

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7907-0276-00

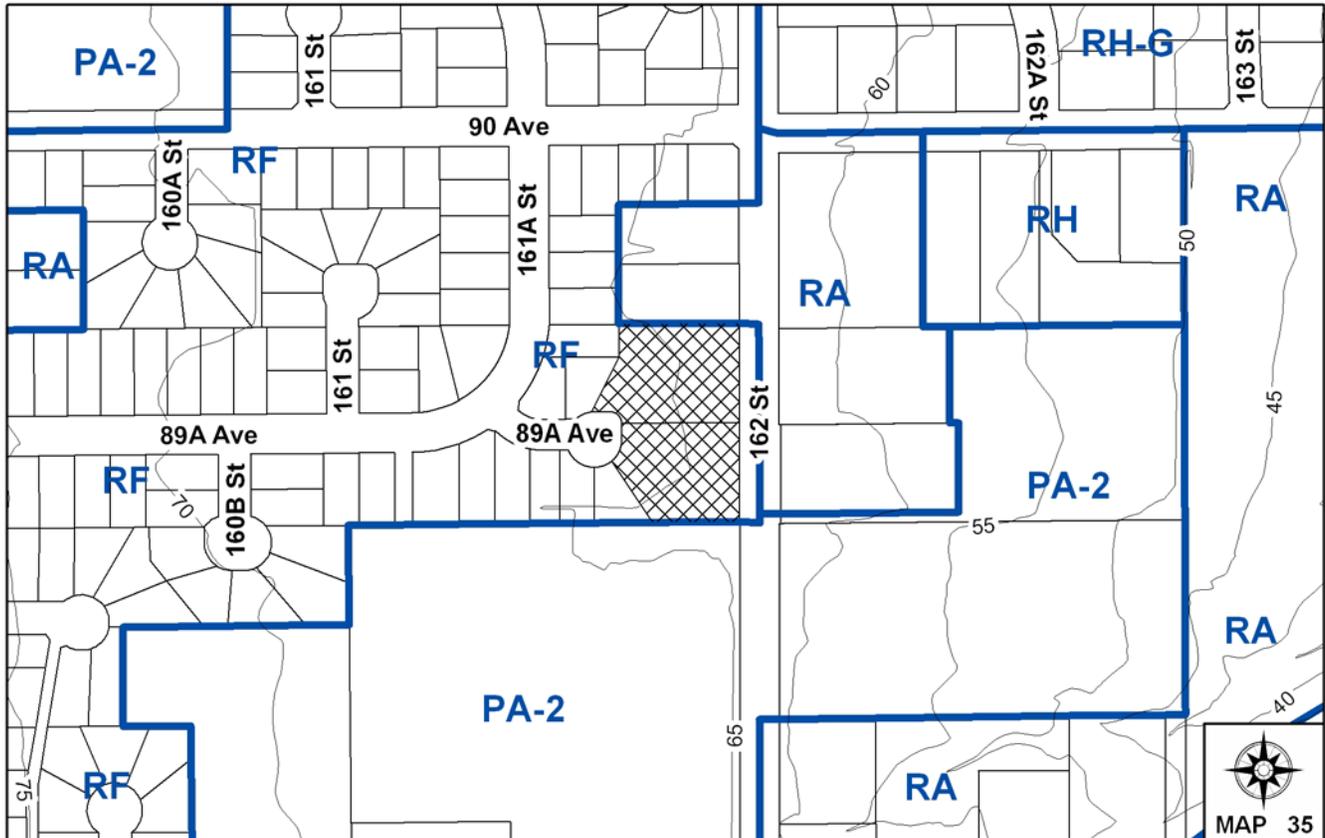
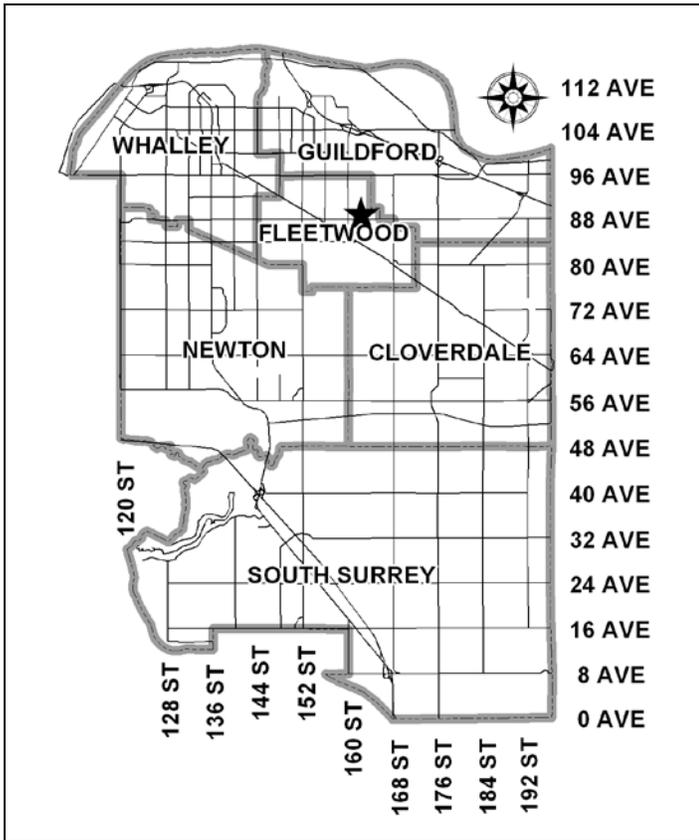
Planning Report Date: April 28, 2008

PROPOSAL:

- **Development Variance Permit**

to reduce setbacks for existing houses to be retained in a proposed subdivision.

LOCATION: 8935 and 8945 - 162 Street
OWNERS: Karen Anne Pedersen and Beverly Jean Sookochoff
ZONING: RF
OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Reduction of the minimum rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 4.19 metres (13.7 ft.) for proposed Lot 1.
- Reduction of the minimum north side yard setback of the RF Zone from 1.8 metres (6 ft.) to 0 metre (0 ft.) for proposed Lot 2.

RATIONALE OF RECOMMENDATION

- Upon subdivision, the variances will allow retention of both existing houses.
- Although the new rear lot line will be nearer to the existing house on proposed Lot 1 than is permitted in the RF Zone, adequate yard area is provided on the north and west sides of the house.
- Upon subdivision, an existing statutory right-of-way will be dedicated as a walkway and become the north side lot line for a house to be retained on proposed Lot 2. No physical changes will result from the current situation.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7907-0276-00, (Appendix IV) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum rear side yard setback of the RF Zone from 7.5 metres (25 ft.) to 4.19 metres (13.7 ft.) on proposed Lot 1; and
 - (b) to reduce the minimum north side yard setback of the RF Zone from 1.8 metres (6 ft.) to 0 metre (0 ft.) on proposed Lot 2.

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: Two single family dwellings which are to be retained.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Single family residential lots.	Urban	RA
East (Across 162 Street):	Acreage parcels and private school site.	Suburban	RA and PA-2
South:	Holy Cross Regional High School.	Urban	PA-2
West:	Single family residential lots, created under Development Application No. 7905-0039-00, which created the subject lots.	Urban	RF

DEVELOPMENT CONSIDERATIONS

- The subject site consists of two oversized remnant lots created under Development Application No. 7905-0039-00, which received Final Adoption on June 26, 2007 to rezone from "One-Acre Residential Zone (RA)" and "Single Family Residential Zone (RF)" to "Single Family Residential Zone (RF)" in order to subdivide into 11 single family lots.

- The subject application is proposing to subdivide these two remnant lots into seven RF lots. Both lots have existing houses that currently front 162 Street. In the proposed subdivision, the applicant is seeking to retain the houses on lots that would front 89A Avenue and create five new lots that would front 162 Street, for a total of seven lots (Appendix II).
- A statutory right-of-way, passing between the two existing houses and leading from the 89A Avenue cul-de-sac to 162 Street, was obtained under Development Application No. 7905-0039-00 for the location of utilities and the creation of a walkway. The dedication of this statutory right-of-way area is now required as a condition of the current subdivision application.
- In order to retain the existing houses, the applicant has applied for a Development Variance Permit to relax the minimum rear yard setback requirement of the RF Zone for proposed Lot 1 and the minimum side yard setback requirement of the RF Zone for proposed Lot 2 (see By-law Variance section).
- Proposed Lots 1 and 2 are oversized lots, with areas of 1,676 square metres (0.41 acre) and 1,259 square metres (0.31 acre) respectively. The applicant has prepared a potential development concept for these two lots to demonstrate how two additional lots could be achieved in the future. The existing houses and required variances would be retained only until such time as future subdivision occurs (Appendix II).
- Proposed Lot 6, with a lot area of 524.1 square metres (5,642 sq. ft.), will require the Approving Officer to consider a 10% reduction in the minimum lot area requirement of the RF Zone. Proposed Lots 3, 4, 5 and 7 meet the 560-square metre (6,000 sq. ft.) lot area requirement of the RF Zone.
- All proposed lots meet or exceed the 15-metre (50 ft.) lot width and 28-metre (90 ft.) lot depth requirements of the RF Zone.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum rear yard setback requirement of the RF Zone from 7.5 metres (25 ft.) to 4.19 metres (13.7 ft.) for proposed Lot 1.

Applicant's Reasons:

- The existing house is in good condition and currently fronts 162 Street. The house is located at the northwest corner of the subject site.
- Upon subdivision, what is currently a front yard setback of 32.19 metres (105 ft.) from 162 Street will become a rear yard setback of 4.19 metres (13.7 ft.) from a proposed new lot line.
- The new frontage and driveway access will then be at the 89A Avenue cul-de-sac. The existing garage will be accessed by extending the driveway around the south side of the house in order to retain existing trees to the west of the house.

Staff Comments:

- The reduced rear yard setback permits the retention of the existing house on proposed Lot 1, until such time as the lot is further subdivided.
- Suitable private yard space exists on the north and west sides of the house.
- All future structures on proposed Lot 1 will be required to conform to the requirements of the Single Family Residential Zone (RF).
- Staff support the requested variance.

(b) Requested Variance:

- To reduce the minimum north side yard setback requirement of the RF Zone from 1.8 metres (6 ft.) to 0 metre (0 ft.) for proposed Lot 2.

Applicant's Reasons:

- The existing house is in good condition. It is located at the southwest corner of the subject site. The north side of the house is 3.36 metres (11 ft.) from the centre of the existing statutory right-of-way, which contains a 4-metre (13 ft.) wide walkway.
- The walkway is already constructed north of the house and there would be no physical changes required to either the walkway or house upon subdivision.

Staff Comments:

- With subdivision and dedication of the right-of-way area, a portion of the existing house would be located 0 metre (0 ft.) from the new north property line, although this portion of the north side of the house would be 3.36 metres (11 ft.) from the centre of the right-of-way and walkway.
- The creation of a zero-lot-line home would conform to the requirements of the B.C. Building Code, as the limiting distance would be determined from the building face to the centre of the walkway, whether the walkway was on a right-of-way over private property or on lands dedicated to the City.
- The reduced north side yard setback permits the retention of the existing house on proposed Lot 2, until such time as the lot is further subdivided.
- All future structures on proposed Lot 2 will be required to conform to the requirements of the Single Family Residential Zone (RF).
- 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. Proposed Subdivision Layout
- Appendix III. Engineering Summary
- Appendix IV. Development Variance Permit No. 7907-0276-00

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: John Sookochoff
 Address: 8945 - 162 Street
 Surrey, BC
 V4N 3E9
 Tel: 604-506-8700

2. Properties involved in the Application

(a) Civic Addresses: 8935 and 8945 - 162 Street

(b) Civic Address: 8935 - 162 Street
 Owner: Karen Anne Pedersen
 PID: 027-176-002
 Lot 6 Section 36 Township 2 New Westminster District Plan BCP31559

(c) Civic Address: 8945 - 162 Street
 Owner: Beverly Jean Sookochoff
 PID: 027-175-995
 Lot 5 Section 36 Township 2 New Westminster District Plan BCP31559

3. Summary of Actions for City Clerk's Office

(a) Proceed with Public Notification for Development Variance Permit No. 7907-0276-00.

SUBDIVISION DATA SHEET

Existing Zoning: RF

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	1.51 ac
Hectares	0.61 ha
NUMBER OF LOTS	
Existing	2
Proposed	7
SIZE OF LOTS	
Range of lot widths (metres)	15.86 m to 24.0 m
Range of lot areas (square metres)	524.1 m ² to 1,259 m ²
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	11.5 uph/4.64 upa
Lots/Hectare & Lots/Acre (Net)	11.5 upa/4.64 upa
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	16.49%
Estimated Road, Lane & Driveway Coverage	9.16%
Total Site Coverage	25.65%
PARKLAND	
Area (square metres)	n/a
% of Gross Site	
Required	
PARKLAND (paid under 7905-0039-00)	
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
Minimum North Side Yard Setback for Proposed Lot 2	YES
Minimum Rear Side Yard Setback for Proposed Lot 1	YES