

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7916-0172-00

Planning Report Date: October 24, 2016

PROPOSAL:

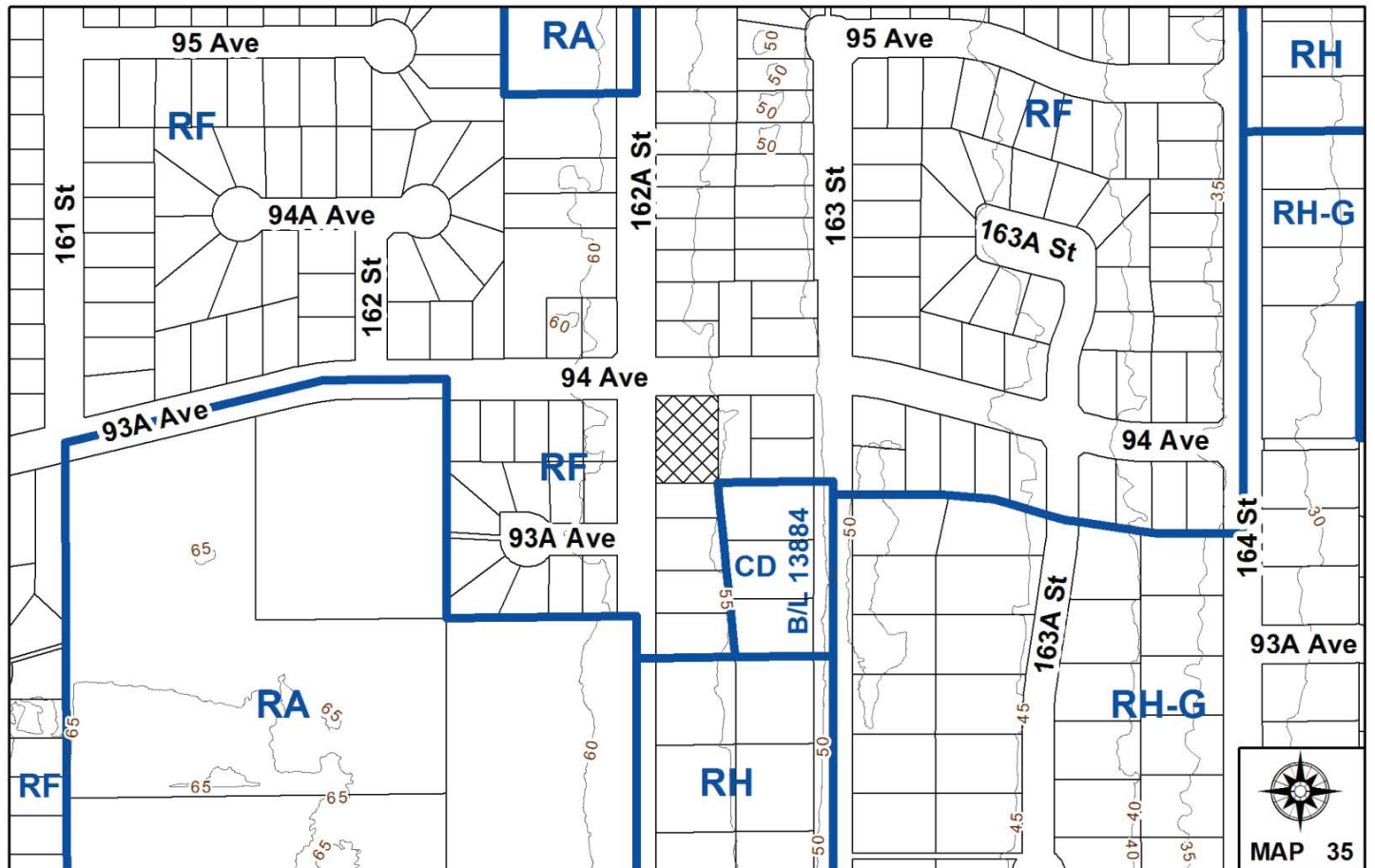
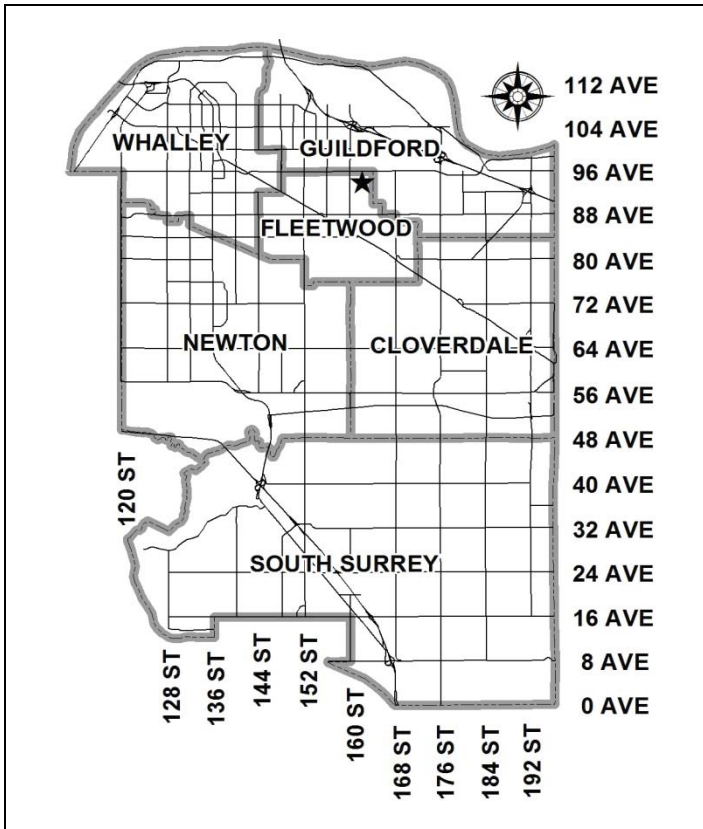
- **Development Variance Permit**
 to reduce the minimum rear yard setback for a proposed single family dwelling.

LOCATION: 9382 - 162A Street

OWNERS: Satnam S Sangha
 Kulvinder S Sangha
 Manjit K Sangha

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 rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 1.8 metres (6 ft.) in order to construct a new single family dwelling prior to a two-lot subdivision of the property.

RATIONALE OF RECOMMENDATION

- The subject site is under application to subdivide the property into two (2) RF lots.
- The applicant is seeking to construct a single family dwelling on the subject lot prior to the completion of the proposed subdivision in the area ultimately intended to be part of a new southerly Lot 2.
- Once the proposed subdivision is complete, the rear yard will become the south side yard of proposed Lot 2; therefore, the proposed reduction to 1.8 metres (6 ft.) will comply with what will ultimately be the side yard setback of proposed Lot 2 under the RF Zone.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7916-0172-00 (Appendix III), to reduce the minimum rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 1.8 metres (6 ft.), to proceed to Public Notification.

REFERRALS

Engineering: There are no Engineering servicing requirements for the proposed variance. Engineering requirements will be addressed as part of the associated subdivision application.

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling, to be demolished.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across 94 Avenue):	Single family dwellings.	Urban	RF
East:	Single family dwelling.	Urban	RF
South:	Single family dwelling.	Urban	RF
West (Across 162A Street):	Single family dwellings.	Urban	RF

DEVELOPMENT CONSIDERATIONS

- The subject lot is located in Fleetwood at 9382 – 162A Street, is zoned "Single Family Residential Zone (RF)" and is designated "Urban" in the Official Community Plan (OCP).
- The lot was the most westerly lot created as part of Development Application 7997-0167-00, which rezoned the parent lot that extended to 163 Street from RA to RF and created 4 single family lots. The house on the subject lot was retained as part of the previous development.
- The subject lot is currently under application to subdivide into 2 RF-zoned single family lots.
- The applicant would like to demolish the existing house and construct a new single family dwelling on the southern portion of the lot, fronting 162A Street in the area ultimately intended to become a new southerly proposed Lot 2, prior to the completion of the proposed subdivision.

- The RF Zone requires that the principal building be set back a minimum of 7.5 metres (25 ft.) from the rear lot line.
- The proposed new house will comply with the setback provisions of the RF Zone on proposed Lot 2 once the associated subdivision is complete.
- However, the applicant requires a variance to the rear setback requirement in order to construct a new home prior to completion of the subdivision.
- The subdivision application is currently under review and the applicant has submitted a preliminary servicing concept, tree survey and lot grading plan for staff review and approval.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum rear yard setback of the RF Zone for the principal building from 7.5 metres (25 ft.) to 1.8 metres (6 ft.).

Applicant's Reasons:

- The applicant would like to construct a house on proposed Lot 2 and is therefore seeking approval on the proposed variance to facilitate construction prior to finalizing the subdivision.

Staff Comments:

- The applicant would like to demolish the existing house and construct a new house on the southerly portion of the lot intended to ultimately become proposed Lot 2, when the subdivision is completed.
- The subject property is a corner lot fronting 94 Avenue and flanking 162A Street. Under Zoning By-law No. 12000, the legal frontage on a corner lot is the shorter of the two lot lines fronting a road, which on the subject lot is 94 Avenue. As such, the north lot line is considered the front line and the south lot line is considered the rear lot line.
- The RF Zone requires a minimum rear yard setback of 7.5 metres (25 ft.), however the applicant is proposing to reduce the rear yard setback to 1.8 metres (6 ft.), which is the minimum requirement for a side yard setback in the RF Zone, and face the house towards 162A Street.
- The applicant has demonstrated that the subject site has the potential to be subdivided into two (2) single family lots fronting 162A Street, which will meet the area and dimensional requirements of the RF Zone although no Preliminary Layout Approval (PLA) letter has been issued to date (Appendix II).
- Once the proposed subdivision is approved, the proposed house will be on proposed Lot 2. Lot 2 will front 162A Street and its south lot line will be a side lot line. At that time, the house will be in compliance with the setback requirements of the RF Zone.

- The neighbouring lot to the south fronts 162A Street. As such, the proposed new house will form a side yard to side yard condition.
- The applicant has demonstrated progress and commitment with the subdivision of the property.
- Staff support the requested variance.

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. 7916-0172-00

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

LM/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: Mainland Engineering Corp.
 (Rajeev Mangla)
 Address: 9382 – 162A Street
 Surrey, BC V4N 2B8

2. Properties involved in the Application
 - (a) Civic Address: 9382 - 162A Street

 - (b) Civic Address: 9382 - 162A Street
 Owners: Manjit K Sangha
 Satnam S Sangha
 Kulvinder S Sangha
 PID: 024-190-683
 Lot 4 Section 36 Township 2 New Westminster District Plan LMP38507

3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7916-0172-00 and bring the Development Variance Permit forward for issuance and execution by the Mayor and City Clerk.



SUBJECT TO APPROVAL

<p>NOTES</p> <p>1. ALL EXISTING UNLITE STRUCTURES ARE TO BE REMOVED UNLESS NOTED OTHERWISE.</p> <p>2. EXACT LOT DIMENSIONS & AREAS ARE TO BE VIEWED BY THE SURVEYOR.</p>	<p>ZONING</p> <p>EXISTING ZONING: R-F</p> <p>PROPOSED ZONING: R-F</p> <p>SITE AREA</p> <p>GROSS SITE AREA: 1434.00sqm.</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>NO.</th> <th>DATE</th> <th>BY</th> <th>REVISION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>	NO.	DATE	BY	REVISION													<p>MAINLAND ENGINEERING DESIGN CORPORATION</p> <p>SUITE 208 6363 130TH STREET SURREY, B.C. V3W 4S1</p> <p>TEL: (604) 543 8244 FAX: (604) 543 8104</p> <p>EMAIL: OLE@MAINLAND.ENG.CA</p>	<p>DEVELOPMENT/SITE LOCATION</p> <p>2 LOT SUBDIVISION #9382, 162A ST, SURREY, B.C.</p> <p>DRG NAME</p> <p>PRELIMINARY LAYOUT PLAN</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>SCALE</th> <th>SCALE</th> <th>N.T.S.</th> <th>SURVEY PROJECT NO.</th> <th>DRAWING NO.</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>	SCALE	SCALE	N.T.S.	SURVEY PROJECT NO.	DRAWING NO.																				
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(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7916-0172-00

Issued To: SATNAM S SANGHA
("the Owner")

Address of Owner: 14887 - 94 Avenue
Surrey, BC V3R 7T5

Issued To: KULVINDER S SANGHA
MANJIT K SANGHA
("the Owner")

Address of Owner: 9382 - 162A Street
Surrey, BC V4N 2B8

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: 024-190-683
024-190-683 Lot 4 Section 36 Township 2 Plan Lmp38507 New Westminster District

9382 - 162A Street

(the "Land")

3. 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 rear yard setback is reduced from 7.5 metres (25 ft.) to 1.8 metres (6 ft.) for the principal building.

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.

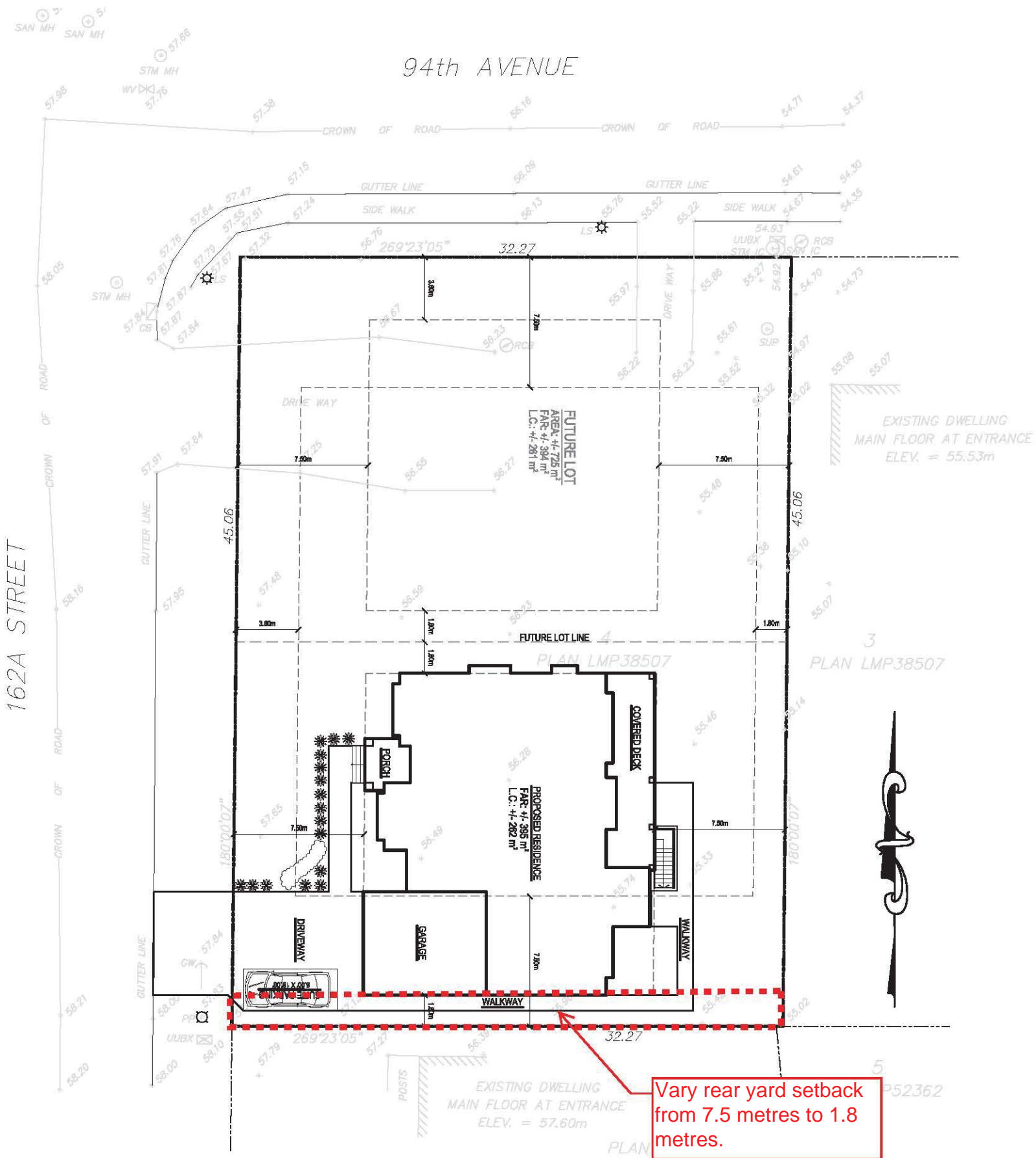
7. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.

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 .

Mayor – Linda Hepner

City Clerk – Jane Sullivan



Vary rear yard setback from 7.5 metres to 1.8 metres.