

CORPORATE REPORT

NO: R216 COUNCIL DATE: OCTOBER 28, 2013

REGULAR COUNCIL

TO: Mayor & Council DATE: October 28, 2013

FROM: General Manager, Planning and Development FILE: 6520-20 (Al Cleaver/Tom

Hopkins)

SUBJECT: Rezoning of the Al Cleaver Park and Tom Hopkins Ravine Park

Neighbourhood

RECOMMENDATION

The Planning and Development Department recommends that Council:

1. Receive this report as information; and

2. Authorize staff to inform the Al Cleaver Park/Tom Hopkins Ravine Park Neighbourhood Group that the City is not prepared to initiate an area-wide rezoning of the neighbourhood (which is illustrated on the map attached as Appendix I) from Single Family Residential (RF) Zone to Comprehensive Development (CD) Zone due to the insufficiency of support from the property owners in the neighbourhood for such a rezoning based on the 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 receive comments from the owners of the lots in the Al Cleaver Park/Tom Hopkins Ravine Park neighbourhood (the "AC/TH neighbourhood") with regard to a neighbourhood initiated proposal to rezone the subject lots from the Single Family Residential (RF) Zone to a Comprehensive Development (CD) Zone, which would have the effect of reducing the maximum size and height of houses permitted on these lots in comparison to the current provisions of the RF Zone that covers these lots.

BACKGROUND

In March 2013, the Planning and Development Department received a petition from the Al Cleaver Park and Tom Hopkins Ravine Park Neighbourhood Group (the "Neighbourhood Group") requesting that the neighbourhood be rezoned from the RF Zone to a CD Zone to preserve the existing residential character of the neighbourhood. The neighbourhood's boundaries are illustrated on the map attached as Appendix I to this report. A similar rezoning process proceeded through to adoption for the St. Helen's Park Neighbourhood in 2006 and the Royal Heights Park Neighbourhood in 2007.

The petition that was received by the City for the AC/TH neighbourhood called for a rezoning of the lots in the neighbourhood to a Zone that would restrict houses to a smaller size and with a lower building height than is permitted under the current RF Zone that covers the lots. The petition indicated that the owners of approximately 64% of the 73 lots were in favour of the requested rezoning and 36% of the owners were either opposed or did not respond.

At its Regular meeting on May 27, 2013, Council approved the recommendations of Corporate Report No. R101 thereby instructing staff to commence a neighbourhood consultation process to determine the level of support in the neighbourhood for the requested rezoning and to provide a report complete with recommendations for Council's consideration upon completion of the neighbourhood consultation process.

The neighbourhood consultation process was to consist of the following steps:

- 1. The Neighbourhood Group was to hold a neighbourhood open house/meeting to gauge the level of support for the proposed zoning provisions. City staff would attend the meeting as a resource to answer any technical questions about the draft zoning provisions and respond to any questions about the rezoning process;
- 2. On the basis of the comments received at the open house, the Neighbourhood Group, in consultation with City staff would revise or fine-tune the proposed zoning provisions. Staff would then work with the Neighbourhood Group representatives to prepare a draft CD Zone;
- 3. Staff would send a survey by registered mail to each lot owner whose property is proposed to be included in the rezoning. The mail out survey would contain detailed information on the provisions of the draft CD Zone and a questionnaire that each owner of property in the neighbourhood may use to provide comments on the proposal. This survey would be used to determine the extent of support or opposition on the part of the property owners who will be directly involved in the rezoning; and
- 4. Staff would then provide a report to Council for consideration that includes the results of the consultation process and the related survey and provide recommendations in relation to whether or not the rezoning process should be formally commenced.

On September 9, 2013, Council received Corporate Report No. R173 and authorized the extension of the period during which building permit application approvals which conflict with the rezoning proposal for neighbourhood would be withheld for a further 60 days in accordance with Section 929 of the *Local Government Act*.

DISCUSSION

Neighbourhood Consultation Process

Steps 1 & 2 - Neighbourhood Meeting & Comments on the Proposed CD Zone

The Neighbourhood Group held a public information meeting on June 25, 2013 at Tisi Sangam Society Temple. City staff attended this meeting. Information was provided to those in attendance regarding the proposed zoning changes as well as the rezoning process. Information comparing the proposed CD Zone regulations with the existing RF Zone regulations was also available.

The Neighbourhood Group advised 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 between 38 and 49 people attended the meeting. The Neighbourhood Group distributed a comment sheet at the meeting asking those in attendance to respond if they are a registered owner of a lot in the neighbourhood. Owners representing 20 lots (or 27% of the 73 lots in the neighbourhood) submitted a comment sheet. These comment sheets established that:

- The owners of 13 lots support for the rezoning;
- The owners of 4 lots support for the rezoning but with some revisions; and
- The owners of 3 lots opposed the rezoning.

It is noted that the owners of 52 lots (73%) of the lots in the neighbourhood did not submit a comment sheet or other written response.

Subsequent to this public information meeting the Neighbourhood Group worked with City staff to revise the proposed zoning regulations based on the input received through the comment sheets. Appendix II documents the proposed CD Zone in comparison to the existing RF Zone.

Steps 3 & 4 - Neighbourhood Survey & Results

On August 6, 2013, City staff forwarded a survey package by registered mail to the owners of each of the 73 RF lots in the AC/TH 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:

- 1. A letter along with a map of the AC/TH neighbourhood;
- 2. A brief explanation of the reasons for the proposed rezoning and description of the neighbourhood consultation process;
- 3. A table documenting how the regulations of the proposed CD Zone would differ from the regulations of the current RF Zone;
- 4. Illustrations to show the possible impact on the house massing under the proposed CD Zone compared to the current RF Zone; and
- 5. 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 September 6, 2013, which was approximately one month from the date that the survey package was mailed.

On September 12, 2013, survey packages were sent a second time to the owners of the 27 RF lots who had not responded after the first mail-out. The deadline for the return of these questionnaires was September 30, 2013.

Survey Results

As of October 9, 2013, the City has received completed questionnaires the owners of 66 lots, representing 90% of the 73 lots in the neighbourhood. Seven lots (being 10% of the lots) did not respond. In that 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 owners of all of the lots on either the first mail-out and/or the second mail-out with the exception of one lot.

The following table summarizes the responses as 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 (63 Lots)	% of the Total Number of RF Lots (Total 73)
"Support" the rezoning (downzoning)	35	53%	48%
"Oppose" the rezoning (downzoning)	31	47%	42%
Survey not returned.	7	Not applicable	10%
Total	73	100%	100%

The survey results are illustrated on the map attached as Appendix IV to this report.

Of the 73 lots in the neighbourhood:

- 48% (35 lots) indicated support for the rezoning;
- 42% (31 lots) opposed the rezoning; and
- 10% (7 lots) did not return a questionnaire.

By comparison, in relation to previous comparable neighbourhood rezonings the level of support was much higher. With respect to the Royal Heights Park rezoning 80% (101 lots) were supportive with 10% (13 lots) in opposition while with respect to the St. Helen's Park rezoning 63% (262 lots) were supportive with 15% (62 lots) in opposition.

Based on the relative support and opposition in the AC/TH neighbourhood to the rezoning proposal as revealed through the survey questionnaire that was distributed in the neighbourhood, it is recommended that staff be authorized to inform the Neighbourhood Group that the City is not prepared to initiate a rezoning process in the neighbourhood.

CONCLUSION

Based on the above discussion, it is recommended that Council authorize staff to inform the Al Cleaver Park/Tom Hopkins Ravine Park Neighbourhood Group that the City is not prepared to initiate an area-wide rezoning of the neighbourhood (which is illustrated on the map attached as Appendix I) from Single Family Residential (RF) Zone to Comprehensive Development (CD) Zone due to the insufficiency of support from the property owners in the neighbourhood for such a rezoning based on the neighbourhood survey that was undertaken.

Original signed by Jean Lamontagne General Manager, Planning and Development

FW:saw

Attachments:

Appendix I Map showing Boundary of Proposed Rezoning Area

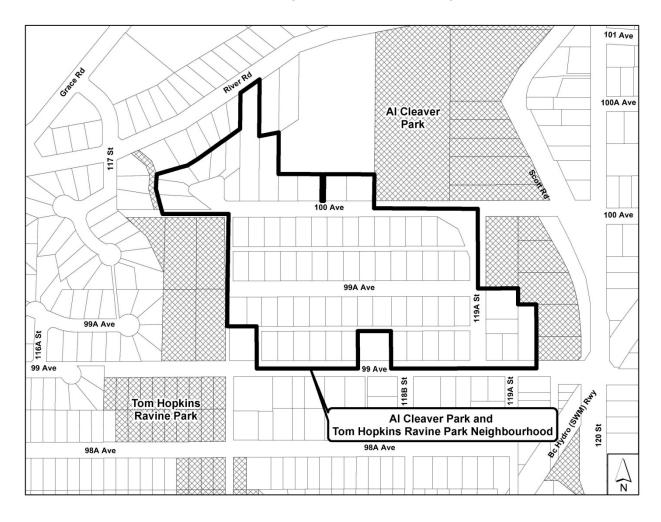
Appendix II Proposed regulations of the CD Zone compared to the existing RF Zone

Appendix III Survey Package

Appendix IV Map showing Results of Survey

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Boundary of Proposed Rezoning Area



Proposed Regulations of the CD Zone Compared to the Existing RF Zone

Zoning Regulation	Proposed CD Zone	Existing RF Zone
D. Density:Maximum Allowable Floor Area	298 sq. m. (3,200 sq. ft.) including basement, garage, carport, accessory buildings, covered decks, covered patios, porches, verandas, and open to below areas*	270 sq. m. (2,900 sq. ft.)* on lots of 560 sq. m. (6,000 sq. ft.) or less, or 330 sq. m. (3,550 sq. ft.)* on lots in excess of 560 sq. m. (6,000 sq. ft.)
	* 39 sq. m. (420 sq. ft.) of the maximum allowable floor area must be reserved as a garage or carport. An accessory building (e.g. a shed) not exceeding 10 sq. m. (105 sq. ft.) in size is exempt from the maximum floor area limitation. If the accessory building exceeds this size, any area in excess of 10 sq. m. shall be included in the maximum floor area. An open to below area is the theoretical floor area of the second level of a double-height room. All floor area with an extended height of 3.7 m (12 ft) or more shall be multiplied by 2, excluding a maximum of 10 sq. m for foyer and staircase purposes.	* 37 sq. m. (400 sq. ft.) of the maximum allowable floor area must be reserved as a garage or carport. An accessory building not exceeding 10 sq. m. (105 sq. ft.) in size is exempt from the maximum floor area limitation. If the accessory building exceeds this size, any area in excess of 10 sq. m. shall be included in the maximum floor area. For Density purposes, basements are not counted as floor area.
F. Yards and Setbacks: • Setbacks	Bay and box windows shall not encroach into the required setbacks.	Bay and box windows may encroach on each storey into the required setbacks to a maximum of o.6 m (2 ft.), provided that they do not exceed a total of 2.4 m (8 ft.) in horizontal length along any exterior wall.
• Side Yard (Distance that the house must be from the side lot line)	Minimum of 1.8 m. (6 ft.)	Minimum of 1.8 m. (6 ft.), which may be reduced to 1.2 m. (4 ft.) provided the opposite side yard is a minimum of 2.4 m. (8 ft.)
G. Height of Buildings • Principal Building	Maximum of 6.7 m. (22 ft.) The height is measured from the average finished grade to the mid-point of a sloped roof. The height restriction combined with the floor area restrictions could limit a new house to a maximum of two storeys, or one storey with a basement.	Maximum of 9 m. (30 ft.), except that if the roof slope is less than 1:4, the height shall not exceed 7.3 m. (24 ft.).

J. Special Regulations • Roof Slope	Minimum roof pitch of 2 to 12; and Maximum roof pitch of 6 to 12	No restriction on the roof pitch
Secondary SuiteBasement	No change. Same as existing RF Zone.	1 secondary suite. A secondary suite shall not exceed 90 sq. m. (968 sq. ft.) in floor area and shall occupy less than 40% of the habitable floor area of the building.
Access and Basement Well	Basement access and basement wells are permitted only between the principal building and the rear lot line and must not exceed a maximum area of 13 sq. m. (140 sq. ft.), in addition to the stairs.	No restriction on basement access or basement well

All other regulations of the proposed CD Zone are the same as the regulations of the RF Zone and CD By-law No.'s 17461 and 17487.

Survey Package



CITY OF SURREY Planning & Development Department 14245 - 56th Avenue, Surrey British Columbia, Canada V₃X ₃A₂ Telephone 604-591-4441

Fax 604-591-2507

REGISTERED

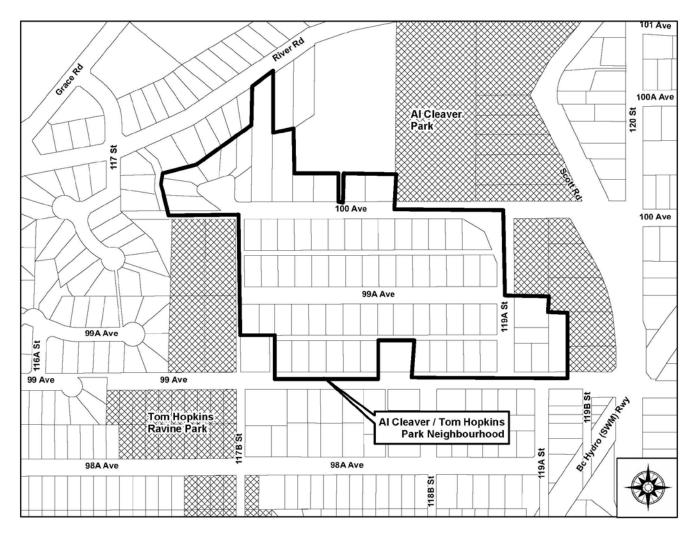
August 6, 2013

File: 6520-20 (Al Cleaver/Tom Hopkins)

TO: OWNERS OF PROPERTIES ZONED SINGLE FAMILY RESIDENTIAL (RF) IN THE AL CLEAVER PARK AND TOM HOPKINS RAVINE PARK AREA

Dear Sir/Madam:

This survey concerns the proposed rezoning of your lot(s) in the Al Cleaver Park and Tom Hopkins Ravine Park area 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 September 6, 2013).

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 showing Impact on the House Massing of the Proposed CD Zone Regulations Compared to the Existing RF Zone Regulations.

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



CITY OF SURREY Planning & Development Department

14245 - 56th Avenue, Surrey British Columbia, Canada V₃X ₃A₂ Telephone 604-591-4441

Fax 604-591-2507

QUESTIONNAIRE

<u>Al Cleaver Park and Tom Hopkins Ravine Park Area - Proposed Rezoning from RF</u> to CD

Please FULLY complete and mail this Questionnaire no later than Friday, September 6th, 2013, in the attached Return Envelope.

Please circle the appropriate response(s) below.

- 1. **I am / We are** the **owner/owners** of property/properties in the Al Cleaver Park and Tom Hopkins Ravine Park area. **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 August 6, 2013 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.

	below, of the property/properties YOU OWN in the Fom Hopkins Ravine Park area.
Please check the	appropriate answer below.
I/We SUPPORT the proposed rez property/properties.	zoning (downzoning) from RF to CD of my/our
I/We OPPOSE the proposed rezon property/properties.	ning (downzoning) from RF to CD of my/our
I/We DO NOT wish to provide an RF to CD of my/our property/pro	ny response to the proposed rezoning (downzoning) from perties.
If you have any additional com	ments, please provide in the space below.
Owner's Name(s) (Please PRINT your name):	Owner's Signature(s):
Mailing Address:	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 "No Response" 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, signs and returns 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 a different owner of the same lot and each questionnaire contains a different response, staff will assume that no consensus has been reached by the owners and, therefore, will report the position of the lot owners on the rezoning 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>NO LATER THAN</u> FRIDAY, SEPTEMBER 6, 2013 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 Al Cleaver Park and Tom Hopkins Ravine Park Area?

In March 2013, the City of Surrey received a petition from some residents in the Al Cleaver Park and Tom Hopkins Ravine Park neighbourhood (the "Neighbourhood Group") requesting that the neighbourhood be rezoned from Single Family Residential Zone (RF) to Comprehensive Development Zone (CD) to preserve the existing residential character of the neighbourhood.

The proposed zoning is similar to the rezoning that was adopted in the St. Helen's Park Neighbourhood in 2006 and the Royal Heights Park Neighbourhood in 2007, as amended by Council in 2011. 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, the Neighbourhood Group presented a 48-signature petition from the owners of 47 lots of the 73 lots within the defined neighbourhood area. Based on the petition, it appears that the owners of approximately 64% of the 73 lots are in favour of the requested rezoning and the remaining 36% are either opposed or have not responded.

On May 27, 2013, 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 – Public Meeting

The Rezoning Proponents held a neighbourhood open house meeting on Tuesday, June 25, 2013 at 7 PM at Tisi Sangam Society Temple. City staff also attended this meeting. 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. At the meeting, the Rezoning Proponents distributed a comment sheet. According to the information provided by the Rezoning Proponents, 38-49 people attended the meeting. 20 completed comment sheets were received from lots within the area's boundaries, which represents approximately 27% of the 73 lots. (1 comment sheet was received from a lot outside the area's boundaries.) 13 (65%) of the 20 responses indicated support for the rezoning, which is 18% support from the owners of the 73 lots. 4 (20%) of the 20 responses indicated support for the rezoning but with changes, which is 5% of the 73 lots. 3 (15%) of the 20 responses indicated opposition to the rezoning, which is 4% of the 73 lots. The owners of the remaining 53 RF lots, which is 73% of the 73 lots, did not provide any response and did not return the comments sheet.

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 73 RF lots. Although you may have previously signed the petition on the rezoning to Council and completed the comment sheet distributed by the Rezoning Proponents, 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 by-law and hold a Public Hearing, or to deny the requested rezoning. 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.

Attachment #3 Proposed Regulations of the CD Zone compared to the Existing RF Zone

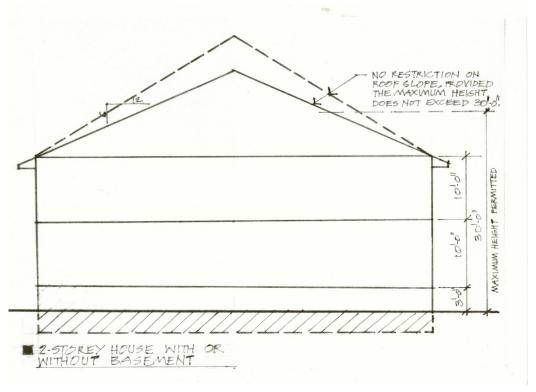
Zoning Regulation	Proposed CD Zone	Existing RF Zone
D. Density:Maximum Allowable Floor Area	298 sq. m. (3,200 sq. ft.) including basement, garage, carport, accessory buildings, covered decks, covered patios, porches, verandas, and open to below areas* * 39 sq. m. (420 sq. ft.) of the maximum allowable floor area must be reserved as a garage or carport. An accessory building (e.g. a shed) not exceeding 10 sq. m. (105 sq. ft.) in size is exempt from the maximum floor area limitation. If the accessory building exceeds this size, any area in excess of 10 sq. m. shall be included in the maximum floor area.	270 sq. m. (2,900 sq. ft.)* on lots of 560 sq. m. (6,000 sq. ft.) or less, or 330 sq. m. (3,550 sq. ft.)* on lots in excess of 560 sq. m. (6,000 sq. ft.) * 37 sq. m. (400 sq. ft.) of the maximum allowable floor area must be reserved as a garage or carport. An accessory building not exceeding 10 sq. m. (105 sq. ft.) in size is exempt from the
	An open to below area is the theoretical floor area of the second level of a double-height room. All floor area with an extended height of 3.7 m (12 ft) or more shall be multiplied by 2, excluding a maximum of 10 sq. m for foyer and staircase purposes.	maximum floor area limitation. If the accessory building exceeds this size, any area in excess of 10 sq. m. shall be included in the maximum floor area. For Density purposes, basements are not counted as floor area.
F. Yards and Setbacks:		
• Setbacks	Bay and box windows shall not encroach into the required setbacks.	Bay and box windows may encroach on each storey into the required setbacks to a maximum of 0.6 m (2 ft.), provided that they do not exceed a total of 2.4 m (8 ft.) in horizontal length along any exterior wall.
Side Yard (Distance that the house must be from the side lot line)	• Minimum of 1.8 m. (6 ft.)	Minimum of 1.8 m. (6 ft.), which may be reduced to 1.2 m. (4 ft.) provided the opposite side yard is a minimum of 2.4 m. (8 ft.)

Zoning Regulation	Proposed CD Zone	Existing RF Zone
G. Height ofBuildingsPrincipalBuilding	Maximum of 6.7 m. (22 ft.) The height is measured from the average finished grade to the mid-point of a sloped roof. The height restriction combined with the floor area restrictions could limit a new house to a maximum of two storeys, or one storey with a basement.	Maximum of 9 m. (30 ft.), except that if the roof slope is less than 1:4, the height shall not exceed 7.3 m. (24 ft.).
J. Special RegulationsRoof Slope	Minimum roof pitch of 2 to 12; and Maximum roof pitch of 6 to 12	No restriction on the roof pitch
• Secondary Suite	No change. Same as existing RF Zone.	1 secondary suite. A secondary suite shall not exceed 90 sq. m. (968 sq. ft.) in floor area and shall occupy less than 40% of the habitable floor area of the building.
• Basement Access and Basement Well	Basement access and basement wells are permitted only between the principal building and the rear lot line and must not exceed a maximum area of 13 sq. m. (140 sq. ft.), in addition to the stairs.	No restriction on basement access or basement well
All other regulation	ns of the proposed CD Zone are the same as the regulations of	the RF Zone and CD By-law No.'s 17461 and 17487.

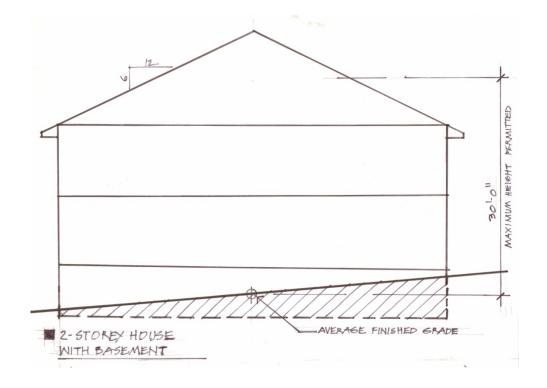
Attachment #4

Illustrations: Impact on the House Massing of the Proposed CD Zone Regulations Compared to the Existing RF Zone Regulations.

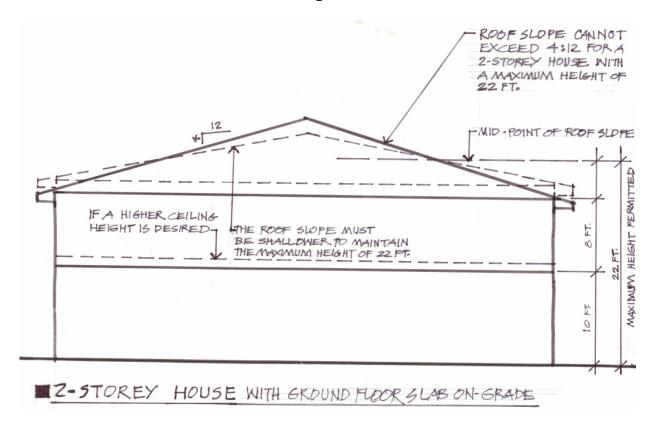
Flat Site - Existing RF Zone

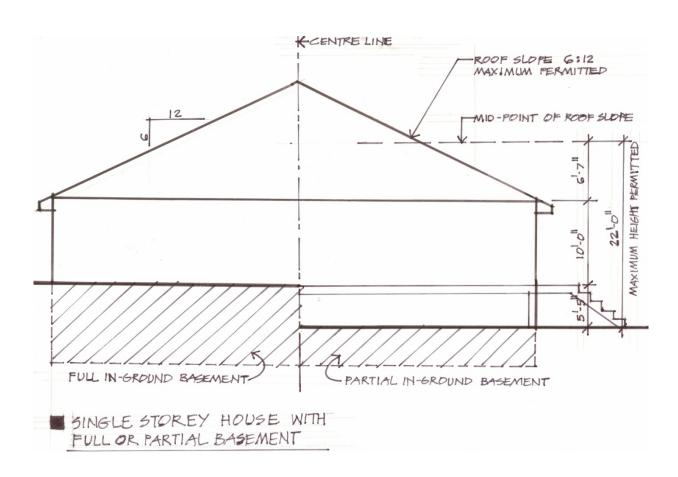


Sloped Site - Existing RF Zone

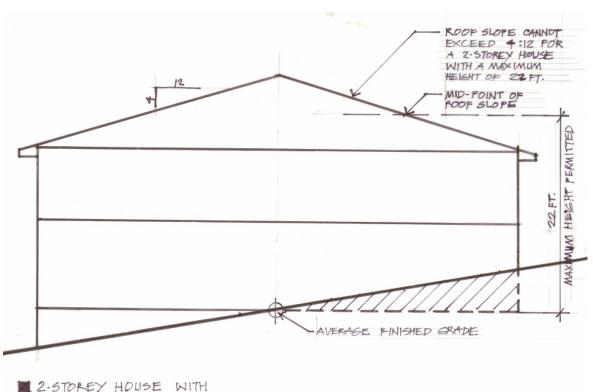


Flat Site - Proposed CD Zone

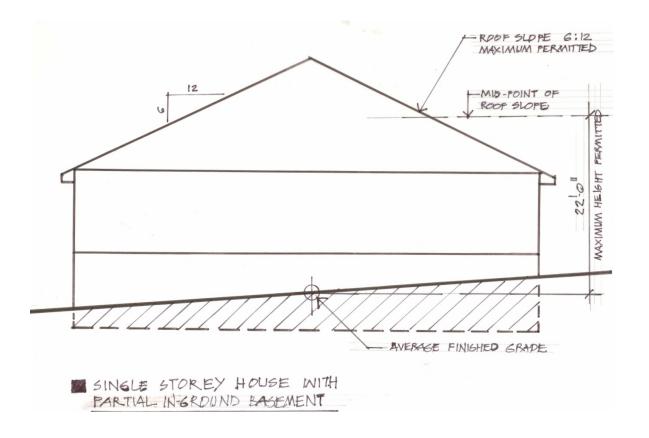




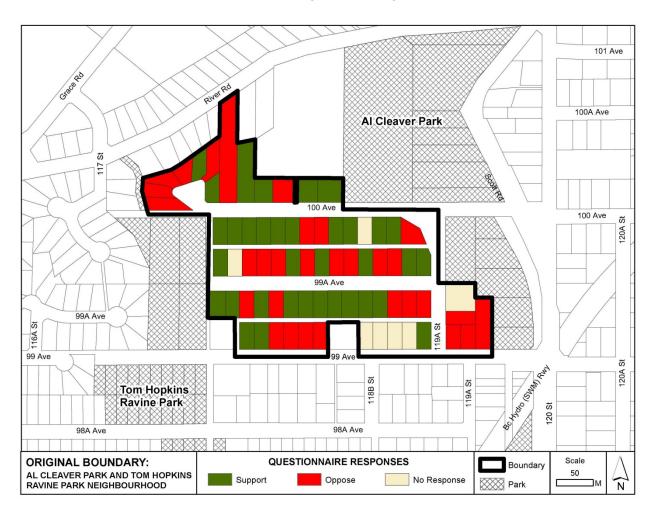
Sloped Site - Proposed CD Zone



2-STOKEY HOUSE WITH PARTIAL IN-GROUND BASEMENT



Results of Survey of Property Owners



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