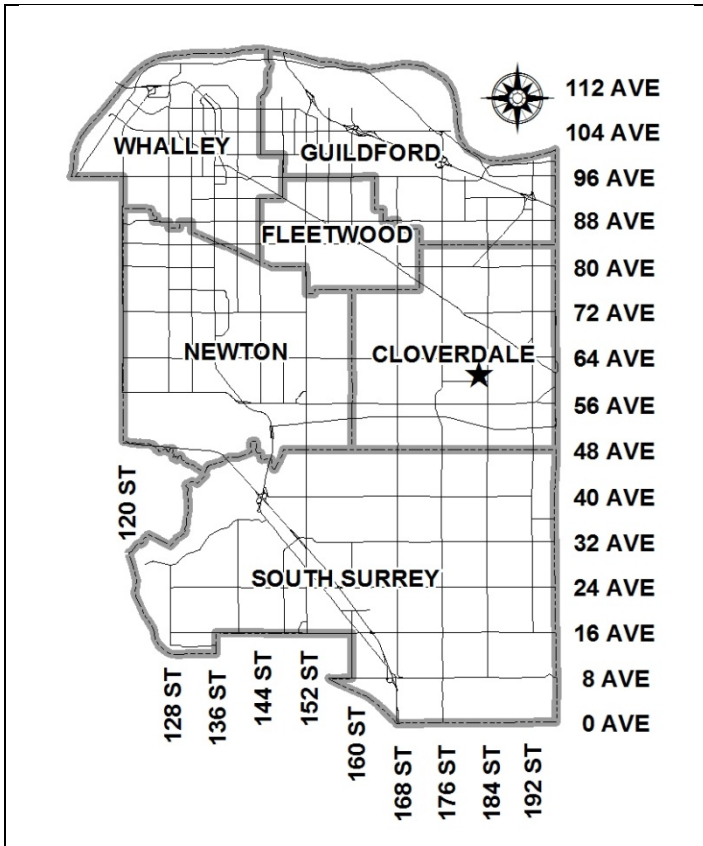


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7913-0249-00

Planning Report Date: March 31, 2014



PROPOSAL:

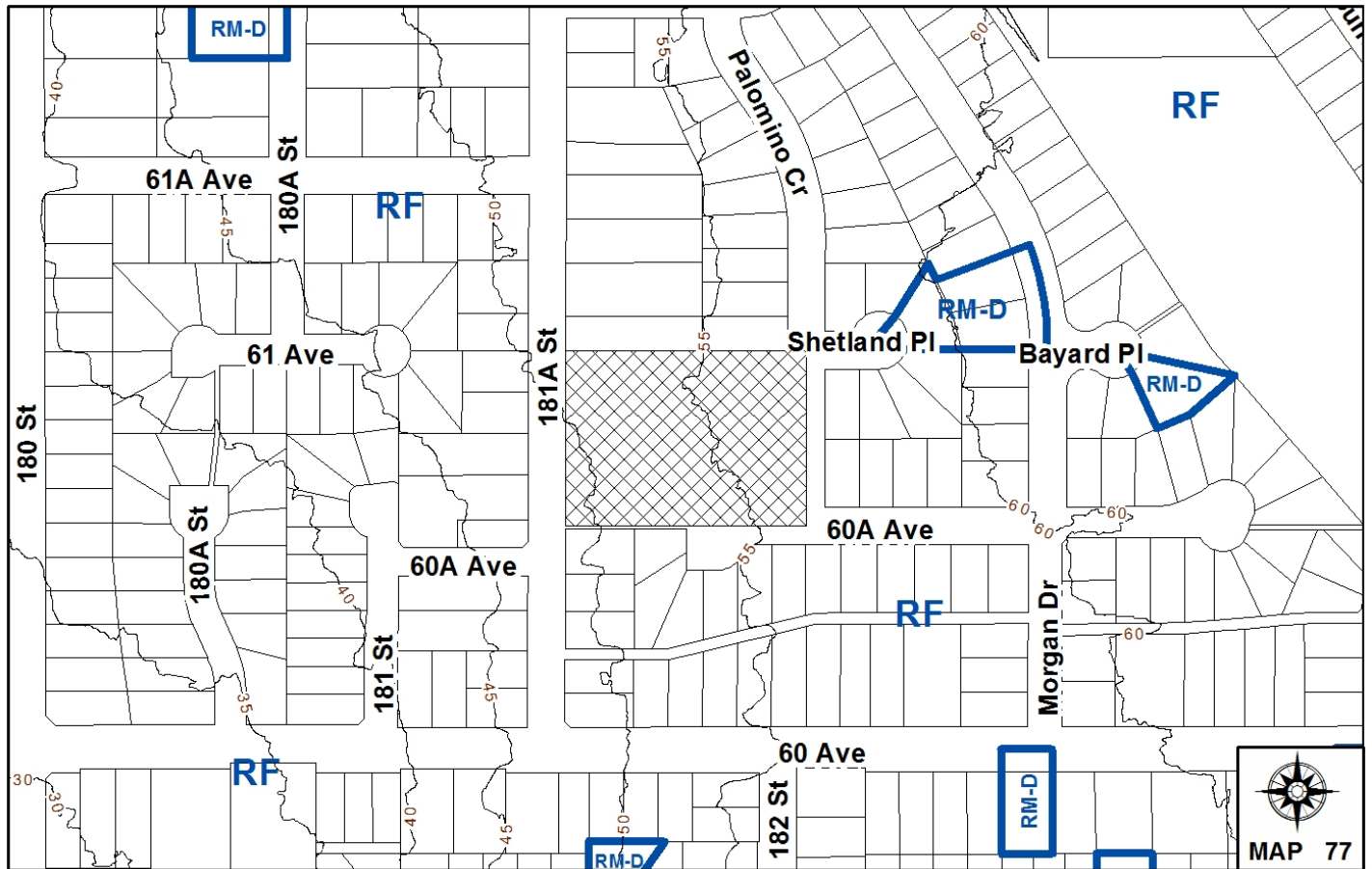
- **Development Variance Permit**
 to vary the front yard setback for proposed Lot 5 and to vary lot the depth for proposed Lots 5 and 10, in order to permit a 17-lot single family subdivision.

LOCATION: 6092 - 181A Street

OWNER: 0946314 BC Ltd.

ZONING: RF

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking to vary the front yard setback of the RF Zone for proposed Lot 5 from 7.5 metres (25 ft.) to 3.6 metres (12 ft.).
- Seeking to vary the Zoning By-law regulation on how lot depth is determined, for proposed Lots 5 and 10.

RATIONALE OF RECOMMENDATION

- As proposed Lot 5 is located on the edge of a cul-de-sac bulb, it is considered to have two front yards. A variance is required to reduce the front yard setback for one of the frontages from 7.5 metres (25 ft.) to 3.6 metres (12 ft.), which is comparable to the side yard setback on a flanking street, in order to achieve a reasonable house size.
- As proposed Lots 5 and 10 are irregular in shape, the way lot depth is measured needs to be varied in order to allow the creation of these two lots. The proposed lots can accommodate a standard RF-zoned house with appropriate street orientation.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7913-0249-00 (Appendix V) varying the following, to proceed to Public Notification:

- (a) to reduce the minimum front yard setback of the RF Zone from 7.5 metres (25 ft.) to 3.6 metres (12 ft.) for one of the lot frontages for proposed Lot 5; and
- (b) to vary the Zoning By-law regulation, for proposed Lots 5 and 10, to allow lot depth to be measured as a straight line perpendicular to the width of the lot and having the least distance between the front corner (rather than the front lot line) and the furthest opposing lot line.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Large, 1.2-hectare (3-acre) lot with two dwellings and accessory buildings to be removed.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Single family dwellings on large lots, ranging in size from 840 sq.m. to 2,104 sq.m. (0.2 ac. to 0.5 ac.).	Urban	RF
East (Across Palomino Crescent):	Single family dwellings.	Urban	RF
South (Across 60A Avenue and walkway):	Single family dwellings.	Urban	RF
West (Across 181A Street):	Single family dwellings.	Urban	RF

DEVELOPMENT CONSIDERATIONS

- The 1.2-hectare (3 acre) subject property is located in Cloverdale, just to the east of the Cloverdale Town Centre Plan area. The site is designated "Urban" in the Official Community Plan and is zoned "Single Family Residential Zone (RF)".

- Most of the single family lots to the east were created over 35 years ago based on the R-2 Zone of Zoning By-law No. 2265.
- On February 18, 2013, Development Application No. 7913-0039-00 was submitted for the subject site in order to create a 16-lot, single family subdivision under the existing RF Zone. The ownership of the subject site subsequently changed, and the application was closed.
- On November 6, 2013, the current proposal, Development Application No. 7913-0249-00, was submitted for a 17-lot subdivision.
- The current proposal is to subdivide the subject property in order to create 17 single family lots under the existing RF Zone. Two single family dwellings and an accessory building currently exist on the site and will be removed.
- The proposal includes the creation of a new cul-de-sac (future 61 Avenue), accessed from 181A Street which runs along the west side of the subject site, the widening of Palomino Crescent from 10 metres (33 ft.) to 20 metres (66 ft.) along the eastern frontage of the subject site, the completion of the north half of the 60A Avenue cul-de-sac bulb, and the widening and construction of a pedestrian walkway that connects 60A Avenue to 181A Street.
- Due to the curvature of the new 61 Avenue cul-de-sac, proposed Lot 5, under the provisions of Zoning By-law No. 12000, is considered to have two front lot lines. Any dwelling proposed for the lot will be required to have two front yard setbacks of 7.5 metres (25 ft.). As a result, the applicant has requested a variance to one of the front yard setbacks (see By-law Variance section).
- Some of the lots in the proposed development are of irregular shape and, due to the irregular shape of proposed Lots 5 and 10, the applicant has requested that the way in which lot depth is measured be varied, in order to enable the Approving Officer to permit the creation of these two lots.
- Other than the depth of proposed Lots 5 and 10, all of the proposed 17 lots conform to the minimum width, depth and area requirements of the RF Zone.

PRE-NOTIFICATION

Pre-notification letters are not required for the requested Development Variance Permit. However, Development Proposal Signs were erected on the property on February 7, 2014 for the associated subdivision application No. 7913-0249-00. As a result of the Development Proposal Sign, staff received 2 responses from residents (1 phone call and 2 emails), with the following comments (*staff responses in italics*):

- Two (2) residents asked how the proposed layout has changed from the previous application, inquired about the development potential to the north of the site, and expressed concern about traffic safety at the corner of 60A Avenue and Palomino Crescent.

(Staff explained that the road network is very similar to the previous 16-lot development proposal. However, one additional lot is proposed for the new cul-de-sac along the north edge of the subject site.

As part of the current proposal, the applicant prepared a development concept for the lands to the north of the subject site. Staff shared that concept with the callers, advising them that it is a concept only and the ultimate development potential of the lots to the north would be subject to detailed review if a formal application for these lands is submitted.

Currently, 60A Avenue and Palomino Crescent are half-roads. A 3-way stop sign is located at the intersection of these two roads to help control the intersection of these two half roads. As part of the proposed subdivision, the applicant will be required to construct the undeveloped halves of both Palomino Crescent and 60A Avenue, which will improve the intersection and provide better sightlines for people in vehicles traveling through the intersection.)

- One (1) resident expressed concern that eagles may be nesting in a tree on this site.

(The applicant hired a Registered Professional Biologist to confirm whether eagles are beginning to build a nest on this site, and subsequently determined that there are no protected species nesting on the site.)

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To reduce the eastern portion of the front yard setback of the RF Zone from 7.5 metres (25 ft.) to 3.6 metres (12 ft.) for proposed Lot 5.

Applicant's Reasons:

- Although proposed Lot 5 is not a corner lot, it would function much better if the setbacks reflected a corner lot.
- In order to achieve the maximum house size on proposed Lot 5, a relaxation to 3.6 metres (12 ft.) is requested for the eastern front yard setback.
- The applicant's design consultant has provided an example of the size of house that could be achieved with and without the requested variance. Based on calculations provided by the applicant's design consultant, the maximum house size that can be constructed is 336 square metres (3,620 sq.ft.) based on proposed Lot 5 being 561 square metres (6,000 sq. ft.) in area.
- If a house were to be constructed on proposed Lot 5 without a variance, the applicant's design consultant estimates the maximum house size achievable is 291 square metres (3,140 sq.ft.).

Staff Comments:

- Due to the curvature of the new cul-de-sac bulb, proposed Lot 5 technically has two front lot lines and not a front lot line and street flanking side lot line.
- The proposed variance of the eastern front yard from 7.5 metres (25 ft.) to 3.6 metres (12 ft.), is comparable to a side yard setback on a flanking street. The requested setback variance will not negatively impact the streetscape or the adjoining properties.

- Staff support the requested variance.

(b) Requested Variance:

- To vary Sub-section E.21(e) of Part 4 General Provisions of the Zoning By-law, in order to measure lot depth for proposed Lots 5 and 10 as a straight line perpendicular to the width of the lot and having the least distance between the front corner (rather than the front lot line) and the furthest opposing lot line.

Applicant's Reasons:

- The lots are deep enough to accommodate the maximum house size for each of these lots.
- The variance would result in alignment between the garages on proposed Lots 5 and 6.

Staff Comments:

- Under the Zoning By-law provisions, lot depth is determined as a straight line perpendicular to the width of the lot and having the least distance between the front lot line and the furthest opposing lot line.
- Due to the irregular shape of proposed Lots 5 and 10, if the lot depth is measured from the front lot line, rather than the corner, then the proposed lots would not comply with the lot depth measurement required by the Zoning By-law and could affect overall lot yield.
- The applicant's design consultant has demonstrated that houses constructed on proposed Lots 5 and 10 will be appropriately oriented to the street.
- Staff support the requested variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

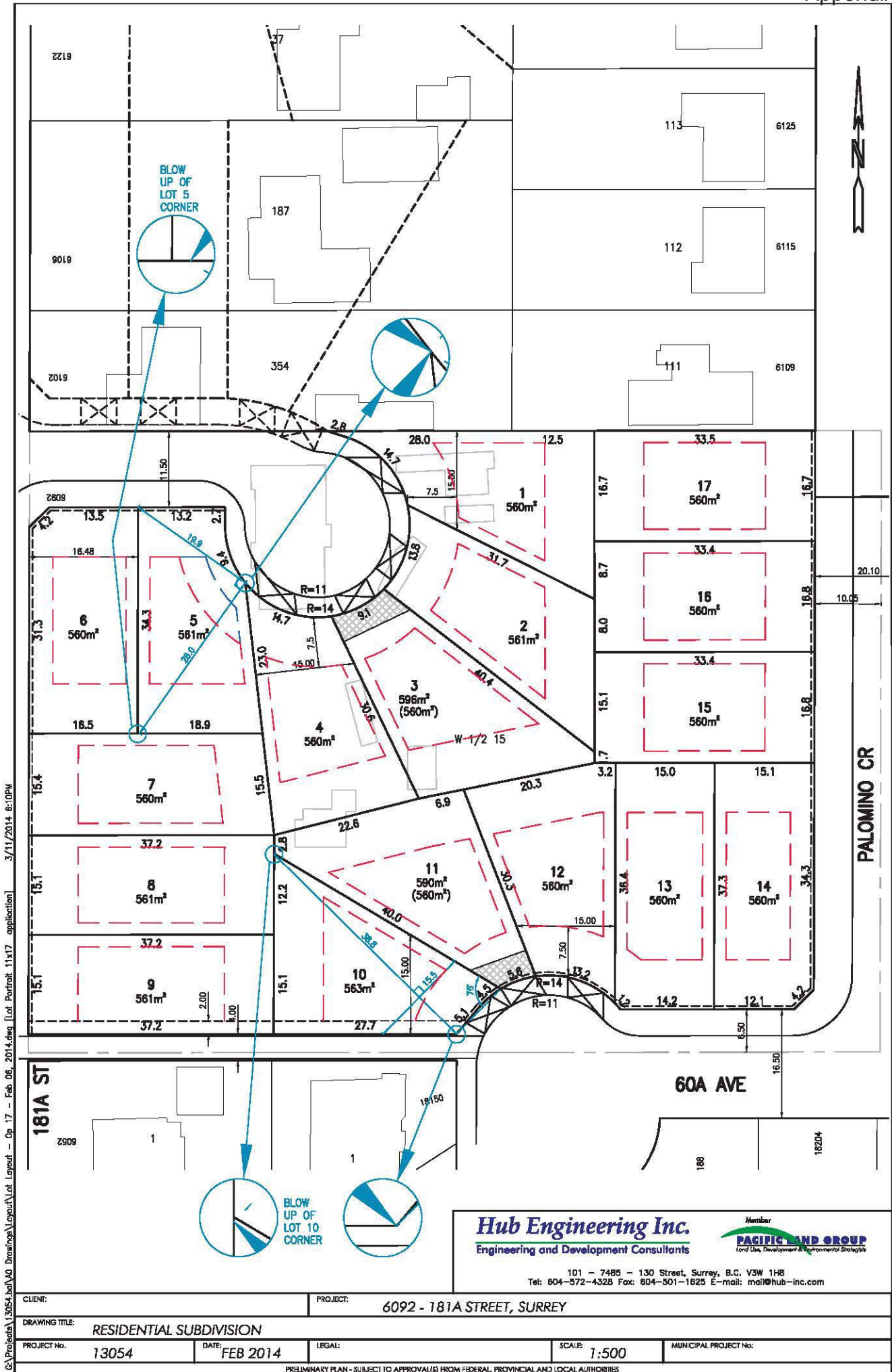
- Appendix I. Lot Owners and Action Summary
- Appendix II. Proposed Subdivision Layout
- Appendix III. Possible house footprint on proposed Lot 5
- Appendix IV. Development Variance Permit No. 7913-0249-00

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

SAL/JD/da

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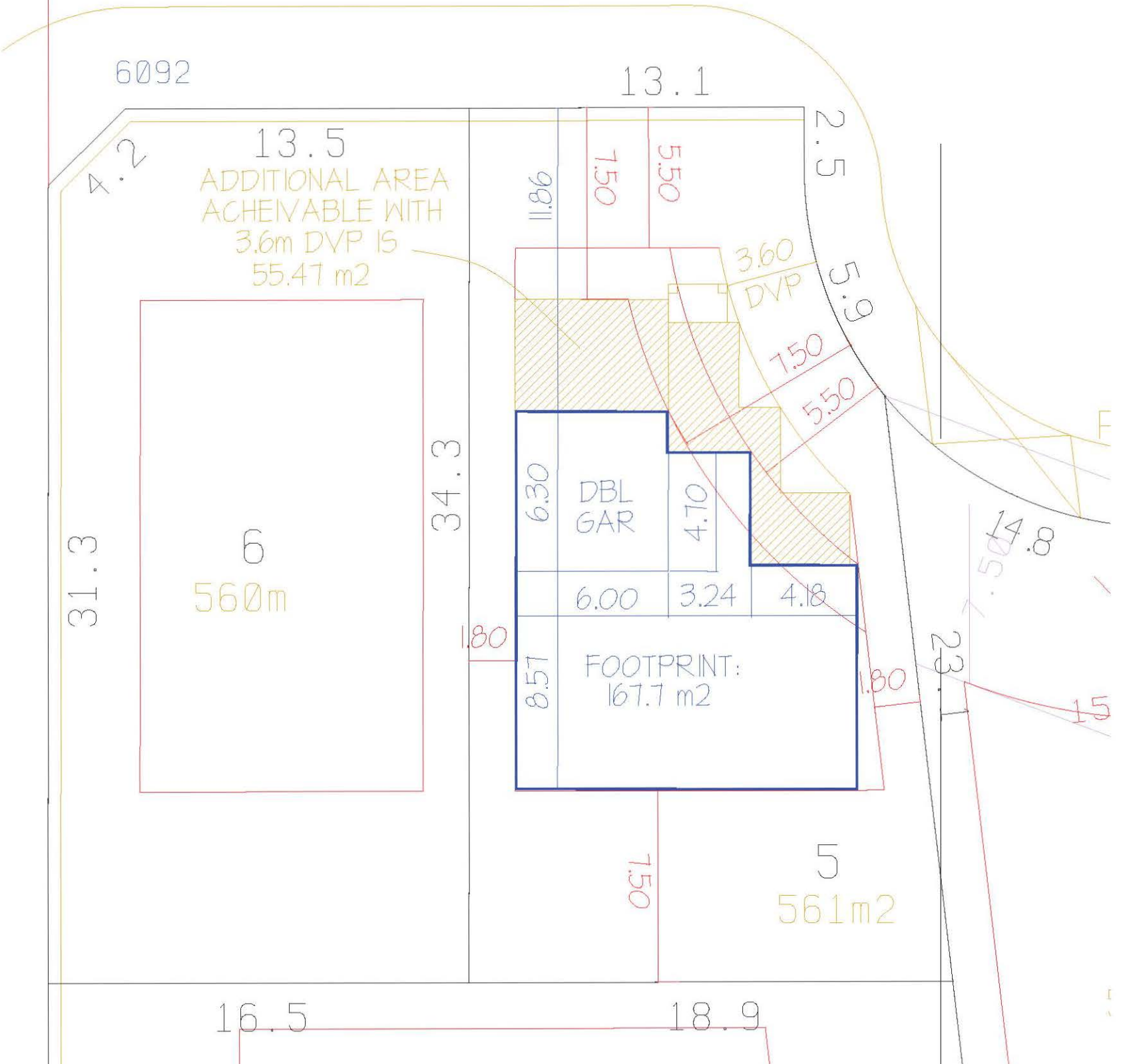
Hub Engineering Inc.
 Engineering and Development Consultants

Member
PACIFIC LAND GROUP
 Land Use, Development & Environmental Strategies

101 - 7485 - 130 Street, Surrey, B.C. V3W 1H8
 Tel: 604-572-4328 Fax: 604-501-1825 E-mail: mail@hub-inc.com

CLIENT:	PROJECT: 6092 - 181A STREET, SURREY		
DRAWING TITLE:	RESIDENTIAL SUBDIVISION		
PROJECT No. 13054	DATE: FEB 2014	LEGAL:	SCALE: 1:500
MUNICIPAL PROJECT No.:		PRELIMINARY PLAN - SUBJECT TO APPROVAL(S) FROM FEDERAL, PROVINCIAL AND LOCAL AUTHORITIES	

Proposed setback variance - Lot 5



CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7913-0249-00

Issued To: 0946314 BC Ltd

("the Owner")

Address of Owner: 6092 – 181A Street
SURREY BC V3S 1S5

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: 012-146-510
West Half Lot 15 Section 8 Township 8 New Westminster District Plan 1827
6092 181A St

(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:

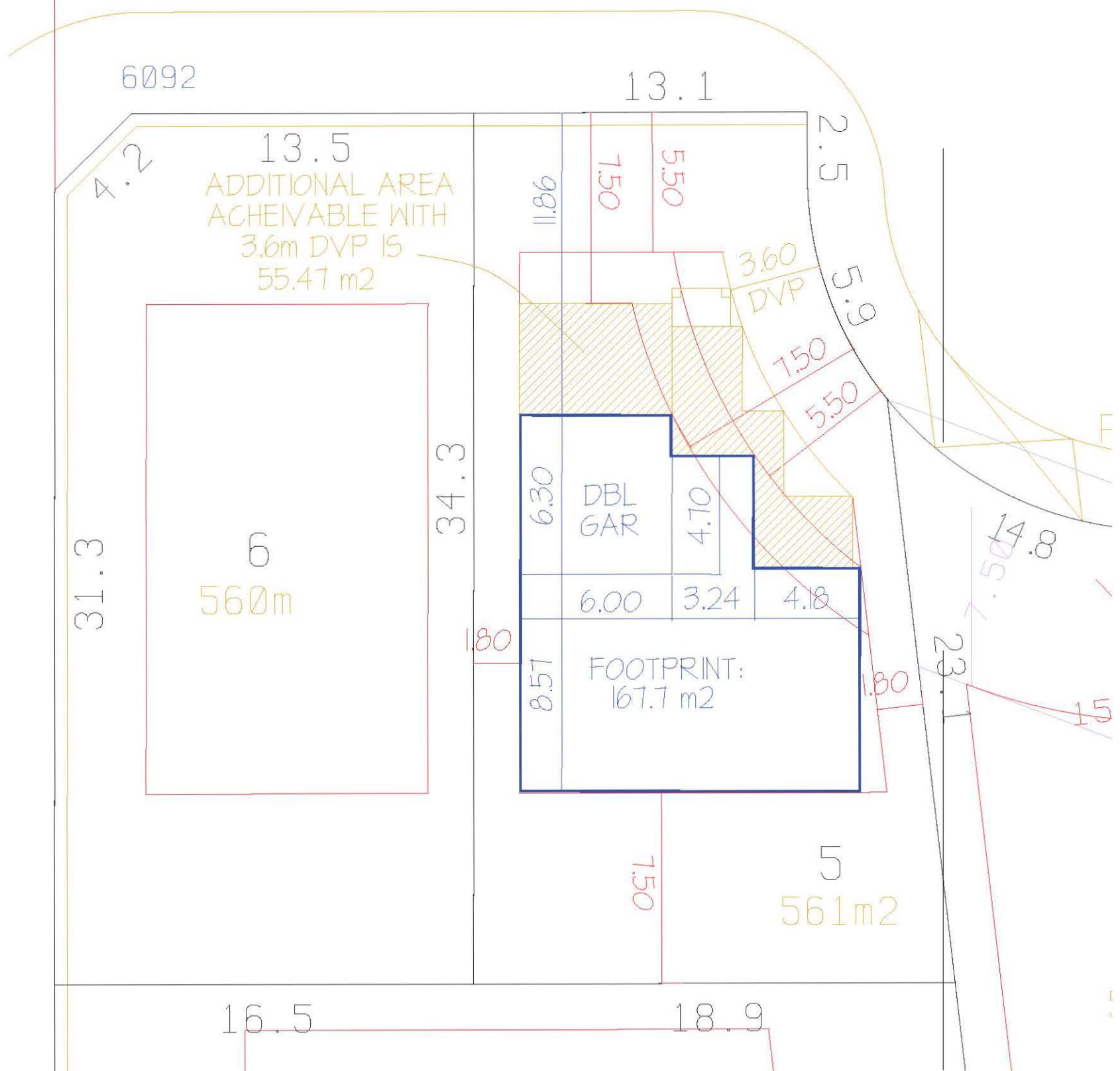
- (a) In Section F of Part 16 Single Family Residential Zone (RF), the minimum front yard setback is reduced from 7.5 metres (25 ft.) to 3.6 metres (12 ft.) for a portion of proposed Lot 5; and
 - (b) In Sub-section E.21(e) of Part 4 General Provisions, the lot depth for proposed Lots 5 and 10 is determined as a straight line perpendicular to the width of the said lot and having the least distance between the front corner (rather than the front lot line) and the furthest opposing lot line.
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.
 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.

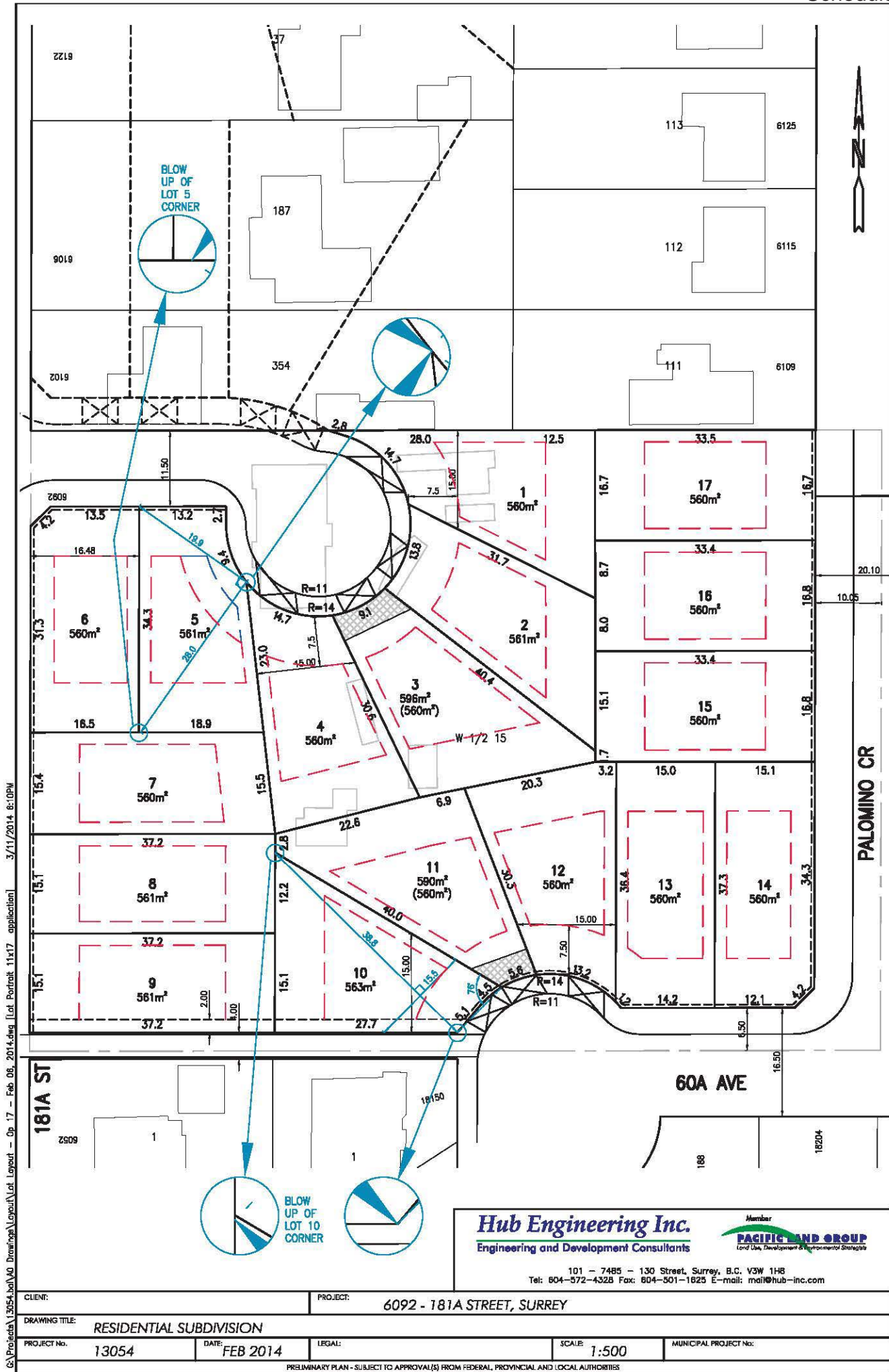
AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 .
ISSUED THIS DAY OF , 20 .

Mayor – Dianne L. Watts

City Clerk – Jane Sullivan

Proposed setback variance - Lot 5





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