

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7910-0045-00

Planning Report Date: March 22, 2010

**PROPOSAL:**

- **Development Variance Permit**

in order to permit the increase in building height of Buildings 7 and 8 of a 54-unit townhouse development.

**LOCATION:**

8418 - 163 Street

**OWNER:**

o822661 B.C. Ltd., Inc. No.  
 BCo822661

**ZONING:**

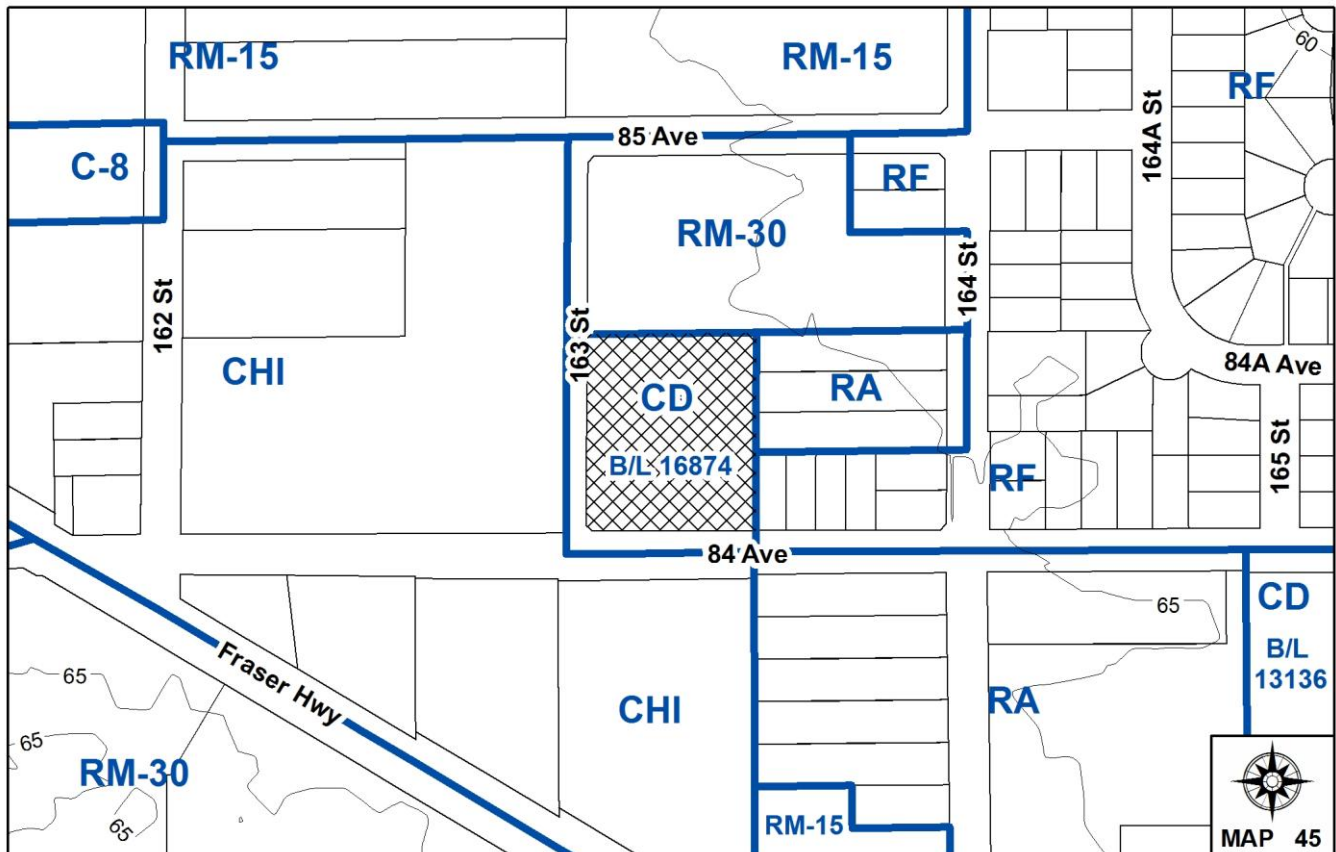
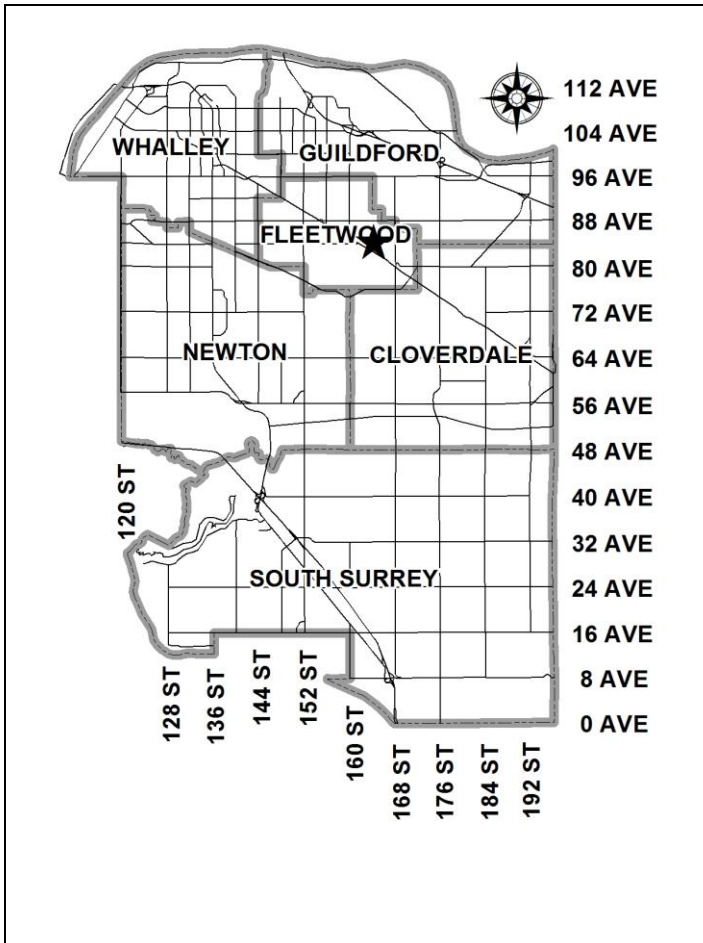
CD (By-law No. 16874)

**OCP DESIGNATION:**

Multiple Residential

**NCP DESIGNATION:**

Medium Density Townhouses



### RECOMMENDATION SUMMARY

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

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking an increase in the maximum building height permitted under CD By-law No. 16874, from 10.0 metres (33 ft.) to 10.5 metres (34.0 ft.), for two buildings only (Buildings #7 and #8).

### RATIONALE OF RECOMMENDATION

- The proposed increase in building height from 10.0 metres (33 ft.) to 10.5 metres (34 ft.) is for two buildings only (Buildings #7 and #8).
- The maximum height permitted under the RM-30 Zone, for which CD By-law No. 16874 was based, is 13 metres (43 ft.).
- The proposed maximum increase in height for Building #7 exceeds 10.0 metres (33 ft.) by only 0.35 metre (14 inches).

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7910-0045-00, (Appendix IV) varying the following, to proceed to Public Notification:
  - (a) to vary the maximum building height of the CD Zone (By-law No. 16874) from 10.0 metres (33 ft.) to 10.5 metres (34 ft.) for Buildings #7 and #8 only.

REFERRALS

**Engineering:** The Engineering Department has reviewed the application and has indicated that there are no additional engineering requirements relative to the issuance of the Development Variance Permit.

SITE CHARACTERISTICS

**Existing Land Use:** The subject site is currently under construction with Phase 1 of a 54-unit townhouse development.

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North:	Existing townhouse development.	Medium Density Townhouses.	RM-30
East:	Acreage and single family residential lots.	Medium Density Townhouses and Single Family Urban	RA and RF
South (Across 84 Avenue):	Vacant portion along the north and auto dealership to the south.	Highway Commercial	CHI
West (Across 163 Street):	Truck parking.	Highway Commercial	CHI

DEVELOPMENT CONSIDERATIONSBackground

- The subject property is located at 8418-163 Street in the Fleetwood Town Centre Plan area. An OCP Amendment to Multiple Residential, rezoning from RA to CD (based on RM-30) and a Development Permit to allow construction of a 54-unit townhouse development was approved by Council on June 29, 2009, under Application No. 7908-0215-00.

- The subject site is 0.84 hectare (2.08 acres) in area and is zoned Comprehensive Development Zone (CD) (By-law No. 16874). The site is designated Medium Density Townhouses in the Fleetwood Town Centre Plan and Multiple Residential in the Official Community Plan (OCP).
- Phase 1 of the approved townhouse project, "Maple on 84<sup>th</sup>", is currently under construction. Phase 1 consists of Buildings #1, #7 and #8 along the north property line.
- Due to some run-off issues affecting the adjacent townhouse site to the north (Camelot Village), it was discovered that Buildings #7 and #8 of Phase 1, located adjacent the northeast corner of the subject site, were constructed higher than the maximum 10.0-metre (33 ft.) building height prescribed under CD By-law No. 16874.
- The increase in building height is due to the fact that the developer's architect based building elevation and internal road elevations on inaccurate survey information. At the time of the original topographic survey, the northeast corner of the subject site was inaccessible due to existing blackberry bushes, but this was not indicated on the survey. Therefore, the elevations shown on the survey were actually measured from the top of an existing fence located along the north property line. This caused the subsequent increase in building height. The surveyor has subsequently been apprised of this error and resulting complications.

#### Current Application

- To address this building height issue, the applicant is proposing a Development Variance Permit (DVP) to allow for an increase in building height from 10.0 metres (33 ft.) to 10.5 metres (34 ft.) for Buildings #7 and #8, as shown in the attached plans (Appendix II).
- CD By-law No. 16874 was based upon the Multiple Residential 30 Zone (RM-30), which permits a maximum building height of 13 metres (43 ft.). At the time, when the CD By-law was written (Application No. 7908-0215-00), the building height was restricted based upon the building height of the development proposal which was submitted by the developer.
- Based on the grades and the building design in the approved Development Permit, Building #7 will have a building height of 10.35 metres (34 ft.) and Building #8 will have a building height of 10.25 metres (33.6 ft.). Phase 1 of the townhouse development is nearing completion.

#### DESIGN PROPOSAL AND REVIEW

- Due to the changes in lot grading since the completion of Application No. 7908-0215-00, some of the interface treatments along the north and east property lines have changed from the plans approved for the Development Permit.
- A retaining wall with a tapering height will be situated against the existing wood fence along the north and east property lines, with a drain tile installed just within the property lines to catch any runoff water from the subject site. A cedar hedge with ground cover will be planted along the north and east property lines, in order to screen the buildings and retaining wall. The maximum height of the retaining wall will be 0.9 metre (3 ft.).
- Some of the rear yards of the townhouse units along the east property line will incorporate some steps leading down from the patios into the rear yards.

BY-LAW VARIANCE & JUSTIFICATION

## (a) Proposed Variance:

- To increase the building height in Sub-section 2.G.1. of CD By-law No. 16874, from 10.0 metres (33 ft.) to 10.5 metres (34 ft.) building height for Buildings #7 and #8 only.

## Applicant's Justification:

- Although inaccurate survey information was used to calculate the building elevations and internal road elevations, by the time the building height became an issue, the existing buildings were already mostly constructed. It would be a great loss of resources, time and money if Buildings #7 and #8 would need to be rectified at this point for a difference of 14 inches (0.35 m) for Building #7 and 10 inches (0.25 m) for Building #8.
- All other buildings on the site for the subsequent Phases II and III have been lowered to conform with the maximum 10.0-metre (33 ft.) building height identified under CD By-law No. 16874.

## Staff Comments:

- CD By-law No. 16874 was based on the RM-30 Zone which permits a maximum height of 13 metres (43 ft.).
- The requested 10.5 metres (34 ft.) for Buildings #7 and #8 is substantially lower than the 13 metres (43 ft.).
- The landscape treatment, which includes a cedar hedge, will assist in screening the buildings from the neighbouring sites.
- Staff agree with the applicant's rationale and support the requested variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Proposed Site Plan, Building Elevations and Landscape Plans
Appendix III.	Development Variance Permit No. 7910-0045-00

Jean Lamontagne  
General Manager  
Planning and Development

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