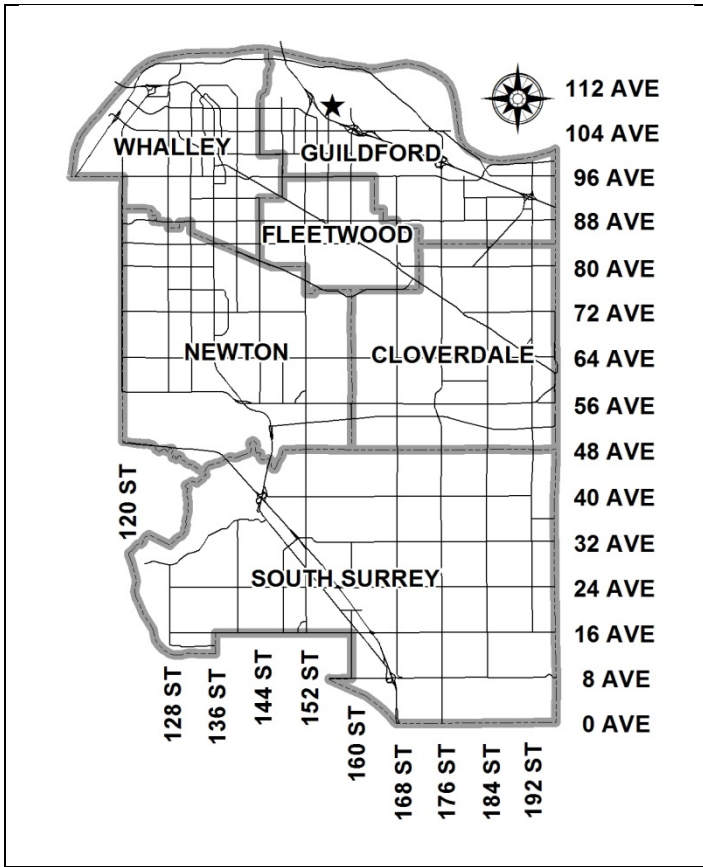


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7915-0154-00

Planning Report Date: May 30, 2016



PROPOSAL:

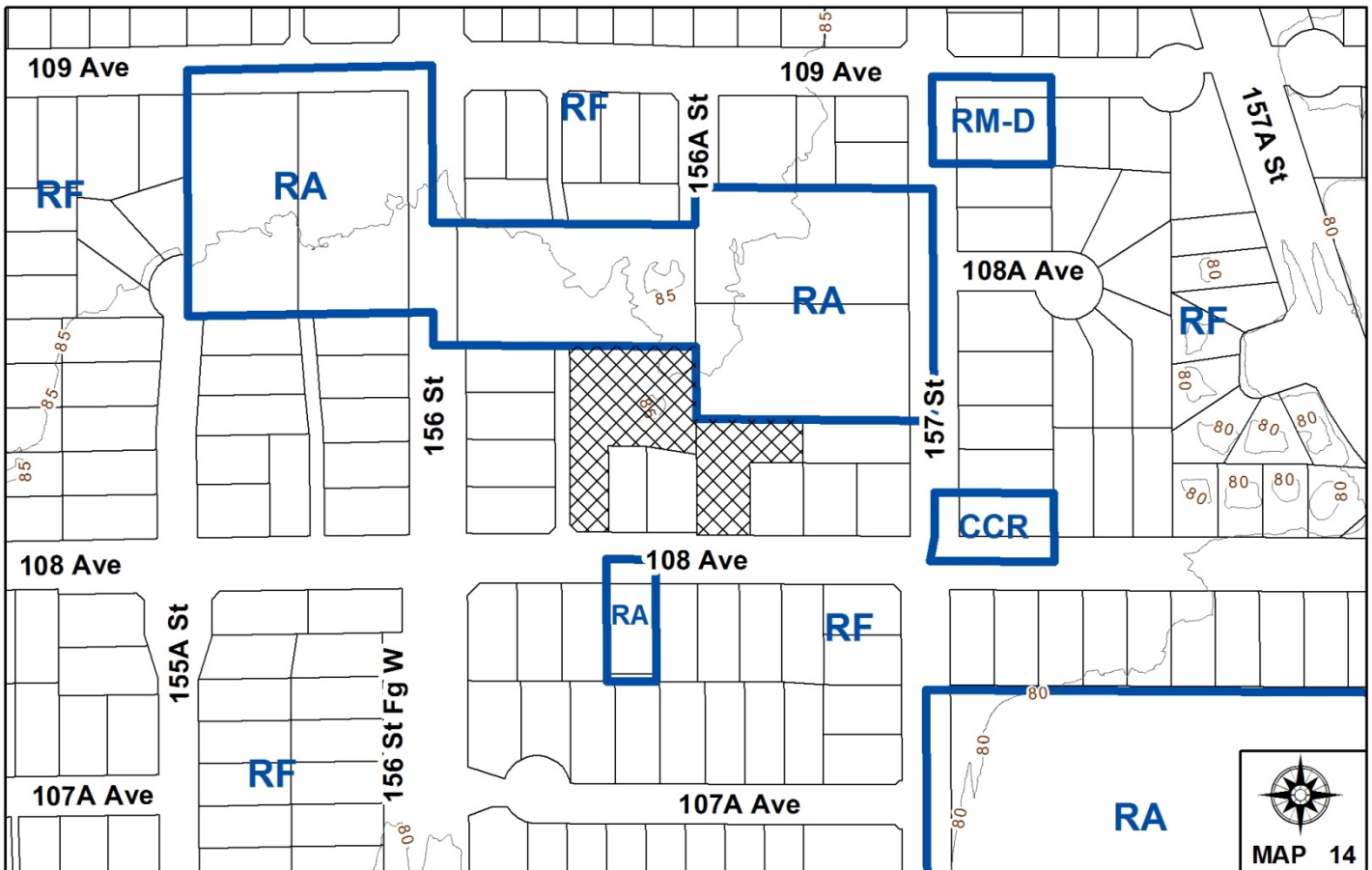
- **Development Variance Permit**
to reduce lot depth and south rear yard setback requirements for two (2) lots in a proposed five (5) lot single family subdivision.

LOCATION: 15657 - 108 Avenue
15621 - 108 Avenue

OWNERS: Highten Developments Corp.
Mu Wen Lin
Xue Yu Fang

ZONING: RF

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking a variance to reduce the minimum lot depth of the RF Zone from 28 metres (90 ft.) to 10.8 metres (35 ft.) for proposed Lot 2 and from 28 metres (90 ft.) to 11.8 metres (38 ft.) for proposed Lot 4.
- Seeking a variance to reduce the minimum south rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 1.8 metres (6 ft.) for proposed Lots 2 and 4.

RATIONALE OF RECOMMENDATION

- Complies with the Urban designation in the OCP.
- Due to the configuration of the parent parcels, proposed Lots 2 and 4 will front 156A Street at an unconventional angle. The applicant has demonstrated that the variances will permit an appropriate sized building envelope with adequate yard space and an appropriate streetscape on 156A Street.
- The proposed subdivision is compatible with surrounding existing single family lots and proposed single family lots under adjacent development applications (Development Application No. 7910-0266-00 and Development Application No. 7914-0243-00).

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7915-0154-00 (Appendix VI) varying the following, to proceed to Public Notification:

- (a) to reduce the minimum lot depth of the RF Zone from 28 metres (90 ft.) to 10.8 metres (35 ft.) for proposed Lot 2 and from 28 metres (90 ft.) to 11.8 metres (38 ft.) for proposed Lot 4; and
- (b) to reduce the minimum south rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 1.8 metres (6 ft.) for proposed Lots 2 and 4.

REFERRALS

Engineering: The Engineering Department has no objection to the project, as outlined in Appendix III.

SITE CHARACTERISTICS

Existing Land Use: Two single family dwellings fronting 108 Avenue, which are intended to be retained.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Single family dwellings (2 active applications to rezone from RA to RF and to subdivide: Development Application No. 7910-0266-00 and Development Application No. 7914-0243-00)	Urban	RA
East:	Single family dwellings	Urban	RF
South (Across 108 Avenue):	Single family dwellings	Urban	RF
West (Across lane):	Single family dwellings	Urban	RF

DEVELOPMENT CONSIDERATIONSSite Context

- The approximately 0.42 hectare (1.03 ac.) subject site is comprised of two lots that are located at 15621 and 15657 – 108 Avenue in the Fraser Heights area.

- The site is designated Urban in the Official Community Plan (OCP) and is zoned “Single Family Residential Zone (RF)”.
- The subject site is among a few remaining lots with subdivision potential in this area of Fraser Heights. Existing subdivisions in the area were built out starting from the late 1980s and early 1990s through to the early 2000s.
- The two lots immediately north of the subject site also have subdivision potential and are both under application. Development Application No. 7910-0266-00, to rezone from RA to RF in order to allow subdivision into six (6) single family lots (one lot with future subdivision potential), received Third Reading on July 25, 2011. Development Application No. 7914-0243-00, to rezone from RA to RF in order to allow subdivision into six (6) single family lots, received Third Reading on September 28, 2015. In order to provide road access to the proposed developments, an 11.5-metre (38-ft.) wide statutory right-of-way (SROW) was previously secured across a portion of the property located at 10857 – 157 Street and 156A Street is being fully constructed under Development Application No. 7910-0266-00. See Appendix IV showing adjacent applications and the location of the existing SROW.

Current Application

- The applicant is proposing to subdivide the subject site into five (5) single family lots, including one lot with future subdivision potential.
- Proposed Lot 3 will be an over-sized lot with a “no build” Restrictive Covenant registered over its entirety. A similar “no build” Restrictive Covenant will be registered over the entirety of a neighbouring proposed over-sized lot (proposed Lot 6) of the adjacent application to the north (Development Application No. 7910-0266-00). The “no build” covenants from both of these lots can be discharged at such time as these two lots come under application to be further subdivided, creating an additional lot.
- Proposed Lots 1 and 5 will continue to gain vehicle access from 108 Avenue and the existing dwellings on these lots will be retained. Proposed Lots 2 through 4 will gain vehicle access from the completed 156A Street cul-de-sac, which will be dedicated and constructed under the adjacent Development Application No. 7910-0266-00. Although proposed Lots 2 and 3 could gain vehicle access from an existing north-south lane located at the rear of these lots, front access from 156A Street is proposed to match the proposed front access lots on 156A Street under the adjacent Development Application No. 7910-0266-00.
- All of the proposed lots meet the minimum dimensional requirements of the RF Zone, with the exception of lot depth for proposed Lots 2 and 4 (see By-law Variances section). The applicant is seeking a variance to lot depth to accommodate these lots.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum lot depth of the RF Zone from 28 metres (90 ft.) to 10.8 metres (35 ft.) for proposed Lot 2 and from 28 metres (90 ft.) to 11.8 metres (38 ft.) for proposed Lot 4.

Applicant's Reasons:

- The owners of the subject site are working in cooperation with adjacent lot owners to complete the 156A Street cul-de-sac and subdivide lots fronting 156A Street through three separate applications (the subject Development Application No. 7915-0154-00, Development Application No. 7910-0266-00 and Development Application No. 7914-0243-00). The proposed variance enables an optimal layout for all participating lot owners and allows for perpendicular lots along the entire length of 156A Street.
- The traditional "pie-shaped" lot design for lots fronting cul-de-sacs that might achieve the minimum lot depth of the RF Zone for proposed Lots 2 and 4 is not possible within the parent parcel boundaries, and therefore a variance is requested (see Appendix IV for variance rationale letter from the applicant).

Staff Comments:

- Due to the configuration of the parent parcels, proposed Lots 2 and 4 will front 156A Street at an unconventional angle. As a result it is not possible for these lots to achieve the minimum 28 metre (98 ft.) lot depth of the RF Zone, based on the conventional method of calculating lot depth as prescribed in the Zoning By-law. However, the applicant has demonstrated that an appropriate sized building envelope can be achieved on these lots with adequate yard space and appropriate streetscape on 156A Street.
- Both of these proposed lots exceed the minimum 560-square metre (6,000 sq. ft.) lot area requirement and the minimum 15-metre (50 ft.) lot width requirement of the RF Zone.
- Staff support the proposed variance.

(b) Requested Variance:

- To reduce the minimum south rear yard setback from 7.5 metres (25 ft.) to 1.8 metres (6 ft.) for proposed Lots 2 and 4.

Applicant's Reasons:

- The owners of the subject site are working in cooperation with adjacent lot owners to complete the 156A Street cul-de-sac and subdivide lots fronting 156A Street through three separate applications (the subject Development Application No. 7915-0154-00, Development Application No. 7910-0266-00 and Development Application No. 7914-0243-00). The proposed variance enables an optimal layout for all

participating lot owners and allows for perpendicular lots along the entire length of 156A Street.

- Proposed Lots 2 and 4 are not the traditional “pie-shaped” lot design of lots fronting cul-de-sacs and, while technically defined by the Zoning By-law as rear lot lines, the southerly property lines should in effect function as side lot lines. The proposed variance will effectively apply a side yard setback of 1.8 metres (25 ft.) along these southerly property lines, thereby permitting adequately-sized building envelopes on these lots.

Staff Comments:

- Due to the configuration of the parent parcels, proposed Lots 2 and 4 will front 156A Street at an unconventional angle. The Zoning By-law defines the southerly property lines of these lots as rear lot lines and therefore the rear yard setback of 7.5 metres (25 ft.) applies. However, given the unconventional orientation of these lots, they should be considered side lot lines and therefore side yard setbacks of 1.8 metres (6 ft.) are supportable.
- The proposed subdivision is compatible with surrounding existing single family lots and proposed single family lots under adjacent development applications (Development Application No. 7910-0266-00 and Development Application No. 7914-0243-00).
- Staff support the proposed 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.	Engineering Summary
Appendix IV.	Map of Applications in Area and Location of SROW
Appendix V.	Variance Rationale Letter
Appendix VI.	Development Variance Permit No. 7915-0154-00

original signed by Judith Robertson

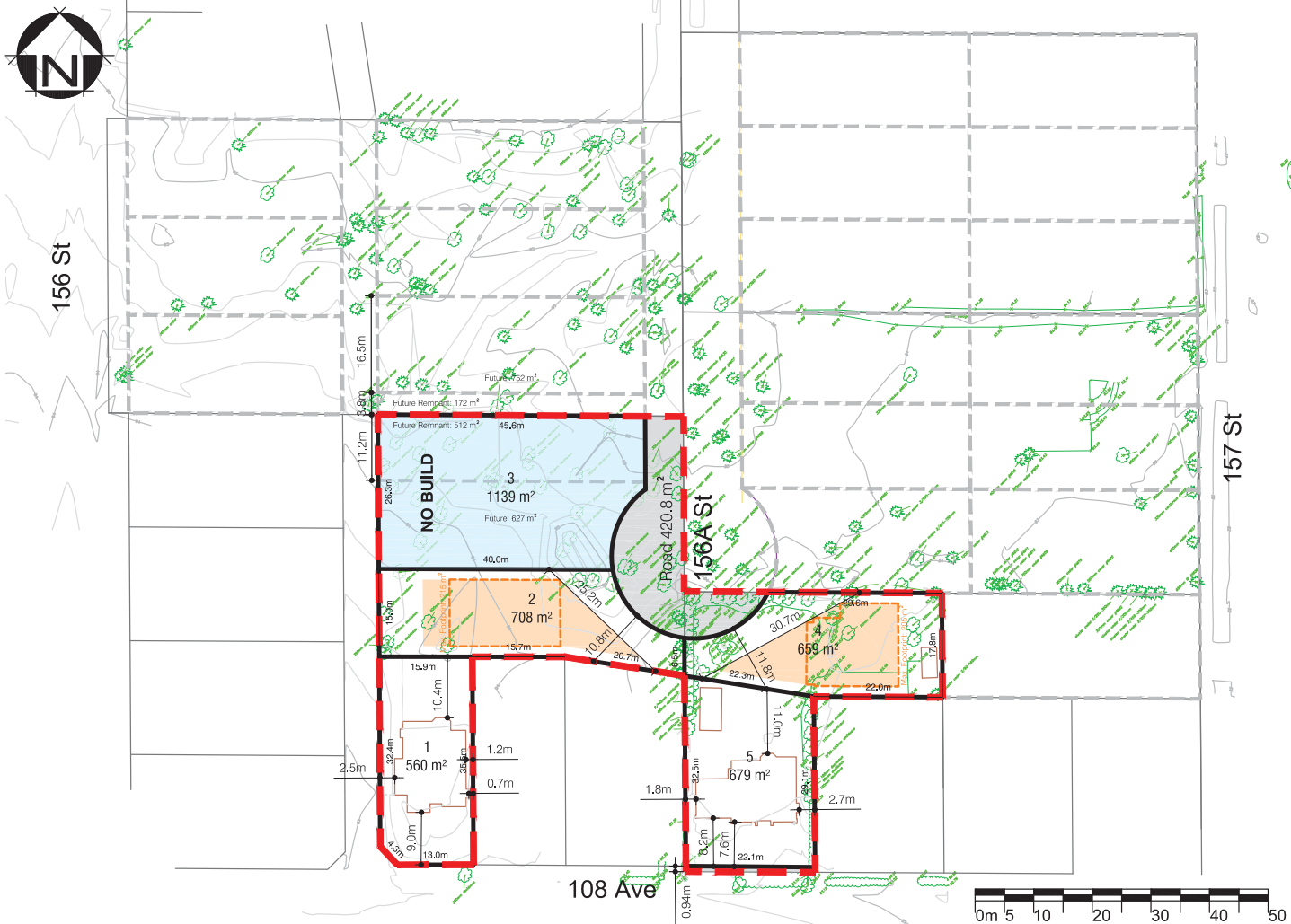
Jean Lamontagne
General Manager
Planning and Development

RC/dk

Appendix II
 Gill & Takar
 Residential Subdivision
 15621 & 15657 108 Avenue, Surrey

SUBDIVISION DIMENSIONS

Surrey File: 15-0154



NOTE: Conceptual layout only, subject to change without notice. Property of Aplin & Martin Consultants Ltd. and not to be reproduced or used without written permission by the Company.

LEGAL DESCRIPTION
 L1 BLK 5N SEC 15 RANGE 1W PLAN BCP15502 NWD
 L1 BLK 5N SEC 15 RANGE 1W PLAN 84432 NWD

GROSS SITE AREA
 0.42 ha / 1.0 ac (approx.)
NET SITE AREA
 0.37 ha / 0.9 ac (approx.)

EXISTING DESIGNATIONS
 Zoning: RF (Single Family Residential)
 NCP: N/A
 OCP: Urban

PROPOSED DESIGNATIONS
 Zoning: No Change
 NCP: No Change
 OCP: No Change

LOT YIELD
 Existing Number of Lots: 2
 Proposed Number of Lots: 5 (6 Future)

DENSITY
 Gross: 12 uph / 5 upa
 Net: 13.5 uph / 5.6 upa*

* Future 6 Lot Subdivision = 6.7 upa

APLIN & MARTIN
 CONSULTANTS LTD.
 Project No.: 14-335
 Date: May 24 2016

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1

TO: **Manager, Area Planning & Development - North Surrey Division
Planning and Development Department**

FROM: **Development Project Engineer, Engineering Department**

DATE: **May 20, 2016**

PROJECT FILE: **7815-0154-00**

RE: **Engineering Requirements
Location: 15621 108 Avenue**

SUBDIVISION

Property and Right-of-Way Requirements

- Dedicate 0.942 m along 108 Avenue toward 22.0 m Collector Road allowance.
- Dedicate 6.5 m along 156A Street toward 16.5 m Limited Local Road allowance and completion of cul-de-sac bulb.
- Obtain offsite statutory rights-of-way to service the site.

Works and Services

- Construct west side of 156A Street to Half Road standard including cul-de-sac bulb and connection through to the existing section to the north.
- Construct frontage and offsite water, storm and sanitary mains to service development.
- Provide onsite stormwater management features to address downstream erosion concerns within Guildford Brook.
- Provide water, storm and sanitary service connections to each lot.

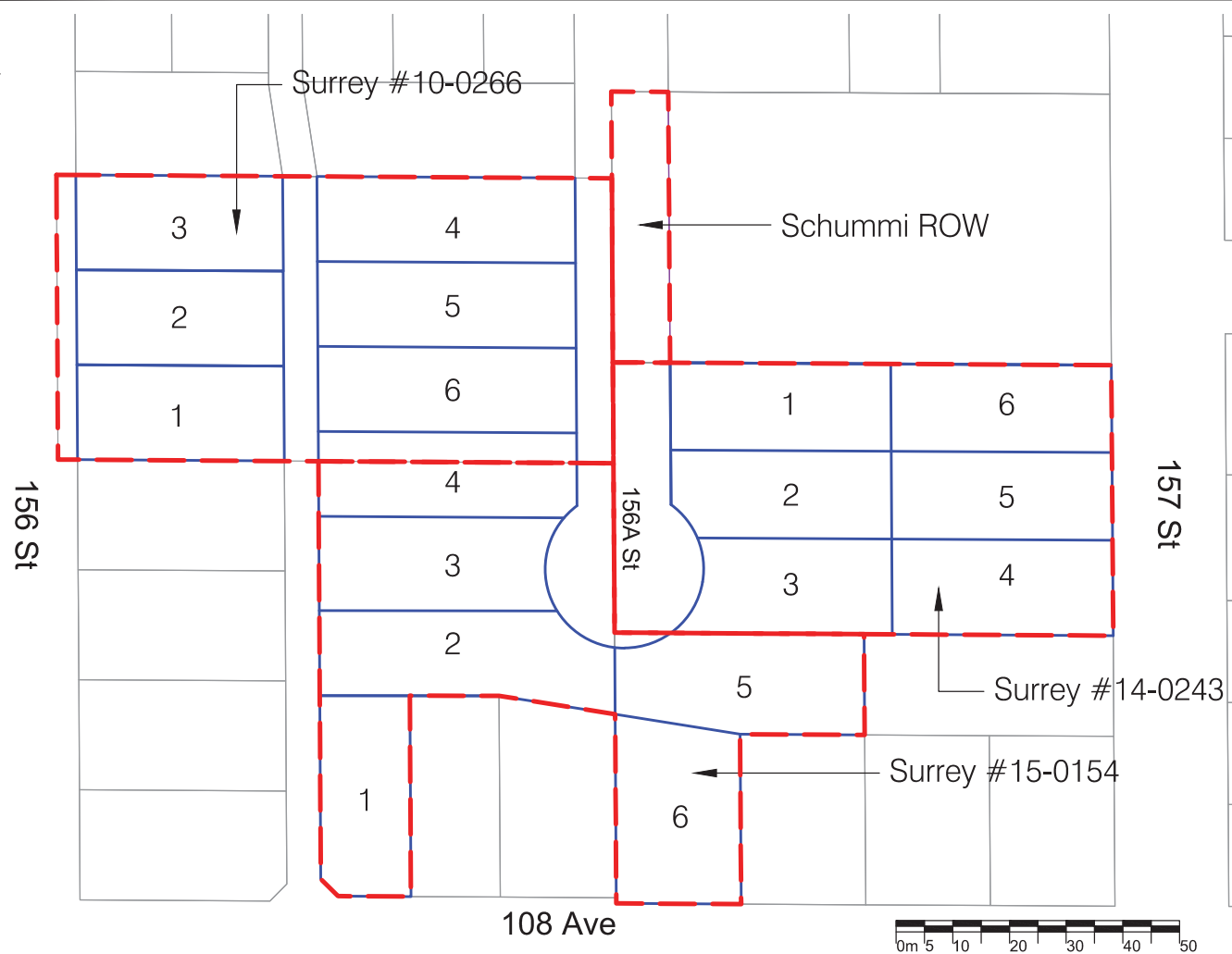
A Servicing Agreement is required prior to subdivision.

DEVELOPMENT VARIANCE PERMIT

There are no engineering requirements relative to issuance of the Development Variance Permit.


Robert Cooke, Eng.L.
Development Project Engineer

MB



156A Projects

OVERALL PLAN

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**APLIN
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CONSULTANTS LTD
Project No.: 14-114
Date: 3 September 2015

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1

January 26, 2016

Our file: 14-335
Surrey file: 15-0154

City of Surrey
Planning & Development Department
13450 104 Avenue
Surrey, BC V3T 1V8

Attention: Rebecca Chaster

Dear Madam,

Re: Planning Rationale for Development Variance Permit for Lot
Depth at Application 15-0154 for 15621 & 15657 108 Avenue, Surrey BC

On behalf of our Clients, we would like to apply for a Development Variance Permit (DVP) for lots 2 and 4 part of application 15-0154 at 15621 and 15657 108 Avenue. This application is moving forward in tandem with applications 10-0266 and 14-0243 with cooperation from all property owners.

This variance request is to alter the lot depth from 28m to 13.6m (Lot 2) and 14.4 m (Lot 4), in order to comply with City Bylaw Part 4, General Provisions, clause 21(e) that states:

For the purpose of subdivision, the depth of a lot shall be determined by a straight line perpendicular to the width of the said lot and have the least distance between the front and furthest opposing lot line.

Lots fronting a cul-de-sac typically achieve minimum lot depths through 'pie-shape' lot design. The bulb of 156A Avenue has been pulled south, and as a result the typical lot design is not achieved and therefore the method for calculating lot depth is not applicable. The purpose of pulling the cul-de-sac south is to allow for perpendicular lots along the entire length of 156A Avenue. As this is an infill project with multiple land owners, the proposed layout ensures that subdivision is achievable within the parent parcel boundaries, with only one expectation of a shared future lot between application number 15-0154 and 10-0266. If pie-shaped lots were utilized, the resulting layout would consist of many fragments shared between property owners. This arrangement would significantly complicate, and likely prevent this infill subdivision from moving forward. This proposed alignment is supported by all owners involved and is the driving force for the three applications. If the DVP for lot depth is approved as proposed, it will allow for 156A Street to be constructed, which will not only benefit the participating lot-owners but also the non-participating adjacent land owners.

The lot depth variance will not impact the functionality of the future lots. The requested variance will allow for the proposed lots to have homes that present to the street and with adequate front lot line setbacks from the road, per the Bylaw. Both future lots will meet minimum setback requirements, thereby achieving a standard driveway in front of the garage, and approvable side yard setbacks.

We encourage you to review the attached layout in detail, which better illustrates the lot dimensions.

If you have any further questions, please contact the undersigned.

Yours truly,

APLIN MARTIN CONSULTANTS LTD.



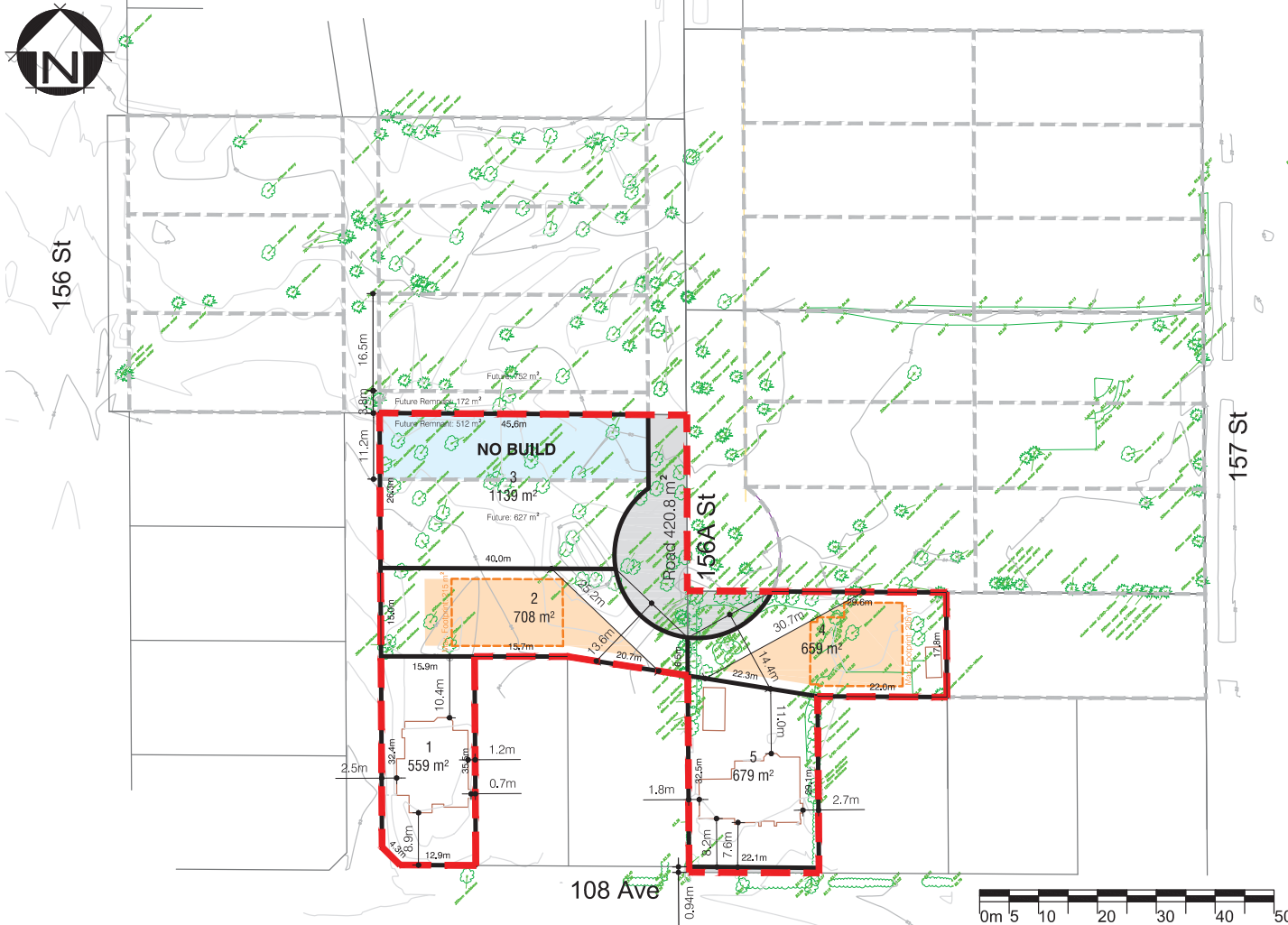
Anya Paskovic, MPI
Project Planner

AP:sk

14-335aplt03

SUBDIVISION DIMENSIONS

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* Future 6 Lot Subdivision = 6.7 upa

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CONSULTANTS LTD
Project No.: 14-335
Date: 14 January 2015

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CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7915-0154-00

Issued To: HIGHTEN DEVELOPMENTS CORP.

Address of Owner: 6345 - 197 Street
Langley, BC V2Y 1K8

Issued To: XUE Y FANG
MU W LIN

Address of Owner: 15657 - 108 Avenue
Surrey, BC V4N 1L9

(Collectively referred to as the "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: 015-804-411
Lot 1 Section 15 Block 5 North Range 1 West new Westminster District Plan 84432

15657 - 108 Avenue

Parcel Identifier: 026-164-442
Lot 1 Section 15 block 5 North Range 1 West new Westminster District Plan BCP15502

15621 - 108 Avenue

(the "Land")

3. 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 depth is reduced from 28 metres (90 ft.) to 10.8 metres (35 ft.) for proposed Lot 2 and from 28 metres (90 ft.) to 11.8 metres (38 ft.) for proposed Lot 4; and
 - (b) In Section F of Part 16 “Single Family Residential Zone (RF)” the minimum south rear yard setback is reduced from 7.5 metres (25 ft.) to 1.8 metres (6 ft.) for proposed Lots 2 and 4.
4. 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.
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.

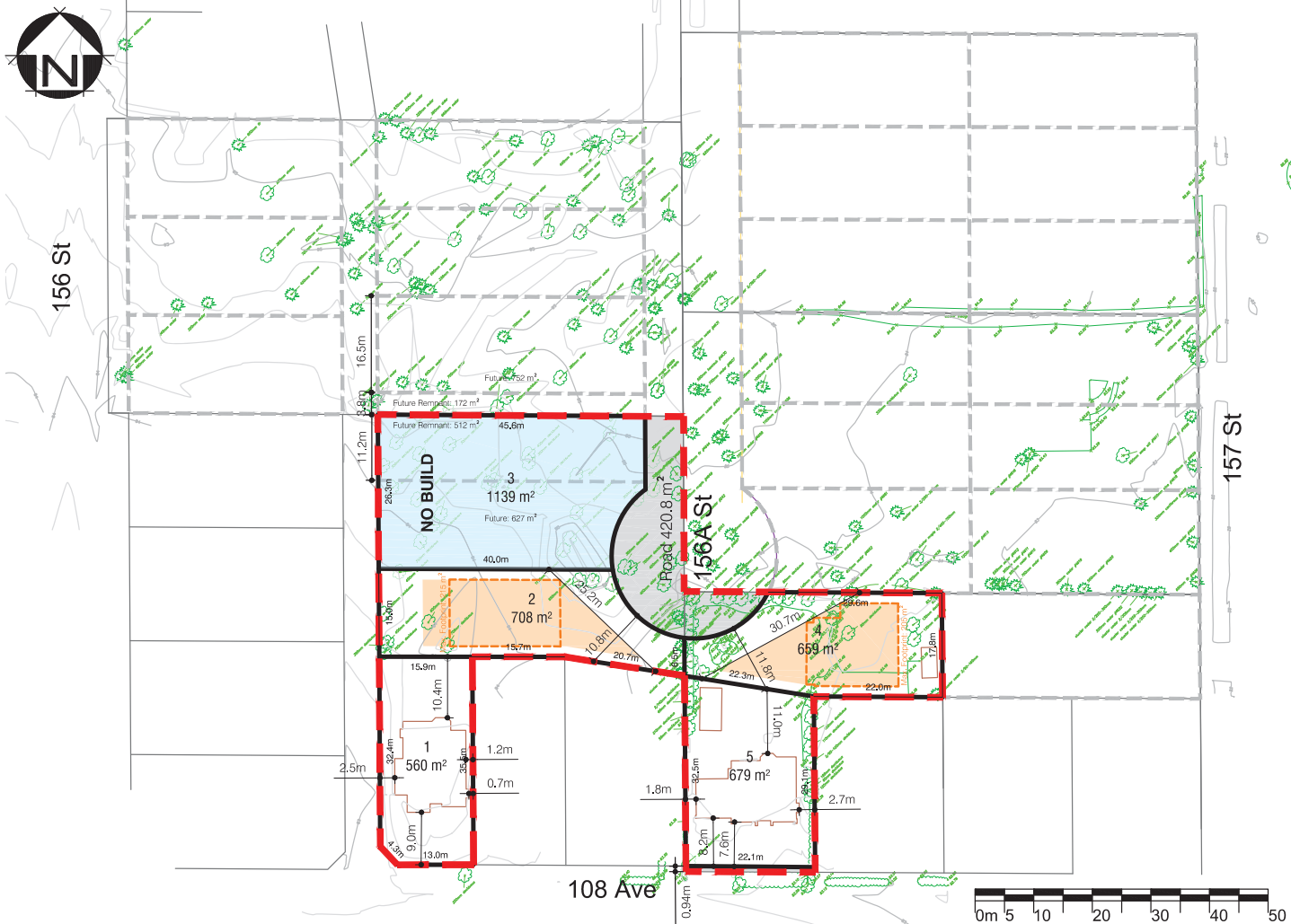
AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 .
ISSUED THIS DAY OF , 20 .

Mayor – Linda Hepner

City Clerk – Jane Sullivan

SUBDIVISION DIMENSIONS

Surrey File: 15-0154



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 Project No.: 14-335
 Date: May 24 2016

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