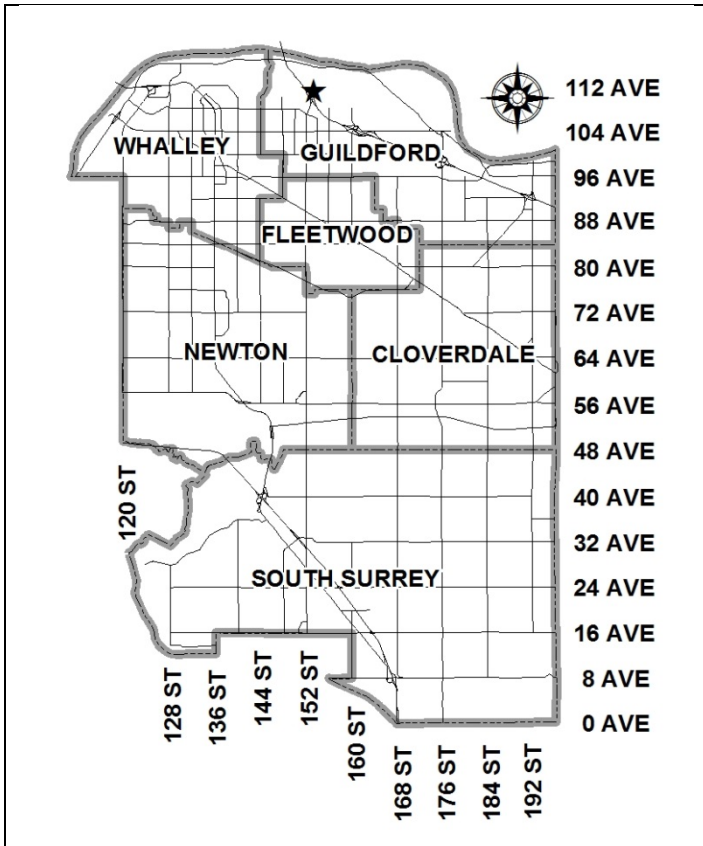


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7914-0232-00

Planning Report Date: March 23, 2015



PROPOSAL:

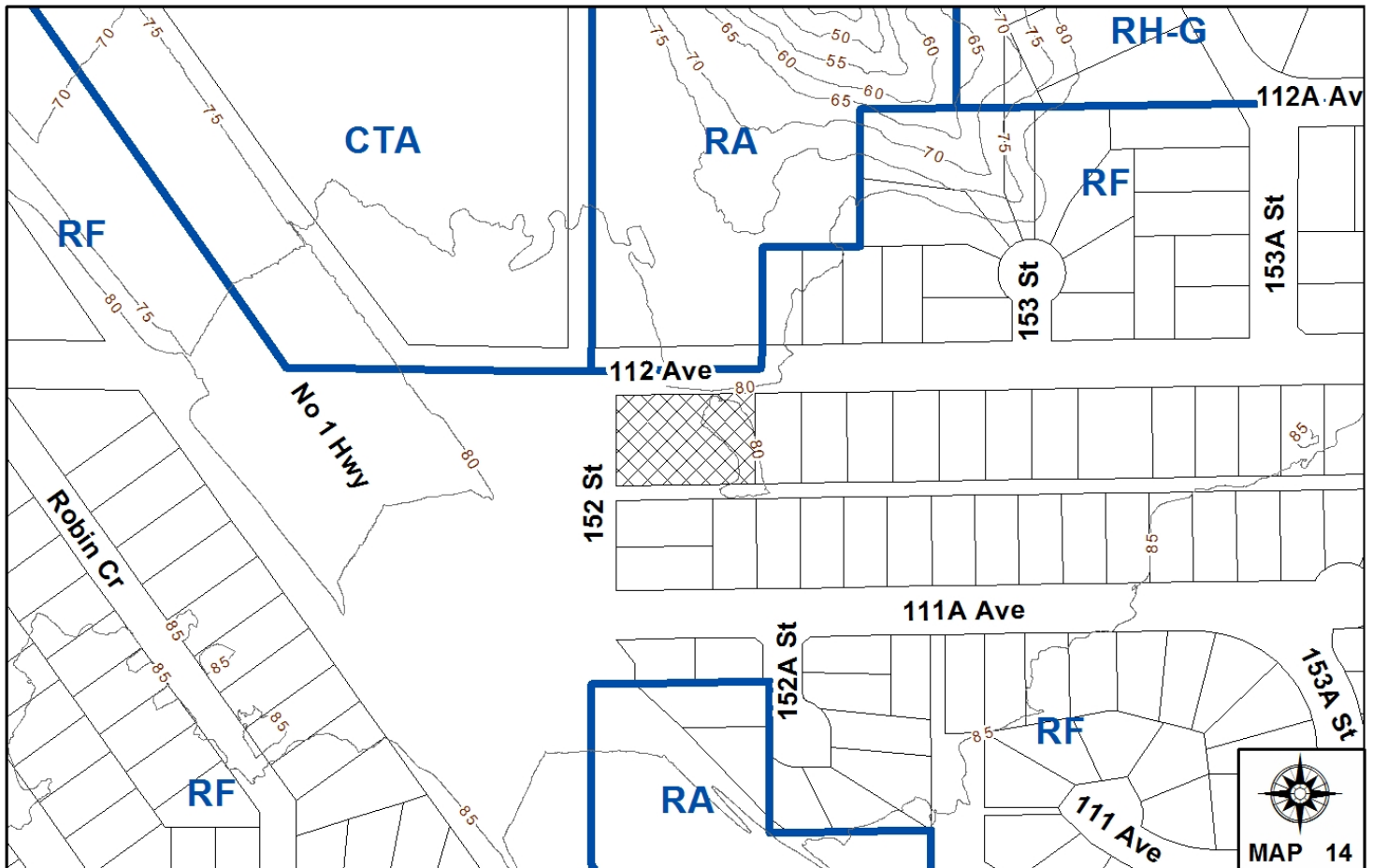
- **Development Variance Permit**
 in order to allow subdivision into two (2) single family lots.

LOCATION: 15212 - 112 Avenue

OWNER: Gurjit S. Sangha

ZONING: RF

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is seeking to vary the following requirements of the Surrey Zoning By-law:
 - Relax Part 7 Special Building Setbacks by reducing the required front yard setback from the centerline of the ultimate road allowance for 112 Avenue from 19.5 metres (64 ft.) to 17.5 metres (57 ft.) for the principal building on proposed Lot 1;
 - Reduce the east side yard setback for the principal building of the RF Zone from 1.8 metres (6 ft.) to 1.2 metres (4.0 ft.) on proposed Lots 1 and 2; and
 - Reduce the minimum lot width of the RF Zone from 15.0 metres (50 ft.) to 12.4 metres (40.5 ft.) for proposed Lot 2.

RATIONALE OF RECOMMENDATION

- For lots fronting or flanking an arterial road or a collector road, in accordance with Part 7 Special Building Setbacks of the Zoning By-law, front yard setbacks and side yard setbacks on a flanking street are measured from the centerline of the ultimate road allowance.
- 112 Avenue is a collector road, and under the current standards of the Subdivision & Development By-law, the width for a collector road is 24 metres (79 ft.). As a result, the required front yard setback for proposed Lots 1 and 2 is 12.0 metres (39 ft.) from the ultimate centreline of 112 Avenue, plus the 7.5-metre (25 ft.) front yard setback requirement of the RF Zone for a total setback of 19.5 metres (64 ft.) from the centreline of 112 Avenue. To achieve a consistent streetscape with the existing homes along 112 Avenue, a reduced setback of 17.5 metres (57 ft.) from the centerline of the ultimate highway allowance for 112 Avenue which equates to a 7.5-metre (25 ft.) front yard setback to the existing front lot line or a 5.5-metre (18 ft.) setback from the ultimate front lot line is supportable.
- The proposed side yard setback relaxation from 1.8 metres (6 ft.) to 1.2 metres (4.0 ft.) along the eastern lot line of proposed Lot 1 is minor and will accommodate the retention of the existing dwelling, which is in good condition.
- The lot width of proposed Lot 2 is reduced from 15.0 metres (50 ft.) to 12.4 metres (40.5 ft.) as a result of the retention of the existing dwelling on proposed Lot 1 as well as the creek located directly to the east. The applicant is dedicating the riparian area to the City in order to protect the creek.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7914-0232-00 (Appendix II) varying the following, to proceed to Public Notification:

- (a) to relax Part 7 Special Building Setbacks of the Surrey Zoning By-law, No. 12000 by reducing the minimum required front yard setback from the centerline of the ultimate highway allowance for 112 Avenue from 19.5 metres (64 ft.) to 17.5 metres (57 ft.) for the principal building on proposed Lots 1 and 2;
- (b) to reduce the minimum east side yard setback of the RF Zone for the principal building, from 1.8 metres (6 ft.) to 1.2 metres (4.0 ft.) on proposed Lots 1 and 2; and
- (c) to reduce the minimum lot width of the RF Zone from 15.0 metres (50 ft.) to 12.4 metres (40.5 ft.) for proposed Lot 2.

REFERRALS

Engineering: The Engineering Department has no requirements relative to the issuance of the Development Variance Permit.

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling which will be retained on proposed Lot 1. The eastern portion of the subject property is encumbered by a yellow-coded creek.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across 112 Avenue):	City-owned greenbelt.	Urban and Suburban	RA
East:	Single family dwellings.	Urban	RF
South (Across unopened lane):	Single family dwellings.	Urban	RF
West (Across Highway No. 1):	Single family dwellings.	Urban	RF

DEVELOPMENT CONSIDERATIONS

Background

- The subject property is located at 15212 – 112 Avenue in Fraser Heights and is approximately 2,128 square metres (0.5 acre) in size. The property is designated Urban in the Official Community Plan (OCP) and is zoned "Single Family Residential Zone (RF)". The western portion of the property is occupied by a single family dwelling, while the eastern portion of the property is encumbered by a yellow-coded creek.
- The previous owner had applied under Development Application No. 7905-0314-00 to rezone the subject property from "Single Family Residential Zone (RF)" to "Single Family Residential (12) Zone (RF-12)" in order to subdivide into three (3) single family lots.
- At the time, staff expressed concerns regarding the proposed rezoning since there are no RF-12 lots in the area, and therefore, the proposal would not be consistent with the established lot pattern in the area.
- The proposed rezoning application did not proceed to Council, and subsequently, the file was closed.

Current Proposal

- The new property owner proposes to subdivide the property into two (2) single family RF lots and one (1) openspace lot under the existing RF Zone. The existing single family dwelling will be retained on proposed Lot 1, and the creek area will be dedicated to the City as a lot to protect the riparian area.
- Proposed Lot 1 is approximately 737 square metres (7,930 sq.ft.) in size with a 20-metre (65.5 ft.) lot width. The existing house will have a floor area ratio (FAR) of 0.26 on proposed Lot 1, which is less than the maximum permitted 0.54 FAR in the RF Zone.
- Proposed Lot 2 is approximately 621 square metres (6,690 sq.ft.) in size with a 12.4 metre (40.5 ft.) lot width. The proposed lot width is less than the 15-metre (50 ft.) requirement and a variance is requested (see By-law Variance section).
- The proposed openspace lot is approximately 767 square metres (8,255 sq.ft.) in size, which represents 36% of the subject property.
- The applicant is also requesting setback variances on proposed Lots 1 and 2 (see By-law Variance section).

Riparian Area

- A yellow-coded creek runs through the eastern portion of the subject property. Runoff from the creek originates from the drainage main located in the unopened lane directly south of the subject property. The creek then enters a culvert near the north property line and flows northward beneath 112 Avenue and onto the City-owned greenbelt to the north.

- Rolf Sickmuller, Registered Professional Biologist, of Envirowest Consultants Inc. has submitted a Riparian Area Regulation (RAR) assessment on behalf of the applicant, and recommends a 4.0-metre (13.0-ft.) wide setback for the Streamside Protection & Enhancement Area (SPEA) from the top-of-bank of the creek.
- As proposed, the development conforms to the Ministry of Environment's Riparian Areas Regulation (RAR) setback requirements. Further, the report confirms that the proposed development is not expected to have any significant impact on the creek, provided the standard measures that are identified in the assessment are followed.
- The findings of the RAR Assessment have been peer reviewed by Ryan Preston of Enkon Environmental, and found to be acceptable.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To relax Part 7 Special Building Setbacks of Surrey Zoning By-law, No. 12000, by reducing the minimum required front yard setback from the centerline of the ultimate highway allowance for 112 Avenue from 19.5 metres (64 ft.) to 17.5 metres (57 ft.) for the principal building on proposed Lots 1 and 2.

Applicant's Reasons:

- The revised collector road standard of a 24-metre (79-ft.) width will result in any future buildings on the proposed lots to be set back 9.5 metres (31 ft.) from the front property line, which is 2.0 metres (6.6 ft.) greater than the RF Zone requires.
- The applicant wishes to maintain 7.5-metre (25-ft.) front yard setbacks in order to retain the existing house on proposed Lot 1 and to construct a new house on proposed Lot 2.
- The proposed variance will maintain the existing streetscape and setbacks established along 112 Avenue.

Staff Comments:

- The subject site is located on 112 Avenue, which is a designated Collector Road in the Surrey Road Classification Map (R-91), attached as Schedule D to the Surrey Subdivision and Development By-law No. 8830. The Surrey Major Road Allowance Map, attached as Schedule K to the Subdivision and Development By-law, identifies a 24-metre (79-ft.) wide road allowance for collector roads. The current 24-metre (79-ft.) wide road allowance for a collector road is a 2.0-metre (6.6-ft.) increase from the previous collector road allowance of 22 metres (72 ft.).

- Part 7 Special Building Setbacks of Zoning By-law No. 12000 stipulates that the setback of buildings on a lot abutting an existing or future major road as shown in the Surrey Major Road Allowance Map, shall be the sum of one-half of the ultimate highway allowance shown in the Major Road Allowance Map measured from the centreline of the road plus the required setback of the Zone in which the lot is located.
- In the case at hand, the required front yard setback for proposed Lots 1 and 2 is 12.0 metres (39 ft.) from the ultimate centreline of 112 Avenue, plus the 7.5-metre (25 ft.) front yard setback requirement of the RF Zone for a total setback of 19.5 metres (64 ft.) from the ultimate centreline of 112 Avenue.
- The Engineering Department is not seeking road widening to the ultimate road allowance as part of the proposed subdivision, as the City has no intentions of widening 112 Avenue to its ultimate standard at this location for the foreseeable future. However, the Special Building Setbacks under Part 7 of the Zoning By-law still applies, which equates to a minimum 9.5-metre (31 ft.) setback from the existing front lot line and is 2.0 metres (6.6 ft.) greater than the RF Zone requires.
- To retain the existing house on proposed Lot 1 and to achieve a consistent streetscape along 112 Avenue, a variance for both proposed lots to the Special Building Setback from 19.5 metres (64 ft.) to 17.5 metres (57 ft.) from the centerline of the ultimate highway allowance for 112 Avenue is supported. This will provide a principal building setback of 7.5 metres (25 ft.) from the existing front lot line or 5.5 metres (18 ft.) from the ultimate front lot line.
- Staff support the requested variance.

(b) Requested Variance:

- To reduce the minimum east side yard setback of the RF Zone for the principal building, from 1.8 metres (6 ft.) to 1.2 metres (4.0 ft.) on proposed Lots 1 and 2.

Applicant's Reasons:

- The proposed setback relaxation will allow for the retention of the existing dwelling on proposed Lot 1 and allow a slightly wider house on proposed Lot 2, which is narrower than a standard 15-metre (50 ft.) wide RF lot.

Staff Comments:

- The requested variance proposes a 1.2-metre (4.0 ft.) setback along the eastern side property line of proposed Lot 1 in order to retain the existing dwelling, which is in good condition.
- If the existing dwelling is removed in the future, the construction of any new dwellings or structures must comply with the RF Zone.
- The retention of the existing dwelling on proposed Lot 1 and the location of the creek to the east results in a narrower lot width for proposed Lot 2. As a result, a minor relaxation is requested in order to construct a functional dwelling on proposed Lot 2.

- Staff support the requested variance.

(c) Requested Variance:

- To reduce the minimum lot width of the RF Zone from 15.0 metres (50 ft.) to 12.4 metres (41 ft.) for proposed Lot 2.

Applicant's Reasons:

- The lot width of proposed Lot 2 is constricted by the Riparian Area Regulation (RAR) setbacks of the proposed openspace lot and the retention of the existing dwelling on proposed Lot 1.

Staff Comments:

- The lot width of proposed Lot 2 is reduced from 15.0 metres (50 ft.) to 12.4 metres (41 ft.) due to the retention of the existing dwelling on proposed Lot 1 and due to the openspace dedication to protect the creek. The applicant is dedicating approximately 767 square metres (8,255 sq.ft.), or approximately 35% of the subject site, to the City in order to protect the riparian area of the creek.
- The 12.4-metre (41 ft.) lot width increases from north to south due to the angled flow of the creek, and results in an oversized RF lot at 621 square metres (6,690 sq.ft.).
- The proposed 12.4-metre (41 ft.) lot width exceeds the 10% discretion of the Approving Officer.
- The proposed lot width variance will have a minimal impact on the existing properties in the neighbourhood, since the subject site is located at the end of the block across from a City-owned greenbelt and Dogwood Campground.
- Staff support the requested variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners, Action Summary and Project Data Sheets
- Appendix II. Development Variance Permit No. 7914-0232-00

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

DN/da

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DRV 3/19/15 11:23 AM

Information for City Clerk

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

1. (a) Agent: Name: Sunny Sandher
 Citiwest Consulting Ltd.
 Address: 9030 - King George Boulevard, Unit 101
 Surrey, BC V3V 7Y3

 Tel: (604) 591-2213

2. Properties involved in the Application
 - (a) Civic Address: 15212 - 112 Avenue

 - (b) Civic Address: 15212 - 112 Avenue
 Owner: Gurjit S. Sangha
 PID: 011-530-707
 Lot 1 Section 16 Block 5 North Range 1 West New Westminster District Plan 78356

3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7914-0232-00 and bring the Development Variance Permit forward for issuance and execution by the Mayor and City Clerk.

SUBDIVISION DATA SHEET

Existing Zoning: RF

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	0.52
Hectares	0.21
NUMBER OF LOTS	
Existing	1
Proposed	2
SIZE OF LOTS	
Range of lot widths	12.4 to 19.8 metres
Range of lot areas	621 to 737 square metres
DENSITY	
Lots/Hectare & Lots/Acre	9.6 UPH (3.9 UPA)
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	60%
Estimated Road, Lane & Driveway Coverage	7%
Total Site Coverage	67%
PARKLAND	
Area	767 square metres
% of Gross Site	36%
Required	
PARKLAND	
5% money in lieu	NO
TREE SURVEY/ASSESSMENT	
	YES
MODEL BUILDING SCHEME	
	YES
HERITAGE SITE Retention	
	NO
FRASER HEALTH Approval	
	NO
DEV. VARIANCE PERMIT required	
Road Length/Standards	NO
Works and Services	NO
Building Retention (proposed Lot 1)	YES
Setbacks (proposed Lots 1 and 2)	YES
Lot Width (proposed Lot 2)	YES

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7914-0232-00

Issued To: GURJIT S. SANGHA

("the Owner")

Address of Owner: 19289 - 72A Avenue
Surrey, BC V4N 5Y3

- 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: 011-530-707

Lot 1 Section 16 Block 5 North Range 1 West New Westminster District Plan 78356

15212 - 112 Avenue

(the "Land")

- 3. (a) As the legal description of the Land is to change, the City Clerk is directed to insert the new legal description for the Land once title(s) has/have been issued, as follows:

Parcel Identifier:

- (b) If the civic address(es) change(s), the City Clerk is directed to insert the new civic address(es) for the Land, as follows:

4. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) To relax Part 7 Special Building Setbacks of Surrey Zoning By-law, No. 12000, by reducing the minimum required front yard setback from the centerline of the ultimate highway allowance for 112 Avenue from 19.5 metres (64 ft.) to 17.5 metres (57 ft.) for the principal building on proposed Lots 1 and 2;
 - (b) To reduce the minimum east side yard setback of the RF Zone for the principal building, from 1.8 metres (6 ft.) to 1.2 metres (4.0 ft.) on proposed Lots 1 and 2; and
 - (c) To reduce the minimum lot width of the RF Zone from 15.0 metres (50 ft.) to 12.4 metres (40.5 ft.) for proposed Lot 2.
5. This development variance permit applies to only 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.
6. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
7. This development variance permit shall lapse unless the subdivision, as conceptually shown on Schedule A, which is attached hereto and forms part of this development variance permit, is registered in the New Westminster Land Title Office within three (3) years after the date this development variance permit is issued.
8. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
9. This development variance permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE _____ DAY OF _____, 20 ____ .
ISSUED THIS _____ DAY OF _____, 20 ____ .

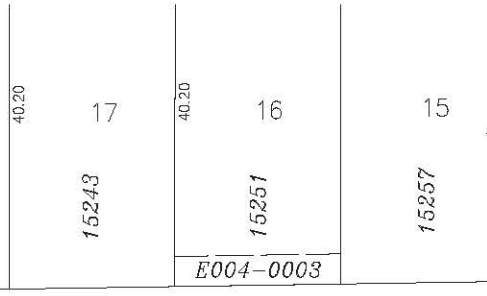
Mayor – Linda Hepner

City Clerk – Jane Sullivan

BENCHMARK & CONTROL
 ALL ELEV. ARE GEODETIC AND REFER TO MON. NO.
 ELEV.
 LEGAL DESCRIPTION OF PROPERTY

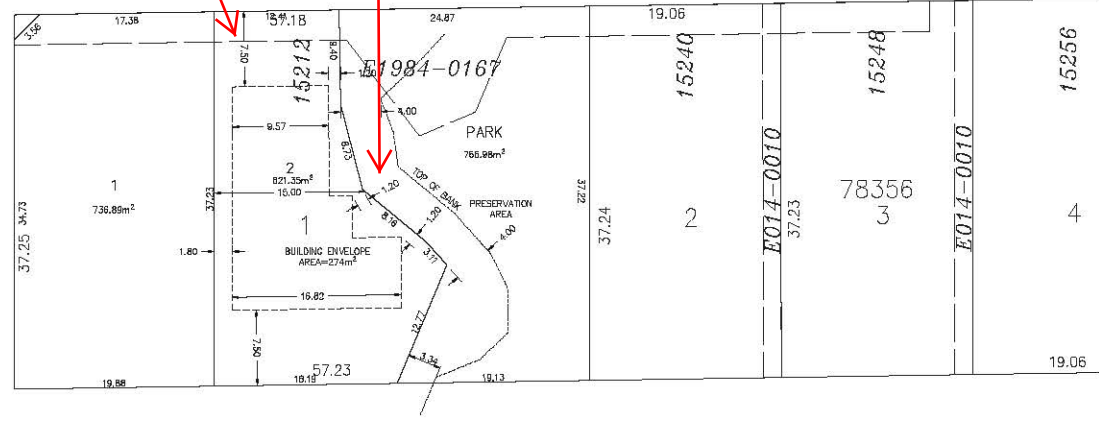


112 AVENUE 70.39

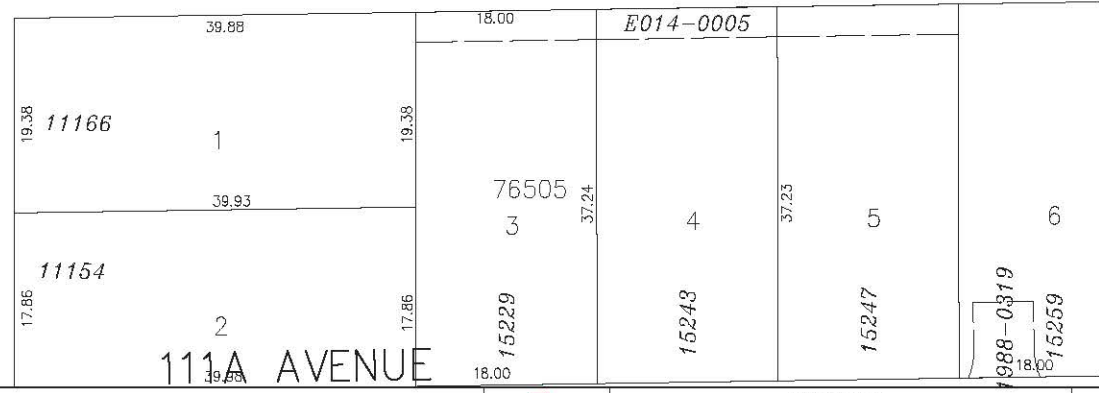


Relax the front yard setback from the centreline of the ultimate highway allowance for 112 Avenue resulting in a 7.5 metre (25 ft.) front yard setback to the existing property line.

Relax east side yard setback to 1.2 metres (4 ft.)



152 STREET
 130.04



111A AVENUE

- NOTES:
1. ALL DIMENSIONS ARE APPROXIMATE ONLY BASED ON MASTER PLANS.
 2. LAYOUT IS PRELIMINARY AND SUBJECT TO APPROVALS AND SURVEYS.
 3. EXISTING HOUSE TO BE RETAINED (LOCATION TO BE CONFIRMED).
 4. DUP REQUIRED ON LOT 2 TO REDUCE SIDE YARD SETBACK FROM 1.8m TO 1.2m.

Schedule A

No	Date	Revision	Dr	Cri
2	15/03/10	INCREASED SIDE YARD SETBACK LOT 2	LC	SS
1	14/11/13	INCREASED LOT WIDTH FOR PARK LOT	JW	SS

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



GURJIT SANGHA
 19288 - 72A STREET, SURREY, BC V4N 5Y3 PH 604-990-4800 FAX 604-990-4805
PRELIMINARY LOT LAYOUT
 SITE LOCATED AT 15212 - 112 AVENUE, SURREY, BC

Scale: 1:500	Mun. Proj No. 7914-D232-00	Dwg. No. A
Drawn: TWD/JW	Mun. Dwg. No.	
Designed: SS	Job No. 14-3157	Of
P.W. P.U.	Date SEP /09	Revision 2
Approved:		

This drawing and design is the property of CITIWEST CONSULTING LTD. and cannot be used, reused or reprinted without the written consent of said company.

destroy all prints bearing previous number

SKETCH PLAN SHOWING EXISTING BUILDING AND PROPOSED LOT LINES ON LOT 1, SECTION 16, BLOCK 5 NORTH, RANGE 1 WEST, NWD, PLAN 78356



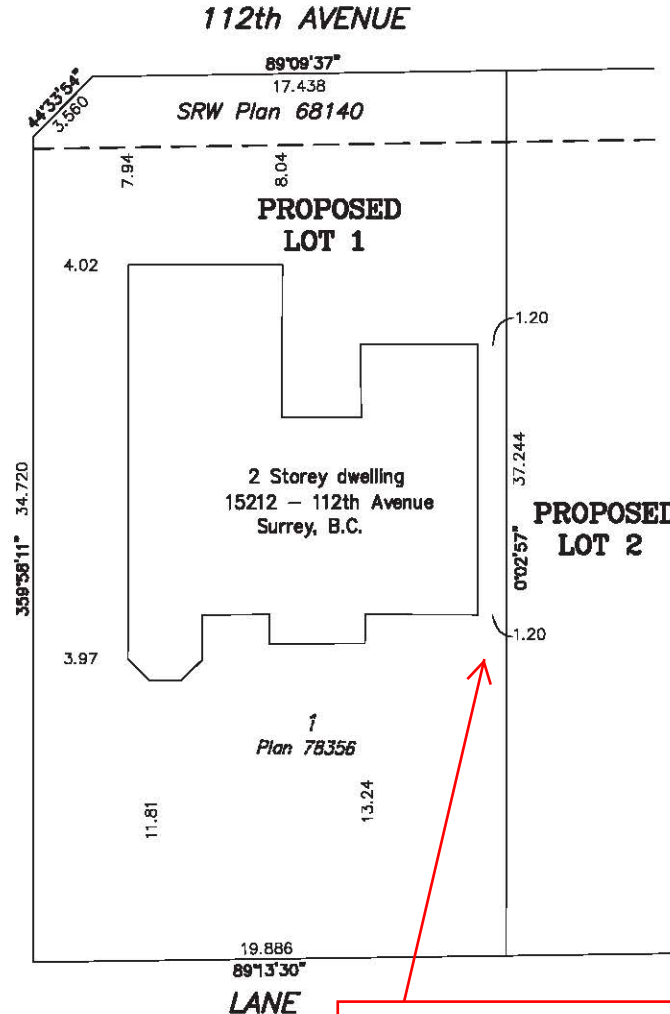
SCALE - 1 : 250

All distances are in metres

Area of Main Floor	=	150.2 m ²
Area of Second Floor	=	44.4 m ²
Total Floor Area	=	194.6 m ²
Area of Proposed Lot 1	=	738.2 m ²
F.A.R.	$\frac{195 \text{ m}^2}{738 \text{ m}^2}$	= 0.26



152nd STREET



Relax the east side yard setback to 1.2 metres (4 ft.)

Cameron Land Surveying Ltd.
B.C. Land Surveyors
Unit 206 - 16055 Fraser Highway
Surrey, B.C. V4N 0G2
Phone: 604-597-3777
Fax: 604-597-3783

Certified correct this 14th day of October, 2014.

Sean Costello, B.C.L.S.