

# CORPORATE REPORT

NO: R175 COUNCIL DATE: July 24, 2017

### **REGULAR COUNCIL**

TO: Mayor & Council DATE: July 20, 2017

FROM: General Manager, Planning & Development FILE: 6520-20

(Cloverdale Slope)

**SUBJECT:** Cloverdale Slope - Request for Zoning Changes

#### RECOMMENDATION

The Planning & Development Department recommend that Council:

1. Receive this report as information; and

2. Authorize staff to inform the representatives of the Cloverdale Slope Neighbourhood that the City is not prepared to proceed with an area-wide rezoning of the neighbourhood as illustrated on the map attached as Appendix "I" from Single Family Residential Zone to Comprehensive Development Zone due to insufficient support from the property owners in the neighbourhood for such a rezoning, based on the results of a neighbourhood survey that was undertaken.

## **INTENT**

The purpose of this report is to inform Council of the results of the consultation process that was undertaken to determine the support of owners of 95 RF lots in the Cloverdale Slope Neighbourhood, with regard to a neighbourhood initiated proposal to rezone the subject lots from Single Family Residential (RF) Zone to Comprehensive Development (CD) Zone. This rezoning would have the effect of reducing the maximum size and height of houses and lot coverage permitted on these lots in comparison to the provisions of the current RF Zone that covers these lots.

#### **BACKGROUND**

On September 20, 2016, the Planning & Development Department received a petition from residents in the Cloverdale Slope Neighbourhood indicating support in the neighbourhood for rezoning by Council initiative from RF Zone to CD Zone. The purpose of this neighbourhood rezoning would be to preserve the existing residential character of the neighbourhood by limiting the size and height of houses. Appendix "I" illustrates the location of the Cloverdale Slope Neighbourhood in relation to the defined neighbourhood area.

At the April 24, 2017 Regular Council – Public Hearing Meeting, Council approved the recommendations of Corporate Report No. Ro81; 2017, thereby instructing staff to commence a neighbourhood consultation process to determine the level of support in the Cloverdale Slope

Neighbourhood for the requested rezoning and, upon completion of the process, to provide a report complete with recommendations for Council's consideration.

The neighbourhood consultation process consisted of the following steps:

- 1. City staff worked with the representatives of the Cloverdale Slope Neighbourhood to develop the detailed zoning provisions of a proposed CD Zone that met the objectives of the Cloverdale Slope Neighbourhood while remaining in a format consistent with *Surrey Zoning By-law*, 1993, *No.* 12000.
- 2. The representatives of the Cloverdale Slope Neighbourhood held a neighbourhood meeting at the Cloverdale Library on May 16, 2017 to gauge the level of support for the proposed zoning provisions. The representatives advised City staff that invitations to this meeting had been sent to all owners of RF lots in the area (see map attached as Appendix "I") and that approximately 55 people attended the meeting. City staff attended the meeting as a resource to answer any technical questions about the draft zoning provisions and to respond to any questions about the rezoning process. City staff also distributed copies of a chart and illustrations comparing the current RF Zone with the proposed new CD Zone, and copies of Corporate Report No. Ro81; 2017.
- 3. On the basis of the comments received at the neighbourhood meeting, the representatives of the Cloverdale Slope Neighbourhood, in consultation with City staff, confirmed the proposed zoning provisions and staff then prepared a draft CD Zone.
- 4. Staff sent a survey by registered mail to each lot owner whose property was proposed to be included in the rezoning. The mail out contained detailed information on the provisions of the draft CD Zone and a questionnaire to which each owner was requested to respond. This survey was used to determine the extent of support or opposition on the part of the owners of lots that would be directly impacted by the rezoning.
- 5. Staff received and analyzed the responses to the survey, as summarized and documented in this Corporate Report.

### **DISCUSSION**

## **Neighbourhood Consultation Process**

Neighbourhood Meeting and Comments on the Proposed CD Zone

At the May 16, 2017 neighbourhood meeting, City staff observed a divergence of opinion regarding the proposed rezoning among those who attended. Residents of the neighbourhood who attended the meeting were concerned about the potential impact of building height in new construction on existing views, gardens, privacy, and sense of spaciousness on individual lots. Residents were also concerned that the square footage of basements is not included in the total floor area count. Residents expressed that basements are now fully used living spaces, often serving as secondary suites, which impacts off-street parking and some of which have nuisance tenants. Other residents expressed concerns related to reduced floor area, which would impact homes with extended and multi-generational families, affordable housing options for young adults and seniors, rental income as mortgage helpers, and property value.

Subsequent to this public information meeting, the representatives of the Cloverdale Slope Neighbourhood confirmed with City staff the details of the proposed zoning regulations, which would form the basis for a neighbourhood survey. Appendix "II" documents the key differences between the proposed CD Zone and the existing RF Zone.

## *Neighbourhood Survey and Results*

On May 30, 2017, City staff sent a survey package by registered mail to the owners of each of the 95 RF lots in the Cloverdale Slope Neighbourhood. A copy of the materials contained in the survey package is attached to this report as Appendix "III." The survey package included the following:

- A letter, along with a map of the study area;
- A brief explanation of the reasons for the proposed rezoning and a description of the neighbourhood consultation process;
- A table documenting how the regulations of the proposed CD Zone would differ from the regulations of the current RF Zone;
- Illustrations to show the possible impact on the massing of houses under the proposed CD Zone compared to the current RF Zone; and
- A questionnaire for the lot owner to complete regarding the owner's position on the proposed rezoning and any additional comments. An addressed, pre-stamped return envelope was included.

The owners were requested to return their completed questionnaire by June 22, 2017. On June 29, 2017, survey packages were sent for a second time to the owners of lots that did not respond after the first mail-out. The deadline for the return of these questionnaires was July 14, 2017.

## Survey Results

As of July 17, 2017, the City has received completed questionnaires from the owners of 86 lots, representing 91% of the 95 lots in the neighbourhood. 9% of the lots in the neighbourhood (9 lots) did not respond. Since the survey packages were sent by registered mail, City staff was able to track the mail and found that the survey packages were successfully delivered to the owners of 99% of the lots in the neighbourhood. The survey package that was sent to one lot was unclaimed and returned to the City by Canada Post.

The following table summarizes the responses compiled from the returned questionnaires.

Survey Results Based on All Lots within the Study Area

	Number of Responses Received (One response per Lot)	% of the Total Number of Responses Received (86 Lots)	% of the Total Number of RF Lots (Total 95)
"Support" the rezoning (downzoning)	51	59%	54%
"Oppose" the rezoning (downzoning)	35	41%	37%
"Do Not Wish to Provide Any Response"	0	ο%	ο%
Survey not returned.	9	Not applicable	9%
Total	95	100%	100%

Of the 95 lots in the neighbourhood:

- 54% (51 lots), or 59% of the 86 returned surveys, indicated support for the rezoning;
- 37% (35 lots), or 41% of the 86 returned surveys, opposed the rezoning;
- o% (o lots), or o% of the 81 returned surveys, did not wish to provide any response to the rezoning; and
- 9% (9 lots) did not return a completed questionnaire.

One third (27) of the completed questionnaires for the Cloverdale Slope Neighbourhood included comments. Comments in support of the rezoning expressed concerns about the potential impact of building height and size currently permitted under the RF Zone, including impact on:

- Views:
- Neighbourhood character;
- Parking, traffic, and safety associated with larger homes that have secondary suites;
- Privacy; and
- Sense of spaciousness.

More than half of the 27 completed questionnaires with comments were in opposition to the rezoning, expressing the following concerns:

• The exclusion of large family households (multi-generational families and young families) from the neighbourhood.

- Limiting affordable housing options for young adults, families, and seniors.
- Limiting the ability for residents to build their "dream home" when the time is right.
- Current owners bought their property under the assumption that they could build according to the existing RF Zone.
- Potential reduced property values relative to the existing RF zoning.
- Impeding neighbourhood improvement through the replacement of smaller and older homes in need of repair with new and higher-value replacement homes.

In addition to the survey responses, to date, the Planning & Development Department has received correspondence and communication in opposition to the proposed rezoning from the owners of 16 lots of the 95 lots (17%) within the Cloverdale Slope Neighbourhood and from the Cloverdale Community Association.

# Analysis of Survey Results

Based on the results, the level of support is lower than that for several previous neighbourhood rezoning proposals that were approved by Council, as follows:

- 121 lots in Bolivar Park Neighbourhood and Extension Area
  - O Based on the total number of responses received, 63% (76 lots) were in support, 17% (20 lots) opposed, 10% (12 lots) did not wish to provide any response, and 11% (13 lots) did not return a completed questionnaire.
- 148 lots in Kwomais Point Park Neighbourhood Area 1
  - O Based on the total number of responses received, 57% (84 lots) were in support, 15% (22 lots) opposed, 1% (1 lot) did not wish to provide any response, and 28% (41 lots) did not return a completed questionnaire.
- 127 lots in the Royal Heights Park Area
  - O Based on the total number of responses received, 80% (101 lots) were in support, 10% (13 lots) opposed, 1% (1 lot) did not wish to provide any response, and 9% (11 lots) did not return a completed questionnaire.
- 415 lots in the St. Helen's Park Area
  - Based on the total number of responses received, 63% (262 lots) were in support,
     15% (62 lots) opposed, 2% (10 lots) did not wish to provide any response, and 19%
     (78 lots) did not return a completed questionnaire.

The levels of support in neighbourhoods that did not proceed to rezoning are as follows:

- 184 lots in Kwomais Point Park Neighbourhood Area 2
  - O Based on the total number of responses received, 26% (48 lots) were in support, 50% (92 lots) opposed, 2% (4 lots) did not wish to provide any response, and 22% (40 lots) did not return a completed questionnaire.

- 73 lots in Al Cleaver Park and Tom Hopkins Ravine Park Neighbourhood
  - O Based on the total number of responses received, 48% (35 lots) were in support, 42% (31 lots) opposed, and 10% (7 lots) did not return a completed questionnaire.

Although the level of support for the rezoning in the Cloverdale Slope Neighbourhood (54% of the lots) is slightly less than the level of support in rezoning areas that were approved by Council, including Kwomais Point Park Neighbourhood Area 1 (57%), Bolivar Park Neighbourhood and Extension Area (63%), and St. Helen's Park Area (63%), the level of opposition in the Cloverdale Slope Neighbourhood (37%) is more than double the level of opposition in the Kwomais Point Park Neighbourhood Area 1 (15%), Bolivar Park Neighbourhood and Extension Area (17%), and St. Helen's Park Area (15%). While there is no defined threshold for a level of support to justify a recommendation to rezone, staff is of the opinion that the level of opposition in this case is significantly higher than in other neighbourhoods where the rezoning was approved by Council.

Staff considered whether a portion of the neighbourhood could be recommended for rezoning based on the distribution of results. However, in staff's opinion, the distribution of the support and opposition as shown in Appendix "III" does not indicate that the boundary should be modified to achieve the goals of the proposed rezoning.

#### **CONCLUSION**

Based on the above discussion, it is recommended that Council:

- Receive this report as information; and
- Authorize staff to inform the representatives of the Cloverdale Slope Neighbourhood that
  the City is not prepared to proceed with an area-wide rezoning of the neighbourhood as
  illustrated on the map attached as Appendix "I" from Single Family Residential Zone to
  Comprehensive Development Zone due to insufficient support from the property owners
  in the neighbourhood for such a rezoning, based on the results of a neighbourhood survey
  that was undertaken.

Original signed by Jean Lamontagne General Manager, Planning & Development

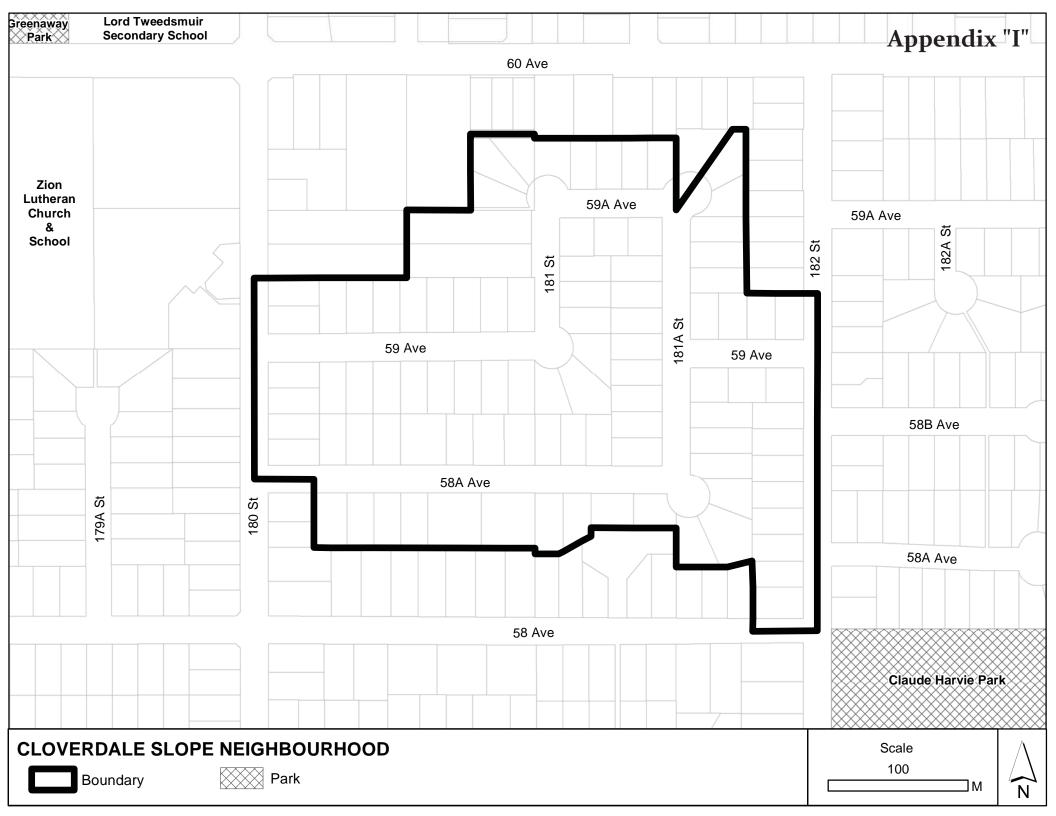
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Appendix "I" - Map of the Cloverdale Slope Neighbourhood

Appendix "II" - Summary of Key Differences Between the Proposed CD Zone and the Existing RF Zone

Appendix "III" - Map of Survey Results and Survey Package Mailed to Property Owners

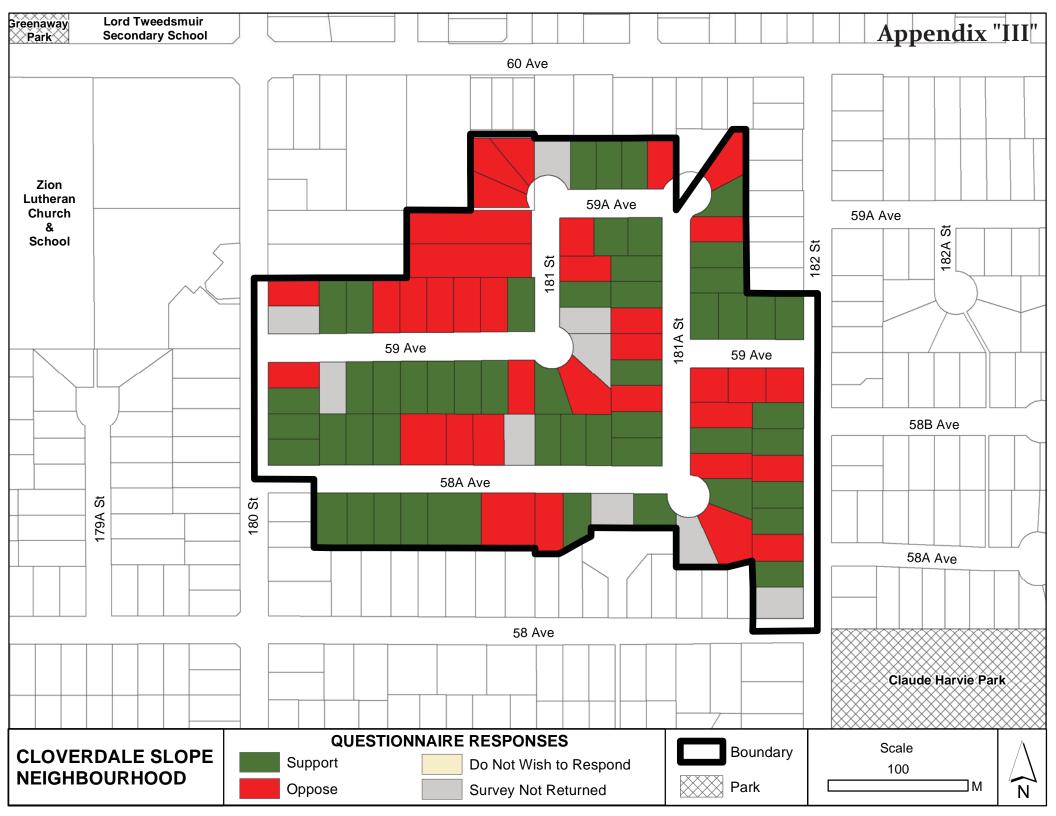
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# **Cloverdale Slope Rezoning Proposal**

	Existing RF Zone	Proposed CD Zone
Density	0.60 FAR on first 6,000 sf	0.52 FAR on lots less than 6,000 sf
	0.35 FAR on remaining lot area	0.48 FAR on lots larger than 6,000 sf
Max House Size Including G	arage (FAR density expressed on typical lots) on a:	
<ul> <li>6,500 sf lot</li> </ul>	3,775 sf house	3,360 sf house
<ul> <li>7,200 sf lot</li> </ul>	4,020 sf house	3,696 sf house
<ul> <li>7,700 sf lot</li> </ul>	4,195 sf house	3,936 sf house
• 16,000 sf lot	5,000 sf house	5,000 sf house
asement	Not included in density	Included in density
Accessory Buildings	> 108 sf included	Same as existing RF Zone
Max Height	13 ft / 16.5 ft with conditions	Same as existing RF Zone
aulted Ceilings (>12 ft)	Included except for 200 sf	Same as existing RF Zone
Covered Decks	Included except 10% of permitted floor area	Same as existing RF Zone
Maximum Lot coverage	38% on 6,500 sf lot / 36% on 7,500 sf lot	33%
uilding Height	30 ft to ½ way up sloped roofs	26'6" ft (8.07 m) to peak of roof (> 4:12 slope)
		22' (6.7 m) to ½ way up sloped roof
	24 ft to top of flat roof	23'4" (7.1 m) to top of flat roof (< 4:12 slope)
/lin/Max Off-street Parking	2 minimum / 3 with suite	Same as existing RF Zone
	2 max on driveways + 1 boat or trailer	Same as existing RF Zone
Setbacks	25 ft (7.5 m) front yard	Same as existing RF Zone
	25 ft (7.5 m) rear yard	Same as existing RF Zone
	6 ft (1.8 m) side yard	6 ft (1.8 m), which may be reduced to 4 ft (1.2 m) on the side sloping up provided that the opposite side yard is a minimum of 8 ft (2.4 m)

All other Zoning provisions are the same as the existing RF Zone



Fax 604-591-2507

May 30, 2017

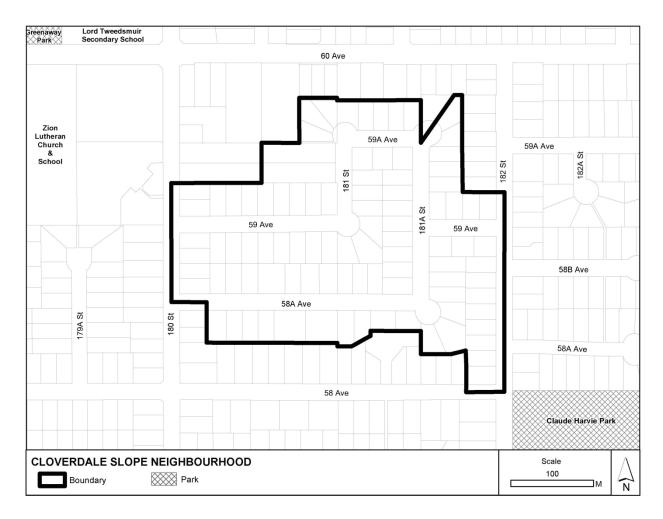
File: 6520-20 Cloverdale Slope

# REGISTERED

TO: OWNERS OF PROPERTIES ZONED SINGLE FAMILY RESIDENTIAL (RF) IN THE CLOVERDALE SLOPE NEIGHBOURHOOD

Dear Sir/Madam:

This survey concerns the proposed rezoning of your lot(s) in the Cloverdale Slope Neighbourhood shown in the map below.



Please <u>review and read</u> all of the information contained in the attached survey package, and promptly complete and return the Questionnaire included in the package.

# This package contains the following:

**Attachment 1** - **Questionnaire** on the proposed rezoning from RF to CD, and Return Envelope.

(The City requires the completed Questionnaire no later than June 22, 2017).

**Attachment 2** - Description of the rezoning proposal and process.

**Attachment 3** - A table comparing the current (RF) and proposed (CD) zone regulations.

**Attachment 4 -** Illustrations of the proposed CD Zone.

If you have any questions or require clarification, please contact Fay Wong at 604-591-4496 or e-mail fkwong@surrey.ca.

Yours truly,

Don Luymes

Manager, Community Planning

Mailing Address:

13450 - 104 Avenue, Surrey British Columbia, Canada V3X 3A2 **Telephone** 604-591-4496

Fax 604-591-2507

# **QUESTIONNAIRE**

# Cloverdale Slope Neighbourhood - Proposed Rezoning from RF to CD

Please FULLY complete and mail this Questionnaire in the attached Return Envelope before Thursday, June 22<sup>nd</sup>, 2017.

Please read the statements below.

- 1. **I** am / We are the owner/owners of property/properties in the Cloverdale Slope Neighbourhood. I am / We are aware that Surrey City Council is considering a request to rezone all of the RF Zoned properties in this area from Single Family Residential Zone (RF) to Comprehensive Residential Zone (CD), including the property/properties that **I/we** own.
- 2. **I/We** have read the letter dated May 30, 2017 from the City of Surrey and accompanying information sheets ("survey package"), which explain the regulations of the proposed CD Zone compared to the existing RF Zone, and implications of the CD Zone on any new construction that may be permitted on the properties under the proposed CD Zone.
- 3. **I/We** fully understand the proposed CD Zone regulations and their implications. If Surrey City Council approves the proposed CD Zone, **I/we** recognize that the above-noted property/properties will be rezoned from RF to CD (downzoned), whether or not **I** am / we are in favour of the rezoning.

Please provide address(es), in the space below, of t  Cloverdale Slope Neig	
Please check (✓) the approp	riate answer below.
I/We SUPPORT the proposed rezoning (deproperty/properties.	ownzoning) from RF to CD of my/our
I/We OPPOSE the proposed rezoning (down property/properties.	wnzoning) from RF to CD of my/our
I/We DO NOT wish to provide any respon RF to CD of my/our property/properties.	se to the proposed rezoning (downzoning) from
If you have any additional comments, ple	case provide in the space below.
Owner's Name(s) (Please PRINT your name):	Owner's Signature(s):

Phone Number:

E-mail (optional):

# Attachment #1

# BEFORE you complete and sign the Questionnaire please carefully read the following:

- ONLY the registered property owner(s) should sign the completed questionnaire before it is returned to the City.
- Please print your name and sign the Questionnaire before returning it to the City. An unsigned Questionnaire will be reported to Council as a "Survey Not Returned" from you to the proposed rezoning of your lot(s).
- If a lot is owned by multiple owners, one or more owners of the lot may sign the questionnaire. If only one or more than one owner, but not all of the owners, sign(s) and return(s) a single questionnaire, staff will assume that a consensus has been reached among all of the owners about their response to the rezoning. If, however, more than one questionnaire is returned from different owners of the same lot and each questionnaire contains a different response, staff will report the position of the majority of the owners of the lot or will report the position of the owners of the lot as "Undecided".
- Only ONE response per lot/household will be reported to Council, regardless of the number of signatures on a questionnaire and number of questionnaires returned for each lot.

Please return the questionnaire <u>BEFORE</u> THURSDAY, JUNE 22, 2017 by mailing it back to the City in the return envelope included in this survey package. To allow you to promptly return the completed Questionnaire, this envelope is stamped and pre-addressed.

If you have any questions or require clarification, please contact Fay Wong, Planning Technician, by phone at 604-591-4496 or by e-mail at fkwong@surrey.ca.

## Attachment #2

# What is being proposed for the RF-Zoned Properties in the Cloverdale Slope Neighbourhood?

On September 20, 2016, the City of Surrey received a petition from some residents in the Cloverdale Slope Neighbourhood indicating support in the neighbourhood for rezoning by Council initiative from Single Family Residential (RF) Zone to Comprehensive Development (CD) Zone. The purpose of this neighbourhood rezoning would be to preserve the existing residential character of the neighbourhood by limiting the size and height of houses.

The proposed zoning is similar to the rezonings that were approved in the Bolivar Park Neighbourhood and Extension Area in 2016, the Kwomais Point Park Neighbourhood Area 1 in 2015, the Royal Heights Park Neighbourhood in 2007 (amended by Council in 2011), and the St. Helen's Park Neighbourhood in 2006. The CD Zone, as proposed, would permit smaller houses with a lower building height than is permitted under the current RF Zone. In support of their request, residents in the Cloverdale Slope Neighbourhood presented a petition from the owners of 62 lots. One of these lots is located in a Duplex Residential (RM-D) Zone, outside of the neighbourhood boundary. Within the defined neighbourhood boundary of the Cloverdale Slope Neighbourhood, the owners of 61 lots of the 95 lots (64%) signed the petition.

On April 24, 2017, Council instructed City staff to commence a neighbourhood consultation process to determine the level of support for the requested rezoning. The purpose of this process is to give an opportunity to the owners of the RF lots to understand the implications of the proposed change in the zoning of their lots and to provide their comments.

Council will not make a final decision on the requested rezoning until they have considered the results of the consultation process. A comparison of the current zoning and proposed new zoning provisions is provided in this survey package.

# **Neighbourhood Consultation Process**

The neighbourhood consultation process mentioned above consists of the following steps:

# **Step 1 – Neighbourhood Meeting**

The Rezoning Proponents held a neighbourhood open house meeting on Tuesday, May 16, 2017 at 7:00 p.m. at the Cloverdale Library. The Rezoning Proponents advised that the invitations to this meeting had been sent to all of the owners of the RF lots in the area. According to the information provided by the Rezoning Proponents, approximately 55 people attended the meeting. City staff also attended this meeting and distributed copies of a chart and illustrations comparing the current RF Zone and the proposed new CD Zone, and copies of Corporate Report No. R081 (2017). Residents of the neighbourhood who attended the meeting were concerned about the potential impact of building height in new construction on existing views, gardens, privacy, and sense of spaciousness on individual lots. Residents were also concerned that the square footage of basements is not included in the total floor area count. Residents expressed that basements are now fully used living spaces often serving as secondary suites, which impact off-street parking and some of which have nuisance tenants.

Other residents expressed concerns related to reduced floor area, which would impact homes with extended and multi-generational families, affordable housing options for young adults and seniors, rental income as mortgage helpers, and property value.

# **Step 2 – Confirm or Revise Rezoning Proposal**

On the basis of the comments received, the Rezoning Proponents had the opportunity to suggest revisions, if required, to the proposed regulations of the CD Zone.

# **Step 3 – Survey by Registered Mail**

As part of the consultation process, City staff is sending a survey by registered mail to all of the RF lot owners in the proposed rezoning area, including information on the proposed CD zoning regulations and their implications, and containing a questionnaire to determine the level of support and opposition to the rezoning.

This survey package contains a Questionnaire for you to complete and return to the City. Staff will report to Council about the level of support and opposition to the rezoning based on the responses to this Questionnaire by the owners of the 95 RF lots. Although you may have previously signed a petition, it is important that you review the attached information, complete the Questionnaire enclosed with this letter, and return it promptly to the City.

## Step 4 – Report to Council

City staff will tabulate the results of this survey and report back to Council with recommendations on the requested rezoning from RF to CD for Council's consideration.

After considering the staff report, Council will decide whether to proceed with a rezoning bylaw and hold a Public Hearing, deny the requested rezoning, or direct staff to further work with the neighbourhood. If Council decides to proceed with the rezoning, a Public Hearing will be held on the by-law. After the Public Hearing, Council will decide whether to approve the by-law or to retain the current zoning.

All other Zoning provisions are the same as the existing RF Zone

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