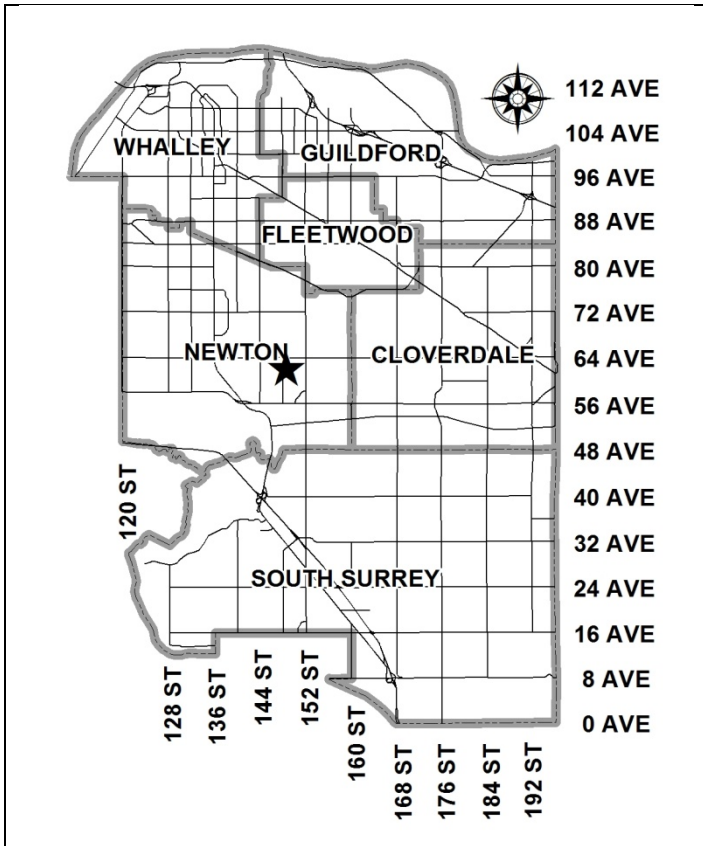


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7913-0072-00

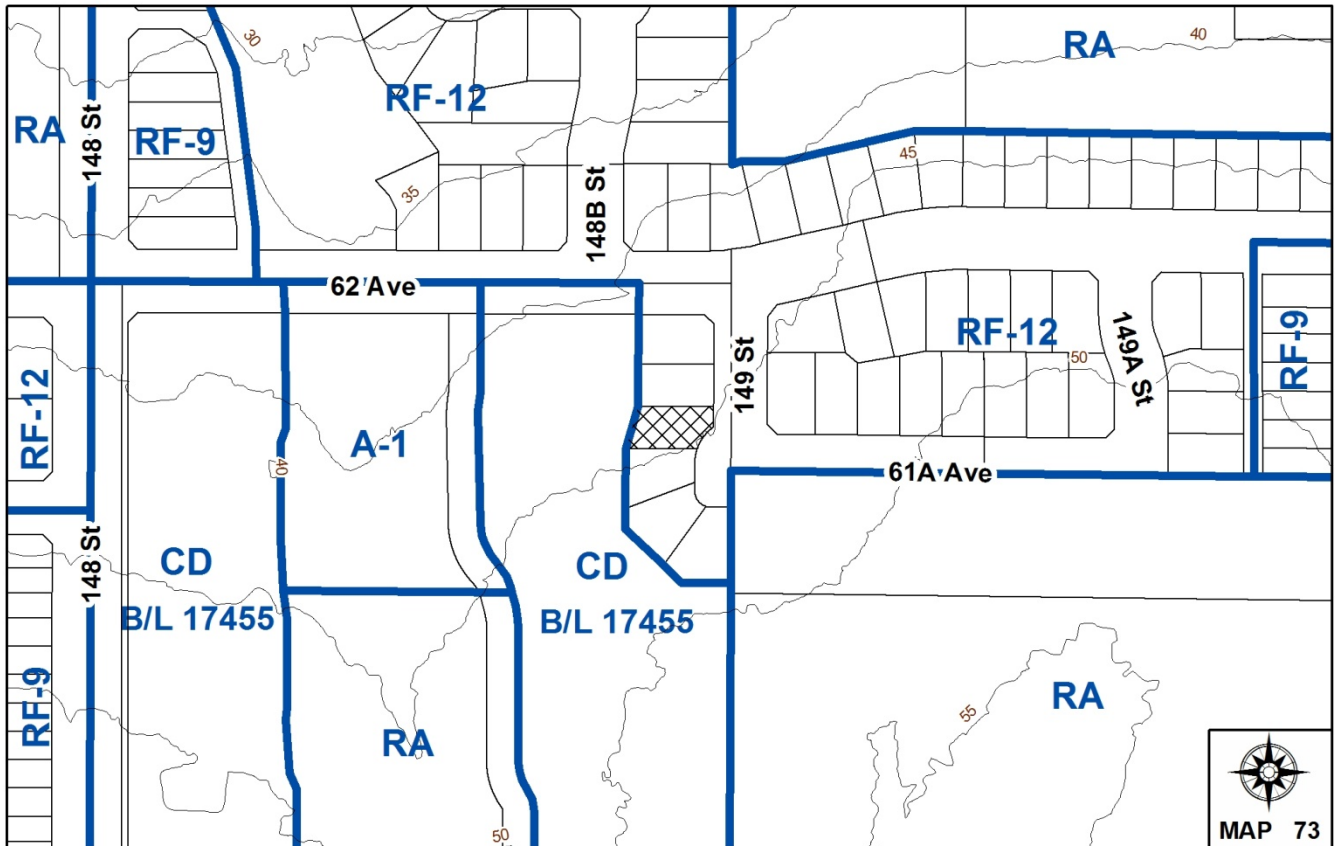
Planning Report Date: May 27, 2013



PROPOSAL:

- **Development Variance Permit** in order to **relax the front yard setback requirements of the RF-12 Zone.**

LOCATION: 6165 - 149 Street
OWNER: Rajinder Singh Chauhan
ZONING: RF-12
OCP DESIGNATION: Urban
NCP DESIGNATION: Single Family Residential Flex 6-14.5 u.p.a.



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The lot geometry and the front yard setback requirements of the RF-12 Zone hinder the capacity to accommodate an efficient building envelope. A Development Variance Permit to relax the front yard setback requirements of the RF-12 Zone is requested to situate a dwelling with an efficient main floor plan and double car garage on the site.

RATIONALE OF RECOMMENDATION

- Proposed setbacks achieve a more useable building envelope on the site, and will have minimal impact on surrounding properties.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7913-0072-00 (Appendix IV) varying the following, to proceed to Public Notification:

- (a) to reduce the minimum front yard setback of the RF-12 Zone from 6.0 metres (20 ft.) to 4.5 metres (14 ft.) for a garage.

REFERRALS

Engineering: The Engineering Department has no objection to the Development Variance Permit.

Parks, Recreation & Culture: Parks, Recreation & Culture has no objection to the proposal.

SITE CHARACTERISTICS

Existing Land Use: Small single family building lot, currently vacant.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North & South:	Single family building lots.	Urban / Single Family Residential Flex 6-14.5 u.p.a.	RF-12
East (Across 149 Street):	Single family dwelling.	Urban / Single Family Residential Flex 6-14.5 u.p.a.	RF-12
West:	1-acre Townhouse site created under application No. 7910-0293-00	Urban / Townhouses (25 u.p.a. max)	CD By-law 17455

DEVELOPMENT CONSIDERATIONSBackground

- The subject site is designated "Urban" in the Official Community Plan (OCP) and "Single Family Residential Flex 6-14.5 u.p.a." in the South Newton Neighbourhood Concept Plan (NCP). The subject site is one of 6 RF-12 (Type II) lots created under development application No. 7910-0293-00, which was approved May 7, 2012
- The subject property is of irregular shape due to the 149 Street cul-de-sac bulb which juts into the frontage of the site. The rear lot line also runs at an angle from northeast to

southwest, which effectively creates a "parallelogram" configuration to the lot.

- The RF-12 Zone stipulates a 6 metre (20 ft.) setback from the front lot line to the principal dwelling, with a provision for setback reduced to 4 metres (23 ft.) across 50% of the frontage, provided that the remainder is set aside for the garage and meets the 6 metre (20 ft.) minimum. Part of the intent of the 6 metre (20 ft.) front yard setback requirement of the RF-12 Zone is to accommodate two additional off-street parking spaces in front of the double car garage.
- Appendix II demonstrates the house that will be built if no variances are considered. Specifically, the main floor area would be dominated by the double car garage, which limits the space available for livable floor area in the dwelling. Furthermore, the main floor plan would result in the kitchen and eating area (nook) being isolated from the remainder of the main floor by a narrow passage.
- The Building Designer registered on title (Mike Tynan) reviewed the site and determined that the livability of the main floor of any dwelling would be unduly compromised by the irregular lot shape.

Proposal

- The applicant is requesting a Development Variance Permit (DVP) to reduce the front yard setback from 6.0 metres (20 ft.) to 4.5 metres (15 ft.) across half of the width of the attached two-car garage or carport, in order to accommodate an efficient building envelope for the site.
- Drive access is proposed on the north side of the site.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum front yard setback of the RF-12 Zone from 6.0 metres (20 ft.) to 4.5 metres (14 ft.) across half of the width of the attached two-car garage.

Applicant's Reasons:

- The lot shape is inefficient for building a livable house.

Staff Comments:

- The reduced setback benefits the site by accommodating a more efficient and livable floor plan. The kitchen and dining area are better connected.
- The garage will appear a "normal" 6.0 metres (20 ft.) from the front property line. Only one corner of the garage is set back at 4.5 metres (14 ft.), measured to the nearest point of the curvature of the 149 Street cul-de-sac bulb.

- The rest of the garage face is set back much further from the front property line, such that a full driveway measuring 6.0 metres (20 ft.) wide by 7.0 metres (23 ft.) long can be accommodated between the garage and the street, which exceeds the requirement for two full-size parking spaces.
- Staff supports the variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Sketch of Setback Requirements and Possible Building Envelope
Appendix III.	Proposed Variance
Appendix IV.	Development Variance Permit No. 7913-0072-00

original signed by Nicholas Lai

Jean Lamontagne
General Manager
Planning and Development

NA/kms

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Information for City Clerk

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

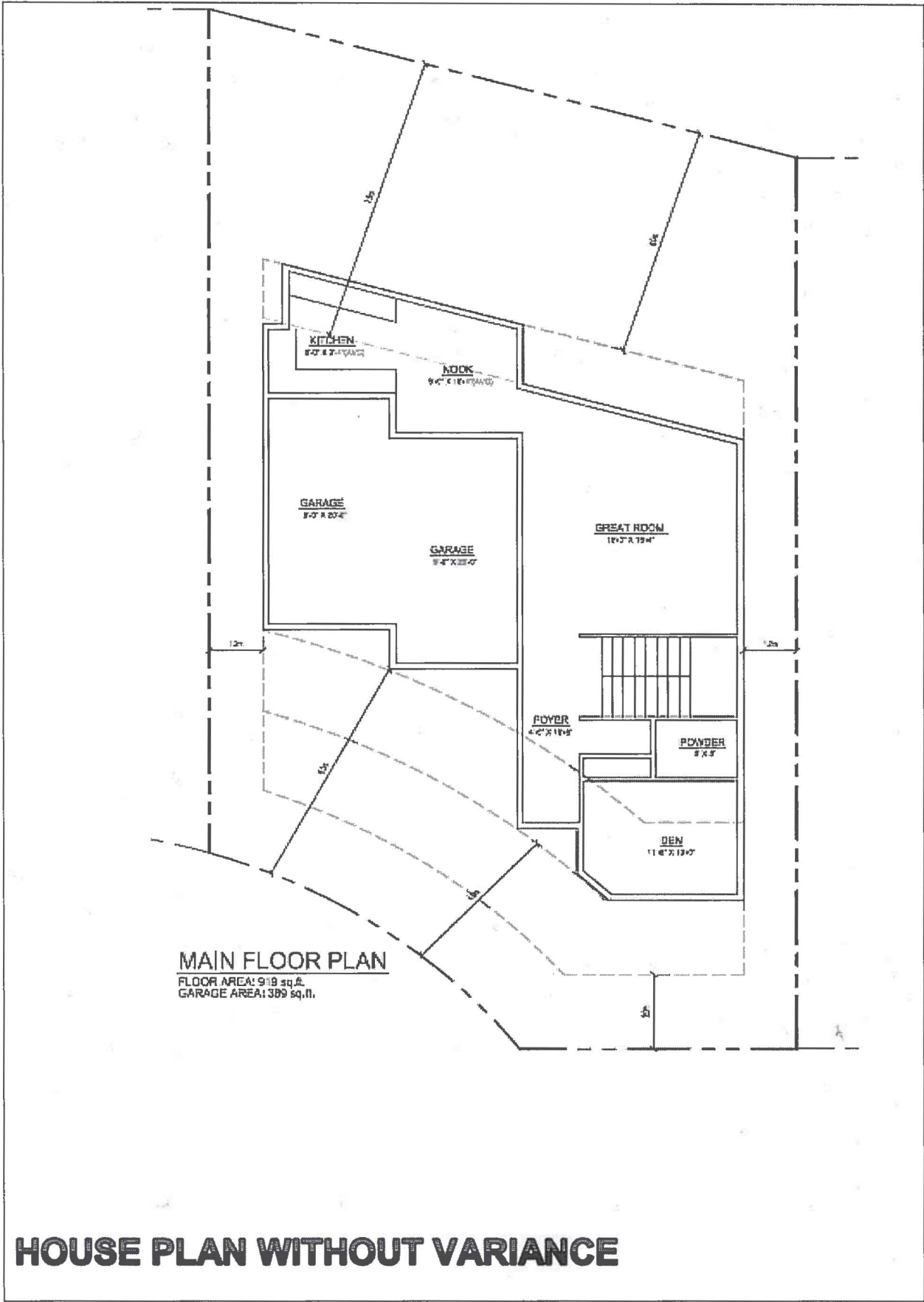
1. (a) Agent: Name: Rajinder S Chauhan
 Address: 6061 – 172A Street
 Surrey, BC V3S 4V8

 Tel: 604-349-9057

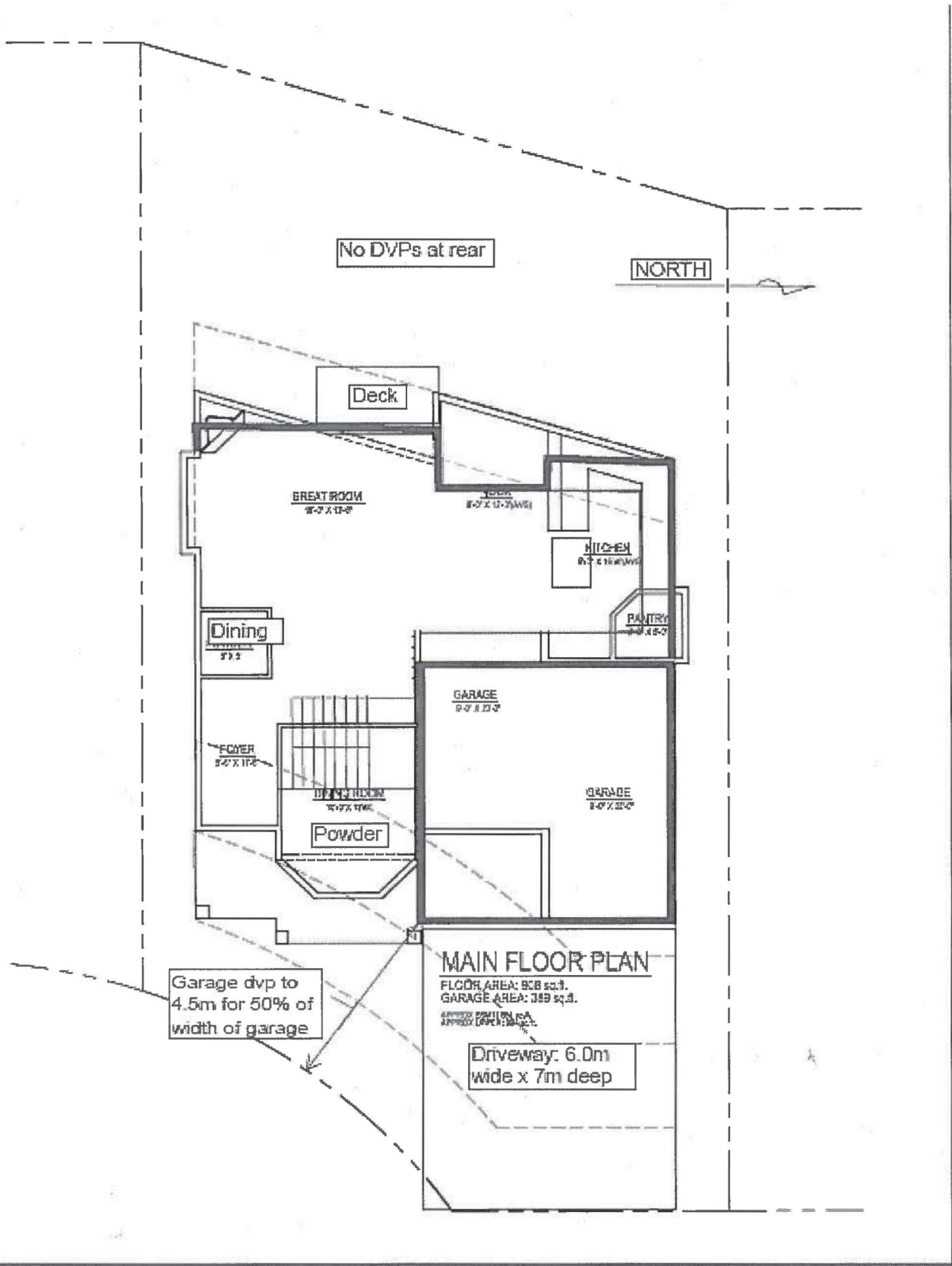
2. Properties involved in the Application
 - (a) Civic Address: 6165 - 149 Street

 - (b) Civic Address: 6165 - 149 Street
 Owner: Rajinder Singh Chauhan
 PID: 028-876-245
 Lot 3 Section 10 Township 2 New Westminster District Plan BCP50886

3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7913-0072-00 and bring the Development Variance Permit forward for issuance and execution by the Mayor and City Clerk.



HOUSE PLAN WITHOUT VARIANCE



HOUSE PLAN WITH PROPOSED VARIANCE

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7913-0072-00

Issued To: RAJINDER SINGH CHAUHAN

("the Owner")

Address of Owner: 6061 – 172A Street
Surrey, BC
V3S 4V8

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: 028-876-245
Lot 3 Section 10 Township 2 New Westminster District Plan BCP50886

6165 - 149 Street

(the "Land")

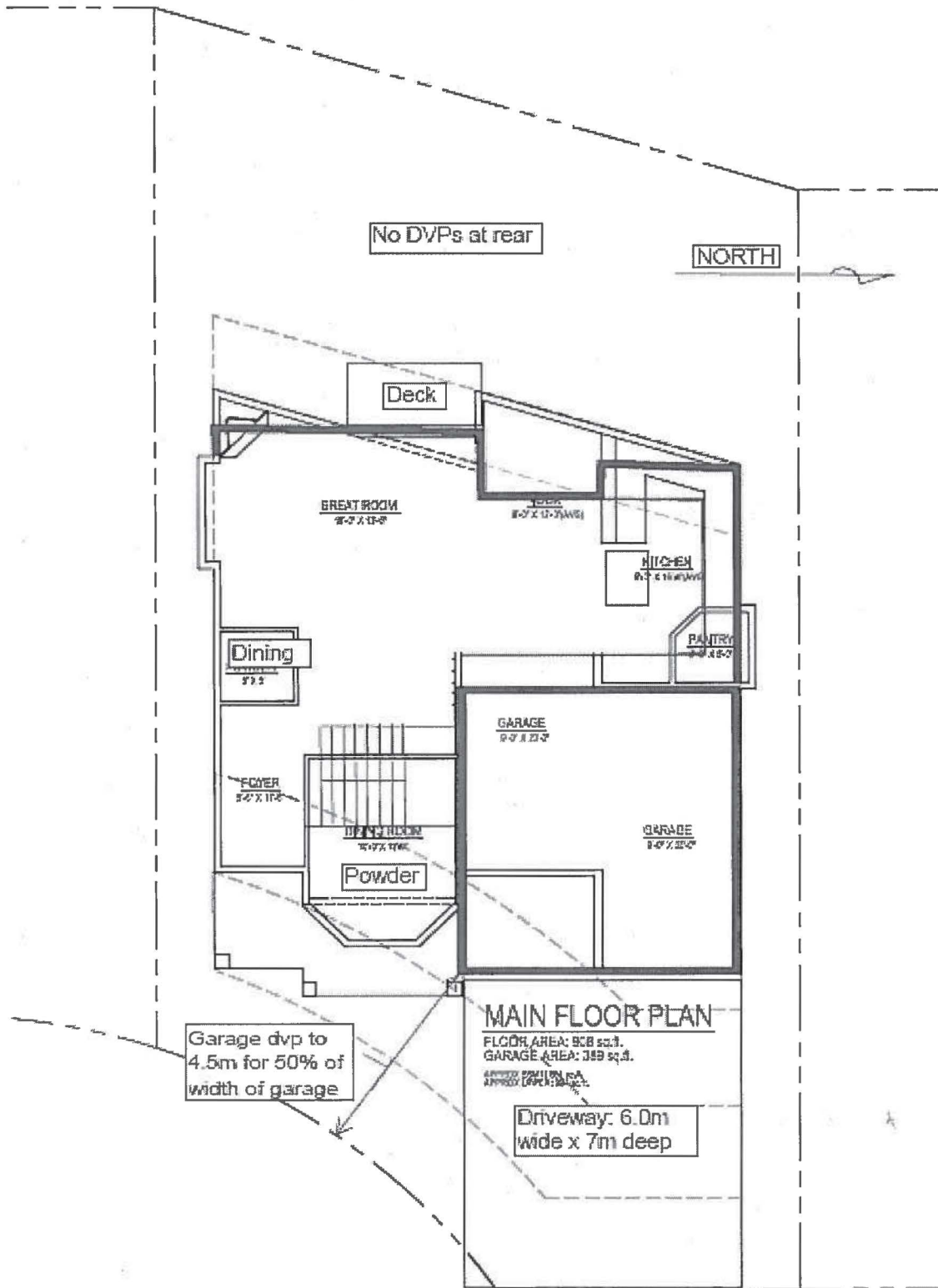
3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Part 17A of Section F "Single Family Residential (12) Zone" the minimum front yard setback for a garage is varied from 6.0 metres to 4.5 metres (14 ft.).
4. The siting of buildings and structures shall be in accordance with the drawing numbered 7913-0072-00 (A) (the "Drawing") which is attached hereto and forms part of this development variance permit.
5. This development variance permit applies to only the portion of 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.

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 permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
9. 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



HOUSE PLAN WITH PROPOSED VARIANCE