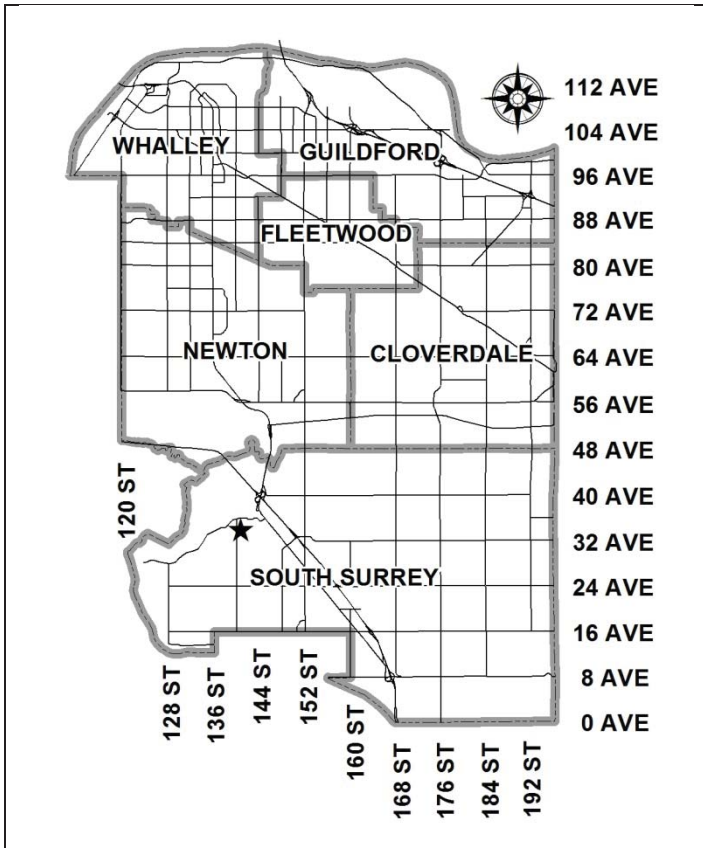


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7916-0373-00

Planning Report Date: October 3, 2016



**PROPOSAL:**

- **Development Variance Permit**  
to reduce the minimum side yard setback on a flanking street.

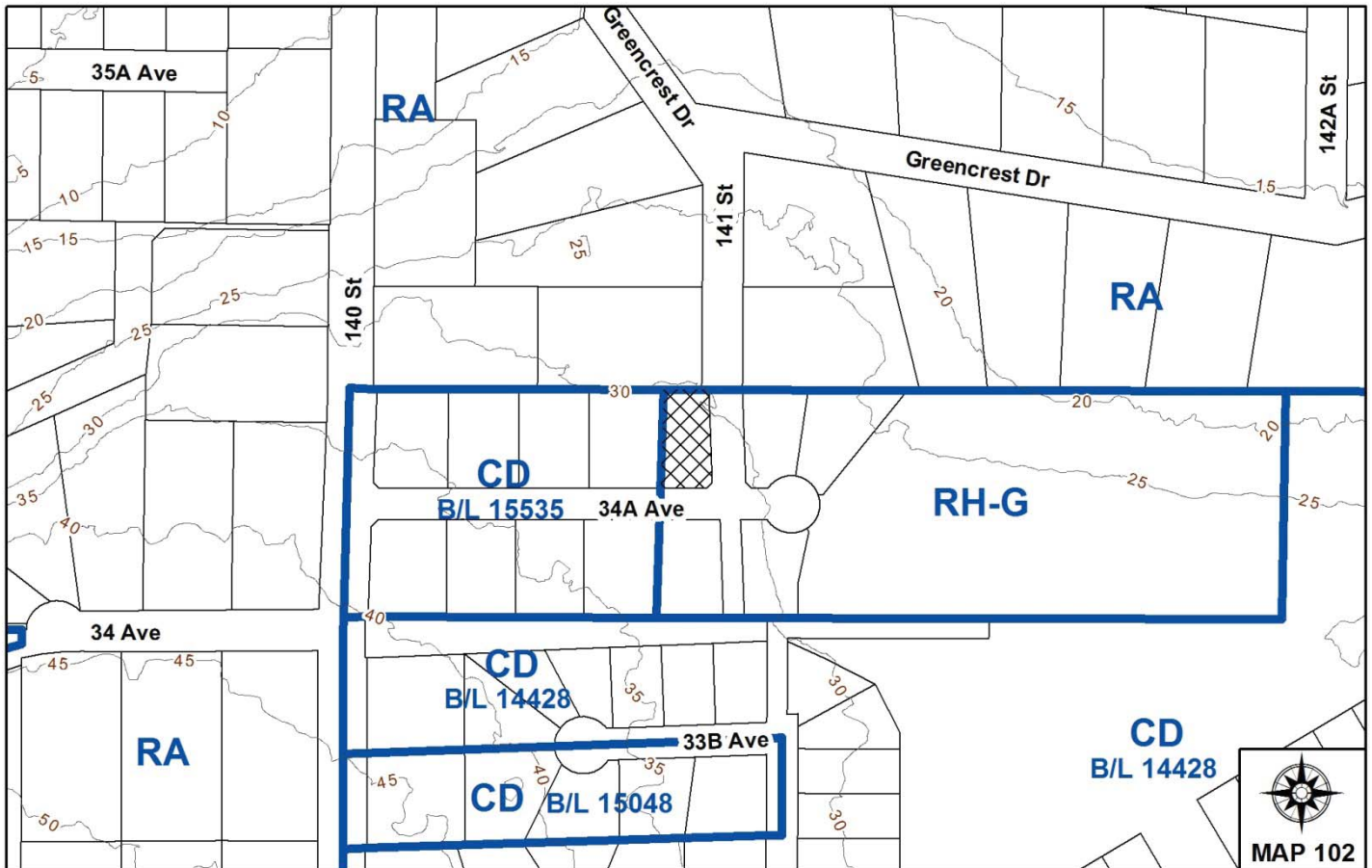
**LOCATION:** 14073 34A Avenue

**OWNER:** Gurinder G Dhaliwal

**ZONING:** RH-G

**OCP DESIGNATION:** Suburban

**LAP DESIGNATION:** Half-Acre Gross Density



### 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 minimum side yard setback on a flanking street from 7.5 metres (25 ft.) to 3.0 metres (10 ft.).

### RATIONALE OF RECOMMENDATION

- The subject property's eastern side yard flanks 141 Street, which was dedicated as road under Development Application No. 7913-0290-00 to allow for future connection to lands to the north. A significant amount of community concern was expressed with the proposed road connection. As a result, it was determined that the road would not be connected and was instead designed as a pedestrian corridor and for emergency access purposes.
- As 141 Street will not be connected for vehicular traffic, it is reasonable to treat the subject property as an interior lot. The proposed side yard flanking street setback of 3.0 metres (10 ft.) is consistent with the setback required of an interior lot in the Half-Acre Residential Gross Density (RH-G) zone.
- The driveway for the subject property was designed, approved, and constructed at a 3.0 metre (10 ft.) setback based on the applicant's understanding that the lot was an interior lot. Additionally, a protected cluster of trees at the southwest corner of the property prevents the driveway from being constructed with a 7.5 metres (25 ft.) setback from the eastern side yard.
- Although the maximum size house allowable under the RH-G zone could be achieved with the required 7.5 metre (25 ft.) setback, the proposed 3.0 metre (10 ft.) setback will facilitate a wider house. A wider house will fit better with the existing form and character of the neighbourhood and will ensure the front façade is not dominated by the garage.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7916-0373-00 (Appendix III), to reduce the minimum side yard (east) flanking street setback of the Half-Acre Residential Gross Density (RH-G) zone from 7.5 metres (25 ft.) to 3.0 metres (10 ft.), to proceed to Public Notification.

REFERRALS

Engineering: The Engineering Department has no objection to the project.

SITE CHARACTERISTICS

Existing Land Use: Vacant single family lot.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North:	Single family dwelling	Suburban/One-acre	RA
East (Across 141 Street):	Vacant single family lot	Suburban/Half-acre gross density	RH-G
South (Across 34A Avenue):	Vacant single family lot	Suburban/Half-acre gross density	RH-G
West:	Single family dwelling	Suburban/Half-acre gross density	CD (By-law No. 15535)

DEVELOPMENT CONSIDERATIONSBackground/Proposal

- The subject property, located at 14073 – 34A Avenue, is designated “Suburban” in the Official Community Plan, “Half-acre gross density” in the Central Semiahmoo Peninsula Local Area Plan, and is zoned “Half-Acre Residential Gross Density Zone (RH-G)”.
- The applicant is proposing a Development Variance Permit to reduce the side yard flanking street setback from 7.5 metres (25 ft.) to 3.0 metres (10 ft.).
- During the process of Development Application No. 7913-0290-00, a number of community members expressed concern with 141 Street (the flanking street) being opened to vehicular traffic. In response to this concern 141 Street is instead being constructed as a pedestrian corridor and will provide emergency access.

BY-LAW VARIANCE AND JUSTIFICATION

## (a) Requested Variance:

- To reduce the minimum side yard (east) flanking street setback of the RH-G Zone from 7.5 metres (25 ft.) to 3.0 metres (10 ft.).

## Applicant's Reasons:

- The proposed side yard flanking street setback is consistent with the required side yard setback for an interior RH-G lot.
- The driveway for the subject property was approved and constructed with a 3.0 metre (10 ft.) side yard setback based on the understanding that the lot was an interior lot, rather than a corner lot.
- Providing the required 7.5 metre (25 ft.) side yard flanking street setback, while at the same time protecting the cluster of trees covering 13.5 metres (44 ft.) of the frontage would make it difficult to design a house that fits with the form and character of the existing neighbourhood.

## Staff Comments:

- The subject property is considered a corner lot under the Zoning By-law as it fronts 34A Avenue and flanks the 141 Street road right of way. However, 141 Street is to be constructed as a pedestrian corridor and emergency access and not as a through road.
- As 141 Street will function as a pedestrian connection, rather than a through road, the subject property will function as an interior lot.
- The reduced side yard flanking street setback will ensure protection of a cluster of trees at the southwest corner of the property, as well as allow the applicant to design a wider house. A wider house will fit better with the existing form and character of the neighbourhood as it will ensure the front façade is not dominated by the garage.
- Staff support the requested variance to proceed to Public Notification.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners, Action Summary and Project Data Sheets
- Appendix II. Proposed Site Plan
- Appendix III. Development Variance Permit No. 7916-0373-00

*original signed by Ron Hintsche*

Jean Lamontagne  
General Manager  
Planning and Development

CB/dk



## DEVELOPMENT DATA SHEET

Existing Zoning: RH-G

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		
Road Widening area		
Undevelopable area		
Net Total	1,120 m <sup>2</sup>	1,143 m <sup>2</sup>
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	25%	24.33%
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS ( in metres)		
Front	7.5 m	12.9 m
Rear	7.5 m	19.4 m
Side #1 (W)	3 m	4.3 m
Side #2 (E)	7.5 m	3 m
BUILDING HEIGHT (in metres/storeys)	N/A	N/A
Principal		
Accessory		
NUMBER OF RESIDENTIAL UNITS	N/A	N/A
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential	465 m <sup>2</sup>	465 m <sup>2</sup>
FLOOR AREA: Commercial	N/A	N/A
Retail		
Office		
Total		
FLOOR AREA: Industrial	N/A	N/A
FLOOR AREA: Institutional	N/A	N/A
TOTAL BUILDING FLOOR AREA	465 m <sup>2</sup>	465 m <sup>2</sup>

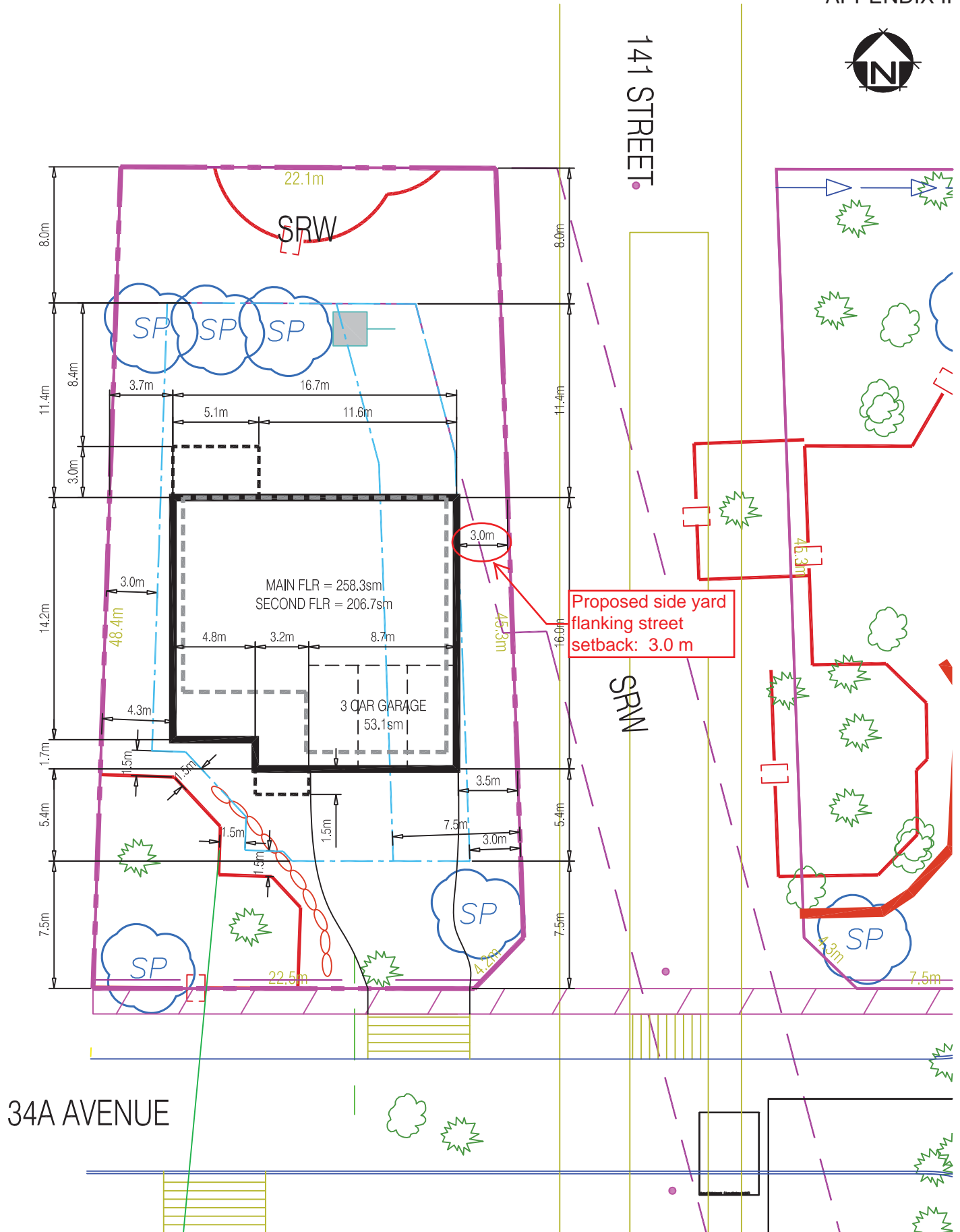
*\* If the development site consists of more than one lot, lot dimensions pertain to the entire site.*

**Development Data Sheet cont'd**

<b>Required Development Data</b>	<b>Minimum Required / Maximum Allowed</b>	<b>Proposed</b>
DENSITY	N/A	N/A
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)		
FAR (gross)		
FAR (net)		
AMENITY SPACE (area in square metres)	N/A	N/A
Indoor		
Outdoor		
PARKING (number of stalls)	N/A	N/A
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces		
Number of disabled stalls		
Number of small cars		
Tandem Parking Spaces: Number / % of Total Number of Units		
Size of Tandem Parking Spaces width/length		

Heritage Site	N/A	Tree Survey/Assessment Provided	N/A
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Proposed side yard flanking street setback: 3.0 m

34A AVENUE

141 STREET



PROJECT: ELGIN PARK 5 LOT RESIDENTIAL SUBDIVISION  
 14129 34 AVENUE SURREY, BC  
 SHEET TITLE: LOT 1 - PROVE OUT -CONCEPT 2

DATE: AUG.31.2016  
 SCALE: 1:300  
 DRAWN: AC  
 DWG. REF:

PROJECT NO. 16-185	REVISION <input type="checkbox"/>
DRAWING NO. <b>A.1</b>	

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7916-0373-00

Issued To: GURINDER G DHALIWAL

(the Owner)

Address of Owner: Unit 206, 12899 - 80 Avenue  
Surrey, BC V3W 0E6

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: 029-772-257  
 Lot 1 District Lot 166 Plan EPP53589 New Westminster District Group 2  
 14073 34A 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 15 Half-Acre Residential Gross Density Zone (RH-G), the minimum Side Yard on Flanking Street Setback is reduced from 7.5 metres (25 ft.) to 3.0 metres (10 ft.).
4. This development variance permit applies to only the portion of 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

