
- No secondary suites or basement-entry homes are permitted.
- Preliminary lot grading plans were prepared and submitted by Hunter Laird Engineering Ltd. The plans were reviewed by staff and found acceptable. No fill is proposed on the site.

### Tree Preservation

- C. Kavolinas and Associates Inc. prepared the Arborist Report and Tree Preservation/Replacement Plans. They have been satisfactorily reviewed by City staff and the applicant is exploring the possibility of retaining one more tree on Lot 8.

- The chart below provides a summary of the tree retention and removal by species:

| Tree Species | Total No. of Trees | Total Proposed for Retention | Total Proposed for Removal |
|--------------|--------------------|------------------------------|----------------------------|
| Douglas Fir  | 75                 | 46                           | 29                         |
| Red Alder    | 24                 | 0                            | 24                         |
| Alder        | 21                 | 0                            | 21                         |
| Birch        | 16                 | 1                            | 15                         |
| Cedar        | 7                  | 5                            | 2                          |
| Maple        | 6                  | 2                            | 4                          |
| Spruce       | 4                  | 3                            | 1                          |
| Apple        | 1                  | 1                            | 0                          |
| Dogwood      | 1                  | 1                            | 0                          |
| Cherry       | 1                  | 0                            | 1                          |
| <b>Total</b> | <b>156</b>         | <b>59</b>                    | <b>97</b>                  |

- According to the tree summary, 156 mature trees are identified on the subject site with 59 trees proposed to be retained (38%) and 97 trees proposed to be removed (Appendix VI). Of the 97 trees to be removed, 48 of those are alders, which are not considered a retainable species. The other trees proposed to be removed are either hazardous, poor quality, located within a proposed building envelope, or within the road right-of-way. The proposal results in a satisfactory level of tree retention and is an appropriate response to address tree retention objectives.
- The applicant is proposing to plant 32 replacement trees. As 149 replacement trees are required, the applicant is required to resolve this shortfall in replacement trees (117 tree shortfall) prior to the final adoption of the rezoning by-law. Approximately \$35,100 will be required to be submitted to the City Green Fund to address this issue.

#### Landscaping Along Semiahmoo Trail

- The application was referred to the March 11, 2008 and the April 30, 2008 Heritage Advisory Commission (HAC) meetings. The HAC recommended the approval of the proposed subdivision, with several conditions, as discussed below.
- In accordance with the *Semiahmoo Trail Design Guidelines*, the applicant is proposing a 10 metre (33 feet) landscaping buffer on the portion of the property that is within 10 metres (33 feet) of the Semiahmoo Trail. Native vegetation and split rail fencing are proposed (Appendix VIII). No grade changes are proposed to the natural grade within this buffer area. The landscaping plan for the buffer will be secured through a Restrictive Covenant. A financial security will be required from the applicant to facilitate the development of the landscape buffer.
- The HAC expressed concern that there is a chain-link fence along the property line with the neighbour to the north in the 10 metre (33 feet) Semiahmoo Trail buffer area. The Zoning By-law prohibits fences other than split-rail fences. Any fencing on the subject site or along the property line of the subject site that does not conform to the Zoning By-law is required to be removed prior to final adoption. The applicant has acknowledged that this situation needs to be rectified prior to final approval of the rezoning by-law.

- The new dwelling for the eventual proposed Lot 8 is required to be designed so as to have the house frontage address the Semiahmoo Trail, to provide surveillance for the Trail area.

### PRE-NOTIFICATION

Pre-notification letters were sent May 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 and Project Data Sheets and Survey Plan        |
| Appendix II.   | Proposed Subdivision Layout   |
| Appendix III.  | Engineering Summary   |
| Appendix IV.   | School District Comments  |
| Appendix V.    | Heritage Advisory Committee Minutes                                       |
| Appendix VI.   | Summary of Tree Survey and Tree Preservation                              |
| Appendix VII.  | Proposed CD By-law  |
| Appendix VIII. | Proposed Semiahmoo Trail Buffer Landscape Plan                            |
| Appendix IX.   | Building Scheme Summary   |
| Appendix X.    | Conceptual Subdivision Plan for Parcel to the East (2811 Semiahmoo Trail) |

Jean Lamontagne  
General Manager  
Planning and Development

KB/kms

v:\wp-docs\planning\plncom08\04290930.kb.doc  
KMS 4/29/08 9:52 AM



Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent:      Name:                    Clarence Arychuk, Hunter Laird Engineering Ltd.  
                         Address:                    #300 - 65 Richmond Street  
                                                            New Westminster, BC  
                                                            V3L 5P5  
                         Tel:                                    604-525-4651

2.      Properties involved in the Application

- (a)      Civic Addresses:      14465, 14719 and 14735 - 28 Avenue
- (b)      Civic Address:            14465 - 28 Avenue  
            Owner:                        James Shannon  
            PID:                            008-613-036  
            Lot 4 Section 22 Township 1 New Westminster District Plan 20053
- (c)      Civic Address:            14719 - 28 Avenue  
            Owner:                        Jaswinder Dhaliwal  
            PID:                            004-367-219  
            Lot 3 Section 22 Township 1 New Westminster District Plan 20053
- (d)      Civic Address:            14735 - 28 Avenue  
            Owner:                        Roshanali and Zainab Dewji  
            PID:                            010-420-983  
            Lot 2 Section 22 Township 1 New Westminster District Plan 18943

3.      Summary of Actions for City Clerk's Office

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

## SUBDIVISION DATA SHEET

**Proposed Zoning: CD (based on RH-G)**

| Requires Project Data                              | Proposed                  |
|--|---------------------------|
| <b>GROSS SITE AREA</b>                             |                           |
| Acres  | 3.80 ac                   |
| Hectares   | 1.5397 ha                 |
|  |                           |
| <b>NUMBER OF LOTS</b>                              |                           |
| Existing   | 3                         |
| Proposed   | 7                         |
|  |                           |
| <b>SIZE OF LOTS</b>                                | 34.0 m - 50.3 m           |
| Range of lot widths (metres)                       | 1,302 sq.m. - 4,656 sq.m. |
| Range of lot areas (square metres)                 |                           |
|  |                           |
| <b>DENSITY</b>                                     |                           |
| Lots/Hectare & Lots/Acre (Gross)                   | 4.5 uph/1.8 upa           |
| Lots/Hectare & Lots/Acre (Net)                     |                           |
|  |                           |
| <b>SITE COVERAGE (in % of gross site area)</b>     |                           |
| Maximum Coverage of Principal & Accessory Building | 25%                       |
| Estimated Road, Lane & Driveway Coverage           | 8%                        |
| Total Site Coverage                                | 33%                       |
|  |                           |
| <b>PARKLAND</b>                                    | n/a                       |
| Area (square metres)                               | 15% cash-in-lieu          |
| % of Gross Site                                    |                           |
|  |                           |
|  | <b>Required</b>           |
| <b>PARKLAND</b>                                    |                           |
| 15% money in lieu                                  | YES                       |
|  |                           |
| <b>TREE SURVEY/ASSESSMENT</b>                      | YES                       |
|  |                           |
| <b>MODEL BUILDING SCHEME</b>                       | YES                       |
|  |                           |
| <b>HERITAGE SITE Retention</b>                     | YES                       |
|  |                           |
| <b>BOUNDARY HEALTH Approval</b>                    | NO                        |
|  |                           |
| <b>DEV. VARIANCE PERMIT required</b>               |                           |
| Road Length/Standards                              | NO                        |
| Works and Services                                 | NO                        |
| Building Retention                                 | NO                        |
| Others   | NO                        |