

City of Surrey
PLANNING & DEVELOPMENT REPORT

Application No.: 7924-0267-00

Planning Report Date: October 21, 2024

PROPOSAL:

- **Development Variance Permit**

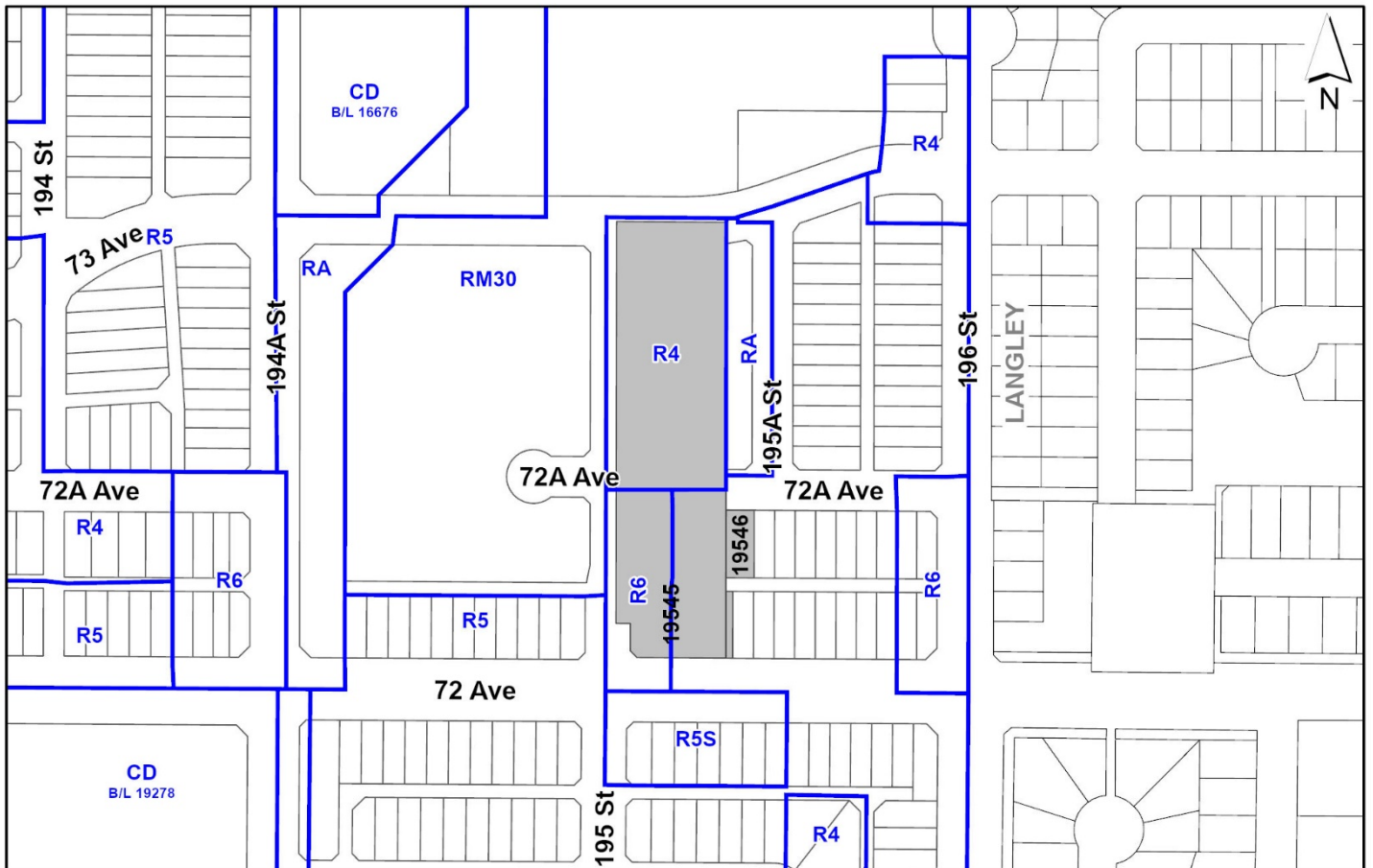
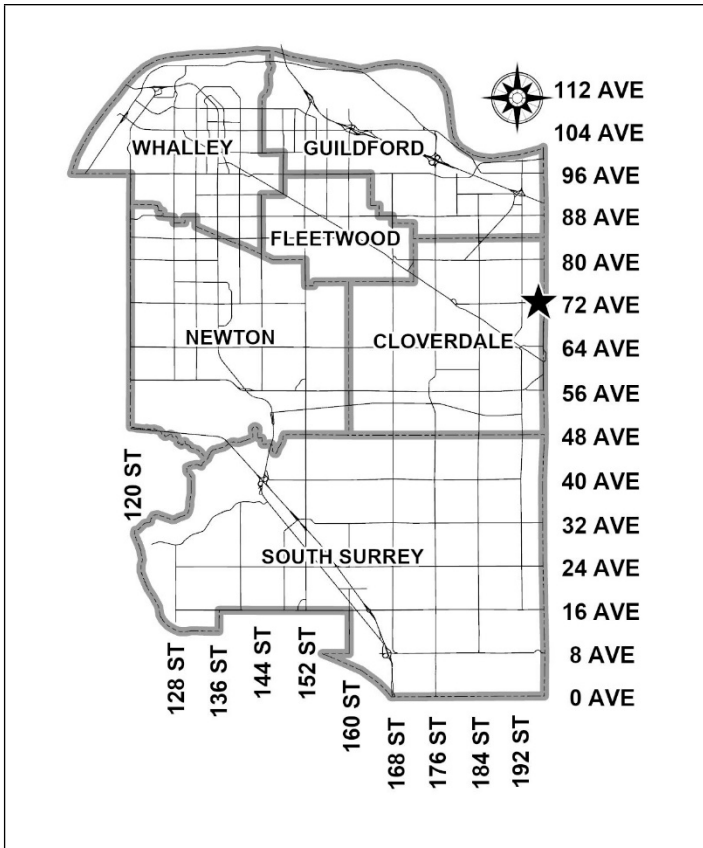
in order to allow subdivision into seven (7) small residential lots, six (6) compact lots and four (4) semi-detached narrow lots.

LOCATION: 19545 - 72 Avenue
 19546 - 72A Avenue

ZONING: R4, R5 and R6

OCP DESIGNATION: Urban

NCP DESIGNATION: 10-15 u.p.a. Medium Density



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- To reduce minimum lot width of the "Compact Residential Zone (R5)" for Proposed Lots 3-6 and 16-17.

RATIONALE OF RECOMMENDATION

- Prior to the Small-Scale Multi-Unit Housing (SSMUH) Zoning Bylaw updates, Council finalized formal Development Application No. 7913-0156-00 application at the April 8, 2024 Regular Council – Land Use Meeting. At that time, the applicant was proposing the following:
 - OCP Amendment from Suburban to Urban;
 - NCP Amendment of a portion from 6-10 u.p.a. Low Density and 10-15 u.p.a. Special Residential to 10-15 u.p.a. Medium Density;
 - Rezoning portions from RA to RF-9, RF-12 and RF-SD; and
 - Subdivision from two (2) lots to seventeen (17) lots.
- Due to non-compliance of resulting R5 lot dimensions as a result of new SSMUH zoning, the application was unable to formally subdivide. The proposed variance will allow the subdivision component of Application No. 7913-0156-00 to complete, effectively finalizing the project.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7924-0267-00 (Appendix II) to reduce the minimum lot width of the R5 Zone Interior Lot Type II from 12.3 metres to 9 metres for proposed Lots 3-6 and 16-17, to proceed to Public Notification.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	NCP Designation	Existing Zone
Subject Site	Vacant residential lots which received Final Adoption on April 8, 2024 under Application No. 7913-0156-00	10-15 u.p.a Medium Density	R4, R5 and R6
North (Across 73 Avenue):	Townhouses	15-25 u.p.a. High Density	RM-30
East (including across 15A Street):	Existing and remnant residential lots	10-15 u.p.a Medium Density	RA, R5, R6
South (Across 72 Avenue):	Existing residential lots	10-15 u.p.a. Special Residential	R5S
West (Across 195 Street):	Townhouses and small single family lots	15-25 u.p.a. High Density and 10- 15 u.p.a. Medium Density	RM-30 and R5

Context & Background

- The two subject sites, 19545 - 72 Avenue and 19546 – 72A Avenue are designated Urban in the Official Community Plan (OCP) and designated 10-15 u.p.a. Medium Density in the East Clayton Extension North of 72 Avenue Neighbourhood Concept Plan (NCP).
- Under Application No. 7913-0156-00, the subject sites received Final Adoption from Council at the April 8, 2024, Regular Council – Land Use Meeting. The intent of the development application was to subdivide the subject parcels into seventeen (17) residential lots under the Zoning that was in effect prior to the small-scale multi-unit housing (SSMUH) Zoning Bylaw updates:
 - Semi-Detached Residential Zone (RF-SD) (Lots-2, 7-8);
 - Single Family Residential (9) Zone (RF-9) (Lots 3-6, 16-17); and
 - Single Family Residential (12) Zone (RF-12) (Lots 9-15)
- Subsequent to Final Adoption, the Approving Officer approved the Application to Deposit the Subdivision Plan (ADP).

- The Approving Officer signature on the ADP expires after sixty days. Unfortunately, the applicant did not register the ADP prior to this expiry. As such, applicable legal documentation was unable to be registered at the Land Titles Office (LTO) in order to formalize the subdivision.
- On June 10, 2024, Council endorsed Corporate Report No. R0109; 2024, titled "Small-Scale Multi-Unit Housing: Zoning By-law Amendments Related to Provincial Housing Legislation". These amendments to the Zoning By-law were aligned with provincial housing legislation by replacing 14 single-family zones, one semi-detached zone, four gross density zones, and one duplex zone with nine new SSMUH zones.
- As a result, proposed Lots 3-6 and 16-17 do not comply with the minimum lot widths of the new Compact Residential (R5) Zone. The applicant is seeking a Development Variance Permit (DVP) in order to address this non-compliance.

DEVELOPMENT PROPOSAL

Planning Considerations

- In order to facilitate Subdivision, the applicant is proposing to reduce the minimum lot width of the R5 Zone Interior Lot Type II from 12.3 metres to 9 metres for proposed Lots 3-6 and 16-17.
- No other changes are proposed to the Rezoning Bylaw, OCP Amendment or NCP Amendment that were previously approved by Council
- Staff support the requested variances to proceed for consideration.

Referrals

Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements previously specified in Servicing Agreement 7813-0156-00.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Proposed Subdivision Layout
- Appendix II. Development Variance Permit No. 7924-0267-00

approved by Shawn Low

Ron Gill
Acting General Manager
Planning and Development

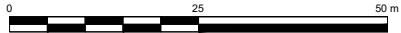
ELM/cb

**SUBDIVISION PLAN OF
EAST HALF LOT 3 PLAN 2600 EXCEPT PLAN EPP48746
AND PARTS OF LOT 6 EPP39569
SECTION 22 TOWNSHIP 8
NEW WESTMINSTER DISTRICT**

PLAN EPP114806

BCGS 92G.017

DATUM.....NAD83 (CSRS)	4.0.0.BC.1.MVRD
UTM ZONE.....	10
UTM NORTHING.....	5443166.244
UTM EASTING.....	522555.448
ABSOLUTE ACCURACY.....	0.03



ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF

THE INTENDED PLOT SIZE OF THIS PLAN IS 432 mm IN WIDTH BY 560 mm IN HEIGHT (C-SIZE) WHEN PLOTTED AT A SCALE OF 1:500

INTEGRATED SURVEY AREA No. 1 (CITY OF SURREY)
NAD83 (CSRS) 4.0.0.BC.1.MVRD

GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN GEODETIC CONTROL MONUMENTS 5161 AND 88H4596 AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 10

THE UTM COORDINATES AND ESTIMATED ABSOLUTE ACCURACY ACHIEVED ARE DERIVED FROM THE MASCOOT PUBLISHED COORDINATES AND STANDARD DEVIATIONS FOR GEODETIC CONTROL MONUMENTS 5161 AND 88H4596

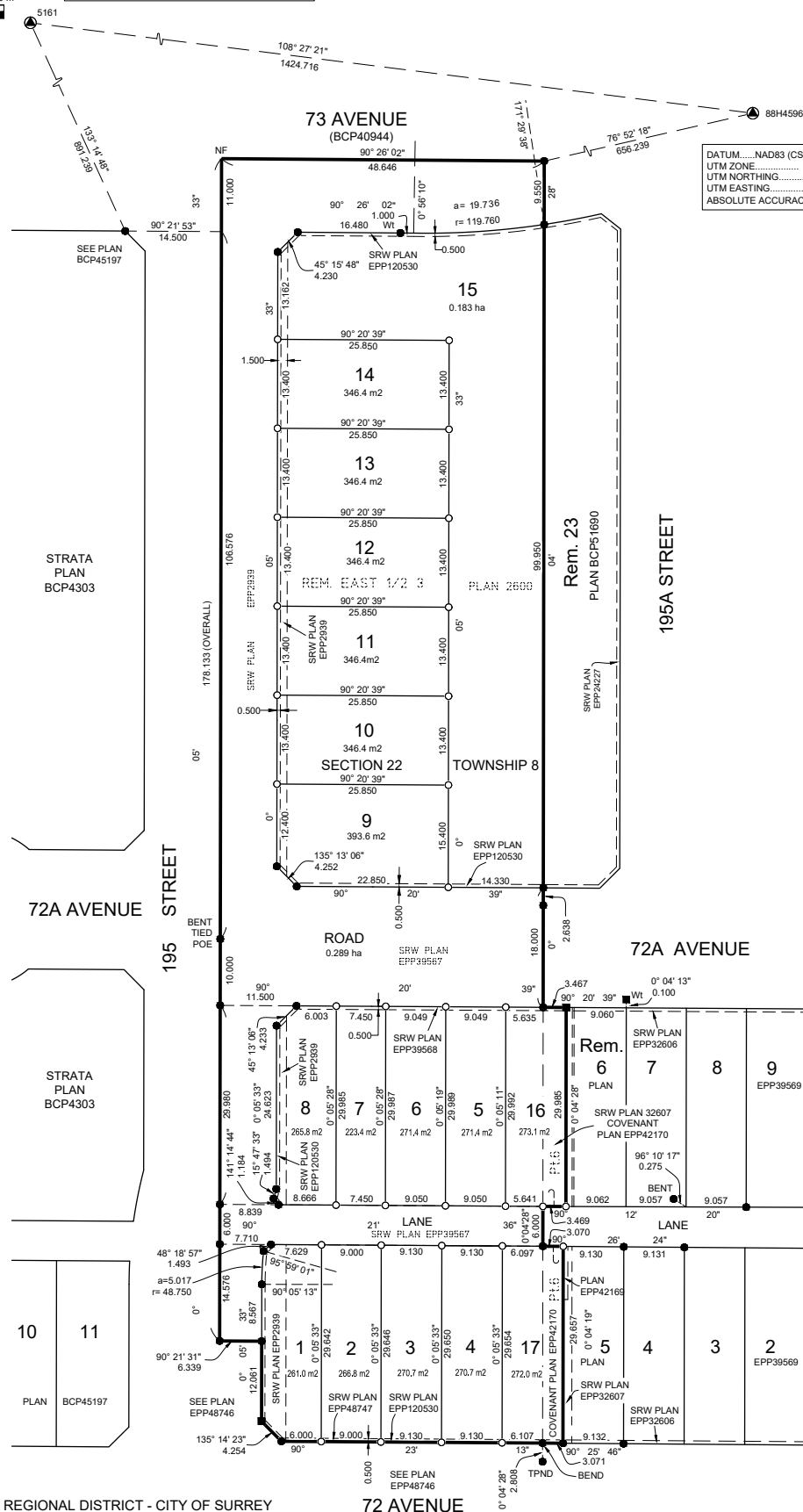
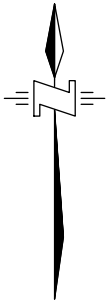
THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES, UNLESS OTHERWISE SPECIFIED. TO COMPUTE GRID DISTANCES, MULTIPLY GROUND-LEVEL DISTANCES BY THE AVERAGE COMBINED FACTOR OF 0.9995977. THE AVERAGE COMBINED FACTOR HAS BEEN DETERMINED BASED ON CONTROL MONUMENTS 5161 AND 88H4596

LEGEND:

SYMBOLS	DESCRIPTION
FOUND PLACED	
●	CONTROL MONUMENT
○	STANDARD IRON POST
■	LEAD PLUG
a	DENOTES ARC
r	DENOTES RADIUS
ha	DENOTES HECTARE(S)
m2	DENOTES SQUARE METRE(S)
NF	DENOTES NOTHING FOUND
Pt.	DENOTES PART
TPND	DENOTES TIED PREVIOUSLY NOW DESTROYED
Rem.	DENOTES REMAINDER

NOTE:
THIS PLAN SHOWS ONE OR MORE WITNESS POSTS WHICH ARE NOT SET ON THE TRUE CORNER(S).

SOME LINES ARE EXAGGERATED FOR CLARITY.



DATUM.....NAD83 (CSRS)	4.0.0.BC.1.MVRD
UTM ZONE.....	10
UTM NORTHING.....	5442715.395
UTM EASTING.....	523906.344
ABSOLUTE ACCURACY.....	0.01

THIS PLAN LIES WITHIN THE JURISDICTION OF THE APPROVING OFFICER FOR THE CITY OF SURREY.

A COVENANT IN THE NAME OF THE CITY OF SURREY PURSUANT TO SECTION 219 OF THE LAND TITLE ACT IS A CONDITION OF APPROVAL FOR THIS SUBDIVISION.

INSPECTED UNDER THE LAND TITLE ACT ON THE 9th DAY OF AUGUST, 2024
JASON A. WALKER, BCLS #909

THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE 13th DAY OF JANUARY, 2023
JASON WALKER, BCLS #909

THIS PLAN LIES WITHIN THE METRO VANCOUVER REGIONAL DISTRICT - CITY OF SURREY

McELHANNAY ASSOCIATES
LAND SURVEYING LTD.
Suite 2300
13450 - 102 Avenue
Surrey BC
Canada V3T 5X3
Tel 604 596 0391

FILE NO.: 2112-63064-03 R5

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7924-0267-00

Issued To:

("the Owner")

Address of Owner:

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: 006-157-343

East Half Lot 3 Section 22 Township 8 New Westminster District Plan 2600, Except Plan EPP48746

19545 - 72 Avenue

Parcel Identifier: 029-378-842

Lot 6 Section 22 Township 8 New Westminster District Plan EPP39569

19546 - 72A Avenue

(the "Land")

3. (a) As the legal description of the Land is to change, the City Clerk is directed to insert the new legal description for the Land once title(s) has/have been issued, as follows:

Parcel Identifier:

- (b) If the civic address(es) change(s), the City Clerk is directed to insert the new civic address(es) for the Land, as follows:

4. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In sub-Section C.2 of Part 16 "Compact Residential Zone (R5)" the minimum lot width of the R5 (Interior Type II) is reduced from 12.3 metres to 9 metres for proposed Lot 3-6 and 16-17.

5. 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. 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.

6. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.

7. This development variance permit shall lapse unless the subdivision, as conceptually shown on Schedule A which is attached hereto and forms part of this development variance permit, is registered in the New Westminster Land Title Office within three (3) years after the date this development variance permit is issued.

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

9. 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 – Brenda Locke

City Clerk and
Director Legislative Services
Jennifer Ficocelli

- (a) In sub-Section C.2 of Part 16 “Compact Residential Zone (R5)” the minimum lot width of the R5 (Interior Type II) is reduced from 12.3 metres to 9 metres for proposed Lot 3-6 and 16-17.
5. 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. 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.
 6. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
 7. This development variance permit shall lapse unless the subdivision, as conceptually shown on Schedule A which is attached hereto and forms part of this development variance permit, is registered in the New Westminster Land Title Office within three (3) years after the date this development variance permit is issued.
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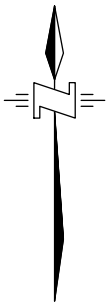
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STRATA PLAN
BCP4303

72A AVENUE

STRATA PLAN
BCP4303

10 11
PLAN
BCP45197

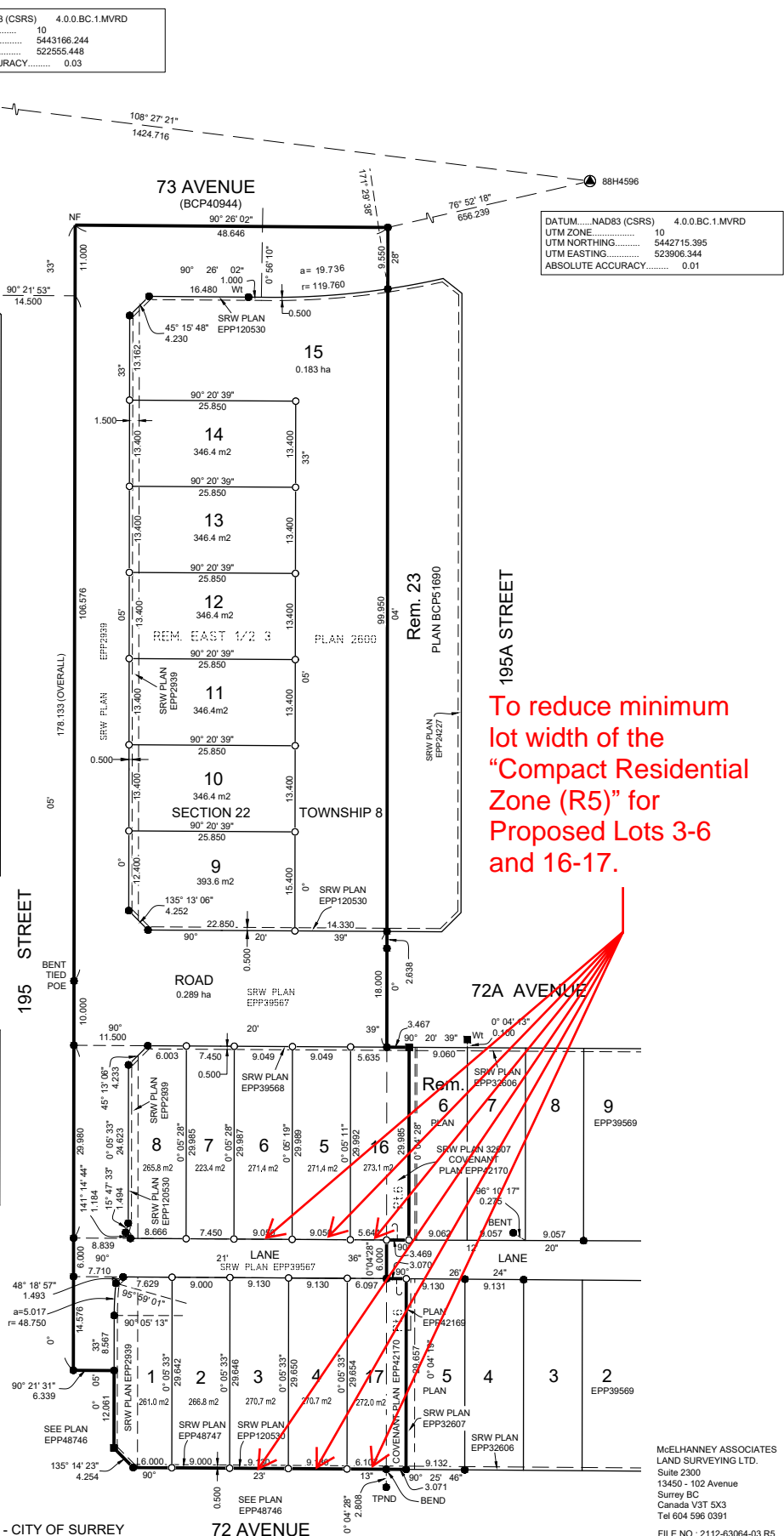
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McELHANNAY ASSOCIATES
LAND SURVEYING LTD.
Suite 2300
13450 - 102 Avenue
Surrey BC
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Tel 604 596 0391
FILE NO.: 2112-63064-03 R5