City of Surrey
PLANNING & DEVELOPMENT REPORT
Application No.: 7922-0144-00
Planning Report Date: July 25, 2022

PROPOSAL:
- Development Variance Permit
to reduce the east front yard setback to allow for the construction of a detached accessory building on the lot.

LOCATION: 5790 - 191A Street
ZONING: RH-G
OCP DESIGNATION: Urban
RECOMMENDATION SUMMARY

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

DEVIAITION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is proposing to reduce the minimum east front yard setback requirement of the RH-G Zone in order to permit the construction of a detached accessory building that is greater than 10 square metres in size.

RATIONALE OF RECOMMENDATION

- The proposal complies with the Urban designation in the Official Community Plan (OCP).
- The proposal complies with the General Urban designation in the Metro Vancouver Regional Growth Strategy (RGS).
- The subject lot is considered a “through” lot under the Surrey Zoning Bylaw No. 12000, wherein the lot lines abutting both 191A Street and 192 Street are considered the front lot lines. The proposed variance will allow the property owner to construct an accessory building in the east front yard of the lot, which functions as the backyard on the lot (as the existing principal dwelling faces west towards 191A Street)
- The proposed accessory building, which is greater than 10 square metres, is located at the rear of the principal dwelling and will not affect the established residential streetscape as seen from 191A Street. The dwelling will retain a full driveway to allow for the provision of vehicle parking, and the setback relaxation will not affect the existing outdoor yard space located at the rear of the lot.
- The proposed setback of 1.8 metres is consistent with the rear yard condition in the RH-G Zone.
RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7922-0144-00 (Appendix II) varying the following, to proceed to Public Notification:

   (a) to reduce the minimum east front yard setback of the Half-Acre Residential Gross Density (RH-G) Zone from 18.0 metres to 1.8 metres for an accessory building greater than 10 square metres in size.

SITE CONTEXT & BACKGROUND

<table>
<thead>
<tr>
<th>Direction</th>
<th>Existing Use</th>
<th>OCP Designation</th>
<th>Existing Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject Site</td>
<td>Residential</td>
<td>Urban</td>
<td>RH-G</td>
</tr>
<tr>
<td>North (Across Lane):</td>
<td>Residential</td>
<td>Urban</td>
<td>RH-G</td>
</tr>
<tr>
<td>East (Across 192 Street):</td>
<td>Industrial Business Park</td>
<td>Industrial</td>
<td>CD</td>
</tr>
<tr>
<td>South</td>
<td>Residential</td>
<td>Urban</td>
<td>RH-G</td>
</tr>
<tr>
<td>West (Across 191A Street):</td>
<td>Residential</td>
<td>Urban</td>
<td>RH-G</td>
</tr>
</tbody>
</table>

Context & Background

- The subject lot is 1,324 square metres in size and is located at 5790 - 191A Street.

- The subject lot is considered a “through” lot under the Zoning Bylaw No. 12000 wherein the lot lines abutting both 191A Street and 192 Street are considered the front lot lines. The proposed variance will allow the property owner to construct an accessory building in the east front yard of the lot, which functions as the backyard on the lot (as the existing principal dwelling faces west towards 191A Street).

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant is proposing to reduce the minimum east front yard setback to a proposed accessory building in the Half-Acre Residential Gross Density (RH-G) Zone. The accessory building proposed is a 47 square metre detached garage.

- Section F of Part 15 Half-Acre Residential Gross Density (RH-G) Zone of the Zoning By-law No. 12000 states that the setback of an accessory building from a front property line shall be 18.0 metres. The applicant is proposing a 1.8 metre setback for an accessory building from the 192 Street front property line.
The proposed accessory building is located at the rear of the principal dwelling and will not affect the established residential streetscape as seen from 191A Street. The dwelling will retain a full driveway to allow for the provision of vehicle parking, and the setback relaxation will not affect the existing outdoor yard space located at the rear of the lot.

The proposed setback of 1.8 metres is consistent with the rear yard condition in the RH-G Zone.

**Referrals**

**Engineering:** The Engineering Department has no objection to this project.

**Transportation Considerations**

The proposed development will require a special setback of 3 metres measured from the 192nd Street frontage, as per Part 7 of the Zoning By-law No. 12000. No variance is granted for the special setback, and a special setback assessment referral will be required prior to Building Permit issuance.

The applicant has achieved the 3 metre special setback, as per Part 7, in addition to the 1.8 metre variance currently being considered under Part 15.

**POLICY & BY-LAW CONSIDERATIONS**

**Regional Growth Strategy**

The subject property is designated General Urban in the Regional Growth Strategy (RGS). The existing single-family dwelling and proposed accessory building comply with the General Urban designation.

**Official Community Plan**

**Land Use Designation**

The proposal supports the Sensitive Infill policy of the OCP. The existing dwelling and proposed accessory building are appropriate in scale and density to the neighbourhood context. The proposed accessory building is located at the rear of the dwelling and will not affect the existing neighbourhood character or streetscape.

**Amendment Rationale**

The applicant is requesting the following variances:

- to vary Part 15 Half-Acre Residential Gross Density Zone (RH-G) to reduce the minimum east front yard setback from 18.0 metres to 1.8 metres for an accessory building that is greater than 10 square metres in size.
• The proposed development will require a special setback of 3 metres as per part 7 of by-law 12000. No variance is granted for the special setback, and a special setback assessment referral will be required prior to Building Permit issuance. The applicant has achieved the 3 metre special setback, as per Part 7, in addition to the 1.8 metre variance currently being considered under Part 15.

• The subject lot is considered a “through” lot under the Surrey Zoning Bylaw wherein the lot lines abutting both 191A Street and 192 Street are considered the front lot lines. The proposed variance will allow the property owner to construct an accessory building in the east front yard of the lot, which functions as the backyard on the lot (as the existing principal dwelling faces west towards 191A Street).

• The proposed accessory building is located at the rear of the principal dwelling and will not affect the established residential streetscape as seen from 191A Street. The dwelling will retain a full driveway to allow for the provision of vehicle parking, and the setback relaxation will not affect the existing outdoor yard space located at the rear of the lot.

• The proposed setback of 1.8 metres is consistent with the rear yard condition in the RH-G Zone.

• The existing dwelling with the proposed accessory building satisfies all other Half-Acre Residential Gross Density Zone (RH-G) regulations.

• Staff support the requested variances 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. 7922-0144-00

approved by Ron Gill

Jeff Arason
Acting General Manager
Planning and Development

RO/cm
CITY OF SURREY

(the "City"

DEVELOPMENT VARIANCE PERMIT

NO.: 7922-0144-00

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: 001-328-514
   Lot 31 Section 9 Township 8 New Westminster District Plan 64309
   5790 - 191A Street

   (the "Land")

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

   (a) In Section F. Yards and Setbacks of Part 15 “Half-Acre Residential Gross Density Zone (RH-G)”, the minimum east front yard setback for an accessory building greater than 10 square metres in size is reduced from 18.0 metres to 1.8 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. 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.

ISSUED THIS DAY OF , 20 .

______________________________________
Mayor – Doug McCallum

______________________________________
City Clerk – Jennifer Ficocelli
To reduce the minimum east front yard setback of the Half-Acre Residential Gross Density (RH-G) Zone from 18.0 metres to 1.8 metres for an accessory building greater than 10 square metres in size.