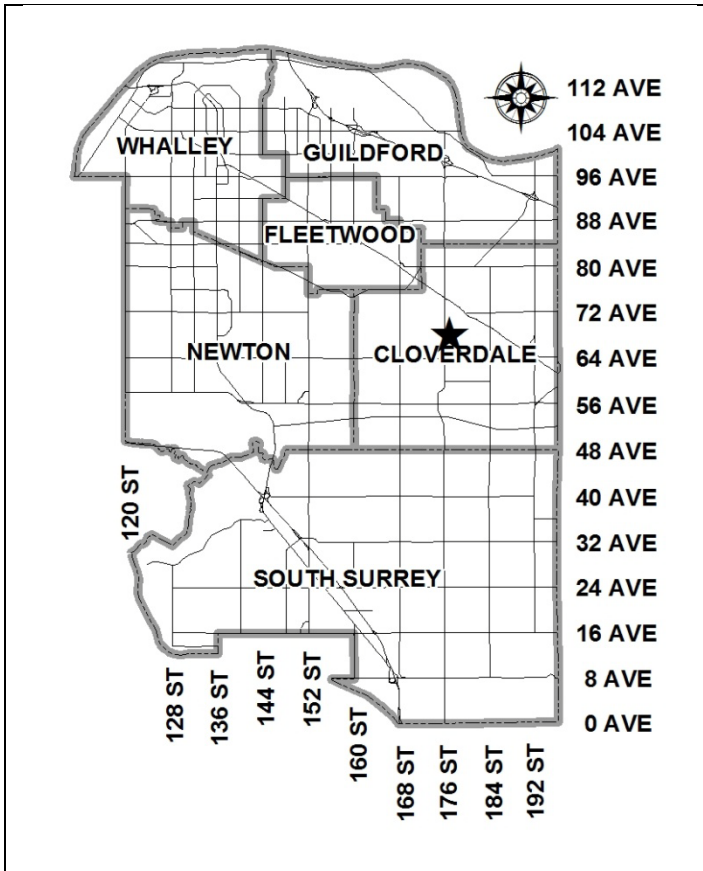


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7911-0278-00

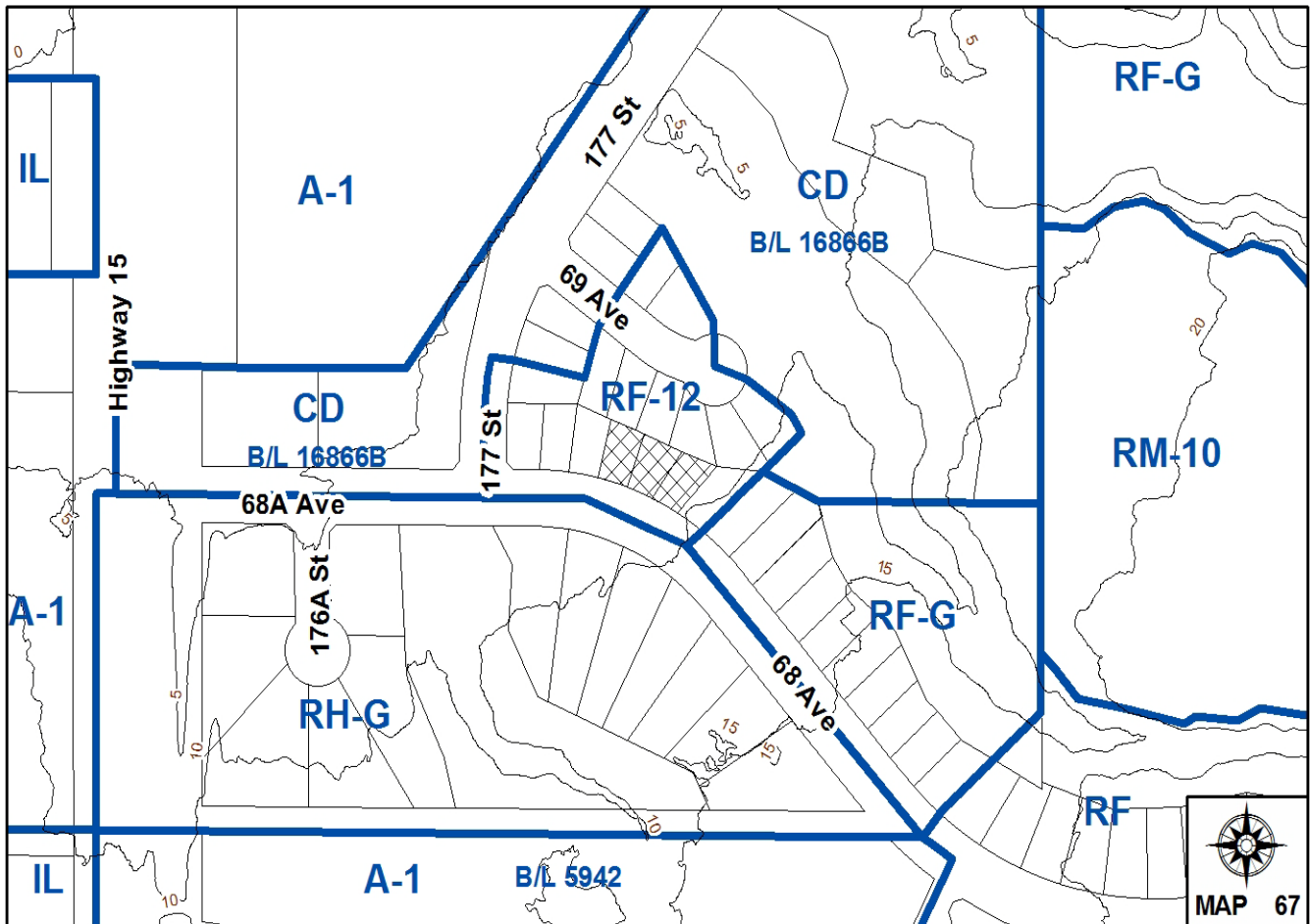
Planning Report Date: December 12, 2011



PROPOSAL:

- **Development Variance Permit**
 in order to vary setbacks for houses on three small single family lots.

LOCATION: 17729, 17733 and 17737 - 68 Avenue
OWNER: Vesta Properties Ltd, Inc. No. 592940
ZONING: RF-12
OCP DESIGNATION: Urban
NCP DESIGNATION: Small Lots



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking variances to front and rear yard setbacks

RATIONALE OF RECOMMENDATION

- The requested setback variances would allow additional floor space behind the garages, and therefore a more functional floor plan for the main floor of each of the proposed houses.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7911-0278-00 (Appendix III) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum rear yard setback of the RF-12 Zone from 7.5 metres (25 ft.) to 6.0 metres (20 ft.) for Lot 17;
 - (b) to reduce the minimum rear yard setback of the RF-12 Zone from 7.5 metres (25 ft.) to 6.0 metres (20 ft.), and to further reduce to 5.5 metres (18 ft.) for 50% of the rear building face for Lot 18;
 - (c) to reduce the minimum rear yard setback of the RF-12 Zone from 7.5 metres (25 ft.) to 5.5 metres (18 ft.) for Lot 19; and
 - (d) to reduce the minimum front yard setback of the RF-12 Zone from 6.0 metres (20 ft.) to 5.5 metres (18 ft.) for Lots 17, 18, and 19.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Vacant small single family lots

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North, East and West:	Single family dwellings on small lots (Development Application No. 7904-0201-00)	Small Lots	RF-12
South (Across 68 Avenue):	Single family dwellings (Development Application No. 7902-0358-00)	Half-Acre Cluster	RH-G

DEVELOPMENT CONSIDERATIONSBackground

- The subject site comprises 3 RF-12 lots in the North Cloverdale West Neighbourhood Concept Plan (NCP) area, located on 68 Avenue just to the east of 177 Street.

- The immediate surrounding area is currently under development with new single family houses. The subject lots do not contain any existing houses. The lots were created as part of a 15-unit townhouse and 24-lot subdivision development in 2010 (approved under Development Application No. 7904-0201-00).

Current Proposal

- The applicant is requesting a Development Variance Permit to reduce the rear yard setbacks of the RF-12 Zone, as follows:
 - from 7.5 metres (25 ft.) to 6.0 metres (20 ft.) for the full length of the rear building face for Lot 17;
 - from 7.5 metres (25 ft.) to 6.0 metres (20 ft.), and to 5.5 metres (18 ft.) for 50% of the rear building face for Lot 18; and
 - from 7.5 metres (25 ft.) to 5.5 metres (18 ft.) for the full length of the rear building face for Lot 19.
- The applicant is also requesting a Development Variance Permit to reduce the front yard setbacks of the RF-12 Zone from 6.0 metres (20 ft.) to 5.5 metres (18 ft.) for the garage for Lots 17, 18 and 19.
- The applicant feels that the shallow lot depth and irregular lot shape for each of the 3 subject lots limit their ability to achieve a functional house floor plan.
- According to the preliminary house plans submitted by the applicant, the basements will be almost fully in-ground, with the rear stairwell to the basement occupying approximately 50% or less of the rear building face. The preliminary house plans show the main floor elevation slightly above ground, with a permitted maximum of three risers entering into the rear setback area.
- The preliminary house plans also show rear stairwells that extend into the rear yard. The dimensions of the rear stairwell are approximately 1.2 metres wide by 4.9 metres long (4.16 ft. by 16.08 ft.) for a total rear stairwell area of 6.19 square metres (66.67 sq.ft.).
- Additional details about the requested variances are in the By-law Variance section below.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variances:

- To relax the setback provisions of the RF-12 Zone, as follows:
 - Reduce the rear yard setbacks for the entire rear building face from 7.5m (25 ft.) to 6.0 (20 ft.) for Lot 17;
 - Reduce the rear yard setback from 7.5 metres (25 ft.) to 6.0 metres (20 ft.), and to further reduce to 5.5 metres (18 ft.) for 50% of the rear building face for Lot 18;

- Reduce the rear yard setbacks for the entire rear building face from 7.5m (25 ft.) to 5.5 (18 ft.) for Lot 19; and
- Reduce the front yard setback from 6.0m (20 ft.) to 5.5m (18 ft.) for the garage for Lots 17, 18 and 19.

Applicant's Reasons:

- The existing lots are of irregular shape, and while they meet the minimum lot depth of 22 metres (72 ft.) for the RF-12 Zone (Type II) lots, the achievable floor plan for these lots do not function from a “lifestyle” perspective, as shown in Appendix II.
- The RF-12 Zone allows a rear yard setback of 6 metres (20 ft.) for 50% of the rear building face. The best place to make use of this setback provision is behind the garage; otherwise the room behind the garage would have no functionality.
- Conforming to the required 7.5-metre (25 ft.) rear yard setback for the other 50% of the building face, creates a constriction point in the form of a hallway between two parts of the main floor that should be open to one another so as not to divide the main living area into two non-integrated areas.
- There is a substantial discrepancy between the maximum permitted floor area and the floor area which can be achieved on these lots, as shown in the table below:

	Lot Size	Permitted Maximum House Size based on 0.70 FAR	Achievable Floor Area (no DVPs)	Achievable Floor Area (with DVPs)
Lot 17	320.2 sq.m. (3,446 sq.ft.)	224.14 sq.m. (2,412.62 sq.ft)	203.96 sq.m. (2,195.36 sq.ft)	224.13 sq.m. (2,412.56 sq.ft)
Lot 18	321.7 sq.m. (3,462 sq.ft.)	225.19 sq.m. (2,423.92 sq.ft)	186.46 sq.m. (2,007.04 sq.ft)	213.38 sq.m. (2,296.77 sq.ft)
Lot 19	321.1 sq.m. (3,456 sq.ft.)	224.77 sq.m. (2,419.40 sq.ft)	181.62 sq.m. (1,954.92 sq.ft)	207.88 sq.m. (2,237.60 sq.ft)

- The variances are requested in order to achieve functional main floor spaces for the proposed dwellings on these lots.

Staff Comments:

- The RF-12 Zone requires a 7.5-metre (25 ft.) rear yard setback, with a permitted reduction to 6.0 metres (20 ft.) for 50% of the width of the rear of the building, for Type II lots.
- The rear yard area that is provided for a “typical”, rectangular-shaped, 13.4-metre (44 ft.) wide RF-12 Type II lot is 90.46 square metres (973 sq.ft.). With the proposed rear yard setback relaxations, the resulting rear yard areas range in size from 93.02 to 101.26 square metres (1,001 to 1,089 sq.ft.), which is larger than the “typical” RF-12 Type II rear yard area. An illustration prepared by the applicant can be seen in Appendix II.

- The preliminary house plans prepared by the applicant show basement stairwells at the rear of the building that encored into the rear yard space. The preliminary dimensions of the rear stairwells are approximately 1.2 metres wide by 4.9 metres long (4.16 ft. by 16.08 ft.) for a total rear stairwell area of 6.19 square metres (66.67 sq.ft.).
- The basement stairwells will generally be in accordance with the drawings shown in Schedule A of the Development Variance Permit (Appendix III).
- The RF-12 Zone requires a 6.0-metre (20 ft.) front yard setback, with a permitted reduction to 4.0 metres (13 ft.) for 50% of the width of the front of the building, provided that the garage is setback a minimum of 6.0 metres (20 ft.) from the front property line.
- The applicant is requesting a front yard relaxation to 5.5 metres (18 ft.) for the garage and driveway for proposed Lots 17, 18 and 19. The remainder of the proposed dwelling will conform to the front yard setback provisions of the RF-12 Zone.
- In the Zoning By-law, the minimum length of a parking stall is 5.5 metres (18 ft). The applicant is proposing a front yard relaxation to 5.5 metres (18 ft) for the double garage. The resulting driveway length is sufficient to park a vehicle in front of the garage.
- Furthermore, the sidewalk along 68A Avenue is located an additional 1.2 metres (4 ft.) from the property line. This allows some additional space for longer vehicles to park without encroaching into the sidewalk area.
- Staff support the requested variances.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

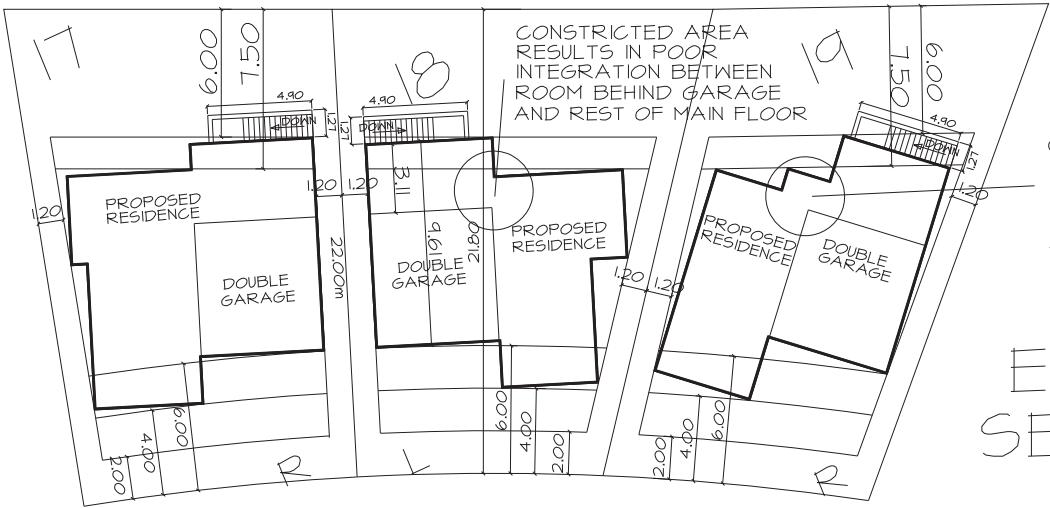
Appendix I.	Lot Owners and Action Summary
Appendix II.	Comparison of achievable floor plans
Appendix III.	Development Variance Permit No. 7911-0278-00

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

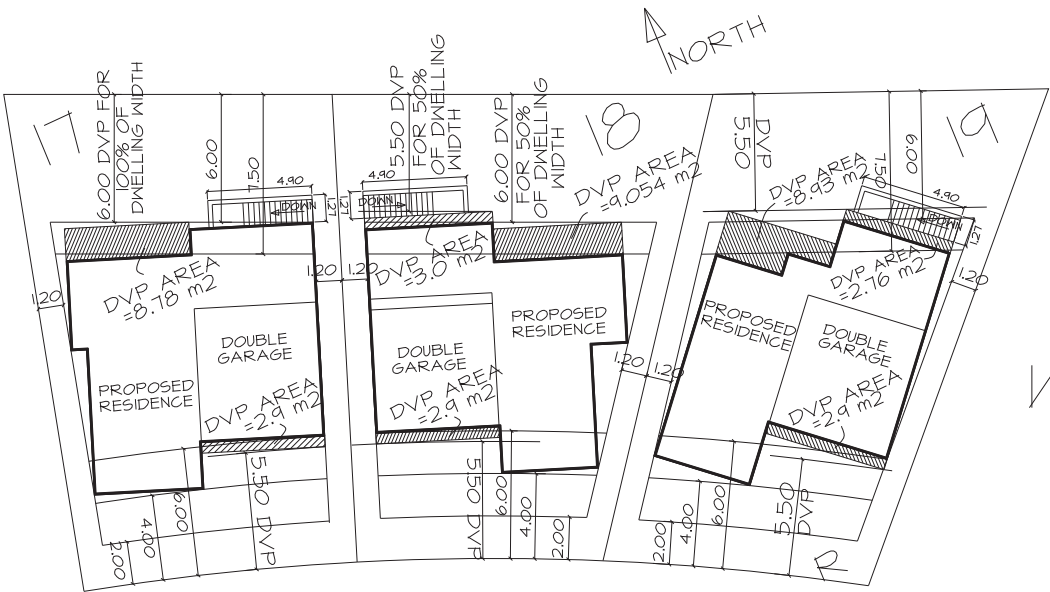
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CONSTRICTED AREA RESULTS IN POOR INTEGRATION BETWEEN ROOM BEHIND GARAGE AND REST OF MAIN FLOOR

EXISTING SETBACKS



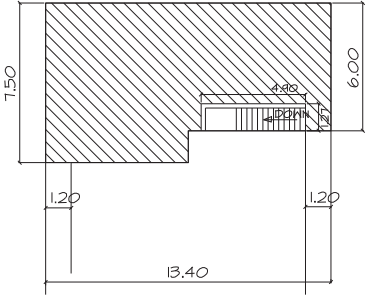
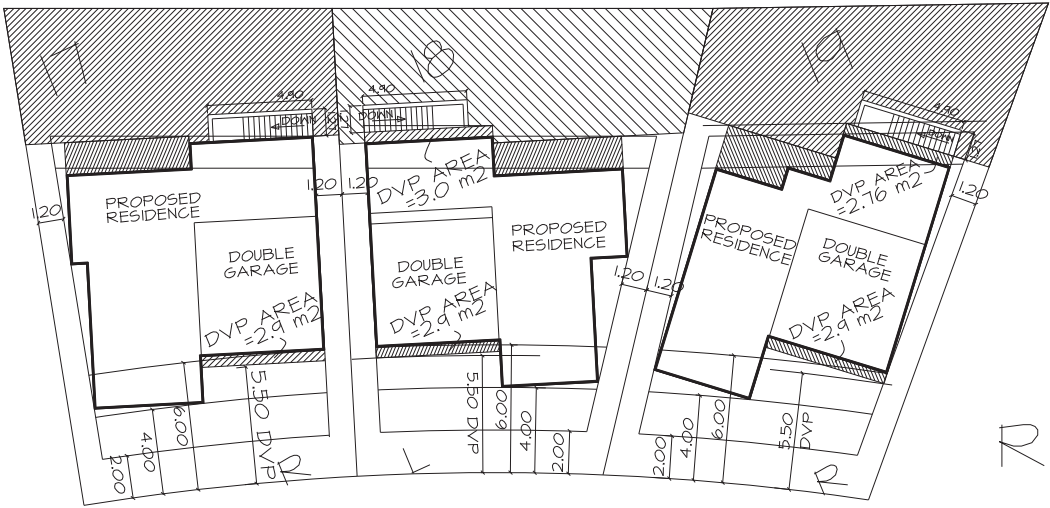
WITH DVP

REAR YARD AREA = 93.02 m²

REAR YARD AREA = 101.26 m²

REAR YARD AREA = 96.21 m²

REAR YARD AREA = 90.46 m²



YARD AREA FOR A "TYPICAL" 13.4 m WIDE RF-12 ZONE LOT

REAR YARD AREA

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7911-0278-00

Issued To: VESTA PROPERTIES LTD, INC. NO. 592940
("the Owner")

Address of Owner: 101A - 9770 - 196A Street
Surrey, BC
V1M 2X5

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: 028-281-888
Lot 17 Section 17 Township 8 New Westminster District Plan BCP45446

17729 - 68 Avenue

Parcel Identifier: 028-281-896
Lot 18 Section 17 Township 8 New Westminster District Plan BCP45446

17733 - 68 Avenue

Parcel Identifier: 028-281-900
Lot 19 Section 17 Township 8 New Westminster District Plan BCP45446

17737 - 68 Avenue

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F of Part 17A Single Family Residential (12) Zone (RF-12), the minimum rear yard setback is reduced from 7.5 metres (25 ft.) to 6.0 metres (20 ft.) for Lot 17;
 - (b) In Section F of Part 17A Single Family Residential (12) Zone (RF-12), the minimum rear yard setback is reduced from 7.5 metres (25 ft.) to 6.0 metres (20 ft.), and is further reduced to 5.5 metres for 50% of the rear building face for Lot 18;

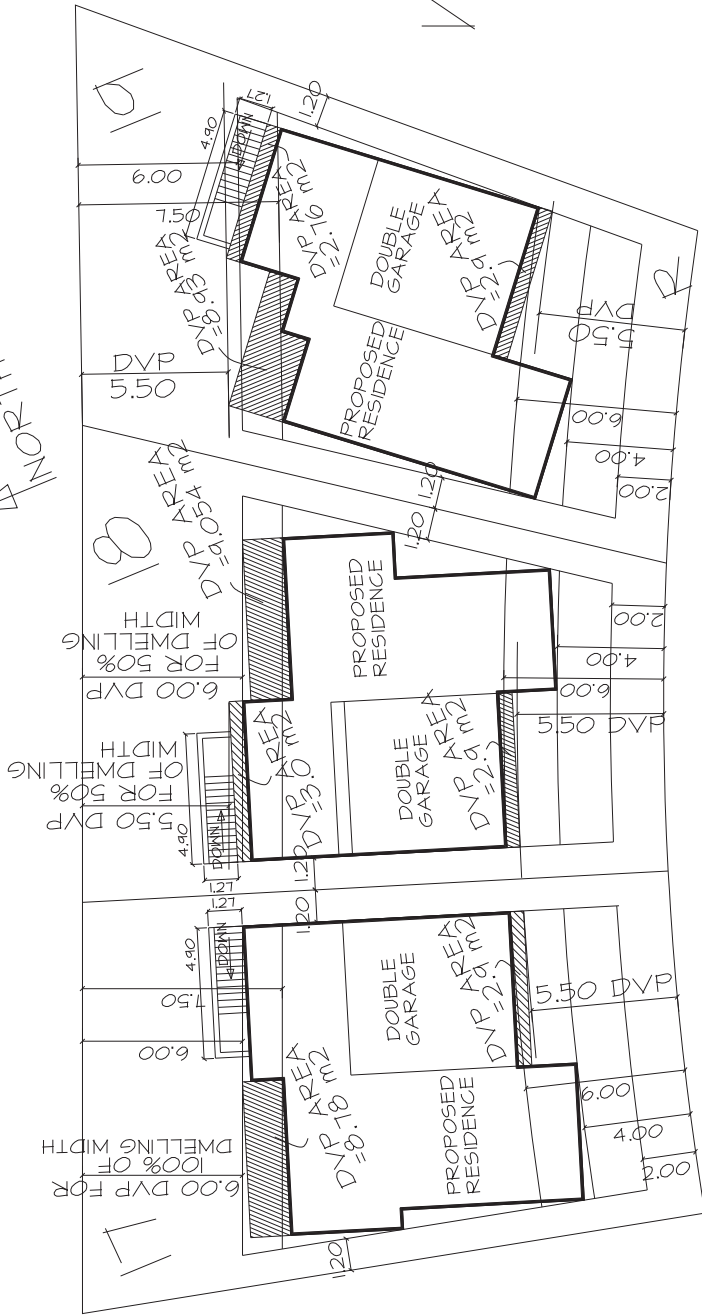
- (c) In Section F of Part 17A Single Family Residential (12) Zone (RF-12), the minimum rear yard setback is reduced from 7.5 metres (25 ft.) to 5.5 metres (18 ft.) for Lot 19; and
 - (d) In Section F of Part 17A Single Family Residential (12) Zone (RF-12), the minimum front yard setback is reduced from 6.0 metres (20 ft.) to 5.5 metres (18 ft.) for the garage for Lots 17, 18, and 19.
6. This development variance permit applies to only the 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.
 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 – Dianne L. Watts

City Clerk – Jane Sullivan

WITH DVP

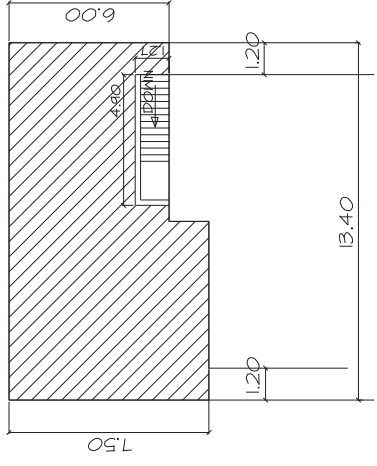
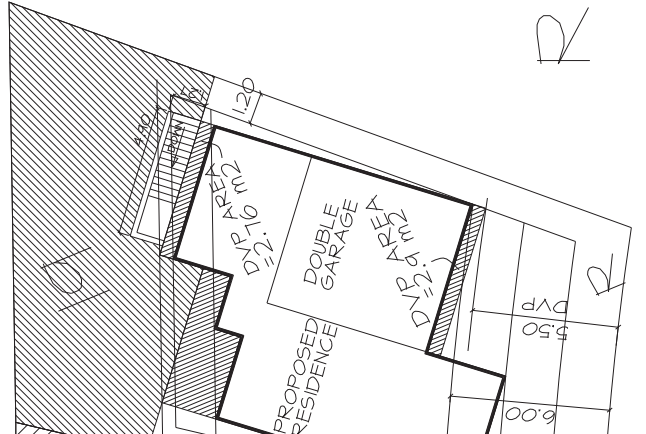
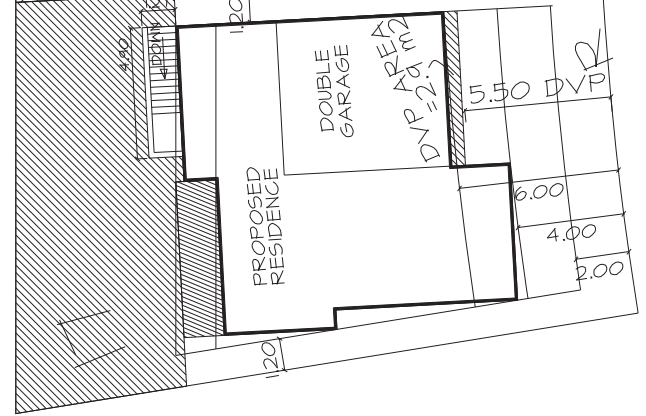


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YARD AREA FOR A "TYPICAL" 13.4 m WIDE RF-12 ZONE LOT

REAR YARD AREA