

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7909-0088-00

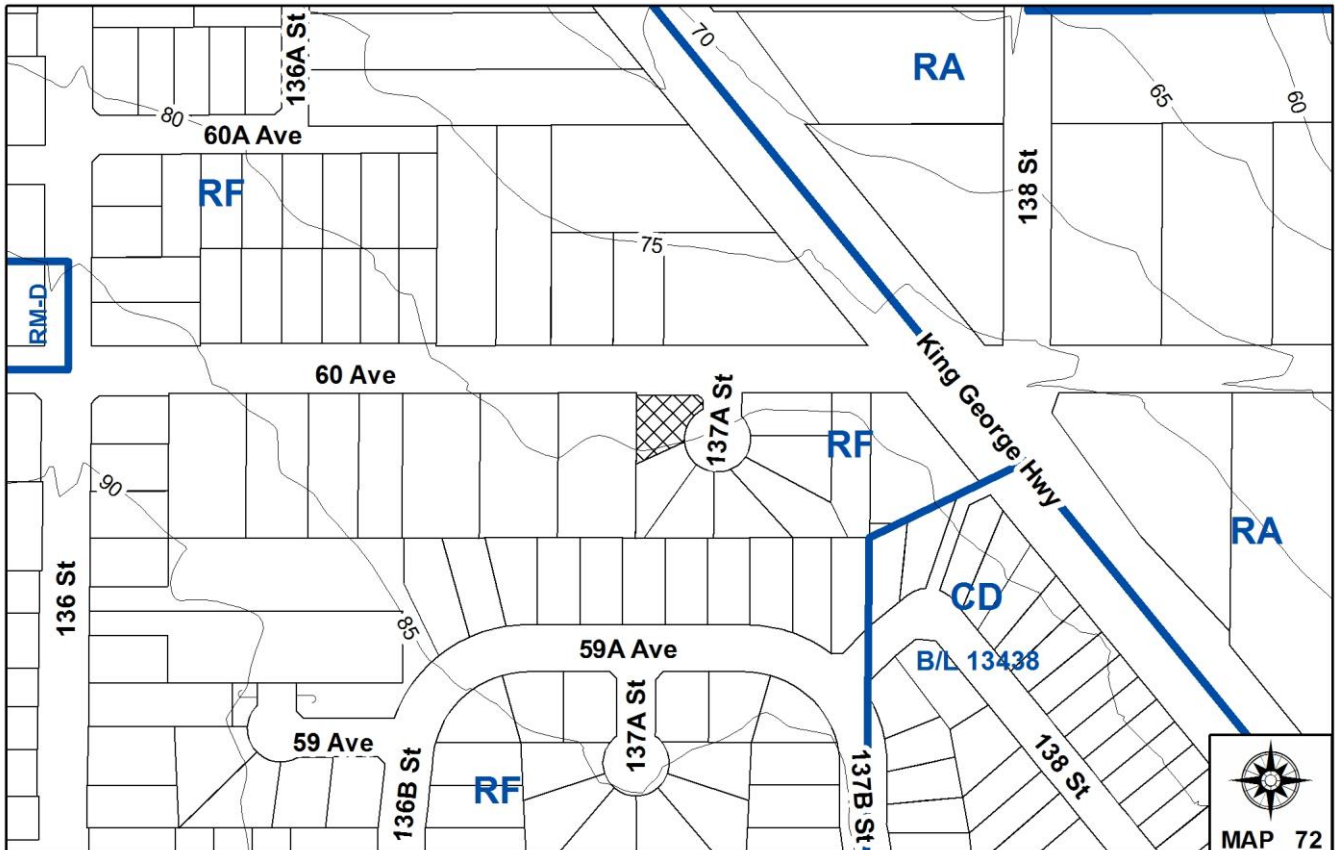
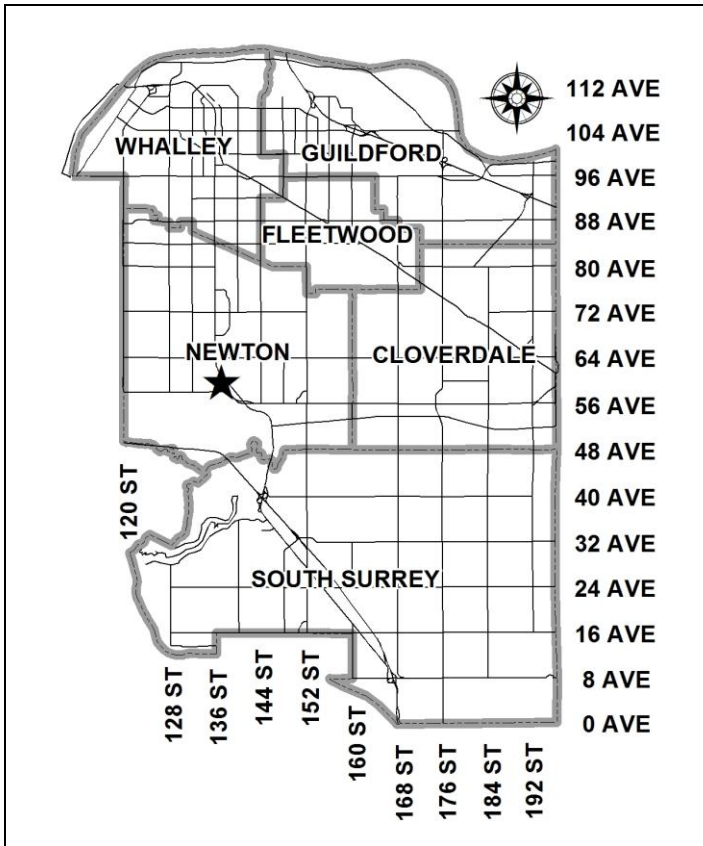
Planning Report Date: September 14, 2009

PROPOSAL:

- **Development Variance Permit**

in order to vary the minimum front, rear and side yard setbacks in order to maximize and reorient the building envelope of an existing single family residential lot.

LOCATION: 5997 - 137A Street
OWNER: Rajinder Singh Dahia et al
ZONING: RF
OCP DESIGNATION: Urban
LAP DESIGNATION: Urban Residential



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant proposes a DVP to allow the building envelope of an existing single family lot to be reoriented and maximized.

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Complies with the Local Area Plan.
- The proposed DVP will result in a dwelling which is oriented to the cul-de-sac, and is consistent with the orientation of other lots on the cul-de-sac.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7909-0088-00, (Appendix V) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front yard setback of the RF Zone from 7.5 meters (25 ft) to 3.6 metres (12 ft);
 - (b) to reduce the minimum rear yard setback of the RF Zone from 7.5 metres (25 ft) to 1.8 metres (6 ft); and
 - (c) to increase the minimum internal (southerly) 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 width of the same side yard.
2. Council instruct staff to resolve the following issue 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, specifically, removal of the existing driveway letdown on 60 Avenue, replacement with barrier concrete curb and gutter, concrete sidewalk and boulevard, and construct new driveway crossing on 137A Street within the cul-de-sac bulb, not within the throat area.

REFERRALS

Engineering: The Engineering Department has no objection to the project (Appendix III).

SITE CHARACTERISTICS

Existing Land Use: Vacant.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North, East, South and West:	Single family dwellings.	Urban	RF

DEVELOPMENT CONSIDERATIONS

Background

- The subject site is designated Urban in the Official Community Plan (OCP), zoned RF, and created through a previous application, #7903-0167-00, approved on June 9, 2006.
- In order to accommodate the required completion of the cul-de-sac (137A Street), it was determined that the subject lot 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 the subject lot being oriented north-south, fronting 60 Avenue, with the minimum lot depth requirement satisfied.
- Since the approval of this subdivision, the applicant requested a Development Variance Permit (DVP No. 7906-0382-00) to relax the lot depth and the front and rear yard setback requirements of the RF Zone in order to facilitate a lot line adjustment between the property and the lot to the south, and to re-orient the frontage and access of the subject lot from 60 Avenue to 137A Street. The DVP would effectively allow the future dwelling on the subject lot to be oriented to the 137A Street cul-de-sac, in a manner consistent with other dwellings. DVP No. 7906-0382-00 was approved by Council on June 25, 2006.
- The lot changed ownership subsequent to issuance of DVP No. 7906-0382-00 and a family illness prevented the new owner from constructing on the lot. DVP No. 7906-0382-00 subsequently expired.

Current Proposal

- The owner now seeks to obtain a new DVP to allow construction on the subject lot. This new DVP is identical to the expired DVP No. 7906-0382-00.
- Since the current Lot A was created as a result of the last DVP granting variance to lot depth, no additional lot depth variance is needed.
- 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.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variances:

- To relax the front yard setback for Lot A from 7.5 metres (25 ft) to 3.6 metres (12 ft).
- To relax the rear yard setback for Lot A from 7.5 metres (25 ft) to 1.8 metres (6 ft).
- To increase the minimum interior side yard setback on Lot A from 1.8 metres (6 ft) to 6.0 metres (20 ft) for fifty (50) percent on the length of this side, and from 1.8 metres (6 ft) to 7.5 metres (25 ft) for the remaining (50) percent of the length of the same side.

Applicant's Reasons:

- The re-orientation of the subject lot, to front 137A Street instead of 60 Avenue, will improve the building envelope, and allow the future dwelling to be oriented consistently with other dwellings in the cul-de-sac.
- Despite the proposed variances, the resulting lot width and area will meet the minimum requirements of the RF Zone.
- The subject site is narrower than the development on the east side of the cul-de-sac (No. 7997-0014-00), and, with the completions 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 property.
- This change will result in a more functional lot shape and building envelope.
- The applicant has demonstrated that despite a reduced front yard setback, there will be a 6 metre (20 ft) separation between the edge of the cul-de-sac pavement and the front of the principal dwelling on Lot A.
- A reduced front yard will enable a new dwelling, on Lot A, 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 A.
- The reduction in the rear (westerly) side yard can be supported as this area is considered a side yard, and only requires a 1.8 metre (6 ft) setback. Therefore, there is no increased impact on the adjoining property to the west.
- The applicant proposes to increase the side yard area on the southern portion of the lot in order to provide adequate outdoor area on this lot.

Staff Comments:

- This change will result in a more functional lot shape and building envelope.
- The applicant has demonstrated that despite a reduced front yard setback, there will be a 6 metre (20 ft) separation between the edge of the cul-de-sac pavement and the front of the principal dwelling.
- A reduced front yard will enable a new dwelling 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.
- The reduction in the rear (westerly) side yard can be supported as this area is considered a side yard, and only requires a 1.8 metre (6 ft) setback. Therefore, there is no increased impact on the adjoining property to the west.

- The applicant proposes to increase the side yard area on the southern portion of the lot in order to provide adequate outdoor area on this lot.

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.	Site Plan
Appendix III.	Engineering Summary from Application No. 7906-0382-00
Appendix IV.	Inter-Office Memo dated September 2, 2009 - Updated Engineering Requirements
Appendix V.	Development Variance Permit No. 7909-0088-00

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: Kam Dahia
 Address: 9368 Prince Charles Boulevard
 Surrey, BC
 V3V 1S6
 Tel: 604-805-5263

2. Properties involved in the Application
 - (a) Civic Address: 5997-137A Street

 - (b) Civic Address: 5997 - 137A Street
 Owners: Rajinder Singh Dahia, Surinder Kaur Dahia, Narinder
 Singh Bining and Kalbiro Kaur Bining
 PID: 026-861-178
 Lot A Section 9 Township 2 New Westminster District Plan BCP26745

3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7909-0088-00.

DEVELOPMENT DATA SHEET

Proposed/Existing Zoning: RF

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total	560 m ²	565.9 m ²
Road Widening area		
Undevelopable area		
Net Total		
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	40%	40%
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front	7.5 m (25 ft.)	3.6 m (12 ft.)
Rear	7.5 m (25 ft.)	1.8 m (6 ft.)
Side #1 (N,S,E, or W)	3.6 m (12 ft.)	3.6 m (12 ft.)
Side #2 (N,S,E, or W)	1.8 m (6 ft.)	6.0 m (20 ft.) for a maximum of 50% of the length of the side 7.5 m (25 ft.) for a maximum of 50% of the length of the same side
BUILDING HEIGHT (in metres/storeys)		
Principal		
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential		
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA		

*** If the development site consists of more than one lot, lot dimensions pertain to the entire site.**