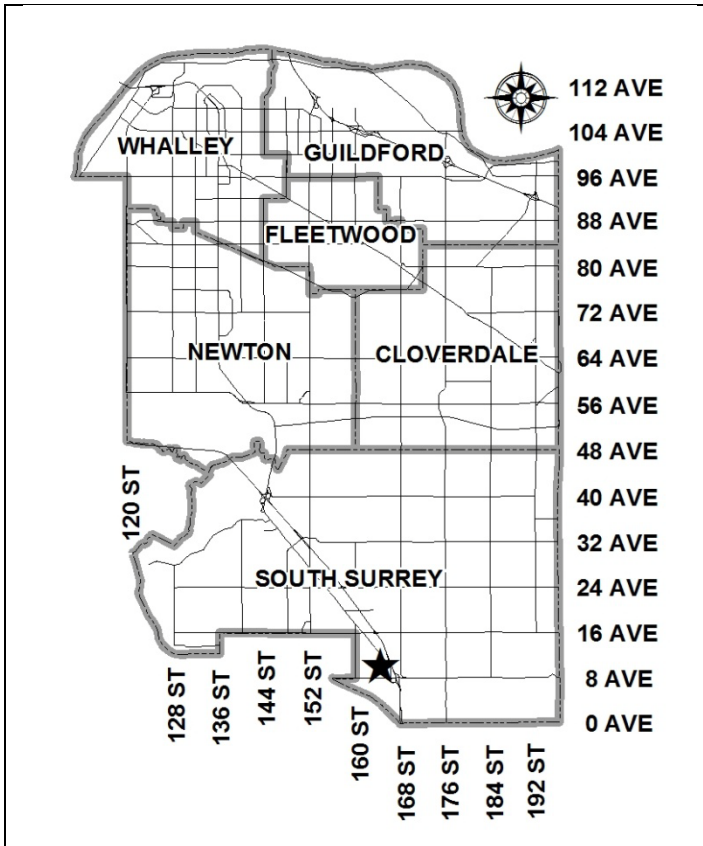


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7912-0213-00

Planning Report Date: July 23, 2012



PROPOSAL:

- **Development Variance Permit**
 in order to reduce the "Special Building Setback" provisions of the Zoning By-law for 3 existing single family lots.

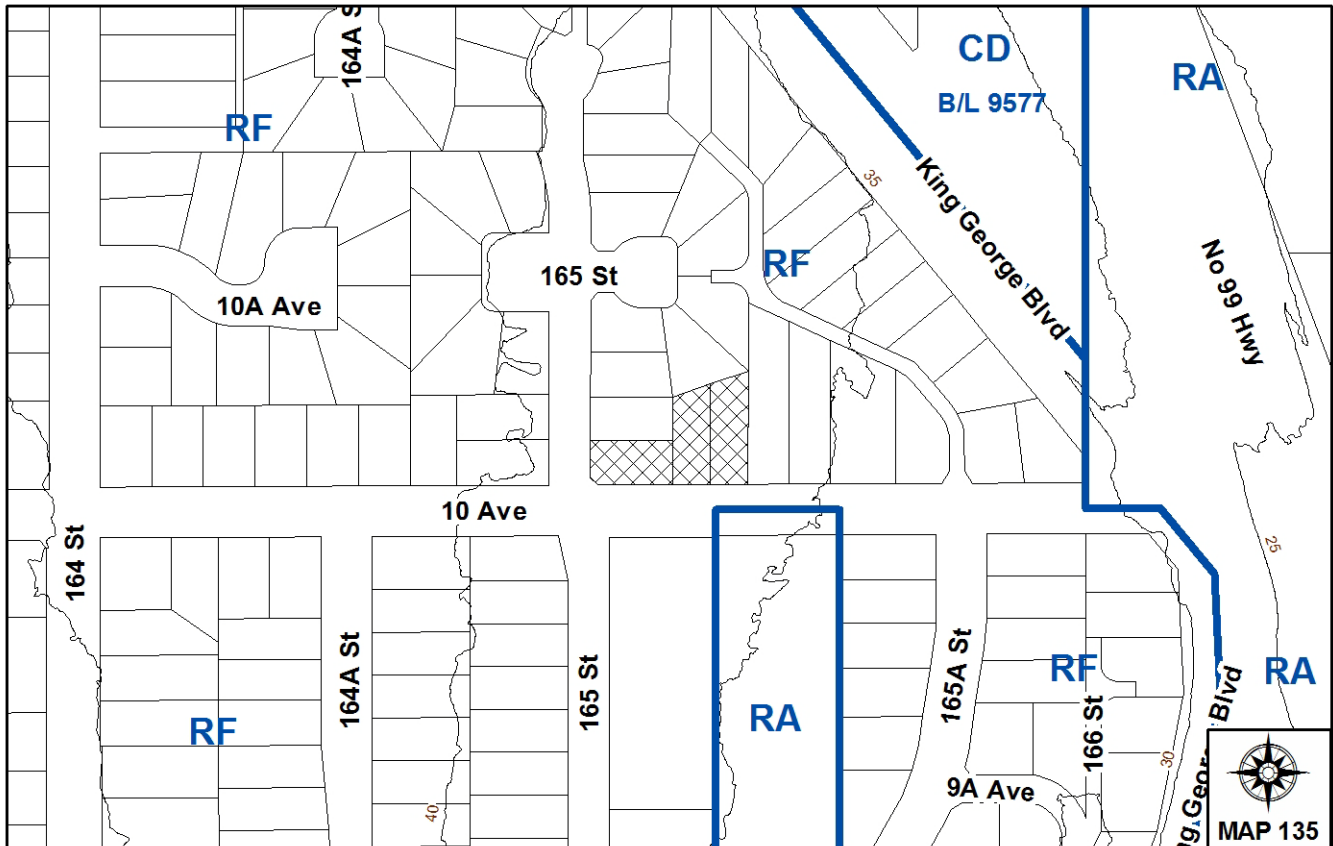
LOCATION: 16525 and 16515 - 10 Avenue;
 1008 - 165 Street

OWNER: 0766642 BC Ltd., Inc. No. 0766642

ZONING: RF

OCB DESIGNATION: Urban

LAP DESIGNATION: Urban Residential



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is requesting a Development Variance Permit to reduce the "Special Building Setback" provisions of the Zoning By-law to provide for the following building setbacks from the centerline of 10th Avenue:
 - 17.5 metre front yard setback for 16515 and 16525 - 10 Avenue ; and
 - 13.6 metre side yard (flanking street) setback for 1008 - 165 Street.

RATIONALE OF RECOMMENDATION

- For lots fronting or flanking an Arterial or a Collector Road, in accordance with Part 7 Special Building Setbacks of the Zoning By-law, front yard setbacks and side yard setbacks on a flanking street are measured from the centreline of the ultimate road allowance.
- 10th Avenue is a Collector Road, and under the new standards of the Subdivision & Development By-law recently approved by Council, the ultimate width for a Collector Road increased from 22 metres (72 feet) to 24 metres (79 feet).
- The Engineering Department has concluded that a 20-metre (66-ft.) dedication is sufficient for this portion of 10th Avenue, however setbacks will still be measured from the centerline of the ultimate road allowance of 10th Avenue (i.e. a 24-metre/79-ft. wide collector). To achieve a consistent streetscape with uniform building setbacks, reductions to the "Special Building Setback" provisions of the Zoning By-law are required for the subject properties.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7912-0213-00 (Appendix II) varying the following, to proceed to Public Notification:
 - (a) to reduce the "Special Building Setback" provisions of the Zoning By-law to provide for the following building setbacks from the centerline of 10th Avenue:
 - 17.5 metre front yard setback for 16515 and 16525 - 10 Avenue ; and
 - 13.6 metre side yard (flanking street) setback for 1008 - 165 Street.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Vacant lots created under application no. 7910-0257-00. Building permit pending DVP.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Vacant lot created under application no. 7910-0257-00.	Urban	RF
East:	Single family dwelling.	Urban	RF
South (Across 10 Avenue):	Single family dwelling.	Urban	RF and RA
West (Across 165 Street):	Single family dwelling.	Urban	RF

DEVELOPMENT CONSIDERATIONS

- The subject sites are located at 1008 165th Street, 16515 10th Avenue and 16525 10th Avenue. The properties are zoned "Single Family Residential (RF) Zone" and are designated Urban in the OCP.
- The subject sites comprise 3 of the 19 RF lots created under application no. 7910-0257-00, which was recently completed in June 2012.

- For lots fronting or flanking an Arterial or a Collector Road, in accordance with Part 7 Special Building Setbacks of the Zoning By-law, front yard setbacks and side yard setbacks on a flanking street are measured from the centerline of the ultimate road allowance.
- 10th Avenue is a Collector Road, and under the new standards of the Subdivision & Development By-law recently approved by Council, the width for a Collector Road increased from 20 metres (66 ft.) to 24 metres (79 ft.).
- Under application no. 7910-0257-00, the Engineering Department concluded that a 20-metre (66 ft.) dedication is sufficient for this portion of 10th Avenue, however building setbacks are measured from the ultimate centerline of 10th Avenue (i.e. a 24-metre/79-ft. wide Collector Road). To achieve a consistent streetscape, the applicant is requesting a variance to reduce the "Special Building Setback" provisions of the Zoning By-law to provide for the following building setbacks from the centerline of 10th Avenue:
 - 17.5 metre front yard setback for 16515 and 16525 - 10 Avenue ; and
 - 13.6 metre side yard (flanking street) setback for 1008 - 165 Street.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the "Special Building Setback" provisions of the Zoning By-law to provide for the following building setbacks from the centerline of 10th Avenue:
 - 17.5 metre front yard setback for 16515 and 16525 - 10 Avenue ; and
 - 13.6 metre side yard (flanking street) setback for 1008 - 165 Street.

Applicant's Reasons:

- The revised Collector Road standard of 24 metres (79 feet) will result in any future buildings to be set back 2 metres (6 ft.) further than the RF Zone requires. The applicant wishes to maintain the 7.5-metre (25 ft.) front yard setback and 3.6 metre (12 ft.) side yard on flanking street setback of the RF Zone.

Staff Comments:

- The subject sites front onto or flank 10th Avenue, which is a designated Collector Road in the Surrey Road Classification Map (R-91), attached as Schedule D to the Surrey Subdivision and Development By-law No. 8830. The Surrey Major Road Allowance Map, attached as Schedule K to the Subdivision and Development By-law, identifies a 24-metre (79 ft.) wide road allowance for Collector Roads. The current 24-metre (79 ft.) wide road allowance for a Collector Road, recently approved by Council, is 4.0 metres (13 ft.) wider than the existing road allowance on this section of 10th Avenue, which has been constructed to 11 metres pavement on 20 metres dedication.

- Part 7 Special Building Setbacks of Zoning By-law No. 12000 stipulates that the setback of buildings on a lot abutting an existing or future major road as shown in the Surrey Major Road Allowance Map, shall be the sum of one-half of the ultimate highway allowance shown in the Major Road Allowance Map measured from the centreline of the road plus the required setback of the Zone in which the lot is located.
- In the case at hand, the required setback would be 12 metres (39 feet) from the centre line of 10th Avenue plus the 7.5-metre (25 ft.) front yard setback for a total setback of 19.5 metres (64 feet) from the centre-line of 10th Avenue for 16515 and 16525 10th Avenue and 12 metres (39 ft.) from the centerline of 10th Avenue plus the 3.6 metre side yard (flanking street) for a total setback of 15.6 metres (51 ft.) from the centerline of 10th Avenue for 1008 - 165 Street.
- In reviewing this portion of 10th Avenue under application no. 7910-0257-00, the Engineering Department concluded that:
 - the subdivision of the parent parcel (1121 King George Boulevard) is an infill situation;
 - there are no current plans to revise the OCP to a higher density, thus limiting the potential to achieve the ultimate road allowance in the future; and
 - collector upsizing for 10th Avenue is currently a low priority for the City, and is not anticipated until future higher density redevelopment occurs.
- In consideration of the above, the Engineering Department agreed to waive the 1.942 m road dedication requirement on 10th Avenue for the subdivision created under application no. 7910-0257-00.
- Rather than vary the road allowance requirement for a Collector Road, as specified in Schedule K of the Subdivision & Development By-law, staff support a variance to the "Special Building Setback" provisions of the Zoning By-law.
- To achieve a consistent streetscape within this block of 10th Avenue such that houses to be constructed on the 3 subject properties are setback similar to the setbacks of older existing single family dwellings along 10th Avenue, the following variances are required:
 - To reduce the "Special Building Setback" provisions of the Zoning By-law to provide for the following building setbacks from the centerline of 10th Avenue:
 - 17.5 metre front yard setback for 16515 and 16525 - 10 Avenue ; and
 - 13.6 metre side yard (flanking street) setback for 1008 - 165 Street.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners, Action Summary and Project Data Sheets
- Appendix II. Development Variance Permit No. 7912-0213-00.

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:

1. (a) Agent: Name: Hunter Laird Engineering Ltd.
 Address: 300 - 65 Richmond Street
 New Westminster, BC
 V3L 5P5

 Tel: 604-525-4651

2. Properties involved in the Application

(a) Civic Addresses: 16525 and 16515 - 10 Avenue; 1008 - 165 Street

(b) Civic Address: 16525 - 10 Avenue
 Owner: 0766642 B.C. Ltd., Inc. No. 0766642
 Director Information:
 Stephen BArker

Officer Information as at August 21, 2011
Stephen E. Barker (President)

PID: 028-833-465
Lot 1 Section 12 Township 1 New Westminster District Plan BCP50756

(c) Civic Address: 16515 - 10 Avenue
 Owner: 0766642 B.C. Ltd., Inc. No. 0766642
 Director Information:
 Stephen BArker

Officer Information as at August 21, 2011
Stephen E. Barker (President)

PID: 028-833-473
Lot 2 Section 12 Township 1 New Westminster District Plan BCP50756

(d) Civic Address: 1008 - 165 Street
 Owner: 0766642 B.C. Ltd., Inc. No. 0766642
 Director Information:
 Stephen BArker

Officer Information as at August 21, 2011
Stephen E. Barker (President)

PID: 028-833-481
Lot 3 Section 12 Township 1 New Westminster District Plan BCP50756

3. Summary of Actions for City Clerk's Office

- (a) Proceed with Public Notification for Development Variance Permit No. 7912-0213-00 and bring the Development Variance Permit forward for issuance and execution by the Mayor and City Clerk.

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7912-0213-00

Issued To: 0766642 BC LTD., INC. NO. 0766642
("the Owner")

Address of Owner: 103-2428 King George Boulevard
Surrey BC
V4P 1H5

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: 028-833-465
Lot 1 Section 12 Township 1 New Westminster District Plan BCP50756

16525 - 10 Avenue

Parcel Identifier: 028-833-473
Lot 2 Section 12 Township 1 New Westminster District Plan BCP50756

16515 - 10 Avenue

Parcel Identifier: 028-833-481
Lot 3 Section 12 Township 1 New Westminster District Plan BCP50756

1008 - 165 Street

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) The "Special Building Setback" provision is reduced to provide for the following building setbacks from the centerline of 10th Avenue:
 - 17.5 metre front yard setback for 16515 and 16525 10th Avenue ; and
 - 13.6 metre side yard (flanking street) setback for 1008 165th Street.

4. The Land shall be developed strictly in accordance with the terms and conditions and provisions 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 – Dianne L. Watts

City Clerk – Jane Sullivan