



Corporate Report

NO: L008

COUNCIL DATE: December 15, 2008

REGULAR COUNCIL - LAND USE

TO: Mayor & Council DATE: December 15, 2008
FROM: General Manager, Planning and Development FILE: 7907-0081-00
SUBJECT: Development Application No. 7907-0081-00
Proposed Rezoning from RA to RF and RF-12 – By-law No. 16713
14633 – 111A Avenue - Ekam Development Ltd.

RECOMMENDATION

It is recommended that Council:

1. Receive this report as information;
2. Refer the application back to staff (Option 1) to work with the applicant to design a subdivision layout for the subject site, based solely on the RF Zone in accordance with Council Resolution No. RES. R08-1700; and
3. Instruct the City Clerk to forward a copy of this Corporate Report and the related Council resolution to the applicant.

INTENT

The purpose of this report is to advise Council on the changes made by the applicant to the proposed subdivision layout for Development Application No. 7907-0081-00. These changes have been made in response to the issues raised at the Public Hearing held July 14, 2008 and the direction provided by Council following the Public Hearing. The report also outlines optional courses of action that are available to Council in relation to the continuation of the application approval process and makes a recommendation in this regard.

BACKGROUND

The subject property is located at 14633 - 111A Avenue, within the Guildford area, and has a site area of 1.76 hectares (4.34 acres). The subject lot is zoned "One-Acre Residential Zone (RA)" and designated Urban in the Official Community Plan (Appendix D).

The applicant, Ekam Development Ltd, submitted an application to rezone the subject parcel from "One-Acre Residential Zone (RA)" to "Single Family Residential Zone (RF)" and "Single Family Residential (12) Zone (RF-12)" to allow subdivision into 11 standard RF single family lots and 17 RF-12 small single family lots for a total of 28 residential lots (Appendix II). This application and the related Rezoning By-law were considered by Council at a Regular Council Land Use meeting on June 23, 2008. Council granted First and Second readings to the Rezoning By-law at that time.

The Public Hearing for this application was held on July 14, 2008. At the Public Hearing, several local residents voiced concerns with the proposal. A 103-name petition was also formally submitted at the Public Hearing, which requested that a portion of the subject site (proposed Lots 5 to 12) be purchased by the City for use as future park space.

As a result of the concerns raised at the Public Hearing, Council did not grant Third Reading and adopted the following resolution (RES. R08-1700):

"That 'Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2008, No. 16713' be sent back to staff to redesign the 17 small single family lots to be standard single family RF lots and give consideration to percentage of house to lot to be more consistent with the surrounding neighbourhood".

DISCUSSION

Issues Raised at the Public Hearing

The issues raised at the Public Hearing focussed around the number of lots and compatibility of the proposed RF-12 lots in relation to the existing RF lots in the area; the ratio of house size to lot size on the proposed RF-12 lots; the number of proposed RF lots along 111A Avenue; the increased traffic that would be generated by the proposed development; the lack of park space for use by young children; and the impact of the proposed development on sightlines and view corridors.

Number and Compatibility of Proposed RF-12 Lots

The subject site is located in an established single family neighbourhood adjacent Invergarry Park. The existing lots in the vicinity of the subject site are zoned RF, and were created in the 1950s (along 111A Avenue) and the 1990s (along Dumbarton Road). The surrounding lots have areas that range in size from 584 square metres (6,286 sq.ft.) to 1,258 square metres (13,541 sq.ft.) and have lot widths that range from 15.26 metres (50 ft.) to 26.70 metres (88 ft.). In this regard, the number and compatibility of the proposed RF-12 lots were raised as concerns at the Public Hearing by neighbourhood residents.

In response to these concerns, the applicant has reduced the number of proposed RF-12 lots from 17 to 16 and increased the proposed RF-12 lot widths from a minimum of 13.4 metres (44 ft.) to a minimum of 15 metres (50 ft.). The number of proposed RF lots remains unchanged at 11 lots (Appendix III).

The total number of proposed lots has decreased from 28 residential lots to 27. However, the applicant continues to propose 16 RF-12 lots despite Council's resolution "to redesign the 17 small single family lots to be standard single family RF lots".

Ratio of House Size to Lot Size of Proposed RF-12 Lots

Another concern raised at the Public Hearing is the size of a house that can be built on the proposed lots, compared to the house sizes in the area.

The RF-12 Zone permits a maximum floor area ratio (FAR) of 0.70 whereas the maximum FAR permissible in the RF Zone is 0.52 for a lot of 560 square metres (6,000 sq.ft.) or less, and 0.48 for a RF lot greater than 560 square metres in size. While in relative terms, the RF-12 Zone permits a house with more floor area relative to lot size, in absolute terms, the maximum house size in the RF-12 Zone at 260 square metres (2,800 sq. ft.) is significantly smaller than the 330-square metre (3,550 sq. ft.) maximum house size allowed on a lot in the RF Zone.

The existing homes on the south side of 111A Avenue can be characterized as 1950s era two-storey bungalows (with basements). A review of these lots in relation to the proposed RF lots on the north side of 111A Avenue, indicate that the proposed RF houses would be smaller than what could be built on the existing RF lots should the existing homes on the south side of 111A Avenue be demolished and new houses built. The existing RF lots on the south side of 111A Avenue have an average lot size of 683 square metres (7,351 sq. ft.) and would be allowed a maximum house floor area of 330 square metres (3,550 sq. ft.). In comparison, the proposed RF lots on the north side of 111A Avenue have an average lot size of 560 square metres (6,000 sq. ft.) and would be permitted a maximum house floor area of 269 square metres (2,900 sq. ft.).

Number of Proposed RF Lots on the North Side of 111A Avenue

Some concerns were raised at the Public Hearing regarding the proposed number of RF lots on the north side of 111A Avenue in relation to the existing RF lots on the south side of 111A Avenue. The application proposes 8 RF lots with a minimum lot width of 20 metres (66 ft.) on the north side of 111A Avenue. By comparison, there are 9 existing RF lots immediately south of the subject site, on the south side of 111A Avenue with a minimum lot width of 19.4 metres (64 ft.). Although the lot areas of the proposed RF lots (560 sq.m./6,000 sq.ft.) are smaller than the existing RF lots (683 sq.m./7,351 sq.ft.), the proposed RF lots provide a reasonable interface with the existing RF lots and satisfy the City's Infill Policy (Appendix IV).

Traffic Impacts of the Proposed Development

Some concerns were expressed over the traffic impact of the proposed development on the existing neighbourhood. The local road network has the capacity to handle the anticipated traffic that would be generated from the applicant's revised combined RF and RF-12, 27-lot subdivision or a subdivision incorporating all RF lots.

Requested Acquisition of Proposed Lots 5 to 12 for Park Purposes

A concern was raised that there is a shortage of park space for use by young children in this neighbourhood and that the proposed subdivision would further exacerbate this situation. To address this reported lack of open space, a petition was submitted at the Public Hearing requesting that the City purchase proposed Lots 5 - 12 with a total area of 3,853 square metres (0.95 ac.) for park purposes.

The Parks, Recreation and Culture Department advises that the requested acquisition is not warranted as this neighbourhood is already well served by an established nearby parks and open space system, including Ellendale, Riverside, Robin, Hummingbird and Invergarry parks. Invergarry Park is a 20-hectare (49-acre) park with a trail system adjacent to the development site, and Ellendale Park is a neighbourhood park with a playground, which is located less than 200 metres (650 ft.) away from the site (Appendix V).

The applicant proposes to dedicate an additional 1,171.2 square metres (12,607 sq. ft.) of land as park space. This would be located along the northern portion of the subject site and adjacent to Invergarry Park and a yellow-coded creek. The dedication will serve as a buffer from the creek and supplements the existing park space.

Impacts on Sightlines and View Corridors

Concerns were raised that the proposed homes would impact sightlines and view corridors towards the existing open space and mountains. This was specifically referenced as a benefit of the park acquisition but which was also noted as a concern when the pre-notification letters were mailed soon after the application was made.

To address this issue, the applicant proposes reduced building heights and increased side yard setbacks for some of the proposed RF-12 lots. For proposed Lots 9 to 24 the applicant proposes to limit the maximum building height to 9.0 metres (29.5 ft.) versus the allowable RF-12 house height of 9.5 metres (31 ft.). The proposed 9.0-metre height is the maximum height permitted in the RF Zone. The applicant also proposes to increase the side yard setbacks of proposed Lots 10 to 15 and 23 from 1.2 metres (4 ft.) to 1.8 metres (6 ft.) to create a streetscape similar to that would be created by RF setback requirements. The reduced building heights and increased side yard setbacks can be incorporated into the building design guidelines for the proposed subdivision.

The benefits of the increased setbacks cannot be substantiated, as the applicant did not provide a site plan showing the proposed setbacks in relation to one another.

The existing topography on the subject site and surrounding areas rises from east to west, something that may impact views. For example, grades at the eastern edge are approximately +/- 85 metres (279 ft.), whereas at the western edge, the existing grades are +/- 91 metres (299 ft.). Thus depending on existing views, some lots may be impacted by future development. However, it should be noted that view corridors appear to be more readily available when looking towards the northwest and away from the site.

Applicant's Rationale

In support of the revised 27-lot proposal, the applicant argues that the proposed RF-12 lots will accommodate smaller and more affordable homes of 2,530 to 2,800 square feet in area and will provide for more efficient use of urban land.

According to the applicant, the homes on the proposed RF lots will be in excess of \$700,000 while the RF-12 homes will be in the \$540,000 to \$590,000 range. The relatively lower priced RF-12 homes will assist both the developer and prospective purchasers, particularly given current market conditions.

Since the Public Hearing, the applicant has canvassed the neighbourhood and submitted ten signatures of support from owners of properties across Dumbarton Road to the east of the subject property. It should be noted, however, that most of the opposition at the Public Hearing was from residents on the south side of 111A Avenue.

The City Solicitor has advised that a second Public Hearing is not required should Council wish to consider the applicant's revised layout. Section 894 (1)(b)(i) of the *Local Government Act* allows Council to alter a by-law after a Public Hearing without further notice or hearing, provided that the alteration does not: (i) alter the use; (ii) increase the density; or (iii) without the owner's consent, decrease the density of any area from that originally specified in the by-law.

Options for Consideration

Based on previous direction provided by Council and the applicant's revised subdivision layout, three options are available to Council for consideration:

Option 1 – *Refer the Application Back*

Council may refer the application back to staff to work with the applicant to design a subdivision layout that is based solely on the RF Zone as was the previous direction from Council. The benefit of this is that the applicant should be able to find a solution that is acceptable to both the local community and is in keeping with the previous direction given by Council. Clearly, the drawback to this approach from the applicant's perspective is the decrease in the number of lots that would be created through the subdivision process. At this point, there is no estimate on the number of RF lots that could be created on this site.

Option 2 – *Consider Third Reading Based on the Revised 27-Lot Proposal*

Council could give Third Reading to the rezoning by-law based on the changes that are proposed. The benefit of this would be that the applicant could proceed with development of the site and staff can incorporate the modifications proposed to the building height and setbacks in completing the approval process. This approach will likely not appease the significant opposition that exists locally against this application as expressed at the Public Hearing and through correspondence.

Option 3 – File the By-law

Council could consider denying third reading and filing the by-law. This would address the local community concerns in the short term until a new application for development of the site is made. However, single family development is reasonable for the subject site and additional "active" parkland is not required. Any further proposed development for this site would require a new application.

Based on the above, staff recommended that Council follow the course of action laid out in Option 1, being to refer the application back to staff to continue to work with the applicant in establishing a pattern of subdivision based solely on RF lots. This recognizes the concerns raised by the local community and is consistent with Council's resolution following the July 14, 2008 Public Hearing.

CONCLUSION

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

- Refer the application back to staff (Option 1) to work with the applicant to design a subdivision layout for the subject site, based solely on the RF Zone in accordance with Council Resolution No. RES. R08-1700; and
- Instruct the City Clerk to forward a copy of this Corporate Report and the related Council resolution to the applicant.

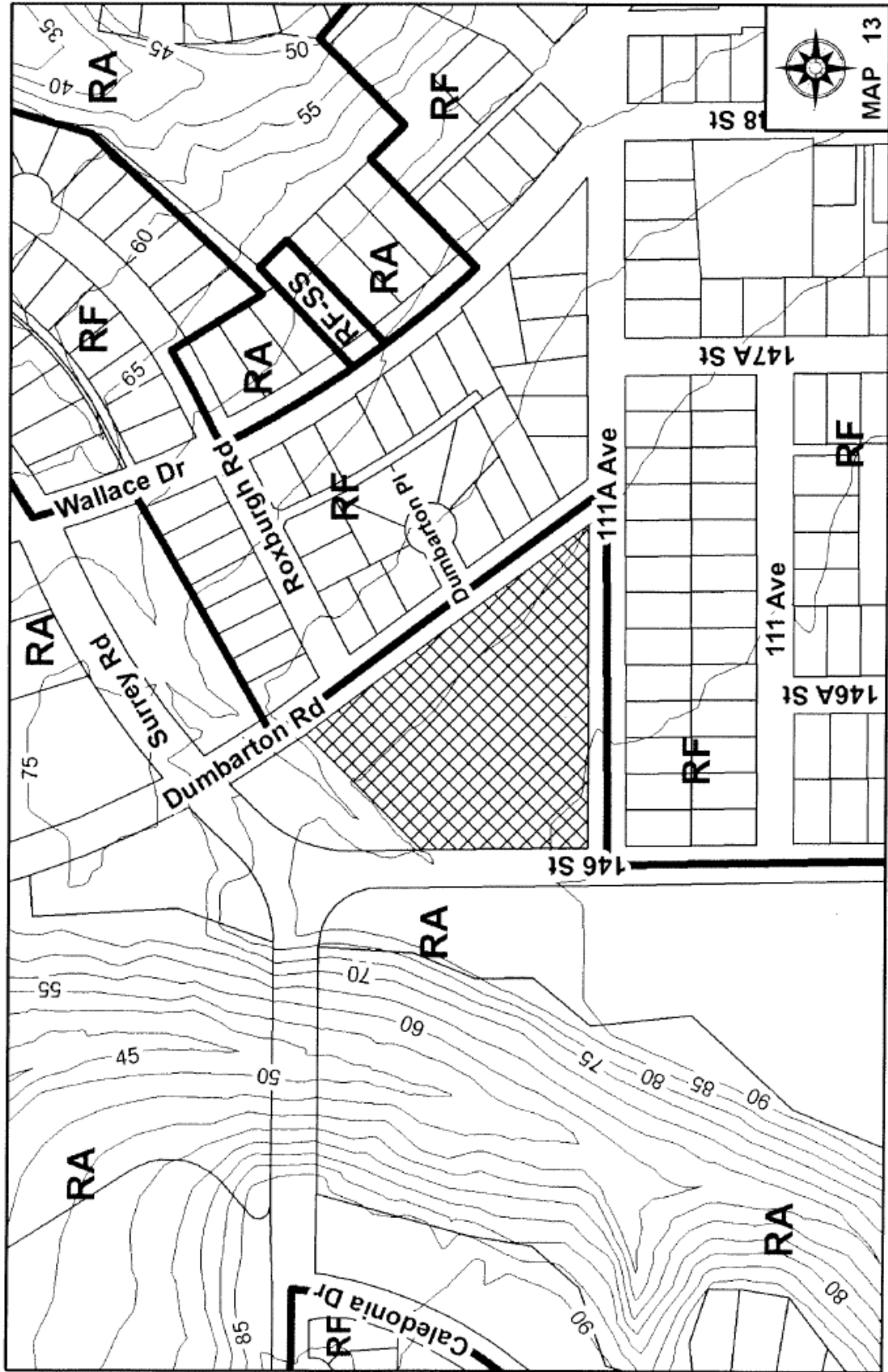
If Council decides that the applicant's revised RF and RF-12, 27-lot proposal is reasonable, the conditions identified in the previous Planning Report, dated June 23, 2008 remain applicable, along with the applicant's commitment to reduced building heights and modified building setbacks, all of which will need to be satisfied prior to consideration of final adoption.

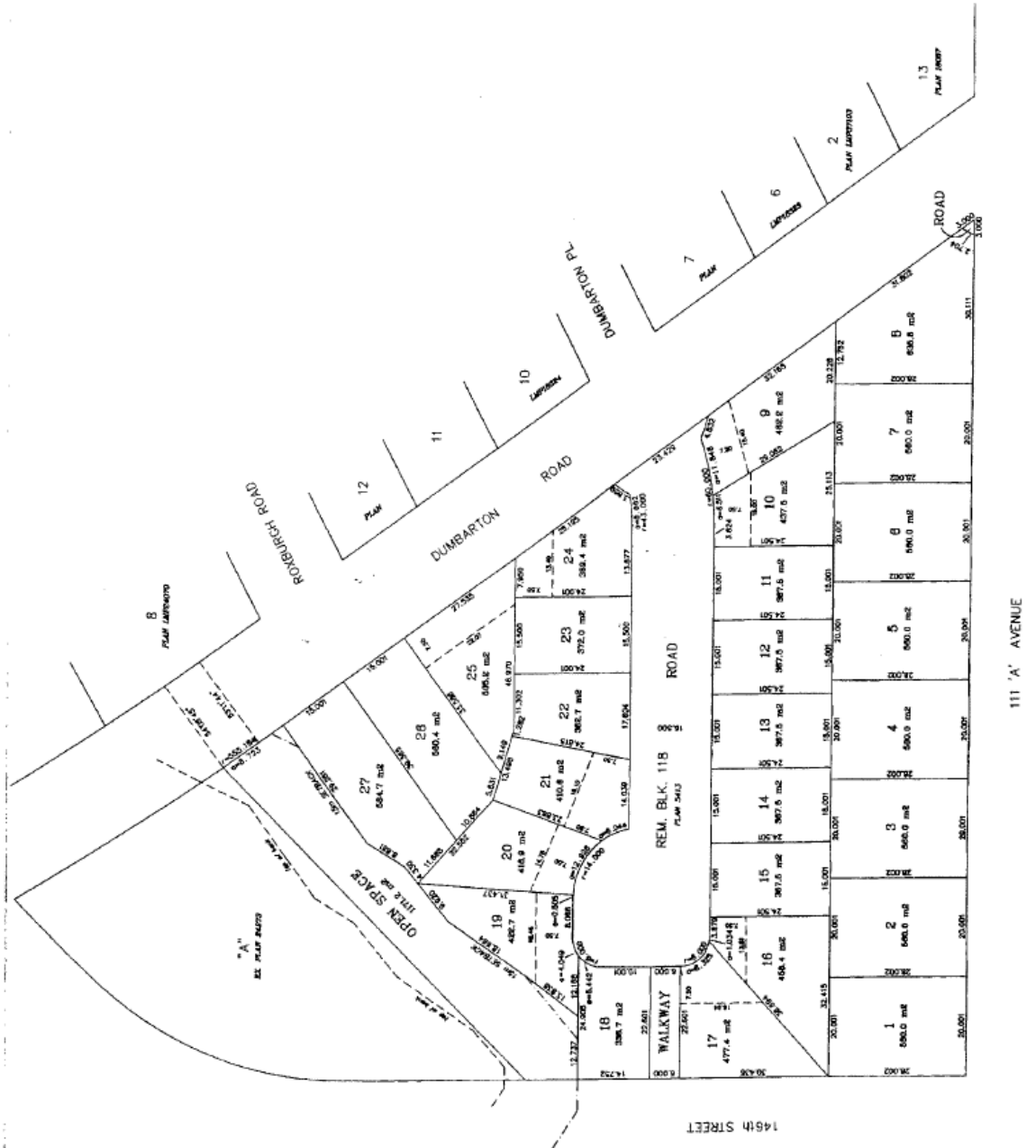
Jean Lamontagne
General Manager
Planning and Development

SML/kms/saw

Attachments:

Appendix I	Context Map
Appendix II	Original Proposed 28-Lot Subdivision Layout
Appendix III	Revised Proposed 27- Lot Subdivision Layout
Appendix IV	Infill Policy No. 0-30
Appendix V	Existing Neighbourhood Parks





111 'A' AVENUE

BLK. 145
PLAN 2415



CITY POLICY

No. O-30

REFERENCE:	APPROVED BY:	CITY COUNCIL
REGULAR COUNCIL MINUTES 4 JULY 1994 PAGE 43	DATE:	04 JUL 1994 (RES 94-2437)
	HISTORY:	NEW

TITLE: SINGLE FAMILY INFILLS

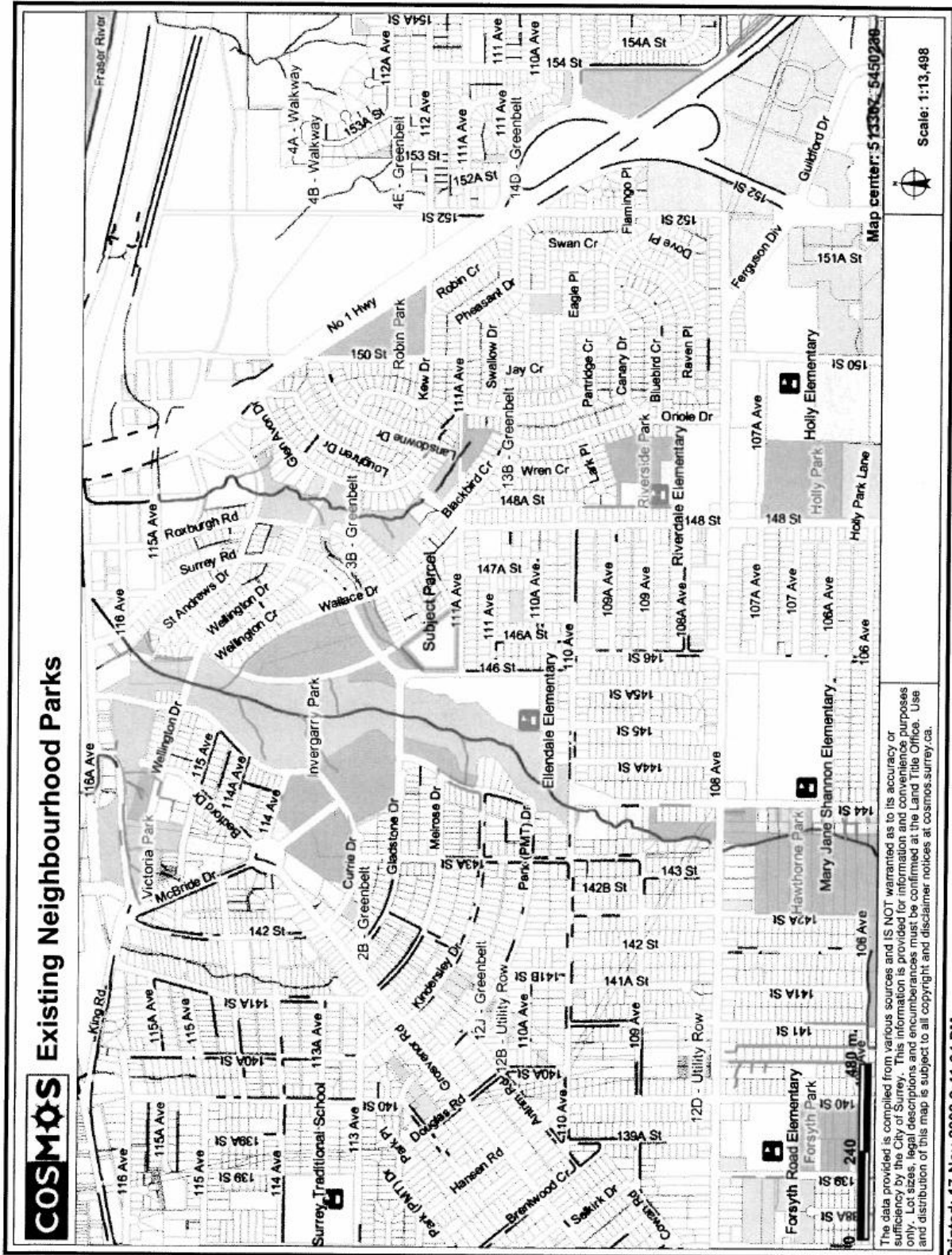
To ensure a desirable interface between existing and new urban single family lots:

- (a) ensure that in all "infill" and "street frontage completion" situations, the widths of new lots are similar to the widths of existing lots and,
- (b) notwithstanding (a) above, the width of new lots in "infill" and "street frontage completion" situations should not be less than 16.5m.

WHERE "infill Situation" is defined as where a remnant or large parcel of land within a block already subdivided into urban single family lots is being subdivided, and

WHERE "Street Frontage Completion Situation" is defined as where the other side or other half of an existing local or collector road is being subdivided into urban single family lots.

This policy is subject to any specific provisions of the Local Government Act, or other relevant legislation or Union agreement.



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