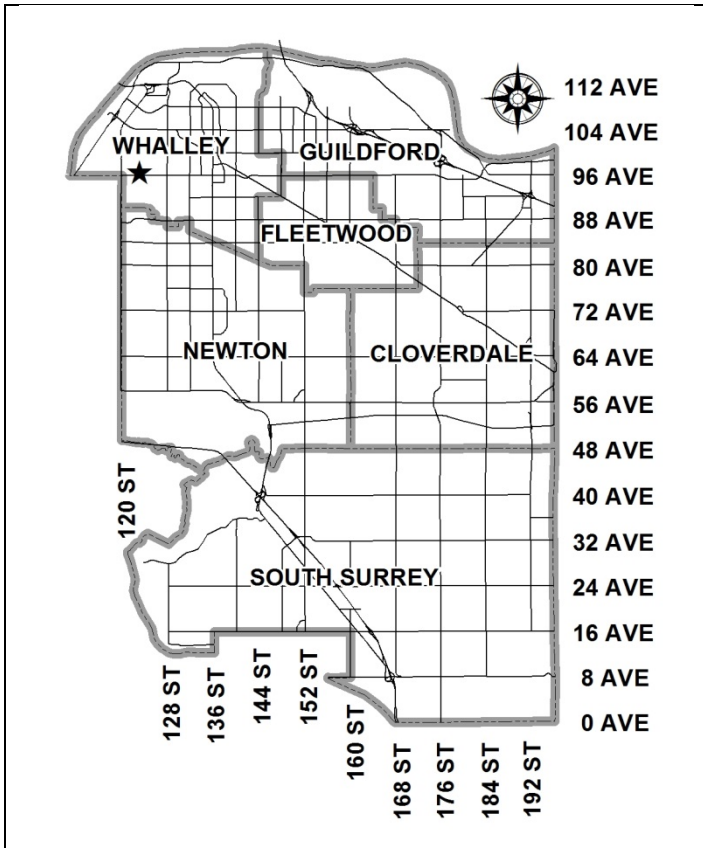


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7916-0110-00

Planning Report Date: October 3, 2016



**PROPOSAL:**

- **Development Variance Permit**

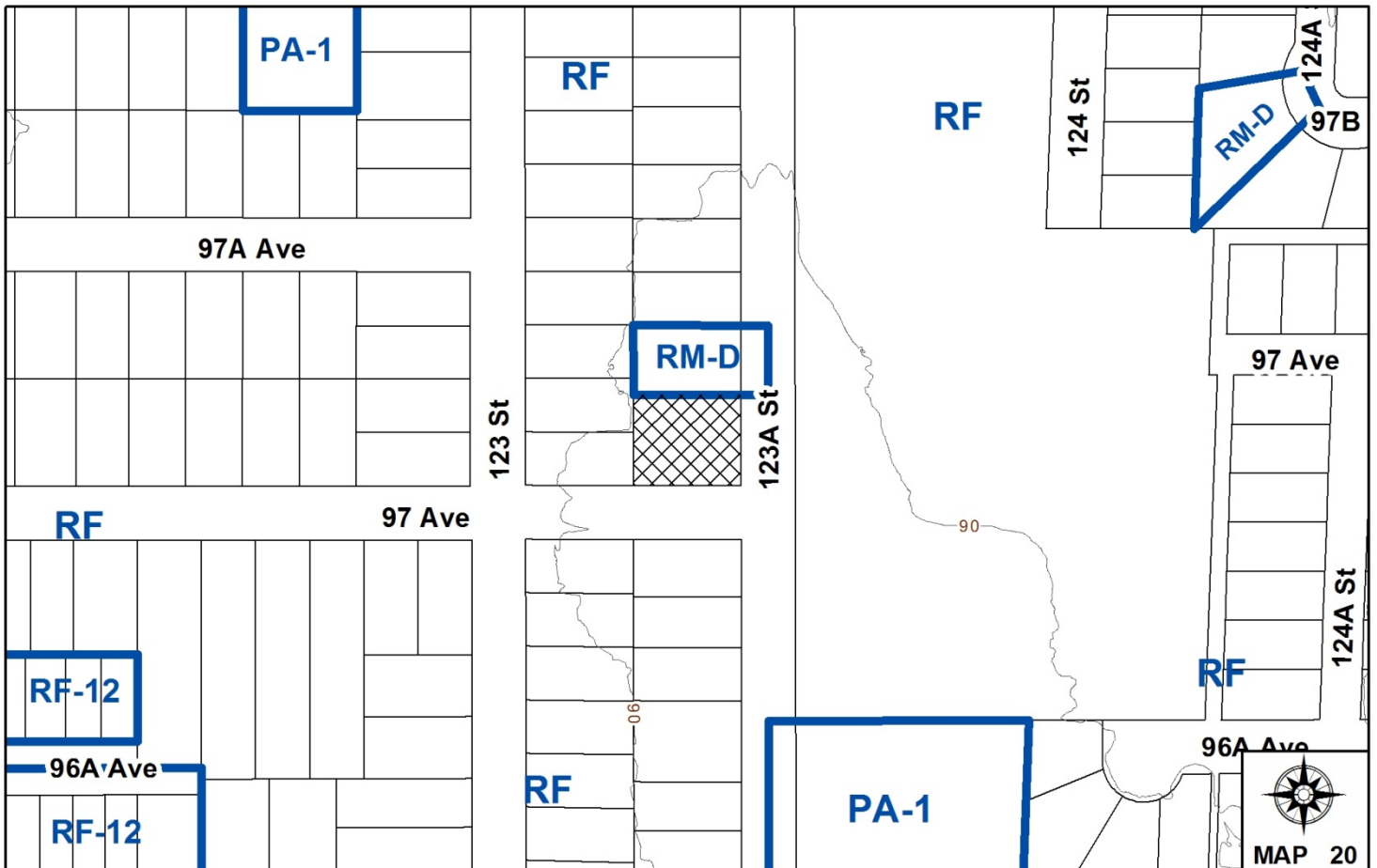
to relax the flanking side yard setback requirement for a new house on proposed Lot 2, located along a collector road (123A Street).

**LOCATION:** 9711 - 123A Street

**OWNERS:** Kashmir Singh Thandi et al

**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 reduce the side yard on a flanking street setback of the RF Zone from 3.6 metres (12 ft.) to 1.7 metres (6 ft.) in order to construct a house on proposed Lot 2 located along a collector road (123A Street).

### RATIONALE OF RECOMMENDATION

- In accordance with Part 7 Special Building Setbacks of the Zoning By-law, the setbacks of lots flanking or fronting an arterial or collector road are measured from the centreline of the ultimate road allowance.
- 123A Street is a collector road, however, will not be constructed to its ultimate width in the foreseeable future and therefore the flanking side yard setback relaxation for a new house on proposed Lot 2 is supportable.
- The reduced setback will achieve a consistent streetscape with the other existing houses along this section of 123A Street.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7916-0110-00 (Appendix II), to reduce the minimum side yard on a flanking street setback of the RF Zone from 3.6 metres (12 ft.) to 1.7 metres (6 ft.) for the principal building on proposed Lot 2, to proceed to Public Notification

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Single family house, which will be demolished.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Duplex.	Urban	RM-D
East (Across 123A Street):	Cedar Hills Elementary School.	Urban	RF
South (Across 97 Avenue):	Single family dwellings.	Urban	RF
West:	Single family dwellings.	Urban	RF

DEVELOPMENT CONSIDERATIONS

- The 1,362-square metre (0.34-acre) subject property is located at 9711 – 123A Street in Whalley. The site is designated “Urban” in the Official Community Plan (OCP) and is zoned “Single Family Residential Zone (RF)”. There is an existing single family dwelling and accessory buildings on the site which will be removed.
- The applicant is proposing to subdivide the subject property in order to create two (2) single family lots under the existing RF Zone.
- The proposed lots conform to the minimum width, depth and area requirements of the RF Zone.

- 123A Street, which flanks proposed Lot 2 on the subject lot, is classified as a collector road. For lots fronting or flanking 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 centreline of the ultimate road allowance.
- Since 123A Street is a collector road, under the revised standards of the Subdivision & Development By-law approved by Council in 2011, the ultimate width is 24 metres (79 ft.). The existing road allowance for 123A Street is 20.1 metres (66 ft.) in width, which requires an additional 1.942 metres (6 ft.) of dedication from the subject site.
- The Engineering Department has determined that, for this portion of 123A Street, 24 metres (79 ft.) of road allowance is not necessary at this time as it is not likely the road will be constructed to its ultimate width in the foreseeable future.
- Although the Engineering Department has no plans to widen this portion of 123A 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 applicant is seeking a variance to accommodate a typical RF house on proposed Lot 2 (see By-law Variance Section).

#### BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum flanking side yard setback of the RF Zone for the principal building for proposed Lot 2 from 3.6 metres (12 ft.) to 1.7 metres (6 ft.).

Applicant's Reasons:

- The revised collector road standard of 24 metres (79 ft.) in width requires any new principal building on proposed Lot 2 to be set back 5.54 metres (18 ft.) from the existing side property line flanking 123A Street, which is 1.942 metres (6 ft.) greater than the RF Zone requires on lots where these Special Building Setback regulations do not apply.
- The applicant wishes to maintain a consistent streetscape with the neighbouring homes along 123A Street, the majority of which were constructed before the revised standards of the Subdivision & Development By-law approved by Council in 2011.
- The proposed flanking side yard setback variance would allow the applicant a more substantial buildable width, consistent with other new homes in the neighbourhood.

## Staff Comments:

- Proposed Lot 2 will front 97 Avenue, and will flank 123A Street, which is a designated Collector Road in the Surrey Road Classification Map (R-91), attached as Schedule D to 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, which was approved in 2011, is a 2.0-metre (7-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.
- On this basis, the required side yard setback flanking 123A Street for proposed Lot 2 is 12 metres (39 ft.) from the ultimate centreline of 123A Street plus the 3.6-metre (12-ft.) flanking side yard setback requirement of the RF Zone for a total setback of 15.6 metres (51 ft.) from the ultimate centreline of 123A Street. Given that the existing road allowance for 123A Street is 20.1 metres (66 ft.) in width, an additional 1.942 metres (6 ft.) of setback is required from the existing flanking side lot line along 124 Street.
- In reviewing this portion of 123A Street, the Engineering Department has concluded that a reduced road allowance of 20 metres (66 feet), or 10.1 metres (33 feet) from centreline, is sufficient as this portion of the road will not be widened in the near future.
- To achieve a consistent streetscape along this portion of 123A Street, a variance to the side yard on a flanking street setback of the RF Zone from 3.6 metres (12 feet) to 1.7 metres (6 ft.) is supported. This would provide a building setback from the centreline of 123A Street of 13.7 metres (45 feet), based on the one-half of the road allowance requirement for a collector road (12 metres/39 feet) plus a 1.7-metre (6-ft.) side yard on a flanking street setback.
- Rather than vary the road allowance requirement for a collector road, as specified in Schedule K of the Subdivision and Development By-law, staff support a variance to the side yard on a flanking street setback requirement of the RF Zone.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners, Action Summary
- Appendix II. Proposed Subdivision Layout
- Appendix III. Development Variance Permit No. 7916-0110-00

*original signed by Judith Robertson*

Jean Lamontagne  
General Manager  
Planning and Development

LM/dk

Information for City Clerk

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

1. (a) Agent:     Name:             Roger Jawanda  
                  Address:         CitiWest Consulting Ltd.  
                                      9030 King George Boulevard, Unit 101  
                                      Surrey, BC V3V 7Y3  
  
                  Tel:                 604-591-2213
  
2.     Properties involved in the Application
  - (a)    Civic Address:             9711 - 123A Street
  
  - (b)    Civic Address:             9711 - 123A Street  
          Owners:                 Kulwinder Singh Thandi  
                                      Taranjit Kaur Thandi  
                                      Kashmir Singh Thandi  
                                      Bhupinder Kaur Thandi  
  
          PID:                     011-927-267  
          Lot 10 Except: Parcel "A" (Explanatory Plan 16530), Block 21 Section 31 Range 2W Plan 673  
          New Westminster District Block 5N
  
3.     Summary of Actions for City Clerk's Office
  - (a)    Proceed with Public Notification for Development Variance Permit No. 7916-0110-00 and  
          bring the Development Variance Permit forward for issuance and execution by the Mayor  
          and City Clerk.



3 X 3 CORNER CUT

- 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 REMOVED

No.	Date	Revision	Dr	Ch

**CitiWest Consulting Ltd.**  
 No. 101-8030 KING GEORGE BLVD., SURREY, BC, V3V 7Y3  
 TELEPHONE 604-591-2213 FAX 604-591-5519  
 E-MAIL: office@citwest.com



KULWINDER THANDI  
 9701 - 126 STREET, SURREY, BC, V3V 5E3 PH: 604-825-2651  
**PRELIMINARY LOT LAYOUT**  
 SUBDIVISION AT 9711 - 123A STREET, SURREY, BC

Scale: 1:500	Mun. Proj. No.	Dwg. No.
Drawn: JW	Mun. Dwg. No.	A
Designed: NH	Job No. 16-330B	Of
P.W. P.U.	Date MAR/2016	Revision
Approved:		

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destroy all prints bearing previous number



CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7916-0110-00

Issued To: KULWINDER SINGH THANDI  
 TARANJIT KAUR THANDI  
 KASHMIR SINGH THANDI  
 BHUPINDER KAUR THANDI

(the Owner)

Address of Owner: 12537 - 89 Avenue  
 Surrey, BC V3V 1A4

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: 011-927-267  
 Lot 10 Except: Parcel "A" (Explanatory Plan 16530), Block 21 Section 31 Range 2W Plan 673  
 New Westminster District Block 5N

9711 - 123A 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:

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- (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 of Part 16 Single Family Residential Zone (RF), the minimum side yard on a flanking street setback is reduced from 3.6 metres (12 ft.) to 1.7 metres (6 ft.) for the principal building on proposed Lot 2.
5. This development variance permit applies to only the 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.
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.

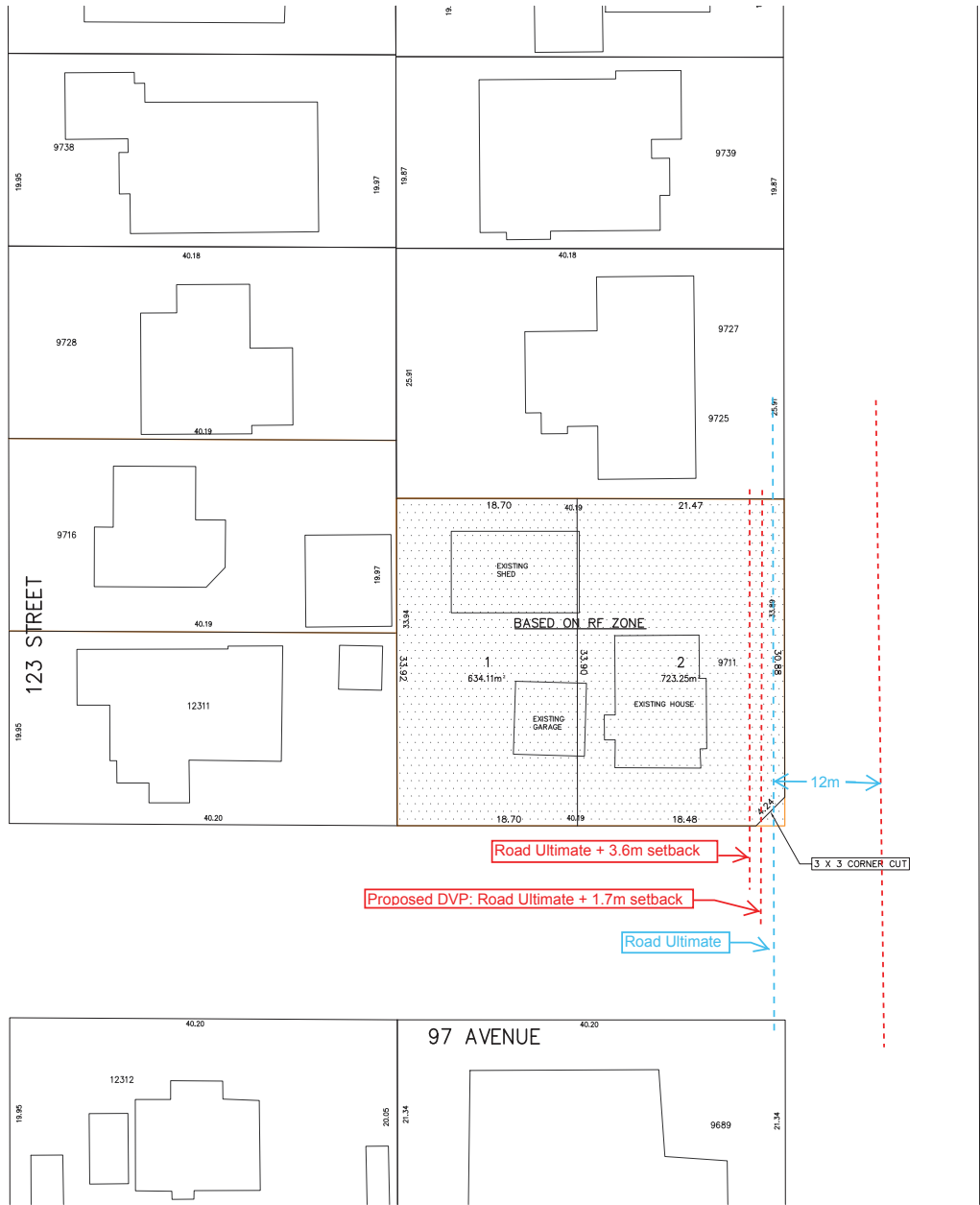
AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE      DAY OF      , 20 .  
ISSUED THIS      DAY OF      , 20 .

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Mayor – Linda Hepner

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City Clerk – Jane Sullivan



123A STREET

97 AVENUE

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 SUBDIVISION AT 9711 - 123A STREET, SURREY, BC

Scale: 1:500	Mun. Proj. No.	Dwg. No.
Drawn: JW	Mun. Dwg. No.	A
Designed: NH	Job No. 16-3308	Of
P.W. P.U.	Date MAR/2016	Revision
Approved:	destroy all prints bearing previous number	

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