

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7906-0266-00

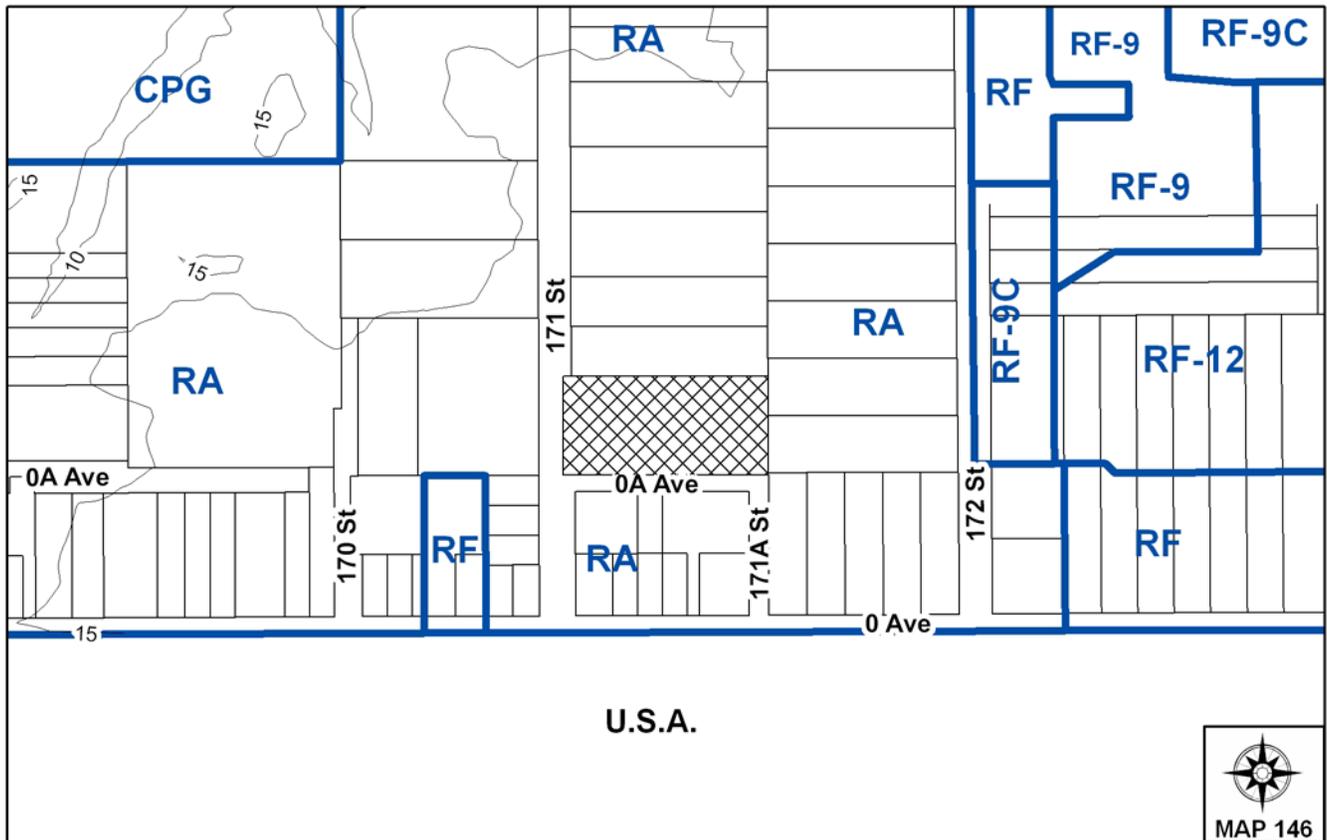
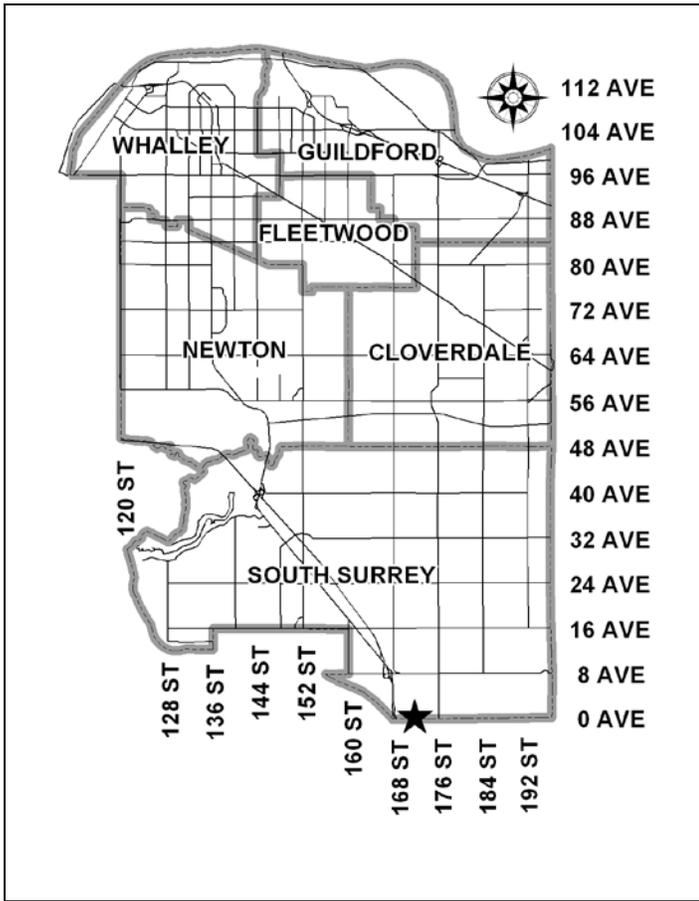
Planning Report Date: April 14, 2008

PROPOSAL:

- **NCP Amendment** from Urban Single Family to Single Family Residential Flex (6 upa to 14.5 upa)
- **Rezoning** from RA to RF-12 and RF-12C
- **Development Variance Permit**

in order to allow subdivision into 11 single family small lots and a remainder lot and to vary garage restrictions on 3 lots to allow for tree retention.

LOCATION: 58 - 171 Street
OWNER: Peace Arch Properties Ltd.
ZONING: RA
OCP DESIGNATION: Urban
NCP DESIGNATION: Urban Single Family



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Rezoning.
- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The proposal requires an NCP Amendment to redesignate the property from Urban Single Family to Single Family Residential Flex in accordance with the provisions on the Douglas NCP Major Amendment.
- The proposal requires a relaxation of the access requirements on 3 lots to achieve tree retention.

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- The site was anticipated to be considered for an amendment from "Urban Single Family" to "Single Family Residential Flex (6 upa to 14.5 upa)" as part of the approval of the Douglas NCP Major Amendment approved by Council in 2007.
- The proposal complies with the locational interface guidelines approved by Council under the Flex Designation in the Douglas NCP, and therefore, is supportable.
- The proposed variances are required to permit tree retention.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the portion of the property shown as "Block A" on Appendix I from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) and to rezone the portion of the property shown as "Block B" on Appendix I from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential Coach House Zone (RF-12C)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve Development Variance Permit No. 7906-0266-00 (Appendix VIII) varying the Zoning By-law as follows, to proceed to Public Notification:
 - (a) to vary the RF-12 Zone for proposed Lots 4 and 5 to permit front access, double-car garage on a lot less than 13.4 metres (44 ft.) wide; and
 - (b) to vary the RF-12 Zone for proposed Lot 3 to permit front access from the lot where there is a lane up to or along the rear lot line or side lot line.
3. 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) final resolution of Transport Canada (NAV Canada) issues related to the adjacent telecommunication antenna/beacon located at 103 - 171 Street, including possible lot and building restrictions;
 - (e) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (f) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department; and
 - (g) registration of a Section 219 Restrictive Covenant for "no build" on a portion of Lots 3, 4 and 5 to prohibit rear access garages on these lots to ensure tree retention.
4. Council pass a resolution to amend the Douglas NCP/Local Area Plan to redesignate the land from Urban Single Family (6 upa) to Single Family Residential Flex (6 upa to 14.5 upa) 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:**

4 Elementary students at Hall's Prairie Elementary School
2 Secondary students at Earl Marriott Secondary School

(Appendix IX)

Parks, Recreation & Culture: No concern. The applicant to pay 5% cash-in-lieu of parkland dedication. Parks recommends that trees be preserved where possible and notes that NCP amenity fees will be collected as per the Douglas NCP.

Ministry of Transportation (MOT): The Ministry of Transportation has withheld preliminary approval while the projected traffic generated by development is reviewed for impacts to the Highway 99 Corridor.

SITE CHARACTERISTICS

Existing Land Use: Large residential acreage. Site is substantially treed, however, many of the trees are not retainable due to the high water table and shallow root systems, as is typical in the Douglas area.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North:	Single family home.	Urban in the OCP/Small Lot Single Family in the Douglas NCP	RA
East:	Single family home.	Urban in the OCP/Small Lot Single Family in the Douglas NCP	RA
South:	Unopened City road allowance (0A Avenue), single family homes.	Urban in the OCP, Urban Single Family in the NCP	RA
West (Across 171 Street):	NAV Canada Navigational Beacon site.	Urban in the OCP, Urban Single Family in the NCP	RA

JUSTIFICATION FOR PLAN AMENDMENT

- The application is proposing to amend the Douglas NCP:
- To redesignate a portion of the site from "Urban Single Family" to "Single Family Residential Flex (6 upa to 14.5 upa)" to allow the development of 7 RF-12 and 4 RF-12C small lots, in accordance with the approved criteria for small lot development within the Douglas NCP.
- The proposed amendments were anticipated as part of the February 12, 2007 Corporate Report No. L001, which approved a Major Amendment to the Douglas NCP. The interface and density proposed is considered appropriate for the following reasons:
 - The site interfaces with land designated Urban Single Family Small Lot to the north across a proposed laneway, and is separated from the Urban Single Family designated lands to the south by 0A Avenue.
 - The majority of the lots proposed are oversized RF-12 and RF-12C lots that provide a reasonable transition from the areas of Douglas subject to immediate redevelopment to the north, and from existing homes to the south.
 - The majority of the lots have rear access.
 - Only 4 of the proposed 11 lots are to permit coach houses.
- Overall, the Douglas NCP Major Amendment was intended to update the plan and allow consideration of higher densities to address issues of sustainability and affordability, while also updating the necessary servicing and infrastructure in the area. The application addresses the required density transition and gradient in an appropriate way, provides a road arrangement in keeping with the Plan, and will allow a suitable interface with properties not being developed at this time.

DEVELOPMENT CONSIDERATIONS

Background

- The subject site is located within the Douglas NCP. The Douglas NCP area is comprised of approximately 60 hectares (150 acres) of land and is generally bounded by Highway 99 to the west, the Canada/USA border (Blaine, Washington) to the south, 4 Avenue to the north, and 175 Street to the east.
- The subject site is designated Urban in the Official Community Plan, is zoned "One Acre Residential Zone (RA)", and is 0.76 Ha (1.87 Acres) in size. The site is designated "Urban Single Family (6 upa)" in the Douglas NCP.
- The applicant proposes to rezone the site to develop 11 single-family small lots, consisting of 7 RF-12 lots, and 4 RF-12C lots (the latter allowing coach houses). The proposal also includes the construction and dedication of a laneway, and construction of the north half of 0A Avenue, as well as a slight adjustment to the local road network from what is shown in the NCP (the road is

shuffled slightly to the north). The application requires a corresponding amendment to the NCP designation to allow increased density for small lots, as discussed above.

- As a result of the proposed subdivision, a remnant parcel will be created to the north of the proposed laneway. This parcel, approximately 507 square metres (0.12 acres) is proposed to be re-zoned RF-12 and redesignated. This parcel will be required to be sold to the neighbouring property owner to the north at the time of subdivision and re-zoning of that parcel.

Proposed Subdivision and Lot Types

- The applicant proposes to rezone the site into 7 RF-12, and 4 RF-12C (coach house) lots, as per the proposed zoning block plan (Appendix I). Three or four of the lots will require front loaded parking (rather than accessing from the laneway) in order to preserve a significant stand of trees in the rear yards.
- Due to traffic concerns recently identified by the Engineering Department, coach house development is not encouraged in the Douglas NCP. However, staff is allowing a certain amount of coach house development on older applications because this issue was not articulated earlier.
- The applicant worked with the Engineering Department to achieve an acceptable balance of RF-12C lots in this older application and these lots are located together, and towards the centre of the block. All coach house lots will provide one additional off-street parking space (a total of 3 spaces per lot) accessible from the laneway, as required by the Zoning By-law.

Transport Canada/NAV Canada

- The property to the west at 103- 171 Street is owned by the Federal Government and managed by Transport Canada. It contains a telecommunications structure and antennae/beacon (the White Rock "Non-Directional Beacon" or NDB) which is operated by Nav Canada. The beacon is a functional part of NAV Canada's aeronautic telecommunications network, and is regulated Federally under the Transport Act.
- City staff have no record of specific discussions related to the beacon during the original preparation of the Douglas NCP in 1999. The site is at 103-171 Street and is designated a combination of future Single Family and Single Family Small Lots in the Douglas NCP.
- As part of the pre-notification and referral process for a nearby subdivision application to the west (File No. 7905-0120-00), City staff and the applicant for that subdivision discussed the proposed development with NAV Canada staff. NAV Canada representatives acknowledge that housing developments of this nature should not pose a risk of interference with the radiated signal from the NDB. However, they have requested that any development in proximity to the beacon (i.e. within 200m) be designed to minimize interference, which would apply to the subject site.
- A single-storey limit has been identified within the 200-metre area around the NAV Canada Beacon site. This would affect primarily the lots immediately fronting 171 Street. However, it is noted that conventional (two-storey) single-family dwellings have been constructed on other surrounding properties without restrictions, and there are no Restrictive Covenants currently registered on surrounding lots on behalf of Transport Canada or NAV Canada advising of any

building height or lot restrictions, or any other conditions that may impact or limit development.

- Discussions with NAV Canada and Transport Canada are on-going to address adjacency and interference issues as part of the neighbouring development, as well as to establish possible conditions and requirements for any development adjacent to the federally-owned parcel. These issues have not yet been fully resolved.
- Prior to consideration of final approval, the applicant will be required to liaise with these agencies and finalize issues related to minimizing potential interference, which may include site development controls, such as building height and material restrictions, and register these through Restrictive Covenants and/or in the Building Scheme, as appropriate. The applicant is aware of these issues and the need to address this requirement.

Tree Preservation and Replacement

- The applicant retained Randy Greenizan (C. Kavolinas & Associates) to conduct a tree survey and prepare an Arborist Report and Tree Preservation/Replacement Plans (Appendix VI). The submitted tree survey, Arborist Report and Tree Preservation/Replacement Plans have been coordinated with the preliminary Lot Grading Plan, which is discussed in the following section.
- The Arborist Report Summary indicates that there are a total of 124 mature trees on the subject site. Of these, 10 trees are deemed hazardous, as they are in various stages of decline, are growing in swampy soils, or are leaning over and likely to fail.

Tree Preservation Table (By-law sized trees only)

Tree Species	Total No. of Protected Trees	Total Proposed for Retention	Total Proposed for Removal
Cedar	35	10	25
Hemlock	5	3	2
Redwood	2	0	2
Oak	1	0	1
Maple	2	0	2
Balsam	1	0	1
Poplar	1	0	1
Douglas Fir	7	0	7
Spruce	5	1	4
Cottonwood	65	0	65
Total	124	14	110

- There are significant natural constraints in the Douglas area that make it difficult to achieve high levels of tree retention, including a high water table, swampy soils, and shallow root systems. Due to the type of trees on the site and wet soil conditions, as well as the limited opportunities for tree retention in small lot developments, the applicant is proposing to remove 110 protected trees from the site.

- There are 13 protected trees proposed to be retained in a stand in the rear of lots 4 and 5, which will be protected by a Section 219 No-Build Restrictive Covenant.
- There will also be 5 trees retained along the southern edge of 0A Avenue (an existing City Right-of-Way), which is not proposed to be built at this time, as well as one tree on the eastern property line of Lot 11. The retained trees both on the site and on adjacent properties are all to be protected by a barrier fence.
- In addition, a large mature oak tree west of proposed Lot 1 is shown to be removed in what is to be the future road Right-of-Way for 171 Street. However, this tree makes a good candidate for retention, and the Engineering department will be working with the applicant to ensure the retention of this tree, pending further review of alternative servicing arrangements such that services and the upgraded roadway can be accommodated.
- This oak tree could be surrounded by a tree well due to differences in grading, and the future sidewalk located on the east side of 171 Street will likely require alternative (potentially soft-surface) treatment in order not to negatively impact this tree. The servicing implications of retaining this tree in the future boulevard are to be resolved, and may involve a curb bulge or alternative roadway standards at this location. This would result in the retention of one additional tree beyond what is proposed in the above table.
- Retention of the oak tree would be combined with the requirement for a Section 219 Restrictive Covenant obliging access for Lot 1 to be from 0A Avenue (rather than 171 Street).
- The City Landscape Architect has conducted a preliminary review of the Tree Survey, Arborist Report, Summary sheet, and Tree Preservation/Replacement Plans, and notes that additional information is required to confirm tree numbers as there are errors contained in the Arborist information submitted. To date the applicant has not submitted additional information to correct these errors.
- The applicant proposes a total of 21 replacement trees on the site, both of coniferous and deciduous varieties, an average of approximately 2 trees per lot according to the Tree Preservation Summary (Appendix VI).
- The proposal will result in a tree replacement deficit in the order of 114 trees, and therefore the proposal does not satisfy the requirements for on-site tree replacement. The applicant will be required to address the shortfall in tree replacement and submit compensation in-lieu of approximately \$27,000 to the City Green Fund.

Lot Grading

- The applicant has completed a preliminary lot grading plan. The plan indicates that in-ground basements can be accommodated for all lots. The plan has been reviewed by the Building Division and has been deemed acceptable to proceed.
- In-ground basements are proposed based on the information submitted, and can be achieved with minimal fill, which averages around 0.6m (2 feet) on various portions of the site, which is relatively flat. No retaining walls are proposed. The applicant will be required to ensure that

grading is kept away from the proposed tree retention areas, and sloped to meet the existing grades at property lines.

Building Scheme

- Tynan Consulting Ltd. (Michael E. Tynan) completed the Neighbourhood Character Study and Building Scheme proposed for this development (Appendix V).
- The Building Scheme has taken into consideration previously approved Building Schemes in other nearby developments in Douglas, and features the following elements:
 - Neo-Heritage, Neo-Traditional, Traditional, and Classical-Heritage, including Craftsman-Heritage and Rural-Heritage, and Urban-Heritage Housing styles with balanced massing;
 - Dwellings with a consistent mid-scale and proportion of elements, and clean lines, using design elements to balance the massing;
 - Exterior materials- cedar features and cementitious (hardi-board) siding (wood-grain look), brick and cultured brick, and stone/cultured stone with contrasting accent materials as acceptable exterior materials only (vinyl siding is not permitted);
 - Roofing materials to include high-profile 40 year shake-profile asphalt shingles, cedar shake/shingles, or concrete tiles (shake or slate profile) in greys or browns;
 - Roof pitch minimum of 8:12, and specific roof treatments, such those that provide interest and rhythm to the streetscape ;
 - Generous overhangs;
 - Secondary suites or Coach Houses permitted on four (4) RF-12C lots (Lots 7-10); and
 - In-ground basements permitted, but specific design detail to eliminate front basement windows or appearance of in-ground basement from the front.
- The Building Scheme will be finalized as a condition of the subdivision approval, and will be registered on all of the proposed lots.

PUBLIC CONSULTATION

Pre-Notification

- Pre-notification letters were sent on September 5, 2007 and staff received no comments from affected owners.

Public Information Meeting

- The subject application was part of a November 22, 2006 joint Public Information Meeting (10 applicants in Douglas) that was held to present all the proposed projects in the area, obtain input from the community on the proposed land use changes proposed in the NCP Major Amendment, revised servicing schemes including traffic analysis, and phasing and financial implications.
- The Public Information Meeting was held at the Aston Pacific Inn in South Surrey. Invitations were mailed to all the landowners in the Douglas NCP area, and extended to a minimum of one additional lot beyond the boundaries of the Douglas NCP area. Each developer had

representatives on hand to discuss the proposals, and staff from Planning and Engineering attended.

- Approximately 68 people attended the November 22, 2006 Open House in addition to the developer representatives and staff. One survey was used as the opportunity to comment for all in-stream applications. The survey responses were analyzed to identify common responses. The following is a synopsis of the results of the analysis:
 - The City received 17 completed comment sheets, 1 e-mail submission and 2 written submissions.
 - Of the 17 respondents, 5 noted that they were in favour of the proposals, 10 noted that they opposed the proposals and 2 did not indicate support/non-support. Some of the negative responses are from small landowners who questioned the original Douglas NCP when it was being prepared.
 - The e-mail and written submissions expressed concern over density, traffic and environmental impacts.
 - Over 50% of the Douglas NCP area is under application (including 57 of the 149 residential properties). Many of the landowners party to the applications did not attend the meetings or did not feel they had to respond to the questionnaire.

BY-LAW VARIANCES AND JUSTIFICATIONS

(a) Requested Variances: (for Lots 4 and 5):

- To vary the RF-12 Zone to permit a front access double car garage on a lot less than 13.4 metres (44 feet) wide [for proposed lots 4 and 5].

Justification for Variance:

- The proposed subdivision is located in a stand of mature trees of various types. In order to permit retention of a stand of the healthiest trees on the site, three of the proposed lots will not be able to achieve vehicle access from the laneway. In order to permit an efficient house layout on a 12-metre (39 feet) wide lot, a double (side-by-side) garage is deemed appropriate on both of the affected lots fronting 0A Avenue.
- Specific design considerations will be applied to these lots to ensure that the garage does not dominate the streetscape of either 171 Street or 0A Avenue. The Design Consultant has included specific requirements for the design of these lots to ensure that the garage door is recessed on the building, and is clearly sub-dominant to other elements on the front of the dwelling.

(b) Requested Variance (for Lot 3):

- To vary the RF-12 Zone to permit front garage access where there is a lane up to or along the rear lot line or side lot line [for proposed lot 3].

Justification for Variance:

- Part of the rear of proposed Lot 3, along with the rear portion of Lots 4 and 5 is to be protected by a Section 219 Restrictive Covenant for tree preservation. Allowing front access for this lot will facilitate tree protection on these properties.
- Proposed Lot 3 has a width of 13.4 metres (44 feet), therefore no specific design constraints are required for this lot.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary, Project Data Sheets and Survey Block Plan
Appendix II.	Proposed Subdivision Layout
Appendix III.	Engineering Summary
Appendix IV.	Parks Comments
Appendix V.	Building Design Guidelines Summary
Appendix VI.	Summary of Tree Survey and Tree Preservation
Appendix VII.	NCP Plan
Appendix VIII.	Development Variance Permit No. 7906-0266-00
Appendix IX.	School District Comments

Jean Lamontagne
General Manager
Planning and Development

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SUBDIVISION DATA SHEET

Proposed Zoning: RF-12 and RF-12C

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	1.8 ac
Hectares	0.76 ha
NUMBER OF LOTS	
Existing	1
Proposed	11
SIZE OF LOTS	
Range of lot widths (metres)	12 - 13.4 m
Range of lot areas (square metres)	322 - 509 m ²
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	6.1 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)	0
	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
Garage Access	YES