

City of Surrey
ADDITIONAL PLANNING COMMENTS

File: 7917-0100-01

Planning Report Date: December 16, 2019

PROPOSAL:

- **Development Variance Permit**

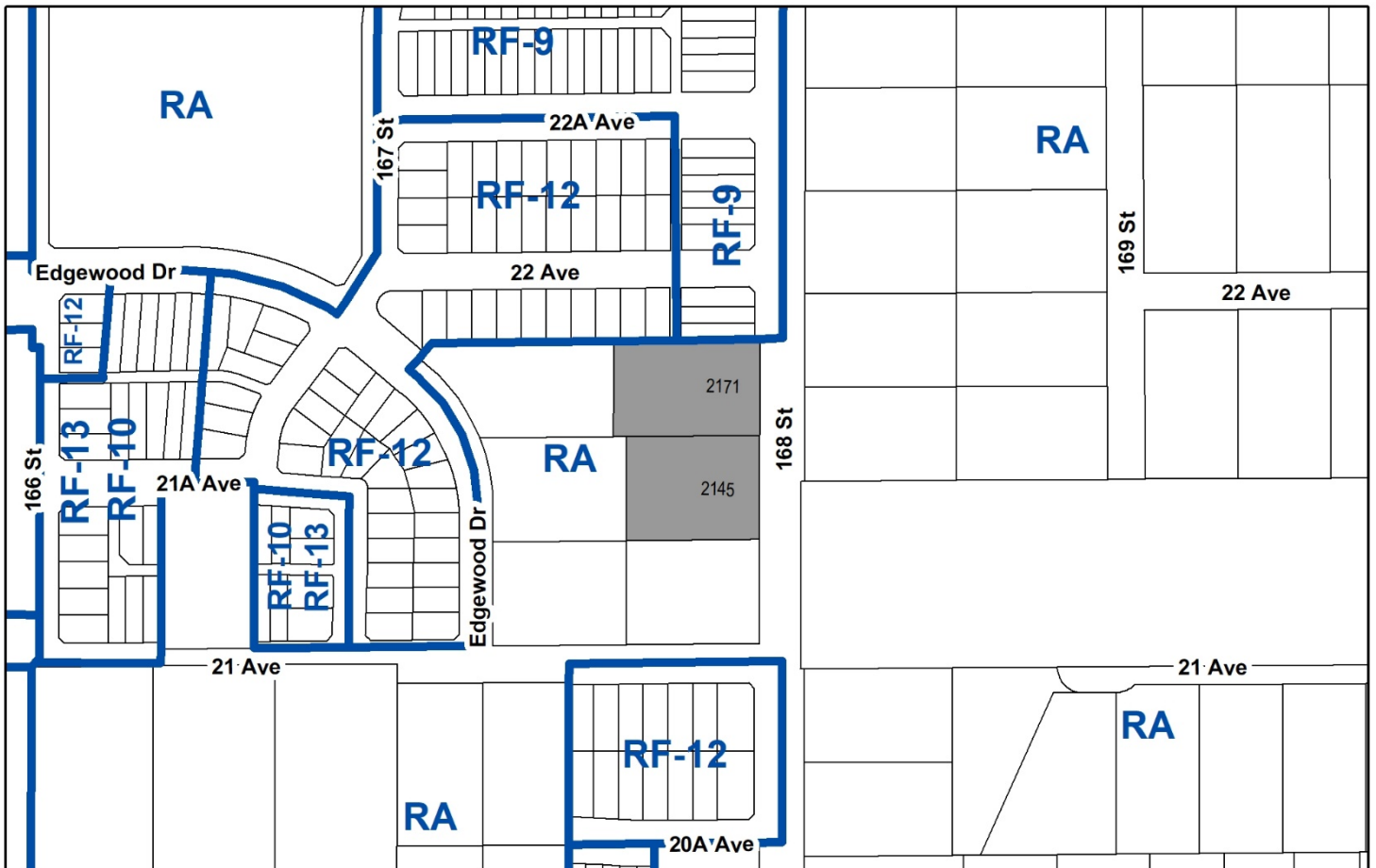
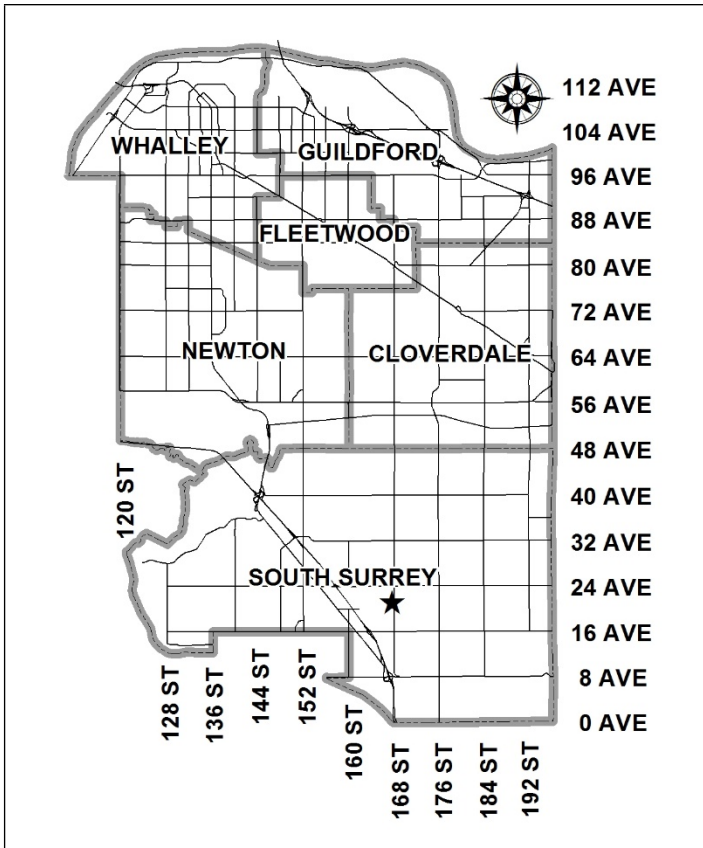
to reduce the minimum required separation distance between the principal building and the detached garage.

LOCATION: 2171 - 168 Street
 2145 - 168 Street

ZONING: RA (Proposed RF, RF-13 and RF-10)

OCP DESIGNATION: Urban

NCP DESIGNATION: Low Density Residential 6-10 upa;
 Buffer; 5m Drainage Corridor



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant proposes a variance to reduce the minimum required separation distance between the principal dwelling and the detached garage on a proposed Single Family Residential (10) Zone (RF-10) lot.

RATIONALE OF RECOMMENDATION

- Development Application No.7917-0100-00, which proposes to rezone the subject site from One-Acre Residential Zone (RA) to Single Family Residential Zone (RF), Single Family Residential (13) Zone (RF-13), and Single Family Residential (10) Zone (RF-10) to allow subdivision into 13 residential lots, received Third Reading at the Regular Council – Public Hearing meeting of February 19, 2018.
- A requirement of the original proposal was to provide a 2.3 metre wide landscape buffer along 168 Street, as identified by the Sunnyside Heights Neighbourhood Concept Plan. A 1.2 metre building setback from the landscape buffer is also required from the buffer to provide for useable space between the landscape buffer and the proposed dwelling.
- The applicant is proposing to reduce the separation distance between the principal dwelling and the detached garage on proposed Lot 13 from 6.5 metres to 5.8 metres, which will provide a rear yard that has similar depth as the RF-13 lot proposed to the north of the subject RF-10 lot.
- The proposed variance is relatively minor and will allow the applicant to maximize the building envelope while maintaining the landscape buffer and a livable rear yard.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7917-0100-01 (Appendix I), to reduce the minimum separation distance between the principal building and the detached garage of the Single Family Residential (10) Zone (RF-10) on proposed Lot 13 from 6.5 metres to 5.8 metres to proceed to Public Notification.

REFERRALS

Engineering: The Engineering Department has no objection to the project

SITE CHARACTERISTICS

Existing Land Use: Vacant residential lots

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North:	Single Family Small Lots	Low density residential 6 – 10 u.p.a.	RF-9 and RF-12
East (Across 168 Street):	Acreage Residential	Suburban – Urban Reserve (OCP Designation)	RA
South:	Acreage Residential	Low density residential 6 – 10 u.p.a. & Buffer	RA
West:	Vacant/Acreage Residential. One property is under application (No. 7916-0026-00) to facilitate the development of single family residential lots (Third Reading).	Low density residential 6 – 10 u.p.a.	RA

DEVELOPMENT CONSIDERATIONS

- The subject site was previously considered by Council under Development Application No. 7917-0100-00, which proposes to rezone the site from One-Acre Residential Zone (RA) to Single Family Residential Zone (RF), Single Family Residential (13) Zone (RF-13), and Single Family Residential (10) Zone (RF-10) to allow subdivision into 13 residential lots. This application received Third Reading at the Regular Council – Public Hearing meeting of February 19, 2018.
- As a condition of approval, the applicant was required to provide a 2.3 metre wide landscape buffer along 168 street and register a Section 219 Restrictive Covenant to ensure an additional 5 metre building setback from the landscape buffer was achieved.
- While reviewing the landscape buffer and setback requirement, the applicant, in consultation with their design consultant, identified that a functional dwelling could not be constructed on proposed Lot 13 while adhering to the landscape buffer requirement and the RF-10 Zone setbacks.
- The applicant's design consultant, Mike Tynan of Tynan Consulting Ltd., provided staff with several options to achieve a functional building envelope while maintaining the 2.3 metre landscape buffer. These options considered variances to the distance between the principal dwelling and garage, and the 5 metre setback from the landscape buffer.
- Of the options identified, it was determined that reducing the separation distance between the principal dwelling and the garage by 0.7 metres, from 6.5 metres to 5.8 metres, and reducing the setback of the principal dwelling from the landscape buffer from 5 metres to 1.2 metres provided the best solution, as it would ensure a livable dwelling and rear yard, while maintaining adequate separation between the dwelling and the landscape buffer.
- Development Application No. 7912-0153-00 for lands located immediately to the north of the subject site, has dwellings constructed on these lots with front yard setbacks from the landscape buffer that range between approximately 2 and 4 metres, with the larger setbacks being implemented on lots that retained trees. Furthermore, 1.2 metres has been established as an appropriate setback from the landscape buffer for side yard conditions along 168 Street elsewhere in Sunnyside Heights.
- Staff find that, given the context, implementing a 1.2 metre setback from the landscape buffer instead of a 5 metre setback will create a more consistent streetscape along 168 Street and limits the requested variance to the rear yard, which are typically used more than front yards.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum separation distance between the principal building and the detached garage of the Single Family Residential (10) Zone (RF-10) on proposed Lot 13 from 6.5 metres to 5.8 metres.

Justification for Variance:

- The required 6.5 metre separation between the principal building and the detached garage constitutes a livable rear yard on RF-10 lots and is therefore valuable outdoor space. However, it is also important that future owners of proposed Lot 13, have a functional dwelling and as such, the proposal is a trade-off between outdoor and indoor livability.
- In an effort to preserve a livable rear yard on proposed Lot 13, the applicant and staff believe it is reasonable to reduce the additional front yard setback from the principal dwelling to the landscape buffer. As a result, the applicant is proposing a nominal reduction of 0.7 metres between the principal building and the garage.
- The proposed 5.8 metre separation distance between the principal building and garage still maintains a livable rear yard. Furthermore, the 5.8 metre separation distance will be closely aligned with the depth of the rear yard of the proposed RF-13 lots which abut the subject lot to the north, as the RF-13 Zone requires a minimum separation distance between the principal dwelling and the detached garage of 5.5 metres.
- For the above reasons, staff support the proposed Development Variance Permit proceeding to Public Notification.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Development Variance Permit No. 7917-0100-01

approved by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

BD/cm

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7917-0100-01

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: 002-181-355
Lot 44 Section 13 Township 1 New Westminster District Plan 59000

2171 - 168 Street

Parcel Identifier: 002-267-209
Lot 47 Section 13 Township 1 New Westminster District Plan 59000

2145 - 168 Street

(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 title(s) has/have been issued, as follows:

Parcel Identifier:

- (b) If the civic address(es) change(s), the City Clerk is directed to insert the new civic address(es) 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 Part 17C Single Family Residential (10) Zone, the minimum separation distance between the principal building and a detached garage is reduced from 6.5 metres to 5.8 metres for proposed Lot 13.
5. This development variance permit applies to only the 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.
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 unless the subdivision, as conceptually shown on Schedule A which is attached hereto and forms part of this development variance permit, is registered in the New Westminster Land Title Office within three (3) 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.

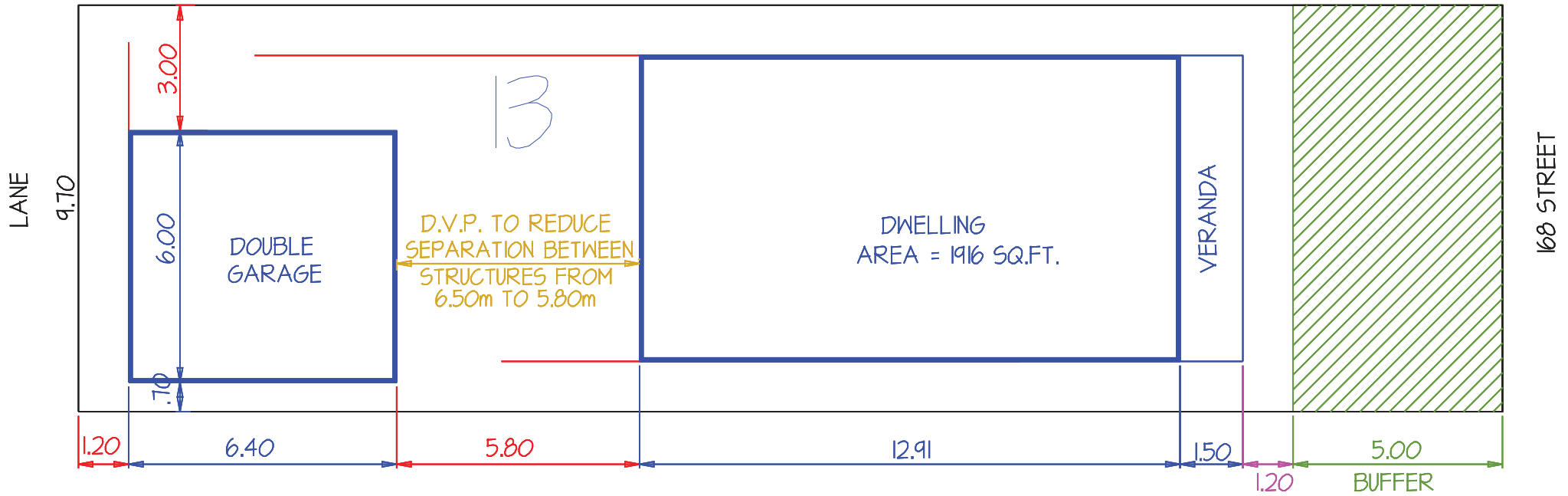
AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 .
ISSUED THIS DAY OF , 20 .

Mayor – Doug McCallum

City Clerk – Jennifer Ficocelli

SURREY PROJECT : 17-0100-00, LOT 13

34.01



DRAWN: TYNAN CONSULTING LTD., NOV 26, 2019