

## PLANNING \& DEVELOPMENT REPORT

## Application No.: $\quad$ 7922-0237-00

Planning Report Date: October 3, 2022

## PROPOSAL:

- Development Variance Permit
to allow front loading driveway access, vary landscaping requirements, and reduce the rear yard setback to permit the development of a single-family dwelling.

LOCATION: 14769-62 Avenue
ZONING:
RF-10
OCP DESIGNATION: Urban
NCP DESIGNATION: (South Newton) Single Family Residential Flex 6-14 upa


## RECOMMENDATION SUMMARY

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


## DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Proposing to vary the access, landscaping, and rear yard setback requirements of the "Single Family Residential (10) Zone" to allow driveway access along the front property line.


## RATIONALE OF RECOMMENDATION

- Development Application 7920-0182-oo was granted Final Adoption on May 10, 2021, at the Regular Council - Land Use meeting. The application was to rezone the property from "One-Acre Residential Zone (RA)" to "Single Family Residential (ıo) Zone (RF-10)".
- The applicant is requesting to vary the Off-Street Parking, Landscaping, and Yards and Setbacks requirements of the RF-10 Zone to permit front access driveways on the lot. The proposed variances will allow the property to function similarly to a "Single Family Residential (12) Zone (RF-12)" lot.
- RF-1o zoned properties require driveway access from a rear lane, which does not exist for this lot.
- The property is an oversized Type II RF-10 corner lot.
- Allowing driveway access along 62 Avenue will maintain the building typology and frontage that will be established along 62 Avenue through the RF-12 lots to the west created under Application 7920-0182-00. These homes have not yet been constructed, but have been subdivided and rezoned, with Building Permits under application on multiple lots.


## RECOMMENDATION

The Planning \& Development Department recommends that:
Council approve Development Variance Permit No.7922-0237-oo (Appendix II) varying the following, to proceed to Public Notification:
(a) to reduce the minimum rear yard setback of the RF-1o Zone from 7.5 metres to 6 metres to the principal building face;
(b) to increase the minimum front yard setback of the RF-10 Zone from 4.0 metres to 6 metres;
(c) to delete and replace Yard and Setbacks Section F footnote 1 of the RF-1o Zone with footnote 1 found in the RF-12 zone, in order to allow the lot to function similarly to a typical RF-12 lot by providing a reduction in front yard setback requirements for $50 \%$ of the width of the principal building provided carport and driveway setback requirements are met;
(d) to delete and replace Yard and Setbacks Section F footnote 2 of the RF-ı Zone with footnote 2 found in the RF-12 zone, in order to allow the lot to function similarly to a typical RF-12 lot by providing a reduction in rear yard setback requirements for $50 \%$ of the width of the principal building to accommodate an unenclosed deck and increase the deck area to 14 square metres as allowed in the RF-12 zone.
(e) to delete and replace Landscaping Section I. 2 and I. 3 of the RF-10 Zone with Section I. 2 and I. 3 of the RF-12 Zone, in order to vary the landscaping requirements to allow for a front yard driveway, including changing porous surface requirements and front yard landscaping requirements to accommodate a driveway; and
(f) to remove Off-Street Parking Loading/Unloading Section H. 2 that requires driveway access only from a lane under the RF-ı Zone.

## SITE CONTEXT \& BACKGROUND

| Direction | Existing Use | OCP/NCP <br> Designation | Existing Zone |
| :--- | :--- | :--- | :--- |
| Subject Site | Vacant single <br> family lot | Urban/Single <br> Family Residential <br> Flex 6-14 upa | RF-10 |
| North: | Vacant single <br> family lot | Urban/Single <br> Family Residential <br> Flex 6-14 upa | RF-13 |


| Direction | Existing Use | OCP/NCP <br> Designation | Existing Zone |
| :--- | :--- | :--- | :--- |
| East (Across 147B Street): | Vacant single <br> family lot | Urban/Single <br> Family Residential <br> Flex 6-14 upa | RF-9 |
| South (Across 62 Avenue): | Single family <br> dwelling | Urban/Single <br> Family Residential <br> Flex 6-14 upa | RF-12 |
| West: | Vacant single <br> family lot | Urban/Single <br> Family Residential <br> Flex 6-14 upa | RF-12 |

## Context \& Background

- The subject site is designated "Urban" in the Official Community Plan (OCP).
- The subject property was created through subdivision under previous Development Application 7920-0182-00.
- The lot is currently vacant as the provisions within the RF-10 zone prevents the lot from being developed. The RF-10 zoning requires vehicle access from a rear lane. However, no rear lane was provided as part of Development application No. 7920-0182-oo.


## DEVELOPMENT PROPOSAL

## Planning Considerations

The applicant is proposing a Development Variance Permit to allow driveway access along the front lot line to allow the lot to be developed under the current RF-1o zoning.

## Referrals

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

## Transportation Considerations

- The RF-10 zone requires Off-Street parking to be accessible from a rear lane. The variance will allow for Off-Street parking access from the front lot line, allowing the property to function similarly to the RF-12 Lots to the west along the same block.


## POLICY \& BY-LAW CONSIDERATIONS

## Zoning By-law

## Off-Street Parking Variances

- The applicant is requesting the following variances:
(a) to reduce the minimum rear yard setback of the RF-1o Zone from 7.5 metres to 6 metres to the principal building face;
(b) to increase the minimum front yard setback of the RF-10 Zone from 4.0 metres to 6 metres;
(c) to delete and replace Yard and Setbacks Section F footnote 1 of the RF-1o Zone with footnote 1 found in the RF-12 zone, in order to allow the lot to function similarly to a typical RF-12 lot by providing a reduction in front yard setback requirements for $50 \%$ of the width of the principal building provided carport and driveway setback requirements are met;
(d) to delete and replace Yard and Setbacks Section F footnote 2 of the RF-1o Zone with footnote 2 found in the RF-12 zone, in order to allow the lot to function similarly to a typical RF-12 lot by providing a reduction in rear yard setback requirements for $50 \%$ of the width of the principal building to accommodate an unenclosed deck and increase the deck area to 14 square metres as allowed in the RF-12 zone.
(e) to delete and replace Landscaping Section I. 2 and I. 3 of the RF-1o Zone with Section I. 2 and I. 3 of the RF-12 Zone, in order to vary the landscaping requirements to allow for a front yard driveway, including changing porous surface requirements and front yard landscaping requirements to accommodate a driveway; and
(f) to remove Off-Street Parking Loading/Unloading Section H. 2 that requires driveway access only from a lane under the RF-1o Zone.
- The proposed variances would allow the property to be developed without the presence of a rear lane.
- The proposed variances will allow the property to function similarly to a typical RF-12 lot. Changes to setbacks, landscaping, and parking requirements will permit the lot to be accessed by vehicles from the front of the property, and modify setbacks to ensure that a functional home can be built on the property.
- The proposed front yard setback variances will match the setback requirements under the RF12 zone, including a reduced setback of 4.0 m for $50 \%$ of the width of the principal building, provided carport and driveway setback requirements are met.
- The proposed rear yard setback variances will reduce the rear yard setback requirements from 7.5 metres to 6.0 metres. Although a typical RF-12 lot would require a 7.5 metre setback, as the lot is approximately 30 square metres smaller than required for a Type II RF-12 corner lot, this reduced setback will allow for a functional sized home, while maintaining a consistent frontage along 62 Avenue. The proposed variance will also allow for an unenclosed deck to have a setback of 4.5 metres along $50 \%$ of the width of the principal building, as is typical for an RF-12 zoned lot.
- Allowing driveway access along 62 Avenue and establishing setbacks consistent with the RF-12 zone will maintain the building typology and frontage accesses that will be established along 62 Avenue through the RF-12 lots to the west created under Application 7920-o182-00.
- 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. 7922-0237-oo
approved by Shawn Low

Jeff Arason
Acting General Manager
Planning and Development
SDC/cm


## DEVELOPMENT VARIANCE PERMIT

NO.: 7922-0237-oo
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: 031-447-911
Lot 19 Section 10 Township 2 New Westminster District Plan Eppı8966
14769-62 Avenue
(the "Land")
3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
(a) In Section F. 2 of Part 17C "Single Family Residential (10) Zone", the minimum principal building rear yard setback is reduced from 7.5 metres to 6.0 metres.
(b) In Section F. 2 of Part 17C "Single Family Residential (10) Zone", the minimum principal building front yard setback is increased from 4.0 metres to 6.0 metres.
(c) In Section F. 2 of Part 17C "Single Family Residential (10) Zone", Delete Footnote 1 and replace with the following:
i. The front yard setback of the principal building may be reduced to a minimum of 4.0 m for up to $50 \%$ of the width of the front of the principal building, or for the entire first storey or part thereof of the principal building, or for a principal building not exceeding 5.0 m in building height, provided that the front yard setback of a garage or carport shall be a minimum of 6.0 m . The minimum 6.0 m and the permitted 4.0 m front yard setbacks may be further reduced to a minimum of 4.0 m and 2.0 m respectively by an unenclosed and uninhabitable space such as a porch or veranda, provided that the said porch or veranda is covered from above and is an integral part of the principal building.
(d) In Section F. 2 of Part 17C "Single Family Residential (10) Zone", delete Footnote 2 and replace with a footnote tied to the Principal Building Rear Yard setback, indicating the following:
ii. The minimum rear yard setback of the principal building may be reduced to 6.0 m for a maximum of $50 \%$ of the width of the rear of the principal building for Type II lots. The rear yard setback of the principal building on Type II lots may be further reduced to 4.5 m for a maximum of $50 \%$ of the width of the rear of the principal building at the first floor by an unenclosed deck with a maximum area of 14 sq. $m$ which may be covered by a sloped roof, and by stairways with more than 3 risers.
(e) In Section H. of Part 17C "Single Family Residential (10) Zone", delete Section 2, in order to remove requirement for driveway access only from a lane under the RF-10 Zone.
(f) In Section I. of Part 17C "Single Family Residential (10) Zone", delete Section 2 and replace with the following:

## Porous and Non-Porous Surfaces:

Non-porous or paved surfaces, including a driveway, shall cover a maximum of $30 \%$ of the lot area not occupied by buildings or structures.
(g) In Section I. of Part 17C "Single Family Residential (10) Zone", delete Section 3 and replace with the following:

## Front Yard Minimums:

In this Zone, landscaping within front yards shall not include any non-
porous or paved surfaces and shall be required as follows:
(a) Where the driveway is located in the front yard, a minimum of $75 \%$ of the required front yard, except the driveway, shall be landscaped; and
(b) Where the driveway is not located in the front yard, a minimum of $90 \%$ of the required front yard, except for a maximum 1.5 m wide entrance path and a maximum 1.0 m wide path leading to the side yard, shall be landscaped.
4. This development variance permit applies to only the portion of the Land shown on Schedule A, 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

## PROPOSED SINGLE FAMILY DWELLING AT LOT\#19 1476962 Ave SURREY, BC

Reduce principal building rear yard
setback from 7.5 metres to 6.0 metres.
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ZONIN: RF-10TYPE2

USE:
LOT AREA
Lot coverage:
SINGLE FAMLY YWELING
W/ATTACHED GARAGE
3,728.6 SF [346.4 SM]
MAX. LOT COVERAGE PERMITTED
$=52 \%=1,938.9$ SF $\underset{\substack{\text { PROPOSED LOT COVERAGE } \\=1.695 \text { SF (APPROX) }}}{ }$ INCLLDDING RESIDENCE GARAGE,
COVERED DECK, PORCH \& STARS
AVERAGE FINISHED GRAD
BULLDING HEIGHT:
floor area batio:
 NLCUDING $=$ MIN. 39 SM (420 SF) PRoposed floor areas.


 $\begin{aligned} & \text { STARS }=44 \text { SF } \\ & \text { TOTALPROPOSED }\end{aligned}=2,323$ SF

Notes:
HEATING PROPOSED: FORCED ARR ELEETRIC FOR BASEMENT
MMN. $1 \%$ SLOPE OFGAADE AWAY FROM BULINDG
 EERECNE


## Top of

Delete and replace Yard and Setbacks Section F footnote 1 of the RF-10 Zone with footnote 1 found in the RF-12 zone, which will provide a reduction in front yard setback requirements for $50 \%$ of the width of the principal building provided carport and driveway setbacks are met

Increase principal building front yard setback from 4.0 metres to 6.0 metres

Remove Off-Street Parking Loading/Unloading Section H. 2 that requires driveway access only from a lane under the RF-10 Zone.


Delete and replace Yard and Setbacks Section F footnote 2 of the RF-10 Zone with footnote 2 found in the RF-12 zone, in order to allow the lot to function similarly to a typical RF-12 lot by providing a reduction in rear yard setback requirements for $50 \%$ of the width of the principal building to accommodate an unenclosed deck and increase the deck area to 14 square metres as allowed in the RF-12 zone.

##  <br> BCBC 2018 REFERENCE NOTES 

Delete and replace Landscaping Section I. 2 and I. 3 of the RF-10 Zone with Section I. 2 and I. 3 of the RF-12 Zone, in order to vary the landscaping requirements to allow for a front yard driveway, including changing porous surface requirements and front yard landscaping requirements to accommodate a driveway



COVER \& SIIE PLAN


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$12 \cdot$
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