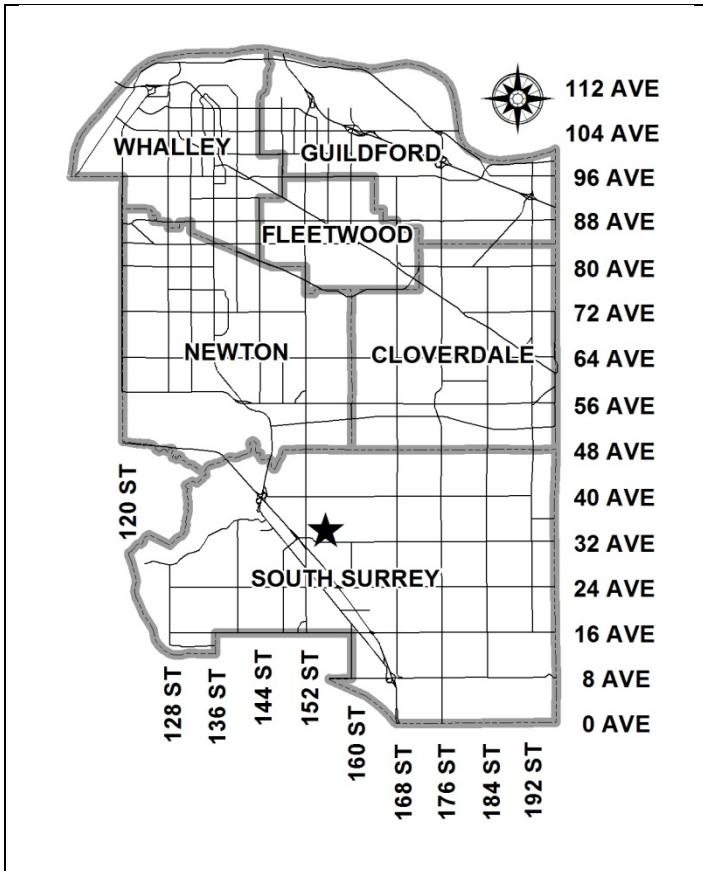


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7913-0068-00

Planning Report Date: September 23, 2013



PROPOSAL:

- **Development Variance Permit**

in order to vary setback to allow retention of the existing house in conjunction with subdivision of the subject property into three single family lots.

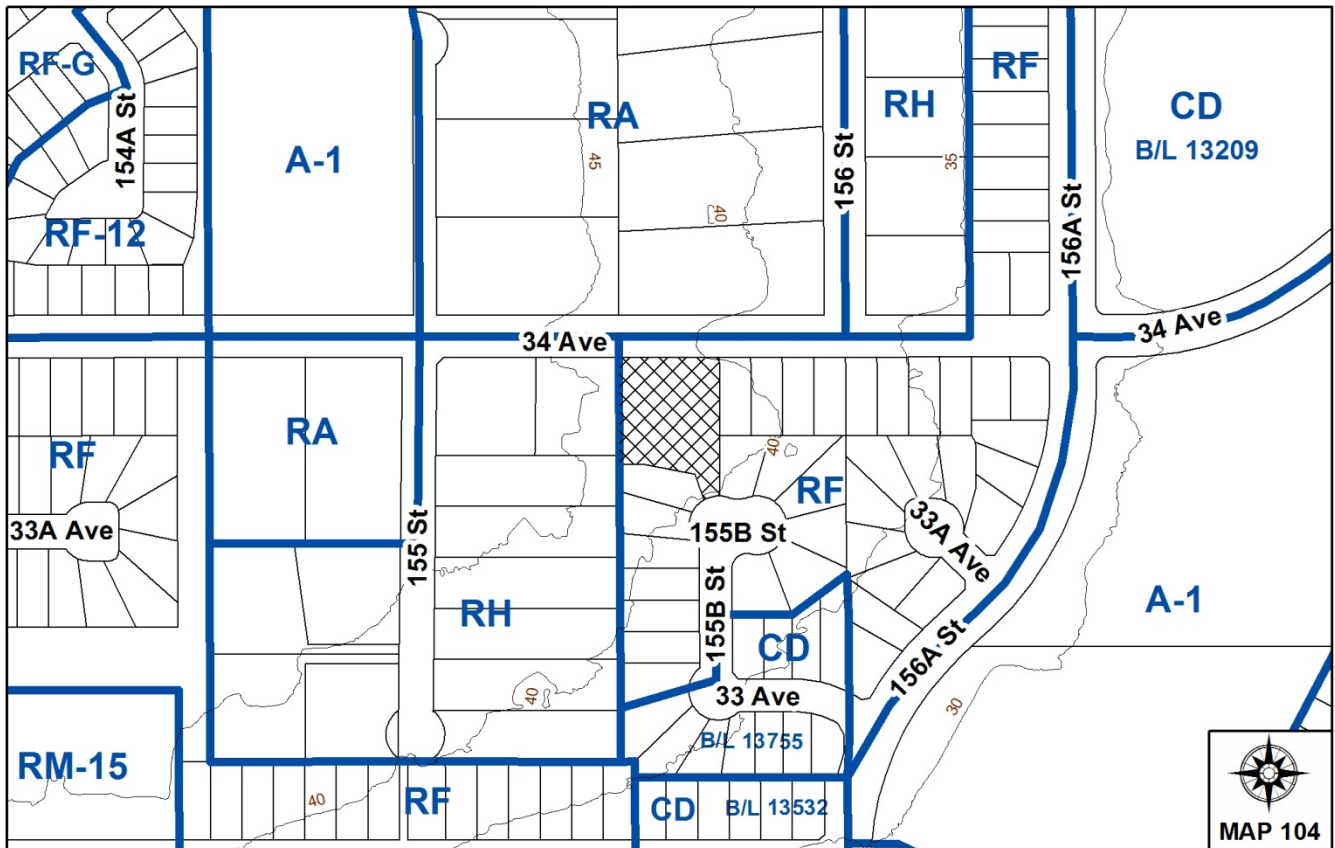
LOCATION: 15574 - 34 Avenue

OWNER: Brandon W Van Horn
 Ferrice D Van Horn

ZONING: RF

OCP DESIGNATION: Urban

NCP DESIGNATION: Single Family Residential/ Buffer



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking rear yard setback relaxation in order to retain an existing house and proceed with subdivision of one lot into three lots, under existing RF zoning.

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Complies with Rosemary Heights Central NCP Designation.
- The existing house is in good condition and will be appropriately modified to suit reorientation of frontages from 34 Avenue to 155B Street. The garage will also be modified to reduce setback variance required, and to reduce overall lot coverage and floor area.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7913-0068-00 (Appendix IV) varying the following, to proceed to Public Notification:

- (a) to reduce the minimum rear yard setback of the Single Family Residential Zone (RF) from 7.5 metres (25 ft.) to 4.35 metres (14 ft.).

REFERRALS

Engineering: The Engineering Department has no objection to the proposed variance.

SITE CHARACTERISTICS

Existing Land Use: single family dwelling, to be retained

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North (Across 34 Avenue):	One acre single family dwelling	Suburban/Suburban ½ Acre Residential	RA
East:	Single family dwelling	Urban/Single Family Residential	RF
South:	Single family dwelling	Urban/Single Family Residential and Buffer	RF
West:	Half acre single family dwelling	Suburban/ Suburban ½ Acre Residential	RH

DEVELOPMENT CONSIDERATIONSBackground

- The 2,647 m² (0.65 acres) subject property is located in South Surrey, in the Rosemary Heights Central Neighbourhood Concept Plan (NCP) area. The site is designated "Urban" in the Official Community Plan (OCP), designated "Single Family Residential" and "Buffer" in the NCP, and zoned "Single Family Residential Zone (RF)". A single family house currently exists on the site and will be retained.

- The subject lot was the remnant lot of Development Application No. 7998-0316-00, which was an application to subdivide the original parent parcel into 29 single family lots zoned RF and CD. The subject property was rezoned to RF at the time, and the existing house was retained then.
- A Restrictive Covenant for the Landscape Buffer on the west side of the property, as per Rosemary Heights Central NCP, was registered with the previous application, for a 7.5 metres (25 ft.) wide landscape buffer, and 9.3 metres (30.5 ft.) setback on the west side. The purpose of this buffer is to provide an appropriate transition between the Urban (RF) development on the subject property and the low density suburban residential uses (RH) development on the adjacent lands to the west.
- At the time of Development Application No. 7998-0316-00, there was no cap on the house size for RF lots, and the house complied with the new RF zoning under the FAR and lot coverage calculations.

Current Proposal

- The current proposal is to subdivide the subject property in order to create three (3) single family lots under the existing RF Zone. In order to retain the same house as was retained under Development Application No. 7998-0316-00, the applicant is requesting a Development Variance Permit in order to permit a reduced rear yard setback.
- The house size is bigger than permitted in the current RF Zone. For a proposed lot size of 1311 m² (14,111 sq. ft.), the maximum house size would be 465 m² (5,000 sq. ft.), while the existing house is 528.8 m² (5,692 sq. ft.). The lot coverage is also exceeded at 31.3%, while the permitted under the RF Zone is 22% for the proposed lot size.
- Renovations to the house are proposed to comply with the Building Code (details below), to make the 155B Street frontage look like the front of the house, and to reduce the size and siting of the garage.
- The garage renovation will bring the garage into compliance with the RF Zone side yard setback provisions, as the current garage is at 1.33 metres (4.4 ft.), and the new garage will comply with the 1.8 metres (6 ft.) setback. For the rear setback, currently the existing garage would be at 0.96 metres (3 ft.) from the proposed lot line, but the new garage will align with the house, and will increased to 4.35 metres (14 ft.) from the new proposed rear property line, thus, requiring a variance. The new garage will also be smaller than the existing garage, reducing both the lot coverage and the floor area.
- The renovations also include the addition of a veranda at the new frontage of the house. The addition of the veranda and the new garage results in less lot coverage and floor area then the existing. This will not be a sufficient reduction to make the house comply with maximum requirements for the RF Zone, but it will reduce the non-compliance, per table below.

Proposed Lot 3 Area: 1311.8 m ² (14,120 sq. ft.)	Existing	Allowed	Proposed
Floor Area	528.8 m ²	465 m ²	499.72 m ²
Lot Coverage	31.3%	22%	30.7%

- A Restrictive Covenant will be registered on title, to reinforce that no additions are permitted, and in case this house is destroyed or demolished, a new house will have to conform to house size and setbacks of the current Zoning By-Law. The restrictive Covenant will be secured as a condition of the subdivision approval.

Spatial Separation Report

- The house being retained on proposed Lot 3 will need some modifications for two reasons: (1) it will be very close to the proposed east-west lot line, and the frontage will become the back of the house and vice-versa; and (2) the driveway access to this property will change from 34 Avenue to the 155B Street cul-de-sac.
- The applicant has retained Michael Tynan from Tynan Consulting Ltd for the proposed modifications, and a Spatial Separation Report.
- The Spatial Separation Report was review by staff and found to be acceptable. It includes several changes to the north façade, mainly to reduce the number of openings and glazing.
- Other modifications proposed include a new deck and railings along the south façade to help make it look like the frontage of the house, and new garage. The south stairs to access the basement will be closed to permit access to the garage, and new stairs to be basement are proposed north of the new garage.
- The current garage is proposed to be demolished, and rebuilt at a lower elevation, smaller size (double instead of triple), and further south, to minimize proximity with other lots. The new garage will comply with the side yard setback (1.8 metres [6 ft], while current garage is at 1.33 metres [4.4 ft.]), and the proposed rear yard setback will change from 0.96 metres (3 ft.) to 4.35 metres (14 ft.).

Lot Grading Plan and Building Scheme

- The applicant has retained Coastland Engineering and Surveying Ltd, and submitted a lot grading plan indicating they intend to have in-ground basements on all lots. The Building Division has reviewed the lot grading information provided by the applicant and has found it to be acceptable to proceed.
- There is a building scheme registered on title as part of Development Application No. 7998-0316-00, and no new building scheme will be needed. The three proposed new lots will have the same building scheme as the other RF lots to the south and to the east.

Trees and landscape buffer

- The applicant has retained Lesley Gifford from Diamond Head Consulting Ltd. to prepare an arborist report for the site, and C. Kavolinas and Associates Inc. to prepare a tree survey for the site.
- Only two trees were identified on the site, both Western Red Cedar. The applicant is proposing to retain one, which is within the landscape buffer and remove the other tree, which is within the proposed building envelope. Eight off-site trees were also identified for

protection. As only one tree is proposed to be removed, the applicant needs 2 replacement trees, and 3 replacement trees are proposed per lot, with no deficit in replacement trees (Appendix III).

Species	On-site retained	On-site removed	Off-site retained	Replacement trees
Western Red Cedar	1	1	-	2
Cherry	-	-	1	-
Douglas fir	-	-	1	-
Pin oak	-	-	1	-
Eastern Redbud	-	-	1	-
Maple (red)	-	-	1	-
Western Hemlock	-	-	1	-
Eastern White Cedar (hedge)	-	-	2	-
TOTAL	1	1	8	2

- A landscape buffer was registered on title as part of Development Application No. 7998-0316-00. However, the planting was never completed. As part of this application, a landscape buffer should be completed on proposed Lots 1 and 3.

PRE-NOTIFICATION

Pre-notification letters and development proposal signs are not required for Development Variance Permit applications. However, a development proposal sign was installed as part of the associated subdivision application. Staff has received no response.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the rear yard setback of Lot 3 in the RF Zone from 7.5 metres [25 ft.] to 4.35 metres [14 ft.]

Applicant's Reasons:

- Reduction of the rear yard setback will allowed house to be retained. Modifications to the house are proposed to bring it to compliance with the Building Code, as a result of the proximity to the new lot line.
- Garage will be demolished and rebuilt at a location further to the south. No side yard setback relaxation will be required, and the rear yard relaxation will be to the back of the house.

Staff Comments:

- The existing house is in good condition.

- The proposed variance will only apply to the existing house, once modifications are made. A Section 219 Covenant will be registered on title, prohibiting any additions to the dwelling, and in the event that the house is destroyed or demolished, new house construction will be subject to the minimum requirements of the RF Zone.
- The rear yard setback on Lots 1 and 2 is not proposed to change. The setback from the existing house to proposed Lot 1 is 4.35 metres [14 ft.], and the new garage is proposed to be built at the same setback of 4.35 metres [14 ft.]. The proposed garage will also be built at an angle, and the setback at its minimum is just at one corner of the garage.
- Proposed modifications to openings and glazing along the north façade will minimize impacts of proximity.
- 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 Proposed modifications to the house
Appendix III.	Summary of Tree Survey and Tree Preservation
Appendix IV.	Development Variance Permit No. 7913-0068-00

INFORMATION AVAILABLE ON FILE

- Spatial Separation Report prepared by Tynan Consulting Ltd. dated June 02, 2013.

original signed by Nicholas Lai

Jean Lamontagne
General Manager
Planning and Development

LFM/da

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DRV 9/19/13 9:49 AM

Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent: Name: Michael Helle
Coastland Engineering & Surveying Ltd.
Address: #101 - 19292 - 60 Avenue
Surrey, B.C. V3S 3M2
Tel: 604-532-9700 - Work
604-532-9700 - Fax

2. Properties involved in the Application

(a) Civic Address: 15574 - 34 Avenue

(b) Civic Address: 15574 - 34 Avenue
Owner: Ferrice D Van Horn
Brandon W Van Horn
PID: 024-659-142
Lot 29 Section 26 Township 1 New Westminster District Plan LMP43933

3. Summary of Actions for City Clerk's Office

(a) Proceed with Public Notification for Development Variance Permit No. 7913-0068-00 and bring the Development Variance Permit forward for issuance and execution by the Mayor and City Clerk.

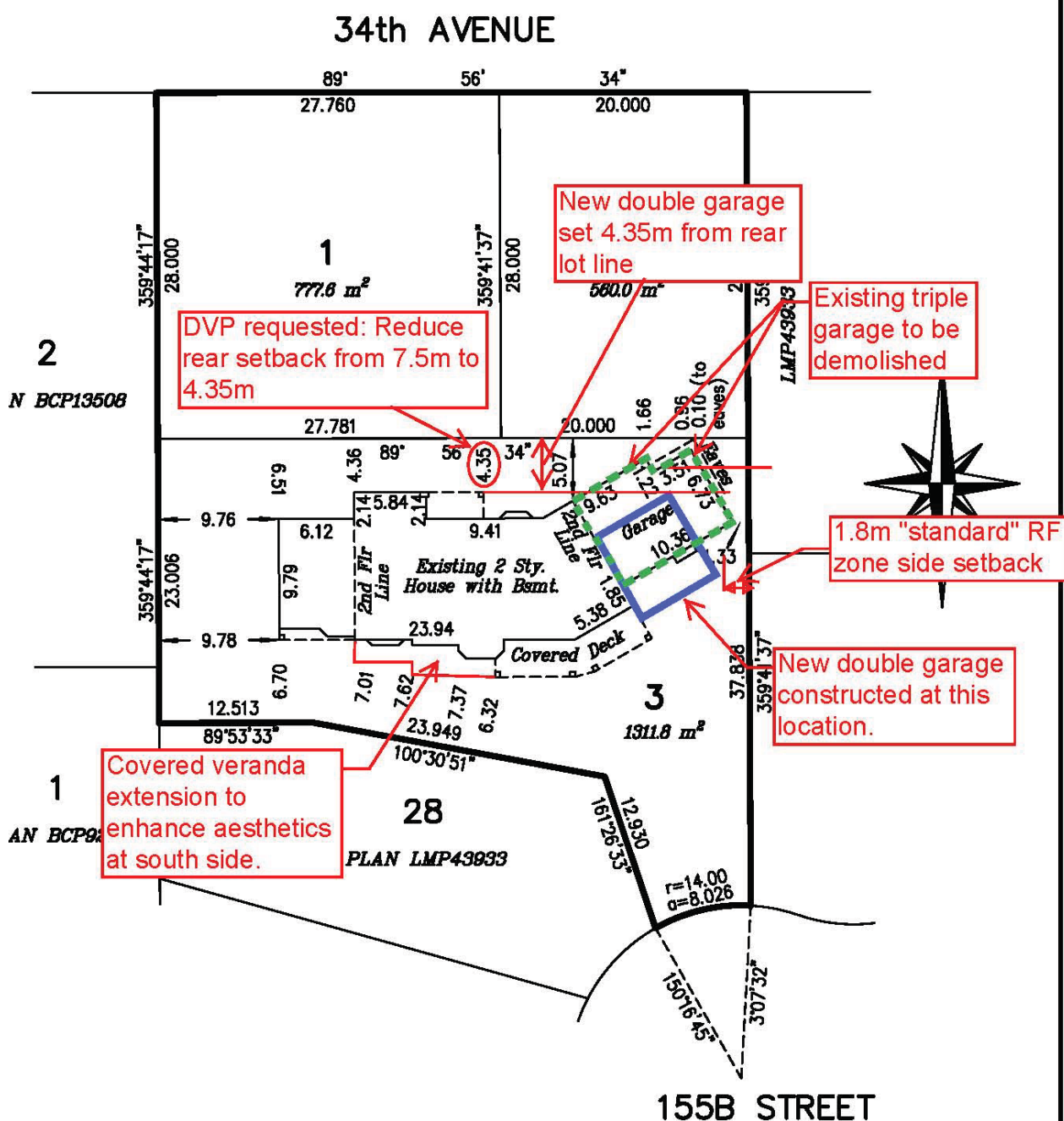
SUBDIVISION DATA SHEET

Proposed Zoning: RF

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	0.65
Hectares	0.2647
NUMBER OF LOTS	
Existing	1
Proposed	3
SIZE OF LOTS	
Range of lot widths (metres)	20 m to 27.76 m
Range of lot areas (square metres)	560 m ² to 1311 m ²
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	11.3 units per hectare / 4.6 units per acre
Lots/Hectare & Lots/Acre (Net)	11.3 units per hectare / 4.6 units per acre
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	32.5%
Estimated Road, Lane & Driveway Coverage	9.7%
Total Site Coverage	42.2%
PARKLAND	
Area (square metres)	n/a
% of Gross Site	n/a
Required	
PARKLAND	
5% money in lieu	NO
TREE SURVEY/ASSESSMENT	
	YES
MODEL BUILDING SCHEME	
	NO (already on title)
HERITAGE SITE Retention	
	NO
BOUNDARY HEALTH Approval	
	NO
DEV. VARIANCE PERMIT required	
Road Length/Standards	NO
Works and Services	NO
Building Retention	YES
Others	NO

Proposed lot 3: 1312 m²

Existing Floor Area (m ²)		Proposed Floor Area (m ²)		CHANGE	m ²
Garage	79.1	Garage	49.0	Garage	-30.1
Main Floor	277.3	Main Floor	277.3	Main Floor	0.0
Upper Floor	172.4	Upper Floor	172.4	Upper Floor	0.0
Total	528.8	Total	498.7	Total	-30.1
F.A.R.%	40.3%	F.A.R.%	38.0%	F.A.R.%	-2.3%
Existing Lot Coverage		Proposed Lot Coverage		Proposed Lot Coverage	
Footprint (m ²)	410.0	Footprint (m ²)	402.5	Footprint (m ²)	-7.5
Lot Cover %	31.3%	Lot Cover %	30.7%	Lot Cover %	-0.6%



TREE PRESERVATION SUMMARY

Project Location: 15574 34 Ave, Surrey, BC Surrey File 13-000068
 Registered Arborist: Lesley Gifford, B.App Sc.
 ISA Certified Arborist (PN5432A)
 Certified Tree Risk Assessor (56)
 BC Parks Wildlife and Danger Tree Assessor

Detailed Assessment of the existing trees of an Arborist's Report is submitted on file. The following is a summary of the tree assessment report for quick reference.

- General Tree Assessment of the Subject Site: Three acre parcel with two homes and several outbuildings.
- Eastern side of lot is undeveloped natural area. Several mature specimen quality fir and ornamental trees on site.

2. Summary of Proposed Tree Removal and Placement:

- The summary will be available before final adoption.


Number of Protected Trees Identified	2	(A)
Number of Protected Trees declared high risk due to natural causes		(B)
Number of Protected Trees to be removed	1	(C)
Number of Protected Trees to be Retained (A-B-C)	1	(D)
Number of Replacement Trees Required (xx @ 1:1 plus xx @2:1)	2	(E)
Number of Replacement Trees Proposed	9	(F)
Number of Replacement Trees in Deficit (E-F)	-	(G)
Total Number of Protected and Replacement Trees on Site (D+F)	10	(H)
Number of Lots Proposed in the Project	3	(I)
Average Number of Trees per Lot (H / I)	3.33	

3. Tree Survey and Preservation / Replacement Plan

- Tree Survey and Preservation / Replacement Plan is attached
- This plan will be available before final adoption

Summary prepared and submitted by:

July 24, 2013



 Arborist

 Date

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7913-0068-00

Issued To: Brandon W Van Horn
("the Owner")

Address of Owner: 15574 34 Avenue
Surrey BC V3S 0G4

Issued To: Ferrice D Van Horn
("the Owner")

Address of Owner: 15574 34 Avenue
Surrey BC V3S 0G4

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: 024-659-142
Lot 29 Section 26 Township 1 New Westminster District Plan LMP43933
15574 34 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) In Section F. Yards and Setbacks of Part 16 Single Family Residential Zone (RF), the minimum rear yard setback of the principal building is reduced from 7.5 metres [25 ft.] to 4.35 metres [14 ft.] on proposed Lot 3;
5. This development variance permit applies to only 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 lot 3: 1312 m²

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