

City of Surrey ADDITIONAL PLANNING COMMENTS Application No.: 7922-0268-01

Planning Report Date: June 10, 2024

PROPOSAL:

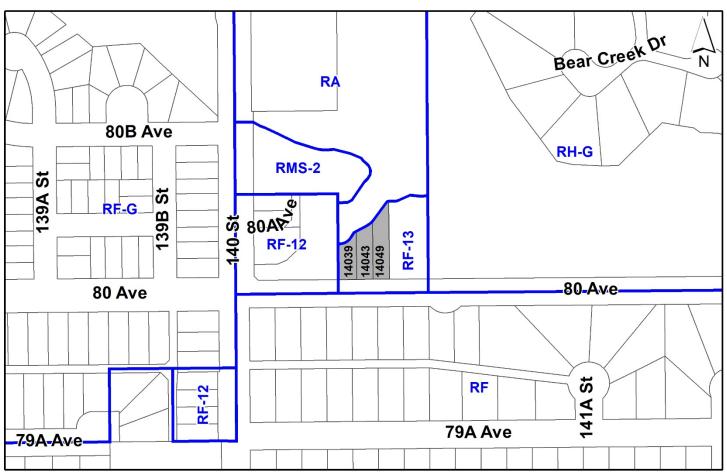
• Development Variance Permit

To vary the definition of *finished grade* in the Zoning Bylaw to accommodate construction of three new single family dwellings.

LOCATION: 14039 80 Avenue

14043 80 Avenue 14049 80 Avenue

ZONING: RF-13
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 vary the definition of *finished grade* in the Zoning Bylaw 12000 to permit the use of the proposed revised lot grading plan, rather than the lot grading plan that was approved by the City at the time of subdivision when the lot was created, for the purposes of establishing the finished grade on the subject lot.

RATIONALE OF RECOMMENDATION

- The applicant has applied for a building permit in order to build a new single family dwelling with a basement on each lot.
- The approved lot grading plan (Appendix II) under Development Application No. 7916-0039oo precludes the applicant from achieving an in-ground basement for their proposed new single family dwelling.
- The applicant is seeking to construct homes with basements and is therefore requesting the subject variance to permit the use of a new, revised lot grading plan for the lots, prior to subdivision, in order to potentially achieve an in-ground basement.
- The proposed lot grading plan will not change the drainage pattern of the property and is not anticipated to result in interface impacts on neighbouring properties.
- Staff support the variance.

RECOMMENDATION

The Planning & Development Department recommends that:

- 1. Council approve Development Variance Permit No. 7922-0268-01 (Appendix III) varying the following, to proceed to Public Notification:
 - (a) to vary the definition of *finished grade* in Part 1 Definitions of Zoning Bylaw 12000, as amended, to permit the use of the proposed lot grading plan in Schedule A, attached to the Development Variance Permit, for the purposes of establishing the finished grade on the subject lot, rather than the lot grading plan that was approved by the City at the time of subdivision when the lot was created.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Single Family	Urban	RF-13
	Residential		
North:	Park & Single	Multiple	RA & RMS-2
	Family Residential	Residential	
East	Single Family	Urban	RF-13
	Residential		
South (Across 8o Avenue):	Single Family	Urban	RF
	Residential		
West:	Greenbelt	Urban	RF-12

Context & Background

- The subject sites are located at 14039, 14043, and 14049 80 Avenue. It is designated "Urban" in the Official Community Plan (OCP). All lots are zoned "Single Family Residential (13) Zone (RF-13)".
- The subject properties were created through subdivision under Development Application No. 7916-0039-00. A lot grading plan was approved for this lot at the time of subdivision approval.
- The owners of the subject site have recently applied for three new building permits to build a new single-family dwelling with a basement on each lot. A new proposed lot grading plan (Schedule A) was submitted by CitiWest Consulting Ltd. with a minimum building elevation (MBE) of 19.6 19.95 metres. This proposed MBE is lower than the 20.75 21.0 metres approved in the original lot grading plan (Appendix II) submitted under Development Application No. 7916-0039-00.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant is seeking to vary the definition of finished grade in the Zoning Bylaw to permit the use of a proposed revised lot grading plan, rather than the lot grading plan that was approved by the City at the time of subdivision when the lot was created, for the purposes of establishing the finished grade on the subject lot.
- Varying the definition of finished grade would potentially allow the applicant to achieve a basement on the south side of the property, subject to staff review.
- In accordance with the provisions of the Zoning Bylaw, an in-ground basement must have at least one-half of its volume below the finished grade (in order to be excluded from floor are calculations).
- Finished grade as defined in the Zoning Bylaw means:
 - (a) the rough grading elevation as identified on a lot grading plan, where such a plan has been approved by the City at the time of subdivision when the lot was created; or
 - (b) where there is no lot grading plan that was approved by the City at the time of subdivision when the lot was created, the lowest ground elevation existing prior to construction, as established on a legal survey by a registered British Columbia Land Surveyor, such ground elevation to include fill materials placed on the lot to raise the ground elevation up to, but not above, the average elevation of adjacent lots at the adjoining lot lines.
- In the case of the subject lot, the City considers finished grade as the grade established by the lot grading plan (Appendix II) created and approved by the City when the lot was created through subdivision under Development Application No. 7916-0039-00.
- The existing lot grading plan (Appendix II) that was approved by the City under Development Application No. 7916-0039-00 precludes the applicant from achieving a single family dwelling with a basement.
- In order to achieve a 50% in-ground basement, the MBE values have to be lowered. Through the proposed revised lot grading plan (Schedule A), the applicant is proposing to fill approximately 1.05 1.15 metres of the property to potentially accommodate a basement.
- An additional Building Permit application will also be completed to allow Citiwest Consulting Ltd. to act as the Engineering of Record for the new lot grading plan.

Application No.: 7922-0268-01 Page 5

Referrals

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

Requested Variance

• The applicant is requesting the following variances:

- (a) to vary the definition of *finished grade* in Part 1 Definitions of Surrey Zoning Bylaw 12000, as amended, to permit the use of the proposed lot grading plan in Schedule A, which is attached hereto and forms part of this Development Variance Permit, for the purposes of establishing the finished grade on the subject lot, rather than the lot grading plan that was approved by the City at the time of subdivision when the lot was created.
- The proposed lot grading plan will not change the drainage pattern of the property and is not anticipated to result in negative interface impacts on neighbouring properties.
- Staff support the requested variance to proceed for consideration.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Original Approved Lot Grading Plan under Development Application No. 7916-

0039-00

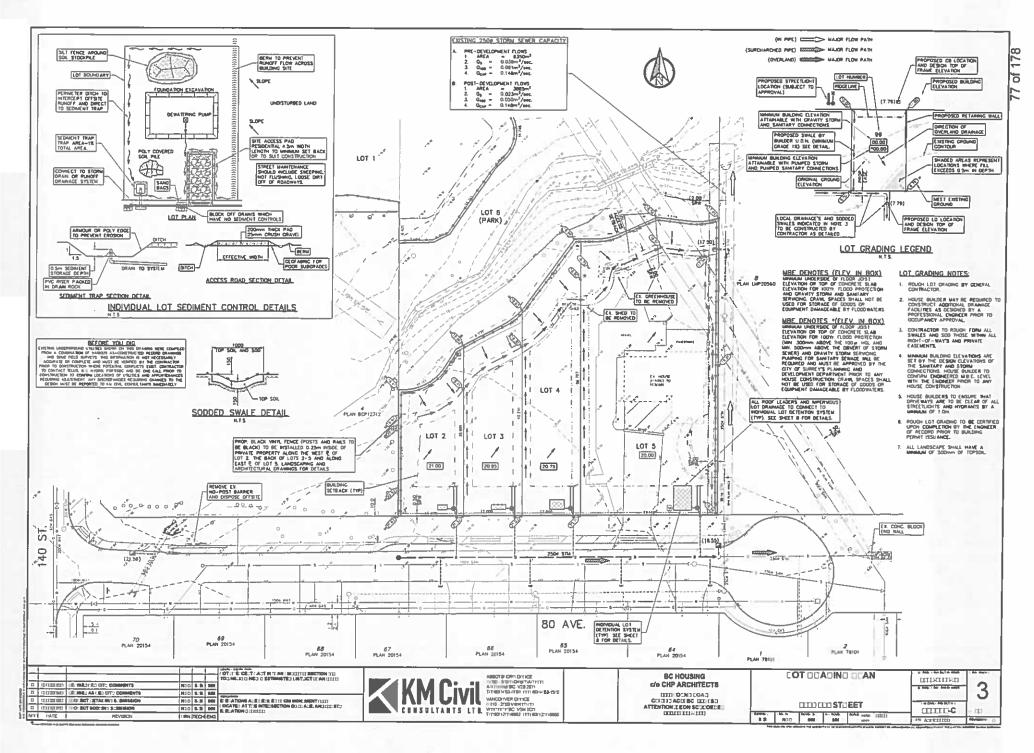
Appendix II. Proposed Lot Grading Plan
Appendix III. Development Variance Permit

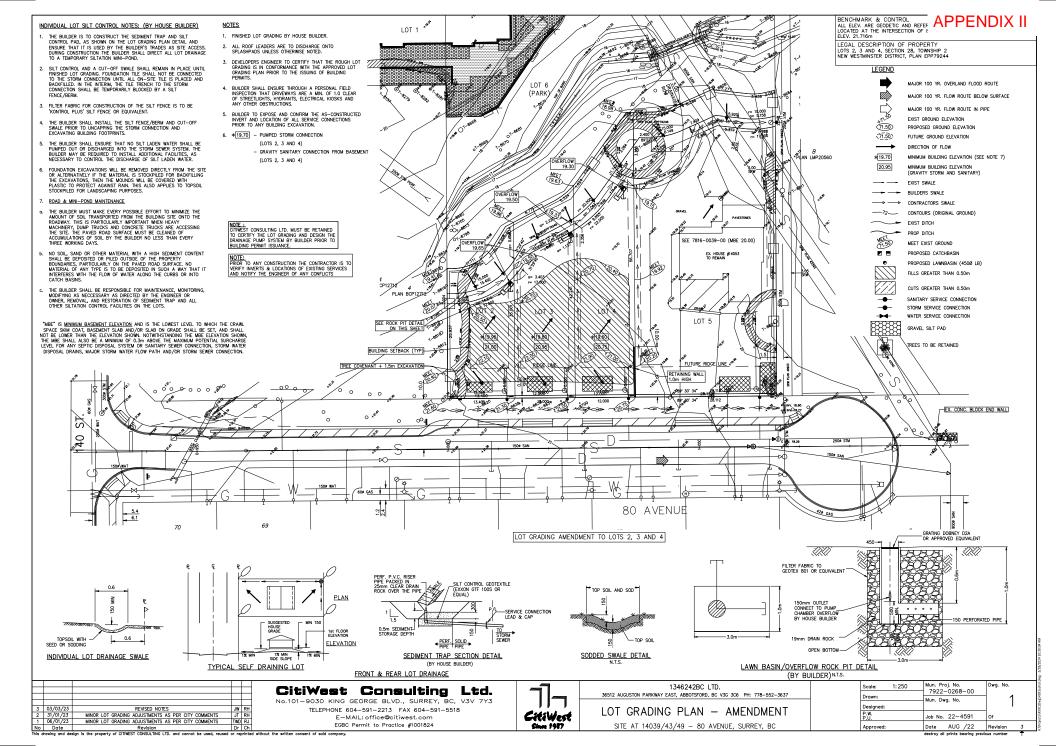
Appendix IV. Original Planning Report 7922-0268-00

approved by Shawn Low

Don Luymes General Manager Planning and Development

HS/ar





CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7922-0268-01

Issued To:		
Address of Owner:		
Issued To:		
Address of Owner:		
	collectively referred to as the "owners"	

- 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: 030-588-472 Lot 2 Section 28 Township 2 New Westminster District Plan Epp79244 14039 80 Avenue

Parcel Identifier: 030-588-481 Lot 3 Section 28 Township 2 New Westminster District Plan Epp79244 14043 80 Avenue

Parcel Identifier: 030-588-499 Lot 4 Section 28 Township 2 New Westminster District Plan Epp79244 14049 80 Avenue

(the "Land")

- 3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) to vary the definition of *finished grade* in Part 1 Definitions of Surrey Zoning Bylaw 12000, as amended, to permit the use of the proposed lot grading plan in Schedule A, which is attached hereto and forms part of this Development Variance Permit,

for the purposes of establishing the finished grade on the subject lot, rather than the lot grading plan that was approved by the City at the time of subdivision when the lot was created.

- 4. This development variance permit applies to only the <u>portion of the Land</u> 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. 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.
- 6. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
- 7. This development variance permit is not a building permit.

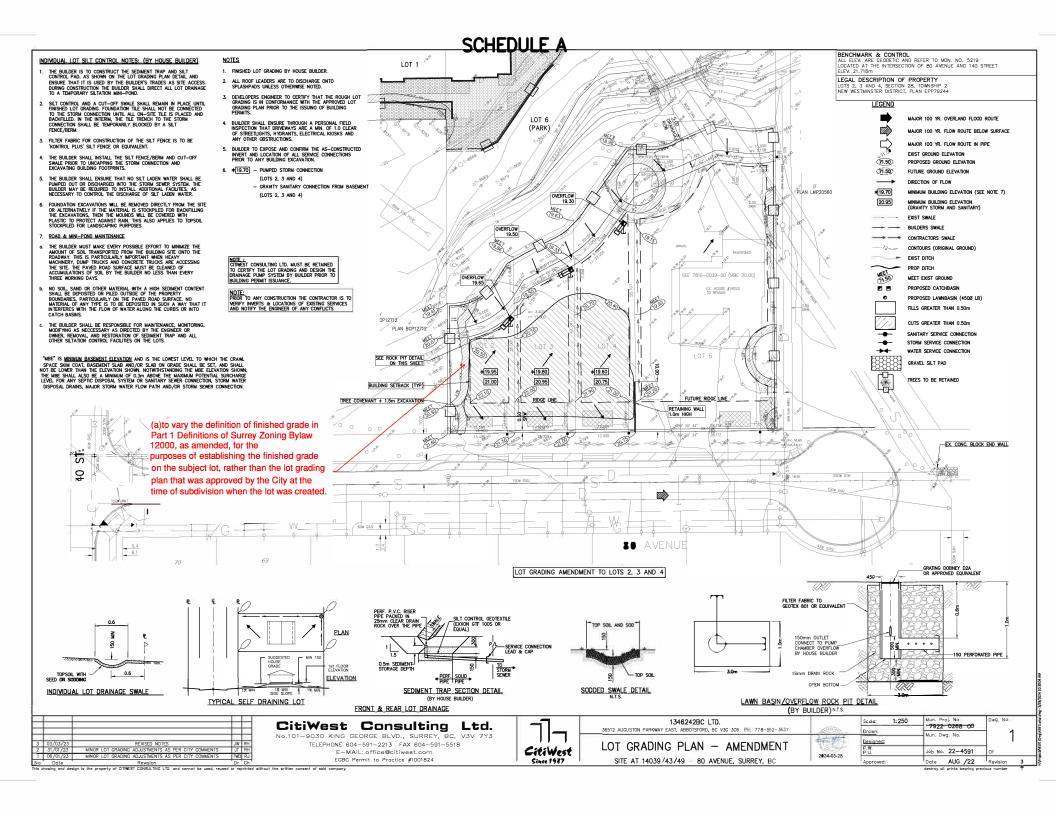
AUTHORIZING RESOLUTION PASSED BY THE COUNCIL/DELEGATED OFFICIAL, THE DAY OF $\,$, 20 $\,$.

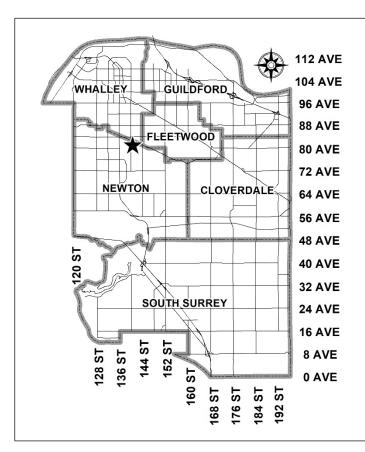
ISSUED THIS DAY OF , 20.

Mayor – Brenda Locke

City Clerk and
Director of Legislative Services

Jennifer Ficocelli





City of Surrey PLANNING & DEVELOPMENT REPORT Application No.: 7922-0268-00

Planning Report Date: September 11, 2023

PROPOSAL:

• Development Variance Permit

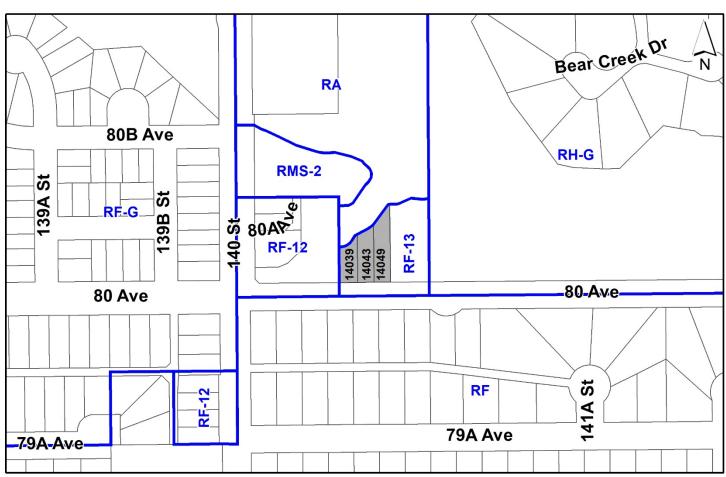
to allow front driveway access for double garages on Lot 3 and 4, and to reduce the front yard setback on Lot 2 to permit the development of three single-family dwellings.

LOCATION: 14039 - 80 Avenue

14043 - 80 Avenue 14049 - 80 Avenue

ZONING: RF-13

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

• Proposing to vary the vehicular requirement access to permit front access for side-by-side double garages for Lot 3 and 4 and to reduce the front yard setback requirements of the "Single Family Residential (13) Zone" for Lot 2.

RATIONALE OF RECOMMENDATION

- Development Application 7916-0039-00 was granted Final Adoption on June 25, 2018, at the Regular Council Land Use meeting. This application rezoned the property from "One-Acre Residential Zone (RA)" to "Single Family Residential (13) Zone (RF-13)".
- The applicant is requesting to vary the Off-Street Parking, and Yards and Setbacks requirements of the RF-13 Zone to permit front access for side-by-side double garages on lots 3 and 4, and a reduced front yard setback for Lot 2. The proposed variances will allow the property to function similarly to a "Single Family Residential (13) Zone (RF-13)" Type II lot.
- Under the Zoning Bylaw, RF-13 zoned properties that are less than 13.4 metres wide require a single car garage. Allowing double garages with front driveway access along 80 Avenue will maintain the building typology established along this street.
- The applicant has demonstrated by means of a lot analysis plan and sample front elevations (Appendix I) provided by the Design Consultant, Toora Home Plans, that any future dwellings on the proposed lots will be able to achieve an attractive street presentation with front access, side by side double garage that will not dominate the front façade.

RECOMMENDATION

The Planning & Development Department recommends that:

Council approve Development Variance Permit No.7922-0268-00 (Appendix II) varying the following, to proceed to Public Notification:

- (a) to reduce the minimum front yard setback of the "Single Family Residential (13) Zone (RF-13)" Zone from 6.0 metres to 4.0 metres to the principal building face of Lot 2 (14039 80 Avenue); and
- (b) to permit construction of a front access, side-by-side double garage on a Tupe II interior lot and on a lot with a width less than 13.4 metres (proposed Lot 3 (14043 80 Avenue) and 4 (14049 80 Avenue) in the RF-13 Zone.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Single Family	Urban	RF-13
	Residential		
North:	Park & Single	Multiple	RA & RMS-2
	Family Residential	Residential	
East	Single Family	Urban	RF-13
	Residential		
South (Across 8o Avenue):	Single Family	Urban	RF
	Residential		
West:	Greenbelt	Urban	RF-12

Context & Background

- The subject site is designated "Urban" in the Official Community Plan (OCP).
- The subject property was created through subdivision under previous Development Application 7916-0039-00.
- Double garages are not permitted on lots less than 13.4 metres wide in the RF-13 Zone unless they are located at the rear of the property with lane access.
- The lots are 12.0 metres wide and between 35.0 metres to 55 metres deep. The proposed variance is consistent with the streetscape along 80 Avenue, as most of the homes in the surrounding neighborhood also have front accessed side-by-side double garages.
- A minimum of 3 off-street parking spaces are required in the RF-13 zone and the inclusion of a front accessed side-by-side double garage would allow for two parking spaces within the garage and two parking spaces on the driveway.

• Secondary suites are proposed for all three lots which would require one extra parking stall per lot (3 total stalls per lot). These parking spaces are proposed to be located either on or abutting the driveways. This aspect will be further reviewed at Building Permit stage.

DEVELOPMENT PROPOSAL

Referrals

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

Transportation Considerations

• The RF-13 zone requires a single car garage for RF-13 Lots that are less than 13.4 metres wide unless s double garage is accessed at the rear of the property. The variance will allow for front access for side by side double car garages, allowing the property to function similarly to the RF Lots to the south along the same block.

POLICY & BY-LAW CONSIDERATIONS

Zoning By-law

- The applicant is requesting the following variances:
 - (a) to reduce the minimum front yard setback of the "Single Family Residential (13) Zone (RF-13)" Zone from 6.0 metres to 4.0 metres to the principal building face of Lot 2 (14039 80 Avenue); and
 - (b) to permit construction of a front access, side-by-side double garage on a Tupe II interior lot and on a lot with a width less than 13.4 metres (proposed Lot 3 (14043 80 Avenue) and 4 (14049 80 Avenue) in the RF-13 Zone.
- The front yard setback variance for Lot 2 is proposed to be reduced from 6.0 metres to 4.0 metres. A typical RF-13 lot requires a 6.0 metre front setback, which can be further reduced to 4.0 metres and 2.0 metres respectively by a porch or veranda for 50% of the building. The applicant is proposing to reduce the setback for the entire front face of the building to 4.0 metres.
- The front yard setback reduction is proposed on Lot 2 in order to build a practical and livable floor plan due to the constraints on the lot, with tree retention along the east property line and a drainage easement located in the rear yard.
- The applicant has provided a lot analysis plan and sample front elevations that any future dwellings on the proposed lots will be able to achieve an attractive street presentation with front access, side by side double garage that will not dominate the front façade. This has been illustrated by provided additional roof lines to extenuate the front door, and reduce the appearance of the double car garage.

- The lots exceed the RF-13 Lot Depth requirement, therefore, the reduced setback will still allow for a functional sized home, while maintaining a consistent frontage previously established along 80 Avenue.
- Staff support the requested variances to proceed for consideration.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

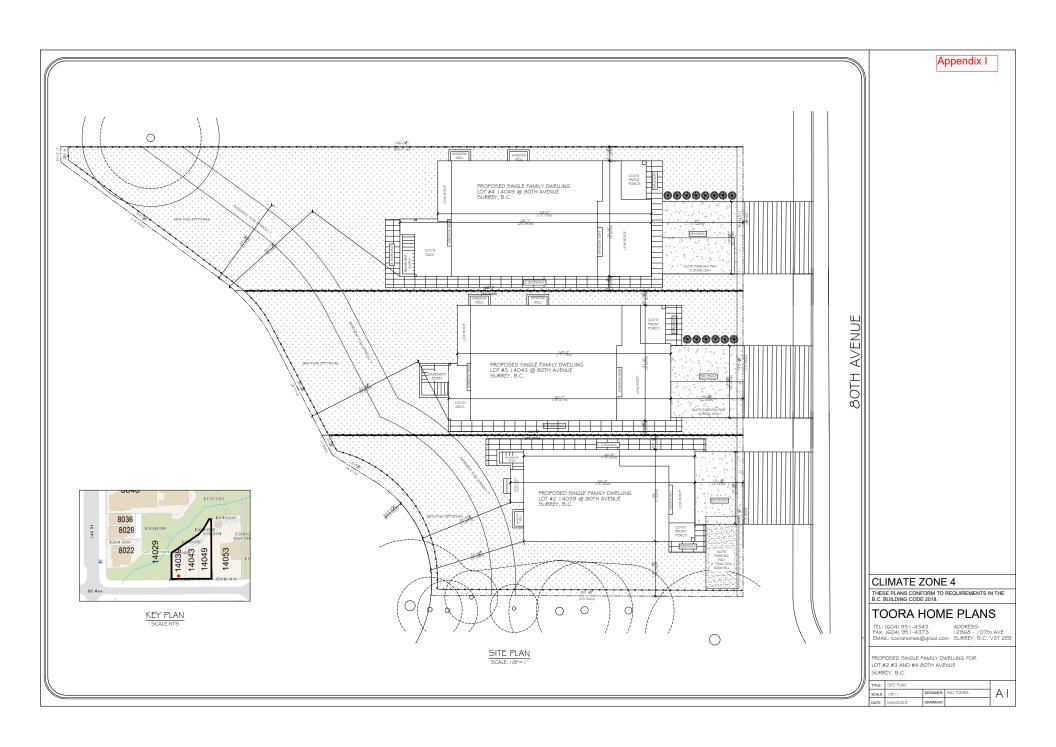
Appendix I. Sample Elevations and Lot Plan Analysis

Appendix II. Development Variance Permit No. 7922-0268-00

approved by Shawn Low

Don Luymes General Manager Planning and Development

HS/ar





FRONT ELEVATION
(80th AVENUE)
COLORED
SCALE: I/4"= I'

CLIMATE ZONE 4

THESE PLANS CONFORM TO REQUIREMENTS IN THE B.C. BUILDING CODE 2018.

TOORA HOME PLANS

TEL: (604) 951-4343 ADDRESS:
FAX: (604) 951-4373 12968 - 107th AVE
EMAIL: toorahomes@gmail.com SURREY, B.C. V3T 2E9

PROPOSED SINGLE FAMILY DWELLING FOR LOT #2 #3 AND #4 80TH AVENUE SURREY, B.C.

TITLE:	FRONT ELEVATIONS			
SCALE:	1/4": 1"	DESIGNER:	RAJ TOORA	A2
DATE:	MAY/2023	DRAWN BY:		

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7922-0268-00

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: 030-588-472 Lot 2 Section 28 Township 2 New Westminster District Plan Epp79244

14039 - 80 Avenue

Parcel Identifier: 030-588-481 Lot 3 Section 28 Township 2 New Westminster District Plan Epp79244

14043 - 80 Avenue

Parcel Identifier: 030-588-499 Lot 4 Section 28 Township 2 New Westminster District Plan Epp79244

14049 - 80 Avenue

(the "Land")

- 3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) to reduce the minimum front yard setback of the "Single Family Residential (13) Zone (RF-13)" Zone from 6.0 metres to 4.0 metres to the principal building face of Lot 2 (14039 80 Avenue); and

- (b) to permit construction of a front access, side-by-side double garage on a Tupe II interior lot and on a lot with a width less than 13.4 metres (proposed Lot 3 and 4) in the RF-13 Zone.
- 4. This development variance permit applies to only the <u>portion of the Land</u> 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/DELEGATED OFFICIAL, THE DAY OF $\,$, 20 $\,$.

ISSUED THIS DAY OF , 20.

Mayor – Brenda Locke	
City Clerk – Jennifer Ficocelli	

