

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7916-0216-00

Planning Report Date: May 30, 2016

PROPOSAL:

- **Development Variance Permit**

to reduce the minimum side yard setback of a proposed single family dwelling for tree protection.

LOCATION: 17263 - 2 Avenue

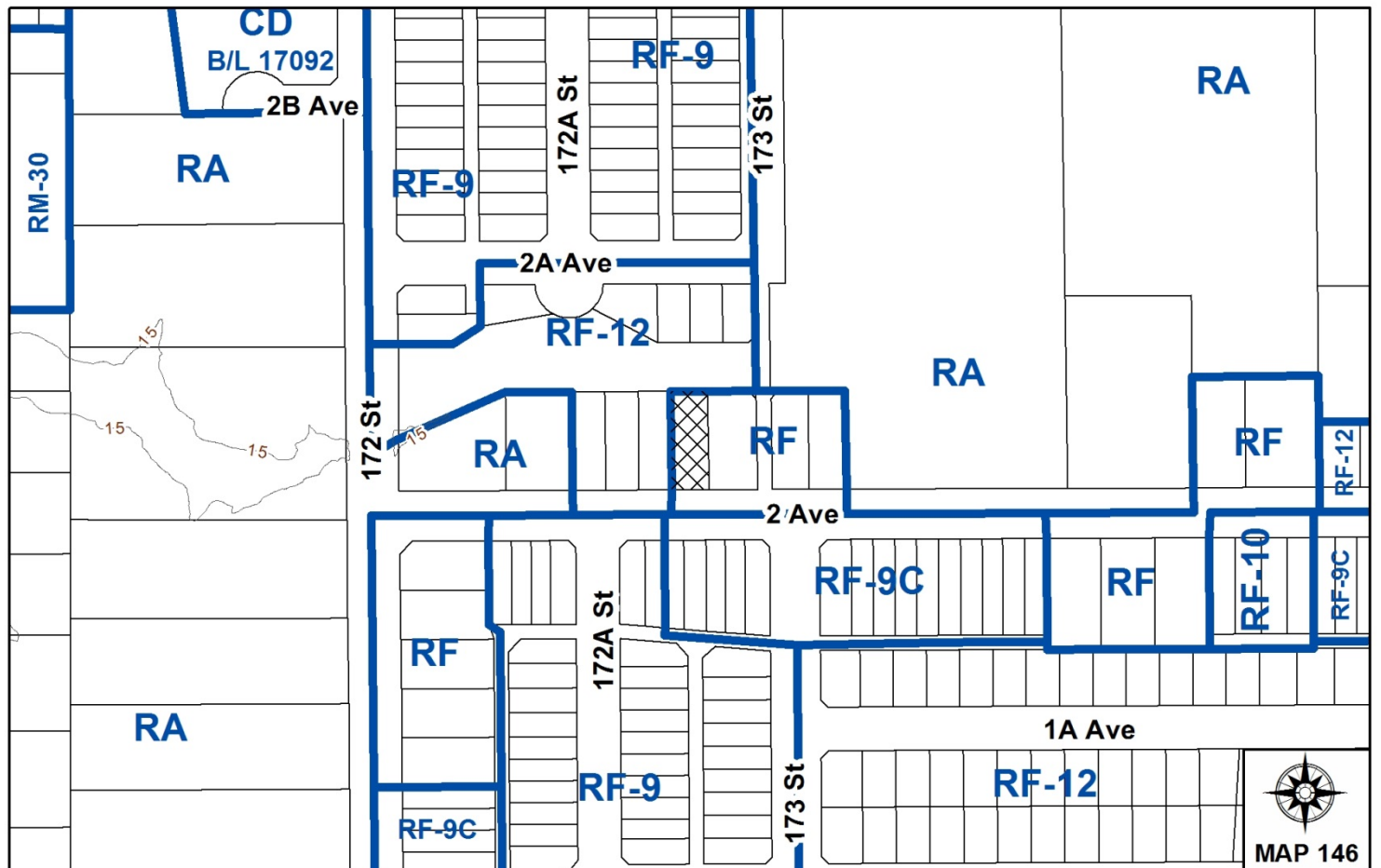
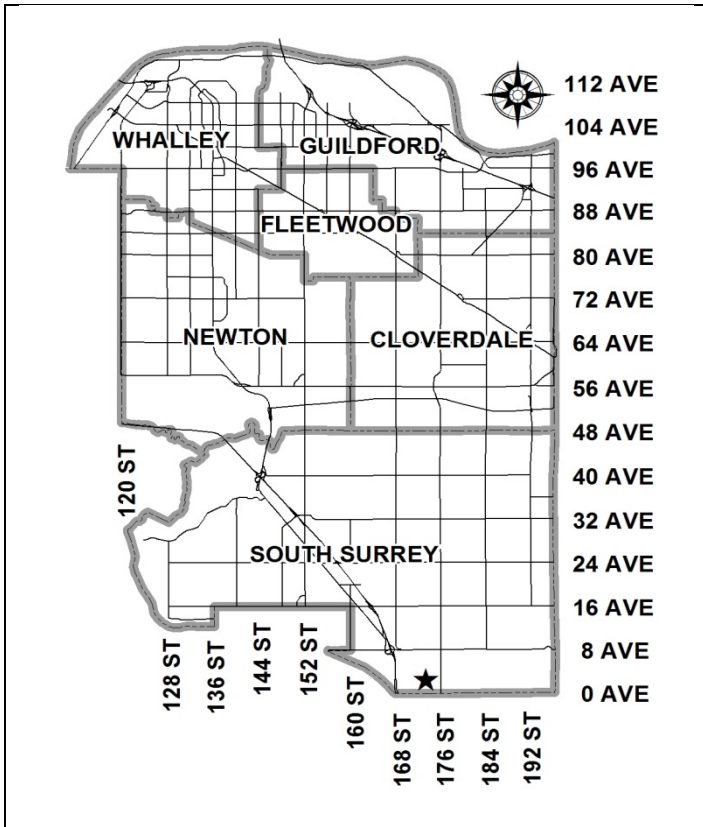
OWNER: Erin A Davidson

ZONING: RF

OCP DESIGNATION: Urban

NCP/LAP DESIGNATION: Urban Single Family (6 u.p.a.)

DESIGNATION:



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 reduce the side yard (west) setback of the Single Family Residential Zone (RF) from 1.8 metres (6 ft.) to 1.2 metres (4 ft.).

RATIONALE OF RECOMMENDATION

- Reducing the west side yard setback to 1.2 metres (4 ft.) will help facilitate the protection of shared trees on the east property line.
- The neighbouring property to the west of the subject site is zoned Single Family Residential (12) Zone (RF-12). The proposed setback of 1.2 metres (4 ft.) for the subject site mirrors the side yard setbacks in the RF-12 Zone.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7916-0216-00 (Appendix III), to reduce the minimum side yard (west) setback of the RF Zone from 1.8 metres (6 ft.) to 1.2 metres (4 ft.), to proceed to Public Notification.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Vacant Single Family Residential (RF) Lot.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North:	Greenbelt	Urban/Open Space	RF-12
East:	Single Family Residential	Urban/Urban Single Family (6 u.p.a.)	RF
South (Across 2 Avenue):	Single Family Residential	Urban/Single Family Flex (6-14.5 u.p.a.)	RF-9C
West:	Single Family Residential	Urban/Urban Single Family (6 u.p.a.)	RF-12

DEVELOPMENT CONSIDERATIONSBackground

- The subject property is located at 17263 - 2 Avenue. The property is zoned Single Family Residential (RF), designated Urban Single Family (6 u.p.a.) in the Douglas Neighbourhood Concept Plan, and Urban in the OCP.
- The subject site was created under Development Application No. 7912-0096-00. As a condition of subdivision approval, a Section 219 Restrictive Covenant for Tree Preservation was registered against the title of the land for five shared trees on the eastern property line. The applicant has now applied for a Building Permit to construct a single family home. Through the building permit process it was determined that the tree protection area needed to be increased in size to ensure the long term health of the trees.

- The new no-build tree preservation area requires the building envelope to be a maximum of 3.9 metres (13 ft.) from the east property line; 0.9 metre (3 ft.) beyond the original no build area.

Current Proposal

- The applicant is proposing a Development Variance Permit to reduce the minimum side yard (west) setback of the RF Zone from 1.8 metres (6 ft.) to 1.2 metres (4 ft.) to facilitate the protection of the shared trees on the eastern property line.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- Reduce the minimum side yard (west) setback of the RF Zone, from 1.8 metres (6 ft.) to 1.2 metres (4 ft.).

Applicant's Reasons:

- The lot was purchased and building plans designed with the understanding that the Restrictive Covenant for Tree Protection was sufficient to protect the shared trees on the eastern property line. Through the Building Permit review process it was determined that the proposed building envelope encroaches into the critical root zone of the trees. Reducing the western side yard setback will limit the amount of building redesigns required and will protect the trees to the east.

Staff Comments:

- A reduction to the west side yard setback will allow the property owner the opportunity to maintain a similar building size afforded to them under the RF Zone without compromising the health of the trees to the east nor the original design of their house.
- The neighbouring lot to the west is zoned RF-12. The RF-12 zone requires a side yard setback of 1.2 metres (4 ft.). The proposed setback of 1.2 metres (4 ft.) will be identical to what the neighbour to the west is allowed under the RF-12 zone.
- Staff supports this application proceeding to Public Notification.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners, Action Summary and Project Data Sheets
- Appendix II. Site Plan
- Appendix III. Development Variance Permit No. 7916-0216-00

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

AR/dk

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DEVELOPMENT DATA SHEET

Existing Zoning: RF

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		
Road Widening area		
Undevelopable area		
Net Total		
LOT COVERAGE (in % of net lot area)	38%	34%
Buildings & Structures	235 m	212 m
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front	Minimum 7.5 m (5.5m)	8.91 m & 5.51 m
Rear	Minimum 7.5 m	14.7 m
Side #1 (N,S,E, or <u>W</u>)	Minimum 1.8 m	1.2 m
Side #2 (N,S, <u>E</u> , or W)	Minimum 1.8 m	2.7 m
BUILDING HEIGHT (in metres/storeys)		
Principal		
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential	Maximum 356.3 m	294.2 m
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA		

** If the development site consists of more than one lot, lot dimensions pertain to the entire site.*

SKETCH PLAN SHOWING PROPOSED DWELLING ON LOT 4, SECTION 32, BLOCK 1 NORTH, RANGE 1 EAST, NWD, PLAN EPP41042

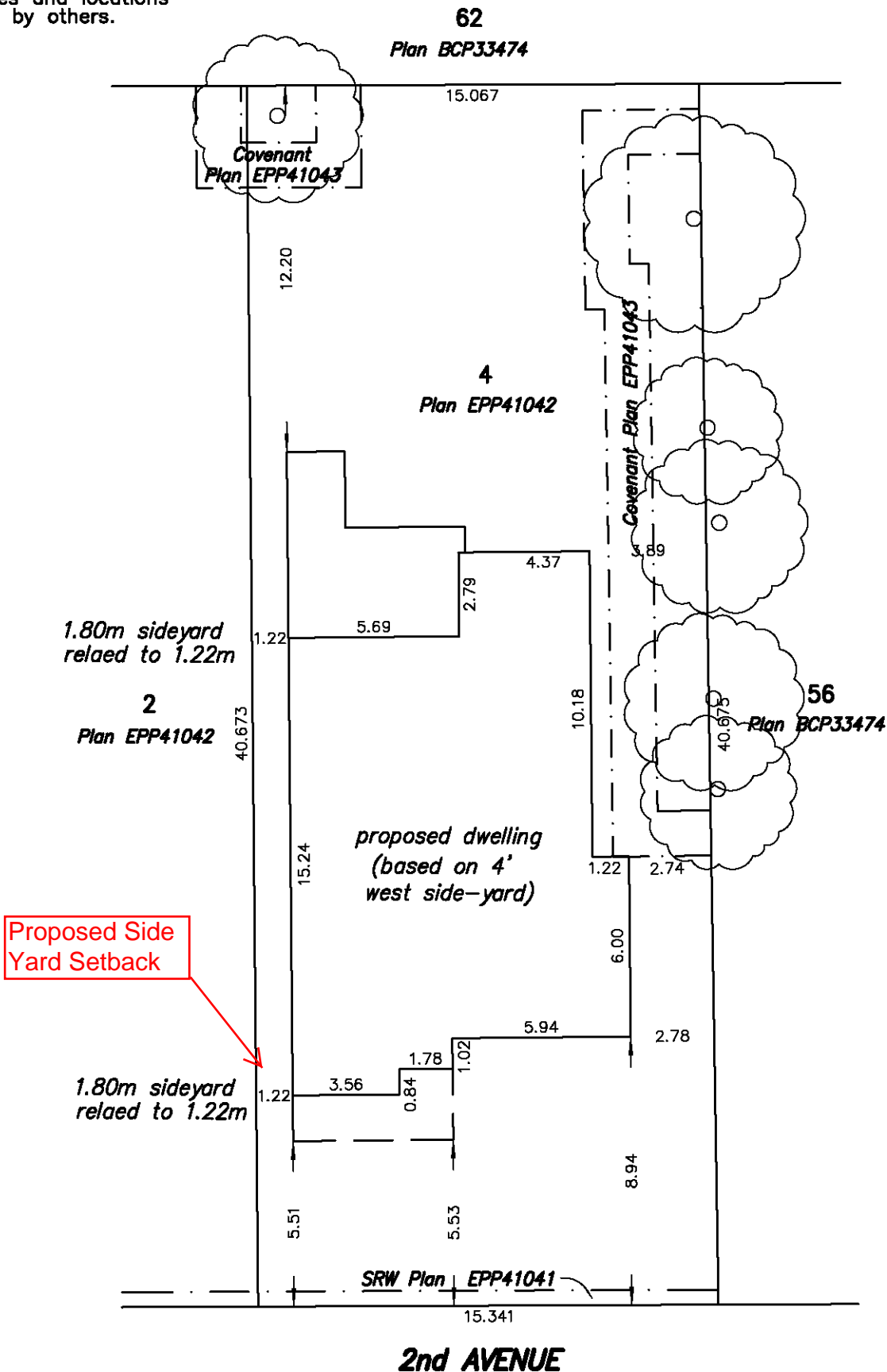
This document shows the relative location of the surveyed structures and features with respect to the boundaries of the parcel described above. This document shall not be used to define property lines or property corners.

Civic Address:
17259 - 2nd Avenue
Surrey, B.C.



SCALE 1 : 200
All distances are in metres

Notes:
Tree sizes and locations provided by others.



©CAMERON LAND SURVEYING LTD.
PROFESSIONAL LAND SURVEYORS
Unit 206 - 16055 Fraser Highway
Surrey, B.C. V4N 0G2
Phone 597-3777
Fax 597-3783
File: 5655-CE-B

Dated this 13th day of May, 2016

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7916-0216-00

Issued To: ERIN A DAVIDSON

("the Owner")

Address of Owner: 17263 - 2 Avenue
Surrey, BC V3Z 9P9

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: 029-417-813
Lot 4 Block in Section 32 Range 1E Plan Epp41042 New Westminster District

17263 - 2 Avenue

(the "Land")

4. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F. Yards and Setbacks of Part 16 Single Family Residential Zone, the minimum side yard setback (west) is reduced from 1.8 metres (6 ft.) to 1.2 metres (4 ft.).
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 if the Owner does not substantially start any construction with respect to which this development variance permit is issued, within two (2) 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

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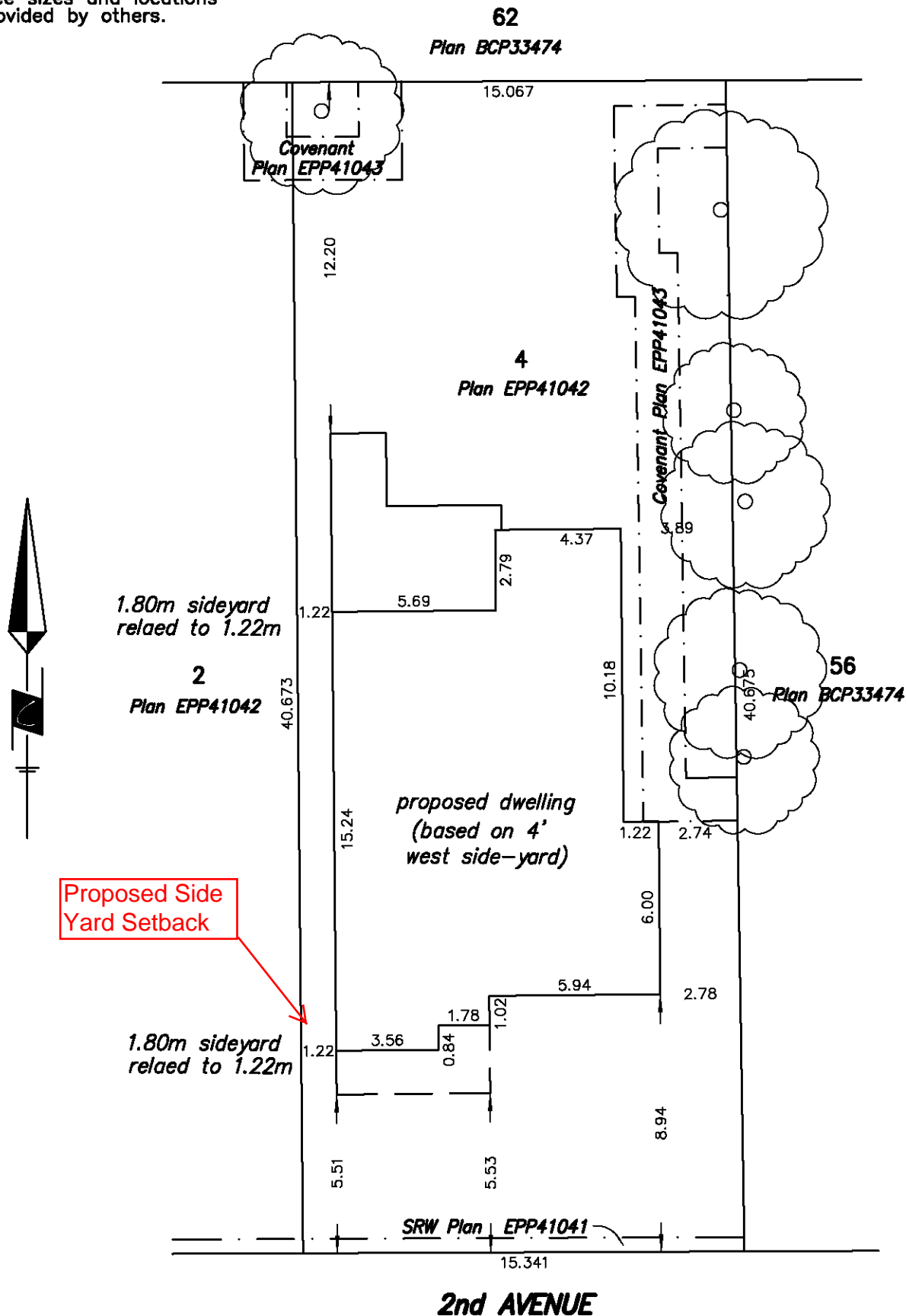
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