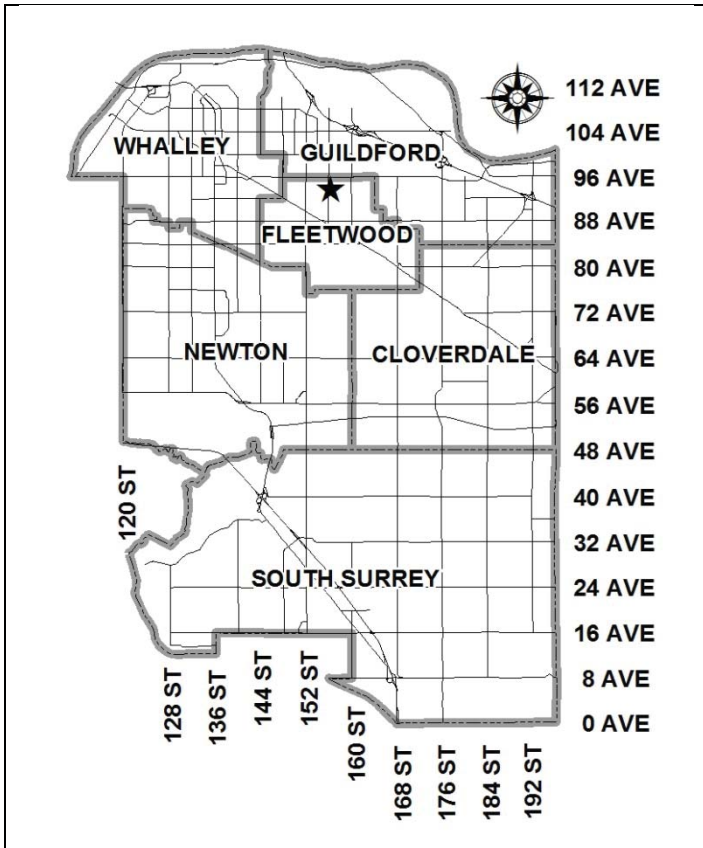


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7913-0213-01

Planning Report Date: July 10, 2017



PROPOSAL:

- **Development Variance Permit**

to reduce the minimum required lot width of the RF Zone in order to allow subdivision into three (3) single family lots.

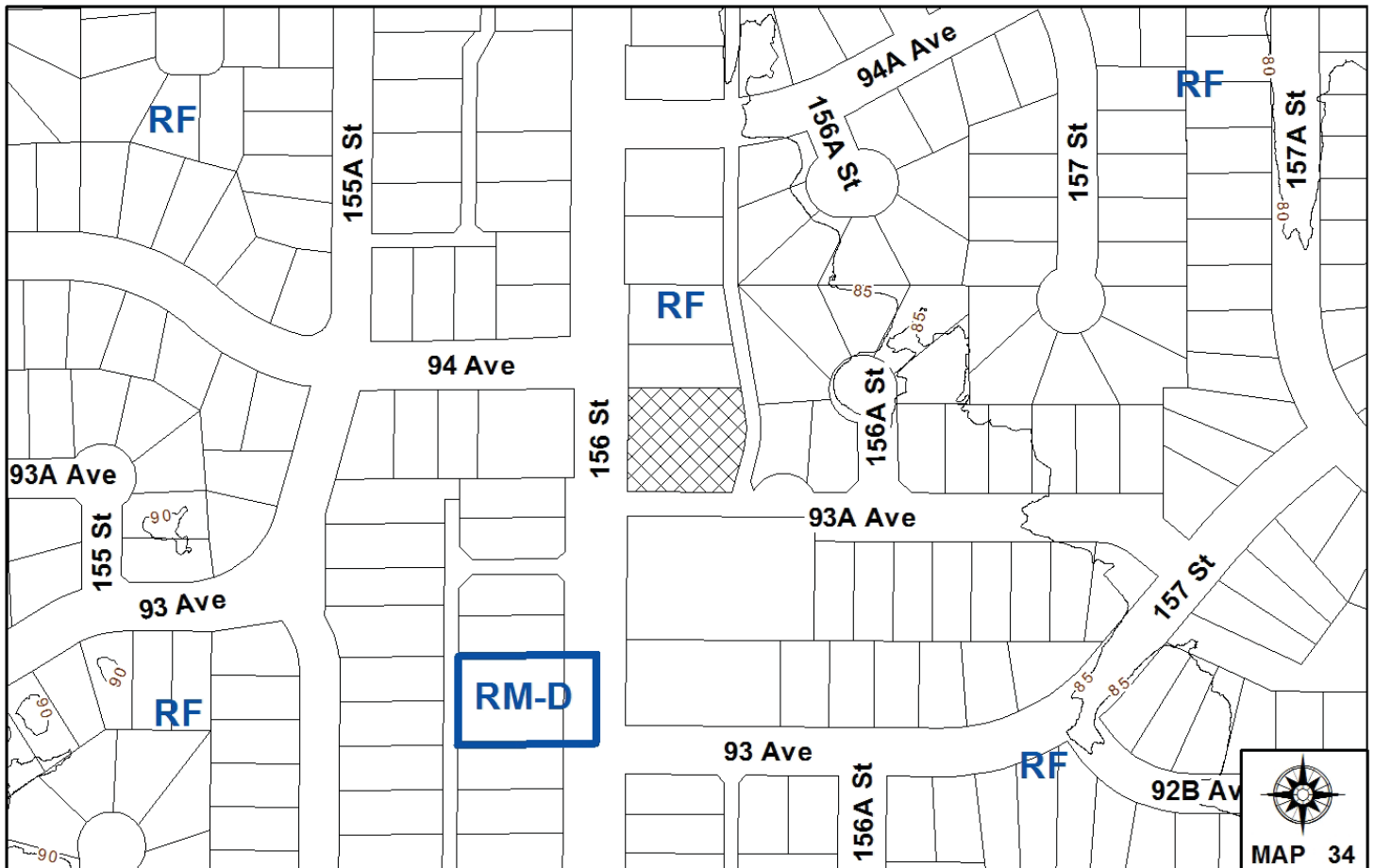
LOCATION: 9386 - 156 Street

OWNERS: Robert W Freeman

Teresa E Freeman

ZONING: RF

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is seeking a variance to the RF Zone to reduce the minimum required lot widths of proposed Lots 1, 2 and 3 from 15 metres (50 ft.) to 14.3 metres (47 ft.).

RATIONALE OF RECOMMENDATION

- A previous Development Variance Permit (DVP) No. 7913-0213-00, issued on July 21, 2014, to permit reduced lot widths for the proposed single family lots will expire on July 21, 2017.
- The applicants have indicated that as construction of a new house within the area comprising proposed Lot 3 will not conclude until Fall 2017, they are not able to undertake the demolition of the existing house within the area comprising proposed Lots 1 and 2 prior to the expiration of the previously issued DVP. A Development Variance Permit is necessary for the applicants to proceed with the proposed subdivision.
- Proposed Lots 1,2 and 3 exceed both the minimum lot depth and lot area requirements of the RF Zone. The applicants have been able to retain existing mature trees on the subject site due to the increased lot depth and area of the proposed lots.
- The applicants have demonstrated community support for the proposed lot widths by means of a signed petition from neighbouring residents in support of the proposed development.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7913-0213-01 (Appendix III) to reduce the minimum lot width of RF Zone, from 15 metres (50 ft.) to 14.3 metres (47 ft.) for proposed Lots 1,2 and 3, to proceed to Public Notification.

REFERRALS

Engineering: The Engineering Department has no objection to the proposed variance.

SITE CHARACTERISTICS

Existing Land Use: Half-acre lot containing an existing single family dwelling and accessory buildings on proposed Lots 1 and 2, to be removed, and a new single family dwelling under construction within the area comprising proposed Lot 3.

Adjacent Area:

| Direction | Existing Use | OCP Designation | Existing Zone |
|---|---|-----------------|---------------|
| North: | Single family dwelling | Urban | RF |
| East (Across lane): | Single family dwellings | Urban | RF |
| South (Across unopened half road – 93A Avenue): | Single family acreage lot under Development Application No. 7916-0112-00 to subdivide into 5 single family lots (pre-PLA) | Urban | RF |
| West (Across 156 Street): | Single family dwellings | Urban | RF |

DEVELOPMENT CONSIDERATIONS

- The 2,000-square metre (0.5-acre) subject property is located at 9386 – 156 Street in Fleetwood. The site is designated Urban in the Official Community Plan (OCP) and is zoned "Single Family Residential Zone (RF)".
- The applicants propose to subdivide the subject property into three (3) single family lots under the existing RF Zone. The proposed lots will be oriented towards 156 Street, but will be accessed from an existing 6-metre (20 ft.) wide lane to the east.

- The applicant is in the process of constructing a new house within the portion of the lot comprising proposed Lot 3 of the subject 3-lot subdivision. In addition, there is also an existing house within the portion of the lot comprising proposed Lots 1 and 2. The existing house will be demolished once the new house is completed and securities have been collected in this regard by the City.
- Proposed Lots 1 to 3 are each 14.3 metres (47 ft.) wide, range in depth from 40.3 metres (132 ft.) to 45.9 metres (150.5 ft.) and range in lot area from 602 square metres (6,480 sq.ft.) to 648 square metres (6,975 sq.ft.).
- The proposed lot depths and lot areas exceed the minimum 28 metres (90 ft.) lot depth, and 560 square metres (6,000 sq.ft.) lot area requirements of the RF Zone.
- The subject property is within an established single family neighbourhood. Infill Policy No. O-30 requires that the proposed lots reflect similar widths of adjacent lots or be a minimum of 16.5 metres (54 ft.) wide. The lot widths of the existing single family lots within the neighbourhood range from 16.2 metres (53 ft.) to 50 metres (164 ft.). As the proposed lots are narrower than the existing lots, and therefore do not meet the policy requirements, the applicants surveyed the area residents in 2014 and demonstrated community support at that time via a signed petition in support of the proposed development.
- On July 21, 2014 Council approved Development Variance Permit (DVP) No. 7913-0213-00 to reduce the minimum lot width of the RF Zone, from 15 metres (50 ft.) to 14.3 metres (47 ft.), for proposed Lots 1 to 3 in order to permit subdivision into three (3) single family lots. Section 5 of DVP No. 7913-0213-00 stipulates that the permit will lapse if the owner does not complete the subdivision, with respect to which the DVP was issued, and register the associated subdivision plan with the New Westminster Land Title Office (LTO) within three (3) years after the date the DVP is issued (i.e., July 21, 2017).
- As the retention of the existing house and accessory buildings over multiple proposed lots would create a non-conformity, the associated subdivision cannot be signed by the Approving Officer until such time as the existing house is demolished, to the satisfaction of the Building Division. Demolition of existing buildings and structures on properties undergoing subdivision, unless those buildings and structures conform to the setback requirements of the Zoning By-law, is a standard requirement of the City's development process.
- The applicants have indicated that as the construction of a new house within the area comprising proposed Lot 3 will not be completed until Fall 2017, they are not able to undertake the demolition of the existing house within the area comprising proposed Lots 1 and 2 prior to the expiration of the previously issued DVP and therefore a new DVP is required in order for the applicant to proceed with finalizing the subdivision application.

PRE-NOTIFICATION

- Pre-notification letters are not required for the requested Development Variance Permit, however, a development proposal sign was installed on the subject property on February 7, 2014 for Development Application No. 7913-0213-00. Staff received no responses.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum lot width of the RF Zone, from 15 metres (50 ft.) to 14.3 metres (47 ft.), for proposed Lots 1,2 and 3.

Applicant's Reasons:

- The applicants have been able to demonstrate neighbourhood support for the reduced lot width.

Staff Comments:

- While the proposed lot width of 14.3 metres (47 ft.) is less than the minimum lot width permitted in the RF Zone, the proposed lot depth and lot areas of the proposed lots exceed the minimum requirements of the RF Zone.
- The applicant has been able to retain four (4) existing, mature trees along the eastern portion of the subject site due the larger lot depth and lot area of the proposed lots. As a condition of subdivision the applicant will be required to register a No-Build Restrictive Covenant identifying both the retained trees and the area of tree preservation on each of the proposed lots.
- The applicant has demonstrated community support for the proposed lot widths by means of a signed petition from neighbouring residents in support of the development.
- 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. | Site Plan |
| Appendix III. | Development Permit No. 7913-0213-01 |

original signed by Ron Gill

Jean Lamontagne
General Manager
Planning and Development

Bob Freeman
Residential Subdivision
9386 - 156th Street, Surrey

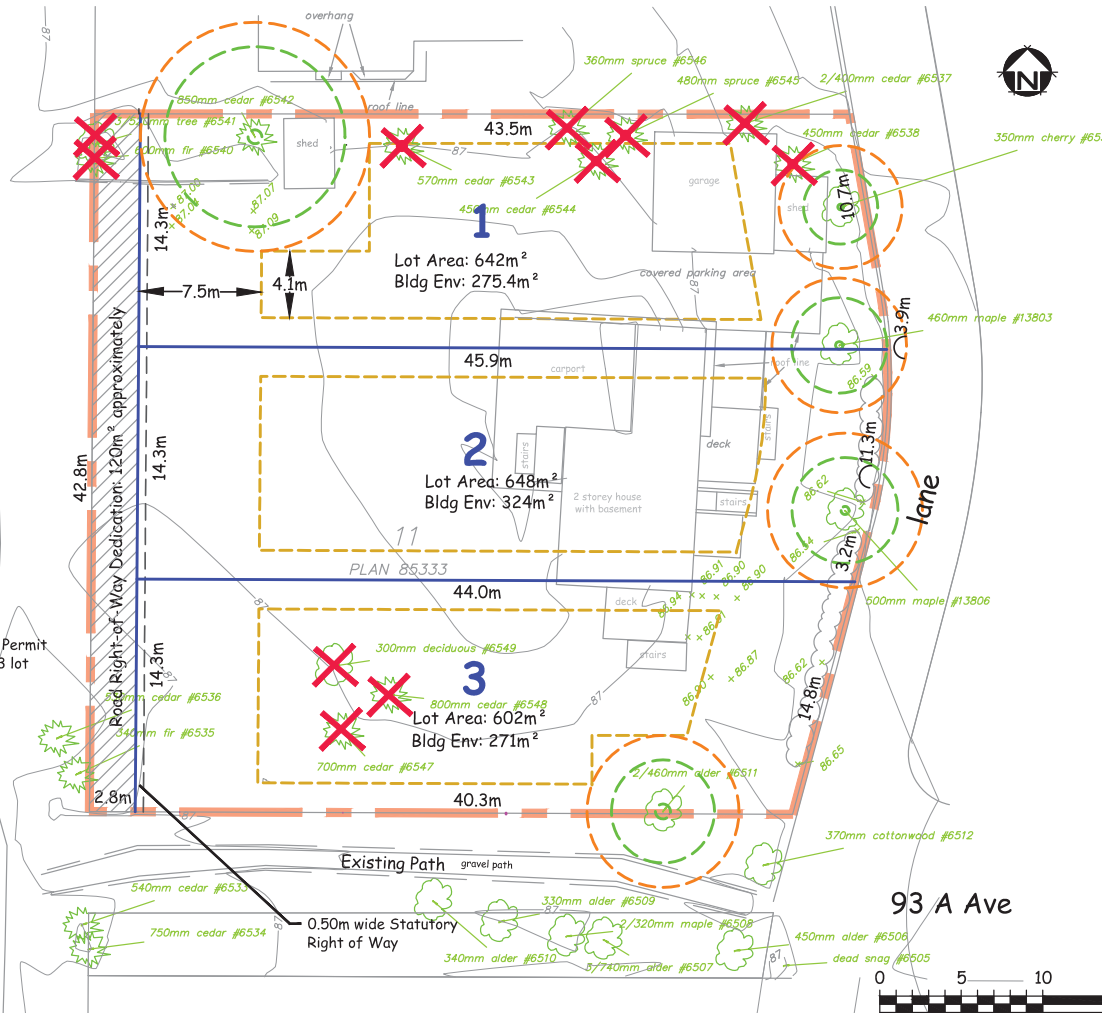
CONCEPT

Legend

- Tree Retention Potential**
- tree protection zone (based on City of Surrey Tree Protection Distance table)
 - 1.5m wide excavation root protection zone
 - Tree Removal
 - Building Envelope

156 Street

Development Variance Permit needed for Lot 1, 2 & 3 lot width reduction



93 A Ave

NOTE:
This plan is conceptual only and subject to change due to:
- Review and approval by appropriate municipal, regional, provincial and federal governments and outside agencies
- Environmental, geotechnical and soil assessments
- Legal and topographical survey
- Tree survey and assessment
- Park dedication requirements or cash in lieu of
- School site acquisition requirements and/or charges
- Storm water management requirements
- Road right-of-way dedication requirements
- Environmentally sensitive areas and setback requirements
- Building locations
- Right-of-way and/or easement requirements

LEGAL DESCRIPTION
PID 016-011-147
Lot 11, Section 35, Township 2,
New Westminster District, Plan 85333

GROSS SITE AREA
Approx. 0.2 hectares / 0.5 acres

NET SITE AREA
Approx. 0.2 hectares / 0.5 acres

EXISTING REGULATORY DESIGNATIONS
Zoning: RF
NCP: not within NCP area
OCP: Urban

PROPOSED REGULATORY DESIGNATIONS
Zoning: no change
NCP: not within NCP area
OCP: no change

LOT YIELD:
Existing Number of Lots: 1
Proposed Number of Lots: 3

DENSITY:
Approx. Gross: 15.0 u.p.h. / 6.0 u.p.a.
Approx. Net: 15.8 u.p.h. / 6.5 u.p.a.



Project 13-007
26 May 2014

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CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7913-0213-01

Issued To: ROBERT W FREEMAN
TERESA E FREEMAN

(the "Owner")

Address of Owner: 9386 - 156 Street
Surrey, BC V3R 4L2

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: 016-011-147
Lot 11 Section 35 Township 2 New Westminster District Plan 85333

9386 - 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 K of Part 16 Single Family Residential Zone (RF), the minimum lot width is reduced from 15 metres (50 ft.) to 14.3 metres (47 ft.) for proposed Lots 1, 2 and 3.
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

**Bob Freeman
Residential Subdivision
9386 - 156th Street, Surrey**

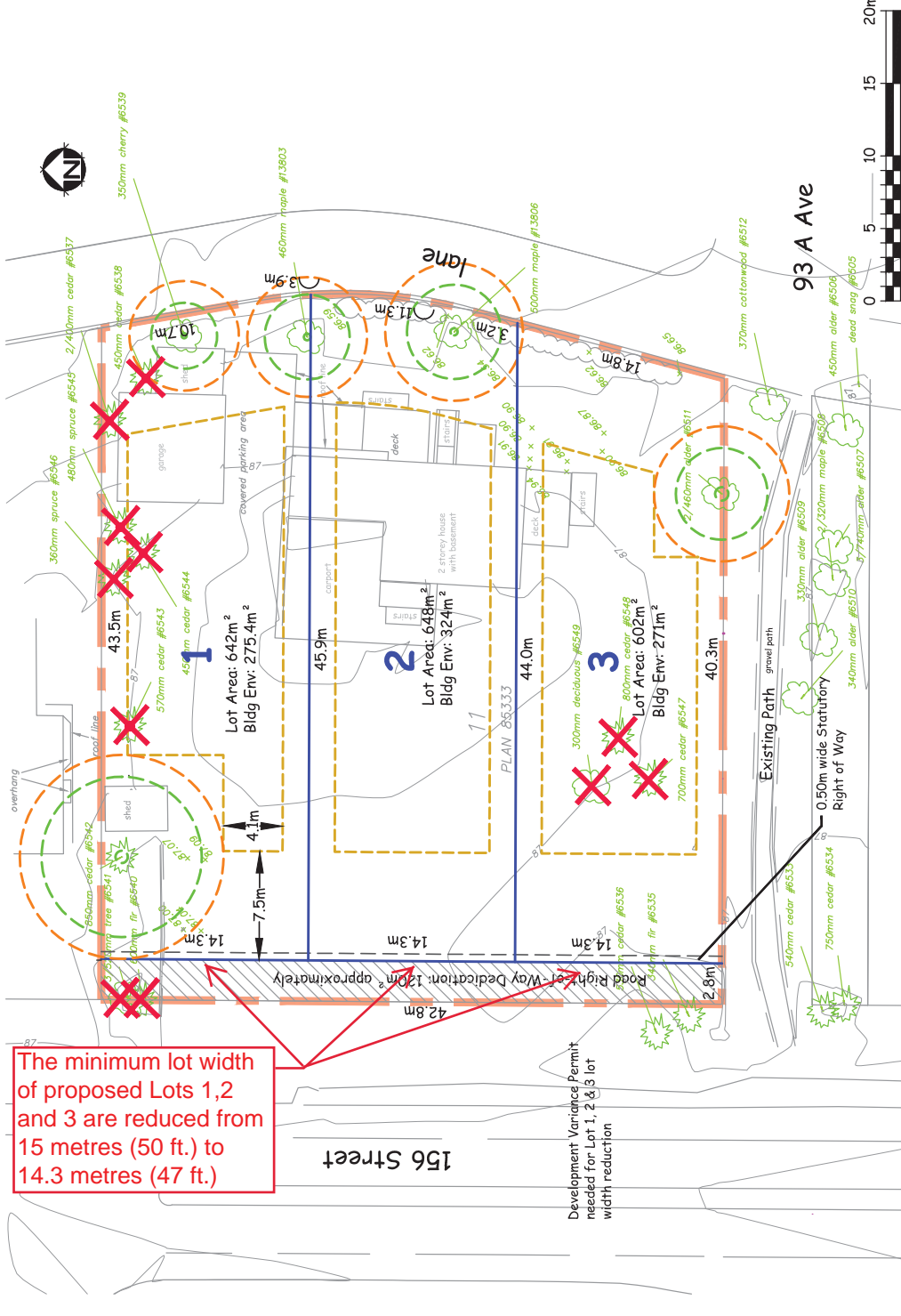
CONCEPT

Legend

Tree Retention Potential

-  Tree protection zone (based on City of Surrey Tree Protection Distance table) 1.5m wide excavation root protection zone
-  Tree Removal
-  Building Envelope

- NOTE: This plan is conceptual only and subject to change due to:
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 - Park dedication requirements or cash in lieu of
 - School site acquisition requirements and/or changes
 - Storm water management requirements
 - Road right-of-way dedication requirements
 - Environmentally sensitive areas and setback requirements
 - Building locations
 - Right-of-way and/or easement requirements



The minimum lot width of proposed Lots 1, 2 and 3 are reduced from 15 metres (50 ft.) to 14.3 metres (47 ft.)

Development Variance Permit needed for Lot 1, 2 & 3 lot width reduction

| | | | | |
|--|--|---|---|---|
| LEGAL DESCRIPTION PID 016-011-147 Lot 11, Section 35, Township 2, New Westminster District, Plan 85333 | GROSS SITE AREA Approx. 0.2 hectares / 0.5 acres | EXISTING REGULATORY DESIGNATIONS Zoning: RF NCP: not within NCP area OCP: Urban | LOT YIELD: Existing Number of Lots: 1 Proposed Number of Lots: 3 | DENSITY: Approx. Gross: 15.0 u.p.h. / 6.0 u.p.a. Approx. Net: 15.8 u.p.h. / 6.5 u.p.a. |
| NET SITE AREA Approx. 0.2 hectares / 0.5 acres | PROPOSED REGULATORY DESIGNATIONS Zoning: no change NCP: not within NCP area OCP: no change | | | |

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