

City of Surrey
PLANNING & DEVELOPMENT REPORT
File: 7908-0182-00

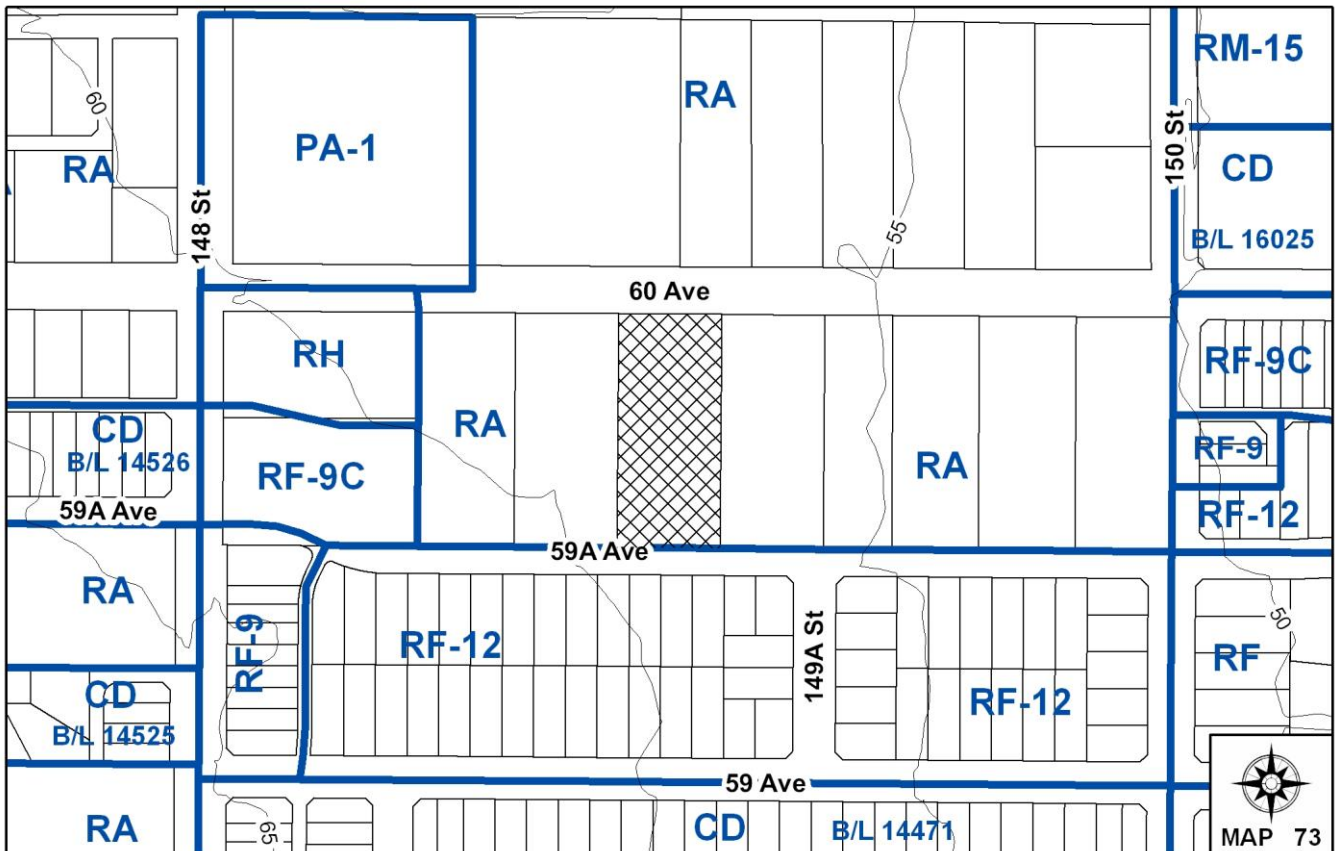
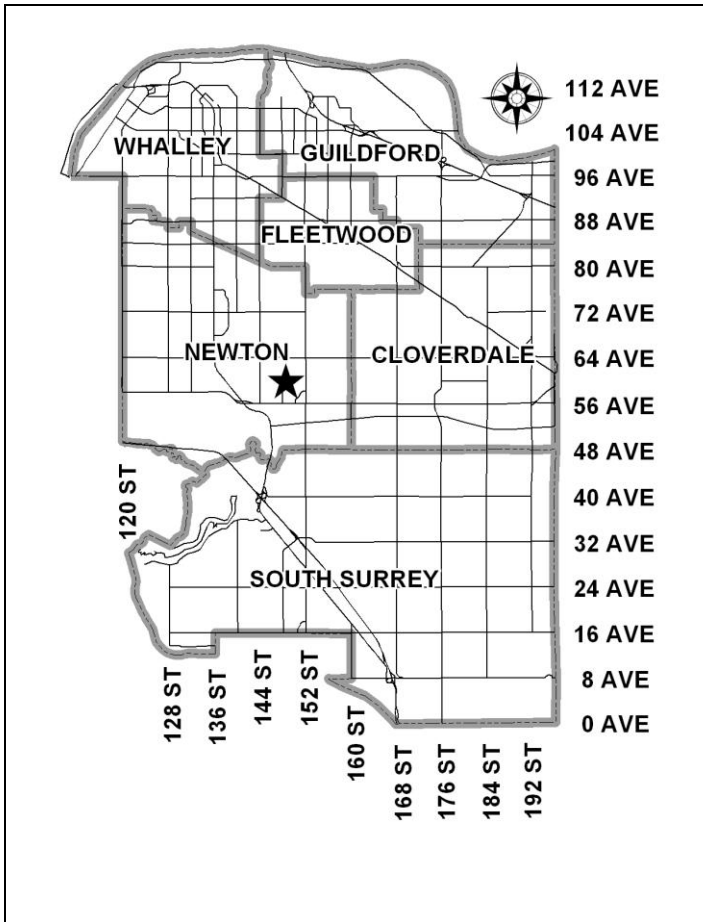
Planning Report Date: April 20, 2009

PROPOSAL:

- **Rezoning** from RA to RF-9C and CD (based on RH)
- **Development Variance Permit** to relax servicing requirements for the existing residential lot on 60 Avenue

in order to allow subdivision into 5 single family small lots with coach houses and create a remnant lot for future mixed-use development.

LOCATION: 14896 - 60 Avenue
OWNERS: Malcolm Russell Clay and Darleen Marie Clay
ZONING: RA
OCP DESIGNATION: Urban
NCP DESIGNATION: Commercial Residential Townhouse and Single Family Small Lots



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Requesting relaxation of road and sanitary sewer improvements along a portion of 60 Avenue until proposed Lot 6 is rezoned in compliance with the South Newton NCP.

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Complies with NCP Designation.
- Variance required to allow the south portion of the lot to develop in accordance with the South Newton NCP.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone Block 1 on the Survey Plan attached as Appendix I from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
2. a By-law be introduced to rezone Block 2 on the Survey Plan attached as Appendix I from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (9) Coach House Zone (RF-9C)" (By-law No. 12000) and a date be set for Public Hearing.
3. Council approve Development Variance Permit No. 7908-0182-00, (Appendix VII) varying the following, to proceed to Public Notification:
 - (a) to relax road and sanitary sewer improvements along the portion of 60 Avenue;
4. 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) registration of a Section 219 Restrictive Covenant on proposed Lot 6 stating that, should the existing septic system fail, the property owner will be required to extend City sanitary sewer to service the property.
 - (e) registration of a Section 219 "no build" Restrictive Covenant on proposed Lot 6 lot to prevent development, including reconstruction, major renovation or alteration of the existing dwelling, to protect the site for future mixed-use development;
 - (f) the applicant address the shortfall in tree replacement to the satisfaction of the City Landscape Architect; and
 - (g) submission of a report from a certified professional at servicing agreement stage to confirm the existing septic system on the site is functioning adequately, to the satisfaction of the General Manager, Engineering.

REFERRALS

Engineering:

The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix III. A DVP to vary road and sanitary services on the remnant lot fronting 60 Avenue is supported

provided the applicant confirm the existing septic system is functioning properly and registration of a Section 219 Restrictive Covenant on the remnant lot to ensure that if the septic system fails, the applicant will be required to connect to an existing City sewer system.

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

2 Elementary students at Cambridge Elementary School
1 Secondary student at Sullivan Heights Secondary School

(Appendix IV)

Parks, Recreation & Culture: No concern.

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling that will be retained.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North (Across 60 Avenue):	Single family lot with in-stream application at Third Reading (7907-0313-00) for mixed commercial/residential townhouse development.	Urban/Commercial and Residential Townhouses	RA
East and West:	Single family lots, with in-stream applications at Third Reading (7907-0047-00 and 7907-0178-00) for a combination of small lots and mixed use commercial/residential development.	Urban; Mixed-Use Commercial/Residential and Single Family Small Lots	RA
South (Across 59A Avenue):	Single family dwellings on small lots.	Urban/ Single Family Small Lots	RF-12

DEVELOPMENT CONSIDERATIONS

Background

- The subject 0.43 hectare (1.07 acres) site consists of one (1) property that is located between 59A and 60 Avenues. The property is designated "Urban" in the OCP and is located within the South Newton NCP. Under the NCP, the site has a combination of Single Family Small Lots and Mixed Commercial/Residential Townhouses designations.
- The subject property is currently zoned "One-Acre Residential Zone (RA)". Properties to the north, east and west are zoned RA, while the property immediately to the south is zoned RF-12.
- The South Newton NCP designates the subject site as Single Family Small Lots (southern portion) and Mixed Commercial/Residential Townhouses (northern portion). At this time, only the southern portion is being proposed for development under the proposed RF-9C Zone. The northern portion (proposed Lot 6) is proposed to be rezoned to a "holding" CD Zone until future development is proposed in accordance with the NCP development.
- The Single Family Small Lots designation within the NCP was established to achieve the objective of building a community with a mix of housing densities and lot types. The five proposed RF-9C lots are maintaining this objective of the NCP.
- Two lots immediately to the west, Project No. 7907-0047-00, are under application to create ten RF-9C lots and one remnant RH lot. The site at the south-east corner of 148 Street and 60 Avenue under Project No. 7906-0216-00 has been approved and nine RF-9C lots and one remnant RF lot have been created. The road pattern for 59A Avenue that was established at that time will be completed with this current application.
- A CD Zone (based on RH) is proposed for the northern portion of the subject site to accommodate the existing residential dwelling. The zone will have the characteristics of a RH lot but with a reduction to the minimum lot area.

Proposed Development

- The proposed subdivision pattern is generally in keeping with the NCP layout, with an east-west lane dividing the future mixed commercial/residential townhouses and the proposed small lots.
- The proposed CD Zone for proposed Lot 6 is intended to be created as a remnant lot to allow the existing house to be kept on the property. The owner is proposing to develop this lot in the future when the opportunity arises.
- The proposed coach houses are an appropriate interface for this location. The proposed RF-9C lots are slightly smaller in size compared to the RF-12 lots to the south, but are somewhat larger in size than the RF-9 lots to the east across 150 Street. The general pattern of development in this area reflects smaller lot sizes, therefore comparing this proposal to recent developments in the area it is appropriate.

- The northern portion is designated mixed commercial/residential townhouses with coach houses backing onto it. This interface is suitable for this location given that the RF-9C lots will have a greater depth than the minimum required under the By-law No. 12000.

Subdivision Layout

- All the proposed RF-9C lots meet the minimum size requirements of the RF-9C Zone – Type I lots. The lot areas of the five Type I proposed lots alternate between 362.5 square metres (3,901.9 sq.ft.) and 393.6 square metres (4,236.7 sq.ft.), with frontage alternating between 8.3 metres (27.2 ft.) and 9 metres (29.6 ft.) and an average depth of 43.6 metres (143 ft.).
- Given that the proposed development is for RF-9C lots on the southern portion, lane access is required from the rear of these lots. The lane which intersects with 148 Street to the west and 150 Street to the east of the subject site has already been completed under previous applications.
- The applicant will be required to contribute 8.5 metres (28 ft.) to the construction of 59A Avenue and 0.942 metre (3 ft.) on 60 Avenue. An 8-metre (26 ft.) wide commercial lane will also be required for the site.

Relaxation of Servicing Requirements Along 60 Avenue

- The Engineering Department has no objection to the proposal by the applicant to relax road and sanitary sewer improvements on 60 Avenue. The DVP for this variance is described below. However a Section 219 No-Build Restrictive Covenant stating that should the existing septic sewage system fail, the property owner will be required to extend City sanitary sewer to service the property must be registered on title as a condition of this rezoning. The services must be extended once the lot undergoes rezoning to commercial/residential use in the future.
- The owner will be required to submit a report from a certified practitioner during the Servicing Agreement stage confirming that the existing septic system is functioning properly, to the satisfaction of the Engineering Department.

Building Design Guidelines

- The applicant has retained Tynan Consulting Limited as the Design Consultant for this project. The Design Consultant conducted a character study for the surrounding homes and based on the findings proposed a set of building design guidelines for the proposed RF-9C lots (Appendix V).
- The design for the proposed RF-9C lots will include Neo-Traditional, Neo-Heritage, and Craftsman-Heritage styles, which would meet current design standards. These lots will establish a strong style relationship with neighbouring "context homes" in the 14800 and 14900 blocks of 59A Avenue. Similar home types, sizes, massing characteristics with respect to balance and proportionality, roof types, pitch and materials will be used for all homes on the proposed RF-9C lots.

- The RF-9C Zone allows either a coach house or a secondary suite. The guidelines reflect the fact that the coach house living area above the garage in the rear of the dwellings will form an integral part of the design of the coach house, and shall be compatible with the design of the principle dwelling. No secondary suites are proposed for this development.
- The Design Consultant recommends using "natural" colours such as browns, greens, clays and other earth-tones, and "neutral" colours such as grey, white and creams. "Primary" colours in subdued tones such as navy blue, colonial red or forest green can be considered when neutral trim colours are used and a comprehensive color scheme is provided. The roofing will also reflect the style objectives with a minimum roof pitch of 8:12 with shake profile asphalt shingles with raised ridge caps as the only material to be used on the roofs.
- In-ground basements are permitted and are proposed on all RF-9C lots, subject to determination that the servicing on the site allows basements under conventional gravity services. The applicant will be required to confirm this. Basement-entry homes are not permitted.

Lot Grading

- A preliminary Lot Grading Plan submitted by Coastland Engineering & Surveying Ltd has been reviewed by staff and is considered acceptable. The plan indicates fill greater than 0.5 m (1.6 ft) is proposed along the front of proposed Lot 1. This fill is proposed to extend approximately along the entire width of proposed Lot 1 as well as partially into proposed Lot 2 to the east. A minimal amount of fill is proposed for the rest of the site. No retaining walls are proposed.
- The preliminary lot grading plan has been reviewed by the Building Division and found satisfactory to proceed.

Tree Preservation

- Clark Kavolinas from Clark Kavolinas and Associates Inc. prepared the Arborist Report and Tree Preservation/Replacement Plans for the site. The plans have been reviewed by the City's Landscape Architect and revisions are required.
- The report identifies a total number of 58 protected trees on site, out of the total 48 are slated to be removed (predominantly Red Alder and Western Red Cedar) and 10 are to be retained as follows:

Species	Total #	Total Retained	Total Removed
Alder	26	0	26
Cedar	24	7	17
Dogwood	1	1	0
Hemlock	2	2	0
Maple	5	0	5
Total	58	10	48

- Given the 2:1 tree replacement ratio, there is a substantial deficiency in the number of replacement trees proposed, which will need to be addressed through a financial contribution to the City's Green Fund prior to final approval of the rezoning. The estimated contribution is approximately \$19,800.

PRE-NOTIFICATION

Pre-notification letters were sent on September 23, 2008, and staff have not received any concerns in regards to this application.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To vary the Subdivision & Development By-law to allow for the relaxation of road and sanitary sewer improvements along a portion of 60 Avenue.

Applicant's Reasons:

- Applicant is proposing the variance for works along 60 Avenue until proposed Lot 6 is rezoned in the future, in compliance with the South Newton NCP.

Staff Comments:

- The variance was accepted by Engineering on the basis of the following conditions:
 - A no-build Restrictive Covenant will be required to be placed on the proposed CD zoned parcel (proposed Lot 6) in order to ensure that if the existing septic sewage system fails, the owner will be responsible for the extension of the City sanitary sewer to service the property; and
 - The applicant is required to confirm, through a certified professional report, that the existing septic system is functioning properly.
- On the basis of the above, staff support the variance on the remnant lot, which will be protected by a "no build" Restrictive Covenant for future development in compliance with the South Newton NCP, thus ensuring ultimate site services are provided.

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
Appendix III.	Engineering Summary
Appendix IV.	School District Comments

- Appendix V. Building Design Guidelines Summary
- Appendix VI. Summary of Tree Survey and Tree Preservation
- Appendix VII. Development Variance Permit No. 7908-0182-00
- Appendix VIII. Proposed CD By-law

Jean Lamontagne
General Manager
Planning and Development

CCC/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: Mike Helle, Coastland Engineering & Surveying Ltd.
 Address: #101, 19292 - 60 Avenue
 Surrey, BC
 V3S 3M2
 Tel: 604-532-9701

2. Properties involved in the Application

(a) Civic Address: 14896 - 60 Avenue

(b) Civic Address: 14896 - 60 Avenue
 Owners: Malcolm Russell Clay and Darleen Marie Clay
 PID: 007-238-860
 Lot 22 Section 10 Township 2 New Westminster District Plan 35877

3. Summary of Actions for City Clerk's Office

(a) Introduce By-laws to rezone the property.

(b) Public Notification of Development Variance Permit No. 7908-0182-00

SUBDIVISION DATA SHEET

Proposed Zoning: RF-9C and CD (based on RH)

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	1.07 ac
Hectares	0.43 ha
NUMBER OF LOTS	
Existing	1
Proposed	6
SIZE OF LOTS	
Range of lot widths (metres)	8.3 m - 9.01 m
Range of lot areas (square metres)	362.5 m ² - 1,655 m ²
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	5.3 upha/14.0 upa
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	
Estimated Road, Lane & Driveway Coverage	
Total Site Coverage	
PARKLAND	
Area (square metres)	
% 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	YES
Building Retention	NO
Others	NO