

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7906-0457-00

Planning Report Date: July 14, 2008

PROPOSAL:

- **Rezoning from RF to RF-9**

in order to allow subdivision into 11 small single family lots.

LOCATION:

10150/74 - 128 Street

OWNER:

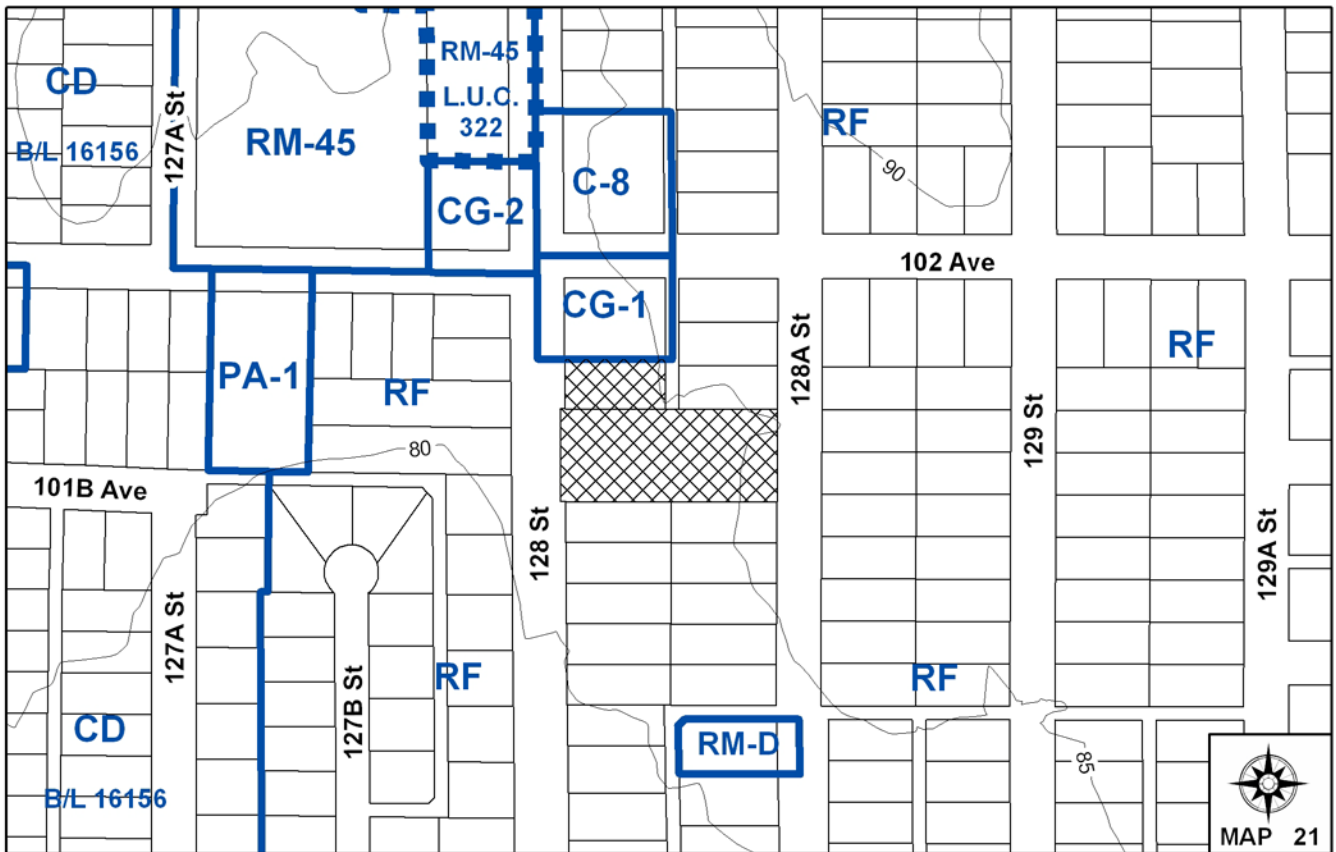
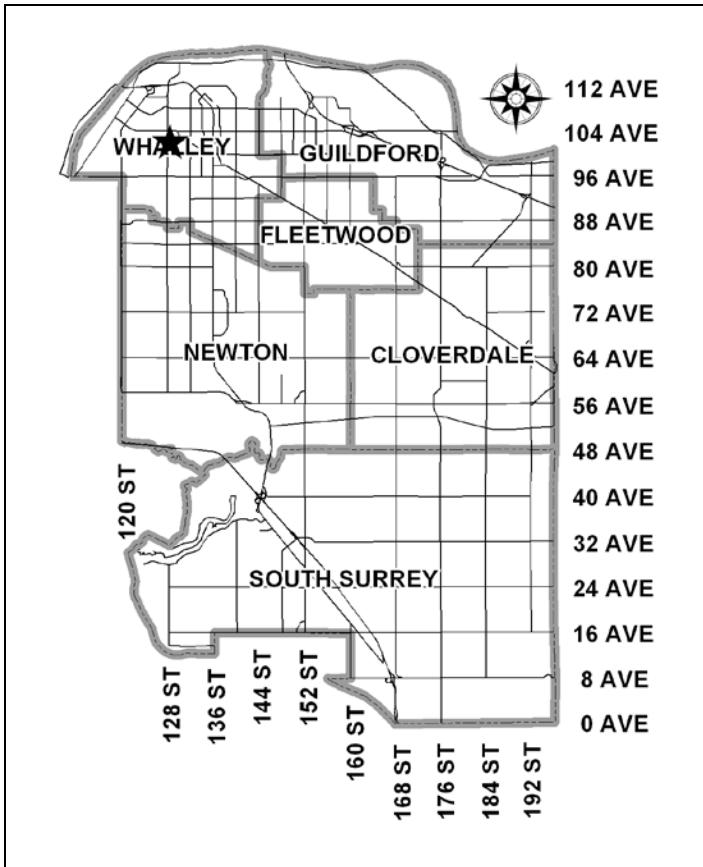
Ekam Development Ltd., Inc. No. 07223282

ZONING:

RF

OCP DESIGNATION:

Urban



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Rezoning.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Complies with City Policy No. 0-52 Small Lot Residential Zones in that the site is within a neighbourhood centre, provides a gradation of land use intensity and is in a walkable neighbourhood.
- Many lots to the south consist of duplexes (zoned RM-D and RF).
- Lots to the north, across 102 Avenue, are designated Multiple Residential and Commercial in the OCP. This proposed land use would provide a gradation of land use intensity.
- The subject site is in close proximity to parks, places of worship, bus routes and a community commercial node. This land use form and density is compatible with other nearby land uses.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the subject site from "Single Family Residential Zone (RF)" (By-law No. 12000) to "Single Family Residential (9) Zone (RF-9)" (By-law No. 12000) and a date be set for Public Hearing.
2. 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;
 - (d) 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;
 - (e) registration of a Section 219 Restrictive Covenant on proposed Lots 1 through 11 inclusive, to require a minimum front yard setback of 7.5 metres (25 ft.) to the principal building and 5.0 metres (16 ft.) to the covered porch or veranda; and
 - (f) submission of a lot grading plan to the satisfaction of the Planning and Development Department.

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 Old Yale Road Elementary School
2 Secondary students at Kwantlen Park Secondary School

(Appendix IV)

Parks, Recreation & Culture:

Supports subdivision and will accept cash-in-lieu of parkland dedication. However, has some concerns about the pressure the project will place on existing parks, recreation and cultural facilities in the neighbourhood. The applicant should meet with staff representatives to find a way to work together to resolve these concerns.

SITE CHARACTERISTICS

Existing Land Use: Two vacant lots.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Mohawk Gas Station.	Urban	CG-1
East (Across 128A Street):	Single family dwellings.	Urban	RF
South:	Single family dwellings.	Urban	RF
West (Across 128 Street):	Single family dwellings.	Urban	RF

DEVELOPMENT CONSIDERATIONSBackground

- The subject site comprises 2 properties and is located on the east side of 128 Street, south of 102 Avenue, west of Surrey City Centre. It is designated Urban in the Official Community Plan (OCP) and is currently zoned Single Family Residential (RF).
- The applicant initially submitted an application on October 24, 2006 to rezone the subject site from Single Family Residential Zone (RF) to Single Family Residential (9) Coach House Zone (RF-9C), and Special Single Family Residential (9) Zone (RF-9S), to allow for the development of 7 "live-work" single family small lots (RF-9S) fronting 128 Street and 4 single family small lots with coach houses or secondary suites (RF-9C) fronting 128A Street.
- Subsequent to the application being submitted, the applicant then revised the application to eliminate the Special Single Family Residential (9) Zone (RF-9S) component from the application, and proposed to rezone the entire site to Single Family Residential (9) Coach House Zone (RF-9C), to allow for the development of 11 single family small lots with coach houses or secondary suites (RF-9C).

- Due to response from area residents, upon receipt of the pre-notification letter, a Public Information Meeting was held on January 18, 2007 at Old Yale Road Elementary. Following the input received at the Public Information Meeting, the applicant revised their proposal to eliminate the coach house component from the application, and rezone the entire site to Single Family Residential (9) Zone (RF-9), to allow for the development of 11 single family small lots (RF-9).

Current Proposal

- The applicant is proposing to rezone the subject site to Single Family Residential (9) Zone (RF-9) to allow subdivision into eleven small single family lots (Appendix II). Proposed Lots 1-7 lots will front 128 Street, and proposed Lots 8-11 will front 128A Street.
- As part of this development application, the existing lane paralleling 128 Street, a designated arterial road, will be extended to the southern extent of this site. All of the proposed lots will gain access from the lane.
- The subject site is located within an established single family residential neighbourhood. To the north of the subject site is a Mohawk Gas Station, zoned Self-Service Gasoline Station Zone (CG-1) and designated Urban in the Official Community Plan. To the east, west and south of the site are single family dwellings zoned Single Family Residential (RF), and designated Urban in the Official Community Plan.

Policy Compliance

- The Small Lot Residential Zones Policy identifies guidelines for the location of RF-9 lots in Urban areas (Corporate Report No. C002 approved by Council on January 17, 2000). The RF-9 Zone may be considered in Urban designated areas that are located within 400 metres (1/4 mile) of the edges of City Centre, Town Centres and employment areas. The zone should be applied to provide a gradation of land use intensity.
- The subject site is located approximately 800 metres (1/2 mile) from the Surrey City Centre and 100 metres (330 ft) from 3-storey apartments to the north. To the south of the subject site are existing non-conforming duplexes. Because of the subject site's proximity to higher density developments, rezoning the subject site to RF-9 has merit. Moreover, the remaining lots on this block (each with a minimum lot width of 18.29 metres/60 ft.) can easily be subdivided into RF-9 lot (with 9-metre/30 ft. lot widths) in the future.
- The subject site is located immediately adjacent to an existing gasoline service station and convenience store with community commercial development on the north side of 102 Avenue. The subject site is also located within 800 metres (1/2 mile) of Old Yale Road Elementary School, within 800 metres (1/2 mile) of Robson Park, and within 1.5 kilometres (1 mile) of Holland Park.
- On 128 Street, there are two bus routes that service the subject site. A third bus route is located on 100 Avenue, 300 metres (984 ft.) from the subject site.
- The RF-9 Zone is supportable within the context of the existing land uses in the surrounding area and in an effort to encourage more efficient land use near the City Centre.

Proposed Subdivision Layout

- All of the proposed lots will meet or exceed the minimum requirements of the RF-9 Zone (Type D) in terms of lot area, width and depth. These lots range in size from 396 sq.m. (4,262 sq.ft.) to 461 sq.m. (4,962 sq.ft.), and will have lot widths ranging from 9.0 metres (30 ft.) to 10.4 metres (34 ft.). Lot depths proposed for these lots are much deeper than the minimum requirements of the RF-9 Zone, ranging from 44.1 metres (145 ft.) to 44.4 metres (146 ft.).
- This application proposes to extend the lane that runs north-south servicing 128 Street. As stipulated in the RF-9 Zone, driveway access and garages to all proposed lots will be provided from the rear lane. Therefore, garages will not be visible from the road.

Design Guidelines

- Tynan Consulting Ltd. prepared the Neighbourhood Character Study and Building Scheme, dated April 9, 2008. 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).
- The building design guidelines recommend a new character for the proposed homes, as most of the existing homes in the surrounding area are either small bungalows that do not meet the floor area requirements for today's home buyers or have box-like massing.
- The front yard setback for all of the proposed lots will be increased from the minimum of 3.5 metres (11 ft.) in the RF-9 Zone to 7.5 metres (23 ft.) to provide adequate buffering from 128 Street (which is arterial), and to maintain a consistent front yard setback for the entire block. Likewise, the minimum front yard setback for a covered porch or veranda in the RF-9 Zone will be increased from the minimum requirement of 1.5 metres (5 ft.) to 5.0 metres (16 ft.).
- Basement-entry homes and secondary suites will not be permitted.

Lot Grading and Tree Preservation

- A preliminary lot grading plan submitted by Coastland Engineering Ltd. has been reviewed by staff and requires minor revisions. The applicant proposes to have in-ground basements on all lots.
- To achieve basements for proposed Lots 1-7, the applicant is proposing fill over the centre portion of these lots of up to 1.2 metres (4 ft.), and is proposing a retaining wall at the southern portion of proposed Lot 7 of up to 1 metre (3.3 ft.). The adjacent neighbour to proposed Lot 7 has provided a letter of support for the proposed development and has no objections to the proposed interface.
- Proposed Lots 8-11 can achieve basements without fill, however, to match the front yard grade with 128A Street, the applicant is proposing fill over the front portion of these lots of up to 1 metre (3.3 ft.), and is proposing a retaining wall of up to 1 metre (3.3 ft.) at the northern portion of proposed Lot 11. The neighbour adjacent to proposed Lots 11 has provided a letter of support for the proposed development and has no objections to the proposed interface.

- Clark Kavolinas of C. Kavolinas and Associates Inc. prepared the Arborist Report and Tree Preservation / Replacement Plans. They have been reviewed by City staff and require revisions prior to Final Approval.
- The chart below provides a summary of the tree retention and removal by species:

On-site Trees

Tree Species	Total No. of Trees	Total Proposed for Retention	Total Proposed for Removal
Alder	8	0	8
Maple	1	0	1
Total	9	0	9

Off-site Trees

Tree Species	Total No. of Trees	Total Proposed for Retention	Total Proposed for Removal
Fir	7	7	0
Cedar	2	2	0
Maple	2	0	2
Cherry	1	1	0
Alder	2	0	2
Total	14	10	4

- According to the tree summary, 9 mature trees are identified on the subject site with all 9 to be removed (Appendix VI) because they are either located within a proposed building envelope or are in poor condition.
- There are 14 trees located off-site. Most of the trees located within the vicinity of the site are proposed to be retained. Two Maples are proposed to be removed and the applicant will require the neighbour's written approval to have these trees removed. Two alders are located on City property and are proposed for removal due to the impact of proposed fill.
- Based on the Tree Protection Bylaw (No. 16100), 12 replacement trees are required. The total number of replacement trees being proposed is 11, resulting in an average of 1 tree per lot. The applicant is required to contribute to the City Green Tree Fund, as a result of the shortfall in 1 replacement tree.

PRE-NOTIFICATION

Pre-notification letters were sent on November 6, 2006, with a development proposal consisting of a proposed rezoning from RF to RF-9S and RF-9C, to allow for the development of 7 "live-work" single family small lots fronting on 128 Street and 4 small single family lots fronting 128A Street.

Subsequent to the pre-notification letters being sent out, the applicant revised their proposal and revised pre-notification letters were sent on November 10, 2006. The revised development proposal consisted of a proposed rezoning from RF to RF-9C, to allow for the development of 11 small single family lots with coach houses or secondary suites. As a result of this notification, staff received 8 responses (5 phone calls and 3 letters), with the following comments. One area resident called for information only.

- Concern that the retail component of the RF-9S proposal would increase the noise and potential loitering, and that there would be insufficient parking for the retail and coach house uses.
- Concern about the proposed density of 11 small lots with coach houses. The increased density and narrow lot widths will change the character of the neighbourhood. Similar lot sizes to the existing lots within the neighbourhood are preferred.
- Question regarding what coach houses look like.
- Question regarding whether cars have access from 128 Street and 128A Street.
- Suggestion that there should be adequate off-street parking to support all residents of the dwelling. Street parking should be visitors only.
- Concern about the transient population and high number of rental units.
- Suggestion that not all 11 lots have coach houses; a smaller percentage of lots could have coach houses.
- Concern about illegal suites

A Public Information Meeting was held on January 18, 2007 at Old Yale Road Elementary School. Approximately 9 people attended. The attendees who provided comments were generally not supportive of the proposed development. One respondent indicated interest in subdividing their property in the future. The comments expressed at the Public Information Meeting were as follows:

- Concern about increased traffic with or without the extension of the lane.
- One owner would like the location of a drainage easement to be relocated and expressed interest in the development potential of an adjacent lot.
- Area residents had questions about the future plans for 128 Street.
- They would like to see examples of RF-9C developments in Surrey.

Following the Public Information Meeting, staff received three more responses from area residents and a petition in opposition with 9 signatures from 6 addresses. The comments were as follows:

- Concern about the amount of traffic, noise and increased density generated from the coach houses.
- There is concern that there will be insufficient off-street parking for this development and that on-street parking will become too congested.
- Concern that the narrower lot widths will change the form and character of the neighbourhood.
- One area resident felt that 11 proposed lots are too many for the subject site.
- One area resident is supportive of 11 lots, but not the coach house component.

A third pre-notification letter was sent April 22, 2008, with details of a revised development reflecting the current proposal of rezoning to RF-9 only. Staff received 6 responses (5 phone calls and 1 letter) from area residents, some of whom had either previously responded to the pre-notification letter dated November 10, 2006 or had attended the Public Information Meeting. The respondents were generally concerned about the application, with one resident in favour of the application, and another who called for information only. The comments were as follows (*staff response in italics*):

- Concern about transient population being pushed out of City Centre and a high number of rental units in the area. They do not want the area to become a slum. There is fear of an increase in drug use and other crimes taking place in the rear lane.

(The proposed dwellings are anticipated to be owner-occupied. The proposed RF-9 lots will have driveway access and garages off the lane. The increased number of dwellings having access from the lane will help mitigate any illegal activity.)

- Concern about high density; RF-9 Zone would be better suited for area near 132 St. and Old Yale Road.

(Because of the subject site's proximity to Surrey City Centre and to higher intensity land uses, the RF-9 Zone is supportable in this area.)

- Concern about coach houses towering over the adjacent single-storey homes and loss of privacy.

(Staff explained that coach houses are no longer part of the development application.)

- Concern about depths of front yards.

(The design guidelines and a separate Restrictive Covenant will increase the front yard setbacks of these homes to 7.5 metres (23 ft.) and 5.0 metres (16 ft.) for a front porch or veranda.)

- Concern about street parking.

(The proposed lots will have driveway access from the rear lane and have two off-street parking spaces.)

- Concern about lowered property values because of smaller lot size.

(Staff are unable to comment about the market value of the houses within the neighbourhood. The applicant believes that providing new housing stock will help revitalize the neighbourhood, increase the development potential, and improve the market value of the homes in the surrounding area.)

- Area residents feel that subdividing into 5 to 7 RF zoned lots would be more appropriate than subdividing into 11 RF-9 lots.

(The applicant argues that the proposed 11 RF-9 lots support the City's sustainability initiatives and make more efficient use of land. Furthermore, the applicant argues that the proposed small lots will be more affordable than RF-zoned lots.)

- Area residents do not see the difference between the RF-9C Zone and the RF-9 Zone. Area residents feel that even though there are no coach houses permitted, the new property owners may still construct unauthorized secondary suites in their homes.

(Staff explained that secondary suites are not permitted in the RF-9 Zone. Building design guidelines that will be tied to the land will restrict building designs that facilitate the conversion into secondary suites.)

- One caller inquired about the changes made to the development proposal, and asked about notification for the Public Hearing.

(Staff explained the notification process regarding a Public Hearing. If the residents have concerns they would like to voice to Council, they may write a letter to Council, or they may appear as a delegation at the Public Hearing.)

- One area resident is in support of the development application and would like to have the ability to similarly subdivide in the future.

(Staff responded that if the current proposal were to be approved by Council, there might be an opportunity to rezone to RF-9 to subdivide other lots on the block in the future.)

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

Jean Lamontagne
General Manager
Planning and Development

SAL/kms

v:\wp-docs\planning\plncom08\05150929.sal.doc
KMS 5/15/08 10:55 AM

Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent: Name: Michael Weir, Maskeen Group
 Address: 12708 - 80 Avenue
 Surrey, BC
 V3W 3A7
 Tel: 604-502-9096

2. Properties involved in the Application
 - (a) Civic Address: 10150 and 10174 - 128 Street

 - (b) Civic Address: 10150 - 128 Street
 Owner: **Ekam Development Ltd., Inc. No. 07223282**
 PID: 004-192-991
 Lot "B" Section 28 Block 5 North Range 2 West New Westminster District
 Plan 14063

 - (c) Civic Address: 10174 - 128 Street
 Owner: Ekam Development Ltd., Inc. No. 07223282
 PID: 003-925-994
 Lot 16 Section 28 Block 5 North Range 2 West New Westminster District Plan
 18474

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

SUBDIVISION DATA SHEET

Proposed Zoning: RF-9

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	1.26 ac
Hectares	0.51 ha
NUMBER OF LOTS	
Existing	2
Proposed	11
SIZE OF LOTS	
Range of lot widths (metres)	9.0 m - 10.4 m
Range of lot areas (square metres)	396 m ² - 464 m ²
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	21.6 lots/ha
Lots/Hectare & Lots/Acre (Net)	23.6 lots/ha
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	47.7%
Estimated Road, Lane & Driveway Coverage	17.4%
Total Site Coverage	65.1%
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
Others	NO