

City of Surrey
PLANNING & DEVELOPMENT REPORT

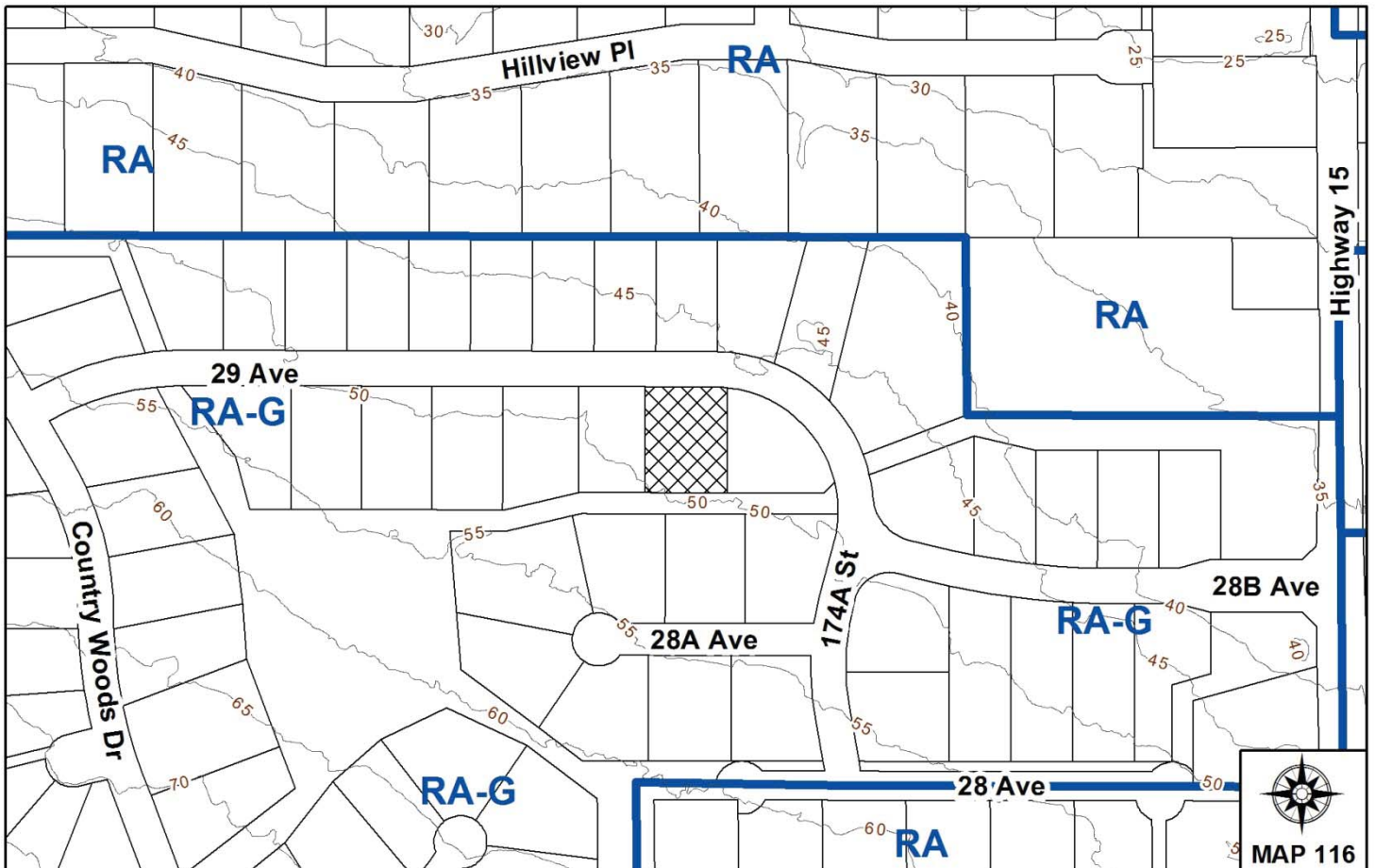
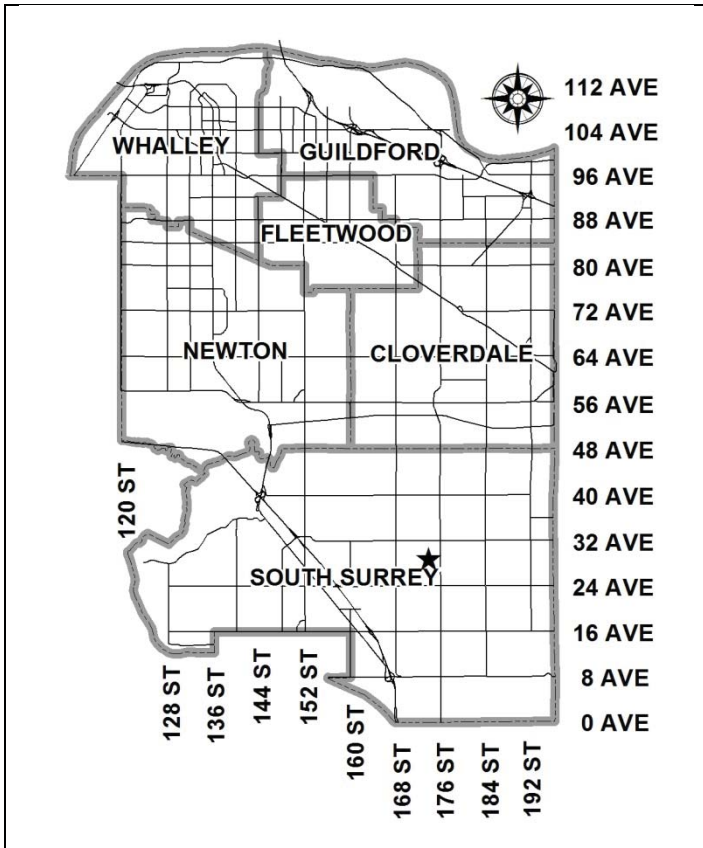
File: 7916-0715-00

Planning Report Date: February 6, 2017

PROPOSAL:

- **Development Variance Permit**
 to reduce the minimum rear yard setback for an existing accessory structure.

LOCATION: 17412 - 29 Avenue
OWNER: Karla Ostby
ZONING: RA-G
OCP DESIGNATION: Suburban
NCP DESIGNATION: Existing One Acre & Half Acre Lots



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 minimum rear yard setback of an existing accessory structure.

RATIONALE OF RECOMMENDATION

- The reduced rear yard setback is for an existing garden shed that was constructed by a previous owner without permit. The structure's south-east corner is non-conforming with the 1.8 metre rear yard setback required for accessory structures in the RA-G zone. The rest of the structure complies with the rear and side yard setbacks.
- A Development Variance Permit is required to allow the retention of the structure in its current location.
- The subject property backs onto existing open space and, therefore, the siting of the shed has minimal impact on neighbouring properties.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7916-0715-00 (Appendix II), to reduce the minimum rear yard (south) setback of an accessory structure in the "Acreage Residential Gross Density Zone (RA-G)" from 1.8 metres (6 ft.) to 1.3 metres (4.3 ft.), to proceed to Public Notification.

REFERRALS

Engineering: The Engineering Department has no concerns.

SITE CHARACTERISTICS

Existing Land Use: Single Family Dwelling

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North (Across 29 Avenue):	Single family dwelling	Suburban / Existing One Acre & Half Acre Lots	RA-G
East:	Single family dwelling	Suburban / Existing One Acre & Half Acre Lots	RA-G
South:	Greenspace	Suburban / Existing Open Space	RA-G
West:	Single family dwelling	Suburban / Existing One Acre & Half Acre Lots	RA-G

DEVELOPMENT CONSIDERATIONS

- The subject property, located at 17412 – 29 Avenue, is designated "Suburban" in the Official Community Plan, "Existing One Acre & Half Acre Lots" in the North Grandview Heights Neighbourhood Concept Plan, and is zoned "Acreage Residential Gross Density Zone (RA-G)".
- The applicant is proposing a Development Variance Permit to reduce the rear yard (south) setback of an accessory structure from 1.8 metres (6 ft.) to 1.3 metres (4.3 ft.).
- The reduced rear yard setback will allow for the retention of the existing accessory structure in its current location.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum rear yard setback of an accessory structure in the RA-G Zone from 1.8 metres (6 ft.) to 1.3 metres (4.3 ft.).

Applicant's Reasons:

- The existing accessory structure (garden shed) was constructed by a previous owner without permit, with the south-east corner of the structure encroaching into the required rear yard setback.
- The applicant is requesting a building permit for a separate structure on the property, and requires a Development Variance Permit for the non-conforming accessory structure in order to proceed.

Staff Comments:

- Only the south-east corner of the structure is non-conforming with the setback requirements in the Zoning By-law. The rest of the structure conforms to the required minimum setback requirements for an accessory structure.
- The rear of the property is heavily treed and landscaped, backing onto greenspace. Therefore, the siting of the structure has minimal impact on neighbouring properties.
- The City has received no formal complaints from other property owners with the siting of the existing structure.
- Staff support the requested variance to proceed to Public Notification.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners, Action Summary
Appendix II. Development Variance Permit No. 7916-0715-00

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

DZ/da

Information for City Clerk

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

1. (a) Agent: Name: Tom Ostby

 Address: 17412 - 29 Avenue
 Surrey, BC V3S 0E7

2. Properties involved in the Application
 - (a) Civic Address: 17412 - 29 Avenue

 - (b) Civic Address: 17412 - 29 Avenue
 Owner: Karla Ostby
 PID: 002-959-917
 Lot 100 Section 19 Township 7 New Westminster District Plan 61887

3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7916-0715-00 and bring the Development Variance Permit forward for an indication of support by Council. If supported, the Development Variance Permit will be brought forward for issuance and execution by the Mayor and City Clerk.

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7916-0715-00

Issued To: KARLA OSTBY

(the "Owner")

Address of Owner: 17412 - 29 Avenue
Surrey, BC V3Z 0E7

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: 002-959-917
Lot 100 Section 19 Township 7 New Westminster District Plan 61887

17412 - 29 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 13 Acreage Residential Gross Density Zone (RA-G), the minimum Rear Yard Setback for an Accessory Building and Structure is reduced from 1.8 metres (6 ft.) to 1.3 metres (4.3 ft.).
4. This development variance permit applies to only the portion of the existing accessory structure (garden shed) 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.
5. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.

6. 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

BRITISH COLUMBIA LAND SURVEYOR'S CERTIFICATE OF LOCATION
OF BUILDING ON LOT 100 SECTION 19 TOWNSHIP 7 NWD PLAN 61887

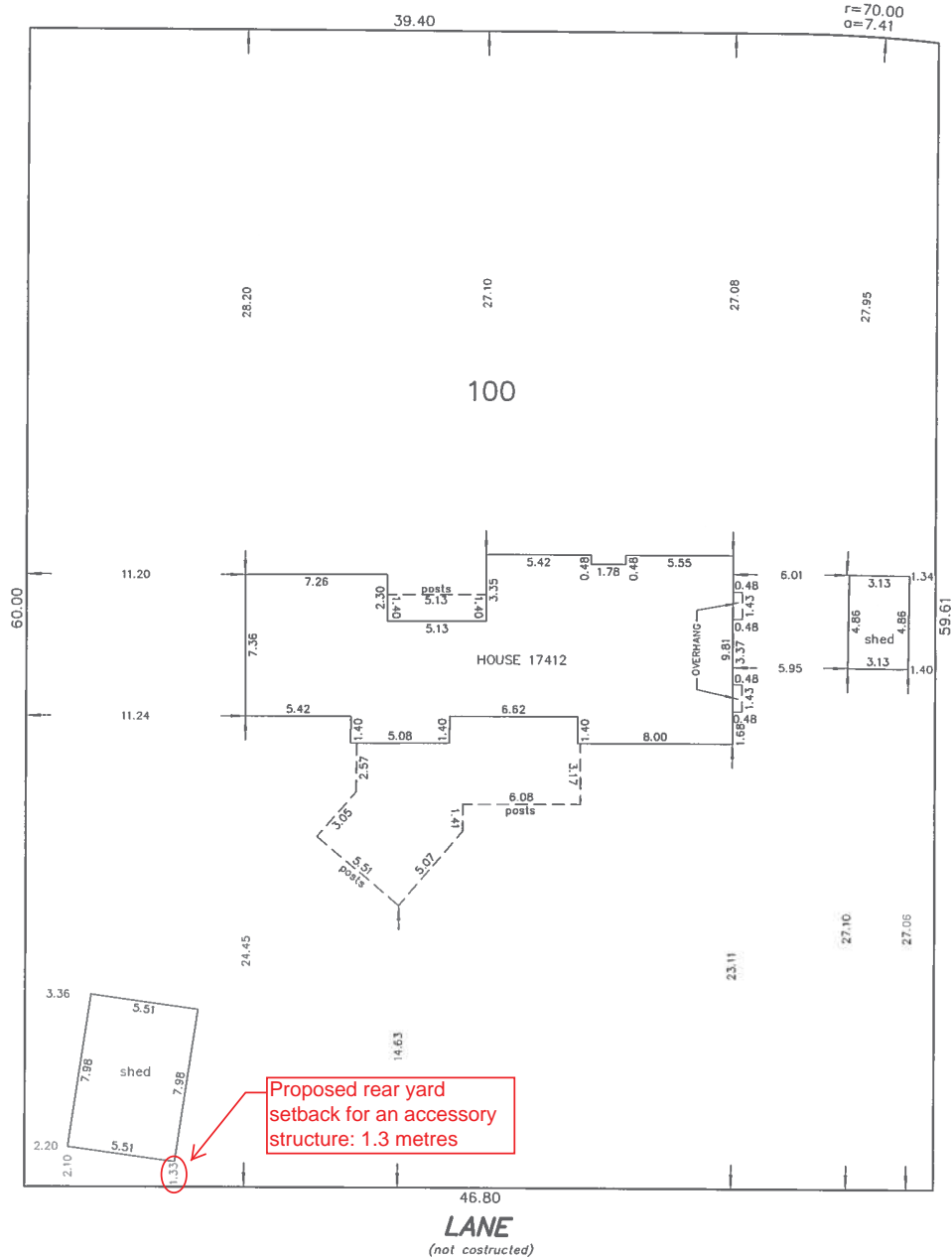
Current Civic Address:
17412 29th Avenue
Surrey, B.C.

SCALE 1:250

Notes:

- All dimensions are in metres.
- All building dimensions are measured to the above ground outside face of exterior walls.
- This plan is NOT to be used for location of property lines.
- This plan does not show non-plan charges, liens or interests.
- property dimensions are derived from Land Title Office records

29th AVENUE



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 DHALIWAL & ASSOCIATES
 LAND SURVEYING INC.
 216-12899 76th Avenue
 Surrey, B.C.
 V3W 3B2
 (ph) 501-6188
 (fx) 501-6189
 FILE: 1601117-M01

THIS DOCUMENT IS NOT VALID UNLESS
 ORIGINALLY SIGNED AND SEALED

LORIN LEVAC
 British Columbia
 LAND SURVEYOR
 Date of Survey
 This is a true and correct copy of the original as shown to me on 12/15/2015
LORIN LEVAC B.C.L.S. 881