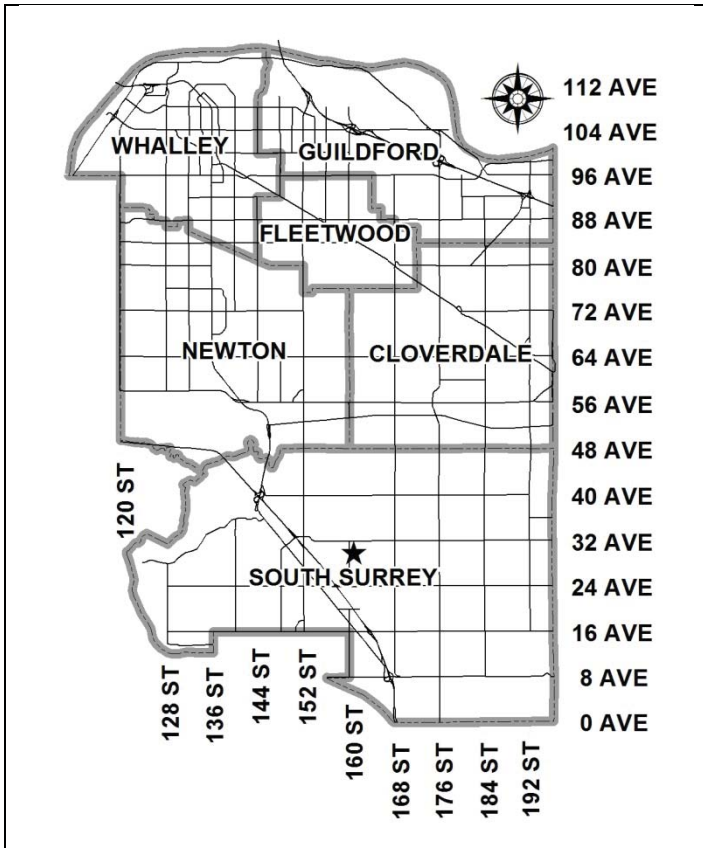


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7917-0172-00

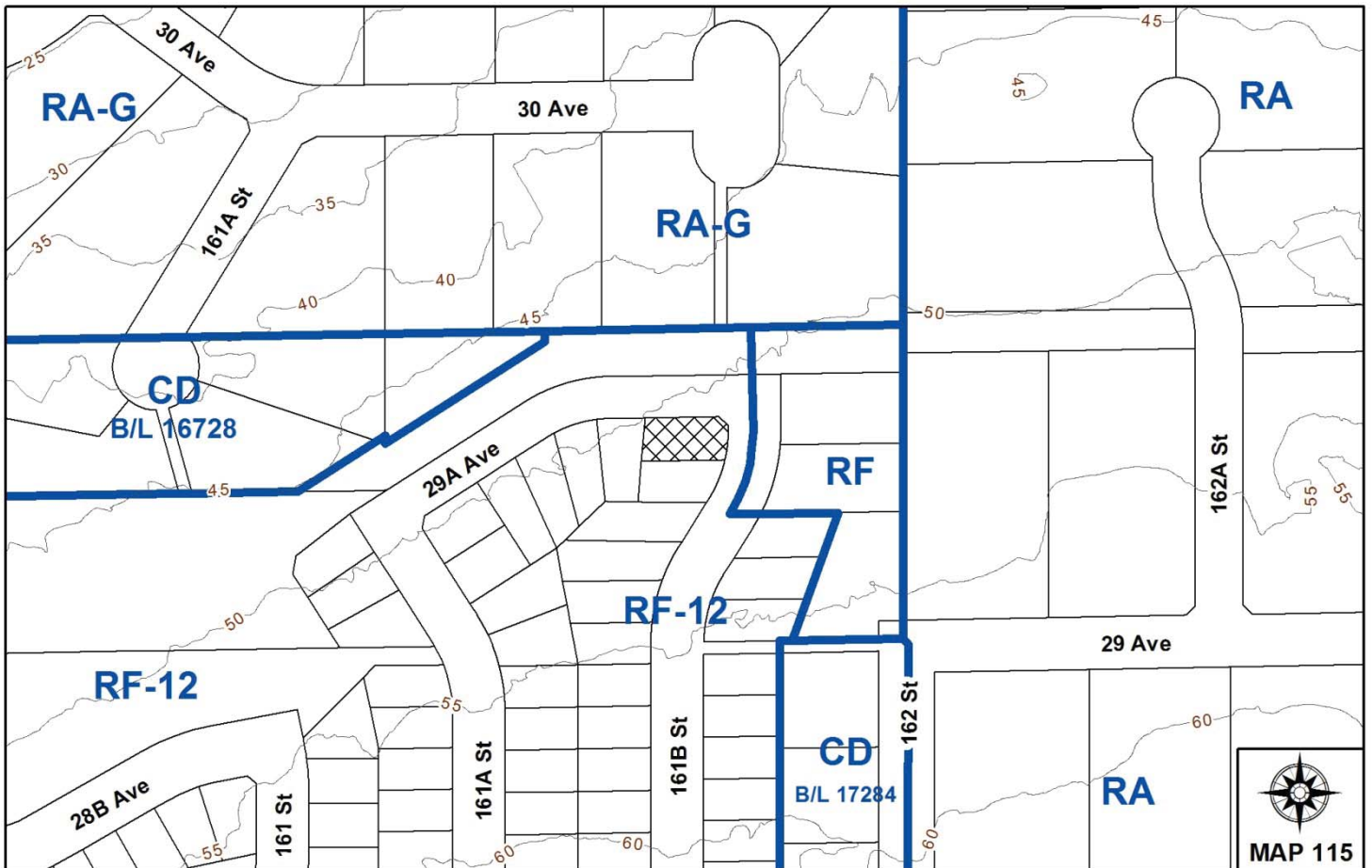
Planning Report Date: June 12, 2017



PROPOSAL:

- **Development Variance Permit**
 to allow the construction of a single family dwelling.

LOCATION: 2939 – 161B Street
OWNER: Fleetwood Commerce Court Inc.
ZONING: RF-12
OCP DESIGNATION: Urban
NCP DESIGNATION: Single Family Small Lots



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 rear yard setback on a RF-12 Type I Corner Lot from 7.5 metres (25 ft.) to 4.5 metres (15 ft.) to facilitate the construction of a rear deck on a new single family dwelling; and
 - To allow a double garage to be located at the front of a single family dwelling.

RATIONALE OF RECOMMENDATION

- The proposed variances are requested in order to facilitate the construction of a new single family dwelling in a new subdivision.
- The applicant is proposing to reduce the rear yard setback from 7.5 metres (25 ft.) to 4.5 metres (15 ft.) to facilitate the construction of an attached deck. Due to the property sloping down from south to north, the south side of the attached deck will be at grade, resulting in minimal impact on neighbouring properties for over viewing.
- The applicant has proposed privacy planting along the south and west property lines to further minimize the impact to neighbouring properties.
- The lot grading and servicing plans that were approved under the original subdivision application (7912-0208-00) included a 6 metre wide curb letdown to accommodate a double garage at the front of the dwelling. The curb letdown has since been built. Under the RF-12 Type I Corner Lot requirements, however, a double garage cannot have access off the front of the dwelling, unless it is a single car garage.
- Allowing a double garage at the front of the dwelling will result in a house design that matches the form and character of other dwellings along 161B Street.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7917-0172-00 (Appendix II), varying the following, to proceed to Public Notification:

- (a) to reduce the minimum rear yard setback of a principal building in the "Single Family Residential (12) Zone (RF-12)" from 7.5 metres (25 ft.) to 4.5 (15 ft.) metres; and,
- (b) to allow an attached double garage at the front of the dwelling, with access off the fronting street.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Vacant Single Family Lot

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North (Across 29A Avenue):	Grandview Heights Linear Park, and beyond, single family homes on estate lots	Urban / Proposed Open Space / Linear Open Space	RF & RA-G
East (Across 161B Street):	Vacant single family lot	Urban / Single Detached (4-6 u.p.a)	RF
South:	Vacant single family lot	Urban / Single Family Small Lots	RF-12
West:	Vacant single family lot	Urban / Single Family Small Lots	RF-12

DEVELOPMENT CONSIDERATIONS

- The subject property, located at 2939 – 161B Street, is designated "Urban" in the Official Community Plan, "Single Family Small Lots" in the North Grandview Heights Neighbourhood Concept Plan, and zoned "Single Family Residential (12) (RF-12)."
- The applicant is proposing a Development Variance Permit to allow the construction of a single family dwelling with an attached double garage located at the front of the new dwelling, with access off the fronting street, and to reduce the rear yard setback for a principal dwelling from 7.5 metres (25 ft.) to 4.5 metres (15 ft.) to facilitate the construction of an attached deck.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variances:

- To reduce the minimum rear yard setback for a principal building in the RF-12 Zone from 7.5 metres (25 ft.) to 4.5 metres (15 ft.); and
- To allow an attached double garage at the front of a new dwelling in the RF-12 Zone, with access from the fronting street.

Applicant's Reasons:

- The proposed attached deck will be consistent in form and character with the designs of surrounding dwellings. The current rear yard setback precludes the incorporation of an attached deck without significantly reducing the indoor livable area of the new dwelling.
- The Lot Grading and Servicing plans that were approved under the original subdivision plan included garage access from the fronting street (161B Street) in the form of a 6 metre wide curb letdown. Allowing for the construction of a double garage at the front of the dwelling will result in a consistent street frontage along 161B Street, and a design that will match the rest of the block.

Staff Comments:

- The subject property is zoned RF-12, and classified as a Type I Corner Lot. The required 7.5 metre (25 ft.) rear yard setback would preclude the construction of an attached deck on the property. Under the RF-12 Type I Lot, a rear deck is permitted to have a 4.5 metre (15 ft.) setback if a garage is located at the rear of the property. Additionally, RF-12 Type II lots are permitted to have a rear deck with a 4.5 metre (15 ft.) setback. The subject property is the only RF-12 Type I lot in the subdivision, with the remainder being Type II lots. The proposed attached deck will not impact surrounding properties, and will allow for a dwelling design that is consistent with the neighbourhood.
- Due to the property sloping down from south to north, the south side of the attached deck will be at grade, resulting in minimal impact on neighbouring properties for over viewing.
- The applicant has proposed privacy planting for the south west corner of the property, in order to mitigate any further privacy concerns. A landscaping plan has been submitted to the City, and deemed acceptable by the City Landscape Architect.
- The lot grading and servicing plans that were approved under the original subdivision application (7912-0208-00) included a 6 metre wide curb letdown to accommodate a double garage at the front of the dwelling, which has since been built. Under the RF-12 Type I Corner Lot zone, a double garage cannot have access at the front of the dwelling.

- Allowing a double attached garage at the front of the dwelling will allow the construction of a house design that matches in form and character with the rest of the block.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Lot Owners & Action Summary
Appendix II. Development Variance Permit No. 7917-0172-00

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

DZ/da

Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent: Name: Kewal Athwal
 Athwal Construction Inc.
 Address: 2938 – 161B Street
 Surrey, BC V3Z 3Y6

2. Properties involved in the Application
 - (a) Civic Address: 2939 – 161B Street

 - (b) Civic Address: 2939 – 161B Street
 Owner: Fleetwood Commerce Court Inc.
 PID: 029-642-574
 Lot 19 Section 24 Township 1 New Westminster District Plan EPP51994

3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7917-0172-00 and bring the Development Variance Permit forward for issuance and execution by the Mayor and City Clerk.

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7917-0172-00

Issued To: FLEETWOOD COMMERCE COURT INC.

(the "Owner")

Address of Owner: Kewal Athwal
c/o Athwal Construction Inc.
8240 – 151 Street
Surrey, BC V3S 8K1

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: 029-642-574
Lot 19 Section 24 Township 1 New Westminster District Plan EPP51994

2939 – 161B 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 17A Single Family Residential (12) Zone (RF-12), the minimum Rear Yard Setback for a Principal Building is reduced from 7.5 metres (25 ft.) to 4.5 metres (15 ft.); and,

(b) In Section H. Off-Street Parking and Loading/Unloading of Part 17A Single Family Residential (12) Zone (RF-12), a double garage to accommodate two vehicles located at the front of a single family dwelling with access off the fronting street shall be permitted on the Land.

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 landscaping and the siting of buildings and structures shall be in accordance with the drawing numbered Schedule A (the "Drawings") which are attached hereto and form part of this development variance permit.

6.
 - (a) The landscaping shall conform to the drawing numbered Schedule A (the "Landscaping").

 - (b) The Landscaping shall be completed within six (6) months after the date of the final inspection of the buildings and structures referred to in the Drawings.

 - (c) Prior to the issuance of the building permit for this development, security is to be submitted to ensure satisfactory completion of the Landscaping. The security for the Landscaping is to be submitted as follows:

Cash in the amount of \$1732.50

(the "Security")

 - (d) The Security is for:
 - i. The installation of cedar hedges along the south and west property lines of the Land.

 - (e)
 - i. When the Landscaping is substantially complete as determined by the City, without the City having to use the Security, 90% of the original Security will be returned. When the Landscaping receives final approval by the City, not earlier than twelve (12) months after the date of substantial completion of the Landscaping, 10% of the original Security will be returned.

 - ii. If final approval of the Landscaping is not given by the City, the City has the option of using the Security to complete the Landscaping and any remaining money shall be returned. The Owner hereby authorizes the City or its agents to enter upon the Land to complete the Landscaping.

 - iii. If the City elects not to enter upon the Land to complete the Landscaping and the Owner does not complete the Landscaping, the Security is forfeited to the City five (5) years after the date of the provisional or final inspection of the buildings and structures referred to in the Drawings.

7. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.

8. 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.

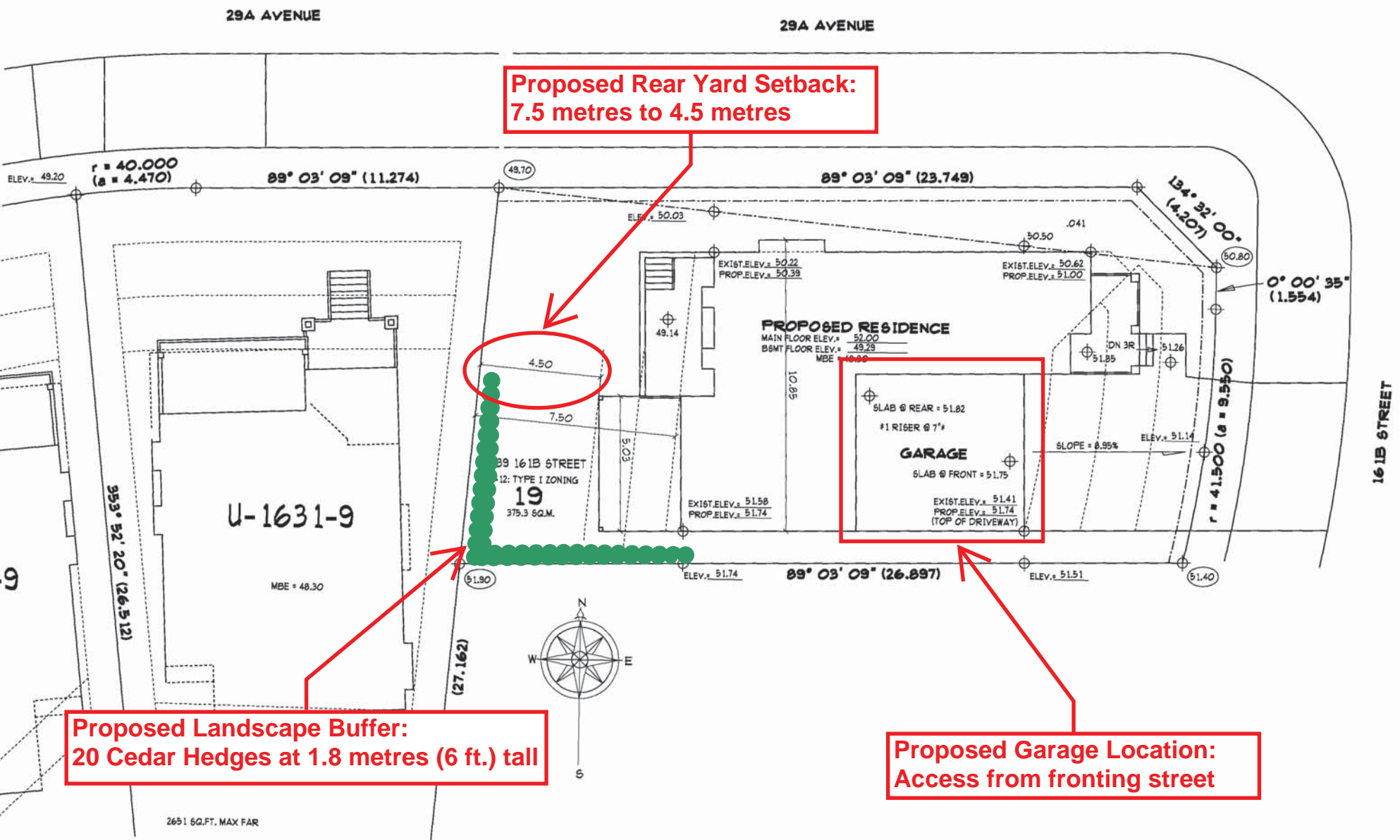
9. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.

10. 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 – Linda Hepner

City Clerk – Jane Sullivan



**Proposed Rear Yard Setback:
7.5 metres to 4.5 metres**

**Proposed Landscape Buffer:
20 Cedar Hedges at 1.8 metres (6 ft.) tall**

**Proposed Garage Location:
Access from fronting street**

SCHEDULE A