

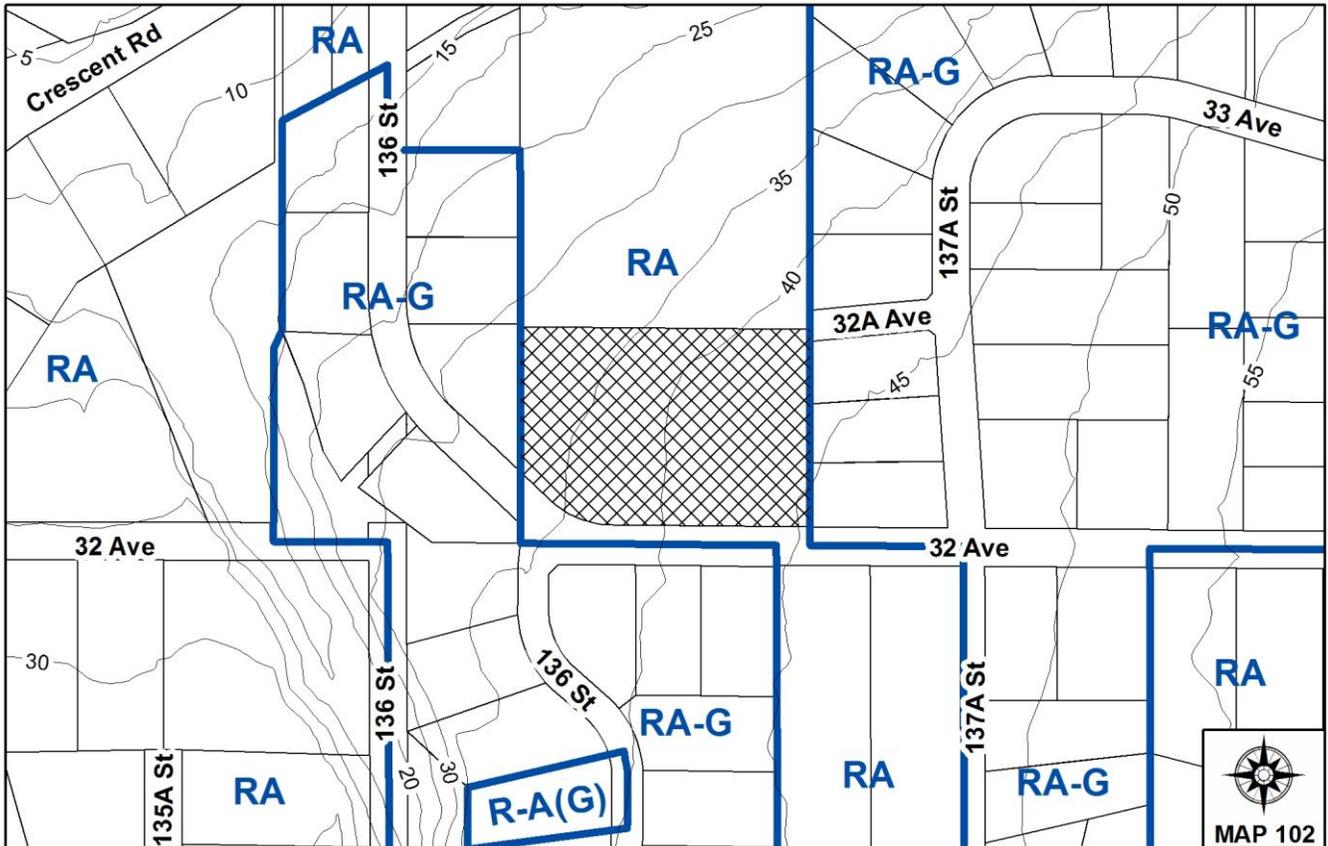
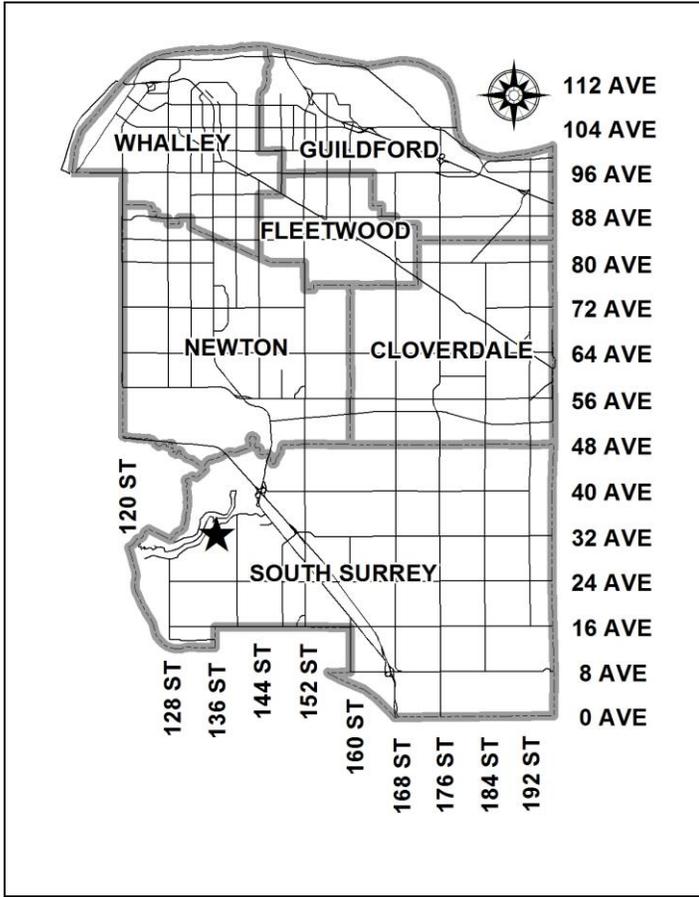
**City of Surrey**  
**PLANNING & DEVELOPMENT REPORT**  
**File: 7909-0039-00**

Planning Report Date: November 30, 2009

**PROPOSAL:**

- Rezoning from RA to CD (based on RA-G) in order to allow subdivision into four (4) one-acre gross density type single family lots.

**LOCATION:** 13685 - 32 Avenue  
**OWNER:** Gary Baker  
**ZONING:** RA  
**OCP DESIGNATION:** Suburban  
**LAP DESIGNATION:** One Acre



### RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Rezoning.

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant proposes to rezone to enable subdivision into four (4) one-acre, gross density type lots, based on the RA-G Zone, but proposes to submit cash-in-lieu of parkland and therefore a Comprehensive Development Zone (CD) is requested.

### RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Complies with the Central Semiahmoo Peninsula Local Area Plan (LAP).
- The proposal is consistent with neighbouring subdivisions to the east, south and west of the subject site. These subdivisions all feature RA-G type lots.
- The proposal to rezone to CD rather than RA-G to enable cash-in-lieu of parkland can be considered in this case as the Parks, Recreation & Culture Department does not require parkland at this location.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the subject site 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. 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) the applicant address minimum 15% cash-in-lieu of parkland requirement for the site;
  - (e) the applicant address the deficit in tree replacement;
  - (f) registration of a Section 219 Restrictive Covenant to ensure tree preservation; and
  - (g) the applicant remove or relocate the hot tub from the future front yard of proposed Lot 2.

REFERRALS

Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix II.

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

1 Elementary student at Chantrell Creek Elementary School  
1 Secondary student at Elgin Park Secondary School

(Appendix IV)

Parks, Recreation & Culture: The Parks, Recreation and Culture Department is in agreement that parkland is not required at this location, and will accept 15% cash-in-lieu of parkland dedication at this location.

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling on suburban lot.

Adjacent Area:

Direction	Existing Use	OCP/LAP Designation	Existing Zone
North:	Single family dwelling on large 4.35 hectare (10.74 acre) lot.	Suburban/One Acre	RA
East, West and South:	Single family dwellings.	Suburban/One Acre	RA-G

DEVELOPMENT CONSIDERATIONSBackground

- The subject site is located on the north side of 32 Avenue, east of 136 Street. It is designated "Suburban" in the Official Community Plan (OCP) and "One Acre" in the Central Semiahmoo Peninsula Local Area Plan (LAP). The site comprises a total area of 1.57 hectares (3.89 acres).
- The subject site is currently zoned "One-Acre Residential" (RA). The applicant proposes to rezone the site to "Comprehensive Development Zone (CD)" (based on "One-Acre Gross Density Zone (RA-G)) in order to allow subdivision into four (4) suburban single family lots. The applicant seeks a CD Zone as he is not proposing to dedicate 15% parkland, but will provide cash-in-lieu of 15% parkland in order to achieve the suburban one-acre gross density type lots.
- The proposed CD Zone is consistent with the designations in the Official Community Plan (OCP) and the Central Semiahmoo Peninsula LAP.
- The applicant's proposal is consistent with neighbouring subdivisions to the east, south and west of the subject site. These subdivisions all feature RA-G type lots.

Context and Consultation with Adjoining Property Owner at 13650 – Crescent Road

- Surrounding properties to the east and west have previously been developed under the RA-G Zone with one-acre gross density type lots. The key consideration in developing the subdivision concept for the site is the adjacent 4.35 hectare (10.74 acre) site directly north of the subject site, at 13650 – Crescent Road, which has future subdivision potential. As the development of the subject site impacts the future development of the site to the north, an analysis of how the site to the north could be developed in the future was undertaken as part of the review process.
- The applicant, their consultant, and staff worked with the owner of the property at 13650 – Crescent Road to discuss the future development concept in keeping with the LAP. The adjoining property owner initially raised several concerns about the proposed development, relating to parkland dedication, density, access, and topography. Several meetings and discussions were held with the adjacent property owner to ensure the concerns were addressed. A summary of these issues is provided in the Public Consultation section later in this report.

- The applicant's consultant prepared a number of alternative plans illustrating the options available for the future development of the site. The owner of the adjoining property has requested that a specific plan for their property not be prepared as they would like to have the opportunity to undergo their own process if they decide to develop the property in the future. In response to this request, the applicant has provided an overall layout for the subject site that provides flexibility for the adjoining property owner for the future development of 13650 – Crescent Road (Appendix II). The subdivision layout for 13650 Crescent Road, including the road configuration and the location and size of the future park, would have to be determined as part of a formal development application.

#### Subdivision Layout and Road Access

- The proposed subdivision layout (Appendix II) is consistent with the gross density subdivision pattern established to the east, south and west. The proposed lots all meet the minimum requirements of the RA-G Zone in terms of lot width, depth, and area.
- The property to the east of the subject site was developed under Development Application No. 7987-0520-00. As part of that application, the original developer submitted a concept plan for how the subject site and the lot to the north (13650 – Crescent Road) could be developed in the future. The concept plan proposes the continuation of 32A Avenue west and then north, ending in a cul-de-sac (Appendix IX).
- The original subdivision concept prepared is problematic due to site and engineering servicing constraints, resulting in lots that are difficult to service. As a result, the applicant is proposing a layout and road pattern which differs from what was proposed in the original concept.
- The applicant is proposing a new road off of 32 Avenue, 136A Street, to service the new lots created. This road can be continued to the north in the future as part of the development of the adjoining property. The applicant also proposes to dedicate a 6.5 metre (21.3 ft.) strip of land along the eastern portion of the northern property line to leave the option open for the future possible future continuation of 32A Avenue. In the event that this road is not required in the future, a walkway could be constructed in this area.
- The applicant is proposing to dedicate 0.942 metres (3 ft.) for the widening of 32 Avenue, a new 16.5 metre wide road (136A Street) off of 32 Avenue, and 6.5 metres (21.3 ft.) along the eastern portion of the northern property line, for 32A Avenue. The applicant proposes to construct a portion of 136A Street at this time, which will service proposed Lots 1, 2, and 4. The applicant will provide cash-in-lieu for the unopened section of 136A Street and the unopened portion of 32A Avenue, which will be constructed when the adjoining property develops. Leaving these sections of dedicated road unopened will allow for the retention of several mature trees on the property.

#### CD By-law

- A CD By-law (Appendix VIII) has been prepared for the site based on the RA-G Zone. The key purpose for utilizing a CD Zone in this case is to allow cash-in-lieu of parkland (15%) to be provided rather than obtain 15% of the land dedicated as parkland. The proposed density (2.5 uph/1 upa) and lot sizes (2,800 square metres / 30,139 sq. ft. to 4,109 square metres / 44,229 sq. ft.) comply with the Suburban designation and acceptable lot sizes in the RA-G Zone and are consistent with the density and lot sizes in surrounding developments. The Parks, Recreation &

Culture Department does not require parkland at this specific location; therefore, 15% cash-in-lieu alternative is considered appropriate.

- The proposed maximum floor area ratio (FAR) is 0.25 and the proposed lot coverage is 20%, in keeping with the RA-G Zone. All of the proposed lots meet the minimum requirements for regular standard lots in the RA-G Zone (2,800 square metre / 30,000 sq. ft. area, 40 metres / 130 ft. width and depth).

### Building Scheme

- The applicant for the subject site has retained Mike Tynan of Tynan Consulting Ltd. 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 homes in the surrounding area are large (3,500 to 6,000 square foot) executive quality suburban-estate homes. Many of the homes in the area provide good architectural context for the subject subdivision. Homes in the area are in the styles of "Traditional English Country", "Traditional English Manor", "Traditional English Tudor", Cape Cod Heritage", "Georgian Colonial", and "Neo-Traditional".
- The Design Consultant recommends that new homes meet or exceed the standards found in most executive-quality estate homes in the area. Permitted styles will be estate quality manifestations of Traditional English styles, or Heritage styles that impart a stately character.
- Exterior building materials include stucco, cedar, hardiplank, brick and stone. Vinyl siding is not permitted. The minimum roof pitch is 8:12 with permitted roofing materials being cedar shingles in shake profile concrete roof tiles.
- The Building Scheme prohibits secondary suites. Restrictions on the inclusion of multiple food preparation areas, internal main floor configuration requirements and limitations on basement access are provided in order to limit the potential for secondary suites.

### Lot Grading

- In-ground basements are achievable on proposed Lots 2, 3 and 4 based on the lot grading and tree preservation information that was provided by the applicant. Basements will be achieved with minimal cut or fill. The information has been reviewed by staff and found to be generally acceptable.

### Arborist Report and Tree Preservation

- Norman Hol of Arbortech Consulting Ltd. prepared the Arborist Report and Trees Preservation/Replacement Plans.

- The Arborist Report indicates that there are 258 mature trees on the subject site. Of these, 139 mature (by-law protected) trees are proposed to be removed, and 119 are proposed to be retained.

Tree Species	No. of Trees On-site	No. of Trees Proposed for Retention	No. of Trees Proposed for Removal
Bigleaf Maple	21	4	17
Douglas Fir	19	6	13
Grand Fir	3	3	0
Hemlock	10	2	8
Cedar	180	103	77
Alder	20	0	20
Other (Cherry, Birch)	5	1	4
<b>Totals</b>	<b>258</b>	<b>119</b>	<b>139</b>

- The number of replacement trees required is 258. Twenty-two (22) replacement trees are proposed, and there are 236 replacement trees in deficit. The average number of trees per lot is 35. The applicant will be required to address the tree replacement deficit by contributing to the City Green Fund in the amount of \$58,350.00, based on the cash-in-lieu of tree replacement cap at \$15,000 per acre of land from which trees are removed as established in the Surrey Tree Protection By-law, 2006, No. 16100. Resolution of this issue will be a condition of Final Adoption.

#### PRE-NOTIFICATION

Pre-notification letters were sent out on May 26, 2009 and staff received the following response:

- Staff received one (1) telephone call from an area resident concerned about lot sizes smaller than one (1) acre.

*Staff informed the caller that the lots proposed are of substantial size (2,800 square metres / 30,139 sq. ft. to 4,109 square metres / 44,229 sq. ft.), meet the requirements of the RA-G Zone and are consistent with the lot sizes of surrounding properties in the area, which are also zoned RA-G.*

- Staff received three (3) telephone calls from area residents concerned about tree retention. One (1) of the callers was concerned about the stability of retained trees once some of the trees are removed to allow for building construction.

*The applicant is proposing to preserve 119 of the 258 mature trees on the property, or 46%. The intent is to preserve the forested character of the property, while accommodating new homes via selective tree retention. An Arborist Report has been provided by a ISA Certified Arborist / Certified Tree Risk Assessor, who has assessed the retentive quality of the trees proposed for retention and identified trees which need to be removed due to poor health and structure.*

- Staff received one (1) telephone call from an area resident concerned about the wildlife who live in the area and use the site.

*Staff informed the caller that the site is designated for suburban one-acre development, at similar densities to the caller's property. Staff also informed the caller that the overall Parks plan for the area is to connect Bayview Woods Park to the east and Elgin Heritage Park to the north.*

- The adjoining property owner at 13650 – Crescent Road initially raised several concerns about the proposed development, relating to parkland dedication, density, access and topography:
  - With regards to parkland dedication, the adjoining property owner was concerned that there was no land proposed to be dedicated as parkland on the subject property, and that all of the parkland, as shown in the concept plan, was proposed on their site, at 13650 – Crescent Road.

*The Parks, Recreation & Culture Department (PRC) has indicated that they do not want any parkland dedicated on the site under application. Any park created solely under this application would be too small for managing as a natural area and would not serve the purpose of pedestrian or habitat connectivity. If 13650 Crescent Road is developed in the future, PRC would like to achieve a park which would provide a connection for both habitat and pedestrian movement between Bayview Woods Park and the subdivision to the east and Elgin Heritage Park to the north, across Crescent Road. The exact location and size of the future park would be determined during the development application process.*

- With regards to density, the adjoining property owner raised concerns about the unit density proposed for the subject application, and the unit density achievable at 13650 – Crescent Road.

*The unit density proposed for the subject site at 13685 32 Avenue is 1.03 units per acre / 2.55 units per hectare. This unit density complies with the CD Zone (based on RA-G) and the Suburban designation. The number of lots achieved under any future application on 13650 – Crescent Road would have to be determined as part of a formal development application on that property.*

- With regards to access, the adjoining property owner raised concerns about any proposal which eliminates the use of 32A Avenue or any proposal which does not provide access to 13650 – Crescent Road from either the south or the east.

*The applicant is proposing a road from 32 Avenue (136A Street), which will end at the southern boundary of 13650 – Crescent Road. The applicant is also proposing to dedicate a strip along the eastern portion of the northern edge of their property. This dedication leaves open the possibility for the continuation of 32A Avenue in the future. In the event that this road is not necessary in the future, the area dedicated could become a walkway. The road dedications proposed as part of the subject application protect options for the future development of 13650 – Crescent Road. Development concepts were developed and provided to the adjoining property owner exhausting possibilities for road configuration options on 13650 – Crescent Road.*

- With regards to topography, the neighbouring property owner was concerned that the present proposal does not account for the steep grade of the property.

*The road grade will have to be looked at in more detail at the time of a development application on the site. A preliminary assessment indicates that if 136A Street were to eventually be a through-road connecting 32 Avenue to Crescent Road, this road would meet City of Surrey Engineering Design Criteria. Any future applicant would be required to hire an engineering consultant to assess the grade in relation to any proposed road extending from the south, and the feasibility of building construction within the steep area of the site.*

- The adjoining property owner also indicated the possibility of a raptor nest on the site under application.

*The applicant hired an R.P. Bio, Thomas Plath, to conduct a raptor nest survey. The R.P. Bio surveyed the site for any raptor nests on November 19, 2009 and provided a report indicating that there are no raptor nests on the property.*

### 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.	Engineering Summary
Appendix IV.	School District Comments
Appendix V.	Building Design Guidelines Summary
Appendix VI.	Summary of Tree Survey and Tree Preservation
Appendix VII.	Central Semiahmoo Local Area Plan
Appendix VIII.	Proposed CD By-law
Appendix IX.	Original Concept Plan

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:                      John Kaethler, Abby Downs Construction Ltd.  
                         Address:                      2607 - 139 Street  
                                                              Surrey, BC  
                                                              V4P 3K5  
                         Tel:                                      604-541-6229

2.            Properties involved in the Application

(a)      Civic Address:                      13685 - 32 Avenue

(b)      Civic Address:                      13685 - 32 Avenue  
                         Owner:                                      Gary Baker  
                         PID:    002-297-311  
                         Lot 40 District Lot 157 Group 2 New Westminster District Plan 64196

3.            Summary of Actions for City Clerk's Office

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

## SUBDIVISION DATA SHEET

Proposed Zoning: CD (based on RA-G)

Requires Project Data	Proposed
<b>GROSS SITE AREA</b>	
Acres	3.90 ac
Hectares	1.58 ha
<b>NUMBER OF LOTS</b>	
Existing	1
Proposed	4
<b>SIZE OF LOTS</b>	
Range of lot widths (metres)	40 m – 54.5 m
Range of lot areas (square metres)	2,800 m – 4,164 m <sup>2</sup>
<b>DENSITY</b>	
Lots/Hectare & Lots/Acre (Gross)	2.55 uph/1.03 upa
Lots/Hectare & Lots/Acre (Net)	3.00 uph/1.21 upa
<b>SITE COVERAGE (in % of gross site area)</b>	
Maximum Coverage of Principal & Accessory Building	16.9%
Estimated Road, Lane & Driveway Coverage	18.2%
Total Site Coverage	35.1%
<b>PARKLAND</b>	
Area (square metres)	n/a
% of Gross Site	
	<b>Required</b>
<b>PARKLAND</b>	
15% money in lieu	YES
<b>TREE SURVEY/ASSESSMENT</b>	YES
<b>MODEL BUILDING SCHEME</b>	YES
<b>HERITAGE SITE Retention</b>	NO
<b>BOUNDARY HEALTH Approval</b>	NO
<b>DEV. VARIANCE PERMIT required</b>	
Road Length/Standards	NO
Works and Services	NO
Building Retention	NO
Others	NO