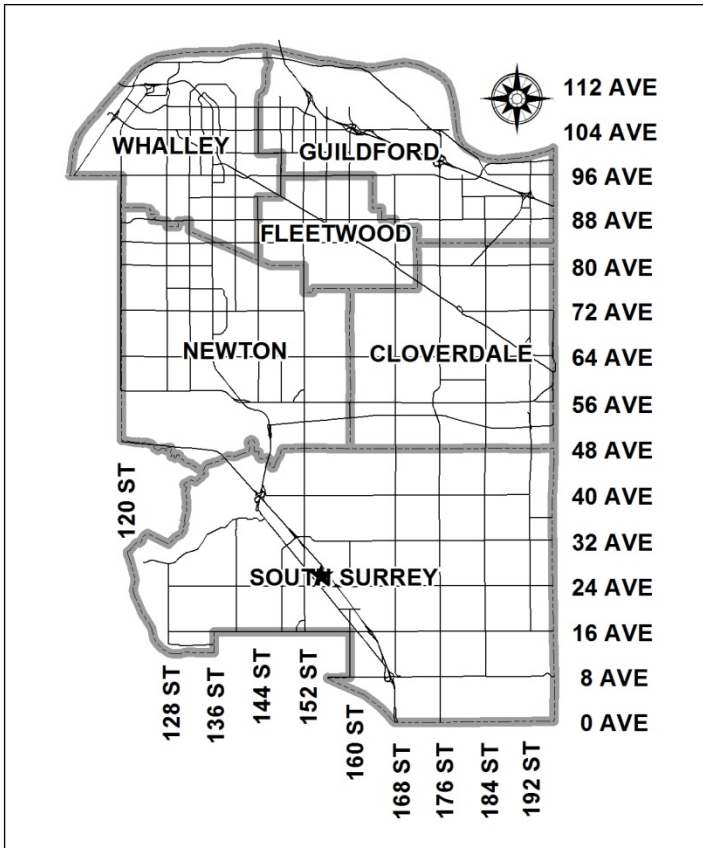


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7916-0159-01

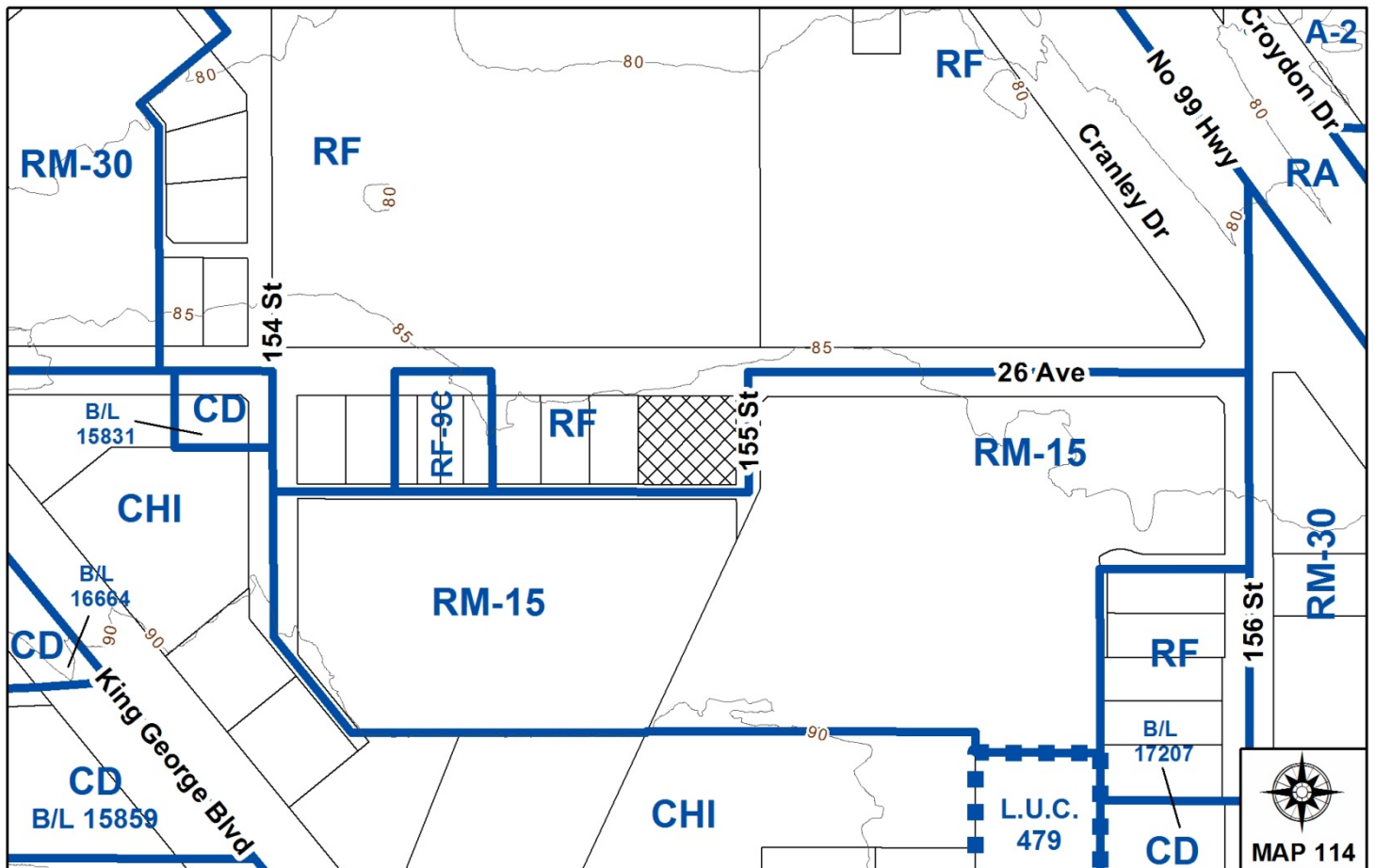
Planning Report Date: April 24, 2017



PROPOSAL:

- **Development Variance Permit**
 to reduce the minimum lot area required under the RF-10 Zone.

LOCATION: 15490 – 26 Avenue
OWNER: 0907878 B.C. Ltd.
ZONING: RF-10 (Proposed)
OCP DESIGNATION: Urban
LAP DESIGNATION: Townhouse (15 upa)



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Development Variance Permit to reduce the minimum lot area of proposed Lot 4 for subdivision under the RF-10 Zone from 363 square metres (3,907 sq.ft.) to 341 square metres (3,670 sq.ft.).

RATIONALE OF RECOMMENDATION

- The proposal complies with the site's "Urban" OCP Designation.
- The rezoning and subdivision development application (No. 7916-0159-00) was granted Third Reading at the Regular Council – Public Hearing meeting of October 3, 2016.
- A Development Variance Permit is proposed to address a recent text amendment (By-law No. 18899) to the Zoning By-law No. 12000, which removed the provision allowing the approving officer to reduce the minimum lot area by up to 10% under small lot single family zones. This amendment to the By-law occurred on October 24, 2016 after Development Application No. 7916-0159-00 had obtained Third Reading. The variance is therefore necessary to allow the applicant to proceed with completing the development application for four (4) RF-10 lots.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7915-0159-01 (Appendix II), to reduce the minimum lot area for the subdivision requirement under the RF-10 Zone from 363 square metres (3,907 sq.ft.) to 341 square metres (3,670 sq.ft.), to proceed to Public Notification.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Single family residential

Adjacent Area:

Direction	Existing Use	OCP/LAP Designation	Existing Zone
North (Across 26 Avenue):	Sunnyside Park	Urban/Park	RF
East: (Across 155 Street):	Townhouses	Urban/Townhouses (15 upa)	RM-15
South:	Lane and Townhouses	Urban/Townhouses (15 upa)	RM-15
West:	Single family residential	Urban/Townhouses (15 upa)	RF

DEVELOPMENT CONSIDERATIONS

- The subject site is a corner lot located south of 26 Avenue and west of 155 Street. The site is designated "Urban" under the Official Community Plan (OCP) and "Townhouse (15 upa)" under the King George Corridor Highway Local Area Plan (LAP).
- On October 3, 2016, Council granted Third Reading to a Development Application No. 7916-0159-00 which proposes to rezone the site from "Single Family Residential Zone (RF)" to "Single Family Residential (10) Zone (RF-10)" in order to permit subdivision into four (4) single family small lots.
- Under the rezoning and subdivision application, a variance to reduce the minimum lot width of proposed Lot 4 from 10.5 metres (34 ft.) to 9.4 metres (31 ft.) was also supported. The lot area of proposed Lot 4 of 342 square metres (3,681 sq.ft.) was supported based on the former provision under Zoning By-law No. 12000 that allowed a reduction of up to 10% of the minimum lot area requirement of 363 square metres (3,907 sq.ft.).

- On October 24, 2016, the Planning & Development Department approved text amendments (Corporate Report No. R236, By-law No. 18899) to the small lot single family zones. The amendment included the removal of the provision under Section 21(h) of Part 4 General Provisions which permitted the approving officer to reduce the minimum lot area by up to 10% of one lot within a small single family lot subdivision (i.e. RF-9, RF-9C, RF-10, RF-10S, RF-12, RF-12C, and RF-13).
- Given the change to the Zoning By-law No. 12000, proposed Lot 4 no longer complies with the minimum lot area provisions of the RF-10 Zone. As such, the applicant proposes a Development Variance Permit (DVP) to reduce the minimum lot area of proposed Lot 4.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum lot area of the RF-10 Zone, from 363 square metres (3,907 sq.ft.) to 341 square metres (3,670 sq.ft.).

Applicant's Reasons:

- A variance to reduce the minimum lot area is required to permit proposed Lot 4 to comply with the RF-10 Zone.
- Proposed Lot 4 remains as a larger corner lot compared to the other proposed lots in the subdivision.

Staff Comments:

- The option of reducing the road dedication of 155 Street to increase the lot area of proposed Lot 4 was considered, however it would negatively impact the retention of a row of existing Douglas-fir trees along the east property line. To accommodate the retention of the Douglas-fir trees, a road dedication of 4.0 metres (13 ft.) was accepted for a modified road standard instead of 4.5 metres (15 ft.) to achieve the typical local road standard.
- Staff are supportive of a DVP to address the issue of lot area compliance that has resulted from recent amendments to the Zoning By-law No. 12000, and it will allow the applicant to proceed with completing the development application.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners and Action Summary
- Appendix II. Development Variance Permit No. 7916-0159-01

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

DH/da

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7916-0159-01

Issued To: 0907878 B.C. LTD.

(the "Owner")

Address of Owner: 15571 - 59 Avenue
Surrey, BC V3S 4N8

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: 001-923-455
Lot "A" Section 23 Township 1 New Westminster District Plan 20697

15490 - 26 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 titles have been issued, as follows:

Parcel Identifier:

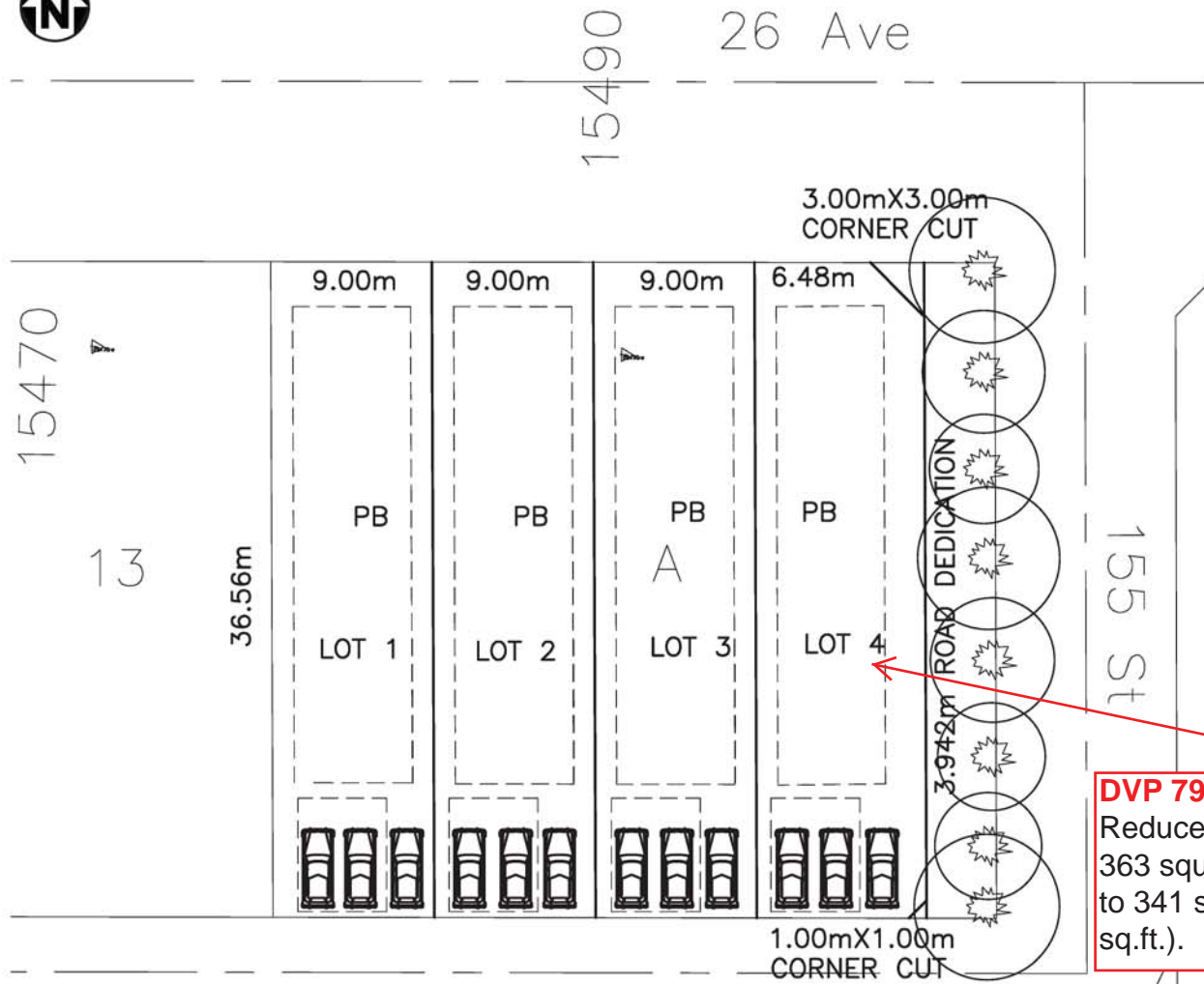
- (b) If the civic address changes, the City Clerk is directed to insert the new civic addresses for the Land, as follows:

4. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section K Subdivision (2) of Part 17C "Single Family Residential (10) Zone (RF-10)", the minimum lot area of a Type III Corner Lot is reduced from 363 square metres (3,907 sq.ft.) to 341 square metres (3,670 sq.ft.).
5. 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. 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 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.
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 – Linda Hepner

City Clerk – Jane Sullivan



Lot Subdivision Details and Statistics:

Civic Address: 15490 26 Ave, Surrey, BC

Lot Feature	Units	Lot No. 01	Lot No. 02	Lot No. 03	Lot No. 04
Original Lot:					
Width	m	40.40			
Depth	m	36.56			
Area	m ²	1477.02			
	acre	0.36			
Number of Lots Created	ea	4.00			
Density	u.p.ha	27.08			
	u.p.a	10.96			
Existing Zoning		RF			
New Lots Dimensions:					
width	m	9.00	9.00	9.00	9.47
depth	m	36.56	36.56	36.56	36.56
area	m ²	329.04	329.04	329.04	341.72
Lot area required per Zoning:					
	m ²	237.00	324.00	324.00	363.00
New Lot Setbacks:					
front yard	m	2.50	2.50	2.50	2.50
side 1 yard	m	1.20	1.20	1.20	1.20
side 2 yard	m	1.20	1.20	1.20	2.26
rear yard	m	7.50	7.50	7.50	7.50
Provided Parking Details:					
width	m	2.60	2.60	2.60	2.60
length	m	5.50	5.50	5.50	5.50
Number of parking stalls for each lot	ea	3	3	3	3
New Building areas:					
primary building	m ²	146	175.5	175.7	176
accessory building	m ²				
New Lots Type:					
		interior	interior	interior	corner
New Lots Zoning:					
		RF-10 Type IV	RF-10 Type IV	RF-10 Type IV	RF-10 Type IV
Compliance With Zoning Requirements:					
		yes	yes	yes	yes
Exceptions:		none	none	none	none
Notes:					
1- Lot No. 4 width is 9.47m - varies from 10.50m (standard for the zoning)					
2- Lot No. 4 side yard is 2.26m - varies from 2.70m (standard for the zoning)					

DVP 7916-0159-01:
 Reduced lot area of Lot 4 from 363 square metres (3,907 sq.ft.) to 341 square metres (3,670 sq.ft.).

PLAN
SCALE: 1:250



LEGAL DESCRIPTION: 15470 St, 13, 36.56m, LOT 1, LOT 2, LOT 3, LOT 4, 155 St	REVISIONS: <table border="1"> <tr> <th>REV. NO.</th> <th>DESCRIPTION</th> <th>DRAWN</th> <th>DATE</th> <th>APP.</th> </tr> <tr> <td>1</td> <td>ISSUED FOR PLANNING PURPOSES</td> <td>JL</td> <td>18/02/2015</td> <td>TS</td> </tr> <tr> <td>2</td> <td>REMOVED ZONING TYPER</td> <td>JL</td> <td>18/02/2015</td> <td>TS</td> </tr> <tr> <td>3</td> <td>THREE PROVISION ZONE FROM ASSIGNED ADDRESS</td> <td>JL</td> <td>18/02/2015</td> <td>TS</td> </tr> <tr> <td>4</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>5</td> <td></td> <td></td> <td></td> <td></td> </tr> </table>	REV. NO.	DESCRIPTION	DRAWN	DATE	APP.	1	ISSUED FOR PLANNING PURPOSES	JL	18/02/2015	TS	2	REMOVED ZONING TYPER	JL	18/02/2015	TS	3	THREE PROVISION ZONE FROM ASSIGNED ADDRESS	JL	18/02/2015	TS	4					5					 T3 ENGINEERING LTD. 2000 88 AVENUE, SUITE 201, VANCOUVER, BC V6P 6R6 TEL: 604-273-8888 FAX: 604-273-8889 www.t3engineering.com	CLIENT: 0907878 BC LTD. 311 - 17700 88A AVENUE, SURREY, BC V0S 8M4 TEL: 779-7702	DESIGNER: JL CHECKER: TS DIVISION: 000 PROJECT NO.: 2015-03 DRAWING DATE: 19-02-2016 SHEET NO.: 01 OF 01
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