

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7916-0430-00

Planning Report Date: October 24, 2016

PROPOSAL:

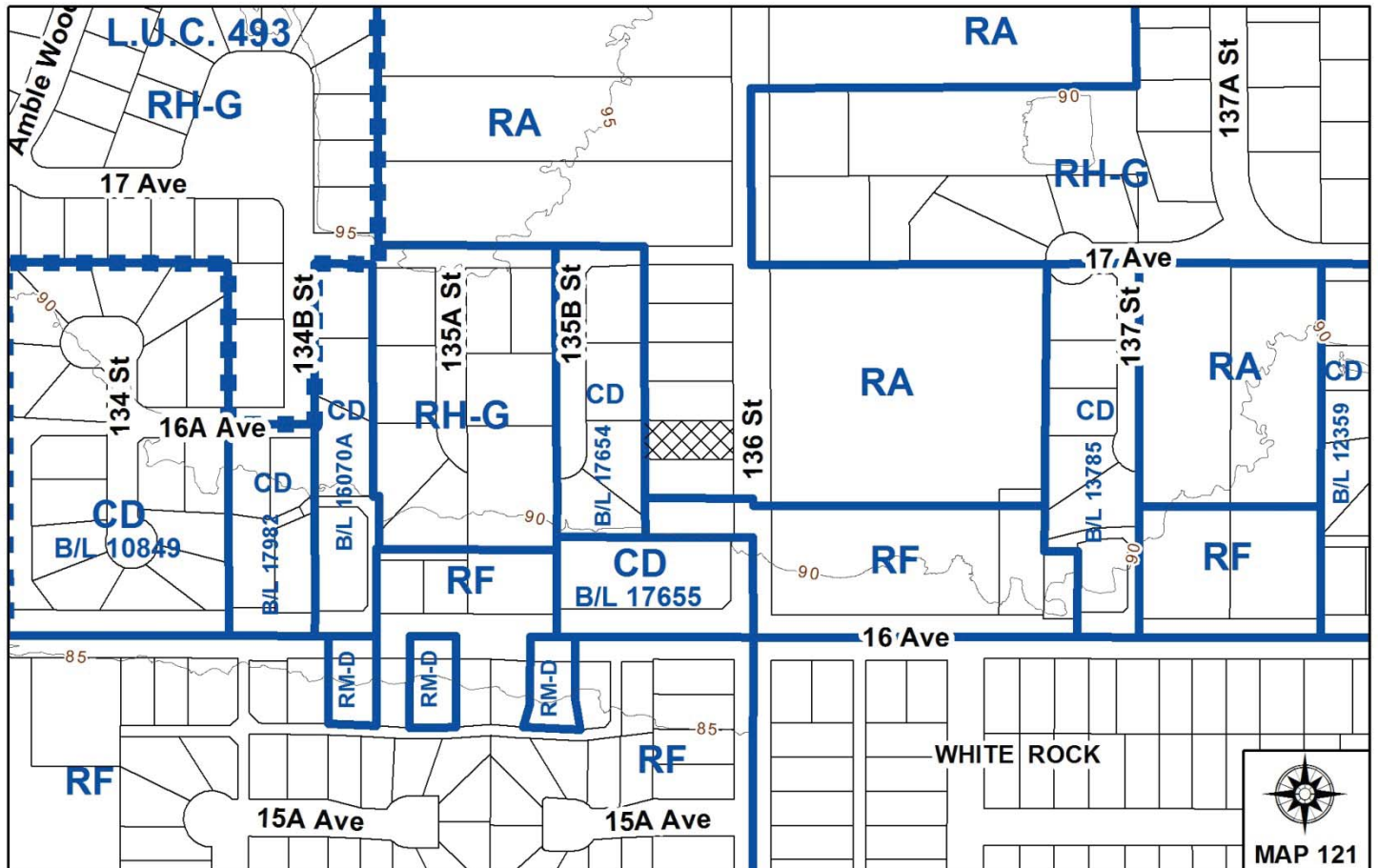
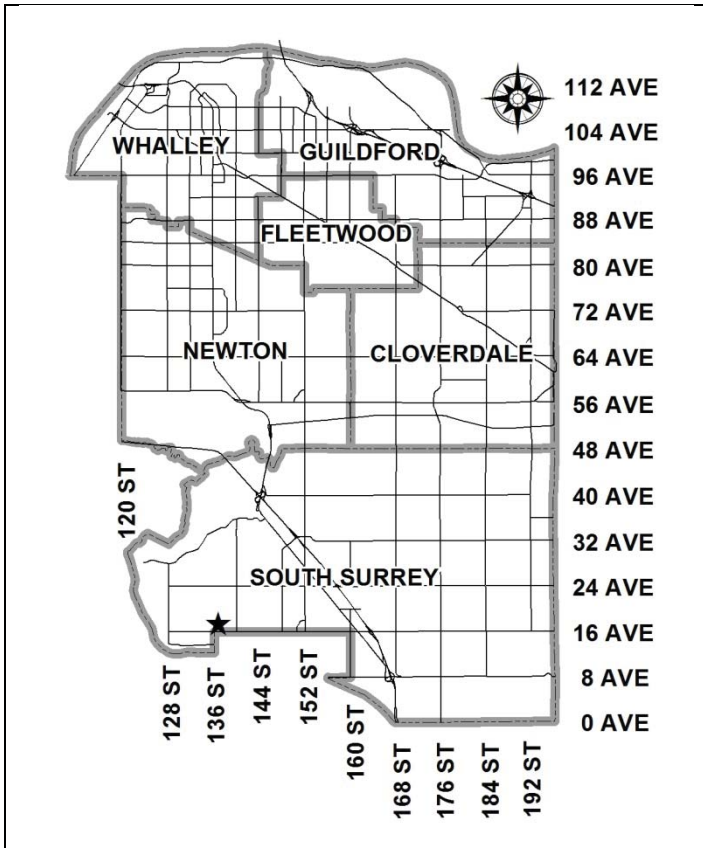
- **Development Variance Permit**
 to allow the construction of a single family dwelling.

LOCATION: 1655 - 136 Street

OWNER: Andorly Liao

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 north and south side yard setbacks of the "One-Acre Residential Zone (RA)".

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.
- Many of the neighbouring houses in the block have similar non-conforming side yard setbacks.
- Planning supports the variance to proceed to Public Notification.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7916-0430-00 (Appendix II) varying the following, to proceed to Public Notification:

- (a) to reduce the minimum north side yard setback of the RA Zone from 4.5 metres (15 ft.) to 2.5 metres (8 ft.); and
- (b) to reduce the minimum south side yard setback of the RA Zone from 4.5 metres (15 ft.) to 3.0 metres (10 ft.).

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North:	Single family dwelling.	Suburban	RA
East (Across 136 Street):	Ray Shepherd Elementary School.	Suburban	RA
South:	Single family dwelling.	Suburban	RA
West:	Single family dwelling.	Suburban	CD By-law No. 17654 (based on RH-G)

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 1,007 square metres (10,843 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 21.0 metres (68 ft.), which does not conform to the RA Zone's minimum lot width of 50 metres (164 ft.).
- The existing dwelling is sited 1.5 metres (5 ft.) from the south property line and 3.6 metres (12 ft.) from the north property line. This siting does not conform to the required side yard setback of 4.5 metre (15 ft.) for the RA Zone.

Current Proposal

- For the purposes of constructing a new single family dwelling, the applicant is proposing a Development Variance Permit to reduce the minimum side yard setbacks of the RA Zone from 4.5 metres (15 ft.) to 3.0 metres (10 ft.) for the south setback and to 2.5 metres (8 ft.) for the north setback.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- Reduce the minimum side yard setbacks of the RA Zone from 4.5 metres (15 ft.) to 2.5 metres (8 ft.) for the north setback and 3.0 metres (10 ft.) for the south setback.

Applicant's Reasons:

- The required side yard setbacks of the RA Zone would result in a narrow house on the lot. Many of the houses on the block have side yard setbacks that do not conform to the RA Zone requirements. Granting the relaxation of the side yard setbacks will allow for better integration of the new house with the existing neighbourhood character.
- The proposed setbacks will maximize sunlight in the habitable areas of the new dwelling.

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 1,007 square metres (10,843 sq. ft.) with a width of 21.0 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 on the lot.
- At 1,007 square metres (10, 843 sq. ft.), the subject 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 property exceeds this threshold by just over 10%.
- If the lot were designated "Urban" in the OCP it would qualify for the allowance in the RA Zone that permits "Urban" lots that are less than 1,858 square metres (0.5 ac.) in size to defer to the smaller setback requirements of the RF Zone. Contextually, the subject lot is only three lots north of an "Urban" designated neighbourhood.

- The siting of the proposed dwelling would be an improvement to the south side yard setback encroachment of the existing house but would increase encroachment on the north side yard setback. However, the applicant has sited the proposed house on the subject lot so that the separation distance between the neighbouring dwellings is even.
- Planning supports the variance to go 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. Development Variance Permit No. 7916-0430-00

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

ARR/da

Information for City Clerk

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

1. (a) Agent: Name: Jack Chen
 BC Quantity Surveyors Inc.
 Address: 8171 - Achroyd Road
 Richmond, BC V6X 3K1

2. Properties involved in the Application
 - (a) Civic Address: 1655 - 136 Street

 - (b) Civic Address: 1655 136 St
 Owner: Andorly Liao
 PID: 009-756-680
 Lot 5 Section 17 Township 1 New Westminster District Plan 12962

3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7916-0430-00 and bring the Development Variance Permit forward for issuance and execution by the Mayor and City Clerk.

DEVELOPMENT DATA SHEET

Existing Zoning: RA

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total	1,007 square metres	
Road Widening area		
Undevelopable area		
Net Total		
LOT COVERAGE (in % of net lot area)	20%	20%
Buildings & Structures		
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front	7.5 metres (25 ft.)	15.2 metres (50 ft.)
Rear	7.5 metres (25 ft.)	19.3 metres (63 ft.)
Side #1 (N)	4.5 metres (15 ft.)	2.5 metres (8 ft.)
Side #2 (S)	4.5 metres (15 ft.)	3.0 metres (10 ft.)
BUILDING HEIGHT (in metres/storeys)		
Principal	9 metres (30 ft.)	8.6 metres (28 ft.)
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential	N/A	N/A
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA		

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7916-0430-00

Issued To: ANDORLY LIAO

(the Owner)

Address of Owner: 1655 - 136 Street
Surrey, BC V4A 4E3

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: 009-756-680

Lot 5 Section 17 Township 1 New Westminster District Plan 12962

1655 - 136 Street

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F of Part 12 "One-Acre Residential Zone (RA)" the minimum north side yard setback is reduced from 4.5 metres (15 ft.) to 2.5 metres (8 ft.); and
 - (b) In Section F of Part 12 "One-Acre Residential Zone (RA)" the minimum south side yard setback is reduced from 4.5 metres (15 ft.) to 3.0 metres (10 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 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.

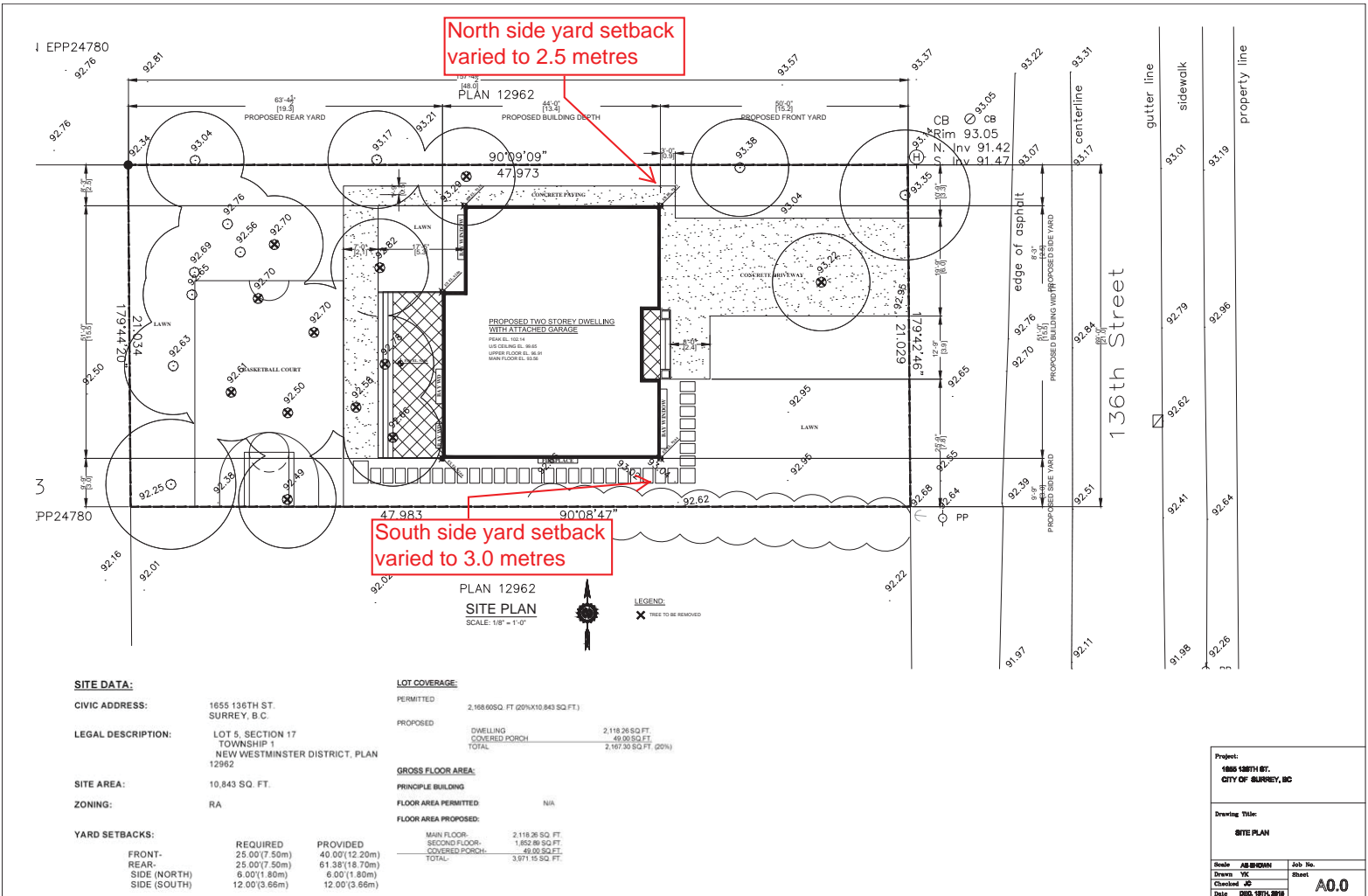
8. This development variance permit is not a building permit.

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

Mayor – Linda Hepner

City Clerk – Jane Sullivan

Schedule A



Project:
1655 136TH ST.
CITY OF SURREY, BC

Drawing Title:
SITE PLAN

Scale	AS SHOWN	Job No.
Drawn	YK	Sheet
Checked	JS	
Date	DEC 18TH, 2018	

A00