

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7907-0023-00

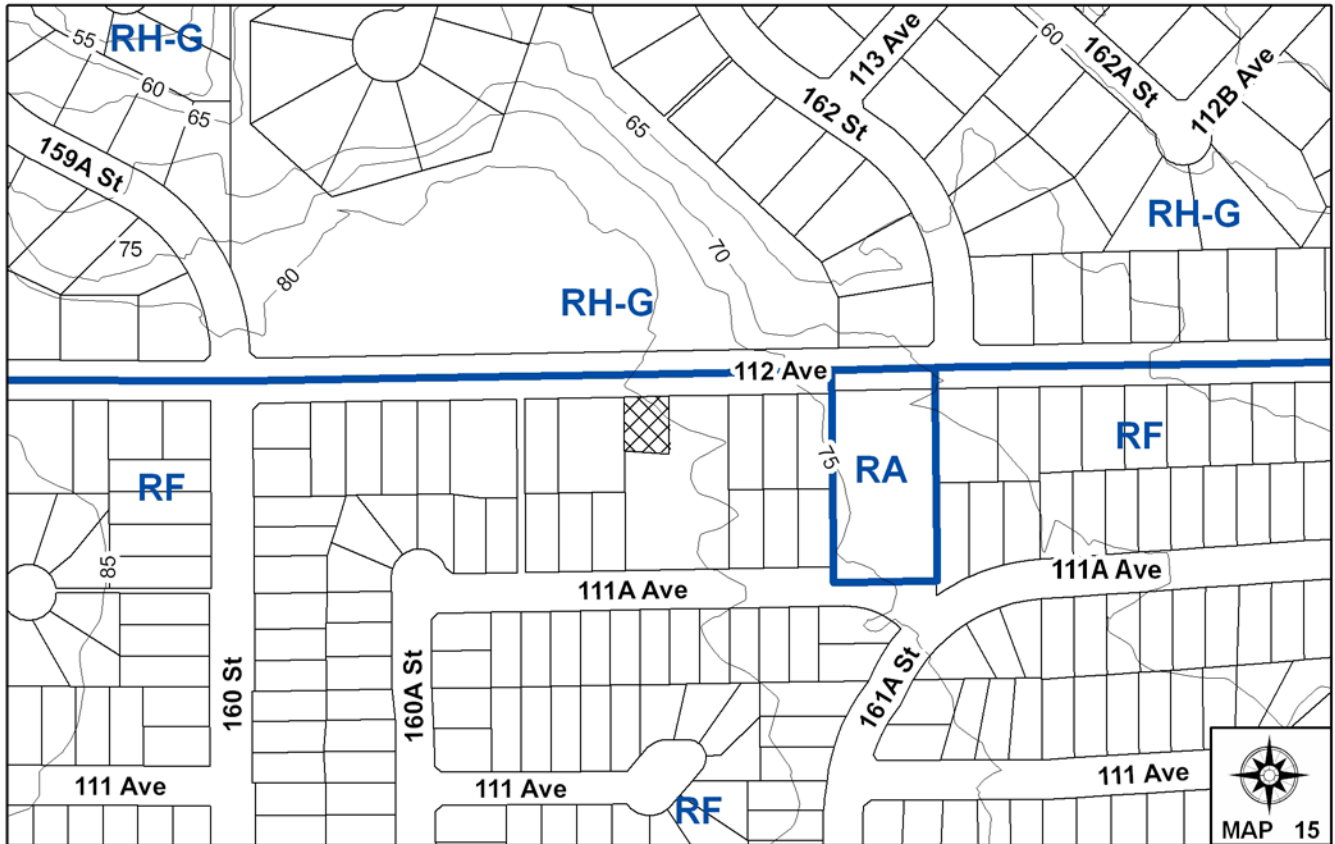
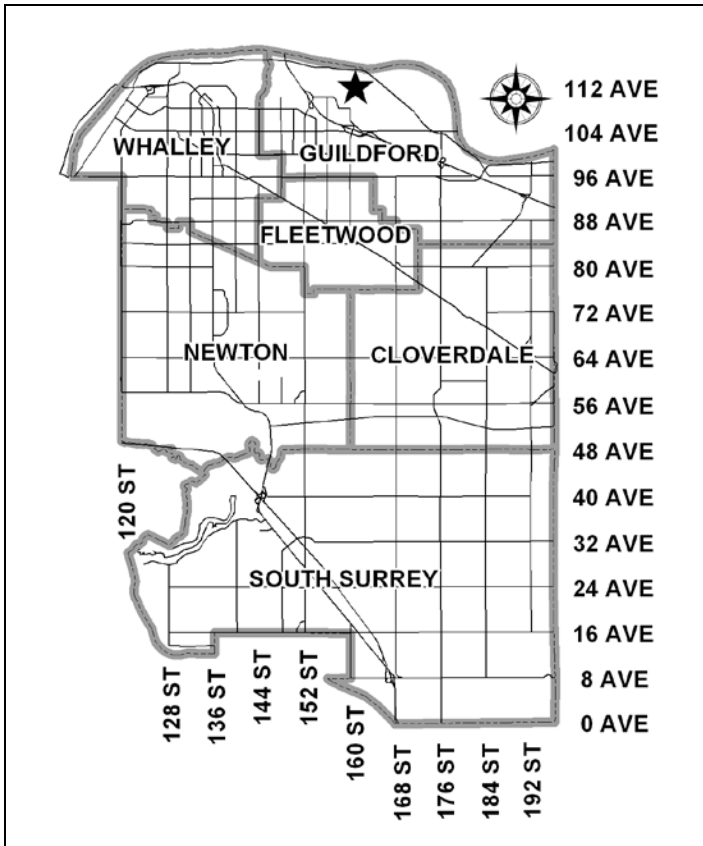
Planning Report Date: October 15, 2007

PROPOSAL:

- **Development Variance Permit** to reduce the minimum east side yard setback of an existing single family dwelling

in order to allow a subdivision with an adjoining lot, into approximately 5 single family lots.

LOCATION: 16098 - 112 Avenue
OWNER: Murray Gjernes and Gillian Gjernes
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 side yard setback requirement of the RF Zone from 1.8 metres (6 ft.) to 1.5 metres (5 ft.).

RATIONALE OF RECOMMENDATION

- The proposed east side yard setback relaxation for an existing dwelling on the subject lot protects the future subdivision potential of a proposed lot to the east.
- The proposed side yard relaxation and realignment of the lot line between the two houses to be retained, conform to the B.C. Building Code with respect to the limiting distance requirements.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7907-0023-00, (Appendix V) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum east side yard setback of the RF Zone from 1.8 metres (6 ft.) to 1.5 metres (5 ft.).

REFERRALS

Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix III.

SITE CHARACTERISTICS

Existing Land Use: Single family residential lot with an existing house that is to be retained.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across 112 Avenue):	Fraser View Park.	Suburban	RH-G
East:	Single family dwelling with an existing house that will be retained as a part of the associated subdivision application. Single family residential lots created under recently completed Development Application No. 7905-0102-00 (final adoption on March 27, 2006).	Urban	RF
South (Across 111A Avenue):	Single family residential lots.	Urban	RF
West:	Single family residential lots created under Development Application 7903-0450-00 (final adoption on July 26, 2004).	Urban	RF

DEVELOPMENT CONSIDERATIONS

- The subject site (proposed Lot 1 in Appendix III) is one of two properties in a proposed subdivision to create a total of five single family lots. The subject site is one of two lots proposed to front 112th Avenue, both of which have existing houses that are to be retained. The remaining three proposed lots will front 111A Avenue.
- The subject site was created in an earlier development application (No. 5693-0115-00), which rezoned the parent property from "Suburban Residential Zone (RS)" (By-law No. 5942) to "Single Family Residential Zone (RF)" (By-law No. 12000). The earlier application originally proposed a subdivision of the parent lot into five RF lots based on a grid system. The applicant was subsequently required to revise the proposed subdivision layout to reflect the road network as shown in the Area Concept Plan at the time. The revised subdivision concept showed a cul-de-sac accessing from 111A Avenue and subdivision potential for six lots.
- Although, the earlier application was subsequently revised to create only the subject lot and a large remnant lot, the lot lines for the subject lot were determined by the concept showing a cul-de-sac and six potential lots (Appendix IV). Rezoning and subdivision applications completed in the immediate vicinity of the subject lots (Nos. 7903-0450-00 and 7905-0102-00) continued the pattern of rectangular-shaped lots and the cul-de-sac layout was superseded.
- North of the subject site, across 112 Avenue, is designated Suburban in the Official Community Plan (OCP) and zoned "Half-Acre Residential Gross Density Zone (RH-G)". The subject site is across from Fraser View Park. All the lots fronting the south side of 112 Avenue, between 160 Street and 164 Street, are designated Urban in the OCP but have widths in excess of the 15 metre (50 ft.) minimum width requirements of the RF Zone to provide a transition to the Suburban designated lands to the north.
- The abutting property to the east of subject site (16106 – 112 Avenue), which comprises the remainder of the proposed subdivision, has a frontage along 112 Avenue of 29.79 metres (97.7 ft.). With this width, the remnant property would not meet the minimum width requirement of the RF Zone if the property were to further subdivide in the future.
- The proposal is to reduce the minimum east side yard setback of the subject site from 1.8 metres (6 ft.) to 1.5 metres (5 ft.) in order to move the lot line between proposed Lots 1 and 2 and provide proposed Lot 2 with a width of 30.09 metres (98.7 ft.).

PRE-NOTIFICATION

Pre-notification letters and development proposal signs are not required for the Development Variance Permit applications. A development proposal sign was required for the associated subdivision application and staff received no responses.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum east side yard setback of the RF Zone from 1.8 metres (6 ft.) to 1.5 metres (5 ft.) for the existing dwelling on proposed Lot 1.

Applicant's Reasons:

- The existing house on the subject lot is in good condition and was customized to comply with the conceptual cul-de-sac layout developed in the subdivision of the parent lot. The proposed variance would permit the existing house to remain and the proposed subdivision to proceed.

Staff Comments:

- The proposed east side yard setback relaxation for the subject lot protects the future development potential of a proposed remnant lot (proposed Lot 2) in the associated subdivision application by allowing the current lot line between two existing houses, which are to be retained, to be moved 0.3 metre (1 ft.) to the west and thereby increasing the width of the remnant lot.
- The proposed side yard relaxation and relocation of the lot line between the two houses to be retained conform to the B.C. Building Code with respect to the limiting distance requirements.
- The Engineering Department has not identified any concerns related to the proposed variance.
- Staff support the requested variance.

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.	Engineering Summary
Appendix III.	Proposed Site Plan and Proposed Subdivision
Appendix IV.	Original Concept Plan for Development Application No. 5693-0115-00
Appendix V.	Development Variance Permit No. 7907-0023-00

Jean Lamontagne
General Manager, Planning and Development

Information for City Clerk

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

1. (a) Agent: Name: Murray Gjernes
 Address: 16098 - 112 Avenue
 Surrey, BC
 V4N 1R3
 Tel: 604-726-9815

2. Properties involved in the Application
 - (a) Civic Address: 16098 - 112 Avenue

 - (b) Civic Address: 16098 - 112 Avenue
 Owners: Murray Gjernes and Gillian Gjernes
 PID: 019-014-538
 Lot 1 Section 14 Block 5 North Range 1 West New Westminster District Plan
 LMP19548

3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7907-0023-00.