

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7907-0179-00

Planning Report Date: February 11, 2008

PROPOSAL:

- Partial Land Use Contract Discharge
- Rezoning from RF to RF-12

in order to allow subdivision into two RF-12 lots.

LOCATION:

12937 - 88 Avenue

OWNER:

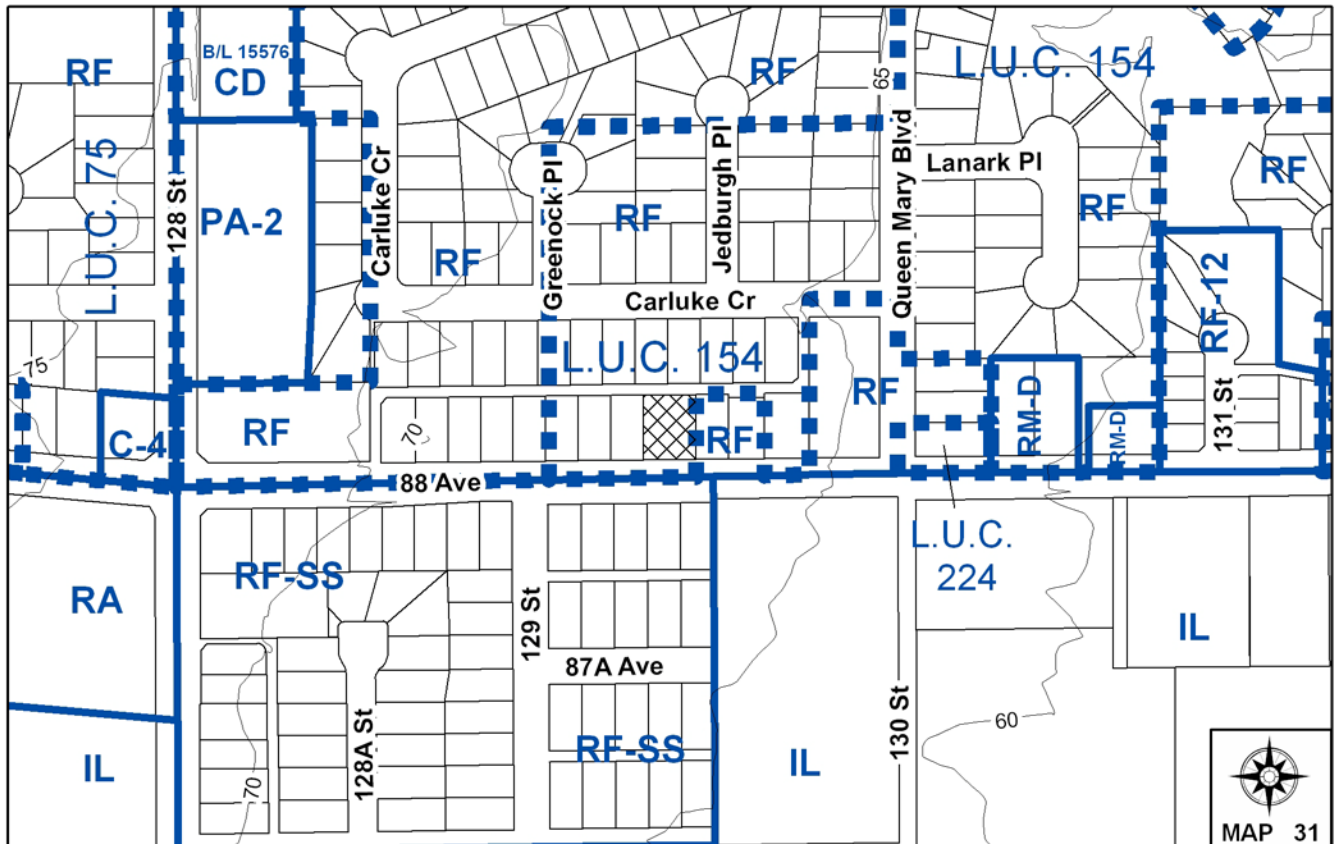
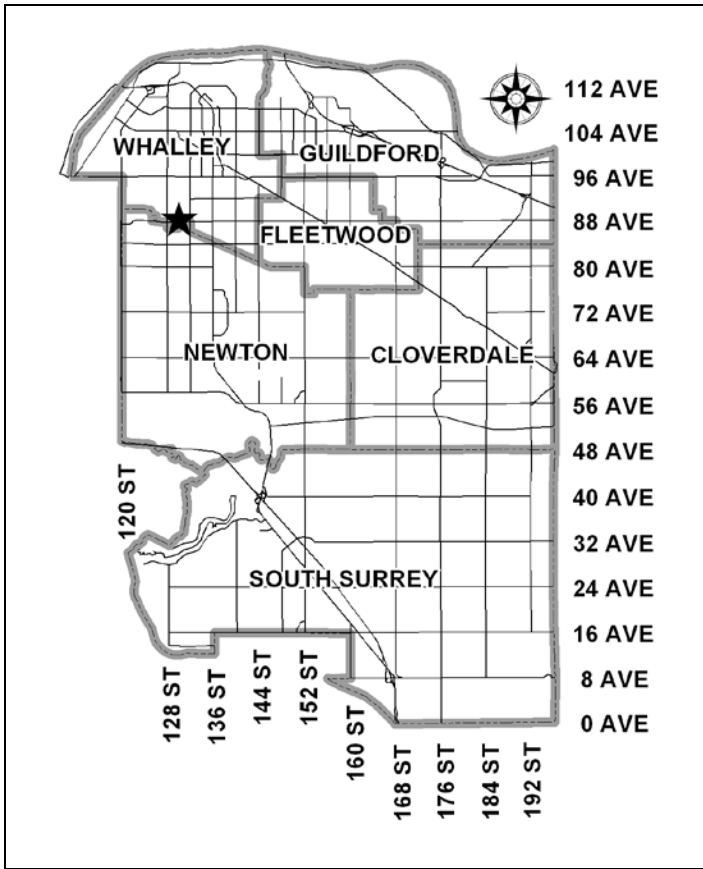
Jatinderpal and Gurwinder Gill

ZONING:

LUC No. 154 (Underlying RF Zone)

OCP DESIGNATION:

Urban



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for:
 - Partial Land Use Contract Discharge; and
 - Rezoning.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Approving this proposal will result in the discharge of Land Use Contract No. 152 on the subject site, and the registration of a Section 219 Restrictive Covenant (Building Scheme). This will allow for greater design control of the new single family homes, and will also allow for greater restriction of the maximum allowable floor area.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to partially discharge Land Use Contract 154 and a date for Public Hearing be set.
2. a By-law be introduced to rezone the subject site from "Single Family Residential Zone (RF)" (By-law No. 12000) to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) and a date be set for Public Hearing.
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) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department;
 - (e) registration of a Section 219 Restrictive Covenant for an increased front yard setback from 6.0 metres (20 ft.) to 8.0 metres (26 ft.);
 - (f) registration of a Section 219 Restrictive Covenant on all lots to require noise mitigation measures to reduce the impact of external noise from the proximity to 88 Avenue; and
 - (g) registration of a Section 219 Restrictive Covenant on proposed Lot 2 to increase the rear yard setback for the detached garage to 6.5 metres (21 ft.) and to restrict the driveway width to 4.0 metres (13 ft.).

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:

1 Elementary students at David Brankin Elementary School
0 Secondary students at Queen Elizabeth Secondary School

(Appendix IV)

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling which will be demolished.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Single family dwellings.	Urban	LUC No. 154 (underlying RF)
East:	Single family dwellings.	Urban	RF
South (Across 88 Avenue):	Single family dwellings.	Urban	RF-SS
West:	Single family dwellings.	Urban	LUC No. 154 (underlying RF)

DEVELOPMENT CONSIDERATIONS

- The subject site is located on the north side of 88 Avenue in the Queen Mary Elementary School catchment area of Whalley. The site is designated Urban in the Official Community Plan (OCP).
- The subject site is currently regulated under Land Use Contract (LUC) No. 152, with an underlying "Single Family Residential Zone" (RF). The applicant is proposing to discharge LUC No. 152 from the subject site and rezone to "Single Family Residential (12) Zone" (RF-12) to allow subdivision into approximately two small single family lots. The proposed RF-12 Zone is consistent with the designation in the Official Community Plan (OCP).
- The existing lots in the block range in area and width, from 669 square metres (7,200 sq.ft.) in area and 18.29 metres (60 ft.) in width, to 3,135 square metres (0.7 acres) in area and 39.62 metres (130 ft.) in width.
- The two proposed lots conform to the minimum requirements of the RF-12 Zone in terms of lot area, width and depth. They range in size from 514 square metres (5,533 sq.ft.) to 537 square metres (5,780 sq.ft.) and in width from 14.6 metres (48 ft.) to 15.2 metres (50 ft.). Both lots are 35.3 metres (116 ft.) in depth. The proposed lot areas are slightly smaller than permitted in the RF Zone, and thus RF-12 zoning is being requested.
- While the proposed lot areas and widths of the proposed RF-12 lots are smaller than the existing lots in this area, the advantages of the proposal outweigh any disadvantages.

- The existing LUC does not specify a maximum house size. As well, there is currently no registered building scheme regulating the design of a single family house that could be built on the subject site.
- The proposed discharge of LUC No. 152 from the subject site and rezoning to RF-12 to permit subdivision into 2 lots will limit the maximum house size to 260 square metres (2,800 sq.ft.) and will require the registration of a Section 219 Restrictive Covenant (Building Scheme). This will allow for greater design control of the new single family homes.
- The two proposed lots will front onto 88 Avenue. Access will be gained from an existing lane.
- The applicant is proposing to dedicate a 0.306-metre (1.0 ft.) wide portion of the lot frontage for the widening of 88 Avenue.
- The consultant for the applicant, Coastland Engineering and Surveying Ltd., successfully demonstrated that the remainder of the block could be subdivided in a similar manner as that proposed for the subject site.
- In order to mitigate the noise concerns related to the location of the subject site adjacent to 88 Avenue, which is a 4-lane arterial road, the applicant is proposing to register a Restrictive Covenant in order to increase the minimum front yard setback from the 6.0 metres (20 ft.) required of the RF-12 Zone to 8.0 metres (26 ft.).
- In addition, the applicant will be required to register a Restrictive Covenant to require noise mitigation measures to reduce the impact of external noise from the proximity to 88 Avenue. The applicant, who will also be the builder, is proposing to install triple-glazed windows and a higher wall rating along the front wall of the proposed houses.
- The applicant for the subject site has retained Apex Design Group 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 (Appendix V). A clause detailing noise mitigation measures will be included in the building design guidelines requiring these measures be designed into the construction of the houses.
- In-ground basements are not proposed based on the lot grading and tree preservation information that was provided by the applicant. The information has been reviewed by staff and found to be generally acceptable.
- Basement-entry homes and secondary suites will not be permitted.
- C. Kavolinas and Associates prepared the Arborist Report and Trees Preservation/Replacement Plans. They have been reviewed by the City's Landscape Architect and deemed acceptable.
- The Arborist Report indicates there are 13 mature trees on the subject site. The report proposes the removal of 6 trees because they are located either within the building envelopes or the footprint of underground services. The Report proposes 7 trees be retained; 2 on proposed Lot 1, 3 on proposed Lot 2, and 2 within the boulevard. Two (2) replacement trees will be planted for a total of nine (9) trees on site, providing for an average of 4.5 trees per lot.

- Two of the trees to be preserved are at the rear property line on proposed Lot 2. In order to ensure the root zones of these trees are not impacted by the future siting of the garage and driveway, the applicant will be required to register a restrictive covenant to increase the rear yard setback for the detached garage to 6.5 metres (21 ft.) and to restrict the driveway width to 4.0 metres (13 ft.).
- The following chart provides a summary of the proposed tree retention and removal by species:

Tree Species	Total Number of Trees	Proposed for Retention	Proposed for Removal
London Plane	2	2	0
Cherry	1	0	1
Cypress	1	0	1
Chestnut	1	0	1
Poplar	5	5	0
Spruce	2	0	2
Willow	1	0	1
Total	13	7	6

- Under the Tree Protection By-law, tree replacement is required at specified ratios. Protected trees are to be replaced at a ratio of 2:1, while alder and cottonwood trees are to be replaced at a ratio of 1:1. As zero (0) alder and cottonwood trees are proposed to be removed, and six (6) other trees are to be removed, a total of twelve (12) replacement trees would be required for this application. The applicant proposes two (2) replacement trees. Under the requirement of the new Tree Preservation By-law, this would result in a tree replacement deficit of 10 trees. As such, under the new By-law, monetary compensation for the remaining 10 trees will be \$3,000 based on \$300/tree, and will be required prior to consideration of final adoption.

PRE-NOTIFICATION

Pre-notification letters were sent out on December 10, 2007 and staff received no responses.

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

INFORMATION AVAILABLE ON FILE

- Land Use Contract No. 154

Jean Lamontagne
General Manager
Planning and Development

CA/kms

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SUBDIVISION DATA SHEET

Proposed Zoning: RF-12

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	0.27
Hectares	0.11
NUMBER OF LOTS	
Existing	1
Proposed	2
SIZE OF LOTS	
Range of lot widths (metres)	14.6 - 15.2 m
Range of lot areas (square metres)	574 - 537 sq.m.
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	18.2/ha 7.4/ac
Lots/Hectare & Lots/Acre (Net)	18.9/ha 7.7/ac
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	50
Estimated Road, Lane & Driveway Coverage	16
Total Site Coverage	66
PARKLAND	
Area (square metres)	n/a
% of Gross Site	
	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
Others	NO