

NO: L002

COUNCIL DATE: March 22, 2010

REGULAR COUNCIL – LAND USE

TO: Mayor & Council **DATE: March 22, 2010**

FROM: General Manager, Planning and Development **FILE: 7907-0190-00**

**SUBJECT: Proposed Rezoning to RF-12 and Development Variance Permit
11511 Millar Road, By-law No. 16932
Development Application No. 7907-0190-00**

RECOMMENDATION

The Planning and Development Department recommends that Council:

1. Receive this report as information;
2. Consider granting Third Reading of By-law No. 16932, to allow rezoning of the site at 11515 Millar Road from Single Family Residential Zone (RF) to Single Family Residential (12) Zone (RF-12) to allow subdivision of the site into three small single family lots; and
3. Approve Development Variance Permit No. 7907-0190-00.

INTENT

The purpose of this report is to respond to issues and concerns raised at the May 4, 2009 Public Hearing related to the proposed rezoning of the lot at 11515 Millar Road from Single Family Residential Zone (RF) to Single Family Residential (12) Zone (RF-12) to permit subdivision of the lot into three small single family lots.

BACKGROUND

On May 4, 2009 the Public Hearing was held for the proposed rezoning of the property at 11515 Millar Road from RF to RF-12 to permit subdivision of the lot into three small single family lots (Appendix I). This application also includes a Development Variance Permit application to vary front and rear yard setbacks, lot depth and road width standards.

At the Public Hearing, a number of speakers raised concerns about the proposed development and a 114-signature petition (representing 68 properties), opposing the proposed development was received by Council. A map illustrating the location of the addresses of the petition respondents is attached as Appendix II.

As a result of the concerns raised at the Public Hearing, Council did not grant Third Reading to the subject By-law but adopted the following resolution [RES. R09-803]:

"That Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2009, No. 16932 be referred back to staff".

As a result, Development Variance Permit No. 7907-0190-00 was not in order for consideration of approval.

DISCUSSION

The subject site is located on the north side of Millar Road, between 116 Street and River Road. It is designated Urban in the Official Community Plan (OCP) and is currently zoned Single Family Residential (RF). Farther to the south (between 96A Avenue and 97B Avenue) are 126 single family lots zoned CD (By-law No. 16419) (Appendix III).

The rezoning of 126 lots to the south to CD (By-law No. 16419) was initiated by the majority of the owners in this Royal Heights neighbourhood to control the size of new homes. Final Adoption was given on March 31, 2008. The CD Zone (By-law No. 16419) differs from the RF Zone by:

- reducing the maximum house size (including basement, garage and accessory buildings) from 330 square metres (3,550 square feet) to 298 square metres (3,200 square feet);
- reducing the maximum building height from 9 metres (30 feet) to 6.7 metres (22 feet);
- requiring minimum 1.8-metre (6 foot) side yard setbacks; and
- regulating roof pitch (minimum of 2:12 and maximum of 6:12).

The main issues raised at the Public Hearing for the rezoning of the site at 11511 Millar Road focussed on the size of the proposed RF-12 lots in relation to the existing lot sizes on the block, the impacts on road safety and traffic volumes from increased traffic generated by the development, the impact of the proposal on the form and character of the neighbourhood including tree preservation and view corridors, and concerns over slope stability and flooding.

Lot Size Compatibility

Concerns were expressed that the size and number of the proposed RF-12 lots are out of context with the existing neighbourhood.

Policy No. O-52, Small Lot Residential Zones, provides guidance when redeveloping areas to residential small lots. The RF-12 Zone may be considered in "Urban" designated areas that are located within 800 metres (one-half mile) of the edges of City Centre, Town Centres and employment areas. The zone should be applied to provide a gradation of land use intensity.

The site is located within 800 metres (0.5 miles) of the South Westminster Neighbourhood Concept Plan area, 400 metres (0.25 miles) from Royal Heights Elementary, 400 metres (0.25 miles) from Royal Heights Park, and 1.5 kilometres (one mile) from the commercial area at 96 Avenue and Scott Road. Next door to the subject site is a duplex lot. A number of other duplexes are located within the vicinity of the proposed development.

The existing lots along Millar Road are shallow and wide, with lot widths ranging from 26 metres (85 feet) to 55 metres (180 feet) and lot depths ranging from 22 metres (72 feet) to 25 metres (82 feet) before road dedication. However, they all have sufficient width and area to be rezoned and subdivided into RF-12 lots (Type II), although Development Variance Permits may be required to reduce the minimum lot depth as a result of required road widening and some lot owners may need to work in partnership with other lot owners to be similarly subdivided. The redevelopment potential of this block would not be possible under the existing RF Zone as the road widening requirements would create lot depths that are too shallow and lot areas that are too small to comply with the existing RF Zone.

Because of the site's proximity to the South Westminster NCP employment area and other amenities, rezoning the subject site to RF-12 has merit. Moreover, the remaining lots on this block (each with a minimum lot width of 26 metres (85 feet)) can easily be subdivided into RF-12 Type II lots in the future (Appendix IV). With further subdivision along this street, the widening of Millar Road can be realized without additional cost to the City.

The three proposed RF-12 lots are each 15.24 metres (50 feet) wide, which complies with the RF Zone that regulates most lots within the neighbourhood. Due to the 3.5 metres (11.5 feet) required for road widening, each proposed lot is a minimum of 21.6 metres (71 feet) deep and 330 square metres (3,550 square feet) in area.

With regard to the number of lots proposed (three), the applicant advises that the amount of road dedication required removes the possibility of subdividing the site into two RF-zoned lots because of the reduced lot depth and lot area. Given the amount of dedication required along Millar Road, allowing a rezoning to RF-12 provides the applicant with a trade-off between development potential and road dedication. Furthermore, by subdividing the subject site into two lots rather than three, the proposed lot dimensions (wide and shallow lots) would be problematic for creating functional floor plans to today's house design standards. The applicant is concerned that the house design constraints for two lots will create lots that are undervalued.

The applicant also advises that the three proposed RF-12-zoned lots would have an appropriate interface along Millar Road which is a collector, and would provide a transition to the standard-sized single family lots on the local roads of the surrounding neighbourhood. Furthermore, the maximum house size (including garage) on the proposed lots is 233 square metres (2,514 square feet) based on the 0.70 Floor Area Ratio, which is smaller than the house size permitted in the CD Zone (By-law 16419) to the south.

Should Council decide that two lots, rather than the proposed three, are more appropriate, the subject site would require rezoning to a Comprehensive Development (CD) Zone. A Comprehensive Development Zone would require a new by-law to be introduced and another Public Hearing. A Development Variance Permit would continue to be required for a modified collector road standard.

Road Safety and Traffic Volumes

At the Public Hearing, area residents expressed concern about the impacts of the proposed development on road safety and traffic volumes. More specifically, concerns were expressed about poor visibility along Millar Road and vehicle crashes along this route. It was indicated that speed bumps were installed on this street to slow down traffic. The absence of sidewalks along this road and concerns about pedestrian safety were also cited.

Millar Road is a designated collector road and is one of the few routes in this area of Surrey that connects directly to South Fraser Way. Alternative local routes, although not as direct, also exist along Regal Drive via Townline Diversion, and along 92A Avenue in Delta. Alternative major routes include Scott Road north to Tannery Road. 116 Street does not connect to River Road. A map illustrating the route options is provided in Appendix V.

There are existing speed bumps located at the crest of Millar Road and along 116 Street to slow traffic. The speed bumps were installed in 2005 at the request of the area residents due to concerns about the speed of traffic around the nearby Royal Heights Elementary School on 97 Avenue. The Engineering Department advises that speed bumps are avoided on roads with grades greater than 6% and would not be permitted on roads with grades greater than 8%. Millar Road's grades range from 6% to 12% and additional speed bumps on this type of grade can become dangerous, particularly during winter driving conditions.

Millar Road is currently of substandard width with a 12.2-metre (40 foot) dedicated road right-of-way with a pavement width of 5.5 metres (18 feet). A standard dedication width for a collector road is 22 metres (72 feet) with a pavement width of 12.2 metres (40 feet). However, due to the shallow lot depths of the lots fronting this road, the applicant and the Engineering Department designed a modified collector cross-section for Millar Road, which reduces the ultimate road width to 16.6 metres (54 feet) with a pavement width of 10.45 metres (34 feet) and 0.5 metre (1.6 foot) statutory right-of-way. The modified collector standard will consist of sidewalks and boulevards on both the north and south sides of the road, on-street parking on the south side of the road, and a bike lane on the south side of the road (Appendix VI).

This modified collector standard requires a Development Variance Permit to relax the requirements of the Subdivision and Development By-law (No. 8830) and will reduce the overall impact of road dedication requirements as the rest of the Millar Road develops. Engineering staff support this Development Variance Permit.

The ultimate road width, together with sidewalks and on-street parking will help to improve traffic safety and visibility. While road dedication will be taken at the time of subdivision, cash-in-lieu will be provided for the ultimate road improvements as the rest of the block redevelops. Proposed Lots 2 and 3 will have a paired driveway (i.e. side-by-side driveways) to reduce the number of access points to the subject site, and to retain trees on the adjacent lot to the east.

If the Development Variance Permit to vary the road standards is not supported by Council, the remaining lots along Millar Road will not have redevelopment potential. Therefore, the City would not be able to acquire further road widening through redevelopment, or the City would need to acquire the lots or portions of lots to achieve the ultimate road standard.

Neighbourhood Character

At the Public Hearing, some concerns were raised about the height of the new dwellings and the loss of views should this development be approved. The subject site is located on the north bluff, overlooking the Fraser River and New Westminster, with views of the North Shore Mountains. Appendix VII shows some existing view corridors using "Google Street View".

The neighbourhood is characterized by single-storey dwellings, basement-entry bungalows, and split-level homes, with lower sloped roofs (from flat to 7:12 pitch). However, should any of the existing dwellings be rebuilt, they could be built in accordance with the RF Zone, which permits a maximum building height of 9 metres (30 feet). The applicant proposes to develop three 2-storey homes with basements. The maximum permitted height of the houses in the RF-12 Zone is 9.5 metres (31 feet), which is slightly higher than the 9-metre (30 foot) maximum permitted within the surrounding neighbourhood on the RF and RM-D-zoned lots.

The maximum house size permitted on the proposed RF-12-zoned lots is 233 square metres (2,514 square feet). Comparatively, the maximum house size for RF-zoned lots is 330 square metres (3,550 square feet), and 298 square metres (3,200 square feet) for the CD-zoned (By-law No. 16419) lots to the south.

The applicant retained Tynan Consulting Ltd. as their design consultant. The proposed Building Scheme for the three proposed lots specifically addresses the massing design of new homes to ensure reasonable integration with existing neighbouring homes. These measures include the requirement to set the basement slab at the lowest possible level (MBE). Limits are set on ceiling heights, maximum 2.4 metres (8 feet) for the basement and upper floors, and 2.7 metres (9 feet) for the main floor. Furthermore, it is proposed that the roof slopes be limited to a maximum 6:12 pitch. To ensure a gentle massing transition with the existing home to the west, for proposed Lot 1, the upper floor must be offset not less than 1.3 metres (4.6 feet) from the main floor at the west side of the home, creating additional open space and additional separation between structures on the west side. These design restrictions will result in houses with a building height of 9.42 metres (30.9 feet). The Building Design Guidelines Summary is attached as Appendix VIII. A sample of the building elevations along the streetscape is attached as Appendix IX.

Slope Stability, Drainage and Tree Preservation

Concerns were expressed over slope stability and drainage in this area. Engineering Department staff advises that across the broader north bluff area some down-slope lots are showing signs of creep, and some older foundation drains are not able to manage the capacity of upslope flows. To date, there have been no studies completed in this particular area regarding slope stability.

Overall, the proposed development will generate less runoff and manage storm water flow better than the existing site. The subject site slopes away from the road and, as such, the lot grading plans are designed such that the post-development flow is less than the pre-development condition. The lots will be self-draining where lawn basins will catch excess flow and direct the water to the storm pipe on Millar Road. Furthermore, the applicant has revised their lot grading plans and will be applying 450 millimetres (17 inches) of topsoil to the pervious areas of the site to increase the absorption of water on the site and reduce the speed at which the water reaches the lawn basins. This requirement is written into the Building Scheme and is noted on the lot grading plans.

While there are not many trees on the subject site, they are good quality in terms of size and health. The applicant worked closely with staff to save as many trees as possible; however the size of the lots do not lend themselves well to tree retention. One large cedar at the front property line of proposed Lots 1 and 2 will be retained and it will partially screen the houses on these lots.

CONCLUSION

Staff and the applicant have reviewed the main issues raised at the Public Hearing. The applicant responded to the area residents' concerns by modifying their lot grading plans to mitigate runoff and by reducing the massing impact of the proposed dwellings. Based on the above discussion, it is recommended that Council:

- Consider granting Third Reading of By-law No. 16932, to allow rezoning of the site at 11515 Millar Road from Single Family Residential Zone (RF) to Single Family Residential (12) Zone (RF-12) to allow subdivision into three small single family lots; and
- Approve Development Variance Permit No. 7907-0190-00.

Original signed by
Jean Lamontagne
General Manager
Planning and Development

SAL/kms/saw

Attachments:

Appendix I	Proposed RF-12 Subdivision Layout
Appendix II	Petition Response Map
Appendix III	Context Map
Appendix IV	Ultimate Subdivision Pattern
Appendix V	Alternate Traffic Routes
Appendix VI	Road Cross-Section
Appendix VII	Google Street View Photos
Appendix VIII	Building Design Guidelines Summary
Appendix IX	Sample Building Elevations

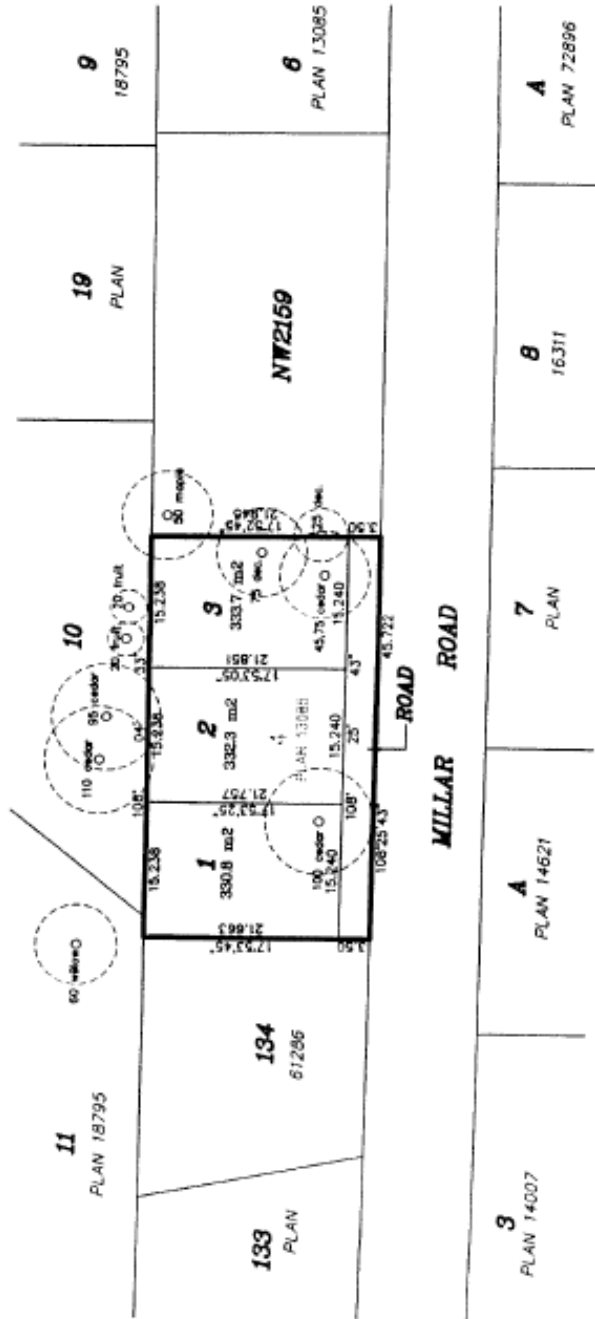
**PROPOSED SUBDIVISION PLAN OF LOT 4
SECTION 35 BLOCK 5 NORTH RANGE 3 WEST
N.W.D. PLAN 13085**

SCALE 1:500



All Distances are in Metres.

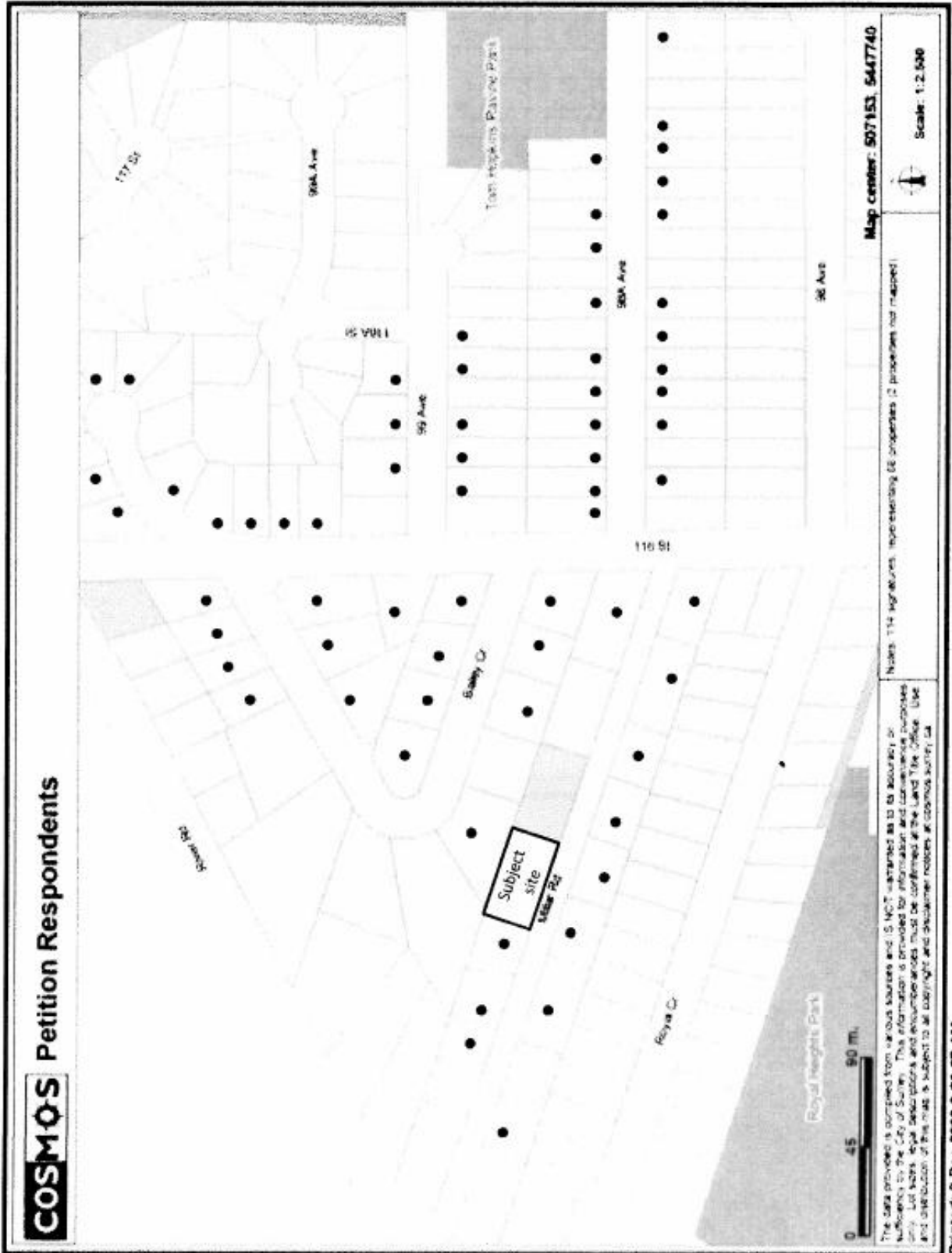
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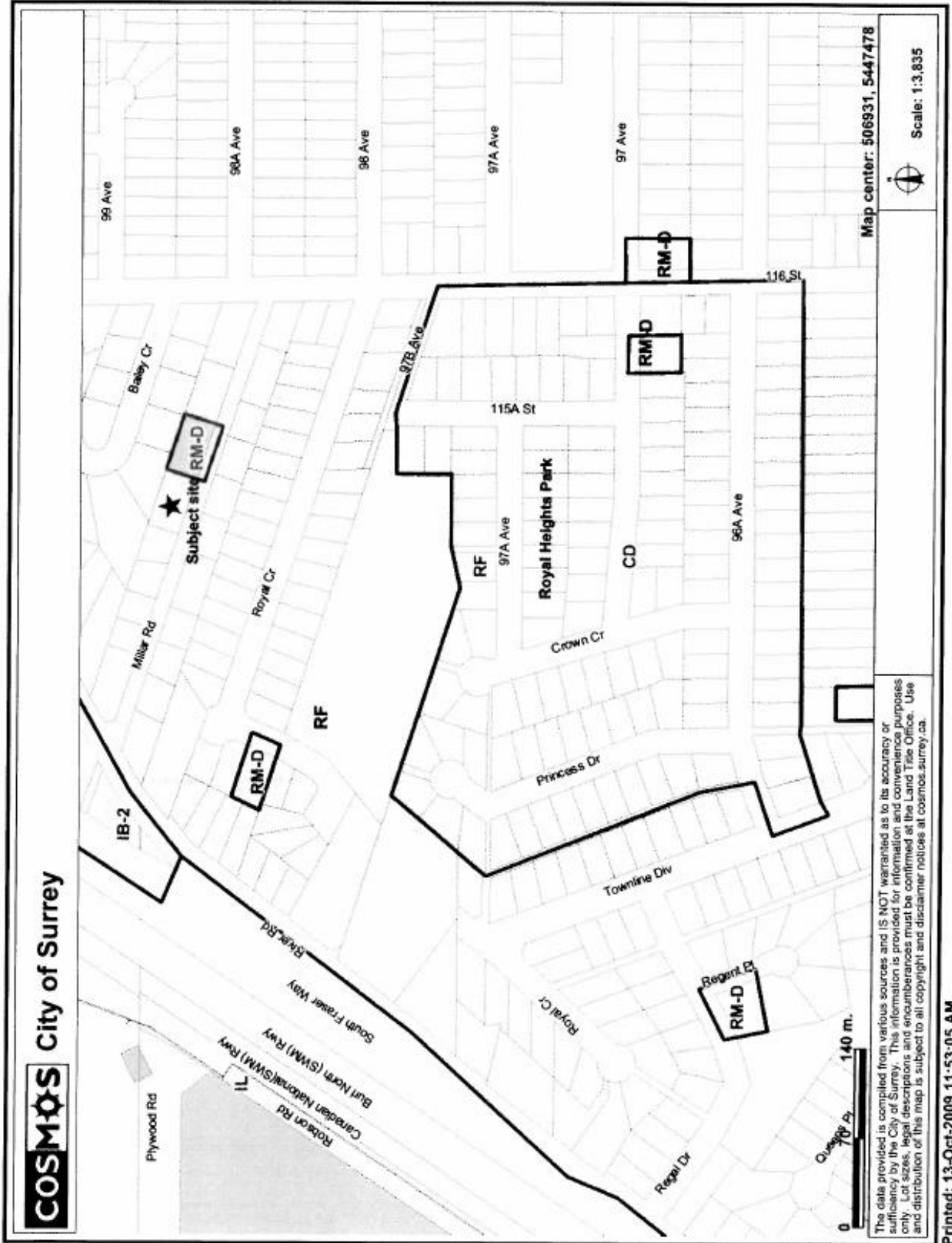


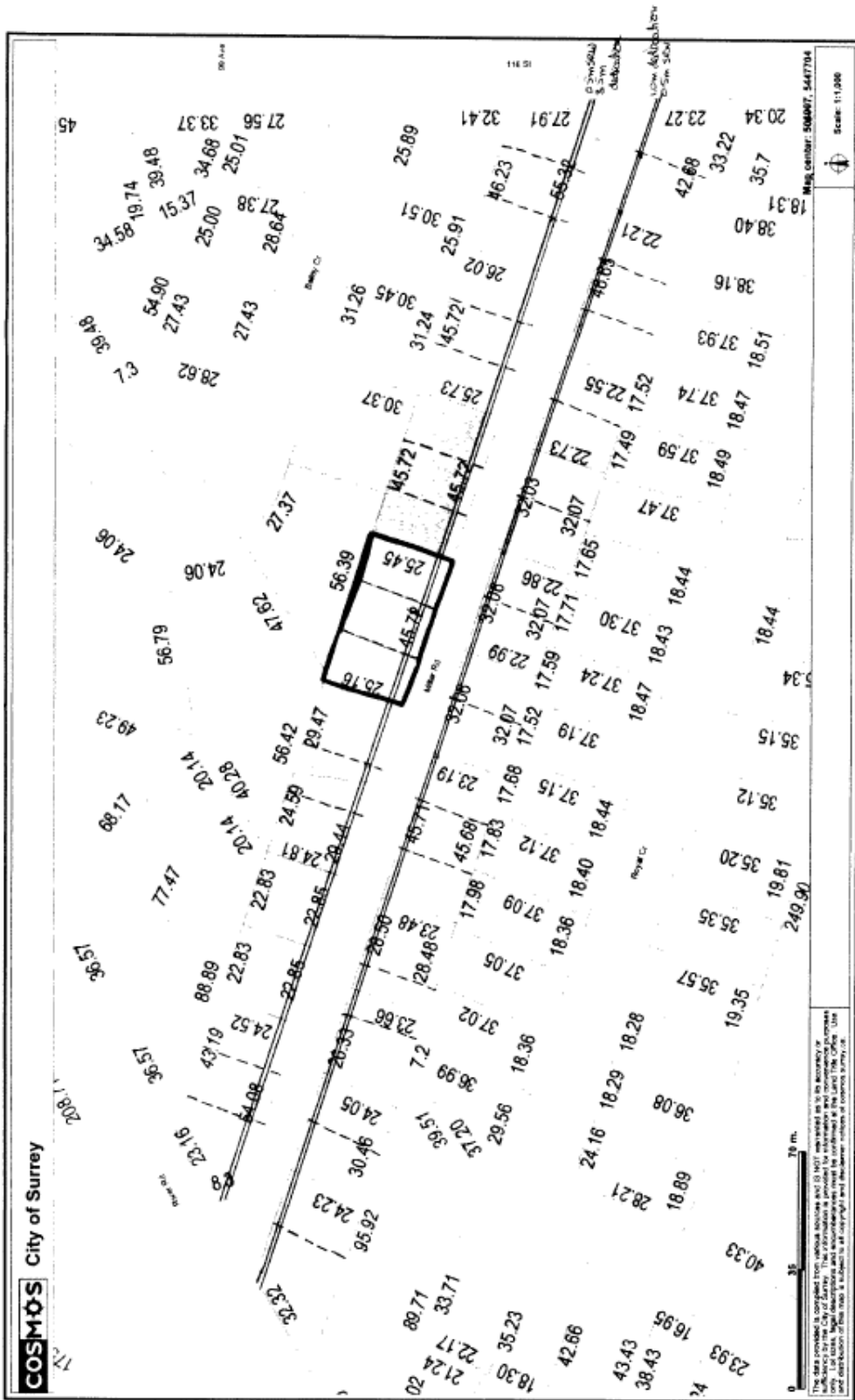
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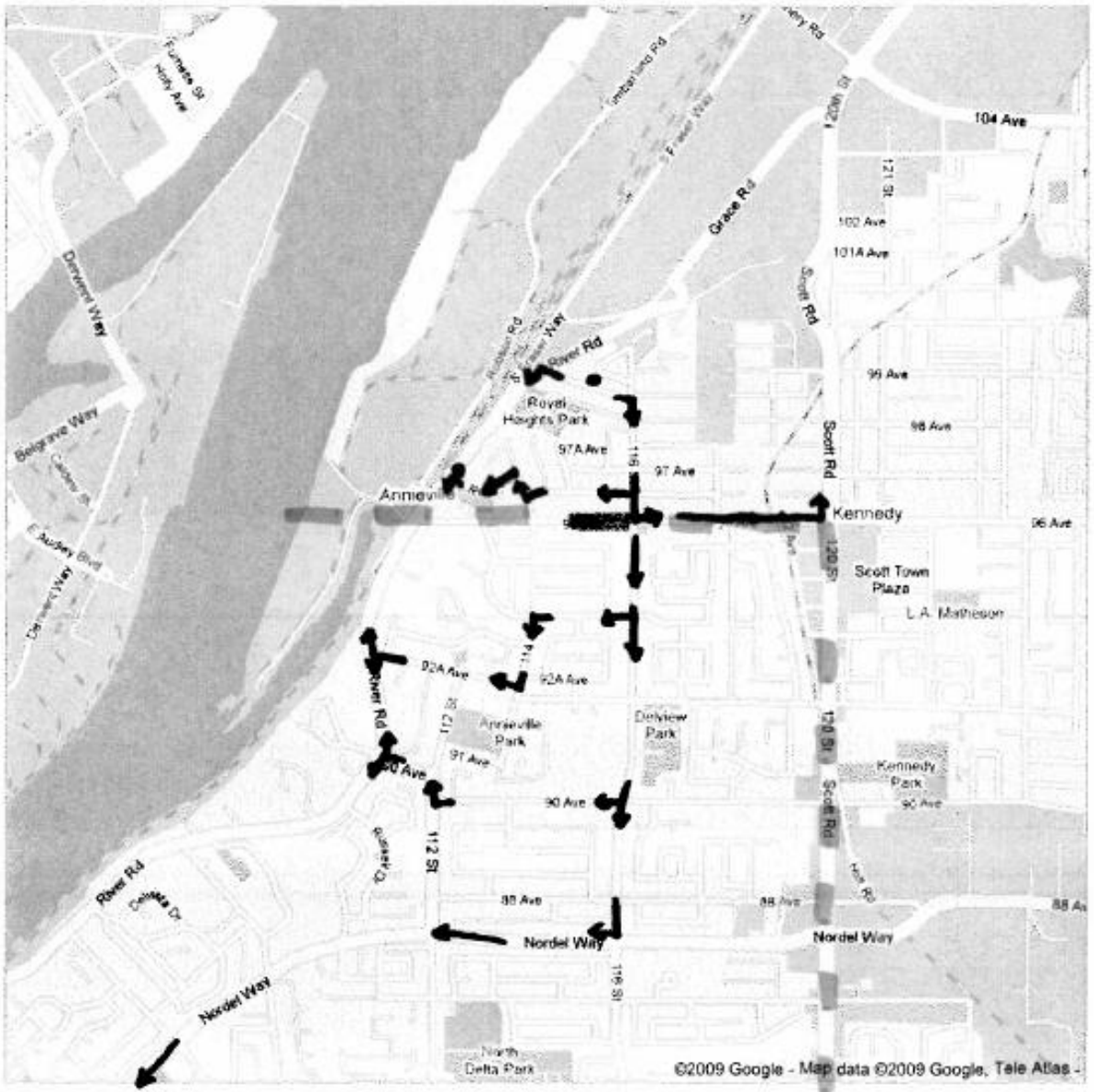
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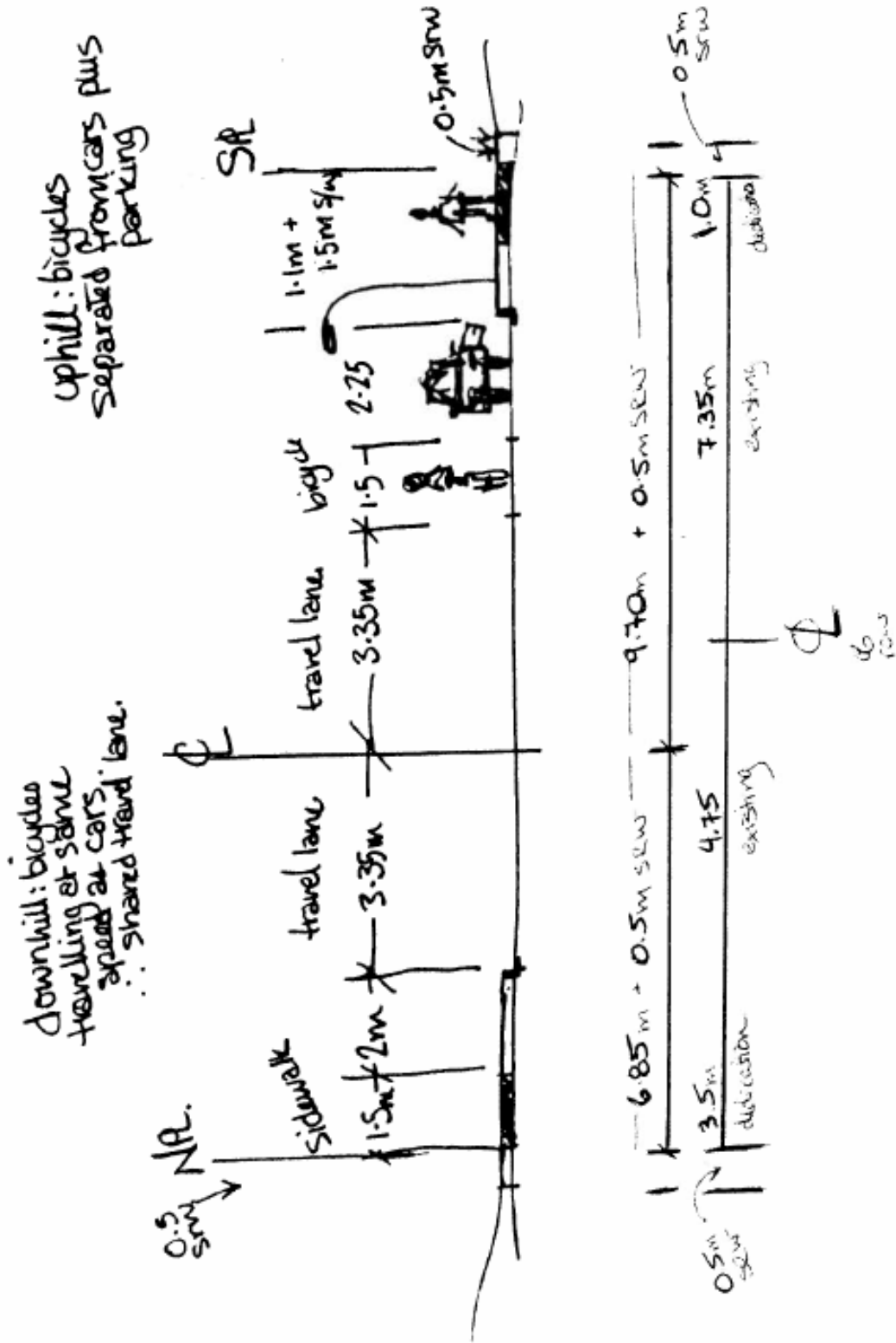




Google maps



Surrey/Delta
border



VIEW CORRIDORS USING GOOGLE STREET VIEW



Looking north-west from the crest of Millar Road



Looking north-east at the subject site



Looking north from the crest of 116 Street

BUILDING GUIDELINES SUMMARY

Surrey Project no: 7907-0190-00
 Project Location: 11515 Millar Road, Surrey, B.C.
 Design Consultant: Tynan Consulting Ltd., (Michael E. Tynan)

The draft Building Scheme proposed for this Project has been filed with the City Clerk. The following is a summary of the Residential Character Study and the Design Guidelines which highlight the important features and form the basis of the draft Building Scheme.

1. Residential Character

1.1 General Description of the Existing and/or Emerging Residential Character of the Subject Site:

Development in this area began more than 60 years ago, and all homes in this area are 50-70 years old. This area can be defined as "an old growth area in which no new development has occurred". The existing homes are all "Old Urban" or "Rural Heritage" styles in a wide variety of home types including Bungalows, Bungalows with above-ground basements, Basement Entry, Cathedral Entry, and Split Level. There are no Two-Storey type homes (as defined in the building scheme). Overall, the homes and yards are well kept. Many of the homes have new asphalt shingle roofs, and painting has been maintained.

Homes in this area include the following:

- **Bungalow Type:** 38 percent of study area homes (5 of 13 homes surveyed) are Bungalows. These homes are all low mass, low impact, simple rectangular or "L" shaped structures situated on large RF zoned lots. These homes range in size from 700 - 1000 square feet, with one exception; the Bungalow-Duplex located on the lot adjacent to the east side of the side. These homes are "Old Urban" style with low slope (4:12 - 5:12) common gable or common hip roofs with asphalt shingle roof surfaces, except one Bungalow which has a flat roof with tar and gravel surface. Siding materials include horizontal cedar and stucco.
- **Bungalow with above-ground Basement: (23%)** These homes are 1800 - 2300 sq.ft. box-like structures, a result of the upper floor being located directly above a fully above ground basement. The front door is located 10-14 risers above the ground level. These homes function similarly to a Basement Entry home (with all living and sleeping areas on the upper floor and a basement underneath), with the exception that the main entrance to the home is at the upper floor rather than at the lower floor. These homes have low slope (4:12 - 5:12) common gable or common hip roofs with an asphalt shingle roof surface. Siding materials include horizontal cedar (dominant) and stucco.
- **Basement Entry and Cathedral Entry Type: (23%):** These homes range in size from 2300 - 2900 sq.ft. excluding garage. They all have box-like massing characteristics resulting from the economical practice of locating the upper floor directly above the lower floor on all sides of the structure. This practice is inconsistent with current design standards and with current RF zone by-laws, and so these homes are not considered to be context homes. Roof forms, roof slope, roof surface materials and siding materials are similar to those used on the Bungalow-with-above-ground Basement homes.

- **Split Level type (15%)** : There are two small Split Level type homes ranging in size from 1300-1700 square feet. Both are low-mass structures. Both have a 7:12 pitch simple common gable roof with asphalt shingle surface. One is clad in vinyl and the other is clad in horizontal cedar.

Although none of the homes in this area present an objectionable appearance, none can be considered suitable context homes for a year 2009 RF-12 zone development.

1.2 Prevailing Features of the Existing and Surrounding Dwellings Significant to the Proposed Building Scheme:

- 1) Old urban character does not provide suitable context for a year 2009 development.
- 2) There are a wide variety of home types including Bungalow, Bungalow with basement, Cathedral Entry, Basement Entry, and Split Level. However, it is expected that all three new homes will be Two-Storey type.
- 3) Front entrance porticos are all one storey in height.
- 4) Massing: None of the existing homes provide suitable massing context.
- 5) Exterior cladding and detailing are to an old urban standard, not suitable for the subject site. A common new standard for RF-12 zone developments is recommended.
- 6) Most homes have an asphalt shingle roof. However, tar and gravel, concrete tiles, and cedar shingles are also evident in this area. Flexibility can therefore be permitted with respect to roofing materials.
- 7) Roof pitch range: Flat to 7:12.

Dwelling Types/Locations:	Two-Storey.....	0%
	Basement Entry/Cathedral Entry	23%
	Rancher (bungalow).....	61%
	Split Levels.....	15%

Exterior Treatment /Materials: Horizontal cedar siding and stucco are the most common cladding materials. Vinyl, brick, and stone have also been used.

Roof Pitch and Materials: Roof slope range is Flat to 7:12. Roof surface materials include asphalt shingles, concrete roof tiles, cedar shingles, and tar & gravel.

Window/Door Details: Rectangular dominant.

Streetscape: The streetscape is consistent, comprised exclusively of 50-70 year old "Old Urban" and "Rural Heritage" style homes. Dwellings are either low mass Bungalows or Split Level type, or are high mass Basement Entry and Cathedral Entry type. Homes have simple, low slope roofs, many of which have recently been resurfaced with asphalt shingles. Wall cladding materials include cedar, stucco, vinyl, brick, and stone. The homes and yards are well maintained and the area has a pleasant old urban / suburban character.

2. Proposed Design Guidelines

2.1 Specific Residential Character and Design Elements these Guidelines Attempt to Preserve and/or Create:

- the new homes are readily identifiable as one of the following styles: "Neo-Traditional", "Neo-Heritage", "Craftsman-Heritage", or "Rural Heritage". Note that the proposed style range is not contained within the building scheme, but is contained within the residential character study which forms the basis for interpreting building scheme regulations.
- a new single family dwelling *constructed* on any lot meets common year 2008 design standards for RF-12 type lots, which include the proportionally correct allotment of mass between various street facing elements, the overall balanced distribution of mass within the front facade, readily recognizable style-authentic design, and a high trim and detailing standard used specifically to reinforce the style objectives stated above.
- trim elements will include several of the following: furred out wood posts, articulated wood post bases, wood braces and brackets, louvered wood vents, bold wood window and door trim, highly detailed gable ends, wood dentil details, stone or brick feature accents, covered entrance verandas and other style-specific elements, all used to reinforce the style (i.e. not just decorative).
- the development is internally consistent in theme, representation, and character.
- the entrance element will be limited in height (relative dominance) to 1 to 1 ½ storeys, and regardless of height, the entrance shall not appear as a dominant element.
- homes will be designed with low to mid-scale massing characteristics so as to blend with neighbouring homes.

2.2 Proposed Design Solutions:

Dwelling Types/Location:	Two Storey, Split Levels, Bungalows, No Basement Entry.
Interfacing Treatment with existing dwellings)	No existing neighbouring homes provide suitable context for the proposed RF-12 type homes at the subject site. Interfacing treatments are therefore not contemplated, other than general style compatibility and comparable massing characteristics. The basement slab will be set at the lowest possible level (the MBE). The upper floor and basement ceiling heights will be restricted to 8 feet. The main floor ceiling height will be restricted to 9 feet. The roof slope at the upper floor will be limited to 6:12. On lot 1, the upper floor at the west side of the structure will be set back an additional 4'-6" from the side property line (offset 4'-6" from the floor below) to create open sight lines and to create additional privacy for the existing home to the west.
Restrictions on Dwellings (Suites, Basement Entry)	No Basement Entry type. No second kitchen or food preparation area; Not more than one bedroom on the main floor of a <i>two- storey single family dwelling</i> . No main floor configuration in which a bedroom, bathroom and games room can be isolated from the remainder of the main floor. No access to the basement from outside other than from the rear of the single family dwelling. Not more than one bathroom in the basement;

- Exterior Materials/Colours:** Stucco, Cedar, Vinyl, Hardiplank, Brick, and Stone.
- "Natural" colours such as browns, greens, clays, and other earth-tones, and "Neutral" colours such as grey, white, and cream are permitted. "Primary" colours in subdued tones such as navy blue or forest green can be considered providing neutral trim colours are used, and a comprehensive colour scheme is approved by the consultant. "Warm" colours such as pink, rose, peach, salmon are not permitted. Trim colours: Shade variation of main colour, complementary, neutral, or subdued contrast only.
- Roof Pitch:** Minimum 5:12. Maximum 6:12. A steeper pitch can be used on a feature projection providing the ridge of the feature projection does not exceed the ridge of the 5:12 / 6:12 roof specified above
- Roof Materials/Colours:** Cedar shingles, shake profile concrete roof tiles, shake profile asphalt shingles with a raised ridge cap and new environmentally sustainable roofing products providing that aesthetic properties of the new materials are equal to or better than the traditional roofing products. Grey, brown, or black only
- In-ground basements:** Permitted, subject to determination that service invert locations are sufficiently below grade. Basements will appear underground from the front.
- Treatment of Corner Lots:** Not applicable - there are no corner lots
- Landscaping:** *Moderate modern urban standard:* Tree planting as specified on Tree Replacement Plan plus minimum 17 shrubs of a minimum 3 gallon pot size. Sod from street to face of home. Driveways: exposed aggregate, interlocking masonry pavers, or stamped concrete.

Compliance Deposit: \$5,000.00

Summary prepared and submitted by: Tynan Consulting Ltd. **Date:** Jan 8, 2010

Reviewed and Approved by:  **Date:** Jan 8, 2010

