

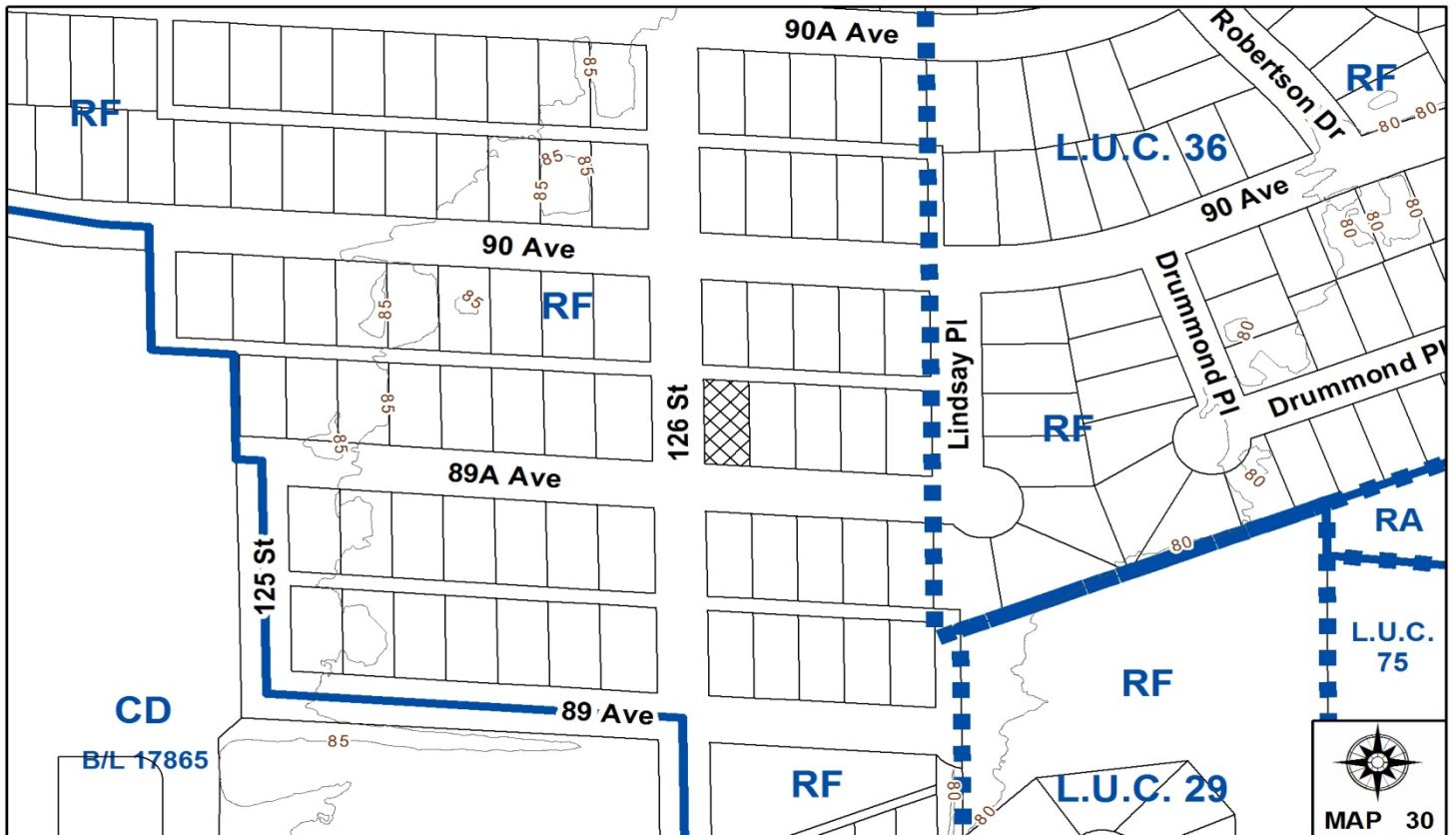
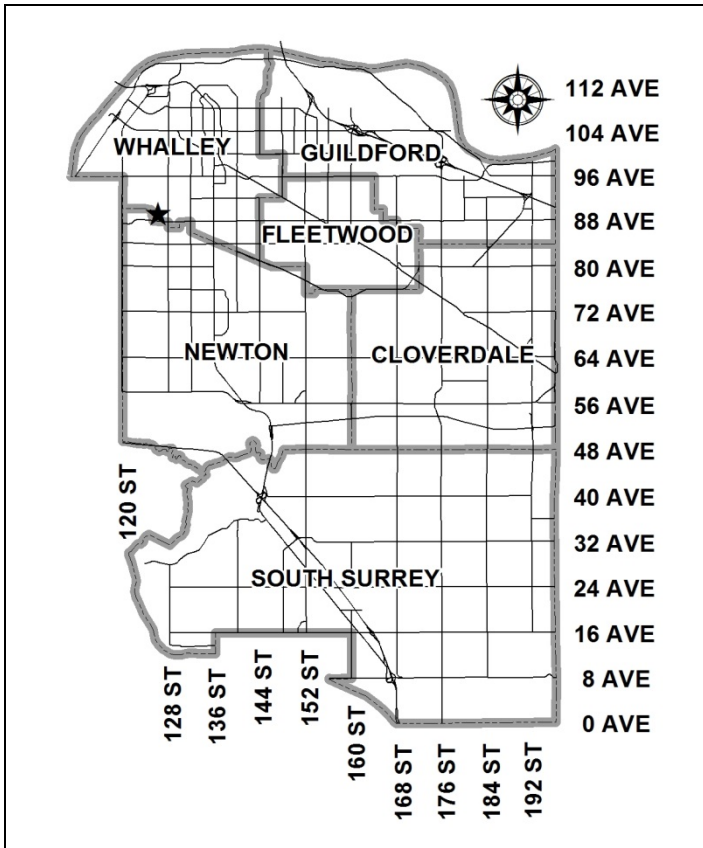
Planning Report Date: November 30, 2015

**PROPOSAL:**

- **Development Variance Permit**

to relax the special building setback requirements for a proposed single family dwelling on a lot located along a collector road (126 Street).

**LOCATION:** 8960 - 126 Street  
**OWNER:** Raghudeep Singh Sihota  
**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 relax Part 7 Special Building Setbacks of the Zoning By-law, to reduce the sum of one-half of the ultimate highway allowance for 126 Street and the west (side yard on flanking street) setback for a proposed single family dwelling from 15.6 metres (51 ft.) to 13.6 metres (45 ft.).

### RATIONALE OF RECOMMENDATION

- In accordance with Part 7 Special Building Setbacks of the Zoning By-law, side yard setbacks of lots flanking an arterial or collector road are measured from the centerline of the ultimate road allowance.
- 126 Street is a collector road, however, will not be constructed to its ultimate width in the foreseeable future and therefore the side yard setback relaxation for a new house is supportable.
- The reduced setback will achieve a consistent streetscape with the other existing houses along this section of 126 Street.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7915-0325-00 (Appendix IV) varying the following, to proceed to Public Notification:

- (a) to relax Part 7 Special Building Setbacks of Surrey Zoning By-law, 1993, No. 12000 to reduce the sum of one-half of the ultimate highway allowance for 126 Street and the west (side yard on flanking street) setback for the principal building from 15.6 metres (51 ft.) to 13.6 metres (45 ft.).

REFERRALS

Engineering: The Engineering Department has no objection to the project, as outlined in Appendix IV.

SITE CHARACTERISTICS

Existing Land Use: Vacant lot.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across unconstructed lane):	Singe family dwellings	Urban	RF
East:	Singe family dwellings	Urban	RF
South (Across 89A Avenue):	Singe family dwellings	Urban	RF
West (Across 126 Street):	Singe family dwellings	Urban	RF

DEVELOPMENT CONSIDERATIONS

- The 647-square metre (6,970 sq. ft.) subject lot is located at the northeast corner of 126 Street and 89A Avenue in Whalley and was created through subdivision in 1912.
- The lot is designated “Urban” in the Official Community Plan (OCP) and is zoned “Single Family Residential Zone (RF)”.
- The lot is currently vacant and the applicant is preparing to submit a building permit application to construct a single family dwelling on the subject lot. According to the preliminary site plan submitted by the applicant (Appendix II), the western face of the proposed dwelling will be located 3.6 metres (12 feet) from the existing western property line or 13.6 metres (45 ft.) from the existing centerline of the flanking 126 Street.

- 126 Street, which flanks the subject lot, is classified as a collector road. For lots fronting or flanking an arterial or collector road, in accordance with Part 7 Special Building Setbacks of Zoning By-law No. 12000, front yard setbacks and side yard setbacks on a flanking street are measured from the centerline of the ultimate road allowance.
- Since 126 Street is a collector road, as per the Subdivision & Development By-law approved by Council in 2012, the ultimate width is 24 metres (79 ft.). The existing road allowance for 126 Street is 20 metres (66 ft.) in width.
- The Engineering Department has determined that, for this portion of 126 Street, 24 metres (79 feet) of road allowance will not be necessary as it is not likely to be constructed to its ultimate width in the foreseeable future.
- Although the Engineering Department has no intention of widening this portion of 126 Street to its ultimate standard in the foreseeable future, the special setback requirements of Part 7 in the Zoning By-law continue to apply for building siting.
- The requirement to measure the side yard setback from the centerline of the ultimate road allowance for 126 Street reduces the floor space of the proposed dwelling and results in a less functional floor plan on the main floor. To mitigate these impacts on the proposed dwelling, the applicant is requesting to reduce the flanking side yard setback as measured from the centerline of the ultimate road allowance for 126 Street for the principal building from 15.6 metres (51 ft.) to 13.6 metres (45 ft.) (see By-law Variance section).

#### BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To relax Part 7 Special Building Setbacks of Surrey Zoning By-law, 1993, No. 12000 to reduce the sum of one-half of the ultimate highway allowance for 126 Street and the west (side yard on flanking street) setback for the principal building from 15.6 metres (51 ft.) to 13.6 metres (45 ft.).

Applicant's Reasons:

- The revised collector road standard of 24-metre (79 ft.) width requires the principal building on the existing lot to be set back 15.6 metres (51 ft.) from the centerline of 126 Street.
- The proposed setback variance will achieve a setback of 3.6m from the existing property line flanking 126 Street, the required side yard setback for flanking streets in the RF Zone.
- The proposed setback variance allows for a more functional floor plan and increases the floor space of the proposed house.

**Staff Comments:**

- Part 7 Special Building Setbacks of Zoning By-law No. 12000 is intended to protect for future widening of major roads by requiring the building setbacks to be the sum of one-half of the ultimate road right-of-way plus the required setback as specified in the Zone in which the lot is located. The ultimate road allowance for 126 Street, a collector road in this location, is 24 metres (79 ft.) and the existing road allowance is 20 metres (66 ft.). Although the City's Engineering Department has no intention of widening this portion of 126 Street to its ultimate standard in the foreseeable future, the setback is still applicable.
- The Special Building Setback requires the proposed single family dwelling on the subject lot to be sited 5.6 metres (18 ft.) from the existing flanking side lot line along 126 Street. This is greater than the 3.6-metre (12 ft.) side yard on flanking street setback required under the RF Zone on lots not subject to the Special Building Setback requirements.
- To achieve a consistent streetscape along 126 Street, which consists predominantly of older homes built prior to the Special Building Setback being applicable, a variance to the Special Building Setback from 15.6 metres (51 ft.) to 13.6 metres (45 ft.) for the principal building, measured from the centerline of the ultimate highway allowance for 126 Street is supportable.
- The RF Zone permits a maximum floor area of 366 square metres (3,940 square feet) on the subject lot. The proposed dwelling is 292 square metres (3,148 square feet) in floor area without the requested setback relaxation and 327 square metres (3,516 square feet) with the setback relaxation.
- 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 Site Plan
Appendix III.	Engineering Summary
Appendix IV.	Development Variance Permit No. 7915-0325-00

*original signed by Judith Robertson*

Jean Lamontagne  
General Manager  
Planning and Development

RC/dk

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KD 11/26/15 10:51 AM

Information for City Clerk

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

1. Agent:           Name:           Sukhwinder Sethi  
                          Address:         6702 - 130A Street  
  Surrey, BC V3W 8J3  
                          Tel:             604-729-8482

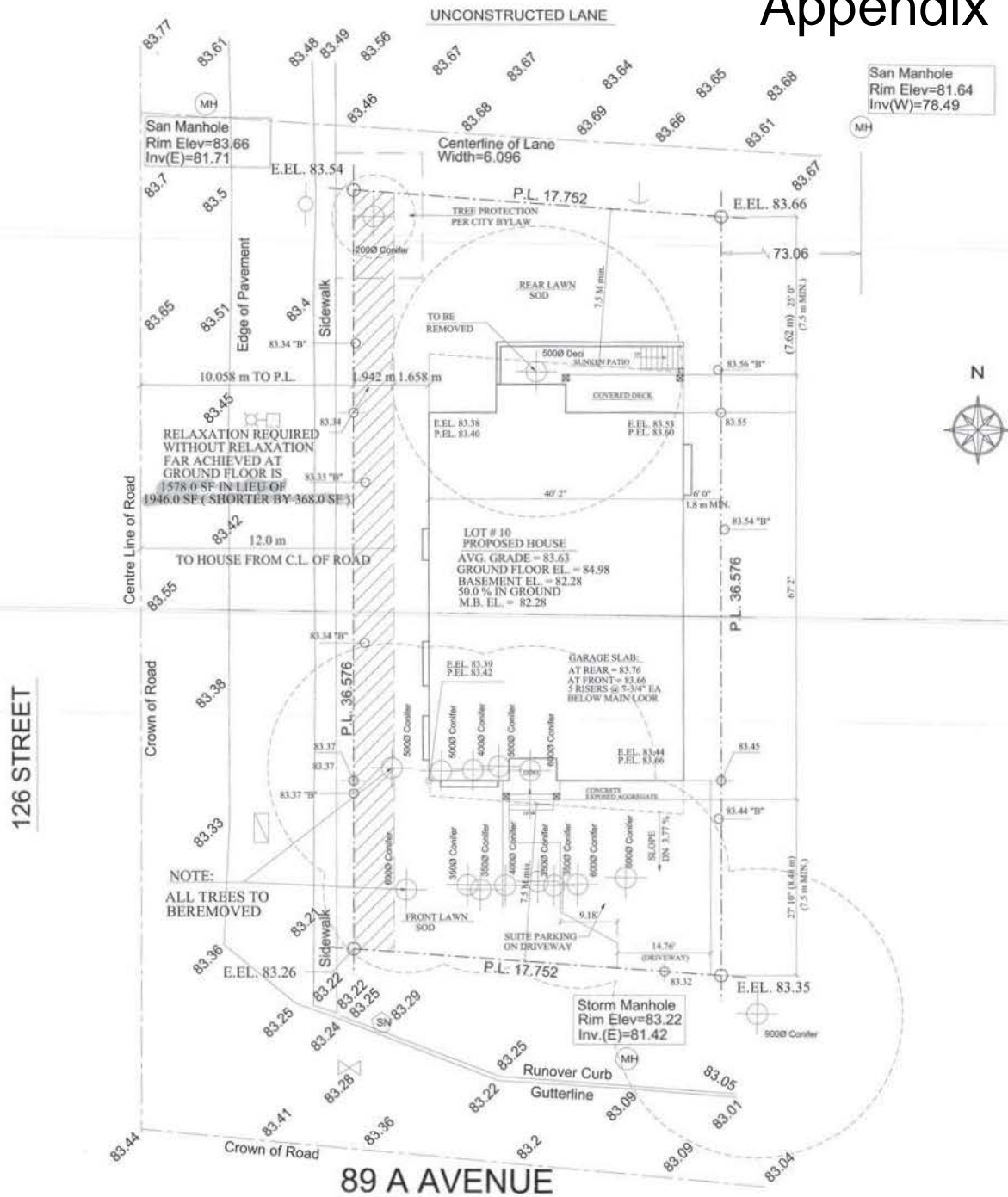
2. Properties involved in the Application

(a) Civic Address:         8960 - 126 Street

(b) Civic Address:         8960 - 126 Street  
Owner:                    Raghudeep S Sihota  
PID:                        012-507-644  
Lot 10 Block 15 Section 31 Township 2 New Westminster District Plan 2135

3. Summary of Actions for City Clerk's Office

(a) Proceed with Public Notification for Development Variance Permit No. 7915-0325-00 and bring the Development Variance Permit forward for issuance and execution by the Mayor and City Clerk.



## 89 A AVENUE

### SITE PLAN - LOT 10

SCALE: 1/8" = 1' 0"

**CIVIC ADDRESS:**  
8960 - 126 Street, SURREY B.C.

**LEGAL DESCRIPTION:**  
LOT # 10, BLOCK 15, SEC. 31, TOWNSHIP 2  
PLAN 2135 NWD

**CALCULATIONS:**  
ZONE: RF  
LOT AREA = 6970.0 S.F.  
MAX. PER. F.A.R. 3940.0 S.F.  
LESS 420.0 S.F. FOR GARAGE  
NET AREA FOR HOUSE = 3520.0 S.F.

**PROPOSED F.A.R.**  
GROUND FLOOR AREA = 1946.0 S.F.  
SECOND FLOOR AREA = 1570.0 S.F.  
**TOTAL = 3516.0 S.F.**  
BASEMENT AREA 1900.0 S.F.  
SUITE AREA 725.0 S.F.  
PLUS 420.0 S.F. OF GARAGE

**LEGEND:**  
E.E.L. = EXISTING ELEVATION  
P.E.L. = PROPOSED ELEVATION  
PER. LOT COVERAGE 38 % OF 6970.0 S.F.  
= 2648.0 S.F.  
PROPOSED LOT COVERAGE = 2563.0 S.F.

PER. DECK AREA 10 % OF 3940.0 S.F.  
= 394.0 S.F.  
PROPOSED DECK AREA =  
AT FRONT = 53.0 + 91.0 = 144.0 S.F.  
AT REAR = 112.0 S.F.

**GENERAL:**  
THIS BUILDING IS DESIGNED UNDER PART 7 OF THE BRITISH COLUMBIA BUILDING CODE - 2012 EDITION (OCCUPANCY CLASSIC). SOME SPECIFICATIONS ON THIS DRAWING ARE BEYOND THE LIMITS OF THIS SECTION OF THE CODE AND MAY REQUIRE REVIEW BY A PROFESSIONAL ENGINEER AT THE DISCRETION OF THE LOCAL BUILDING AUTHORITY. THIS MAY INCLUDE THE REQUIREMENT FOR A FIELD INSPECTION TO ENSURE THAT CRITICAL BUILDING COMPONENTS ARE CORRECTLY INSTALLED. IF REQUIRED, SUCH REVIEWS SHALL BE FOR THE ACCOUNT OF THE OWNER.  
THE CONTRACTOR AND THE OWNER SHALL ENSURE THAT THE CONSTRUCTION COMPLIES WITH ALL NATIONAL, PROVINCIAL AND LOCAL REGULATIONS.  
THE OWNER OR CONTRACTOR SHALL INSTALL ALL MATERIALS, EQUIPMENT, AND COMPONENTS IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS AND ACCEPTED METHODS OF BUILDING PRACTICE.  
IT SHALL BE THE RESPONSIBILITY OF THE OWNER OR BUILDER TO DETERMINE THE SNOW LOAD, RAIN LOAD AND SOIL CONDITIONS IN THE AREA IN WHICH THE RESIDENCE IS BEING BUILT AND TO MAKE ADJUSTMENTS IN SIZE OF STRUCTURAL MEMBERS TO COMPENSATE FOR THE ADDITIONAL LOADING.  
THE OWNER OR CONTRACTOR SHALL VERIFY ALL DIMENSIONS, MATERIALS AND CONDITIONS SHOWN ON THE DRAWINGS. ANY VARIANCES WITHIN THE DRAWING OR SPECIFICATIONS OR FROM CONDITIONS ENCOUNTERED ON THE JOB SITE SHALL BE RESOLVED BY THE OWNER OR CONTRACTOR AND SUCH SOLUTION SHALL BE THEIR SOLE RESPONSIBILITY.  
DIMENSIONS SHALL IN ALL CASES TAKE PRECEDENCE TO SCALE.  
STAIRS, RAMPS, HANDRAILS AND GUARDRAILS TO COMPLY WITH THE B.C.B.C. 2012 EDITION.

Oct 22	DIMENSIONS ADDED FOR RELAXATION TO BOARD OF VARIANCE	
Sept 08	DRIVEWAY WIDTH AND LOCATION REVISED	
<b>Astonish Design &amp; Detailing Ltd.</b>		
19732 - 71B Ave. Langley B.C.		
PH: 1 604 539 1740 FAX: 1 604 539 1741		
CELL: 1 604 728 0389 E-MAIL: navtophot@hotmail.com		
TITLE: SITE PLAN		
DR 200	Lot - 10, 8960 - 126 Street, SURREY B.C.	
DRG 200	DRG 200	DRG 200
8-A-MAL	NAV703	1/8" = 1' 0" (1:30.48)

THESE PLANS CONFORM TO B.C.B.C. 2012 EDITION





CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7915-0325-00

Issued To: Raghudeep Singh Sihota  
("the Owner")

Address of Owner: 12799 - 61 Avenue  
Surrey, BC V3M 3X6

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: 012-507-644  
Lot 10 Block 15 Section 31 Township 2 New Westminster District Plan 2135

8960 - 126 Street

(the "Land")

3. 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, 1993, No. 12000 to reduce the sum of one-half of the ultimate highway allowance for 126 Street and the west (side yard on flanking street) setback for the principal building from 15.6 metres (51 ft.) to 13.6 metres (45 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. 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 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 .

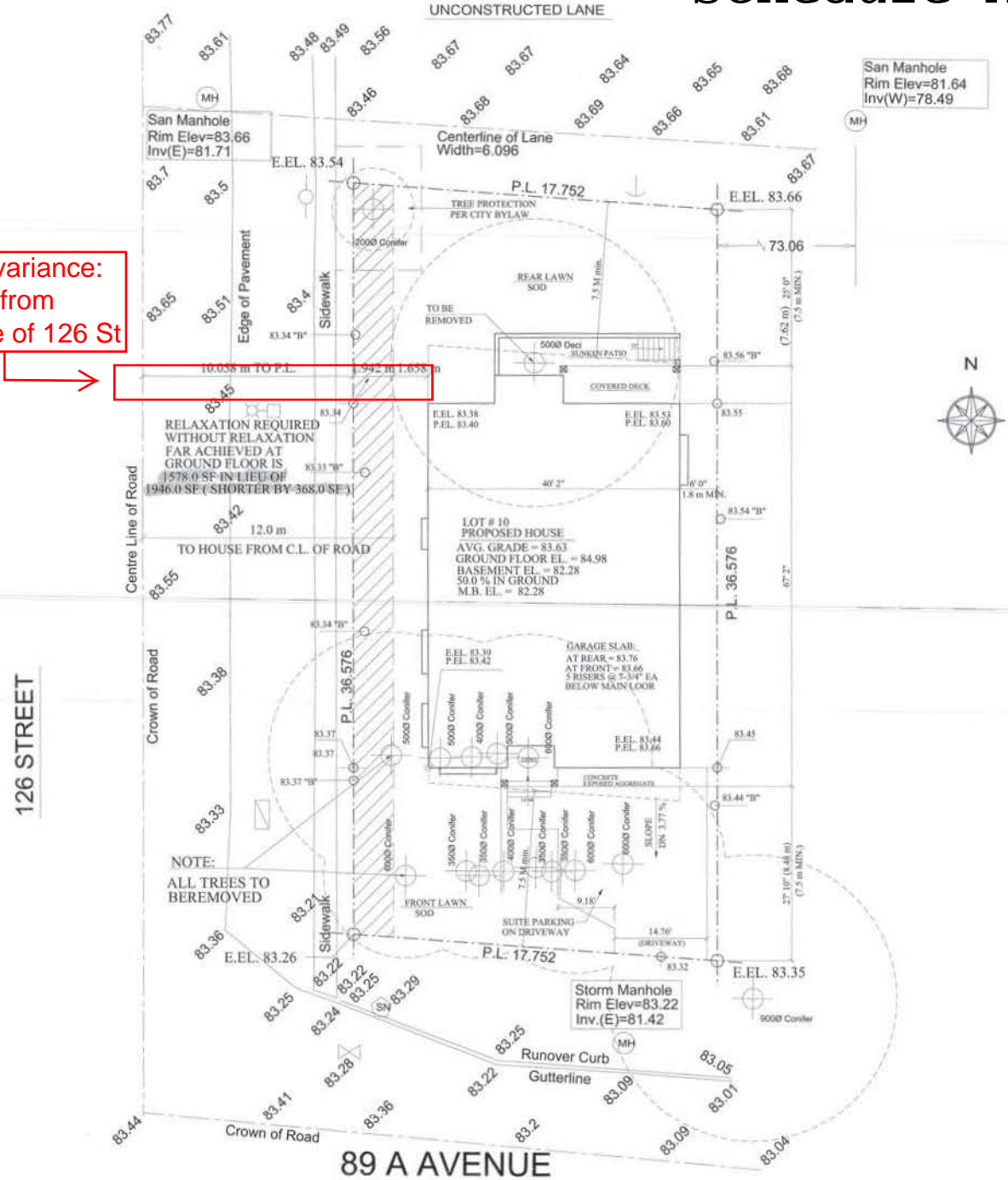
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Mayor – Linda Hepner

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City Clerk – Jane Sullivan

Setback variance:  
to 13.6m from  
centerline of 126 St



## 89 A AVENUE

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SITE PLAN		
PROJECT:	Lot - 10, 8960 - 126 Street, SURREY B.C.	
DRAWN BY:	DRG: J.T.C.B.C. / S.C.A.L.	DATE: 10/20/10
CHECKED BY:	NAVTEP	SCALE: 1/8" = 1' 0"

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