

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7917-0083-00

Planning Report Date: April 24, 2017

PROPOSAL:

- **Development Variance Permit**

to vary the minimum side yard setback for a new single family dwelling.

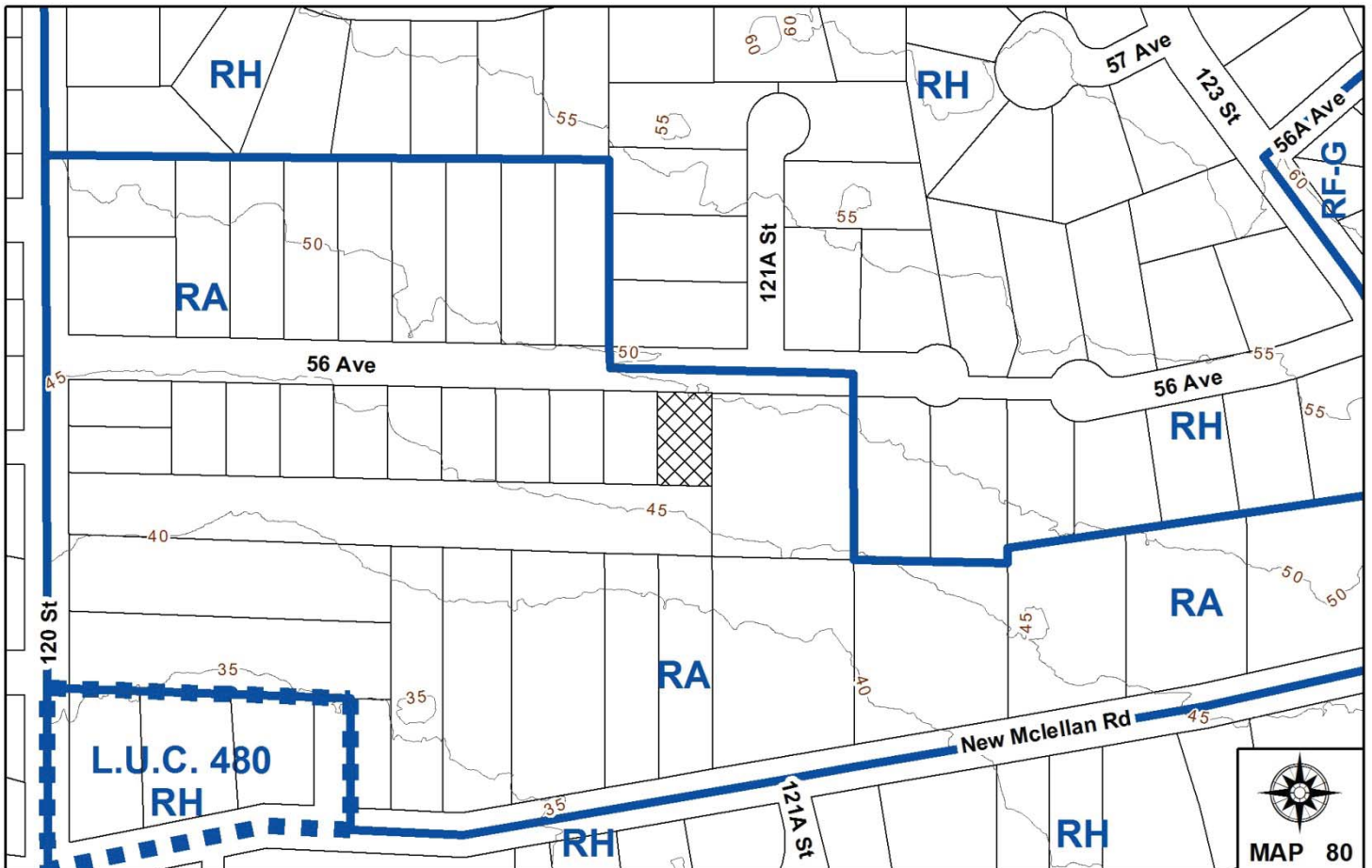
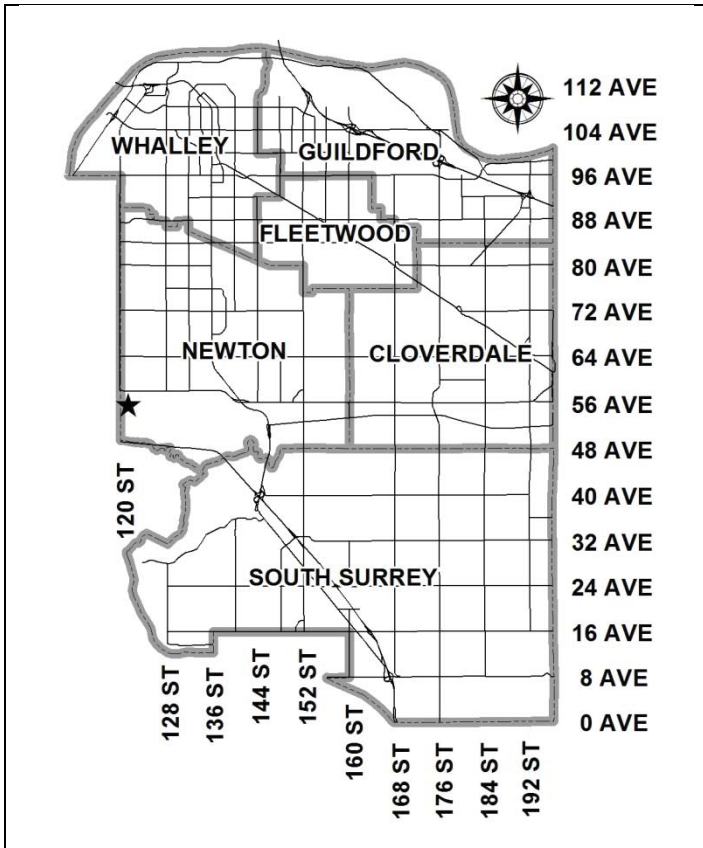
LOCATION: 12136 - 56 Avenue

OWNER: Avtar Singh
Paramjit Singh

ZONING: RA

OCP DESIGNATION: Suburban

LAP DESIGNATION: Suburban Residential (1/2 Acre)



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 side yard (west) setback for a single family dwelling in the RA Zone.

RATIONALE OF RECOMMENDATION

- The reduced side yard setback is for a new single family dwelling on a suburban lot. The applicant is proposing a side yard setback of 3.4 metres (11 ft.) on the west side of the lot, a reduction from the required 4.5 metres (15 ft.) for a principal building in the RA Zone. The remainder of the dwelling conforms to the required setbacks.
- The subject lot is an undersized RA lot that is only 24 metres (79 ft.) wide, well below the minimum 50 metre (164 ft.) width of a standard RA zoned lot.
- The side yard (west) setback reduction is needed in order to construct a new single family dwelling that is more consistent with the frontages of other single family dwellings in the neighbourhood. Conforming to the required side yard setbacks would result in a dwelling that is out of context with the surrounding neighbourhood.
- Under a previous owner, a Development Variance Permit (No. 7914-0172-00) was granted to reduce both the east and west side yard setbacks for a new single family dwelling. The Development Variance Permit has since expired. The applicant is now proposing a dwelling that is more in conformance with the setback provision of the RA zone, than was previously approved by Council under Development Application No. 7914-0172-00.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7917-0083-00 (Appendix II), to vary the minimum side yard setback of a single family dwelling in the RA Zone from 4.5 metres (15 ft.) to 3.4 metres (11 ft.), to proceed to Public Notification.

REFERRALS

Engineering: The Engineering Department has no concerns.

SITE CHARACTERISTICS

Existing Land Use: Vacant

Adjacent Area:

Direction	Existing Use	OCP / LAP Designation	Existing Zone
North (Across 56 Avenue):	Single family dwelling	Suburban / Suburban Residential (1/2 Acre)	RH
East:	Single family dwelling	Suburban / Suburban Residential (1/2 Acre)	RA
South:	Single family dwelling	Suburban / Suburban Residential (1/2 Acre)	RA
West:	Single family dwelling	Suburban / Suburban Residential (1/2 Acre)	RA

DEVELOPMENT CONSIDERATIONSBackground

- The subject property, located at 12136 – 56 Avenue, is designated "Suburban" in the Official Community Plan, "Suburban Residential (1/2 Acre)" in the West Panorama Ridge Local Area Plan, and zoned "One-Acre Residential Zone (RA)".
- On September 8, 2014, Council approved Development Variance Permit No. 7914-0172-00 to vary the east and west side yard setbacks for the subject property. The side yard setbacks were reduced from 4.5 metres (15 ft.) to 3.2 metres (10.5 ft.) for the east side, and from 4.5 metres (15 ft.) to 2.4 metres (8 ft.) for the west side. The Development Variance Permit expired on September 8, 2016.
- The applicant is now proposing a Development Variance Permit to vary only the west side yard setback from 4.5 metres (15 ft.) to 3.4 metres (11 ft.), to allow for the construction of a new single family dwelling.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum west side yard setback for a single family dwelling in the RA Zone from 4.5 metres (15 ft.) to 3.4 metres (11 ft.).

Applicant's Reasons:

- The reduced west side yard setback is requested to allow for the construction of a single family dwelling that will have a consistent front width with the surrounding neighbourhood.
- Due to the lot being an undersized RA lot, the required setbacks would result in a dwelling that is out of context with surrounding properties.

Staff Comments:

- The subject lot is an undersized RA lot of approximately 1,034 sq. metres (11,130 square ft.), a significant reduction from the required 4,047 sq. metres (1 acre) for an RA lot. Moreover, the lot is only 24 metres (79 ft.) wide, well below the minimum 50 metre (164 ft.) width of a standard RA zoned lot. The side yard (west) setback reduction is needed in order to construct a new single family dwelling that is more consistent with the frontages of other single family dwellings in the neighbourhood. Conforming to the required side yard setbacks would result in a dwelling that is out of context with the surrounding neighbourhood.
- Previously, Council approved Development Variance Permit (No. 7914-0172-00) to reduce both the east and west side yard setbacks for a new single family dwelling on the subject property. Development Variance Permit No. 7914-0172-00 expired on September 8, 2016.
- The applicant is now proposing a dwelling that is more in conformance with the setback provisions of the RA zone than was previously approved by Council under application No. 7914-0172-00.
- Staff support 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
- Appendix II. Development Variance Permit No. 7917-0083-00

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

DZ/da

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7917-0083-00

Issued To: AVTAR SINGH
PARAMJIT SINGH

(the "Owner")

Address of Owner: 11536 – 88 Avenue
Delta, BC V4C 3B9

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: 009-925-601
Lot 12 Section 6 Township 2 New Westminster District Plan 14410

12136 – 56 Avenue

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Part 12, Section F. Yards and Setbacks of One-Acre Residential Zone (RA), the minimum Side Yard (West) Setback for the Principal Building is reduced from 4.5 metres (15 ft.) to 3.4 metres (11 ft.).
4. This development variance permit applies to only the portion of the building 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 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

