

City of Surrey
PLANNING & DEVELOPMENT REPORT

Application No.: 7921-0252-00

Planning Report Date: November 8, 2021

PROPOSAL:

- **Development Variance Permit**

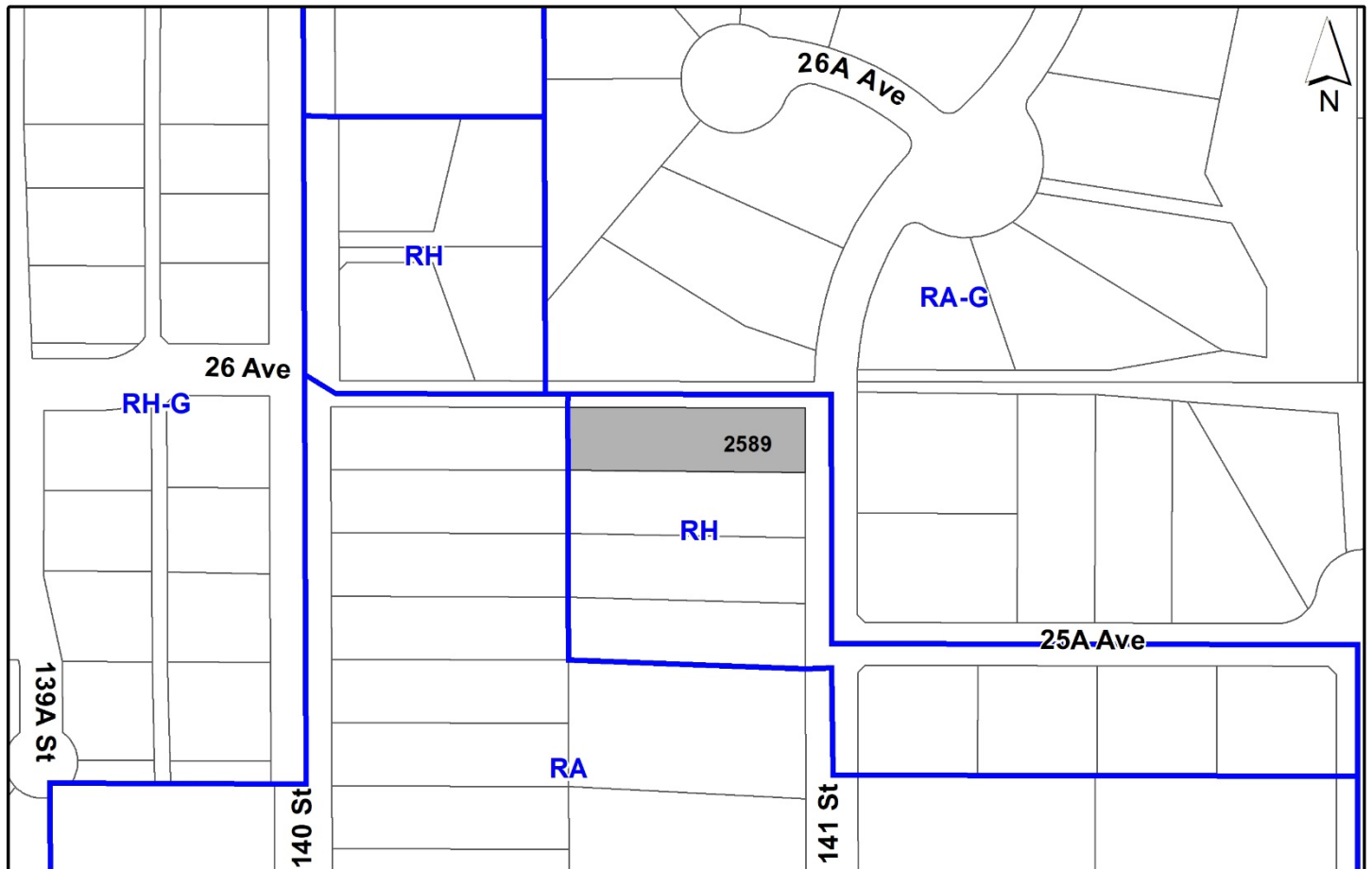
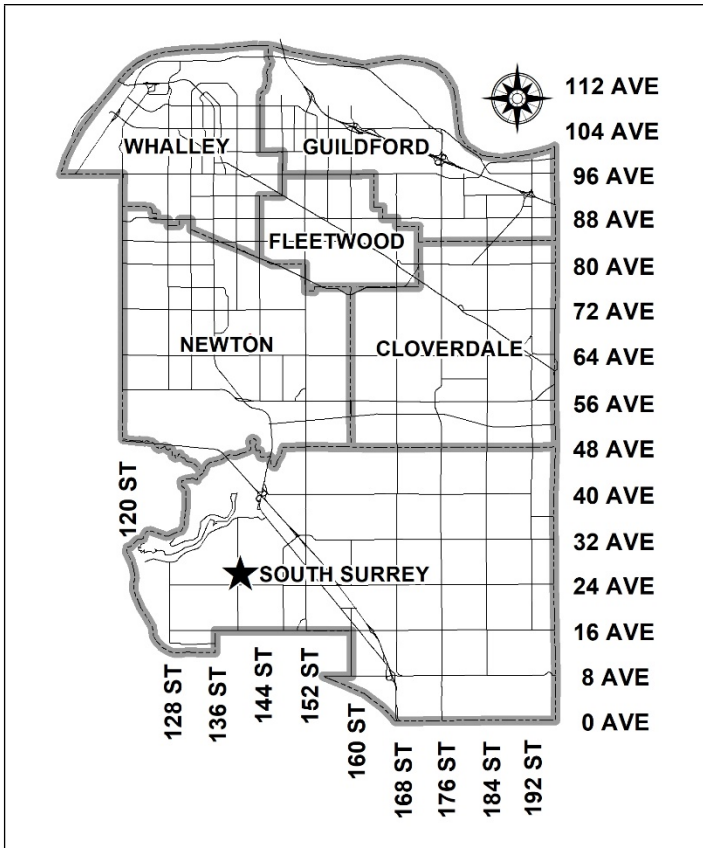
to reduce the street side yard setback to facilitate the construction of a single-family dwelling.

LOCATION: 2589 - 141 Street

ZONING: RH

OCP DESIGNATION: Suburban

LAP DESIGNATION: Half-Acre Gross Density



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is proposing to reduce the street side yard setback for a principal building from 7.5 metres to 4.5 metres under Part 14 Half-Acre Residential Zone of the Zoning By-law.

RATIONALE OF RECOMMENDATION

- The north street side yard setback results from the presence of an unconstructed City road allowance. Given this is an unopened road allowance an increased setback of 7.5 metres is required (street side yard setback). Should the lot not be located adjacent a road allowance a typical side yard setback of 4.5 metres would be applicable. A reduced setback of 4.5 metres would be consistent with the setbacks on the adjacent RH lots to the south.
- The proposed variance to reduce the north street side yard setback from 7.5 metres to 4.5 metres will permit a building envelope that is consistent in width with adjacent single-family dwellings on "Half-Acre Residential" (RH) lots fronting 140 Street on this block.
- A reduction to the street side yard setback would be consistent with conceptual drawings associated with the arborist report that were provided as part of the for the original Development Application No. 7919-0107-00 on the site and will conform to the tree protection no-build area registered through that application.
- The existing tree protection restrictive covenant ensures that this variance will not permit the removal of additional protected trees.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7921-0252-00 (Appendix II), to vary Part 14 Half-Acre Residential Zone of the Zoning By-law to:
 - (a) reduce the minimum street side yard setback for a principal building from 7.5 metres to 4.5 metres.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP/LAP Designation	Existing Zone
Subject Site	Single-family dwelling	Suburban / Half-Acre Gross Density	RH
North (Across City Road Right-of-way):	Single-family dwellings	Suburban / Half-Acre Gross Density	RA-G
East (Across 141 St.):	Single-family dwellings / Parkland (Elgin EstatesPark)	Suburban / Half-Acre Gross Density	RA-G
South:	Single-family dwellings	Suburban / Half-Acre Gross Density	RH
West:	Single-family dwellings	Suburban / Half-Acre Gross Density	RA

Context & Background

- The site falls within the OCP Suburban designation and Central Semiahmoo Local Area Plan (LAP) Half-Acre Suburban designation.
- The subject property is a 2,268 square metre lot created as part of Development Application No. 7919-0107-00.
- The subject property is adjacent to single-family dwellings (to the north, west, and south) and single-family dwellings and Elgin Estates Park (to the east)
- The subject property abuts an unconstructed City road allowance on the north.
- A tree protection restrictive covenant and no-build area was registered through File 7919-0107-00 to retain trees on this property. The plan registered with this covenant provides a tree management plan that depicts the principal building extending into the 7.5 metre street side yard setback. By situating the building near the center of the lot, retention of several tree clusters is possible.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant is proposing to vary the Half-Acre (RH) Residential Zone to the north street side yard setback for a principal building from 7.5 metres to 4.5 metres to permit the construction of a single-family dwelling.
- The unconstructed City road allowance abutting this lot to the north is defined as a flanking road according to the Zoning By-law. This flanking road allowance requires a street side yard setback of 7.5 metres for a principal building in the RH zone, which is greater than the standard side yard setback of 4.5 metres for a principal building.
- The City plans for this road allowance to remain unconstructed until required for the development of a road extension or as a multi-use pathway.
- If the City constructs the road allowance as a road extension or multi-use pathway, then the proposed variance should not impede that development, as there will be sufficient space between the home and road or pathway.
- Construction of this road allowance may be required if the lots to the north at 2609 141 Street or 2589 141 Street seek future subdivision and redevelopment.

Referrals

Engineering: Engineering comments that the unconstructed road allowance will remain for the potential of future construction.

POLICY & BY-LAW CONSIDERATIONS

Zoning By-law

- The applicant is requesting the following variance:
 - To vary section F.1. of Part 14 "Half-Acre Residential Zone" of the Zoning By-law to reduce the minimum street side yard setback for a principal building from 7.5 metres to 4.5 metres.
- The north street side yard setback results from the presence of an unconstructed City road allowance. Given this is an unopened road allowance an increased setback of 7.5 metres is required (street side yard setback). Should the lot not be located adjacent a road allowance a typical side yard setback of 4.5 metres would be applicable. A reduced setback of 4.5 metres would be consistent with the setbacks on the adjacent RH lots to the south.
- The proposed variance will permit the development of a principal building that is consistent in size with the other RH homes on this block.

- The proposed variance will permit a building envelope that complies with the registered tree protection restrictive covenant.
- The proposed variance does not conflict with future development scenarios for the abutting road allowance.
- Staff support the requested variance to proceed for consideration.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Site Plan
Appendix II.	Development Variance Permit No. 7921-0252-00

approved by Shawn Low

Ron Gill
Acting General Manager
Planning and Development

JK/cm



- NOTES:**
1. ALL DIMENSIONS ARE APPROXIMATE ONLY BASED ON MASTER PLANS.
 2. LAYOUT IS PRELIMINARY AND SUBJECT TO APPROVALS AND SURVEYS.

No.	Date	Revision	Dr	Ch

CitiWest Consulting Ltd.
 No.101-9030 KING GEORGE BLVD., SURREY, BC, V3V 7Y3
 TELEPHONE 604-591-2213 FAX 604-591-5518
 E-MAIL: office@citiwest.com



TIGER FIRST DEVELOPMENT LTD.
 13711 - 228 AVENUE, SURREY, BC V4A 9V8, CELL: 778-697-8835, EMAIL: clong9908@gmail.com

BUILDING ENVELOPE SKETCH
 SITE AT 2589 - 141 STREET, SURREY, BC

Scale: 1:500	Mun. Proj. No.	Dwg. No.
Drawn: EK	Mun. Dwg. No.	A
Designed: JK	Job No. 19-3838T	Of
Drawn: F.U.	Date AUG/2021	Revision
Approved:	Date	Revision

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7921-0252-00

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: 031-431-801
Lot A Section 21 Township 1 New Westminster District Plan EPP100078
2589 - 141 Street

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In section F.1 of Part 12 "RA, One-Acre Residential Zone," that the street side yard setback for a principal building be reduced from 7.5 metres to 4.5 metres.
4. 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.
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.

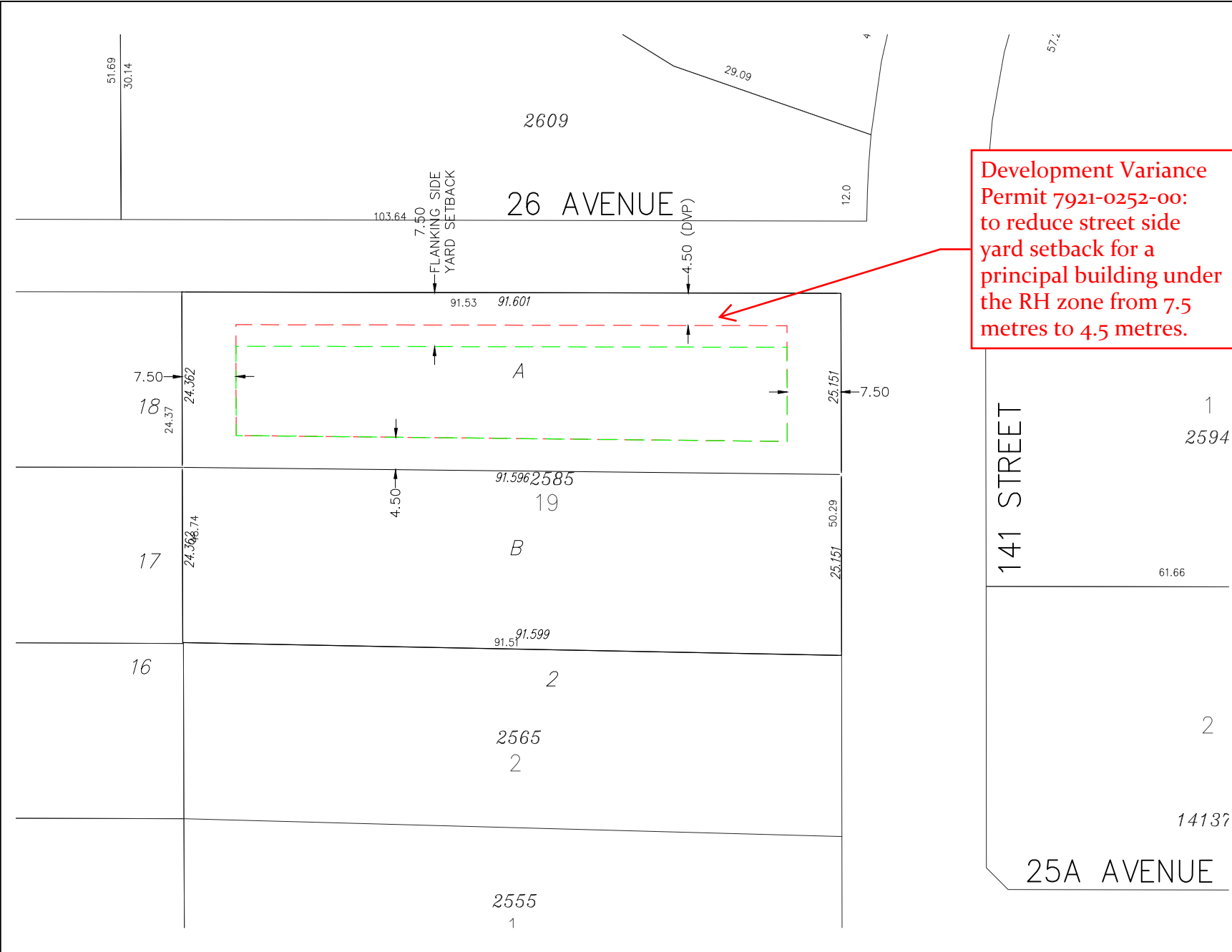
7. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.

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



Development Variance Permit 7921-0252-00: to reduce street side yard setback for a principal building under the RH zone from 7.5 metres to 4.5 metres.

- NOTES:**
1. ALL DIMENSIONS ARE APPROXIMATE ONLY BASED ON MASTER PLANS.
 2. LAYOUT IS PRELIMINARY AND SUBJECT TO APPROVALS AND SURVEYS.

No.	Date	Revision	Dr	Ch

CitiWest Consulting Ltd.
 No.101-9030 KING GEORGE BLVD., SURREY, BC, V3V 7Y3
 TELEPHONE 604-591-2213 FAX 604-591-5518
 E-MAIL: office@citiwest.com



TIGER FIRST DEVELOPMENT LTD.
 13711 - 228 AVENUE, SURREY, BC V4A 9V8, CELL: 778-697-8835, EMAIL: clong9908@gmail.com

BUILDING ENVELOPE SKETCH
 SITE AT 2589 - 141 STREET, SURREY, BC

Scale: 1:500	Mun. Proj. No.	Dwg. No.
Drawn: EK	Mun. Dwg. No.	A
Designed: JK	Job No. 19-3838T	Of
Approved:	Date AUG/2021	Revision