

City of Surrey  
PLANNING & DEVELOPMENT REPORT

Application No.: 7920-0311-00

Planning Report Date: February 22, 2021

PROPOSAL:

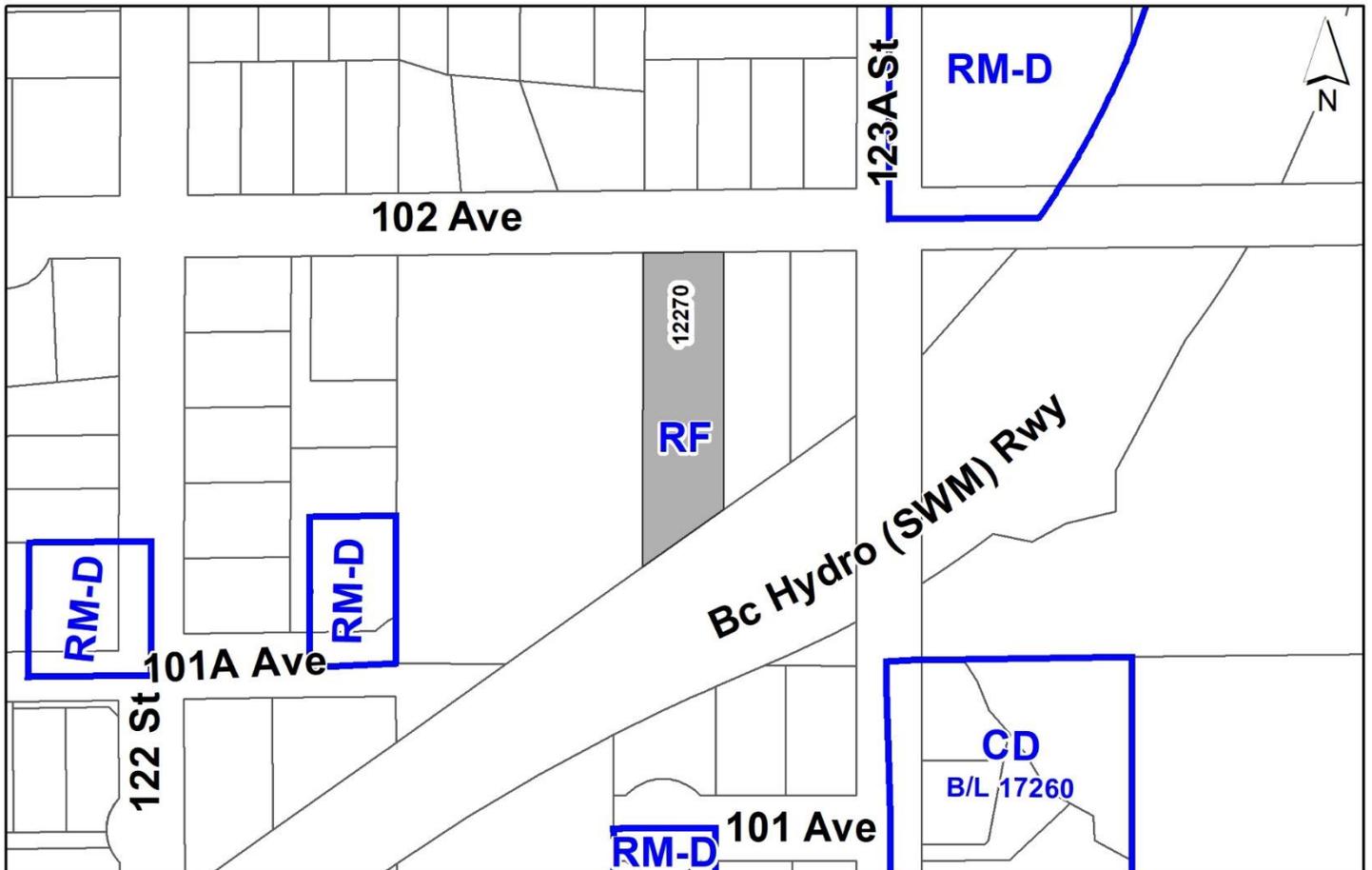
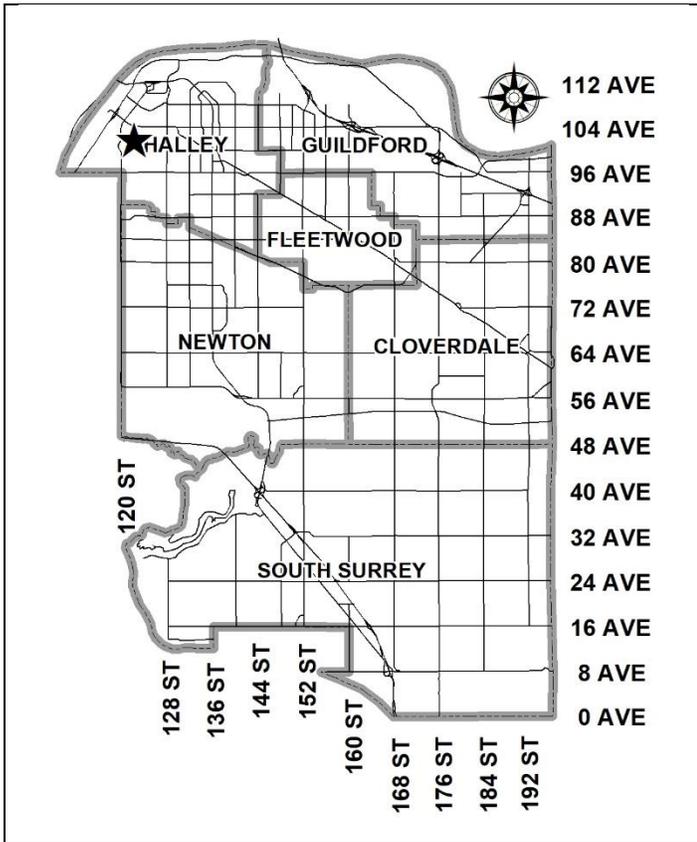
- **Development Variance Permit**

to increase the maximum allowable building height of a proposed new single family dwelling from 9 metres to 10.2 metres in order to accommodate a mono-sloped roof design.

LOCATION: 12270 - 102 Avenue

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 proposing to increase the maximum allowable building height of the RF Zone from 9 metres to 10.2 metres for the principal building to accommodate a mono-sloped roof design for a proposed new single family dwelling.

## RATIONALE OF RECOMMENDATION

- The applicant's new single family home design and building permit application were submitted prior to Council approval of new regulations for mono-sloped and butterfly roofs under the definition of "Building Height of Building on Single Family or Duplex Lot" in the Zoning By-law on May 4, 2020 (Corporate Report Ro66).
- As part of the Building Permit review process, the applicant was advised to submit a Watercourse Classification Assessment and Geotechnical Report to confirm that the application would not require a Streamside Protection nor a Hazard Lands Development Permit.
- During preparation and review of these required documents, the regulations for mono-sloped and butterfly roofs under the definition of "Building Height of a Building on Single Family or Duplex Lot" was amended and the proposed dwelling no longer complied with the height requirement of the Zoning Bylaw.
- The applicant did not anticipate the building height definition change nor the City's environmental and geotechnical reporting requirements. The applicant indicates that they will suffer undue hardship if they are required to redo the house design.
- The Board of Variance advised the applicant to apply for a Development Variance Permit.
- The proposed single family home achieves an attractive architectural built form that utilizes high quality materials and modern lines. It will contribute positively to the design character of new homes being constructed in this part of Whalley.
- Staff support the requested variance to proceed to Public Notification.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7920-0311-00 (Appendix I) varying the following, to proceed to Public Notification:
  - (a) to vary the maximum allowable building height of the Single Family Residential Zone (RF) for the principal building from 9 metres to 10.2 metres to accommodate a mono-sloped roof design for a proposed new single family dwelling.

## SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Single Family Dwelling	Urban	RF
North (Across 102 Avenue):	Single Family Dwelling	Urban	RF
East:	Single Family Dwelling	Urban	RF
South:	BC Hydro Railway	Urban	RF
West:	Vacant residential lot	Urban	RF

### Context & Background

- The subject site is located at 12270 102 Avenue in Whalley. The property is designated Urban in the Official Community Plan (OCP) and zoned Single Family Residential Zone (RF). It is a deep, oversized lot with an area of 2,187 sq. m.
- North and east of the property are existing single family homes. The property to the west is currently vacant and impacted by a Terasen Gas (FortisBC) right-of-way. To the south of the property is the BC Hydro (SWM) railway, which forms part of a Green Infrastructure Corridor along the railway tracks.
- The applicant had finalized the design of a new single family home for the lot and applied for a building permit prior to Council approval of new regulations for mono-sloped and butterfly roofs under the definition of "Building Height of Building on Single Family or Duplex Lot" in the Zoning By-law on May 4, 2020 (Corporate Report Ro66).
- The new regulations require that the building height be measured at the highest point on a mono-sloped or butterfly roof. Prior to this clarification, it was unclear from which point of the roof the building height should be measured for these types of roofs.
- The applicant was advised to submit a Watercourse Classification Assessment and a Geotechnical Report in order to confirm that the application would not require a Streamside Protection nor a Hazard Lands Development Permit.



## **POLICY & BY-LAW CONSIDERATIONS**

### **Official Community Plan**

#### Land Use Designation

- The property is designated "Urban" and the development proposal complies with this designation in the OCP. Residential units within the Urban designation includes a range of forms such as detached and semi-detached houses.

#### Themes/Policies

- The proposal new house construction complies with Sensitive Infill policies of the OCP by contributing a modern design aesthetic into a residential neighbourhood that is slowly redeveloping with a more contemporary character through new house construction. Offsite trees south on the BC Hydro Railway, west on the FortisBC right-of-way and east of the property preserve the natural features and ecology of the neighbourhood.

### **Zoning By-law**

#### Building Height Variance

- The applicant is requesting the following variance:
  - to vary the maximum building height of the Single Family Residential Zone (RF) from 9 metres to 10.2 metres for the principal building to accommodate a mono-sloped roof design for a proposed new single family dwelling.
- The applicant has exerted their best efforts to comply with the new building height definition however, the mono-sloped roof design still exceeds the maximum allowable building height in the Single Family Residential Zone (RF).
- The applicant advised that it will cause them undue hardship to redo the building design. The applicant submitted the building permit application prior to the building height definition change and did not anticipate City requirements to provide environmental and geotechnical reports which caused the Building Permit review process to be delayed and resulted in the proposed dwelling no longer being compliant with height requirements in the Zoning Bylaw.
- The applicant was advised by the Board of Variance to apply for a Development Variance Permit because as a rule, new constructions are not accepted by the Board.
- The proposed single family home achieves an attractive architectural built form that utilizes high quality materials and modern lines. It will contribute positively to the design character of new homes being constructed in this part of Whalley.
- The height and mass of the proposed dwelling will not be out of character in comparison to other, newer dwellings in the neighbourhood.
- Staff support the requested variances to proceed to Public Notification.

**TREES**

- John Monk, ISA Certified Arborist of Outlook Arborist Services prepared an Arborist Assessment for the subject property. The table below provides a summary of the tree retention and removal by tree species:

**Table 1: Summary of Tree Preservation by Tree Species:**

<b>Tree Species</b>	<b>Existing</b>	<b>Remove</b>	<b>Retain</b>
<b>Deciduous Trees</b> (excluding Alder and Cottonwood Trees)			
Weeping Willow	1	1	
Excelsior Cedar	2		2
Big Leaf Maple	2		2
<b>Coniferous Trees</b>			
Grand Fir	1	1	
Ponderosa Pine	1		1
<b>Total (excluding Alder and Cottonwood Trees)</b>	<b>7</b>	<b>2</b>	<b>5</b>
<b>Total Replacement Trees Proposed</b> (excluding Boulevard Street Trees)		<b>4</b>	
<b>Total Retained and Replacement Trees</b>		<b>9</b>	
<b>Contribution to the Green City Program</b>		<b>0</b>	

- The Arborist Assessment states that there is a total of 7 mature trees on the site, excluding Alder and Cottonwood trees. It was determined that 5 trees can be retained as part of this development proposal. The proposed tree retention was assessed taking into consideration the location of services, building footprints, road dedication and proposed lot grading.
- For those trees that cannot be retained, the applicant will be required to plant trees on a 2 to 1 replacement ratio for all other trees. This will require a total of 4 replacement trees on the site. The applicant is proposing 4 replacement trees, meeting City requirements.
- In summary, a total of 5 trees are proposed to be retained and 4 replaced on the site for a total of 9 trees.

**INFORMATION ATTACHED TO THIS REPORT**

The following information is attached to this Report:

Appendix I.        Development Variance Permit No. 7920-0311-00

*approved by Ron Gill*

Jean Lamontagne  
General Manager  
Planning and Development

DQ/cm

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7920-0311-00

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: 010-526-331

Lot 1 Section 30 Block 5 North Range 2 West New Westminster District Plan 19640

12270 102 Ave

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
  - (a) In Section G. Height of Buildings of Part 16 "Single Family Residential Zone (RF)", the maximum building height of the principal building is increased from 9 metres to 10.2 metres to accommodate a mono-sloped roof design.
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      , 20 .  
ISSUED THIS      DAY OF      , 20 .

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Mayor – Doug McCallum

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City Clerk – Jennifer Ficocelli

