



Corporate Report

NO: L008

COUNCIL DATE: July 11, 2005

REGULAR COUNCIL – LAND USE

TO: Mayor & Council DATE: July 5, 2005
FROM: General Manager, Planning and Development FILE: 7904-0079-00
SUBJECT: Results of Additional Community Consultation for
Proposed Development at 6848 – 128 Street

RECOMMENDATION

It is recommended that Council:

1. Receive this report as information;
2. Grant third reading to Surrey Land Use Contract No. 438, Authorization By-law, 1978, No. 5541, Partial Discharge By-law, 2005, No. 15619; and
3. Authorize the Mayor and Clerk to execute Development Variance Permit No. 7904-0079-00.

INTENT

The purpose of this report is to advise Council of the results of additional community consultation undertaken by the applicant and City staff, regarding the property at 6848 128 Street (Application No. 7904 0079 00), which has occurred since the Public Hearing of January 24, 2005, and to recommend a course of action for Council's consideration.

BACKGROUND

On March 3, 2004, the owners of the property at 6848 – 128 Street submitted a development application for a partial discharge of Land Use Contract No. 438 to allow the underlying RF Zone to come into effect that would allow the lot to be subdivided into two single family lots. As part of this proposal, a Development Variance Permit was also proposed to relax the minimum lot frontage requirement of the RF Zone, to be reduced from 4.5 metres to 3.0 metres (File No. 7904-0079-00) (Appendix I).

The Public Hearing for the Land Use Contract Partial Discharge By-law was held on January 24, 2005. During the Public Hearing, the following occurred:

- Council received a petition containing 45 signatures opposed to the proposed development;
- Council received written submissions from a total of six people that noted their views on the proposed development, including four in support and two in opposition; and
- Council heard from three people, who appeared before Council at the Public Hearing, each of which expressed concerns regarding the proposed development.

Subsequent to the Public Hearing, Council resolved that:

"Application No. 7904-0079-00 be referred back to staff to work with the applicant and the community regarding concerns raised during the public hearing".

Council did not give third reading to Land Use Contract Partial Discharge By-law, 2005, No. 15619 and deferred consideration of approval of Development Variance Permit No. 7904-0079-00, pending completion of the community consultation, as directed by Council.

DISCUSSION

The Planning and Development Department has hosted two meetings between the applicant and neighbourhood representatives to gain a better understanding of the community's concerns and to attempt to find solutions. The following is a summary of the concerns and the means by which they are being addressed:

1. ***Impact on on-street parking – particularly on the 68A Avenue cul-de-sac.***

In response to on street parking concerns, the applicant has agreed to move the building envelopes on each of the proposed lots toward 128 Street. This will increase the length of the driveway on each lot, which will act to accommodate additional off-street parking stalls on the lot. The driveway lengths are approximately 15 metres to 25 metres in length, which will accommodate the parking of two to four cars in addition to the two required parking stalls in the garage.

2. ***Impact on traffic safety – specifically, removal of vehicular access from 128 Street, cars entering the cul-de-sac and conflicts with the existing lane.***

The City's Engineering Department has determined that driveway access to the proposed lots must be from the 68A Avenue cul-de-sac, as opposed to 128 Street, since 128 Street is an arterial road. Removal of driveways from arterial roads is a City-wide requirement, designed to improve traffic flow and traffic safety on the City's major roads.

In response to concerns regarding traffic safety along the lane connecting 68A Avenue and 128 Street, the City's Traffic Engineer recommends that two speed humps be installed along the lane. The location and size of these speed humps will be determined by the City's Engineering Department. The applicant will be obligated to pay for the installation of the speed humps as a condition of final subdivision approval and will post appropriate securities. As per standard policy, the City's Engineering Department will hold the security until a petition is submitted by local residents demonstrating an adequate level of community support for the installation of the speed humps. Once such a petition is received, the City will install the speed humps.

3. ***Impact on water pressure in the neighbourhood.***

The Engineer-of-record (Mainland Engineering Corp.) will be required to demonstrate, to the satisfaction of the City's Engineering Department, that adequate water supply is available to service the subdivision. The costs of any necessary improvements to meet City standards will be borne by the applicant.

4. ***Impact of construction traffic.***

In response to concerns regarding construction traffic, the City's Engineering Department has advised that large trucks will be required to access the site via 128 Street, as opposed to entering by way of the 68A Avenue cul-de-sac. A provision will be included in the servicing agreement between the applicant and the City, stipulating this requirement. The applicants have no concern with this restriction.

5. ***Proposed house design (size, location and style) and its impact on the neighbourhood.***

A Building Scheme will be registered on the title of each of the lots to ensure that the character of the new homes will reflect the high design standard of adjacent new development, while maintaining common elements of the neighbourhood to ensure appropriate interfacing with existing older homes.

The applicant has adjusted the building envelope in the Building Scheme, such that the proposed dwellings are set back 10 metres from the east property line, improving privacy for the neighbouring dwellings. The new homes will be oriented to face 128 Street, further improving neighbour privacy. The Building Scheme limits the new homes to dwellings without basements and the overall dwelling size will be restricted by the provisions of the RF Zone. The Building Scheme and Zoning By-law prohibit secondary suites in the new

homes.

6. ***Impact on emergency access.***

Emergency vehicles will access the new lots from either 128 Street or 68A Avenue, as the situation dictates. The proposed dwellings will have street addresses on 68A Avenue, with appropriate address signage placed close to the road to assist emergency services in locating the new dwellings.

7. ***Landscaping and screening from 128 Street.***

An arborist report, submitted by the applicant, identified that there are 14 mature trees on the property. One tree is in poor condition and needs to be removed, due to disease. Nine cottonwood trees need to be removed because they conflict with the proposed driveway location. Four trees are to be retained. The applicant has agreed to provide additional landscaping on the northeast corner of the property to replace the cottonwood trees being removed from this location. This includes four Katsura trees and a variety of shrub plantings (64 shrubs). The applicant also proposes an additional two replacement trees (one Magnolia tree and one Plum tree) on the western portion of the property (Appendix II). The landscaping, as proposed, exceeds the City's standard requirements for tree replacement.

8. ***Lot grading and drainage patterns.***

The proposed lot-grading plan has been designed to re-direct stormwater flow away from the surrounding lots, to catch basins located at the northerly portions of the proposed lots. The on-site stormwater control plan direct storm water flow to the existing storm sewer in the 68A Avenue cul-de-sac. Perimeter side yard swales, along the north and east lot boundaries, will be constructed to contain surface flows on the lots.

In response to concerns regarding the elevation of the proposed driveway, in relation to the neighbouring driveway to the east, a review of the lot grading information reveals that the driveways will be at approximately the same elevation.

A detailed summary of the applicant's responses to neighbour's concerns is attached in the form of a letter from the applicant's agent (Appendix III).

As agreed at the meeting with neighbourhood representatives, a follow-up letter was mailed, on June 9, 2005, to all neighbouring property owners within 100 metres of the proposed development, which summarized the results of the meetings and outlined the applicant's responses to the community concerns. In response to this letter, staff received two phone calls and one letter reiterating the same concerns related to traffic, drainage, removal of trees and house sizes.

In summary, the applicant's have consulted with the community and have made modifications to the proposal to address the concerns raised by residents. The two new single family lots and new dwellings on these lots will generally be in keeping with the surrounding area and can be supported by staff, subject to the arrangements documented in this report.

CONCLUSION

Based on the above discussion, it is recommended that Council grant third reading to Surrey Land Use Contract No. 438, Authorization By-law, 1978, No. 5541, Partial Discharge By-law, 2005, No. 15619, and authorize the Mayor and Clerk to execute Development Variance Permit No. 7904-0079-00.

Murray Dinwoodie
General Manager
Planning and Development

RG/kms/saw
Attachments:

- Appendix I Planning Report presented to Council on January 10, 2005 (without appendices)
- Appendix II Amended Tree Replacement Plan
- Appendix III Applicant's Response to Resident's Concerns and Proposed Project Modifications

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Appendix I

City of Surrey

PLANNING & DEVELOPMENT REPORT

File: 7904-0079-00

Land Use Contract Discharge
Development Variance Permit



Proposal: Partial discharge of Land Use Contract No. 438 to allow subdivision into two single family lots. Development Variance Permit to relax the minimum frontage requirements from 4.5 m to 3.0 m.

Recommendation: Approval to Proceed

Location: 6848 - 128 Street **Zoning:** LUC
No. 438

OCP Designation: Urban

LAP Designation: Urban **Owner:** Kulwant S. Sahota et al
Residential



PROJECT TIMELINE

Completed Application Submission Date:	March 3, 2004
Application Revision & Re-submission Date:	April 16, 2004
Planning Report Date:	January 10, 2005

The applicant is proposing:

- a partial Land Use Contract discharge; and
- a Development Variance Permit to vary the following by-law regulations:
 - minimum frontage width from 4.5 m (15 ft.) to 3.0 m (10 ft.)

in order to allow subdivision into two single family lots.

The Planning & Development Department recommends that:

1. a By-law be introduced to discharge Land Use Contract No. 438 and a date for Public Hearing be set.

2. Council approve Development Variance Permit No. 7904-0079-00 (Appendix VIII), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum frontage width for the rear lot line in the Zoning By-law from 4.5 metres (15 ft.) to 3.0 metres (10 ft.).
3. Council instruct staff to resolve the following issues prior to final adoption
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of an acceptable tree survey and a statement regarding tree preservation; an
 - (d) the applicant to provide additional landscaping to address the issue of screening for residents on 68A Avenue and the appropriate securities to ensure completion of that landscaping.

REFERRALS

Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as identified in the attached (Appendix IV).

School District:

School Impacts:

Projected number of students from this development:

Elementary students = 1 student
Secondary students = 1 student
Total new students = 2 students

School Catchment Area/Current Enrollment/School Capacity:

M.J. Norris Elementary School = 580 enrolled/505 capacity
Tamanawis Secondary School = 1,379 enrolled/1,125 capacity

Projected number of students from development approvals in the last 12 months (not including subject project) in the subject school catchment areas:

Elementary students = 0 students
Secondary students = 22 students
Total new students = 22 students

Approved Capacity Projects and Future Space Considerations

A major enrolment move to the new Site #032 Newton Area secondary when it opens in 2006 - 2007 is expected to eliminate overcrowding at Tamanawis Secondary School.

The proposed development will not have an impact on these projections.

(Appendix V)

SITE CHARACTERISTICS

- **Existing Land Use** A large single family dwelling.
- **East:** A large single family dwelling, under Land Use Contract No. 438, designated Urban in the OCP.
- **South:** Neighbourhood commercial complex, under Land Use Contract No. 438, designated Urban in the OCP.
- **West:** Single family dwellings, zoned RF, designated Urban in the OCP.
- **North:** Large single family dwelling, under Land Use Contract No. 438, designated Urban in the OCP.

PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

LAP Designation: Complies.

DEVELOPMENT CONSIDERATIONS

- The subject site is a large urban lot under Land Use Contract (LUC) No. 438. The underlying zoning is "Single Family Residential Zone (RF)" Zone. The site is located in West Newton, and designated "Urban" in the Official Community Plan.
- The owner is proposing to discharge LUC No. 438 in order to subdivide into 2 single family lots. Once LUC No. 438 is discharged, the property will be subject to all the restrictions of the RF Zone in the Surrey Zoning By-law No. 12000, as amended.
- The proposed LUC discharge and subdivision is consistent with the pattern of single family developments in the surrounding neighbourhood and across 128 Street to the west. The site is adjacent to older single family homes zoned LUC No. 438 to the north and east, and with the underlying zone of RF. Properties further east are under the same LUC, with the underlying zone of "Single Family Gross Density (RF-G)".
- To the south, the site is adjacent to a commercial plaza, under LUC No. 438. Across 128 Street to the west, the property is adjacent to new single family homes, zoned RF.
- The subject site is a double fronting lot with frontage on 128 Street and 68A Avenue. The proposed frontages of the 2 lots along 128 Street are consistent with the average width of single family lots on the west side of 128 Street. Driveway access will be permitted from 68A Avenue only, as 128 Street is an arterial road.
- The proposed lot width along the rear lot line adjacent to 68A Avenue does not meet the minimum frontage requirements of the zoning bylaw. The owner is requesting a development variance permit to relax the minimum frontage requirements from 4.5 m (15 ft.) to 3.0 m (10 ft.). The Engineering Department will permit a shared driveway from 68A Avenue to accommodate the narrow frontage along the rear yard for the proposed lots.

Building Design and Lot Grading

- The proposed Building Scheme was prepared by Davenport Design Group Ltd., and is based on a Neighbourhood Character Study of the area. The Building Scheme will be registered on title to ensure that the character of the homes will reflect the high design standard of adjacent new developments, while maintaining elements of the neighbourhood to ensure appropriate interfacing with existing older homes is achieved (Appendix VI).
- The proposed development will include two-storey single family dwellings and split-level single family dwellings in the "Neo-Heritage" and "Neo-Traditional" housing style. The minimum floor area for the two-storey and split level single family dwellings are 157 m² (1700 sq. ft).
- According to the Building Scheme, building materials will consist of stucco, cedar, and vinyl siding, in combination with brick, stone, cedar wall shingles for the exterior wall. Cedar shingles and shakes, duroid tiles and concrete tiles in natural earth and grey tones will be used on the roof. The proposed colour scheme consists of earth or grey tones.
- The proposed homes are limited to a two vehicle garage, and the Building Scheme will prohibit basement entry homes and the development of secondary suites on all lots.
- The proposed single family dwellings will not have in-ground basement. The maximum amount of fill does not exceed 0.5 m (1.6 ft.). The owner of the adjacent lot to the south, 6828 – 128 Street has agreed to additional fill on their lot for grading on the shared property line. The Building Division has deemed the proposed lot grading plan and drainage patterns acceptable for the proposed development to proceed.

Tree Preservation

- The arborist report identified 14 protected trees on the property. 9 protected trees will be removed because they are within the proposed driveway, and 1 tree will be removed due to disease. 2 protected trees are to be retained on each lot for a total of 4 protected trees to be retained for the development. For each of the proposed lots, there will be 1 replacement tree, for a total of 2 replacement trees for the development. The City's Landscape Architect has accepted the proposed arborist report and tree preservation plan (Appendix VII).

PRE-NOTIFICATION

Pre-notification letter were sent on March 11, 2004 and staff received 2 telephone calls and 1 letter with the following comments:

- Residents expressed that the stand of cottonwoods at the rear of the subject site, adjacent to 68A Avenue should be retained for sound and privacy for residents living on 68A Avenue.

(The applicant has submitted an Arborist Report and Tree Preservation Plan for the subject site. The stand of cottonwoods at the rear of the site are directly in the road allowance for the proposed driveways. The development is only permitted to have driveway access from 68A Avenue, as 128 Street is an arterial and driveway access is not permitted.

The applicant has offered to provide additional landscaping on the northeast corner of the property to replace the cottonwood trees being removed and to provide screening and privacy for residents living on 68A Avenue. The nature and precise location of this landscaping will be confirmed prior to final adoption.)

- The resident was concerned with the changes in drainage patterns on the adjacent lots due to the proposed development.

(The proposed lot grading plan, which has been reviewed and accepted by the Building Division, ensures proper drainage and no impact on adjacent properties.)

- The resident was concerned with the impacts of construction.

(The developer must abide by construction protocols restrictions as set out in the Building Scheme. This includes ensuring that sidewalks, curbs and streets are clean, orderly and free of debris during the construction process; that debris on or about the lot is removed within 30 days after completion of building construction; and that there is no burning of garbage on or adjacent to the lot, or washing of concrete residue into the storm sewer..)

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- Frontage relaxation from a minimum of 4.5 m (15 ft.) to 3.0 m (10 ft.) to permit subdivision into two single family lots.

Staff Comments:

- The frontage relaxation along 68A Avenue is supportable given that it is located in the rear yard, and the shared driveway will accommodate vehicle access to the proposed lots from 68A Avenue with little impact on adjacent homes. Also the proposed lots are much larger than the minimum RF requirements.

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.	Contour Map
Appendix III.	Proposed Subdivision Layout
Appendix IV.	Engineering Summary
Appendix V.	School Board Comments
Appendix VI.	Building Design Guidelines Summary
Appendix VII.	Summary of Tree Survey and Tree Preservation
Appendix VIII.	Development Variance Permit No. 7904-0079-00

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated March 16, 2004.
- Tree Survey and Tree Preservation and Planting Plan prepared by Randy Greenizan and dated November 22, 2004.
- Residential Character Study and Proposed Building Scheme prepared by Davenport Design Group and dated September

13, 2004. (One copy is filed with the City Clerk's Office.)

- Soil Contamination Review Questionnaire prepared by Darshan Sangha and dated March 3, 2004.

Original signed by

Murray Dinwoodie
General Manager
Planning and Development

LC/RG/kms

Appendix II









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