

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7907-0090-00

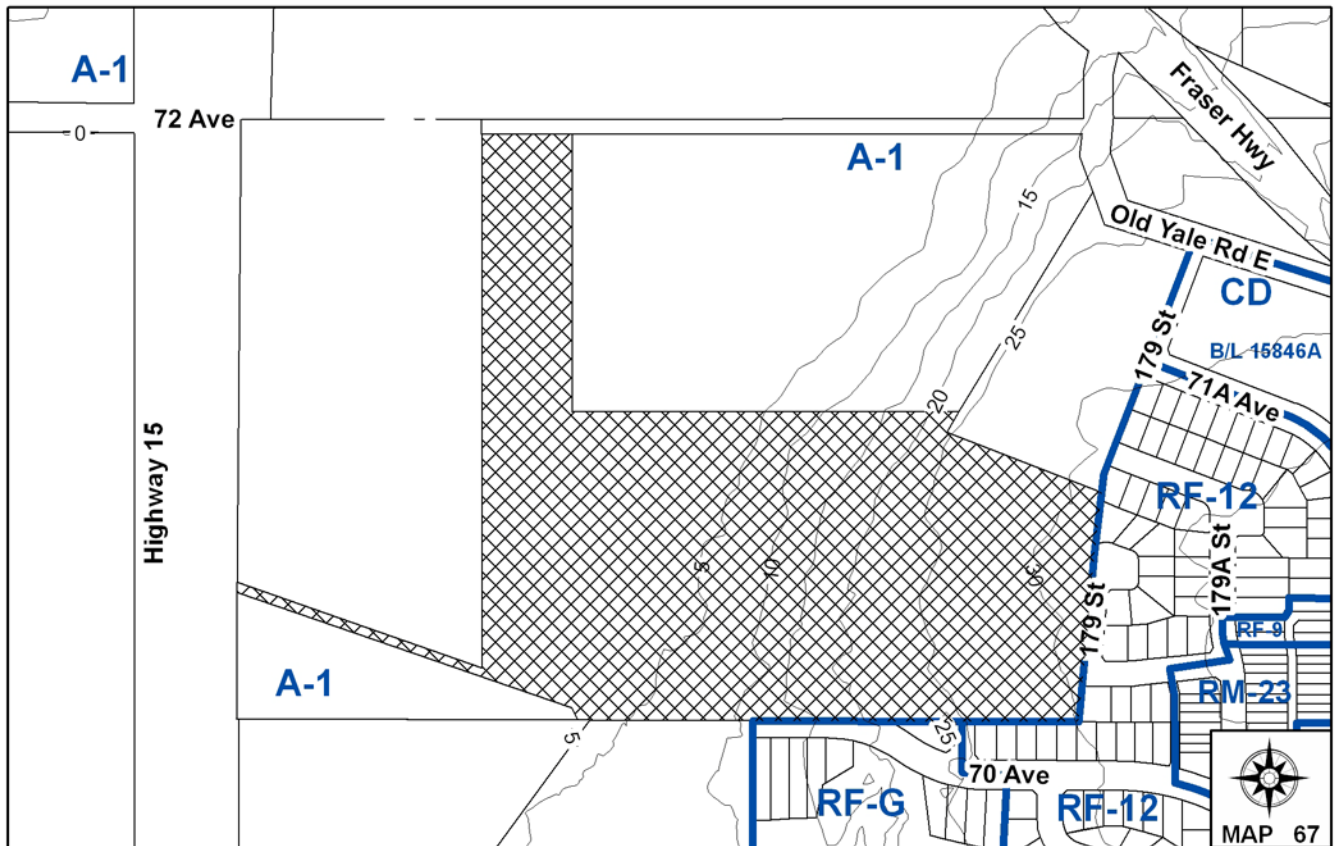
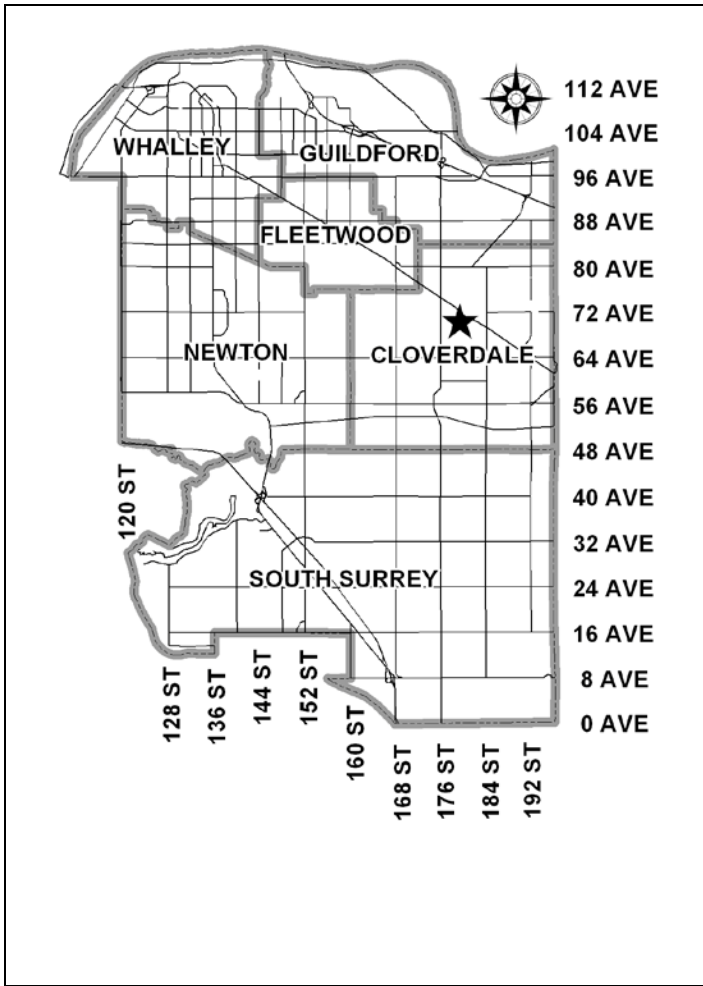
Planning Report Date: December 3, 2007

PROPOSAL:

- **OCP Amendment** of portions from Urban to Suburban and Suburban to Urban
- **NCP Amendment** of portions from Half Acre Cluster (2 upa) and Single Family Residential to Half Acre Cluster (2 upa) and Small Lots
- **Rezoning** portions from A-1 to CD, RC and RF-12
- **Development Variance Permit** to vary house form, setbacks and fence height

in order to allow subdivision into approximately 98 single family lots in North Cloverdale West.

LOCATION: 17912 Old Yale Road East
OWNERS: Andreas and Georgia Krebs
ZONING: A-1
OCP DESIGNATION: Suburban/Urban
NCP DESIGNATION: Half-Acre Cluster (2 upa) and Single Family Residential



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for:
 - OCP Amendment; and
 - Rezoning
- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- There is a minor deviation from the OCP.
- There is a minor deviation in the area designated as Half Acre Cluster (2 upa) in the NCP.
- The Small Lot designation is proposed to replace the Single Family Residential designation in the NCP.
- The conceptual road network in the NCP is varied.
- The second storey of the houses in the proposed RF-12 Zone exceeds 80% of the floor area of the first storey including the attached garage.
- Building setbacks on some lots do not conform with the RF-12 Zone requirements.
- The height of a fence on top of a retaining wall for some lots exceeds the maximum height of 1 metre (3.2 ft.).

RATIONALE OF RECOMMENDATION

- The proposed OCP amendments are minor boundary adjustments and will avoid lots being split-designated Urban/Suburban.
- The proposed NCP amendment from Single Family Residential to Small Lots mirrors what has been previously approved to the east and south-east.
- Proposed variance to the 80% rule of the RF-12 Zone will facilitate the construction of homes that reflect a farm character respecting the subject site's previous agricultural use.
- The proposal will facilitate the dedication and protection of approximately 4.13 hectares (10.2 acres) of open space that accommodates a creek and floodplain areas.
- The proposed reduced building setbacks will create a strong street orientation.
- The combined retaining wall and fence will facilitate usable rear yards and will be mitigated by significant landscaping.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to amend the Official Community Plan by redesignating portions of the subject site from Urban to Suburban and from Suburban to Urban (Appendix II) and a date for Public Hearing be set.
2. Council determine the opportunities for consultation with persons, organizations and authorities that are considered to be affected by the proposed amendment to the Official Community Plan, as described in the Report, to be appropriate to meet the requirement of Section 879 of the Local Government Act.
3. a By-law be introduced to rezone Block A of the subject site as shown on the Survey Plan (Appendix I) from "General Agriculture Zone (A-1)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) (Appendix III) and a date be set for Public Hearing.
4. a By-law be introduced to rezone Block B of the subject site as shown on the Survey Plan (Appendix I) from "General Agriculture Zone (A-1)" (By-law No. 12000) to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) and to rezone Block C of the subject site as shown on the Survey Plan (Appendix I) from "General Agriculture Zone (A-1)" (By-law No. 12000) to "Cluster Residential Zone (RC)" (By-law No. 12000) and a date be set for Public Hearing.
5. Council approve Development Variance Permit No. 7907-0090-00 (Appendix IV) varying the following, to proceed to Public Notification:
 - (a) to allow the maximum permitted floor area of a second storey for a principal building to exceed 80% of the floor area of the first storey including the attached garage of the RF-12 Zone;
 - (b) to reduce the rear yard setback of the RF-12 Zone from 7.5 metres (25 ft.) to 6.0 metres (20 ft.) for proposed Lot 7;
 - (c) to allow the maximum height of a fence above a retaining wall not to exceed 1.5 metres (5 ft.); and
 - (d) to increase the maximum number of risers that may encroach within the required front yard building setback area of proposed Lots 37 - 50 inclusive, from 3 to 5.
6. 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) input from Department of Fisheries and Oceans;
 - (d) submission of riparian improvement plan and the corresponding cost estimate to the specifications and satisfaction of the Department of Fisheries and Oceans;
 - (e) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department; and
 - (f) registration of a "no build" Restrictive Covenant on the proposed temporary RC lot.
7. Council pass a resolution to amend North Cloverdale West NCP from Half Acre Cluster (2 upa) and Single Family Residential to Half Acre Cluster (2 upa) and 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 V.
School District:	<p>Projected number of students from this development:</p> <p>34 Elementary students at Don Christian Elementary School 15 Secondary students at Lord Tweedsmuir Secondary School</p> <p>(Appendix VI)</p>
Parks, Recreation & Culture:	The applicant is required to submit lot grading and compensation planting plan on the proposed open space for review and approval by Parks, Recreation and Culture.
Agricultural Advisory Committee (AAC):	The proposal, which was reviewed at the September 6, 2007 AAC meeting, was supported subject to the applicant installing a trail and a fence along the west property line separating the subject site from the ALR (Appendix VII).
Environmental Review Committee (ERC):	This application was reviewed at the August 15, 2007 and September 26, 2007 ERC meetings. The proposed setback relaxation from 15 metres (50 ft.) to an average of 10 metres (33 ft.) and elimination of minor tributaries are acceptable. Proposed landscaping on the riparian area requires review and approval by the Department of Fisheries and Oceans.

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling and outbuildings on an acreage residential lot.

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North:	Acreage residential under application (File No. 7907-0159-00 Pre-Council) to rezone to CD and RF-12 to permit subdivision into approximately 52 single family lots.	Split designated Half-Acre Cluster (2 upa); Single Family Residential and Townhouse Cluster.	RA
East (Across 179 Street):	Single family residential subdivision.	Small Lots	RF-12
South-West:	Acreage residential.	Half-Acre Cluster (2 upa)	A-1
South-East (Across 70 Avenue):	Single family lot subdivision.	Single Family Cluster and Small Lots	RF-G and RF-12
West:	Agricultural lands within the ALR.	Agricultural in the OCP	A-1

JUSTIFICATION FOR PLAN AMENDMENTProposed OCP Amendments

- The subject site is split-designated Suburban and Urban in the Official Community Plan with the existing Suburban-Urban boundary following a curvilinear line generally along the 10- to 15-metre contour (Appendix VIII).
- The proposed amendments (Appendix II) consist of the following:
 - From Urban to Suburban for a portion of the subject site measuring approximately 2,384 sq. m. (0.6 acre); and
 - From Suburban to Urban for two portions of the subject site measuring a total of approximately 366 sq. m. (3,940 sq. ft.).
- The proposed amendments are considered minor and are being pursued primarily to rationalize the existing Suburban-Urban boundary. Therefore, staff have no concern with respect to the proposed OCP amendments.

Proposed NCP Amendments

- The subject site is split-designated Half Acre Cluster (2 u.p.a.) and Single Family Residential in the North Cloverdale West NCP (Appendix IX).
- The subject application indicates the following proposed NCP amendments (Appendix X):
 - from Half Acre Cluster (2 u.p.a.) to Small Lots within a portion of the proposed Urban designated area; and
 - from Single Family Residential to Small Lots within the existing Urban designated area.
- The applicants offer the following points in support of the proposed amendments:
 - If the site were to be developed based on the current NCP designations, interfacing issues (incompatible massing fronting the same road) will arise;
 - The proposed design of homes will be consistent throughout the site, thus allowing better interface between Suburban and Urban lots; and
 - As opposed to selling serviced lots to individual buyers/builders, the applicant commits to build the proposed homes to ensure that the desired house design is achieved throughout the site.
- Staff also note the following:
 - The subject site represents one of the last 4 parcels between Fraser Highway and the new 70 Avenue to the south that have remained undeveloped.
 - Under separate development applications, lands directly east of the subject site were redesignated from Single Family Cluster 6 u.p.a. to Small Lots. The proposed redesignation within the Urban designated lands mirrors what has been approved in the past.
 - Staff are currently processing a development application (File No. 7907-0159-00) for lands directly north of the subject site, which is seeking similar NCP amendments as the subject application.
- Based on the above, staff support the proposed re-designations.

DEVELOPMENT CONSIDERATIONS

Proposed Rezoning

- The approximately 9.39-hectare (23.2-acre) site is currently zoned A-1. The applicant is proposing to rezone the entire site from A-1 to CD, RF-12 and RC, the zoning boundaries of which are indicated on the attached Survey Plan (Appendix I).

Rezoning from A-1 to CD (Block A in Appendix I)

- Block A (as shown in Appendix I) consists of approximately 5.76 hectares (14.23 acres) and is located immediately east of the Agricultural Land Reserve (ALR). Block A includes the existing floodplains and creek area.
- The applicant is proposing to rezone this portion from A-1 to CD (based on the RC Zone) in order to create 31 single family lots (proposed Lots 68 to 98 in the attached subdivision layout, Appendix XI). The proposal is based on a clustering concept (where the proposed development is confined within the areas outside the floodplains and the creek areas), with a gross density of 5 units per hectare (2 units per acre) and 68% of the area of Block A is set aside as open space.
- The RC Zone, which serves as one of the basis for the proposed CD Zone, allows 3 types of building forms based on the following:

Type of Building Form	Minimum Open Space Requirement	Maximum Floor Area Ratio	Minimum Lot Size/ Lot Width
Type I: Single Family Dwellings	50% of Site Area	0.45	700 sq. m. (7,500 sq. ft.)/ 18 m. (60 ft.)
Type II: Single Family Dwellings Duplexes	70% of Site Area 70% of Site Area	0.50 0.50	372 sq. m. (4,000 sq. ft.)/ 9 m. (30 ft.) 745 sq. m. (8,000 sq. ft.)/ 15 m (50 ft.)
Type III: Ground-oriented multiple unit residential buildings	80% of Site Area	0.50	2,000 sq. m. (0.5 acre)/ 30 m (100 ft)

- The proposal generally falls within Type II – Single Family Dwellings.
- The proposed CD Zone, which is a hybrid of the RC and RF-12 Zones, has the following features:

	As Reflected in the Proposed CD Zone
Open Space Dedication	Approximately 68% of the gross site area (Suburban Portion)
Unit Density	5 units/hectare or 2 units per acre
Floor Area Ratio (FAR)	0.70
Range of Lot Sizes	365 m ² (3,929ft ²) to 487 m ² (5,242ft ²)
Range of Lot Widths	13.4m (44 ft.) to 14.3m (47 ft.)
Maximum House Size	260m ² (2,800ft ²)

- While the RC Zone limits the FAR to 0.50, the RC Zone does not place a cap on the house size. However, according to the applicant, the resulting floor area still does not meet the expectations of the current market. In order to match the permitted FAR (0.70) of the RF-12 Zone (which is being proposed for the easterly portions of the subject site), the proposed CD Zone is indicating an FAR of 0.70, with a maximum house size of 260 sq. m. (2,880 sq. ft.).
- The majority of the lots (30 lots or 97% of the total), (see Appendix XI), meet or exceed the minimum lot requirement (372 m² or 4,000ft²) of the RC Zone on the Suburban portion of the site as shown in the following table:

Proposed CD Zone Lots	Proposed Lot Size	No. of Lots (% Share to Total Suburban Lots)
Lot 70	365 m ² (3,929ft ²)	1 (3.2%)
Lots 77-94	372 m ² (4,000ft ²)	18 (58%)
Lots 68-69, 71-76, and 95-98	Ranges from 379 m ² (4,079ft ²) to 487 m ² (5,242ft ²)	12 (38.7%)
		Total: 31 lots (100%)

- As proposed, the CD Zone lots will be fronting both sides of the new 177A Street. The proposed westerly lots will be backing onto the proposed open space.
- To further ensure that the proposed homes on the proposed CD Zone lots will blend well with the proposed Urban lots, the proposed CD Zone is incorporating similar setback requirements as stipulated in the RF-12 Zone. For instance, the CD Zone stipulates that only 50% of the width of the house can be sited at 4 metres (13 ft.) and 6 metres (20 ft.) from the front and rear property lines, respectively. These provisions are also found under the RF-12 Zone.

Rezoning from A-1 to RF-12 (Block B in Appendix I)

- Block B as shown on the Survey Plan (Appendix I) consists of approximately 3.56 hectares (8.8 acres) and is being rezoned from A-1 to RF-12. The proposed RF-12 lots will be sited east of the proposed CD lots with the majority of the lots fronting the new 178 and 178A Streets.
- The proposed subdivision layout indicates a total of 67 RF-12, Type II lots, all of which conform to the minimum lot dimensions of the RF-12 Zone. The following table shows a profile of the proposed RF-12 lots.

RF-12 Lots	Lot Size	Lot Width	Lot Depth
Type II Interior Lot Requirements	320 m ² (3,445 ft ²)	13.4 metres (44 ft.)	22 metres (72 ft.)
Proposed Interior Lots 1, 3-10; 12-13; 15-36; 38-63; and 65-67	Ranges from 320 m ² (3,445 ft ²) to 657 m ² (7,071 ft ²)	Minimum of 13.4 metres (44 ft.)	Minimum of 24 metres (78 ft.)
Type II Corner Lot Requirements	375 m ² (4,037 ft ²)	Minimum of 15.4 metres (51 ft.)	22 metres (72 ft.)
Proposed Corner Lots 2, 11, 14, 37 and 64	Ranges from 376 m ² (4,047 ft ²) to 421 m ² (4,531 ft ²)	Minimum of 15.4 metres (51 ft.)	Minimum of 24 metres (78 ft.)

- The proposed layout does not include lanes and therefore, garages will be fronting the road. The proposed 13.4-metre (44-ft.) wide lots will allow double car garages, conforming to the RF-12 Zone.

Rezoning from A-1 to RC (Block C in Appendix I)

- Block C is expected to be consolidated with the southerly portions of the lands to the north (under File No. 7907-0159-00, currently under preliminary review), to ultimately create 2 buildable CD lots. As a "temporary holding zone" Block C is proposed to be rezoned from A-1 to RC.
- This is an interim solution and will address the potential of a split zoning in the future (with 2 CD Zones) and is permitted in the Suburban designation. The proposed lot under Block C will be a hooked lot with a lot size of approximately 646 m² (6,953 ft.²), conforming to the RC Zone.
- The applicant is required to register a "no build" Section 219 Restrictive Covenant on the proposed RC lot to ensure a further rezoning and consolidation with the lands to the north.

Proposed Road Alignments, Open Space and Walkway Dedications

- Except for the proposed 177 Street that will terminate as a cul-de-sac farther north (as proposed under File No. 7907-0159-00), the proposed overall layout indicates road alignments that are generally consistent with the ring road system planned for this portion of the North Cloverdale West NCP.
- The entire subdivision is proposing a 4.13-hectare (10.2-acre) open space dedication. The proposed open space will accommodate the existing floodplain and creek area and will serve as a physical barrier between the proposed lots and the lands within the Agricultural Land Reserve to the west. The proposed open space will remain in its natural state.
- Pedestrian circulation within the proposed subdivision will be achieved via the proposed sidewalks, as well as through a proposed 4-metre (13-ft) wide walkway that will be installed at the north edge of the subject site. The westerly portion of the proposed walkway will be secured as part of the proposed development under File No. 7907-0159-00, which is still at its preliminary stage. The proposed walkway, which will consist of stairs due to the existing slope, will connect 177A and 178 Streets.

Interface with ALR

- The proposed single family lots will be separated from the lands within the ALR by the proposed 4.13-hectare (10.2-acre) open space. The existing creek directly west of the proposed lots also serves as a natural buffer between the proposed residential lots and the ALR. This buffer should deter any potential conflicts with the agricultural lands resulting from the proposed development.
- The proposed development was referred to the Agricultural Advisory Committee (AAC) on September 6, 2007. The Committee indicated support of the proposal with the following recommendations:
 - that a nature trail be constructed to guide public access;

- that a fence be installed along the west property line to prevent access to the ALR; and
 - that the open space is an important natural habitat and should be preserved as such.
- The applicant has agreed to comply with the AAC's recommendations pertaining to the fence construction and creek preservation. The construction of the trail as noted above will be reviewed and coordinated with Parks, Recreation and Culture Department as the intent is to dedicate the open space to the City.

Creek Preservation

- The applicant is proposing a variance to the 15-metre (50-ft.) wide setback to the top-of-bank of a red-coded creek as well as re-classification of 2 existing minor tributaries from yellow to green. The proposed layout indicating relaxation of setbacks to the top-of-bank (from 15 metres (50 ft.) to approximately 10 metres (33 ft.) was referred to the ERC twice: August 15, 2007 and September 26, 2007.
- The ERC, which includes a representative from the Department of Fisheries and Oceans (DFO), agreed to relax setback to 10 metres (30 ft.) and to eliminate the 2 tributaries, subject to the applicant resolving all the drainage issues to the satisfaction of the City.
- The applicant is also required to submit landscaping plans as part of compensation for the reduced setbacks to the satisfaction of DFO.

Proposed Design Guidelines, Lot Grading and Tree Replacement

- The applicant has confirmed that the proposed development will be built based on a "farm house" style that prevailed in the late 1800s and early 1900s. The "farm house" style projects simple rooflines, vertically proportioned and divided windows, as well as covered porches in a scale that does not dominate the front façade. This style complements the Colonial theme that is evident on the newly built homes at the nearby Provincetown site (in the vicinity of 180 Street, north of 70 Avenue). The proposed "farm house" theme recognizes Cloverdale's agricultural/rural past.
- Consequently, the proposed building design guidelines for the proposed CD and RF-12 lots (prepared by Tynan Design Consulting) reflect the "Farm House" character.
- The design guidelines prohibit the construction of basement-entry homes and secondary suites.
- The subject site slopes steeply from west to east from approximately 5 metres (16 ft.) to 30 metres (98 ft.). The proposed lot grading indicates that in-ground basements can be accommodated without any significant fill on the majority of the proposed upland lots.
- Where fill of more than 0.5-metre (1.6 ft.) is introduced, it would occur in approximately 15 RF-12 lots in the upland area. Proposed lots located downhill, specifically proposed Suburban Lots 69-70 and 83-98, will also have significant fill to allow the grades to match the proposed grades for the proposed 177A Street.
- The planned sewer trunk main that will be installed within the proposed 177A Street alignment necessitates the proposed grade changes for 177A Street.

- The applicant has submitted preliminary lot grading information, which was reviewed by staff and found to be generally acceptable.
- The site's sloping conditions require installation of retaining walls to stabilize rear yards between the proposed lots, some of which could be as tall as 2 metres (6.5 ft.). The proposed engineered retaining walls will be built using modular blocks for durability and aesthetics purposes and this will be regulated in the Building Scheme.
- A different type of retaining wall (Sierra Wall) will be installed along the west property lines abutting the creek area. Native planting materials will be integrated into the wall and will form part of the creek improvements that the applicant will install as agreed to in the Environmental Review Committee (ERC).
- Norm Hol of Arbortech Consulting Ltd. prepared the Arborist Report and Tree Replacement Plan, which were reviewed and approved by the City Landscape Architect.
- The Arborist Report identified 33 protected trees in the proposed development area, which will be removed as they are in very poor condition. The Tree Replacement Plan indicates installation of 3 trees per lot for a total of 294 new trees. The associated Replacement Plan will be secured in conjunction with the Building Scheme.
- Existing trees and other vegetation on the proposed open space including the creek area will not be disturbed.

PRE-NOTIFICATION AND PUBLIC INFORMATION MEETING

- Pre-notification letters were sent on June 14, 2007 and staff received one letter from a neighbour, advising staff of opposition to the proposed development, citing the presence of wildlife in the subject site.
- In light of the proposed OCP and NCP amendments and in order to respond to public concerns (e.g., existing wildlife as noted above), the applicant was encouraged to hold a Public Information Meeting.
- In response, the applicant conducted a 1.5-hour Public Information Meeting (PIM) on June 28, 2007 at Clayton Hall (18513 – 70 Avenue), enabling the neighbourhood to view and comment on the proposal. Four neighbours came to the meeting; two neighbours completed the questionnaire, with one attendee confirming full support to the proposal. The other neighbour suggested preservation of as many trees as possible.
- Though invited to the meeting, the letter-writer who raised concerns on existing wildlife, did not attend the PIM.

PUBLIC CONSULTATION PROCESS FOR OCP AMENDMENT

Pursuant to Section 879 of the Local Government Act, public consultation took place as part of the preparation of the North Cloverdale West NCP. Given that the proposal is generally in compliance with the NCP, no further consultation was necessary with any persons, organizations or authorities with respect to the proposed OCP amendment, other than those contacted as part of the pre-notification process.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To allow the maximum permitted floor area of a second storey for a principal building to exceed 80% of the floor area of the first storey, including the attached garage in the RF-12 Zone.

Applicant's Reasons:

- The "80% rule" will not allow for style-authentic replication of the traditional "Farm House" design, a design that is considered well-suited in this part of Cloverdale.
- The 20% offset will not achieve the "Farm House" design.
- Home construction throughout the site will be carried out by the developer and not by different builders, ensuring consistent adherence to the preferred house design, thus maintaining the desired quality of finished products.

Staff Comments:

- In April 1994, the then Council gave Final Adoption to By-law No. 12101, which, among other things, amended Section D. Density of the RF and RF-G Zones, inserting the additional text that reads as follows:
 - "ii. The maximum permitted floor area of a second storey for a *principal building* shall not exceed 80% of the floor area of the first storey including attached garage, but not including any portion of the *structure* located within 7.5 metres [25 ft.] of the *front lot line*. The reduced floor area of the second storey shall be accomplished by an offset at the second storey level from the wall at the main floor level from either the front or side walls at the main floor level or a combination thereof."
- The reduced floor area of the 2nd storey was intended to avoid the boxy-looking design of the 1980s which, coupled with the allowable maximum floor area of 330 sq. m. (3,550 sq. ft.) under the RF Zone, generated mega-homes, boxy-looking homes and repetition of design, all of which were a major concern among various neighbourhoods and which served as the catalyst for the Zoning By-law text amendment.

- The subsequent text amendment was also augmented by the adoption of the Model Building Scheme, which provided control in terms of design repetition, basement-entry, building materials, colours, landscaping, location of balconies, etc.
- The "80% rule" has since been incorporated in the RF-12, RF-12C and RF-O Zones.

Impact of the "80% Rule"

- The subsequent construction activities in newly-created single family lots over the last 13 years have resulted in the following:
 - Houses have been built based on identifiable house styles (Neo-traditional, Heritage, Rural Heritage) that incorporate the required reduced floor area on the 2nd storey; and
 - Significantly reduced number of boxy-looking and mega-homes on RF, RF-G, RF-12, RF-12C and RF-O lots.
- With the substantial increase in new construction of single family homes, particularly under the RF-12, RF-12C, RF-9 and RF-9C, the much desired house styles (Neo-traditional, Heritage, Rural Heritage) have become widespread and arguably too common place.

General Impact of the Proposed DVP

- The proposed DVP, if supported will add variety to the existing house styles. It will add to an interesting streetscape, provided that significant detailing (shutters, decorative woodworks and similar features) is incorporated in the design.
- A previously approved DVP relaxing the "80% rule" for Provinceton (located around the vicinity of 70 Avenue and 180 Street) has successfully established a distinct neighbourhood where some of the built homes have eliminated the 20% offset. The approved DVP has indeed created a variety of house styles in this neighbourhood.
- While the "80% rule" applies on 50% of Provinceton's site (31 lots out of 61 RF-12 and RF-G lots), the subject application is seeking a relaxation for the entire site.
- However, given the geographical configuration of the site where significant grade changes are evident between upland and downhill lots, the elimination of the "80% rule" on all lots is not expected to create a monotonous streetscape.
- The proposed design eliminating the 80% rule should be incorporated in the Building Scheme.
- In summary, staff agree with the applicant's rationale and support the proposed DVP, based on the following criteria:
 - Avoid high mass structures;
 - House designs to have elaborate woodwork details;
 - The use of warm colours (e.g., red, blue and yellow);
 - A minimum of 6 house designs to achieve variety; and

- Inclusion of the new designs in the Building Scheme.

(b) Requested Variance:

- To vary the setback regulation in Part 4 General Provisions of the Zoning By-law to allow a maximum of 5 risers to encroach within the front and rear yard setbacks for proposed Lots 37-50, inclusive.

Applicant's Reasons:

- Due to "uphill" sloping conditions of these lots, the proposed homes will require stairs of more than 3 risers to allow efficient access.
- The proposed variance will apply on the stairs only, with the rest of the proposed structure conforming to the setback requirements of the RF-12 Zone.
- The proposed stairs will assist in articulating the house design based on the desired "Farm House" theme.
- Stairs will also be incorporated in all other lots but the number of risers will not exceed 3 and therefore, the setback requirement under the General Provision of the Zoning By-law will be complied with.

Staff Comments:

- Sub-section 17(b) of Section E. Regulations Applicable to All Zones, Part 4 General Provisions stipulates that stairs may encroach into the building setback area, provided they consist of three (3) risers or less, as measured from the finished grade.
- The applicant has confirmed that proposed Lots 37-50 would have stairs of more than 3 risers, though such number of risers will not exceed 5.
- The additional risers will bring the stairs (now considered a structure due to the number of risers exceeding 3) closer to the property line.
- However, recognizing the site's steep slopes and since the rest of the principal building (specifically the front porch) will conform to the minimum setback requirement of 4 metres (13 ft.) and that the proposed garage will be sited at 6 metres (20 ft.) from the property line, staff can support the proposed relaxation.

(c) Requested Variance:

- To vary the RF-12 Zone to allow reduced rear yard setback from 7.5 metres (25 ft.) to 5.0 metres (16 ft.) on proposed Lot 7.

Applicant's Reasons:

- The proposed lot is of an irregular configuration, i.e., it is shallow and pie-shaped. A functional floor plan, based on the desired "farm house" style, will encroach into the required 7.5-metre (25 ft.) rear yard setback as indicated in the attached (Appendix XIV).
- In order to build a functional home, a minimum rear yard setback of 5.0 metres (16 ft.) is required.
- Considering the width of the rear yard (which is approximately 24 metres (78 ft.)), a functional yard can still be achieved.
- All other setback requirements of the RF-12 Zone will be met.

Staff Comments:

- The RF-12 Zone requires a 7.5-metre (25-ft.) rear yard setback, which can be reduced to 6.0 metres (20 ft.) for 50% of the principal building.
- However, due to the shape (shallow and pie-shaped) of proposed Lot 7, the entire width of the proposed house, including the stairs, will be pushed back into the rear yard, resulting in a maximum of 1.5-metre (5-ft.) wide encroachment into the 7.5-metre (25-ft.) setback area.
- Staff can support the proposed variance based on the applicant's reasons.

(d) Requested Variance:

- Vary the Zoning By-law to allow a maximum fence height of 1.5 metres (5 ft.) on top of a retaining wall.

Applicant's Reasons:

- Due to steep slope conditions, retaining walls of 1.2 metres (4 ft.) to a maximum of 1.8 metres (6 ft.) will be installed on the following:
 - Along the common rear lot lines on proposed lots east of 177A Street and west of 178 Street; and
 - Along the common rear lot lines on proposed lots east of 178 Street and west of 178A Streets.
- Retaining walls are proposed at these locations to stabilize the rear yards between the proposed lots.
- In order to achieve safe rear yards, a latticed wood (cedar) fence with a maximum height of 1.5 metres (5 ft.) will be installed on top of the retaining wall.

- To mitigate the impact of the height of the combined wall and fence, trailing vines will be planted that will eventually cover both the fence and the wall. The trailing vines will be planted in conjunction with the construction of the fence/wall and installation of replacement trees. This requirement will be specified in the Building Scheme and the corresponding security deposits will be posted to ensure compliance.

Staff Comments:

- Sub-section 8(b) of Section E. Regulations Applicable to All Zones of Part 4. General Provisions of the Zoning By-law stipulates that where the height of the combined wall and fence exceeds 1.8 metres (6 ft.), the fence, wall or similar structure may have a height of not more than 1.0 metre (3 ft.).
- Staff recognize that due to steep slope conditions, the applicant will not be able to comply with this rule. For instance, proposed Lots 55 and 79 indicate a significant change in grades at the common rear lot lines, i.e., from 13.5 metres (44 ft.) to 15.5 metres (51 ft.) or a difference of 2 metres (6.5 ft.). Safety and privacy for both future owners will be compromised without the combined fence and wall installed along the common rear lot lines.
- Staff, therefore, accept the applicant's rationale and solution (installation of trailing vines, with the corresponding securities to ensure compliance) to mitigate the impact of the combined wood fence and wall.

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.	OCP Redesignation Map
Appendix III.	Proposed CD By-law
Appendix IV.	Development Variance Permit No. 7907-0090-00
Appendix V.	Engineering Summary
Appendix VI.	School District Comments
Appendix VII.	Agricultural Advisory Committee Minutes
Appendix VIII.	Existing OCP Designation Map
Appendix IX.	Existing NCP Designation Map
Appendix X.	Proposed NCP Amendments
Appendix XI.	Proposed Subdivision Layout
Appendix XII.	Building Design Guidelines Summary
Appendix XIII.	Summary of Tree Survey and Tree Preservation
Appendix XIV.	Proposed Lot 7

Jean Lamontagne
General Manager
Planning and Development

JDM/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: Clarence Arychuk, Hunter Laird Engineering Ltd.
 Address: 3300 - 65 Richmond Street
 New Westminster, BC V3L 5P5
 Tel: 604-525-4651

2. Property involved in the Application
 - (a) Civic Address: 17912 Old Yale Road East

 - (b) Civic Address: 17912 Old Yale Road East
 Owners: Andreas and Georgia Krebs
 PID: 013-230-034
 Parcel D (Reference Plan 3573) North West Quarter of Section 17 Township 8
 New Westminster District Firstly; Parcel "One (Reference Plan 5557)
 Secondly; Parcel "H" (Explanatory Plan 13997) Thirdly; Part Dedicated Road
 on Plan BCP14027

3. Summary of Actions for City Clerk's Office
 - (a) Introduce a By-law to amend the Official Community Plan to redesignate portions of the
 property.

 - (b) Introduce a By-law to rezone the property as per the attached Survey Plan.

 - (c) Proceed with Public Notification for Development Variance Permit No. 7907-0090-00.

SUBDIVISION DATA SHEET

Proposed Zoning: CD and RF-12

Requires Project Data	Proposed	
GROSS SITE AREA	CD*	RF-12
Acres	14.67 ac	8.58 ac
Hectares	5.76 ha	3.4 ha
NUMBER OF LOTS		
Existing		
Proposed	31	67
SIZE OF LOTS		
Range of lot widths (metres)	13.4 m - 19.0 m	11.6 m - 13.4 m
Range of lot areas (square metres)	372 m ² - 498 m ²	322 m ² - 400 m ²
DENSITY		
Lots/Hectare & Lots/Acre (Gross)	5 uph/2 upa	8.57 upa
Lots/Hectare & Lots/Acre (Net)		
SITE COVERAGE (in % of gross site area)		
Maximum Coverage of Principal & Accessory Building	50%	50%
Estimated Road, Lane & Driveway Coverage	16%	16%
Total Site Coverage	66%	66%
OPEN SPACE		
Area (square metres)	39,520 m ²	1,780 m ²
% of Gross Site	68%	5%
Total	41,300 m ² (4.13 ha) 44%	
	Required	
PARKLAND		
5% money in lieu	n/a	
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	
Building Form, Setbacks and Fence Height	YES	

* Based on RC and RF-12 Zones