

City of Surrey
PLANNING & DEVELOPMENT REPORT

Application No.: 7920-0095-00

Planning Report Date: July 27, 2020

PROPOSAL:

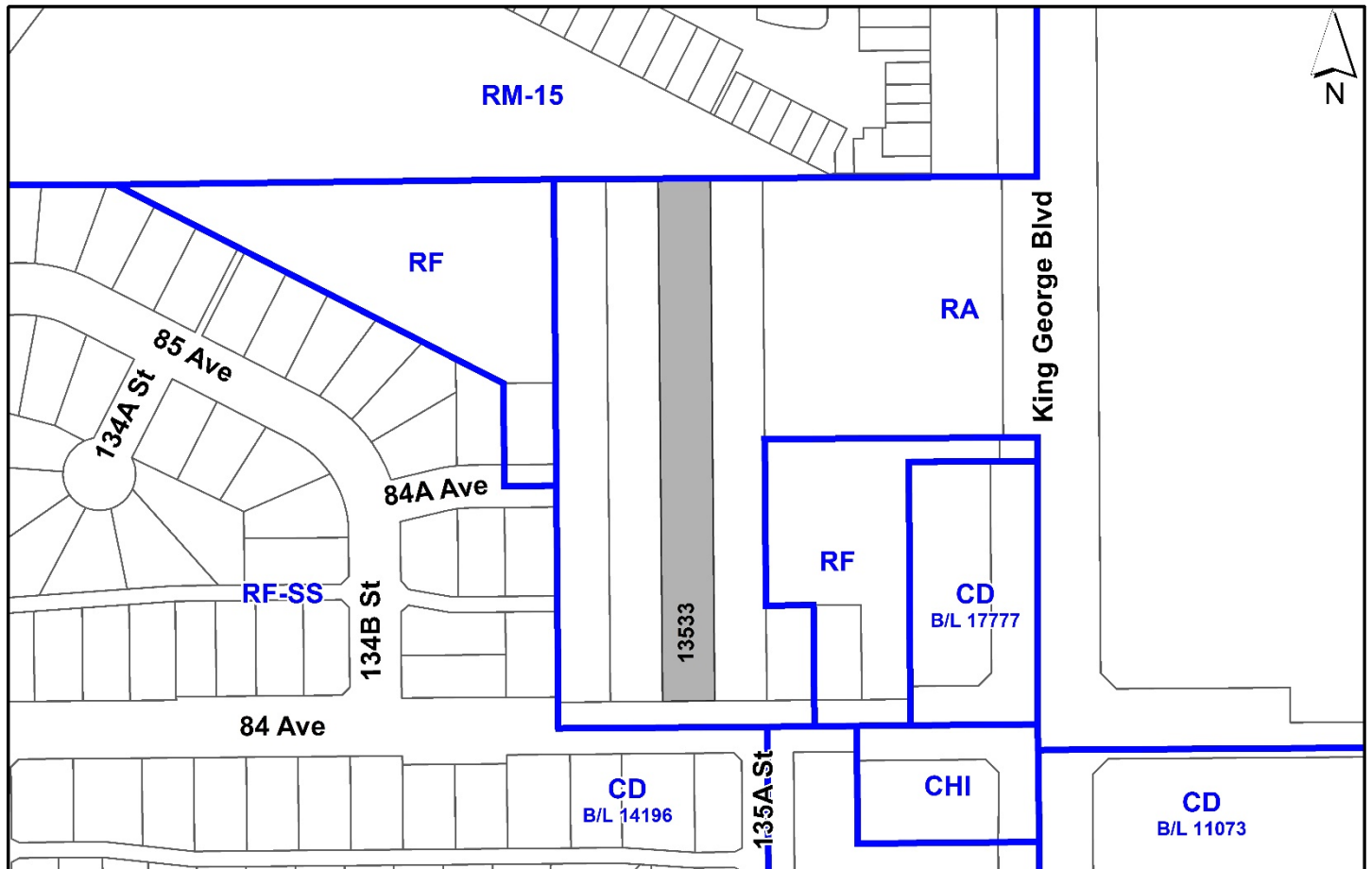
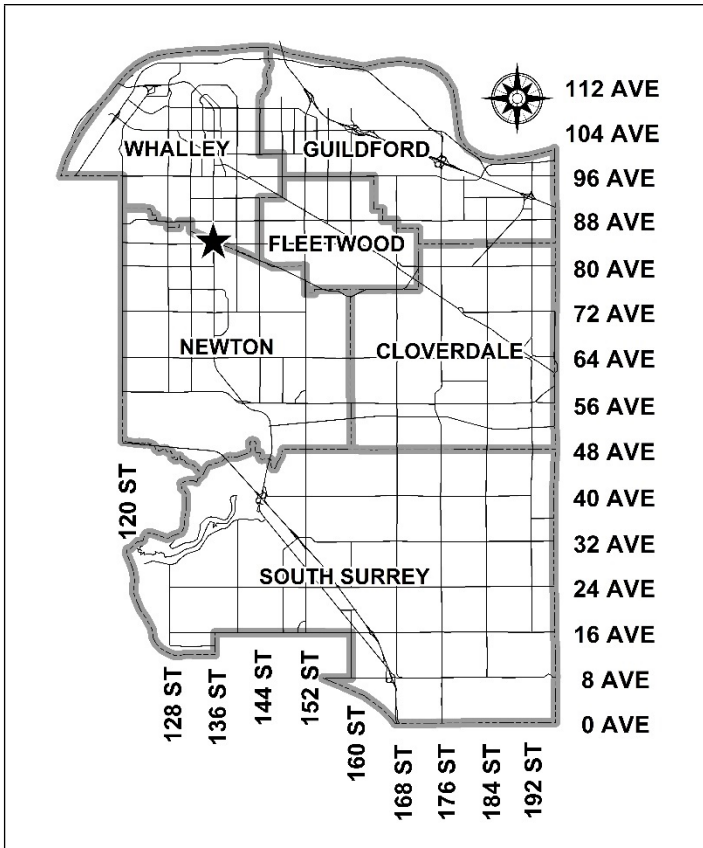
- **Development Variance Permit**

to reduce the minimum side yard setback to permit a single family dwelling.

LOCATION: 13533 - 84 Avenue

ZONING: RA

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 variance to reduce the minimum required side yard setback of the "One-Acre Residential (RA) Zone."

RATIONALE OF RECOMMENDATION

- Due to the narrow lot width of the subject property, siting a single-family dwelling with a functional house design that would comply with the required RA Zone side yard setbacks is challenging.
- There are several older single family dwellings along 84 Avenue that do not conform to the current required side yard setbacks under the RA Zone. The proposed reduction in the side yard setback is similar to the existing side yard setbacks for other homes in the area.
- The applicant proposes to comply with the standard side yard setback under the RA Zone on the east side to allow for retention of the off-site trees located at abutting property 13543 – 84 Avenue.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7920-0095-00 (Appendix I), to reduce the minimum side yard (west) setback of the One-Acre Residential (RA) Zone from 4.5 metres to 1.8 metres, to proceed to Public Notification.
2. Council instruct staff to resolve the following issues prior to approval:
 - (a) Registration of a Section 219 Restrictive Covenant for No-build/non-disturbance.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Vacant	Urban	RA
North (Across BC Hydro ROW):	Single Family Residential	Urban	RM-15
East:	Single Family Residential	Urban	RA
South (Across 84 Avenue):	Single Family Residential	Urban	RF-SS
West:	Single Family Residential	Urban	RA

Context & Background

- The subject property, located at 13533 – 84 Avenue, is designated "Urban" in the Official Community Plan and zoned "One-Acre Residential Zone (RA)".
- The previous single family dwelling on the property was located on the southern portion of the site, fronting 84 Avenue. The building was demolished in March 2020.
- The northern half (approximate) of the subject property is located under a BC Hydro right-of-way.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant is proposing a Development Variance Permit to reduce the minimum side yard (west) setback from 4.5 metres to 1.8 metres to permit the proposed single family dwelling (Appendix I).

- The subject property is 0.4 hectare in area. A large portion of the site is located under a BC Hydro right-of-way under which development of buildings is prohibited. The remaining developable area is approximately 0.15 hectares.
- The RA Zone side yard setback minimum requirement of 4.5 metres from the east and west property lines would result in an achievable building envelope width of only 11 metres.
- The subject site is one of 5 RA zoned properties fronting 84 Avenue between 134B Street and King George Blvd. The existing single family dwellings on these properties were all built prior to when the current RA Zone side yard setbacks were implemented. The existing homes' side yard setbacks range in size from 1 metre to 6.5 metres. The proposed side yard (west) setback of 1.8 metres for the subject property is consistent with the existing pattern in the surrounding area.
- The owner has submitted two letters of support from property owners in the local area, however letters of support from the adjacent neighbours have not been provided.

Referrals

Engineering:	The Engineering Department has no objection to the project.
Parks, Recreation & Culture:	The Parks, Recreation & Culture Department has no objection to the project.
BC Hydro:	BC Hydro has no objection to the project.
Surrey Fire Department:	No referral required.

Natural Area Considerations

- A Green Infrastructure Corridor (GIN) is located on the north section of the subject property under the BC Hydro right-of-way. The GIN corridor is approximately 81 metres north of the building envelope of the proposed single family dwelling and 58 metres north of the southern boundary of the BC Hydro right-of-way on the subject property.
- Due to the significant distance between the proposed single family dwelling and the GIN corridor, an exemption to the Sensitive Ecosystem Development Permit requirements has been granted. To assure the GIN corridor within the BC Hydro right-of-way will remain undisturbed the applicant will be required to register a Restrictive Covenant for No-build/Non-disturbance for the GIN area on the subject property.

POLICY & BYLAW CONSIDERATIONS

Official Community Plan

Land Use Designation

- The subject property is designated Urban in the Official Community Plan (OCP). The proposal complies with the OCP.

Zoning Bylaw

- The applicant is proposing the following variance:
 - to reduce the minimum side yard (west) setback of the RA zone from 4.5 metres to 1.8 metres.
- The reduction to the side yard (west) setback will allow the applicant to design a more functional floor plan while maintaining a 4.5 metre setback from the abutting property to the east.
- The applicant proposes to comply with the required 4.5 metre side yard setback on the east side of the property. Compliance with the 4.5 metre side yard (east) setback will allow for preservation of the off-site trees at 13543 – 84 Avenue.
- Staff support the requested variance to proceed for Public Notification.

TREES

- Anne Kulla, ISA Certified Arborist of Huckleberry Landscape Design prepared an Arborist Assessment for the subject property dated April 22, 2020.
- The Arborist Assessment states that there is a total of 13 mature off-site trees and one shared tree. There are no protected trees on site. The applicant proposes to retain all off-site and shared trees, no trees are proposed for removal under this application.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I Development Variance Permit No. 7920-0095-00

approved by Shawn Low

Jean Lamontagne
General Manager
Planning and Development

WS/cm

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7920-0095-00

Issued To:

("the Owner")

Address of 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: 009-781-773
Lot "B" Section 29 Township 2 New Westminster District Plan 13180
13533 - 84 Avenue

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:

In Section F of Yards and Setbacks of the "One-Acre Residential Zone (RA)" the required side yard (west) setback is reduced from 4.5 metres to 1.8 metres to permit a single family dwelling.
4. This development variance permit applies to only the 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 , 20 .
ISSUED THIS DAY OF , 20 .

Mayor – Doug McCallum

City Clerk – Jennifer Ficocelli

SITE PLAN

CIVIC ADDRESS 13533 84 AVENUE
SURREY, B.C.

ZONING RF

LOT AREA = 43623 SQ FT

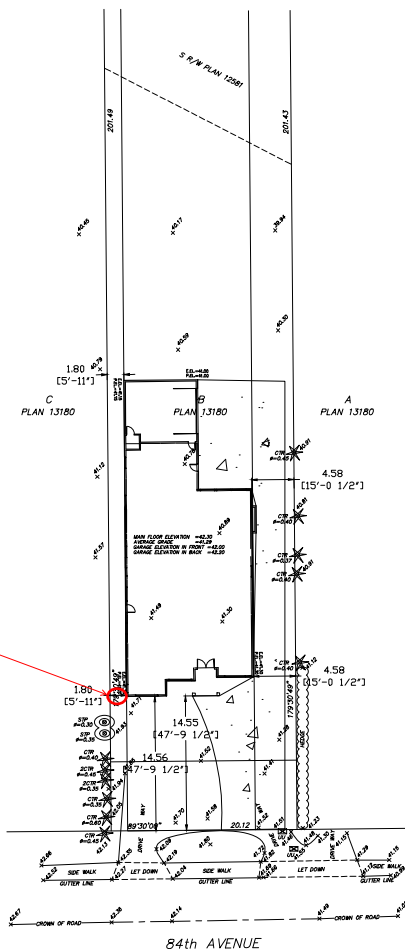
PROPOSED FLOOR AREA MAIN+ GARAGE+ NET TOP FL
= 4110+2522=6632 SQ. FT.

PERMITTED LOT COVERAGE = 8724 SQ. FT.

PROPOSED LOT COVERAGE = 4110+79=4189 SQ FT

PERMITTED BUILDING HEIGHT 9 M 30 FT

PROPOSED BUILDING HEIGHT 8.26 M



Variance to reduce the minimum side yard (west) setback from 4.5 metres to 1.8 metres.

E5 HOME DESIGN INC.

E5 HOME DESIGN INC.
13255 62 AVE
SURREY, B.C.
PHONE 604-512-9527
e5design@outlook.com

PROPOSED HOUSE AT
13533 84 AVENUE
SURREY B.C.