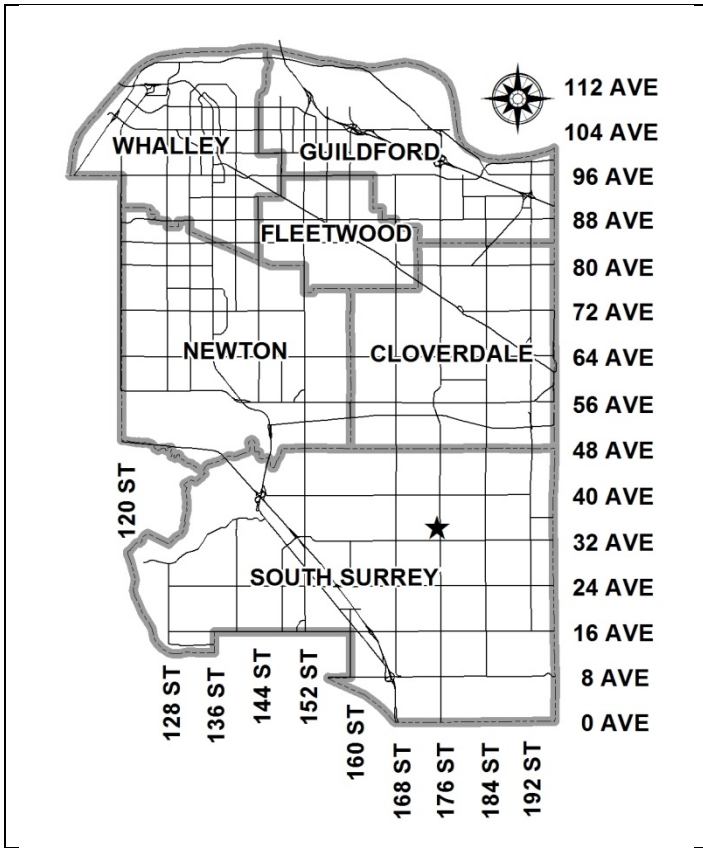


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7916-0092-00

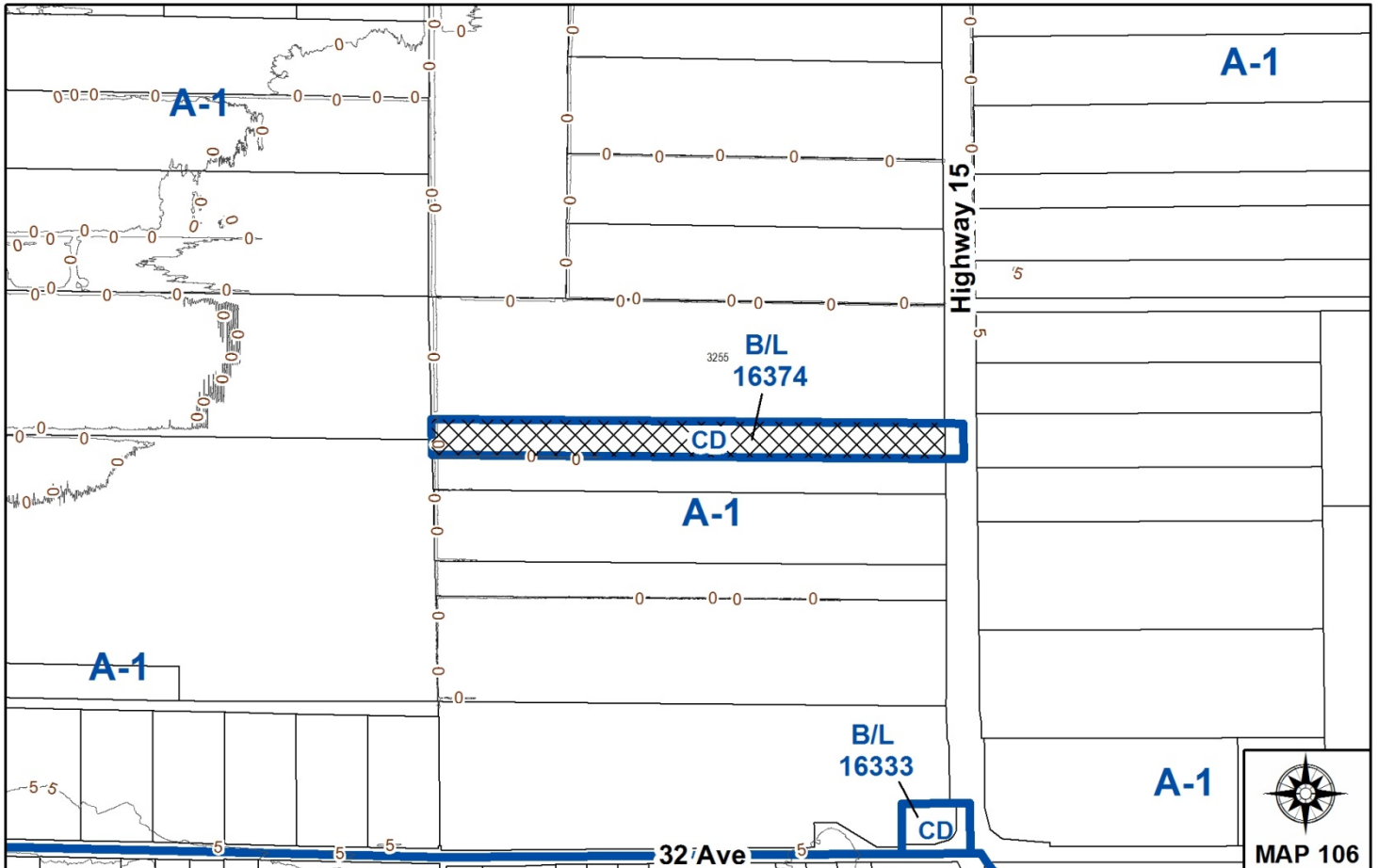
Planning Report Date: May 16, 2016



PROPOSAL:

- **Development Variance Permit**
 to vary the lot coverage of the CD Zone to allow for the construction of 2 single family dwellings.

LOCATION: 3507 - 176 Street
OWNER: Kashmir S Akali et al
ZONING: CD (By-law No. 16374)
OCP DESIGNATION: Agricultural



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is proposing a Development Variance Permit (DVP) to increase the maximum lot coverage permitted under CD Zone (By-law No. 16374) from 0.009% to 1.4%.

RATIONALE OF RECOMMENDATION

- The property was rezoned from General Agriculture (A-1) in 2008 as part of Development Application No. 7906-0384-00.
- The CD zone restricts the floor area of the two future dwellings to a maximum allowable dwelling size of 330 square meters (3,550 sq. ft.) for each dwelling, which was the maximum dwelling size permitted under the Single Family Residential Zone (RF) at the time.
- The CD Zone also restricts the maximum lot coverage to 0.009%. However, this lot coverage is insufficient to allow construction of two dwellings of the size permitted under CD Zone (By-law No. 16374).
- The location of the proposed homes meets the intent of the farm home plate policy and will be constructed in the same general location as the previous dwellings, between 176 Street and the farm buildings. In addition, the footprint of the residential uses will not exceed the maximum size of the farm residential footprint.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7916-0092-00 (Appendix V), to increase the maximum lot coverage permitted by CD By-law No. 16374 from 0.009% to 1.4%, to proceed to Public Notification.

REFERRALS

Engineering: The Engineering Department has no objection to the proposed variance.

Agricultural and Food Security Advisory Committee (AFSAC): The project was reviewed at the May 5, 2016 Agriculture and Food Security Advisory Committee (AFSAC) meeting wherein the committee made a recommendation of support for the proposal (Appendix IV).

SITE CHARACTERISTICS

Existing Land Use: Agricultural – Blueberry farm

Adjacent Area:

| Direction | Existing Use | OCP Designation | Existing Zone |
|---------------------------|--------------|-----------------|---------------|
| North: | Agricultural | Agricultural | A-1 |
| East (Across 176 Street): | Agricultural | Agricultural | A-1 |
| South: | Agricultural | Agricultural | A-1 |
| West: | Agricultural | Agricultural | A-1 |

DEVELOPMENT CONSIDERATIONSSite Description

- The subject property is 3.89 hectares (9.61 acres) in size and is located at 3507 176 Street.
- The property is designated Agricultural in the Official Community Plan (OCP), zoned Comprehensive Development Zone (CD By-law No. 16374), and located within the Agricultural Land Reserve (ALR).
- The subject site is classified as farmland under the *Assessment Act*.
- There is no existing house on the subject property.

- The owners have been farming blueberries on the property for the past ten years and intend to continue this farm use.

Background

- The property was rezoned from General Agriculture (A-1) to CD By-law No. 16374 in 2008 as part of Development Application No. 7906-0384-00.
- Prior to the rezoning application, the subject site had 0.107 hectares (0.26 acres) of land expropriated in order to accommodate the widening of Highway No. 15 (176 Street). The road widening resulted in the subject parcel being reduced in size from 4.0 hectares (10 acres) to 3.89 hectares (9.61 acres).
- Prior to the expropriation of this portion of land, the site contained two (2) single family dwelling units that were located immediately adjacent to Highway No. 15 (176 Street).
- The two (2) dwellings were required to be removed at the time when the road widening occurred as one would have straddled the property line and the other would have been approximately 3.5 metres (11.5 feet) from the front property line.
- A second dwelling is not permitted in the A-1 zone unless the property is 4.0 ha (10 acres) in size. Given the circumstances that led to the decrease in the lot size, Staff and Council supported the rezoning of the property to Comprehensive Development Zone (CD) to allow the owners to construct two single family dwellings in the future.
- At the time of the rezoning, the Agricultural Advisory Committee (AAC) recommended that the CD zone restrict the floor area and footprints of the two future dwellings. Staff recommended a maximum allowable dwelling size of 330 square meters (3,550 sq. ft.) for each dwelling, which was the maximum dwelling size permitted under the Single Family Residential Zone (RF) at the time. Additionally, the CD zone restricts the maximum lot coverage to 0.009%.

Proposal

- The applicant is requesting to vary the maximum permitted lot coverage of the CD Zone (Bylaw No. 16374) from 0.009 % to 1.4% to allow for the construction of 2 single family dwellings of 330 square metres (3,550 sq. ft.) each. The proposed combined lot coverage for both houses is 537 square metres (5,782 sq. ft.).
- The dwellings are proposed to be clustered near the existing farm buildings as shown on the site plan attached as Appendix II.
- CD By-law No. 16374 was adopted prior to the adoption of the Farm Home Plate rules, and therefore it has been determined that the Farm Home Plate setback requirements do not apply to this proposed development. However, the proposed location of the dwellings meets the intent of the Farm Home Plate regulations and the residential footprint is within the maximum area permitted for a property containing two single family dwellings, which is 3,000 square metres (0.75 acres).

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variances:

- To increase the maximum lot coverage permitted under CD Zone (By-law No. 16374) from 0.009% to 1.4%.

Applicant's Reasons:

- The property is owned by one family. The intent of the two (2) proposed houses is to provide residences for both parents and the family of one adult child and their family.
- The owners will be working on the farm. There are 4 family members that will reside and work on the property.
- The proposed homes will be constructed in the same general location as the previous dwellings, between 176 Street and the farm buildings.

Staff Comments:

- The proposal meets the intent of the farm home plate policy in that it limits the impact of buildings on the farmable land and clusters buildings (including farm buildings) in a contiguous area.
- The proposed homes comply with the maximum floor area (density) requirements of the CD Zone (By-law No. 16374).
- The Agricultural and Food Security Advisory Committee supports the proposal.

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 | House Drawings |
| Appendix IV. | AFSAC Meeting Minutes – May 5, 2016 (DRAFT) |
| Appendix V. | Development Variance Permit No. 7916-0092-00 |

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

RJG/dk

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Information for City Clerk

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

1. (a) Agent: Name: Narinder S Akali

 Address: 10931 - 132 Street
 Surrey, BC V3T 3W8

 Tel: 778-707-3744

2. Properties involved in the Application

- (a) Civic Address: 3507- 176 Street

- (b) Civic Address: 3507 - 176 Street
 Owner: Aman P Akali
 Peramdeep Jagpal
 Narinder S Akali
 Kashmir S Akali

 PID: 001-348-167
 Lot 2 Except: Part Road On Plan Bcp27594; Section 30 Township 7 New Westminster
 District Plan 7585

3. Summary of Actions for City Clerk's Office

- (a) Proceed with Public Notification for Development Variance Permit No. 7916-0092-00 and bring the Development Variance Permit forward for issuance and execution by the Mayor and City Clerk.

HOUSE 1

| ELEV | |
|--------|-----------------------|
| 10.84m | Max Permitted |
| 10.34m | Proposed Mid-Point |
| 8.69m | Upper Floor Top Plate |
| 5.95m | Upper Floor Elevation |
| 5.65m | Main Floor Top Plate |
| 2.60m | Main Floor Elevation |
| 2.40m | Garage Slab |
| 1.84m | Average Grade |



Ext. Gr. 1.94m
Prop. Gr. 2.40m

Ext. Gr. 2.10m
Prop. Gr. 2.40m

Front Elevation
1/4" = 1'-0"

| ELEV | |
|--------|-----------------------|
| 10.84m | Max Permitted |
| 10.34m | Proposed Mid-Point |
| 8.69m | Upper Floor Top Plate |
| 5.95m | Upper Floor Elevation |
| 5.65m | Main Floor Top Plate |
| 2.60m | Main Floor Elevation |
| 2.40m | Garage Slab |
| 1.84m | Average Grade |



Ext. Gr. 1.81m
Prop. Gr. 2.40m

Ext. Gr. 1.94m
Prop. Gr. 2.40m

Left Elevation
1/4" = 1'-0"

Spacial Separation Glazed Openings
Wall Area 684 sf
Lim. Dist. 5.25m
Allowable % 28%
Permitted Area 191 sf
Prop. Area 56 sf

| | | | |
|---|--------|--|----------------------------|
| SHEET | NUMBER | 3507 176 st Surrey BC House 1 | AS-0 |
| | DATE | 3/12/12 | FRONT & LEFT ELEVATIONS |
| DRAWN BY | | NAMEER AHALI | |
| PROJECT | | KAPPOOR HOME DESIGN LTD. 8661 201 ST Langley BC 778-995-1517 kappoorhomes@gmail.com | |
| <small> Kappoor Home Design Ltd. assumes no responsibility for any kind of abnormal stress or condition of any structure or any part thereof, or for any damage to any structure or any part thereof, or for any injury to any person or property, or for any loss or damage of any kind, or for any other liability, which may be incurred by any person in reliance on the drawings or specifications or any part thereof, or for any other liability, which may be incurred by any person in reliance on the drawings or specifications or any part thereof, or for any other liability, which may be incurred by any person in reliance on the drawings or specifications or any part thereof. These Plans require to have values of FC, Building Code 2012. </small> | | | |

HOUSE 1

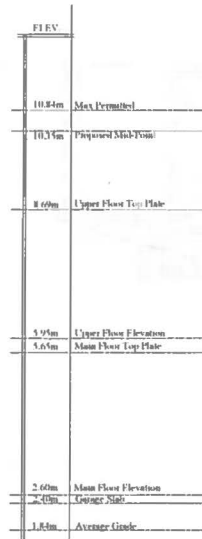


Fig. Gr. 1.80m
Prop. Gr. 2.40m

Fig. Gr. 1.81m
Prop. Gr. 2.40m

Rear Elevation
1/4" = 1'-0"

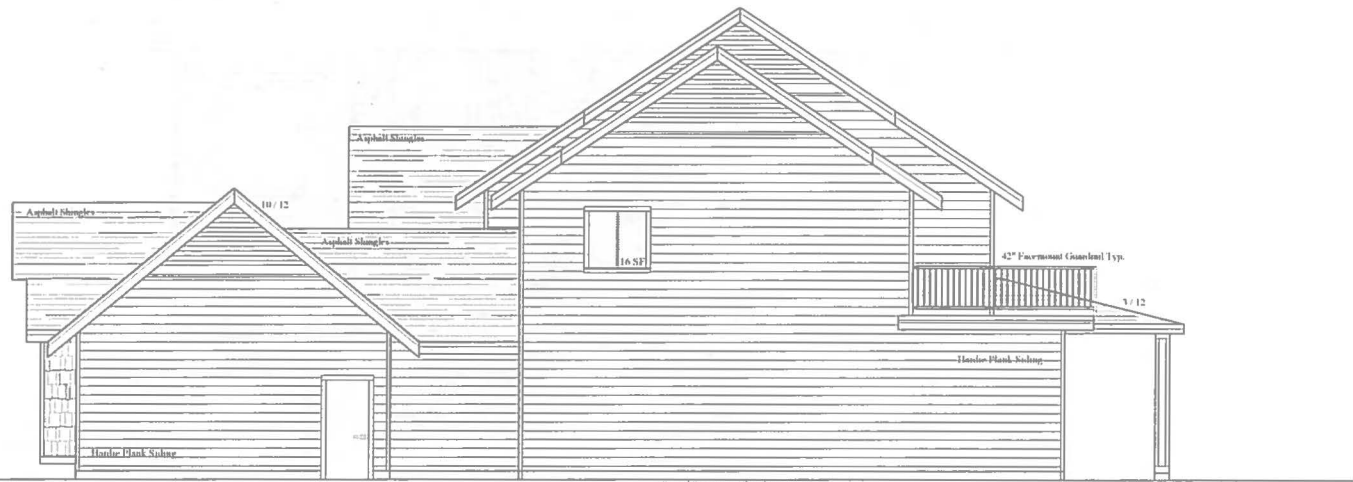
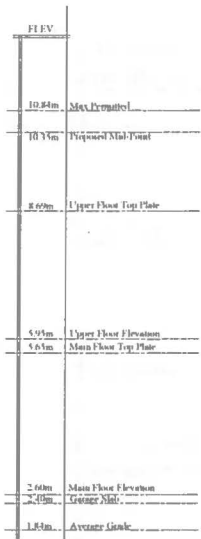


Fig. Gr. 2.10m
Prop. Gr. 2.40m

Fig. Gr. 1.80m
Prop. Gr. 2.40m

Right Elevation
1/4" = 1'-0"

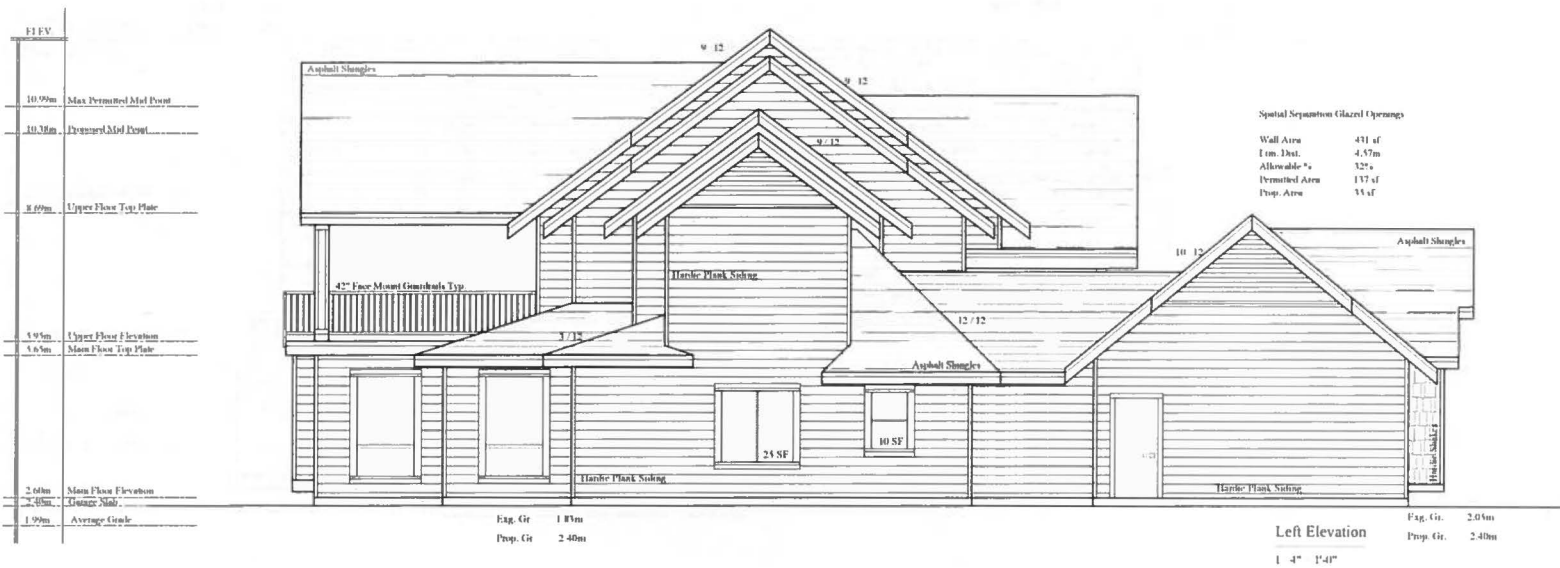
Spatial Separation Glazed Openings

| | |
|---------------|--------|
| Wall Area | 767 sf |
| 1 m. Dist. | 4.57m |
| Allowable * | 78% |
| Proposed Area | 214 sf |
| Prop. Area | 56 sf |



HOUSE 1

HOUSE 2



Spatial Separation Glazed Openings

| | |
|----------------|--------|
| Wall Area | 431 sf |
| Floor Area | 457m |
| Allowable Area | 325 |
| Permitted Area | 137 sf |
| Prop. Area | 35 sf |

HOUSE 2

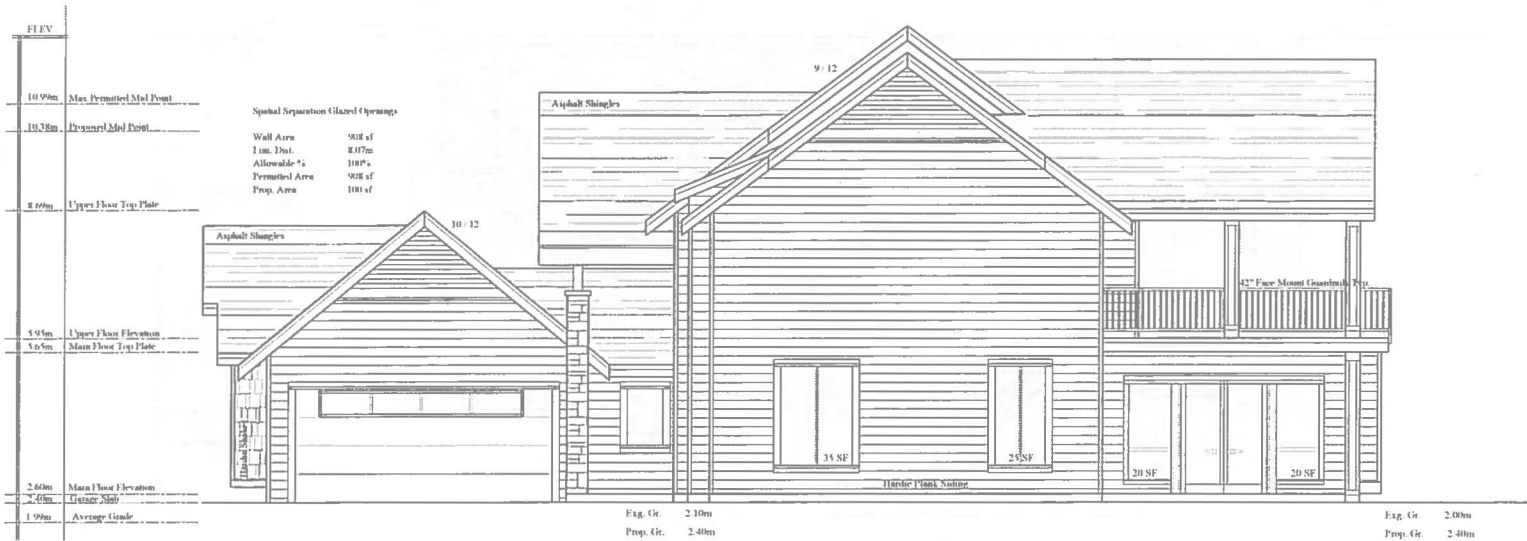


Rear Elevation

1/4" = 1'-0"

Fig. Gr. 1.83m
Prop. Gr. 2.40m

HOUSE 2



Front Elevation

Fig. Gr. 2.10m
Prop. Gr. 2.40m

Fig. Gr. 2.00m
Prop. Gr. 2.40m

Spatial Separation Glazed Openings

| | |
|----------------|--------|
| Wall Area | 908 sf |
| 1 m. Dist. | 8.07m |
| Allowable % | 100% |
| Permitted Area | 908 sf |
| Prop. Area | 100 sf |



HOUSE 2

AGRICULTURE AND FOOD SECURITY ADVISORY COMMITTEE
THURSDAY, MAY 5, 2016

D. NEW BUSINESS

3. Development Variance Permit No. 7916-0092-00

Ryan Gilmore, Planner

File: 7916-0092-00; 6880-75

The following comments were made:

- The applicant has requested a Development Variance Permit (DVP) to vary the lot coverage of CD Bylaw No. 16374 to facilitate the construction of two single family dwellings.
- The subject site is classified as farmland under the *Assessment Act* and there is no existing house. The owners have been farming blueberries on the property for the past ten years and intend to continue this farm use.
- The property was rezoned from General Agriculture (A-1) to Comprehensive Development Zone (CD By-law No. 16374) in 2008 when 0.107 hectares (0.26 acres) of land was expropriated to accommodate the widening of Highway 15 (176 Street). As a result, two dwellings located immediately adjacent to Highway 15 were required to be removed as one would have been approximately 3.5 metres (11.5 feet) from the front property line. The road widening resulted in the subject parcel being reduced in size from 4.0 hectares (10 acres) to 3.89 hectares (9.61) acres.
- A second dwelling is not permitted in the A-1 Zone unless the property is 4.0 hectares (10 acres) in size. Under the ALC legislation, this second dwelling is intended for farm help to support operation of the farm. Concerns were raised that such a small lot would not require this much farm help.
- The Committee is in opposition to a second dwelling and concerned that two homes on one lot may bring up the market value, and open the effects to agricultural land. It was noted that the decision was made years ago to allow for two dwellings on the proposed site, prior to the expropriation, and that members should uphold that past decision.

The General Manager, Planning and Development is seeking comments and recommendations from the Committee with respect to impacts on agricultural land use, viability, economic development, awareness and food security.

It was

Moved by M. Bose

Seconded by P. Harrison

That the Agriculture and Food Security

Advisory Committee recommend to the General Manager of Planning and Development to support Development Variance Permit 7916-0092-00 with reservation as to the economic value of agricultural land.

Carried

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7916-0092-00

Issued To: KASHMIR S AKALI
NARINDER S AKALI
PERAMDEEP JAGPAL
AMAN P AKALI

(collectively referred to as "the Owner")

Address of Owner: 10931 - 132 Street
Surrey, BC V3T 3W8

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: 001-348-167

Lot 2 Except: Part Road On Plan Bcp27594; Section 30 Township 7 New Westminster
District Plan 7585

3507 - 176 Street

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section E. Lot Coverage of CD Zone (By-law No. 16374), the maximum lot coverage is increased from 0.009% to 1.4% for permitted single family dwelling units.
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 .

Mayor – Linda Hepner

City Clerk – Jane Sullivan