

PROPOSAL:

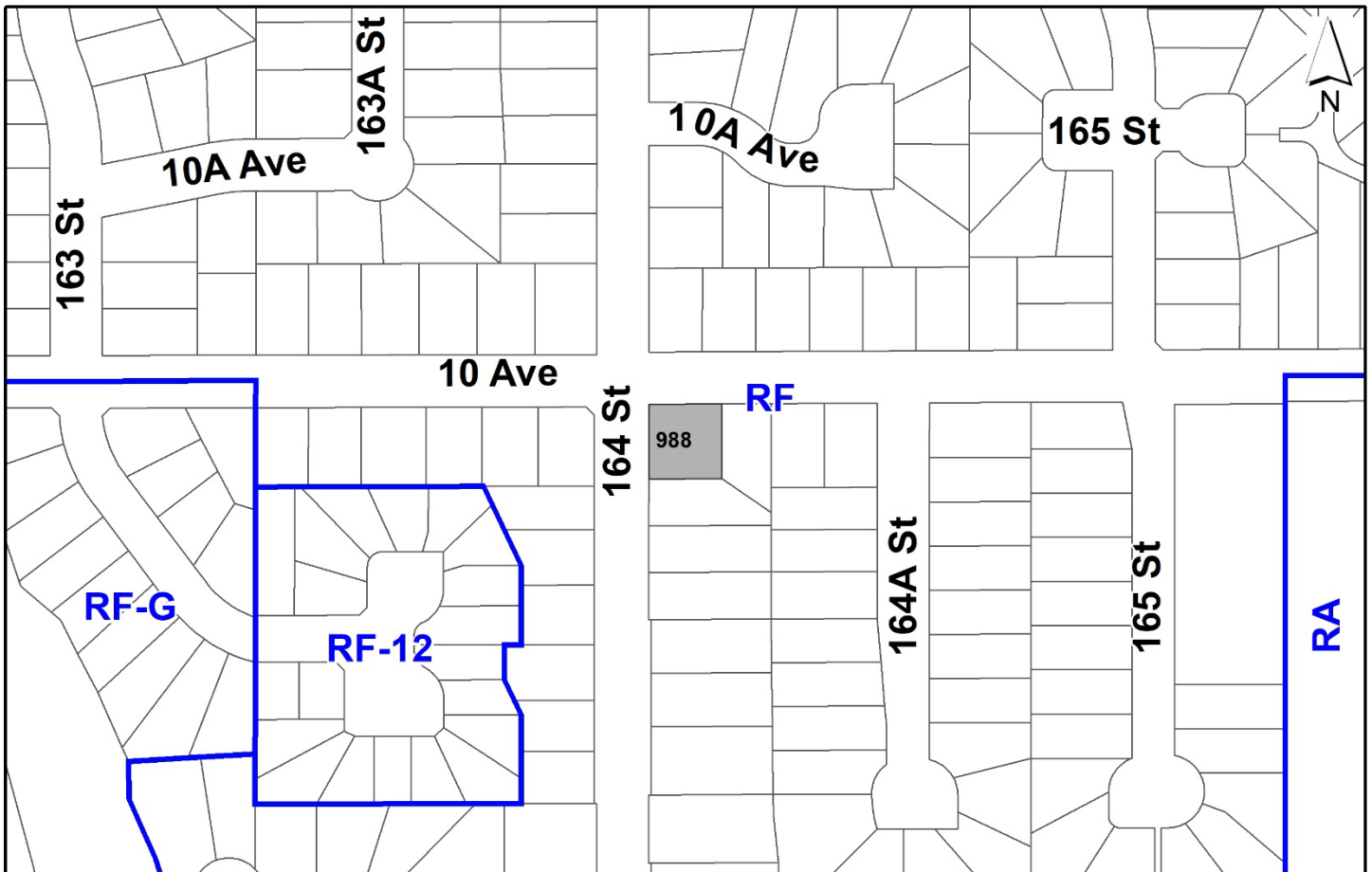
- **Development Variance Permit**

to reduce the front yard setback requirements on a lot located along a collector road, to reduce the rear yard setback requirement, and to locate the basement access in a side yard to allow construction of a single family dwelling.

LOCATION: 988 - 164 Street

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 the following variances to the "Single Family Residential (RF) Zone" :

- reduce the minimum front yard setback that is required on a lot fronting a collector road;
- reduce the rear yard setback; and
- to locate the basement access stairwell in a side yard.

RATIONALE OF RECOMMENDATION

- The 10 Avenue frontage (to the north) is the shortest lot line abutting a highway, making it the front lot line under Part 1 Definitions of Zoning By-law No. 12000. The previous house on the lot was oriented towards 164 Street (to the west) and the applicant proposes to construct the new house with the same orientation. Variances are required to the front and rear yard setbacks, as well as the basement access location, in order to achieve the desired orientation with the front of the house facing 164 Street.
- The proposed variance to the front yard setback is necessary due to the Special Building Setback requirements for lots fronting or flanking an arterial or collector road. In accordance with Part 7 Special Building Setbacks of Zoning By-law No.12000, building setbacks are to be measured from the ultimate road right-of-way.
- 10 Avenue is a collector road and requires an additional 1.94 metres of road right-of-way for an ultimate road allowance of 24 metres. To achieve this, the required front yard setback for all buildings and structures is 9.4 metres from the existing property line, or 7.5 metres from the ultimate property line. The proposed house will be setback 7.5 metres from the existing property line, and 5.6 metres from the ultimate property line.
- As 10 Avenue is a collector road, it is also preferred that the driveway be on 164 Street, which is a local road, as is being proposed.
- Due to the preferred home orientation noted above, the applicant is proposing to reduce the rear (south) yard setback from 7.5 metres to 1.8 metres to achieve a standard side yard setback under the "Single Family Residential (RF) Zone". The rear yard will function as the side yard and the east side yard will function as the rear yard, consistent with the previous house on the lot.
- The applicant is proposing to locate the basement access well in the side (east) yard setback, which will function as the rear yard. The proposal was reviewed by Engineering and Fire and there were no concerns with the proposed location of the basement access.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7922-0100-00 (Appendix II) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front yard setback of the "Single Family Residential (RF) Zone" from 7.5 metres to 5.6 metres to the principal building face;
 - (b) to reduce the minimum rear yard setback of the "Single Family Residential (RF) Zone" from 7.5 metres to 1.8 metres to the principal building face; and
 - (c) to vary the basement access location requirement of the "Single Family Residential (RF) Zone" to allow the basement access to be located between the principal building and side (east) lot line.

2. Council instruct staff to resolve the following issues prior to final approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, dedications, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering; and
 - (b) submission of a road dedication plan to the satisfaction of the Approving Officer.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP/NCP Designation	Existing Zone
Subject Site	Vacant lot	Urban	RF
North (Across 10 Avenue):	Single Family Dwelling	Urban	RF
East:	Single Family Dwelling	Urban	RF
South:	Single Family Dwelling	Urban	RF
West (Across 164 Street):	Single Family Dwelling	Urban	RF

Context & Background

- The subject site is designated "Urban" in the Official Community Plan (OCP) and is zoned "Single Family Residential (RF) Zone" under Surrey Zoning By-law No. 12000. The lot is approximately 810 square metres in area. The previous single family dwelling on the lot has been demolished.

DEVELOPMENT PROPOSAL

Planning Considerations

The applicant has proposed a Development Variance Permit (DVP) to reduce the minimum front yard setback of the "Single Family Residential (RF) Zone" on a lot fronting a collector road, to reduce the rear yard setback, and to locate the basement access in the side yard.

Referrals

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

Parks No concerns.

Surrey Fire Department: No concerns.

Transportation Considerations

- Transportation has reviewed the application and has no concerns. There are no immediate plans to widen 10 Avenue to the ultimate 24 metre wide collector standard. The proposed front yard setback is consistent with existing setbacks along this part of 10 Avenue.
- The proposed location of the driveway on 164 Street as a local road is supported and preferred over a driveway on 10 Avenue, which is a collector road.
- The applicant has agreed to voluntarily convey a 3 metre x 3 metre corner cut at the intersection of 164 Street and 10 Avenue to improve sight lines at the intersection.

POLICY & BY-LAW CONSIDERATIONS

Regional Growth Strategy

- The proposal complies with the General Urban designation in the Regional Growth Strategy.

Official Community Plan

Land Use Designation

- The proposal complies with the Urban designation in the Official Community Plan.

Zoning By-law

- The applicant is requesting the following variances to the "Single Family Residential (RF) Zone":
 - to reduce the minimum front yard setback from 7.5 metres to 5.6 metres to the principal building face;

- to reduce the minimum rear yard setback from 7.5 metres to 1.8 metres to the principal building face; and
 - to vary the location requirement for the basement access from between the principal building and the rear (south) lot line to between the principal building and side (east) lot line.
- The subject site is located on 10 Avenue, which is designated as a collector road. The Surrey Major Road Allowance Map, attached as Schedule K to the Subdivision and Development By-law No.8830, identifies a 24 metre wide ultimate road allowance for collector roads.
 - Part 7 Special Building Setbacks of the Zoning By-law No. 12000 stipulates that the setback of buildings on a lot abutting an existing or future major road as shown in the Surrey Major Road Allowance Map, shall be the sum of one-half of the ultimate highway allowance shown in the Major Road Allowance Map measured from the centreline of the ultimate highway allowance plus the required setback of the Zone in which the lot is located.
 - The Zoning By-law defines the front yard as the shortest lot line abutting a highway. While technically the north yard is considered a front yard under the Zoning By-law given this is the shortest lot line, in reality this will function as a street side yard given the house is proposed to be oriented to 164 Street.
 - The required front yard setback under the RF Zone is 7.5 metres as measured from the ultimate property line. As the existing property line to the centreline of 10 Avenue is 10.058 metres, an additional setback of 1.942 metre is required to the front yard setback. Therefore, the setback of buildings and structures on the subject property should be 9.4 metres from the existing property line, or 7.5 metres from the ultimate property line.
 - The applicant proposes a setback of 7.5 metres from the existing property line, which is 5.6 metres from the ultimate property line.
 - Development Application No. 7919-0289-00 to the north across 10 Avenue to reduce the front yard setback requirements on a lot located along a collector road to permit the construction of a deck, was previously supported by Council.
 - The current proposal is consistent with existing and proposed building setbacks along this section of 10 Avenue.
 - The applicant is proposing to reduce the rear (south) yard setback from 7.5 metres to 1.8 metres to achieve a standard side yard setback under the "Single Family Residential (RF) Zone". The rear yard will function as the side yard and the east side yard will function as the rear yard, consistent with the previous house on the lot.
 - The "Single Family Residential (RF) Zone" requires that basement access and basement wells only be located between the principal building and the rear lot line and must not exceed a maximum area of 28 square metres, including the stairs.

- The applicant is proposing to locate the basement access stairwell in the side (east) yard setback, which is acting as the rear yard. The proposal was reviewed by Engineering and Fire and there were no concerns with the proposed location of the basement access.
- Staff support the requested variances to proceed for consideration.

TREES

- Freedom Sukenick, ISA Certified Arborist of Freedom Tree Care Ltd., prepared an Arborist Assessment for the subject property which was submitted and is being assessed through the Building Permit application review process.

INFORMATION ATTACHED TO THIS REPORT

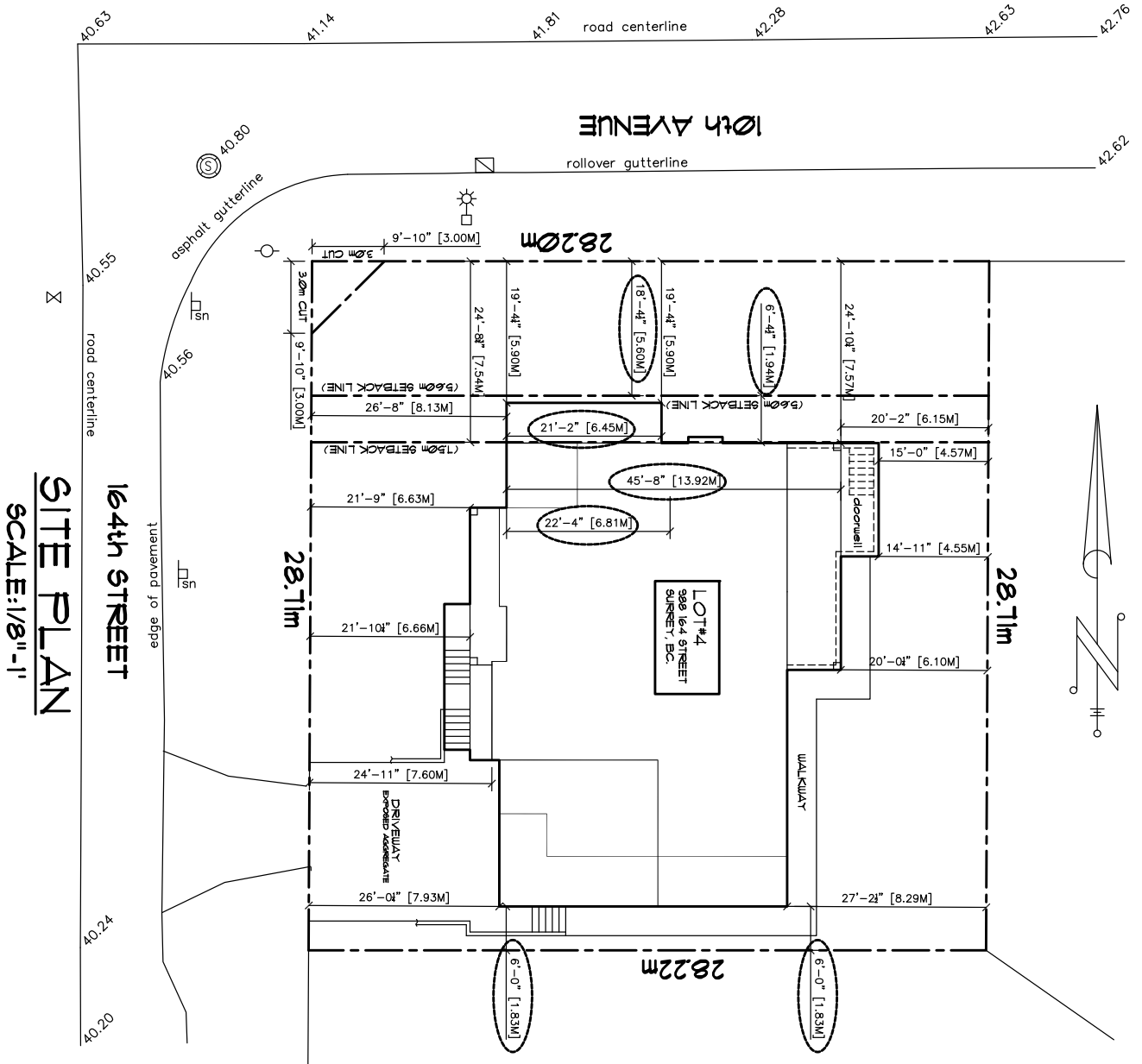
The following information is attached to this Report:

Appendix I. Site Plan, Building Elevations, Landscape Plans and Perspective
Appendix II. Development Variance Permit No.7922-0100-00

approved by Shawn Low

Jeff Arason
Acting General Manager
Planning and Development

EM/ar



SITE PLAN
SCALE: 1/8" = 1'

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7922-0100-00

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: 004-435-877

Lot 4 Section 12 Township 1 New Westminster District Plan 72105

988 - 164 Street

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) Part 16 Section F. Yards and Setbacks of "Single Family Residential Zone (RF)" is varied to reduce the minimum front yard setback for the principal building from 7.5 metres to 5.6 metres;
 - (b) Part 16 Section F. Yards and Setbacks of "Single Family Residential Zone (RF)" is varied to reduce the minimum rear yard setback from 7.5 metres to 1.8 metres to the principal building face; and
 - (c) Part 16 Section J. Special Regulations is varied to allow basement access and basement wells between the principal building and side (east) lot line.
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. This development variance permit does not apply to

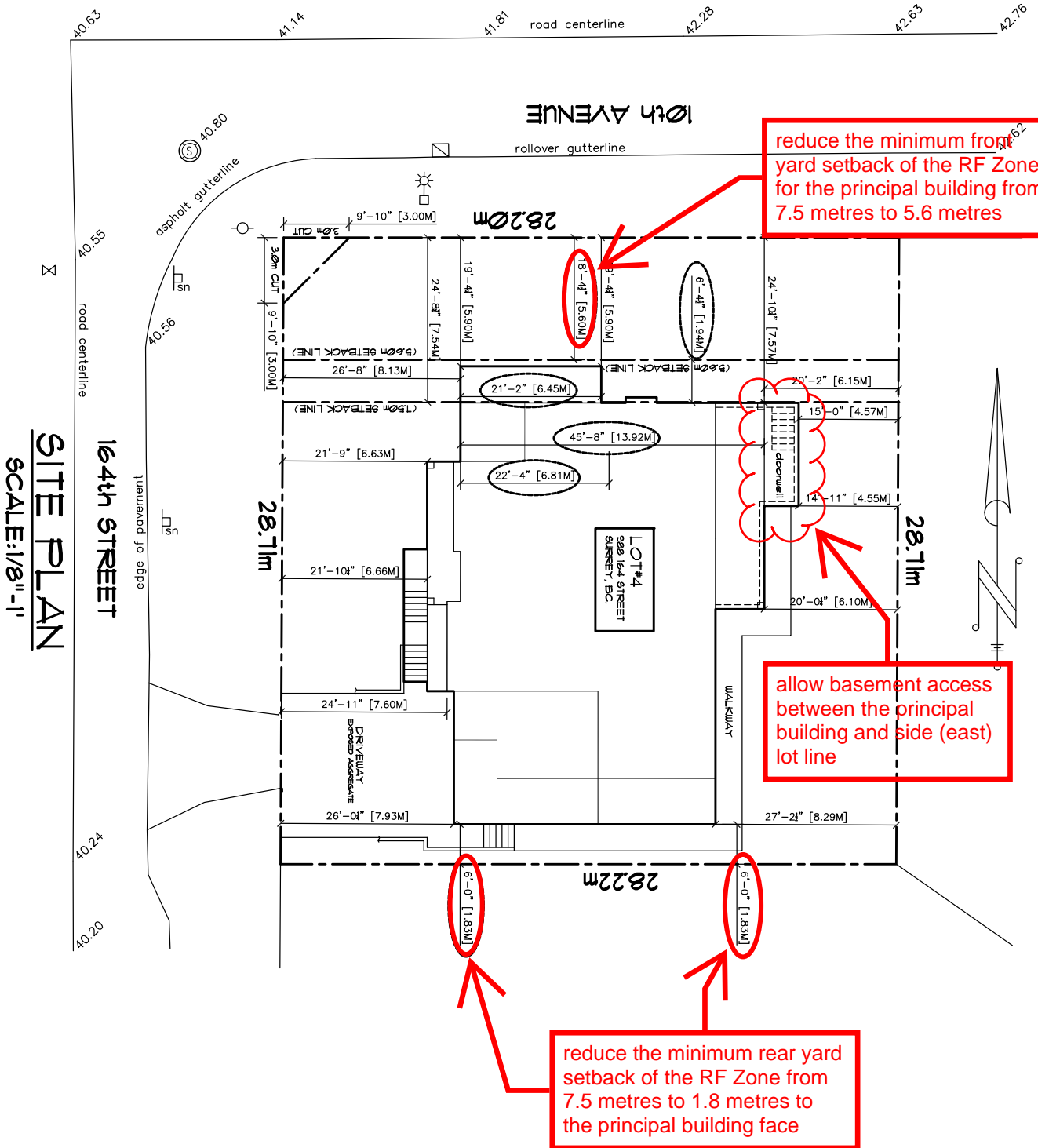
additions to, or replacement of, any of the existing buildings shown on attached Schedule A, which is attached hereto and forms part of this development variance permit.

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 – Brenda Locke

City Clerk – Jennifer Ficocelli



SITE PLAN
SCALE: 1/8" = 1'