

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7919-0156-00

Planning Report Date: December 2, 2019

PROPOSAL:

- **Development Variance Permit**

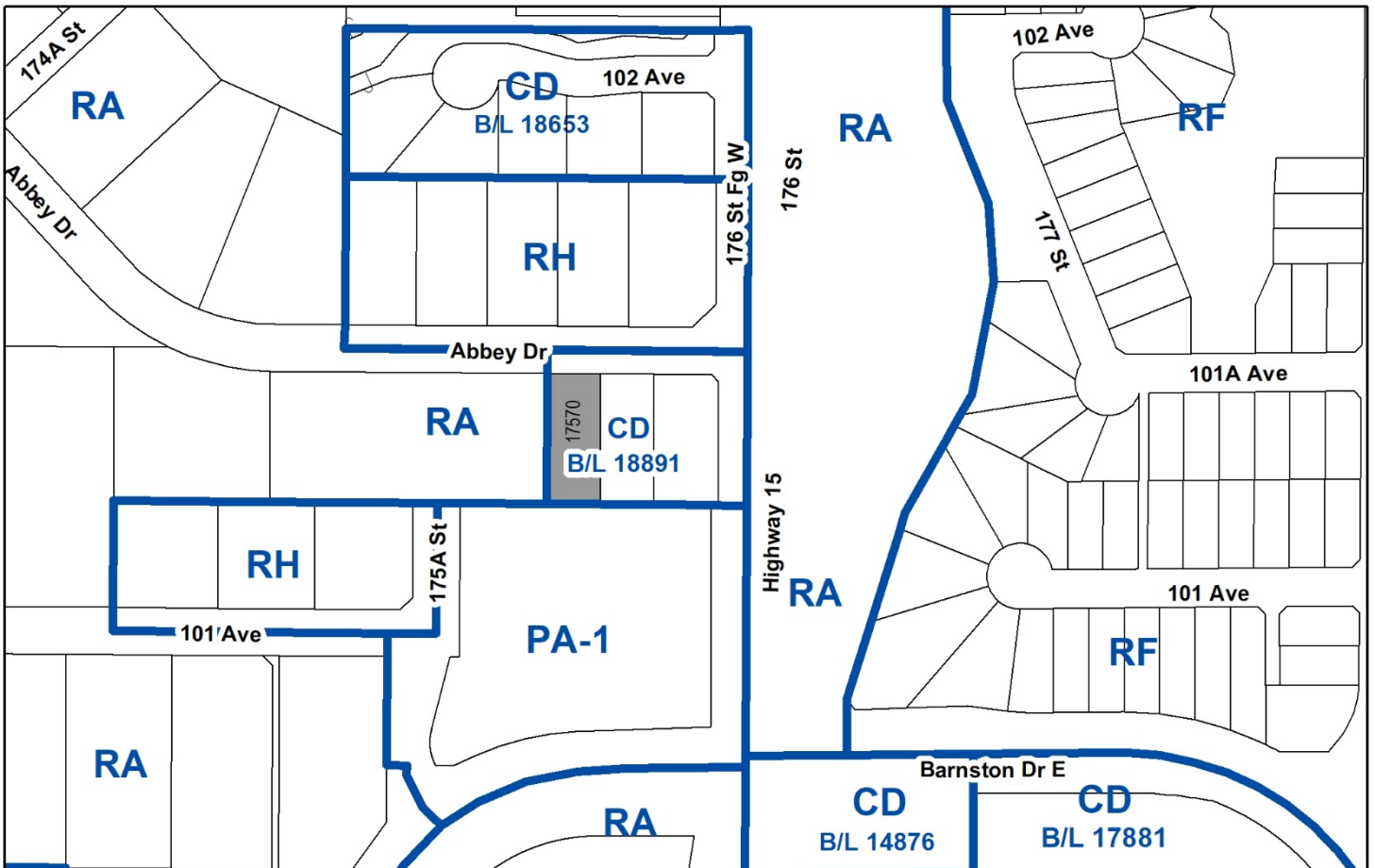
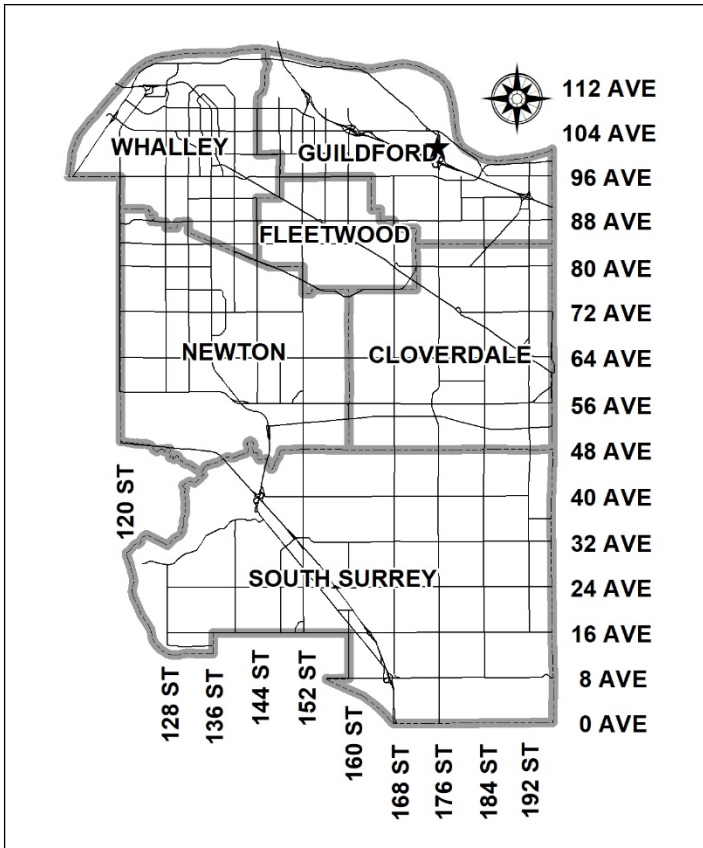
to reduce the minimum east side yard setback for a proposed single family dwelling to allow parking of a recreational vehicle within the west side yard of the lot.

LOCATION: 17570 - Abbey Drive

ZONING: CD

OCP DESIGNATION: Suburban

LAP DESIGNATION: Suburban Residential 2-4 UPA
 Gross



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 minimum east side yard principal building setback from 3.0 m (10 ft.) to 2.0 m (6.5 ft.) for a proposed single family dwelling to allow outside parking of a recreational vehicle within the west side yard of the lot.

RATIONALE OF RECOMMENDATION

- The requested setback variance will allow the applicant to park their recreational vehicle on the west side of the subject site, while constructing their desired single family dwelling.
- The proposed east side yard setback for the dwelling will be reduced to 2.0 metres (6.5 ft.) provided the opposing side yard is a minimum of 4.0 metres (13 ft.). Therefore, the overall width of the proposed dwelling will be consistent with other suburban homes in the neighbourhood.
- Staff supports the requested variance to proceed to Public Notification.

RECOMMENDATION

The Planning & Development Department recommends that council approve Development Variance Permit No. 7919-0156-00 (Appendix III), to reduce the minimum east side yard principal building setback of the CD Zone (By-law No. 18891) from 3.0 metres (10 ft.) to 2.0 metres (6.5 ft.), to proceed to Public Notification.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Vacant lot created under Development Application 7916-206-00.

Adjacent Area:

Direction	Existing Use	LAP Designation	Existing Zone
North (Across Abbey Drive):	Single family dwellings	Suburban Residential 2-4 UPA Gross	RH
East:	Single family dwelling	Suburban Residential 2-4 UPA Gross	CD
South:	Existing Church	Institutional	PA-1
West:	Vacant lot	Institutional	RA

DEVELOPMENT CONSIDERATIONSBackground

- The 1,257-square metre (13,527-square foot) subject lot is located at 17570 – Abbey Drive in Guildford. The subject property is approximately 22.6 metres (75 ft.) in width and approximately 55.5 metres (182 ft.) in depth.
- The subject lot is designated Suburban in the Official Community Plan (OCP), Suburban Residential 2-4 UPA Gross in the Abbey Ridge Land Use Plan and is zoned Comprehensive Development (CD) Zone (By-law No. 18891) (Appendix II).
- The subject lot was created under Development Application 7916-0206-00, which received Final Adoption on April 29, 2019. The application consisted of a rezoning and subdivision to create 3 CD-zoned lots from 1 existing parent lot.

Current Proposal

- The applicant is proposing to build a single family dwelling on the subject lot. The applicant would like to park a recreational vehicle (RV) on the west side of the proposed dwelling as illustrated on the site plan in Appendix I.
- The CD Zone requires a minimum principal building side yard setback of 3.0 metres (10 ft.). The parking of the RV will require a minimum 4.0 metre (13 ft.) side yard setback on the westerly side of the lot to accommodate the RV.
- The applicant is requesting a Development Variance Permit to vary easterly side yard setback for the principal building from 3.0 metres (10 ft.) to 2.0 metres (8.5 ft.) in the CD Zone (By-law No. 18891).
- The proposed east side yard setback will only be reduced to 2.0 metres (6.5 ft.) provided the opposing side yard is a minimum of 4.0 metres (13 ft.). Therefore, the overall width of the proposed dwelling will be consistent with other suburban homes in the neighbourhood.
- The neighbouring tree on the west side of the subject lot was protected under Development Application 7916-0206-00. The applicant will ensure that paving for the parking area for the RV will end a minimum of 0.5 metres (1.6 ft.) away from the tree protection zone of the neighbouring tree.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum easterly side yard setback for the principal building in the CD Zone (By-law No. 18891) from 3.0 metres (10 ft.) to 2.0 metres (6.5 ft.)

Applicant's Reasons:

- The proposed variance will allow for outside parking of a recreational vehicle on the west side of the lot without reducing buildable floor area for the proposed single-family dwelling.

Staff Comments:

- The applicant will increase the westerly side yard setback to 4.0 metres (13 ft.) to offset the reduced easterly side yard setback hereby resulting in an overall building width consistent with that anticipated under the CD By-law and consistent with other suburban homes in the neighbourhood.
- The lot is large enough for a RV to be parked onsite without affecting the neighbourhood character.
- Staff support the requested variance.

INFORMATION ATTACHED TO THIS REPORT

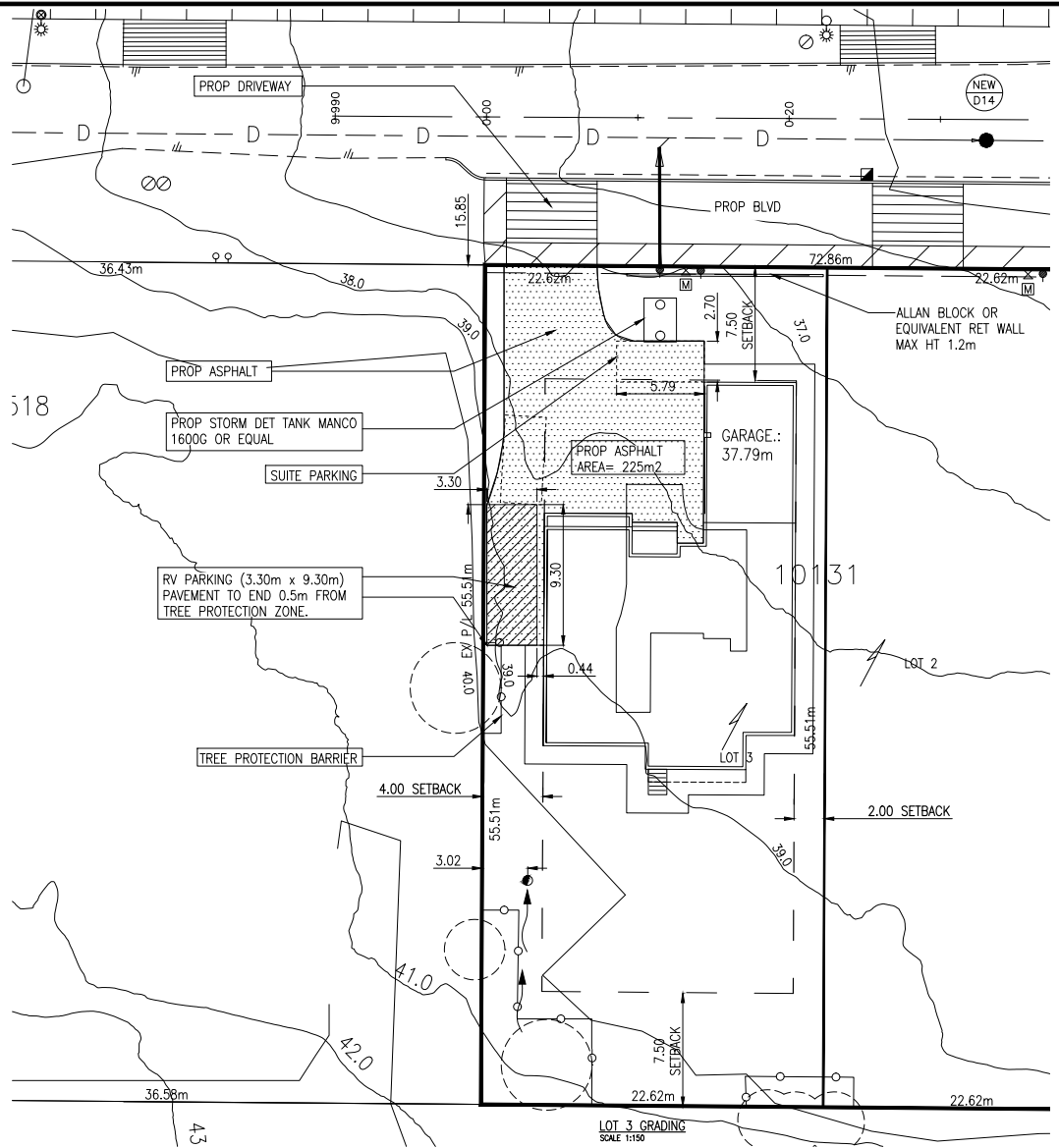
The following information is attached to this Report:

- Appendix I. Site Plan
- Appendix II. CD-Zone (By-law No. 18891)
- Appendix III. Development Variance Permit No. 7919-0156-00

approved by Ron Gill

Jean Lamontagne
General Manager
Planning and Development

SJ/cm



LEGAL DESCRIPTION			
LOT 6 SEC 6 TOWNSHIP 9 PLAN 69398 NW			
SURVEY BENCHMARK SURVEY BY GREWAL & ASSOCIATES 8 APRIL 2016. ELEVATIONS ARE GEODETIC DERIVED FROM GNSS OBSERVATIONS DATUM CVD2894RD 2000			
REV.	DATE	DESCRIPTION	BY
A	2018-11-22	FOR VARIANCE APPROVAL	SK

"BY SEALING AND SIGNING THIS DRAWING, I CERTIFY THAT THE INFORMATION CONTAINED IN THESE DRAWINGS ACCURATELY REFLECTS THE ORIGINAL DESIGN, DESIGN CHANGES, ORDERS AND MATERIAL DESIGN CHANGES MADE DURING CONSTRUCTION AND FIELD REVIEWED BY ME OR MY REPRESENTATIVE, AND THAT THE AS-CONSTRUCTED WORKS SUBSTANTIALLY COMPLY WITH THE ORIGINAL DESIGN INTENT. HOWEVER, I DO NOT ACCEPT RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF THE AS-CONSTRUCTED INFORMATION SUPPLIED BY OTHERS CONTAINED IN THESE DRAWINGS."

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 Tel. & Fax: (604) 536-1621
 Email: ngo@paratynx.com

CLIENT
KARTAR MATHARU
 6045 151 41, SURREY, BC V3S 3T2
 SURREY, BC PH# 604-613-1523

SEAL

SCALE: HOR: 1:250
 VERT: 1:25

DESIGNED JC/SK
 DRAWN SK
 REVIEWED JC

DATE (YYYYMMDD)
 20191122

CONSULTANT PROJ. NO.
 2056.01

DWG. NO.
 VAR2

REV.
 A

TITLE
SITE PLAN
 VARIANCE APPROVAL
 10131 176 STREET

SURREY PROJECT NUMBER
7819-0156-00

DRAWING TYPE
SITE

CITY OF SURREY

BYLAW NO. 18891

A bylaw to amend "Surrey Zoning By-law, 1993, No. 12000", as amended

.....

THE COUNCIL of the City of Surrey ENACTS AS FOLLOWS:

- 1. "Surrey Zoning By-law, 1993, No. 12000", as amended, is hereby further amended, pursuant to the provisions of Section 479 of the Local Government Act, R.S.B.C. 2015 c. 1, as amended by changing the classification of the following parcels of land, presently shown upon the maps designated as the Zoning Maps and marked as Schedule "A" of "Surrey Zoning By-law, 1993, No. 12000", as amended as follows:

FROM: ONE-ACRE RESIDENTIAL ZONE (RA)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 001-566-555
Lot B Section 6 Township 9 New Westminster District Plan 69398

(10131 - 176 Street)

(hereinafter referred to as the "Lands")

- 2. The following regulations shall apply to the *Lands*:

A. Intent

This Comprehensive Development Zone is intended for *single family dwellings* on small *suburban lots*.

B. Permitted Uses

The *Lands* and *structures* shall be used for the following uses only, or for a combination of such uses:

- 1. One *single family dwelling* which may contain 1 *secondary suite*.
- 2. *Accessory uses* including the following:
 - (a) *Bed and breakfast* use in accordance with Section B.2, Part 4 General Provisions of "Surrey Zoning By-law, 1993, No. 12000", as amended; and

- (b) The keeping of *boarders* or *lodgers* in accordance with Section B.2, Part 4 General Provisions of "Surrey Zoning By-law, 1993, No. 12000", as amended.

C. Lot Area

Not applicable to this Zone.

D. Density

1. The maximum *unit density* shall not exceed 2.5 *dwelling units* per hectare [1 u.p.a.]. The maximum *unit density* may be increased to that prescribed in Section D.2 of this Zone if amenities are provided in accordance with Schedule G of "Surrey Zoning By-law, 1993, No. 12000", as amended.
2. For the purpose of subdivision, the maximum *unit density* shall not exceed 10 *dwelling units* per hectare [4 u.p.a.].
3. For *building* construction within a *lot*:
 - (a) The *floor area ratio* shall not exceed 0.37, provided that, of the resulting allowable floor area, 45 square metres [480 sq. ft.] shall be reserved for use only as a garage or carport and 10 square metres [105 sq. ft.] shall be reserved for use only as *accessory buildings* and *structures*;
 - (b) Notwithstanding Sub-section D.3.(a), the maximum allowable floor area shall be 465 square metres [5,000 sq. ft.]; and
 - (c) For the purpose of this Section and notwithstanding the definition of *floor area ratio* in Part 1 Definitions of "Surrey Zoning By-law, 1993, No. 12000", as amended, the following must be included in the calculation of *floor area ratio*:
 - i. Covered area used for parking unless the covered parking is located within the *basement*;
 - ii. The area of an *accessory building* in excess of 10 square metres [108 sq. ft.];
 - iii. Covered outdoor space with a height of 1.8 metres [6 ft.] or greater, except for a maximum of 10% of the maximum allowable floor area of which 15 square metres [160 sq. ft.] must be reserved for a front porch or veranda; and
 - iv. Floor area with extended height including staircases, garages and covered parking, must be multiplied by 2, where the extended height exceeds 3.7 metres [12 ft.], except for a maximum of 19 square metres [200 sq. ft.] on the *lot*.

E. Lot Coverage

The *lot coverage* shall not exceed 25%.

F. Yards and Setbacks

Buildings and structures shall be sited in accordance with the following minimum setbacks:

<i>Use</i>	<i>Setback</i>	<i>Front Yard</i>	<i>Rear Yard</i>	<i>Side Yard</i>	<i>Side Yard on Flanking Street</i>
<i>Principal Building</i>		7.5 m. [25 ft.]	7.5 m. [25 ft.]	3.0 m. [10 ft.]	7.5 m. [25 ft.]
<i>Accessory Buildings and Structures Greater Than 10 square metres [105 sq. ft.] in Size</i>		18.0 m. [60 ft.]	1.8 m [6 ft.]	1.0 m [3 ft.]	7.5 m [25 ft.]
<i>Other Accessory Buildings and Structures</i>		18.0 m [60 ft.]	0.0 m	0.0 m.	7.5 m. [25 ft.]

Measurements to be determined as per Part 1 Definitions of "Surrey Zoning By-law, 1993, No. 12000, as amended.

G. Height of Buildings

Measurements to be determined as per Part 1 Definitions of "Surrey Zoning By-law, 1993, No. 12000", as amended.

1. *Principal building*: The *building height* shall not exceed 9 metres [30 ft.].
2. *Accessory buildings and structures*: The *building height* shall not exceed 4 metres [13 ft.] except that where the roof slope and construction materials of an *accessory building* are the same as that of the *principal building*, the *building height* of the *accessory building* may be increased to 5 metres [16.5 ft.].

H. Off-Street Parking

1. Resident and visitor *parking spaces* shall be provided as stated in Table C.1 of Part 5 Off-Street Parking and Loading/Unloading of "Surrey Zoning By law, 1993, No. 12000", as amended.
2. Outside parking or storage of *campers*, boats and *vehicles* including cars, trucks and *house trailers* ancillary to the residential use, shall be limited to:
 - (a) A maximum of 3 cars or trucks;
 - (b) *House trailer, camper* or boat provided that the combined total shall not exceed 1; and
 - (c) The total amount permitted under (a) and (b) shall not exceed 4.
3. Either 1 *house trailer* or 1 boat may be parked in the front *driveway* or to the side of the front *driveway* or in the *side yard*, but no closer than 1 metre [3 ft.] to a *side lot* line or within 1 metre [3 ft.] of the front *lot line* subject to the residential parking requirements stated in Table C.1 of Part 5 Off-Street Parking and Loading/Unloading of "Surrey Zoning By-law, 1993, No. 12000", as amended.

I. Landscaping

1. All developed portions of the *lot* not covered by *buildings, structures* or paved areas shall be landscaped including the retention of mature trees. This *landscaping* shall be maintained.
2. The parking or storage of *house trailers* or boats shall be adequately screened by compact evergreen trees or shrubs at least 1.8 metres [6 ft.] in height and located between the said *house trailer* or boat and any point on the *lot line* within 7.5 metres [25 ft.] of the said *house trailer* or boat, in order to obscure the view from the abutting *lot* or street, except:
 - (a) Where the *driveway* or the parking area is used for parking or storage of a *house trailer* or boat, the landscape screen is not required within the said *driveway*; and
 - (b) In the case of *rear yards*, this screening requirement may be provided by a 1.8 metre [6 ft.] high solid fence.

J. Special Regulations

1. A *secondary suite* shall:
 - (a) Not exceed 90 square metres [968 sq. ft.] in floor area; and
 - (b) Occupy less than 40% of the habitable floor area of the *building*.

K. Subdivision

Lots created through subdivision in this Zone shall conform to the following minimum standards:

<i>Lot Size</i>	<i>Lot Width</i>	<i>Lot Depth</i>
1,250 sq. m. [13,400 sq. ft.]	22 metres [72 ft.]	55 metres [180 ft.]

Dimensions shall be measured in accordance with Section E.21 of Part 4 General Provisions of "Surrey Zoning By-law, 1993, No. 12000" as amended.

L. Other Regulations

In addition to all statutes, by-laws, orders, regulations or agreements, the following are applicable, however, in the event that there is a conflict with the provisions in this Comprehensive Development Zone and other provisions in "Surrey Zoning By-law, 1993, No. 12000", as amended, the provisions in this Comprehensive Development Zone shall take precedence:

1. Definitions are as set out in Part 1 Definitions, of "Surrey Zoning By-law, 1993, No. 12000", as amended.
2. Prior to any use, the *Lands* must be serviced as set out in Part 2 Uses Limited, of "Surrey Zoning By-law, 1993, No. 12000", as amended and in accordance with the servicing requirements for the RH-G Zone as set forth in the "Surrey Subdivision and Development By-law, 1986, No. 8830", as amended.
3. General provisions are as set out in Part 4 General Provisions of "Surrey Zoning By-law, 1993, No. 12000", as amended.
4. Additional off-street parking requirements are as set out in Part 5 Off-Street Parking and Loading/Unloading of "Surrey Zoning By-law, 1993, No. 12000", as amended.
5. Sign regulations are as set out in "Surrey Sign By-law, 1999, No. 13656", as amended.
6. Special *building setbacks* are as set out in Part 7 Special Building Setbacks, of "Surrey Zoning By-law, 1993, No. 12000", as amended.
7. *Building* permits shall be subject to the "Surrey Building By-law, 2012, No. 17850", as amended.
8. Subdivisions shall be subject to the applicable "Surrey Development Cost Charge Bylaw, 2014, No. 18148", as may be amended or replaced from time to time, and the development cost charges shall be based on the RH-G Zone.

9. Tree regulations are set out in "Surrey Tree Protection By-law, 2006, No. 16100", as amended.

3. This Bylaw shall be cited for all purposes as "Surrey Zoning Bylaw, 1993, No. 12000, Amendment Bylaw, 2016, No. 18891"

PASSED FIRST READING on the 3rd day of October, 2016.

PASSED SECOND READING on the 3rd day of October, 2016.

PUBLIC HEARING HELD thereon on the 24th day of October, 2016.

PASSED THIRD READING on the 24th day of October, 2016.

RECEIVED APPROVAL FROM THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE on the 3rd day of November, 2016.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 29th day of April, 2019.


_____ MAYOR


_____ CLERK

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CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7919-0156-00

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: 030-807-298
Lot 3 Section 6 Township 9 New Westminster District Plan EPP86732
17570 - Abbey Drive

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000 Amendment By-law, 2016, No. 18891, as amended is varied as follows:
 - (a) In Section F Yards and Setbacks, the minimum east side yard setback for the principal building is reduced from 3.0 metres (10 ft.) to 2.0 metres (6.5 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.

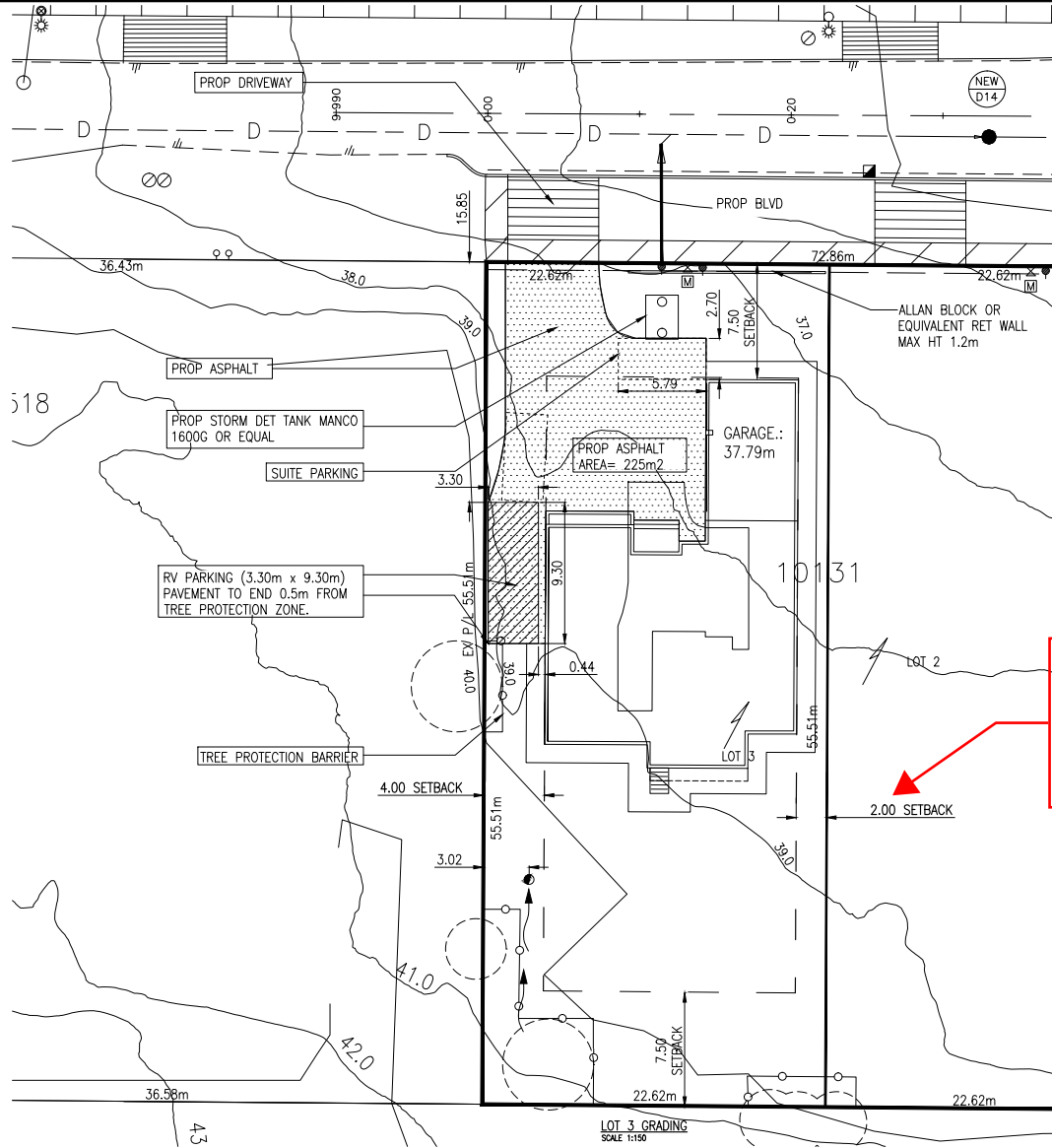
7. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.

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 .

Mayor – Doug McCallum

City Clerk – Jennifer Ficocelli



DVP for east side yard setback from 3.0 m (10 ft.) to 2.0 m (6.5 ft.)



REV.	DATE	DESCRIPTION	BY

BY SEALING AND SIGNING THIS DRAWING, I CERTIFY THAT THE INFORMATION CONTAINED IN THESE DRAWINGS ACCURATELY REFLECTS THE ORIGINAL DESIGN, DESIGN CHANGES, ORDERS AND MATERIAL DESIGN CHANGES MADE DURING CONSTRUCTION AND FIELD REVIEWED BY ME OR MY REPRESENTATIVE, AND THAT THE AS-CONSTRUCTED WORKS SUBSTANTIALLY COMPLY WITH THE ORIGINAL DESIGN INTENT. HOWEVER, I DO NOT ACCEPT RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF THE AS-CONSTRUCTED INFORMATION SUPPLIED BY OTHERS CONTAINED IN THESE DRAWINGS.

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CLIENT
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 SURREY, BC PH# 604-613-1523

TITLE
SITE PLAN
 VARIANCE APPROVAL
 10131 176 STREET

SCALE: HOR: 1:250
 VERT: 1:25

DESIGNED: JC/SK
 DRAWN: SK
 REVIEWED: JC

DATE: (YYYYMMDD)
 20191122

CONSULTANT PROJ. NO.
 2056.01

DWG. NO.
 VAR2 A

SURREY PROJECT NUMBER
7819-0156-00

DRAWING TYPE
SITE