

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7906-0378-00

Planning Report Date: January 14, 2008

PROPOSAL:

- Rezoning from RA and RF-12 to RF-9, RF and RF-12
- Development Variance Permit
- NCP Amendment

in order to allow subdivision into 5 RF-9 lots, 4 RF lots and 1 RF-12 lot and to allow a lot depth variance for one lot and various front yard setback relaxations for tree preservation.

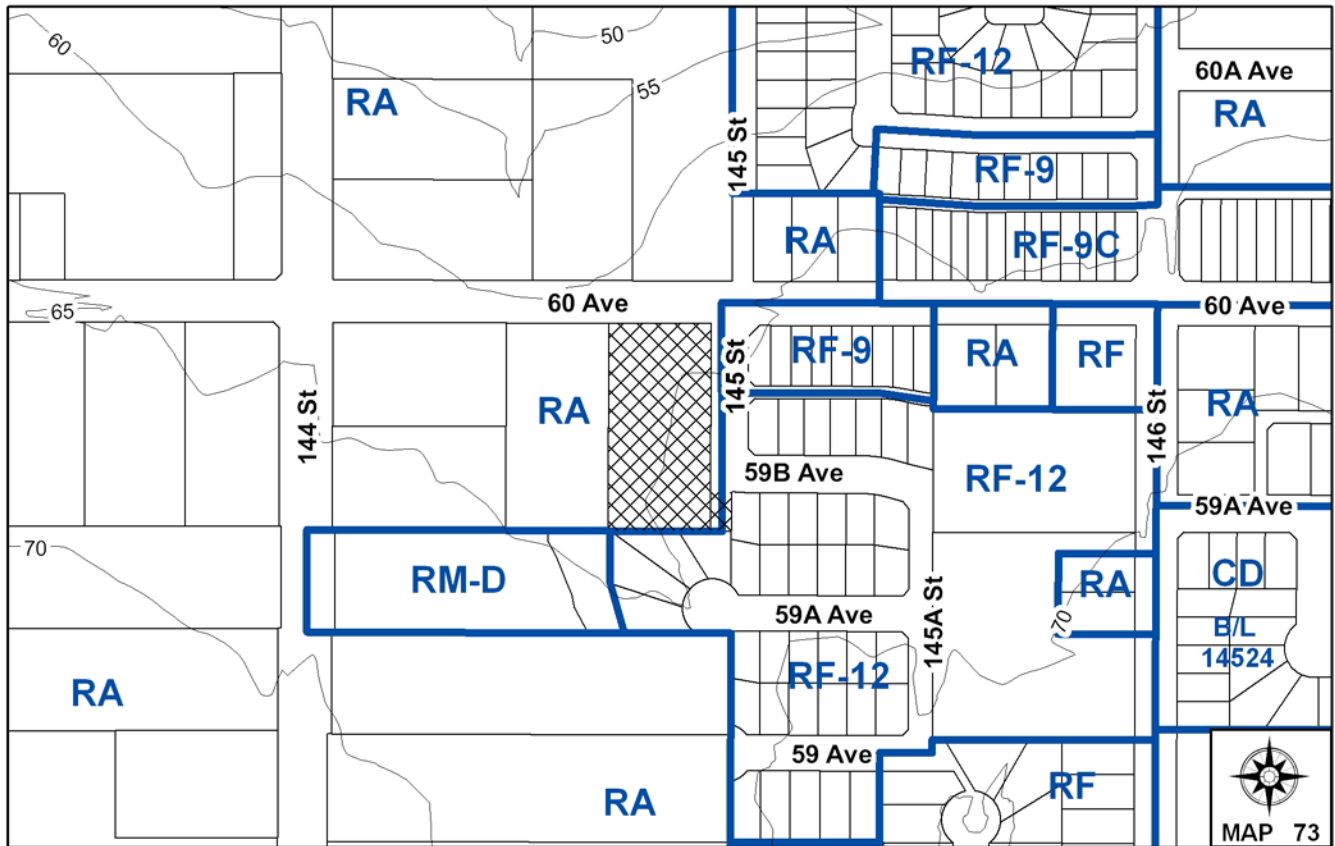
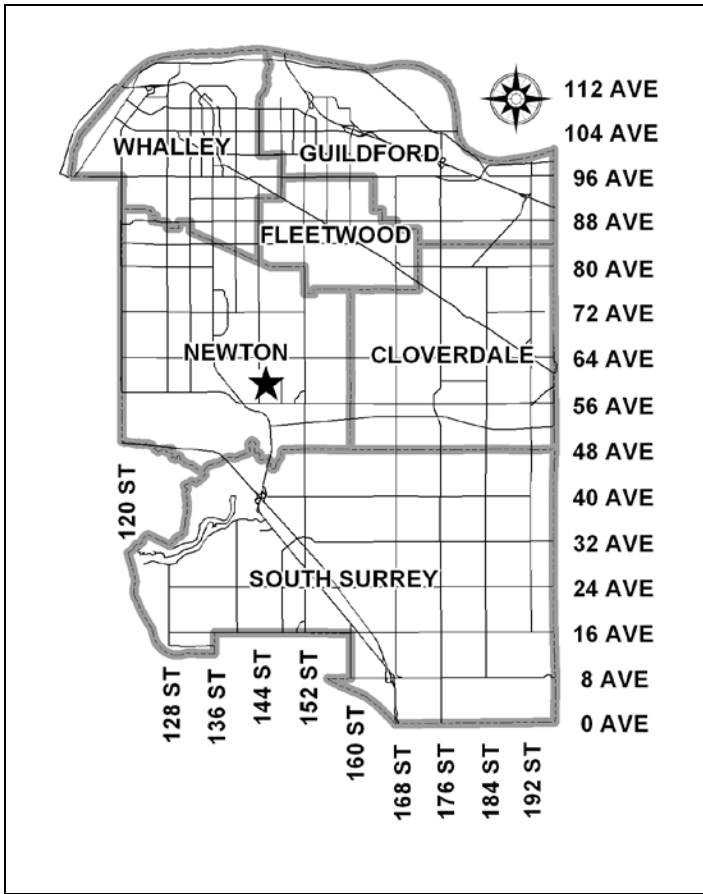
LOCATION: 14482 - 60 Avenue

OWNERS: Kamal Dhami et al

ZONING: RA Residential

OCP DESIGNATION: Urban

NCP DESIGNATION: Single Family Small Lots and Single Family Residential



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 involves a minor NCP amendment in order to properly locate a watercourse, as well as the redesignation of a portion of one proposed lot.
- The proposal requires a relaxation for lot depth on one lot and setback relaxations on three lots.

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Complies with NCP Designation on the great majority of the site.
- The proposed variances are required to modify building envelopes to allow for tree retention.
- The proposed NCP amendment is minor in nature. It involves a small portion of one proposed RF-12 lot and portion of the site that is not affected by a watercourse. Location of the watercourse has been confirmed by a qualified environmental consultant.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone Block A from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (9) Zone (RF-9)" (By-law No. 12000); to rezone Block B and Block D from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential Zone (RF)" (By-law No. 12000; and to rezone Block C from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) **(all shown on Appendix VII) and Block E from "One-Acre Residential Zone (RA)" (By-law No. 12000) and "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000)** to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve Development Variance Permit No. 7906-0378-00, (Appendix VIII) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front yard setback of the RF Zone for Lot 8 from 7.5 metres (25 ft.) to 6 metres (19.7 ft.);
 - (b) to reduce the minimum rear yard setback of the RF Zone for Lot 9 from 7.5 metres (25 ft.) to 5 metres (16.4 ft.);
 - (c) to reduce the minimum rear yard setback of the RF-12 Zone for Lot 10 from 7.5 metres (25 ft.) to 5 metres (16.4 ft.); and
 - (d) to reduce the minimum lot depth of the Type II interior lot of the RF-12 Zone for Lot 10 from 22 metres (72.2 ft.) to 18.67 metres (61 ft.).
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) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (d) registration of a Section 219 "no build" Restrictive Covenant on proposed Lots 6, 7, 8 and 9 to ensure retention of several large trees at the rear of these lots; and
 - (e) purchase and consolidation of the surplus portion of 145 Street adjacent to the proposed RF-12 lot.
4. Council pass a resolution to amend South Newton NCP to redesignate a portion of the land from "Single Family Residential" to "Single Family Residential Flex 6 to 14.5" and from "Creek and Riparian Setback" to "Single Family Residential" (Appendix IX) prior to final adoption of the rezoning by-law.

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 Cambridge Elementary School
2 Secondary students at Sullivan Heights Secondary School

(Appendix IV)

Parks, Recreation & Culture: Parks, Recreation and Culture are in full support of this proposed subdivision provided that it includes a Restrictive Covenant for tree preservation at the rear of the RF zoned lots. This subdivision is subject to a 5% cash-in-lieu of park contribution and an NCP Stage II Park Amenity Contribution.

SITE CHARACTERISTICS

Existing Land Use: Older single family dwelling to be removed and a significant stand of cedar trees.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North (Across 60 Avenue):	Older single family houses.	Single Family Small Lots	RA
East (Across 145 Street):	Single family small lots, recently constructed.	Single Family Residential Flex	RF-9 and RF-12
South:	Single family small lots under construction and duplex to the south-west.	Single Family Residential Flex and Townhouses 15 upa max	RM-D and RF-12
West:	Older single family house.	Park	RA

DEVELOPMENT CONSIDERATIONSBackground

- Council approved the South Newton NCP on June 4, 1999. The NCP established four future residential neighbourhoods around existing community nodes, namely the Surrey Public Market site (King George Highway and 64 Avenue), Michael's Market (152 Street and 64 Avenue), Panorama Village (Highway No. 10 and 152 Street) and the City Hall area.

- The residential neighbourhoods are categorized according to various densities ranging from half-acre lots to medium density apartments. The goal of mixed residential designations is to fulfill the objectives of sustainability, compact housing, and providing a mix of densities and types.
- Since the approval of the South Newton NCP, numerous amendments from "Single Family Residential" to "Single Family Residential Small Lots" have been proposed. The lands interfacing with this application immediately east and south have been redesignated "Single Family Residential Flex 6 to 14.5".

Proposed Land Use and Subdivision Pattern

- The proposed rezoning is from RA to RF, RF-12, and RF-9 to allow subdivision into 10 single family lots (4 RF lots, 1 RF-12 lot, and 5 RF-9 lots). The RF lots range in size from approximately 751 square metres (8083 square feet) to 779 square metres (8385 square feet). The RF-12 lot is approximately 340 square metres (3660 square feet), and the RF-9 lots fronting 60th Avenue are between approximately 275 square metres (2960 square feet) and 293 square metres (3154 square feet) each (Appendix II).
- The proposal generally complies with the NCP "Single Family Small Lots" and "Single Family Residential" development designation as the proposed RF-9 lots fronting 60 Avenue are in keeping with the NCP and with developments to the east along this street.
- The lands to the east were approved under development application No. 7904-0039-00, which included an NCP amendment from "Single Family Residential" to "Single Family Residential Flex 6 to 14.5", and established a road layout and subdivision pattern based on a combination of RF-12 and RF lots. The proposed development has been designed to integrate with this existing development pattern through the completion of the road system and a subdivision pattern with complementing lot sizes.

Minor NCP Amendment

- A minor NCP Amendment from "Single Family Residential" to "Single Family Residential Flex 6 to 14.5" is required as for the west half of the proposed RF-12 lot in the south east corner of this site. The redesignation is in line with the density of RF-12 lots already approved to the east.
- A second minor NCP Amendment from "Creeks and Riparian Setback" to "Single Family Residential" is required as a result of ground-truthed information demonstrating that a watercourse was incorrectly located on the South Newton NCP.

Proposed Subdivision Layout

- The initial application for subdivision of this parcel called for RF-9 lots fronting 60 Avenue, and a short cul-de-sac west of 145 Street containing RF-12 lots. This would have resulted in the loss of all trees on the site, and was deemed unsuitable.
- Subsequent revisions to the plan resulted in the elimination of the cul-de-sac bulb in favor of RF lots fronting directly onto 145 Street. This alternate layout reduces the lot yield of the subject property by one, and will also modify the development potential of 14454 60 Avenue, immediately to the west.

- One lot (proposed Lot 9) is in the form of a shallow panhandle. The configuration of the subject parcel is such that there is no other reasonable manner in which to allow this corner some development potential. The lot therefore complies with the panhandle policy, and there is sufficient buildable area on the lot.
- The property to the west (14454 60 Ave) is not identified in the NCP as having much development potential as it is largely designated as a riparian area, and is heavily impacted by the existing creek. The owners of this land, should they wish to develop, will be required to pursue a strata development that achieves all physical access through the laneway to the east, while also achieving appropriate setback and or dedication requirements in keeping with City and Ministry of the Environment practices in place at the time of development.
- The RF-9 lots fronting 60 Avenue will be provided with laneway access.
- The RF lots fronting 145 Street will be affected by the area protected by Restrictive Covenant (for tree protection) in the rear yard, as discussed below. The reduced front yard setbacks proposed on lots 8 and 10 will be required in order to allow these lots an appropriate building envelope.
- The RF-12 lot proposed at the south east corner of this development is consistent with RF-12 lots already constructed in the adjacent project immediately east.

Road Sale

- A 207 square metre (2228 square feet) section of surplus City road Right Of Way adjacent to the south east corner of the property was negotiated to be sold to the subject site owner and consolidated as part of the proposed RF-12 lot (Lot 10).
- The road closure and sale is in process, and is listed as one of the conditions of this rezoning and subdivision approval.

Tree Survey & Arborist Report

- The subject property is heavily treed. Planning and Development Staff worked with the arborist and consultant to re-design the proposed layout in order to retain a stand of trees at the west side of the site, with the support of the Parks and Engineering Departments.
- The developer engaged C. Kavolinas & Associates Inc. to prepare the Arborist Report, Tree Preservation and Replacement Plans for this project. These documents have been reviewed by the City's Landscape Architect, but have not yet been deemed acceptable as they do not provide adequate tree protection in proximity to proposed building envelopes. The report indicates that there are 87 protected trees on the site (Appendix VI).
- The report proposes the removal of 60 trees from the site because they are either within the building envelopes, within the footprint of proposed driveways, roadways, laneways, and underground services, or are assessed as hazardous. Trees are proposed to be removed on the eastern and northern portions of the site, where there are no opportunities for retention. The trees

on this site are all Western Red Cedar, which are better suited for retention in significant stands, rather than as single specimens.

- A significant stand of Western Red Cedar trees was identified for retention in the rear yards of the proposed RF lots, in the south west corner of the site. Proposed lots 6-9 will have an appropriate width Section 219 No-build Restrictive Covenant placed in the rear yards to ensure that an adequate tree protection zone is established in order to ensure retention of this stand.
- There are 27 by-law sized trees in the area to be protected by Covenant.
- The below chart provides a summary of the tree retention and removal on the subject site:

Tree Species	Total No. of Protected Trees	Total Proposed for Retention	Total Proposed for Removal
Cedar	87	27	60
Others	0	0	0

- To help compensate for the number of trees proposed to be removed, the applicant has been required to upsize replacement trees throughout the subdivision. The caliper of replacement trees is to be a minimum 8 cm caliper. Furthermore, a cash-in-lieu amount of \$18,000 will be required to offset the tree replacement deficit.
- There is one 70cm dbh tree located immediately west of Lot 1 on the neighbouring property. The drip zone and tree protection barrier for this tree extends into the building envelope of Lot 1, which has not been properly addressed by the applicant's consultants. As a result, the width of Lot 1 may be required to be increased to allow sufficient buildable area, or alternatively, a Section 219 Restrictive Covenant may be required on this lot to properly protect the off-site tree.
- The efforts to retain trees result in an alternate development layout of the property to the west, which will be required to achieve alternative frontage for any lots not directly on 60th Avenue, or a Strata development, as noted previously in this report.

Lot Grading

- In-ground basements are proposed based on the lot grading information provided by the applicant. Basements will be achieved with some fill on the lots. The proposed grading plan has been reviewed by staff and found to be acceptable.
- The site as a whole will drain towards the north west. Grading on those properties on which a Section 219 Restrictive Covenant for tree preservation (No Build) has been registered will not interfere with the retention and overall health of the subject trees along the affected portion of these lots.

Proposed Building Scheme

- The developer engaged 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. A summary of the proposed design guidelines is attached as Appendix V, which will deviate from some of the older 1970's detached bungalows in the area, in favor of a more contemporary standard similar to what is now under construction in the immediate area.
- Neo-Traditional, and Neo-Heritage housing types were identified as the predominant new residential styles in the area, and new homes will be readily identifiable as Neo-Traditional, Neo-Heritage, Craftsman-Heritage or "Rural-heritage" types.

The highlights of the proposed Building Scheme are as follows:

- Two story dwellings, Bungalows, and Split Level homes are permitted;
- Basement entry dwellings are not permitted;
- No access to the in-ground basements from outside, other than the rear of the dwellings;
- No secondary suites permitted;
- Minimum 8:12 roof pitch on the main roof structure;
- Shake profile asphalt, cedar shingles, or shake profile concrete roof tiles in grey or brown tones will be the only roofing materials permitted;
- Only high quality exterior finish and detailing with stucco, vinyl, cedar, "Hardiplank", brick and stone accent veneers in brown or grey hues are to be used as cladding materials, and;
- A minimum of 17 shrubs (of at least 5 gallon pot size) are to be provided per RF lot, a minimum of 15 shrubs (of at least 5 gallon pot size) are to be provided on the RF-12 lot, and 12 shrubs (of at least 2 gallon pot size) are to be provided per RF-9 lot.

PRE-NOTIFICATION

- Pre-notification letters were sent on November 21, 2006, and to date staff have received no responses.
- A letter describing the proposed subdivision and the alternate development pattern that will result for the property immediately west (14454 60 Ave) including details of the potential strata and subdivision pattern for that parcel was sent to the owners listed on title by the applicant on September 10, 2007, and to date no response has been received. A follow-up letter showing an updated development concept for this property was sent on November 22, 2007.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance (for RF lots):

- To vary the minimum front yard setback for 1 (one) RF lot (proposed Lot 8) from 7.5 m (25 ft.) to 6 m (19.7 ft.).
- To vary the minimum rear yard setback for 1 (one) RF lot (proposed Lot 9) from 7.5 m (25 ft.) to 5 m (16.4 ft.) for the south side rear yard only

Justification for Variances:

- The proposed subdivision is located in and adjacent to a large stand of significant Western Red Cedar trees near a watercourse. Through an unusual layout that provides generous rear yards in combination with No Build Restrictive Covenants placed on the rear yards of these properties, these trees can be preserved.
- In order to provide a suitable building envelope on these RF lots with large unbuildable areas due to the No-Build covenant, a reduced front yard setback is necessary on one lot, and a reduced rear yard setback is required on another. The reduced rear yard on lot 9 is on the south side, and provides additional building envelope area for this panhandle lot.
- Reduced front yard setback on Lot 8 will have the effect of bringing the front wall of this building into alignment with the other two lots to the north which are not situated back from a small cul-de-sac bulb.

(b) Requested Variance (for RF-12 lots):

- To vary the minimum lot depth for 1 (one) Type II RF-12 lot (proposed Lot 10) from 22 m (72 ft.) to 18.67 m (61 ft.).
- To vary the minimum rear yard setback for 1 (one) Type II RF-12 lot (proposed Lot 10) from 7.5 m (25 ft.) to 5 m (16.4 ft.).

Justification for Variances:

- The proposed subdivision layout and the approved layout of the subdivision recently completed to the east has resulted in a small amount of surplus City Rights-of-Way which can be consolidated with the subject property, forming part of an RF-12 lot.
- The surplus ROW is of an odd shape, and when consolidated will result in a lot that is shallow, while still meeting the requirements of the RF-12 zone with respect to minimum area (the proposed lot is approximately 342 square metres, [3681 square feet] while the minimum Type II lot is 320 square metres [3445 square feet]).
- There are no other alternative properties with which this portion of ROW could be consolidated, and the creation of an RF-12 lot is an effective use of this surplus land that will transition the RF-12 lots to the east with the RF lots to the north west.

- In order to provide an appropriate building envelope, the Design Consultant has determined that a reduced rear yard setback would be suitable for this lot.
- On the basis of the above, the proposed Development Variance Permits are supportable, and can proceed to Public Notification.

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.	Block Plan
Appendix VIII.	Development Variance Permit No. 7906-0378-00
Appendix IX.	NCP Amendment

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: Dexter Hirabe, CitiWest Consulting Ltd.
 Address: #101 - 9030 King George Highway
 Surrey, BC
 V3V 7Y3
 Tel: 604-591-2213

2. Properties involved in the Application
 - (a) Civic Address: 14482 - 60 Avenue

 - (b) Civic Address: 14482 - 60 Avenue
 Owners: Kamal Dhami, Kuldip Aujla and Satnam Aujla
 PID: 007-086-202
 Lot 37 Section 10 Township 2 New Westminster District Plan 34406

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. 7906-0378-00.

SUBDIVISION DATA SHEET

Proposed Zoning: RF, RF-12 and RF-9

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	1.19 ac
Hectares	0.48 ha
NUMBER OF LOTS	
Existing	1
Proposed	10
SIZE OF LOTS	
Range of lot widths (metres)	9.56 - 15.76 m
Range of lot areas (square metres)	275 - 779 m ²
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	10 upa
Lots/Hectare & Lots/Acre (Net)	
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	
Estimated Road, Lane & Driveway Coverage	300 m ²
Total Site Coverage	
PARKLAND	
Area (square metres)	0 m ² (cash-in-lieu)
% 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
Setbacks and Lot Depth	YES