

**PROPOSAL:**

- **Development Variance Permit**

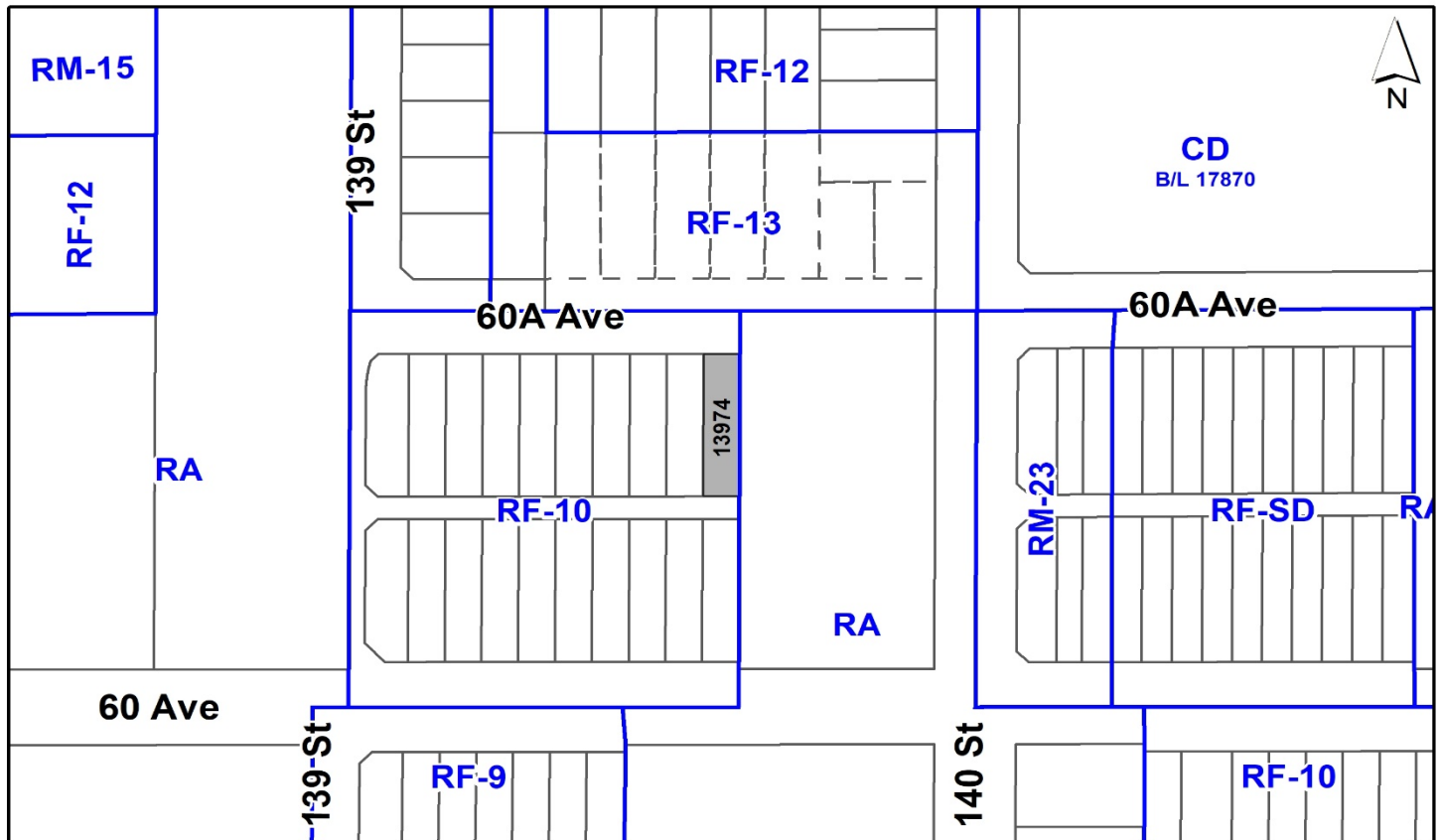
to permit construction of a house with building access between the principal building and the side lot line.

**LOCATION:** 13974 60A Ave

**ZONING:** RF-10

**OCP DESIGNATION:** Urban

**NCP DESIGNATION:** Single Family Residential Flex 6-14 u.p.a.



**RECOMMENDATION SUMMARY**

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

**DEVIATION FROM PLANS, POLICIES OR REGULATIONS**

- Proposing to permit basement access and a basement well between the principal building and the side (east) lot line.

**RATIONALE OF RECOMMENDATION**

- The “Single Family Residential (10) Zone” (RF-10) only permits that basement wells and access be located between the principal building and the rear lot line.
- A Building Permit was issued on April 19, 2022 for the proposed single-family dwelling. The building plans depict basement well siting between the principal building and the east side lot line. The building permit was issued with a condition that the basement access siting did not conform with the Zoning Bylaw.
- Consequently, the applicant could proceed with construction but could not achieve final occupancy until the Zoning Bylaw was amended to permit the basement access location within the side yard or a supporting Development Variance Permit has been endorsed by Council.
- The change to the Zoning By-law noted above was ultimately not pursued following staff review of the proposed change. Without the subject variance, the applicant would need to amend their previously approved Building Permit.
- The Surrey Fire Service have assessed the non-conforming siting of the basement well and have confirmed that this is acceptable for this site.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7922-0274-00 (Appendix II) varying the following, to proceed to Public Notification:
  - (a) to vary Part 17C “Single Family Residential (10) Zone (RF-10)” J. Special Regulations of the Zoning Bylaw by permitting basement access and basement wells between the principal building and the side lot line.

## SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	RF-10 lots under construction	Urban	RF-13
North (Across 60A Avenue):	Urban single family dwellings	Urban	RF-13
East (Across 160A Street):	Urban single family dwellings	Urban	RM-23
South:	Urban single family dwellings	Urban	RF-9
West:	One Are residential and greenbelt	Urban	RA / RM-15

### Context & Background

- The subject lot is approximately 342 square metres in size. It is designated “Urban” in the Official Community Plan (OCP) and is zoned “Single Family Residential (13) Zone (RF-10).
- The subject site was created under Development Application No. 7915-0357-00, which permitted subdivision into 27 single family lots.
- The RF-10 Zone only permits that basement wells and access be located between the principal building and the rear lot line.
- An erroneous bulletin was published on the City of Surrey website, depicting that below ground basement access doors, stairs and wells may be placed between the principal building and side lot line if they are located within the 50% of building depth nearest to the rear lot line. Due to this, multiple Building Permits were issued with this conditional notice, as an amendment to the Zoning Bylaw to permit side yard basement access and wells in residential zones was anticipated.

- Building Permit No. 2021-055744-00 was issued on April 19, 2022 for the proposed single-family dwelling. The building plans depict basement well siting between the principal building and the east side lot line. The building permit was issued with a conditional notice that the basement access location did not conform with the Zoning Bylaw.
- Consequently, the applicant could proceed with construction but could not achieve final occupancy until the Zoning Bylaw was amended to permit the basement access design or the applicant sought a building plan amendment to change their design.

## DEVELOPMENT PROPOSAL

### Planning Considerations

- Under the Zoning Bylaw, single family zones do not permit a basement well and/or access be placed between the principal dwelling and a side lot line. The rationale is in-part to prevent obstruction to the Fire Dept. of the side yard setback in the event of a fire.
- Surrey Fire Services has assessed this variance proposal and does not object to the non-conforming basement access siting.

### Referrals

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

Surrey Fire Department: The Surrey Fire Department has no objection to the project.

Parks, Recreation & Culture: McLeod Park is the closest active park, which contains a recreational trail network, and natural areas. The park is 450 metres walking distance from the development.

Two additional active parks are proposed within 650 and 750 metres, respectively, walking distance of the development as part of the South Newton Neighbourhood Concept Plan (NCP). The amenities in these parks will be planned and selected through consultation with the neighbourhood.

### Zoning By-law

#### Side Yard Setback Variance

- The applicant is requesting the following variances:

- to vary Part 17C “Single Family Residential (10) Zone (RF-10)” J. Special Regulations of the Zoning Bylaw by permitting basement access and basement wells between the principal building and the side lot line.
- The Building Permit for the proposed single-family dwelling was issued on April 19, 2022. The Building Permit was issued under the condition that the proposed basement access conform to the Zoning Bylaw prior to final occupancy, or that the building permit be amended so that the basement well is in the rear yard.
- The conditions attached to the Building Permit were based on an expectation that the Zoning Bylaw would be amended to permit side yard building wells and/or access. This change to the Zoning Bylaw has not been made.
- The applicant was permitted to proceed to construction. Without approval of the proposed variance, they would be required to pursue a time-consuming re-design of the house by applying to amend their building permit.
- 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. 7922-0247-00

*approved by Shawn Low*

Jeff Arason  
Acting General Manager  
Planning and Development

JK/cm

**ZONING ANALYSIS** RF-10 TYPE III

SURVEY PROJECT NUMBER: 15-0357-00  
 LOT NUMBER: 17 LOT AREA = 341.80 m<sup>2</sup>  
 ADDRESS: 13974 60A AVENUE, SURREY, BC

**SECTION B. PERMITTED USES**

SINGLE FAMILY DETACHED DWELLING: YES  
 SECONDARY SUITE DECLARED: NO

**SECTION D. DENSITY (FLOOR AREA)**

AVERAGE EXISTING GRADE = 60.44 ± 61.08 ± 62.07 ± 62.34(1.4) ± 61.43  
 PROPOSED BASEMENT SLAB TO SUBFLOOR = 3.046 ± (9'-0.34" BSWMT)  
 PROPOSED BASEMENT SLAB ELEVATION = 59.62 m  
 BIGHAM IS 40.35 % BELOW AVG. EXIST. GRADE  
 THEREFORE BASEMENT AREA NOT COUNTED

BIGHAM MAX. FLOOR AREA = 217.42 (2335 SQ FT.) OF WHICH 39.92 (4280 SQ FT.) IS RESERVED ONLY FOR GARAGE USE.

PROPOSED FLOOR AREA	m <sup>2</sup>	SQ FT.
MAIN FLOOR BUILDING FOOTPRINT	31.25	336.21
UPPER FLOOR AREA TO BE BUILT	14.87	160.88
TOTAL TO BE BUILT IN EXCESS OF 10 m <sup>2</sup>	0.00	0.00
GARAGE AREA COUNT MIN 39 m <sup>2</sup>	39.92	428.07
TOTAL	2,124.2	2,283.29

**SECTION E. LOT COVERAGE**

LOT SIZE = 341.80 m<sup>2</sup>  
 MAX. LOT COVERAGE @ 52% = 177.74 m<sup>2</sup>

PROPOSED LOT COVERAGE	m <sup>2</sup>	SQ FT.
AREA OF DWELLING INCL. PORCH	82.56	889.54
AREA OF DECK BEHIND GARAGE	14.87	160.88
AREA OF DETACHED GARAGE	39.02	420.01
STAIRS > 0.6M ABOVE EXISTING GRADE	0.81	8.72
OTHER > 0.6M ABOVE EXISTING GRADE	NA	NA
TOTAL	147.26	1580.23

**SECTION F. YARDS AND SETBACKS**

PRINCIPAL DWELLING	REQUIRED	ACTUAL
FRONT SETBACK TO DWELLING	4.00	4.25
FRONT SETBACK TO VERANDA	2.50	2.50
REAR SETBACK	7.50	17.42
RIGHT SIDE INTERIOR SETBACK	1.20	1.22
LEFT SIDE INTERIOR SETBACK	NA	1.20
FLANKING SETBACK DWELLING	2.70	NA
FLANKING SETBACK VERANDA	1.20	NA
CORNER LOT AT ROAD INTERSECTION	1.20	NA

**SECTION G. HEIGHT OF BUILDINGS**

NOTE: SEE ELEVATION DRAWINGS FOR DETAILS

PRINCIPAL DWELLING IF ROOF SLOPE > 3:12	REQUIRED	ACTUAL
PRINCIPAL DWELLING IF ROOF SLOPE < 3:12	7.30	7.56
ACCESSORY DWELLING	3.00	3.00
ACCESSORY BUILDING	3.00	4.91

**SECTION H. OFF-STREET PARKING**

1) DRIVEWAY PERMITTED ONLY FROM THE LAKE OK  
 2) MINIMUM 3 OFF-STREET PARKING SPACES OK  
 3) NO TRIPLE GARAGES OK  
 4) GARAGE IS NOT "ATTACHED" OK

**SECTION I. LANDSCAPING**

MIN 30% OF LOT COVERED BY POROUS SURFACE	REQUIRED	PROVIDED
LOT AREA	341.80 m <sup>2</sup>	102.54 m <sup>2</sup>
MIN 70% OF FRONT YARD SURFACE POROUS	31.24 m <sup>2</sup>	21.67 m <sup>2</sup>
MIN 22 m <sup>2</sup> OF AREA BETWEEN DWELLING AND REAR LOT LINE MUST BE POROUS LANDSCAPING OF A MINIMUM WIDTH AND DEPTH OF 4.0 METRES	32.00 m <sup>2</sup>	69.00 m <sup>2</sup>

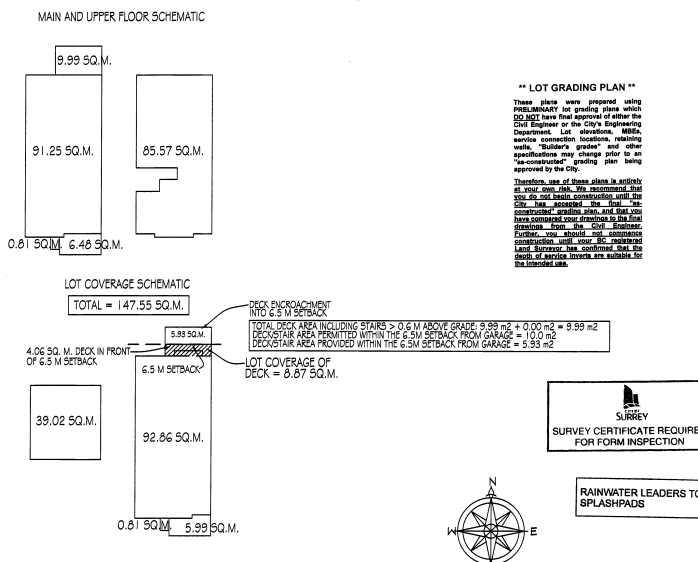
**SECTION J. SPECIAL REGULATIONS**

BASMENT ENTRY WELL:  
 1) PERMITTED IN REAR YARD ONLY AND IN SIDEYARD OF REAR HALF OF DWELLING. OK

BASMENT ENTRY WELL	MAXIMUM	ACTUAL
MAX. AREA INCLUDING STAIRS (m <sup>2</sup> )	10.00	7.59

**SECTION L. OTHER REGULATIONS:**

FRONT SETBACK IS MEASURED FROM THE MORE RESTRICTIVE OF THE FRONT LOT LINE, OR FROM THE CENTRELINE OF THE ULTIMATE HIGHWAY ALLOWANCE (SEE SCHEDULE A, DRAW 1856 NO 8830)



**"Concrete Stairs to Basement" located between the principal building and a side lot line.**

**\*\* LOT GRADING PLAN \*\***

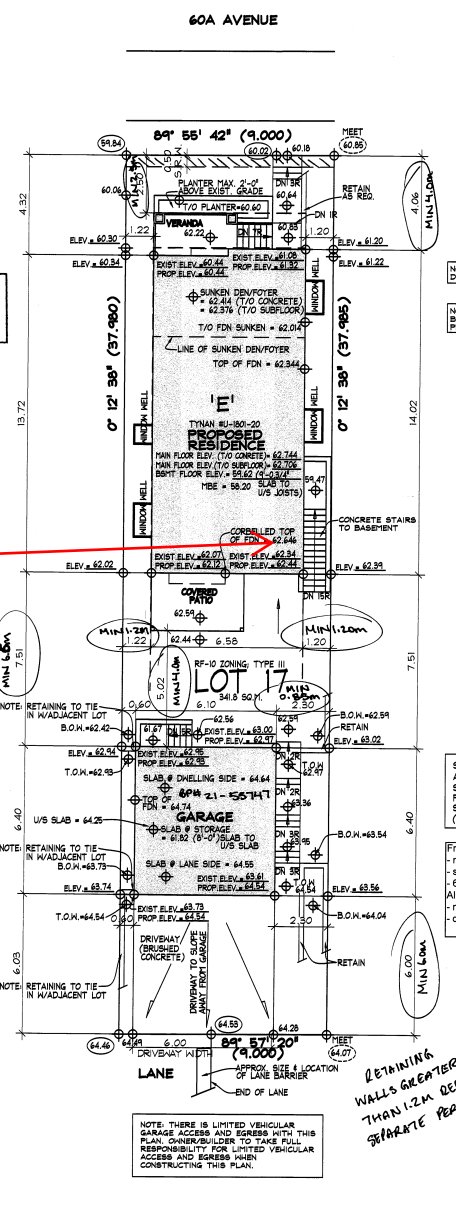
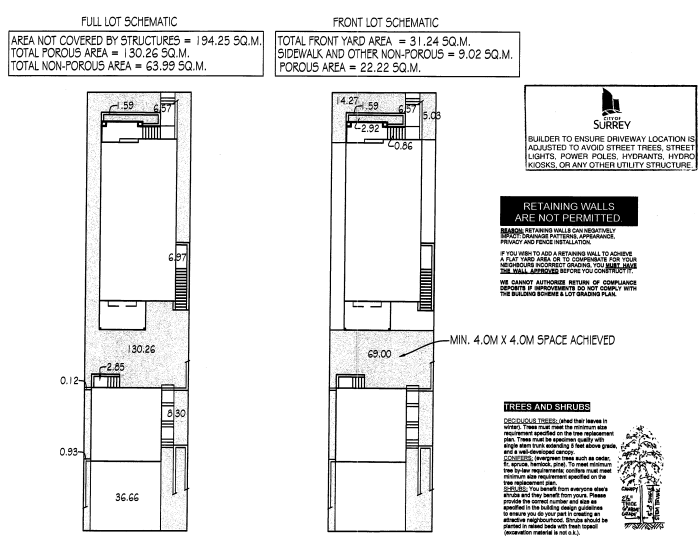
These plans were prepared using photogrammetry for existing ground which DOES NOT have full approval of either the City Engineer or the City Engineering Department. List elevations, MBDA, service connection locations, retaining walls, "builder's grades" and other specifications may change prior to an "as-constructed" grading plan being approved by the City.

Therefore, use of these plans is strictly for informational purposes. It is intended that you use the 20% setback construction with the MBDA, service connection locations, retaining walls, "builder's grades" and other specifications may change prior to an "as-constructed" grading plan being approved by the City.



## SITE PLAN

SCALE 1:100 (METRIC)



**Building Scheme Admin.**

LOT # 17  
 PROJECT # 160357

**Full Lot Coverage (MAX.)**

THESE PLANS HAVE BEEN REVIEWED FOR SUBSTANTIAL COMPLIANCE WITH THE MINIMUM STANDARDS OF THE CURRENT EDITION OF THE BC BUILDING CODE, APPLICABLE EDITIONS OF PERMITS(S) SURVEY AND ALL RELEVANT SURVEY BYLAWS.

THE REVIEW OF THESE PLANS DOES NOT GUARANTEE COMPLIANCE WITH THE MINIMUM STANDARDS WE'RE NOT CONSIDERED IN THE ISSUANCE OF THIS PERMIT.

DATE: APR 13 2022  
 CITY OF SURREY  
 BUILDING PERMIT NO: 21-059144-1-21-5747

**Tynan Consulting Ltd.**

13628 - 110TH AVENUE, SURREY, B.C. V1T 2K4  
 TEL: (604) 881-9722 FAX: (604) 881-4822

These plans conform to the Building Design Guidelines registered on this lot.

**Michael E. Tynan**  
 Registered Professional Engineer  
 License No. 4028  
 Security Key: 21693264

**STORAGE UNDER GARAGE CALCULATIONS:**

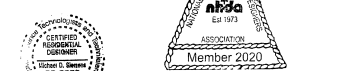
AVERAGE GRADE: 63.79 ± 63.61 ± 62.98 ± 63.02  
 STORAGE HEIGHT (SLAB TO US OF SLAB) = 2.748M (9'-0" HT.)  
 PROPOSED STORAGE SLAB ELEVATION = 61.82  
 STORAGE IS 54.68M BELOW AVERAGE EXISTING GRADE (THEREFORE STORAGE AREA NOT COUNTED)

**Front Yard**

- minimum 12 shrubs of 3 gallon pot
- sod to street
- 6 cm caliper Japanese Snowbell

**All Yards**

- minimum 450 mm spawl
- discharge downspouts to splash pads



PLAN COMPLETION DATE FOR ENERGY ADVISOR REVIEW: SEPTEMBER 09, 2021

13974 60A AVENUE

**LEGAL DESC.** U-1801-20 (LOT 17)

**BUILDING CODE:** THESE PLANS CONFORM TO THE BRITISH COLUMBIA BUILDING CODE 2018 (2018) - DOCUMENTARY GROUP C

**CUSTOMER:** SHERYL TAGGAR

REV.	DATE	BY	DESCRIPTION
1	2022	NZ	ISSUED FOR PERMIT
2	2022	DV	REVISED

SCALE: 1:100 (METRIC)

**U-1801-20**  
 (LOT 17)

SHEET 1 OF 6

**TYNAN DESIGN LTD.**  
 13628 110TH AVENUE, SURREY, B.C. V1T 2K4  
 TEL: (604) 881-9722 FAX: (604) 881-4822  
**SITE PLAN**

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7922-0274-00

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: 031-048-781

Lot 17 Section 9 Township 2 New Westminster District Plan Number EPP 81699  
13974 60A Avenue

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
  - to vary Part 17C "Single Family Residential (10) Zone (RF-10)" J. Special Regulations of the Zoning Bylaw by permitting basement access and basement wells between the principal building and the side lot line
4. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
5. 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.

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

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City Clerk – Jennifer Ficocelli



