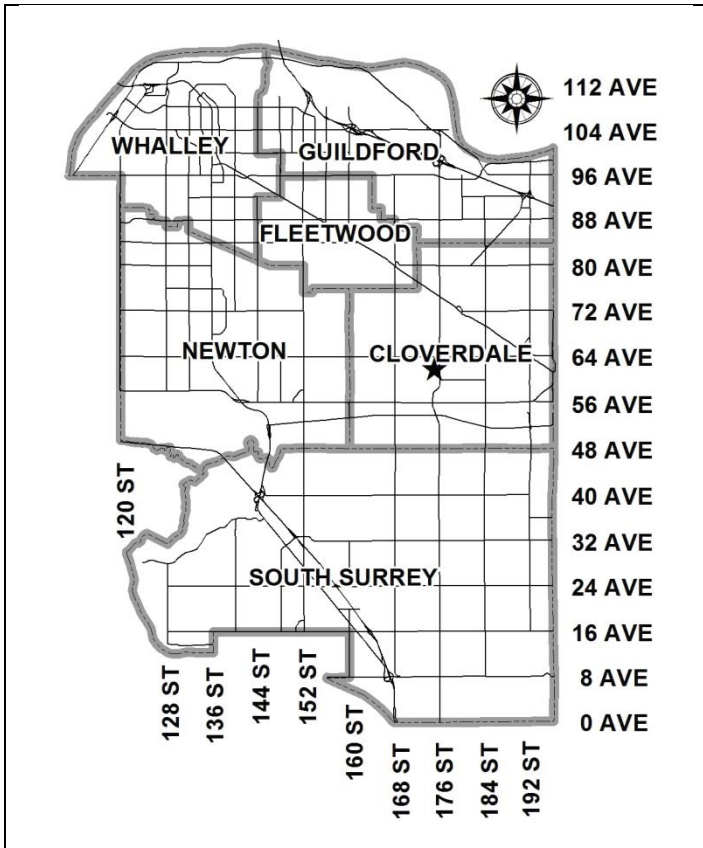


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7916-0267-01

Planning Report Date: October 2, 2017



PROPOSAL:

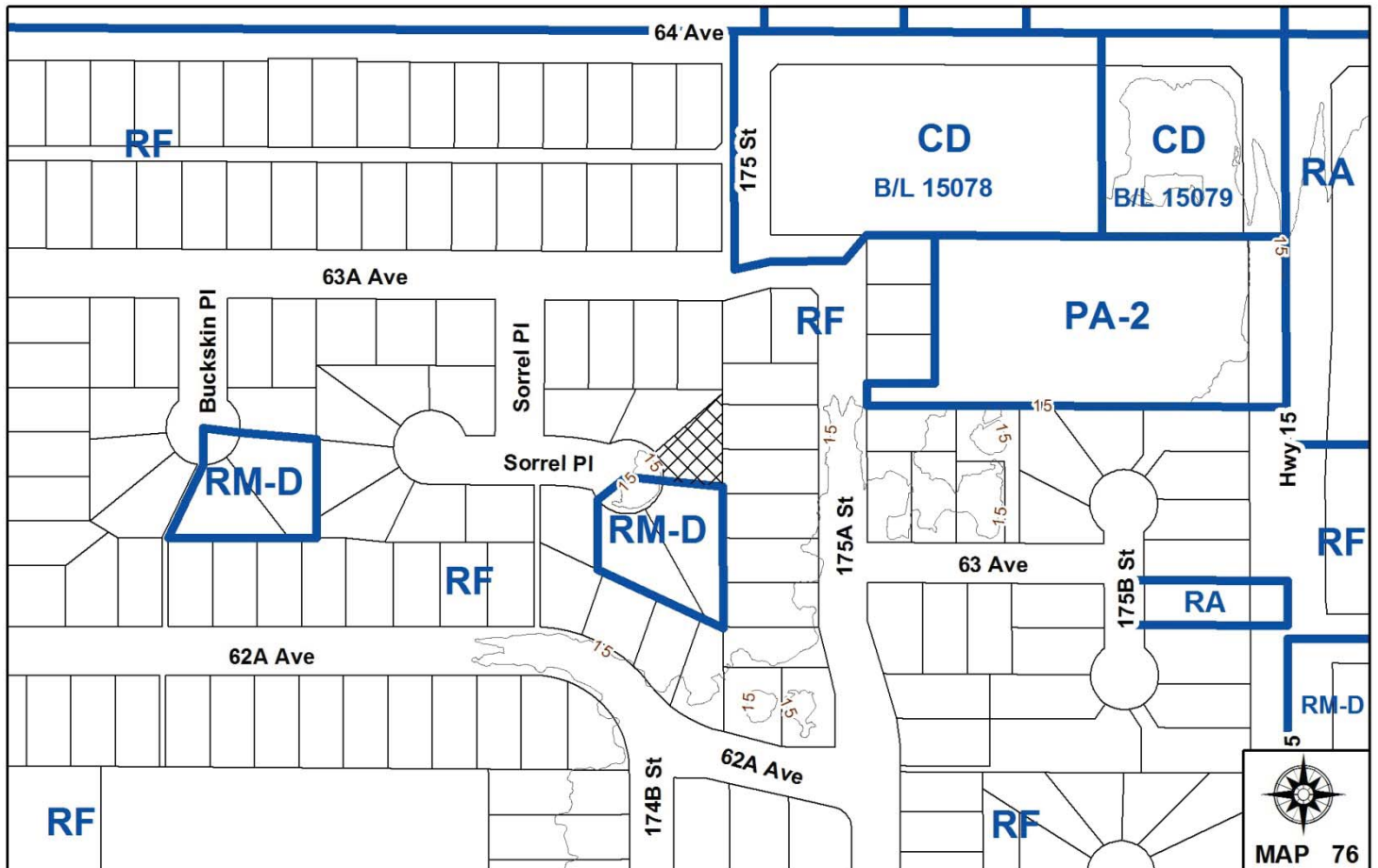
- **Development Variance Permit**

to reduce the west front yard setback and east rear yard setback of the RF Zone to permit the retention of an existing detached garage on the lot.

LOCATION: 6316 - Sorrel Place

ZONING: RF

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- To permit the retention of an existing detached garage, the applicant is seeking to reduce the front yard and rear yard setbacks to an accessory building (detached garage) under the RF Zone.

RATIONALE OF RECOMMENDATION

- On July 25, 2016 Council issued Development Variance Permit No. 7916-0267-00 to reduce the minimum rear yard setback under LUC No. 51, in order to permit the construction of a rear yard addition to the existing single family dwelling on the lot.
- On September 12, 2016 Council granted Final Adoption to LUC Termination By-law, 2016, No. 18111, to terminate LUC No. 51. In accordance with the legislation, the LUC Termination By-law includes a one-year grace period (i.e., September 12, 2017) in which the LUC will remain in effect before the underlying "Single Family Residential Zone (RF)" automatically comes into effect. The one-year grace period for the termination of LUC No. 51 has now expired and the subject property is regulated by the "Single Family Residential Zone (RF)".
- Upon subsequent review of the building permit application by staff, it was discovered that the existing detached garage, built without a permit some time prior to the purchase of the subject property by the current owner, does not conform to the minimum front and rear yard setbacks of the RF Zone. An additional Development Variance Permit is necessary in order for the applicant to finalize the building permit application.
- The existing, non-compliant, detached garage has been located at the rear of the property for a number of years and has solicited no objections from the neighbouring property owners.
- The existing detached garage conforms to the minimum side yard setback and the maximum allowable height of an accessory building under the RF Zone.
- The overall lot coverage of all proposed additions and existing buildings on the subject property will be 29.9%, which is less than the 37% maximum lot coverage of the RF Zone.
- The existing garage is well screened from neighbouring properties by an existing fence and trees on the property and from the street by a proposed second storey deck on the single family dwelling.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7916-0267-01 (Appendix III), varying the following setbacks of the RF Zone, to proceed to Public Notification.

- (a) to reduce the minimum front yard setback to an accessory building (detached garage) from 18 metres (60 ft.) to 16.7 metres (55 ft.); and
- (b) to reduce the minimum rear yard setback to an accessory building (detached garage) from 1.8 metres (6 ft.) to 1.2 metres (4 ft.).

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: An existing, two-storey single family dwelling and one-storey detached garage, which are to remain and a one-storey shed, which is to be removed.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Single family dwelling	Urban	RF
East:	Single family dwelling	Urban	RF
South:	Duplex	Urban	RM-D
West (Across Sorrel Place):	Single family dwelling	Urban	RF

DEVELOPMENT CONSIDERATIONS

- The 670-square metre (7,212-square foot) subject property is located at 6316 - Sorrel Place. The subject lot is designated "Urban" in the Official Community Plan (OCP) and is zoned "Single Family Residential Zone (RF)".
- The subject property was created under Land Use Contract No. 51, Authorization By-law, 1974, No. 4374 in April 1975.

- On September 12, 2016 Council granted Final Adoption to LUC Termination By-law, 2016, No. 18111, to terminate LUC No. 51. In accordance with the legislation, the LUC Termination By-law includes a one-year grace period (i.e., September 12, 2017) in which the LUC will remain in effect before the underlying "Single Family Residential Zone (RF)" automatically comes into effect. The one-year grace period for the termination of LUC No. 51 has now expired and the subject property is regulated by the "Single Family Residential Zone (RF)".
- A 91.78-square metre (988-square foot) two-storey dwelling was constructed on the lot, with approved permits, in 1977. Subsequently, a one-storey detached garage, located in the rear yard to the south of the single family dwelling, and shed, were constructed on the lot without approved permits.
- On July 25, 2016 Council issued Development Variance Permit No. 7916-0267-00 to reduce the minimum rear yard setback of the principal building under LUC No. 51, from 7.5 metres (25 ft.) to 5.82 metres (19 ft.), to permit the construction of a two-storey addition to the existing single family dwelling on the lot.
- In April 2017 the applicant applied for a building permit to construct the two-storey rear yard addition, a second storey attached deck within the south side yard and a front yard porch on the existing single family dwelling. As part of the proposed building permit application the property owners have proposed the removal of the existing accessory building (shed) at the northeast corner of the lot.
- Upon subsequent review of the building permit application by staff it was discovered that the 16.7-metre (55-foot) front yard setback and 1.2-metre (4-foot) rear yard setback of the existing garage in the rear portion of the lot does not conform to the minimum setback requirements of the RF Zone.
- In accordance with Section F. Yards and Setbacks of the RF Zone the minimum front yard setback and rear yard setback for a detached garage are 18 metres (60 ft.) and 1.8 metres (6 ft.) respectively.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variances:

- To vary the setbacks for an accessory building under the RF Zone, to permit the retention of an existing accessory building (detached garage), as follows:
 - Reduce the minimum front yard setback from 18 metres (60 ft.) to 16.7 metres (55 ft.); and
 - Reduce the minimum rear yard setback from 1.8 metres (6 ft.) to 1.2 metres (4 ft.).

Applicant's Reasons:

- The current owners purchased the subject property in 2006 not aware that the existing, detached garage was constructed on the subject property without valid permits.
- Although Council approved Development Variance Permit No. 7916-0267-00 to reduce the minimum rear yard setback of the principal building under LUC No. 51 this DVP did not address the non-conformity of the existing detached garage and an additional DVP is required in order to finalize the building application for the rear yard addition to the principal building.

Staff Comments:

- The existing, non-compliant, detached garage has been located on the property for a number of years and has solicited no objections from the neighbouring property owners.
- The existing detached garage conforms to the minimum 1.8 metre (6 ft.) side yard setback, as well as the maximum allowable height of 3.6 metres (12 ft.) for an accessory building under the RF Zone.
- The additional non-conforming accessory building (shed) on the subject property is proposed to be demolished as part of proposed building permit application and securities have been collected in this regard by the City.
- Upon completion of the proposed rear yard addition to the existing single family dwelling the existing accessory building (detached garage) will comply with the 1-metre (3-foot) minimum separation from the exterior wall of the principal building (house) to which it is accessory.
- The overall lot coverage of all proposed additions and existing buildings on the subject property will be 29.9%, which is less than the 37% maximum lot coverage of the RF Zone.
- The existing garage is well screened from neighbouring properties by an existing fence and trees on the property and from the street by a proposed second storey deck.
- Staff support the requested variances.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners and Action Summary (Confidential)
- Appendix II. Proposed Site Plan
- Appendix III. Development Variance Permit No. 7916-0267-01

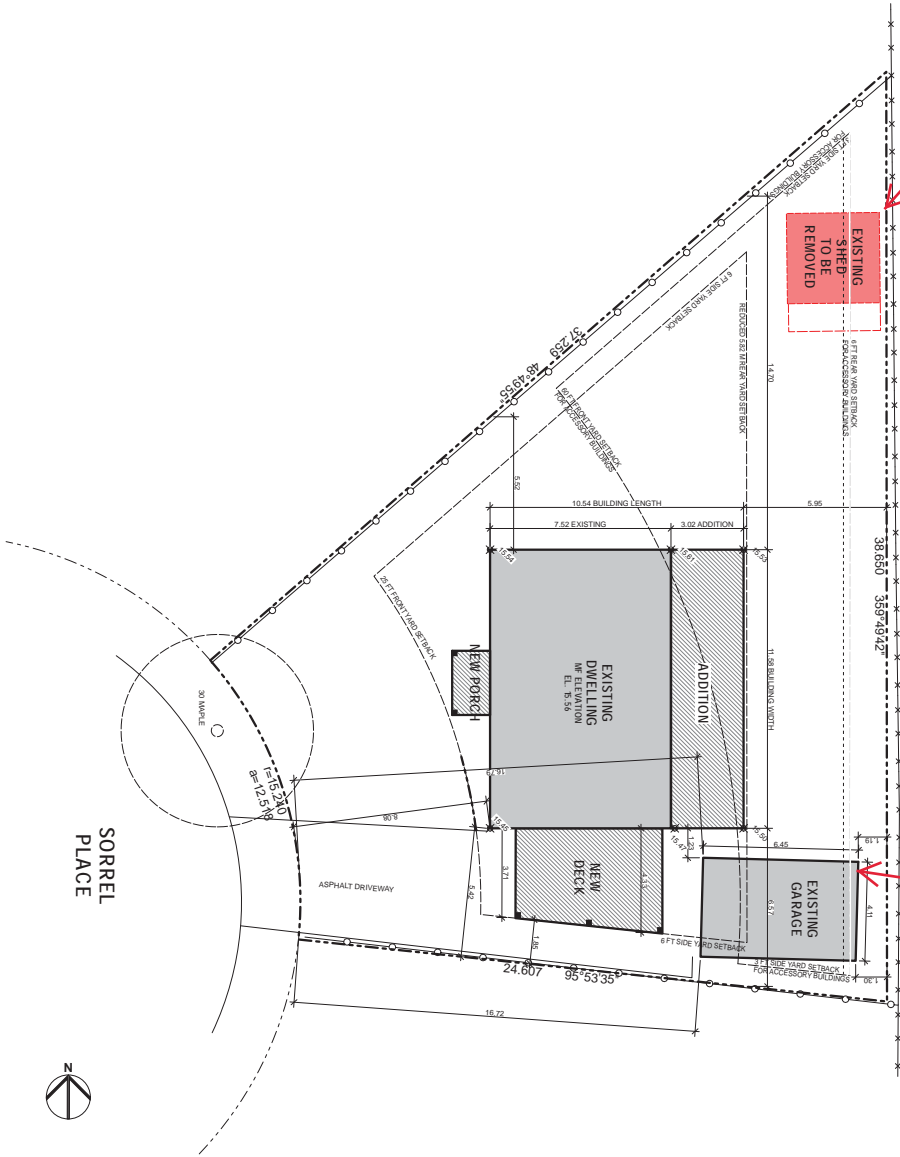
original signed by Ron Gill

Jean Lamontagne
General Manager
Planning and Development

CRL/da

APPENDIX I HAS BEEN
REMOVED AS IT CONTAINS
CONFIDENTIAL INFORMATION

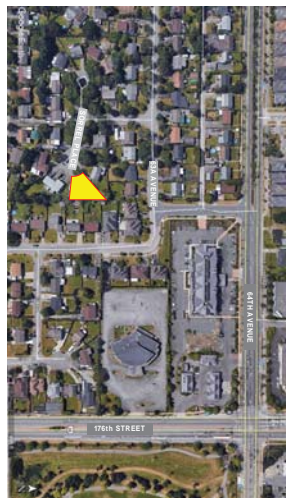
STEPHENS RENOVATION
6316 SORREL PLACE
SURREY, BC



Detached accessory building (storage shed) to be removed.

EXISTING SHED TO BE REMOVED

Detached accessory building (garage) to be retained.



SITE PLAN
1/8" = 1'-0"

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7916-0267-01

Issued To:

(the "Owner")

Address of Owner: 6316 - Sorrel Place
Surrey, BC V3S 5H7

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: 003-957-730
Lot 245 Section 7 Township 8 New Westminster District Plan 50042

6316 - Sorrel Place

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended, is varied as follows:
 - (a) In Section F Yards and Setbacks of Part 16 "Single Family Residential Zone (RF)" the minimum front yard setback for an accessory building (detached garage) is reduced from 18 metres (60 ft.) to 16.7 metres (55 ft.); and
 - (b) In Section F Yards and Setbacks of Part 16 "Single Family Residential Zone (RF)" the minimum rear yard setback for an accessory building (detached garage) is reduced from 1.8 metres (6 ft.) to 1.2 metres (4 ft.).
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 – Linda Hepner

City Clerk – Jane Sullivan

STEPHENS RENOVATION

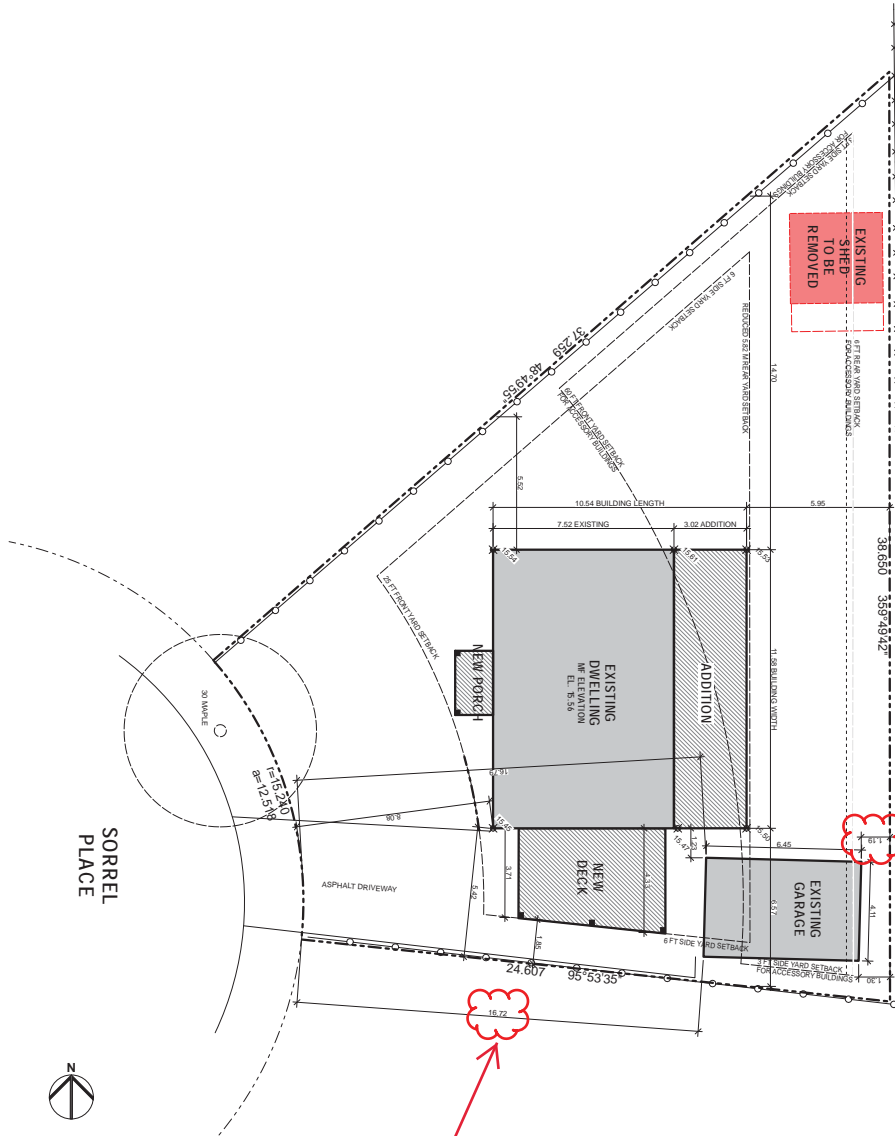
6316 SORREL PLACE
SURREY, BC

SITE PLAN

1/8" = 1'-0"

A1

2017-07-12



EXISTING SHED TO BE REMOVED

To reduce the minimum rear yard setback of the RF Zone for an accessory building (detached garage) from 1.8 metres (6 ft.) to 1.2 metres (4 ft.).

To reduce the minimum front yard setback of the RF Zone for an accessory building (detached garage) from 18 metres (60 ft.) to 16.7 metres (55 ft.).

