

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7917-0094-00

Planning Report Date: April 3, 2017

PROPOSAL:

- **Development Variance Permit**
to permit the construction of a single family dwelling.

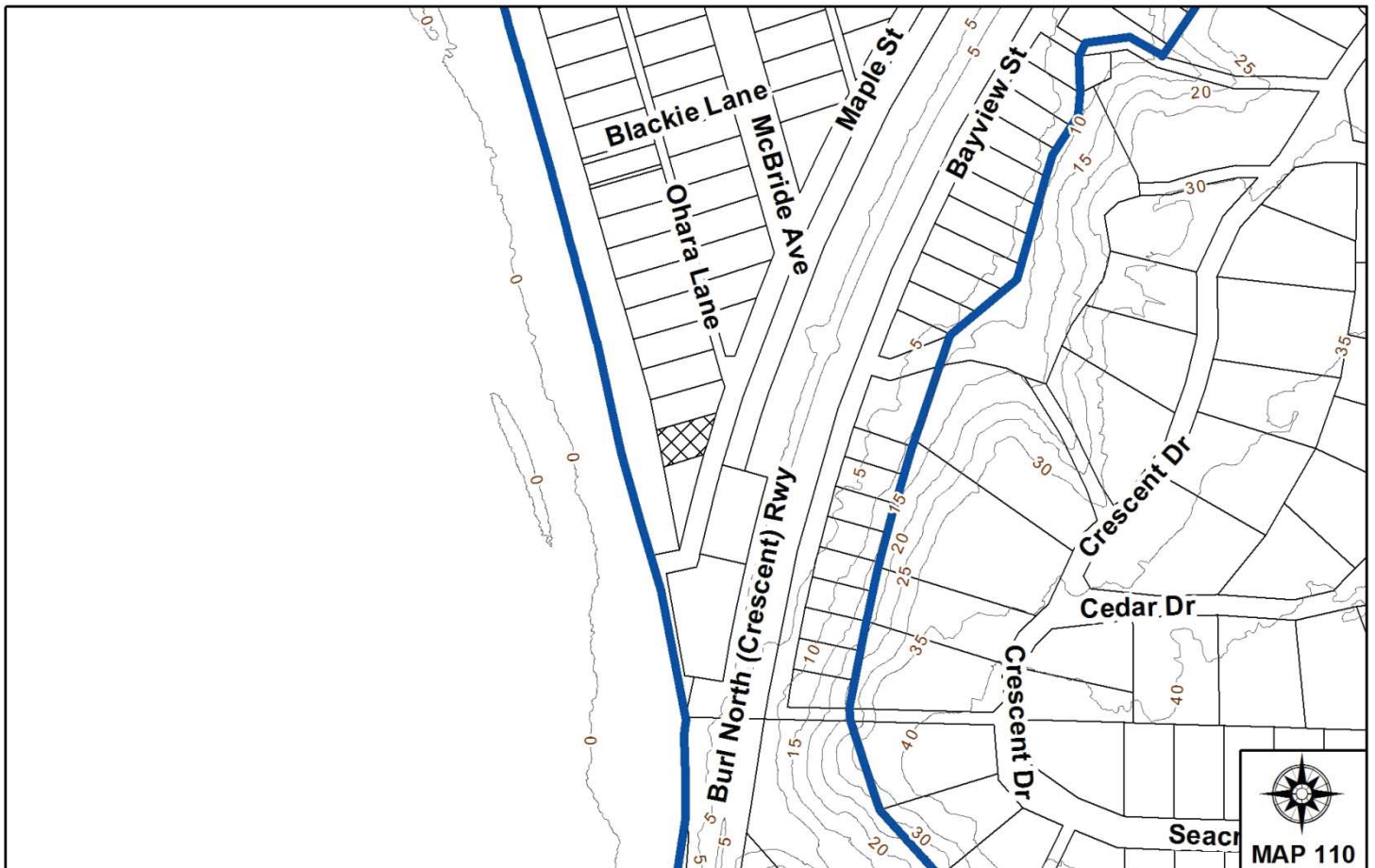
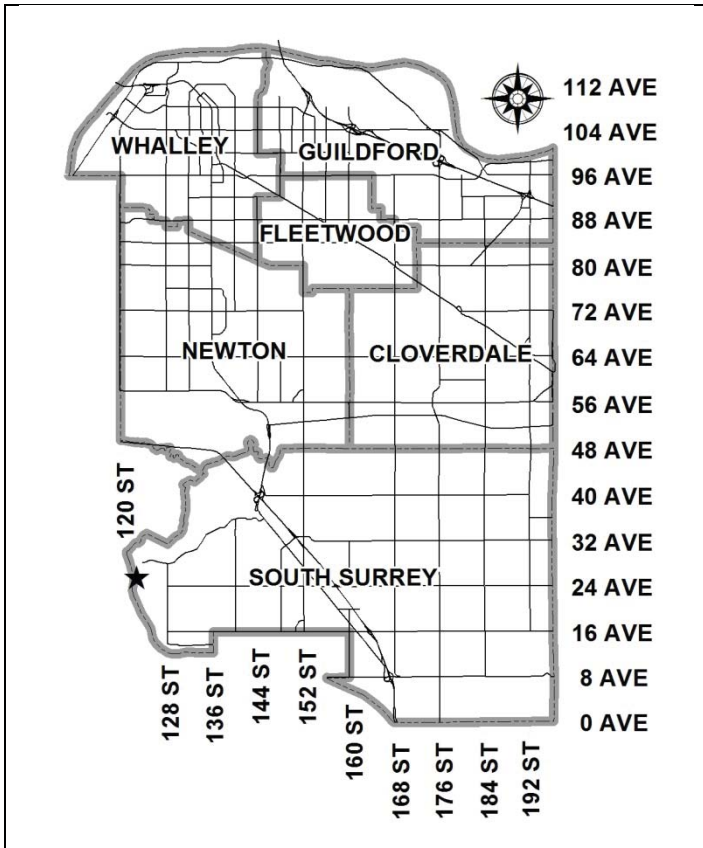
LOCATION: 2566 - Maple Street

OWNER: Donald A. Sinclair
Pamela J. Sinclair

ZONING: RF

OCP DESIGNATION: Urban

LAP DESIGNATION: Urban Residential



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is seeking a Development Variance Permit to:
 - Increase the maximum lot coverage of the "Single Family Residential Zone (RF)" from 40% to 41.5%;
 - Reduce the minimum east front yard setbacks of the "Single Family Residential Zone (RF)" from 7.5 metres (25 ft.) to 1.8 metres (6 ft.) to the attached garage and 4.9 metres (16 ft.) to the south-east corner of the building;
 - Reduce the minimum north side yard setback of the "Single Family Residential Zone (RF)" from 1.8 metres (6 ft.) to 1.0 metres (3 ft.) for a portion of the building; and
 - Reduce the number of off-site parking spaces from 3 to 2.

RATIONALE OF RECOMMENDATION

- The subject lot is a legal, non-conforming RF lot and is irregular in shape. The proposed variances will allow for a functional building design.
- The setbacks and lot coverage variances do not result in a building that is over the Floor Area Ratio allowance of the RF Zone.
- The proposed building, even with the variance requests, will be an improvement on the parking conditions and setback encroachments of the existing dwelling.
- The proposed building does not have a basement as it is in the Crescent Beach Floodplain.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7917-0094-00 (Appendix II) varying the following, to proceed to Public Notification:

- (a) to vary the maximum lot coverage of the RF Zone allowed from 40% to 41.5%;
- (b) to reduce the minimum front yard (east) setback of the RF Zone from 7.5 metres (25 ft.) to 1.8 metres (6 ft.) to the attached garage and 4.9 metres (16 ft.) to the south-east corner of the building;
- (c) to reduce the minimum side yard (north) setback of the RF Zone from 1.8 metres (6 ft.) to 1.0 metres (3 ft.) for a portion of the principle building; and
- (d) to reduce the minimum number of off-street parking spaces from 3 to 2.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Single family dwelling.	Urban	RF
East (Across Maple Street):	BN Railway.	Urban	RF
South:	Single family dwelling.	Urban	RF
West:	Crescent Beach.	Urban	RF

DEVELOPMENT CONSIDERATIONS

Background

- The subject property is located at 2566 Maple Street. The property is designated "Urban" in the Official Community Plan (OCP), "Urban Residential" in the Crescent Beach Local Area Plan (LAP), and zoned "Single Family Residential Zone (RF)".

- The subject lot is 469 square metres (5,045 sq. ft.) in area, making it an undersized lot in the RF Zone.
- The lot is irregular in shape as the east property line is angled along Maple Street in such a way that the depth of the lot is reduced from 31 metres (102 ft.) at the north property line to 21 metres (69 ft.) at the south property line.
- The lot is double fronting with one frontage along Maple Street and the second frontage abutting the ocean.
- The lot contains an existing legal, non-conforming single family dwelling on the lot which is encroaching on the north side yard setback and the front yard setback along Maple Street.
- The existing home is on Surrey's Heritage Register but is not a Protected Site. The house will be removed from the Heritage Register by Surrey's Heritage Advisory Commission once the property owners apply for a demolition permit to remove the existing dwelling.

Current Proposal

- The applicant is proposing a Development Variance Permit (DVP) to increase the maximum lot coverage, to vary the north side yard and east front yard setbacks, and to reduce the number of required parking spaces of the RF Zone in order to construct a new single family dwelling.

TREES

- There is a tree on the neighbouring lot to the north that conflicts with the north-west corner of the proposed building envelope. The applicants have obtained a tree cutting permit application signed by the neighbours for the removal of this tree.
- The portion of the building that is conflicting with the tree protection zone is setback 1.8 metres from the property line and is not being considered for variance. Since the tree protection zone extends beyond the required setback of the RF Zone and the neighbours have consented to its removal, the review and approval for tree cutting can be dealt with at the time of Building Permit application.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- Increase the maximum lot coverage of the RF Zone from 40% to 41.5%.

Applicant's Reasons:

- Increasing the allowable lot coverage will permit a more functional building design on the irregular shaped lot.

- Increasing the lot coverage does not put the proposed building above the allowable Floor Area Ratio for this lot.

Staff Comments:

- With an area of 469 square metres (5,045 sq. ft.), the subject property is a legal, non-conforming RF lot. The RF Zone is intended for lots that are a minimum of 560 square metres (6,000 sq. ft.) in size.
- Due to the irregular shape and non-conforming size of the lot, the options for designing a functional building are fairly limited. Increasing the lot coverage will permit the applicant to construct a building that is close to, but not exceeding, the Floor Area Ratio allowance.
- The proposed building does not have a basement as it is in the Crescent Beach Floodplain.

(b) Requested Variance:

- Reduce the minimum east front yard setback of the RF Zone from 7.5 metres (25 ft.) to 1.8 metre (6 ft.) to the attached garage, and 4.9 metres (16 ft.) to the south-east corner of the building.
- Reduce the minimum north side yard setback of the RF Zone from 1.8 metres (6 ft.) to 1.0 metre (3 ft.) for a portion of the garage.

Applicant's Reasons:

- Due to the irregular shape of the lot, a house of adequate size and shape is difficult to design within the required setbacks.
- The existing dwelling is encroaching on the north side yard and east front yard setbacks of the RF Zone. The siting of the proposed dwelling will be an improvement on these encroachment conditions.

Staff Comments:

- The current dwelling is located 0.67 metres (2 ft.) from the north property line and 1.0 metre (3 ft.) from the east property line.
- Most of the north building face will conform to the required 1.8 metre (6 ft.) side yard setback. Only a small portion of the building in the north-east corner of the site will be varied to 1.0 metre (3 ft.) along the north property line.
- The property is located near the south terminus of Maple Street and has the Burlington Northern Railway to the east. The variance to the front yard setback will have minimal impact on the streetscape and neighbouring lots.

- The reduced front yard setback will allow the applicants to construct a functional garage and to square off the south-east corner of the proposed building for a more conventional floor plan.

(c) Requested Variance:

- Reduce the minimum number of off-street parking spaces from 3 to 2.

Applicant's Reasons:

- Due to the limited area and irregular lot shape, providing a third parking space is not feasible for this lot.
- The proposed dwelling is intended for the property owners to age in place. They do not require a third vehicle or parking space.

Staff Comments:

- The proposed dwelling does not have a secondary suite or a basement that could be converted into a suite in the future.
- Currently, only one off-street parking space is provided on the subject lot. Two parking spaces in the garage will be an improvement on the existing condition.
- Planning supports the variance requests to go to Public Notification.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Lot Owners, Action Summary and Project Data Sheets
Appendix II. Development Variance Permit No. 7917-0094-00

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

ARR/da

DEVELOPMENT DATA SHEET

Existing Zoning: RF

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		469 square metres (5,048 sq. ft.)
Road Widening area		
Undevelopable area		
Net Total		
LOT COVERAGE (in % of net lot area)	40%	41.5%
Buildings & Structures		
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front #1 (Maple Street)	7.5 metres (25 ft.)	1.8 metres (6 ft.)
Front #2 (Ocean)	7.5 metres (25 ft.)	5.5 metres (18 ft.) / 9.0 metres (30 ft.)
Side #1 (N)	1.8 metre (6 ft.)	1.0 metres (3 ft.)
Side #2 (S)	1.8 metres (6 ft.)	1.8 metres (6 ft.)
BUILDING HEIGHT (in metres/storeys)		
Principal	9 metres (30 ft.)	9 metres (30 ft.)
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential	281 square metres (3,024 sq. ft.)	281 square metres (3,024 sq. ft.)
PARKING (number of stalls)	3	2
TOTAL BUILDING FLOOR AREA	281 square metres (3,024 sq. ft.)	281 square metres (3,024 sq. ft.)

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7917-0094-00

Issued To: DONALD A SINCLAIR
PAMELA J SINCLAIR

(the "Owner")

Address of Owner: 2072 – West 43rd Avenue
Vancouver, BC V6M 2C9

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: 012-589-721
Lot 21 Block 4 District Lot 52 Group 2 New Westminster District Plan 2200

2566 - Maple Street

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section C.1 of Park 5, Off-Street Parking and Loading/Unloading, the minimum number of required off-street parking spaces is reduced to 2;
 - (b) In Section E. Lot Coverage of Part 16 Single Family Residential Zone, the maximum lot coverage is increased from 40% to 41.5%;
 - (c) In Section F. Yards and Setbacks of Part 16 Single Family Residential Zone, the minimum front yard (east) setback is reduced from 7.5 metres (25 ft.) to 1.8 metres (6 ft.) to the face of the attached garage and 4.9 metres (16 ft.) to the south-east corner of the principle building; and
 - (d) In Section F. Yards and Setbacks of Part 16 Single Family Residential Zone, the minimum side yard (north) setback is reduced from 1.8 metres (6 ft.) to 1.0 metres (3 ft.) for a portion of 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.
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.

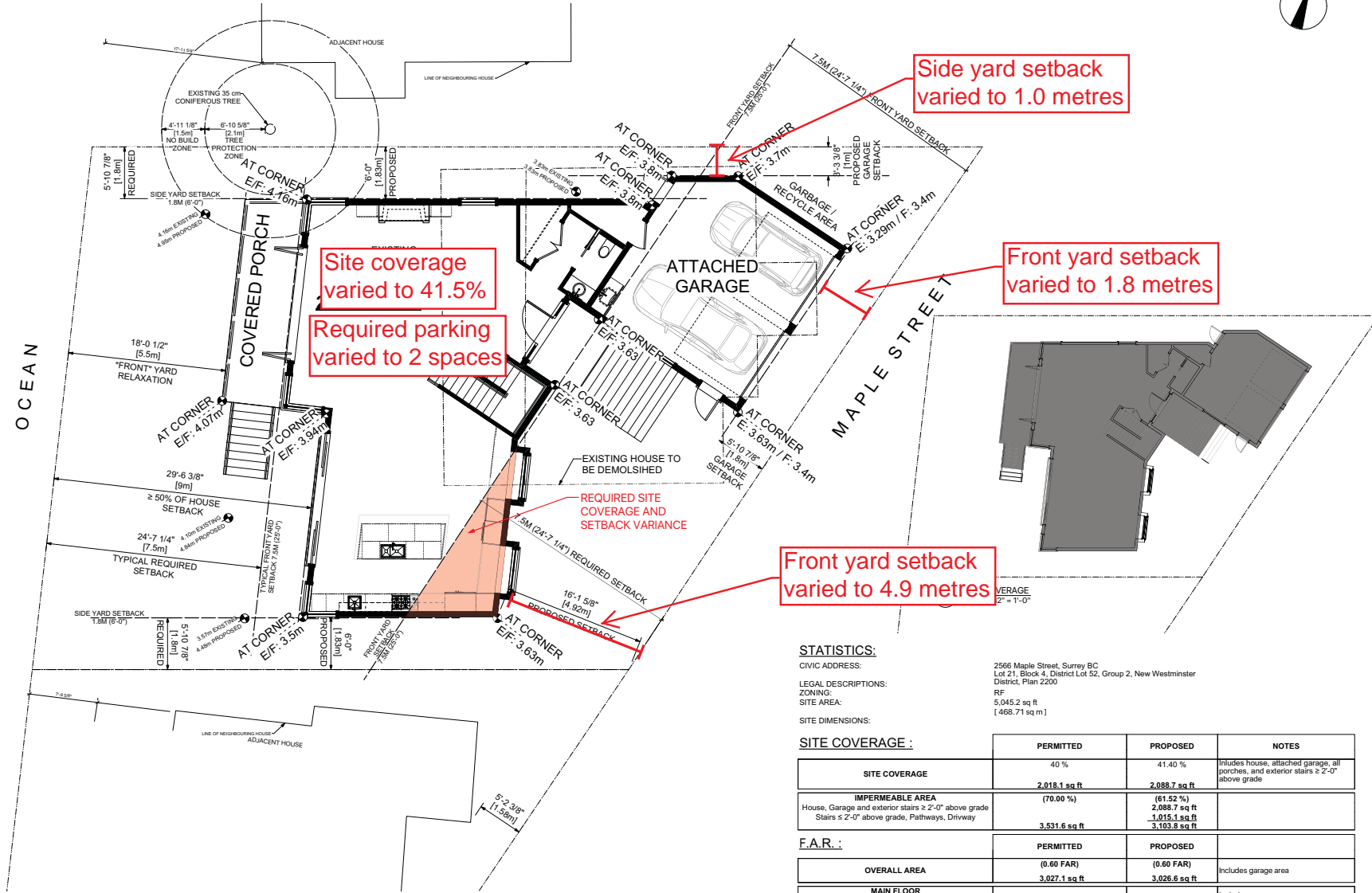
AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 .
ISSUED THIS DAY OF , 20 .

Mayor – Linda Hepner

City Clerk – Jane Sullivan

2566 MAPLE STREET, SURREY BC

Schedule A



NOTES:
 1. Drawings and Specifications, as Instruments of Service, are the Property of the Architect and shall remain their property. No reproduction may be made without the permission of the Architect and when made must bear their names.
 2. The party responsible for construction shall verify all dimensions and other data from the drawings with condition of the site. Any discrepancies shall be reported to the Architect immediately.
 3. This Drawing is not to be used for construction purposes until signed & sealed or specifically issued for that purpose.

1	ISSUED FOR DVP	17-1-30
No.	Revision / Issue Printing	Date

Consultant / Consultant Seal

ELIZABETH MacKENZIE ARCHITECT

4669 Drummond Drive, Vancouver, B.C. V6R 5E5
 Phone: 604.731.9157 #mail: emack@shaw.ca

Crescent Beach
Sinclair Residence
 AT
 2566 Maple Street

Project

SITE PLAN & STATISTICS

Sheet Title

Checked By: EM

Drawn By: JS

Scale: 3/16" = 1'-0"

Date: March 2016

A0.1

STATISTICS:

CIVIC ADDRESS: 2566 Maple Street, Surrey BC
 Lot 21, Block 4, District Lot 52, Group 2, New Westminster District, Plan 2200
LEGAL DESCRIPTIONS:
ZONING: RF
SITE AREA: 5,045.2 sq ft [468.71 sq m]
SITE DIMENSIONS:

SITE COVERAGE:

	PERMITTED	PROPOSED	NOTES
SITE COVERAGE	40 %	41.40 %	Includes house, attached garage, all porches, and exterior stairs > 2'-0" above grade
	2,018.1 sq ft	2,088.7 sq ft	
IMPERMEABLE AREA	(70.00 %)	(61.52 %)	
House, Garage and exterior stairs > 2'-0" above grade		2,088.7 sq ft	
Stairs < 2'-0" above grade, Pathways, Driveway	3,531.6 sq ft	1,015.1 sq ft	
		3,103.8 sq ft	

F.A.R.:

	PERMITTED	PROPOSED	
OVERALL AREA	(0.60 FAR)	(0.60 FAR)	Includes garage area
	3,027.1 sq ft	3,026.6 sq ft	
MAIN FLOOR		1,799.0 sq ft	Includes garage area
UPPER FLOOR	(80% of first storey including garage)	(74.93 %)	118.6 sq ft excluded above stair to upper floor and open to below area (80/20 calculated before this exclusion)
Max 200 sq ft of Extended Height Floor Area excluded from FAR (per 4.(a),(b),(c),(d))	1,439.2 sq ft	1,346.2 sq ft	
		-118.6 sq ft	
		(FAR) 1,227.6 sq ft	
COVERED PORCH EXCLUSION			Front porch faces ocean
10 % of allowable area (per 2.(a) in (c)) (160 sq ft reserved for front porch)	Front 160 sq ft Other 142.7 sq ft 302.7 sq ft	Front 164.97 sq ft Other 0.0 sq ft Total 165.0 sq ft	Front porch included in FAR Total 0.0 sq ft