



# Corporate NO: R055

# Report COUNCIL DATE: March 12, 2001\_

<b>REGULAR COUNCIL</b>			
<b>TO:</b>	<b>Mayor &amp; Council</b>	<b>DATE:</b>	<b>March 9, 2001</b>
<b>FROM:</b>	<b>General Manager, Planning and Development</b>	<b>FILE:</b>	<b>7900-0225-00</b>
<b>SUBJECT:</b>	<b>Amendment to Development Application No. 7900-0225-00 (Langton; 2030/64-128 Street &amp; 12825/51- 20 Avenue)</b>		

## RECOMMENDATION

The Planning & Development Department recommends that Council:

1. Receive this report as information;
2. Approve the revised subdivision layout plan for Development Application No. 7900-0225-00 (Appendix I);
3. Approve amendments to Rezoning By-law No. 14331 as documented in Appendix IV;
4. Grant Third Reading to Official Community Plan Amendment By-law No. 14330, and Rezoning By-law No. 14331 as amended;
5. Require that prior to Final Adoption of Rezoning By-law No. 14331, a Restrictive Covenant be registered to restrict future subdivision of the subject property to the pattern illustrated on Appendix I; and
6. Deem the public consultation process as documented in this report related to the OCP amendment proposed under By-law No. 14330 to satisfy the requirements of the *Local Government Act*.

## BACKGROUND

The Public Hearing for Official Community Plan Amendment By-law No. 14330 and Rezoning By-law No. 14331

was held on February 19, 2001. These By-laws relate to a development application to permit subdivision of 4 properties at 2030/64- 128 Street and 12825/51- 20 Avenue into 28 small urban lots (Appendix II). During the Public Hearing, delegations from the community expressed strong concerns about the density of the proposed development in comparison to the existing Official Community Plan, and the ramifications of the proposed higher density development on the adjacent community.

On February 26, 2001, Council considered Third Reading of the Official Community Plan Amendment By-law No. 14330 and Rezoning By-law No. 14331. Council deferred Third Reading of the By-laws and directed staff to work with the applicant on decreasing the density of the project to reflect the existing densities to the south and west of the project.

Staff has worked with the applicant and his consultants toward developing a revised subdivision plan for the subject property that complies with Council's direction.

## DISCUSSION

An analysis of the existing residential subdivisions to the south and west of the 128 Street/20 Avenue intersection has been undertaken. The areas that were studied are illustrated in Appendix III. The analysis included a review of existing lot densities, minimum and average lot sizes, and lot dimensions. The following table summarizes the results of the analysis:

	Lots (Future)	Gross Density  Units per hectare  (Units per Acre)	Lot Size		Lot Width	Lot Depth	Open Space
			Range	Avg.			
ADJACENT AREAS	SW Quadrant	10.2 (4.11)	684.9 – 1,030 m <sup>2</sup> (7,370 – 11,080 ft <sup>2</sup> )	786 m <sup>2</sup> (8,460 ft <sup>2</sup> )	16.7 m min. (55 feet)	40.7 m min. (134 ft.min.)	
	SE Quadrant	12.8 (5.18)	660 - 788.2 m <sup>2</sup> (7,100 – 8,480 ft <sup>2</sup> )	676 m <sup>2</sup> (7,270 ft <sup>2</sup> )	18 m (59 feet)	33.2 m (109 ft.)	
	NW Quadrant	11.0 (4.45)	663 – 1,069 m <sup>2</sup> (7,130 – 11,500 ft <sup>2</sup> )	772 m <sup>2</sup> (8,310 ft <sup>2</sup> )	18 m (59 feet)	35 m (115 feet)	
Previous R-F Zone (B/law No. 5942) Requirements	N/A		660 m2 min. (7,100 ft <sup>2</sup> )	N/A	18 m (59 feet)	28 m (92 feet)	

1995 Proposal (Denied)	17 lots	10.1 (4.1)  11.9 (4.81) exc. Open space	560 – 1,120 m <sup>2</sup> (6,025 – 12,050 ft <sup>2</sup> )	687 m <sup>2</sup> (7,390 ft <sup>2</sup> )	15 m (49 feet)	28 – 36 m (92 – 118 ft.)	15% park dedication
New Proposal (Tabled Feb.26/00)	28 lots	16.6 (6.7)	366 – 616 m <sup>2</sup> (3,940 – 6,630 ft <sup>2</sup> )	476 m <sup>2</sup> (5,120 ft <sup>2</sup> )	12.2 – 16 m (40 – 52 ft.)	28 – 30 m (92 – 98 ft.)	5% cash-in- lieu
Revised Proposal	19 lots	11.3 (4.57)	660 – 879 m <sup>2</sup> (7,100 – 9,460 ft <sup>2</sup> )	701 m <sup>2</sup> (7,540 ft <sup>2</sup> )	18 – 22 m (59 – 72 ft.)	28 – 35 m (92 – 35 ft.)	5% cash-in- lieu

The following observations can be made from the analysis:

- Densities in the three quadrants of the subject intersection range from 10.2 to 12.8 units per hectare (4.11 to 5.18 units per acre).
- The minimum lot size is 660 m<sup>2</sup>.
- The average lot size for the three quadrants ranges from 676 m<sup>2</sup> (7,270 ft<sup>2</sup>) to 786 m<sup>2</sup> (8,460 ft<sup>2</sup>)
- The minimum lot width and depth observed in any of the three quadrants is 16.7 m (55 feet) and 28 m (92 feet) respectively.
- The subdivisions in the three quadrants to the south and west were developed during the 1980's, and were based generally on the minimum subdivision requirements of the then prevailing R-F Residential Zone under By-law No. 5942, which permitted lots with a minimum area of 660m<sup>2</sup> (7,100 feet<sup>2</sup>) and a minimum lot width and depth of 18 m (59 feet) and 28 m (92 feet) respectively.
- A previous proposal (Application No. 23/5693-0241-00) on the subject site that was considered by Council in 1995 and denied following a Public Hearing is illustrated in Appendix V. This previous application proposed to create 17 lots, with a gross density of 10.1 units per hectare (4.1 units per acre). The proposal included a parkland dedication of 15% of the site area that is not included in the current proposal. If the parkland dedication is not included in the site area for the previous application, the density is approximately 11.9 units per hectare (4.8 units per acre).

### Revised Proposal

As stated earlier in this report, staff has worked with the applicant and his consultants to develop a revised subdivision plan for the subject property that has a density similar to the existing subdivisions to the south and west of the site. The revised subdivision pattern is illustrated in Appendix I. This revised plan has the following characteristics:

**No of Lots:** 19 lots (18 currently with the potential for 1 additional lot to be created in the future when the existing home, which is in good condition, is demolished).

**Density:** 11.3 units per hectare (4.57 units per acre) based on 19 lots

**Range of Lot Sizes:** 660 m<sup>2</sup> (7,100 sq. feet) to 879 m<sup>2</sup> (9,460 sq. feet)

**Minimum Lot Size:** 660 m<sup>2</sup> (7,100 ft<sup>2</sup>)

**Average Lot Size:** 701 m<sup>2</sup> (7,545 sq. feet)

**Minimum Lot Width:** 18 m (60 feet)

**Minimum Lot Depth:** 28 m (92 feet)

This revised plan has been developed based on the requirements of the previous R-F Zone as contained in the Surrey Zoning By-law No. 5942, and therefore results in an overall density, and lot sizes, widths, and depths that are generally the same as the subdivisions to the south and west which were in majority developed under this previous zone. Specifically, the proposed minimum lot size (660 m<sup>2</sup>/7,100 ft<sup>2</sup>) and average lot size (701 m<sup>2</sup>) are comparable to adjacent subdivisions to the south and west. Although the current proposed subdivision results in two more lots than was contemplated under the 1995 proposal, the revised plan actually has larger lots on average than the 1995 proposal since the 1995 proposal included open space dedication.

The Official Community Plan Amendment By-law No. 14330 and Rezoning By-law No. 14331 for the subject development were tabled pending completion of amendments to the proposed subdivision plan. The Rezoning By-law as currently written proposes to rezone lots fronting 20 Avenue to Single Family Residential Zone (RF) and the remaining lots to a Comprehensive Development Zone (Appendix IV).

The Comprehensive Development Zone portion of the proposed Rezoning By-law has been amended as documented in Appendix IV to reflect the revised plan of subdivision for the site. In addition to reducing the maximum density to 11.3 units per hectare (4.57 units per acre), the revised By-law has incorporated corresponding changes in the minimum lot size (660 m<sup>2</sup> /7,100 ft.<sup>2</sup>), lot width (18 m/59 ft.), lot depth (28 m/92 ft.), front yard setback (7.5 m/25 ft.), maximum building height (9 m/30 ft.), lot coverage (40%), floor area ratio (0.48), and maximum house size (330 m<sup>2</sup>/3,550 ft<sup>2</sup>), which are needed to reflect the reduction in density. The resulting requirements are consistent with the regulations of the RF Zone which applies also to the adjacent existing residential areas.

With respect to the portion of the site fronting 20 Avenue which is proposed to be rezoned to RF, the revised plan for the subject property shows lots along 20 Avenue which have a minimum width of 18 m and have a minimum area of 660 m<sup>2</sup>. However, the RF Zone permits lots with have a minimum width of 15 m (50 feet) and a minimum area of 560 m<sup>2</sup> (6,020 ft<sup>2</sup> ). Therefore, it will be necessary to register a Restrictive Covenant on the subject property prior to final adoption of the Rezoning By-law that restricts future subdivision including the lots fronting 20 Avenue to the configuration illustrated on the revised plan of subdivision (Appendix I).

## Public Consultation

The public has not reviewed the revisions to the proposed plan of subdivision. Some residents of the immediate community who appeared before Council at the Public Hearing have communicated with staff and have indicated that they would like to have an opportunity to review the revised plan and provide input to the City prior to Council considering third reading of the related Rezoning By-law.

Pursuant to Section 894 of the *Local Government Act*, Council may, without further notice or hearing, alter and then adopt a Rezoning by-law provided the alteration to the by-law does not alter the use, or increase the density, or where a density decrease is included in such an amendment the owners have consented to the decrease in density (Appendix VI). The proposed amendments to the CD By-law call for a decrease in the proposed density of the residential use and have been agreed to by the owner. Therefore, should Council approve the revised subdivision plan, it is not necessary to hold a second Public Hearing related to the Rezoning By-law.

Should Council support the revised subdivision plan and amended By-law, amendments to the arborist's Report, servicing plan, and Building Scheme in keeping with the amended layout will be need to be completed by the applicant to the satisfaction of the City.

### Official Community Plan Amendment

The *Local Government Act* requires local governments to provide an opportunity for consultation with persons, organizations and authorities it considers will be affected when undertaking an OCP amendment. Very limited guidance is provided in the Act regarding specific measures related to public consultation. With respect to the OCP amendment contemplated under By-law No. 14330, the public had opportunity to provide input to the City through the City's normal application pre-notification process as well as through a public information meeting held by the applicant in the community. In addition, the development sign erected on the site alerted the public to the proposed OCP amendment and included a phone number through which additional information could be obtained by interested parties. It is recommended that Council deem the public consultation process as documented above related to the OCP amendment proposed under By-law No. 14330 to satisfy the requirements of the *Local Government Act*. This recommendation was inadvertently overlooked in the previous Planning Report on this application.

## CONCLUSION

In accordance with Council direction, staff has worked with the applicant to revise the subdivision layout for the subject property to reflect existing densities of subdivisions to the south and west. Should Council approve the revised plan, it is recommended that amendments to the Rezoning By-law (No. 14331) as documented in Appendix IV be adopted, and that Council grant Third Reading to the Rezoning and Official Community Plan Amendment By-laws (Nos. 14330 and 14331) as amended. It is further recommended that Council direct that prior to Final adoption of the Rezoning By-law, a Restrictive Covenant be registered to restrict the future subdivision of the site to the pattern illustrated in Appendix I.

Murray D. Dinwoodie  
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### Appendices:

- Appendix I - Revised Proposal
- Appendix II - Previous Proposal (Tabled on February 26, 2001)
- Appendix III - Study Areas
- Appendix IV - Revised Comprehensive Development By-law (No. 14331)
- Appendix V - 1995 Proposal
- Appendix VI - Section 894 of *Local Government Act*

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