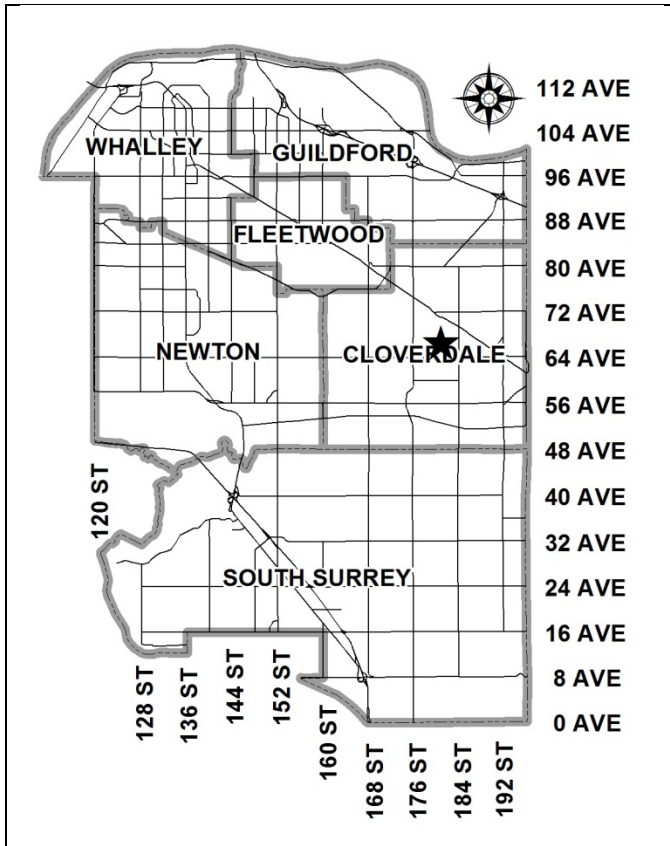


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7913-0120-01

Planning Report Date: December 15, 2014



PROPOSAL:

- **Development Variance Permit**
 in order to relax the rear yard setback of the RF-12 Zone for one proposed, irregular shaped lot.

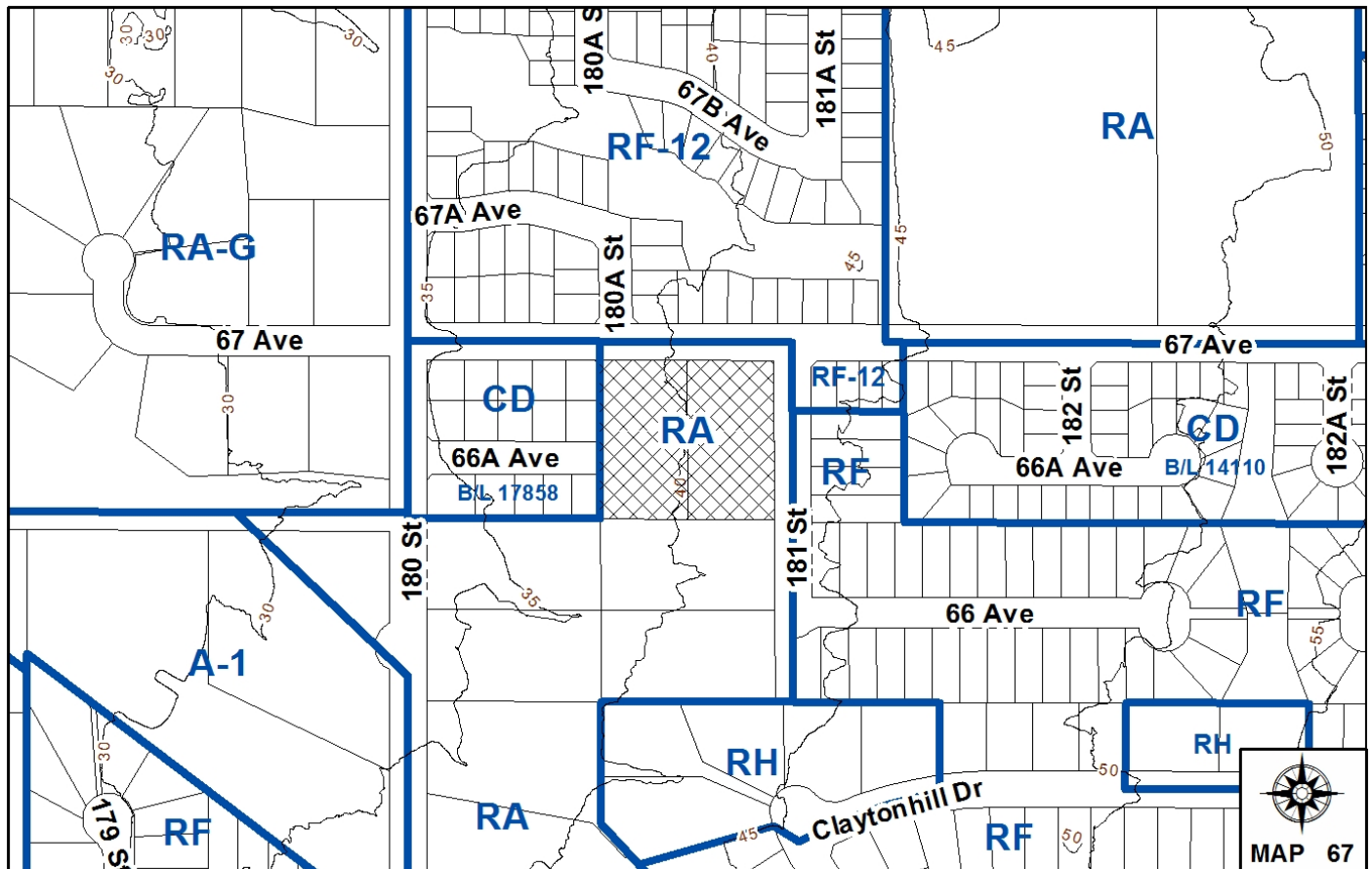
LOCATION: 18072 - 67 Avenue
 6677 - 181 Street

OWNER: 0970121 B.C. LTD.

ZONING: RA (RF-12 at Third Reading)

OCP DESIGNATION: Suburban (Urban at Third Reading)

NCP DESIGNATION: Existing Homes



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Requesting a relaxation to the minimum rear yard setback for the principal building of the RF-12 Zone from 7.5 metres (25 ft.) and 6.0 metres (20 ft.) to 5.5 metres (18 ft.) for proposed Lot 15.

RATIONALE OF RECOMMENDATION

- Proposed Lot 15 is an irregular shaped lot, and the requested relaxation will allow for a standard sized RF-12 house to be constructed with a more functional floor plan.
- Without the proposed rear yard setback relaxation, the house size will be 25% smaller than what is permitted for a 370 square metre (3,983 sq. ft.) lot in the RF-12 Zone.
- Proposed Lot 15 has a rear yard that is wider than a typical front loaded RF-12 lot, and therefore, it will still have rear yard space comparable in size to a typical RF-12 lot with the proposed relaxation.
- No existing houses will be impacted by the proposed variance.
- The rezoning of the subject site to the RF-12 Zone is at Third Reading. The applicant is currently completing the servicing agreement and intends to seek Final Adoption in early 2015.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7913-0120-01 (Appendix IV) varying the following, to proceed to Public Notification:

- (a) to reduce the minimum rear yard setback for the principal building of the RF-12 Zone from 7.5 metres (25 ft.) and 6.0 metres (20 ft.) to 5.5 metres (18 ft.) for proposed Lot 15.

REFERRALS

Engineering: The Engineering Department has no requirements relative to the issuance of the Development Variance Permit.

SITE CHARACTERISTICS

Existing Land Use: Acreage parcels with single family dwellings to be removed.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North (Across 67 Avenue):	Small lots recently approved under Application No. 7913-0184-00	Urban in OCP / Small Lots in NCP	RF-12
East (Across 181 Street):	Single family homes	Urban in OCP / Small Lots in NCP	RF-12 and RF
South:	Single family home	Suburban in OCP	RA
West:	Single family homes under construction	Urban in OCP / Small Lots in NCP	CD (By-law No. 17858)

DEVELOPMENT CONSIDERATIONS

- The subject site is located at 18072 – 67 Avenue and 6677 – 181 Street in North Cloverdale. It is currently under development application No. 7913-0120-00 proposing to amend the OCP from Suburban to Urban, amend the North Cloverdale West NCP from "Existing Homes" to "Small Lots" and "Single Family Residential", and to rezone the site from RA to RF-12 in order to allow subdivision into 16 single family lots. Third Reading of the OCP Amendment and Rezoning By-laws was given on July 21, 2014.

- Lot 15 of the proposed subdivision (File No. 7913-0120-00) complies with the minimum lot dimensions of the RF-12 Zone but is an irregular shape. As such, the applicant retained Mike Tynan (certified design consultant) of Tynan Consulting Ltd. to review potential house layouts for proposed Lot 15 to determine whether or not the lot can achieve a standard sized RF-12 house under the current setback provisions of the RF-12 Zone. The review confirmed that a standard sized house with a functional floor plan cannot be achieved and therefore, a relaxation to the rear yard setback is being requested.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum rear yard setback for the principal building of the RF-12 Zone from 7.5 metres (25 ft.) and 6.0 metres (20 ft.) to 5.5 metres (18 ft.) for proposed Lot 15.

Applicant's Reasons:

- Proposed Lot 15 is an irregular shape and cannot achieve a standard sized house with a functional floor plan under the setback provisions of the RF-12 Zone.

Staff Comments:

- The minimum rear yard setback in the RF-12 Zone is 7.5 metres (25 ft.). However, a reduction to 6.0 metres (20 ft.) is permitted for a maximum of 50% of the width of the rear of the principal building for Type II lots. The applicant is requesting to reduce the rear yard setback to 5.5 metres (18 ft.) for 100% of the rear width of the principal building.
- Based on a footprint analysis by Tynan Consulting Ltd., the size of a future house on proposed Lot 15 would be approximately 193 square metres (2,075 sq. ft.) based on the current setback provisions of the RF-12 Zone. With the proposed rear yard setback relaxation, the approximate house size could increase to approximately 229 square metres (2,464 sq. ft.), which is slightly less than the maximum permitted floor area in the RF-12 Zone of 260 square metres (2,800 sq. ft.).
- Based on the irregular shape of the lot, the rear face of the future house will not be parallel to the rear lot line. Therefore, only a portion of the rear face of the future house will be set back 5.5 metres (18 ft.), while the remaining rear face will be set back greater than 5.5 metres (18 ft.) from the rear property line (Appendix III).
- The rear property line of proposed Lot 15 is 23 metres (75 ft.) wide, which exceeds the minimum 13.4-metre (44 ft.) width for a Type II RF-12 lot. Therefore, even with the proposed setback relaxation, the amount of rear yard space will be comparable to a standard RF-12 lot.
- Proposed Lot 15 is 370 square metres (4,000 sq. ft.) in area, which exceeds the minimum 320-square metre (3,400 sq. ft.) lot size required for an interior lot under the RF-12 Zone.

- The requested variance will not impact any existing houses, as all of the adjacent lots are proposed new lots under the associated rezoning and subdivision application (File No. 7913-0120-00) currently at Third Reading.
- Staff support the requested variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Proposed Subdivision Layout for Application No. 7913-0120-00
Appendix III.	Footprint Study
Appendix IV.	Development Variance Permit No. 7913-0120-01

original signed by Judith Robertson

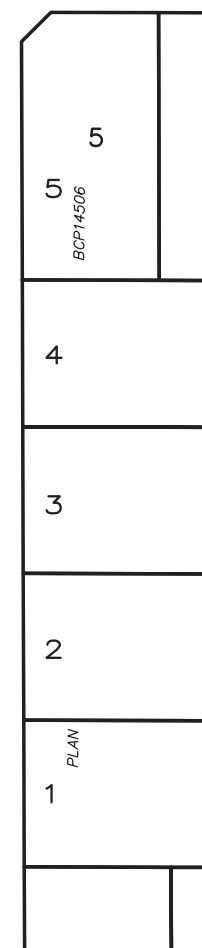
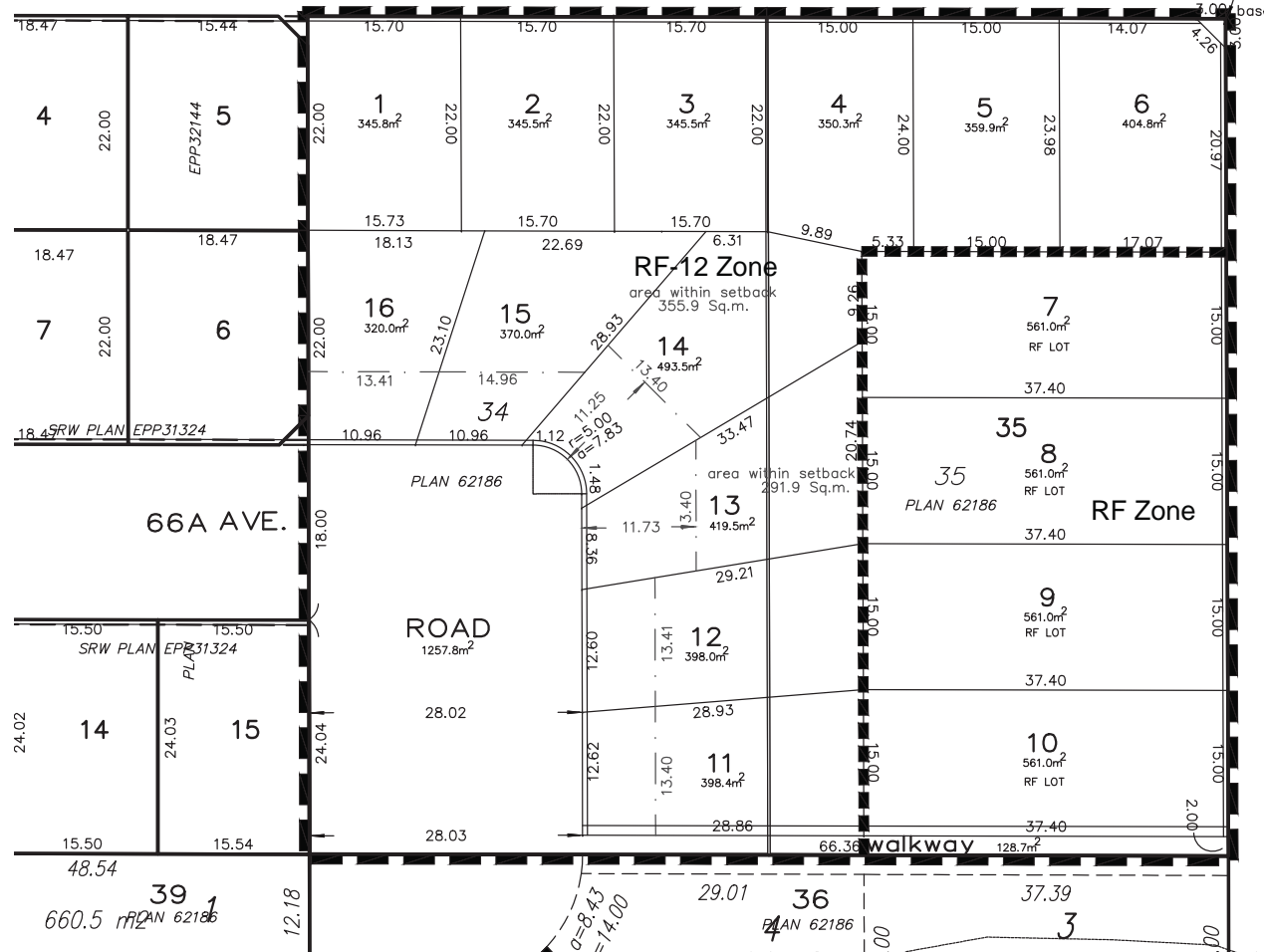
Jean Lamontagne
General Manager
Planning and Development

JD/da

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67 AVE

ROAD



Proposed Subdivision Layout

Preliminary Subdivision Plan

0970121 BC Ltd. (Peter Randhawa) - #18072 67 Avenue & #6677 181 Street
7913-0120-00

181 ST



A Focus Cor
November 2
#6904

APPENDIX II

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7913-0120-01

Issued To: 0970121 B.C. LTD.

("the Owner")

Address of Owner: 5496 - 189A Street
Surrey, BC V3S 6W7

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: 001-710-630
 Lot 34 Section 17 Township 8 New Westminster District Plan 62186

18072 - 67 Avenue

Parcel Identifier: 000-444-464
 Lot 35 South East Quarter Section 17 Township 8 New Westminster District Plan 62186

6677 - 181 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 has 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:

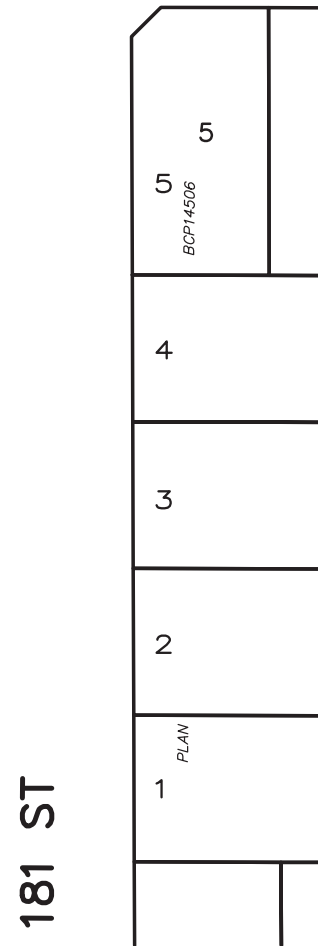
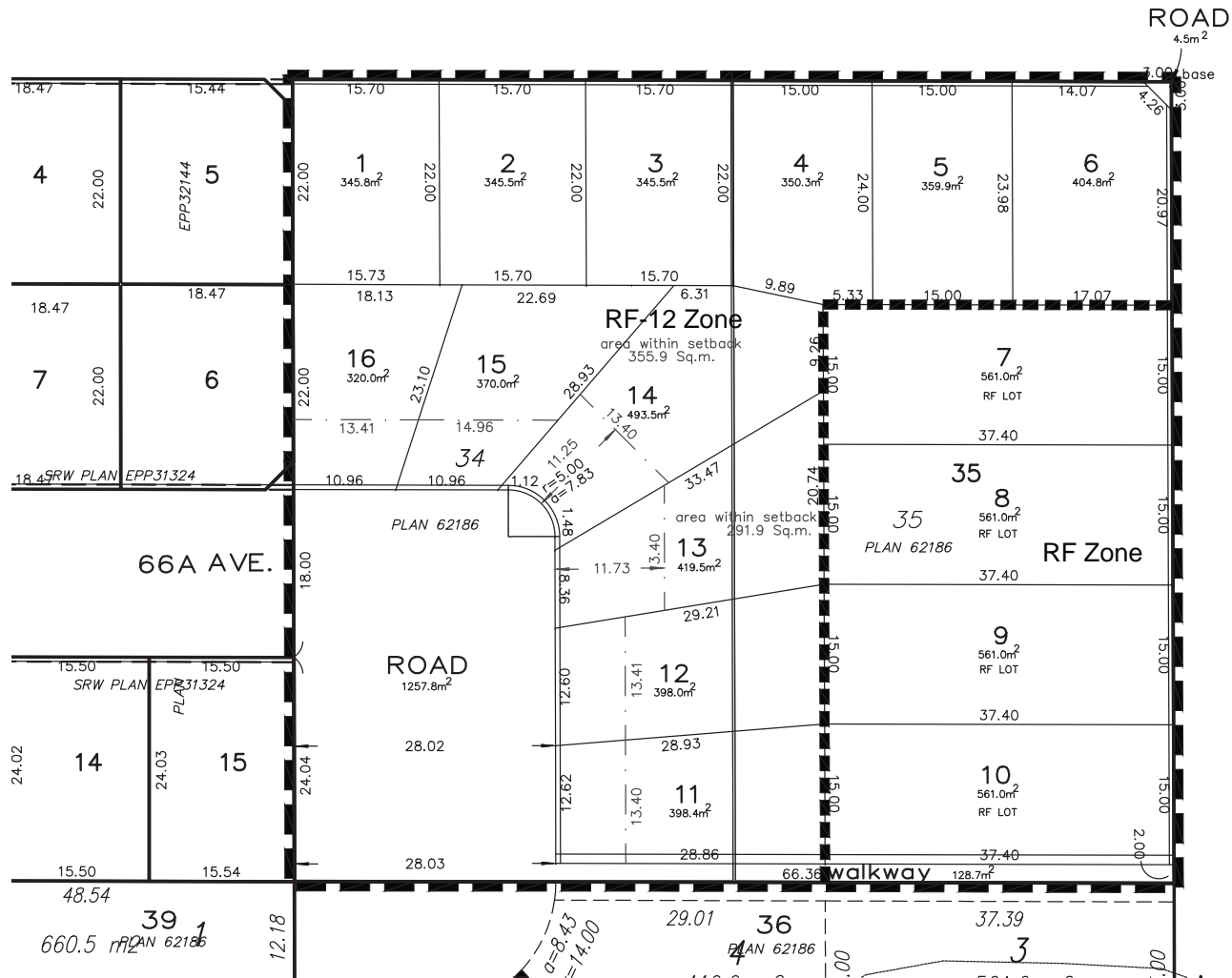
4. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F, Part 17A "Single Family Residential (12) Zone (RF-12)", the minimum rear yard setback is reduced from 7.5 metres (25 ft.) and 6.0 metres (20 ft.) to 5.5 metres (18 ft.) for 100% of the width of the rear of the principal building for proposed Lot 15.
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 – Linda Hepner

City Clerk – Jane Sullivan

67 AVE



Schedule A

Preliminary Subdivision Plan
 0970121 BC Ltd. (Peter Randhawa) - #18072 67 Avenue & #6677 181 Street
 7913-0120-00