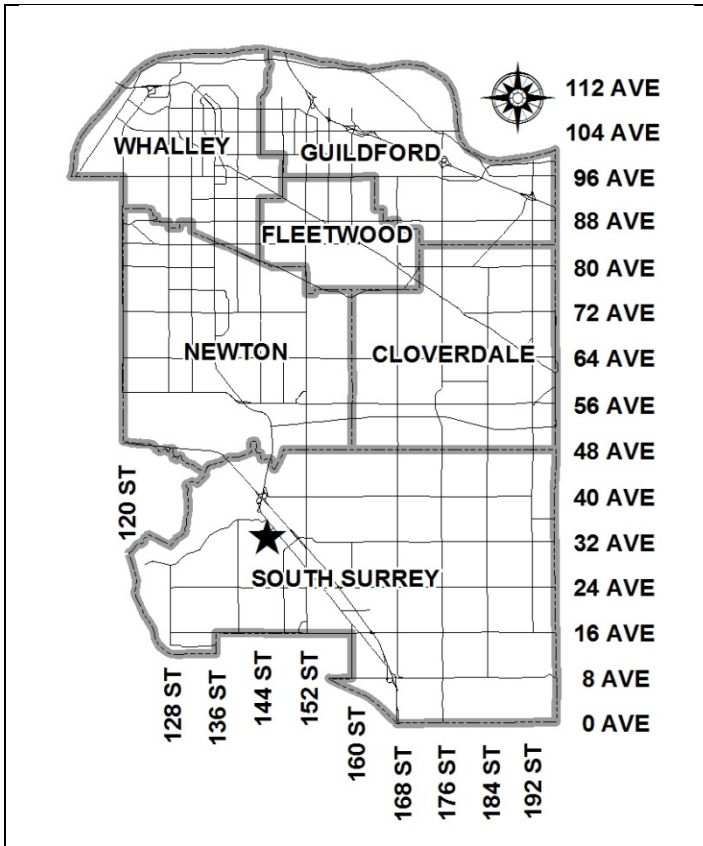


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7912-0236-01

Planning Report Date: September 8, 2014



PROPOSAL:

- **Development Variance Permit**

in order to vary the side yard setback requirement on four (4) proposed single family half-acre residential lots.

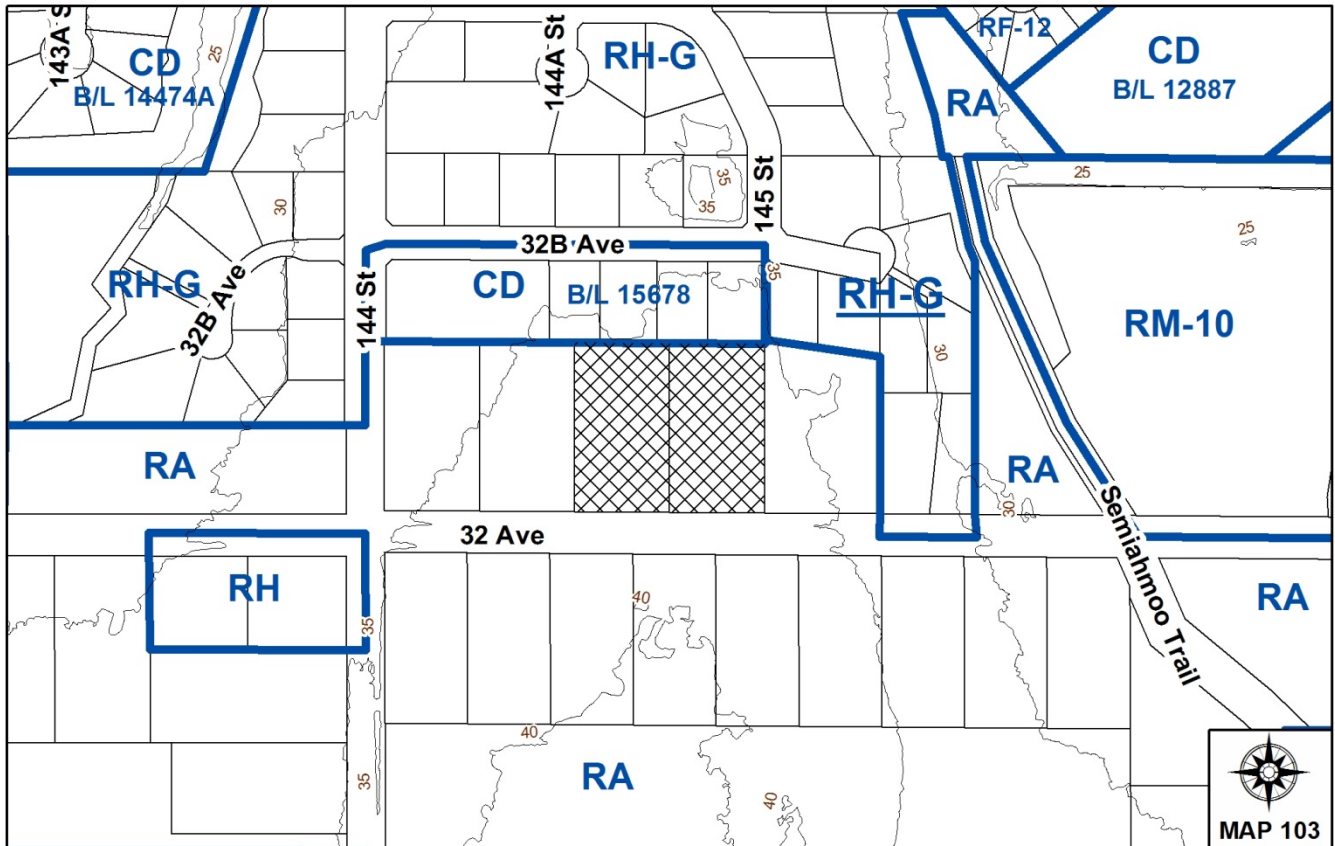
LOCATION: 14469 and 14489 - 32 Avenue

OWNER: Ling Zan, Yun Y Sun, Ai L Yin and Jing Y Du

ZONING: RA

OCP DESIGNATION: Suburban

LAP DESIGNATION: One-Acre 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 (DVP) to vary the side yard setback requirement on all lots from 4.5 metres (15 ft.) to 3 metres (10 ft.).

RATIONALE OF RECOMMENDATION

- Development Variance Permit No. 7912-0236-00, to vary the lot width of each proposed lot from 30 metres (100 ft.) to 25 metres (82 ft.) was supported by Council on September 23, 2013. The applicant has requested reduced side yard setbacks which are the same as the RH-G Zone side yard setback requirement. The RH-G Zone permits a minimum lot width of 30 metres (100 ft.) for regular standard lots, and 24 metres (80 ft.) as a permissible reduction for up to 50 percent of the lots within the subdivision.
- A high level of tree preservation is proposed, with 73 percent of the existing on-site trees proposed for retention. Many of these trees are located within the front yards of the proposed lots. In addition, Development Variance Permit No. 7912-0236-00 also requires a minimum front yard setback of 20 metres (66 ft.), increased from the standard front yard setback of 7.5 metres (25 ft.) as per the RH Zone. The tree preservation and increased setbacks will assist in maintaining the rural character of the street. The proposed side yard setback relaxations will not have a negative impact on the neighbourhood character and streetscape.
- The requested variance to the side yard setback requirement will allow for a more desirable house design.
- The adjacent property owners to the east and west of the subject site have signed letters of support for the proposed variance.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7912-0236-01 (Appendix III) varying the following, to proceed to Public Notification:

- (a) to reduce the minimum side yard setback of the RH Zone from 4.5 metres (15 ft.) to 3.0 metres (10 ft.) on proposed Lots 1 to 4 inclusive.

DEVELOPMENT CONSIDERATIONS

- The subject proposal involves a rezoning from RA to RH, and subdivision from two (2) into four (4) single family residential lots. The Rezoning By-law (No. 17817) received third reading on July 8, 2013.
- The originally proposed subdivision layout proposed lots with varying widths, in order to allow for the retention of existing dwellings on proposed Lots 2 and 3. The DVP specified a specific lot width for each of the proposed lots in the subdivision, which varied from 23.82 metres (78 ft.) to 26.49 metres (87 ft.). Subsequently, after it was determined that the existing dwellings are required to be removed prior to rezoning and subdivision approval, the applicant requested an amendment to the subdivision layout so that the lots have more uniform lot widths and areas. All four (4) lots are now proposed to be just over 25 metres (66 ft.) wide with areas of approximately 2,246 square metres (24,176 sq. ft.) (Appendix II).
- A variance for lot widths, to relax the width requirement of the RH Zone from 30 metres (100 ft.) to 25 metres (82 ft.) was supported by Council on September 23, 2013. This Development Variance Permit also includes a requirement for an increased minimum front yard setback requirement, from 7.5 metres (25 ft.) to 20 metres (66 ft.).
- In July 2014, the applicant made the subject variance request, to relax the side yard setback requirement of the RH Zone from 4.5 metres (15 ft.) to 3 metres (10 ft.) on all of the proposed lots. This variance is being processed as Development Variance Permit No. 7912-0236-01, and if supported, would be issued and executed in conjunction with the final adoption of Rezoning By-law No. 17817 and Development Variance Permit No. 7912-0236-00.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To vary the side yard setback requirement of the RH Zone from 4.5 metres (15 ft.) to 3 metres (10 ft.).

Applicant's Reasons:

- The proposed reduced side yard setback emulates the side yard setback in the RH-G Zone, which can permit similar lot frontages to the proposed development.
- The reduced side yard setback provides improved areas for superior house design.

- A 20 metre (66 ft.) front yard setback is required for each lot within the subdivision, which will further buffer the new dwellings from the public street (32 Avenue).
- The adjacent, eastern parcel is also subject to a Development Application (No. 7913-0265-00) and a similar Development Variance Permit has been applied for on those proposed similar sized lots.

Staff Comments:

- The proposed sideyard setback is reflective of the reduced width approved by Council on the proposed four (4) lots.
- A high level of tree preservation is proposed, with 73 percent of the existing on-site trees proposed for retention. Many of these trees are located within the front yards of the proposed lots. In addition, Development Variance Permit No. 7912-0236-00 also requires a minimum front yard setback of 20 metres (66 ft.), increased from the standard front yard setback of 7.5 metres (25 ft.) as per the RH Zone. The tree preservation and increased setbacks will assist in maintaining the rural character of the street. The proposed side yard setback relaxations will not have a negative impact on the neighbourhood character and streetscape.
- The adjacent property owners to the east and west of the subject site have signed letters of support for the proposed variance.

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.	Proposed Subdivision Layout
Appendix III.	Development Variance Permit No. 7912-0236-01

original signed by Nicholas Lai

Jean Lamontagne
General Manager
Planning and Development

HK/da

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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: James Pernu
 McElhanney Consulting Services Ltd.
 Address: Central City Tower
 Suite 2300 - 13450 102 Avenue
 Surrey, BC V3T 5X3
 Tel: 604-424-4889

2. Properties involved in the Application

(a) Civic Address: 14469 and 14489 - 32 Avenue

(b) Civic Address: 14469 32 Avenue
 Owner: Yun Y Sun
 Ling Zan
 PID: 006-727-204
 Lot 33 District Lot 155 Group 2 New Westminster District Plan 32421

(c) Civic Address: 14489 32 Avenue
 Owner: Jing Y Du
 Ai L Yin
 PID: 006-127-291
 Lot 34 District Lot 155 Group 2 New Westminster District Plan 32421

3. Summary of Actions for City Clerk's Office

(a) Proceed with Public Notification for Development Variance Permit No. 7912-0236-01 and bring the Development Variance Permit forward for an indication of support by Council. If supported, the Development Variance Permit will be brought forward for issuance and execution by the Mayor and City Clerk in conjunction with the final adoption of the associated Rezoning By-law.

SUBDIVISION DATA SHEET

Proposed Zoning: RH

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	2.2 ac.
Hectares	0.9 ha.
NUMBER OF LOTS	
Existing	2
Proposed	4
SIZE OF LOTS	
Range of lot widths (metres)	25.1 m
Range of lot areas (square metres)	2,246 m ² – 2,249 m ²
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	4.4 upha / 1.8 upa
Lots/Hectare & Lots/Acre (Net)	4.4 upha / 1.8 upa
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	25%
Estimated Road, Lane & Driveway Coverage	7.5%
Total Site Coverage	32.5%
PARKLAND	
Area (square metres)	N/A
% of Gross Site	
	Required
PARKLAND	
5% money in lieu	NO
TREE SURVEY/ASSESSMENT	
	YES
MODEL BUILDING SCHEME	
	YES
HERITAGE SITE Retention	
	NO
BOUNDARY HEALTH Approval	
	NO
DEV. VARIANCE PERMIT required	
Road Length/Standards	NO
Works and Services	NO
Building Retention	NO
Others	YES (lot width and setbacks)

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7912-0236-01

Issued To: LING ZAN
YUN Y SUN

Address: 14469 - 32 Avenue
Surrey, BC
V4P 1Z9

Issued To: AI L YIN
JING Y DU

Address: 14489 - 32 Avenue
Surrey, BC
V4P 1Z9

(collectively referred to as the "Owner")

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: 006-727-204
Lot 33 District Lot 155 Group 2 New Westminster District Plan 32421

14469 - 32 Avenue

Parcel Identifier: 006-127-291
Lot 34 District Lot 155 Group 2 New Westminster District Plan 32421

14489 - 32 Avenue

(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 titles have been issued, as follows:

Parcel Identifier:

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

- 4. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) Section F, Part 14 Half-Acre Residential Zone (RH), the minimum side yard setback for a principal building is reduced from 4.5 metres (15 ft.) to 3 metres (10 ft.) for Lots 1 to 4 inclusive.
- 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 A 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

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Serlahmoo Trail - 103B

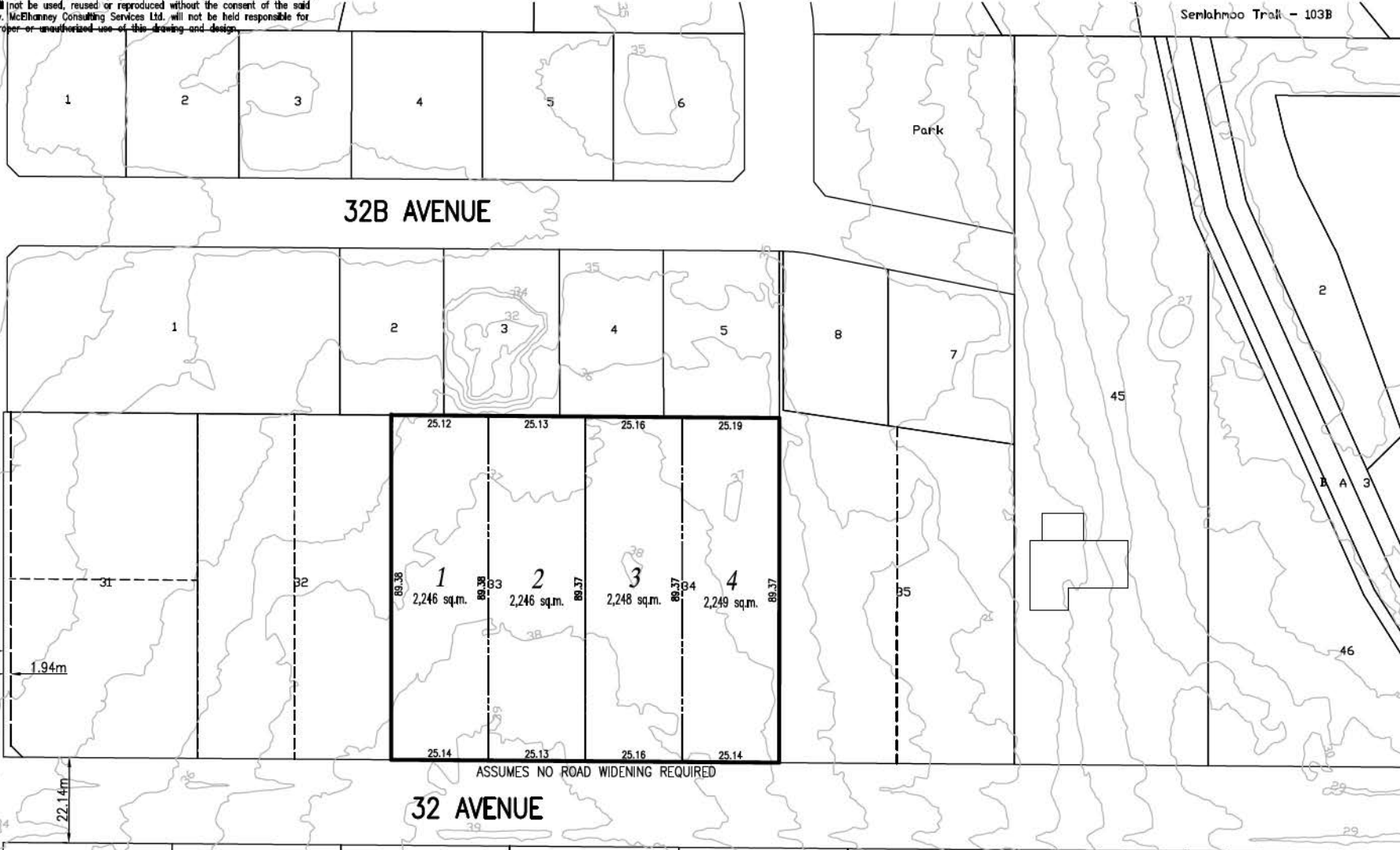


Schedule A
144 STREET

32B AVENUE

32 AVENUE

Park



ASSUMES NO ROAD WIDENING REQUIRED

McElhanney
McElhanney Consulting Services Ltd.
13180-88TH AVENUE
SURREY, B.C. PHONE (604) 596-0391
FAX (604) 596-8853

NOTES:
- PRELIMINARY LAYOUT ONLY, SUBJECT TO APPROVAL.
- AREAS AND DIMENSIONS ARE SUBJECT TO DETAILED SURVEY AND CALCULATION, AND MAY VARY.
- NOT TO BE USED FOR LEGAL TRANSACTIONS.

TOTAL AREA APPROX. 8,989 sq.m. (2.22 ac)
LAYOUT ASSUMES CD ZONE
MINIMUM 2000 sq.m. 25.0m wide 30.0m deep
DENSITY SHOWN IS 4.45 units/ha (1.80 upa)

SKETCH 1

Scale: 1:1000
Date: July 4, 2012
Job No.:2111-02942-0

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