

City of Surrey
PLANNING & DEVELOPMENT REPORT

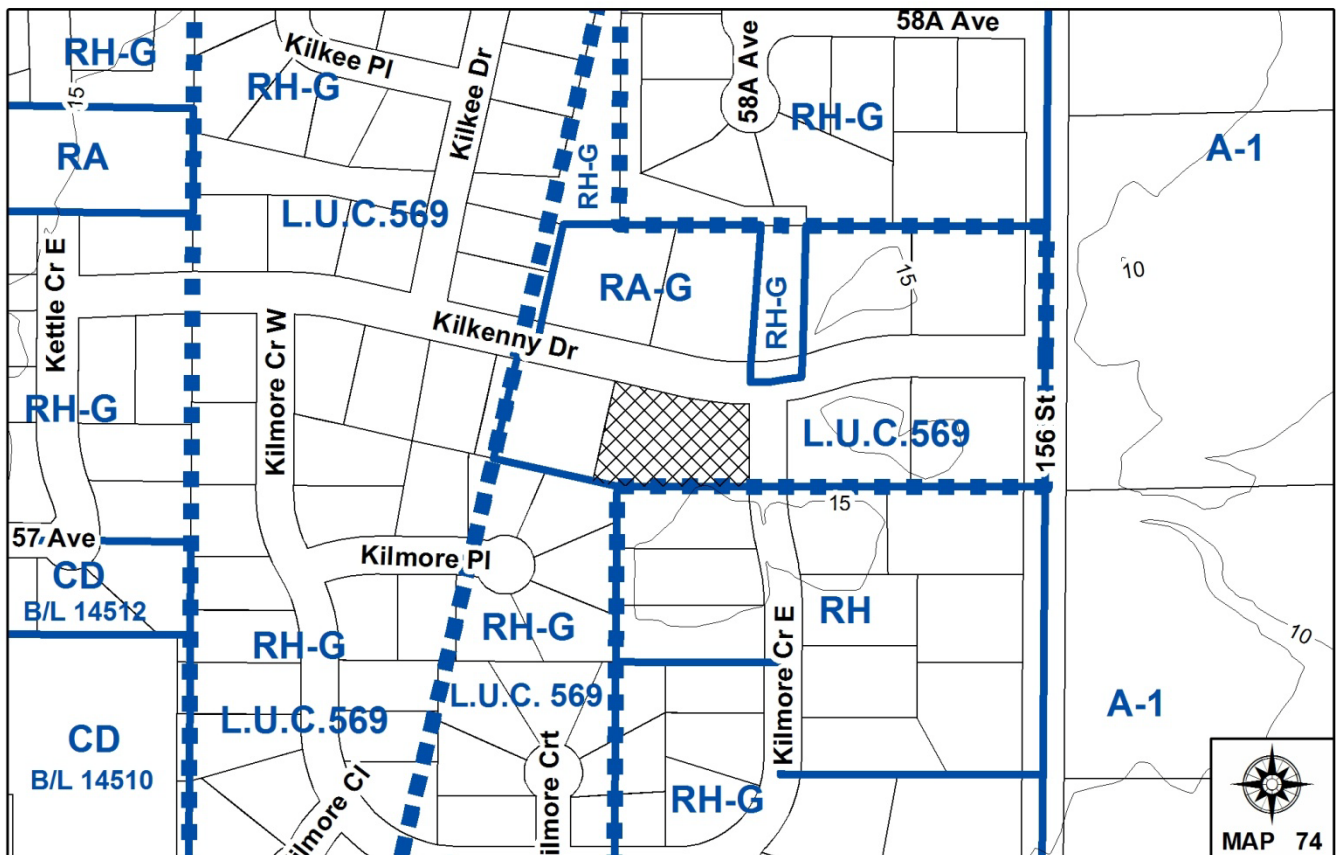
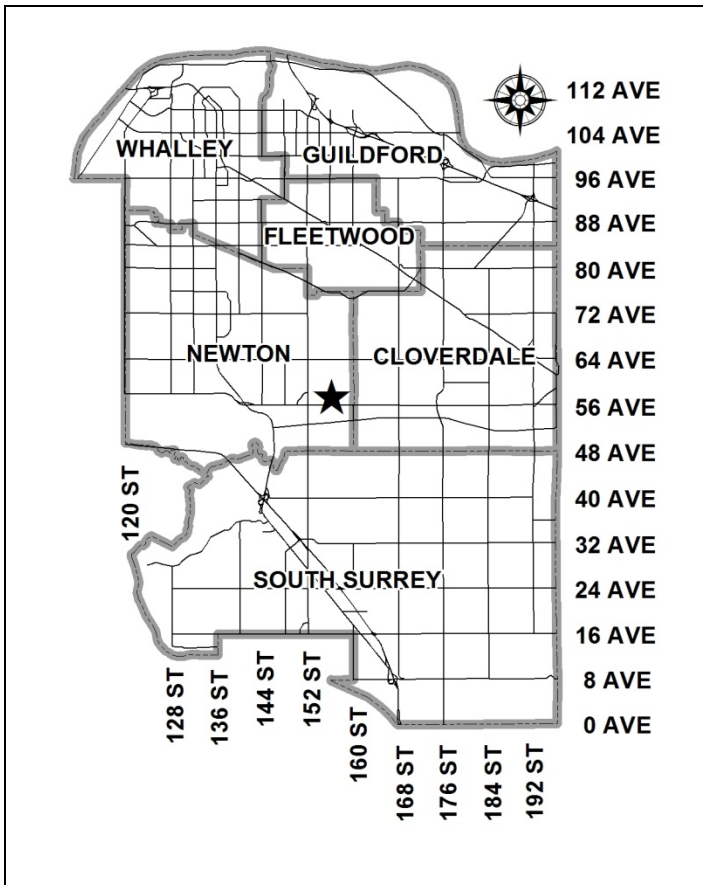
File: 7910-0229-00

Planning Report Date: June 25, 2012

PROPOSAL:

- **Land Use Contract** amendment
 in order to allow subdivision into 2 single family residential lots.

LOCATION: 15514 Kilkenny Drive
OWNERS: Avtar and Connie Johl
ZONING: LUC No. 569
OCP DESIGNATION: Suburban
LAP DESIGNATION: Suburban Residential (1 Acre)



RECOMMENDATION SUMMARY

- The Planning & Development Department recommends that this application be denied.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The proposed development is contrary to the provisions of Land Use Contract No. 569.

RATIONALE OF RECOMMENDATION

- The subject property is one of 8 lots in the corridor that form the entry into Sullivan Station from the east along Kilkenny Drive. These lots are purposely larger in recognition of their proximity to Agricultural Land Reserve lands to the east.
- The underlying Zone of the 8 lots along the entry corridor is RA-G, which reflects the original context and intent of the larger lots. The underlying Zone for the balance of the subdivision is RH-G, reflecting smaller suburban lots within the interior of the subdivision.
- The original intent, form and character of the entrance corridor will be eroded by the subdivision of this large lot into two smaller lots.
- Phase III of the Sullivan Station subdivision under LUC No. 569 shows a total of 38 lots, however 40 lots have been created. The number of lots created in Phase III exceeds the number of lots set out in LUC No. 569.
- The Agriculture and Food Security Advisory Committee (AFSAC) did not support the proposed subdivision of the subject property due to concerns over increased density in close proximity to the ALR (within the 200 metre buffer area).
- Staff has received overwhelming opposition to the proposal on the basis of character and local context.

RECOMMENDATION

The Planning & Development Department recommends that this application be denied.

REFERRALS

Engineering: The Engineering Department has no objection to the project, as outlined in Appendix III.

Agriculture and Food Security Advisory Committee: Agriculture and Food Security Advisory Committee (AFSAC) does not support the proposed subdivision of the subject property due to concerns over increased density in close proximity to the ALR (within the 200 metre buffer area).

SITE CHARACTERISTICS

Existing Land Use: Single family residential dwelling.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across Kilkenny Drive):	Single family dwellings on suburban lots.	Suburban	LUC No. 569
East (Across Kilmore Crescent East):	Single family dwellings on suburban lots.	Suburban	LUC No. 569
South and West:	Single family dwellings on suburban lots.	Suburban	LUC No. 569

DEVELOPMENT CONSIDERATIONSBackground

- The property is designated Suburban in the Official Community Plan (OCP) and Suburban Residential (1 acre) in the Newton Local Area Plan (LAP). The site has an area of 0.3035 hectares (0.75 acres).
- The subject property has an existing single-family dwelling located on the northeast corner of Kilkenny Drive and Kilmore Crescent East. The property is located within a single-family suburban subdivision known as Sullivan Station that was developed in 1978 under Land Use Contract No. 569.
- Sullivan Station was developed to a rural standard that does not include the curbs, gutters, or sidewalks that are characteristic of many subdivisions.

- The application was scheduled to go to Council on December 13, 2010. The applicant requested that the project be pulled from the agenda so that the applicant could prepare building designs and solicit the views of area residents on two proposed options:
 - Option 1: proceed with the application to subdivide the subject property to create two lots with areas of 1,635 m² and 1,400 m², both of which meet the minimum 1,300 m² area requirements of the Half-Acre Residential (RH-G) Zone.
 - Option 2: construct an addition to the existing dwelling in accordance with the regulations in Land Use Contract No. 569.

Land Use Analysis

- The subject site is regulated by LUC No. 569, and the underlying Zone is “Acreage Residential Gross Density Zone (RA-G)”. It is designated Suburban in the OCP and Suburban Residential (1 Acre) in the Newton LAP.
- The applicant proposes to amend Land Use Contract No. 569 in order to permit subdivision of the subject property into two Single Family Residential Lots.
- The lots immediately to the north, west, and east of the subject property form part of the entrance acres into Sullivan Station and range in lot area from 2797 m² to 2811 m².
- The subject property is one of 8 lots in the corridor that form the entry into Sullivan Station from the east along Kilkenny Drive. These lots are purposely larger in recognition of their proximity to Agricultural Land Reserve lands to the east.
- The underlying Zone of the 8 lots along the entry corridor is RA-G, which reflects the original context and intent of the larger lots. The underlying Zone for the balance of the subdivision is RH-G, reflecting smaller suburban lots within the interior of the subdivision.
- The original intent, form and character of the entrance corridor will be eroded by the subdivision of this large lot into two smaller lots.
- Phase III of the Sullivan Station subdivision under LUC No. 569 shows a total of 38 lots, however 40 lots have been created. The number of lots created in Phase III exceeds the number of lots set out in LUC No. 569.
- The Agriculture and Food Security Advisory Committee (AFSAC) did not support the proposed subdivision of the subject property due to concerns over increased density in close proximity to the ALR (within the 200 metre buffer area).
- Staff has received overwhelming opposition to the proposal on the basis of character and local context.
- The proposed 2 lots range in area from 1,400 square metres (15,069 square feet) to 1,635 square metres (17,599 square feet), and in width from 30 metres (98) to 35 metres (115 feet). The proposed lot areas and widths are not consistent with the size of the adjacent lots along this entry section of Kilkenny Drive.

Building Design Guidelines & Lot Grading

- The applicant retained Ran Chahal of Apex Design Group Inc., as the Design Consultant for this project. The Design Consultant has conducted a character study of the surrounding homes and, based upon those findings, has proposed a set of building design guidelines for the proposed lot (Appendix IV).
- The designs for the proposed lots include Neo-Traditional, Neo-Heritage, Rural Heritage, and West Coast Modern. The new homes would meet modern development standards relating to overall massing, design, and finishing.
- The roofing will reflect the desirable style objectives, and will require a minimum pitch of 7:12.
- The only permissible roof materials would consist of cedar shingles, concrete roof tiles in a shake profile, and asphalt shingles in a shake profile.
- A preliminary Lot Grading Plan, submitted by HY Engineering Ltd., has been reviewed by the Building Division and is generally acceptable.
- In-ground basements are not proposed based on the lot grading and tree preservation information that was provided by the applicant. The information has been reviewed by staff and found to be generally acceptable.
- Basement-entry homes and secondary suites will not be permitted.

Trees and Landscaping

- Glenn Murray, Certified Arborist of Froggers Creek Tree Consultants Ltd., prepared the Arborist Report and Trees Replacement Plan for the subject site (Appendix V). The Arborist Report indicates there are 7 protected trees on the subject site that require protection. The following is a table providing the breakdown by species:

Tree Species	Total # of Trees	Total Retained	Total Removed
Western red cedar	4	2	2
Serbian spruce	1	1	0
Blue spruce	1	1	0
Black pine	1	1	0
Total	7	5	2

- The applicant conducted an assessment of tree retention and has determined that of the 7 protected onsite trees, 2 must be removed.
- Despite the removal of trees on the subject site, the applicant will be required to replant the trees on a 2 to 1 replacement basis for coniferous trees and a 1 to 1 replacement for deciduous trees.
- This will require a total of 4 replacement trees on the subject site. The applicant is proposing to plant 4 replacement trees.

PRE-NOTIFICATION

- Pre-notification letters were sent on October 20, 2010 to 53 residences within 100 metres (328 feet) of the subject site. The following table summarizes the communication in response to the pre-notification letter and the development proposal sign:

Method of Communication	Number of Responses	Opposed	In Favour	Neutral
Phone calls	23	21		2
Emails	67	66	1	
Letters	8	8		
Petition opposing the proposal	203 signatures (165 households)	203		
Total number of households that registered a response.	184	181	1	2

- A number of issues and concerns were raised by the public. Residents largely feel that allowing the subdivision of this large lot into two smaller lots will significantly change the context and character of this mature, established community. The area has been relatively unchanged since its initial subdivision and as such, represents a unique area in Surrey.
- Residents are also concerned that allowing the proposed subdivision would set a precedent for the further subdivision of the 7 remaining larger lots along Kilkenny Drive, which is a prominent entrance to the community. Of those 7 remaining lots, those immediately next door, and the two across the street are against the subdivision proposal. There is a shared sense that subdividing the subject property will erode the integrity and value of the Sullivan Station community.
- Other issues identified include loss of open space, increasing traffic congestion, parking issues, illegal suites, and tree preservation.

Applicant's Response:

- Currently, more than half of the property is undeveloped, not landscaped, and is separated from the existing dwelling by a fence. It is neither logical nor plausible that this part of the lot will remain vacant.
- If the application to subdivide the property is not approved, there is a high probability that a subsequent owner will construct a large addition to the existing dwelling or a new dwelling, which could conceivably total $\pm 20,000$ sq.ft.
- Most of the 7 other one-acre lots in this area are unlikely to subdivide in the future because of the location of existing dwellings on the lots.
- The proposed lot sizes are well in excess of the minimum lot area under the RH-G Zone and are consistent with lot sizes in the area.
- The new dwelling on the proposed new lot will be modest in size, similar in scale to the existing dwelling, and will be in keeping with the context and character of the neighbourhood.

Staff response:

- Staff met with the applicant in March, 2012, to discuss their intentions. The applicant confirmed that they are contemplating one of the following two options:
 1. Option 1: proceed with the application to subdivide the subject property to create two lots with areas of 1,635 m² and 1,400 m², both of which meet the minimum 1,300 m² area requirements of the Half-Acre Residential (RH-G) Zone (development application 7910-0299-00).
 2. Option 2: construct an addition to the existing dwelling in accordance with the regulations in Land Use Contract No. 569. Under Land Use Contract No. 569, the existing dwelling can be expanded to a maximum size of ±20,000 sq.ft., subject to the issuance of a Building Permit.
- If Option 2 is pursued, the applicant advises he will withdraw the application to subdivide the property and will proceed with construction of an addition to the existing dwelling.
- Staff agreed to give the applicant until the end of May, 2012, to complete their canvassing of the neighbourhood and present thy City with their chosen option. To date, nothing has been received from the applicant.
- Additional phone calls, emails and letters have been received in response to the applicant's canvassing of the neighbourhood. Residents are strongly opposed to the proposed subdivision of 15514 Kilkenny Drive.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets
Appendix II.	Proposed Subdivision Layout, Site Plan, Building Elevations
Appendix III.	Engineering Summary
Appendix IV.	Agriculture and Food Security Advisory Committee Minutes
Appendix V.	Building Design Guidelines Summary
Appendix VI.	Summary of Tree Survey and Tree Preservation
Appendix VII.	Public Notification Map of Responses

original signed by Nicholas Lai

Jean Lamontagne
General Manager
Planning and Development

TH/kms

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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: Avtar and Connie Johl
 Address: 15514 Kilkenny Drive
 Surrey, BC
 Tel: 604-599-6512

2. Properties involved in the Application

(a) Civic Address: 15514 Kilkenny Drive

(b) Civic Address: 15514 Kilkenny Drive
 Owners: Avtar Johl
 Connie Johl

PID: 002-173-492
Lot 75 Section 11 Township 2 New Westminster District Plan 61926

3. Summary of Actions for City Clerk's Office

SUBDIVISION DATA SHEET

Proposed Zoning: LUC No. 569

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	0.75 ac
Hectares	0.3035 ha
NUMBER OF LOTS	
Existing	1
Proposed	2
SIZE OF LOTS	
Range of lot widths (metres)	30 m - 34.9 m
Range of lot areas (square metres)	1,300 m ² - 1,635 m ²
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	1.98
Lots/Hectare & Lots/Acre (Net)	4.89
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	YES
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



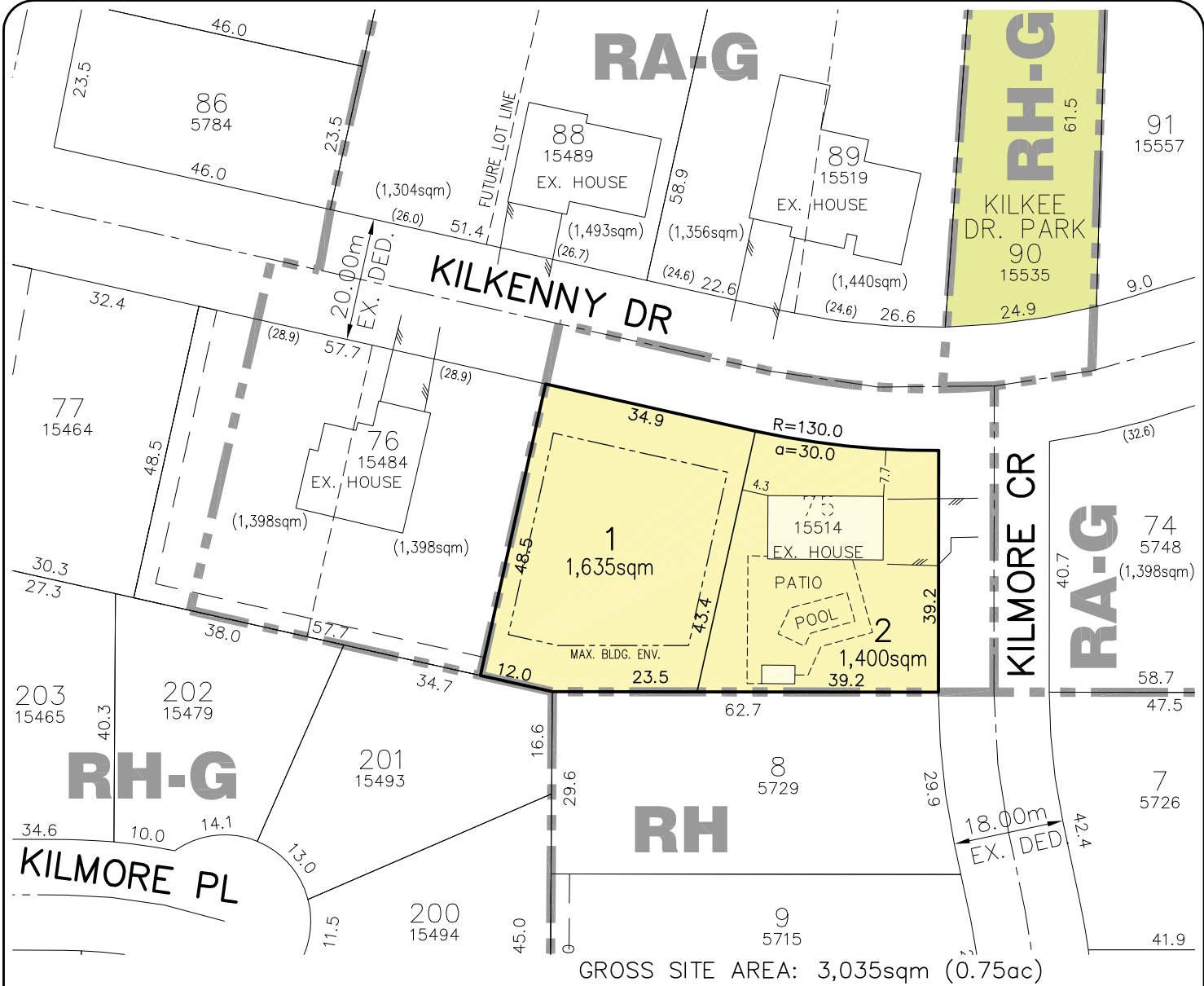
PROPOSED SUBDIVISION LAYOUT

Planning & Development Department
14245 - 56 Avenue, Surrey,
British Columbia, Canada V3W 1K2
Tel. (604) 591-4441 Fax. (604) 591-2507

File No: 79 - 0 - 00
MAP #: 074
EXIST. ZONE: RA-G
PROP. ZONE:



CIVIC ADDRESS: #15514 KILKENNY DR., SURREY, BC
LEGAL: LOT 75, SECTION 11, TOWNSHIP 2, N.W.D., PLAN 61926



#200-9128-152nd. ST. Surrey, BC V3R 4E7 • TEL 604-583-1616
Website: www.hyengineering.com • FAX 604-583-1737

NOTE: ALL EXISTING ONSITE STRUCTURES
LOCATED ON PROPOSED LOT 1 ARE TO BE
REMOVED UNLESS NOTED OTHERWISE

H.Y.#:103133 ALTERNATIVE#01 DATE: 21 OCT/10 SCALE: 1:1000

Please dimension lot frontages & areas, name existing roads and indicate north
Preferred scales: 1:500, 1:1000, 1:2500, 1:10,000 Metric
Larger format drawings may be attached as required

H.Y. DWG. No. E:\PROJECTS\103133\PLANNING\ALT01.DWG



INTER-OFFICE MEMO

TO: **Manager, Area Planning & Development
- South Surrey Division
Planning and Development Department**

FROM: **Development Project Engineer, Engineering Department**

DATE: **November 22, 2010** PROJECT FILE: **7810-0229-00**

RE: **Engineering Requirements
Location: 15514 Kilkenny Dr.**

LUC AMENDMENT

There are no engineering requirements relative to the LUC Amendment.

SUBDIVISION***Property and Right-of-Way Requirements***

- Dedicate 3.0m x 3.0m corner cut at the intersection of Kilkenny Drive and Kilmore Crescent East.

Works and Services

- Construct west side of Kilmore Crescent East to Through Local standard;
- Construct pedestrian connection;
- Provide water, sanitary and storm service connections to each lot.

A Servicing Agreement is required prior to Subdivision.

Bob Ambardar, P.Eng.
Development Project Engineer

HB



Agricultural Advisory Committee Minutes

Parks' Boardroom #1
City Hall
14245 - 56 Avenue
Surrey, B.C.
THURSDAY, NOVEMBER 4, 2010
Time: 9:00 am
File: 0540-20

Present:

Mike Bose - Chair
D. Arnold
B. Aulakh
P. Harrison
M. Hilmer
K. Thiara
Councillor Hunt

Guest Observer:

Rolf Ingold
Rick McNary

Regrets:

S. VanKeulen
M. Smith, Sr. Economic Development Officer
T. Pellett, Provincial Agricultural Land
Commission

**Environmental Advisory Committee
Representative:**

B. Stewart

Staff Present:

M. Osler, Engineering
C. Stewart, Planning & Development
M. Kischnick, Planning & Development
L. Anderson, Legislative Services

Agency Representative:

K. Zimmerman, Ministry of Agriculture
and Lands

D. NEW BUSINESS

1. Proposed Land Use Contract (LUC) Amendment 15514 Kilkenny Drive File No. 7910-0229-00

Taryn Hayes, Planner, was in attendance to review her memo, dated October 21, 2010, regarding the above subject line. Comments were as follows:

- The subject site is located west of the ALR boundary at 156th Street.
- The two proposed residential lots fall within 200m of the ALR boundary. (The distance according to the current policy was demonstrated on the COSMOS mapping program, which fell under 200m).
- The application will completely change the feel of the neighbourhood.
- As there are swales on the side of the road for infiltration, installation of a curb and gutter would be required.
- There have been previous applications for this property that were unsuccessful.
- This application is contrary to the current policy and contrary to the wishes of the entire community.
- On the compliance chart it is noted that the application complies using the land use contract. However, the whole area is a land use contract, so only when you get to the fine minutia there are more dwellings allowed.
- It was further noted that there are two remaining sites in the area that will not be developed.

It was

Moved by M. Hilmer

Seconded by P. Harrison

That the Agricultural Advisory Committee recommends to the G.M. Planning and Development, that Application No. 7910-0227-00 be denied, insofar as the proposal does not meet Policy O-23.

Carried

Nature of the Proposal:

The proposal is to subdivide the existing large One Existing “Acreage Residential Gross Density (RA-G)” zoned lot into Two “Comprehensive Development (CD)” zoned lots.

Form, Size and Character of the Surrounding Homes

The immediate neighborhood surrounding the subject site consists of older homes built out in the 1990’s and newer homes built in the 2000’s. Most of the homes in the study area are simple “West Coast Traditional” style structures with habitable areas of between 2000-5000 sf. None of the homes are over embellished with detail.

Design Attributes: Massing and Proportion of the Surrounding Homes

Currently, 79% of the homes have a one storey front entry with the remainder being one-half storey front entry. Most of the existing homes have mid-scale massing characteristics. This characteristic is desirable to adopt, as late 1990’s design standards which limit the mass of the upper floor in relation to the size of the lower floor have improved the appearance of a majority of the new designs. However in this case, due to the existence of the surrounding mid mass homes, it should not be necessary to restrict the upper floor setbacks to a level more stringent than that required by the zoning by-law.

Roof Design and Surface Materials

Simple gable and hip forms are abundant for the main roof with secondary roof forms equally simple and usually. Most of the homes have a 7-10/12 pitch roofs with simple gables and common hips and the remainder of the homes have a 7/12 roof pitch or lower. Currently, 46% of the homes have Asphalt Shingles, 54% of the homes have Cedar Shakes/ Shingles. In most cases an aluminum fascia gutter is used in place of a fascia board.

Wall Cladding and Colours

Use of exterior materials is limited in the most part to 62.5% Vinyl(dominant), 25% Stucco, 12.5% Cedar. Brick or Stone was used as an accent material on 87.5% of the homes. Accent trims are evident on most of the existing homes. Most of the homes have a Natural and Neutral colour scheme.

Landscaping

In general, landscaping improvements in this neighborhood is of moderate planting standard. 83% homes in this neighborhood have double garage with exposed aggregate or brushed concrete driveways being the common finished surface.

Conclusion

The result is that some of the homes in the immediate neighborhood do reflect some characteristics we would be in favor of today. Nonetheless, rather than use the existing homes to provide architectural context for the new development, the best strategy will be to employ modern design, massing and finishing standards.

TREE PRESERVATION SUMMARY

Surrey Project No:

Project Location: 15514 Kilkenny Drive, Surrey BC

Project Arborist: Glenn Murray for Froggers Creek Tree Consultants Ltd.
I.S.A. Certification # PN-0795B

NOTE: A detailed assessment of the existing trees, submitted by the Arborist, is on file. The following is a summary of the Tree Assessment Report for quick reference.

1. General assessment of the site and tree resource:

The site is a large flat lot with 7 onsite trees, 3 city trees and 2 neighbouring trees that could be affected by the development of the site.

2. Summary of Proposed Tree Removal and Replacement:

- The summary will be available before final adoption.

A	Number of Protected Trees Identified	7
B	Number of Protected Trees assessed as Hazardous	0
C	Number of Protected Trees to be Removed	2
D	Number of Protected Trees to be Retained	5
E	Number of Replacement Trees Required (C-B) X 2 or (I) X 3	4
F	Number of Replacement Trees Proposed	4
G	Number of Replacement Trees in Deficit (E-F)	0
H	Number of Retained and Replacement Trees on Site (D+F+3)	9
I	Number of Lots Proposed in the Project	2
J	Average Number of Trees per Lot (H/I)	4.5

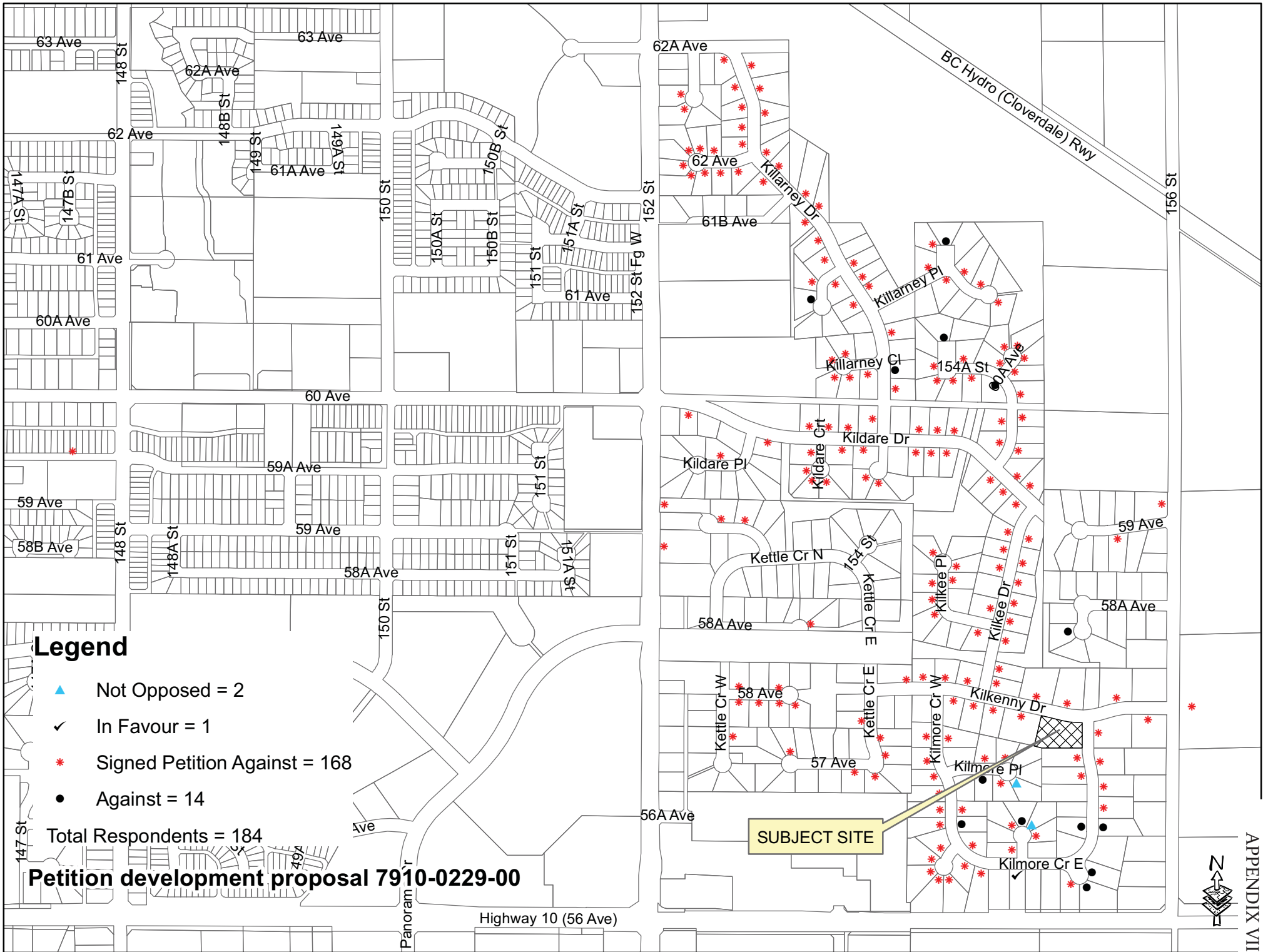
3. Tree Protection and Tree Replacement Plans

- The Tree Protection Plan is attached.



Dated: September 23, 2010

Glenn Murray – Board Certified Master Arborist
I.S.A. Certification # PN-0795B
Certified Tree Risk Assessor #0049
Froggers Creek Tree Consultants Ltd.



Legend

- ▲ Not Opposed = 2
- ✓ In Favour = 1
- * Signed Petition Against = 168
- Against = 14

Total Respondents = 184

Petition development proposal 7910-0229-00

