

City of Surrey  
PLANNING & DEVELOPMENT REPORT

Application No.: 7922-0107-00

Planning Report Date: May 30, 2022

**PROPOSAL:**

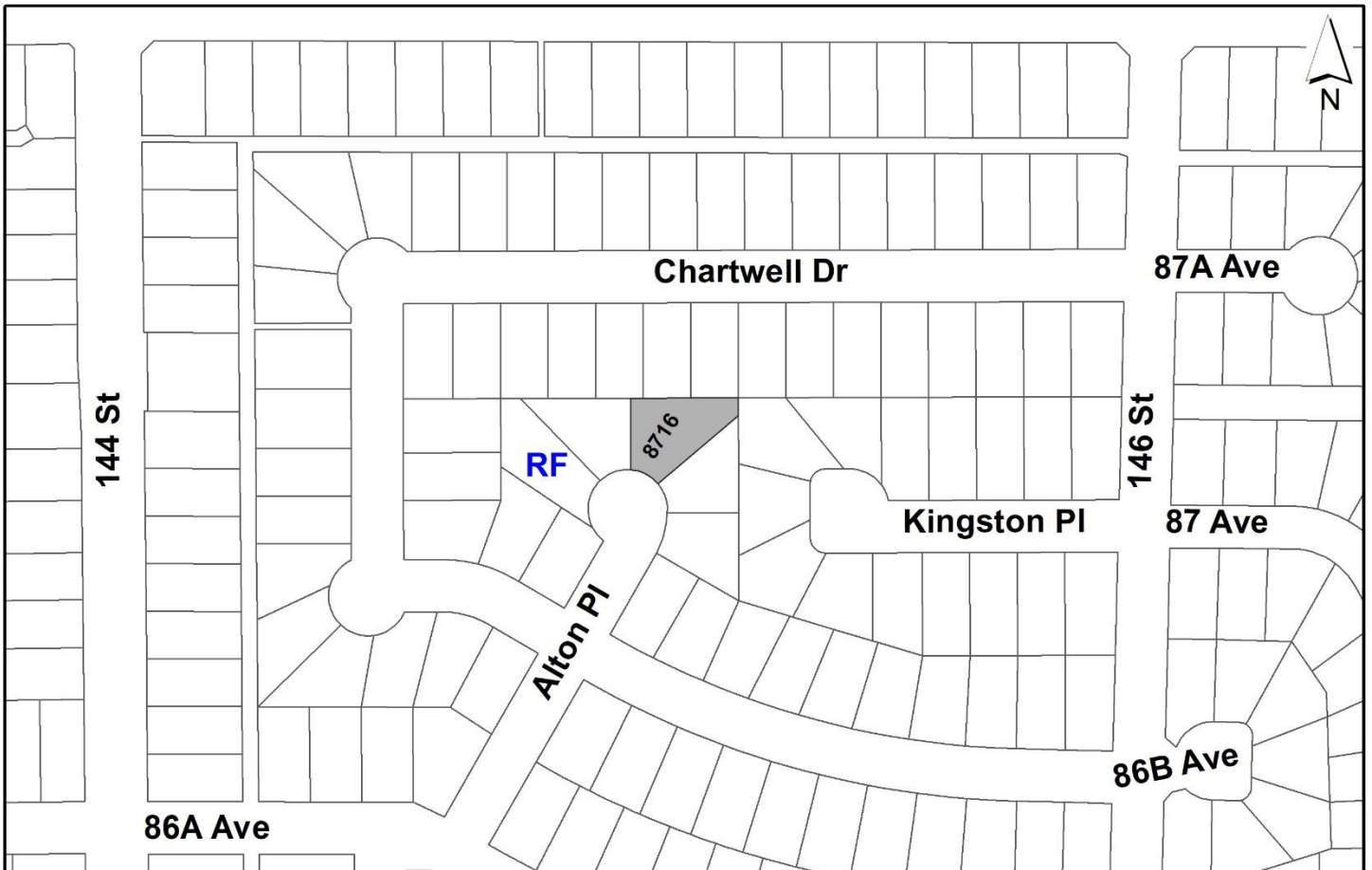
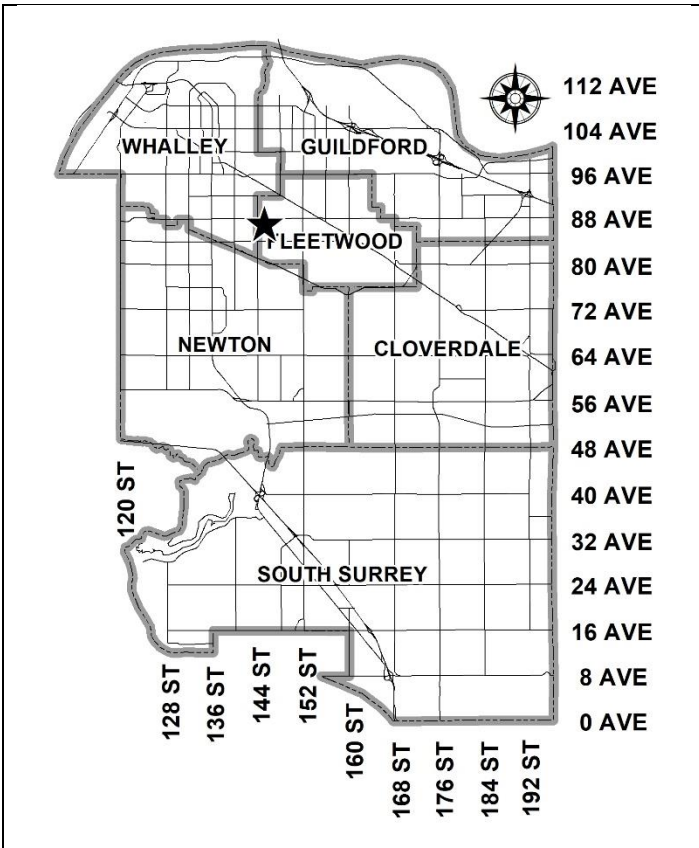
- **Development Variance Permit**

to reduce the minimum rear yard building setback on a lot encumbered by a natural gas transmission (FortisBC) right-of-way in order to construct a single family dwelling on the lot.

**LOCATION:** 8716 - Alton Place

**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 proposing to reduce the minimum rear yard setback requirement from a natural gas transmission right-of-way of the RF Zone.

**RATIONALE OF RECOMMENDATION**

- The proposal complies with the Urban designation in the Official Community Plan (OCP).
- The proposal complies with the General Urban designation in the Metro Vancouver Regional Growth Strategy (RGS).
- The proposed density and building form are appropriate for this part of Fleetwood.
- Without the variance, the applicant will not be able to achieve the maximum allowable house size under the RF Zone.
- The proposal retains a full-length driveway for vehicle parking.
- The applicant acknowledges that no accessory buildings and structures are permitted within the right-of-way area.
- Development Variance Permit Nos. 7922-0044-00, 7919-0324-00 and 7920-0174-00 were approved by Council for similar variances in this same neighbourhood on May 9, 2022, April 6, 2020, and October 19, 2020, respectively.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7922-0107-00 (Appendix II) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum rear yard setback from the natural gas transmission (FortisBC) right-of-way from 7.5 metres to 0.87 metres for the principal building.
2. Council instruct staff to resolve the following issues prior to final approval:
  - (a) discharge SRW U33042 on title which deals with the existing single family dwelling's encroachment on a portion of the right-of-way. The existing single family dwelling on the property has been demolished under Demolition Permit No. 2021-055882-000-00 and received final inspection approval on April 5, 2022.

## SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Single Family Dwelling	Urban	RF
North:	Single Family Dwelling	Urban	RF
East:	Single Family Dwelling	Urban	RF
South:	Cul-de-sac (road)		
West:	Single Family Dwelling	Urban	RF

### Context & Background

- The 923 square metre subject property is located in a cul-de-sac at 8716 Alton Place in Fleetwood. The lot is designated "Urban" in the Official Community Plan and currently zoned "Single Family Residential Zone (RF)" under the Surrey Zoning By-law No. 12000. The property was created on July 16, 1974, through subdivision and was under Land Use Contract No. 28, which was terminated on December 5, 2016.
- A 6.5 metre-wide FortisBC natural gas transmission right-of-way (ROW) encumbers the rear portion of the lot. Part 4 Section B.27 (a) of Zoning By-law 12000 states that the setback of principal buildings on lots containing a natural gas transmission right-of-way at the rear lot line shall not be less than 7.5 metres and such setback shall be measured at 90 degrees to the gas right-of-way boundary closest to the building line. The applicant is proposing a 0.87 metre setback from the ROW to the principal building in order to construct a new single family dwelling.

- Without varying the front and rear yard setbacks, the applicant will not be able to achieve the maximum allowable house size under the RF Zone.
- FortisBC has indicated that they recommend the full 7.5 metre setback from the right-of-way be retained in order to allow ancillary structures in the backyard and to prevent any issues with such structures in the future.
- The applicant acknowledges that varying the setback to 0.87 metres will preclude them from having any accessory buildings or structures on the lot.

## DEVELOPMENT PROPOSAL

### Planning Considerations

- The applicant is proposing to reduce the minimum rear yard setback from a natural gas transmission right-of-way for a proposed new single family dwelling on the lot in the Single Family Residential Zone (RF).

### Referrals

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

FortisBC: Prior to Building Permit issuance, the applicant must obtain a FortisBC pipeline and/or right-of-way permit.

FortisBC has requested that the City consider registering a restrictive covenant over the FortisBC right-of-way area to prevent any future accessory buildings or structures that FortisBC deems an encroachment within the right-of-way area. Staff recommend against an overlapping covenant. FortisBC may seek to obtain additional rights from the owner but this a private, civil matter between these two parties.

## POLICY & BY-LAW CONSIDERATIONS

### Regional Growth Strategy

- The site is designated "General Urban" in the Regional Strategy (RGS).
- General Urban areas are intended for residential neighborhoods.
- The proposed single family residential development complies with the RGS designation for the site.

## Official Community Plan

### Land Use Designation

- The subject property is designated "Urban" in the Official Community Plan (OCP). The proposed new single family dwelling complies with the Urban designation.

### Themes/Policies

- The proposed redevelopment supports the Sensitive Infill policy of the OCP. The proposed new single family dwelling is appropriate in scale and density to its neighbourhood context.

## Zoning By-law

### Setback Variance

- The applicant is requesting the following variances:
  - (a) to reduce the minimum rear yard setback from the natural gas transmission (FortisBC) right-of-way from 7.5 metres to 0.87 metres for the principal building.
- Without varying the front and rear yard setbacks, the applicant will not be able to achieve the maximum allowable house size under the RF Zone.
- The proposal retains a full-length driveway from Alton Place for vehicle parking.
- The applicant acknowledges that no accessory buildings and structures are permitted within the right-of-way area.
- The yard space within the right-of-way area will still provide a functional outdoor space (without buildings or structures) on the lot.
- Development Variance Permit Nos. 7922-0044-00, 7919-0324-00 and 7920-0174-00 were approved by Council for similar variances in this same neighbourhood on May 9, 2022, April 6, 2020, and October 19, 2020, respectively.
- Staff support the requested variances to proceed for consideration.

## TREES

- There are two Bylaw-sized trees on site. Any potential tree removal will be addressed at building permit stage in accordance with the Tree Protection Bylaw.

**INFORMATION ATTACHED TO THIS REPORT**

The following information is attached to this Report:

- Appendix I. Site Plan
- Appendix II. Development Variance Permit No. 7922-0107-00

*approved by Ron Gill*

Jeff Arason  
Acting General Manager  
Planning and Development

DQ/cm

E5HOME DESIGN INC.

www.e5design.ca

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13255 62 AVE  
SURREY, B.C.  
PHONE 604-512-9527  
e5design@outlook.com

PROPOSED HOUSE AT  
8716 ALTON PLACE  
SURREY B.C.

ZONING RF  
LOT AREA 9940 SQ FT  
PERMITTED FAR (60% X 6000)+( 35% X 3940)=4979 SQ. FT.  
MAIN FLOOR AREA = 1990 SQ FT  
GARAGE AREA = 420 SQ FT  
LEGAL SUITE AREA = 587 SQ FT  
FINISHED BASEMENT AREA = 1367 SQ FT  
BASEMENT WELL AREA = 288 SQ FT  
TOTAL MAIN FLOOR AREA = 2410 SQ FT  
PERMITTED TOP FLOOR AREA = 2505+0.8 = 2004 SQ. FT.  
PROPOSED TOP FLOOR AREA = 2002 SQ. FT.  
OPEN TO BELOW AREA = 444 SQ FT  
NET TOP FLOOR AREA = 1558 SQ FT  
REQUIRED 80/20 REDUCTION = 2505+0.2 = 501 SQ FT  
PROPOSED 80/20 REDUCTION = 92+78+332 = 502 SQ FT  
PROPOSED FAR = 2410+1558+244 = 4212 SQ. FT.  
PERMITTED DECK AREA 10%\*4979 SQ. FT.=497.9 SQ. FT.  
RESERVED DECK AREA FOR FRONT =160 SQ. FT.  
PROPOSED DECK AREA FRONT = 95 SQ. FT.  
REAR = 280 SQ FT  
TOTAL = 375 SQ. FT.  
BAY WINDOW+FIREPLACE=0 SQ FT  
PERMITTED LOT COVERAGE (32.12%)=3192.72 SQ FT.  
PROPOSED LOT COVERAGE = 2410+95+140 = 2645 SQ FT  
PERMITTED BUILDING HEIGHT 9 M 30 FT  
PROPOSED BUILDING HEIGHT 8.50 M

01 WRITTEN DIMENSIONS HAVE PRECEDENCE OVER SCALED DIMENSIONS

02 CONTRACTOR MUST CONFIRM ALL ON SITE CONDITIONS BEFORE STARTING WORK

03 ALL WORK MUST BE IN CONFIRMATION WITH REQUIREMENT OF B.C. BUILDING CODE LATEST EDITION.

04 MINIMUM CONCRETE STRENGTH AT 28 DAYS MUST BE 3000 P.S.I. AND ALL CONCRETE WORK MUST BE IN ACCORDANCE WITH C.S.A. 3.A231.

05 ALL FRAMING AND NAILING MUST BE IN ACCORDANCE TO B.C. BUILDING CODE PART 9 AND DESIGNED TO C.S.A. LATEST EDITION.

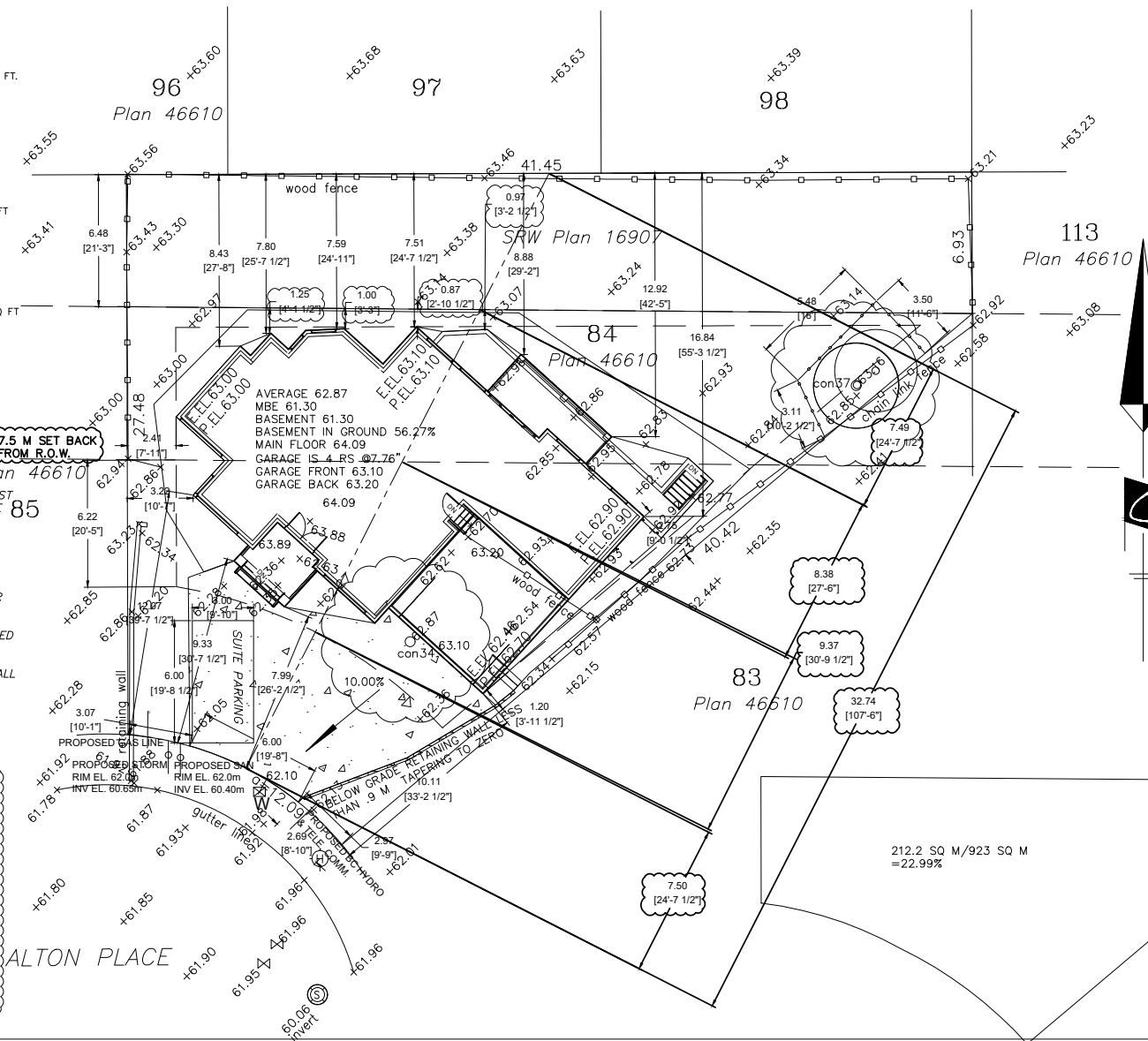
06 FRAMING LUMBER MUST BE DOUGLAS FIR #2 OR BETTER.

07 WOOD TRUSSES SHOULD BE DESIGNED AND SEALED BY P.ENG. REGISTERED IN B.C.

08 OWNER OR CONTRACTOR IS RESPONSIBLE FOR ALL STRUCTURAL ENGINEERING REQUIREMENTS.

SITE SURVEY IS PROVIDED BY Cameron Land Surveying Ltd.

WE HAVE 923 SQ M AREA OF LOT AREA WITH AVERAGE DEPTH OF 32.74 M AT MID POINT FROM FRONT TO BACK. IF WE FOLLOW GIVEN SETBACKS ONLY 6.22 M ON STRAIGHT SIDE AND 9.37 M @ MID POINT FOR BUILDING. UNDER THESE SETBACKS ONLY 22.99% IS AVAILABLE OUT OF WHICH 2.75% IS TRIANGULAR SHAPED NOT ABLE TO ACCOMMODATE LIVABLE SPACE. WE ARE PROPOSING BUILDING AREA OF 4212 SQ FT WHICH IS ABOUT 14.20% LESS THAN ALLOWABLE 4979 SQ FT WHICH IS NOT INTERFERING WITH FORTIS BC RIGHT OF WAY AND AT A MINIMUM OF 0.87M AWAY FROM RIGHT OF WAY BOUNDARY. THE PROPOSED BUILDING IS OUT OF ALL MINIMUM SETBACKS FROM PROPERTY LINES OF ZONING BYLAW EXCEPT 7.50 M FROM RIGHT OF WAY.



ALTON PLACE

212.2 SQ M / 923 SQ M  
= 22.99%

Project number	
Date	
Drawn by	
Checked by	
Scale	

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7922-0107-00

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: 006-124-127  
Lot 84 Section 27 Township 2 New Westminster District Plan 46610

8716 - Alton Place

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
  - (a) In Part 4 General Provisions, Section B.27 Setbacks from Natural Gas Transmission Rights of-Way, sub-section (a) Rear Setback for Principal Buildings, the minimum rear yard setback from the natural gas transmission right-of-way is reduced from 7.5 metres to 0.87 metres to the principal building.
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. 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 .

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Mayor – Doug McCallum

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City Clerk – Jennifer Ficocelli

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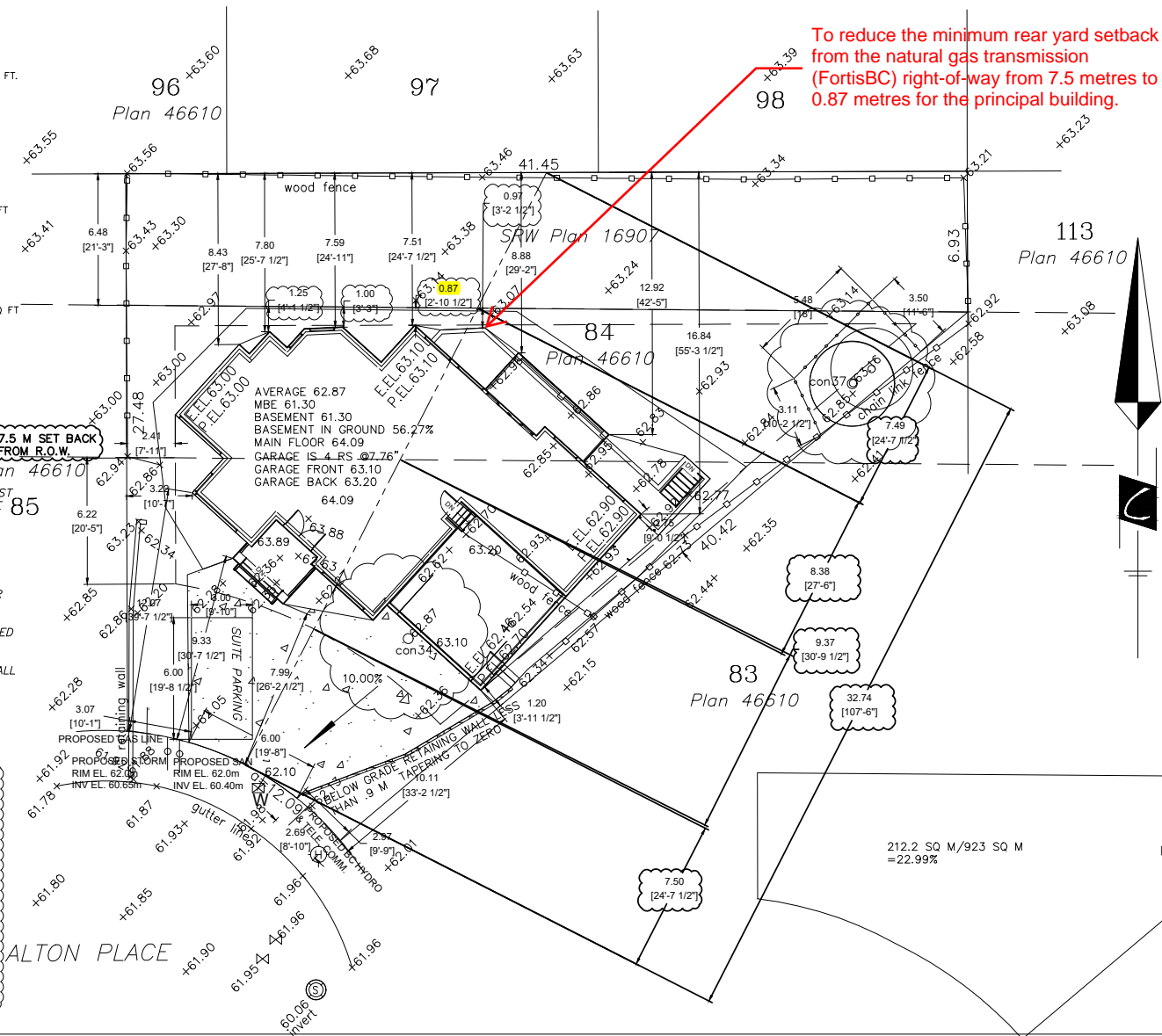
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