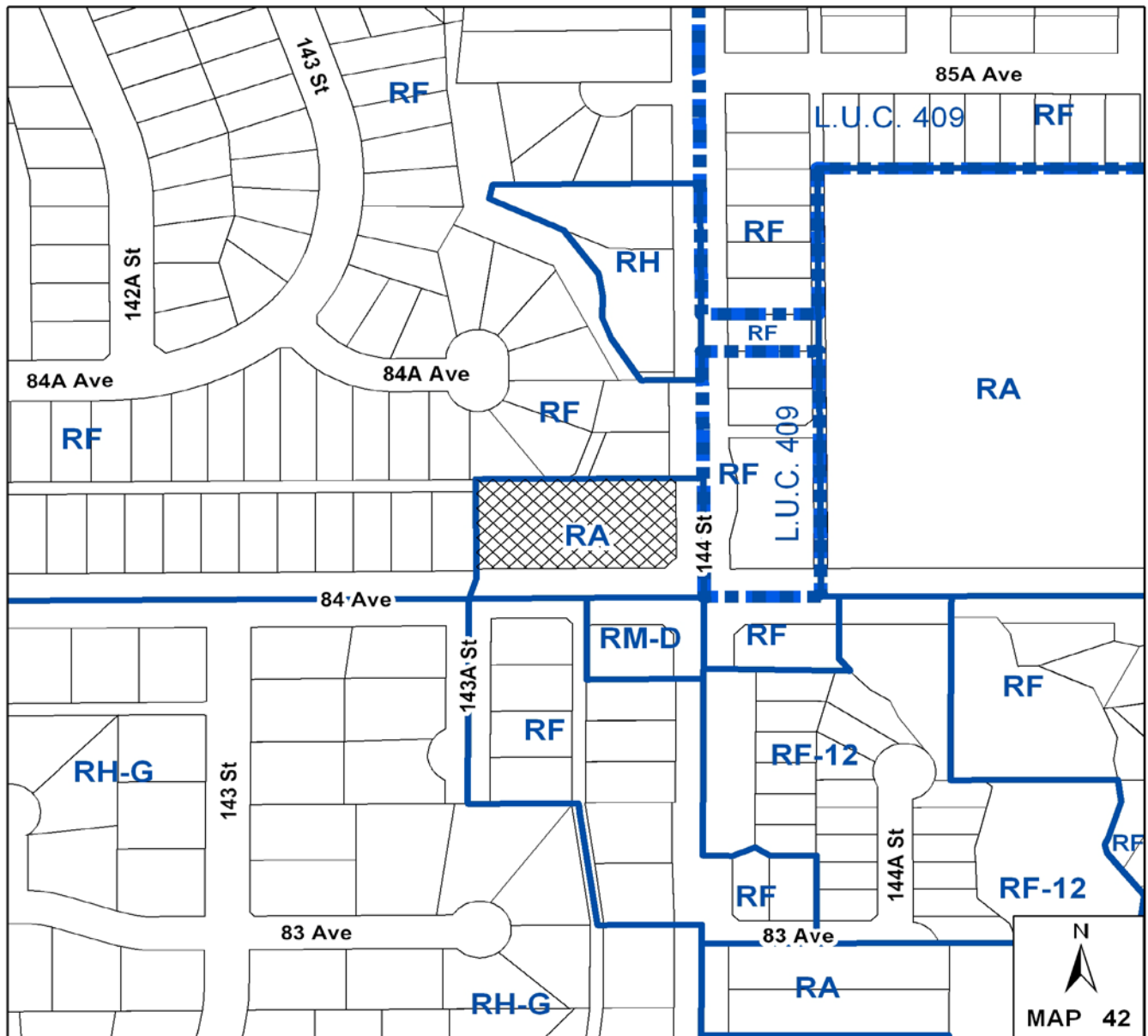


**Proposal:** Rezone from RA to RF to allow subdivision into 5 single family residential lots. Development Variance Permit for reduced rear yard setback on proposed Lot 5 for an existing house.

**Recommendation:** Approval to Proceed

**Location:** 8421 - 144 Street      **Zoning:** RA

**OCP Designation:** Urban      **Owners:** Gobind Sandhanwalia et al



### PROJECT TIMELINE

Initial Application Date:	July 18, 2006
Completed Application Submission Date:	February 7, 2007
Planning Report Date:	March 12, 2007

### PROPOSAL

The applicant is proposing:

- a rezoning from RA to RF; and
- a Development Variance Permit to vary the following by-law regulation:
  - reduce the minimum rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 3.9 metres (12.8 ft.) for an existing house on proposed Lot 5

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 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.
2. Council approve Development Variance Permit No. 7906-0350-00, (Appendix XI) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 3.9 metres (12.8 ft.) for the existing house on proposed Lot 5.
3. Council instruct staff to resolve the following issues prior to approval:
  - (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; and
  - (d) address tree replacement requirements under the new Tree Protection By-law.

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: Support (Appendix V). The applicant should provide 5% cash-in-lieu of parkland dedication.

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:**

Brookside Elementary School = 345 enrolled/530 capacity  
 Enver Creek Secondary School = 1,407 enrolled/1,400 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 = 0 students  
 Secondary students = 0 students  
 Total new students = 0 students

**Approved Capacity Projects and Future Space Considerations**

*There are no new capital projects at the elementary school and no new capital projects identified for the secondary school. The proposed development will not have an impact on these projections.*

(Appendix IV)

SITE CHARACTERISTICS

- **Existing Land Use** One single family residence proposed to be retained.
- **East:** Across 144 Street, City parkland under LUC No. 409, designated Urban.
- **South:** Across 84 Avenue, single family residential lots, zoned RF, and one duplex lot zoned RM-D, all designated Urban.
- **West:** Single family residential lots, zoned RF, designated Urban.
- **North:** Single family residential lots, zoned RF, designated Urban.

## PLAN AND POLICY COMPLIANCE

OCP Designation:                      Complies.

## DEVELOPMENT CONSIDERATIONS

- The subject site is located on the north side of 84 Avenue, west of 144 Street in the Fleetwood area. The 3,925-square metre (0.97 acre.) site is designated Urban in the Official Community Plan (OCP).
- The subject site is currently zoned "One-Acre Residential Zone (RA)". The applicant is proposing to rezone the site to "Single Family Residential Zone (RF)" to allow subdivision into approximately 5 single family lots. The proposed RF Zone is consistent with the Urban designation in the Official Community Plan (OCP).
- The proposed subdivision will extend and connect the existing lane to the west and the north-east of the subject site and day-light onto 84 Avenue.
- 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 648 square metres (6,975 sq.ft.) to 662 square metres (7,136 sq.ft.).
- Proposed Lots 1, 2 and 3 will front onto 84 Avenue and gain access off of the lane. Proposed Lots 4 and 5 will front onto 144 Street and will also gain access off of the lane.
- In order to retain the existing dwelling on proposed Lot 5, the minimum rear yard setback will need to be varied from 7.5 metres (25 ft.) to 3.9 metres (12.8 ft.) as described in the By-law Variance section of this report.
- The applicant for the subject site has retained Carolyn Stewart of Sandbox DesignWorks as the Design Consultant. The Design Consultant conducted a character study of the surrounding homes based on the findings of the study, proposed a set of building design guidelines (Appendix VII).
- According to the preliminary lot grading plan the proposed lots will not be able to achieve in-ground basements. The lot grading and tree preservation information has been presented to staff and found to be adequate.
- Basement-entry homes and secondary suites will not be permitted.
- MGF prepared the Arborist Report and Tree Preservation and Replacement Plans. They have been reviewed by the City's Landscape Architect and deemed acceptable.
- The Arborist Report indicates there are 26 mature trees on the subject site. The report purposes the removal of 23 of these trees because they are either within building envelopes, hazardous or in poor condition.

- 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 23 mature trees, a total of 38 replacement trees would be required under this application. The applicant proposes 17 replacement trees. Under the requirement of the new tree protection By-law, this would result in a tree replacement deficit of 21 trees. As such, under the new By-law, monetary compensation for the remaining 21 trees would be \$6,300 based on \$300/tree.
- The applicant has volunteered to contribute a total of \$6,300.00 to the Green City Fund to comply with the requirements of the new Tree Protection By-law.

### PRE-NOTIFICATION

Pre-notification letters were sent on October 25, 2006 and staff received the following comments:

- A phone call was received by staff from a neighbour inquiring as to whether the lane off the northern portion of the subject site was going to be closed.

*(The application does not include closing the lane in question but rather, extending the lane. Due to the fact that this property is bordered by two arterial roads, lane access into each lot is required.)*

### BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 3.9 metres (12.8 ft.) for the existing house on proposed Lot 5.

Applicant's Reasons:

- A variance to the rear yard setback will allow the owner to retain the existing dwelling on proposed Lot 5.

Staff Comments:

- The proposed variance will only apply to the existing dwelling.
- The proposed front yard setback is 17.02 metres (55.8 ft.) which provides the existing house with adequate outdoor space.

- The proposed variance will have little impact on the proposed lots to the north and south as these lots are very deep, allowing for good sized rear yards.
- Any new single family dwelling on proposed Lot 5 will be required to comply with the applicable Zoning By-law regulations.
- Staff, therefore, support the proposed variance.

### 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
Appendix IV.	Engineering Summary
Appendix V.	Parks Comments
Appendix VI.	School District Comments
Appendix VII.	Building Design Guidelines Summary
Appendix VIII.	Summary of Tree Survey and Tree Preservation
Appendix IX.	Development Variance Permit No. 7906-0350-00

### INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated March 6, 2006
- Building Scheme dated January 11, 2007.
- Tree Preservation and Replacement Plan dated December 8, 2006.
- Soil Contamination Review Questionnaire prepared by Lori Richards dated July 7, 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:                8421 - 144 Street
  
  - (b)      Civic Address:                8421 - 144 Street  
                 Owners:                        Gobind Sandhanwalia, Gurjeet Singh Benipal, Balraj  
   Singh Mangat, Avinderjit Grewal and Harjinder Singh  
   Mangat  
                 PID:                                003-580-849  
                 Lot 25 Except: Part Dedicated Road on Plan LMP30267 Section 28 Township 2  
                 New Westminster District Plan 65410
  
3.      Summary of Actions for City Clerk's Office
  - (a)      Introduce a By-law to rezone the property.
  
  - (b)      Proceed with Public Notification for Development Variance Permit No. 7905-0350-00.

## SUBDIVISION DATA SHEET

**Proposed Zoning: RF**

Requires Project Data	Proposed
<b>GROSS SITE AREA</b>	
Acres	0.97 ac
Hectares	0.3926 ha
<b>NUMBER OF LOTS</b>	
Existing	1
Proposed	5
<b>SIZE OF LOTS</b>	
Range of lot widths (metres)	17 m - 21.8 m
Range of lot areas (square metres)	648 m <sup>2</sup> - 655 m <sup>2</sup>
<b>DENSITY</b>	
Lots/Hectare & Lots/Acre (Gross)	5.15 lots/ac    12.7 lots/ha
Lots/Hectare & Lots/Acre (Net)	7.76 lots/ac    19.18 lots/ha
<b>SITE COVERAGE (in % of gross site area)</b>	
Maximum Coverage of Principal & Accessory Building	26.5%
Estimated Road, Lane & Driveway Coverage	40.4%
Total Site Coverage	66.9%
<b>PARKLAND</b>	
Area (square metres)	
% of Gross Site	
	<b>Required</b>
<b>PARKLAND</b>	
5% money in lieu	YES
<b>TREE SURVEY/ASSESSMENT</b>	
	YES
<b>MODEL BUILDING SCHEME</b>	
	YES
<b>HERITAGE SITE Retention</b>	
	NO
<b>BOUNDARY HEALTH Approval</b>	
	NO
<b>DEV. VARIANCE PERMIT required</b>	
Road Length/Standards	NO
Works and Services	NO
Building Retention	YES
Others	NO



CONTOUR MAP FOR SUBJECT SITE

