

NO: R258

COUNCIL DATE: December 18, 2017

REGULAR COUNCIL

TO: **Mayor & Council** DATE: **December 14, 2017**

FROM: **General Manager, Planning & Development** FILE: **6520-20**
(Birdland Area)

SUBJECT: **Birdland Area Neighbourhood - Request for Zoning Changes**

RECOMMENDATION

The Planning & Development Department recommends that Council:

1. Receive this report as information; and
2. Authorize staff to inform the representatives of the Birdland Area 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 intent of this report is to inform Council of the results of the consultation process that was undertaken to determine the support of owners of 166 RF lots in the Birdland Area 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 May 26, 2017, the Planning & Development Department received a petition from residents in the Birdland Area 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 – particularly the neighbourhood's existing views, sense of privacy on private yards, and trees – by limiting the size, height, and lot coverage of houses. Appendix "I" illustrates the location of the Birdland Area Neighbourhood in relation to the defined neighbourhood area.

At the July 10, 2017 Regular Council – Public Hearing Meeting, Council approved the recommendations of Corporate Report R149; 2017, thereby instructing staff to commence a

neighbourhood consultation process to determine the level of support in the Birdland Area 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 components:

- City staff worked with the representatives of the Birdland Area Neighbourhood to develop the detailed zoning provisions of a proposed CD Zone that meets the objectives of the Birdland Area Neighbourhood while remaining in a format consistent with *Surrey Zoning By-law, 1993, No. 12000*.
- The representatives of the Birdland Area Neighbourhood held a neighbourhood meeting at the Guildford Recreation Centre on July 19, 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"). Approximately 44 people attended the meeting. City staff also 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 distributed copies of a chart and illustrations comparing the current RF Zone with the proposed new CD Zone, and copies of Corporate Report R149; 2017.
- On the basis of the comments received at the open house, the representatives of the Birdland Area Neighbourhood, in consultation with City staff, confirmed the proposed zoning provisions, and staff then prepared a draft CD Zone.
- 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 involved in the rezoning.

On December 4, 2017, at Regular Council – Public Hearing, Council endorsed the Downzoning Process Guidelines described in Corporate Report R240; 2017. The Downzoning Process Guidelines includes neighbourhood support thresholds that determine whether or not a downzoning proposal proceeds from the neighbourhood consultation phase (Phase 2) to the Council consideration phase (Phase 3).

This report summarizes the survey responses, analyzes support thresholds and puts forward recommendations based on the approved Downzoning Process Guidelines.

DISCUSSION

Neighbourhood Consultation Process

Neighbourhood Meeting and Comments on the Proposed CD Zone

At the July 19, 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, 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 the use of basements as secondary suites impact on-street parking and access/egress on the neighbourhood's narrow roads, particularly in the winter season.

Other residents expressed concerns related to reduced floor area and building height, such as impact on: property value and equity (particularly for recent home purchasers); the ability to build a "dream home" when the time is right; neighbourhood improvement; homes with extended and multi-generational families; affordable housing options for young adults and seniors; and rental income as mortgage helpers.

Subsequent to this public information meeting, the representatives of the Birdland Area 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 August 29, 2017, City staff sent a survey package by registered mail to the owners of each of the 166 RF lots in the Birdland Area 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;
- An illustration 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 September 29, 2017. On October 4, 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 October 31, 2017.

Survey Results

As of November 24, 2017, the City has received completed questionnaires from the owners of 132 lots, representing 80% of the 166 lots in the neighbourhood. 20% of the lots in the neighbourhood (34 lots) did not respond. Since the survey packages were sent by registered mail,

City staff were able to track the mail and found that the survey packages were successfully delivered to the owners of 97% of the lots in the neighbourhood. The survey packages that were sent to five lots were 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 (132 Lots)	% of the Total Number of Lots (Total 166)
“Support” the rezoning (downzoning)	41	31%	25%
“Oppose” the rezoning (downzoning)	85	64%	51%
“Do Not Wish to Provide Any Response”	5	4%	3%
Undecided	1	1%	1%
Survey not returned.	34	Not applicable	20%
Total	166	100%	100%

The survey results are illustrated on the map attached as Appendix "VI" of this report.

Of the 166 lots in the neighbourhood:

- 25% (41 lots), or 31% of the 132 returned surveys, indicated support for the rezoning;
- 51% (85 lots), or 64% of the 132 returned surveys, opposed the rezoning;
- 3% (5 lots), or 4% of the 132 returned surveys, did not wish to provide any response to the rezoning;
- 1% (1 lot), or 1% of the 132 returned surveys, was undecided (for this lot, there was no consensus among the owners – one owner opposed the rezoning, and the other owner did not wish to provide any response to the rezoning); and
- 20% (34 lots) did not return a completed questionnaire.

Fifteen percent (25) of the completed questionnaires for the Birdland Area Neighbourhood included comments. About a quarter of these comments were in support of the rezoning and expressed concerns about the potential impact of building height and size currently permitted under the RF Zone, including impact on:

- Neighbourhood character;
- Views;
- On-street parking and access/egress associated with larger homes that have secondary suites;
- Mature trees and bird habitat;
- Privacy;
- Sense of spaciousness; and
- Sunlight.

More than two-thirds of the 25 completed questionnaires with comments were in opposition to the rezoning, expressing the following concerns:

- Potential reduced property values relative to the existing RF zoning.
- 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.
- The exclusion of large family households (multi-generational families and young families) from the neighbourhood.
- Current owners bought their property under the assumption that they could build according to the existing RF Zone.
- Impeding neighbourhood improvement through the replacement of smaller and older homes in need of repair with new and higher-value replacement homes.

Analysis of Survey Results

Based on the results, the level of support is significantly 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
 - 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
 - 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
 - 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
 - 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
 - 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.

The level of support for the proposed rezoning in the Birdland Area Neighbourhood (25% of the lots) is comparable to the level of support in Kwomais Point Park Neighbourhood Area 2 (26% of the lots), which did not proceed to rezoning. The Birdland Area Neighbourhood's level of opposition (51%), those who do not wish to provide any response (3%), and the number that did not return a completed questionnaire (20%) are also comparable to Kwomais Point Park Neighbourhood Area 2's numbers (50%, 2%, and 22%, respectively).

Support Thresholds

The Downzoning Process Guidelines provide guidance on optimal neighbourhood support thresholds, as follows:

1. Insufficient Neighbourhood Support (less than 50%)
 - If the level of support from the Phase 2 survey results is less than 50% of the total lots, the proposal will not proceed to Phase 3 of the Downzoning Process.
2. Moderate Neighbourhood Support (between 50-64%)
 - If the level of support from the Phase 2 survey results is between 50-64% of the total lots, staff will work with the proponents on further neighbourhood consultation before proceeding to Phase 3 of the Downzoning Process.
3. Sufficient Neighbourhood Support (65% or more)
 - If the level of support from the Phase 2 survey results is 65% or more of the total lots, the proposal will proceed to Phase 3 of the Downzoning Process.

Since the level of support in the Birdland Area Neighbourhood is 25% of the total lots, which is less than the minimum threshold of 50%, staff recommend that the Birdland Area Neighbourhood proposed rezoning from RF to CD not proceed.

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 "IV" does not indicate that the boundary should be modified to achieve the goals of the proposed rezoning.

CONCLUSION

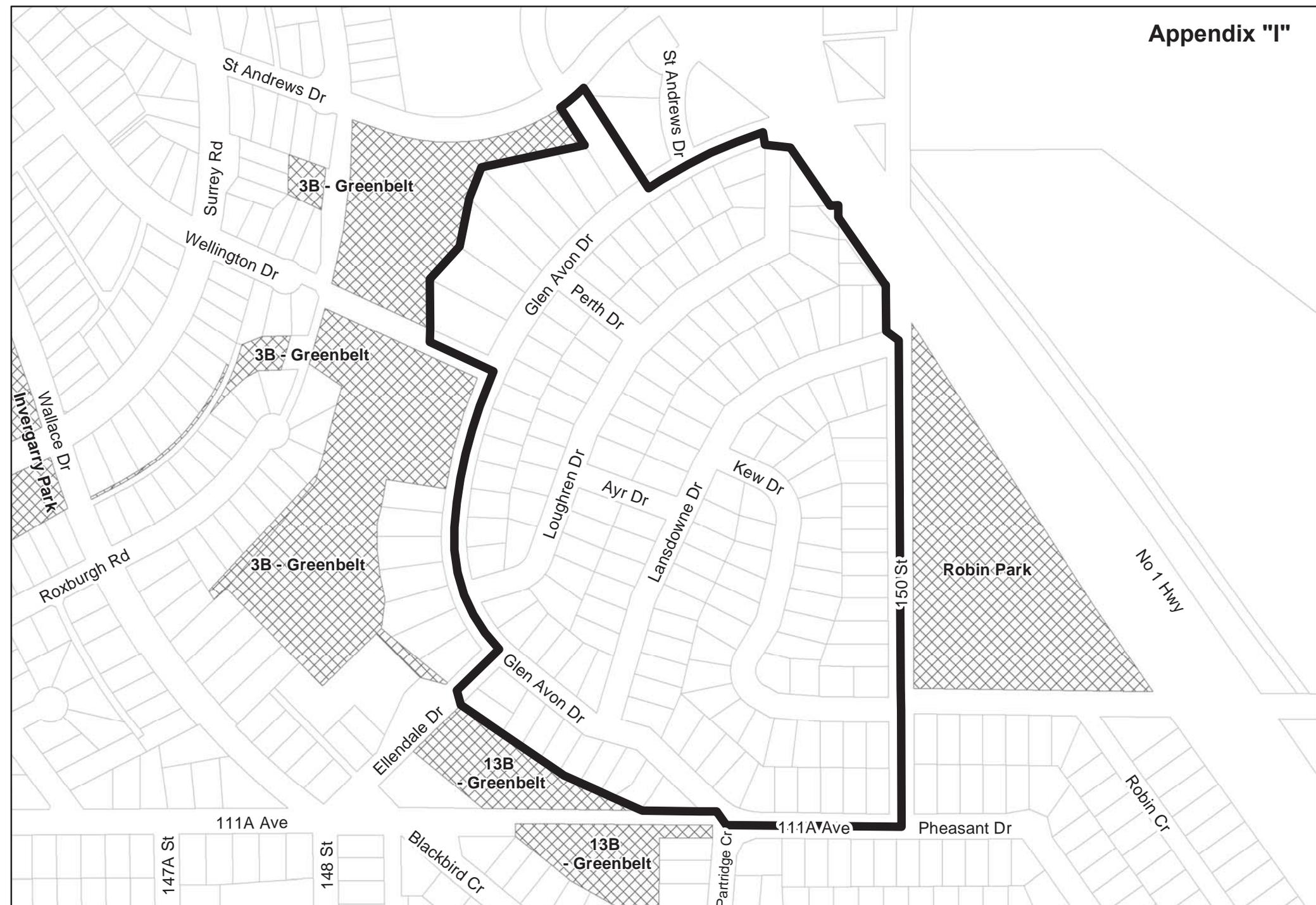
Based on the above discussion, it is recommended that Council:

- Receive this report as information; and
- Authorize staff to inform the representatives of the Birdland Area 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.

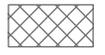
Original signed by
Jean Lamontagne
General Manager, Planning & Development

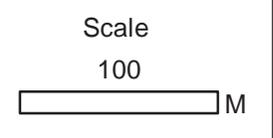
FW/PH/ss

Appendix "I" Birdland Area Neighbourhood - Study Area Boundaries
Appendix "II" Birdland Area Rezoning Proposal
Appendix "III" Survey Package Sent to Residents
Appendix "IV" Survey Responses



BIRDLAND AREA NEIGHBOURHOOD - STUDY AREA BOUNDARIES

 Boundary  Park



Birdland Area Rezoning Proposal

	Existing RF Zone	Proposed CD Zone
Density	0.60 FAR on first 6,000 sf 0.35 FAR on remaining lot area	0.55 FAR on first 7,200 sf 0.25 FAR on remaining lot area
Max House Size Including Garage (FAR density expressed on typical lots) on a:		
• 6800 sf lot	3,880 sf house	3,740 sf house
• 7,200 sf lot	4,020 sf house	3,960 sf house
• 7,500 sf lot	4,125 sf house	4,035 sf house
• 22,000 sf lot	5,000 sf house	5,000 sf house
Basement	<u>Not</u> 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
Vaulted 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	39% on 6,800 sf lot; 38% on 7,200 sf lot; 37% on 7,500 sf lot; 25% on 22,000 sf lot	35% on all lots
Building Height	30 ft (9 m) to ½ way up sloped roofs 24 ft (7.3 m) to top of flat roof	24 ft (7.3 m) to peak of roof (either flat or sloped)
Min/Max Off-street Parking	2 minimum / 3 with suite 2 maximum on driveways + 1 boat or trailer	3 minimum 3 maximum on driveway + 1 boat or trailer
Setbacks	25 ft (7.5 m) front yard 25 ft (7.5 m) rear yard 6 ft (1.8 m) side yard	Same as existing RF Zone Same as existing RF Zone Same as existing RF Zone
All other Zoning provisions are the same as the existing RF Zone		



CITY OF SURREY
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August 29, 2017

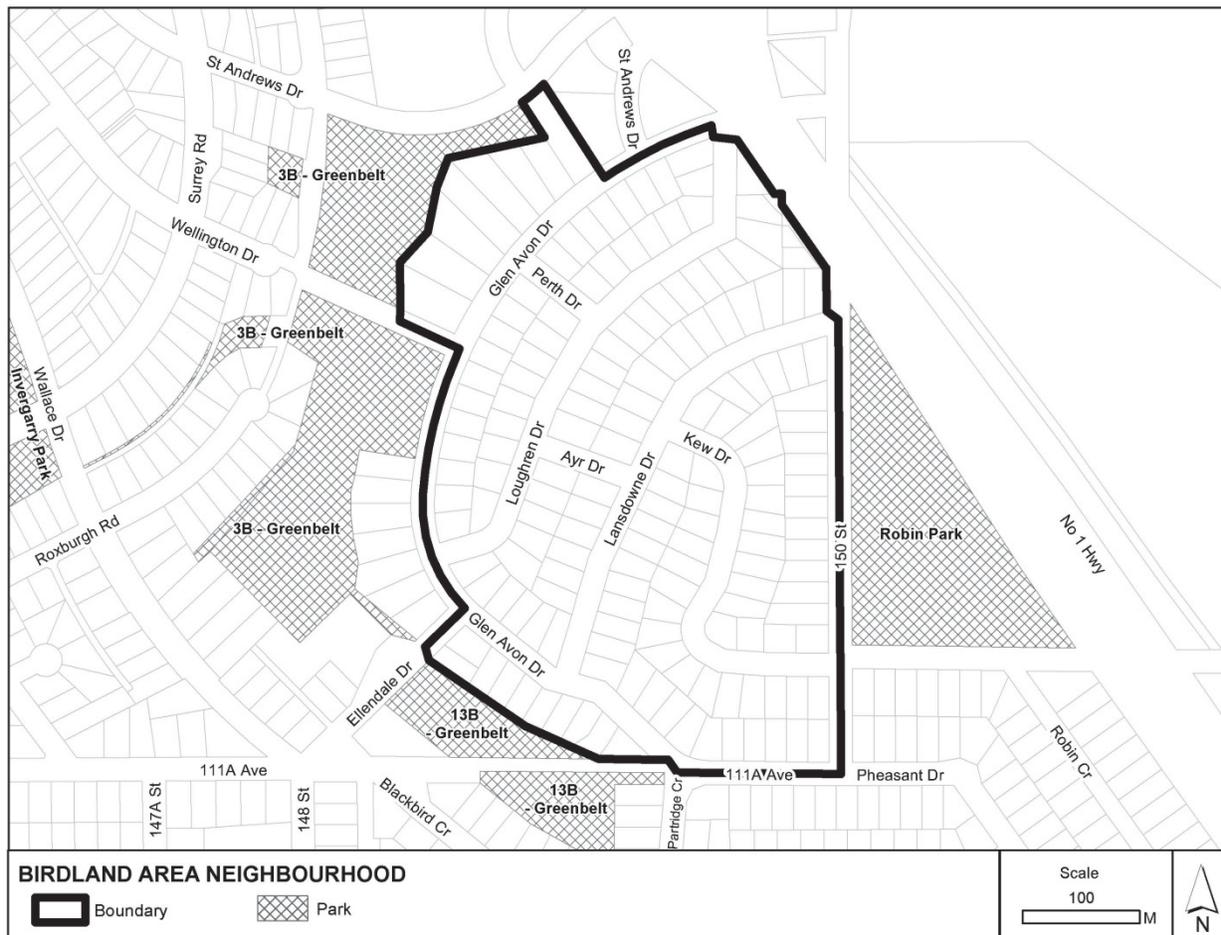
File: 6520-20 Birdland Area

REGISTERED

**TO: OWNERS OF PROPERTIES ZONED SINGLE FAMILY RESIDENTIAL (RF) IN
 THE BIRDLAND AREA NEIGHBOURHOOD**

Dear Sir/Madam:

**This survey concerns the proposed rezoning of your lot(s) in the Birdland Area
 Neighbourhood shown in the map below.**



Please review and read 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 29, 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 - Illustration 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,

Preet Heer
Acting Manager, Community Planning

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 BEFORE FRIDAY, SEPTEMBER 29, 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, Associate Planner, by phone at 604-591-4496 or by e-mail at fkwong@surrey.ca.



QUESTIONNAIRE

Birdland Area Neighbourhood - Proposed Rezoning from RF to CD

Please FULLY complete and mail this Questionnaire in the attached Return Envelope before Friday, September 29th, 2017.

Please read the statements below.

- I am / We are** the owner/owners of property/properties in the Birdland Area 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.
- I/We** have read the letter dated August 29, 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.
- 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 the property/properties YOU OWN in the Birdland Area Neighbourhood.

Please check (✓) the appropriate answer below.

- _____ I/We SUPPORT the proposed rezoning (downzoning) from RF to CD of my/our property/properties.
- _____ I/We OPPOSE the proposed rezoning (downzoning) from RF to CD of my/our property/properties.
- _____ I/We DO NOT wish to provide any response to the proposed rezoning (downzoning) from RF to CD of my/our property/properties.

If you have any additional comments, 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 #2

What is being proposed for the RF-Zoned Properties in the Birdland Area Neighbourhood?

On May 26, 2017, the Planning and Development Department received a petition from some residents in the Birdland Area 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 – particularly the neighbourhood’s existing views, sense of privacy on private yards, and trees – by limiting the size, height, and lot coverage 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 Birdland Area Neighbourhood presented a petition from the owners of 74 lots. Four of these lots are located in a One-Acre Residential (RA) Zone, outside of the neighbourhood boundary. Within the defined neighbourhood boundary of the Birdland Area Neighbourhood, the owners of 70 lots of the 166 lots (42%) signed the petition.

On July 10, 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 Wednesday, July 19, 2017 at 7:15 p.m. at the Guildford Recreation Centre. 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. Approximately 44 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. R149 (2017).

Residents of the neighbourhood who attended the meeting were concerned about the potential impact of building height in new construction on existing views, 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 the use of basements as secondary suites impact on-street parking and access/egress on the neighbourhood's narrow roads, particularly in the winter season.

Other residents expressed concerns related to reduced floor area and building height, such as impact on: property value and equity (particularly for recent home purchasers); the ability to build a "dream home" when the time is right; neighbourhood improvement; homes with extended and multi-generational families; affordable housing options for young adults and seniors; and rental income as mortgage helpers.

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 166 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 by-law 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.

Attachment #3

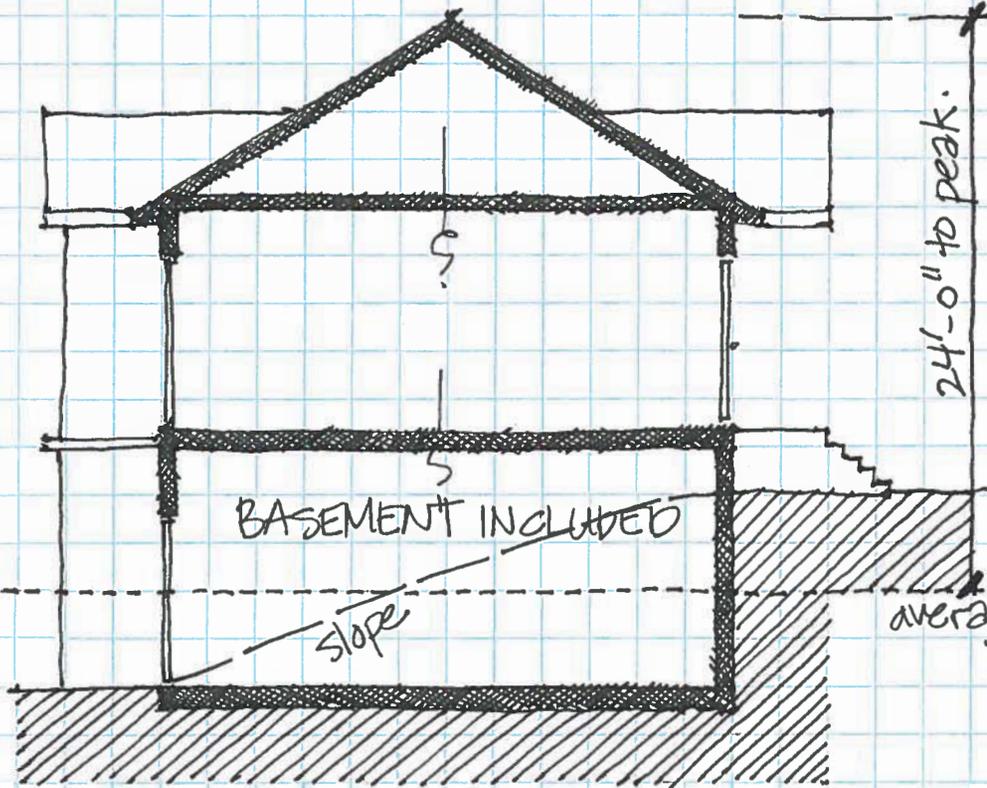
Birdland Area Rezoning Proposal

	Existing RF Zone	Proposed CD Zone
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Building Height	30 ft (9 m) to ½ way up sloped roofs 24 ft (7.3 m) to top of flat roof	24 ft (7.3 m) to peak of roof (either flat or sloped)
Min/Max Off-street Parking	2 minimum / 3 with suite 2 maximum on driveways + 1 boat or trailer	3 minimum 3 maximum on driveway + 1 boat or trailer
Setbacks	25 ft (7.5 m) front yard 25 ft (7.5 m) rear yard 6 ft (1.8 m) side yard	Same as existing RF Zone Same as existing RF Zone Same as existing RF Zone

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

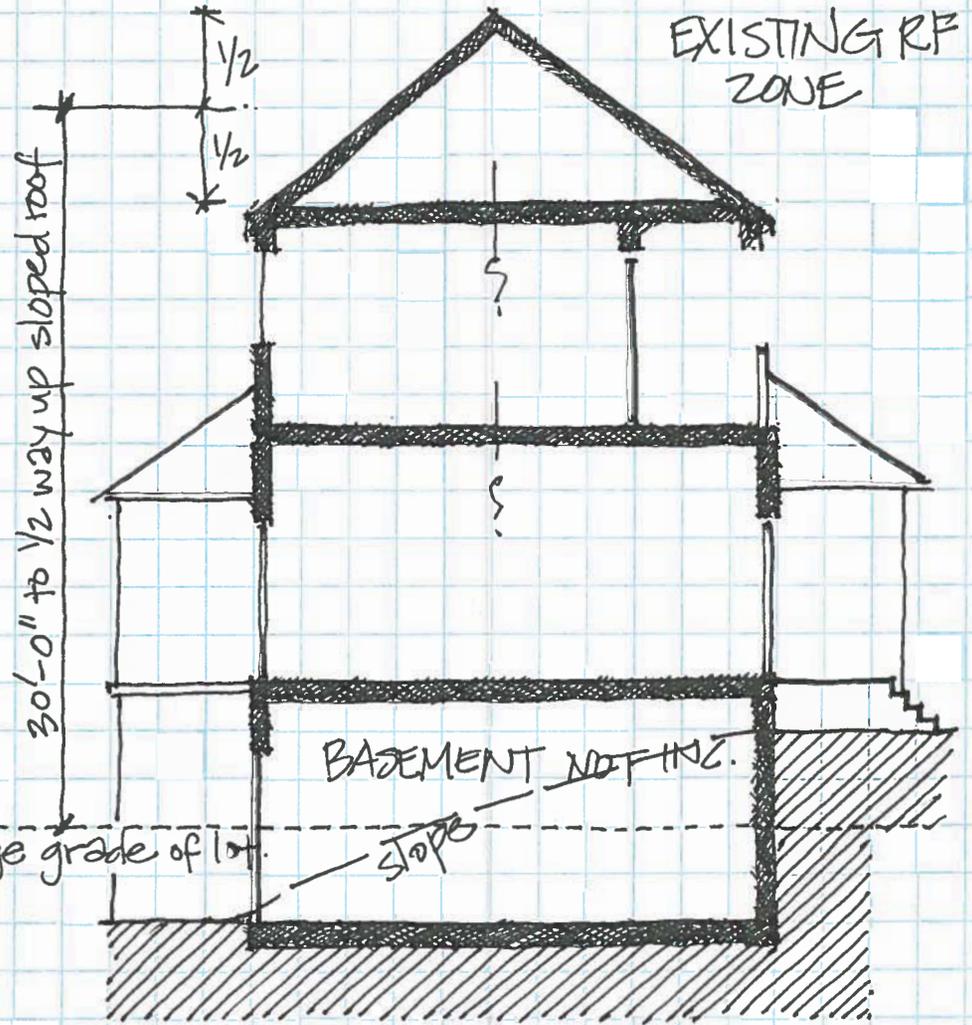
7,200 sf SLOPED LOT.

PROPOSED CD ZONE



3,960 sf. HOUSE

(INCLUDING GARAGE & BASEMENT.)



EXISTING RF ZONE

4,020 sf HOUSE

(INCLUDING GARAGE BUT NOT
INCLUDING BASEMENT)



BIRDLAND AREA NEIGHBOURHOOD

SURVEY RESPONSES

- Support
- Oppose
- Undecided
- Do Not Wish to Respond
- Survey Not Returned

- Boundary
- Park

