

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7910-0192-00

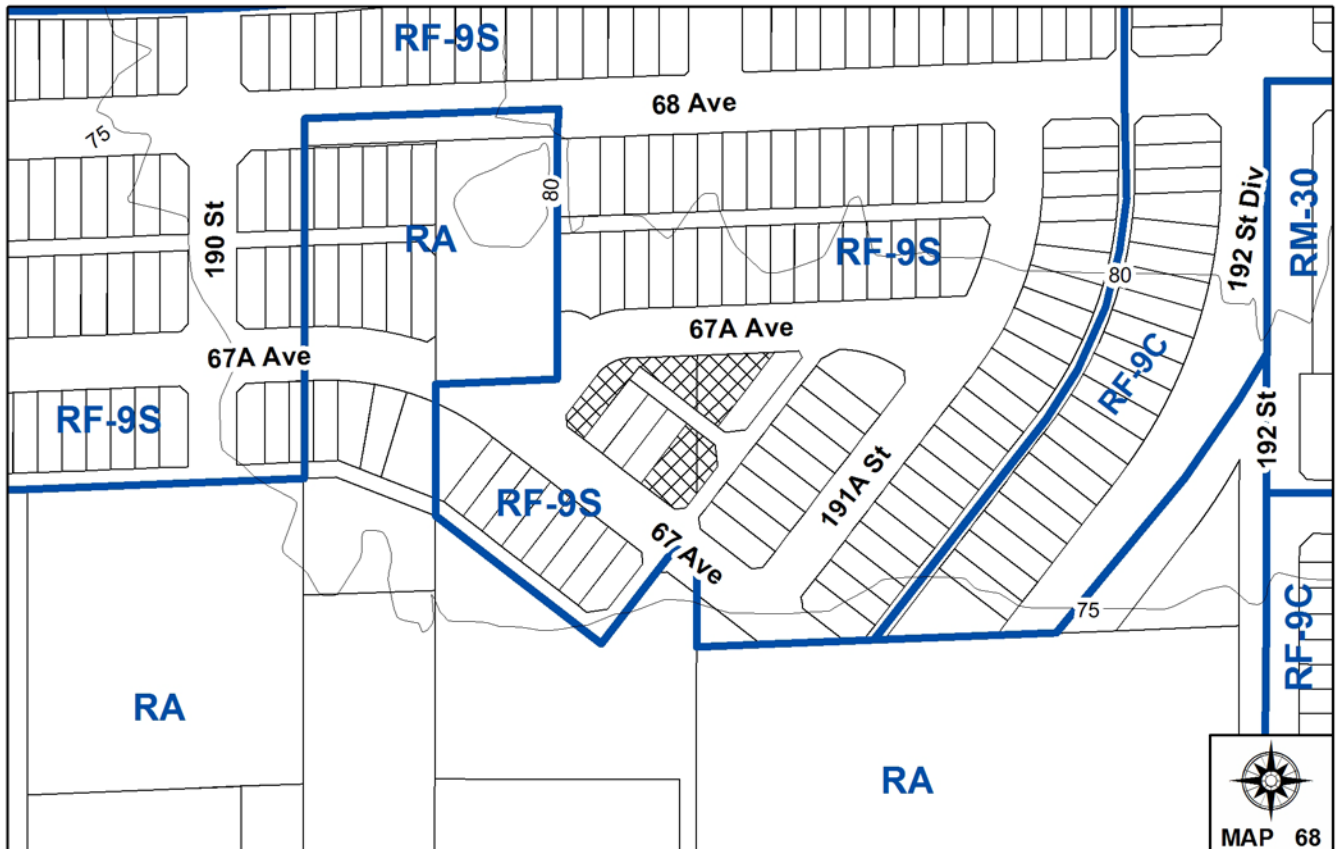
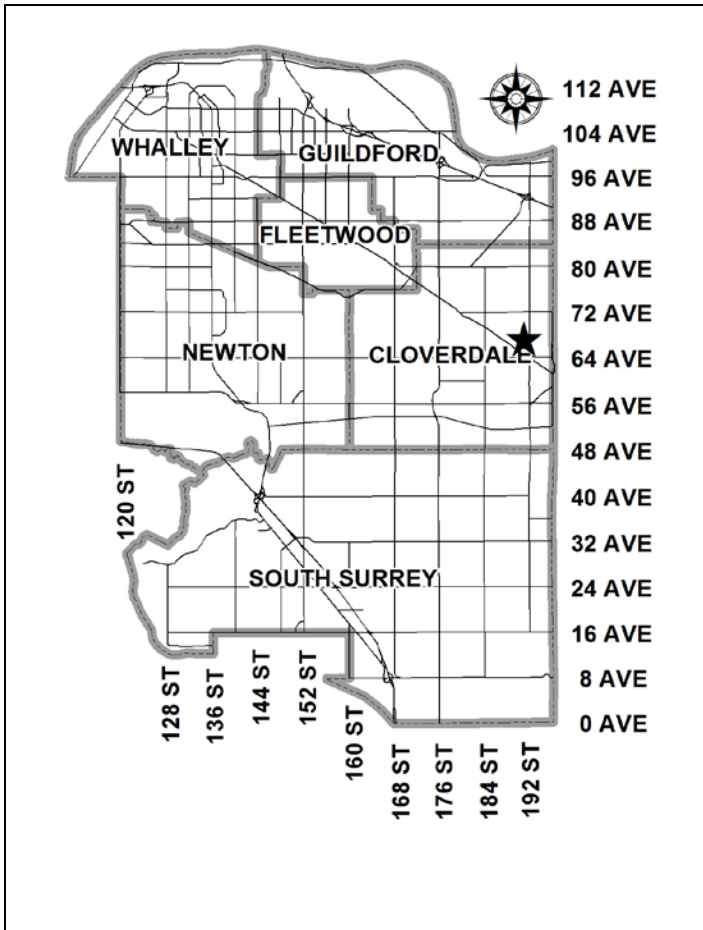
Planning Report Date: December 13, 2010

PROPOSAL:

- **Development Variance Permit**

in order to reduce lot depth for one proposed lot and to reduce setbacks for two proposed lots, to permit a 5-lot subdivision.

LOCATION: 19110 – 67A Avenue, 19065 and 19109 – 67 Avenue
OWNER: Raj Kumar Gupta et al
ZONING: RF-9S
OCP DESIGNATION: Urban
NCP DESIGNATION: Special Residential (10 to 15 upa)



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking reduced lot depth and reduced rear yard setback for the garage portion of the principal building for proposed Lot B.
- Seeking reduced separation between the principal building and accessory building for proposed Lot D.

RATIONALE OF RECOMMENDATION

- Due to the irregular shape of proposed Lot B, the variances to lot depth and to rear yard setback to allow an attached garage will allow a better house design for proposed Lot B.
- The proposed variance will allow a more efficiently used rear yard while allowing a larger house without impacting the size of the rear yard for proposed Lot D.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7910-0192-00, (Appendix III) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum lot depth of the RF-9S Zone from 28 metres (90 ft.) to 19.5 metres (64 ft.) for proposed Lot B;
 - (b) to reduce the minimum rear yard setback of the principal building of the RF-9S Zone from 6.5 metres (21 ft.) to 0.5 metre (2 ft.) for the attached garage on proposed Lot B; and
 - (c) to reduce the minimum separation between the principal building and an accessory building of the RF-9S Zone from 6.0 metres (20 ft.) to 5.0 metres (16 ft.) for 50% of the garage wall for proposed Lot D.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Vacant lots which are remnants from previous development applications (Nos. 7904-0193-00 and 7905-0384-00).

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North (Across 67A Avenue):	Single family dwellings.	Special Residential (10-15 upa)	RF-9S
South-East (Across Lane):	Single family dwellings.	Special Residential (10-15 upa)	RF-9S
West (Across 67 Avenue):	Wooded vacant lots.	Special Residential (10-15 upa)	RF-9S
South-West (Across 67 Avenue):	Single family dwellings.	Special Residential (10-15 upa)	RF-9S

DEVELOPMENT CONSIDERATIONS

- The three subject properties are located at 19100 - 67A Avenue and 19065 and 19109 - 67 Avenue and are zoned "Special Single Family Residential (9) Zone (RF-9S)." The properties are designated "Special Residential 10 to 15 u.p.a." in the East Clayton Neighbourhood Concept Plan (NCP).
- The subject properties are remnants of previous development applications (7904-0193-00 and 7905-0384-00) which were approved on January 25, 2007 and January 28, 2008 respectively. These applications rezoned the subject lots to RF-9S, which allows low impact retail, office establishments or service uses, as an optional use, within single family dwellings and either a secondary suite or a coach house.
- A development application has been submitted to subdivide the 3 remnant lots into five (5) RF-9S lots. The current subdivision layout follows the proposed concept from previous applications.
- The majority of the site's land area is encumbered by no-build Restrictive Covenants which were secured to facilitate the current joint application. These Restrictive Covenants will be discharged as a condition of the proposed subdivision.
- A coach house is not feasible on proposed Lot B as it will not meet the 6.0-metre (20 ft.) separation requirement (between principal building and coach house) of the RF-9S Zone. The applicant is proposing an attached single storey double garage. A building scheme will need to be registered on title to ensure that the garage is single storey to reduce the massing of the dwelling from 67A Avenue (see By-law Variance section).
- Due to the irregular shape of proposed Lot B, the applicant requires variances for lot depth and rear yard setback for the garage portion of principal building (see By-law Variance section).
- To increase the footprint of the principal building on proposed Lot D, the applicant proposes a variance to reduce the separation between the principal building and the detached garage from 6.0 metres (20 ft.) to 5.0 metres (16 ft.) for 50% of the garage face (see By-law Variance section).

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum lot depth of the RF-9S Zone from 28 metres (90 ft.) to 19.5 metres (64 ft.) for proposed Lot B.

Applicant's Reasons:

- Although proposed Lot B is the largest of the proposed lots, it is not very deep due to the triangular shape of the property.
- A proposed house design has been submitted for the subject lot which illustrates the buildable area of the lot, subject to the requested variances being approved.

Staff Comments:

- Proposed Lot B is 445.7 square metres (4,800 sq. ft.) in size, which is considerably larger than the 250-square metre (2,690 sq. ft.) minimum lot size of the RF-9S Zone.
- The proposed lot depth is similar to the minimum RF-9 Type III lot depth of 22 metres (72 ft.).
- Staff support the requested variance.

(b) Requested Variance:

- To reduce the rear yard setback of the principal building from 6.5 metres (21 ft.) to 0.5 metre (2 ft.) for the attached garage on proposed Lot B.

Applicant's Reasons:

- The proposed attached garage is considered the principal building which requires a 6.5-metre (21 ft.) rear yard setback. The triangular shaped property makes building siting difficult to achieve without variances.
- A proposed building design has been submitted for the subject lot which illustrates what can be achieved on the site if variances are approved.

Staff Comments:

- An attached garage will allow a more efficient use of the lot.
- The Building Scheme restrictive covenant will limit the garage portion of the principal building to one-storey, to break up the massing.
- Staff support the requested variance.

(c) Requested Variance:

- To reduce the minimum separation between the principal building and the accessory building of the RF-9S Zone from 6.0 metres (20 ft.) to 5.0 metres (16 ft.) for 50 per cent of the garage wall for proposed Lot D.

Applicant's Reasons:

- There is no net loss in the size of the rear yard due to a 7.0-metre (23 ft.) separation between the principal building and the remaining 50% of the garage.
- The requested variance will allow an increased floor area which is closer to the maximum allowed under the RF-9S Zone
- A proposed house design has been submitted for the subject lot which is an example of a proposed home.

Staff Comments:

- To offset the proposed reduced separation, the remaining 50% of the garage wall is increased to 7 metres (23 ft.). As such, there will be no net loss in the size of the rear yard.
- The developable area of proposed Lot D is compromised by a 6.0-metre (20 ft.) by 6.0-metre (20 ft.) corner cut between the two lanes.
- Staff support the requested variance.

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.	Proposed Subdivision Layout, Proposed Streetscape and Proposed Variances
Appendix III.	Development Variance Permit No. 7910-0192-00

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

JKS/kms

v:\wp-docs\planning\plncomio\1171144jks.doc
. 11/17/10 11:56 AM

Information for City Clerk

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

1. (a) Agent: Name: James Pernu, McElhanney Consulting Services Ltd.
 Address: 13160 – 88 Avenue
 Surrey, BC
 V3W 3K3
 Tel: 604-765-6575

2. Properties involved in the Application

- (a) Civic Addresses: 19110 – 67A Avenue, 19065 and 19109 – 67 Avenue

- (b) Civic Address: 19110 – 67A Avenue
 Owner: Raj Kumar Gupta and Harmadan Singh Gadhri
 PID: 027-230-198
 Lot 79 Section 16 Township 8 New Westminster District Plan BCP32098

- (c) Civic Address: 19065 – 67 Avenue
 Owner: Rajinder Singh Chauhan
 PID: 027-454-029
 Lot 11 Section 16 Township 8 New Westminster District Plan BCP35548

- (d) Civic Address: 19109 – 67 Avenue
 Owner: 0741210 BC Ltd., Inc. No. 0741210
 Director Information:
 Gurpreet Singh Gill
 Manmohan Singh Gill

 Officer Information as at November 23, 2009
 Gurpreet Singh Gill (President)
 PID: 027-454-061
 Lot 15 Section 16 Township 8 New Westminster District Plan BCP35548

3. Summary of Actions for City Clerk's Office

- (a) Proceed with Public Notification for Development Variance Permit No. 7910-0192-00.

SUBDIVISION DATA SHEET

Existing Zoning: RF-9S

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	.39 ac.
Hectares	.17 ha
NUMBER OF LOTS	
Existing	3
Proposed	5
SIZE OF LOTS	
Range of lot widths (metres)	9.0 m – 42.15 m
Range of lot areas (square metres)	251.9 sq.m. – 445.7 sq.m.
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	12.82 lots/ac 29.41 lots/ha
Lots/Hectare & Lots/Acre (Net)	12.82 lots/ac 29.41 lots/ha
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	52%
Estimated Road, Lane & Driveway Coverage	5%
Total Site Coverage	57%
PARKLAND	
Area (square metres)	
% of Gross Site	
	Required
PARKLAND	
5% money in lieu	NO
TREE SURVEY/ASSESSMENT	NO
MODEL BUILDING SCHEME	YES
HERITAGE SITE Retention	NO
BOUNDARY HEALTH Approval	NO
DEV. VARIANCE PERMIT required	
Road Length/Standards	NO
Works and Services	NO
Building Retention	NO
Others	NO

This drawing and design is the property of McElhanney Consulting Services Ltd. and shall not be used, reused or reproduced without the consent of the said company. McElhanney Consulting Services Ltd. will not be held responsible for the improper or unauthorized use of this drawing and design.



NOTES:

- PRELIMINARY LAYOUT ONLY, SUBJECT TO APPROVAL.
- AREAS AND DIMENSIONS ARE SUBJECT TO DETAILED SURVEY AND CALCULATION, AND MAY VARY.
- NOT TO BE USED FOR LEGAL TRANSACTIONS.

Proposed Subdivision
Sketch 1

Scale: 1: 750

Date: June 18, 2010

Job No.: 2111-P5052-0



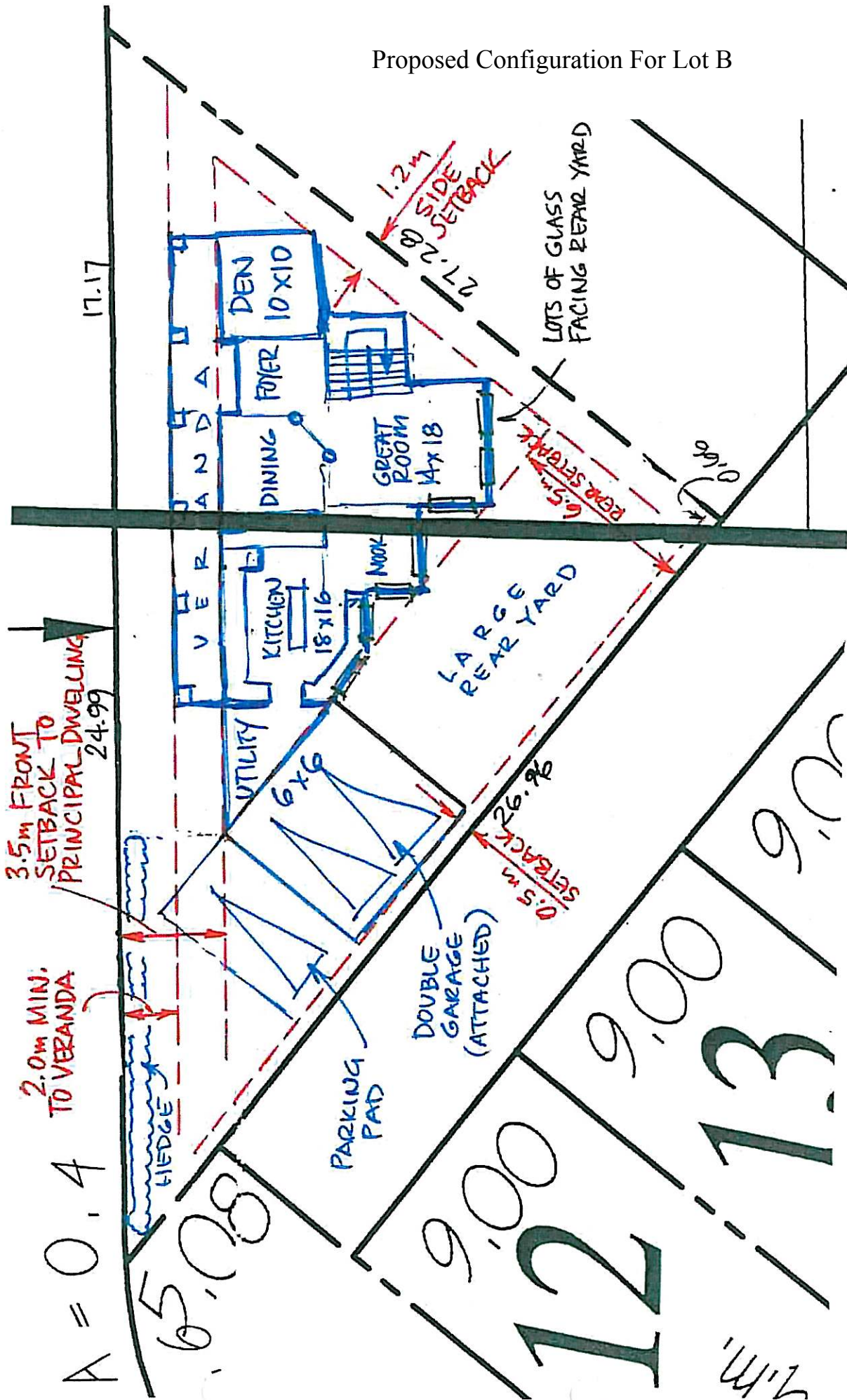
McElhanney Consulting Services Ltd.

13160-88TH AVENUE
SURREY, B.C.

PHONE (604) 596-0391
FAX (604) 596-8853

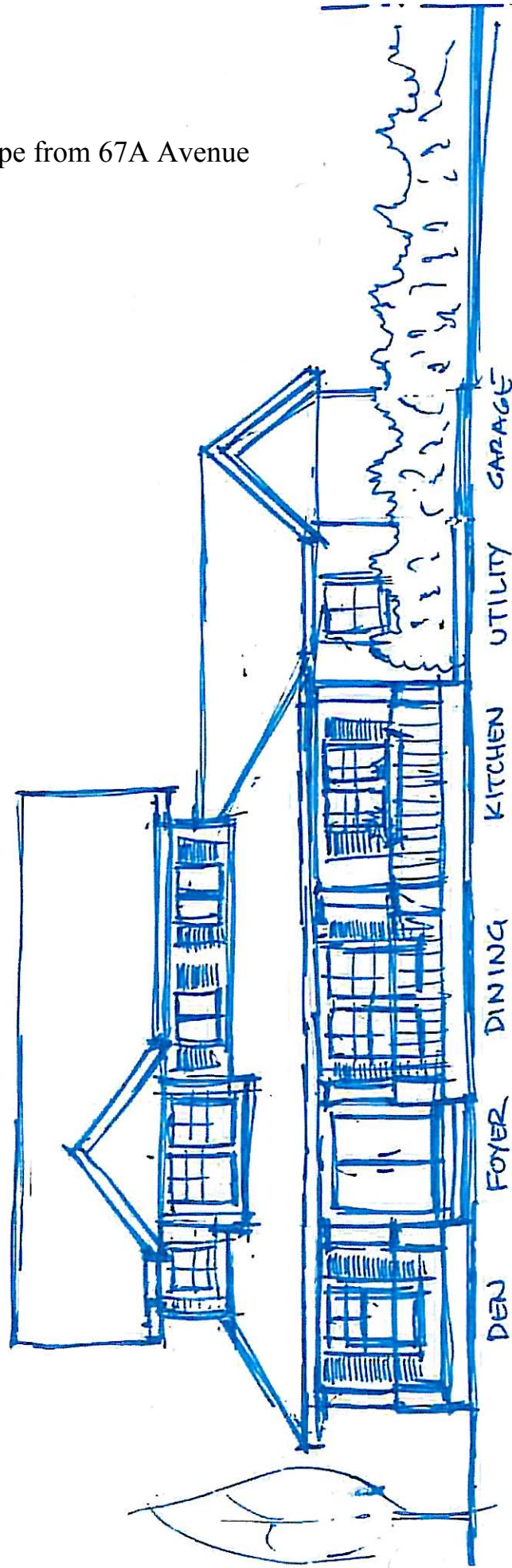
Proposed Configuration For Lot B

$261 \text{ m}^2 + 185 \text{ m}^2 = 446 \text{ m}^2$



NOTE: MAIN FLOOR PLAN IS DRAWN LARGER THAN WOULD BE SUITABLE FOR RF-9 TO DEMONSTRATE THAT THERE IS SUFFICIENT ROOM FOR...

Proposed Streetscape from 67A Avenue
for Proposed Lot B



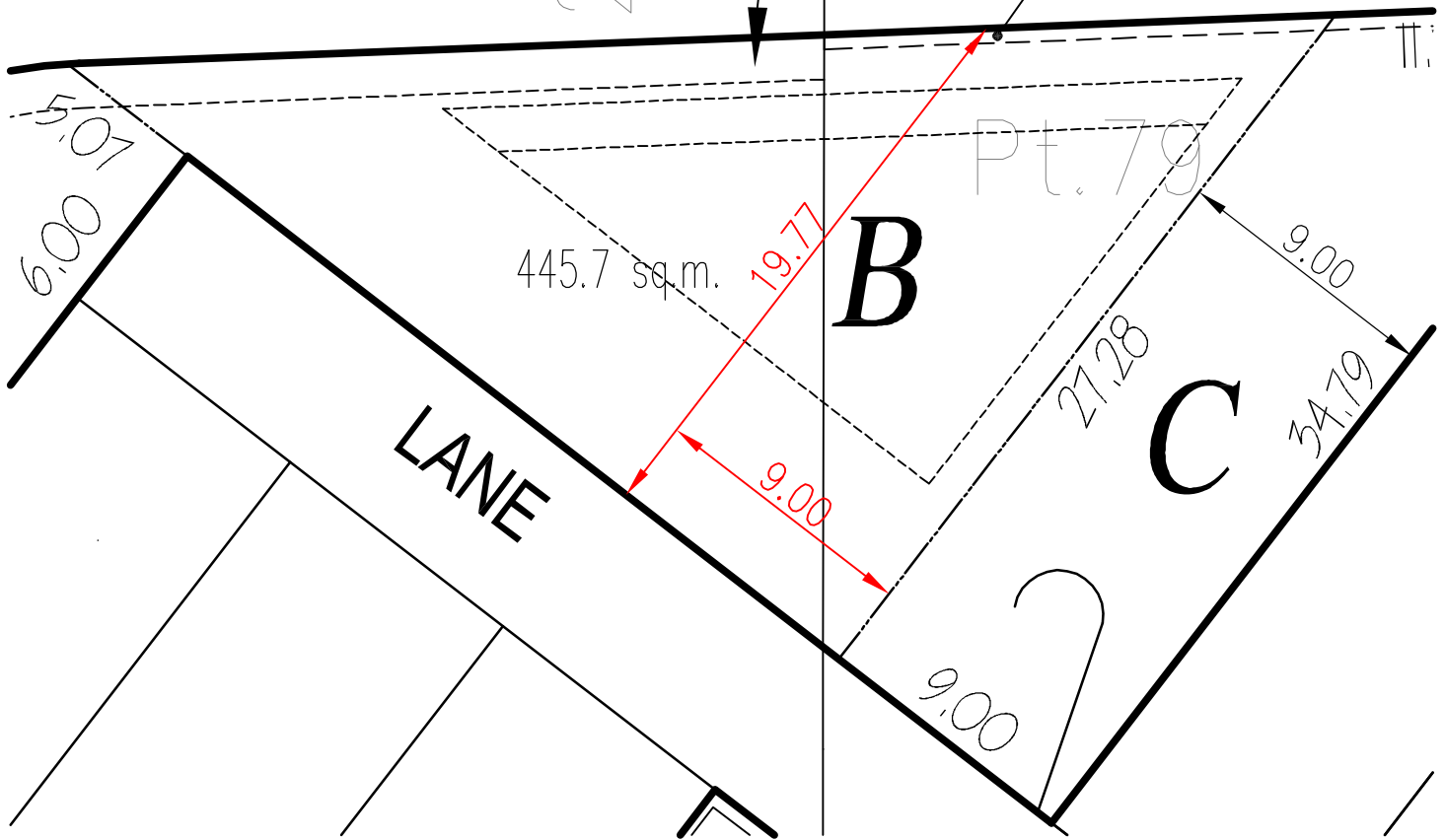
FRONT ELEVATION

This drawing and design is the property of McElhanney Consulting Services Ltd. and shall not be used, reused or reproduced without the consent of the said company. McElhanney Consulting Services Ltd. will not be held responsible for the improper or unauthorized use of this drawing and design.

67A AVENUE

SRW PLAN BCP29836

SRW PLAN
BCP29170



445.7 sq.m.

B

C

LANE

Pt. 79

PROPOSED LOT B IS BASED ON
RF-9C ZONE LOT;
MINIMUM 250 sq.m.
MIN. 9.0m WIDTH
MIN. 28.0m DEPTH
WITH DVP TO 19.7m DEEP
AS SHOWN

NOTES:

- PRELIMINARY LAYOUT ONLY, SUBJECT TO APPROVAL.
- AREAS AND DIMENSIONS ARE SUBJECT TO DETAILED SURVEY AND CALCULATION, AND MAY VARY.
- NOT TO BE USED FOR LEGAL TRANSACTIONS.

Proposed Subdivision
Sketch 1
Lot B Detail

Scale: 1:250

Date: November 17, 2010

Job No.: 2111-02734-0



McElhanney Consulting Services Ltd.

13160-88TH AVENUE
SURREY, B.C.

PHONE (604) 596-0391
FAX (604) 596-8853

43(Proj)2111-02734-0 04 131 and 67 Ave Surrey V03 03A(11/17/2010 4:26:54 PM) 44005 PDF

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO. 7910-0192-00

Issued To: RAJ KUMAR GUPTA

Address: 25 East 48th Avenue
Vancouver, BC
V5W 2C5

Issued To: HARMADAN SINGH GADHRI

Address: 8869 Edingburgh Drive
Surrey, BC
V3V 6R7

Issued To: RAJINDER SINGH CHAUHAN

Address: 6061 - 172A Street
Surrey, BC
V3S 4V8

Issued To: 07411210 B.C. LTD., INC. NO. 0741210

Address: 6565 - 124 Street
Surrey, BC
V3W 1P7

(collectively referred to as the "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: 027-230-198
Lot 79 Section 16 Township 8 New Westminster District Plan BCP32098

19910 - 67A Avenue

Parcel Identifier: 027-454-029
Lot 11 Section 16 Township 8 New Westminster District Plan BCP35548

19065 – 67 Avenue

Parcel Identifier: 027-454-061
Lot 15 Section 16 Township 8 New Westminster District Plan BCP35548

19109 – 67 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 Section K.2 of Part 17E Special Single Family Residential (9) Zone (RF-9S) the minimum lot depth is reduced from 28 metres (90 ft.) to 19.5 metres (64 ft.) for proposed Lot B;
- (b) In Section F of Part 17E Special Single Family Residential (9) Zone (RF-9S) the minimum rear yard setback for a principal building is reduced from 6.5 metres (21 ft.) to 0.5 metre (2 ft.) for only the garage portion of the principal building for proposed Lot B; and
- (c) In Footnote 3 of Section F of Part 17E Special Single Family Residential (9) Zone (RF-9S) the minimum separation of 6.0 metres (20 ft.) is reduced to 5.0 metres (16 ft.) for up to 50% of the width of the accessory building for Lot D.

5. The siting of buildings and structures shall be in accordance with the drawings numbered 7910-0192-00 (A) through to and including 7910-0192-00 (B) (the "Drawings") which are attached hereto and form part of this development variance permit.

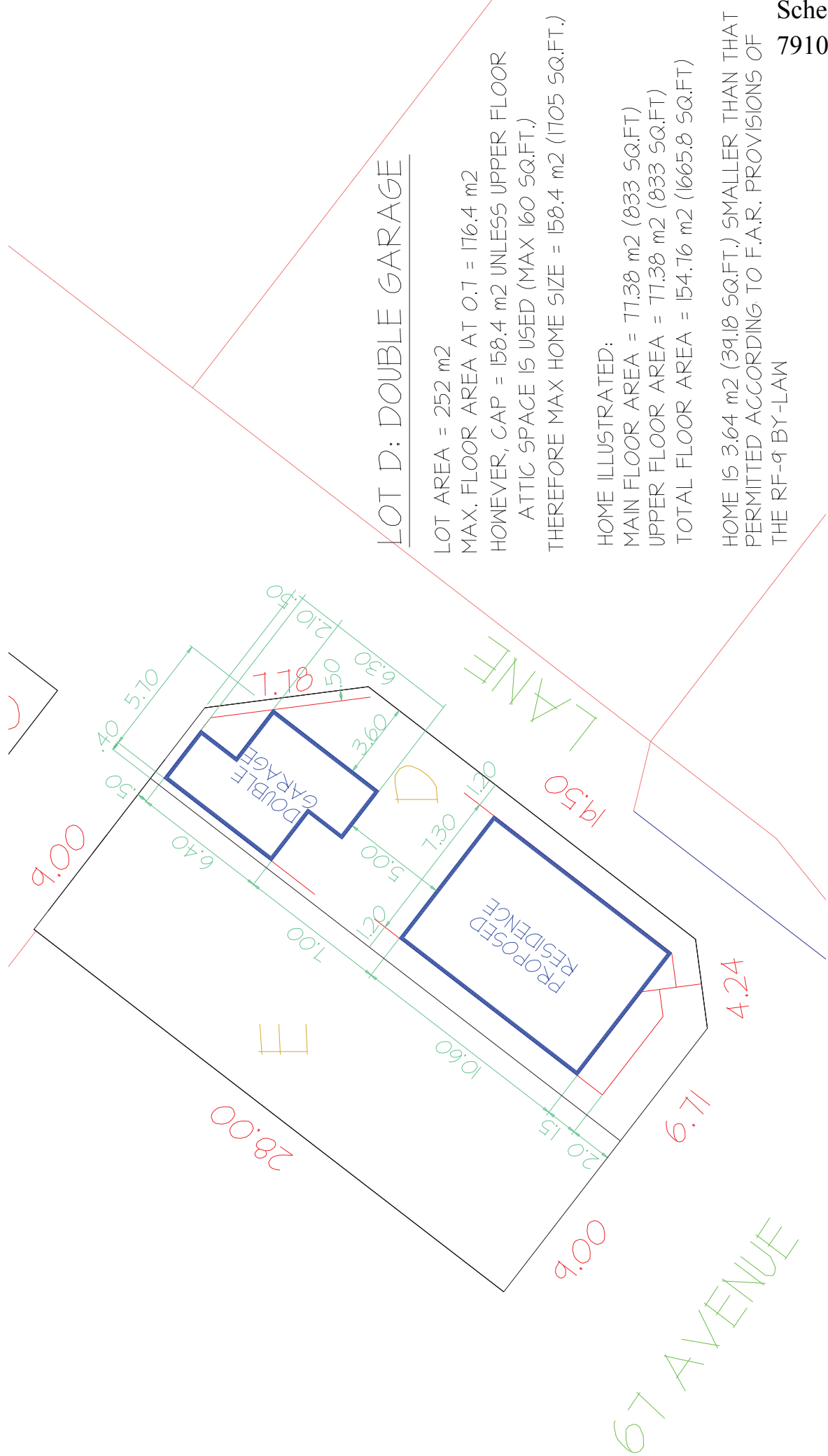
6. This development variance permit applies to only the portion of the Land shown on Schedule A which is attached hereto and forms part of this development variance permit.

7. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
8. 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.
9. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
10. 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 – Dianne L. Watts

City Clerk – Jane Sullivan



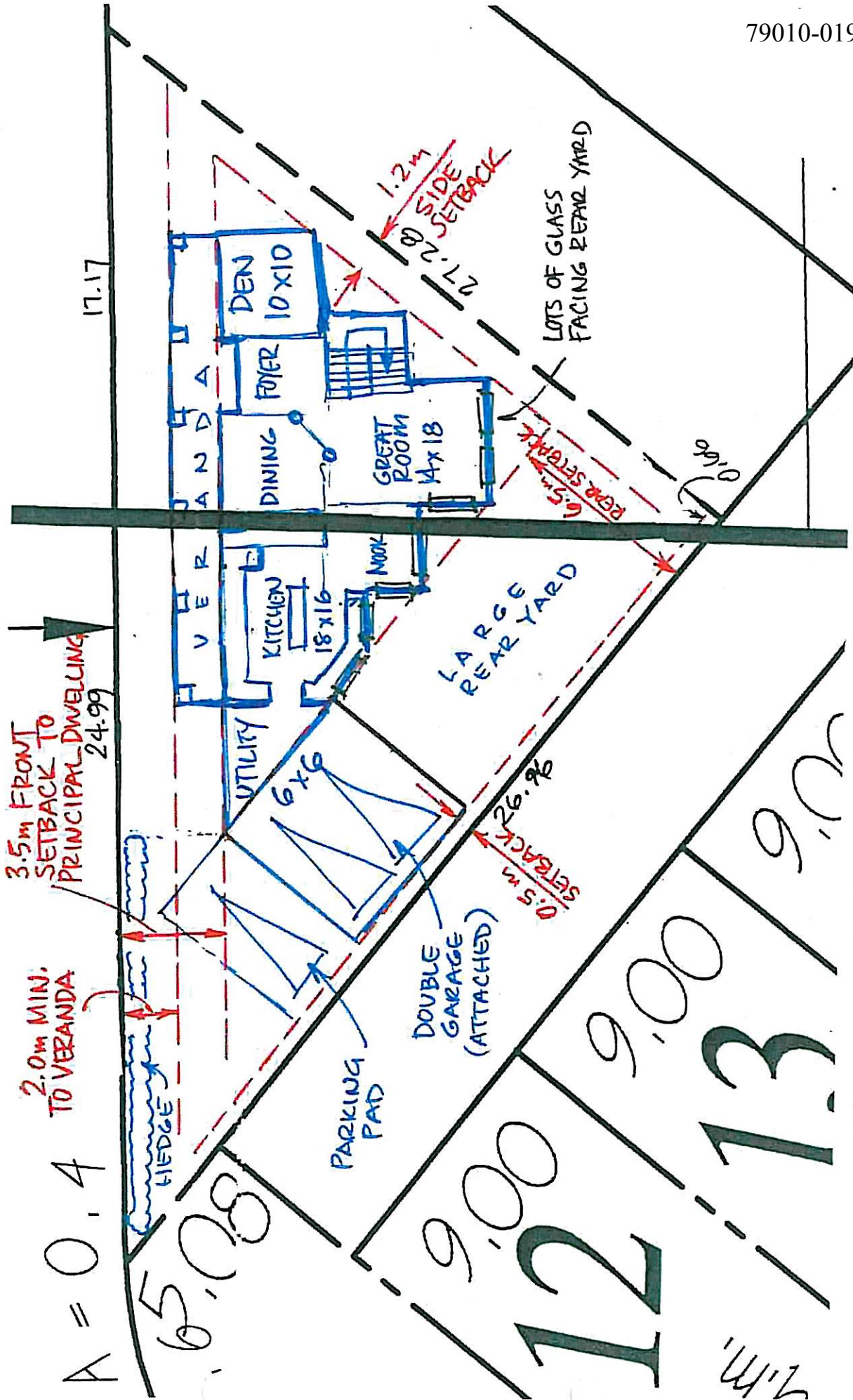
LOT D: DOUBLE GARAGE

LOT AREA = 252 m²
 MAX. FLOOR AREA AT 0.7 = 176.4 m²
 HOWEVER, CAP = 158.4 m² UNLESS UPPER FLOOR
 ATTIC SPACE IS USED (MAX 160 SQ.FT.)
 THEREFORE MAX HOME SIZE = 158.4 m² (1705 SQ.FT.)

HOME ILLUSTRATED:
 MAIN FLOOR AREA = 77.38 m² (833 SQ.FT)
 UPPER FLOOR AREA = 77.38 m² (833 SQ.FT)
 TOTAL FLOOR AREA = 154.76 m² (1665.8 SQ.FT)

HOME IS 3.64 m² (39.18 SQ.FT.) SMALLER THAN THAT
 PERMITTED ACCORDING TO F.A.R. PROVISIONS OF
 THE RF-9 BY-LAW

$261 \text{ m}^2 + 185 \text{ m}^2 = 446 \text{ m}^2$



NOTE: MAIN FLOOR PLAN IS DRAWN LARGER THAN WOULD BE SUITABLE FOR RF-9 TO DEMONSTRATE THAT THERE IS SUFFICIENT ROOM FOR A LARGE REAR YARD.