

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7918-0368-00

Planning Report Date: April 15, 2019

PROPOSAL:

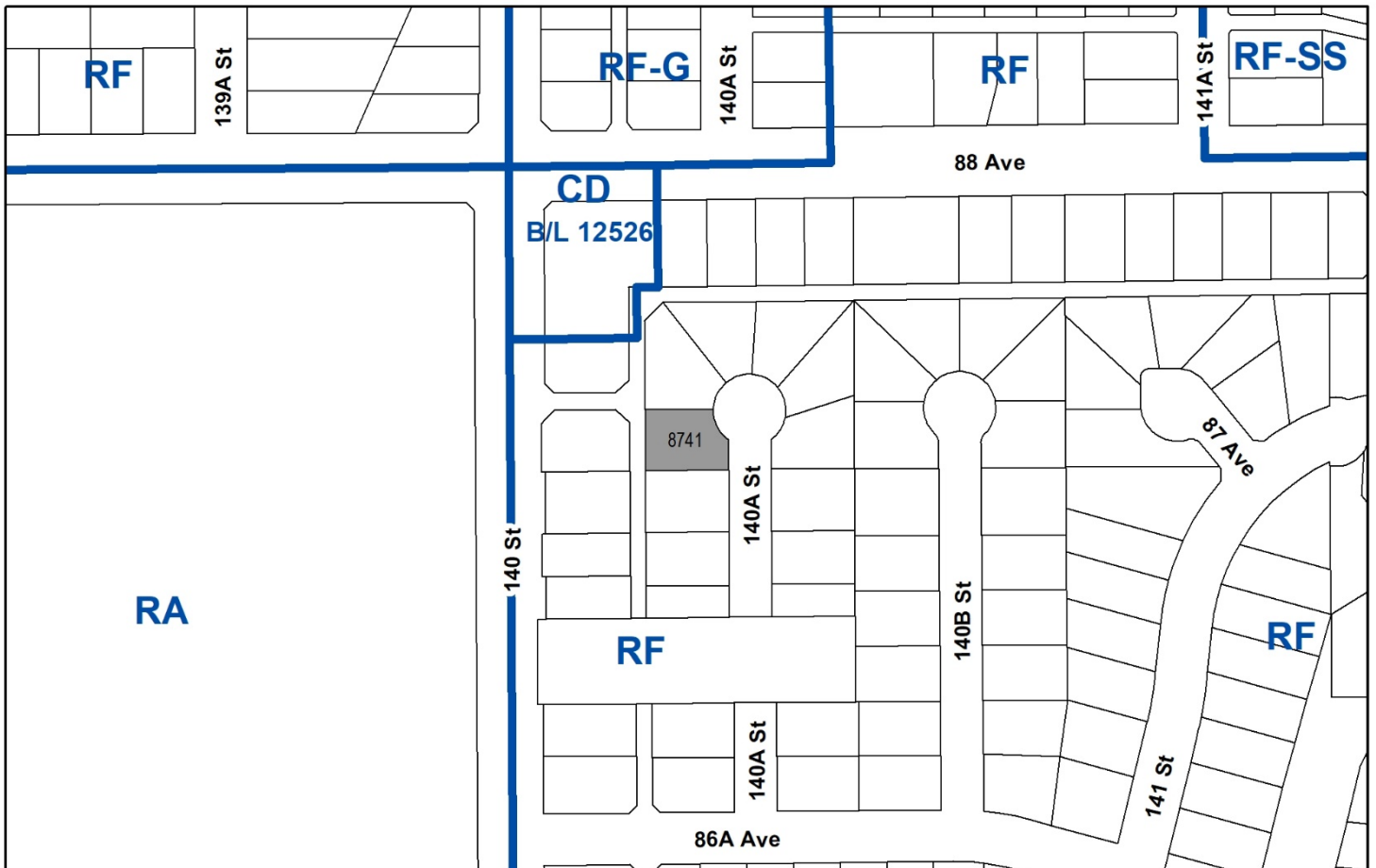
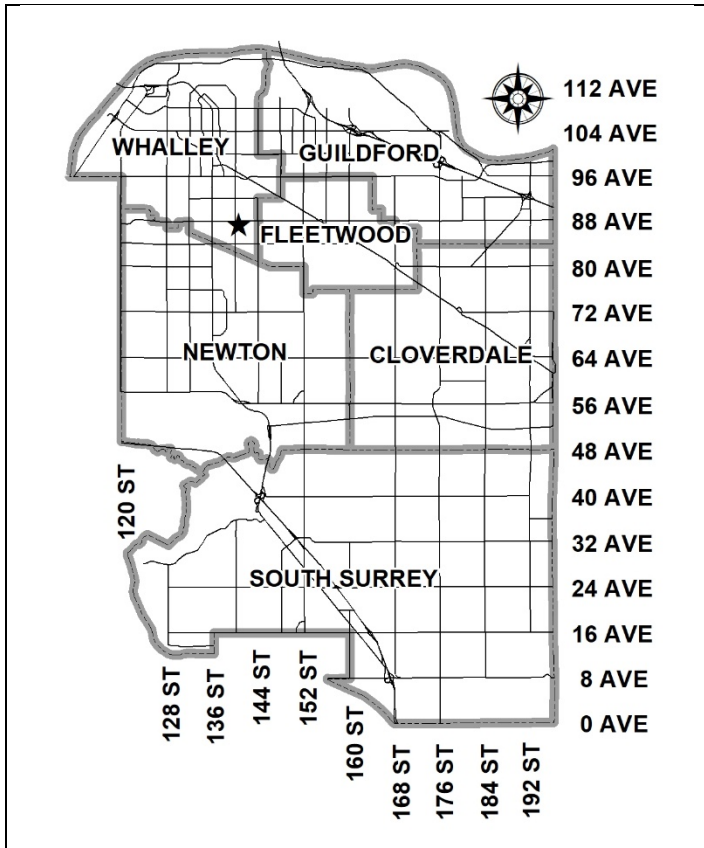
- **Development Variance Permit**

to reduce the front and rear yard setbacks to allow the construction of a single family dwelling on a lot encumbered by statutory right-of-ways.

LOCATION: 8741 - 140A Street

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 front and rear yard setbacks to construct a new single family dwelling on the lot.

RATIONALE OF RECOMMENDATION

- The proposed setbacks will allow the owner to orient the garage to the rear lane which is consistent with the surrounding lots.
- The proposed variances provide for an adequately sized building envelope on the single family lot.
- The subject lot is heavily encumbered by a gas pipeline right-of-way along the south lot line and a temporary access right-of-way along the north lot line.
- The decreased front yard setback will still accommodate a functional yard space on the lot and the decreased rear yard setback will accommodate a 6.0 metre (20 ft.) long driveway for garage access and vehicle parking. The owner has also obtained a right-of-way permit to construct a parking pad within the gas right-of-way to accommodate secondary suite parking.
- The varied setbacks will achieve a consistent streetscape with the other existing houses along this section of 140A Street.
- Fortis BC has no objection to the proposed variance.
- Staff supports the requested variance to proceed to Public Notification.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7918-0368-00 (Appendix II), varying the following to proceed to Public Notification:

- (a) to reduce the minimum front (east) yard setback of the RF Zone, from 7.5 metres (25 ft.) to 3.4 metres (11 ft.) to the principal building face; and
- (b) to reduce the minimum rear (west) yard setback of the RF Zone, from 7.5 metres (25 ft.) to 6.0 metres (20 ft.) to the principal building face.

REFERRALS

Engineering: The Engineering Department has no concerns relative to the Development Variance Permit. No structural encroachments are permitted into the existing Statutory Right-of-Ways including the corner cut.

FortisBC: FortisBC has no objection to the project. A parking pad is permitted within the pipeline right-of-way through a pipeline right of way permit. No buildings, structures, foundations or portions thereof are otherwise permitted.

SITE CHARACTERISTICS

Existing Land Use: Single Family Dwelling.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across lane):	Single Family Dwelling	Urban	RF
East (Across 140A Street):	Single Family Dwelling	Urban	RF
South:	Single Family Dwelling	Urban	RF
West (Across lane):	Single Family Dwelling	Urban	RF

DEVELOPMENT CONSIDERATIONS

- The 702 square metre (7,555 sq. ft.) subject property is located at 8741 – 140A Street in Whalley. The subject property is approximately 24 metres (78 ft.) in width and 32 metres (105 ft.) deep.

- The lot is designated "Urban" under the Official Community Plan (OCP) and currently zoned "Single Family Residential Zone (RF)" under Surrey Zoning By-law, 1993, No. 12000, as amended.
- The subject property is encumbered by a temporary right-of-way along the northern property line. The right-of-way's purpose is to facilitate the installation of temporary services and vehicular access to lots fronting 140A Street. Until such time of construction and extension of 140A Street southerly to 86A Avenue, the right-of-way will remain.
- The subject property is encumbered by an 18.3 metre (60 ft.) wide natural gas transmission right-of-way (FortisBC Energy Inc.) located along the southern property line. As a result of the constraints posed by this gas right-of-way, the owner obtained a right-of-way permit from Fortis BC to allow for construction of a parking pad within the gas right-of-way to accommodate secondary suite parking.
- The applicant is seeking variances to reduce the front (east) and rear (west) yard setbacks to maximize the building envelope on this heavily encumbered lot.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- to reduce the minimum front (east) yard setback of the RF Zone, from 7.5 metres (25 ft.) to 3.4 metres (11 ft.) to the principal building face; and
- to reduce the minimum rear (west) yard setback of the RF Zone, from 7.5 metres (25 ft.) to 6.0 metres (20 ft.) to the principal building face.

Applicant's Reasons:

- Varying the setbacks allows for increased building potential without encroachment inside the gas pipe line right-of-way and no disturbance of the temporary right-of-way.
- With the proposed setback relaxations, the applicant can achieve a functional house plan closer to the maximum allowable floor area permitted under the RF Zone, as shown in the table below:

	Permitted Floor Area Based on RF Zone	Achievable Floor Area (no DVP)	Achievable Floor Area (with DVP)
Proposed Lot	385 sq.m. (4,142 sq. ft.)	213 sq.m. (2,297 sq. ft.)	317 sq.m. (3,412 sq. ft.)

- Without the proposed setback relaxations, the applicant is able to achieve a maximum house size of 213 square metres (2,297 sq. ft.) due to encumbrances from onsite right-of-ways.

Staff Comments:

- The maximum house size permitted under the RF Zone for the subject lot is 385 square metres (4142 sq. ft.).
- The proposed variances allow for an adequately sized building footprint on the subject lot which is heavily encumbered by the gas right-of-way and temporary access and servicing right-of-way.
- The proposed setbacks will allow the owner to orient their garage to the rear lane which is consistent with the surrounding lots.
- The decreased front yard setback still creates a functional front yard space on the lot and the decreased rear yard setback will accommodate a 6.0 metre (20 ft.) long driveway for garage access and vehicle parking. The owner has also obtained a right-of-way permit to construct a parking pad within the gas right-of-way to accommodate secondary suite parking.
- The gas right-of-way area can be used as active yard space (with no buildings or structures).
- FortisBC has no objection to the proposed variance.
- Staff support the requested variances to proceed to Public Notification.

INFORMATION ATTACHED TO THIS REPORT:

The following information is attached to this report:

- Appendix I. Lot Owners and Action Summary (Confidential) and Project Data Sheets
Appendix II. Development Variance Permit No. 7918-0368-00

original signed by Ron Gill

Jean Lamontagne
General Manager
Planning and Development

ELM/cm

APPENDIX I HAS BEEN
REMOVED AS IT CONTAINS
CONFIDENTIAL INFORMATION

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7918-0368-00

Issued To:

("the Owner")

Address of Owners:

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: 008-221-391

Lot 7 Section 28 Township 2 New Westminster District Plan 75330

(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 front (east) yard setback is reduced from 7.5 metres (25 ft.) to 3.4 metres (11 ft.) to the principal building face; and
 - (b) In Section F of Part 16 "Single Family Residential Zone (RF)", the minimum rear (west) yard setback is reduced from 7.5 metres (25 ft.) to 6.0 metres (20 ft.) to the principal building face.
4. 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 – Doug McCallum

City Clerk – Jennifer Ficocelli

ZONING CALCULATIONS:
8741 140A STREET, SURREY - RF Zone

Lot Area = 7549 SQFT
 Allowed Lot Coverage = 2717.64 SQFT
 Allowed FAR = 4142.15 SQFT
 Proposed Lot Coverage = 1955.38 SQFT
 Proposed FAR = 3411.85 SQFT

MAIN FLOOR AREA: 1550.10 SQFT
 GARAGE: 420.00 / 279.17 SQFT
 TOTAL: 1970.10 SQFT

UPPER FLOOR AREA: 1523.75 SQFT
 STAIRS: 82.00 SQFT
 NET UPPER FLOOR: 1441.75 SQFT

PORCH: 30.25 SQFT
 COVERED DECK: 95.86 SQFT

MAIN FLOOR: 1970.10 SQFT (INCL GARAGE SQFT)
 UPPER FLOOR: 1441.75 SQFT
 TOTAL: 3411.85 SQFT

BASEMENT AREA: 1550.10 SQFT
 SUNKEN WELL: 194.94 SQFT

ENERGY EFFICIENCY REQUIREMENTS (PART 9 BLDG):

- PRESPECTIVE METHOD USED
- WITH HRV
- VENTILATION METHOD: 9.32.3.4.(4) - Independently distributed HRV system

AIR BARRIER SYSTEM:

Will consist of flexible sheet materials
 Shall have all joints lap not less than 50mm
 sealed with a non-hardening type sealant and
 be structurally supported
 As per 9.36.2.10(5)(6) of BCBC2012

**THIS HOME IS DESIGNED TO COMPLY WITH SECTION 9.36.2 - 9.36.4 OF B.C. BUILDING CODE 2012
 ENERGY EFFICIENCY REQUIREMENTS FOR CLIMATE ZONE 4**

- DWELLING TO BE VENTILATED IN COMPLIANCE TO 9.32.3.5 BY INDEPENDENTLY DISTRIBUTED HRV SYSTEM BUILDING SPECIFICATIONS:
- VENTILATION AND DUCTING MUST BE PROVIDED PER B.C.B.C 2012 SECTION 9.32
- AIR BARRIER TO BE INSTALLED PER B.C.B.C 2012 SECTION 9.36
- ALL INSULATION TO BE INSTALLED PER B.C.B.C 2012 SECTION 9.36
- GARAGE DOOR W/ MINIMUM NOMINAL R.S.I. 1.1
- ALL ACCESS HATCHES TO UNCONDITIONED SPACES: MAX. U-VALUE OF 2.6
- ALL WINDOWS & DOORS: MAX. U-VALUE OF 1.8 EXCEPT FOR 1 ENTRY UNIT
- ALL SKYLIGHTS: MAX. U-VALUE OF 2.9

MUST MAINTAIN EXISTING GRADES @ PROP. LINES

NOTE: OWNER/BUILDER CHECK & VERIFY WITH SURVEYOR TO LAY HOUSE ON LOT BEFORE CONSTRUCTION. IF ANY ADJUSTMENT HAS TO BE DONE, IT SHOULD BE NOTIFIED TO AND APPROVED BY DESIGNER.

NOTE: CHECK ALIGNMENT OF DRIVEWAY LET-DOWN PRIOR TO CONSTRUCTION

Schedule A

THESE PLANS CONFORM TO BCBC 2012

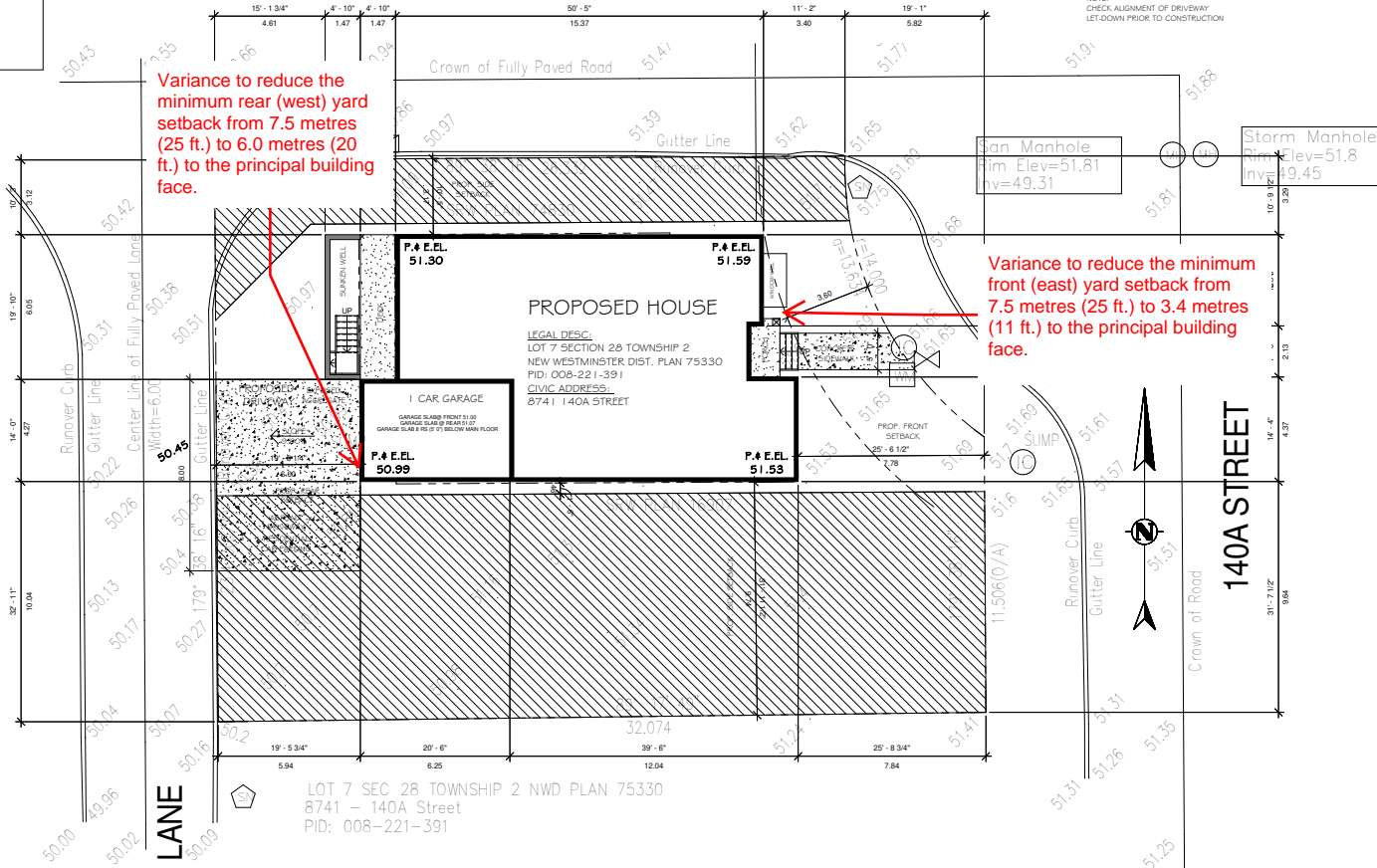
CONSTRUCTION SHALL FOLLOW LOCAL BUILDING BY-LAWS ALONG WITH THESE PLANS.

CONTRACTOR MUST CONFIRM ALL DIMENSIONS PRIOR TO START OF CONSTRUCTION.

THE DESIGNER ASSUMES NO LIABILITY FOR ANY ERRORS AND OMISSIONS IN THESE PLANS. IT IS THE BUILDER/OWNER'S RESPONSIBILITY TO REVIEW AND VERIFY THE WHOLE PLAN (i.e. ALL LEVELS, DIMENSIONS, STRUCTURAL ADEQUACIES) PRIOR TO CONSTRUCTION.

DO NOT SCALE DRAWINGS.

COPYRIGHT RESERVED. ANY VARIATIONS AND MODIFICATIONS TO THESE DRAWINGS SHALL NOT BE CARRIED OUT WITHOUT WRITTEN PERMISSION FROM PRO VILLA DESIGNS LTD. THIS DRAWING IS THE EXCLUSIVE PROPERTY OF PVDL AND CAN ONLY BE REPRODUCED WITH PVDL'S WRITTEN PERMISSION. PLEASE NOTE THAT THIS DRAWING IS FOR PERMIT APPLICATION PURPOSES AND NOT INTENDED TO BE ISSUED FOR CONSTRUCTION UNTIL APPROVED BY CITY.



Variance to reduce the minimum rear (west) yard setback from 7.5 metres (25 ft.) to 6.0 metres (20 ft.) to the principal building face.

Variance to reduce the minimum front (east) yard setback from 7.5 metres (25 ft.) to 3.4 metres (11 ft.) to the principal building face.

① Site Plan
 1/8" = 1'-0"



Villa Designs

Pro Villa Designs
 #108-8299 129 Street
 Surrey, B.C. V3W 0A6
 Ph. 604-593-7070
 info@villadesigns.ca
 www.villadesigns.ca

Karamjit S. Bathth
 PH. (778) 889 4251

No.	Description	Date

**8741 140A STREET
 SURREY, B.C.**

**SITE PLAN, NOTES &
 CALCULATIONS**

Project number	PVDL-17-1046-KB
Date	16 AUG 2018
Drawn by	HB
Checked by	GS

A1

Scale: 1/8" = 1'-0"