



Corporate Report

NO: L011

COUNCIL DATE: November 28,

2005

REGULAR COUNCIL – LAND USE

TO: Mayor & Council DATE: November 24,
2005

FROM: General Manager,
Planning and Development FILE: 7904-0306-00

SUBJECT: Status Report on Development Application No. 7904-
0306-00 and
Rezoning By law No. 15647, Related to Property at
9004 – 156 Street, South of Woodland Park
Elementary School

RECOMMENDATION

The Planning and Development Department recommends that Council:

1. Receive this report as information; and
2. Provide direction to staff regarding the further processing of Rezoning By-law No. 15647 and Development Application No. 7904-0306-00.

INTENT

The purpose of this report is:

1. To inform Council about the results of staff efforts in relation to:
 - Reviewing a land exchange involving the applicant's property and the property to the north on the east side of 156A Street;
 - Reviewing the purchase by the City of proposed Lots 6 to 10 for possible future exchange for other lands owned by the Surrey School District; and
2. To obtain direction from Council regarding the further processing of Development Application No. 7904-0306-00 and By-law No. 15647.

BACKGROUND

On February 21, 2005, a Public Hearing was held with respect to Rezoning By-law No. 15647, related to Development Application No. 7904-0306-00. This by-law, if adopted, would rezone the property located at 9004 – 156 Street from "One-Acre Residential Zone (RA)" to "Single Family Residential Zone (RF)" to allow subdivision into 10 single family residential lots, with the adjoining property located at 9016 – 156 Street (Appendix "A"). The development application also includes a Development Variance Permit to relax the lot depth and front and rear yard setbacks for proposed Lots 6 to 9, and to relax the side yard setback for proposed Lot 5 (Appendix "B").

Individuals who appeared before Council at the Public Hearing raised a number of concerns with this application, which are summarized below:

- The proposed 15.25-metre (50-foot) road right-of-way width for 90 Avenue is too narrow and should be widened to a full 20 metre road allowance to allow for a full pavement cross section, including the construction of a sidewalk on the north side;
- The portion of the subject property immediately south of the Woodland Park Elementary School property is not suitable for residential purposes; and
- The approval of the proposed subdivision layout will compromise the future development potential of the neighbouring property at 9010 – 156A Street.

After the completion of the Public Hearing and in considering Third Reading of Rezoning By-law No. 15647, Council passed the following motion:

"That Surrey Zoning By-law, 1993 No. 12000, Amendment By-law, 2005, No. 15647 be referred back to staff for further review of a land exchange involving the applicant's property and the property to the north on the east side of 156A Street, and the purchase by the City of Lots 6 to 10 for possible future exchange for other lands owned by the Surrey School District".

DISCUSSION

Possible Land Exchange With Property at 9010 – 156A Street

At the Public Hearing, the owner of the property at 9010 – 156A Street (the "neighbouring property") expressed, among other things, a concern that the proposed development would compromise the future development potential of his property. The Planning Report to Council regarding the application (Appendix "A") included a plan showing how the property at 9010 – 156A Street could be consolidated with the proposed Lot 5 of the current subdivision layout presented at the Public Hearing and the combined area subdivided into four lots. To ensure that the potential for such a subdivision is not compromised, staff recommended that a Section 219 Restrictive Covenant be registered on proposed Lot 5 that would not allow any further buildings on the lot until consolidation takes place with the property to the north at 9010 – 156A Street. However, the owner of 9010 – 156A Street is not in agreement with this approach for the following reasons:

- Approval by Council of a development variance permit related to the south side yard of the house on proposed Lot 5 will allow that existing house to remain where it is currently located and will undermine any value of the panhandle portion of the lot at 9010 – 156A Street for development purposes since the owner of the proposed Lot 5 will not need the panhandle portion of 9010 – 156A Street;
- The "no build" restrictive covenant will not guarantee the consolidation of proposed Lot 5 with the panhandle portion of 9010 – 156A Street; and
- The reduced road width for 90 Avenue will increase the costs to the owner of 9010 – 156A Street of subdividing that lot since more area will need to be acquired from the owner of the proposed Lot 5 to make such subdivision feasible.

In response to Council's direction to review the possibility of a land exchange with the neighbouring property to the north (i.e., the property at 9010-156A Street), staff requested the applicant to meet with the owner of 9010 – 156A Street to discuss a possible arrangement regarding the future subdivision of 9010 – 156A Street with the subject property. While preliminary discussions have occurred between the owner of 9010 – 156A Street and the applicant, to date, no mutually satisfactory agreement has been reached. The applicant has advised staff that until approval in principle is received for the rezoning and subdivision of the lands currently under application, detailed discussions regarding an exchange and/or purchase of lands are premature. The owner of the property at 9010 – 156A Street has been advised of the applicant's position, but remains very concerned that if the application is approved as originally proposed or in its modified form, it will leave him in a poor position to negotiate a reasonable exchange of property in order to allow subdivision of the property at 9010 – 156A Street.

Purchase by the City of Proposed Lots 6 to 10 and Future Land Exchange with the School District

Realty Services staff have held discussions with the applicant regarding the possibility of the City purchasing that

portion of the subject property comprising proposed Lots 6 to 10, immediately south of Woodland Park Elementary School. Realty Services advise that a mutually agreeable price has not been achieved and property negotiations have reached an impasse due the significant difference between the owner's requested price for the land and the City's appraised market value of the land. A separate memorandum will be forwarded to Council "on table" in conjunction with this report that provides information for Council regarding the applicant's requested price for the subject land and Realty Services' appraisal of its market value.

With regard to a possible future land exchange with the School District, Realty Services received advice from School District No. 36 on March 1, 2005 that they have no interest in participating in any exchange involving the subject area, as the existing school site is sufficient for their needs. This position was reconfirmed by the School District on October 19, 2005.

Applicant's Response to Concerns Raised at the Public Hearing

With the goal of advancing this application and in response to concerns raised at the Public Hearing, the applicant has submitted a revised proposal for subdivision of the subject property to the City. The proposed changes are summarized in the following Table 1.

Table 1: Proposed Changes

	Original	Revised	City Standard	Comment
Road Right-of-Way Width	15.3 m	15.55 m	20 m	Slight increase in width allows for a sidewalk on the north side of 90 Ave
Pavement Width	8.5 m	8.5 m	8.5 m	
Sidewalk	No sidewalk on the north side of 90 Ave (existing sidewalk on south side)	Sidewalk on the north side of 90 Ave (existing sidewalk on south side)	Sidewalks on both sides of "through local" roads. 90 Avenue is a "through local" road	A sidewalk is provided on the north side of 90 Ave
Dwelling Unit Orientation for Proposed Lots 6 9	Front door and garages fronting onto 90 Ave	Front door fronting onto 90 Ave; paired L-shaped driveways leading to attached garages on the side of each dwelling	n/a	The L-shaped driveways lengthen the parking area and improve the streetscape by shifting the garage doors to the side of the dwellings (see Appendix "C").

With the applicant's revised subdivision layout, revised variances for proposed Lots 5 through 9 are necessary to accommodate the change in the road dedication width, as documented in Table 2. If Council chooses to support the revised lay out, Development Variance Permit No. 7904-0306-00 would need to be amended and additional Public Notification would be required (Appendix "E").

Table 2: Requested Variances

Requested Variances	Required	Original	Revised
Flanking Side Yard Setback (proposed Lot 5)	3.6 m (12 ft.)	0.8 m (2.6 ft.)	0.43 m (1.4 ft.)

Lot Depth (proposed Lots 6 & 7)	28 m (92 ft.)	15 m (49 ft.)	14.6 m (48 ft.)
Lot Depth (proposed Lots 8 & 9)	28 m (92 ft.)	15 m (49 ft.)	15.1 m (50 ft.)
Front Yard Setback for Principal Building Face (proposed Lots 6-9)	7.5 m (25 ft.)	4 m (13 ft.)	4 m (13 ft.)
Front Yard Setback for Porch Projection	7.5 m (25 ft.)	2 m (6.6 ft.)	2 m (6.6 ft.)
Front Yard Setback for Garages (proposed Lots 6 & 9)	7.5 m (25 ft.)	6.0 m (20 ft.)	n/a
Rear Yard Setback (proposed Lots 6-9)	7.5 m (25 ft.)	2 m (6.6 ft.)	2 m (6.6 ft.)
Road Standard for 90 Avenue	20 m (66 ft.)	15.3 m (50 ft.)	15.55 m (51 ft.)

Public Information Meeting

The applicant presented the revised development proposal to the residents of the neighbourhood at a Public Information Meeting (PIM) on September 27, 2005, held at Woodland Park Elementary School.

The applicant mailed invitations to the PIM to the owners of all properties located within 100 metres (330 feet) of the development site and to the Fleetwood Community Association. The PIM was held in the form of an Open House, which included display boards and consultants available to answer questions. A questionnaire was distributed by the applicant to those who attended the PIM. The purpose of the PIM was to solicit comments from the community on the modified development proposal. A City staff person was in attendance at the PIM as an observer.

The applicant's summary of the PIM as provided to the Planning and Development Department, indicates that 34 residents signed the attendance log and a total of 68 questionnaire responses were received. Based on the applicant's summary of the meeting, most of the attendees preferred that 90 Avenue be widened. However, concerns remained with respect to the requested setback relaxations and driveway configurations for proposed Lots 6 to 9, and the owner of the property at 9010 – 156A Street remains concerned that the revised layout does not address his concerns in relation to the value and development potential of his lot.

Out of the 68 questionnaires received at or following the PIM, 46 are in favour and 22 are against the revised proposal. A majority of respondents indicated that they preferred 90 Avenue being widened. However, half of those not in favour of the revised layout stated that a full road width of 20 metres (66 feet) is preferred to the proposed 15.55-metre (51 feet) road right-of-way in the revised layout. Those respondents that are not in favour of the proposal expressed the following concerns regarding proposed Lots 6 to 9:

- The variances for reduced lot depth and front and rear yard setbacks will create lots that are inconsistent with the existing lots in the neighbourhood;
- Permitting dwellings with basements will increase the potential for illegal suites;
- The proposed front yard setback and driveway layout for proposed Lots 6 to 9 will create a safety hazard for cars backing over the proposed sidewalk on the north side of 90 Avenue and will encourage more on-street parking; and
- The proximity of the houses to the south property line of the school site (2.0 metres/6.6 feet) is a safety concern.

Based on staff's analysis of the questionnaires (some submissions had two names at one address on a single questionnaire), 36 of the 68 respondents reside within 100 metres (330 feet) of the subject proposal and 58% or 21 of those respondents oppose the proposed development. Nineteen of the respondents reside between 100 metres (330 feet) and 200 metres (656 feet) of the subject property. Of these 19 respondents, 16 (84%) support the revised layout. The remaining 13 respondents reside within 450 metres (1,476 feet) of the subject site and all, but one (92%), support the revised layout (Appendix "D").

Description and Evaluation of Optional Courses of Action Available to Council

The following options are available for Council's consideration:

(As a side note, Legal Services has advised that should Council wish to give further consideration to the revised subdivision layout, which will require amendments to the original Development Variance Permit No. 7904-0306-00, a new Public Hearing should take place. Issues and discussion contained in the original Planning Report to Council, together with the likelihood that submissions received in response to the Public Notification for the Development Variance Permit application, as amended, will likely relate specifically to the proposed rezoning and, as such, supports the need for a new Public Hearing.)

Option 1: Give Third Reading to Rezoning By-law No. 15647 and approve the Development Variance Permit as proposed with the original layout.

Advantages:

- Satisfies the applicant with respect to his objectives to develop the site;
- Will result in 90 Avenue pavement being widened to a full pavement width standard for a through local road, which will address some of the current concerns in the neighbourhood; and
- Will result in completing the connection of 90 Avenue to 156A Street.

Disadvantages:

- The subdivision layout, the design of the dwellings on proposed Lots 6 to 9 and the reduced front and rear yard setbacks on these lots is not satisfactory to many of the neighbours in the immediate vicinity of the proposed subdivision;
- The construction of a sidewalk on the north side of 90 Avenue between 156 and 158 Street is not possible; and
- Will not satisfy the concerns of the owner of 9010 – 156A Street who objects to the reduced road right-of-way width for 90 Avenue and to the side yard variance related to the existing house on the subject property since such a reduction in road right-of-way width combined with the variance for the existing house will act to undermine the value of the panhandle portion of his lot at 9010 – 156A Street. The owner of 9010 – 156A Street wants the variance denied so that the existing house will have to be moved to the north so that a variance is not necessary and that will only be possible through the acquisition and consolidation of the panhandle portion of 9010 – 15A Street, which he believes was the original intention.

Option 2: Deny Third Reading of Rezoning By-law No. 15647 and the related Development Variance Permit application.

Advantages:

- Addresses the concerns of the property owners and residents who are opposed to the subject development, including the neighbours to the immediate south of 90 Avenue and the owner of the property at 9010 – 156A Street.

Disadvantages:

- 90 Avenue will continue to function in its current half road configuration between 156 Street and 158 Street. Resident concerns about traffic congestion on 90 Avenue will not be addressed;
- 156A Street will not be connected to 90 Avenue from the north. It currently is not dedicated or constructed at this location;
- The property at 9004 – 156 Street will remain as a remnant parcel; and

- Subdivision of the neighbouring property at 9010 – 156A Street will not be possible until the use of the eastern portion of 9004 – 156 Street is resolved.

Option 3: Instruct the City Clerk to set a date for a new Public Hearing for By-law No. 15647 in relation to the revised subdivision layout described in this report and approve Development Variance Permit No. 7904-0306-00, as amended, varying the following, to proceed to Public Notification:

- (a) to reduce the minimum flanking side yard (south) setback from 3.6 metres (12 feet) to 0.43 metres (1.4 feet) for the existing dwelling on proposed Lot 5;**
- (b) to reduce the minimum lot depth from 28 metres (92 feet) to 14.6 metres (48 feet) for proposed Lots 6 and 7;**
- (c) to reduce the minimum lot depth from 28 metres (92 feet) to 15.1 metres (50 feet) for proposed Lots 8 and 9;**
- (d) to reduce the minimum front yard setback for proposed Lots 6 to 9 from 7.5 metres (25 feet) to 4.0 metres (13 feet) to the principal building face and to 2.0 metres (6.6 feet) for a projected porch provided that the porch does not exceed 2.5 metres (8 feet) in horizontal length;**
- (e) to reduce the rear yard setback from 7.5 metres (25 feet) to 2.0 metres (6.6 feet) for proposed Lots 6 to 9; and**
- (f) to reduce the road right-of-way standard for the subject portion of 90 Avenue from a width of 20 metres (66 feet) to 15.55 metres (51 feet).**

Advantages:

- Provides an opportunity for Council to receive comments from the public directly on the revised subdivision layout;
- Subject to the revised layout being implemented, 90 Avenue would be widened to 15.55 metres (51 feet) with a full pavement width of 8.5 metres (28 feet) between 156 Street and 158 Street, including a sidewalk along the north side for the full length of this section of road; and
- 156A Street will be constructed to a through local road standard immediately north of 90 Avenue where it is not yet dedicated or constructed.

Disadvantages:

- Will not satisfy those residents in close proximity to the development, who object to the lot depth and reduced front and rear setbacks for proposed Lots 6 to 9; and
- Will not satisfy the concerns of the owner of 9010 – 156A Street, who objects to the reduced road right-of-way width for 90 Avenue and to the side yard variance related to the existing house on the subject property since such a reduction in road right-of-way width combined with the variance will act to undermine the value of the panhandle portion of his lot at 9010 – 156A Street, and will require that he acquire more property from the lot at 9004 – 156 Street in order to subdivide his property. The owner of 9010 – 156A Street wants the variance denied so that the existing house will have to be moved to the north so that a variance is not necessary and that will only be possible through the acquisition and consolidation of the panhandle portion of 9010 – 15A Street, which he believes was the original intention.

CONCLUSION

The applicant for the subject development and the owner of the neighbouring property at 9010 – 156 Street have not been able to negotiate a land exchange. The applicant has advised City staff that until approval in principle is received for the current rezoning and subdivision application, detailed discussions regarding such a land exchange are premature. The owner of the lot at 9010 – 156A Street wants an agreement on such an exchange before Council approves any development on the subject site.

Property negotiations between the City and the applicant are at an impasse related to the acquisition of the area encompassed by proposed Lots 6 through 9, due to a significant difference between the asking price and the appraised value. Staff is not supportive of acquiring the property at the owner's current asking price. A separate confidential

memorandum regarding the details of the price and the appraisal is being provided to Council in conjunction with this report. The School District has indicated that it has no interest in participating in any exchange, as the existing school site is sufficient for the School District's needs.

In response to concerns raised at the Public Hearing, the applicant has prepared a revised subdivision layout. The applicant presented the revised layout at a Public Information Meeting. Although the revised layout is preferable to the original layout, the neighbours in the immediate area continue to have concerns with the revised layout.

It is recommended that Council consider the alternative courses of action presented in this report and provide direction to staff regarding the further processing of Rezoning By law No. 15647 and Development Variance Permit Application No. 7904-0306-00.

Murray Dinwoodie
General Manager
Planning and Development

TM/kms/saw

Attachments:

Appendix "A" - Planning Report dated February 7, 2005

Appendix "B" - Revised Subdivision Layout

Appendix "C" - Revised Building Elevations and Layout for Proposed Lots 6-9

Appendix "D" - Map of Residents Opposed and In Favour of the Proposal (based on questionnaires)

Appendix "E" - Development Variance Permit No. 7904-0357-00, as amended

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City of Surrey
PLANNING & DEVELOPMENT REPORT
File: 7904-0306-00

Appendix "A"
Rezoning
Development Variance Permit



Proposal: Rezone from RA to RF to allow subdivision, with an adjoining lot, into 10 single family lots. Development Variance Permit to relax lot depth and front and rear yard setbacks for proposed Lots 6 to 9 and to relax side yard setback for proposed Lot 5.

Recommendation: Approval to Proceed

Location: 9004 - 156 **Zoning:** RA

Street
OCP Designation: Urban
Owners: Ole and Dora Sorensen



PROJECT TIMELINE

Completed Application Submission Date: August 10, 2004
Planning Report Date: February 7, 2005

The applicant is proposing:

- a rezoning from RA to RF; and
- a Development Variance Permit to vary the following RF Zone regulations:
 - to reduce the minimum flanking side yard (south) setback from 3.6 m (12 ft.) to 0.8 m (2.62 ft.) for the existing dwelling on proposed Lot 5;

- to reduce the minimum lot depth from 28 m (92 ft.) to 15 m (49 ft.) for proposed Lots 6 to 9;
- to reduce the minimum rear yard setback from 7.5 m (25 ft.) to 2.0 m (6.6 ft.) for proposed Lots 6 to 9; and
- to reduce the minimum front yard setback from 7.5 m (25 ft.) to 4.0 m (13 ft.) for the principal building face, from 7.5 metres (25 ft.) to 2.0 m (6.6 ft.) for a projected porch provided that the porch does not exceed 2.4 metres (8 ft.) in horizontal length and from 7.5 metres to 6 metres (20 ft.) for a garage for proposed Lots 6 to 9

in order to allow subdivision with the adjoining properties located at 9004 and 9016 - 156 Street into 10 single family residential lots.

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential Zone (RF)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve Development Variance Permit No. 7904-0306-00 (Appendix IX), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum flanking side yard (south) setback of the RF Zone from 3.6 metres (12 ft.) to 0.8 metre (2.6 ft.) for the existing dwelling on proposed Lot 5;
 - (b) to reduce the minimum lot depth of the RF Zone from 28 metres (92 ft.) to 15 metres (49 ft.) for proposed Lots 6 to 9;
 - (c) to reduce the minimum rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 2.0 metres (6.6 ft.) for proposed Lots 6 to 9; and
 - (d) to reduce the minimum front yard setback of the RF Zone from 7.5 m (25 ft.) to 4.0 m (13 ft.) for the principal building face, from 7.5 metres (25 ft.) to 2.0 m (6.6 ft.) for a projected porch provided that the porch does not exceed 2.4 metres (8 ft.) in horizontal length and from 7.5 metres (25 ft.) to 6 metres (20 ft.) for a garage for proposed Lots 6 to 9.
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) registration of a Section 219 Restrictive Covenant for "no build" on a portion of 9004 - 156 Street (proposed Lot 5) until future consolidation with the adjacent property (9010 - 156A Street); and
 - (d) issuance of Development Variance Permit No. 7904-0306-00.

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 III).

Parks: No concerns.

School District: **School Impacts:**

Projected number of students from this development:

Elementary students = 4 students
Secondary students = 2 students
Total new students = 6 students

School Catchment Area/Current Enrollment/School Capacity:

Woodland Park Elementary School = 463 enrolled/530 capacity
North Surrey Secondary School = 1,221 enrolled/1,175 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 = 2 students
Secondary students = 44 students
Total new students = 46 students

Approved Capacity Projects and Future Space Considerations

There is sufficient space at Woodland Park to accommodate projected growth. A new North Clayton Area secondary school is proposed, which when open will result in secondary school boundary moves (the area east of 168 Street) to relieve projected overcrowding at North Surrey Secondary.

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

(Appendix IV)

SITE CHARACTERISTICS

- **Existing Land Use** Single family dwelling and Christmas tree farm.
- **East:** Across 158 Street, a three-storey multiple residential building for seniors (Elim Society), zoned CD (By-law No. 13757), designated Multiple Residential.
- **South:** Across 90 Avenue, single family residential lots, zoned RF, designated Urban.
- **West:** Across 156 Street, single family residential lots, zoned RF, designated Urban.
- **North:** Woodland Park Elementary School to the northeast, zoned RA and single family residential lots to the northwest, zoned RF, designated Urban.

PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

DEVELOPMENT CONSIDERATIONS

Background

- The subject site is located in the Fleetwood area along 90th Avenue between 156 and 158 Streets. The site is designated Urban and zoned "One-Acre Residential (RA)".
- The siting of the existing dwelling on the subject lot is non-conforming. The dwelling was constructed in 1989 in accordance with regulations for the "RS Suburban Residential Zone" in Zoning By-law No. 5942. At that time, the required setback for an interior side yard was 1.8 metres (6 ft.) and 3.8 metres (12.5 ft.) for a side yard on a flanking street. The existing dwelling has an interior (north) side yard setback of 1.99 metres (6.5 ft.) and a side yard setback on a flanking street (south) of 5.99 metres (19.5 ft.). In 1993, with the adoption of Zoning By-law No. 12000, the zoning of the subject property was converted to RA. The setbacks for the existing dwelling do not meet the regulations under the current RA Zone which require 4.5 metres (15 ft.) for the interior side yard and 7.5 metres (25 ft.) for the side yard on a flanking street. The existing north side yard setback complies with the proposed RF Zone; however, a variance is required for the side yard setback on a flanking street as a result of the required road dedication for 90th Avenue (see By-law Variance Section).
- The subject site has a lot width of 20 metres (66 ft.) and a lot depth of 390 metres (1,280 ft.). The lot shape is a result of past development applications and the location of Woodland Park Elementary School. Originally, it was proposed that when the subject site developed the Surrey School District would acquire the portion of the property directly south along 90th Avenue. However, based on the owner's enquires in 1993 to exchange a portion of Woodland Park Elementary School for the portion of land along 90th Avenue, the Surrey School District advised that the proposed land exchange was not acceptable and that the land was not needed for school purposes.
- Development application No. 7992-0179-00 to rezone the original parcel located at 9016-156 Street from RS to R-F(R) under Zoning By-law No. 5942 to allow subdivision into four single family lots was approved by Council in 1992 (Appendix V). Recognizing that the property had further subdivision potential with the property located at 9004-156 Street, a Restrictive Covenant was placed on the lands at 9016-156 Street to ensure that the siting of buildings would not restrict future subdivision.

Current Proposal

- The applicant is proposing to rezone the property located at 9004-156 Street from RA to RF and to consolidate with the property located at 9016-156 Street to create a total of 10 single family lots. The existing dwellings located at 9016-156 Street (proposed Lot 1) and 9004-156 Street (proposed Lot 5) will be retained.
- Proposed Lots 1 to 5 and 10 conform to the minimum requirements of RF Zone for lot width, lot depth and lot area. However, the existing dwelling on proposed Lot 5 requires a variance to the side yard setback from 3.6 metres (12 ft.) to 0.8 metre (2.6 ft.) to accommodate the existing building following the road dedication for 90th Avenue (see By-law Variance Section).
- With the exception of proposed Lot 5, the proposed lots comply with Council's Single Family Infill policy requiring a minimum frontage of 16.5 metres (54 ft.). Proposed Lot 5 has a lot frontage of 15 metres (49 ft.); however, future lot consolidation and development with the property to the north (9010-156A Street) will result in a lot frontage of 24.9 metres (82 ft.) (Appendix V).
- Proposed Lots 6 to 9 do not meet the minimum lot depth of the RF Zone. These lots are wide and shallow (28 metres (92 ft.) frontage and 15 metres (49 ft.) depth) and will require a Development Variance Permit to reduce the required lot depth and rear and front yard setbacks to accommodate the construction of a dwelling on each of the lots (see By-law Variance Section).
- Proposed Lot 5 has future development potential with the property to the north located at 9010-156A Street. A no-build Restrictive Covenant will be placed on a portion of proposed Lot 5 to allow for future consolidation and subdivision with the adjacent property to the north.

- Currently, the road right-of-way for 90th Avenue between 156th and 157th Streets is 10.1 metres (33 ft.) with a pavement width of approximately 6.6 metres (22 ft.). As part of this application, a road dedication of 5.2 metres (17 ft.) is required to complete the 90th Avenue, although the ultimate road right-of-way will be reduced 15.25 metres (50 ft.) in place of 16.5 metres (54 ft.) to allow the portion of 9004-156 Street between 157th and 158th Streets to be developed.
- In-ground basements are proposed for all lots except proposed Lot 10. Minimal fill is required. The preliminary lot grading plan was reviewed by staff and found to be generally acceptable.
- The applicant has retained Michael E. Tynan, Tynan Consulting Ltd., as the design consultant. The design consultant conducted a character study of the surrounding homes and based on the findings of the study, proposed a set of building design guidelines (Appendix VI).
- A basement-entry home is permitted on proposed Lot 5, in compliance with Council policy that permits this house style on 20% of the lots. The existing house on proposed Lot 5 is basement-entry. Secondary suites are prohibited on all lots.
- To accommodate the wide and shallow shape of proposed Lots 6 to 9, the design consultant has proposed specific building design guidelines to create variation and to preserve the side yard for a private amenity area in place of a rear yard amenity area. Driveways for Lots 6 & 7 and Lots 8 & 9 will be paired, and a 12-metre (39 ft.) side yard setback for each lot will preserve approximately 180 m² (1, 937 sq ft) for private recreational space (Appendix VII). To create a complementary street façade particularly along 90th Avenue, corner lot design treatments for proposed Lots 2, 4 and 10 are included in the Building Scheme, and varied setbacks for the principal building face, projected porch and garage are suggested for proposed Lots 6 to 9 to encourage variation of the building façade design (subject to approval of the Development Variance Permit).
- C. Kavolinas & Associates Inc prepared the Arborist Report and Tree Preservation/ Replacement Plans. They have been reviewed by the City's Landscape Architect and deemed acceptable.
- Remnants of a Christmas tree farm are present on site. Only one by-law size tree is located on site, a Douglas Fir adjacent to proposed Lot 2, which is in good health and will be retained.
- A total of 30 replacement trees are proposed with an average of 3.1 trees per lot.

PRE-NOTIFICATION

Pre-notification letters were sent on August 27, 2004, and staff received the following comments:

- Several calls and two letters, dated October 6, 2004 and November 26, 2004, from an adjacent resident who expressed concerns with how the current subdivision proposal would impact future subdivision of his lot. The resident was also concerned that the proposed lots are not consistent with existing residential lots, and that the reduced road width for 90th Avenue and residential development south of Woodland Park Elementary School is not consistent with previous discussions with the City.

(Staff advised the resident that a no-build Restrictive Covenant will be required for the rear portion of proposed Lot 5 for future development with the adjacent property located at 9010 –156A Street.

The Engineering Department has reduced the road right-of-way requirement from a local road standard of 16.5 metres (54 ft.) to 15.258 metres (50 ft.) to accommodate the creation of single family residential lots on the portion of 9004 - 156 Street south of the Woodland Park Elementary School. The Surrey School Board no longer requires the portion of 9004-156 south of the existing school site and the caller was so advised.)

- Several calls were received regarding the existing width of 90th Avenue and the lack of available on-street parking. Callers expressed concern that new development on 90th Avenue would increase traffic on 90th Avenue which is a narrow half road.

(Staff advised callers that 90th Avenue would be widened to a reduced local road standard to complete 90th Avenue between 156th and 158th Streets to accommodate existing traffic and the proposed development.)

- Two calls were received regarding ongoing access to the lane behind 156A Street and the extension of 156A Street.

(Staff advised that the rear lane and 156A Street would be extended to and accessible from 90th Avenue.)

- Several calls were received from residents who expressed concern over the orientation of the proposed dwellings on 90th Avenue.

(Staff advised that a majority of the proposed dwellings (on proposed Lots 3, 6-9) would face onto 90th Avenue. Proposed Lots 2,4 and 10 are corner lots, fronting onto 156, 156A and 158 Streets respectively. These lots will be subject to the corner lot design requirements in the Building Design Guidelines which require that the architectural features of the dwelling address both the front and flanking streets.)

- One call was received from a resident regarding the possibility of creating a pedestrian path through to Woodland Park Elementary School across from 157th Street.

(A pedestrian path through the subject property to the southwest corner of the Woodland Park Elementary School is not recommended as this area of the school property is treed and may result in security issues as the southwest corner does not have good visual sight lines to the school.)

- One call was received from a resident concerned with secondary suite conversions in the area.

(Basement-entry dwellings are only permitted on proposed Lot 5. As proposed Lot 5 already contains an existing basement-entry dwelling, no new basement-entry dwellings will be constructed as part of this development application.)

Several calls and e-mails were received requesting general information on the status of the file and the timing of the Public Hearing.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To relax the side yard (south) setback on a flanking street under the RF Zone from 3.6 metres (11.8 ft.) to 0.8 metre (2.6 ft.) for the existing dwelling located at 9004-156 Street (proposed Lot 5).

Applicant's Reasons:

- To accommodate the existing building in its existing location.

Staff Comments:

- The existing building was sited in accordance with the zoning in place at the time, "Suburban Residential Zone (RS)" (By-law No. 5942).
- The required 5.2-metre (17 ft.) road right-of-way dedication will reduce the existing flanking side yard (south) setback to 0.8 metre (2.6 ft.).
- Staff support the variance.

(b) Requested Variance:

- To relax the lot depth under the RF Zone from 28 metres (92 ft.) to 15 metres (49 ft.) for proposed Lots 6 to 9.

Applicant's Reasons:

- The site is a remnant parcel with a unique shape that requires a wide and shallow lot configuration for proposed Lots 6 to 9.

Staff Comments:

- Staff support the variance to create developable single family lots on a remnant parcel.

(c) Requested Variance:

- To reduce the rear yard setback under the RF Zone from 7.5 metres (25 ft.) to 2.0 (6.6 ft.) metres for proposed Lots 6 to 9.

Applicant's Reasons:

- The rear yard setback is necessary to accommodate a dwelling on the proposed lot configuration for proposed Lots 6 to 9.

Staff Comments:

- Proposed Lots 6 to 9 have one side yard with a minimum setback of 12.0 metres (39 ft.). The side yard will function as the amenity area (approximately 180 m²/1,937 sq. ft.) and will be protected through the Building Scheme. The Building Scheme will require adjacent garages and driveways for proposed Lots 6 & 7 and 8 & 9, and identifies the opposite side yard as a no-build area (Appendix VII). Staff support the variance as adequate private amenity space will be provided in the side yard in lieu of a rear yard amenity area.

(d) Requested Variance:

- To reduce the minimum front yard setback of the RF Zone for proposed Lots 6 to 9 from 7.5 m (25 ft.) to 4.0 m (13 ft.) for the principal building face, from 7.5 metres (25 ft.) to 2.0 m (6.6 ft.) for a projected porch provided that the porch does not exceed 2.4 metres (8 ft.) in horizontal and from 7.5 metres (25 ft.) to 6 metres (20 ft.) for a garage.

Applicant's Reasons:

- The reduced front yard setbacks are necessary to accommodate a dwelling on the wide and shallow lot configuration for proposed Lots 6 to 9.

Staff Comments:

- A cross section of 90th Avenue was reviewed showing the distance of the road pavement to the projected porch, principal building face and garage at 4.3 metres (14 ft.), 6.3 metres (21 ft.) and 8.3 (27 ft.) metres respectively. Staff are satisfied that the reduced front yard setbacks will provide variation to the front facades of the proposed dwellings, and will create a complementary completion to the street façade between 157th and 158th Streets.
- Staff support the proposed variances.

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
Appendix III.	Engineering Summary
Appendix IV.	School District Comments

Appendix V.	Address Map
Appendix VI.	Building Design Guidelines Summary
Appendix VII.	Summary of Tree Survey and Tree Preservation
Appendix VIII.	Building Design Guidelines - Appendix 3
Appendix IX.	Development Variance Permit No. 7904-0306-00

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated October 21, 2004
- Tree Survey and Tree Preservation and Planting Plan prepared by Randy Greenizan and dated December 16, 2004.
- Residential Character Study and Proposed Building Scheme prepared by Tynan Consulting Ltd. and dated January 6, 2005. (One copy is filed with the City Clerk's Office.)
- Soil Contamination Review Questionnaire prepared by Michael Helle and dated August 9, 2004.

Murray Dinwoodie
General Manager
Planning and Development

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APPENDIX I

Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent: Name: Michael Helle, Coastland Engineering & Surveying Ltd.
 Address: #101 - 19292 - 60 Avenue
 Surrey, B.C. V3S 3M2
 Tel: 604-532-9700
2. Properties involved in the Application
 - (a) Civic Address: 9004 - 156 Street
 - (b) Civic Address: 9004 - 156 Street
 Owner: Ole Tollestrup Sorensen and Dora Sorensen
 PID: 011-140-798
 South 66.33 Feet South Half Lot 16 Except: Parcel A (Reference Plan 80246)
 Block 2 Section 35 Township 2 New Westminster District Plan 5281
3.
 - (a) Introduce a By-law to rezone the property.
 - (b) Proceed with Public Notification for Development Variance Permit No. 7904-0306-00.

SUBDIVISION DATA SHEET**Proposed Zoning: RF**

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	2.35
Hectares	0.95
NUMBER OF LOTS	
Existing	2
Proposed	10
SIZE OF LOTS	
Range of lot widths (metres)	15 m - 38 m
Range of lot areas (square metres)	560 m ² - 1,313 m ²
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	10.5 uph/4.3 upa
Lots/Hectare & Lots/Acre (Net)	14.1 uph/5.7 upa
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	29.1
Estimated Road, Lane & Driveway Coverage	30.7
Total Site Coverage	59.8
PARKLAND	
Area (square metres)	n/a
% of Gross Site	
	Required
PARKLAND	
5% money in lieu	YES
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	YES
Others	YES









































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