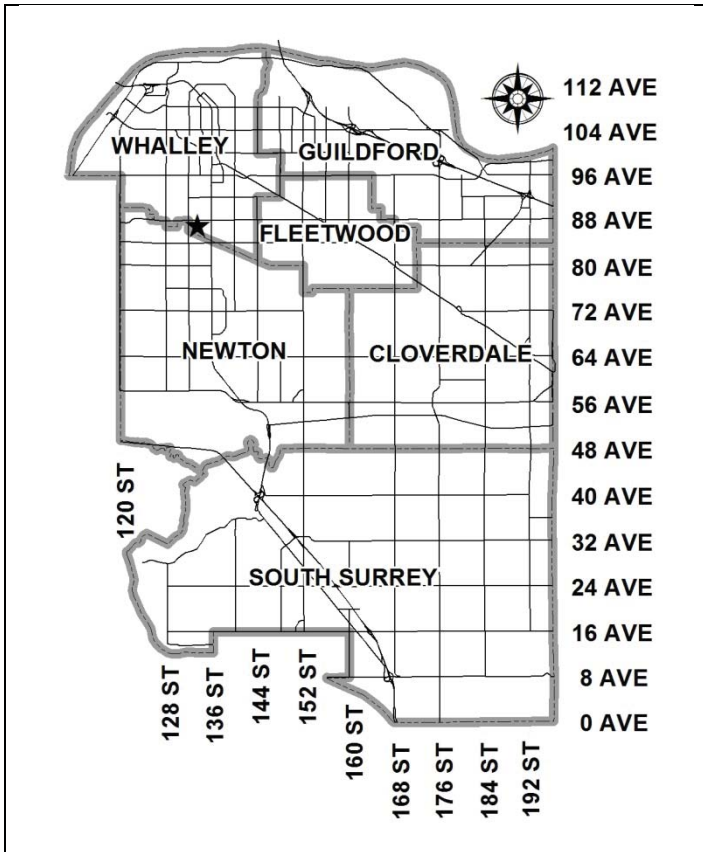


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7917-0114-00

Planning Report Date: July 10, 2017



PROPOSAL:

- **Development Variance Permit**

to reduce the minimum rear yard setback from a gas pipeline right-of-way under Land Use Contract No. 26 in order to permit construction of a new single family dwelling.

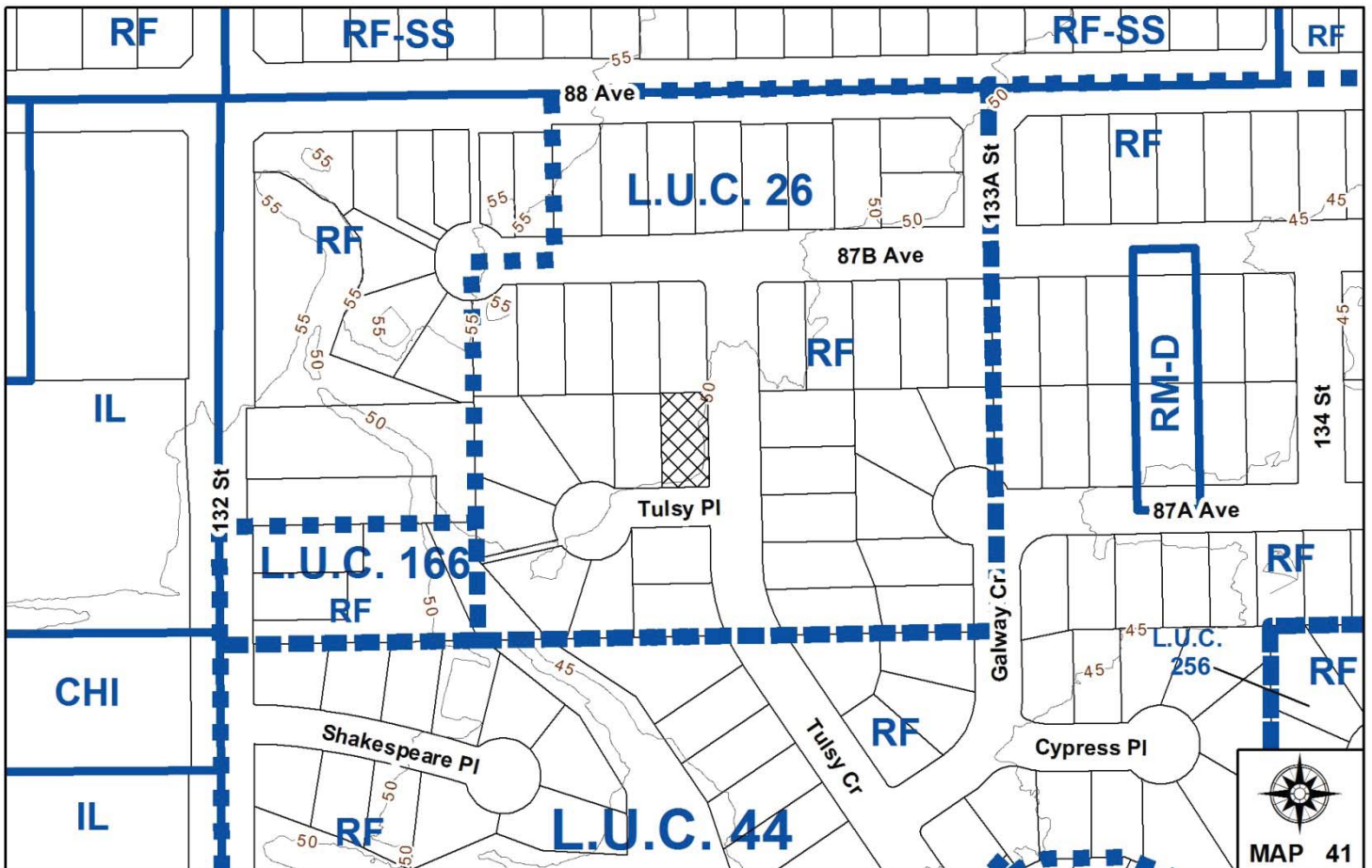
LOCATION: 8735 - Tulsy Crescent

OWNER: Daljit K Sanghera

LUC AND UNDERLYING LUC No. 26

ZONING: (RF Zone Underlying)

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- To vary the minimum rear yard setback to a gas pipeline right-of-way under Land Use Contract No. 26, from 3 metres (10 ft.) to 1.9 metres (6 ft. 3 in.) to the basement access well only, in order to construct a new single family dwelling on the lot.

RATIONALE OF RECOMMENDATION

- The proposed variance maintains access for pipeline maintenance and provides for an adequately sized building envelope on the single family lot.
- The applicant has redesigned the house from the original design plans in order to lessen the encroachment into the setback from the gas pipeline right-of-way.
- The application for relaxed rear yard setback is for the basement access well only, and will not include any construction above. All other portions of the proposed single family dwelling will comply with the required 3 metre (10 ft.) setback from the gas pipeline right-of-way under LUC No. 26.
- The proposed basement access well is significantly smaller than the maximum allowable size under the underlying RF Zone.
- FortisBC has no objection to the proposed variance.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7917-0114-00 (Appendix III), to reduce the minimum rear yard setback to a gas pipeline right-of-way under Land Use Contract No. 26, from 3 metres (10 ft.) to 1.9 metres (6 ft. 3 in.) for the basement access well only, to proceed to Public Notification.

REFERRALS

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

FortisBC: Fortis BC has no objection to the project.

SITE CHARACTERISTICS

Existing Land Use: Existing single family dwelling (to be demolished). A gas right-of-way currently runs east-west within the rear yard.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across gas right-of way):	Single family dwellings	Urban	LUC No. 26 (RF Zone Underlying)
East (Across Tulsy Crescent):	Single family dwellings	Urban	LUC No. 26 (RF Zone Underlying)
South (Across Tulsy Place):	Single family dwellings	Urban	LUC No. 26 (RF Zone Underlying)
West:	Single family dwellings	Urban	LUC No. 26 (RF Zone Underlying)

DEVELOPMENT CONSIDERATIONS

- The 669 square metre (7,206 sq. ft.) subject lot is located at 8735 - Tulsy Crescent in Whalley. The subject property is approximately 18.3 metres (60 ft.) in width and approximately 36.6 metres (120 ft.) in depth. The subject lot is a corner lot that flanks Tulsy Crescent.
- The subject site is designated "Urban" in the Official Community Plan (OCP) and is regulated by Land Use Contract (LUC) No. 26 with an underlying "Single Family Residential Zone (RF)".

- LUC No. 26 was adopted by Authorization By-law, 1974, No. 4165 on June 3, 1974. The LUC currently regulates 38 single family lots and one City owned park lot. As per Schedule "B" of the Land Use Contract all buildings, structures and improvements shall be sited upon the land in accordance with "Residential Zone Number Three (R-3)" of Surrey Zoning By-law, 1964, No. 2265.
- The By-law to terminate LUC No. 26 was granted Final Adoption by Council on May 29, 2017. There will be a one (1) year grace period during which the LUC will remain in effect, before the underlying RF Zone comes into effect on May 29, 2018.
- The subject property is encumbered by an 18.25 metre (60 ft.) wide natural gas transmission right-of-way (FortisBC Energy Inc.) located along the northern property line.
- Schedule "B" of the Land Use Contract states that no part of the principal dwelling on any lot shall be located within a distance of 3 metres (10 ft.) from either boundary of the gas pipeline right-of-way.
- The required rear yard setback from a gas pipeline right-of-way was established as a way of preventing the construction of dwellings directly adjacent to the right-of-way and providing for a useable backyard on encumbered lots while maintaining access to the natural gas transmission lines for maintenance purposes.

Current Proposal

- The owners of the subject property applied for a building permit to construct a new single family dwelling on the lot on June 30, 2016. They were advised by the plan reviewer at that stage that a minimum rear yard setback for a single family dwelling from a gas pipeline right-of-way of 3 metres (10 ft.) is required under LUC No. 26.
- The original designs for the newly proposed house had the principle building and associated basement access well and rear covered deck sited up to 0.61 metre (2 ft.) from the gas pipeline right-of-way representing an encroachment of 2.39 metres (8 ft.) into the required setback.
- The owners applied for the subject Development Variance Permit (DVP) to seek Council approval to reduce the setback to a gas pipeline right-of-way under LUC No. 26 to facilitate their proposed house design.
- After meeting with City Staff, the applicant agreed to redesign the house in order to remove any encroachments into the required 3 metre (10 ft.) setback from the gas pipeline right-of-way with exception of the basement access well, which now encroaches 1.1 metres (3 ft. 10 in.) into the required setback. The encroachment has therefore been substantially reduced but a variance is still required for the basement access well.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To vary the minimum setback to a gas pipeline right-of-way in Schedule "B" of Land Use Contract No. 26 from 3 metres (10 ft.) to 1.9 metres (6 ft. 3 in.) for a basement access well only.

Applicant's Reasons:

- Redesigning the house in order to fully comply with the 3 metres (10 ft.) setback from the gas pipeline right-of-way would lead to a significant loss of total house size and would impact the proposed interior layout of the house.
- The house has been redesigned in order to lessen the encroachment into the 3 metre (10 ft.) required setback from the gas pipeline right-of-way.
- The property is located on a corner lot which requires a 3.8 metres (12 ft. 6 in.) setback from the flanking street (Tulsey Crescent) under LUC No. 26. The encroachment into the rear yard is needed in order to make up for the loss of building area caused by the larger side yard on flanking street setback.

Staff Comments:

- The redesign of the proposed single family dwelling ensures that only the basement access well will encroach into the required 3 metre (10 ft.) rear yard setback from the gas pipeline right-of-way. All other portions of the single family dwelling will be outside of the required rear yard setback.
- The total area of the proposed basement access well (8.76 square metres (94 sq. ft.) is well below the maximum allowable area of 28 square metres (300 sq. ft.) under the underlying RF Zone.
- The proposed variance maintains access for pipeline maintenance and provides for an adequately sized building footprint on the subject lot.
- FortisBC has no objection to the proposed variance.
- Staff support the requested variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners and Action Summary
- Appendix II. Proposed Site Plan and Building Elevations
- Appendix III. Development Variance Permit No. 7917-0114-00

original signed by Ron Gill

Jean Lamontagne
General Manager
Planning and Development

RT/da

Information for City Clerk

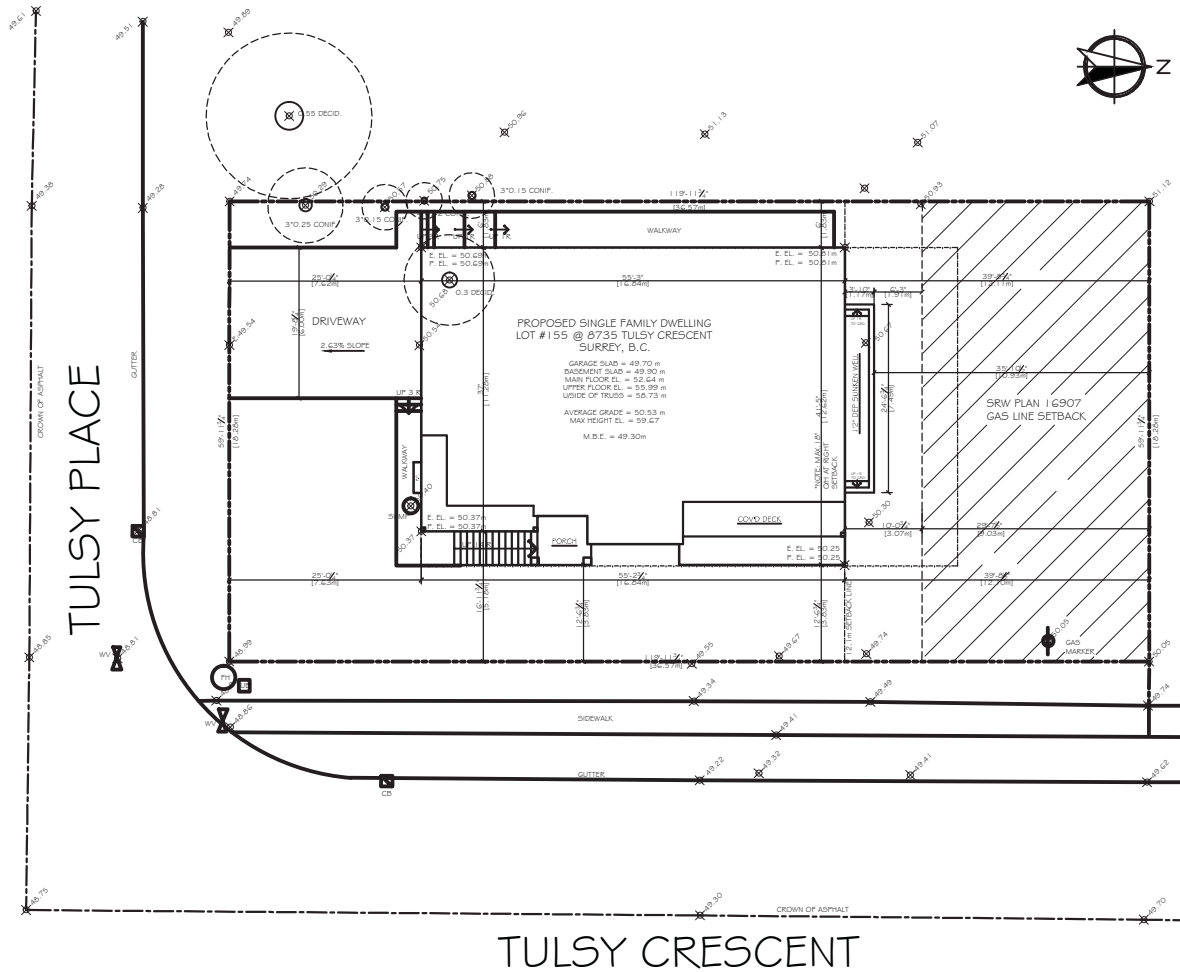
Legal Description and Owners of all lots that form part of the application:

1. (a) Agent: Name: Raj Toora
 Toora Home Plans
 Address: 12968 - 101 Avenue
 Surrey, BC V3T 2E9

2. Properties involved in the Application
 - (a) Civic Address: 8735 - Tulsy Crescent

 - (b) Civic Address: 8735 - Tulsy Crescent
 Owner: Daljit K Sanghera
 PID: 006-120-661
 Lot 155 Section 29 Township 2 New Westminster District Plan 46670

3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7917-0114-00 and bring the Development Variance Permit forward for issuance and execution by the Mayor and City Clerk.



TULSY CRESCENT

SITE PLAN
SCALE: 1/8"=1'

NOTES:

1. WRITTEN DIMENSION SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS.
2. CONTRACTOR SHALL VERIFY ALL ON SITE CONDITIONS PRIOR TO COMMENCEMENT OF THE WORK.
3. ALL WORK SHALL CONFORM TO THE REQUIREMENT OF THE BRITISH COLUMBIA BUILDING CODE, 2012 EDITION.
4. ALL CONCRETE WORK SHALL CONFORM TO THE REQUIREMENT OF C.S.A. 3-A231 LATEST EDITION.
5. CONCRETE STRENGTH AT 28 DAYS, MINIMUM 3,000 PSI.
6. ALL FRAMING AND NAILING SHALL CONFORM TO B.C. BUILDING CODE PART 9 AND DESIGN TO CSA LATEST EDITION.
7. ALL FRAMING LUMBER SHALL BE DOUGLAS FIR #2 OR BETTER.
8. WOOD TRUSSES SHALL BE DESIGN AND SEALED BY P. ENG. REGISTERED IN B.C.
9. ALL PLYWOOD SHALL BE DOUGLAS FIR CONFORM TO CSA 0121 LATEST EDITION.
10. OWNER IS TO BE ENTIRELY RESPONSIBLE FOR ALL STRUCTURAL ENGINEERING REQUIREMENTS.
11. ALL DIMENSIONS ARE TO BE CHECKED ON SITE BEFORE WORK COMMENCES.

COMPLIANCE PATH CHOSEN:

PERSCRPTIVE METHOD AS PER SECTION 9.36.2-9.36.4 of BCBC
HEATING:
IN-FLOOR RADIANT HEAT SYSTEM

LUC ZONING FAR CALCULATIONS		
	PERMITTED	PROPOSED
LOT AREA	7205 SQ.FT. (669m SQ.)	
COVERED AREA @ 33%	2377 SQ.FT.	2242 SQ.FT.
FLOOR AREA RATIO	N/A	5592 SQ.FT.
MAIN FLOOR AREA	N/A	2148 SQ.FT.
UPPER FLOOR AREA	N/A	1730 SQ.FT.
BASEMENT AREA	N/A	1714 SQ.FT.
GARAGE AREA	N/A	433 SQ.FT.
FRONT YARD SETBACK	7.50m MIN.	7.62m
RIGHT SIDE (FLANKING) SETBACK	3.80m MIN.	3.83m
LEFT SIDE SETBACK	1.80m MIN.	1.83m
REAR YARD SETBACK	7.90m MIN.	12.84m
DECK AREA CALCULATION		
FRONT COVERED VERANDA AREA	N/A	22 SQ.FT.
ALL OTHER COVERED DECKS	N/A	270 SQ.FT.
TOTAL COVERED DECK AREA	N/A	292 SQ.FT.

THESE PLANS CONFORM TO REQUIREMENTS IN THE B.C. BUILDING CODE 2012.

REVISION SCHEDULE

REV. #	DATE	CHANGES MADE
1		
2		
3		
4		
5		

TOORA HOME PLANS

TEL: (604) 951-4343 ADDRESS:
FAX: (604) 951-4373 12969 - 107th AVE
EMAIL: rajtoora@gmail.com SURREY, B.C. V3T 2E9

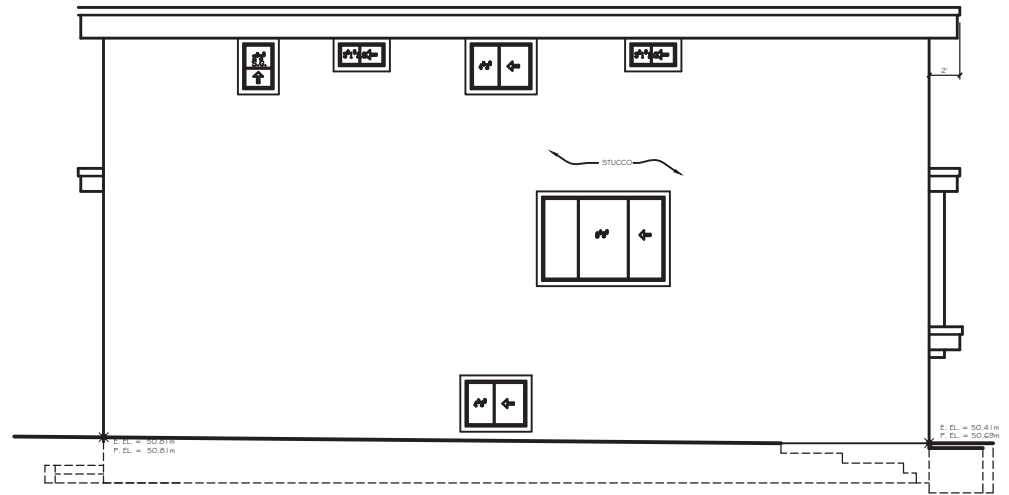
PROPOSED SINGLE FAMILY DWELLING
LOT # 155 @ 8735 TULSY CRESCENT
SURREY, BC

CLIENT: PARAMJIT NAGRA ph: 604-825-3838

TITLE: SITE PLAN
SCALE: 1/8"=1' DESIGNER: RAJ TOORA
DATE: MAY 2017 DRAWN BY:



FRONT ELEVATION
SCALE: 1/4" = 1'



LEFT ELEVATION
SCALE: 1/4" = 1'

LIMITING DISTANCE = 1.00m
TOTAL EXPOSED WALL AREA = 121.9 SQ. FT.
PERMITTED OPENING @ 78 = 83.3 SQ. FT.
PROPOSED OPENING = 83 SQ. FT.



RIGHT ELEVATION
SCALE: 1/4" = 1'

THESE PLANS CONFORM TO REQUIREMENTS IN THE B.C. BUILDING CODE 2012.

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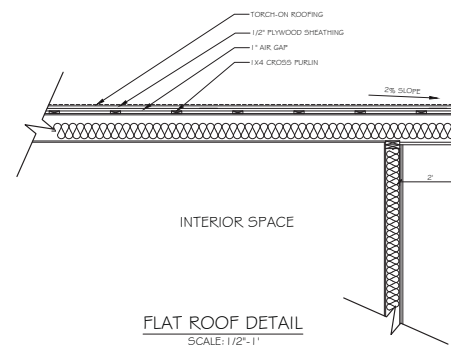
CLIENT: PARAMJIT NAGRA ph: 604-825-3838

TITLE: ELEVATIONS	DESIGNER: RAJ TOORA
SCALE: 1/4" = 1'	DATE: MAY 2017

A5

CONSTRUCTION SPECIFICATIONS

- 1. BASEMENT SLAB**
 - 4" CONC. SLAB
 - 3/4" WELDED WIRE MESH
 - 6 MIL. POLY VAPOR BARRIER
 - 4" MIN. COMPACTED SAND (TYPICAL)
- 2. MAIN FLOOR**
 - 3/4" 1/4" PLYWOOD SUBFLOOR GLED & SCREWED
 - 2x10 D.P. #1 OR #2 FL. JST. @ 12" O.C. (U.O.N.)
 - 3/2" CROSS-BRIDGING @ 7" O.C. MAX.
 - 1/2" G.W.B.
- 3. UPPER FLOOR**
 - 3/4" 1/4" PLYWOOD SUBFLOOR GLED & SCREWED
 - 2x10 D.P. #1 OR #2 FL. JST. @ 12" O.C. (U.O.N.)
 - 3/2" CROSS-BRIDGING @ 7" O.C. MAX.
 - 1/2" G.W.B.
- 4. EXTERIOR WALLS**
 - STONE & HARDI PLANK SIDING @ FRONT; STUCCO ALL OTHER SIDES
 - 2 LAYERS 30 MIL. BUILDING PAPER
 - 3/4" AIR GAP
 - PRE-PAINTED METAL FLASHING
 - 1/2" EXT. GRADE PLYWOOD SHEATHING
 - 2X6 STUDS @ 12" o.c. (U.N.D.)
 - R20 BATT INSULATION
 - 6 MIL. POLY VAPOR BARRIER
 - 1/2" G.W.B.
- 5. INTERIOR PARTITIONS**
 - 1/2" G.W.B. BOTH SIDES (U.N.D.)
 - 2X4 STUDS @ 12" O.C. (U.N.D.)
- 6. TRUSS ROOF**
 - TORCH-ON ROOF
 - BUILDING PAPER
 - 3/8" 1/4" PLYWOOD SHEATHING
 - PRE-ENGINEERED TRUSSES @ 24" O.C. (SEE TRUSS LAYOUT)
 - R40 BATT INSULATION
 - 6MIL. POLY VAPOR BARRIER
 - 3/8" G.W.B.
- 7. EAVES**
 - INTEGRAL GUTTER SYSTEM
 - 2x10 FASCIA BOARD
 - 2x4 BACK NAILED
 - METAL SCOFFER WITH 2" CONT. SCREEN VENT
- 8. ATTIC VENTILATION**
 - 2" Baffle CLEARANCE WITH INSULATION STOPS
- 9. FOUNDATION**
 - SEE FOUNDATION DETAIL



THESE PLANS CONFORM TO REQUIREMENTS IN THE B.C. BUILDING CODE 2012.

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 EMAIL: rajtoora@gmail.com

PROPOSED SINGLE FAMILY DWELLING FOR
 LOT #155 @ 8735 TULSY CRESCENT
 SURREY, B.C.

CLIENT: PARAMJIT NAGRA ph: 604-825-3838

TITLE: ELEVATION, SECTION & DETAILS

SCALE: AS NOTED DESIGNER: RAJ TOORA

DATE: MAY/2017 DRAWN BY: JANNIA DE-PALMA

AG

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7917-0114-00

Issued To: DALJIT K SANGHERA

(the "Owner")

Address of Owner: 8735 - Tulsy Crescent
Surrey, BC V3W 6C6

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: 006-120-661
Lot 155 Section 29 Township 2 New Westminster District Plan 46670

8735 - Tulsy Crescent

(the "Land")

3. Surrey Land Use Contract By-law, 1974, No. 4165 Land Use Contract No. 26 is varied as follows:
 - (a) In Schedule "B" Siting, the minimum setback from a gas pipeline right-of-way is reduced from 3 metres (10 ft.) to 1.9 metres (6 ft. 3 in.) for a basement access well only.
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 Owners 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.

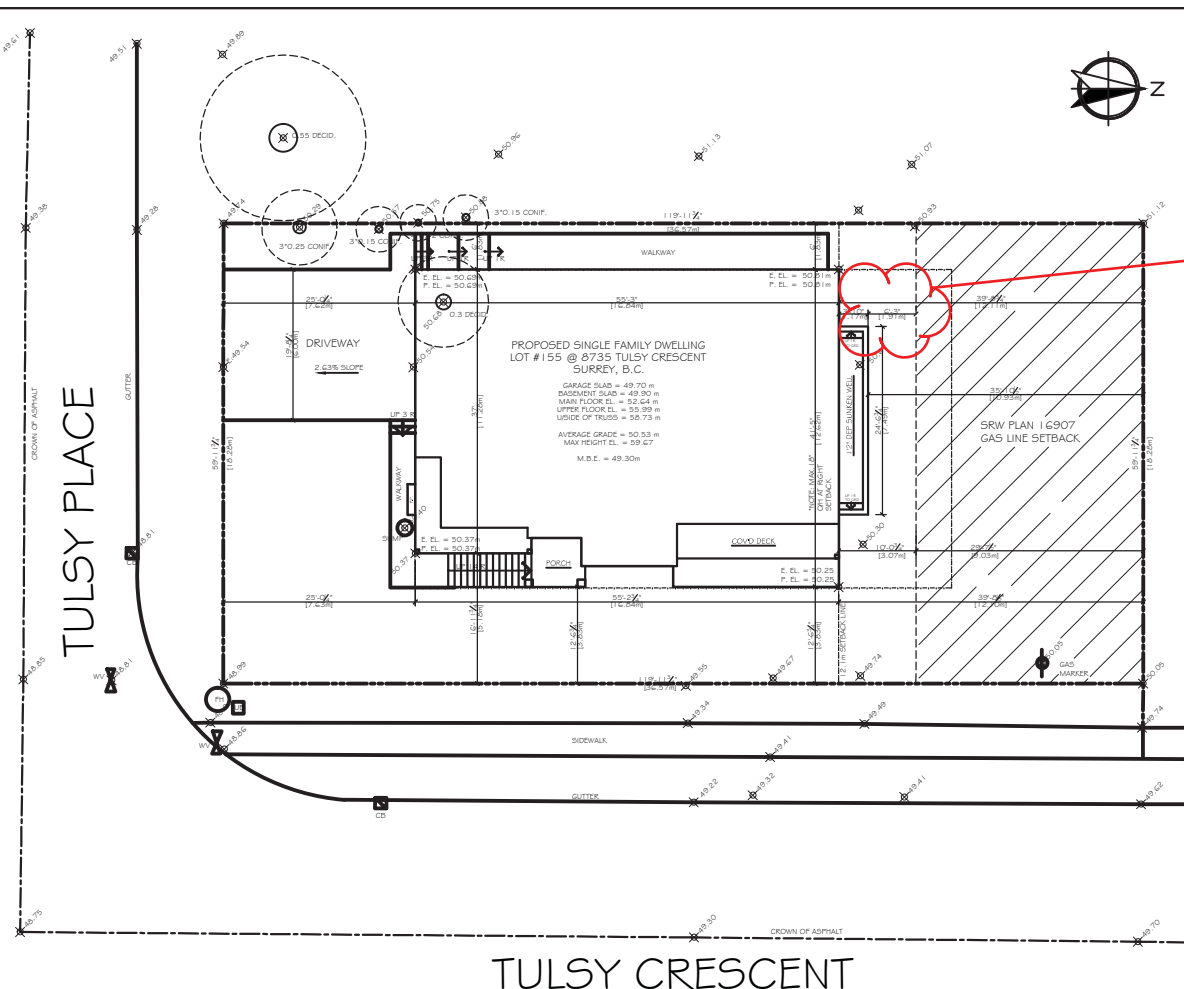
7. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.

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



Proposed relaxation of setback from gas pipeline right-of-way from 3 metres (10 ft.) under LUC 26 to 1.9 metres (6 ft. 3 in.).

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 TITLE: SITE PLAN
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