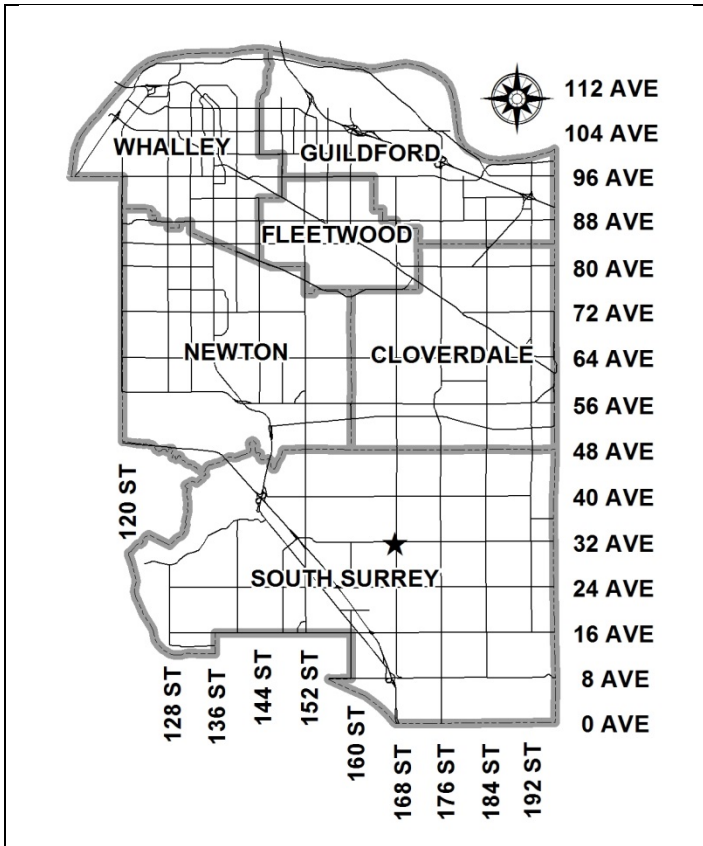


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7915-0005-00

Planning Report Date: March 7, 2016

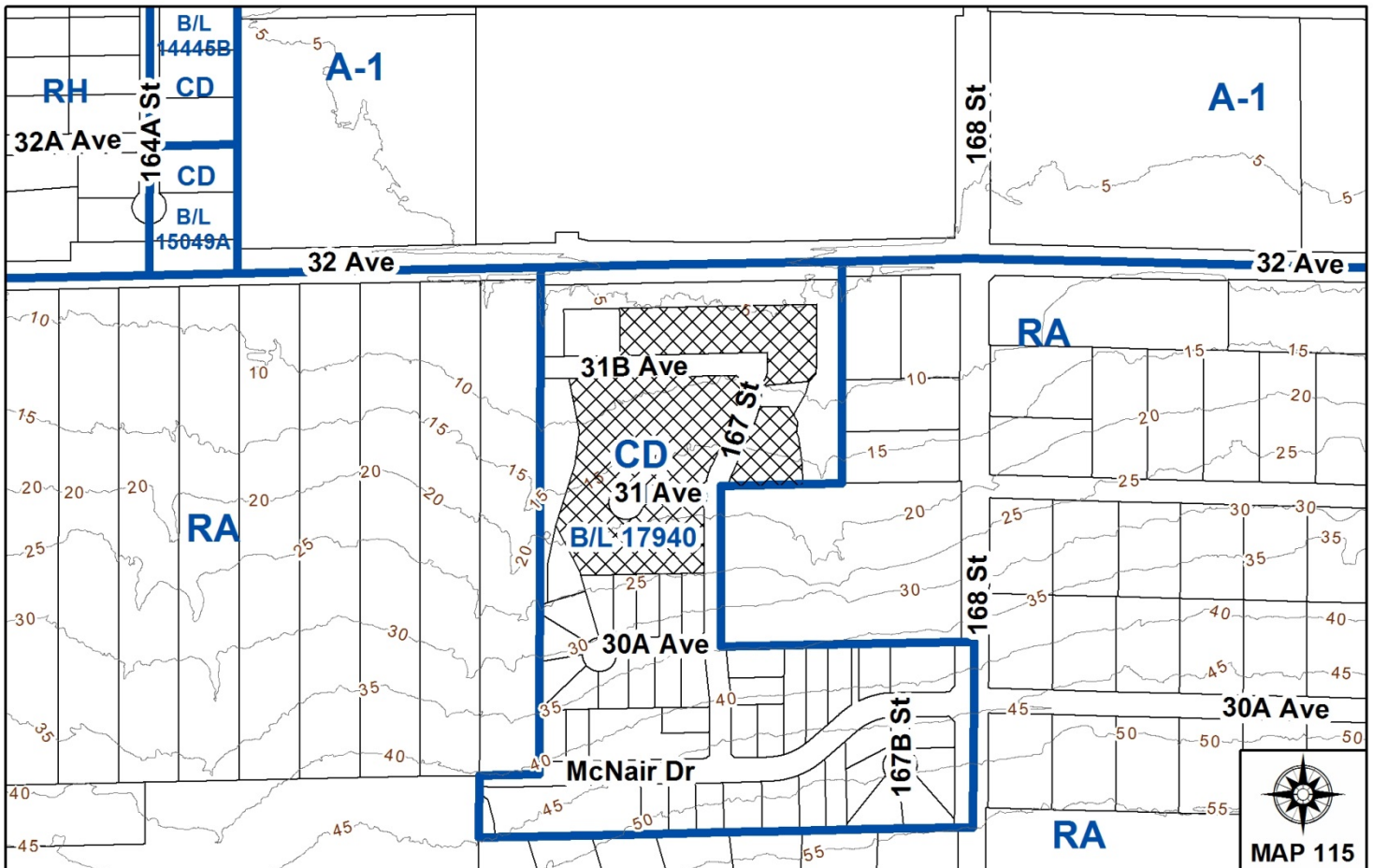


PROPOSAL:

- **Development Variance Permit**

To reduce setbacks for the purpose of tree retention and to create a more uniform streetscape.

LOCATION: 16676 - 31B Avenue
OWNER: April Creek Developments Ltd.
ZONING: CD (By-law No. 17940)
OCP DESIGNATION: Suburban
NCP DESIGNATION: Single Detached (2 u.p.a.)



RECOMMENDATION SUMMARY

- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- A Development Variance Permit (DVP) is required to reduce the front yard, side yard, and side yard flanking street setbacks of Comprehensive Development Zone (CD) By-law No. 17940.

RATIONALE OF RECOMMENDATION

- The proposed variances are necessary to allow reductions to the front yard, side yard, and side yard on flanking street setbacks for the purpose of tree retention on 12 proposed single family lots.
- Variances are also requested to the side yard and side yard on a flanking street on proposed Lots 11 and 24 due to the irregular shape of the lots and to allow homes that are in keeping with the proposed "estate" character of the area.
- The DVP will apply to Phase II of the subdivision under Development Application No. 7915-0005-00. Phase I of the subdivision was approved under Development Application No. 7911-0223-00 (the southern portion of the development site), which created 38 of the total 67 single family lots proposed to complete the subdivision of the development site.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7915-0005-00 (Appendix III) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front yard setback of the Comprehensive Development Zone (CD) (By-law No. 17940) from 7.5 metres (25 ft.) to 6 metres (20 ft.) for proposed Lots 1, 2, 3, 12, 26, and 29;
 - (b) to reduce one minimum side yard setback of the Comprehensive Development Zone (CD) (By-law No. 17940) from 3 metres (10 ft.) to 2 metres (7 ft.) for proposed Lots 1, 11, 12, 14, 17, 18, 21, 22, 23, and 24; and
 - (c) to reduce one minimum side yard on a flanking street setback of the Comprehensive Development Zone (CD) (By-law No. 17940) from 7.5 metres (25 feet) to 4 metres (13 feet) for proposed Lots 1, 11, and 12.

REFERRALS

Engineering: Engineering has advised any issues related to the variances will be addressed through the detailed design phase.

SITE CHARACTERISTICS

Existing Land Use: Undeveloped, heavily treed land.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North (Across 32 Avenue):	Greenbelt buffer between development site and 32 Ave. Across 32 Ave. is farmland within the ALR.	Agricultural	A-1
East:	Greenbelt and single family homes on one acre lots.	Suburban/Existing One Acre (northeast portion) & Half Acre Lots, Single Detached (2 u.p.a.)	RA
South:	Single family homes on small suburban lots (Phase I development of subject site).	Suburban/Single Detached (2 u.p.a.)	CD (By-law No. 17940)
West:	Greenbelt.	Suburban/Proposed Open Space/Linear Open Space	RA

DEVELOPMENT CONSIDERATIONS

Background

- On July 27, 2015, Council granted Final Adoption of Rezoning By-law No. 17940 to rezone the site from "One-Acre Residential Zone (RA)" to "Comprehensive Development Zone (CD)" (based on the RH-G zone) to facilitate the creation of 67 single family lots. The application also amended the North Grandview Heights NCP to provide for a new local road network, a community detention pond, and additional "Open Space/ Linear Open Space".
- Some of the proposed lots within the single family subdivision were increased in size to allow for on-site tree retention, while others were made smaller and narrower in order to provide the City with more open space which was conveyed to the City under Phase I of the development. Overall, the balance of smaller and larger lots, all permitted in the CD zone, has assisted in maintaining the character and context of the existing neighbourhood while maintaining the economic feasibility of the project.

Current Proposal

- The applicant is now proposing a Development Variance Permit (DVP) to reduce building setbacks for Phase II of this development to assist with proposed tree preservation efforts on private property and the siting of homes on the smaller lots.
- Specifically, Development Variance Permit No. 7915-0005-00 will vary the front yard, side yard, and side yard on a flanking street setbacks on 12 proposed lots for the purpose of tree retention. It will also vary the side yard and side yard on a flanking street setbacks on two (2) irregularly shaped lots (Lots 11 and 24) to accommodate construction of appropriately sized houses for the "estate" character of the neighbourhood and to help achieve a more balanced streetscape. The following list of variances is requested for Phase II of the subdivision, which will create the remaining 29 lots.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- to reduce the minimum front yard setback from 7.5 metres (25 ft.) to 6 metres (20 ft.) on proposed Lots 1, 2, 3, 12, 26, and 29;

Applicant's Reasons:

- The requested variances are for the purpose of tree retention on the aforementioned lots.
- The front yard setbacks are proposed to be reduced by 1.5 metre (5 ft.) to maintain no build/no excavation tree zones which are necessary to protect trees in the rear yards.
- The proposed variances will also help to accommodate appropriately sized homes in keeping with the "estate" character of the area.

Staff Comments:

- The requested variances reducing the front yard setbacks are necessary to assist with tree preservation efforts on the site. Due to tree retention, many of the proposed lots have compromised building envelopes.
- The proposed variances will provide greater flexibility for building on the lots, while ensuring the residential quality and character of the neighbourhood is maintained.

(b) Requested Variance:

- to reduce one minimum side yard setback from 3.0 metres (10 ft.) to 2.0 metres (7 ft.) on proposed Lots 1, 11, 12, 14, 17, 18, 21, 22, 23, and 24.

Applicant's Reasons:

- All of the above variances are requested for the purpose of tree retention, with the exception of Lots 11 and 24.
- Lots 11 and 24 are irregularly shaped and require variances in order to maintain similar front yard setbacks as the neighbouring properties and to accommodate driveways in the front yard. Lot 11 is located on a flanking street, which further reduces the building envelope.
- The side yard setbacks on eight (8) of these lots need to be varied by 1.0 metre (3 ft.) in order to preserve trees on the future lots.
 - The proposed variance on Lot 1 is required to reduce the side yard setback to accommodate significant tree retention in the rear yard;
 - The proposed variance on Lot 12 is required to reduce the side yard setback to accommodate tree retention in the rear/side yard;
 - Lots 1 and 12 are also located on a flanking street, which further reduces the building envelope; and
 - Lots 14, 17, 18, 21, 22, and 23 require variances to the side yard setbacks due to proposed tree preservation in the front yards.
- The proposed variances will help to accommodate appropriately sized homes in keeping with the "estate" character of the area.

Staff Comments:

- The requested variances reducing side yard setbacks are necessary to assist with tree preservation efforts on the site. Due to tree retention, many of the proposed lots have compromised building envelopes.
- The proposed variances will provide greater flexibility for building on the lots, while ensuring the residential quality and character of the neighbourhood is maintained.

(c) Requested Variance:

- to reduce one minimum side yard on a flanking street setback from 7.5 metres (25 feet) to 4.0 metres (13 feet) on proposed Lots 1, 11, and 12.

Applicant's Reasons:

- A 3.5 metres (12 ft.) reduction to the side yard on a flanking street setback is requested for three (3) lots flanking 167 Street. This is due to the fact that these lots have become relatively narrow in order to accommodate overall tree retention and open space on-site. The proposed reduction will also assist in creating a more harmonious streetscape.
- Without the requested variance, the narrow flanking lots would have substantially reduced buildable house frontage when compared to adjacent properties. Allowing for the variance will increase the buildable house frontage on the corner lots and give the builder more opportunity to create a uniform streetscape.
- The requested variances will also allow for driveways in the front yards on all three (3) lots.

Staff Comments:

- Staff have no concern with the proposed variance as it will not result in an increase in lot coverage or allowable home size, and will enhance the streetscape.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I	Lot Owners and Action Summary
Appendix II	Proposed Subdivision Layout and Supporting Information
Appendix III	Development Variance Permit No. 7915-0005-00

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

EM/ar

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KD 3/3/16 11:29 AM

Information for City Clerk

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

1. Agent: Name: Alison Davies
 Address: Infinity Properties Ltd.
 6360 - 202 Street, Unit 205
 Langley, BC V2Y 1N2

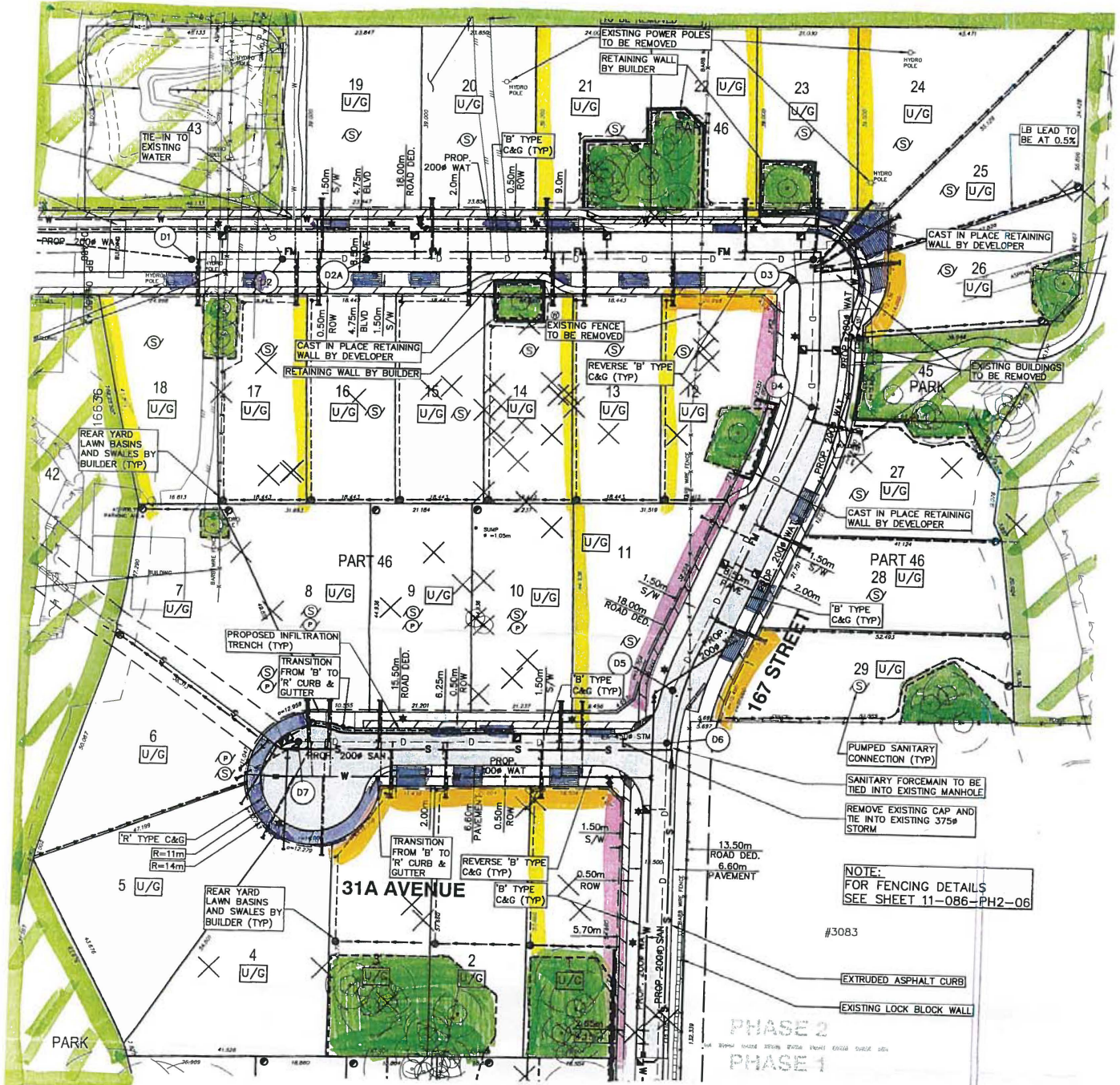
 Tel: 604-532-6060 - Work
 604-532-6060 - Fax






2. Properties involved in the Application
 - (a) Civic Address: 16676 - 31B Avenue

 - (b) Civic Address: 16676 - 31B Avenue
 Owner: April Creek Developments Ltd
 PID: 029-675-693
 Lot 46 Section 24 Township 1 New Westminster District Plan EPP50321.

3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7915-0005-00 and bring the Development Variance Permit forward for issuance and execution by the Mayor and City Clerk.

DEV. VARIANCE PERMIT APPLICATION PHASE 2 - 7915-0005 JANUARY 2016



-  PARK, ESA AND/OR POND
-  RETAINED TREES
-  FRONTYARD VARIANCE FROM 7.5m TO 6.0m (6 Lots)
(Lots 1,2,3,12,26,29)
-  SIDEYARD VARIANCE FROM 3m TO 2m (10 Lots)
(Lots 1,11,12,14,17,18,21,22,23,24)
-  SIDEYARD VARIANCE FROM 7.5m TO 4m FOR FLANKING STREET (3 Lots)
(Lots 1,11,12)

PHASE 2
PHASE 1

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7915-0005-00

Issued To: APRIL CREEK DEVELOPMENTS LTD
("the Owner")

Address of Owner: #205, 6360 - 202 Street
Langley, BC V2Y 1N2

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: 029-675-693
 Lot 46 Section 24 Township 1 New Westminster District Plan EPP50321
 16676 - 31B Avenue

(the "Land")

3. (a) As the legal description of the Land is to change, the City Clerk is directed to insert the new legal description for the Land once titles have been issued, as follows:

Parcel Identifier:

- (b) If the civic addresses change, the City Clerk is directed to insert the new civic addresses for the Land, as follows:

4. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:

- (a) In Section F. Yards and Setbacks of Comprehensive Development Zone (CD) (By-law No. 17940) the minimum front yard setback of the principal building is reduced from 7.5 metres (25 ft.) to 6.0 metres (20 ft.) on proposed Lots 1, 2, 3, 12, 26 and 29.
 - (b) In Section F. Yards and Setbacks "Comprehensive Development Zone (CD)" (By-law No. 17940) one minimum side yard setback of the principal building is reduced from 3.0 metres (10 ft.) to 2.0 metres (6.5 ft.) on proposed Lots 1, 11, 12, 14, 17, 18, 21, 22, 23 and 24.
 - (c) In Section F. Yards and Setbacks "Comprehensive Development Zone (CD)" (By-law No. 17940) one minimum side yard setback on a flanking street of the principal building is reduced from 7.5 metres (25 ft.) to 4.0 metres (13 ft.) on proposed Lots 1, 11 and 12.
- 5. This development variance permit applies to only the portion of 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.
 - 6. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
 - 7. 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.
 - 8. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
 - 9. 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

PRELIMINARY SUBDIVISION PLAN OF
 LOT 46 SECTION 24 TOWNSHIP 1
 NEW WESTMINSTER DISTRICT PLAN EPP50321

PLAN EPP

PURSUANT TO SECTION 67 OF THE LAND TITLE ACT,
 BCGS 92G.007

0 10 20 30 40
 ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF
 THE INTENDED PLOT SIZE OF THIS PLAN IS 864mm IN WIDTH
 BY 582mm IN HEIGHT (1 SIDE) WHEN PLOTTED AT A SCALE OF 1:1250



INTERESTED SURVEY AREA No. 01, CITY OF SURREY, WAH02(CRSH)G.DBC.1.GRD
 GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN
 GEODETIC CONTROL MONUMENTS S183 AND S884.

THE 3D COORDINATES AND ESTIMATED HORIZONTAL POSITIONAL
 ACCURACY INDICATED ARE DERIVED FROM THE WADSWORTH
 COORDINATES AND STANDARD DEVIATIONS FOR GEODETIC CONTROL
 MONUMENTS S183 AND S884.
 THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES UNLESS
 OTHERWISE SPECIFIED. TO COMPUTE GRID DISTANCES MULTIPLY
 GROUND-LEVEL DISTANCES BY THE AVERAGE CORRECTION FACTOR OF
 0.99997 WHICH HAS BEEN DERIVED FROM GEODETIC
 CONTROL MONUMENTS S183 AND S884.

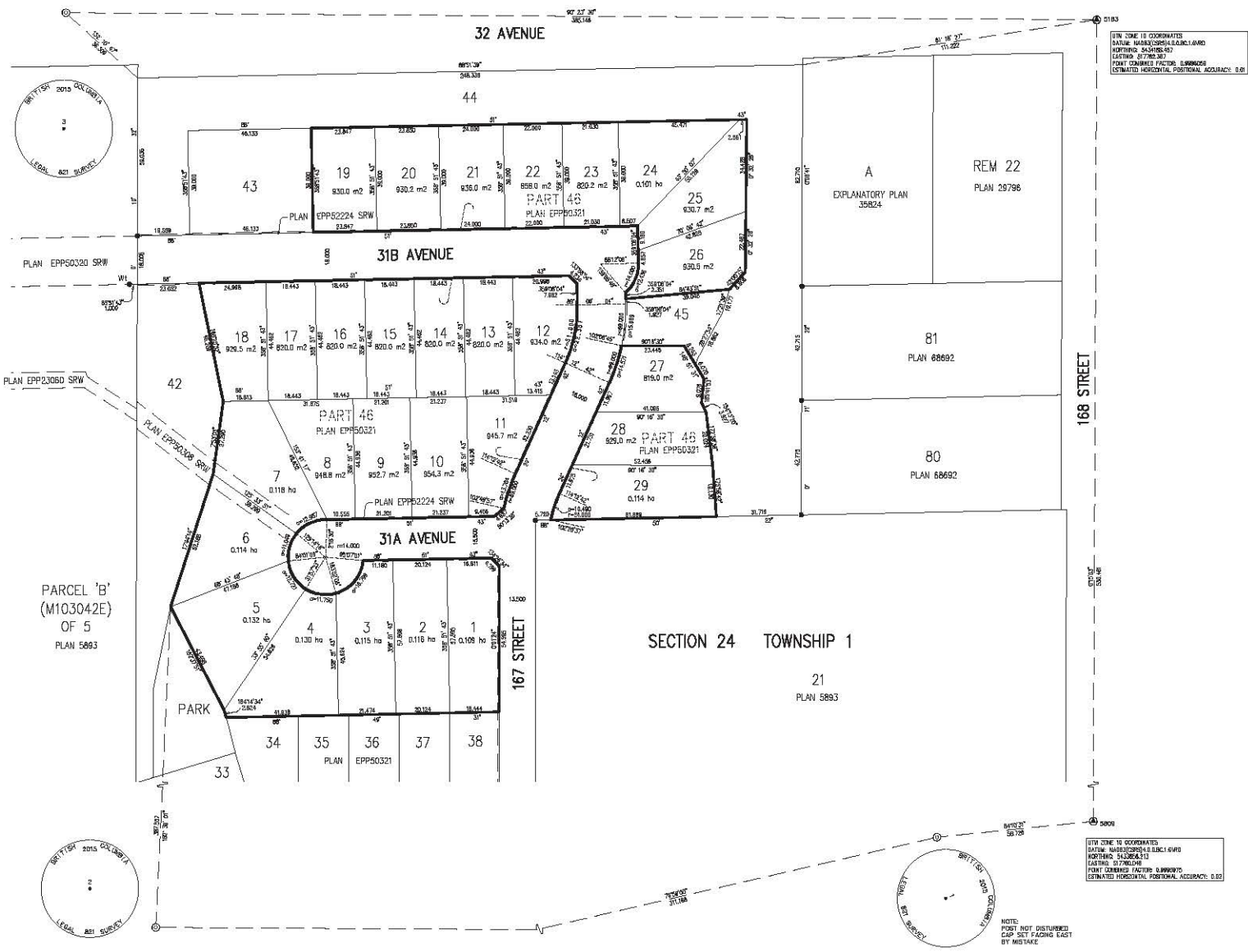
- LEGEND**
- | SYMBOLS | DESCRIPTION |
|----------------|------------------------|
| ⊙ | CONTROL MONUMENT |
| ⊙ | STANDARD CONCRETE POST |
| ⊙ | STANDARD IRON POST |
| ⊙ | DENOTES ARC |
| ⊙ | DENOTES RADIUS |
| ha | DENOTES HECTAIRE |
| m ² | DENOTES SQUARE METRES |
| RCM | DENOTES ROADWIDER |
| WR | DENOTES WITNESS |

NOTE:
 THIS PLAN SHOWS ONE OR MORE WITNESS POSTS
 WHICH ARE NOT SET ON THE TRUE CORNERS.

REGISTERED ADMINISTRATION HAS BEEN
 APPROVED FOR THIS SURVEY.
 THIS PLAN LIES WITHIN THE JURISDICTION OF THE
 APPROVING OFFICER FOR THE CITY OF SURREY.

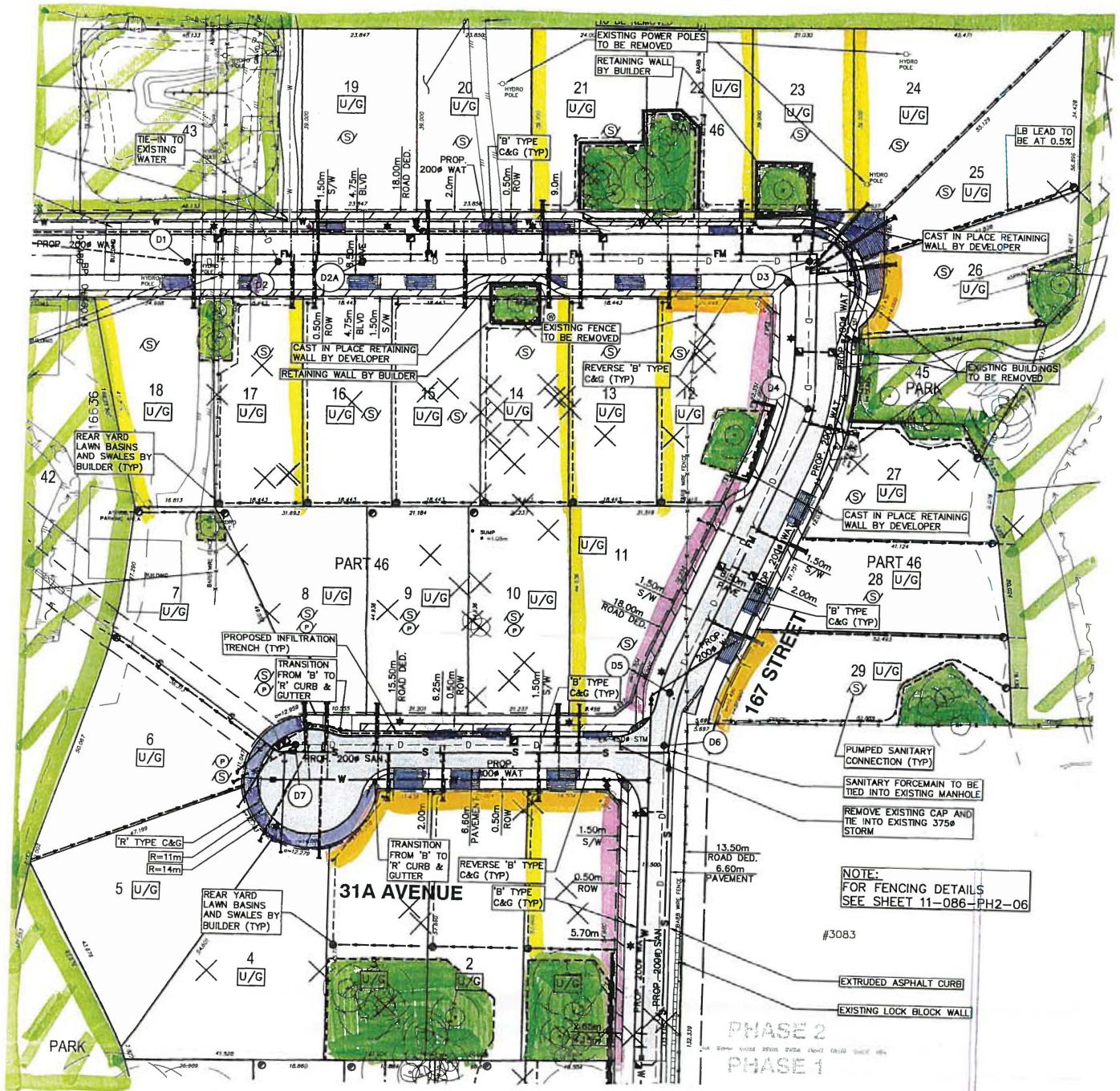
THIS PLAN IS BASED ON THE FOLLOWING LAND TITLE
 AND SURVEY AUTHORITY OF BC RECORDS:
 PLAN
 T1, 8225 (Cadastral number)
 PLAN DATED 11, 2017
 THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS
 COMPLETED ON THE 13th DAY OF _____, 2017,
 JASON G. HANCOCK, B.S. (S.S.)

THIS PLAN LIES WITHIN THE GREATER VANCOUVER REGIONAL DISTRICT



WELSHAWNEE ASSOCIATES
 LAND SURVEYING LTD.
 2340, 1-460 166 AVENUE
 SURREY, BC V2T 5V3
 TEL: 604-599-0391
 FAX: 604-599-0391
 EOP: 04/27/2017

DEV. VARIANCE PERMIT APPLICATION PHASE 2 - 7915-0005 JANUARY 2016



- PARK, ESA AND/OR POND
- RETAINED TREES
- FRONTYARD VARIANCE FROM 7.5m TO 6.0m (6 Lots)
(Lots 1,2,3,12,26,29)
- SIDEYARD VARIANCE FROM 3m TO 2m (10 Lots)
(Lots 1,11,12,14,17,18,21,22,23,24)
- SIDEYARD VARIANCE FROM 7.5m TO 4m FOR FLANKING STREET (3 Lots)
(Lots 1,11,12)

NOTE:
FOR FENCING DETAILS
SEE SHEET 11-086-PH2-06

PHASE 2
PHASE 1