

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7906-0355-01

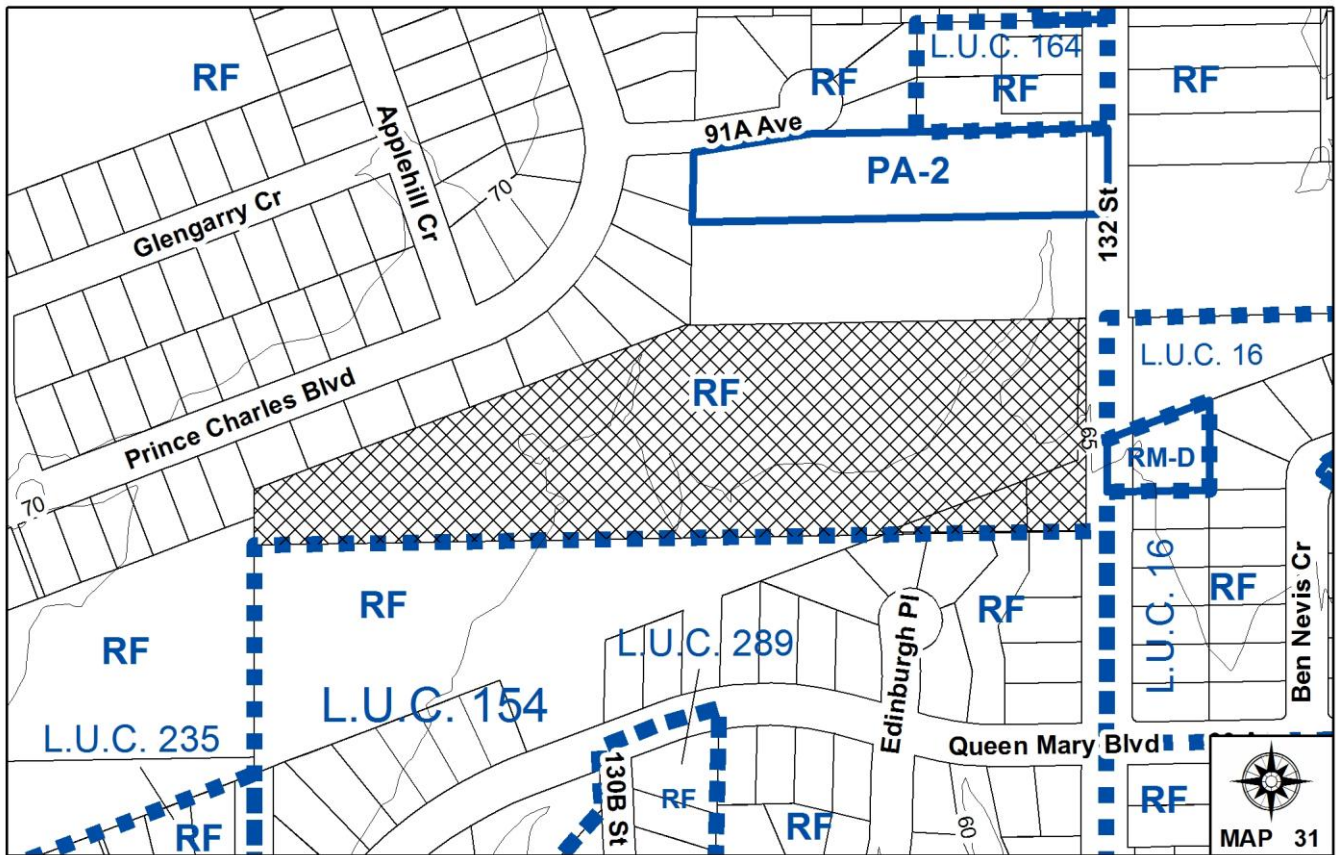
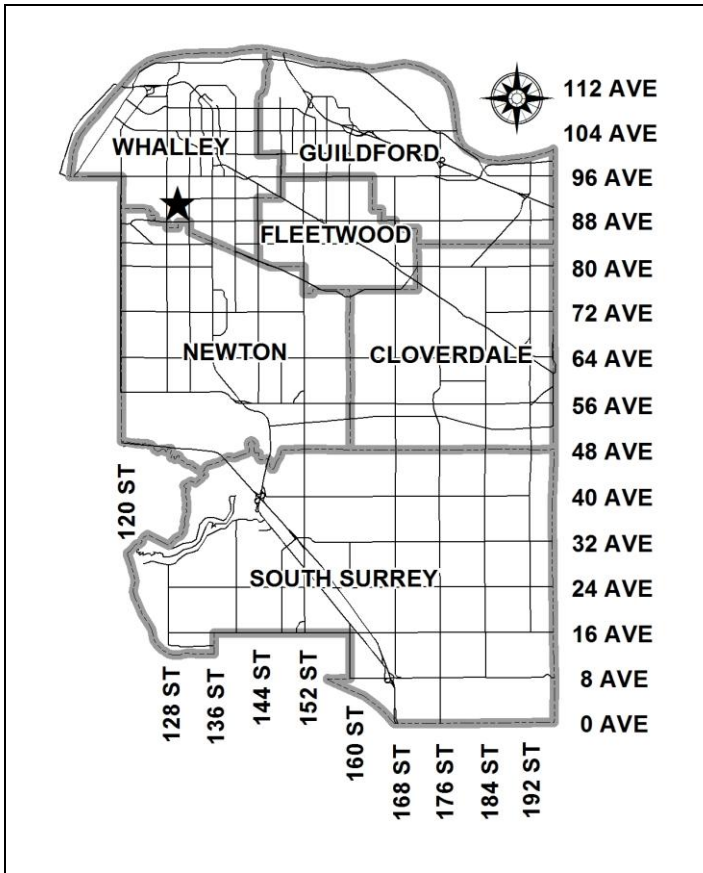
Planning Report Date: March 22, 2010

PROPOSAL:

- **Development Variance Permit**

in order to allow subdivision to create a single family residential lot and the remainder retained as open space.

LOCATION: 9077 - 132 Street
OWNER: City of Surrey
ZONING: RF
OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The lot depth and rear yard setback for the proposed lot will not comply with the RF Zone.

RATIONALE OF RECOMMENDATION

- The proposed variances were previously approved by Council on October 15, 2007 under Development Variance Permit No. 7906-0355-00, however, the associated proposed subdivision did not proceed.
- The current application proposes the same variances, and is required because the previous Development Variance Permit No. 7906-0355-00 expired and subdivision is now being pursued.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7906-0355-01, (Appendix III) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum lot depth requirement of the RF Zone for proposed Lot 1 from 28 metres (92 ft.) to 21.5 metres (70 ft.); and
 - (b) to reduce the minimum rear yard setback of the RF Zone for proposed Lot 1 from 7.5 metres (25 ft.) to 4.5 metres (15 ft.).

REFERRALS

Engineering: The Engineering Department has no objection to the project.

SITE CHARACTERISTICS

Existing Land Use: Parkland impacted by a major hydro corridor and a red-coded watercourses.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	City park under a BC Hydro utility right-of-way.	Urban	RF
East (Across 132 Street):	One duplex lot and single family lots.	Urban	RM-D and LUC No. 16 (underlying RF Zone)
South:	Single family lots.	Urban	LUC No. 154 (underlying RF Zone)
West:	Single family lots.	Urban	RF

DEVELOPMENT CONSIDERATIONS

- Council approved Development Variance Permit No. 7906-0355-00 on October 15, 2007 in order to allow subdivision of a portion of a City-owned lot to create a single family residential lot. The Development Variance Permit (DVP) allowed:
 - a) A reduction to the minimum lot depth of the RF Zone on proposed Lot 1 from 28 metres (92 ft.) to 21.5 metres (70 ft.); and
 - b) A reduction to the minimum rear yard setback of the RF Zone on proposed Lot 1 from 7.5 metres (25 ft.) to 4.5 metres (15 ft.).

- Development Variance Permit No. 7906-0355-00 was issued with the provision that it would lapse if the Owner did not substantially start construction within two (2) years after the date of issuance of the development variance permit. Due to a decline in the real estate market, the associated subdivision plans did not complete, and DVP No. 7906-0355-00 expired on October 15, 2009. As a result, a new application for a Development Variance Permit was recently submitted in order to facilitate the completion of the subdivision.
- The subject land (9077 – 132 Street), which is 3.24 hectares (8.0 acres) in area, was identified for acquisition in the 2001 Park Acquisition Program. In 2006, Council approved the acquisition of the subject property for park / open space as set out in the City's Wildflower Greenway plan.
- The subject property is encumbered by a Hydro right-of-way. However, the creation of a serviceable building lot for the unencumbered 1,700 m² (0.42 acre) southeast portion of the property is achievable. Council approved disposition of this portion (proposed Lot 1) on May 16, 2006 in Corporate Report No. R096. The remainder lands (proposed Lot 2) will be retained as parkland.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum lot depth of the RF Zone for proposed Lot 1 from 28 metres (92 ft.) to 21.5 metres (70 ft.).

Applicant's Reason:

- The proposed lot layout results in the creation of one (1) lot with a reduced lot depth, however, a creek is protected and there is sufficient area to accommodate a standard house.

Staff Comments:

- A red-coded creek (Healy Creek) is located west (at the rear) of proposed Lot 1. The relaxation in the lot depth is required to meet the 15-metre (50 ft.) riparian setback to protect the creek.
- Proposed Lot 1 will have a lot depth of 21.5 metres (70 ft.) with a lot width of 33.75 metres (110 ft.). This results in an oversized RF lot at approximately 645 square metres (6,940 sq.ft.). Therefore, the requested depth variance is supportable.

(b) Requested Variance:

- To reduce the rear yard setback of proposed Lot 1 from 7.5 metres (25 ft.) to 4.5 metres (15 ft.).

Applicant's Reason:

- To construct a standard-sized single family dwelling, and given the size and dimensions of the proposed lot, relaxation of the rear yard is required.

Staff Comments:

- In order to achieve a reasonable building envelope, a variance to the rear yard setback is required on proposed Lot 1.
- The proposed rear yard variance will not create an intrusion on any adjacent properties. The rear (west portion) of proposed Lot 1 abuts the riparian setback area, which will remain parkland. A 1.2-metre (4.0 ft.) high chain-linked fence will be installed on the north (side yard) and west (rear yard) property lines of proposed Lot 1 to protect the integrity of the creek area and greenspace.
- The future dwelling on proposed Lot 1 will be constructed approximately 10.0 metres (33 ft.) from the Hydro right-of-way to the north. This is in compliance with City requirements.
- All other setbacks comply with the RF Zone.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Proposed Subdivision Layout
Appendix III.	Development Variance Permit No. 7909-0355-01

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: Eleanor Enns, City of Surrey (Realty Services)
 Address: 14245 – 56 Avenue
 Surrey, BC
 V3X 3A2
 Tel: 604-591-5727

2. Properties involved in the Application
 - (a) Civic Address: 9077 – 132 Street

 - (b) Civic Address: 9077 – 132 Street
 Owner: City of Surrey
 PID: 000-819-093
 The North Half of Lot 5 Except: Part Subdivided by Plan 40114; South West
 Quarter Section 32 Township 2 New Westminster District Plan 3270

3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7906-0355-01.