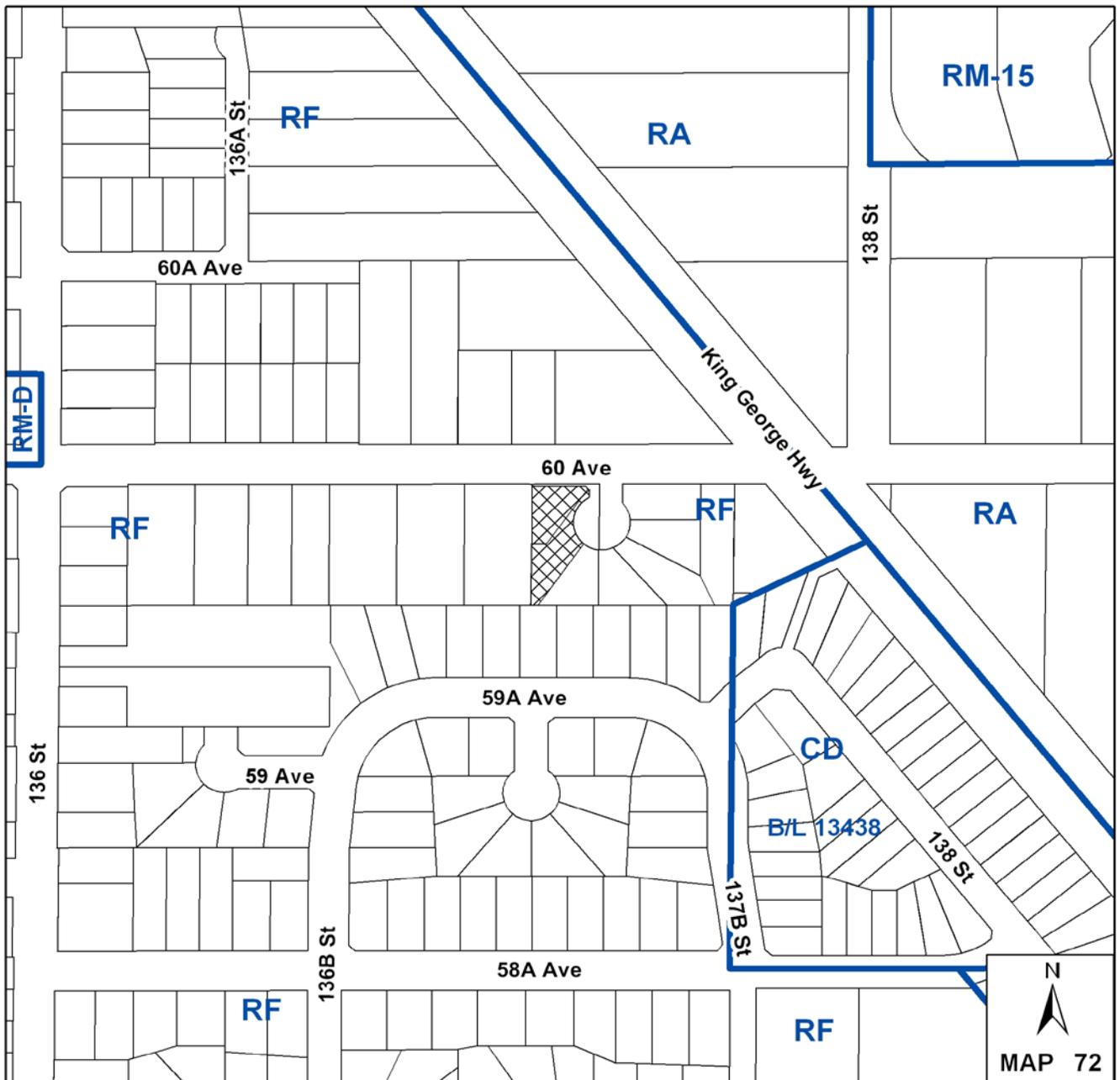


**Proposal:** Development Variance Permit to vary the minimum lot depth and the minimum front yard and rear yard setbacks in order to maximize the building envelope of an existing single family residential lot.

**Recommendation:** Approval to Proceed

**Location:** 5997 - 137A Street      **Zoning:** RF

**OCP Designation:** Urban      **Owners:** Makhan Pooni et al



## PROJECT TIMELINE

Completed Application Submission Date: August 24, 2006  
Planning Report Date: September 11, 2006

## PROPOSAL

The applicant is proposing:

- a Development Variance Permit to vary the following by-law regulations:
  - to vary the minimum lot depth requirement of the RF Zone from 28 m (90 ft.) to 23.7 m (77 ft.);
  - to vary the minimum front yard setback requirement of the RF Zone from 7.5 m (25 ft.) to 3.6 m (12 ft.); and
  - to vary the minimum rear yard setback requirement of the RF Zone from 7.5 m (25 ft.) to 1.8 m (6 ft.)

in order to maximize the building envelope of an existing single family residential lot.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7906-0382-00, (Appendix VI) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum lot depth of the RF Zone from 28 metres (90 ft.) to 23.7 metres (77 ft.);
  - (b) to reduce the minimum front yard setback of the RF Zone from 7.5 metres (25 ft.) to 3.6 metres (12 ft.);
  - (c) to reduce the minimum rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 1.8 metres (6 ft.); and
  - (d) to increase the minimum internal side yard setback requirement of the RF Zone from 1.8 metres (6 ft.) to 6 metres (20 ft.) for 50% of the length of the side and from 1.8 metres (6 ft.) to 7.5 metres (25 ft.) for 50% of the length of the same side.
2. Council instruct staff to resolve the following issues prior to approval:
  - (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; and
  - (b) submission of a subdivision layout to the satisfaction of the Approving Officer.

## 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 V).

## SITE CHARACTERISTICS

- **Existing Land Use** Vacant site recently subdivided by development application No. 7903-0167-00 to create 3 single family residential lots.
- **Significant Site Attributes** One mature tree to be retained along the northern boundary.
- **East:** Single family dwellings, zoned RF, designated Urban.
- **South:** Single family dwellings, zoned RF, designated Urban.
- **West:** One single family dwelling, zoned RF, designated Urban.
- **North:** Single family dwellings and vacant land, zoned RF, designated Urban.

## PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

## DEVELOPMENT CONSIDERATIONS

### Background

- The subject lots are designated Urban in the Official Community Plan (OCP), zoned RF, and were created through a recent subdivision (Application No. 7903-0167-00, approved on June 9, 2006 (Appendix III).
- In order to accommodate the required completion of the cul-de-sac (137A Street), it was determined that Lot 1 would not meet the minimum lot depth requirement of the RF Zone if the Lot was oriented east-west to front 137A Street. To avoid any variances, the subdivision was approved with Lot 1 being oriented north-south, fronting 60 Avenue, with the minimum lot depth requirement satisfied.
- However, since the approval of this subdivision, the applicant has requested a Development Variance Permit (DVP) (Appendix VI) to relax the lot depth and the front yard and rear yard setback requirements of the RF Zone in order to facilitate a lot line adjustment between the subject properties, Lots 1 and 2, and to re-orient the frontage and access of Lot 1 from 60 Avenue to 137A Street (Appendix IV).

Land Use

- The proposed lot configuration is consistent with the development pattern established by the subdivision on the east side of the cul-de-sac (No. 7997-0014-00), with lots fronting the cul-de-sac, 137A Street.
- The proposed lot line adjustment will not change the number of lots created through the original subdivision (No. 7903-0167-00).
- The relocation of access for Lot 1 from 60 Avenue (a major collector) to 137A Street (cul-de-sac) will minimize direct driveway access to this major collector road.
- Despite the proposed variances for Lot 1, the resulting lot width and area will meet the minimum requirements of the RF zone allowing for suitable house siting.

BY-LAW VARIANCE AND JUSTIFICATION

## (a) Requested Variance:

- To relax the lot depth for Lot 1 from 28 metres (90 ft) to 23.7 metres (77 ft).

## Applicant's Reasons:

- The re-orientation of Lot 1, to front 137A Street instead of 60 Avenue, will improve the building envelope.

## Staff Comments:

- The subject site is narrower than the development on the east side of the cul-de-sac (No. 7997-0014-00), and, with the completion of the 137A Street cul-de-sac, the remaining lot depth is compromised and it is not possible to meet the minimum lot depth requirement of the RF Zone for the subject properties, Lots 1 and 2.
- This change will result in more functional lot shapes and building envelopes for both lots.
- Allowing a reduced lot depth will facilitate the re-orientation of Lot 1, and the relocation of its frontage from 60 Avenue (a major collector road) to 137A Street, thereby reducing direct driveway access to this major collector.

## (b) Requested Variance:

- To relax the front yard setback for Lot 1 from 7.5 metres (25 ft) to 3.6 metres (12 ft).

## Applicant's Reasons:

- To facilitate an adequate building envelope area with vehicular access from the cul-de-sac.

## Staff Comments:

- The applicant has demonstrated that despite a reduced front yard setback, there will be a 6 metres (20 ft) separation between the edge of the cul-de-sac pavement and the front of the principal dwelling on Lot 1.
- A reduced front yard will enable a new dwelling, on Lot 1, to front the cul-de-sac in the same pattern as adjoining properties along the cul-de-sac.
- The useable outdoor area will be maximized on the southern exposure of Lot 1.

## (c) Requested Variance:

- To relax the rear yard setback for Lot 1 from 7.5 metres (25 ft) to 1.8 metres (6 ft).

## Applicant's Reasons:

- To permit the re-orientation of Lot 1 to front off the cul-de-sac.

## Staff Comments:

- Under the approved subdivision (No. 7903-0167-00), this area consists of a side yard and only requires a 1.8 metre (6 ft) side yard setback. Therefore, there is no further impact on the adjoining property to the west.
- In addition, the applicant proposes to increase the side yard area on the southern portion of Lot 1 in order to provide adequate outdoor area on this lot.

## (d) Requested Variance:

- To increase the minimum interior side yard setback on Lot 1 from 1.8 metres (6 ft) to 6.0 metres (20 ft) for fifty (50) percent of the length of this side, and from 1.8 metres (6 ft) to 7.5 metres (25 ft) for the remaining fifty (50) percent of the length of the same side.

## Applicant's Reasons:

- To increase the usable outdoor area on the south side of Lot 1.

## Staff Comments:

- This increase side yard setback will maximize the usable outdoor area on the southerly exposure of the lot, farthest away from 60 Avenue, which is classified as a major collector road.
- In addition, the applicant will provide the minimum flanking side yard setback required in the RF Zone on the north side of the lot abutting 60 Avenue. Thus, sufficient outdoor area is proposed within the front and side yards of the proposed re-configuration of Lot 1.

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.	Contour Map
Appendix III.	Approved Subdivision Layout No. 7903-0167-00
Appendix IV.	Proposed Variances
Appendix V.	Engineering Comments
Appendix VI.	Development Variance Permit No. 7906-0382-00

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated August 30, 2006.

How Yin Leung  
Acting General Manager  
Planning and Development

LCR/kms

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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:                Makhan Pooni  
                         Address:            5916 - 136 Street  
   Surrey, B.C. V3X 1H8  
                         Tel:                    604-590-4524
  
2.      Properties involved in the Application
  - (a)      Civic Address:            5997 - 137A Street
  
  - (b)      Civic Address:            5997 - 137A Street  
            Owners:                Makhan Pooni, Paramjit Pooni, Tarlochan Pooni and  
   Narinder Pooni  
            PID:                    026-757-885  
            Lot 1 Section 9 Township 2 New Westminster District Plan BCP24966
  
3.      Summary
  - (a)      Proceed with Public Notification for Development Variance Permit No. 7906-0382-00.



CONTOUR MAP FOR SUBJECT SITE

