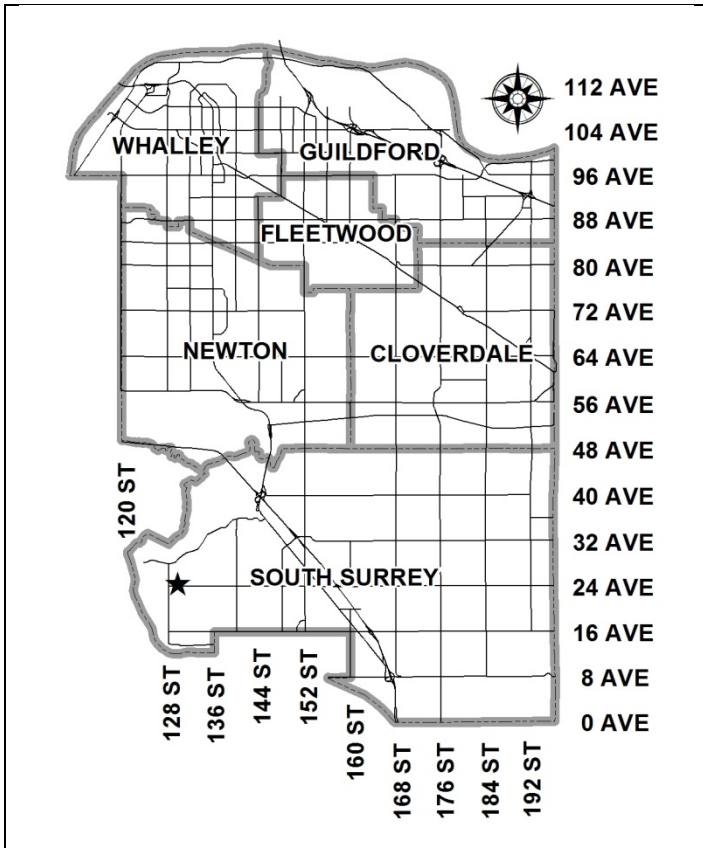


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7916-0294-00

Planning Report Date: September 12, 2016



PROPOSAL:

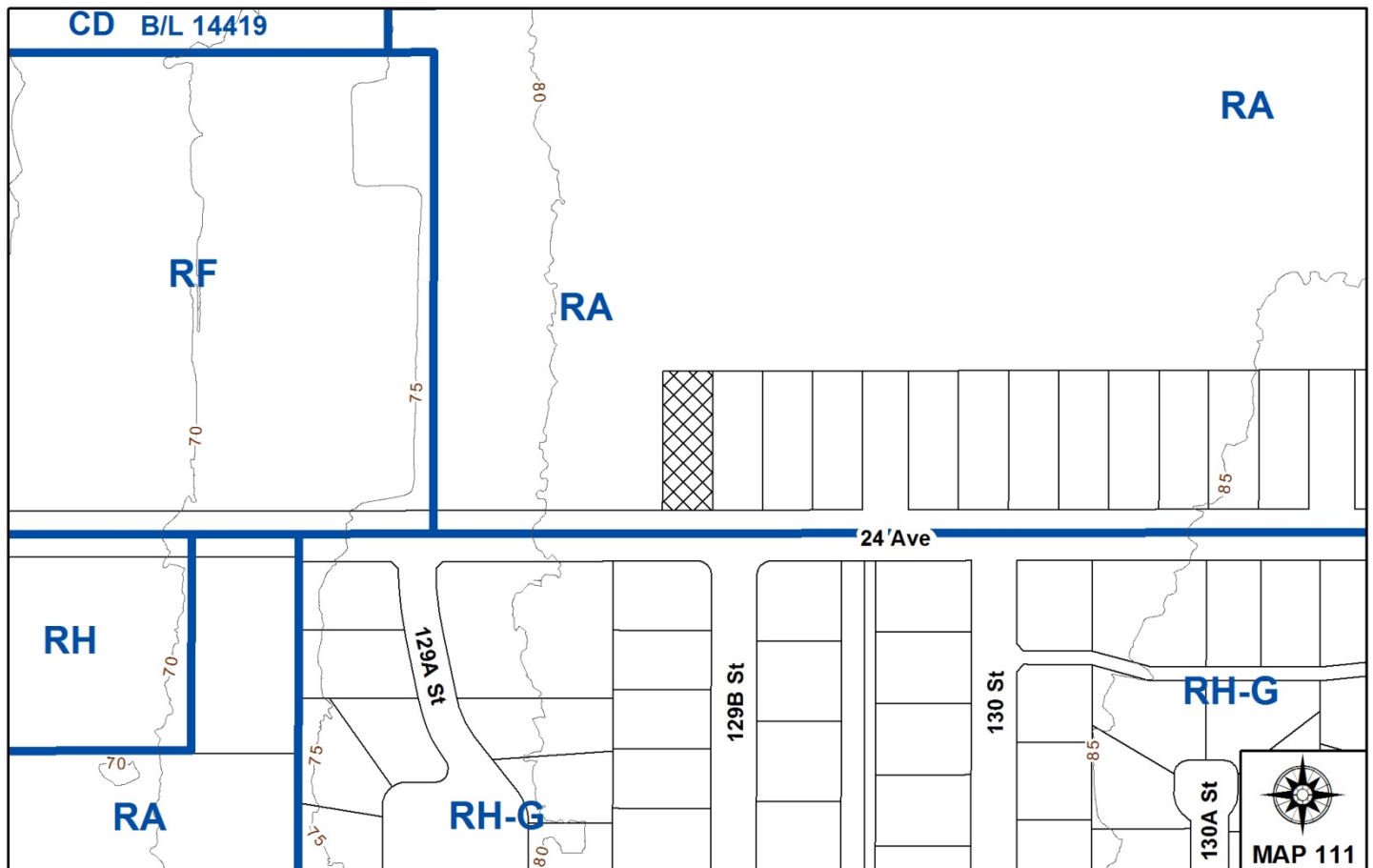
- **Development Variance Permit**
to reduce the side yard setbacks of a proposed single family dwelling.

LOCATION: 12955 - 24 Avenue

OWNER: 1052895 B.C. Ltd.

ZONING: RA

OCP DESIGNATION: Suburban



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 east and west side yard setback of the “One-Acre Residential Zone” (RA) from 4.5 metres (15 ft.) to 3.0 metres (10 ft.).

RATIONALE OF RECOMMENDATION

- The subject property is a legal, non-conforming lot in the RA Zone. The RA Zone is intended for lots that are a minimum 1 acre in size with a minimum width of 50 metres (164 ft.). The subject property is significantly undersized in both area and width. The 4.5 metre (15 ft.) side yard setback required in the RA Zone would prescribe a building design that would result in a long, narrow house on this lot.
- The existing dwelling on the lot is located 1.8 metres (6 ft.) from each side yard property line. The RA Zone requires the side yard setback to be 4.5 metres (15 ft.). Even with the variance, the proposed dwelling’s siting would be an improvement on the side yard setback encroachments of the existing dwelling.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7916-0294-00 (Appendix IV) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum side yard setbacks of the RA Zone from 4.5 metres (15 ft.) to 3.0 metres (10 ft.).
2. Council instruct staff to resolve the following issue prior to final approval:
 - (a) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect.

REFERRALS

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

Parks, Recreation & Culture: The Parks Planning Department has no objection to the project.

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Crescent Park.	Conservation and Recreation.	RA
East:	Single family dwelling.	Suburban.	RA
South (Across 24 Avenue):	Single family dwelling.	Suburban.	RH-G
West:	Crescent Park.	Conservation and Recreation.	RA

DEVELOPMENT CONSIDERATIONSBackground

- The subject property is designated "Suburban" in the Official Community Plan (OCP) and is zoned "One-Acre Residential Zone" (RA).

- The subject property has an area of 1,338 square metres (14,404 sq. ft.), which makes it a significantly undersized lot in the RA Zone. However, the lot does not qualify for the allowance in the RA Zone that permits “Suburban” lots with an area of 900 square metres (9,685 sq. ft.) or less to defer to the smaller setback requirements of the “Single Family Residential Zone” (RF).
- The subject property has a width of 22.0 metres (72 ft.), which does not conform to the RA Zone’s minimum lot width of 50 metres (164 ft.).
- The existing dwelling is sited 1.8 metres (6 ft.) from the east and west property lines. This siting does not conform to the required side yard setback of 4.5 metre (15 ft.) for the RA Zone.

Current Proposal

- The applicant is proposing a Development Variance Permit to reduce the minimum east and west side yard setbacks of the RA Zone from 4.5 metres (15 ft.) to 3.0 metres (10 ft.) for the purposes of constructing a new single family dwelling.

TREES

- Terry Thrale, ISA Certified Arborist of Woodridge Tree Consulting Arborists Ltd. prepared an Arborist Assessment for the subject property. The table below provides a summary of the tree retention and removal by tree species:

Table 1: Summary of Tree Preservation by Tree Species:

Tree Species	Existing	Remove	Retain
Deciduous Trees			
Cherry	2	0	2
Pacific Dogwood	2	1	1
Coniferous Trees			
Douglas Fir	3	0	3
Western Red Cedar	6	1	5
Total (excluding Alder and Cottonwood Trees)	13	2	11
Total Replacement Trees Proposed (excluding Boulevard Street Trees)		2	
Total Retained and Replacement Trees		13	
Contribution to the Green City Fund		\$800.00	

- The Arborist Assessment states that there are a total of 13 protected trees on the site. It was determined that 11 trees can be retained as part of this development proposal. The proposed tree retention was assessed taking into consideration the location of services, building footprints, road dedication and proposed lot grading.

- For those trees that cannot be retained, the applicant will be required to plant trees on a 2 to 1 replacement ratio. This will require a total of 4 replacement trees on the site. Since only 2 replacement trees can be accommodated on the site (based on an average of 2 trees per lot), the deficit of 2 replacement trees will require a cash-in-lieu payment of \$800.00 representing \$400 per tree, to the Green City Fund, in accordance with the City's Tree Protection By-law.
- In summary, a total of 13 trees are proposed to be retained or replaced on the site with a contribution of \$800.00 to the Green City Fund.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- Reduce the minimum east and west side yard setbacks of the RA Zone from 4.5 metres (15 ft.) to 3.0 metres (10 ft.).

Applicant's Reasons:

- The area and width of the property does not conform to the RA Zone standards, making the required side yard setbacks onerous on the design and siting of the house.
- The existing dwelling does not conform to the required setbacks of the RA Zone. The proposed building siting would reduce the encroachment on the east and west property lines.

Staff Comments:

- The subject property is a legal, non-conforming RA lot. The RA Zone is intended for lots that are a minimum 1 acre in size with a minimum width of 50 metres (164 ft.). The subject property is significantly undersized at 1,338 square metres (14,404 sq. ft.) with a width of 22.0 metres (72 ft.). The 4.5 metre (15 ft.) side yard setback required in the RA Zone would prescribe building design that would result in a long, narrow house in the lot.
- The existing dwelling on the lot is located 1.8 metres (6 ft.) from each side yard property line. The RA Zone requires the side yard setback to be 4.5 metres (15 ft.). Even with the variance, the proposed dwelling's siting would be an improvement on the side yard setback encroachments of the existing dwelling.
- Staff supports the proposed variance 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. Tree Preservation Summary
- Appendix IV. Development Variance Permit No. 7916-0294-00

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

ARR/ar

DEVELOPMENT DATA SHEET

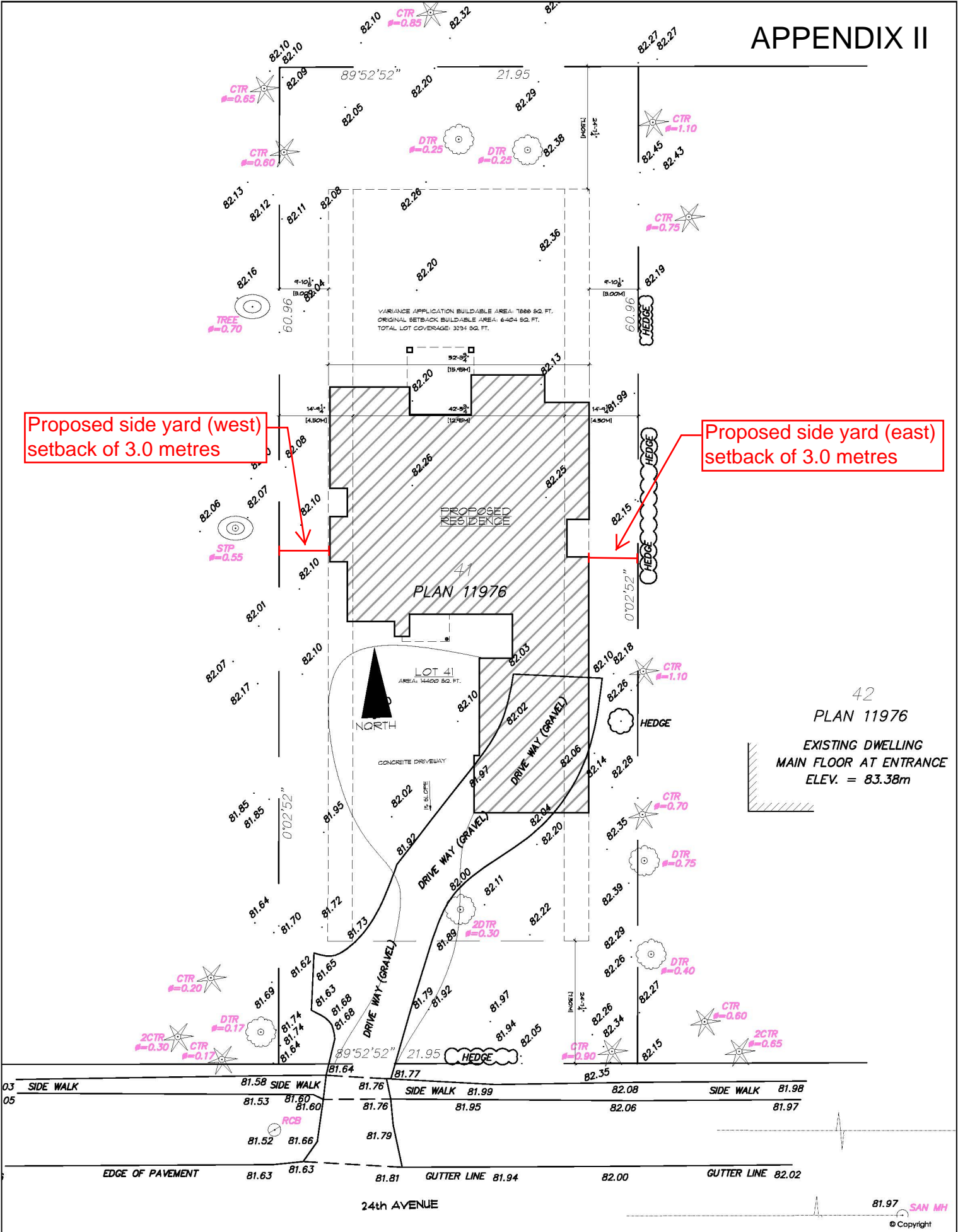
Existing Zoning: RA Zone

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)	1338 m ² (14,404 ft ²)	
Gross Total		
Road Widening area		
Undevelopable area		
Net Total		
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	20%	20%
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front	7.5 metres (25 ft.)	19 metres (62 ft.)
Rear	7.5 metres (25 ft.)	19.5 metres (31 ft.)
Side #1 (N,S,E, or W)	4.5 metres (15 ft.)	3 metres (10 ft.)
Side #2 (N,S,E, or W)	4.5 metres (15 ft.)	3 metres (10 ft.)
Side #3 (N, S, E or W)		
BUILDING HEIGHT (in metres/storeys)		
Principal	9 metres (30 ft.)	9 metres (30 ft.)
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential		
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.*

Proposed side yard (west) setback of 3.0 metres

Proposed side yard (east) setback of 3.0 metres



Tree Preservation Summary

Surrey Project No: 16-0294-00
 Address: 12955 24Ave
 Registered Arborist: Woodridge Tree Consulting, Terry Thrale, PN 6766A

On-Site Trees	Number of Trees
Protected Trees Identified (on-site and shared trees, including trees within boulevards and proposed streets and lanes, but excluding trees in proposed open space or riparian areas)	5
Protected Trees to be Removed	1
Protected Trees to be Retained (excluding trees within proposed open space or riparian areas)	4
Total Replacement Trees Required:	
- Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio <u>0</u> x one (1) = 0	2
- All other Trees Requiring 2 to 1 Replacement Ratio <u>1</u> X two (2) = 2	
Replacement Trees Proposed	2
Replacement Trees in Deficit	0
Protected Trees to be Retained in Proposed [Open Space / Riparian Areas]	

Off-Site Trees	Number of Trees
Protected Off-Site Trees to be Removed	1
Total Replacement Trees Required:	
- Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio <u>0</u> X one (1) = 0	2
- All other Trees Requiring 2 to 1 Replacement Ratio <u>1</u> X two (2) = 0	
Replacement Trees Proposed	0
Replacement Trees in Deficit	2

Summary, report and plan prepared and submitted by:

Terry Thrale

(Signature of Arborist)

Date August 24, 2016

Arborist report for 12955 24 Avenue, Surrey
 Woodridge Tree Consulting Arborists Ltd.

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7916-0294-00

Issued To: 1052895 B.C. LTD.
(the "Owner")

Address of Owner: 5678 - 144A Street
Surrey BC V3S 8E3

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: 009-613-480

Lot 41 Section 20 Township 1 Plan 11976 New Westminster District Part S 1/2 of SW 1/4.

12955 - 24 Avenue

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F. Yards and Setbacks of Part 12 One-Acre Residential Zone, the minimum side yard setbacks are reduced from 4.5 metres (15 ft.) to 3.0 metres (10 ft.).
4. This development variance permit applies to only the 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 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.

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

