

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7909-0239-00

Planning Report Date: January 11, 2010

PROPOSAL:

- **Development Variance Permit**

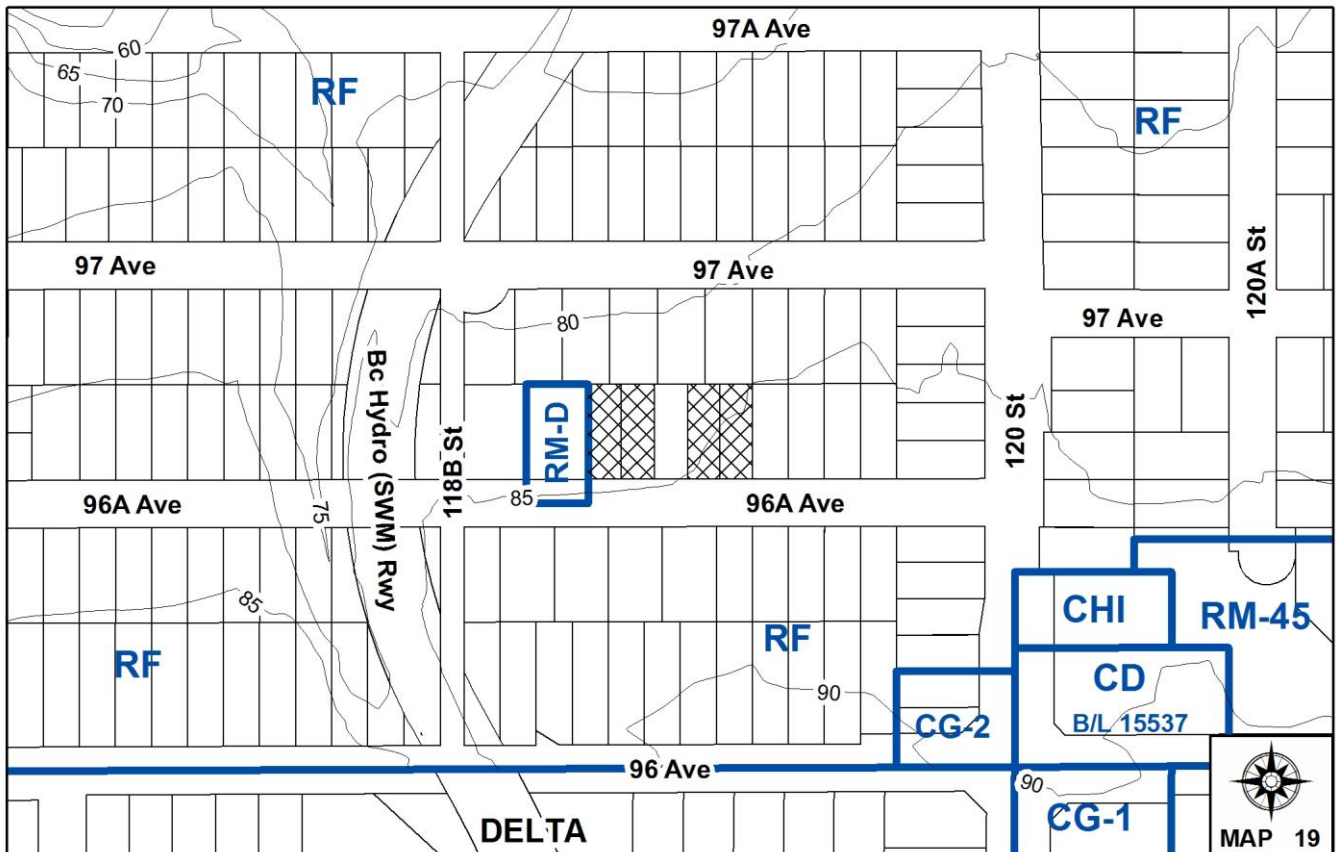
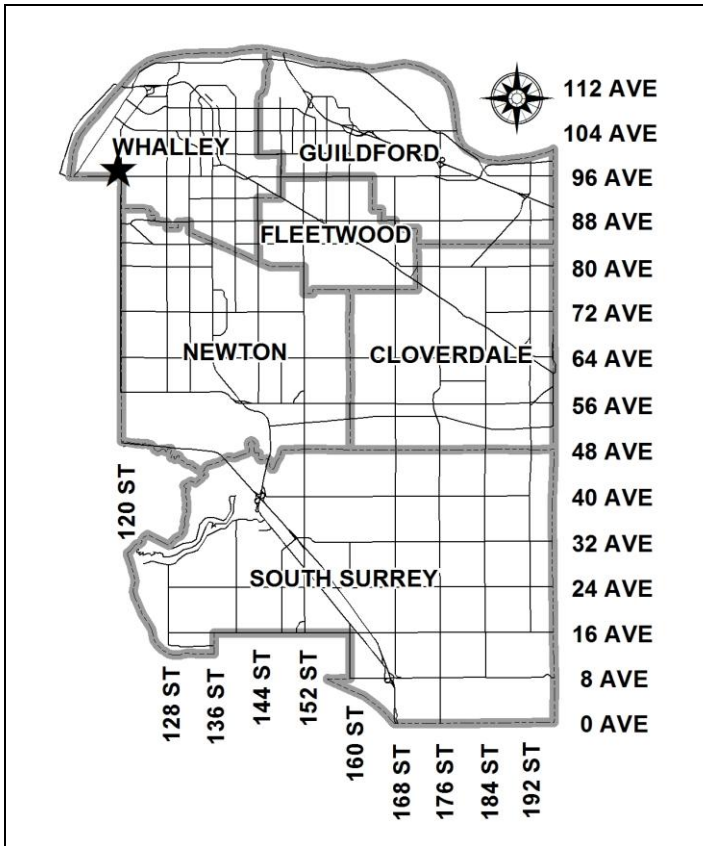
in order to reduce side yard setbacks for 4 recently created single family lots.

LOCATION: 11913/21/35/39 – 96A Avenue

OWNER: Mayfair Realty Ltd.

ZONING: RF

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- To vary the minimum side yard setback of the RF Zone from 1.8 metres (6 ft.) to 1.2 metres (4 ft.) for 4 single family lots.

RATIONALE OF RECOMMENDATION

- Lots have a similar width to RF-12 Type II lots, which permit 1.2-metre (4 ft.) side yard setbacks.
- The proposed reduced side yard setbacks will provide for a building envelope consistent with RF-12 Type II lots, which are of comparable lot width.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7909-0239-00, (Appendix III) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum side yard setbacks of the RF Zone for Lots 1, 4 and 5 from 1.8 metres (6 ft.) to 1.20 metres (4 ft.); and
 - (b) to reduce the minimum side yard setbacks of the RF Zone for Lot 2 from 1.8 metres (6 ft.) to 1.20 metres (4 ft.) for the west side yard and 1.7 metres (5.5 ft.) for the east side yard.

REFERRALS

Engineering: The Engineering Department has no objection to the project.

SITE CHARACTERISTICS

Existing Land Use: Four (4) vacant single family lots.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North and East:	Single family dwellings.	Urban	RF
South (Across 96A Avenue):	Single family dwellings.	Urban	RF
West:	Duplex.	Urban	RM-D

DEVELOPMENT CONSIDERATIONS

- The subject lots are zoned RF and are located on 96A Avenue west of Scott Road. All lots are designated Urban in the Official Community Plan.
- The subject lots were recently created under application No. 7908-0201-00 as part of a proposed subdivision and Heritage Revitalization Agreement to restore and maintain the Arthur Hedley House located at 11927-96A Avenue (Lot 3 on Appendix II).
- Development Variance Permit No. 7908-0201-00 was issued to reduce the lot widths of the 4 subject lots from 15 metres (50 ft.) to a minimum of 13.48 metres (44 ft.). The Heritage Revitalization Agreement reduced the lot width to 14.25 metres (47 ft.) and the east side yard setback to 1.2 metres (4 ft.) for Lot 3.

- The applicant is now requesting a Development Variance Permit to reduce side yard setbacks for the four subject lots (see By-law Variance Section).
- A comparison of the proposed setbacks to the RF Zone (which regulates these lots) and the RF-12 Zone (which is more comparable in terms of lot width) is as follows:

Lot No.	RF	RF-12	Proposed East Side Yard Setback	Proposed West Side Yard Setback
1, 4, and 5	1.8 m (6 ft.)*	1.2 m (4 ft.)	1.2 metres (4 feet)	1.2 metres (4 feet)
2	1.8 m (6 ft.)*	1.2 m (4 ft.)	1.7 metres (6 feet)	1.2 metres (4 feet)

* One side yard may be reduced to not less than 1.2 metres (4 ft.) provided that the opposite side yard on the lot is at least 2.4 metres (8 ft.).

- The applicant has provided letters of support from the owners of the lots to the west (at 11907-96A Avenue) and to the east (at 11947-96A Avenue).

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variances:

- To vary the minimum side yard setbacks of the RF Zone for Lots 1, 4 and 5 from 1.8 metres (6 ft.) to 1.20 metres (4 ft.); and
- To vary the minimum side yard setbacks of the RF Zone for Lot 2 from 1.8 metres (6 ft.) to 1.20 metres (4 ft.) for the west side yard and to 1.7 metres (6 ft.) for the east side yard.

Applicant's Reasons:

- Existing lot widths are similar to RF-12-zoned lots and should have setbacks similar to the RF-12 Zone.
- Reduced setbacks will provide for a wider footprint which allows for a more efficient house layout to modern standards.
- It is not uncommon for RF lots to have a side yard setback of 1.2 metres (4 ft.).

Staff Comments:

- The existing lot widths and proposed setbacks are similar to the RF-12 Zone.
- A standard RF-12 Type II Interior Lot has a 13.4-metre (44 ft.) frontage and permits 1.2-metre (4 ft.) side yard setbacks, resulting in an 11-metre (36 ft.) building width.
- The proposed setbacks will facilitate a minimum building width of 11.08 metres (36 ft.).
- The proposed setback variances will provide for building envelope widths equivalent to that of a RF-12 Type II Interior Lot.

- Support has been demonstrated by the immediate property owners to the west of Lot 1 and the east of Lot 5.
- Staff support the requested variances.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Lot Owners and Action Summary
Appendix II. Approved Subdivision Plan
Appendix III. Development Variance Permit No. 7909-0239-00

Jean Lamontagne
General Manager
Planning and Development

JKS/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: Muir Elston
 Address: 3247 Canterbury Drive
 Surrey, BC
 V3S 0J4
 Tel: 604-644-6540

2. Properties involved in the Application

- (a) Civic Addresses: 11913, 11921, 11935 and 11939 – 96A Avenue
- (b) Civic Address: 11913 – 96A Avenue
 Owner: Mayfair Realty Ltd., Inc. No. 393430
 PID: 028-028-431
 Lot 5 Section 36 Block 5 North Range 3 West New Westminster District Plan
 BCP42131
- (c) Civic Address: 11935 – 96A Avenue
 Owner: Mayfair Realty Ltd., Inc. No. 393430
 PID: 028-028-422
 Lot 4 Section 36 Block 5 North Range 3 West New Westminster District Plan
 BCP42131
- (d) Civic Address: 11921 – 96A Avenue
 Owner: Mayfair Realty Ltd., Inc. No. 393430
 PID: 028-028-406
 Lot 2 Section 36 Block 5 North Range 3 West New Westminster District Plan
 BCP42131
- (e) Civic Address: 11913 – 96A Avenue
 Owner: Mayfair Realty Ltd., Inc. No. 393430
 PID: 028-028-392
 Lot 1 Section 36 Block 5 North Range 3 West New Westminster District Plan
 BCP42131

3. Summary of Actions for City Clerk's Office

- (a) Proceed with Public Notification for Development Variance Permit No. 7909-0239-00.