

RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is proposing a Development Variance Permit to reduce the minimum north side yard on flanking street setback for an accessory building over 10 square metres (108 sq.ft.) in size (barn) from 7.5 metres (25 ft.) to 0.6 metres (2 ft.); and
- To increase the maximum height of an accessory building (barn) from 4.0 metres (13 ft.) to 6.1 metres (20 ft.).

RATIONALE OF RECOMMENDATION

- The proposed variances to retain the existing barn have no impact on the future use of the City-owned road allowance north of the subject property.
- The Owner was unable to purchase a portion of the road allowance to the north, in an effort to consolidate lots and comply with the setback provisions of the RA zone.
- The proposed variances have no visual impact from 168th Street or from neighbouring residential properties.
- The existing barn complies with all other provisions of the RA zone.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7919-0144-00 (Appendix I), varying the following, to proceed to Public Notification:

- (a) to reduce the minimum north side yard on flanking street setback of an accessory building over 10 square metres (108 sq.ft.) in size in the One Acre Residential (RA) Zone from 7.5 metres (25 ft.) to 0.6 metres (2 ft.); and
- (b) to increase the maximum height of an accessory building in the One Acre Residential (RA) Zone from 4.0 metres (13 ft.) to 6.1 metres (20 ft.) to retain an existing barn.

REFERRALS

Engineering: No objection.

SITE CHARACTERISTICS

Existing Land Use: Single Family Residential

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North (Across City-owned road allowance):	Vacant	Suburban	I-P(2) (Zoning By-law 5942)
East:	Single Family Dwelling	Suburban	RA
South:	Single Family Dwelling	Suburban	RA
West (Across 168 Street):	Single Family Dwelling	Urban	RF

DEVELOPMENT CONSIDERATIONS

- The subject property is located at 10780 168th Street. The property is designated 'Suburban' in the Official Community Plan (OCP) and is zoned "One-Acre Residential zone" (RA).
- The applicant is proposing a Development Variance Permit to reduce the minimum north side yard on flanking street setback of an accessory building over 10 square metres (108 sq.ft.) in size from 7.5 metres (25 ft.) to 0.6 metres (2 ft.), and the maximum accessory building height from 4.0 metres (13 ft.) to 6.1 metres (20 ft.), in the "One-Acre Residential Zone (RA)" to retain an existing accessory structure (barn).

- The existing barn was constructed to replace a barn lost to fire, however, the Owner did not check zoning regulations nor secure necessary permits when rebuilding. Neighbours alerted the City during construction of the barn, and a stop work order was applied, although the building was largely finished at that time.
- The applicant is requesting relief from the RA zoning provisions to permit a reduced north side yard on flanking street setback and increased building height in order to maintain and obtain the necessary permits for the existing accessory building (barn).

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum north side yard on flanking street setback of an accessory building over 10 square metres (108 sq.ft.) in size from 7.5 metres (25 ft.) to 0.6 metres (2 ft.); and
- To increase the maximum accessory building height from 4.0 metres (13 ft.) to 6.1 metres (20 ft.).

Applicant's Reasons:

- The Owner was unable to purchase a portion of the City-owned road allowance north of the property, in effort to consolidate lots and comply with the setback provisions of the RA zone.
- The existing barn is not visible from 168th Street, or from neighbouring properties, due to grading and the mature trees on the property.
- Demolishing and rebuilding the accessory structure to comply with the setback and height provisions of the RA zone would be an economic hardship.

Staff Comments:

- The existing barn is located at the bottom of an approximate 7 metre (23 ft.) slope. Because of the grade change and mature trees on the property, the existing barn is hidden from both 168 Street, and from the neighbours to the south and the east. There are no immediate neighbours north of the property.
- Transportation staff have confirmed that there are no future plans to utilize the road allowance north of the property to extend 108 Ave to the east.
- The Realty Department was not supportive of the sale or lease of the northernly road allowance for lot consolidation.

- The existing barn does not encroach into the City-owned road allowance and has no impact for the road allowance's anticipated future use as a greenway.
- The existing barn complies with all other provisions of the RA zone.
- Staff support the requested variances.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Development Variance Permit No. 7919-0144-00

original signed by Ron Gill

Jean Lamontagne
General Manager
Planning and Development

SC/cm

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7919-0144-00

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: 006-149-049
Lot 36 Section 7 Township 9 New Westminster District Plan 46835

10780 - 168 Street

(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 12 "One Acre Residential Zone (RA)" the minimum north side yard on flanking street setback for an accessory building over 10 square metres (108 sq.ft) in size is reduced from 7.5 metres (25 ft.) to 0.6 metres (2 ft.); and
 - (b) In Section G. Height of Buildings of Part 12 "One Acre Residential Zone (RA)" for accessory buildings, the maximum height is increased from 4 metres (13 ft.) to 6.1 metres (20 ft.)
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. 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, THE DAY OF , 20 .
ISSUED THIS DAY OF , 20 .

Mayor – Doug McCallum

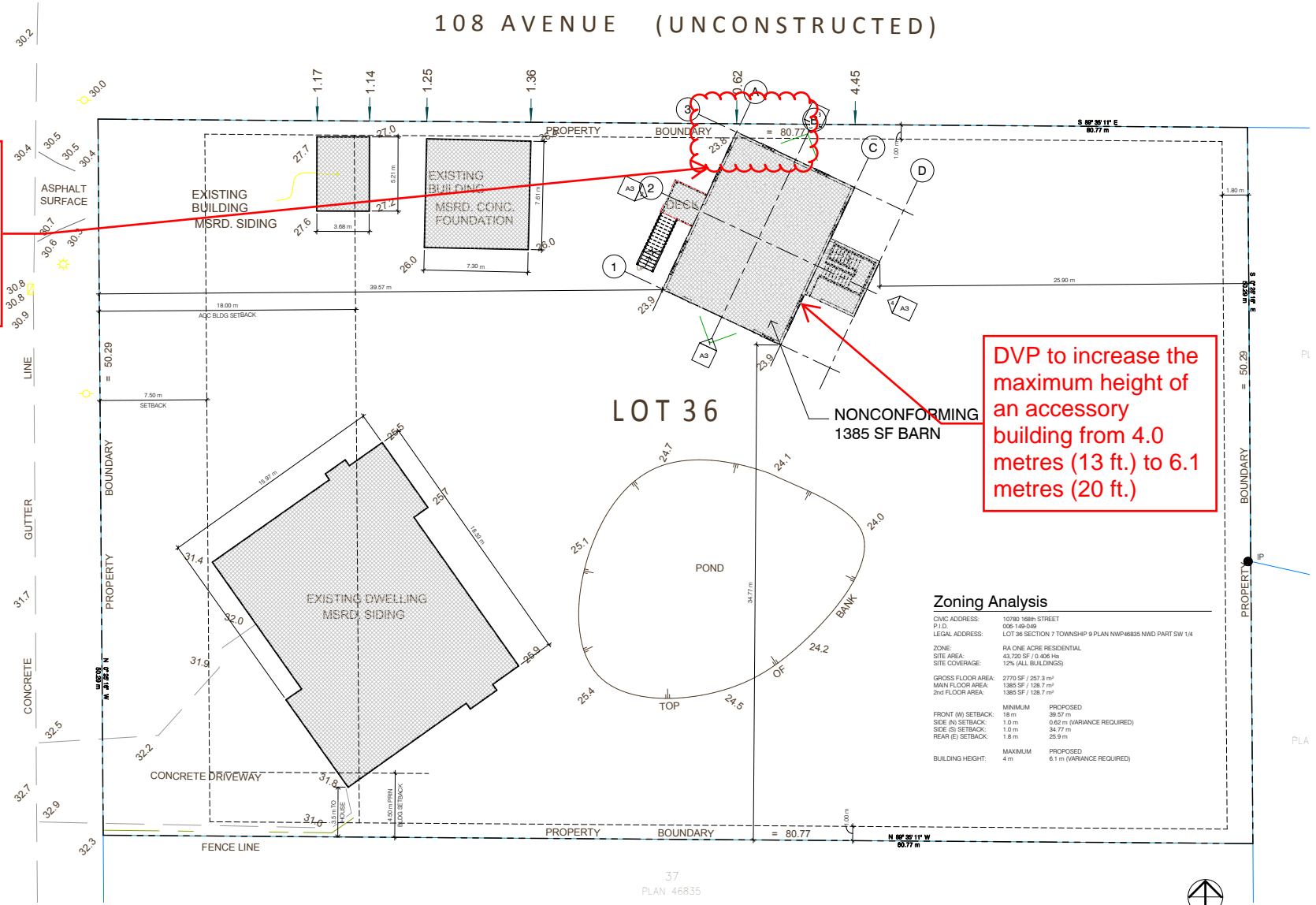
City Clerk – Jennifer Ficocelli

108 AVENUE (UNCONSTRUCTED)

DVP to reduce the minimum north side yard on Flanking street setback from 7.5 metres (25 ft.) to 0.6 metres (2 ft.)

DVP to increase the maximum height of an accessory building from 4.0 metres (13 ft.) to 6.1 metres (20 ft.)

108 SURREY



Zoning Analysis

CIVIC ADDRESS: 10780 168th STREET
 P.I.D: 035-149-049
 LEGAL ADDRESS: LOT 38 SECTION 7 TOWNSHIP 9 PLAN NWP46835 NWD PART SW 1/4

ZONE: RA ONE ACRE RESIDENTIAL
 SITE AREA: 43,720 SF / 0.406 Ha
 SITE COVERAGE: 12% (ALL BUILDINGS)

GROSS FLOOR AREA: 2770 SF / 257.3 m²
 MAIN FLOOR AREA: 1385 SF / 128.7 m²
 2nd FLOOR AREA: 1385 SF / 128.7 m²

	MINIMUM	PROPOSED
FRONT (H) SETBACK:	18.0 m	39.37 m
SIDE (N) SETBACK:	1.0 m	0.62 m (VARIANCE REQUIRED)
SIDE (S) SETBACK:	1.0 m	34.77 m
REAR (E) SETBACK:	1.8 m	25.3 m
BUILDING HEIGHT:	MAXIMUM 4 m	PROPOSED 6.1 m (VARIANCE REQUIRED)

1 | Site
3/32" = 1'-0"

37
PLAN 46835

