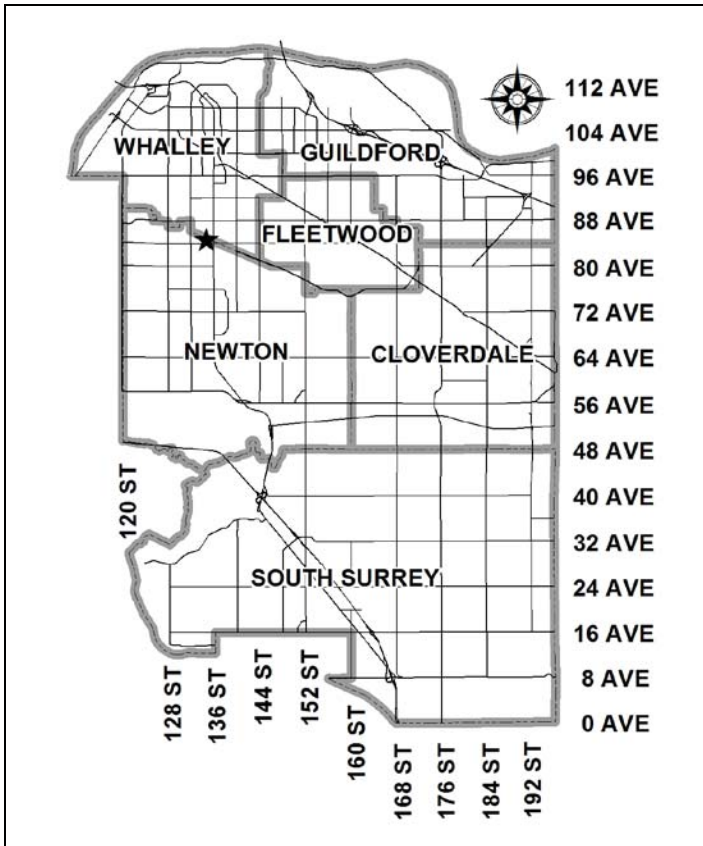


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7915-0298-00

Planning Report Date: October 24, 2016



**PROPOSAL:**

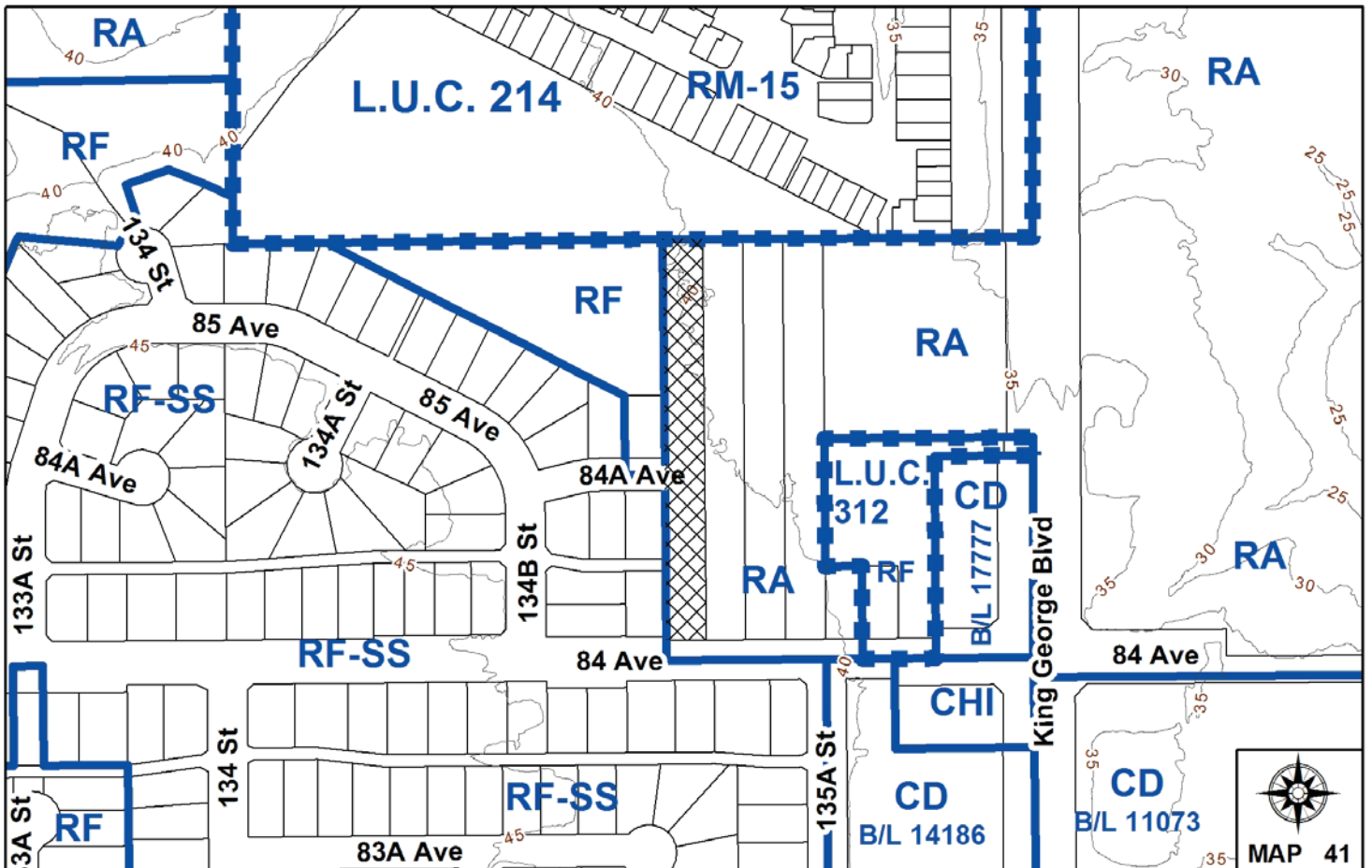
- **Development Variance Permit**  
 to vary the side yard setbacks of the RA Zone to allow for the construction of a new single family dwelling.

**LOCATION:** 13515 - 84 Avenue

**OWNER:** Harinder S Chohan  
 Sukhjinder K Chohan  
 Gurmel S Chohan  
 Rajinder K Chohan

**ZONING:** RA

**OCP DESIGNATION:** Urban



### RECOMMENDATION SUMMARY

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

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is proposing to vary the east and west side yard setbacks of the RA Zone from 4.5 metres (15 ft.) to 1.8 metres (6 ft.).

### RATIONALE OF RECOMMENDATION

- It is anticipated that the property will redevelop in the future under the RF Zone. The proposed variance allow for side yard setbacks that are consistent with the RF Zone and neighboring properties to the west.
- The applicant proposes to construct a new home on the property. The proposed variance is to allow construction and siting of a new house on the lot in a manner consistent with the future RF zoning of the property.
- A No-Build restrictive covenant will be registered on the property to ensure the siting and floor area of the new house complies with the provisions of the future RF Zone to avoid a future non-conforming situation.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7915-0298-00 (Appendix IV), to reduce the minimum east and west side yard setbacks of the "One-Acre Residential Zone (RA)" from 4.5 metres (15 ft.) to 1.8 metres (6 ft.), to proceed to Public Notification:
2. Council instruct staff to resolve the following issues prior to approval:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, dedications, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
  - (c) the applicant satisfy the deficiency in tree replacement on the site, to the satisfaction of the Planning and Development Department;
  - (d) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department; and
  - (e) registration of a Section 219 Restrictive Covenant to ensure appropriate size and siting of the house to facilitate future subdivision of the property.

## REFERRALS

Engineering:	The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix III.
Parks, Recreation & Culture:	The Parks, Recreation & Culture Department has no objection to the project.
BC Hydro	BC Hydro has no objection to the proposal.

SITE CHARACTERISTICS

Existing Land Use: Single family residence (south portion) and BC Hydro transmission right-of-way (north portion).

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across BC Hydro ROW):	Single family residences, bare land strata lots	Urban	L.U.C. No. 214 (Termination By-law adopted May 16, 2016 – underlying RM-15 Zone effective May 16, 2017).
East:	Single family residence	Urban	RA
South (Across 84 Avenue):	Single family residences	Urban	RF-SS
West:	Single family residences	Urban	RF-SS

DEVELOPMENT CONSIDERATIONSBackground

- The subject property located at 13515 84 Avenue is zoned "One-Acre Residential Zone (RA)" and designated "Urban" in the Official Community Plan.
- There is an existing single family home on the property located on the southern portion of the site, fronting 84 Avenue.
- The northern half of the subject property is located under a BC Hydro right-of-way.

Current Proposal

- The applicant is requesting a Development Variance Permit to reduce the side yard setbacks of the RA Zone from 4.5 metres (15 ft.) to 1.8 metres (6 ft.).
- It is anticipated that the property will redevelop in the future under the RF Zone. The applicant is seeking the proposed variance to allow for the construction and siting of a new house on the lot in a manner consistent with the future RF zoning of the property.
- The applicant intends to demolish the existing single family dwelling and replace it with a new single family dwelling of a design that is consistent with the surrounding neighbourhood.

### Discussion

- The properties located immediately to the east of the subject site and south across 84 Avenue are zoned "Single Family Residential Secondary Suite Zone (RF-SS)". The minimum side yard setbacks of the RF-SS Zone are 1.8 metres (6 ft.), which is consistent with the proposed variance.
- The subject property is 0.4 hectares (1 acre) in area. A large portion of the site is located under a BC Hydro right-of-way. The remaining developable area is approximately 0.2 hectares (0.5 acres) and is of sufficient size to permit future subdivision into two RF-Zone lots that would be consistent with the RF-SS lots located to the east and south of the subject property.
- The existing home will need to be demolished prior to the issuance of the Development Variance Permit and Building Permit.
- A No-Build restrictive covenant will be registered on the property to ensure the siting and floor area of the new house complies with the provisions of the future RF Zone and the future road network to avoid a future non-conforming situation. The restrictive covenant should specify the orientation of the house so that it faces 84A Avenue.

### TREES

- There are several trees on the property located in the rear yard of the existing house that will conflict with the building envelop and servicing of the proposed new dwelling. The applicant will be required to submit a finalized tree survey and a statement regarding tree preservation and satisfy any deficiency in tree replacement on the site.

### BY-LAW VARIANCE AND JUSTIFICATION

#### (a) Requested Variance:

- To reduce the minimum east and west side yard setbacks of the RA Zone from 4.5 metres (15 ft.) to 1.8 metres (6 ft.).

#### Applicant's Reasons:

- It is anticipated that the property will redevelop in the future under the RF Zone. The proposed variance is to allow construction and siting of a new house on the lot in a manner consistent with the future RF zoning of the property.
- The applicant intends to demolish the existing single family dwelling and replace it with a new single family dwelling of a design that is consistent with the surrounding neighbourhood.

**Staff Comments:**

- The developable area of the subject property is of sufficient size to permit future subdivision into two RF-Zone lots that would be consistent with the RF-SS lots located to the east and south of the subject property.
- A No-Build restrictive covenant will be required on the property to ensure that the siting and floor area of the new house complies with the provisions of the future RF Zone and the future road network.
- The existing home will need to be demolished prior to the issuance of the Development Variance Permit and Building Permit.

**INFORMATION ATTACHED TO THIS REPORT**

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Site Plan
Appendix III.	Engineering Summary
Appendix IV	Development Variance Permit No. 7915-0298-00

*original signed by Ron Hintsche*

Jean Lamontagne  
General Manager  
Planning and Development

RJG/da







INTER-OFFICE MEMO

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**TO:           Manager, Area Planning & Development  
              - South Surrey Division  
              Planning and Development Department**

**FROM:       Development Services Manager, Engineering Department**

**DATE:       October 19, 2016**

**PROJECT FILE:   7815-0298-00**

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**RE:         Engineering Requirements  
              Location: 13515 84 Avenue**

**DEVELOPMENT VARIANCE PERMIT**

The following issues are to be addressed as a condition of issuance of the Development Variance Permit:

- A No-Build Restrictive Covenant must be registered on the property to protect for future road requirements.



Rémi Dubé, P.Eng.  
Development Services Manager

M51

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7915-0298-00

Issued To: HARINDER S CHOHAN  
SUKHJINDER K CHOHAN  
GURMEL S CHOHAN  
RAJINDER K CHOHAN

(the Owner)

Address of Owner: 9221 - 137A Street  
Surrey, BC V3V 5W8

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: 009-781-781  
Lot "D" Section 29 Township 2 New Westminster District Plan 13180

13515 - 84 Avenue

(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 12 "One-Acre Residential Zone (RA)", the minimum side yard setback is reduced from 4.5 metres (15 ft.) to 1.8 metres (6 ft.).
4. This development variance permit applies to only that 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
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 .

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Mayor – Linda Hepner

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City Clerk – Jane Sullivan

84A AVE

SCHEDULE BA

ROW D

C

POSSIBLE FUTURE PROPERTY LINE

POSSIBLE DRIVEWAY

POSSIBLE FUTURE PROPERTY LINE

BCH ROW

21m-150mm STM @ 2%

STM IC  
INV. 41.17  
MBE 41.77

FUTURE RF LOT

13502

2

FUTURE LOT SIZE=7410 SQ.FT.  
ALLOWABLE F.A.R.= 4093 SQ.FT.  
PROPOSED F.A.R.= 4090 SQ.FT.  
ALLOWABLE SITE COVERAGE  
=37.08%=2758 SQ.FT.  
ACTUAL SITE COV.=2670 SQ.FT.

Proposed 1.8 metre (6 ft.)  
Side Yard Setbacks

POSSIBLE FUTURE PROPERTY LINE

POSSIBLE FUTURE PROPERTY LINE

LANE

POSSIBLE DRIVEWAY

EX SAN MH  
S. INV. 40.54  
(FROM AS-BUILTS)

SAN IC  
INV. 40.70  
MBE 41.77

100mm SAN @ 2%

FUTURE RF LOT

3

