



Proposal: Development Variance Permit to vary rear yard setbacks of an existing house.

Recommendation: Approval to Proceed

Location: 15040 - 72 Avenue

Zoning: RA

OCP Designation: Urban

LAP Designation: Urban
Single Fam.
Res.

Owner: Rempy Rupinder Lidder

PROJECT TIMELINE

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|--|---------------|
| Completed Application Submission Date: | June 20, 2003 |
| Planning Report Date: | July 7, 2003 |

The applicant is proposing:

- a Development Variance Permit to vary the following by-law regulations:
 - reduce the rear yard setback from 7.5 metres (25 ft.) to 4.89 metres (16 ft.)

in order to accommodate an existing house within a 29-lot single family residential subdivision.

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7997-0288-00 (Appendix IV), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 4.89 metres (16 ft.) for an existing building.
2. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering; and
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer.

REFERRALS

Engineering: The Engineering Department has no objection to the project.

SITE CHARACTERISTICS

- **Existing Land Use** Single family dwelling.
- **Significant Site Attributes** The site is treed with a variety of vegetation, some of which is significant.
- **East:** Single family dwelling to be demolished under Development Application No. 7997-0288-00 currently at Third Reading, zoned RS (By-law No. 5942), designated Urban Residential.
- **South:** Single family dwelling on acreage lot, zoned RA, designated Urban Residential.
- **West:** Single family dwellings with 7170 - 150 Street under Development Application No. 7903-0065-00 currently pre-Council, zoned RA, designated Urban Residential.
- **North:** Single family dwellings across 72 Avenue, zoned RH, designated Suburban.

PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

NCP Designation: Complies.

DEVELOPMENT CONSIDERATIONS

- This property is currently under Rezoning Application No. 7997-0288-00 at Third Reading which includes 15070 – 72 Avenue to the east and 7162 – 150 Street to the south-west. The application is to rezone from RS (By-law No. 5942) and RA to RF to permit the subdivision into approximately 28 lots.
- The original layout showed the subject house to be demolished (Appendix III). The applicant is now requesting to have the existing house retained on a large lot to be subdivided into two lots upon future demolition of the house (Appendix II).

- The house currently has a west side yard setback of 0.65 of a metre (2 ft.). Upon development of this property, this side yard will become the rear yard of the existing house. The applicant has indicated that to increase the rear yard setback, a portion of the house will be demolished to increase the setback to 4.89 metres (16 ft.) (Appendix II).

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BY-LAW VARIANCE AND JUSTIFICATION

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(a) Requested Variance:

- Reduce the rear yard setback from 7.5 metres (25 ft.) to 4.89 metres (16 ft.) to accommodate an existing house.

Applicant's Reasons

- The portion of the house that does not comply with the setbacks has been renovated to accommodate the applicant's parents in need of 24-hour extended care

Staff Comments:

- The applicant has agreed to demolish a portion of the house, thereby, increasing the rear yard setback from 0.65 metre (2 ft.) to 4.89 metres (16 ft.).
- A move to another house would be costly and possibly detrimental to the health of the applicant's parents.
- The western portion of the rear yard setback area goes down to 4.89 metres (16 ft.). This portion backs onto rear yards of the proposed lots under Development Application No. 7903-0065-00.
- This portion of the structure is one-storey and impact on the adjacent lot will be limited.
- The north portion of the rear yard setback area goes down to 6.04 metres (20 ft.) and backs onto the proposed lane. This portion of the structure is two-storeys but will have the lane as an additional buffer form the proposed lots across the lane.

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INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

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| Appendix I. | Lot Owners, Action Summary and Project Data Sheets |
| Appendix II. | Proposed Subdivision Layout and Variance |
| Appendix III. | Previous Lot Layout |
| Appendix IV. | Development Variance Permit No. 7997-0288-00 |

INFORMATION AVAILABLE ON FILE

- Soil Contamination Review Questionnaire prepared by Rempy Lidder and dated June 27, 2003.

Murray Dinwoodie
General Manager
Planning and Development

MJ/kms

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APPENDIX I

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

2. Properties involved in the Application
 - (a) Civic Addresses: 15040 - 72 Avenue

 - (b) Civic Address: 15040 - 72 Avenue
 Owner: Rempy Rupinder Lidder
 PID: 012-135-011
 East 138 Feet Lot 29 Section 15 Township 2 New Westminster District Plan 1360

3.
 - (a) Proceed with Public Notification for Development Variance Permit No. 7997-0288-00.