

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7906-0327-00

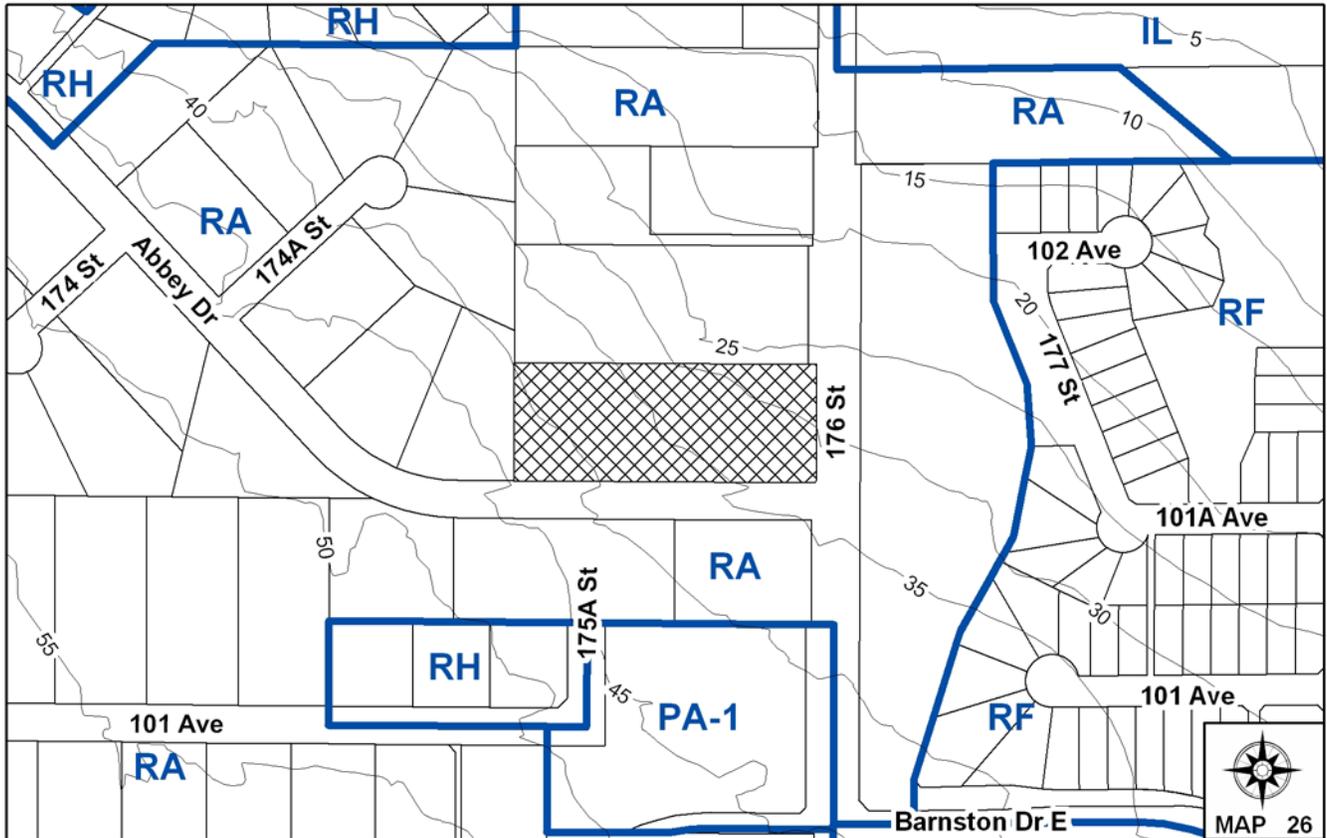
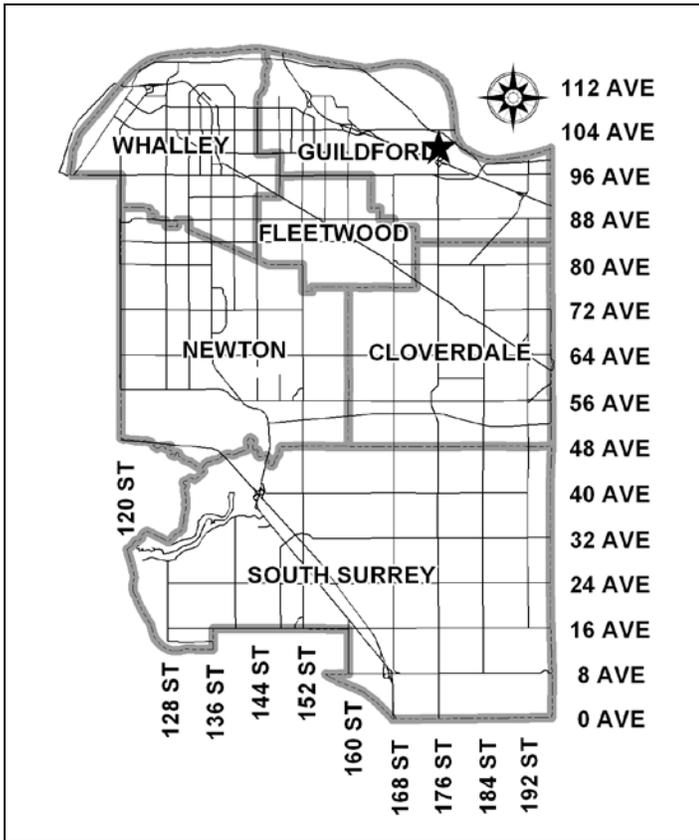
Planning Report Date: January 28, 2008

PROPOSAL:

- Rezoning from RA to RH
- Development Variance Permit

in order to allow subdivision into five (5) half-acre residential lots and to increase the height of a residential sound attenuation fence.

LOCATION: 10177 - 176 Street
OWNER: Sukhjit and Surrinder Binning
ZONING: RA
OCP DESIGNATION: Suburban



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

- Increase in height of a proposed residential sound attenuation fence on proposed Lot 1.

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Proposed lots are consistent with the other RH lots in the neighbourhood.
- Proposed sound attenuation fence is to mitigate the impact of 176 Street and the proposed South Fraser Perimeter Road alignment.

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 "Half-Acre Residential Zone (RH)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve Development Variance Permit No. 7906-0327-00 (Appendix VII) varying the following, to proceed to Public Notification:
 - (a) to vary the Zoning By-law to increase the maximum height of a residential fence located in the landscape buffer within the side yard on a flanking street from 1.2 metres (4 ft.) to 2.4 metres (8 ft.) for proposed Lot 1.
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) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (e) submission of a landscaping plan and landscaping cost estimate for the landscape buffer on the east property line of proposed Lot 1, to the specifications and satisfaction of the City Landscape Architect;
 - (f) 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;
 - (g) registration of a Section 219 Restrictive Covenant for "no-build" on proposed Lot 1 in favour of the Ministry of Transportation until road alignment and dedication issues for the South Fraser Perimeter Road are resolved;
 - (h) registration of a Section 219 Restrictive Covenant for "no-build" within the 14-metre (45 ft.) wide landscape buffer on proposed Lot 1, the completion of the landscape buffer prior to the issuance of building permits within the entire site, and protection and maintenance of the landscape buffer thereafter; and

- (i) registration of a Section 219 Restrictive Covenant on all proposed lots notifying the future homeowners to the potential for noise related to adjacent uses and to require mitigating measures to reduce the impact of external noise sources from the proximity to the South Fraser Perimeter Road and industrial uses to the north.

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:**

2 Elementary students at Bothwell Elementary School
1 Secondary student at Fraser Heights Secondary School

(Appendix IV)

Parks, Recreation & Culture:

- Encourage the applicant to protect as many trees as possible;
- Provide cash-in-lieu for the 5% land dedication; and
- Applicant should meet with staff to adequately address the concerns about the added pressure the proposed application will have on neighbourhood parks and amenities.

Ministry of Transportation (MOT): MOT has granted preliminary approval subject to the following conditions:

1. A Section 219 (Land Title Act) "no-build" Restrictive Covenant shall be placed over proposed Lot 1 in favour of the Ministry of Transportation until such time as the road alignment and dedication issues of the Gateway Program, South Fraser Perimeter Road are resolved;
2. For mitigation against highway impacts, a 14-metre "no-build" buffer shall be registered by Restrictive Covenant on title of Lot 1 as well as the construction and maintenance of a 5-metre high berm with associated fencing and landscaping; and
3. A 10-metre by 10-metre road dedication at the corner of 176 Street and Abbey Drive.

SITE CHARACTERISTICS

Existing Land Use: Suburban acreage lot with a single family dwelling, which will be removed as part of this development.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	One-acre residential lots.	Suburban	RA
East (Across 176 Street):	Proposed location of the connector road to the proposed South Fraser Perimeter Road.	Suburban	RA
South (Across Abbey Drive):	One-acre residential lots.	Suburban	RA
West:	One-acre residential lots.	Suburban	RA

DEVELOPMENT CONSIDERATIONSBackground

- The subject property, located at 10177 – 176 Street (176 and Abbey Drive), is currently zoned One-Acre Residential (RA) and is designated Suburban in the Official Community Plan (OCP).
- The subject site is located within a neighbourhood of large suburban lots, and is south of the North Port Kells Industrial area. The property is west of a recently rezoned site for fifty-nine (59) single family residential lots, a park lot and land reserved for the future construction of the connector road to the proposed South Fraser Perimeter Road. The re-designation to Urban and the rezoning to RF was approved under Development Application No. 7905-0086-00 on December 4, 2006.
- The connector road to the South Fraser Perimeter Road will be constructed directly east of the subject property. As a result, significant upgrades along 176th Street are required, which will affect the current application.
- The applicant is proposing to rezone the subject property from RA to RH to allow subdivision into five (5) half-acre residential lots (Appendix II). Additionally, a Development Variance Permit is required to increase the maximum height for a residential sound attenuation fence from 1.2 metres (4.0 ft) to 2.4 metres (8 ft) on proposed Lot 1.

Proposed Subdivision Layout

- The five (5) proposed lots conform to the minimum requirements of the RH Zone in terms of lot area, width and depth. The lots range in size from 1,890 square metres (20,340 ft²) to 2,296 square metres (24,710 ft²), and will have lot frontages of 30 metres (100 ft), except proposed Lot 1, which will be 37 metres (120 ft) in width. An existing dwelling on proposed Lot 1 will be demolished.

- The proposed lots will be consistent with neighbouring properties, as most in the immediate area are half-acre or acreage lots.
- As a result of the pending construction of the South Fraser Perimeter Road, the Ministry of Transportation (MOT) requires a 'No-Build' Restrictive Covenant (RC) be placed on the entirety of proposed Lot 1 until the road alignment and dedication issues are resolved. This 'No-Build' RC may be discharged in the future once MOT confirms that they do not require any additional land from the subject property for road alignment and expansion.
- Additionally, a 14-metre (46 ft) wide landscape buffer will be constructed on the eastern portion of proposed Lot 1 to mitigate against the potential impact of the proposed highway. The landscape buffer will include a berm with associated trees, shrubs and ground cover. A 2.4-metre (8 ft) high sound attenuation fence is to be located on the berm. This landscape buffer will be protected by way of a Section 219 'No-Build' Restrictive Covenant. Proposed Lot 1 is to be significantly larger in size at 2,296 m² (24,710 ft²), due to these requirements.

Neighbourhood Character Study and Building Scheme

- Sandbox DesignWorks prepared the Neighbourhood Character Study and Building Scheme. 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 V).
- In order to reflect the established character of the newer homes within the neighbourhood, the design consultant recommends that two specific styles of homes be permitted, including "Neo-Traditional" and "Neo-Heritage".
- Basement-entry homes and secondary suites will not be permitted.
- Noise mitigation guidelines will be included in the Building Scheme to help alleviate the noise and associated impacts of the connector to South Fraser Perimeter Road and the industrial uses to the north.

Lot Grading and Tree Preservation

- Preliminary lot grading plans were prepared and submitted by H.Y. Engineering Ltd. The plans were reviewed by staff and generally found acceptable.
- The applicant proposes in-ground basements on all of the lots. Basements will be achieved with minimal cut or fill.
- The applicant has proposed to install a 1.0-metre (3.2 ft) wide swale at the western toe of the berm located near the future dwelling on proposed Lot 1. A 15-cm (6-inch) French drain will be installed beneath the swale to provide additional drainage.
- MGF Horticultural Inc. prepared the Arborist Report and Tree Preservation / Replacement Plans, while PD Group Landscape Architecture Ltd prepared the landscape plans. The plans have been reviewed by City staff, and the applicant must resolve a number of minor issues before Final Adoption.

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

<u>Tree Species</u>	<u>Total No. of Trees</u>	<u>Total Proposed for Retention</u>	<u>Total Proposed for Removal</u>
Cedar	64	22	42
Alder	41	0	41
Douglas Fir	24	6	18
Spruce	12	0	12
Maple	8	0	8
Cherry	3	0	3
Pine	3	0	3
Sequoia	3	1	2
Beech	1	1	0
Monkey Puzzle	1	1	0
Walnut	1	0	1
TOTAL	161	31	130

- According to the tree summary, 161 mature trees are identified on the subject site with 130 of them to be removed and 31 to be retained (Appendix VI). Based on the new Tree Protection Bylaw (No. 16100), 219 replacement trees are required. The total number of replacement trees being proposed is 25, resulting in an average of 11.2 trees per lot. The applicant is required to contribute \$58,200 to the City Green Tree Fund, as a result of the shortfall in 194 replacement trees, in accordance with the Tree Protection By-law (No. 16100).

PRE-NOTIFICATION

Pre-notification letters were sent on January 29, 2007 and staff received no comments on the current application.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To vary Part 4 General Provisions of the Zoning By-law (No. 12000) to increase the maximum height of a residential fence located within the side yard on a flanking street from 1.2 metres (4.0 ft) to 2.4 metres (8 ft) on proposed Lot 1.

Applicant's Reason:

- To allow for the construction of a sound attenuation fence to mitigate against the impacts of the proposed South Fraser Perimeter Road.

Staff Comment:

- The connector road to the proposed South Fraser Perimeter Road is to be constructed directly east of the subject site. The road will be a major transportation corridor accommodating high volumes of traffic, including heavy trucks. This will result in increased noise to future homeowners. The proposed 2.4-metre (8 ft) high sound attenuation fence will help reduce the impact of the proposed road.
- The significant planting of trees and ground cover will minimize the visual impact of the sound attenuation fence upon residents in the neighbourhood.
- The noise attenuation fence is to be installed on a 5.0-metre (16.5 ft) high landscape berm. A retaining wall is required to maintain the stability of the berm and is to be constructed along 176th Street. The retaining wall will be tiered to provide relief from the road below. The lower portion of the retaining wall will rise approximately 1.0 metre (3.2 ft) above 176th Street. The upper retaining wall, which will be set back approximately 0.3 metres (1 ft), will rise another 1.2 metres (4 ft). Ground cover and landscaping will be planted in the terraces to screen the retaining wall.
- A similar variance was granted for the subdivision directly east of the subject property to increase the height of a sound attention fence. Development Variance Permit (No. 7905-0086-00) to increase the height of the sound attenuation fence to 3.0 metres (10 ft) was approved by Council on September 11, 2006.

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.	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	Development Variance Permit No. 7906-0327-00.

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	2.5 acres
Hectares	1.01 hectares
NUMBER OF LOTS	
Existing	1
Proposed	5
SIZE OF LOTS	
Range of lot widths (metres)	30.0 - 37.2 metres
Range of lot areas (square metres)	1,890 m ² (20,343 sq.ft.) to 2,296 m ² (24,714 sq.ft.)
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	4.9 lots/ha 1.9 lots/ac (Gross)
Lots/Hectare & Lots/Acre (Net)	5.3 lots/ha 2.1 lots/ac (Net)
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	25%
Estimated Road, Lane & Driveway Coverage	9%
Total Site Coverage	34%
PARKLAND	
Area (square metres)	n/a
% 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
Fence Height	YES