

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7908-0269-00

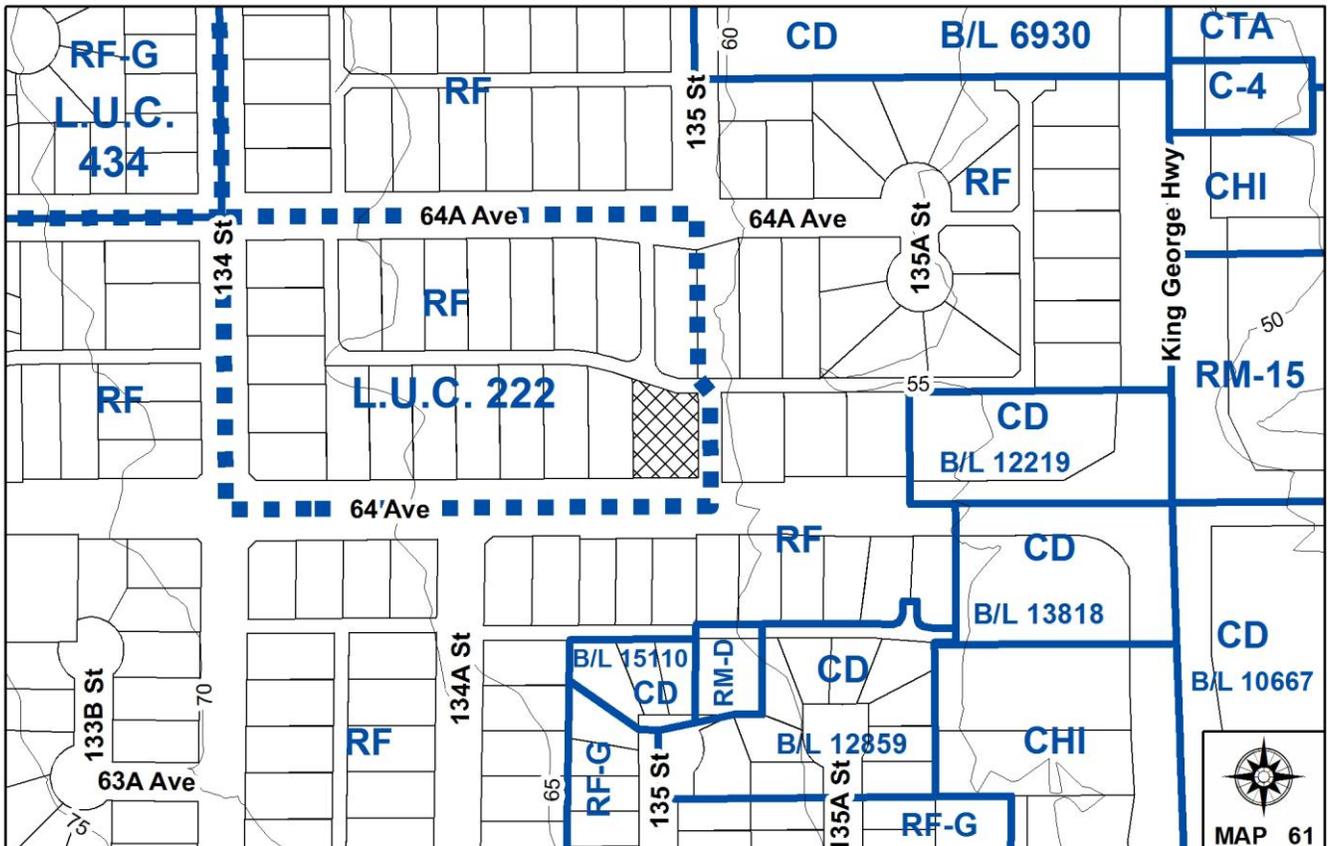
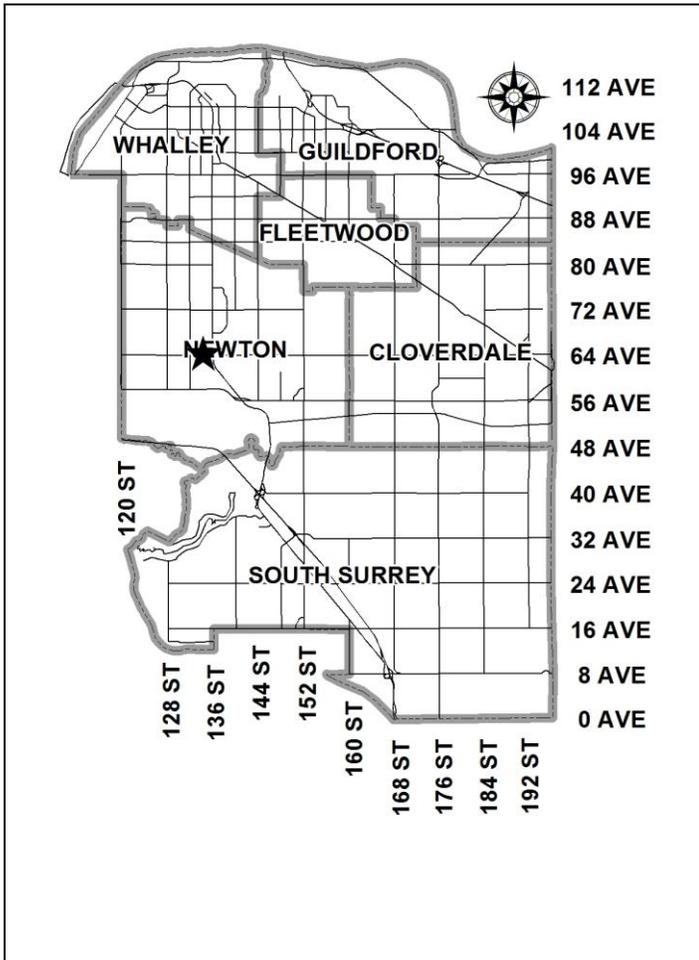
Planning Report Date: July 27, 2009

PROPOSAL:

- **Partial Land Use Contract discharge**

in order to allow the underlying RF Zone to come into effect and permit subdivision into two (2) single family lots.

LOCATION: 13497 - 64 Avenue
OWNERS: Hardeep Singh Thind and Veerpal Kaur Thind
ZONING: LUC No. 222 (underlying zone RF)
OCP DESIGNATION: Urban
NCP/LAP DESIGNATION: Urban Residential



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for partial Land Use Contract discharge.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Subdivision as proposed is not permitted under the existing Land Use Contract (LUC No. 222), therefore, the applicant is seeking to discharge the LUC from the subject property and allow the underlying RF Zone to come into effect.
- The applicant is seeking to acquire a portion of an adjacent walkway and consolidate it with the subject property in order to subdivide into 2 single family lots.

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Complies with the Newton Local Area Plan designation.
- The proposed LUC discharge will permit subdivision into lots and development of new dwellings that are generally consistent with the pattern of subdivision in the area.
- The closure of a portion of the City walkway can be supported, as the existing walkway has surplus land, and the applicant will contribute towards the construction of the adjacent walkway to City standards.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to partially discharge Land Use Contract No. 222 from the property at 13497 - 64 Avenue and a date for Public Hearing be set.
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 an acceptable tree survey and a statement regarding tree preservation;
 - (d) completion of the road closure and acquisition of 2.25 metres to 2.55 metres (7.4 ft. to 8.4 ft.) wide portion of the adjacent road allowance;
 - (e) registration of building design guidelines that incorporate appropriate landscaping, house design and fencing interface with the adjacent walkway to address CPTED principles and safety and security; and
 - (f) address the deficit in tree retention.

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 Henry Bose Elementary School
0 Secondary students at Panorama Ridge Secondary School

(Appendix IV)

Parks, Recreation & Culture: Parks supports construction of the public walkway, and requires the applicant to apply (CPTED principles on the adjacent lot (house design, landscaping, fencing) to address safety and security.

SITE CHARACTERISTICS

Existing Land Use: Single family residential.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North and West:	Single family residential.	Urban	LUC No. 222
East and South:	Single family residential.	Urban	RF

DEVELOPMENT CONSIDERATIONSBackground

- The subject site is a 0.26 acre (.10 hectare) property located on the north side of 64 Avenue, which is an arterial road. The site is currently under Land Use Contract (LUC) No. 222, permitting single family dwellings on larger lots. The site is designated "Urban" in the Official Community Plan (OCP) and "Urban Residential" in the 1986 Newton Local Area Plan (LAP). To the east of the property line is a 10.5-metre (35 ft.) wide City-owned unimproved road allowance. On September 3, 1996, Council adopted By-law No. 12884, to stop up and close this road allowance.
- The existing properties to the north and west of the subject site are also under LUC No. 222 and developed with mature single family dwellings of modest size. The properties adjacent to the east and south (across 64 Avenue) are similar in size and character and zoned RF.
- In the manner proposed, LUC No. 222 does not permit subdivision of this site, therefore, the applicant proposes to discharge LUC No. 222 from the subject property to allow the underlying RF Zone to come into effect. In addition, the applicant proposed the purchase and consolidation of a 2.25 – 2.55 metre (7.4 – 8.4 ft.) portion of the adjacent road allowance in order to provide both the additional lot area and minimum lot width required to subdivide into two (2) RF lots. The width of the land proposed to be consolidated is 2.25 metres (7.4 ft.) to 2.55 metres (8.4 ft.) wide, as shown on the attached plan (Appendix II). This road allowance is considered surplus to the City's needs.

LUC Discharge

- LUC No. 222 was adopted by Council October 18, 1976. LUC No. 222 anticipated the subdivision of the existing parcel (known as Lot 21 in the LUC) as follows:

"Proposed Lot 21 (only)

The Developer hereby covenants and agrees that no building or structure shall be erected or placed on the east 29 feet of proposed Lot 21 and that the portion of the said lot shall be held undeveloped until such time as it is subdivided off and consolidated with an adjoining 33 foot wide parcel of land adjoining its east boundary, and the further subdivision of this lot for this purpose shall then be permitted."

- While LUC No. 222 anticipated the subdivision of the subject lot, a partial discharge of LUC No. 222 is nonetheless required as the strict conditions are not met, given that only a portion of the adjacent road allowance is being consolidated with the lot, not the entire 33 feet. Additionally, as the adjacent road allowance is not within the LUC, failure to discharge the LUC from the lot would result in a split-zoned lot, therefore, the LUC discharge is needed. The Realty Services Section has granted approval to close and consolidate a portion of the City-owned walkway with the subject site as shown on the attached plan (Appendix II). Parks, Recreation and Culture require a 4-metre (13 ft.) lane to be constructed adjacent to the eastern property line of proposed Lot 2.
- The proposal will not result in development which is out of character with dwellings in the LUC area. While LUC No. 222 allows for large dwellings to be built, the existing dwellings in the surrounding area have a size range of approximately 140 to 280 square metres (1,500 to 3,000 sq.ft.).
- Single Family Residential (RF) zoning of the proposed lots will allow a maximum 270 square metres (2,900 sq.ft.) house to be built on Lot 2. The house on Lot 1 will be retained. A house of 330 square metres (3,550 sq.ft.) will be permitted on Lot 1 if the owner wishes to build in the future.

Development Proposal

- The underlying RF Zone would allow for subdivision of the subject property into two single family lots with a house size that matches the existing size and character of the surrounding area. The existing home, which is in good condition, will be retained on proposed Lot 1, which will have a lot width of 15 metres (49 ft.) and lot area of approximately 584 square metres (6,286 sq.ft.). Proposed Lot 2 will be slightly undersized at 15 metres (49 ft.) wide and have a lot area of approximately 525 square metres (5,651 sq.ft.), which will allow for a 270 square metre (2,900 sq.ft.) house to be built.
- All efforts have been made to minimize the land required to be acquired to subdivide the subject property, provide a 4-metre (13 ft.) walkway, and retain a portion of the City-owned land in order to maximize the future development potential of the lot to the east of the walkway. Any future development considerations to the east of walkway will be considered on its own merits.

Building Scheme

- The applicant for the subject site has retained Ran Chahal of Apex Design Group Inc. 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).
- The development site is located in an area where the homes range from new to approximately 40 years old, and comprise different styles with a trend towards "West Coast Traditional" style. The majority of existing homes are two-storey homes with 93 to 185 square metres (1,000 to 2000 sq.ft.) of habitable area.
- The design guidelines attempt to preserve and/or create Neo-Heritage housing style.
- Basement-entry homes and secondary suites are not permitted.

- Permitted exterior materials will include stucco, cedar, vinyl and cementitious (hardi-plank) siding (wood grain look), brick/cultured brick, and stone/cultured stone in neutral and natural colour. Trim colours permitted will include shade variation on main colour, complementary, neutral or subdued contrast.
- Roofing materials will include asphalt shingles in a shake profile, cedar shingles, or concrete tiles in a shake profile.
- The roof pitch minimum is 7:12.

Walkway

- A 4-metre (13 ft.) asphalt walkway will be required as the land in the area develops, as shown on the attached plan. Engineering will require 50% cash-in-lieu for the western half of the walkway from the applicant. In the meantime, Engineering will require the applicant to construct a temporary walkway at the City's expense.
- The applicant will be required to work closely with the City's Engineering, Landscape, and Parks and Recreation Departments to ensure that the walkway is built to City standards, and that safety concerns are adequately addressed.

Trees

- Mike Fadum and Associates Ltd. Vegetation Consultants prepared the Arborist Report and the Tree Preservation and Replacement Plans. They have been reviewed by the City's Landscape Architect and deemed acceptable to proceed, subject to submission of a BCLS stamped tree survey plan.
- The following table summarizes the tree preservation plan:

Tree Species	Total No. of Trees	Total Retained	Total Removed	Replacement Trees Required
Alder, Red	6	0	6	6
Birch, Paper	1	0	1	2
Cedar, Western Red	1	1	0	0
Cherry, Indigenous	1	0	1	2
Cottonwood, Black	2	0	2	2
Crabapple	1	0	1	2
Dogwood, Pacific	1	1	0	0
Maple, Bigleaf	2	0	2	4
Total	15	2	13	18

- The Arborist Report indicates there are fifteen (15) mature trees within the boundaries of the two new RF lots. The report proposes removal of thirteen (13) trees located inside building envelopes, driveways, assessed as hazardous, or in declining health. The Report proposes two (2) trees be retained, as shown in Appendix V. Six (6) replacement trees will be planted, for a total of eight (8) trees on site, providing for an average of 4 trees per lot. Under the Tree Protection By-law, a total of eighteen (18) replacement trees would be required for this application based on the type of trees being removed. The applicant proposes six (6) replacement trees. Under the requirement of the Tree Preservation By-law, this would result in a

tree replacement deficit of twelve (12) trees. As such, under the By-law, monetary compensation for the remaining twelve (12) trees would be \$3,600 based on \$300/tree.

Lot Grading

The Building Division has reviewed the lot grading information and has deemed this acceptable in order to allow the project to proceed to the next stage.

PRE-NOTIFICATION

Pre-notification letters were sent on November 24 2008; staff received no comments regarding the project.

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, Site Plan, Building Elevations Landscape Plans and Perspective
- Appendix III. Engineering Summary
- Appendix IV. School District Comments
- Appendix V. Building Design Guidelines Summary
- Appendix VI. Summary of Tree Survey and Tree Preservation

Jean Lamontagne
General Manager
Planning and Development

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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: Avnash Banwait
 Address: #206 - 8363 - 128 Street
 Surrey, BC
 V3W 4G1
 Tel: 604-543-8044

2. Properties involved in the Application
 - (a) Civic Address: 13497 - 64 Avenue

 - (b) Civic Address: 13497 - 64 Avenue
 Owners: Hardeep Singh Thind and Veerpal Kaur Thind
 PID: 004-938-755
 Lot 88 Section 17 Township 2 New Westminster District Plan 51487

3. Summary of Actions for City Clerk's Office
 - (a) Introduce a By-law to discharge Land Use Contract No. 222.

SUBDIVISION DATA SHEET

Proposed Zoning: RF

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	.30
Hectares	.12
NUMBER OF LOTS	
Existing	1
Proposed	2
SIZE OF LOTS	
Range of lot widths (metres)	15 m 15 m
Range of lot areas (square metres)	584 m ² 525 m ²
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	
Lots/Hectare & Lots/Acre (Net)	15/6
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	NO
TREE SURVEY/ASSESSMENT	
	YES
MODEL BUILDING SCHEME	
	NO
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