

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7919-0125-00

Planning Report Date: September 16, 2019

PROPOSAL:

- **Development Variance Permit**

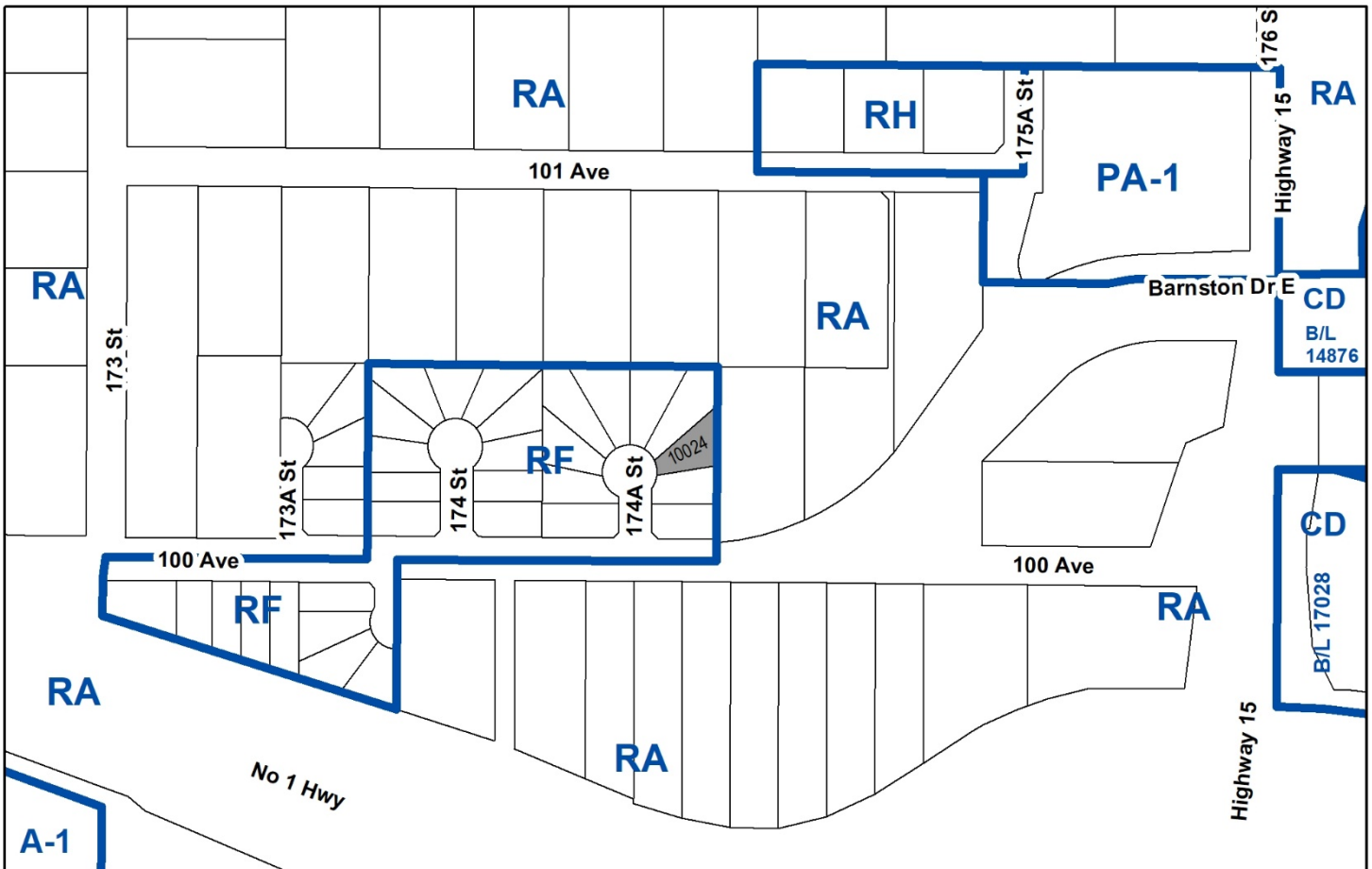
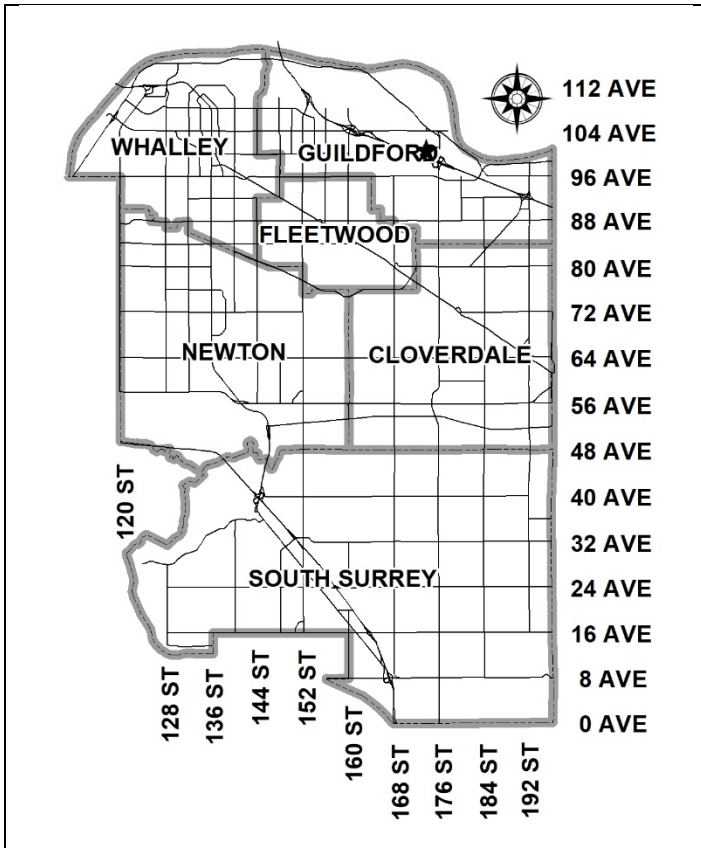
to reduce the front yard setback in order to allow construction of a single family dwelling on a cul-de-sac lot with tree retention at the rear of the property.

LOCATION: 10024 - 174A Street

ZONING: RF

OCP DESIGNATION: Urban

LAP DESIGNATION: Single Family Residential 4-6 upa
 (Stage 1 Abbey Ridge LAP)



RECOMMENDATION SUMMARY

- Approval for Development Variance Permit to proceed to Public Notification

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is seeking to reduce the front yard setback for a cul-de-sac lot under the RF Zone from 11.0 metres (36 ft.) to 7.2 metres (24 ft.) to construct a new single family dwelling on the lot and retain trees at the rear of the lot.

RATIONALE OF RECOMMENDATION

- The proposed variance provides for an adequately sized building envelope on the constrained single family lot.
- The proposed setback will formalize the single family dwelling that is currently under construction.
- The reduced front yard setback will facilitate tree retention at the rear of the lot and still accommodate 4 off-street parking spaces (2 in the garage and 2 in driveway).
- Staff supports the requested variance to proceed to Public Notification.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7919-0125-00 (Appendix II), varying the minimum front yard setback of the RF Zone for lots that front onto a cul-de-sac bulb, from 11 metres (36 ft.) to 7.2 metres (24 ft.) as measured from the front porch columns, to proceed to Public Notification:

REFERRALS

Engineering: The Engineering Department has no concerns relative to the Development Variance Permit.

Trans Mountain: Kinder Morgan pipelines and rights-of-way are subject to the provisions of the National Energy Board Act and the BC Oil and Gas Activities Act. No ground disturbance is permitted within 30 metres of any pipeline without placing a BC One Call at 1- 800-474-6886 and obtaining prior written consent from Kinder Morgan. Separate permission is required to install any permanent feature such as a fence, driveway, road, utility or landscaping within the right-of-way.

SITE CHARACTERISTICS

Existing Land Use: Non-conforming single family dwelling under construction.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North:	Kinder Morgan ROW and vacant Single family lot.	Suburban in OCP, Single Family Residential 4-6 UPA in LAP.	RA
East:	Kinder Morgan ROW and single family suburban lot..	Suburban in OCP, Suburban Residential 2-4 UPA in LAP.	RA
South:	Single family dwelling under construction.	Suburban in OCP, Single Family Residential 4-6 UPA in LAP.	RF
West (across 174A Street):	Vacant single family lots.	Suburban in OCP, Single Family Residential 4-6 UPA in LAP.	RF

DEVELOPMENT CONSIDERATIONS

- The 617 square metres (6,645 sq.ft.) subject property is located at 10024 - 174A Street in Abbey Ridge. The subject property is approximately 7.6 metres (25 ft.) in width at the cul-de-sac frontage, 42 metres deep at the north side yard property line and 31 metres (101 ft.) deep at the south side yard property line.
- The lot is designated "Urban" under the Official Community Plan (OCP) and currently zoned "Single Family Residential Zone (RF)" under Surrey Zoning By-law, 1993, No. 12000. The preferred land use designation for the subject site is Single Family Residential 4-6 UPA (units per acre) in the Abbey Ridge LAP.
- On July 25, 2016, Bylaw No. 18777 was adopted to amend the front yard setback of the RF Zone in Surrey Zoning Bylaw No.12000 from 7.5 metres (25 ft.) to 11.0 metres (36 ft.) to the front face of an attached garage on lots that front a cul-de-sac bulb. As outlined in Corporate Report 2016-R158, increasing the front yard setback allows for additional cars to park on the driveway in front of the garage, compensating for the lack of on-street parking available in a cul-de-sac.
- The subject lot was created under Development Application No. 7916-0200-00. The application was submitted to city staff on May 6, 2016 and received Final Adoption on October 2, 2017. As such, the application was in-stream during the time Bylaw No.18777 was under review and at time of bylaw adoption.
- Furthermore, the rear yard of the lot has tree protection barriers installed for the retention of two trees under Development Application No. 7916-0200-00. The combination of the larger front yard setback and the desired tree retention in the rear yard leaves minimal building area for a new single family dwelling.
- The Trans Mountain (Kinder Morgan) right-of-way clips the northeast corner of the property but exceeds the minimum 7.5 metre (25 ft.) rear yard setback requirement.
- The building permit for the subject lot was mistakenly issued without incorporating the correct front yard setback and the owner has since began construction on their single family dwelling. The error has since been caught by Building Division and the owner has been provided notice that final acceptance will not be granted until such time that a Development Variance Permit is approved. As such, the applicant is seeking a variance to reduce the front yard setback to legitimize the single family dwelling on the lot.

TREES

- The proposed single family dwelling will be constructed outside of already installed tree protection barriers with no further tree removal proposed. As such, minimal disturbance to existing onsite trees is expected. Review of tree barriers will be completed as part of the Building Permit stage.

BY-LAW VARIANCE AND JUSTIFICATION**(a) Requested Variance:**

- to reduce the minimum front yard setback of the RF Zone for lots that front onto a cul-de-sac bulb, from 11.0 metres (36 ft.) to 7.2 metres (24 ft.) as measured from the front porch columns.

Applicant's Reasons:

- Varying the setback allows for retention of the partially constructed single family dwelling.
- With the proposed setback relaxations, the applicant can achieve a functional house plan closer to the maximum allowable floor area permitted under the RF Zone, as shown in the table below:

	Permitted Floor Area Based on RF Zone	Achievable Floor Area (no DVP)	Achievable Floor Area (with DVP)
Proposed Lot	355 sq.m. (3,825 sq. ft.)	290 sq.m. (3,123 sq. ft.)	351 sq.m. (3,783 sq. ft.)

- Without the proposed setback relaxations, the applicant is able to achieve a maximum house size of 290 square metres (3,123 sq. ft.) due to encumbrances from tree barriers in the rear of the property. The proposed variance allows for a house size of 351 square metres (3,783 sq. ft.).

Staff Comments:

- The maximum house size permitted under the RF Zone for the subject lot is 355 square metres (3,825 sq. ft.).
- The proposed variance allows for an adequately sized building footprint on the subject lot which is encumbered by tree protection areas in the rear of the property.
- The decreased front yard setback will accommodate a 7.5 metre (25 ft.) long driveway for garage access and 4 off-street parking stalls. Staff would like to note that this can be supported, however it is less than the 6 off street parking stalls that would be achieved by the 11.0 metre (36 ft.) setback, as outlined in Corporate Report 2016-R158.
- Trans Mountain has no objection to the proposed variance.
- Staff support the requested variance to proceed to Public Notification.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Site Plan
- Appendix II. Development Variance Permit No. 7919-0125-00

original signed by Ron Gill

Jean Lamontagne
General Manager
Planning and Development

ELM/cm

SITE PLAN

CIVIC ADDRESS 10024 174 A STREET
SURREY, B.C.

ZONING RF
LOT AREA 6645 SQ FT

PERMITTED FLOOR AREA RATIO 60% X 6000+645X.35
=3825 SQ. FT.

PROPOSED FLOOR AREA RATIO MAIN+ GARAGE+ NET TOP FL.
=1788+441+1254+3783 SQ. FT.

PERMITTED TOP FLOOR AREA 80% X(TOTAL MAIN FLOOR+VERANDA)
=2281X.8=1824.8 SQ. FT.

PROPOSED TOP FLOOR AREA =1738 SQ. FT.

PERMITTED DECK AREA 10% X3825 SQ. FT.
=382.5 SQ. FT.

RESERVED DECK AREA FOR FRONT =160 SQ. FT.

PROPOSED DECK AREA FRONT =52 SQ. FT.
REAR =87 SQ. FT.
TOTAL =139 SQ. FT.

BAY WINDOW+FIREPLACE =10 SQ FT

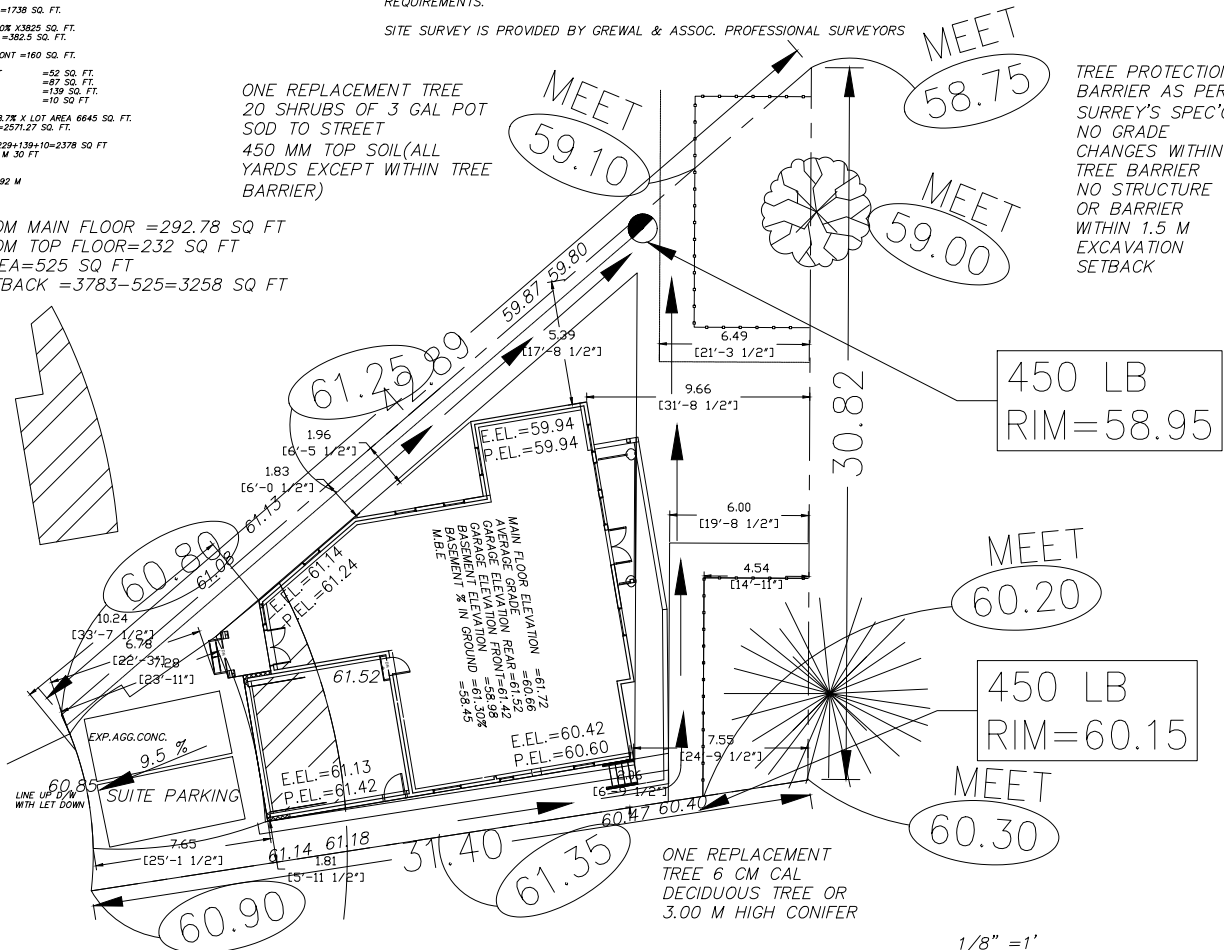
PERMITTED LOT COVERAGE =38.7% X LOT AREA 6645 SQ. FT.
=2571.27 SQ. FT.

PROPOSED LOT COVERAGE =2229+159+10=2378 SQ FT

PERMITTED BUILDING HEIGHT 9 M SQ FT
PROPOSED BUILDING HEIGHT 7.92 M

AREA REDUCED FROM MAIN FLOOR =292.78 SQ FT
AREA REDUCED FROM TOP FLOOR=232 SQ FT
TOTAL REDUCED AREA=525 SQ FT
FAR WITH 11 M SETBACK =3783-525=3258 SQ FT

- 01 WRITTEN DIMENSIONS HAVE PRECEDENCE OVER SCALED DIMENSIONS
 - 02 CONTRACTOR MUST CONFIRM ALL ON SITE CONDITIONS BEFORE STARTING WORK
 - 03 ALL WORK MUST BE IN CONFIRMATION WITH REQUIREMENT OF B.C. BUILDING CODE LATEST EDITION(BCBC 2012).
 - 04 MINIMUM CONCRETE STRENGTH AT 28 DAYS MUST BE 3000 P.S.I. AND ALL CONCRETE WORK MUST BE IN ACCORDANCE WITH C.S.A. 3.A231.
 - 05 ALL FRAMING AND NAILING MUST BE IN ACCORDANCE TO B.C. BUILDING CODE PART 9 AND DESIGNED TO C.S.A. LATEST EDITION.
 - 06 FRAMING LUMBER MUST BE DOUGLAS FIR #2 OR BETTER.
 - 07WOOD TRUSSES SHOULD BE DESIGNED AND SEALED BY P.ENG. REGISTERED IN B.C.
 - 08 OWNER OR CONTRACTOR IS RESPONSIBLE FOR ALL STRUCTURAL ENGINEERING REQUIREMENTS.
- SITE SURVEY IS PROVIDED BY GREWAL & ASSOC. PROFESSIONAL SURVEYORS



Appendix I

E5 HOME DESIGN INC.

E5 HOME DESIGN INC.
13255 62 AVE
SURREY, B.C.
PHONE 604-512-9527
e5design@outlook.com

PROPOSED HOUSE AT
10024 174 A STREET
SURREY B.C.

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7919-0125-00

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: 030-293-707
Lot 3 Section 6 Township 9 New Westminster District Plan EPP71482
10024 - 174A Street

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F of Part 16 (3) "Single Family Residential Zone (RF)", the minimum front yard setback for lots that front onto a cul-de-sac bulb is reduced from 11.0 metres (36 ft.) to 7.2 metres (24 ft.) as measured from the front porch columns.
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. 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 – Doug McCallum

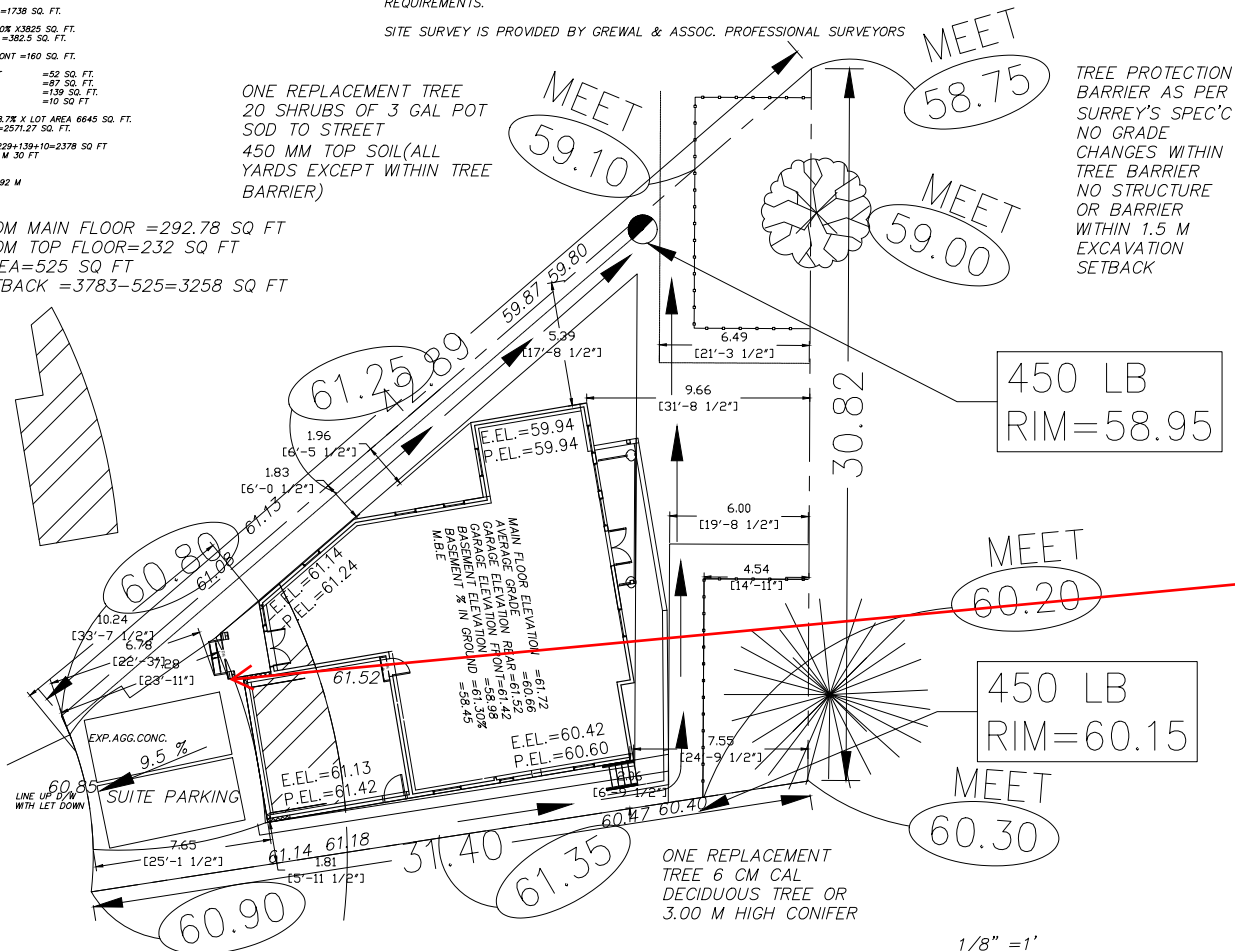
City Clerk – Jennifer Ficocelli

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TREE PROTECTION BARRIER AS PER SURREY'S SPEC' NO GRADE CHANGES WITHIN TREE BARRIER OR BARRIER WITHIN 1.5 M EXCAVATION SETBACK

ONE REPLACEMENT TREE 6 CM CAL DECIDUOUS TREE OR 3.00 M HIGH CONIFER

1/8" = 1'

Schedule A

E5 HOME DESIGN INC.

E5 HOME DESIGN INC.
13255 62 AVE
SURREY, B.C.
PHONE 604-512-9527
e5design@outlook.com

Variance to reduce the minimum front yard setback of the RF Zone for lots that front onto a cul-de-sac bulb, from 11.0 metres (36 ft.) to 7.2 metres (24 ft.), as measured from the front porch columns.

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