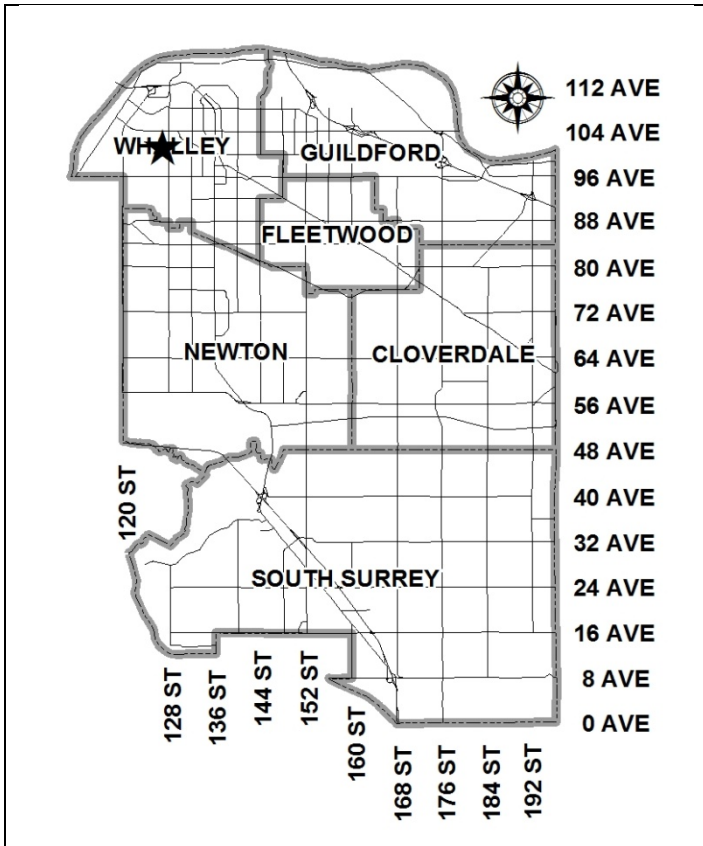


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7912-0288-00

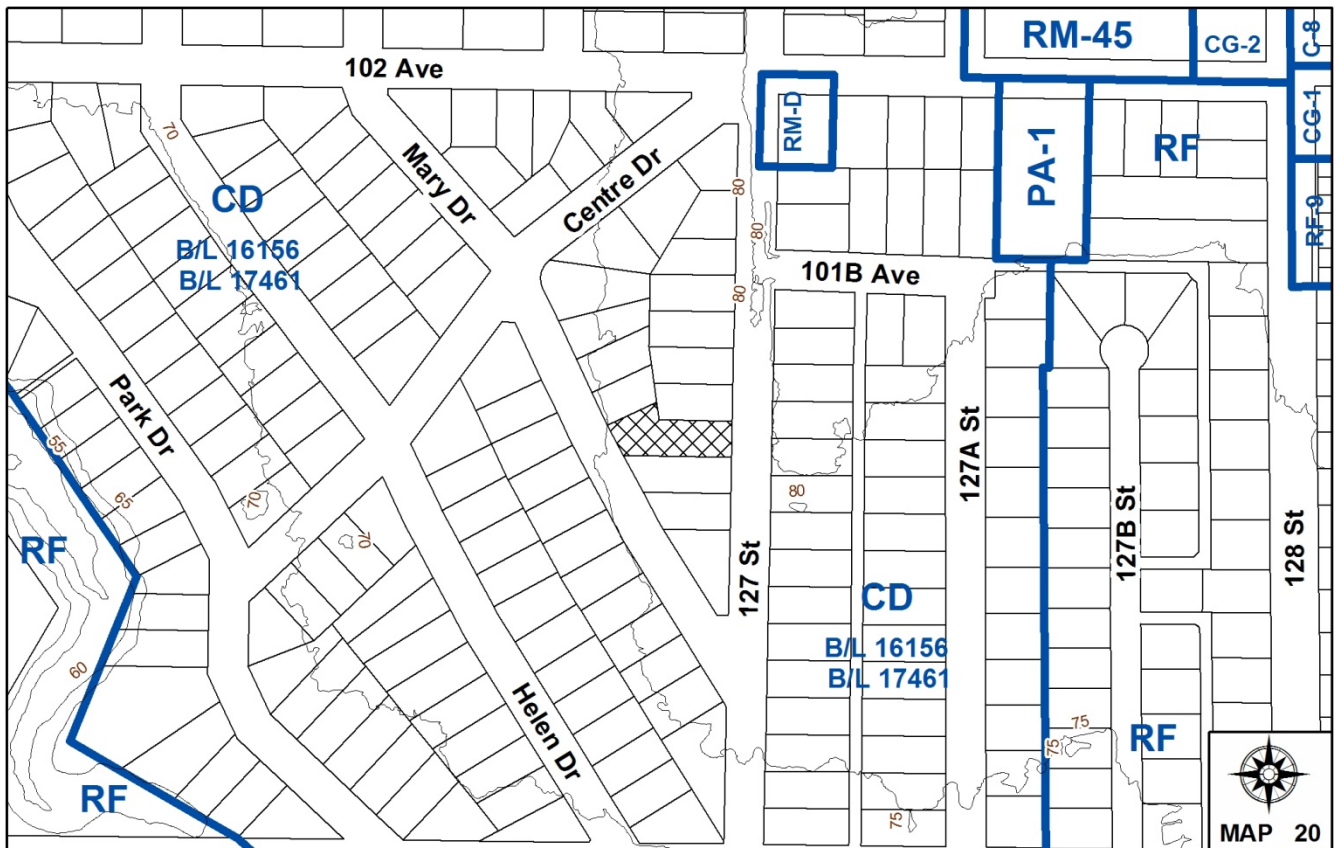
Planning Report Date: July 8, 2013



PROPOSAL:

- **Development Variance Permit**
 in order to reduce the lot depth and the rear yard setback to allow subdivision into 2 lots.

LOCATION: 10107 - 127 Street
OWNER: Surinder Kular
ZONING: CD (By-law No. 16156 amended by By-law No. 17461)
OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking reduction in lot depth for proposed Lot 1
- Seeking relaxation of the rear yard setback for proposed Lot 2.

RATIONALE OF RECOMMENDATION

- The applicant has provided documentation that the proposed 24.4-metre (80 ft.) depth will accommodate an adequate rear yard on proposed Lot 1.
- The proposed rear yard setback relaxation will allow for the existing dwelling to be retained on proposed Lot 2.
- Neither requested variance will negatively impact adjoining properties.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7912-0288-00 (Appendix III) varying the following, to proceed to Public Notification:

- (a) to vary CD By-law No. 16156 as amended by By-law No. 17461 by reducing the minimum lot depth of proposed Lot 1 from 28 metres (92 ft.) to 24.4 metres (80 ft.); and
- (b) to vary CD By-law No. 16156 as amended by By-law No. 17461 by reducing the minimum rear yard setback on proposed Lot 2 from 7.5 metres (25 ft.) to 3.4 metres (11 ft.).

REFERRALS

Engineering: The Engineering Department has no objection to the project

SITE CHARACTERISTICS

Existing Land Use: Existing single family dwelling that is proposed to be retained on proposed Lot 2.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Single family dwellings.	Urban	CD (By-law No. 16156 amended by By-law No. 17461)
East (Across 127 Street):	Single family dwellings.	Urban	CD (By-law No. 16156 amended by By-law No. 17461)
South:	Single family dwelling.	Urban	CD (By-law No. 16156 amended by By-law No. 17461)
West (Across Mary Drive):	Single family dwellings.	Urban	CD (By-law No. 16156 amended by By-law No. 17461)

DEVELOPMENT CONSIDERATIONS

- The subject site is a double fronting lot located at 10127 – 127 Street that fronts both 127 Street and Mary Drive. The site is zoned "Comprehensive Development Zone (CD)" (By-law No. 16156 amended by By-law No. 17461) and designated Urban in the Official Community Plan (OCP).

- The site is located within the St. Helen's Park neighbourhood which was rezoned under Council-initiative to CD By-law No. 16156 in 2006 to preserve the existing single family residential character of the area. In 2011, Council amended the CD Zone to further restrict the size and height of the single family dwellings through the adoption of By-law No. 17461.
- The applicant proposes to subdivide the subject lot into two lots (see Appendix II).
- Proposed Lot 1 fronts Mary Drive and has a lot area of 600 square metres (6,458 sq. ft.), lot width of 17.1 metres (56 ft.) and lot depth of 24.4 metres (80 ft.). A Development Variance Permit (DVP) is required for proposed Lot 1 to reduce the lot depth from 28 metres to 24.4 metres (80 ft.) (see the By-law Variance section for more details).
- Proposed Lot 2 fronts 127 Street and has a lot area of 560 square metres (6,027 sq. ft.), lot width of 18.29 metres (60 ft.) and lot depth of 30.6 metres (100 ft.). The applicant proposes to retain the existing one-storey home. However, a DVP is required to reduce the rear yard setback from 7.5 metres (25 ft.) to 3.4 metres (11 ft.) (see the By-law Variance section for more details).

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum lot depth in CD By-law No. 16156 as amended by By-law No. 17461 from 28 metres (92 ft.) to 24.4 metres (80 ft.) for proposed Lot 1.

Applicant's Reasons:

- Although proposed Lot 1 is 600 square metres (6,458 sq. ft.) in size, it is an odd shape which requires a variance for lot depth.
- The proposed house footprint (Appendix II) allows for a large 7.5-metre (25 ft.) rear yard along all three rear lot lines.

Staff Comments:

- The lot depth is measured from the shortest distance between the front and the rear property lines. The lot is an irregular shape and includes three rear lot lines.
- The existing CD Zone requires a minimum 560-square metre (6,000 sq. ft.) lot size. Proposed Lot 1 is oversized at 600 square metres (6,458 sq. ft.). The lot has a front lot line width of 17.1 metres (56 ft.) and widens to approximately 27 metres (89 ft.) towards the rear of the lot. Lot depth ranges from 24.4 metres (80 ft.) to approximately 30 metres (98 ft.).
- The proposed variance will cause no impact to neighbouring lots.
- The applicant has provided a footprint analysis (see Appendix II) for the proposed lot demonstrating that there will be a 7.5-metre (25 ft.) rear setback between the proposed dwelling and the three rear lot lines.

- Staff support the requested variance.

(b) Requested Variance:

- To reduce the minimum rear yard setback in CD By-law No. 16156 as amended by By-law No. 17461 from 7.5 metres (25 ft.) to 3.4 metres (11 ft.) for proposed Lot 2.

Applicant's Reasons:

- The variance is required to retain the existing house.
- There is a large and usable yard to the northwest of the existing dwelling.

Staff Comments:

- A variance is required to retain the existing dwelling which was originally constructed with an approximate 35-metre (115 ft.) rear yard setback from Mary Drive. In 1979, a 56-square metre (600 sq. ft.) addition was constructed to the rear of the house. This addition is the portion of the dwelling that requires the variance.
- Due to the "L-shaped" house, a useable yard of approximately 85 square metres (912 sq. ft.) can be accommodated to the northwest of the existing dwelling.
- Any future dwelling will need to adhere to the minimum 7.5-metre (25 ft.) rear yard setback of the CD Zone.
- The variance will have no impact on neighbouring lots.
- Staff support the requested 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 and Footprint Analysis
Appendix III.	Development Variance Permit No. 7912-0288-00

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

JKS/kms/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: Avnash Banwait
 Mainland Engineering (2007) Corporation
 Address: Suite 206, 8363 - 128 Street
 Surrey BC
 V3W 4G1

 Tel: 604-543-8044

2. Properties involved in the Application

- (a) Civic Address: 10107 - 127 Street
- (b) Civic Address: 10107 - 127 Street
 Owner: Surinder K Kular
 PID: 010-104-470
 Lot 4 Section 29 Block 5 North Range 2 West New Westminster District Plan 15427

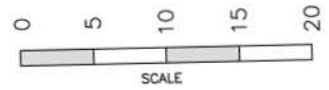
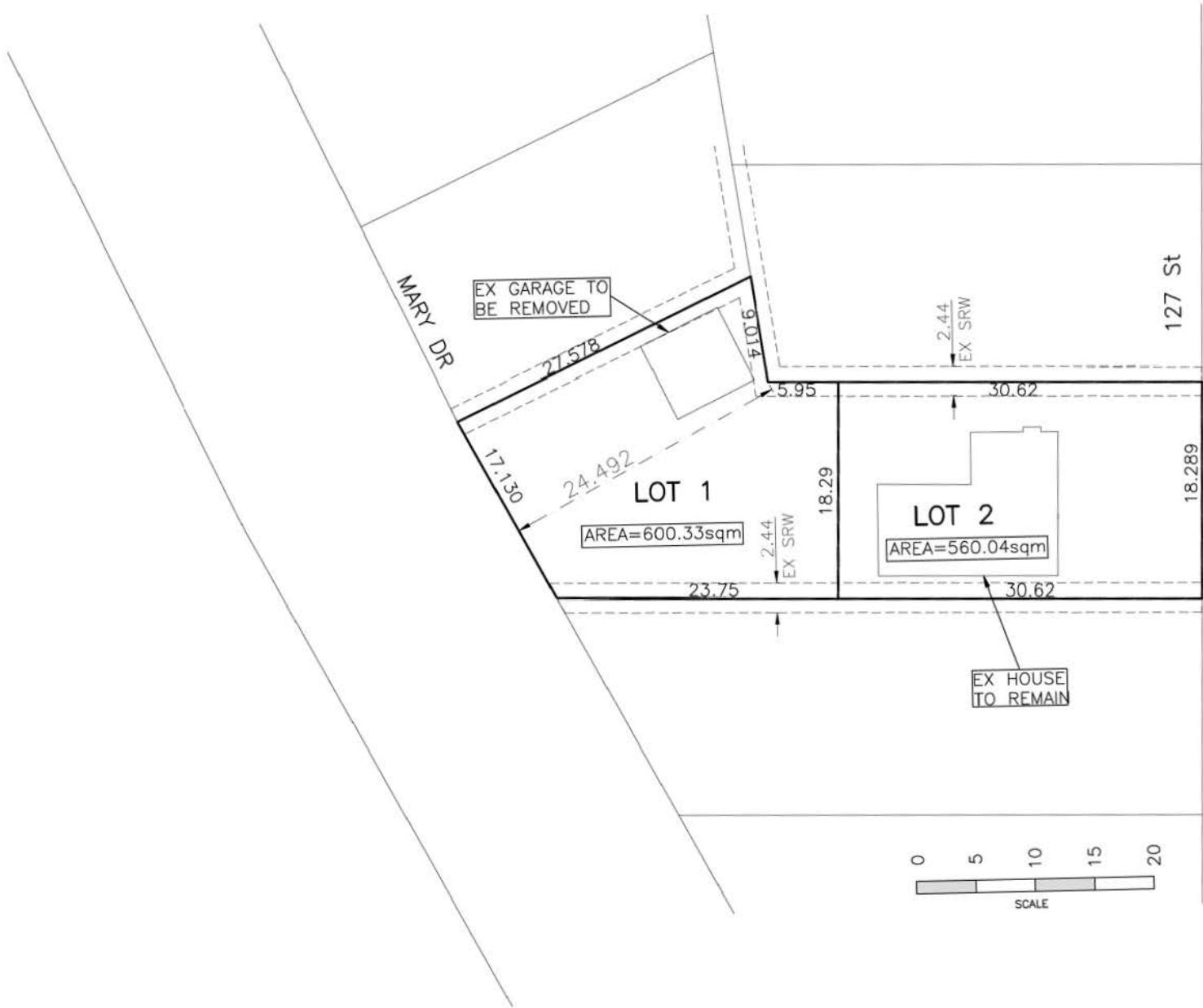
3. Summary of Actions for City Clerk's Office

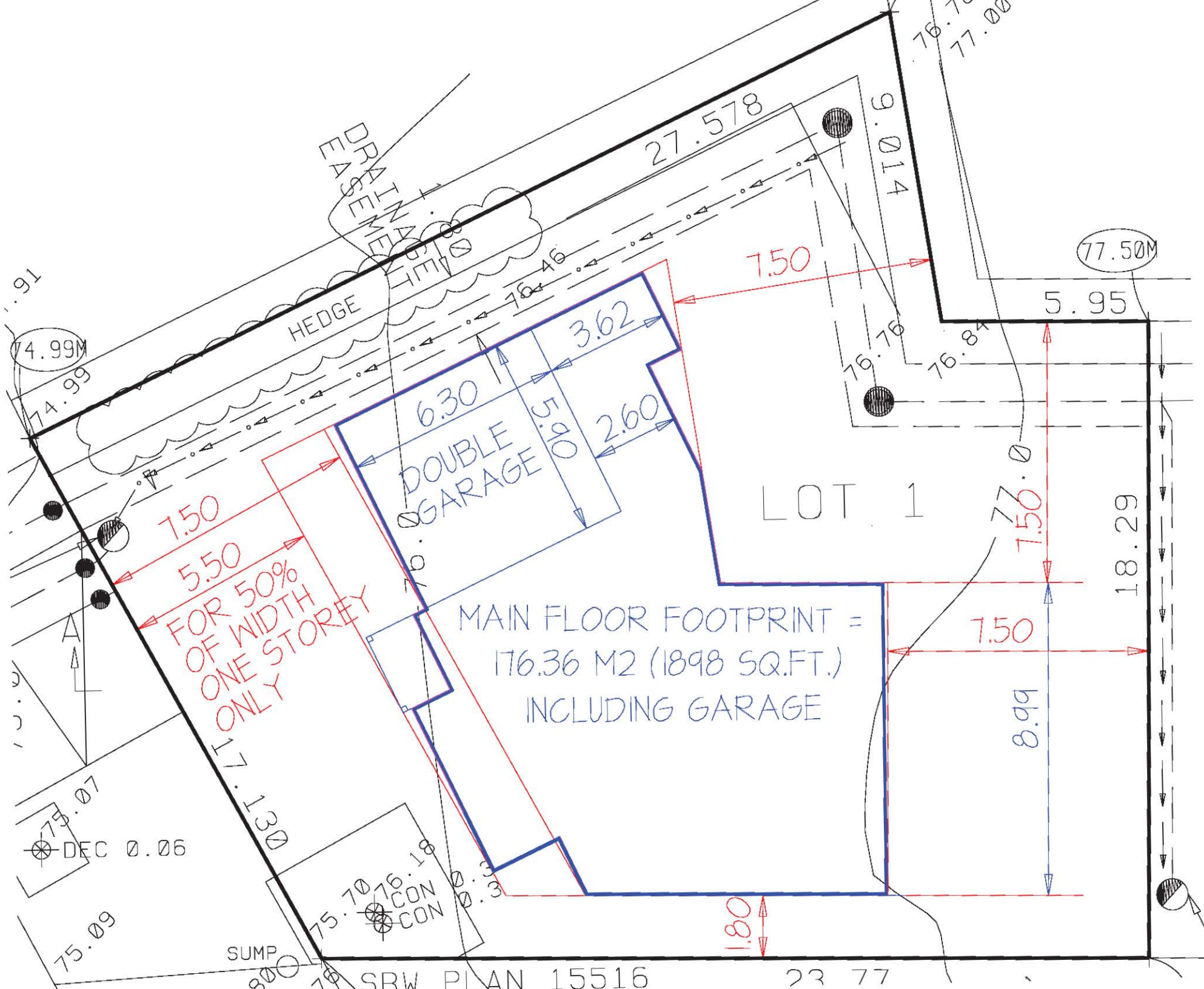
- (a) Proceed with Public Notification for Development Variance Permit No. 7912-0288-00 and bring the Development Variance Permit forward for issuance and execution by the Mayor and City Clerk.

SUBDIVISION DATA SHEET

Zoning: CD By-law No. 16156 amended by CD By-law No. 17461

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	0.29 ac
Hectares	0.12 ha
NUMBER OF LOTS	
Existing	1
Proposed	2
SIZE OF LOTS	
Range of lot widths (metres)	17.11 – 18.29 metres
Range of lot areas (square metres)	560 - 600 square metres
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	17.2 uph / 7 upa
Lots/Hectare & Lots/Acre (Net)	17.2 uph / 7 upa
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	40%
Estimated Road, Lane & Driveway Coverage	15%
Total Site Coverage	55%
PARKLAND	
Area (square metres)	
% 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
Rear Yard Setback	YES
Lot Depth	YES





DRAINAGE
EASEMENT
LIMIT

HEDGE

DOUBLE
GARAGE

LOT 1

MAIN FLOOR FOOTPRINT =
176.36 M2 (1898 SQ.FT.)
INCLUDING GARAGE

7.50
5.50
FOR 50%
OF WIDTH
ONE STOREY
ONLY

1.80

8.99

7.50

7.50

7.50

18.29

5.95

77.50M

27.578

9.014

76.70
77.00

16.91
74.99
74.99

75.07
DEC 0.06

75.09

SUMP

75.70
CON
CON

SBW PLAN 15516

23 77

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7912-0288-00

Issued To: Surinder Kular
("the Owner")

Address of Owner: 10107 - 127 STREET
SURREY BC V3V 5J5

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: 010-104-470
Lot 4 Section 29 Block 5 North Range 2 West New Westminster District Plan 15427
10107 - 127 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 titles 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, Amendment By-law, 2006, No. 16156, Amendment By-law, 2011, No. 17461, is varied as follows:

(a) In Section K. Subdivision, the minimum lot depth is reduced from 28 metres (90 ft.) to 24.4 metres (80 ft.) for proposed Lot 1; and

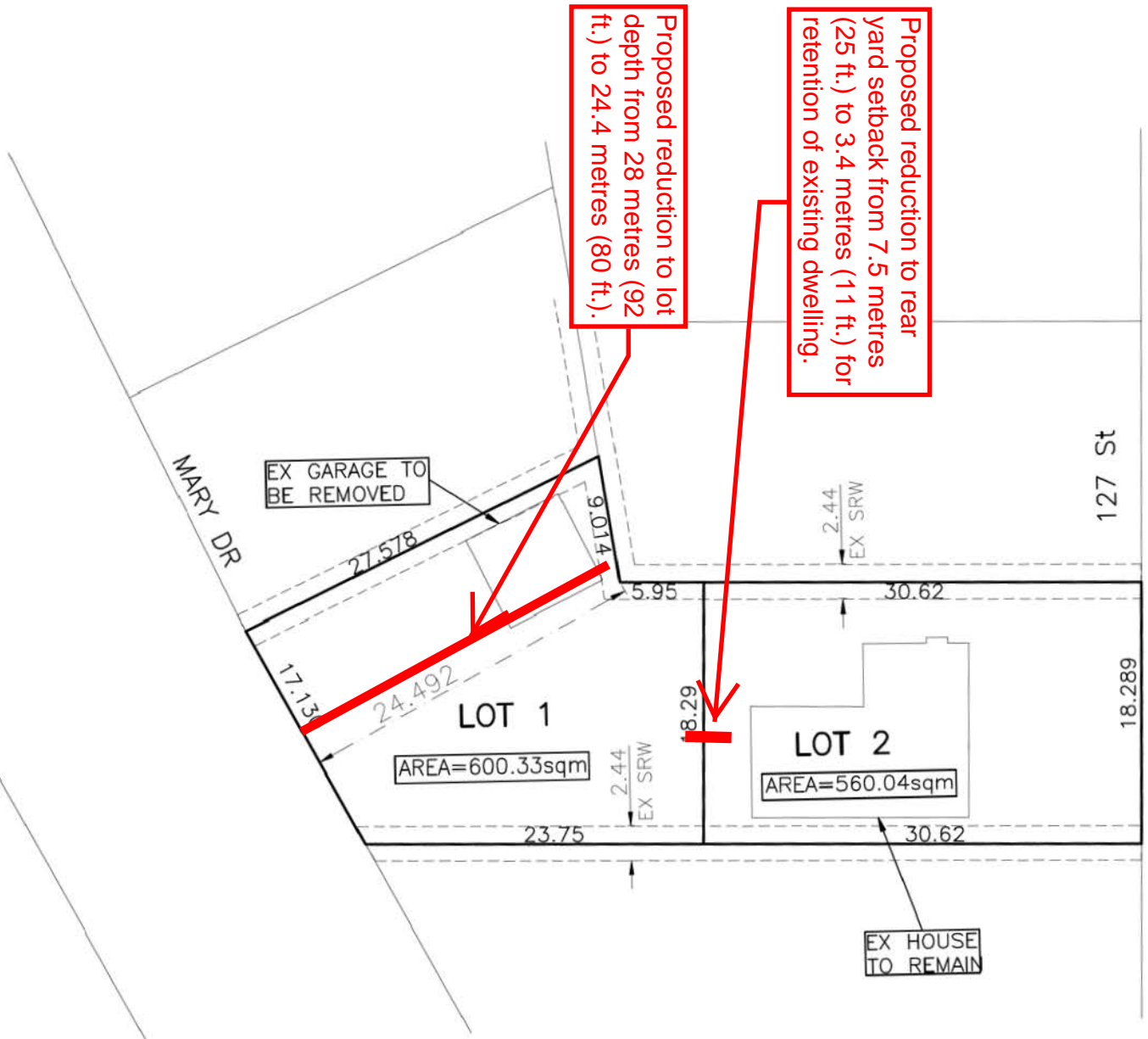
(b) In Section F. Yards and Setbacks, the minimum rear yard setback is reduced from 7.5 metres (25 ft.) to 3.4 metres (11 ft.) for proposed Lot 2.

5. This development variance permit applies to only the portion of the Land and that portion of the buildings and structures on the Land shown on Schedule A which is attached hereto and forms part of this development variance permit. This development variance permit does not apply to additions to, or replacement of, any of the existing buildings shown on attached Schedule A, which is attached hereto and forms part of this development variance permit.
6. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
7. 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.
8. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
9. 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



Proposed reduction to lot depth from 28 metres (92 ft.) to 24.4 metres (80 ft.).

Proposed reduction to rear yard setback from 7.5 metres (25 ft.) to 3.4 metres (11 ft.) for retention of existing dwelling.