

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7918-0457-00

Planning Report Date: February 25, 2019

PROPOSAL:

- **Development Variance Permit**

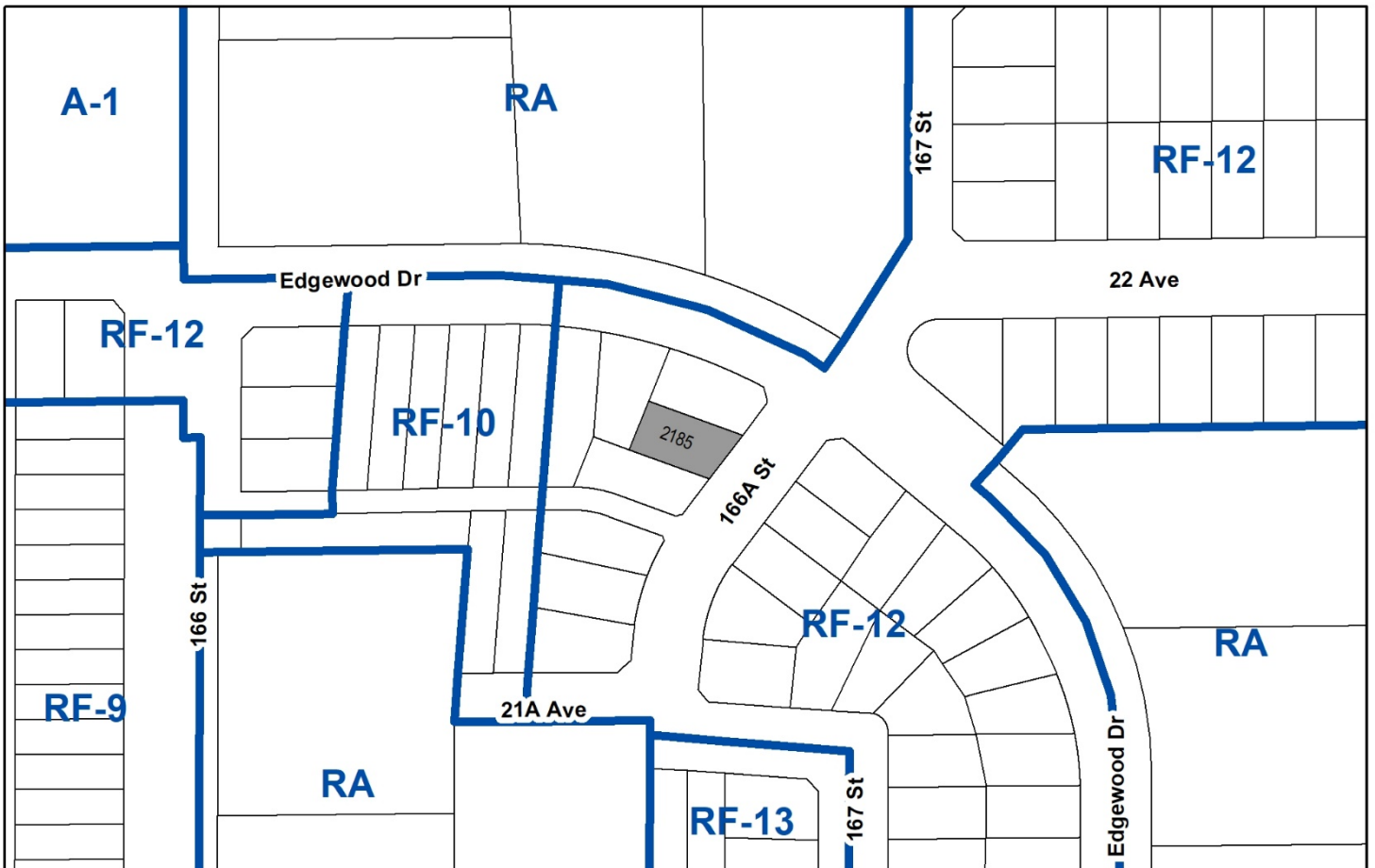
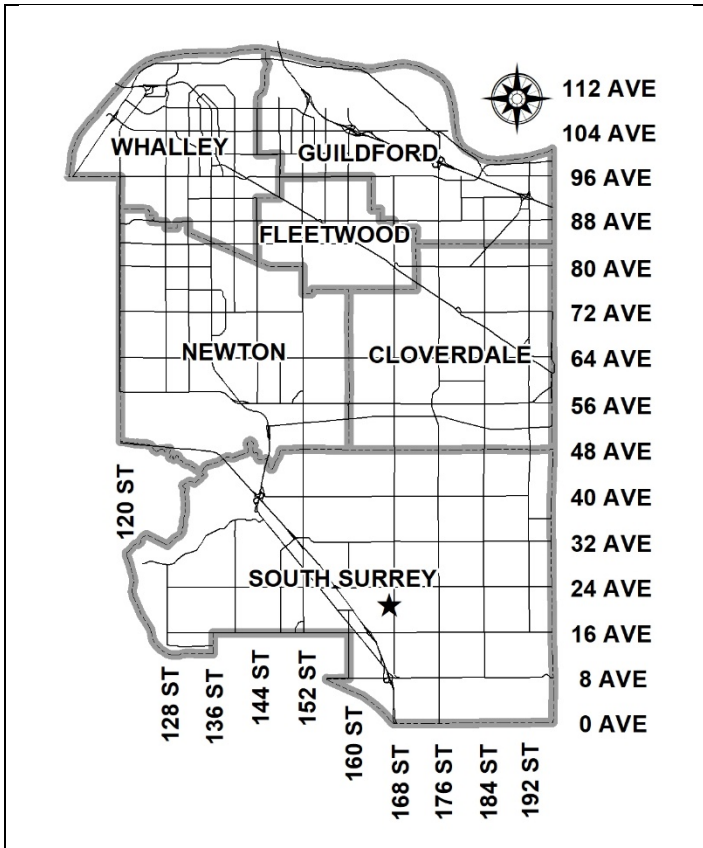
to reduce the rear yard setback.

LOCATION: 2185 – 166A Street

ZONING: RF-12

OCP DESIGNATION: Urban

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



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is proposing a Development Variance Permit to reduce the rear yard setback from 7.5 metres (25 ft.) to 4.5 metres (15 ft.).

RATIONALE OF RECOMMENDATION

- Section F.1 Yards and Setbacks of Part 17A “Single Family Residential (12) Zone (RF-12) allows the front yard setback of the principal building to be reduced from 6.0 metres to 4.0 metres (13 ft.) for up to 50% of the width of the principal building and further reduced to 2.0 metres for an unenclosed veranda, provided that the garage is setback a minimum of 6.0 metres (20 ft.).
- There is an existing tree in the front yard that was retained and protected with a tree preservation Restrictive Covenant through previous subdivision applications (Development Application Nos. 7915-0049-00 and 7916-0099-00).
- The applicants cannot take advantage of the allowable front yard setback reductions as a result of the protected tree and are therefore proposing to reduce the rear yard setback to relocate floor area lost as a result.
- The proposed variance will have a minor visual impact on the future dwelling’s massing as only 50% of the principle building width to be setback 4.5 metres (15 ft.) from the rear lot line. The other 50% of the principle building will be setback 6.0 metres (20 ft.) with a covered patio extending to 4.5 metres (15 ft.) from the rear lot line.
- The proposal will improve the efficiency of the future dwelling’s floor plan and will result in a house that is more in keeping with the massing of the neighbouring dwellings.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7918-0457-00 (Appendix II), to reduce the minimum rear yard setback of the Single Family Residential (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 small lot residential.

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North:	Vacant single family small lots.	Medium Density Residential (10-15 u.p.a.)	RF-12
East (Across 166A Street):	Vacant single family small lots.	Medium Density Residential (10-15 u.p.a.)	RF-12
South:	Vacant single family small lots.	Medium Density Residential (10-15 u.p.a.)	RF-12
West:	Vacant single family small lots.	Medium Density Residential (10-15 u.p.a.)	RF-12

DEVELOPMENT CONSIDERATIONS

- The subject property is located at 2185 – 166A 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) (RF-12).
- The property, along with the surrounding properties located to the north, south, east, and west were created as a part of a 45 lot subdivision in April 2018 under Development Application No. 7915-0046-00 and No. 7916-0099-00. The owners of the property also own and are developing the other 44 lots in this subdivision.

TREES

- As a requirement of the subdivision applications that resulted in the creation of the property (Development Application Nos. 7915-0046-00 and 7916-0099-00), Max Rathburn, ISA Certified Arborist of Diamond Head Consulting prepared an Arborist Assessment Report.

- The findings of the Arborist Assessment Report led to the preservation of a Japanese Cherry tree on the property, which was protected through a restrictive covenant and Explanatory Plan EPP71262.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- The applicant is proposing a Development Variance Permit to reduce the rear yard setback from 7.5 metres (25 ft.) to 4.5 metres (15 ft.).

Applicant's Reasons:

- The presence of large mature tree in the front yard, in conjunction with an angled front property line and the lot meeting the minimum size requirements for an RF-12 Type II lot, results in very restrictive house design. Varying the rear yard setback will allow the proposed dwelling to be more comparable in size to the neighbouring homes in the development.

Staff Comments:

- Section F.1 Yards and Setbacks of Part 17A "Single Family Residential (12) Zone (RF-12) allows the front yard setback of the principal building to be reduced from 6.0 metres to 4.0 metres (13 ft.) for up to 50% of the width of the principal building and further reduced to 2.0 metres for an unenclosed veranda, provided that the garage is setback a minimum of 6.0 metres (20 ft.).
- The applicants are unable to use the flexible front yard setback provision in the RF-12 Zone as a result of the retained Japanese Cherry tree in the front yard.
- The applicant's proposal would relocate the floor area that cannot be achieved in the front yard, as a result of the tree protection zone, to the rear of the property.
- The proposed dwelling will have a floor area of 227 square metres (2,449 sq. ft.), 4 square metres (38 square feet) under the maximum floor area permitted on the property.
- Type II interior lots in the RF-12 zone have a flexible rear yard setback provision that allows a rear yard setback to be reduced for 50% of the building width to 6.0 metres (20 ft.) and 4.5 metres (15 ft.) for the remaining 50% of the building to accommodate a covered patio.
- The proposed variance will result in 50% of the principle being setback 4.5 metres (15 ft.) from the rear lot line with the remaining 50% of the principal building being setback 6.0 metres (20 ft.) from the rear lot line, with a covered patio extending to 4.5 metres (15 ft.) from the rear lot line.

- In effect, the proposed variance will only impact half of the principal dwelling, since the RF-12 Zone already allows for half of the dwelling to be setback 4.5 metres (15 ft.) from the rear lot line. As a result, the variance will only have a minor visual impact on the massing of the proposed dwelling.

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. 7918-0457-00

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.: 7918-0457-00

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: 030-177-227
Lot 40 Section 13 Township 1 New Westminster District Plan EPP71261
2185 – 166A Street

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) Section F. Yards and Setbacks of Part 17A "Single Family Residential (12) Zone (RF12)" is varied to reduce the minimum rear yard setback from 7.5 metres (25 ft.) to 4.5 metres (15 ft.).
4. 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.
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.

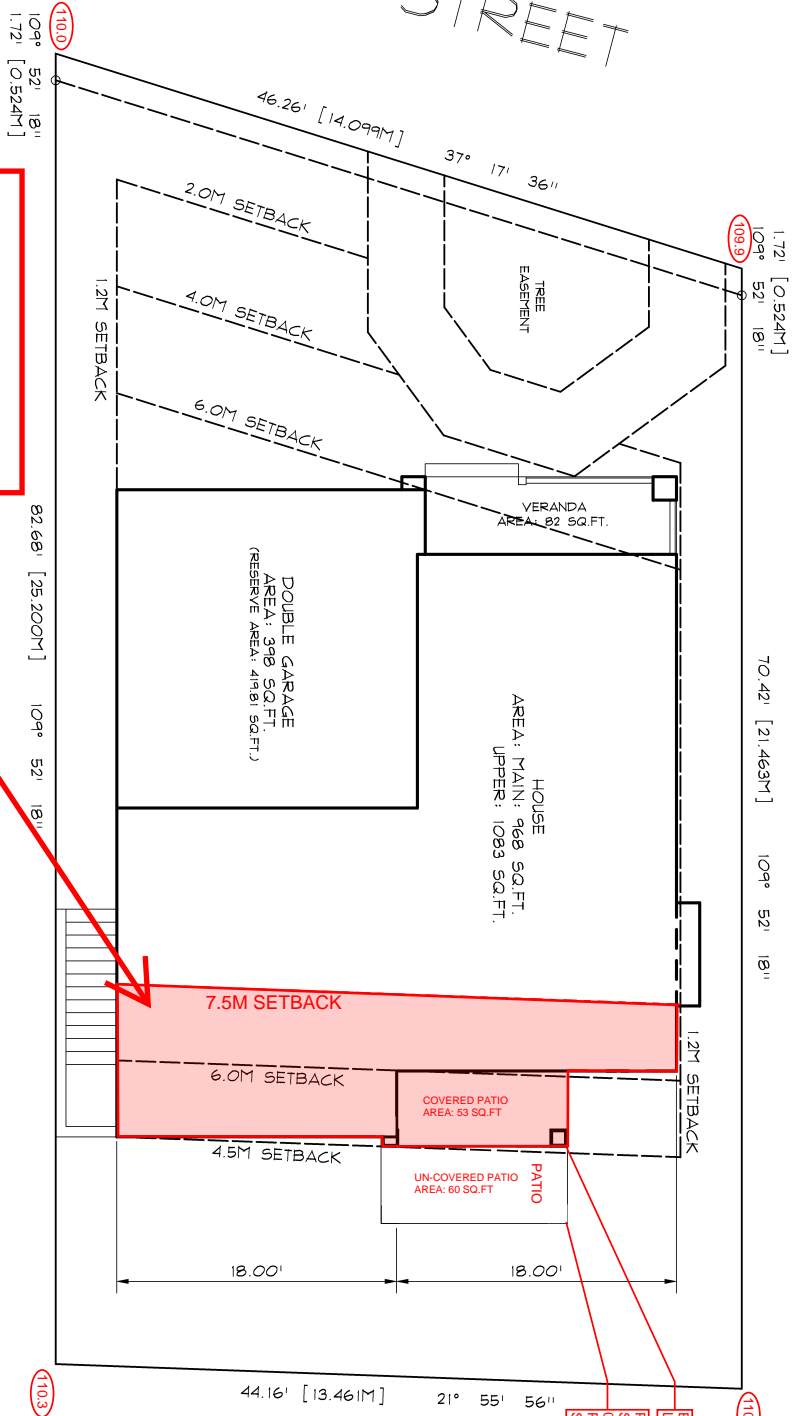
8. This development variance permit is not a building permit.

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

Mayor – Doug McCallum

City Clerk – Jennifer Ficocelli

166A STREET



Development Variance Permit to Reduce the Rear Yard Setback from 7.5 metres (25 ft.) to 4.5 metres (15 ft.)

SAMPLE FLOOR ELEVATIONS

MAIN FLOOR:	110.85
GARAGE SLAB:	110.65
GARAGE DOOR BUCK:	110.50
UPPER FLOOR:	114.30
BASEMENT:	108.02
VERANDA:	110.75
REAR PATIO:	110.65

(1) 100% ELEVATIONS PROVIDED FOR REFERENCE ONLY. ALL FLOOR ELEVATIONS SUBJECT TO CHANGE UPON FINAL HOUSE PLAN PREPARATION.

EXTENT OF PATIO ROOF STRUCTURE LIMITED WITHIN 4.50M SETBACK

PATIO EXTENDING BEYOND MINIMUM SETBACK AREA TO BE NO MORE THAN 0.60M ABOVE FINISHED GRADE AS PER PART 4 GENERAL PROVISIONS, SECTION E.17(c)

LOT 40-EDGEWOOD ESTATES

LOT AREA: 320.9 SQ.M.

PERMITTED FAR: 320.9 X 0.72+231.05 SQ.M. (2487.08 SQ.FT.)

PERMITTED SITE COVERAGE: 320.9 X 0.50: 160.45 SQ.M. (1727.13 SQ.FT.)

PROPOSED FAR: 244.9 SQ.FT.

PROPOSED SITE COVERAGE: 1681 SQ.FT.

MBE: 108.0