

City of Surrey PLANNING & DEVELOPMENT REPORT File: 7919-0152-00

Planning Report Date: June 10, 2019

PROPOSAL:

• Development Variance Permit

to permit porches to extend 1.5 metres (5 ft.) into the required front and side yard on flanking street setbacks, and to reduce the minimum rear yard principal building setback for two buildings from 6.0 metres (20 ft.) to 3.0 metres (10 ft.), for an approved townhouse project.

LOCATION: 19501 - 74 Avenue

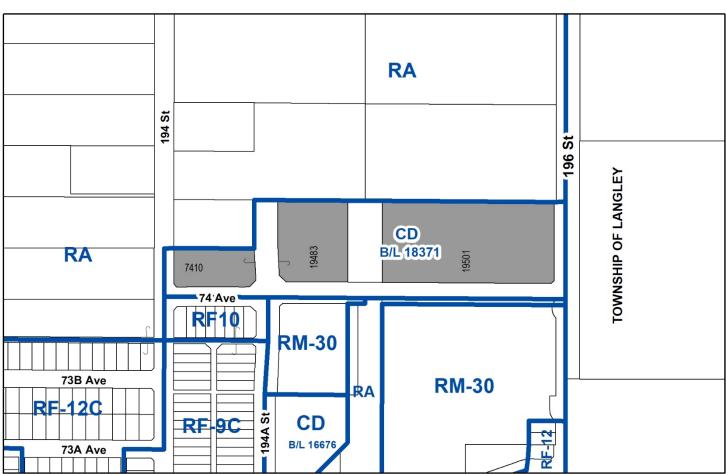
7410 - 194 Street (19483 - 74 Avenue)

ZONING: CD (based on RM – 30)

OCP DESIGNATION: Urban

NCP/LAP East Clayton Extension North of

DESIGNATION: 72 Avenue



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

• The applicant is seeking a Development Variance Permit to vary the CD Zone (By-law No. 18371) to permit porches to extend up to 1.5 metres (5 ft.) into the required front (74 Avenue) and side yard on flanking street setbacks, and to reduce the rear (north) yard principal building setback for two buildings (8 and 15 on Lot 1) from 6.0 metres (20 ft.) to 3.0 metres (10 ft,), within an approved townhouse development.

RATIONALE OF RECOMMENDATION

- Due to an oversight, the setbacks of the approved CD zone (By-law No. 18371) did not account for several porch encroachments and a reduced rear (north) yard setback of 3.0 metres (10 ft.) for 2 townhouse buildings on Lot 1 (8 and 15), within the subject townhouse development.
- The requested variances are the result of a discrepancy between the architectural drawings and the CD Zone (By-law No. 18371) setback requirements, which was noticed through the Building Permit review process.
- The site plan is unchanged from that approved by Council under Development Application No. 7914-0190-00.
- The proposed porch encroachments achieve an urban, pedestrian oriented streetscape along 74 Avenue, 194 Street, 194A Street, and 196 Street. The reduced rear (north) yard setback for Buildings 8 and 15 on Lot 1 is a side of unit condition thereby not impacting functional yard space. The proposed variances are consistent with the East Clayton NCP design guidelines.
- The proposed townhouse development complies with all other provisions under CD By-law No. 18371.

RECOMMENDATION

The Planning & Development Department recommends that:

- 1. Council approve Development Variance Permit No. 7919-0152-00 (Appendix I), varying the following, to proceed to Public Notification:
 - (a) to reduce the front yard (74 Avenue) and side yard on flanking street setbacks of the CD Zone (By-law No. 18371) from 4.5 metres (15 ft.) to 3.0 metres (10 ft.) for porches; and
 - (b) to reduce the minimum rear (north) yard setback for principal buildings of the CD Zone (By-law No. 18371) from 6.0 metres (20 ft.) to 3.0 metres (10 ft.) for Buildings 8 and 15 on Lot 1 only.

REFERRALS

Engineering: No objection

SITE CHARACTERISTICS

Existing Land Use: Vacant lot to be redeveloped into 129 townhouse units

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North	Acreage residential lots	Suburban – Urban Reserve in the OCP and beyond NCP boundary	RA
East (Across 196 Street):	Vacant acreage parcel	Within the Township of Langley	N/A
South:	Single family small lots, townhouses, and parkland.	10-15 upa (Medium Density), 15-25 upa (Medium-High Density) and Public Open Space/ Park in the East Clayton NCP Extension – North of 72 Ave	RF-10, RA, RM-30
West (Across 194 Street):	Acreage residential lot	Suburban – Urban reserve in the OCP and beyond NCP boundary	RA

DEVELOPMENT CONSIDERATIONS

• The subject properties are located at 19501 74 Avenue, 19483 – 74 Avenue, and 7410 194 Street. The properties are designated "Urban" in the OCP, "15 to 25 upa Medium-High Density in the

East Clayton Extension North of 72 Avenue Neighbourhood Concept Plan (NCP), and are zoned Comprehensive Development Zone (By-law No. 18371).

- At the March 12, 2018 Regular Council Land Use meeting, Council granted Final Adoption to Application No. 7914-0190-00 to allow the development of 129 townhouse units. The application included:
 - o An OCP amendment from "Suburban-Urban Reserve" to "Urban";
 - o An East-Clayton NCP amendment to include the subject lands within the NCP;
 - A rezoning from "One -Acre Residential (RA)" to "Comprehensive Development (CD) (By-law No. 18371)"; and
 - o A Development Permit.
- Subsequently, subdivision Plan EPP74473 (Schedule C) created three (3) properties.
 - O Lots 1 and 2 are to be developed with 129 townhouse units, as per Development Application No. 7914-0190-00 (Lot 2 is hooked across 194A Street).
 - o Lot 3 was acquired by the City for parks purposes.

Final Subdivision Plans were signed by the Approving Officer on May 16, 2018.

- Due to an oversight, the CD Zone (By-law No. 18371) setback provisions did not account for porch encroachments into the required front (74 Avenue) and side yard on flanking street setbacks throughout the site, nor the reduced rear (north) yard setback for two (2) townhouse buildings on Lot 1. The discrepancy between the approved plans and the setback requirements of CD By-law No. 18371 was identified at the Building Permit stage.
- The site plan is unchanged from that which was approved by Council on March 12, 2018.
- In order to allow the townhouse project to proceed unchanged the applicant has applied for a Development Variance Permit (DVP) seeking setback relaxations for the encroaching porches and the two buildings on Lot 1 (Buildings 8 and 15).

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the front yard (74 Avenue) and side yard on flanking street setbacks of the CD Zone (By-law No. 18371) from 4.5 metres (15 ft.) to 3.0 metres (10 ft.) for porches; and
- To reduce the minimum rear (north) yard setback for principal buildings of the CD Zone (By-law No. 18371) from 6.0 metres (20 ft.) to 3.0 metres (10 ft.) for Buildings 8 and 15 on Lot 1 only.

Applicant's Reasons:

• The requested variances will allow the townhomes to be sited as initially intended, and without significant additional costs and time delays to the project.

• When measuring from lot line to dwelling, all but two (2) of the townhouse buildings are compliant with the setback provisions of CD By-law No. 18371. The variance is also required to reconcile porch encroachments into required setbacks.

Staff Comments:

- The proposed porch encroachments will create an appropriate urban, pedestrianfriendly streetscape along 74 Avenue, 194 Street, 194A Street, and 196 Street. The reduced rear (north) yard setback for Buildings 8 and 15 on Lot 1 is a side of unit condition thereby not impacting functional yard space.
- The proposed setback reductions are consistent with the East Clayton Neighbourhood Concept Plan (NCP) Design Guidelines.
- The proposed townhouse development complies with all other provisions under CD By-law No. 18371.
- The site plan is unchanged from that approved by Council under Development Application No. 7914-0190-00.
- Staff support the requested variances.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Development Variance Permit No. 7919-0152-00

original signed by Ron Gill

Jean Lamontagne General Manager Planning and Development

SC/cm

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.:	7919-0152-00
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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: 030-485-801 Lot 1 Section 22 Township 8 New Westminster District Plan EPP74473

19501 - 74 Avenue

Parcel Identifier: 030-485-878 Lot 2 Section 22 Township 8 New Westminster District Plan EPP74473

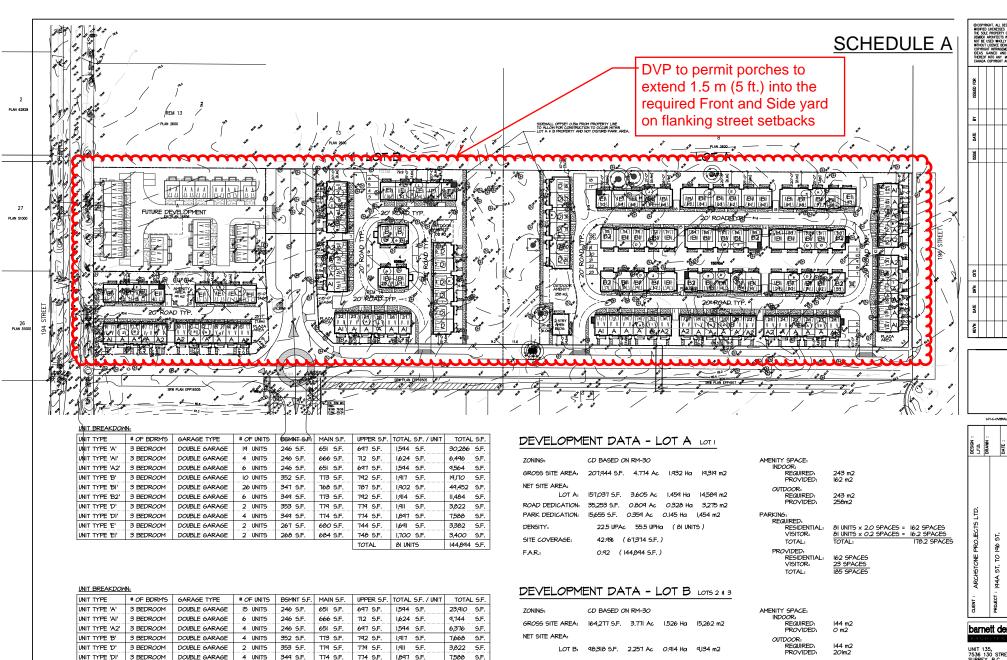
> 7410 - 194 Street (19483 - 74 Avenue)

> > (the "Land")

- 3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F. Yards and Setbacks of Comprehensive Development Zone (CD) By-law No. 18371, for principal buildings, the minimum rear (north) yard setback is reduced from 6.0 metres (20 ft.) to 3.0 metres (10 ft.) for Buildings 8 and 15 on Lot 1 only; and
 - (b) In Section F. Yards and Setbacks of Comprehensive Development Zone (CD) Bylaw No. 18371, the required front yard (74 Avenue) and side yard on flanking street setbacks are reduced from 4.5 metres (15 ft.) to 3.0 metres (10 ft.) for porches.

4.	This development variance permit applies to only the that portion of the buildings and structures on the Land shown on Schedule A and Schedule B which are 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 and Schedule B, which are 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.
	ORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 . D THIS DAY OF , 20 .
	Mayor – Doug McCallum

City Clerk – Jennifer Ficocelli



UNIT TYPE 'E'

UNIT TYPE 'EI'

3 BEDROOM

3 BEDROOM

DOUBLE GARAGE

DOUBLE GARAGE

7 UNITS

6 UNITS

267 S.F.

268 S.F.

680 S.F.

684 S.F.

744 S.F.

748 S.F.

TOTAL

1,691 S.F.

1,700 S.F

48 UNITS

11.837 S.F.

10,200 S.F.

81,145 S.F.

ROAD DEDICATION: 50,283 S.F.

0.360 Ac 0.146 Ha

52.5 UPHa

(38,757 S.F.

0.83 (81,395 S.F.)

PARK DEDICATION:

SITE COVERAGE:

DENSITY:

F.A.R.:

barnett dembek

PARKING:

REQUIRED:

PROVIDED:

RESIDENTIAL .

RESIDENTIAL: VISITOR:

48 UNITS x 2.0 SPACES = 96 SPACES 48 UNITS x 0.2 SPACES = 9.6 SPACES

96 SPACES

12 SPACES

108 SPACES

105.6 SPACES

PHONE: (604) 597-7100 FAX: (604) 597-2099 FMAII: mail@hdarkitex.com

CLIENT NO.	SHEET NO. AC-1.0
PROJECT NO. 14017	REV. NO.

