

Proposal: OCP Amendment from Suburban to Urban. Rezone from RA to RF to create approximately 5 single family residential lots.

Recommendation: Approval to Proceed

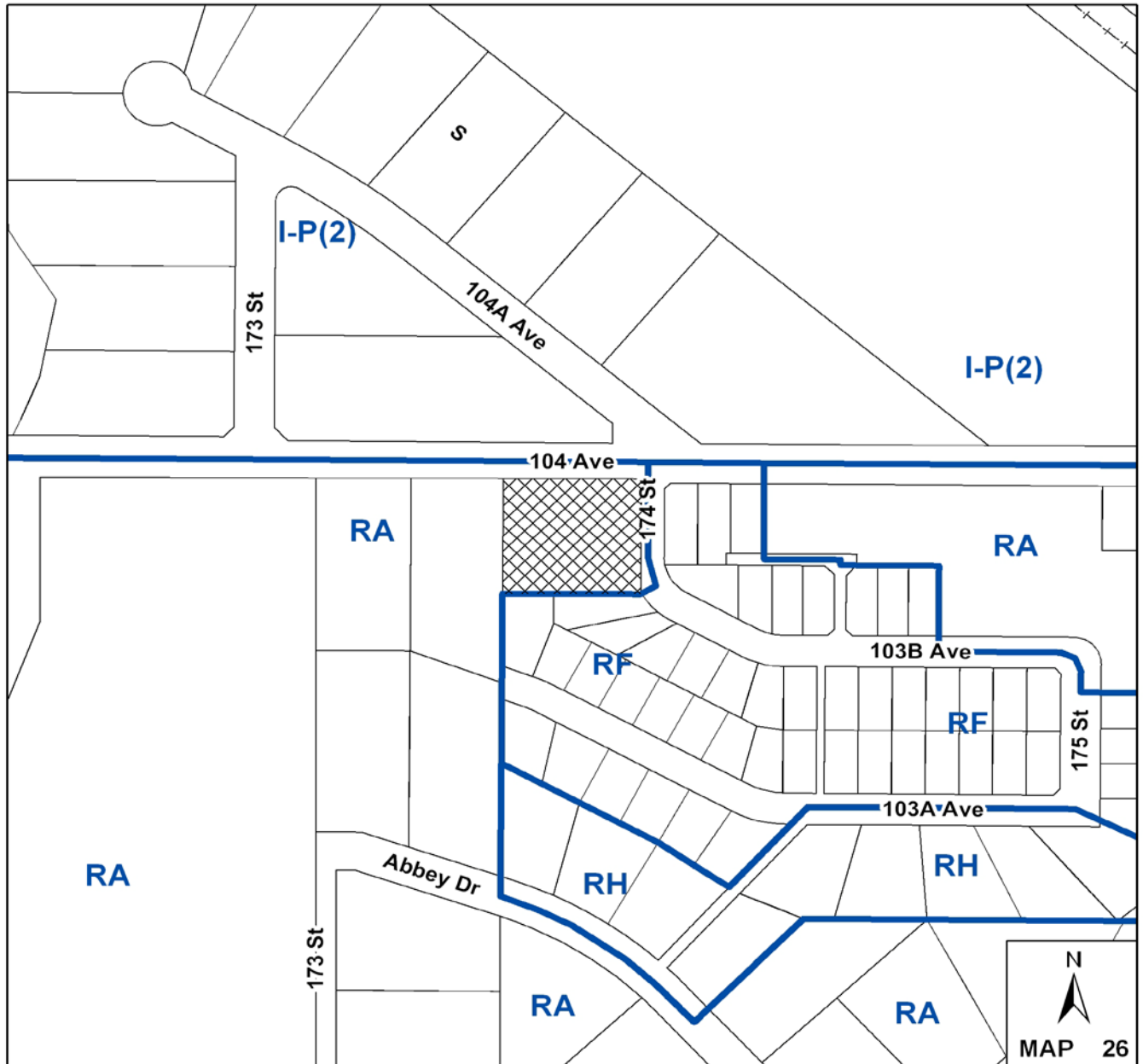
Location: 17366 - 104 Avenue

Zoning: RA

OCP Designation: Suburban

LAP Designation: Cluster Housing
 @ 2 upa

Owners: Sukhmander Singh et al



PROJECT TIMELINE

Completed Application Submission Date: April 13, 2007
Application Revision & Re-submission Date: February 9, 2007
Planning Report Date: April 2, 2007

PROPOSAL

The applicant is proposing:

- an OCP amendment from Suburban to Urban; and
- a rezoning from RA to RF

in order to allow subdivision into approximately 5 single family residential lots.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to redesignate the property from Suburban to Urban and a date for Public Hearing be set.
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 the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential Zone (RF)" (By-law No. 12000) and a date be set for Public Hearing.
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) input from the Ministry of Transportation;
 - (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect; and
 - (d) submission of a landscaping cost estimate for the landscape buffer along 104 Avenue to the specifications and satisfaction of the City Landscape Architect;

- (e) registration of a Section 219 Restrictive Covenant on all lots notifying the future home owners to the potential for noise and to require mitigating measures to reduce the impact of external noise sources from the proximity to the South Fraser Perimeter Road, industrial uses and the railway to the north;
 - (f) provision of community benefit to satisfy the OCP amendment policy for Type 2 applications; and
 - (g) registration of a Section 219 Restrictive Covenant for "no build" within the 6.0-metre (20 ft.) wide landscape buffer area along 104 Avenue and the completion of the landscape buffer prior to the issuance of any building permits within the entire site, and protection and maintenance of the landscaped buffer thereafter.
5. Council pass a resolution to amend the North Slope Study to redesignate the land from Cluster Housing 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: The applicant should provide 5% cash-in-lieu of parkland (Appendix V).

School District: **School Impacts:**

Projected number of students from this development:

Elementary students = 2 students
 Secondary students = 1 student
 Total new students = 3 students

School Catchment Area/Current Enrollment/School Capacity:

Bothwell Elementary School = 217 enrolled/355 capacity
 Fraser Heights Secondary School = 1,375 enrolled/1,000 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 = 35 students
 Secondary students = 28 students
 Total new students = 63 students

Approved Capacity Projects and Future Space Considerations

An addition at Fraser Heights Secondary is identified in the third year of the 2006-2010 Five Year Capital Plan submission. The proposed residential development will not have an impact on these projections.

(Appendix VI)

Ministry of Transportation
(MOT):

Preliminary Gateway concept drawings show that the subject parcel is approximately 100 metres from the proposed South Fraser Perimeter Road overpass. There is some potential that property may be required from this parcel. The Ministry of Transportation recommends that the development application not be approved until more definite specifications from the Gateway Program are known regarding the road allowance on 104 Avenue. Final comments from the Ministry will be required prior to final adoption (Appendix VII).

SITE CHARACTERISTICS

- **Existing Land Use** Single family dwelling on an acreage lot with associated accessory buildings which will be removed as part of this development.
- **Significant Site Attributes** The north-eastern portion of the site is encumbered by a municipal right-of-way for sanitary sewer.
- **East:** Across 174 Street, recently approved single family residential lots (File No. 7903-0350-00), zoned RF, designated Urban.
- **South:** Recently approved single family residential lots (File No. 7903-0350-00), zoned RF, designated Urban.
- **West:** Single family residential lot currently under application (File No. 7906-0269-00) for development into RF-zoned single family lots, zoned RA, designated Suburban.
- **North:** Across 104 Avenue, multi-tenant warehouse complex, zoned I-P(2) (By-law No. 5942), designated Industrial.

PLAN AND POLICY COMPLIANCE

OCP Designation: Needs amendment to Urban.

North Slope Study: Needs amendment 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 property immediately east and south of the subject site, from Suburban to Urban, creating 50 single-family residential (RF) lots, 9 half acre residential (RH) lots, and one remainder lot (File No. 7903-0350-00). Additionally, the abutting property to the west is currently under a development application (File No. 7906-0269) to re-designate from Suburban to Urban in order to allow subdivision into 12 single-family lots. This proposal is considered in keeping with the changing character of the area and is consistent with Council's direction on land use for this area.
- 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 \$20,000. This contribution will be collected prior to the project being considered for Final Adoption.

DEVELOPMENT CONSIDERATIONS

Site Context and Background

- The subject site consists of one property located directly south of 104 Avenue and west of the recently created 174 Street. The 4,178-square metre (1.03 acre) site is currently designated Suburban in the Official Community Plan (OCP).
- The proposed OCP amendment from Suburban to Urban and rezoning from One-Acre Residential Zone (RA) to Single Family Residential Zone (RF) is similar in nature to the recently approved development application located directly east of the subject site (File No. 7903-0350-00) as well as the application currently in process on the abutting property to the west (File No. 7906-0269-00).
- The applicant proposes to rezone from RA to RF to allow subdivision into approximately five (5) single family residential lots (proposed Lots 1 to 5).
- All 5 proposed lots conform to the minimum requirements of the RF Zone in terms of lot area, width, and depth. They range in size from 560 square metres (6,027 sq.ft.) to 1,052 square metres (11,324 sq.ft.).
- The subdivision layout (Appendix III) proposes a lane parallel the 104 Avenue arterial road off 174 Street, allowing access from the rear of proposed Lots 1 – 4, and off the side of proposed Lot 5.
- A sanitary sewer right-of-way encumbers proposed Lots 2-4, however the existing main is presently abandoned, and the applicant is requesting that the right-of-way be discharged.

Lot Grading

- A preliminary lot grading plan submitted by H.Y. Engineering Ltd. has been reviewed by staff and found to be generally acceptable. The applicant proposes to have in-ground basements on all of the proposed residential lots.
- The abandoned sanitary main on Lots 2-4 is to be removed, and the trench line is to be filled with pit run gravel, and then compacted.

Residential Design

- The applicant has retained Lisa de Vooght of 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 (Appendix VIII).
- Basement-entry homes and secondary suites will not be permitted.

Arborist Report and Tree Retention/Replanting

- The applicant retained MGF Horticultural Inc. to conduct a tree survey and prepare an Arborist Report.
- The Arborist Report indicates that there are 12 protected trees on the site, with 10 of the protected trees to be removed because they are located within building envelopes, proposed road rights-of-way, or have been assessed as hazardous.
- The report proposes the retention of 2 protected trees and a total of 16 replacement trees, providing an average of 3.6 trees on each lot (Appendix IX).
- The development application was submitted prior to final adoption of Tree Protection By-law No. 16100 and is covered by the one-year grace period.
- Under the recently approved Tree Protection By-law, tree replacement is required at specific ratios. Protected trees are to be replaced at a ratio of 2:1, with the exception of alder and cottonwood trees-which are to be replaced at a ratio of 1:1. With the removal of 10 mature trees, a total of 20 replacement trees would be required under this application. The applicant proposes 16 replacement trees. Under the requirement of the new Tree Protection By-law, this would result in a tree replacement deficit of 4 trees. As such, under the new By-law, monetary compensation for the remaining 4 trees would be \$1,200 based on \$300/tree.
- The applicant has volunteered to contribute a total of \$1,200 to the Green City Fund to comply with the requirements of the new Tree Protection By-law.

Landscape Buffer

- A 6.0-metre (20 ft.) wide landscape buffer is proposed along 104 Avenue to screen the proposed residential lots from existing industrial uses to the north and the future South Fraser Perimeter Road to the north-east. This landscape buffer will be planted with various trees.

South Fraser Perimeter Road

The applicant has acknowledged in writing that the Ministry of Transportation has some concerns and that there may be changes and adjustments to the layout required as a result of the ultimate alignment of the South Fraser Perimeter Road.

PRE-NOTIFICATION

Pre-notification letters were sent on December 18, 2006 and staff received the following comment:

- A letter was received on January 4, 2007 from the Strata Council of an industrial property located directly to the north of the subject site. The letter is in opposition to the proposed rezoning and OCP amendment for the following reasons:
 1. Small lot residential development adjacent to heavy and light industrial uses is seen as inappropriate.
 2. Proposed new highway infrastructure (SFPR) will pose:
 - (a) Negative acoustical impacts;
 - (b) Pollution health concerns; and
 - (c) Civic legal liability issues.

(The proposed OCP amendment from Suburban to Urban and rezoning from One-Acre Residential Zone (RA) to Single Family Residential Zone (RF) is similar in nature to the recently approved development application located directly east of the subject site (File No. 7906-0234-00) where 50 RF zoned lots were created. 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.

The existing use on the site located directly to the north of the subject site is a multi-tenant warehouse facility. This use is "light industrial" in nature and does not pose significant concern to the future development of a single-family residential community to the south.

The proposed highway infrastructure expansion (SFPR) poses significant planning concerns, however the applicant is aware that the Ministry of Transportation must be satisfied before the project can be considered for final adoption. The applicant is also required to provide adequate landscape buffering along 104 Avenue.

A Section 219 Restrictive Covenant will be required to ensure that future purchasers of the proposed lots are aware of the impacts of the industrial properties to the north and understand the future impacts of the expanded highway infrastructure.)

- A telephone call was received expressing concern that there is currently no sidewalk along 104 Avenue to Bothwell Elementary School.

(The Planning and Development Department advises that no current plans exist to construct sidewalks along 104 Avenue. There will be a connection to Bothwell Elementary once the properties to the west of 17309 and 17333 Abbey Drive are developed.)

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 and Project Data Sheets
Appendix II.	Contour Map
Appendix III.	Proposed Subdivision Layout and Landscape Plans
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.	OCP Amendment Map

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated March 27, 2007.
- Arborist Report dated January 12, 2007.
- Tree Preservation and Replacement Plan dated January 12, 2007.
- Soil Contamination Review Questionnaire prepared by Richard Brooks and dated April 13, 2006.

How Yin Leung
Acting General Manager
Planning and Development

MP/kms

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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, B.C. V3R 4E7
 Tel: 604-583-1616

2. Properties involved in the Application

(a) Civic Address: 17366 - 104 Avenue

(b) Civic Address: 17366 - 104 Avenue
 Owners: Sukhmander Singh and Surjit Singh Sandu; Arvinder Gill
 PID: 001-952-498
 Lot 18 Section 6 Township 9 New Westminster District Plan 38981

3. Summary of Actions for City Clerk's Office

(a) Introduce a By-law to amend the Official Community Plan to redesignate the property.

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

SUBDIVISION DATA SHEET

Proposed Zoning: RF

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	1.033 ac
Hectares	0.4181 ha
NUMBER OF LOTS	
Existing	1
Proposed	5
SIZE OF LOTS	
Range of lot widths (metres)	15.3 m - 16.5 m
Range of lot areas (square metres)	560 m ² - 1,052 m ²
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	4.8 lots/ac 11.9 lots/ac
Lots/Hectare & Lots/Acre (Net)	6.1 lots/ac 15.1 lots/ha
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	31.5%
Estimated Road, Lane & Driveway Coverage	27.5%
Total Site Coverage	59%
PARKLAND	
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

