

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7910-0038-00

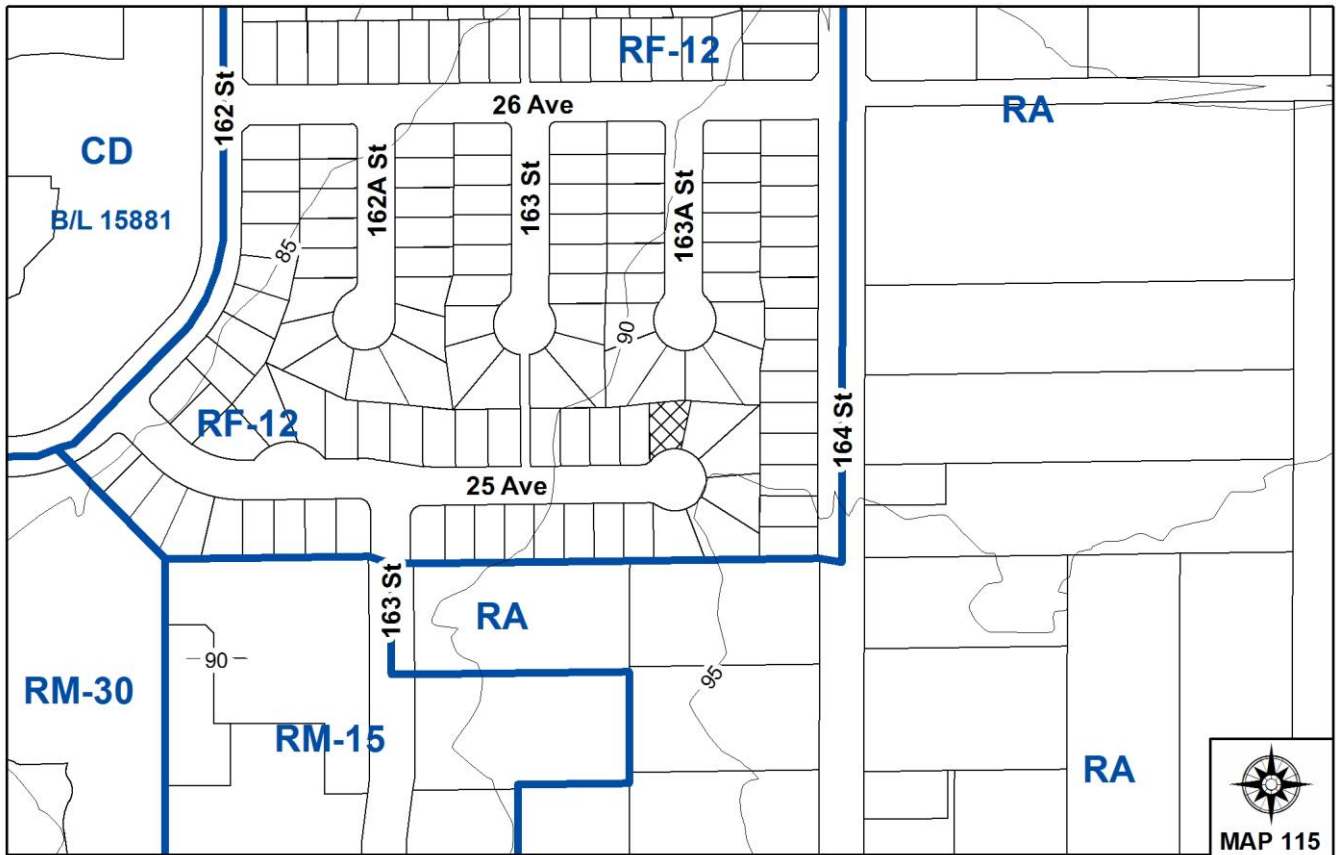
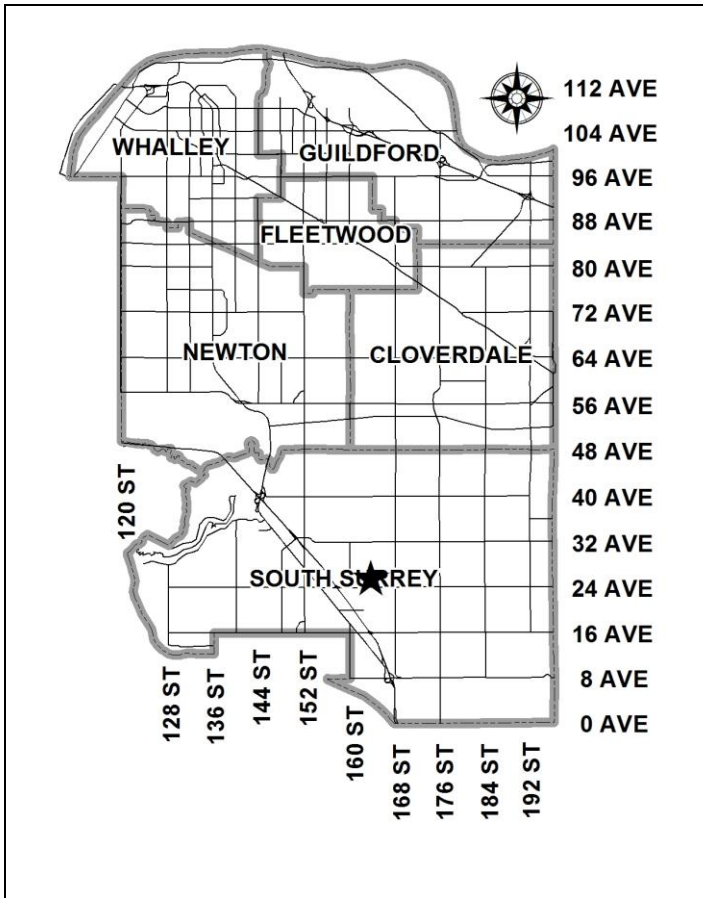
Planning Report Date: April 12, 2010

PROPOSAL:

- **Development Variance Permit**

in order to reduce the minimum front yard and rear yard setback requirements for a single family small lot in Morgan Heights.

LOCATION: 16359 – 25 Avenue
OWNER: 0715460 BC Ltd., Inc. No. 760588
ZONING: RF-12
OCP DESIGNATION: Urban
NCP DESIGNATION: 6-10 upa Low Density Residential



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 in order to reduce the front yard and rear yard setbacks within the RF-12 Zone for a single family small lot in Morgan Heights.

RATIONALE OF RECOMMENDATION

- The proposed setback relaxations compliment developments in the Grandview Heights Neighbourhood Concept Plan (NCP) #1 – Morgan Heights.
- The proposed setback variances are designed to accommodate an oddly-shaped cul-de-sac lot within the Morgan Heights subdivision. The subject property has a constrained geometric configuration due to its location on the cul-de-sac, which poses several obstacles when constructing a suitable dwelling.
- The proposed variances will have minimal impact on adjacent properties while substantially improving the floor plan of the future single family dwelling.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7910-0038-00, (Appendix II) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front yard and rear yard setbacks of the RF-12 Zone from 7.5 metres (25 ft.) to 5.5 metres (18 ft.);

REFERRALS

Engineering: There are no engineering requirements relative to the issuance of the Development Variance Permit.

SITE CHARACTERISTICS

Existing Land Use: Single family residential.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North, East, South and West:	Single family residential	Urban/Low Density Residential (6-10 upa)	RF-12

DEVELOPMENT CONSIDERATIONS

- The subject property is located around a cul-de-sac on the north side of 25 Avenue, just west of 163 Street, in the Morgan Heights area. The property is designated "Urban" in the Official Community Plan (OCP) and "Low Density 6-10 u.p.a." in the Grandview Heights Area #1 Neighbourhood Concept Plan (NCP) – Morgan Heights. The subject property is zoned "Single Family Residential (12) Zone (RF-12)".
- A total of 352 single family homes were created under File No. 7905-0126-00, -01, -02 and -03 in the Grandview Heights Area #1 Neighbourhood Concept Plan – Morgan Heights.
- A similar Development Variance Permit (File No. 7908-0009-00) was approved by Council in February, 2008 for five (5) oddly-shaped lots, all located around cul-de-sacs. The previous application allowed relaxations of the front and rear yard setbacks from 6 metres and 7.5 metres, respectively, thus allowing for the construction of dwellings with functional floor plans.
- The applicant has confirmed that a similar Development Variance Permit is required for the subject property. The applicant also confirmed that no additional properties within the original subdivision will require further variances of this nature. The proposal is discussed below.

BY-LAW VARIANCE AND JUSTIFICATION**(a) Requested Variance:**

- To reduce the minimum front yard setback from 6 metres (20 ft.) to 5.5 metres (18 ft.).
- To reduce the minimum rear yard setback from 7.5 metres (25 ft.) to 5.5 metres (18 ft.).

Applicant's Reasons:

- The subject property is oddly-shaped and located around a cul-de-sac which prevents the applicant from achieving a functional floor plan. As a result, the requested variance will increase the available floor space thereby allowing the owner to construct a suitable family room/great room as well as improve the configuration of the kitchen and nook.
- The increase in available floor space achieved through a Development Variance Permit is rather minor, roughly 33.3 square metres (358 square feet). The following table illustrates the overall amount of floor area gained under a DVP relative to the RF-12 Zone:

Lot	Floor Area Without DVP	Floor Area With DVP	Maximum Permitted Floor Area Under RF-12 Zone
208	226.7 sq. m. (2,440 sq. ft.)	260 sq. m. (2,800 sq. ft.)	260 sq. m. (2,800 sq. ft.)

The above noted table indicates the dwelling will not exceed the maximum permitted total floor area under the RF-12 Zone if Council approves the requested variance.

- The applicant has illustrated the subject property will achieve a liveable rear yard. The total rear yard area for typical RF-12 Zone (Type II) lots in the surrounding development is 90.45 square metres (974 square feet). Although the subject property is oddly-shaped, the requested variance will achieve a liveable rear yard which exceeds the typical rear yard area on adjacent properties. As a result, the subject property will provide a suitable rear yard of approx. 106.8 square metres (1,150 square feet).

Staff Comments:

- The proposed variance will promote a functional floor plan and achieve a liveable rear yard. In addition, the requested variance will not negatively impact the adjacent properties or proposed streetscape.
- The applicant has provided a Letter of Assurance to City staff which states the owner will not request additional variances for single family dwellings created under File No. 7905-0126-00, -01, -02 and -03.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners and Action Summary
- Appendix II. Development Variance Permit No. 7910-0038-00

Jean Lamontagne
General Manager
Planning and Development

MRJ/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: Kenneth Anderson
 Address: 508 – 1490 Pennyfarthing Drive
 Vancouver, BC
 V6J 4Z3
 Tel: 604-250-1636

2. Properties involved in the Application

(a) Civic Address: 16359 – 25 Avenue

(b) Civic Address: 16359 – 25 Avenue
 Owner: 0715460 B.C. Ltd., Inc. No. 760588
 Director Information:
 Alan Baumann
 Richard DeGroat
 Marten Van Huizen

Officer Information as at February 2, 2006
Alan Baumann (CFO)
Richard DeGroat (President)
Marten Van Huizen (Secretary)

PID: 027-228-983
Lot 208 Section 24 Township 1 New Westminster District Plan BCP31594

3. Summary of Actions for City Clerk's Office

(a) Proceed with Public Notification for Development Variance Permit No. 7910-0038-00.