

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7906-0305-00

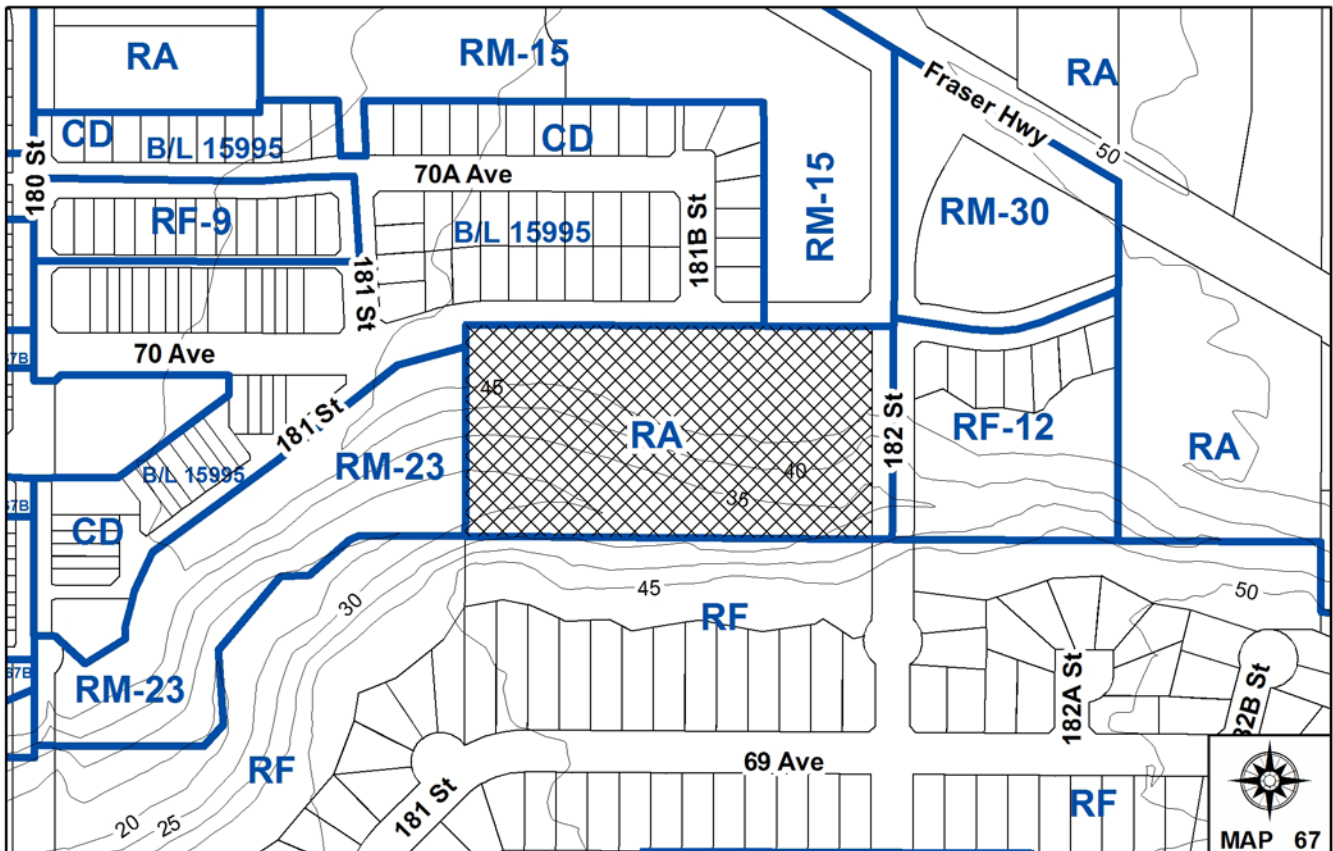
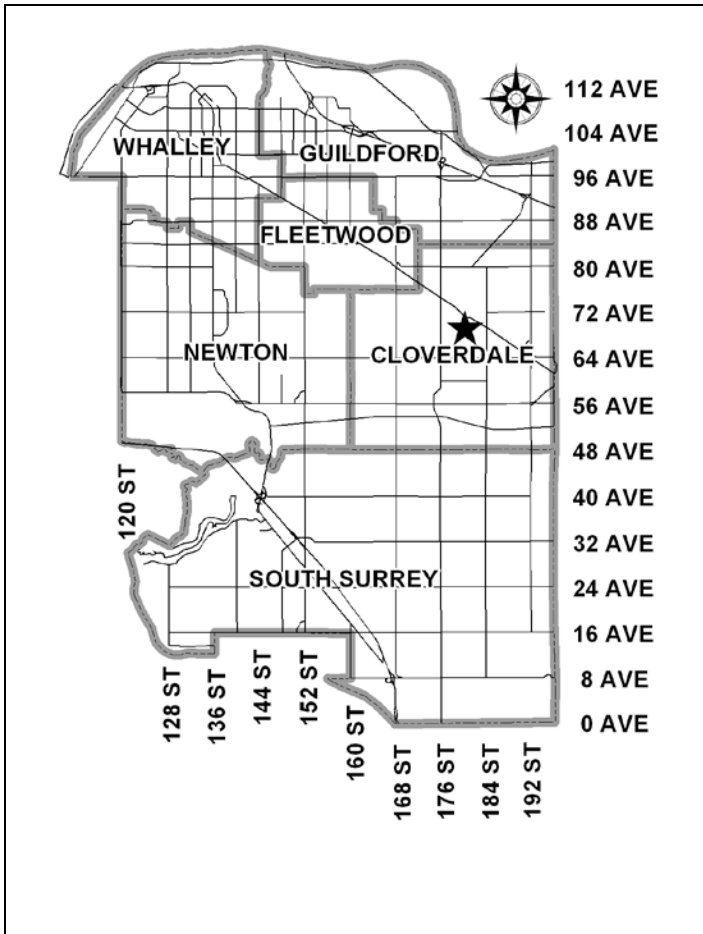
Planning Report Date: November 24, 2008

PROPOSAL:

- **NCP Amendment** from Single Family Cluster (6 upa) to Small Lots
- **Rezoning** from RA to RF-SD and CD (based on RF-12)
- **Development Variance Permit** to allow reduced lot depth for proposed RF-SD lots

in order to allow subdivision into approximately 10 lots (8 RF-SD and 2 CD based on RF-12) and parkland.

LOCATION: 6975 - 182 Street
OWNERS: Dalbir Dosanjh, Harbans Dosanjh and Kuldip Dosanjh
ZONING: RA
OCP DESIGNATION: Urban
NCP DESIGNATION: Single Family Cluster (6 upa)



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 amendments to the North Cloverdale West Neighbourhood Concept Plan (NCP) from Single Family Cluster (6 u.p.a.) to Small Lots. Minor changes to the boundaries of the Creek Area designation are also proposed.
- A Development Variance Permit (DVP) is required for lot depth reductions to the RF-SD Zone for proposed Lots 1 to 8.

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Generally complies with NCP designation.
- The proposed density and building form are appropriate for this part of Cloverdale due to constraints related to riparian setbacks.
- The proposal will facilitate the dedication and protection of approximately 81% of open space that accommodates a creek.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone Block B of the subject site as shown on the attached Survey Plan (Appendix I) from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Semi-Detached Residential Zone (RF-SD)" (By-law No. 12000) and a date be set for Public Hearing (Appendix I).
2. a By-law be introduced to rezone Block A of the subject site as shown on the attached Survey Plan (Appendix I) 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.
3. Council approve Development Variance Permit No. 7906-0305-00, (Appendix VIII) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum lot depth of the RF-SD Zone from 28 metres (90 ft.) to 20.5 metres (67.3 ft.).
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) 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) registration of party wall and maintenance agreements for proposed Lots 1 to 8; and
 - (e) issuance of Development Variance Permit No. 7906-0305-00.
5. Council pass a resolution to amend the North Cloverdale West Neighbourhood Concept Plan to redesignate the land from "Single Family Cluster (6 upa)" to "Small Lots" 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 Don Christian Elementary School 2 Secondary students at Lord Tweedsmuir Secondary School (Appendix IV)
Parks, Recreation & Culture:	The applicant should provide park amenity contribution as per the approved NCP.
Environmental Review Committee (ERC):	The application was reviewed at the April 16, 2008 ERC meeting. The ERC approved a reduction in the riparian no disturbance area from 15 metres (50 ft.) to 11.4 metres (37 ft.) on the eastern edge of the site.

SITE CHARACTERISTICS

Existing Land Use: The subject site is vacant and contains North Creek within the southern portion.

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North (Across 70 Avenue):	Single family dwellings on small lots and townhouses.	Small Lots and Townhouse (15 upa)	CD (By-law No. 15995) and RM-15
East (Across unopened 182 Street):	Vacant, recently approved, single family lots and open space (Application No. 7905-0177-00).	Small Lots and Creek Area	RF-12
South:	A treed ravine with a creek.	Creek Area	RF
West:	Treed site with creek.	Creek Area	RM-23

JUSTIFICATION FOR PLAN AMENDMENT

- The approximate 1.95-hectare (4.82-acre) site is designated as Single Family Cluster (6 u.p.a.) and Creek Area in the North Cloverdale West Neighbourhood Concept Plan (NCP).
- The proposed density exceeds the maximum density of 6 units per acre that is permitted in the current NCP. The applicant is proposing to redesignate the developable portion to Small Lots with a proposed density of 7.66 units per acre.

- The proposed NCP amendment to Small Lots is supportable due to the high proportion (81%) of parkland dedication and is consistent with the Small Lot designation of properties to the north and east of the subject site.
- While the existing Single Family Cluster (6 u.p.a.) designation is being amended to Small Lots, the overall proposal respects the integrity of the existing creek area and conforms to the intent of the NCP. Overall density is proposed to be increased from 6 u.p.a. to 7.66 u.p.a.

DEVELOPMENT CONSIDERATIONS

- The subject property is located south of the Fraser Highway at 182 Street and 70 Avenue in the North Cloverdale West NCP. It is designated Urban in the Official Community Plan (OCP), Single Family Cluster (6 u.p.a.) and Creek Area in the NCP, and is currently zoned One-Acre Residential (RA).
- The subject property is one of the last remaining undeveloped properties in an area that has undergone development over the last several years.
- The property contains a steep ravine and a red-coded creek.
- The application proposes an NCP amendment from Single Family Cluster (6 u.p.a.) and a rezoning from One-Acre Residential Zone (RA) to Semi-Detached Residential Zone (RF-SD) and Comprehensive Development Zone (CD) based on the RF-12 Zone to permit subdivision into approximately 10 lots (8 zoned RF-SD and 2 zoned CD, based on RF-12).

Rezoning from RA to RF-SD (Block B in Appendix I)

- The proposed rezoning of the approximately 1,860-sq. m. (0.46-acre) portion in the northeast of the subject site from RA to RF-SD is to create 8 single family small lots (proposed Lots 1 to 8) that will accommodate semi-detached dwelling units (4 buildings with 2 units in each building).
- The proposed lots range in size from 206 square metres (2,219 sq. ft.) to 263 square metres (2,831 sq. ft.) with lot widths of 9.0 metres (29.5 ft) and 10 metres (32.8 ft). The proposed lots range in depth between 20.6 metres (67 ft.) and 28 metres (90 ft.) and require a variance (see By-law Variance Section).
- The applicant has been able to demonstrate that all lots will allow for reasonable building envelopes.
- Proposed homes on these lots will have garages attached to each other (at zero lot line along the common side yards) at the front of the lots, with access off 70 Avenue.
- As semi-detached units, the proposed homes will have shared walls (party walls) and therefore, a party wall agreement will be required as well as an easement agreement to facilitate future maintenance and repair. Registration of party wall agreements and the associated easement agreements are a subject condition of the rezoning.

Rezoning from RA to CD based on RF-12 (Block A in Appendix I)

- Block A in Appendix I is approximately 580 square metres (0.14 acres) in size. The applicant is proposing to rezone Block A from RA to CD based on the RF-12 Zone, with modifications outlined below, to allow subdivision into approximately 2 small lots (proposed Lots 9 and 10 on Appendix II):

	RF-12 Type II Interior Lot	Proposed CD Lots
Lot Size	320 m ² (3,444 sq.ft.)	287 m ² (3,089 sq.ft.)
Lot Width	13.4 m (44 ft.)	16 m (52 ft.)
Lot Depth	22 m (72 ft.)	17.8 m (58 ft.)
Setback (Front Yard)	6 m (20 ft.)	5.5 m (18 ft.)
Setback (Rear Yard)	7.5 m (25 ft.)	5.5 m (18 ft.)

- The applicant has been able to demonstrate that all lots will allow for reasonable building footprints.
- The reduced lot size and lot depth reflect the site constraints posed by the creek and ravine areas which will be dedicated as open space. Similarly the reduced front yard setbacks are to provide adequate building envelopes on these lots, without compromising the required parking.
- The applicant has proposed a double garage to accommodate two parking spaces. The 5.5-metre (18 ft.) setback will provide spaces for two additional small vehicles.

Protected Riparian Area

- The Class "A" fish-bearing North Creek traverses along the southern portion of the property.
- The Department of Fisheries and Oceans (DFO) has agreed to a riparian setback for North Creek ranging between 15 metres (49.2 feet) and 11.4 metres (37.4 feet) from the top-of-bank. The area encroachment is approximately 30 square metres (323 sq. ft.).
- As a condition of DFO, the applicant is required to dedicate the entire riparian area to the City (representing approximately 81% of the gross subject area) and to erect a fence at the boundaries of the riparian area to ensure that the riparian area remains undisturbed.

Proposed Design Guidelines and Lot Grading

- The applicant for the subject site has retained Mike Tynan of Tynan Consulting Ltd. 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 V).
- In-ground basements are proposed based on the lot grading and tree preservation information that was provided by the applicant. Basements will be achieved with minimal cut or fill. A preliminary lot grading plan has been reviewed by staff and found to be generally acceptable.

- Basement-entry homes and secondary suites will not be permitted.
- Due to the irregular shape of many of the lots, the Design Consultant provided a footprint analysis which found all proposed lots to be buildable.

Tree Preservation and Replacement

- Trevor Cox of Diamond Head Consulting prepared the Arborist Assessment for the subject property. The Arborist Assessment indicates that there are approximately 35 mature trees on the property (outside of the creek preservation area) and proposes that all 35 trees be removed as they are located within building envelopes or are considered hazardous.
- Based on the Tree Protection By-law, the following table illustrates the trees proposed for retention and removal by species.

Tree Species	Total Number of Trees	Total Proposed for Retention	Total Proposed for Removal
Alder	20	0	20
Birch	6	0	6
Maple	9	0	9
Total	35	0	35

- 50 replacement trees are required. The report proposes a total of 10 replacement trees leaving a shortfall of 40 replacement trees. The applicant is required to contribute \$12,000 to the City Green Tree Fund as a result of the shortfall of 40 trees, based on \$300/per tree.

PRE-NOTIFICATION

Pre-notification letters were sent on April 25, 2008 and staff received 8 phone calls. The concerns are as follows:

- Concerns about protecting trees and views from residents across the street.

(The caller was informed that all trees in the proposed park area are to be protected.)

- Concerns about upgrading of roads.

(The caller was informed that the proposed development would provide widening and upgrading of 70 Avenue.)

- Concerns about 182 Street developing through the Creek Area portion of the site.

(The caller was informed that 182 Street would not be extended through the site.)

- Concerns that more lots should be RF-12 lots and require 13.4-metre (44 ft.) frontages as was required of the development zoned CD (By-law No. 15995) across the street.

(The proposed RF-SD lots have frontages of 9 and 10 metres/30 and 33 feet and provide the developer with a reasonable lot yield while allowing dedication of 81% of the subject property as open space.)

- Concerns about locations of homes in relation to their property across the street.

(The callers were informed that the majority of the site is being dedicated as open space and that the proposed homes will be grouped along the northeast portion of the site generally in accordance with the existing land use designations in the North Cloverdale West NCP.)

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the lot depth of the RF-SD Zone from 28 metres (90 ft.) to 20.5 metres (67.3 ft.).

Applicant's Reasons:

- The subject site is impacted by the creek and ravine and associated setback. A reduction in lot depth is needed to make lots developable.

Staff Comments:

- North Creek traverses along the southern boundary of the subject property and the applicant is dedicating the entire riparian area which comprises approximately 81% of the site.
- The unencumbered portion of the site fronting 70 Avenue is significantly constrained by the creek setback area and the proposed relaxation in lot depth is required to create lots.
- The applicant has confirmed the affected dwelling units will have functional and livable rear yards of a minimum 6.5 metres (21.3 ft.).
- Proposed Lots 7 and 8 are proposed to have the shallowest lot depth of 20.5 metres (67.3 ft.) and 22.9 metres. To compensate for the shallower lot depth, the developer is proposing to increase the width of these RF-SD lots from 9 metres (29.5 ft.) to 10 metres (32.8 ft.) to provide for a more livable lot.
- Staff support the requested variance.

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. Building Design Guidelines Summary
- Appendix VI. Summary of Tree Survey and Tree Preservation
- Appendix VII. NCP Plan
- Appendix VIII. Development Variance Permit No. 7906-0305-00
- Appendix IX. Proposed CD By-law

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: George Fulton, New East Consulting
 Address: #203, 12877 - 76 Avenue
 Surrey, BC
 V3W 1E6
 Tel: 604-591-1915

2. Properties involved in the Application
 - (a) Civic Address: 6975 - 182 Street

 - (b) Civic Address: 6975 - 182 Street
 Owners: Dalbir Singh Dosanjh, Harbans Singh Dosanjh and
 Kuldip Kaur Dosanjh
 PID: 012-194-760
 Lot 17 Section 17 Township 8 New Westminster District Plan 1510

3. Summary of Actions for City Clerk's Office
 - (a) Introduce By-laws to rezone the property.

 - (b) Proceed with Public Notification for Development Variance Permit No. 7906-0305-00.

SUBDIVISION DATA SHEET

Proposed Zoning: CD and RF-SD

Requires Project Data	Proposed		
GROSS SITE AREA	CD (based on RF-12)	RF-SD	Total
Acres	.144 ac	.464 ac	.608 ac
Hectares	.058 ha	.188 ha	.246 ha
NUMBER OF LOTS			
Existing	1	1	1
Proposed	2	8	10
SIZE OF LOTS			
Range of lot widths (metres)	16 m	9 m - 10 m	9 m - 16 m
Range of lot areas (square metres)	287 m - 297 m	206 m - 263 m	205 m ² - 297 m ²
DENSITY			
Lots/Hectare & Lots/Acre (Gross)	1.0 upha/0.4 upa	4.1 upha/1.6 upa	
Lots/Hectare & Lots/Acre (Net)	34.2 upha/13.8 upa	42.6 upha/17.2 upa	
SITE COVERAGE (in % of gross site area)			
Maximum Coverage of Principal & Accessory Building	50%	60%	
Estimated Road, Lane & Driveway Coverage	6.6%	6.6%	
Total Site Coverage	8.1%	9.1%	±8.8%
PARKLAND			1.58 ha
Area (square metres)			81%
% of Gross Site			
		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		YES (lot depth)	