

Planning Report Date: September 16, 2019

PROPOSAL:

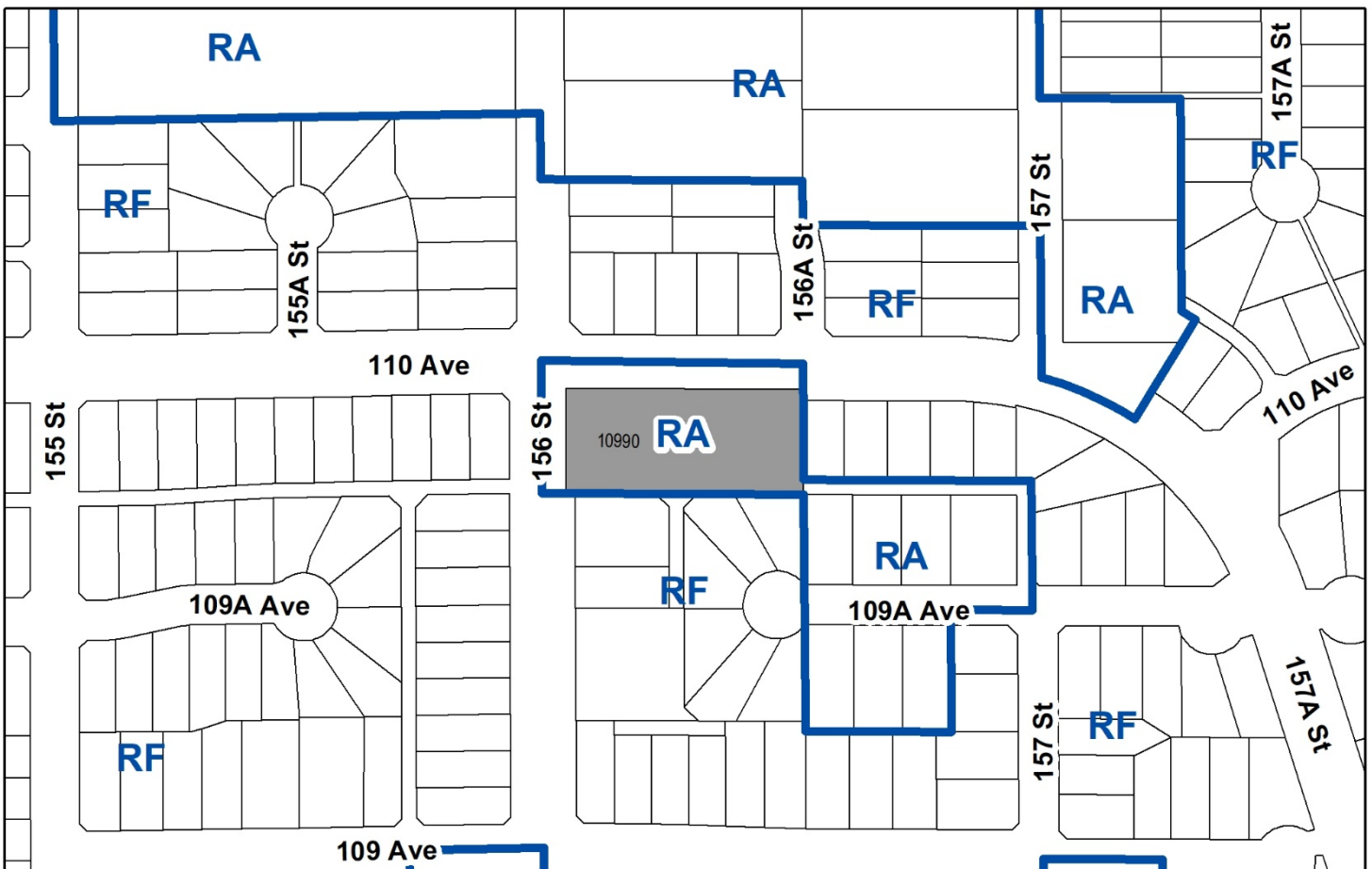
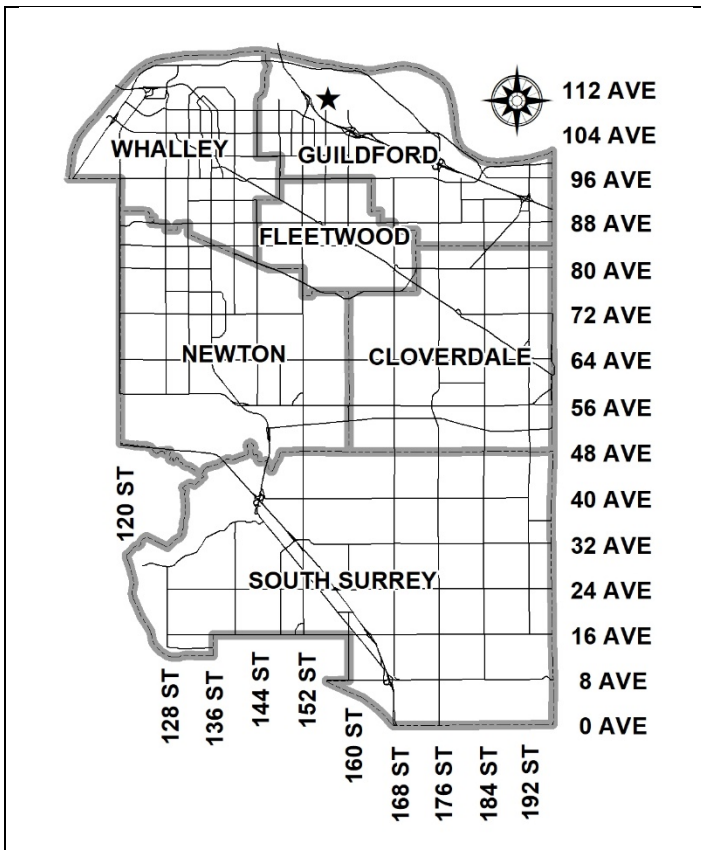
- **Development Variance Permit**

to reduce the minimum front yard setback of an RF-zoned lot from 7.5 metres (25 feet) to 6.6 metres (21.6 feet) and the rear yard setback from 7.5 metres (25 feet) to 4.0 metres (13 feet) for the existing house to be retained on proposed Lot 5.

LOCATION: 10990 - 156 Street

ZONING: RA

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The application is seeking a variance to reduce the minimum front yard setback from 7.5 metres (25 feet) to 6.6 metres (21.6 feet) and the rear yard setback from 7.5 metres (25 feet) to 4.0 metres (13 feet) of the RF Zone in order for the existing house on proposed Lot 5 to be retained. Lot 5 is the western most lot near the street intersection.

RATIONALE OF RECOMMENDATION

- A previous Development Variance Permit (DVP) No. 7906-0494-00, issued on May 14, 2007 to permit reduced front and rear yard setbacks for proposed Lot 5 expired on May 14, 2009.
- Engineering requirements have been updated to current standards due to the time that has lapsed in processing the application. The road dedication requirement along 110 Avenue has been reduced from 4.54 metres (15 feet) to 1.94 metres (6.36 feet). Consequently, the front yard setback variance being applied for under Development Variance Permit (DVP) No. 7906-0494-01 is 7.5 metres (25 feet) to 6.6 metres (21.6 feet) rather than 7.5 metres (25 feet) to 4.0 metres (13 feet) as previously requested.
- The softening of the real estate market in 2008 precluded the proposed development from proceeding. Family matters and other development projects being pursued by the applicants prevented them from moving forward with this application.
- Proposed Lot 5 is expected to be re-developed in the future, and subdivided from one lot into two.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7906-0494-01 (Appendix II) 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 6.6 metres (21.6 ft.) for the principal building; and
 - (b) to reduce the minimum rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 4.0 metres (13 ft.) for the garage on proposed Lot 5;

REFERRALS

Engineering: The Engineering Department has no objection to the proposed variance. Upgraded Engineering requirements will be administered as part of the proposed subdivision.

SITE CHARACTERISTICS

Existing Land Use: One single family dwelling which will be retained.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across 110 Avenue):	Single family dwellings	Urban	RF
East (Along 110 Avenue):	Single family dwellings	Urban	RF
South (Across future lane):	Single family dwellings	Urban	RF
West (Across 156 Street):	Single family dwellings	Urban	RF

DEVELOPMENT CONSIDERATIONS

- The subject site is located on the southeast corner of 156 Street and 110 Avenue in Fraser Heights. It is approximately 4,235 square metres (1.04 acres) in area, designated Urban in the Official Community Plan (OCP) and currently zoned RA ("One-Acre Residential Zone").
- The applicant is proposing to rezone the property to RF ("Single Family Residential Zone") in order to allow subdivision into five single family residential lots.
- The existing dwelling on proposed Lot 5 is intended to be retained, subject to Council approval of the requested variances to the front and rear setbacks. Lot 5 is expected to re-

develop in the future, the existing dwelling demolished, and the lot further subdivided into two.

- Proposed Lots 1-4 will front onto 110 Avenue with garage access from the rear lane, which will be dedicated and constructed as part of the application. Proposed Lot 5 will continue to have access from 156 Street due to the existing garage orientation.
- The five proposed RF lots meet the minimum 560 square metre (6,027 square feet) lot size and 15 metre (50 feet) width requirements of the RF zone. Proposed Lots 1-4 have areas of approximately 560 square metres (6,027 square feet) and lot widths of between 15.862 (52 feet) and 16.716 metres (55 feet). Proposed Lot 5 has an area of approximately 1,109 square metres (11,937 square feet) and a lot width of 32.97 metres (108 feet). All of the proposed lots exceed the minimum 28-metre (100 feet) lot depth requirement of the RF zone.
- The rezoning application was granted Third Reading on May 14, 2007, the Preliminary Layout Approval was issued on May 15, 2007 and the Development Variance Permit expired on May 14, 2009.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- Reduce the front yard setback from 7.5 metres (25 feet) to 6.6 metres (21.6 feet) and the rear yard setback from 7.5 metres (25 feet) to 4.0 metres (13 feet) in order for the existing house on proposed Lot 5 to be retained.

Applicant's Reasons:

- The existing house meets the current zoning by-law setback requirements pre-subdivision.
- Approval of the variances will allow retention of the house on proposed Lot 5.

Staff Comments:

- The Zoning By-law defines the front lot line on a corner lot as the shortest of the lot lines abutting a highway. The current front lot line of the property is along 156 Street to the west. As a result of the proposed subdivision, the front lot line of proposed Lot 5 is along 110 Avenue to the north, and the rear lot line is along the lane.
- The 1.94 metres (6.36 feet) road dedication along 110 Avenue and 6 metre (20 feet) wide lane dedication will further impact the front and rear yard setback requirements.
- Lot 5 is the most westerly lot in the proposed subdivision (Appendix I). The existing dwelling to be retained is oriented towards 156 Street, therefore, the side elevation of the dwelling, not the front façade, will interface the new front lot line.

- The variances are for the existing house on proposed Lot 5 only. Any building construction on proposed Lots 1-4 or new house construction on proposed Lot 5 will comply with the minimum setback requirements of the RF ("Single Family Residential Zone").
- Staff support the variances requested.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Proposed Subdivision Layout
Appendix II. Development Variance Permit No. 7906-0494-01

original signed by Ron Gill

Jean Lamontagne
General Manager
Planning and Development

DQ/cm

SUBDIVISION PLAN OF LOT 43, SECTION 15, BLOCK 5 NORTH, RANGE 1 WEST, NEW WESTMINSTER DISTRICT, PLAN 44477

PLAN EPP

City of Surrey BCGS 92G.026



SCALE - 1 : 500

All distances are in metres

The intended plot size of this plan is 432mm in width by 280mm in height (B Size) when plotted at a scale of 1:500

Integrated Survey Area No. 1
City of Surrey, NAD83 (CSRS) 4.0.0.BC.1.GVRD

Grid Bearings are derived from observations between Geodetic Control Monuments 5280 and 5283.

The UTM coordinates and estimated horizontal positional accuracy achieved are derived from the Mascot published coordinates and standard deviations for geodetic control monuments 5280 and 5283.

This plan shows horizontal ground-level distances unless otherwise specified. To compute grid distances, multiply ground-level distances by the average combined factor of 0.9995924 which has been derived from geodetic control monuments 5280 and 5283.

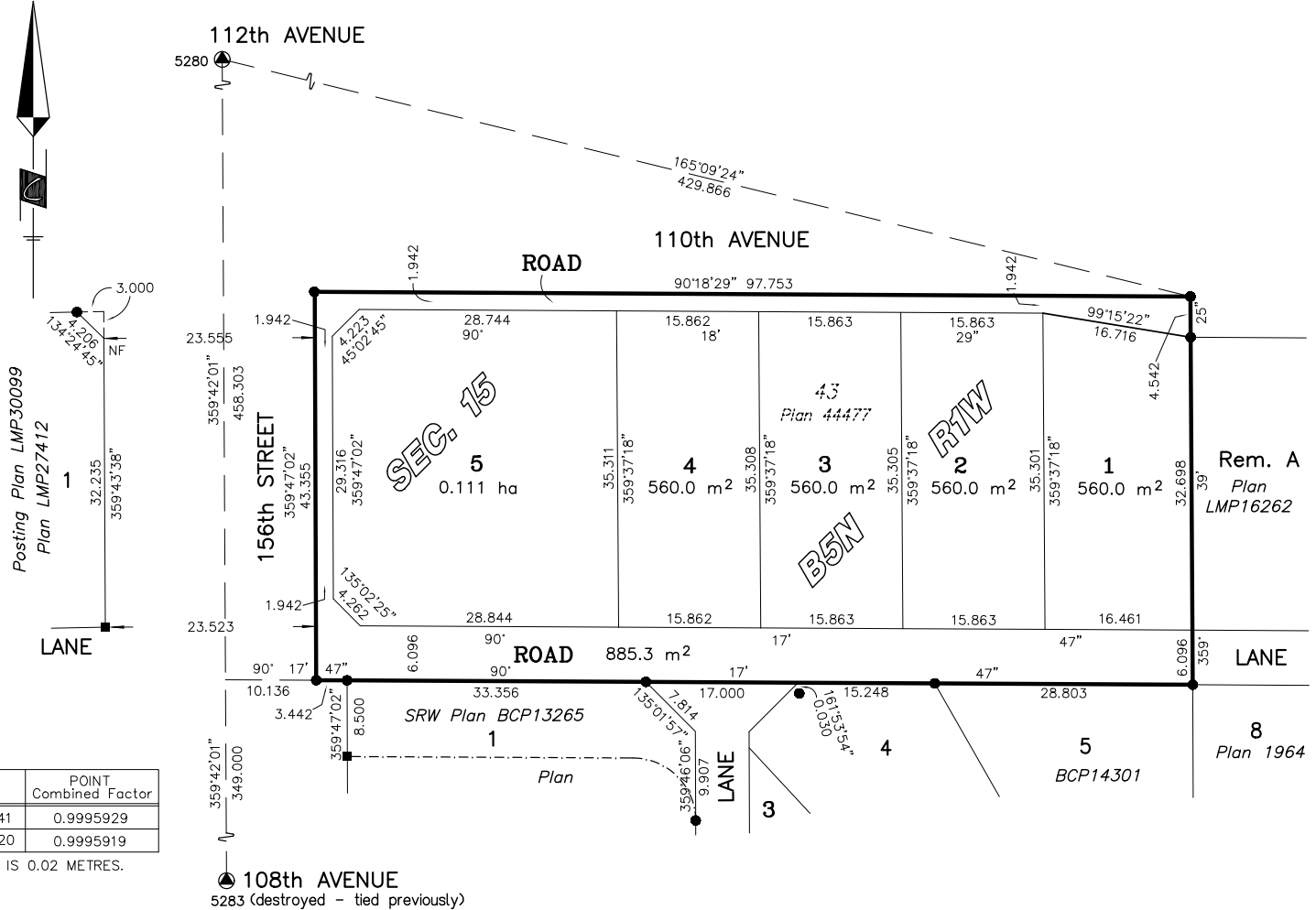
Legend:

- Denotes control monument found
- Denotes iron post found
- Denotes lead plug found
- Denotes iron post set
- m² Denotes square metres
- ha Denotes hectares
- WT Denotes witness

POINT	UTM Northing	UTM Easting	POINT Combined Factor
5283	5,449,583.259	515,314.941	0.9995929
5280	5,450,390.229	515,310.720	0.9995919

ESTIMATED ABSOLUTE ACCURACY IS 0.02 METRES.

Cameron Land Surveying Ltd.
B.C. Land Surveyors
Unit 206 - 16055 Fraser Highway
Surrey, B.C. V4N 0G2
Phone: 604-597-3777
File: 4413-SUB2



● 108th AVENUE
5283 (destroyed - tied previously)

This plan lies within the jurisdiction of the
Approving Officer for the City of Surrey.

This plan lies within the Metro Vancouver Regional District

The field survey represented by this plan was
completed on the _____ day of _____, 2019.
Ken Schuurman, B.C.L.S. (800)

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7906-0494-01

Issued To:

(the "Owner")

Address of Owner:

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: 007-444-770
Lot 43 Section 15 Block 5 North Range 1 West New Westminster District Plan 44477
10990 - 156 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(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 the Single Family Residential Zone (RF), the minimum front yard setback is reduced from 7.5 metres (25 feet) to 6.6 metres (21.6 feet) for the principal building and the rear yard setback is reduced from 7.5 metres (25 feet) to 4.0 metres (13 feet) for the garage on proposed Lot 5.
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 B 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.

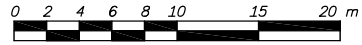
AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 .
ISSUED THIS DAY OF , 20 .

Mayor – Doug McCallum

City Clerk – Jennifer Ficocelli

FLOOR AREA RATIO SKETCH SHOWING EXISTING DWELLING ON PROPOSED LOT 5,
 A PROPOSED SUBDIVISION OF LOT 43, SECTION 15, BLOCK 5 NORTH,
 RANGE 1 WEST, NEW WESTMINSTER DISTRICT, PLAN 44477

Schedule A



SCALE 1 : 300
 All distances are in metres

Civic Address:
 10990 - 156th Street
 Surrey, B.C.

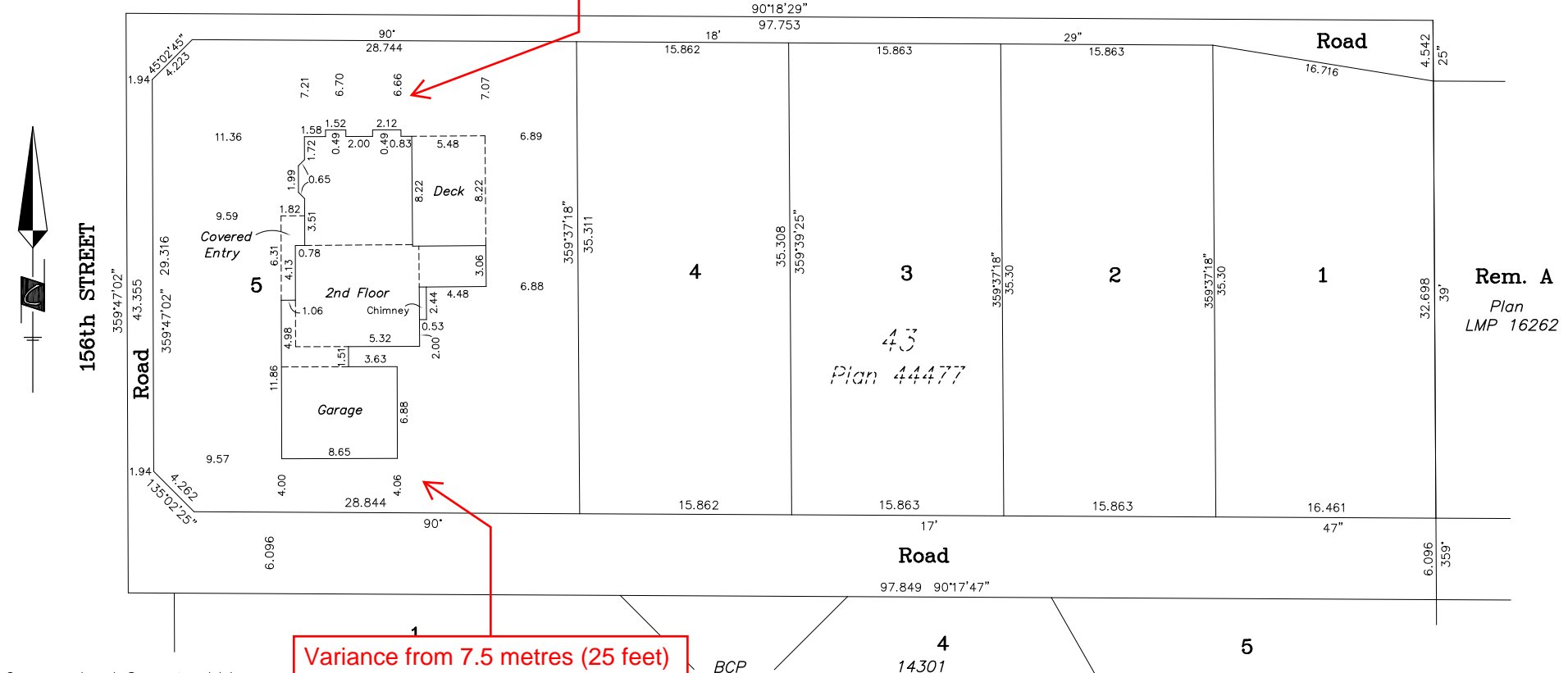
Area of Main Floor = 167 m²
 Area of Second Floor = 72 m²
 Area of Garage = 59 m²

Total Floor Area = 298 m²
 Area of Proposed Lot 5 = 1,114 m²

F.A.R. $\frac{298 \text{ m}^2}{1114 \text{ m}^2} = 0.268$

Variance from 7.5 metres (25 feet) to 6.6 metres (21.6 feet)

Variance from 7.5 metres (25 feet) to 4.0 metres (13 feet)



Cameron Land Surveying Ltd.
 B.C. Land Surveyors
 Unit 206 - 16055 Fraser Highway
 Surrey, B.C. V4N 0G2
 Phone: 604-597-3777
 File: 4413-CE2

Certified correct this 10th day
 of September, 2019.

This plan lies within the Metro Vancouver Regional District

Kenneth W. Schuurman B.C.L.S.