

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7907-0158-00

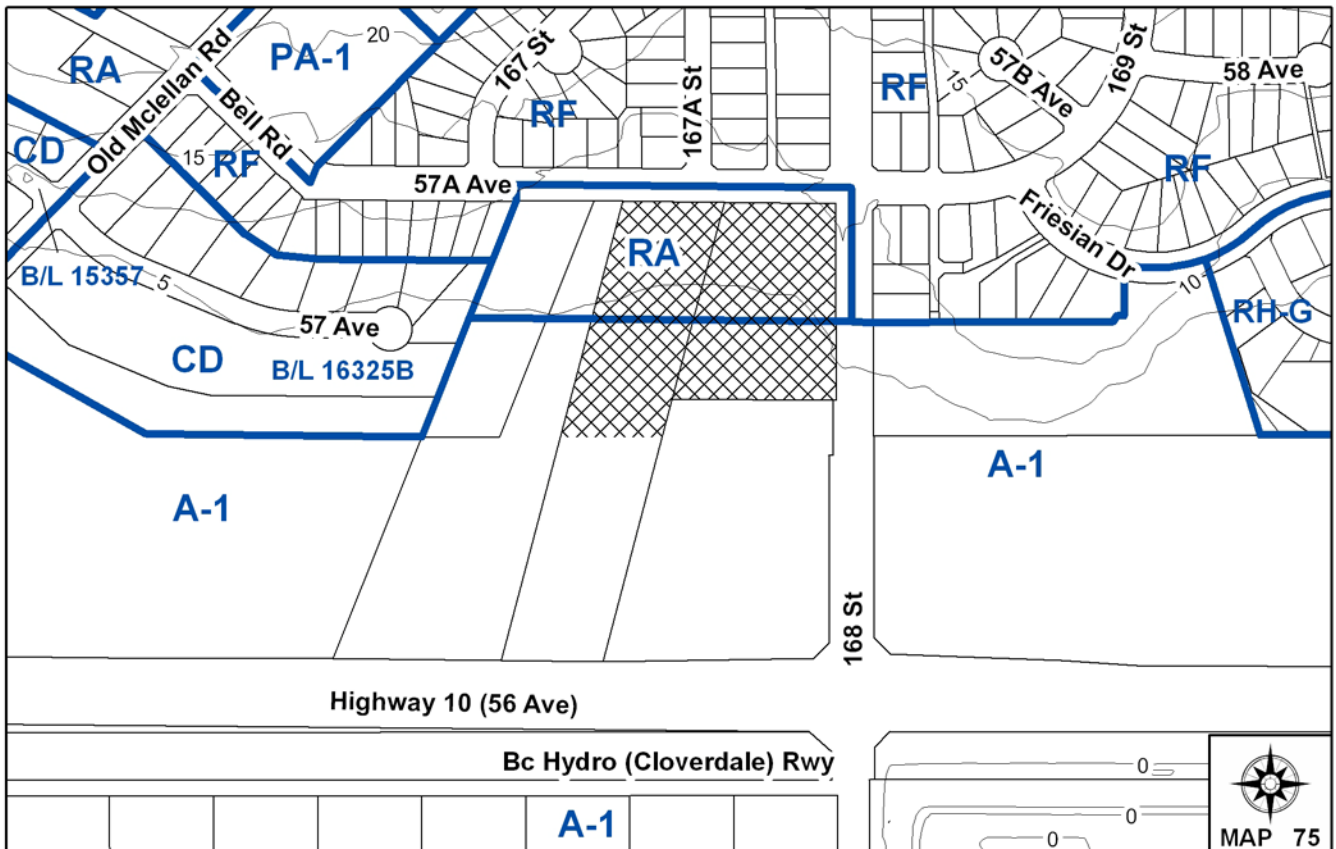
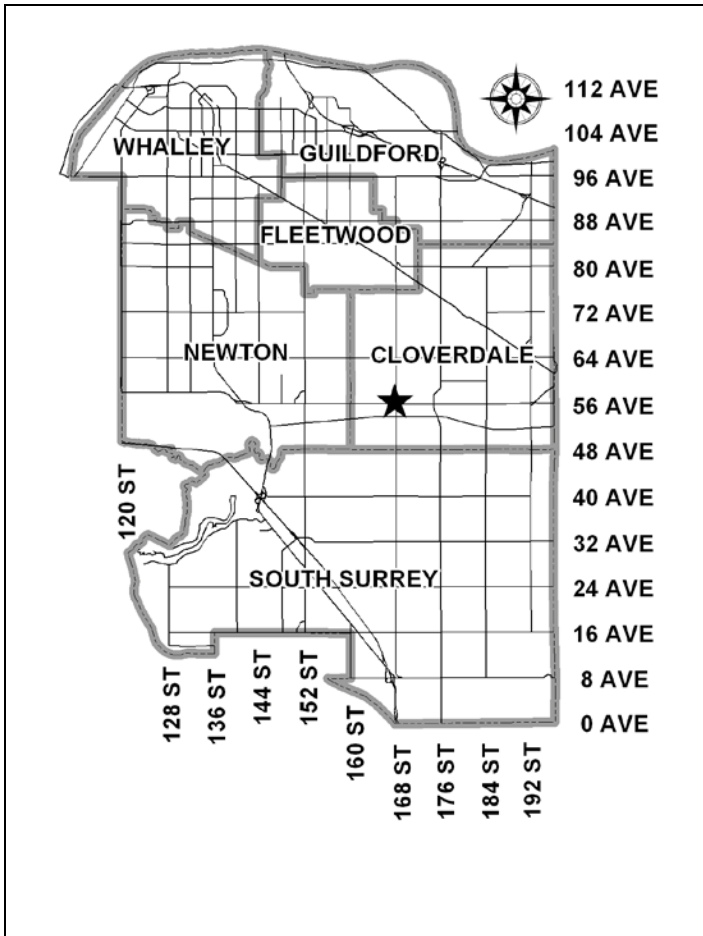
Planning Report Date: June 23, 2008

PROPOSAL:

- **OCP Amendment** of a portion from Suburban to Urban
- **NCP Amendment** of portions from Half Acre Cluster to Urban Single Family and from Parks/Open Space to Half-Acre Cluster
- **Rezoning** on portions from A-1 and RA to CD (based on RH-G) and RF

in order to allow subdivision into 18 residential lots and one remainder parcel.

LOCATION: 5713/49 - 168 St/16730 - 57A Ave
OWNER: Avtar Singh Bilg et al
ZONING: RA and A-1
OCP DESIGNATION: Suburban and Agriculture
NCP DESIGNATION: Half Acre Cluster, Parks/Open Space and ALR



MAP 75

RECOMMENDATION SUMMARY

- Refer back to staff.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The proposal requires an OCP amendment on the northern portion from Suburban to Urban.
- The proposal requires amendments to the West Cloverdale South Neighbourhood Concept Plan (NCP).
- Portions of the area designated Half Acre Cluster (2 upa) in the NCP are proposed to be amended to Urban Single Family.
- Portions of the area designated Parks/Open Space in the NCP are proposed to be amended to Half Acre Cluster (2 upa).
- The proposal does not comply with Policy No. O-23 Residential Buffering Adjacent the ALR/Agricultural Boundary.
- The most southerly proposed Lot 20, within the ALR, does not meet the minimum 4-hectare (10-acre) lot size requirement of the A-1 Zone.

RATIONALE OF RECOMMENDATION

- A suitable layout can be achieved that meets the buffer requirements of the West Cloverdale South NCP and Policy O-23 for lands adjacent to the ALR, however, the applicant has requested to proceed to Council without any further revisions.
- The Agricultural Advisory Committee concurs with staff that the Agriculture/Suburban interface should be revised to comply with approved policies.
- Although single family residential development on the subject site can be supported, lot sizes, buffering and resolution of the remainder portion of the site, located within the ALR, is required.

RECOMMENDATION

The Planning & Development Department recommends that this application be referred back to staff to work with the applicant to adequately address concerns identified in the report regarding the proposed Suburban and Agricultural lots, and buffering.

REFERRALS

- Engineering:** The Engineering Department has not commented on the application. Should this application be granted approval to proceed, Engineering will formally review the proposal.
- Agricultural Advisory Committee:** The proposal was reviewed at the June 5, 2008 AAC meeting. The AAC concurs with the recommendation to refer the project back to staff. The applicant should consolidate the southern portion of the subject site (2.4 acre remainder A-1 parcel) with the properties to the west and a no-build Restrictive Covenant should be registered until consolidation is realized. The proposed 7.5-metre (25 ft.) buffer should be widened to 15 metres (49 ft.) and the proposed lot sizes should be consistent with the half-acre gross density lots prescribed under Policy No. O-23. A chain link fence is required along the ALR boundary.
- Ministry of Transportation (MOT):** The Ministry of Transportation does not support direct access from Highway No. 10. To provide access to proposed Lot 20 a 6.0-metre (20 ft.) wide panhandle from 57 Avenue or a 6.0-metre (20 ft.) road dedication from 57 Avenue is required.

SITE CHARACTERISTICS

Existing Land Use: Single family dwellings on acreage residential lots to be removed.

Adjacent Area:

Direction	Existing Use	NCP or OCP Designation	Existing Zone
North (Across 57A Avenue):	Single family dwellings.	Urban Single Family in the West Cloverdale South NCP	RF
East (Across 168 Street):	Single family dwellings and Guy Richardson Park	Urban and Suburban in the OCP	RF and A-1
South (Across Highway No. 10 (56 Avenue and Railway):	Agricultural lands within the ALR.	Agricultural in the OCP	A-1

Direction	Existing Use	NCP or OCP Designation	Existing Zone
West:	Single family dwelling on an acreage lot, single family dwellings under construction (No. 7904-0440-00) and subdivision application for 11 suburban lots (No. 7905-0019-00).	Urban Single Family, Half Acre Cluster and Parks/Open Space in the West Cloverdale South NCP	RA, RF and CD (By-law No. 16325B)

APPLICANT'S JUSTIFICATION FOR THE PROPOSED NCP AND OCP AMENDMENT

The applicant has provided the following rationale to support the proposed OCP and NCP designation amendments. Staff comments are followed in italics.

- The applicant feels the proposed OCP amendment from Suburban to Urban and NCP amendment from Half-Acre Cluster to Urban Single Family on the northern portion of the subject site (proposed Lots 1-9) are consistent with the pattern approved to the west (File No. 7905-0019-00).

Although the original intent of the West Cloverdale South NCP was to maintain a Suburban buffer between the ALR lands to the south and the existing single family residential uses to the north, with Bell Road/57A Avenue as the dividing line between the Urban and Suburban land uses, an argument could be made that the proposed Urban lots are compatible with the newly-created RF lots to the west. Staff support the proposed amendments to the OCP and NCP for the northern portion of the site.

- The applicant feels the proposed NCP amendment from Parks/Open Space to Half Acre Cluster on the southern portion of the subject site (proposed Lots 15-18) is consistent with the pattern approved to the west (File No. 7905-0019-00).

The approved CD (By-law No. 16325B) lots to the west range in size from 1,000 square metres (10,764 sq. ft.) to 1,520 square metres (16,361 sq. ft.) which is larger than proposed Lots 10-18 which range in size from 853 square metres (9,182 sq. ft.) to 1,120 square metres (12,056 sq. ft.). The approved project to the west also provided a continuous 25-metre (82 ft.) wide linear park space and a 15-metre (49 ft.) wide landscape buffer. The subject application proposes a minimum 7.5-metre (25 ft.) wide linear park for an approximate length of 75.6 metres (248 ft.).

- The applicant has indicated that the proposed Parks/Opens Space has been amended to match the width of Guy Richardson Park to the east (across 168 Street) and that the open space corridor as shown in the NCP, can be achieved, if and when the lands to the south of the subject site come forward for development.

Guy Richardson Park, located on the east side of 168 Street is 72 metres (236 ft.) wide at this location. The West Cloverdale South NCP proposes a linear open space of a similar width on the west side of 168 Street.

The land to the south of the subject site, located at 5695 – 168 Street, is within the Agricultural Land Reserve (ALR). Due to this site to the south also being regulated by the Agricultural Land Commission, it is unlikely that development and/or subdivision of 5695 – 168 Street will occur and thus it is not reasonable to assume the northern portion of this property will be dedicated as Parks/Open Space. As a result staff have indicated the importance of maintaining the open space corridor on the subject site in accordance with the West Cloverdale South NCP. Otherwise a significant linear open space corridor as well as an adequate buffer from the ALR in accordance with Policy No. O-23 will not be provided.

- The applicant has submitted three examples of existing panhandle lots within the City of Surrey that they feel are similar to the undersized A-1 parcel with panhandle access proposed for the subject site.

Staff have reviewed the examples and indicated to the applicant the following:

- *The property located at 17030 Friesen Drive is split zoned A-1/RA and the RA portion meets the requirements of the RA Zone.*
- *The property located at 17040 - 57 Avenue is undersized and contrary to the requirements of the A-1 Zone. This subdivision was approved in 1994.*
- *The property located at 17098 - 57 Avenue was created through a consolidation of lots. The consolidation included a number of undersized parcels and was an improvement to the existing condition.*

DEVELOPMENT CONSIDERATIONS

- The subject site is located in the West Cloverdale South NCP on the west side of 168 Street south of 57A Avenue and encompasses three (3) properties located at 5713/49 – 168 Street and 16730 – 57A Avenue.
- The 3.12-hectare (7.72-acre) subject site is split-designated Suburban and Agricultural in the Official Community Plan (OCP) and split-zoned One-Acre Residential Zone (RA) and General Agricultural Zone (A-1). The southern portion of the parcel located at 16730 – 57A Avenue is also within the Agricultural Land Reserve (ALR).
- The site is designated Half-Acre Cluster, Parks/Open Space and ALR in the West Cloverdale South NCP (Appendix IV).
- The applicant is proposing the following:
 - an OCP Amendment from Suburban to Urban (for proposed Lots 1 to 9) along the northern portion of the site (Appendix V);
 - an NCP amendment from Half-Acre Cluster to Urban Single Family for the northern portion of the site;
 - an NCP amendment for the middle portion from Parks/Open Space to Half-Acre Cluster;
 - a rezoning from RA and A-1 to RF and CD (based on RH-G); and

- a Development Variance Permit

in order to allow subdivision into 9 urban single family lots, 9 small suburban residential lots, open space and an undersized remainder A-1 parcel within the ALR (Appendix II).

- The applicant is required to also submit a Development Permit application to address the landscape buffer along the southern edge of the residential lots to address the ALR interface.

Proposed Subdivision Layout

- The proposed RF lots located along the south side of 57A Avenue range in size from 560 square metres (6,028 sq.ft.) to 635 square metres (6,835 sq.ft.). The proposed CD lots (based on RH-G) located along the proposed 57 Avenue cul-de-sac, range in size from 853 square metres (9,181 sq.ft.) to 1,120 square metres (12,056 sq.ft.) (Appendix II).
- In accordance to City Policy No. O-23, the area located 200 metres (650 ft.) from the Agricultural Land Reserve (ALR)/Agricultural boundary is referred to as the Outer Ring Transition Area. Within the Outer Ring Transition Area, ½ acre subdivisions including gross density development may be allowed provided that at least one row of 1 acre lots are created immediately adjacent to the ALR/Agricultural boundary.
- The minimum lot size permitted in the RH-G Zone is 1,300 square metres (14,000 sq. ft.). A reduction in lot size to 1,120 square metres (12,000 sq. ft.) for 50% of the lots is permitted within a plan of subdivision where 15% or more of the lands are set aside as open space.
- The current proposal includes 15% dedication of open space (based on the gross land area of the CD portion of land). However, the proposed CD lots do not meet the minimum requirements for the reduced lot size of the RH-G Zone. The permissible reduction in lot size for up to 50% of the lots in the RH-G Zone would permit five of the lots to be reduced to 1,300 square metres (14,000 sq. ft.) and the remaining four lots to be further reduced in size to 1,120 square metres (12,000 sq. ft.).
- The proposed layout has all nine lots (100%) reduced in size: three lots to 1,120 square metres (12,000 sq. ft.); and the remaining six lots range in size from 853 square metres (9,182 sq. ft.) to 1,002 square metres (10,785 sq. ft.). The proposed lots are substantially smaller than permitted in the RH-G Zone..
- For comparison, the site to the west, was recently rezoned to CD (By-law No. 16325B). The approved CD-zoned lots range in size from 1,000 square metres (10,764 sq.ft.) to 1,520 square metres (16,361 sq.ft.), and are similar to half-acre gross density (RH-G) lots. This development included a dedicated parkland area of 8,430.4 square metres (2.1 acres) at the south portion of the site, which constitutes 15% of the gross land area for the CD-zoned portion of the subject site. Overall, 18% of the gross land area of the subject site was dedicated as parkland area.
- The proposed remainder A-1 lot is 2.4 acres (0.97 hectare) in size, which does not meet the minimum lot size of 10 acres (4 hectares) for lands within the ALR. The applicant has requested a Development Variance Permit to reduce the minimum lot size from 10 acres (4 hectares) to 2.4 acres (0.97 hectare).

- The proposed A-1 remainder parcel fronts Highway No. 10. The Ministry of Transportation will not permit direct access from Highway No. 10. The applicant is proposing a six-metre (20-ft.) wide right-of-way off of 57 Avenue adjacent to proposed Lot 15 for access. Staff indicated that this location is not appropriate as farm vehicles would be required to travel along the side yard of a single family lot. The proposed access location would also require crossing over the proposed parkland and a multi-use pathway.
- To avoid a proposed undersized remainder parcel and to comply with ALR regulations, staff strongly recommended that the applicant work with the adjacent lot owners to the west to consolidate the southern A-1-zoned portion of the subject site. The consolidation would also address the access issue
- By consolidating this portion of the subject site with the adjacent properties to the west, access would be taken from Old McLellan Road and the parcel size would be in accordance with the minimum 10-acre (4 hectares) parcel size required for A-1 lots in the ALR.
- To the west, an approved subdivision application (Application No. 7904-0440-00), created two (2) lots outside the ALR boundary (which were subsequently rezoned to RF and CD By-law No. 16325B [under Application No. 7905-0019-00]) and consolidated the remainder portions of properties within the ALR into one A-1 zoned parcel.

Parkland and Interface with the ALR

- The proposal reflects dedicated parkland area of 3,102 square metres (0.77 acre) at the south portion of the site, which constitutes 9.9% of the gross land area of the subject site or 15% of the proposed CD portion.
- A multi-use pathway is proposed to be located within the dedicated parkland parallel the ALR boundary, to provide an east-west pedestrian connection.
- The intent of the West Cloverdale South NCP is to provide a significant separation between the Half Acre Cluster designation and the ALR with a continuous Parks/Open Space corridor. Staff requested that the applicant provide a minimum 25-metre (82 ft.) wide Parks/Open Space area between the proposed lots and the ALR.
- A 25-metre (82 ft.) wide linear park space was provided on the approved application to the west (Application No. 7905-0019-00).
- The proposed width of the linear park space is not consistent. The proposed linear park space is 25 metres (82 ft.) wide for an approximate length of 57.1 metres (187 ft.). The width of the linear park then tapers down to 7.5 metres (25 ft.) wide for an approximate length 75.6 metres (248 ft.). The linear park space is proposed to connect up to 57 Avenue at an approximate width of 39 metres (128 ft.) for an approximate length of 15 metres (49 ft.).
- The majority of the land to the south of the subject site, located at 5695 – 168 Street, is located within the ALR. The applicant has suggested that additional width for the linear park space can be achieved from this lot to the south. However, it is unlikely that development and/or subdivision of the property located at 5695 – 168 Street will occur as it is located within the ALR.

- Staff have requested a minimum 25-metre (82 ft.) wide linear park corridor be provided on the subject site. Otherwise a linear open space corridor as well as adequate buffering from the ALR will not be provided.
- Staff have requested the applicant pursue development for the subject site, based on a layout that had previously been submitted by the applicant, and subsequently withdrawn. The previous proposal would require further modifications, however the minimum 25-metre (82 ft.) wide linear park corridor was indicated.

PROJECT EVALUATION

The advantages and community benefits or any justification for approving the project are:

- The applicant has confirmed in writing his offer to provide a voluntary community benefit contribution for 20 of the proposed lots in the amount of \$4,000 per lot for a total of \$80,000.
- The proposed development for the northern portion of the site follows the land use pattern recently established by the RF-zoned subdivision to the west.

The disadvantages and problems likely to result from approval of the project are:

- The proposal does not comply with Council's Policy No. O-23 Residential Buffering Adjacent the ALR/Agricultural Boundary.
- Approval of this proposal will set a precedent for future proposals adjacent ALR lands.
- The proposal will create an undersized A-1 zoned parcel in the ALR, which will require approval from the Agricultural Land Commission.
- The proposal does not provide sufficient buffering between the ALR and the proposed residential lots.
- The proposed open space is not a continuous minimum 25-metre (82 ft.) wide linear open space and therefore, not acceptable to the Parks, Recreation and Culture Department for the planned "Hook Greenway".
- Access to the remaining A-1 parcel located in the ALR is not desirable through a residential neighbourhood via 57 Avenue nor through the linear open space.

PRE-NOTIFICATION

Pre-notification letters were sent on May 9, 2008 and staff as recommended, received one (1) letter, with the following comments:

- Concern with the proposed change to the West Cloverdale South NCP, amendment from half acre lots to smaller lots. The writer wants the development to maintain larger half acre cluster lots consistent with the NCP.

(Although the original intent of the West Cloverdale South NCP was to maintain a Suburban buffer between the ALR lands to the south and the existing single family residential uses to the north, with Bell Road/57A Avenue as the dividing line between the Urban and Suburban land uses, an argument could be made that the proposed Urban lots are compatible with the existing lots to the west. Staff explained that staff supports the proposed amendments to the OCP and NCP for the northern portion of the site but have concerns with the layout for the remainder of the site.)

- Concern with the impact of the proposed amendment to the OCP and the West Cloverdale South NCP on traffic. The writer wants development consistent with the larger Suburban designated, half acre cluster lots. Currently, there are high volumes of traffic on 57A Avenue. An increase in smaller lots will only increase traffic and parking issues in this area, particularly on 57A Avenue.

(Staff indicated that the amendment to Urban in the OCP and Urban Single Family in the NCP on the northern portion of the subject site can be supported due to the existing development pattern established to the west. However, lot sizes of the proposed CD zoned lots and buffering need to be increased, as well as resolution of the remainder portion of the site, located within the ALR, is required.)

CONCLUSION

- Some aspects of this proposal have merit.
- The proposed OCP amendment from Suburban to Urban for that portion of the subject site fronting 57A Avenue is consistent with the land use pattern recently approved to the west under File No. 7905-0019-00.
- However, the proposed open space and lot sizes abutting the ALR boundary to the south require further resolution to address this interface, as documented in the West Cloverdale South NCP and Policy O-23.
- The applicant has demonstrated an alternative layout, with modifications, can satisfy most concerns regarding the proposed Suburban and Agricultural components.
- On balance, the Planning and Development Department believes the negative impacts of this project out-weigh its advantages and, therefore, recommends that this project be referred back to staff to work with the applicant to address the issues documented in this report.

- If Council refers this application back to staff as recommended, the following actions will be necessary prior to bringing the application forward for consideration of approval to proceed:
 - Submission of Development Permit application and associated fees to satisfy the agricultural landscape buffer requirement;
 - Submission of a revised subdivision layout addressing lot size and open space requirements;
 - Inclusion of the lots to the west to facilitate consolidation of the lands within the ALR;
 - Updated arborist report, lot grading and building scheme based on the revised subdivision layout;
 - Draft a CD Zone to accommodate the revised layout;
 - Review by the AAC of the revised layout; and
 - Resolution of any engineering servicing and access issues.

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 and Landscape Plans
Appendix III.	Agricultural Advisory Committee Draft Motion
Appendix IV.	Existing West Cloverdale South NCP
Appendix V.	Proposed OCP Amendment

Jean Lamontagne
General Manager
Planning and Development

JLM/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: Theresa Rowle
 Address: #200 - 0128 - 152 Street
 Surrey, BC
 V3R 4E7
 Tel: 604-583-1616

2. Properties involved in the Application
 - (a) Civic Addresses: 5713 and 5749 - 168 Street; 16730 - 57A Avenue

 - (b) Civic Address: 5713 - 168 Street
 Owner: Avtar Singh Bilg and Rupinder Kaur Bilg
 PID: 010-507-451
 Lot "C" Section 12 Township 2 New Westminster District Plan 19493

 - (c) Civic Address: 5749 - 168 Street
 Owner: New Urban Investments Ltd., Inc. No. 790452
 PID: 010-507-434
 Lot "B" Section 12 Township 2 New Westminster District Plan 19493

 - (d) Civic Address: 16730 - 57A Avenue
 Owner: New Urban Investments Ltd., Inc. No. 790452
 PID: 007-435-983
 Parcel "A" (Explanatory Plan 9012), Except: Part on Plan BCP13325 Lot 5
 South East Quarter Section 12 Township 2 New Westminster District Plan
 BCP13325

3. Summary of Actions for City Clerk's Office

SUBDIVISION DATA SHEET

Proposed Zoning: CD, RF and A-1

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	7.72 ac
Hectares	3.12 ha
NUMBER OF LOTS	
Existing	3
Proposed	20
SIZE OF LOTS	
Range of lot widths (metres)	12 m - 64.5 m
Range of lot areas (square metres)	560 m ² - 9,514 m ²
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	2.58 lots/ac 6.39 lots/ha
Lots/Hectare & Lots/Acre (Net)	3.03 lots/ac 7.49 lots/ha
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	34.1%
Estimated Road, Lane & Driveway Coverage	
Total Site Coverage	
PARKLAND	
Area (square metres)	3,102 m ²
% of Gross Site	9.9%
	Required
PARKLAND	
5% money in lieu	NO
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
Minimum Lot Size	YES