

# City of Surrey PLANNING & DEVELOPMENT REPORT File: 7912-0084-00

Planning Report Date: May 7, 2012

#### PROPOSAL:

# • Development Variance Permit

in order to vary setbacks for houses on sixteen (16) small single family lots.

LOCATION: 14739 and 14731 - 61A Avenue; 6159,

6151, 6129, 6119, 6122 and 6126 - 147A Street; 6137, 6131, 6127, 6121, 6116, 6120, 6128, and 6136 - 147B Street

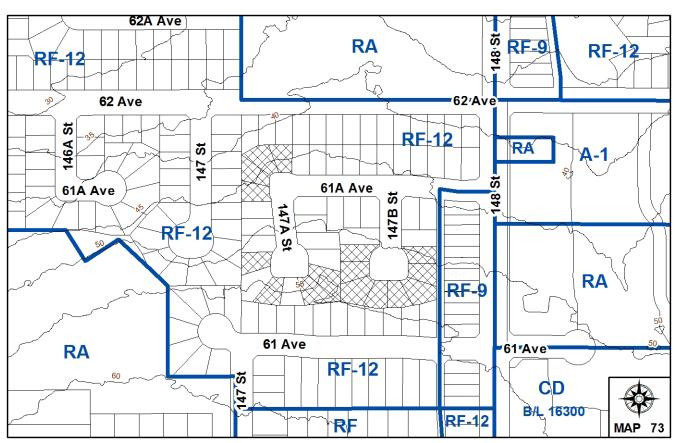
OWNERS: Marathon Homes Surrey Ltd.,

0851815 BC Ltd and 0853900 BC Ltd

ZONING: RF-12
OCP DESIGNATION: Urban

NCP DESIGNATION: Single Family Residential Flex 6-

14.5



# **RECOMMENDATION SUMMARY**

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

# **DEVIATION FROM PLANS, POLICIES OR REGULATIONS**

• The applicant is seeking variances to front and rear yard setbacks.

# **RATIONALE OF RECOMMENDATION**

- The requested setback variances would allow additional floor space, and therefore a more functional floor plan for the main floor of each of the proposed houses.
- Design guidelines will be registered on the title of the lots to reduce the potential impact of the relaxed rear yard setback.
- Landscaping treatments will be provided along the rear of the lots to reduce the potential impact of the relaxed rear yard setback.
- Staff support the requested variances to proceed to Public Notification.

## RECOMMENDATION

The Planning & Development Department recommends that:

- 1. Council approve Development Variance Permit No. 7912-0084-00 (Appendix II) varying the following, to proceed to Public Notification:
  - 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 Lots 26, 27, 28, 29, 35, 50, and 51;
  - (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.) for Lots 33, 38, 47, 48, 49, 52, and 54;
  - (c) to reduce the minimum rear yard setback of the RF-12 Zone from 7.5 m (25 ft.) to 5.50 m (18 ft.) for 50% of building width and 6.0 m (20 ft.) for the remaining length of the rear building face for Lots 37 and 53; 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 28, 29, 35, 37, 47, and 52.
- 2. Council instruct staff to resolve the following issues prior to Final Approval:
  - (a) submission of finalized landscaping treatments, including fencing and/or trellises (to be determined in consultation with adjacent residents), to the satisfaction of the City Landscape Architect;
  - (b) submission of Securities for Landscape Works; and
  - (c) registration of a Section 219 Restrictive Covenant for Design Control.

#### **REFERRALS**

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

#### **SITE CHARACTERISTICS**

<u>Existing Land Use:</u> Vacant small single family lots.

### Adjacent Area:

Direction	Existing Use	NCP Designation	<b>Existing Zone</b>
North, South, East and	Mix of single family dwellings	Single Family	RF-12
West:	on small lots and vacant small	Residential Flex 6-	
	lots (Development Application	14.5	
	Nos. 7902-0269-00 and 7903-		
	0470-00).		

#### **DEVELOPMENT CONSIDERATIONS**

# **Background**

- The subject site comprises sixteen (16) RF-12 lots in the South Newton Neighbourhood Concept Plan (NCP) area, located on the cul-de-sac bulbs at 61A Avenue, 147A Street, and 147B Street.
- The immediate surrounding area has been developed with new single family houses on most of the lots. The subject lots do not contain any existing houses. The lots were created as part of an 80-lot subdivision in 2007 (approved under Development Application No. 7903-0470-00) and a 36-lot subdivision in 2007 (approved under Development Application No. 7902-0269-00).

## BY-LAW VARIANCES AND JUSTIFICATION

- (a) The applicant is requesting the following variances:
  - To relax the setback provisions of the RF-12 Zone, as follows:
    - o Reduce the rear yard setbacks for the entire rear building face from 7.5 metres (25 ft.) to 5.5 metres (18 ft.) for Lots 26, 27, 28, 29, 35, 50, and 51;
    - o Reduce the minimum rear yard setback for the entire rear building face from 7.5 metres (25 ft.) to 6.0 metres (20 ft.) for Lots 33, 38, 47, 48, 49, 52, and 54;
    - Reduce the minimum rear yard setback from 7.5 m (25 ft.) to 5.50 m (18 ft.) for 50% of building width and 6.0 m (20 ft.) for the remaining length of the rear building face for Lots 37 and 53; and
    - o 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 28, 29, 35, 37, 47, and 52.

#### Applicant's Reasons:

• The existing lots are of irregular shape and are located on the cul-de-sac bulbs at 61A Avenue, 147A Street, and 147B Street. While they meet the minimum lot depth of 22 metres (72 ft.) for the RF-12 Zone (Type II) lots, 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	Achievable Floor	Achievable Floor
		House Size based on 0.70 FAR	Area (no DVPs)	Area (with DVPs)
Lot 26	326.10 sq.m.	228.27 sq.m.	189.85 sq.m.	222.02 sq.m.
20120	(3,510.11 sq.ft.)	(2,457.08 sq.ft)	(2,043.57 sq.ft)	(2,389.80 sq.ft)
Lot 27	369.20 sq.m.	258.44 sq.m.	198.67 sq.m.	230.77 sq.m.
	(3,974.04 sq.ft.)	(2781.82 sq.ft)	(2,138.51 sq.ft)	(2,483.96 sq.ft)
Lot 28	329.50 sq.m.	230.65 sq.m.	166.49 sq.m.	206.32 sq.m.
	(3,549.71 sq.ft.)	(2,482.69 sq.ft)	(1,792.08 sq.ft)	(2,220.85 sq.ft)
Lot 29	320.10 sq.m.	224.07 sq.m.	187.10 sq.m.	222.16 sq.m.
	(3,445.53 sq.ft.)	(2,411.87 sq.ft)	(2,013.93 sq.ft)	(2,391.35 sq.ft)
Lot 33	349.70 sq.m.	244.79 sq.m.	223.46 sq.m.	239.28 sq.m.
	(3,764.14 sq.ft.)	(2,634.90 sq.ft)	(2,405.30 sq.ft)	(2,575.54 sq.ft)
Lot 35	341.80 sq.m.	239.26 sq.m.	182.96 sq.m.	222.29 sq.m.
	(3,679.10 sq.ft.)	(2,575.37 sq.ft)	(1,969.36 sq.ft.)	(2,392.71 sq.ft)
Lot 37	422.20 sq.m.	260 sq.m.	206.72 sq.m.	244.96 sq.m.
	(4,544.52 sq.ft.)	(2,798.61 sq.ft.)	(2,225.11 sq.ft.)	(2,636.72sq.ft.)
Lot 38	423.50 sq.m.	260 sq.m.	245.42 sq.m.	260 sq.m.
	(4,558.52 sq.ft.)	(2,798.61 sq.ft.)	(2,641.68 sq.ft.)	(2,798.61 sq.ft.)
Lot 47	348.60 sq.m.	244.02 sq.m.	223.10 sq.m.	243.69 sq.m.
	(3,752.30 sq.ft.)	(2,626.61 sq.ft.)	(2,401.43 sq.ft.)	(2,623.08 sq.ft.)
Lot 48	333.10 sq.m.	233.17 sq.m.	204.56 sq.m.	220.27 sq.m.
	(3,585.46 sq.ft.)	(2,509.82 sq.ft.)	(2,201.86 sq.ft.)	(2,371.01 sq.ft.)
Lot 49	441.80 sq.m.	260 sq.m.	242.90 sq.m.	260 sq.m.
	(4,755.50 sq.ft.)	(2,798.61 sq.ft.)	(2,614.55 sq.ft.)	(2,798.61 sq.ft.)
Lot 50	323.80 sq.m.	226.66 sq.m.	183.68 sq.m.	215.65 sq.m.
	(3,485.35 sq.ft.)	(2,439.75 sq.ft.)	(1,977.11 sq.ft.)	(2,321.21 sq.ft.)
Lot 51	325.80 sq.m.	228.06 sq.m.	184.22 sq.m.	217.18 sq.m.
	(3,506.88 sq.ft.)	(2,454.82 sq.ft)	(1,982.93 sq.ft.)	(2,337.68 sq.ft)
Lot 52	416.80 sq.m.	260 sq.m.	215.54 sq.m.	246 sq.m.
	(4,486.40 sq.ft.)	(2,798.61 sq.ft)	(2,320.05 sq.ft.)	(2,647.88 sq.ft)
Lot 53	329.20 sq.m.	230.44 sq.m.	195.74 sq.m.	216.69 sq.m.
	(3,543.48 sq.ft.)	(2480.43 sq.ft)	(2,106.93 sq.ft.)	(2,332.45 sq.ft)
Lot 54	328.40 sq.m.	229.88 sq.m.	209.42 sq.m.	224.34 sq.m.
	(3,534.87 sq.ft.)	(2,474.41 sq.ft)	(2,254.18 sq.ft)	(2,414.79 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 applicant is requesting a rear yard relaxation to:
  - 5.5 metres (18 ft.) for the entire rear building face for Lots 26, 27, 28, 29, 35, 50, and 51;
  - 6.0 metres (20 ft.) for the entire rear building face for Lots 33, 38, 47, 48, 49, 52, and 54; and
  - 5.50 m (18 ft.) for 50% of building width and 6.0 m (20 ft.) for the remaining length of the rear building face for Lots 37 and 53.
- In order to reduce any potential impact as a result of the setback variance, a Design Control Restrictive Covenant will be registered on each lot to ensure that the massing of the rear façades of the new homes will be sensitive to the neighbours on adjacent lots, as illustrated in Appendix III. The Design Control RC will ensure that on the rear façade:
  - The upper floor is set back from the lower floor by no less than 0.6 metres, for not less than 50% of the width of the rear façade. The roof structure over the projection will be of a common hip form, or will be of a common gable roof form articulated with wood wall shingles in the gable end, and with layered fascia at the gable end consisting of 1x4 trim over a 2 x 10 fascia (barge) board.
  - o The roof structure located between the main floor and the upper floor shall be of a minimum 10:12 slope and will have a minimum 20 inch roof overhang. This roof structure will provide rear façade articulation, and will increase the setback of the massing of the second story on the rear façade.
  - O A roof skirt at a minimum 10:12 slope will be situated at the intersection of the main floor and upper floor in all areas where the upper floor is not offset from the lower floor. This roof structure will have a minimum 20 inch roof overhang.
- The applicant is requesting a front yard relaxation to 5.5 metres (18 ft.) for the garage and driveway for Lots 28, 29, 35, 37, 47, and 52. The remainder of the proposed dwelling will conform to the front yard setback provisions of the RF-12 Zone. The resulting driveway length is still sufficient to park a vehicle in front of the garage.
- Fencing and/or trellises will be installed along the rear of each lot in order to buffer
  against the potential impact of the relaxed rear yard setback. The type of treatment
  installed will be determined by the developer in consultation with adjacent residents.
- Staff support the requested variances to proceed 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 and Survey Plan

Appendix II. Design Control on rear façades

Appendix III. Development Variance Permit No. 7912-0084-00

original signed by Nicholas Lai

Jean Lamontagne General Manager Planning and Development

# TH/kms

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# Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

ı. (a) Agent: Name: Mike Tynan

Tynan Consulting Ltd.

Address: 13659 - 108 Avenue

Surrey BC V<sub>3</sub>T <sub>2</sub>K<sub>4</sub>

Tel: 604-921-6912

2. Properties involved in the Application

(a) Civic Addresses: 14739 and 14731 - 61A Avenue; 6159, 6151, 6129, 6119, 6122

and 6126 - 147A Street; 6137, 6131, 6127, 6121, 6116, 6120,

6128, and 6136 - 147B Street

(b) Civic Address: 14739 - 61A Avenue

Owner: Marathon Homes Surrey Ltd., Inc. No. BCo829895

PID: 027-179-877

Lot 26 Section 10 Township 2 New Westminster District Plan BCP31794

(c) Civic Address: 14731 - 61A Avenue

Owner: Marathon Homes Surrey Ltd., Inc. No. BCo829895

PID: 027-179-885

Lot 27 Section 10 Township 2 New Westminster District Plan BCP31794

(d) Civic Address: 6159 - 147A Street

Owner: Marathon Homes Surrey Ltd., Inc. No. BCo829895

PID: 027-179-893

Lot 28 Section 10 Township 2 New Westminster District Plan BCP31794

(e) Civic Address: 6151 - 147A Street

Owner: Marathon Homes Surrey Ltd., Inc. No. BCo829895

PID: 027-179-907

Lot 29 Section 10 Township 2 New Westminster District Plan BCP31794

(f) Civic Address: 6129 - 147A Street

Owner: 0851815 BC Ltd., Inc. No. 951815

**Director Information:** 

Jaspreet Gill

No Officer Information Filed as at May 12, 2011

PID: 027-180-336

Lot 33 Section 10 Township 2 New Westminster District Plan BCP31794

(g) Civic Address: 6119 - 147A Street

Owner: 0851815 BC Ltd., Inc. No. 951815

**Director Information:** 

Jaspreet Gill

No Officer Information Filed as at May 12, 2011

PID: 027-180-352

Lot 35 Section 10 Township 2 New Westminster District Plan BCP31794

(h) Civic Address: 6122 - 147A Street

Owner: 0851815 BC Ltd., Inc. No. 951815

**Director Information:** 

Jaspreet Gill

No Officer Information Filed as at May 12, 2011

PID: 027-180-379

Lot 37 Section 10 Township 2 New Westminster District Plan BCP31794

(i) Civic Address: 6126 - 147A Street

Owner: 0851815 BC Ltd., Inc. No. 951815

**Director Information:** 

Jaspreet Gill

No Officer Information Filed as at May 12, 2011

PID: 027-180-387

Lot 38 Section 10 Township 2 New Westminster District Plan BCP31794

(j) Civic Address: 6137 - 147B Street

Owner: 0853900 B.C. Ltd., Inc. No. 0853900

<u>Director Information:</u> Shawn Crawford

Officer Information as at June 8, 2011 Shawn Crawford (President, Secretary)

PID: 027-180-476

Lot 47 Section 10 Township 2 New Westminster District Plan BCP31794

(k) Civic Address: 6131 - 147B Street

Owner: 0853900 B.C. Ltd., Inc. No. 0853900

<u>Director Information:</u> Shawn Crawford

Officer Information as at June 8, 2011 Shawn Crawford (President, Secretary)

PID: 027-180-484

Lot 48 Section 10 Township 2 New Westminster District Plan BCP31794

(l) Civic Address: 6127 - 147B Street

Owner: 0853900 B.C. Ltd., Inc. No. 0853900

<u>Director Information:</u> Shawn Crawford

Officer Information as at June 8, 2011 Shawn Crawford (President, Secretary)

PID: 027-180-492

Lot 49 Section 10 Township 2 New Westminster District Plan BCP31794

(m) Civic Address: 6121 - 147B Street

Owner: 0853900 B.C. Ltd., Inc. No. 0853900

<u>Director Information:</u> Shawn Crawford

Officer Information as at June 8, 2011 Shawn Crawford (President, Secretary)

PID: 027-180-506

Lot 50 Section 10 Township 2 New Westminster District Plan BCP31794

(n) Civic Address: 6116 - 147B Street

Owner: 0853900 B.C. Ltd., Inc. No. 0853900

<u>Director Information:</u> Shawn Crawford

Officer Information as at June 8, 2011 Shawn Crawford (President, Secretary)

PID: 027-180-514

Lot 51 Section 10 Township 2 New Westminster District Plan BCP31794

(o) Civic Address: 6120 - 147B Street

Owner: 0853900 B.C. Ltd., Inc. No. 0853900

<u>Director Information:</u> Shawn Crawford

Officer Information as at June 8, 2011 Shawn Crawford (President, Secretary)

PID: 027-180-522

Lot 52 Section 10 Township 2 New Westminster District Plan BCP31794

(p) Civic Address: 6128 - 147B Street

Owner: 0853900 B.C. Ltd., Inc. No. 0853900

<u>Director Information:</u> Shawn Crawford

Officer Information as at June 8, 2011 Shawn Crawford (President, Secretary)

PID: 027-180-531

Lot 53 Section 10 Township 2 New Westminster District Plan BCP31794

(q) Civic Address: 6136 - 147B Street

Owner: 0853900 B.C. Ltd., Inc. No. 0853900

<u>Director Information:</u> Shawn Crawford

Officer Information as at June 8, 2011 Shawn Crawford (President, Secretary)

PID: 027-180-549

Lot 54 Section 10 Township 2 New Westminster District Plan BCP31794

- 3. Summary of Actions for City Clerk's Office
  - (a) Proceed with Public Notification for Development Variance Permit No. 7912-0084-00 and bring the Development Variance Permit forward for an indication of support by Council. If supported, the Development Variance Permit will be brought forward for issuance and execution by the Mayor and City Clerk once all the conditions have been met.



REAR FACADE NO OFFSET

REAR FACADE WITH OFFSET AND ROOF SKIRT

#### **CITY OF SURREY**

(the "City")

#### **DEVELOPMENT VARIANCE PERMIT**

NO.: 7912-0084-00

Issued To: MARATHON HOMES SURREY LTD., INC. NO. BCo829895

Address: 102 - 15272 Croydon Drive

Surrey BC V<sub>3</sub>S oZ<sub>5</sub>

Issued To: 0851815 BC LTD, INC. NO. 851815

Address: #102 - 15272 Croydon Drive

Surrey BC V<sub>3</sub>S oZ<sub>5</sub>

Issued To: 0853900 BC LTD., INC. NO. 0853900

Address of Owner: 15272 Croydon Drive

Surrey BC V<sub>3</sub>S oZ<sub>5</sub>

(collectively referred to as the "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: 027-179-877 Lot 26 Section 10 Township 2 New Westminster District Plan BCP31794

14739 - 61A Avenue

Parcel Identifier: 027-179-885 Lot 27 Section 10 Township 2 New Westminster District Plan BCP31794

14731 - 61A Avenue

Parcel Identifier: 027-179-893 Lot 28 Section 10 Township 2 New Westminster District Plan BCP31794

6159 - 147A Street

Parcel Identifier: 027-179-907 Lot 29 Section 10 Township 2 New Westminster District Plan BCP31794

6151 - 147A Street

Parcel Identifier: 027-180-336 Lot 33 Section 10 Township 2 New Westminster District Plan BCP31794

6129 - 147A Street

Parcel Identifier: 027-180-352 Lot 35 Section 10 Township 2 New Westminster District Plan BCP31794

6119 - 147A Street

Parcel Identifier: 027-180-379 Lot 37 Section 10 Township 2 New Westminster District Plan BCP31794

6122 - 147A Street

Parcel Identifier: 027-180-387 Lot 38 Section 10 Township 2 New Westminster District Plan BCP31794

6126 - 147A Street

Parcel Identifier: 027-180-476 Lot 47 Section 10 Township 2 New Westminster District Plan BCP31794

6137 - 147B Street

Parcel Identifier: 027-180-484 Lot 48 Section 10 Township 2 New Westminster District Plan BCP31794

6131 - 147B Street

Parcel Identifier: 027-180-492 Lot 49 Section 10 Township 2 New Westminster District Plan BCP31794

6127 - 147B Street

Parcel Identifier: 027-180-506 Lot 50 Section 10 Township 2 New Westminster District Plan BCP31794

6121 - 147B Street

Parcel Identifier: 027-180-514 Lot 51 Section 10 Township 2 New Westminster District Plan BCP31794

6116 - 147B Street

Parcel Identifier: 027-180-522 Lot 52 Section 10 Township 2 New Westminster District Plan BCP31794

6120 - 147B Street

Parcel Identifier: 027-180-531 Lot 53 Section 10 Township 2 New Westminster District Plan BCP31794

6128 - 147B Street

Parcel Identifier: 027-180-549 Lot 54 Section 10 Township 2 New Westminster District Plan BCP31794

6136 - 147B Street

(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 Lots 33, 38, 47, 48, 49, 52, and 54;
  - (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 5.5 metres (18 ft.) for Lots 26, 27, 28, 29, 35, 50, and 51;
  - (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 6.0 metres (20 ft.), and is further reduced to 5.5 metres (18 ft.) for 50% of the rear building face for Lots 37 and 53; 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 28, 29, 35, 37, 47, and 52.
- 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.
- 5. The landscaping shall conform to drawings numbered L1 through to and including L3 (the "Landscaping").
- 6. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
- 7. 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.

8.	The terms of this development variance per persons who acquire an interest in the Land.	nit or any amendment to it, are binding on al
9.	This development variance permit is not a b	uilding permit.
	ORIZING RESOLUTION PASSED BY THE CO D THIS DAY OF , 20 .	DUNCIL, THE DAY OF , 20 .
		Mayor - Dianne L. Watts
		City Clerk – Jane Sullivan

