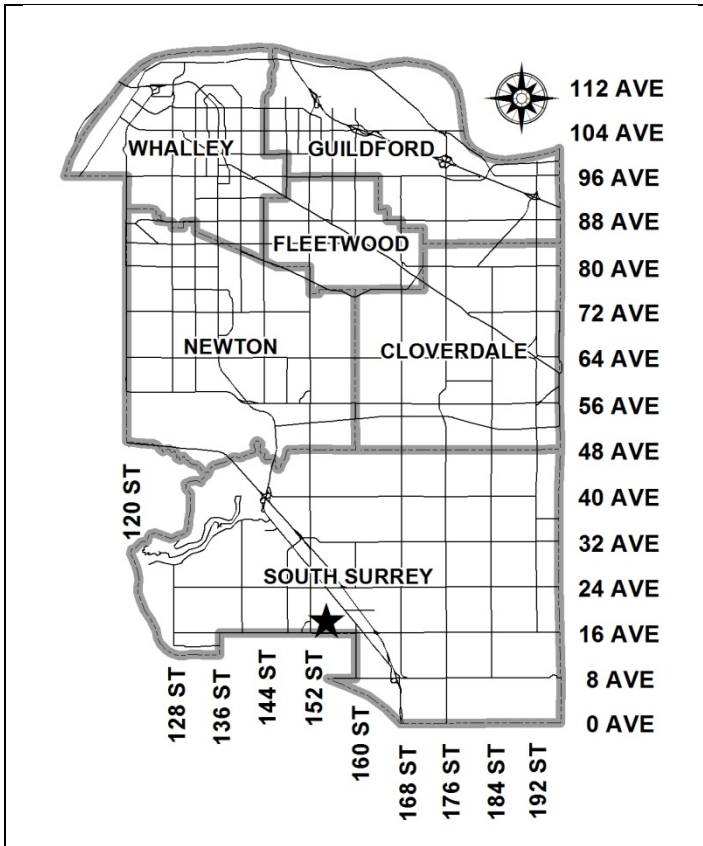


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7912-0273-00

Planning Report Date: October 22, 2012



PROPOSAL:

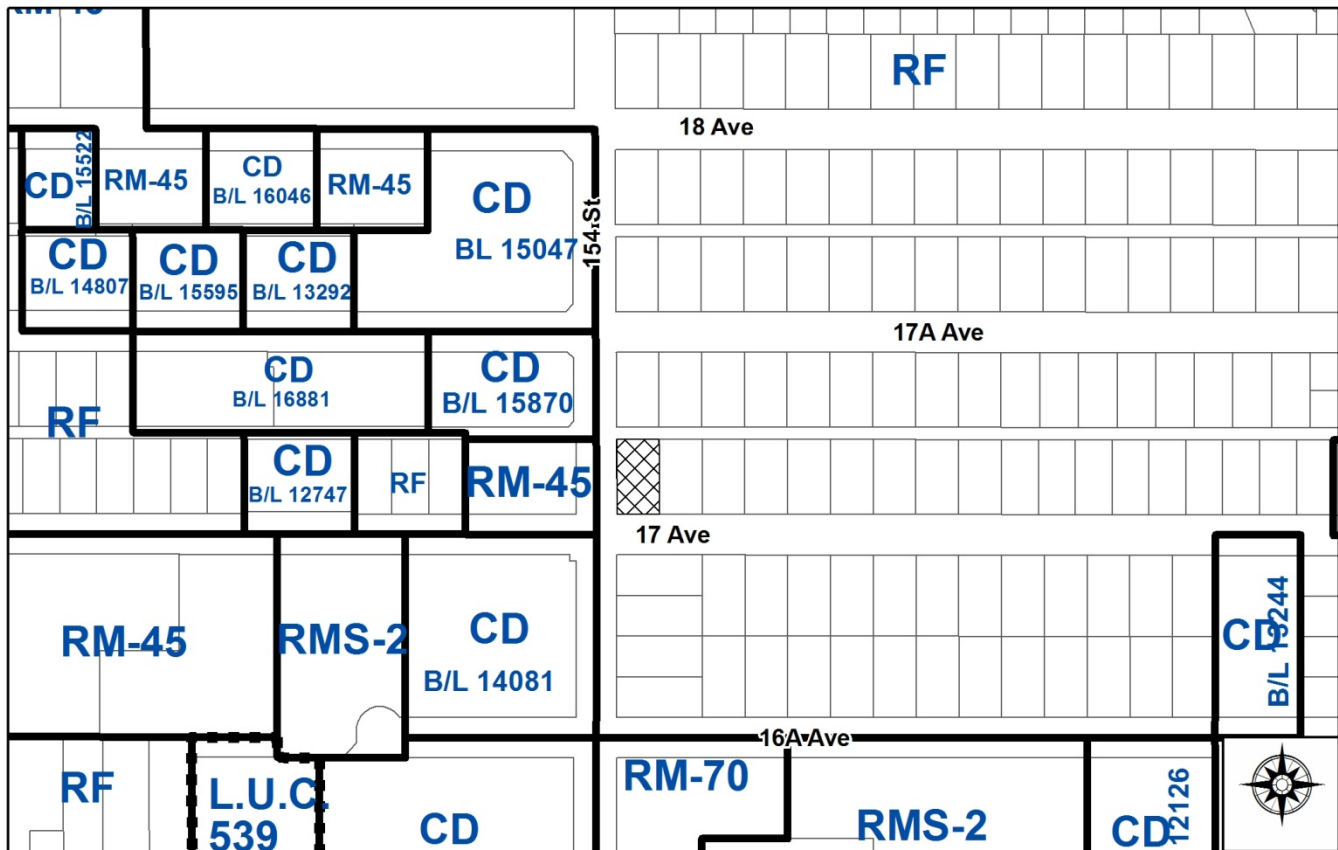
- **Development Variance Permit**
 in order to reduce the front and side yard (flanking street) setbacks impacted by the road allowance requirements, for new house construction.

LOCATION: 15407 - 17 Avenue

OWNERS: Rose A Fillion
 Adonias E Fillion

ZONING: RF

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is seeking a Development Variance Permit to reduce the front yard setback and side yard setback (flanking street) of the RF Zone from 7.5 metres (25 ft.) to 5.5 metres (18 ft.) and from 3.6 metres (12 ft.) to 1.6 metres (5.5 ft.), respectively.

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.
- 17th Avenue and 154th Street are Collector Roads, 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 17th Avenue and 154th Street, however setbacks will still be measured from the centrelines of the ultimate road allowances of 17th Avenue and 154th Street (i.e. a 24-metre/79-ft. wide collector). To achieve a consistent streetscape with uniform building setbacks, a reduced front yard setback of 5.5 metres (18 ft.) and a reduced side yard (flanking street) of 1.6 metres (5.5 ft.) are required for the subject property.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7912-0273-00 (Appendix II) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front yard setback of the RF Zone for the principal building from 7.5 metres (25 ft.) to 5.5 metres (18 ft.); and
 - (b) to reduce the minimum side yard (flanking street) setback of the RF Zone for the principal building from 3.6 metres (12 ft.) to 1.6 metres (5.5 ft.).

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling that will be removed.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North, East, and South (Across 17 Avenue):	Single family dwellings.	Urban	RF
West (Across 154 Street):	Three-storey apartment building.	Multiple Residential	RM-45

DEVELOPMENT CONSIDERATIONS

- The subject property is located at 15407 - 17th Avenue. The property is designated "Urban" in the OCP and zoned "Single Family Residential Zone (RF)".
- The existing house is to be demolished and replaced with a new house.
- For lots fronting or flanking an Arterial Road 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.
- 17th Avenue and 154th Street are Collector Roads, 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.).

- The Engineering Department concluded that a 20-metre (66 ft.) dedication is sufficient for these portions of 17th Avenue and 154th Street, however building setbacks are measured from the ultimate centrelines of 17th Avenue and 154th Street (i.e. a 24-metre/79-ft. wide Collector Road). To achieve a consistent streetscape, the applicant is seeking a Development Variance Permit to reduce the front yard setback and side yard setback (flanking street) of the RF Zone from 7.5 metres (25 ft.) to 5.5 metres (18 ft.) and from 3.6 metres (12 ft.) to 1.6 metres (5.5 ft.), respectively.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variances:

- To reduce the minimum front yard setback of the RF Zone from 7.5 metres (25 ft.) to 5.5 metres (18 ft.) for the principal building; and
- To reduce the minimum side yard (flanking street) setback of the RF Zone from 3.6 metres (12 ft.) to 1.6 metres (5.5 ft.) for the principal building.

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 for the proposed new house.

Staff Comments:

- The subject property fronts 17th Avenue and flanks 154th Street. Both of these roads are designated Collector Roads 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 allowances on these sections of 17th Avenue and 154th Street, which have been constructed, with 11-metre (36 ft.) pavement on 20-metre (66 ft.) 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 centreline of 17th Avenue plus the 7.5-metre (25 ft.) front yard setback for a total setback of 19.5 metres (64 feet) from the centreline of 17th Avenue, plus the 3.6-metre (12 ft.) side yard (flanking street) for a total setback of 15.6 metres (51 ft.) from the centreline of 154th Street.

- In reviewing these portions of 17th Avenue and 154th Street, the Engineering Department concluded that the previous 20-metre (66-ft.) road allowances are sufficient as there are no road dedication requirements at this time.
- 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 front yard and side yard (flanking street) requirements of the RF Zone.
- To achieve a consistent streetscape within these blocks of 17th Avenue and 154th Street, a variance to reduce the front yard setback and side yard setback (flanking street) of the RF Zone from 7.5 metres (25 ft.) to 5.5 metres (18 ft.) and from 3.6 metres (12 ft.) to 1.6 metres (5.5 ft.), respectively, is supported. This would provide a building setback from the centreline of 17th Avenue of 12 metres (39 ft.) plus the 5.5-metre (18 ft.) front yard setback for a total setback of 17.5 metres (57 ft.). The building setback from the centreline of 154th Street would be 12 metres (39 ft.) plus the 1.6-metre (5.5 ft.) side yard (flanking street) setback for a total setback of 13.6 metres (45.5 ft.).

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners and Action Summary
Appendix II. Development Variance Permit No. 7912-0273-00

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

MAJ/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: Adonias E. Fillion
 Address: 8681 – 168B Street
 Surrey, BC
 V4N 5J4

 Tel: 604-575-1942

2. Properties involved in the Application

- (a) Civic Address: 15407 - 17 Avenue
- (b) Civic Address: 15407 - 17 Avenue
 Owner: Adonias E. Fillion
 Rose A. Fillion
 PID: 009-907-327
 Lot 74 Section 14 Township 1 New Westminster District Plan 14068

3. Summary of Actions for City Clerk's Office

- (a) Proceed with Public Notification for Development Variance Permit No. 7912-0273-00 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.: 7912-0273-00

Issued To: ROSE A FILLION
ADONIAS E FILLION

("the Owner")

Address of Owner: 8681 - 168B Street
Surrey, BC
V4N 5J4

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: 009-907-327
Lot 74 Section 14 Township 1 New Westminster District Plan 14068

15407 - 17 Avenue

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F of Part 16 Single Family Residential Zone (RF):
 - the minimum front yard setback for a principal building is reduced from 7.5 metres (25 ft.) to 5.5 metres (18 ft.); and
 - the minimum side yard (flanking street) setback for a principal building is reduced from 3.6 metres (12 ft.) to 1.6 metres (5.5 ft.).
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