

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7919-0257-00

Planning Report Date: November 18, 2019

PROPOSAL:

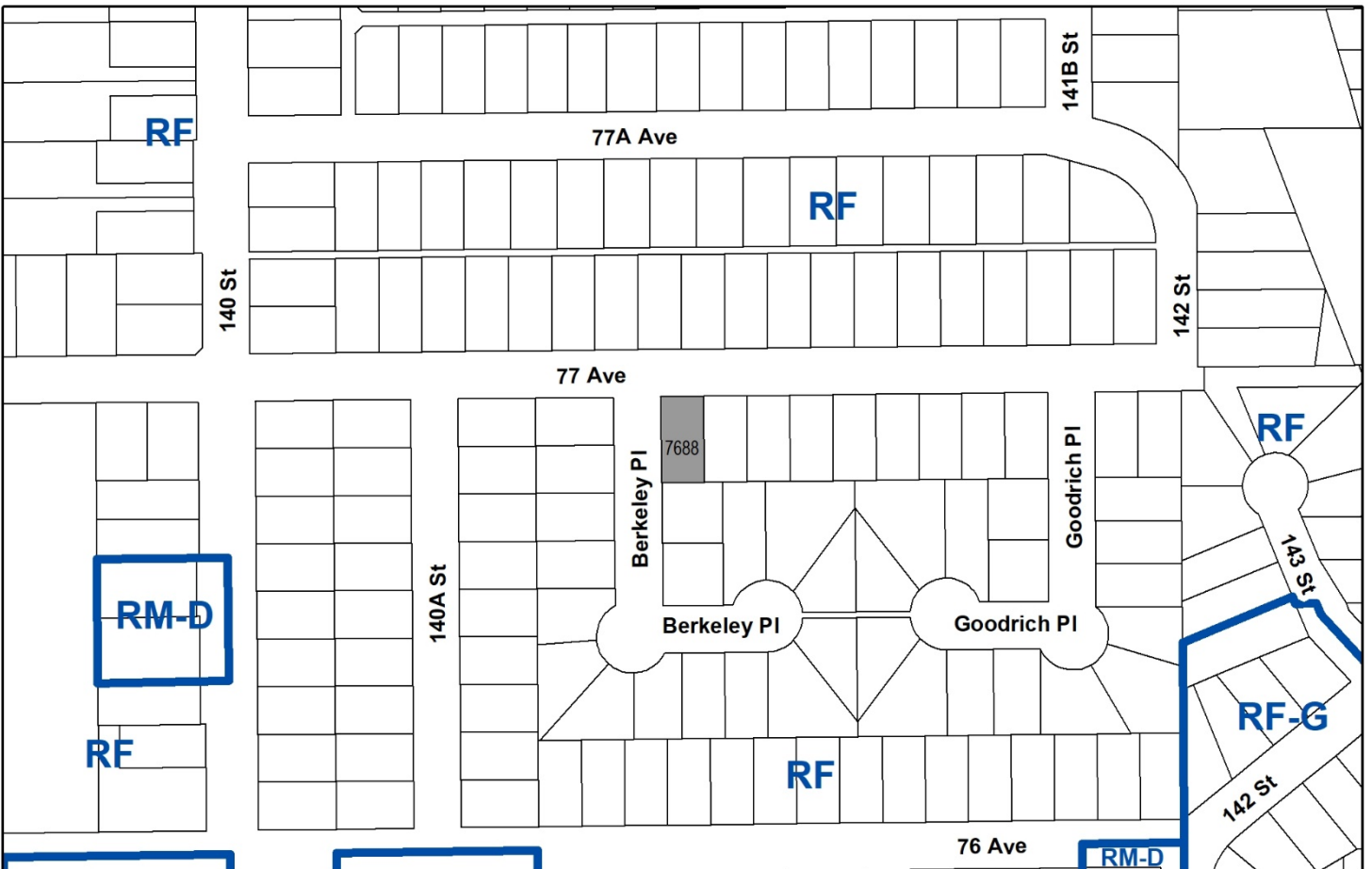
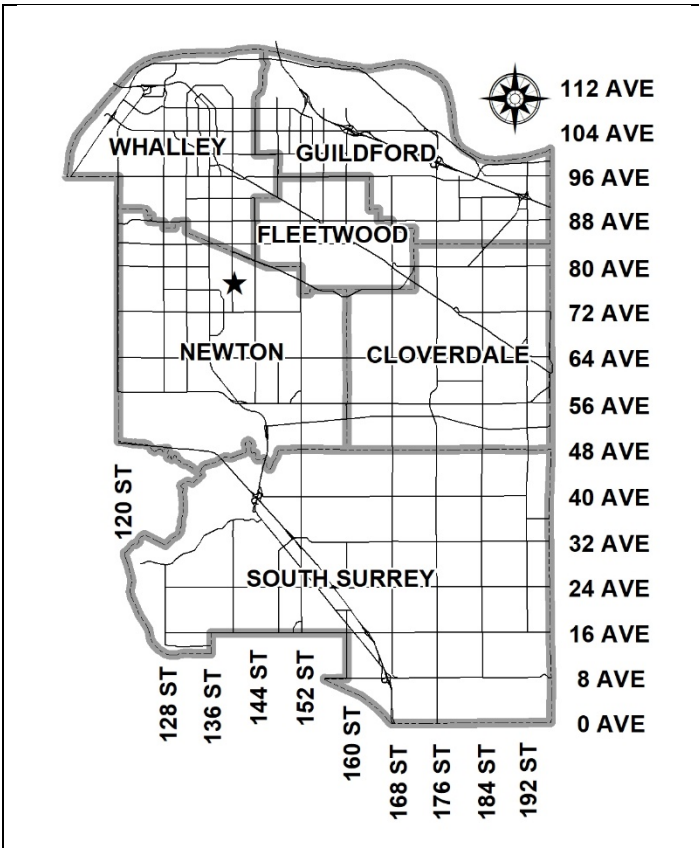
- **Development Variance Permit**

to reduce the west side yard on flanking street setback in order to construct a single family dwelling.

LOCATION: 7688 - Berkeley Place

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 to reduce the minimum side yard on flanking street setback of the "Single Family Residential Zone (RF)".

RATIONALE OF RECOMMENDATION

- The encroachment by the front entry steps in the west side yard on a flanking street setback will not deter from the existing overall house design that is within the character of the surrounding neighbourhood.
- The proposed variance requests a setback reduction only for the front entry steps. Otherwise, the setback of the existing single family dwelling will remain in compliance with the minimum setbacks of the RF Zone.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7919-0257-00 (Appendix I), to reduce the side yard (west) on flanking street setback for the front entry steps from 3.6 metres (12 ft.) to 1.9 metres (6 ft.), to proceed to Public Notification.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Single family residential

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across 77 Avenue):	Single family residential	Urban	RF
East:	Single family residential	Urban	RF
South:	Single family residential	Urban	RF
West (Across Berkeley Place):	Single family residential	Urban	RF

DEVELOPMENT CONSIDERATIONSBackground

- The subject property, located at 7688 Berkeley Place, is 669 square metres (7,200 sq. ft.) in area, designated "Urban" in the Official Community Plan, and zoned "Single family Residential Zone (RF)".
- Development Application No. 7916-0684-00 was introduced to Council on December 19, 2016 to terminate Land Use Contract No. 63 (LUC) to permit the underlying RF Zone to come into effect. The LUC termination received final adoption on April 24, 2017.

- Property owners with lots previously regulated by LUC No. 63 were given a one year grace period until April 24, 2018 to submit building permit applications that would continue to be regulated by LUC No. 63.
- The applicant submitted a building permit application on November 07, 2017. Building Permit No. 17-057504 was issued on May 11, 2018 for a proposed single family dwelling. The approved building permit drawings for the proposed single family dwelling were in compliance with LUC No. 63.
- At the time of building permit issuance, the proposed front entry steps which encroach into the west side yard on flanking street setback were not shown on the approved building permit drawings.
- The applicant constructed the proposed front entry steps without the required permit approvals.

Current Proposal

- The RF Zone is now in effect for properties previously regulated by now terminated LUC No. 63.
- In order to permit the front entry steps to remain as currently constructed, the applicant has applied for a variance to the west side yard on flanking street setback under the RF zone.
- The applicant is proposing a Development Variance Permit to reduce the minimum west side yard on flanking street setback for the front entry steps from 3.6 metres (12 ft.) to 1.9 metres (6 ft.).

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum side yard (west) on flanking street setback to the proposed front entry steps from 3.6 metres (12 ft.) to 1.9 metres (6 ft.).

Applicant's Reasons:

- The proposed variance is only for a minor reduction and will not have a significant impact on the surrounding properties.

Staff Comments:

- The proposed front entry steps within the west side yard on flanking street setback will not take away from the existing house design fitting in with the surrounding neighborhood context.
- The proposed variance to the west side yard on flanking street setback will result in a minor reduction to the setback by 1.7 metres (5.5 ft.).

- The proposed variance will pertain to only the front entry steps. The existing single family dwelling, with a west side yard (flanking stret) setback of 3.6 metres (12 ft.) from Berkeley Place, will remain in compliance with the minimum 3.6 metre (12 ft.) setback of the RF Zone.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Development Variance Permit No. 7919-0257-00

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

WS/cm

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7919-0257-00

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: 004-144-627
Lot 191 Section 21 Township 2 New Westminster District Plan 50647
7688 - Berkeley Place

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Part 16, Section F of Yards and Setbacks of the "Single Family Residential Zone (RF)" the required side yard (west) on flanking street setback is reduced from 3.6 metres (12 ft.) to 1.9 metres (6 ft.) to permit front entry way steps.
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.

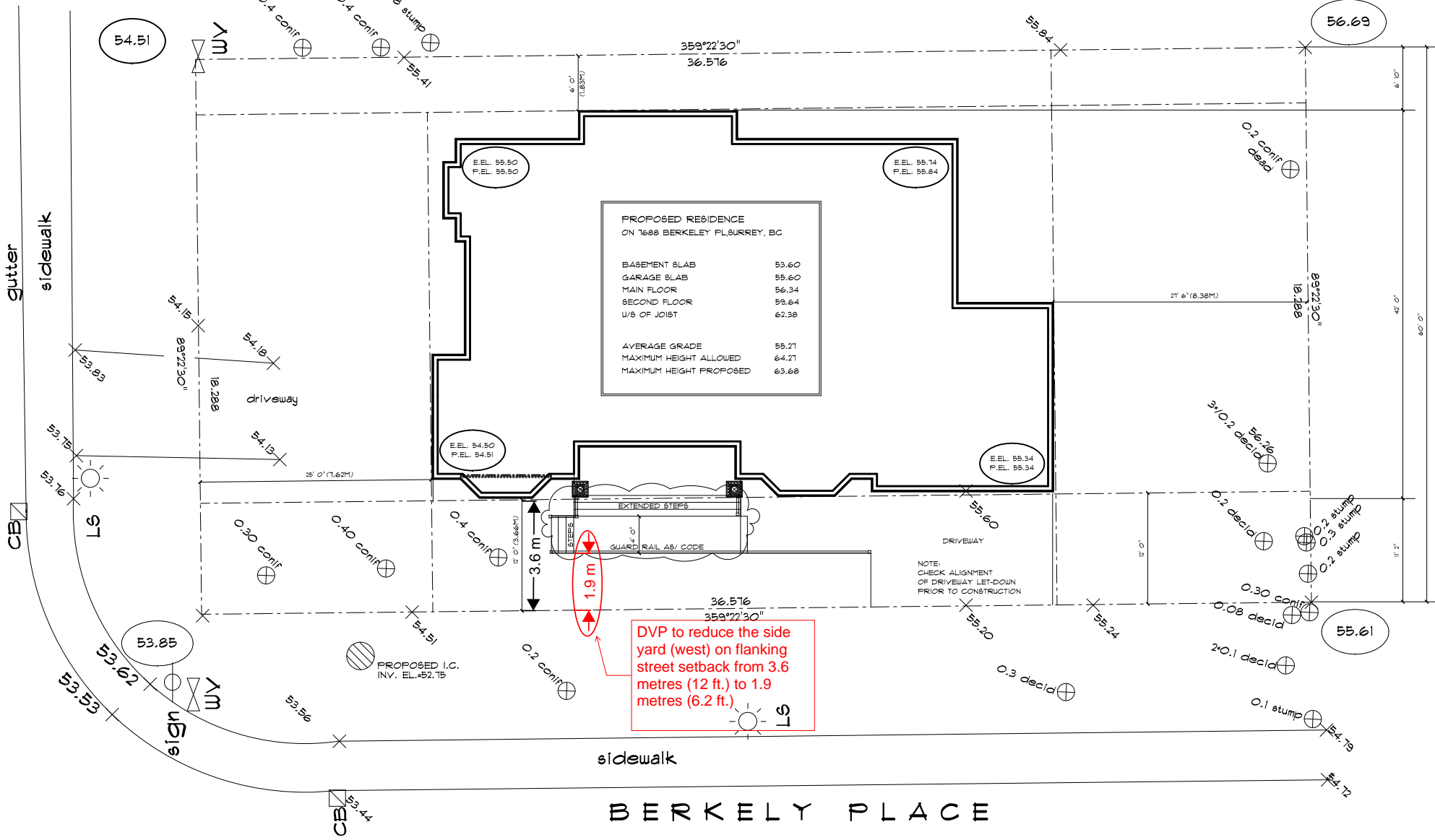
8. This development variance permit is not a building permit.

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

Mayor – Doug McCallum

City Clerk – Jennifer Ficocelli

7777 AVENUE



BERKELEY PLACE