

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7904-0029-01

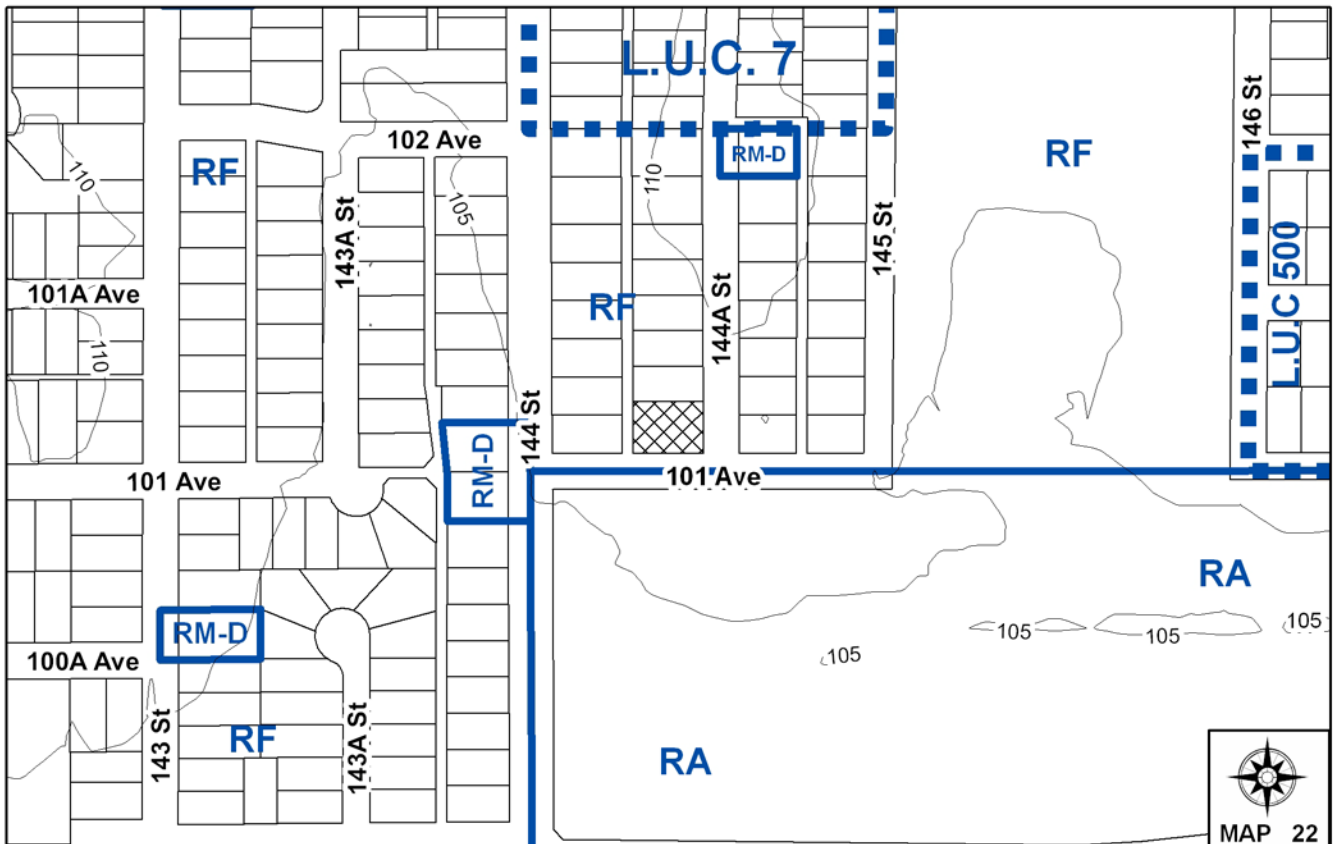
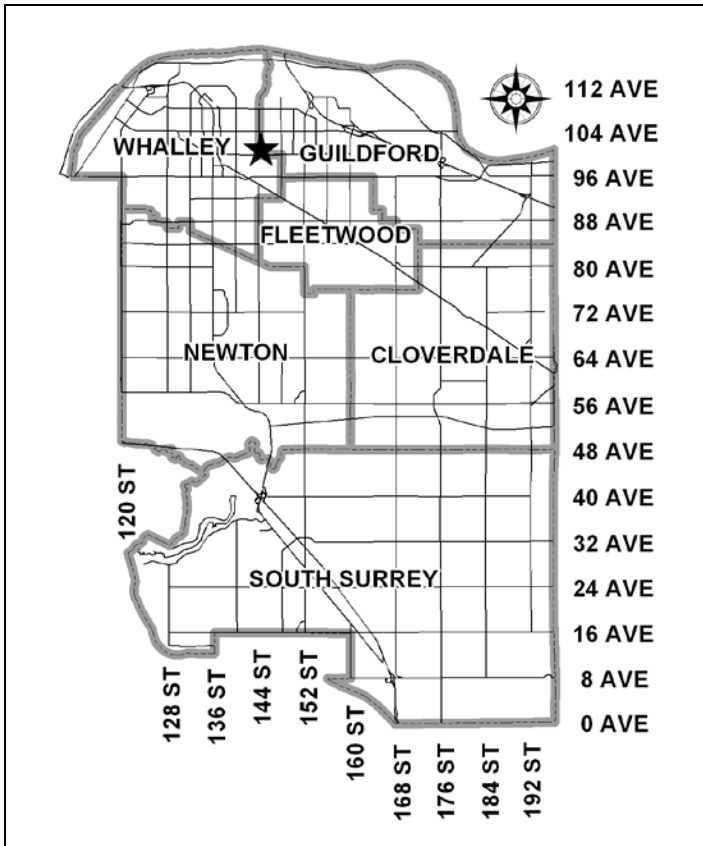
Planning Report Date: March 31, 2008

PROPOSAL:

- **Development Variance Permit**

in order to relax the front yard setback of an existing house on proposed Lot 2.

LOCATION: 10111 - 144A Street
OWNERS: Daljit Singh Mangat et al
ZONING: RF
OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Relaxation of the minimum front yard setback of the RF Zone from 7.5 metres (25 ft.) to 2.3 metres (7.5 ft.) for proposed Lot 2.

RATIONALE OF RECOMMENDATION

- Upon subdivision, the existing flanking side yard (south side) of the existing house, which is to be retained, will technically become the front yard.
- This variance application is being forwarded to Council again, as the identical Development Variance Permit No. 7904-0029-00, issued by City Council on April 19, 2004, has lapsed.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7904-0029-01 (Appendix IV), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front yard setback of the RF Zone from 7.5 metres (25 ft.) to 2.3 metres (7.5 ft.) for proposed Lot 2.

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).

SITE CHARACTERISTICS

Existing Land Use: One single family dwelling which is to be retained.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Single family dwellings.	Urban	RF
East (Across 144A Street):	Single family dwellings.	Urban	RF
South (Across 101 Avenue):	Green Timbers Urban Forest Park.	Conservation Area	RA
West:	Single family dwellings.	Urban	RF

DEVELOPMENT CONSIDERATIONS

- The application site is in the Urban-designated residential pocket adjacent to and north of Green Timbers Urban Forest Park.
- The applicant is seeking subdivision approval to create one additional lot. The dimensions of the 2 proposed lots meet the requirements of the existing RF Zone (Appendix II).

- There is one single family dwelling on the subject property that is approximately 50 years old and is to be retained on proposed Lot 2. In order to retain the existing house, the applicant has applied for a Development Variance Permit to relax the front yard setback requirement of the RF Zone from 7.5 metres (25 ft.) to 2.3 metres (7.5 ft.).
- An identical Development Variance Permit application received approval by Council on April 19, 2004. However, the applicant did not proceed with the associated subdivision. The property was subsequently sold three times and the previous Development Variance Permit expired on April 19, 2007.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To relax the minimum front yard setback requirement of the RF Zone from 7.5 metres (25 ft.) to 2.3 metres (7.5 ft.) for proposed Lot 2.

Applicant's Reasons:

- The existing house is in good condition and currently fronts 144A Street. It is located at the southeast corner of the subject property, 4.12 metres (13.5 ft.) from the east property line, which is the present frontage of the property, and 2.36 metres (7.8 ft.) from the south property line, which is presently the side yard on a flanking street. Both setbacks are nonconforming.
- Owing to the dimensions of the subject property, the subdivision layout proposal indicates proposed Lot 2 (on which the house is located) fronting 101 Avenue. Upon subdivision, the flanking side yard of the existing house will therefore become the front yard.

Staff Comments:

- The Zoning By-law defines the front lot line for a corner lot as the shortest lot line abutting a street. After the proposed subdivision is completed, the south property line will become the lot frontage for the two new lots and the existing house will become non-compliant with the front yard setback requirement of the RF Zone. The present front yard setback will become the side yard on a flanking street. The flanking side yard setback of 4.12 metres (13.5 ft.) will comply with the minimum 3.6 metres (12 ft.) permitted in the RF Zone.
- The proposed variance to the future front yard setback of proposed Lot 2 can be supported because it is limited to the existing house which is not expected to remain for an extended length of time. All future structures on the subject property will be required to conform to the requirements of the Single Family Residential Zone (RF).

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. Development Variance Permit No. 7904-0029-01

Jean Lamontagne
General Manager
Planning and Development

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Information for City Clerk

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

1. (a) Agent: Name: Kris Mander, Laxmi Construction
 Address: 9955 - 138A Street
 Surrey, BC
 V3T 4K9
 Tel: 604-782-4561

2. Properties involved in the Application
 - (a) Civic Address: 10111 - 144A Street

 - (b) Civic Address: 10111 - 144A Street
 Owners: Daljit Singh Mangat, Kulwant Singh and Sarbjit Kaur
 Mander
 PID: 010-297-235
 Lot 7 Section 30 Block 5 North Range 1 West New Westminster District Plan
 17698

3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7904-0029-01.

SUBDIVISION DATA SHEET

Existing Zoning: RF

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	0.28 ac
Hectares	0.11 ha
NUMBER OF LOTS	
Existing	1
Proposed	2
SIZE OF LOTS	
Range of lot widths (metres)	19.47 m to 19.54 m
Range of lot areas (square metres)	558 m ² to 560 m ²
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	18 upha/7 upa
Lots/Hectare & Lots/Acre (Net)	18 upha/7 upa
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	40%
Estimated Road, Lane & Driveway Coverage	6%
Total Site Coverage	46%
PARKLAND	
Area (square metres)	
% of Gross Site	
	Required
PARKLAND	
5% money in lieu	NO
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
Minimum Front Yard Setback for Proposed Lot 2	YES