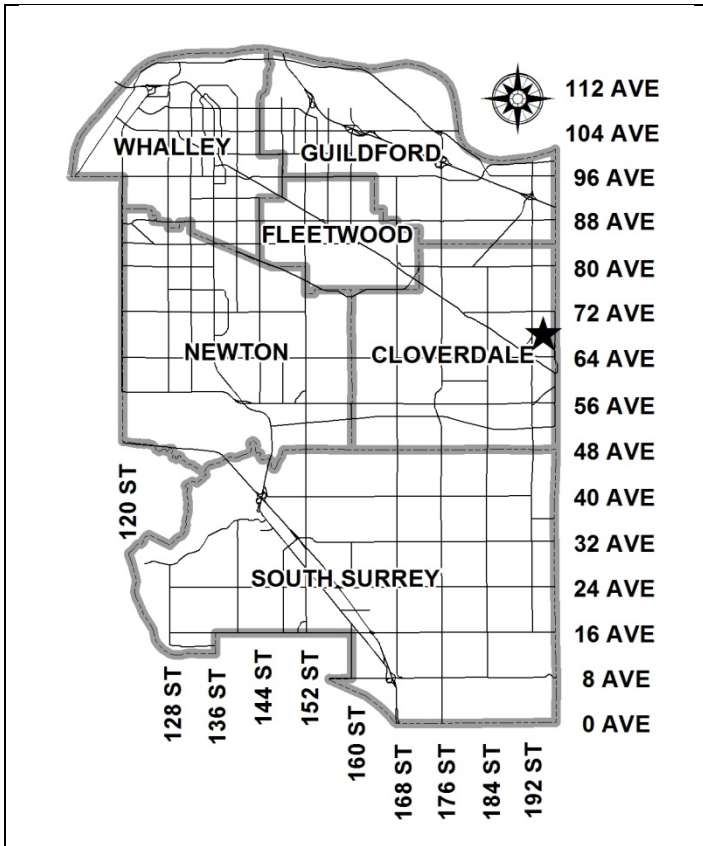


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7913-0095-00

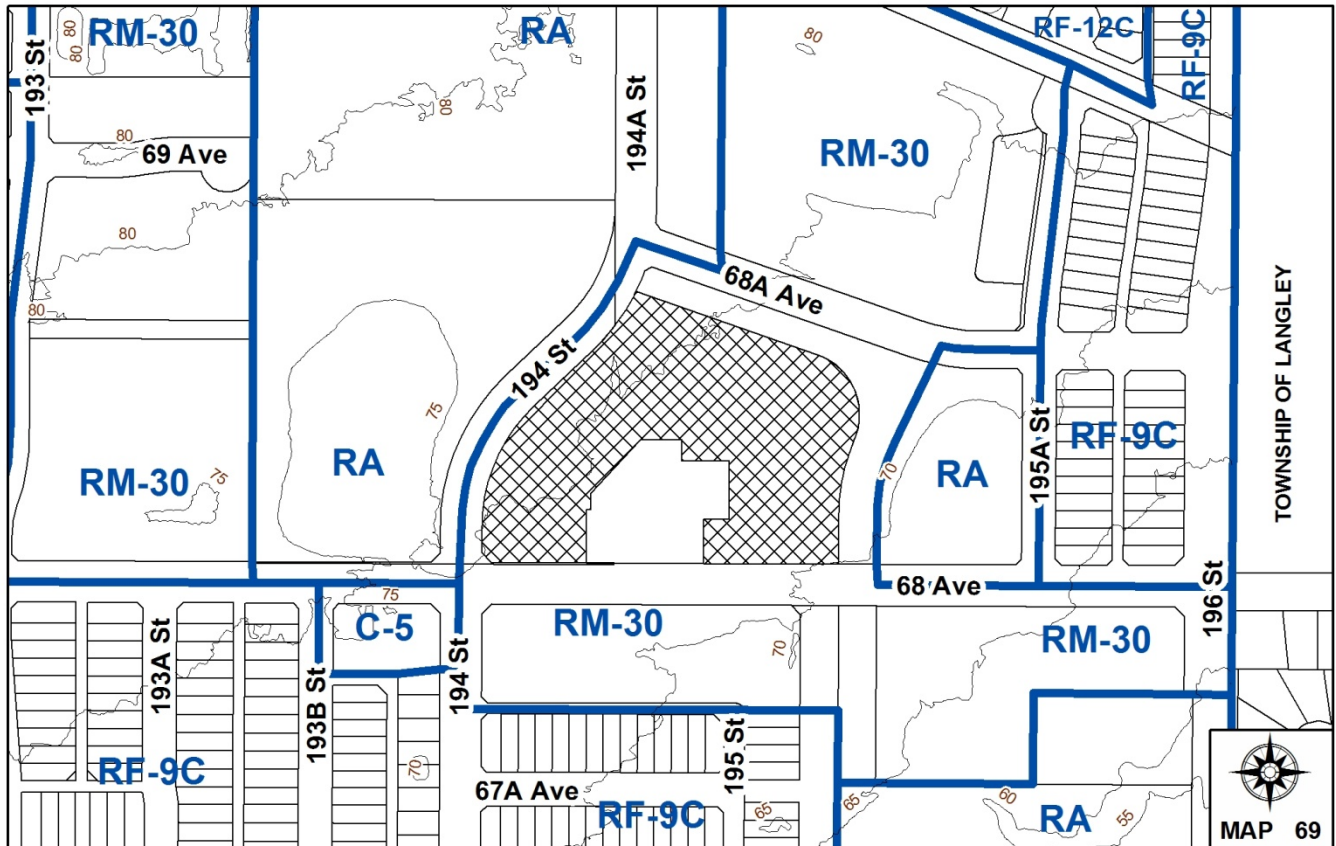
Planning Report Date: June 17, 2013



**PROPOSAL:**

- **Development Variance Permit**  
 in order to reduce the minimum east side yard setback for a townhouse project in East Clayton.

**LOCATION:** 19433 - 68 Avenue  
**OWNER:** The Grove (G.P.) Inc.  
**ZONING:** RM-30  
**OCP DESIGNATION:** Urban  
**NCP DESIGNATION:** Medium High Density (15 - 25 upa)



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is seeking to reduce the minimum east side yard setback of the RM-30 Zone for a townhouse project under construction.

RATIONALE OF RECOMMENDATION

- The proposed setback variance is the result of shifting Building S to the east to increase the spatial separation between Buildings U and S in order to comply with the B.C. Building Code.
- The proposed setback relaxation is minor.
- The adjacent property to the east is owned by the City and accommodates a multi-use pathway. Therefore, the proposed setback relaxation will not pose a negative impact.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7913-0095-00 (Appendix II) varying the following, to proceed to Public Notification:

- (a) to reduce the minimum east side yard setback of the RM-30 Zone from 7.5 metres (25 ft.) to 2.5 metres (8 ft.) to the building face, to 2.2 metres (7 ft.) to the bay window, and to 0.9 metre (3 ft.) to the bay window overhang, for Building S only.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Townhouse development approved under Development Application No. 7910-0265-00. Phase 1 is currently under construction and nearing completion.

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North (Across greenway and 68A Avenue):	Townhouse development and parkland (greenway).	Medium-High Density (15-25 upa) and Public Open Space/Park.	RM-30 and RA
East:	Greenway and storm water detention pond.	Public Open Space/Park and Storm Water Pond	RM-30 and RA
South (Across 68 Avenue):	Townhouse development and parkland (greenway).	Medium-High Density (15-25 upa) and Public Open Space/Park.	RM-30
West (Across 194 Street):	Katzie Park with storm water detention pond.	Storm Water Pond and School/Park.	RA

DEVELOPMENT CONSIDERATIONSBackground

- The subject property is located at the north-east corner of 68 Avenue and 194 Street in East Clayton. The property is zoned "Multiple Residential 30 Zone (RM-30)" and is designated Medium-High Density (15-25 upa) in the East Clayton Neighbourhood Concept Plan (NCP) and Urban in the Official Community Plan (OCP).

- Rezoning of the subject site and Development Permit No. 7910-0265-00 were approved by Council on September 12, 2011 to allow a 141-unit, 3-storey townhouse project to be developed in six (6) phases on the subject site. Phase 1 of the townhouse project is currently under construction and nearing completion.
- The original site plan, as approved under Development Permit No. 7910-0265-00, provides a minimum 3.7-metre (12 ft.) wide spatial separation between the side elevations of each block of the townhouses. According to the architect, 3.7 metres (12 ft.) is typically an adequate spatial separation.
- However, after the approval of the Development Permit, the architect conducted a detailed Building Code analysis as part of the Building Permit submission, and it was determined that the spatial separation between several of the buildings did not comply with the B.C. Building Code.
- As a result, the owner's architect has revised the site plan to include minor adjustments to the location of several townhouse buildings.
- In particular, the architect proposes to shift Building S to the east by approximately 0.4 metre (1.3 ft.) in order to increase the spatial separation between Buildings U and S.
- As a result, a Development Variance Permit (DVP) is required to permit the reduced setback between Building S and the eastern property line.

#### Current Proposal

- Development Variance Permit No. 7910-0265-00, which varied various sections of the RM-30 Zone to allow a townhouse project to proceed, was approved by Council on February 7, 2011. DVP No. 7910-0265-00 incorporated several building setback relaxations for the townhouse project on the subject site, including a reduction to the minimum east side yard setback for Building 10. The revised plans show that Building 10 is now referred to as Building S.
- The variance, as approved under DVP No. 7910-0265-00, reduced the minimum east side yard setback for Building S from 7.5 metres (25 ft.) to 3.2 metres (10.5 ft.) to the building face and to 2.4 metres (7.9 ft.) to the roof overhands and bay windows.
- In order to accommodate the proposed shift of Building S to the east and to incorporate other minor adjustments to the site plan under the current development application, the applicant is requesting a further relaxation to the minimum east side yard setback (see By-law Variance Section).

#### BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum east side yard setback of the RM-30 Zone from 7.5 metres (25 ft.) to 2.5 metres (8 ft.) to the building face, to 2.2 metres (7 ft.) to the bay window, and to 0.9 metre (3 ft.) to the bay window overhang, for Building S only.

**Applicant's Reasons:**

- In order to comply with the Building Code, Building S must be shifted slightly eastward. The proposed setback relaxation is minor and will not impact the adjacent site to the east, which is a greenway.

**Staff Comments:**

- The applicant proposes to shift Building S to the east by approximately 0.4 metre (1.3 ft.) in order to increase the spatial separation between Buildings U and S so that these buildings comply with the B.C. Building Code.
- The adjacent property to the east is owned by the City and accommodates a multi-use path. Further to the east, across the multi-use path, there is a storm water detention pond. Due to these adjacent uses, the proposed setback relaxations will not have a negative impact on the neighbouring properties or any residents in the area.
- The reduced east side yard setback for Building S will maintain the concept of "eyes on the street" to allow residents to monitor the adjacent multi-use path.
- The proposed variances are minor and only apply to Building S, which is located at the south-east corner of the subject site.
- The proposed reductions of the minimum east side yard setback will require a minor revision to the landscape plan approved as part of Development Permit No. 7910-0265-00. No trees will be affected; however, some shifting and reallocation of the flowers and shrubs (rhododendrons and spiraea) will be required. The applicant's landscape architect confirms that there will be no reduction in the overall landscaping shown on the original landscape plan.
- All other aspects of the townhouse project remain unchanged from the approved Development Permit No. 7910-0265-00.
- Staff support the proposed variance.

**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. 7913-0095-00

*original signed by Judith Robertson*

Jean Lamontagne  
General Manager  
Planning and Development

DN/da

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DRV 6/13/13 10:25 AM

Information for City Clerk

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

1. (a) Agent:      Name:                     Shannon Seefeldt  
   Robert Ciccozzi Architects  
   Address:                    2339 - Columbia Street, Unit 200  
  Vancouver, BC V5Y 3Y3  
  
   Tel:                        (604) 687-4741 – Work
  
2.           Properties involved in the Application
  - (a)    Civic Address:                     19433 - 68 Avenue
  
  - (b)    Civic Address:                     19433 - 68 Avenue  
          Owner:                            The Grove (G.P.) Inc.  
          PID:                              028-690-630  
          Lot A Section 15 Township 8 New Westminster District Plan BCP49350 Except: Strata Plan  
          EPS1116

3.           Summary of Actions for City Clerk's Office

- (a)    Proceed with Public Notification for Development Variance Permit No. 7913-0095-00 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.: 7913-0095-00

Issued To: THE GROVE (G.P.) INC.

("the Owner")

Address of Owner: 13450 - 102 Avenue, Unit 1870  
Surrey, BC V3T 5X3

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: 028-690-630

Lot A Section 15 Township 8 New Westminster District Plan BCP49350 Except: Strata Plan EPS1116

19433 - 68 Avenue

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
  - (a) To reduce the minimum east side yard setback of the RM-30 Zone from 7.5 metres (25 ft.) to 2.5 metres (8 ft.) to the building face, to 2.2 metres (7 ft.) to the bay window, and to 0.9 metre (3 ft.) to the bay window overhang, for Building S only.
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. 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.
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            , 2013.  
ISSUED THIS            DAY OF            , 2013.

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Mayor – Dianne L. Watts

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City Clerk – Jane Sullivan



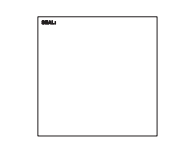
COPYRIGHT RESERVED. THIS DRAWING MUST NOT BE SCALED. VARIATIONS AND MODIFICATIONS TO WORK SHOWN ON THESE DRAWINGS SHALL NOT BE CARRIED OUT WITHOUT WRITTEN PERMISSION FROM THE ARCHITECTS. THIS DRAWING IS THE EXCLUSIVE PROPERTY OF ROBERT CICOZZI ARCHITECTURE INC. AND CAN BE REPRODUCED ONLY WITH THEIR WRITTEN PERMISSION.



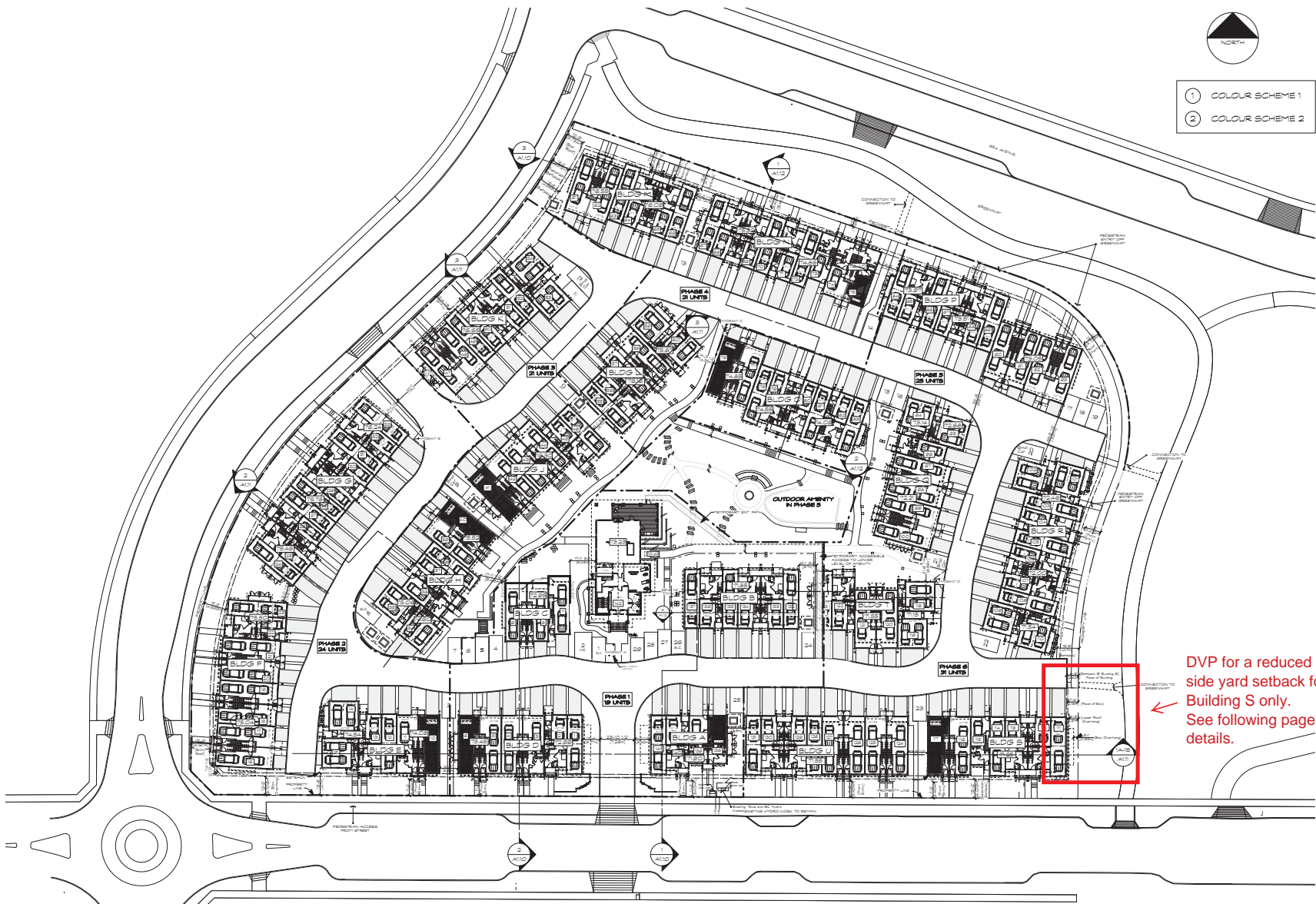
- 1 COLOUR SCHEME 1
- 2 COLOUR SCHEME 2

REV.	DATE	DESCRIPTION
1	13.08.12	BUILDING PERMIT REVISIONS

DATE	DESCRIPTION
20.10.10	ISSUE FOR DEVELOPMENT PERMIT
20.06.10	DP REVISIONS
04.07.11	DP REVISIONS
19.07.11	DP REVISIONS
16.08.11	ISSUE FOR B.P. APPLICATION
02.09.2011	ISSUE FOR PRECONS
22.12.11	ISSUE FOR B.P. REVISIONS
20.01.12	ISSUE FOR CONSTRUCTION
17.04.13	PHASE 2 - PC



**RCA**  
 Robert Cicozzi Architecture Inc.  
 200 - 2330 Columbia Street  
 Vancouver, B.C.  
 Canada V6Y 3Y3  
 Tel: (604) 887-4761  
 Fax: (604) 887-4841  
 admin@cicozzifarchitecture.com



DVP for a reduced side yard setback for Building S only. See following page for details.

NOTE: COMPLETION OF ALL ROAD ACCESS POINTS AND INTERNAL ROADS ARE INCLUDED AS PART OF PHASE 1 CONSTRUCTION.

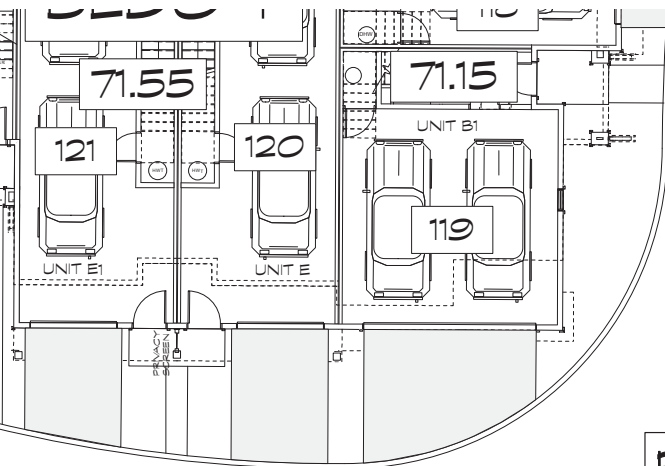
1 SITE PLAN  
 A100 SCALE 1/32"=1'-0"

PROJECT  
**THE GROVE**  
 19433 - 68th Ave.  
 Surrey, BC

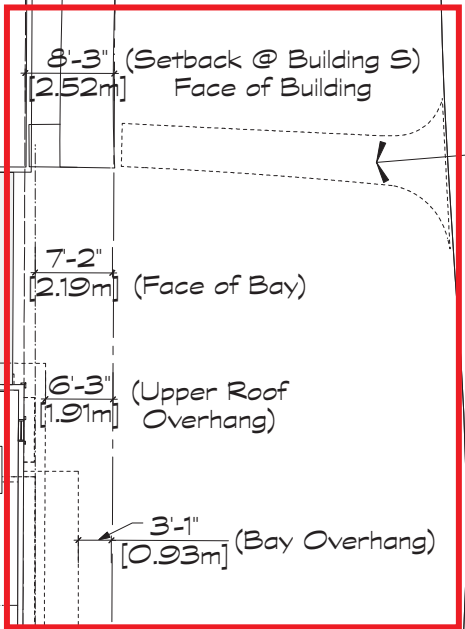
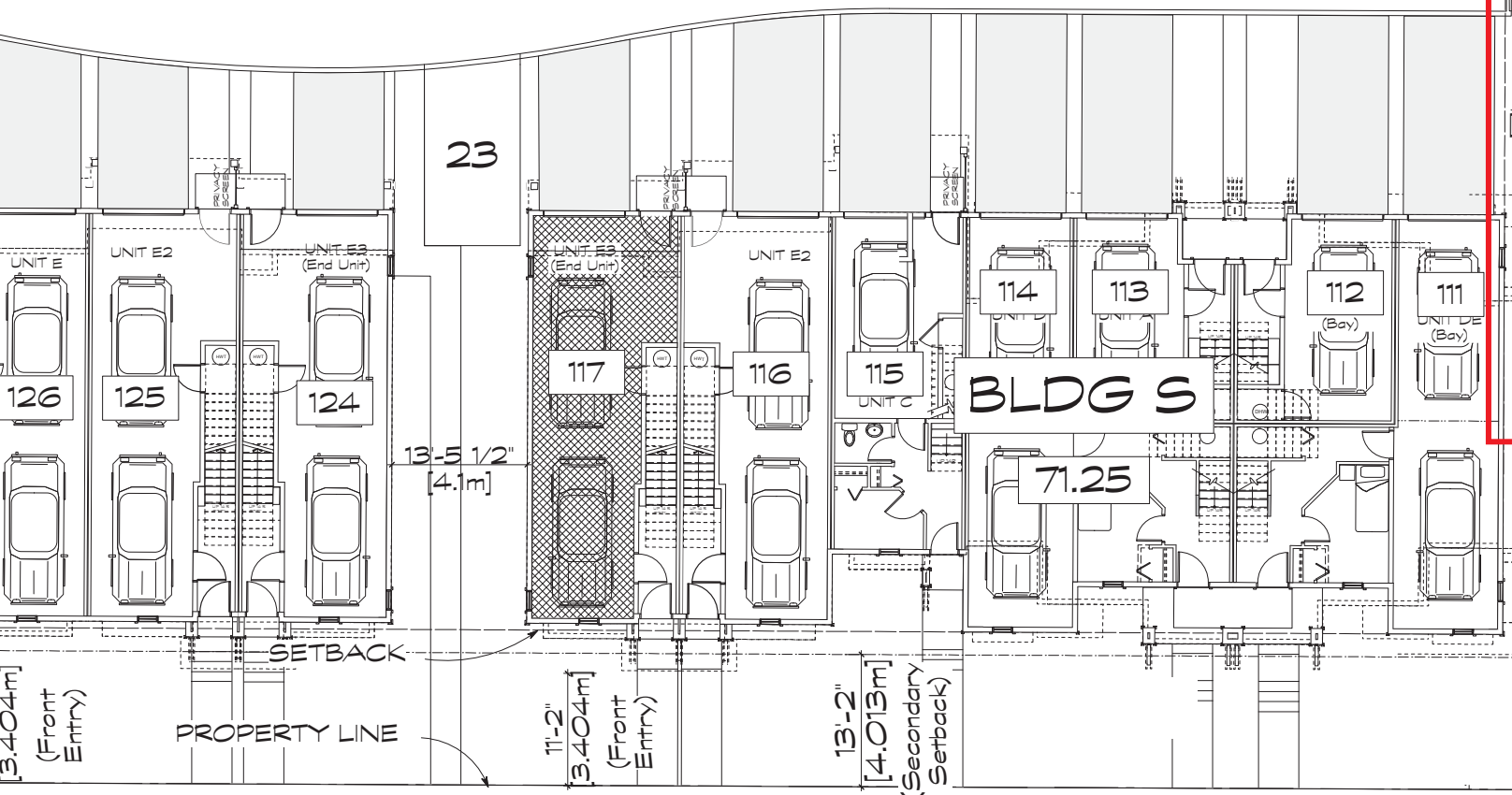
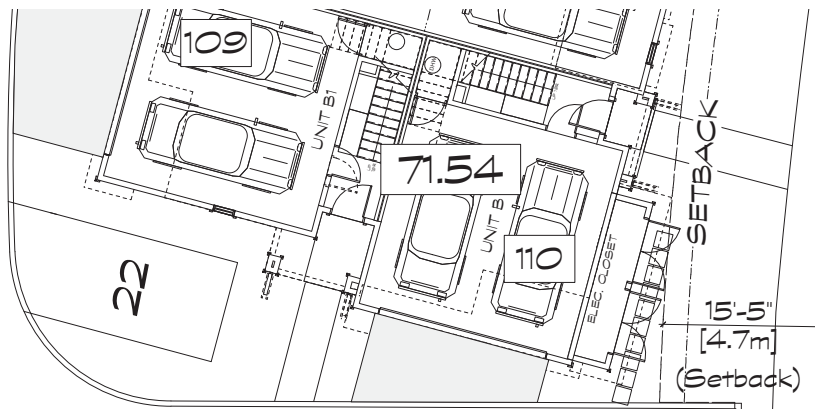
OWNER	SS/ES	DESIGNER	RC
SCALE	1/32"=1'-0"	PROJECT NO.	SCA179

1 SITE PLAN

REVISION NO.	1	HEET NO.	A.100
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**PHASE 6  
31 UNITS**



DVP for a reduced east side yard setback for Building S only.

PROPERTY LINE

PROPERTY LINE

**BLDG S**

23

22

15'-5"  
[4.7m]  
(Setback)

8'-3" (Setback @ Building S)  
[2.52m] Face of Building

7'-2" (Face of Bay)  
[2.19m]

6'-3" (Upper Roof Overhang)  
[1.91m]

3'-1" (Bay Overhang)  
[0.93m]

13'-5 1/2"  
[4.1m]

11'-2"  
[3.404m]  
(Front Entry)

13'-2"  
[4.013m]  
(Secondary Setback)

3.404m  
(Front Entry)

SETBACK

SETBACK

ELEC. CLOSET

UNIT E3 (End Unit)

UNIT E2

UNIT E

UNIT E2

UNIT E3 (End Unit)

UNIT D (Bay)

UNIT D (Bay)

UNIT C

71.25

71.55

71.15

71.54

114

113

112

111

121

120

119

UNIT E1

UNIT E

115

116

114

113

112

111

126

125

124

126

125

124

3.404m

(Front Entry)

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