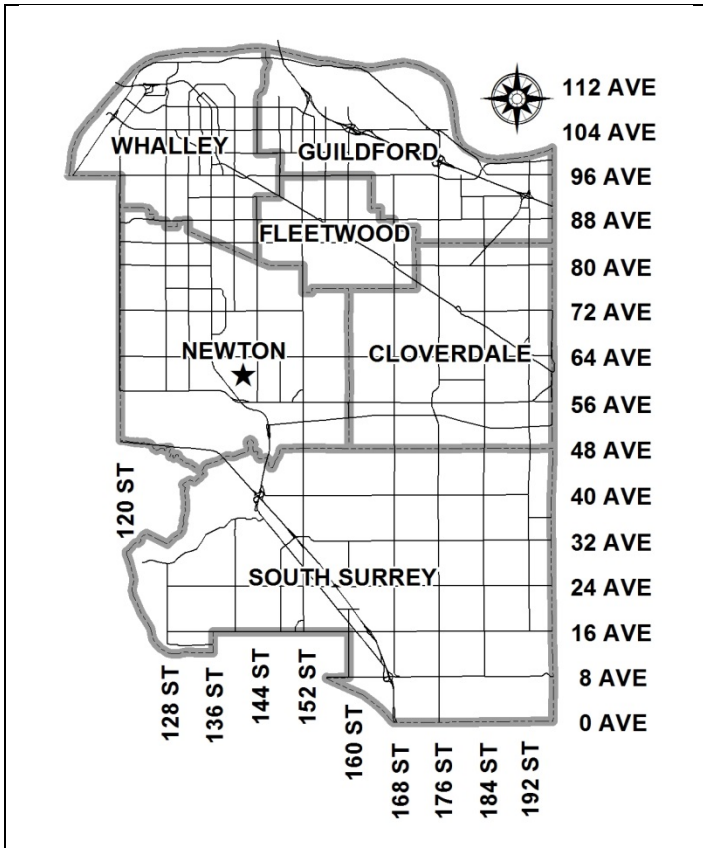


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7918-0071-00

Planning Report Date: April 23, 2018



PROPOSAL:

- **Development Variance Permit**

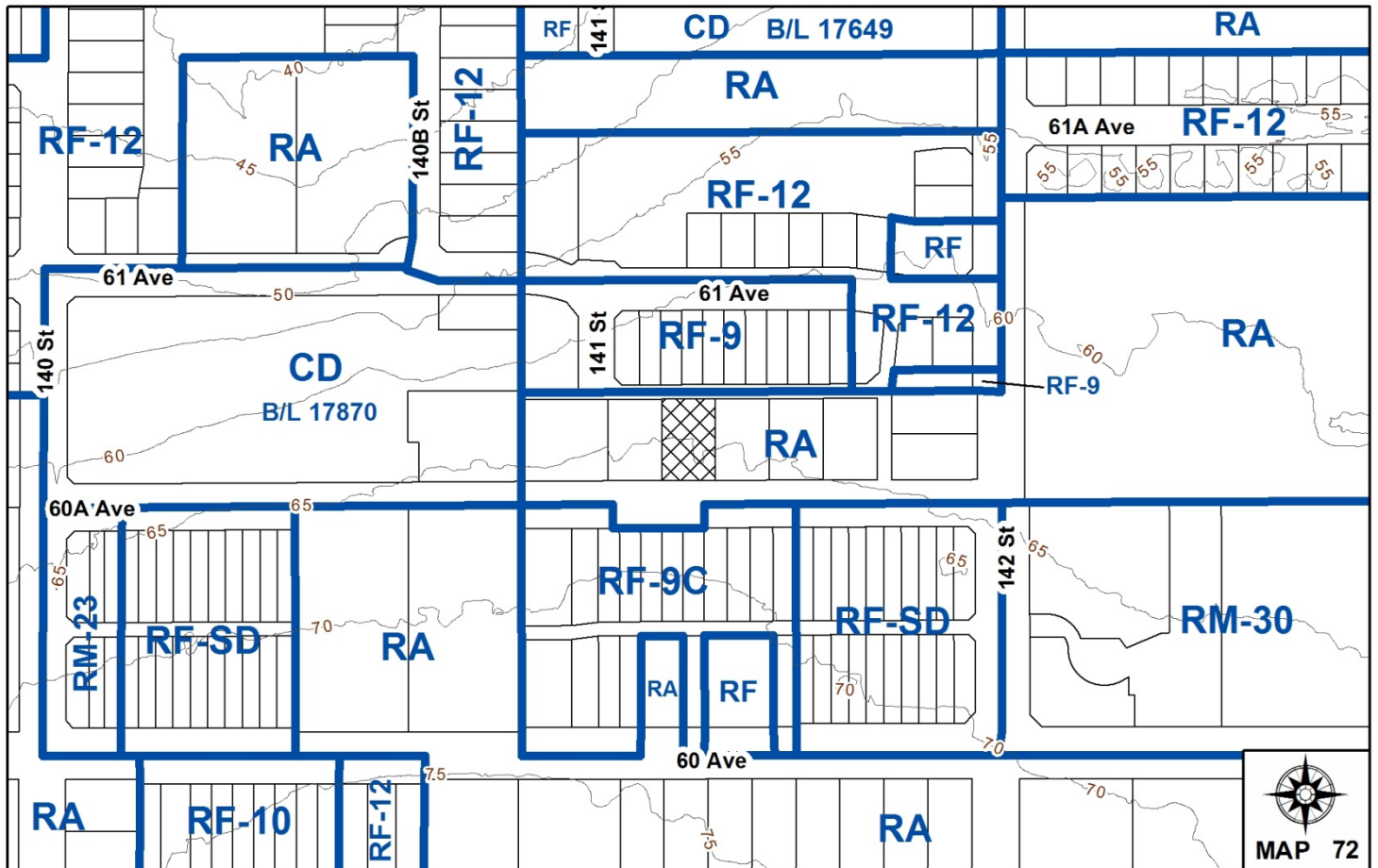
to reduce the minimum rear and side yard setbacks for an existing chicken coop.

LOCATION: 14137 – 60A Avenue

ZONING: RA

OCP DESIGNATION: Urban

NCP DESIGNATION: Single Family Residential Flex (6-14.5 u.p.a.)



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 (north) and side (east) yard setbacks of an existing chicken coop.

RATIONALE OF RECOMMENDATION

- The reduced rear (north) and side (east) yard setbacks are for an existing chicken coop that was previously constructed without permit. Aside from the non-conforming building setbacks, the property meets the minimum requirements of the Surrey Chicken Keeping By-law No. 18754, including minimum lot area.
- The building was constructed prior to the property to the north being developed into single family small lots. The building now abuts a laneway which services those lots.
- The City has received no formal complaints from adjacent property owners with the siting of the chicken coop.
- The applicant has submitted a Building Permit to legalize the structure.
- A Development Variance Permit is required to allow for the retention of the structure in its current location.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7918-0071-00 (Appendix II), varying the following, to proceed to Public Notification:

- (a) to reduce the minimum rear (north) yard setback for a building to shelter hens (chicken coop) from 1.2 metres (4 ft.) to 0 metres; and
- (b) to reduce the minimum side (east) yard setback for a building to shelter hens (chicken coop) from 1.2 metres (4 ft.) to 0.45 metres (1.5 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	NCP Designation	Existing Zone
North (Across lane):	Single family dwelling	Single Family Residential Flex (6-14.5 u.p.a.)	RF-9
East:	Single family dwelling	Single Family Residential Flex (6-14.5 u.p.a.)	RA
South (Across 60A Avenue):	Single family dwelling	Single Family Residential Flex (6-14.5 u.p.a.)	RF-9C
West:	Single family dwelling	Single Family Residential Flex (6-14.5 u.p.a.)	RA

DEVELOPMENT CONSIDERATIONS

- The subject property, located at 14137 – 60A Avenue, is designated "Urban" in the Official Community Plan, "Single Family Residential Flex (6-14.5 u.p.a.)" in the South Newton Neighbourhood Concept Plan, and is zoned "One Acre Residential Zone (RA)".
- The applicant is proposing a Development Variance Permit to reduce the minimum rear (north) yard setback for an existing chicken coop from 1.2 metres (4 ft.) to 0 metres, and to reduce the minimum side (east) yard setback for an existing chicken coop from 1.2 metres (4 ft.) to 0.45 metres (1.5 ft.).

- The keeping of chickens is regulated by both the Zoning By-law and the Surrey Chicken Keeping By-law, No. 18754. The subject property meets the zoning and minimum lot area requirement of 669 square metres (7,200 sq. ft.) to permit the keeping of chickens on the property, in accordance with these by-laws.

The applicant will also be required to adhere to other requirements in the Surrey Chicken Keeping By-law, including keeping no more than four chickens on the premises, registration of those chickens with the City and the Ministry of Agriculture, and insuring the chicken coop meets the City's minimum standards. Should the variance be approved allowing the siting of the structure, the applicant will be in a position to proceed with the licensing process through the City's By-laws and Licensing Office.

- The reduced rear (north) and side (east) yard setbacks will allow for the retention of an existing chicken coop.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum rear (north) yard setback for a chicken coop in the General Provisions from 1.2 metres (4 ft.) to 0 metres; and
- To reduce the minimum side (east) yard setback for a chicken coop in the General Provisions from 1.2 metres (4 ft.) to 0.45 metres (1.5 ft.).

Applicant's Reasons:

- The variances will allow for the retention of a chicken coop that was previously built without permit. The applicant currently has submitted a Building Permit application to legalize the structure, pending the approval of this Development Variance Permit.
- The existing chicken coop has caused minimal impact on adjacent properties. At the time when the structure was constructed, the area to the north was a heavily treed undeveloped parcel. The structure now abuts a rear lane for recently constructed properties fronting onto 60 Avenue.

Staff Comments:

- The chicken coop was constructed prior to the property to the north being developed into single family small lots. The structure now abuts a laneway, and thus has minimal impact to properties to the north.
- The City has received no formal complaints from other property owners with the siting of the existing structure.
- The applicant has submitted a Building Permit to legalize the 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 (Confidential)
- Appendix II. Development Variance Permit No. 7918-0071-00

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

DZ/da

APPENDIX I HAS BEEN
REMOVED AS IT CONTAINS
CONFIDENTIAL INFORMATION

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7918-0071-00

Issued To:

(the "Owner")

Address of Owner:

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: 010-436-421
Lot 6 Section 9 Township 2 New Westminster District Plan 18908

14137 – 60A Avenue

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section B.7(d)(iii) of Part 4, General Provisions, the minimum Rear Yard Setback (north) for a building to shelter hens is reduced from 1.2 metres (4 ft.) to 0 metres; and
 - (b) In Section B.7(d)(iii) of Part 4, General Provisions, the minimum Side Yard Setback (east) for a building to shelter hens is reduced from 1.2 metres (4 ft.) to 0.45 metres (1.5 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. 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

**BRITISH COLUMBIA LAND SURVEY
OF LOCATION SHOWING CONSTRUCTION
ON LOT 6 SECTION 9 TOWNSHIP 2
NWD PLAN 18908**

PID : 010-436-421

CIVIC ADDRESS :

#14137 - 60A Avenue
Surrey, B.C.

Lot dimensions according to
Land Title and Survey Act

Building dimensions are measured to the above ground
outside face of exterior walls.

This plan does not show non-plan charges,
liens or interests.

This certificate was prepared for inspection purposes
and is for the exclusive use of our client. This
documents shows the relative location of the surveyed
structures and features with respect to the boundaries
of the parcel described above. This document shall not
be used to define property lines or property corners.

The signatory accepts no responsibility or liability for
any damages that may be suffered by a third party as
a result of any decisions made or actions taken based
on this document.

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transmit or alter this document in whole or in part
without the consent of the signatory.

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COMPASS LAND SURVEYING LTD.
Professional Land Surveyors

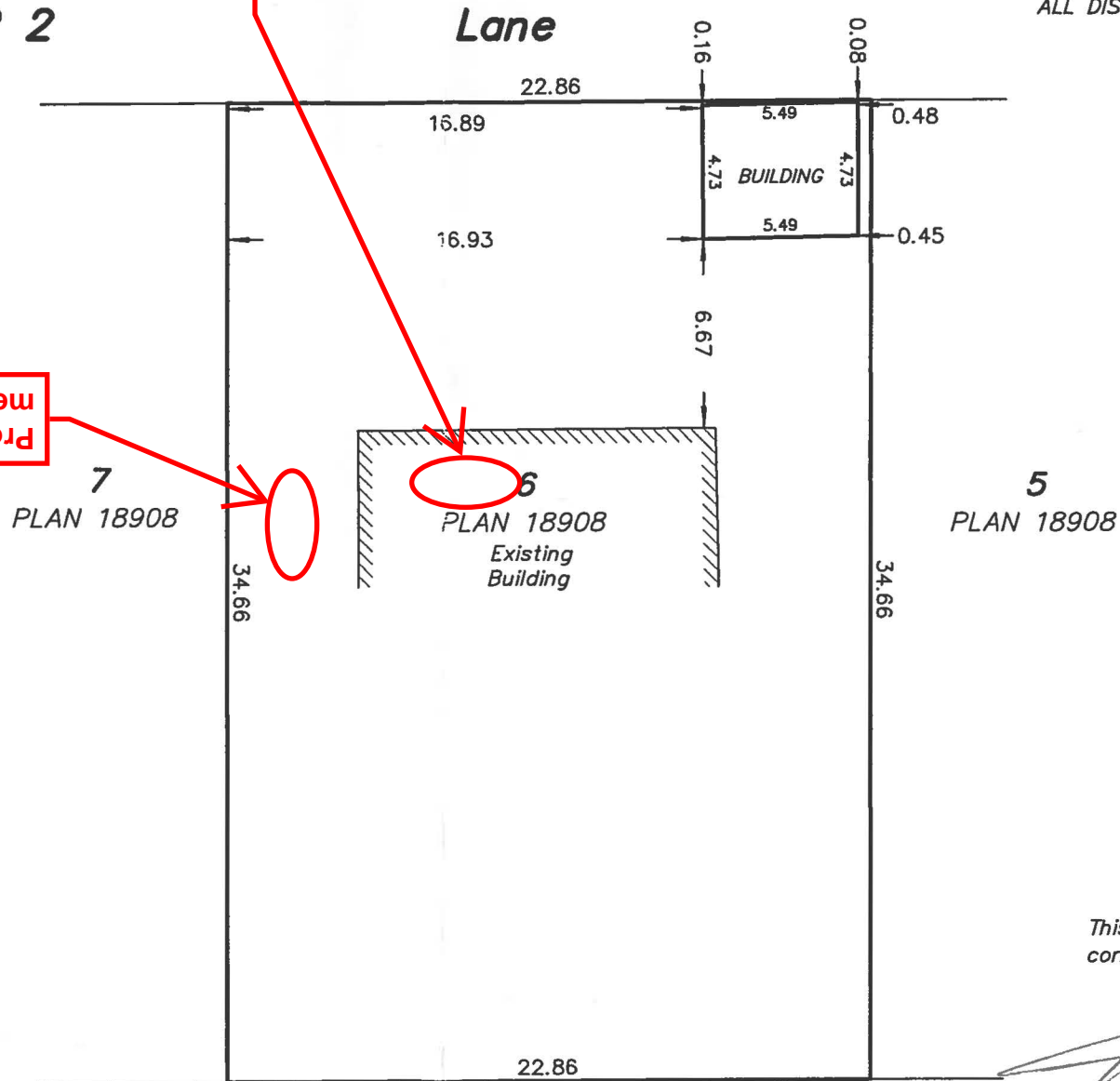
13367-98th Avenue
Surrey, B.C. V3T 5M8
Tel: 604-588-3701

Email: Office@CompassSurveys.com

File : 1712018 CE

Proposed Rear Yard Setback:
1.2 metres (4 ft.) to 0 metres.

Proposed Side Yard Setback: 1.2
metres (4 ft.) to 0.45 metres (1.5 ft.).



60A Avenue

SCALE 1:250

0 5 10 15 20

ALL DISTANCES ARE IN METRES AND DECIMALS



This certificate is prepared and certified
correct this 20th day of December, 2017

SHOUPENG LIU

B.C.L.S.

This document is not valid unless originally
signed and sealed.

7918-0071-06