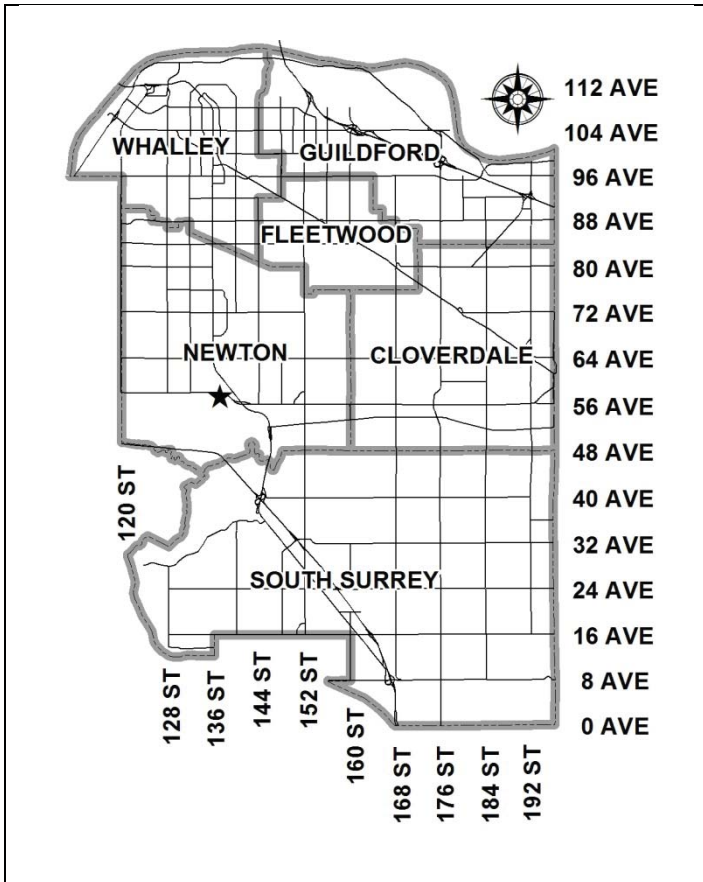


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7916-0486-00

Planning Report Date: November 7, 2016



PROPOSAL:

- **Development Variance Permit**
 to reduce the required side yard setback on an existing lot to allow the construction of a single family dwelling.

LOCATION: 13721 - 56B Avenue
OWNER: Harjinderpal S. Nagra
 Paramjit K. Nagra
 Ekamjot S. Nagra
 Ravjot K. Nagra
ZONING: RH
OCP DESIGNATION: Suburban
LAP DESIGNATION: Suburban Residential (Half Acre)



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is seeking a variance to reduce the east and west side yard setbacks of the “Half-Acre Residential Zone (RH)”.

RATIONALE OF RECOMMENDATION

- The subject property is a legal, non-conforming lot in the RH Zone. The RH Zone is intended for lots that are a minimum 1,858 square metres (0.5 ac) in size with a minimum width of 30 metres (100 ft.). The subject property is significantly undersized with an area of 927 square metres (9978 sq. ft.) and a width of 20.2 metres (66 ft.). The RH Zone requires a minimum 4.5 metre (15 ft.) side yard setback and the 7.5 metre (25 ft.) side yard setback on a flanking street. The provision of these setbacks will significantly restrict the sites buildable area and the size of home that may be constructed on it.
- The RH Zone contains a provision that allows lots that are 900 square metres (9,685 sq. ft.) in area or less to defer to the smaller setback requirements of the RF Zone. The subject property is 927 square metres (9,978 sq. ft.) in area, putting it over the threshold by 27 square metres (290 sq. ft.).
- Many of the neighbouring houses in the block have similar non-conforming side yard setbacks.

RECOMMENDATION

1. Council approve Development Variance Permit No. 7916-0486-00 (Appendix III) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum east side yard setback of the RH Zone from 4.5 metres (15 ft.) to 3.0 metres (10 ft.); and
 - (b) to reduce the minimum west side yard setback on a flanking street of the RH Zone from 7.5 metres (25 ft.) to 6.1 metres (20 ft.).
2. Council instruct staff to resolve the following issue prior to final approval:
 - (a) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling.

Adjacent Area:

Direction	Existing Use	OCP/LAP Designation	Existing Zone
North:	Single family dwelling.	Suburban/ Suburban Residential (Half Acre)	RH Zone
East:	Single family dwelling.	Suburban/ Suburban Residential (Half Acre)	RH Zone
South (Across 56B Avenue):	Single family dwelling.	Suburban/ Suburban Residential (Half Acre)	RH Zone
West (Across 137A Street):	Single family dwelling.	Suburban/ Suburban Residential (Half Acre)	RH Zone

DEVELOPMENT CONSIDERATIONS

Background

- The subject property is designated "Suburban" in the Official Community Plan (OCP), "Suburban Residential (Half Acre) in the West Panorama Ridge Local Area Plan, and is zoned "Half-Acre Residential Zone (RH)".
- The subject property has a site area of 927 square metres (9,978 sq. ft.), which makes it a significantly undersized lot in the RH Zone. However, the lot does not qualify for the allowance in the RH Zone that permits lots with an area of 900 square metres (9,685 sq. ft.) or less to revert to the setback requirements of the "Single Family Residential Zone (RF)" which are less than those required under the RH Zone.
- It should also be noted that the subject property is a corner lot and has a width of 20.2 metres (66 ft.), which does not conform to the RH Zone’s minimum lot width of 30 metres (100 ft.).

Current Proposal

- The applicant is proposing a Development Variance Permit to reduce the minimum side yard setbacks of the RH Zone from 4.5 metres (15 ft.) to 3.0 metres (10 ft.) for the east setback and from 7.5 metres (25 ft.) to 6.1 metres (20 ft.) for the west side yard setback on a flanking street. The proposed reduced setbacks will facilitate the construction of an appropriately sized home on the lot.

TREES

- Peter Brinson, ISA Certified Arborist of PNW Arborist Training Solutions prepared an Arborist Assessment for the subject property. The table below provides a summary of the tree retention and removal by tree species:

Table 1: Summary of Tree Preservation by Tree Species:

Tree Species	Existing	Remove	Retain
Deciduous Trees			
Plum	1	0	1
Cherry	1	0	1
Hazelnut	1	0	1
Coniferous Trees			
Western Red Cedar	5	4	1
Falsecypress	1	1	0
Colorado Blue Spruce	1	0	1
Pyramdicial Cedar	1	0	1
Western Hemlock	1	0	1
Sitka Spruce	1	0	1
Total	13	5	8

Total Replacement Trees Proposed (excluding Boulevard Street Trees)	9
Total Retained and Replacement Trees	17
Contribution to the Green City Fund	\$400

- The Arborist Assessment states that there are a total of 13 protected trees on the site. It was determined that 8 trees can be retained as part of this development proposal. The proposed tree retention was assessed taking into consideration the location of services, building footprints, road dedication and proposed lot grading.
- For those trees that cannot be retained, the applicant will be required to plant trees on a 2 to 1 replacement ratio. This will require a total of 10 replacement trees on the site. Since only 9 replacement trees can be accommodated on the site (based on an average of [2] trees per lot), the deficit of 1 replacement trees will require a cash-in-lieu payment of \$400, representing \$400 per tree, to the Green City Fund, in accordance with the City's Tree Protection By-law.
- In summary, a total of 17 trees are proposed to be retained or replaced on the site with a contribution of \$400 to the Green City Fund.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- Reduce the minimum side yard setbacks of the RH Zone from 4.5 metres (15 ft.) to 3.0 metres (10 ft.) for the east setback and from 7.5 metres (25 ft.) to 6.1 metres (20 ft.) for the west side yard setback on a flanking street.

Applicant's Reasons:

- The size of the subject lot qualifies it to defer to the RF Zone regulations on density and lot coverage but not the smaller setbacks. The required side yard setbacks of the RH Zone significantly impede the buildable area of this lot.

Staff Comments:

- The subject property is a legal, non-conforming RH Zone lot. The RH Zone is intended for lots that are a minimum 1,858 square metres (0.5 ac.) in size with a minimum lot width of 30 metres (100 ft.). The subject property is significantly undersized at 927 square metres (9,978 sq. ft.) with a width of 20.2 metres (66 ft.). The required 4.5 metre (15 ft.) side yard setback and the 7.5 metre (25 ft.) side yard setback on a flanking street in the RH Zone significantly reduce the buildable area and the size of home that may be constructed on the lot.
- At 927 square metres (9,978 sq. ft.), the subject lot does not qualify for the allowance in the RH Zone that permits lots with an area of 900 square metres (9,685 sq. ft.) or less to use to the smaller setback requirements of the RF Zone. The subject property is

over this area threshold by 27 metres (290 sq. ft.) or by approximately 3% of the site's area.

- The proposed setbacks exceed what would be required under the RF Zone if the property were allowed revert to those regulations.
- Without the variances, the house is limited to a width of 8.2 metres (27 ft.). The variances allow for maximum 11.1 metre (36 ft.) wide house, which is more fitting, and in proportion to the width of the subject lot.
- Many of the neighbouring houses in the block have similar non-conforming side yard setbacks.

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.	Summary of Tree Survey and Tree Preservation
Appendix III.	Development Variance Permit No. 7916-0486-00

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

ARR/dk

Information for City Clerk

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

1. (a) Agent: Name: Harjinder Nagra
 Address: 12822 - 63B Avenue
 Surrey, BC V3X 3J5

2. Properties involved in the Application

(a) Civic Address: 13721 - 56B Avenue

(b) Civic Address: 13721 - 56B Avenue
 Owner: Ravjot K Nagra
 Ekamjot S Nagra
 Paramjit K Nagra
 Harjinderpal S Nagra

PID: 001-989-201

Lot 18 Section 9 Township 2 Plan 19866 New Westminster District S ½ of SW 1/4

3. Summary of Actions for City Clerk's Office

- (a) Proceed with Public Notification for Development Variance Permit No. 7916-0486-00 and bring the Development Variance Permit forward for an indication of support by Council. If supported, the Development Variance Permit will be brought forward for issuance and execution by the Mayor and City Clerk once the conditions of this report are met.

DEVELOPMENT DATA SHEET

Existing Zoning: RH Zone

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)	927 square metres (9978 sq. ft.)	
Gross Total		
Road Widening area		
Undevelopable area		
Net Total		
LOT COVERAGE (in % of net lot area)	32%	32%
Buildings & Structures		
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front	7.5 metres (25 ft.)	7.5 metres (25 ft.)
Rear	7.5 metres (25 ft.)	7.8 metres (25 ft.)
Side #1 (E)	4.5 metres (15 ft.)	3.0 metres (10 ft.)
Side #2 (W)	7.5 metres (25 ft.)	6.1 metres (20 ft.)
BUILDING HEIGHT (in metres/storeys)		
Principal	9.0 metres (30 ft.)	9.0 metres (30 ft.)
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential	463.8 square metres (4992 sq. ft.)	463.8 square metres (4992 sq. ft.)
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA		

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

3.0 Tree Preservation Summary

Surrey Project No.:
 Address: 13721 56 B Avenue Surrey BC
 Registered Arborist: Peter Brinson PN0286AT

On-Site Trees	# of Trees
Protected Trees Identified (On-site and shared trees, including trees within boulevards and proposed streets and lanes but excluding trees in proposed open space or riparian areas)	13
Protected Trees to be Removed	5
Protected Trees to be Retained (Excluding trees within proposed open space or riparian areas)	8
Total Replacement Trees Required: Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio _____ x 1 = _____ All other trees requiring 2 to 1 replacement ratio <u> 5 </u> x 2 = <u> 10 </u>	10
Replacement Trees Proposed	9
Replacement Trees in Deficit	1
Protected Trees to be Retained in Proposed (Open Space/Riparian Areas)	
Off-Site Trees	# of Trees
Protected Off-Site Trees to Be Removed	
Total Replacement Trees Required: Alder & Cottonwood Trees Requiring 1 to 1 Replacement Ratio _____ x 1 = _____ All other trees requiring 2 to 1 replacement ratio _____ x 2 = _____	
Replacement Trees Proposed	
Replacement Trees in Deficit	

Summary, report and plan prepared and submitted by:



Signature of Arborist

October 10 2016

Date

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7916-0486-00

Issued To: HARJINDERPAL S NAGRA
PARAMJIT K NAGRA
EKAMJOT S NAGRA
RAVJOT K NAGRA

(Collectively referred to as "the Owner")

Address of Owner: 12822 -63B Avenue
Surrey, BC V3X 3J5

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: 001-989-201

Lot 18 Section 9 Township 2 Plan 19866 New Westminster District S ½ of SW ¼

13721 - 56B 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 14 Half-Acre Residential Zone, the minimum east side yard setback is reduced from 4.5 metres (15 ft.) to 3.0 metres (10 ft.); and
 - (b) In Section F. Yards and Setbacks of Part 14 Half-Acre Residential Zone, the minimum west side yard setback on a flanking street is reduced from 7.5 metres (25 ft.) to 6.1 metres (20 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.

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

PROJECT DATA:

LOT 18, SECTION 9 TOWNSHIP 2
NWD PLAN 19866
CIVIC ADDRESS: 13721 - 56B AVENUE, SURREY, BC
PID: 001-989-201
ZONING: RH - 100 / RF
LOT AREA = 927 SQ.M. = 9,978 SFT

FLOOR AREA RATIO (F.A.R.):

LOT AREA: 9,978 SFT
PERMITTED F.A.R. = 4992 S.F. (INCL. GARAGE)

PROVIDED F.A.R.: 2972 + 2020 (excl. open to below) = 4992 S.F.

PROVIDED TOTAL FLOOR AREA:

MAIN FLOOR: 2972 S.F. (incl. Garage)
GARAGE: 421 S.F.
UPPER FLOOR: 2220 S.F. (INCL. OPEN TO BELOW) 405+139 = 544 S.F.
PERMITTED O.T.B.: 200 S.F.
NET UPPER FLOOR: 2020 S.F.
THE ABOVE AREAS NOT INCLUDING SUNDECKS
TOTAL FLOOR AREA = 2972 (M) + 2020 (U)
TOTAL FLOOR AREA = 4992 S.F.

HEIGHT:

MAX. ALLOWED HEIGHT: 30'-0" (9.00M)
MAX. PROPOSED HEIGHT: 29'-6" (9.00M)

MAIN BUILDING GRADES:

AVERAGE NATURAL GRADE ELEVATION: 91.29M
MAIN FLOOR FINISHED GRADE ELEVATION: 91.94M
SECOND FLOOR FINISHED GRADE ELEVATION: 95.35 M
CEILING U/S ELEVATION: 98.15 M
MEAN ROOF ELEVATION: 100.28 M
PEAK ROOF ELEVATION: 102.42 M

COVERED OUTDOOR SPACE:

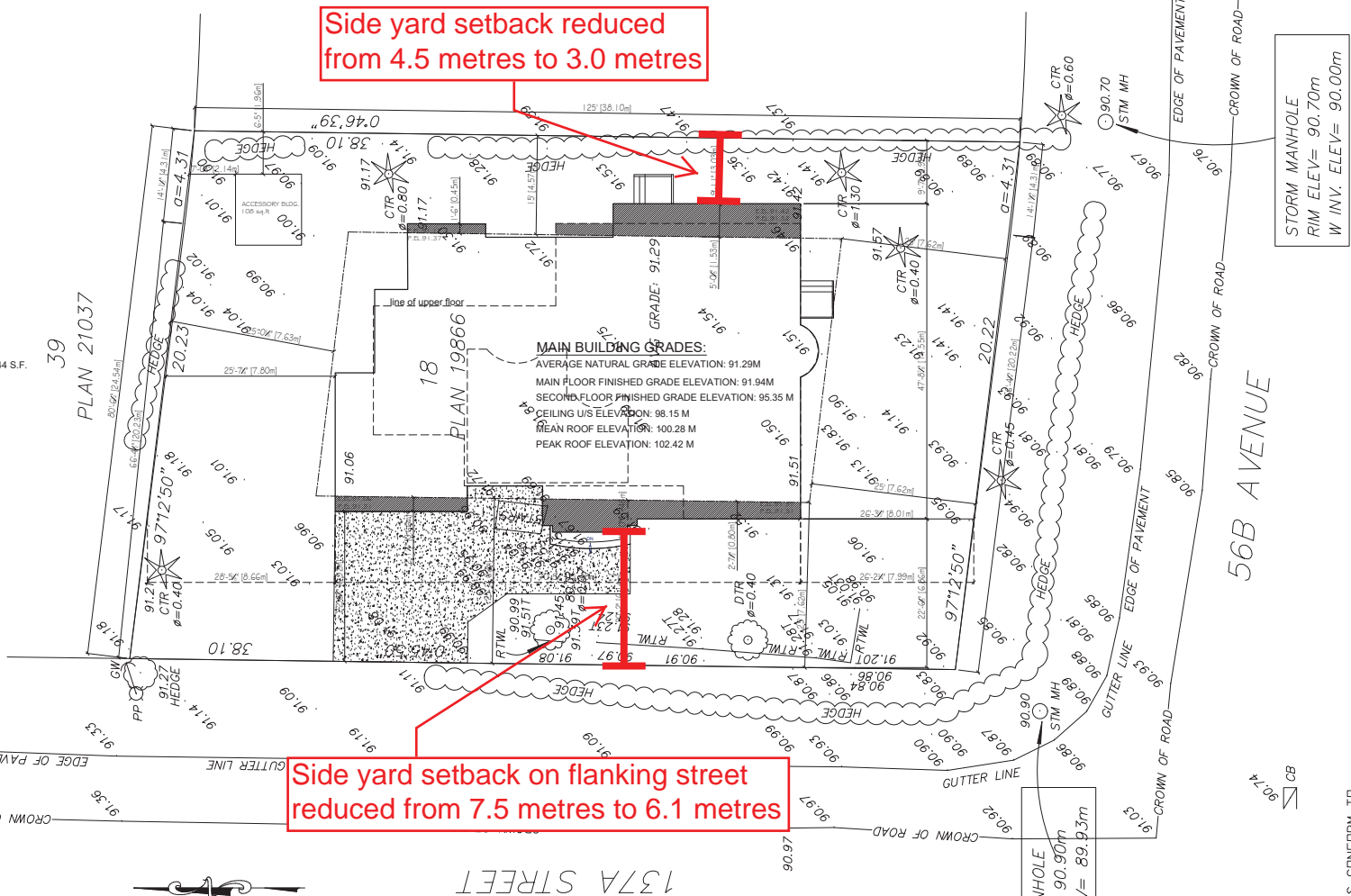
ALLOWED 10% 4992 = 499.2 S.F. - 100 PORCH = 339.2 S.F.
PROVIDED = 300 S.F.

SITE COVERAGE:

ALLOWED SITE COVERAGE: = 3193 S.F.
PROVIDED SITE COVERAGE (BLDG. AND DECKS) = 3080 S.F.

Side yard setback reduced
from 4.5 metres to 3.0 metres

Side yard setback on flanking street
reduced from 7.5 metres to 6.1 metres



STORM MANHOLE
RIM ELEV = 90.70m
W INV. ELEV = 90.00m

STORM MANHOLE
RIM ELEV = 90.90m
E INV. ELEV = 89.93m

NOTE: THESE DRAWINGS CONFORM TO
BCBC 2012 EDITION

UNIT # 202, 7750 128 STREET
SURREY BC, V3W0R6
TEL: 778-858-8794 FAX: 604-593-5864
EMAIL: UDCDESIGN@HOTMAIL.COM
WEB: WWW.UDCDESIGNS.COM

CLIENT: **MR. HARPAL SINGH**
PROJECT: CIVIC ADDRESS: 13721 - 56B ST, SURREY, BC
LEGAL DESCRIPTION: LOT 18 SECTION 9 TOWNSHIP 2

SHEET TITLE: **SITE PLAN**
NOTES: This drawing and design is the property of UDC DESIGN CENTER LTD and cannot be used, copied or reprinted without written consent of said company.

DRAWN BY:	G.S.M.	PROJECT NO.:	
CHECKED BY:	B.M.	FILE NO.:	
DATE:	SEP. 2016	V11	
SCALE:	1/4" = 1'-0"		

SHEET NO:
A
1/5