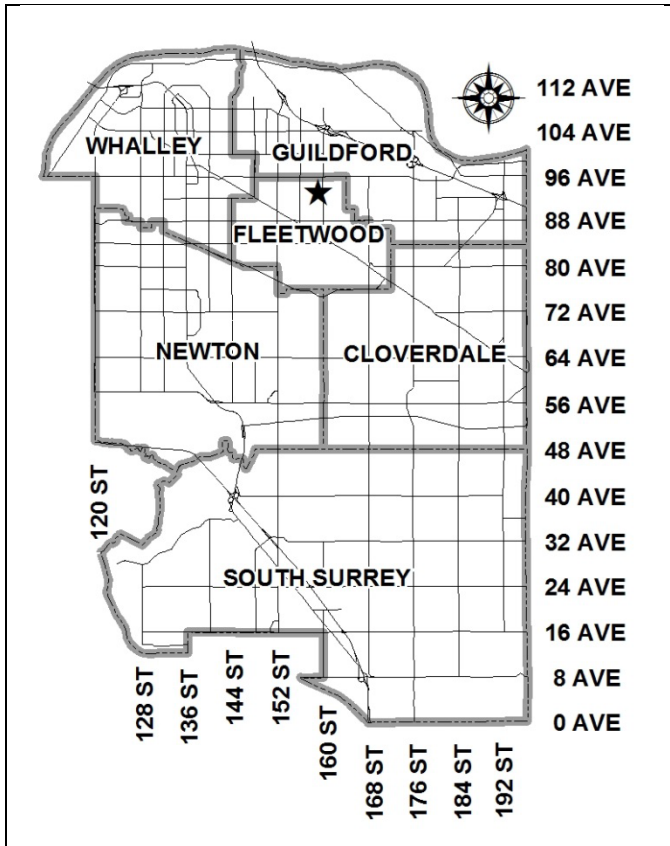


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7914-0077-00

Planning Report Date: December 1, 2014



PROPOSAL:

- **Development Variance Permit**

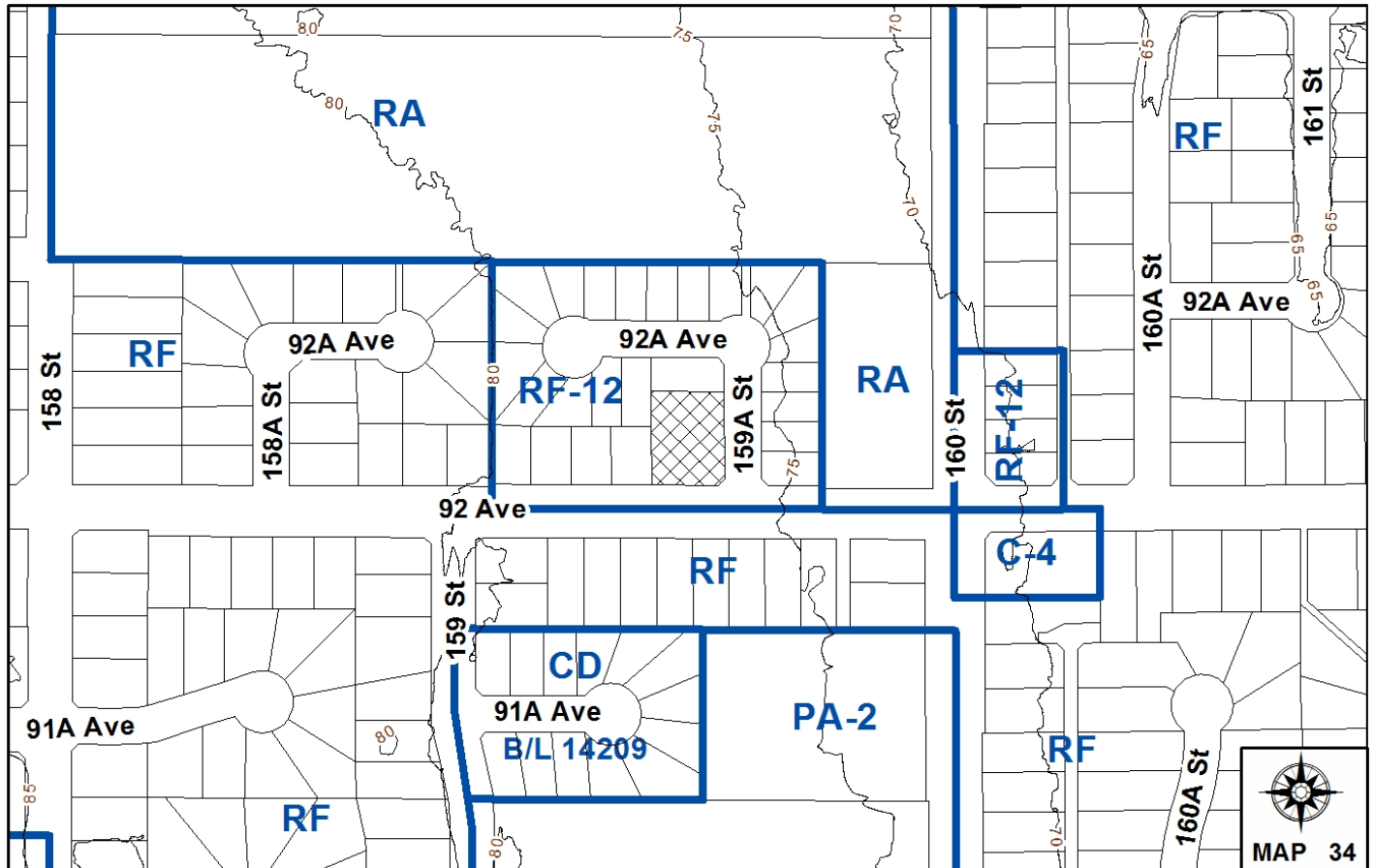
to vary the rear yard setback on proposed Lot 2 to allow for tree retention and the construction of a single family dwelling.

LOCATION: 15941 - 92 Avenue

OWNER: Mattu Family Holdings Ltd

ZONING: RF-12

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- A reduced rear yard setback is requested on proposed Lot 2 in order to retain an existing tree.

RATIONALE OF RECOMMENDATION

- The requested variance will allow for the retention of a significant Douglas-fir tree located within the front yard of proposed Lot 2, while still allowing for a home of maximum floor area to be constructed on the lot.
- The requested setback relaxation will not impact adjoining properties.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7914-0077-00 (Appendix IV) varying the following, to proceed to Public Notification:

- (a) to reduce the minimum rear yard setback for the principal building in the RF-12 Zone, from 7.5 metres (25 ft.) to 5.1 metres (17 ft.) for proposed Lot 2.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Vacant single family lot.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North :	Vacant single family lot.	Urban	RF-12
East (Across 159A Street):	Single family dwellings.	Urban	RF-12
South (Across 92 Avenue):	Single family dwellings.	Urban	RF
West:	Vacant single family lots.	Urban	RF-12

DEVELOPMENT CONSIDERATIONSBackground

- The 1,386-square metre (14,918-sq. ft.) subject site consists of one property at 15941 - 92 Avenue in Fleetwood.
- The site is designated Urban in the Official Community Plan (OCP) and is zoned "Single Family Residential (12) Zone (RF-12)".
- On September 12, 2011, Council approved a rezoning from "One-Acre Residential Zone (RA)" to "Single Family Residential (12) Zone (RF-12)" for a 26-lot single family subdivision (File No. 7910-0082-00), with future potential for the subject lot (15941 – 92 Avenue) to subdivide into 3 RF-12 lots. The development retained several significant trees, and the applicant registered a restricted covenant to protect these retained trees.

Current Proposal

- The applicant is proposing to subdivide the subject lot into 3 RF-12-zoned lots in accordance with the concept provided under Development Application No. 7910-0082-00. A single family home currently exists on site and is proposed to be removed.
- There is a large Douglas-fir located within the front yard of proposed Lot 2, which is protected by restrictive covenant. The location of the no-build area impacts the buildable area of the lot and the ability of the future owner to achieve a home of maximum floor area.
- The applicant is requesting a Development Variance Permit to reduce the rear yard setback on proposed Lot 2 in order to allow for a home of maximum floor area to be constructed while still retaining the tree.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the rear yard setback for the principal building in the RF-12 Zone, from 7.5 metres (25 ft.) to 5.1 metres (17 ft.) for proposed Lot 2.

Applicant's Reasons:

- In order to accommodate a larger house size without affecting the tree at the front of the lot, a reduction in the rear yard setback on proposed Lot 2 is required.
- The proposed variance will allow for the retention of a mature Douglas-fir tree within the front yard of proposed Lot 2.
- Without the variance, the applicant is only able to achieve a maximum house size of 231 square metres (2,486 sq. ft.) on proposed Lot 2 due to the existing root protection zones and minimum setback areas.
- With the proposed modification to the rear yard setback, the applicant can achieve the maximum house size permitted in the zone, as shown in the table below:

	Permitted Floor Area Based on RF-12 Zone	Achievable Floor Area (no DVP)	Achievable Floor Area (with DVP)
Proposed Lot 2	260 sq.m. (2,799 sq.ft)	231 sq.m. (2,486 sq.ft)	260 sq.m. (2,799 sq.ft)

Staff Comments:

- The maximum house size permitted under the RF-12 Zone for proposed Lot 2 is 260 square metres (2,799 sq. ft.).

- Proposed Lot 2 is encumbered by root protection zones from a Douglas-fir tree at the front of the lot and a Giant Redwood Sequoia at the rear of proposed Lot 1.
- Given the root protection zones and setback requirements on proposed Lot 2, the maximum achievable floor area is only 231 square metres (2,486 sq. ft.).
- Reducing the rear yard setback on proposed Lot 2 from 7.5 metres (25 ft.) to 5.1 metres (17 ft.) will allow the applicant the opportunity to achieve the maximum permitted house size of 260 square metres (2,799 sq. ft.), while at the same time retaining the protected Douglas-fir at the front of the lot.
- Retaining the Douglas-fir tree at the front of proposed Lot 2 will result in a house that is set back 13.9 metres (26 ft.) from the front property line, and located approximately 10 metres (33 ft.) behind the houses on proposed Lots 1 and 3. However, the house on proposed Lot 2 would be set back approximately the same distance from 159A Street as the existing house on the lot and the resulting varied streetscape will be relatively well-screened by the existing Douglas-fir.
- The proposed setback reduction will have minimal impact on the neighbouring properties as the lot backs onto the rear yards of existing single family homes to the west, and only applies to a portion of the house to be constructed.
- Retaining the Douglas-fir on proposed Lot 2 will require a suspended slab driveway on proposed Lot 2 so that the root protection zone is not impacted.
- 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
Appendix III.	Conceptual House Footprint
Appendix IV.	Development Variance Permit No. 7914-0077-00

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

LM/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: Mike Helle
 Coastland Engineering & Surveying Ltd.
 Address: #101, 19292 - 60 Avenue
 Surrey, B.C. V3S 3M2

 Tel: 604-532-9700

2. Properties involved in the Application
 - (a) Civic Address: 15941 - 92 Avenue

 - (b) Civic Address: 15941 - 92 Avenue
 Owner: Mattu Family Holdings Ltd., Inc. No. 526183
 PID: 028-741-013
 Lot 5 Section 35 Township 2 New Westminster District Plan BCP49807

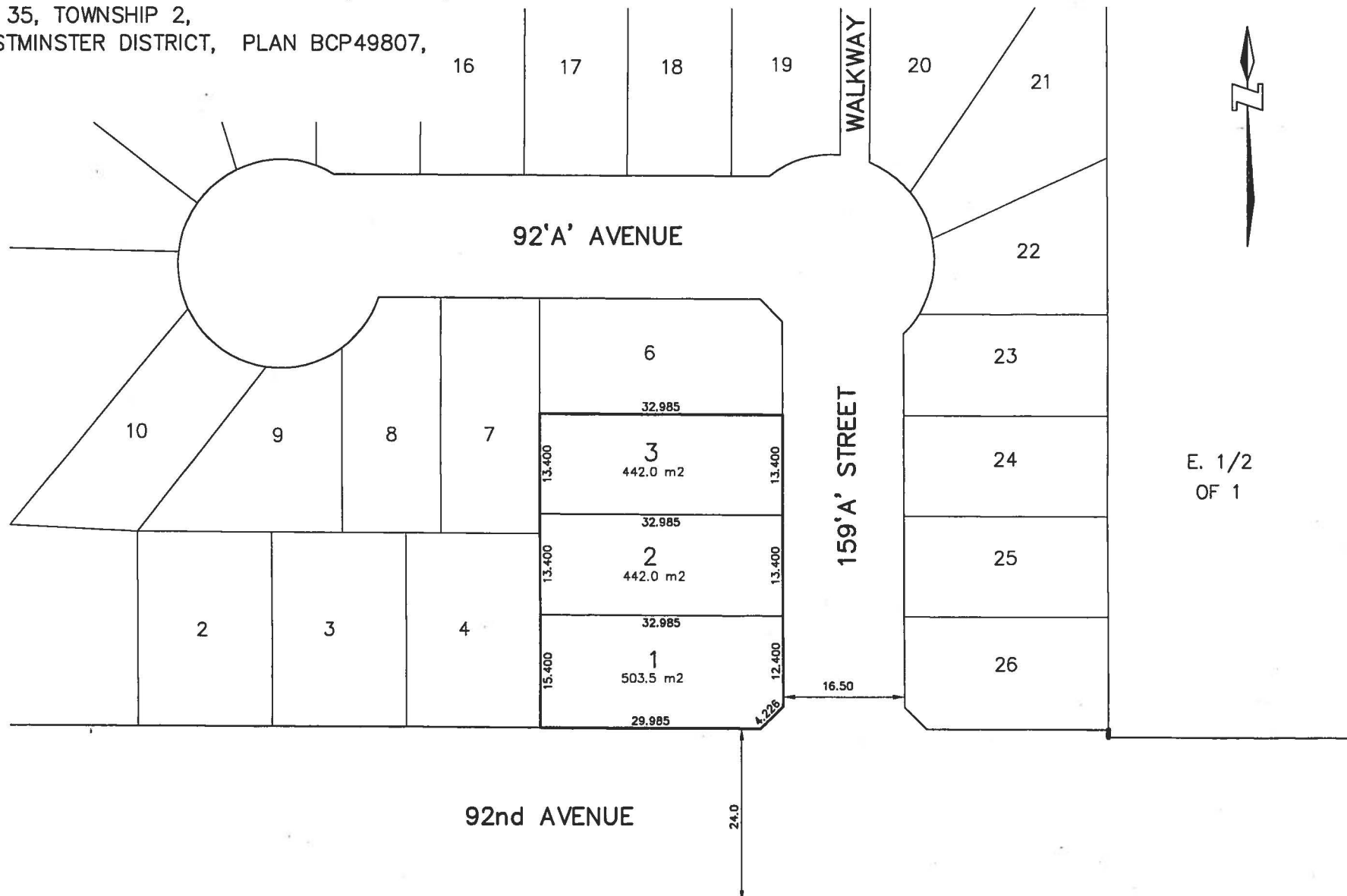
3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7914-0077-00 and bring the Development Variance Permit forward for issuance and execution by the Mayor and City Clerk.

SUBDIVISION DATA SHEET

Existing Zoning: RF-12

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	0.34
Hectares	0.14
NUMBER OF LOTS	
Existing	1
Proposed	3
SIZE OF LOTS	
Range of lot widths (metres)	13.4 m to 14.4 m
Range of lot areas (square metres)	442 m ² – 504 m ²
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	21.6 lots/ha & 8.8 lot/acre
Lots/Hectare & Lots/Acre (Net)	21.6 lots/ha & 8.8 lot/acre
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	50%
Estimated Road, Lane & Driveway Coverage	9.7%
Total Site Coverage	59.7%
PARKLAND	
Area (square metres)	n/a
% of Gross Site	n/a
Required	
PARKLAND	
5% money in lieu	Satisfied under Application No 7910-0082-00
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
Setbacks	YES

PROPOSED SUBDIVISION PLAN OF LOT 5, REM. 2,
SECTION 35, TOWNSHIP 2,
NEW WESTMINSTER DISTRICT, PLAN BCP49807,



E. 1/2
OF 1

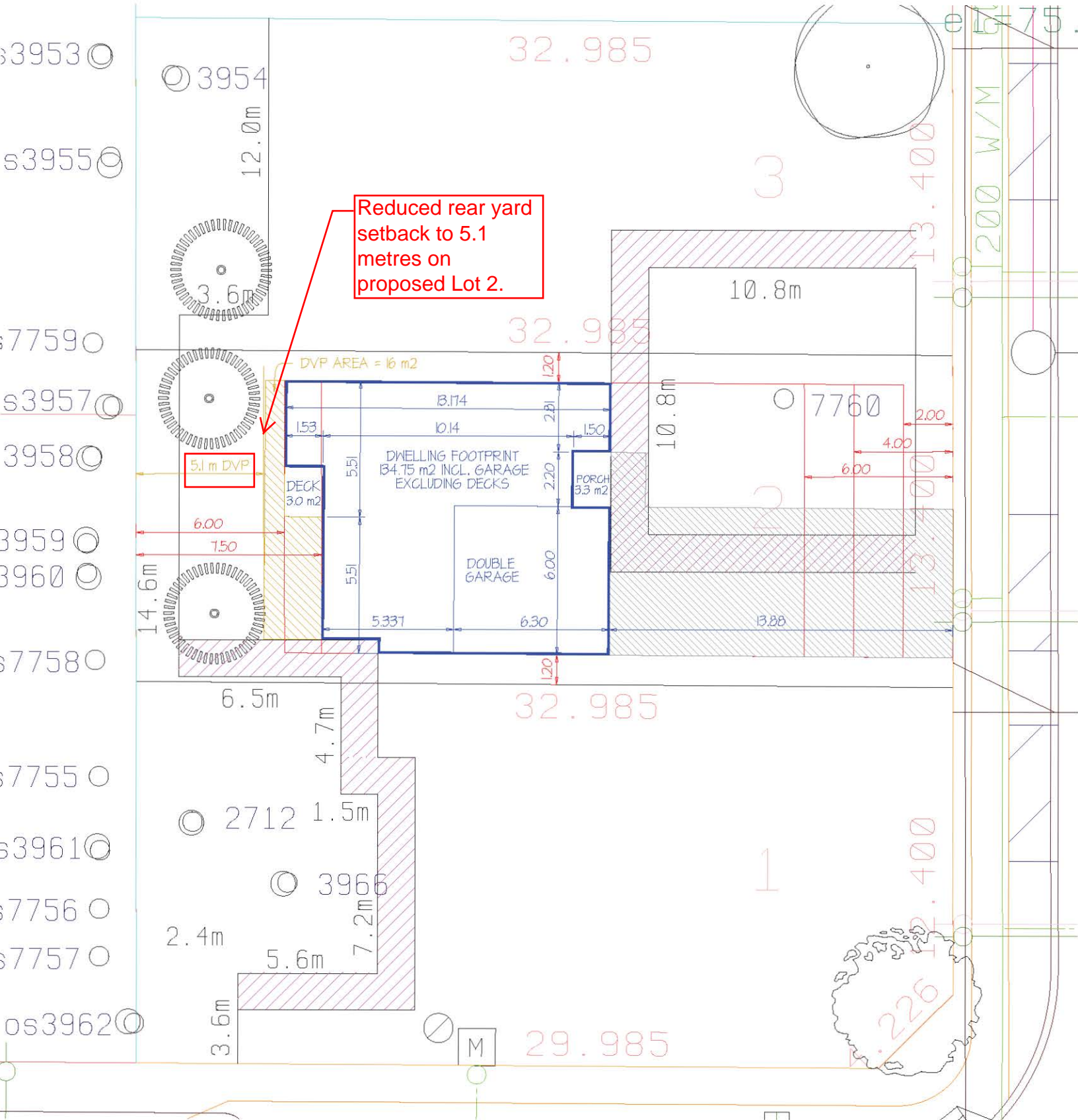


Coastland
engineering & surveying ltd.

#101, 19292 - 60 Avenue
Surrey, B.C. V3S 3M2
Phone: (604) 532-9700
Fax: (604) 532-9701

6	1	2	3	4	LANE	5
						PROJECT No: #2415

APPENDIX II



Reduced rear yard setback to 5.1 metres on proposed Lot 2.

5.1 m DVP

DVP AREA = 16 m²

DWELLING FOOTPRINT
34.75 m² INCL. GARAGE
EXCLUDING DECKS

DECK
3.0 m²

PORCH
3.3 m²

DOUBLE GARAGE

7760

M

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7914-0077-00

Issued To: MATTU FAMILY HOLDINGS LTD.

("the Owner")

Address of Owner: 6707 - Mason Court
Burnaby, BC V5E 4J2

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: 028-741-013
 Lot 5 Section 35 Township 2 New Westminster District Plan BCP49807
 15941 - 92 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:

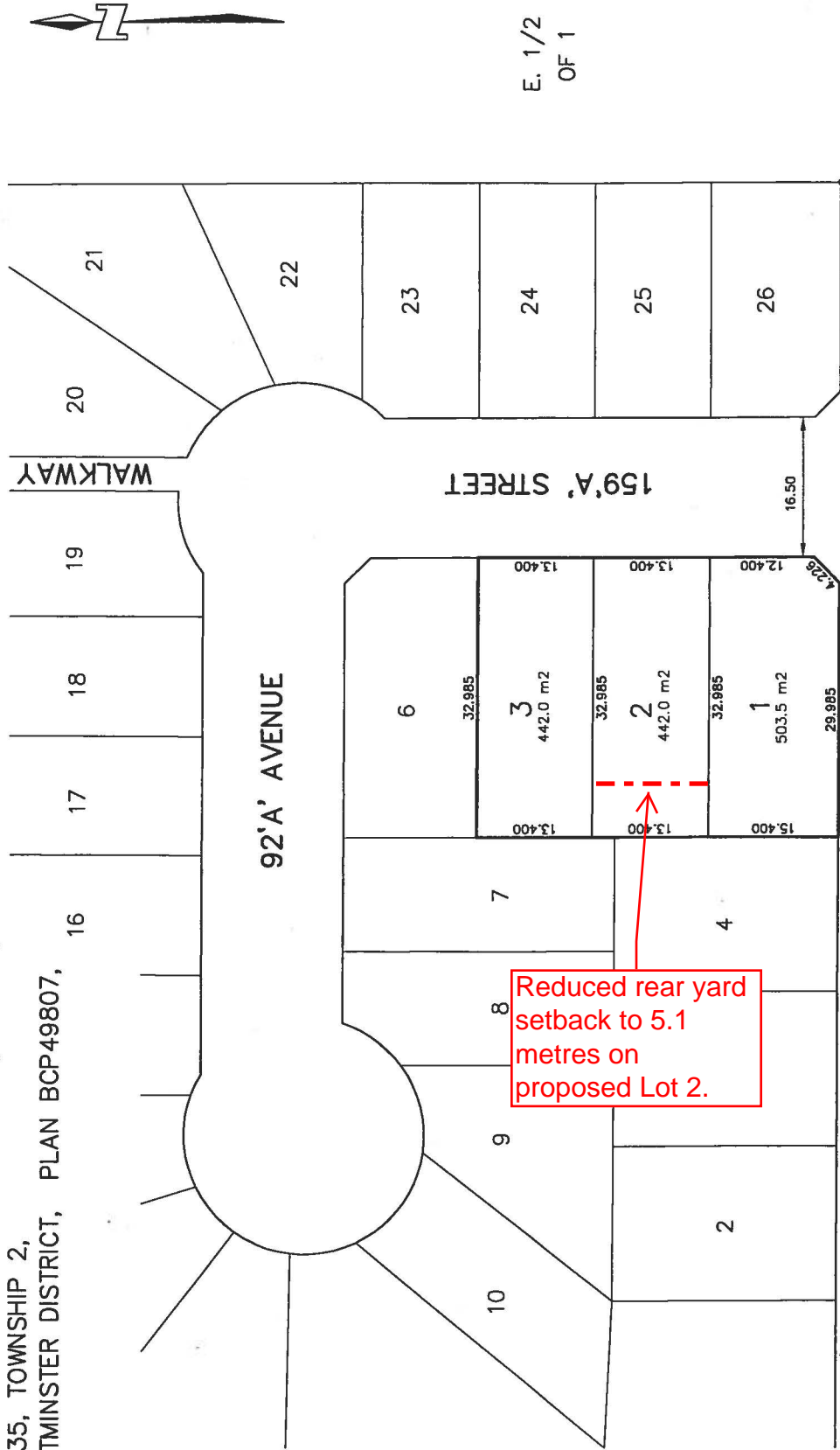
4. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F. Yards and Setbacks of Part 17A Single Family Residential (12) Zone (RF-12), the minimum rear yard setback of the principal building is reduced from 7.5 metres (25 ft.) to 5.1 metres (17 ft.) on proposed Lot 2.
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

City Clerk

PROPOSED SUBDIVISION PLAN OF LOT 5, REM. 2,
SECTION 35, TOWNSHIP 2,
NEW WESTMINSTER DISTRICT, PLAN BCP49807,



<p>#101, 19292 - 60 Avenue Surrey, B.C. V3S 3M2 Phone: (604) 532-9700 Fax: (604) 532-9701</p>						LANE	PROJECT No: #2415
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