

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7918-0213-00

Planning Report Date: September 17, 2018

PROPOSAL:

- **Development Variance Permit**

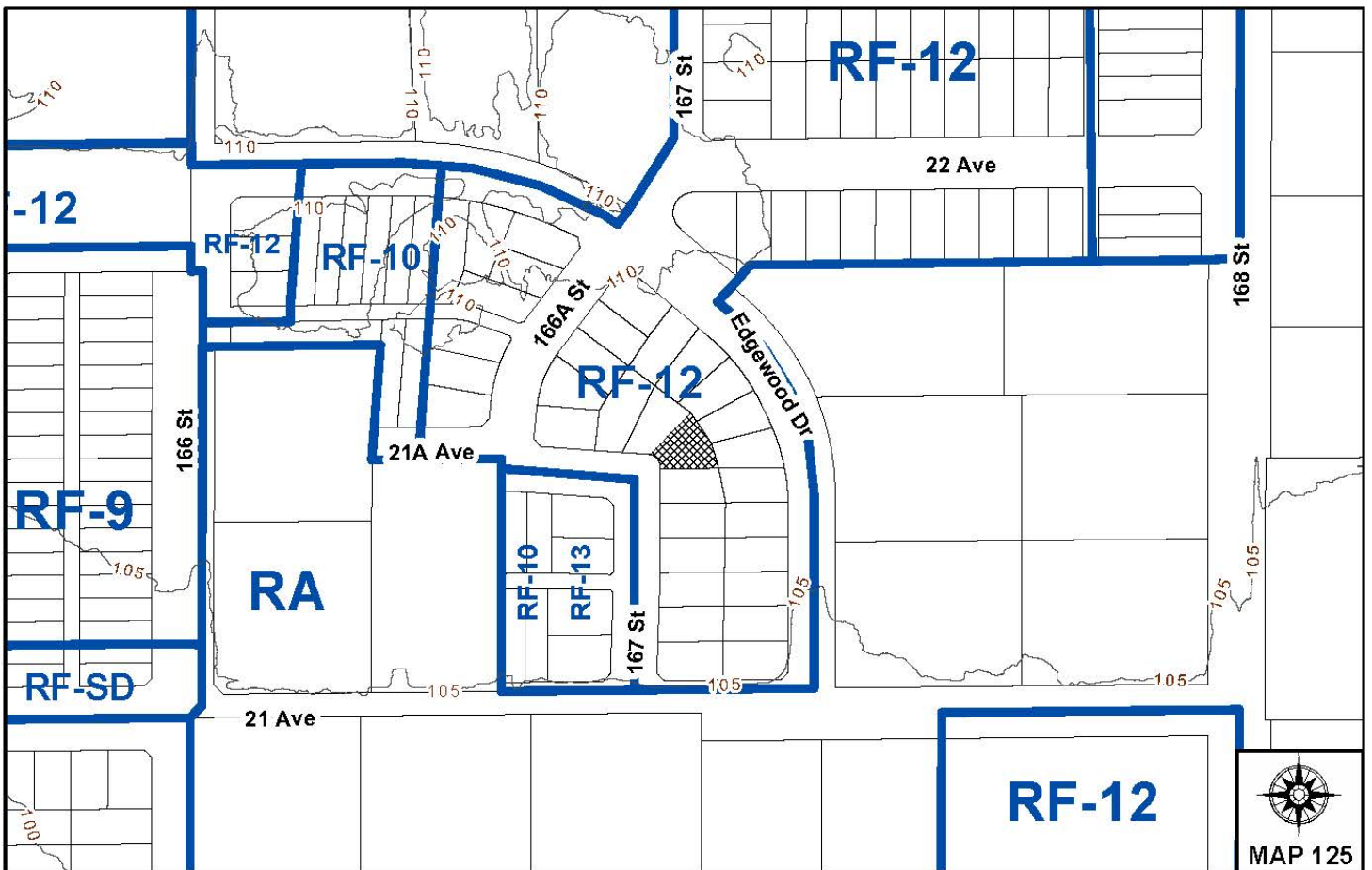
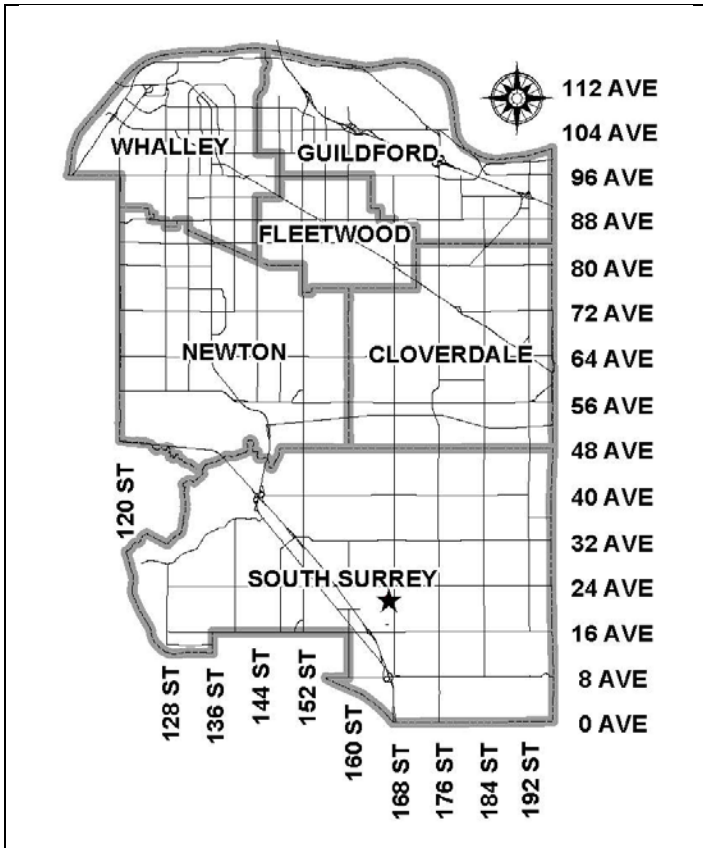
to vary the minimum rear yard setback for an irregular shaped RF-12 lot.

LOCATION: 2150 - 167 Street

ZONING: RF-12

OCP DESIGNATION: Urban

NCP DESIGNATION: Medium Density Residential
 (10 - 15 u.p.a.)



MAP 125

RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking a reduction to the minimum rear yard setback requirement of the RF-12 Zone from 7.5 metres (25 ft.) to 4.5 metres (15 ft.) for a proposed single family dwelling.

RATIONALE OF RECOMMENDATION

- The proposed house is to be located on an existing irregular pie-shaped lot.
- The proposed variance will allow for a more functional floor plan for the proposed single family dwelling.
- The width of the rear yard of the subject property is quite wide at approximately 24 metres (79 ft.). Given this width, the variance, if supported by Council, will still allow for a functional rear yard.
- The applicant owns the adjacent single family lots, which front 21A Avenue, 167 Street, and Edgewood Drive. The proposed reduction to the rear yard setback will only impact lots that are owned by the applicant and that impact is anticipated to be minimal.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7918-0213-00 (Appendix II), to reduce the minimum rear yard setback for a principal building on a Type II lot in the RF-12 Zone from 7.5 metres (25 ft.) to 4.5 metres (15 ft.) to proceed to Public Notification.

REFERRALS

Engineering: The Engineering Department has no objection to the project.

SITE CHARACTERISTICS

Existing Land Use: Vacant single family lots

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North:	Vacant single family lot	Medium Density Residential (10 - 15 u.p.a.)	RF - 12
East:	Vacant single family lot	Medium Density Residential (10 - 15 u.p.a.)	RF - 12
South:	Vacant single family lot	Medium Density Residential (10 - 15 u.p.a.)	RF - 12
West (Across 167 Street):	Vacant single family lot	Medium Density Residential (10 - 15 u.p.a.)	RF - 12

DEVELOPMENT CONSIDERATIONS

- The subject property is located at 2150 - 167 Street. The property is designated "Urban" in the Official Community Plan (OCP), "Medium Density Residential (10 - 15 u.p.a.)" in the Sunnyside Heights Neighbourhood Concept Plan (NCP), and zoned "Single Family Residential (12) Zone (RF-12)".
- The subject lot is irregularly pie-shaped, due to its location at the curve between 21A Avenue and 167 Street, and is 336 square metres (3,621 square feet) in area.
- The immediate surrounding neighbourhood is comprised of vacant single family small lots that were created as part of a 45 lot subdivision in April 2018 under Development Application No. 7915-0046-00 and 7916-0099-00.

- The applicant owns all the lots directly adjacent to the subject property.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- The applicant is proposing to reduce the minimum rear yard setback for a principal building on a Type II lot in the RF-12 Zone from 7.5 metres (25 ft.) to 4.5 metres (15 ft.).

Applicant's Reasons:

- The subject property is an irregularly pie-shaped lot that is narrow at the front and wide at the rear of the property. Complying with RF-12 setbacks and accommodating a double car garage on the property would result in a main floor livable area of only 50.5 square metres (544 sq. ft.). The variance is requested to increase the livable floor area of the proposed dwelling.

Staff Comments:

- The RF-12 Zone requires a minimum rear yard setback of 7.5 metres (25 ft.), which may be further reduced, on Type II lots, to 6.0 metres (20 ft.) for fifty percent of the principal building. The minimum rear yard setback may be further reduced to 4.5 metres (15 ft.) for the same fifty percent of the principal building, at the first floor, to allow for an unenclosed deck with a maximum area of 14 square metres (140 sq. ft.) which may be covered by a sloped roof, and by stairways with more than three risers.
- The proposed variance will allow the portion of the principal building required to be setback 7.5 metres (25 ft.) from the rear lot line to be setback 4.5 metres (15 ft.) from the rear lot line to align with the rear deck.
- The pie-shape of the property reduces the area that can functionally be occupied by a single family dwelling. The requested variance will allow the applicants to increase the floor area of the proposed dwelling by 41.8 square metres (450 sq. ft.). Even with the variances, the dwelling will still be under the maximum floor area that is permitted under the RF-12 Zone. The reduced setback will allow the applicants to achieve a more functional floor plan.
- Despite the reduced rear yard setback, the width of the rear yard is substantial, measuring approximately 24 metres (79 ft.), which will ensure that a functional rear yard is maintained.
- All of the adjacent properties that front 21A Avenue, 167 Street, and Edgewood Drive are owned by the applicant, are part of the same development and are presently vacant. Any reduction in the rear yard will impact lots that are owned by the applicant, and the impact is anticipated to be minimal.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners and Action Summary (Confidential)
- Appendix II. Development Variance Permit No. 7918-0213-00

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

BD/cm

APPENDIX I HAS BEEN
REMOVED AS IT CONTAINS
CONFIDENTIAL INFORMATION

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7918-0213-00

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: 030-177-014
Lot 19 Section 13 Township 1 New Westminster District Plan EPP71261

2150 – 167 Street

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F of Part 17A Single Family Residential (12) Zone (RF-12), the minimum rear yard setback for the principal building on a Type II lots is reduced from 7.5 metres (25 ft.) to 4.5 metres (15ft.).
4. This development variance permit applies to only on 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.

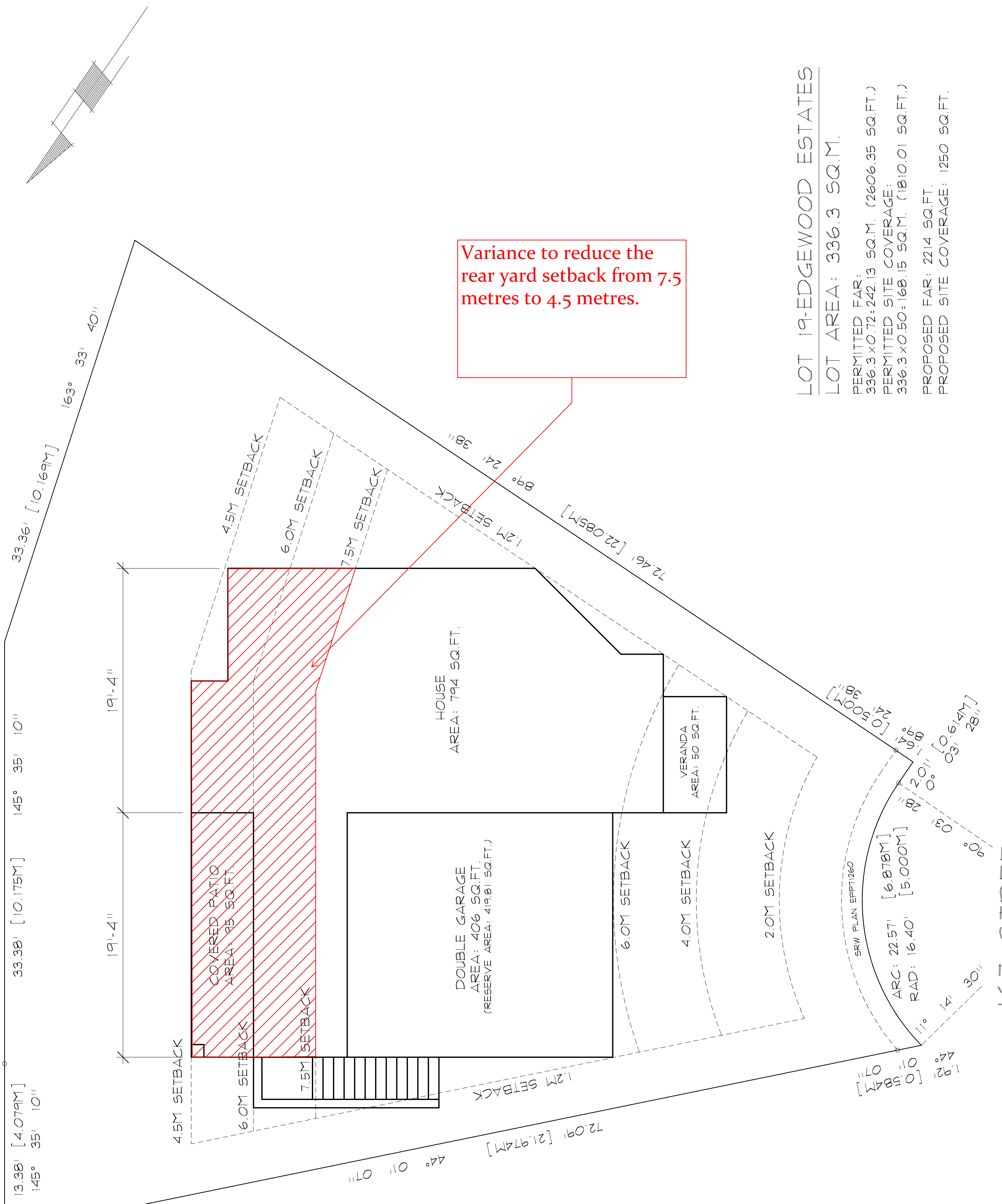
7. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.

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



Variance to reduce the rear yard setback from 7.5 metres to 4.5 metres.

LOT 19-EDGEWOOD ESTATES
 LOT AREA: 336.3 SQ.M.
 PERMITTED FAR: 336.3 x 0.72 = 242.13 SQ.M. (2606.35 SQ.FT.)
 PERMITTED SITE COVERAGE: 336.3 x 0.50 = 168.15 SQ.M. (1810.01 SQ.FT.)
 PROPOSED FAR: 2214 SQ.FT.
 PROPOSED SITE COVERAGE: 1250 SQ.FT.

167 STREET

