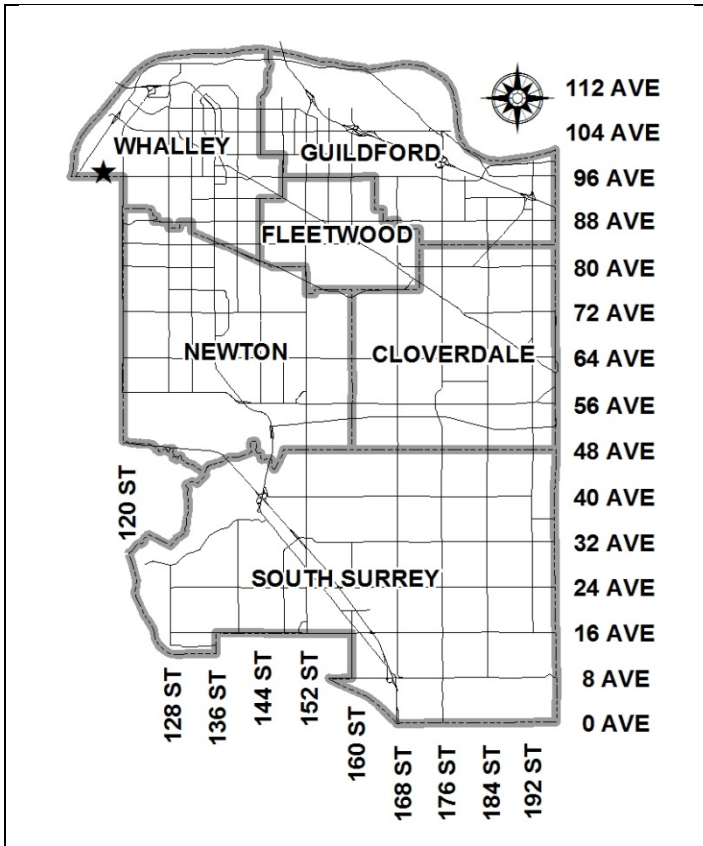


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7914-0249-00

Planning Report Date: April 13, 2015



**PROPOSAL:**

- **Development Variance Permit**

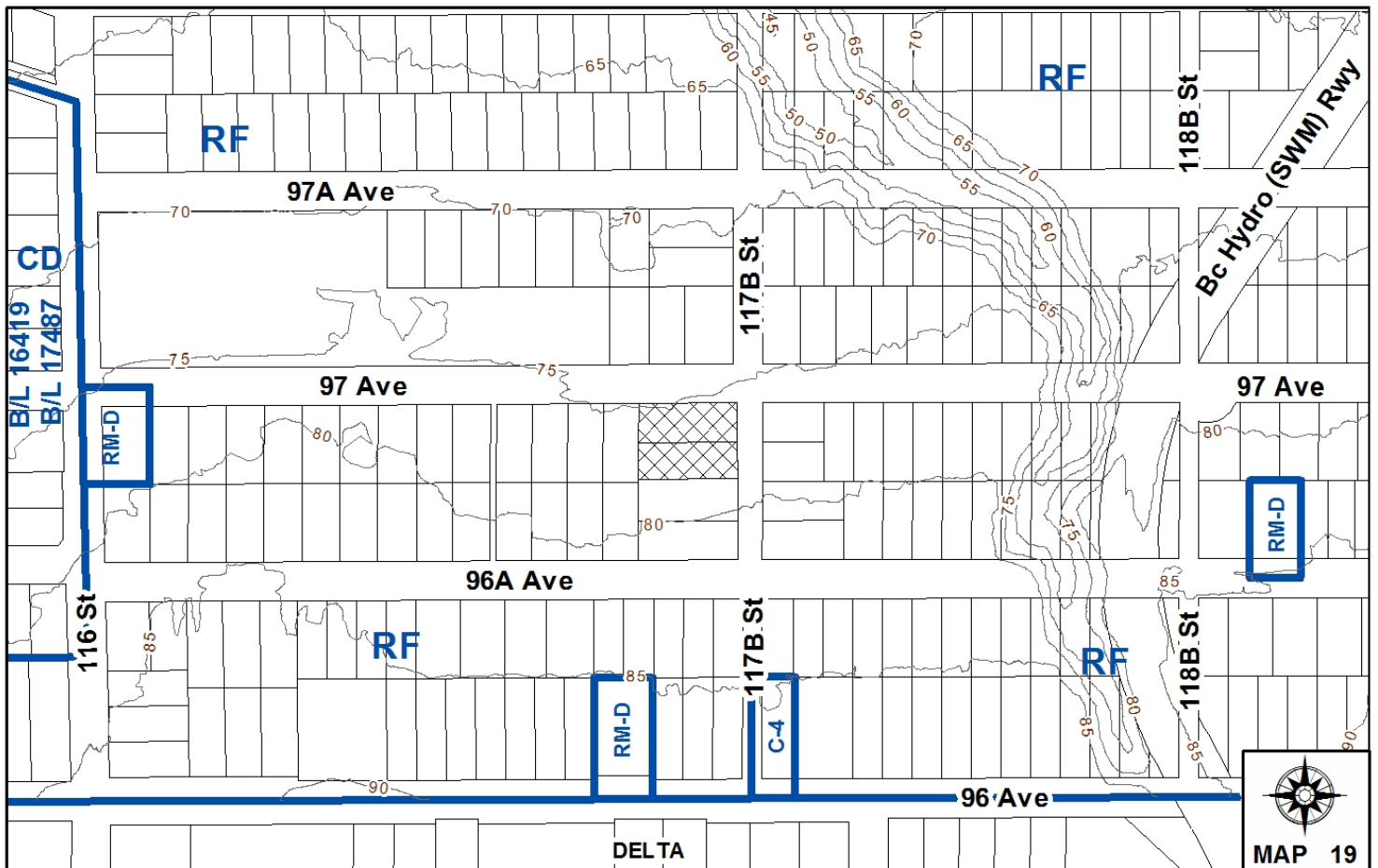
in order to vary setbacks to allow retention of the existing houses in conjunction with a proposed single family subdivision.

**LOCATION:** 11762 - 97 Avenue and 9675 - 117B Street

**OWNER:** Navjot Basi

**ZONING:** RF

**OCP DESIGNATION:** Urban



### RECOMMENDATION SUMMARY

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

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking to vary the RF Zone by reducing the interior side yard setback from 1.8 metres (6 ft.) to 1.4 metres (5 ft.) and the front yard setback from 7.5 metres (25 ft.) to 2.2 metres (7 ft.) for the existing dwelling to be retained on proposed Lot 2.
- Seeking a reduced rear yard setback in the RF Zone from 7.5 metres (25 ft.) to 4.4 metres (14 ft.) to the building wall and 3.0 metres (10 ft.) to the deck for the existing house to be retained on proposed Lot 3.

### RATIONALE OF RECOMMENDATION

- The proposed setback variances will allow retention of the existing single family dwellings on proposed Lots 2 and 3, which the owner has advised are still in good condition despite their age.
- Any new houses constructed on the lots will be required to comply fully with the RF Zone requirements.

**RECOMMENDATION**

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7914-0249-00 (Appendix III) varying the following, to proceed to Public Notification:

- (a) to vary the RF Zone to reduce the minimum interior side yard setback from 1.8 metres (6 ft.) to 1.4 metres (5 ft.) and to reduce the minimum front yard setback from 7.5 metres (25 ft.) to 2.2 metres (7 ft.), for a single family dwelling to be retained on proposed Lot 2; and
- (b) to reduce the minimum rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 4.4 metres (14 ft.) to the building wall and 3.0 metres (10 ft.) to the deck, for a single family dwelling to be retained on proposed Lot 3.

**REFERRALS**

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

**SITE CHARACTERISTICS**

Existing Land Use: Two single family dwellings on two lots, to be retained.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across 97 Avenue):	Single family dwellings.	Urban	RF
East (Across 117B Street):	Single family dwellings.	Urban	RF
South:	Single family dwelling.	Urban	RF
West:	Single family dwelling.	Urban	RF

**DEVELOPMENT CONSIDERATIONS**

**Background**

- The two subject properties are located at the southwest corner of 97 Avenue and 117B Street in Whalley. The northern property is located at 11762 - 97 Avenue and is 1,020 square metres (10,979 sq. ft.) in size. The southern property is located at 9675 - 117B Street and is 962 square metres (10,354 sq. ft.) in size.
- Both properties are zoned "Single Family Residential Zone (RF)" and are designated "Urban" in the Official Community Plan (OCP).
- The house on the northerly lot, at 11762 - 97 Avenue was constructed around 1956, and is approximately 128 square metres (1,377 sq. ft.) in size.

- The house at 9675 - 117B Street was constructed around 1973, and is approximately 104 square metres (1,122 sq. ft) in size.

### Current Proposal

- The applicant has submitted a development application to subdivide the two existing lots into three lots under the current RF zoning.
- The proposed lot dimensions and sizes comply with the RF Zone (see Appendix II and table below). However, in order to retain the two existing homes the applicant is requesting a Development Variance Permit to vary setbacks (see By-law Variances section).

<b>Proposed Lot</b>	<b>Proposed Lot Area</b>	<b>Proposed Lot Width</b>	<b>Proposed Lot Depth</b>	<b>Variance Requested</b>
1	643 square metres (6,921 sq.ft.)	16.5 metres (54 ft.)	39 metres (128 ft.)	None
2	563 square metres (6,060 sq.ft.)	19.5 metres (64 ft.)	29.12 metres (95.5 ft.)	Front and Interior Side Yard Setbacks
3	567 square metres (6,103 sq.ft.)	19.5 metres (64 ft.)	29.10 metres (95.5 ft.)	Rear Yard Setback

- The existing detached garage and shed on proposed Lot 1 will be demolished as a condition of the subdivision.
- The house to be retained on proposed Lot 2 is a small one-storey bungalow. The existing driveway access along 97 Avenue is located in the area of proposed Lot 1. As such, the applicant will need to construct a new driveway and parking pad for proposed Lot 2 as part of the subdivision.
- Currently 117B Street is a half road. Along 117B Street, between 5.0 metres (16 ft.) and 5.44 metres (18 ft.) of road dedication is required. The required road dedication reduces the existing front yard setback of the dwelling on proposed Lot 2 from 7.35 metres (24 ft.) to 2.22 metres (7 ft.) and a variance is required (see By-law Variances section).
- The house to be retained on proposed Lot 3 is a two-storey split level home. The existing garage and carport, which are proposed to be retained, have access from 117B Street.

### BY-LAW VARIANCES AND JUSTIFICATION

#### (a) Requested Variances:

- To vary the RF Zone on proposed Lot 2 by reducing the minimum interior side yard setback from 1.8 metres (6 ft.) to 1.4 metres (5 ft.) and the minimum front yard setback from 7.5 metres (25 ft.) to 2.2 metres (7 ft.) for a single family dwelling to be retained.

**Applicant's Reasons:**

- Reduction of the setbacks will allow the one-storey house to be retained as part of the proposed subdivision. The owner has advised staff that the house is in good condition despite its age.
- Road dedication along 117B Street has decreased the existing legal non-conforming front yard setback for the existing house proposed to be retained on Lot 2 by 5.2 metres (17 ft.).
- The existing detached garage and shed on proposed Lot 1 will be demolished.

**Staff Comments:**

- The owner has advised staff that existing house is in good condition despite its age. The house is of comparable design and size to neighbouring older homes in the area.
- Road dedication requirements along 117B Street range from 5.0 metres (16 ft.) to 5.44 metres (18 ft.). The existing home to be retained on proposed Lot 2 has an existing legal non-conforming front yard setback of 7.35 metres (24 ft.). The required road dedications will reduce this to 2.2 metres (7 ft.).
- In the future, a new house will need to comply with the existing RF Zone setbacks.
- Staff support the requested variances.

**(b) Requested Variance:**

- To reduce the rear yard setback in the RF Zone from 7.5 metres (25 ft.) to 4.4 metres (14 ft.) to the building face and 3.0 metres (10 ft.) to the deck for a single family dwelling to be retained on proposed Lot 3.

**Applicant's Reasons:**

- Reduction of the rear setback will allow for the existing house to be retained as part of the proposed subdivision. The owner has advised staff that the house is in good condition despite its age.

**Staff Comments:**

- The owner has advised staff that existing house is in good condition despite its age. The house is of comparable design and size to neighbouring older homes in the area.
- In the future, a new house will need to comply with the existing RF Zone setbacks.
- The majority of the rear yard setback will be 5.5 metres (18 ft.) which allows for a usable back yard.
- Staff support the requested variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners and Action Summary
- Appendix II. Proposed Subdivision Layout
- Appendix III. Development Variance Permit No. 7914-0249-00

*original signed by Judith Robertson*

Jean Lamontagne  
General Manager  
Planning and Development

JKS/da

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CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7914-0249-00

Issued To: NAVJOT BASI  
("the Owner")

Address of Owner: 11801 - 97 Avenue  
Surrey, BC V3V 2C2

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: 007-585-357

Lot 7 Section 36 Block 5 North Range 3 West New Westminster District Plan 14716

11762 - 97 Avenue

Parcel Identifier: 002-413-558

Lot 154 Section 36 Block 5 North Range 3 West New Westminster District Plan 44910

9675 - 117B Street

(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) In Section F. Yards and Setbacks of Part 16 Single Family Residential Zone (RF), the minimum interior side yard setback of the principal building is reduced from 1.8 metres (6 ft.) to 1.4 metres (5 ft.) and the minimum front yard setback of the principal building is reduced 7.5 metres (25 ft.) to 2.2 metres (7 ft.) for proposed Lot 2; and
  - (b) In Section F. Yards and Setbacks of Part 16 Single Family Residential Zone (RF), the minimum rear yard setback of the principal building is reduced from 7.5 metres (25 ft.) to 4.4 metres (14 ft.) to the building wall and 3.0 metres (10 ft.) to the deck for proposed Lot 3.
5. This development variance permit applies to only those portions 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.
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.

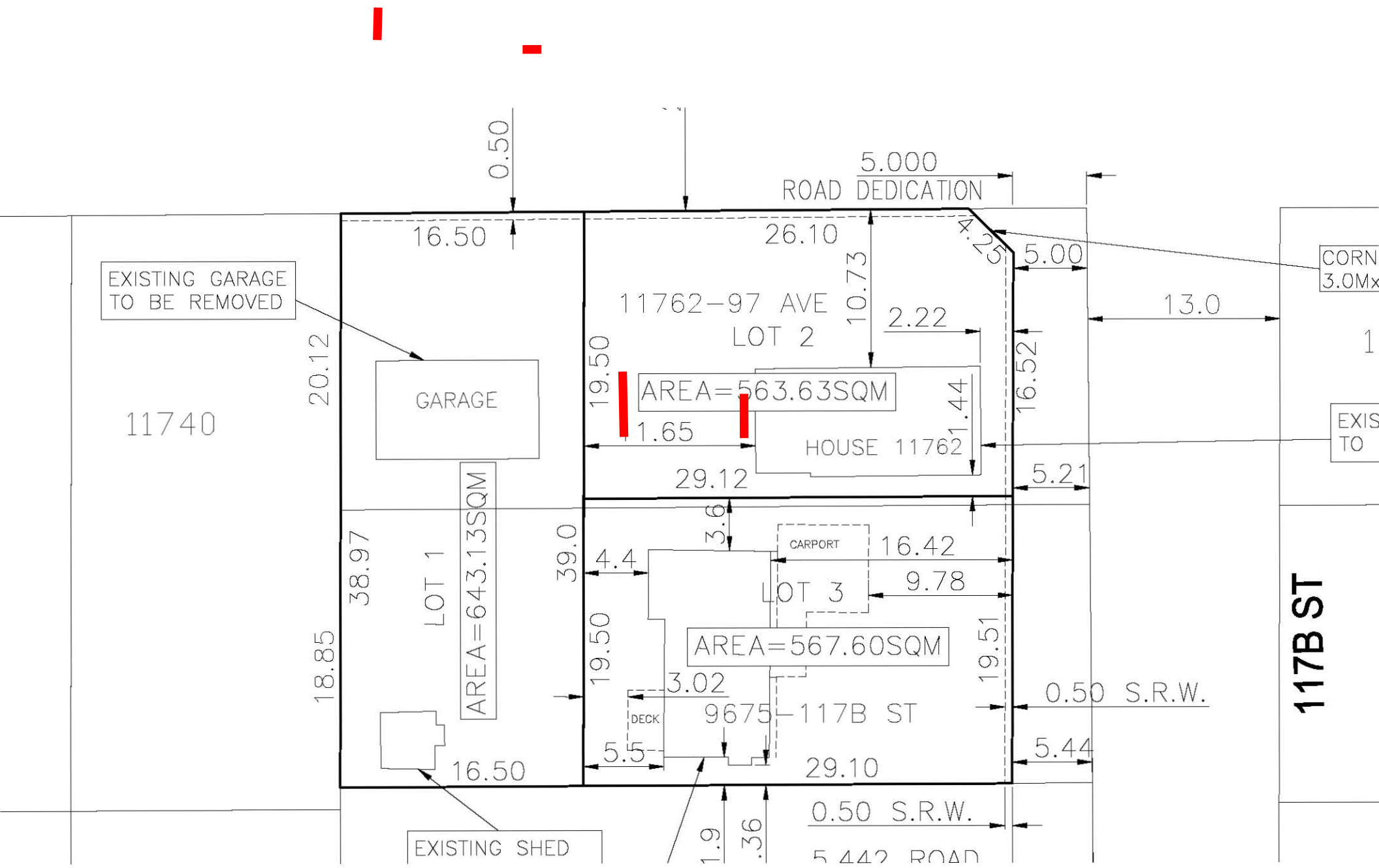
AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE      DAY OF      , 20 .  
ISSUED THIS      DAY OF      , 20 .

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Mayor – Linda Hepner

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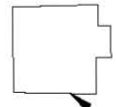
City Clerk – Jane Sullivan



EXISTING GARAGE TO BE REMOVED



AREA=643.13SQM



AREA=563.63SQM

HOUSE 11762

CARPORT

AREA=567.60SQM

117B ST

0.50 S.R.W.

5 442 ROAD

CORN 3.0Mx

EXIST TO

117B ST