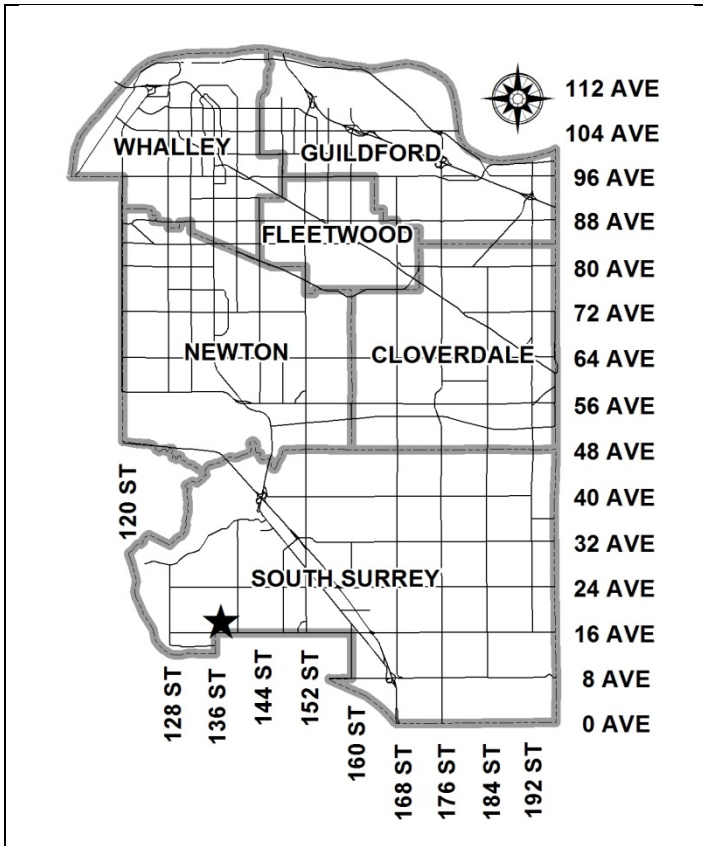


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7913-0006-01

Planning Report Date: September 8, 2014



PROPOSAL:

- **Development Variance Permit**

To vary the minimum west side yard setback and lot width of proposed Lot 2 in order to allow subdivision into two single family lots.

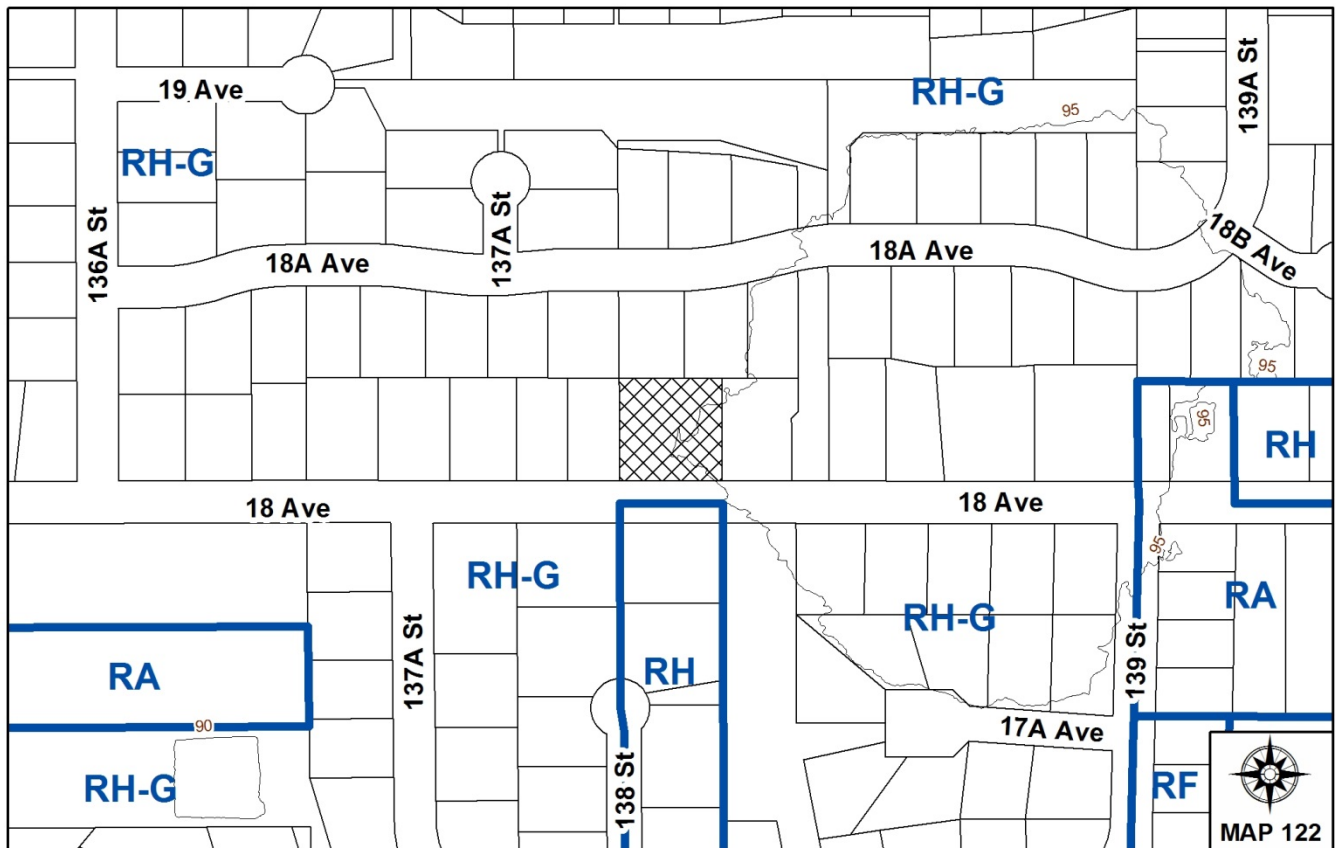
LOCATION: 13785 - 18 Avenue

OWNER: Vipin Sharma
 Manju Sharma

ZONING: RH-G

OCP DESIGNATION: Suburban

LAP DESIGNATION: Suburban Residential (Half Acre)



RECOMMENDATION SUMMARY

- Cancel the resolution R14-703 of the April 28, 2014 Regular Council – Public Hearing meeting, granting issuance and execution of Development Variance Permit 7913-0006-00.
- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is proposing to relax the lot width and west side yard setback of the RH-G Zone of proposed Lot 2 in order to permit the subdivision into two lots.

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation and density provision of the RH-G Zone.
- The proposed Lot 2 complies with the minimum lot area of 1,300 square metres (14,000 square feet) of the RH-G Zone.
- The proposed Lot 2 significantly exceeds the minimum 30 metre (100 feet) lot depth of the RH-G Zone.
- The proposed variance to relax the minimum west side yard setback on proposed Lot 2 is needed for tree preservation while maintaining an appropriately sized building envelope under the RH-G Zone.

RECOMMENDATION

The Planning & Development Department recommends that Council:

1. cancel resolution R14-703 of the April 28, 2014 Regular Council – Public Hearing meeting granting issuance and execution of Development Variance Permit 7913-0006-00; and
2. approve Development Variance Permit No. 7913-0006-01 (Appendix III) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum west side yard setback of the RH-G Zone from 3.0 metres (10 feet) to 1.8 metres (6 feet) on proposed Lot 2; and
 - (b) to reduce the minimum lot width of the RH-G Zone from 30 metres (100 feet) to 26.6 metres (87 feet) on proposed Lot 2.

REFERRALS

Engineering: The Engineering Department has no objection to the Development Variance Permit.

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling (to be demolished)

Adjacent Area:

Direction	Existing Use	OCP/LAP Designation	Existing Zone
North, East and West:	Single family dwelling	Suburban/Suburban Residential (Half Acre)	RH-G
South (Across 18 Avenue):	Single family dwelling and City-dedicated greenbelt	Suburban/Suburban Residential (Half Acre) and Open Space	RH and RH-G

DEVELOPMENT CONSIDERATIONS

Background/Site Context

- The subject property is located on the north side of 18 Avenue, approximately midpoint between 136 Street and 140 Street. The property was created in 1989 under Development Application No. 7987-0479-00.
- The subject property is designated "Suburban" in the Official Community Plan (OCP) and "Suburban Residential (Half Acre)" in the Semiahmoo Peninsula Local Area Plan (LAP). It is currently zoned "Half-Acre Residential Gross Density Zone (RH-G)" (By-law No. 12000).

- The subject property is 2,475 square metres (26,641 square feet) in area, 50.6 metres wide (166 feet), and 48.9 metres deep (160 feet).
- In order to meet the minimum area requirements to subdivide the property into 2 lots, the applicant purchased a 1.51 metre (5 feet) strip of land with an area of 73.9 square metres (795 square feet) from the adjacent property owner to the east (13813 – 18 Avenue).
- At the April 28, 2014 Regular Council – Land Use meeting, Council granted issuance and execution of Development Variance Permit 7913-0006-00 to vary lot width. The applicant has since revised the subdivision layout and requested the Development Variance Permit be cancelled.

Current Proposal

- The applicant still proposes to subdivide the property to create 2 RH-G lots. However, since Development Variance Permit No. 7913-0006-00 was approved by Council in April 2014, the applicant has revised the subdivision layout such that the lots are reversed: proposed Lot 1 is the smaller and narrower lot, while proposed Lot 2 is the larger lot.
- In the revised layout, Lot 1 is proposed to meet the minimum permissible lot area requirement of 1,120 square metres (12,000 square feet). The proposed lot width of Lot 1 at 24 metres (80 feet) complies with the permissible reduction requirements of the RH-G Zone. The proposed depth of Lot 1 at 48.9 metres (160 feet) exceeds the minimum 30 metre (100 feet) lot depth requirement of the RH-G Zone.
- Proposed Lot 2 complies with the regular standard lot area of 1,300 square metres (14,000 square feet) and depth of 30 metres (100 feet) of the RH-G Zone; however, the proposed width of 26.6 metres (87 feet) falls below the minimum lot width requirement of 30 metres (100 feet) and therefore requires a variance.
- The applicant is also now seeking a variance to relax the west side yard setback of proposed Lot 2 from 3.0 metres (10 feet) to 1.8 metres (6 feet) to allow tree retention on the east side of the lot. The retained trees include several large Douglas-fir trees located within the side yard setback that require tree protection zones that encroaches beyond the minimum 3.0 metre (10 feet) side yard setback, thereby impacting the building envelope.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum lot width of subdivision requirement of the RH-G Zone from 30 metres (100 feet) to 26.6 metres (87 feet) for proposed Lot 2.

Applicant's Reasons:

- The minimum lot width requirement must be reduced for Lot 2 to permit the proposed two lot subdivision under the RH-G Zone.

Staff Comments:

- Proposed Lot 2 complies with the minimum 1,300 square metre (14,000 square feet) lot area requirement of the RH-G Zone, and has a depth of 48.9 metres (160 feet), which exceeds the minimum 30 metre (100 feet) requirement.
- Staff supports the proposed variance in order to permit subdivision under the RH-G Zone to create two lots which are appropriately sized to surrounding properties of the RH-G Zone.

(b) Requested Variance:

- To reduce the minimum west side yard setback of the RH-G Zone from 3 metres (10 feet) to 1.8 metres (6 feet) on proposed Lot 2.

Applicant's Reasons:

- The variance is requested in order to retain large trees on the east side of the property. In order to ensure protection of the trees adjacent to the east property line of proposed Lot 2, the future dwelling is impacted by tree protection areas as much as 4.9 metres (16 feet) from the east property line. This is greater than the minimum 3 metres (10 feet) side yard setback in the RH-G Zone. The variance is requested to offset the increase of the setback to permit an appropriately sized dwelling to be constructed.

Staff Comments:

- Staff supports the requested variance and justification to permit an appropriately sized dwelling to be constructed on proposed Lot 2. The proposed east side yard setback relaxation allows for the retention of a few mature trees adjacent to the east property line without having a substantial impact on the size or layout of the future dwelling to be constructed on proposed Lot 2.

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. 7913-0006-01

Original signed by Nicholas Lai

Jean Lamontagne
General Manager
Planning and Development

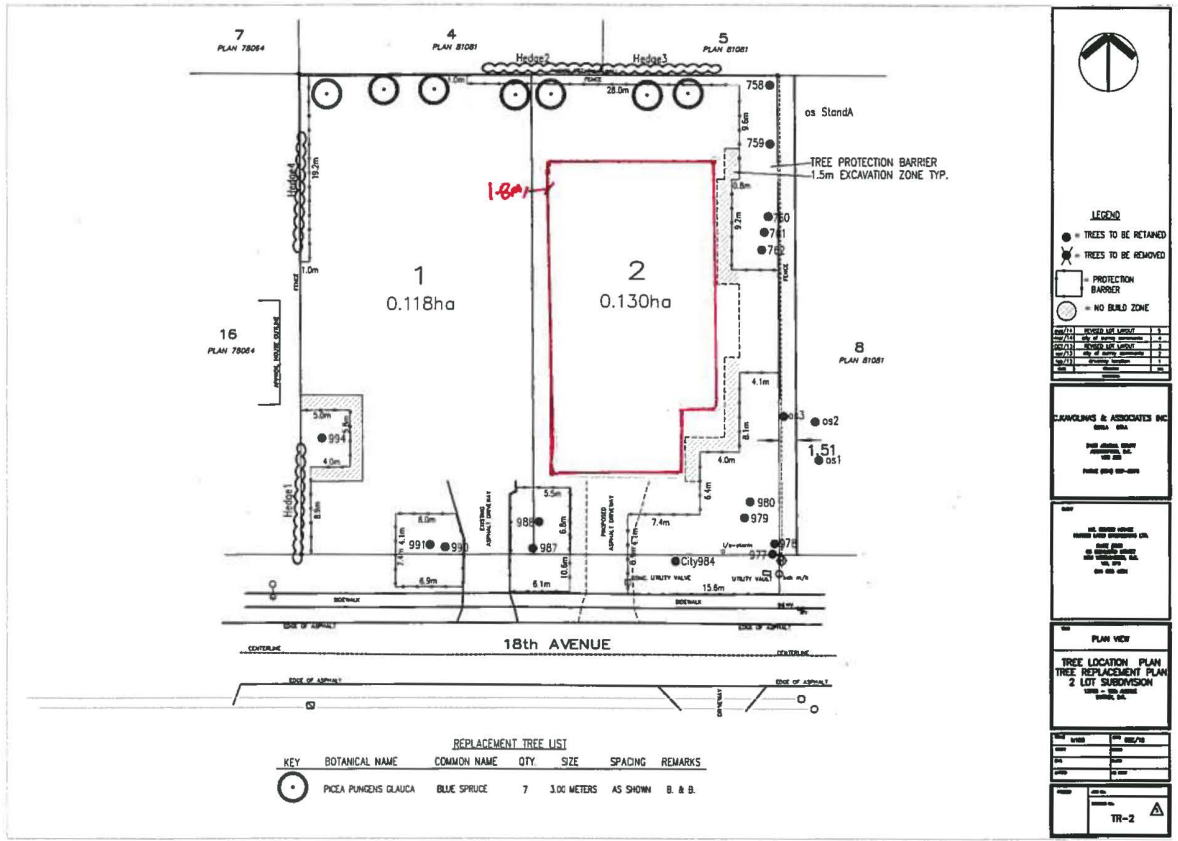
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SUBDIVISION DATA SHEET

Existing Zoning: RH-G

Requires Project Data	Proposed	
GROSS SITE AREA		
Acres	0.61	
Hectares	0.25	
NUMBER OF LOTS		
Existing	1	
Proposed	2	
SIZE OF LOTS		
	<i>Lot 1</i>	<i>Lot 2</i>
Range of lot widths (metres)	24m	26.5m
Range of lot areas (square metres)	1,175m ²	1,300 m ²
DENSITY		
Lots/Hectare & Lots/Acre (Gross)	5.2 lots/ha & 2.1 lots/ac	
Lots/Hectare & Lots/Acre (Net)	5.5 lots/ha & 2.2 lots/ac	
SITE COVERAGE (in % of gross site area)		
Maximum Coverage of Principal & Accessory Building	25%	
Estimated Road, Lane & Driveway Coverage	5%	
Total Site Coverage	30%	
PARKLAND		
Area (square metres)	N/A	
% of Gross Site		
Required		
PARKLAND		
5% money in lieu	NO	
TREE SURVEY/ASSESSMENT		
	YES	
MODEL BUILDING SCHEME		
	NO	
HERITAGE SITE Retention		
	NO	
FRASER HEALTH Approval		
	NO	
DEV. VARIANCE PERMIT required		
Road Length/Standards	NO	
Works and Services	NO	
Building Retention	NO	
Others	NO	



▲

LEGEND

- = TREES TO BE RETAINED
- ⊗ = TREES TO BE REMOVED
- = PROTECTION BARRIER
- = NO BUILD ZONE

DATE	ISSUED	BY
DATE	ISSUED	BY
DATE	ISSUED	BY
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CAWOLINS & ASSOCIATES INC.
 1000 ...
 ...

PLAN VIEW

TREE LOCATION PLAN
TREE REPLACEMENT PLAN
2 LOT SUBDIVISION
 ...

TR-2

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7913-0006-01

Issued To: VIPAN SHARMA
MANJU SHARMA

("the Owner")

Address of Owner: 12308 - 71 Avenue
Surrey, BC V3W 0R2

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: 029-302-676
Lot A Section 16 Township 1 New Westminster District Plan EPP37559

13785 - 18 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 title(s) has/have been issued, as follows:

Parcel Identifier:

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

4. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F of Part 15 "Half-Acre Residential Gross Density Zone (RH-G)" the minimum west side yard setback is varied from 3.0 metres (10 feet) to 1.8 metres (6 feet) for proposed Lot 2; and
 - (b) In Section K, Subsection 3 of Part 15 "Half-Acre Residential Gross Density Zone (RH-G)" the minimum lot width is varied from 30 metres (100 feet) to 26.5 metres (87 feet) for proposed Lot 2.
5. This development variance permit applies to only the portion of 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

