

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7909-0243-00

Planning Report Date: May 3, 2010

PROPOSAL:

- **Development Variance Permit**

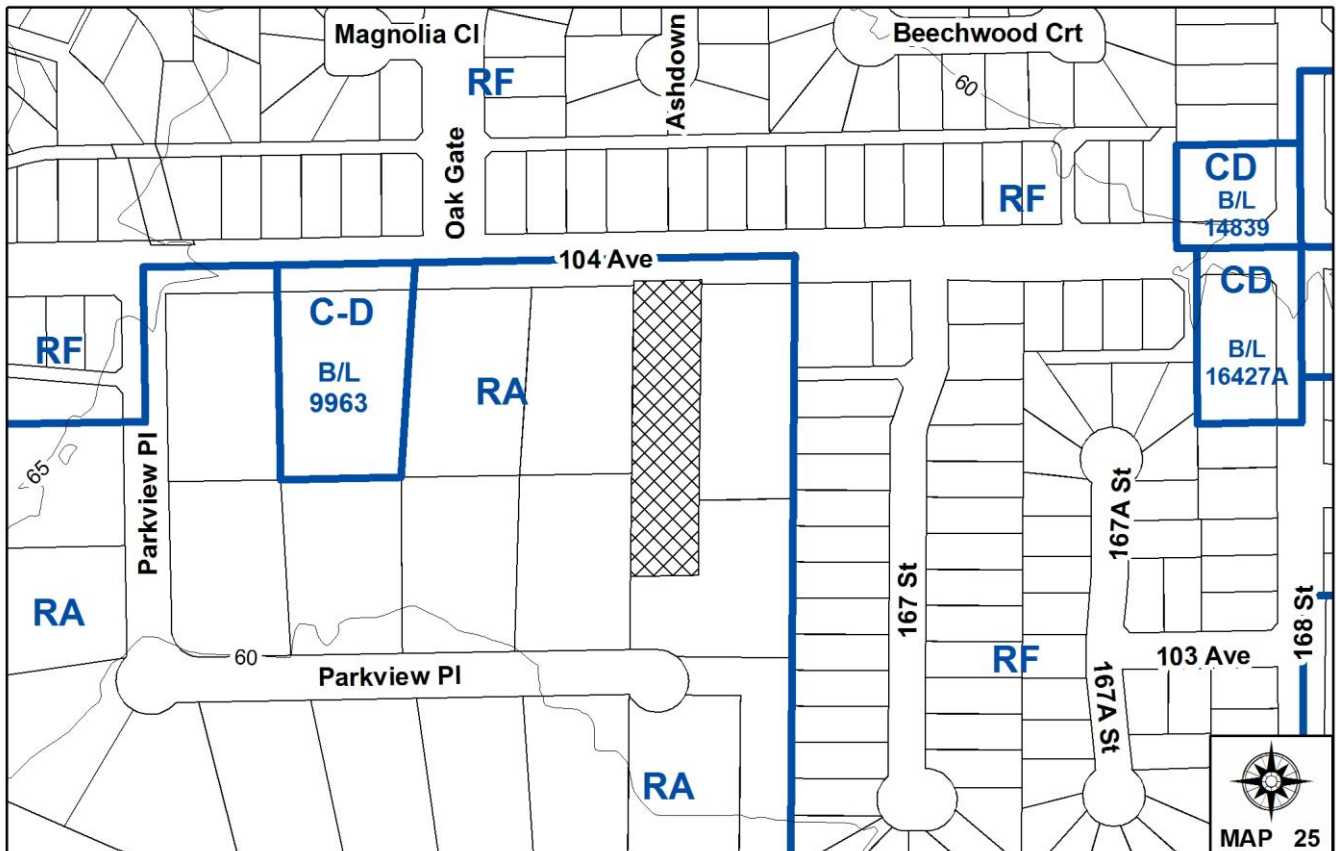
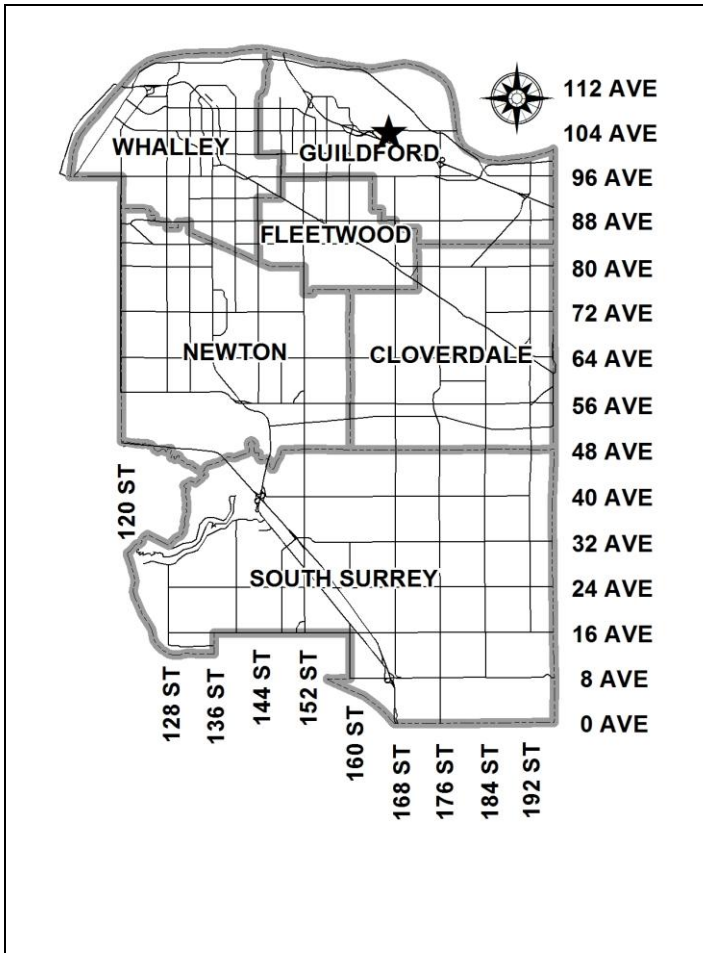
to reduce the east side yard setback for the siting of a new single family dwelling.

LOCATION: 16660 - 104 Avenue

OWNERS: Zaka Ullah Khan, Amrik Singh Sahota et al

ZONING: RA

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking a reduced side yard setback for a new house on an RA-zoned lot.

RATIONALE OF RECOMMENDATION

- The proposed side yard setback reduction will comply with the RF Zone, which is the zoning anticipated for this area.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7909-0243-00, (Appendix III) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum east side yard setback of the RA Zone from 4.5 metres (15 ft.) to 2.4 metres (8 ft.).

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling that will be demolished to facilitate new house construction.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across 104 Avenue):	Single family dwellings.	Urban	RF
East:	Single family dwellings.	Urban	RA
South:	Single family dwellings.	Urban	RA
West:	Single family dwellings.	Urban	RA

DEVELOPMENT CONSIDERATIONS

- The subject site is located at 16660 – 104 Avenue in the Fraser Heights area of Guildford. It is designated Urban in the Official Community Plan (OCP).
- The property is currently zoned "One-Acre Residential Zone (RA)". At this time rezoning and subdivision of the site are not feasible due to access constraints in the area.
- The applicant is proposing a Development Variance Permit to vary the east side yard setback of the RA Zone from 4.5 metres (15 ft.) to 2.4 metres (8 ft.) to construct a new house without compromising future subdivision potential based on the RF Zone. The proposed house will meet the RF Zone requirements of the proposed future lot size of approximately 560 m² (6,028 sq. ft.).

- Due to the fact that 104 Avenue is an arterial road, the proposed garage will be sited so that it can be accessed from the rear lane in the future as the property is rezoned and subdivided
- Generally, similar DVP applications are accompanied by a subdivision application. Subdivision applications require Building Schemes to ensure the new homes respect the character of the area.
- As there is no associated subdivision with the subject application, there is no Building Scheme requirement.
- The siting, size and general appearance of the proposed house will be controlled through the drawings attached to the Development Variance Permit (Appendix III).
- The proposed siting of the house should not impact the future development in the area. At this time, the preliminary concept plan for this area includes a rear lane running parallel to 104 Avenue which will be required when subdivision of the subject lot is sought (see Appendix III).

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum east side yard setback of the RA Zone from 4.5 metres (15 ft.) to 2.4 metres (8 ft.).

Applicant's Reasons:

- Due to access issues, rezoning and subdivision are not feasible at this time.
- Proposed variance will allow for future subdivision without having to demolish the proposed house.

Staff Comments:

- The site is designated Urban in the Official Community Plan (OCP) and therefore rezoning from the current "One-Acre Residential Zone (RA)" is anticipated in the future.
- The proposed 2.4 metre (8 ft.) setback is consistent with the "Single Family Residential Zone (RF)", which is anticipated in the future.
- The preliminary concept plan for the area shows only a lane impacting the northern portion of the subject property. The proposed siting of the subject house will not impact future subdivision potential in the area.
- Staff support the requested variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners and Action Summary
- Appendix II. Preliminary Concept Plan for Subject Area
- Appendix III. Development Variance Permit No. 7909-0243-00

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: Roger Jawanda, CitiWest Consulting Ltd.
 Address: #101 – 9030 King George Boulevard
 Surrey, BC
 V3V 7Y3
 Tel: 604-591-2213

2. Properties involved in the Application
 - (a) Civic Address: 16660 – 104 Avenue

 - (b) Civic Address: 16660 – 104 Avenue
 Owners: Zaka Ullah Khan, Amrik Singh Sahota, Satwinder Pal
 Singh Jawanda, Jarnail Singh Dhaliwal and Jaspreet Singh
 Jammu
 PID: 005-046-262
 Parcel "A" (Explanatory Plan 13109) Lot 1 Section 25 Block 5 North Range 1 West
 New Westminster District Plan 5921

3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7909-0243-00.