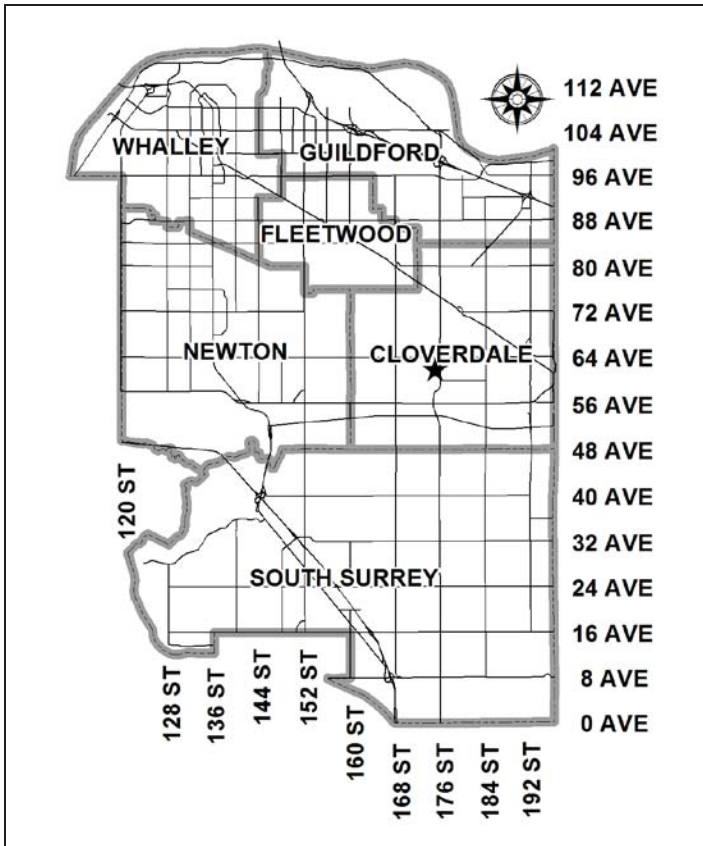


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7916-0267-00

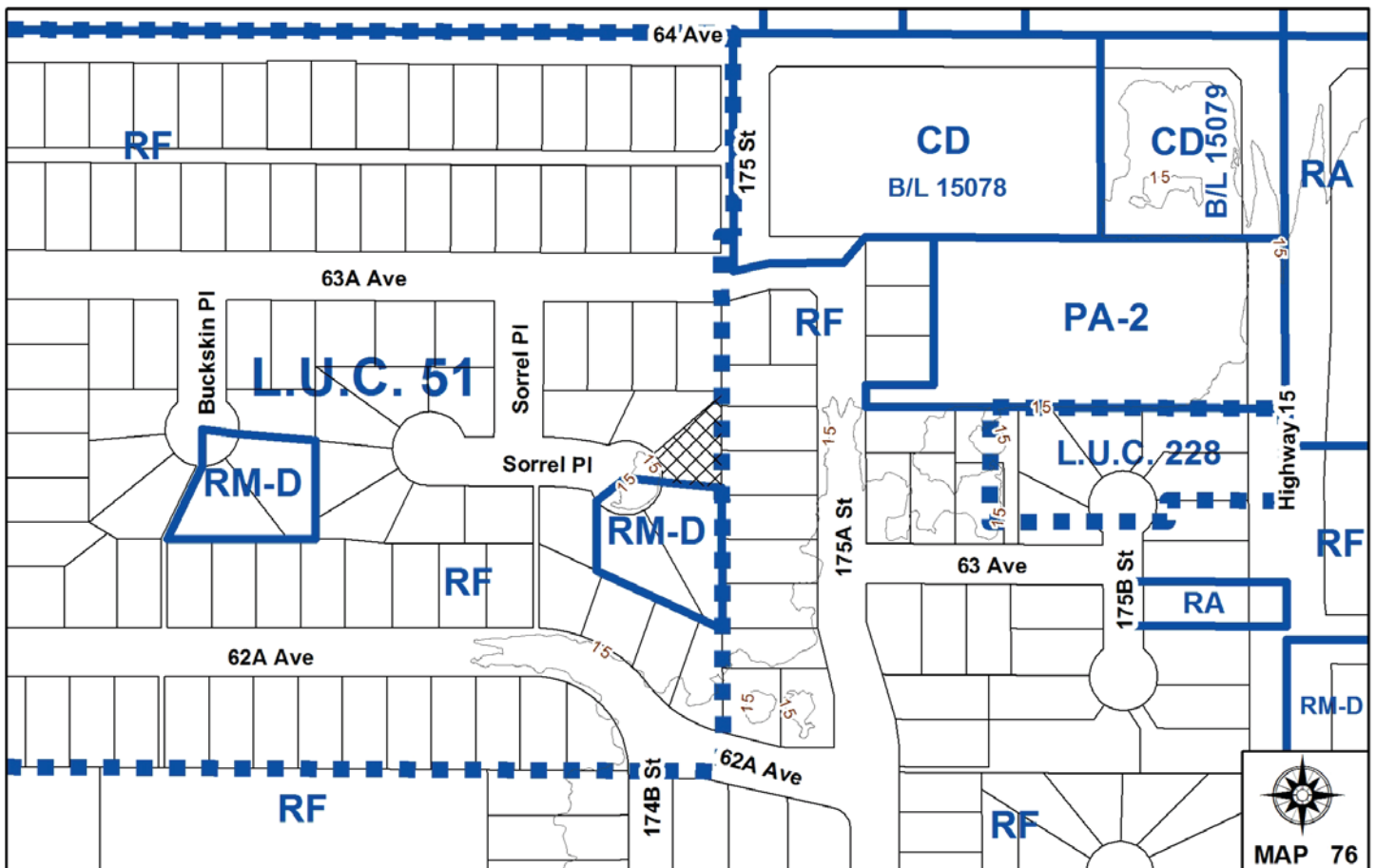
Planning Report Date: July 11, 2016



PROPOSAL:

- **Development Variance Permit**
 to reduce the minimum rear yard setback to permit an addition to an existing single family dwelling on the lot.

LOCATION: 6316 Sorrel Place
OWNERS: Nathaniel Stephens
 Misty-Dawn Stephens
ZONING: LUC No. 51
 (underlying RF Zone)
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 to reduce the minimum rear yard setback to the principal building under Land Use Contract No. 51, from 7.5 metres (25 ft.) to 5.82 metres (19 ft.), to permit the construction of a new addition to an existing single family dwelling on the lot.

RATIONALE OF RECOMMENDATION

- An existing non-compliant attached shed and deck have been located on the property for a number of years and have solicited no objections from the neighbouring properties. The existing attached shed is to be removed prior to construction. The proposed addition is sited along the same plane as the existing structure, relative to the rear lot line.
- The proposed addition would have a minimal impact on the adjacent lots to the east of the subject property as the existing single family dwellings on the adjacent lots are located approximately 22 metres (72 ft.) from the shared rear property line.
- The overall lot coverage of all proposed additions and existing buildings on the subject property will be 26% which is less than the 33% maximum lot coverage of LUC No. 51 (based on the R-3 Zone of Surrey Zoning By-law, 1964, No. 2265).
- The proposed addition would be well-screened by an existing fence and trees on the property.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7916-0267-00 (Appendix III), to reduce the minimum rear yard setback to the principal building under Land Use Contract No. 51 from 7.5 metres (25 ft.) to 5.82 metres (19 ft.), to proceed to Public Notification.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: There is an existing two-storey single family dwelling on the property as well as an existing one-storey, detached garage and shed, which are to remain.

Adjacent Area:

| Direction | Existing Use | OCP | Existing Zone |
|-----------------------------|-------------------------|-------|-------------------------------|
| North: | Single family dwellings | Urban | LUC 51 (underlying RF Zone) |
| East: | Single family dwellings | Urban | RF |
| South: | Duplexes | Urban | LUC 51 (underlying RM-D Zone) |
| West (Across Sorrel Place): | Single family dwellings | Urban | LUC 51 (underlying RF Zone) |

DEVELOPMENT CONSIDERATIONS

- The 670-square metre (7,212 square foot) subject lot is located at 6316 Sorrel Place in Cloverdale.
- The subject lot is designated Urban in the Official Community Plan (OCP) and regulated by Land Use Contract (LUC) No. 51 with an underlying zoning of “Single Family Residential Zone (RF)”.
- The lot was created under Land Use Contract (LUC) No. 51 Authorization By-law No. 4374 in 1976. As per Schedule “C” of the Land Use Contract all buildings, structures and improvements on the lot shall be sited in accordance with “Residential Zone Number Three (R-3)” of Surrey Zoning By-law, 1964, No. 2265.
- A 91.78-square metre (988-square foot) two-storey single family dwelling was constructed on the lot, with approved permits, in 1977.

- At the time of final approval the principal building complied with all the relevant setback requirements of LUC No. 51, however, over the years an attached one-storey 11.17-square metre (120-square foot) shed and second storey deck were constructed, without permits, that project into the minimum rear yard setback as indicated on the site plan attached as Appendix II.
- The existing dwelling contains an unauthorized secondary suite which the applicant has agreed to undertake the removal of, to the satisfaction of the City, prior to the proposed work, as LUC No. 51 does not allow secondary suites.
- The current owners purchased the property in 2006 and were only made aware of the non-compliant status of the existing principal building when attempting to undertake interior renovations and a one-storey rear yard addition for the purposes of constructing an accessible second living area within the dwelling without a kitchen, for an elderly family member.
- LUC No. 51 has been scheduled for early Council-initiated termination by Surrey Planning and Development Department by mid-2016. Should Council subsequently adopt the by-law to terminate LUC No. 51 there will be a one (1) year grace period in which the LUC will remain in effect before the underlying RF Zone comes into effect. Once the RF Zone comes into effect, one secondary suite will be allowed.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum rear yard setback of the principal building under LUC No. 51 from 7.5 metres (25 ft.) to 5.82 metres (19 ft.).

Applicant's Reasons:

- The requested rear yard setback variance is to permit interior renovations and a rear yard addition to accommodate an accessible in-law suite on the ground floor of the existing dwelling. The existing attached, one-storey shed is to be demolished.
- The applicant wishes to construct a new bedroom, ensuite and rear entrance adjacent to the proposed in-law suite to aid in the needs of an elderly family member and feels that the existing building footprint would not adequately accommodate this.

Staff Comments:

- The applicant has demonstrated that the massing and visual impact of the proposed one-storey addition would be minimal as it would be located along the eastern side of the existing house, in the same location as the existing attached shed and deck, and would extend no further into the rear yard as the current structures.
- The existing non-compliant attached shed and deck have been located on the property for a number of years without objections raised from the neighbouring residents.

- The proposed addition would have a minimal impact on the adjacent lots to the east of the subject property as the existing single family dwellings on these adjacent lots are located approximately 22 metres (72 ft.) from the shared rear property line.
- The proposed addition would be well-screened by an existing fence and trees.
- The overall lot coverage of all proposed additions and existing buildings on the subject property will be 26%, which is less than the 33% maximum lot coverage of LUC No. 51 (based on the R-3 Zone of Surrey Zoning By-law, 1964, No. 2265).
- 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. | Proposed Site Plan |
| Appendix III. | Development Variance Permit No. 7916-0267-00 |

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

CRL/dk

Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent: Name: Nathaniel Stephens

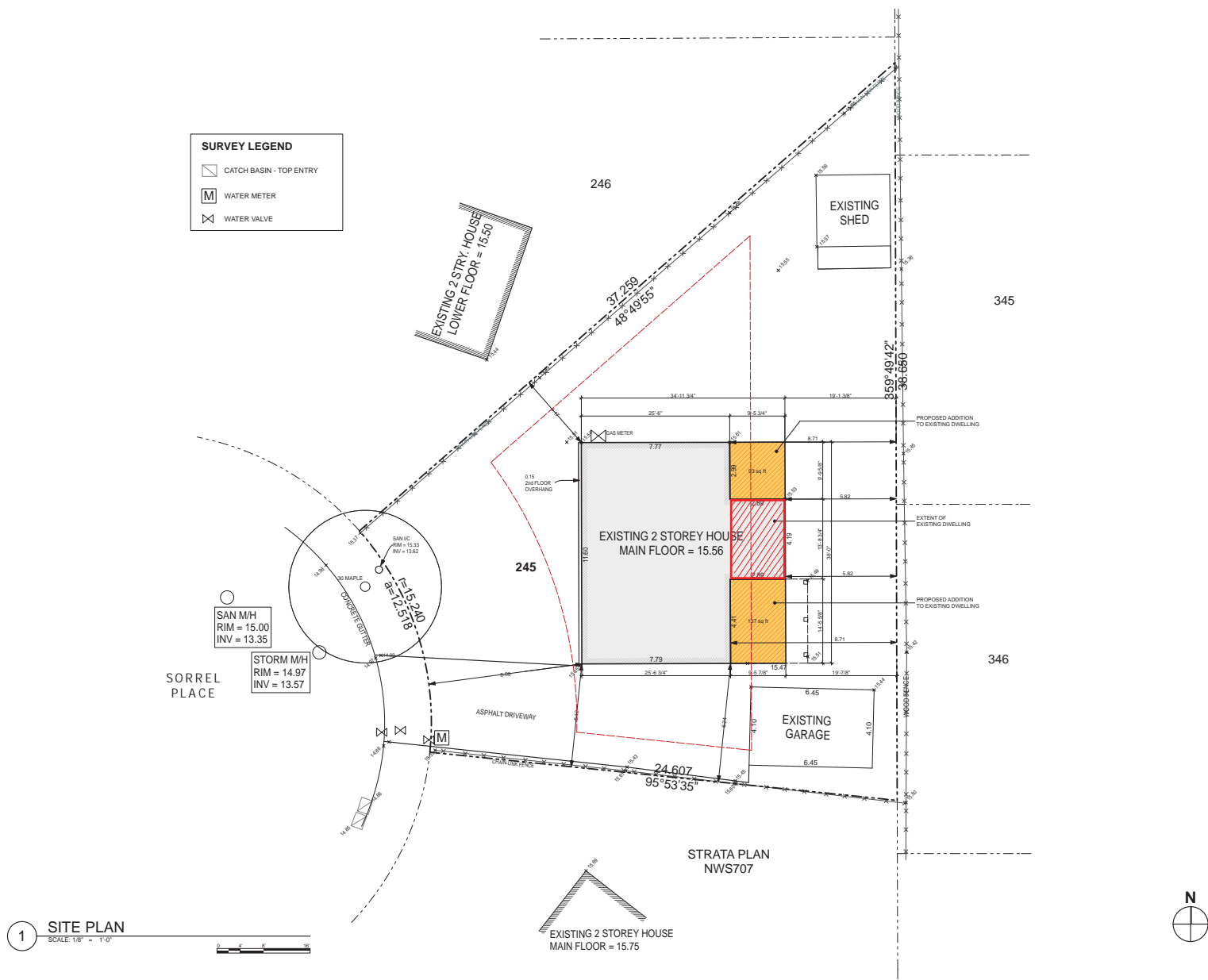
 Address: 6316 Sorrel Place
 Surrey, BC V3S 5H7

 Tel: 604-574-4995 - Work
 604-725-9696 - Cellular

2. Properties involved in the Application
 - (a) Civic Address: 6316 Sorrel Place

 - (b) Civic Address: 6316 Sorrel Place
 Owners: Misty-Dawn Stephens
 Nathaniel Stephens
 PID: 003-957-730
 Lot 245 Section 7 Township 8 Plan 50042 New Westminster District

3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7916-067-00 and bring the Development Variance Permit forward for issuance and execution by the Mayor and City Clerk.



CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7916-0267-00

Issued To: NATHANIEL STEPHENS
MISTY-DAWN STEPHENS

("the Owners")

Address of Owners: 6316 Sorrel Place
Surrey, BC V3S 5H7

1. This development variance permit is issued subject to compliance by the Owners 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: 003-957-730
Lot 245 Section 7 Township 8 Plan 50042 New Westminster District

6316 Sorrel Place

(the "Land")

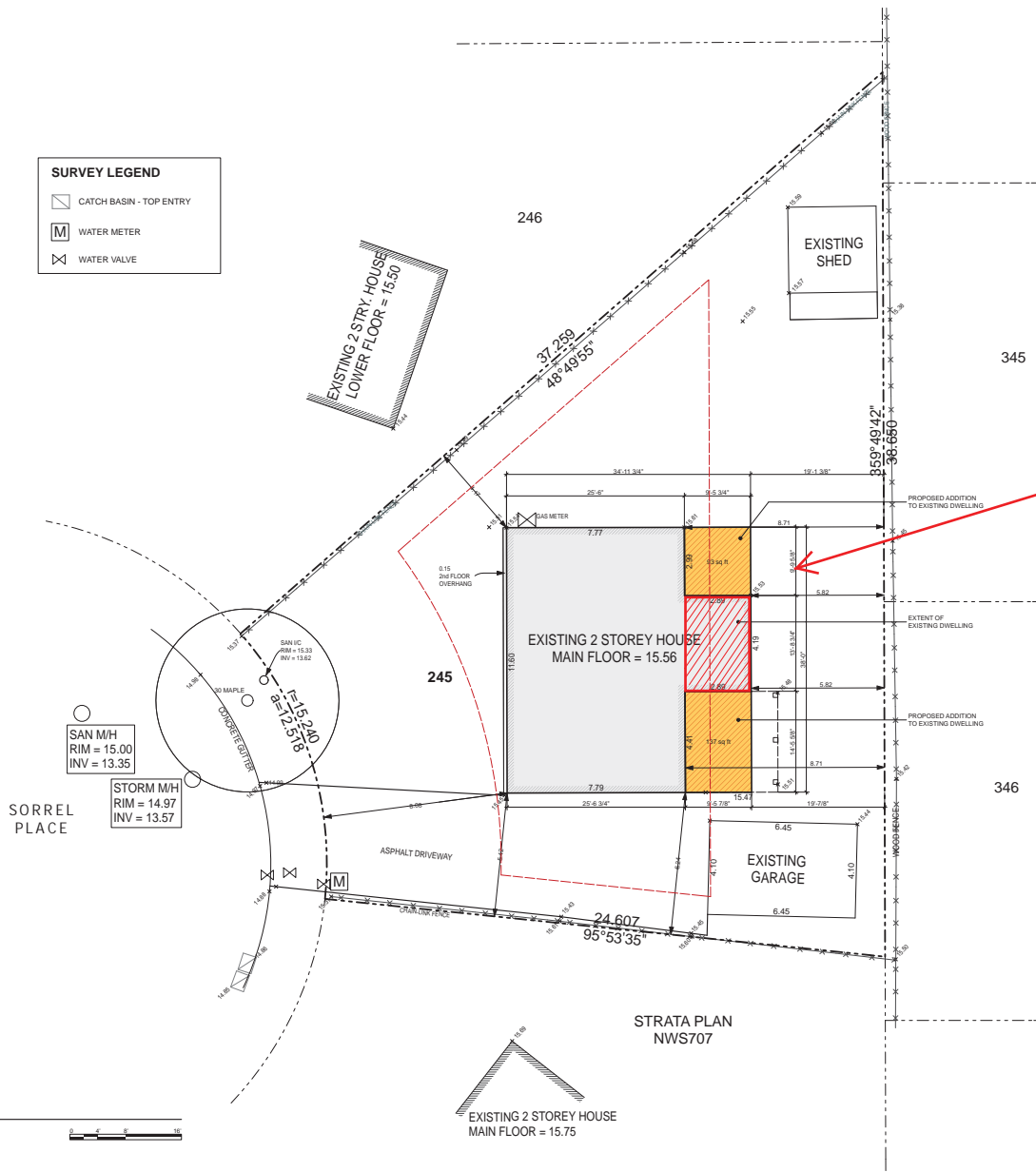
3. Surrey Land Use Contract No. 51 Authorization By-law, 1974, No. 4374 is varied as follows:
 - (a) In Schedule C. Siting, referencing Part IX, Section C.2 – Residential Zone Number Three (3) of Surrey Zoning By-law, 1964, No. 2265, the minimum rear yard setback for a principal building is reduced from 7.5 metres (25 ft.) to 5.82 metres (19 ft.).
4. 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.

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 if the Owners do 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.
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



to vary the minimum rear yard setback of LUC No. 51 from 7.5 metres (25 ft.) to 5.82 metres (19 ft.)

1 SITE PLAN
SCALE: 1/8" = 1'-0"