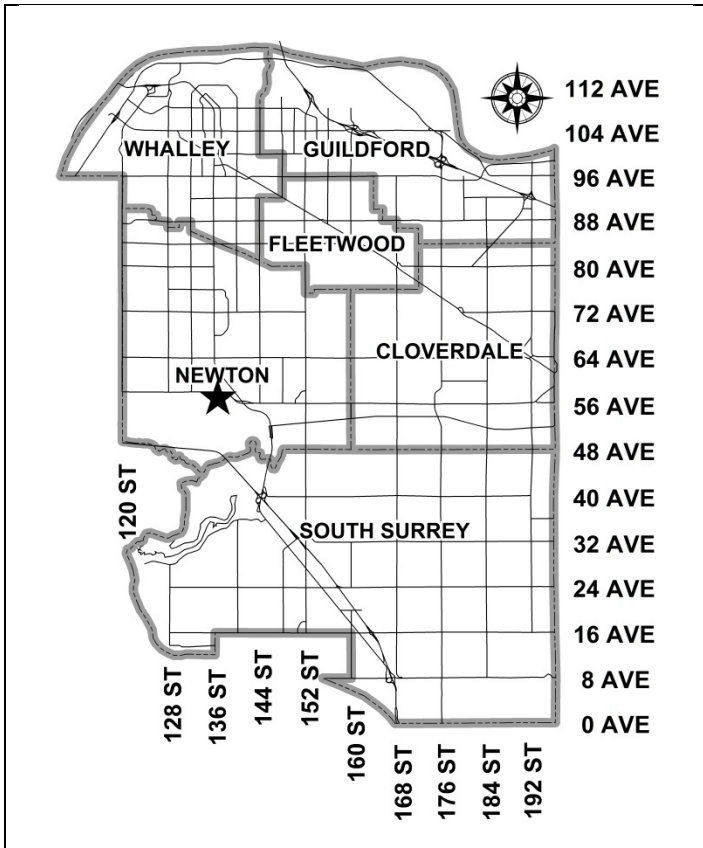


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7917-0587-00

Planning Report Date: February 5, 2018



**PROPOSAL:**

- **Development Variance Permit**

to reduce the required side yard setbacks on an existing lot to allow the construction of a single family dwelling.

**LOCATION:** 13707 - 57B Avenue

**ZONING:** RH

**OCP DESIGNATION:** Suburban (Density Exception Area)

**LAP DESIGNATION:** Suburban Residential (Half 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 east and west side yard setbacks of the "Half-Acre Residential Zone (RH)".

### RATIONALE OF RECOMMENDATION

- The subject property is a legal, non-conforming lot in the RH Zone. The RH Zone is intended for lots that are a minimum 1,858 square metres (0.5 acres) in size with a minimum width of 30 metres (100 ft.). The subject property is significantly undersized with an area of 974 square metres (10,489 sq. ft.) and a width of 22.8 metres (75 ft.). The RH Zone requires a minimum 4.5 metre (15 ft.) side yard setback. Applying these setbacks will significantly reduce the width and the size of the home that may be constructed on it.
- Many of the neighbouring houses in the block have similar non-conforming side yard setbacks.
- The existing house has non-conforming side yard setbacks of 1.8 metres (6 ft.). The proposed new dwelling will be sited at the same setback along the west side, and at an increased setback along the east side.
- The applicant has obtained community support from neighbouring residents for the proposed variance.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7917-0587-00 (Appendix II), varying the following, to proceed to Public Notification:

- (a) to reduce the minimum east side yard setback of the RH Zone from 4.5 metres (15 ft.) to 2.1 metres (7 ft.); and
- (b) to reduce the minimum west side yard setback of the RH Zone from 4.5 metres (15 ft.) to 1.8 metres (6 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	LAP Designation	Existing Zone
North (Across Highway 10):	Single family dwelling	OCP: Urban	RF
East:	Single family dwelling	Suburban Residential (Half Acre)	RH
South (Across 57B Avenue):	Single family dwelling	Suburban Residential (Half Acre)	RH
West:	Single family dwelling	Suburban Residential (Half Acre)	RH

DEVELOPMENT CONSIDERATIONSBackground

- The subject property is designated "Suburban" in the Official Community Plan (OCP), "Suburban Residential (Half Acre)" in the West Panorama Ridge Local Area Plan (LAP), and is zoned "Half Acre Residential Zone (RH)".

- The subject property is a legal, non-conforming RH Zoned lot and has a site area of 974 square metres (10,489 sq. ft.), which makes it a significantly undersized lot in the RH Zone. The size of the lot qualifies it to defer to the RF Zone provisions for density and lot coverage; however, the lot does not qualify for the allowance in the RH Zone that permits lots with an area of 900 square metres (9,685 sq. ft.) or less to revert to the setback requirements of the "Single Family Residential Zone (RF)" which are less than those required under the RH Zone.
- The subject property also has a considerably reduced width of 22.8 metres (75 ft.), which does not conform to the RH Zone's minimum required lot width of 30 metres (100 ft.).
- It should also be noted that the subject property is on a septic system and requires room in the rear yard for the placement of a septic tank.

#### Current Proposal

- The applicant is proposing a Development Variance Permit to reduce the minimum east and west side yard setbacks of the RH Zone from 4.5 metres (15 ft.) to 2.1 metres (7 ft.) and 1.8 metres (6 ft.), respectively. The proposed reduced setbacks will facilitate the construction of an appropriately sized home on the subject property.

#### BY-LAW VARIANCE AND JUSTIFICATION

##### (a) Requested Variance:

- To reduce the minimum side yard setbacks of the RH Zone from 4.5 metres (15 ft.) to 2.1 metres (7 ft.) for the east setback and to 1.8 metres (6 ft.) for the west setback.

##### Applicant's Reasons:

- The size of the subject lot qualifies it to defer to the RF Zone regulations on density and lot coverage but not to the reduced setbacks of the RF Zone. The required side yard setbacks of the RH Zone significantly reduce the buildable area of this lot.

##### Staff Comments:

- The subject property is a legal, non-conforming RH Zone lot. The RH Zone is intended for lots that are a minimum 1,858 square metres (0.5 acres) in size with a minimum lot width of 30 metres (100 ft.). The subject property is significantly undersized at 974 square metres (10,489 sq. ft.) with a width of 22.8 metres (75 ft.). The required 4.5 metre (15 ft.) east and west side yard setbacks in the RH Zone significantly restrict the width of the home that may be constructed on the lot.
- At 974 square metres (10,489 sq. ft.), the subject lot does not qualify for the allowance in the RH Zone that permits lots with an area of 900 square metres (9,685 sq. ft.) or less to use the smaller setback requirements of the RF Zone. The subject property is over this threshold by 74 square metres (796 sq. ft.).

- The subject property is serviced by a septic system and requires room in the rear yard for the placement of a septic tank. The required 4.5 metre (15 ft.) side yard setback and clearance from the septic tank will further reduce the buildable area and size of the home.
- The lot size, including lot area and dimensions, is consistent with a larger RF Zoned lot. The proposed setbacks meet or exceed what would be required under the RF Zone if the property were permitted to revert to those regulations.
- Without the variances, the house is limited to an approximate width of 13.8 metres (45 ft.). The variances will allow for a maximum 18.8 metre (62 ft.) wide house.
- The existing house has non-conforming east and west side yard setbacks of 1.8 metres (6 ft.). The proposed variance will meet or exceed the side yard setbacks of the existing dwelling.
- The applicant has obtained support from neighbouring residents for the proposed variance.
- Many of the neighbouring houses in the block have similar non-conforming side yard setbacks.
- In light of the above, staff support this proposed variance proceeding to Public Notification.

#### INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners and Action Summary (Confidential) and Project Data Sheets  
Appendix II. Development Variance Permit No. 7917-0587-00

*original signed by Ron Hintsche*

Jean Lamontagne  
General Manager  
Planning and Development

KS/da

APPENDIX I HAS BEEN  
REMOVED AS IT CONTAINS  
CONFIDENTIAL INFORMATION

## DEVELOPMENT DATA SHEET

Existing Zoning: RH

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)	974 square metres (10,489 sq. ft.)	
Gross Total		
Road Widening area		
Undevelopable area		
Net Total		
LOT COVERAGE (in % of net lot area)	30%	30%
Buildings & Structures		
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS ( in metres)		
Front	7.5 metres (25 ft.)	7.8 metres (25 ft.)
Rear	7.5 metres (25 ft.)	9.3 metres (30 ft.)
Side #1 (E)	4.5 metres (15 ft.)	2.1 metres (7 ft.)
Side #2 (W)	4.5 metres (15 ft.)	1.8 metres (6 ft.)
BUILDING HEIGHT (in metres/storeys)		
Principal	9.0 metres (30 ft.)	9.0 metres (30 ft.)
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential	480.7 square metres (5,175 sq. ft.)	464 square metres (4,997 sq. ft.)
TOTAL BUILDING FLOOR AREA	480.7 square metres (5,175 sq. ft.)	464 square metres (4,997 sq. ft.)

*\* If the development site consists of more than one lot, lot dimensions pertain to the entire site*

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7917-0587-00

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: 010-186-727

Lot 27 Section 9 Township 2 New Westminster District Plan 21037

13707 - 57B 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 14 Half-Acre Residential Zone (RH), the minimum east side yard setback is reduced from 4.5 metres (15 ft.) to 2.1 metres (7 ft.); and
  - (b) In Section F. Yards and Setbacks of Part 14 Half-Acre Residential Zone (RH), the minimum west side yard setback is reduced from 4.5 metres (15 ft.) to 1.8 metres (6 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.
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 .

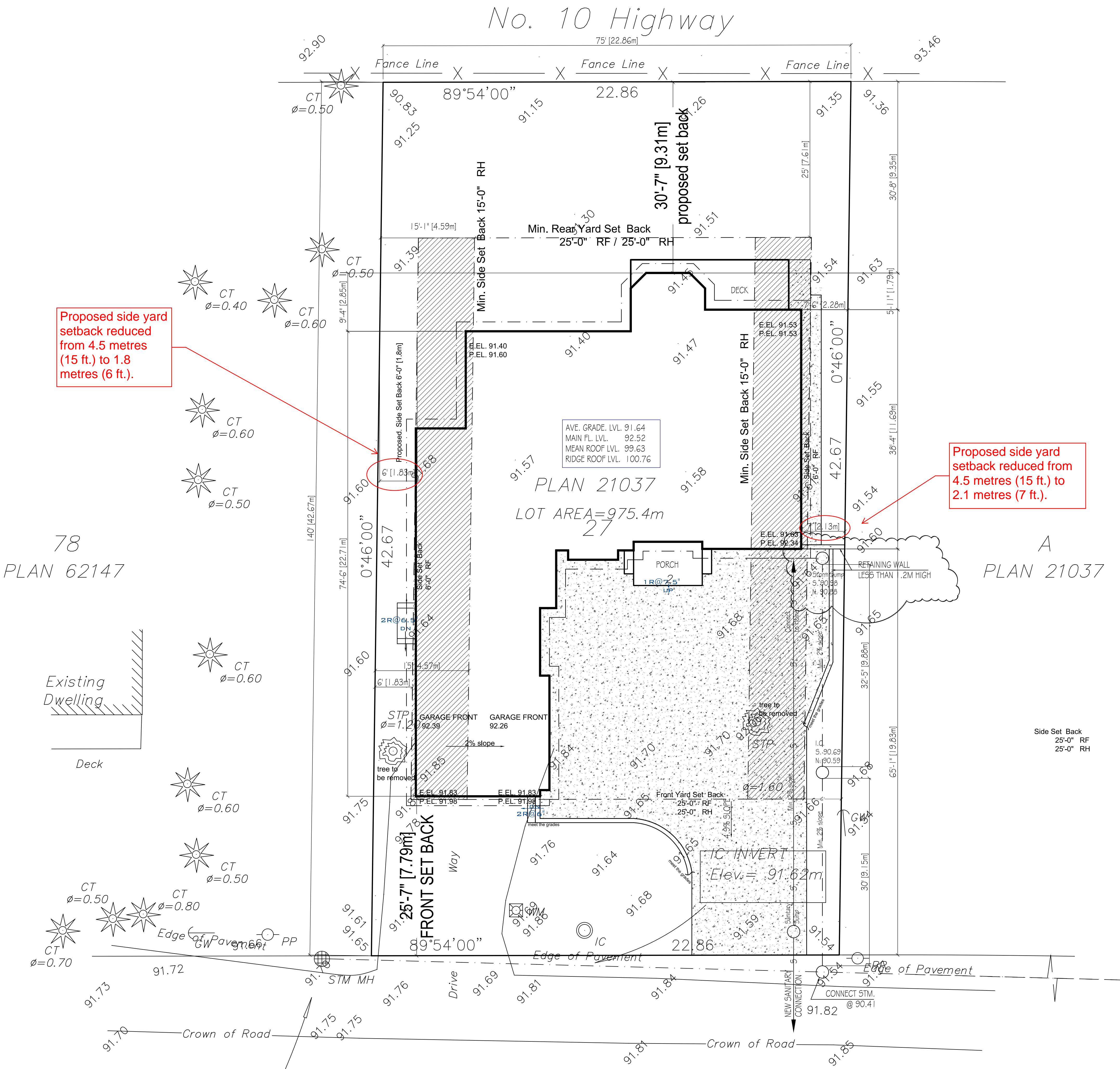
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Mayor – Linda Hepner

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City Clerk – Jane Sullivan

<p>GENERAL NOTES</p>	<p>DATE</p> <p>REVISION/ISSUE</p> <p>SITE PLAN 2016/11</p>	<p><b>GeoSpace Consulting</b></p> <p>TEL: (604) 782-9999          FAX: (604) 782-9999          EMAIL: gspace@geospace.ca          ADDRESS: 204, 8334 128 AVENUE          SURREY, B.C.</p>	<p>PROJECT NAME AND ADDRESS</p> <p>Multi-Unit Single-Family Dwelling for Lot 27, 13707 57B Avenue, Surrey, B.C.</p>	<p><b>FLOOR PLANS</b></p> <p>DRAWN BY: <b>Guurdeep</b></p> <p>DESIGNER: <b>Parveen</b></p> <p>DATE: <b>Aug 2016</b></p> <p>SCALE: <b>1/4" = 1'</b></p> <p>SHEET: <b>2-5/1</b></p> <p>THREE PLANS CONFORM TO REQUIREMENTS IN THE REGULATIONS AND CODES.</p>
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Proposed side yard setback reduced from 4.5 metres (15 ft.) to 1.8 metres (6 ft.).

Proposed side yard setback reduced from 4.5 metres (15 ft.) to 2.1 metres (7 ft.).

AVE. GRADE. LVL. 91.64  
 MAIN FL. LVL. 92.52  
 MEAN ROOF LVL. 99.63  
 RIDGE ROOF LVL. 100.76

PLAN 21037  
 LOT AREA = 975.4m<sup>2</sup>

PLAN 21037

78  
 PLAN 62147

Side Set Back  
 25'-0" RF  
 25'-0" RH

**SET BACKS**

- RH Principal 7.5 m. 7.5 m. 4.5 m. 7.5 m.
- Building [25 ft.] [25 ft.] [15 ft.] [25 ft.]
- RF Principal 7.5 m. 7.5 m. 1.8 m. 3.6 m.
- Building [25 ft.] [25 ft.] [6 ft.] [12 ft.]

**LOT CALCULATIONS**

<p><b>CIVIC ADDRESS:</b> 13707 57B Ave V3X 2V2          LOT 27 BLOCK 9&amp;10 SECTION 9 TOWNSHIP          2 PLAN 21037 NWD PART SW1/4.</p> <p><b>ZONING:</b> RH zone Set Backs Proposed as RF</p> <p><b>LOT AREA:</b> 975.48 sq. meters (10,500 sq. feet)</p> <p><b>PERMITTED FLOOR AREA RATIO:</b> = 5175 SQ.FT. [480.77 m<sup>2</sup>]</p> <p><b>PROPOSED FLOOR AREA RATIO:</b> MAIN FL. (3027.76) INCLUDING GARAGE + SECOND FL. (2170) - 200 OPEN TO BELOW = 4997.76 [464.33m<sup>2</sup>] &lt; 480m<sup>2</sup></p> <p><b>PERMITTED TOP FLOOR AREA:</b> 80% x 4997.76 (SQ.FT.) 3998.21 SQ.FT.</p> <p><b>PROPOSED TOP FLOOR AREA:</b> = 2170 SQ.FT. INCL. (OPEN TO BELOW), 750 SQ.FT. FROM FRONT</p> <p><b>PERMITTED DECK AREA:</b> 10% x 5175. (160 SQ.FT. RESERVED FOR FRONT) = 517.5 SQ.FT. = 357.5 SQ.FT.</p> <p><b>PROPOSED DECK AREA:</b> REAR MAIN FL. = 107 SQ.FT.          REAR UPPER FL. = 243 SQ.FT.          TOTAL AREA = 350 SQ.FT. &lt; 357 SQ.FT.</p>	<p><b>PERMITTED LOT COVERAGE:</b> 30% x 10500 SQ.FT. = 3150 SQ.FT.</p> <p><b>PROPOSED LOT COVERAGE:</b> = 3027 BLDG + 107 DECK = 3134 SQ.FT. &lt; 3150 SQ.FT</p> <p><b>PERMITTED BUILDING HEIGHT:</b> 9.00M</p> <p><b>PROPOSED BUILDING HEIGHT:</b> 26'-7" (8.11M)</p> <p><b>SITE PERMEABILITY:</b> MAX. ALLOWED NON-PERMEABLE SURFACE @ 70% = 70% x 10500 = 7350 SQ.FT.</p> <p><b>PROPOSED NON-PERMEABLE AREA =</b> 3027 (BLD.) + 2385 (DRIVE WAY+SIDE WALK) = 5412 SQ.FT.</p>
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Storm Manhole  
 Rim Elev. = 91.70m

E INV. Elev. = 90.51m