

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7908-0094-00

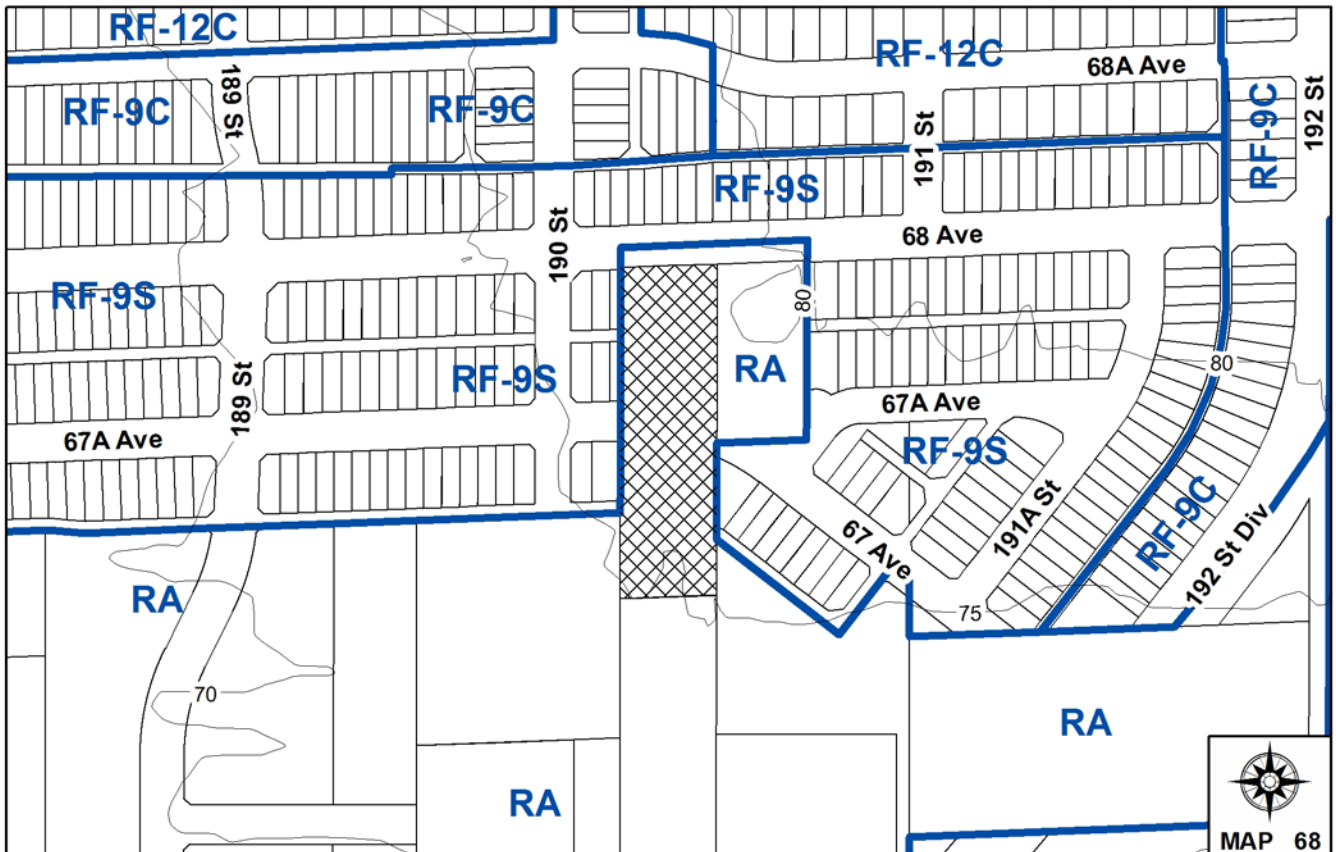
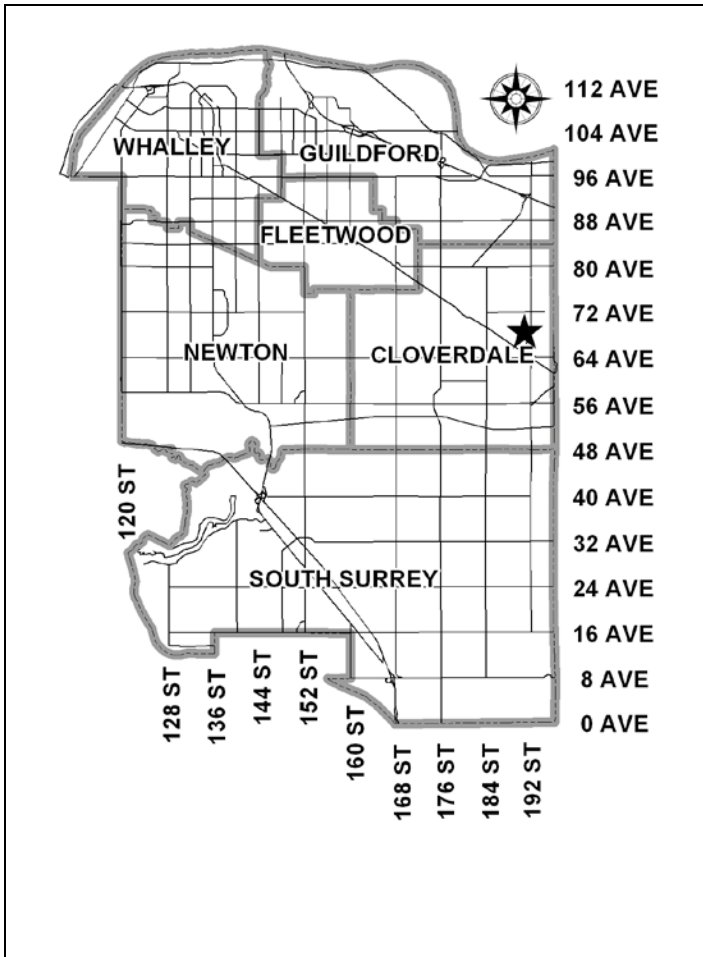
Planning Report Date: February 23, 2009

PROPOSAL:

- **NCP Amendment** of a portion of the subject site from Business Park to Special Residential 10-15 upa
- **Rezoning** of a portion of the subject site from RA to RF-9S

in order to allow subdivision into 14 special single family lots and one remnant portion for future business park.

LOCATION: 19038 - 68 Avenue
OWNER: Peter Mario Banicevic
ZONING: RA
OCP DESIGNATION: Urban
NCP DESIGNATION: Business Park and Special Residential 10-15 upa



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.
- Is consistent with the recent NCP amendment to adjacent parcels.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone a portion of the subject site as shown on the Survey Plan (Appendix I) from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Special Single Family Residential (9) Zone (RF-9S)" (By-law No. 12000) and a date be set for Public Hearing.
2. 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) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (e) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department;
 - (f) registration of a Section 219 Restrictive Covenant on proposed Lot 11 to protect the required buffer area;
 - (g) registration of a Section 219 Restrictive Covenant notifying future owners of the more stringent Building Code requirements that have to be complied within constructing or upgrading an existing house to operate a business as permitted under the RF-9S Zone; and
 - (h) registration of a Section 219 Restrictive Covenant to secure a "no build" on portions of proposed Lots 11 and 14 to ensure future consolidation with adjacent parcels and to protect a portion of Lot 11 for future development based on the Business Park designation in the NCP.
3. Council pass a resolution to amend East Clayton Neighbourhood Concept Plan to redesignate a portion of the land from "Business Park" to "Special Residential 10-15 upa" 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 III.

School District: **Projected number of students from this development:**

5 Elementary students at Latimer Road Elementary School
2 Secondary students at Clayton Heights Secondary School

(Appendix IV)

Parks, Recreation & Culture: The applicant should provide park amenity contributions on a per unit basis as per the NCP Stage 2 adopted by Council. The applicant should provide cash-in-lieu of 5% parkland. There are no other specific concerns with this application.

SITE CHARACTERISTICS

Existing Land Use: Two-acre site with one single family dwelling which will be removed.

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North (Across 68 Avenue):	Special (i.e. live, work) single family dwellings (approved Development Application No. 7903-0287-00).	Special Residential 10-15 upa	RF-9S
East:	Single family dwelling on 1-acre lot and special (i.e. live, work) single family dwellings (approved under Development Application No. 7905-0384-00).	Special Residential 10-15 upa	RA and RF-9S
South:	Vacant land.	Business Park	RA
West:	Special (i.e. live, work) single family dwellings and vacant land approved under Development Application No. 7906-0099).	Special Residential 10-15 upa and Business Park	RF-9S and RA

JUSTIFICATION FOR PLAN AMENDMENT

- The 8,085-square metre (2-acre) subject site is located south of 68 Avenue and is the last of a large block of parcels that is split-designated Special Residential and Business Park in the East Clayton NCP. Specifically, the NCP identifies the northerly portion amounting to 4,368 sq. m. (1.1 acres) for Special Residential, with the remainder portion (3,717 sq.m. or 0.9 acre) for Business Park (Appendix VII).
- The Business Park designation allows uses that may include high tech industries and light (clean) manufacturing that will create local employment. The designation supports the City's vision of creating complete communities.
- The Special Residential designation, on the other hand, accommodates residential developments with densities ranging from 10-15 units per acre in either single detached dwellings, townhouses or row houses that allow, as an optional use, certain types of home-based businesses or occupations. This designation is specifically identified for the lands south of 68 Avenue to provide the needed transition to the Business Park designation further to the south and to increase employment opportunities.
- The applicant is proposing to amend the NCP designation on a portion of the subject site south of the 67A Avenue alignment from Business Park to Special Residential to allow the development of small lots under the RF-9S Zone.
- The subject application continues the land use pattern that has been established by completed nearby applications.
- On June 25, 2007, Council approved rezoning by-laws (By-law Nos. 16183, 16184, and 16293) for three separate applications (File Nos. 7905-0137-00, 7906-0099-00, and 7906-0255-00, respectively) on the same block as the subject site to allow a similar re-designation of portions from Business Park to Special Residential and rezoning from RA to RF-9S (Appendix III).
- On January 28, 2008, Council approved rezoning By-law No. 16183 for an application (File No. 7905-0384-00) to the immediate east of as the subject site, to allow a similar re-designation of portions from Business Park to Special Residential and rezoning from RA to RF-9S (Appendix III).

DEVELOPMENT CONSIDERATIONS

- The subject property is located on the south side of 68 Avenue, east of 190 Street, in the East Clayton Neighbourhood Concept Plan (NCP) area. The site is designated Urban in the Official Community Plan (OCP) and is split-designated Special Residential and Business Park in the East Clayton NCP. The site is currently zoned One-Acre Residential (RA).
- The applicant is proposing to rezone the majority of the subject property to Special Single Family Residential (9) Zone (RF-9S) to allow subdivision into fourteen special residential lots (i.e. live, work) and one remnant portion for future business park use.

- The applicant proposes to amend a portion of the East Clayton NCP from Business Park to Special Residential 10-15 u.p.a., which is consistent with the development applications approved to the east and west of the subject site.
- The development proposal complies with the OCP and is consistent with recent NCP amendments approved for adjacent development applications.

Proposed Subdivision Layout

- The development will complete the following road dedication requirements:
 - the dedication and construction of rear lanes, providing rear driveway access for each lot in compliance with the RF-9S Zone; and
 - dedication and construction of 67A and 68 Avenues, providing street frontage to the proposed single family lots and on-street parking options.
- All of the proposed lots conform to the minimum requirements of the RF-9S Zone in terms of lot area, width and depth. These lots range in size from 269 sq.m. (2895 sq.ft.) to 337 sq.m. (3627 sq.ft.), and will have lot widths of 9.0 metres (30 ft.) to 13.7 metres (45 ft.).
- The remaining southern-most portion of the subject site, which is not proposed for rezoning, does not have legal road frontage. The applicant is proposing to "hook" this southern-most RA zoned portion to proposed Lot 11 (to be created under the RF-9S Zone). This will result in a split-zone situation, which is considered acceptable in this particular situation. Furthermore, a "no build" Restrictive Covenant will also be required to ensure that this particular portion of proposed Lot 11 south of the lane, will not be developed until consolidated with adjacent lots.
- A second "no-build" Restrictive Covenant will be placed over a portion of proposed Lot 11 to ensure that the westerly portion of the lot, zoned RF-9S, is consolidated with the lands to the west (19014-67A Avenue)
- A "no-build" Restrictive Covenant will be placed over a portion of proposed Lot 14 in order to permit the future development of 19048-67A Ave to the east.

Building Code Implications

- The RF-9S Zone permits either a coach house or a secondary suite, but not both. The RF-9S Zone also permits a wider range of home-based businesses. Examples of home-based business include the selling of goods and services, operating an eating establishment or a bakery, craft making and similar uses. However, in order to pursue any of these "work" activities in combination with the single family dwelling use, the owners will be required to build the house in compliance with the requirements of the Building Code.
- To ensure that future owners are made aware of the "live-work" opportunities as permitted under the RF-9S Zone and the corresponding Building Code requirements for "live work" options, the applicant will be required to register a Section 219 Restrictive Covenant, giving such notice to future owners. The registration of the Covenant is a subject condition of rezoning.

Design Guidelines

- Sandbox Designworks prepared the Neighbourhood Character Study and Building Scheme, dated May 30, 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.
- The design guidelines prepared for this development application are in accordance with those established in the East Clayton Neighbourhood Concept Plan. The design guidelines reinforce the relationship of the residential units to the street.
- The design guidelines permit a secondary suite or a coach house, but not both, on each lot.
- The design guidelines prohibit the construction of basement-entry homes.

Lot Grading and Tree Preservation

- Preliminary lot grading plans were prepared and submitted by McElhanney Consulting Services Ltd. The plans were reviewed by staff and found acceptable.
- Fill is proposed over proposed Lots 1-5 to meet the proposed road grade for 68 Avenue. Fill is also proposed over proposed Lots 11-14. In-ground basements can be achieved for all proposed lots.
- Mike Fadum & Associates Ltd. prepared the Arborist Report and Tree Preservation / Replacement Plans. They have been reviewed by City staff and require minor revisions.
- The chart below provides a summary of the tree retention and removal by species:

Tree Species	Total No. of Trees (on-site and off-site)	Total Proposed for Retention	Total Proposed for Removal
Red Alder	23	4	19
Paper Birch	2	0	2
Western Red Cedar	4	2	2
Black Cottonwood	1	1	0
Douglas Fir	10	0	10
Bigleaf Maple	39	10	29
Total	79	17	62

- According to the tree summary, 79 mature trees are identified on the subject site with 62 of them to be removed (Appendix VI) because they are either located within a proposed building envelope, are within a road right-of-way, or are of poor health. All retained trees are located within the Business Park-designated portion of the subject site.
- Based on the Tree Protection Bylaw (No. 16100), 106 replacement trees are required. The number of replacement trees being proposed is 29, with a minimum of 2 trees proposed for each residential lot.

- The applicant is required to contribute to the City Green Tree Fund, as a result of the shortfall in 77 replacement trees.

PRE-NOTIFICATION

Pre-notification letters were sent on July 25, 2008 and staff received three phone calls with the following comments (*staff comments in italics*):

- One caller asked about the development potential for the adjacent lot to the east.

(Staff provided the caller with a preliminary subdivision layout of the subject site which included a preliminary concept of how the adjacent lot could be subdivided)

- One caller asked about what types of uses are permitted in the RF-9S Zone.

(Staff explained to the caller that the RF-9S Zone permits one secondary suite or a coach house, but not both. The zone also permits an expanded list of permitted home-based businesses)

- One caller has been experiencing flooding in and around his dwelling due to runoff from upstream development. He would like to ensure that the lot grading plans for the subject site will not cause water pooling on the caller's property. The caller is also interested in having a tree retained on a shared property line between the caller's property and the subject property (the tree species and location were not identified by the caller).

(Staff investigated the caller's concern about drainage with the Engineering Department. The Engineering Department have contacted the applicant for the project to the east to address the issues identified by the neighbour. Furthermore, staff reviewed the lot grading plans submitted by the applicant and have ensured that a french drain be installed to capture the water flowing from the neighbour's property. Staff reviewed the arborist report and tree plan for the subject site. As the caller did not identify the tree species or location, staff were not able to identify the tree in question. All of the trees proposed to be removed near the caller's property line are either within a proposed right of way, would negatively impact the ability to achieve a house on the proposed lots, or are of poor health.)

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.	Proposed Subdivision Layout
Appendix III.	Recently Approved Applications in the Vicinity of the Subject Site
Appendix IV.	Engineering Summary

- Appendix V. Building Design Guidelines Summary
- Appendix VI. Summary of Tree Survey and Tree Preservation
- Appendix VII. Proposed NCP Amendment

Jean Lamontagne
General Manager
Planning and Development

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SUBDIVISION DATA SHEET

Proposed Zoning: RF-9S

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	2 ac.
Hectares	0.8 ha
NUMBER OF LOTS	
Existing	1
Proposed	14+ remnant RA for future Business Park
SIZE OF LOTS	
Range of lot widths (metres)	9 m - 11 m
Range of lot areas (square metres)	270 m ² - 540 m ²
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	9.53 upa/
Lots/Hectare & Lots/Acre (Net)	2,355 upha
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	37.5%
Estimated Road, Lane & Driveway Coverage	18.2%
Total Site Coverage	55.7%
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
Lot Area	YES