

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7910-0097-00

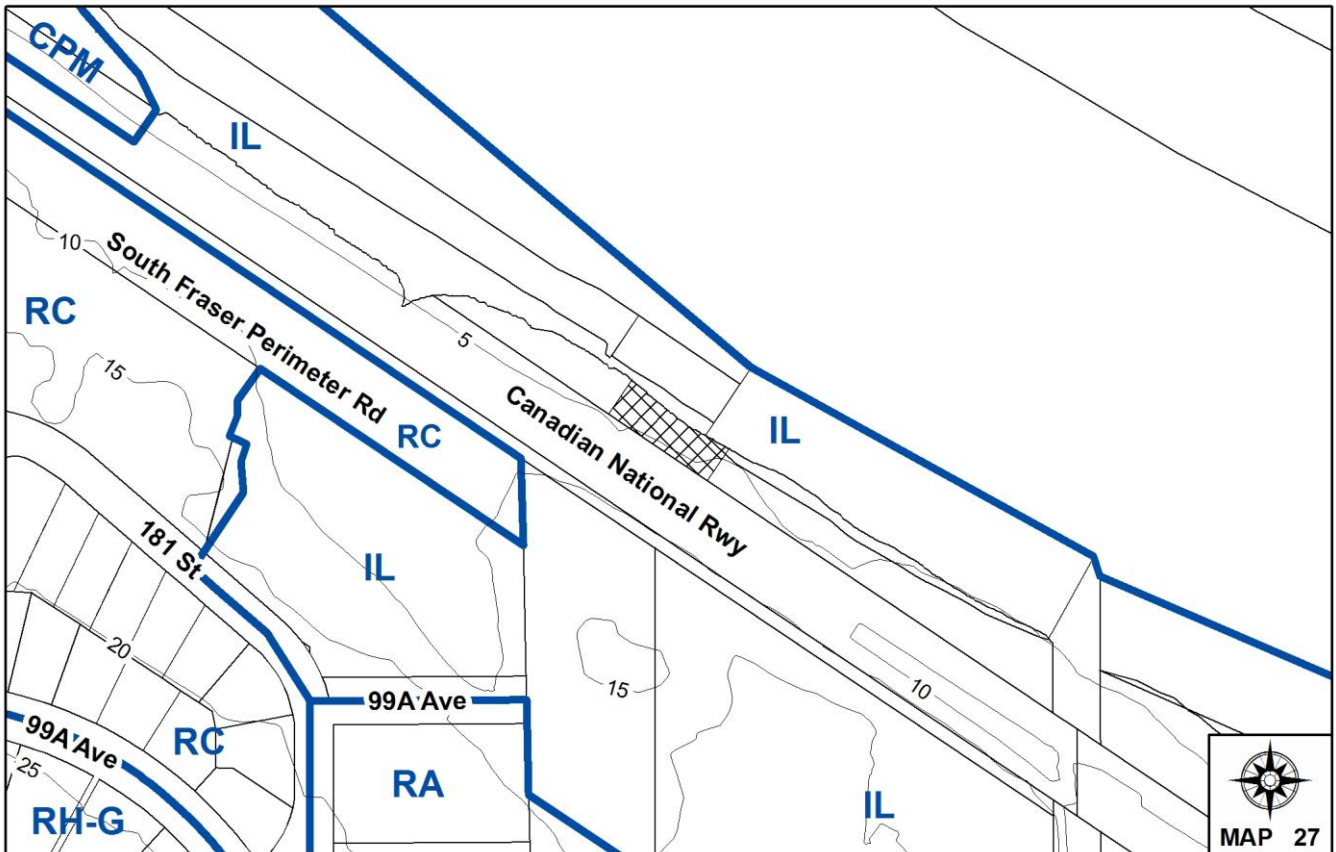
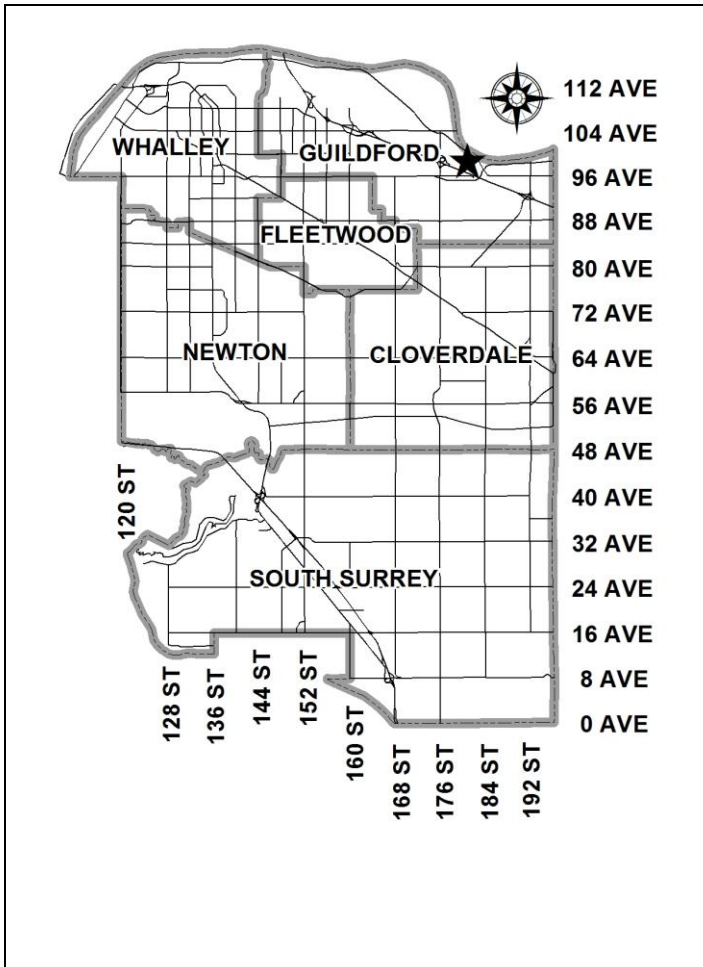
Planning Report Date: July 12, 2010

PROPOSAL:

- **Development Variance Permit**

to relax setbacks in order to allow the construction of a boat shed.

LOCATION: 18155 Canadian National Railway
OWNER: Leoran Virgil Anhorn and Marion Adele Anhorn
ZONING: IL
OCP DESIGNATION: Industrial
LAP DESIGNATION: Industrial



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is seeking reduced building setbacks.

RATIONALE OF RECOMMENDATION

- The configuration of the property significantly constrains development without reduced building setbacks.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7910-0097-00, (Appendix III) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front yard (north) setback of the IL Zone from 7.5 metres (25 ft.) to 3.4 metres (11 ft.); and
 - (b) to reduce the minimum rear yard (south) setback of the IL Zone from 7.5 metres (25 ft.) to 3.6 metres (12 ft.).

REFERRALS

Engineering: The Engineering Department has no objection to the project as outlined in Appendix II.

Fraser River Estuary Management Program (FREMP): FREMP has approved the siting of the proposed building, subject to conditions.

SITE CHARACTERISTICS

Existing Land Use: Boat moorage and storage.

Adjacent Area:

| Direction | Existing Use | OCP Designation | Existing Zone |
|---|--|-----------------|---------------|
| North (Across Parsons Channel): | Barnston Island | | |
| East: | Non-conforming single family house and out buildings. | Industrial | IL |
| South (Across Canadian National Rail Right-of-Way): | Future South Fraser Perimeter road, non-conforming single family home. | Industrial | IL |
| West: | Boat building, sales and rental. | Industrial | IL |

DEVELOPMENT CONSIDERATIONS

- The property owner has held title to the subject property since 1975 and has a foreshore lease with the Fraser Port Authority for an existing dock. He has resided at 18147 – 99A Avenue, to the south of the railway line, and has operated a fishing and boat repair business from the two lots.
- The subject property was created in 1911, and has legal frontage on Parsons Channel.
- The lands parallel to the south side of the Canadian National Railway are intended by the Gateway Program for a connector road from the South Fraser Perimeter Road at 176 Street and 104 Avenue to the intersection of 96 Avenue and the Golden Ears Bridge connector. Gateway has recently completed the acquisition of the property at 18147 – 99A Avenue and will be removing the existing single family dwelling in the near future and begin the pre-load of the property to facilitate the future road construction.
- With the purchase of his home and outbuildings, the property owner would like to continue his fishing business and would like to construct a building on the property at 18155 Canadian National Railway, the subject property.
- The subject property is approximately 786 square metres (8,460 sq. ft.) in area, and lies between the Canadian National Railway and Parsons Channel. Access to the site is by a gravel vehicle driveway which runs parallel to the north side of the railway tracks, and has been secured through a license agreement with Canadian National Railway.
- The proposed building has a floor area of 139.3 square metres (1,500 sq. ft.). The proposal represents a floor area ratio (FAR) of 0.18 and a lot coverage of 17.82% which is well within the maximum FAR of 1.0 and lot coverage of 60% permitted in the IL Zone.
- The subject property is currently serviced with water and power from a single family dwelling at 18147 - 99A Avenue with a conduit under the Canadian National Railway. A license agreement for this conduit has been entered into with the railway.
- The subject property is located within a floodplain and will be constructed at a 4.4 metres geodetic elevation to satisfy floodproofing requirements.
- With the property acquisition by the Gateway Program, the applicant has provided an alternate servicing plan, which includes water, sewer and utilities, that will be required to be approved by the Engineering Department prior to any building permit being issued.

DESIGN PROPOSAL AND REVIEW

- The proposed industrial building will be oriented east-west on the property.
- The existing driveway constructed on the north side of the rail right-of-way will provide access into the site. Gateway is currently reviewing the road intersection of the South Fraser Perimeter Road connector and 182A Street. This intersection may have restricted turning movement upon completion of the road construction.

- The building is proposed to be constructed with metal cladding and a roof, painted earth tone. The proposed size of the building satisfies the building requirement in Part 4 General Provisions of Surrey Zoning By-law No. 12000, by having a floor area over 100 square metres (1,075 sq. ft.)
- The proposed building is 6.9 metres (22.5 ft.) in height, which is within the 18 metres (60 ft.) permitted in the IL Zone.
- The site is located within a floodplain and will be constructed at the 4.4-metre (14.4 ft.) geodetic flood elevation.
- The subject property is exempt from a Development Permit as it does not front an arterial road and is not adjacent residential uses.

BY-LAW VARIANCE & JUSTIFICATION

(a) Requested Variance:

- To relax the minimum front and rear yard setbacks of the IL Zone from 7.5 metres (25 ft.) to 3.4 metres (11 ft.) and 3.6 metres (12 ft.) respectively.

Applicant's Reasons:

- The subject property is 14.71 (48 feet) in depth. The requirement of 7.5-metre (25 ft.) setbacks from the front and rear property lines renders the property undevelopable without a variance.

Staff Comments:

- Staff concur with the applicant.

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. | Engineering Summary |
| Appendix III. | Development Variance Permit No. 7910-0097-00 |

Jean Lamontagne
General Manager
Planning and Development

LAP/kms

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Information for City Clerk

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

1. (a) Agent: Name: Oleg Verbenkov, Pacific Land Resources Group
 Address: #101 – 7485 – 130 Street
 Surrey, BC
 V3W 1H8
 Tel: 604-501-1624

2. Properties involved in the Application
 - (a) Civic Address: 18155 Canadian National Railway

 - (b) Civic Address: 18155 Canadian National Railway
 Owners: Leoran Virgin Anhorn and Marion Adele Anhorn
 PID: 002-520-010
 Lot H District Lot 121 Group 2 New Westminster District Plan 911

3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7910-0097-00.

DEVELOPMENT DATA SHEET

Existing Zoning: IL

| Required Development Data | Minimum Required / Maximum Allowed | Proposed |
|-------------------------------------|---------------------------------------|----------------------|
| LOT AREA (in square metres) | | |
| Gross Total | | 786 m ² |
| Road Widening area | | |
| Undevelopable area | | |
| Net Total | | 786 m ² |
| LOT COVERAGE (in % of net lot area) | | |
| Buildings & Structures | 60% | 17.7% |
| Paved & Hard Surfaced Areas | | |
| Total Site Coverage | | |
| SETBACKS (in metres) | | |
| Front (North) | 7.5 m | 3.41 m* |
| Rear (South) | 7.5 m | 3.68 m* |
| Side #1 (West) | 7.5 m | 17.61 m |
| Side #2 (East) | 7.5 m | 14.38 m |
| BUILDING HEIGHT (in metres/storeys) | n/a | n/a |
| Principal | | |
| Accessory | 1 | n/a |
| NUMBER OF RESIDENTIAL UNITS | | |
| Bachelor | | |
| One Bed | | |
| Two Bedroom | | |
| Three Bedroom + | | |
| Total | | |
| FLOOR AREA: Residential | | |
| FLOOR AREA: Commercial | | |
| Retail | | |
| Office | | |
| Total | | |
| FLOOR AREA: Industrial | 786 m ² | 139.3 m ² |
| FLOOR AREA: Institutional | | |
| TOTAL BUILDING FLOOR AREA | 786 m ² | 139.3 m ² |

* *Variance requested.*

Development Data Sheet cont'd

| Required Development Data | Minimum Required / Maximum Allowed | Proposed |
|---|---------------------------------------|----------|
| DENSITY | | |
| # of units/ha /# units/acre (gross) | | |
| # of units/ha /# units/acre (net) | | |
| FAR (gross) | 1.0 | .18 |
| FAR (net) | | |
| | | |
| AMENITY SPACE (area in square metres) | n/a | n/a |
| Indoor | | |
| Outdoor | | |
| | | |
| PARKING (number of stalls) | | |
| Commercial | | |
| Industrial | 1 | 1 |
| | | |
| Residential Bachelor + 1 Bedroom | | |
| 2-Bed | | |
| 3-Bed | | |
| Residential Visitors | | |
| | | |
| Institutional | | |
| | | |
| Total Number of Parking Spaces | 1 | 1 |
| | | |
| Number of disabled stalls | | |
| Number of small cars | | |
| Tandem Parking Spaces: Number / % of Total Number of Units | | |
| Size of Tandem Parking Spaces width/length | | |

| | | | |
|---------------|----|---------------------------------|----|
| Heritage Site | NO | Tree Survey/Assessment Provided | NO |
|---------------|----|---------------------------------|----|