

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7908-0293-00

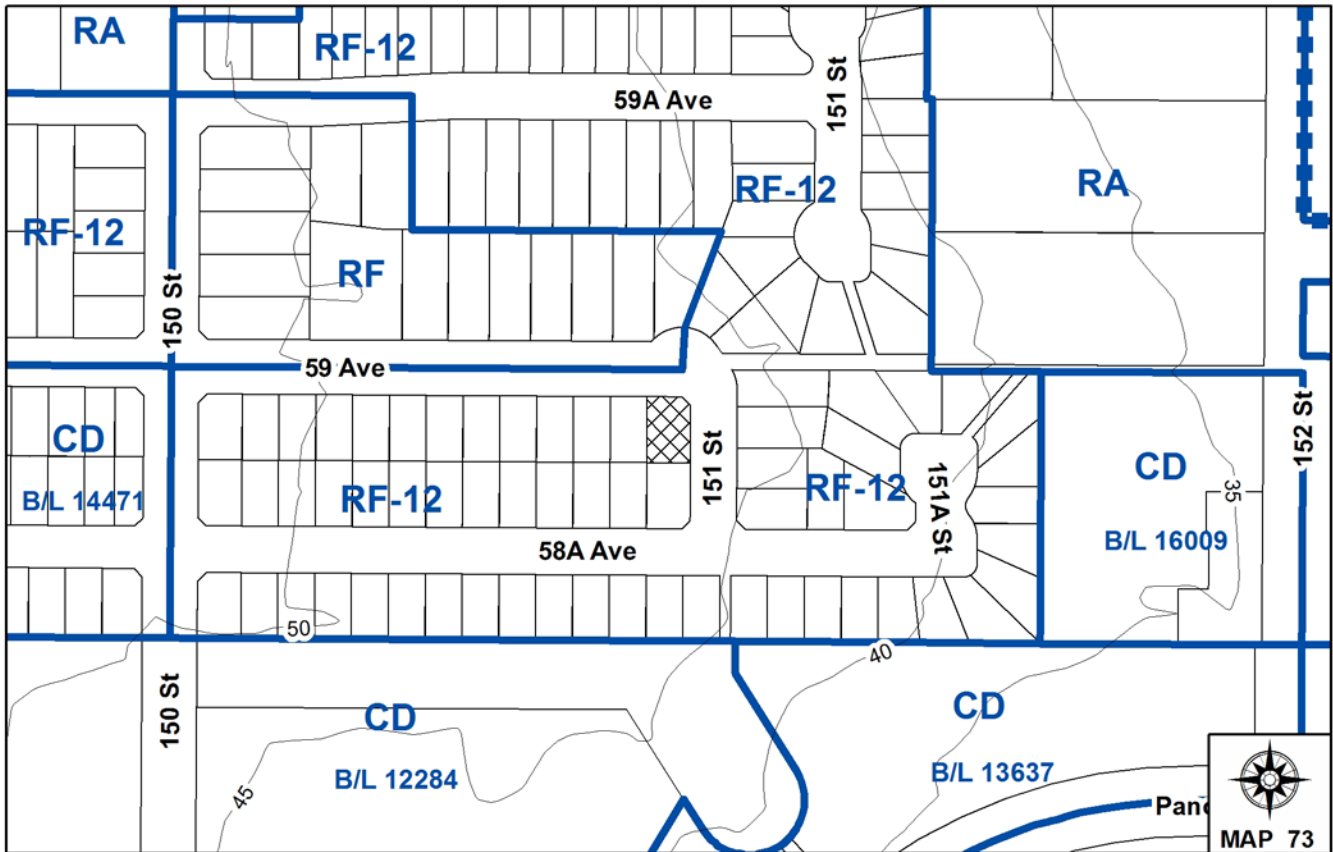
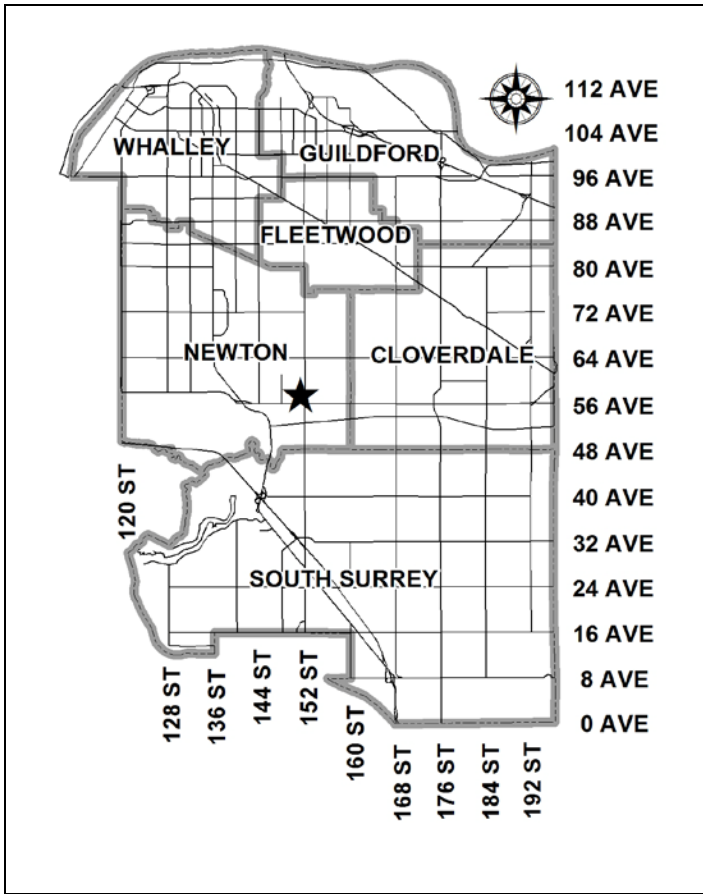
Planning Report Date: February 9, 2009

**PROPOSAL:**

- **Development Variance Permit**

in order to relax the front yard setback to permit the retention of two existing Douglas Firs in the rear yard.

**LOCATION:** 5877 - 151 Street  
**OWNER:** Veerdevinder Singh Khangura  
**ZONING:** RF-12  
**OCP DESIGNATION:** Urban  
**NCP/LAP DESIGNATION:** Single Family Residential Flex (6-14.5 upa)



### RECOMMENDATION SUMMARY

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

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is requesting a Development Variance Permit to relax the front yard setback for various elements of the building including the garage in order to save two (2) trees in the rear yard.

### RATIONALE OF RECOMMENDATION

- The subject lot was created as part of a subdivision where tree protection was an issue. Council approved development variance permits for other similar lots in this subdivision where modified house designs were necessary for tree retention, however, the subject lot was not identified as needing a DVP at that time. The new owner has now completed a house design and confirmed that a setback relaxation is needed to retain the existing Douglas Firs.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7908-0293-00, (Appendix II) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum front yard setback of the RF-12 Zone from 6 metres (20 ft.) to 4.0 metres (13.1 ft.); and
  - (b) to reduce the minimum front yard setback of the RF-12 Zone from 4 metres (13 ft.) to 2 metres (6.6 ft.) of up to 50% of the width of the principal building.

REFERRALS

Engineering: There are no engineering requirements relative to the issuance of the DVP.

SITE CHARACTERISTICS

Existing Land Use: Single family residential.

Adjacent Area:

| <b>Direction</b>                           | <b>Existing Use</b>        | <b>OCP/NCP Designation</b> | <b>Existing Zone</b> |
|--|----------------------------|----------------------------|----------------------|
| East, South and West: (Across 151 Street): | Single family residential. | Urban                      | RF-12                |
| North (Across 59 Avenue):                  | Single family residential. | Urban                      | RF                   |

DEVELOPMENT CONSIDERATIONSSite History

- The site in question is located at the corner of 151 Street and 59 Avenue in South Newton. The site is designated "Urban" in the Official Community Plan (OCP) and "Single Family Residential Flex 6 to 14.5" in the South Newton Neighbourhood Concept Plan (NCP).
- The site was rezoned to "Single Family Residential (12) Zone (RF-12)" under a previous development application (Project No. 7905-0378-00), which was completed in 2007.

- Due to public concern over tree retention, Development Variance Permits have been granted for a number of lots within the initial subdivision. Based on an accepted arborist report prepared for the original subdivision, two (2) Douglas Firs were identified in the rear yard of Lot 70. A third tree was also identified on adjacent Lot 69 which has its root system within the rear yard of Lot 70, and would also be affected by house construction on the subject lot. A Restrictive Covenant was registered on the subject lot to allow protection of two trees on site. However, at that time the developer did not apply for a DVP for this lot. The current owner has completed a detailed house design for this lot and is proposing to retain both trees in the rear yard, as well as ensure no impact on the adjacent tree on Lot 69.

### Proposal

- The applicant is proposing to construct the new dwelling and to preserve the two Douglas Firs in the backyard.
- The Design Consultant has confirmed that the retention of the trees in the backyard will not be possible without moving the house forward on the lot. A DVP is, therefore, required to facilitate the new positioning of the house.

### BY-LAW VARIANCE AND JUSTIFICATION

#### (a) Requested Variance:

- To reduce the minimum front yard setback of the RF-12 Zone as follows:
  - from 6 metres (20 ft) to 4 metres (13.1 ft) for the garage portion; and
  - from 4 metres (13 ft) to 2 metres (6.6 ft) for up to 50% of the width of the principal building.

#### Applicant's Reasons:

- It is not possible to retain the two Douglas Firs on the lot and achieve a conventional RF-12 size home without a front yard setback relaxation.
- The proposal will not compromise traffic flow on the street or pedestrians on the sidewalk.
- This variance will allow the house to be pushed forward on the lot and enable the retention of the existing trees.

#### Staff Comments:

- Staff support the variance and justification outlined above. The proposed reduced setback will result in increasing the rear yard setback and allow the retention of the two (2) Douglas Firs, without compromising the flow of traffic and pedestrians on the street.
- The Design Consultant also proposes a specific design treatment at the front corner in order to minimize the massing of the building at the front. Staff support this step to mitigate the impact of the relaxation at the corner.

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. Development Variance Permit No. 7908-0293-00

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:             Amandeep Mangat  
                  Address:         11091 Steveston Highway  
                                      Richmond, BC  
                                      V7A 1M7  
                  Tel:                 604-591-4933
  
2.     Properties involved in the Application
  - (a)    Civic Address:         5877 - 151 Street
  
  - (b)    Civic Address:         5877 - 151 Street  
          Owner:                Veerdevinder Singh Khangura  
          PID:                  027-251-233  
          Lot 70 Section 10 Township 2 New Westminster District Plan BCP32590
  
3.     Summary of Actions for City Clerk's Office
  - (a)    Proceed with Public Notification for Development Variance Permit No. 7908-0293-00.