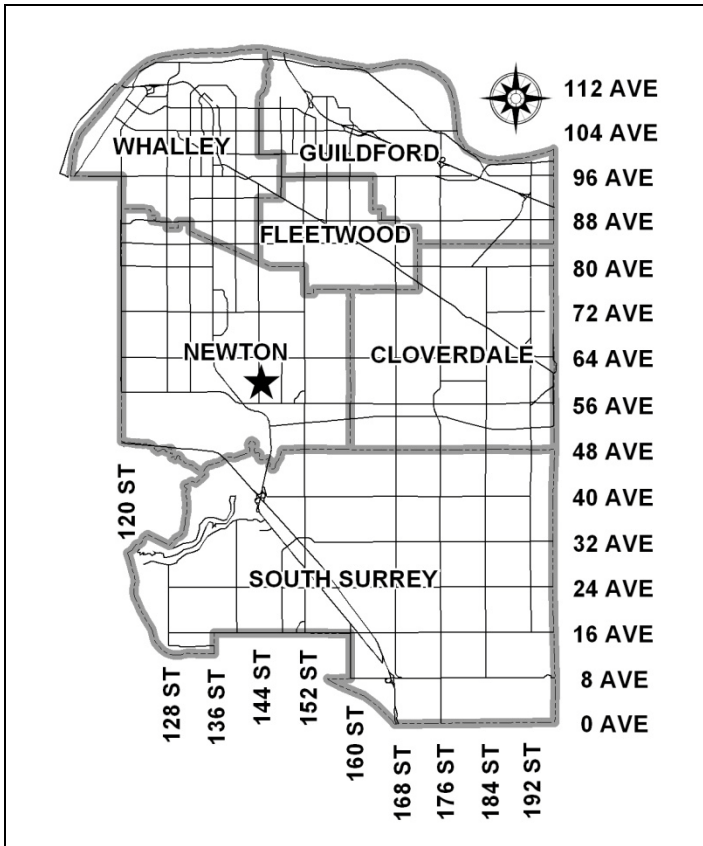


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7908-0091-01

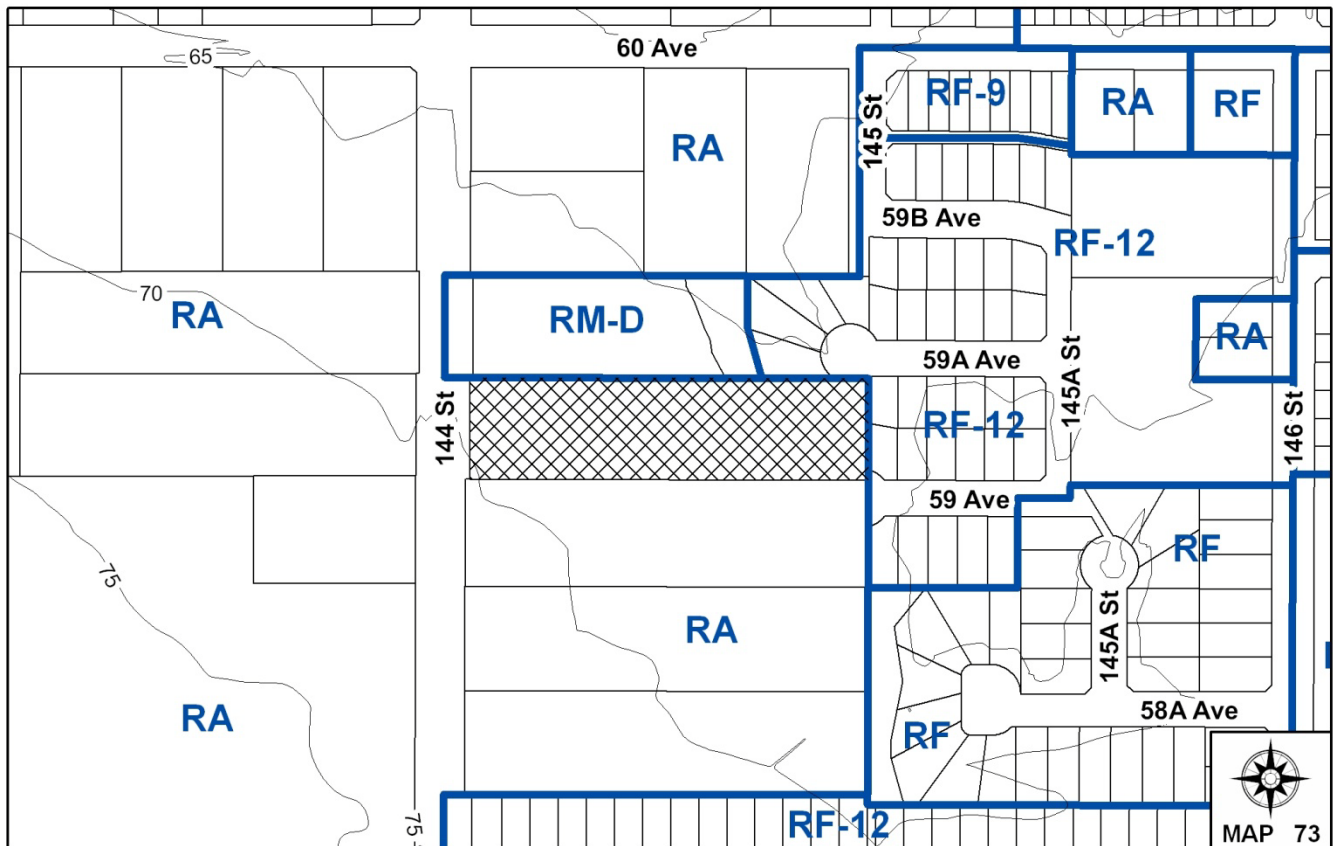
Planning Report Date: June 11, 2012



PROPOSAL:

- **Development Variance Permit**
 in order to vary the minimum lot depth, front yard and rear yard setbacks of the RF-12 Zone for two (2) single family lots.

LOCATION: 5904 - 144 Street
OWNER: 0749813 B C Ltd.
ZONING: RA and RF-12
OCP DESIGNATION: Urban
NCP DESIGNATION: Creeks and Riparian Setbacks/Townhouses (15 upa)/ 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

- In conjunction with an application to subdivide the subject property, the applicant is requesting a re-approval of a Development Variance Permit for the minimum lot depth, front yard and rear yard setbacks of the RF-12 Zone for two (2) proposed single family lots.

RATIONALE OF RECOMMENDATION

- The proposed lot area for the two lots in question are over 400 m², which is well over the minimum 320 m² (3,445 sq.ft.) lot area required under the RF-12 Zone.
- The proposed variance will enable the site to be subdivided in an efficient way, and will generally match the subdivision to the north and the proposed subdivision to the south.
- A similar DVP was approved by Council, however the previous DVP has expired.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7908-0091-01 (Appendix III) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum lot depth of the RF-12 Zone from 22 metres (72 ft.) to 19.9 metres (65 ft.) for Lot 2;
 - (b) to reduce the minimum lot depth of the RF-12 Zone from 22 metres (72 ft.) to 21.5 metres (71 ft.) for Lot 3;
 - (c) to reduce the minimum front yard setback of the RF-12 Zone from 6.0 metres (20 ft.) to 5.0 metres (17 ft.) for Lot 2;
 - (d) to reduce the minimum rear yard setback of the RF-12 Zone from 7.5 metres (25 ft.) to 5.0 metres (17 ft.) for Lot 2; and
 - (e) to reduce the minimum rear yard setback of the RF-12 Zone from 7.5 metres (25 ft.) to 6.5 metres (21 ft.) for 50% of the rear façade and to 5.0 metres (17 ft.) for the remaining 50% of the rear façade for Lot 3.

DEVELOPMENT CONSIDERATIONS

Background

- The proposed development was approved by Council previously.
- Final Adoption of Rezoning By-law 16867 was granted on May 28, 2012, however the DVP has expired; therefore the applicant requests that Council re-approve the DVP.

BY-LAW VARIANCE AND JUSTIFICATION

- (a) Requested Variance:
 - To reduce the minimum lot depth of the RF-12 Zone from 22 metres (72 ft.) to 19.9 metres (65 ft.) for Lot 2;
 - To reduce the minimum lot depth of the RF-12 Zone from 22 metres (72 ft.) to 21.5 metres (71 ft.) for Lot 3;
 - To reduce the minimum front yard setback of the RF-12 Zone from 6.0 metres (20 ft.) to 5.0 metres (17 ft.) for Lot 2;
 - To reduce the minimum rear yard setback of the RF-12 Zone from 7.5 metres (25 ft.) to 5.0 metres (17 ft.) for Lot 2; and

- To reduce the minimum rear yard setback of the RF-12 Zone from 7.5 metres (25 ft.) to 6.5 metres (21 ft.) for 50% of the rear façade and to 5.0 metres (17 ft.) for the remaining 50% of the rear façade for Lot 3.

Applicant's Reasons:

- The DVP is required in order to allow the development of these two (2) lots in between the existing cul-de-sac bulbs immediately to the north and south of the lots, and to achieve reasonable building envelopes on these constrained lots.

Staff Comments:

- The lot area for proposed Lot 2 is 403 m² (4,338 sq.ft.) and the lot area for proposed Lot 3 is 404 m² (4,348 sq.ft.); both of which substantially exceed the minimum 320 m² (3,445 sq.ft.) lot area of the RF-12 Zone.
- The proposed variance will enable the site to be subdivided in an efficient way, and will generally match the subdivision to the north and the proposed subdivision to the south.
- The City requested confirmation through a Design Consultant to ensure that there was no negative impact on the streetscape as a result of the reduction of the front yard setback. The City also sought confirmation that the narrower backyards would be adequately offset by the wide rear lot line for Lots 2 and 3.
- The proposed variances to the front and rear yard setbacks are consistent with the neighbourhood and are therefore supportable.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets and Survey Plan
Appendix II.	Proposed Subdivision Layout
Appendix III.	Development Variance Permit No. 7908-0091-01

original signed by Nicholas Lai

Jean Lamontagne
General Manager
Planning and Development

TH/kms/dlg

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**SUBDIVISION PLAN OF LOT 28, SECTION 10, TOWNSHIP 2,
NEW WESTMINSTER DISTRICT, PLAN 30302**

CITY OF SURREY B.C.G.S. 920.016



SCALE - 1 : 500
All distances are in metres

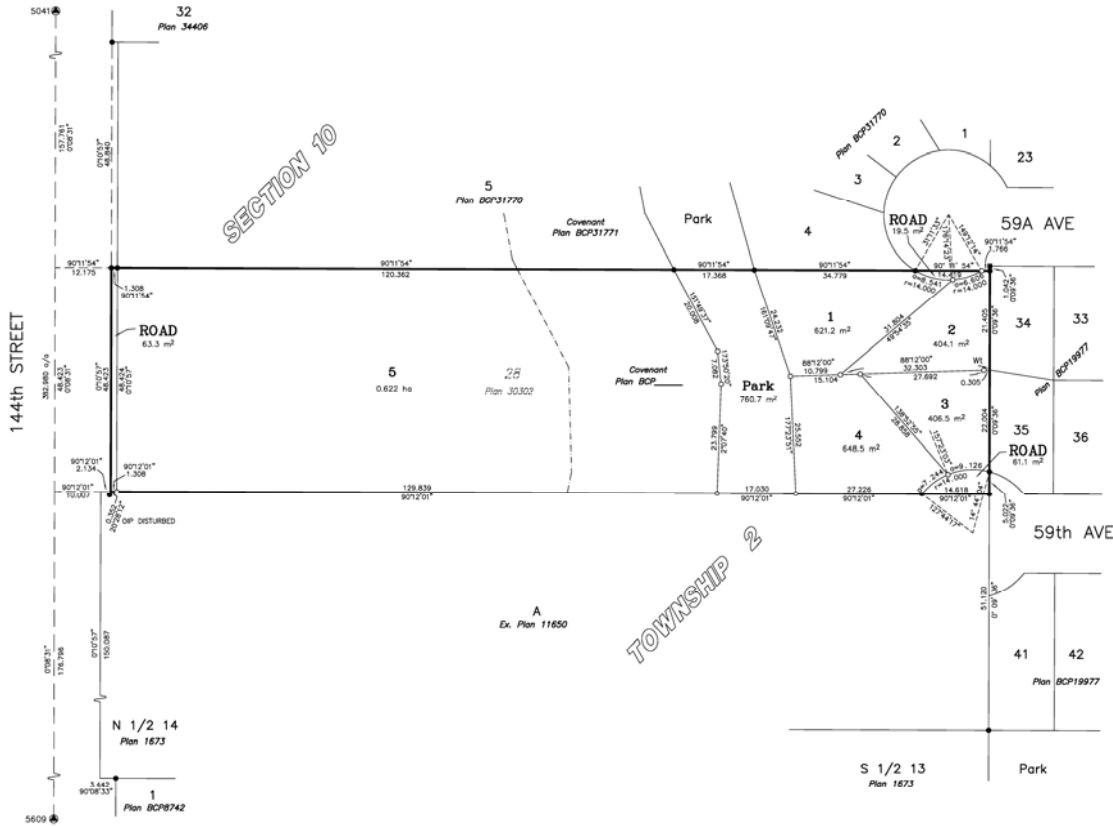
The intended plot size of this plan is 560 mm in height and 854 mm in width (D size) when plotted at a scale of 1:500.

Integrated Survey Area No. 1, Surrey, B.C.
Grid bearings are derived from observations between Control Monuments 5041 & 5609 NAD 83 (CSRS)

This Plan shows horizontal ground-level distances, except where otherwise noted. To compute grid distances, multiply ground-level distances by factor 0.9995943

Legend:

- Denotes control monument found
- Denotes standard iron post found
- Denotes lead plug found
- Denotes standard iron post set
- m² Denotes square metres
- ha Denotes hectares
- WT Denotes witness



PLAN BCP

Deposited in the Land Title Office at New Westminster, B.C. this ___ day of _____, 2012.

Registrar
Ref. No. _____

Owner:
0749813 B.C. Ltd.

Authorized Signatory _____
Authorized Signatory _____
Witness (sign & print name clearly) _____
Address of Witness _____
Occupation of Witness _____

Mortgagee:
IDG Investments Ltd.

Authorized Signatory _____
Authorized Signatory _____
Witness (sign & print name clearly) _____
Address of Witness _____
Occupation of Witness _____

Mortgagee:
Yun Holdings Ltd.

Authorized Signatory _____
Authorized Signatory _____
Witness (sign & print name clearly) _____
Address of Witness _____
Occupation of Witness _____

Inspected under the Land Title Act on the 27th day of January, 2012.

Kenneth W. Schuurman, B.C.L.S.

I, Kenneth W. Schuurman, a British Columbia Land Surveyor of Surrey, in British Columbia certify that I was present at and personally superintended the survey represented by this plan, and that the survey and plan are correct. The field survey was completed on the 4th day of April, 2011. The plan was completed and checked, and the checklist filed under #121077, on the 8th day of April, 2011.

Approved under the Land Title Act this ___ day of _____, 2012.

Approving Officer for the City of Surrey

Kenneth W. Schuurman, B.C.L.S.

Cameron Land Surveying Ltd.
B.C. Land Surveyors
Unit 206 - 16055 Fraser Highway
Surrey, B.C. V4N 0Z2
Phone: 604-597-3777
Fax: 604-597-3783

This plan lies within the Greater Vancouver Regional District

File: 4522-SUB

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7908-0091-01

Issued To: 0749813 BC LTD
("the Owner")

Address of Owner: 433 -7231 - 120 Street
Delta BC
V4C 6P5

1. This development variance permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations or agreements, except as specifically varied by this development variance permit.
2. This development variance permit applies to that real property including land with or without improvements located within the City of Surrey, with the legal description and civic address as follows:

Parcel Identifier: 006-538-738
Lot 28 Section 10 Township 2 New Westminster District Plan 30302

5904 - 144 Street

(the "Land")

3. (a) As the legal description of the Land is to change, the City Clerk is directed to insert the new legal description for the Land once title(s) has/have been issued, as follows:

Parcel Identifier:

- (b) If the civic address changes, the City Clerk is directed to insert the new civic address for the Land, as follows:

4. Surrey Zoning By-law, 1993, No. 12000, as amended, is varied as follows in accordance with the attached plan (Schedule A), which forms part of this development variance permit:
 - (a) In Section F of Part 17A Single Family Residential (12) Zone (RF-12), the minimum lot depth of the RF-12 Zone is reduced from 22 metres (72 ft.) to 19.9 metres (65 ft.) for Lot 2;

- (b) In Section K.2 of Part 17A Single Family Residential (12) Zone (RF-12), the minimum lot depth of the RF-12 Zone is reduced from 22 metres (72 ft.) to 21.5 metres (71 ft.) for Lot 3;
 - (c) In Section K.2 of Part 17A Single Family Residential (12) Zone (RF-12), the minimum front yard setback of the RF-12 Zone is reduced from 6.0 metres (20 ft.) to 5.0 metres (17 ft.) for Lot 2;
 - (d) In Section F of Part 17A Single Family Residential (12) Zone (RF-12), the minimum rear yard setback of the RF-12 Zone is reduced from 7.5 metres (25 ft.) to 5.0 metres (17 ft.) for Lot 2; and
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5. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
6. This development variance permit shall lapse unless the subdivision, as conceptually shown on Schedule B, which is attached hereto and forms part of this development variance permit, is registered in the New Westminster Land Title Office within three (3) years after the date this development variance permit is issued.
7. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
8. This development variance permit is not a building permit.

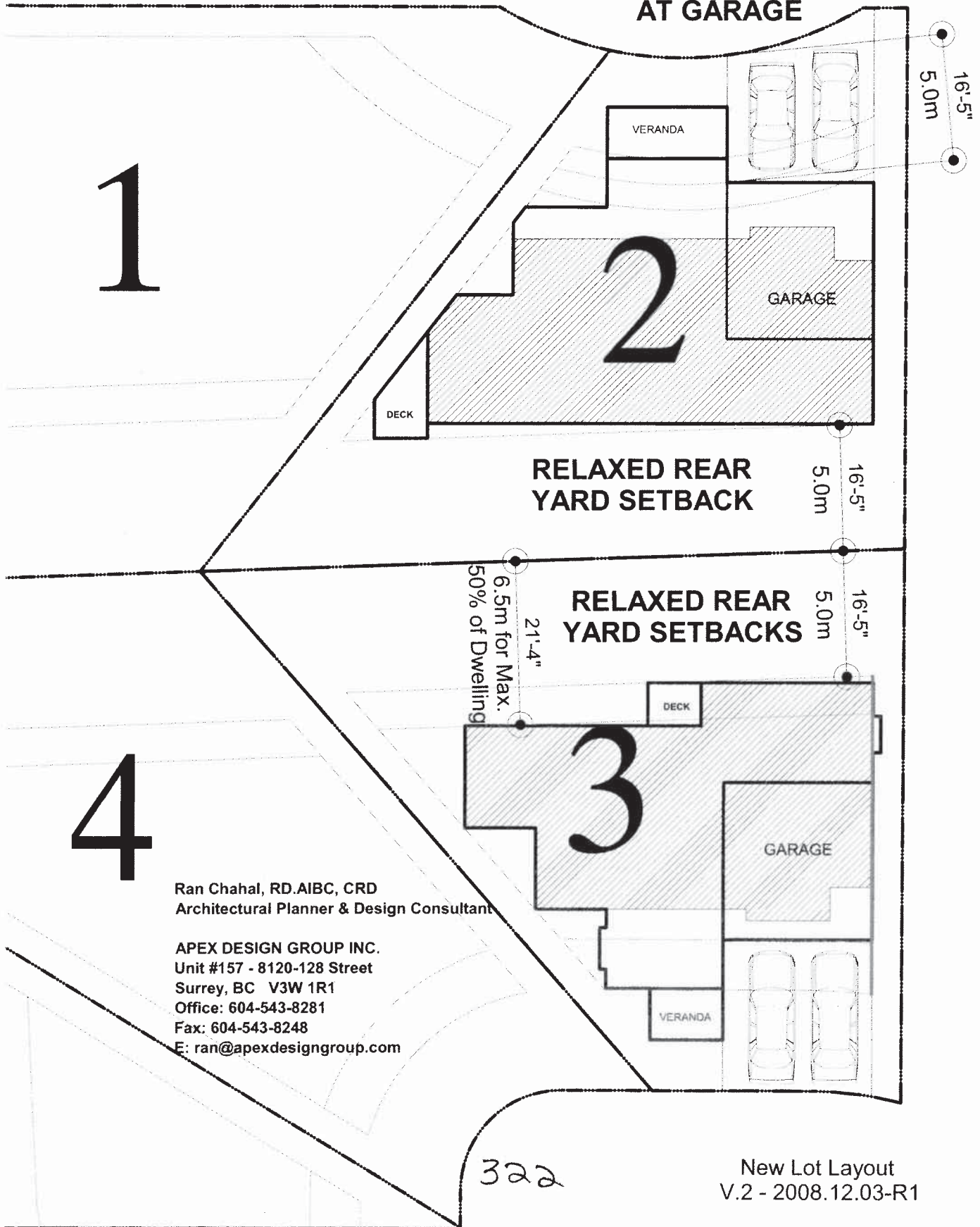
AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 .
ISSUED THIS DAY OF , 20 .

Mayor – Dianne L. Watts

City Clerk – Jane Sullivan

LOT 2 & 3 RELAXED SETBACKS
SURREY PROJECT #7908-0091
5904-144 STREET, SURREY, BC

**RELAXED FRONT
YARD SETBACK
AT GARAGE**



Ran Chahal, RD.AIBC, CRD
Architectural Planner & Design Consultant

APEX DESIGN GROUP INC.
Unit #157 - 8120-128 Street
Surrey, BC V3W 1R1
Office: 604-543-8281
Fax: 604-543-8248
E: ran@apexdesigngroup.com

**SUBDIVISION PLAN OF LOT 28, SECTION 10, TOWNSHIP 2,
NEW WESTMINSTER DISTRICT, PLAN 30302**

CITY OF SURREY B.C.G.S. 920.016



SCALE - 1 : 500
All distances are in metres

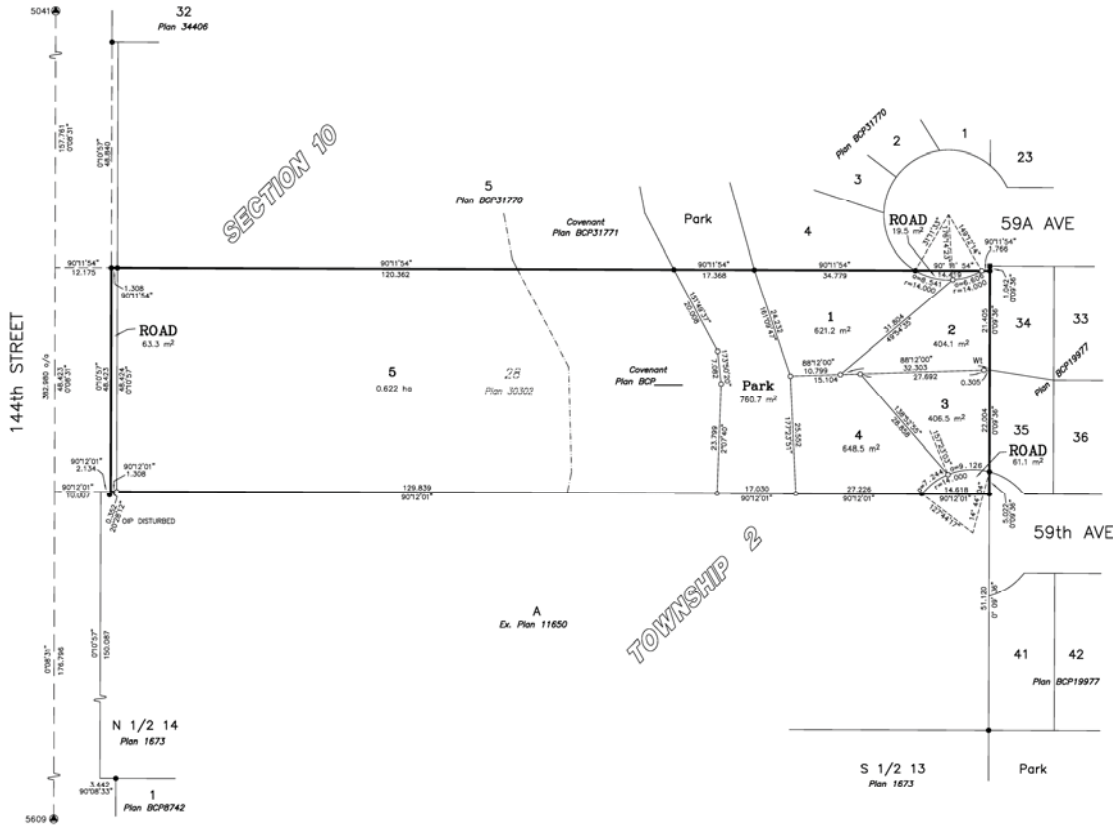
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Address of Witness _____
Occupation of Witness _____

Mortgagee:
IDG Investments Ltd.

Authorized Signatory _____
Authorized Signatory _____
Witness (sign & print name clearly) _____
Address of Witness _____
Occupation of Witness _____

Mortgagee:
Yun Holdings Ltd.

Authorized Signatory _____
Authorized Signatory _____
Witness (sign & print name clearly) _____
Address of Witness _____
Occupation of Witness _____

Inspected under the Land Title Act on the 27th day of January, 2012.

Kenneth W. Schuurman, B.C.L.S.

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Approving Officer for the City of Surrey

Kenneth W. Schuurman, B.C.L.S.

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SCHEDULE B