

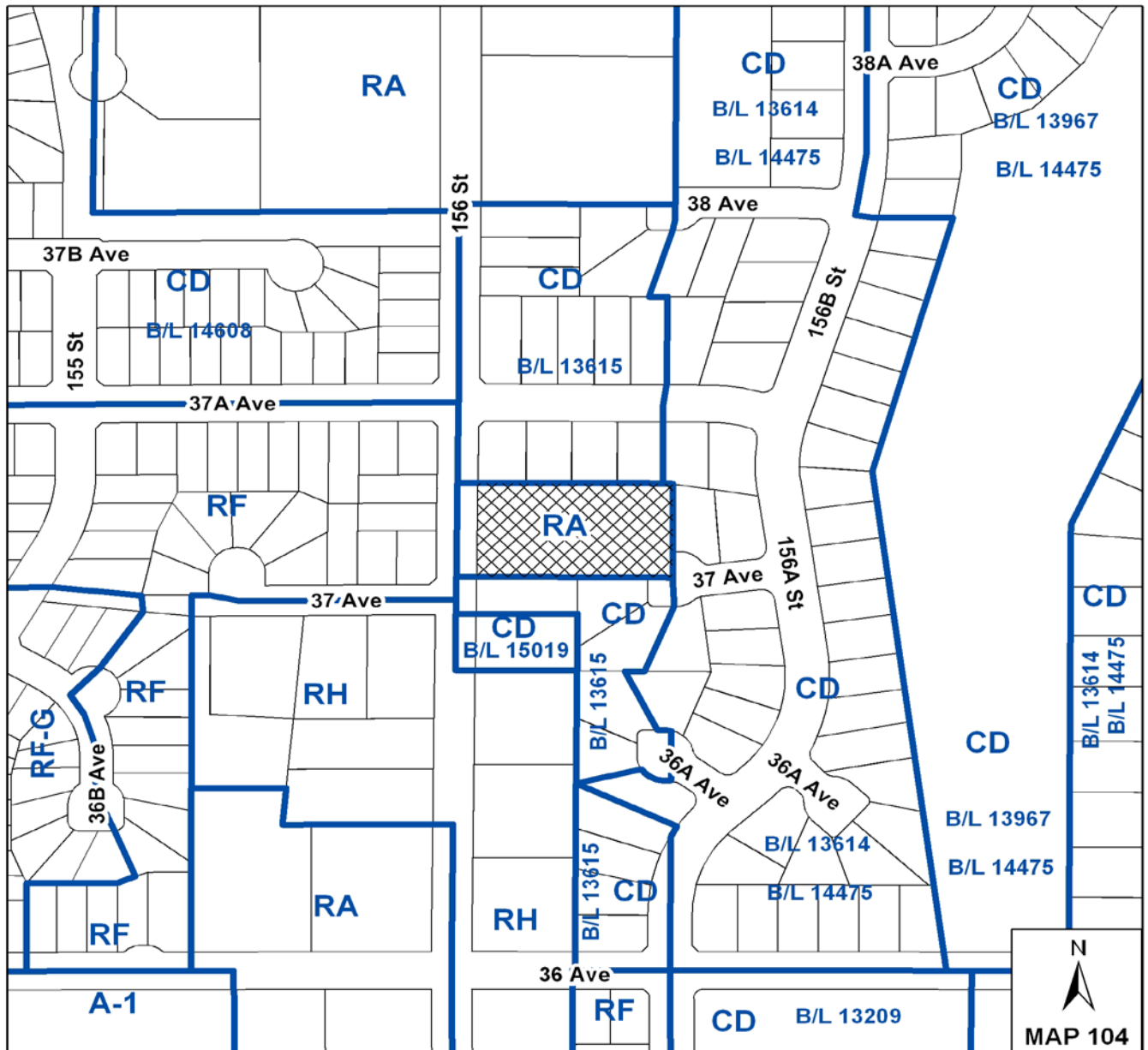
Proposal: Development Variance Permit to reduce the northerly side yard setback from 4.5 metres to 1.8 metres.

Recommendation: Approval to Proceed to Public Notification

Location: 3730 - 156 Street **Zoning:** RA

OCP Designation: Urban

LAP Designation: Single Family Residential **Owner:** Nettie Bublitz



MAP 104

PROJECT TIMELINE

Completed Application Submission Date: November 29, 2006
Planning Report Date: December 18, 2006

PROPOSAL

The applicant is proposing:

- a Development Variance Permit to vary the following by-law regulation:
 - side yard setback of the RA Zone from 4.5 metres (14.8 ft.) to 1.8 metres (5.9 ft.) on the north property line

in order to permit construction of a single family dwelling.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7906-0489-00, (Appendix VI) varying Section F Part 12 of the RA Zone to proceed to Public Notification:
 - (a) to reduce the minimum side yard setback from 4.5 metres (14.8 ft.) to 1.8 metres (5.9 ft.) along the northerly property line.
2. Council instruct staff to resolve the following issues prior to approval:
 - (a) registration of a Section 219 Restrictive Covenant specifying an approved house design and limiting the maximum house size to 330 square metres (3,550 sq.ft.).

REFERRALS

Engineering: The Engineering Department has no objection to the proposed Development Variance Permit (Appendix IV).

SITE CHARACTERISTICS

- **Existing Land Use** Vacant single family residential lot (dwelling has recently been demolished).
- **Significant Site Attributes** Several mature trees, all to be retained.
- **East:** Single family homes, zoned CD (By-law Nos. 13614 and 14475), designated Suburban in the OCP.

- **North and South:** Single family homes, zoned CD (By-law No. 13615), designated "Urban" in the OCP and "Single Family Residential" in the Rosemary Heights Central NCP.
- **West:** Across 156 Street, single family homes, zoned RF, designated "Urban" in the OCP and "Single Family Residential" in the Rosemary Heights Central NCP.

PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

NCP Designation: Complies.

DEVELOPMENT CONSIDERATIONS

- The applicant has lived on the subject property for many years and, though the site does have development potential, has indicated that she is not interested in rezoning and subdividing at this time.
- The applicant has demolished the home that was existing on the site and intends to construct a new home, but would like to do so in a way that will not limit the future development potential of the property.
- The minimum side yard setback under the RA zone is 4.5 metres (14.8 feet).
- The proposed setback relaxation, from 4.5 metres (14.8 ft.) to 1.8 metres (5.9 ft.) on the north side yard, is sought to allow the home to be built in a location that will minimize the possibility of it being demolished to accommodate future subdivision.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum side yard setback of the RA zone from 4.5 metres (14.8 ft.) to 1.8 metres (5.9 ft.) for the north side.

Applicant's Reasons:

- The applicant has proposed the setback relaxation in order to build a new single family home on the subject property in a location that will minimize the likelihood of it limiting future subdivision potential.
- The applicant has also chosen the proposed location because it minimizes conflict with existing trees on the subject site

Staff Comments:

- Given the existing Neighbourhood Concept Plan designation and surrounding development pattern, it is reasonable to expect that this last remnant acreage property will be redeveloped and subdivided in the future. Staff consider it reasonable to locate the house to suit the future urban lot pattern, in order to avoid the development potential of the lot being impeded in the future.
- The proposed 1.8 metre (5.9 ft.) north side yard setback is compatible with the side yard setbacks of all properties surrounding the subject site (CD By-laws Nos. 13614, 13615 and 14475). If the subject property is to be rezoned and subdivided in the future, the proposed location and setbacks of the new home will conform to the anticipated lot size, as designated in the Rosemary Heights Central Neighbourhood Concept Plan.
- The proposed location of the house, on the north side of the property, was selected to minimize disturbance of existing vegetation. A tree survey was prepared showing 22 mature trees on the property (Appendix V). Only one tree, in the northwest corner of the property, will be impacted by the house construction. The consulting arborist states that this tree is "not viable for retention because of a direct loss of vigor by insect predation and subsequent reinvasion and stem loss" and recommends removal of the tree as it presents "a hazard to the immediate site and to an adjacent building and property to the north."
- The applicant has indicated that the neighbour to the north has consented to having the tree in questions removed. The proposed dwelling location will not impact any other trees on the subject property.
- As a condition of the proposed Development Variance Permit, the applicant will be required to register a Restrictive Covenant limiting house size on the subject property to a maximum of 330 m² (3550 ft²) in order to ensure that the new home will be compatible with existing homes in the neighbourhood. A prescribed house design will also be identified in the Restrictive Covenant to ensure a dwelling will be built that is compatible with the character of the area. Owners of properties adjacent to the subject site will therefore be faced with a neighbouring home of comparable size and location to what would be permitted if the subject property were to subdivide.
- The applicant has submitted house plans that show the exterior of the dwelling being treated with hardy board siding, wall shingles, and wood and stone accents. Roof pitch will be 10:12. The house plans will be attached to the Development Variance Permit and construction of the new home to these parameters will be a condition of the permit.

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.	Proposed Site Plan
Appendix IV.	Engineering Summary

Appendix V. Arborist Report
Appendix VI. Development Variance Permit No. 7906-0489-00

INFORMATION AVAILABLE ON FILE

- Survey Plan, 3 copies
- Lot Grading Plan dated July 26, 2006.
- Soil Contamination Review Questionnaire prepared by Nettie Bublitz dated November 22, 2006.

How Yin Leung
Acting General Manager
Planning and Development

MJ/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: Rick Bublitz
 Address: 3730 - 156 Street
 Surrey, B.C.
 V3S 0H6
 Tel: 604-534-0796

2. Properties involved in the Application
 - (a) Civic Address: 3730 - 156 Street

 - (b) Civic Address: 3730 - 156 Street
 Owner: Nettie Bublitz
 PID: 008-887-373
 Lot 9 Section 26 Township 1 New Westminster District Plan 26411

3. Summary of Actions for City Clerks Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7906-0489-00.

SUBDIVISION DATA SHEET

Proposed Zoning: RA

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	1.20 ac
Hectares	0.49 ha
NUMBER OF LOTS	
Existing	1
Proposed	1
SIZE OF LOTS	
Range of lot widths (metres)	50.27 m
Range of lot areas (square metres)	4,852 sq.m.
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	2 lots/upha 0.8 lots/upa
Lots/Hectare & Lots/Acre (Net)	2 lots/upha 0.8 lots/upa
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	4%
Estimated Road, Lane & Driveway Coverage	3%
Total Site Coverage	7%
PARKLAND	
Area (square metres)	
% of Gross Site	
	Required
PARKLAND	
5% money in lieu	NO
TREE SURVEY/ASSESSMENT	
	YES
MODEL BUILDING SCHEME	
	NO
HERITAGE SITE Retention	
	NO
BOUNDARY HEALTH Approval	
	NO
DEV. VARIANCE PERMIT required	
Road Length/Standards	NO
Works and Services	NO
Building Retention	NO
(Setback - North Side)	YES

CONTOUR MAP FOR SUBJECT SITE

