

City of Surrey
PLANNING & DEVELOPMENT REPORT

Application No.: 7919-0222-00

Planning Report Date: January 13, 2020

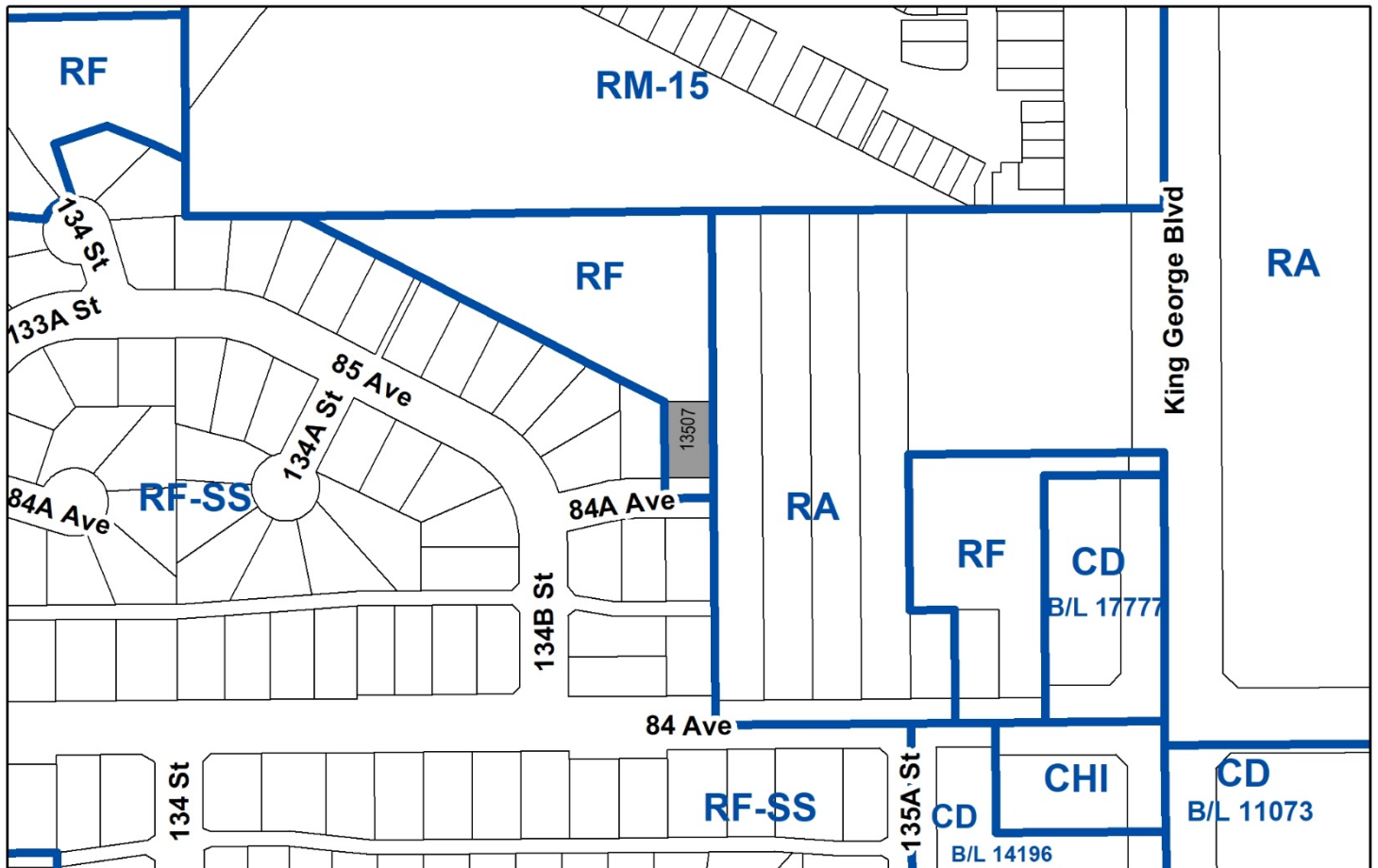
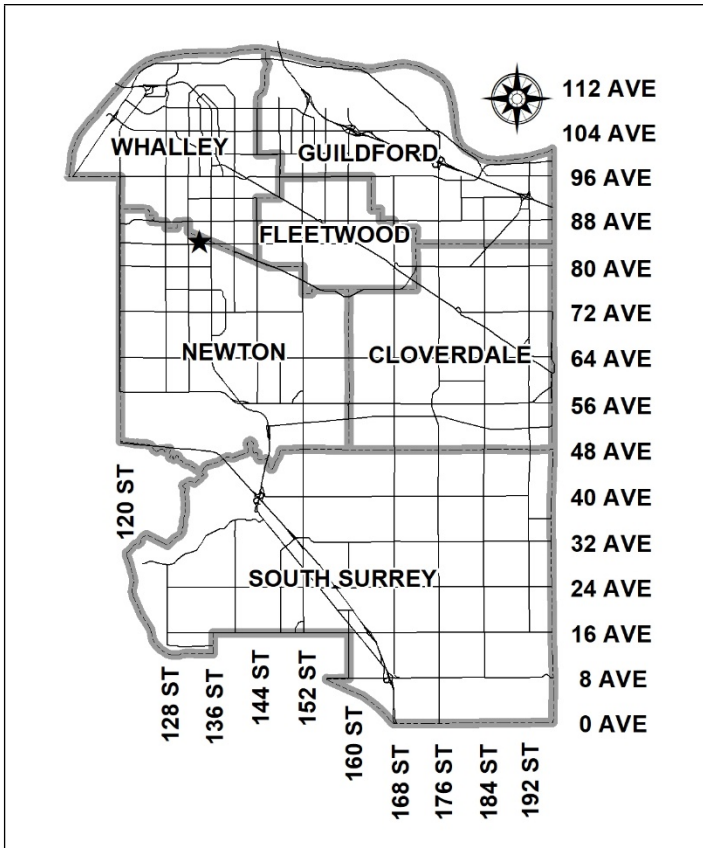
PROPOSAL:

- **Development Variance Permit**
 to reduce the front yard setback to permit the development of a single-family dwelling.

LOCATION: 13507 - 84A Avenue

ZONING: RF

OCP DESIGNATION: Urban



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 required front yard setback of the "Single Family Residential (RF) Zone".

RATIONALE OF RECOMMENDATION

- The proposal complies with the Urban designation in the Official Community Plan (OCP).
- The subject property is encumbered by a BC Hydro right-of-way that limits the buildable area on the property. The proposed variance will facilitate a more functional floor plan while achieving a house size closer to the maximum size permitted under the RF zone.
- The setback reduction proposed is minor and the reduction will not have a significant visual impact on the neighboring properties.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7919-0222-00 (Appendix I), to reduce the minimum front yard setback of the RF Zone from 7.5 metres to 5.0 metres to the principal building face and 6.0 metres to the garage, to proceed to Public Notification.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Single Family Residential	Urban	RF
North:	Hydro right-of-way/City Parkland	Urban	RF
East:	Hydro right-of-way/Single Family Residential	Urban	RA
South (Across 84A Avenue):	Single Family Residential	Urban	RF-SS
West:	Single Family Residential	Urban	RF-SS

Context & Background

- The subject property is 629 square metres in size and located on the north side of 84A Avenue east of 134B Street. The subject property is designated Urban in the Official Community Plan (OCP) and zoned "Single Family Residential (RF)". The property abuts parkland to the north and a BC Hydro right-of-way is located on a large portion of the subject property.
- The subject property was created through Development Application No. 7992-0395-00. The subdivision created the subject lot fronting 84A Avenue while transferring a 2,204 square metre sized lot to the City for park.
- A Statutory Building Scheme and Building Scheme Restrictive Covenant were registered on title of the subject property under Development Application No. 7992-0395-00 to assure that any future single-family dwelling would align with house designs in the surrounding neighborhood. The City included a clause restricting construction of a second kitchen on the property over concerns of an illegal secondary suite being constructed within any future proposed house.
- A separate Restrictive Covenant was registered on title to restrict the owner from applying for a development variance permit or board of variance appeal to reduce setback requirements. This restrictive covenant was registered on title for the purpose of further limiting the possibility of building an illegal secondary suite on the property.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant is proposing a Development Variance Permit (DVP) to reduce the minimum front yard setback requirements of the RF zone in order to permit a single-family dwelling with a secondary suite.
- The applicant proposes to discharge the Restrictive Covenant on title that limits the owner from applying to vary the setback requirements on the property. Consideration has been given to discharge this covenant due to the degree that the Zoning Bylaw has changed since the covenant was registered on title in 1994. The main purpose of the covenant was to restrict the property owner from building a single-family dwelling with a secondary suite. Secondary suites are now broadly permitted in single-family zones under the Zoning Bylaw (By-law No. 12000). The Restrictive Covenant was only registered on the subject property. Discharge of the Restrictive Covenant does not require approval of additional property owners beyond the subject property owner and the City of Surrey.
- The applicant proposes an amendment to the Statutory Building Scheme and Building Scheme Restrictive Covenant to allow for construction of a secondary suite within the proposed single-family dwelling. All other original terms of the Building Scheme will remain on title.

Referrals

Engineering:	The Engineering Department has no objection to the project.
Parks, Recreation & Culture:	The Parks, Recreation & Culture Department supports the application.

Parkland Considerations

- The subject property abuts parkland to the north. A BC Hydro utility right-of-way spans the parkland and portions of a number nearby properties. A green infrastructure corridor is located within the utility right-of-way at a considerable distance from the subject property. The Parks Department supports the application as the application will increase the buffer to parkland.

POLICY & BYLAW CONSIDERATIONS

Official Community Plan

Land Use Designation

- The subject property is designated Urban in the Official Community Plan (OCP). The proposed single family house with a secondary suite complies with the Urban designation.

Zoning Bylaw

- The applicant is requesting the following variance:
 - to reduce the minimum front yard setback of the RF Zone from 7.5 metres to 5.0 metres to the principal building face and 6.0 metres to the garage.
- A BC Hydro right-of-way that spans a majority of the rear of the property limits the buildable area on the subject property. A reduction to the front yard setback will allow the applicant to design a more functional floor plan while achieving a house size closer to the maximum house size permitted under the RF zone.
- The resulting setback to the garage of 6.0 metres will allow for 3 on-site parking stalls, which meets the minimum off-street parking requirements of the RF Zone.
- Staff support the requested variance to proceed for consideration.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Development Variance Permit No. 7919-0222-00

approved by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

WS/cm

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7919-0222-00

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: 018-877-842
Lot 1 Section 29 Township 2 New Westminster District Plan LMP18093
13507 - 84A Avenue

(the "Land")
3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Part 16, Section F of Yard and Setbacks of the "Single Family Residential Zone (RF)" the required front yard setback is reduced from 7.5 metres to 5.0 metres to the principal building and 6.0 metres to the garage.
4. This development variance permit applies to only the 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

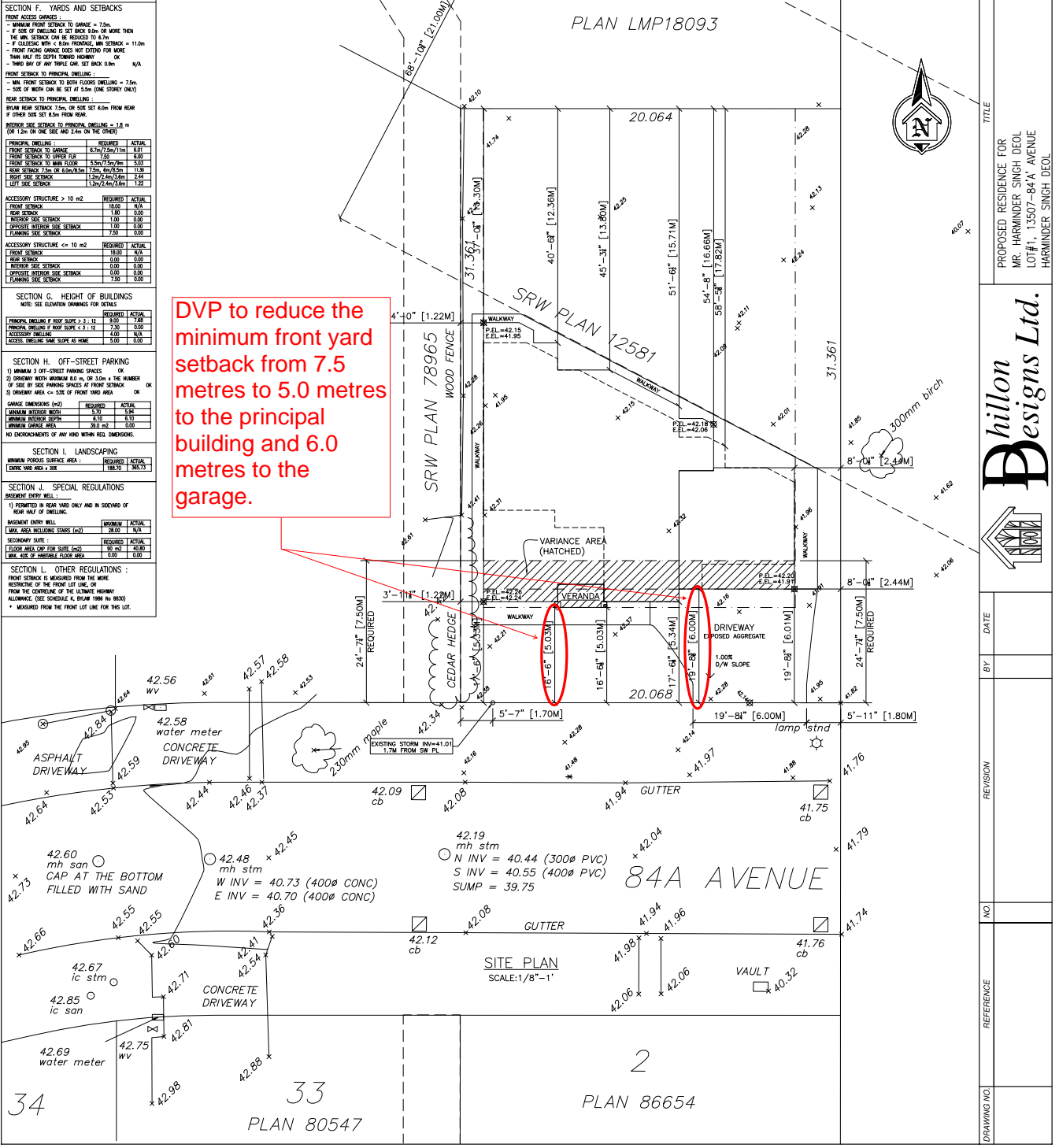
RF (no types)	
ZONING ANALYSIS RF ZONE	
SUBJECT PROJECT NUMBER: 09-0000-02	
LOT NUMBER: 67 LOT AREA = 6000 sq. ft.	
ADDRESS: 13507 - 84A AVENUE, SURREY, BC	
SINGLE FAMILY RESIDENTIAL ZONE (RF)	
SECTION B. PERMITTED USES	
SINGLE FAMILY RESIDENTIAL DWELLING: YES	
SECONDARY SUITE DELETED: YES	
SECTION D. DENSITY (FLOOR AREA)	
AGENCY DESIGN CHECK REQUIRED DWELLING: (CEILING + 4.0 FT + 4.0 FT + 4.0 FT) / 4 = 4.0 FT	
BROWDER HEIGHT (CLASH TO SHOWER) = N/A	
PROPOSED HEIGHT (CLASH ELEVATION) = N/A	
BROWDER IS: N/A BELOW AVG. EXISTING GRADE	
EXISTING HEIGHT (CLASH TO SHOWER) = N/A	
MAX. FLOOR AREA (F.A.R.) = 540 FOR FIRST 5000 sq. ft.	
PLUS 1.35 FOR REMAINING AREA IN EXCESS OF 5000 sq. ft.	
MINIMUM FLOOR AREA (F.A.R.) = 3001.5 sq. ft.	
FLOOR AREA (F.A.R.) = 485 sq. ft. (10000 S.U.F.T.)	
RESIDUAL MAX. FLOOR AREA = 3001.5	
PROPOSED FLOOR AREA	
MAIN FLOOR INCLUDING VERANDA: 1336.5	
UPPER FLOOR (OPEN TO BELOW): 1335.5	
TOTAL FLOOR AREA: 2672.0	
SETBACK TO BELOW IN EXCESS OF 10.0 FT: 0.00	
TOTAL FLOOR AREA: 2672.0	
GARAGE AREA (COUNT WITH 20 sq. ft.): 30.00	
TOTAL GARAGE AREA: 30.00	
ACCESSORY BUILDING IN EXCESS OF 10 sq. ft.: 0.00	
TOTAL GARAGE AREA: 30.00	
TOTAL: 2702.0	
WHERE EXISTING HEIGHT > 12 FEET (EXCEPT STAIRS DOWN)	
** EXCEPT FOR SIZE OF MAX. FLOOR AREA OF WHICH 150% MUST BE MAINTAINED ON A FRONT PORCH OR VERANDA	
B.U.D. CALCULATION:	
MIN FLOOR AREA INCLUDING VERANDA = 175.43 sq. ft.	
SIZE OF MAIN FLOOR AREA INCLUDING VERANDA = 30.00	
AREA OF UPPER FLOOR SET BACK FROM FRONT OR REAR (BUT NOT BOTH) MAY NOT EXCEED 1.5 TIMES FROM FRONT LOT (42) = 30.00 sq. ft.	
SECTION E. LOT COVERAGE	
LOT COVERAGE FOR LOTS <= 500 sq. ft. = 0.40	
FOR LOTS > 500 sq. ft. (MINIMUM) = 50000 / 60000 = 0.00025	
PERCENTAGE OF COVERAGE MUST NOT BE LESS THAN (0.25)	
MAX. LOT COVERAGE = 38.52 = 242.29 sq. ft.	
PROPOSED LOT COVERAGE	
TOTAL: 176.32	
SECTION F. YARDS AND SETBACKS	
FRONT ACCESS DRIVES	
MINIMUM FRONT SETBACK TO GARAGE = 7.5m	
IF SIDE OF DWELLING IS SET BACK 9.0m OR MORE THEN THE MIN. SETBACK CAN BE REDUCED TO 6.0m	
IF OVERLAP WITH C 4.0m FRONTAGE, MIN. SETBACK = 11.0m	
FRONT FACING GARAGE DOES NOT EXCEED 10.0m	
MIN. HALF ITS DEPTH TOWARD REAR	
THIRD BAY OF ANY TRIPLE GAR. SET BACK 0.9m N/A	
FRONT SETBACK TO PRINCIPAL DWELLING:	
- MIN. FRONT SETBACK TO BOTH FLOORS DWELLING = 7.5m	
- SIDE OF REAR CAN BE SET AT 5.0m (ONE STOREY ONLY)	
REAR SETBACK TO PRINCIPAL DWELLING:	
- REAR REAR SETBACK 7.5m, OR SIDE SET 6.0m FROM REAR IF OTHER SIDE SET 6.0m FROM REAR	
INTERIOR SIDE SETBACK TO PRINCIPAL DWELLING = 1.8 m (OR 1.2m ON ONE SIDE AND 2.4m ON THE OTHER)	
PRINCIPAL DWELLING	
FROM SETBACK TO GARAGE: 6.74/2.71/1.41 4.01	
FROM SETBACK TO UPPER FLOOR: 7.65 4.00	
FROM SETBACK TO MAIN FLOOR: 5.50/4.76/3.96 4.00	
REAR SETBACK 7.5m OR 6.0m/3.0m 7.5m 6.0/3.0m 11.30	
REAR SIDE SETBACK: 1.20/2.40/3.60 1.20	
LEFT SIDE SETBACK: 1.20/2.40/3.60 1.20	
ACCESSORY STRUCTURE > 10 sq. ft.	
FRONT SETBACK: 18.00 N/A	
REAR SETBACK: 1.00 0.00	
INTERIOR SIDE SETBACK: 1.00 0.00	
OPPOSITE INTERIOR SIDE SETBACK: 1.00 0.00	
FLANKING SIDE SETBACK: 7.50 0.00	
ACCESSORY STRUCTURE <= 10 sq. ft.	
FRONT SETBACK: 1.00 0.00	
REAR SETBACK: 1.00 0.00	
INTERIOR SIDE SETBACK: 1.00 0.00	
OPPOSITE INTERIOR SIDE SETBACK: 1.00 0.00	
FLANKING SIDE SETBACK: 7.50 0.00	
SECTION G. HEIGHT OF BUILDINGS	
NOTE: SEE ELEVATION DRAWINGS FOR SCENARIOS	
PRINCIPAL DWELLING ROOF SLOPE > 12:12 9.00 7.68	
PRINCIPAL DWELLING ROOF SLOPE < 12:12 7.50 7.50	
ACCESSORY DWELLING: 4.00 N/A	
EXCESS DWELLING ROOF SLOPE AS SHOWN: 4.00 0.00	
SECTION H. OFF-STREET PARKING	
1) MINIMUM 4 OFF-STREET PARKING SPACES OK	
2) DRIVEWAY WIDTH MINIMUM 3.0m OR 1.0m x THE NUMBER OF SPACES BY SIDE PARKING SPACES AT FRONT DRIVEWAY OK	
3) DRIVEWAY WIDTH MINIMUM 3.0m OR 1.0m x THE NUMBER OF SPACES BY SIDE PARKING SPACES AT FRONT DRIVEWAY OK	
SPACE DIMENSIONS (M)	
MINIMUM INTERIOR WIDTH: 3.00 3.00	
MINIMUM INTERIOR DEPTH: 4.50 4.50	
MINIMUM DRIVEWAY WIDTH: 3.00 3.00	
NO ENCROACHMENTS OF ANY KIND WITHIN REQ. DIMENSIONS	
SECTION I. LANDSCAPING	
MINIMUM POROUS SURFACE AREA: 100.00 1.36275	
EXISTING VEG. AREA: SEE	
SECTION J. SPECIAL REGULATIONS	
BASEMENT ENTRY WELL:	
1) PERMITTED BY REAR YARD ONLY AND IN SIGHT OF REAR HALF OF DWELLING	
BASEMENT ENTRY WELL	
EXIST. AREA INCLUDING STAIRS (sq. ft.): 18.00 0.00	
SECONDARY SUITE: (REQUIRED) 0.00 0.00	
FLOOR AREA (CAP FOR SUITE (sq. ft.)): 90 sq. ft. 40.80	
MIN. NET OF FINISHED FLOOR AREA: 5.00 0.00	
SECTION L. OTHER REGULATIONS:	
FRONT SETBACK IS MEASURED FROM THE HEIGHT OF THE FRONT LOT LINE, OR FROM THE CORNER OF THE ULTIMATE HIGHWAY ALIGNMENT, (SEE SCHEDULE A, B, PLAN 1984 NO. 8830)	
* MEASURED FROM THE FRONT LOT LINE FOR THIS LOT.	

DVP to reduce the minimum front yard setback from 7.5 metres to 5.0 metres to the principal building and 6.0 metres to the garage.

RATIONALE:

LOT AREA:	6770 SQ.FT.
PERMITTED FLOOR AREA RATIO:	= 3876 SQ.FT.
WITHOUT DVP:	
MAIN FLOOR AREA:	1562 SQ.FT.
TOP FLOOR AREA:	= 1562 SQ.FT. X 0.8 = 1249.60 SQ.FT.
OPEN TO BELOW AREA:	= 77 SQ.FT.
	= 1249.60 SQ.FT. - 77 SQ.FT. = 1172.60 SQ.FT.
PROPOSED FLOOR AREA RATIO:	= 2734.60 SQ.FT.
WITH DVP:	
MAIN FLOOR AREA:	1855 SQ.FT.
TOP FLOOR AREA:	= 1413 SQ.FT. - 77 SQ.FT. = 1336 SQ.FT.
PROPOSED FLOOR AREA RATIO:	= 3191 SQ.FT.

NOTE:
WITH 21m SETBACK FROM POWER LINE AT REAR, PERMITTED F.A.R. CANNOT BE ACHIEVED, THEREFORE, D.V.P. REQUIRED.



DRAWING NO. DD19-8027-P1	DRAWING NO. DD19-8027-P1	DATE JUNE 18, 2019	SCALE 1/8" = 1'	S.P.	TITLE PROPOSED RESIDENCE FOR MR. HARMINDER SINGH DEOL LOT#1, 13507-84A AVENUE HARMINDER SINGH DEOL
NO.	REVISION	DATE	BY	DATE	BY
REFERENCE					

